LAWS
OF THE
STATE OF ILLINOIS
NINETY EIGHTH
GENERAL ASSEMBLY

2013

PUBLIC ACT 98-001
THRU
PUBLIC ACT 98-625
STATE OF ILLINOIS
OFFICE OF THE SECRETARY OF STATE

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JESSE WHITE
Secretary of State

(14 ID 01 5004-116-03/14)

(Printed by authority of the General Assembly of the State of Illinois.)
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EFFECTIVE DATES OF PUBLIC ACTS

1970 CONSTITUTION, ARTICLE IV

"§ 10. Effective Date of Laws

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

5 ILLINOIS COMPILED STATUTES CHAPTER 75

75/1. Effective Date of Laws

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

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

75/2. Special Effective Dates

"§2 A bill passed after June 30 of a calendar year shall become effective on July 1 of the next calendar year unless the General Assembly by a vote of three-fifths of the members elected to each house provides for an earlier effective date in the terms of the bill or unless the General Assembly provides for a later effective date in the terms of the bill; provided that if the effective date provided in the terms of the bill is prior to the date the bill becomes a law then the date the bill becomes a law shall be the effective date."


## HOUSE BILLS
### 2013 SESSION
#### FEBRUARY 7, 2013 THROUGH FEBRUARY 3, 2014

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**VIP** - Approved with appropriation items vetoed.
**IR** - Approved with appropriation items reduced.
**AV** - Amendatory veto (returned to G.A. with recommendations for change).
**P** - General Assembly action pending.
**O** - Governor’s action overridden by General Assembly.
**CERT** - AV accepted by the G. A. and certified by the Governor.
**NPA** - No positive action by the G. A.
**ast** - Generally effective this date, some sections other dates.
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**VIP** - Approved with appropriation items vetoed.

**IR** - Approved with appropriation items reduced.

**AV** - Amendatory veto (returned to G.A. with recommendations for change).

**P** - General Assembly action pending.

**O** - Governor’s action overridden by General Assembly.

**CERT** - AV accepted by the G. A. and certified by the Governor.

**NPA** - No positive action by the G. A.

* - Generally effective this date, some sections other dates.
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AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1
Section 5. “AN ACT making appropriations”, Public Act 97-0685, approved June 30, 2012, is amended by changing Section 5 of Article 5 as follows:

(P.A. 97-0685, Art. 5, Sec. 5)
Sec. 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for provision of health care coverage as elected by eligible members per the State Employees Group Insurance Act of 1971:
From the General Revenue
Fund......................... 1,100,000,000  550,000,000
From the Road Fund.......... 176,323,000  88,161,500
From the Health Insurance Reserve Fund............ 2,560,114,500  1,938,929,100
Total $3,836,437,500 $2,577,090,600

ARTICLE 2
(P.A. 97-0725, Art. 4, Sec. 1350 repealed)
(P.A. 97-0725, Art. 4, Sec. 2310 repealed)
(P.A. 97-0725, Art. 4, Sec. 2315 repealed)
(P.A. 97-0725, Art. 4, Sec. 2320 repealed)
(P.A. 97-0725, Art. 4, Sec. 3885 repealed)
(P.A. 97-0725, Art. 4, Sec. 4400 repealed)
Section 5. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by repealing Sections 1350, 2310, 2315, 2320, 3885 and 4400 of Article 4; by changing Sections 2205, 2260, 2295, 2325, 3050, 3865, 3925 and 4345 of Article 4; and by adding new Sections 4556, 4557, 4558 and 4559 to Article 4 as follows:

(P.A. 97-0725, Art. 4, Sec. 2205)
Sec. 2205. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 2205 of Public Act 97-0076, as amended, is appropriated

New matter indicated by italics - deletions by strikeout
reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest City of County Club Hills for costs associated with roadway improvements within the City the construction of a fire training tower.

(P.A. 97-0725, Art. 4, Sec. 2260)

Sec. 2260. The sum of $160,000 $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 2260 of Public Act 97-0076, as amended, is appropriated reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Major Crimes Task Force SouthStar Services for costs associated with renovations to facilities the facility.

(P.A. 97-0725, Art. 4, Sec. 2295)

Sec. 2295. The sum of $235,000 $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 2295 of Public Act 97-0076, as amended, is appropriated reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Arbor Park School District 145 the Village of Orland Hills for costs associated with renovations to school facilities roadway resurfacing.

(P.A. 97-0725, Art. 4, Sec. 2325)

Sec. 2325. The sum of $65,000 $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 2325 of Public Act 97-0076, as amended, is appropriated reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Prairie Hills School District 144 Prairie State College for costs associated with the purchase of an air conditioner at Prairie Hills Jr. High School, including any prior incurred costs renovations and improvements to the campus.

(P.A. 97-0725, Art. 4, Sec. 3050)

Sec. 3050. The sum of $60,000 $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 3050 of Public Act 97-0076, as amended, is appropriated reappropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations to the Dawes Park Ball Field and repaving the parking lot at the facility.

(P.A. 97-0725, Art. 4, Sec. 3865)

Sec. 3865. The sum of $215,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for cost associated with the purchase and installation of lights at Washington Park.

(P.A. 97-0725, Art. 4, Sec. 3925)

Sec. 3925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 3925 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Meltcalf Collection Community Mental Health Council, Inc. for costs associated with infrastructure improvements.

(P.A. 97-0725, Art. 4, Sec. 4345)

Sec. 4345. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 27, Section 4345 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Advantage Network UCAN for costs associated with infrastructure improvements, and/or the purchase of a building, to include all prior incurred costs at the Alsip facility.

(P.A. 97-0725, Art. 4, Sec. 4556 new)

Sec. 4556. The sum of $40,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to V.F.W. Post 8141 for all costs associated with infrastructure improvements.

(P.A. 97-0725, Art. 4, Sec. 4557 new)

Sec. 4557. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to
Butterfield Park District for all costs associated with infrastructure improvements to park facilities.

(P.A. 97-0725, Art. 4, Sec. 4558 new)

Sec. 4558. The sum of $225,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulfilling Our Responsibility Unto Mankind (F.O.R.U.M.) for all costs associated with infrastructure improvements to the facility.

(P.A. 97-0725, Art. 4, Sec. 4559 new)

Sec. 4559. The sum of $85,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Shore Hospital for all costs associated with infrastructure improvements.

(P.A. 97-0725, Art. 5, Sec. 2200 repealed)

Section 10. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by repealing Section 2200 of Article 5; changing Sections 7145 and 7220 of Article 5; and by adding new Sections 7345 and 7350 to Article 5.

(P.A. 97-0725, Art. 5, Sec. 7145)

Sec. 7145. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 28, Section 7145 of Public Act 97-0076, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside the Learning Network for a street sweeper general infrastructure repairs.

(P.A. 97-0725, Art. 5, Sec. 7220)

Sec. 7220. The sum of $528,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 28, Section 7220 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wings Program, Inc. for all costs associated with the purchase debt reduction on a loan incurred for the construction of a building, to include prior incurred costs.

(P.A. 97-0725, Art. 5, Sec. 7345 new)

Sec. 7345. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity for a grant to Life Center Church of Deliverance for all costs associated with infrastructure improvements.

(P.A. 97-0725, Art. 5, Sec. 7350 new)

Sec. 7350. The sum of $28,461, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ravenswood Budlong Congregation dba Chabad Living Room for all costs associated with infrastructure improvements.


(P.A. 97-0725, Art. 6, Sec. 96)

Sec. 96. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a re-appropriation heretofore made in Article 29, Section 96 of Public Act 97-0076, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange for all costs associated with infrastructure improvements, construction of a pedestrian bridge.

(P.A. 97-0725, Art. 6, Sec. 158)

Sec. 158. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 158 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Children’s Museum Foundation Corp. for all costs associated with infrastructure improvements, to include the purchase of land and/or a building the construction of a new building.

(P.A. 97-0725, Art. 6, Sec. 268)

Sec. 268. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 268 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Nason for all costs associated with infrastructure improvements, wastewater improvements.

(P.A. 97-0725, Art. 6, Sec. 381)
Sec. 381. The sum of $38,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 381 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Polo Park Board for all costs associated with *infrastructure improvements* bath house renovations and improvements. (P.A. 97-0725, Art. 6, Sec. 453)

Sec. 453. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 453 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for all costs associated with *infrastructure improvements* construction of ADA compliant facilities in West Chicago. (P.A. 97-0725, Art. 6, Sec. 937)

Sec. 937. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 937 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plainfield American Legion *Marne Post 13* for all costs associated with *infrastructure improvements* land acquisition. (P.A. 97-0725, Art. 6, Sec. 940)

Sec. 940. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 29, Section 940 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Plainfield Township for all costs associated with capital improvements to the Senior Center to include the purchase of *land/building*. (P.A. 97-0725, Art. 6, Sec. 1011)

Sec. 1011. The sum of $115,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from an appropriation heretofore made in Article 29, Section 1011 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for all costs associated with *infrastructure improvements*. New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Illinois Basketball Hall of Fame for all costs associated with infrastructure improvements to the construction of the Illinois Basketball Hall of Fame Museum.

(P.A. 97-0725, Art. 7, Sec. 405 rep.)
(P.A. 97-0725, Art. 7, Sec. 410 rep.)

Section 20. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by repealing Sections 405 and 410 of Article 7; changing Sections 73, 100, 143, 280, and 344 of Article 7; and by adding new Sections 450 and 677 to Article 7.

(P.A. 97-0725, Art. 7, Sec. 73)
Sec. 73. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 30, Section 73 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover for all costs associated with improvements to the wastewater collection system and the construction of a new water tower.

(P.A. 97-0725, Art. 7, Sec. 100)
Sec. 100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 30, Section 100 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with land acquisition and site development for a multi-use path connector to Meacham Grove Forest Preserve and North Central DuPage Regional Trail at Foster Avenue and land acquisition and site development at Medinah Wetlands.

(P.A. 97-0725, Art. 7, Sec. 143)
Sec. 143. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a re-appropriation heretofore made in Article 30, Section 143 of Public Act 97-0076, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for all costs associated with road improvements and streetscaping along St. Charles Road.

New matter indicated by italics - deletions by strikeout
Sec. 280. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 30, Section 280 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stark County for all costs associated with the construction of an addition and the relocation of a memorial monument and tree, utilities and fence, and the purchase of safety equipment.

Sec. 344. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 30, Section 344 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Children's Care Center for all costs associated with infrastructure improvements and expansion.

Sec. 450. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 30, Section 450 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to EduCare for all costs associated with construction of a new facility.

Sec. 677. The sum of $100,000, or so much therefore as may be necessary and remains unexpended at the close of business on June 30, 2012, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Children’s Center for all costs associated with new construction and/or infrastructure improvements including all prior incurred costs.

Section 25. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Section 155 of Article 12; and by adding new Section 156 to Article 12 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 155. The amount of $14,423,036 \$27,596,345, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 4, Section 175 of Public Act 97-0076, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

(P.A. 97-0725, Art. 12, Sec. 156 new)

Sec. 156. The amount of $5,913,314, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

Section 30. “AN ACT making appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Sections 10, 15, 50, and 285 of Article 15 as follows:

(P.A. 97-0725, Art. 15, Sec. 10)

Sec. 10. The sum of $40,145,293, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from an appropriation heretofore made in Article 6, Section 5 of Public Act 97-0076 as amended is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashland – Cass County – For construction of a flood</td>
<td>780,000</td>
</tr>
<tr>
<td>control project to relieve flooding.......................</td>
<td></td>
</tr>
<tr>
<td>County Stormwater Improvements – For funding to assist County</td>
<td>650,000</td>
</tr>
<tr>
<td>Stormwater Programs with implementation of flood relief</td>
<td>900,000</td>
</tr>
<tr>
<td>projects...........................................</td>
<td></td>
</tr>
<tr>
<td>Crystal Creek – Cook County – To design and construct multi-phase</td>
<td>3,409,280</td>
</tr>
<tr>
<td>Crystal Creek Flood Control Projects in Schiller Park and Franklin Park.........</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Des Plaines River Phase 1 Big Bend Lake - Cook County –
For non-federal cost sharing requirements of the Upper
Des Plaines Flood Control Project, Phase 1................................. 9,501,656
East St. Louis Ecosystem and IFC - Madison & St. Clair Counties - For the non-federal funding to design and construct this multipurpose ecosystem project......... 1,200,000
Flood Hazard Mitigation – Statewide - For cost sharing to acquire repetitive and severely damaged flood prone structures....................... 9,200,000 9,500,000
Granite City Groundwater Pumping – To implement the pilot project to reduce flood damages associated with high groundwater....................... 600,000
Hickory/Spring Creek – Will County – For implementation of Stage IIIb-2 of channel construction of Hickory/Spring Creeks flood control project in cooperation with the City of Joliet............ 4,615,800 4,765,800
Hickory/Spring Creek – Will County – For implementation of Stage IV-A of channel construction of Hickory/Spring Creeks flood control project in cooperation with the City of Joliet............ 7,025,857 7,275,857
Mattoon - Coles County – For implementation of local improvements to reduce flood damages................................. 1,000,000
Village of Union - McHenry County - For the implementation of flood damage relief measures................................. 1,125,000

New matter indicated by italics - deletions by strikeout
Small Drainage and Flood Control Projects - to fund flood damage reduction projects in partnership with local units of government

<table>
<thead>
<tr>
<th></th>
<th>270,000</th>
<th>670,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$39,377,593</td>
<td>$40,727,593</td>
</tr>
</tbody>
</table>

(P.A. 97-0725, Art. 15, Sec. 15)

Sec. 15. The sum of $40,314,573, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made in Article 6, Section 10 of Public Act 97-0076 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for improvements needed at publicly owned State-owned Dams for upgrading and rehabilitation of dams, spillways and supporting facilities, including dam removals and the required geotechnical investigations, preparation of plans and specifications, and the construction of the proposed rehabilitation to ensure reduced risk of injury to the public, and for needed repairs and improvements on and to waterways and infrastructure.

(P.A. 97-0725, Art. 15, Sec. 50)

Sec. 50. The sum of $9,720,232, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2012, from a reappropriation heretofore made for such purpose in Article 6, Section 45 of Public Act 97-0076 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for improvements needed at publicly owned State-owned Dams for upgrading and rehabilitation of dams, spillways and supporting facilities, including dam removals and the required geotechnical investigations, preparation of plans and specifications, and the construction of the proposed rehabilitation to ensure reduced risk of injury to the public, and for needed repairs and improvements on and to waterways and infrastructure.

(P.A. 97-0725, Art. 15, Sec. 285)

Sec. 285. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Sections: 5 through 50, 105 through 135, and 260 through 280 of this Article until after the purpose and amount of such expenditure has been approved in writing by the Governor.

New matter indicated by italics - deletions by strikeout
Section 35. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Section 5 of Article 16 as follows:

(P.A. 97-0725, Art. 16, Sec. 5)

Sec 5. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Illinois National Guard Armory Construction Fund to the Department of Military Affairs for all costs associated with the construction of Illinois Air National Guard facilities.

Section 40. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Section 50 of Article 20; and by adding new Sections 26, 27, 46, 47, and 67 to Article 20 as follows:

(P.A. 97-0725, Art. 20, Sec. 26 new)

Sec. 26. The sum of $13,453,048, or so much thereof as may be necessary, is hereby appropriated from the Road Fund to the Department of Transportation for Federal Discretionary Projects; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated below:

(These amounts are in addition to amounts appropriated elsewhere.)

DELTA REGION TRANSPORTATION DEVELOPMENT PROGRAM

I-66 Phase I Study........................................ 661,151

FERRY BOAT DISCRETIONARY

Kampsville Ferry Push Boat and
21 Car Transport Barge.............................. 3,200,000

INTERSTATE MAINTENANCE DISCRETIONARY

I-57 Reconstruction from Union-Pulaski
County Line to Illinois 146.......................... 3,341,000

NATIONAL SCENIC BYWAYS

Illinois River Road Historical and
Archaeological Interpretation and
Implementation.......................................... 70,500

Illinois Alliance of Scenic Byways
Bicycle racks with Byway Logos.................... 271,069

Meeting of the Great Rivers Scenic Route
Overlook Restoration................................. 404,382

Illinois National Road Historic Mile
Markers and Covered Bridge Interpretation........ 24,800

Ohio River Fluorspar Miner’s Memorial

New matter indicated by italics - deletions by strikeout
in Rosiclare........................................... 167,148

PUBLIC LANDS HIGHWAYS

North 9th Street Improvements Accessing
US Army Corps of Engineers Lake Shelbyville
Recreational Areas................................. 970,640

TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION
(TCSP)

The Oak Park Marion-South
Transit Gateway Project.......................... 1,127,240
Columbia-South Main Street Reconstruction
of Sidewalk and Parking Lanes..................... 300,000

RAIL HIGHWAY CROSSING HAZARD ELIMINATION IN HSR
CORRIDORS

Williamsville, Illinois Bridge.................... 2,200,000

VALUE PRICING PILOT PROGRAM

Peer to Peer Car Sharing Pilot Program.......... 715,118
Total, this Section ................................. $13,453,048

(P.A. 97-0725, Art. 20, Sec. 27 new)

Sec. 27. The sum of $770,066, or so much thereof as may be
necessary, is appropriated from the Road Fund to the Department of
Transportation, for the local match of all other non-federally reimbursed
expenses associated with the Federal Discretionary Projects (specifically
identified in Section 26 of this Article of this Act), provided that such
amounts do not exceed funds made available and paid into the Road Fund
by local governments as approximated below: (These amounts are in
addition to amounts appropriated elsewhere.)

NATIONAL SCENIC BYWAYS

Illinois River Road Historical and
Archeological Interpretation and
Implementation......................................... 17,625

Illinois Alliance of Scenic Byways
Bicycle racks with Byway Logos................... 67,768
Meeting of the Great Rivers Scenic Route
Overlook Restoration................................. 101,096

Illinois National Road Historic Mile
Markers and Covered Bridge Interpretation........ 6,200
Ohio River Fluorspar Miner’s Memorial
in Rosiclare........................................... 41,787

New matter indicated by italics - deletions by strikeout
TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION  
(TCSP)

The Oak Park Marion-South
Transit Gateway Project.......................... 281,810

Columbia-South Main Street Reconstruction of
Sidewalk and Parking Lanes....................... 75,000

VALUE PRICING PILOT PROGRAM
Peer to Peer Car Sharing Pilot Program........... 178,780

Total, this Section  $770,066

(P.A. 97-0725, Art. 20, Sec. 46 new)

Sec. 46. The sum of $675,000,000, or so much thereof as may be
necessary, is appropriated from the Road Fund to the Department of
Transportation for preliminary engineering and construction engineering
and contract costs of construction, including reconstruction, extension and
improvement of state and local roads and bridges, fringe parking facilities
and such other purposes as provided by the “Illinois Highway Code”; for
purposes allowed or required by Title 23 of the U.S. Code; for bikeways
as provided by Public Act 78-850; for land acquisition and signboard
removal and control and preservation of natural beauty, in accordance
with applicable laws and regulations for the State and local portions of
the Road Improvement Program as approximated below—such
appropriations are in addition to those amounts already enacted:

District 1, Schaumburg......................... 210,780,000
District 2, Dixon............................... 43,210,000
District 3, Ottawa.............................. 36,480,000
District 4, Peoria............................... 35,200,000
District 5, Paris............................... 17,500,000
District 6, Springfield........................ 29,400,000
District 7, Effingham......................... 33,900,000
District 8, Collinsville....................... 54,500,000
District 9, Carbondale........................ 34,300,000
Local Program.................................. 53,964,000
Statewide (including refunds)................ 125,766,000

Total  $675,000,000

(P.A. 97-0725, Art. 20, Sec. 47 new)

Sec. 47. The sum of $15,000,000, or so much thereof as may be
necessary, is appropriated from the Road Fund to the Department of
Transportation for all costs associated with the procurement of public
private agreements pursuant to the provisions of the Public Private

New matter indicated by italics - deletions by strikeout
Agreements for the Illiana Expressway Act (605 ILCS 130) as amended that enable the Illiana Expressway to be developed, financed, constructed, managed, or operated in an entrepreneurial and business-like manner.

(P.A. 97-0725, Art. 20, Sec. 50)

Sec. 50. The sum of $624,833, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Federal Discretionary Program Awards provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) earmarks specifically identified in Section 25 of this Article of this Act, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

(P.A. 97-0725, Art. 20, Sec. 67 new)

DIVISION OF PUBLIC AND INTERMODAL TRANSPORTATION

CONSTRUCTION

Sec. 67. The sum of $10,440,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, as awarded from the Transportation Investment Generating Economic Recovery (TIGER) IV, as provided for in the “Consolidated and Further Continuing Appropriations Act of 2012” – P.L. 112-055, provided such amounts not exceed funds made available by the Federal government.

Section 45. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Sections 190 and 195 of Article 21 as follows:

(P.A. 97-0725, Art. 21, Sec. 190)

Sec. 190. The sum of $12,800,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2012, from the appropriation heretofore made in Article 10, Section 20 of Public Act 97-0076, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation Investment Generating Economic Recovery II (TIGER II) earmarks designated in Division A of the Consolidated Appropriations Act, 2010, Public Law 111-117 as identified and approximated in Article 10 of, Section 20 of Public Act 97-0076; provided such amounts do not exceed funds made
available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

(P.A. 97-0725, Art. 21, Sec. 195)

Sec. 195. The sum of $3,200,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2012, from the appropriation heretofore made in Article 10, Section 40 of Public Act 97-0076, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation Investment Generating Economic Recovery II (TIGER II) earmarks specifically identified in Section 20 of Article 10 in Public Act 97-0076, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

Section 50. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, with item reductions, is amended by changing Section 50 of Article 22; and by adding new Section 380 to Article 22 as follows:

(P.A. 97-0725, Art. 22, Sec. 50)

Sec. 50. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2012, from reappropriations heretofore made for such purposes in Article 12, Section 65 of Public Act 97-0076, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Natural Resources for the projects hereinafter enumerated:

BABE WOODYARD STATE NATURAL AREA - VERMILION COUNTY
(From Article 12, Section 65 of Public Act 97-0076)
For developing the site and associated land acquisition............................. 244,604

BIG RIVER STATE FOREST
For ADA improvements.................................................. 191,122

BUFFALO ROCK STATE PARK – LASALLE COUNTY
For replacing the septic system, in addition to funds previously appropriated...... 239,860

CARLYLE LAKE STATE PARKS
For road and site improvements at Carlyle Lake.................................... 1,477,424
For infrastructure and site improvements at Carlyle Lake......................... 765,485

New matter indicated by italics - deletions by strikeout
CARLYLE STATE FISH AND WILDLIFE AREA – FAYETTE COUNTY
To replace Cox Bridge at Carlyle State Fish and Wildlife Area.......................... 550,000

EAGLE CREEK STATE PARK - SHELBY COUNTY
For constructing lake access boat docks at resort......................................... 219,303

FERNE CLYFFE STATE PARK - JOHNSON COUNTY
For replacing the campground sewage treatment system.......................... 365,054

GIANT CITY STATE PARK - JACKSON COUNTY
For replacing the sewer treatment system.................................................. 460,166

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
For replacing floating boardwalk............................................................. 24,604

HENNEPIN CANAL PARKWAY STATE PARK AND ACCESS AREA
For rehabilitating/repairing railroad bridges, in addition to funds previously appropriated................................. 851,685

HORSESHOE LAKE CONSERVATION AREA - ALEXANDER COUNTY
For dam rehabilitation and the State's share to implement the ecological restoration plan in cooperation with the U.S. Army Corps of Engineers, and land acquisition.................................................. 842,605

I & M Canal - CHANNAHON – GRUNDY COUNTY
For repair of the spillway, in addition to funds previously appropriated.................. 364,320
For replacing Lock 14 Bridge................................................................. 308,871
For improving the DuPage River Spillway............................................. 853,884
For improving DuPage River Spillway.................................................. 2,172

ILLINOIS BEACH STATE PARK - LAKE COUNTY
For stabilizing shoreline................................................................. 980,900
For replacing sanitary sewer line...................................................... 8,196

JAKE WOLF MEMORIAL FISH HATCHERY
For replacing or upgrading electrical system........................................... 328,514

MORAINE HILLS STATE PARK – MCHENRY COUNTY
For replacing yellow-head marshy dam culverts.... 400,000

New matter indicated by italics - deletions by strikeout
NAUVOO STATE PARK
For ADA improvements................................. 306,889

PERE MARQUETTE STATE PARK – JERSEY COUNTY
For replacing lodge pool dehumidifier,
in addition to funds previously appropriated.... 272,910
For design services to replace a lodge
pool dehumidifier................................. 31,526
For emergency replacement of a sewage
treatment plant............................ 27,988

PYRAMID STATE PARK
For renovating the Galum building for a
mine rescue station................................. 808,670

RED HILLS STATE PARK – LAWRENCE COUNTY
For miscellaneous improvements.................. 44,740

RESEARCH & COLLECTIONS CENTER - SPRINGFIELD
For renovating the interior....................... 17,796

ROCK CUT STATE PARK - WINNEBAGO COUNTY
For rehabilitating water and sewer
system.............................................. 184,599

SILOAM SPRINGS STATE PARK – ADAMS COUNTY
For rehabilitating office/service area......... 1,119,114

STEPHEN A. FORBES STATE PARK, MARION COUNTY
For replacing dump and fish cleaning
stations, in addition to funds
previously appropriated.......................... 9,397
For design services to replace dump and
fish cleaning stations........................... 22,794

WORLD SHOOTING COMPLEX – SPARTA
For infrastructure improvements............... 48,960

SPRINGFIELD
For constructing an office building and
interpretive center............................... 166,153

STARVED ROCK STATE PARK AND LODGE
For replacing roofing systems..................... 24,729

WAYNE FITZGERRELL STATE RECREATION AREA
For replacing roofs.............................. 149,768

WHITE PINES FOREST STATE PARK - OGLE COUNTY
For completing the replacement of the
sewer system, in addition to funds

New matter indicated by italics - deletions by strikeout
previously appropriated.......................... 10,907

WILDLIFE PRAIRIE PARK
For rehabilitating the sewage treatment plant or a grant to Friends of Wildlife Prairie Park for the same purpose... 683,164
For upgrading sewage treatment plant or a grant to Friends of Wildlife Prairie Park for the same purpose............. 1,032,000

STATEWIDE
For replacing/repairing the roofing systems at the following locations at the approximate cost set forth below......................... 245,000
Clinton Lake Recreational Area - DeWitt County............. 65,000
Ferne Clyffe State Park- Johnson County......................... 20,000
Hennepin Canal Parkway State Park............................... 26,000
Lake Le-Aqua-Na State Park- Stephenson County............... 39,000
Mermet Lake Conservation Area- Massac County.................... 95,000
For replacing/repairing the roofing systems at the following locations at the approximate costs set forth below......................... 115,267
Starved Rock State Park & Lodge-LaSalle County............. 4,726
Kaskaskia River Fish & Wildlife Area-Randolph County........ 19,500
Pyramid State Park- Perry County......................... 4,109
Region V Office (Benton) Franklin County...................... 86,932
For rehabilitating dams and bridges......................... 116,946
For constructing, replacing and renovating lodges and concession buildings................................. 878,761
For replacing roofs at the following locations, at the approximate cost set forth below........... 134,931

New matter indicated by italics - deletions by strikeout
Shabbona Lake State Park .......... 40,850
Hennepin Canal Parkway State Park... 15,750
Randolph Fish & Wildlife Area ....... 32,271
Dixon Springs State Park .......... 46,060
For replacing and constructing vault toilets at the following locations, at the approximate cost set forth below: 167,772
Hennepin Canal Parkway State Trail .............. 167,772
For rehabilitating dams at the following locations, at the approximate cost set forth below: 34,828
Rock Cut State Park .............. 34,828
For replacing roofs at the following locations, at the approximate cost set forth below: 206,925
Southern IL Arts & Crafts Center ...... 412
Frank Holten State Park .............. 412
DNR Geological Survey-Champaign ...... 413
Sangchris Lake State Park .............. 5,291
Illini State Park ..................... 1,692
Shelbyville Fish & Wildlife Area ... 79,480
Trail of Tears State Forest ............. 3,685
Sanganois Conservation Area ............ 413
Rice Lake State Park .............. 28,090
Hidden Spring State Park ............. 53,740
Siloam Springs State Park ............. 2,417
Mississippi Palisades State Park .... 30,880
For replacing vault toilets at the following locations, at the approximate cost set forth below: 285,813
Anderson Lake Conservation Area - Fulton/Schuyler Counties .......... 71,453
Giant City State Park - Jackson/Union Counties .......... 71,453
Randolph County Conservation Area... 71,453
Silver Springs State Park - Kendall County ............. 71,453

New matter indicated by italics - deletions by strikeout
For constructing hazardous material storage buildings................................................. 9,935
For constructing vault toilets at the following locations at the approximate cost set forth below:........................................ 137,897
Apple River Canyon State Park....... 19,699
Des Plaines Conservation Area....... 19,700
Kankakee River State Park........... 19,700
Lake Le-Aqua-Na State Park........... 19,699
Marshall County Conservation Area... 19,700
Morrison-Rockwood State Park....... 19,699
Rice Lake Conservation Area........... 19,700
For planning, construction, reconstruction, land acquisition and related costs, utilities, site improvements, and all other expenses necessary for various capital improvements at parks, conservation areas, and other facilities under the jurisdiction of the Department of Natural Resources................. 415,159
Total $17,190,107

(P.A. 97-0725, Art. 22, Sec. 380 new)

Sec. 380. The following named amount, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

CHICAGO STATE UNIVERSITY

For upgrades and improvements to Electrical systems........................................ 6,500,000

ARTICLE 3

Section 5. “AN ACT concerning appropriations”, Public Act 97-0726, approved June 30, 2012, is amended by changing Section 10 of Article 5 as follows:

(P.A. 97-0726, Art. 5, Sec. 10)

Sec. 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:
From General Revenue Fund
Department on Aging

New matter indicated by italics - deletions by strikeout
For the Director ...................................... 115,700

Department of Agriculture
For the Director ...................................... 133,300
For the Assistant Director ......................... 113,200

Department of Central Management Services
For the Director ...................................... 142,400
For 2 Assistant Directors ......................... 242,200

Department of Children and Family Services
For the Director ...................................... 150,300

Department of Corrections
For the Director ...................................... 150,300
For the Assistant Director .......................... 127,800

Department of Commerce and Economic Opportunities
For the Director ...................................... 142,400
For the Assistant Director .......................... 121,100

Environmental Protection Agency
For the Director ...................................... 133,300

Department of Financial and Professional Regulation
For the Secretary .................................... 135,100
For the Director ...................................... 115,700
For the Director ...................................... 124,100

Department of Human Services
For the Secretary .................................... 150,300
For 2 Assistant Secretaries ....................... 255,600

Department of Insurance
For the Director ...................................... 135,100

Department of Juvenile Justice
For the Director ...................................... 120,400

Department of Labor
For the Director ...................................... 124,100
For the Assistant Director ......................... 113,200
For the Chief Factory Inspector ................. 52,200
For the Superintendent of Safety Inspection and Education ......................... 57,400

Department of State Police
For the Director ...................................... 132,600
For the Assistant Director ......................... 113,200

Department of Military Affairs

New matter indicated by italics - deletions by strikeout
For the Adjutant General.......................... 115,700
For two Chief Assistants to the
Adjutant General.............................. 197,100
Department of Lottery
For the Superintendent...................... 142,000 θ
Department of Natural Resources
For the Director.................................. 133,300
For the Assistant Director.................... 124,600
For six Mine Officers......................... 94,000
For four Miners' Examining Officers...... 51,700
Illinois Labor Relations Board
For the Chairman............................... 104,400
For four State Labor Relations Board
members........................................... 375,800
For two Local Labor Relations Board
members.......................................... 187,900
For the Local Labor Relations Board
Chairman......................................... 96,500 θ
Department of Healthcare and Family Services
For the Director............................... 142,400
For the Assistant Director................... 121,100
Department of Public Health
For the Director................................ 150,300
For the Assistant Director................... 127,800
Department of Revenue
For the Director................................ 142,400
For the Assistant Director................... 121,100 θ
Property Tax Appeal Board
For the Chairman.............................. 64,800
For four members.............................. 208,800
Department of Veterans' Affairs
For the Director................................ 115,700
For the Assistant Director................... 98,600
Civil Service Commission
For the Chairman.............................. 30,500
For four members.............................. 101,300
Commerce Commission
For the Chairman.............................. 134,100
For four members.............................. 468,200

New matter indicated by italics - deletions by strikeout
Court of Claims  
For the Chief Judge............................ 65,000  
For the six Judges............................. 359,600

State Board of Elections  
For the Chairman............................... 58,500  
For the Vice-Chairman......................... 48,100  
For six members................................ 225,500

Illinois Emergency Management Agency  
For the Director................................. 129,000  
For the Assistant Director..................... 115,700

Department of Human Rights  
For the Director................................. 115,700

Human Rights Commission  
For the Chairman................................ 52,200  
For twelve members............................. 563,600

Illinois Workers’ Compensation Commission  
For the Chairman............................... 125,300  
For nine members............................... 1,078,600

Liquor Control Commission  
For the Chairman................................. 39,000  
For six members................................. 204,400  
For the Secretary............................... 37,600  
For the Chairman and one member as designated by law, $200 per diem for work on a license appeal commission................................ 55,000

Executive Ethics Commission  
For nine members............................... 338,200

Illinois Power Agency  
For the Director................................. 103,800

Pollution Control Board  
For the Chairman................................. 121,100  
For four members............................... 468,200

Prisoner Review Board  
For the Chairman................................. 95,900  
For fourteen members of the Prisoner Review Board.......... 1,202,500  

Secretary of State Merit Commission  
For the Chairman................................. 17,300

New matter indicated by italics - deletions by strikeout
For four members....................... 51,700 38,800

Educational Labor Relations Board
For the Chairman............................... 104,400
For four members............................... 375,800

Department of State Police
For five members of the State Police
Merit Board, $237 per diem,
whichever is applicable in accordance
with law, for a maximum of 100
days each....................................... 118,500

Department of Transportation
For the Secretary............................... 150,300
For the Assistant Secretary............... 127,800

Office of Small Business Utility Advocate
For the small business utility advocate......... 0

ARTICLE 4

Section 5. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Section 35 of Article 3 as follows:
(P.A. 97-0727, Art. 3, Sec. 35)

Sec. 35. The amount of $65,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Central Management Services to meet its operational expenses for the fiscal year ending June 30, 2013.

PAYABLE FROM STATE GARAGE REVOLVING FUND
For Personal Services.......................... 10,259,700
For State Contributions to State
  Employees' Retirement System................. 3,897,400
For State Contributions to Social
  Security...................................... 784,900
For Group Insurance........................... 3,335,000
For Contractual Services...................... 2,350,000
For Travel................................... 15,000
For Commodities............................ 85,000
For Printing.................................. 15,000
For Equipment.............................. 18,000,000
For Telecommunications Services............ 80,000
For Operation of Auto Equipment............ 36,066,800
For Refunds.................................. 1,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Total</td>
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<tr>
<td>PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND</td>
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<tr>
<td>Personal Services</td>
<td>1,211,500</td>
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<td>State Contributions to State Employees' Retirement System</td>
<td>460,300</td>
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<td>State Contributions to Social Security</td>
<td>92,700</td>
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<tr>
<td>Group Insurance</td>
<td>322,000</td>
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<td>Contractual Services</td>
<td>18,000</td>
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<td>Travel</td>
<td>13,500</td>
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<tr>
<td>Commodities</td>
<td>11,700</td>
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<tr>
<td>Printing</td>
<td>500</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,800</td>
</tr>
<tr>
<td>Telecommunications Services</td>
<td>18,400</td>
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<tr>
<td>Total</td>
<td>$2,150,400</td>
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<tr>
<td>PAYABLE FROM COMMUNICATIONS REVOLVING FUND</td>
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<tr>
<td>Personal Services</td>
<td>925,600</td>
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<tr>
<td>State Contributions to State Employees' Retirement System</td>
<td>351,700</td>
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<tr>
<td>State Contributions to Social Security</td>
<td>70,900</td>
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<tr>
<td>Group Insurance</td>
<td>253,000</td>
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<td>Contractual Services</td>
<td>20,000</td>
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<td>Travel</td>
<td>8,000</td>
</tr>
<tr>
<td>Commodities</td>
<td>1,500</td>
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<tr>
<td>Printing</td>
<td>500</td>
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<tr>
<td>Equipment</td>
<td>3,000</td>
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<td>Total</td>
<td>$1,634,200</td>
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<tr>
<td>PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND</td>
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<td>Personal Services</td>
<td>197,700</td>
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<tr>
<td>State Contributions to State Employees' Retirement System</td>
<td>75,200</td>
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<tr>
<td>State Contributions to Social Security</td>
<td>15,200</td>
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<tr>
<td>Group Insurance</td>
<td>69,000</td>
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<td>Contractual Services</td>
<td>1,000</td>
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<tr>
<td>Travel</td>
<td>1,000</td>
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<tr>
<td>Commodities</td>
<td>1,000</td>
</tr>
<tr>
<td>Printing</td>
<td>300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Equipment..................................... 1,000
For Electronic Data Processing................. 4,000
For Telecommunications Services............... 4,000
Total $369,400

PAYABLE FROM GENERAL REVENUE FUND

For payment of claims, including prior years claims, under the Representation and Indemnification in Civil Lawsuits Act......................... 1,145,300
For auto liability, adjusting and Administration of claims, loss control and prevention services, and auto liability claims, including prior years claims................................. 1,360,200
Total $2,505,500

PAYABLE FROM WORKERS' COMPENSATION REVOLVING FUND

For administrative costs and of claims services and payment of temporary total disability claims of any state agency or university employee........... 85,195,000 2,250,000
For payment of Workers' Compensation Act claims and contractual services in connection with said claims payments........................................ 80,695,500
Total $165,891,000 $82,945,500

Expenditures from appropriations for treatment and expense may be made after the Department of Central Management Services has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person.

PAYABLE FROM STATE EMPLOYEES DEFERRED COMPENSATION PLAN FUND

For expenses related to the administration of the State Employees’ Deferred Compensation Plan.......................... 1,500,000

New matter indicated by italics - deletions by strikeout
Section 10. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Sections 5 and 10 of Article 4 as follows:

(P.A. 97-0727, Art. 4, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the State Civil Service Commission:

For Personal Services................... 248,700  \(\text{strikeout:} \) 207,500
For State Contributions to Social Security..........................

\(\text{strikeout:} \) 19,100  15,900

Total

\(\text{strikeout:} \) $267,800  $223,400

(P.A. 97-0727, Art. 4, Sec. 10)

Sec. 10. The amount of $110,700 \(\text{strikeout:} \) $66,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Civil Service Commission to meet its operational expenses for the fiscal year ending June 30, 2013.

Section 15. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by adding new Sections 110, 115, and 120 to Article 5 as follows:

(P.A. 97-0727, Art. 5, Sec. 110 new)

Sec. 110. The following amount, or so much thereof as may be necessary, in addition to any other amounts appropriated for such purpose, is appropriated to the Department of Commerce and Economic Opportunity:

\[\text{OFFICE OF BUSINESS DEVELOPMENT} \]

\[\text{GRANTS} \]

Payable from the General Revenue Fund:
For the purposes of Grants, Contracts, and Administrative Expenses associated with DCEO Job Training Programs, including prior year costs................. 5,700,000

(P.A. 97-0727, Art. 5, Sec. 115 new)

Sec. 115. The following amount, or so much thereof as may be necessary, in addition to any other amounts appropriated for such purpose, is appropriated to the Department of Commerce and Economic Opportunity:

\[\text{ILLINOIS ENERGY OFFICE} \]

\[\text{GRANTS} \]

New matter indicated by italics - deletions by strikeout
Payable from the Renewable Energy Resources Trust Fund:
For grants, loans, investments, and
Administrative Expenses of the Renewable
Energy Resources Program, and the
Illinois Renewable Fuels Development
Program, Including Prior Year Costs........... 3,700,000
(P.A. 97-0727, Art. 5, Sec. 120 new)

Sec. 120. No contract shall be entered into or obligation incurred
or any expenditure made from an appropriation herein made in Section
110 and Section 115 of this Article until after a grant agreement has been
entered into for expenditures made from and appropriation herein made in
Section 55 of this Article between the Department and the Illinois
Manufacturers’ Association, Chicago Federation of Labor, Illinois
Manufacturing Extension Center, Chicagoland Regional College
Program, and New Start, Inc. and until after a grant agreement has been
entered into for expenditures made from and appropriation herein made in
Section 100 of this Article between the Department and Southwestern

Section 20. “AN ACT concerning appropriations”, Public Act 97-
0727, approved June 30, 2012, is amended by changing Sections 10 and
15 of Article 10 as follows:
(P.A. 97-0727, Art. 10, Sec. 10)

Sec. 10. The following named amounts, or so much thereof as may
be necessary, respectively, for the purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the
Department of Employment Security:

FINANCE AND ADMINISTRATION BUREAU

Payable from Title III Social Security
and Employment Fund:
For Personal Services............... 20,754,500
For State Contributions to State
   Employees' Retirement System........ 7,884,000
For State Contributions to
   Social Security.................. 1,587,700
For Group Insurance.................... 6,187,000
For Contractual Services........ 76,000,000 64,500,000
For Travel.......................... 122,700
For Commodities..................... 1,140,000
For Printing......................... 2,480,000

New matter indicated by italics - deletions by strikeout
Payable from Title III Social Security and Employment Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Title III Social Security and Employment Fund:</td>
<td></td>
</tr>
<tr>
<td>For expenses related to America's Labor Market Information System...........</td>
<td>$500,000</td>
</tr>
<tr>
<td>Total</td>
<td>$123,007,900</td>
</tr>
<tr>
<td>(P.A. 97-0727, Art. 10, Sec. 15)</td>
<td></td>
</tr>
<tr>
<td>Sec. 15. The following named sums, or so much thereof as may be necessary,</td>
<td></td>
</tr>
<tr>
<td>are appropriated to the Department of Employment Security:</td>
<td></td>
</tr>
</tbody>
</table>

**WORKFORCE DEVELOPMENT**

Payable from Title III Social Security and Employment Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Title III Social Security and Employment Fund:</td>
<td></td>
</tr>
<tr>
<td>For Personal Services.............</td>
<td>$88,114,300</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System............</td>
<td>$33,472,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security....................................</td>
<td>$6,740,800</td>
</tr>
<tr>
<td>For Group Insurance..............</td>
<td>$33,271,300</td>
</tr>
<tr>
<td>For Contractual Services...............</td>
<td>$3,088,900</td>
</tr>
<tr>
<td>For Travel............................</td>
<td>$975,000</td>
</tr>
<tr>
<td>For Telecommunications Services.....</td>
<td>$7,947,800</td>
</tr>
<tr>
<td>For Permanent Improvements..........................................................</td>
<td>$0</td>
</tr>
<tr>
<td>For Refunds.............................</td>
<td>$300,000</td>
</tr>
<tr>
<td>For the expenses related to the Development of Training Programs...........</td>
<td>$100,000</td>
</tr>
<tr>
<td>For the expenses related to Employment Security Automation....................</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>For expenses related to a Benefit Information System Redefinition..........</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Total</td>
<td>$188,010,200</td>
</tr>
</tbody>
</table>

Payable from the Unemployment Compensation Special Administration Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the Unemployment Compensation Special Administration Fund:</td>
<td></td>
</tr>
<tr>
<td>For expenses related to Legal Assistance as required by law..................</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>For deposit into the Title III Social Security and Employment Fund...........</td>
<td>$25,750,000</td>
</tr>
<tr>
<td>Total</td>
<td>$27,750,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Interest on Refunds of ERRONEOUSLY
Paid Contributions, Penalties and
Interest........................................100,000
Total $27,850,000 $14,100,000

Section 25. “AN ACT making appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Section 90 of Article 17 as follows:
(P.A. 97-0727, Art. 17, Sec. 90)
Sec. 90. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
ABRAHAM LINCOLN PRESIDENTIAL LIBRARY AND MUSEUM
DIVISION
Payable from the Illinois Historic Sites Fund:
For research projects associated with Abraham Lincoln.................................75,000
For microfilming Illinois newspapers and manuscripts and performing genealogical research..........................175,000
Total $250,000

For the ordinary and contingent expenses of the Abraham Lincoln Presidential Library and Museum in Springfield and Historic Sites:
Payable from the Local Tourism Fund..............2,000,000
Payable from the Tourism Promotion Fund..........9,800,000
Total $11,800,000

For the ordinary and contingent expenses of the Abraham Lincoln Presidential Library and Museum in Springfield:
Payable from the Presidential Library and Museum Operating Fund................6,500,000
Total $18,300,000

Section 30. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Sections 15 and 25 of Article 18 as follows:
(P.A. 97-0727, Art. 18, Sec. 15)

New matter indicated by italics - deletions by strikeout
Sec. 15. The sum of $4,250,000 $750,000, or so much thereof as may be necessary, is appropriated from the Insurance Producer Administration Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

(P.A. 97-0727, Art. 18, Sec. 25)

Sec. 25. The sum of $2,750,000 $250,000, or so much thereof as may be necessary, is appropriated from the Insurance Financial Regulation Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

Section 35. “AN ACT making appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Sections 10, 15, 30, 110, and 130 of Article 23 as follows:

(P.A. 97-0727, Art. 23, Sec. 10)

Sec. 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

ARCHITECTURE, ENGINEERING AND GRANTS

For Personal Services:
Payable from State Boating Act Fund.............. 101,900

For State Contributions to State
Employees' Retirement System:
Payable from State Boating Act Fund.............. 38,800

For State Contributions to Social Security:
Payable from State Boating Act Fund.............. 7,800

For Group Insurance:
Payable from State Boating Act Fund...... 28,500 25,600

For Travel:
Payable from Wildlife and Fish Fund.............. 2,300

For Equipment:
Payable from Wildlife and Fish Fund.............. 23,000

For expenses of the Heavy Equipment Dredging Crew:
Payable from State Boating Act Fund.............. 440,500
Payable from Wildlife and Fish Fund.............. 170,700

For expenses of the OSLAD Program:
Payable from Open Space Lands Acquisition and Development Fund.............. 1,151,200

For Ordinary and Contingent Expenses:
Payable from Park and Conservation Fund...... 1,968,400

New matter indicated by italics - deletions by strikeout
For expenses of the Bikeways Program:
Payable from Park and Conservation Fund........... 217,300
Total $4,150,400 $4,147,500
(P.A. 97-0727, Art. 23, Sec. 15)

Sec. 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**OFFICE OF REAL ESTATE AND ENVIRONMENTAL PLANNING**

For Personal Services:
Payable from the General Revenue Fund........... 1,676,000
Payable from Wildlife and Fish Fund............... 580,900

For State Contributions to State Employees’ Retirement System:
Payable from Wildlife and Fish Fund............... 220,700

For State Contributions to Social Security:
Payable from the General Revenue Fund........... 128,300
Payable from Wildlife and Fish Fund............... 44,600

For Group Insurance:
Payable from Wildlife and Fish Fund....... 185,500 164,500

For Contractual Services:
Payable from the General Revenue Fund........... 75,000

For Travel:
Payable from the General Revenue Fund........... 1,000

For Commodities:
Payable from State Parks Fund...................... 8,100

For Printing:
Payable from the General Revenue Fund........... 2,000

For Equipment:
Payable from State Parks Fund...................... 26,100

For Electronic Data Processing:
Payable from the General Revenue Fund........... 7,500

For Telecommunications Services:
Payable from the General Revenue Fund........... 12,000

For Operation of Auto Equipment:
Payable from the General Revenue Fund............... 8,000

For expenses of Natural Areas Execution:
Payable from the Natural Areas Acquisition Fund........................... 160,000

New matter indicated by italics - deletions by strikeout
For expenses of the OSLAD Program
and the Statewide Comprehensive
Outdoor Recreation Plan (SCORP):
Payable from Open Space Lands Acquisition
and Development Fund......................... 320,000

For expenses of the Partners for Conservation Program
Payable from the Partners for
Conservation Fund.............................. 1,500,000

For Natural Resources Trustee Program:
Payable from Natural Resources
Restoration Trust Fund......................... 1,400,000

For Ordinary and Contingent Expenses:
Payable from Park and Conservation Fund...... 1,859,500

For expenses of the Bikeways Program:
Payable from Park and Conservation Fund...... 450,000

Total $8,665,200 $8,644,200

(P.A. 97-0727, Art. 23, Sec. 30)

Sec. 30. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Natural Resources:

OFFICE OF RESOURCE CONSERVATION

For Personal Services:
Payable from the General Revenue Fund........ 1,796,300
Payable from Wildlife and Fish Fund.......... 10,162,200
Payable from Salmon Fund..................... 184,800
Payable from Natural Areas Acquisition Fund.... 1,391,500

For State Contributions to State
Employees' Retirement System:
Payable from Wildlife and Fish Fund......... 3,860,400
Payable from Salmon Fund.................... 70,200
Payable from Natural Areas Acquisition Fund..... 528,600

For State Contributions to Social Security:
Payable from the General Revenue Fund........ 137,800
Payable from Wildlife and Fish Fund.......... 777,300
Payable from Salmon Fund................... 14,200
Payable from Natural Areas Acquisition Fund..... 106,800

For Group Insurance:
Payable from Wildlife and Fish

New matter indicated by italics - deletions by strikeout
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<tr>
<th>Fund</th>
<th>3,215,000</th>
<th>3,133,000</th>
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<tbody>
<tr>
<td>Payable from Salmon Fund</td>
<td>47,200</td>
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<tr>
<td>Payable from Natural Areas Acquisition Fund</td>
<td>412,200</td>
<td>400,000</td>
</tr>
</tbody>
</table>

For Contractual Services:
- Payable from the General Revenue Fund       6,000
- Payable from Wildlife and Fish Fund          1,762,500
  - Payable from Natural Areas Acquisition Fund 24,300
- Payable from Natural Heritage Fund          59,200

For Travel:
- Payable from Wildlife and Fish Fund           64,200
- Payable from Natural Areas Acquisition Fund   5,000

For Commodities:
- Payable from the General Revenue Fund        82,200
- Payable from Wildlife and Fish Fund           1,154,000
  - Payable from Natural Areas Acquisition Fund 22,000
- Payable from the Natural Heritage Fund        16,000

For Printing:
- Payable from Wildlife and Fish Fund           72,000

For Equipment:
- Payable from Wildlife and Fish Fund           249,000
  - Payable from Natural Areas Acquisition Fund 43,000

For Telecommunications Services:
- Payable from the General Revenue Fund         97,000
- Payable from Wildlife and Fish Fund           120,000
  - Payable from Natural Areas Acquisition Fund 22,000

For Operation of Auto Equipment:
- Payable from the General Revenue Fund         10,000
- Payable from Wildlife and Fish Fund           415,000
  - Payable from Natural Areas Acquisition Fund 45,000

For expenses of subgrantee payments:
- Payable from the Wildlife and Fish Fund       1,500,000

For Ordinary and Contingent Expenses
of The Chronic Wasting Disease Program
and the control of feral swine population:
- Payable from Wildlife and Fish Fund           1,500,000

For ordinary and contingent expenses
of Resource Conservation:
- Payable from the Wildlife and Fish Fund       1,500,000

New matter indicated by italics - deletions by strikeout
For an Urban Fishing Program in conjunction with the Chicago Park District to provide fishing and resource management at the park district lagoons:
    Payable from Wildlife and Fish Fund...............   277,900
For workshops, training and other activities to improve the administration of fish and wildlife federal aid programs from federal aid administrative grants received for such purposes:
    Payable from Wildlife and Fish Fund...............   10,000
For expenses of the Natural Areas Stewardship Program:
    Payable from Natural Areas Acquisition Fund......   853,100
For evaluating, planning, and implementation for the updating and modernization of the inventory and identification of natural areas in Illinois:
    Payable from Natural Areas Acquisition Fund......   455,000
For Expenses Related to the Endangered Species Protection Board:
    Payable from Natural Areas Acquisition Fund......   145,000
For Administration of the "Illinois Natural Areas Preservation Act":
    Payable from Natural Areas Acquisition Fund....    1,627,700
For ordinary and contingent expenses of operating the Partners for Conservation Program:
    Payable from Partners for Conservation Fund....    1,500,000
Total $36,341,600 $36,247,200

(P.A. 97-0727, Art. 23, Sec. 110)

Sec. 110. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAW ENFORCEMENT

For Personal Services:
    Payable from the General Revenue Fund..........   6,086,700

New matter indicated by italics - deletions by strikeout
Payable from State Boating Act Fund........... 2,683,300
Payable from State Parks Fund.................. 1,100,000
Payable from Wildlife and Fish Fund............ 2,424,000

For State Contributions to State Employees' Retirement System:
Payable from State Boating Act Fund........... 1,019,300
Payable from State Parks Fund................... 417,800
Payable from Wildlife and Fish Fund.............. 920,900

For State Contributions to Social Security:
Payable from the General Revenue Fund........... 207,800
Payable from State Boating Act Fund............... 41,900
Payable from State Parks Fund..................... 15,000
Payable from Wildlife and Fish Fund............... 58,200

For Group Insurance:
Payable from State Boating Act Fund........... 757,700
Payable from State Parks Fund................... 238,000
Payable from Wildlife and Fish Fund.............. 683,200

For Contractual Services:
Payable from the General Revenue Fund........... 180,500
Payable from State Boating Act Fund............... 16,700
Payable from Wildlife and Fish Fund.............. 68,500

For Travel:
Payable from the General Revenue Fund........... 45,500
Payable from State Boating Act Fund............... 2,700
Payable from Wildlife and Fish Fund............... 10,600

For Commodities:
Payable from the General Revenue Fund........... 80,000
Payable from State Boating Act Fund............. 19,300
Payable from Wildlife and Fish Fund............... 45,500

For Printing:
Payable from the General Revenue Fund........... 6,000
Payable from Wildlife and Fish Fund............... 4,000

For Equipment:
Payable from the General Revenue Fund........... 500
Payable from State Boating Act Fund............... 14,600
Payable from State Parks Fund.................... 15,400
Payable from Wildlife and Fish Fund.............. 20,800

For Telecommunications Services:
Payable from the General Revenue Fund........... 405,500

New matter indicated by italics - deletions by strikeout
Payable from State Boating Act Fund.............. 64,100
Payable from Wildlife and Fish Fund.............. 247,000
For Operation of Auto Equipment:
Payable from the General Revenue Fund........... 544,800
Payable from State Boating Act Fund.............. 188,700
Payable from Wildlife and Fish Fund.............. 192,400
For expenses associated with the
Conservation Police Officers:
Payable from Conservation Police
Operations Assistance Fund....................... 50,000
For use in enforcing laws regulating
controlled substances and cannabis on
Department of Natural Resources regulated
lands and waterways to the extent funds
are received by the Department:
Payable from the Drug Traffic
Prevention Fund.................................. 25,000
Total $18,901,900 $18,859,900
(P.A. 97-0727, Art. 23, Sec. 130)
Sec. 130. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Natural Resources:
OFFICE OF MINES AND MINERALS
For Personal Services:
Payable from the General Revenue Fund .......... 2,041,200
Payable from Mines and Minerals Underground
Injection Control Fund.............................. 200,100
Payable from Plugging and Restoration Fund..... 154,400
Payable from Underground Resources
Conservation Enforcement Fund..................... 241,000
Payable from Federal Surface Mining Control
and Reclamation Fund............................... 1,732,300
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 2,659,900
For State Contributions to State
Employees' Retirement System:
Payable from Mines and Minerals Underground
Injection Control Fund............................. 76,100

New matter indicated by italics - deletions by strikeout
Payable from Plugging and Restoration Fund........ 58,600
Payable from Underground Resources
  Conservation Enforcement Fund................... 91,500
Payable from Federal Surface Mining Control
  and Reclamation Fund.............................. 658,000
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund........... 1,010,400
For State Contributions to Social Security:
Payable from the General Revenue Fund ............ 156,200
Payable from Mines and Minerals Underground
  Injection Control Fund............................. 15,400
Payable from Plugging and Restoration Fund......... 11,800
Payable from Underground Resources
  Conservation Enforcement Fund..................... 18,400
Payable from Federal Surface Mining Control
  and Reclamation Fund.............................. 132,500
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund........... 203,500
For Group Insurance:
Payable from Mines and Minerals Underground
  Injection Control Fund......................... 64,700 57,600
Payable from Plugging and Restoration Fund........ 36,800
Payable from Underground Resources
  Conservation Enforcement Fund................... 70,700 65,400
Payable from Federal Surface Mining Control
  and Reclamation Fund.............................. 487,300
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund.......... 763,800
For Contractual Services:
Payable from the General Revenue Fund.............. 96,000
Payable from Underground Resources
  Conservation Enforcement Fund.................... 45,100
Payable from Federal Surface Mining Control
  and Reclamation Fund.............................. 468,200
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund.......... 218,200
For Contractual Services dealing with
  the State of Illinois' share of
  expenses of Interstate Oil Compact Commission

New matter indicated by italics - deletions by strikeout
created under the authority of
"An Act ratifying and approving an
Interstate Compact to Conserve Oil and
Gas", approved July 10, 1935, as amended:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For expenses associated with litigation of Mining Regulatory actions:</td>
<td>Payable from Federal Surface Mining Control and Reclamation Fund</td>
<td>15,000</td>
</tr>
<tr>
<td>For Travel:</td>
<td>Payable from the General Revenue Fund</td>
<td>13,800</td>
</tr>
<tr>
<td></td>
<td>Payable from Mines and Minerals Underground Injection Control Fund</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>Payable from Plugging and Restoration Fund</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>Payable from Underground Resources Conservation Enforcement Fund</td>
<td>6,000</td>
</tr>
<tr>
<td></td>
<td>Payable from Federal Surface Mining Control and Reclamation Fund</td>
<td>31,400</td>
</tr>
<tr>
<td></td>
<td>Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund</td>
<td>30,700</td>
</tr>
<tr>
<td>For Commodities:</td>
<td>Payable from the General Revenue Fund</td>
<td>12,700</td>
</tr>
<tr>
<td></td>
<td>Payable from Underground Resources Conservation Enforcement Fund</td>
<td>4,700</td>
</tr>
<tr>
<td></td>
<td>Payable from Federal Surface Mining Control and Reclamation Fund</td>
<td>12,400</td>
</tr>
<tr>
<td></td>
<td>Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund</td>
<td>25,800</td>
</tr>
<tr>
<td>For Printing:</td>
<td>Payable from the General Revenue Fund</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>Payable from Underground Resources Conservation Enforcement Fund</td>
<td>3,300</td>
</tr>
<tr>
<td></td>
<td>Payable from Federal Surface Mining Control and Reclamation Fund</td>
<td>11,200</td>
</tr>
<tr>
<td></td>
<td>Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund</td>
<td>1,000</td>
</tr>
<tr>
<td>For Equipment:</td>
<td>Payable from the General Revenue Fund</td>
<td>11,500</td>
</tr>
<tr>
<td></td>
<td>Payable from Mines and Minerals Underground</td>
<td></td>
</tr>
</tbody>
</table>
Injection Control Fund.................................. 20,000
Payable from Underground Resources
Conservation Enforcement Fund...................... 2,700
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 49,600
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 81,300
For Electronic Data Processing:
Payable from the General Revenue Fund.......... 18,000
Payable from Plugging and Restoration Fund...... 6,000
Payable from Underground Resources
Conservation Enforcement Fund..................... 3,500
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 119,800
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 83,900
For Telecommunications Services:
Payable from the General Revenue Fund.......... 52,300
Payable from Underground Resources
Conservation Enforcement Fund..................... 15,600
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 48,900
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 32,900
For Operation of Auto Equipment:
Payable from the General Revenue Fund.......... 59,800
Payable from Plugging and Restoration Fund...... 41,000
Payable from Underground Resources
Conservation Enforcement Fund..................... 32,100
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 48,300
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 47,200
For Plugging & Restoration Projects:
Payable from Plugging & Restoration Fund........ 62,500
For expenses associated with Explosive
Regulation:
Payable from Explosives Regulatory Fund.......... 59,700
For expenses associated with Aggregate

New matter indicated by italics - deletions by strikeout
Mining Regulation:
Payable from Aggregate Operations
Regulatory Fund.............................. 132,200

For the purpose of coordinating training and education programs for miners and laboratory analysis and testing of coal samples and mine atmospheres:
Payable from the Coal Mining Regulatory Fund...... 32,800
Payable from Federal Surface Mining Control and Reclamation Fund............... 335,900

For expenses associated with Surface Coal Mining Regulation:
Payable from Coal Mining Regulatory Fund......... 164,900

For operation of the Mining Safety Program:
Payable from the Coal Mining Regulatory Fund... 3,700,000

For Interest Penalty Escrow:
Payable from Underground Resources Conservation Enforcement Fund...................... 500

For Small Operators' Assistance Program:
Payable from Federal Surface Mining Control and Reclamation Fund...................... 150,000

For the purpose of reclaiming surface mined lands, with respect to which a bond has been forfeited:
Payable from Land Reclamation Fund................ 800,000

For expenses associated with Environmental Mitigation Projects, Studies, Research, and Administrative Support:
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund......... 400,000

For Refunds:
Payable from Plugging and Restoration Fund....... 25,000
Payable from Underground Resources Conservation Enforcement Fund .................... 25,000

Total $18,555,300 $18,542,900

Section 40. “AN ACT making appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Section 5 of Article 25 as follows:
(P.A. 97-0727, Art. 25, Sec. 5)

New matter indicated by italics - deletions by strikeout
Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the State Employees' Retirement System:

**SOCIAL SECURITY DIVISION**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>49,900</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>3,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>18,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Printing</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$73,700</strong></td>
</tr>
</tbody>
</table>

**CENTRAL OFFICE**

For Employee Retirement Contributions
Paid by Employer for Prior Fiscal Years...... 40,000

Section 45. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, with item reductions, is amended by changing Section 5 of Article 27 as follows:

(P.A. 97-0727, Art. 27, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

**GOVERNMENT SERVICES**

**PAYABLE FROM GENERAL REVENUE FUND:**

For Refund of certain taxes in lieu of credit memoranda, where such refunds are authorized by law................. 6,000,000

**PAYABLE FROM THE PERSONAL PROPERTY TAX REPLACEMENT FUND:**

For a portion of the state’s share of state’s attorneys’ and assistant state’s attorneys’ salaried, including prior year costs........................................ 14,300,000

For a portion of the state’s share of county

New matter indicated by italics - deletions by strikeout
public defenders’ salaries pursuant to 55 ILCS 5/3-4007................................. 6,900,000
For the State’s share of county supervisors of assessments or county assessors’ salaries, as provided by law................................. 3,050,000
For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the “Revenue Act of 1939”, as amended................................. 440,000
For additional compensation for local assessors, as provided by Section 2.7 of the “Revenue Act of 1939”, as amended................................. 660,000
For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended................................. 663,000
For the annual stipend for sheriffs as provided in subsection (d) of Section 4-6300 and Section 4-8002 of the counties code................................. 663,000
For the annual stipend to county coroners pursuant to 55 ILCS 5/4-6002 including prior year costs................................. 1,056,500
For additional compensation for county auditors, pursuant to Public Act 95-0782, including prior year costs................................. 176,400
Total $33,908,900

PAYABLE FROM MOTOR FUEL TAX FUND
For Reimbursement to International Fuel Tax Agreement Member States........... 6,000,000
For Refunds................................. 22,000,000
Total $28,000,000

PAYABLE FROM UNDERGROUND STORAGE TANK FUND
For Refunds as provided for in Section 13a.8 of the Motor Fuel Tax Act.................. 12,000

PAYABLE FROM STATE AND LOCAL SALES TAX REFORM FUND
For allocation to Chicago for additional

New matter indicated by italics - deletions by strikeout
1.25% Use Tax pursuant to P.A. 86-0928....... 64,000,000
PAYABLE FROM THE MUNICIPAL TELECOMMUNICATIONS FUND

For refunds associated with the
Simplified Municipal Telecommunications Act...... 12,000
PAYABLE FROM LOCAL GOVERNMENT DISTRIBUTIVE FUND

For allocation to local governments
for additional 1.25% Use Tax
pursuant to P.A. 86-0928.................... 184,280,000
PAYABLE FROM LOCAL GOVERNMENT VIDEO GAMING DISTRIBUTIVE FUND

For allocation to local governments
of the net terminal income tax per
the Video Gaming Act......................... 60,000,000
PAYABLE FROM R.T.A. OCCUPATION AND USE TAX REPLACEMENT FUND

For allocation to RTA for 10% of the
1.25% Use Tax pursuant to P.A. 86-0928....... 32,000,000
PAYABLE FROM SENIOR CITIZENS’ REAL ESTATE TAX REVOLVING FUND

For payments to counties as required
by the Senior Citizens Real Estate Tax Deferral Act, including prior year costs
.............................................. 9,200,000
PAYABLE FROM ILLINOIS TAX INCREMENT FUND

For distribution to Local Tax Increment Finance Districts....................... 23,000,000
PAYABLE FROM RENTAL HOUSING SUPPORT PROGRAM FUND

For administration of the Rental Housing Support Program......................... 1,100,000
For rental assistance to the Rental Housing Support Program, administered by the Illinois Housing Development Authority.............................. 25,000,000
Total $26,100,000
PAYABLE FROM ILLINOIS AFFORDABLE HOUSING TRUST FUND

For administration of the Illinois Affordable Housing Act....................... 4,000,000
PAYABLE FROM ILLINOIS GAMING LAW ENFORCEMENT FUND

New matter indicated by italics - deletions by strikeout
For a Grant for Allocation to Local Law Enforcement Agencies for joint state and local efforts in Administration of the Charitable Games, Pull Tabs and Jar Games Act.............................. 1,100,000

ARTICLE 5
Section 5. “AN ACT making appropriations”, Public Act 97-0728, approved June 30, 2012, is amended by adding new Section 75 to Article 1 as follows:

(P.A. 97-0728, Art. 1, Sec. 75 new)
Sec. 75. In addition to any other amounts appropriated for such purposes, the amount of $9,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Board of Education for the ordinary and contingent expenses of the East St. Louis School District 189.

Section 10. “AN ACT making appropriations”, Public Act 97-0728, approved June 30, 2012, is amended by adding new Section 70 to Article 2 as follows:

(P.A. 97-0728, Art. 2, Sec. 70 new)
Sec. 70. In addition to any other amounts appropriated for such purposes, the following named amounts, or so much thereof as may be necessary, are appropriated from the State Board of Education Federal Department of Education Fund, to the Illinois State Board of Education for all costs associated with related activities for the fiscal year beginning July 1, 2012:

For the Early Learning Challenge............... 35,000,000

Section 15. “AN ACT making appropriations”, Public Act 97-0728, approved June 30, 2012, is amended by changing Section 5 of Article 5 as follows:

(P.A. 97-0728, Art. 5, Sec. 5)
Sec. 5. The amount of $600,000 $300,000, or so much thereof as may be necessary, is appropriated from the State Charter School Commission Fund to the State Board of Education State Charter School Commission for all costs associated with the State Charter School Commission ordinary and contingent expenses.

ARTICLE 6
Section 5. “AN ACT making appropriations”, Public Act 97-0729, approved June 30, 2012, is amended by changing Section 5 of Article 1; and by adding new Section 15 to Article 1 as follows:

New matter indicated by italics - deletions by strikeout
Sec 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2013:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2012-2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the Education Assistance Fund:</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>35,177,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,024,000</td>
</tr>
<tr>
<td>For Awards and Grants</td>
<td>104,400</td>
</tr>
<tr>
<td>Total</td>
<td>$36,305,600</td>
</tr>
</tbody>
</table>

ARTICLE 7

Section 5. “AN ACT making appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Section 5 of Article 2 as follows:

PAYABLE FROM GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For State Contributions to Social Security</td>
<td>14,196,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>27,626,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>6,768,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>465,100</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Printing..................................... 474,000
For Equipment..................................... 47,400
For Telecommunications.............................. 4,974,900
For Attorney General Representation
on Child Welfare Litigation Issues.................. 474,000
For EDP........................................ 2,071,400
For Operation of Auto............................ 474,000
For Refunds........................................ 5,500
For Targeted Case Management....................... 9,907,700
Total $278,023,700 $253,056,200

The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION

PAYABLE FROM THE GENERAL REVENUE FUND
For Department Scholarship Program................... 1,000,700

PAYABLE FROM DCFS SPECIAL PURPOSES TRUST FUND
For Expenditures of Private Funds
for Child Welfare Improvements...................... 689,100

Section 10. “AN ACT making appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Section 10 of Article 5 as follows:

(P.A. 97-0730, Art. 5, Sec. 10)
Sec. 10. The sum of $500,000 $187,700, or so much thereof as may be necessary, is appropriated from the Guardianship and Advocacy Fund to the Guardianship and Advocacy Commission for services pursuant to Section 5 of the Guardianship and Advocacy Act.

(P.A. 97-0730, Art. 8, Sec. 10 repealed)

Section 15. “AN ACT concerning appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Sections 65 and 130 of Article 9 as follows:

(P.A. 97-0730, Art. 9, Sec. 65)
Sec. 65. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and
Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT GRANTS-IN-AID AND PURCHASED CARE

For all costs associated with Mental Health Transportation:
  Payable from General Revenue Fund.......................... 0

For Community Service Grant Programs for Persons with Mental Illness:
  Payable from General Revenue Fund......................... 126,433,000
  Payable from Mental Health Fund................... 20,000,000
  Payable from Community Mental Health Services Block Grant Fund 16,025,400

For Community Service Grant Programs for Persons with Mental Illness including administrative costs:
  Payable from DHS Federal Projects Fund............. 34,450,000
  Payable from the Department of Human Services Community Service Fund........... 20,000,000
  Payable from General Revenue Fund:
    For Purchase of Care for Children and Adolescents with Mental Illness approved through the Individual Care Grant Program ......... 22,415,000
    For costs associated with the Purchase and Disbursement of Psychotropic Medications for Mentally Ill Clients in the Community ........ 1,900,800
    For costs associated with Mental Health Community Transitions or State Operated Facilities......................... 24,867,200
    For Supportive MI Housing................................. 18,345,000
    For costs associated with Children and Adolescent Mental Health Programs.................. 27,573,300
  Payable from Health and Human Services Medicaid Trust Fund:
    For diversion, transition, and Aftercare from institutional settings
    For persons with a mental illness............................ 6,000,000
  Payable from Community Mental Health

New matter indicated by italics - deletions by strikeout
Medicaid Trust Fund:
For all costs and administrative expenses associated with Medicaid Services for Persons with Mental Illness, including prior year costs .............. 122,689,900

For Community Service Grant Programs for Children and Adolescents with Mental Illness:
Payable from Community Mental Health Services Block Grant Fund ................................... 4,341,800

Payable from Community Mental Health Services Block Grant Fund:
For Teen Suicide Prevention Including Provisions Established in Public Act 85-0928................................. 206,400

Payable from Health and Human Services Medicaid Trust Fund:
For Grants for Supporting Housing Services........... 5,000,000
(P.A. 97-0730, Art. 9, Sec. 130)

Sec. 130. The sum of $34,450,000, or so much thereof as may be necessary, is appropriated from the Health and Human Services Medicaid Trust Fund for awards and grants to developmental disabilities and/or mental health programs.

ARTICLE 8

Section 5. “AN ACT making appropriations”, Public Act 97-0731, approved June 30, 2012, with item reductions, is amended by adding new Section 60 to Article 4 as follows:
(P.A. 97-0731, Art. 4, Sec. 60 new)
Sec. 60. The amount of $100,000, or so much thereof as may be necessary, is appropriated from the Sex Offender Management Board Fund to the Sex Offender Management Board for the purposes authorized by the Sex Offender Management Board Act including, but not limited to, sex offender evaluation, treatment, and monitoring programs and grants. Funding received from private sources is to be expended in accordance with the terms and conditions placed upon the funding.

Section 10. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, with item reductions, is amended by changing Sections 25 and 30 of Article 13 as follows:
(P.A. 97-0731, Art. 13, Sec. 25)

New matter indicated by italics - deletions by strikeout
Sec. 25. The sum of $8,456,400, or so much thereof as may be necessary, is appropriated to the Metropolitan Pier and Exposition Authority from the Chicago Travel Industry and Promotion Fund for a grant Fiscal Year 2013 to be transferred in its entirety to the Chicago Convention and Tourism Bureau.

(P.A. 97-0731, Art. 13, Sec. 30)

Sec. 30. The sum of $2,529,000, or so much thereof as may be necessary, is appropriated to the Metropolitan Pier and Exposition Authority from the International Tourism Fund for a grant Fiscal Year 2013 to be transferred in its entirety to the Chicago Convention and Tourism Bureau.

Section 15. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, with item reductions, is amended by adding new Section 35 to Article 14 as follows:

(P.A. 97-0731, Art. 14, Sec. 35 new)

Sec. 35. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs Office of the Adjutant General Division for deposit into the Illinois Military Family Relief Fund for grants to persons or families of persons who are members of the Illinois National Guard or Illinois residents who are members of the armed forces.

Section 20. “AN ACT making appropriations”, Public Act 97-0731, approved June 30, 2012, with item reductions, is amended by changing Section 85 of Article 19 as follows:

(P.A. 97-0731, Art. 19, Sec. 85)

Sec. 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION
Payable from the General Revenue Fund:
For Personal Services................. 41,534,300
For State Contributions to
  Social Security....................... 2,975,400
For Contractual Services............. 3,999,600
For Travel.............................. 20,300
For Commodities ...................... 993,100
For Printing........................... 63,900
For Equipment......................... 889,700
For Telecommunications Services..... 454,400

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment.............................. 74,800
For Administration of a Statewide Sexual
Assault Evidence Collection Program.................... 60,000
For Operational Expenses Related to the
Combined DNA Index System................................. 2,324,100
Total .................................................................. $53,389,600

For Administration and Operation of State
Crime Laboratories:
Payable from State Crime Laboratory Fund............ 1,000,000
Payable from the State Police DUI Fund:
    For Administration and Operation
    of State Crime Laboratory DUI Fund................. 150,000
Payable from State Offender DNA Public Act 097-0731
    Identification System Fund......................... 3,423,500

Section 25. “AN ACT making appropriations”, Public Act 97-
0731, approved June 30, 2012, with item reductions, is amended by
changing Section 240 of Article 21 as follows:
    (P.A. 97-0731, Art. 21, Sec. 240)
    Sec. 240. The sum of $532,400, or so much thereof as may be
    necessary, is appropriated from the Downstate Public Transportation Fund
to the Department of Transportation for audit adjustments in accordance
with Section 2-15 15.1 of the "Downstate Public Transportation Act", as
amended, including prior year costs.

ARTICE 999
Section 999. Effective date. This Act takes effect immediately upon
becoming law.
    Passed in the General Assembly February 7, 2013.
    Approved February 7, 2013.
    Effective February 7, 2013.

PUBLIC ACT 98-0002
(House Bill No. 0156)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
    Section 5. The State Budget Law of the Civil Administrative Code
of Illinois is amended by changing Section 50-5 as follows:
    (15 ILCS 20/50-5)

    New matter indicated by italics - deletions by strikeout
Sec. 50-5. Governor to submit State budget.

(a) The Governor shall, as soon as possible and not later than the second Wednesday in March in 2010 (March 10, 2010), the third Wednesday in February in 2011, the fourth Wednesday in February in 2012 (February 22, 2012), the first Wednesday in March in 2013 (March 6, 2013), and the third Wednesday in February of each year thereafter, except as otherwise provided in this Section, submit a State budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, and the estimated revenues from sources other than taxation. Except with respect to the capital development provisions of the State budget, beginning with the revenue estimates prepared for fiscal year 2012, revenue estimates shall be based solely on: (i) revenue sources (including non-income resources), rates, and levels that exist as of the date of the submission of the State budget for the fiscal year and (ii) revenue sources (including non-income resources), rates, and levels that have been passed by the General Assembly as of the date of the submission of the State budget for the fiscal year and that are authorized to take effect in that fiscal year. Except with respect to the capital development provisions of the State budget, the Governor shall determine available revenue, deduct the cost of essential government services, including, but not limited to, pension payments and debt service, and assign a percentage of the remaining revenue to each statewide prioritized goal, as established in Section 50-25 of this Law, taking into consideration the proposed goals set forth in the report of the Commission established under that Section. The Governor shall also demonstrate how spending priorities for the fiscal year fulfill those statewide goals. The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to each department's, office's, and institution's ability to effectively deliver services that meet the established statewide goals. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13 of the State Finance Act. In addition, the amounts recommended by the Governor for appropriation shall take into account each State agency's effectiveness in achieving its prioritized goals for the previous fiscal year, as set forth in Section 50-25 of this Law, giving priority to agencies and programs that have demonstrated a focus on the prevention of waste and the maximum yield from resources.

New matter indicated by italics - deletions by strikeout
Beginning in fiscal year 2011, the Governor shall distribute written quarterly financial reports on operating funds, which may include general, State, or federal funds and may include funds related to agencies that have significant impacts on State operations, and budget statements on all appropriated funds to the General Assembly and the State Comptroller. The reports shall be submitted no later than 45 days after the last day of each quarter of the fiscal year and shall be posted on the Governor's Office of Management and Budget's website on the same day. The reports shall be prepared and presented for each State agency and on a statewide level in an executive summary format that may include, for the fiscal year to date, individual itemizations for each significant revenue type as well as itemizations of expenditures and obligations, by agency, with an appropriate level of detail. The reports shall include a calculation of the actual total budget surplus or deficit for the fiscal year to date. The Governor shall also present periodic budget addresses throughout the fiscal year at the invitation of the General Assembly.

The Governor shall not propose expenditures and the General Assembly shall not enact appropriations that exceed the resources estimated to be available, as provided in this Section. Appropriations may be adjusted during the fiscal year by means of one or more supplemental appropriation bills if any State agency either fails to meet or exceeds the goals set forth in Section 50-25 of this Law.

For the purposes of Article VIII, Section 2 of the 1970 Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

(1) General Revenue Fund.
(2) Common School Fund.
(3) Educational Assistance Fund.
(4) Road Fund.
(6) Agricultural Premium Fund.

These funds shall be known as the "budgeted funds". The revenue estimates used in the State budget for the budgeted funds shall include the estimated beginning fund balance, plus revenues estimated to be received during the budgeted year, plus the estimated receipts due the State as of June 30 of the budgeted year that are expected to be collected during the lapse period following the budgeted year, minus the receipts collected during the first 2 months of the budgeted year that became due to the State
in the year before the budgeted year. Revenues shall also include estimated federal reimbursements associated with the recognition of Section 25 of the State Finance Act liabilities. For any budgeted fund for which current year revenues are anticipated to exceed expenditures, the surplus shall be considered to be a resource available for expenditure in the budgeted fiscal year.

Expenditure estimates for the budgeted funds included in the State budget shall include the costs to be incurred by the State for the budgeted year, to be paid in the next fiscal year, excluding costs paid in the budgeted year which were carried over from the prior year, where the payment is authorized by Section 25 of the State Finance Act. For any budgeted fund for which expenditures are expected to exceed revenues in the current fiscal year, the deficit shall be considered as a use of funds in the budgeted fiscal year.

Revenues and expenditures shall also include transfers between funds that are based on revenues received or costs incurred during the budget year.

Appropriations for expenditures shall also include all anticipated statutory continuing appropriation obligations that are expected to be incurred during the budgeted fiscal year.

By March 15 of each year, the Commission on Government Forecasting and Accountability shall prepare revenue and fund transfer estimates in accordance with the requirements of this Section and report those estimates to the General Assembly and the Governor.

For all funds other than the budgeted funds, the proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget. Appropriation for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(b) By February 24, 2010, the Governor must file a written report with the Secretary of the Senate and the Clerk of the House of Representatives containing the following:

(1) for fiscal year 2010, the revenues for all budgeted funds, both actual to date and estimated for the full fiscal year;
(2) for fiscal year 2010, the expenditures for all budgeted funds, both actual to date and estimated for the full fiscal year;
(3) for fiscal year 2011, the estimated revenues for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, for the full fiscal year; and

New matter indicated by italics - deletions by strikeout
(4) for fiscal year 2011, an estimate of the anticipated liabilities for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, debt service on bonds issued, and the State's contributions to the pension systems, for the full fiscal year.

Between July 1 and August 31 of each fiscal year, the members of the General Assembly and members of the public may make written budget recommendations to the Governor.

Beginning with budgets prepared for fiscal year 2013, the budgets submitted by the Governor and appropriations made by the General Assembly for all executive branch State agencies must adhere to a method of budgeting where each priority must be justified each year according to merit rather than according to the amount appropriated for the preceding year.

(Source: P.A. 96-1, eff. 2-17-09; 96-320, eff. 1-1-10; 96-881, eff. 2-11-10; 96-958, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1529, eff. 2-16-11; 96-1531, eff. 2-16-11; 97-669, eff. 1-13-12; 97-813, eff. 7-13-12.)

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

Passed in the General Assembly February 14, 2013.
Approved February 19, 2013.
Effective February 19, 2013.

PUBLIC ACT 98-0003
(Senate Bill No. 0622)

AN ACT concerning regulation.

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

Section 5. The State Finance Act is amended by changing Section 6z-18 as follows:

(30 ILCS 105/6z-18) (from Ch. 127, par. 142z-18)

Sec. 6z-18. A portion of the money paid into the Local Government Tax Fund from sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics, which occurred in municipalities, shall be

New matter indicated by italics - deletions by strikeout
distributed to each municipality based upon the sales which occurred in that municipality. The remainder shall be distributed to each county based upon the sales which occurred in the unincorporated area of that county.

A portion of the money paid into the Local Government Tax Fund from the 6.25% general use tax rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by any agency of this State's government shall be distributed to municipalities as provided in this paragraph. Each municipality shall receive the amount attributable to sales for which Illinois addresses for titling or registration purposes are given as being in such municipality. The remainder of the money paid into the Local Government Tax Fund from such sales shall be distributed to counties. Each county shall receive the amount attributable to sales for which Illinois addresses for titling or registration purposes are given as being located in the unincorporated area of such county.

A portion of the money paid into the Local Government Tax Fund from the 6.25% general rate (and, beginning July 1, 2000 and through December 31, 2000, the 1.25% rate on motor fuel and gasohol, and beginning on August 6, 2010 through August 15, 2010, the 1.25% rate on sales tax holiday items) on sales subject to taxation under the Retailers' Occupation Tax Act and the Service Occupation Tax Act, which occurred in municipalities, shall be distributed to each municipality, based upon the sales which occurred in that municipality. The remainder shall be distributed to each county, based upon the sales which occurred in the unincorporated area of such county.

For the purpose of determining allocation to the local government unit, a retail sale by a producer of coal or other mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

Whenever the Department determines that a refund of money paid into the Local Government Tax Fund should be made to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in such notification from the Department. Such refund shall be paid by the State Treasurer out of the Local Government Tax Fund.
As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected during the second preceding calendar month for sales within a STAR bond district and deposited into the Local Government Tax Fund, less 3% of that amount, which shall be transferred into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering the Innovation Development and Economy Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named municipalities and counties, the municipalities and counties to be those entitled to distribution of taxes or penalties paid to the Department during the second preceding calendar month. The amount to be paid to each municipality or county shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department and paid into the Local Government Tax Fund, plus an amount the Department determines is necessary to offset any amounts which were erroneously paid to a different taxing body, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department, and not including any amount which the Department determines is necessary to offset any amounts which are payable to a different taxing body but were erroneously paid to the municipality or county, and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities and counties, provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in such certification.

When certifying the amount of monthly disbursement to a municipality or county under this Section, the Department shall increase or decrease that amount by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the 6 months preceding the time a misallocation is discovered.

New matter indicated by italics - deletions by strikeout
The provisions directing the distributions from the special fund in the State Treasury provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized to make distributions as provided in this Section.

In construing any development, redevelopment, annexation, preannexation or other lawful agreement in effect prior to September 1, 1990, which describes or refers to receipts from a county or municipal retailers' occupation tax, use tax or service occupation tax which now cannot be imposed, such description or reference shall be deemed to include the replacement revenue for such abolished taxes, distributed from the Local Government Tax Fund.

As soon as possible after the effective date of this amendatory Act of the 98th General Assembly, the State Comptroller shall order and the State Treasurer shall transfer $6,600,000 from the Local Government Tax Fund to the Illinois State Medical Disciplinary Fund.

(Source: P.A. 96-939, eff. 6-24-10; 96-1012, eff. 7-7-10; 97-333, eff. 8-12-11.)

Section 10. The Medical Practice Act of 1987 is amended by changing Section 21 as follows:

(225 ILCS 60/21) (from Ch. 111, par. 4400-21)

Sec. 21. License renewal; restoration; inactive status; disposition and collection of fees.

(A) Renewal. The expiration date and renewal period for each license issued under this Act shall be set by rule. The holder of a license may renew the license by paying the required fee. The holder of a license may also renew the license within 90 days after its expiration by complying with the requirements for renewal and payment of an additional fee. A license renewal within 90 days after expiration shall be effective retroactively to the expiration date.

The Department shall mail to each licensee under this Act, at his or her address of record, at least 60 days in advance of the expiration date of his or her license, a renewal notice. No such license shall be deemed to have lapsed until 90 days after the expiration date and after such notice has been mailed by the Department as herein provided.

(B) Restoration. Any licensee who has permitted his or her license to lapse or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing
proof acceptable to the Department of his or her fitness to have the license restored, including evidence certifying to active practice in another jurisdiction satisfactory to the Department, proof of meeting the continuing education requirements for one renewal period, and by paying the required restoration fee.

If the licensee has not maintained an active practice in another jurisdiction satisfactory to the Department, the Licensing Board shall determine, by an evaluation program established by rule, the applicant's fitness to resume active status and may require the licensee to complete a period of evaluated clinical experience and may require successful completion of a practical examination specified by the Licensing Board.

However, any registrant whose license has expired while he or she has been engaged (a) in Federal Service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, the Public Health Service or the State Militia called into the service or training of the United States of America, or (b) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license reinstated or restored without paying any lapsed renewal fees, if within 2 years after honorable termination of such service, training, or education, he or she furnishes to the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(C) Inactive licenses. Any licensee who notifies the Department, in writing on forms prescribed by the Department, may elect to place his or her license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of his or her desire to resume active status.

Any licensee requesting restoration from inactive status shall be required to pay the current renewal fee, provide proof of meeting the continuing education requirements for the period of time the license is inactive not to exceed one renewal period, and shall be required to restore his or her license as provided in subsection (B).

Any licensee whose license is in an inactive status shall not practice in the State of Illinois.

(D) Disposition of monies collected. All monies collected under this Act by the Department shall be deposited in the Illinois State Medical Disciplinary Fund in the State Treasury, and used only for the following

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purposes: (a) by the Disciplinary Board and Licensing Board in the
e exercise of its powers and performance of its duties, as such use is made
by the Department with full consideration of all recommendations of the
Disciplinary Board and Licensing Board, (b) for costs directly related to
persons licensed under this Act, and (c) for direct and allocable indirect
costs related to the public purposes of the Department.

Moneys in the Fund may be transferred to the Professions Indirect
Cost Fund as authorized under Section 2105-300 of the Department of
Professional Regulation Law (20 ILCS 2105/2105-300).

The State Comptroller shall order and the State Treasurer shall
transfer an amount equal to $1,100,000 from the Illinois State Medical
Disciplinary Fund to the Local Government Tax Fund on each of the
following dates: July 1, 2014, October 1, 2014, January 1, 2015, July 1,
2017, October 1, 2017, and January 1, 2018. These transfers shall
constitute repayment of the $6,600,000 transfer made under Section 6z-18
of the State Finance Act.

All earnings received from investment of moneys in the Illinois
State Medical Disciplinary Fund shall be deposited in the Illinois State
Medical Disciplinary Fund and shall be used for the same purposes as fees
deposited in such Fund.

(E) Fees. The following fees are nonrefundable.

(1) Applicants for any examination shall be required to pay,
either to the Department or to the designated testing service, a fee
covering the cost of determining the applicant's eligibility and
providing the examination. Failure to appear for the examination
on the scheduled date, at the time and place specified, after the
applicant's application for examination has been received and
acknowledged by the Department or the designated testing service,
shall result in the forfeiture of the examination fee.

(2) Before July 1, 2018, the fee for a license under
Section 9 of this Act is $700. Beginning on July 1, 2018, the fee for
a license under Section 9 of this Act is $500.

(3) Before July 1, 2018, the fee for a license under
Section 19 of this Act is $700. Beginning on July 1, 2018, the fee
for a license under Section 19 of this Act is $500.

(4) Before July 1, 2018, the fee for the renewal of a
license for a resident of Illinois shall be calculated at the rate of
$230 per year, and beginning on July 1, 2018, the fee for the
renewal of a license shall be $167, except for licensees who were

New matter indicated by italics - deletions by strikeout
issued a license within 12 months of the expiration date of the license, before July 1, 2018, the fee for the renewal shall be $230, and beginning on July 1, 2018 that fee will be $167 $100. Before July 1, 2018, the fee for the renewal of a license for a nonresident shall be calculated at the rate of $460 $200 per year, and beginning on July 1, 2018, the fee for the renewal of a license for a nonresident shall be $250, except for licensees who were issued a license within 12 months of the expiration date of the license, before July 1, 2018, the fee for the renewal shall be $460, and beginning on July 1, 2018 that fee will be $250 $200.

(5) The fee for the restoration of a license other than from inactive status, is $230 $100. In addition, payment of all lapsed renewal fees not to exceed $1,400 $600 is required.

(6) The fee for a 3-year temporary license under Section 17 is $230 $100.

(7) The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license which has been lost or destroyed, or for the issuance of a license with a change of name or address other than during the renewal period is $20. No fee is required for name and address changes on Department records when no duplicate license is issued.

(8) The fee to be paid for a license record for any purpose is $20.

(9) The fee to be paid to have the scoring of an examination, administered by the Department, reviewed and verified, is $20 plus any fees charged by the applicable testing service.

(10) The fee to be paid by a licensee for a wall certificate showing his or her license shall be the actual cost of producing the certificate as determined by the Department.

(11) The fee for a roster of persons licensed as physicians in this State shall be the actual cost of producing such a roster as determined by the Department.

(F) Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license.
The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 97-622, eff. 11-23-11.)

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

Passed in the General Assembly March 7, 2013.
Approved March 8, 2013.
Effective March 8, 2013.

PUBLIC ACT 98-0004
(House Bill No. 1560)

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

Section 5. The Election Code is amended by changing Section 19A-15 as follows:

(10 ILCS 5/19A-15)
Sec. 19A-15. Period for early voting; hours.
(a) The period for early voting by personal appearance begins the 15th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the 3rd day before election day.
(b) A permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays, Sundays, and holidays; except that, in addition to the hours required by this subsection, a permanent early voting polling place designated by an election authority

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under subsection (c) of Section 19A-10 must remain open for a total of at least 8 hours on any holiday during the early voting period and a total of at least 14 hours on the final weekend during the early voting period.

(c) Notwithstanding subsections (a) and (b), an election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency. In the event of a closure, the election authority shall conduct early voting on the 2nd day before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. The election authority shall notify the State Board of Elections of any closure and shall make reasonable efforts to provide notice to the public of the extended early voting period.

(d) Notwithstanding subsections (a) and (b), in 2013 only, an election authority may close an early voting place on Good Friday, Holy Saturday, and Easter Sunday, provided that the early voting place remains open 2 hours later on April 3, 4, and 5 of 2013. The election authority shall notify the State Board of Elections of any closure and shall provide notice to the public of the closure and the extended hours during the final week.

(Source: P.A. 96-637, eff. 1-1-10; 97-81, eff. 7-5-11; 97-766, eff. 7-6-12.)

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

Passed in the General Assembly March 7, 2013.
Approved March 12, 2013.
Effective March 12, 2013.

PUBLIC ACT 98-0005
(House Bill No. 1588)

AN ACT concerning property.

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

Section 5. The Counties Code is amended by changing Sections 3-5018 and 4-12002 as follows:

(55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

Sec. 3-5018. Fees. The recorder elected as provided for in this Division shall receive such fees as are or may be provided for him or her by law, in case of provision therefor: otherwise he or she shall receive the same fees as are or may be provided in this Section, except when increased

New matter indicated by italics - deletions by strikeout
by county ordinance pursuant to the provisions of this Section, to be paid
to the county clerk for his or her services in the office of recorder for like
services.

For recording deeds or other instruments, $12 for the first 4 pages
thereof, plus $1 for each additional page thereof, plus $1 for each
additional document number therein noted. The aggregate minimum fee
for recording any one instrument shall not be less than $12.

For recording deeds or other instruments wherein the premises
affected thereby are referred to by document number and not by legal
description, a fee of $1 in addition to that hereinabove referred to for each
document number therein noted.

For recording assignments of mortgages, leases or liens, $12 for
the first 4 pages thereof, plus $1 for each additional page thereof. However, except for leases and liens pertaining to oil, gas and other
minerals, whenever a mortgage, lease or lien assignment assigns more than
one mortgage, lease or lien document, a $7 fee shall be charged for the
recording of each such mortgage, lease or lien document after the first one.

For recording any document that affects an interest in real
property other than documents which solely affect or relate to an easement
for water, sewer, electricity, gas, telephone or other public service, the
recorder shall charge a fee of $1 per document to all filers of documents
not filed by any State agency, any unit of local government, or any school
district. Fifty cents of the $1 fee hereby established shall be deposited into
the County General Revenue Fund. The remaining $0.50 shall be
deposited into the Recorder's Automation Fund and may not be
appropriated or expended for any other purpose. The additional amounts
available to the recorder for expenditure from the Recorder's Automation
Fund shall not offset or reduce any other county appropriations or
funding for the office of the recorder.

For recording maps or plats of additions or subdivisions approved
by the county or municipality (including the spreading of the same of
record in map case or other proper books) or plats of condominiums, $50
for the first page, plus $1 for each additional page thereof except that in
the case of recording a single page, legal size 8 1/2 x 14, plat of survey in
which there are no more than two lots or parcels of land, the fee shall be
$12. In each county where such maps or plats are to be recorded, the
recorder may require the same to be accompanied by such number of
exact, true and legible copies thereof as the recorder deems necessary for
the efficient conduct and operation of his or her office.

New matter indicated by italics - deletions by strikeout
For non-certified copies of records, an amount not to exceed one-half of the amount provided in this Section for certified copies, according to a standard scale of fees, established by county ordinance and made public. The provisions of this paragraph shall not be applicable to any person or entity who obtains non-certified copies of records in the following manner: (i) in bulk for all documents recorded on any given day in an electronic or paper format for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, (ii) under a contractual relationship with the recorder for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, or (iii) by means of Internet access pursuant to Section 5-1106.1.

For certified copies of records, the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed $10.

Each certificate of such recorder of the recording of the deed or other writing and of the date of recording the same signed by such recorder, shall be sufficient evidence of the recording thereof, and such certificate including the indexing of record, shall be furnished upon the payment of the fee for recording the instrument, and no additional fee shall be allowed for the certificate or indexing.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

(1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.

(2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

New matter indicated by italics - deletions by strikeout
(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The county board of any county may provide for an additional charge of $3 for filing every instrument, paper, or notice for record, (1) in order to defray the cost of converting the county recorder's document storage system to computers or micrographics and (2) in order to defray the cost of providing access to records through the global information system known as the Internet.

A special fund shall be set up by the treasurer of the county and such funds collected pursuant to Public Act 83-1321 shall be used (1) for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the costs of implementing and maintaining such a document records system and (2) for a system to provide electronic access to those records.

The county board of any county that provides and maintains a countywide map through a Geographic Information System (GIS) may provide for an additional charge of $3 for filing every instrument, paper, or notice for record (1) in order to defray the cost of implementing or maintaining the county's Geographic Information System and (2) in order to defray the cost of providing electronic access to the county's Geographic Information System records. Of that amount, $2 must be deposited into a special fund set up by the treasurer of the county, and any moneys collected pursuant to this amendatory Act of the 91st General Assembly and deposited into that fund must be used solely for the equipment, materials, and necessary expenses incurred in implementing and maintaining a Geographic Information System and in order to defray the cost of providing electronic access to the county's Geographic Information System records. The remaining $1 must be deposited into the recorder's special funds created under Section 3-5005.4. The recorder may, in his or her discretion, use moneys in the funds created under Section 3-5005.4 to defray the cost of implementing or maintaining the county's Geographic

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Information System and to defray the cost of providing electronic access to the county's Geographic Information System records.

The recorder shall collect a $9 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

The recorder shall not collect the Rental Housing Support Program State surcharge from any State agency, any unit of local government or any school district.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited into the county's general revenue fund. Fifty cents of that amount shall be used for the costs of administering the Rental Housing Support Program State surcharge and any other lawful expenditures for the operation of the office of the recorder and may not be appropriated or expended for any other purpose. The amounts available to the recorder for expenditure from the surcharge shall not offset or reduce any other county appropriations or funding for the office of the recorder.

On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the Rental Housing Support Program State surcharge was collected. Each recorder shall submit $9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The foregoing fees allowed by this Section are the maximum fees that may be collected from any officer, agency, department or other instrumentality of the State. The county board may, however, by ordinance, increase the fees allowed by this Section and collect such increased fees from all persons and entities other than officers, agencies,
departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $1.

A statement of the costs of providing each service, program and activity shall be prepared by the county board. All supporting documents shall be public record and subject to public examination and audit. All direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87, may be included in the determination of the costs of each service, program and activity.

(Source: P.A. 96-1356, eff. 7-28-10.)

(55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

Sec. 4-12002. Fees of recorder in third class counties. The fees of the recorder in counties of the third class for recording deeds or other instruments in writing and maps of plats of additions, subdivisions or otherwise, and for certifying copies of records, shall be paid in advance and shall be as follows:

For recording deeds or other instruments $20 for the first 2 pages thereof, plus $2 for each additional page thereof. The aggregate minimum fee for recording any one instrument shall not be less than $20.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description the recorder shall charge a fee of $4 in addition to that hereinabove referred to for each document number therein noted.

For recording deeds or other instruments wherein more than one tract, parcel or lot is described and such additional tract, or tracts, parcel or parcels, lot or lots is or are described therein as falling in a separate or different addition or subdivision the recorder shall charge as an additional fee, to that herein provided, the sum of $2 for each additional addition or subdivision referred to in such deed or instrument.
For recording any document that affects an interest in real property other than documents which solely affect or relate to an easement for water, sewer, electricity, gas, telephone or other public service, the recorder shall charge a fee of $1 per document to all filers of documents not filed by any State agency, any unit of local government, or any school district. Fifty cents of the $1 fee hereby established shall be deposited into the County General Revenue Fund. The remaining $0.50 shall be deposited into the County Recorder Document Storage System Fund and may not be appropriated or expended for any other purpose. The additional amounts available to the recorder for expenditure from the County Recorder Document Storage System Fund shall not offset or reduce any other county appropriations or funding for the office of the recorder.

For recording maps or plats of additions, subdivisions or otherwise (including the spreading of the same of record in well bound books) $100 plus $2 for each tract, parcel or lot contained therein.

For certified copies of records the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed $200.

For non-certified copies of records, an amount not to exceed one half of the amount provided herein for certified copies, according to a standard scale of fees, established by county ordinance and made public.

For filing of each release of any chattel mortgage or trust deed which has been filed but not recorded and for indexing the same in the book to be kept for that purpose $10.

For processing the sworn or affirmed statement required for filing a deed or assignment of a beneficial interest in a land trust in accordance with Section 3-5020 of this Code, $2.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

(1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.
(2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used only for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The recorder shall collect a $9 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

The recorder shall not collect the Rental Housing Support Program State surcharge from any State agency, any unit of local government or any school district.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited into the county's general revenue fund. Fifty cents of that amount shall be used for the costs of administering the Rental Housing Support Program State surcharge and any other lawful expenditures for the operation of the office of the recorder and may not be appropriated or expended for any other purpose. The amounts available to the recorder for expenditure from the surcharge shall not offset or reduce any other county appropriations or funding for the office of the recorder.

New matter indicated by italics - deletions by strikeout
On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the Rental Housing Support Program State surcharge was collected. Each recorder shall submit $9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The fee requirements of this Section apply to units of local government and school districts.

Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $1.

(Source: P.A. 93-671, eff. 6-1-04; 94-118, eff. 7-5-05.)

Section 10. The Rental Housing Support Program Act is amended by changing Section 5 as follows:

(310 ILCS 105/5)

Sec. 5. Legislative findings and purpose. The General Assembly finds that in many parts of this State, large numbers of citizens are faced with the inability to secure affordable rental housing. Due to either insufficient wages or a shortage of affordable rental housing stock, or both, many families have difficulty securing decent housing, are subjected to overcrowding, pay too large a portion of their total monthly income for housing and consequently suffer the lack of other basic needs, live in substandard or unhealthy housing, or experience chronic housing instability. Instability and inadequacy in housing limits the employability and productivity of many citizens, adversely affects family health and stress levels, and impedes children's ability to learn; such instability produces corresponding drains on public resources and contributes to an
overall decline in real estate values. Unaffordable rental rates lead to frequent tenant turnover and difficulty filling vacancies, resulting in unstable income streams for rental property owners, the limited ability of owners to properly maintain their properties, substandard rental housing, and greater rates of foreclosure. High tenant turnover, poorly maintained properties, vacant and abandoned properties, and overcrowded housing negatively impact the safety and health of communities and the real estate values within such communities. Among others, the program created by this Act benefits (i) all individuals who record real estate related documents by helping to stabilize real estate values in the State, (ii) rental property owners by subsidizing the portion of rent that many of their tenants are unable to pay, (iii) those individuals who own real estate in the State by providing an option for affordable rental housing should they one day face foreclosure, and (iv) tenants who participate in the program by providing them with rental assistance and the ability to achieve financial stability so that they are able to become property owners themselves. It is the purpose of this Act to create a State program to help localities address the need for decent, affordable, permanent rental housing.

(Source: P.A. 97-892, eff. 8-3-12.)

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

Passed in the General Assembly March 20, 2013.
Approved March 22, 2013.
Effective March 22, 2013.

PUBLIC ACT 98-0006
(House Bill No. 1188)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Section 18-185 as follows:
(35 ILCS 200/18-185)
Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5: "Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

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"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the

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commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds
issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the

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Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section

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3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to

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make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without

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referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax

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extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial

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equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the
rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.
(Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09; 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly March 21, 2013.
Approved March 29, 2013.
Effective March 29, 2013.

PUBLIC ACT 98-0007
(SENATE BILL NO. 1894)

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

Section 5. The Property Tax Code is amended by changing Sections 15-170 and 15-175 as follows:
(35 ILCS 200/15-170)
Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the maximum reduction shall be $2,500 in

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counties with 3,000,000 or more inhabitants and $2,000 in all other counties. For taxable years 2004 through 2005, the maximum reduction shall be $3,000 in all counties. For taxable years 2006 and 2007, the maximum reduction shall be $3,500. For taxable years 2008 through 2011 and thereafter, the maximum reduction is $4,000 in all counties. For taxable year 2012, the maximum reduction is $5,000 in counties with 3,000,000 or more inhabitants and $4,000 in all other counties. For taxable years 2013 and thereafter, the maximum reduction is $5,000 in all counties.

For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections 15-175, 15-176, and 15-177, "life care facility" means a facility, as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Assisted Living and Shared Housing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the
spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of $5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

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The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In counties with 3,000,000 or more inhabitants, beginning in taxable year 2010, each taxpayer who has been granted an exemption under this Section must reapply on an annual basis. The chief county assessment officer shall mail the application to the taxpayer. In counties with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

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

(Source: P.A. 96-339, eff. 7-1-10; 96-355, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1418, eff. 8-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(35 ILCS 200/15-175)
Sec. 15-175. General homestead exemption.
(a) Except as provided in Sections 15-176 and 15-177, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the

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Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.

(b) Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be $4,500 in counties with 3,000,000 or more inhabitants and $3,500 in all other counties. Except as provided in Sections 15-176 and 15-177, for taxable years 2004 through 2007, the maximum reduction shall be $5,000, for taxable year 2008, the maximum reduction is $5,500, and, for taxable years 2009 through 2011 and thereafter, the maximum reduction is $6,000 in all counties. For taxable years 2012 and thereafter, the maximum reduction is $7,000 in counties with 3,000,000 or more inhabitants and $6,000 in all other counties. If a county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that Section, then, for the first taxable year only after the provisions of Section 15-176 no longer apply, for owners who, for the taxable year, have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 or a long-time occupant homestead exemption under Section 15-177, there shall be an additional exemption of $5,000 for owners with a household income of $30,000 or less.

(c) In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

(d) If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180 resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.
(e) The chief county assessment officer may, when considering whether to grant a leasehold exemption under this Section, require the following conditions to be met:

1. that a notarized application for the exemption, signed by both the owner and the lessee of the property, must be submitted each year during the application period in effect for the county in which the property is located;
2. that a copy of the lease must be filed with the chief county assessment officer by the owner of the property at the time the notarized application is submitted;
3. that the lease must expressly state that the lessee is liable for the payment of property taxes; and
4. that the lease must include the following language in substantially the following form:

   "Lessee shall be liable for the payment of real estate taxes with respect to the residence in accordance with the terms and conditions of Section 15-175 of the Property Tax Code (35 ILCS 200/15-175). The permanent real estate index number for the premises is (insert number), and, according to the most recent property tax bill, the current amount of real estate taxes associated with the premises is (insert amount) per year. The parties agree that the monthly rent set forth above shall be increased or decreased pro rata (effective January 1 of each calendar year) to reflect any increase or decrease in real estate taxes. Lessee shall be deemed to be satisfying Lessee's liability for the above mentioned real estate taxes with the monthly rent payments as set forth above (or increased or decreased as set forth herein)."

In addition, if there is a change in lessee, or if the lessee vacates the property, then the chief county assessment officer may require the owner of the property to notify the chief county assessment officer of that change.

This subsection (e) does not apply to leasehold interests in property owned by a municipality.

(f) "Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on
which the person is liable for the payment of property taxes. For land
improved with an apartment building owned and operated as a cooperative
or a building which is a life care facility as defined in Section 15-170 and
considered to be a cooperative under Section 15-170, the maximum
reduction from the equalized assessed value shall be limited to the increase
in the value above the equalized assessed value of the property for 1977,
up to the maximum reduction set forth above, multiplied by the number of
apartments or units occupied by a person or persons who is liable, by
contract with the owner or owners of record, for paying property taxes on
the property and is an owner of record of a legal or equitable interest in the
cooperative apartment building, other than a leasehold interest. For
purposes of this Section, the term "life care facility" has the meaning
stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse
of the owner, and all persons using the residence of the owner as their
principal place of residence.

"Household income", as used in this Section, means the combined
income of the members of a household for the calendar year preceding the
taxable year.

"Income", as used in this Section, has the same meaning as
provided in Section 3.07 of the Senior Citizens and Disabled Persons
Property Tax Relief Act, except that "income" does not include veteran's
benefits.

(g) In a cooperative where a homestead exemption has been
granted, the cooperative association or its management firm shall credit
the savings resulting from that exemption only to the apportioned tax
liability of the owner who qualified for the exemption. Any person who
willfully refuses to so credit the savings shall be guilty of a Class B
misdemeanor.

(h) Where married persons maintain and reside in separate
residences qualifying as homestead property, each residence shall receive
50% of the total reduction in equalized assessed valuation provided by this
Section.

(i) In all counties, the assessor or chief county assessment officer
may determine the eligibility of residential property to receive the
homestead exemption and the amount of the exemption by application,
visual inspection, questionnaire or other reasonable methods. The
determination shall be made in accordance with guidelines established by
the Department, provided that the taxpayer applying for an additional

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general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

(j) In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

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

(Source: P.A. 97-689, eff. 6-14-12; 97-1125, eff. 8-28-12; revised 9-20-12.)

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

Passed in the General Assembly April 11, 2013.
Approved April 23, 2013.
Effective April 23, 2013.

PUBLIC ACT 98-0008
(House Bill No. 2275)

AN ACT concerning State government.

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

Section 5. The Illinois Act on the Aging is amended by changing Sections 4.01 and 4.02 as follows:

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

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

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

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

(2-a) To request, receive, and share information electronically through the use of data-sharing agreements for the purpose of (i) establishing and verifying the initial and continuing eligibility of older adults to participate in programs administered by the Department; (ii) maximizing federal financial participation in State assistance expenditures; and (iii) investigating allegations of fraud or other abuse of publicly funded benefits. Notwithstanding any other law to the contrary, but only for the limited purposes identified in the preceding sentence, this paragraph (2-a) expressly authorizes the exchanges of income, identification, and other pertinent eligibility information by and among the Department and the Social Security Administration, the Department of Employment Security, the Department of Healthcare and Family Services, the Department of Human Services, the Department of Revenue, the Secretary of State, the U.S. Department of Veterans Affairs, and any other governmental entity. The confidentiality of information otherwise shall be maintained as required by law. In addition, the Department on Aging shall verify employment information at the request of a community care provider for the purpose of ensuring program integrity under the Community Care Program.

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

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

(5) To solicit, accept, hold, and administer in behalf of the State any grants or legacies of money, securities, or property to the State of Illinois for services to senior citizens and minority senior citizens or purposes related thereto.
(6) To provide consultation and assistance to communities, area agencies on aging, and groups developing local services for senior citizens and minority senior citizens.

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

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

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

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

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

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

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

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

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

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

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

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

(18) To develop a pamphlet in English and Spanish which may be used by physicians licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, pharmacists licensed pursuant to the Pharmacy Practice Act, and Illinois residents 65 years of age or older for the purpose of assisting physicians, pharmacists, and patients in monitoring prescriptions provided by various physicians and to aid persons 65 years of age or older in complying with directions for proper use of pharmaceutical prescriptions. The pamphlet may provide space for recording information including but not limited to the following:
   - (a) name and telephone number of the patient;
   - (b) name and telephone number of the prescribing physician;
   - (c) date of prescription;
   - (d) name of drug prescribed;
   - (e) directions for patient compliance; and
   - (f) name and telephone number of dispensing pharmacy.

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

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

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

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

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

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

(a) types of services to be offered by volunteers;
(b) types of services to be received upon the redemption of service credits;
(c) issues of liability for the volunteers and the administering organizations;
(d) methods of tracking service credits earned and service credits redeemed;
(e) issues of time limits for redemption of service credits;
(f) methods of recruitment of volunteers;
(g) utilization of community volunteers, community service groups, and other resources for delivering services to be received by service credit program clients;
(h) accountability and assurance that services will be available to individuals who have earned service credits; and
(i) volunteer screening and qualifications.

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

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Sec. 4.02. Community Care Program. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

(a) (blank);
(b) (blank);
(c) home care aide services;
(d) personal assistant services;
(e) adult day services;
(f) home-delivered meals;
(g) education in self-care;
(h) personal care services;
(i) adult day health services;
(j) habilitation services;
(k) respite care;
(k-5) community reintegration services;
(k-6) flexible senior services;
(k-7) medication management;
(k-8) emergency home response;
(l) other nonmedical social services that may enable the person to become self-supporting; or
(m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services. In determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his

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spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning January 1, 2008, the Department shall require as a condition of eligibility that all new financially eligible applicants apply for and enroll in medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 45 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 45 day notice period. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all personal assistant and home care aide vendors contracting with the Department

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under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, may recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse.

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or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate.

"Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall increase the effectiveness of the existing Community Care Program by:

(1) ensuring that in-home services included in the care plan are available on evenings and weekends;

(2) ensuring that care plans contain the services that eligible participants need based on the number of days in a month, not limited to specific blocks of time, as identified by the comprehensive assessment tool selected by the Department for use statewide, not to exceed the total monthly service cost maximum allowed for each service; the Department shall develop administrative rules to implement this item (2);

(3) ensuring that the participants have the right to choose the services contained in their care plan and to direct how those services are provided, based on administrative rules established by the Department;

(4) ensuring that the determination of need tool is accurate in determining the participants' level of need; to achieve this, the Department, in conjunction with the Older Adult Services Advisory Committee, shall institute a study of the relationship between the Determination of Need scores, level of need, service cost maximums, and the development and utilization of service plans no later than May 1, 2008; findings and recommendations shall be presented to the Governor and the General Assembly no later than January 1, 2009; recommendations shall include all needed changes to the service cost maximums schedule and additional covered services;

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(5) ensuring that homemakers can provide personal care services that may or may not involve contact with clients, including but not limited to:

   (A) bathing;
   (B) grooming;
   (C) toileting;
   (D) nail care;
   (E) transferring;
   (F) respiratory services;
   (G) exercise; or
   (H) positioning;

(6) ensuring that homemaker program vendors are not restricted from hiring homemakers who are family members of clients or recommended by clients; the Department may not, by rule or policy, require homemakers who are family members of clients or recommended by clients to accept assignments in homes other than the client;

(7) ensuring that the State may access maximum federal matching funds by seeking approval for the Centers for Medicare and Medicaid Services for modifications to the State's home and community based services waiver and additional waiver opportunities, including applying for enrollment in the Balance Incentive Payment Program by May 1, 2013, in order to maximize federal matching funds; this shall include, but not be limited to, modification that reflects all changes in the Community Care Program services and all increases in the services cost maximum;

(8) ensuring that the determination of need tool accurately reflects the service needs of individuals with Alzheimer's disease and related dementia disorders;

(9) ensuring that services are authorized accurately and consistently for the Community Care Program (CCP); the Department shall implement a Service Authorization policy directive; the purpose shall be to ensure that eligibility and services are authorized accurately and consistently in the CCP program; the policy directive shall clarify service authorization guidelines to Care Coordination Units and Community Care Program providers no later than May 1, 2013;

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(10) working in conjunction with Care Coordination Units, the Department of Healthcare and Family Services, the Department of Human Services, Community Care Program providers, and other stakeholders to make improvements to the Medicaid claiming processes and the Medicaid enrollment procedures or requirements as needed, including, but not limited to, specific policy changes or rules to improve the up-front enrollment of participants in the Medicaid program and specific policy changes or rules to insure more prompt submission of bills to the federal government to secure maximum federal matching dollars as promptly as possible; the Department on Aging shall have at least 3 meetings with stakeholders by January 1, 2014 in order to address these improvements;

(11) requiring home care service providers to comply with the rounding of hours worked provisions under the federal Fair Labor Standards Act (FLSA) and as set forth in 29 CFR 785.48(b) by May 1, 2013;

(12) implementing any necessary policy changes or promulgating any rules, no later than January 1, 2014, to assist the Department of Healthcare and Family Services in moving as many participants as possible, consistent with federal regulations, into coordinated care plans if a care coordination plan that covers long term care is available in the recipient's area; and

(13) maintaining fiscal year 2014 rates at the same level established on January 1, 2013.

By January 1, 2009 or as soon after the end of the Cash and Counseling Demonstration Project as is practicable, the Department may, based on its evaluation of the demonstration project, promulgate rules concerning personal assistant services, to include, but need not be limited to, qualifications, employment screening, rights under fair labor standards, training, fiduciary agent, and supervision requirements. All applicants shall be subject to the provisions of the Health Care Worker Background Check Act.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

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Beginning on the effective date of this Amendatory Act of 1991, no person may perform chore/housekeeping and home care aide services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as home care aides and personal assistants receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for home care aides and personal assistants. An employer that cannot ensure that the minimum wage increase is being given to home care aides and personal assistants shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Director shall appoint members to the Committee to represent provider, advocacy, policy research, and other constituencies committed to the delivery of high quality home and community-based services to older adults.

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Representatives shall be appointed to ensure representation from community care providers including, but not limited to, adult day service providers, homemaker providers, case coordination and case management units, emergency home response providers, statewide trade or labor unions that represent home care aides and direct care staff, area agencies on aging, adults over age 60, membership organizations representing older adults, and other organizational entities, providers of care, or individuals with demonstrated interest and expertise in the field of home and community care as determined by the Director.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. A member shall continue to serve until his or her replacement is named. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.
Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

For the purposes of this Section, "flexible senior services" refers to services that require one-time or periodic expenditures including, but not limited to, respite care, home modification, assistive technology, housing assistance, and transportation.

The Department shall implement an electronic service verification based on global positioning systems or other cost-effective technology for the Community Care Program no later than January 1, 2014.

The Department shall require, as a condition of eligibility, enrollment in the medical assistance program under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall delay Community Care Program services until an applicant is determined eligible for medical assistance under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall implement co-payments for the Community Care Program at the federally allowable maximum level (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act.
Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall provide a bi-monthly report on the progress of the Community Care Program reforms set forth in this amendatory Act of the 98th General Assembly to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate.

The Department shall conduct a quarterly review of Care Coordination Unit performance and adherence to service guidelines. The quarterly review shall be reported to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. The Department shall collect and report longitudinal data on the performance of each care coordination unit. Nothing in this paragraph shall be construed to require the Department to identify specific care coordination units.

In regard to community care providers, failure to comply with Department on Aging policies shall be cause for disciplinary action, including, but not limited to, disqualification from serving Community Care Program clients. Each provider, upon submission of any bill or invoice to the Department for payment for services rendered, shall include a notarized statement, under penalty of perjury pursuant to Section 1-109 of the Code of Civil Procedure, that the provider has complied with all Department policies.

(Source: P.A. 96-918, eff. 6-9-10; 96-1129, eff. 7-20-10; 97-333, eff. 8-12-11.)

Section 9. The Illinois State Auditing Act is amended by adding Section 2-27 as follows:

(30 ILCS 5/2-27 new)

Sec. 2-27. Certification of Community Care Program reform implementation.

(a) No later than July 1, 2013, the Department on Aging shall file a report with the Auditor General, the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate listing any necessary amendment to the Illinois Title XIX State plan, any federal waiver request, any State administrative rule, or any State Policy changes
and notifications required to implement this amendatory Act of the 98th General Assembly.

(b) No later than February 1, 2014, the Department on Aging shall provide evidence to the Auditor General that it has undertaken the required actions listed in the report required by subsection (a).

(c) No later than April 1, 2014, the Auditor General shall submit a report to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate as to whether the Department on Aging has undertaken the required actions listed in the report required by subsection (a).

Section 10. The State Finance Act is amended by changing Section 25 as follows:

Sec. 25. Fiscal year limitations.

(a) All appropriations shall be available for expenditure for the fiscal year or for a lesser period if the Act making that appropriation so specifies. A deficiency or emergency appropriation shall be available for expenditure only through June 30 of the year when the Act making that appropriation is enacted unless that Act otherwise provides.

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

(b-1) However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code as of June 30, payable from appropriations that have otherwise expired, may be paid out of the
expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-2) All outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2010, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2010.

(b-2.5) All outstanding liabilities as of June 30, 2011, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2011, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2011, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2011.

(b-2.6) All outstanding liabilities as of June 30, 2012, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2012, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2012, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2012.

(b-2.7) For fiscal years 2012 and 2013, interest penalties payable under the State Prompt Payment Act associated with a voucher for which payment is issued after June 30 may be paid out of the next fiscal year's appropriation. The future year appropriation must be for the same purpose and from the same fund as the original payment. An interest penalty voucher submitted against a future year appropriation must be submitted within 60 days after the issuance of the associated voucher, and the Comptroller must issue the interest payment within 60 days after acceptance of the interest voucher.

(b-3) Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments payable from appropriations that have
otherwise expired may be paid out of the expiring appropriation during the
4-month period ending at the close of business on October 31.

(b-4) Medical payments and child care payments may be made by
the Department of Human Services (as successor to the Department of
Public Aid) from appropriations for those purposes for any fiscal year,
without regard to the fact that the medical or child care services being
compensated for by such payment may have been rendered in a prior fiscal
year; and payments may be made at the direction of the Department of
Healthcare and Family Services (or successor agency) from the Health
Insurance Reserve Fund without regard to any fiscal year limitations,
except as required by subsection (j) of this Section. Beginning on June 30,
2021, medical and child care payments made by the Department of Human
Services; and payments made at the discretion of the Department of
Healthcare and Family Services (or successor agency) from the Health
Insurance Reserve Fund and payable from appropriations that have
otherwise expired may be paid out of the expiring appropriation during the
4-month period ending at the close of business on October 31.

(b-5) Medical payments may be made by the Department of
Human Services from its appropriations relating to substance abuse
treatment services for any fiscal year, without regard to the fact that the
medical services being compensated for by such payment may have been
rendered in a prior fiscal year, provided the payments are made on a fee-
for-service basis consistent with requirements established for Medicaid
reimbursement by the Department of Healthcare and Family Services,
except as required by subsection (j) of this Section. Beginning on June 30,
2021, medical payments made by the Department of Human Services
relating to substance abuse treatment services payable from appropriations
that have otherwise expired may be paid out of the expiring appropriation
during the 4-month period ending at the close of business on October 31.

(b-6) Additionally, payments may be made by the Department of
Human Services from its appropriations, or any other State agency from its
appropriations with the approval of the Department of Human Services,
from the Immigration Reform and Control Fund for purposes authorized
pursuant to the Immigration Reform and Control Act of 1986, without
regard to any fiscal year limitations, except as required by subsection (j) of
this Section. Beginning on June 30, 2021, payments made by the
Department of Human Services from the Immigration Reform and Control
Fund for purposes authorized pursuant to the Immigration Reform and
Control Act of 1986 payable from appropriations that have otherwise
expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-7) Payments may be made in accordance with a plan authorized by paragraph (11) or (12) of Section 405-105 of the Department of Central Management Services Law from appropriations for those payments without regard to fiscal year limitations.

(b-9) Medical payments not exceeding $150,000,000 may be made by the Department on Aging from its appropriations relating to the Community Care Program for fiscal year 2014, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Public Health and the Department of Human Services from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program payable from appropriations that have otherwise expired may be paid out of the expiring appropriations during the 4-month period ending at the close of business on October 31.

(d) The Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of

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the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(e) The Department of Healthcare and Family Services, the Department of Human Services (acting as successor to the Department of Public Aid), and the Department of Human Services making fee-for-service payments relating to substance abuse treatment services provided during a previous fiscal year shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before November 30, a report that shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for (i) services provided in prior fiscal years and (ii) services for which claims were received in prior fiscal years.

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services (other than medical care) provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(g) In addition, each annual report required to be submitted by the Department of Healthcare and Family Services under subsection (e) shall include the following information with respect to the State's Medicaid program:

(1) Explanations of the exact causes of the variance between the previous year's estimated and actual liabilities.

(2) Factors affecting the Department of Healthcare and Family Services' liabilities, including but not limited to numbers of aid recipients, levels of medical service utilization by aid recipients, and inflation in the cost of medical services.

(3) The results of the Department's efforts to combat fraud and abuse.

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(h) As provided in Section 4 of the General Assembly Compensation Act, any utility bill for service provided to a General Assembly member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

(i) An agency which administers a fund classified by the Comptroller as an internal service fund may issue rules for:

1. billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;
2. issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and
3. issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued or by increasing an authorized inter-fund transfer during the current fiscal year. For the purposes of this Act, "inter-fund transfers" means transfers without the use of the voucher-warrant process, as authorized by Section 9.01 of the State Comptroller Act.

(i-1) Beginning on July 1, 2021, all outstanding liabilities, not payable during the 4-month lapse period as described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, that are made from appropriations for that purpose for any fiscal year, without regard to the fact that the services being compensated for by those payments may have been rendered in a prior fiscal year, are limited to only those claims that have been incurred but for which a proper bill or invoice as defined by the State Prompt Payment Act has not been received by September 30th following the end of the fiscal year in which the service was rendered.

(j) Notwithstanding any other provision of this Act, the aggregate amount of payments to be made without regard for fiscal year limitations as contained in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this
Section, and determined by using Generally Accepted Accounting Principles, shall not exceed the following amounts:

(1) $6,000,000,000 for outstanding liabilities related to fiscal year 2012;
(2) $5,300,000,000 for outstanding liabilities related to fiscal year 2013;
(3) $4,600,000,000 for outstanding liabilities related to fiscal year 2014;
(4) $4,000,000,000 for outstanding liabilities related to fiscal year 2015;
(5) $3,300,000,000 for outstanding liabilities related to fiscal year 2016;
(6) $2,600,000,000 for outstanding liabilities related to fiscal year 2017;
(7) $2,000,000,000 for outstanding liabilities related to fiscal year 2018;
(8) $1,300,000,000 for outstanding liabilities related to fiscal year 2019;
(9) $600,000,000 for outstanding liabilities related to fiscal year 2020; and
(10) $0 for outstanding liabilities related to fiscal year 2021 and fiscal years thereafter.

(k) Department of Healthcare and Family Services Medical Assistance Payments.

(1) Definition of Medical Assistance.
For purposes of this subsection, the term "Medical Assistance" shall include, but not necessarily be limited to, medical programs and services authorized under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, the Long Term Acute Care Hospital Quality Improvement Transfer Program Act, and medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, and victims of sexual assault.

(2) Limitations on Medical Assistance payments that may be paid from future fiscal year appropriations.

(A) The maximum amounts of annual unpaid Medical Assistance bills received and recorded by the
Department of Healthcare and Family Services on or before June 30th of a particular fiscal year attributable in aggregate to the General Revenue Fund, Healthcare Provider Relief Fund, Tobacco Settlement Recovery Fund, Long-Term Care Provider Fund, and the Drug Rebate Fund that may be paid in total by the Department from future fiscal year Medical Assistance appropriations to those funds are: $700,000,000 for fiscal year 2013 and $100,000,000 for fiscal year 2014 and each fiscal year thereafter.

(B) Bills for Medical Assistance services rendered in a particular fiscal year, but received and recorded by the Department of Healthcare and Family Services after June 30th of that fiscal year, may be paid from either appropriations for that fiscal year or future fiscal year appropriations for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(C) Medical Assistance bills received by the Department of Healthcare and Family Services in a particular fiscal year, but subject to payment amount adjustments in a future fiscal year may be paid from a future fiscal year's appropriation for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(D) Medical Assistance payments made by the Department of Healthcare and Family Services from funds other than those specifically referenced in subparagraph (A) may be made from appropriations for those purposes for any fiscal year without regard to the fact that the Medical Assistance services being compensated for by such payment may have been rendered in a prior fiscal year. Such payments shall not be subject to the requirements of subparagraph (A).

(3) Extended lapse period for Department of Healthcare and Family Services Medical Assistance payments. Notwithstanding any other State law to the contrary, outstanding Department of Healthcare and Family Services Medical Assistance liabilities, as of June 30th, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 6-month period ending at the close of business on December 31st.

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The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall be effective for payment of Medical Assistance bills incurred in fiscal year 2013 and future fiscal years. The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall not be applied to Medical Assistance bills incurred in fiscal year 2012 or prior fiscal years.

(m) The Comptroller must issue payments against outstanding liabilities that were received prior to the lapse period deadlines set forth in this Section as soon thereafter as practical, but no payment may be issued after the 4 months following the lapse period deadline without the signed authorization of the Comptroller and the Governor.

(Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10; 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff. 8-12-11; 97-691, eff. 7-1-12; 97-732, eff. 6-30-12; 97-932, eff. 8-10-12; revised 8-23-12.)

Section 15. The Illinois Public Aid Code is amended by changing Section 12-13.1 as follows:

(305 ILCS 5/12-13.1)
(a) The Governor shall appoint, and the Senate shall confirm, an Inspector General who shall function within the Illinois Department of Public Aid (now Healthcare and Family Services) and report to the Governor. The term of the Inspector General shall expire on the third Monday of January, 1997 and every 4 years thereafter.

(b) In order to prevent, detect, and eliminate fraud, waste, abuse, mismanagement, and misconduct, the Inspector General shall oversee the Department of Healthcare and Family Services' and the Department on Aging's integrity functions, which include, but are not limited to, the following:

(1) Investigation of misconduct by employees, vendors, contractors and medical providers, except for allegations of violations of the State Officials and Employees Ethics Act which shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(2) Prepayment and post-payment audits of medical providers related to ensuring that appropriate payments are made for services rendered and to the prevention and recovery of overpayments.

(3) Monitoring of quality assurance programs administered by the Department of Healthcare and Family Services and the
Community Care Program administered by the Department on Aging.

(4) Quality control measurements of the programs administered by the Department of Healthcare and Family Services and the Community Care Program administered by the Department on Aging.

(5) Investigations of fraud or intentional program violations committed by clients of the Department of Healthcare and Family Services and the Community Care Program administered by the Department on Aging.

(6) Actions initiated against contractors, vendors, or medical providers for any of the following reasons:

   (A) Violations of the medical assistance program and the Community Care Program administered by the Department on Aging.

   (B) Sanctions against providers brought in conjunction with the Department of Public Health or the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities).

   (C) Recoveries of assessments against hospitals and long-term care facilities.

   (D) Sanctions mandated by the United States Department of Health and Human Services against medical providers.

   (E) Violations of contracts related to any programs administered by the Department of Healthcare and Family Services and the Community Care Program administered by the Department on Aging.

(7) Representation of the Department of Healthcare and Family Services at hearings with the Illinois Department of Financial and Professional Regulation in actions taken against professional licenses held by persons who are in violation of orders for child support payments.

(b-5) At the request of the Secretary of Human Services, the Inspector General shall, in relation to any function performed by the Department of Human Services as successor to the Department of Public Aid, exercise one or more of the powers provided under this Section as if those powers related to the Department of Human Services; in such
matters, the Inspector General shall report his or her findings to the Secretary of Human Services.

(c) Notwithstanding, and in addition to, any other provision of law, the Inspector General shall have access to all information, personnel and facilities of the Department of Healthcare and Family Services and the Department of Human Services (as successor to the Department of Public Aid), their employees, vendors, contractors and medical providers and any federal, State or local governmental agency that are necessary to perform the duties of the Office as directly related to public assistance programs administered by those departments. No medical provider shall be compelled, however, to provide individual medical records of patients who are not clients of the programs administered by the Department of Healthcare and Family Services. State and local governmental agencies are authorized and directed to provide the requested information, assistance or cooperation.

For purposes of enhanced program integrity functions and oversight, and to the extent consistent with applicable information and privacy, security, and disclosure laws, State agencies and departments shall provide the Office of Inspector General access to confidential and other information and data, and the Inspector General is authorized to enter into agreements with appropriate federal agencies and departments to secure similar data. This includes, but is not limited to, information pertaining to: licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Inspector General shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Inspector General shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies shall share data necessary for recipient and vendor screening, review, and investigation, including but not limited to vendor payment and recipient eligibility verification. The Inspector General shall develop, in cooperation with other State and federal agencies and departments, and in

New matter indicated by italics - deletions by strikeout
compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. The Inspector General shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including, but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

The Inspector General shall have the authority to deny payment, prevent overpayments, and recover overpayments.

The Inspector General shall have the authority to deny or suspend payment to, and deny, terminate, or suspend the eligibility of, any vendor who fails to grant the Inspector General timely access to full and complete records, including records of recipients under the medical assistance program for the most recent 6 years, in accordance with Section 140.28 of Title 89 of the Illinois Administrative Code, and other information for the purpose of audits, investigations, or other program integrity functions, after reasonable written request by the Inspector General.

(d) The Inspector General shall serve as the Department of Healthcare and Family Services' primary liaison with law enforcement, investigatory and prosecutorial agencies, including but not limited to the following:

(1) The Department of State Police.

(2) The Federal Bureau of Investigation and other federal law enforcement agencies.

(3) The various Inspectors General of federal agencies overseeing the programs administered by the Department of Healthcare and Family Services.

(4) The various Inspectors General of any other State agencies with responsibilities for portions of programs primarily administered by the Department of Healthcare and Family Services.

(5) The Offices of the several United States Attorneys in Illinois.

(6) The several State's Attorneys.

(7) The offices of the Centers for Medicare and Medicaid Services that administer the Medicare and Medicaid integrity programs.

The Inspector General shall meet on a regular basis with these entities to share information regarding possible misconduct by any persons.

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or entities involved with the public aid programs administered by the Department of Healthcare and Family Services.

(e) All investigations conducted by the Inspector General shall be conducted in a manner that ensures the preservation of evidence for use in criminal prosecutions. If the Inspector General determines that a possible criminal act relating to fraud in the provision or administration of the medical assistance program has been committed, the Inspector General shall immediately notify the Medicaid Fraud Control Unit. If the Inspector General determines that a possible criminal act has been committed within the jurisdiction of the Office, the Inspector General may request the special expertise of the Department of State Police. The Inspector General may present for prosecution the findings of any criminal investigation to the Office of the Attorney General, the Offices of the several United States Attorneys in Illinois or the several State's Attorneys.

(f) To carry out his or her duties as described in this Section, the Inspector General and his or her designees shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books, electronic records and papers as directly related to public assistance programs administered by the Department of Healthcare and Family Services or the Department of Human Services (as successor to the Department of Public Aid). No medical provider shall be compelled, however, to provide individual medical records of patients who are not clients of the Medical Assistance Program.

(g) The Inspector General shall report all convictions, terminations, and suspensions taken against vendors, contractors and medical providers to the Department of Healthcare and Family Services and to any agency responsible for licensing or regulating those persons or entities.

(h) The Inspector General shall make annual reports, findings, and recommendations regarding the Office's investigations into reports of fraud, waste, abuse, mismanagement, or misconduct relating to any programs administered by the Department of Healthcare and Family Services or the Department of Human Services (as successor to the Department of Public Aid) to the General Assembly and the Governor. These reports shall include, but not be limited to, the following information:

1. Aggregate provider billing and payment information, including the number of providers at various Medicaid earning levels.
(2) The number of audits of the medical assistance program and the dollar savings resulting from those audits.
(3) The number of prescriptions rejected annually under the Department of Healthcare and Family Services' Refill Too Soon program and the dollar savings resulting from that program.
(4) Provider sanctions, in the aggregate, including terminations and suspensions.
(5) A detailed summary of the investigations undertaken in the previous fiscal year. These summaries shall comply with all laws and rules regarding maintaining confidentiality in the public aid programs.
(i) Nothing in this Section shall limit investigations by the Department of Healthcare and Family Services or the Department of Human Services that may otherwise be required by law or that may be necessary in their capacity as the central administrative authorities responsible for administration of their agency's programs in this State.
(j) The Inspector General may issue shields or other distinctive identification to his or her employees not exercising the powers of a peace officer if the Inspector General determines that a shield or distinctive identification is needed by an employee to carry out his or her responsibilities.
(Source: P.A. 96-555, eff. 8-18-09; 96-1316, eff. 1-1-11; 97-689, eff. 6-14-12.)

(320 ILCS 50/15 rep.)

Section 20. The Senior Pharmaceutical Assistance Act is amended by repealing Section 15.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly April 25, 2013.
Approved May 3, 2013.
Effective May 3, 2013.

PUBLIC ACT 98-0009
(House Bill No. 2381)

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

New matter indicated by italics - deletions by strikeout
Section 5. "AN ACT concerning local government", approved December 28, 2012, Public Act 97-1138, is amended by adding Section 99 as follows:

(P.A. 97-1138, Sec. 99 new)

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

Passed in the General Assembly April 25, 2013.
Approved May 3, 2013.
Effective May 3, 2013.

PUBLIC ACT 98-0010
(Senate Bill No. 0724)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Sections 4-2 and 6-2 as follows:

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

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

However, such mayor, president of the board of trustees or president or chairman of the county board or his or her designee may appoint a person or persons to assist him in the exercise of the powers and

New matter indicated by italics - deletions by strikeout
the performance of the duties herein provided for such local liquor control commissioner.

Notwithstanding any other provision of this Section to the contrary, the mayor of a city with a population of \(55,000\) or less or the president of a village with a population of \(55,000\) or less that has an interest in the manufacture, sale, or distribution of alcoholic liquor must direct the council or board over which he or she presides to appoint, by majority vote, a person other than him or her to serve as the local liquor control commissioner. The appointment must be made within 30 days from the day on which the mayor or president takes office, and the mayor or president cannot make nominations or serve any other role in the appointment. To prevent any conflict of interest, the mayor or president with the interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Further, the appointee (i) shall be an attorney with an active license to practice law in the State of Illinois, (ii) shall not legally represent liquor license applicants or holders before the jurisdiction over which he or she presides as local liquor control commissioner or before an adjacent jurisdiction, (iii) shall not have an interest in the manufacture, sale, or distribution of alcoholic liquor, and (iv) shall not be appointed to a term to exceed the term of the mayor, president, or members of the council or board.

(Source: P.A. 97-1059, eff. 8-24-12.)

(235 ILCS 5/6-2) (from Ch. 43, par. 120)

Sec. 6-2. Issuance of licenses to certain persons prohibited.

(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

1. A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.
2. A person who is not of good character and reputation in the community in which he resides.
3. A person who is not a citizen of the United States.
4. A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust.

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after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.

(5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.

(6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.

(7) A person whose license issued under this Act has been revoked for cause.

(8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

(9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.

(10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

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(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 50,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor,

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a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 50,000 or less or the president of a village with a population of 55,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this

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subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13.)

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

Passed in the General Assembly May 2, 2013.
Approved May 6, 2013.
Effective May 6, 2013.

PUBLIC ACT 98-0011
(House Bill No. 0207)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. “AN ACT making appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Section 25 of Article 1 as follows:

(P.A. 97-0730, Art. 1, Sec. 25)

Sec. 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

Payable from General Revenue Fund:
For grants and for administrative expenses associated with the purchase of services covered by the Community Care Program, including prior year costs...................... 860,124,400 687,124,400
For Grants and for Administrative Expenses Associated with Comprehensive Care Coordination, including prior year costs............... 57,406,400
For Grants for Retired Senior Volunteer Program........................ 557,400
For Planning and Service Grants to

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Area Agencies on Aging........................ 5,800,000
For Grants for the Foster Grandparent Program........................ 243,800
For Expenses to the Area Agencies on Aging for Long-Term Care Systems Development........................ 246,300
For the Ombudsman Program........................ 1,348,400
For Grants for distribution to the 13 Area Agencies on Aging for costs for home delivered meals and mobile food equipment........... 0
Grants for Community Based Services including information and referral services, transportation and delivered meals............................................. 0
Grants for Community Based Services for equal distribution to each of the 13 Area Agencies on Aging........................ 758,800
Total $926,485,500 $753,485,500
Payable from the Tobacco Settlement Recovery Fund:
For Medicaid-Community Care Program........ 9,000,000
For the Ordinary and Contingent Expenses of the Senior citizens Circuit Breaker and Pharmaceutical Assistance Program........ 0
For Grants and Administrative Expenses of Senior Health Assistance Programs.................. 1,600,000
Payable from Services for Older Americans Fund:
For Adult Food Care Program.................. 200,000
For Title V Employment Services............. 6,500,000
For Title III C-1 Congregate Meals Program.... 21,000,000
For Title III C-2 Home Delivered Meals Program................ 11,000,000
For Title III Social Services.................. 17,000,000
For National Lunch Program........................ 1,800,000
For National Family Caregiver Support Program.......................... 7,500,000
For Title VII Prevention of Elder Abuse, Neglect, and Exploitation........ 500,000

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For Title VII Long Term Care
Ombudsman Services for Older Americans........ 1,000,000
For Title III D Preventive Health............... 1,000,000
For Nutrition Services Incentive Program...... 8,500,000
For Additional Title V Grant....................... 0
Total                                                  $76,000,000

Section 10. “AN ACT making appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by adding Section 95 to Article 6 as follows:

(P.A. 97-0730, Art. 6, Sec. 95 new)

Sec. 95. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services for the purpose hereinafter named:
Payable from the General Revenue Fund:
For deposit into the Healthcare Provider Relief Fund...................... 151,000,000

Section 999. Effective date. This Act takes effect immediately upon becoming law.
Passed in the General Assembly April 25, 2013.
Approved May 10, 2013.
Effective May 10, 2013.

PUBLIC ACT 98-0012
(House Bill No. 1589)

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

Section 5. The Riverboat Gambling Act is amended by changing Section 8 as follows:
(230 ILCS 10/8) (from Ch. 120, par. 2408)
Sec. 8. Suppliers licenses.
(a) The Board may issue a suppliers license to such persons, firms or corporations which apply therefor upon the payment of a non-refundable application fee set by the Board, upon a determination by the Board that the applicant is eligible for a suppliers license and upon payment of a $5,000 annual license fee.
(b) The holder of a suppliers license is authorized to sell or lease, and to contract to sell or lease, gambling equipment and supplies to any

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licensee involved in the ownership or management of gambling operations.

(c) Gambling supplies and equipment may not be distributed unless supplies and equipment conform to standards adopted by rules of the Board.

(d) A person, firm or corporation is ineligible to receive a suppliers license if:

1. the person has been convicted of a felony under the laws of this State, any other state, or the United States;
2. the person has been convicted of any violation of Article 28 of the Criminal Code of 1961, or substantially similar laws of any other jurisdiction;
3. the person has submitted an application for a license under this Act which contains false information;
4. the person is a member of the Board;
5. the firm or corporation is one in which a person defined in (1), (2), (3) or (4), is an officer, director or managerial employee;
6. the firm or corporation employs a person who participates in the management or operation of riverboat gambling authorized under this Act;
7. the license of the person, firm or corporation issued under this Act, or a license to own or operate gambling facilities in any other jurisdiction, has been revoked.

(e) Any person that supplies any equipment, devices, or supplies to a licensed riverboat gambling operation must first obtain a suppliers license. A supplier shall furnish to the Board a list of all equipment, devices and supplies offered for sale or lease in connection with gambling games authorized under this Act. A supplier shall keep books and records for the furnishing of equipment, devices and supplies to gambling operations separate and distinct from any other business that the supplier might operate. A supplier shall file a quarterly return with the Board listing all sales and leases. A supplier shall permanently affix its name or a distinctive logo or other mark or design element identifying the manufacturer or supplier to all its equipment, devices, and supplies, except gaming chips without a value impressed, engraved, or imprinted on it, for gambling operations. The Board may waive this requirement for any specific product or products if it determines that the requirement is not necessary to protect the integrity of the game. Items purchased from a licensed supplier may continue to be used even though the supplier

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subsequently changes its name, distinctive logo, or other mark or design element; undergoes a change in ownership; or ceases to be licensed as a supplier for any reason. Any supplier's equipment, devices or supplies which are used by any person in an unauthorized gambling operation shall be forfeited to the State. A licensed owner may own its own equipment, devices and supplies. Each holder of an owners license under the Act shall file an annual report listing its inventories of gambling equipment, devices and supplies.

(f) Any person who knowingly makes a false statement on an application is guilty of a Class A misdemeanor.

(g) Any gambling equipment, devices and supplies provided by any licensed supplier may either be repaired on the riverboat or removed from the riverboat to an on-shore facility owned by the holder of an owners license for repair.

(Source: P.A. 86-1029; 87-826.)

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

Passed in the General Assembly May 7, 2013.
Approved May 10, 2013.
Effective May 10, 2013.

PUBLIC ACT 98-0013
(House Bill No. 1292)

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

Section 5. Return of real property. Upon the payment of the sum of $10 to the State of Illinois, and subject to the conditions set forth in Sections 10, 15, and 20 of this Act, the Director of Natural Resources is authorized to return the land referred to as the Wildlife Prairie State Park including that real property that was initially conveyed to the State of Illinois from the Forest Park Foundation by a corporate special warranty deed executed September 5, 2000 and by a warranty deed executed on September 4, 2001, by conveying by quitclaim deed all right, title, and interest in and to the following described land in Peoria County, Illinois (referred to hereafter as "Wildlife Prairie State Park") to the Forest Park Foundation, a not-for-profit Illinois corporation (referred to hereafter as "Forest Park Foundation"): New matter indicated by italics - deletions by strikeout
Tract 1: That part of the South Half of the North Half of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, lying Southeasterly of the centerline of Old Taylor Road (as it existed prior to 1979) and Southwesterly of a line that is parallel to and 130 feet Northeasterly of the centerline of Mine Road as it is now located, situated in the County of Peoria and State of Illinois; subject to that portion used for or dedicated as public right-of-way.

Old Permanent Index Number: 13-30-200-004
New Permanent Index Number: Part of 13-30-400-003

Tract 2: The Southwest Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of Section 29, and the Southeast Quarter of Section 30, all being in Township 9 North, Range 7 East of the Fourth Principal Meridian; situated in the County of Peoria, and the State of Illinois; subject to that portion used for or dedicated as public right-of-way.

Permanent Index Numbers: Part of 13-29-100-008 and part of 13-30-400-003

Tract 3: Part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: From the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 30, and running thence South 89°21'30" West along the South line of the Northeast Quarter of the Northeast Quarter of said Section 30, a distance of 180 feet; thence North 427.69 feet; thence South 87°39' West, 200 feet to the Point of Beginning; thence South 87°39' West, 403.76 feet; thence on a curve to the right with a radius of 228.35 feet and a central angle of 52°34' an arc distance of 209.5 feet; thence North 39°47' West, 340.18 feet; thence South 76°54' East, 117.99 feet; thence North 89° 21' East, 327.56 feet; thence North 82°11' East, 256.39 feet; thence North 84°49' East to the Northwest corner of the tract described in the deed from the First National Bank of Peoria to Forest Park Foundation, dated November 14, 1969, and recorded November 21, 1969, as Document Number 69-16464; thence South along the Westerly line of tract so conveyed to Forest Park Foundation to the Point of Beginning; situated in the County of Peoria and the State of Illinois.

Old Permanent Index Number: 13-30-200-005

New matter indicated by italics - deletions by strikeout
New Permanent Index Number: 13-30-200-004
Tract 4: All of the Southeast Quarter of the Northeast Quarter of Section 30, EXCEPT that part lying Southwesterly of a line that is parallel to and 130 feet Northeasterly of the centerline of Mine Road as it is now located; situated in the County of Peoria, and State of Illinois; ALSO, that part of the Northeast Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly described as follows: All of the West Half of the Northeast Quarter of Section 30 lying southeasterly of the centerline of Taylor Road and Northeasterly of a line that is parallel to and 130 feet Northeasterly of the centerline of Mine Road as it is now located. Both parts being situated in Township 9 North, Range 7 East of the fourth Principal Meridian, Peoria County, Illinois, and containing 82.3 acres, more or less.

Permanent Index Number: Part of 13-30-400-003
Tract 5: Part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 30, and running thence South 89 degrees 21 minutes 30 seconds West along the South line of the Northeast Quarter of the Northeast Quarter of said Section 30, a distance of 180 feet, which is the Place of Beginning of the tract to be described; and from said Place of Beginning running thence North 427.69 feet; thence South 87 degrees 39 minutes West 603.76 feet; thence on a curve to the right with a radius of 228.35 feet and a central angle of 52 degrees 34 minutes, an arc distance of 209.5 feet; thence North 39 degrees 47 minutes West, 426.88 feet; thence North 47 degrees 43 minutes West, 126.08 feet to a point on the West line of the Northeast Quarter of the Northeast Quarter of said Section 30; thence south along the West line of the Northeast Quarter of said Northeast Quarter, 943.5 feet to the Southwest corner of the Northeast Quarter of said Northeast Quarter; thence running North 89 degrees 21 minutes 30 seconds East along the South line of the Northeast Quarter of said Northeast Quarter, 1153.0 feet to the Place of Beginning, such described premises constituting 13 acres, more or less, being in the County of Peoria and State of Illinois. 

New matter indicated by italics - deletions by strikeout
Permanent Index Number: Part of 13-30-400-003
Tract 6: Ten (10) acres, being that part of the West Half of the Northeast Quarter of the Northeast Quarter of Section 29 lying South of Kickapoo Creek, in Township 9 North, Range 7 East of the Fourth Principal Meridian; situated in the County of Peoria, and State of Illinois.

Permanent Index Number: Part of 13-29-100-008
Tract 7: The North Half of the Southwest Quarter of Section 29 and that part of the West Half of the Northwest Quarter of Section 29 lying South of the centerline of Kickapoo Creek, which centerline intersects the East line of the West Half of the Northwest Quarter of Section 29 at a point 240 feet South of the North line thereof and intersects the West line of the Northwest Quarter of Section 29 at a point 312 feet South of the Northwest corner thereof, all in Township 9 North, Range 7 East of the Fourth Principal meridian; situated in the County of Peoria, and State of Illinois; ALSO part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 30, running thence South 89°21'30" West along the South line of the Northeast Quarter of the Northeast Quarter of said Section 30, a distance of 180 feet; thence North 427.69 feet; thence South 87°39' West, a distance of 200 feet; thence North to a point on the North line of the tract described in the deed from Mable E. Chapman, et al to Esther E. Magnuson, et al, dated October 1, 1957, and recorded October 9, 1957 in Book 1099, Page 369; thence in a Northeasterly direction along the Northerly line of the tract so conveyed to Esther E. Magnuson, et al, to a point on the East Line of the Northeast Quarter of the Northeast Quarter of Section 30, that is 860.81 feet North of the Place of Beginning; thence South along the East line of the said Northeast Quarter of the Northeast Quarter, 860.81 feet to the Place of Beginning, situated in the County of Peoria and the State of Illinois.

Old Permanent Index Number: 13-29-100-008
New Permanent Index Numbers: Part of 13-29-100-008 and all of 13-30-200-005

New matter indicated by italics - deletions by strikeout
Tract 8: All that part of the East Half of the Northwest Quarter of Section 29 which lies Southerly of Kickapoo Creek; ALSO, the Northwest Quarter of the Southeast Quarter of Section 29; ALSO All that part of the West Half of the Northeast Quarter of Section 29 which lies Southerly of Kickapoo Creek; AND, ALSO, the Southeast Quarter of the Northeast Quarter of Section 29, all in Township 9 North, Range 7 East of the Fourth Principal Meridian; situated in the County of Peoria, and State of Illinois.

Permanent Index Number: Part of 13-29-100-008

Tract 9: That portion of the Northeast Quarter of the Northeast Quarter of Section 30, in Township 9 North, Range 7 East of the Fourth Principal Meridian, which lies South of the Kickapoo Creek and Northerly of a line described as follows: commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 30; thence running North along the East line of said Section 30, a distance of 860.81 feet to the Point of Beginning of the line to be described; thence running South 69 degrees 59 minutes West, 152.20 feet; thence South 77 degrees 29 minutes West, 172.99; thence South 84 degrees 49 minutes West, 177.61 feet; thence South 82 degrees 11 minutes West, 256.39 feet; thence South 89 degrees 21 minutes West, 327.56 feet; thence North 76 degrees 54 minutes West, 117.99 feet; thence North 39 degrees 47 minutes West, 86.70 feet; thence North 47 degrees 43 minutes West, 126.08 feet to the terminus of the line being described; being 15 acres more or less, situated in the County of Peoria, and State of Illinois.

Old Permanent Index Number: 13-30-200-003
New Permanent Index Number: 13-30-200-013

Tract 10: A part of the Southwest Quarter of the Southwest Quarter and a part of the East Half of the Southwest Quarter, all in Section 19, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly bounded and described as follows and bearings are for the purposes of description only: Beginning at the Southwest corner of the Southwest Quarter of said Section 19; thence North 0 degrees 04 seconds East along the West line of the Southwest Quarter of the Southwest Quarter of said Section 19, 1333.50 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 19; thence South 89 degrees 30 minutes 48
seconds East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 19, 1287.74 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 19; thence North 0 degrees 23 minutes 51 seconds East along the West line of the East Half of the Southwest Quarter of said Section 19, 448.37 feet; thence North 87 degrees 27 minutes 51 seconds East, 350.43 feet; thence South 87 degrees 10 minutes 47 seconds East, 221.96 feet; the last two named courses being along the Southerly right-of-way line of Illinois State Route 8; thence South 40 degrees 00 minutes 48 seconds East, 53.37 feet; thence on a non-tangent curve to the left having a radius of 1547.39 feet, said curve having a chord whose bearing is South 4 degrees 49 minutes 22 seconds East, an arc distance of 272.85 feet; thence South 8 degrees 07 minutes 38 seconds East, 1147.95 feet; thence South 9 degrees 56 minutes 50 seconds East, 196.75 feet to the approximate center of Kickapoo Creek; the last four named courses being along the Westerly right-of-way of County Highway No. 18; thence North 82 degrees 19 minutes 00 seconds West, 105.62 feet; thence North 85 degrees 08 minutes 00 seconds West, 1570.00 feet; thence North 49 degrees 14 minutes 00 seconds West, 40 feet; the last three courses being along the approximate centerline of Kickapoo Creek; thence South 77 degrees 37 minutes 00 seconds West, 215.00 feet; thence South 18 degrees 10 minutes 00 seconds West, 275.10 feet; the last two courses being along the approximate centerline of Johnson Run Creek; thence North 89 degrees 28 minutes 00 seconds West along the South line of the Southwest Quarter of said Section 19, 135.00 feet to the Point of Beginning, EXCEPT the coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of the coal and minerals; situated in the County of Peoria, and State of Illinois.

Permanent Index Number: 13-19-351-001
Tract 11: A part of the Southwest Quarter of Section 19, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at an iron rod at the Southwest corner of said Section 19 and running thence South 89 degrees 28 minutes 00 seconds East along the South line of said Section 19, a distance of 135.0 feet to the Point of Beginning of the tract to be described; and from said Point of Beginning

New matter indicated by italics - deletions by strikeout
continuing South 89 degrees 28 minutes East along the South line of said Section 19, a distance of 2055.3 feet to an iron rod; thence North 9 degrees 40 minutes East, a distance of 50.6 feet to an iron rod; thence North 94.0 feet to the approximate centerline of Kickapoo Creek, the last two named courses being along the Westerly right-of-way line of a tract acquired by the State of Illinois for the proposed relocation of County Highway No. 18 S.A. Right, #18 by a deed recorded in the office of the Recorder of Deeds of Peoria County, Illinois, in Book 382 at page 166; thence North 82 degrees 19 minutes West, 174.9 feet; thence North 85 degrees 08 minutes West, a distance of 1570.0 feet; thence North 49 degrees 14 minutes West, a distance of 40.0 feet, the last three named courses being along the approximate centerline of Kickapoo Creek; thence South 77 degrees 37 minutes West, 215.0 feet; thence South 18 degrees 10 minutes West, a distance of 275.1 feet to the Point of Beginning, the last two named courses being along the approximate centerline of Johnson Run Creek; situated in the County of Peoria and State of Illinois, said tract containing 10.54 acres.

Permanent Index Number: 13-19-352-001
Tract 12: The Northwest Quarter of Section 30, township 9 North, Range 7 East of the Fourth Principal Meridian situated in the County of Peoria, and State of Illinois; EXCEPTING THEREFROM a part of the Southeast Quarter of the Northwest Quarter of Section 30 in Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the center of said Section 30 and running thence North along the East line of said Northwest Quarter 147 feet to the Place of Beginning of the tract to be described; and from said Point of Beginning running thence West 620 feet; thence North 560 feet; thence East 620 feet to the East line of said Northwest Quarter and thence South along the East line of said Northwest Quarter 560 feet to the Place of Beginning; and further EXCEPTING THEREFROM a tract of land in the Southeast Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 7 East of the fourth Principal Meridian in Kickapoo Township, Peoria county, Illinois, described as follows: Beginning at the center of Section 30, thence West 521 feet; thence North 147 feet; thence East 521 feet; thence South 147

New matter indicated by italics - deletions by strikeout
feet to the Point of Beginning, containing 1.75 acres, more or less; further EXCEPTING any portion used by or dedicated for public road right of way.
Permanent Index Number: 13-30-100-006
Tract 13: A part of the Southeast Quarter of the Northwest Quarter of Section 30 in Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the center of said Section 30, and running thence North along the East line of said Northwest Quarter 147 feet to the Place of Beginning of the tract to be described; and from said Place of Beginning running thence West 620 feet; thence North 560 feet; thence East 620 feet to the East line of said Northwest Quarter and thence South along the East line of said Northwest Quarter, 560 feet to the Place of Beginning, in the County of Peoria, in the State of Illinois; EXCEPTING any portion used by or dedicated for public road right of way.
Permanent Index Number: Part of 13-30-100-006
Tract 14: A tract of land in the Southeast Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian in Kickapoo Township, Peoria County, Illinois, described as follows: Beginning at the center of Section 30, thence West 521 feet; thence North 147 feet; thence East 521 feet; thence South 147 feet to the Place of Beginning, containing 1.75 acres, more or less, EXCEPTING any portion used by or dedicated for public road right of way.
Permanent Index Number: 13-30-100-004
Tract 15: The Northeast Quarter of the Southwest Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal Meridian in Kickapoo Township, Peoria County, Illinois, containing 40 acres, more or less, EXCEPTING any portion used by or dedicated for public road right of way.
Permanent Index Number: Part of 13-30-100-006
Tract 16: A part of the West Half of the Southwest Quarter of Section 21, Township 9 North, Range 7 East of the Fourth Principal Meridian, being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section 21; thence Easterly along the North line of the Southwest Quarter of said Section 21, a distance of 550.00 feet to the Point of Beginning of the tract to be described; thence South 00
degrees 45 minutes 27 seconds West parallel to the West line of the Southwest Quarter of said Section 21, a distance of 400.00 feet; thence Westerly parallel to the North line of the Southwest Quarter of said Section 21, a distance of 520 feet, more or less, to a point being 30 feet normal distance Easterly from the West line of the Southwest Quarter of said Section 21; thence south 00 degrees 45 minutes 27 seconds West parallel to the West line of the Southwest Quarter of said Section 21, a distance of 1203 feet, more or less, to the Northerly right of way line of ILL Route No. 8; thence South 83 degrees 42 minutes 47 seconds East along the Northerly right of way line of said ILL. Route No. 8, a distance of 1200 feet, more or less, to a point lying 90.54 feet from the intersection of the Northerly right of way line of ILL. Route No. 8 with the East line of the West Half of the Southwest Quarter of said Section 21; thence North 00 degrees 00 minutes parallel with the East line of the West Half of the Southwest Quarter, a distance of 469.69 feet; thence North 79 degrees 27 minutes 13 seconds West, a distance of 38.37 feet; thence North 73 degrees 24 minutes West, a distance of 23.25 feet; thence North 00 degrees 00 minutes parallel to the East line of the West Half of the Southwest Quarter of said Section 21, a distance of 375.73 feet; thence West 00 degrees 00 minutes, a distance of 29.90 feet; thence North 53 degrees 52 minutes West, a distance of 207.62 feet; thence North 65 degrees 33 minutes West, a distance of 15.00 feet; thence Northeasterly, a distance of 750 feet, more or less, to the North line of the Southwest Quarter of said Section 21, said point being 300 feet Westerly of the Northeast corner of the West Half of the Southwest Quarter of said Section 21; thence Westerly along the North line of the Southwest Quarter of said Section 21, a distance of 442 feet, more or less, to the Point of Beginning, containing 36 acres, more or less; situate, lying and being in the county of Peoria, and State of Illinois; subject to an easement for ingress and egress purposes over, across and through the above described tract as shown on a plat filed on July 14, 2000 as Document No. 00-22306.

Old Permanent Index Number: 13-21-300-018
New Permanent Index Number: 13-21-300-026
Tract 17: A part of the Northwest Quarter of the Northeast Quarter of Section 30, Township 9 North, Range 7 East of the Fourth Principal meridian, Peoria County, Illinois, described as follows:

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all that portion lying in the Northwest portion of the Northwest Quarter of the Northeast Quarter of Section 30, lying North and West of the centerline of Old Taylor Road, South of Kickapoo Creek, containing 16.03 acres.
Permanent Index Number: 13-30-200-001
Tract 18:
Parcel I: Part of the Northwest Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, being more particularly described as follows:
(Bearings assumed for descriptive purposes only): Commencing at the Southwest corner of the Northwest Quarter of said Section 20, running thence South 89 degrees 58 minutes 32 seconds East along the South line of the Northwest Quarter of said Section 20; a distance of 100.00 feet to the Point of Beginning of the tract to be described; from the Point of Beginning; running thence North 00 degrees 00 minutes 52 seconds East along a line 100 feet East and parallel with the West line of the Northwest Quarter of said Section 20, a distance of 1333.76 feet (recorded 1333.98 feet) to a point on the North line of the South Half of the Northwest Quarter of said Section 20; thence South 89 degrees 58 minutes 04 seconds East along the North line of the South Half of said Section 20, a distance of 1763.14 feet (recorded 1763.14 feet); thence South 00 degrees 00 minutes 52 seconds West, parallel with the West line of the Northwest Quarter of said Section 20, a distance of 1333.52 feet (recorded 1334.27 feet) to a point on the South line of the Northwest Quarter of said Section 20; thence North 89 degrees 58 minutes 32 seconds West along the South line of the Northwest Quarter of said Section 20, a distance of 1763.14 feet (recorded 1763.14 feet) to the point of beginning; situate, lying and being in the County of Peoria and State of Illinois.
Permanent Index Number: 13-20-100-003
Parcel II: Part of the Southwest Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, being more particularly described as follows
(Bearings assumed for descriptive purposes only): Commencing at the Northeast corner of the Southwest Quarter of said Section 20, and running thence South 00 degrees 18 minutes 30 seconds West along the East line of the Southwest Quarter of said Section 20, a distance of 912.29 feet (recorded 912.1 feet); thence South 09

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degrees 22 minutes 08 seconds West, a distance of 343.25 feet (recorded 344.2 feet); thence South 12 degrees 04 minutes 20 seconds West, a distance of 200.25 feet (recorded 199.8 feet) to a point on the Northerly right of way line of State Route 8 (the next 3 courses are along the Northerly right of way line of State Route 8) thence North 82 degrees 16 minutes 20 seconds West, a distance of 216.23 feet; thence North 88 degrees 55 minutes 36 seconds West, a distance of 302.03 feet; thence North 82 degrees 16 minutes 20 seconds West, a distance of 677.93 feet; thence North 00 degrees 15 minutes 32 seconds East, a distance of 1125.13 feet; thence North 89 degrees 58 minutes 32 seconds West, a distance of 80.21 feet to a point on the West line of the East Half of the Southwest Quarter of said Section 20; thence North 00 degrees 15 minutes 32 seconds East, along the West line of the East Half of the Southwest Quarter of said Section 20, a distance of 196.32 feet to the Northwest corner of the East Half of the Southwest Quarter of said Section 20; thence South 00 degrees 15 minutes 32 seconds West, a distance of 1364.92 feet to the Point of Beginning, situate, lying and being in the County of Peoria, and State of Illinois.

Old Permanent Index Number: Part of 13-20-300-008
New Permanent Index Number: Part of 13-20-300-011
Parcel III: Part of the Southwest Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, being more particularly described as follows (Bearings assumed for descriptive purposes only): Commencing at the Northwest corner of the Southwest Quarter of said Section 20, and running thence south 89 degrees 58 minutes 32 seconds East along the North line of the Southwest Quarter of said Section 20, a distance of 100.00 feet to the Point of Beginning of the parcel to be described: From the point of beginning running thence South 89 degrees 58 minutes 32 seconds East along the North line of the Southwest Quarter of said Section 20, a distance of 1264.92 feet to the Northeast corner to the West Half of the Southwest Quarter of said Section 20; thence South 00 degrees 15 minutes 32 seconds West along the East line of the West Half of the Southwest Quarter of said Section 20, a distance of 316.40 feet; thence North 89 degrees 58 minutes 32 seconds West, a distance of 316.40 feet; thence South 00 degrees 15 minutes 32 seconds West, a distance of

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1071.51 feet to a point on the Northerly right of way line of State Route 8; thence North 82 degrees 16 minutes 20 seconds West along the Northerly right of way line of State Route 8, a distance of 955.63 feet; thence North 00 degrees 12 minutes 34 seconds East along the A line 100.00 feet East of and parallel with the West line of the Southwest Quarter of said Section 20, a distance of 1139.73 feet to the Point of Beginning; situate, lying and being in the County of Peoria, and State of Illinois.

Old Permanent Index Number: Part of 13-20-300-008 New Permanent Index Number: Part of 13-20-300-011

Parcel IV: Part of the Northwest Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian; Peoria County, Illinois, being more particularly described as follows: (Bearings assumed for descriptive purposes only) Commencing at the Northwest corner of the Northwest Quarter of said Section 20, and running thence South 89 degrees 57 minutes 35 seconds East along the North line of the Northwest Quarter of said Section 20, a distance of 100.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning continuing thence South 89 degrees 57 minutes 35 seconds East along the North line of the Northwest Quarter of said Section 20, a distance of 1265.89 feet to the Northeast corner of the West Half of the Northwest Quarter of said Section 20; thence South 00 degrees 02 minutes 07 seconds West along the East line of the West Half of the Northwest Quarter of said Section 20, a distance of 180.05 feet (recorded 180.05 feet); thence South 84 degrees 56 minutes 27 seconds East, a distance of 1371.05 feet (recorded 1370.76 feet) to a point on the East line of the Northwest Quarter of said Section 20; thence South 00 degrees 03 minutes 22 seconds West along the East line of the Northwest Quarter of said Section 20, a distance of 2366.79 feet to the Southeast corner of the Northwest Quarter of said Section 20; thence North 89 degrees 58 minutes 32 seconds West along the South line of the Northwest Quarter of said Section 20, a distance of 866.70 feet; thence North 00 degrees 00 minutes 52 seconds East, a distance of 1333.52 feet (recorded 1334.27 feet) to a point on the North line of the South Half of the Northwest Quarter of said Section 20; thence North 89 degrees 58 minutes 04 seconds West along the North line of the South Half of the Northwest Quarter of said Section 20, 1763.14 feet (recorded 1763.14 feet);

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thence North 00 degrees 00 minutes 52 seconds East along a line 
100.00 feet East and parallel with the West line of the Northwest 
Quarter of said Section 20, a distance of 1333.76 feet to the Point 
of Beginning; situate, lying and being in the County of Peoria, and 
State of Illinois.

Permanent Index Number: 13-20-100-004

Parcel V: A part of the East Half of the Southeast Quarter of 
Section 19, Township 9 North, Range 7 East of the Fourth 
Principal Meridian, Peoria County, Illinois, more particularly 
bounded and described as follows and bearings are for the purposes 
of description only: Commencing at an iron pipe at the Northeast 
corner of the Southeast Quarter of said Section 19; thence South 0 
degrees 13 minutes 23 seconds West, along the East line of said 
Section 19, a distance of 364.40 feet to an iron rod at the point of 
beginning for the tract to be described; thence continuing South 0 
degrees 13 minutes 23 seconds West, along the East line of said 
Section 19, a distance of 752.67 feet to an iron rod on the 
Northerly right of way line of IL Rt. #8 (also known as County 
Highway No. 11); thence in a Westerly direction, along the arc of a 
curve to the right, the radius of which is 1883.05 feet, a distance of 
506.14 feet, the long chord of which bears North 74 degrees 42 
minutes 01 seconds West, 504.60 feet to an iron rod at a point of 
tangency; thence North 67 degrees 00 minutes West, 198.85 feet to 
an iron rod; the last two named courses being along the Northerly 
right of way line of said IL Rt. #8 (also known as County Highway 
No. 11); thence North 6 degrees 07 minutes East, 218.4 feet to an 
iron rod; thence North 5 degrees 58 minutes 44 seconds East, 
145.83 feet to an iron rod; thence North 74 degrees 11 minutes 19 
seconds East, 659.20 feet to the point of beginning, containing 
8.635 acres, and subject to a Commonwealth Edison Company 
right of way easement, being 150 feet wide along the Easterly side 
of the above described tract, and also subject to any other easement 
of record, and also subject to the following described easement for 
 ingress and egress purposes, said easement beginning at an iron rod 
at the most Southerly corner of the above described tract; thence in a 
Westerly direction, along the arc of a curve to the right, the radius 
of which is 1883.05 feet, a distance of 9.25 feet to the Easterly line 
of said Commonwealth Edison Company right of way, thence in a 
Northerly direction, along the Easterly line of said Commonwealth

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Edison Company right of way easement, 42.94 feet; thence in an
easterly direction, 9.19 feet to the East line of the SE ¼ of said
Section 19; thence South 0 degrees 13 minutes 23 seconds West,
along the East line of said Section 19, a distance of 44.13 feet to
the point of beginning, containing 8.635 acres, more or less, as
appears as Tract D on Zumwalt & Associates Plat No. 18032,
dated August 27, 2001, and recorded as Document No. 01-32206,
on September 5, 2001; situated in the County of Peoria, and State
of Illinois.
Permanent Index Number: 13-19-426-004
EXCEPTING THE FOLLOWING:
A part of the Southwest Quarter of Section 20, Township 9 North,
Range 7 East of the Fourth Principal Meridian being more
particularly described as follows: Commencing at the Northeast
corner of the West half of the Southwest Quarter of said Section
20; thence South 0 degrees, 15 minutes, 32 seconds West, along
the East line of the West Half of the Southwest Quarter of said
Section 20, a distance of 196.32 feet; thence South 89 degrees 58
minutes 32 seconds East, a distance of 80.21 feet to the Point of
Beginning of the tract to be described; thence South 0 degrees 15
minutes 32 seconds West, a distance of 1125.13 feet to a point on
the North right-of-way line of State Route No. 8; thence South 82
degrees 16 minutes 20 seconds East, along the North right-of-way
line of State Route No. 8, a distance of 302.57 feet; thence North 0
degrees 15 minutes 32 seconds East, a distance of 1165.69 feet;
thence North 89 degrees 58 minutes 32 seconds West, a distance of
300.00 feet to the Point of Beginning, containing 7.89 acres, more
or less, situate, lying and being in the County of Peoria, and State
of Illinois, as appears as Tract A on Zumwalt & Associates plat
#18032, dated August 27, 2001 and recorded as Document No. 01-
32206 on September 5, 2001, situate, lying and being in the County
of Peoria, and State of Illinois.
ALSO EXCEPTING the following:
A part of the Southwest Quarter of Section 20, Township 9 North,
Range 7 East of the Fourth Principal Meridian, Peoria County,
Illinois and being more particularly described as follows: Commencing at the Northeast Corner of the West Half of the
Southwest Quarter of said Section 20, thence South 00 degrees 15
minutes 32 seconds West along the East Line of the West Half of

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the Southwest Quarter of said Section 20, a distance of 196.32 feet
to the Point of Beginning of the Tract to be described; from the
Point of Beginning running thence South 89 degrees 58 minutes 32
seconds East a distance of 80.21 feet, thence South 00 degrees 15
minutes 32 seconds West, a distance of 1125.13 feet to a point on
the Northerly right-of-way line of State Route 8; thence North 82
degrees 16 minutes 20 seconds West along the Northerly right-of-
way line of State Route 8, a distance of 400.00 feet, thence North
00 degrees 15 minutes 32 seconds East, a distance of 1071.51 feet;
thence South 89 degrees 58 minutes 32 seconds East, a distance of
316.40 feet to the Point of Beginning, said parcel containing 10.00
acres more or less, situate, lying and being in the County of Peoria
and State of Illinois and being subject to any easements of record,
as appears as Tract B on Zumwalt & Associates plat #18032, dated
August 27, 2001 and recorded as Document No. 01-32206 on
ALSO EXCEPTING the following:
A part of the Southwest Quarter of Section 20, Township 9 North,
Range 7 East of the Fourth Principal Meridian being more
particularly described as follows: Commencing at the Northeast
corner of the West Half of the Southwest Quarter of said Section
20; thence South 0 degrees 15 minutes 32 seconds West, along the
East line of the West Half of the Southwest Quarter of said Section
20, a distance of 196.32 feet; thence North 89 degrees 58 minutes 32
seconds West, a distance of 316.40 feet to the Point of
Beginning of the tract to be described; thence South 0 degrees 15
minutes 32 seconds West, a distance of 1071.51 feet to a point on
the North right-of-way line of State Route No. 8; thence North 82
degrees 16 minutes 20 seconds West along the North right-of-way
line of State Route No. 8, a distance of 176.50 feet; thence North 0
degrees 15 minutes 32 seconds East, a distance of 1047.85 feet;
thence South 89 degrees 58 minutes 32 seconds East, a distance of
175.00 feet to the Point of Beginning, containing 4.26 acres, more
or less, situate, lying and being in the County of Peoria, and State
of Illinois, as appears as Tract C on Zumwalt & Associates plat
#18032, dated August 27, 2001 and recorded as Document No. 01-
32206 on September 5, 2001, situate, lying and being in the County
of Peoria, and State of Illinois.

New matter indicated by italics - deletions by strikeout
Tract 19: All that part of the following described property lying southerly of the South R.O.W. line of Illinois Route No. 8. A part of the East Half of the Southwest Quarter of Section 19, Township 9 North, Range 7 East of the Fourth Principal Meridian, being more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 19; thence Westerly along the South line of the Southwest Quarter of said Section 19, a distance of 110 feet, more or less, to a point on the Easterly right of way line of County Highway No. 18; thence Northwesterly along the Easterly right of way line of County Highway No. 18, a distance of 990 feet, more or less, to a point on the Easterly right of way line of County Highway No. 18 being 135 feet, more or less, normal distance Northeasterly of the survey line of County Highway No. 18 at Station 181+25; thence Northerly along the Easterly right of way line of County Highway No. 18, a distance of 810 feet, more or less, to a point on the South right of way line of Illinois State Route No. 8; thence Easterly along the South right of way line of Illinois State Route No. 8, a distance of 330 feet, more or less, to a point on the East line of the Southwest Quarter of said Section 19; thence Southerly along the East line of the Southwest Quarter of said Section 19, a distance of 1750 feet, more or less, to the Point of Beginning; situate, lying and being in the County of Peoria and State of Illinois; excepting, the coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and minerals.

Permanent Index Number: Part of 13-19-376-001

Tract 20: All that part of the following described property lying southerly of the south right-of-way line of Illinois Route No. 8. All that part of the West Half of the Southeast Quarter of Section 19 that lies South of the public road sometimes referred to as the Old Southport Road, that runs in an Easterly and Westerly direction near the North line of the South Half of said Section 19, situated in Township 9 North, Range 7 East of the Fourth Principal Meridian; situated in the County of Peoria and State of Illinois, excepting therefrom that part that lies within the right of way of the CB&Q RR, also except the coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and minerals.

Permanent Index Number: Part of 13-19-451-002

New matter indicated by italics - deletions by strikeout
Tract 21: Part of the West Half of the Northeast Quarter of Section 30, in Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: Beginning at the Northeast corner of the West Half of the Northeast Quarter of said Section 30 and running thence West along the North line of the Northeast Quarter of said Section 30, a distance of 889 feet, thence in a Southeasterly direction to a point in the East line of the West Half of the Northeast Quarter that is 175 feet South of the point of beginning, and thence North along the East line of the West Half of said Northeast Quarter 175 feet to the point of beginning; situated in the County of Peoria, and State of Illinois.

Permanent Index Number: 13-30-200-002

Tract 22: A part of the Southeast Quarter of the Southwest Quarter of Section 21, and part of the Northeast Quarter of the Northwest Quarter of Section 28, all in Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly described as follows, to-wit: Commencing at a point where the East line of the Southwest Quarter of said Section 21 intersects the right-of-way of the Chicago, Burlington and Quincy Railroad, running thence south to the centerline of Kickapoo Creek, running thence in a Northwesterly direction along the centerline of said Kickapoo Creek to the West line of the Northeast Quarter of the Northwest Quarter of said Section 28, running thence North along the West line of said Northeast Quarter of the Northwest Quarter of said Section 28, and continuing North along the West line of the Southeast Quarter of the Southwest Quarter of said Section 21, to the right-of-way of the Chicago, Burlington & Quincy Railroad, thence in a Southeasterly direction along the right-of-way of said railroad to the place of beginning; EXCEPTING, however, from said tract 20 acres of even width extending from the right-of-way of the Chicago, Burlington & Quincy Railroad on the North to the centerline of Kickapoo Creek on the South off of the East side of said tract, premises herein conveyed being 25 acres, more or less; situate, lying and being in the County of Peoria, and State of Illinois, said real estate being shown in a tract of survey of said premises dated April 29, 1971, and filed for record in the office of the Recorder of Deeds of Peoria County, Illinois, on June 15, 1971, in Tract Survey Plat Book Volume 3 at page 13.

New matter indicated by italics - deletions by strikeout
Section 10. Conveyance of personal property to the Forest Park Foundation.

(a) Any conveyance made pursuant to Section 5 of this Act shall include the conveyance and transfer to the Forest Park Foundation of all right, title, and interest in the tools, vehicles, computers, records, equipment, supplies, animals, furniture, fixtures, and any other personal property owned by the State of Illinois and utilized in operation and management of Wildlife Prairie State Park that the Director of the Department of Central Management Services determines are not needed and cannot be used by any State agency pursuant to subsection (b) of this Section.

(b) Within 30 calendar days after the effective date of this Act, the Department of Natural Resources shall provide the Director of the Department of Central Management Services with an inventory of all property eligible to be transferred under this Section. Within 30 calendar days after the receipt of the inventory, the Director of the Department of Central Management Services shall determine whether the items in the inventory are needed or can be used by a State agency and shall provide his or her determination in writing to the Department of Natural Resources.

Section 15. Agreement. Prior to the return by conveyance of any real property to the Forest Park Foundation, the Director of Natural Resources shall enter into an agreement with the Forest Park Foundation and with the Friends of Wildlife Prairie State Park, a not-for-profit Illinois corporation, the intended subsequent owner or operator of the property to be returned to the Forest Park Foundation, that includes, but is not limited to, provisions that serve the following purposes:

(1) ensuring that the property returned to the Forest Park Foundation shall in perpetuity be used for educational, conservation, scientific, Illinois historic preservation, and public park purposes, and the promotion of natural resources, including the propagation of wild plants and flowers and domestic and wild animals; and

(2) providing, that lodging, resort, recreational facilities, and other commercial purposes, shall be allowable if, and only if, consistent and in furtherance of the public purpose uses described in item 1 of this Section; and

New matter indicated by italics - deletions by strikeout
(3) requires the Forest Park Foundation to transfer Wildlife Prairie State Park and all personal property transferred pursuant to Section 10 of this Act to Friends of Wildlife Prairie State Park.

Section 20. Recording. The Director of Natural Resources shall obtain a certified copy of the portion of this Act containing the title, enacting clause, the effective date, and Section 5 which contains the land description of the property to be transferred or otherwise affected under this Act within 69 days after the execution of the agreement specified in Section 15 and, upon receipt of payment required by Section 5, shall record the certified document in the recorder's office in the county in which the land is located.

Section 25. Return of real property. Upon the payment of the sum of $10 to the State of Illinois, and subject to the conditions set forth in Section 30 of this Act, the Director of Natural Resources is authorized to return the land that was initially conveyed to the State of Illinois from the Pleasure Driveway and Park District of Peoria by a warranty deed executed on May 14, 2003, by conveying by quitclaim deed all right, title, and interest in and to the following described land in Peoria County, Illinois to the Pleasure Driveway and Park District of Peoria:

Tract 1: The Northerly 661 feet of the West Half of the Northeast Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois.
Permanent Index Number: 13-20-200-003

Tract 2: The East One-Half of the Southeast Quarter of Section 17, Township 9 North, Range 7 East of the Fourth Principal Meridian, EXCEPT that part of said tract conveyed to the State of Illinois for highway purposes, described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 17, said point being 21.8 feet distant Southwesterly at right angles from the survey line of Federal Aid Interstate Route 74; running thence North 89 degrees 58 minutes East, 433.07 feet along the Northerly line of said Northeast Quarter of the Southeast Quarter of said Section 17 to a point which is 180.0 feet distant, Northeasterly at right angles, from the survey line of said Route 74; thence South 62 degrees 16 minutes East, 1000.21 feet to the Easterly line of said Northeast Quarter of the Southeast Quarter of said Section 17, at a point thereon which is 180.0 feet distant, Northeasterly at right angles, from the survey line of said Route 74; thence South 0 degrees 52 minutes West, 381.14 feet along the

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Easterly line of said Northeast Quarter of the Southeast Quarter of said Section 17, to a point which is 160.0 feet distant Southwesterly at right angles from the survey line of said Route 74; thence North 62 degrees 16 minutes West, 1,484.71 feet to the Southwesterly line of said Northeast Quarter of the Southeast Quarter of said Section 17 at a point thereon which is 160.0 feet distant Southwesterly at right angles from the survey line of said Route 74; thence North 0 degrees 34 minutes East, 155.34 feet along the Westerly line of said Northeast Quarter of the Southeast Quarter of said Section 17 to the Point of Beginning.

Permanent Index Number: Part of 13-17-426-003

Tract 3: The West Half of the Southwest Quarter of Section 16, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, EXCEPT that part of said tract conveyed to the State of Illinois for highway purposes, described as follows:

Commencing at the Northwest corner of said Southwest Quarter of said Section 16, running thence South 0 degrees 52 minutes West, 466.12 feet, along the West line of said Southwest Quarter of said Section 16, to a point which is 180.0 feet distant, Northeasterly, at right angles, from the survey line of Federal Aid Interstate Route 74, said point being the Point of Beginning; from the Point of Beginning, running thence South 59 degrees 01 minute East, 530.39 feet, to a point which is 150.0 feet distant Northeasterly, at right angles, from the survey line of said Route 74; thence South 62 degrees 16 minutes East, 400.0 feet to a point which is 150.0 feet distant Northeasterly, at right angles, from the survey line of said Route 74; thence South 72 degrees 53 minutes East, 406.97 feet to a point which is 225.0 feet distant Northeasterly, at right angles, from the survey line of said Route 74; thence South 47 degrees 00 minutes East, 170.94 feet, to the East line of the West Half of said Southwest Quarter of said Section 16, at a point thereon which is 180.0 feet distant Northeasterly, at right angles, from the survey line of said Route 74; thence South 1 degree 08 minutes West, 385.84 feet, along the East line of said West Half of the Southwest Quarter of said Section 16, to a point which is 165.0 feet distant Southwesterly, at right angles, from the survey line of said Route 74; thence North 79 degrees 46 minutes West, 249.23 feet, to a point which is 240.0 feet distant Southwesterly, at right angles, from the survey line of said Route 74; thence North 31
degrees 18 minutes West, 174.93 feet, to a point which is 150.0 feet distant Southwesterly, at right angles, from the survey line of said Route 74; thence North 62 degrees 47 minutes West, 1,107.33 feet, to the West line of the Southwest Quarter of said Section 16 at a point which is 160.0 feet distant Southwesterly, at right angles, from the survey line of said Route 74; thence North 0 degrees 52 minutes East, 381.14 feet, along the West line of said Southwest Quarter of said Section 16 to the Point of Beginning. Permanent Index Number: Part of 13-17-426-003

Tract 4: The East Half of the Northeast Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois, EXCEPT a strip one and one-half rods wide at the widest point, off the Southwest corner of said East Half.

Old Permanent Index Number: Part of 13-20-200-006
New Permanent Index Number: Part of 13-20-200-007

Tract 5: The West One-Half of the Northwest Quarter of Section 21, Township 9 North, Range 7 East of the fourth Principal Meridian, Peoria County, Illinois.

Old Permanent Index Number: Part of 13-20-200-006
New Permanent Index Number: Part of 13-20-200-007

Tract 6: The East Half of the East Half of the Southeast Quarter of Section 20, Township 9 North, Range 7 East of the Fourth Principal Meridian; situated in the County of Peoria, and State of Illinois, EXCEPT for that portion thereof conveyed to or otherwise used by the State of Illinois for highway purposes for State Route No. 8, AND EXCEPT for that portion thereof within the CB&Q Railroad right of way; AND EXCEPT for a tract commencing at the East Quarter corner of said Section 20, thence South 0 degrees 20 minutes 27 seconds East, 1686.50 feet to a point on the existing centerline of FAS Route 384 (S.A. Route 11) (Illinois Marked Route 8); thence Westerly along a curve of the said centerline concave to the South, an arc distance of 72.70 feet, said curve having a radius of 7813.06 feet, and a long chord of 72.70 feet bearing North 87 degrees 40 minutes 30 seconds West; thence North 87 degrees 56 minutes 29 seconds West, 599.89 feet along said centerline; thence North 0 degrees 02 minutes 33 seconds West, 30.02 feet to a point on the existing Northerly right of way line of said FAS Route 384, said point being 30.0 feet normally

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distant Northerly of said centerline and also the Point of Beginning; from said Point of Beginning, thence North 0 degrees 02 minutes 33 seconds West, 30.02 feet to a point 60.00 feet normally distant Northerly of said centerline; thence South 87 degrees 56 minutes 29 seconds East, 69.86 feet parallel with said centerline; thence South 2 degrees 03 minutes 31 seconds West, 30.00 feet to a point on the existing Northerly right-of-way line; thence North 87 degrees 56 minutes 29 seconds West, 68.75 feet along said Northerly right of way to the Point of Beginning.

Old Permanent Index Number: Part of 13-20-200-006
New Permanent Index Number: Part of 13-20-200-007

Tract 7: The East Half of the Northeast Quarter of the Northeast Quarter of Section 29, Township 9 North, Range 7 East of the Fourth Principal Meridian; EXCEPT a strip commencing on the East line of said tract ten rods North of the Southeast corner of the same; thence West 40 rods; thence North one rod; thence East 40 rods; thence South one rod to the Place of Beginning.

Old Permanent Index Number: Part of 13-29-200-004
New Permanent Index Number: Part of 13-29-200-007

Tract 8: An easement for ingress and egress 30 feet in width, more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 21, Township 9 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois; running thence South along the West line of said Section 21 to Illinois State Route 8; running thence Easterly along the North line of said State Route 8 to a point which is 30 feet East of the West line of said Section 21; running thence North and parallel with the West line of said Section 21 to the North line of the Southwest Quarter of Section 21; running thence West along said North line of the Southwest Quarter 30 feet to the Point of Beginning.

Old Permanent Index Number: Part of 13-21-300-015
New Permanent Index Number: Part of 13-21-300-025

Section 30. Recording. The Director of Natural Resources shall obtain a certified copy of the portion of this Act containing the title, enacting clause, the effective date, and Section 25 which contains the land description of the property to be transferred or otherwise affected under this Act within 69 days after the effective date and, upon receipt of
payment required by the Section 25, shall record the certified document in the recorder's office in the county in which the land is located.

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

Passed in the General Assembly April 25, 2013.
Approved May 13, 2013.
Effective May 13, 2013.

PUBLIC ACT 98-0014
(Senate Bill No. 1005)

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

Section 5. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:

(730 ILCS 5/5-5-3.2)
Sec. 5-5-3.2. Factors in Aggravation and Extended-Term Sentencing.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1 or Article 4.5 of Chapter V:

(1) the defendant's conduct caused or threatened serious harm;
(2) the defendant received compensation for committing the offense;
(3) the defendant has a history of prior delinquency or criminal activity;
(4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
(5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
(6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
(7) the sentence is necessary to deter others from committing the same crime;

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(8) the defendant committed the offense against a person 60 years of age or older or such person's property;

(9) the defendant committed the offense against a person who is physically handicapped or such person's property;

(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;

(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;

(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;

(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;

(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 11-0.1 of the Criminal Code of 2012, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11, 11-14.4 except for an offense that involves keeping a place of

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(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the
purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(22) the defendant committed the offense against a person that the defendant knew, or reasonably should have known, was a member of the Armed Forces of the United States serving on active duty. For purposes of this clause (22), the term "Armed Forces" means any of the Armed Forces of the United States, including a member of any reserve component thereof or National Guard unit called to active duty;

(23) the defendant committed the offense against a person who was elderly, disabled, or infirm by taking advantage of a family or fiduciary relationship with the elderly, disabled, or infirm person;

(24) the defendant committed any offense under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 and possessed 100 or more images;

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(25) the defendant committed the offense while the defendant or the victim was in a train, bus, or other vehicle used for public transportation;

(26) the defendant committed the offense of child pornography or aggravated child pornography, specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context and specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or Section 11-20.3 of the Criminal Code of 1961 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context;

(27) the defendant committed the offense of first degree murder, assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person who was a veteran and the defendant knew, or reasonably should have known, that the person was a veteran performing duties as a representative of a veterans' organization. For the purposes of this paragraph (27), "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces; and "veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit; or

(28) the defendant committed the offense of assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person that the defendant knew or reasonably should have known was a letter carrier or postal worker while that person was performing his or her duties delivering mail for the United States Postal Service.

For the purposes of this Section:

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"School" is defined as a public or private elementary or secondary school, community college, college, or university.

"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.

"Public transportation" means the transportation or conveyance of persons by means available to the general public, and includes paratransit services.

(b) The following factors, related to all felonies, may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of any felony committed against:

   (i) a person under 12 years of age at the time of the offense or such person's property;
   (ii) a person 60 years of age or older at the time of the offense or such person's property; or
   (iii) a person physically handicapped at the time of the offense or such person's property; or

(4) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

   (i) the brutalizing or torturing of humans or animals;
   (ii) the theft of human corpses;
   (iii) the kidnapping of humans;

New matter indicated by italics - deletions by strikeout
(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or
(v) ritualized abuse of a child; or

(5) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(6) When a defendant is convicted of an offense committed while using a firearm with a laser sight attached to it. For purposes of this paragraph, "laser sight" has the meaning ascribed to it in Section 26-7 of the Criminal Code of 2012; or

(7) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(8) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged.

(c) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

(1) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and the
charges are separately brought and tried and arise out of different series of acts.

(1.5) When a defendant is convicted of first degree murder, after having been previously convicted of domestic battery (720 ILCS 5/12-3.2) or aggravated domestic battery (720 ILCS 5/12-3.3) committed on the same victim or after having been previously convicted of violation of an order of protection (720 ILCS 5/12-30) in which the same victim was the protected person.

(2) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter, or reckless homicide in which the defendant has been convicted of causing the death of more than one individual.

(3) When a defendant is convicted of aggravated criminal sexual assault or criminal sexual assault, when there is a finding that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective.

(4) If the victim was under 18 years of age at the time of the commission of the offense, when a defendant is convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 11-1.40 or subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/11-1.40 or 5/12-14.1).

(5) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) and there is a finding that the defendant is a member of an organized gang.

(6) When a defendant was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

(7) When a defendant is convicted of an offense involving the illegal manufacture of a controlled substance under Section 401

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of the Illinois Controlled Substances Act (720 ILCS 570/401), the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act (720 ILCS 646/25), or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph, "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(8) When the defendant is convicted of attempted mob action, solicitation to commit mob action, or conspiracy to commit mob action under Section 8-1, 8-2, or 8-4 of the Criminal Code of 2012, where the criminal object is a violation of Section 25-1 of the Criminal Code of 2012, and an electronic communication is used in the commission of the offense. For the purposes of this paragraph (8), "electronic communication" shall have the meaning provided in Section 26.5-0.1 of the Criminal Code of 2012.

(d) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(e) The court may impose an extended term sentence under Article 4.5 of Chapter V upon an offender who has been convicted of a felony violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the offender; and the offender, at the time of the commission of the offense, knew or should have known that the victim had consumed alcohol.

(Source: P.A. 96-41, eff. 1-1-10; 96-292, eff. 1-1-10; 96-328, eff. 8-11-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1200, eff. 7-22-10; 96-1228, eff. 1-1-11; 96-1390, eff. 1-1-11; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 97-38, eff. 6-28-11, 97-
AN ACT concerning regulation.

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

Section 1. Intent; orders preempted and superseded. The changes made in subsections (c) and (d) of Section 16-108.5 of the Public Utilities Act by this Act are intended to be a restatement and clarification of existing law, and intended to give binding effect to the legislative intent expressed in House Resolution 1157 adopted by the House of Representatives of the 97th General Assembly and Senate Resolution 821 adopted by the Senate of the 97th General Assembly.

This Act preempts and supersedes any final Commission orders entered in Docket Nos. 11-0721, 12-0001, 12-0293, and 12-0321 to the extent inconsistent with the amendatory language in subsections (c) and (d) of Section 16-108.5 of the Public Utilities Act.

Section 5. The Public Utilities Act is amended by changing Sections 4-301 and 16-108.5 as follows:

(220 ILCS 5/4-301) (from Ch. 111 2/3, par. 4-301)

Sec. 4-301. The Commission may confer in person, or by correspondence, by attending conventions, or in any other way, with Commissions and any and all agencies dealing with public utilities of other states and of the United States on any matters relating to public utilities.

The Commission shall have full power and authority to make joint investigations, hold joint hearings within or without the State, and issue joint or concurrent orders in conjunction with any official, board, commission or agency of any state or of the United States. In the holding of such investigations or hearings, or in the making of such orders, the Commission shall function under agreements or compacts between states or under the concurrent power of states to regulate the interstate commerce, or as an agency of the United States, or otherwise.
The Commission shall make whenever requested by the Governor, the General Assembly, or either branch of the General Assembly a report within 90 days or any other time period specified within of such request, which shall contain copies of all orders issued by the Commission which it deems of special importance or general significance, and any information in the possession of the Commission which it shall deem of value to the people of the State.

The Commission shall conduct a hearing and take testimony relative to any pending legislation with respect to any person, corporation or matter within its jurisdiction, if requested to do so by the Governor, the General Assembly, or by either branch of the General Assembly thereof, and shall report its conclusions to the Governor or the General Assembly, as the case may be. The Commission may also recommend the enactment of such legislation with respect to any matter within its jurisdiction as it deems wise or necessary in the public interest. The Commission shall, at such times as the Governor, the General Assembly, or either branch of the General Assembly shall direct, examine any particular subject connected with the condition and management of public utilities, and report to the Governor or the General Assembly, as the case may be, him in writing its opinion thereon with its reasons therefor.

(Source: P.A. 84-617.)

(220 ILCS 5/16-108.5)
Sec. 16-108.5. Infrastructure investment and modernization; regulatory reform.
(a) (Blank).
(b) For purposes of this Section, "participating utility" means an electric utility or a combination utility serving more than 1,000,000 customers in Illinois that voluntarily elects and commits to undertake (i) the infrastructure investment program consisting of the commitments and obligations described in this subsection (b) and (ii) the customer assistance program consisting of the commitments and obligations described in subsection (b-10) of this Section, notwithstanding any other provisions of this Act and without obtaining any approvals from the Commission or any other agency other than as set forth in this Section, regardless of whether any such approval would otherwise be required. "Combination utility" means a utility that, as of January 1, 2011, provided electric service to at least one million retail customers in Illinois and gas service to at least 500,000 retail customers in Illinois. A participating utility shall recover the expenditures made under the infrastructure investment program through

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the ratemaking process, including, but not limited to, the performance-based formula rate and process set forth in this Section.

During the infrastructure investment program's peak program year, a participating utility other than a combination utility shall create 2,000 full-time equivalent jobs in Illinois, and a participating utility that is a combination utility shall create 450 full-time equivalent jobs in Illinois related to the provision of electric service. These jobs shall include direct jobs, contractor positions, and induced jobs, but shall not include any portion of a job commitment, not specifically contingent on an amendatory Act of the 97th General Assembly becoming law, between a participating utility and a labor union that existed on the effective date of this amendatory Act of the 97th General Assembly and that has not yet been fulfilled. A portion of the full-time equivalent jobs created by each participating utility shall include incremental personnel hired subsequent to the effective date of this amendatory Act of the 97th General Assembly. For purposes of this Section, "peak program year" means the consecutive 12-month period with the highest number of full-time equivalent jobs that occurs between the beginning of investment year 2 and the end of investment year 4.

A participating utility shall meet one of the following commitments, as applicable:

(1) Beginning no later than 180 days after a participating utility other than a combination utility files a performance-based formula rate tariff pursuant to subsection (c) of this Section, or, beginning no later than January 1, 2012 if such utility files such performance-based formula rate tariff within 14 days of the effective date of this amendatory Act of the 97th General Assembly, the participating utility shall, except as provided in subsection (b-5):

(A) over a 5-year period, invest an estimated $1,300,000,000 in electric system upgrades, modernization projects, and training facilities, including, but not limited to:

(i) distribution infrastructure improvements totaling an estimated $1,000,000,000, including underground residential distribution cable injection and replacement and mainline cable system refurbishment and replacement projects;

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(ii) training facility construction or upgrade projects totaling an estimated $10,000,000, provided that, at a minimum, one such facility shall be located in a municipality having a population of more than 2 million residents and one such facility shall be located in a municipality having a population of more than 150,000 residents but fewer than 170,000 residents; any such new facility located in a municipality having a population of more than 2 million residents must be designed for the purpose of obtaining, and the owner of the facility shall apply for, certification under the United States Green Building Council's Leadership in Energy Efficiency Design Green Building Rating System;

(iii) wood pole inspection, treatment, and replacement programs;

(iv) an estimated $200,000,000 for reducing the susceptibility of certain circuits to storm-related damage, including, but not limited to, high winds, thunderstorms, and ice storms; improvements may include, but are not limited to, overhead to underground conversion and other engineered outcomes for circuits; the participating utility shall prioritize the selection of circuits based on each circuit's historical susceptibility to storm-related damage and the ability to provide the greatest customer benefit upon completion of the improvements; to be eligible for improvement, the participating utility's ability to maintain proper tree clearances surrounding the overhead circuit must not have been impeded by third parties; and

(B) over a 10-year period, invest an estimated $1,300,000,000 to upgrade and modernize its transmission and distribution infrastructure and in Smart Grid electric system upgrades, including, but not limited to:

(i) additional smart meters;

(ii) distribution automation;

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(iii) associated cyber secure data communication network; and

(iv) substation micro-processor relay upgrades.

(2) Beginning no later than 180 days after a participating utility that is a combination utility files a performance-based formula rate tariff pursuant to subsection (c) of this Section, or, beginning no later than January 1, 2012 if such utility files such performance-based formula rate tariff within 14 days of the effective date of this amendatory Act of the 97th General Assembly, the participating utility shall, except as provided in subsection (b-5):

(A) over a 10-year period, invest an estimated $265,000,000 in electric system upgrades, modernization projects, and training facilities, including, but not limited to:

(i) distribution infrastructure improvements totaling an estimated $245,000,000, which may include bulk supply substations, transformers, reconductoring, and rebuilding overhead distribution and sub-transmission lines, underground residential distribution cable injection and replacement and mainline cable system refurbishment and replacement projects;

(ii) training facility construction or upgrade projects totaling an estimated $1,000,000; any such new facility must be designed for the purpose of obtaining, and the owner of the facility shall apply for, certification under the United States Green Building Council's Leadership in Energy Efficiency Design Green Building Rating System; and

(iii) wood pole inspection, treatment, and replacement programs; and

(B) over a 10-year period, invest an estimated $360,000,000 to upgrade and modernize its transmission and distribution infrastructure and in Smart Grid electric system upgrades, including, but not limited to:

(i) additional smart meters;

(ii) distribution automation;

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(iii) associated cyber secure data communication network; and
(iv) substation micro-processor relay upgrades.

For purposes of this Section, "Smart Grid electric system upgrades" shall have the meaning set forth in subsection (a) of Section 16-108.6 of this Act.

The investments in the infrastructure investment program described in this subsection (b) shall be incremental to the participating utility's annual capital investment program, as defined by, for purposes of this subsection (b), the participating utility's average capital spend for calendar years 2008, 2009, and 2010 as reported in the applicable Federal Energy Regulatory Commission (FERC) Form 1; provided that where one or more utilities have merged, the average capital spend shall be determined using the aggregate of the merged utilities' capital spend reported in FERC Form 1 for the years 2008, 2009, and 2010. A participating utility may add reasonable construction ramp-up and ramp-down time to the investment periods specified in this subsection (b). For each such investment period, the ramp-up and ramp-down time shall not exceed a total of 6 months.

Within 60 days after filing a tariff under subsection (c) of this Section, a participating utility shall submit to the Commission its plan, including scope, schedule, and staffing, for satisfying its infrastructure investment program commitments pursuant to this subsection (b). The submitted plan shall include a schedule and staffing plan for the next calendar year. The plan shall also include a plan for the creation, operation, and administration of a Smart Grid test bed as described in subsection (c) of Section 16-108.8. The plan need not allocate the work equally over the respective periods, but should allocate material increments throughout such periods commensurate with the work to be undertaken. No later than April 1 of each subsequent year, the utility shall submit to the Commission a report that includes any updates to the plan, a schedule for the next calendar year, the expenditures made for the prior calendar year and cumulatively, and the number of full-time equivalent jobs created for the prior calendar year and cumulatively. If the utility is materially deficient in satisfying a schedule or staffing plan, then the report must also include a corrective action plan to address the deficiency. The fact that the plan, implementation of the plan, or a schedule changes shall not imply the imprudence or unreasonableness of the infrastructure

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investment program, plan, or schedule. Further, no later than 45 days following the last day of the first, second, and third quarters of each year of the plan, a participating utility shall submit to the Commission a verified quarterly report for the prior quarter that includes (i) the total number of full-time equivalent jobs created during the prior quarter, (ii) the total number of employees as of the last day of the prior quarter, (iii) the total number of full-time equivalent hours in each job classification or job title, (iv) the total number of incremental employees and contractors in support of the investments undertaken pursuant to this subsection (b) for the prior quarter, and (v) any other information that the Commission may require by rule.

With respect to the participating utility's peak job commitment, if, after considering the utility's corrective action plan and compliance thereunder, the Commission enters an order finding, after notice and hearing, that a participating utility did not satisfy its peak job commitment described in this subsection (b) for reasons that are reasonably within its control, then the Commission shall also determine, after consideration of the evidence, including, but not limited to, evidence submitted by the Department of Commerce and Economic Opportunity and the utility, the deficiency in the number of full-time equivalent jobs during the peak program year due to such failure. The Commission shall notify the Department of any proceeding that is initiated pursuant to this paragraph. For each full-time equivalent job deficiency during the peak program year that the Commission finds as set forth in this paragraph, the participating utility shall, within 30 days after the entry of the Commission's order, pay $6,000 to a fund for training grants administered under Section 605-800 of The Department of Commerce and Economic Opportunity Law, which shall not be a recoverable expense.

With respect to the participating utility's investment amount commitments, if, after considering the utility's corrective action plan and compliance thereunder, the Commission enters an order finding, after notice and hearing, that a participating utility is not satisfying its investment amount commitments described in this subsection (b), then the utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. In such event, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.
If the Commission finds that a participating utility is no longer eligible to update the performance-based formula rate tariff pursuant to subsection (d) of this Section, or the performance-based formula rate is otherwise terminated, then the participating utility's voluntary commitments and obligations under this subsection (b) shall immediately terminate, except for the utility's obligation to pay an amount already owed to the fund for training grants pursuant to a Commission order.

In meeting the obligations of this subsection (b), to the extent feasible and consistent with State and federal law, the investments under the infrastructure investment program should provide employment opportunities for all segments of the population and workforce, including minority-owned and female-owned business enterprises, and shall not, consistent with State and federal law, discriminate based on race or socioeconomic status.

(b-5) Nothing in this Section shall prohibit the Commission from investigating the prudence and reasonableness of the expenditures made under the infrastructure investment program during the annual review required by subsection (d) of this Section and shall, as part of such investigation, determine whether the utility's actual costs under the program are prudent and reasonable. The fact that a participating utility invests more than the minimum amounts specified in subsection (b) of this Section or its plan shall not imply imprudence or unreasonableness.

If the participating utility finds that it is implementing its plan for satisfying the infrastructure investment program commitments described in subsection (b) of this Section at a cost below the estimated amounts specified in subsection (b) of this Section, then the utility may file a petition with the Commission requesting that it be permitted to satisfy its commitments by spending less than the estimated amounts specified in subsection (b) of this Section. The Commission shall, after notice and hearing, enter its order approving, or approving as modified, or denying each such petition within 150 days after the filing of the petition.

In no event, absent General Assembly approval, shall the capital investment costs incurred by a participating utility other than a combination utility in satisfying its infrastructure investment program commitments described in subsection (b) of this Section exceed $3,000,000,000 or, for a participating utility that is a combination utility, $720,000,000. If the participating utility's updated cost estimates for satisfying its infrastructure investment program commitments described in subsection (b) of this Section exceed the limitation imposed by this
subsection (b-5), then it shall submit a report to the Commission that identifies the increased costs and explains the reason or reasons for the increased costs no later than the year in which the utility estimates it will exceed the limitation. The Commission shall review the report and shall, within 90 days after the participating utility files the report, report to the General Assembly its findings regarding the participating utility's report. If the General Assembly does not amend the limitation imposed by this subsection (b-5), then the utility may modify its plan so as not to exceed the limitation imposed by this subsection (b-5) and may propose corresponding changes to the metrics established pursuant to subparagraphs (5) through (8) of subsection (f) of this Section, and the Commission may modify the metrics and incremental savings goals established pursuant to subsection (f) of this Section accordingly.

(b-10) All participating utilities shall make contributions for an energy low-income and support program in accordance with this subsection. Beginning no later than 180 days after a participating utility files a performance-based formula rate tariff pursuant to subsection (c) of this Section, or beginning no later than January 1, 2012 if such utility files such performance-based formula rate tariff within 14 days of the effective date of this amendatory Act of the 97th General Assembly, and without obtaining any approvals from the Commission or any other agency other than as set forth in this Section, regardless of whether any such approval would otherwise be required, a participating utility other than a combination utility shall pay $10,000,000 per year for 5 years and a participating utility that is a combination utility shall pay $1,000,000 per year for 10 years to the energy low-income and support program, which is intended to fund customer assistance programs with the primary purpose being avoidance of imminent disconnection. Such programs may include:

(1) a residential hardship program that may partner with community-based organizations, including senior citizen organizations, and provides grants to low-income residential customers, including low-income senior citizens, who demonstrate a hardship;

(2) a program that provides grants and other bill payment concessions to disabled veterans who demonstrate a hardship and members of the armed services or reserve forces of the United States or members of the Illinois National Guard who are on active duty pursuant to an executive order of the President of the United

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States, an act of the Congress of the United States, or an order of the Governor and who demonstrate a hardship;

(3) a budget assistance program that provides tools and education to low-income senior citizens to assist them with obtaining information regarding energy usage and effective means of managing energy costs;

(4) a non-residential special hardship program that provides grants to non-residential customers such as small businesses and non-profit organizations that demonstrate a hardship, including those providing services to senior citizen and low-income customers; and

(5) a performance-based assistance program that provides grants to encourage residential customers to make on-time payments by matching a portion of the customer's payments or providing credits towards arrearages.

The payments made by a participating utility pursuant to this subsection (b-10) shall not be a recoverable expense. A participating utility may elect to fund either new or existing customer assistance programs, including, but not limited to, those that are administered by the utility.

Programs that use funds that are provided by a participating utility to reduce utility bills may be implemented through tariffs that are filed with and reviewed by the Commission. If a utility elects to file tariffs with the Commission to implement all or a portion of the programs, those tariffs shall, regardless of the date actually filed, be deemed accepted and approved, and shall become effective on the effective date of this amendatory Act of the 97th General Assembly. The participating utilities whose customers benefit from the funds that are disbursed as contemplated in this Section shall file annual reports documenting the disbursement of those funds with the Commission. The Commission has the authority to audit disbursement of the funds to ensure they were disbursed consistently with this Section.

If the Commission finds that a participating utility is no longer eligible to update the performance-based formula rate tariff pursuant to subsection (d) of this Section, or the performance-based formula rate is otherwise terminated, then the participating utility's voluntary commitments and obligations under this subsection (b-10) shall immediately terminate.

(c) A participating utility may elect to recover its delivery services costs through a performance-based formula rate approved by the
Commission, which shall specify the cost components that form the basis of the rate charged to customers with sufficient specificity to operate in a standardized manner and be updated annually with transparent information that reflects the utility's actual costs to be recovered during the applicable rate year, which is the period beginning with the first billing day of January and extending through the last billing day of the following December. In the event the utility recovers a portion of its costs through automatic adjustment clause tariffs on the effective date of this amendatory Act of the 97th General Assembly, the utility may elect to continue to recover these costs through such tariffs, but then these costs shall not be recovered through the performance-based formula rate. In the event the participating utility, prior to the effective date of this amendatory Act of the 97th General Assembly, filed electric delivery services tariffs with the Commission pursuant to Section 9-201 of this Act that are related to the recovery of its electric delivery services costs that are still pending on the effective date of this amendatory Act of the 97th General Assembly, the participating utility shall, at the time it files its performance-based formula rate tariff with the Commission, also file a notice of withdrawal with the Commission to withdraw the electric delivery services tariffs previously filed pursuant to Section 9-201 of this Act. Upon receipt of such notice, the Commission shall dismiss with prejudice any docket that had been initiated to investigate the electric delivery services tariffs filed pursuant to Section 9-201 of this Act, and such tariffs and the record related thereto shall not be the subject of any further hearing, investigation, or proceeding of any kind related to rates for electric delivery services.

The performance-based formula rate shall be implemented through a tariff filed with the Commission consistent with the provisions of this subsection (c) that shall be applicable to all delivery services customers. The Commission shall initiate and conduct an investigation of the tariff in a manner consistent with the provisions of this subsection (c) and the provisions of Article IX of this Act to the extent they do not conflict with this subsection (c). Except in the case where the Commission finds, after notice and hearing, that a participating utility is not satisfying its investment amount commitments under subsection (b) of this Section, the performance-based formula rate shall remain in effect at the discretion of the utility. The performance-based formula rate approved by the Commission shall do the following:

(1) Provide for the recovery of the utility's actual costs of delivery services that are prudently incurred and reasonable in
amount consistent with Commission practice and law. The sole fact that a cost differs from that incurred in a prior calendar year or that an investment is different from that made in a prior calendar year shall not imply the imprudence or unreasonableness of that cost or investment.

(2) Reflect the utility's actual year-end capital structure for the applicable calendar year, excluding goodwill, subject to a determination of prudence and reasonableness consistent with Commission practice and law.

(3) Include a cost of equity, which shall be calculated as the sum of the following:

(A) the average for the applicable calendar year of the monthly average yields of 30-year U.S. Treasury bonds published by the Board of Governors of the Federal Reserve System in its weekly H.15 Statistical Release or successor publication; and

(B) 580 basis points.

At such time as the Board of Governors of the Federal Reserve System ceases to include the monthly average yields of 30-year U.S. Treasury bonds in its weekly H.15 Statistical Release or successor publication, the monthly average yields of the U.S. Treasury bonds then having the longest duration published by the Board of Governors in its weekly H.15 Statistical Release or successor publication shall instead be used for purposes of this paragraph (3).

(4) Permit and set forth protocols, subject to a determination of prudence and reasonableness consistent with Commission practice and law, for the following:

(A) recovery of incentive compensation expense that is based on the achievement of operational metrics, including metrics related to budget controls, outage duration and frequency, safety, customer service, efficiency and productivity, and environmental compliance. Incentive compensation expense that is based on net income or an affiliate's earnings per share shall not be recoverable under the performance-based formula rate;

(B) recovery of pension and other post-employment benefits expense, provided that such costs are supported by an actuarial study;
(C) recovery of severance costs, provided that if the amount is over $3,700,000 for a participating utility that is a combination utility or $10,000,000 for a participating utility that serves more than 3 million retail customers, then the full amount shall be amortized consistent with subparagraph (F) of this paragraph (4);

(D) investment return at a rate equal to the utility's weighted average cost of long-term debt, on the pension assets as, and in the amount, reported in Account 186 (or in such other Account or Accounts as such asset may subsequently be recorded) of the utility's most recently filed FERC Form 1, net of deferred tax benefits equal to the utility's long-term debt cost of capital as of the end of the applicable calendar year;

(E) recovery of the expenses related to the Commission proceeding under this subsection (c) to approve this performance-based formula rate and initial rates or to subsequent proceedings related to the formula, provided that the recovery shall be amortized over a 3-year period; recovery of expenses related to the annual Commission proceedings under subsection (d) of this Section to review the inputs to the performance-based formula rate shall be expensed and recovered through the performance-based formula rate;

(F) amortization over a 5-year period of the full amount of each charge or credit that exceeds $3,700,000 for a participating utility that is a combination utility or $10,000,000 for a participating utility that serves more than 3 million retail customers in the applicable calendar year and that relates to a workforce reduction program's severance costs, changes in accounting rules, changes in law, compliance with any Commission-initiated audit, or a single storm or other similar expense, provided that any unamortized balance shall be reflected in rate base. For purposes of this subparagraph (F), changes in law includes any enactment, repeal, or amendment in a law, ordinance, rule, regulation, interpretation, permit, license, consent, or order, including those relating to taxes, accounting, or to environmental matters, or in the interpretation or
application thereof by any governmental authority occurring after the effective date of this amendatory Act of the 97th General Assembly;

(G) recovery of existing regulatory assets over the periods previously authorized by the Commission;

(H) historical weather normalized billing determinants; and

(I) allocation methods for common costs.

(5) Provide that if the participating utility's earned rate of return on common equity related to the provision of delivery services for the prior rate year (calculated using costs and capital structure approved by the Commission as provided in subparagraph (2) of this subsection (c), consistent with this Section, in accordance with Commission rules and orders, including, but not limited to, adjustments for goodwill, and after any Commission-ordered disallowances and taxes) is more than 50 basis points higher than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section), then the participating utility shall apply a credit through the performance-based formula rate that reflects an amount equal to the value of that portion of the earned rate of return on common equity that is more than 50 basis points higher than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section) for the prior rate year, adjusted for taxes. If the participating utility's earned rate of return on common equity related to the provision of delivery services for the prior rate year (calculated using costs and capital structure approved by the Commission as provided in subparagraph (2) of this subsection (c), consistent with this Section, in accordance with Commission rules and orders, including, but not limited to, adjustments for goodwill, and after any Commission-ordered disallowances and taxes) is more than 50 basis points less than the return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied
pursuant to the performance metrics provision of subsection (f) of this Section, then the participating utility shall apply a charge through the performance-based formula rate that reflects an amount equal to the value of that portion of the earned rate of return on common equity that is more than 50 basis points less than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section) for the prior rate year, adjusted for taxes.

(6) Provide for an annual reconciliation, as described in subsection (d) of this Section, with interest as described in subsection (d) of this Section, of the revenue requirement reflected in rates for each calendar year, beginning with the calendar year in which the utility files its performance-based formula rate tariff pursuant to subsection (c) of this Section, with what the revenue requirement would have been had the actual cost information for the applicable calendar year been available at the filing date.

The utility shall file, together with its tariff, final data based on its most recently filed FERC Form 1, plus projected plant additions and correspondingly updated depreciation reserve and expense for the calendar year in which the tariff and data are filed, that shall populate the performance-based formula rate and set the initial delivery services rates under the formula. For purposes of this Section, "FERC Form 1" means the Annual Report of Major Electric Utilities, Licensees and Others that electric utilities are required to file with the Federal Energy Regulatory Commission under the Federal Power Act, Sections 3, 4(a), 304 and 209, modified as necessary to be consistent with 83 Ill. Admin. Code Part 415 as of May 1, 2011. Nothing in this Section is intended to allow costs that are not otherwise recoverable to be recoverable by virtue of inclusion in FERC Form 1.

After the utility files its proposed performance-based formula rate structure and protocols and initial rates, the Commission shall initiate a docket to review the filing. The Commission shall enter an order approving, or approving as modified, the performance-based formula rate, including the initial rates, as just and reasonable within 270 days after the date on which the tariff was filed, or, if the tariff is filed within 14 days after the effective date of this amendatory Act of the 97th General Assembly, then by May 31, 2012. Such review shall be based on the same

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evidentiary standards, including, but not limited to, those concerning the prudence and reasonableness of the costs incurred by the utility, the Commission applies in a hearing to review a filing for a general increase in rates under Article IX of this Act. The initial rates shall take effect within 30 days after the Commission's order approving the performance-based formula rate tariff.

Until such time as the Commission approves a different rate design and cost allocation pursuant to subsection (e) of this Section, rate design and cost allocation across customer classes shall be consistent with the Commission's most recent order regarding the participating utility's request for a general increase in its delivery services rates.

Subsequent changes to the performance-based formula rate structure or protocols shall be made as set forth in Section 9-201 of this Act, but nothing in this subsection (c) is intended to limit the Commission's authority under Article IX and other provisions of this Act to initiate an investigation of a participating utility's performance-based formula rate tariff, provided that any such changes shall be consistent with paragraphs (1) through (6) of this subsection (c). Any change ordered by the Commission shall be made at the same time new rates take effect following the Commission's next order pursuant to subsection (d) of this Section, provided that the new rates take effect no less than 30 days after the date on which the Commission issues an order adopting the change.

A participating utility that files a tariff pursuant to this subsection (c) must submit a one-time $200,000 filing fee at the time the Chief Clerk of the Commission accepts the filing, which shall be a recoverable expense.

In the event the performance-based formula rate is terminated, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive rate adjustment, with interest, to reconcile rates charged with actual costs. At such time that the performance-based formula rate is terminated, the participating utility's voluntary commitments and obligations under subsection (b) of this Section shall immediately terminate, except for the utility's obligation to pay an amount already owed to the fund for training grants pursuant to a Commission order issued under subsection (b) of this Section.

(d) Subsequent to the Commission's issuance of an order approving the utility's performance-based formula rate structure and protocols, and initial rates under subsection (c) of this Section, the utility shall file, on or before May 1 of each year, with the Chief Clerk of the Commission its

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updated cost inputs to the performance-based formula rate for the applicable rate year and the corresponding new charges. Each such filing shall conform to the following requirements and include the following information:

(1) The inputs to the performance-based formula rate for the applicable rate year shall be based on final historical data reflected in the utility's most recently filed annual FERC Form 1 plus projected plant additions and correspondingly updated depreciation reserve and expense for the calendar year in which the inputs are filed. The filing shall also include a reconciliation of the revenue requirement that was in effect for the prior rate year (as set by the cost inputs for the prior rate year) with the actual revenue requirement for the prior rate year (determined using a year-end rate base) that uses amounts as reflected in the applicable FERC Form 1 that reports the actual costs for the prior rate year. Any over-collection or under-collection indicated by such reconciliation shall be reflected as a credit against, or recovered as an additional charge to, respectively, with interest calculated at a rate equal to the utility's weighted average cost of capital approved by the Commission for the prior rate year, the charges for the applicable rate year. Provided, however, that the first such reconciliation shall be for the calendar year in which the utility files its performance-based formula rate tariff pursuant to subsection (c) of this Section and shall reconcile (i) the revenue requirement or requirements established by the rate order or orders in effect from time to time during such calendar year (weighted, as applicable) with (ii) the revenue requirement determined using a year-end rate base for that calendar year calculated pursuant to the performance-based formula rate using (A) actual costs for that year as reflected in the applicable FERC Form 1, and (B) for the first such reconciliation only, the cost of equity, which shall be calculated as the sum of 590 basis points plus the average for the applicable calendar year of the monthly average yields of 30-year U.S. Treasury bonds published by the Board of Governors of the Federal Reserve System in its weekly H.15 Statistical Release or successor publication. The first such reconciliation is not intended to provide for the recovery of costs previously excluded from rates based on a prior Commission order finding of imprudence or unreasonableness. Each reconciliation shall be certified by the participating utility in the
same manner that FERC Form 1 is certified. The filing shall also include the charge or credit, if any, resulting from the calculation required by paragraph (6) of subsection (c) of this Section.

Notwithstanding anything that may be to the contrary, the intent of the reconciliation is to ultimately reconcile the revenue requirement reflected in rates for each calendar year, beginning with the calendar year in which the utility files its performance-based formula rate tariff pursuant to subsection (c) of this Section, with what the revenue requirement determined using a year-end rate base for the applicable calendar year would have been had the actual cost information for the applicable calendar year been available at the filing date.

(2) The new charges shall take effect beginning on the first billing day of the following January billing period and remain in effect through the last billing day of the next December billing period regardless of whether the Commission enters upon a hearing pursuant to this subsection (d).

(3) The filing shall include relevant and necessary data and documentation for the applicable rate year that is consistent with the Commission's rules applicable to a filing for a general increase in rates or any rules adopted by the Commission to implement this Section. Normalization adjustments shall not be required. Notwithstanding any other provision of this Section or Act or any rule or other requirement adopted by the Commission, a participating utility that is a combination utility with more than one rate zone shall not be required to file a separate set of such data and documentation for each rate zone and may combine such data and documentation into a single set of schedules.

Within 45 days after the utility files its annual update of cost inputs to the performance-based formula rate, the Commission shall have the authority, either upon complaint or its own initiative, but with reasonable notice, to enter upon a hearing concerning the prudence and reasonableness of the costs incurred by the utility to be recovered during the applicable rate year that are reflected in the inputs to the performance-based formula rate derived from the utility's FERC Form 1. During the course of the hearing, each objection shall be stated with particularity and evidence provided in support thereof; after which the utility shall have the opportunity to rebut the evidence. Discovery shall be allowed consistent with the Commission's Rules of Practice, which Rules shall be enforced by

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the Commission or the assigned hearing examiner. The Commission shall apply the same evidentiary standards, including, but not limited to, those concerning the prudence and reasonableness of the costs incurred by the utility, in the hearing as it would apply in a hearing to review a filing for a general increase in rates under Article IX of this Act. The Commission shall not, however, have the authority in a proceeding under this subsection (d) to consider or order any changes to the structure or protocols of the performance-based formula rate approved pursuant to subsection (c) of this Section. In a proceeding under this subsection (d), the Commission shall enter its order no later than the earlier of 240 days after the utility's filing of its annual update of cost inputs to the performance-based formula rate or December 31. The Commission's determinations of the prudence and reasonableness of the costs incurred for the applicable calendar year shall be final upon entry of the Commission's order and shall not be subject to reopening, reexamination, or collateral attack in any other Commission proceeding, case, docket, order, rule or regulation, provided, however, that nothing in this subsection (d) shall prohibit a party from petitioning the Commission to rehear or appeal to the courts the order pursuant to the provisions of this Act.

In the event the Commission does not, either upon complaint or its own initiative, enter upon a hearing within 45 days after the utility files the annual update of cost inputs to its performance-based formula rate, then the costs incurred for the applicable calendar year shall be deemed prudent and reasonable, and the filed charges shall not be subject to reopening, reexamination, or collateral attack in any other proceeding, case, docket, order, rule, or regulation.

A participating utility's first filing of the updated cost inputs, and any Commission investigation of such inputs pursuant to this subsection (d) shall proceed notwithstanding the fact that the Commission's investigation under subsection (c) of this Section is still pending and notwithstanding any other law, order, rule, or Commission practice to the contrary.

(e) Nothing in subsections (c) or (d) of this Section shall prohibit the Commission from investigating, or a participating utility from filing, revenue-neutral tariff changes related to rate design of a performance-based formula rate that has been placed into effect for the utility. Following approval of a participating utility's performance-based formula rate tariff pursuant to subsection (c) of this Section, the utility shall make a filing with the Commission within one year after the effective date of the

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performance-based formula rate tariff that proposes changes to the tariff to incorporate the findings of any final rate design orders of the Commission applicable to the participating utility and entered subsequent to the Commission's approval of the tariff. The Commission shall, after notice and hearing, enter its order approving, or approving with modification, the proposed changes to the performance-based formula rate tariff within 240 days after the utility's filing. Following such approval, the utility shall make a filing with the Commission during each subsequent 3-year period that either proposes revenue-neutral tariff changes or re-files the existing tariffs without change, which shall present the Commission with an opportunity to suspend the tariffs and consider revenue-neutral tariff changes related to rate design.

(f) Within 30 days after the filing of a tariff pursuant to subsection (c) of this Section, each participating utility shall develop and file with the Commission multi-year metrics designed to achieve, ratably (i.e., in equal segments) over a 10-year period, improvement over baseline performance values as follows:

(1) Twenty percent improvement in the System Average Interruption Frequency Index, using a baseline of the average of the data from 2001 through 2010.

(2) Fifteen percent improvement in the system Customer Average Interruption Duration Index, using a baseline of the average of the data from 2001 through 2010.

(3) For a participating utility other than a combination utility, 20% improvement in the System Average Interruption Frequency Index for its Southern Region, using a baseline of the average of the data from 2001 through 2010. For purposes of this paragraph (3), Southern Region shall have the meaning set forth in the participating utility's most recent report filed pursuant to Section 16-125 of this Act.

(3.5) For a participating utility other than a combination utility, 20% improvement in the System Average Interruption Frequency Index for its Northeastern Region, using a baseline of the average of the data from 2001 through 2010. For purposes of this paragraph (3.5), Northeastern Region shall have the meaning set forth in the participating utility's most recent report filed pursuant to Section 16-125 of this Act.

(4) Seventy-five percent improvement in the total number of customers who exceed the service reliability targets as set forth
(5) Reduction in issuance of estimated electric bills: 90% improvement for a participating utility other than a combination utility, and 56% improvement for a participating utility that is a combination utility, using a baseline of the average number of estimated bills for the years 2008 through 2010.

(6) Consumption on inactive meters: 90% improvement for a participating utility other than a combination utility, and 56% improvement for a participating utility that is a combination utility, using a baseline of the average unbilled kilowatthours for the years 2009 and 2010.

(7) Unaccounted for energy: 50% improvement for a participating utility other than a combination utility using a baseline of the non-technical line loss unaccounted for energy kilowatthours for the year 2009.

(8) Uncollectible expense: reduce uncollectible expense by at least $30,000,000 for a participating utility other than a combination utility and by at least $3,500,000 for a participating utility that is a combination utility, using a baseline of the average uncollectible expense for the years 2008 through 2010.

(9) Opportunities for minority-owned and female-owned business enterprises: design a performance metric regarding the creation of opportunities for minority-owned and female-owned business enterprises consistent with State and federal law using a base performance value of the percentage of the participating utility's capital expenditures that were paid to minority-owned and female-owned business enterprises in 2010.

The definitions set forth in 83 Ill. Admin. Code Part 411.20 as of May 1, 2011 shall be used for purposes of calculating performance under paragraphs (1) through (3.5) of this subsection (f), provided, however, that the participating utility may exclude up to 9 extreme weather event days from such calculation for each year, and provided further that the participating utility shall exclude 9 extreme weather event days when calculating each year of the baseline period to the extent that there are 9 such days in a given year of the baseline period. For purposes of this Section, an extreme weather event day is a 24-hour calendar day (beginning at 12:00 a.m. and ending at 11:59 p.m.) during which any

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weather event (e.g., storm, tornado) caused interruptions for 10,000 or more of the participating utility's customers for 3 hours or more. If there are more than 9 extreme weather event days in a year, then the utility may choose no more than 9 extreme weather event days to exclude, provided that the same extreme weather event days are excluded from each of the calculations performed under paragraphs (1) through (3.5) of this subsection (f).

The metrics shall include incremental performance goals for each year of the 10-year period, which shall be designed to demonstrate that the utility is on track to achieve the performance goal in each category at the end of the 10-year period. The utility shall elect when the 10-year period shall commence for the metrics set forth in subparagraphs (1) through (4) and (9) of this subsection (f), provided that it begins no later than 14 months following the date on which the utility begins investing pursuant to subsection (b) of this Section, and when the 10-year period shall commence for the metrics set forth in subparagraphs (5) through (8) of this subsection (f), provided that it begins no later than 14 months following the date on which the Commission enters its order approving the utility's Advanced Metering Infrastructure Deployment Plan pursuant to subsection (c) of Section 16-108.6 of this Act.

The metrics and performance goals set forth in subparagraphs (5) through (8) of this subsection (f) are based on the assumptions that the participating utility may fully implement the technology described in subsection (b) of this Section, including utilizing the full functionality of such technology and that there is no requirement for personal on-site notification. If the utility is unable to meet the metrics and performance goals set forth in subparagraphs (5) through (8) of this subsection (f) for such reasons, and the Commission so finds after notice and hearing, then the utility shall be excused from compliance, but only to the limited extent achievement of the affected metrics and performance goals was hindered by the less than full implementation.

(f-5) The financial penalties applicable to the metrics described in subparagraphs (1) through (8) of subsection (f) of this Section, as applicable, shall be applied through an adjustment to the participating utility's return on equity of no more than a total of 30 basis points in each of the first 3 years, of no more than a total of 34 basis points in each of the 3 years thereafter, and of no more than a total of 38 basis points in each of the 4 years thereafter, as follows:

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(1) With respect to each of the incremental annual performance goals established pursuant to paragraph (1) of subsection (f) of this Section,

   (A) for each year that a participating utility other than a combination utility does not achieve the annual goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points; and

   (B) for each year that a participating utility that is a combination utility does not achieve the annual goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 10 basis points; during years 4 through 6, by 12 basis points; and during years 7 through 10, by 14 basis points.

(2) With respect to each of the incremental annual performance goals established pursuant to paragraph (2) of subsection (f) of this Section, for each year that the participating utility does not achieve each such goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(3) With respect to each of the incremental annual performance goals established pursuant to paragraphs (3) and (3.5) of subsection (f) of this Section, for each year that a participating utility other than a combination utility does not achieve both such goals, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(4) With respect to each of the incremental annual performance goals established pursuant to paragraph (4) of subsection (f) of this Section, for each year that the participating utility does not achieve each such goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(5) With respect to each of the incremental annual performance goals established pursuant to subparagraph (5) of
subsection (f) of this Section, for each year that the participating utility does not achieve at least 95% of each such goal, the participating utility's return on equity shall be reduced by 5 basis points for each such unachieved goal.

(6) With respect to each of the incremental annual performance goals established pursuant to paragraphs (6), (7), and (8) of subsection (f) of this Section, as applicable, which together measure non-operational customer savings and benefits relating to the implementation of the Advanced Metering Infrastructure Deployment Plan, as defined in Section 16-108.6 of this Act, the performance under each such goal shall be calculated in terms of the percentage of the goal achieved. The percentage of goal achieved for each of the goals shall be aggregated, and an average percentage value calculated, for each year of the 10-year period. If the utility does not achieve an average percentage value in a given year of at least 95%, the participating utility's return on equity shall be reduced by 5 basis points.

The financial penalties shall be applied as described in this subsection (f-5) for the 12-month period in which the deficiency occurred through a separate tariff mechanism, which shall be filed by the utility together with its metrics. In the event the formula rate tariff established pursuant to subsection (c) of this Section terminates, the utility's obligations under subsection (f) of this Section and this subsection (f-5) shall also terminate, provided, however, that the tariff mechanism established pursuant to subsection (f) of this Section and this subsection (f-5) shall remain in effect until any penalties due and owing at the time of such termination are applied.

The Commission shall, after notice and hearing, enter an order within 120 days after the metrics are filed approving, or approving with modification, a participating utility's tariff or mechanism to satisfy the metrics set forth in subsection (f) of this Section. On June 1 of each subsequent year, each participating utility shall file a report with the Commission that includes, among other things, a description of how the participating utility performed under each metric and an identification of any extraordinary events that adversely impacted the utility's performance. Whenever a participating utility does not satisfy the metrics required pursuant to subsection (f) of this Section, the Commission shall, after notice and hearing, enter an order approving financial penalties in accordance with this subsection (f-5). The Commission-approved financial

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penalties shall be applied beginning with the next rate year. Nothing in this
Section shall authorize the Commission to reduce or otherwise obviate the
imposition of financial penalties for failing to achieve one or more of the
metrics established pursuant to subparagraph (1) through (4) of subsection
(f) of this Section.

(g) On or before July 31, 2014, each participating utility shall file a
report with the Commission that sets forth the average annual increase in
the average amount paid per kilowatthour for residential eligible retail
customers, exclusive of the effects of energy efficiency programs,
comparing the 12-month period ending May 31, 2012; the 12-month
period ending May 31, 2013; and the 12-month period ending May 31,
2014. For a participating utility that is a combination utility with more
than one rate zone, the weighted average aggregate increase shall be
provided. The report shall be filed together with a statement from an
independent auditor attesting to the accuracy of the report. The cost of the
independent auditor shall be borne by the participating utility and shall not
be a recoverable expense. "The average amount paid per kilowatthour"
shall be based on the participating utility's tariffed rates actually in effect
and shall not be calculated using any hypothetical rate or adjustments to
actual charges (other than as specified for energy efficiency) as an input.

In the event that the average annual increase exceeds 2.5% as
calculated pursuant to this subsection (g), then Sections 16-108.5, 16-
108.6, 16-108.7, and 16-108.8 of this Act, other than this subsection, shall
be inoperative as they relate to the utility and its service area as of the date
of the report due to be submitted pursuant to this subsection and the utility
shall no longer be eligible to annually update the performance-based
formula rate tariff pursuant to subsection (d) of this Section. In such event,
the then current rates shall remain in effect until such time as new rates are
set pursuant to Article IX of this Act, subject to retroactive adjustment,
with interest, to reconcile rates charged with actual costs, and the
participating utility's voluntary commitments and obligations under
subsection (b) of this Section shall immediately terminate, except for the
utility's obligation to pay an amount already owed to the fund for training
grants pursuant to a Commission order issued under subsection (b) of this
Section.

In the event that the average annual increase is 2.5% or less as
calculated pursuant to this subsection (g), then the performance-based
formula rate shall remain in effect as set forth in this Section.

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For purposes of this Section, the amount per kilowatthour means the total amount paid for electric service expressed on a per kilowatthour basis, and the total amount paid for electric service includes without limitation amounts paid for supply, transmission, distribution, surcharges, and add-on taxes exclusive of any increases in taxes or new taxes imposed after the effective date of this amendatory Act of the 97th General Assembly. For purposes of this Section, "eligible retail customers" shall have the meaning set forth in Section 16-111.5 of this Act.

The fact that this Section becomes inoperative as set forth in this subsection shall not be construed to mean that the Commission may reexamine or otherwise reopen prudence or reasonableness determinations already made.

(h) Sections 16-108.5, 16-108.6, 16-108.7, and 16-108.8 of this Act, other than this subsection, are inoperative after December 31, 2017 for every participating utility, after which time a participating utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. At such time, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.

By December 31, 2017, the Commission shall prepare and file with the General Assembly a report on the infrastructure program and the performance-based formula rate. The report shall include the change in the average amount per kilowatthour paid by residential customers between June 1, 2011 and May 31, 2017. If the change in the total average rate paid exceeds 2.5% compounded annually, the Commission shall include in the report an analysis that shows the portion of the change due to the delivery services component and the portion of the change due to the supply component of the rate. The report shall include separate sections for each participating utility.

In the event Sections 16-108.5, 16-108.6, 16-108.7, and 16-108.8 of this Act do not become inoperative after December 31, 2017, then these Sections are inoperative after December 31, 2022 for every participating utility, after which time a participating utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. At such time, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.
The fact that this Section becomes inoperative as set forth in this subsection shall not be construed to mean that the Commission may reexamine or otherwise reopen prudence or reasonableness determinations already made.

(i) While a participating utility may use, develop, and maintain broadband systems and the delivery of broadband services, voice-over-internet-protocol services, telecommunications services, and cable and video programming services for use in providing delivery services and Smart Grid functionality or application to its retail customers, including, but not limited to, the installation, implementation and maintenance of Smart Grid electric system upgrades as defined in Section 16-108.6 of this Act, a participating utility is prohibited from offering to its retail customers broadband services or the delivery of broadband services, voice-over-internet-protocol services, telecommunications services, or cable or video programming services, unless they are part of a service directly related to delivery services or Smart Grid functionality or applications as defined in Section 16-108.6 of this Act, and from recovering the costs of such offerings from retail customers.

(j) Nothing in this Section is intended to legislatively overturn the opinion issued in Commonwealth Edison Co. v. Ill. Commerce Comm'n, Nos. 2-08-0959, 2-08-1037, 2-08-1137, 1-08-3008, 1-08-3030, 1-08-3054, 1-08-3313 cons. (Ill. App. Ct. 2d Dist. Sept. 30, 2010). This amendatory Act of the 97th General Assembly shall not be construed as creating a contract between the General Assembly and the participating utility, and shall not establish a property right in the participating utility.

(k) The changes made in subsections (c) and (d) of this Section by this amendatory Act of the 98th General Assembly are intended to be a restatement and clarification of existing law, and intended to give binding effect to the provisions of House Resolution 1157 adopted by the House of Representatives of the 97th General Assembly and Senate Resolution 821 adopted by the Senate of the 97th General Assembly that are reflected in paragraph (3) of this subsection. In addition, this amendatory Act of the 98th General Assembly preempts and supersedes any final Commission orders entered in Docket Nos. 11-0721, 12-0001, 12-0293, and 12-0321 to the extent inconsistent with the amendatory language added to subsections (c) and (d).

(1) No earlier than 5 business days after the effective date of this amendatory Act of the 98th General Assembly, each participating utility shall file any tariff changes necessary to
implement the amendatory language set forth in subsections (c) and (d) of this Section by this amendatory Act of the 98th General Assembly and a revised revenue requirement under the participating utility's performance-based formula rate. The Commission shall enter a final order approving such tariff changes and revised revenue requirement within 21 days after the participating utility's filing.

(2) Notwithstanding anything that may be to the contrary, a participating utility may file a tariff to retroactively recover its previously unrecovered actual costs of delivery service that are no longer subject to recovery through a reconciliation adjustment under subsection (d) of this Section. This retroactive recovery shall include any derivative adjustments resulting from the changes to subsections (c) and (d) of this Section by this amendatory Act of the 98th General Assembly. Such tariff shall allow the utility to assess, on current customer bills over a period of 12 monthly billing periods, a charge or credit related to those unrecovered costs with interest at the utility's weighted average cost of capital during the period in which those costs were unrecovered. A participating utility may file a tariff that implements a retroactive charge or credit as described in this paragraph for amounts not otherwise included in the tariff filing provided for in paragraph (1) of this subsection (k). The Commission shall enter a final order approving such tariff within 21 days after the participating utility's filing.

(3) The tariff changes described in paragraphs (1) and (2) of this subsection (k) shall relate only to, and be consistent with, the following provisions of this amendatory Act of the 98th General Assembly: paragraph (2) of subsection (c) regarding year-end capital structure, subparagraph (D) of paragraph (4) of subsection (c) regarding pension assets, and subsection (d) regarding the reconciliation components related to year-end rate base and interest calculated at a rate equal to the utility's weighted average cost of capital.

(4) Nothing in this subsection is intended to effect a dismissal of or otherwise affect an appeal from any final Commission orders entered in Docket Nos. 11-0721, 12-0001, 12-0293, and 12-0321 other than to the extent of the amendatory language contained in subsections (c) and (d) of this amendatory Act of the 98th General Assembly.
(l) Each participating utility shall be deemed to have been in full compliance with all requirements of subsection (b) of this Section, subsection (c) of this Section, Section 16-108.6 of this Act, and all Commission orders entered pursuant to Sections 16-108.5 and 16-108.6 of this Act, up to and including the effective date of this amendatory Act of the 98th General Assembly. The Commission shall not undertake any investigation of such compliance and no penalty shall be assessed or adverse action taken against a participating utility for noncompliance with Commission orders associated with subsection (b) of this Section, subsection (c) of this Section, and Section 16-108.6 of this Act prior to such date. Each participating utility other than a combination utility shall be permitted, without penalty, a period of 12 months after such effective date to take actions required to ensure its infrastructure investment program is in compliance with subsection (b) of this Section and with Section 16-108.6 of this Act. Provided further:

(1) if this amendatory Act of the 98th General Assembly takes effect on or before June 15, 2013, the following subparagraphs shall apply to a participating utility other than a combination utility:

(A) if the Commission has initiated a proceeding pursuant to subsection (e) of Section 16-108.6 of this Act that is pending as of the effective date of this amendatory Act of the 98th General Assembly, then the order entered in such proceeding shall, after notice and hearing, accelerate the commencement of the meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298;

(B) if the Commission has entered an order pursuant to subsection (e) of Section 16-108.6 of this Act prior to the effective date of this amendatory Act of the 98th General Assembly that does not accelerate the commencement of the meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298, then the utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298; the Commission shall reopen the proceeding in

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which it entered its order pursuant to subsection (e) of Section 16-108.6 of this Act and shall, after notice and hearing, enter an amendatory order that approves or approves as modified such accelerated plan within 90 days after the utility's filing; or

(C) if the Commission has not initiated a proceeding pursuant to subsection (e) of Section 16-108.6 of this Act prior to the effective date of this amendatory Act of the 98th General Assembly, then the utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298 and the Commission shall, after notice and hearing, approve or approve as modified such plan within 90 days after the utility's filing;

(2) if this amendatory Act of the 98th General Assembly takes effect after June 15, 2013, then each participating utility other than a combination utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298; the Commission shall reopen the most recent proceeding in which it entered an order pursuant to subsection (e) of Section 16-108.6 of this Act and within 90 days after the utility's filing shall, after notice and hearing, enter an amendatory order that approves or approves as modified such accelerated plan, provided that if there was no such prior proceeding the Commission shall open a new proceeding and within 90 days after the utility's filing shall, after notice and hearing, enter an order that approves or approves as modified such accelerated plan.

Any schedule for meter deployment approved by the Commission pursuant to subparagraphs (1) or (2) of this subsection (l) shall take into consideration procurement times for meters and other equipment and operational issues. Nothing in this amendatory Act of the 98th General Assembly shall shorten or extend the end dates for the 5-year or 10-year periods set forth in subsection (b) of this Section or Section 16-108.6 of this Act. Nothing in this subsection is intended to address whether a

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participating utility has, or has not, satisfied any or all of the metrics and performance goals established pursuant to subsection (f) of this Section.

(m) The provisions of this amendatory Act of the 98th General Assembly are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 97-616, eff. 10-26-11; 97-646, eff. 12-30-11.)

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

Passed in the General Assembly March 21, 2013.
Sent to the Governor March 21, 2013.
Vetoed by the Governor May 6, 2013.
General Assembly Overrides Total Veto May 22, 2013.
Effective May 22, 2013.

PUBLIC ACT 98-0016
(House Bill No. 0494)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27A-5 as follows:

(105 ILCS 5/27A-5)
Sec. 27A-5. Charter school; legal entity; requirements.
(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.
(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.
(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather

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than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

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(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;
(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;
(3) The Local Governmental and Governmental Employees Tort Immunity Act;
(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;
(5) The Abused and Neglected Child Reporting Act;
(6) The Illinois School Student Records Act;
(7) Section 10-17a of the School Code regarding school report cards; and
(8) The P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof; and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board

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or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 96-104, eff. 1-1-10; 96-105, eff. 7-30-09; 96-107, eff. 7-30-09; 96-734, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12.)

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

Passed in the General Assembly May 21, 2013.
Approved May 24, 2013.
Effective May 24, 2013.

PUBLIC ACT 98-0017
(House Bill No. 0206)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. “AN ACT concerning appropriations”, Public Act 97-0685, approved June 7, 2012, is amended by changing Section 5 of Article 5 as follows:

(P.A. 97-0685, Art. 5, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for provision of health care coverage as elected by eligible members per the State Employees Group Insurance Act of 1971:

From the General Revenue Fund. 1,450,000,000 1,100,000,000

New matter indicated by italics - deletions by strikeout
From the Road Fund............................. 176,323,000
From the Health Insurance Reserve Fund.............. 2,900,114,500 2,560,114,500
Total $4,526,437,500 3,836,437,500

Section 10. “AN ACT concerning appropriations”, Public Act 97-0725, approved June 30, 2012, is amended by changing Section 205 of Article 12 as follows:

(P.A. 97-0725, Art. 12, Sec. 205)
Sec. 205. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2012, from reappropriations heretofore made for such purposes in Article 4, Section 225 of Public Act 97-0076, as amended, are reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford District 205 for the projects hereinafter enumerated:

GREENTEK CARVER ACADEMY
For the acquisition, construction, rehabilitation, renovation and equipping to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System............. 0 500,000

CICS ROCKFORD CHARTER PATRIOTS CENTER
For the acquisition, construction, rehabilitation, and renovation and equipping to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System............. 1,000,000 500,000

SIGMA BETA LEADERSHIP SCHOOL
For the acquisition, construction, rehabilitation, and renovation and equipping to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System............. 1,000,000

New matter indicated by italics - deletions by strikeout
Section 15. “AN ACT concerning appropriations”, Public Act 97-0726, approved June 30, 2012, is amended by changing Section 20 of Article 6 as follows:

(P.A. 97-0726, Art. 6, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the State Board of Elections:

From the General Revenue Fund:
For HAVA Maintenance of Effort
Contribution-State.............................                                            550,000

For Reimbursement to Counties for Increased Compensation to Judges and other Election Officials, as provided in Public Acts 81-850, 81-1149, and 90-672-Election Day Judges only........................................... 1,347,100

For FY2013 costs related to development and implementation of Statewide voter canvassing operations and reporting system project, as mandated by Public Act 95-0699......................... 300,000

For FY2013 reimbursement and assistance to local election jurisdictions for ongoing support costs, and SBE maintenance of local election jurisdiction interfaces for the Illinois Voter Registration System (IVRS) Statewide database......................... 1,580,400

For Payment of Lump Sum Awards to County Clerks, County Recorders, and Chief Election Clerks as Compensation for Additional Duties required of such officials by consolidation of elections law, as provided in Public Acts 82-691 and 90-713............................. 644,800

From the Personal Property Tax Replacement Fund:
For Payment of Lump Sum Awards to County Clerks, County Recorders, and Chief Election Clerks as Compensation for Additional Duties required of such officials by consolidation of elections law,
Section 20. “AN ACT concerning appropriations”, Public Act 97-0727, approved June 30, 2012, is amended by changing Section 5 of Article 16 as follows:

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated for the ordinary and contingent expenses of the Office of the Governor:

**EXECUTIVE OFFICE**

Payable from the General Revenue Fund:

- For Personal Services .................. $4,176,300
- Social Security .................. $319,500
- For Contractual Services .................. $618,800
- For Travel .................. $91,300
- For Commodities .................. $63,700
- For Printing .................. $22,800
- For Equipment .................. $0
- For Electronic Data Processing .................. $182,000
- For Telecommunications Services .................. $273,000
- For Repairs and Maintenance .................. $18,200
- For Expenses Related to Ethnic Celebrations, Special Receptions, and Other Events .................. $45,500
- Total .................. $5,811,100

Section 25. “AN ACT making appropriations”, Public Act 97-0727, approved July 1, 2012, as amended, is amended by adding Sections 40, 45, 50 and 55 through 485 to Article 8 as follows:

Sec. 40. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of awards solely as a result of the lapsing of an appropriation originally made from any funds held by the State Treasurer.

Sec. 45. The sum of $8,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of line of duty awards.

New matter indicated by italics - deletions by strikeout
Sec. 50. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims Compensation Act:
- Payable from the General Revenue Fund .................................... 6,000,000

For claims other than Crime Victims:
- Payable from the General Revenue Fund ................................... 9,807,400

Sec. 55. The following named sums are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

- No. 03-CC-0994, Michael A. McDowell and Kristoffer Wendt, personal injury, against Department of Corrections.......................... $66,000.00
- No. 05-CC-0870, Lozaro Lopez, personal injury, against Department of Transportation................................. $53,756.25
- No. 07-CC-0161, Derek DeJohn Dow, personal injury, against Chicago State University............................. $13,825.00
- No. 07-CC-1486, Accurate Document Destruction, Inc., contract against Department of Human Services............................ $6,630.00
- No. 08-CC-0104, Guy Johnson, contract, against Department of Corrections......................... $13,300.00
- No. 08-CC-0869, Herbert Klimek, personal injury, against Department of Corrections....................... $6,000.00
- No. 08-CC-0876, Sharon Smalarz, tort, against Department of Human Services................................. $30,500.00
- No. 09-CC-0836, 59th and Ashland, LLC, contract, against Department of Central Management Services.................... $120,463.66
- No. 09-CC-1677, Aberdeen Terrace, et al,

New matter indicated by italics - deletions by strikeout
contract, against Department of Healthcare and Family Services and Department of Human Services.................. $498,877.48
No. 09-CC-3092, Sharon Smith-Johnson, personal injury against Governors State University......................... $54,000.00
No. 10-CC-3280, Frederick Coombe, property damage, against Department of Transportation............................. $6,663.99
No. 11-CC-3355, Roland Marr, property damage, against Department of Agriculture...................................... $5,000.00
No. 12-CC-0489, Alden Village North, Inc, contract, against Department of Human Services........................... $23,700.00
No. 12-CC-1264, Toltec Mechanical, Inc, debt, against Department of Human Services.................. $500,000.00
No. 13-CC-0753, Michael Saunders, unjust imprisonment........................................ $208,821.00
No. 13-CC-0793, Vincent Thames, unjust imprisonment........................................ $208,821.00
No. 13-CC-0797, Terrill Swift, unjust imprisonment........................................ $208,821.00
No. 13-CC-0800, Harold Richardson, unjust imprisonment........................................ $208,821.00
No. 13-CC-1135, Jacques Rivera, unjust imprisonment........................................ $208,821.00
No. 13-CC-1515, Alprentiss Nash, unjust imprisonment........................................ $208,821.00
No. 13-CC-3112, Alan Beaman, unjust imprisonment........................................ $182,355.00
No. 13-CC-3166, Andre Davis, unjust imprisonment........................................ $213,624.00
No. 13-CC-3201, Juan Rivera, unjust imprisonment........................................ $213,624.00

(P.A. 97-0727, Art. 8, Sec. 60 new)
Sec. 60. The following named sum is appropriated to the Court of Claims from State fund 007, Education Assistance Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of
Claims as follows:

Reimburse the General Revenue Fund for payment
of awards pursuant to P.A. 92-357............. $39,151.88

(P.A. 97-0727, Art. 8, Sec. 65 new)

Sec. 65. The following named sums are appropriated to the Court
of Claims from State fund 011, Road Fund, to pay claims in conformity
with awards and recommendations made by the Court of Claims as
follows:

No. 13-CC-1054, McAllister Equipment Company,
debt, against Department
of Transportation......................... $124,074.00

No. 13-CC-1055, McAllister Equipment Company,
debt, against Department
of Transportation......................... $124,074.00

No. 13-CC-1056, McAllister Equipment Company,
debt, against Department
of Transportation......................... $124,074.00

No. 13-CC-1822, Altorfer, Inc., debt, against
Department of Transportation.............. $90,366.00

No. 13-CC-1824, Altorfer, Inc., debt, against
Department of Transportation.............. $90,366.00

(P.A. 97-0727, Art. 8, Sec. 70 new)

Sec. 70. The following named sum is appropriated to the Court of
Claims from State fund 013, Prevention and Treatment of Alcoholism and
Substance Abuse Block Grant Fund, to pay claims in conformity with
awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payment of awards pursuant to
P.A. 92-357............................... $17,128.00

(P.A. 97-0727, Art. 8, Sec. 70 new)

Sec. 75. The following named sum is appropriated to the Court of
Claims from State fund 014, Food and Drug Safety Fund, to pay claims in
conformity with awards and recommendations made by the Court of
Claims as follows:

Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $75.00

(P.A. 97-0727, Art. 8, Sec. 80 new)

Sec. 80. The following named sum is appropriated to the Court of
Claims from State fund 016, Teacher Certificate Fee Revolving Fund, to
pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $184.38
(P.A. 97-0727, Art. 8, Sec. 90 new)
Sec. 90. The following named sum is appropriated to the Court of Claims from State fund 018, Transportation Regulatory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $60.00
(P.A. 97-0727, Art. 8, Sec. 95 new)
Sec. 95. The following named sum is appropriated to the Court of Claims from State fund 021, Financial Institution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $74.50
(P.A. 97-0727, Art. 8, Sec. 100 new)
Sec. 100. The following named sum is appropriated to the Court of Claims from State fund 040, State Parks Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $26,187.79
(P.A. 97-0727, Art. 8, Sec. 105 new)
Sec. 105. The following named sum is appropriated to the Court of Claims from State fund 041, Wildlife and Fish Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $30,024.65
(P.A. 97-0727, Art. 8, Sec. 110 new)
Sec. 110. The following named sum is appropriated to the Court of Claims from State fund 047, Fire Prevention Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $1,426.83

New matter indicated by italics - deletions by strikeout
Sec. 115. The following named sum is appropriated to the Court of Claims from State fund 052, Federal Title III Social Security & Employment Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $3,260.22

Sec. 120. The following named sum is appropriated to the Court of Claims from State fund 063, Public Health Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $41,925.88

Sec. 125. The following named sum is appropriated to the Court of Claims from State fund 065, US Environmental Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $548.02

Sec. 130. The following named sums are appropriated to the Court of Claims from State Fund 081, Vocational Rehabilitation, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 12-CC-1413, Victoria Cunha, debt, against Department of Human Services............. $6,435.00
No. 12-CC-2136, Garden Center Services, debt, against Department of Human Services..... $12,672.80
No. 12-CC-3966, Illinois Committee of Blind Vendors, debt, against Department of Human Services............... 2,233.64

Sec. 135. The following named sum is appropriated to the Court of Claims from State fund 093, Illinois State Medical Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
Sec. 140. The following named sum is appropriated to the Court of Claims from State fund 129, State Gaming Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $7,137.07
(P.A. 97-0727, Art. 8, Sec. 140 new)

Sec. 145. The following named sum is appropriated to the Court of Claims from State fund 135, Heartsaver AED Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $3,056.49
(P.A. 97-0727, Art. 8, Sec. 145 new)

Sec. 150. The following named sum is appropriated to the Court of Claims from State fund 163, Weights and Measures Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $30,855.00
(P.A. 97-0727, Art. 8, Sec. 150 new)

Sec. 155. The following named sum is appropriated to the Court of Claims from State fund 207, Pollution Control Board State Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $666.00
(P.A. 97-0727, Art. 8, Sec. 155 new)

Sec. 160. The following named sum is appropriated to the Court of Claims from State fund 215, Capital Development Board Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357...... $396.10
(P.A. 97-0727, Art. 8, Sec. 160 new)

Sec. 165. The following named sums are appropriated to the Court of Claims from State Fund 218, Professions Indirect Cost Fund, to pay

New matter indicated by italics - deletions by strikeout
claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 13-CC-0689, Veritec Solutions, LLC, debt, Department of Financial
and Professional Regulation............... $297,383.75
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357..... $35,556.61
(P.A. 97-0727, Art. 8, Sec. 170 new)
Sec. 170. The following named sum is appropriated to the Court of Claims from State Fund 220, DCFS Children’s Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 13-CC-1981, Board of Trustees University of Illinois, debt, against DCFS Children’s Services............... $126,121.00
(P.A. 97-0727, Art. 8, Sec. 175 new)
Sec. 175. The following named sum is appropriated to the Court of Claims from State fund 238, Illinois Health Facilities Planning Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $59.16
(P.A. 97-0727, Art. 8, Sec. 180 new)
Sec. 180. The following named sum is appropriated to the Court of Claims from State fund 272, Lasalle Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357..... $13,463.00
(P.A. 97-0727, Art. 8, Sec. 185 new)
Sec. 185. The following named sum is appropriated to the Court of Claims from State fund 273, Anna Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $9.00
(P.A. 97-0727, Art. 8, Sec. 190 new)
Sec. 190. The following named sum is appropriated to the Court of Claims from State fund 297, Guardianship and Advocacy Fund, to pay

New matter indicated by italics - deletions by strikeout
claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $17.91
(P.A. 97-0727, Art. 8, Sec. 195 new)
Sec. 195. The following named sum is appropriated to the Court of Claims from State fund 301, Working Capital Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $35,329.52
(P.A. 97-0727, Art. 8, Sec. 200 new)
Sec. 200. The following named sum is appropriated to the Court of Claims from State fund 304, Statistical Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $9,546.15
(P.A. 97-0727, Art. 8, Sec. 205 new)
Sec. 205. The following named sum is appropriated to the Court of Claims from State fund 312, Communications Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357..... $244,188.79
(P.A. 97-0727, Art. 8, Sec. 210 new)
Sec. 210. The following named sum is appropriated to the Court of Claims from State fund 314, Facilities Management Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $7,039.14
(P.A. 97-0727, Art. 8, Sec. 215 new)
Sec. 215. The following named sum is appropriated to the Court of Claims from State fund 317, Professional Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $24,404.67

New matter indicated by italics - deletions by strikeout
Sec. 220. The following named sum is appropriated to the Court of Claims from State fund 327, Tattoo and Body Piercing Establishment Registration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows: Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $6,712.50

Sec. 225. The following named sum is appropriated to the Court of Claims from State fund 332, Workers Compensation Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows: Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $189.00

Sec. 230. The following named sum is appropriated to the Court of Claims from State fund 347, Employment and Training, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 12-CC-0667, Social Work P.R.N., debt, against Department of Human Services........ $104,856.37

Sec. 235. The following named sum is appropriated to the Court of Claims from State fund 360, Lead Poisoning Screening, Prevention and Abatement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows: Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $200.00

Sec. 240. The following named sum is appropriated to the Court of Claims from State fund 362, Securities Audit and Enforcement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows: Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ 1,210.91

Sec. 245. The following named sum is appropriated to the Court of Claims from State fund 396, Senior Health Insurance Program Fund, to

New matter indicated by italics - deletions by strikeout
pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $217.65

(P.A. 97-0727, Art. 8, Sec. 250 new)

Sec. 250. The following named sum is appropriated to the Court of Claims from State fund 402, Illinois Arts Council State Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $177.65

(P.A. 97-0727, Art. 8, Sec. 255 new)

Sec. 255. The following named sum is appropriated to the Court of Claims from State fund 408, DHS Special Purpose Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $284.70

(P.A. 97-0727, Art. 8, Sec. 260 new)

Sec. 260. The following named sum is appropriated to the Court of Claims from State Fund 425, Illinois Power Agency Operations Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:


(P.A. 97-0727, Art. 8, Sec. 265 new)

Sec. 265. The following named sum is appropriated to the Court of Claims from State fund 438, Illinois State Fair Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $4,013.51

(P.A. 97-0727, Art. 8, Sec. 270 new)

Sec. 270. The following named sum is appropriated to the Court of Claims from State fund 476, Wholesome Meat Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for

New matter indicated by italics - deletions by strikeout
Sec. 280. The following named sum is appropriated to the Court of Claims from State fund 480, Secretary of State Identification Security and Theft Prevention, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $77.00

(P.A. 97-0727, Art. 8, Sec. 280 new)

Sec. 285. The following named sums are appropriated to the Court of Claims from State fund 483, Secretary of State Special Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-0701, Morpho Trust USA, Inc., debt, against Illinois Secretary of State..... $110,928.54

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.... $4,685.12

(P.A. 97-0727, Art. 8, Sec. 285 new)

Sec. 290. The following named sum is appropriated to the Court of Claims from State fund 495, Old Age Survivors Insurance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $95.00

(P.A. 97-0727, Art. 8, Sec. 290 new)

Sec. 295. The following named sum is appropriated to the Court of Claims from State fund 497, Federal Civil Preparedness Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $9,361.79

(P.A. 97-0727, Art. 8, Sec. 295 new)

Sec. 300. The following named sum is appropriated to the Court of Claims from State fund 514, State Asset Forfeiture Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $34.97

(P.A. 97-0727, Art. 8, Sec. 300 new)
Sec. 305. The following named sum is appropriated to the Court of Claims from State fund 523, Department of Corrections Reimbursement and Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357................................................. $36,753.00
(P.A. 97-0727, Art. 8, Sec. 310 new)

Sec. 310. The following named sum is appropriated to the Court of Claims from State fund 534, Illinois Workers’ Compensation Commission Operations Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......... 792.85
(P.A. 97-0727, Art. 8, Sec. 315 new)

Sec. 315. The following named sum is appropriated to the Court of Claims from State fund 537, State Offender DNA Identification System Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $805.56
(P.A. 97-0727, Art. 8, Sec. 320 new)

Sec. 320. The following named sum is appropriated to the Court of Claims from State fund 542, Attorney General Court Ordered and Voluntary Compliance Payments Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $1,145.69
(P.A. 97-0727, Art. 8, Sec. 325 new)

Sec. 325. The following named sum is appropriated to the Court of Claims from State fund 557, Illinois Prepaid Tuition Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......... $399.90
(P.A. 97-0727, Art. 8, Sec. 330 new)

Sec. 330. The following named sum is appropriated to the Court of Claims from State fund 561, SBE Federal Department of Education Fund,

New matter indicated by italics - deletions by strikeout
to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $815.81

(P.A. 97-0727, Art. 8, Sec. 335 new)

Sec. 335. The following named sum is appropriated to the Court of Claims from State fund 566, DCFS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $2,002.52

(P.A. 97-0727, Art. 8, Sec. 340 new)

Sec. 340. The following named sum is appropriated to the Court of Claims from State fund 592, DHS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $29,568.83

(P.A. 97-0727, Art. 8, Sec. 345 new)

Sec. 345. The following named sum is appropriated to the Court of Claims from State fund 600, Whistleblower Reward and Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $5,828.67

(P.A. 97-0727, Art. 8, Sec. 350 new)

Sec. 350. The following named sum is appropriated to the Court of Claims from State fund 614, Capital Litigation Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $270.65

(P.A. 97-0727, Art. 8, Sec. 355 new)

Sec. 355. The following named sum is appropriated to the Court of Claims from State fund 619, Quincy Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $38,904.08

New matter indicated by italics - deletions by strikeout
Sec. 360. The following named sum is appropriated to the Court of Claims from State fund 622, Motor Vehicle License Plate Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $149.00

Sec. 365. The following named sum is appropriated to the Court of Claims from State fund 646, Alcoholism and Substance Abuse Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $22,242.54

Sec. 370. The following named sum is appropriated to the Court of Claims from State fund 689, Agriculture Pesticide Control Act Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $1,180.81

Sec. 375. The following named sum is appropriated to the Court of Claims from State fund 692, ICCS Adult Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $23.86

Sec. 380. The following named sum is appropriated to the Court of Claims from State Fund 700, USDA Women, Infants and Childrens Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 11-CC-3751, Bethel New Life, Inc., debt, against Department of Human Services..... $64,556.56

Sec. 385. The following named sum is appropriated to the Court of Claims from State fund 711, State Lottery Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $1,213.70
(P.A. 97-0727, Art. 8, Sec. 390 new)

Sec. 390. The following named sum is appropriated to the Court of Claims from State fund 733, Tobacco Settlement Recovery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $2,579.88
(P.A. 97-0727, Art. 8, Sec. 395 new)

Sec. 395. The following named sum is appropriated to the Court of Claims from State fund 757, Child Support Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $14,922.81
(P.A. 97-0727, Art. 8, Sec. 400 new)

Sec. 400. The following named sum is appropriated to the Court of Claims from State fund 762, Local Initiative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $46,437.35
(P.A. 97-0727, Art. 8, Sec. 405 new)

Sec. 405. The following named sum is appropriated to the Court of Claims from State fund 764, Pet Population Control Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $320.00
(P.A. 97-0727, Art. 8, Sec. 410 new)

Sec. 410. The following named sum is appropriated to the Court of Claims from State fund 796, Nuclear Safety Emergency Preparedness Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $3,286.23

New matter indicated by italics - deletions by strikeout
Sec. 415. The following named sum is appropriated to the Court of Claims from State fund 808, Medical Special Purposes Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......... $239.76

Sec. 420. The following named sum is appropriated to the Court of Claims from State fund 826, Agriculture Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......... $153.00

Sec. 425. The following named sum is appropriated to the Court of Claims from State fund 850, Real Estate License Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......... $122.38

Sec. 430. The following named sum is appropriated to the Court of Claims from State fund 884, DNR Special Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......... $122.13

Sec. 435. The following named sum is appropriated to the Court of Claims from State fund 896, Public Health Special State Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......... $372.00

Sec. 440. The following named sum is appropriated to the Court of Claims from State fund 906, State Police Services Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of
Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357........ $2,499.00
(P.A. 97-0727, Art. 8, Sec. 455 new)

Sec. 445. The following named sum is appropriated to the Court of
Claims from State Fund 913, Federal Workforce Training Fund, to pay
claims in conformity with awards and recommendations made by the
Court of Claims as follows:
No. 12-CC-2901, Crowe Horwath, LLP, debt,
against Department of Commerce
and Economic Opportunity....................... $58,094.88
(P.A. 97-0727, Art. 8, Sec. 450 new)

Sec. 450. The following named sum is appropriated to the Court of
Claims from State fund 920, Metabolic Screening and Treatment Fund, to pay
claims in conformity with awards and recommendations made by the
Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357........ $678.32
(P.A. 97-0727, Art. 8, Sec. 455 new)

Sec. 455. The following named sum is appropriated to the Court of
Claims from State fund 922, Insurance Producer Administration Fund, to pay
claims in conformity with awards and recommendations made by the
Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357........ $2,800.00
(P.A. 97-0727, Art. 8, Sec. 460 new)

Sec. 460. The following named sum is appropriated to the Court of
Claims from State fund 940, Self-Insured Employees Liability Fund, to pay
claims in conformity with awards and recommendations made by the
Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357........ $766.67
(P.A. 97-0727, Art. 8, Sec. 465 new)

Sec. 465. The following named sum is appropriated to the Court of
Claims from State fund 962, Park and Conservation Fund, to pay claims
in conformity with awards and recommendations made by the Court of
Claims as follows:
Reimburse the General Revenue Fund for

New matter indicated by italics - deletions by strikeout
Sec. 470. The following named sum is appropriated to the Court of Claims from State fund 971, Build Illinois Bond Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 97-0727, Art. 8, Sec. 470 new)

Sec. 475. The following named sum is appropriated to the Court of Claims from State fund 980, Manteno Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 97-0727, Art. 8, Sec. 475 new)

Sec. 480. The following named sum is appropriated to the Court of Claims from State fund 997, Insurance Financial Regulation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 97-0727, Art. 8, Sec. 480 new)

Sec. 485. The following named sum is appropriated to the Court of Claims from the General Revenue Fund to pay a lapsed appropriation claim for services rendered in a prior year for which insufficient funds lapsed in the appropriation account out of which payment for the services would have been made:
No. 11-CC-2546 Safer Foundation, against the Illinois Department of Corrections

(P.A. 97-0727, Art. 8, Sec. 485 new)

Section 30. “AN ACT concerning appropriations”, Public Act 97-0730, approved June 30, 2012, as amended, is amended by changing Section 25 of Article 1 as follows:

(P.A. 97-0730, Art. 1, Sec. 25)

Sec. 25. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund:
For grants and for administrative expenses associated with the purchase of services covered by the Community Care Program.............. $1,002,124,400
860,124,400
For Grants and for Administrative Expenses Associated with Comprehensive Care Coordination, including prior year costs............... 57,406,400
For Grants for Retired Senior Volunteer Program....................... 557,400
For Planning and Service Grants to Area Agencies on Aging.............. 5,800,000
For Grants for the Foster Grandparent Program.......................... 243,800
For Expenses to the Area Agencies on Aging for Long-Term Care Systems Development.......................... 246,300
For the Ombudsman Program.......................... 1,348,400
For Grants for distribution to the 13 Area Agencies on Aging for costs for home delivered meals and mobile food equipment........ 0
Grants for Community Based Services including information and referral services, transportation and delivered meals............................... 0
Grants for Community Based Services for equal distribution to each of the 13 Area Agencies on Aging......................... 758,800
Total $1,068,485,500 892,485,500
Payable from the Tobacco Settlement Recovery Fund:
For Medicaid-Community Care Program.............. 9,000,000
For the Ordinary and Contingent Expenses of the Senior citizens Circuit Breaker and Pharmaceutical Assistance Program............... 0
For Grants and Administrative Expenses of Senior Health Assistance Programs.......................... 1,600,000

New matter indicated by italics - deletions by strikeout
Payable from Services for Older Americans Fund:
- For Adult Food Care Program.......................... 200,000
- For Title V Employment Services.................. 6,500,000
- For Title III C-1 Congregate Meals Program.... 21,000,000
- For Title III C-2 Home Delivered Meals Program.......................... 11,000,000
- For Title III Social Services....................... 17,000,000
- For National Lunch Program......................... 1,800,000
- For National Family Caregiver Support Program................................ 7,500,000
- For Title VII Prevention of Elder Abuse, Neglect, and Exploitation........... 500,000
- For Title VII Long Term Care Ombudsman Services for Older Americans...... 1,000,000
- For Title III D Preventive Health................... 1,000,000
- For Nutrition Services Incentive Program...... 8,500,000
- For Additional Title V Grant........................ 0
Total $76,000,000

Section 35. “AN ACT concerning appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Sections 10 and 85 and of Article 6 and by adding new Section 95 to Article 6 as follows:

(P.A. 97-0730, Art. 6, Sec. 10)

Sec. 10. In addition to any sums heretofore appropriated, the following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance:


Payable from General Revenue Fund:
- For Physicians.......................... 782,356,800
- For Dentists.......................... 233,021,900
- For Optometrists........................ 38,816,600
- For Podiatrists........................ 1,663,200
- For Chiropractors........................ 464,900
- For Hospital In-Patient, Disproportionate Share and Ambulatory Care........ 2,465,227,600

New matter indicated by italics - deletions by strikeout
For federally defined Institutions for Mental Diseases................. 104,365,800
For Supportive Living Facilities.............. 115,723,300
For all other Skilled, Intermediate, and Other Related Long Term Care Services...... 737,533,500
For Community Health Centers.................. 302,410,800
For Hospice Care................................ 63,212,100
For Independent Laboratories................... 38,159,100
For Home Health Care, Therapy, and Nursing Services..................... 89,452,800
For Appliances................................ 54,672,000
For Transportation............................. 43,597,800
For Other Related Medical Services, development, implementation, and operation of managed care and children's health programs, operating and administrative costs and related distributive purposes............... 138,662,300
For Medicare Part A Premiums.................. 16,422,400
For Medicare Part B Premiums.... 295,822,200 337,746,500
For Medicare Part B Premiums for Qualified Individuals under the Federal Balanced Budget Act of 1997........ 25,063,900
For Health Maintenance Organizations and Managed Care Entities............... 242,203,400
For Division of Specialized Care for Children.......................... 42,043,600
Total $5,831,896,000 $5,873,820,300

In addition to any sums heretofore appropriated, the following named sums, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program for prescribed drugs, including related administrative and operation costs, and costs related to the operation of the Health Benefits for Workers with Disabilities Program:
Payable from:

New matter indicated by italics - deletions by strikeout
General Revenue Fund.........................                                    753,377,300
Drug Rebate Fund.............................                                       845,000,000
Tobacco Settlement Recovery Fund.............                           200,600,000
Medicaid Buy-In Program Revolving Fund...........                        450,000
Total                                                                                  $1,799,427,300

(P.A. 97-0730, Art. 6, Sec. 85)
Sec. 85. The sum of $215,000,000 $150,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Electronic Health Record Incentive Fund for the purpose of payments to qualifying health care providers to encourage the adoption and use of certified electronic health records technology pursuant to paragraph 1903 (t)(1) of the Social Security Act.

(P.A. 97-0730, Art. 6, Sec. 95 new)
Sec. 95. The sum of $130,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for deposit into the Healthcare Provider Relief Fund.

Section 40. “AN ACT concerning appropriations”, Public Act 97-0730, approved June 30, 2012, is amended by changing Sections 10, 90, 120, and 145 of Article 9 as follows:

(P.A. 97-0730, Art. 9, Sec. 10)
Sec. 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

Payable from General Revenue Fund:
For Personal Services..........................                                               0
For State Contributions to Social Security..........          0
For Group Insurance....................................                                              0
For Contractual Services.......................                                       2,061,800
For Contractual Services:
 For Leased Property Management...............                             40,459,300
For Contractual Services:
 For CMS Fleet Management.........................
For Contractual Services:
 For Press Information Officers Management.......                         206,000
For Contractual Services:

New matter indicated by italics - deletions by strikeout
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<th>Category</th>
<th>Amount</th>
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<td>For Graphic Design Management</td>
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<td>For Travel</td>
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<td>For Commodities</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
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<td>For In-Service Training</td>
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<td>For Indirect Cost Principles/Interfund Transfer Payable to the Vocational Rehabilitation Fund</td>
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<td><strong>Total</strong></td>
<td><strong>$51,667,500</strong></td>
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<td><strong>Payable from Vocational Rehabilitation Fund:</strong></td>
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<td>For Personal Services</td>
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<td>For Retirement Contributions</td>
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<td>For State Contributions to Social Security</td>
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<td>For Group Insurance</td>
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<td>For Contractual Services</td>
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<td>For Contractual Services: For Leased Property Management</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
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<td>For In-Service Training</td>
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<td><strong>Total</strong></td>
<td><strong>$18,891,800</strong></td>
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<td>For Contractual Services:</td>
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<td>For Leased Property Management</td>
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<td>Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund</td>
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<td>Payable from Federal National Community Services Grant Fund</td>
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<tr>
<td>Payable from DHS Special Purposes Trust Fund</td>
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<td>Payable from Old Age Survivors’ Insurance Fund</td>
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<tr>
<td>Payable from Early Intervention Services Revolving Fund</td>
<td>112,000</td>
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<tr>
<td>Payable from DHS Federal Projects Fund</td>
<td>135,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Payable from USDA Women, Infants and
Children Fund................................. 399,600
Payable from Local Initiative Fund.......... 125,400
Payable from Domestic Violence
Shelter and Service Fund...................... 63,700
Payable from Maternal and Child
Health Services Block Grant Fund............. 81,500
Payable from Community Mental Health Services
Block Grant Fund................................ 71,000
Payable from Juvenile Justice Trust Fund..... 14,500
Payable from DHS Recoveries Trust Fund..... 454,100
Total $5,167,700

Payable from DHS Private Resources Fund:
For Grants and Costs associated with Human
Services Activities funded by Grants or
Private Donations............................... 150,000

Payable from Mental Health Fund:
For Costs associated with Mental Health and
Developmental Disabilities Special Projects... 3,000,000
For costs associated with DHS inter-agency
Support Services ................................. 3,000,000

Payable from DHS State Projects Fund:
For expenses associated with Energy
Conservation and Efficiency programs......... 1,000,000

Payable from DHS Recoveries Trust Fund:
For expenses associated with
recovering overpayments to
benefit recipients............................... 9,742,700
Total $16,892,700

Payable from DHS Technology Initiative Fund:
For expenses associated with the
Framework project............................... 5,000,000

(P.A. 97-0730, Art. 9, Sec. 90)
Sec. 90. The sum of $10,525,800 $25,525,800, or so much thereof
as may be necessary, is appropriated from the General Revenue Fund to
the Department of Human Services for costs associated with the operation
of Jacksonville State Operated Developmental Center or the costs
associated with services for the transition of State Operated Developmental Centers residents to alternative community settings.

New matter indicated by italics - deletions by strikeout
(P.A. 97-0730, Art. 9, Sec. 120)

Sec. 120. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT

GRANTS-IN-AID AND PURCHASED CARE

For all costs associated with
Community Based Services for
Persons with Developmental Disabilities
and for Intermediate Care Facilities
for the Mentally Retarded and
Alternative Community Programs
including prior year costs
Payable from General
Revenue Fund.................. 1,156,373,400
For Intermediate Care Facilities
for the Mentally Retarded and
Alternative Community Programs
including prior year costs
Payable from Care Provider Fund for Persons
with a Developmental Disability............ 52,000,000
For Community Based Services for
Persons with Developmental
Disabilities at the approximate
cost set forth below:
Payable from Mental Health Fund.............. 9,965,600
Payable from Community Developmental
Disability Services Medicaid Trust Fund..... 35,000,000
Total $1,253,339,000
Payable from General Revenue Fund:
For costs associated with the provision
of Specialized Services to Persons with
Developmental Disabilities.................... 7,740,000
For a grant to the Autism Program for an
Autism Diagnosis Education Program
For Young Children........................... 4,181,600

New matter indicated by italics - deletions by strikeout
For a Grant to Best Buddies...................... 338,600
For a grant to the ARC of Illinois
For the Life Span Project ...................... 386,100
For Developmental Disability Quality
Assurance Waiver............................. 485,500
For costs associated with Developmental
Disability Community Transitions or
State Operated Facilities............ 29,486,600  14,486,600
For costs associated with young adults
Transitioning from the Department of
Children and Family Services to the
Developmental Disability Service
System........................................ 2,196,400
Total $44,814,800 $29,814,800

Payable from Special Olympics
Illinois Fund:
For the costs associated with Special Olympics... 100,000
(P.A. 97-0730, Art. 9, Sec. 145)
Sec. 145. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for the objects and
purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT
GRANTS-IN-AID

Payable from General Revenue Fund:
For Costs Associated with Community Based
Addiction Treatment to Medicaid Eligible
and AllKids clients, Including Prior Year
Costs................................. 52,396,400  43,396,400
For costs associated with Community
Based Addiction Treatment Services........... 60,940,500
For Addiction Treatment Services for
DCFS clients................................ 9,257,700
For costs associated with Addiction
Treatment Services for Special Populations.... 5,766,500
Total $119,361,100

Payable from State Gaming Fund:
For Costs Associated with Treatment of
Individuals who are Compulsive Gamblers........ 996,300
For Addiction Treatment and Related Services:

New matter indicated by italics - deletions by strikeout
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund............................. 57,500,000
Payable from Youth Drug Abuse Prevention Fund............................. 530,000
For Grants and Administrative Expenses Related to Addiction Treatment and Related Services: Payable from Drunk and Drugged Driving Prevention Fund............................. 3,082,900 Payable from Drug Treatment Fund............................. 5,000,000 Payable from Alcoholism and Substance Abuse Fund............................. 22,102,900
For underwriting the cost of housing for groups of recovering individuals: Payable from Group Home Loan Revolving Fund............................. 200,000
Total $89,412,100

The Department, with the consent in writing from the Governor, may reapportion not more than two percent of the total appropriation of General Revenue Funds in Section 145 above "Addiction Treatment" among the purposes therein enumerated.

Section 45. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, as amended, is amended by changing Sections 5, 25, 45 and 50 of Article 4 as follows:

(P.A. 97-0731, Art. 4, Sec. 5)
Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Corrections for the fiscal year ending June 30, 2013:

FOR OPERATIONS
GENERAL OFFICE

For Personal Services............ $16,855,500 17,526,100
For State Contributions to Social Security................. $1,289,400 1,340,700
For Contractual Services............ $8,195,000 10,825,600
For Travel....................................... 210,000
For Commodities............................ 900,900 751,400
For Printing....................................... 5,900

New matter indicated by italics - deletions by strikeout
For Equipment........................................ 30,000 45,800
For Electronic Data Processing.............. 13,451,100
For Telecommunications Services........... 3,400,000 2,100,000
For Operation of Auto Equipment............ 96,500
For Tort Claims.................................... 760,700
Total $45,195,000 $47,113,800

(P.A. 97-0731, Art. 4, Sec. 25)

Sec. 25. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the General Revenue Fund to meet the ordinary and
contingent expenses of the Department of Corrections:

EDUCATION SERVICES
For Personal Services.................. 11,660,800 12,902,800
For Student, Member and Inmate
Compensation................................. 10,000
For Contributions to Teacher’s
  Retirement System.......................... 2,800
For State Contributions to
  Social Security......................... 892,100 987,000
For Contractual Services......... 7,924,800 5,549,100
For Travel........................................ 7,500
For Commodities............................ 152,200
For Printing.................................... 29,000
For Telecommunications Services........ 5,500
For Operation of Auto Equipment........ 1,500
Total $20,686,200 $19,647,400

FIELD SERVICES
For Personal Services............ 51,600,000 44,731,800
For Student, Member and Inmate
Compensation.............................. 87,500
For State Contributions to
  Social Security....................... 3,947,400 3,393,800
For Contractual Services........ 34,323,400 34,062,100
For Travel................................. 170,000 123,700
For Travel and Allowance for Committed,
  Paroled and Discharged Prisoners..... 14,100
For Commodities....................... 194,800 286,800
For Printing............................... 3,700
For Equipment......................... 71,700

New matter indicated by italics - deletions by strikeout
For Telecommunications Services....... 6,698,100 481,100
For Operation of Auto Equipment....... 2,000,500 929,400
Total $99,111,200 $90,185,700

(P.A. 97-0731, Art. 4, Sec. 45)
Sec. 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund for:

BIG MUDDY RIVER CORRECTIONAL CENTER
For Personal Services............ 19,310,000 19,684,000
For Student, Member and Inmate Compensation................................. 310,000
For State Contributions to Social Security................................. 1,477,200 1,505,800
For Contractual Services............ 7,659,000 7,809,300
For Travel................................. 14,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners......................... 28,600
For Commodities..................... 2,211,900 1,876,500
For Printing............................... 14,100
For Equipment............................ 45,000
For Telecommunications Services.......... 85,100
For Operation of Auto Equipment............ 94,400
Total $31,208,200 $31,425,700

CENTRALIA CORRECTIONAL CENTER
For Personal Services............ 23,100,000 22,480,300
For Student, Member and Inmate Compensation................................. 276,000
For State Contributions to Social Security................................. 1,719,800 1,719,800
For Contractual Services............ 4,924,100 4,818,300
For Travel................................. 5,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners......................... 28,000
For Commodities..................... 1,937,200 1,708,300
For Printing............................... 13,800
For Equipment............................ 70,000 130,000
For Telecommunications Services.......... 85,100
For Operation of Auto Equipment............ 31,500
Total $32,190,500 $31,296,100

New matter indicated by italics - deletions by strikeout
### DANVILLE CORRECTIONAL CENTER

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For Contractual Services ..................... 12,661,400
For Travel .......................................... 45,500
For Travel and Allowances for Committed,
Paired and Discharged Prisoners .................. 19,800
For Commodities .......................... 3,575,600 3,181,700
For Printing ........................................ 25,700
For Equipment ..................................... 125,000
For Telecommunications Services .................. 120,000
For Operation of Auto Equipment ............... 151,200
Total ................................................ $56,055,800 $55,467,600

**DWIGHT CORRECTIONAL CENTER**

For Personal Services ............. 17,975,000 4,452,700
For Student, Member and Inmate
Compensation ................................. 160,000
For State Contributions to
Social Security .............................. 1,375,100 1,822,700
For Contractual Services ............. 6,519,200 7,926,000
For Travel ....................................... 34,600
For Travel and Allowances for Committed,
Paired and Discharged Prisoners .......... 9,900
For Commodities ....................... 1,270,300 1,715,400
For Printing ................................. 23,200
For Equipment ............................. 10,000 150,000
For Telecommunications Services ........ 120,800
For Operation of Auto Equipment .......... 195,000
Total ........................................... $27,693,100 $35,993,400

**EAST MOLINE CORRECTIONAL CENTER**

For Personal Services .......... 18,080,000 17,819,700
For Student, Member and Inmate
Compensation ............................... 241,000
For State Contributions to
Social Security ............................ 1,383,100 1,363,200
For Contractual Services ............ 4,488,700 4,154,200
For Travel .................................... 8,000
For Travel and Allowances for Committed,
Paired and Discharged Prisoners .... 24,000
For Commodities ................. 1,835,800 1,392,100
For Printing .............................. 2,900
For Equipment ............................ 129,000
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**HILL CORRECTIONAL CENTER**

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**ILLINOIS RIVER CORRECTIONAL CENTER**

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New matter indicated by italics - deletions by strikeout
For State Contributions
  to Social Security .......................... 1,581,600
  For Contractual Services.................. 7,894,900
  For Travel.................................. 14,000
  For Travel and Allowance for Committed, Paroled and Discharged Prisoners............. 33,700
  For Commodities............................ 2,717,300 2,316,900
  For Printing................................ 13,000
  For Equipment............................. 80,000 130,000
  For Telecommunications Services........... 52,600
  For Operation of Auto Equipment.......... 37,800
  Total $33,169,900 $33,064,500

   JACKSONVILLE CORRECTIONAL CENTER
For Personal Services........... 25,650,000 26,168,200
For Student, Member and Inmate Compensation........................... 323,000 386,000
For State Contributions to
  Social Security.......................... 2,001,900
  For Contractual Services............. 4,226,800 4,173,800
  For Travel.................................. 5,000
  For Travel and Allowance for Committed, Paroled and Discharged Prisoners.......... 2,500
  For Commodities............................ 2,667,900 2,570,500
  For Printing................................ 12,800
  For Equipment.............................. 90,000 140,000
  For Telecommunications Services........ 53,000
  For Operation of Auto Equipment........ 114,100
  Total $35,147,000 $35,327,800

   LAWRENCE CORRECTIONAL CENTER
For Personal Services........... 25,204,000 24,605,900
For Student, Member and Inmate Compensation........................... 325,300
For State Contributions to
  Social Security.......................... 1,882,300
  For Contractual Services............. 7,815,500 7,988,200
  For Travel.................................. 30,000
  For Travel and Allowances for Committed, Paroled and Discharged Prisoners........... 54,000
  For Commodities............................ 3,503,000

New matter indicated by italics - deletions by strikeout
| For Printing                      | 22,400 |
| For Equipment                    | 100,000 |
| For Telecommunications Services  | 106,000 |
| For Operation of Auto Equipment  | 84,400  |
| Total                             | $39,126,800 $38,701,400 |

LINCOLN CORRECTIONAL CENTER

| For Personal Services           | 13,600,000 | 14,416,600 |
| For Student, Member and Inmate Compensation | 220,000   |
| For State Contributions to Social Security | 1,040,400 1,102,900 |
| For Contractual Services        | 5,256,100 |
| For Travel                      | 11,000    |
| For Travel and Allowances for Committed, Paroled and Discharged Prisoners | 7,000 |
| For Commodities                 | 1,121,900 878,200 |
| For Printing                    | 10,000    |
| For Equipment                   | 100,000   |
| For Telecommunications Services | 86,000    |
| For Operation of Auto Equipment | 46,900    |
| Total                           | $21,499,300 $22,134,700 |

LOGAN CORRECTIONAL CENTER

| For Personal Services           | 22,270,000 | 22,059,200 |
| For Student, Member and Inmate Compensation | 354,000   |
| For State Contributions to Social Security | 1,703,700 1,687,500 |
| For Contractual Services        | 6,259,600  5,491,900 |
| For Travel                      | 3,000     |
| For Travel and Allowances for Committed, Paroled and Discharged Prisoners | 15,500 |
| For Commodities                 | 2,639,100 |
| For Printing                    | 11,600    |
| For Equipment                   | 105,000   |
| For Telecommunications Services | 104,000   |
| For Operation of Auto Equipment | 190,300   |
| Total                           | $33,655,800 $32,661,100 |

MENARD CORRECTIONAL CENTER

| For Personal Services           | 53,475,800 | 51,636,400 |

New matter indicated by italics - deletions by strikeout
For Student, Member and Inmate Compensation.................................... 351,000
For State Contributions to Social Security.................... 4,090,900 3,950,200
For Contractual Services............ 9,990,100 10,284,100
For Travel........................................ 34,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............. 9,000
For Commodities..................... 6,405,200 5,491,300
For Printing...................................... 26,700
For Equipment........................... 175,000 275,000
For Telecommunications Services............. 141,900
For Operation of Auto Equipment........ 178,800 103,800
Total $74,878,400 $72,303,400

PINCKNEYVILLE CORRECTIONAL CENTER
For Personal Services.......... 29,175,000 28,648,200
For Student, Member and Inmate Compensation.............................. 301,000
For State Contributions to Social Security.................... 2,191,600
For Contractual Services............ 8,432,600 8,256,700
For Travel........................................ 12,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............. 37,000
For Commodities..................... 3,254,200 2,855,000
For Printing...................................... 18,000
For Equipment........................... 81,500
For Telecommunications Services............. 57,000
For Operation of Auto Equipment........ 102,800
Total $43,662,700 $42,560,800

PONTIAC CORRECTIONAL CENTER
For Personal Services.......... 42,800,000 37,789,300
For Student, Member and Inmate Compensation.............................. 210,000
For State Contributions to Social Security.................... 3,274,200 2,890,900
For Contractual Services............ 9,687,100 10,040,300
For Travel........................................ 27,500
For Travel and Allowances for Committed,

New matter indicated by italics - deletions by strikeout
Paroled and Discharged Prisoners.................. 7,000
For Commodities.............................. 3,432,200 2,954,000
For Printing....................................... 17,000
For Equipment.................................... 130,000 200,000
For Telecommunications Services.................. 175,000
For Operation of Auto Equipment.................. 94,400
Total $59,854,400 $54,405,400

ROBINSON CORRECTIONAL CENTER
For Personal Services................ 15,760,000 15,870,100
For Student, Member and Inmate Compensation........ 225,000
For State Contribution to Social Security......................... 1,214,100
For Contractual Services.................... 4,814,100
For Travel........................................... 7,500
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... 11,600
For Commodities.............................. 1,614,000 1,520,900
For Printing....................................... 13,700
For Equipment..................................... 90,000
For Telecommunications Services.................. 28,000
For Operation of Auto Equipment.................. 39,500
Total $23,817,500 $23,834,500

SHAWNEE CORRECTIONAL CENTER
For Personal Services................ 22,584,600 21,914,400
For Student, Member and Inmate Compensation........ 330,000
For State Contributions to Social Security......................... 1,676,400
For Contractual Services.................... 6,465,200 6,350,800
For Travel........................................... 12,700
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... 73,000
For Commodities.............................. 2,933,900 2,653,200
For Printing....................................... 10,900
For Equipment.................................... 115,000
For Telecommunications Services.................. 60,000
For Operation of Auto Equipment.................. 40,100
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<tr>
<td>Social Security...................</td>
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<td>5,559,300</td>
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<tr>
<td>For Contractual Services</td>
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<td>For Travel</td>
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<td>Paroled and Discharged Prisoners</td>
<td>$35,000</td>
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<td>For Commodities</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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TAYLORVILLE CORRECTIONAL CENTER

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<td>For Personal Services</td>
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<tr>
<td>For Student, Member and Inmate Compensation</td>
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<td>For State Contribution to</td>
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<tr>
<td>Social Security</td>
<td>$1,165,400</td>
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<td>For Contractual Services</td>
<td>$5,072,000</td>
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<td>For Travel</td>
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<td>For Travel and Allowance for Committed, Paroled</td>
<td>$6,000</td>
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<td>and Discharged Prisoners</td>
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<td>For Commodities</td>
<td>$1,612,000</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Automotive Equipment</td>
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VANDALIA CORRECTIONAL CENTER

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<td>For Personal Services</td>
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<td>For Student, Member and Inmate Compensation</td>
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<td>Social Security</td>
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<td>For Contractual Services</td>
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<td>For Travel and Allowances for Committed, Paroled</td>
<td>$14,400</td>
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<td>and Discharged Prisoners</td>
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<tr>
<td>For Commodities</td>
<td>$2,660,400</td>
<td>$2,543,000</td>
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<tr>
<td>For Printing</td>
<td>$5,800</td>
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<tr>
<td>For Equipment</td>
<td>$125,000</td>
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</table>

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................. 80,000
For Operation of Auto Equipment............... 65,200
Total $31,363,000 $31,182,100

VIENNA CORRECTIONAL CENTER
For Personal Services............ 24,200,000 23,004,900
For Student, Member and Inmate Compensation........................................ 260,000
For State Contributions to
Social Security................................. 1,759,900
For Contractual Services............. 3,961,300 3,678,300
For Travel............................................... 4,900
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners......... 75,000
For Commodities................................. 3,258,100 3,155,500
For Printing........................................... 9,400
For Equipment........................................ 125,000
For Telecommunications Services............ 54,000
For Operation of Auto Equipment............. 105,400
Total $33,813,000 $32,232,300

WESTERN ILLINOIS CORRECTIONAL CENTER
For Personal Services........... 22,661,800 24,028,400
For Student, Member and Inmate Compensation........................................ 311,000
For State Contributions to
Social Security................................. 1,773,600 1,838,100
For Contractual Services............. 6,770,100 6,695,700
For Travel............................................... 17,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners......... 22,000
For Commodities................................. 2,521,500 2,339,500
For Printing........................................... 15,000
For Equipment........................................ 135,000
For Telecommunications Services............ 56,000
For Operation of Auto Equipment............. 76,000
Total $34,319,000 $35,533,700

(P.A. 97-0731, Art. 4, Sec. 50)
Sec. 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the Working Capital Revolving Fund:

New matter indicated by italics - deletions by strikeout
ILLINOIS CORRECTIONAL INDUSTRIES

For Personal Services ....................... 11,131,600
For the Student, Member and Inmate Compensation ......................... 2,077,400
For State Contributions to State Employees' Retirement System .................. 4,228,600
For State Contributions to Social Security .......................... 866,500
For Group Insurance ......................... 3,335,000
For Contractual Services .................. 3,498,900
For Travel ..................................... 99,900
For Commodities .................. 25,610,000 24,610,100
For Printing ................................... 9,400
For Equipment .......................... 1,834,000
For Telecommunications Services ............... 64,400
For Operation of Auto Equipment .................. 1,011,400
For Repairs, Maintenance and Other Capital Improvements .................. 147,000
For Refunds .................................. 7,400
Total $53,921,600 $52,921,600

Section 50. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, is amended by changing Sections 5 and 10 of Article 10 as follows:

(P.A. 97-0731, Art. 10, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Juvenile Justice for the fiscal year ending June 30, 2013:

FOR OPERATIONS
GENERAL OFFICE

For Personal Services .............. 1,014,200 1,319,200
For State Contributions to Social Security ............................ 100,900
For Contractual Services .................. 286,700
For Travel .................................. 25,000
For Commodities .................. 5,500
For Printing ..................... 1,000
For Equipment .......................... 19,300

New matter indicated by italics - deletions by strikeout
For Electronic Data Processing.......................... 658,300
For Telecommunications Services.................. 140,000
For Operation of Auto Equipment................... 17,400
For Tort Claims........................................ 600,000
Total $2,868,300 $3,173,300

SCHOOL DISTRICT
For Personal Services......................... 6,915,000 7,259,700
For State Contributions to Teachers' Retirement System................................. 500
For State Contributions to Social Security ........................................... 555,400
For Contractual Services......................... 1,046,200
For Travel............................................... 3,000
For Commodities........................................ 38,900
For Printing............................................. 2,000
For Telecommunications Services.............. 21,600
For Operation of Auto Equipment.............. 2,000
Total $8,584,600 $8,929,300

AFTERCARE SERVICES
For Personal Services......................... 2,625,000 4,599,300
For State Contributions to Social Security ............... 200,900 351,800
For Contractual Services......................... 2,536,300
For Travel............................................... 25,000
For Travel and Allowances for Committed, Paroled and Discharged Youth................................. 5,000
For Commodities........................................ 47,300
For Printing............................................. 1,700
For Equipment........................................... 509,400
For Telecommunications Services.............. 142,400
For Operation of Auto Equipment.............. 103,600 158,300
Total $6,196,600 $8,376,500

(P.A. 97-0731, Art. 10, Sec. 10)
Sec. 10. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Juvenile Justice from the General Revenue Fund:

ILLINOIS YOUTH CENTER - CHICAGO
For Personal Services......................... 6,150,000 5,482,900
For Student, Member and Inmate

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Harrisburg</th>
<th>Joliet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation</td>
<td>6,300</td>
<td>6,000</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>419,400</td>
<td>600,400</td>
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<td>For Contractual Services</td>
<td>3,004,900</td>
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<td>For Travel</td>
<td>2,300</td>
<td>5,400</td>
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<td>For Commodities</td>
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<td>For Printing</td>
<td>3,000</td>
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<td>For Equipment</td>
<td>27,700</td>
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<td>For Telecommunications Services</td>
<td>24,800</td>
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<td>For Operation of Auto Equipment</td>
<td>14,400</td>
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<td><strong>Total</strong></td>
<td><strong>$9,999,900</strong></td>
<td><strong>$9,332,800</strong></td>
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**ILLINOIS YOUTH CENTER - HARRISBURG**

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<tr>
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<tbody>
<tr>
<td>For Personal Services</td>
<td>16,719,200</td>
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<tr>
<td>For Student, Member and Inmate</td>
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<td>Compensation</td>
<td>40,500</td>
<td>6,000</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>1,184,800</td>
<td>600,400</td>
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<td>For Contractual Services</td>
<td>2,746,500</td>
<td>1,971,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>4,600</td>
<td>5,400</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Youth</td>
<td>14,400</td>
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<tr>
<td>For Commodities</td>
<td>809,500</td>
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<td>For Printing</td>
<td>9,800</td>
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<tr>
<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
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<td><strong>Total</strong></td>
<td><strong>$21,633,400</strong></td>
<td><strong>$20,266,600</strong></td>
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**ILLINOIS YOUTH CENTER - JOLIET**

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<th>Joliet</th>
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<tbody>
<tr>
<td>For Personal Services</td>
<td>9,130,000</td>
<td>7,848,200</td>
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<tr>
<td>For Student, Member and Inmate</td>
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<tr>
<td>Compensation</td>
<td>6,000</td>
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<tr>
<td>For State Contributions to Social Security</td>
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<tr>
<td>For Contractual Services</td>
<td>1,971,400</td>
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<tr>
<td>For Travel</td>
<td>5,400</td>
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<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Youth</td>
<td>600</td>
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<td>For Commodities</td>
<td>244,200</td>
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<tr>
<td>For Printing</td>
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New matter indicated by italics - deletions by strikeout
For Equipment .................................. 19,800
For Telecommunications Services ............... 21,000
For Operation of Auto Equipment ................ 33,600
Total ........................................ $12,033,600

ILLINOIS YOUTH CENTER - KEWANEE
For Personal Services ....................... $13,560,000
For Student, Member and Inmate Compensation ........................................ 16,400
For State Contributions to Social Security ...................... 1,014,400
For Contractual Services ..................... 3,180,400
For Travel ...................................... 9,000
For Travel and Allowances for Committed,
Paroled and Discharged Youth .................. 300
For Commodities ............................. 566,300
For Printing ................................... 8,600
For Equipment ................................ 45,800
For Telecommunications Services ............ 84,500
For Operation of Auto Equipment .......... 31,900
Total ........................................ $18,517,600

ILLINOIS YOUTH CENTER - MURPHYSBORO
For Personal Services ....................... $1,622,300
For Student, Member and Inmate Compensation ........................................ 500
For State Contributions to Social Security ...................... 67,900
For Contractual Services ..................... 228,100
For Travel ...................................... 700
For Travel Allowances for Committed,
Paroled and Discharged Youth .................. 300
For Commodities ............................. 14,000
For Printing ................................... 300
For Telecommunications Services ............ 2,400
For Operation of Auto Equipment .......... 2,000
Total ........................................ $1,938,500

ILLINOIS YOUTH CENTER - PERE MARQUETTE
For Personal Services ....................... $2,884,600
For Student, Member and Inmate Compensation ........................................ 9,400

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security.................................  221,000  236,700
For Contractual Services.........................  899,600
For Travel.........................................  2,000
For Travel and Allowances for Committed,
Paroled and Discharged Youth....................  300
For Commodities....................................  198,000
For Printing.......................................  2,000
For Equipment.....................................  31,000
For Telecommunications Services...............  21,500
For Operation of Auto Equipment...............  10,100
Total.................................................. $4,279,500 $4,504,700

ILLINOIS YOUTH CENTER - ST. CHARLES
For Personal Services.............  14,254,500  15,481,800
For Student, Member and Inmate
Compensation.....................................  41,000
For State Contributions to
Social Security.................................  1,116,600  1,184,400
For Contractual Services.......................  4,625,900
For Travel.........................................  9,000
For Travel and Allowances for Committed,
Paroled and Discharged Youth...............  500
For Commodities....................................  831,000
For Printing.......................................  13,900
For Equipment.....................................  55,000
For Telecommunications Services...........  47,000
For Operation of Auto Equipment............  53,900
Total.................................................. $21,048,300 $22,343,400

ILLINOIS YOUTH CENTER - WARRENVILLE
For Personal Services.......................  6,098,000
For Student, Member and Inmate
Compensation.....................................  10,500
For State Contributions to
Social Security.................................  466,500
For Contractual Services.......................  1,839,600
For Travel.........................................  1,000
For Commodities....................................  193,400
For Printing.......................................  8,000
For Equipment.....................................  75,000

New matter indicated by italics - deletions by strikeout
For Telecommunications Services............... 45,300
For Operation of Auto Equipment............... 12,400
Total                                      $8,749,700

Section 55. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, is amended by changing Section 5 of Article 11 as follows:
(P.A. 97-0731, Art. 11, Sec. 5)
Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

FOR OPERATIONS
ALL DIVISIONS

Payable from General Revenue Fund:
  For Personal Services............... 4,660,700 4,611,800
  For State Contributions to
    Social Security.................... 358,100 357,000
  For Contractual Services............. 260,800 265,800
  For Travel.................................. 174,800
  For Commodities.......................... 46,800
  For Printing................................ 13,900
  For Equipment.............................. 6,000
  For Electronic Data Processing........... 55,900
  For Operation of Automotive Equipment... 5,000
  For Telecommunications Services........ 125,300
  Total                                  $5,957,300 $5,657,300

Payable from Wage Theft Enforcement Fund:
  For Contractual Services............... 5,500
  For Travel.................................. 6,000
  For Commodities........................... 5,000
  For Printing................................ 1,000
  For Equipment.............................. 1,000
  For Electronic Data Processing.......... 4,000
  For Telecommunications.................... 7,500
  Total                                  $30,000

Section 60. “AN ACT concerning appropriations”, Public Act 97-0731, approved June 30, 2012, is amended by changing Section 10 of Article 15 as follows:
(P.A. 97-0731, Art. 15, Sec. 10)

New matter indicated by italics - deletions by strikeout
Sec. 10. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Prisoner Review Board Vehicle and Equipment Fund to the Prisoner Review Board for all ordinary and contingent expenses of the Board, but not including personal services costs associated with the purchase and operation of vehicles and equipment.

ARTICLE 2

Section 5. The sum of $1,097,360,220, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the State Employees’ Retirement System of Illinois for the State’s contribution, as provided by law.

Section 10. The sum of $126,808,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the Judges’ Retirement System of Illinois for the State's contribution, as provided by law.

Section 15. The sum of $13,856,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the General Assembly Retirement System for the State's contribution, as provided by law.

ARTICLE 3

Section 5. The sum of $1,311,766,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the State Universities Retirement System for the State’s contribution, as provided by law.

Section 10. The sum of $198,000,000, or so much thereof as may be necessary, is appropriated from the State Pensions Fund to the Board of Trustees of the State Universities Retirement System pursuant to the provisions of Section 8.12 of the State Finance Act.

ARTICLE 4

Section 5. The sum of $3,437,478,000, or so much thereof as may be necessary, is appropriated from the Common School Fund to the Teachers' Retirement System of the State of Illinois for the State's contribution, as provided by law.

Section 10. The sum of $1,100,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Teachers' Retirement System of the State of Illinois for additional costs due to the establishment of minimum retirement allowances pursuant to Sections 16-136.2 and 16-136.3 of the Illinois Pension Code, as amended.
Section 15. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Common School Fund to the Illinois Teachers’ Retirement System for the employer contributions required by the State as an employer of teachers described under subsection (e) of Section 16-158 of the Illinois Pension Code.

Section 20. The sum of $11,903,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Public School Teachers’ Pension and Retirement Fund of Chicago for the state’s contribution for retirement contributions under Section 17-127 of the Illinois Pension Code for the fiscal year beginning July 1, 2013.

ARTICLE 5

Section 5. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for provision of health care coverage as elected by eligible members per the State Employees Group Insurance Act of 1971:

From the General Revenue Fund................ 1,346,000,000
From the Road Fund............................. 131,300,000
From the Health Insurance Reserve Fund......................... 2,843,000,000
Total ........................................... $4,320,300,000

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

PAYABLE FROM GROUP INSURANCE PREMIUM FUND

For Life Insurance Coverage as Elected by Members per the State Employees Group Insurance Act of 1971.................. 95,452,100
Total ........................................... $95,740,100

Section 15. The following named sums, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the State Treasurer for the payment of interest on and retirement of State bonded indebtedness:

For payment of principal and interest on any and all bonds issued pursuant to the Anti-Pollution Bond Act, the Transportation Bond Act, the Capital Development Bond Act of 1972, the School Construction Bond Act, the Illinois Coal and Energy Development Bond Act, and the General Obligation Bond Act:

From the General Obligation Bond Retirement and Interest Fund:

New matter indicated by italics - deletions by strikeout
Principal............................. 1,668,414,607.50
Interest.............................. 1,424,857,201.70
Total                           $3,093,271,809.20

ARTICLE 6
Section 5. The sum of $1,202,000,000, or so much thereof as may be necessary, is appropriated from the Healthcare Provider Relief Fund to the Department of Healthcare and Family Services for the improvement of Medical Assistance bill processing timeframes or in meeting the requirements of Senate Bill 3397 of the 97th General Assembly.

Section 10. The sum of $50,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Comptroller for deposit into the FY 13/FY 14 Backlog Payment Fund.

SECTION 999
Section 999. Effective date. This Act takes effect July 1, 2013, except for Article 1 and this Section which take effect immediately.
Approved June 5, 2013.
Effective June 5, 2013 and July 1, 2013.

PUBLIC ACT 98-0018
(Senate Bill No. 1884)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Finance Act is amended by adding Sections 5.826 and 6z-98 and by changing Section 6z-45 as follows:
(30 ILCS 105/5.826 new)
Sec. 5.826. The Chicago State University Education Improvement Fund.
(30 ILCS 105/6z-45)
Sec. 6z-45. The School Infrastructure Fund.
(a) The School Infrastructure Fund is created as a special fund in the State Treasury.
In addition to any other deposits authorized by law, beginning January 1, 2000, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and State Comptroller shall transfer the sum of $5,000,000 from the General Revenue Fund to the School

New matter indicated by italics - deletions by strikeout
Infrastructure Fund, except that, notwithstanding any other provision of law, and in addition to any other transfers that may be provided for by law, before June 30, 2012, the Comptroller and the Treasurer shall transfer $45,000,000 from the General Revenue Fund into the School Infrastructure Fund, and, for fiscal year 2013 only, the Treasurer and the Comptroller shall transfer $1,250,000 from the General Revenue Fund to the School Infrastructure Fund on the first day of each month; provided, however, that no such transfers shall be made from July 1, 2001 through June 30, 2003.

(b) Subject to the transfer provisions set forth below, money in the School Infrastructure Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of school improvements under the School Construction Law, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose.

In addition to other transfers to the General Obligation Bond Retirement and Interest Fund made pursuant to Section 15 of the General Obligation Bond Act, upon each delivery of bonds issued for construction of school improvements under the School Construction Law, the State Comptroller shall compute and certify to the State Treasurer the total amount of principal of, interest on, and premium, if any, on such bonds during the then current and each succeeding fiscal year. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period.

On or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the School Infrastructure Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period. Interest for
which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(b-5) The money deposited into the School Infrastructure Fund from transfers pursuant to subsections (c-30) and (c-35) of Section 13 of the Riverboat Gambling Act shall be applied, without further direction, as provided in subsection (b-3) of Section 5-35 of the School Construction Law.

(c) The surplus, if any, in the School Infrastructure Fund after payments made pursuant to subsections (b) and (b-5) of this Section the payment of principal and interest on that bonded indebtedness then annually due shall, subject to appropriation, be used as follows:

First - to make 3 payments to the School Technology Revolving Loan Fund as follows:
Transfer of $30,000,000 in fiscal year 1999;
Transfer of $20,000,000 in fiscal year 2000; and
Transfer of $10,000,000 in fiscal year 2001.

Second - to pay the expenses of the State Board of Education and the Capital Development Board in administering programs under the School Construction Law, the total expenses not to exceed $1,200,000 in any fiscal year.

Third - to pay any amounts due for grants for school construction projects and debt service under the School Construction Law.

Fourth - to pay any amounts due for grants for school maintenance projects under the School Construction Law.
(Source: P.A. 97-732, eff. 6-30-12.)

(30 ILCS 105/6z-98 new)
Sec. 6z-98. The Chicago State University Education Improvement Fund. The Chicago State University Education Improvement Fund is hereby created as a special fund in the State treasury. The moneys deposited into the Fund shall be used by Chicago State University, subject to appropriation, for expenses incurred by the University. All interest earned on moneys in the Fund shall remain in the Fund.

Section 10. The School Construction Law is amended by changing Section 5-35 as follows:
(105 ILCS 230/5-35)
Sec. 5-35. School construction project grant amounts; permitted use; prohibited use.

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(a) The product of the district's grant index and the recognized project cost, as determined by the Capital Development Board, for an approved school construction project shall equal the amount of the grant the Capital Development Board shall provide to the eligible district. The grant index shall not be used in cases where the General Assembly and the Governor approve appropriations designated for specifically identified school district construction projects.

The average of the grant indexes of the member districts in a joint agreement shall be used to calculate the amount of a school construction project grant awarded to an eligible Type 40 area vocational center.

(b) In each fiscal year in which school construction project grants are awarded, 20% of the total amount awarded statewide shall be awarded to a school district with a population exceeding 500,000, provided such district complies with the provisions of this Article.

In addition to the uses otherwise authorized by this Law, any school district with a population exceeding 500,000 is authorized to use any or all of the school construction project grants (i) to pay debt service, as defined in the Local Government Debt Reform Act, on bonds, as defined in the Local Government Debt Reform Act, issued to finance one or more school construction projects and (ii) to the extent that any such bond is a lease or other installment or financing contract between the school district and a public building commission that has issued bonds to finance one or more qualifying school construction projects, to make lease payments under the lease.

(b-3) The Capital Development Board shall make payment in an amount equal to 20% of each amount deposited into the School Infrastructure Fund pursuant to subsection (b-5) of Section 6z-45 of the State Finance Act to the Board of Education of the City of Chicago within 10 days after such deposit. The Board of Education of the City of Chicago shall use such moneys received (i) for application to the costs of a school construction project, (ii) to pay debt service on bonds, as those terms are defined in the Local Government Debt Reform Act, that are issued to finance one or more school construction projects, and (iii) to the extent that any such bond is a lease or other installment or financing contract between the school district and a public building commission that has issued bonds to finance one or more qualifying school construction projects, to make lease payments under the lease. The Board of Education of the City of Chicago shall submit quarterly to the Capital Development Board documentation sufficient to establish that this money is being used...

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as authorized by this Section. The Capital Development Board may withhold payments if the documentation is not provided. The remaining 80% of each such deposit shall be applied in accordance with the provisions of subsection (a) of this Section; however, no portion of this remaining 80% shall be awarded to a school district with a population of more than 500,000.

(b-5) In addition to the uses otherwise authorized by this Law, any school district that (1) was organized prior to 1860 and (2) is located in part in a city originally incorporated prior to 1840 is authorized to use any or all of the school construction project grants (i) to pay debt service on bonds, as those terms are defined in the Local Government Debt Reform Act, that are issued to finance one or more school construction projects and (ii) to the extent that any such bond is a lease or other installment or financing contract between the school district and a public building commission that has issued bonds to finance one or more qualifying school construction projects, to make lease payments under the lease.

(c) No portion of a school construction project grant awarded by the Capital Development Board shall be used by a school district for any on-going operational costs.

(Source: P.A. 96-731, eff. 8-25-09; 96-1467, eff. 8-20-10.)

Section 15. The Illinois Horse Racing Act of 1975 is amended by changing Sections 26, 26.7, 27, and 54 as follows:

(230 ILCS 5/26) (from Ch. 8, par. 37-26)
Sec. 26. Wagering.

(a) Any licensee may conduct and supervise the pari-mutuel system of wagering, as defined in Section 3.12 of this Act, on horse races conducted by an Illinois organization licensee or conducted at a racetrack located in another state or country and televised in Illinois in accordance with subsection (g) of Section 26 of this Act. Subject to the prior consent of the Board, licensees may supplement any pari-mutuel pool in order to guarantee a minimum distribution. Such pari-mutuel method of wagering shall not, under any circumstances if conducted under the provisions of this Act, be held or construed to be unlawful, other statutes of this State to the contrary notwithstanding. Subject to rules for advance wagering promulgated by the Board, any licensee may accept wagers in advance of the day of the race wagered upon occurs.

(b) No other method of betting, pool making, wagering or gambling shall be used or permitted by the licensee. Each licensee may retain, subject to the payment of all applicable taxes and purses, an amount

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not to exceed 17% of all money wagered under subsection (a) of this Section, except as may otherwise be permitted under this Act.

(b-5) An individual may place a wager under the pari-mutuel system from any licensed location authorized under this Act provided that wager is electronically recorded in the manner described in Section 3.12 of this Act. Any wager made electronically by an individual while physically on the premises of a licensee shall be deemed to have been made at the premises of that licensee.

(c) Until January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be paid to the Illinois Veterans' Rehabilitation Fund of the State treasury, except as provided in subsection (g) of Section 27 of this Act.

(c-5) Beginning January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be evenly distributed to the purse account of the organization licensee and the organization licensee.

(d) A pari-mutuel ticket shall be honored until December 31 of the next calendar year, and the licensee shall pay the same and may charge the amount thereof against unpaid money similarly accumulated on account of pari-mutuel tickets not presented for payment.

(e) No licensee shall knowingly permit any minor, other than an employee of such licensee or an owner, trainer, jockey, driver, or employee thereof, to be admitted during a racing program unless accompanied by a parent or guardian, or any minor to be a patron of the pari-mutuel system of wagering conducted or supervised by it. The admission of any unaccompanied minor, other than an employee of the licensee or an owner, trainer, jockey, driver, or employee thereof at a race track is a Class C misdemeanor.

(f) Notwithstanding the other provisions of this Act, an organization licensee may contract with an entity in another state or

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country to permit any legal wagering entity in another state or country to accept wagers solely within such other state or country on races conducted by the organization licensee in this State. Beginning January 1, 2000, these wagers shall not be subject to State taxation. Until January 1, 2000, when the out-of-State entity conducts a pari-mutuel pool separate from the organization licensee, a privilege tax equal to 7 1/2% of all monies received by the organization licensee from entities in other states or countries pursuant to such contracts is imposed on the organization licensee, and such privilege tax shall be remitted to the Department of Revenue within 48 hours of receipt of the monies from the simulcast. When the out-of-State entity conducts a combined pari-mutuel pool with the organization licensee, the tax shall be 10% of all monies received by the organization licensee with 25% of the receipts from this 10% tax to be distributed to the county in which the race was conducted.

An organization licensee may permit one or more of its races to be utilized for pari-mutuel wagering at one or more locations in other states and may transmit audio and visual signals of races the organization licensee conducts to one or more locations outside the State or country and may also permit pari-mutuel pools in other states or countries to be combined with its gross or net wagering pools or with wagering pools established by other states.

(g) A host track may accept interstate simulcast wagers on horse races conducted in other states or countries and shall control the number of signals and types of breeds of racing in its simulcast program, subject to the disapproval of the Board. The Board may prohibit a simulcast program only if it finds that the simulcast program is clearly adverse to the integrity of racing. The host track simulcast program shall include the signal of live racing of all organization licensees. All non-host licensees and advance deposit wagering licensees shall carry the signal of and accept wagers on live racing of all organization licensees. Advance deposit wagering licensees shall not be permitted to accept out-of-state wagers on any Illinois signal provided pursuant to this Section without the approval and consent of the organization licensee providing the signal. Non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program upon which wagering is permitted. All organization licensees shall provide their live signal to all advance deposit wagering licensees for a simulcast commission fee not to exceed 6% of the advance deposit wagering licensee's Illinois handle on the organization licensee's signal without prior

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approval by the Board. The Board may adopt rules under which it may permit simulcast commission fees in excess of 6%. The Board shall adopt rules limiting the interstate commission fees charged to an advance deposit wagering licensee. The Board shall adopt rules regarding advance deposit wagering on interstate simulcast races that shall reflect, among other things, the General Assembly's desire to maximize revenues to the State, horsemen purses, and organizational licensees. However, organization licensees providing live signals pursuant to the requirements of this subsection (g) may petition the Board to withhold their live signals from an advance deposit wagering licensee if the organization licensee discovers and the Board finds reputable or credible information that the advance deposit wagering licensee is under investigation by another state or federal governmental agency, the advance deposit wagering licensee's license has been suspended in another state, or the advance deposit wagering licensee's license is in revocation proceedings in another state. The organization licensee's provision of their live signal to an advance deposit wagering licensee under this subsection (g) pertains to wagers placed from within Illinois. Advance deposit wagering licensees may place advance deposit wagering terminals at wagering facilities as a convenience to customers. The advance deposit wagering licensee shall not charge or collect any fee from purses for the placement of the advance deposit wagering terminals. The costs and expenses of the host track and non-host licensees associated with interstate simulcast wagering, other than the interstate commission fee, shall be borne by the host track and all non-host licensees incurring these costs. The interstate commission fee shall not exceed 5% of Illinois handle on the interstate simulcast race or races without prior approval of the Board. The Board shall promulgate rules under which it may permit interstate commission fees in excess of 5%. The interstate commission fee and other fees charged by the sending racetrack, including, but not limited to, satellite decoder fees, shall be uniformly applied to the host track and all non-host licensees.

Notwithstanding any other provision of this Act, until January 31, 2014, 1, 2013, an organization licensee may maintain a system whereby advance deposit wagering may take place or an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may contract with another person to carry out a system of advance deposit wagering. Such consent may not be unreasonably withheld. The actions of any organization licensee who

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conducts advance deposit wagering or any person who has a contract with an organization licensee to conduct advance deposit wagering who conducts advance deposit wagering on or after January 1, 2013 and prior to the effective date of this amendatory Act of the 98th General Assembly taken in reliance on the changes made to this subsection (g) by this amendatory Act of the 98th General Assembly are hereby validated, provided payment of all applicable pari-mutuel taxes are remitted to the Board. All advance deposit wagers placed from within Illinois must be placed through a Board-approved advance deposit wagering licensee; no other entity may accept an advance deposit wager from a person within Illinois. All advance deposit wagering is subject to any rules adopted by the Board. The Board may adopt rules necessary to regulate advance deposit wagering through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate advance deposit wagering is deemed an emergency and necessary for the public interest, safety, and welfare. An advance deposit wagering licensee may retain all moneys as agreed to by contract with an organization licensee. Any moneys retained by the organization licensee from advance deposit wagering, not including moneys retained by the advance deposit wagering licensee, shall be paid 50% to the organization licensee's purse account and 50% to the organization licensee. If more than one breed races at the same race track facility, then the 50% of the moneys to be paid to an organization licensee's purse account shall be allocated among all organization licensees' purse accounts operating at that race track facility proportionately based on the actual number of host days that the Board grants to that breed at that race track facility in the current calendar year. To the extent any fees from advance deposit wagering conducted in Illinois for wagers in Illinois or other states have been placed in escrow or otherwise withheld from wagers pending a determination of the legality of advance deposit wagering, no action shall be brought to declare such wagers or the disbursement of any fees previously escrowed illegal.

(1) Between the hours of 6:30 a.m. and 6:30 p.m. an intertrack wagering licensee other than the host track may supplement the host track simulcast program with additional simulcast races or race programs, provided that between January 1 and the third Friday in February of any year, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, only thoroughbred races may be used for supplemental interstate

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simulcast purposes. The Board shall withhold approval for a supplemental interstate simulcast only if it finds that the simulcast is clearly adverse to the integrity of racing. A supplemental interstate simulcast may be transmitted from an intertrack wagering licensee to its affiliated non-host licensees. The interstate commission fee for a supplemental interstate simulcast shall be paid by the non-host licensee and its affiliated non-host licensees receiving the simulcast.

(2) Between the hours of 6:30 p.m. and 6:30 a.m. an intertrack wagering licensee other than the host track may receive supplemental interstate simulcasts only with the consent of the host track, except when the Board finds that the simulcast is clearly adverse to the integrity of racing. Consent granted under this paragraph (2) to any intertrack wagering licensee shall be deemed consent to all non-host licensees. The interstate commission fee for the supplemental interstate simulcast shall be paid by all participating non-host licensees.

(3) Each licensee conducting interstate simulcast wagering may retain, subject to the payment of all applicable taxes and the purses, an amount not to exceed 17% of all money wagered. If any licensee conducts the pari-mutuel system wagering on races conducted at racetracks in another state or country, each such race or race program shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax of that daily handle as provided in subsection (a) of Section 27. Until January 1, 2000, from the sums permitted to be retained pursuant to this subsection, each intertrack wagering location licensee shall pay 1% of the pari-mutuel handle wagered on simulcast wagering to the Horse Racing Tax Allocation Fund, subject to the provisions of subparagraph (B) of paragraph (11) of subsection (h) of Section 26 of this Act.

(4) A licensee who receives an interstate simulcast may combine its gross or net pools with pools at the sending racetracks pursuant to rules established by the Board. All licensees combining their gross pools at a sending racetrack shall adopt the take-out percentages of the sending racetrack. A licensee may also establish a separate pool and takeout structure for wagering purposes on races conducted at race tracks outside of the State of Illinois. The licensee may permit pari-mutuel wagers placed in other states or

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countries to be combined with its gross or net wagering pools or other wagering pools.

(5) After the payment of the interstate commission fee (except for the interstate commission fee on a supplemental interstate simulcast, which shall be paid by the host track and by each non-host licensee through the host-track) and all applicable State and local taxes, except as provided in subsection (g) of Section 27 of this Act, the remainder of moneys retained from simulcast wagering pursuant to this subsection (g), and Section 26.2 shall be divided as follows:

(A) For interstate simulcast wagers made at a host track, 50% to the host track and 50% to purses at the host track.

(B) For wagers placed on interstate simulcast races, supplemental simulcasts as defined in subparagraphs (1) and (2), and separately pooled races conducted outside of the State of Illinois made at a non-host licensee, 25% to the host track, 25% to the non-host licensee, and 50% to the purses at the host track.

(6) Notwithstanding any provision in this Act to the contrary, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River may receive supplemental interstate simulcast races at all times subject to Board approval, which shall be withheld only upon a finding that a supplemental interstate simulcast is clearly adverse to the integrity of racing.

(7) Notwithstanding any provision of this Act to the contrary, after payment of all applicable State and local taxes and interstate commission fees, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain 50% of the retention from interstate simulcast wagers and shall pay 50% to purses at the track from which the non-host licensee derives its license as follows:

(A) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, when the interstate simulcast is a standardbred race, the purse share to its standardbred purse account;

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(B) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, and the interstate simulcast is a thoroughbred race, the purse share to its interstate simulcast purse pool to be distributed under paragraph (10) of this subsection (g);

(C) Between January 1 and the third Friday in February, inclusive, if live thoroughbred racing is occurring in Illinois, between 6:30 a.m. and 6:30 p.m. the purse share from wagers made during this time period to its thoroughbred purse account and between 6:30 p.m. and 6:30 a.m. the purse share from wagers made during this time period to its standardbred purse accounts;

(D) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 a.m. and 6:30 p.m., the purse share to its thoroughbred purse account;

(E) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 p.m. and 6:30 a.m., the purse share to its standardbred purse account.

(7.1) Notwithstanding any other provision of this Act to the contrary, if no standardbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during that calendar year shall be paid as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be paid to its thoroughbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund and shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. The moneys deposited into the Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not

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in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with other moneys paid into that Fund. The moneys deposited pursuant to this subparagraph (B) shall be allocated as provided by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board.

(7.2) Notwithstanding any other provision of this Act to the contrary, if no thoroughbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 a.m. and 6:30 p.m. during that calendar year shall be deposited as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be deposited into its standardbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund. Moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be paid to Illinois conceived and foaled thoroughbred breeders' programs and to thoroughbred purses for races conducted at any county fairgrounds for Illinois conceived and foaled horses at the discretion of the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. The moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to thoroughbred purses under this Act, and shall not be commingled with other moneys deposited into that Fund.

(7.3) If no live standardbred racing is conducted at a racetrack located in Madison County in calendar year 2000 or 2001, an organization licensee who is licensed to conduct horse racing at that racetrack shall, before January 1, 2002, pay all moneys derived from simulcast wagering and inter-track wagering

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in calendar years 2000 and 2001 and paid into the licensee's standardbred purse account as follows:

(A) Eighty percent to that licensee's thoroughbred purse account to be used for thoroughbred purses; and

(B) Twenty percent to the Illinois Colt Stakes Purse Distribution Fund.

Failure to make the payment to the Illinois Colt Stakes Purse Distribution Fund before January 1, 2002 shall result in the immediate revocation of the licensee's organization license, inter-track wagering license, and inter-track wagering location license.

Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be used as determined by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with any other moneys paid into that Fund.

(7.4) If live standardbred racing is conducted at a racetrack located in Madison County at any time in calendar year 2001 before the payment required under paragraph (7.3) has been made, the organization licensee who is licensed to conduct racing at that racetrack shall pay all moneys derived by that racetrack from simulcast wagering and inter-track wagering during calendar years 2000 and 2001 that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or 2001 to the standardbred purse account at that racetrack to be used for standardbred purses.

(8) Notwithstanding any provision in this Act to the contrary, an organization licensee from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River and its affiliated non-host licensees shall not be entitled to share in any retention generated on racing, inter-track wagering, or simulcast wagering at any other Illinois wagering facility.

(8.1) Notwithstanding any provisions in this Act to the contrary, if 2 organization licensees are conducting standardbred
race meetings concurrently between the hours of 6:30 p.m. and 6:30 a.m., after payment of all applicable State and local taxes and interstate commission fees, the remainder of the amount retained from simulcast wagering otherwise attributable to the host track and to host track purses shall be split daily between the 2 organization licensees and the purses at the tracks of the 2 organization licensees, respectively, based on each organization licensee's share of the total live handle for that day, provided that this provision shall not apply to any non-host licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Board shall have authority to compel all host tracks to receive the simulcast of any or all races conducted at the Springfield or DuQuoin State fairgrounds and include all such races as part of their simulcast programs.

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board certifies in writing to the wagering facility the amount to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the

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race track affiliated with the wagering facility for purses during the succeeding year; and (iii) the need to ensure reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section.

(h) The Board may approve and license the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees subject to the following terms and conditions:

(1) Any person licensed to conduct a race meeting (i) at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually may be issued an inter-track wagering license; (ii) at a track located in a county that is bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license; or (iii) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding calendar year may be issued an inter-track wagering license, unless a lesser schedule of live racing is the result of (A) weather, unsafe track conditions, or other acts of God; (B) an agreement between the organization licensee and the associations representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses.

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at that organization licensee's racing meeting; or (C) a finding by
the Board of extraordinary circumstances and that it was in the best
interest of the public and the sport to conduct fewer than 100 days
of live racing. Any such person having operating control of the
racing facility may also receive up to 6 inter-track wagering
location licenses. In no event shall more than 6 inter-track
wagering locations be established for each eligible race track,
except that an eligible race track located in a county that has a
population of more than 230,000 and that is bounded by the
Mississippi River may establish up to 7 inter-track wagering
locations. An application for said license shall be filed with the
Board prior to such dates as may be fixed by the Board. With an
application for an inter-track wagering location license there shall
be delivered to the Board a certified check or bank draft payable to
the order of the Board for an amount equal to $500. The
application shall be on forms prescribed and furnished by the
Board. The application shall comply with all other rules,
regulations and conditions imposed by the Board in connection
therewith.

(2) The Board shall examine the applications with respect
to their conformity with this Act and the rules and regulations
imposed by the Board. If found to be in compliance with the Act
and rules and regulations of the Board, the Board may then
issue a license to conduct inter-track wagering and simulcast wagering to
such applicant. All such applications shall be acted upon by the
Board at a meeting to be held on such date as may be fixed by the
Board.

(3) In granting licenses to conduct inter-track wagering and
simulcast wagering, the Board shall give due consideration to the
best interests of the public, of horse racing, and of maximizing
revenue to the State.

(4) Prior to the issuance of a license to conduct inter-track
wagering and simulcast wagering, the applicant shall file with the
Board a bond payable to the State of Illinois in the sum of $50,000,
executed by the applicant and a surety company or companies
authorized to do business in this State, and conditioned upon (i) the
payment by the licensee of all taxes due under Section 27 or 27.1
and any other monies due and payable under this Act, and (ii)
distribution by the licensee, upon presentation of the winning ticket or tickets, of all sums payable to the patrons of pari-mutuel pools.

(5) Each license to conduct inter-track wagering and simulcast wagering shall specify the person to whom it is issued, the dates on which such wagering is permitted, and the track or location where the wagering is to be conducted.

(6) All wagering under such license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such license issued by the Board shall contain a recital to that effect.

(7) An inter-track wagering licensee or inter-track wagering location licensee may accept wagers at the track or location where it is licensed, or as otherwise provided under this Act.

(8) Inter-track wagering or simulcast wagering shall not be conducted at any track less than 5 miles from a track at which a racing meeting is in progress.

(8.1) Inter-track wagering location licensees who derive their licenses from a particular organization licensee shall conduct inter-track wagering and simulcast wagering only at locations which are either within 90 miles of that race track where the particular organization licensee is licensed to conduct racing, or within 135 miles of that race track where the particular organization licensee is licensed to conduct racing in the case of race tracks in counties of less than 400,000 that were operating on or before June 1, 1986. However, inter-track wagering and simulcast wagering shall not be conducted by those licensees at any location within 5 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made.

(8.2) Inter-track wagering or simulcast wagering shall not be conducted by an inter-track wagering location licensee at any location within 500 feet of an existing church or existing school, nor within 500 feet of the residences of more than 50 registered voters without receiving written permission from a majority of the registered voters at such residences. Such written permission statements shall be filed with the Board. The distance of 500 feet

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shall be measured to the nearest part of any building used for worship services, education programs, residential purposes, or conducting inter-track wagering by an inter-track wagering location licensee, and not to property boundaries. However, inter-track wagering or simulcast wagering may be conducted at a site within 500 feet of a church, school or residences of 50 or more registered voters if such church, school or residences have been erected or established, or such voters have been registered, after the Board issues the original inter-track wagering location license at the site in question. Inter-track wagering location licensees may conduct inter-track wagering and simulcast wagering only in areas that are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved by the local zoning authority. However, no license to conduct inter-track wagering and simulcast wagering shall be granted by the Board with respect to any inter-track wagering location within the jurisdiction of any local zoning authority which has, by ordinance or by resolution, prohibited the establishment of an inter-track wagering location within its jurisdiction. However, inter-track wagering and simulcast wagering may be conducted at a site if such ordinance or resolution is enacted after the Board licenses the original inter-track wagering location licensee for the site in question.

(9) (Blank).

(10) An inter-track wagering licensee or an inter-track wagering location licensee may retain, subject to the payment of the privilege taxes and the purses, an amount not to exceed 17% of all money wagered. Each program of racing conducted by each inter-track wagering licensee or inter-track wagering location licensee shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax or pari-mutuel tax on such daily handle as provided in Section 27.

(10.1) Except as provided in subsection (g) of Section 27 of this Act, inter-track wagering location licensees shall pay 1% of the pari-mutuel handle at each location to the municipality in which such location is situated and 1% of the pari-mutuel handle at each location to the county in which such location is situated. In the event that an inter-track wagering location licensee is situated in an unincorporated area of a county, such licensee shall pay 2% of the pari-mutuel handle from such location to such county.

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(10.2) Notwithstanding any other provision of this Act, with respect to intertrack wagering at a race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River ("the first race track"), or at a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, on races conducted at the first race track or on races conducted at another Illinois race track and simultaneously televised to the first race track or to a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, those moneys shall be allocated as follows:

(A) That portion of all moneys wagered on standardbred racing that is required under this Act to be paid to purses shall be paid to purses for standardbred races.

(B) That portion of all moneys wagered on thoroughbred racing that is required under this Act to be paid to purses shall be paid to purses for thoroughbred races.

(11) (A) After payment of the privilege or pari-mutuel tax, any other applicable taxes, and the costs and expenses in connection with the gathering, transmission, and dissemination of all data necessary to the conduct of inter-track wagering, the remainder of the monies retained under either Section 26 or Section 26.2 of this Act by the inter-track wagering licensee on inter-track wagering shall be allocated with 50% to be split between the 2 participating licensees and 50% to purses, except that an intertrack wagering licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the Illinois organization licensee that provides the race or races, and an intertrack wagering licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with that organization licensee.
(B) From the sums permitted to be retained pursuant to this Act each inter-track wagering location licensee shall pay (i) the privilege or pari-mutuel tax to the State; (ii) 4.75% of the pari-mutuel handle on intertrack wagering at such location on races as purses, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain all purse moneys for its own purse account consistent with distribution set forth in this subsection (h), and intertrack wagering location licensees that accept wagers on races conducted by an organization licensee located in a county with a population in excess of 230,000 and that borders the Mississippi River shall distribute all purse moneys to purses at the operating host track; (iii) until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, 1% of the pari-mutuel handle wagered on inter-track wagering and simulcast wagering at each inter-track wagering location licensee facility to the Horse Racing Tax Allocation Fund, provided that, to the extent the total amount collected and distributed to the Horse Racing Tax Allocation Fund under this subsection (h) during any calendar year exceeds the amount collected and distributed to the Horse Racing Tax Allocation Fund during calendar year 1994, that excess amount shall be redistributed (I) to all inter-track wagering location licensees, based on each licensee's pro-rata share of the total handle from inter-track wagering and simulcast wagering for all inter-track wagering location licensees during the calendar year in which this provision is applicable; then (II) the amounts redistributed to each inter-track wagering location licensee as described in subpart (I) shall be further redistributed as provided in subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 provided first, that the shares of those amounts, which are to be redistributed to the host track or to purses at the host track under subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 shall be redistributed based on each host track's pro-rata share of the total inter-track wagering and simulcast wagering handle at all host tracks during the calendar year in question, and second, that any amounts redistributed as described in part (I) to an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county

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with a population in excess of 230,000 and that borders the Mississippi River shall be further redistributed as provided in subparagraphs (D) and (E) of paragraph (7) of subsection (g) of this Section 26, with the portion of that further redistribution allocated to purses at that organization licensee to be divided between standardbred purses and thoroughbred purses based on the amounts otherwise allocated to purses at that organization licensee during the calendar year in question; and (iv) 8% of the pari-mutuel handle on inter-track wagering wagered at such location to satisfy all costs and expenses of conducting its wagering. The remainder of the monies retained by the inter-track wagering location licensee shall be allocated 40% to the location licensee and 60% to the organization licensee which provides the Illinois races to the location, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee that provides the race or races and an intertrack wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee. Notwithstanding the provisions of clauses (ii) and (iv) of this paragraph, in the case of the additional inter-track wagering location licenses authorized under paragraph (1) of this subsection (h) by this amendatory Act of 1991, those licensees shall pay the following amounts as purses: during the first 12 months the licensee is in operation, 5.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 5.25%; during the third 12 months, 5.75%; during the fourth 12 months, 6.25%; and during the fifth 12 months and thereafter, 6.75%. The following amounts shall be retained by the licensee to satisfy all costs and expenses of conducting its wagering: during the first 12 months the licensee is in operation, 8.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 8.25%; during the third 12 months, 7.75%; during the fourth 12 months, 7.25%; and during the fifth 12 months and thereafter, 6.75%. For additional intertrack wagering location licensees authorized under this amendatory Act of 1995, purses for

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the first 12 months the licensee is in operation shall be 5.75% of the pari-mutuel wagered at the location, purses for the second 12 months the licensee is in operation shall be 6.25%, and purses thereafter shall be 6.75%. For additional intertrack location licensees authorized under this amendatory Act of 1995, the licensee shall be allowed to retain to satisfy all costs and expenses: 7.75% of the pari-mutuel handle wagered at the location during its first 12 months of operation, 7.25% during its second 12 months of operation, and 6.75% thereafter.

(C) There is hereby created the Horse Racing Tax Allocation Fund which shall remain in existence until December 31, 1999. Moneys remaining in the Fund after December 31, 1999 shall be paid into the General Revenue Fund. Until January 1, 2000, all monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) by inter-track wagering location licensees located in park districts of 500,000 population or less, or in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, and operating on May 1, 1994 shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any

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successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to park districts or municipalities that do not have a park district of 500,000 population or less for museum purposes (if an inter-track wagering location licensee is located in such a park district) or to conservation districts for museum purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, except that if the conservation district does not maintain a museum, the monies shall be allocated equally between the county and the municipality in which the inter-track wagering location licensee is located for general purposes) or to a municipal recreation board for park purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district and park maintenance is the function of the municipal recreation board and the municipality has a 1990 population of 9,302 according to the United States Bureau of the Census); provided that the monies are distributed to each park district or conservation district or municipality.

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that does not have a park district in an amount equal to four-sevenths of the amount collected by each inter-track wagering location licensee within the park district or conservation district or municipality for the Fund. Monies that were paid into the Horse Racing Tax Allocation Fund before the effective date of this amendatory Act of 1991 by an inter-track wagering location licensee located in a municipality that is not included within any park district but is included within a conservation district as provided in this paragraph shall, as soon as practicable after the effective date of this amendatory Act of 1991, be allocated and paid to that conservation district as provided in this paragraph. Any park district or municipality not maintaining a museum may deposit the monies in the corporate fund of the park district or municipality where the inter-track wagering location is located, to be used for general purposes; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967.

Until January 1, 2000, all other monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation,
recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemens's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association.

Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to museums and aquariums located in park districts of over 500,000 population; provided that the monies are distributed in accordance with the previous year's distribution of the maintenance tax for such museums and aquariums as provided in Section 2 of the Park District Aquarium and Museum Act; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967. This subparagraph (C) shall be inoperative and of no force and effect on and after January 1, 2000.

(D) Except as provided in paragraph (11) of this subsection (h), with respect to purse allocation from
intertrack wagering, the monies so retained shall be divided as follows:

(i) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is not conducting its own race meeting during the same dates, then the entire purse allocation shall be to purses at the track where the races wagered on are being conducted.

(ii) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is also conducting its own race meeting during the same dates, then the purse allocation shall be as follows: 50% to purses at the track where the races wagered on are being conducted; 50% to purses at the track where the inter-track wagering licensee is accepting such wagers.

(iii) If the inter-track wagering is being conducted by an inter-track wagering location licensee, except an intertrack wagering location licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, the entire purse allocation for Illinois races shall be to purses at the track where the race meeting being wagered on is being held.

(12) The Board shall have all powers necessary and proper to fully supervise and control the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees, including, but not limited to the following:

(A) The Board is vested with power to promulgate reasonable rules and regulations for the purpose of administering the conduct of this wagering and to prescribe reasonable rules, regulations and conditions under which

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such wagering shall be held and conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of said wagering and to impose penalties for violations thereof.

(B) The Board, and any person or persons to whom it delegates this power, is vested with the power to enter the facilities of any licensee to determine whether there has been compliance with the provisions of this Act and the rules and regulations relating to the conduct of such wagering.

(C) The Board, and any person or persons to whom it delegates this power, may eject or exclude from any licensee's facilities, any person whose conduct or reputation is such that his presence on such premises may, in the opinion of the Board, call into the question the honesty and integrity of, or interfere with the orderly conduct of such wagering; provided, however, that no person shall be excluded or ejected from such premises solely on the grounds of race, color, creed, national origin, ancestry, or sex.

(D) (Blank).

(E) The Board is vested with the power to appoint delegates to execute any of the powers granted to it under this Section for the purpose of administering this wagering and any rules and regulations promulgated in accordance with this Act.

(F) The Board shall name and appoint a State director of this wagering who shall be a representative of the Board and whose duty it shall be to supervise the conduct of inter-track wagering as may be provided for by the rules and regulations of the Board; such rules and regulation shall specify the method of appointment and the Director's powers, authority and duties.

(G) The Board is vested with the power to impose civil penalties of up to $5,000 against individuals and up to $10,000 against licensees for each violation of any provision of this Act relating to the conduct of this wagering, any rules adopted by the Board, any order of the
Board or any other action which in the Board's discretion, is a detriment or impediment to such wagering.

(13) The Department of Agriculture may enter into agreements with licensees authorizing such licensees to conduct inter-track wagering on races to be held at the licensed race meetings conducted by the Department of Agriculture. Such agreement shall specify the races of the Department of Agriculture's licensed race meeting upon which the licensees will conduct wagering. In the event that a licensee conducts inter-track pari-mutuel wagering on races from the Illinois State Fair or DuQuoin State Fair which are in addition to the licensee's previously approved racing program, those races shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege or pari-mutuel tax on that daily handle as provided in Sections 27 and 27.1. Such agreements shall be approved by the Board before such wagering may be conducted. In determining whether to grant approval, the Board shall give due consideration to the best interests of the public and of horse racing. The provisions of paragraphs (1), (8), (8.1), and (8.2) of subsection (h) of this Section which are not specified in this paragraph (13) shall not apply to licensed race meetings conducted by the Department of Agriculture at the Illinois State Fair in Sangamon County or the DuQuoin State Fair in Perry County, or to any wagering conducted on those race meetings.

(i) Notwithstanding the other provisions of this Act, the conduct of wagering at wagering facilities is authorized on all days, except as limited by subsection (b) of Section 19 of this Act.

(Source: P.A. 96-762, eff. 8-25-09; 97-1060, eff. 8-24-12.)

(230 ILCS 5/26.7)

Sec. 26.7. Advanced deposit wagering surcharge. Beginning on August 26, 2012, each advance deposit wagering licensee shall impose a surcharge of up to 0.18% on winning wagers and winnings from wagers placed through advance deposit wagering. The surcharge shall be deducted from winnings prior to payout. Amounts derived from a surcharge imposed under this Section shall be paid to the standardbred purse accounts of organization licensees conducting standardbred racing.

(Source: P.A. 97-1060, eff. 8-24-12.)

(230 ILCS 5/27) (from Ch. 8, par. 37-27)
Sec. 27. (a) In addition to the organization license fee provided by this Act, until January 1, 2000, a graduated privilege tax is hereby imposed for conducting the pari-mutuel system of wagering permitted under this Act. Until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, all of the breakage of each racing day held by any licensee in the State shall be paid to the State. Until January 1, 2000, such daily graduated privilege tax shall be paid by the licensee from the amount permitted to be retained under this Act. Until January 1, 2000, each day’s graduated privilege tax, breakage, and Horse Racing Tax Allocation funds shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes. The privilege tax hereby imposed, until January 1, 2000, shall be a flat tax at the rate of 2% of the daily pari-mutuel handle except as provided in Section 27.1.

In addition, every organization licensee, except as provided in Section 27.1 of this Act, which conducts multiple wagering shall pay, until January 1, 2000, as a privilege tax on multiple wagers an amount equal to 1.25% of all moneys wagered each day on such multiple wagers, plus an additional amount equal to 3.5% of the amount wagered each day on any other multiple wager which involves a single betting interest on 3 or more horses. The licensee shall remit the amount of such taxes to the Department of Revenue within 48 hours after the close of the racing day on which it is assessed or within such other time as the Board prescribes.

This subsection (a) shall be inoperative and of no force and effect on and after January 1, 2000.

(a-5) Beginning on January 1, 2000, a flat pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at all pari-mutuel wagering facilities and on advance deposit wagering from a location other than a wagering facility, except as otherwise provided for in this subsection (a-5). In addition to the pari-mutuel tax imposed on advance deposit wagering pursuant to this subsection (a-5), beginning on the effective date of this amendatory Act of the 97th General Assembly until January 31, 2014, an additional pari-mutuel tax at the rate of 0.25% shall be imposed on advance deposit wagering. Until August 25, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering by Public Act 96-972 shall be deposited into the Quarter Horse Purse Fund, which shall be created as a non-appropriated trust fund administered by the Board for grants to thoroughbred organization licensees for payment of purses for quarter horse races conducted by the
organization licensee. Beginning on August 26, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering shall be deposited into the Standardbred Purse Fund, which shall be created as a non-appropriated trust fund administered by the Board, for grants to the standardbred organization licensees for payment of purses for standardbred horse races conducted by the organization licensee equally into the standardbred purse accounts of organization licensees conducting standardbred racing. Thoroughbred organization licensees may petition the Board to conduct quarter horse racing and receive purse grants from the Quarter Horse Purse Fund. The Board shall have complete discretion in distributing the Quarter Horse Purse Fund to the petitioning organization licensees. Beginning on July 26, 2010 (the effective date of Public Act 96-1287) this amendatory Act of the 96th General Assembly and until moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 0.75% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. After moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. The pari-mutuel tax imposed by this subsection (a-5) shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes.

(b) On or before December 31, 1999, in the event that any organization licensee conducts 2 separate programs of races on any day, each such program shall be considered a separate racing day for purposes of determining the daily handle and computing the privilege tax on such daily handle as provided in subsection (a) of this Section.

(c) Licensees shall at all times keep accurate books and records of all monies wagered on each day of a race meeting and of the taxes paid to the Department of Revenue under the provisions of this Section. The Board or its duly authorized representative or representatives shall at all reasonable times have access to such records for the purpose of examining and checking the same and ascertaining whether the proper amount of taxes is being paid as provided. The Board shall require verified reports and a statement of the total of all monies wagered daily at each wagering

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facility upon which the taxes are assessed and may prescribe forms upon which such reports and statement shall be made.

(d) Any licensee failing or refusing to pay the amount of any tax due under this Section shall be guilty of a business offense and upon conviction shall be fined not more than $5,000 in addition to the amount found due as tax under this Section. Each day's violation shall constitute a separate offense. All fines paid into Court by a licensee hereunder shall be transmitted and paid over by the Clerk of the Court to the Board.

(e) No other license fee, privilege tax, excise tax, or racing fee, except as provided in this Act, shall be assessed or collected from any such licensee by the State.

(f) No other license fee, privilege tax, excise tax or racing fee shall be assessed or collected from any such licensee by units of local government except as provided in paragraph 10.1 of subsection (h) and subsection (f) of Section 26 of this Act. However, any municipality that has a Board licensed horse race meeting at a race track wholly within its corporate boundaries or a township that has a Board licensed horse race meeting at a race track wholly within the unincorporated area of the township may charge a local amusement tax not to exceed 10¢ per admission to such horse race meeting by the enactment of an ordinance. However, any municipality or county that has a Board licensed inter-track wagering location facility wholly within its corporate boundaries may each impose an admission fee not to exceed $1.00 per admission to such inter-track wagering location facility, so that a total of not more than $2.00 per admission may be imposed. Except as provided in subparagraph (g) of Section 27 of this Act, the inter-track wagering location licensee shall collect any and all such fees and within 48 hours remit the fees to the Board, which shall, pursuant to rule, cause the fees to be distributed to the county or municipality.

(g) Notwithstanding any provision in this Act to the contrary, if in any calendar year the total taxes and fees required to be collected from licensees and distributed under this Act to all State and local governmental authorities exceeds the amount of such taxes and fees distributed to each State and local governmental authority to which each State and local governmental authority was entitled under this Act for calendar year 1994, then the first $11 million of that excess amount shall be allocated at the earliest possible date for distribution as purse money for the succeeding calendar year. Upon reaching the 1994 level, and until the excess amount of taxes and fees exceeds $11 million, the Board shall direct all licensees
to cease paying the subject taxes and fees and the Board shall direct all licensees to allocate any such excess amount for purses as follows:

(i) the excess amount shall be initially divided between thoroughbred and standardbred purses based on the thoroughbred's and standardbred's respective percentages of total Illinois live wagering in calendar year 1994;

(ii) each thoroughbred and standardbred organization licensee issued an organization license in that succeeding allocation year shall be allocated an amount equal to the product of its percentage of total Illinois live thoroughbred or standardbred wagering in calendar year 1994 (the total to be determined based on the sum of 1994 on-track wagering for all organization licensees issued organization licenses in both the allocation year and the preceding year) multiplied by the total amount allocated for standardbred or thoroughbred purses, provided that the first $1,500,000 of the amount allocated to standardbred purses under item (i) shall be allocated to the Department of Agriculture to be expended with the assistance and advice of the Illinois Standardbred Breeders Funds Advisory Board for the purposes listed in subsection (g) of Section 31 of this Act, before the amount allocated to standardbred purses under item (i) is allocated to standardbred organization licensees in the succeeding allocation year.

To the extent the excess amount of taxes and fees to be collected and distributed to State and local governmental authorities exceeds $11 million, that excess amount shall be collected and distributed to State and local authorities as provided for under this Act.

(Source: P.A. 96-762, eff. 8-25-09; 96-1287, eff. 7-26-10; 97-1060, eff. 8-24-12.)

(230 ILCS 5/54)
Sec. 54. Horse Racing Equity Fund.
(a) There is created in the State Treasury a Fund to be known as the Horse Racing Equity Fund. The Fund shall consist of moneys paid into it pursuant to subsection (c-5) of Section 13 of the Riverboat Gambling Act. The Fund shall be administered by the Racing Board.

(b) The moneys deposited into the Fund shall be distributed by the Racing Board within 10 days after those moneys are deposited into the Fund as follows:

New matter indicated by italics - deletions by strikeout
(1) Fifty percent of all moneys distributed under this subsection shall be distributed to organization licensees to be distributed at their race meetings as purses. Fifty-seven percent of the amount distributed under this paragraph (1) shall be distributed for thoroughbred race meetings and 43% shall be distributed for standardbred race meetings. Within each breed, moneys shall be allocated to each organization licensee's purse fund in accordance with the ratio between the purses generated for that breed by that licensee during the prior calendar year and the total purses generated throughout the State for that breed during the prior calendar year.

(2) The remaining 50% of the moneys distributed under this subsection (b) shall be distributed pro rata according to the aggregate proportion of state-wide handle at the racetrack, inter-track, and inter-track wagering locations that derive their licenses from a racetrack identified in this paragraph (2) for calendar years 1994, 1996, and 1997 to (i) any person (or its successors or assigns) who had operating control of a racing facility at which live racing was conducted in calendar year 1997 and who has operating control of an organization licensee that conducted racing in calendar year 1997 and is a licensee in the current year, or (ii) any person (or its successors or assigns) who has operating control of a racing facility located in a county that is bounded by the Mississippi River that has a population of less than 150,000 according to the 1990 decennial census and conducted an average of 60 days of racing per year between 1985 and 1993 and has been awarded an inter-track wagering license in the current year.

If any person identified in this paragraph (2) becomes ineligible to receive moneys from the Fund, such amount shall be redistributed among the remaining persons in proportion to their percentages otherwise calculated.

(Source: P.A. 91-40, eff. 6-25-99.)

Section 20. The Riverboat Gambling Act is amended by changing Section 13 as follows:

(230 ILCS 10/13) (from Ch. 120, par. 2413)
Sec. 13. Wagering tax; rate; distribution.
(a) Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.

New matter indicated by italics - deletions by strikeout
(a-1) From January 1, 1998 until July 1, 2002, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including $25,000,000;
- 20% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
- 25% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
- 30% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
- 35% of annual adjusted gross receipts in excess of $100,000,000.

(a-2) From July 1, 2002 until July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including $25,000,000;
- 22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
- 27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
- 32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
- 37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
- 45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
- 50% of annual adjusted gross receipts in excess of $200,000,000.

(a-3) Beginning July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a

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licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including $25,000,000;
- 27.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $37,500,000;
- 32.5% of annual adjusted gross receipts in excess of $37,500,000 but not exceeding $50,000,000;
- 37.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
- 45% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
- 50% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $250,000,000;
- 70% of annual adjusted gross receipts in excess of $250,000,000.

An amount equal to the amount of wagering taxes collected under this subsection (a-3) that are in addition to the amount of wagering taxes that would have been collected if the wagering tax rates under subsection (a-2) were in effect shall be paid into the Common School Fund.

The privilege tax imposed under this subsection (a-3) shall no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this subsection (a-3), the term "dormant license" means an owners license that is authorized by this Act under which no riverboat gambling operations are being conducted on June 20, 2003.

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including $25,000,000;
22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
50% of annual adjusted gross receipts in excess of $200,000,000.

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner to the Board not later than 5:00 o'clock p.m. of the day after the day when the wagers were made.

(a-15) If the privilege tax imposed under subsection (a-3) is no longer imposed pursuant to item (i) of the last paragraph of subsection (a-3), then by June 15 of each year, each owners licensee, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the payment of all amounts otherwise due under this Section, pay to the Board a reconciliation payment in the amount, if any, by which the licensed owner's base amount exceeds the amount of net privilege tax paid by the licensed owner to the Board in the then current State fiscal year. A licensed owner's net privilege tax obligation due for the balance of the State fiscal year shall be reduced up to the total of the amount paid by the licensed owner in its June 15 reconciliation payment. The obligation imposed by this subsection (a-15) is binding on any person, firm, corporation, or other entity that acquires an ownership interest in any such owners license. The obligation imposed under this subsection (a-15) terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the effective date of this amendatory Act of the 94th General Assembly that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming

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operations with slot machines or other electronic gaming devices. The Board must reduce the obligation imposed under this subsection (a-15) by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous threat to the health and safety of patrons. If an owners licensee pays an amount in excess of its liability under this Section, the Board shall apply the overpayment to future payments required under this Section.

For purposes of this subsection (a-15):
"Act of God" means an incident caused by the operation of an extraordinary force that cannot be foreseen, that cannot be avoided by the exercise of due care, and for which no person can be held liable.
"Base amount" means the following:
For a riverboat in Alton, $31,000,000.
For a riverboat in East Peoria, $43,000,000.
For the Empress riverboat in Joliet, $86,000,000.
For a riverboat in Metropolis, $45,000,000.
For the Harrah's riverboat in Joliet, $114,000,000.
For a riverboat in Aurora, $86,000,000.
For a riverboat in East St. Louis, $48,500,000.
For a riverboat in Elgin, $198,000,000.
"Dormant license" has the meaning ascribed to it in subsection (a-3).
"Net privilege tax" means all privilege taxes paid by a licensed owner to the Board under this Section, less all payments made from the State Gaming Fund pursuant to subsection (b) of this Section.

The changes made to this subsection (a-15) by Public Act 94-839 are intended to restate and clarify the intent of Public Act 94-673 with respect to the amount of the payments required to be made under this subsection by an owners licensee to the Board.

(b) Until January 1, 1998, 25% of the tax revenue deposited in the State Gaming Fund under this Section shall be paid, subject to appropriation by the General Assembly, to the unit of local government which is designated as the home dock of the riverboat. Beginning January 1, 1998, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated
by a riverboat shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat. From the tax revenue deposited in the State Gaming Fund pursuant to riverboat gambling operations conducted by a licensed manager on behalf of the State, an amount equal to 5% of adjusted gross receipts generated pursuant to those riverboat gambling operations shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat upon which those riverboat gambling operations are conducted.

(c) Appropriations, as approved by the General Assembly, may be made from the State Gaming Fund to the Board (i) for the administration and enforcement of this Act and the Video Gaming Act, (ii) for distribution to the Department of State Police and to the Department of Revenue for the enforcement of this Act, and (iii) to the Department of Human Services for the administration of programs to treat problem gambling.

(c-5) Before May 26, 2006 (the effective date of Public Act 94-804) and beginning on the effective date of this amendatory Act of the 95th General Assembly, unless any organization licensee under the Illinois Horse Racing Act of 1975 begins to operate a slot machine or video game of chance under the Illinois Horse Racing Act of 1975 or this Act, after the payments required under subsections (b) and (c) have been made, an amount equal to 15% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund into the Horse Racing Equity Fund.

(c-10) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid into the Horse Racing Equity Fund pursuant to subsection (c-5) in the prior calendar year.

(c-15) After the payments required under subsections (b), (c), and (c-5) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the

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first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population of over 3,000,000 inhabitants pursuant to subsection (c-15) in the prior calendar year.

(c-25) On July 1, 2013 and each July 1 thereafter, $1,600,000 shall be transferred from the State Gaming Fund to the Chicago State University Education Improvement Fund. After the payments required under subsections (b), (c), (c-5) and (c-15) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund to Chicago State University.

(c-30) On July 1, 2013 or as soon as possible thereafter, $92,000,000 shall be transferred from the State Gaming Fund to the School Infrastructure Fund and $23,000,000 shall be transferred from the State Gaming Fund to the Horse Racing Equity Fund.

(c-35) Beginning on July 1, 2013, in addition to any amount transferred under subsection (c-30) of this Section, $5,530,000 shall be transferred monthly from the State Gaming Fund to the School Infrastructure Fund.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the
provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.
(Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08; 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)

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

Approved June 7, 2013.
Effective June 7, 2013.

PUBLIC ACT 98-0019
(Senate Bill No. 1515)

AN ACT concerning State government.

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

Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 5 and 8 as follows:

(5 ILCS 375/5) (from Ch. 127, par. 525)

Sec. 5. Employee benefits; declaration of State policy. The General Assembly declares that it is the policy of the State and in the best interest of the State to assure quality benefits to members and their dependents under this Act. The implementation of this policy depends upon, among other things, stability and continuity of coverage, care, and services under benefit programs for members and their dependents. Specifically, but without limitation, members should have continued access, on substantially similar terms and conditions, to trusted family health care providers with whom they have developed long-term relationships through a benefit program under this Act. Therefore, the Director must administer this Act consistent with that State policy, but may consider affordability, cost of coverage and care, and competition among health insurers and providers. All contracts for provision of employee benefits, including those portions of any proposed collective bargaining agreement that would require implementation through contracts entered into under this Act, are subject to the following requirements:

(i) By April 1 of each year, the Director must report and provide information to the Commission concerning the status of the employee benefits program to be offered for the next fiscal

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year. Information includes, but is not limited to, documents, reports of negotiations, bid invitations, requests for proposals, specifications, copies of proposed and final contracts or agreements, and any other materials concerning contracts or agreements for the employee benefits program. By the first of each month thereafter, the Director must provide updated, and any new, information to the Commission until the employee benefits program for the next fiscal year is determined. In addition to these monthly reporting requirements, at any time the Commission makes a written request, the Director must promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission any additional requested information in the possession of the Director concerning employee benefits programs. The Commission may waive any of the reporting requirements of this item (i) upon the written request by the Director. Any waiver granted under this item (i) must be in writing. Nothing in this item is intended to abrogate any attorney-client privilege.

(ii) Within 30 days after notice of the awarding or letting of a contract has appeared in the Illinois Procurement Bulletin in accordance with subsection (b) of Section 15-25 of the Illinois Procurement Code, the Commission may request in writing from the Director and the Director shall promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission information in the possession of the Director concerning the proposed contract. Nothing in this item is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(iii) Except as otherwise provided in this item (iii), no contract subject to this Section may be entered into until the 30-day period described in item (ii) has expired, unless the Director requests in writing that the Commission waive the period and the Commission grants the waiver in writing. This item (iii) does not apply to any contract entered into after the effective date of this amendatory Act of the 98th General Assembly and through January 1, 2014 to provide a program of group health benefits for Medicare-primary members and their Medicare-primary dependents that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under this Act.

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(iv) If the Director seeks to make any substantive modification to any provision of a proposed contract after it is submitted to the Commission in accordance with item (ii), the modified contract shall be subject to the requirements of items (ii) and (iii) unless the Commission agrees, in writing, to a waiver of those requirements with respect to the modified contract.

(v) By the date of the beginning of the annual benefit choice period, the Director must transmit to the Commission a copy of each final contract or agreement for the employee benefits program to be offered for the next fiscal year. The annual benefit choice period for an employee benefits program must begin on May 1 of the fiscal year preceding the year for which the program is to be offered. If, however, in any such preceding fiscal year collective bargaining over employee benefit programs for the next fiscal year remains pending on April 15, the beginning date of the annual benefit choice period shall be not later than 15 days after ratification of the collective bargaining agreement.

(vi) The Director must provide the reports, information, and contracts required under items (i), (ii), (iv), and (v) by electronic or other means satisfactory to the Commission. Reports, information, and contracts in the possession of the Commission pursuant to items (i), (ii), (iv), and (v) are exempt from disclosure by the Commission and its members and employees under the Freedom of Information Act. Reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) must be kept confidential by and may not be disclosed or used by the Commission or its members or employees if such disclosure or use could compromise the fairness or integrity of the procurement, bidding, or contract process. Commission meetings, or portions of Commission meetings, in which reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) are discussed must be closed if disclosure or use of the report or information could compromise the fairness or integrity of the procurement, bidding, or contract process.

All contracts entered into under this Section are subject to appropriation and shall comply with Section 20-60(b) of the Illinois Procurement Code (30 ILCS 500/20-60(b)).

The Director shall contract or otherwise make available group life insurance, health benefits and other employee benefits to eligible members

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and, where elected, their eligible dependents. Any contract or, if applicable, contracts or other arrangement for provision of benefits shall be on terms consistent with State policy and based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor and premiums, fees or charges as related to benefits.

Notwithstanding any other provisions of this Act, by January 1, 2014, the Department of Central Management Services, in consultation with and subject to the approval of the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under this Act. The initial procurement of a contract or contracts under this paragraph is not subject to the provisions of the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50.

The Director may prepare and issue specifications for group life insurance, health benefits, other employee benefits and administrative services for the purpose of receiving proposals from interested parties.

The Director is authorized to execute a contract, or contracts, for the programs of group life insurance, health benefits, other employee benefits and administrative services authorized by this Act (including, without limitation, prescription drug benefits). All of the benefits provided under this Act may be included in one or more contracts, or the benefits may be classified into different types with each type included under one or more similar contracts with the same or different companies.

The term of any contract may not extend beyond 5 fiscal years. Upon recommendation of the Commission, the Director may exercise renewal options of the same contract for up to a period of 5 years. Any increases in premiums, fees or charges requested by a contractor whose contract may be renewed pursuant to a renewal option contained therein, must be justified on the basis of (1) audited experience data, (2) increases in the costs of health care services provided under the contract, (3) contractor performance, (4) increases in contractor responsibilities, or (5) any combination thereof.

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Any contractor shall agree to abide by all requirements of this Act and Rules and Regulations promulgated and adopted thereeto; to submit such information and data as may from time to time be deemed necessary by the Director for effective administration of the provisions of this Act and the programs established hereunder, and to fully cooperate in any audit.

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

(5 ILCS 375/8) (from Ch. 127, par. 528)

Sec. 8. Eligibility.

(a) Each employee eligible under the provisions of this Act and any rules and regulations promulgated and adopted hereunder by the Director shall become immediately eligible and covered for all benefits available under the programs. Employees electing coverage for eligible dependents shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director.

(1) Every member originally eligible to elect dependent coverage, but not electing it during the original eligibility period, may subsequently obtain dependent coverage only in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

(2) Members described above being transferred from previous coverage towards which the State has been contributing shall be transferred regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled.

(3) Eligible and covered members that are eligible for coverage as dependents except for the fact of being members shall be transferred to, and covered under, dependent status regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled upon cessation of member status and the election of dependent coverage by a member eligible to elect that coverage.

(b) New employees shall be immediately insured for the basic group life insurance and covered by the program of health benefits on the first day of active State service. Optional life insurance coverage one to 4

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times the basic amount, if elected during the relevant eligibility period, will become effective on the date of employment. Optional life insurance coverage exceeding 4 times the basic amount and all life insurance amounts applied for after the eligibility period will be effective, subject to satisfactory evidence of insurability when applicable, or other necessary qualifications, pursuant to the requirements of the applicable benefit program, unless there is a change in status that would confer new eligibility for change of enrollment under rules established supplementing this Act, in which event application must be made within the new eligibility period.

(c) As to the group health benefits program contracted to begin or continue after June 30, 1973, each annuitant, survivor, and retired employee shall become immediately eligible for all benefits available under that program. Each annuitant, survivor, and retired employee shall have coverage effective immediately, provided that the election is properly filed in accordance with the required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director. Annuitants, survivors, and retired employees may elect coverage for eligible dependents and shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, except that, for a survivor, the dependent sought to be added on or after the effective date of this amendatory Act of the 97th General Assembly must have been eligible for coverage as a dependent under the deceased member upon whom the survivor's annuity is based in order to be eligible for coverage under the survivor.

Except as otherwise provided in this Act, where husband and wife are both eligible members, each shall be enrolled as a member and coverage on their eligible dependent children, if any, may be under the enrollment and election of either.

Regardless of other provisions herein regarding late enrollment or other qualifications, as appropriate, the Director may periodically authorize open enrollment periods for each of the benefit programs at which time each member may elect enrollment or change of enrollment without regard to age, sex, health, or other qualification under the conditions as may be prescribed in rules and regulations supplementing this Act. Special open enrollment periods may be declared by the Director for certain members only when special circumstances occur that affect only those members.
(d) Beginning with fiscal year 2003 and for all subsequent years, eligible members may elect not to participate in the program of health benefits as defined in this Act. The election must be made during the annual benefit choice period, subject to the conditions in this subsection.

(1) Members must furnish proof of health benefit coverage, either comprehensive major medical coverage or comprehensive managed care plan, from a source other than the Department of Central Management Services in order to elect not to participate in the program.

(2) Members may re-enroll in the Department of Central Management Services program of health benefits upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions, provided that there was not a break in coverage of more than 63 days.

(3) Members may also re-enroll in the program of health benefits during any annual benefit choice period, without evidence of insurability.

(4) Members who elect not to participate in the program of health benefits shall be furnished a written explanation of the requirements and limitations for the election not to participate in the program and for re-enrolling in the program. The explanation shall also be included in the annual benefit choice options booklets furnished to members.

(d-5) Beginning July 1, 2005, the Director may establish a program of financial incentives to encourage annuitants receiving a retirement annuity from the State Employees Retirement System, but who are not eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with the requirements set forth under subsection (d). The financial incentives provided to these annuitants under the program may not exceed $150 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(d-6) Beginning July 1, 2013, the Director may establish a program of financial incentives to encourage annuitants with 20 or more years of creditable service but who are not eligible for benefits under the
federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with the requirements set forth under subsection (d). The program established under this subsection (d-6) may include a prorated incentive for annuitants with fewer than 20 years of creditable service, as determined by the Director. The financial incentives provided to these annuitants under this program may not exceed $500 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(e) Notwithstanding any other provision of this Act or the rules adopted under this Act, if a person participating in the program of health benefits as the dependent spouse of an eligible member becomes an annuitant, the person may elect, at the time of becoming an annuitant or during any subsequent annual benefit choice period, to continue participation as a dependent rather than as an eligible member for as long as the person continues to be an eligible dependent. In order to be eligible to make such an election, the person must have been enrolled as a dependent under the program of health benefits for no less than one year prior to becoming an annuitant.

An eligible member who has elected to participate as a dependent may re-enroll in the program of health benefits as an eligible member (i) during any subsequent annual benefit choice period or (ii) upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions.

A person who elects to participate in the program of health benefits as a dependent rather than as an eligible member shall be furnished a written explanation of the consequences of electing to participate as a dependent and the conditions and procedures for re-enrolling as an eligible member. The explanation shall also be included in the annual benefit choice options booklet furnished to members.

(Source: P.A. 97-668, eff. 1-13-12.)

Section 10. The State Treasurer Act is amended by changing Section 18 as follows:

(15 ILCS 505/18)

Sec. 18. Banking and automatic teller machine services.

New matter indicated by italics - deletions by strikeout
(a) The Treasurer may enter into written agreements with financial institutions for the provision of banking services at the State Capitol and for the provision of automatic teller machine services at State office buildings, State parks, State tourism centers, and State fairs at Springfield and DuQuoin. The Treasurer shall establish competitive procedures for the selection of financial institutions to provide the services authorized under this Section. No State agency may procure services authorized by this Section without the approval of the Treasurer.

(b) The Treasurer shall enter into written agreements with the authorities having jurisdiction of the property where the services are intended to be provided. These agreements shall include, but need not be limited to, the quantity of machines to be located at the property and the exact location of the service or machine and shall establish responsibility for payment of expenses incurred in locating the machine or service.

(c) The Treasurer's agreement with a financial institution may authorize the financial institution to provide any or all of the banking services that the financial institution is otherwise authorized by law to provide to the public.

The Treasurer's agreement with a financial institution shall establish the amount of compensation to be paid by the financial institution. The financial institution shall pay the compensation to the Treasurer in accordance with the terms of the agreement. The Treasurer shall deposit moneys received under this Section into the Treasurer's Rental Fee Fund, a special fund hereby created in the State treasury. The Treasurer shall use the moneys in the Fund for the operation of the program established under this Section. If the Treasurer determines that any moneys in the Treasurer's Rental Fee Fund are in excess of the amount necessary to sustain the operation of the program established under this Section, the Treasurer may transfer any unobligated and unexpended moneys from the Treasurer's Rental Fee Fund into the State Pensions Fund.

(d) This Section does not apply to a State office building in which a currency exchange or a credit union providing financial services located in the building on July 1, 1995 (the effective date of Public Act 88-640) is operating.

(Source: P.A. 94-513, eff. 1-1-06.)

Section 15. The Illinois Procurement Code is amended by adding Section 25-205 as follows:

(30 ILCS 500/25-205 new)

New matter indicated by italics - deletions by strikeout
Sec. 25-205. Procurement of health benefits for Medicare-primary members and their dependents. The Department of Central Management Services, in consultation with and subject to the approval of the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under the State Employees Group Insurance Act of 1971. The Department of Central Management Services shall provide administrative support and provide consultation to assist with the procurement. The initial procurement is not subject to the provisions of this Code, except for Sections 20-60, 20-65, 20-70, and 20-160, and Article 50, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50.

Section 20. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 18 as follows:

(765 ILCS 1025/18) (from Ch. 141, par. 118)
Sec. 18. Deposit of funds received under the Act.
(a) The State Treasurer shall retain all funds received under this Act, including the proceeds from the sale of abandoned property under Section 17, in a trust fund. The State Treasurer may deposit any amount in the Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the trust fund exceeding $2,500,000 into the State Pensions Fund. If on either April 15 or October 15, the State Treasurer determines that a balance of $2,500,000 is insufficient for the prompt payment of unclaimed property claims authorized under this Act, the Treasurer may retain more than $2,500,000 in the Unclaimed Property Trust Fund in order to ensure the prompt payment of claims. Beginning in State fiscal year 2014, all amounts in excess of $2,500,000 that are deposited into the State Pensions Fund from the unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies. He or she shall make prompt payment of claims he or she duly allows as provided for in this Act for the trust fund. Before making the deposit the State Treasurer shall record the name and last known address of each person appearing

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from the holders' reports to be entitled to the abandoned property. The record shall be available for public inspection during reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the State Treasurer may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to this Act. The State Treasurer shall semiannually file an itemized report of all such expenses with the Legislative Audit Commission.

(Source: P.A. 96-1000, eff. 7-2-10; 97-732, eff. 6-30-12.)

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

Approved June 10, 2013.
Effective June 10, 2013.

June 11, 2013

To the Honorable Members of the 98th General Assembly:

I hereby approve Senate Bill 1674 and commend the sponsors for their hard work on this bill. Senate Bill 1674 is important legislation which will provide millions of dollars for foreclosure prevention counseling. Senate Bill 1674 will also provide funds to municipalities to utilize in the clean-up of abandoned residential property.

Senate Bill 1674 is companion legislation to Senate Bill 16, which was passed in the previous General Assembly after two years of hard work by the sponsors and interested parties. Through both bills, we will be able to combat housing blight by decreasing the time homes sit empty and, more importantly, help people to stay in their homes with the assistance of trained counselors who will provide foreclosure prevention counseling.

The Illinois Housing Development Authority (“IHDA”) has been administering the Foreclosure Prevention Fund since 2011; under this legislation IHDA will also be called upon to manage the Abandoned Residential Property Municipality Relief Fund, commonly known as the

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Abandoned Property Program. IHDA has a proven track record of effectively managing such funds and programs and I have full faith and confidence in IHDA’s ability to manage this new Fund in a similarly effective and responsible manner.

Keeping people in their homes, and keeping neighborhoods safe, have always been two of my priorities. Through Senate Bill 1674, we can accomplish both, while also returning properties to productive use, thereby creating jobs and increasing local revenue from real estate taxes. It is a win-win all of the way around.

Sincerely,

PAT QUINN
Governor

PUBLIC ACT 98-0020
(Senate Bill No. 1674)

AN ACT concerning civil law.

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

Section 5. The Illinois Housing Development Act is amended by changing Sections 7.30 and 7.31 as follows:

(20 ILCS 3805/7.30)
(Text of Section after amendment by P.A. 97-1164)
Sec. 7.30. Foreclosure Prevention Program.

(a) The Authority shall establish and administer a Foreclosure Prevention Program. The Authority shall use moneys in the Foreclosure Prevention Program Fund, and any other funds appropriated for this purpose, to make grants to (i) approved counseling agencies for approved housing counseling and (ii) approved community-based organizations for approved foreclosure prevention outreach programs. The Authority shall promulgate rules to implement this Program and may adopt emergency rules as soon as practicable to begin implementation of the Program.

(b) Subject to appropriation and the annual receipt of funds, the Authority shall make grants from the Foreclosure Prevention Program Fund derived from fees paid as specified in subsection (a) of Section 15-1504.1 of the Code of Civil Procedure as follows:

New matter indicated by italics - deletions by strikeout
(1) 25% of the moneys in the Fund shall be used to make grants to approved counseling agencies that provide services in Illinois outside of the City of Chicago. Grants shall be based upon the number of foreclosures filed in an approved counseling agency's service area, the capacity of the agency to provide foreclosure counseling services, and any other factors that the Authority deems appropriate.

(2) 25% of the moneys in the Fund shall be distributed to the City of Chicago to make grants to approved counseling agencies located within the City of Chicago for approved housing counseling or to support foreclosure prevention counseling programs administered by the City of Chicago.

(3) 25% of the moneys in the Fund shall be used to make grants to approved community-based organizations located outside of the City of Chicago for approved foreclosure prevention outreach programs.

(4) 25% of the moneys in the Fund shall be used to make grants to approved community-based organizations located within the City of Chicago for approved foreclosure prevention outreach programs, with priority given to programs that provide door-to-door outreach.

(b-1) Subject to appropriation and the annual receipt of funds, the Authority shall make grants from the Foreclosure Prevention Program Graduated Fund derived from fees paid as specified in paragraph (1) of subsection (a-5) of Section 15-1504.1 of the Code of Civil Procedure, as follows:

(1) 30% shall be used to make grants for approved housing counseling in Cook County outside of the City of Chicago;

(2) 25% shall be used to make grants for approved housing counseling in the City of Chicago;

(3) 30% shall be used to make grants for approved housing counseling in DuPage, Kane, Lake, McHenry, and Will Counties; and

(4) 15% shall be used to make grants for approved housing counseling in Illinois in counties other than Cook, DuPage, Kane, Lake, McHenry, and Will Counties provided that grants to provide approved housing counseling to borrowers residing within these counties shall be based, to the extent practicable, (i) proportionately on the amount of fees paid to the respective clerks

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of the courts within these counties and (ii) on any other factors that the Authority deems appropriate.

The percentages set forth in this subsection (b-1) shall be calculated after deduction of reimbursable administrative expenses incurred by the Authority, but shall not be greater than 4% of the annual appropriated amount.

(b-5) As used in this Section:

"Approved community-based organization" means a not-for-profit entity that provides educational and financial information to residents of a community through in-person contact. "Approved community-based organization" does not include a not-for-profit corporation or other entity or person that provides legal representation or advice in a civil proceeding or court-sponsored mediation services, or a governmental agency.

"Approved foreclosure prevention outreach program" means a program developed by an approved community-based organization that includes in-person contact with residents to provide (i) pre-purchase and post-purchase home ownership counseling, (ii) education about the foreclosure process and the options of a mortgagor in a foreclosure proceeding, and (iii) programs developed by an approved community-based organization in conjunction with a State or federally chartered financial institution.

"Approved counseling agency" means a housing counseling agency approved by the U.S. Department of Housing and Urban Development.

"Approved housing counseling" means in-person counseling provided by a counselor employed by an approved counseling agency to all borrowers, or documented telephone counseling where a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to a medical condition, as verified in writing by a physician, or the borrower resides 50 miles or more from the nearest approved counseling agency. In instances of telephone counseling, the borrower must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session.

(c) (Blank).

(c-5) Where the jurisdiction of an approved counseling agency is included within more than one of the geographic areas set forth in this Section, the Authority may elect to fully fund the applicant from one of the relevant geographic areas.

(Source: P.A. 96-1419, eff. 10-1-10; 97-1164, eff. 6-1-13.)

New matter indicated by italics - deletions by strikeout
Sec. 7.31. Abandoned Residential Property Municipality Relief Program.

(a) The Authority shall establish and administer an Abandoned Residential Property Municipality Relief Program. The Authority shall use moneys in the Abandoned Residential Property Municipality Relief Fund, and any other funds appropriated for this purpose, to make grants to municipalities and to counties to assist with costs incurred by the municipality or county for: cutting of neglected weeds or grass, trimming of trees or bushes, and removal of nuisance bushes or trees; extermination of pests or prevention of the ingress of pests; removal of garbage, debris, and graffiti; boarding up, closing off, or locking windows or entrances or otherwise making the interior of a building inaccessible to the general public; surrounding part or all of an abandoned residential property's underlying parcel with a fence or wall or otherwise making part or all of the abandoned residential property's underlying parcel inaccessible to the general public; demolition of abandoned residential property; and repair or rehabilitation of abandoned residential property, as approved by the Authority under the Program. For purposes of this subsection (a), "pests" has the meaning ascribed to that term in subsection (c) of Section 11-20-8 of the Illinois Municipal Code. The Authority shall promulgate rules for the administration, operation, and maintenance of the Program and may adopt emergency rules as soon as practicable to begin implementation of the Program.

(b) Subject to appropriation and the annual receipt of funds, the Authority shall make grants from the Abandoned Residential Property Municipality Relief Fund derived from fees paid as specified in paragraph (1) of subsection (a-5) of Section 15-1504.1 and subsection (a) of Section 15-1507.1 of the Code of Civil Procedure as follows:

(1) 30% of the moneys in the Fund shall be used to make grants to municipalities other than the City of Chicago in Cook County and to Cook County;

(2) 25% of the moneys in the Fund shall be used to make grants to the City of Chicago;

(3) 30% of the moneys in the Fund shall be used to make grants to municipalities in DuPage, Kane, Lake, McHenry and Will Counties, and to those counties; and

(4) 15% of the moneys in the Fund shall be used to make grants to municipalities in Illinois in counties other than Cook,

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DuPage, Kane, Lake, McHenry, and Will Counties, and to counties other than Cook, DuPage, Kane, Lake, McHenry, and Will Counties. *Grants distributed to the municipalities and counties shall be based on (i) areas of greatest need within these counties, which shall be determined, to the extent practicable, proportionately on the amount of fees paid to the respective clerks of the courts within these counties, and (ii) on any other factors that the Authority deems appropriate. Grants distributed to the municipalities and counties identified in this paragraph (4) shall be based (i) proportionately on the amount of fees paid to the respective clerks of the courts within these counties and (ii) on any other factors that the Authority deems appropriate.*

The percentages set forth in this subsection (b) shall be calculated after deduction of reimbursable administrative expenses incurred by the Authority, but shall not be greater than 4% of the annual appropriated amount.

(c) Where the jurisdiction of a municipality is included within more than one of the geographic areas set forth in this Section, the Authority may elect to fully fund the municipality from one of the relevant geographic areas.

(Source: P.A. 96-1419, eff. 10-1-10; 97-1164, eff. 6-1-13.)

Section 10. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Foreclosure Prevention Program Graduated Fund.

Section 15. The Code of Civil Procedure is amended by changing Sections 15-1504.1, 15-1505.8, and 15-1507.1 as follows:

(735 ILCS 5/15-1504.1)


(a) Fee paid by all plaintiffs with respect to residential real estate. With respect to residential real estate, at the time of the filing of a foreclosure complaint, the plaintiff shall pay to the clerk of the court in which the foreclosure complaint is filed a fee of $50 for deposit into the Foreclosure Prevention Program Fund, a special fund created in the State treasury. The clerk shall remit the fee collected pursuant to this subsection (a) to the State Treasurer to be expended for the purposes set forth in Section 7.30 of the Illinois Housing Development Act. All fees paid by

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plaintiffs to the clerk of the court as provided in this subsection (a) shall be disbursed within 60 days after receipt by the clerk of the court as follows: (i) 98% to the State Treasurer for deposit into the Foreclosure Prevention Program Fund, and (ii) 2% to the clerk of the court to be retained by the clerk for deposit into the Circuit Court Clerk Operation and Administrative Fund to defray for administrative expenses related to implementation of this subsection (a). Notwithstanding any other law to the contrary, the Foreclosure Prevention Program Fund is not subject to sweeps, administrative charge-backs, or any other fiscal maneuver that would in any way transfer any amounts from the Foreclosure Prevention Program Fund into any other fund of the State.

(a-5) Additional fee paid by plaintiffs with respect to residential real estate.

(1) Until January 1, 2018, with respect to residential real estate, at the time of the filing of a foreclosure complaint and in addition to the fee set forth in subsection (a) of this Section, the plaintiff shall pay to the clerk of the court in which the foreclosure complaint is filed a fee for the Foreclosure Prevention Program Graduated Fund and the Abandoned Residential Property Municipality Relief Fund as follows:

(A) The fee shall be $500 if:

(i) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first tier foreclosure filing category and is filing the complaint on its own behalf as the holder of the indebtedness; or

(ii) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first tier foreclosure filing category; or

(iii) the plaintiff is not a depository institution and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as
to be included in the first tier foreclosure filing category.

(B) The fee shall be $250 if:

(i) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the second tier foreclosure filing category and is filing the complaint on its own behalf as the holder of the indebtedness; or

(ii) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first or second tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the second tier foreclosure filing category; or

(iii) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the second tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first tier foreclosure filing category; or

(iv) the plaintiff is not a depository institution and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the second tier foreclosure filing category.

(C) The fee shall be $50 if:

(i) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the third tier foreclosure filing category and is filing the complaint on its own behalf as the holder of the indebtedness; or
(ii) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first, second, or third tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the third tier foreclosure filing category; or

(iii) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the third tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the first tier foreclosure filing category; or

(iv) the plaintiff, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the third tier foreclosure filing category and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the second tier foreclosure filing category; or

(v) the plaintiff is not a depository institution and is filing the complaint on behalf of a mortgagee that, together with its affiliates, has filed a sufficient number of foreclosure complaints so as to be included in the third tier foreclosure filing category.

(2) The clerk shall remit the fee collected pursuant to paragraph (1) of this subsection (a-5) to the State Treasurer to be expended for the purposes set forth in Sections 7.30 and 7.31 of the Illinois Housing Development Act and for administrative expenses. All fees paid by plaintiffs to the clerk of the court as provided in paragraph (1) shall be disbursed within 60 days after receipt by the clerk of the court as follows:

(A) 28% to the State Treasurer for deposit into the Foreclosure Prevention Program Graduated Fund;

New matter indicated by italics - deletions by strikeout
(B) 70% to the State Treasurer for deposit into the Abandoned Residential Property Municipality Relief Fund; and

(C) 2% to the clerk of the court to be retained by the clerk for deposit into the Circuit Court Clerk Operation and Administrative Fund to defray for administrative expenses related to implementation of this subsection (a-5).

(3) Until January 1, 2018, with respect to residential real estate, at the time of the filing of a foreclosure complaint, the plaintiff or plaintiff's representative shall file a verified statement that states which additional fee is due under paragraph (1) of this subsection (a-5), unless the court has established another process for a plaintiff or plaintiff's representative to certify which additional fee is due under paragraph (1) of this subsection (a-5).

(3) To determine whether a plaintiff is subject to the fee as set forth in paragraph (1) of this subsection (a-5), a person, including the clerk of the court, may rely on:

(A) a verified statement filed by the plaintiff at the time of filing the foreclosure complaint that states whether the plaintiff has an obligation to pay an additional fee as set forth in subsection (a-5) and if so whether the fee is due under subparagraph (A), (B), or (C) of paragraph (1) of subsection (a-5); or

(B) such other processes established by the clerk of the court for plaintiffs to certify their eligibility for the exemption from the additional fee set forth in subsection (a-5).

(4) If a plaintiff fails to provide the clerk of the court with a true and correct statement of the additional fee due under paragraph (1) of this subsection (a-5), and the mortgagor reimburses the plaintiff for any erroneous additional fee that was paid by the plaintiff to the clerk of the court, the mortgagor may seek a refund of any overpayment of the fee in an amount that shall not exceed the difference between the higher additional fee paid under paragraph (1) of this subsection (a-5) and the actual fee due thereunder. The mortgagor must petition the judge within the foreclosure action for the award of any fee overpayment pursuant to this paragraph (4) of this subsection (a-5), and the award shall be determined by the judge and paid by the clerk of the court out of
the fund account into which the clerk of the court deposits fees to be remitted to the State Treasurer under paragraph (2) of this subsection (a-5), the timing of which refund payment shall be determined by the clerk of the court based upon the availability of funds in the subject fund account. This refund shall be the mortgagor's sole remedy and a mortgagor shall have no private right of action against the plaintiff or plaintiff's representatives if the additional fee paid by the plaintiff was erroneous.

(5) This subsection (a-5) is inoperative on and after January 1, 2018.

(b) Not later than March 1 of each year, the clerk of the court shall submit to the Illinois Housing Development Authority a report of the funds collected and remitted pursuant to this Section during the preceding year.

(c) As used in this Section:
"Affiliate" means any company that controls, is controlled by, or is under common control with another company.
"Approved counseling agency" and "approved housing counseling" have the meanings ascribed to those terms in Section 7.30 of the Illinois Housing Development Act.
"Depository institution" means a bank, savings bank, savings and loan association, or credit union chartered, organized, or holding a certificate of authority to do business under the laws of this State, another state, or the United States.
"First tier foreclosure filing category" is a classification that only applies to a plaintiff that has filed 175 or more foreclosure complaints on residential real estate located in Illinois during the calendar year immediately preceding the date of the filing of the subject foreclosure complaint.
"Second tier foreclosure filing category" is a classification that only applies to a plaintiff that has filed at least 50, but no more than 174, foreclosure complaints on residential real estate located in Illinois during the calendar year immediately preceding the date of the filing of the subject foreclosure complaint.
"Third tier foreclosure filing category" is a classification that only applies to a plaintiff that has filed no more than 49 foreclosure complaints on residential real estate located in Illinois during the calendar year immediately preceding the date of the filing of the subject foreclosure complaint.

New matter indicated by italics - deletions by strikeout
(d) In no instance shall the fee set forth in subsection (a-5) be assessed for any foreclosure complaint filed before the effective date of this amendatory Act of the 97th General Assembly.

(e) Notwithstanding any other law to the contrary, the Abandoned Residential Property Municipality Relief Fund is not subject to sweeps, administrative charge-backs, or any other fiscal maneuver that would in any way transfer any amounts from the Abandoned Residential Property Municipality Relief Fund into any other fund of the State.

(Source: P.A. 96-1419, eff. 10-1-10; 97-333, eff. 8-12-11; 97-1164, eff. 6-1-13.)

(735 ILCS 5/15-1505.8)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 15-1505.8. Expedited judgment and sale procedure for abandoned residential property.

(a) Upon motion and notice, the mortgagee may elect to utilize the expedited judgment and sale procedure for abandoned residential property stated in this Section to obtain a judgment of foreclosure pursuant to Section 15-1506. The motion to expedite the judgment and sale may be combined with or made part of the motion requesting a judgment of foreclosure. The notice of the motion to expedite the judgment and sale shall be sent by first-class mail to the last known address of the mortgagor, and the notice required by paragraph (1) of subsection (l) of this Section shall be posted at the property address.

(b) The motion requesting an expedited judgment of foreclosure and sale may be filed by the mortgagee at the time the foreclosure complaint is filed or any time thereafter, and shall set forth the facts demonstrating that the mortgaged real estate is abandoned residential real estate under Section 15-1200.5 and shall be supported by affidavit.

(c) If a motion for an expedited judgment and sale is filed at the time the foreclosure complaint is filed or before the period to answer the foreclosure complaint has expired, the motion shall be heard by the court no earlier than before the period to answer the foreclosure complaint has expired and no later than 21 days after the period to answer the foreclosure complaint has expired.

(d) If a motion for an expedited judgment and sale is filed after the period to answer the foreclosure complaint has expired, the motion shall be heard no later than 21 days after the motion is filed.
(e) The hearing shall be given priority by the court and shall be scheduled to be heard within the applicable time period set forth in subsection (c) or (d) of this Section.

(f) Subject to subsection (g), at the hearing on the motion requesting an expedited judgment and sale, if the court finds that the mortgaged real estate is abandoned residential property, the court shall grant the motion and immediately proceed to a trial of the foreclosure. A judgment of foreclosure under this Section shall include the matters identified in Section 15-1506.

(g) The court may not grant the motion requesting an expedited judgment and sale if the mortgagor, an unknown owner, or a lawful occupant appears in the action in any manner before or at the hearing and objects to a finding of abandonment.

(h) The court shall vacate an order issued pursuant to subsection (f) of this Section if the mortgagor or a lawful occupant appears in the action at any time prior to the court issuing an order confirming the sale pursuant to subsection (b-3) of Section 15-1508 and presents evidence establishing to the satisfaction of the court that the mortgagor or lawful occupant has not abandoned the mortgaged real estate.

(i) The reinstatement period and redemption period for the abandoned residential property shall end in accordance with paragraph (4) of subsection (b) of Section 15-1603, and the abandoned residential property shall be sold at the earliest practicable time at a sale as provided in this Article.

(j) The mortgagee or its agent may enter, secure, and maintain abandoned residential property subject to subsection (e-5) of Section 21-3 of the Criminal Code of 2012.

(k) Personal property.

(1) Upon confirmation of the sale held pursuant to Section 15-1507, any personal property remaining in or upon the abandoned residential property shall be deemed to have been abandoned by the owner of such personal property and may be disposed of or donated by the holder of the certificate of sale (or, if none, by the purchaser at the sale). In the event of donation of any such personal property, the holder of the certificate of sale (or, if none, the purchaser at the sale) may transfer such donated property with a bill of sale. No mortgagee or its successors or assigns, holder of a certificate of sale, or purchaser at the sale shall be liable for any such disposal or donation of personal property.
(2) Notwithstanding paragraph (1) of this subsection (k), in the event a lawful occupant is in possession of the mortgaged real estate who has not been made a party to the foreclosure and had his or her interests terminated therein, any personal property of the lawful occupant shall not be deemed to have been abandoned, nor shall the rights of the lawful occupant to any personal property be affected.

(l) Notices to be posted at property address.

(1) The notice set out in this paragraph (1) of this subsection (l) shall be conspicuously posted at the property address at least 14 days before the hearing on the motion requesting an expedited judgment and sale and shall be in boldface, in at least 12 point type, and in substantially the following form:

"NOTICE TO ANY TENANT OR OTHER LAWFUL OCCUPANT OF THIS PROPERTY

A lawsuit has been filed to foreclose on this property, and the party asking to foreclose on this property has asked a judge to find that THIS PROPERTY IS ABANDONED.

The judge will be holding a hearing to decide whether this property is ABANDONED.

IF YOU LAWFULLY OCCUPY ANY PART OF THIS PROPERTY, YOU MAY CHOOSE TO GO TO THIS HEARING and explain to the judge how you are a lawful occupant of this property.

If the judge is satisfied that you are a LAWFUL OCCUPANT of this property, the court will find that this property is NOT ABANDONED.

This hearing will be held in the courthouse at the following address, date, and time:

Court name: ..................................................
Court address: .............................................
Court room number where hearing will be held: .............
(There should be a person in this room called a CLERK who can help you. Make sure you know THIS PROPERTY'S ADDRESS.)
Date of hearing: ..........................................
Time of hearing: .........................................

MORE INFORMATION

Name of lawsuit: ...........................................
Number of lawsuit: ......................................
Address of this property: ...............................
This is NOT a notice to vacate the premises. You may wish to contact a lawyer or your local legal aid or housing counseling agency to discuss any rights that you may have.

WARNING
INTENTIONAL REMOVAL OF THIS NOTICE BEFORE THE DATE AND TIME STATED IN THIS NOTICE IS A CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A FINE OF UP TO $1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a).

NO TRESPASSING
KNOWINGLY ENTERING THIS PROPERTY WITHOUT LAWFUL AUTHORITY IS A CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A FINE OF UP TO $1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a)."

(2) The notice set out in this paragraph (2) of this subsection (l) shall be conspicuously posted at the property address at least 14 days before the hearing to confirm the sale of the abandoned residential property and shall be in boldface, in at least 12 point type, and in substantially the following form:

"NOTICE TO ANY TENANT OR OTHER LAWFUL OCCUPANT OF THIS PROPERTY

A lawsuit has been filed to foreclose on this property, and the judge has found that THIS PROPERTY IS ABANDONED. As a result, THIS PROPERTY HAS BEEN OR WILL BE SOLD.

HOWEVER, there still must be a hearing for the judge to approve the sale. The judge will NOT APPROVE this sale if the judge finds that any person lawfully occupies any part of this property.

IF YOU LAWFULLY OCCUPY ANY PART OF THIS PROPERTY, YOU MAY CHOOSE TO GO TO THIS HEARING and explain to the judge how you are a lawful occupant of this property. You also may appear BEFORE this hearing and explain to the judge how you are a lawful occupant of this property.

If the judge is satisfied that you are a LAWFUL OCCUPANT of this property, the court will find that this property is NOT ABANDONED, and there will be no sale of the property at this time.

This hearing will be held in the courthouse at the following address, date, and time:

Court name:..................................................
Court address:.............................................
Court room number where hearing will be held:.............
(There should be a person in this room called a CLERK who can help you. Make sure you know THIS PROPERTY'S ADDRESS.)
Date of hearing:______________________________
Time of hearing:______________________________

MORE INFORMATION
Name of lawsuit:______________________________
Number of lawsuit:____________________________
Address of this property:_______________________

IMPORTANT
This is NOT a notice to vacate the premises. You may wish to contact a lawyer or your local legal aid or housing counseling agency to discuss any rights that you may have.

WARNING
INTENTIONAL REMOVAL OF THIS NOTICE BEFORE THE DATE AND TIME STATED IN THIS NOTICE IS A CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A FINE OF UP TO $1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a).

NO TRESPASSING
KNOWINGLY ENTERING THIS PROPERTY WITHOUT LAWFUL AUTHORITY IS A CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A FINE OF UP TO $1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a)."
(Source: P.A. 97-1164, eff. 6-1-13.)
(735 ILCS 5/15-1507.1)
(Section scheduled to be repealed on March 2, 2016)
Sec. 15-1507.1. Judicial sale fee for Abandoned Residential Property Municipality Relief Fund.

(a) Upon and at the sale of residential real estate under Section 15-1507, the purchaser shall pay to the person conducting the sale pursuant to Section 15-1507 a fee for deposit into the Abandoned Residential Property Municipality Relief Fund, a special fund created in the State treasury. The fee shall be calculated at the rate of $1 for each $1,000 or fraction thereof of the amount paid by the purchaser to the person conducting the sale, as reflected in the receipt of sale issued to the purchaser, provided that in no event shall the fee exceed $300. No fee shall be paid by the mortgagee acquiring the residential real estate pursuant to its credit bid at the sale or by any mortgagee, judgment creditor, or other lienor acquiring the residential real estate whose rights in and to the residential real estate arose prior to the sale. Upon confirmation of the sale under Section 15-1508, the

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person conducting the sale shall remit the fee to the clerk of the court in which the foreclosure case is pending. The clerk shall remit the fee to the State Treasurer as provided in this Section, to be expended for the purposes set forth in Section 7.31 of the Illinois Housing Development Act.

(b) All fees paid by purchasers as provided in this Section shall be disbursed within 60 days after receipt by the clerk of the court as follows: (i) 98% to the State Treasurer for deposit into the Abandoned Residential Property Municipality Relief Fund, and (ii) 2% to the clerk of the court to be retained by the clerk for deposit into the Circuit Court Clerk Operation and Administrative Fund to defray for administrative expenses related to implementation of this Section.

c) Not later than March 1 of each year, the clerk of the court shall submit to the Illinois Housing Development Authority a report of the funds collected and remitted during the preceding year pursuant to this Section.

(d) Subsections (a) and (b) of this Section shall become inoperative on January 1, 2016. This Section is repealed on March 2, 2016.

(Source: P.A. 96-1419, eff. 10-1-10.)

Section 99. Effective date. This Act takes effect June 1, 2013.

Approved June 11, 2013.
Effective June 11, 2013.

PUBLIC ACT 98-0021
(House Bill No. 2606)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-2 and by adding Sections 6-1.5 and 6-4.5 as follows:

(235 ILCS 5/6-1.5 new)

Sec. 6-1.5. Three-tier regulatory system; public policy and rule of statutory construction. The General Assembly hereby restates that it is the policy of this State that the primary purpose of this Act is to protect the health, safety, and welfare of this State through the sound and careful control and regulation of the manufacture, distribution, and sale of alcoholic liquor through a 3-tier regulatory system. To ensure and

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maintain a 3-tier regulatory system, the General Assembly finds that it is the obligation and duty of the State Commission to construe the provisions of this Act in a manner that conforms to State policy and this Act's primary purpose as articulated in this Section and to exercise its statutory authority in a manner consistent with that purpose whether or not the provisions of this Act are unambiguous or capable of one or more reasonable constructions.

(235 ILCS 5/6-2) (from Ch. 43, par. 120)

Sec. 6-2. Issuance of licenses to certain persons prohibited.

(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

(1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.

(2) A person who is not of good character and reputation in the community in which he resides.

(3) A person who is not a citizen of the United States.

(4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.

(5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.

(6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.

(7) A person whose license issued under this Act has been revoked for cause.

(8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

(9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the
aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.

(10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such

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official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 50,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 50,000 or less or the president of a village with a population of 50,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as

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proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(19) A person who is licensed by any licensing authority as a manufacturer of beer, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer, having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in this State as a distributor or importing distributor. For purposes of this paragraph (19), a person who is licensed by any licensing authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(20) A person who is licensed in this State as a distributor or importing distributor, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed in this State as a distributor or importing distributor having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed as a manufacturer of beer by any licensing authority, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise, except for a person who owns, on or after the effective date of this amendatory Act of the 98th General Assembly, no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934. For the purposes of this paragraph (20), a person who is licensed by any licensing
authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13.)

(235 ILCS 5/6-4.5 new)

Sec. 6-4.5. Prohibited ownership interests in a distributor, importing distributor, manufacturer of beer, or non-resident dealer.

(a) The General Assembly finds, consistent with Section 6-1.5, that the 3-tier regulatory system is designed to prevent a manufacturer of beer as described in paragraph (19) of subsection (a) of Section 6-2 from exercising vertical integration between a manufacturer of beer and a distributor or importing distributor through any ownership interest, or through control of the distributor or importing distributor. The General Assembly further finds, consistent with Section 6-1.5, that the 3-tier regulatory system is designed to prevent a distributor or importing distributor as described in paragraph (20) of subsection (a) of Section 6-2 from having any ownership interest in a manufacturer of beer as described in paragraph (20) of subsection (a) of Section 6-2 except for the ownership of no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934. The General Assembly further finds that it is necessary to have the State Commission undertake an expedited investigation, in accordance with procedural due process, to determine whether any existing manufacturer of beer described in paragraph (19) of subsection (a) of Section 6-2 or any existing

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distributor or importing distributor described in paragraph (20) of subsection (a) of Section 6-2 owns a prohibited ownership interest, and an orderly process by which an existing manufacturer of beer, distributor, or importing distributor may divest itself of or sever the prohibited ownership interest by no later than January 1, 2015.

(b) Notwithstanding any provision of this Act to the contrary, no person licensed as a manufacturer of beer as described in paragraph (19) of subsection (a) of Section 6-2 shall have any prohibited ownership interest, directly or indirectly, in a person licensed as a distributor or importing distributor. Any person who holds a prohibited ownership interest in a person licensed as a distributor or importing distributor prior to this amendatory Act of the 98th General Assembly shall, in accordance with paragraph (19) of subsection (a) of Section 6-2, be ineligible to receive or hold any license issued by the State Commission, unless that person complies with the provisions of this Section.

(c) Notwithstanding any provision of this Act to the contrary, no person licensed in this State as a distributor or importing distributor as described in paragraph (20) of subsection (a) of Section 6-2 shall have any prohibited ownership interest, directly or indirectly, in a person licensed as a manufacturer of beer as described in paragraph (20) of subsection (a) of Section 6-2. Any person who holds an interest in a person licensed as a distributor or importing distributor in this State prior to this amendatory Act of the 98th General Assembly shall, in accordance with paragraph (20) of subsection (a) of Section 6-2, be ineligible to receive or hold a license by the State Commission, unless the person complies with the provisions of this Section. This subsection (c) shall not apply to a person who owns, on or after the effective date of this amendatory Act of the 98th General Assembly, no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934.

(d) Within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the State Commission shall notify in writing all persons licensed by the State Commission as a manufacturer of beer, as described in paragraph (19) of subsection (a) of Section 6-2 of the prohibited ownership interest provision set forth in subsection (b) of this Section and paragraph (19) of subsection (a) of Section 6-2. Also within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the State Commission shall notify in writing all persons

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licensed by the State Commission as a distributor or importing distributor of the prohibited ownership interest provision set forth in subsection (c) of this Section and paragraph (20) of subsection (a) of Section 6-2. The notice provided by the State Commission shall also state for a manufacturer of beer, as described in paragraph (19) of subsection (a) of Section 6-2, that it is required to disclose in writing any ownership interest it directly or indirectly possesses in a distributor or importing distributor, as described in paragraph (20) of subsection (a) of Section 6-2, the type and amount of ownership interest possessed by it, the length of time the manufacturer of beer has held the ownership interest in the distributor or importing distributor, and any other information specified by the State Commission in its written notice. The notice provided by the State Commission shall also state for a distributor or importing distributor, as described in paragraph (20) of subsection (a) of Section 6-2, that it is required to disclose in writing any ownership interest it directly or indirectly possesses in a manufacturer of beer, as described in paragraph (19) of subsection (a) of Section 6-2, the type and amount of ownership interest possessed by it, the length of time the manufacturer of beer has held the ownership interest in the distributor or importing distributor, and any other information specified by the State Commission in its written notice.

(e) Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, each manufacturer of beer, distributor, or importing distributor subject to notification under subsection (d) of this Section shall disclose in writing and under oath the relevant ownership interest and other required information specified in the notification provided by the State Commission pursuant to that subsection. The written disclosure shall, as a mandatory obligation, be tendered to the State Commission by either personal service or via certified or registered mail at the State Commission's Springfield or Chicago office on or before the 60th day during regular business hours. Failure to tender the required written disclosure shall result in the immediate entry of an order by the State Commission suspending the licensee's license within 5 days after the 60th day, and the initiation of proceedings by the State Commission to enter an order to permanently revoke the licensee's license no later than 45 days after providing the licensee with notice and an opportunity for a hearing. Whenever the State Commission has reason to believe that a person has failed to comply with the Commission notice under this Section, it shall notify the Department of Revenue and the Attorney

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General, and shall file a complaint with the State's Attorney of the county where the alcoholic liquor was delivered or with appropriate law enforcement officials. Failure to make the written disclosure required under this subsection shall constitute a business offense for which the person shall be fined not more than $5,000 for a first offense, not more than $10,000 for a second offense, and not more than $15,000 for a third or subsequent offense.

(f) Within 180 days after the effective date of this amendatory Act of the 98th General Assembly, the State Commission shall review each of the disclosures tendered to the State Commission by licensees pursuant to subsection (e) and enter an order determining whether or not each licensee is in compliance with subsection (b) or (c) of this Section, whichever is applicable, after providing each licensee with notice and an opportunity for a hearing. As part of making its determination, the State Commission shall also consider any information otherwise admissible under Section 10-40 of the Illinois Administrative Procedure Act.

(g) If the State Commission determines, based on a preponderance of record evidence, that a manufacturer of beer, distributor, or importing distributor has no prohibited ownership interest in a licensee in violation of subsection (b) or (c) of this Section, then the State Commission shall enter an order finding that the manufacturer of beer, distributor, or importing distributor is in compliance with this Section, record the matter as closed, and serve a copy of the order of compliance on the licensee and each person with an ownership interest in the licensee.

If the State Commission determines, based on a preponderance of record evidence, that a manufacturer of beer, as described in paragraph (19) of subsection (a) of Section 6-2, has a prohibited ownership interest as set forth in subsection (b) of this Section, then the State Commission shall enter an order finding that the manufacturer of beer is not in compliance with this Section and that the manufacturer of beer shall divest itself of that interest on or before January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act. In addition, the State Commission shall find that the relevant distributor or importing distributor is not in compliance with this Section and that the distributor or importing distributor is required to sever the prohibited ownership interest possessed by the relevant manufacturer of beer on or before January 1, 2015, subject to the State Commission's approval of the
successive owner pursuant to the State Commission's authority provided in this Act.

If the State Commission determines, based on a preponderance of record evidence, that a distributor or importing distributor, as described in paragraph (20) of subsection (a) of Section 6-2, has a prohibited ownership interest as set forth in subsection (c) of this Section, then the State Commission shall enter an order finding that the relevant distributor or importing distributor is not in compliance with this Section and that the relevant distributor or importing distributor shall divest itself of that interest on or before January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act. In addition, the State Commission shall find that the manufacturer of beer is not in compliance with this Section and that the manufacturer of beer shall sever the prohibited ownership interest possessed by the distributor or importing distributor on or before January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act.

The State Commission's order shall further find that the continued ownership of the prohibited ownership interest beyond January 1, 2015 by the manufacturer of beer, distributor, or importing distributor is against the public interest and a violation of this Section and Section 6-1.5 of the Act.

The State Commission's order shall further find for a manufacturer of beer, as described in paragraph (19) of subsection (a) of Section 6-2, found in non-compliance with subsection (b) of this Section that its license is revoked on January 16, 2015 as to the transport, transfer, or sale of any alcoholic liquor to the relevant distributor or importing distributor that the manufacturer of beer has a prohibited ownership interest in if that interest is not properly divested on January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act. In addition, the State Commission shall find that the license of a distributor or importing distributor that is subject to the prohibited ownership interest of the manufacturer of beer is revoked on January 16, 2015 as to the transport, transfer, or sale of alcoholic liquor from the relevant manufacturer of beer to any retailer if that ownership interest is not properly severed on January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act.
The State Commission's order shall further find for a distributor or importing distributor, as described in paragraph (20) of subsection (a) of Section 6-2, found in non-compliance with subsection (c) of this Section, that its license is revoked on January 16, 2015 as to the transport, transfer, or sale of any alcoholic liquor from the relevant manufacturer of beer to any retailer if that prohibited ownership interest in the manufacturer of beer is not properly divested on January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act. In addition, the State Commission shall find that the license of the manufacturer of beer that is subject to the prohibited ownership interest of a distributor or importing distributor is revoked on January 16, 2015 as to the transport, transfer, or sale of alcoholic liquor to the distributor or importing distributor if that ownership interest is not properly severed on January 1, 2015, subject to the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act.

The State Commission shall serve a copy of the order of non-compliance on the licensee and each person with an ownership interest in the licensee.

(h) If a person with a prohibited ownership interest in a licensee under subsection (b) or (c) of this Section succeeds in divesting itself of or severing that interest and obtains the State Commission's approval of the successive owner pursuant to its authority provided in this Act on or before January 1, 2015, then the State Commission shall enter an order finding that the licensee is in compliance, record the matter as closed, and serve a copy of the order of compliance on the licensee and each person with an ownership interest in the licensee.

If a person with a prohibited ownership interest in violation of subsection (b) or (c) of this Section fails to divest itself of or sever that interest and obtain the State Commission's approval of the successive owner pursuant to the State Commission's authority provided in this Act on or before January 1, 2015, then the State Commission shall, after notice and an opportunity for a hearing, revoke each licensee's license as specified in subsection (g) of this Section on January 16, 2015. The State Commission, when entering the order, shall give notice to the person by certified mail to cease and desist all shipments of alcoholic liquor into or within this State and to withdraw from this State within 5 working days after receipt of the notice all shipments of alcoholic liquor in transit. Whenever the State Commission has reason to believe that a person has

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failed to comply with the State Commission's notice under this Section, it shall notify the Department of Revenue and the Attorney General, and shall file a complaint with the State's Attorney of the county where the alcoholic liquor was delivered, or with appropriate law enforcement officials. Failure to comply with the notice issued by the State Commission under this Section is against the public interest and constitutes a business offense for which the person shall be fined not more than $5,000 for a first offense, not more than $10,000 for a second offense, and not more than $15,000 for a third or subsequent offense. Each shipment or transfer of alcoholic liquor in violation of the cease and desist notice shall constitute a separate offense.

(i) The power and authority granted to the State Commission under this Section is in addition to any existing power or authority the State Commission has under this Act and its exercise shall be accorded precedence on the State Commission's meeting agenda so as to fully accommodate the schedule for any proceeding under the provisions of this Section. Nothing in this Act shall be construed as limiting or otherwise impairing the ability of the State Commission to conduct future investigations and proceedings sua sponte or pursuant to a complaint to ensure compliance with this Section or paragraph (19) or (20) of subsection (a) of Section 6-2 of this Act. Any future investigations and proceedings shall be conducted by the State Commission on an expedited basis and pursuant to an initiating order entered by the State Commission. The State Commission shall enter its initiating order within 30 days after the receipt of a complaint. The initiating order shall set forth a schedule by which the required notices, disclosures, determinations, or orders specified in subsections (d), (e), (f), (g), and (h) shall be made or entered, and the period of time by which a licensee shall divest itself of or sever a prohibited ownership interest, which shall be no later than 540 days after the entry of the initiating order.

(j) Any association or non-profit corporation representing beer distributors in this State shall have standing to intervene and otherwise participate as a party in any proceeding undertaken by the State Commission under this Section to review and determine compliance or non-compliance with this Section.

(k) For purposes of this Section, the term "ownership interest" means a legal, equitable, or beneficial interest recognized under Illinois law. The term "prohibited ownership interest" means an ownership
Section 1-1. Short title. This Act may be cited as the Hydraulic Fracturing Regulatory Act.

Section 1-5. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Agency" means the Illinois Environmental Protection Agency.

"Aquatic life" means all fish, reptiles, amphibians, crayfish, and mussels.

"Aquifer" means saturated (with groundwater) soils and geologic materials that are sufficiently permeable to readily yield economically useful quantities (at least 70 gallons per minute) of fresh water to wells, springs, or streams under ordinary hydraulic gradients. "Aquifer" is limited to aquifers identified as major sand and gravel aquifers in the Illinois State Water Survey's Illinois Community Water Supply Wells map, Map Series 2006-01.

"Base fluid" means the continuous phase fluid type, including, but not limited to, water used in a high volume horizontal hydraulic fracturing operation.

"BTEX" means benzene, toluene, ethylbenzene, and xylene.

"Chemical" means any element, chemical compound, or mixture of elements or compounds that has its own specific name or identity, such as a Chemical Abstracts Service number, regardless of whether the chemical is subject to the requirements of paragraph (2) of subsection (g) of 29 Code of Federal Regulations §1910.1200.
"Chemical Abstracts Service" means the division of the American Chemical Society that is the globally recognized authority for information on chemical substances.

"Chemical Abstracts Service number" or "CAS number" means the unique identification number assigned to a chemical by the Chemical Abstracts Service.

"Completion combustion device" means any ignition device, installed horizontally or vertically, used in exploration and production operations to combust otherwise vented emissions.

"Delineation well" means a well drilled in order to determine the boundary of a field or producing reservoir.

"Department" means the Illinois Department of Natural Resources.

"Diesel" means a substance having any one of the following Chemical Abstracts Service Registry numbers: 68334-30-5; 68476-34-6; 68476-30-2; 68476-31-3; 8008-20-6; or 68410-00-4. "Diesel" includes any additional substances regulated by the United States Environmental Protection Agency as diesel fuel used in hydraulic fracturing activities under the federal Safe Drinking Water Act.

"Director" means the Director of Natural Resources.

"Enhanced oil recovery operation" means any secondary or tertiary recovery method used in an effort to recover hydrocarbons from a pool by injection of fluids, gases or other substances to maintain, restore, or augment natural reservoir energy, or by introducing gases, chemicals, other substances, or heat, or by in-situ combustion, or by any combination thereof.

"Flare" means a thermal oxidation system using an open, enclosed, or semi-enclosed flame. "Flare" does not include completion combustion devices as defined in this Section.

"Flowback period" means the process of allowing fluids to flow from a well following a treatment, either in preparation for a subsequent phase of treatment or in preparation for cleanup and returning the well to production. "Flowback period" begins when the material the hydraulic fracturing fluid returns to the surface following hydraulic fracturing or re-fracturing. "Flowback period" ends with either well shut in or when the well is producing continuously to the flow line or to a storage vessel for collection, whichever occurs first.

"Fresh water" means surface and subsurface water in its natural state that is suitable for drinking water for human consumption, domestic livestock, irrigation, industrial, municipal and recreational purposes, that is

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capable of supporting aquatic life, and contains less than 10,000 ppm total dissolved solids.

"Gas" means all natural gas, including casinghead gas, and all other natural hydrocarbons not defined as oil.

"Groundwater" means any water below the land surface that is within the saturated zone or geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure.

"Health professional" means a physician, physician assistant, nurse practitioner, a registered professional nurse, emergency medical technician, or other individual appropriately licensed or registered to provide health care services.

"High volume horizontal hydraulic fracturing operations" means all stages of a stimulation treatment of a horizontal well as defined by this Act by the pressurized application of more than 80,000 gallons per stage or more than 300,000 gallons total of hydraulic fracturing fluid and proppant to initiate or propagate fractures in a geologic formation to enhance extraction or production of oil or gas.

"High volume horizontal hydraulic fracturing permit" means the permit issued by the Department under this Act allowing high volume horizontal hydraulic fracturing operations to occur at a well site.

"High volume horizontal hydraulic fracturing treatment" shall have the same definition as "High volume horizontal hydraulic fracturing operations".

"Horizontal well" means a well with a wellbore drilled laterally at an angle of at least 80 degrees to the vertical and with a horizontal projection exceeding 100 feet measured from the initial point of penetration into the productive formation through the terminus of the lateral in the same common source of hydrocarbon supply.

"Hydraulic fracturing additive" means any chemical substance or combination of chemicals, including, but not limited to, any chemical or proppant that is added to a base fluid for the purposes of preparing a hydraulic fracturing fluid for a high volume horizontal hydraulic fracturing operation.

"Hydraulic fracturing flowback" means all hydraulic fracturing fluid and other fluids that return to the surface after a stage of high volume horizontal hydraulic fracturing operations has been completed and prior to the well being placed in production.
"Hydraulic fracturing fluid" means the mixture of the base fluid and all the hydraulic fracturing additives, used to perform high volume horizontal hydraulic fracturing.

"Hydraulic fracturing string" means any pipe or casing string used for the transport of hydraulic fracturing fluids during the conduct of the high volume horizontal hydraulic fracturing operations.

"Intake" means a pipe or other means to withdraw raw water from a water source.

"Landowner" means the legal title holder or owner of real property and includes an owner of an undivided interest, a life tenant, a remainderman, a public or private corporation, a trustee under an active trust, and the holder of the beneficial interest under a land trust. "Landowner" does not include a mortgagee, a trustee under a trust deed in the nature of a mortgage, a lien holder, or a lessee.

"Low pressure well" means a well with reservoir pressure and vertical well depth such that 0.445 times the reservoir pressure (in psia) minus 0.038 times the vertical well depth (in feet) minus 67.578 psia is less than the flow line pressure at the sales meter.

"Nature preserve" shall have the same meaning as provided in Section 3.11 of the Illinois Natural Areas Preservation Act.

"Oil" means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods or by the use of an oil and gas separator and which are not the result of condensation of gas after it leaves the underground reservoir.

"Operator" means the individual or entity controlling the right to drill or produce a horizontal well in accordance with the requirements of the Illinois Oil and Gas Act.

"Owner" shall have the same meaning as provided in Section 1 of the Illinois Oil and Gas Act.

"Perennial stream" means a stream that has continuous flow in its stream bed during all of the calendar year.

"Permit" means a high volume horizontal hydraulic fracturing permit.

"Permittee" means a person holding a high volume horizontal hydraulic fracturing permit under this Act.

"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock

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company, trust, estate, political subdivision, state agency, or any other legal entity or their legal representative, agent, or assigns.

"Pollution or diminution" means:

(1) in groundwater, any of the following:
   (A) detection of benzene or any other carcinogen in any Class I, Class II, or Class III groundwater;
   (B) detection of any constituent in item (i) of subparagraph (A) of paragraph (3) of subsection (a) of 35 Ill. Adm. Code 620.310 equal to or above the listed preventive response criteria in any Class I, Class II, or Class III groundwater;
   (C) detection of any constituent in 35 Ill. Adm. Code 620.410 (a), (b), (c), (d) or (e) equal to or above the listed standard in any Class I, Class II, or Class III groundwater;
   (D) detection of any constituent in Class III groundwater equal to or above a standard established under 35 Ill. Adm. Code 620.260; or
   (E) detection of any constituent in Class I, Class II, or Class III groundwater equal to or above a cleanup objective listed in 35 Ill. Adm. Code 742.

(2) in surface water, exceeding any applicable numeric or narrative standard in 35 Ill. Adm. Code Part 302 or Part 304.

"Produced water" means water, regardless of chloride and total dissolved solids content, that is produced in conjunction with oil or natural gas production or natural gas storage operations, but does not include hydraulic fracturing flowback.

"Proppant" means sand or any natural or man-made material that is used during high volume horizontal hydraulic fracturing operations to prop open the artificially created or enhanced fractures.

"Public water supply" means all mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, and storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use, and which serves at least 15 service connections or which regularly serves at least 25 persons at least 60 days per year.

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"Register of Land and Water Reserves" means the list of areas registered in accordance with Section 16 of the Illinois Natural Areas Preservation Act and Part 4010 of Title 17 of the Illinois Administrative Code.

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.


"Service connection" means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

"Total water volume" means the total quantity of water from all sources used in the high volume horizontal hydraulic fracturing operations, including surface water, groundwater, produced water, or recycled water.

"True vertical depth" or "TVD" means the vertical distance from a depth in a planned or existing wellbore or well to a point at the surface.

"Water pollution" means any alteration of the physical, thermal, chemical, biological, or radioactive properties of any waters of the State, or the discharge of any contaminant into any water of the State, as will or is likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, or fish or other aquatic life.

"Water source" means (1) any existing water well or developed spring used for human or domestic animal consumption, or (2) any river, perennial stream, aquifer, natural or artificial lake, pond, wetland listed on the Register of Land and Water Reserves, or reservoir.

"Well" means any drill hole required to be permitted under the Illinois Oil and Gas Act.

"Well site" means surface areas, including the well, occupied by all equipment or facilities necessary for or incidental to high volume horizontal hydraulic fracturing operations, drilling, production, or plugging a well.

"Wildcat well" means a well outside known fields or the first well drilled in an oil or gas field where no other oil and gas production exists.

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"Wildlife" means any bird or mammal that are by nature wild by way of distinction from those that are naturally tame and are ordinarily living unconfined in a state of nature without the care of man.

Section 1-10. Intergovernmental cooperation. The Department shall have the primary authority to administer the provisions of this Act. The Illinois State Geological Survey, the Illinois State Water Survey, the Office of the State Fire Marshal, and the Agency shall be advised of high volume horizontal hydraulic fracturing permit applications received by the Department and lend assistance as required by the provisions of this Act.

Section 1-15. Powers and duties.

(a) Except as otherwise provided, the Department shall enforce this Act and all rules and orders adopted in accordance with this Act.

(b) Except as otherwise provided, the Department shall have jurisdiction and authority over all persons and property necessary to enforce the provisions of this Act effectively. In aid of this jurisdiction, the Director, or anyone designated in writing by the Director, shall have the authority to administer oaths and to issue subpoenas for the production of records or other documents and for the attendance of witnesses at any proceedings of the Department.

(c) The Department may authorize any employee of the Department, qualified by training and experience, to perform the powers and duties set forth in this Act.

(d) For the purpose of determining compliance with the provisions of this Act and any orders or rules entered or adopted under this Act, the Department shall have the right at all times to go upon and inspect properties where high volume horizontal hydraulic fracturing operations are being or have been conducted.

(e) The Department shall make any inquiries as it may deem proper to determine whether a violation of this Act or any orders or rules entered or adopted under this Act exists or is imminent. In the exercise of these powers, the Department shall have the authority to collect data; require testing and sampling; to make investigation and inspections; to examine properties, including records and logs; to examine, check, and test hydrocarbon wells; to hold hearings; to adopt administrative rules; and to take any action as may be reasonably necessary to enforce this Act.

(f) Except as otherwise provided, the Department may specify the manner in which all information required to be submitted under this Act is submitted.
Section 1-20. Applicability. Except as provided in Section 1-98 of this Act, this Act applies to all wells where high volume horizontal hydraulic fracturing operations are planned, have occurred, or are occurring in this State. The provisions of this Act shall be in addition to the provisions of the Illinois Oil and Gas Act. However, if there is a conflict, the provisions of the Illinois Oil and Gas Act are superseded by this Act.

Section 1-25. Setbacks and prohibitions.
(a) Except as otherwise provided in this Section, no well site where high volume horizontal hydraulic fracturing operations are proposed, planned, or occurring may be located as follows. Unless specified otherwise, all distances shall be measured from the closest edge of the well site:

(1) within 500 feet measured horizontally from any residence or place of worship unless the owner of the residence or the governing body of the place of worship otherwise expressly agrees in writing to a closer well location;

(2) within 500 feet measured horizontally from the edge of the property line from any school, hospital, or licensed nursing home facility;

(3) within 500 feet measured horizontally from the surface location of any existing water well or developed spring used for human or domestic animal consumption, unless the owner or owners of the well or developed spring otherwise expressly agrees or agree in writing to a closer well location;

(4) within 300 feet measured horizontally from the center of a perennial stream or from the ordinary high water mark of any river, natural or artificial lake, pond, or reservoir;

(5) within 750 feet of a nature preserve or a site on the Register of Land and Water Reserves;

(6) within 1,500 feet of a surface water or groundwater intake of a public water supply; the distance from the public water supply as identified by the Department shall be measured as follows:

(A) For a surface water intake on a lake or reservoir, the distance shall be measured from the intake point on the lake or reservoir.
(B) For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake.

(C) For a groundwater source, the distance shall be measured from the surface location of the wellhead or the ordinary high water mark of the spring.

The distance restrictions under this subsection (a) shall be determined as conditions exist at the time of the submission of the permit application under this Act.

(b) Notwithstanding any other provision of this Section, the owner of a water source identified in paragraph (4) of subsection (a) of this Section that is wholly contained within the owner's property may expressly agree in writing to a closer well location.

(c) It is unlawful to inject or discharge hydraulic fracturing fluid, produced water, BTEX, diesel, or petroleum distillates into fresh water.

(d) It is unlawful to perform any high volume horizontal hydraulic fracturing operations by knowingly or recklessly injecting diesel.

Section 1-30. High volume horizontal hydraulic fracturing permit required.

(a) Notwithstanding any other provision of law, a person may not drill, deepen, or convert a horizontal well where high volume horizontal hydraulic fracturing operations are planned or occurring or convert a vertical well into a horizontal well where high volume horizontal hydraulic fracturing operations are planned in this State, unless the person has been issued a permit by the Department under this Act and has obtained all applicable authorizations required by the Illinois Oil and Gas Act.

(b) If multiple wells are to be stimulated using high volume horizontal hydraulic fracturing operations from a single well site, then a separate permit shall be obtained for each well at the site.

Section 1-35. High volume horizontal hydraulic fracturing permit application.

(a) Every applicant for a permit under this Act shall first register with the Department at least 30 days before applying for a permit. The Department shall make available a registration form within 90 days after the effective date of this Act. The registration form shall require the following information:

(1) the name and address of the registrant and any parent, subsidiary, or affiliate thereof;

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(2) disclosure of all findings of a serious violation or an equivalent violation under federal or state laws or regulations in the development or operation of an oil or gas exploration or production site via hydraulic fracturing by the applicant or any parent, subsidiary, or affiliate thereof within the previous 5 years; and

(3) proof of insurance to cover injuries, damages, or loss related to pollution or diminution in the amount of at least $5,000,000, from an insurance carrier authorized, licensed, or permitted to do this insurance business in this State that holds at least an A- rating by A.M. Best & Co. or any comparable rating service.

A registrant must notify the Department of any change in the information identified in paragraphs (1), (2), or (3) of this subsection (a) at least annually or upon request of the Department.

(b) Every applicant for a permit under this Act must submit the following information to the Department on an application form provided by the Department:

(1) the name and address of the applicant and any parent, subsidiary, or affiliate thereof;

(2) the proposed well name and address and legal description of the well site and its unit area;

(3) a statement whether the proposed location of the well site is in compliance with the requirements of Section 1-25 of this Act and a plat, which shows the proposed surface location of the well site, providing the distance in feet, from the surface location of the well site to the features described in subsection (a) of Section 1-25 of this Act;

(4) a detailed description of the proposed well to be used for the high volume horizontal hydraulic fracturing operations including, but not limited to, the following information:

(A) the approximate total depth to which the well is to be drilled or deepened;

(B) the proposed angle and direction of the well;

(C) the actual depth or the approximate depth at which the well to be drilled deviates from vertical;

(D) the angle and direction of any nonvertical portion of the wellbore until the well reaches its total target depth or its actual final depth; and

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(E) the estimated length and direction of the proposed horizontal lateral or wellbore;
(5) the estimated depth and elevation, according to the most recent publication of the Illinois State Geological Survey of Groundwater for the location of the well, of the lowest potential fresh water along the entire length of the proposed wellbore;
(6) a detailed description of the proposed high volume horizontal hydraulic fracturing operations, including, but not limited to, the following:
   (A) the formation affected by the high volume horizontal hydraulic fracturing operations, including, but not limited to, geologic name and geologic description of the formation that will be stimulated by the operation;
   (B) the anticipated surface treating pressure range;
   (C) the maximum anticipated injection treating pressure;
   (D) the estimated or calculated fracture pressure of the producing and confining zones; and
   (E) the planned depth of all proposed perforations or depth to the top of the open hole section;
(7) plat showing all known previous well bores within 750 feet of any part of the horizontal well bore that penetrated within 400 vertical feet of the formation that will be stimulated as part of the high volume horizontal hydraulic fracturing operations;
(8) unless the applicant documents why the information is not available at the time the application is submitted, a chemical disclosure report identifying each chemical and proppant anticipated to be used in hydraulic fracturing fluid for each stage of the hydraulic fracturing operations including the following:
   (A) the total volume of water anticipated to be used in the hydraulic fracturing treatment of the well or the type and total volume of the base fluid anticipated to be used in the hydraulic fracturing treatment, if something other than water;
   (B) each hydraulic fracturing additive anticipated to be used in the hydraulic fracturing fluid, including the trade name, vendor, a brief descriptor of the intended use or function of each hydraulic fracturing additive, and the Material Safety Data Sheet (MSDS), if applicable;

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(C) each chemical anticipated to be intentionally added to the base fluid, including for each chemical, the Chemical Abstracts Service number, if applicable; and

(D) the anticipated concentration in the base fluid, in percent by mass, of each chemical to be intentionally added to the base fluid;

(9) a certification of compliance with the Water Use Act of 1983 and applicable regional water supply plans;

(10) a fresh water withdrawal and management plan that shall include the following information:

(A) the source of the water, such as surface or groundwater, anticipated to be used for water withdrawals, and the anticipated withdrawal location;

(B) the anticipated volume and rate of each water withdrawal from each withdrawal location;

(C) the anticipated months when water withdrawals shall be made from each withdrawal location;

(D) the methods to be used to minimize water withdrawals as much as feasible; and

(E) the methods to be used for surface water withdrawals to minimize adverse impact to aquatic life.

Where a surface water source is wholly contained within a single property, and the owner of the property expressly agrees in writing to its use for water withdrawals, the applicant is not required to include this surface water source in the fresh water withdrawal and management plan.

(11) a plan for the handling, storage, transportation, and disposal or reuse of hydraulic fracturing fluids and hydraulic fracturing flowback. The plan shall identify the specific Class II injection well or wells that will be used to dispose of the hydraulic fracturing flowback. The plan shall describe the capacity of the tanks to be used for the capture and storage of flowback and of the lined reserve pit to be used, if necessary, to temporarily store any flowback in excess of the capacity of the tanks. Identification of the Class II injection well or wells shall be by name, identification number, and specific location and shall include the date of the most recent mechanical integrity test for each Class II injection well;

(12) a well site safety plan to address proper safety measures to be employed during high volume horizontal hydraulic

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fracturing operations for the protection of persons on the site as well as the general public. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the plan to the county or counties in which hydraulic fracturing operations will occur. Within 5 calendar days of its receipt, the Department shall provide a copy of the well site safety plan to the Office of the State Fire Marshal;

(13) a containment plan describing the containment practices and equipment to be used and the area of the well site where containment systems will be employed, and within 5 calendar days of its receipt, the Department shall provide a copy of the containment plan to the Office of the State Fire Marshal;

(14) a casing and cementing plan that describes the casing and cementing practices to be employed, including the size of each string of pipe, the starting point, and depth to which each string is to be set and the extent to which each string is to be cemented;

(15) a traffic management plan that identifies the anticipated roads, streets, and highways that will be used for access to and egress from the well site. The traffic management plan will include a point of contact to discuss issues related to traffic management. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the traffic management plan to the county or counties in which the well site is located, and within 5 calendar days of its receipt, the Department shall provide a copy of the traffic management plan to the Office of the State Fire Marshal;

(16) the names and addresses of all owners of any real property within 1,500 feet of the proposed well site, as disclosed by the records in the office of the recorder of the county or counties;

(17) drafts of the specific public notice and general public notice as required by Section 1-40 of this Act;

(18) statement that the well site at which the high volume horizontal hydraulic fracturing operation will be conducted will be restored in compliance with Section 240.1181 of Title 62 of the Illinois Administrative Code and Section 1-95 of this Act;

(19) proof of insurance to cover injuries, damages, or loss related to pollution in the amount of at least $5,000,000; and

(20) any other relevant information which the Department may, by rule, require.

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(c) Where an application is made to conduct high volume horizontal fracturing operations at a well site located within the limits of any city, village, or incorporated town, the application shall state the name of the city, village, or incorporated town and be accompanied with a certified copy of the official consent for the hydraulic fracturing operations to occur from the municipal authorities where the well site is proposed to be located. No permit shall be issued unless consent is secured and filed with the permit application. In the event that an amended location is selected, the original permit shall not be valid unless a new certified consent is filed for the amended location.

(d) The hydraulic fracturing permit application shall be accompanied by a bond as required by subsection (a) of Section 1-65 of this Act.

(e) Each application for a permit under this Act shall include payment of a non-refundable fee of $13,500. Of this fee, $11,000 shall be deposited into the Mines and Minerals Regulatory Fund for the Department to use to administer and enforce this Act and otherwise support the operations and programs of the Office of Mines and Minerals. The remaining $2,500 shall be deposited into the Illinois Clean Water Fund for the Agency to use to carry out its functions under this Act. The Department shall not initiate its review of the permit application until the applicable fee under this subsection (e) has been submitted to and received by the Department.

(f) Each application submitted under this Act shall be signed, under the penalty of perjury, by the applicant or the applicant's designee who has been vested with the authority to act on behalf of the applicant and has direct knowledge of the information contained in the application and its attachments. Any person signing an application shall also sign an affidavit with the following certification:

"I certify, under penalty of perjury as provided by law and under penalty of refusal, suspension, or revocation of a high volume horizontal hydraulic fracturing permit, that this application and all attachments are true, accurate, and complete to the best of my knowledge."

(g) The permit application shall be submitted to the Department in both electronic and hard copy format. The electronic format shall be searchable.

(h) The application for a high volume horizontal hydraulic fracturing permit may be submitted as a combined permit application with
the operator's application to drill on a form as the Department shall prescribe. The combined application must include the information required in this Section. If the operator elects to submit a combined permit application, information required by this Section that is duplicative of information required for an application to drill is only required to be provided once as part of the combined application. The submission of a combined permit application under this subsection shall not be interpreted to relieve the applicant or the Department from complying with the requirements of this Act or the Illinois Oil and Gas Act.

(i) Upon receipt of a permit application, the Department shall have no more than 60 calendar days from the date it receives the permit application to approve, with any conditions the Department may find necessary, or reject the application for the high volume horizontal hydraulic fracturing permit. The applicant may waive, in writing, the 60-day deadline upon its own initiative or in response to a request by the Department.

(j) If at any time during the review period the Department determines that the permit application is not complete under this Act, does not meet the requirements of this Section, or requires additional information, the Department shall notify the applicant in writing of the application's deficiencies and allow the applicant to correct the deficiencies and provide the Department any information requested to complete the application. If the applicant fails to provide adequate supplemental information within the review period, the Department may reject the application.

Section 1-40. Public notice.

(a) Within 5 calendar days after the Department's receipt of the high volume horizontal hydraulic fracturing application, the Department shall post notice of its receipt and a copy of the permit application on its website. The notice shall include the dates of the public comment period and directions for interested parties to submit comments.

(b) Within 5 calendar days after the Department's receipt of the permit application and notice to the applicant that the high volume horizontal hydraulic fracturing permit application was received, the Department shall provide the Agency, the Office of the State Fire Marshal, Illinois State Water Survey, and Illinois State Geological Survey with notice of the application.

(c) The applicant shall provide the following public notice:

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(1) Applicants shall mail specific public notice by U.S. Postal Service certified mail, return receipt requested, within 3 calendar days after submittal of the high volume horizontal hydraulic fracturing permit application to the Department, to all persons identified as owners of real property within 1,500 feet of the proposed well site, as disclosed by the records in the office of the recorder of the county or counties, and to each municipality and county in which the well site is proposed to be located.

(2) Except as otherwise provided in this paragraph (2) of subsection (c), applicants shall provide general public notice by publication, once each week for 2 consecutive weeks, beginning no later than 3 calendar days after submittal of the high volume horizontal hydraulic fracturing permit application to the Department, in a newspaper of general circulation published in each county where the well proposed for high volume hydraulic fracturing operations is proposed to be located.

If a well is proposed for high volume hydraulic fracturing operations in a county where there is no daily newspaper of general circulation, applicant shall provide general public notice, by publication, once each week for 2 consecutive weeks, in a weekly newspaper of general circulation in that county beginning as soon as the publication schedule of the weekly newspaper permits, but in no case later than 10 days after submittal of the high volume hydraulic fracturing permit application to the Department.

(3) The specific and general public notices required under this subsection shall contain the following information:

(A) the name and address of the applicant;

(B) the date the application for a high volume horizontal hydraulic fracturing permit was filed;

(C) the dates for the public comment period and a statement that anyone may file written comments about any portion of the applicant's submitted high volume horizontal hydraulic fracturing permit application with the Department during the public comment period;

(D) the proposed well name, reference number assigned by the Department, and the address and legal description of the well site and its unit area;

(E) a statement that the information filed by the applicant in their application for a high volume horizontal

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hydraulic fracturing permit is available from the Department through its website;

(F) the Department's website and the address and telephone number for the Department's Oil and Gas Division;

(G) a statement that any person having an interest that is or may be adversely affected, any government agency that is or may be affected, or the county board of a county to be affected under a proposed permit, may file written objections to a permit application and may request a public hearing.

(d) After providing the public notice as required under paragraph (2) of subsection (c) of this Section, the applicant shall supplement its permit application by providing the Department with a certification and documentation that the applicant fulfilled the public notice requirements of this Section. The Department shall not issue a permit until the applicant has provided the supplemental material required under this subsection.

(e) If multiple applications are submitted at the same time for wells located on the same well site, the applicant may use one public notice for all applications provided the notice is clear that it pertains to multiple applications and conforms to the requirements of this Section. Notice shall not constitute standing for purposes of requesting a public hearing or for standing to appeal the decision of the Department in accordance with the Administrative Review Law.

Section 1-45. Public comment periods.

(a) The public comment period shall begin 7 calendar days after the Department's receipt of the permit application and last for 30 calendar days.

(b) Where a public hearing is conducted under Section 1-50 of this Act, the Department may provide for an additional public comment period of 15 days as necessary to allow for comments in response to evidence and testimony presented at the hearing. The additional public comment period shall begin on the day after the public hearing.

(c) During any public comment period, any person may file written comments to the Department concerning any portion of the permit application and any issue relating to the applicant's compliance with the requirements of the Act and any other applicable laws.

(d) The Department may request that the applicant respond to any substantive public comments obtained during the public comment period.
Section 1-50. High volume horizontal hydraulic fracturing permit; hearing.

(a) When a permit application is submitted to conduct high volume horizontal hydraulic fracturing operations for the first time at a particular well site, any person having an interest that is or may be adversely affected, any government agency that is or may be affected, or the county board of a county to be affected under a proposed permit, may file written objections to the permit application and may request a public hearing during the public comment period established under subsection (a) of Section 1-45 of this Act. The request for hearing shall contain a short and plain statement identifying the person and stating facts demonstrating that the person has an interest that is or may be adversely affected. The Department shall hold a public hearing upon a request under this subsection, unless the request is determined by the Department to (i) lack an adequate factual statement that the person is or may be adversely affected or (ii) be frivolous.

(b) Prior to the commencement of a public hearing under this Section, any person who could have requested the hearing under subsection (a) of this Section may petition the Department to participate in the hearing in the same manner as the party requesting the hearing. The petition shall contain a short and plain statement identifying the petitioner and stating facts demonstrating that the petitioner is a person having an interest that is or may be adversely affected. The petitioner shall serve the petition upon the Department. Unless the Department determines that the petition is frivolous, or that the petitioner has failed to allege facts in support of an interest that is or may be adversely affected, the petitioner shall be allowed to participate in the hearing in the same manner as the party requesting the hearing.

(c) The public hearing to be conducted under this Section shall comply with the contested case requirements of the Illinois Administrative Procedure Act. The Department shall establish rules and procedures to determine whether any request for a public hearing may be granted in accordance with subsection (a) of this Section, and for the notice and conduct of the public hearing. These procedural rules shall include provisions for reasonable notice to (i) the public and (ii) all parties to the proceeding, which include the applicant, the persons requesting the hearing, and the persons granted the right to participate in the hearing pursuant to subsection (b) of this Section, for the qualifications, powers, and obligations of the hearing officer, and for reasonable opportunity for

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all the parties to provide evidence and argument, to respond by oral or written testimony to statements and objections made at the public hearing, and for reasonable cross-examination of witnesses. County boards and the public may present their written objections or recommendations at the public hearing. A complete record of the hearings and all testimony shall be made by the Department and recorded stenographically or electronically. The complete record shall be maintained and shall be accessible to the public on the Department's website until final release of the applicant's performance bond.

(d) At least 10 calendar days before the date of the public hearing, the Department shall publish notice of the public hearing in a newspaper of general circulation published in the county where the proposed well site will be located.

Section 1-53. High volume horizontal hydraulic fracturing permit; determination; judicial review.

(a) The Department shall issue a high volume horizontal hydraulic fracturing permit, with any conditions the Department may find necessary, only if the record of decision demonstrates that:

(1) the well location restrictions of Section 1-25 of this Act have been satisfied;

(2) the application meets the requirements of Section 1-35 of this Act;

(3) the plans required to be submitted with the application under Section 1-35 of this Act are adequate and effective;

(4) the proposed hydraulic fracturing operations will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source;

(5) the work plan required under Section 1-80 of this Act has been submitted to the Department;

(6) the applicant or any parent, subsidiary, or affiliate thereof has not failed to abate a violation of this Act or the Illinois Oil and Gas Act;

(7) the Class II injection wells to be used for disposal of hydraulic fracturing flowback comply with all applicable requirements for mechanical integrity testing, including that the well has been tested within the previous 5 years; and

(8) there is no good cause to deny the permit under subsection (a) of Section 1-60 of this Act.

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(b) For the purpose of determining whether to issue a permit, the Department shall consider and the Department's record of decision shall include:

(1) the application for the high volume horizontal hydraulic fracturing permit, including all documentation required by Section 1-35 of this Act;

(2) all written comments received during the public comment periods and, if applicable, the complete record from the public hearing held under Section 1-50 of this Act;

(3) all information provided by the applicant in response to any public comments; and

(4) any information known to the Department as the public entity responsible for regulating high volume horizontal hydraulic fracturing operations, including, but not limited to, inspections of the proposed well site as necessary to ensure adequate review of the application.

(c) The Department shall, by U.S. Mail and electronic transmission, provide the applicant with a copy of the high volume horizontal hydraulic fracturing permit as issued or its final administrative decision denying the permit to the applicant and shall, by U.S. Mail or electronic transmission, provide a copy of the permit as issued or the final administrative decision to any person or unit of local government who received specific public notice under Section 1-40 of this Act or submitted comments or participated in any public hearing under Section 1-50 of this Act.

(d) The Department's decision to approve or deny a high volume horizontal hydraulic fracturing permit shall be considered a final administrative decision subject to judicial review under the Administrative Review Law and the rules adopted under that Law.

(e) Following completion of the Department's review and approval process, the Department's website shall indicate whether an individual high volume horizontal hydraulic fracturing permit was approved or denied and provide a copy of the approval or denial.

Section 1-55. High volume horizontal hydraulic fracturing permit; conditions; restriction; modifications.

(a) Each permit issued by the Department under this Act shall require the permittee to comply with all provisions of this Act and all other applicable local, State, and federal laws, rules, and regulations in effect at
the time the permit is issued. All plans submitted with the application under Section 1-35 shall be conditions of the permit.

(b) A permit issued under this Act shall continue in effect until plugging and restoration in compliance with this Act and the Illinois Oil and Gas Act are completed to the Department's satisfaction. No permit may be transferred to another person without approval of the Department.

(c) No permit issued under this Act may be modified without approval of the Department. If the Department determines that the proposed modifications constitute a significant deviation from the terms of the original application and permit approval, or presents a serious risk to public health, life, property, aquatic life, or wildlife, the Department shall provide the opportunities for notice, comment, and hearing required under Sections 1-45 and 1-50 of this Act. The Department shall provide notice of the proposed modification and opportunity for comment and hearing to the persons who received specific public notice under Section 1-40 of this Act and shall publish the notice and the proposed modification on its website. The Department shall adopt rules regarding procedures for a permit modification.

Section 1-60. High volume horizontal hydraulic fracturing permit; denial, suspension, or revocation.

(a) The Department may suspend, revoke, or refuse to issue a high volume horizontal hydraulic fracturing permit under this Act for one or more of the following causes:

(1) providing incorrect, misleading, incomplete, or materially untrue information in a permit application or any document required to be filed with the Department;

(2) violating any condition of the permit;

(3) violating any provision of or any regulation adopted under this Act or the Illinois Oil and Gas Act;

(4) using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;

(5) having a high volume horizontal hydraulic fracturing permit, or its equivalent, revoked in any other state, province, district, or territory for incurring a material or major violation or using fraudulent or dishonest practices; or

(6) an emergency condition exists under which conduct of the high volume horizontal hydraulic fracturing operations would

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pose a significant hazard to public health, aquatic life, wildlife, or the environment.

(b) In every case in which a permit is suspended or revoked, the Department shall serve notice of its action, including a statement of the reasons for the action, either personally or by certified mail, receipt return requested, to the permittee.

(c) The order of suspension or revocation of a permit shall take effect upon issuance of the order. The permittee may request, in writing, within 30 days after the date of receiving the notice, a hearing. Except as provided under subsection (d) of this Section, in the event a hearing is requested, the order shall remain in effect until a final order is entered pursuant to the hearing.

(d) The order of suspension or revocation of a permit may be stayed if requested by the permittee and evidence is submitted demonstrating that there is no significant threat to the public health, aquatic life, wildlife, or the environment if the operation is allowed to continue.

(e) The hearing shall be held at a time and place designated by the Department. The Director of the Department or any administrative law judge designated by him or her have the power to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of books, papers, correspondence, and other records or information that he or she considers relevant or material.

(f) The costs of the administrative hearing shall be set by rule and shall be borne by the permittee.

(g) The Department's decision to suspend or revoke a high volume horizontal hydraulic fracturing permit is subject to judicial review under the Administrative Review Law.

Section 1-65. Hydraulic fracturing permit; bonds.

(a) An applicant for a high volume horizontal hydraulic fracturing permit under this Act shall provide a bond, executed by a surety authorized to transact business in this State. The bond shall be in the amount of $50,000 per permit or a blanket bond of $500,000 for all permits. If the applicant is required to submit a bond to the Department under the Illinois Oil and Gas Act, the applicant's submission of a bond under this Section shall satisfy the bonding requirements provided for in the Illinois Oil and Gas Act. In lieu of a bond, the applicant may provide other collateral securities such as cash, certificates of deposit, or irrevocable letters of credit.
credit under the terms and conditions as the Department may provide by rule.

(b) The bond or other collateral securities shall remain in force until the well is plugged and abandoned. Upon abandoning a well to the satisfaction of the Department and in accordance with the Illinois Oil and Gas Act, the bond or other collateral securities shall be promptly released by the Department. Upon the release by the Department of the bond or other collateral securities, any cash or collateral securities deposited shall be returned by the Department to the applicant who deposited it.

(c) If, after notice and hearing, the Department determines that any of the requirements of this Act or rules adopted under this Act or the orders of the Department have not been complied with within the time limit set by any notice of violation issued under this Act, the permittee's bond or other collateral securities shall be forfeited. Forfeiture under this subsection shall not limit any duty of the permittee to mitigate or remediate harms or foreclose enforcement by the Department or the Agency. In no way will payment under this bond exceed the aggregate penalty as specified.

(d) When any bond or other collateral security is forfeited under the provisions of this Act or rules adopted under this Act, the Department shall collect the forfeiture without delay. The surety shall have 30 days to submit payment for the bond after receipt of notice by the permittee of the forfeiture.

(e) All forfeitures shall be deposited in the Mines and Minerals Regulatory Fund to be used, as necessary, to mitigate or remediate violations of this Act or rules adopted under this Act.

Section 1-70. Well preparation, construction, and drilling.
(a) This Section shall apply to all horizontal wells that are to be completed using high volume horizontal hydraulic fracturing operations under a high volume horizontal hydraulic fracturing permit. The requirements of this Section shall be in addition to any other laws or rules regarding wells and well sites.

(b) Site preparation standards shall be as follows:

(1) The access road to the well site must be located in accordance with access rights identified in the Illinois Oil and Gas Act and located as far as practical from occupied structures, places of assembly, and property lines of unleased property.

(2) Unless otherwise approved or directed by the Department, all topsoil stripped to facilitate the construction of the well site shall be returned to the applicant who deposited it.
well pad and access roads must be stockpiled, stabilized, and remain on site for use in either partial or final reclamation. In the event it is anticipated that the final reclamation shall take place in excess of one year from drilling the well the topsoil may be disposed of in any lawful manner provided the operator reclaims the site with topsoil of similar characteristics of the topsoil removed.

(3) Piping, conveyances, valves, and tanks in contact with hydraulic fracturing fluid, hydraulic fracturing flowback, or produced water must be constructed of materials compatible with the composition of the hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water.

(4) The improvement, construction, or repair of a publicly owned highway or roadway, if undertaken by the owner, operator, permittee, or any other private entity, shall be performed using bidding procedures outlined in the Illinois Department of Transportation rules governing local roads and streets or applicable bidding requirements outlined in the Illinois Procurement Code as though the project were publicly funded.

(c) Site maintenance standards shall be as follows:

(1) Secondary containment is required for all fueling tanks.

(2) Fueling tanks shall be subject to Section 1-25 of this Act.

(3) Fueling tank filling operations shall be supervised at the fueling truck and at the tank if the tank is not visible to the fueling operator from the truck.

(4) Troughs, drip pads, or drip pans are required beneath the fill port of a fueling tank during filling operations if the fill port is not within the secondary containment required by paragraph (1) of this subsection.

(d) All wells shall be constructed, and casing and cementing activities shall be conducted, in a manner that shall provide for control of the well at all times, prevent the migration of oil, gas, and other fluids into the fresh water and coal seams, and prevent pollution or diminution of fresh water. In addition to any of the Department's casing and cementing requirements, the following shall apply:

(1) All casings must conform to the current industry standards published by the American Petroleum Institute.
(2) Casing thread compound and its use must conform to the current industry standards published by the American Petroleum Institute.

(3) Surface casing shall be centralized at the shoe, above and below a stage collar or diverting tool, if run, and through usable-quality water zones. In non-deviated holes, pipe centralization as follows is required: a centralizer shall be placed every fourth joint from the cement shoe to the ground surface or to the bottom of the cellar. All centralizers shall meet specifications in, or equivalent to, API spec 10D, Specification for Bow-Spring Casing Centralizers; API Spec 10 TR4, Technical Report on Considerations Regarding Selection of Centralizers for Primary Cementing Operations; and API RP 10D-2, Recommended Practice for Centralizer Placement and Stop Collar Testing. The Department may require additional centralization as necessary to ensure the integrity of the well design is adequate. All centralizers must conform to the current industry standards published by the American Petroleum Institute.

(4) Cement must conform to current industry standards published by the American Petroleum Institute and the cement slurry must be prepared to minimize its free water content in accordance with the current industry standards published by the American Petroleum Institute; the cement must also:
   (A) secure the casing in the wellbore;
   (B) isolate and protect fresh groundwater;
   (C) isolate abnormally pressured zones, lost circulation zones, and any potential flow zones including hydrocarbon and fluid-bearing zones;
   (D) properly control formation pressure and any pressure from drilling, completion and production;
   (E) protect the casing from corrosion and degradation; and
   (F) prevent gas flow in the annulus.

(5) Prior to cementing any casing string, the borehole must be circulated and conditioned to ensure an adequate cement bond.

(6) A pre-flush or spacer must be pumped ahead of the cement.

(7) The cement must be pumped at a rate and in a flow regime that inhibits channeling of the cement in the annulus.
(8) Cement compressive strength tests must be performed on all surface, intermediate, and production casing strings; after the cement is placed behind the casing, the operator shall wait on cement to set until the cement achieves a calculated compressive strength of at least 500 pounds per square inch, and a minimum of 8 hours before the casing is disturbed in any way, including installation of a blowout preventer. The cement shall have a 72-hour compressive strength of at least 1,200 psi, and the free water separation shall be no more than 6 milliliters per 250 milliliters of cement, tested in accordance with current American petroleum Institute standards.

(9) A copy of the cement job log for any cemented casing string in the well shall be maintained in the well file and available to the Department upon request.

(10) Surface casing shall be used and set to a depth of at least 200 feet, or 100 feet below the base of the deepest fresh water, whichever is deeper, but no more than 200 feet below the base of the deepest fresh water and prior to encountering any hydrocarbon-bearing zones. The surface casing must be run and cemented as soon as practicable after the hole has been adequately circulated and conditioned.

(11) The Department must be notified at least 24 hours prior to surface casing cementing operations. Surface casing must be fully cemented to the surface with excess cements. Cementing must be by the pump and plug method with a minimum of 25% excess cement with appropriate lost circulation material, unless another amount of excess cement is approved by the Department. If cement returns are not observed at the surface, the operator must perform remedial actions as appropriate.

(12) Intermediate casing must be installed when necessary to isolate fresh water not isolated by surface casing and to seal off potential flow zones, anomalous pressure zones, lost circulation zones and other drilling hazards.

Intermediate casing must be set to protect fresh water if surface casing was set above the base of the deepest fresh water, if additional fresh water was found below the surface casing shoe, or both. Intermediate casing used to isolate fresh water must not be used as the production string in the well in which it is installed, and

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may not be perforated for purposes of conducting a hydraulic fracture treatment through it.

When intermediate casing is installed to protect fresh water, the operator shall set a full string of new intermediate casing at least 100 feet below the base of the deepest fresh water and bring cement to the surface. In instances where intermediate casing was set solely to protect fresh water encountered below the surface casing shoe, and cementing to the surface is technically infeasible, would result in lost circulation, or both, cement must be brought to a minimum of 600 feet above the shallowest fresh water zone encountered below the surface casing shoe or to the surface if the fresh water zone is less than 600 feet from the surface. The location and depths of any hydrocarbon-bearing zones or fresh water zones that are open to the wellbore above the casing shoe must be confirmed by coring, electric logs, or testing and must be reported to the Department.

In the case that intermediate casing was set for a reason other than to protect strata that contains fresh water, the intermediate casing string shall be cemented from the shoe to a point at least 600 true vertical feet above the shoe. If there is a hydrocarbon bearing zone capable of producing exposed above the intermediate casing shoe, the casing shall be cemented from the shoe to a point at least 600 true vertical feet above the shallowest hydrocarbon bearing zone or to a point at least 200 feet above the shoe of the next shallower casing string that was set and cemented in the well (or to the surface if less than 200 feet).

(13) The Department must be notified prior to intermediate casing cementing operations. Cementing must be by the pump and plug method with a minimum of 25% excess cement. A radial cement bond evaluation log, or other evaluation approved by the Department, must be run to verify the cement bond on the intermediate casing. Remedial cementing is required if the cement bond is not adequate for drilling ahead.

(14) Production casing must be run and fully cemented to 500 feet above the top perforated zone, if possible. The Department must be notified at least 24 hours prior to production casing cementing operations. Cementing must be by the pump and plug method with a minimum of 25% excess cement.
(15) At any time, the Department, as it deems necessary, may require installation of an additional cemented casing string or strings in the well.

(16) After the setting and cementing of a casing string, except the conductor casing, and prior to further drilling, the casing string shall be tested with fresh water, mud, or brine to no less than 0.22 psi per foot of casing string length or 1,500 psi, whichever is greater but not to exceed 70% of the minimum internal yield, for at least 30 minutes with less than a 5% pressure loss, except that any casing string that will have pressure exerted on it during stimulation of the well shall be tested to at least the maximum anticipated treatment pressure. If the pressure declines more than 5% or if there are other indications of a leak, corrective action shall be taken before conducting further drilling and high volume horizontal hydraulic fracturing operations. The operator shall contact the Department's District Office for any county in which the well is located at least 24 hours prior to conducting a pressure test to enable an inspector to be present when the test is done. A record of the pressure test must be maintained by the operator and must be submitted to the Department on a form prescribed by the Department prior to conducting high volume horizontal hydraulic fracturing operations. The actual pressure must not exceed the test pressure at any time during high volume horizontal hydraulic fracturing operations.

(17) Any hydraulic fracturing string used in the high volume horizontal hydraulic fracturing operations must be either strung into a production liner or run with a packer set at least 100 feet below the deepest cement top and must be tested to not less than the maximum anticipated treating pressure minus the annulus pressure applied between the fracturing string and the production or immediate casing. The pressure test shall be considered successful if the pressure applied has been held for 30 minutes with no more than 5% pressure loss. A function-tested relief valve and diversion line must be installed and used to divert flow from the hydraulic fracturing string-casing annulus to a covered watertight steel tank in case of hydraulic fracturing string failure. The relief valve must be set to limit the annular pressure to no more than 95% of the working pressure rating of the casings forming the annulus.
The annulus between the hydraulic fracturing string and casing must be pressurized to at least 250 psi and monitored.

(18) After a successful pressure test under paragraph (16) of this subsection, a formation pressure integrity test must be conducted below the surface casing and below all intermediate casing. The operator shall notify the Department's District Office for any county in which the well is located at least 24 hours prior to conducting a formation pressure integrity test to enable an inspector to be present when the test is done. A record of the pressure test must be maintained by the operator and must be submitted to the Department on a form prescribed by the Department prior to conducting high volume horizontal hydraulic fracturing operations. The actual hydraulic fracturing treatment pressure must not exceed the test pressure at any time during high volume horizontal hydraulic fracturing operations.

(e) Blowout prevention standards shall be set as follows:

(1) The operator shall use blowout prevention equipment after setting casing with a competent casing seat. Blowout prevention equipment shall be in good working condition at all times.

(2) The operator shall use pipe fittings, valves, and unions placed on or connected to the blow-out prevention systems that have a working pressure capability that exceeds the anticipated pressures.

(3) During all drilling and completion operations when a blowout preventer is installed, tested, or in use, the operator or operator's designated representative shall be present at the well site and that person or personnel shall have a current well control certification from an accredited training program that is acceptable to the Department. The certification shall be available at the well site and provided to the Department upon request.

(4) Appropriate pressure control procedures and equipment in proper working order must be properly installed and employed while conducting drilling and completion operations including tripping, logging, running casing into the well, and drilling out solid-core stage plugs.

(5) Pressure testing of the blowout preventer and related equipment for any drilling or completion operation must be performed. Testing must be conducted in accordance with current

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industry standards published by the American Petroleum Institute. Testing of the blowout preventer shall include testing after the blowout preventer is installed on the well but prior to drilling below the last cemented casing seat. Pressure control equipment, including the blowout preventer, that fails any pressure test shall not be used until it is repaired and passes the pressure test.

(6) A remote blowout preventer actuator, that is powered by a source other than rig hydraulics, shall be located at least 50 feet from the wellhead and have an appropriate rated working pressure.

Section 1-75. High volume horizontal hydraulic fracturing operations.
(a) General.
(1) During all phases of high volume horizontal hydraulic fracturing operations, the permittee shall comply with all terms of the permit.
(2) All phases of high volume horizontal hydraulic fracturing operations shall be conducted in a manner that shall not pose a significant risk to public health, life, property, aquatic life, or wildlife.
(3) The permittee shall notify the Department by phone, electronic communication, or letter, at least 48 hours prior to the commencement of high volume horizontal hydraulic fracturing operations.
(b) Integrity tests and monitoring.
(1) Before the commencement of high volume horizontal hydraulic fracturing operations, all mechanical integrity tests required under subsection (d) of Section 1-70 and this subsection must be successfully completed.
(2) Prior to commencing high volume horizontal hydraulic fracturing operations and pumping of hydraulic fracturing fluid, the injection lines and manifold, associated valves, fracture head or tree and any other wellhead component or connection not previously tested must be tested with fresh water, mud, or brine to at least the maximum anticipated treatment pressure for at least 30 minutes with less than a 5% pressure loss. A record of the pressure test must be maintained by the operator and made available to the Department upon request. The actual high volume horizontal hydraulic fracturing treatment pressure must not exceed the test
pressure at any time during high volume horizontal hydraulic fracturing operations.

(3) The pressure exerted on treating equipment including valves, lines, manifolds, hydraulic fracturing head or tree, casing and hydraulic fracturing string, if used, must not exceed 95% of the working pressure rating of the weakest component. The high volume horizontal hydraulic fracturing treatment pressure must not exceed the test pressure of any given component at any time during high volume horizontal hydraulic fracturing operations.

(4) During high volume horizontal hydraulic fracturing operations, all annulus pressures, the injection pressure, and the rate of injection shall be continuously monitored and recorded. The records of the monitoring shall be maintained by the operator and shall be provided to the Department upon request at any time during the period up to and including 5 years after the well is permanently plugged or abandoned.

(5) High volume horizontal hydraulic fracturing operations must be immediately suspended if any anomalous pressure or flow condition or any other anticipated pressure or flow condition is occurring in a way that indicates the mechanical integrity of the well has been compromised and continued operations pose a risk to the environment. Remedial action shall be undertaken immediately prior to recommencing high volume horizontal hydraulic fracturing operations. The permittee shall notify the Department within 1 hour of suspending operations for any matters relating to the mechanical integrity of the well or risk to the environment.

(c) Fluid and waste management.

(1) For the purposes of storage at the well site and except as provided in paragraph (2) of this subsection, hydraulic fracturing additives, hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water shall be stored in above-ground tanks during all phases of drilling, high volume horizontal hydraulic fracturing, and production operations until removed for proper disposal. For the purposes of centralized storage off site for potential reuse prior to disposal, hydraulic fracturing additives, hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water shall be stored in above-ground tanks.

(2) In accordance with the plan required by paragraph (11) of subsection (b) of Section 1-35 of this Act and as approved by
the Department, the use of a reserve pit is allowed for the temporary storage of hydraulic fracturing flowback. The reserve pit shall be used only in the event of a lack of capacity for tank storage due to higher than expected volume or rate of hydraulic fracturing flowback, or other unanticipated flowback occurrence. Any reserve pit must comply with the following construction standards and liner specifications:

(A) the synthetic liner material shall have a minimum thickness of 24 mils with high puncture and tear strength and be impervious and resistant to deterioration;
(B) the pit lining system shall be designed to have a capacity at least equivalent to 110% of the maximum volume of hydraulic fracturing flowback anticipated to be recovered;
(C) the lined pit shall be constructed, installed, and maintained in accordance with the manufacturers’ specifications and good engineering practices to prevent overflow during any use;
(D) the liner shall have sufficient elongation to cover the bottom and interior sides of the pit with the edges secured with at least a 12 inch deep anchor trench around the pit perimeter to prevent any slippage or destruction of the liner materials; and
(E) the foundation for the liner shall be free of rock and constructed with soil having a minimum thickness of 12 inches after compaction covering the entire bottom and interior sides of the pit.

(3) Fresh water may be stored in tanks or pits at the election of the operator.

(4) Tanks required under this subsection must be above-ground tanks that are closed, watertight, and will resist corrosion. The permittee shall routinely inspect the tanks for corrosion.

(5) Hydraulic fracturing fluids and hydraulic fracturing flowback must be removed from the well site within 60 days after completion of high volume horizontal fracturing operations, except that any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.
(6) Tanks, piping, and conveyances, including valves, must be constructed of suitable materials, be of sufficient pressure rating, be able to resist corrosion, and be maintained in a leak-free condition. Fluid transfer operations from tanks to tanker trucks must be supervised at the truck and at the tank if the tank is not visible to the truck operator from the truck. During transfer operations, all interconnecting piping must be supervised if not visible to transfer personnel at the truck and tank.

(7) Hydraulic fracturing flowback must be tested for volatile organic chemicals, semi-volatile organic chemicals, inorganic chemicals, heavy metals, and naturally occurring radioactive material prior to removal from the site. Testing shall occur once per well site and the analytical results shall be filed with the Department and the Agency, and provided to the liquid oilfield waste transportation and disposal operators. Prior to plugging and site restoration, the ground adjacent to the storage tanks and any hydraulic fracturing flowback reserve pit must be measured for radioactivity.

(8) Hydraulic fracturing flowback may only be disposed of by injection into a Class II injection well that is below interface between fresh water and naturally occurring Class IV groundwater. Produced water may be disposed of by injection in a permitted enhanced oil recovery operation. Hydraulic fracturing flowback and produced water may be treated and recycled for use in hydraulic fracturing fluid for high volume horizontal hydraulic fracturing operations.

(9) Discharge of hydraulic fracturing fluids, hydraulic fracturing flowback, and produced water into any surface water or water drainage way is prohibited.

(10) Transport of all hydraulic fracturing fluids, hydraulic fracturing flowback, and produced water by vehicle for disposal must be undertaken by a liquid oilfield waste hauler permitted by the Department under Section 8c of the Illinois Oil and Gas Act. The liquid oilfield waste hauler transporting hydraulic fracturing fluids, hydraulic fracturing flowback, or produced water under this Act shall comply with all laws, rules, and regulations concerning liquid oilfield waste.

(11) Drill cuttings, drilling fluids, and drilling wastes not containing oil-based mud or polymer-based mud may be stored in

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tanks or pits. Pits used to store cuttings, fluids, and drilling wastes from wells not using fresh water mud shall be subject to the construction standards identified in (2) of this Section. Drill cuttings not contaminated with oil-based mud or polymer-based mud may be disposed of onsite subject to the approval of the Department. Drill cuttings contaminated with oil-based mud or polymer-based mud shall not be disposed of on site. Annular disposal of drill cuttings or fluid is prohibited.

(12) Any release of hydraulic fracturing fluid, hydraulic fracturing additive, or hydraulic fracturing flowback, used or generated during or after high volume horizontal hydraulic fracturing operations shall be immediately cleaned up and remediated pursuant to Department requirements. Any release of hydraulic fracturing fluid or hydraulic fracturing flowback in excess of 1 barrel, shall be reported to the Department. Any release of a hydraulic fracturing additive shall be reported to the Department in accordance with the appropriate reportable quantity thresholds established under the federal Emergency Planning and Community Right-to-Know Act as published in the Code of Federal Regulations (CFR), 40 CFR Parts 355, 370, and 372, the federal Comprehensive Environmental Response, Compensation, and Liability Act as published in 40 CFR Part 302, and subsection (r) of Section 112 of the Federal Clean Air Act as published in 40 CFR Part 68. Any release of produced water in excess of 5 barrels shall be cleaned up, remediated, and reported pursuant to Department requirements.

(13) Secondary containment for tanks required under this subsection and additive staging areas is required. Secondary containment measures may include, as deemed appropriate by the Department, one or a combination of the following: dikes, liners, pads, impoundments, curbs, sumps, or other structures or equipment capable of containing the substance. Any secondary containment must be sufficient to contain 110% of the total capacity of the single largest container or tank within a common containment area. No more than one hour before initiating any stage of the high volume horizontal hydraulic fracturing operations, all secondary containment must be visually inspected to ensure all structures and equipment are in place and in proper working order.
The results of this inspection must be recorded and documented by the operator, and available to the Department upon request.

(14) A report on the transportation and disposal of the hydraulic fracturing fluids and hydraulic fracturing flowback shall be prepared and included in the well file. The report must include the amount of fluids transported, identification of the company that transported the fluids, the destination of the fluids, and the method of disposal.

(15) Operators operating wells permitted under this Act must submit an annual report to the Department detailing the management of any produced water associated with the permitted well. The report shall be due to the Department no later than April 30th of each year and shall provide information on the operator's management of any produced water for the prior calendar year. The report shall contain information relative to the amount of produced water the well permitted under this Act produced, the method by which the produced water was disposed, and the destination where the produced water was disposed in addition to any other information the Department determines is necessary by rule.

(d) Hydraulic fracturing fluid shall be confined to the targeted formation designated in the permit. If the hydraulic fracturing fluid or hydraulic fracturing flowback are migrating into the freshwater zone or to the surface from the well in question or from other wells, the permittee shall immediately notify the Department and shut in the well until remedial action that prevents the fluid migration is completed. The permittee shall obtain the approval of the Department prior to resuming operations.

(e) Emissions controls.

(1) This subsection applies to all horizontal wells that are completed with high volume horizontal hydraulic fracturing.

(2) Except as otherwise provided in paragraph (8) of this subsection (e), permittees shall be responsible for managing gas and hydrocarbon fluids produced during the flowback period by routing recovered hydrocarbon fluids to one or more storage vessels or re-injecting into the well or another well, and routing recovered natural gas into a flow line or collection system, re-injecting the gas into the well or another well, using the gas as an on-site fuel source, or using the gas for another useful purpose that
a purchased fuel or raw material would serve, with no direct release to the atmosphere.

(3) If it is technically infeasible or economically unreasonable to minimize emissions associated with the venting of hydrocarbon fluids and natural gas during the flowback period using the methods specified in paragraph (2) of this subsection (e), the permittee shall capture and direct the emissions to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact waterways. Completion combustion devices must be equipped with a reliable continuous ignition source over the duration of the flowback period.

(4) Except as otherwise provided in paragraph (8) of this subsection (e), permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the production phase by:

(A) routing the recovered fluids into storage vessels and (i) routing the recovered gas into a gas gathering line, collection system, or to a generator for onsite energy generation, providing that gas to the surface owner of the well site for use for heat or energy generation, or (ii) using another method other than venting or flaring; and

(B) employing sand traps, surge vessels, separators, and tanks as soon as practicable during cleanout operations to safely maximize resource recovery and minimize releases to the environment.

(5) If the permittee establishes that it is technically infeasible or economically unreasonable to minimize emissions associated with the venting of hydrocarbon fluids and natural gas during production using the methods specified in paragraph (4) of this subsection (e), the Department shall require the permittee to capture and direct any natural gas produced during the production phase to a flare. Any flare used pursuant to this paragraph shall be equipped with a reliable continuous ignition source over the duration of production. In order to establish technical infeasibility or economic unreasonableness under this paragraph (5), the permittee must demonstrate, for each well site on an annual basis, that taking the actions listed in paragraph (4) of this subsection (e)
are not cost effective based on a site-specific analysis. Permittees that use a flare during the production phase for operations other than emergency conditions shall file an updated site-specific analysis annually with the Department. The analysis shall be due one year from the date of the previous submission and shall detail whether any changes have occurred that alter the technical infeasibility or economic unreasonableness of the permittee to reduce their emissions in accordance with paragraph (4) of this subsection (e).

(6) Uncontrolled emissions exceeding 6 tons per year from storage tanks shall be recovered and routed to a flare that is designed in accordance with 40 CFR 60.18 and is certified by the manufacturer of the device. The permittee shall maintain and operate the flare in accordance with manufacturer specifications. Any flare used under this paragraph must be equipped with a reliable continuous ignition source over the duration of production.

(7) The Department may approve an exemption that waives the flaring requirements of paragraphs (5) and (6) of this subsection (e) only if the permittee demonstrates that the use of the flare will pose a significant risk of injury or property damage and that alternative methods of collection will not threaten harm to the environment. In determining whether to approve a waiver, the Department shall consider the quantity of casinghead gas produced, the topographical and climatological features at the well site, and the proximity of agricultural structures, crops, inhabited structures, public buildings, and public roads and railways.

(8) For each wildcat well, delineation well, or low pressure well, permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the flowback period and production phase by capturing and directing the emissions to a completion combustion device during the flowback period and to a flare during the production phase, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device or flare may negatively impact waterways. Completion combustion devices and flares shall be equipped with a reliable continuous ignition source over the duration of the flowback period and the production phase, as applicable.
(9) On or after July 1, 2015, all flares used under paragraphs (5) and (8) of this subsection (e) shall (i) operate with a combustion efficiency of at least 98% and in accordance with 40 CFR 60.18; and (ii) be certified by the manufacturer of the device. The permittee shall maintain and operate the flare in accordance with manufacturer specifications.

(10) Permittees shall employ practices for control of fugitive dust related to their operations. These practices shall include, but are not limited to, the use of speed restrictions, regular road maintenance, and restriction of construction activity during high-wind days. Additional management practices such as road surfacing, wind breaks and barriers, or automation of wells to reduce truck traffic may also be required by the Department if technologically feasible and economically reasonable to minimize fugitive dust emissions.

(11) Permittees shall record and report to the Department on an annual basis the amount of gas flared or vented from each high volume horizontal hydraulic fracturing well. Three years after the effective date of the first high-volume horizontal hydraulic fracturing well permit issued by the Department, and every 3 years thereafter, the Department shall prepare a report that analyzes the amount of gas that has been flared or vented and make recommendations to the General Assembly on whether steps should be taken to reduce the amount of gas that is being flared or vented in this State.

(f) High volume horizontal hydraulic fracturing operations completion report. Within 60 calendar days after the conclusion of high volume horizontal hydraulic fracturing operations, the operator shall file a high volume horizontal hydraulic fracturing operations completion report with the Department. A copy of each completion report submitted to the Department shall be provided by the Department to the Illinois State Geological Survey. The completion reports required by this Section shall be considered public information and shall be made available on the Department's website. The high volume horizontal hydraulic fracturing operations completion report shall contain the following information:

(1) the permittee name as listed in the permit application;
(2) the dates of the high volume horizontal hydraulic fracturing operations;
(3) the county where the well is located;

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(4) the well name and Department reference number;

(5) the total water volume used in the high volume horizontal hydraulic fracturing operations of the well, and the type and total volume of the base fluid used if something other than water;

(6) each source from which the water used in the high volume horizontal hydraulic fracturing operations was drawn, and the specific location of each source, including, but not limited to, the name of the county and latitude and longitude coordinates;

(7) the quantity of hydraulic fracturing flowback recovered from the well;

(8) a description of how hydraulic fracturing flowback recovered from the well was disposed and, if applicable, reused;

(9) a chemical disclosure report identifying each chemical and proppant used in hydraulic fracturing fluid for each stage of the hydraulic fracturing operations including the following:

(A) the total volume of water used in the hydraulic fracturing treatment of the well or the type and total volume of the base fluid used in the hydraulic fracturing treatment, if something other than water;

(B) each hydraulic fracturing additive used in the hydraulic fracturing fluid, including the trade name, vendor, a brief descriptor of the intended use or function of each hydraulic fracturing additive, and the Material Safety Data Sheet (MSDS), if applicable;

(C) each chemical intentionally added to the base fluid, including for each chemical, the Chemical Abstracts Service number, if applicable; and

(D) the actual concentration in the base fluid, in percent by mass, of each chemical intentionally added to the base fluid;

(10) all pressures recorded during the high volume horizontal hydraulic fracturing operations; and

(11) any other reasonable or pertinent information related to the conduct of the high volume horizontal hydraulic fracturing operations the Department may request or require by administrative rule.

Section 1-77. Chemical disclosure; trade secret protection.
(a) If the chemical disclosure information required by paragraph (8) of subsection (b) of Section 1-35 of this Act is not submitted at the time of permit application, then the permittee, applicant, or person who will perform high volume horizontal hydraulic fracturing operations at the well shall submit this information to the Department in electronic format no less than 21 calendar days prior to performing the high volume horizontal hydraulic fracturing operations. The permittee shall not cause or allow any stimulation of the well if it is not in compliance with this Section. Nothing in this Section shall prohibit the person performing high volume horizontal hydraulic fracturing operations from adjusting or altering the contents of the fluid during the treatment process to respond to unexpected conditions, as long as the permittee or the person performing the high volume horizontal hydraulic fracturing operations notifies the Department by electronic mail within 24 hours of the departure from the initial treatment design and includes a brief explanation of the reason for the departure.

(b) No permittee shall use the services of another person to perform high volume horizontal hydraulic fracturing operations unless the person is in compliance with this Section.

(c) Any person performing high volume horizontal hydraulic fracturing operations within this State shall:
   (1) be authorized to do business in this State; and
   (2) maintain and disclose to the Department separate and up-to-date master lists of:
      (A) the base fluid to be used during any high volume horizontal hydraulic fracturing operations within this State;
      (B) all hydraulic fracturing additives to be used during any high volume horizontal hydraulic fracturing operations within this State; and
      (C) all chemicals and associated Chemical Abstract Service numbers to be used in any high volume horizontal hydraulic fracturing operations within this State.

(d) Persons performing high volume horizontal hydraulic fracturing operations are prohibited from using any base fluid, hydraulic fracturing additive, or chemical not listed on their master lists disclosed under paragraph (2) of subsection (c) of this Section.

(e) The Department shall assemble and post up-to-date copies of the master lists it receives under paragraph (2) of subsection (c) of this Section on its website in accordance with Section 1-110 of this Act.

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(f) Where an applicant, permittee, or the person performing high volume horizontal hydraulic fracturing operations furnishes chemical disclosure information to the Department under this Section, Section 1-35, or Section 1-75 of this Act under a claim of trade secret, the applicant, permittee, or person performing high volume horizontal hydraulic fracturing operations shall submit redacted and un-redacted copies of the documents containing the information to the Department and the Department shall use the redacted copies when posting materials on its website.

(g) Upon submission or within 5 calendar days of submission of chemical disclosure information to the Department under this Section, Section 1-35, or Section 1-75 of this Act under a claim of trade secret, the person that claimed trade secret protection shall provide a justification of the claim containing the following: a detailed description of the procedures used by the person to safeguard the information from becoming available to persons other than those selected by the person to have access to the information for limited purposes; a detailed statement identifying the persons or class of persons to whom the information has been disclosed; a certification that the person has no knowledge that the information has ever been published or disseminated or has otherwise become a matter of general public knowledge; a detailed discussion of why the person believes the information to be of competitive value; and any other information that shall support the claim.

(h) Chemical disclosure information furnished under this Section, Section 1-35, or Section 1-75 of this Act under a claim of trade secret shall be protected from disclosure as a trade secret if the Department determines that the statement of justification demonstrates that:

1. the information has not been published, disseminated, or otherwise become a matter of general public knowledge; and
2. the information has competitive value.

There is a rebuttable presumption that the information has not been published, disseminated, or otherwise become a matter of general public knowledge if the person has taken reasonable measures to prevent the information from becoming available to persons other than those selected by the person to have access to the information for limited purposes and the statement of justification contains a certification that the person has no knowledge that the information has ever been published, disseminated, or otherwise become a matter of general public knowledge.
(i) Denial of a trade secret request under this Section shall be appealable under the Administrative Review Law.

(j) A person whose request to inspect or copy a public record is denied, in whole or in part, because of a grant of trade secret protection may file a request for review with the Public Access Counselor under Section 9.5 of the Freedom of Information Act or for injunctive or declaratory relief under Section 11 of the Freedom of Information Act for the purpose of reviewing whether the Department properly determined that the trade secret protection should be granted.

(k) Except as otherwise provided in subsections (l) and (m) of this Section, the Department must maintain the confidentiality of chemical disclosure information furnished under this Section, Section 1-35, or Section 1-75 of this Act under a claim of trade secret, until the Department receives official notification of a final order by a reviewing body with proper jurisdiction that is not subject to further appeal rejecting a grant of trade secret protection for that information.

(l) The Department shall adopt rules for the provision of information furnished under a claim of trade secret to a health professional who states a need for the information and articulates why the information is needed. The health professional may share that information with other persons as may be professionally necessary, including, but not limited to, the affected patient, other health professionals involved in the treatment of the affected patient, the affected patient's family members if the affected patient is unconscious, unable to make medical decisions, or is a minor, the Centers for Disease Control, and other government public health agencies. Except as otherwise provided in this Section, any recipient of the information shall not use the information for purposes other than the health needs asserted in the request and shall otherwise maintain the information as confidential. Information so disclosed to a health professional shall in no way be construed as publicly available. The holder of the trade secret may request a confidentiality agreement consistent with the requirements of this Section from all health professionals to whom the information is disclosed as soon as circumstances permit. The rules adopted by the Department shall also establish procedures for providing the information in both emergency and non-emergency situations.

(m) In the event of a release of hydraulic fracturing fluid, a hydraulic fracturing additive, or hydraulic fracturing flowback, and when necessary to protect public health or the environment, the Department may disclose information furnished under a claim of trade secret to the relevant...
county public health director or emergency manager, the relevant fire department chief, the Director of the Illinois Department of Public Health, the Director of the Illinois Department of Agriculture, and the Director of the Illinois Environmental Protection Agency upon request by that individual. The Director of the Illinois Department of Public Health, and the Director of the Illinois Environmental Protection Agency, and the Director of the Illinois Department of Agriculture may disclose this information to staff members under the same terms and conditions as apply to the Director of Natural Resources. Except as otherwise provided in this Section, any recipient of the information shall not use the information for purposes other than to protect public health or the environment and shall otherwise maintain the information as confidential. Information disclosed to staff shall in no way be construed as publicly available. The holder of the trade secret information may request a confidentiality agreement consistent with the requirements of this Section from all persons to whom the information is disclosed as soon as circumstances permit.

Section 1-80. Water quality monitoring.
(a) Each applicant for a high volume horizontal hydraulic fracturing permit shall provide the Department with a work plan to ensure accurate and complete sampling and testing as required under this Section. The work plan shall ensure compliance with the requirements of this Section and include, at a minimum, the following:

(1) information identifying all water sources within the range of testing under this Section;
(2) a sampling plan and protocol, including notification to the Department at least 7 calendar days prior to sample collection;
(3) the name and contact information of an independent third party under the supervision of a professional engineer or professional geologist that shall be designated to conduct sampling to establish a baseline as provided for under subsection (b) of this Section;
(4) the name and contact information of an independent third party under the supervision of a professional engineer or professional geologist that shall be designated to conduct sampling to establish compliance with monitoring as provided within subsection (c) of this Section;
(5) the name and contact information of an independent testing laboratory, certified to perform the required laboratory
(6) proof of access and the right to test within the area for testing prescribed within subsection (b) of this Section during the duration of high volume horizontal hydraulic fracturing operations covered under the permit application, and copies of any non-disclosure agreements made under subsection (d) of this Section; and

(7) identification of practicable contingency measures, including provision for alternative drinking water supplies, which could be implemented in the event of pollution or diminution of a water source as provided for in Section 1-83.

(b) Prior to conducting high volume horizontal hydraulic fracturing operations on a well, a permittee shall retain an independent third party, as required within paragraph (3) of subsection (a) of this Section, and shall conduct baseline water quality sampling of all water sources within 1,500 feet of the well site prior to any fracturing activities. Where (i) there are no groundwater wells within 1,500 feet of a well site, or access to groundwater wells within 1,500 feet of the well site has been denied under subsection (d) of this Section, and (ii) the proposed well site is located within 1,500 feet horizontally from any portion of an aquifer, the permittee shall conduct sampling of the aquifer at the closest groundwater well with access to the aquifer to which the permittee has not been denied access under subsection (d) of this Section. Installation of a groundwater monitoring well is not required to satisfy the sampling requirements of this Section. The samples collected by the independent third party, under the supervision of a professional engineer or professional geologist, shall be analyzed by an independent testing laboratory in accordance with paragraph (4) of subsection (a) of this Section. Testing shall be done by collection of a minimum of 3 samples for each water source required to be tested under this Section. The permittee shall, within 7 calendar days after receipt of results of tests conducted under this subsection, submit the results to the Department or to the owner of the water source under a non-disclosure agreement under subsection (d) of this Section. The Department shall post the results on its website within 7 calendar days after receipt. The results shall, at a minimum, include a detailed description of the sampling and testing conducted under this subsection, the chain of custody of the samples, and quality control of the testing.
(c) After baseline tests are conducted under subsection (b) of this Section and following issuance of a permit by the Department, the permittee shall have all water sources which are subjected to sampling under subsection (b) of this Section sampled and tested in the same manner 6 months, 18 months, and 30 months after the high volume horizontal hydraulic fracturing operations have been completed. Sampling of a water source under this subsection is not required if the water source was sampled under this subsection or subsection (b) within the previous month. The permittee shall notify the Department at least 7 calendar days prior to taking the sample. The permittee shall, within 7 calendar days after receipt of results of tests conducted under this subsection (c), submit the results to the Department or to the owner of the water source pursuant to a non-disclosure agreement under subsection (d) of this Section. The results shall include, at a minimum, a detailed description of the sampling and testing conducted under this subsection, the chain of custody of the samples, and quality control of the testing.

(d) Sampling of private water wells or ponds wholly contained within private property shall not be required where the owner of the private property declines, expressly and in writing, to provide access or permission for sampling. If the owner of the private property declines to provide proof of his or her refusal to allow access in writing, the operator shall provide the Department evidence as to the good faith efforts that were made to secure the required documentation. Permits issued under this Act cannot be denied if the owner of the private property declines to provide proof of his or her refusal to allow access in writing and the permittee provides evidence that good faith efforts were made to gain access for the purposes of conducting tests. The owners of private property may condition access or permission for sampling of a private water well or pond wholly within the property or a portion of any perennial stream or river that flows through the property under a non-disclosure agreement, which must include the following terms and conditions:

(1) the permittee shall provide the results of the water quality testing to the property owners;

(2) the permittee shall retain the results of the water quality testing until at least one year after completion of all monitoring under this Section for review by the Department upon request;

(3) the permittee shall not file with the Department the results of the water quality testing, except under paragraph (4) of subsection (d) of this Section; and

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(4) the permittee shall notify the Department within 7 calendar days of its receipt of the water quality data where any testing under subsection (c) of this Section indicates that concentrations exceed the standards or criteria referenced in the definition of pollution or diminution under Section 1-5 of this Act.

(e) Each set of samples collected under subsections (b) and (c) of this Section shall include analyses for:

(1) pH;
(2) total dissolved solids, dissolved methane, dissolved propane, dissolved ethane, alkalinity, and specific conductance;
(3) chloride, sulfate, arsenic, barium, calcium, chromium, iron, magnesium, selenium, cadmium, lead, manganese, mercury, and silver;
(4) BTEX; and
(5) gross alpha and beta particles to determine the presence of any naturally occurring radioactive materials.

Sampling shall, at a minimum, be consistent with the work plan and allow for a determination of whether any hydraulic fracturing additive or other contaminant has caused pollution or diminution for purposes of Sections 1-83 and 1-85 of this Act.

Section 1-83. Order authority.

(a) Any person who has reason to believe they have incurred pollution or diminution of a water source as a result of a high volume horizontal hydraulic fracturing treatment of a well may notify the Department and request that an investigation be conducted.

(b) Within 30 calendar days after notification, the Department shall initiate the investigation of the claim and make a reasonable effort to reach a determination within 180 calendar days after notification. The Department may contact the Agency to seek the Agency’s assistance in water quality sampling. The Agency may seek cost recovery under subsection (e) of Section 1-87 of this Act and recover all costs for samples taken for the investigation under this Section.

(c) Any person conducting or who has conducted high volume horizontal hydraulic fracturing operations shall supply any information requested by the Department to assist the Department. The Department shall give due consideration to any information submitted during the course of the investigation.

(d) If sampling results or other information obtained as part of the investigation or the results of tests conducted under subsection (c) of...
Section 1-80 of this Act indicate that concentrations exceed the standards or criteria referenced by pollution or diminution under Section 1-5 of this Act, the Department shall issue an order to the permittee as necessary to require permanent or temporary replacement of a water source. In addition to any other penalty available under the law and consistent with the Department's order, the permittee shall restore or replace the affected supply with an alternative source of water adequate in quantity and quality for the purposes served by the water source. The quality of a restored or replaced water source shall meet or exceed the quality of the original water source based upon the results of the baseline test results under subsection (b) of Section 1-80 for that water source, or other available information. The Department may require the permittee to take immediate action, including but not limited to, repair, replacement, alteration, or prohibition of operation of equipment permitted by the Department. The Department may issue conditions within any order to protect the public health or welfare or the environment.

(e) Within 15 calendar days after a determination has been made regarding the pollution or diminution, the Department shall provide notice of its findings and the orders, if any, to all persons that use the water source for domestic, agricultural, industrial, or any other legitimate beneficial uses.

(f) Upon issuance of an Order or a finding of pollution or diminution under subsection (d) of this Section, the Department shall contact the Agency and forward all information from the investigation to the Agency. The Agency shall investigate the potential for violations as designated within Section 1-87 of this Act.

(g) Reports of potential cases of water pollution that may be associated with high volume horizontal hydraulic fracturing operations may be submitted electronically. The Department shall establish a format for these reports to be submitted through the website developed under Section 1-110 of this Act. The Department shall electronically provide these reports to the Agency.

(h) The Department shall publish, on its website, lists of confirmed cases of pollution or diminution that result from high volume horizontal hydraulic fracturing operations. This information shall be searchable by county.

(i) Nothing in this Section shall prevent the Department from issuing a cessation order under Section 8a of the Illinois Oil and Gas Act.

Section 1-85. Presumption of pollution or diminution.

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(a) This Section establishes a rebuttable presumption for the purposes of evidence and liability under State law regarding claims of pollution or diminution of a water source and for use regarding the investigation and order authority under Section 1-83.

(b) Unless rebutted by a defense established in subsection (c) of this Section, it shall be presumed that any person conducting or who has conducted high volume horizontal hydraulic fracturing operations shall be liable for pollution or diminution of a water supply if:

1. the water source is within 1,500 feet of the well site;
2. water quality data showed no pollution or diminution prior to the start of high volume horizontal hydraulic fracturing operations; and
3. the pollution or diminution occurred during high volume horizontal hydraulic fracturing operations or no more than 30 months after the completion of the high volume horizontal hydraulic fracturing operations.

(c) To rebut the presumption established under this Section, a person presumed responsible must affirmatively prove by clear and convincing evidence any of the following:

1. the water source is not within 1,500 feet of the well site;
2. the pollution or diminution occurred prior to high volume horizontal hydraulic fracturing operations or more than 30 months after the completion of the high volume horizontal hydraulic fracturing operations; or
3. the pollution or diminution occurred as the result of an identifiable cause other than the high volume horizontal hydraulic fracturing operations.

Section 1-87. Water quality investigation and enforcement.

(a) No person shall cause or allow high volume horizontal hydraulic fracturing operations permitted under this Act to violate Section 12 of the Illinois Environmental Protection Act or surface water or groundwater rules adopted under the Illinois Environmental Protection Act.

(b) The Agency shall have the duty to investigate complaints that activities under this Act have caused a violation of Section 12 of the Illinois Environmental Protection Act or surface or groundwater rules adopted under the Illinois Environmental Protection Act. Any action taken by the Agency in enforcing these violations shall be taken under and consistent with the Illinois Environmental Protection Act, including but

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not limited to, the Agency's authority to seek a civil or criminal cause of action under that Act. The test results under subsections (b) and (c) of Section 1-80 of this Act may be considered by the Agency during an investigation under this Section.

(c) A person who has reason to believe they have incurred contamination of a water source as a result of high volume horizontal hydraulic fracturing may notify the Agency and request an investigation be conducted. The Agency shall forward this request to the Department for consideration of an investigation under Section 1-83 of this Act. If the Agency is provided with notice under subsection (f) of Section 1-83, the Agency shall conduct an investigation to determine whether pollution or diminution is continuing to occur at the location subject to the order, as well as locations identified by the Department or at any other water source within 1,500 feet of the well site. Any person conducting or who has conducted high volume horizontal hydraulic fracturing operations shall supply any information requested to assist the Agency in its investigation. The Agency shall give due consideration to any information submitted during the course of the investigation.

(d) Pollution or diminution is a violation of this Act and may be pursued by the Department subject to the procedures and remedies under Sections 1-100 and 1-105 of this Act.

(e) If an Agency investigation under Section 1-83 or subsection (c) of this Section confirms that the cause of the pollution, diminution, or water pollution is attributable to high volume horizontal hydraulic fracturing operations, in addition to any other relief available under law, the permittee shall be required to reimburse the costs and reasonable expenses incurred by the Agency for all activities related to the investigation and cleanup. These costs shall include, but not be limited to, inspections, investigations, analyses, personnel, direct and indirect costs, studies, assessments, reports, and review and evaluation of that data, as well as costs under the Agency's review of whether the quality of a restored or replaced water supply meets or exceeds the quality of the water supply before it was affected by the permittee. Costs shall be reimbursed to the Agency by the permittee within 30 calendar days after receipt of a written request for reimbursement by the Agency. For all costs that remain unpaid following 30 calendar days after receipt of a written request for reimbursement, the Agency may institute a civil action for cost recovery under subsection (e) of Section 1-101 of this Act. Failure to reimburse the Agency within 30 calendar days after receipt of the written request for
reimbursement is a violation of this Act. Reimbursement of costs collected under this subsection shall be deposited by the Agency into the Illinois Clean Water Fund.

Section 1-95. Plugging; restoration.

(a) The permittee shall perform and complete plugging of the well and restoration of the well site in accordance with the Illinois Oil and Gas Act and any and all rules adopted thereunder. The permittee shall bear all costs related to plugging of the well and reclamation of the well site. If the permittee fails to plug the well in accordance with this Section, the owner of the well shall be responsible for complying with this Section.

(b) Prior to conducting high volume horizontal hydraulic fracturing operations at a well site, the permittee shall cause to be plugged all previously unplugged well bores within 750 feet of any part of the horizontal well bore that penetrated within 400 vertical feet of the formation that will be stimulated as part of the high volume horizontal hydraulic fracturing operations.

(c) For well sites where high volume horizontal hydraulic fracturing operations were permitted to occur, the operator shall restore any lands used by the operator other than the well site and production facility to a condition as closely approximating the pre-drilling conditions that existed before the land was disturbed for any stage of site preparation activities, drilling, and high volume horizontal hydraulic fracturing operations. Restoration shall be commenced within 6 months of completion of the well site and completed within 12 months. Restoration shall include, but is not limited to, repair of tile lines, repair of fences and barriers, mitigation of soil compaction and rutting, application of fertilizer or lime to restore the fertility of disturbed soil, and repair of soil conservation practices such as terraces and grassed waterways.

(d) Unless contractually agreed to the contrary by the permittee and surface owner, the permittee shall restore the well site and production facility in accordance with the applicable restoration requirements in subsection (c) of this Section and shall remove all equipment and materials involved in site preparation, drilling, and high volume horizontal hydraulic fracturing operations, including tank batteries, rock and concrete pads, oil field debris, injection and flow lines at or above the surface, electric power lines and poles extending on or above the surface, tanks, fluids, pipes at or above the surface, secondary containment measures, rock or concrete bases, drilling equipment and supplies, and any and all other equipment, facilities, or materials used during any stage of site preparation work,

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drilling, or hydraulic fracturing operations at the well site. Work on the removal of equipment and materials at the well site shall begin within 6 months after plugging the final well on the well site and be completed no later than 12 months after the last producing well on the well site has been plugged. Roads installed as part of the oil and gas operation may be left in place if provided in the lease or pursuant to agreement with the surface owner, as applicable.

Section 1-96. Seismicity.
(a) For purposes of this Section, "induced seismicity" means an earthquake event that is felt, recorded by the national seismic network, and attributable to a Class II injection well used for disposal of flow-back and produced fluid from hydraulic fracturing operations.
(b) The Department shall adopt rules, in consultation with the Illinois State Geological Survey, establishing a protocol for controlling operational activity of Class II injection wells in an instance of induced seismicity.
(c) The rules adopted by the Department under this Section shall employ a "traffic light" control system allowing for low levels of seismicity while including additional monitoring and mitigation requirements when seismic events are of sufficient intensity to result in a concern for public health and safety.
(d) The additional mitigation requirements referenced in subsection (c) of this Section shall provide for either the scaling back of injection operations with monitoring for establishment of a potentially safe operation level or the immediate cessation of injection operations.

Section 1-97. Department mapping and reporting. On or before February 1, 2014, the Department shall, with the assistance of the Illinois State Geological Survey, submit a report to the General Assembly and Governor identifying the following in Illinois and include any recommendations for additional legislative or administrative action on these items:
(a) the location of resources of shale gas and oil, conventional gas and oil, and process materials, including sand and other naturally occurring geologic materials used in high volume horizontal hydraulic fracturing operations;
(b) the potential impacts of high volume horizontal hydraulic fracturing operations on:
   (1) sites owned, managed or leased by the Department;
   (2) nature preserves;

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(3) sites on the Register of Land and Water Reserves;
(4) the availability of water for human consumption and general domestic use; and
(5) the potential for influencing natural seismic activity.

Two years after the effective date of the first high volume horizontal hydraulic fracturing permit issued by the Department, and every 3 years thereafter, the Department shall prepare a report that examines the following:

(1) the number of high volume horizontal hydraulic fracturing permits issued by the Department, on an annual basis;
(2) a map showing the locations in this State where high volume horizontal hydraulic fracturing operations have been permitted by the Department;
(3) identification of the latest scientific research, best practices, and technological improvements related to high volume horizontal hydraulic fracturing operations and methods to protect the environment and public health;
(4) any confirmed environmental impacts in this State due to high volume horizontal hydraulic fracturing operations, including, but not limited to, any reportable release of hydraulic fracturing flowback, hydraulic fracturing fluid, and hydraulic fracturing additive;
(5) confirmed public health impacts in this State due to high volume horizontal hydraulic fracturing operations;
(6) a comparison of the revenues generated under subsection (e) of Section 1-35 of this Act to the Department's costs associated with implementing and administering provisions of this Act;
(7) a comparison of the revenues generated under subsection (e) of Section 1-87 of this Act to the Agency's costs associated with implementing and administering provisions of this Act;
(7.5) a summary of revenues generated annually from income, ad valorem, sales, and any other State and local taxes applicable to activity permitted under this Act by the Department, including an estimate of the income tax generated from lease payments and royalty payments;
(8) a description of any modifications to existing programs, practices, or rules related to high volume horizontal hydraulic fracturing operations made by the Department;
(9) any problems or issues the Department identifies as it implements and administers the provisions of this Act;
(10) any recommendations for legislative action by the General Assembly to address the findings in the report; and
(11) any other information the Department deems relevant regarding its specific experiences implementing and administering the provisions of this Act and, generally, high volume horizontal hydraulic fracturing operations.

The first report shall also examine any studies issued by the United States Environmental Protection Agency regarding high volume horizontal hydraulic fracturing operations. The report required by this Section shall be provided to the General Assembly and Governor.

Section 1-98. Hydraulic fracturing completion reporting.
(a) For the purposes of this Section, "hydraulic fracturing operations" means all stages of a stimulation treatment of a horizontal well as defined by this Act by the pressurized application of more than 80,000 gallons but less than 300,001 gallons of hydraulic fracturing fluid and proppant to initiate or propagate fractures in a geologic formation to enhance extraction or production of oil or gas.
(b) Within 60 calendar days after the conclusion of hydraulic fracturing operations, the operator shall file a hydraulic fracturing operations completion report with the Department. The hydraulic fracturing operations completion report shall contain the following information:
(1) the name and location of the well;
(2) the total and per-stage gallons of hydraulic fracturing fluid used at the well;
(3) depth of the wellbore (including both total vertical depth and total measured depth);
(4) length of horizontal wellbore;
(5) the maximum surface treating pressure used;
(6) the formation targeted;
(7) the number of hydraulic fracturing stages; and
(8) total perforated interval and individual perforation intervals.

Section 1-99. Task Force on Hydraulic Fracturing Regulation.

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(a) There is hereby created the Task Force on Hydraulic Fracturing Regulation.

(b) The task force shall consist of the following members as follows:

1. Four legislators, appointed one each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives;
2. The Governor, or his or her representative;
3. The Director of the Illinois Environmental Protection Agency, or his or her representative;
4. The Director of the Illinois Department of Natural Resources, or his or her representative;
5. The Attorney General of the State of Illinois, or his or her representative;
6. The Director of the Illinois State Geological Survey, or his or her representative;
7. Four representatives from environmental organizations, at least one of whom shall be a national environmental organization, at least one of whom shall be a Midwest regional environmental organization, and at least one of whom shall be an Illinois-based environmental organization, appointed by the Director of the Illinois Department of Natural Resources; and
8. Four representatives from entities representing the interests of the oil and gas industry, at least one of whom shall represent companies whose activities are national in scope, at least one of whom shall represent companies whose activities are primarily limited to this State, at least one of whom shall represent an industry trade association, and at least one of whom shall represent a statewide labor federation representing more than one international union, appointed by the Director of the Illinois Department of Natural Resources.

(c) The Director of the Illinois Department of Natural Resources shall serve as chairperson of the task force, and the Department shall be responsible for administering its operations and ensuring that the requirements of this Section are met.

(d) The task force may consult with any persons or entities it deems necessary to carry out its mandate.
(e) Members of the task force shall be appointed no later than 90 days after the effective date of this amendatory Act of the 98th General Assembly. The members of the task force shall receive no compensation for serving as members of the task force.

(f) The task force shall (1) prepare a report evaluating the scope of hydraulic fracturing activity in the State and (2) provide recommendations to the General Assembly as to whether further legislation is needed to regulate hydraulic fracturing in this State. In performing these tasks, the task force shall consider, at a minimum, the data collected by the Department under Section 1-98 of this Act and the Illinois Oil and Gas Act.

(g) The task force shall submit its report and recommendations specified in subsection (f) of this Section to the General Assembly on or before September 15, 2016.

(h) The task force, upon issuance of its report and recommendations, is dissolved and this Section is repealed.

Section 1-100. Criminal offenses; penalties.

(a) Except as otherwise provided in this Section, it shall be a Class A misdemeanor to knowingly violate this Act, its rules, or any permit or term or condition thereof, or knowingly to submit any false information under this Act or regulations adopted thereunder, or under any permit or term or condition thereof. A person convicted or sentenced under this subsection (a) shall be subject to a fine of not to exceed $10,000 for each day of violation.

(b) It is unlawful for a person knowingly to violate:

(1) subsection (c) of Section 1-25 of this Act;
(2) subsection (d) of Section 1-25 of this Act;
(3) subsection (a) of Section 1-30 of this Act;
(4) paragraph (9) of subsection (c) of Section 1-75 of this Act; or
(5) subsection (a) of Section 1-87 of this Act.

A person convicted or sentenced for any knowing violation of the requirements or prohibitions listed in this subsection (b) commits a Class 4 felony, and in addition to any other penalty prescribed by law is subject to a fine not to exceed $25,000 for each day of violation. A person who commits a second or subsequent knowing violation of the requirements or prohibitions listed in this subsection (b) commits a Class 3 felony and, in addition to any other penalties provided by law, is subject to a fine not to exceed $50,000 for each day of violation.
(c) Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Department or Agency as required by this Act, its rules, or any permit, term, or condition of a permit, commits a Class 4 felony, and each false, fictitious, or fraudulent statement or writing shall be considered a separate violation. In addition to any other penalty prescribed by law, persons in violation of this subsection (c) is subject to a fine of not to exceed $25,000 for each day of violation. A person who commits a second or subsequent knowing violation of this subsection (c) commits a Class 3 felony and, in addition to any other penalties provided by law, is subject to a fine not to exceed $50,000 for each day of violation.

(d) Any criminal action provided for under this Section shall be brought by the State's Attorney of the county in which the violation occurred or by the Attorney General and shall be conducted in accordance with the applicable provision of the Code of Criminal Procedure of 1963. For criminal conduct in this Section, the period for commencing prosecution shall not begin to run until the offense is discovered by or reported to a State or local agency having authority to investigate violations of this Act.

Section 1-101. Violations; civil penalties and injunctions.

(a) Except as otherwise provided in this Section, any person who violates any provision of this Act or any rule or order adopted under this Act or any permit issued under this Act shall be liable for a civil penalty not to exceed $50,000 for the violation and an additional civil penalty not to exceed $10,000 for each day during which the violation continues.

(b) Any person who violates any requirements or prohibitions of provisions listed in this subsection (b) is subject to a civil penalty not to exceed $100,000 for the violation and an additional civil penalty not to exceed $20,000 for each day during which the violation continues. The following are violations are subject to the penalties of this subsection (b):

(1) subsection (c) of Section 1-25 of this Act;
(2) subsection (d) of Section 1-25 of this Act;
(3) subsection (a) of Section 1-30 of this Act;
(4) paragraph (9) of subsection (c) of Section 1-75 of this Act; or
(5) subsection (a) of Section 1-87 of this Act.

(c) Any person who knowingly makes, submits, causes to be made, or causes to be submitted a false report of pollution, diminution, or water pollution attributable to high volume horizontal hydraulic fracturing...

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operations that results in an investigation by the Department or Agency under this Act shall be liable for a civil penalty not to exceed $1,000 for the violation.

(d) The penalty shall be recovered by a civil action before the circuit court of the county in which the well site is located or in the circuit court of Sangamon County. Venue shall be considered proper in either court. These penalties may, upon the order of a court of competent jurisdiction, be made payable to the Environmental Protection Trust Fund, to be used in accordance with the provisions of the Environmental Protection Trust Fund Act.

(e) The State's Attorney of the county in which the violation occurred, or the Attorney General, may, at the request of the Department or on his or her own motion, institute a civil action for the recovery of costs, an injunction, prohibitory or mandatory, to restrain violations of this Act, any rule adopted under this Act, the permit or term or condition of the permit, or to require other actions as may be necessary to address violations of this Act, any rule adopted under this Act, the permit or term or condition of the permit.

(f) The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring actions under this Section in the name of the People of the State of Illinois. Without limiting any other authority that may exist for the awarding of attorney's fees and costs, a court of competent jurisdiction may award costs and reasonable attorney's fees, including the reasonable costs of expert witnesses and consultants, to the State's Attorney or the Attorney General in a case where he or she has prevailed against a person who has committed a knowing or repeated violation of this Act, any rule adopted under this Act, or the permit or term or condition of the permit.

(g) All final orders imposing civil penalties under this Section shall prescribe the time for payment of those penalties. If any penalty is not paid within the time prescribed, interest on penalty at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, shall be paid for the period from the date payment is due until the date payment is received. However, if the time for payment is stayed during the pendency of an appeal, interest shall not accrue during stay.

Section 1-102. Other relief.

(a) Any person having an interest that is or may be adversely affected may commence a civil action on his or her own behalf to compel compliance with this Act against any governmental instrumentality or
agency which is alleged to be in violation of the provisions of this Act or of any rule, order, or permit issued under this Act, or against any other person who is alleged to be in violation of this Act or of any rule, order, or permit issued under this Act. No action may be commenced under this subsection (a): (i) prior to 60 days after the plaintiff has given notice in writing of the alleged violation to the Department and to any alleged violator or (ii) if the State has commenced and is diligently prosecuting a civil action to require compliance with the provisions of this Act, or any rule, order, or permit issued under this Act.

(b) Any person having an interest that is or may be adversely affected may commence a civil action against the Department on his or her own behalf to compel compliance with this Act where there is alleged a failure of the Department to perform any act or duty under this Act that is not discretionary with the Department. No action may be commenced under this subsection (b) prior to 60 days after the plaintiff has given notice in writing of the action to the Department, except that action may be brought immediately after the notification in the case where the violation or order complained of constitutes an imminent threat to the health or safety of the plaintiff or would immediately affect a legal interest of the plaintiff.

(c) The court, in issuing any final order in any action brought under this Section, may award costs of litigation (including attorney and expert witness fees) to any party, on the basis of the importance of the proceeding and the participation of the parties to the efficient and effective enforcement of this Act. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with Part 1 of Article XI of the Code of Civil Procedure.

(d) Any person who is injured in his or her person or property through the violation by any operator of any rule, order, or permit issued under this Act may bring an action for damages (including reasonable attorney and expert witness fees). Nothing in this subsection (d) shall affect any of the rights established by or limits imposed under the Workers’ Compensation Act.

(e) Any action brought under this Section may be brought only in the county in which the high volume horizontal hydraulic fracturing operation complained of is located.

(f) In any action under this Section, the Department shall have an unconditional right to intervene.

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(g) No existing civil or criminal remedy for any wrongful action shall be excluded or impaired by this Act.

(h) Nothing in this Section shall restrict any right that any person (or class of persons) may have under any statute or common law to seek enforcement of any of the provisions of this Act and the rules adopted under this Act, or to seek any other relief (and including relief against the United States or the Department).

Section 1-105. Violations, complaints, and notice; website.

The Department shall maintain a detailed database that is readily accessible to the public on the Department's website. The database shall show each violation found by the Department regarding high volume horizontal hydraulic fracturing operations and the associated well owners, operators, and subcontractors. When the Department determines that any person has violated this Act, the Department shall provide notice by U.S. Postal Service certified mail, return receipt requested, of the Department's determination to all persons required to receive specific public notice under Section 1-40 of this Act within 7 calendar days after the determination. The Department shall also post the notice on the Department's website. The notice shall include a detailed, plain language description of the violation and a detailed, plain language description of all known risks to public health, life, property, aquatic life, and wildlife resulting from the violation.

Section 1-110. Public information; website.

(a) All information submitted to the Department under this Act is deemed public information, except information deemed to constitute a trade secret under Section 1-77 of this Act and private information and personal information as defined in the Freedom of Information Act.

(b) To provide the public and concerned citizens with a centralized repository of information, the Department shall create and maintain a comprehensive website dedicated to providing information concerning high volume horizontal hydraulic fracturing operations. The website shall contain, assemble, and link the documents and information required by this Act to be posted on the Department's or other agencies' websites. The Department shall also create and maintain an online searchable database that provides information related to high volume horizontal hydraulic fracturing operations on wells that, at a minimum, include, for each well it permits, the identity of its operators, its waste disposal, its chemical disclosure information, and any complaints or violations under this Act. The website created under this Section shall allow users to search for
completion reports by well name and location, dates of fracturing and drilling operations, operator, and by chemical additives.

Section 1-120. Applicable federal, State, and local laws. Compliance with this Act does not relieve responsibility for compliance with the Illinois Oil and Gas Act, the Illinois Environmental Protection Act, and other applicable federal, State, and local laws.

Section 1-123. Application of water well laws. Nothing in this Act shall be construed to affect the application of the Illinois Water Well Construction Code, the Illinois Water Well Pump Installation Code, the Water Well and Pump Installation Contractor's License Act, or any rules adopted thereunder to all water wells, closed loop wells, or monitoring wells, as those terms are defined in Section 3 of the Illinois Water Well Construction Code, that are located, drilled, constructed, or modified in connection with activities regulated by this Act.

Section 1-125. Administrative review. All final administrative decisions, including issuance or denial of a permit, made by the Department under this Act are subject to judicial review under the Administrative Review Law and its rules.

Section 1-130. Rules. The Department shall have the authority to adopt rules as may be necessary to accomplish the purposes of this Act. Any and all rules adopted under this Act by the Department are not subject to the review, consultation, or advisement of the Oil and Gas Board.

Section 1-135. The Mines and Minerals Regulatory Fund. The Mines and Minerals Regulatory Fund is created as a special fund in the State treasury. All moneys required by this Act to be deposited into the Fund shall be used by the Department to administer and enforce this Act and otherwise support the operations and programs of the Office of Mines and Minerals.

Section 1-140. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

ARTICLE 2.

Section 2-5. Short title. This Act may be cited as the "Illinois Hydraulic Fracturing Tax Act".

Section 2-10. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Barrel" for oil measurement means a barrel of 42 U.S. gallons of 231 cubic inches per gallon, computed at a temperature of 60 degrees Fahrenheit.
"Construction" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintaining, landscaping, improving, drilling, testing, moving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, water works, parking facility, railroad, excavation or other structure, project, development, real property or improvement, or to do any part thereof, whether or not the performance of the construction involves the addition to, or fabrication into, any structure, project, development, real property or improvement herein described performed or done on behalf of an operator in connection with and at the location of a well site subject to the tax imposed by this Act.

"Construction worker" means a person performing construction.

"Department" means the Illinois Department of Revenue.

"Fracturing" or "hydraulic fracturing" means the propagation of fractures in a rock layer, by a pressurized fluid used to release petroleum or natural gas (including shale gas, tight gas, and coal seam gas), for extraction.

"Gas" means natural gas taken from below the surface of the earth or water in this State, regardless of whether the gas is taken from a gas well or from a well also productive of oil or any other product.

"General prevailing rate of hourly wages" has the meaning ascribed to it in Section 2 of the Prevailing Wage Act, as determined by the Director of the Department of Labor under Section 9 of the Prevailing Wage Act for the county in which the construction occurs.

"Illinois construction worker" means a construction worker, as defined in this Section, domiciled in Illinois for 24 months prior to the date of the issuance of a high volume horizontal hydraulic fracturing permit for the well site on which the construction is performed.

"Lease number" means the number assigned by the purchaser to identify each production unit.

"Oil" means petroleum or other crude oil, condensate, casinghead gasoline, or other mineral oil that is severed or withdrawn from below the surface of the soil or water in this State.

"Operator" means the person primarily responsible for the management and operation of oil or gas productions from a production unit.

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"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

"Producer" means any person owning, controlling, managing, or leasing any oil or gas property or oil or gas well, and any person who severs in any manner any oil or gas in this State, and shall include any person owning any direct and beneficial interest in any oil or gas produced, whether severed by such person or some other person on their behalf, either by lease, contract, or otherwise, including working interest owners, overriding royalty owners, or royalty owners.

"Producer" means any person owning, controlling, managing, or leasing any oil or gas property or oil or gas well, and any person who severs in any manner any oil or gas in this State, and shall include any person owning any direct and beneficial interest in any oil or gas produced, whether severed by such person or some other person on their behalf, either by lease, contract, or otherwise, including working interest owners, overriding royalty owners, or royalty owners.

"Production unit" means a unit of property designated by the Department of Natural Resources from which oil or gas is severed.

"Purchaser" means a person who is the first purchaser of a product after severance from a production unit.

"Remove" or "removal" means the physical transportation of oil or gas off of the production unit where severed; and if the oil or gas is used on the premises where severed, or if the manufacture or conversion of oil or gas into refined products occurs on the premises where severed, oil or gas shall be deemed to have been removed on the date such use, manufacture, or conversion begins.

"Severed" or "severing" means: (1) the production of oil through extraction or withdrawal of the same, whether such extraction or withdrawal is by natural flow, mechanical flow, forced flow, pumping, or any other means employed to get the oil from below the surface of the soil or water and shall include the withdrawal by any means whatsoever of oil upon which the tax has not been paid, from any surface reservoir, natural or artificial, or from a water surface; and (2) the production of gas through the extraction or withdrawal of the same by any means whatsoever, from below the surface of the earth or water.

"Severance" means the taking of oil or gas from below the surface of the soil or water in any manner whatsoever.

"Total workforce hours" means all hours worked by construction workers on a well site, beginning on the date an application for a permit to perform high volume horizontal hydraulic fracturing operations at the well is filed under Section 1-35 of the Hydraulic Fracturing Regulatory Act and ending on the date of first production following initial drilling or any reworking of the well.
"Value" means the sale price of oil or gas at the time of removal of the oil or gas from the production unit and if oil or gas is exchanged for something other than cash, or if no sale occurs at the time of removal, or if the Department determines that the relationship between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the Department shall determine the value of the oil or gas subject to tax based on the cash price paid to one or more producers for the oil or gas or based on the cash price paid to producers for like quality oil or gas in the vicinity of the production unit at the time of the removal of the oil or gas from the production unit.

"Well site" has the meaning ascribed to the term in Section 1-5 of the Hydraulic Fracturing Regulatory Act.

"Working interest" means any interest in or any right to the production of oil and gas, excluding royalty or overriding royalty interests.

Section 2-15. Tax imposed.

(a) For oil and gas removed on or after July 1, 2013, there is hereby imposed a tax upon the severance and production of oil or gas from a well on a production unit in this State permitted, or required to be permitted, under the Illinois Hydraulic Fracturing Regulatory Act, for sale, transport, storage, profit, or commercial use. The tax shall be applied equally to all portions of the value of each barrel of oil severed and subject to such tax and to the value of the gas severed and subject to such tax. For a period of 24 months from the month in which oil or gas was first produced from the well, the rate of tax shall be 3% of the value of the oil or gas severed from the earth or water in this State. Thereafter, the rate of the tax shall be as follows:

(1) For oil:
   (A) where the average daily production from the well during the month is less than 25 barrels, 3% of the value of the oil severed from the earth or water;
   (B) where the average daily production from the well during the month is 25 or more barrels but less than 50 barrels, 4% of the value of the oil severed from the earth or water;
   (C) where the average daily production from the well during the month is 50 or more barrels but less than 100 barrels, 5% of the value of the oil severed from the earth or water; or

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(D) where the average daily production from the well during the month is 100 or more barrels, 6% of the value of the oil severed from the earth or water.

(2) For gas, 6% of the value of the gas severed from the earth or water.

If a well is required to be permitted under the Illinois Hydraulic Fracturing Regulatory Act, the tax imposed by this Section applies, whether or not a permit was obtained.

(b) Oil produced from a well whose average daily production is 15 barrels or less for the 12-month period immediately preceding the production is exempt from the tax imposed by this Act.

(c) For the purposes of the tax imposed by this Act the amount of oil produced shall be measured or determined, in the case of oil, by tank tables, without deduction for overage or losses in handling. Allowance for any reasonable and bona fide deduction for basic sediment and water, and for correction of temperature to 60 degrees Fahrenheit will be allowed. For the purposes of the tax imposed by this Act the amount of gas produced shall be measured or determined, by meter readings showing 100% of the full volume expressed in cubic feet at a standard base and flowing temperature of 60 degrees Fahrenheit, and at the absolute pressure at which the gas is sold and purchased. Correction shall be made for pressure according to Boyle's law, and used for specific gravity according to the gravity at which the gas is sold and purchased.

(d) The following severance and production of gas shall be exempt from the tax imposed by this Act: gas injected into the earth for the purpose of lifting oil, recycling, or repressuring; gas used for fuel in connection with the operation and development for, or production of, oil or gas in the production unit where severed; and gas lawfully vented or flared; gas inadvertently lost on the production unit by reason of leaks, blowouts, or other accidental losses.

(e) All oil and gas removed from the premises where severed is subject to the tax imposed by this Act unless exempt under the terms of this Act.

(f) The liability for the tax accrues at the time the oil or gas is removed from the production unit.

Section 2-17. Local Workforce Tax Rate Reduction.

(a) The rate of tax imposed on working interest owners of a well under Section 2-15 of this Act shall be reduced by 0.25% for the life of the well when a minimum of 50% of the total workforce hours on the well site

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are performed by Illinois construction workers being paid wages equal to or exceeding the general prevailing rate of hourly wages.

(b) When more than one well is drilled on a well site, total workforce hours shall be determined on a well-by-well basis.

(c) Any operator that intends to claim the reduction provided for in this Section on his or her behalf, or on the behalf of the working interest owners, shall be responsible for obtaining from all construction contractors working on a well site, records to document the claim for the reduction in tax rate. Operators shall, at a minimum, obtain from construction contractors, in writing, the total number of construction workers that performed work under the contract, the number of Illinois construction workers that performed work under the contract, whether oral or written, between the operator and the construction contractor, the hours worked by each construction worker and the wage paid to each construction worker for the hours of work performed on the well site. The operator shall obtain and retain any other records the Department determines are necessary to verify a claim for a reduction in the tax. The operator shall make the records available to the Department upon request.

For the purposes of this Section, each construction contractor, upon written request from the operator, shall retain the following records: each worker's name, address, and telephone number, if available, years of residency in Illinois, the type of work the worker performs, the hourly wages paid each worker, and the number of hours worked by each worker for the term of the contract. The construction contractor shall retain any other records the Department determines are necessary to verify a claim for a reduction in the tax. The construction contractor shall make the records available to the operator and Department upon request. The operator and construction contractors shall retain the records for 3 years.

No later than the 6 months after the date of the first purchase of oil or gas from a well, the operator shall file with the Department, in the form and manner required by the Department, a report and documentation to support that the working interest owners qualify for the reduction in the rate of tax provided for in this Section. The report shall be signed by the operator, or an officer, employee, or agent of the contractor, and state under oath that he or she has examined the report and documentation and the report and documentation are true and accurate. The Department shall keep the records submitted in accordance with this subsection for a period of not less than 3 years from the date of filing.
(d) The Department shall notify the first purchaser and the operator when the working interest owners qualify for a reduction in the tax under this Section and state the amount of the reduction. The reduction shall be effective the date of first production. The first purchaser or operator may take a credit for any retroactive reduction in the tax rate on a return filed under Sections 2-45 and 2-50 of this Act.

(e) Reports shall be filed on forms furnished and prescribed by the Department and shall contain any other information as the Department may reasonably require.

Section 2-20. Taxable value; method of determining. The Department may determine the value of products severed from a production unit when the operator and purchaser are affiliated persons, when the sale and purchase of products is not an arm's length transaction, or when products are severed and removed from a production unit and a value is not established for those products. The value determined by the Department shall be commensurate with the actual price received for products of like quality, character, and use which are severed in the same field or area. If there are no sales of products of like quality, character, and use severed in the same field or area, then the Department shall establish a reasonable value based on sales of products of like quality, character, and use which are severed in other areas of the State, taking into consideration any other relevant factors.

Section 2-25. Withholding of tax. Any purchaser who makes a monetary payment to a producer for his or her portion of the value of products from a production unit shall withhold from such payment the amount of tax due from the producer. Any purchaser who pays any tax due from a producer shall be entitled to reimbursement from the producer for the tax so paid and may take credit for such amount from any monetary payment to the producer for the value of products. To the extent that a purchaser required to collect the tax imposed by this Act has actually collected that tax, such tax is held in trust for the benefit of the State of Illinois.

Section 2-30. Payment and collection of tax.

(a) For oil and gas removed on or after July 1, 2013, the tax incurred under this Act shall be due and payable on or before the last day of the month following the end of the month in which the oil or gas is removed from the production unit. The tax is upon the producers of such oil or gas in the proportion to their respective beneficial interests at the time of severance. The first purchaser of any oil or gas sold shall collect

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the amount of the tax due from the producers by deducting and withholding such amount from any payments made by such purchaser to the producers and shall remit the tax in this Act.

In the event the tax shall be withheld by a purchaser from payments due a producer and such purchaser fails to make payment of the tax to the State as required herein, the first purchaser shall be liable for the tax. However, in the event a first purchaser fails to pay the tax withheld from a producer's payment, the producer's interest remains subject to any lien filed pursuant to subsection (c) of this Section. A producer shall be entitled to bring an action against such purchaser to recover the amount of tax so withheld together with penalties and interest which may have accrued by failure to make such payment. A producer shall be entitled to all attorney fees and court costs incurred in such action. To the extent that a producer liable for the tax imposed by this Act collects the tax, and any penalties and interest, from a purchaser, such tax, penalties, and interest are held in trust by the producer for the benefit of the State of Illinois.

(b) For all production units a first purchaser begins to purchase oil or gas from on or after July 1, 2013, the first purchaser is required to withhold and remit the tax imposed by this Act to the Department from the oil and gas purchased from the production unit unless the first purchaser obtains from the operator an exemption certificate signed by the operator stating that the production unit is not subject to the tax imposed by this Act. The exemption certificate must include the following information:

(1) name and address of the operator;
(2) name of the production unit;
(3) number assigned to the production unit by the first purchaser, if available;
(4) legal description of the production unit; and
(5) a statement by the operator that the production unit is exempt from the tax imposed by the Illinois Hydraulic Fracturing Tax Act.

If a first purchaser obtains an exemption certificate that contains the required information and reasonably relies on the exemption certificate and it is subsequently determined by the Department that the production unit is subject to the tax imposed by this Act, the Department will collect any tax that is due from the operator and producers, and the first purchaser is relieved of any liability.

(c) Notwithstanding subsection (a) of this Section, the tax is a lien on the oil and gas from the time of severance from the land or under the

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water until the tax and all penalties and interest are fully paid, and the State shall have a lien on all the oil or gas severed from the production unit in this State in the hands of the operator, any producer or the first or any subsequent purchaser thereof to secure the payment of the tax. If a lien is filed by the Department, the purchaser shall withhold from producers or operators the amount of tax, penalty and interest identified in the lien.

Section 2-35. Registration of purchasers. A person who engages in business as a purchaser of oil or gas in this State shall register with the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by the Department and shall contain any reasonable information the Department may require. Upon receipt of the application for a certificate of registration in proper form, the Department shall issue to the applicant a certificate of registration.

Section 2-40. Inspection of records by the Department; subpoena power, contempt. The Department shall have the power to require any operator, producer, transporter, or person purchasing any oil or gas severed from the earth or water to furnish any additional information deemed to be necessary for the purpose of computing the amount of the tax, and for such purpose to examine the meter and other charts, books, records, and all files of such person, and for such purpose the Department shall have the power to issue subpoenas and examine witnesses under oath, and if any witness shall fail or refuse to appear at the request of the director, or refuses access to books, records, and files, the circuit court of the proper county, or the judge thereof, on application of the Department, shall compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Section 2-45. Purchaser's return and tax remittance. Each purchaser shall make a return to the Department showing the quantity of oil or gas purchased during the month for which the return is filed, the price paid therefore, total value, the name and address of the operator or other person from whom the same was purchased, a description of the production unit in the manner prescribed by the Department from which such oil or gas was severed and the amount of tax due from each production unit for each calendar month. All taxes due, or to be remitted, by the purchaser shall accompany this return. The return shall be filed on or before the last day of the month after the calendar month for which the return is required. The Department may require any additional report or information it may deem necessary for the proper administration of this Act.
Such returns shall be filed electronically in the manner prescribed by the Department. Purchasers shall make all payments of that tax to the Department by electronic funds transfer unless, as provided by rule, the Department grants an exception upon petition of a purchaser. Purchasers' returns must be accompanied by appropriate computer generated magnetic media supporting schedule data in the format required by the Department, unless, as provided by rule, the Department grants an exception upon petition of a purchaser.

Section 2-50. Operator returns; payment of tax.
(a) If, on or after July 1, 2013, oil or gas is transported off the production unit where severed by the operator, used on the production unit where severed, or if the manufacture and conversion of oil and gas into refined products occurs on the production unit where severed, the operator is responsible for remitting the tax imposed under subsections (a) of Section 15, on or before the last day of the month following the end of the calendar month in which the oil and gas is removed from the production unit, and such payment shall be accompanied by a return to the Department showing the gross quantity of oil or gas removed during the month for which the return is filed, the price paid therefore, and if no price is paid therefor, the value of the oil and gas, a description of the production unit from which such oil or gas was severed, and the amount of tax. The Department may require any additional information it may deem necessary for the proper administration of this Act.

(b) Operators shall file all returns electronically in the manner prescribed by the Department unless, as provided by rule, the Department grants an exception upon petition of an operator. Operators shall make all payments of that tax to the Department by electronic funds transfer unless, as provided by rule, the Department grants an exception upon petition of an operator. Operators' returns must be accompanied by appropriate computer generated magnetic media supporting schedule data in the format required by the Department, unless, as provided by rule, the Department grants an exception upon petition of a purchaser.

(c) Any operator who makes a monetary payment to a producer for his or her portion of the value of products from a production unit shall withhold from such payment the amount of tax due from the producer. Any operator who pays any tax due from a producer shall be entitled to reimbursement from the producer for the tax so paid and may take credit for such amount from any monetary payment to the producer for the value of products. To the extent that an operator required to collect the tax

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imposed by this Act has actually collected that tax, such tax is held in trust for the benefit of the State of Illinois.

(d) In the event the operator fails to make payment of the tax to the State as required herein, the operator shall be liable for the tax. A producer shall be entitled to bring an action against such operator to recover the amount of tax so withheld together with penalties and interest which may have accrued by failure to make such payment. A producer shall be entitled to all attorney fees and court costs incurred in such action. To the extent that a producer liable for the tax imposed by this Act collects the tax, and any penalties and interest, from an operator, such tax, penalties, and interest are held in trust by the producer for the benefit of the State of Illinois.

(e) When the title to any oil or gas severed from the earth or water is in dispute and the operator of such oil or gas is withholding payments on account of litigation, or for any other reason, such operator is hereby authorized, empowered and required to deduct from the gross amount thus held the amount of the tax imposed and to make remittance thereof to the Department as provided in this Section.

(f) An operator required to file a return and pay the tax under this Section shall register with the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by the Department and shall contain any reasonable information the Department may require. Upon receipt of the application for a certificate of registration in proper form, the Department shall issue to the applicant a certificate of registration.

(g) If oil or gas is transported off the production unit where severed by the operator and sold to a purchaser or refiner, the State shall have a lien on all the oil or gas severed from the production unit in this State in the hands of the operator, the first or any subsequent purchaser thereof, or refiner to secure the payment of the tax. If a lien is filed by the Department, the purchaser or refiner shall withhold from the operator the amount of tax, penalty and interest identified in the lien.

Section 2-55. Tax withholding and remittance when title to minerals disputed. When the title to any oil or gas severed from the earth or water is in dispute and the purchaser of such oil or gas is withholding payments on account of litigation, or for any other reason, such purchaser is hereby authorized, empowered and required to deduct from the gross amount thus held the amount of the tax imposed and to make remittance thereof to the Department as provided in this Act.

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Section 2-60. Transporters. When requested by the Department, all transporters of oil or gas out of, within or across the State of Illinois shall be required to furnish the Department such information relative to the transportation of such oil or gas as the Department may require. The Department shall have authority to inspect bills of lading, waybills, meter, or other charts, documents, books and records as may relate to the transportation of oil or gas in the hands of each transporter. The Department shall further be empowered to demand the production of such bills of lading, waybills, charts, documents, books, and records relating to the transportation of oil or gas at any point in the State of Illinois.

Section 2-65. Rulemaking. The Department is hereby authorized to adopt any rules as may be necessary to administer and enforce the provisions of this Act.

Section 2-70. Incorporation by reference. All of the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the "Retailers' Occupation Tax Act" which are not inconsistent with this Act, and all provisions of the Uniform Penalty and Interest Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

Section 2-75. Distribution of proceeds. All moneys received by the Department under this Act shall be paid into the General Revenue Fund in the State treasury.

ARTICLE 3.

Section 3-150. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Mines and Minerals Regulatory Fund.

ARTICLE 9.

Section 99-999. Effective date. This Act takes effect upon becoming law.

Approved June 17, 2013.
Effective June 17, 2013.
AN ACT concerning local government.

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

Section 5. If and only if Senate Bill 1715 of the 98th General Assembly becomes law, then the Hydraulic Fracturing Regulatory Act is amended by changing Section 2-45 as follows:

(09800SB1715ham001, Sec. 2-45)

Sec. 2-45. Purchaser's return and tax remittance. Each purchaser shall make a return to the Department showing the quantity of oil or gas purchased during the month for which the return is filed, the price paid therefore, total value, the name and address of the operator or other person from whom the same was purchased, a description of the production unit in the manner prescribed by the Department from which such oil or gas was severed and the amount of tax due from each production unit for each calendar month. All taxes due, or to be remitted, by the purchaser shall accompany this return. The return shall be filed on or before the last day of the month after the calendar month for which the return is required. The Department shall forward the necessary information to each Chief County Assessment Officer for the administration and application of ad valorem real property taxes at the county level. This information shall be forwarded to the Chief County Assessment Officers in a yearly summary before March 1 of the following calendar year. The Department may require any additional report or information it may deem necessary for the proper administration of this Act.

Such returns shall be filed electronically in the manner prescribed by the Department. Purchasers shall make all payments of that tax to the Department by electronic funds transfer unless, as provided by rule, the Department grants an exception upon petition of a purchaser. Purchasers' returns must be accompanied by appropriate computer generated magnetic media supporting schedule data in the format required by the Department, unless, as provided by rule, the Department grants an exception upon petition of a purchaser.

(Source: 09800SB1715ham001.)

Section 10. If and only if Senate Bill 1715 of the 98th General Assembly becomes law, then the Property Tax Code is amended by changing Section 18-185 as follows:

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(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or

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the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to
this Law in accordance with Section 18-213) means the annual corporate
extension for the taxing district and those special purpose extensions that
are made annually for the taxing district, excluding special purpose
extensions: (a) made for the taxing district to pay interest or principal on
general obligation bonds that were approved by referendum; (b) made for
any taxing district to pay interest or principal on general obligation bonds
issued before March 1, 1995; (c) made for any taxing district to pay
interest or principal on bonds issued to refund or continue to refund those
bonds issued before March 1, 1995; (d) made for any taxing district to pay
interest or principal on bonds issued to refund or continue to refund bonds
issued after March 1, 1995 that were approved by referendum; (e) made
for any taxing district to pay interest or principal on revenue bonds issued
before March 1, 1995 for payment of which a property tax levy or the full
faith and credit of the unit of local government is pledged; however, a tax
for the payment of interest or principal on bonds that shall be made only
after the governing body of the unit of local government finds that all other
sources for payment are insufficient to make those payments; (f) made for
payments under a building commission lease when the lease payments are
for the retirement of bonds issued by the commission before March 1,
1995 to pay for the building project; (g) made for payments due under
installment contracts entered into before March 1, 1995; (h) made for
payments of principal and interest on bonds issued under the Metropolitan
Water Reclamation District Act to finance construction projects initiated
before October 1, 1991; (h-4) made for stormwater management purposes
by the Metropolitan Water Reclamation District of Greater Chicago under
Section 12 of the Metropolitan Water Reclamation District Act; (i) made
for payments of principal and interest on limited bonds, as defined in
Section 3 of the Local Government Debt Reform Act, in an amount not to
exceed the debt service extension base less the amount in items (b), (c),
and (e) of this definition for non-referendum obligations, except
obligations initially issued pursuant to referendum and bonds described in
subsection (h) of this definition; (j) made for payments of principal and
interest on bonds issued under Section 15 of the Local Government Debt
Reform Act; (k) made for payments of principal and interest on bonds
authorized by Public Act 88-503 and issued under Section 20a of the
Chicago Park District Act for aquarium or museum projects; (l) made for
payments of principal and interest on bonds authorized by Public Act 87-
1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County
Forest Preserve District Act, (ii) issued under Section 42 of the Cook

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County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (e) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are
for the retirement of bonds issued by the commission before the date on
which the referendum making this Law applicable to the taxing district is
held to pay for the building project; (g) made for payments due under
installment contracts entered into before the date on which the referendum
making this Law applicable to the taxing district is held; (h) made for
payments of principal and interest on limited bonds, as defined in Section
3 of the Local Government Debt Reform Act, in an amount not to exceed
the debt service extension base less the amount in items (b), (c), and (e) of
this definition for non-referendum obligations, except obligations initially
issued pursuant to referendum; (i) made for payments of principal and
interest on bonds issued under Section 15 of the Local Government Debt
Reform Act; (j) made for a qualified airport authority to pay interest or
principal on general obligation bonds issued for the purpose of paying
obligations due under, or financing airport facilities required to be
acquired, constructed, installed or equipped pursuant to, contracts entered
into before March 1, 1996 (but not including any amendments to such a
contract taking effect on or after that date); (k) made to fund expenses of
providing joint recreational programs for the handicapped under Section 5-
8 of the Park District Code or Section 11-95-14 of the Illinois Municipal
Code; (l) made for contributions to a firefighter's pension fund created
under Article 4 of the Illinois Pension Code, to the extent of the amount
certified under item (5) of Section 4-134 of the Illinois Pension Code; and
(m) made for the taxing district to pay interest or principal on general
obligation bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which this Law
applies in accordance with paragraph (2) of subsection (e) of Section 18-
213 means the annual corporate extension for the taxing district and those
special purpose extensions that are made annually for the taxing district,
excluding special purpose extensions: (a) made for the taxing district to
pay interest or principal on general obligation bonds that were approved by
referendum; (b) made for any taxing district to pay interest or principal on
general obligation bonds issued before the effective date of this
amendatory Act of 1997; (c) made for any taxing district to pay interest or
principal on bonds issued to refund or continue to refund those bonds
issued before the effective date of this amendatory Act of 1997; (d) made
for any taxing district to pay interest or principal on bonds issued to refund
or continue to refund bonds issued after the effective date of this
amendatory Act of 1997 if the bonds were approved by referendum after
the effective date of this amendatory Act of 1997; (e) made for any taxing

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district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park

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districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year.

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year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value, and (iv) any increase in assessed value due to oil or gas production from an oil or gas well required to be permitted under the Hydraulic Fracturing Regulatory Act that was not produced in or accounted for during the previous levy year. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the
State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension
base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

(Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6, eff. 3-29-13; revised 4-8-13.)

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

Approved June 17, 2013.
Effective June 17, 2013.

PUBLIC ACT 98-0024
(Senate Bill No. 1329)

AN ACT concerning State government.

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

ARTICLE 1.
SHORT TITLE; PURPOSE
Section 1-1. Short Title. This Act may be cited as the FY2014 Budget Implementation Act.

Section 1-5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the Governor's Fiscal Year 2014 budget recommendations.

ARTICLE 5.
AMENDATORY PROVISIONS

Section 5-10. The Department of Agriculture Law of the Civil Administrative Code of Illinois is amended by adding Section 205-103 as follows:

(20 ILCS 205/205-103 new)

Sec. 205-103. Forever Green Illinois Program.

(a) There is created within the Department the Forever Green Illinois Program, to be administered by the Department as provided in this Section.

(b) The Department has the power to engage in the maintenance and beautification of greenery on property owned or controlled by the State or a unit of local government. The Department may contract with private entities to perform the activities described in this subsection.

(c) The Department shall promulgate rules for the administration, operation, and maintenance of the Program and may adopt emergency rules as soon as practicable to begin implementation of the Program.

(d) For the purposes of this Section, "greenery" includes grass, weeds, trees, shrubs, bushes, plants, and other plant material.

Section 5-15. The Illinois Criminal Justice Information Act is amended by changing Section 9.2 as follows:

(20 ILCS 3930/9.2)

Sec. 9.2. The Juvenile Accountability Incentive Block Grant Fund is hereby created as a special fund in the State treasury. Deposits to this Fund shall consist of receipts from the federal government under the Juvenile Accountability Incentive Block Grant program and interest earned from the investment of moneys in the Fund. Disbursements from the Fund shall be made, subject to appropriation, through fiscal year 2013 by the Illinois Criminal Justice Information Authority and beginning in fiscal year 2014 by the Department of Human Services in accordance with the guidelines established by the federal government for the Juvenile Accountability Incentive Block Grant Program. Specifically, the Fund may be used to provide financial support to State agencies (including the Illinois Criminal Justice Information Authority and the Department of

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Human Services) and units of local government and to pay the Authority's or Department's administrative costs associated with the Juvenile Accountability Incentive Block Grant Program.
(Source: P.A. 90-587, eff. 7-1-98.)

Section 5-20. The State Revenue Sharing Act is amended by changing Section 12 as follows:

Sec. 12. Personal Property Tax Replacement Fund. There is hereby created the Personal Property Tax Replacement Fund, a special fund in the State Treasury into which shall be paid all revenue realized:

(a) all amounts realized from the additional personal property tax replacement income tax imposed by subsections (c) and (d) of Section 201 of the Illinois Income Tax Act, except for those amounts deposited into the Income Tax Refund Fund pursuant to subsection (c) of Section 901 of the Illinois Income Tax Act; and

(b) all amounts realized from the additional personal property tax replacement invested capital taxes imposed by Section 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and Section 3 of the Water Company Invested Capital Tax Act, and amounts payable to the Department of Revenue under the Telecommunications Infrastructure Maintenance Fee Act.

As soon as may be after the end of each month, the Department of Revenue shall certify to the Treasurer and the Comptroller the amount of all refunds paid out of the General Revenue Fund through the preceding month on account of overpayment of liability on taxes paid into the Personal Property Tax Replacement Fund. Upon receipt of such certification, the Treasurer and the Comptroller shall transfer the amount so certified from the Personal Property Tax Replacement Fund into the General Revenue Fund.

The payments of revenue into the Personal Property Tax Replacement Fund shall be used exclusively for distribution to taxing districts, regional offices and officials for fiscal years 2012 and 2013 only, and local officials as provided in this Section and in the School Code, payment of the ordinary and contingent expenses of the Property Tax Appeal Board, payment of the expenses of the Department of Revenue incurred in administering the collection and distribution of monies paid into the Personal Property Tax Replacement Fund and transfers due to
refunds to taxpayers for overpayment of liability for taxes paid into the Personal Property Tax Replacement Fund.

In addition, moneys in the Personal Property Tax Replacement Fund may be used to pay any of the following: (i) salary, stipends, and additional compensation as provided by law for chief election clerks, county clerks, and county recorders; (ii) costs associated with regional offices of education and educational service centers; (iii) reimbursements payable by the State Board of Elections under Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the Election Code; and (iv) expenses of the Illinois Educational Labor Relations Board.

As soon as may be after the effective date of this amendatory Act of 1980, the Department of Revenue shall certify to the Treasurer the amount of net replacement revenue paid into the General Revenue Fund prior to that effective date from the additional tax imposed by Section 2a.1 of the Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of the Public Utilities Revenue Act; Section 3 of the Water Company Invested Capital Tax Act; amounts collected by the Department of Revenue under the Telecommunications Infrastructure Maintenance Fee Act; and the additional personal property tax replacement income tax imposed by the Illinois Income Tax Act, as amended by Public Act 81-1st Special Session-1. Net replacement revenue shall be defined as the total amount paid into and remaining in the General Revenue Fund as a result of those Acts minus the amount outstanding and obligated from the General Revenue Fund in state vouchers or warrants prior to the effective date of this amendatory Act of 1980 as refunds to taxpayers for overpayment of liability under those Acts.

All interest earned by monies accumulated in the Personal Property Tax Replacement Fund shall be deposited in such Fund. All amounts allocated pursuant to this Section are appropriated on a continuing basis.

Prior to December 31, 1980, as soon as may be after the end of each quarter beginning with the quarter ending December 31, 1979, and on and after December 31, 1980, as soon as may be after January 1, March 1, April 1, May 1, July 1, August 1, October 1 and December 1 of each year, the Department of Revenue shall allocate to each taxing district as defined in Section 1-150 of the Property Tax Code, in accordance with the provisions of paragraph (2) of this Section the portion of the funds held in the Personal Property Tax Replacement Fund which is required to be distributed, as provided in paragraph (1), for each quarter. Provided, however, under no circumstances shall any taxing district during each of

New matter indicated by italics - deletions by strikeout
the first two years of distribution of the taxes imposed by this amendatory Act of 1979 be entitled to an annual allocation which is less than the funds such taxing district collected from the 1978 personal property tax. Provided further that under no circumstances shall any taxing district during the third year of distribution of the taxes imposed by this amendatory Act of 1979 receive less than 60% of the funds such taxing district collected from the 1978 personal property tax. In the event that the total of the allocations made as above provided for all taxing districts, during either of such 3 years, exceeds the amount available for distribution the allocation of each taxing district shall be proportionately reduced. Except as provided in Section 13 of this Act, the Department shall then certify, pursuant to appropriation, such allocations to the State Comptroller who shall pay over to the several taxing districts the respective amounts allocated to them.

Any township which receives an allocation based in whole or in part upon personal property taxes which it levied pursuant to Section 6-507 or 6-512 of the Illinois Highway Code and which was previously required to be paid over to a municipality shall immediately pay over to that municipality a proportionate share of the personal property replacement funds which such township receives.

Any municipality or township, other than a municipality with a population in excess of 500,000, which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the Illinois Local Library Act and which was previously required to be paid over to a public library shall immediately pay over to that library a proportionate share of the personal property tax replacement funds which such municipality or township receives; provided that if such a public library has converted to a library organized under The Illinois Public Library District Act, regardless of whether such conversion has occurred on, after or before January 1, 1988, such proportionate share shall be immediately paid over to the library district which maintains and operates the library. However, any library that has converted prior to January 1, 1988, and which hitherto has not received the personal property tax replacement funds, shall receive such funds commencing on January 1, 1988.

Any township which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Section 1c of the Public Graveyards Act and which taxes were previously required to be paid over to or used for such public cemetery or cemeteries shall

New matter indicated by italics - deletions by strikeout
immediately pay over to or use for such public cemetery or cemeteries a proportionate share of the personal property tax replacement funds which the township receives.

Any taxing district which receives an allocation based in whole or in part upon personal property taxes which it levied for another governmental body or school district in Cook County in 1976 or for another governmental body or school district in the remainder of the State in 1977 shall immediately pay over to that governmental body or school district the amount of personal property replacement funds which such governmental body or school district would receive directly under the provisions of paragraph (2) of this Section, had it levied its own taxes.

(1) The portion of the Personal Property Tax Replacement Fund required to be distributed as of the time allocation is required to be made shall be the amount available in such Fund as of the time allocation is required to be made.

The amount available for distribution shall be the total amount in the fund at such time minus the necessary administrative and other authorized expenses as limited by the appropriation and the amount determined by: (a) $2.8 million for fiscal year 1981; (b) for fiscal year 1982, .54% of the funds distributed from the fund during the preceding fiscal year; (c) for fiscal year 1983 through fiscal year 1988, .54% of the funds distributed from the fund during the preceding fiscal year less .02% of such fund for fiscal year 1983 and less .02% of such funds for each fiscal year thereafter; (d) for fiscal year 1989 through fiscal year 2011 no more than 105% of the actual administrative expenses of the prior fiscal year; (e) for fiscal year 2012 and beyond, a sufficient amount to pay (i) stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for local officials as authorized or required by statute and (ii) no more than 105% of the actual administrative expenses of the prior fiscal year, including payment of the ordinary and contingent expenses of the Property Tax Appeal Board and payment of the expenses of the Department of Revenue incurred in administering the collection and distribution of moneys paid into the Fund; or (f) for fiscal years 2012 and 2013 only, a sufficient amount to pay stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for regional offices and officials as authorized or required by statute. Such portion of

New matter indicated by italics - deletions by strikeout
the fund shall be determined after the transfer into the General Revenue Fund due to refunds, if any, paid from the General Revenue Fund during the preceding quarter. If at any time, for any reason, there is insufficient amount in the Personal Property Tax Replacement Fund for payments for regional offices and officials or local officials or payment of costs of administration or for transfers due to refunds at the end of any particular month, the amount of such insufficiency shall be carried over for the purposes of payments for regional offices and officials, local officials, transfers into the General Revenue Fund, and costs of administration to the following month or months. Net replacement revenue held, and defined above, shall be transferred by the Treasurer and Comptroller to the Personal Property Tax Replacement Fund within 10 days of such certification.

(2) Each quarterly allocation shall first be apportioned in the following manner: 51.65% for taxing districts in Cook County and 48.35% for taxing districts in the remainder of the State.

The Personal Property Replacement Ratio of each taxing district outside Cook County shall be the ratio which the Tax Base of that taxing district bears to the Downstate Tax Base. The Tax Base of each taxing district outside of Cook County is the personal property tax collections for that taxing district for the 1977 tax year. The Downstate Tax Base is the personal property tax collections for all taxing districts in the State outside of Cook County for the 1977 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district outside Cook County for the 1977 tax year.

The Personal Property Replacement Ratio of each Cook County taxing district shall be the ratio which the Tax Base of that taxing district bears to the Cook County Tax Base. The Tax Base of each Cook County taxing district is the personal property tax collections for that taxing district for the 1976 tax year. The Cook County Tax Base is the personal property tax collections for all taxing districts in Cook County for the 1976 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district within Cook County for the 1976 tax year.

For all purposes of this Section 12, amounts paid to a taxing district for such tax years as may be applicable by a foreign corporation under the provisions of Section 7-202 of the Public Utilities Act, as
amended, shall be deemed to be personal property taxes collected by such taxing district for such tax years as may be applicable. The Director shall determine from the Illinois Commerce Commission, for any tax year as may be applicable, the amounts so paid by any such foreign corporation to any and all taxing districts. The Illinois Commerce Commission shall furnish such information to the Director. For all purposes of this Section 12, the Director shall deem such amounts to be collected personal property taxes of each such taxing district for the applicable tax year or years.

Taxing districts located both in Cook County and in one or more other counties shall receive both a Cook County allocation and a Downstate allocation determined in the same way as all other taxing districts.

If any taxing district in existence on July 1, 1979 ceases to exist, or discontinues its operations, its Tax Base shall thereafter be deemed to be zero. If the powers, duties and obligations of the discontinued taxing district are assumed by another taxing district, the Tax Base of the discontinued taxing district shall be added to the Tax Base of the taxing district assuming such powers, duties and obligations.

If two or more taxing districts in existence on July 1, 1979, or a successor or successors thereto shall consolidate into one taxing district, the Tax Base of such consolidated taxing district shall be the sum of the Tax Bases of each of the taxing districts which have consolidated.

If a single taxing district in existence on July 1, 1979, or a successor or successors thereto shall be divided into two or more separate taxing districts, the tax base of the taxing district so divided shall be allocated to each of the resulting taxing districts in proportion to the then current equalized assessed value of each resulting taxing district.

If a portion of the territory of a taxing district is disconnected and annexed to another taxing district of the same type, the Tax Base of the taxing district from which disconnection was made shall be reduced in proportion to the then current equalized assessed value of the disconnected territory as compared with the then current equalized assessed value within the entire territory of the taxing district prior to disconnection, and the amount of such reduction shall be added to the Tax Base of the taxing district to which annexation is made.

If a community college district is created after July 1, 1979, beginning on the effective date of this amendatory Act of 1995, its Tax Base shall be 3.5% of the sum of the personal property tax collected for the 1977 tax year within the territorial jurisdiction of the district.

New matter indicated by italics - deletions by strikeout
The amounts allocated and paid to taxing districts pursuant to the provisions of this amendatory Act of 1979 shall be deemed to be substitute revenues for the revenues derived from taxes imposed on personal property pursuant to the provisions of the "Revenue Act of 1939" or "An Act for the assessment and taxation of private car line companies", approved July 22, 1943, as amended, or Section 414 of the Illinois Insurance Code, prior to the abolition of such taxes and shall be used for the same purposes as the revenues derived from ad valorem taxes on real estate.

Monies received by any taxing districts from the Personal Property Tax Replacement Fund shall be first applied toward payment of the proportionate amount of debt service which was previously levied and collected from extensions against personal property on bonds outstanding as of December 31, 1978 and next applied toward payment of the proportionate share of the pension or retirement obligations of the taxing district which were previously levied and collected from extensions against personal property. For each such outstanding bond issue, the County Clerk shall determine the percentage of the debt service which was collected from extensions against real estate in the taxing district for 1978 taxes payable in 1979, as related to the total amount of such levies and collections from extensions against both real and personal property. For 1979 and subsequent years' taxes, the County Clerk shall levy and extend taxes against the real estate of each taxing district which will yield the said percentage or percentages of the debt service on such outstanding bonds. The balance of the amount necessary to fully pay such debt service shall constitute a first and prior lien upon the monies received by each such taxing district through the Personal Property Tax Replacement Fund and shall be first applied or set aside for such purpose. In counties having fewer than 3,000,000 inhabitants, the amendments to this paragraph as made by this amendatory Act of 1980 shall be first applicable to 1980 taxes to be collected in 1981.

(30 ILCS 105/5.813) Sec. 5.813. The FY13/FY14 Backlog Payment Fund.

New matter indicated by italics - deletions by strikeout
Sec. 5i. Transfers. Each year, the Governor's Office of Management and Budget shall, at the time set forth for the submission of the State budget under Section 50-5 of the State Budget Law, provide to the Chairperson and the Minority Spokesperson of each of the appropriations committees of the House of Representatives and the Senate a report of (i) all full fiscal year transfers from State general funds to any other special fund of the State in the previous fiscal year and during the current fiscal year to date, and (ii) all projected full fiscal year transfers from State general funds to those funds for the remainder of the current fiscal year and the next fiscal year, based on estimates prepared by the Governor's Office of Management and Budget. The report shall include a detailed summary of the estimates upon which the projected transfers are based. The report shall also indicate, for each transfer:

(1) whether or not there is statutory authority for the transfer;

(2) if there is statutory authority for the transfer, whether that statutory authority exists for the next fiscal year; and

(3) whether there is debt service associated with the transfer.

The General Assembly shall consider the report in the appropriations process.

Sec. 6z-16. Illinois Tax Increment Fund.

(a) The Illinois Tax Increment Fund is hereby created in the State Treasury. All tax revenues which by law are required to be deposited in the Illinois Tax Increment Fund shall be paid into the Illinois Tax Increment Fund. All tax revenues paid into the Illinois Tax Increment Fund shall be promptly invested by the State Treasurer in accordance with law. Three percent of all deposits into the Illinois Tax Increment Fund shall be appropriated to the Illinois Department of Revenue to pay costs incurred by the Department in administering and enforcing the Tax Increment Allocation Redevelopment Act. Appropriations from the Illinois Tax Increment Fund shall also be made for proportional distributions to municipalities. If no appropriations are made during any fiscal year for distribution to municipalities, this Section shall constitute an irrevocable and continuing appropriation for the distribution of those funds, including those funds transferred under subsection (b) of this Section, in accordance with the provisions of the Tax Increment Allocation Redevelopment Act.
Interest and other earnings accruing or received upon amounts in the Illinois Tax Increment Fund shall be credited to and paid into the Illinois Tax Increment Fund, and shall be used to pay amounts owing to eligible municipalities pursuant to Sections 11-74.4-8a and 11-74.4-3(i), but only to the extent there are not otherwise sufficient funds in such Illinois Tax Increment Fund to pay all amounts so due.

(b) Prior to January 31, 1993, the Comptroller and the Treasurer shall transfer $9,000,000 from the General Revenue Fund to the Illinois Tax Increment Fund for distribution to municipalities within 60 days after the effective date of this amendatory Act of 1993.

(c) Notwithstanding any other provision of law, on December 31, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Illinois Tax Increment Fund into the General Revenue Fund. Upon completion of the transfers, the Illinois Tax Increment Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund pass to the General Revenue Fund.

(Source: P.A. 87-14; 87-1258; 87-1272.)

(30 ILCS 105/6z-63)
Sec. 6z-63. The Professional Services Fund.
(a) The Professional Services Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

(1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
(2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
(3) interest earned on moneys in the Fund; and
(4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of professional services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

New matter indicated by italics - deletions by strikeout
(1) providing professional services to State agencies or other State entities;
(2) rendering other services to State agencies at the Governor's direction or to other State entities upon agreement between the Director of Central Management Services and the appropriate official or governing body of the other State entity; or
(3) providing for payment of administrative and other expenses incurred by the Department in providing professional services.

(c) State agencies or other State entities may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Professional Services Fund in satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for professional services provided by the Department on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(e) The following amounts are authorized for transfer into the Professional Services Fund for the fiscal year beginning July 1, 2004:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$5,440,431</td>
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<tr>
<td>Road Fund</td>
<td>$814,468</td>
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<tr>
<td>Motor Fuel Tax Fund</td>
<td>$263,500</td>
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<tr>
<td>Child Support Administrative Fund</td>
<td>$234,013</td>
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<td>Professions Indirect Cost Fund</td>
<td>$276,800</td>
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<td>Capital Development Board Revolving Fund</td>
<td>$207,610</td>
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<tr>
<td>Bank &amp; Trust Company Fund</td>
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<tr>
<td>State Lottery Fund</td>
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<tr>
<td>Insurance Producer Administration Fund</td>
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<td>Insurance Financial Regulation Fund</td>
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<tr>
<td>Illinois Clean Water Fund</td>
<td>$124,675</td>
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<td>Clean Air Act (CAA) Permit Fund</td>
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<tr>
<td>Statistical Services Revolving Fund</td>
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<tr>
<td>Financial Institution Fund</td>
<td>$109,428</td>
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<tr>
<td>Horse Racing Fund</td>
<td>$71,127</td>
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<tr>
<td>Health Insurance Reserve Fund</td>
<td>$66,577</td>
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<tr>
<td>Solid Waste Management Fund</td>
<td>$61,081</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Guardianship and Advocacy Fund......................... $1,068
Agricultural Premium Fund............................... $493
Wildlife and Fish Fund................................. $247
Radiation Protection Fund.............................. $33,277
Nuclear Safety Emergency Preparedness Fund......... $25,652
Tourism Promotion Fund............................... $6,814

All of these transfers shall be made on July 1, 2004, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(e-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and through June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund............................ $3,249
Financial Institution Fund........................... $12,942
General Professions Dedicated Fund............... $8,579
Illinois Department of Agriculture Laboratory Services Revolving Fund........ $1,963
Illinois Veterans' Rehabilitation Fund............. $11,275
State Boating Act Fund............................... $27,000
State Parks Fund.......................... $22,007
Agricultural Premium Fund......................... $59,483
Fire Prevention Fund.............................. $29,862
Mental Health Fund................................. $78,213
Illinois State Pharmacy Disciplinary Fund........ $2,744
Radiation Protection Fund.......................... $16,034
Solid Waste Management Fund....................... $37,669
Illinois Gaming Law Enforcement Fund............. $7,260
Subtitle D Management Fund......................... $4,659
Illinois State Medical Disciplinary Fund........... $8,602
Department of Children and
Family Services Training Fund..................... $29,906
Facility Licensing Fund.............................. $1,083
Youth Alcoholism and Substance Abuse Prevention Fund........ $2,783
Plugging and Restoration Fund....................... $1,105

New matter indicated by italics - deletions by strikeout
State Crime Laboratory Fund........................ $1,353
Motor Vehicle Theft Prevention Trust Fund........ $9,190
Weights and Measures Fund........................ $4,932
Solid Waste Management Revolving
   Loan Fund........................................ $2,735
Illinois School Asbestos Abatement Fund.......... $2,166
Violence Prevention Fund........................ $5,176
Capital Development Board Revolving Fund........ $14,777
DCFS Children’s Services Fund.................... $1,256,594
State Police DUI Fund.......................... $1,434
Illinois Health Facilities Planning Fund........ $3,191
Emergency Public Health Fund................... $7,996
Fair and Exposition Fund....................... $3,732
Nursing Dedicated and Professional Fund......... $5,792
Optometric Licensing and Disciplinary Board Fund... $1,032
Underground Resources Conservation Enforcement Fund. $1,221
State Rail Freight Loan Repayment Fund.......... $6,434
Drunk and Drugged Driving Prevention Fund........ $5,473
Illinois Affordable Housing Trust Fund.......... $118,222
Community Water Supply Laboratory Fund......... $10,021
Used Tire Management Fund...................... $17,524
Natural Areas Acquisition Fund................ $15,501
Open Space Lands Acquisition
   and Development Fund.......................... $49,105
Working Capital Revolving Fund................ $126,344
State Garage Revolving Fund................... $92,513
Statistical Services Revolving Fund........... $181,949
Paper and Printing Revolving Fund............... $3,632
Air Transportation Revolving Fund............... $1,969
Communications Revolving Fund................ $304,278
Environmental Laboratory Certification Fund..... $1,357
Public Health Laboratory Services Revolving Fund... $5,892
Provider Inquiry Trust Fund................... $1,742
Lead Poisoning Screening,
   Prevention, and Abatement Fund............... $8,200
Drug Treatment Fund............................ $14,028
Feed Control Fund............................. $2,472
Plumbing Licensure and Program Fund........... $3,521
Insurance Premium Tax Refund Fund............... $7,872
Tax Compliance and Administration Fund............ $5,416
Appraisal Administration Fund...................... $2,924
Trauma Center Fund................................. $40,139
Alternate Fuels Fund............................... $1,467
Illinois State Fair Fund......................... $13,844
State Asset Forfeiture Fund....................... $8,210
Federal Asset Forfeiture Fund..................... $6,471
Department of Corrections Reimbursement
and Education Fund.................................... $78,965
Health Facility Plan Review Fund.................. $3,444
LEADS Maintenance Fund............................ $6,075
State Offender DNA Identification
System Fund......................................... $1,712
Illinois Historic Sites Fund....................... $4,511
Public Pension Regulation Fund.................... $2,313
Workforce, Technology, and Economic
Development Fund.................................... $5,357
Renewable Energy Resources Trust Fund........... $29,920
Energy Efficiency Trust Fund...................... $8,368
Pesticide Control Fund.............................. $6,687
Conservation 2000 Fund............................. $30,764
Wireless Carrier Reimbursement Fund.............. $91,024
International Tourism Fund....................... $13,057
Public Transportation Fund....................... $701,837
Horse Racing Fund.................................. $18,589
Death Certificate Surcharge Fund.................. $1,901
State Police Wireless Service
Emergency Fund...................................... $1,012
Downstate Public Transportation Fund............ $112,085
Motor Carrier Safety Inspection Fund............. $6,543
State Police Whistleblower Reward
and Protection Fund............................... $1,894
Illinois Standardbred Breeders Fund............. $4,412
Illinois Thoroughbred Breeders Fund............. $6,635
Illinois Clean Water Fund.......................... $17,579
Independent Academic Medical Center Fund........ $5,611
Child Support Administrative Fund.............. $432,527
Corporate Headquarters Relocation
Assistance Fund..................................... $4,047

New matter indicated by italics - deletions by strikeout
<table>
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<th>Fund</th>
<th>Amount</th>
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<td>Local Initiative Fund</td>
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<td>Tourism Promotion Fund</td>
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<td>Digital Divide Elimination Fund</td>
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<td>Presidential Library and Museum Operating Fund</td>
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<td>Metro-East Public Transportation Fund</td>
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<td>Medical Special Purposes Trust Fund</td>
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<td>Illinois State Dental Disciplinary Fund</td>
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<td>Hazardous Waste Research Fund</td>
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<td>Traffic and Criminal Conviction</td>
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<td>Low-Level Radioactive Waste</td>
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<td>International and Promotional Fund</td>
<td>$1,466</td>
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<tr>
<td>Public Infrastructure Construction</td>
<td></td>
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<tr>
<td>Loan Revolving Fund</td>
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<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$42,575</td>
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<tr>
<td>Total</td>
<td>$4,975,487</td>
</tr>
</tbody>
</table>
(e-7) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and through June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund.......................... $3,300
Financial Institution Fund.......................... $13,000
General Professions Dedicated Fund............... $8,600
Illinois Department of Agriculture
  Laboratory Services Revolving Fund........... $2,000
Illinois Veterans' Rehabilitation Fund........... $11,300
State Boating Act Fund............................ $27,200
State Parks Fund................................. $22,100
Agricultural Premium Fund........................ $59,800
Fire Prevention Fund............................. $30,000
Mental Health Fund................................ $78,700
Illinois State Pharmacy Disciplinary Fund....... $2,800
Radiation Protection Fund........................ $16,100
Solid Waste Management Fund.................... $37,900
Illinois Gaming Law Enforcement Fund.......... $7,300
Subtitle D Management Fund..................... $4,700
Illinois State Medical Disciplinary Fund....... $8,700
Facility Licensing Fund........................... $1,100
Youth Alcoholism and
  Substance Abuse Prevention Fund............... $2,800
Plugging and Restoration Fund................... $1,100
State Crime Laboratory Fund..................... $1,400
Motor Vehicle Theft Prevention Trust Fund...... $9,200
Weights and Measures Fund....................... $5,000
Illinois School Asbestos Abatement Fund........ $2,200
Violence Prevention Fund......................... $5,200
Capital Development Board Revolving Fund....... $14,900
DCFS Children's Services Fund................... $1,294,000
State Police DUI Fund............................ $1,400
Illinois Health Facilities Planning Fund........ $3,200
Emergency Public Health Fund................... $8,000
Fair and Exposition Fund......................... $3,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing Dedicated and Professional Fund..............................</td>
<td>$5,800</td>
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<tr>
<td>Optometric Licensing and Disciplinary Board Fund...................</td>
<td>$1,000</td>
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<td>Underground Resources Conservation</td>
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<td>Enforcement Fund</td>
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<td>State Rail Freight Loan Repayment Fund..............................</td>
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<td>Drunk and Drugged Driving Prevention Fund............................</td>
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<td>Illinois Affordable Housing Trust Fund..............................</td>
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<td>Community Water Supply Laboratory Fund..............................</td>
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<td>Used Tire Management Fund</td>
<td>$17,600</td>
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<td>Natural Areas Acquisition Fund</td>
<td>$15,600</td>
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<td>Open Space Lands Acquisition and Development Fund...................</td>
<td>$49,400</td>
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<td>Working Capital Revolving Fund</td>
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<td>State Garage Revolving Fund</td>
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<td>Statistical Services Revolving Fund</td>
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<td>Paper and Printing Revolving Fund</td>
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<td>Air Transportation Revolving Fund</td>
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<td>Communications Revolving Fund</td>
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<td>Public Health Laboratory Services Revolving Fund........................</td>
<td>$5,900</td>
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<td>Provider Inquiry Trust Fund</td>
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<td>Lead Poisoning Screening, Prevention, and Abatement Fund...........</td>
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<tr>
<td>Drug Treatment Fund</td>
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<td>Feed Control Fund</td>
<td>$2,500</td>
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<tr>
<td>Plumbing Licensure and Program Fund</td>
<td>$3,500</td>
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<tr>
<td>Insurance Premium Tax Refund Fund</td>
<td>$7,900</td>
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<td>Tax Compliance and Administration Fund</td>
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<td>Appraisal Administration Fund</td>
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<td>Alternate Fuels Fund</td>
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<td>Illinois State Fair Fund</td>
<td>$13,900</td>
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<tr>
<td>State Asset Forfeiture Fund</td>
<td>$8,300</td>
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<tr>
<td>Department of Corrections</td>
<td></td>
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<tr>
<td>Reimbursement and Education Fund</td>
<td>$79,400</td>
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<tr>
<td>Health Facility Plan Review Fund</td>
<td>$3,500</td>
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<td>LEADS Maintenance Fund</td>
<td>$6,100</td>
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<tr>
<td>State Offender DNA Identification System Fund.......................</td>
<td>$1,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Illinois Historic Sites Fund....................... $4,500
Public Pension Regulation Fund...................... $2,300
Workforce, Technology, and Economic Development Fund....................... $5,400
Renewable Energy Resources Trust Fund.............. $30,100
Energy Efficiency Trust Fund....................... $8,400
Pesticide Control Fund............................. $6,700
Conservation 2000 Fund............................. $30,900
Wireless Carrier Reimbursement Fund............... $91,600
International Tourism Fund........................ $13,100
Public Transportation Fund........................ $705,900
Horse Racing Fund................................. $18,700
Death Certificate Surcharge Fund................... $1,900
State Police Wireless Service Emergency Fund....... $1,000
Downstate Public Transportation Fund............... $112,700
Motor Carrier Safety Inspection Fund................ $6,600
State Police Whistleblower Reward and Protection Fund....................... $1,900
Illinois Standardbred Breeders Fund................. $4,400
Illinois Thoroughbred Breeders Fund............... $6,700
Illinois Clean Water Fund........................... $17,700
Child Support Administrative Fund................... $435,100
Tourism Promotion Fund............................. $88,600
Digital Divide Elimination Fund...................... $11,700
Presidential Library and Museum Operating Fund...... $4,700
Metro-East Public Transportation Fund............... $48,100
Medical Special Purposes Trust Fund................ $11,800
Dram Shop Fund................................. $11,400
Illinois State Dental Disciplinary Fund............ $2,000
Hazardous Waste Research Fund...................... $1,300
Real Estate License Administration Fund............. $10,900
Traffic and Criminal Conviction Surcharge Fund.... $45,100
Criminal Justice Information Systems Trust Fund.... $5,700
Design Professionals Administration and Investigation Fund................... $2,000
State Surplus Property Revolving Fund............... $6,900
State Police Services Fund......................... $47,300
Youth Drug Abuse Prevention Fund................... $1,300
Metabolic Screening and Treatment Fund.............. $16,000

New matter indicated by italics - deletions by strikeout
Insurance Producer Administration Fund........... $31,100
Coal Technology Development Assistance Fund....... $43,900
Low-Level Radioactive Waste Facility
Development and Operation Fund................. $2,000
Environmental Protection Permit
and Inspection Fund............................... $32,300
Park and Conservation Fund........................ $41,300
Local Tourism Fund................................. $34,700
Illinois Capital Revolving Loan Fund............... $10,700
Illinois Equity Fund............................... $1,900
Large Business Attraction Fund.................... $5,600
Illinois Beach Marina Fund........................ $5,100
International and Promotional Fund............. $1,500
Public Infrastructure Construction
Loan Revolving Fund.............................. $3,100
Insurance Financial Regulation Fund............... $42,800
Total $4,918,200

(e-10) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Professional Services Fund amounts equal to one-fourth of each of the following totals:

General Revenue Fund........................... $4,440,000
Road Fund...................................... $5,324,411
Total $9,764,411

(e-15) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified herein as follows:

General Revenue Fund........................... $4,466,000
Road Fund...................................... $5,355,500
Total $9,821,500

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2006, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2007, or as soon as may be practical thereafter.

New matter indicated by italics - deletions by strikeout
(e-20) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010 and through June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade Crossing Protection Fund</td>
<td>$55,300</td>
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<tr>
<td>Financial Institution Fund</td>
<td>$10,000</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$11,600</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$10,800</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$23,500</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$21,200</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$55,400</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$46,100</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$45,200</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$300</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$12,900</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$48,100</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$2,900</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$6,300</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$9,200</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$6,700</td>
</tr>
<tr>
<td>Violence Prevention Fund</td>
<td>$4,000</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$7,900</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$804,800</td>
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<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$4,000</td>
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<tr>
<td>Emergency Public Health Fund</td>
<td>$7,600</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$1,700</td>
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<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$4,600</td>
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<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$3,100</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$15,200</td>
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<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$33,400</td>
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<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$62,100</td>
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<tr>
<td>Working Capital Revolving Fund</td>
<td>$91,700</td>
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<tr>
<td>State Garage Revolving Fund</td>
<td>$89,600</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$277,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Communications Revolving Fund................. $248,100
Facilities Management Revolving Fund........ $472,600
Public Health Laboratory Services
  Revolving Fund................................ $5,900
Lead Poisoning Screening, Prevention,
  and Abatement Fund......................... $7,900
Drug Treatment Fund............................ $8,700
Tax Compliance and Administration Fund....... $8,300
Trauma Center Fund............................. $34,800
Illinois State Fair Fund........................ $12,700
Department of Corrections
  Reimbursement and Education Fund.......... $77,600
Illinois Historic Sites Fund.................. $4,200
Pesticide Control Fund....................... $7,000
Partners for Conservation Fund............... $25,000
International Tourism Fund.................. $14,100
Horse Racing Fund............................. $14,800
Motor Carrier Safety Inspection Fund......... $4,500
Illinois Standardbred Breeders Fund......... $3,400
Illinois Thoroughbred Breeders Fund........ $5,200
Illinois Clean Water Fund.................... $19,400
Child Support Administrative Fund........... $398,000
Tourism Promotion Fund...................... $75,300
Digital Divide Elimination Fund............. $11,800
Presidential Library and Museum Operating Fund... $25,900
Medical Special Purposes Trust Fund.......... $10,800
Dram Shop Fund............................... $12,700
Cycle Rider Safety Training Fund............ $7,100
State Police Services Fund.................. $43,600
Metabolic Screening and Treatment Fund....... $23,900
Insurance Producer Administration Fund...... $16,800
Coal Technology Development Assistance Fund... $43,700
Environmental Protection Permit
  and Inspection Fund....................... $21,600
Park and Conservation Fund................... $38,100
Local Tourism Fund......................... $31,800
Illinois Capital Revolving Loan Fund......... $5,800
Large Business Attraction Fund.............. $300
Adeline Jay Geo-Karis Illinois

New matter indicated by italics - deletions by strikeout
Beach Marina Fund......................... $5,000
Insurance Financial Regulation Fund........ $23,000
Total ........................................ $3,547,900

(e-25) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

General Revenue Fund......................... $4,600,000
Road Fund.................................. $4,852,500
Total ........................................ $9,452,500

One fourth of the specified amount shall be transferred on each of July 1 and October 1, 2010, or as soon as may be practical thereafter, and one half of the specified amount shall be transferred on January 1, 2011, or as soon as may be practical thereafter.

(e-30) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

General Revenue Fund......................... $4,600,000

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2011, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2012, or as soon as may be practical thereafter.

(e-35) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2013 and through June 30, 2014, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Financial Institution Fund.................... $2,500
General Professions Dedicated Fund.......... $2,000
Illinois Veterans' Rehabilitation Fund........ $2,300
State Boating Act Fund....................... $5,500
State Parks Fund.............................. $4,800
Agricultural Premium Fund................... $9,900
Fire Prevention Fund........................ $10,300

New matter indicated by italics - deletions by strikeout
Mental Health Fund........................................... $14,000
Illinois State Pharmacy Disciplinary Fund.............. $600
Radiation Protection Fund................................. $3,400
Solid Waste Management Fund.............................. $7,600
Illinois Gaming Law Enforcement Fund.................. $800
Subtitle D Management Fund................................ $700
Illinois State Medical Disciplinary Fund.............. $2,000
Weights and Measures Fund................................. $20,300
ICJIA Violence Prevention Fund........................... $900
Capital Development Board Revolving Fund............. $3,100
DCFS Children's Services Fund............................. $175,500
Illinois Health Facilities Planning Fund................. $800
Emergency Public Health Fund............................ $1,400
Nursing Dedicated and Professional Fund................. $1,200
State Rail Freight Loan Repayment Fund.................. $2,300
Drunk and Drugged Driving Prevention Fund............. $800
Community Water Supply Laboratory Fund................ $500
Used Tire Management Fund................................ $2,700
Natural Areas Acquisition Fund........................... $3,000
Open Space Lands Acquisition and Development Fund.... $7,300
Working Capital Revolving Fund................. $22,900
State Garage Revolving Fund.............................. $22,100
Statistical Services Revolving Fund......................... $67,100
Communications Revolving Fund............................ $56,900
Facilities Management Revolving Fund................... $84,400
Public Health Laboratory Services Revolving Fund .... $300
Lead Poisoning Screening, Prevention, and Abatement Fund........................................... $1,300
Tax Compliance and Administration Fund................ $1,700
Illinois State Fair Fund.................................... $2,300
Department of Corrections Reimbursement and Education Fund........................................... $14,700
Illinois Historic Sites Fund................................. $900
Pesticide Control Fund.................................... $2,000
Partners for Conservation Fund.......................... $3,300
International Tourism Fund............................... $1,200
Horse Racing Fund.......................................... $3,100
Motor Carrier Safety Inspection Fund.................... $1,000
Illinois Thoroughbred Breeders Fund..................... $1,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois Clean Water Fund</td>
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<tr>
<td>Child Support Administrative Fund</td>
<td>$82,100</td>
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<tr>
<td>Tourism Promotion Fund</td>
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<tr>
<td>Presidential Library and Museum Operating Fund</td>
<td>$4,600</td>
</tr>
<tr>
<td>Dram Shop Fund</td>
<td>$3,200</td>
</tr>
<tr>
<td>Cycle Rider Safety Training Fund</td>
<td>$2,100</td>
</tr>
<tr>
<td>State Police Services Fund</td>
<td>$8,500</td>
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<tr>
<td>Metabolic Screening and Treatment Fund</td>
<td>$6,000</td>
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<tr>
<td>Insurance Producer Administration Fund</td>
<td>$6,700</td>
</tr>
<tr>
<td>Coal Technology Development Assistance Fund</td>
<td>$6,900</td>
</tr>
<tr>
<td>Environmental Protection Permit and Inspection Fund</td>
<td>$3,800</td>
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<tr>
<td>Park and Conservation Fund</td>
<td>$7,500</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>$5,100</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$400</td>
</tr>
<tr>
<td>Adeline Jay Geo-Karis Illinois Beach Marina Fund</td>
<td>$500</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$8,200</td>
</tr>
<tr>
<td>Total</td>
<td>$740,600</td>
</tr>
</tbody>
</table>

(e-40) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$1,161,700</td>
</tr>
<tr>
<td>Total</td>
<td>$7,161,700</td>
</tr>
</tbody>
</table>

(f) The term "professional services" means services rendered on behalf of State agencies and other State entities pursuant to Section 405-293 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(Source: P.A. 96-959, eff. 7-1-10; 97-641, eff. 12-19-11.)

(30 ILCS 105/6z-70)

Sec. 6z-70. The Secretary of State Identification Security and Theft Prevention Fund.

(a) The Secretary of State Identification Security and Theft Prevention Fund is created as a special fund in the State treasury. The Fund shall consist of any fund transfers, grants, fees, or moneys from other...
sources received for the purpose of funding identification security and theft prevention measures.

(b) All moneys in the Secretary of State Identification Security and Theft Prevention Fund shall be used, subject to appropriation, for any costs related to implementing identification security and theft prevention measures.

(c) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2007, and until June 30, 2008, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund........ $100,000
- Registered Limited Liability Partnership Fund.... $75,000
- Securities Investors Education Fund.............. $500,000
- Securities Audit and Enforcement Fund.......... $5,725,000
- Department of Business Services
  Special Operations Fund......................... $3,000,000
- Corporate Franchise Tax Refund Fund............ $3,000,000.

(d) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2008, and until June 30, 2009, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund........ $100,000
- Registered Limited Liability Partnership Fund.... $75,000
- Securities Investors Education Fund.............. $500,000
- Securities Audit and Enforcement Fund.......... $5,725,000
- Department of Business Services
  Special Operations Fund......................... $3,000,000
- Corporate Franchise Tax Refund Fund............ $3,000,000
- State Parking Facility Maintenance Fund........ $100,000.

(e) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2009, and until June 30, 2010, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall

New matter indicated by italics - deletions by strikeout
direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund: $100,000
- Registered Limited Liability Partnership Fund: $175,000
- Securities Investors Education Fund: $750,000
- Securities Audit and Enforcement Fund: $750,000
- Department of Business Services Special Operations Fund: $3,000,000
- Corporate Franchise Tax Refund Fund: $3,000,000
- State Parking Facility Maintenance Fund: $100,000

(f) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010, and until June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Registered Limited Liability Partnership Fund: $287,000
- Securities Investors Education Board: $750,000
- Securities Audit and Enforcement Fund: $750,000
- Department of Business Services Special Operations Fund: $3,000,000
- Corporate Franchise Tax Refund Fund: $3,000,000

(g) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2011, and until June 30, 2012, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Division of Corporations Registered Limited Liability Partnership Fund: $287,000
- Securities Investors Education Fund: $750,000
- Securities Audit and Enforcement Fund: $3,500,000
- Department of Business Services Special Operations Fund: $3,000,000
- Corporate Franchise Tax Refund Fund: $3,000,000

New matter indicated by italics - deletions by strikeout
(h) Notwithstanding any other provision of State law to the contrary, on or after the effective date of this amendatory Act of the 98th General Assembly, and until June 30, 2014, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

**Division of Corporations Registered Limited Liability Partnership Fund** $287,000
**Securities Investors Education Fund** $1,500,000
**Department of Business Services Special Operations Fund** $3,000,000
**Securities Audit and Enforcement Fund** $3,500,000
**Corporate Franchise Tax Refund Fund** $3,000,000

(Source: P.A. 96-45, eff. 7-15-09; 96-959, eff. 7-1-10; 97-72, eff. 7-1-11.)

(30 ILCS 105/6z-81)
Sec. 6z-81. Healthcare Provider Relief Fund.
(a) There is created in the State treasury a special fund to be known as the Healthcare Provider Relief Fund.
(b) The Fund is created for the purpose of receiving and disbursing moneys in accordance with this Section. Disbursements from the Fund shall be made only as follows:

(1) Subject to appropriation, for payment by the Department of Healthcare and Family Services or by the Department of Human Services of medical bills and related expenses, including administrative expenses, for which the State is responsible under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(2) For repayment of funds borrowed from other State funds or from outside sources, including interest thereon.
(c) The Fund shall consist of the following:

(1) Moneys received by the State from short-term borrowing pursuant to the Short Term Borrowing Act on or after the effective date of this amendatory Act of the 96th General Assembly.

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(2) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of expenditures made by the Department that are attributable to moneys deposited in the Fund.

(3) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of federal approval of Title XIX State plan amendment transmittal number 07-09.

(4) All other moneys received for the Fund from any other source, including interest earned thereon.

(5) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of expenditures made by the Department for Medical Assistance from the General Revenue Fund, the Tobacco Settlement Recovery Fund, the Long-Term Care Provider Fund, and the Drug Rebate Fund related to individuals eligible for medical assistance pursuant to the Patient Protection and Affordable Care Act (P.L. 111-148) and Section 5-2 of the Illinois Public Aid Code.

(d) In addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 97th General Assembly, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $365,000,000 from the General Revenue Fund into the Healthcare Provider Relief Fund.

(e) In addition to any other transfers that may be provided for by law, on July 1, 2011, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $160,000,000 from the General Revenue Fund to the Healthcare Provider Relief Fund.

(f) Notwithstanding any other State law to the contrary, and in addition to any other transfers that may be provided for by law, the State Comptroller shall order transferred and the State Treasurer shall transfer $500,000,000 to the Healthcare Provider Relief Fund from the General Revenue Fund in equal monthly installments of $100,000,000, with the first transfer to be made on July 1, 2012, or as soon thereafter as practical, and with each of the remaining transfers to be made on August 1, 2012, September 1, 2012, October 1, 2012, and November 1, 2012, or as soon thereafter as practical. This transfer may assist the Department of Healthcare and Family Services in improving Medical Assistance bill processing timeframes or in meeting the possible requirements of Senate
Bill 3397, or other similar legislation, of the 97th General Assembly should it become law.

(g) Notwithstanding any other State law to the contrary, and in addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $601,000,000 from the General Revenue Fund to the Healthcare Provider Relief Fund.

(Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11; 97-44, eff. 6-28-11; 97-641, eff. 12-19-11; 97-689, eff. 6-14-12; 97-732, eff. 6-30-12; revised 7-10-12.)

(30 ILCS 105/6z-93)

Sec. 6z-93. FY13/FY14 Backlog Payment Fund. The FY13/FY14 Backlog Payment Fund is created as a special fund in the State treasury. Beginning July 1, 2012 and on or before December 31, 2013, the State Comptroller shall direct and the State Treasurer shall transfer funds from the FY13/FY14 Backlog Payment Fund to the General Revenue Fund as needed for the payment of vouchers and transfers to other State funds obligated in State fiscal years 2012 and 2013, other than costs incurred for claims under the Medical Assistance Program.

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

(30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

Sec. 8.3. Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code; and

secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Illinois...
Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; or, during fiscal year 2012 only, for the purposes of a grant not to exceed $8,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2013 only, for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2014 only, for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement;

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1. Department of Public Health;
2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly, except during fiscal year 2012 only when no more than $40,000,000 may be expended and except during fiscal year 2013 only when no more than $17,570,000 may be expended and except during fiscal year 2014 only when no more than $17,570,000 may be expended;
3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of appropriate personnel;

Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except for expenditures with respect to the Division of Operations;
2. Department of Transportation, only with respect to Intercity Rail Subsidies, except during fiscal year 2012 only when no more than $40,000,000 may be expended and except during fiscal year 2013 only when no more than $26,000,000 may be expended and except during fiscal year 2014 only when no more than $38,000,000 may be expended, and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement: Department of Central Management Services, except for awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this
limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except not more than 40% of the funds appropriated for the Division of Operations;
2. State Officers.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal and interest on that bonded indebtedness as it becomes due and payable as provided in the Transportation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and
secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those...
monies, or during fiscal year 2012 only for the purposes of a grant not to exceed $8,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2013 only for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2014 only for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, and the costs for patrolling and policing the public highways (by State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $97,310,000. For fiscal year 2008 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $106,100,000. For fiscal year 2009 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $114,700,000. Beginning in fiscal year 2010, no road fund moneys shall be appropriated to the Department of State Police. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus $9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

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Beginning with fiscal year 1995 and thereafter, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

- Fiscal Year 2000 $80,500,000;
- Fiscal Year 2001 $80,500,000;
- Fiscal Year 2002 $80,500,000;
- Fiscal Year 2003 $130,500,000;
- Fiscal Year 2004 $130,500,000;
- Fiscal Year 2005 $130,500,000;
- Fiscal Year 2006 $130,500,000;
- Fiscal Year 2007 $130,500,000;
- Fiscal Year 2008 $130,500,000;
- Fiscal Year 2009 $130,500,000.

For fiscal year 2010, no road fund moneys shall be appropriated to the Secretary of State.

Beginning in fiscal year 2011, moneys in the Road Fund shall be appropriated to the Secretary of State for the exclusive purpose of paying refunds due to overpayment of fees related to Chapter 3 of the Illinois Vehicle Code unless otherwise provided for by law.

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by this amendatory Act of the 93rd General Assembly.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary

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balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by this amendatory Act of the 94th General Assembly shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 96-34, eff. 7-13-09; 96-959, eff. 7-1-10; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12.)

(30 ILCS 105/8g-1)
Sec. 8g-1. FY13 fund transfers.

(a) In addition to any other transfers that may be provided for by law, on and after July 1, 2012 and until May 1, 2013, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2013.

(b) In addition to any other transfers that may be provided for by law, on and after July 1, 2013 and until May 1, 2014, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2014.

(c) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,400,000 from the General Revenue Fund to the ICJIA Violence Prevention Fund.

New matter indicated by italics - deletions by strikeout
(d) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,500,000 from the General Revenue Fund to the Illinois Veterans Assistance Fund.

(e) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $500,000 from the General Revenue Fund to the Senior Citizens Real Estate Deferred Tax Revolving Fund.

(f) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $4,000,000 from the General Revenue Fund to the Digital Divide Elimination Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $5,000,000 from the General Revenue Fund to the Communications Revolving Fund.

(h) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $9,800,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

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

(30 ILCS 105/13.2) (from Ch. 127, par. 149.2)
Sec. 13.2. Transfers among line item appropriations.
(a) Transfers among line item appropriations from the same treasury fund for the objects specified in this Section may be made in the manner provided in this Section when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made.

(a-1) No transfers may be made from one agency to another agency, nor may transfers be made from one institution of higher education to another institution of higher education except as provided by subsection (a-4).

(a-2) Except as otherwise provided in this Section, transfers may be made only among the objects of expenditure enumerated in this

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Section, except that no funds may be transferred from any appropriation for personal services, from any appropriation for State contributions to the State Employees' Retirement System, from any separate appropriation for employee retirement contributions paid by the employer, nor from any appropriation for State contribution for employee group insurance. During State fiscal year 2005, an agency may transfer amounts among its appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State Contributions to retirement systems; notwithstanding and in addition to the transfers authorized in subsection (c) of this Section, the fiscal year 2005 transfers authorized in this sentence may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund. During State fiscal year 2007, the Departments of Children and Family Services, Corrections, Human Services, and Juvenile Justice may transfer amounts among their respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. During State fiscal year 2010, the Department of Transportation may transfer amounts among their respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. During State fiscal years 2010 and 2014 only, an agency may transfer amounts among its respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. Notwithstanding, and in addition to, the transfers authorized in subsection (c) of this Section, these transfers may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund.

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

(a-4) Long-Term Care Rebalancing. The Governor may designate amounts set aside for institutional services appropriated from the General Revenue Fund or any other State fund that receives monies for long-term

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care services to be transferred to all State agencies responsible for the administration of community-based long-term care programs, including, but not limited to, community-based long-term care programs administered by the Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging, provided that the Director of Healthcare and Family Services first certifies that the amounts being transferred are necessary for the purpose of assisting persons in or at risk of being in institutional care to transition to community-based settings, including the financial data needed to prove the need for the transfer of funds. The total amounts transferred shall not exceed 4% in total of the amounts appropriated from the General Revenue Fund or any other State fund that receives monies for long-term care services for each fiscal year. A notice of the fund transfer must be made to the General Assembly and posted at a minimum on the Department of Healthcare and Family Services website, the Governor's Office of Management and Budget website, and any other website the Governor sees fit. These postings shall serve as notice to the General Assembly of the amounts to be transferred. Notice shall be given at least 30 days prior to transfer.

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

The Department of Healthcare and Family Services is authorized to make transfers representing savings attributable to not increasing grants due to the births of additional children from line items for payments of cash grants to line items for payments for employment and social services for the purposes outlined in subsection (f) of Section 4-2 of the Illinois Public Aid Code.

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

The Department on Aging is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following Community Care Program line items among these same line items: *purchase of services covered by the Community Care Program and Comprehensive Case Coordination*

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Homemaker and Senior Companion Services, Alternative Senior Services, Case Coordination Units, and Adult Day Care Services.

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

The State Board of Education is authorized to make transfers from line item appropriations within the same treasury fund for General State Aid and General State Aid - Hold Harmless, provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made, to the line item appropriation for Transitional Assistance when the balance remaining in such line item appropriation is insufficient for the purpose for which the appropriation was made.

The State Board of Education is authorized to make transfers between the following line item appropriations within the same treasury fund: Disabled Student Services/Materials (Section 14-13.01 of the School Code), Disabled Student Transportation Reimbursement (Section 14-13.01 of the School Code), Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code), Extraordinary Special Education (Section 14-7.02b of the School Code), Reimbursement for Free Lunch/Breakfast Program, Summer School Payments (Section 18-4.3 of the School Code), and Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code). Such transfers shall be made only when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made and provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made.

The Department of Healthcare and Family Services is authorized to make transfers not exceeding 4% of the aggregate amount appropriated to it, within the same treasury fund, among the various line items appropriated for Medical Assistance.

(c) The sum of such transfers for an agency in a fiscal year shall not exceed 2% of the aggregate amount appropriated to it within the same treasury fund for the following objects: Personal Services; Extra Help; Student and Inmate Compensation; State Contributions to Retirement

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Systems; State Contributions to Social Security; State Contribution for Employee Group Insurance; Contractual Services; Travel; Commodities; Printing; Equipment; Electronic Data Processing; Operation of Automotive Equipment; Telecommunications Services; Travel and Allowance for Committed, Paroled and Discharged Prisoners; Library Books; Federal Matching Grants for Student Loans; Refunds; Workers' Compensation, Occupational Disease, and Tort Claims; and, in appropriations to institutions of higher education, Awards and Grants.

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

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

(c-2) Special provisions for State fiscal year 2005. Notwithstanding subsections (a), (a-2), and (c), for State fiscal year 2005 only, transfers may be made among any line item appropriations from the same or any other treasury fund for any objects or purposes, without limitation, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that the sum of those transfers by a State agency shall not exceed
4% of the aggregate amount appropriated to that State agency for fiscal year 2005.

(d) Transfers among appropriations made to agencies of the Legislative and Judicial departments and to the constitutionally elected officers in the Executive branch require the approval of the officer authorized in Section 10 of this Act to approve and certify vouchers. Transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy and the Board of Higher Education require the approval of the Board of Higher Education and the Governor. Transfers among appropriations to all other agencies require the approval of the Governor.

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

(e) The State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations for General State Aid between the Common School Fund and the Education Assistance Fund. With the advice and consent of the Governor's Office of Management and Budget, the State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations between the General Revenue Fund and the Education Assistance Fund for the following programs:

(1) Disabled Student Personnel Reimbursement (Section 14-13.01 of the School Code);
(2) Disabled Student Transportation Reimbursement (subsection (b) of Section 14-13.01 of the School Code);
(3) Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code);

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(4) Extraordinary Special Education (Section 14-7.02b of the School Code);
(5) Reimbursement for Free Lunch/Breakfast Programs;
(6) Summer School Payments (Section 18-4.3 of the School Code);
(7) Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code);
(8) Regular Education Reimbursement (Section 18-3 of the School Code); and
(9) Special Education Reimbursement (Section 14-7.03 of the School Code).

(Source: P.A. 96-37, eff. 7-13-09; 96-820, eff. 11-18-09; 96-959, eff. 7-1-10; 96-1086, eff. 7-16-10; 96-1501, eff. 1-25-11; 97-689, eff. 7-1-12.)

(30 ILCS 105/25) (from Ch. 127, par. 161)
Sec. 25. Fiscal year limitations.
(a) All appropriations shall be available for expenditure for the fiscal year or for a lesser period if the Act making that appropriation so specifies. A deficiency or emergency appropriation shall be available for expenditure only through June 30 of the year when the Act making that appropriation is enacted unless that Act otherwise provides.

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

(b-1) However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code as of June 30, payable from appropriations that have otherwise expired, may be paid out of the

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expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-2) All outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2010, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2010.

(b-2.5) All outstanding liabilities as of June 30, 2011, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2011, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2011, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2011.

(b-2.6) All outstanding liabilities as of June 30, 2012, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2012, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2012, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2012.

(b-2.7) For fiscal years 2012, and 2013, and 2014, interest penalties payable under the State Prompt Payment Act associated with a voucher for which payment is issued after June 30 may be paid out of the next fiscal year's appropriation. The future year appropriation must be for the same purpose and from the same fund as the original payment. An interest penalty voucher submitted against a future year appropriation must be submitted within 60 days after the issuance of the associated voucher, and the Comptroller must issue the interest payment within 60 days after acceptance of the interest voucher.

(b-3) Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments payable from appropriations that have

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otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-4) Medical payments and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical and child care payments made by the Department of Human Services and payments made at the discretion of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund and payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-5) Medical payments may be made by the Department of Human Services from its appropriations relating to substance abuse treatment services for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments made by the Department of Human Services relating to substance abuse treatment services payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-6) Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Human Services from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986 payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.
expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-7) Payments may be made in accordance with a plan authorized by paragraph (11) or (12) of Section 405-105 of the Department of Central Management Services Law from appropriations for those payments without regard to fiscal year limitations.

(b-9) Medical payments not exceeding $150,000,000 may be made by the Department on Aging from its appropriations relating to the Community Care Program for fiscal year 2014, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Public Health and the Department of Human Services from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program payable from appropriations that have otherwise expired may be paid out of the expiring appropriations during the 4-month period ending at the close of business on October 31.

(d) The Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of
the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(e) The Department of Healthcare and Family Services, the Department of Human Services (acting as successor to the Department of Public Aid), and the Department of Human Services making fee-for-service payments relating to substance abuse treatment services provided during a previous fiscal year shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before November 30, a report that shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for (i) services provided in prior fiscal years and (ii) services for which claims were received in prior fiscal years.

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services (other than medical care) provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(g) In addition, each annual report required to be submitted by the Department of Healthcare and Family Services under subsection (e) shall include the following information with respect to the State's Medicaid program:

1. Explanations of the exact causes of the variance between the previous year's estimated and actual liabilities.
2. Factors affecting the Department of Healthcare and Family Services' liabilities, including but not limited to numbers of aid recipients, levels of medical service utilization by aid recipients, and inflation in the cost of medical services.
3. The results of the Department's efforts to combat fraud and abuse.

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(h) As provided in Section 4 of the General Assembly Compensation Act, any utility bill for service provided to a General Assembly member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

(i) An agency which administers a fund classified by the Comptroller as an internal service fund may issue rules for:

(1) billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;

(2) issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

(3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued or by increasing an authorized inter-fund transfer during the current fiscal year. For the purposes of this Act, "inter-fund transfers" means transfers without the use of the voucher-warrant process, as authorized by Section 9.01 of the State Comptroller Act.

(i-1) Beginning on July 1, 2021, all outstanding liabilities, not payable during the 4-month lapse period as described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, that are made from appropriations for that purpose for any fiscal year, without regard to the fact that the services being compensated for by those payments may have been rendered in a prior fiscal year, are limited to only those claims that have been incurred but for which a proper bill or invoice as defined by the State Prompt Payment Act has not been received by September 30th following the end of the fiscal year in which the service was rendered.

(j) Notwithstanding any other provision of this Act, the aggregate amount of payments to be made without regard for fiscal year limitations as contained in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this

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Section, and determined by using Generally Accepted Accounting Principles, shall not exceed the following amounts:

(1) $6,000,000,000 for outstanding liabilities related to fiscal year 2012;
(2) $5,300,000,000 for outstanding liabilities related to fiscal year 2013;
(3) $4,600,000,000 for outstanding liabilities related to fiscal year 2014;
(4) $4,000,000,000 for outstanding liabilities related to fiscal year 2015;
(5) $3,300,000,000 for outstanding liabilities related to fiscal year 2016;
(6) $2,600,000,000 for outstanding liabilities related to fiscal year 2017;
(7) $2,000,000,000 for outstanding liabilities related to fiscal year 2018;
(8) $1,300,000,000 for outstanding liabilities related to fiscal year 2019;
(9) $600,000,000 for outstanding liabilities related to fiscal year 2020; and
(10) $0 for outstanding liabilities related to fiscal year 2021 and fiscal years thereafter.

(k) Department of Healthcare and Family Services Medical Assistance Payments.

(1) Definition of Medical Assistance.
   For purposes of this subsection, the term "Medical Assistance" shall include, but not necessarily be limited to, medical programs and services authorized under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, the Long Term Acute Care Hospital Quality Improvement Transfer Program Act, and medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, and victims of sexual assault.

(2) Limitations on Medical Assistance payments that may be paid from future fiscal year appropriations.
   (A) The maximum amounts of annual unpaid Medical Assistance bills received and recorded by the
Department of Healthcare and Family Services on or before June 30th of a particular fiscal year attributable in aggregate to the General Revenue Fund, Healthcare Provider Relief Fund, Tobacco Settlement Recovery Fund, Long-Term Care Provider Fund, and the Drug Rebate Fund that may be paid in total by the Department from future fiscal year Medical Assistance appropriations to those funds are: $700,000,000 for fiscal year 2013 and $100,000,000 for fiscal year 2014 and each fiscal year thereafter.

(B) Bills for Medical Assistance services rendered in a particular fiscal year, but received and recorded by the Department of Healthcare and Family Services after June 30th of that fiscal year, may be paid from either appropriations for that fiscal year or future fiscal year appropriations for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(C) Medical Assistance bills received by the Department of Healthcare and Family Services in a particular fiscal year, but subject to payment amount adjustments in a future fiscal year may be paid from a future fiscal year's appropriation for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(D) Medical Assistance payments made by the Department of Healthcare and Family Services from funds other than those specifically referenced in subparagraph (A) may be made from appropriations for those purposes for any fiscal year without regard to the fact that the Medical Assistance services being compensated for by such payment may have been rendered in a prior fiscal year. Such payments shall not be subject to the requirements of subparagraph (A).

(3) Extended lapse period for Department of Healthcare and Family Services Medical Assistance payments. Notwithstanding any other State law to the contrary, outstanding Department of Healthcare and Family Services Medical Assistance liabilities, as of June 30th, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 6-month period ending at the close of business on December 31st.
(l) The changes to this Section made by Public Act 97-691 shall be effective for payment of Medical Assistance bills incurred in fiscal year 2013 and future fiscal years. The changes to this Section made by Public Act 97-691 shall not be applied to Medical Assistance bills incurred in fiscal year 2012 or prior fiscal years.

(m) The Comptroller must issue payments against outstanding liabilities that were received prior to the lapse period deadlines set forth in this Section as soon thereafter as practical, but no payment may be issued after the 4 months following the lapse period deadline without the signed authorization of the Comptroller and the Governor.

(Source: P.A. 97-75, eff. 6-30-11; 97-333, eff. 8-12-11; 97-691, eff. 7-1-12; 97-732, eff. 6-30-12; 97-932, eff. 8-10-12; 98-8, eff. 5-3-13.)

Section 5-35. The Illinois Income Tax Act is amended by changing Section 901 as follows:

(35 ILCS 5/901) (from Ch. 120, par. 9-901)
Sec. 901. Collection Authority.
(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c), (e), (f), and (g) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing

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through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995 and continuing through January 31, 2011, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, $6,666,666, and beginning July 1, 2004, zero. Beginning February 1, 2011, and continuing through January 31, 2015, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 6% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 5% individual income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 6.86% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2015 and continuing through January 31, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 8% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.75% individual income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 9.14% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 5.25% corporate income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 9.23% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.25% individual income tax rate after 2024) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the
preceding month and (ii) 10% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 9.75%. For fiscal year 2009, the Annual Percentage shall be 9.75%. For fiscal year 2010, the Annual Percentage shall be 9.75%. For fiscal year 2011, the Annual Percentage shall be 9.75%. For fiscal year 2012, the Annual Percentage shall be 9.75%. For fiscal year 2013, the Annual Percentage shall be 9.75%. For fiscal year 2014, the Annual Percentage shall be 9.5%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by
the Department during the preceding fiscal year as a result of
overpayment of tax liability under subsections (a) and (b)(1), (2),
and (3) of Section 201 of this Act plus the amount of such refunds
remaining approved but unpaid at the end of the preceding fiscal
year, minus the amounts transferred into the Income Tax Refund
Fund from the Tobacco Settlement Recovery Fund, and the
denominator of which shall be the amounts which will be collected
pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201
of this Act during the preceding fiscal year; except that in State
fiscal year 2002, the Annual Percentage shall in no event exceed
7.6%. The Director of Revenue shall certify the Annual Percentage
to the Comptroller on the last business day of the fiscal year
immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the
Department shall deposit a percentage of the amounts collected
pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of
Section 201 of this Act into a fund in the State treasury known as
the Income Tax Refund Fund. The Department shall deposit 18%
of such amounts during the period beginning January 1, 1989 and
ending on June 30, 1989. Beginning with State fiscal year 1990 and
for each fiscal year thereafter, the percentage deposited into the
Income Tax Refund Fund during a fiscal year shall be the Annual
Percentage. For fiscal years 1999, 2000, and 2001, the Annual
Percentage shall be 19%. For fiscal year 2003, the Annual
Percentage shall be 27%. For fiscal year 2004, the Annual
Percentage shall be 32%. Upon the effective date of this
amendatory Act of the 93rd General Assembly, the Annual
Percentage shall be 24% for fiscal year 2005. For fiscal year 2006,
the Annual Percentage shall be 20%. For fiscal year 2007, the
Annual Percentage shall be 17.5%. For fiscal year 2008, the
Annual Percentage shall be 15.5%. For fiscal year 2009, the
Annual Percentage shall be 17.5%. For fiscal year 2010, the
Annual Percentage shall be 17.5%. For fiscal year 2011, the
Annual Percentage shall be 17.5%. For fiscal year 2012, the
Annual Percentage shall be 17.5%. For fiscal year 2013, the
Annual Percentage shall be 14%. For fiscal year 2014, the Annual
Percentage shall be 13.4%. For all other fiscal years, the Annual
Percentage shall be calculated as a fraction, the numerator of which
shall be the amount of refunds approved for payment by the

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Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.


(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax

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liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

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Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

1. Beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
2. Beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services Fund:

1. Beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
2. Beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(Source: P.A. 96-45, eff. 7-15-09; 96-328, eff. 8-11-09; 96-959, eff. 7-1-10; 96-1496, eff. 1-13-11; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12.)

Section 5-40. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

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Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.
Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an

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amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the
Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the

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difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this

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Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by
by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.
Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.
Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund
under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect

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thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

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Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month.
Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10; 96-1012, eff. 7-7-10; 97-95, eff. 7-12-11; 97-333, eff. 8-12-11.)

Section 5-45. The Service Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department.
for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

New matter indicated by italics - deletions by strikeout
Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such

New matter indicated by italics - deletions by strikeout
property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which
is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any...
fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

New matter indicated by italics - deletions by strikeout
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New matter indicated by italics - deletions by strikeout
Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to

New matter indicated by italics - deletions by strikeout

All remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 5-50. The Service Occupation Tax Act is amended by changing Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

New matter indicated by italics - deletions by strikeout
The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
6. The signature of the taxpayer; and
7. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

New matter indicated by italics - deletions by strikeout
If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer

New matter indicated by italics - deletions by strikeout
who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

New matter indicated by italics - deletions by strikeout
Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers'
Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund pursuant to this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by
the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund.

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McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, payroll information of the taxpayer's business during such year and any additional reasonable information which the
Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are

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affected do not make written objection to the Department to this arrangement.
(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 5-55. The Retailers' Occupation Tax Act is amended by changing Section 3 as follows:

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

New matter indicated by italics - deletions by strikeout
Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

New matter indicated by italics - deletions by strikeout
Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.
Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in

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any case where the fractional part of a dollar is 50 cents or more, and
decreased to the nearest whole-dollar amount where the fractional part of a
dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if
the retailer's average monthly tax liability to the Department does not
exceed $200, the Department may authorize his returns to be filed on a
quarter annual basis, with the return for January, February and March of a
given year being due by April 20 of such year; with the return for April,
May and June of a given year being due by July 20 of such year; with the
return for July, August and September of a given year being due by
October 20 of such year, and with the return for October, November and
December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly
return and if the retailer's average monthly tax liability with the
Department does not exceed $50, the Department may authorize his
returns to be filed on an annual basis, with the return for a given year being
due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance,
shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the
time within which a retailer may file his return, in the case of any retailer
who ceases to engage in a kind of business which makes him responsible
for filing returns under this Act, such retailer shall file a final return under
this Act with the Department not more than one month after discontinuing
such business.

Where the same person has more than one business registered with
the Department under separate registrations under this Act, such person
may not file each return that is due as a single return covering all such
registered businesses, but shall file separate returns for each such
registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and
trailers that are required to be registered with an agency of this State, every
retailer selling this kind of tangible personal property shall file, with the
Department, upon a form to be prescribed and supplied by the Department,
a separate return for each such item of tangible personal property which
the retailer sells, except that if, in the same transaction, (i) a retailer of
aircraft, watercraft, motor vehicles or trailers transfers more than one
aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft,
motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a

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retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in

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property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the
Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability

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for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the
taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the

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minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the

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preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

New matter indicated by italics - deletions by strikeout
If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 1.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene

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products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
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<tr>
<td>1988</td>
<td>$80,480,000</td>
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<tr>
<td>1989</td>
<td>$88,510,000</td>
</tr>
<tr>
<td>1990</td>
<td>$115,330,000</td>
</tr>
<tr>
<td>1991</td>
<td>$145,470,000</td>
</tr>
<tr>
<td>1992</td>
<td>$182,730,000</td>
</tr>
<tr>
<td>1993</td>
<td>$206,520,000</td>
</tr>
</tbody>
</table>

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount,
whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.
Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
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</tr>
<tr>
<td>1994</td>
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<td>2000</td>
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<td>2015</td>
<td>179,000,000</td>
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<tr>
<td>2016</td>
<td>189,000,000</td>
</tr>
<tr>
<td>2017</td>
<td>199,000,000</td>
</tr>
<tr>
<td>2018</td>
<td>210,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net

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revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

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(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined...
by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10; 96-1012, eff. 7-7-10; 97-95, eff. 7-12-11; 97-333, eff. 8-12-11.)

Section 5-60. The Motor Fuel Tax Law is amended by changing Section 8 as follows:

(35 ILCS 505/8) (from Ch. 120, par. 424)

Sec. 8. Except as provided in Section 8a, subdivision (h)(1) of Section 12a, Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all money received by the Department under this Act, including payments made to the Department by member jurisdictions participating in the International Fuel Tax Agreement, shall be deposited in a special fund in the State treasury, to be known as the "Motor Fuel Tax Fund", and shall be used as follows:

New matter indicated by italics - deletions by strikeout
(a) 2 1/2 cents per gallon of the tax collected on special fuel under paragraph (b) of Section 2 and Section 13a of this Act shall be transferred to the State Construction Account Fund in the State Treasury;
(b) $420,000 shall be transferred each month to the State Boating Act Fund to be used by the Department of Natural Resources for the purposes specified in Article X of the Boat Registration and Safety Act;
(c) $3,500,000 shall be transferred each month to the Grade Crossing Protection Fund to be used as follows: not less than $12,000,000 each fiscal year shall be used for the construction or reconstruction of rail highway grade separation structures; $2,250,000 in fiscal years 2004 through 2009 and $3,000,000 in fiscal year 2010 and each fiscal year thereafter shall be transferred to the Transportation Regulatory Fund and shall be accounted for as part of the rail carrier portion of such funds and shall be used to pay the cost of administration of the Illinois Commerce Commission's railroad safety program in connection with its duties under subsection (3) of Section 18c-7401 of the Illinois Vehicle Code, with the remainder to be used by the Department of Transportation upon order of the Illinois Commerce Commission, to pay that part of the cost apportioned by such Commission to the State to cover the interest of the public in the use of highways, roads, streets, or pedestrian walkways in the county highway system, township and district road system, or municipal street system as defined in the Illinois Highway Code, as the same may from time to time be amended, for separation of grades, for installation, construction or reconstruction of crossing protection or reconstruction, alteration, relocation including construction or improvement of any existing highway necessary for access to property or improvement of any grade crossing and grade crossing surface including the necessary highway approaches thereto of any railroad across the highway or public road, or for the installation, construction, reconstruction, or maintenance of a pedestrian walkway over or under a railroad right-of-way, as provided for in and in accordance with Section 18c-7401 of the Illinois Vehicle Code. The Commission may order up to $2,000,000 per year in Grade Crossing Protection Fund moneys for the improvement of grade crossing surfaces and up to $300,000 per year for the maintenance and renewal of 4-quadrant gate vehicle detection systems located at non-high speed rail grade crossings. The Commission shall not order more than $2,000,000 per year in Grade Crossing Protection Fund moneys for pedestrian walkways. In entering orders for projects for which payments from the Grade Crossing Protection Fund will be made, the Commission shall
account for expenditures authorized by the orders on a cash rather than an accrual basis. For purposes of this requirement an "accrual basis" assumes that the total cost of the project is expended in the fiscal year in which the order is entered, while a "cash basis" allocates the cost of the project among fiscal years as expenditures are actually made. To meet the requirements of this subsection, the Illinois Commerce Commission shall develop annual and 5-year project plans of rail crossing capital improvements that will be paid for with moneys from the Grade Crossing Protection Fund. The annual project plan shall identify projects for the succeeding fiscal year and the 5-year project plan shall identify projects for the 5 directly succeeding fiscal years. The Commission shall submit the annual and 5-year project plans for this Fund to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives on the first Wednesday in April of each year;

(d) of the amount remaining after allocations provided for in subsections (a), (b) and (c), a sufficient amount shall be reserved to pay all of the following:

(1) the costs of the Department of Revenue in administering this Act;
(2) the costs of the Department of Transportation in performing its duties imposed by the Illinois Highway Code for supervising the use of motor fuel tax funds apportioned to municipalities, counties and road districts;
(3) refunds provided for in Section 13, refunds for overpayment of decal fees paid under Section 13a.4 of this Act, and refunds provided for under the terms of the International Fuel Tax Agreement referenced in Section 14a;
(4) from October 1, 1985 until June 30, 1994, the administration of the Vehicle Emissions Inspection Law, which amount shall be certified monthly by the Environmental Protection Agency to the State Comptroller and shall promptly be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund to the Vehicle Inspection Fund, and for the period July 1, 1994 through June 30, 2000, one-twelfth of $25,000,000 each month, for the period July 1, 2000 through June 30, 2003, one-twelfth of $30,000,000 each month, and $15,000,000 on July 1, 2003, and $15,000,000 on January 1, 2004, and $15,000,000 on each July 1 and October 1, or as soon thereafter as may be
practical, during the period July 1, 2004 through June 30, 2012, and $30,000,000 on June 1, 2013, or as soon thereafter as may be practical, and $15,000,000 on July 1 and October 1, or as soon thereafter as may be practical, during the period of July 1, 2013 through June 30, 2014, for the administration of the Vehicle Emissions Inspection Law of 2005, to be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund into the Vehicle Inspection Fund;

(5) amounts ordered paid by the Court of Claims; and

(6) payment of motor fuel use taxes due to member jurisdictions under the terms of the International Fuel Tax Agreement. The Department shall certify these amounts to the Comptroller by the 15th day of each month; the Comptroller shall cause orders to be drawn for such amounts, and the Treasurer shall administer those amounts on or before the last day of each month;

(e) after allocations for the purposes set forth in subsections (a), (b), (c) and (d), the remaining amount shall be apportioned as follows:

(1) Until January 1, 2000, 58.4%, and beginning January 1, 2000, 45.6% shall be deposited as follows:

(A) 37% into the State Construction Account Fund, and

(B) 63% into the Road Fund, $1,250,000 of which shall be reserved each month for the Department of Transportation to be used in accordance with the provisions of Sections 6-901 through 6-906 of the Illinois Highway Code;

(2) Until January 1, 2000, 41.6%, and beginning January 1, 2000, 54.4% shall be transferred to the Department of Transportation to be distributed as follows:

(A) 49.10% to the municipalities of the State,

(B) 16.74% to the counties of the State having 1,000,000 or more inhabitants,

(C) 18.27% to the counties of the State having less than 1,000,000 inhabitants,

(D) 15.89% to the road districts of the State.

As soon as may be after the first day of each month the Department of Transportation shall allot to each municipality its share of the amount apportioned to the several municipalities which shall be in proportion to the population of such municipalities as determined by the last preceding

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municipal census if conducted by the Federal Government or Federal census. If territory is annexed to any municipality subsequent to the time of the last preceding census the corporate authorities of such municipality may cause a census to be taken of such annexed territory and the population so ascertained for such territory shall be added to the population of the municipality as determined by the last preceding census for the purpose of determining the allotment for that municipality. If the population of any municipality was not determined by the last Federal census preceding any apportionment, the apportionment to such municipality shall be in accordance with any census taken by such municipality. Any municipal census used in accordance with this Section shall be certified to the Department of Transportation by the clerk of such municipality, and the accuracy thereof shall be subject to approval of the Department which may make such corrections as it ascertains to be necessary.

As soon as may be after the first day of each month the Department of Transportation shall allot to each county its share of the amount apportioned to the several counties of the State as herein provided. Each allotment to the several counties having less than 1,000,000 inhabitants shall be in proportion to the amount of motor vehicle license fees received from the residents of such counties, respectively, during the preceding calendar year. The Secretary of State shall, on or before April 15 of each year, transmit to the Department of Transportation a full and complete report showing the amount of motor vehicle license fees received from the residents of each county, respectively, during the preceding calendar year. The Department of Transportation shall, each month, use for allotment purposes the last such report received from the Secretary of State.

As soon as may be after the first day of each month, the Department of Transportation shall allot to the several counties their share of the amount apportioned for the use of road districts. The allotment shall be apportioned among the several counties in the State in the proportion which the total mileage of township or district roads in the respective counties bears to the total mileage of all township and district roads in the State. Funds allotted to the respective counties for the use of road districts therein shall be allocated to the several road districts in the county in the proportion which the total mileage of such township or district roads in the respective road districts bears to the total mileage of all such township or district roads in the county. After July 1 of any year prior to 2011, no allocation shall be made for any road district unless it levied a tax for road

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and bridge purposes in an amount which will require the extension of such tax against the taxable property in any such road district at a rate of not less than either .08% of the value thereof, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less. Beginning July 1, 2011 and each July 1 thereafter, an allocation shall be made for any road district if it levied a tax for road and bridge purposes. In counties other than DuPage County, if the amount of the tax levy requires the extension of the tax against the taxable property in the road district at a rate that is less than 0.08% of the value thereof, based upon the assessment for the year immediately prior to the year in which the tax was levied and as equalized by the Department of Revenue, then the amount of the allocation for that road district shall be a percentage of the maximum allocation equal to the percentage obtained by dividing the rate extended by the district by 0.08%. In DuPage County, if the amount of the tax levy requires the extension of the tax against the taxable property in the road district at a rate that is less than the lesser of (i) 0.08% of the value of the taxable property in the road district, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue, or (ii) a rate that will yield an amount equal to $12,000 per mile of road under the jurisdiction of the road district, then the amount of the allocation for the road district shall be a percentage of the maximum allocation equal to the percentage obtained by dividing the rate extended by the district by the lesser of (i) 0.08% or (ii) the rate that will yield an amount equal to $12,000 per mile of road under the jurisdiction of the road district.

Prior to 2011, if any road district has levied a special tax for road purposes pursuant to Sections 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such tax was levied in an amount which would require extension at a rate of not less than .08% of the value of the taxable property thereof, as equalized or assessed by the Department of Revenue, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such levy shall, however, be deemed a proper compliance with this Section and shall qualify such road district for an allotment under this Section. Beginning in 2011 and thereafter, if any road district has levied a special tax for road purposes under Sections 6-601, 6-602, and 6-603 of the Illinois Highway Code, and the tax was levied in an amount that would
require extension at a rate of not less than 0.08% of the value of the taxable property of that road district, as equalized or assessed by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, that levy shall be deemed a proper compliance with this Section and shall qualify such road district for a full, rather than proportionate, allotment under this Section. If the levy for the special tax is less than 0.08% of the value of the taxable property, or, in DuPage County if the levy for the special tax is less than the lesser of (i) 0.08% or (ii) $12,000 per mile of road under the jurisdiction of the road district, and if the levy for the special tax is more than any other levy for road and bridge purposes, then the levy for the special tax qualifies the road district for a proportionate, rather than full, allotment under this Section. If the levy for the special tax is equal to or less than any other levy for road and bridge purposes, then any allotment under this Section shall be determined by the other levy for road and bridge purposes.

Prior to 2011, if a township has transferred to the road and bridge fund money which, when added to the amount of any tax levy of the road district would be the equivalent of a tax levy requiring extension at a rate of at least .08%, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such transfer, together with any such tax levy, shall be deemed a proper compliance with this Section and shall qualify the road district for an allotment under this Section.

In counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law, road districts may retain their entitlement to a motor fuel tax allotment or, beginning in 2011, their entitlement to a full allotment if, at the time the property tax extension limitation was imposed, the road district was levying a road and bridge tax at a rate sufficient to entitle it to a motor fuel tax allotment and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. Any road district may in all circumstances retain its entitlement to a motor fuel tax allotment or, beginning in 2011, its entitlement to a full allotment if it levied a road and bridge tax in an amount that will require the extension of the tax against the taxable property in the road district at a rate of not less than 0.08% of the assessed value of the property, based upon the assessment for the year immediately preceding the year in which the tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount

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equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less.

As used in this Section the term "road district" means any road district, including a county unit road district, provided for by the Illinois Highway Code; and the term "township or district road" means any road in the township and district road system as defined in the Illinois Highway Code. For the purposes of this Section, "township or district road" also includes such roads as are maintained by park districts, forest preserve districts and conservation districts. The Department of Transportation shall determine the mileage of all township and district roads for the purposes of making allotments and allocations of motor fuel tax funds for use in road districts.

Payment of motor fuel tax moneys to municipalities and counties shall be made as soon as possible after the allotment is made. The treasurer of the municipality or county may invest these funds until their use is required and the interest earned by these investments shall be limited to the same uses as the principal funds.

(Source: P.A. 96-34, eff. 7-13-09; 96-45, eff. 7-15-09; 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1024, eff. 7-12-10; 96-1384, eff. 7-29-10; 97-72, eff. 7-1-11; 97-333, eff. 8-12-11.)

Section 5-65. The Illinois Independent Tax Tribunal Act of 2012 is amended by changing Section 1-15 as follows:

(35 ILCS 1010/1-15)

Sec. 1-15. Independent Tax Tribunal; establishment.

(a) For the purpose of effectuating the policy declared in Section 1-5 of this Act, a State agency known as the Illinois Independent Tax Tribunal is created. The Tax Tribunal shall have the powers and duties enumerated in this Act, together with such others conferred upon it by law. The Tax Tribunal shall operate as an independent agency, and shall be separate from the authority of the Director of Revenue and the Department of Revenue.

(b) Except as otherwise limited by this Act, the Tax Tribunal has all of the powers necessary or convenient to carry out the purposes and provisions of this Act, including, without limitation, each of the following:

(1) To have a seal, and to alter that seal at pleasure, and to use it by causing it or a facsimile to be affixed or impressed or reproduced in any other manner.

(2) To accept and expend appropriations.
(3) To obtain and employ personnel as required in this Act, including any additional personnel necessary to fulfill the Tax Tribunal's purposes, and to make expenditures for personnel within the appropriations for that purpose.

(4) To maintain offices at such places as required under this Act, and elsewhere as the Tax Tribunal may determine.

(5) To engage in any activity or operation that is incidental to and in furtherance of efficient operation to accomplish the Tax Tribunal's purposes.

(c) Unless otherwise stated, the Tax Tribunal is subject to the provisions of all applicable laws, including, but not limited to, each of the following:

(1) The State Records Act.

(2) The Illinois Procurement Code, except that the Illinois Procurement Code does not apply to the hiring of the chief administrative law judge or other administrative law judges pursuant to Section 1-25 of this Act.

(3) The Freedom of Information Act, except as otherwise provided in Section 7 of that Act.

(4) The State Property Control Act.

(5) The State Officials and Employees Ethics Act.

(6) The Illinois Administrative Procedure Act, to the extent not inconsistent with the provisions of this Act.

(7) The Illinois State Auditing Act. For purposes of the Illinois State Auditing Act, the Tax Tribunal is a "State agency" within the meaning of the Act and is subject to the jurisdiction of the Auditor General.

(d) Notwithstanding any provision in the tax statutes listed in Section 1-45 of this Act, the Tax Tribunal shall exercise its jurisdiction on and after January 1, 2014, and any protests prior to that date shall continue to be filed with the Department, and the Department shall exercise jurisdiction over such matters on or after July 1, 2013, but the administrative law judges of the Tax Tribunal may be appointed prior to that date and may take any action prior to that date that is necessary to enable the Tax Tribunal to properly exercise its jurisdiction on or after that date. Any administrative proceeding commenced on or after June 1, 2013, prior to July 1, 2013, that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal may be conducted according to the procedures set forth in this Act if the taxpayer so elects. Such an election

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shall be irrevocable and may be made on or after January 1, 2014 July 1, 2013, but no later than February 1, 2014 30 days after the date on which the taxpayer’s protest was filed.  
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 5-70. The Illinois Pension Code is amended by changing Section 14-131 as follows:

(40 ILCS 5/14-131)
Sec. 14-131. Contributions by State.
(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

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(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(c-1) Notwithstanding subsection (c) of this Section, for fiscal years 2010, 2012, and 2013, and 2014 only, contributions by the several departments are not required to be made for General Revenue Funds payrolls processed by the Comptroller. Payrolls paid by the several departments from all other State funds must continue to be processed pursuant to subsection (c) of this Section.

(c-2) For State fiscal years 2010, 2012, and 2013, and 2014 only, on or as soon as possible after the 15th day of each month, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the fiscal year General Revenue Fund contribution as certified by the System pursuant to Section 14-135.08 of the Illinois Pension Code.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.

(e) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the
total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is $203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is $344,164,400.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2010 is $723,703,100 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the
System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 14-135.08 and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In
determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 6z-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(g) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.
(h) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the System's actuarially assumed rate of return.

(i) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2010 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2010 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2010 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2010 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2010 Shortfall" for purposes of this Section, and the Fiscal Year 2010 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2010 Overpayment" for purposes of this Section, and the Fiscal Year 2010 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(j) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2011 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2011 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2011 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2011 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2011 Shortfall" for purposes of this Section, and the Fiscal Year 2011 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds

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Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2011 Overpayment" for purposes of this Section, and the Fiscal Year 2011 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(k) For fiscal years 2012 through 2014 and 2013 only, after the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in the fiscal year have been made, the Comptroller shall provide to the System a certification of the sum of all expenditures in the fiscal year for personal services. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for the fiscal year in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System for the fiscal year. If the amount due is more than the amount received, the difference shall be termed the "Prior Fiscal Year Shortfall" for purposes of this Section, and the Prior Fiscal Year Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12.)

Section 5-75. The Illinois Police Training Act is amended by changing Section 9 as follows:

(50 ILCS 705/9) (from Ch. 85, par. 509)
Sec. 9. A special fund is hereby established in the State Treasury to be known as "The Traffic and Criminal Conviction Surcharge Fund" and shall be financed as provided in Section 9.1 of this Act and Section 5-9-1 of the "Unified Code of Corrections", unless the fines, costs or additional amounts imposed are subject to disbursement by the circuit clerk under Section 27.5 of the Clerks of Courts Act. Moneys in this Fund shall be expended as follows:

(1) A portion of the total amount deposited in the Fund may be used, as appropriated by the General Assembly, for the ordinary...
(2) A portion of the total amount deposited in the Fund shall be appropriated for the reimbursement of local governmental agencies participating in training programs certified by the Board, in an amount equaling 1/2 of the total sum paid by such agencies during the State's previous fiscal year for mandated training for probationary police officers or probationary county corrections officers and for optional advanced and specialized law enforcement or county corrections training. These reimbursements may include the costs for tuition at training schools, the salaries of trainees while in schools, and the necessary travel and room and board expenses for each trainee. If the appropriations under this paragraph (2) are not sufficient to fully reimburse the participating local governmental agencies, the available funds shall be apportioned among such agencies, with priority first given to repayment of the costs of mandatory training given to law enforcement officer or county corrections officer recruits, then to repayment of costs of advanced or specialized training for permanent police officers or permanent county corrections officers;

(3) A portion of the total amount deposited in the Fund may be used to fund the "Intergovernmental Law Enforcement Officer's In-Service Training Act", veto overridden October 29, 1981, as now or hereafter amended, at a rate and method to be determined by the board;

(4) A portion of the Fund also may be used by the Illinois Department of State Police for expenses incurred in the training of employees from any State, county or municipal agency whose function includes enforcement of criminal or traffic law;

(5) A portion of the Fund may be used by the Board to fund grant-in-aid programs and services for the training of employees from any county or municipal agency whose functions include corrections or the enforcement of criminal or traffic law; and

(6) For fiscal years year 2013 and 2014 only, a portion of the Fund also may be used by the Department of State Police to finance any of its lawful purposes or functions.

All payments from The Traffic and Criminal Conviction Surcharge Fund shall be made each year from moneys appropriated for the purposes specified in this Section. No more than 50% of any appropriation under

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this Act shall be spent in any city having a population of more than 500,000. The State Comptroller and the State Treasurer shall from time to time, at the direction of the Governor, transfer from The Traffic and Criminal Conviction Surcharge Fund to the General Revenue Fund in the State Treasury such amounts as the Governor determines are in excess of the amounts required to meet the obligations of The Traffic and Criminal Conviction Surcharge Fund.

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

Section 5-80. The Law Enforcement Camera Grant Act is amended by changing Section 10 as follows:

(50 ILCS 707/10)

Sec. 10. Law Enforcement Camera Grant Fund; creation, rules.

(a) The Law Enforcement Camera Grant Fund is created as a special fund in the State treasury. From appropriations to the Board from the Fund, the Board must make grants to units of local government in Illinois for the purpose of installing video cameras in law enforcement vehicles and training law enforcement officers in the operation of the cameras.

Moneys received for the purposes of this Section, including, without limitation, fee receipts and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

(b) The Board may set requirements for the distribution of grant moneys and determine which law enforcement agencies are eligible.

(c) The Board shall develop model rules to be adopted by law enforcement agencies that receive grants under this Section. The rules shall include the following requirements:

(1) Cameras must be installed in the law enforcement vehicles.

(2) Videotaping must provide audio of the officer when the officer is outside of the vehicle.

(3) Camera access must be restricted to the supervisors of the officer in the vehicle.

(4) Cameras must be turned on continuously throughout the officer's shift.

(5) A copy of the videotape must be made available upon request to personnel of the law enforcement agency, the local State's Attorney, and any persons depicted in the video. Procedures for distribution of the videotape must include safeguards to protect

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the identities of individuals who are not a party to the requested stop.

(6) Law enforcement agencies that receive moneys under this grant shall provide for storage of the tapes for a period of not less than 2 years.

(d) Any law enforcement agency receiving moneys under this Section must provide an annual report to the Board, the Governor, and the General Assembly, which will be due on May 1 of the year following the receipt of the grant and each May 1 thereafter during the period of the grant. The report shall include (i) the number of cameras received by the law enforcement agency, (ii) the number of cameras actually installed in law enforcement vehicles, (iii) a brief description of the review process used by supervisors within the law enforcement agency, (iv) a list of any criminal, traffic, ordinance, and civil cases where video recordings were used, including party names, case numbers, offenses charged, and disposition of the matter, (this item applies, but is not limited to, court proceedings, coroner's inquests, grand jury proceedings, and plea bargains), and (v) any other information relevant to the administration of the program.

(e) No applications for grant money under this Section shall be accepted before January 1, 2007 or after January 1, 2011.

(f) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2012 only, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer any funds in excess of $1,000,000 held in the Law Enforcement Camera Grant Fund to the State Police Operations Assistance Fund.

(g) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2013 only, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the Law Enforcement Camera Grant Fund to the Traffic and Criminal Conviction Surcharge Fund.

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

Section 5-85. The School Code is amended by changing Sections 2-3.62, 3-2.5, and 18-5 as follows:

(105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)
Sec. 2-3.62. Educational Service Centers.

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(a) A regional network of educational service centers shall be established by the State Board of Education to coordinate and combine existing services in a manner which is practical and efficient and to provide new services to schools as provided in this Section. Services to be made available by such centers shall include the planning, implementation and evaluation of:

(1) (blank);
(2) computer technology education;
(3) mathematics, science and reading resources for teachers including continuing education, inservice training and staff development.

The centers may provide training, technical assistance, coordination and planning in other program areas such as school improvement, school accountability, financial planning, consultation, and services, career guidance, early childhood education, alcohol/drug education and prevention, family life - sex education, electronic transmission of data from school districts to the State, alternative education and regional special education, and telecommunications systems that provide distance learning. Such telecommunications systems may be obtained through the Department of Central Management Services pursuant to Section 405-270 of the Department of Central Management Services Law (20 ILCS 405/405-270). The programs and services of educational service centers may be offered to private school teachers and private school students within each service center area provided public schools have already been afforded adequate access to such programs and services.

Upon the abolition of the office, removal from office, disqualification for office, resignation from office, or expiration of the current term of office of the regional superintendent of schools, whichever is earlier, centers serving that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants shall have and exercise, in and with respect to each educational service region having a population of 2,000,000 or more inhabitants and in and with respect to each school district located in any such educational service region, all of the rights, powers, duties, and responsibilities theretofore vested by law in and exercised and performed by the regional superintendent of schools for that area under the provisions of this Code or any other laws of this State.

The State Board of Education shall promulgate rules and regulations necessary to implement this Section. The rules shall include
detailed standards which delineate the scope and specific content of programs to be provided by each Educational Service Center, as well as the specific planning, implementation and evaluation services to be provided by each Center relative to its programs. The Board shall also provide the standards by which it will evaluate the programs provided by each Center.

(b) Centers serving Class 1 county school units shall be governed by an 11-member board, 3 members of which shall be public school teachers nominated by the local bargaining representatives to the appropriate regional superintendent for appointment and no more than 3 members of which shall be from each of the following categories, including but not limited to superintendents, regional superintendents, school board members and a representative of an institution of higher education. The members of the board shall be appointed by the regional superintendents whose school districts are served by the educational service center. The composition of the board will reflect the revisions of this amendatory Act of 1989 as the terms of office of current members expire.

(c) The centers shall be of sufficient size and number to assure delivery of services to all local school districts in the State.

(d) From monies appropriated for this program the State Board of Education shall provide grants paid from the Personal Property Tax Replacement Fund for fiscal year 2012 only, and from the General Revenue Fund for fiscal year 2013 and beyond to qualifying Educational Service Centers applying for such grants in accordance with rules and regulations promulgated by the State Board of Education to implement this Section.

(e) The governing authority of each of the 18 regional educational service centers shall appoint a family life - sex education advisory board consisting of 2 parents, 2 teachers, 2 school administrators, 2 school board members, 2 health care professionals, one library system representative, and the director of the regional educational service center who shall serve as chairperson of the advisory board so appointed. Members of the family life - sex education advisory boards shall serve without compensation. Each of the advisory boards appointed pursuant to this subsection shall develop a plan for regional teacher-parent family life - sex education training sessions and shall file a written report of such plan with the governing board of their regional educational service center. The directors of each of the regional educational service centers shall thereupon meet,

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review each of the reports submitted by the advisory boards and combine those reports into a single written report which they shall file with the Citizens Council on School Problems prior to the end of the regular school term of the 1987-1988 school year.

(f) The 14 educational service centers serving Class I county school units shall be disbanded on the first Monday of August, 1995, and their statutory responsibilities and programs shall be assumed by the regional offices of education, subject to rules and regulations developed by the State Board of Education. The regional superintendents of schools elected by the voters residing in all Class I counties shall serve as the chief administrators for these programs and services. By rule of the State Board of Education, the 10 educational service regions of lowest population shall provide such services under cooperative agreements with larger regions. (Source: P.A. 96-893, eff. 7-1-10; 97-619, eff. 11-14-11.)

(105 ILCS 5/3-2.5)

Sec. 3-2.5. Salaries.

(a) Except as otherwise provided in this Section, the regional superintendents of schools shall receive for their services an annual salary according to the population, as determined by the last preceding federal census, of the region they serve, as set out in the following schedule:

<table>
<thead>
<tr>
<th>POPULATION OF REGION</th>
<th>ANNUAL SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 48,000</td>
<td>$73,500</td>
</tr>
<tr>
<td>48,000 to 99,999</td>
<td>$78,000</td>
</tr>
<tr>
<td>100,000 to 999,999</td>
<td>$81,500</td>
</tr>
<tr>
<td>1,000,000 and over</td>
<td>$83,500</td>
</tr>
</tbody>
</table>

The changes made by Public Act 86-98 in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence after July 26, 1989 and before the first Monday of August, 1995.

The changes made by Public Act 89-225 in the annual salary that regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during their elected terms of office that commence after August 4, 1995 and end on August 1, 1999.

The changes made by this amendatory Act of the 91st General Assembly in the annual salary that the regional superintendents of schools

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shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence on or after August 2, 1999.

Beginning July 1, 2000, the salary that the regional superintendent of schools receives for his or her services shall be adjusted annually to reflect the percentage increase, if any, in the most recent Consumer Price Index, as defined and officially reported by the United States Department of Labor, Bureau of Labor Statistics, except that no annual increment may exceed 2.9%. If the percentage of change in the Consumer Price Index is a percentage decrease, the salary that the regional superintendent of schools receives shall not be adjusted for that year.

When regional superintendents are authorized by the School Code to appoint assistant regional superintendents, the assistant regional superintendent shall receive an annual salary based on his or her qualifications and computed as a percentage of the salary of the regional superintendent to whom he or she is assistant, as set out in the following schedule:

<table>
<thead>
<tr>
<th>SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS</th>
<th>QUALIFICATIONS</th>
<th>PERCENTAGE OF SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSISTANT REGIONAL SUPERINTENDENT</td>
<td></td>
<td>OF REGIONAL SUPERINTENDENT</td>
</tr>
<tr>
<td>No Bachelor's degree, but State certificate valid for teaching and supervising.</td>
<td></td>
<td>70%</td>
</tr>
<tr>
<td>Bachelor's degree plus State certificate valid for supervising.</td>
<td></td>
<td>75%</td>
</tr>
<tr>
<td>Master's degree plus State certificate valid for supervising.</td>
<td></td>
<td>90%</td>
</tr>
</tbody>
</table>

However, in any region in which the appointment of more than one assistant regional superintendent is authorized, whether by Section 3-15.10 of this Code or otherwise, not more than one assistant may be compensated at the 90% rate and any other assistant shall be paid at not exceeding the 75% rate, in each case depending on the qualifications of the assistant.

The salaries provided in this Section plus an amount for other employment-related compensation or benefits for regional superintendents

New matter indicated by italics - deletions by strikeout
and assistant regional superintendents are payable monthly by the State Board of Education out of the Personal Property Tax Replacement Fund through a specific appropriation to that effect in the State Board of Education budget for the fiscal years 2012 and 2013 only, and are payable monthly from the Common School Fund for fiscal year 2014 and beyond through a specific appropriation to that effect in the State Board of Education budget. The State Comptroller in making his or her warrant to any county for the amount due it from the Personal Property Tax Replacement Fund for the fiscal years 2012 and 2013 only, and from the Common School Fund for fiscal year 2014 and beyond shall deduct from it the several amounts for which warrants have been issued to the regional superintendent, and any assistant regional superintendent, of the educational service region encompassing the county since the preceding apportionment from the Personal Property Tax Replacement Fund for the fiscal years 2012 and 2013 only, and from the Common School Fund for fiscal year 2014 and beyond.

County boards may provide for additional compensation for the regional superintendent or the assistant regional superintendents, or for each of them, to be paid quarterly from the county treasury.

(b) Upon abolition of the office of regional superintendent of schools in educational service regions containing 2,000,000 or more inhabitants as provided in Section 3-0.01 of this Code, the funds provided under subsection (a) of this Section shall continue to be appropriated and reallocated, as provided for pursuant to subsection (b) of Section 3-0.01 of this Code, to the educational service centers established pursuant to Section 2-3.62 of this Code for an educational service region containing 2,000,000 or more inhabitants.

(c) If the State pays all or any portion of the employee contributions required under Section 16-152 of the Illinois Pension Code for employees of the State Board of Education, it shall also, subject to appropriation in the State Board of Education budget for such payments to Regional Superintendents and Assistant Regional Superintendents, pay the employee contributions required of regional superintendents of schools and assistant regional superintendents of schools on the same basis, but excluding any contributions based on compensation that is paid by the county rather than the State.

This subsection (c) applies to contributions based on payments of salary earned after the effective date of this amendatory Act of the 91st General Assembly, except that in the case of an elected regional
superintendent of schools, this subsection does not apply to contributions based on payments of salary earned during a term of office that commenced before the effective date of this amendatory Act.
(Source: P.A. 96-893, eff. 7-1-10; 96-1086, eff. 7-16-10; 97-333, eff. 8-12-11; 97-619, eff. 11-14-11; 97-732, eff. 6-30-12.)

Sec. 18-5. Compensation of regional superintendents and assistants. The State Board of Education shall request an appropriation payable from the Personal Property Tax Replacement Fund for fiscal years 2012 and 2013 only, and the common school fund for fiscal year 2014 and beyond as and for compensation for regional superintendents of schools and the assistant regional superintendents of schools authorized by Section 3-15.10 of this Act, and as provided in "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto", approved March 29, 1872 as amended, and shall present vouchers to the Comptroller monthly for the payment to the several regional superintendents and such assistant regional superintendents of their compensation as fixed by law. Such payments shall be made either (1) monthly, at the close of the month, or (2) semimonthly on or around the 15th of the month and at the close of the month, at the option of the regional superintendent or assistant regional superintendent.
(Source: P.A. 97-619, eff. 11-14-11; 97-732, eff. 6-30-12.)

Section 5-90. The Illinois Public Aid Code is amended by changing Sections 5-5.4 and 12-9.1 and by adding Section 12-10.10 as follows:

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services. The Department of Healthcare and Family Services shall develop standards of payment of nursing facility and ICF/DD services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for nursing facility or ICF/DD services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the ID/DD Community Care Act or the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the

New matter indicated by italics - deletions by strikeout
capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before January 1, 2014, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus $1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2009 shall include an increase sufficient to provide a $0.50 per hour wage increase for non-executive staff.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus $3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by $4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per
resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally

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Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, except facilities participating in the Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

(i) For rates taking effect January 1, 2007, $60,000,000.
(ii) For rates taking effect January 1, 2008, $110,000,000.
(iii) For rates taking effect January 1, 2009, $194,000,000.
(iv) For rates taking effect April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, $416,500,000 or an amount as may be necessary to complete the transition to the MDS methodology for the nursing component of the rate. Increased payments under this item (iv) are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the

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rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2009, the per diem support component of the rates effective on January 1, 2008, computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006, shall be increased to the amount that would have been derived using standard Department of Healthcare and Family Services methods, procedures, and inflators.

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Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, or facilities licensed by the Department of Public Health under the Specialized Mental Health Rehabilitation Act, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor of 3.53. For services provided on or after April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, whichever is later, the Illinois Department may by rule adjust these socio-development component rates, and may use different adjustment methodologies for those facilities participating, and those not participating, in the Illinois Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, but in no case may such rates be diminished below those in effect on August 1, 2008.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 95th General Assembly shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs

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as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year.

In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices.
practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

The Department shall develop enhanced payments to offset the additional costs incurred by a facility serving exceptional need residents and shall allocate at least $8,000,000 of the funds collected from the assessment established by Section 5B-2 of this Code for such payments. For the purpose of this Section, "exceptional needs" means, but need not be limited to, ventilator care, tracheotomy care, bariatric care, complex wound care, and traumatic brain injury care. The enhanced payments for exceptional need residents under this paragraph are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Beginning January 1, 2014 the methodologies for reimbursement of nursing facility services as provided under this Section 5-5.4 shall no longer be applicable for services provided on or after January 1, 2014.

No payment increase under this Section for the MDS methodology, exceptional care residents, or the socio-development component rate established by Public Act 96-1530 of the 96th General Assembly and funded by the assessment imposed under Section 5B-2 of this Code shall be due and payable until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under this Section have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under this Section and the waivers granted under 42 CFR 433.68, all increased payments otherwise due under this Section prior to the date of notification shall be due and payable within 90 days of the date federal approval is received.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.
Sec. 12-9.1. DHS Recoveries Trust Fund; uses. The DHS Recoveries Trust Fund shall consist of (1) recoveries authorized by this Code in respect to applicants or recipients under Articles III, IV, and VI, including recoveries from the estates of deceased recipients, (2) payments received by the Illinois Department of Human Services under Sections 10-3.1, 10-8, 10-10, 10-16, 10-19, and 12-9 that are required by those Sections to be paid into the DHS Recoveries Trust Fund, (3) federal financial participation revenue related to eligible disbursements made by the Illinois Department of Human Services from appropriations required by this Section, and (4) amounts received by the Illinois Department of Human Services directly from federal or State grants and intended to be used to pay a portion of the Department's administrative expenses associated with those grants. This Fund shall be held as a special fund in the State Treasury.

Disbursements from the Fund shall be only (1) for the reimbursement of claims collected by the Illinois Department of Human Services through error or mistake, (2) for payment to persons or agencies designated as payees or co-payees on any instrument, whether or not negotiable, delivered to the Illinois Department of Human Services as a recovery under this Section, such payment to be in proportion to the respective interests of the payees in the amount so collected, (3) for payments to non-recipients, or to former recipients of financial aid of the collections which are made in their behalf under Article X, (4) for payment to local governmental units of support payments collected by the Illinois Department of Human Services pursuant to an agreement under Section 10-3.1, (5) for payment of administrative expenses incurred in performing the activities authorized by Article X, (6) for payment of administrative expenses associated with the administration of federal or State grants, (7) for payment of fees to person or agencies in the performance of activities pursuant to the collection of moneys owed the State, (8) for payments of any amounts which are reimbursable to the federal government which are required to be paid by State warrant by either the State or federal government, and (9) for disbursements to attorneys or advocates for legal representation in an appeal of any claim for federal Supplemental

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Security Income benefits before an administrative law judge as provided for in Section 3-13 of this Code. Disbursements from the Fund for purposes of items (5), (6), (7), and (9) of this paragraph shall be subject to appropriations from the Fund to the Illinois Department of Human Services.

The balance in the Fund on the first day of each calendar quarter, after payment therefrom of any amounts reimbursable to the federal government, and minus the amount reasonably anticipated to be needed to make the disbursements during that quarter authorized by this Section, shall be certified by the Secretary of Human Services and transferred by the State Comptroller to the General Revenue Fund within 30 days after the first day of each calendar quarter.

(Source: P.A. 91-24, eff. 7-1-99.)

(305 ILCS 5/12-10.10 new)

Sec. 12-10.10. DHS Technology Initiative Fund.

(a) The DHS Technology Initiative Fund is hereby created as a trust fund within the State treasury with the State Treasurer as the ex-officio custodian of the Fund.

(b) The Department of Human Services may accept and receive grants, awards, gifts, and bequests from any source, public or private, in support of information technology initiatives. Moneys received in support of information technology initiatives, and any interest earned thereon, shall be deposited into the DHS Technology Initiative Fund.

(c) Moneys in the Fund may be used by the Department of Human Services for the purpose of making grants associated with the development and implementation of information technology projects or paying for operational expenses of the Department of Human Services related to such projects.

Section 5-95. The Illinois Vehicle Code is amended by changing Section 13C-10 as follows:

(625 ILCS 5/13C-10)

Sec. 13C-10. Program.

(a) The Agency shall establish a program to begin February 1, 2007, to reduce the emission of pollutants by motor vehicles. This program shall be a replacement for and continuation of the program established under the Vehicle Emissions Inspection Law of 1995, Chapter 13B of this Code.

At a minimum, this program shall provide for all of the following:

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(1) The inspection of certain motor vehicles every 2 years, as required under Section 13C-15.

(2) The establishment and operation of official inspection stations.

(3) The designation of official test equipment and testing procedures.

(4) The training and supervision of inspectors and other personnel.

(5) Procedures to assure the correct operation, maintenance, and calibration of test equipment.

(6) Procedures for certifying test results and for reporting and maintaining relevant data and records.

(7) The funding of alternate fuel rebates and grants as authorized by Section 30 of the Alternate Fuels Act.

(b) The Agency shall provide for the operation of a sufficient number of official inspection stations to prevent undue difficulty for motorists to obtain the inspections required under this Chapter. In the event that the Agency operates inspection stations or contracts with one or more parties to operate inspection stations on its behalf, the Agency shall endeavor to: (i) locate the stations so that the owners of vehicles subject to inspection reside within 12 miles of an official inspection station; and (ii) have sufficient inspection capacity at the stations so that the usual wait before the start of an inspection does not exceed 15 minutes.

(Source: P.A. 94-526, eff. 1-1-06.)

Section 5-100. The Clerks of Courts Act is amended by changing Section 27.3 as follows:

(705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

Sec. 27.3. Compensation.

(a) The county board shall provide the compensation of Clerks of the Circuit Court, and the amount necessary for clerk hire, stationery, fuel and other expenses. Beginning December 1, 1989, the compensation per annum for Clerks of the Circuit Court shall be as follows:

In counties where the population is:

<table>
<thead>
<tr>
<th>Population Range</th>
<th>Minimum Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 14,000</td>
<td>at least $13,500</td>
</tr>
<tr>
<td>14,001-30,000</td>
<td>at least $14,500</td>
</tr>
<tr>
<td>30,001-60,000</td>
<td>at least $15,000</td>
</tr>
<tr>
<td>60,001-100,000</td>
<td>at least $15,000</td>
</tr>
<tr>
<td>100,001-200,000</td>
<td>at least $16,500</td>
</tr>
<tr>
<td>200,001-300,000</td>
<td>at least $18,000</td>
</tr>
</tbody>
</table>

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300,001- 3,000,000................. at least $20,000
Over 3,000,000................. at least $55,000

(b) In counties in which the population is 3,000,000 or less, "base salary" is the compensation paid for each Clerk of the Circuit Court, respectively, before July 1, 1989.

(c) The Clerks of the Circuit Court, in counties in which the population is 3,000,000 or less, shall be compensated as follows:
   (1) Beginning December 1, 1989, base salary plus at least 3% of base salary.
   (2) Beginning December 1, 1990, base salary plus at least 6% of base salary.
   (3) Beginning December 1, 1991, base salary plus at least 9% of base salary.
   (4) Beginning December 1, 1992, base salary plus at least 12% of base salary.

(d) In addition to the compensation provided by the county board, each Clerk of the Circuit Court shall receive an award from the State for the additional duties imposed by Sections 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section 10 of the Violent Crime Victims Assistance Act, Section 16-104a of the Illinois Vehicle Code, and other laws, in the following amount:
   (1) $3,500 per year before January 1, 1997.
   (2) $4,500 per year beginning January 1, 1997.
   (3) $5,500 per year beginning January 1, 1998.
   (4) $6,500 per year beginning January 1, 1999.
   The total amount required for such awards shall be appropriated each year by the General Assembly to the Supreme Court, which shall distribute such awards in annual lump sum payments to the Clerks of the Circuit Court in all counties. This annual award, and any other award or stipend paid out of State funds to the Clerks of the Circuit Court, shall not affect any other compensation provided by law to be paid to Clerks of the Circuit Court.

(e) (Blank). Also in addition to the compensation provided by the county board, Clerks of the Circuit Court in counties in which one or more State correctional institutions are located shall receive a minimum reimbursement in the amount of $2,500 per year for administrative assistance to perform services in connection with the State correctional institution, payable monthly from the State Treasury to the treasurer of the county in which the additional staff is employed. Counties whose State

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correctional institution inmate population exceeds 250 shall receive reimbursement in the amount of $2,500 per 250 inmates. This subsection (e) shall not apply to staff added before November 29, 1990.

For purposes of this subsection (e), "State correctional institution" means any facility of the Department of Corrections, including without limitation adult facilities, juvenile facilities, pre-release centers, community correction centers, and work camps.

(f) No county board may reduce or otherwise impair the compensation payable from county funds to a Clerk of the Circuit Court if the reduction or impairment is the result of the Clerk of the Circuit Court receiving an award or stipend payable from State funds.

(Source: P.A. 92-114, eff. 1-1-02.)

Section 5-105. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 18 as follows:

(765 ILCS 1025/18) (from Ch. 141, par. 118)

Sec. 18. Deposit of funds received under the Act.

(a) The State Treasurer shall retain all funds received under this Act, including the proceeds from the sale of abandoned property under Section 17, in a trust fund. The State Treasurer may deposit any amount in the Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the trust fund exceeding $2,500,000 into the State Pensions Fund. Beginning in State fiscal year 2015, all amounts in excess of $2,500,000 that are deposited into the State Pensions Fund from the unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies. He or she shall make prompt payment of claims he or she duly allows as provided for in this Act for the trust fund. Before making the deposit the State Treasurer shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property. The record shall be available for public inspection during reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the State Treasurer may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to
this Act. The State Treasurer shall semiannually file an itemized report of
all such expenses with the Legislative Audit Commission.
(Source: P.A. 96-1000, eff. 7-2-10; 97-732, eff. 6-30-12.)

ARTICLE 10.

RETIREMENT CONTRIBUTIONS

Section 10-5. The State Finance Act is amended by changing
Sections 8.12 and 14.1 as follows:

(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)


(a) The moneys in the State Pensions Fund shall be used
exclusively for the administration of the Uniform Disposition of
Unclaimed Property Act and for the expenses incurred by the Auditor
General for administering the provisions of Section 2-8.1 of the Illinois
State Auditing Act and for the funding of the unfunded liabilities of the
designated retirement systems. Beginning in State fiscal year 2014,
payments to the designated retirement systems under this Section shall be
in addition to, and not in lieu of, any State contributions required under the
Illinois Pension Code.

"Designated retirement systems" means:

(1) the State Employees' Retirement System of Illinois;
(2) the Teachers' Retirement System of the State of Illinois;
(3) the State Universities Retirement System;
(4) the Judges Retirement System of Illinois; and
(5) the General Assembly Retirement System.

(b) Each year the General Assembly may make appropriations from
the State Pensions Fund for the administration of the Uniform Disposition of
Unclaimed Property Act.

Each month, the Commissioner of the Office of Banks and Real
Estate shall certify to the State Treasurer the actual expenditures that the
Office of Banks and Real Estate incurred conducting unclaimed property
examinations under the Uniform Disposition of Unclaimed Property Act
during the immediately preceding month. Within a reasonable time
following the acceptance of such certification by the State Treasurer, the
State Treasurer shall pay from its appropriation from the State Pensions
Fund to the Bank and Trust Company Fund and the Savings and
Residential Finance Regulatory Fund an amount equal to the expenditures
incurred by each Fund for that month.

Each month, the Director of Financial Institutions shall certify to
the State Treasurer the actual expenditures that the Department of

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Financial Institutions incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Financial Institutions Fund and the Credit Union Fund an amount equal to the expenditures incurred by each Fund for that month.

(c) As soon as possible after the effective date of this amendatory Act of the 93rd General Assembly, the General Assembly shall appropriate from the State Pensions Fund (1) to the State Universities Retirement System the amount certified under Section 15-165 during the prior year, (2) to the Judges Retirement System of Illinois the amount certified under Section 18-140 during the prior year, and (3) to the General Assembly Retirement System the amount certified under Section 2-134 during the prior year as part of the required State contributions to each of those designated retirement systems; except that amounts appropriated under this subsection (c) in State fiscal year 2005 shall not reduce the amount in the State Pensions Fund below $5,000,000. If the amount in the State Pensions Fund does not exceed the sum of the amounts certified in Sections 15-165, 18-140, and 2-134 by at least $5,000,000, the amount paid to each designated retirement system under this subsection shall be reduced in proportion to the amount certified by each of those designated retirement systems.

(c-5) For fiscal years 2006 through 2013, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement System the amount estimated to be available during the fiscal year in the State Pensions Fund; provided, however, that the amounts appropriated under this subsection (c-5) shall not reduce the amount in the State Pensions Fund below $5,000,000.

(c-6) For fiscal year 2014 and each fiscal year thereafter, as soon as may be practical after any money is deposited into the State Pensions Fund from the Unclaimed Property Trust Fund, the State Treasurer shall apportion the deposited amount among the designated retirement systems as defined in subsection (a) to reduce their actuarial reserve deficiencies. The State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems to fund the unfunded liabilities of the designated retirement systems. The amount apportioned to each designated retirement system shall constitute a portion

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of the amount estimated to be available for appropriation from the State Pensions Fund that is the same as that retirement system's portion of the total actual reserve deficiency of the systems, as determined annually by the Governor's Office of Management and Budget at the request of the State Treasurer. The amounts apportioned under this subsection shall not reduce the amount in the State Pensions Fund below $5,000,000.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) As soon as practicable after the effective date of this amendatory Act of the 93rd General Assembly, the Comptroller shall direct and the Treasurer shall transfer from the State Pensions Fund to the General Revenue Fund, as funds become available, a sum equal to the amounts that would have been paid from the State Pensions Fund to the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, the General Assembly Retirement System, and the State Employees' Retirement System of Illinois after the effective date of this amendatory Act during the remainder of fiscal year 2004 to the designated retirement systems from the appropriations provided for in this Section if the transfers provided in Section 6z-61 had not occurred. The transfers described in this subsection (d-1) are to partially repay the General Revenue Fund for the costs associated with the bonds used to fund the moneys transferred to the designated retirement systems under Section 6z-61.

(e) The changes to this Section made by this amendatory Act of 1994 shall first apply to distributions from the Fund for State fiscal year 1996.

(Source: P.A. 96-959, eff. 7-1-10; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; revised 10-17-12.)

(30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

Sec. 14.1. Appropriations for State contributions to the State Employees' Retirement System; payroll requirements.

(a) Appropriations for State contributions to the State Employees' Retirement System of Illinois shall be expended in the manner provided in this Section. Except as otherwise provided in subsections (a-1), (a-2), (a-
3), and (a-4) at the time of each payment of salary to an employee under the personal services line item, payment shall be made to the State Employees' Retirement System, from the amount appropriated for State contributions to the State Employees' Retirement System, of an amount calculated at the rate certified for the applicable fiscal year by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. If a line item appropriation to an employer for this purpose is exhausted or is unavailable due to any limitation on appropriations that may apply, (including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act), the amounts shall be paid under the continuing appropriation for this purpose contained in the State Pension Funds Continuing Appropriation Act.

(a-1) Beginning on the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, appropriations for State contributions to the State Employees' Retirement System of Illinois shall be expended in the manner provided in this subsection (a-1). At the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the General Revenue Fund from the amount appropriated for State contributions to the State Employees' Retirement System of an amount calculated at the rate certified for fiscal year 2004 by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. No payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-2) For fiscal year 2010 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of an amount calculated at the rate certified for fiscal year 2010 by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. For fiscal year

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2010 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-3) For fiscal year 2011 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of an amount calculated at the rate certified for fiscal year 2011 by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. For fiscal year 2011 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-4) In fiscal years 2012 through 2014 and 2013 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of an amount calculated at the rate certified for the applicable fiscal year by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. In fiscal years 2012 through 2014 and 2013 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(b) Except during the period beginning on the effective date of this amendatory Act of the 93rd General Assembly and ending at the time of the payment of the final payroll from fiscal year 2004 appropriations, the State Comptroller shall not approve for payment any payroll voucher that (1) includes payments of salary to eligible employees in the State Employees' Retirement System of Illinois and (2) does not include the corresponding payment of State contributions to that retirement system at the full rate certified under Section 14-135.08 for that fiscal year for eligible employees, unless the balance in the fund on which the payroll voucher is drawn is insufficient to pay the total payroll voucher, or unavailable due to any limitation on appropriations that may apply,
including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act. If the State Comptroller approves a payroll voucher under this Section for which the fund balance is insufficient to pay the full amount of the required State contribution to the State Employees' Retirement System, the Comptroller shall promptly so notify the Retirement System.

(b-1) For fiscal year 2010 and fiscal year 2011 only, the State Comptroller shall not approve for payment any non-General Revenue Fund payroll voucher that (1) includes payments of salary to eligible employees in the State Employees' Retirement System of Illinois and (2) does not include the corresponding payment of State contributions to that retirement system at the full rate certified under Section 14-135.08 for that fiscal year for eligible employees, unless the balance in the fund on which the payroll voucher is drawn is insufficient to pay the total payroll voucher, or unavailable due to any limitation on appropriations that may apply, including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act. If the State Comptroller approves a payroll voucher under this Section for which the fund balance is insufficient to pay the full amount of the required State contribution to the State Employees' Retirement System of Illinois, the Comptroller shall promptly so notify the retirement system.

(c) Notwithstanding any other provisions of law, beginning July 1, 2007, required State and employee contributions to the State Employees' Retirement System of Illinois relating to affected legislative staff employees shall be paid out of moneys appropriated for that purpose to the Commission on Government Forecasting and Accountability, rather than out of the lump-sum appropriations otherwise made for the payroll and other costs of those employees.

These payments must be made pursuant to payroll vouchers submitted by the employing entity as part of the regular payroll voucher process.

For the purpose of this subsection, "affected legislative staff employees" means legislative staff employees paid out of lump-sum appropriations made to the General Assembly, an Officer of the General Assembly, or the Senate Operations Commission, but does not include district-office staff or employees of legislative support services agencies.

(Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10; 96-1497, eff. 1-14-11; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12.)

ARTICLE 15. GRANT FUNDS RECOVERY ACT

New matter indicated by italics - deletions by strikeout
Section 15-5. The Illinois Grant Funds Recovery Act is amended by changing Section 4.2 as follows:

(30 ILCS 705/4.2)

Sec. 4.2. Suspension of grant making authority. Any grant funds and any grant program administered by a grantor agency subject to this Act are indefinitely suspended on June 30, 2014, and on July 1st of every 5th year thereafter, unless the General Assembly, by law, authorizes that grantor agency to make grants or lifts the suspension of the authorization of that grantor agency to make grants. In the case of a suspension of the authorization of a grantor agency to make grants, the authority of that grantor agency to make grants is suspended until the suspension is explicitly lifted by law by the General Assembly, even if an appropriation has been made for the explicit purpose of such grants. This suspension of grant making authority supersedes any other law or rule to the contrary.

(Source: P.A. 96-152, eff. 2-16-11; 97-732, eff. 6-30-12; 97-1144, eff. 12-28-12.)

ARTICLE 99.

Section 99-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Approved June 19, 2013.
Effective June 19, 2013.

PUBLIC ACT 98-0025
(House Bill No. 0099)

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by changing Section 15-1502.5 as follows:

(735 ILCS 5/15-1502.5)

(Section scheduled to be repealed on July 1, 2013)

Sec. 15-1502.5. Homeowner protection.

(a) As used in this Section:

"Approved counseling agency" means a housing counseling agency approved by the U.S. Department of Housing and Urban Development.

New matter indicated by italics - deletions by strikeout
"Approved Housing Counseling" means in-person counseling provided by a counselor employed by an approved counseling agency to all borrowers, or documented telephone counseling where a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to medical conditions, as verified in writing by a physician or the borrower resides 50 miles or more from the nearest approved counseling agency. In instances of telephone counseling, the borrower must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session.

"Delinquent" means past due with respect to a payment on a mortgage secured by residential real estate.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of Financial and Professional Regulation or other person authorized to act in the Secretary's stead.

"Sustainable loan workout plan" means a plan that the mortgagor and approved counseling agency believe shall enable the mortgagor to stay current on his or her mortgage payments for the foreseeable future when taking into account the mortgagor income and existing and foreseeable debts. A sustainable loan workout plan may include, but is not limited to, (1) a temporary suspension of payments, (2) a lengthened loan term, (3) a lowered or frozen interest rate, (4) a principal write down, (5) a repayment plan to pay the existing loan in full, (6) deferred payments, or (7) refinancing into a new affordable loan.

(b) Except in the circumstance in which a mortgagor has filed a petition for relief under the United States Bankruptcy Code, no mortgagor shall file a complaint to foreclose a mortgage secured by residential real estate until the requirements of this Section have been satisfied.

(c) Notwithstanding any other provision to the contrary, with respect to a particular mortgage secured by residential real estate, the procedures and forbearances described in this Section apply only once per subject mortgage.

Except for mortgages secured by residential real estate in which any mortgagor has filed for relief under the United States Bankruptcy Code, if a mortgage secured by residential real estate becomes delinquent by more than 30 days the mortgagee shall send via U.S. mail a notice advising the mortgagor that he or she may wish to seek approved housing counseling. Notwithstanding anything to the contrary in this Section,
nothing shall preclude the mortgagor and mortgagee from communicating with each other during the initial 30 days of delinquency or reaching agreement on a sustainable loan workout plan, or both.

No foreclosure action under Part 15 of Article XV of the Code of Civil Procedure shall be instituted on a mortgage secured by residential real estate before mailing the notice described in this subsection (c).

The notice required in this subsection (c) shall state the date on which the notice was mailed, shall be headed in bold 14-point type "GRACE PERIOD NOTICE", and shall state the following in 14-point type: "YOUR LOAN IS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED HOUSING COUNSELING. YOU HAVE A GRACE PERIOD OF 30 DAYS FROM THE DATE OF THIS NOTICE TO OBTAIN APPROVED HOUSING COUNSELING. DURING THE GRACE PERIOD, THE LAW PROHIBITS US FROM TAKING ANY LEGAL ACTION AGAINST YOU. YOU MAY BE ENTITLED TO AN ADDITIONAL 30 DAY GRACE PERIOD IF YOU OBTAIN HOUSING COUNSELING FROM AN APPROVED HOUSING COUNSELING AGENCY. A LIST OF APPROVED COUNSELING AGENCIES MAY BE OBTAINED FROM THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION."

The notice shall also list the Department's current consumer hotline, the Department's website, and the telephone number, fax number, and mailing address of the mortgagee. No language, other than language substantially similar to the language prescribed in this subsection (c), shall be included in the notice. Notwithstanding any other provision to the contrary, the grace period notice required by this subsection (c) may be combined with a counseling notification required under federal law.

The sending of the notice required under this subsection (c) means depositing or causing to be deposited into the United States mail an envelope with first-class postage prepaid that contains the document to be delivered. The envelope shall be addressed to the mortgagor at the common address of the residential real estate securing the mortgage.

(d) Until 30 days after mailing the notice provided for under subsection (c) of this Section, no legal action shall be instituted under Part 15 of Article XV of the Code of Civil Procedure.

(e) If, within the 30-day period provided under subsection (d) of this Section, an approved counseling agency provides written notice to the
mortgagee that the mortgagor is seeking approved counseling services, then no legal action under Part 15 of Article XV of the Code of Civil Procedure shall be instituted for 30 days after the date of that notice. The date that such notice is sent shall be stated in the notice, and shall be sent to the address or fax number contained in the Grace Period Notice required under subsection (c) of this Section. During the 30-day period provided under this subsection (e), the mortgagor or counselor or both may prepare and proffer to the mortgagee a proposed sustainable loan workout plan. The mortgagee will then determine whether to accept the proposed sustainable loan workout plan. If the mortgagee and the mortgagor agree to a sustainable loan workout plan, then no legal action under Part 15 of Article XV of the Code of Civil Procedure shall be instituted for as long as the sustainable loan workout plan is complied with by the mortgagor.

The agreed sustainable loan workout plan and any modifications thereto must be in writing and signed by the mortgagee and the mortgagor.

Upon written notice to the mortgagee, the mortgagor may change approved counseling agencies, but such a change does not entitle the mortgagor to any additional period of forbearance.

(f) If the mortgagor fails to comply with the sustainable loan workout plan, then nothing in this Section shall be construed to impair the legal rights of the mortgagee to enforce the contract.

(g) A counselor employed by a housing counseling agency or the housing counseling agency that in good faith provides counseling shall not be liable to a mortgagee or mortgagor for civil damages, except for willful or wanton misconduct on the part of the counselor in providing the counseling.

(h) There shall be no waiver of any provision of this Section.

(i) It is the General Assembly's intent that compliance with this Section shall not prejudice a mortgagee in ratings of its bad debt collection or calculation standards or policies.

(j) This Section shall not apply, or shall cease to apply, to residential real estate that is not occupied as a principal residence by the mortgagor.

(k) This Section is repealed July 1, 2016.

(Source: P.A. 95-1047, eff. 4-6-09; 96-1419, eff. 10-1-10.)

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

Passed in the General Assembly May 9, 2013.

Approved June 20, 2013.

New matter indicated by italics - deletions by strikeout
Effective June 20, 2013.

PUBLIC ACT 98-0026
(House Bill No. 0003)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 17-2.11 and 17-2A as follows:

(105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

Sec. 17-2.11. School board power to levy a tax or to borrow money and issue bonds for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes.

(a) Whenever, as a result of any lawful order of any agency, other than a school board, having authority to enforce any school building code applicable to any facility that houses students, or any law or regulation for the protection and safety of the environment, pursuant to the Environmental Protection Act, any school district having a population of less than 500,000 inhabitants is required to alter or reconstruct any school building or permanent, fixed equipment; the district may, by proper resolution, levy a tax for the purpose of making such alteration or reconstruction, based on a survey report by an architect or engineer licensed in this State, upon all of the taxable property of the district at the value as assessed by the Department of Revenue and at a rate not to exceed 0.05% per year for a period sufficient to finance such alteration or reconstruction, upon the following conditions:

(1) When there are not sufficient funds available in the operations and maintenance fund of the school district, the school facility occupation tax fund of the district, or the fire prevention and safety fund of the district, as determined by the district on the basis of rules adopted by the State Board of Education, to make such alteration or reconstruction or to purchase and install such permanent, fixed equipment so ordered or determined as necessary. Appropriate school district records must be made available to the State Superintendent of Education, upon request, to confirm this insufficiency.

(2) When a certified estimate of an architect or engineer licensed in this State stating the estimated amount necessary to
make the alteration or reconstruction or to purchase and install the
equipment so ordered has been secured by the school district, and
the estimate has been approved by the regional superintendent of
schools having jurisdiction over the district and the State
Superintendent of Education. Approval must not be granted for any
work that has already started without the prior express
authorization of the State Superintendent of Education. If the
estimate is not approved or is denied approval by the regional
superintendent of schools within 3 months after the date on which
it is submitted to him or her, the school board of the district may
submit the estimate directly to the State Superintendent of
Education for approval or denial.

In the case of an emergency situation, where the estimated cost to
effectuate emergency repairs is less than the amount specified in Section
10-20.21 of this Code, the school district may proceed with such repairs
prior to approval by the State Superintendent of Education, but shall
comply with the provisions of subdivision (2) of this subsection (a) as
soon thereafter as may be as well as Section 10-20.21 of this Code. If the
estimated cost to effectuate emergency repairs is greater than the amount
specified in Section 10-20.21 of this Code, then the school district shall
proceed in conformity with Section 10-20.21 of this Code and with rules
established by the State Board of Education to address such situations. The
rules adopted by the State Board of Education to deal with these situations
shall stipulate that emergency situations must be expedited and given
priority consideration. For purposes of this paragraph, an emergency is a
situation that presents an imminent and continuing threat to the health and
safety of students or other occupants of a facility, requires complete or
partial evacuation of a building or part of a building, or consumes one or
more of the 5 emergency days built into the adopted calendar of the school
or schools or would otherwise be expected to cause such school or schools
to fall short of the minimum school calendar requirements.

(b) Whenever any such district determines that it is necessary for
energy conservation purposes that any school building or permanent, fixed
equipment should be altered or reconstructed and that such alterations or
reconstruction will be made with funds not necessary for the completion of
approved and recommended projects contained in any safety survey report
or amendments thereto authorized by Section 2-3.12 of this Act; the
district may levy a tax or issue bonds as provided in subsection (a) of this
Section.

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(c) Whenever any such district determines that it is necessary for disabled accessibility purposes and to comply with the school building code that any school building or equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized under Section 2-3.12 of this Act, the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(d) Whenever any such district determines that it is necessary for school security purposes and the related protection and safety of pupils and school personnel that any school building or property should be altered or reconstructed or that security systems and equipment (including but not limited to intercom, early detection and warning, access control and television monitoring systems) should be purchased and installed, and that such alterations, reconstruction or purchase and installation of equipment will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendment thereto authorized by Section 2-3.12 of this Act and will deter and prevent unauthorized entry or activities upon school property by unknown or dangerous persons, assure early detection and advance warning of any such actual or attempted unauthorized entry or activities and help assure the continued safety of pupils and school staff if any such unauthorized entry or activity is attempted or occurs; the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(e) If a school district does not need funds for other fire prevention and safety projects, including the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act, and it is determined after a public hearing (which is preceded by at least one published notice (i) occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district and (ii) setting forth the time, date, place, and general subject matter of the hearing) that there is a substantial, immediate, and otherwise unavoidable threat to the health, safety, or welfare of pupils due to disrepair of school sidewalks, playgrounds, parking lots, or school bus turnarounds and repairs must be made; then the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(f) For purposes of this Section a school district may replace a school building or build additions to replace portions of a building when it
is determined that the effectuation of the recommendations for the existing building will cost more than the replacement costs. Such determination shall be based on a comparison of estimated costs made by an architect or engineer licensed in the State of Illinois. The new building or addition shall be equivalent in area (square feet) and comparable in purpose and grades served and may be on the same site or another site. Such replacement may only be done upon order of the regional superintendent of schools and the approval of the State Superintendent of Education.

(g) The filing of a certified copy of the resolution levying the tax when accompanied by the certificates of the regional superintendent of schools and State Superintendent of Education shall be the authority of the county clerk to extend such tax.

(h) The county clerk of the county in which any school district levying a tax under the authority of this Section is located, in reducing raised levies, shall not consider any such tax as a part of the general levy for school purposes and shall not include the same in the limitation of any other tax rate which may be extended.

Such tax shall be levied and collected in like manner as all other taxes of school districts, subject to the provisions contained in this Section.

(i) The tax rate limit specified in this Section may be increased to .10% upon the approval of a proposition to effect such increase by a majority of the electors voting on that proposition at a regular scheduled election. Such proposition may be initiated by resolution of the school board and shall be certified by the secretary to the proper election authorities for submission in accordance with the general election law.

(j) When taxes are levied by any school district for fire prevention, safety, energy conservation, and school security purposes as specified in this Section, and the purposes for which the taxes have been levied are accomplished and paid in full, and there remain funds on hand in the Fire Prevention and Safety Fund from the proceeds of the taxes levied, including interest earnings thereon, the school board by resolution shall use such excess and other board restricted funds, excluding bond proceeds and earnings from such proceeds, as follows:

(1) for other authorized fire prevention, safety, energy conservation, and school security purposes; or

(2) for transfer to the Operations and Maintenance Fund for the purpose of abating an equal amount of operations and maintenance purposes taxes.
Notwithstanding subdivision (2) of this subsection (j) and subsection (k) of this Section, through June 30, 2016, the school board may, by proper resolution following a public hearing set by the school board or the president of the school board (that is preceded (i) by at least one published notice over the name of the clerk or secretary of the board, occurring at least 7 days and not more than 30 days prior to the hearing, in a newspaper of general circulation within the school district and (ii) by posted notice over the name of the clerk or secretary of the board, at least 48 hours before the hearing, at the principal office of the school board or at the building where the hearing is to be held if a principal office does not exist, with both notices setting forth the time, date, place, and subject matter of the hearing), transfer surplus life safety taxes and interest earnings thereon to the Operations and Maintenance Fund for building repair work.

(k) If any transfer is made to the Operation and Maintenance Fund, the secretary of the school board shall within 30 days notify the county clerk of the amount of that transfer and direct the clerk to abate the taxes to be extended for the purposes of operations and maintenance authorized under Section 17-2 of this Act by an amount equal to such transfer.

(l) If the proceeds from the tax levy authorized by this Section are insufficient to complete the work approved under this Section, the school board is authorized to sell bonds without referendum under the provisions of this Section in an amount that, when added to the proceeds of the tax levy authorized by this Section, will allow completion of the approved work.

(m) Any bonds issued pursuant to this Section shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 20 years from date, and shall be signed by the president of the school board and the treasurer of the school district.

(n) In order to authorize and issue such bonds, the school board shall adopt a resolution fixing the amount of bonds, the date thereof, the maturities thereof, rates of interest thereof, place of payment and denomination, which shall be in denominations of not less than $100 and not more than $5,000, and provide for the levy and collection of a direct annual tax upon all the taxable property in the school district sufficient to pay the principal and interest on such bonds to maturity. Upon the filing in the office of the county clerk of the county in which the school district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes.
(o) After the time such bonds are issued as provided for by this Section, if additional alterations or reconstructions are required to be made because of surveys conducted by an architect or engineer licensed in the State of Illinois, the district may levy a tax at a rate not to exceed .05% per year upon all the taxable property of the district or issue additional bonds, whichever action shall be the most feasible.

(p) This Section is cumulative and constitutes complete authority for the issuance of bonds as provided in this Section notwithstanding any other statute or law to the contrary.

(q) With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of Public Act 86-004 (June 6, 1989), it is, and always has been, the intention of the General Assembly (i) that the Omnibus Bond Acts are, and always have been, supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(r) When the purposes for which the bonds are issued have been accomplished and paid for in full and there remain funds on hand from the proceeds of the bond sale and interest earnings therefrom, the board shall, by resolution, use such excess funds in accordance with the provisions of Section 10-22.14 of this Act.

(s) Whenever any tax is levied or bonds issued for fire prevention, safety, energy conservation, and school security purposes, such proceeds shall be deposited and accounted for separately within the Fire Prevention and Safety Fund.

(Source: P.A. 95-675, eff. 10-11-07; 95-793, eff. 1-1-09; 96-252, eff. 8-11-09; 96-1474, eff. 8-23-10.)

(105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

Sec. 17-2A. Interfund Transfers. The school board of any district having a population of less than 500,000 inhabitants may, by proper resolution following a public hearing set by the school board or the president of the school board (that is preceded (i) by at least one published

New matter indicated by italics - deletions by strikeout
notice over the name of the clerk or secretary of the board, occurring at
least 7 days and not more than 30 days prior to the hearing, in a newspaper
of general circulation within the school district and (iii) by posted notice
over the name of the clerk or secretary of the board, at least 48 hours
before the hearing, at the principal office of the school board or at the
building where the hearing is to be held if a principal office does not exist,
with both notices setting forth the time, date, place, and subject matter of
the hearing), transfer money from (1) the Educational Fund to the
Operations and Maintenance Fund or the Transportation Fund, (2) the
Operations and Maintenance Fund to the Educational Fund or the
Transportation Fund, or (3) the Transportation Fund to the Educational
Fund or the Operations and Maintenance Fund of said district, provided
that, except during the period from July 1, 2003 through June 30, 2016,
such transfer is made solely for the purpose of meeting one-time,
non-recurring expenses. Except during the period from July 1, 2003
through June 30, 2016, any other permanent interfund transfers
authorized by any provision or judicial interpretation of this Code for
which the transferee fund is not precisely and specifically set forth in the
provision of this Code authorizing such transfer shall be made to the fund
of the school district most in need of the funds being transferred, as
determined by resolution of the school board.
(Source: P.A. 95-53, eff. 8-10-07; 96-1201, eff. 7-22-10.)

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

Passed in the General Assembly May 21, 2013.
Approved June 21, 2013.
Effective June 21, 2013.

PUBLIC ACT 98-0027
(House Bill No. 0213)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. The sum of $45,534,800, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department on Aging for operational expenses of the fiscal year ending
June 30, 2014, including, but not limited to, costs associated with Benefits

New matter indicated by italics - deletions by strikeout
Eligibility Assistance and Monitoring (BEAM), Home Delivered Meals, and Elder Abuse and Neglect investigations.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

Payable from Services for Older Americans Fund:

DIVISION OF FINANCE AND ADMINISTRATION

Payable from Services for Older Americans Fund:

DIVISION OF HOME AND COMMUNITY SERVICES

Payable from Services for Older Americans Fund:
Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

**DISTRIBUTIVE ITEMS**

**OPERATIONS**

Payable from the Senior Health Insurance Program Fund:
- For the Senior Health Insurance Program........ 3,000,000

Payable from the Long Term Care Ombudsman Fund:
- For Expenses of the Long Term Care Ombudsman Fund................. 3,000,000

Payable from Services for Older Americans Fund:
- For Expenses of Senior Meal Program.............. 134,000
- For Older Americans Training..................... 125,000
- For Ombudsman Training and Conference Planning.......................... 150,000
- For Expenses of the Discretionary Government Projects.................. 3,000,000

Total
Total $3,409,000

Payable from services for Older Americans Fund:
- For Administrative Expenses of Title V Grant.......................... 300,000

Payable from the Department on Aging State Projects Fund:
- For Expenses of Private Partnership Projects........................ 345,000

Section 25. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Department on Aging for ordinary and contingent expenses:

**DISTRIBUTIVE ITEMS**

**GRANTS-IN-AID**

For Grants for Retired Senior Volunteer Program........................ 551,800
For Planning and Service Grants to Area Agencies on Aging.............. 7,722,000
For Grants for the Foster Grandparent Program.......................... 241,400
For Expenses to the Area Agencies

New matter indicated by italics - deletions by strikeout
on Aging for Long-Term Care Systems
Development................................. 243,800
Grants for Community Based Services for
equal distribution to each of the 13
Area Agencies on Aging...................... 751,200
Total $9,510,200

Payable from the Tobacco Settlement
Recovery Fund:
For Grants and Administrative
Expenses of Senior Health
Assistance Programs......................... 1,600,000

Payable from Services for Older Americans Fund:
For Adult Food Care Program............... 200,000
For Title V Employment Services.......... 6,500,000
For Title III C-1 Congregate Meals Program... 21,000,000
For Title III C-2 Home Delivered
Meals Program............................... 11,000,000
For Title III Social Services.............. 17,000,000
For National Lunch Program............... 2,500,000
For National Family Caregiver
Support Program............................. 7,500,000
For Title VII Prevention of Elder
Abuse, Neglect, and Exploitation.......... 500,000
For Title VII Long Term Care
Ombudsman Services for Older Americans... 1,000,000
For Title III D Preventive Health......... 1,000,000
For Nutrition Services Incentive Program.. 8,500,000
For Additional Title V Grant............... 0
Total $76,700,000

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

**DISTRIBUTIVE ITEMS**
**COMMUNITY CARE**

Payable from General Revenue Fund:
For grants and for administrative
expenses associated with the purchase
of services covered by the Community
Care Program............................... 882,821,400
For grants and for administrative expenses associated with Capitated Care Coordination............................. 32,230,000
For grants and for administrative expenses associated with Comprehensive Case Coordination.......................... 60,757,900
Total $975,809,300

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriations of General Revenue Funds in Section 30 above among the various purposes therein enumerated.

ARTICLE 2

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

ENTIRE AGENCY

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services............................ 210,726,300
For State Contributions to Social Security............................ 16,116,800
For Contractual Services.......................... 26,726,700
For Travel......................................... 6,768,200
For Commodities.................................... 465,100
For Printing........................................ 474,000
For Equipment...................................... 47,400
For Electronic Data Processing................... 1,571,400
For Telecommunications.......................... 4,974,900
For Operation of Automotive Equipment........ 174,000
Total $268,045,800

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION

PAYABLE FROM GENERAL REVENUE FUND

For Attorney General Representation on Child Welfare Litigation Issues.............. 474,000

PAYABLE FROM DCFS SPECIAL PURPOSES TRUST FUND

For Expenditures of Private Funds for Child Welfare Improvements.................... 689,100

New matter indicated by italics - deletions by strikeout
Section 15. The following named sum, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Children and Family Services:

OFFICE OF QUALITY ASSURANCE
PAYABLE FROM GENERAL REVENUE FUND
For Child Death Review Teams..................... 106,400

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD WELFARE
PAYABLE FROM GENERAL REVENUE FUND
For Targeted Case Management..................... 9,907,700
PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Independent Living Initiative.................. 9,300,000
PAYABLE FROM DCFS FEDERAL PROJECTS FUND
For Federal Child Welfare Projects................ 716,600

Section 25. The following named sum, or so much thereof as may be necessary, respectively, is appropriated to the Department of Children and Family Services:

CHILD PROTECTION
PAYABLE FROM DCFS FEDERAL PROJECTS FUND
For Federal Child Protection Projects............. 9,695,000

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

BUDGET AND FINANCE
PAYABLE FROM GENERAL REVENUE FUND
For Refunds........................................ 5,500
PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Title IV-E Reimbursement
Enhancement........................................ 4,228,800
For SSI Reimbursement........................... 1,513,300
For AFCARS/SACWIS Information System........ 15,418,800
Total $21,160,900

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for payments for care of children served by the Department of Children and Family Services:

GRANTS-IN-AID
REGIONAL OFFICES

New matter indicated by italics - deletions by strikeout
PAYABLE FROM GENERAL REVENUE FUND

For Foster Homes and Specialized Foster Care and Prevention................. 131,745,800
For Counseling and Auxiliary Services.......... 8,800,900
For Institution and Group Home Care and Prevention.......................... 137,934,600
For Services Associated with the Foster Care Initiative...................... 6,281,200
For Purchase of Adoption and Guardianship Services............................ 93,280,000
For Health Care Network.......................................................... 1,661,900
For Cash Assistance and Housing Locator Service to Families in the Class Defined in the Norman Consent Order..... 1,343,900
For Youth in Transition Program................................. 886,800
For MCO Technical Assistance and Program Development........................ 1,407,800
For Pre Admission/Post Discharge Psychiatric Screening........................ 3,003,500
For Assisting in the Development of Children's Advocacy Centers............ 1,942,300
For Psychological Assessments Including Operations and Administrative Expenses.......................... 1,810,100
For Family Preservation Services............................... 1,692,400
Total $391,791,200

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Foster Homes and Specialized Foster Care and Prevention................. 172,624,100
For Cash Assistance and Housing Locator Services to Families in the Class Defined in the Norman Consent Order.......................... 2,071,300
For Counseling and Auxiliary Services.......... 12,047,200
For Institution and Group Home Care and Prevention.......................... 96,711,100
For Assisting in the development of Children's Advocacy Centers............ 1,398,200
For Psychological Assessments

New matter indicated by italics - deletions by strikeout
Including Operations and  
Administrative Expenses....................... 1,200,000  
For Children's Personal and  
Physical Maintenance......................... 2,856,100  
For Services Associated with the Foster  
Care Initiative.................................. 1,477,100  
For Purchase of Adoption and  
Guardianship Services......................... 93,324,900  
For Family Preservation Services............ 21,898,700  
For Purchase of Children's Services........ 1,314,600  
For Family Centered Services Initiative..... 16,489,700  
For Health Care Network..................... 2,361,400  
Total........................................... $425,774,400

Section 40. The following named sum, or so much thereof as may be necessary, respectively, is appropriated to the Department of Children and Family Services for:

<table>
<thead>
<tr>
<th>GRANTS-IN-AID</th>
<th>CENTRAL ADMINISTRATION</th>
<th>PAYABLE FROM GENERAL REVENUE FUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Department Scholarship Program...............</td>
<td>1,240,700</td>
<td></td>
</tr>
</tbody>
</table>

Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

<table>
<thead>
<tr>
<th>GRANTS-IN-AID</th>
<th>CHILD PROTECTION</th>
<th>PAYABLE FROM GENERAL REVENUE FUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Protective/Family Maintenance Day Care.................................</td>
<td>24,334,400</td>
<td></td>
</tr>
<tr>
<td>PAYABLE FROM CHILD ABUSE PREVENTION FUND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Child Abuse Prevention.................................</td>
<td>500,000</td>
<td></td>
</tr>
</tbody>
</table>

Section 50. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

<table>
<thead>
<tr>
<th>GRANTS-IN-AID</th>
<th>BUDGET AND FINANCE</th>
<th>PAYABLE FROM GENERAL REVENUE FUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Tort Claims...........................................</td>
<td>75,000</td>
<td></td>
</tr>
<tr>
<td>PAYABLE FROM DCFS CHILDREN’S SERVICES FUND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Tort Claims...........................................</td>
<td>2,800,000</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For all expenditures related to the
collection and distribution of Title
IV-E reimbursements for counties included
in the Title IV-E Juvenile Justice Program.... 5,000,000

Section 55. The following named sum, or so much thereof as may
be necessary, respectively, is appropriated to the Department of Children
and Family Services for:

GRANTS-IN-AID

CLINICAL SERVICES

PAYABLE FROM DCFS CHILDREN’S SERVICES FUND

For Foster Care and Adoption Care Training.... 10,000,000

ARTICLE 3

Section 5. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated for the objects and purposes
hereinafter named, to meet the ordinary and contingent expenses of the
Illinois Council on Developmental Disabilities:

Payable from Council on Developmental Disabilities Federal Fund:

For Personal Services....................... 865,100
For State Contributions to the State
Employees' Retirement System............. 348,700
For State Contributions to Social Security....................... 66,200
For Group Insurance....................... 287,500
For Contractual Services................... 469,700
For Travel.................................. 43,000
For Commodities.............................. 30,000
For Printing................................ 37,500
For Equipment................................ 15,000
For Electronic Data Processing.......... 25,000
For Telecommunications Services.......... 45,000
Total $2,232,700

Section 10. The sum of $2,500,000, or so much thereof as may be
necessary, is appropriated from the Council on Developmental Disabilities
Federal Fund to the Illinois Council on Developmental Disabilities for
awards and grants to community agencies and other State agencies.

ARTICLE 4

Section 5. The sum of $650,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Deaf and

New matter indicated by italics - deletions by strikeout
Hard of Hearing Commission for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Interpreters for the Deaf Fund to the Deaf and Hard of Hearing Commission for administration and enforcement of the Interpreter for the Deaf Licensure Act of 2007.

ARTICLE 5

Section 5. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Guardianship and Advocacy Commission for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Guardianship and Advocacy Fund to the Guardianship and Advocacy Commission for services pursuant to Section 5 of the Guardianship and Advocacy Act.

ARTICLE 6

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

PROGRAM ADMINISTRATION

Payable from Public Aid Recoveries Trust Fund:

For Personal Services............................ 273,000
For State Contributions to State Employees' Retirement System............ 110,100
For State Contributions to Social Security............................ 20,900
For Group Insurance.............................. 114,100
For Contractual Services.......................... 5,294,400
For Commodities.................................. 320,400
For Equipment.................................... 110,000
For Printing..................................... 538,400
For Telecommunications Services.............. 1,105,900
For Costs Associated with Information Technology Infrastructure.......... 26,210,300
Total                                       $34,097,500

OFFICE OF INSPECTOR GENERAL

Payable from Public Aid Recoveries Trust Fund:

For Personal Services............................ 10,574,800
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System .......... 4,262,900
For State Contributions to
Social Security .......................... 809,000
For Group Insurance ...................... 3,100,800
For Contractual Services ............... 4,014,100
For Travel .................................. 73,500
For Equipment ............................ 198,200
Total $23,033,300

Payable from Long-Term Care Provider Fund:
For Administrative Expenses .............. 300,200

CHILD SUPPORT SERVICES

Payable from Child Support Administrative Fund:
For Personal Services ..................... 65,210,200
For Employee Retirement Contributions
  Paid by Employer .......................... 61,900
For State Contributions to State
  Employees' Retirement System ........... 26,287,500
For State Contributions to
  Social Security .......................... 4,819,000
For Group Insurance ....................... 22,419,200
For Contractual Services ................. 63,914,100
For Travel ................................. 500,000
For Commodities .......................... 286,000
For Printing ............................... 222,500
For Equipment ............................ 600,000
For Telecommunications Services .......... 3,839,400
For Child Support Enforcement
  Demonstration Projects .................. 900,000
For Administrative Costs Related to
  Enhanced Collection Efforts including
    Paternity Adjudication Demonstration .... 10,800,000
For Costs Related to the State
  Disbursement Unit ........................ 12,843,200
Total $212,703,000

PUBLIC AID RECOVERIES

Payable from Public Aid Recoveries Trust Fund:
For Personal Services .................... 9,194,400
For State Contributions to State
  Employees' Retirement System .......... 3,706,400

New matter indicated by italics - deletions by strikeout
Public Act 98-0027

For State Contributions to
Social Security......................................... 703,400
For Group Insurance.................................... 2,801,100
For Contractual Services............................. 24,845,800
For Travel................................................ 100,000
For Commodities....................................... 27,000
For Printing.............................................. 10,000
For Equipment......................................... 1,250,000
For Telecommunications Services.................... 190,000
Total................................................................ 42,828,100

MEDICAL
Payable from Provider Inquiry Trust Fund:
For Expenses Associated with
Providing Access and Utilization
of Department Eligibility Files....................  2,500,000
Payable from Public Aid Recoveries Trust Fund:
For Personal Services................................. 8,017,400
For State Contributions to State
Employees’ Retirement System....................... 3,232,000
For State Contributions to
Social Security......................................... 613,300
For Group Insurance................................. 2,576,000
For Contractual Services............................ 59,750,000
For Commodities..................................... 5,300
For Printing.............................................. 3,500
For Equipment......................................... 128,000
For Telecommunications Services.................... 22,400
For Deposit into the Medical
Special Purposes Trust Fund......................... 500,000
For Costs Associated with the
Development, Implementation and
Operation of a Medical Data Warehouse.......... 6,259,100
Total................................................................ $81,107,000

Section 10. The sum of $68,250,900, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family
Services from the General Revenue Fund for its operational expenses and
necessary deposits into the Child Support Administrative Fund.

Section 15. The sum of $4,500,000, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family

New matter indicated by italics - deletions by strikeout
Services from the General Revenue Fund for deposit into the Public Aid Recoveries Trust Fund.

Section 20. In addition to any sums heretofore appropriated, the following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance:


Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Physicians</td>
<td>799,039,000</td>
</tr>
<tr>
<td>For Dentists</td>
<td>241,100,700</td>
</tr>
<tr>
<td>For Optometrists</td>
<td>36,072,600</td>
</tr>
<tr>
<td>For Podiatrists</td>
<td>3,228,000</td>
</tr>
<tr>
<td>For Chiropractors</td>
<td>465,000</td>
</tr>
<tr>
<td>For Hospital In-Patient, Disproportionate Share and Ambulatory Care</td>
<td>2,344,301,800</td>
</tr>
<tr>
<td>For federally defined Institutions for Mental Diseases</td>
<td>97,419,400</td>
</tr>
<tr>
<td>For Supportive Living Facilities</td>
<td>110,798,500</td>
</tr>
<tr>
<td>For all other Skilled, Intermediate, and Other Related Long Term Care Services</td>
<td>762,454,000</td>
</tr>
<tr>
<td>For Community Health Centers</td>
<td>251,783,500</td>
</tr>
<tr>
<td>For Hospice Care</td>
<td>62,731,500</td>
</tr>
<tr>
<td>For Independent Laboratories</td>
<td>36,446,500</td>
</tr>
<tr>
<td>For Home Health Care, Therapy, and Nursing Services</td>
<td>44,762,600</td>
</tr>
<tr>
<td>For Appliances</td>
<td>55,082,300</td>
</tr>
<tr>
<td>For Transportation</td>
<td>44,298,900</td>
</tr>
<tr>
<td>For Other Related Medical Services, development, implementation, and operation of managed care and children's health programs, operating and administrative costs and related distributive purposes</td>
<td>140,048,700</td>
</tr>
<tr>
<td>For Medicare Part A Premiums</td>
<td>13,911,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Medicare Part B Premiums................. 361,327,900
For Medicare Part B Premiums for Qualified Individuals under the Federal Balanced Budget Act of 1997........... 25,911,200
For Health Maintenance Organizations, Managed Care Entities, and Coordinated Care Entities......................... 738,064,200
For Division of Specialized Care for Children.......................... 48,548,200
Total $6,217,796,300

In addition to any sums heretofore appropriated, the following named sums, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act for prescribed drugs, including related administrative and operation costs, and costs related to the operation of the Health Benefits for Workers with Disabilities Program:
Payable from:
General Revenue Fund......................... 680,782,600
Drug Rebate Fund............................. 700,000,000
Tobacco Settlement Recovery Fund............. 200,600,000
Medicaid Buy-In Program Revolving Fund........ 465,000
Total $1,581,847,600

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:
FOR MEDICAL ASSISTANCE
Payable from General Revenue Fund:
For Medical Care for Persons Suffering from Chronic Renal Disease.......... 266,100
For Medical Care for Persons Suffering from Hemophilia..................... 1,446,800
For Medical Care for Sexual Assault Victims................................. 377,300
For Altgeld Clinic............................... 400,000
Total $2,490,200
The Department, with the consent in writing from the Governor, may reapportion not more than six percent of the total General Revenue Fund appropriations in this Act for “Medical Assistance” among the various purposes therein enumerated.

Section 30. In addition to any sum heretofore appropriated, the sum of $70,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Interagency Program Fund for i) Medical Assistance payments on behalf of individuals eligible for Medical Assistance programs administered by the Department of Healthcare and Family Services, and ii) pursuant to an interagency agreement, medical services and other costs associated with programs administered by another agency of state government, including operating and administrative costs.

Section 35. In addition to any sums heretofore appropriated, the sum of $500,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for expenses relating to the Children's Health Insurance Program Act, including payments under Section 25 (a)(1) of that Act, and related operating and administrative costs.

Section 40. In addition to any sums heretofore appropriated, the following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:


Payable from Care Provider Fund for Persons with a Developmental Disability:
For Administrative Expenditures................. 205,000

Payable from Long-Term Care Provider Fund:
For Skilled, Intermediate, and Other Related Long-Term Care Services............... 700,000,000
For Administrative Expenditures............... 1,630,200
Total $701,630,200

Payable from Hospital Provider Fund:
For Hospitals and Related Operating and Administrative Costs............... 2,713,000,000

New matter indicated by italics - deletions by strikeout
Payable from Healthcare Provider Relief Fund:
For Medical Assistance Providers
and Related Operating and
Administrative Costs..................... 3,500,000,000

Section 45. In addition to any sums heretofore appropriated, the
following named sums, or so much thereof as may be necessary,
respectively, are appropriated to the Department of Healthcare and Family
Services for Medical Assistance and Administrative Expenditures:
FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID
CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT,
AND THE COVERING ALL KIDS HEALTH INSURANCE ACT
Payable from County Provider Trust Fund:
For Medical Services...................... 1,981,119,000
For Administrative Expenditures Including
Pass-through of Federal Matching Funds...... 25,000,000
Total $2,006,119,000

Section 50. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the Department of
Healthcare and Family Services for refunds of overpayments of
assessments or inter-governmental transfers made by providers during the
period from July 1, 1991 through June 30, 2013:
Payable from:
Care Provider Fund for Persons
with a Developmental Disability............. 1,000,000
Long-Term Care Provider Fund............... 2,750,000
Hospital Provider Fund....................... 5,000,000
County Provider Trust Fund............... 1,000,000
Total $9,750,000

Section 55. The sum of $15,000,000, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family
Services from the Trauma Center Fund for adjustment payments to certain
Level I and Level II trauma centers.

Section 60. The sum of $375,000,000, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family
Services from the University of Illinois Hospital Services Fund to
reimburse the University of Illinois Hospital for medical services.

Section 65. The sum of $4,000,000, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family
Services from the Juvenile Rehabilitation Services Medicaid Matching

New matter indicated by italics - deletions by strikeout
Fund for payments to the Department of Juvenile Justice and counties for court-ordered juvenile behavioral health services under the Illinois Public Aid Code and the Children's Health Insurance Program Act.

Section 70. The sum of $20,500,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for medical demonstration projects and costs associated with the implementation of federal Health Insurance Portability and Accountability Act mandates.

Section 75. The sum of $30,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for a Health Information Technology Initiative pursuant to the American Recovery and Reinvestment Act of 2009, including grant expenditures, operating and administrative costs and related distributive purposes.

Section 80. The sum of $60,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for costs associated with the development, implementation and operation of an eligibility verification and enrollment system as required by Public Act 96-1501 and the federal Patient Protection and Affordable Care Act, including grant expenditures, operating and administrative costs and related distributive purposes.

Section 85. The sum of $200,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Special Education Medicaid Matching Fund for payments to local education agencies for medical services and other costs eligible for federal reimbursement under Title XIX or Title XXI of the federal Social Security Act.

Section 90. In addition to any sums heretofore appropriated, the sum of $15,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Money Follows the Person Budget Transfer Fund for costs associated with long-term care, including related operating and administrative costs. Such costs shall include, but not necessarily be limited to, those related to long-term care rebalancing efforts, institutional long-term care services, and, pursuant to an interagency agreement, community-based services administered by another agency of state government.

Section 95. The sum of $200,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services...
Services from the Electronic Health Record Incentive Fund for the purpose of payments to qualifying health care providers to encourage the adoption and use of certified electronic health records technology pursuant to paragraph 1903 (t)(1) of the Social Security Act.

Section 100. The sum of $64,232,900, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for deposit into the Healthcare Provider Relief Fund.

Section 105. The sum of $71,105,700, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Healthcare Provider Relief Fund for its operational expenses and necessary deposits into the Child Support Administrative Fund.

Section 110. The sum of $28,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medicaid Research and Education Support Fund for Medicaid research and education enhancement payments to qualifying academic medical centers.

ARTICLE 7
Section 5. The sum of $1,799,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Human Rights Commission for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Human Rights Commission for the Illinois Torture Inquiry Relief Commission.

ARTICLE 8
Section 5. The sum of $8,404,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The sum of $75,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for the purpose of funding expenses associated with the Commission on Discrimination and Hate Crimes as provided in Public Act 95-0425.

Section 15. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Department of Human Rights Training
and Development Fund to the Department of Human Rights for the purpose of funding expenses associated with administration.

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Special Projects Division Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,563,500</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,033,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>172,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>464,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>183,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>37,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>6,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>9,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>9,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>7,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,485,800</strong></td>
</tr>
</tbody>
</table>

Section 25. The sum of $1,000,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for expenses relating to the investigation and processing of human rights cases, and expenses associated with Elementary and Higher Education processing.

Section 30. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Department of Human Rights Special Fund to the Department of Human Rights for the purpose of funding expenses associated with the Department of Human Rights.

ARTICLE 9

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for income assistance and related distributive purposes, including such Federal funds as are made available by the Federal Government for the following purposes:

**DISTRIBUTIVE ITEMS**

**GRANTS-IN-AID**

Payable from General Revenue Fund:

- For Aid to Aged, Blind or Disabled under Article III
- For Temporary Assistance for Needy

New matter indicated by italics - deletions by strikeout
Families under Article IV
and other social services including
Emergency Assistance for families
with Dependent Children.......................... 181,059,700
For State Transitional Assistance................... 5
For State Family and Child Assistance Program..... 5
For Refugees........................................... 1,126,700
For Funeral and Burial Expenses under
Articles III, IV, and V, including
prior year costs....................................... 9,485,000
For Grants Associated with Child Care
Services, Including Operating and
Administrative Costs.................................. 252,490,700
For Grants and for Administrative
Expenses associated with Refugee
Social Services........................................ 208,700
For costs associated with the
Illinois Welcoming Centers ......................... 533,500
For Grants and Administrative
Expenses associated with Immigrant
Integration Services and for
other Immigrant Services pursuant
to 305 ILCS 5/12-4.34............................ 6,673,600
Payable from Employment and Training Fund:
For Temporary Assistance for Needy
Families under Article IV
and other social services including
Emergency Assistance for families
with Dependent Children in accordance with
applicable laws and regulations
for the State portion of federal
funds made available by the American
Recovery and Reinvestment Act
of 2009.............................................. 20,000,000
Total .................................................. $501,126,610

The Department, with the consent in writing from the Governor,
may reapportion not more than ten percent of the total appropriation of
General Revenue Funds in Section 1 above "For Income Assistance and

New matter indicated by italics - deletions by strikeout
Related Distributive Purposes" among the various purposes therein enumerated.

Section 10. The sum of $989,786,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for the ordinary and contingent operational expenditures of the fiscal year ending June 30, 2014, including refunds, permanent improvements and costs associated with services for the transition of residents of State Operated Mental Health Facilities or State Operated Developmental Centers to alternative community settings.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

Payable from Vocational Rehabilitation Fund:
- For Personal Services.......................... $6,333,200
- For Retirement Contributions............... $2,553,000
- For State Contributions to Social Security....... $484,500
- For Group Insurance............................ $2,300,000
- For Contractual Services....................... $1,331,000
- For Contractual Services:
  - For Leased Property Management............ $5,076,200
  - For Travel....................................... $136,000
  - For Commodities.................................. $136,500
  - For Group Insurance............................ $37,000
  - For Equipment..................................... $198,600
  - For Telecommunications Services............. $226,500
  - For Operation of Auto Equipment............ $28,500
Total $18,841,000

Payable from Federal National Community Services Grant Fund: $219,500
Payable from DHS Special Purposes Trust Fund.... $574,800
Payable from Old Age Survivors’ Insurance Fund........................................ $2,878,600

New matter indicated by italics - deletions by strikeout
Revolving Fund........................................ 112,000
Payable from DHS Federal Projects Fund........... 135,000
Payable from USDA Women, Infants and
Children Fund........................................... 399,600
Payable from Local Initiative Fund............... 125,400
Payable from Domestic Violence
Shelter and Service Fund............................ 63,700
Payable from Maternal and Child
Health Services Block Grant Fund............... 81,500
Payable from Community Mental Health Services
Block Grant Fund....................................... 71,000
Payable from Juvenile Justice Trust Fund........ 14,500
Payable from DHS Recoveries Trust Fund........ 454,100
Total                                           $5,167,700

Payable from DHS Private Resources Fund:
For Grants and Costs associated with Human
Services Activities funded by Grants or
Private Donations..................................... 150,000
Payable from Mental Health Fund:
For Costs associated with Mental Health and
Developmental Disabilities Special Projects..... 6,000,000
For costs associated with DHS inter-agency
Support Services ....................................... 3,000,000
Payable from DHS State Projects Fund:
For Deposit into the DHS Technology
Initiative Fund.......................................... 15,000,000
For expenses associated with Energy
Conservation and Efficiency programs........... 1,000,000
Payable from DHS Recoveries Trust Fund:
For Deposit into the DHS Technology
Initiative Fund......................................... 5,000,000
For ordinary and contingent expenses........... 15,741,700
Payable from DHS Technology Initiative Fund:
For Expenses of the Framework Project......... 15,000,000
Total                                           $60,891,700

ADMINISTRATIVE AND PROGRAM SUPPORT
GRANTS-IN-AID

New matter indicated by italics - deletions by strikeout
Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

**GRANTS-IN-AID**

For Tort Claims:
- Payable from Vocational Rehabilitation Fund: 10,000
- Total: $10,000

For Reimbursement of Employees for Grants and administrative expenses associated with the Assets to Independence Program:
- Payable from DHS Federal Projects Fund: 2,000,000
- Total: $2,303,300

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services as follows:

**REFUNDS**

- Payable from Mental Health Fund: 100,000
- Payable from Vocational Rehabilitation Fund: 5,000
- Payable from Drug Treatment Fund: 5,000
- Payable from Sexual Assault Services Fund: 400
- Payable from Early Intervention Services Revolving Fund: 300,000
- Payable from DHS Federal Projects Fund: 25,000
- Payable from USDA Women, Infants and Children Fund: 200,000
- Payable from Maternal and Child Health Services Block Grant Fund: 5,000
- Payable from Youth Drug Abuse Prevention Fund: 30,000
- Total: $670,400

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for ordinary and contingent expenses:

**MANAGEMENT INFORMATION SERVICES**

Payable from Mental Health Fund:
- For costs related to the provision

New matter indicated by italics - deletions by strikeout
of MIS support services provided to Departmental and Non-Departmental organizations......................... 6,312,100

Payable from Vocational Rehabilitation Fund:
For Personal Services......................... 2,847,600
For Retirement Contributions............... 1,147,900
For State Contributions to Social Security ...... 217,800
For Group Insurance.............................. 705,700
For Contractual Services....................... 1,805,000
For Contractual Services:
  For Information Technology Management...... 1,480,700
  For Travel........................................ 50,000
  For Commodities................................. 60,600
  For Printing...................................... 65,800
  For Equipment.................................... 850,000
  For Telecommunications Services.............. 1,950,000
  For Operation of Auto Equipment.............. 2,800
Total $17,496,000

Payable from USDA Women, Infants and Children Fund:
For Personal Services........................... 317,400
For Retirement Contributions.................. 128,000
For State Contributions to Social Security ....... 24,300
For Group Insurance............................... 69,000
For Contractual Services......................... 325,400
For Contractual Services:
  For Information Technology Management ............ 391,900
  For Electronic Data Processing................... 150,000
Total $1,406,000

Payable from Maternal and Child Health Services Block Grant Fund:
For Operational Expenses Associated with Support of Maternal and Child Health Programs............................... 396,100

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

  BUREAU OF DISABILITY DETERMINATION SERVICES

Payable from Old Age Survivors' Insurance Fund:
For Personal Services......................... 34,901,900

New matter indicated by italics - deletions by strikeout
For Retirement Contributions.. 14,069,700
For State Contributions to Social Security .... 2,670,000
For Group Insurance.. 10,580,700
For Contractual Services.. 11,601,800
For Travel.. 198,000
For Commodities.. 379,100
For Printing.. 384,000
For Equipment.. 1,600,900
For Telecommunications Services.. 1,404,700
For Operation of Auto Equipment.. 100
Total $77,790,900

Section 40. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services:

BUREAU OF DISABILITY DETERMINATION SERVICES
GRANTS-IN-AID

For Services to Disabled Individuals:
Payable from Old Age Survivors' Insurance.. 25,000,000

Section 45. The following named sums, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

HOME SERVICES PROGRAM
GRANTS-IN-AID

Payable from General Revenue Fund:
For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating, administrative, and prior year costs:.. 334,075,400
For Capitated Care Coordination.. 12,234,500
Total $346,309,900

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 40 above among the various purposes therein enumerated.

Section 50. The following named sums, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

HOME SERVICES PROGRAM
GRANTS-IN-AID

For all costs and administrative expenses associated with Community Reintegration program:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund.............. 1,262,700
Payable from the Home Services Medicaid Trust Fund:
For Purchase of Services of the
Home Services Program, pursuant
to 20 ILCS 2405/3, including
operating, administrative, and
prior year costs............................ 246,000,000

Section 55. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Human
Services:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
Payable from Community Mental Health Services
Block Grant Fund:
For Personal Services......................... 816,400
For Retirement Contributions.................. 329,100
For State Contributions to Social Security... 62,500
For Group Insurance.......................... 249,500
For Contractual Services...................... 119,400
For Travel.................................... 10,000
For Commodities............................. 5,000
For Equipment............................... 5,000
Total $1,596,900

Section 60. The sum of $35,520,000, or so much thereof as may
be necessary, is appropriated from the General Revenue Fund to the
Department of Human Services for grants and administrative expenses
associated with the Department’s rebalancing efforts pursuant to 20 ILCS
1305/1-50 and in support of the Department’s efforts to expand home and
community-based services, including rebalancing and transition costs
associated with compliance with consent decrees.

Section 65. The following named sums, or so much thereof as may
be necessary, respectively, for the purposes hereinafter named, are
appropriated to the Department of Human Services for Grants-In-Aid and
Purchased Care in its various regions pursuant to Sections 3 and 4 of the
Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE
For all costs and administrative expenses
for Community Service Programs for

New matter indicated by italics - deletions by strikeout
Persons with Mental Illness, Specialized Mental Health Rehabilitative Facility Community programs, Child and Adolescent Mental Health Programs and Mental Health Transitions or State Operated Mental Health Facilities:
Payable from General Revenue Fund............ 142,699,100

For Community Service Grant Programs for Persons with Mental Illness:
Payable from Community Mental Health Services Block Grant Fund ................. 16,025,400

For costs associated with Capitated Care Coordination:
Payable from General Revenue Fund............ 34,372,900

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 60 above among the various purposes therein enumerated.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE

For Community Service Grant Programs for Persons with Mental Illness including administrative costs:
Payable from DHS Federal Projects Fund....... 16,023,000
Payable from the Department of Human Services Community Services Fund............. 20,000,000

Payable from General Revenue Fund:
For costs associated with the Purchase and Disbursement of Psychotropic Medications for Mentally Ill Clients in the Community...... 1,881,800
For grants for Mental Health Individual Care Grants................................. 22,415,000
For Supportive MI Housing ....................... 24,392,700

Payable from Community Mental Health Medicaid Trust Fund:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0027

For all costs and administrative expenses associated with Medicaid Services for Persons with Mental Illness, including prior year costs........... 122,852,100

For costs associated with Specialized Mental Health Rehabilitative Facility Community Programs.............. 8,200,000

For Community Service Grant Programs for Children and Adolescents with Mental Illness:
Payable from Community Mental Health Services Block Grant Fund......................... 4,341,800

Payable from Community Mental Health Services Block Grant Fund:
For Teen Suicide Prevention Including Provisions Established in Public Act 85-0928................................. 206,400

Section 75. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT GRANTS-IN-AID AND PURCHASED CARE

For all costs associated with Community Based Services for Persons with Developmental Disabilities and for Intermediate Care Facilities for the Mentally Retarded and Alternative Community Programs:
Payable from General Revenue Fund............ 730,223,200

For Intermediate Care Facilities for the Mentally Retarded and Alternative Community Programs including prior year costs:
Payable from Care Provider Fund for Persons with a Developmental Disability............. 52,000,000

For Community Based Services for Persons with Developmental Disabilities at the approximate

New matter indicated by italics - deletions by strikeout
cost set forth below:

Payable from Mental Health Fund................ 9,965,600
Payable from Community Developmental Disability Services Medicaid Trust Fund...... 50,000,000
Total $841,188,800

Payable from General Revenue Fund:
For costs associated with the provision of Specialized Services to Persons with Developmental Disabilities.............. 7,667,100
For a grant to the Autism Program for an Autism Diagnosis Education Program
For Young Children............................ 4,300,000
For a Grant to Best Buddies.................. 500,000
For a grant to the ARC of Illinois
For the Life Span Project ...................... 382,200
For Developmental Disability Quality Assurance Waiver.......................... 480,600
For costs associated with Developmental Disability Community Transitions or State Operated Facilities.................... 14,341,700
For costs associated with young adults Transitioning from the Department of Children and Family Services to the Developmental Disability Service System................................. 2,394,000
Total $30,065,600

Payable from Special Olympics Illinois Fund:
For the costs associated with Special Olympics... 100,000

Section 80. The sum of $370,000,000, or so much thereof as may be necessary, is appropriated from the Healthcare Provider Relief Fund to the Department of Human Services for medical bills and related expenses.

Section 85. The sum of $34,450,000, or so much thereof as may be necessary, is appropriated to the Department of Human Services from the Health and Human Services Medicaid Trust Fund for awards and grants to developmental disabilities and/or mental health programs.

Section 90. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of Human Services for Payments to Community Providers and Administrative Expenditures,

New matter indicated by italics - deletions by strikeout
including such Federal funds as are made available by the Federal Government for the following purpose:

Payable from Autism Research Checkoff Fund:
For costs associated with autism research........ 100,000

Payable from Autism Awareness Fund:
For costs associated with autism awareness....... 100,000

Section 95. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT

Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund:
For Personal Services.......................... 2,686,100
For Retirement Contributions................... 1,082,800
For State Contributions to Social Security....... 205,500
For Group Insurance.............................. 644,000
For Contractual Services......................... 1,227,700
For Travel....................................... 200,000
For Commodities................................... 53,800
For Printing...................................... 35,000
For Equipment..................................... 14,300
For Electronic Data Processing................... 300,000
For Telecommunications Services............... 117,800
For Operation of Auto Equipment............... 20,000
For Expenses Associated with the Administration of the Alcohol and Substance Abuse Prevention and Treatment Programs...................... 215,000
Total ........................................... $6,802,000

Section 100. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Healthcare Provider Relief Fund to the Department of Human Services for medical bills and related expenses.

Section 105. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT
GRANTS-IN-AID

Payable from General Revenue Fund:
For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible

New matter indicated by italics - deletions by strikeout
and AllKids clients, Including Prior Year Costs................................. 45,362,600
For Capitated Care Coordination......................... 7,033,800
Total $52,396,400

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 110 among the various purposes therein enumerated.

Section 110. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT GRANTS-IN-AID

Payable from General Revenue Fund:
For costs associated with Community Based Addiction Treatment Services........ 50,940,500
For Addiction Treatment Services for DCFS clients................................. 9,165,100
For costs associated with Addiction Treatment Services for Special Populations.... 5,824,700
Total $65,930,300

Payable from State Gaming Fund:
For Costs Associated with Treatment of Individuals who are Compulsive Gamblers.... 1,023,400
For Addiction Treatment and Related Services:
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund........................................ 57,500,000
Payable from Youth Drug Abuse Prevention Fund...................................... 530,000

Payable from Alcoholism and Substance Abuse Fund................................ 22,128,900

For underwriting the cost of housing for groups of recovering individuals:

New matter indicated by italics - deletions by strikeout
Payable from Group Home Loan
Reviving Fund.......................... 200,000
Total $89,626,100

Section 115. The sum of $500,000, or as much thereof is necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a pilot program to study the uses and effects of medication assisted treatments for addiction and for the prevention of relapse to opioid dependence in publicly-funded treatment program.

The Department, with the consent in writing from the Governor, may reappropriate not more than two percent of the total appropriation of General Revenue Funds in Section 115 above "Addiction Treatment" among the purposes therein enumerated.

Section 120. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REHABILITATION SERVICES BUREAUS
Payable from Illinois Veterans’ Rehabilitation Fund:
For Personal Services.................. 1,773,500
For Retirement Contributions........... 714,900
For State Contributions to Social Security..... 135,700
For Group Insurance..................... 506,000
For Travel.................................. 12,200
For Commodities......................... 5,600
For Equipment........................... 7,000
For Telecommunications Services.......... 19,500
Total $3,174,400

Payable from Vocational Rehabilitation Fund:
For Personal Services.................. 39,492,800
For Retirement Contributions........... 15,920,300
For State Contributions to Social Security .... 3,021,100
For Group Insurance..................... 12,300,400
For Contractual Services................. 8,624,800
For Travel................................. 1,450,000
For Commodities......................... 307,200
For Printing.............................. 145,100
For Equipment........................... 669,900
For Telecommunications Services.......... 1,493,200
For Operation of Auto Equipment.......... 5,700

New matter indicated by italics - deletions by strikeout
For Support Services In-Service Training.............. 366,700
For Administrative Expenses of the
  Statewide Deaf Evaluation Center...................... 428,400
Total $84,225,600

Section 125. The following named sums, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services:

**REHABILITATION SERVICES BUREAUS**

**GRANTS-IN-AID**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Case Services to Individuals:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund..............                            8,950,900</td>
<td></td>
</tr>
<tr>
<td>Payable from Illinois Veterans' Rehabilitation Fund.......................... 2,413,700</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund, including prior year costs</td>
<td>61,110,700</td>
</tr>
<tr>
<td>For Implementation of Title VI, Part C of the Vocational Rehabilitation Act</td>
<td></td>
</tr>
<tr>
<td>of 1973 as Amended--Supported Employment:</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund....                            1,900,000</td>
<td></td>
</tr>
<tr>
<td>For Small Business Enterprise Program:</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund....                            3,527,300</td>
<td></td>
</tr>
<tr>
<td>For Grants to Independent Living Centers:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund..............                            4,296,500</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund....                            2,000,000</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund.......                          77,200</td>
<td></td>
</tr>
<tr>
<td>For Independent Living Older Blind Grant:</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund......                          245,500</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund..............                            134,100</td>
<td></td>
</tr>
<tr>
<td>For Independent Living Older Blind Formula:</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund....                            1,500,000</td>
<td></td>
</tr>
<tr>
<td>For Project for Individuals of All Ages with Disabilities:</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund....                            1,050,000</td>
<td></td>
</tr>
<tr>
<td>For Case Services to Migrant Workers:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund..............                            18,800</td>
<td></td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund.......                          210,000</td>
<td></td>
</tr>
</tbody>
</table>

Section 130. The following named sums, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services:

New matter indicated by italics - deletions by strikeout
CLIENT ASSISTANCE PROJECT

Payable from Vocational Rehabilitation Fund:
- For Personal Services ...................... 478,000
- For Retirement Contributions ............. 192,700
- For State Contributions to Social Security ...... 36,600
- For Group Insurance ....................... 184,000
- For Contractual Services .................. 28,500
- For Travel .................................. 38,200
- For Commodities ......................... 2,700
- For Printing ................................ 400
- For Equipment ............................. 32,100
- For Telecommunications Services ........... 12,800
Total                                      $1,006,000

Section 135. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Vocational Rehabilitation Fund to the Department of Human Services for a grant relating to a Client Assistance Project.

Section 140. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

DIVISION OF REHABILITATION SERVICES PROGRAM
AND ADMINISTRATIVE SUPPORT

Payable from Rehabilitation Services
Elementary and Secondary Education Act Fund:
- For Federally Assisted Programs ........... 1,375,100

Section 145. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

CENTRAL SUPPORT AND CLINICAL SERVICES

Payable from Mental Health Fund:
- For Costs Related to Provision of Support Services Provided to Departmental and Non-Departmental Organizations .............. 8,831,000
- For Drugs and costs associated with Pharmacy Services ...................... 12,300,000
- For all costs associated with Medicare Part D ............................... 1,500,000

Payable from DHS Federal Projects Fund:

New matter indicated by italics - deletions by strikeout
For Federally Assisted Programs................. 5,979,300

Section 150. The following named sum, or so much thereof as may
be necessary, respectively, is appropriated to the Department of Human
Services:

ILLINOIS SCHOOL FOR THE DEAF
Payable from Vocational Rehabilitation Fund:
  For Secondary Transitional Experience
  Program........................................ 50,000

Section 155. The following named sum, or so much thereof as may
be necessary, respectively, is appropriated to the Department of Human
Services:

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED
Payable from Vocational Rehabilitation Fund:
  For Secondary Transitional Experience Program..... 42,900

Section 160. The following named sum, or so much thereof as may
be necessary, respectively, is appropriated to the Department of Human
Services:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION
Payable from Vocational Rehabilitation Fund:
  For Secondary Transitional Experience Program..... 60,000

Section 165. The following named sums, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services for the purposes hereinafter named:

FAMILY AND COMMUNITY SERVICES
Payable from DHS Special Purposes Trust Fund:
  For Operation of Federal
  Employment Programs......................... 10,680,400
Payable from the DHS State Projects Fund:
  For Operational Expenses for Public
  Health Programs............................. 368,000
Payable from the Maternal and Child
Health Services Block Grant Fund:
  For Operational Expenses of Maternal and
  Child Health Programs....................... 4,848,100
Payable from Youth Alcoholism and Substance
Abuse Prevention Fund:
  For community-based alcohol and
  other drug abuse prevention services............ 150,000

New matter indicated by italics - deletions by strikeout
Section 170. The following named sums, or so much thereof as may be necessary, respectively, for the objects hereinafter named, are appropriated to the Department of Human Services for Family and Community Services and related distributive purposes, including such Federal funds as are made available by the Federal government for the following purposes:

**FAMILY AND COMMUNITY SERVICES**

**GRANTS-IN-AID**

Payable from General Revenue Fund:
- For Employability Development Services
  - Including Operating and Administrative Costs and Related Distributive Purposes...... 10,645,700
- For Food Stamp Employment and Training
  - Including Operating and Administrative Costs and Related Distributive Purposes ...... 3,651,000
- For Emergency Food Program,
  - Including Operating and Administrative Costs.... 220,400
- For Homeless Prevention........................ 1,000,000
- For West Side Health Authority Crisis Intervention .............................. 200,000
- For Addiction Prevention and Related Services..... 25,000
- For a grant to Children’s Place for costs associated with specialized child care for families affected by HIV/AIDS............ 390,000
- For Grants for Programs to Reduce Infant Mortality, provide Case Management and Outreach Services, and for the Intensive Prenatal Performance Project...... 36,792,800
- For Costs Associated with the Domestic Violence Shelters and Services Program....................... 18,635,000
- For Costs Associated with Teen Parent Services......................... 1,426,900
- For Grants for Chicago Area Project (CAP) and Illinois Council of Area Projects (ICAP) programs, including Operating and administrative costs.............. 5,645,400

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>of the Comprehensive Community-Based Services to Youth.</td>
<td>11,046,400</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses of Redeploy Illinois.</td>
<td>4,885,100</td>
</tr>
<tr>
<td>For Homeless Youth Services.</td>
<td>3,598,100</td>
</tr>
<tr>
<td>For grants to provide Assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities.</td>
<td>6,159,700</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses for After School Youth Support Programs.</td>
<td>8,800,000</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses Related to the Healthy Families Program.</td>
<td>10,040,000</td>
</tr>
<tr>
<td>For Early Intervention.</td>
<td>75,691,900</td>
</tr>
<tr>
<td>For Parents Too Soon Program.</td>
<td>6,870,300</td>
</tr>
<tr>
<td>Payable from Assistance to the Homeless Fund:</td>
<td></td>
</tr>
<tr>
<td>For costs related to Providing Assistance to the Homeless including Operating and Administrative Costs and Grants.</td>
<td>300,000</td>
</tr>
<tr>
<td>Payable from the Illinois Affordable Housing Trust Fund:</td>
<td></td>
</tr>
<tr>
<td>For Homeless Youth Services.</td>
<td>1,000,000</td>
</tr>
<tr>
<td>For Homelessness Prevention.</td>
<td>3,000,000</td>
</tr>
<tr>
<td>For Emergency and Transitional Housing.</td>
<td>9,383,700</td>
</tr>
<tr>
<td>Payable from Employment and Training Fund:</td>
<td></td>
</tr>
<tr>
<td>For grants associated with Employment and Training Programs, income assistance and other social services including operating, administrative and prior year costs.</td>
<td>485,000,000</td>
</tr>
<tr>
<td>Payable from the Health and Human Services Medicaid Trust Fund:</td>
<td></td>
</tr>
<tr>
<td>For grants for Supportive Housing Services.</td>
<td>3,382,500</td>
</tr>
<tr>
<td>Payable from DHS Special Purposes Trust Fund:</td>
<td></td>
</tr>
<tr>
<td>For Emergency Food Program Transportation and Distribution, including grants and operations.</td>
<td>5,150,000</td>
</tr>
<tr>
<td>For Federal/State Employment Programs and Related Services.</td>
<td>5,000,000</td>
</tr>
<tr>
<td>For Grants Associated with the Great</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
START Program, Including Operation and Administrative Costs.................. 5,200,000
For Grants Associated with Child Care Services, Including Operation, Administrative and Prior year costs................................. 197,216,800
For Grants Associated with Migrant Child Care Services, Including Operation and Administrative Costs...................... 3,388,200
For Refugee Resettlement Purchase of Service, Including Operation and Administrative Costs.......................... 10,583,200
For Grants Associated with the Head Start State Collaboration, Including Operating and Administrative Costs........... 500,000
For SSI Advocacy Services:
  Payable from General Revenue Fund...................... 1,316,100
  Payable from DHS Special Purposes Trust Fund..... 973,700
Payable from DHS Special Purposes Trust Fund:
  For Community Grants........................................ 2,257,800
  For costs associated with Family Violence Prevention Services............. 5,003,400
  For grants and administrative costs associated with MIEC Home Visiting Program.......................... 14,000,000
Payable from the Juvenile Accountability Incentive Block Grant Trust Fund:
  For grants and operational expenses of the Juvenile Accountability Block Grant Program.......................... 10,000,000
Payable from Local Initiative Fund:
  For Purchase of Services under the Donated Funds Initiative Program, Including Operating and Administrative Costs........ 22,642,900
Payable from Hunger Relief Fund:
  For Grants for food banks for the purchase of food and related supplies for low income persons ................... 300,000
Payable from Crisis Nursery Fund:

New matter indicated by italics - deletions by strikeout
For Grants associated with crisis nurseries in Illinois including operating and administrative costs......................... 100,000
Payable from Habitat for Humanity Fund:
For Grants to Habitat for Humanity................. 100,000
Payable from Federal National Community Services Grant Fund:
For Payment for Community Activities, Including Prior Years' Costs................. 12,977,900
Payable from Sexual Assault Services Fund:
For Grants Related to the Sexual Assault Services Program......................... 100,000
Payable from Domestic Violence Abuser Services Fund:
For Domestic Violence Abuser Services............... 100,000
Payable from the DHS Federal Projects Fund:
For Grants for Public Health Programs........... 10,712,100
For Grants for Family Planning Programs Pursuant to Title X of the Public Health Service Act.............................. 3,512,000
For Grants for the Federal Healthy Start Program.............................. 4,000,000
Payable from USDA Women, Infants and Children Fund:
For Grants to Public and Private Agencies for costs of administering the USDA Women, Infants, and Children (WIC) Nutrition Program........ 69,801,800
For Grants for the Federal Commodity Supplemental Food Program.......... 1,400,000
For Grants and Administrative Expenses of the USDA Farmer's Market Nutrition Program............................... 1,500,000
For Grants for Free Distribution of Food Supplies and for Grants for Nutrition Program Food Centers under the USDA Women, Infants, and Children (WIC) Nutrition Program...................... 251,000,000
For Grants and operations under the USDA Women, Infants, and Children (WIC) Nutrition Program in

New matter indicated by italics - deletions by strikeout
accordance with applicable laws
and regulations for the State
portion of federal funds made
available by the American Recovery
and Reinvestment Act of 2009 ..............
15,000,000

Payable from the DHS Special Purposes Fund:
For Grants for the Race to the Top Program....
10,000,000
For Grants for SNAP Education..............
20,000,000

Payable from DHS Federal Projects Fund:
For Grants and Administrative Expenses
for Partnership for Success Program........
5,000,000
For Grants and Administrative
Expenses for the Juvenile Accountability
Block Grant............................
7,000,000
For Grants and Administrative
Expenses for Justice Assistance...........
588,600

Payable from Tobacco Settlement Recovery Fund:
For a Grant to the Coalition for Technical
Assistance and Training......................
250,000
For all costs associated with
Children’s Health Programs, including
grants, contracts, equipment, vehicles
and administrative expenses.............
1,138,800

Payable from the Maternal and Child Health
Services Block Grant Fund:
For Grants for Maternal and Child Health
Programs, including programs appropriated
elsewhere in this Section...................
4,402,600

Payable from Domestic Violence Shelter
and Service Fund:
For Domestic Violence Shelters and
Services Program..........................
952,200

Payable from Gaining Early Awareness
and Readiness for Undergraduate
Programs Fund:
For Grants and administrative expenses
Of G.E.A.R.U.P..........................
3,500,000

Payable from DHS Special Purposes Trust Fund:
For Parents Too Soon Program,
including grants and operations................. 2,490,400
Payable from the Sexual Assault Services
and Prevention fund:
For Grants and administrative expenses
of the Sexual Assault Services
and Prevention Program......................... 100,000
Payable from the Children’s Wellness Charities fund:
For Grants to Children’s Wellness Charities...... 100,000
Payable from the Housing for Families Fund:
For Grants for Housing for Families.............. 100,000
Payable from the Farmer’s Market
Technology Improvement Fund:
For Farmer’s Market Technology............... 1,000,000
Payable from Early Intervention
Services Revolving Fund:
For Grants and administrative expenses
associated with the Early
Intervention Services Program, including
prior years costs .............................. 160,197,300
For Grants and Administrative Expenses
of Addiction Prevention and Related
Services:
Payable from Youth Alcoholism and
Substance Abuse Prevention Fund............. 1,050,000
Payable from Alcoholism and
Substance Abuse Fund......................... 8,309,300
Payable from Prevention and Treatment
of Alcoholism and Substance Abuse
Block Grant Fund.............................. 16,000,000
Payable from the Juvenile Justice
Trust Fund:
For Grants and administrative costs
associated with Juvenile Justice
Planning and Action Grants for Local
Units of Government and Non-Profit
Organizations including Prior Year Costs..... 13,467,900

Section 175. The Department, with the consent in writing from the
Governor, may reapportion General Revenue Funds in Section 40 above
“For Home Services Program Grants-in-Aid” among Section 60 “For

New matter indicated by italics - deletions by strikeout
Mental Health Grants-in-Aid and Purchased Care” and Section 85 “For Developmental Disabilities Grants and Program Support Grants-in-Aid and Purchased Care” as a result of transferring clients to the appropriate community based service system.

**ARTICLE 10**

Section 5. The sum of $57,270,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses associated with the implementation of House Bill 1 of the 98th General Assembly:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the General Revenue Fund</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Payable from the Food and Drug Safety Fund</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Payable from the Medical Cannabis Fund</td>
<td>$4,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,000,000</strong></td>
</tr>
</tbody>
</table>

Section 15. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health from the Public Health Services Fund for the objects and purposes hereinafter named:

**DIRECTOR’S OFFICE**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the Public Health Services Fund:</td>
<td></td>
</tr>
<tr>
<td>For Expenses Associated with Support of Federally Funded Public Health Programs</td>
<td>$300,000</td>
</tr>
<tr>
<td>For Operational Expenses to Support Refugee Health Care</td>
<td>$514,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$814,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the Public Health Special State Projects Fund:</td>
<td></td>
</tr>
<tr>
<td>For Expenses of Public Health Programs</td>
<td>$750,000</td>
</tr>
<tr>
<td>Payable from the Public Health Services Fund:</td>
<td></td>
</tr>
<tr>
<td>For Grants for the Development of Refugee Health Care</td>
<td>$1,950,000</td>
</tr>
</tbody>
</table>

Section 20. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
OFFICE OF FINANCE AND ADMINISTRATION

Payable from the General Revenue Fund:
For Expenses of the Adoption Registry and Medical Information Exchange.................. $97,000
For Operational Expenses of the Regional Data Base System................................. 13,000
Total                                                                                         $110,000

Payable from the Public Health Services Fund:
For Personal Services................................. 196,700
For State Contributions to State Employees' Retirement System......................... 79,300
For State Contributions to Social Security ....... 15,100
For Group Insurance................................. 41,000
For Contractual Services............................ 485,000
For Travel........................................ 20,000
For Commodities.................................... 6,000
For Printing...................................... 21,000
For Equipment..................................... 80,000
For Telecommunications Services................ 400,000
For Operational Expenses of Maintaining the Vital Records System........................ 400,000
Total                                                                                         $1,744,100

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Operational Expenses for Maintaining Billings and Receivables for Lead Testing.............. 110,000

Payable from Death Certificate Surcharge Fund:
For Expenses of Statewide Database of Death Certificates and Distributions of Funds to Governmental Units, Pursuant to Public Act 91-0382........................ 2,500,000

Payable from the Illinois Adoption Registry And Medical Information Exchange Fund:
For Expenses Associated with the Adoption Registry and Medical Information Exchange........................ 125,000

Payable from the Public Health Special

New matter indicated by italics - deletions by strikeout
State Projects Fund:
For operational expenses of regional and central office facilities....................... 750,000

Payable from the Metabolic Screening and Treatment Fund:
For Operational Expenses for Maintaining Laboratory Billings and Receivables............ 80,000

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health as follows:

**REFUNDS**
Payable from the General Revenue Fund........... 14,500
Payable from the Public Health Services Fund...... 75,000
Payable from the Maternal and Child Health Services Block Grant Fund.................. 5,000
Payable from the Preventive Health and Health Services Block Grant Fund............... 5,000
Total $100,000

Section 30. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

**DIVISION OF INFORMATION TECHNOLOGY**
Payable from the General Revenue Fund:
For Expenses for Public Health Prevention Systems.............................. 408,600
For Expenses Associated with the Childhood Immunization Program...................... 145,500
For Operational Expenses for Health Information Systems Targeted for Health Screening Programs...................... 110,200
Total $664,300

Payable from the Public Health Services Fund:
For Expenses Associated with Support of Federally Funded Public Health Programs........ 1,250,000

Payable from the Public Health Special State Projects Fund:
For Expenses of EPSDT and other Public Health programs............................... 200,000

New matter indicated by italics - deletions by strikeout
Section 35. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF POLICY, PLANNING AND STATISTICS

Payable from the General Revenue Fund:
For expenses of the Adverse Pregnancy Outcomes Reporting Systems (APORS) Program and the Adverse Health Care Event Reporting and Patient Safety Initiative........ 1,038,500
For expenses of State Cancer Registry, including matching funds for National Cancer Institute grants................................. 155,100
For operating expenses of the Center for Rural Health.......................... 291,000
Total $1,484,600

Payable from the Public Health Services Fund:
For expenses related to Epidemiological Health Outcomes Investigations and Database Development......................... 12,110,000
For expenses for Rural Health Center to expand the availability of Primary Health Care........................................ 2,000,000
For operational expenses to develop a Health Care Provider Recruitment and Retention Program............................ 300,000
Total $14,410,000

Payable from Community Health Center Care Fund:
For expenses for access to Primary Health Care Services Program per Family Practice Residency Act.......................... 1,000,000

Payable from Illinois Health Facilities Planning Fund:
For expenses of the Health Facilities and Services Review Board.................... 1,200,000
For department expenses in support of the Health Facilities and Services Review Board................................. 2,500,000
Total $4,700,000

Payable from Nursing Dedicated and Professional Fund:
For expenses of the Nursing Education

New matter indicated by italics - deletions by strikeout
Section 40. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:
For expenses of the Multiple Sclerosis Task Force................................. 40,000
For expenses of Sudden Infant Death Syndrome (SIDS) Program............... 250,000
Total.................................................................................. 290,000

Payable from the Public Health Services Fund:
For Personal Services............................ 1,427,300
For State Contributions to State Employees' Retirement System............... 575,400
For State Contributions to Social Security .. 109,200
For Group Insurance............................... 381,000
For Contractual Services......................... 650,000
For Travel........................................... 160,000
For Commodities................................. 13,000
For Printing....................................... 44,000
For Equipment................................... 50,000
For Telecommunications Services.......... 65,000
Total........................................................................ 3,474,900

Payable from the Maternal and Child Health Services Block Grant Fund:
For Operational Expenses of Maternal and Child Health Programs........... 500,000

Payable from the Preventive Health and Health Services Block Grant Fund:
For Expenses of Preventive Health and Health Services Programs............. 1,226,800

Payable from the Public Health Special State Projects Fund:
For Expenses for Public Health Programs........ 1,500,000

Payable from the Metabolic Screening and Treatment Fund:
For Operational Expenses for Metabolic Screening Follow-up Services........... 3,297,000

Payable from the Hearing Instrument Dispenser Examining and Disciplinary Fund:
For Expenses Pursuant to the Hearing Aid Consumer Protection Act......... 100,000

New matter indicated by italics - deletions by strikeout
Section 45. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:
For Expenses for the University of Illinois Sickle Cell Clinic............. 495,000
For grants for the extension and provision of perinatal services for premature and high-risk infants and their mothers....... 1,114,200
For grants to Children’s Memorial Hospital for the Illinois Violent Death Reporting System to analyze data, identify risk factors and develop prevention efforts........... 85,200
For Grants for Prostate Cancer Awareness and Screening Programs............... 150,000
For Grants for Vision and Hearing Screening Programs......................... 379,700
Total $2,224,100

Payable from the Alzheimer’s Disease Research Fund:
For Grants Pursuant to the Alzheimer’s Disease Research Act............... 350,000

Payable from the Childhood Cancer Research Fund:
For Grants for Childhood Cancer Research........... 100,000

Payable from the Public Health Services Fund:
For Grants for Public Health Programs, Including Operational Expenses............ 9,530,000

Payable from the Diabetes Research Checkoff Fund:
For Grants for Diabetes Research..................... 250,000

Payable from the DHS Private Resources Fund:
For Expenses of Diabetes Research....................... 700,000

Payable from the Tobacco Settlement Recovery Fund:
For Certified Local Health Department Grants for Anti-Smoking Programs............ 5,000,000
For Grants and Administrative Expenses for the Tobacco Use Prevention Program, BASUAH Program, and Asthma Prevention........ 4,000,000
Total $9,000,000

New matter indicated by italics - deletions by strikeout
Payable from the Maternal and Child Health Services Block Grant Fund:
For Grants for Maternal and Child Health Programs........................................ 495,000
For Grants for the Extension and Provision of Perinatal Services for Premature and High-risk Infants and their Mothers......... 2,500,000
Total $2,995,000

Payable from the Preventive Health and Health Services Block Grant Fund:
For Grants for Prevention Programs including operational expenses.............. 1,000,000

Payable from the Metabolic Screening and Treatment Fund:
For Grants for Metabolic Screening Follow-up Services............................. 3,250,000
For Grants for Free Distribution of Medical Preparations and Food Supplies.......... 2,500,000
Total $5,750,000

Payable from the Autoimmune Disease Research Fund:
For grants for Autoimmune Disease research and treatment............................. 45,000

Payable from the Prostate Cancer Research Fund:
For grants to Public and Private Entities in Illinois for Prostate Cancer Research.......................... 30,000

Payable from the Multiple Sclerosis Research Fund:
For grants to conduct Multiple Sclerosis research................................. 2,000,000

Section 50. In addition to any sums previously appropriated, the sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the American Lung Association for operations of the Quitline.

Section 55. In addition to any sums previously appropriated, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the American Lung Association for evaluation of Illinois Tobacco Quitline Cessation Rates.

New matter indicated by italics - deletions by strikeout
Section 60. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Healthy Smiles Fund to the Department of Public Health for expenses of the Healthy Smiles Program.

Section 65. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH CARE REGULATION

Payable from the General Revenue Fund:
For Expenses of the Assisted Living and Shared Housing Program............... 211,100

Payable from the Public Health Services Fund:
For Personal Services............... 9,420,500
For State Contributions to State Employees' Retirement System................. 3,797,600
For State Contributions to Social Security ...... 721,700
For Group Insurance....................... 2,500,900
For Contractual Services............... 1,000,000
For Travel..................................... 1,100,000
For Commodities.......................... 8,200
For Printing.................................. 10,000
For Telecommunications..................... 440,000
For Expenses of Monitoring in Long Term Care Facilities........ 1,750,000
Total $20,797,400

Payable from the Long Term Care Monitor/Receiver Fund:
For Expenses, Including Refunds, Related to Appointment of Long Term Care Monitors and Receivers.............. 14,400,000

Payable from the Home Care Services Agency Licensure Fund:
For expenses of Home Care Services Agency Licensure.................. 1,050,000

Payable from the Regulatory Evaluation and Basic Enforcement Fund:
For Expenses of the Alternative Health Care Delivery Systems Program........... 75,000

New matter indicated by italics - deletions by strikeout
Review Fund:
For Expenses of Health Facility
Plan Review Program and Hospital
Network System, including refunds........... 1,727,000

Payable from the Hospice Fund:
For Grants for hospice services as
defined in the Hospice Program
Licensing Act..................................... 15,000

Payable from Assisted Living and Shared
Housing Regulatory Fund:
For operational expenses of the
Assisted Living and Shared
Housing Program, pursuant to
Public Act 91-0656.............................. 601,000

Payable from the Public Health Special State
Projects Fund:
For Health Care Facility Regulation.......... 700,000

Payable from Equity in Long Term Care
Quality Fund:
For grants to assist residents of
facilities licensed under the
Nursing Home Care Act......................... 3,500,000

Section 70. The following named sums, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:
OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:
For Expenses Incurred for the Rapid
Investigation and Control of
Disease or Injury............................... 472,100

For Expenses of Environmental Health
Surveillance and Prevention
Activities, Including Mercury
Hazards and West Nile Virus.................... 314,900

For Expenses for Expanded Lab Capacity
and Enhanced Statewide Communication
Capabilities Associated with
Homeland Security............................. 339,500

For Deposit into the Lead Poisoning

New matter indicated by italics - deletions by strikeout
Screening, Prevention, and Abatement Fund.................................. 679,000
Total $1,805,500

Payable from the Public Health Services Fund:
For Personal Services.......................... 5,945,700
For State Contributions to State Employees' Retirement System........... 2,396,900
For State Contributions to Social Security...... 441,000
For Group Insurance.............................. 1,250,000
For Contractual Services...................... 3,182,800
For Travel......................................... 345,700
For Commodities.................................. 405,000
For Printing....................................... 70,800
For Equipment.................................... 365,000
For Telecommunications Services............... 286,800
For Operation of Auto Equipment............... 40,000
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers............... 5,750,000
For Expenses Related to the Summer Food Inspection Program...................... 45,000
Total $20,524,700

Payable from the Food and Drug Safety Fund:
For Expenses of Administering the Food and Drug Safety Program, including Refunds............... 1,400,000
Payable from the Safe Bottled Water Fund:
For Expenses for the Safe Bottled Water Program........................................ 75,000
Payable from the Facility Licensing Fund:
For Expenses, including Refunds, of Environmental Health Programs.............. 3,000,000
Payable from the Illinois School Asbestos Abatement Fund:
For Expenses, Including Refunds, of Administering and Executing the Asbestos Abatement Act and the Federal Asbestos Hazard Emergency Response Act of 1986 (AHERA)... 1,200,000

New matter indicated by italics - deletions by strikeout
Payable from the Emergency Public Health Fund:
For expenses of mosquito abatement in an
effort to curb the spread of West Nile Virus...................... 5,100,000

Payable from the Public Health Water Permit Fund:
For Expenses, Including Refunds,
of Administering the Groundwater Protection Act................... 200,000

Payable from the Used Tire Management Fund:
For Expenses of Vector Control Programs,
including Mosquito Abatement......................... 500,000

Payable from the Tattoo and Body Piercing Fund:
For expenses of administering of
Tattoo and Body Piercing Establishment Registration Program............... 300,000

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Expenses of the Lead Poisoning Screening, and Prevention Program,
including Refunds................................. 2,897,100

Payable from the Tanning Facility Permit Fund:
For Expenses to Administer the Tanning Facility Permit Act,
including Refunds................................. 500,000

Payable from the Plumbing Licensure and Program Fund:
For Expenses to Administer and Enforce the Illinois Plumbing License Law,
including Refunds................................. 1,950,000

Payable from the Pesticide Control Fund:
For Public Education, Research, and Enforcement of the Structural Pest Control Act.......................... 420,000

Payable from the Pet Population Control Fund:
For expenses associated with the Illinois Public Health and Safety Animal Population Control Act............... 250,000

Payable from the Public Health Special State Projects Fund:

New matter indicated by italics - deletions by strikeout
For Expenses of Conducting EPSDT and other Health Protection Programs........... 7,200,000

Section 75. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:
For Grants for Immunizations and Outreach Activities......................... 4,619,000
For Local Health Protection Grants to Certified Local Health Departments for Health Protection Programs including, But Not Limited To, Infectious Diseases, Food Sanitation, Potable Water and Private Sewage............. 17,098,500
Total $21,717,500

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Grants for the Lead Poisoning Screening and Prevention Program...................... 1,500,000

Payable from the Private Sewage Disposal Program Fund:
For Expenses of administering the Private Sewage Disposal Program................. 250,000

Section 80. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the Public Health Services Fund to the Department of Public Health for immunizations, chronic disease and other public health programs in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 85. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Outreach to Minority populations, costs

New matter indicated by italics - deletions by strikeout
associated with correctional facilities
Referral and Partner Notification
(CTRPN), and Patient and Worker
Notification pursuant to Public
Act 87-763................................. 25,000,000
Payable from the Public Health Services Fund:
For Expenses of Programs for Prevention
of AIDS/HIV............................... 6,250,000
For Expenses for Surveillance Programs and
Seroprevalence Studies of AIDS/HIV......... 1,750,000
For Expenses Associated with the
Ryan White Comprehensive AIDS
Resource Emergency Act of
1990 (CARE) and other AIDS/HIV services...... 48,000,000
Total $56,000,000
Payable from the African-American
HIV/AIDS Response Fund:
For grants and other expenses for
the prevention and treatment of
HIV/AIDS and the creation of an HIV/AIDS
service delivery system to reduce the
disparity of HIV infection and AIDS cases
between African-Americans and other
population groups........................... 1,500,000
Payable from the Quality of Life Endowment Fund:
For grants and expenses associated
with HIV/AIDS prevention and education....... 2,400,000
Section 90. The following named sums, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:
PUBLIC HEALTH LABORATORIES
Payable from the General Revenue Fund:
For Operational Expenses to Provide
Clinical and Environmental Public
Health Laboratory Services.................... 3,338,700
Payable from the Public Health Services Fund:
For Personal Services........................ 1,635,800
For State Contributions to State
Employees' Retirement System............... 659,500

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security ...... 125,200
For Group Insurance............................. 315,700
For Contractual Services........................ 535,000
For Travel.......................................... 27,000
For Commodities................................. 1,624,900
For Printing......................................... 10,000
For Equipment..................................... 500,000
For Telecommunications Services.............. 9,500
Total $5,442,600

Payable from the Public Health Laboratory Services Revolving Fund:
For Expenses, Including Refunds, to Administer Public Health Laboratory Programs and Services.................. 5,000,000

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Expenses, Including Refunds, of Lead Poisoning Screening, Prevention and Abatement Program.............. 1,398,100

Payable from the Public Health Special State Projects Fund:
For operational expenses of regional and central office facilities.................. 2,200,000

Payable from the Metabolic Screening and Treatment Fund:
For Expenses, Including Refunds, of Testing and Screening for Metabolic Diseases.................. 9,983,800

Section 95. The following named sums, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF WOMEN'S HEALTH

Payable from the General Revenue Fund:
For Expenses for Breast and Cervical Cancer Screenings, minority outreach, and other Related Activities............... 13,823,400
For Expenses of the Women's Health Promotion Programs............... 485,000

New matter indicated by italics - deletions by strikeout
Total $14,308,400

Payable from the Public Health Services Fund:
For Personal Services................. 691,100
For State Contributions to State
   Employees' Retirement System....... 278,600
For State Contributions to
   Social Security...................... 52,900
For Group Insurance.................... 238,800
For Contractual Services.............. 500,000
For Travel................................ 50,000
For Commodities....................... 53,200
For Printing............................ 34,500
For Equipment.......................... 50,000
For Telecommunications Services...... 10,000
For Expenses of Federally Funded Women's
   Health Program...................... 2,600,000
Total $4,559,100

Payable from the Public Health Special
State Projects Fund:
For Expenses of Women's Health Programs... 200,000

OFFICE OF WOMEN'S HEALTH

Section 100. The following named sums, or so much thereof as
may be necessary, are appropriated to the Department of Public Health for
the objects and purposes hereinafter named:

Payable from the Penny Severns Breast and Cervical
Cancer Research Fund:
For Grants for Breast and Cervical
   Cancer Research........................ 600,000

Payable from the Public Health Services Fund:
For Grants for Breast and Cervical
   Cancer Screenings in Fiscal Year 2014
   and all prior fiscal years............... 6,000,000

Payable from the Ticket for the Cure Fund:
For Grants and related expenses to
   public or private entities in Illinois
   for the purpose of funding research
   concerning breast cancer and for
   funding services for breast cancer victims... 3,000,000

OFFICE OF WOMEN'S HEALTH

New matter indicated by italics - deletions by strikeout
Section 105. The following named sums, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

Payable from General Revenue Fund:
For Expenses associated with School Health Centers ............................................... 1,279,000
For Grants to Family Planning Programs for Contraceptive Services ................. 470,400
Total $1,749,400

Payable from the Public Health Services Fund:
For Expenses associated with Maternal and Child Health Programs ...................... 12,100,000

Payable from Tobacco Settlement Recovery Fund:
For costs associated with Children’s Health Programs ........................................ 979,700

Payable from the Maternal and Child Health Services Block Grant Fund:
For Expenses associated with Maternal and Child Health Programs ................. 4,500,000
For Grants to the Chicago Department of Health for Maternal and Child Health Services ........................................ 5,000,000
For Grants to the Board of Trustees of the University of Illinois, Division of Specialized Care for Children ...................... 7,800,000
Total $17,300,000

Section 110. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF PREPAREDNESS AND RESPONSE

Payable from the General Revenue Fund:
For grants to Metro Chicago Hospital Council for the support of the Illinois Poison Control Center ......................... 1,331,100

Payable from Fire Prevention Fund:
For Expenses of EMS Testing ......................... 440,000
For Expenses of EMS staffing and Program Activities ...................... 390,000
Total $830,000

New matter indicated by italics - deletions by strikeout
Payable from the Public Health Services Fund:
For Expenses of Federally Funded
Bioterrorism Preparedness
Activities and other Public Health
Emergency Preparedness....................... 70,000,000
Payable from the Heartsaver AED Fund:
For Expenses Associated with the
Heartsaver AED Program......................... 125,000
Payable from the Trauma Center Fund:
For Expenses of Administering the
Distribution of Payments to
Trauma Centers................................. 7,000,000
Payable from the EMS Assistance Fund:
For Expenses of Administering the
Distribution of Payments from the
EMS Assistance Fund, Including Refunds...... 1,100,000
Payable from the Spinal Cord Injury Paralysis
Cure Research Trust Fund:
For grants for spinal cord injury research....... 800,000
Payable from the Public Health Special
Projects Fund:
For all costs associated with Public
Health preparedness including first-
aid stations and anti-viral purchases........... 450,000

Section 115. The sum of $30,000,000, or so much thereof as may
be necessary, is appropriated from the Public Health Services Fund to the
Department of Public Health for expenses associated with the
implementation of the Illinois Health Insurance Marketplace and related
activities.

Section 120. The sum of $50,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Public Health for media and film production and
informational outreach for Public Act 96-0895.

ARTICLE 11

Section 5. The sum of $67,752,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Veterans’ Affairs for operational expenses of the fiscal year
ending June 30, 2014.
Section 10. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the objects and purposes and in the amounts set forth as follows:

GRANTS-IN-AID
For Bonus Payments to War Veterans and Peacetime Crisis Survivors.............................. 198,000
For Providing Educational Opportunities for Children of Certain Veterans, as provided by law........................................ 74,300
For Cartage and Erection of Veterans’ Headstones, including Prior Years Claims......... 241,000
Total ........................................ $513,300

Section 15. The following named sum, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Veterans' Affairs for the object and purpose and in the amount set forth as follows:

For Specially Adapted Housing for Veterans........ 223,000

Section 20. The sum of $0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans’ Affairs for costs associated with a Post-Traumatic Stress Disorder Outpatient Counseling Program.

Section 25. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Veterans’ Affairs for the payment of benefits authorized under the Survivor’s Compensation Act.

Section 30. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Illinois Veterans’ Homes Fund to the Department of Veterans’ Affairs to enhance the operations of veterans’ homes in Illinois.

Section 35. The sum of $0, or so much thereof as may be necessary, is appropriated from the Disabled Veterans Property Tax Relief Fund to the Department of Veterans’ Affairs for the purpose of providing property tax relief to disabled veterans.

Section 40. The sum of $8,300,000, or so much thereof as may be necessary, is appropriated from the Illinois Veterans Assistance Fund to the Department of Veterans’ Affairs for making grants, funding additional services, or conducting additional research projects relating to veterans’ post traumatic stress disorder; veterans’ homelessness; the health

New matter indicated by italics - deletions by strikeout
insurance cost of veterans; veterans’ disability benefits, including but not limited to, disability benefits provided by veterans service organizations and veterans assistance commissions or centers; and the long-term care of veterans.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

**ILLINOIS VETERANS' HOME AT ANNA**

Payable from Anna Veterans Home Fund:
- For Personal Services: $1,187,700
- For State Contributions to the State Employees' Retirement System: $478,800
- For State Contributions to Social Security: $90,900
- For Contractual Services: $678,500
- For Travel: $5,000
- For Commodities: $345,000
- For Printing: $4,000
- For Equipment: $13,300
- For Electronic Data Processing: $12,400
- For Telecommunications Services: $14,400
- For Operation of Auto Equipment: $10,100
- For Permanent Improvements: $10,000
- For Refunds: $32,700

Total: $2,882,800

Section 50. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

**ILLINOIS VETERANS' HOME AT QUINCY**

Payable from Quincy Veterans Home Fund:
- For Personal Services: $9,903,900
- For Member Compensation: $35,000
- For State Contributions to the State Employees' Retirement System: $3,992,500
- For State Contributions to Social Security: $757,600
- For Contractual Services: $3,125,400
- For Travel: $6,000
- For Commodities: $4,828,400

New matter indicated by italics - deletions by strikeout
For Printing...................................... 23,700
For Equipment.................................. 118,500
For Electronic Data Processing................. 67,900
For Telecommunications Services............... 81,300
For Operation of Auto Equipment............... 117,700
For Permanent Improvements.................... 20,000
For Refunds................................... 44,600
Total                                       $23,122,500

Section 55. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT LASALLE
Payable from LaSalle Veterans Home Fund:
For Personal Services.......................... 5,654,700
For State Contributions to the State
Employees' Retirement System.................. 2,279,600
For State Contributions to
Social Security................................ 432,600
For Contractual Services....................... 2,315,100
For Travel...................................... 8,000
For Commodities............................... 1,138,000
For Printing.................................... 4,500
For Equipment.................................. 139,200
For Electronic Data Processing............... 25,600
For Telecommunications......................... 32,600
For Operation of Auto Equipment............... 24,600
For Permanent Improvements................... 25,000
For Refunds................................... 12,000
Total                                       $12,091,500

Section 60. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT MANTENO
Payable from Manteno Veterans Home Fund:
For Personal Services......................... 7,520,600
For Member Compensation....................... 20,000
For State Contributions to the State
Employees' Retirement System.................. 3,031,600
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security................................. 575,400
For Contractual Services....................... 6,124,100
For Travel........................................ 8,500
For Commodities............................... 1,625,400
For Printing...................................... 20,000
For Equipment.................................. 432,000
For Electronic Data Processing................. 50,800
For Telecommunications Services............... 88,800
For Operation of Auto Equipment............... 89,900
For Permanent Improvements................... 75,000
For Refunds.................................... 20,000
Total                                             $19,682,100

Section 65. The following named sums, or so much thereof as may necessary, respectively, are appropriated to the Department of Veterans’ Affairs for costs associated with the operation of a program for homeless veterans at the Illinois Veterans’ Home at Manteno:
Payable from the Manteno Veterans
Home Fund........................................... 50,000
Payable from Veterans’ Affairs Federal
Projects Fund...................................... 125,000
Total                                                $175,000

Section 70. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

STATE APPROVING AGENCY
Payable from GI Education Fund:
For Personal Services............................. 780,700
For State Contributions to the State
Employees' Retirement System..................... 314,800
For State Contributions to
Social Security.................................. 59,700
For Group Insurance................................ 184,000
For Contractual Services......................... 55,700
For Travel......................................... 42,300
For Commodities................................. 3,300
For Printing...................................... 12,000
For Equipment.................................... 72,000
For Electronic Data Processing................. 12,600
For Telecommunications Services.............. 17,600

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment................... 12,500
Total $1,567,200

Section 75. The sum of $223,200, or so much thereof as may be necessary, is appropriated from the Veterans’ Affairs Federal Projects Fund to the Department of Veterans’ Affairs for operating and administrative costs associated with the Troops to Teachers Program.

ARTICLE 999

Section 999. Effective date. This Act takes effect July 1, 2013.
Approved June 21, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0028
(House Bill No. 1868)

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

Section 5. The School Code is amended by changing Section 21B-20 as follows:

(105 ILCS 5/21B-20)
Sec. 21B-20. Types of licenses. Before July 1, 2013, the State Board of Education shall implement a system of educator licensure, whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) a professional educator license with stipulations; or (iii) a substitute teaching license. References in law regarding individuals certified or certificated or required to be certified or certificated under Article 21 of this Code shall also include individuals licensed or required to be licensed under this Article. The first year of all licenses ends on June 30 following one full year of the license being issued.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to govern the requirements for licenses and endorsements under this Section.

(1) Professional Educator License. Persons who (i) have successfully completed an approved educator preparation program and are recommended for licensure by the Illinois institution offering the educator preparation program, (ii) have successfully
completed the required testing under Section 21B-30 of this Code, (iii) have successfully completed coursework on the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled, (iv) have successfully completed coursework in methods of reading and reading in the content area, and (v) have met all other criteria established by rule of the State Board of Education shall be issued a Professional Educator License. All Professional Educator Licenses are valid until June 30 immediately following 5 years of the license being issued. The Professional Educator License shall be endorsed with specific areas and grade levels in which the individual is eligible to practice.

Individuals can receive subsequent endorsements on the Professional Educator License. Subsequent endorsements shall require a minimum of 24 semester hours of coursework in the endorsement area, unless otherwise specified by rule, and passage of the applicable content area test.

(2) Educator License with Stipulations. An Educator License with Stipulations shall be issued an endorsement that (i) is non-renewable, (ii) limits the license holder to one particular position, or (iii) does not require completion of an approved educator program or both any combination of items (i) through (iii) of this paragraph (2).

An individual with an Educator License with Stipulations must not be employed by a school district or any other entity to replace any presently employed teacher who otherwise would not be replaced for any reason.

An Educator License with Stipulations may be issued with the following endorsements:

(A) Provisional educator. A provisional educator endorsement in a specific content area or areas on an Educator License with Stipulations may be issued to an applicant who holds an educator license with a minimum of 15 semester hours in content coursework from another state, U.S. territory, or foreign country and who, at the time of applying for an Illinois license, does not meet the minimum requirements under Section 21B-35 of this Code, but does, at a minimum, meet both of the following requirements:

New matter indicated by italics - deletions by strikeout
(i) Holds the equivalent of a minimum of a bachelor's degree, unless a master's degree is required for the endorsement, from a regionally accredited college or university or, for individuals educated in a country other than the United States, the equivalent of a minimum of a bachelor's degree issued in the United States, unless a master's degree is required for the endorsement.

(ii) Has passed a test of basic skills and content area test, as required by Section 21B-30 of this Code.

However, a provisional educator endorsement for principals may not be issued, nor may any person with a provisional educator endorsement serve as a principal in a public school in this State. In addition, out-of-state applicants shall not receive a provisional educator endorsement if the person completed an alternative licensure program in another state, unless the program has been determined to be equivalent to Illinois program requirements.

Notwithstanding any other requirements of this Section, a service member or spouse of a service member may obtain a Professional Educator License with Stipulations, and a provisional educator endorsement in a specific content area or areas, if he or she holds a valid teaching certificate or license in good standing from another state, meets the qualifications of educators outlined in Section 21B-15 of this Code, and has not engaged in any misconduct that would prohibit an individual from obtaining a license pursuant to Illinois law, including without limitation any administrative rules of the State Board of Education; however, the service member or spouse may not serve as a principal under the Professional Educator License with Stipulations or provisional educator endorsement.

In this Section, "service member" means any person who, at the time of application under this Section, is an active duty member of the United States Armed Forces or any reserve component of the United States Armed Forces.
or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia.

A provisional educator endorsement is valid until June 30 immediately following 2 years of the license being issued, during which time any remaining testing and coursework deficiencies must be met. Failure to satisfy all stated deficiencies shall mean the individual, including any service member or spouse who has obtained a Professional Educator License with Stipulations and a provisional educator endorsement in a specific content area or areas, is ineligible to receive a Professional Educator License at that time. A provisional educator endorsement on an Educator License with Stipulations shall not be renewed.

(B) Alternative provisional educator. An alternative provisional educator endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a bachelor's degree.

(ii) Successfully completed the first phase of the Alternative Educator Licensure Program for Teachers, as described in Section 21B-50 of this Code.

(iii) Passed a test of basic skills and content area test, as required under Section 21B-30 of this Code.

The alternative provisional educator endorsement is valid for 2 years of teaching and may be renewed for a third year by an individual meeting the requirements set forth in Section 21B-50 of this Code.

(C) Alternative provisional superintendent. An alternative provisional superintendent endorsement on an Educator License with Stipulations entitles the holder to serve only as a superintendent or assistant superintendent in a school district's central office. This endorsement may only be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

New matter indicated by italics - deletions by strikeout
(i) Graduated from a regionally accredited college or university with a minimum of a master's degree in a management field other than education.

(ii) Been employed for a period of at least 5 years in a management level position in a field other than education.

(iii) Successfully completed the first phase of an alternative route to superintendent endorsement program, as provided in Section 21B-55 of this Code.

(iv) Passed a test of basic skills and content area tests required under Section 21B-30 of this Code.

The endorsement may be registered for 2 fiscal years in order to complete one full year of serving as a superintendent or assistant superintendent.

(D) Resident teacher endorsement. A resident teacher endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited institution of higher education with a minimum of a bachelor's degree.

(ii) Enrolled in an approved Illinois educator preparation program.

(iii) Passed a test of basic skills and content area test, as required under Section 21B-30 of this Code.

The resident teacher endorsement on an Educator License with Stipulations is valid for 4 years of teaching and shall not be renewed.

A resident teacher may teach only under the direction of a licensed teacher, who shall act as the resident mentor teacher, and may not teach in place of a licensed teacher. A resident teacher endorsement on an Educator License with Stipulations shall no longer be valid after June 30, 2017.

New matter indicated by italics - deletions by strikeout
(E) Career and technical educator. A career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 60 semester hours of coursework from a regionally accredited institution of higher education, has passed a test of basic skills required under Section 21B-30 of this Code, and has a minimum of 2,000 hours of experience in the last 10 years outside of education in each area to be taught.

The career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued.

(F) Part-time provisional career and technical educator or provisional career and technical educator. A part-time provisional career and technical educator endorsement or a provisional career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 8,000 hours of work experience in the skill for which the applicant is seeking the endorsement. It is the responsibility of each employing school board and regional office of education to provide verification, in writing, to the State Superintendent of Education at the time the application is submitted that no qualified teacher holding a Professional Educator License or an Educator License with Stipulations with a career and technical educator endorsement is available and that actual circumstances require such issuance.

The provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed only one time for 5 years if the individual passes a test of basic skills, as required under Section 21B-30 of this Code, and has completed a minimum of 20 semester hours from a regionally accredited institution.

A part-time provisional career and technical educator endorsement on an Educator License with...
Stipulations may be issued for teaching no more than 2 courses of study for grades 6 through 12. The part-time provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed for 5 years if the individual makes application for renewal.

(G) Transitional bilingual educator. A transitional bilingual educator endorsement on an Educator License with Stipulations may be issued for the purpose of providing instruction in accordance with Article 14C of this Code to an applicant who provides satisfactory evidence that he or she meets all of the following requirements:

(i) Possesses adequate speaking, reading, and writing ability in the language other than English in which transitional bilingual education is offered.

(ii) Has the ability to successfully communicate in English.

(iii) Either possessed, within 5 years previous to his or her applying for a transitional bilingual educator endorsement, a valid and comparable teaching certificate or comparable authorization issued by a foreign country or holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

A transitional bilingual educator endorsement shall be valid for prekindergarten through grade 12, is valid until June 30 immediately following 5 years of the endorsement being issued, and shall not be renewed.

Persons holding a transitional bilingual educator endorsement shall not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

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(H) Language endorsement. In an effort to alleviate the shortage of teachers speaking a language other than English in the public schools, an individual who holds an Educator License with Stipulations may also apply for a language endorsement, provided that the applicant provides satisfactory evidence that he or she meets all of the following requirements:

(i) Holds a transitional bilingual endorsement.

(ii) Has demonstrated proficiency in the language for which the endorsement is to be issued by passing the applicable language content test required by the State Board of Education.

(iii) Holds a bachelor's degree or higher from a regionally accredited institution of higher education or, for individuals educated in a country other than the United States, holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

(iv) Has passed a test of basic skills, as required under Section 21B-30 of this Code.

A language endorsement on an Educator License with Stipulations is valid for prekindergarten through grade 12 for the same validity period as the individual's transitional bilingual educator endorsement on the Educator License with Stipulations and shall not be renewed.

(I) Visiting international educator. A visiting international educator endorsement on an Educator License with Stipulations may be issued to an individual who is being recruited by a particular school district that conducts formal recruitment programs outside of the United States to secure the services of qualified teachers and who meets all of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree issued in the United States.
(ii) Has been prepared as a teacher at the grade level for which he or she will be employed.

(iii) Has adequate content knowledge in the subject to be taught.

(iv) Has an adequate command of the English language.

A holder of a visiting international educator endorsement on an Educator License with Stipulations shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination or another test of writing skills in English identified by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

A visiting international educator endorsement on an Educator License with Stipulations is valid for 3 years and shall not be renewed.

(J) Paraprofessional educator. A paraprofessional educator endorsement on an Educator License with Stipulations may be issued to an applicant who holds a high school diploma or its recognized equivalent and either holds an associate's degree or a minimum of 60 semester hours of credit from a regionally accredited institution of higher education or has passed a test of basic skills required under Section 21B-30 of this Code. The paraprofessional educator endorsement is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed through application and payment of the appropriate fee, as required under Section 21B-40 of this Code. An individual who holds only a paraprofessional educator endorsement is not subject to additional requirements in order to renew the endorsement.

(3) Substitute Teaching License. A Substitute Teaching License may be issued to qualified applicants for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Substitute Teaching License must
hold a bachelor's degree or higher from a regionally accredited institution of higher education.

Substitute Teaching Licenses are valid for 5 years and may be renewed if the individual has passed a test of basic skills, as authorized under Section 21B-30 of this Code. An individual who has passed a test of basic skills for the first licensure renewal is not required to retake the test again for further renewals.

Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked or has not met the renewal requirements for licensure, then that individual is not eligible to obtain a Substitute Teaching License.

A substitute teacher may only teach in the place of a licensed teacher who is under contract with the employing board. If, however, there is no licensed teacher under contract because of an emergency situation, then a district may employ a substitute teacher for no longer than 30 calendar days per each vacant position in the district if the district notifies the appropriate regional office of education within 5 business days after the employment of the substitute teacher in the emergency situation. An emergency situation is one in which an unforeseen vacancy has occurred and (i) a teacher is unable to fulfill his or her contractual duties or (ii) teacher capacity needs of the district exceed previous indications, and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

There is no limit on the number of days that a substitute teacher may teach in a single school district, provided that no substitute teacher may teach for longer than 90 school days for any one licensed teacher under contract in the same school year. A substitute teacher who holds a Professional Educator License or Educator License with Stipulations shall not teach for more than 120 school days for any one licensed teacher under contract in the same school year. The limitations in this paragraph (3) on the number of days a substitute teacher may be employed do not apply to any school district operating under Article 34 of this Code.

(Source: P.A. 97-607, eff. 8-26-11; 97-710, eff. 1-1-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning government.

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

Section 5. The Illinois Notary Public Act is amended by changing Sections 3-102, 3-104, and 6-102 as follows:

(5 ILCS 312/3-102) (from Ch. 102, par. 203-102)
Sec. 3-102. Notarial Record; Residential Real Property Transactions.

(a) This Section shall apply to every notarial act in Illinois involving a document of conveyance that transfers or purports to transfer title to residential real property located in Cook County.

(b) As used in this Section, the following terms shall have the meanings ascribed to them:

(1) "Document of Conveyance" shall mean a written instrument that transfers or purports to transfer title effecting a change in ownership to Residential Real Property, excluding:

   (i) court-ordered and court-authorized conveyances of Residential Real Property, including without limitation, quit-claim deeds executed pursuant to a marital settlement agreement incorporated into a judgment of dissolution of marriage, and transfers in the administration of a probate estate;

   (ii) judicial sale deeds relating to Residential Real Property, including without limitation, sale deeds issued pursuant to proceedings to foreclose a mortgage or execute on a levy to enforce a judgment;

   (iii) deeds transferring ownership of Residential Real Property to a trust where the beneficiary is also the grantor;

   (iv) deeds from grantors to themselves that are intended to change the nature or type of tenancy by which they own Residential Real Property;
(v) deeds from a grantor to the grantor and another natural person that are intended to establish a tenancy by which the grantor and the other natural person own Residential Real Property;

(vi) deeds executed to the mortgagee in lieu of foreclosure of a mortgage; and (vii) deeds transferring ownership to a revocable or irrevocable grantor trust where the beneficiary includes the grantor.

(2) "Financial Institution" shall mean a State or federally chartered bank, savings and loan association, savings bank, credit union, or trust company.

(3) "Notarial Record" shall mean the written document created in conformity with this Section by a notary in connection with Documents of Conveyance.

(4) "Residential Real Property" shall mean a building or buildings located in Cook County, Illinois and containing one to 4 dwelling units or an individual residential condominium unit.

(5) "Title Insurance Agent" shall have the meaning ascribed to it under the Title Insurance Act.

(6) "Title Insurance Company" shall have the meaning ascribed to it under the Title Insurance Act.

(c) A notary appointed and commissioned as a notary in Illinois shall, in addition to compliance with other provisions of this Act, create a Notarial Record of each notarial act performed in connection with a Document of Conveyance. The Notarial Record shall contain:

(1) The date of the notarial act;

(2) The type, title, or a description of the Document of Conveyance being notarized, and the property index number ("PIN") used to identify the Residential Real Property for assessment or taxation purposes and the common street address for the Residential Real Property that is the subject of the Document of Conveyance;

(3) The signature, printed name, and residence street address of each person whose signature is the subject of the notarial act and a certification by the person that the property is Residential Real Property as defined in this Section, which states "The undersigned grantor hereby certifies that the real property identified in this Notarial Record is Residential Real Property as defined in the Illinois Notary Public Act".

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(4) A description of the satisfactory evidence reviewed by
the notary to determine the identity of the person whose signature
is the subject of the notarial act;

(5) The date of notarization, the fee charged for the notarial
act, the Notary's home or business phone number, the Notary's
residence street address, the Notary's commission expiration date,
the correct legal name of the Notary's employer or principal, and
the business street address of the Notary's employer or principal;

and

(6) The notary public shall require the person signing the
Document of Conveyance (including an agent acting on behalf of a
principal under a duly executed power of attorney), whose
signature is the subject of the notarial act, to place his or her right
thumbprint on the Notarial Record. If the right thumbprint is not
available, then the notary shall have the party use his or her left
thumb, or any available finger, and shall so indicate on the Notarial
Record. If the party signing the document is physically unable to
provide a thumbprint or fingerprint, the notary shall so indicate on
the Notarial Record and shall also provide an explanation of that
physical condition. The notary may obtain the thumbprint by any
means that reliably captures the image of the finger in a physical or
electronic medium.

(d) If a notarial act under this Section is performed by a notary who
is a principal, employee, or agent of a Title Insurance Company, Title
Insurance Agent, Financial Institution, or attorney at law, the notary shall
deliver the original Notarial Record to the notary's employer or principal
within 14 days after the performance of the notarial act for retention for a
period of 7 years as part of the employer's or principal's business records.
In the event of a sale or merger of any of the foregoing entities or persons,
the successor or assignee of the entity or person shall assume the
responsibility to maintain the Notarial Record for the balance of the 7-year
business records retention period. Liquidation or other cessation of
activities in the ordinary course of business by any of the foregoing entities
or persons shall relieve the entity or person from the obligation to maintain
Notarial Records after delivery of Notarial Records to the Recorder of
Deeds of Cook County, Illinois.

(e) If a notarial act is performed by a notary who is not a principal,
employee, or agent of a Title Insurance Company, Title Insurance Agent,
Financial Institution, or attorney at law, the notary shall deliver the

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original Notarial Record within 14 days after the performance of the
notarial act to the Recorder of Deeds of Cook County, Illinois for retention
for a period of 7 years, accompanied by a filing fee of $5.

(f) The Notarial Record required under subsection (c) of this
Section shall be created and maintained for each person whose signature is
the subject of a notarial act regarding a Document of Conveyance and shall
be in substantially the following form:

NOTARIAL RECORD - RESIDENTIAL REAL PROPERTY
TRANSACTIONS

Date Notarized:
Fee: $

The undersigned grantor hereby certifies that the real property identified in
this Notarial Record is Residential Real Property as defined in the Illinois
Notary Public Act.

Grantor's (Signer's) Printed Name:
Grantor's (Signer's) Signature:
Grantor's (Signer's) Residential Street Address, City, State, and Zip:
Type or Name of Document of Conveyance:
PIN No. of Residential Real Property:
Common Street Address of Residential Real Property:
Thumbprint or Fingerprint:
Description of Means of Identification:
Additional Comments:
Name of Notary Printed:
Notary Phone Number:
Commission Expiration Date:
Residential Street Address of Notary, City, State, and Zip:
Name of Notary's Employer or Principal:
Business Street Address of Notary's Employer or Principal, City, State,
and Zip:

(g) No copies of the original Notarial Record may be made or
retained by the Notary. The Notary's employer or principal may retain
copies of the Notarial Records as part of its business records, subject to
applicable privacy and confidentiality standards.

(h) The failure of a notary to comply with the procedure set forth in
this Section shall not affect the validity of the Residential Real Property
transaction in connection to which the Document of Conveyance is
executed, in the absence of fraud.

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(i) The Notarial Record or other medium containing the thumbprint or fingerprint required by subsection (c)(6) shall be made available or disclosed only upon receipt of a subpoena duly authorized by a court of competent jurisdiction. Such Notarial Record or other medium shall not be subject to disclosure under the Freedom of Information Act and shall not be made available to any other party, other than a party in succession of interest to the party maintaining the Notarial Record or other medium pursuant to subsection (d) or (e).

(j) In the event there is a breach in the security of a Notarial Record maintained pursuant to subsections (d) and (e) by the Recorder of Deeds of Cook County, Illinois, the Recorder shall notify the person identified as the "signer" in the Notarial Record at the signer's residential street address set forth in the Notarial Record. "Breach" shall mean unauthorized acquisition of the fingerprint data contained in the Notarial Record that compromises the security, confidentiality, or integrity of the fingerprint data maintained by the Recorder. The notification shall be in writing and made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable security, confidentiality, and integrity of the Recorder's data system.

(k) Subsections (a) through (i) shall not apply on and after July 1, 2013.

(l) Beginning July 1, 2013, at the time of notarization, a notary public shall officially sign every notary certificate and affix the rubber stamp seal clearly and legibly using black ink, so that it is capable of photographic reproduction. The illegibility of any of the information required by this Section does not affect the validity of a transaction.

(Source: P.A. 97-508, eff. 8-23-11.)

(5 ILCS 312/3-104) (from Ch. 102, par. 203-104)

Sec. 3-104. Maximum Fee.

(a) Except as provided in subsection (b) of this Section, the maximum fee in this State is $1.00 for any notarial act performed and, until July 1, 2018, up to $25 for any notarial act performed pursuant to Section 3-102.

(b) Fees for a notary public, agency, or any other person who is not an attorney or an accredited representative filling out immigration forms shall be limited to the following:

(1) $10 per form completion;

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(2) $10 per page for the translation of a non-English language into English where such translation is required for immigration forms;
(3) $1 for notarizing;
(4) $3 to execute any procedures necessary to obtain a document required to complete immigration forms; and
(5) A maximum of $75 for one complete application.

Fees authorized under this subsection shall not include application fees required to be submitted with immigration applications.

Any person who violates the provisions of this subsection shall be guilty of a Class A misdemeanor for a first offense and a Class 3 felony for a second or subsequent offense committed within 5 years of a previous conviction for the same offense.

(c) Upon his own information or upon complaint of any person, the Attorney General or any State's Attorney, or their designee, may maintain an action for injunctive relief in the court against any notary public or any other person who violates the provisions of subsection (b) of this Section. These remedies are in addition to, and not in substitution for, other available remedies.

If the Attorney General or any State's Attorney fails to bring an action as provided pursuant to this subsection within 90 days of receipt of a complaint, any person may file a civil action to enforce the provisions of this subsection and maintain an action for injunctive relief.

(d) All notaries public must provide receipts and keep records for fees accepted for services provided. Failure to provide receipts and keep records that can be presented as evidence of no wrongdoing shall be construed as a presumptive admission of allegations raised in complaints against the notary for violations related to accepting prohibited fees.

(Source: P.A. 95-988, eff. 6-1-09.)

(5 ILCS 312/6-102) (from Ch. 102, par. 206-102)
Sec. 6-102. Notarial Acts.
(a) In taking an acknowledgment, the notary public must determine, either from personal knowledge or from satisfactory evidence, that the person appearing before the notary and making the acknowledgment is the person whose true signature is on the instrument.
(b) In taking a verification upon oath or affirmation, the notary public must determine, either from personal knowledge or from satisfactory evidence, that the person appearing before the notary and
making the verification is the person whose true signature is on the statement verified.

(c) In witnessing or attesting a signature, the notary public must determine, either from personal knowledge or from satisfactory evidence, that the signature is that of the person appearing before the notary and named therein.

(d) A notary public has satisfactory evidence that a person is the person whose true signature is on a document if that person:

1. is personally known to the notary;
2. is identified upon the oath or affirmation of a credible witness personally known to the notary; or
3. is identified on the basis of identification documents.

Identification documents are documents that are valid at the time of the notarial act, issued by a state agency, federal government agency, or consulate, and bearing the photographic image of the individual's face and signature of the individual.

(Source: P.A. 97-397, eff. 1-1-12.)

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

Passed in the General Assembly May 29, 2013.
Approved June 21, 2013.
Effective June 21, 2013.

PUBLIC ACT 98-0030
(House Bill No 1441)

AN ACT concerning State government.

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

Section 5. The General Assembly Compensation Act is amended by changing Section 1 and by adding Section 1.9 as follows:

Sec. 1. Each member of the General Assembly shall receive an annual salary of $28,000 or as set by the Compensation Review Board, whichever is greater. The following named officers, committee chairmen and committee minority spokesmen shall receive additional amounts per year for their services as such officers, committee chairmen and committee minority spokesmen respectively, as set by the Compensation Review Board.

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Board or, as follows, whichever is greater: Beginning the second Wednesday in January 1989, the Speaker and the minority leader of the House of Representatives and the President and the minority leader of the Senate, $16,000 each; the majority leader in the House of Representatives $13,500; 6 assistant majority leaders and 5 assistant minority leaders in the Senate, $12,000 each; 6 assistant majority leaders and 6 assistant minority leaders in the House of Representatives, $10,500 each; 2 Deputy Majority leaders in the House of Representatives $11,500 each; and 2 Deputy Minority leaders in the House of Representatives, $11,500 each; the majority caucus chairman and minority caucus chairman in the Senate, $12,000 each; and beginning the second Wednesday in January, 1989, the majority conference chairman and the minority conference chairman in the House of Representatives, $10,500 each; beginning the second Wednesday in January, 1989, the chairman and minority spokesman of each standing committee of the Senate, except the Rules Committee, the Committee on Committees, and the Committee on Assignment of Bills, $6,000 each; and beginning the second Wednesday in January, 1989, the chairman and minority spokesman of each standing and select committee of the House of Representatives, $6,000 each. A member who serves in more than one position as an officer, committee chairman, or committee minority spokesman shall receive only one additional amount based on the position paying the highest additional amount. The compensation provided for in this Section to be paid per year to members of the General Assembly, including the additional sums payable per year to officers of the General Assembly shall be paid in 12 equal monthly installments. The first such installment is payable on January 31, 1977. All subsequent equal monthly installments are payable on the last working day of the month. A member who has held office any part of a month is entitled to compensation for an entire month.

Mileage shall be paid at the rate of 20 cents per mile before January 9, 1985, and at the mileage allowance rate in effect under regulations promulgated pursuant to 5 U.S.C. 5707(b)(2) beginning January 9, 1985, for the number of actual highway miles necessarily and conveniently traveled by the most feasible route to be present upon convening of the sessions of the General Assembly by such member in each and every trip during each session in going to and returning from the seat of government, to be computed by the Comptroller. A member traveling by public transportation for such purposes, however, shall be paid his actual cost of that transportation instead of on the mileage rate if

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his cost of public transportation exceeds the amount to which he would be entitled on a mileage basis. No member may be paid, whether on a mileage basis or for actual costs of public transportation, for more than one such trip for each week the General Assembly is actually in session. Each member shall also receive an allowance of $36 per day for lodging and meals while in attendance at sessions of the General Assembly before January 9, 1985; beginning January 9, 1985, such food and lodging allowance shall be equal to the amount per day permitted to be deducted for such expenses under the Internal Revenue Code; however, beginning May 31, 1995, no allowance for food and lodging while in attendance at sessions is authorized for periods of time after the last day in May of each calendar year, except (i) if the General Assembly is convened in special session by either the Governor or the presiding officers of both houses, as provided by subsection (b) of Section 5 of Article IV of the Illinois Constitution or (ii) if the General Assembly is convened to consider bills vetoed, item vetoed, reduced, or returned with specific recommendations for change by the Governor as provided in Section 9 of Article IV of the Illinois Constitution. For fiscal year 2011 and for session days in fiscal years 2012, and 2013, and 2014 only (i) the allowance for lodging and meals is $111 per day and (ii) mileage for automobile travel shall be reimbursed at a rate of $0.39 per mile.

Notwithstanding any other provision of law to the contrary, beginning in fiscal year 2012, travel reimbursement for General Assembly members on non-session days shall be calculated using the guidelines set forth by the Legislative Travel Control Board, except that fiscal year 2012, and 2013, and 2014 mileage reimbursement is set at a rate of $0.39 per mile.

If a member dies having received only a portion of the amount payable as compensation, the unpaid balance shall be paid to the surviving spouse of such member, or, if there be none, to the estate of such member. (Source: P.A. 96-958, eff. 7-1-10; 97-71, eff. 6-30-11; 97-718, eff. 6-29-12.)

(25 ILCS 115/1.9 new)

Sec. 1.9. FY14 furlough days. During each month of the fiscal year beginning July 1, 2013, every member of the 98th General Assembly is mandatorily required to forfeit one day of compensation. The State Comptroller shall deduct the equivalent of 1/261st of the annual salary of each member of the 98th General Assembly from the compensation of that member in each month of the fiscal year. For purposes of this Section,
annual compensation includes compensation paid to each member by the State for one year of service pursuant to Section 1, except any payments made for mileage and allowances for travel and meals. The forfeiture required by this Section is not considered a change in salary and shall not impact pension or other benefits provided to members of the General Assembly.

Section 10. The Compensation Review Act is amended by changing Sections 5.8 and 5.9 and by adding Section 6.1 as follows:

(25 ILCS 120/5.8)
Sec. 5.8. FY12 COLAs prohibited. Notwithstanding any former or current provision of this Act, any other law, any report of the Compensation Review Board, or any resolution of the General Assembly to the contrary, members of the General Assembly, State's attorneys, other than the county supplement, elected executive branch constitutional officers of State government, and persons in certain appointed offices of State government, including the membership of State departments, agencies, boards, and commissions, whose annual compensation previously was recommended or determined by the Compensation Review Board, are prohibited from receiving and shall not receive any increase in compensation that would otherwise apply based on a cost of living adjustment, as authorized by Senate Joint Resolution 192 of the 86th General Assembly, for or during the fiscal year beginning July 1, 2011. That cost of living adjustment shall apply again in the fiscal year beginning July 1, 2012 and thereafter.
(Source: P.A. 97-71, eff. 6-30-11.)

(25 ILCS 120/5.9)
Sec. 5.9. FY13 COLAs prohibited. Notwithstanding any former or current provision of this Act, any other law, any report of the Compensation Review Board, or any resolution of the General Assembly to the contrary, members of the General Assembly, State's attorneys, other than the county supplement, elected executive branch constitutional officers of State government, and persons in certain appointed offices of State government, including the membership of State departments, agencies, boards, and commissions, whose annual compensation previously was recommended or determined by the Compensation Review Board, are prohibited from receiving and shall not receive any increase in compensation that would otherwise apply based on a cost of living adjustment, as authorized by Senate Joint Resolution 192 of the 86th General Assembly, for or during the fiscal year beginning July 1, 2012.

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That cost of living adjustment shall apply again in the fiscal year beginning July 1, 2013 and thereafter.
(Source: P.A. 97-718, eff. 6-29-12.)

(25 ILCS 120/6.1 new)

Sec. 6.1. FY14 COLAs prohibited. Notwithstanding any former or current provision of this Act, any other law, any report of the Compensation Review Board, or any resolution of the General Assembly to the contrary, members of the General Assembly, State's attorneys, other than the county supplement, elected executive branch constitutional officers of State government, and persons in certain appointed offices of State government, including the membership of State departments, agencies, boards, and commissions, whose annual compensation previously was recommended or determined by the Compensation Review Board, are prohibited from receiving and shall not receive any increase in compensation that would otherwise apply based on a cost of living adjustment, as authorized by Senate Joint Resolution 192 of the 86th General Assembly, for or during the fiscal year beginning July 1, 2013.

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

Approved June 24, 2013.
Effective June 24, 2013.

PUBLIC ACT 98-0031
(Senate Bill No. 1738)

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

Section 5. The Video Gaming Act is amended by changing Sections 5, 15, 25, 45, and 78 as follows:
(230 ILCS 40/5)

Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Gaming Board.
"Credit" means one, 5, 10, or 25 cents either won or purchased by a player.
"Distributor" means an individual, partnership, corporation, or limited liability company licensed under this Act to buy, sell, lease, or

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distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.

"Electronic card" means a card purchased from a licensed establishment, licensed fraternal establishment, licensed veterans establishment, or licensed truck stop establishment for use in that establishment as a substitute for cash in the conduct of gaming on a video gaming terminal.

"Terminal operator" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, corporation, or limited liability company that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, electronic cards or vouchers or any combination thereof, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.
"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises and includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)

(230 ILCS 40/15)

Sec. 15. Minimum requirements for licensing and registration. Every video gaming terminal offered for play shall first be tested and

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approved pursuant to the rules of the Board, and each video gaming terminal offered in this State for play shall conform to an approved model. The Board may utilize the services of an independent outside testing laboratory for the examination of video gaming machines and associated equipment as required by this Section. Every video gaming terminal offered in this State for play must meet minimum standards set by an independent outside testing laboratory approved by the Board. Each approved model shall, at a minimum, meet the following criteria:

(1) It must conform to all requirements of federal law and regulations, including FCC Class A Emissions Standards.

(2) It must theoretically pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which must not be less than 80%. The Board shall establish a maximum payout percentage for approved models by rule. Video gaming terminals that may be affected by skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.

(3) It must use a random selection process to determine the outcome of each play of a game. The random selection process must meet 99% confidence limits using a standard chi-squared test for (randomness) goodness of fit.

(4) It must display an accurate representation of the game outcome.

(5) It must not automatically alter pay tables or any function of the video gaming terminal based on internal computation of hold percentage or have any means of manipulation that affects the random selection process or probabilities of winning a game.

(6) It must not be adversely affected by static discharge or other electromagnetic interference.

(7) It must be capable of detecting and displaying the following conditions during idle states or on demand: power reset; door open; and door just closed.

(8) It must have the capacity to display complete play history (outcome, intermediate play steps, credits available, bets placed, credits paid, and credits cashed out) for the most recent game played and 10 games prior thereto.

(9) The theoretical payback percentage of a video gaming terminal must not be capable of being changed without making a
hardware or software change in the video gaming terminal, either on site or via the central communications system.

(10) Video gaming terminals must be designed so that replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

(11) It must have nonresettable meters housed in a locked area of the terminal that keep a permanent record of all cash inserted into the machine, all winnings made by the terminal printer, credits played in for video gaming terminals, and credits won by video gaming players. The video gaming terminal must provide the means for on-demand display of stored information as determined by the Board.

(12) Electronically stored meter information required by this Section must be preserved for a minimum of 180 days after a power loss to the service.

(13) It must have one or more mechanisms that accept cash in the form of bills. The mechanisms shall be designed to prevent obtaining credits without paying by stringing, slamming, drilling, or other means. If such attempts at physical tampering are made, the video gaming terminal shall suspend itself from operating until reset.

(14) It shall have accounting software that keeps an electronic record which includes, but is not limited to, the following: total cash inserted into the video gaming terminal; the value of winning tickets claimed by players; the total credits played; the total credits awarded by a video gaming terminal; and pay back percentage credited to players of each video game.

(15) It shall be linked by a central communications system to provide auditing program information as approved by the Board. The central communications system shall use a standard industry protocol, as defined by the Gaming Standards Association, and shall have the functionality to enable the Board or its designee to activate or deactivate individual gaming devices from the central communications system. In no event may the communications system approved by the Board limit participation to only one manufacturer of video gaming terminals by either the cost in implementing the necessary program modifications to communicate or the inability to communicate with the central communications system.

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(16) The Board, in its discretion, may require video gaming terminals to display Amber Alert messages if the Board makes a finding that it would be economically and technically feasible and pose no risk to the integrity and security of the central communications system and video gaming terminals.

The Board may adopt rules to establish additional criteria to preserve the integrity and security of video gaming in this State. The central communications system vendor may be licensed as a video gaming terminal manufacturer or a video gaming terminal distributor, or both, but in no event shall the central communications system vendor be licensed as a video gaming terminal operator. The central communications system vendor may not hold any license issued by the Board under this Act.

The Board shall not permit the development of information or the use by any licensee of gaming device or individual game performance data. Nothing in this Act shall inhibit or prohibit the Board from the use of gaming device or individual game performance data in its regulatory duties. The Board shall adopt rules to ensure that all licensees are treated and all licensees act in a non-discriminatory manner and develop processes and penalties to enforce those rules.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10.)

(230 ILCS 40/25)
Sec. 25. Restriction of licensees.

(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans

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establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, notwithstanding any agreement to the contrary. A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

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(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or

(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization licensee or an inter-track wagering licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal. The location restrictions in this subsection (h) do not apply if a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering...
location licensee, a school, or a place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment becomes licensed under this Act. For the purpose of this subsection, "school" means an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Notwithstanding the provisions of this subsection (h), the Board may waive the requirement that a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment not be located within 1,000 feet from a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act. The Board shall not grant such waiver if there is any common ownership or control, shared business activity, or contractual arrangement of any type between the establishment and the organization licensee, inter-track wagering licensee, inter-track wagering location licensee, or owners licensee of a riverboat. The Board shall adopt rules to implement the provisions of this paragraph.

(i) Undue economic concentration. In addition to considering all other requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration. For purposes of this Section, "undue economic concentration" means that a terminal operator would have such actual or potential influence over video gaming terminals in Illinois as to:

(1) substantially impede or suppress competition among terminal operators;
(2) adversely impact the economic stability of the video gaming industry in Illinois; or
(3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the
number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.
(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)

(230 ILCS 40/45)
Sec. 45. Issuance of license.
(a) The burden is upon each applicant to demonstrate his suitability for licensure. Each video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, and licensed veterans establishment shall be licensed by the Board. The Board may issue or deny a license under this Act to any person pursuant to the same criteria set forth in Section 9 of the Riverboat Gambling Act.

(a-5) The Board shall not grant a license to a person who has facilitated, enabled, or participated in the use of coin-operated devices for gambling purposes or who is under the significant influence or control of such a person. For the purposes of this Act, "facilitated, enabled, or participated in the use of coin-operated amusement devices for gambling purposes" means that the person has been convicted of any violation of Article 28 of the Criminal Code of 1961 or the Criminal Code of 2012. If there is pending legal action against a person for any such violation, then the Board shall delay the licensure of that person until the legal action is resolved.

(b) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall submit to a background investigation conducted by the Board with the assistance of the State Police or other law enforcement. The background investigation shall include each beneficiary of a trust, each partner of a partnership, and each director and officer and all stockholders of 5% or more in a parent or subsidiary corporation of a video gaming terminal manufacturer, distributor, supplier, operator, or licensed establishment, licensed truck

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stop establishment, licensed fraternal establishment, or licensed veterans establishment.

(c) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall disclose the identity of every person, association, trust, corporation, or limited liability company having a greater than 1% direct or indirect pecuniary interest in the video gaming terminal operation for which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a limited liability company, the names and addresses of all members; or if a partnership, the names and addresses of all partners, both general and limited.

(d) No person may be licensed as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment if that person has been found by the Board to:

(1) have a background, including a criminal record, reputation, habits, social or business associations, or prior activities that pose a threat to the public interests of the State or to the security and integrity of video gaming;

(2) create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of video gaming; or

(3) present questionable business practices and financial arrangements incidental to the conduct of video gaming activities.

(e) Any applicant for any license under this Act has the burden of proving his or her qualifications to the satisfaction of the Board. The Board may adopt rules to establish additional qualifications and requirements to preserve the integrity and security of video gaming in this State.

(f) A non-refundable application fee shall be paid at the time an application for a license is filed with the Board in the following amounts:

(1) Manufacturer.......................... $5,000
(2) Distributor........................... $5,000
(3) Terminal operator..................... $5,000
(4) Supplier............................... $2,500

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(g) The Board shall establish an annual fee for each license not to exceed the following:

(1) Manufacturer.............................. $10,000
(2) Distributor.............................. $10,000
(3) Terminal operator..................... $5,000
(4) Supplier.............................. $2,000
(5) Technician.............................. $100
(6) Licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment.............. $100
(7) Video gaming terminal............... $100
(8) Terminal Handler.............................. $50

(h) A terminal operator and a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall equally split the fees specified in item (7) of subsection (g).

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1410, eff. 7-30-10; 97-1150, eff. 1-25-13.)
(230 ILCS 40/78)

Sec. 78. Authority of the Illinois Gaming Board.

(a) The Board shall have jurisdiction over and shall supervise all gaming operations governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all video gaming operations in this State and all persons in establishments where video gaming operations are conducted.

(3) To adopt rules for the purpose of administering the provisions of this Act and to prescribe rules, regulations, and conditions under which all video gaming in the State shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of video gaming, including rules and regulations (i)
regarding the inspection of such establishments and the review of any permits or licenses necessary to operate an establishment under any laws or regulations applicable to establishments, (ii) and to impose penalties for violations of this Act and its rules, and (iii) establishing standards for advertising video gaming.

(b) The Board shall adopt emergency rules to administer this Act in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For the purposes of the Illinois Administrative Procedure Act, the General Assembly finds that the adoption of rules to implement this Act is deemed an emergency and necessary to the public interest, safety, and welfare. (Source: P.A. 96-38, eff. 7-13-09; 96-1410, eff. 7-30-10.)

Section 10. The Criminal Code of 2012 is amended by changing Sections 28-2, 28-5, and 28-8 as follows:

(720 ILCS 5/28-2) (from Ch. 38, par. 28-2)
Sec. 28-2. Definitions.
(a) A "gambling device" is any clock, tape machine, slot machine or other machines or device for the reception of money or other thing of value on chance or skill or upon the action of which money or other thing of value is staked, hazarded, bet, won or lost; or any mechanism, furniture, fixture, equipment or other device designed primarily for use in a gambling place. A "gambling device" does not include:

(1) A coin-in-the-slot operated mechanical device played for amusement which rewards the player with the right to replay such mechanical device, which device is so constructed or devised as to make such result of the operation thereof depend in part upon the skill of the player and which returns to the player thereof no money, property or right to receive money or property.

(2) Vending machines by which full and adequate return is made for the money invested and in which there is no element of chance or hazard.

(3) A crane game. For the purposes of this paragraph (3), a "crane game" is an amusement device involving skill, if it rewards the player exclusively with merchandise contained within the amusement device proper and limited to toys, novelties and prizes other than currency, each having a wholesale value which is not more than $25.

(4) A redemption machine. For the purposes of this paragraph (4), a "redemption machine" is a single-player or multi-player amusement device involving a game, the object of which is
throwing, rolling, bowling, shooting, placing, or propelling a ball or other object that is either physical or computer generated on a display or with lights into, upon, or against a hole or other target that is either physical or computer generated on a display or with lights, or stopping, by physical, mechanical, or electronic means, a moving object that is either physical or computer generated on a display or with lights into, upon, or against a hole or other target that is either physical or computer generated on a display or with lights, provided that all of the following conditions are met:

(A) The outcome of the game is predominantly determined by the skill of the player.

(B) The award of the prize is based solely upon the player's achieving the object of the game or otherwise upon the player's score.

(C) Only merchandise prizes are awarded.

(D) The wholesale value of prizes awarded in lieu of tickets or tokens for single play of the device does not exceed $25.

(E) The redemption value of tickets, tokens, and other representations of value, which may be accumulated by players to redeem prizes of greater value, for a single play of the device does not exceed $25.

(5) Video gaming terminals at a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment licensed in accordance with the Video Gaming Act.

(a-5) "Internet" means an interactive computer service or system or an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, and includes, but is not limited to, an information service, system, or access software provider that provides access to a network system commonly known as the Internet, or any comparable system or service and also includes, but is not limited to, a World Wide Web page, newsgroup, message board, mailing list, or chat area on any interactive computer service or system or other online service.

(a-6) "Access" and "computer" have the meanings ascribed to them in Section 16D-2 of this Code.

(b) A "lottery" is any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or promised

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consideration for a chance to win such prizes, whether such scheme or procedure is called a lottery, raffle, gift, sale or some other name.

(c) A "policy game" is any scheme or procedure whereby a person promises or guarantees by any instrument, bill, certificate, writing, token or other device that any particular number, character, ticket or certificate shall in the event of any contingency in the nature of a lottery entitle the purchaser or holder to receive money, property or evidence of debt.

(Source: P.A. 97-1126, eff. 1-1-13.)

(720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

Sec. 28-5. Seizure of gambling devices and gambling funds.

(a) Every device designed for gambling which is incapable of lawful use or every device used unlawfully for gambling shall be considered a "gambling device", and shall be subject to seizure, confiscation and destruction by the Department of State Police or by any municipal, or other local authority, within whose jurisdiction the same may be found. As used in this Section, a "gambling device" includes any slot machine, and includes any machine or device constructed for the reception of money or other thing of value and so constructed as to return, or to cause someone to return, on chance to the player thereof money, property or a right to receive money or property. With the exception of any device designed for gambling which is incapable of lawful use, no gambling device shall be forfeited or destroyed unless an individual with a property interest in said device knows of the unlawful use of the device.

(b) Every gambling device shall be seized and forfeited to the county wherein such seizure occurs. Any money or other thing of value integrally related to acts of gambling shall be seized and forfeited to the county wherein such seizure occurs.

(c) If, within 60 days after any seizure pursuant to subparagraph (b) of this Section, a person having any property interest in the seized property is charged with an offense, the court which renders judgment upon such charge shall, within 30 days after such judgment, conduct a forfeiture hearing to determine whether such property was a gambling device at the time of seizure. Such hearing shall be commenced by a written petition by the State, including material allegations of fact, the name and address of every person determined by the State to have any property interest in the seized property, a representation that written notice of the date, time and place of such hearing has been mailed to every such person by certified mail at least 10 days before such date, and a request for forfeiture. Every such person may appear as a party and present evidence at such hearing.

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The quantum of proof required shall be a preponderance of the evidence, and the burden of proof shall be on the State. If the court determines that the seized property was a gambling device at the time of seizure, an order of forfeiture and disposition of the seized property shall be entered: a gambling device shall be received by the State's Attorney, who shall effect its destruction, except that valuable parts thereof may be liquidated and the resultant money shall be deposited in the general fund of the county wherein such seizure occurred; money and other things of value shall be received by the State's Attorney and, upon liquidation, shall be deposited in the general fund of the county wherein such seizure occurred. However, in the event that a defendant raises the defense that the seized slot machine is an antique slot machine described in subparagraph (b) (7) of Section 28-1 of this Code and therefore he is exempt from the charge of a gambling activity participant, the seized antique slot machine shall not be destroyed or otherwise altered until a final determination is made by the Court as to whether it is such an antique slot machine. Upon a final determination by the Court of this question in favor of the defendant, such slot machine shall be immediately returned to the defendant. Such order of forfeiture and disposition shall, for the purposes of appeal, be a final order and judgment in a civil proceeding.

(d) If a seizure pursuant to subparagraph (b) of this Section is not followed by a charge pursuant to subparagraph (c) of this Section, or if the prosecution of such charge is permanently terminated or indefinitely discontinued without any judgment of conviction or acquittal (1) the State's Attorney shall commence an in rem proceeding for the forfeiture and destruction of a gambling device, or for the forfeiture and deposit in the general fund of the county of any seized money or other things of value, or both, in the circuit court and (2) any person having any property interest in such seized gambling device, money or other thing of value may commence separate civil proceedings in the manner provided by law.

(e) Any gambling device displayed for sale to a riverboat gambling operation or used to train occupational licensees of a riverboat gambling operation as authorized under the Riverboat Gambling Act is exempt from seizure under this Section.

(f) Any gambling equipment, devices and supplies provided by a licensed supplier in accordance with the Riverboat Gambling Act which are removed from the riverboat for repair are exempt from seizure under this Section.

New matter indicated by italics - deletions by strikeout
(g) The following video gaming terminals are exempt from seizure under this Section:

(1) Video gaming terminals for sale to a licensed distributor or operator under the Video Gaming Act.

(2) Video gaming terminals used to train licensed technicians or licensed terminal handlers.

(3) Video gaming terminals that are removed from a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment for repair.

(Source: P.A. 87-826.)

(720 ILCS 5/28-8) (from Ch. 38, par. 28-8)

Sec. 28-8. Gambling losses recoverable.

(a) Any person who by gambling shall lose to any other person, any sum of money or thing of value, amounting to the sum of $50 or more and shall pay or deliver the same or any part thereof, may sue for and recover the money or other thing of value, so lost and paid or delivered, in a civil action against the winner thereof, with costs, in the circuit court. No person who accepts from another person for transmission, and transmits, either in his own name or in the name of such other person, any order for any transaction to be made upon, or who executes any order given to him by another person, or who executes any transaction for his own account on, any regular board of trade or commercial, commodity or stock exchange, shall, under any circumstances, be deemed a "winner" of any moneys lost by such other person in or through any such transactions.

(b) If within 6 months, such person who under the terms of Subsection 28-8(a) is entitled to initiate action to recover his losses does not in fact pursue his remedy, any person may initiate a civil action against the winner. The court or the jury, as the case may be, shall determine the amount of the loss. After such determination, the court shall enter a judgment of triple the amount so determined.

(c) Gambling losses as a result of gambling conducted on a video gaming terminal licensed under the Video Gaming Act are not recoverable under this Section.

(Source: P.A. 79-1360.)

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

Passed in the General Assembly May 14, 2013.

Approved June 24, 2013.
AN ACT concerning State government.

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

Section 5. The Illinois Latino Family Commission Act is amended by changing Sections 20 and 25 as follows:

(20 ILCS 3983/20)

Sec. 20. Appointment; terms. The Illinois Latino Family Commission shall be comprised of 15 members. The Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall each appoint 3 members to the Commission. Each member shall have working knowledge of human services, community development, and economic public policies in Illinois. The Governor shall appoint the chairperson or chairpersons.

The members shall reflect regional representation to ensure that the needs of Latino families and children throughout the State are met. The members shall be selected from a variety of disciplines. They shall represent a partnership and collaborative effort between public and private agencies, the business sector, and community-based human services organizations.

Members shall serve 3-year terms, except in the case of initial appointments. Five members, as determined by lot, shall be appointed to one-year terms; 5 members shall be appointed to 2-year terms; and 5 members shall be appointed to 3-year terms, so that the terms are staggered. Members shall serve without compensation, but shall be reimbursed for Commission-related expenses.

The Department on Aging, the Department of Children and Family Services, the Department of Commerce and Economic Opportunity, the Department of Corrections, the Department of Employment Security, the Department of Human Services, the Department of Healthcare and Family Services, Public Aid, the Department of Public Health, the Illinois State Board of Education, the Illinois State Board of Higher Education, the Illinois Community College Board, the Illinois Department of Human Rights, the Capital Development Board, the Department of Labor, and the

New matter indicated by italics - deletions by strikeout
Department of Transportation shall each appoint a liaison to serve ex-officio on the Commission. The Office of the Governor, in cooperation with the State agencies appointing liaisons to the Commission under this paragraph, shall provide administrative support to the Commission.
(Source: P.A. 95-619, eff. 9-14-07.)
(20 ILCS 3983/25)
Sec. 25. Funding. The Illinois Latino Family Commission may receive funding through specific appropriations available for its purposes made to the Department on Aging, the Department of Children and Family Services, the Department of Commerce and Economic Opportunity, the Department of Corrections, the Department of Human Services, the Department of Healthcare and Family Services Public Aid, the Department of Public Health, the Illinois State Board of Education, the Illinois State Board of Higher Education, the Illinois Community College Board, the Illinois Department of Human Rights, the Capital Development Board, the Department of Labor, and the Department of Transportation. The funding allocation for the Commission shall be no less than $500,000.
(Source: P.A. 95-619, eff. 9-14-07.)
Passed in the General Assembly May 29, 2013.
Approved June 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0033
(House Bill No. 0208)

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

ARTICLE 1

Section 5. The following named sums, or so much thereof as may be necessary, are appropriated from the Personal Property Tax Replacement Fund to the Illinois Educational Labor Relations Board for the objects and purposes hereinafter named:

OPERATIONS
For Personal Services............................. 836,600
For State Contributions to
   Social Security............................... 64,000
For Contractual Services....................... 122,700
For Group Insurance......................... 267,000

New matter indicated by italics - deletions by strikeout
For Retirement Contributions............................ 337,500
For Travel.......................................................... 10,400
For Commodities.................................................. 3,000
For Printing.......................................................... 2,000
For Equipment..................................................... 1,000
For Electronic Data Processing................................. 1,800
For Telecommunications Services............................. 15,000
For Operation of Automotive Equipment....................... 1,000
Total                                                                                           $1,662,00

ARTICLE 2

Section 5. The sum of 23,180,920, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 10. The following sum, or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, is appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the General Revenue Fund:
   For the Philip J. Rock Center
   and School.................................................. 3,577,800
   Total                                                                                           $3,577,800

Section 15. The following sums, or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the General Revenue Fund:
   For the Children’s Mental Health Partnership................................. 300,000
   For Lowest Performing Schools.......................... 1,002,800
   For Technology for Success............................. 2,500,000
   For Growth Model Assessments............................ 1
   For Early Childhood Education........................... 6,230,000
   Total                                                                                           $10,032,801

Section 20. The sum of $592,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with the Community Residential Services Authority.

New matter indicated by italics - deletions by strikeout
Section 25. The sum of $1, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with implementation of the State Board of Education Strategic Plan.

Section 30. The following named sum, or so much thereof as may be necessary, is appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the General Revenue Fund:
For Bilingual Education......................... 2,000,000

Section 35. The sum of $27,400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for Student Assessments, including Bilingual Assessments.

Section 40. The sum of $1, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with Standards, Materials, and Training for Teachers.

Section 45. The sum of $184,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with Educator Misconduct Investigations.

Section 50. The sum of $12,400,000, or so much thereof as may be necessary, is appropriated from the Personal Property Tax Replacement Fund to the Illinois State Board of Education for the fiscal year beginning July 1, 2013 for Regional Superintendents’ and Assistants’ Compensation and Related Benefits.

Section 55. The following named sum, or so much thereof as may be necessary, is appropriated from the Personal Property Tax Replacement Fund to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:
For Regional Superintendents’ Services – Bus Driver Training.............................. 70,000

Section 60. The following named sum, or so much thereof as may be necessary, is appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:
From the Personal Property Tax Replacement Fund:
For Regional Superintendents’ Services........ 2,225,000

ARTICLE 3

New matter indicated by italics - deletions by strikeout
Section 5. The following sums, or so much of those sums as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

**FISCAL SUPPORT SERVICES**

From the SBE Federal Department of Agriculture Fund:

- For Personal Services......................... 334,800
- For Employee Retirement Contributions
  - Paid by Employer................................. 5,300
  - For Retirement Contributions.................. 133,900
  - For Social Security Contributions.............. 30,900
  - For Group Insurance............................ 128,800
  - For Contractual Services........................ 2,100,000
  - For Travel........................................ 400,000
  - For Commodities.................................. 85,000
  - For Printing....................................... 156,300
  - For Equipment.................................... 310,000
  - For Telecommunications......................... 50,000
  - Total.............................................. $3,735,000

From the SBE Federal Agency Services Fund:

- For Contractual Services.......................... 26,500
- For Travel........................................... 30,000
- For Commodities................................... 20,000
- For Printing......................................... 700
- For Equipment..................................... 11,000
- For Telecommunications........................... 9,000
- Total................................................. $97,200

From the SBE Federal Department of Education Fund:

- For Personal Services............................ 2,133,400
- For Employee Retirement Contributions
  - Paid by Employer................................... 10,900
  - For Retirement Contributions................... 793,100
  - For Social Security Contributions............. 160,300
  - For Group Insurance............................. 692,200
  - For Contractual Services........................ 3,150,000
  - For Travel.......................................... 1,600,000
  - For Commodities................................. 305,000
  - For Printing....................................... 341,000
  - For Equipment..................................... 679,000
  - Total............................................... $8,706,700

New matter indicated by italics - deletions by strikeout
For Telecommunications....................... 400,000
Total                                      $10,264,900

INTERNAL AUDIT
From the SBE Federal Department of Education Fund:
For Contractual Services....................... 210,000

SCHOOL SUPPORT SERVICES FOR ALL SCHOOLS
From the SBE Federal Department of Agriculture Fund:
For Personal Services.......................... 3,496,200
For Employee Retirement Contributions
Paid by Employer.................................. 11,500
For Retirement Contributions................... 1,472,900
For Social Security Contributions.............. 160,300
For Group Insurance............................ 1,028,800
For Contractual Services....................... 2,110,500
Total                                      $8,280,200

From the SBE Federal Department of Education Fund:
For Personal Services.......................... 507,300
For Employee Retirement Contributions
Paid by Employer.................................. 6,400
For Retirement Contributions................... 198,400
For Social Security Contributions.............. 80,100
For Group Insurance............................ 113,100
For Contractual Services....................... 1,575,000
Total                                      $2,480,300

SPECIAL EDUCATION SERVICES
From the SBE Federal Department of Education Fund:
For Personal Services.......................... 5,502,600
For Employee Retirement Contributions
Paid by Employer.................................. 26,500
For Retirement Contributions................... 2,832,500
For Social Security Contributions.............. 310,800
For Group Insurance............................ 1,670,000
For Contractual Services....................... 4,200,000
Total                                      $14,542,400

TEACHING AND LEARNING SERVICES FOR ALL CHILDREN
From the SBE Federal Agency Services Fund:
For Personal Services.......................... 106,800
For Retirement Contributions................... 56,700
For Social Security Contributions.............. 5,400

New matter indicated by italics - deletions by strikeout
For Group Insurance............................... 26,000
For Contractual Services............................ 918,500
Total                                                                                         $1,113,400

From the SBE Federal Department of Education Fund:
For Personal Services.......................... 5,815,900
For Employee Retirement Contributions
  Paid by Employer..................................... 54,300
For Retirement Contributions.................... 2,245,200
For Social Security Contributions................ 511,500
For Group Insurance............................ 1,544,900
For Contractual Services...................... 12,235,000
Total                                                                                       $22,406,800

Section 10. The following sums, or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the School District Emergency Financial Assistance Fund:
  For Emergency Financial Assistance, 1B-8
    of the School Code............................. 16,140,000
From the Drivers Education Fund:
  For Drivers Education......................... 15,000,000

From the Charter Schools Revolving Loan Fund:
  For Charter Schools Loans..................... 20,000

From the School Technology Revolving Loan Fund:
  For School Technology Loans, 2-3.117a
    of the School Code............................. 5,000,000

Section 15. The following sums or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the State Board of Education Federal Department of Agriculture Fund:
  For Child Nutrition............................ 725,000,000
From the State Board of Education Federal Department of Education Fund:
  For Title I.................................. 930,000,000
  For Title II, Teacher/Principal Training..... 157,000,000

New matter indicated by italics - deletions by strikeout
For Title III, English Language Acquisition................................. 45,250,000
For Title IV, 21st Century/Community Service Programs....................... 74,000,000
For Title VI, Rural and Low Income Students..................................... 2,000,000
For Title X, Homeless Education.............................................. 5,000,000
For Individuals with Disabilities Act, Deaf/Blind..................................... 500,000
For Individuals with Disabilities Act, IDEA....................................... 700,000,000
For Individuals with Disabilities Act, Improvement Program.......................... 4,350,000
For Individuals with Disabilities Act, Pre-School.................................. 25,000,000
For Grants for Vocational Education – Basic...................................... 55,000,000
For Advanced Placement Fee....................................................... 3,000,000
For Math/Science Partnerships.................................................... 14,000,000
For Longitudinal Data System...................................................... 5,200,000
For Special Federal Congressional Projects..... 5,000,000
For Charter Schools................................................................. 9,000,000
For Race to the Top................................................................. 42,800,000
Total $2,077,100,000

Section 20. In addition to any other sums appropriated for such purposes, the following named sums, or so much thereof as may be necessary, are appropriated from the State Board of Education Federal Department of Education Fund, pursuant to the American Recovery and Reinvestment Act of 2009, to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:
For Title I................................... 73,400,000
For Longitudinal Data System.............. 10,000,000
Total $83,400,000

Section 25. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Illinois State Board of Education for its ordinary and contingent expenses.

Section 30. The sum of $1,400,000, or so much thereof as may be necessary, is appropriated from the Temporary Relocation Expenses...
Revolving Grant Fund for use by the State Board of Education as provided in Section 2-3.77 of the School Code.

Section 35. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Fee Revolving Fund to the Illinois State Board of Education for Teacher Certificates Processing.

Section 40. The sum of $2,208,900, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Institute Fund to the Illinois State Board of Education for Teacher Certificates.

Section 45. The sum of $8,484,800, or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for expenditures by the Board in accordance with grants, gifts or donations that the Board has received or may receive from any source, public or private, in support of projects that are within the lawful powers of the Board.

Section 50. The sum of $7,015,200, or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for its ordinary and contingent expenses.

Section 55. The sum of $200,000, or so much of that amount as may be necessary, is appropriated from the After School Rescue Fund to the State Board of Education for its ordinary and contingent expenses.

Section 60. The sum of $23,780,300, or so much thereof as may be necessary, is appropriated from the State Board of Education Federal Department of Education Fund to the Illinois State Board of Education for Student Assessments.

Section 65. The sum of $35,000,000, or so much thereof as may be necessary, is appropriated from the State Board of Education Federal Department of Education Fund to the Illinois State Board of Education for all costs associated with related activities for the Early Learning Challenge for the fiscal year beginning July 1, 2013.

Section 70. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the State Charter School Commission Fund to the State Board of Education for all costs associated with the State Charter School Commission.

ARTICLE 4

Section 5. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the
Board of Trustees of Chicago State University as a grant to the Financial Assistance Outreach Center.

Section 10. The sum of $307,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of Chicago State University for costs associated with the development, support or administration of pharmacy practice education or training programs.

Section 15. The sum of $1,600,000, or so much thereof as may be necessary, is appropriated from the Chicago State University Education Improvement Fund to the Board of Trustees of Chicago State University for any expenses incurred by the university.

ARTICLE 5

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Community College Board for ordinary and contingent expenses:

For Personal Services..........................                                         1,182,000  
For State Contributions to Social Security, for Medicare...........................                                          16,300  
For Contractual Services...........................                                        300,000  
For Travel........................................                                                 39,500  
For Commodities....................................                                            5,000  
For Printing.......................................                                                  6,000  
For Equipment......................................                                              4,000  
For Electronic Data Processing...................                                    398,600  
For Telecommunications............................                                      30,900  
For Operation of Automotive Equipment..............                             3,400  

Total                                                                                         $1,985,700

Section 10. The sum of $6,300,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to the alternative schools network and other providers for educational purposes or bridge programs.

Section 15. The sum of $5,725,000, or so much thereof as may be necessary, is appropriated from the Illinois Community College Board Contracts and Grants Fund to the Illinois Community College Board to be expended under the terms and conditions associated with the moneys being received.

Section 20. The sum of $1,250,000, or so much thereof as may be necessary, is appropriated from the ICCB Adult Education Fund to the
Illinois Community College Board for operational expenses associated with administration of adult education and literacy activities.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:

<table>
<thead>
<tr>
<th>Grant Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small College Grants</td>
<td>550,000</td>
</tr>
<tr>
<td>Retirees Health Insurance Grants</td>
<td>0</td>
</tr>
<tr>
<td>Workforce Development Grants</td>
<td>0</td>
</tr>
<tr>
<td>Performance Funding Grants</td>
<td>360,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$910,000</strong></td>
</tr>
</tbody>
</table>

Section 30. The sum of $1,491,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to operate an educational facility in the former community college district #541 in East St. Louis.

Section 35. The following named sums, or so much of those amounts as may be necessary, for the objects and purposes named, are appropriated to the Illinois Community College Board for adult education and literacy activities:

From the General Revenue Fund:

- For payment of costs associated with education and educational-related services to local eligible providers for adult education and literacy: **16,026,200**
- For payment of costs associated with education and educational-related services to local eligible providers for performance-based awards: **10,701,600**
- For operational expenses of and for payment of costs associated with education and educational-related services to recipients of Public Assistance, and, if any funds remain, for costs associated with education and educational-related services to local eligible providers for adult education and literacy: **5,546,200**

From the ICCB Adult Education Fund:

New matter indicated by italics - deletions by strikeout.
For payment of costs associated with education and educational-related services to local eligible providers and to Support Leadership Activities, as Defined by U.S.D.O.E. for adult education and literacy as provided by the United States Department of Education....................... 23,250,000

Total $55,524,000

Section 40. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Community College Board for all costs associated with career and technical education activities:
From the General Revenue Fund................... 17,569,400
From the Career and Technical Education Fund.... 18,500,000
Total $36,069,400

Section 45. The sum of $450,000, or so much thereof as may be necessary, is appropriated from the ICCB Federal Trust Fund to the Illinois Community College Board for ordinary and contingency expenses of the Board.

Section 50. The sum of $61,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for awarding scholarships to qualifying graduates of the Lincoln's Challenge Program.

Section 55. The sum of $980,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to Illinois Community College Board for costs associated with administering GED tests.

Section 60. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the ISBE GED Testing Fund to the Illinois Community College Board for costs associated with administering GED tests.

Section 65. The sum of $300,000, or so much thereof as may be necessary, is appropriated from ICCB Instruction Development and Enhancement Applications Revolving Fund to the Illinois Community College Board for costs associated with maintaining and updating instructional technology.

Section 70. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for all costs associated with community college activities.

New matter indicated by italics - deletions by strikeout
Community College Board to reimburse the following colleges for costs associated with the Illinois Veterans’ Grant:

- Illinois Valley Community College $88,700
- Southwestern Illinois College $86,800
- Prairie State College $85,900
- John Wood Community College $79,900
- Spoon River College $72,300
- Kankakee Community College $67,200
- Lewis and Clark Community College $65,900
- Parkland College $57,000
- John A. Logan College $54,900
- Triton College $45,700
- South Suburban College $45,700
- Total $750,000

Section 75. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for Career and Technical Education Licensed Practical Nurse and Registered Nurse Preparation.

Section 80. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a grant to Rock Valley College for programs for transitioning high school students.

ARTICLE 6

Section 5. The sum of $5,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Eastern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 7

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Board of Higher Education to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

- For Personal Services $2,126,000
- For State Contributions to Social Security, for Medicare $30,800
- For Contractual Services $425,000
- For Travel $50,000
- For Commodities $11,200

New matter indicated by italics - deletions by strikeout
For Printing....................................... 8,500
For Equipment..................................... 10,500
For Telecommunications......................... 35,000
For Operation of Automotive Equipment........ 4,000
Total                                                                 $2,701,000

Section 10. The following named sum, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:
Quad-Cities Graduate Study Center............. 83,900

Section 15. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Board of Higher Education for Science, Technology, Engineering and Math (S.T.E.M.) diversity initiatives to enhance S.T.E.M. programs for students from underrepresented groups:
Chicago Area Health and Medical Careers Program (C.A.H.M.C.P.).............. 1,466,600
Illinois Mathematics and Science Academy Excellence 2000 Program in Mathematics and Science..................... 109,000
Total                                                                 $1,575,600

Section 20. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for a grant to the Board of Trustees of the University Center of Lake County for the ordinary and contingent expenses of the Center.

Section 25. The sum of $5,500,000, or so much thereof as may be necessary, is appropriated from the BHE Federal Grants Fund to the Board of Higher Education to be expended under the terms and conditions associated with the federal contracts and grants moneys received.

Section 30. The sum of $1,490,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the administration and distribution of grants authorized by the Diversifying Higher Education Faculty in Illinois Program.

Section 35. The sum of $1,114,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants for Cooperative Work Study Programs to institutions of higher education.

New matter indicated by italics - deletions by strikeout
Section 40. The sum of $425,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for competitive grants for nursing schools to increase the number of graduating nurses.

Section 45. The sum of $224,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for nurse educator fellowships to supplement nurse faculty salaries.

Section 50. The sum of $208,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for costs associated with the Select System.

Section 55. The sum of $80,000, or so much thereof as may be necessary, is appropriated from the Private College Academic Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of 110 ILCS 1005.

Section 60. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Academic Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of 110 ILCS 1010.

Section 65. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Board of Higher Education for the Grow Your Own Teachers Program.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Education Assistance Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

<table>
<thead>
<tr>
<th>Expense Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>12,443,200</td>
</tr>
<tr>
<td>For Retirement</td>
<td>100</td>
</tr>
<tr>
<td>For State Contributions to Social</td>
<td></td>
</tr>
<tr>
<td>Security, for Medicare</td>
<td>183,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>4,351,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>107,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>401,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td>617,600</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>140,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>52,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 75. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the IMSA Income Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

For Personal Services.......................... 2,261,900
For State Contributions to Social Security, for Medicare....................... 45,900
For Contractual Services......................... 294,700
For Travel....................................... 126,700
For Commodities.................................. 143,200
For Equipment..................................... 65,000
For Telecommunications............................ 80,000
For Operation of Automotive Equipment.............. 5,000
For Refunds....................................... 27,600
Total                                                                                         $3,050,000

Section 80. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the Private Business and Vocational Schools Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of the Private Business and Vocational Schools Act of 2012.

Section 85. The sum of $434,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for costs associated with the development, implementation and administration of the Illinois Longitudinal Data System (ILDS) and for Professional, Business, and Vocational School (PBVS) Programs.

Section 90. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the Washington Center Intern Program.

ARTICLE 8

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for its ordinary and contingent expenses:

For Administration

New matter indicated by italics - deletions by strikeout
For Personal Services
For State Contributions to State
   Employees Retirement System
For State Contributions to
   Social Security
For State Contributions for
   Employees Group Insurance
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Telecommunications
For Operation of Auto Equipment
Total

Section 10. The sum of $373,198,100, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for grant awards to students eligible for the Monetary Award Program, as provided by law, and for administrative costs not to exceed 2 percent of the total appropriation in this Section.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for the following purposes:

Grants and Scholarships
For the payment of scholarships to students
   who are children of policemen or firemen killed in the line of duty, or who are
dependents of correctional officers killed or permanently disabled in the line of
duty, as provided by law

For payment of Minority Teacher Scholarships
For payment of Illinois Scholars Scholarships
Total

Section 20. The following named sum, or so much thereof as may be necessary, is appropriated from the Illinois National Guard and Naval Militia Grant Fund to the Illinois Student Assistance Commission for the following purpose:

New matter indicated by italics - deletions by strikeout
Grants and Scholarships
For payment of Illinois National Guard and Naval Militia Scholarships at State-controlled universities and public community colleges in Illinois to students eligible to receive such awards, as provided by law........... 20,000

Section 25. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for the Loan Repayment for Teachers Program.

Section 30. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for costs associated with the Veterans’ Home Nurses’ Loan Repayment Program pursuant to Public Act 95-0576.

Section 35. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for grants to eligible nurse educators to use for payment of their educational loan pursuant to Public Act 94-1020.

Section 40. The sum of $6,647,600, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission to the Golden Apple Scholars of Illinois program, as provided by law.

Section 45. The following named sum, or so much thereof as may be necessary, is appropriated from the Contracts and Grants Fund to the Illinois Student Assistance Commission for the following purpose:
To support outreach, research, and training activities......................... 10,000,000

Section 50. The following named sum, or so much thereof as may be necessary, is appropriated from the Optometric Licensing and Disciplinary Board Fund to the Illinois Student Assistance Commission for the following purpose:
Grants and Scholarships
For payment of scholarships for the Optometric Education Scholarship Program, as provided by law....................... 50,000

New matter indicated by italics - deletions by strikeout
Section 55. The sum of $290,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Loan Fund to the Illinois Student Assistance Commission for distribution when necessary as a result of the following: for guarantees of loans that are uncollectible, for collection payments to the Student Loan Operating Fund as required under agreements with the United States Secretary of Education, for payment to the Student Loan Operating Fund for Default Aversion Fees, for transfers to the U.S. Treasury, or for other distributions as necessary and provided for under the Federal Higher Education Act.

Section 60. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for distribution as necessary for the following: for payment of collection agency fees associated with collection activities for Federal Family Education Loans, for Default Aversion Fee reversals, and for distributions as necessary and provided for under the Federal Higher Education Act.

Section 65. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for costs associated with Federal Loan System Development and Maintenance.

Section 70. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Accounts Receivable Fund to the Illinois Student Assistance Commission for costs associated with the collection of delinquent scholarship awards pursuant to the Illinois State Collection Act of 1986.

Section 75. The sum of $90,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the University Grant Fund for payment of grants for the Higher Education License Plate Program, as provided by law.

Section 80. The following named sum, or so much thereof as may be necessary, is appropriated from the Federal Congressional Teacher Scholarship Program Fund to the Illinois Student Assistance Commission for the following purpose:

For transferring repayment funds collected under the Paul Douglas Teacher Scholarship Program to the U.S. Treasury................. 400,000

Section 85. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Federal Student Incentive Trust Fund
to the Illinois Student Assistance Commission for the John R. Justice Student Loan Repayment Program.

Section 90. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Incentive Trust Fund to the Illinois Student Assistance Commission for payment of grants for the Federal College Access Challenge Grant Program, with up to six percent of the funding appropriated to meet allowable administrative costs, as part of the College Cost Reduction and Access Act (CCRAA), as provided by law.

Section 95. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Illinois Future Teacher Corps Scholarship Fund to the Illinois Student Assistance Commission for the Golden Apple Scholars of Illinois Program, as provided by law.

ARTICLE 9

Section 5. The sum of $36,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Northern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 10

Section 5. The sum of $27,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Southern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

Section 10. The sum of $1,250,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of Southern Illinois University for all costs associated with the development, support or administration of pharmacy practice education or training programs at the Edwardsville campus.

Section 15. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of Southern Illinois University for all costs associated with the SimmonsCooper Cancer Center.

ARTICLE 11

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the State Universities Civil Service System to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2014:

For Personal Services............................ 932,400

New matter indicated by italics - deletions by strikeout
For Social Security............................... 13,100
For Contractual Services......................... 200,000
For Travel......................................... 9,000
For Commodities.................................... 6,000
For Printing....................................... 3,500
For Equipment..................................... 13,000
For Telecommunications Services............... 25,000
For Operation of Automotive Equipment......... 3,000
Total $1,205,000

ARTICLE 12

Section 5. The sum of $16,826,500, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of the University of Illinois for costs and expenses related to or in
support of the Prairie Research Institute, in accordance with Public Act 95-
0728.

Section 10. The sum of $45,000,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of the University of Illinois for operating costs and expenses
related to or in support of the University of Illinois Hospital.

Section 15. The sum of $750,900, or so much thereof as may be
necessary, is appropriated from the Education Assistance Fund to the
Board of Trustees of the University of Illinois for costs associated with the
Hispanic Center for Excellence at the Chicago campus.

Section 20. The sum of $308,200, or so much thereof as may be
necessary, is appropriated from the Education Assistance Fund to the
Board of Trustees of the University of Illinois for Dixon Springs
Agricultural Center.

Section 25. The sum of $1,173,200, or so much thereof as may be
necessary, is appropriated from the Education Assistance Fund to the
Board of Trustees of the University of Illinois for costs associated with the
Public Policy Institute at the Chicago campus.

Section 30. The sum of $328,500, or so much thereof as may be
necessary, is appropriated from the Education Assistance Fund to the
Board of Trustees of the University of Illinois for a grant to the College of
Dentistry.

Section 35. The sum of $3,523,700, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Board of
Trustees of the University of Illinois for the purpose of maintaining the
Illinois Fire Service Institute, paying the Institute's expenses, and
providing the facilities and structures incident thereto, including payment to the University for personal services and related costs incurred.

Section 40. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of the University of Illinois for scholarship grant awards, in accordance with Public Act 91-0083.

Section 45. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Emergency Public Health Fund to the University of Illinois for costs and expenses related to or in support of Emergency Mosquito Abatement.

Section 50. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the University of Illinois for costs and expenses related to or in support of mosquito research and abatement.

Section 55. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Hazardous Waste Research Fund to the University of Illinois for its ordinary and contingent expenses.

Section 60. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of the University of Illinois for costs associated with the development, support or administration of pharmacy practice education or training programs for the College of Medicine at Rockford.

ARTICLE 13

Section 5. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Western Illinois University for scholarship grant awards from the sale of collegiate license plates.

ARTICLE 999

Section 999. Effective date. This Act takes effect July 1, 2013.
Approved June 27, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0034
(Senate Bill No. 2555)

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

New matter indicated by italics - deletions by strikeout
ARTICLE 1

Section 5. The following sums, or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the General Revenue Fund:

For Blind/Dyslexic Persons.......................... 816,600
For Disabled Student Personnel
Reimbursement................................. 440,200,000
For Disabled Student Transportation
Reimbursement................................. 440,500,000
For Disabled Student Tuition,
Private Tuition................................. 218,947,700
For District Consolidation Costs/
Supplemental Payments to School Districts,
18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of
the School Code................................. 2,500,000
For Extraordinary Funding for Children
Requiring Special Education, 14-7.02b
of the School Code............................... 303,091,700
For Reimbursement for the Free Breakfast/
Lunch Program................................. 14,300,000
For Tax-Equivalent Grants, 18-4.4.............. 222,600
For After School Matters........................ 2,000,000
For Teachers and Administrators
  Mentoring Program.............................. 1
For Principal Mentoring Program............... 1
For Summer School Payments, 18-4.3
of the School Code.............................. 10,100,000
For Transportation-Regular/Vocational
Common School Transportation
Reimbursement, 29-5 of the School Code...... 205,808,900
For Visually Impaired/Educational
Materials Coordinating Unit, 14-11.01
of the School Code.............................. 1,421,100
For Regular Education Reimbursement
Per 18-3 of the School Code................... 12,000,000

New matter indicated by italics - deletions by strikeout
For Special Education Reimbursement
Per 14-7.03 of the School Code.............. 105,000,000
For all costs associated with Alternative
Education/Regional Safe Schools............. 6,300,000
For Truant Alternative and Optional
Education Program............................ 11,500,000
For costs associated with Teach for America... 1,000,000
For grants to Local Education Agencies
to conduct Agriculture Education Programs..... 1,250,000
For Career and Technical Education............ 38,062,100
For Arts and Foreign Language.................... 1
For National Board Certified Teachers.......... 1,000,000
Total $1,815,270,703

From the Education Assistance Fund:
For General State Aid........................ 404,000,000
From the Common School Fund:
For General State Aid...................... 4,038,198,260
Total $4,442,198,260

Section 10. The following sums, or so much thereof as may be
necessary, are appropriated to the Illinois State Board of Education for the
fiscal year beginning July 1, 2013:

From the General Revenue Fund:
For Autism Training and Technical
Assistance...................................... 100,000
For Advanced Placement Classes............... 500,000
For Early Childhood Education............... 293,962,400
Total $294,562,400

Section 15. The following named sum, or so much thereof as may
be necessary, is appropriated to the Illinois State Board of Education for
the fiscal year beginning July 1, 2013:
From the General Revenue Fund:
For Bilingual Education...................... 61,381,200

Section 20. The sum of $1,000,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Illinois
State Board of Education for the Illinois Coalition Immigrant and Refugee
Rights’ Parent Mentor Program.

Section 25. The sum of $1,500,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund for deposit into

New matter indicated by italics - deletions by strikeout
the School District Emergency Financial Assistance Fund for use by the State Board of Education, as provided by 1B-8 of the School Code.

Section 30. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for the ordinary and contingent expenses of the East St. Louis School District 189.

Section 35. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for targeted initiatives.

Section 40. The amount of $550,000, or so much thereof as may be necessary, is appropriated from the Downstate Transit Improvement Fund to the Illinois State Board of Education for grants to Local Education Agencies to conduct Agriculture Education Programs.

Section 45. If and only if House Bill 208 becomes law then Section 35 of Article 2 of that bill is amended as follows:

"Section 35. The sum of $27,400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for Student Assessments, including Bilingual Assessments:

For writing assessments in
Grade 11................................. $2,530,000

For Student Assessments including
Bilingual Assessments............... $24,870,000"

Section 99. Effective date. This Act takes effect July 1, 2013.

Approved June 27, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0035
(Senate Bill No. 2556)

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

ARTICLE 1

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University

New matter indicated by italics - deletions by strikeout
to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
and salaries accrued but unpaid to academic
personnel for personal services rendered
during the academic year 2013-2014........... 35,634,400
For Group Insurance............................ 1,024,000
For Awards and Grants............................ 104,400
Total ................................................................ 36,762,800

ARTICLE 2
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Eastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
and salaries accrued but unpaid to academic
personnel for personal services rendered
during the academic year 2013-2014........... 41,978,100
For Equipment.................................... 500,000
For Contractual Services....................... 1,300,000
For Telecommunications Services............. 300,000
Total ................................................................ 44,078,100

ARTICLE 3
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Governors State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
New matter indicated by italics - deletions by strikeout

ARTICLE 4

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Illinois State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2013-2014........... 21,878,800

For Group Insurance.............................. 656,200
For Contractual Services......................... 1,725,000
For Commodities................................. 75,000
For Equipment................................. 250,000
For Awards and Grants........................... 90,000

Total $24,675,000

ARTICLE 5

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northeastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2013-2014........... 36,774,800

For Group Insurance......................... 1,072,600
For Equipment................................. 0

Total $37,847,400

ARTICLE 6
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2013-2014... $82,633,700
For State Contributions to Social Security, for Medicare... $883,500
For Group Insurance... $2,337,300
For Contractual Services... $4,240,800
For Commodities... $1,412,500
For Equipment... $1,073,500
For Telecommunications Services... $724,600
Total... $93,412,600

ARTICLE 7

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Southern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2013-2014... $186,021,900
For State Contributions to Social Security, for Medicare... $2,309,400
For Group Insurance... $3,060,000
For Contractual Services... $8,164,800
For Travel... $36,600
For Commodities... $902,800

New matter indicated by italics - deletions by strikeout
For Equipment..................................                                           1,006,200
For Telecommunications Services............                               1,307,300
For Operation of Automotive Equipment............                           575,100
Total                                                                                     $203,384,100

ARTICLE 8

Section 5. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Board of the Trustees of the University of Illinois
to meet ordinary and contingent expenses for the fiscal year ending June
30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
and salaries accrued but unpaid to academic
personnel for personal services rendered
during the academic year 2013-2014...........                             521,412,600
For State Contributions to Social
Security, for Medicare.........................                                         9,737,100
For Group Insurance.........................                                       24,893,200
For Contractual Services....................                                      37,000,000
For Distributive Purposes as follows:
For Awards and Grants.........................                                      6,057,500
Total                                                                                     $599,100,400

ARTICLE 9

Section 5. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Board of the Trustees of Western Illinois
University to meet ordinary and contingent expenses for the fiscal year
ending June 30, 2014:

Payable from the Education Assistance Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
and salaries accrued but unpaid to academic
personnel for personal services rendered
during the academic year 2013-2014...........                             46,596,900
For State Contributions to Social
Security, for Medicare.........................                                         800,000

New matter indicated by italics - deletions by strikeout
For Group Insurance............................ 1,744,800
For Contractual Services....................... 2,500,000
For Commodities.................................. 383,400
For Equipment.................................... 400,000
For Operation of Automotive Equipment............ 180,000
For Telecommunications Services.................. 150,000
Total........................................ $52,755,100

ARTICLE 10

Section 5. The following sums, or so much thereof as may be necessary, respectively, are appropriated from the Education Assistance Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:

Base Operating Grants........................ 191,271,900
Equalization Grants......................... 75,570,800
Total........................................ $266,842,700

Section 10. The sum of $14,079,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the City Colleges of Chicago for educational-related expenses.

Section 99. Effective date. This Act takes effect July 1, 2013.
Approved June 27, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0036
(House Bill No. 0192)

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

Section 5. The Local Government Debt Reform Act is amended by changing Section 10 as follows:

(30 ILCS 350/10) (from Ch. 17, par. 6910)
Sec. 10. General provisions. Bonds authorized by applicable law may be issued in one or more series, bear such date or dates, become due at such time or times within 40 years, except as expressly limited by applicable law, provided that notwithstanding any such express limitation bonds issued by Lockport High School, Township High School District 113, South Suburban Community College District No. 510, Elgin

New matter indicated by italics - deletions by strikeout
Community College District No. 509, or Kishwaukee Community College District No. 523 for the purpose of purchasing, constructing, or improving real property or paying claims against any such district incurred for the purpose of purchasing, constructing, or improving real property may become due within 25 years, bear interest payable at such intervals and at such rate or rates as authorized under applicable law, which rates may be fixed or variable, be in such denominations, be in such form, either coupon, registered or book-entry, carry such conversion, registration, and exchange privileges, be subject to defeasance upon such terms, have such rank or priority, be executed in such manner, be payable in such medium of payment at such place or places within or without the State of Illinois, make provision for a corporate trustee within or without the State with respect to such bonds, prescribe the rights, powers and duties thereof to be exercised for the benefit of the governmental unit and the protection of the bondholders, provide for the holding in trust, investment and use of moneys, funds and accounts held under an ordinance, provide for assignment of and direct payment of the moneys to pay such bonds or to be deposited into such funds or accounts directly to such trustee, be subject to such terms of redemption with or without premium, and be sold in such manner at private or public sale and at such price, all as the governing body shall determine. Whenever such bonds are sold at price less than par, they shall be sold at such price and bear interest at such rate or rates such that either the true interest cost (yield) or the net interest rate, as may be selected by the governing body, received upon the sale of such bonds does not exceed the maximum rate otherwise authorized by applicable law. Except for an ordinance required to be published by applicable law in connection with a backdoor referendum, any bond ordinance adopted by a governing body under applicable law shall, in all instances, become effective immediately without publication or posting or any further act or requirement.

(Source: P.A. 96-787, eff. 8-28-09; 96-1077, eff. 7-16-10; 97-615, eff. 8-26-11.)

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

Approved June 28, 2013.
Effective June 28, 2013.
AN ACT concerning local government.

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

Section 5. The Illinois Medical District Act is amended by changing Section 10 as follows:

(70 ILCS 915/10) (from Ch. 111 1/2, par. 5020)

Sec. 10. Disposition of money. The Commission is authorized to use all money received from the sale or lease of any property, in excess of the amount as may be necessary to satisfy the obligation of any revenue bond issued pursuant to Section 5 and may also use all money received as rentals for the purposes of planning, acquisition, and development of property within the District and operation, maintenance and improvement of property of the Commission and for all purposes and powers set forth in this Act. The Commission shall annually enter into an intergovernmental agreement with the Auditor General, who shall, at least biennially, audit or cause to be audited by a certified public accountant all records and accounts of the Commission pertaining to the operation of the District. The Commission shall provide the Auditor General with the audits and shall post a copy on the Commission's website. The Auditor General shall submit a bill to the Commission for costs associated with the review and the audit required under this Section, and the Commission shall reimburse the Auditor General for such costs in a timely manner.

(Source: P.A. 97-825, eff. 7-18-12.)

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

Passed in the General Assembly May 23, 2013.
Approved June 28, 2013.
Effective June 28, 2013.

AN ACT concerning education.

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

New matter indicated by italics - deletions by strikeout
Section 5. The School Code is amended by changing Sections 21-5b and 21-5c as follows:

(105 ILCS 5/21-5b)

(Section scheduled to be repealed on January 1, 2015)

Sec. 21-5b. Alternative certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement an alternative certification program under which persons who meet the requirements of and successfully complete the program established by this Section shall be issued an alternative teaching certificate for teaching in the schools. The program shall be limited to not more than 260 new participants during each year that the program is in effect. The State Board of Education, in cooperation with one or more not-for-profit organizations in the State that support excellence in teaching, which may be in partnership with a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, may within 30 days after submission by the program sponsor approve a course of study developed by the program sponsor that persons in the program must successfully complete in order to satisfy one criterion for issuance of an alternative certificate under this Section. The Alternative Teacher Certification program course of study must include content and skills which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

The alternative certification program established under this Section shall be known as the Alternative Teacher Certification program. The Alternative Teacher Certification Program shall be offered by the submitting partnership, and such partnership may be offered by one or more not-for-profit organizations in the State which support excellence in teaching. The program shall be comprised of the following 3 phases: (a) the first phase is the course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the second phase is the person's assignment to a full-time teaching position for one school year; and (c) the third phase is a comprehensive assessment of the person's teaching performance by school officials and the partnership participants and a recommendation by the program sponsor to the State Board of Education that the person be issued a standard alternative teaching certificate. Successful completion of the Alternative Teacher

New matter indicated by italics - deletions by strikeout
Certification program shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5b to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

1. have graduated from an accredited college or university with a bachelor's degree;
2. have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section;
3. have passed the tests of basic skills and subject matter knowledge required by Section 21-1a; and
4. (i) have been employed for a period of at least 5 years in an area requiring application of the individual's education or (ii) have attained at least a cumulative grade average of a "B" if the individual is assigned either to a school district that has not met the annual measurable objective for highly qualified teachers required by the Illinois Revised Highly Qualified Teachers (HQT) Plan or to a school district whose data filed with the State Board of Education indicates that the district's poor and minority students are taught by teachers who are not highly qualified at a higher rate than other students; however, this item (4) does not apply with respect to a provisional alternative teaching certificate for teaching in schools situated in a school district that is located in a city having a population in excess of 500,000 inhabitants. Assignment may be made under clause (ii) of this item (4) only if the district superintendent and the exclusive bargaining representative of the district's teachers, if any, jointly agree to permit the assignment.

A person possessing a provisional alternative certificate under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

Until February 15, 2000, a standard alternative teaching certificate, valid for 4 years for teaching in the schools and renewable as provided in Section 21-14, shall be issued under this Section 21-5b to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for a standard alternative certificate.
teaching certificate under this Section have successfully completed the second and third phases of the Alternative Teacher Certification program as provided in this Section. Alternatively, beginning February 15, 2000, at the end of the 4-year validity period, persons who were issued a standard alternative teaching certificate shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2 of this Code and further provided that a person who does not apply for and receive a Standard Teaching Certificate shall be able to teach only in schools situated in a school district that is located in a city having a population in excess of 500,000 inhabitants.

Beginning February 15, 2000, persons who have completed the requirements for a standard alternative teaching certificate under this Section shall be issued an Initial Alternative Teaching Certificate valid for 4 years of teaching and not renewable. At the end of the 4-year validity period, these persons shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2.

Such alternative certification program shall be implemented so that the first provisional alternative teaching certificates issued under this Section are effective upon the commencement of the 1997-1998 academic year and the first standard alternative teaching certificates issued under this Section are effective upon the commencement of the 1998-1999 academic year.

The State Board of Education, in cooperation with the partnership or partnerships establishing such Alternative Teacher Certification programs, shall adopt rules and regulations that are consistent with this Section and that the State Board of Education deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2013, and those candidates who are admitted on or before September 1, 2013 must complete the program before January 1, 2015, except that candidates admitted to an alternative certification program at Governors State University and participants in the Teacher Quality Partnership Grant program must be admitted on or before March 31, 2014, complete their coursework on or before August 31, 2015, and be entitled to certification on or before September 31, 2015.
The alternative certification program at Governors State University shall provide the State Board of Education with the names of the candidates who will be eligible for certification under this exception.

This Section is repealed on January 1, 2016.

(Source: P.A. 96-862, eff. 1-15-10; 97-607, eff. 8-26-11; 97-702, eff. 6-25-12.)

(105 ILCS 5/21-5c)

(Section scheduled to be repealed on January 1, 2015)

Sec. 21-5c. Alternative route to teacher certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement one or more alternative route to teacher certification programs under which persons who meet the requirements of and successfully complete the programs established by this Section shall be issued an initial teaching certificate for teaching in schools in this State. The State Board of Education may approve a course of study that persons in such programs must successfully complete in order to satisfy one criterion for issuance of a certificate under this Section. The Alternative Route to Teacher Certification programs course of study must include content and skills which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

Programs established under this Section shall be known as Alternative Route to Teacher Certification programs. The programs may be offered by a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, by one or more not-for-profit organizations in the State, or a combination thereof. The programs shall be comprised of the following 3 phases: (a) a course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the person's assignment to a full-time teaching position for one school year, including the designation of a mentor teacher to advise and assist the person with that teaching assignment; and (c) a comprehensive assessment of the person's teaching performance by school officials and program participants and a recommendation by the program sponsor to the State Board of Education that the person be issued an initial teaching certificate. Successful completion of Alternative Route to Teacher Certification programs shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

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A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5c to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

(1) have graduated from an accredited college or university with a bachelor's degree;
(2) have been employed for a period of at least 5 years in an area requiring application of the individual's education;
(3) have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section; and
(4) have passed the tests of basic skills and subject matter knowledge required by Section 21-1a.

An initial teaching certificate, valid for teaching in the common schools, shall be issued under Section 21-3 or 21-5 to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for an initial teaching certificate have successfully completed the second and third phases of the Alternative Route to Teacher Certification program as provided in this Section.

A person possessing a provisional alternative certificate or an initial teaching certificate earned under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

The State Board of Education may adopt rules and regulations that are consistent with this Section and that the State Board deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2013, and those candidates who are admitted on or before September 1, 2013 must complete the program before January 1, 2015, except that candidates admitted to an alternative certification program at Governors State University and participants in the Teacher Quality Partnership Grant program must be admitted on or before March 31, 2014, complete their coursework on or before August 31, 2015, and be entitled to certification on or before September 31, 2015. The alternative certification program at Governors State University shall provide the State Board of Education with the names of the candidates who will be eligible for certification under this exception.
This Section is repealed on January 1, 2016.
(Source: P.A. 96-862, eff. 1-15-10; 97-607, eff. 8-26-11; 97-702, eff. 6-25-12.)

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

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0039
(House Bill No. 0982)

AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Section 245.21 as follows:

(215 ILCS 5/245.21) (from Ch. 73, par. 857.21)

Sec. 245.21. Establishment of separate accounts by domestic companies organized to do a life, annuity, or accident and health insurance business. A domestic company, including for the purposes of this Article all domestic fraternal benefit societies, may, for authorized classes of insurance, establish one or more separate accounts, and may allocate thereto amounts (including without limitation proceeds applied under optional modes of settlement or under dividend options) to provide for life, annuity, or accident and health insurance (and benefits incidental thereto), payable in fixed or variable amounts or both, subject to the following:

(1) The income, gains and losses, realized or unrealized, from assets allocated to a separate account must be credited to or charged against the account, without regard to other income, gains or losses of the company.

(2) Except as may be provided with respect to reserves for guaranteed benefits and funds referred to in paragraph (3) of this Section (i) amounts allocated to any separate account and accumulations thereon may be invested and reinvested without regard to any requirements or limitations of Part 2 or Part 3 of Article VIII of this Code and (ii) the investments in any separate account or accounts may not be taken into

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account in applying the investment limitations otherwise applicable to the investments of the company.

(3) Except with the approval of the Director and under the conditions as to investments and other matters as the Director may prescribe, that must recognize the guaranteed nature of the benefits provided, reserves for (i) benefits guaranteed as to dollar amount and duration and (ii) funds guaranteed as to principal amount or stated rate of interest may not be maintained in a separate account.

(4) Unless otherwise approved by the Director, assets allocated to a separate account must be valued at their market value on the date of valuation, or if there is no readily available market, then as provided in the contract or the rules or other written agreement applicable to the separate account. Unless otherwise approved by the Director, the portion, if any, of the assets of the separate account equal to the company's reserve liability with regard to the guaranteed benefits and funds referred to in paragraph (3) of this Section must be valued in accordance with the rules otherwise applicable to the company's assets.

(5) Amounts allocated to a separate account under this Article are owned by the company, and the company may not be, nor hold itself out to be, a trustee with respect to those amounts. The assets of any separate account equal to the reserves and other contract liabilities with respect to the account may not be charged with liabilities arising out of any other business the company may conduct, unless the separate account is subject to guarantees, in which case the assets shall be charged with liabilities arising out of other business of the company, unless the contract specifies that the assets are insulated.

(6) No sale, exchange or other transfer of assets may be made by a company between any of its separate accounts or between any other investment account and one or more of its separate accounts unless, in case of a transfer into a separate account, the transfer is made solely to establish the account or to support the operation of the contracts with respect to the separate account to which the transfer is made, and unless the transfer, whether into or from a separate account, is made (i) by a transfer of cash, or (ii) by a transfer of securities having a readily determinable market value, if the transfer of securities is approved by the Director. The Director may approve other transfers among those accounts if, in his or her opinion, the transfers would not be inequitable.

(7) To the extent a company considers it necessary to comply with any applicable federal or state laws, the company, with respect to any

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separate account, including without limitation any separate account which is a management investment company or a unit investment trust, may provide for persons having an interest therein appropriate voting and other rights and special procedures for the conduct of the business of the account, including without limitation special rights and procedures relating to investment policy, investment advisory services, selection of independent public accountants, and the selection of a committee, the members of which need not be otherwise affiliated with the company, to manage the business of the account.

(Source: P.A. 90-381, eff. 8-14-97; 90-418, eff. 8-15-97; 90-655, eff. 7-30-98.)

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

Passed in the General Assembly May 9, 2013.
Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0040
(House Bill No. 3390)

AN ACT concerning civil law.

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

Section 5. The Workers' Compensation Act is amended by changing Sections 9, 14, 15a, 19, 19a, and 20 as follows:

(820 ILCS 305/9) (from Ch. 48, par. 138.9)
Sec. 9. Any employer or employee or beneficiary who shall desire to have such compensation, or any unpaid part thereof, paid in a lump sum, may petition the Commission, asking that such compensation be so paid. If, upon proper notice to the interested parties and a proper showing made before such Commission or any member thereof, it appears to the best interest of the parties that such compensation be so paid, the Commission may order the commutation of the compensation to an equivalent lump sum, which commutation shall be an amount which will equal the total sum of the probable future payments capitalized at their present value upon the basis of interest calculated at the maximum rate of interest payable by member banks of the Federal Reserve System on passbook savings deposits as published in Regulation Q or its successor or, if Regulation Q or its successor is repealed, then the rate in effect on

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the date of repeal. 

Prior to approval of any pro se Settlement Contract Lump Sum Petition, the Commission or an Arbitrator thereof shall determine if the unrepresented employee, if present, is able to read and communicate in English. If not, it shall be the responsibility of the Commission to provide a qualified, independent interpreter at the time such Petition is heard, unless the employee has provided his or her own interpreter.

In cases indicating complete disability no petition for a commutation to a lump sum basis shall be entertained by the Commission until after the expiration of 6 months from the date of the injury.

Where necessary, upon proper application being made, a guardian or administrator, as the case may be, may be appointed for any person under disability who may be entitled to any such compensation and an employer bound by the terms of this Act and liable to pay such compensation, may petition for the appointment of the public administrator, or guardian, where no legal representative has been appointed or is acting for such party or parties so under disability.

The payment of compensation in a lump sum to the employee in his or her lifetime upon order of the Commission, shall extinguish and bar all claims for compensation for death if the compensation paid in a lump sum represents a compromise of a dispute on any question other than the extent of disability.

Subject to the provisions herein above in this paragraph contained, where no dispute exists as to the fact that the accident arose out of and in the course of the employment and where such accident results in death or in the amputation of any member or in the enucleation of an eye, then and in such case the arbitrator or Commission may, upon the petition of either the employer or the employee, enter an award providing for the payment of compensation for such death or injury in accordance with the provisions of Section 7 or paragraph (e) of Section 8 of this Act.

(Source: P.A. 83-1362.)

(820 ILCS 305/14) (from Ch. 48, par. 138.14)

Sec. 14. The Commission shall appoint a secretary, an assistant secretary, and arbitrators and shall employ such assistants and clerical help as may be necessary. Arbitrators shall be appointed pursuant to this Section, notwithstanding any provision of the Personnel Code.

Each arbitrator appointed after June 28, 2011 after November 22, 1977 shall be required to demonstrate in writing and in accordance with the rules and regulations of the Illinois Department of Central

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A formal training program for newly-hired arbitrators shall be implemented. The training program shall include the following:

(a) substantive and procedural aspects of the arbitrator position;
(b) current issues in workers' compensation law and practice;
(c) medical lectures by specialists in areas such as orthopedics, ophthalmology, psychiatry, rehabilitation counseling;
(d) orientation to each operational unit of the Illinois Workers' Compensation Commission;
(e) observation of experienced arbitrators conducting hearings of cases, combined with the opportunity to discuss evidence presented and rulings made;
(f) the use of hypothetical cases requiring the trainee to issue judgments as a means to evaluating knowledge and writing ability;
(g) writing skills;
(h) professional and ethical standards pursuant to Section 1.1 of this Act;
(i) detection of workers' compensation fraud and reporting obligations of Commission employees and appointees;
(j) standards of evidence-based medical treatment and best practices for measuring and improving quality and health care outcomes in the workers' compensation system, including but not limited to the use of the American Medical Association's "Guides to the Evaluation of Permanent Impairment" and the practice of utilization review; and
(k) substantive and procedural aspects of coal workers' pneumoconiosis (black lung) cases.

A formal and ongoing professional development program including, but not limited to, the above-noted areas shall be implemented to keep arbitrators informed of recent developments and issues and to assist them in maintaining and enhancing their professional competence. Each arbitrator shall complete 20 hours of training in the above-noted areas during every 2 years such arbitrator shall remain in office.
Each arbitrator shall devote full time to his or her duties and shall serve when assigned as an acting Commissioner when a Commissioner is unavailable in accordance with the provisions of Section 13 of this Act. Any arbitrator who is an attorney-at-law shall not engage in the practice of law, nor shall any arbitrator hold any other office or position of profit under the United States or this State or any municipal corporation or political subdivision of this State. Notwithstanding any other provision of this Act to the contrary, an arbitrator who serves as an acting Commissioner in accordance with the provisions of Section 13 of this Act shall continue to serve in the capacity of Commissioner until a decision is reached in every case heard by that arbitrator while serving as an acting Commissioner.

Notwithstanding any other provision of this Section, the term of all arbitrators serving on the effective date of this amendatory Act of the 97th General Assembly, including any arbitrators on administrative leave, shall terminate at the close of business on July 1, 2011, but the incumbents shall continue to exercise all of their duties until they are reappointed or their successors are appointed.

On and after the effective date of this amendatory Act of the 97th General Assembly, arbitrators shall be appointed to 3-year terms as follows:

1. All appointments shall be made by the Governor with the advice and consent of the Senate.
2. For their initial appointments, 12 arbitrators shall be appointed to terms expiring July 1, 2012; 12 arbitrators shall be appointed to terms expiring July 1, 2013; and all additional arbitrators shall be appointed to terms expiring July 1, 2014. Thereafter, all arbitrators shall be appointed to 3-year terms.

Upon the expiration of a term, the Chairman shall evaluate the performance of the arbitrator and may recommend to the Governor that he or she be reappointed to a second or subsequent term by the Governor with the advice and consent of the Senate.

Each arbitrator appointed on or after the effective date of this amendatory Act of the 97th General Assembly and who has not previously served as an arbitrator for the Commission shall be required to be authorized to practice law in this State by the Supreme Court, and to maintain this authorization throughout his or her term of employment.

The All arbitrators shall be subject to the provisions of the Personnel Code, and the performance of all arbitrators shall be reviewed.
by the Chairman on an annual basis. The changes made to this Section by this amendatory Act of the 97th General Assembly shall prevail over any conflict with the Personnel Code. The Chairman shall allow input from the Commissioners in all such reviews.

The Commission shall assign no fewer than 3 arbitrators to each hearing site. The Commission shall establish a procedure to ensure that the arbitrators assigned to each hearing site are assigned cases on a random basis. No arbitrator shall hear cases in any county, other than Cook County, for more than 2 years in each 3-year term.

The Secretary and each arbitrator shall receive a per annum salary of $4,000 less than the per annum salary of members of The Illinois Workers' Compensation Commission as provided in Section 13 of this Act, payable in equal monthly installments.

The members of the Commission, Arbitrators and other employees whose duties require them to travel, shall have reimbursed to them their actual traveling expenses and disbursements made or incurred by them in the discharge of their official duties while away from their place of residence in the performance of their duties.

The Commission shall provide itself with a seal for the authentication of its orders, awards and proceedings upon which shall be inscribed the name of the Commission and the words "Illinois--Seal".

The Secretary or Assistant Secretary, under the direction of the Commission, shall have charge and custody of the seal of the Commission and also have charge and custody of all records, files, orders, proceedings, decisions, awards and other documents on file with the Commission. He shall furnish certified copies, under the seal of the Commission, of any such records, files, orders, proceedings, decisions, awards and other documents on file with the Commission as may be required. Certified copies so furnished by the Secretary or Assistant Secretary shall be received in evidence before the Commission or any Arbitrator thereof, and in all courts, provided that the original of such certified copy is otherwise competent and admissible in evidence. The Secretary or Assistant Secretary shall perform such other duties as may be prescribed from time to time by the Commission.

(Source: P.A. 97-18, eff. 6-28-11; 97-719, eff. 6-29-12.)

(820 ILCS 305/15a) (from Ch. 48, par. 138.15a)

Sec. 15a. The Commission shall prepare and publish a handbook in readily understandable language in

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question and answer form containing all information as to the rights and obligations of employers and employees under the provisions of this Act.

Upon receipt of first report of injury, as provided for in subsection (b) of Section 6 of this Act, the Commission shall determine that a copy of the handbook has been forwarded to the injured employee or his beneficiary.

The handbook shall be made available free of charge to the general public and be maintained on the Commission's Internet website.

The Commission shall provide informational assistance to employers and employees regarding their rights and obligations under this Act and the process and procedure before the Commission.

(Source: P.A. 86-998.)

(820 ILCS 305/19) (from Ch. 48, par. 138.19)

Sec. 19. Any disputed questions of law or fact shall be determined as herein provided.

(a) It shall be the duty of the Commission upon notification that the parties have failed to reach an agreement, to designate an Arbitrator.

1. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under this Act and it is subsequently discovered, at any time before final disposition of such cause, that the claim for disability or death which was the basis for such application should properly have been made under the Workers' Occupational Diseases Act, then the provisions of Section 19, paragraph (a-1) of the Workers' Occupational Diseases Act having reference to such application shall apply.

2. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under the Workers' Occupational Diseases Act and it is subsequently discovered, at any time before final disposition of such cause that the claim for injury or death which was the basis for such application should properly have been made under this Act, then the application so filed under the Workers' Occupational Diseases Act may be amended in form, substance or both to assert claim for such disability or death under this Act and it shall be deemed to have been so filed as amended on the date of the original filing thereof, and such compensation may be awarded as is warranted by the whole evidence pursuant to this Act. When such amendment is submitted, further or additional evidence may be heard by the Arbitrator or Commission when deemed necessary. Nothing in this

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Section contained shall be construed to be or permit a waiver of any provisions of this Act with reference to notice but notice if given shall be deemed to be a notice under the provisions of this Act if given within the time required herein.

(b) The Arbitrator shall make such inquiries and investigations as he or they shall deem necessary and may examine and inspect all books, papers, records, places, or premises relating to the questions in dispute and hear such proper evidence as the parties may submit.

The hearings before the Arbitrator shall be held in the vicinity where the injury occurred after 10 days' notice of the time and place of such hearing shall have been given to each of the parties or their attorneys of record.

The Arbitrator may find that the disabling condition is temporary and has not yet reached a permanent condition and may order the payment of compensation up to the date of the hearing, which award shall be reviewable and enforceable in the same manner as other awards, and in no instance be a bar to a further hearing and determination of a further amount of temporary total compensation or of compensation for permanent disability, but shall be conclusive as to all other questions except the nature and extent of said disability.

The decision of the Arbitrator shall be filed with the Commission which Commission shall immediately send to each party or his attorney a copy of such decision, together with a notification of the time when it was filed. As of the effective date of this amendatory Act of the 94th General Assembly, all decisions of the Arbitrator shall set forth in writing findings of fact and conclusions of law, separately stated, if requested by either party. Unless a petition for review is filed by either party within 30 days after the receipt by such party of the copy of the decision and notification of time when filed, and unless such party petitioning for a review shall within 35 days after the receipt by him of the copy of the decision, file with the Commission either an agreed statement of the facts appearing upon the hearing before the Arbitrator, or if such party shall so elect a correct transcript of evidence of the proceedings at such hearings, then the decision shall become the decision of the Commission and in the absence of fraud shall be conclusive. The Petition for Review shall contain a statement of the petitioning party's specific exceptions to the decision of the arbitrator. The jurisdiction of the Commission to review the decision of the arbitrator shall not be limited to the exceptions stated in the Petition for Review. The Commission, or any member thereof, may grant further

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time not exceeding 30 days, in which to file such agreed statement or transcript of evidence. Such agreed statement of facts or correct transcript of evidence, as the case may be, shall be authenticated by the signatures of the parties or their attorneys, and in the event they do not agree as to the correctness of the transcript of evidence it shall be authenticated by the signature of the Arbitrator designated by the Commission.

Whether the employee is working or not, if the employee is not receiving or has not received medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8, the employee may at any time petition for an expedited hearing by an Arbitrator on the issue of whether or not he or she is entitled to receive payment of the services or compensation. Provided the employer continues to pay compensation pursuant to paragraph (b) of Section 8, the employer may at any time petition for an expedited hearing on the issue of whether or not the employee is entitled to receive medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8. When an employer has petitioned for an expedited hearing, the employer shall continue to pay compensation as provided in paragraph (b) of Section 8 unless the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing or unless the employee's treating physician has released the employee to return to work at his or her regular job with the employer or the employee actually returns to work at any other job. If the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing, a petition for review filed by the employee shall receive the same priority as if the employee had filed a petition for an expedited hearing by an Arbitrator. Neither party shall be entitled to an expedited hearing when the employee has returned to work and the sole issue in dispute amounts to less than 12 weeks of unpaid compensation pursuant to paragraph (b) of Section 8.

 Expedited hearings shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed. Any party requesting an expedited hearing shall give notice of a request for an expedited hearing under this paragraph. A copy of the Application for Adjustment of Claim shall be attached to the notice. The Commission shall adopt rules and procedures under which the final decision of the Commission under this paragraph is filed not later than 180
days from the date that the Petition for Review is filed with the Commission.

Where 2 or more insurance carriers, private self-insureds, or a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code dispute coverage for the same injury, any such insurance carrier, private self-insured, or group workers' compensation pool may request an expedited hearing pursuant to this paragraph to determine the issue of coverage, provided coverage is the only issue in dispute and all other issues are stipulated and agreed to and further provided that all compensation benefits including medical benefits pursuant to Section 8(a) continue to be paid to or on behalf of petitioner. Any insurance carrier, private self-insured, or group workers' compensation pool that is determined to be liable for coverage for the injury in issue shall reimburse any insurance carrier, private self-insured, or group workers' compensation pool that has paid benefits to or on behalf of petitioner for the injury.

(b-1) If the employee is not receiving medical, surgical or hospital services as provided in paragraph (a) of Section 8 or compensation as provided in paragraph (b) of Section 8, the employee, in accordance with Commission Rules, may file a petition for an emergency hearing by an Arbitrator on the issue of whether or not he is entitled to receive payment of such compensation or services as provided therein. Such petition shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed.

Such petition shall contain the following information and shall be served on the employer at least 15 days before it is filed:

(i) the date and approximate time of accident;
(ii) the approximate location of the accident;
(iii) a description of the accident;
(iv) the nature of the injury incurred by the employee;
(v) the identity of the person, if known, to whom the accident was reported and the date on which it was reported;
(vi) the name and title of the person, if known, representing the employer with whom the employee conferred in any effort to obtain compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act and the date of such conference;
(vii) a statement that the employer has refused to pay compensation pursuant to paragraph (b) of Section 8 of this Act or

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for medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act;

(viii) the name and address, if known, of each witness to the accident and of each other person upon whom the employee will rely to support his allegations;

(ix) the dates of treatment related to the accident by medical practitioners, and the names and addresses of such practitioners, including the dates of treatment related to the accident at any hospitals and the names and addresses of such hospitals, and a signed authorization permitting the employer to examine all medical records of all practitioners and hospitals named pursuant to this paragraph;

(x) a copy of a signed report by a medical practitioner, relating to the employee's current inability to return to work because of the injuries incurred as a result of the accident or such other documents or affidavits which show that the employee is entitled to receive compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act. Such reports, documents or affidavits shall state, if possible, the history of the accident given by the employee, and describe the injury and medical diagnosis, the medical services for such injury which the employee has received and is receiving, the physical activities which the employee cannot currently perform as a result of any impairment or disability due to such injury, and the prognosis for recovery;

(xi) complete copies of any reports, records, documents and affidavits in the possession of the employee on which the employee will rely to support his allegations, provided that the employer shall pay the reasonable cost of reproduction thereof;

(xii) a list of any reports, records, documents and affidavits which the employee has demanded by subpoena and on which he intends to rely to support his allegations;

(xiii) a certification signed by the employee or his representative that the employer has received the petition with the required information 15 days before filing.

Fifteen days after receipt by the employer of the petition with the required information the employee may file said petition and required information and shall serve notice of the filing upon the employer. The

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employer may file a motion addressed to the sufficiency of the petition. If an objection has been filed to the sufficiency of the petition, the arbitrator shall rule on the objection within 2 working days. If such an objection is filed, the time for filing the final decision of the Commission as provided in this paragraph shall be tolled until the arbitrator has determined that the petition is sufficient.

The employer shall, within 15 days after receipt of the notice that such petition is filed, file with the Commission and serve on the employee or his representative a written response to each claim set forth in the petition, including the legal and factual basis for each disputed allegation and the following information: (i) complete copies of any reports, records, documents and affidavits in the possession of the employer on which the employer intends to rely in support of his response, (ii) a list of any reports, records, documents and affidavits which the employer has demanded by subpoena and on which the employer intends to rely in support of his response, (iii) the name and address of each witness on whom the employer will rely to support his response, and (iv) the names and addresses of any medical practitioners selected by the employer pursuant to Section 12 of this Act and the time and place of any examination scheduled to be made pursuant to such Section.

Any employer who does not timely file and serve a written response without good cause may not introduce any evidence to dispute any claim of the employee but may cross examine the employee or any witness brought by the employee and otherwise be heard.

No document or other evidence not previously identified by either party with the petition or written response, or by any other means before the hearing, may be introduced into evidence without good cause. If, at the hearing, material information is discovered which was not previously disclosed, the Arbitrator may extend the time for closing proof on the motion of a party for a reasonable period of time which may be more than 30 days. No evidence may be introduced pursuant to this paragraph as to permanent disability. No award may be entered for permanent disability pursuant to this paragraph. Either party may introduce into evidence the testimony taken by deposition of any medical practitioner.

The Commission shall adopt rules, regulations and procedures whereby the final decision of the Commission is filed not later than 90 days from the date the petition for review is filed but in no event later than 180 days from the date the petition for an emergency hearing is filed with the Illinois Workers' Compensation Commission.

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All service required pursuant to this paragraph (b-1) must be by personal service or by certified mail and with evidence of receipt. In addition for the purposes of this paragraph, all service on the employer must be at the premises where the accident occurred if the premises are owned or operated by the employer. Otherwise service must be at the employee's principal place of employment by the employer. If service on the employer is not possible at either of the above, then service shall be at the employer's principal place of business. After initial service in each case, service shall be made on the employer's attorney or designated representative.

(c) (1) At a reasonable time in advance of and in connection with the hearing under Section 19(e) or 19(h), the Commission may on its own motion order an impartial physical or mental examination of a petitioner whose mental or physical condition is in issue, when in the Commission's discretion it appears that such an examination will materially aid in the just determination of the case. The examination shall be made by a member or members of a panel of physicians chosen for their special qualifications by the Illinois State Medical Society. The Commission shall establish procedures by which a physician shall be selected from such list.

(2) Should the Commission at any time during the hearing find that compelling considerations make it advisable to have an examination and report at that time, the commission may in its discretion so order.

(3) A copy of the report of examination shall be given to the Commission and to the attorneys for the parties.

(4) Either party or the Commission may call the examining physician or physicians to testify. Any physician so called shall be subject to cross-examination.

(5) The examination shall be made, and the physician or physicians, if called, shall testify, without cost to the parties. The Commission shall determine the compensation and the pay of the physician or physicians. The compensation for this service shall not exceed the usual and customary amount for such service.

(6) The fees and payment thereof of all attorneys and physicians for services authorized by the Commission under this Act shall, upon request of either the employer or the employee or the beneficiary affected, be subject to the review and decision of the Commission.

(d) If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery or shall refuse to submit to such medical, surgical, or hospital treatment as is reasonably essential to
promote his recovery, the Commission may, in its discretion, reduce or suspend the compensation of any such injured employee. However, when an employer and employee so agree in writing, the foregoing provision shall not be construed to authorize the reduction or suspension of compensation of an employee who is relying in good faith, on treatment by prayer or spiritual means alone, in accordance with the tenets and practice of a recognized church or religious denomination, by a duly accredited practitioner thereof.

(e) This paragraph shall apply to all hearings before the Commission. Such hearings may be held in its office or elsewhere as the Commission may deem advisable. The taking of testimony on such hearings may be had before any member of the Commission. If a petition for review and agreed statement of facts or transcript of evidence is filed, as provided herein, the Commission shall promptly review the decision of the Arbitrator and all questions of law or fact which appear from the statement of facts or transcript of evidence.

In all cases in which the hearing before the arbitrator is held after December 18, 1989, no additional evidence shall be introduced by the parties before the Commission on review of the decision of the Arbitrator. In reviewing decisions of an arbitrator the Commission shall award such temporary compensation, permanent compensation and other payments as are due under this Act. The Commission shall file in its office its decision thereon, and shall immediately send to each party or his attorney a copy of such decision and a notification of the time when it was filed. Decisions shall be filed within 60 days after the Statement of Exceptions and Supporting Brief and Response thereto are required to be filed or oral argument whichever is later.

In the event either party requests oral argument, such argument shall be had before a panel of 3 members of the Commission (or before all available members pursuant to the determination of 7 members of the Commission that such argument be held before all available members of the Commission) pursuant to the rules and regulations of the Commission. A panel of 3 members, which shall be comprised of not more than one representative citizen of the employing class and not more than one representative citizen of the employee class, shall hear the argument; provided that if all the issues in dispute are solely the nature and extent of the permanent partial disability, if any, a majority of the panel may deny the request for such argument and such argument shall not be held; and provided further that 7 members of the Commission may determine that
the argument be held before all available members of the Commission. A
decision of the Commission shall be approved by a majority of
Commissioners present at such hearing if any; provided, if no such hearing
is held, a decision of the Commission shall be approved by a majority of a
panel of 3 members of the Commission as described in this Section. The
Commission shall give 10 days' notice to the parties or their attorneys of
the time and place of such taking of testimony and of such argument.

In any case the Commission in its decision may find specially upon
any question or questions of law or fact which shall be submitted in
writing by either party whether ultimate or otherwise; provided that on
issues other than nature and extent of the disability, if any, the
Commission in its decision shall find specially upon any question or
questions of law or fact, whether ultimate or otherwise, which are
submitted in writing by either party; provided further that not more than 5
such questions may be submitted by either party. Any party may, within 20
days after receipt of notice of the Commission's decision, or within such
further time, not exceeding 30 days, as the Commission may grant, file
with the Commission either an agreed statement of the facts appearing
upon the hearing, or, if such party shall so elect, a correct transcript of
evidence of the additional proceedings presented before the Commission,
in which report the party may embody a correct statement of such other
proceedings in the case as such party may desire to have reviewed, such
statement of facts or transcript of evidence to be authenticated by the
signature of the parties or their attorneys, and in the event that they do not
agree, then the authentication of such transcript of evidence shall be by the
signature of any member of the Commission.

If a reporter does not for any reason furnish a transcript of the
proceedings before the Arbitrator in any case for use on a hearing for
review before the Commission, within the limitations of time as fixed in
this Section, the Commission may, in its discretion, order a trial de novo
before the Commission in such case upon application of either party. The
applications for adjustment of claim and other documents in the nature of
pleadings filed by either party, together with the decisions of the Arbitrator
and of the Commission and the statement of facts or transcript of evidence
hereinbefore provided for in paragraphs (b) and (c) shall be the record of
the proceedings of the Commission, and shall be subject to review as
hereinafter provided.

At the request of either party or on its own motion, the
Commission shall set forth in writing the reasons for the decision,
including findings of fact and conclusions of law separately stated. The Commission shall by rule adopt a format for written decisions for the Commission and arbitrators. The written decisions shall be concise and shall succinctly state the facts and reasons for the decision. The Commission may adopt in whole or in part, the decision of the arbitrator as the decision of the Commission. When the Commission does so adopt the decision of the arbitrator, it shall do so by order. Whenever the Commission adopts part of the arbitrator's decision, but not all, it shall include in the order the reasons for not adopting all of the arbitrator's decision. When a majority of a panel, after deliberation, has arrived at its decision, the decision shall be filed as provided in this Section without unnecessary delay, and without regard to the fact that a member of the panel has expressed an intention to dissent. Any member of the panel may file a dissent. Any dissent shall be filed no later than 10 days after the decision of the majority has been filed.

Decisions rendered by the Commission and dissents, if any, shall be published together by the Commission. The conclusions of law set out in such decisions shall be regarded as precedents by arbitrators for the purpose of achieving a more uniform administration of this Act.

(f) The decision of the Commission acting within its powers, according to the provisions of paragraph (e) of this Section shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided. However, the Arbitrator or the Commission may on his or its own motion, or on the motion of either party, correct any clerical error or errors in computation within 15 days after the date of receipt of any award by such Arbitrator or any decision on review of the Commission and shall have the power to recall the original award on arbitration or decision on review, and issue in lieu thereof such corrected award or decision. Where such correction is made the time for review herein specified shall begin to run from the date of the receipt of the corrected award or decision.

(1) Except in cases of claims against the State of Illinois other than those claims under Section 18.1, in which case the decision of the Commission shall not be subject to judicial review, the Circuit Court of the county where any of the parties defendant may be found, or if none of the parties defendant can be found in this State then the Circuit Court of the county where the accident occurred, shall by summons to the Commission have power to review all questions of law and fact presented by such record.
A proceeding for review shall be commenced within 20 days of the receipt of notice of the decision of the Commission. The summons shall be issued by the clerk of such court upon written request returnable on a designated return day, not less than 10 or more than 60 days from the date of issuance thereof, and the written request shall contain the last known address of other parties in interest and their attorneys of record who are to be served by summons. Service upon any member of the Commission or the Secretary or the Assistant Secretary thereof shall be service upon the Commission, and service upon other parties in interest and their attorneys of record shall be by summons, and such service shall be made upon the Commission and other parties in interest by mailing notices of the commencement of the proceedings and the return day of the summons to the office of the Commission and to the last known place of residence of other parties in interest or their attorney or attorneys of record. The clerk of the court issuing the summons shall on the day of issue mail notice of the commencement of the proceedings which shall be done by mailing a copy of the summons to the office of the Commission, and a copy of the summons to the other parties in interest or their attorney or attorneys of record and the clerk of the court shall make certificate that he has so sent said notices in pursuance of this Section, which shall be evidence of service on the Commission and other parties in interest.

The Commission shall not be required to certify the record of their proceedings to the Circuit Court, unless the party commencing the proceedings for review in the Circuit Court as above provided, shall file with the Commission notice of intent to file for review in Circuit Court, the sum of $0.80 per page of testimony taken before the Commission, and $0.35 per page of all other matters contained in such record, except as otherwise provided by Section 20 of this Act. Payment for photostatic copies of exhibit shall be extra. It shall be the duty of the Commission upon such filing of notice of intent to file for review in the Circuit Court payment, or failure to pay as permitted under Section 20 of this Act, to prepare a true and correct typewritten copy of such testimony and a true and correct copy of all other matters contained in such record and certified to by the Secretary or Assistant Secretary thereof. The changes made to this subdivision (f)(1) by

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this amendatory Act of the 98th General Assembly apply to any Commission decision entered after the effective date of this amendatory Act of the 98th General Assembly.

No In its decision on review the Commission shall determine in each particular case the amount of the probable cost of the record to be filed as a part of the summons in that case and no request for a summons may be filed and no summons shall issue unless the party seeking to review the decision of the Commission shall exhibit to the clerk of the Circuit Court proof of payment by filing with the Commission of the notice of the intent to file for review in the Circuit Court a receipt showing payment or an affidavit of the attorney setting forth that notice of intent to file for review in the Circuit Court payment has been given in writing made of the sums so determined to the Secretary or Assistant Secretary of the Commission, except as otherwise provided by Section 20 of this Act.

(2) No such summons shall issue unless the one against whom the Commission shall have rendered an award for the payment of money shall upon the filing of his written request for such summons file with the clerk of the court a bond conditioned that if he shall not successfully prosecute the review, he will pay the award and the costs of the proceedings in the courts. The amount of the bond shall be fixed by any member of the Commission and the surety or sureties of the bond shall be approved by the clerk of the court. The acceptance of the bond by the clerk of the court shall constitute evidence of his approval of the bond.

Every county, city, town, township, incorporated village, school district, body politic or municipal corporation against whom the Commission shall have rendered an award for the payment of money shall not be required to file a bond to secure the payment of the award and the costs of the proceedings in the court to authorize the court to issue such summons.

The court may confirm or set aside the decision of the Commission. If the decision is set aside and the facts found in the proceedings before the Commission are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Commission for further proceedings and may state the questions requiring further hearing, and give such other

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instructions as may be proper. Appeals shall be taken to the Appellate Court in accordance with Supreme Court Rules 22(g) and 303. Appeals shall be taken from the Appellate Court to the Supreme Court in accordance with Supreme Court Rule 315.

It shall be the duty of the clerk of any court rendering a decision affecting or affirming an award of the Commission to promptly furnish the Commission with a copy of such decision, without charge.

The decision of a majority of the members of the panel of the Commission, shall be considered the decision of the Commission.

(g) Except in the case of a claim against the State of Illinois, either party may present a certified copy of the award of the Arbitrator, or a certified copy of the decision of the Commission when the same has become final, when no proceedings for review are pending, providing for the payment of compensation according to this Act, to the Circuit Court of the county in which such accident occurred or either of the parties are residents, whereupon the court shall enter a judgment in accordance therewith. In a case where the employer refuses to pay compensation according to such final award or such final decision upon which such judgment is entered the court shall in entering judgment thereon, tax as costs against him the reasonable costs and attorney fees in the arbitration proceedings and in the court entering the judgment for the person in whose favor the judgment is entered, which judgment and costs taxed as therein provided shall, until and unless set aside, have the same effect as though duly entered in an action duly tried and determined by the court, and shall with like effect, be entered and docketed. The Circuit Court shall have power at any time upon application to make any such judgment conform to any modification required by any subsequent decision of the Supreme Court upon appeal, or as the result of any subsequent proceedings for review, as provided in this Act.

Judgment shall not be entered until 15 days' notice of the time and place of the application for the entry of judgment shall be served upon the employer by filing such notice with the Commission, which Commission shall, in case it has on file the address of the employer or the name and address of its agent upon whom notices may be served, immediately send a copy of the notice to the employer or such designated agent.

(h) An agreement or award under this Act providing for compensation in installments, may at any time within 18 months after such
agreement or award be reviewed by the Commission at the request of either the employer or the employee, on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

However, as to accidents occurring subsequent to July 1, 1955, which are covered by any agreement or award under this Act providing for compensation in installments made as a result of such accident, such agreement or award may at any time within 30 months, or 60 months in the case of an award under Section 8(d), after such agreement or award be reviewed by the Commission at the request of either the employer or the employee on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

On such review, compensation payments may be re-established, increased, diminished or ended. The Commission shall give 15 days' notice to the parties of the hearing for review. Any employee, upon any petition for such review being filed by the employer, shall be entitled to one day's notice for each 100 miles necessary to be traveled by him in attending the hearing of the Commission upon the petition, and 3 days in addition thereto. Such employee shall, at the discretion of the Commission, also be entitled to 5 cents per mile necessarily traveled by him within the State of Illinois in attending such hearing, not to exceed a distance of 300 miles, to be taxed by the Commission as costs and deposited with the petition of the employer.

When compensation which is payable in accordance with an award or settlement contract approved by the Commission, is ordered paid in a lump sum by the Commission, no review shall be had as in this paragraph mentioned.

(i) Each party, upon taking any proceedings or steps whatsoever before any Arbitrator, Commission or court, shall file with the Commission his address, or the name and address of any agent upon whom all notices to be given to such party shall be served, either personally or by registered mail, addressed to such party or agent at the last address so filed with the Commission. In the event such party has not filed his address, or the name and address of an agent as above provided, service of any notice may be had by filing such notice with the Commission.

(j) Whenever in any proceeding testimony has been taken or a final decision has been rendered and after the taking of such testimony or after such decision has become final, the injured employee dies, then in any subsequent proceedings brought by the personal representative or

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beneficiaries of the deceased employee, such testimony in the former proceeding may be introduced with the same force and effect as though the witness having so testified were present in person in such subsequent proceedings and such final decision, if any, shall be taken as final adjudication of any of the issues which are the same in both proceedings.

(k) In case where there has been any unreasonable or vexatious delay of payment or intentional underpayment of compensation, or proceedings have been instituted or carried on by the one liable to pay the compensation, which do not present a real controversy, but are merely frivolous or for delay, then the Commission may award compensation additional to that otherwise payable under this Act equal to 50% of the amount payable at the time of such award. Failure to pay compensation in accordance with the provisions of Section 8, paragraph (b) of this Act, shall be considered unreasonable delay.

When determining whether this subsection (k) shall apply, the Commission shall consider whether an Arbitrator has determined that the claim is not compensable or whether the employer has made payments under Section 8(j).

(l) If the employee has made written demand for payment of benefits under Section 8(a) or Section 8(b), the employer shall have 14 days after receipt of the demand to set forth in writing the reason for the delay. In the case of demand for payment of medical benefits under Section 8(a), the time for the employer to respond shall not commence until the expiration of the allotted 30 days specified under Section 8.2(d). In case the employer or his or her insurance carrier shall without good and just cause fail, neglect, refuse, or unreasonably delay the payment of benefits under Section 8(a) or Section 8(b), the Arbitrator or the Commission shall allow to the employee additional compensation in the sum of $30 per day for each day that the benefits under Section 8(a) or Section 8(b) have been so withheld or refused, not to exceed $10,000. A delay in payment of 14 days or more shall create a rebuttable presumption of unreasonable delay.

(m) If the commission finds that an accidental injury was directly and proximately caused by the employer's wilful violation of a health and safety standard under the Health and Safety Act in force at the time of the accident, the arbitrator or the Commission shall allow to the injured employee or his dependents, as the case may be, additional compensation equal to 25% of the amount which otherwise would be payable under the provisions of this Act exclusive of this paragraph. The additional
compensation herein provided shall be allowed by an appropriate increase in the applicable weekly compensation rate.

(n) After June 30, 1984, decisions of the Illinois Workers' Compensation Commission reviewing an award of an arbitrator of the Commission shall draw interest at a rate equal to the yield on indebtedness issued by the United States Government with a 26-week maturity next previously auctioned on the day on which the decision is filed. Said rate of interest shall be set forth in the Arbitrator's Decision. Interest shall be drawn from the date of the arbitrator's award on all accrued compensation due the employee through the day prior to the date of payments. However, when an employee appeals an award of an Arbitrator or the Commission, and the appeal results in no change or a decrease in the award, interest shall not further accrue from the date of such appeal.

The employer or his insurance carrier may tender the payments due under the award to stop the further accrual of interest on such award notwithstanding the prosecution by either party of review, certiorari, appeal to the Supreme Court or other steps to reverse, vacate or modify the award.

(o) By the 15th day of each month each insurer providing coverage for losses under this Act shall notify each insured employer of any compensable claim incurred during the preceding month and the amounts paid or reserved on the claim including a summary of the claim and a brief statement of the reasons for compensability. A cumulative report of all claims incurred during a calendar year or continued from the previous year shall be furnished to the insured employer by the insurer within 30 days after the end of that calendar year.

The insured employer may challenge, in proceeding before the Commission, payments made by the insurer without arbitration and payments made after a case is determined to be noncompensable. If the Commission finds that the case was not compensable, the insurer shall purge its records as to that employer of any loss or expense associated with the claim, reimburse the employer for attorneys' fees arising from the challenge and for any payment required of the employer to the Rate Adjustment Fund or the Second Injury Fund, and may not reflect the loss or expense for rate making purposes. The employee shall not be required to refund the challenged payment. The decision of the Commission may be reviewed in the same manner as in arbitrated cases. No challenge may be initiated under this paragraph more than 3 years after the payment is made.
An employer may waive the right of challenge under this paragraph on a case by case basis.

(p) After filing an application for adjustment of claim but prior to the hearing on arbitration the parties may voluntarily agree to submit such application for adjustment of claim for decision by an arbitrator under this subsection (p) where such application for adjustment of claim raises only a dispute over temporary total disability, permanent partial disability or medical expenses. Such agreement shall be in writing in such form as provided by the Commission. Applications for adjustment of claim submitted for decision by an arbitrator under this subsection (p) shall proceed according to rule as established by the Commission. The Commission shall promulgate rules including, but not limited to, rules to ensure that the parties are adequately informed of their rights under this subsection (p) and of the voluntary nature of proceedings under this subsection (p). The findings of fact made by an arbitrator acting within his or her powers under this subsection (p) in the absence of fraud shall be conclusive. However, the arbitrator may on his own motion, or the motion of either party, correct any clerical errors or errors in computation within 15 days after the date of receipt of such award of the arbitrator and shall have the power to recall the original award on arbitration, and issue in lieu thereof such corrected award. The decision of the arbitrator under this subsection (p) shall be considered the decision of the Commission and proceedings for review of questions of law arising from the decision may be commenced by either party pursuant to subsection (f) of Section 19. The Advisory Board established under Section 13.1 shall compile a list of certified Commission arbitrators, each of whom shall be approved by at least 7 members of the Advisory Board. The chairman shall select 5 persons from such list to serve as arbitrators under this subsection (p). By agreement, the parties shall select one arbitrator from among the 5 persons selected by the chairman except that if the parties do not agree on an arbitrator from among the 5 persons, the parties may, by agreement, select an arbitrator of the American Arbitration Association, whose fee shall be paid by the State in accordance with rules promulgated by the Commission. Arbitration under this subsection (p) shall be voluntary.

(Source: P.A. 97-18, eff. 6-28-11.)

(820 ILCS 305/19a) (from Ch. 48, par. 138.19b)

Sec. 19a. Money received by the Commission pursuant to subsection (f) of Section 19 of this Act shall be paid into a trust fund outside the State Treasury and shall be held in such fund until completion
of the record for which the payment was made. The Secretary of the Commission shall be ex-officio custodian of such trust fund which shall be used only for the purpose specified in this section. Upon completion of the record the Secretary shall pay the amount so held to the person entitled thereto for preparation of the record. Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, the Secretary of the Commission shall transfer all remaining funds to the Injured Workers' Benefit Fund for the purpose of paying claims from injured employees who have received a final award for benefits from the Commission against the employer in Fiscal Year 2013.  
(Source: Laws 1967, p. 324.)

(820 ILCS 305/20) (from Ch. 48, par. 138.20)

Sec. 20. If the Commission shall, before or after any hearing, proceeding, or review to any court, be satisfied that the employee is a poor person, and unable to pay the costs and expenses provided for by this Act, the Commission shall permit such poor person to have all the rights and remedies provided by this Act, including the issuance and service of subpoenas; a transcript of testimony and the record of proceedings, including photostatic copies of exhibits, at hearings before an Arbitrator or the Commission; the right to have the record of proceedings certified to the circuit court; the right to the filing of a written request for summons; and the right to the issuance of summons, without the filing of a bond for costs and without the payment of any of the costs provided for by this Act. If an award is granted to such employee, or settlement is made, the costs and expenses chargeable to the employee as provided for by this Act shall be paid by the employer out of the award herein granted, or settlement, before any of the balance of the award or settlement is paid to the employee.  
(Source: P.A. 86-998.)

Section 10. The Workers' Occupational Diseases Act is amended by changing Sections 19, 19a, and 19.5 as follows:

(820 ILCS 310/19) (from Ch. 48, par. 172.54)

Sec. 19. Any disputed questions of law or fact shall be determined as herein provided.

(a) It shall be the duty of the Commission upon notification that the parties have failed to reach an agreement to designate an Arbitrator.

(1) The application for adjustment of claim filed with the Commission shall state:

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A. The approximate date of the last day of the last exposure and the approximate date of the disablement.

B. The general nature and character of the illness or disease claimed.

C. The name and address of the employer by whom employed on the last day of the last exposure and if employed by any other employer after such last exposure and before disablement the name and address of such other employer or employers.

D. In case of death, the date and place of death.

(2) Amendments to applications for adjustment of claim which relate to the same disablement or disablement resulting in death originally claimed upon may be allowed by the Commissioner or an Arbitrator thereof, in their discretion, and in the exercise of such discretion, they may in proper cases order a trial de novo; such amendment shall relate back to the date of the filing of the original application so amended.

(3) Whenever any claimant misconceives his remedy and files an application for adjustment of claim under this Act and it is subsequently discovered, at any time before final disposition of such cause, that the claim for disability or death which was the basis for such application should properly have been made under the Workers' Compensation Act, then the provisions of Section 19 paragraph (a-1) of the Workers' Compensation Act having reference to such application shall apply.

Whenever any claimant misconceives his remedy and files an application for adjustment of claim under the Workers' Compensation Act and it is subsequently discovered, at any time before final disposition of such cause that the claim for injury or death which was the basis for such application should properly have been made under this Act, then the application so filed under the Workers' Compensation Act may be amended in form, substance or both to assert claim for such disability or death under this Act and it shall be deemed to have been so filed as amended on the date of the original filing thereof, and such compensation may be awarded as is warranted by the whole evidence pursuant to the provisions of this Act. When such amendment is submitted, further or additional evidence may be heard by the Arbitrator or Commission when deemed necessary; provided, that nothing in

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this Section contained shall be construed to be or permit a waiver of any provisions of this Act with reference to notice, but notice if given shall be deemed to be a notice under the provisions of this Act if given within the time required herein.

(b) The Arbitrator shall make such inquiries and investigations as he shall deem necessary and may examine and inspect all books, papers, records, places, or premises relating to the questions in dispute and hear such proper evidence as the parties may submit.

The hearings before the Arbitrator shall be held in the vicinity where the last exposure occurred, after 10 days' notice of the time and place of such hearing shall have been given to each of the parties or their attorneys of record.

The Arbitrator may find that the disabling condition is temporary and has not yet reached a permanent condition and may order the payment of compensation up to the date of the hearing, which award shall be reviewable and enforceable in the same manner as other awards, and in no instance be a bar to a further hearing and determination of a further amount of temporary total compensation or of compensation for permanent disability, but shall be conclusive as to all other questions except the nature and extent of such disability.

The decision of the Arbitrator shall be filed with the Commission which Commission shall immediately send to each party or his attorney a copy of such decision, together with a notification of the time when it was filed. As of the effective date of this amendatory Act of the 94th General Assembly, all decisions of the Arbitrator shall set forth in writing findings of fact and conclusions of law, separately stated, if requested by either party. Unless a petition for review is filed by either party within 30 days after the receipt by such party of the copy of the decision and notification of time when filed, and unless such party petitioning for a review shall file with the Commission either an agreed statement of the facts appearing upon the hearing before the Arbitrator, or if such party shall so elect a correct transcript of evidence of the proceedings at such hearings, then the decision shall become the decision of the Commission and in the absence of fraud shall be conclusive. The Petition for Review shall contain a statement of the petitioning party's specific exceptions to the decision of the arbitrator. The jurisdiction of the Commission to review the decision of the arbitrator shall not be limited to the exceptions stated in the Petition for Review. The Commission, or any member thereof, may grant further

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time not exceeding 30 days, in which to file such agreed statement or transcript of evidence. Such agreed statement of facts or correct transcript of evidence, as the case may be, shall be authenticated by the signatures of the parties or their attorneys, and in the event they do not agree as to the correctness of the transcript of evidence it shall be authenticated by the signature of the Arbitrator designated by the Commission.

Whether the employee is working or not, if the employee is not receiving or has not received medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8 of the Workers' Compensation Act, or compensation as provided in paragraph (b) of Section 8 of the Workers' Compensation Act, the employee may at any time petition for an expedited hearing by an Arbitrator on the issue of whether or not he or she is entitled to receive payment of the services or compensation. Provided the employer continues to pay compensation pursuant to paragraph (b) of Section 8 of the Workers' Compensation Act, the employer may at any time petition for an expedited hearing on the issue of whether or not the employee is entitled to receive medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8 of the Workers' Compensation Act, or compensation as provided in paragraph (b) of Section 8 of the Workers' Compensation Act. When an employer has petitioned for an expedited hearing, the employer shall continue to pay compensation as provided in paragraph (b) of Section 8 of the Workers' Compensation Act unless the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing or unless the employee's treating physician has released the employee to return to work at his or her regular job with the employer or the employee actually returns to work at any other job. If the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing, a petition for review filed by the employee shall receive the same priority as if the employee had filed a petition for an expedited hearing by an arbitrator. Neither party shall be entitled to an expedited hearing when the employee has returned to work and the sole issue in dispute amounts to less than 12 weeks of unpaid compensation pursuant to paragraph (b) of Section 8 of the Workers' Compensation Act.

Expedited hearings shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed. Any party requesting an expedited hearing shall give notice of a
request for an expedited hearing under this paragraph. A copy of the Application for Adjustment of Claim shall be attached to the notice. The Commission shall adopt rules and procedures under which the final decision of the Commission under this paragraph is filed not later than 180 days from the date that the Petition for Review is filed with the Commission.

Where 2 or more insurance carriers, private self-insureds, or a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code dispute coverage for the same disease, any such insurance carrier, private self-insured, or group workers' compensation pool may request an expedited hearing pursuant to this paragraph to determine the issue of coverage, provided coverage is the only issue in dispute and all other issues are stipulated and agreed to and further provided that all compensation benefits including medical benefits pursuant to Section 8(a) of the Workers' Compensation Act continue to be paid to or on behalf of petitioner. Any insurance carrier, private self-insured, or group workers' compensation pool that is determined to be liable for coverage for the disease in issue shall reimburse any insurance carrier, private self-insured, or group workers' compensation pool that has paid benefits to or on behalf of petitioner for the disease.

(b-1) If the employee is not receiving, pursuant to Section 7, medical, surgical or hospital services of the type provided for in paragraph (a) of Section 8 of the Workers' Compensation Act or compensation of the type provided for in paragraph (b) of Section 8 of the Workers' Compensation Act, the employee, in accordance with Commission Rules, may file a petition for an emergency hearing by an Arbitrator on the issue of whether or not he is entitled to receive payment of such compensation or services as provided therein. Such petition shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed.

Such petition shall contain the following information and shall be served on the employer at least 15 days before it is filed:

(i) the date and approximate time of the last exposure;
(ii) the approximate location of the last exposure;
(iii) a description of the last exposure;
(iv) the nature of the disability incurred by the employee;
(v) the identity of the person, if known, to whom the disability was reported and the date on which it was reported;

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(vi) the name and title of the person, if known, representing the employer with whom the employee conferred in any effort to obtain pursuant to Section 7 compensation of the type provided for in paragraph (b) of Section 8 of the Workers' Compensation Act or medical, surgical or hospital services of the type provided for in paragraph (a) of Section 8 of the Workers' Compensation Act and the date of such conference;

(vii) a statement that the employer has refused to pay compensation pursuant to Section 7 of the type provided for in paragraph (b) of Section 8 of the Workers' Compensation Act or for medical, surgical or hospital services pursuant to Section 7 of the type provided for in paragraph (a) of Section 8 of the Workers' Compensation Act;

(viii) the name and address, if known, of each witness to the last exposure and of each other person upon whom the employee will rely to support his allegations;

(ix) the dates of treatment related to the disability by medical practitioners, and the names and addresses of such practitioners, including the dates of treatment related to the disability at any hospitals and the names and addresses of such hospitals, and a signed authorization permitting the employer to examine all medical records of all practitioners and hospitals named pursuant to this paragraph;

(x) a copy of a signed report by a medical practitioner, relating to the employee's current inability to return to work because of the disability incurred as a result of the exposure or such other documents or affidavits which show that the employee is entitled to receive pursuant to Section 7 compensation of the type provided for in paragraph (b) of Section 8 of the Workers' Compensation Act or medical, surgical or hospital services of the type provided for in paragraph (a) of Section 8 of the Workers' Compensation Act. Such reports, documents or affidavits shall state, if possible, the history of the exposure given by the employee, and describe the disability and medical diagnosis, the medical services for such disability which the employee has received and is receiving, the physical activities which the employee cannot currently perform as a result of such disability, and the prognosis for recovery;

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(xi) complete copies of any reports, records, documents and affidavits in the possession of the employee on which the employee will rely to support his allegations, provided that the employer shall pay the reasonable cost of reproduction thereof;

(xii) a list of any reports, records, documents and affidavits which the employee has demanded by subpoena and on which he intends to rely to support his allegations;

(xiii) a certification signed by the employee or his representative that the employer has received the petition with the required information 15 days before filing.

Fifteen days after receipt by the employer of the petition with the required information the employer may file said petition and required information and shall serve notice of the filing upon the employer. The employer may file a motion addressed to the sufficiency of the petition. If an objection has been filed to the sufficiency of the petition, the arbitrator shall rule on the objection within 2 working days. If such an objection is filed, the time for filing the final decision of the Commission as provided in this paragraph shall be tolled until the arbitrator has determined that the petition is sufficient.

The employer shall, within 15 days after receipt of the notice that such petition is filed, file with the Commission and serve on the employee or his representative a written response to each claim set forth in the petition, including the legal and factual basis for each disputed allegation and the following information: (i) complete copies of any reports, records, documents and affidavits in the possession of the employer on which the employer intends to rely in support of his response, (ii) a list of any reports, records, documents and affidavits which the employer has demanded by subpoena and on which the employer intends to rely in support of his response, (iii) the name and address of each witness on whom the employer will rely to support his response, and (iv) the names and addresses of any medical practitioners selected by the employer pursuant to Section 12 of this Act and the time and place of any examination scheduled to be made pursuant to such Section.

Any employer who does not timely file and serve a written response without good cause may not introduce any evidence to dispute any claim of the employee but may cross examine the employee or any witness brought by the employee and otherwise be heard.

No document or other evidence not previously identified by either party with the petition or written response, or by any other means before
the hearing, may be introduced into evidence without good cause. If, at the hearing, material information is discovered which was not previously disclosed, the Arbitrator may extend the time for closing proof on the motion of a party for a reasonable period of time which may be more than 30 days. No evidence may be introduced pursuant to this paragraph as to permanent disability. No award may be entered for permanent disability pursuant to this paragraph. Either party may introduce into evidence the testimony taken by deposition of any medical practitioner.

The Commission shall adopt rules, regulations and procedures whereby the final decision of the Commission is filed not later than 90 days from the date the petition for review is filed but in no event later than 180 days from the date the petition for an emergency hearing is filed with the Illinois Workers' Compensation Commission.

All service required pursuant to this paragraph (b-1) must be by personal service or by certified mail and with evidence of receipt. In addition, for the purposes of this paragraph, all service on the employer must be at the premises where the accident occurred if the premises are owned or operated by the employer. Otherwise service must be at the employee's principal place of employment by the employer. If service on the employer is not possible at either of the above, then service shall be at the employer's principal place of business. After initial service in each case, service shall be made on the employer's attorney or designated representative.

(c) (1) At a reasonable time in advance of and in connection with the hearing under Section 19(e) or 19(h), the Commission may on its own motion order an impartial physical or mental examination of a petitioner whose mental or physical condition is in issue, when in the Commission's discretion it appears that such an examination will materially aid in the just determination of the case. The examination shall be made by a member or members of a panel of physicians chosen for their special qualifications by the Illinois State Medical Society. The Commission shall establish procedures by which a physician shall be selected from such list.

(2) Should the Commission at any time during the hearing find that compelling considerations make it advisable to have an examination and report at that time, the Commission may in its discretion so order.

(3) A copy of the report of examination shall be given to the Commission and to the attorneys for the parties.
(4) Either party or the Commission may call the examining physician or physicians to testify. Any physician so called shall be subject to cross-examination.

(5) The examination shall be made, and the physician or physicians, if called, shall testify, without cost to the parties. The Commission shall determine the compensation and the pay of the physician or physicians. The compensation for this service shall not exceed the usual and customary amount for such service.

The fees and payment thereof of all attorneys and physicians for services authorized by the Commission under this Act shall, upon request of either the employer or the employee or the beneficiary affected, be subject to the review and decision of the Commission.

(d) If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery or shall refuse to submit to such medical, surgical, or hospital treatment as is reasonably essential to promote his recovery, the Commission may, in its discretion, reduce or suspend the compensation of any such employee; provided, that when an employer and employee so agree in writing, the foregoing provision shall not be construed to authorize the reduction or suspension of compensation of an employee who is relying in good faith, on treatment by prayer or spiritual means alone, in accordance with the tenets and practice of a recognized church or religious denomination, by a duly accredited practitioner thereof.

(e) This paragraph shall apply to all hearings before the Commission. Such hearings may be held in its office or elsewhere as the Commission may deem advisable. The taking of testimony on such hearings may be had before any member of the Commission. If a petition for review and agreed statement of facts or transcript of evidence is filed, as provided herein, the Commission shall promptly review the decision of the Arbitrator and all questions of law or fact which appear from the statement of facts or transcripts of evidence. In all cases in which the hearing before the arbitrator is held after the effective date of this amendatory Act of 1989, no additional evidence shall be introduced by the parties before the Commission on review of the decision of the Arbitrator. The Commission shall file in its office its decision thereon, and shall immediately send to each party or his attorney a copy of such decision and a notification of the time when it was filed. Decisions shall be filed within 60 days after the Statement of Exceptions and Supporting Brief and

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Response thereto are required to be filed or oral argument whichever is later.

In the event either party requests oral argument, such argument shall be had before a panel of 3 members of the Commission (or before all available members pursuant to the determination of 7 members of the Commission that such argument be held before all available members of the Commission) pursuant to the rules and regulations of the Commission. A panel of 3 members, which shall be comprised of not more than one representative citizen of the employing class and not more than one representative citizen of the employee class, shall hear the argument; provided that if all the issues in dispute are solely the nature and extent of the permanent partial disability, if any, a majority of the panel may deny the request for such argument and such argument shall not be held; and provided further that 7 members of the Commission may determine that the argument be held before all available members of the Commission. A decision of the Commission shall be approved by a majority of Commissioners present at such hearing if any; provided, if no such hearing is held, a decision of the Commission shall be approved by a majority of a panel of 3 members of the Commission as described in this Section. The Commission shall give 10 days' notice to the parties or their attorneys of the time and place of such taking of testimony and of such argument.

In any case the Commission in its discretion may in its decision find specially upon any question or questions of law or facts which shall be submitted in writing by either party whether ultimate or otherwise; provided that on issues other than nature and extent of the disablement, if any, the Commission in its decision shall find specially upon any question or questions of law or fact, whether ultimate or otherwise, which are submitted in writing by either party; provided further that not more than 5 such questions may be submitted by either party. Any party may, within 20 days after receipt of notice of the Commission's decision, or within such further time, not exceeding 30 days, as the Commission may grant, file with the Commission either an agreed statement of the facts appearing upon the hearing, or, if such party shall so elect, a correct transcript of evidence of the additional proceedings presented before the Commission in which report the party may embody a correct statement of such other proceedings in the case as such party may desire to have reviewed, such statement of facts or transcript of evidence to be authenticated by the signature of the parties or their attorneys, and in the event that they do not
agree, then the authentication of such transcript of evidence shall be by the signature of any member of the Commission.

If a reporter does not for any reason furnish a transcript of the proceedings before the Arbitrator in any case for use on a hearing for review before the Commission, within the limitations of time as fixed in this Section, the Commission may, in its discretion, order a trial de novo before the Commission in such case upon application of either party. The applications for adjustment of claim and other documents in the nature of pleadings filed by either party, together with the decisions of the Arbitrator and of the Commission and the statement of facts or transcript of evidence hereinbefore provided for in paragraphs (b) and (c) shall be the record of the proceedings of the Commission, and shall be subject to review as hereinafter provided.

At the request of either party or on its own motion, the Commission shall set forth in writing the reasons for the decision, including findings of fact and conclusions of law, separately stated. The Commission shall by rule adopt a format for written decisions for the Commission and arbitrators. The written decisions shall be concise and shall succinctly state the facts and reasons for the decision. The Commission may adopt in whole or in part, the decision of the arbitrator as the decision of the Commission. When the Commission does so adopt the decision of the arbitrator, it shall do so by order. Whenever the Commission adopts part of the arbitrator's decision, but not all, it shall include in the order the reasons for not adopting all of the arbitrator's decision. When a majority of a panel, after deliberation, has arrived at its decision, the decision shall be filed as provided in this Section without unnecessary delay, and without regard to the fact that a member of the panel has expressed an intention to dissent. Any member of the panel may file a dissent. Any dissent shall be filed no later than 10 days after the decision of the majority has been filed.

Decisions rendered by the Commission after the effective date of this amendatory Act of 1980 and dissents, if any, shall be published together by the Commission. The conclusions of law set out in such decisions shall be regarded as precedents by arbitrators, for the purpose of achieving a more uniform administration of this Act.

(f) The decision of the Commission acting within its powers, according to the provisions of paragraph (e) of this Section shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided. However, the Arbitrator or the Commission may on
his or its own motion, or on the motion of either party, correct any clerical error or errors in computation within 15 days after the date of receipt of any award by such Arbitrator or any decision on review of the Commission, and shall have the power to recall the original award on arbitration or decision on review, and issue in lieu thereof such corrected award or decision. Where such correction is made the time for review herein specified shall begin to run from the date of the receipt of the corrected award or decision.

(1) Except in cases of claims against the State of Illinois, in which case the decision of the Commission shall not be subject to judicial review, the Circuit Court of the county where any of the parties defendant may be found, or if none of the parties defendant be found in this State then the Circuit Court of the county where any of the exposure occurred, shall by summons to the Commission have power to review all questions of law and fact presented by such record.

A proceeding for review shall be commenced within 20 days of the receipt of notice of the decision of the Commission. The summons shall be issued by the clerk of such court upon written request returnable on a designated return day, not less than 10 or more than 60 days from the date of issuance thereof, and the written request shall contain the last known address of other parties in interest and their attorneys of record who are to be served by summons. Service upon any member of the Commission or the Secretary or the Assistant Secretary thereof shall be service upon the Commission, and service upon other parties in interest and their attorneys of record shall be by summons, and such service shall be made upon the Commission and other parties in interest by mailing notices of the commencement of the proceedings and the return day of the summons to the office of the Commission and to the last known place of residence of other parties in interest or their attorney or attorneys of record. The clerk of the court issuing the summons shall on the day of issue mail notice of the commencement of the proceedings which shall be done by mailing a copy of the summons to the office of the Commission, and a copy of the summons to the other parties in interest or their attorney or attorneys of record and the clerk of the court shall make certificate that he has so sent such notices in pursuance of this Section, which
shall be evidence of service on the Commission and other parties in interest.

The Commission shall not be required to certify the record of their proceedings in the Circuit Court unless the party commencing the proceedings for review in the Circuit Court as above provided, shall file with the Commission notice of intent to file for review in Circuit Court. pay to the Commission the sum of 80 cents per page of testimony taken before the Commission, and 35 cents per page of all other matters contained in such record, except as otherwise provided by Section 20 of this Act. Payment for photostatic copies of exhibit shall be extra. It shall be the duty of the Commission upon such filing of notice of intent to file for review in Circuit Court payment, or failure to pay as permitted under Section 20 of this Act, to prepare a true and correct typewritten copy of such testimony and a true and correct copy of all other matters contained in such record and certified to by the Secretary or Assistant Secretary thereof. The changes made to this subdivision (f)(1) by this amendatory Act of the 98th General Assembly apply to any Commission decision entered after the effective date of this amendatory Act of the 98th General Assembly.

No In its decision on review the Commission shall determine in each particular case the amount of the probable cost of the record to be filed as a return to the summons in that case and no request for a summons may be filed and no summons shall issue unless the party seeking to review the decision of the Commission shall exhibit to the clerk of the Circuit Court proof by filing with the Commission of the notice of the intent to file for review in the Circuit Court a receipt showing payment or an affidavit of the attorney setting forth that notice of intent to file for review in Circuit Court payment has been given in writing made of the sums so determined to the Secretary or Assistant Secretary of the Commission.

(2) No such summons shall issue unless the one against whom the Commission shall have rendered an award for the payment of money shall upon the filing of his written request for such summons file with the clerk of the court a bond conditioned that if he shall not successfully prosecute the review, he will pay the award and the costs of the proceedings in the court. The
amount of the bond shall be fixed by any member of the Commission and the surety or sureties of the bond shall be approved by the clerk of the court. The acceptance of the bond by the clerk of the court shall constitute evidence of his approval of the bond.

Every county, city, town, township, incorporated village, school district, body politic or municipal corporation having a population of 500,000 or more against whom the Commission shall have rendered an award for the payment of money shall not be required to file a bond to secure the payment of the award and the costs of the proceedings in the court to authorize the court to issue such summons.

The court may confirm or set aside the decision of the Commission. If the decision is set aside and the facts found in the proceedings before the Commission are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Commission for further proceedings and may state the questions requiring further hearing, and give such other instructions as may be proper. Appeals shall be taken to the Appellate Court in accordance with Supreme Court Rules 22(g) and 303. Appeals shall be taken from the Appellate Court to the Supreme Court in accordance with Supreme Court Rule 315.

It shall be the duty of the clerk of any court rendering a decision affecting or affirming an award of the Commission to promptly furnish the Commission with a copy of such decision, without charge.

The decision of a majority of the members of the panel of the Commission, shall be considered the decision of the Commission.

(g) Except in the case of a claim against the State of Illinois, either party may present a certified copy of the award of the Arbitrator, or a certified copy of the decision of the Commission when the same has become final, when no proceedings for review are pending, providing for the payment of compensation according to this Act, to the Circuit Court of the county in which such exposure occurred or either of the parties are residents, whereupon the court shall enter a judgment in accordance therewith. In case where the employer refuses to pay compensation according to such final award or such final decision upon which such judgment is entered, the court shall in entering judgment thereon, tax as

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costs against him the reasonable costs and attorney fees in the arbitration proceedings and in the court entering the judgment for the person in whose favor the judgment is entered, which judgment and costs taxed as herein provided shall, until and unless set aside, have the same effect as though duly entered in an action duly tried and determined by the court, and shall with like effect, be entered and docketed. The Circuit Court shall have power at any time upon application to make any such judgment conform to any modification required by any subsequent decision of the Supreme Court upon appeal, or as the result of any subsequent proceedings for review, as provided in this Act.

Judgment shall not be entered until 15 days' notice of the time and place of the application for the entry of judgment shall be served upon the employer by filing such notice with the Commission, which Commission shall, in case it has on file the address of the employer or the name and address of its agent upon whom notices may be served, immediately send a copy of the notice to the employer or such designated agent.

(h) An agreement or award under this Act providing for compensation in installments, may at any time within 18 months after such agreement or award be reviewed by the Commission at the request of either the employer or the employee on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

However, as to disablements occurring subsequently to July 1, 1955, which are covered by any agreement or award under this Act providing for compensation in installments made as a result of such disablement, such agreement or award may at any time within 30 months after such agreement or award be reviewed by the Commission at the request of either the employer or the employee on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

On such review compensation payments may be re-established, increased, diminished or ended. The Commission shall give 15 days' notice to the parties of the hearing for review. Any employee, upon any petition for such review being filed by the employer, shall be entitled to one day's notice for each 100 miles necessary to be traveled by him in attending the hearing of the Commission upon the petition, and 3 days in addition thereto. Such employee shall, at the discretion of the Commission, also be entitled to 5 cents per mile necessarily traveled by him within the State of Illinois in attending such hearing, not to exceed a
distance of 300 miles, to be taxed by the Commission as costs and deposited with the petition of the employer.

When compensation which is payable in accordance with an award or settlement contract approved by the Commission, is ordered paid in a lump sum by the Commission, no review shall be had as in this paragraph mentioned.

(i) Each party, upon taking any proceedings or steps whatsoever before any Arbitrator, Commission or court, shall file with the Commission his address, or the name and address of any agent upon whom all notices to be given to such party shall be served, either personally or by registered mail, addressed to such party or agent at the last address so filed with the Commission. In the event such party has not filed his address, or the name and address of an agent as above provided, service of any notice may be had by filing such notice with the Commission.

(j) Whenever in any proceeding testimony has been taken or a final decision has been rendered, and after the taking of such testimony or after such decision has become final, the employee dies, then in any subsequent proceeding brought by the personal representative or beneficiaries of the deceased employee, such testimony in the former proceeding may be introduced with the same force and effect as though the witness having so testified were present in person in such subsequent proceedings and such final decision, if any, shall be taken as final adjudication of any of the issues which are the same in both proceedings.

(k) In any case where there has been any unreasonable or vexatious delay of payment or intentional underpayment of compensation, or proceedings have been instituted or carried on by one liable to pay the compensation, which do not present a real controversy, but are merely frivolous or for delay, then the Commission may award compensation additional to that otherwise payable under this Act equal to 50% of the amount payable at the time of such award. Failure to pay compensation in accordance with the provisions of Section 8, paragraph (b) of this Act, shall be considered unreasonable delay.

When determining whether this subsection (k) shall apply, the Commission shall consider whether an arbitrator has determined that the claim is not compensable or whether the employer has made payments under Section 8(j) of the Workers' Compensation Act.

(k-1) If the employee has made written demand for payment of benefits under Section 8(a) or Section 8(b) of the Workers' Compensation Act.

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Act, the employer shall have 14 days after receipt of the demand to set forth in writing the reason for the delay. In the case of demand for payment of medical benefits under Section 8(a) of the Workers' Compensation Act, the time for the employer to respond shall not commence until the expiration of the allotted 60 days specified under Section 8.2(d) of the Workers' Compensation Act. In case the employer or his or her insurance carrier shall without good and just cause fail, neglect, refuse, or unreasonably delay the payment of benefits under Section 8(a) or Section 8(b) of the Workers' Compensation Act, the Arbitrator or the Commission shall allow to the employee additional compensation in the sum of $30 per day for each day that the benefits under Section 8(a) or Section 8(b) of the Workers' Compensation Act have been so withheld or refused, not to exceed $10,000. A delay in payment of 14 days or more shall create a rebuttable presumption of unreasonable delay.

(l) By the 15th day of each month each insurer providing coverage for losses under this Act shall notify each insured employer of any compensable claim incurred during the preceding month and the amounts paid or reserved on the claim including a summary of the claim and a brief statement of the reasons for compensability. A cumulative report of all claims incurred during a calendar year or continued from the previous year shall be furnished to the insured employer by the insurer within 30 days after the end of that calendar year.

The insured employer may challenge, in proceeding before the Commission, payments made by the insurer without arbitration and payments made after a case is determined to be noncompensable. If the Commission finds that the case was not compensable, the insurer shall purge its records as to that employer of any loss or expense associated with the claim, reimburse the employer for attorneys fee arising from the challenge and for any payment required of the employer to the Rate Adjustment Fund or the Second Injury Fund, and may not effect the loss or expense for rate making purposes. The employee shall not be required to refund the challenged payment. The decision of the Commission may be reviewed in the same manner as in arbitrated cases. No challenge may be initiated under this paragraph more than 3 years after the payment is made. An employer may waive the right of challenge under this paragraph on a case by case basis.

(m) After filing an application for adjustment of claim but prior to the hearing on arbitration the parties may voluntarily agree to submit such application for adjustment of claim for decision by an arbitrator under this

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subsection (m) where such application for adjustment of claim raises only a dispute over temporary total disability, permanent partial disability or medical expenses. Such agreement shall be in writing in such form as provided by the Commission. Applications for adjustment of claim submitted for decision by an arbitrator under this subsection (m) shall proceed according to rule as established by the Commission. The Commission shall promulgate rules including, but not limited to, rules to ensure that the parties are adequately informed of their rights under this subsection (m) and of the voluntary nature of proceedings under this subsection (m). The findings of fact made by an arbitrator acting within his or her powers under this subsection (m) in the absence of fraud shall be conclusive. However, the arbitrator may on his own motion, or the motion of either party, correct any clerical errors or errors in computation within 15 days after the date of receipt of such award of the arbitrator and shall have the power to recall the original award on arbitration, and issue in lieu thereof such corrected award. The decision of the arbitrator under this subsection (m) shall be considered the decision of the Commission and proceedings for review of questions of law arising from the decision may be commenced by either party pursuant to subsection (f) of Section 19. The Advisory Board established under Section 13.1 of the Workers' Compensation Act shall compile a list of certified Commission arbitrators, each of whom shall be approved by at least 7 members of the Advisory Board. The chairman shall select 5 persons from such list to serve as arbitrators under this subsection (m). By agreement, the parties shall select one arbitrator from among the 5 persons selected by the chairman except, that if the parties do not agree on an arbitrator from among the 5 persons, the parties may, by agreement, select an arbitrator of the American Arbitration Association, whose fee shall be paid by the State in accordance with rules promulgated by the Commission. Arbitration under this subsection (m) shall be voluntary.

(Source: P.A. 93-721, eff. 1-1-05; 94-277, eff. 7-20-05.)

(820 ILCS 310/19a) (from Ch. 48, par. 172.54b)

Sec. 19a. Money received by the Commission pursuant to subsection (f) of Section 19 of this Act shall be paid into a trust fund outside the State Treasury and shall be held in such fund until completion of the record for which the payment was made. The Secretary of the Commission shall be ex-officio custodian of such trust fund which shall be used only for the purpose specified in this section. Upon completion of the record the Secretary shall pay the amount so held to the person entitled

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Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, the Secretary of the Commission shall transfer all remaining funds to the Injured Workers' Benefit Fund for the purpose of paying claims from injured employees who have received a final award for benefits from the Commission against the employer in Fiscal Year 2013.

(Source: Laws 1967, p. 325.)

(820 ILCS 310/19.5) (from Ch. 48, par. 172.54-1)

Sec. 19.5. If the Commission shall, before or after any hearing, proceeding, or review to any court, be satisfied that the employee is a poor person, and unable to pay the costs and expenses provided for by this Act, the Commission shall permit such poor person to have all the rights and remedies provided by this Act, including the issuance and service of subpoenas; a transcript of testimony and the record of proceedings, including photostatic copies of exhibits, at hearings before an Arbitrator or the Commission; the right to have the record of proceedings certified to the circuit court; the right to the filing of a written request for summons; and the right to the issuance of summons, without the filing of a bond for costs and without the payment of any of the costs provided for by this Act. If an award is granted to such employee, or settlement is made, the costs and expenses chargeable to the employee as provided for by this Act shall be paid by the employer out of the award herein granted, or settlement, before any of the balance of the award or settlement is paid to the employee.

(Source: P.A. 86-998; 87-895.)

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

Approved June 28, 2013.
Effective June 28, 2013.
Sec. 367m. Early intervention services. A policy of accident and health insurance that provides coverage for early intervention services must conform to the following criteria:

(1) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not count towards or result in a loss of benefits due to annual or lifetime insurance caps for an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members who are covered under that health insurance policy.

(2) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not negatively affect the availability of health insurance to an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members who are covered under that health insurance policy, and health insurance coverage may not be discontinued for these individuals due to the use of the health insurance to pay for services under Part C of the federal Individuals with Disabilities Education Act.

(3) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not be the basis for increasing the health insurance premiums of an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members covered under that health insurance policy.

For the purposes of this Section, "early intervention services" has the same meaning as in the Early Intervention Services System Act.

Section 10. The Early Intervention Services System Act is amended by changing Sections 3, 4, 5, 7, 9, 10, 11, 12, 13, 13.5, 13.10, and 13.30 as follows:

(325 ILCS 20/3) (from Ch. 23, par. 4153)
Sec. 3. Definitions. As used in this Act:
(a) "Eligible infants and toddlers" means infants and toddlers under 36 months of age with any of the following conditions:

(1) Developmental delays.

(2) A physical or mental condition which typically results in developmental delay.
(3) Being at risk of having substantial developmental delays based on informed clinical opinion judgment.

(4) Either (A) having entered the program under any of the circumstances listed in paragraphs (1) through (3) of this subsection but no longer meeting the current eligibility criteria under those paragraphs, and continuing to have any measurable delay, or (B) not having attained a level of development in each area, including (i) cognitive, (ii) physical (including vision and hearing), (iii) language, speech, and communication, (iv) social or emotional psycho-social, or (v) adaptive self-help skills, that is at least at the mean of the child's age equivalent peers; and, in addition to either item (A) or item (B), (C) having been determined by the multidisciplinary individualized family service plan team to require the continuation of early intervention services in order to support continuing developmental progress, pursuant to the child's needs and provided in an appropriate developmental manner. The type, frequency, and intensity of services shall differ from the initial individualized family services plan because of the child's developmental progress, and may consist of only service coordination, evaluation, and assessments.

(b) "Developmental delay" means a delay in one or more of the following areas of childhood development as measured by appropriate diagnostic instruments and standard procedures: cognitive; physical, including vision and hearing; language, speech and communication; social or emotional emotional psycho-social, or adaptive self-help skills. The term means a delay of 30% or more below the mean in function in one or more of those areas.

(c) "Physical or mental condition which typically results in developmental delay" means:

(1) a diagnosed medical disorder bearing a relatively well known expectancy for developmental outcomes within varying ranges of developmental disabilities; or

(2) a history of prenatal, perinatal, neonatal or early developmental events suggestive of biological insults to the developing central nervous system and which either singly or collectively increase the probability of developing a disability or delay based on a medical history.

(d) "Informed clinical opinion judgment" means both clinical observations and parental participation to determine eligibility by a
consensus of a multidisciplinary team of 2 or more members based on their professional experience and expertise.

(e) "Early intervention services" means services which:
   (1) are designed to meet the developmental needs of each child eligible under this Act and the needs of his or her family;
   (2) are selected in collaboration with the child's family;
   (3) are provided under public supervision;
   (4) are provided at no cost except where a schedule of sliding scale fees or other system of payments by families has been adopted in accordance with State and federal law;
   (5) are designed to meet an infant's or toddler's developmental needs in any of the following areas:
      (A) physical development, including vision and hearing,
      (B) cognitive development,
      (C) communication development,
      (D) social or emotional development, or
      (E) adaptive development;
   (6) meet the standards of the State, including the requirements of this Act;
   (7) include one or more of the following:
      (A) family training,
      (B) social work services, including counseling, and home visits,
      (C) special instruction,
      (D) speech, language pathology and audiology,
      (E) occupational therapy,
      (F) physical therapy,
      (G) psychological services,
      (H) service coordination services,
      (I) medical services only for diagnostic or evaluation purposes,
      (J) early identification, screening, and assessment services,
      (K) health services specified by the lead agency as necessary to enable the infant or toddler to benefit from the other early intervention services,
      (L) vision services,
      (M) transportation, and

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(N) assistive technology devices and services;
(O) nursing services,
(P) nutrition services, and
(Q) sign language and cued language services;
(8) are provided by qualified personnel, including but not limited to:
(A) child development specialists or special educators, including teachers of children with hearing impairments (including deafness) and teachers of children with vision impairments (including blindness),
(B) speech and language pathologists and audiologists,
(C) occupational therapists,
(D) physical therapists,
(E) social workers,
(F) nurses,
(G) dietitian nutritionists,
(H) vision specialists, including ophthalmologists and optometrists,
(I) psychologists, and
(J) physicians;
(9) are provided in conformity with an Individualized Family Service Plan;
(10) are provided throughout the year; and
(11) are provided in natural environments, to the maximum extent appropriate, which may include the home and community settings, unless justification is provided consistent with federal regulations adopted under Sections 1431 through 1444 of Title 20 of the United States Code.

(f) "Individualized Family Service Plan" or "Plan" means a written plan for providing early intervention services to a child eligible under this Act and the child's family, as set forth in Section 11.

(g) "Local interagency agreement" means an agreement entered into by local community and State and regional agencies receiving early intervention funds directly from the State and made in accordance with State interagency agreements providing for the delivery of early intervention services within a local community area.

(h) "Council" means the Illinois Interagency Council on Early Intervention established under Section 4.
(i) "Lead agency" means the State agency responsible for administering this Act and receiving and disbursing public funds received in accordance with State and federal law and rules.

(i-5) "Central billing office" means the central billing office created by the lead agency under Section 13.

(j) "Child find" means a service which identifies eligible infants and toddlers.

(k) "Regional intake entity" means the lead agency's designated entity responsible for implementation of the Early Intervention Services System within its designated geographic area.

(l) "Early intervention provider" means an individual who is qualified, as defined by the lead agency, to provide one or more types of early intervention services, and who has enrolled as a provider in the early intervention program.

(m) "Fully credentialed early intervention provider" means an individual who has met the standards in the State applicable to the relevant profession, and has met such other qualifications as the lead agency has determined are suitable for personnel providing early intervention services, including pediatric experience, education, and continuing education. The lead agency shall establish these qualifications by rule filed no later than 180 days after the effective date of this amendatory Act of the 92nd General Assembly.

(Source: P.A. 97-902, eff. 8-6-12.)

(325 ILCS 20/4) (from Ch. 23, par. 4154)

Sec. 4. Illinois Interagency Council on Early Intervention.

(a) There is established the Illinois Interagency Council on Early Intervention. The Council shall be composed of at least 20 but not more than 30 members. The members of the Council and the designated chairperson of the Council shall be appointed by the Governor. The Council member representing the lead agency may not serve as chairperson of the Council. The Council shall be composed of the following members:

(1) The Secretary of Human Services (or his or her designee) and 2 additional representatives of the Department of Human Services designated by the Secretary, plus the Directors (or their designees) of the following State agencies involved in the provision of or payment for early intervention services to eligible infants and toddlers and their families:

(A) Department of Insurance; and

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(B) Department of Healthcare and Family Services.

(2) Other members as follows:

(A) At least 20% of the members of the Council shall be parents, including minority parents, of infants or toddlers with disabilities or children with disabilities aged 12 or younger, with knowledge of, or experience with, programs for infants and toddlers with disabilities. At least one such member shall be a parent of an infant or toddler with a disability or a child with a disability aged 6 or younger;

(B) At least 20% of the members of the Council shall be public or private providers of early intervention services;

(C) One member shall be a representative of the General Assembly;

(D) One member shall be involved in the preparation of professional personnel to serve infants and toddlers similar to those eligible for services under this Act;

(E) Two members shall be from advocacy organizations with expertise in improving health, development, and educational outcomes for infants and toddlers with disabilities;

(F) One member shall be a Child and Family Connections manager from a rural district;

(G) One member shall be a Child and Family Connections manager from an urban district;

(H) One member shall be the co-chair of the Illinois Early Learning Council (or his or her designee); and

(I) Members representing the following agencies or entities: the State Board of Education; the Department of Public Health; the Department of Children and Family Services; the University of Illinois Division of Specialized Care for Children; the Illinois Council on Developmental Disabilities; Head Start or Early Head Start; and the Department of Human Services' Division of Mental Health. A member may represent one or more of the listed agencies or entities.

The Council shall meet at least quarterly and in such places as it deems necessary. Terms of the initial members appointed under paragraph

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(2) shall be determined by lot at the first Council meeting as follows: of the persons appointed under subparagraphs (A) and (B), one-third shall serve one year terms, one-third shall serve 2 year terms, and one-third shall serve 3 year terms; and of the persons appointed under subparagraphs (C) and (D), one shall serve a 2 year term and one shall serve a 3 year term. Thereafter, successors appointed under paragraph (2) shall serve 3 year terms. Once appointed, members shall continue to serve until their successors are appointed. No member shall be appointed to serve more than 2 consecutive terms.

Council members shall serve without compensation but shall be reimbursed for reasonable costs incurred in the performance of their duties, including costs related to child care, and parents may be paid a stipend in accordance with applicable requirements.

The Council shall prepare and approve a budget using funds appropriated for the purpose to hire staff, and obtain the services of such professional, technical, and clerical personnel as may be necessary to carry out its functions under this Act. This funding support and staff shall be directed by the lead agency.

(b) The Council shall:

(1) advise and assist the lead agency in the performance of its responsibilities including but not limited to the identification of sources of fiscal and other support services for early intervention programs, and the promotion of interagency agreements which assign financial responsibility to the appropriate agencies;

(2) advise and assist the lead agency in the preparation of applications and amendments to applications;

(3) review and advise on relevant regulations and standards proposed by the related State agencies;

(4) advise and assist the lead agency in the development, implementation and evaluation of the comprehensive early intervention services system; and

(4.5) coordinate and collaborate with State interagency early learning initiatives, as appropriate; and

(5) prepare and submit an annual report to the Governor and to the General Assembly on the status of early intervention programs for eligible infants and toddlers and their families in Illinois. The annual report shall include (i) the estimated number of eligible infants and toddlers in this State, (ii) the number of eligible infants and toddlers who have received services under this Act and

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the cost of providing those services, and (iii) the estimated cost of providing services under this Act to all eligible infants and toddlers in this State, and (iv) data and other information as is requested to be included by the Legislative Advisory Committee established under Section 13.50 of this Act. The report shall be posted by the lead agency on the early intervention website as required under paragraph (f) of Section 5 of this Act.

No member of the Council shall cast a vote on or participate substantially in any matter which would provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State law. All provisions and reporting requirements of the Illinois Governmental Ethics Act shall apply to Council members.
(Source: P.A. 97-902, eff. 8-6-12.)

(325 ILCS 20/5) (from Ch. 23, par. 4155)

Sec. 5. Lead Agency. The Department of Human Services is designated the lead agency and shall provide leadership in establishing and implementing the coordinated, comprehensive, interagency and interdisciplinary system of early intervention services. The lead agency shall not have the sole responsibility for providing these services. Each participating State agency shall continue to coordinate those early intervention services relating to health, social service and education provided under this authority.

The lead agency is responsible for carrying out the following:

(a) The general administration, supervision, and monitoring of programs and activities receiving assistance under Section 673 of the Individuals with Disabilities Education Act (20 United States Code 1473).

(b) The identification and coordination of all available resources within the State from federal, State, local and private sources.

(c) The development of procedures to ensure that services are provided to eligible infants and toddlers and their families in a timely manner pending the resolution of any disputes among public agencies or service providers.

(d) The resolution of intra-agency and interagency regulatory and procedural disputes.

(e) The development and implementation of formal interagency agreements, and the entry into such agreements, between the lead agency and (i) the Department of Healthcare and

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Family Services, (ii) the University of Illinois Division of Specialized Care for Children, and (iii) other relevant State agencies that:

(1) define the financial responsibility of each agency for paying for early intervention services (consistent with existing State and federal law and rules, including the requirement that early intervention funds be used as the payor of last resort), a hierarchical order of payment as among the agencies for early intervention services that are covered under or may be paid by programs in other agencies, and procedures for direct billing, collecting reimbursements for payments made, and resolving service and payment disputes; and

(2) include all additional components necessary to ensure meaningful cooperation and coordination.

Interagency agreements under this paragraph (e) must be reviewed and revised to implement the purposes of this amendatory Act of the 92nd General Assembly no later than 60 days after the effective date of this amendatory Act of the 92nd General Assembly.

(f) The maintenance of an early intervention website. Within 30 days after the effective date of this amendatory Act of the 92nd General Assembly, the lead agency shall post and keep posted on this website the following: (i) the current annual report required under subdivision (b)(5) of Section 4 of this Act, and the annual reports of the prior 3 years, (ii) the most recent Illinois application for funds prepared under Section 637 of the Individuals with Disabilities Education Act filed with the United States Department of Education, (iii) proposed modifications of the application prepared for public comment, (iv) notice of Council meetings, Council agendas, and minutes of its proceedings for at least the previous year, (v) proposed and final early intervention rules, (vi) requests for proposals, and (vii) all reports created for dissemination to the public that are related to the early intervention program, including reports prepared at the request of the Council, the General Assembly, and the Legislative Advisory Committee established under Section 13.50 of this Act. Each such document shall be posted on the website within 3 working days after the document's completion.

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(g) Before adopting any new policy or procedure (including any revisions to an existing policy or procedure) needed to comply with Part C of the Individuals with Disabilities Education Act, the lead agency must hold public hearings on the new policy or procedure, provide notice of the hearings at least 30 days before the hearings are conducted to enable public participation, and provide an opportunity for the general public, including individuals with disabilities and parents of infants and toddlers with disabilities, early intervention providers, and members of the Council to comment for at least 30 days on the new policy or procedure needed to comply with Part C of the Individuals with Disabilities Education Act and with 34 CFR Part 300 and Part 303.

(Source: P.A. 95-331, eff. 8-21-07.)

(325 ILCS 20/7) (from Ch. 23, par. 4157)

Sec. 7. Essential Components of the Statewide Service System. As required by federal laws and regulations, a statewide system of coordinated, comprehensive, interagency and interdisciplinary programs shall be established and maintained. The framework of the statewide system shall be based on the components set forth in this Section. This framework shall be used for planning, implementation, coordination and evaluation of the statewide system of locally based early intervention services.

The statewide system shall include, at a minimum:

(a) a definition of the term "developmentally delayed", in accordance with the definition in Section 3, that will be used in Illinois in carrying out programs under this Act;

(b) timetables for ensuring that appropriate early intervention services, based on scientifically based research, to the extent practicable, will be available to all eligible infants and toddlers in this State after the effective date of this Act;

(c) a timely, comprehensive, multidisciplinary and interdisciplinary evaluation of the functioning of each potentially eligible infant and toddler with suspected disabilities in this State, unless the child meets the definition of eligibility based upon his or her medical and other records; for a child determined eligible, a multidisciplinary assessment of the unique strengths and needs of that infant or toddler and the identification of services appropriate to meet those needs and a family-directed assessment of the

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resources, priorities, and concerns of the family and the identification of supports and services necessary to enhance the family's capacity to meet the developmental needs of that infant or toddler to appropriately assist in the development of the infant and toddler with disabilities;

(d) for each eligible infant and toddler, an Individualized Family Service Plan, including service coordination (case management) services;

(e) a comprehensive child find system, consistent with Part B of the Individuals with Disabilities Education Act (20 United States Code 1411 through 1420 and as set forth in 34 CFR 300.115), which includes timelines and provides for participation by primary referral sources;

(f) a public awareness program focusing on early identification of eligible infants and toddlers;

(g) a central directory which includes public and private early intervention services, resources, and experts available in this State, professional and other groups (including parent support groups and training and information centers) that provide assistance to infants and toddlers with disabilities who are eligible for early intervention programs assisted under Part C of the Individuals with Disabilities Education Act and their families, and early intervention research and demonstration projects being conducted in this State relating to infants and toddlers with disabilities;

(h) a comprehensive system of personnel development;

(i) a policy pertaining to the contracting or making of other arrangements with public and private service providers to provide early intervention services in this State, consistent with the provisions of this Act, including the contents of the application used and the conditions of the contract or other arrangements;

(j) a procedure for securing timely reimbursement of funds;

(k) procedural safeguards with respect to programs under this Act;

(l) policies and procedures relating to the establishment and maintenance of standards to ensure that personnel necessary to carry out this Act are appropriately and adequately prepared and trained;

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(m) a system of evaluation of, and compliance with, program standards;
(n) a system for compiling data on the numbers of eligible infants and toddlers and their families in this State in need of appropriate early intervention services; the numbers served; the types of services provided; and other information required by the State or federal government; and
(o) a single line of responsibility in a lead agency designated by the Governor to carry out its responsibilities as required by this Act.

In addition to these required components, linkages may be established within a local community area among the prenatal initiatives affording services to high risk pregnant women. Additional linkages among at risk programs and local literacy programs may also be established.

Within 60 days of the effective date of this Act, a five-fiscal-year implementation plan shall be submitted to the Governor by the lead agency with the concurrence of the Interagency Council on Early Intervention. The plan shall list specific activities to be accomplished each year, with cost estimates for each activity. No later than the second Monday in July of each year thereafter, the lead agency shall, with the concurrence of the Interagency Council, submit to the Governor's Office a report on accomplishments of the previous year and a revised list of activities for the remainder of the five-fiscal-year plan, with cost estimates for each. The Governor shall certify that specific activities in the plan for the previous year have been substantially completed before authorizing relevant State or local agencies to implement activities listed in the revised plan that depend substantially upon completion of one or more of the earlier activities.
(Source: P.A. 87-680.)

(325 ILCS 20/9) (from Ch. 23, par. 4159)
Sec. 9. Role of Other State Entities. The Departments of Public Health, Human Services, Children and Family Services, and Healthcare and Family Services Public Aid; the University of Illinois Division of Specialized Care for Children; the State Board of Education; and any other State agency which directly or indirectly provides or administers early intervention services shall adopt compatible rules for the provision of services to eligible infants and toddlers and their families within one year of the effective date of this Act.

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These agencies shall enter into and maintain formal interagency agreements to enable the State and local agencies serving eligible children and their families to establish working relationships that will increase the efficiency and effectiveness of their early intervention services. The agreement shall outline the administrative, program and financial responsibilities of the relevant State agencies and shall implement a coordinated service delivery system through local interagency agreements.

There shall be created in the Office of the Governor an Early Childhood Intervention Ombudsman to assist families and local parties in ensuring that all State agencies serving eligible families do so in a comprehensive and collaborative manner.

(Source: P.A. 89-507, eff. 7-1-97; 89-626, eff. 8-9-96.)

(325 ILCS 20/10) (from Ch. 23, par. 4160)

Sec. 10. Standards. The Council and the lead agency, with assistance from parents and providers, shall develop and promulgate policies and procedures relating to the establishment and implementation of program and personnel standards to ensure that services provided are consistent with any State-approved or recognized certification, licensing, registration, or other comparable requirements which apply to the area of early intervention program service standards. Only State-approved public or private early intervention service providers shall be eligible to receive State and federal funding for early intervention services. All early childhood intervention staff shall hold the highest entry requirement necessary for that position.

To be a State-approved early intervention service provider, an individual (i) shall not have served or completed, within the preceding 5 years, a sentence for conviction of any felony that the Department establishes by rule and (ii) shall not have been indicated as a perpetrator of child abuse or neglect, within the preceding 5 years, in an investigation by Illinois (pursuant to the Abused and Neglected Child Reporting Act) or another state. The Department is authorized to receive criminal background checks for such providers and persons applying to be such a provider and to receive child abuse and neglect reports regarding indicated perpetrators who are applying to provide or currently authorized to provide early intervention services in Illinois. Beginning January 1, 2004, every provider of State-approved early intervention services and every applicant to provide such services must authorize, in writing and in the form required by the Department, a State and FBI criminal background check, as requested by the Department, and check of child abuse and neglect

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reports regarding the provider or applicant as a condition of authorization to provide early intervention services. The Department shall use the results of the checks only to determine State approval of the early intervention service provider and shall not re-release the information except as necessary to accomplish that purpose.

(Source: P.A. 93-147, eff. 1-1-04.)

(325 ILCS 20/11) (from Ch. 23, par. 4161)
Sec. 11. Individualized Family Service Plans.
(a) Each eligible infant or toddler and that infant's or toddler's family shall receive:

(1) timely, comprehensive, multidisciplinary assessment of the unique strengths and needs of each eligible infant and toddler, and assessment of the concerns and priorities of the families to appropriately assist them in meeting their needs and identify supports and services to meet those needs; and

(2) a written Individualized Family Service Plan developed by a multidisciplinary team which includes the parent or guardian. The individualized family service plan shall be based on the multidisciplinary team's assessment of the resources, priorities, and concerns of the family and its identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler, and shall include the identification of services appropriate to meet those needs, including the frequency, intensity, and method of delivering services. During and as part of the initial development of the individualized family services plan, and any periodic reviews of the plan, the multidisciplinary team may seek consultation from the lead agency's therapy guidelines and its designated experts, if any, to help determine appropriate services and the frequency and intensity of those services. All services in the individualized family services plan must be justified by the multidisciplinary assessment of the unique strengths and needs of the infant or toddler and must be appropriate to meet those needs. At the periodic reviews, the team shall determine whether modification or revision of the outcomes or services is necessary.

(b) The Individualized Family Service Plan shall be evaluated once a year and the family shall be provided a review of the Plan at 6 month intervals or more often where appropriate based on infant or toddler and family needs. The lead agency shall create a quality review process.

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regarding Individualized Family Service Plan development and changes thereto, to monitor and help assure that resources are being used to provide appropriate early intervention services.

(c) The initial evaluation and initial assessment and initial Plan meeting must be held within 45 days after the initial contact with the early intervention services system. The 45-day timeline does not apply for any period when the child or parent is unavailable to complete the initial evaluation, the initial assessments of the child and family, or the initial Plan meeting, due to exceptional family circumstances that are documented in the child's early intervention records, or when the parent has not provided consent for the initial evaluation or the initial assessment of the child despite documented, repeated attempts to obtain parental consent. As soon as exceptional family circumstances no longer exist or parental consent has been obtained, the initial evaluation, the initial assessment, and the initial Plan meeting must be completed as soon as possible. With parental consent, early intervention services may commence before the completion of the comprehensive assessment and development of the Plan.

(d) Parents must be informed that, at their discretion, early intervention services shall be provided to each eligible infant and toddler, to the maximum extent appropriate, in the natural environment, which may include the home or other community settings. Parents shall make the final decision to accept or decline early intervention services. A decision to decline such services shall not be a basis for administrative determination of parental fitness, or other findings or sanctions against the parents. Parameters of the Plan shall be set forth in rules.

(e) The regional intake offices shall explain to each family, orally and in writing, all of the following:

1. That the early intervention program will pay for all early intervention services set forth in the individualized family service plan that are not covered or paid under the family's public or private insurance plan or policy and not eligible for payment through any other third party payor.

2. That services will not be delayed due to any rules or restrictions under the family's insurance plan or policy.

3. That the family may request, with appropriate documentation supporting the request, a determination of an exemption from private insurance use under Section 13.25.

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(4) That responsibility for co-payments or co-insurance under a family's private insurance plan or policy will be transferred to the lead agency's central billing office.

(5) That families will be responsible for payments of family fees, which will be based on a sliding scale according to the State's definition of ability to pay which is comparing household size and income to the sliding scale and considering out-of-pocket medical or disaster expenses, and that these fees are payable to the central billing office, and that if the family encounters a catastrophic circumstance, as defined under subsection (f) of Section 13 of this Act, making it unable to pay the fees, the lead agency may, upon proof of inability to pay, waive the fees. Families who fail to provide income information shall be charged the maximum amount on the sliding scale.

(f) The individualized family service plan must state whether the family has private insurance coverage and, if the family has such coverage, must have attached to it a copy of the family's insurance identification card or otherwise include all of the following information:

(1) The name, address, and telephone number of the insurance carrier.

(2) The contract number and policy number of the insurance plan.

(3) The name, address, and social security number of the primary insured.

(4) The beginning date of the insurance benefit year.

(g) A copy of the individualized family service plan must be provided to each enrolled provider who is providing early intervention services to the child who is the subject of that plan.

(h) Children receiving services under this Act shall receive a smooth and effective transition by their third birthday consistent with federal regulations adopted pursuant to Sections 1431 through 1444 of Title 20 of the United States Code.

(Source: P.A. 97-902, eff. 8-6-12.)

(325 ILCS 20/12) (from Ch. 23, par. 4162)

Sec. 12. Procedural Safeguards. The lead agency shall adopt procedural safeguards that meet federal requirements and ensure effective implementation of the safeguards for families by each public agency involved in the provision of early intervention services under this Act.

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The procedural safeguards shall provide, at a minimum, the following:

(a) The timely administrative resolution of State complaints, due process hearings, and mediations by parents as defined by administrative rule.

(b) The right to confidentiality of personally identifiable information.

(c) The opportunity for parents and a guardian to examine and receive copies of records relating to evaluations and assessments, screening, eligibility determinations, and the development and implementation of the Individualized Family Service Plan provision of early intervention services, individual complaints involving the child, or any part of the child's early intervention record.

(d) Procedures to protect the rights of the eligible infant or toddler whenever the parents or guardians of the child are not known or unavailable or the child is a ward of the State, including the assignment of an individual (who shall not be an employee of the State agency or local agency providing services) to act as a surrogate for the parents or guardian. The regional intake entity must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after a public agency determines that the child needs a surrogate parent.

(e) Timely written prior notice to the parents or guardian of the eligible infant or toddler whenever the State agency or public or private service provider proposes to initiate or change or refuses to initiate or change the identification, evaluation, placement, or the provision of appropriate early intervention services to the eligible infant or toddler.

(f) Written prior notice to fully inform the parents or guardians, in their native primary language or mode of communication used by the parent, unless clearly not feasible to do so, in a comprehensible manner, of these procedural safeguards.

(g) During the pendency of any proceedings or action involving a complaint, unless the State agency and the parents or guardian otherwise agree, the child shall continue to receive the appropriate early intervention services currently being provided, or in the case of an application for initial services, the child shall receive the services not in dispute.

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Sec. 13. Funding and Fiscal Responsibility.

(a) The lead agency and every other participating State agency may receive and expend funds appropriated by the General Assembly to implement the early intervention services system as required by this Act.

(b) The lead agency and each participating State agency shall identify and report on an annual basis to the Council the State agency funds utilized for the provision of early intervention services to eligible infants and toddlers.

(c) Funds provided under Section 633 of the Individuals with Disabilities Education Act (20 United States Code 1433) and State funds designated or appropriated for early intervention services or programs may not be used to satisfy a financial commitment for services which would have been paid for from another public or private source but for the enactment of this Act, except whenever considered necessary to prevent delay in receiving appropriate early intervention services by the eligible infant or toddler or family in a timely manner. "Public or private source" includes public and private insurance coverage.

Funds provided under Section 633 of the Individuals with Disabilities Education Act and State funds designated or appropriated for early intervention services or programs may be used by the lead agency to pay the provider of services (A) pending reimbursement from the appropriate State agency or (B) if (i) the claim for payment is denied in whole or in part by a public or private source, or would be denied under the written terms of the public program or plan or private plan, or (ii) use of private insurance for the service has been exempted under Section 13.25. Payment under item (B)(i) may be made based on a predetermination telephone inquiry supported by written documentation of the denial supplied thereafter by the insurance carrier.

(d) Nothing in this Act shall be construed to permit the State to reduce medical or other assistance available or to alter eligibility under Title V and Title XIX of the Social Security Act relating to the Maternal Child Health Program and Medicaid for eligible infants and toddlers in this State.

(e) The lead agency shall create a central billing office to receive and dispense all relevant State and federal resources, as well as local government or independent resources available, for early intervention services. This office shall assure that maximum federal resources are
utilized and that providers receive funds with minimal duplications or interagency reporting and with consolidated audit procedures.

(f) The lead agency shall, by rule, create a system of payments by families, including a schedule of fees. No fees, however, may be charged for: implementing child find, evaluation and assessment, service coordination, administrative and coordination activities related to the development, review, and evaluation of Individualized Family Service Plans, or the implementation of procedural safeguards and other administrative components of the statewide early intervention system.

The system of payments, called family fees, shall be structured on a sliding scale based on the family's ability to pay family income. The family's coverage or lack of coverage under a public or private insurance plan or policy shall not be a factor in determining the amount of the family fees.

Each family's fee obligation shall be established annually, and shall be paid by families to the central billing office in installments. At the written request of the family, the fee obligation shall be adjusted prospectively at any point during the year upon proof of a change in family income or family size. The inability of the parents of an eligible child to pay family fees due to catastrophic circumstances or extraordinary expenses shall not result in the denial of services to the child or the child's family. A family must document its extraordinary expenses or other catastrophic circumstances by showing one of the following: (i) out-of-pocket medical expenses in excess of 15% of gross income; (ii) a fire, flood, or other disaster causing a direct out-of-pocket loss in excess of 15% of gross income; or (iii) other catastrophic circumstances causing out-of-pocket losses in excess of 15% of gross income. The family must present proof of loss to its service coordinator, who shall document it, and the lead agency shall determine whether the fees shall be reduced, forgiven, or suspended within 10 business days after the family's request.

(g) To ensure that early intervention funds are used as the payor of last resort for early intervention services, the lead agency shall determine at the point of early intervention intake, and again at any periodic review of eligibility thereafter or upon a change in family circumstances, whether the family is eligible for or enrolled in any program for which payment is made directly or through public or private insurance for any or all of the early intervention services made available under this Act. The lead agency shall establish procedures to ensure that payments are made either directly from these public and private sources instead of from State or federal early

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intervention funds, or as reimbursement for payments previously made from State or federal early intervention funds.

(Source: P.A. 91-538, eff. 8-13-99; 92-10, eff. 6-11-01; 92-307, eff. 8-9-01; 92-651, eff. 7-11-02.)

(325 ILCS 20/13.5)

Sec. 13.5. Other programs.

(a) When an application or a review of eligibility for early intervention services is made, and at any eligibility redetermination thereafter, the family shall be asked if it is currently enrolled in any federally funded, Department of Healthcare and Family Services administered, medical programs Medicaid, KidCare, or the Title V program administered by the University of Illinois Division of Specialized Care for Children. If the family is enrolled in any of these programs, that information shall be put on the individualized family service plan and entered into the computerized case management system, and shall require that the individualized family services plan of a child who has been found eligible for services through the Division of Specialized Care for Children state that the child is enrolled in that program. For those programs in which the family is not enrolled, a preliminary eligibility screen shall be conducted simultaneously for (i) medical assistance (Medicaid) under Article V of the Illinois Public Aid Code, (ii) children's health insurance program (any federally funded, Department of Healthcare and Family Services administered, medical programs KidCare) benefits under the Children's Health Insurance Program Act, and (iii) Title V maternal and child health services provided through the Division of Specialized Care for Children of the University of Illinois.

(b) For purposes of determining family fees under subsection (f) of Section 13 and determining eligibility for the other programs and services specified in items (i) through (iii) of subsection (a), the lead agency shall develop and use, within 60 days after the effective date of this amendatory Act of the 92nd General Assembly, with the cooperation of the Department of Public Aid (now Healthcare and Family Services) and the Division of Specialized Care for Children of the University of Illinois, a screening device that provides sufficient information for the early intervention regional intake entities or other agencies to establish eligibility for those other programs and shall, in cooperation with the Illinois Department of Public Aid (now Healthcare and Family Services) and the Division of Specialized Care for Children, train the regional intake entities on using the screening device.

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(c) When a child is determined eligible for and enrolled in the early intervention program and has been found to at least meet the threshold income eligibility requirements for any federally funded, Department of Healthcare and Family Services administered, medical programs Medicaid or KidCare, the regional intake entity shall complete an application for any federally funded, Department of Healthcare and Family Services administered, medical programs KidCare/Medicaid application with the family and forward it to the Department of Healthcare and Family Services' KidCare Unit for a determination of eligibility. A parent shall not be required to enroll in any federally funded, Department of Healthcare and Family Services administered, medical programs as a condition of receiving services provided pursuant to Part C of the Individuals with Disabilities Education Act.

(d) With the cooperation of the Department of Healthcare and Family Services, the lead agency shall establish procedures that ensure the timely and maximum allowable recovery of payments for all early intervention services and allowable administrative costs under Article V of the Illinois Public Aid Code and the Children's Health Insurance Program Act and shall include those procedures in the interagency agreement required under subsection (e) of Section 5 of this Act.

(e) For purposes of making referrals for final determinations of eligibility for any federally funded, Department of Healthcare and Family Services administered, medical programs KidCare benefits under the Children's Health Insurance Program Act and for medical assistance under Article V of the Illinois Public Aid Code, the lead agency shall require each early intervention regional intake entity to enroll as an application agent a "KidCare agent" in order for the entity to complete the any federally funded, Department of Healthcare and Family Services administered, medical programs KidCare application as authorized under Section 22 of the Children's Health Insurance Program Act.

(f) For purposes of early intervention services that may be provided by the Division of Specialized Care for Children of the University of Illinois (DSCC), the lead agency shall establish procedures whereby the early intervention regional intake entities may determine whether children enrolled in the early intervention program may also be eligible for those services, and shall develop, within 60 days after the effective date of this amendatory Act of the 92nd General Assembly, (i) the inter-agency agreement required under subsection (e) of Section 5 of this Act, establishing that early intervention funds are to be used as the payor of last
resort when services required under an individualized family services plan may be provided to an eligible child through the DSCC, and (ii) training guidelines for the regional intake entities and providers that explain eligibility and billing procedures for services through DSCC.

(g) The lead agency shall require that an individual applying for or renewing enrollment as a provider of services in the early intervention program state whether or not he or she is also enrolled as a DSCC provider. This information shall be noted next to the name of the provider on the computerized roster of Illinois early intervention providers, and regional intake entities shall make every effort to refer families eligible for DSCC services to these providers.

(Source: P.A. 95-331, eff. 8-21-07.)

(325 ILCS 20/13.10)

Sec. 13.10. Private health insurance; assignment. The lead agency shall determine, at the point of new applications for early intervention services, and for all children enrolled in the early intervention program, at the regional intake offices, whether the child is insured under a private health insurance plan or policy. An application for early intervention services shall serve as a right to assignment of the right of recovery against a private health insurance plan or policy for any covered early intervention services that may be billed to the family's insurance carrier and that are provided to a child covered under the plan or policy.

(Source: P.A. 92-307, eff. 8-9-01.)

(325 ILCS 20/13.30)

Sec. 13.30. System of personnel development. The lead agency shall provide training to early intervention providers and may enter into contracts to meet this requirement. If such contracts are let, they shall be bid under a public request for proposals that shall be posted on the lead agency's early intervention website for no less than 30 days. This training shall include, at minimum, the following types of instruction:

(a) Courses in birth-to-3 evaluation and treatment of children with developmental disabilities and delays (1) that are taught by fully credentialed early intervention providers or educators with substantial experience in evaluation and treatment of children from birth to age 3 with developmental disabilities and delays, (2) that cover these topics within each of the disciplines of audiology, occupational therapy, physical therapy, speech and language pathology, and developmental therapy, including the social-emotional domain of development, (3) that are held no less than twice per year, (4) that offer no fewer than 20 contact hours per
year of course work, (5) that are held in no fewer than 5 separate locales throughout the State, and (6) that give enrollment priority to early intervention providers who do not meet the experience, education, or continuing education requirements necessary to be fully credentialed early intervention providers; and

(b) Courses held no less than twice per year for no fewer than 4 hours each in no fewer than 5 separate locales throughout the State each on the following topics:

    (1) Practice and procedures of private insurance billing.

    (2) The role of the regional intake entities; service coordination; program eligibility determinations; family fees; any federally funded, Department of Healthcare and Family Services administered, medical programs Medicaid, KidCare, and Division of Specialized Care applications, referrals, and coordination with Early Intervention; and procedural safeguards.

    (3) Introduction to the early intervention program, including provider enrollment and credentialing, overview of Early Intervention program policies and regulations, and billing requirements.

    (4) Evaluation and assessment of birth-to-3 children; individualized family service plan development, monitoring, and review; best practices; service guidelines; and quality assurance.

(Source: P.A. 92-307, eff. 8-9-01.)

(325 ILCS 20/13.50 rep.)

Section 15. The Early Intervention Services System Act is amended by repealing Section 13.50.

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

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0042
(Senate Bill No. 1366)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Pension Code is amended by changing Sections 16-133.2, 16-152, and 16-176 as follows:

(40 ILCS 5/16-133.2) (from Ch. 108 1/2, par. 16-133.2)

Sec. 16-133.2. Early retirement without discount.

(a) A member retiring after June 1, 1980 and on or before June 30, 2005 (or as provided in subsection (b) of this Section), and applying for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, may elect at the time of application for a retirement annuity, to make a one time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of the election shall also obligate the last employer to make a one time non-refundable contribution to the System. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

The one time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 7% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. If a member is at least age 55 and has at least 34 years of creditable service, no member or employer contribution for the early retirement option shall be required. The employer contribution shall be at the rate of 20% for each year the member is under age 60.

Upon receipt of the application and election, the System shall determine the one time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Trust Reserve. The provisions of this subsection (a) providing for the avoidance of the reduction in retirement annuity shall not be applicable until the member's contribution, if any, has been received by the System;
however, the date such contributions are received shall not be considered
in determining the effective date of retirement.

The number of members working for a single employer who may
retire under this subsection or subsection (b) in any year may be limited at
the option of the employer to a specified percentage of those eligible, not
less than 30%, with the right to participate to be allocated among those
applying on the basis of seniority in the service of the employer.

(b) The provisions of subsection (a) of this Section shall remain in
effect for a member retiring after June 30, 2005 and on or before July 1,
2007, provided that the member satisfies both of the following
requirements:

(1) the member notified his or her employer of intent to
retire under this Article on or before the effective date of this
amendatory Act of the 94th General Assembly under the terms of a
contract or collective bargaining agreement entered into, amended,
or renewed with the employer on or before the effective date of this
amendatory Act of the 94th General Assembly; and

(2) the effective date of the member's retirement is on or
before July 1, 2007.

The member's employer must give evidence of the member's
notification by providing to the System:

(i) a copy of the member's notification to the employer or
the record of that notification;

(ii) an affidavit signed by the member and the employer,
verifying the notification; and

(iii) any additional documentation that the System may
require.

(c) Except as otherwise provided in subsection (b), and subject to
the provisions of Section 16-176, a member retiring on or after July 1,
2005 and on or before June 30, 2013 (or January 1, 2014 in the case of a
member who has filed a notice of intent to retire with his or her employer
on or before June 30, 2013 and attains age 55 during the period July 1,
2013 through December 31, 2013), and applying for a retirement annuity
within 6 months of the last day of teaching for which retirement
contributions were required, and whose last day of teaching is on or before
June 30, 2013, may elect at the time of application for a retirement
annuity, to make a one-time member contribution to the System and
thereby avoid the reduction in the retirement annuity for retirement before
age 60 specified in paragraph (B) of Section 16-133. The exercise of the

New matter indicated by italics - deletions by strikeout
election shall also obligate the last employer to make a one-time nonrefundable contribution to the System. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

The one-time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 11.5% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. The employer contribution shall be at the rate of 23.5% for each year the member is under age 60.

Upon receipt of the application and election, the System shall determine the one-time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Trust Reserve. The avoidance of the reduction in retirement annuity provided under this subsection (c) is not applicable until the member's contribution, if any, has been received by the System; however, the date that contribution is received shall not be considered in determining the effective date of retirement.

The number of members working for a single employer who may retire under this subsection (c) in any year may be limited at the option of the employer to a specified percentage of those eligible, not less than 10%, with the right to participate to be allocated among those applying on the basis of seniority in the service of the employer.

For persons not qualifying for the early retirement without discount option under this subsection (c), the option is extended for 3 years under subsection (d), but subject to the changes in eligibility, conditions, and required contributions provided in that subsection.

(d) A member who is not eligible for the early retirement without discount option under subsection (c) may qualify for the early retirement.
without discount option under this subsection (d) if the member (1) retires on or after July 1, 2013 and before July 1, 2016, (2) applies for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, and (3) receives a certification of eligibility under this subsection from the member's last employer. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

A qualifying member may elect at the time of application for a retirement annuity to make a one-time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of this election shall also obligate the last employer to make a one-time nonrefundable contribution to the System.

The one-time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 14.4% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. The employer contribution shall be at the rate of 29.3% for each year the member is under age 60.

Upon receipt of the application, election, and certification of eligibility, the System shall determine the one-time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Trust Reserve. The avoidance of the reduction in retirement annuity provided under this subsection (d) is not applicable until the member's contribution has been received by the System; however, the date that contribution is received shall not be considered in determining the effective date of retirement.

Eligibility to retire under this subsection (d) shall require the approval of the member's last employer under this Article, granted in
accordance with criteria adopted by that employer with the mutual consent of the bargaining agent of a majority of the members employed by that employer. If the employer grants its approval for a member to retire under this subsection (d), the employer shall submit a certification of eligibility for the member in a manner prescribed by the System.

The early retirement without discount option under this subsection (d) terminates on July 1, 2016.

(Source: P.A. 93-469, eff. 8-8-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/16-152) (from Ch. 108 1/2, par. 16-152)
Sec. 16-152. Contributions by members.
(a) Each member shall make contributions for membership service to this System as follows:

(1) Effective July 1, 1998, contributions of 7.50% of salary towards the cost of the retirement annuity. Such contributions shall be deemed "normal contributions".

(2) Effective July 1, 1969, contributions of 1/2 of 1% of salary toward the cost of the automatic annual increase in retirement annuity provided under Section 16-133.1.

(3) Effective July 24, 1959, contributions of 1% of salary towards the cost of survivor benefits. Such contributions shall not be credited to the individual account of the member and shall not be subject to refund except as provided under Section 16-143.2.

(4) Effective July 1, 2005, contributions of 0.40% of salary toward the cost of the early retirement without discount option provided under Section 16-133.2. This contribution shall cease upon termination of the early retirement without discount option as provided in Section 16-133.2 16-176.

(b) The minimum required contribution for any year of full-time teaching service shall be $192.

(c) Contributions shall not be required of any annuitant receiving a retirement annuity who is given employment as permitted under Section 16-118 or 16-150.1.

(d) A person who (i) was a member before July 1, 1998, (ii) retires with more than 34 years of creditable service, and (iii) does not elect to qualify for the augmented rate under Section 16-129.1 shall be entitled, at the time of retirement, to receive a partial refund of contributions made under this Section for service occurring after the later of June 30, 1998 or attainment of 34 years of creditable service, in an amount equal to 1.00% of the salary upon which those contributions were based.

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(e) A member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall not be refunded if the member has elected early retirement without discount under Section 16-133.2 and has begun to receive a retirement annuity under this Article calculated in accordance with that election. Otherwise, a member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall be refunded according to whichever one of the following circumstances occurs first:

(1) The contributions shall be refunded to the member, without interest, within 120 days after the member's retirement annuity commences, if the member does not elect early retirement without discount under Section 16-133.2.

(2) The contributions shall be included, without interest, in any refund claimed by the member under Section 16-151.

(3) The contributions shall be refunded to the member's designated beneficiary (or if there is no beneficiary, to the member's estate), without interest, if the member dies without having begun to receive a retirement annuity under this Article.

(4) The contributions shall be refunded to the member, without interest, if within 120 days after the early retirement without discount option provided under subsection (d) of Section 16-133.2 is terminated under Section 16-176. The System shall provide to the member, within 120 days after the option is terminated, an application for a refund of those contributions.

(Source: P.A. 93-320, eff. 7-23-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/16-176) (from Ch. 108 1/2, par. 16-176)

Sec. 16-176. To adopt actuarial assumptions. For the 5-year period ending June 30, 1997 and every 5 years thereafter, the actuary, as technical advisor, shall make an actuarial investigation into the mortality, service and compensation experience of the members, annuitants, and beneficiaries of the retirement system. Based upon the result of that investigation, the board shall adopt such actuarial assumptions as it deems appropriate.

Beginning with the 5-year period ending June 30, 2012 and every 5 years thereafter through June 30, 2012, the actuarial investigation required under this Section shall include the System's experience under the early retirement without discount option established in Section 16-133.2, including consideration of the sufficiency of the member and employer contributions under Section 16-133.2 and the active member contribution
under Section 16-152 to adequately fund the early retirement without discount option. The Board shall promptly communicate the results of the actuarial investigation to the Commission on Government Forecasting and Accountability. Based on the actuarial investigation, the Commission on Government Forecasting and Accountability shall, no later than February 1 of the next year, recommend to the General Assembly any proportional adjustment in the amounts of the member and employer contributions under Section 16-133.2 that it deems necessary.

*If the General Assembly fails to adjust the member and employer contributions under Section 16-133.2 in response to the Commission's recommendations, then the early retirement without discount option under subsection (c) of Section 16-133.2 is extended as provided in subsection (d) of that Section. The early retirement without discount option under subsection (d) of Section 16-133.2 terminates on July 1, 2016 terminated and shall cease to be available at the end of the fiscal year in which the Commission made its recommendation to the General Assembly.*

(Source: P.A. 94-4, eff. 6-1-05.)

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

Approved June 28, 2013.
Effective June 28, 2013.
(b) The board shall pay to the city, on behalf of the board's city annuitants who participate in any of the city's health care plans, the following amounts:

1. From July 1, 2003 through June 30, 2008, $85 per month for each such annuitant who is not eligible to receive Medicare benefits and $55 per month for each such annuitant who is eligible to receive Medicare benefits.

2. Beginning from July 1, 2008 until such time as the city no longer provides a health care plan for such annuitants or December 31, 2016, whichever comes first, $95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

The payments described in this subsection shall be paid from the tax levy authorized under Section 5-168; such amounts shall be credited to the reserve for group hospital care and group medical and surgical plan benefits, and all payments to the city required under this subsection shall be charged against it.

(c) The city health care plans referred to in this Section and the board's payments to the city under this Section are not and shall not be construed to be pension or retirement benefits for the purposes of Section 5 of Article XIII of the Illinois Constitution of 1970.

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$95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

The payments described in this subsection shall be paid from the tax levy authorized under Section 6-165; such amounts shall be credited to the reserve for group hospital care and group medical and surgical plan benefits, and all payments to the city required under this subsection shall be charged against it.

(c) The city health care plans referred to in this Section and the board's payments to the city under this Section are not and shall not be construed to be pension or retirement benefits for the purposes of Section 5 of Article XIII of the Illinois Constitution of 1970.

(Source: P.A. 92-599, eff. 6-28-02; 93-42, eff. 7-1-03.)
(40 ILCS 5/8-164.1) (from Ch. 108 1/2, par. 8-164.1)
Sec. 8-164.1. Payments to city.
(a) For the purposes of this Section, "city annuitant" means a person receiving an age and service annuity, a widow's annuity, a child's annuity, or a minimum annuity under this Article as a direct result of previous employment by the City of Chicago ("the city").

(b) The board shall pay to the city, on behalf of the board's city annuitants who participate in any of the city's health care plans, the following amounts:

(1) From July 1, 2003 through June 30, 2008, $85 per month for each such annuitant who is not eligible to receive Medicare benefits and $55 per month for each such annuitant who is eligible to receive Medicare benefits.

(2) Beginning from July 1, 2008 and until such time as the city no longer provides a health care plan for such annuitants or December 31, 2016, whichever comes first through June 30, 2013, $95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

The payments described in this subsection shall be paid from the tax levy authorized under Section 8-173; such amounts shall be credited to the reserve for group hospital care and group medical and surgical plan benefits, and all payments to the city required under this subsection shall be charged against it.

(c) The city health care plans referred to in this Section and the board's payments to the city under this Section are not and shall not be

New matter indicated by italics - deletions by strikeout
Sec. 8-164.2. Payments to board of education for group health benefits.

(a) Should the Board of Education continue to sponsor a retiree health plan, the board is authorized to pay to the Board of Education, on behalf of each eligible annuitant who chooses to participate in the Board of Education's retiree health benefit plan, the following amounts:

(1) From July 1, 2003 through June 30, 2008, $85 per month for each such annuitant who is not eligible to receive Medicare benefits and $55 per month for each such annuitant who is eligible to receive Medicare benefits.

(2) Beginning from July 1, 2008 and until such time as the city no longer provides a health care plan for such annuitants or December 31, 2016, whichever comes first through June 30, 2013, $95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

The payments described in this subsection shall be paid from the tax levy authorized under Section 8-173; such amounts shall be credited to the reserve for group hospital care and group medical and surgical plan benefits, and all payments to the Board of Education under this subsection shall be charged against it.

(b) The Board of Education health benefit plan referred to in this Section and the board's payments to the Board of Education under this Section are not and shall not be construed to be pension or retirement benefits for the purposes of Section 5 of Article XIII of the Illinois Constitution of 1970.

Sec. 11-160.1. Payments to city.

(a) For the purposes of this Section, "city annuitant" means a person receiving an age and service annuity, a widow's annuity, a child's annuity, or a minimum annuity under this Article as a direct result of previous employment by the City of Chicago ("the city").
(b) The board shall pay to the city, on behalf of the board's city annuitants who participate in any of the city's health care plans, the following amounts:

(1) From July 1, 2003 through June 30, 2008, $85 per month for each such annuitant who is not eligible to receive Medicare benefits and $55 per month for each such annuitant who is eligible to receive Medicare benefits.

(2) Beginning from July 1, 2008 and until such time as the city no longer provides a health care plan for such annuitants or December 31, 2016, whichever comes first through June 30, 2013, $95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

The payments described in this subsection shall be paid from the tax levy authorized under Section 11-169; such amounts shall be credited to the reserve for group hospital care and group medical and surgical plan benefits, and all payments to the city required under this subsection shall be charged against it.

(c) The city health care plans referred to in this Section and the board's payments to the city under this Section are not and shall not be construed to be pension or retirement benefits for the purposes of Section 5 of Article XIII of the Illinois Constitution of 1970.

(Source: P.A. 92-599, eff. 6-28-02; 93-42, eff. 7-1-03.)

Sec. 11-160.2. Payments to board of education for group health benefits.

(a) Should the Board of Education continue to sponsor a retiree health plan, the board is authorized to pay to the Board of Education, on behalf of each eligible annuitant who chooses to participate in the Board of Education's retiree health benefit plan, the following amounts:

(1) From July 1, 2003 through June 30, 2008, $85 per month for each such annuitant who is not eligible to receive Medicare benefits and $55 per month for each such annuitant who is eligible to receive Medicare benefits.

(2) Beginning from July 1, 2008 and until such time as the city no longer provides a health care plan for such annuitants or December 31, 2016, whichever comes first through June 30, 2013, $95 per month for each such annuitant who is not eligible to receive Medicare benefits and $65 per month for each such annuitant who is eligible to receive Medicare benefits.

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receive Medicare benefits and $65 per month for each such
annuitant who is eligible to receive Medicare benefits.
The payments described in this subsection shall be paid from the
tax levy authorized under Section 11-169; such amounts shall be credited
to the reserve for group hospital care and group medical and surgical plan
benefits, and all payments to the Board of Education under this subsection
shall be charged against it.

(b) The Board of Education health benefit plan referred to in this
Section and the board's payments to the Board of Education under this
Section are not and shall not be construed to be pension or retirement
benefits for the purposes of Section 5 of Article XIII of the Illinois
(Source: P.A. 93-42, eff. 7-1-03.)

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

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0044
(Senate Bill No. 1621)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
(5 ILCS 390/Act rep.)
Section 5. The Supported Employees Act is repealed.
(20 ILCS 605/605-75 rep.)
Section 10. The Department of Commerce and Economic
Opportunity Law of the Civil Administrative Code of Illinois is amended
by repealing Section 605-75.
Section 15. The Energy Conservation and Coal Development Act
is amended by changing Section 3 as follows:
(20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)
Sec. 3. Powers and Duties.
(a) In addition to its other powers, the Department has the
following powers:
   (1) To administer for the State any energy programs and
activities under federal law, regulations or guidelines, and to

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coordinate such programs and activities with other State agencies, units of local government, and educational institutions.

(2) To represent the State in energy matters involving the federal government, other states, units of local government, and regional agencies.

(3) To prepare energy contingency plans for consideration by the Governor and the General Assembly. Such plans shall include procedures for determining when a foreseeable danger exists of energy shortages, including shortages of petroleum, coal, nuclear power, natural gas, and other forms of energy, and shall specify the actions to be taken to minimize hardship and maintain the general welfare during such energy shortages.

(4) To cooperate with State colleges and universities and their governing boards in energy programs and activities.

(5) (Blank).

(6) To accept, receive, expend, and administer, including by contracts and grants to other State agencies, any energy-related gifts, grants, cooperative agreement funds, and other funds made available to the Department by the federal government and other public and private sources.

(7) To investigate practical problems, seek and utilize financial assistance, implement studies and conduct research relating to the production, distribution and use of alcohol fuels.

(8) To serve as a clearinghouse for information on alcohol production technology; provide assistance, information and data relating to the production and use of alcohol; develop informational packets and brochures, and hold public seminars to encourage the development and utilization of the best available technology.

(9) To coordinate with other State agencies in order to promote the maximum flow of information and to avoid unnecessary overlapping of alcohol fuel programs. In order to effectuate this goal, the Director of the Department or his representative shall consult with the Directors, or their representatives, of the Departments of Agriculture, Central Management Services, Transportation, and Revenue, the Office of the State Fire Marshal, and the Environmental Protection Agency.

(10) To operate, within the Department, an Office of Coal Development and Marketing for the promotion and marketing of alcohol fuels.
Illinois coal both domestically and internationally. The Department may use monies appropriated for this purpose for necessary administrative expenses.

The Office of Coal Development and Marketing shall develop and implement an initiative to assist the coal industry in Illinois to increase its share of the international coal market.

(11) To assist the Department of Central Management Services in establishing and maintaining a system to analyze and report energy consumption of facilities leased by the Department of Central Management Services.

(12) To consult with the Departments of Natural Resources and Transportation and the Illinois Environmental Protection Agency for the purpose of developing methods and standards that encourage the utilization of coal combustion by-products as value added products in productive and benign applications.

(13) To provide technical assistance and information to sellers and distributors of storage hot water heaters doing business in Illinois, pursuant to Section 1 of the Hot Water Heater Efficiency Act.

(b) (Blank).

c) (Blank).

d) The Department shall develop a package of educational materials regarding the necessity of waste reduction and recycling to reduce dependence on landfills and to maintain environmental quality. The materials developed shall be suitable for instructional use in grades 3, 4 and 5. The Department shall distribute such instructional material to all public elementary and unit school districts no later than November 1, of each year.

e) (Blank). The Department shall study the feasibility of requiring that wood and sawdust from construction waste, demolition projects, sawmills, or other projects or industries where wood is used in a large amount be shredded and composted; and that such wood be prohibited from being disposed of in a landfill. The Department shall report the results of this study to the General Assembly by January 1, 1991.

(f) (Blank).

g) (Blank). The Department shall develop a program designated to encourage the recycling of outdated telephone directories and to encourage the printing of new directories on recycled paper. The Department shall work in conjunction with printers and distributors of telephone directories

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distributed in the State to provide them with any technical assistance available in their efforts to procure appropriate recycled paper. The Department shall also encourage directory distributors to pick up outdated directories as they distribute new ones, and shall assist any distributor who is willing to do so in finding a recycler willing to purchase the old directories and in publicizing and promoting with citizens of the area the distributor's collection efforts and schedules.

(h) (Blank). The Department shall assist, cooperate with and provide necessary staff and resources for the Interagency Energy Conservation Committee, which shall be chaired by the Director of the Department.

(i) (Blank).

(Source: P.A. 92-736, eff. 7-25-02.)

Section 20. The Illinois Emergency Management Agency Act is amended by changing Section 18 as follows:

(20 ILCS 3305/18) (from Ch. 127, par. 1068)

Sec. 18. Orders, Rules and Regulations.

(a) The Governor shall file a copy of every rule, regulation or order, and any amendment thereof made by the Governor under the provisions of this Act in the office of the Secretary of State. No rule, regulation or order, or any amendment thereof shall be effective until 10 days after the filing, provided, however, that upon the declaration of a disaster by the Governor as is described in Section 7 the provision relating to the effective date of any rule, regulation, order or amendment issued under this Act and during the state of disaster is abrogated, and the rule, regulation, order or amendment shall become effective immediately upon being filed with the Secretary of State accompanied by a certificate stating the reason as required by the Illinois Administrative Procedure Act.

(b) Every emergency services and disaster agency established pursuant to this Act and the coordinators thereof shall execute and enforce the orders, rules and regulations as may be made by the Governor under authority of this Act. Each emergency services and disaster agency shall have available for inspection at its office all orders, rules and regulations made by the Governor, or under the Governor's authority. The Illinois Emergency Management Agency shall furnish on the Department's website the orders, rules and regulations to each such emergency services and disaster agency. Upon the written request of an emergency services or disaster agency, copies thereof shall be mailed to the emergency services or disaster agency.

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Section 25. The Prairie State 2000 Authority Act is repealed.

Section 30. The State Finance Act is amended by changing Sections 5h and 6z-17 as follows:

Sec. 5h. Cash flow borrowing and general funds liquidity.

(a) In order to meet cash flow deficits and to maintain liquidity in the General Revenue Fund, the Healthcare Provider Relief Fund, and the Common School Fund, on and after July 1, 2010 and through June 30, 2011, the State Treasurer and the State Comptroller shall make transfers to the General Revenue Fund, the Healthcare Provider Relief Fund, or the Common School Fund, as directed by the Governor, out of special funds of the State, to the extent allowed by federal law. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. No such transfer may reduce the cumulative balance of all of the special funds of the State to an amount less than the total debt service payable during the 12 months immediately following the date of the transfer on any bonded indebtedness of the State and any certificates issued under the Short Term Borrowing Act. Notwithstanding any other provision of this Section, no such transfer may be made from any special fund that is exclusively collected by or appropriated to any other constitutional officer without the written approval of that constitutional officer.

(b) If moneys have been transferred to the General Revenue Fund, the Healthcare Provider Relief Fund, or the Common School Fund pursuant to subsection (a) of this Section, this amendatory Act of the 96th General Assembly shall constitute the irrevocable and continuing authority for and direction to the State Treasurer and State Comptroller to reimburse the funds of origin from the General Revenue Fund, the Healthcare Provider Relief Fund, or the Common School Fund, as appropriate, by transferring to the funds of origin, at such times and in such amounts as directed by the Governor when necessary to support appropriated expenditures from the funds, an amount equal to that transferred from them plus any interest that would have accrued thereon had the transfer not occurred, except that any moneys transferred pursuant to subsection (a) of
this Section shall be repaid to the fund of origin within 18 months after the date on which they were borrowed.

(c) On the first day of each quarterly period in each fiscal year, until such time as a report indicates that all moneys borrowed and interest pursuant to this Section have been repaid, the Governor's Office of Management and Budget shall provide to the President and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, and the Commission on Government Forecasting and Accountability a report on all transfers made pursuant to this Section in the prior quarterly period. The report must be provided in both written and electronic format. The report must include all of the following:

(1) The date each transfer was made.
(2) The amount of each transfer.
(3) In the case of a transfer from the General Revenue Fund, the Healthcare Provider Relief Fund, or the Common School Fund to a fund of origin pursuant to subsection (b) of this Section, the amount of interest being paid to the fund of origin.
(4) The end of day balance of both the fund of origin and the General Revenue Fund, the Healthcare Provider Relief Fund, or the Common School Fund, whichever the case may be, on the date the transfer was made.

(Source: P.A. 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11; 97-72, eff. 7-1-11 (see also P.A. 97-613 regarding effective date of P.A. 97-72).)

(30 ILCS 105/6z-17) (from Ch. 127, par. 142z-17)

Sec. 6z-17. Of the money paid into the State and Local Sales Tax Reform Fund: (i) subject to appropriation to the Department of Revenue, Municipalities having 1,000,000 or more inhabitants shall receive 20% and may expend such amount to fund and establish a program for developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income and very low-income households within such municipality, (ii) 10% shall be transferred into the Regional Transportation Authority Occupation and Use Tax Replacement Fund, a special fund in the State treasury which is hereby created, (iii) until July 1, 2013, subject to appropriation to the Department of Transportation, the Madison County Mass Transit District shall receive .6%, and beginning on July 1, 2013, subject to appropriation to the Department of Revenue, 0.6% shall be distributed each month out of the Fund to the Madison County Mass Transit District, (iv) the following amounts, plus any cumulative deficiency in such transfers for prior

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months, shall be transferred monthly into the Build Illinois Fund and credited to the Build Illinois Bond Account therein:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>1991</td>
<td>1,850,000</td>
</tr>
<tr>
<td>1992</td>
<td>2,750,000</td>
</tr>
<tr>
<td>1993</td>
<td>2,950,000</td>
</tr>
</tbody>
</table>

From Fiscal Year 1994 through Fiscal Year 2025 the transfer shall total $3,150,000 monthly, plus any cumulative deficiency in such transfers for prior months, and (v) the remainder of the money paid into the State and Local Sales Tax Reform Fund shall be transferred into the Local Government Distributive Fund and, except for municipalities with 1,000,000 or more inhabitants which shall receive no portion of such remainder, shall be distributed, subject to appropriation, in the manner provided by Section 2 of "An Act in relation to State revenue sharing with local government entities", approved July 31, 1969, as now or hereafter amended. Municipalities with more than 50,000 inhabitants according to the 1980 U.S. Census and located within the Metro East Mass Transit District receiving funds pursuant to provision (v) of this paragraph may expend such amounts to fund and establish a program for developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income and very low-income households within such municipality.

(Source: P.A. 95-708, eff. 1-18-08.)

Section 35. The Federal Stimulus Tracking Act is amended by changing Section 5 as follows:

(30 ILCS 270/5)

Sec. 5. Federal stimulus tracking.

(a) The Governor's Office, or a designated State agency, shall track and report by means of a quarterly monthly report the State's spending of the federal stimulus moneys provided pursuant to the American Recovery and Reinvestment Act of 2009.

(b) Each quarterly monthly report shall list the amount of the State's federal stimulus spending, by category, based on available federal and State data. The reports may also list any required matching funds required by the State to be eligible for federal stimulus funding. The reports may make recommendations (i) concerning ways for Illinois to

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maximize its share of federal stimulus spending or (ii) suggesting changes to Illinois law that could help to maximize its share of federal stimulus spending. A final report compiling data from the quarterly monthly reports shall be available online at the conclusion of the American Recovery and Reinvestment Act program or by December 31, 2014, whichever occurs first.

(c) The reports shall be available on a State of Illinois website and filed with the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate.

(d) The General Assembly may by resolution request that specific data, findings, or analyses be included in a monthly report. The Commission on Government Forecasting and Accountability shall provide the Governor's Office technical, analytical, and substantive assistance in preparing the requested data, findings, or analyses.

(e) This Act is repealed on January 1, 2015.

(Source: P.A. 96-169, eff. 8-10-09.)

Section 40. The General Obligation Bond Act is amended by changing Section 11 as follows:

(30 ILCS 330/11) (from Ch. 127, par. 661)

Sec. 11. Sale of Bonds. Except as otherwise provided in this Section, Bonds shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as is directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year, shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds; provided that all Bonds authorized by Public Act 96-43 and this amendatory Act of the 96th General Assembly shall not be included in determining compliance for any fiscal year with the requirements of the preceding 2 sentences; and further provided that refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 shall not be subject to the requirements in the preceding 2 sentences.

If any Bonds, including refunding Bonds, are to be sold by negotiated sale, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set

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forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget may, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services, and:

Each of the advertisements shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of such change; provided, however, that all other conditions of the sale shall continue as originally advertised.

Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 12 of this Act.

(Source: P.A. 96-18, eff. 6-26-09; 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11.)

Section 45. The Build Illinois Bond Act is amended by changing Section 8 as follows:

(30 ILCS 425/8) (from Ch. 127, par. 2808)

Sec. 8. Sale of Bonds. Bonds, except as otherwise provided in this Section, shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as are directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds; and further provided that refunding Bonds satisfying the requirements of Section 15 of this Act and sold during fiscal year 2009, 2010, or 2011 shall not be subject to the requirements in the preceding 2 sentences.
If any Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget may, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services, and:

Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of the change; provided, however, that all other conditions of the sale shall continue as originally advertised. Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 9 of this Act. The Governor or the Director of the Governor's Office of Management and Budget is hereby authorized and directed to execute and deliver contracts of sale with underwriters and to execute and deliver such certificates, indentures, agreements and documents, including any supplements or amendments thereto, and to take such actions and do such things as shall be necessary or desirable to carry out the purposes of this Act. Any action authorized or permitted to be taken by the Director of the Governor's Office of Management and Budget pursuant to this Act is hereby authorized to be taken by any person specifically designated by the Governor to take such action in a certificate signed by the Governor and filed with the Secretary of State.

(Source: P.A. 96-18, eff. 6-26-09.)

(50 ILCS 330/5 rep.)

Section 50. The Illinois Municipal Budget Law is amended by repealing Section 5.

Section 55. The School Code is amended by changing Section 14-8.04 as follows:

(105 ILCS 5/14-8.04) (from Ch. 122, par. 14-8.04)
Sec. 14-8.04. Supported employment. The school board that is the
governing body of any secondary school in this State that provides special
education services and facilities for children with disabilities shall include,
as part of preparing the transition planning for disabled children who are
16 years of age or more, consideration of a supported employment
component with experiences in integrated community settings for those
eligible children with disabilities who have been determined at an IEP
meeting to be in need of participation in the supported employment
services offered pursuant to this Section.

Supported employment services made available as part of
transition planning under this Section shall be designed and developed for
school boards by the State Board of Education, in consultation with
programs such as Project CHOICES (Children Have Opportunities In
Integrated Community Environments), parents and advocates of children
with disabilities, and the Departments of Central Management Services
and Human Services; and shall be maintained and operated in such manner
as to coordinate with supported employee programs administered under
the Supported Employees Act.

(Source: P.A. 89-397, eff. 8-20-95; 89-507, eff. 7-1-97.)

(105 ILCS 55/Act rep.)

Section 60. The School Employee Benefit Act is repealed.

Section 65. The Illinois Banking Act is amended by changing
Section 5 as follows:

(205 ILCS 5/5) (from Ch. 17, par. 311)

Sec. 5. General corporate powers. A bank organized under this Act
or subject hereto shall be a body corporate and politic and shall, without
specific mention thereof in the charter, have all the powers conferred by
this Act and the following additional general corporate powers:

(1) To sue and be sued, complain, and defend in its corporate
name.

(2) To have a corporate seal, which may be altered at pleasure, and
to use the same by causing it or a facsimile thereof to be impressed or
affixed or in any manner reproduced, provided that the affixing of a
corporate seal to an instrument shall not give the instrument additional
force or effect, or change the construction thereof, and the use of a
corporate seal is not mandatory.

(3) To make, alter, amend, and repeal bylaws, not inconsistent with
its charter or with law, for the administration of the affairs of the bank. If
this Act does not provide specific guidance in matters of corporate

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governance, the provisions of the Business Corporation Act of 1983 may
be used if so provided in the bylaws, and if the bank is a limited liability
company, the provisions of the Limited Liability Company Act shall be
used.

(4) To elect or appoint and remove officers and agents of the bank
and define their duties and fix their compensation.

(5) To adopt and operate reasonable bonus plans, profit-sharing
plans, stock-bonus plans, stock-option plans, pension plans and similar
incentive plans for its directors, officers and employees.

(5.1) To manage, operate and administer a fund for the investment
of funds by a public agency or agencies, including any unit of local
government or school district, or any person. The fund for a public agency
shall invest in the same type of investments and be subject to the same
limitations provided for the investment of public funds. The fund for
public agencies shall maintain a separate ledger showing the amount of
investment for each public agency in the fund. "Public funds" and "public
agency" as used in this Section shall have the meanings ascribed to them
in Section 1 of the Public Funds Investment Act.

(6) To make reasonable donations for the public welfare or for
charitable, scientific, religious or educational purposes.

(7) To borrow or incur an obligation; and to pledge its assets:

(a) to secure its borrowings, its lease of personal or real
property or its other nondeposit obligations;

(b) to enable it to act as agent for the sale of obligations of
the United States;

(c) to secure deposits of public money of the United States,
whenever required by the laws of the United States, including
without being limited to, revenues and funds the deposit of which
is subject to the control or regulation of the United States or any of
its officers, agents, or employees and Postal Savings funds;

(d) to secure deposits of public money of any state or of any
political corporation or subdivision thereof including, without
being limited to, revenues and funds the deposit of which is subject
to the control or regulation of any state or of any political
corporation or subdivisions thereof or of any of their officers,
agents, or employees;

(e) to secure deposits of money whenever required by the
National Bankruptcy Act;

(f) (blank); and

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(g) to secure trust funds commingled with the bank's funds, whether deposited by the bank or an affiliate of the bank, pursuant to Section 2-8 of the Corporate Fiduciary Act.

(8) To own, possess, and carry as assets all or part of the real estate necessary in or with which to do its banking business, either directly or indirectly through the ownership of all or part of the capital stock, shares or interests in any corporation, association, trust engaged in holding any part or parts or all of the bank premises, engaged in such business and in conducting a safe deposit business in the premises or part of them, or engaged in any activity that the bank is permitted to conduct in a subsidiary pursuant to paragraph (12) of this Section 5.

(9) To own, possess, and carry as assets other real estate to which it may obtain title in the collection of its debts or that was formerly used as a part of the bank premises, but title to any real estate except as herein permitted shall not be retained by the bank, either directly or by or through a subsidiary, as permitted by subsection (12) of this Section for a total period of more than 10 years after acquiring title, either directly or indirectly.

(10) To do any act, including the acquisition of stock, necessary to obtain insurance of its deposits, or part thereof, and any act necessary to obtain a guaranty, in whole or in part, of any of its loans or investments by the United States or any agency thereof, and any act necessary to sell or otherwise dispose of any of its loans or investments to the United States or any agency thereof, and to acquire and hold membership in the Federal Reserve System.

(11) Notwithstanding any other provisions of this Act or any other law, to do any act and to own, possess, and carry as assets property of the character, including stock, that is at the time authorized or permitted to national banks by an Act of Congress, but subject always to the same limitations and restrictions as are applicable to national banks by the pertinent federal law and subject to applicable provisions of the Financial Institutions Insurance Sales Law.

(12) To own, possess, and carry as assets stock of one or more corporations that is, or are, engaged in one or more of the following businesses:

(a) holding title to and administering assets acquired as a result of the collection or liquidating of loans, investments, or discounts; or

New matter indicated by italics - deletions by strikeout
(b) holding title to and administering personal property acquired by the bank, directly or indirectly through a subsidiary, for the purpose of leasing to others, provided the lease or leases and the investment of the bank, directly or through a subsidiary, in that personal property otherwise comply with Section 35.1 of this Act; or

(c) carrying on or administering any of the activities excepting the receipt of deposits or the payment of checks or other orders for the payment of money in which a bank may engage in carrying on its general banking business; provided, however, that nothing contained in this paragraph (c) shall be deemed to permit a bank organized under this Act or subject hereto to do, either directly or indirectly through any subsidiary, any act, including the making of any loan or investment, or to own, possess, or carry as assets any property that if done by or owned, possessed, or carried by the State bank would be in violation of or prohibited by any provision of this Act.

The provisions of this subsection (12) shall not apply to and shall not be deemed to limit the powers of a State bank with respect to the ownership, possession, and carrying of stock that a State bank is permitted to own, possess, or carry under this Act.

Any bank intending to establish a subsidiary under this subsection (12) shall give written notice to the Commissioner 60 days prior to the subsidiary's commencing of business or, as the case may be, prior to acquiring stock in a corporation that has already commenced business. After receiving the notice, the Commissioner may waive or reduce the balance of the 60 day notice period. The Commissioner may specify the form of the notice, may designate the types of subsidiaries not subject to this notice requirement, and may promulgate rules and regulations to administer this subsection (12).

(13) To accept for payment at a future date not exceeding one year from the date of acceptance, drafts drawn upon it by its customers; and to issue, advise, or confirm letters of credit authorizing the holders thereof to draw drafts upon it or its correspondents.

(14) To own and lease personal property acquired by the bank at the request of a prospective lessee and upon the agreement of that person to lease the personal property provided that the lease, the agreement with respect thereto, and the amount of the investment of the bank in the property comply with Section 35.1 of this Act.

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(15) (a) To establish and maintain, in addition to the main banking premises, branches offering any banking services permitted at the main banking premises of a State bank.

(b) To establish and maintain, after May 31, 1997, branches in another state that may conduct any activity in that state that is authorized or permitted for any bank that has a banking charter issued by that state, subject to the same limitations and restrictions that are applicable to banks chartered by that state.

(16) (Blank).

(17) To establish and maintain terminals, as authorized by the Electronic Fund Transfer Act.

(18) To establish and maintain temporary service booths at any International Fair held in this State which is approved by the United States Department of Commerce, for the duration of the international fair for the sole purpose of providing a convenient place for foreign trade customers at the fair to exchange their home countries' currency into United States currency or the converse. This power shall not be construed as establishing a new place or change of location for the bank providing the service booth.

(19) To indemnify its officers, directors, employees, and agents, as authorized for corporations under Section 8.75 of the Business Corporation Act of 1983.

(20) To own, possess, and carry as assets stock of, or be or become a member of, any corporation, mutual company, association, trust, or other entity formed exclusively for the purpose of providing directors' and officers' liability and bankers' blanket bond insurance or reinsurance to and for the benefit of the stockholders, members, or beneficiaries, or their assets or businesses, or their officers, directors, employees, or agents, and not to or for the benefit of any other person or entity or the public generally.

(21) To make debt or equity investments in corporations or projects, whether for profit or not for profit, designed to promote the development of the community and its welfare, provided that the aggregate investment in all of these corporations and in all of these projects does not exceed 10% of the unimpaired capital and unimpaired surplus of the bank and provided that this limitation shall not apply to creditworthy loans by the bank to those corporations or projects. Upon written application to the Commissioner, a bank may make an investment that would, when aggregated with all other such investments, exceed 10% of the unimpaired capital and unimpaired surplus of the bank. The Commissioner may

New matter indicated by italics - deletions by strikeout
approve the investment if he is of the opinion and finds that the proposed investment will not have a material adverse effect on the safety and soundness of the bank.

(22) To own, possess, and carry as assets the stock of a corporation engaged in the ownership or operation of a travel agency or to operate a travel agency as a part of its business.

(23) With respect to affiliate facilities:
   (a) to conduct at affiliate facilities for and on behalf of another commonly owned bank, if so authorized by the other bank, all transactions that the other bank is authorized or permitted to perform; and
   (b) to authorize a commonly owned bank to conduct for and on behalf of it any of the transactions it is authorized or permitted to perform at one or more affiliate facilities.

Any bank intending to conduct or to authorize a commonly owned bank to conduct at an affiliate facility any of the transactions specified in this paragraph (23) shall give written notice to the Commissioner at least 30 days before any such transaction is conducted at the affiliate facility.

(24) To act as the agent for any fire, life, or other insurance company authorized by the State of Illinois, by soliciting and selling insurance and collecting premiums on policies issued by such company; and to receive for services so rendered such fees or commissions as may be agreed upon between the bank and the insurance company for which it may act as agent; provided, however, that no such bank shall in any case assume or guarantee the payment of any premium on insurance policies issued through its agency by its principal; and provided further, that the bank shall not guarantee the truth of any statement made by an assured in filing his application for insurance.

(25) Notwithstanding any other provisions of this Act or any other law, to offer any product or service that is at the time authorized or permitted to any insured savings association or out-of-state bank by applicable law, provided that powers conferred only by this subsection (25):
   (a) shall always be subject to the same limitations and restrictions that are applicable to the insured savings association or out-of-state bank for the product or service by such applicable law;
   (b) shall be subject to applicable provisions of the Financial Institutions Insurance Sales Law;

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(c) shall not include the right to own or conduct a real estate
brokerage business for which a license would be required under the
laws of this State; and
(d) shall not be construed to include the establishment or
maintenance of a branch, nor shall they be construed to limit the
establishment or maintenance of a branch pursuant to subsection
(11).
Not less than 30 days before engaging in any activity under the
authority of this subsection, a bank shall provide written notice to the
Commissioner of its intent to engage in the activity. The notice shall
indicate the specific federal or state law, rule, regulation, or interpretation
the bank intends to use as authority to engage in the activity.
(Source: P.A. 92-483, eff. 8-23-01; 92-811, eff. 8-21-02; 93-561; eff.1-1-
04.)
Section 70. The Savings Bank Act is amended by changing Section
8006 as follows:
(205 ILCS 205/8006) (from Ch. 17, par. 7308-6)
Sec. 8006. Merger; Secretary's certificate. The executed merger
agreement together with copies of the resolutions of the members or
stockholders of each merging depository institution approving it, certified
by the president or vice president, and attested to by the secretary of the
savings bank, shall be filed with the Secretary. The Secretary shall then
issue to the continuing savings bank a certificate of merger, setting forth
the name of each merging depository institution, the name of the
continuing savings bank, and the articles of incorporation of the
continuing savings bank. The merger takes effect upon the
issuance of the certificate of merger
recording of the certificate in the same manner as the
articles of incorporation in each county in which the business office of any
of the merging depository institutions was located and in the county in
which the business office of the continuing savings bank is
located. When
duly recorded, the certificate shall be conclusive evidence of the merger
and of the correctness of the proceedings therefor except against the State.
(Source: P.A. 97-492, eff. 1-1-12.)
Section 75. The Sales Finance Agency Act is amended by changing
Section 13 as follows:
(205 ILCS 660/13) (from Ch. 17, par. 5231)
Sec. 13. Rules. The Department may make and enforce such
reasonable rules, regulations, directions, orders, decisions and findings as
the execution and enforcement of this Act require, and as are not

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inconsistent therewith. In addition, the Department may promulgate rules in connection with the activities of licensees that are necessary and appropriate for the protection of consumers in this State. All rules and regulations shall be sent electronically to printed and copies thereof mailed to all licensees.

(Source: P.A. 90-437, eff. 1-1-98; 91-698, eff. 5-6-00.)

Section 80. The Consumer Installment Loan Act is amended by changing Section 22 as follows:

(205 ILCS 670/22) (from Ch. 17, par. 5428)

Sec. 22. Rules and regulations. The Department may make and enforce such reasonable rules, regulations, directions, orders, decisions, and findings as the execution and enforcement of the provisions of this Act require, and as are not inconsistent therewith. In addition, the Department may promulgate rules in connection with the activities of licensees that are necessary and appropriate for the protection of consumers in this State. All rules, regulations and directions of a general character shall be sent electronically to printed and copies thereof mailed to all licensees.

(Source: P.A. 90-437, eff. 1-1-98; 91-698, eff. 5-6-00.)

Section 85. The Illinois Chemical Safety Act is amended by changing Section 3 as follows:

(430 ILCS 45/3) (from Ch. 111 1/2, par. 953)

Sec. 3. Definitions. For the purposes of this Act:

"Agency" means the Illinois Environmental Protection Agency.

"Business" means any individual, partnership, corporation, or association in the State engaged in a business operation that has 5 or more full-time employees, or 20 or more part-time employees, and that is properly assigned or included within one of the following Standard Industrial Classifications (SIC), as designated in the Standard Industrial Classification Manual prepared by the Federal Office of Management and Budget:

2295 Coated fabrics, not rubberized;
2491 Wood preserving;
2671 Packaging paper and plastics film, coated and laminated;
2672 Coated and laminated paper, not elsewhere classified;
2812 Alkalies and chlorine;
2813 Industrial gases;
2819 Industrial inorganic chemicals, not elsewhere classified;

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2821 Plastic materials, synthetic resins, and non-vulcanizable elastomers;
2834 Pharmaceutical preparations;
2842 Specialty cleaning, polishing and sanitation preparations;
2851 Paints, varnishes, lacquers, enamels, and allied products;
2865 Cyclic (coal tar) crudes, and cyclic intermediaries, dyes and organic pigments (lakes and toners);
2869 Industrial organic chemicals, not elsewhere classified;
2873 Nitrogenous fertilizer;
2874 Phosphatic fertilizers;
2879 Pesticides and agricultural chemicals, not elsewhere classified;
2891 Adhesives and sealants;
2892 Explosives;
2911 Petroleum refining;
2952 Asphalt felts and coatings;
2999 Products of petroleum and coal, not elsewhere classified;
3081 Unsupported plastics, film and sheet;
3082 Unsupported plastics profile shapes;
3083 Laminated plastics plate, sheet and profile shapes;
3084 Plastic pipe;
3085 Plastic bottles;
3086 Plastic foam products;
3087 Custom compounding of purchased plastic resin;
3088 Plastic plumbing fixtures;
3089 Plastic products, not elsewhere classified;
3111 Leather tanning and finishing;
3339 Primary smelting and refining of nonferrous metals, except copper and aluminum;
3432 Plumbing fixture fittings and trim;
3471 Electroplating, plating, polishing, anodizing and coloring;
4953 Refuse systems;
5085 Industrial supplies;
5162 Plastic materials and basic forms and shapes;
5169 Chemicals and allied products, not elsewhere classified;
5171 Petroleum bulk stations and terminals;
5172 Petroleum and petroleum products, wholesalers, except bulk stations and terminals.

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For the purposes of this Act, the SIC Code that a business uses for determining its coverage under The Unemployment Insurance Act shall be the SIC Code for determining the applicability of this Act. On an annual basis, the Department of Employment Security shall provide the IEMA with a list of those regulated facilities covered by the above mentioned SIC codes.

"Business" also means any facility not covered by the above SIC codes that is subject to the provisions of Section 302 of the federal Emergency Planning and Community Right-to-Know Act of 1986 and that is found by the Agency to use, store, or manufacture a chemical substance in a quantity that poses a threat to the environment or public health. Such a determination shall be based on an on-site inspection conducted by the Agency and certified to the IEMA. The Agency shall also conduct inspections at the request of IEMA or upon a written request setting forth a justification to the IEMA from the chairman of the local emergency planning committee upon recommendation of the committee. The IEMA shall transmit a copy of the request to the Agency. The Agency may, in the event of a reportable release that occurs at any facility operated or owned by a business not covered by the above SIC codes, conduct inspections if the site hazard appears to warrant such action. The above notwithstanding, any farm operation shall not be considered as a facility subject to this definition.

Notwithstanding the above, for purposes of this Act, "business" does not mean any facility for which the requirements promulgated at Part 1910.119 of Title 29 of the Code of Federal Regulations are applicable or which has completed and submitted the plan required by Part 68 of Title 40 of the Code of Federal Regulations, provided that such business conducts and documents in writing an assessment for any instance where the Agency provides notice that a significant release of a chemical substance has occurred at a facility. Such assessment shall explain the nature, cause and known effects of the release, any mitigating actions taken, and preventive measures that can be employed to avoid a future release. Such assessment shall be available at the facility for review within 30 days after the Agency notifies the facility that a significant release has occurred. The Agency may provide written comments to the business following an on-site review of an assessment.

"Chemical name" means the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the American Chemical

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Society's Chemical Abstracts Service (CAS) rules of nomenclature, or a name that will clearly identify the chemical for hazard evaluation purposes.

"Chemical substance" means any "extremely hazardous substance" listed in Appendix A of 40 C.F.R. Part 355 that is present at a facility in an amount in excess of its threshold planning quantity, any "hazardous substance" listed in 40 C.F.R. Section 302.4 that is present at a facility in an amount in excess of its reportable quantity or in excess of its threshold planning quantity if it is also an "extremely hazardous substance", and any petroleum including crude oil or any fraction thereof that is present at a facility in an amount exceeding 100 pounds unless it is specifically listed as a "hazardous substance" or an "extremely hazardous substance". "Chemical substance" does not mean any substance to the extent it is used for personal, family, or household purposes or to the extent it is present in the same form and concentration as a product packaged for distribution to and use by the general public.

"IEMA" means the Illinois Emergency Management Agency.

"Facility" means the buildings and all real property contiguous thereto, and the equipment at a single location used for the conduct of business.

"Local emergency planning committee" means the committee that is appointed for an emergency planning district under the provisions of Section 301 of the federal Emergency Planning and Community Right-to-Know Act of 1986.

"Release" means any sudden spilling, leaking, pumping, pouring, emitting, escaping, emptying, discharging, injecting, leaching, dumping, or disposing into the environment beyond the boundaries of a facility, but excludes the following:

(a) Any release that results in exposure to persons solely within a workplace, with respect to a claim that such persons may assert against their employer.

(b) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine.

(c) Release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if the release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of the Atomic Energy Act of 1954.
(d) The normal application of fertilizer.

"Significant release" means any release which is so designated in writing by the Agency or the IEMA based upon an inspection at the site of an emergency incident, or any release which results in any evacuation, hospitalization, or fatalities of the public.

(Source: P.A. 97-333, eff. 8-12-11.)

(625 ILCS 5/15-115 rep.)

Section 90. The Illinois Vehicle Code is amended by repealing Section 15-115.

Section 95. The Payday Loan Reform Act is amended by changing Section 4-30 as follows:

(815 ILCS 122/4-30)

Sec. 4-30. Rulemaking; industry review.

(a) The Department may make and enforce such reasonable rules, regulations, directions, orders, decisions, and findings as the execution and enforcement of the provisions of this Act require, and as are not inconsistent therewith. All rules, regulations, and directions of a general character shall be sent electronically to printed and copies thereof mailed to all licensees.

(b) Within 6 months after the effective date of this Act, the Department shall promulgate reasonable rules regarding the issuance of payday loans by banks, savings banks, savings and loan associations, credit unions, and insurance companies. These rules shall be consistent with this Act and shall be limited in scope to the actual products and services offered by lenders governed by this Act.

(c) After the effective date of this Act, the Department shall, over a 3-year period, conduct a study of the payday loan industry to determine the impact and effectiveness of this Act. The Department shall report its findings to the General Assembly within 3 months of the third anniversary of the effective date of this Act. The study shall determine the effect of this Act on the protection of consumers in this State and on the fair and reasonable regulation of the payday loan industry. The study shall include, but shall not be limited to, an analysis of the ability of the industry to use private reporting tools that:

(1) ensure substantial compliance with this Act, including real time reporting of outstanding payday loans; and

(2) provide data to the Department in an appropriate form and with appropriate content to allow the Department to adequately monitor the industry.

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The report of the Department shall, if necessary, identify and recommend specific amendments to this Act to further protect consumers and to guarantee fair and reasonable regulation of the payday loan industry.

(Source: P.A. 94-13, eff. 12-6-05.)

Section 999. Effective date. This Act takes effect upon becoming law.

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0045
(Senate Bill No. 1664)

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

Section 5. The Wireless Emergency Telephone Safety Act is amended by changing Section 70 and by adding Section 85 as follows:

(50 ILCS 751/70)

Sec. 70. Repealer. This Act is repealed on July 1, 2013.

(50 ILCS 751/85 new)

Sec. 85. 9-1-1 Services Advisory Board. There is hereby created the 9-1-1 Services Advisory Board. The Board shall work with the Commission to determine the 9-1-1 costs necessary for every 9-1-1 system to adequately function and shall submit, by February 1, 2014, recommendations on whether there is a need to consolidate 9-1-1 functions to the General Assembly. The Board shall consist of 11 members appointed by the Governor as follows:

(1) the Executive Director of the Illinois Commerce Commission, or his or her designee;
(2) one member representing the Illinois chapter of the National Emergency Number Association;
(3) one member representing the Illinois chapter of the Association of Public-Safety Communications Officials;
(4) one member representing a county 9-1-1 system from a county with a population of 50,000 or less;

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(5) one member representing a county 9-1-1 system from a county with a population between 50,000 and 250,000;
(6) one member representing a county 9-1-1 system from a county with a population of 250,000 or more;
(7) one member representing an incumbent local exchange 9-1-1 system provider;
(8) one member representing a non-incumbent local exchange 9-1-1 system provider;
(9) one member representing a large wireless carrier;
(10) one member representing a small wireless carrier; and
(11) one member representing the Illinois Telecommunications Association.

The Board is abolished on July 1, 2014.


(220 ILCS 5/13-101) (from Ch. 111 2/3, par. 13-101)
(Section scheduled to be repealed on July 1, 2013)

Sec. 13-101. Application of Act to telecommunications rates and services. The except to the extent modified or supplemented by the specific provisions of this Article, the Sections of this Act pertaining to public utilities, public utility rates and services, and the regulation thereof, are fully and equally applicable to noncompetitive telecommunications rates and services, and the regulation thereof, except to the extent modified or supplemented by the specific provisions of this Article or where the context clearly renders such provisions inapplicable. Except to the extent modified or supplemented by the specific provisions of this Article, Articles I through IV, Sections 5-101, 5-106, 5-108, 5-110, 5-201, 5-202.1, 5-203, 8-301, 8-305, 8-501, 8-502, 8-503, 8-505, 8-509, 8-509.5, 8-510, 9-221, 9-222, 9-222.1, 9-222.2, 9-241, 9-250, and 9-252.1, and Article X of this Act are fully and equally applicable to the noncompetitive and competitive services of an Electing Provider and to competitive telecommunications rates and services, and the regulation thereof except that Section 5-109 shall apply to the services of an Electing Provider and to competitive telecommunications rates and services only to the extent that the Commission requires annual reports authorized by Section 5-109, provided the telecommunications provider may use generally accepted

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accounting practices or accounting systems it uses for financial reporting purposes in the annual report, and except that Sections 8-505 and 9-250 shall not apply to competitive retail telecommunications services and Sections 8-501 and 9-241 shall not apply to competitive services; in addition, as to competitive telecommunications rates and services, and the regulation thereof, and with the exception of competitive retail telecommunications service rates and services, all rules and regulations made by a telecommunications carrier affecting or pertaining to its charges or service shall be just and reasonable. As of the effective date of this amendatory Act of the 92nd General Assembly, Sections 4-202, 4-203, and 5-202 of this Act shall cease to apply to telecommunications rates and services.

(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-501) (from Ch. 111 2/3, par. 13-501)

Sec. 13-501. Tariff; filing.

(a) No telecommunications carrier shall offer or provide noncompetitive telecommunications service, telecommunications service subject to subsection (g) of Section 13-506.2 or Section 13-900.1 or 13-900.2 of this Act, or telecommunications service referred to in an interconnection agreement as a tariffed service unless and until a tariff is filed with the Commission which describes the nature of the service, applicable rates and other charges, terms and conditions of service, and the exchange, exchanges or other geographical area or areas in which the service shall be offered or provided. The Commission may prescribe the form of such tariff and any additional data or information which shall be included therein.

(b) After a hearing regarding a telecommunications service subject to subsection (a) of this Section, the Commission has the discretion to impose an interim or permanent tariff on a telecommunications carrier as part of the order in the case. When a tariff is imposed as part of the order in a case, the tariff shall remain in full force and effect until a compliance tariff, or superseding tariff, is filed by the telecommunications carrier and, after notice to the parties in the case and after a compliance hearing is held, is found by the Commission to be in compliance with the Commission's order.

(c) A telecommunications carrier shall offer or provide telecommunications service that is not subject to subsection (a) of this Section pursuant to either a tariff filed with the Commission or a written
service offering that shall be available on the telecommunications carrier's website as required by Section 13-503 of this Act and that describes the nature of the service, applicable rates and other charges, terms and conditions of service. Revenue from competitive retail telecommunications service received by a telecommunications carrier pursuant to either a tariff or a written service offering shall be gross revenue for purposes of Section 2-202 of this Act.

(Source: P.A. 92-22, eff. 6-30-01.)

(220 ILCS 5/13-501.5)
(Section scheduled to be repealed on July 1, 2013)

Sec. 13-501.5. Directory assistance service for the blind. A within 180 days after the effective date of this amendatory Act of the 93rd General Assembly, a telecommunications carrier that provides directory assistance service shall provide in its tariffs or its written service offering pursuant to subsection (c) of Section 13-501 of this Act for that service that directory assistance shall be provided at no charge to its customers who are legally blind for telephone numbers of customers located within the same calling area, as described in the telecommunications carrier's tariff.

(Source: P.A. 93-82, eff. 7-2-03.)

(220 ILCS 5/13-503) (from Ch. 111 2/3, par. 13-503)
(Section scheduled to be repealed on July 1, 2013)

Sec. 13-503. Information available to the public. With respect to rates or other charges made, demanded, or received for any telecommunications service offered, provided, or to be provided, that is subject to subsection (a) of Section 13-501 of this Act whether such service is competitive or noncompetitive, telecommunications carriers shall comply with the publication and filing provisions of Sections 9-101, 9-102, 9-102.1, and 9-201 of this Act. Except for the provision of services offered or provided by payphone providers pursuant to a tariff, telecommunications carriers shall make all tariffs and all written service offerings for competitive telecommunications service available electronically to the public without requiring a password or other means of registration. A telecommunications carrier's website shall, if applicable, provide in a conspicuous manner information on the rates, charges, terms, and conditions of service available and a toll-free telephone number that may be used to contact an agent for assistance with obtaining rate or other charge information or the terms and conditions of service.

(Source: P.A. 96-927, eff. 6-15-10.)

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(220 ILCS 5/13-505) (from Ch. 111 2/3, par. 13-505)
(Section scheduled to be repealed on July 1, 2013)
Sec. 13-505. Rate changes; competitive services. Any proposed increase or decrease in rates or charges, or proposed change in any classification, written service offering, or tariff resulting in an increase or decrease in rates or charges, for a competitive telecommunications service shall be permitted upon the filing with the Commission or posting on the telecommunications carrier's website of the proposed rate, charge, classification, written service offering, or tariff pursuant to Section 13-501 of this Act. Notice of an increase shall be given, no later than the prior billing cycle, to all potentially affected customers by mail, publication in a newspaper of general circulation, or equivalent means of notice, including electronic if the customer has elected electronic billing. Additional notice by publication in a newspaper of general circulation may also be given.
(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-506.2)
(Section scheduled to be repealed on July 1, 2013)
Sec. 13-506.2. Market regulation for competitive retail services.
(a) Definitions. As used in this Section:
(1) "Electing Provider" means a telecommunications carrier that is subject to either rate regulation pursuant to Section 13-504 or Section 13-505 or alternative regulation pursuant to Section 13-506.1 and that elects to have the rates, terms, and conditions of its competitive retail telecommunications services solely determined and regulated pursuant to the terms of this Article.
(2) "Basic local exchange service" means either a stand-alone residence network access line and per-call usage or, for any geographic area in which such stand-alone service is not offered, a stand-alone flat rate residence network access line for which local calls are not charged for frequency or duration. Extended Area Service shall be included in basic local exchange service.
(b) Election for market regulation. Notwithstanding any other provision of this Act, an Electing Provider may elect to have the rates, terms, and conditions of its competitive retail telecommunications services solely determined and regulated pursuant to the terms of this Section by filing written notice of its election for market regulation with the Commission. The notice of election shall designate the geographic area of the Electing Provider's service territory where the market regulation shall apply, either on a state-wide basis or in one or more specified Market

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Service Areas ("MSA") or Exchange areas. An Electing Provider shall not make an election for market regulation under this Section unless it commits in its written notice of election for market regulation to fulfill the conditions and requirements in this Section in each geographic area in which market regulation is elected. Immediately upon filing the notice of election for market regulation, the Electing Provider shall be subject to the jurisdiction of the Commission to the extent expressly provided in this Section.

(c) Competitive classification. Market regulation shall only be available for competitive retail telecommunications services as provided in this subsection.

(1) For geographic areas in which telecommunications services provided by the Electing Provider were classified as competitive either through legislative action or a tariff filing pursuant to Section 13-502 prior to January 1, 2010, and that are included in the Electing Provider's notice of election pursuant to subsection (b) of this Section, such services, and all recurring and nonrecurring charges associated with, related to or used in connection with such services, shall be classified as competitive without further Commission review. For services classified as competitive pursuant to this subsection, the requirements or conditions in any order or decision rendered by the Commission pursuant to Section 13-502 prior to the effective date of this amendatory Act of the 96th General Assembly, except for the commitments made by the Electing Provider in such order or decision concerning the optional packages required in subsection (d) of this Section and basic local exchange service as defined in this Section, shall no longer be in effect and no Commission investigation, review, or proceeding under Section 13-502 shall be continued, conducted, or maintained with respect to such services, charges, requirements, or conditions.

(2) For those geographic areas in which residential local exchange telecommunications services have not been classified as competitive as of the effective date of this amendatory Act of the 96th General Assembly, all telecommunications services provided to residential and business end users by an Electing Provider in the geographic area that is included in its notice of election pursuant to subsection (b) shall be classified as competitive for purposes of this Article without further Commission review.
(3) If an Electing Provider was previously subject to alternative regulation pursuant to Section 13-506.1 of this Article, the alternative regulation plan shall terminate in whole for all services subject to that plan and be of no force or effect, without further Commission review or action, when the Electing Provider's residential local exchange telecommunications service in each MSA in its telecommunications service area in the State has been classified as competitive pursuant to either subdivision (c)(1) or (c)(2) of this Section.

(4) The service packages described in Section 13-518 shall be classified as competitive for purposes of this Section if offered by an Electing Provider in a geographic area in which local exchange telecommunications service has been classified as competitive pursuant to either subdivision (c)(1) or (c)(2) of this Section.

(5) Where a service, or its functional equivalent, or a substitute service offered by a carrier that is not an Electing Provider or the incumbent local exchange carrier for that area is also being offered by an Electing Provider for some identifiable class or group of customers in an exchange, group of exchanges, or some other clearly defined geographical area, the service offered by a carrier that is not an Electing Provider or the incumbent local exchange carrier for that area shall be classified as competitive without further Commission review.

(6) Notwithstanding any other provision of this Act, retail telecommunications services classified as competitive pursuant to Section 13-502 or subdivision (c)(5) of this Section shall have their rates, terms, and conditions solely determined and regulated pursuant to the terms of this Section in the same manner and to the same extent as the competitive retail telecommunications services of an Electing Provider, except that subsections (d), (g), and (j) of this Section shall not apply to a carrier that is not an Electing Provider or to the competitive telecommunications services of a carrier that is not an Electing Provider. The access services of a carrier that is not an Electing Provider shall remain subject to Section 13-900.2. The requirements in subdivision (e)(3) of this Section shall not apply to retail telecommunications services classified as competitive pursuant to Section 13-502 or subdivision (c)(5) of this Section, except that, upon request from the

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Commission, the telecommunications carrier providing competitive retail telecommunications services shall provide a report showing the number of credits and exemptions for the requested time period.

(d) Consumer choice safe harbor options.

   (1) An Electing Provider in each of the MSA or Exchange areas classified as competitive pursuant to subdivision (c)(1) or (c)(2) of this Section shall offer to all residential customers who choose to subscribe the following optional packages of services priced at the same rate levels in effect on January 1, 2010:

   (A) A basic package, which shall consist of a stand-alone residential network access line and 30 local calls. If the Electing Provider offers a stand-alone residential access line and local usage on a per call basis, the price for the basic package shall be the Electing Provider's applicable price in effect on January 1, 2010 for the sum of a residential access line and 30 local calls, additional calls over 30 calls shall be provided at the current per call rate. However, this basic package is not required if stand-alone residential network access lines or per-call local usage are not offered by the Electing Provider in the geographic area on January 1, 2010 or if the Electing Provider has not increased its stand-alone network access line and local usage rates, including Extended Area Service rates, since January 1, 2010.

   (B) An extra package, which shall consist of residential basic local exchange network access line and unlimited local calls. The price for the extra package shall be the Electing Provider's applicable price in effect on January 1, 2010 for a residential access line with unlimited local calls.

   (C) A plus package, which shall consist of residential basic local exchange network access line, unlimited local calls, and the customer's choice of 2 vertical services offered by the Electing Provider. The term "vertical services" as used in this subsection, includes, but is not limited to, call waiting, call forwarding, 3-way calling, caller ID, call tracing, automatic callback, repeat dialing, and voicemail. The price for the plus package shall
be the Electing Provider's applicable price in effect on January 1, 2010 for the sum of a residential access line with unlimited local calls and 2 times the average price for the vertical features included in the package.

(2) For those geographic areas in which local exchange telecommunications services were classified as competitive on the effective date of this amendatory Act of the 96th General Assembly, an Electing Provider in each such MSA or Exchange area shall be subject to the same terms and conditions as provided in commitments made by the Electing Provider in connection with such previous competitive classifications, which shall apply with equal force under this Section, except as follows: (i) the limits on price increases on the optional packages required by this Section shall be extended consistent with subsection (d)(1) of this Section and (ii) the price for the extra package required by subsection (d)(1)(B) shall be reduced by one dollar from the price in effect on January 1, 2010. In addition, if an Electing Provider obtains a competitive classification pursuant to subsection (c)(1) and (c)(2), the price for the optional packages shall be determined in such area in compliance with subsection (d)(1), except the price for the plus package required by subsection (d)(1) (C) shall be the lower of the price for such area or the price of the plus package in effect on January 1, 2010 for areas classified as competitive pursuant to subsection (c)(1).

(3) To the extent that the requirements in Section 13-518 applied to a telecommunications carrier prior to the effective date of this Section and that telecommunications carrier becomes an Electing Provider in accordance with the provisions of this Section, the requirements in Section 13-518 shall cease to apply to that Electing Provider in those geographic areas included in the Electing Provider's notice of election pursuant to subsection (b) of this Section.

(4) An Electing Provider shall make the optional packages required by this subsection and stand-alone residential network access lines and local usage, where offered, readily available to the public by providing information, in a clear manner, to residential customers. Information shall be made available on a website, and an Electing Provider shall provide notification to its customers every 6 months, provided that notification may consist of a bill

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page message that provides an objective description of the safe harbor options that includes a telephone number and website address where the customer may obtain additional information about the packages from the Electing Provider. The optional packages shall be offered on a monthly basis with no term of service requirement. An Electing Provider shall allow online electronic ordering of the optional packages and stand-alone residential network access lines and local usage, where offered, on its website in a manner similar to the online electronic ordering of its other residential services.

(5) An Electing Provider shall comply with the Commission’s existing rules, regulations, and notices in Title 83, Part 735 of the Illinois Administrative Code when offering or providing the optional packages required by this subsection (d) and stand-alone residential network access lines.

(6) An Electing Provider shall provide to the Commission semi-annual subscribership reports as of June 30 and December 31 that contain the number of its customers subscribing to each of the consumer choice safe harbor packages required by subsection (d)(1) of this Section and the number of its customers subscribing to retail residential basic local exchange service as defined in subsection (a)(2) of this Section. The first semi-annual reports shall be made on April 1, 2011 for December 31, 2010, and on September 1, 2011 for June 30, 2011, and semi-annually on April 1 and September 1 thereafter. Such subscribership information shall be accorded confidential and proprietary treatment upon request by the Electing Provider.

(7) The Commission shall have the power, after notice and hearing as provided in this Article, upon complaint or upon its own motion, to take corrective action if the requirements of this Section are not complied with by an Electing Provider.

(e) Service quality and customer credits for basic local exchange service.

(1) An Electing Provider shall meet the following service quality standards in providing basic local exchange service, which for purposes of this subsection (e), includes both basic local exchange service and the consumer choice safe harbor options required by subsection (d) of this Section.
(A) Install basic local exchange service within 5 business days after receipt of an order from the customer unless the customer requests an installation date that is beyond 5 business days after placing the order for basic service and to inform the customer of the Electing Provider's duty to install service within this timeframe. If installation of service is requested on or by a date more than 5 business days in the future, the Electing Provider shall install service by the date requested.

(B) Restore basic local exchange service for the customer within 30 hours after receiving notice that the customer is out of service.

(C) Keep all repair and installation appointments for basic local exchange service if a customer premises visit requires a customer to be present. The appointment window shall be either a specific time or, at a maximum, a 4-hour time block during evening, weekend, and normal business hours.

(D) Inform a customer when a repair or installation appointment requires the customer to be present.

(2) Customers shall be credited by the Electing Provider for violations of basic local exchange service quality standards described in subdivision (e)(1) of this Section. The credits shall be applied automatically on the statement issued to the customer for the next monthly billing cycle following the violation or following the discovery of the violation. The next monthly billing cycle following the violation or the discovery of the violation means the billing cycle immediately following the billing cycle in process at the time of the violation or discovery of the violation, provided the total time between the violation or discovery of the violation and the issuance of the credit shall not exceed 60 calendar days. The Electing Provider is responsible for providing the credits and the customer is under no obligation to request such credits. The following credits shall apply:

(A) If an Electing Provider fails to repair an out-of-service condition for basic local exchange service within 30 hours, the Electing Provider shall provide a credit to the customer. If the service disruption is for more than 30 hours, but not more than 48 hours, the credit must be equal
to a pro-rata portion of the monthly recurring charges for all basic local exchange services disrupted. If the service disruption is for more than 48 hours, but not more than 72 hours, the credit must be equal to at least 33% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 72 hours, but not more than 96 hours, the credit must be equal to at least 67% of one month's recurring charges for all basic local exchange services disrupted. If the service disruption is for more than 96 hours, but not more than 120 hours, the credit must be equal to one month's recurring charges for all basic local exchange services disrupted. For each day or portion thereof that the service disruption continues beyond the initial 120-hour period, the Electing Provider shall also provide an additional credit of $20 per calendar day.

(B) If an Electing Provider fails to install basic local exchange service as required under subdivision (e)(1) of this Section, the Electing Provider shall waive 50% of any installation charges, or in the absence of an installation charge or where installation is pursuant to the Link Up program, the Electing Provider shall provide a credit of $25. If an Electing Provider fails to install service within 10 business days after the service application is placed, or fails to install service within 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the Electing Provider shall waive 100% of the installation charge, or in the absence of an installation charge or where installation is provided pursuant to the Link Up program, the Electing Provider shall provide a credit of $50. For each day that the failure to install service continues beyond the initial 10 business days, or beyond 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the Electing Provider shall also provide an additional credit of $20 per calendar day until the basic local exchange service is installed.

(C) If an Electing Provider fails to keep a scheduled repair or installation appointment when a customer
premises visit requires a customer to be present as required under subdivision (e)(1) of this Section, the Electing Provider shall credit the customer $25 per missed appointment. A credit required by this subdivision does not apply when the Electing Provider provides the customer notice of its inability to keep the appointment no later than 8:00 pm of the day prior to the scheduled date of the appointment.

(D) Credits required by this subsection do not apply if the violation of a service quality standard:

(i) occurs as a result of a negligent or willful act on the part of the customer;

(ii) occurs as a result of a malfunction of customer-owned telephone equipment or inside wiring;

(iii) occurs as a result of, or is extended by, an emergency situation as defined in 83 Ill. Adm. Code 732.10;

(iv) is extended by the Electing Provider's inability to gain access to the customer's premises due to the customer missing an appointment, provided that the violation is not further extended by the Electing Provider;

(v) occurs as a result of a customer request to change the scheduled appointment, provided that the violation is not further extended by the Electing Provider;

(vi) occurs as a result of an Electing Provider's right to refuse service to a customer as provided in Commission rules; or

(vii) occurs as a result of a lack of facilities where a customer requests service at a geographically remote location, where a customer requests service in a geographic area where the Electing Provider is not currently offering service, or where there are insufficient facilities to meet the customer's request for service, subject to an Electing Provider's obligation for reasonable facilities planning.
(3) Each Electing Provider shall provide to the Commission on a quarterly basis and in a form suitable for posting on the Commission's website in conformance with the rules adopted by the Commission and in effect on April 1, 2010, a public report that includes the following data for basic local exchange service quality of service:

(A) With regard to credits due in accordance with subdivision (e)(2)(A) as a result of out-of-service conditions lasting more than 30 hours:

(i) the total dollar amount of any customer credits paid;

(ii) the number of credits issued for repairs between 30 and 48 hours;

(iii) the number of credits issued for repairs between 49 and 72 hours;

(iv) the number of credits issued for repairs between 73 and 96 hours;

(v) the number of credits used for repairs between 97 and 120 hours;

(vi) the number of credits issued for repairs greater than 120 hours; and

(vii) the number of exemptions claimed for each of the categories identified in subdivision (e)(2)(D).

(B) With regard to credits due in accordance with subdivision (e)(2)(B) as a result of failure to install basic local exchange service:

(i) the total dollar amount of any customer credits paid;

(ii) the number of installations after 5 business days;

(iii) the number of installations after 10 business days;

(iv) the number of installations after 11 business days; and

(v) the number of exemptions claimed for each of the categories identified in subdivision (e)(2)(D).
(C) With regard to credits due in accordance with subdivision (e)(2)(C) as a result of missed appointments:

(i) the total dollar amount of any customer credits paid;

(ii) the number of any customers receiving credits; and

(iii) the number of exemptions claimed for each of the categories identified in subdivision (e)(2)(D).

(D) The Electing Provider's annual report required by this subsection shall also include, for informational reporting, the performance data described in subdivisions (e)(2)(A), (e)(2)(B), and (e)(2)(C), and trouble reports per 100 access lines calculated using the Commission's existing applicable rules and regulations for such measures, including the requirements for service standards established in this Section.

(4) It is the intent of the General Assembly that the service quality rules and customer credits in this subsection (e) of this Section and other enforcement mechanisms, including fines and penalties authorized by Section 13-305, shall apply on a nondiscriminatory basis to all Electing Providers. Accordingly, notwithstanding any provision of any service quality rules promulgated by the Commission, any alternative regulation plan adopted by the Commission, or any other order of the Commission, any Electing Provider that is subject to any other order of the Commission and that violates or fails to comply with the service quality standards promulgated pursuant to this subsection (e) or any other order of the Commission shall not be subject to any fines, penalties, customer credits, or enforcement mechanisms other than such fines or penalties or customer credits as may be imposed by the Commission in accordance with the provisions of this subsection (e) and Section 13-305, which are to be generally applicable to all Electing Providers. The amount of any fines or penalties imposed by the Commission for failure to comply with the requirements of this subsection (e) shall be an appropriate amount, taking into account, at a minimum, the Electing Provider's gross annual intrastate revenue; the frequency, duration, and recurrence of the violation; and the relative harm caused to the

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affected customers or other users of the network. In imposing fines and penalties, the Commission shall take into account compensation or credits paid by the Electing Provider to its customers pursuant to this subsection (e) in compensation for any violation found pursuant to this subsection (e), and in any event the fine or penalty shall not exceed an amount equal to the maximum amount of a civil penalty that may be imposed under Section 13-305.

(5) An Electing Provider in each of the MSA or Exchange areas classified as competitive pursuant to subsection (c) of this Section shall fulfill the requirements in subdivision (e)(3) of this Section for 3 years after its notice of election becomes effective. After such 3 years, the requirements in subdivision (e)(3) of this Section shall not apply to such Electing Provider, except that, upon request from the Commission, the Electing Provider shall provide a report showing the number of credits and exemptions for the requested time period.

(f) Commission jurisdiction over competitive retail telecommunications services upon election for market regulation. Except as otherwise expressly stated in this Section, the Commission shall thereafter have no jurisdiction or authority over any aspect of competitive retail telecommunications service of an Electing Provider in those geographic areas included in the Electing Provider's notice of election pursuant to subsection (b) of this Section or of a retail telecommunications service classified as competitive pursuant to Section 13-502 or subdivision (c)(5) of this Section, heretofore subject to the jurisdiction of the Commission, including but not limited to, any requirements of this Article related to the terms, conditions, rates, quality of service, availability, classification or any other aspect of any of the Electing Provider's competitive retail telecommunications services. No telecommunications carrier Electing Provider shall commit any unfair or deceptive act or practice in connection with any aspect of the offering or provision of any competitive retail telecommunications service. Nothing in this Article shall limit or affect any provisions in the Consumer Fraud and Deceptive Business Practices Act with respect to any unfair or deceptive act or practice by a telecommunications carrier an Electing Provider.

(g) Commission authority over access services upon election for market regulation.
(1) As part of its Notice of Election for Market Regulation, the Electing Provider shall reduce its intrastate switched access rates to rates no higher than its interstate switched access rates in 4 installments. The first reduction must be made 30 days after submission of its complete application for Notice of Election for Market Regulation, and the Electing Provider must reduce its intrastate switched access rates by an amount equal to 33% of the difference between its current intrastate switched access rates and its current interstate switched access rates. The second reduction must be made no later than one year after the first reduction, and the Electing Provider must reduce its then current intrastate switched access rates by an amount equal to 41% of the difference between its then current intrastate switched access rates and its then current interstate switched access rates. The third reduction must be made no later than one year after the second reduction, and the Electing Provider must reduce its then current intrastate switched access rates by an amount equal to 50% of the difference between its then current intrastate switched access rates and its then current interstate switched access rates. The fourth reduction must be made on or before June 30, 2013, and the Electing Provider must reduce its intrastate switched access rate to mirror its then current interstate switched access rates and rate structure. Following the fourth reduction, each Electing Provider must continue to set its intrastate switched access rates to mirror its interstate switched access rates and rate structure. For purposes of this subsection, the rate for intrastate switched access service means the composite, per-minute rate for that service, including all applicable fixed and traffic-sensitive charges, including, but not limited to, carrier common line charges.

(2) Nothing in paragraph (1) of this subsection (g) prohibits an Electing Provider from electing to offer intrastate switched access service at rates lower than its interstate switched access rates.

(3) The Commission shall have no authority to order an Electing Provider to set its rates for intrastate switched access at a level lower than its interstate switched access rates.

(4) The Commission's authority under this subsection (g) shall only apply to Electing Providers under Market Regulation.

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The Commission's authority over switched access services for all other carriers is retained under Section 13-900.2 of this Act. (h) Safety of service equipment and facilities.

1) An Electing Provider shall furnish, provide, and maintain such service instrumentalities, equipment, and facilities as shall promote the safety, health, comfort, and convenience of its patrons, employees, and public and as shall be in all respects adequate, reliable, and efficient without discrimination or delay. Every Electing Provider shall provide service and facilities that are in all respects environmentally safe.

2) The Commission is authorized to conduct an investigation of any Electing Provider or part thereof. The investigation may examine the reasonableness, prudence, or efficiency of any aspect of the Electing Provider's operations or functions that may affect the adequacy, safety, efficiency, or reliability of telecommunications service. The Commission may conduct or order an investigation only when it has reasonable grounds to believe that the investigation is necessary to assure that the Electing Provider is providing adequate, efficient, reliable, and safe service. The Commission shall, before initiating any such investigation, issue an order describing the grounds for the investigation and the appropriate scope and nature of the investigation, which shall be reasonably related to the grounds relied upon by the Commission in its order.

(i) (Blank). Tariffs. No Electing Provider shall offer or provide telecommunications service unless and until a tariff is filed with the Commission that describes the nature of the service, applicable rates and other charges, terms, and conditions of service and the exchange, exchanges, or other geographical area or areas in which the service shall be offered or provided. The Commission may prescribe the form of such tariff and any additional data or information that shall be included in the form. Revenue from retail competitive services received from an Electing Provider pursuant to such tariffs shall be gross revenue for purposes of Section 2-202 of this Act.

(j) Application of Article VII. The provisions of Sections 7-101, 7-102, 7-103, 7-104, 7-204, 7-205, and 7-206 of this Act are applicable to an Electing Provider offering or providing retail telecommunications service, and the Commission's regulation thereof, except that (1) the approval of contracts and arrangements with affiliated interests required by paragraph
(3) of Section 7-101 shall not apply to such telecommunications carriers provided that, except as provided in item (2), those contracts and arrangements shall be filed with the Commission; (2) affiliated interest contracts or arrangements entered into by such telecommunications carriers where the increased obligation thereunder does not exceed the lesser of $5,000,000 or 5% of such carrier's prior annual revenue from noncompetitive services are not required to be filed with the Commission; and (3) any consent and approval of the Commission required by Section 7-102 is not required for the sale, lease, assignment, or transfer by any Electing Provider of any real property that is not necessary or useful in the performance of its duties to the public.


(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-509) (from Ch. 111 2/3, par. 13-509)

(Section scheduled to be repealed on July 1, 2013)

Sec. 13-509. Agreements for provisions of competitive telecommunications services differing from tariffs or written service offerings. A telecommunications carrier may negotiate with customers or prospective customers to provide competitive telecommunications service,
and in so doing, may offer or agree to provide such service on such terms and for such rates or charges as are reasonable, without regard to any tariffs it may have filed with the Commission or written service offerings posted on the telecommunications carrier's website pursuant to Section 13-501(c) of this Act with respect to such services. Upon request of the Commission, the telecommunications carrier shall submit to the Commission written notice of a list of any such agreements (which list may be filed electronically) within the past year. The notice shall identify the general nature of all such agreements. A copy of each such agreement shall be provided to the Commission within 10 business days after a request for review of the agreement is made by the Commission or is made to the Commission by another telecommunications carrier or by a party to such agreement.

Any agreement or notice entered into or submitted pursuant to the provisions of this Section may, in the Commission's discretion, be accorded proprietary treatment.

(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-514)

(Section scheduled to be repealed on July 1, 2013)

Sec. 13-514. Prohibited Actions of Telecommunications Carriers. A telecommunications carrier shall not knowingly impede the development of competition in any telecommunications service market. The following prohibited actions are considered per se impediments to the development of competition; however, the Commission is not limited in any manner to these enumerated impediments and may consider other actions which impede competition to be prohibited:

1. unreasonably refusing or delaying interconnections or collocation or providing inferior connections to another telecommunications carrier;

2. unreasonably impairing the speed, quality, or efficiency of services used by another telecommunications carrier;

3. unreasonably denying a request of another provider for information regarding the technical design and features, geographic coverage, information necessary for the design of equipment, and traffic capabilities of the local exchange network except for proprietary information unless such information is subject to a proprietary agreement or protective order;

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(4) unreasonably delaying access in connecting another telecommunications carrier to the local exchange network whose product or service requires novel or specialized access requirements;

(5) unreasonably refusing or delaying access by any person to another telecommunications carrier;

(6) unreasonably acting or failing to act in a manner that has a substantial adverse effect on the ability of another telecommunications carrier to provide service to its customers;

(7) unreasonably failing to offer services to customers in a local exchange, where a telecommunications carrier is certificated to provide service and has entered into an interconnection agreement for the provision of local exchange telecommunications services, with the intent to delay or impede the ability of the incumbent local exchange telecommunications carrier to provide inter-LATA telecommunications services;

(8) violating the terms of or unreasonably delaying implementation of an interconnection agreement entered into pursuant to Section 252 of the federal Telecommunications Act of 1996 in a manner that unreasonably delays, increases the cost, or impedes the availability of telecommunications services to consumers;

(9) unreasonably refusing or delaying access to or provision of operation support systems to another telecommunications carrier or providing inferior operation support systems to another telecommunications carrier;

(10) unreasonably failing to offer network elements that the Commission or the Federal Communications Commission has determined must be offered on an unbundled basis to another telecommunications carrier in a manner consistent with the Commission's or Federal Communications Commission's orders or rules requiring such offerings;

(11) violating the obligations of Section 13-801; and

(12) violating an order of the Commission regarding matters between telecommunications carriers.

(Source: P.A. 92-22, eff. 6-30-01.)

(220 ILCS 5/13-515)

(Section scheduled to be repealed on July 1, 2013)

Sec. 13-515. Enforcement.

(a) The following expedited procedures shall be used to enforce the provisions of Section 13-514 of this Act, provided that, for a violation of paragraph (8) of Section 13-514 to qualify for the expedited procedures of

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this Section, the violation must be in a manner that unreasonably delays, increases the cost, or impedes the availability of telecommunications services to consumers. However, the Commission, the complainant, and the respondent may mutually agree to adjust the procedures established in this Section.

(b) (Blank).

(c) No complaint may be filed under this Section until the complainant has first notified the respondent of the alleged violation and offered the respondent 48 hours to correct the situation. Provision of notice and the opportunity to correct the situation creates a rebuttable presumption of knowledge under Section 13-514. After the filing of a complaint under this Section, the parties may agree to follow the mediation process under Section 10-101.1 of this Act. The time periods specified in subdivision (d)(7) of this Section shall be tolled during the time spent in mediation under Section 10-101.1.

(d) A telecommunications carrier may file a complaint with the Commission alleging a violation of Section 13-514 in accordance with this subsection:

(1) The complaint shall be filed with the Chief Clerk of the Commission and shall be served in hand upon the respondent, the executive director, and the general counsel of the Commission at the time of the filing.

(2) A complaint filed under this subsection shall include a statement that the requirements of subsection (c) have been fulfilled and that the respondent did not correct the situation as requested.

(3) Reasonable discovery specific to the issue of the complaint may commence upon filing of the complaint. Requests for discovery must be served in hand and responses to discovery must be provided in hand to the requester within 14 days after a request for discovery is made.

(4) An answer and any other responsive pleading to the complaint shall be filed with the Commission and served in hand at the same time upon the complainant, the executive director, and the general counsel of the Commission within 7 days after the date on which the complaint is filed.

(5) If the answer or responsive pleading raises the issue that the complaint violates subsection (i) of this Section, the complainant may file a reply to such allegation within 3 days after
actual service of such answer or responsive pleading. Within 4 days after the time for filing a reply has expired, the hearing officer or arbitrator shall either issue a written decision dismissing the complaint as frivolous in violation of subsection (i) of this Section including the reasons for such disposition or shall issue an order directing that the complaint shall proceed.

(6) A pre-hearing conference shall be held within 14 days after the date on which the complaint is filed.

(7) The hearing shall commence within 30 days of the date on which the complaint is filed. The hearing may be conducted by a hearing examiner or by an arbitrator. Parties and the Commission staff shall be entitled to present evidence and legal argument in oral or written form as deemed appropriate by the hearing examiner or arbitrator. The hearing examiner or arbitrator shall issue a written decision within 60 days after the date on which the complaint is filed. The decision shall include reasons for the disposition of the complaint and, if a violation of Section 13-514 is found, directions and a deadline for correction of the violation.

(8) Any party may file a petition requesting the Commission to review the decision of the hearing examiner or arbitrator within 5 days of such decision. Any party may file a response to a petition for review within 3 business days after actual service of the petition. After the time for filing of the petition for review, but no later than 15 days after the decision of the hearing examiner or arbitrator, the Commission shall decide to adopt the decision of the hearing examiner or arbitrator or shall issue its own final order.

(e) If the alleged violation has a substantial adverse effect on the ability of the complainant to provide service to customers, the complainant may include in its complaint a request for an order for emergency relief. The Commission, acting through its designated hearing examiner or arbitrator, shall act upon such a request within 2 business days of the filing of the complaint. An order for emergency relief may be granted, without an evidentiary hearing, upon a verified factual showing that the party seeking relief will likely succeed on the merits, that the party will suffer irreparable harm in its ability to serve customers if emergency relief is not granted, and that the order is in the public interest. An order for emergency relief shall include a finding that the requirements of this subsection have been fulfilled and shall specify the directives that must be fulfilled by the
respondent and deadlines for meeting those directives. The decision of the hearing examiner or arbitrator to grant or deny emergency relief shall be considered an order of the Commission unless the Commission enters its own order within 2 calendar days of the decision of the hearing examiner or arbitrator. The order for emergency relief may require the responding party to act or refrain from acting so as to protect the provision of competitive service offerings to customers. Any action required by an emergency relief order must be technically feasible and economically reasonable and the respondent must be given a reasonable period of time to comply with the order.

(f) The Commission is authorized to obtain outside resources including, but not limited to, arbitrators and consultants for the purposes of the hearings authorized by this Section. Any arbitrator or consultant obtained by the Commission shall be approved by both parties to the hearing. The cost of such outside resources including, but not limited to, arbitrators and consultants shall be borne by the parties. The Commission shall review the bill for reasonableness and assess the parties for reasonable costs dividing the costs according to the resolution of the complaint brought under this Section. Such costs shall be paid by the parties directly to the arbitrators, consultants, and other providers of outside resources within 60 days after receiving notice of the assessments from the Commission. Interest at the statutory rate shall accrue after expiration of the 60-day period. The Commission, arbitrators, consultants, or other providers of outside resources may apply to a court of competent jurisdiction for an order requiring payment.

(g) The Commission shall assess the parties under this subsection for all of the Commission's costs of investigation and conduct of the proceedings brought under this Section including, but not limited to, the prorated salaries of staff, attorneys, hearing examiners, and support personnel and including any travel and per diem, directly attributable to the complaint brought pursuant to this Section, but excluding those costs provided for in subsection (f), dividing the costs according to the resolution of the complaint brought under this Section. All assessments made under this subsection shall be paid into the Public Utility Fund within 60 days after receiving notice of the assessments from the Commission. Interest at the statutory rate shall accrue after the expiration of the 60 day period. The Commission is authorized to apply to a court of competent jurisdiction for an order requiring payment.

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(h) If the Commission determines that there is an imminent threat to competition or to the public interest, the Commission may, notwithstanding any other provision of this Act, seek temporary, preliminary, or permanent injunctive relief from a court of competent jurisdiction either prior to or after the hearing.

(i) A party shall not bring or defend a proceeding brought under this Section or assert or controvert an issue in a proceeding brought under this Section, unless there is a non-frivolous basis for doing so. By presenting a pleading, written motion, or other paper in complaint or defense of the actions or inaction of a party under this Section, a party is certifying to the Commission that to the best of that party's knowledge, information, and belief, formed after a reasonable inquiry of the subject matter of the complaint or defense, that the complaint or defense is well grounded in law and fact, and under the circumstances:

(1) it is not being presented to harass the other party, cause unnecessary delay in the provision of competitive telecommunications services to consumers, or create needless increases in the cost of litigation; and

(2) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after reasonable opportunity for further investigation or discovery as defined herein.

(j) If, after notice and a reasonable opportunity to respond, the Commission determines that subsection (i) has been violated, the Commission shall impose appropriate sanctions upon the party or parties that have violated subsection (i) or are responsible for the violation. The sanctions shall not be more than $30,000, plus the amount of expenses accrued by the Commission for conducting the hearing. Payment of sanctions imposed under this subsection shall be made to the Common School Fund within 30 days of imposition of such sanctions.

(k) An appeal of a Commission Order made pursuant to this Section shall not effectuate a stay of the Order unless a court of competent jurisdiction specifically finds that the party seeking the stay will likely succeed on the merits, that the party will suffer irreparable harm without the stay, and that the stay is in the public interest.

(Source: P.A. 92-22, eff. 6-30-01.)

(220 ILCS 5/13-516)

(Section scheduled to be repealed on July 1, 2013)
Sec. 13-516. Enforcement remedies for prohibited actions by telecommunications carriers.

(a) In addition to any other provision of this Act, all of the following remedies may be applied for violations of Section 13-514, provided that, for a violation of paragraph (8) of Section 13-514 to qualify for the remedies in this Section, the violation must be in a manner that unreasonably delays, increases the cost, or impedes the availability of telecommunications services to consumers:

(1) A Commission order directing the violating telecommunications carrier to cease and desist from violating the Act or a Commission order or rule.

(2) Notwithstanding any other provision of this Act, for a second and any subsequent violation of Section 13-514 committed by a telecommunications carrier after the effective date of this amendatory Act of the 92nd General Assembly, the Commission may impose penalties of up to $30,000 or 0.00825% of the telecommunications carrier's gross intrastate annual telecommunications revenue, whichever is greater, per violation unless the telecommunications carrier has fewer than 35,000 subscriber access lines, in which case the civil penalty may not exceed $2,000 per violation. The second and any subsequent violation of Section 13-514 need not be of the same nature or provision of the Section for a penalty to be imposed. Matters resolved through voluntary mediation pursuant to Section 10-101.1 shall not be considered as a violation of Section 13-514 in computing eligibility for imposition of a penalty under this subdivision (a)(2). Each day of a continuing offense shall be treated as a separate violation for purposes of levying any penalty under this Section. The period for which the penalty shall be levied shall commence on the day the telecommunications carrier first violated Section 13-514 or on the day of the notice provided to the telecommunications carrier pursuant to subsection (c) of Section 13-515, whichever is later, and shall continue until the telecommunications carrier is in compliance with the Commission order. In assessing a penalty under this subdivision (a)(2), the Commission may consider mitigating factors, including those specified in items (1) through (4) of subsection (a) of Section 13-304.

New matter indicated by italics - deletions by strikeout
(3) The Commission shall award damages, attorney's fees, and costs to any telecommunications carrier that was subjected to a violation of Section 13-514.

(b) The Commission may waive penalties imposed under subdivision (a)(2) if it makes a written finding as to its reasons for waiving the penalty. Reasons for waiving a penalty shall include, but not be limited to, technological infeasibility and acts of God.

(c) The Commission shall establish by rule procedures for the imposition of remedies under subsection (a) that, at a minimum, provide for notice, hearing and a written order relating to the imposition of remedies.

(d) Unless enforcement of an order entered by the Commission under Section 13-515 otherwise directs or is stayed by the Commission or by an appellate court reviewing the Commission's order, at any time after 30 days from the entry of the order, either the Commission, or the telecommunications carrier found by the Commission to have been subjected to a violation of Section 13-514, or both, is authorized to petition a court of competent jurisdiction for an order at law or in equity requiring enforcement of the Commission order. The court shall determine (1) whether the Commission entered the order identified in the petition and (2) whether the violating telecommunications carrier has complied with the Commission's order. A certified copy of a Commission order shall be prima facie evidence that the Commission entered the order so certified. Pending the court's resolution of the petition, the court may award temporary or preliminary injunctive relief, or such other equitable relief as may be necessary, to effectively implement and enforce the Commission's order in a timely manner.

If after a hearing the court finds that the Commission entered the order identified in the petition and that the violating telecommunications carrier has not complied with the Commission's order, the court shall enter judgment requiring the violating telecommunications carrier to comply with the Commission's order and order such relief at law or in equity as the court deems necessary to effectively implement and enforce the Commission's order in a timely manner. The court shall also award to the petitioner, or petitioners, attorney's fees and costs, which shall be taxed and collected as part of the costs of the case.

If the court finds that the violating telecommunications carrier has failed to comply with the timely payment of damages, attorney's fees, or costs ordered by the Commission, the court shall order the violating
telecommunications carrier to pay to the telecommunications carrier or carriers awarded the damages, fees, or costs by the Commission additional damages for the sake of example and by way of punishment for the failure to timely comply with the order of the Commission, unless the court finds a reasonable basis for the violating telecommunications carrier's failure to make timely payment according to the Commission's order, in which instance the court shall establish a new date for payment to be made.

(e) Payment of damages, attorney's fees, and costs imposed under subsection (a) shall be made within 30 days after issuance of the Commission order imposing the penalties, damages, attorney's fees, or costs, unless otherwise directed by the Commission or a reviewing court under an appeal taken pursuant to Article X. Payment of penalties imposed under subsection (a) shall be made to the Common School Fund within 30 days of issuance of the Commission order imposing the penalties.

(Source: P.A. 92-22, eff. 6-30-01.)

(220 ILCS 5/13-712)

(Section scheduled to be repealed on July 1, 2013)

Sec. 13-712. Basic local exchange service quality; customer credits.

(a) It is the intent of the General Assembly that every telecommunications carrier meet minimum service quality standards in providing noncompetitive basic local exchange service on a non-discriminatory basis to all classes of customers.

(b) Definitions:

(1) (Blank).

(2) "Basic local exchange service" means residential and business lines used for local exchange telecommunications service as defined in Section 13-204 of this Act, that have not been classified as competitive pursuant to either Section 13-502 or subdivision (c)(5) of Section 13-506.2 of this Act, excluding:

(A) services that employ advanced telecommunications capability as defined in Section 706(c)(1) of the federal Telecommunications Act of 1996;
(B) vertical services;
(C) company official lines; and
(D) records work only.

(3) "Link Up" refers to the Link Up Assistance program defined and established at 47 C.F.R. Section 54.411 et seq. as amended.
(c) The Commission shall promulgate service quality rules for basic local exchange service, which may include fines, penalties, customer credits, and other enforcement mechanisms. In developing such service quality rules, the Commission shall consider, at a minimum, the carrier's gross annual intrastate revenue; the frequency, duration, and recurrence of the violation; and the relative harm caused to the affected customer or other users of the network. In imposing fines, the Commission shall take into account compensation or credits paid by the telecommunications carrier to its customers pursuant to this Section in compensation for the violation found pursuant to this Section. These rules shall become effective within one year after the effective date of this amendatory Act of the 92nd General Assembly.

(d) The rules shall, at a minimum, require each telecommunications carrier to do all of the following:

1. Install basic local exchange service within 5 business days after receipt of an order from the customer unless the customer requests an installation date that is beyond 5 business days after placing the order for basic service and to inform the customer of its duty to install service within this timeframe. If installation of service is requested on or by a date more than 5 business days in the future, the telecommunications carrier shall install service by the date requested. A telecommunications carrier offering basic local exchange service utilizing the network or network elements of another carrier shall install new lines for basic local exchange service within 3 business days after provisioning of the line or lines by the carrier whose network or network elements are being utilized is complete. This subdivision (d)(1) does not apply to the migration of a customer between telecommunications carriers, so long as the customer maintains dial tone.

2. Restore basic local exchange service for a customer within 30 hours of receiving notice that a customer is out of service. This provision applies to service disruptions that occur when a customer switches existing basic local exchange service from one carrier to another.

3. Keep all repair and installation appointments for basic local exchange service, when a customer premises visit requires a customer to be present.

4. Inform a customer when a repair or installation appointment requires the customer to be present.

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(e) The rules shall include provisions for customers to be credited by the telecommunications carrier for violations of basic local exchange service quality standards as described in subsection (d). The credits shall be applied on the statement issued to the customer for the next monthly billing cycle following the violation or following the discovery of the violation. The performance levels established in subsection (c) are solely for the purposes of consumer credits and shall not be used as performance levels for the purposes of assessing penalties under Section 13-305. At a minimum, the rules shall include the following:

(1) If a carrier fails to repair an out-of-service condition for basic local exchange service within 30 hours, the carrier shall provide a credit to the customer. If the service disruption is for over 30 hours but less than 48 hours, the credit must be equal to a pro-rata portion of the monthly recurring charges for all local services disrupted. If the service disruption is for more than 48 hours, but not more than 72 hours, the credit must be equal to at least 33% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 72 hours, but not more than 96 hours, the credit must be equal to at least 67% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 96 hours, but not more than 120 hours, the credit must be equal to one month's recurring charges for all local services disrupted. For each day or portion thereof that the service disruption continues beyond the initial 120-hour period, the carrier shall also provide an additional credit of $20 per day.

(2) If a carrier fails to install basic local exchange service as required under subdivision (d)(1), the carrier shall waive 50% of any installation charges, or in the absence of an installation charge or where installation is pursuant to the Link Up program, the carrier shall provide a credit of $25. If a carrier fails to install service within 10 business days after the service application is placed, or fails to install service within 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the carrier shall waive 100% of the installation charge, or in the absence of an installation charge or where installation is provided pursuant to the Link Up program, the carrier shall provide a credit of $50. For each day that the failure to install service continues beyond the initial 10 business days, or beyond 5 business days after the customer's
requested installation date, if the requested date was more than 5
business days after the date of the order, the carrier shall also
provide an additional credit of $20 per day until service is installed.

(3) If a carrier fails to keep a scheduled repair or installation
appointment when a customer premises visit requires a customer to
be present, the carrier shall credit the customer $25 per missed
appointment. A credit required by this subsection does not apply
when the carrier provides the customer notice of its inability to
keep the appointment no later than 8 p.m. of the day prior to the
scheduled date of the appointment.

(4) If the violation of a basic local exchange service quality
standard is caused by a carrier other than the carrier providing
retail service to the customer, the carrier providing retail service to
the customer shall credit the customer as provided in this Section.
The carrier causing the violation shall reimburse the carrier
providing retail service the amount credited the customer. When
applicable, an interconnection agreement shall govern
compensation between the carrier causing the violation, in whole
or in part, and the retail carrier providing the credit to the customer.

(5) (Blank).

(6) Credits required by this subsection do not apply if the
violation of a service quality standard:

(i) occurs as a result of a negligent or willful act on
the part of the customer;

(ii) occurs as a result of a malfunction of customer-
owned telephone equipment or inside wiring;

(iii) occurs as a result of, or is extended by, an
emergency situation as defined in Commission rules;

(iv) is extended by the carrier's inability to gain
access to the customer's premises due to the customer
missing an appointment, provided that the violation is not
further extended by the carrier;

(v) occurs as a result of a customer request to
change the scheduled appointment, provided that the
violation is not further extended by the carrier;

(vi) occurs as a result of a carrier's right to refuse
service to a customer as provided in Commission rules; or

(vii) occurs as a result of a lack of facilities where a
customer requests service at a geographically remote

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location, a customer requests service in a geographic area where the carrier is not currently offering service, or there are insufficient facilities to meet the customer's request for service, subject to a carrier's obligation for reasonable facilities planning.

(7) The provisions of this subsection are cumulative and shall not in any way diminish or replace other civil or administrative remedies available to a customer or a class of customers.

(f) The rules shall require each telecommunications carrier to provide to the Commission, on a quarterly basis and in a form suitable for posting on the Commission's website, a public report that includes performance data for basic local exchange service quality of service. The performance data shall be disaggregated for each geographic area and each customer class of the State for which the telecommunications carrier internally monitored performance data as of a date 120 days preceding the effective date of this amendatory Act of the 92nd General Assembly. The report shall include, at a minimum, performance data on basic local exchange service installations, lines out of service for more than 30 hours, carrier response to customer calls, trouble reports, and missed repair and installation commitments.

(g) The Commission shall establish and implement carrier to carrier wholesale service quality rules and establish remedies to ensure enforcement of the rules.

(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-802.1 new)

Sec. 13-802.1. Depreciation; examination and audit; agreement conditions; federal Telecommunications Act of 1996.

(a) In performing any cost analysis authorized pursuant to this Act, the Commission may ascertain and determine and by order fix the proper and adequate rate of depreciation of the property for a telecommunications carrier for the purpose of such cost analysis.

(b) The Commission may provide for the examination and audit of all accounts. Items subject to the Commission's regulatory requirements shall be so allocated in the manner prescribed by the Commission. The officers and employees of the Commission shall have the authority under the direction of the Commission to inspect and examine any and all books, accounts, papers, records, and memoranda kept by the telecommunications carrier.

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(c) The Commission is authorized to adopt rules and regulations concerning the conditions to be contained in and become a part of contracts for noncompetitive telecommunications services in a manner consistent with this Act and federal law.

(d) The Commission shall have the authority to, and shall engage in, all state regulatory actions needed to implement and enforce the federal Telecommunications Act of 1996 consistent with federal law, including, but not limited to, the negotiation, arbitration, implementation, resolution of disputes and enforcement of interconnection agreements arising under Sections 251 and 252 of the federal Telecommunications Act of 1996.

(220 ILCS 5/13-1200)
(Section scheduled to be repealed on July 1, 2013)
Sec. 13-1200. Repealer. This Article is repealed July 1, 2015.
(Source: P.A. 95-9, eff. 6-30-07; 96-24, eff. 6-30-09; 96-927, eff. 6-15-10.)

(220 ILCS 5/21-401)
(Section scheduled to be repealed on October 1, 2013)
Sec. 21-401. Applications.

(a)(1) A person or entity seeking to provide cable service or video service pursuant to this Article shall not use the public rights-of-way for the installation or construction of facilities for the provision of cable service or video service or offer cable service or video service until it has obtained a State-issued authorization to offer or provide cable or video service under this Section, except as provided for in item (2) of this subsection (a). All cable or video providers offering or providing service in this State shall have authorization pursuant to either (i) the Cable and Video Competition Law of 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section 5-1095 of the Counties Code (55 ILCS 5/5-1095).

(2) Nothing in this Section shall prohibit a local unit of government from granting a permit to a person or entity for the use of the public rights-of-way to install or construct facilities to provide cable service or video service, at its sole discretion. No unit of local government shall be liable for denial or delay of a permit prior to the issuance of a State-issued authorization.

(b) The application to the Commission for State-issued authorization shall contain a completed affidavit submitted by the
applicant and signed by an officer or general partner of the applicant affirming all of the following:

(1) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by that agency in advance of offering cable service or video service in this State.

(2) That the applicant agrees to comply with all applicable federal and State statutes and regulations.

(3) That the applicant agrees to comply with all applicable local unit of government regulations.

(4) An exact description of the cable service or video service area where the cable service or video service will be offered during the term of the State-issued authorization. The service area shall be identified in terms of either (i) exchanges, as that term is defined in Section 13-206 of this Act; (ii) a collection of United States Census Bureau Block numbers (13 digit); (iii) if the area is smaller than the areas identified in either (i) or (ii), by geographic information system digital boundaries meeting or exceeding national map accuracy standards; or (iv) local unit of government. The description shall include the number of low-income households within the service area or footprint. If an applicant is a incumbent cable operator, the incumbent cable operator and any successor-in-interest shall be obligated to provide access to cable services or video services within any local units of government at the same levels required by the local franchising authorities for the local unit of government on June 30, 2007 (the effective date of Public Act 95-9), and its application shall provide a description of an area no smaller than the service areas contained in its franchise or franchises within the jurisdiction of the local unit of government in which it seeks to offer cable or video service.

(5) The location and telephone number of the applicant's principal place of business within this State and the names of the applicant's principal executive officers who are responsible for communications concerning the application and the services to be offered pursuant to the application, the applicant's legal name, and any name or names under which the applicant does or will provide cable services or video services in this State.

(6) A certification that the applicant has concurrently delivered a copy of the application to all local units of government.
that include all or any part of the service area identified in item (4) of this subsection (b) within such local unit of government's jurisdictional boundaries.

(7) The expected date that cable service or video service will be initially offered in the area identified in item (4) of this subsection (b). In the event that a holder does not offer cable services or video services within 3 months after the expected date, it shall amend its application and update the expected date service will be offered and explain the delay in offering cable services or video services.

(8) For any entity that received State-issued authorization prior to this amendatory Act of the 98th General Assembly as a cable operator and that intends to proceed as a cable operator under this Article, the entity shall file a written affidavit with the Commission and shall serve a copy of the affidavit with any local units of government affected by the authorization within 30 days after the effective date of this amendatory Act of the 98th General Assembly stating that the holder will be providing cable service under the State-issued authorization.

The application shall include adequate assurance that the applicant possesses the financial, managerial, legal, and technical qualifications necessary to construct and operate the proposed system, to promptly repair any damage to the public right-of-way caused by the applicant, and to pay the cost of removal of its facilities. To accomplish these requirements, the applicant may, at the time the applicant seeks to use the public rights-of-way in that jurisdiction, be required by the State of Illinois or later be required by the local unit of government, or both, to post a bond, produce a certificate of insurance, or otherwise demonstrate its financial responsibility.

The application shall include the applicant's general standards related to customer service required by Section 22-501 of this Act, which shall include, but not be limited to, installation, disconnection, service and repair obligations; appointment hours; employee ID requirements; customer service telephone numbers and hours; procedures for billing, charges, deposits, refunds, and credits; procedures for termination of service; notice of deletion of programming service and changes related to transmission of programming or changes or increases in rates; use and availability of parental control or lock-out devices; complaint procedures and procedures for bill dispute resolution and a description of the rights

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and remedies available to consumers if the holder does not materially meet their customer service standards; and special services for customers with visual, hearing, or mobility disabilities.

(c)(1) The applicant may designate information that it submits in its application or subsequent reports as confidential or proprietary, provided that the applicant states the reasons the confidential designation is necessary. The Commission shall provide adequate protection for such information pursuant to Section 4-404 of this Act. If the Commission, a local unit of government, or any other party seeks public disclosure of information designated as confidential, the Commission shall consider the confidential designation in a proceeding under the Illinois Administrative Procedure Act, and the burden of proof to demonstrate that the designated information is confidential shall be upon the applicant. Designated information shall remain confidential pending the Commission's determination of whether the information is entitled to confidential treatment. Information designated as confidential shall be provided to local units of government for purposes of assessing compliance with this Article as permitted under a Protective Order issued by the Commission pursuant to the Commission's rules and to the Attorney General pursuant to Section 6.5 of the Attorney General Act (15 ILCS 205/6.5). Information designated as confidential under this Section or determined to be confidential upon Commission review shall only be disclosed pursuant to a valid and enforceable subpoena or court order or as required by the Freedom of Information Act. Nothing herein shall delay the application approval timeframes set forth in this Article.

(2) Information regarding the location of video services that have been or are being offered to the public and aggregate information included in the reports required by this Article shall not be designated or treated as confidential.

(d)(1) The Commission shall post all applications it receives under this Article on its website within 5 business days.

(2) The Commission shall notify an applicant for a cable service or video service authorization whether the applicant's application and affidavit are complete on or before the 15th business day after the applicant submits the application. If the application and affidavit are not complete, the Commission shall state in its notice all of the reasons the application or affidavit are incomplete, and the applicant shall resubmit a complete application. The Commission shall have 30 days after submission
by the applicant of a complete application and affidavit to issue the service authorization. If the Commission does not notify the applicant regarding the completeness of the application and affidavit or issue the service authorization within the time periods required under this subsection, the application and affidavit shall be considered complete and the service authorization issued upon the expiration of the 30th day.

(e) Any The authorization issued by the Commission will expire on December 31, 2015 the date listed in Section 21-1601 of this Act and shall contain or include all of the following:

(1) A grant of authority, including an authorization issued prior to this amendatory Act of the 98th General Assembly, to provide cable service or video service in the service area footprint as requested in the application, subject to the provisions of this Article in existence on the date the grant of authority was issued, and any modifications to this Article enacted at any time prior to the date in Section 21-1601 of this Act, and to the laws of the State and the ordinances, rules, and regulations of the local units of government.

(2) A grant of authority to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service or video service in the service area footprint, subject to the laws, ordinances, rules, or regulations of this State and local units of governments.

(3) A statement that the grant of authority is subject to lawful operation of the cable service or video service by the applicant, its affiliated entities, or its successors-in-interest.

(4) The Commission shall notify a local unit of government within 3 business days of the grant of any authorization within a service area footprint if that authorization includes any part of the local unit of government's jurisdictional boundaries and state whether the holder will be providing video service or cable service under the authorization.

(f) The authorization issued pursuant to this Section by the Commission may be transferred to any successor-in-interest to the applicant to which it is initially granted without further Commission action if the successor-in-interest (i) submits an application and the information required by subsection (b) of this Section for the successor-in-interest and (ii) is not in violation of this Article or of any federal, State, or local law,

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ordinance, rule, or regulation. A successor-in-interest shall file its application and notice of transfer with the Commission and the relevant local units of government no less than 15 business days prior to the completion of the transfer. The Commission is not required or authorized to act upon the notice of transfer; however, the transfer is not effective until the Commission approves the successor-in-interest's application. A local unit of government or the Attorney General may seek to bar a transfer of ownership by filing suit in a court of competent jurisdiction predicated on the existence of a material and continuing breach of this Article by the holder, a pattern of noncompliance with customer service standards by the potential successor-in-interest, or the insolvency of the potential successor-in-interest. If a transfer is made when there are violations of this Article or of any federal, State, or local law, ordinance, rule, or regulation, the successor-in-interest shall be subject to 3 times the penalties provided for in this Article.

(g) The authorization issued pursuant to Section 21-401 of this Article by the Commission may be terminated, or its cable service or video service area footprint may be modified, by the cable service provider or video service provider by submitting notice to the Commission and to the relevant local unit of government containing a description of the change on the same terms as the initial description pursuant to item (4) of subsection (b) of this Section. The Commission is not required or authorized to act upon that notice. It shall be a violation of this Article for a holder to discriminate against potential residential subscribers because of the race or income of the residents in the local area in which the group resides by terminating or modifying its cable service or video service area footprint. It shall be a violation of this Article for a holder to terminate or modify its cable service or video service area footprint if it leaves an area with no cable service or video service from any provider.

(h) The Commission's authority to administer this Article is limited to the powers and duties explicitly provided under this Article. Its authority under this Article does not include or limit the powers and duties that the Commission has under the other Articles of this Act, the Illinois Administrative Procedure Act, or any other law or regulation to conduct proceedings, other than as provided in subsection (c), or has to promulgate rules or regulations. The Commission shall not have the authority to limit or expand the obligations and requirements provided in this Section or to regulate or control a person or entity to the extent that person or entity is providing cable service or video service, except as provided in this Article.

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Sec. 21-801. Applicable fees payable to the local unit of government.

(a) Prior to offering cable service or video service in a local unit of government's jurisdiction, a holder shall notify the local unit of government. The notice shall be given to the local unit of government at least 10 days before the holder begins to offer cable service or video service within the boundaries of that local unit of government.

(b) In any local unit of government in which a holder offers cable service or video service on a commercial basis, the holder shall be liable for and pay the service provider fee to the local unit of government. The local unit of government shall adopt an ordinance imposing such a fee. The holder's liability for the fee shall commence on the first day of the calendar month that is at least 30 days after the holder receives such ordinance. The ordinance shall be sent by mail, postage prepaid, to the address listed on the holder's application provided to the local unit of government pursuant to item (6) of subsection (b) of Section 21-401 of this Act. The fee authorized by this Section shall be 5% of gross revenues or the same as the fee paid to the local unit of government by any incumbent cable operator providing cable service. The payment of the service provider fee shall be due on a quarterly basis, 45 days after the close of the calendar quarter. If mailed, the fee is considered paid on the date it is postmarked. Except as provided in this Article, the local unit of government may not demand any additional fees or charges from the holder and may not demand the use of any other calculation method other than allowed under this Article.

(c) For purposes of this Article, "gross revenues" means all consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the holder for the operation of a cable or video system to provide cable service or video service within the holder's cable service or video service area within the local unit of government's jurisdiction.

(1) Gross revenues shall include the following:

   (i) Recurring charges for cable service or video service.

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(ii) Event-based charges for cable service or video service, including, but not limited to, pay-per-view and video-on-demand charges.

(iii) Rental of set-top boxes and other cable service or video service equipment.

(iv) Service charges related to the provision of cable service or video service, including, but not limited to, activation, installation, and repair charges.

(v) Administrative charges related to the provision of cable service or video service, including but not limited to service order and service termination charges.

(vi) Late payment fees or charges, insufficient funds check charges, and other charges assessed to recover the costs of collecting delinquent payments.

(vii) A pro rata portion of all revenue derived by the holder or its affiliates pursuant to compensation arrangements for advertising or for promotion or exhibition of any products or services derived from the operation of the holder's network to provide cable service or video service within the local unit of government's jurisdiction. The allocation shall be based on the number of subscribers in the local unit of government divided by the total number of subscribers in relation to the relevant regional or national compensation arrangement.

(viii) Compensation received by the holder that is derived from the operation of the holder's network to provide cable service or video service with respect to commissions that are received by the holder as compensation for promotion or exhibition of any products or services on the holder's network, such as a "home shopping" or similar channel, subject to item (ix) of this paragraph (1).

(ix) In the case of a cable service or video service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the holder's revenue attributable to the other services, capabilities, or applications shall be included in gross revenue unless the holder can reasonably identify the
division or exclusion of the revenue from its books and records that are kept in the regular course of business.

(x) The service provider fee permitted by subsection (b) of this Section.

(2) Gross revenues do not include any of the following:

(i) Revenues not actually received, even if billed, such as bad debt, subject to item (vi) of paragraph (1) of this subsection (c).

(ii) Refunds, discounts, or other price adjustments that reduce the amount of gross revenues received by the holder of the State-issued authorization to the extent the refund, rebate, credit, or discount is attributable to cable service or video service.

(iii) Regardless of whether the services are bundled, packaged, or functionally integrated with cable service or video service, any revenues received from services not classified as cable service or video service, including, without limitation, revenue received from telecommunications services, information services, or the provision of directory or Internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing, or any other revenues attributed by the holder to noncable service or nonvideo service in accordance with the holder's books and records and records kept in the regular course of business and any applicable laws, regulations, standards, or orders.

(iv) The sale of cable services or video services for resale in which the purchaser is required to collect the service provider fee from the purchaser's subscribers to the extent the purchaser certifies in writing that it will resell the service within the local unit of government's jurisdiction and pay the fee permitted by subsection (b) of this Section with respect to the service.

(v) Any tax or fee of general applicability imposed upon the subscribers or the transaction by a city, State, federal, or any other governmental entity and collected by the holder of the State-issued authorization and required to be remitted to the taxing entity, including sales and use taxes.
(vi) Security deposits collected from subscribers.

(vii) Amounts paid by subscribers to "home shopping" or similar vendors for merchandise sold through any home shopping channel offered as part of the cable service or video service.

(3) Revenue of an affiliate of a holder shall be included in the calculation of gross revenues to the extent the treatment of the revenue as revenue of the affiliate rather than the holder has the effect of evading the payment of the fee permitted by subsection (b) of this Section which would otherwise be paid by the cable service or video service.

(d)(1) Except for a holder providing cable service that is subject to the fee in subsection (i) of this Section, the holder shall pay to the local unit of government or the entity designated by that local unit of government to manage public, education, and government access, upon request as support for public, education, and government access, a fee equal to no less than (i) 1% of gross revenues or (ii) if greater, the percentage of gross revenues that incumbent cable operators pay to the local unit of government or its designee for public, education, and government access support in the local unit of government's jurisdiction. For purposes of item (ii) of paragraph (1) of this subsection (d), the percentage of gross revenues that all incumbent cable operators pay shall be equal to the annual sum of the payments that incumbent cable operators in the service area are obligated to pay by franchises and agreements or by contracts with the local government designee for public, education and government access in effect on January 1, 2007, including the total of any lump sum payments required to be made over the term of each franchise or agreement divided by the number of years of the applicable term, divided by the annual sum of such incumbent cable operator's or operators' gross revenues during the immediately prior calendar year. The sum of payments includes any payments that an incumbent cable operator is required to pay pursuant to item (3) of subsection (c) of Section 21-301.

(2) A local unit of government may require all holders of a State-issued authorization and all cable operators franchised by that local unit of government on June 30, 2007 (the effective date of this Section) in the franchise area to provide to the local unit of government, or to the entity designated by that local unit of government to manage public, education, and government access, information sufficient to calculate the public, education, and

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government access equivalent fee and any credits under paragraph (1) of this subsection (d).

(3) The fee shall be due on a quarterly basis and paid 45 days after the close of the calendar quarter. Each payment shall include a statement explaining the basis for the calculation of the fee. If mailed, the fee is considered paid on the date it is postmarked. The liability of the holder for payment of the fee under this subsection shall commence on the same date as the payment of the service provider fee pursuant to subsection (b) of this Section.

(e) The holder may identify and collect the amount of the service provider fee as a separate line item on the regular bill of each subscriber.

(f) The holder may identify and collect the amount of the public, education, and government programming support fee as a separate line item on the regular bill of each subscriber.

(g) All determinations and computations under this Section shall be made pursuant to the definition of gross revenues set forth in this Section and shall be made pursuant to generally accepted accounting principles.

(h) Nothing contained in this Article shall be construed to exempt a holder from any tax that is or may later be imposed by the local unit of government, including any tax that is or may later be required to be paid by or through the holder with respect to cable service or video service. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the local unit of government's simplified municipal telecommunications tax or any other tax as it applies to any telephone service provided by the holder. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the local unit of government's 911 or E911 fees, taxes, or charges.

(i) Except for a municipality having a population of 2,000,000 or more, the fee imposed under paragraph (1) of subsection (d) by a local unit of government against a holder who is a cable operator shall be as follows:

1) the fee shall be collected and paid only for capital costs that are considered lawful under Subchapter VI of the federal Communications Act of 1934, as amended, and as implemented by the Federal Communications Commission;

2) the local unit of government shall impose any fee by ordinance; and

3) the fee may not exceed 1% of gross revenue; if, however, on the date that an incumbent cable operator files an

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application under Section 21-401, the incumbent cable operator is operating under a franchise agreement that imposes a fee for support for capital costs for public, education, and government access facilities obligations in excess of 1% of gross revenue, then the cable operator shall continue to provide support for capital costs for public, education, and government access facilities obligations at the rate stated in such agreement.

(Source: P.A. 95-9, eff. 6-30-07; 95-876, eff. 8-21-08.)

(220 ILCS 5/21-1101)
(Section scheduled to be repealed on October 1, 2013)
Sec. 21-1101. Requirements to provide video services.

(a) The holder of a State-issued authorization shall not deny access to cable service or video service to any potential residential subscribers because of the race or income of the residents in the local area in which the potential subscribers reside.

(b) (Blank).

(1) If the holder is using telecommunications facilities to provide cable or video service and has 1,000,000 or less telecommunications access lines in this State, but more than 300,000 telecommunications access lines in this State, the holder shall provide access to its cable or video service to a number of households equal to at least 25% of its telecommunications access lines in this State within 3 years after the date a holder receives a State-issued authorization from the Commission and to a number not less than 35% of these households within 5 years after the date a holder receives a State-issued authorization from the Commission, provided that the holder of a State-issued authorization is not required to meet the 35% requirement in this paragraph (1) until 2 years after at least 15% of the households with access to the holder’s video service subscribe to the service for 6 consecutive months. The holder’s obligation to provide such access in the State shall be distributed, as the holder determines, within 3 different designated market areas:

(2) Within 3 years after the date a holder receives a State-issued authorization from the Commission, at least 30% of the total households with access to the holder’s cable or video service shall be low-income:

Within each designated market area identified in paragraph (1) of this subsection (b), the holder’s obligation to offer service to low-income households shall be measured by each exchange, as that term is defined in Section 13-206 of this Act, in which the

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holder chooses to provide cable or video service. The holder is under no obligation to serve or provide access to an entire exchange; however, in addition to the statewide obligation to provide low-income access provided by this Section, in each exchange in which the holder chooses to provide cable or video service, the holder shall provide access to a percentage of low-income households that is at least equal to the percentage of the total low-income households within that exchange.

(3) The number of telecommunication access lines in this Section shall be based on the number of access lines that exist as of June 30, 2007 (the effective date of Public Act 95-9).

(c)(1) If the holder of a State-issued authorization is using telecommunications facilities to provide cable or video service and has more than 1,000,000 telecommunications access lines in this State, the holder shall provide access to its cable or video service to a number of households equal to at least 35% of the households in the holder's telecommunications service area in the State within 3 years after the date a holder receives a State-issued authorization from the Commission and to a number not less than 50% of these households within 5 years after the date a holder receives a State-issued authorization from the Commission; provided that the holder of a State-issued authorization is not required to meet the 50% requirement in this paragraph (1) until 2 years after at least 15% of the households with access to the holder's video service subscribe to the service for 6 consecutive months.

The holder's obligation to provide such access in the State shall be distributed, as the holder determines, within 3 designated market areas, one in each of the northeastern, central, and southwestern portions of the holder's telecommunications service area in the State. The designated market area for the northeastern portion shall consist of 2 separate and distinct reporting areas: (i) a city with more than 1,000,000 inhabitants, and (ii) all other local units of government on a combined basis within such designated market area in which it offers video service.

If any state, in which a holder subject to this subsection (c) or one of its affiliates provides or seeks to provide cable or video service, adopts a law permitting state-issued authorization or statewide franchises to provide cable or video service that requires a cable or video provider to offer service to more than 35% of the households in the cable or video provider's service area in that state within 3 years, holders subject to this
subsection (c) shall provide service in this State to the same percentage of households within 3 years of adoption of such law in that state.

Furthermore, if any state, in which a holder subject to this subsection (c) or one of its affiliates provides or seeks to provide cable or video service, adopts a law requiring a holder of a state-issued authorization or statewide franchises to offer cable or video service to more than 35% of its households if less than 15% of the households with access to the holder's video service subscribe to the service for 6 consecutive months, then as a precondition to further build-out, holders subject to this subsection (c) shall be subject to the same percentage of service subscription in meeting its obligation to provide service to 50% of the households in this State.

(2) Within 3 years after the date a holder receives a State-issued authorization from the Commission, at least 30% of the total households with access to the holder's cable or video service shall be low-income.

Within each designated market area listed in paragraph (1) of this subsection (c), the holder's obligation to offer service to low-income households shall be measured by each exchange, as that term is defined in Section 13-206 of this Act in which the holder chooses to provide cable or video service. The holder is under no obligation to serve or provide access to an entire exchange; however, in addition to the statewide obligation to provide low-income access provided by this Section, in each exchange in which the holder chooses to provide cable or video service, the holder shall provide access to a percentage of low-income households that is at least equal to the percentage of the total low-income households within that exchange.

(d)(1) All other holders shall only provide access to one or more exchanges, as that term is defined in Section 13-206 of this Act, or to local units of government and shall provide access to their cable or video service to a number of households equal to 35% of the households in the exchange or local unit of government within 3 years after the date a holder receives a State-issued authorization from the Commission and to a number not less than 50% of these households within 5 years after the date a holder receives a State-issued authorization from the Commission, provided that if the holder is an incumbent cable operator or any successor-in-interest company, it shall be obligated to provide access to cable or video services within the jurisdiction of a local unit of
government at the same levels required by the local franchising authorities for that local unit of government on June 30, 2007 (the effective date of Public Act 95-9).

(2) Within 3 years after the date a holder receives a State-issued authorization from the Commission, at least 30% of the total households with access to the holder's cable or video service shall be low-income.

Within each designated exchange, as that term is defined in Section 13-206 of this Act, or local unit of government listed in paragraph (1) of this subsection (d), the holder's obligation to offer service to low-income households shall be measured by each exchange or local unit of government in which the holder chooses to provide cable or video service. Except as provided in paragraph (1) of this subsection (d), the holder is under no obligation to serve or provide access to an entire exchange or local unit of government; however, in addition to the statewide obligation to provide low-income access provided by this Section, in each exchange or local unit of government in which the holder chooses to provide cable or video service, the holder shall provide access to a percentage of low-income households that is at least equal to the percentage of the total low-income households within that exchange or local unit of government.

(e) A holder subject to subsection (c) of this Section shall provide wireline broadband service, defined as wireline service, capable of supporting, in at least one direction, a speed in excess of 200 kilobits per second (kbps), to the network demarcation point at the subscriber's premises, to a number of households equal to 90% of the households in the holder's telecommunications service area by December 31, 2008, or shall pay within 30 days of December 31, 2008 a sum of $15,000,000 to the Digital Divide Elimination Infrastructure Fund established pursuant to Section 13-301.3 of this Act, or any successor fund established by the General Assembly. In that event the holder is required to make a payment pursuant to this subsection (e), the holder shall have no further accounting for this payment, which shall be used in any part of the State for the purposes established in the Digital Divide Elimination Infrastructure Fund or for broadband deployment.

(f) The holder of a State-issued authorization may satisfy the requirements of subsections (d); (c); and (d) of this Section through the use of any technology, which shall not include direct-to-home satellite service,
that offers service, functionality, and content that is demonstrably similar to that provided through the holder's video service system.

(g) In any investigation into or complaint alleging that the holder of a State-issued authorization has failed to meet the requirements of this Section, the following factors may be considered in justification or mitigation or as justification for an extension of time to meet the requirements of subsections (b); (c); and (d) of this Section:

1. The inability to obtain access to public and private rights-of-way under reasonable terms and conditions.
2. Barriers to competition arising from existing exclusive service arrangements in developments or buildings.
3. The inability to access developments or buildings using reasonable technical solutions under commercially reasonable terms and conditions.
4. Natural disasters.
5. Other factors beyond the control of the holder.

(h) If the holder relies on the factors identified in subsection (g) of this Section in response to an investigation or complaint, the holder shall demonstrate the following:

1. What substantial effort the holder of a State-issued authorization has taken to meet the requirements of subsection (a); (b); or (c) of this Section;
2. Which portions of subsection (g) of this Section apply; and
3. The number of days it has been delayed or the requirements it cannot perform as a consequence of subsection (g) of this Section.

(i) The factors in subsection (g) of this Section may be considered by the Attorney General or by a court of competent jurisdiction in determining whether the holder is in violation of this Article.

(j) Every holder of a State-issued authorization, no later than April 1, 2009, and annually no later than April 1 thereafter, shall report to the Commission for each of the service areas as described in subsection (b); (c); and (d) of this Section in which it provides access to its video service in the State, the following information:

1. Cable service and video service information:
   - (A) The number of households in the holder's telecommunications service area within each designated market area as described in subsection (b) and
(c) of this Section or exchange or local unit of government as described in subsection (d) of this Section in which it offers video service.

(B) The number of households in the holder's telecommunications service area within each designated market area as described in subsection subsections (b) and (c) of this Section or exchange or local unit of government as described in subsection (d) of this Section that are offered access to video service by the holder.

(C) The number of households in the holder's telecommunications service area in the State.

(D) The number of households in the holder's telecommunications service area in the State that are offered access to video service by the holder.

(2) Low-income household information:

(A) The number of low-income households in the holder's telecommunications service area within each designated market area as described in subsection subsections (b) and (c) of this Section, as further identified in terms of exchanges, or exchange or local unit of government as described in subsection (d) of this Section in which it offers video service.

(B) The number of low-income households in the holder's telecommunications service area within each designated market area as described in subsection subsections (b) and (c) of this Section, as further identified in terms of exchanges, or exchange or local unit of government as described in subsection (d) of this Section in the State that are offered access to video service by the holder.

(C) The number of low-income households in the holder's telecommunications service area in the State.

(D) The number of low-income households in the holder's telecommunications service area in the State that are offered access to video service by the holder.

(j-5) The requirements of subsection (c) of this Section shall be satisfied upon the filing of an annual report with the Commission in compliance with subsection (j) of this Section, including an annual report filed prior to this amendatory Act of the 98th General Assembly, that
demonstrates the holder of the authorization has satisfied the requirements of subsection (c) of this Section for each of the service areas in which it provides access to its cable service or video service in the State. Notwithstanding the continued application of this Article to the holder, upon satisfaction of the requirements of subsection (c) of this Section, only the requirements of subsection (a) of this Section 21-1101 of this Act and the following reporting requirements shall continue to apply to such holder:

(1) Cable service and video service information:
   
   (A) The number of households in the holder's telecommunications service area within each designated market area in which it offers cable service or video service.

   (B) The number of households in the holder's telecommunications service area within each designated market area that are offered access to cable service or video service by the holder.

   (C) The number of households in the holder's telecommunications service area in the State.

   (D) The number of households in the holder's telecommunications service area in the State that are offered access to cable service or video service by the holder.

   (E) The exchanges or local units of government in which the holder added cable service or video service in the prior year.

(2) Low-income household information:

   (A) The number of low-income households in the holder's telecommunications service area within each designated market area in which it offers video service.

   (B) The number of low-income households in the holder's telecommunications service area within each designated market area that are offered access to video service by the holder.

   (C) The number of low-income households in the holder's telecommunications service area in the State.

   (D) The number of low-income households in the holder's telecommunications service area in the State that are offered access to video service by the holder.
(j-10) The requirements of subsection (d) of this Section shall be satisfied upon the filing of an annual report with the Commission in compliance with subsection (j) of this Section, including an annual report filed prior to this amendatory Act of the 98th General Assembly, that demonstrates the holder of the authorization has satisfied the requirements of subsection (d) of this Section for each of the service areas in which it provides access to its cable service or video service in the State. Notwithstanding the continued application of this Article to the holder, upon satisfaction of the requirements of subsection (d) of this Section, only the requirements of subsection (a) of this Section and the following reporting requirements shall continue to apply to such holder:

1. Cable service and video service information:
   A. The number of households in the holder's footprint in which it offers cable service or video service.
   B. The number of households in the holder's footprint that are offered access to cable service or video service by the holder.
   C. The exchanges or local units of government in which the holder added cable service or video service in the prior year.

2. Low-income household information:
   A. The number of low-income households in the holder's footprint in which it offers cable service or video service.
   B. The number of low-income households in the holder's footprint that are offered access to cable service or video service by the holder.

(k) The Commission, within 30 days of receiving the first report from holders under this Section, and annually no later than July 1 thereafter, shall submit to the General Assembly a report that includes, based on year-end data, the information submitted by holders pursuant to subdivisions (1) and (2) of subsections subsection (j), (j-5), and (j-10) of this Section. The Commission shall make this report available to any member of the public or any local unit of government upon request. All information submitted to the Commission and designated by holders as confidential and proprietary shall be subject to the disclosure provisions in subsection (c) of Section 21-401 of this Act. No individually identifiable customer information shall be subject to public disclosure.

(Source: P.A. 95-9, eff. 6-30-07; 95-876, eff. 8-21-08.)
Sec. 21-1201. Multiple-unit dwellings; interference with holder prohibited.

(a) Neither the owner of any multiple-unit residential dwelling nor an agent or representative nor an assignee, grantee, licensee, or similar holders of rights, including easements, in any multiple-unit residential dwelling (the "owner, agent or representative") shall unreasonably interfere with the right of any tenant or lawful resident thereof to receive cable service or video service installation or maintenance from a holder of a State-issued authorization, or related service that includes, but is not limited to, voice service, Internet access or other broadband services (alone or in combination) provided over the holder's cable services or video services facilities; provided, however, the owner, agent, or representative may require just and reasonable compensation from the holder for its access to and use of such property to provide installation, operation, maintenance, or removal of such cable service or video service or related services. For purposes of this Section, "access to and use of such property" shall be provided in a nondiscriminatory manner to all cable and video providers offering or providing services at such property and includes common areas of such multiple-unit dwelling, inside wire in the individual unit of any tenant or lawful resident thereof that orders or receives such service and the right to use and connect to building infrastructure, including but not limited to existing cables, wiring, conduit or inner duct, to provide cable service or video service or related services. If there is a dispute regarding the just compensation for such access and use, the owner, agent, or representative shall obtain the payment of just compensation from the holder pursuant to the process and procedures applicable to an owner and franchisee in subsections (c), (d), and (e) of Section 11-42-11.1 of the Illinois Municipal Code (65 ILCS 5/11-42-11.1).

(b) Neither the owner of any multiple-unit residential dwelling nor an agent or representative shall ask, demand, or receive any additional payment, service, or gratuity in any form from any tenant or lawful resident thereof as a condition for permitting or cooperating with the installation of a cable service or video service or related services to the dwelling unit occupied by a tenant or resident requesting such service.

(c) Neither the owner of any multiple-unit residential dwelling nor an agent or representative shall penalize, charge, or surcharge a tenant or resident, forfeit or threaten to forfeit any right of such tenant or resident, or

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discriminate in any way against such tenant or resident who requests or receives cable service or video service or related services from a holder.

(d) Nothing in this Section shall prohibit the owner of any multiple-unit residential dwelling nor an agent or representative from requiring that a holder's facilities conform to reasonable conditions necessary to protect safety, functioning, appearance, and value of premises or the convenience and safety of persons or property.

(e) The owner of any multiple-unit residential dwelling or an agent or representative may require a holder to agree to indemnify the owner, or his agents or representatives, for damages or from liability for damages caused by the installation, operation, maintenance, or removal of cable service or video service facilities.

(f) For purposes of this Section, "multiple-unit dwelling" or "such property" means a multiple dwelling unit building (such as an apartment building, condominium building, or cooperative) and any other centrally managed residential real estate development (such as a gated community, mobile home park, or garden apartment); provided however, that multiple-unit dwelling shall not include time share units, academic campuses and dormitories, military bases, hotels, rooming houses, prisons, jails, halfway houses, nursing homes or other assisted living facilities, and hospitals.

(Source: P.A. 95-9, eff. 6-30-07; 95-876, eff. 8-21-08.)

(220 ILCS 5/21-1502 new)

Sec. 21-1502. Renewal upon repeal of Article. This Section shall apply only to holders who received their State-issued authorization as a cable operator. In the event this Article 21 is repealed, the cable operator may seek a renewal under 47 U.S.C. 546 subject to the following:

(1) Each municipality or county in which a cable operator provided service under the State-issued authorization shall be the franchising authority with respect to any right of renewal under 47 U.S.C. 546 and the provisions of this Section shall apply during the renewal process.

(2) If the cable operator was an incumbent cable operator in the local unit of government immediately prior to obtaining a State-issued authorization, then the terms of the local franchise agreement under which the incumbent cable operator operated shall be effective until the later of: (A) the expiration of what would have been the remaining term of the agreement at the time of the termination of the local franchise agreement pursuant to
subsection (c) of Section 21-301 of this Act or (B) the expiration of the renewal process under 47 U.S.C. 546.

(3) If the cable operator was not an incumbent cable operator in the service territory immediately prior to the issuance of the State-issued authorization, then the State-issued authorization shall continue in effect until the expiration of the renewal process under 47 U.S.C. 546.

(4) In seeking a renewal under this Section, the cable operator must provide the following information to the local franchising authority:

(A) the number of subscribers within the franchise area;

(B) the number of eligible local government buildings that have access to cable services;

(C) the statistical records of performance under the standards established by the Cable and Video Customer Protection Law;

(D) cable system improvement and construction plans during the term of the proposed franchise; and

(E) the proposed level of support for public, educational, and governmental access programming.

(220 ILCS 5/21-1601)

(Section scheduled to be repealed on October 1, 2013)

Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of this Article are repealed July 1, 2015 October 1, 2013.

(Source: P.A. 95-9, eff. 6-30-07.)

(220 ILCS 5/22-501)

Sec. 22-501. Customer service and privacy protection. All cable or video providers in this State shall comply with the following customer service requirements and privacy protections. The provisions of this Act shall not apply to an incumbent cable operator prior to January 1, 2008. For purposes of this paragraph, an incumbent cable operator means a person or entity that provided cable services in a particular area under a franchise agreement with a local unit of government pursuant to Section 11-42-11 of the Illinois Municipal Code or Section 5-1095 of the Counties Code on January 1, 2007. A master antenna television, satellite master antenna television, direct broadcast satellite, multipoint distribution service, and other provider of video programming shall only be subject to the provisions of this Article to the extent permitted by federal law.

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The following definitions apply to the terms used in this Article:

"Basic cable or video service" means any service offering or tier that includes the retransmission of local television broadcast signals.

"Cable or video provider" means any person or entity providing cable service or video service pursuant to authorization under (i) the Cable and Video Competition Law of 2007; (ii) Section 11-42-11 of the Illinois Municipal Code; (iii) Section 5-1095 of the Counties Code; or (iv) a master antenna television, satellite master antenna television, direct broadcast satellite, multipoint distribution services, and other providers of video programming, whatever their technology. A cable or video provider shall not include a landlord providing only broadcast video programming to a single-family home or other residential dwelling consisting of 4 units or less.

"Franchise" has the same meaning as found in 47 U.S.C. 522(9).

"Local unit of government" means a city, village, incorporated town, or a county.

"Normal business hours" means those hours during which most similar businesses in the geographic area of the local unit of government are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week or some weekend hours.

"Normal operating conditions" means those service conditions that are within the control of cable or video providers. Those conditions that are not within the control of cable or video providers include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions that are ordinarily within the control of cable or video providers include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the cable service or video service network.

"Service interruption" means the loss of picture or sound on one or more cable service or video service on one or more cable or video channels.

"Service line drop" means the point of connection between a premises and the cable or video network that enables the premises to receive cable service or video service.

(a) General customer service standards:

   (1) Cable or video providers shall establish general standards related to customer service, which shall include, but not
be limited to, installation, disconnection, service and repair obligations; appointment hours and employee ID requirements; customer service telephone numbers and hours; procedures for billing, charges, deposits, refunds, and credits; procedures for termination of service; notice of deletion of programming service; changes related to transmission of programming; changes or increases in rates; the use and availability of parental control or lock-out devices; the use and availability of an A/B switch if applicable; complaint procedures and procedures for bill dispute resolution; a description of the rights and remedies available to consumers if the cable or video provider does not materially meet its customer service standards; and special services for customers with visual, hearing, or mobility disabilities.

(2) Cable or video providers' rates for each level of service, rules, regulations, and policies related to its cable service or video service described in paragraph (1) of this subsection (a) must be made available to the public and displayed clearly and conspicuously on the cable or video provider's site on the Internet. If a promotional price or a price for a specified period of time is offered, the cable or video provider shall display the price at the end of the promotional period or specified period of time clearly and conspicuously with the display of the promotional price or price for a specified period of time. The cable or video provider shall provide this information upon request.

(3) Cable or video providers shall provide notice concerning their general customer service standards to all customers. This notice shall be offered when service is first activated and upon request thereafter and annually thereafter. The information in the notice shall also be available on the cable or video providers' websites and shall include all of the information specified in paragraph (1) of this subsection (a), as well as the following: a listing of services offered by the cable or video providers, which shall clearly describe programming for all services and all levels of service; the rates for all services and levels of service; a telephone number through which customers may subscribe to, change, or terminate service, request customer service, or seek general or billing information; instructions on the use of the cable or video services; and a description of rights and remedies that the cable or video providers shall make available to customers.
their customers if they do not materially meet the general customer service standards described in this Act.
(b) General customer service obligations:
   (1) Cable or video providers shall render reasonably efficient service, promptly make repairs, and interrupt service only as necessary and for good cause, during periods of minimum use of the system and for no more than 24 hours.
   (2) All service representatives or any other person who contacts customers or potential customers on behalf of the cable or video provider shall have a visible identification card with their name and photograph and shall orally identify themselves upon first contact with the customer. Customer service representatives shall orally identify themselves to callers immediately following the greeting during each telephone contact with the public.
   (3) The cable or video providers shall: (i) maintain a customer service facility within the boundaries of a local unit of government staffed by customer service representatives that have the capacity to accept payment, adjust bills, and respond to repair, installation, reconnection, disconnection, or other service calls and distribute or receive converter boxes, remote control units, digital stereo units, or other equipment related to the provision of cable or video service; (ii) provide customers with bill payment facilities through retail, financial, or other commercial institutions located within the boundaries of a local unit of government; (iii) provide an address, toll-free telephone number or electronic address to accept bill payments and correspondence and provide secure collection boxes for the receipt of bill payments and the return of equipment, provided that if a cable or video provider provides secure collection boxes, it shall provide a printed receipt when items are deposited; or (iv) provide an address, toll-free telephone number, or electronic address to accept bill payments and correspondence and provide a method for customers to return equipment to the cable or video provider at no cost to the customer.
   (4) In each contact with a customer, the service representatives or any other person who contacts customers or potential customers on behalf of the cable or video provider shall state the estimated cost of the service, repair, or installation orally prior to delivery of the service or before any work is performed, shall provide the customer with an oral statement of the total

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charges before terminating the telephone call or other contact in which a service is ordered, whether in-person or over the Internet, and shall provide a written statement of the total charges before leaving the location at which the work was performed. In the event that the cost of service is a promotional price or is for a limited period of time, the cost of service at the end of the promotion or limited period of time shall be disclosed.

(5) Cable or video providers shall provide customers a minimum of 30 days' written notice before increasing rates or eliminating transmission of programming and shall submit the notice of any rate increase to the local unit of government in advance of distribution to customers, provided that the cable or video provider is not in violation of this provision if the elimination of transmission of programming was outside the control of the provider, in which case the provider shall use reasonable efforts to provide as much notice as possible, and any rate decrease related to the elimination of transmission of programming shall be applied to the date of the change.

(6) Cable or video providers shall provide clear visual and audio reception that meets or exceeds applicable Federal Communications Commission technical standards. If a customer experiences poor video or audio reception due to the equipment of the cable or video provider, the cable or video provider shall promptly repair the problem at its own expense.

(c) Bills, payment, and termination:

(1) Cable or video providers shall render monthly bills that are clear, accurate, and understandable.

(2) Every residential customer who pays bills directly to the cable or video provider shall have at least 28 days from the date of the bill to pay the listed charges.

(3) Customer payments shall be posted promptly. When the payment is sent by United States mail, payment is considered paid on the date it is postmarked.

(4) Cable or video providers may not terminate residential service for nonpayment of a bill unless the cable or video provider furnishes notice of the delinquency and impending termination at least 15 days prior to the proposed termination. Notice of proposed termination shall be mailed, postage prepaid, to the customer to whom service is billed. Notice of proposed termination
shall not be mailed until the 24th 29th day after the date of the bill for services. Notice of delinquency and impending termination may be part of a billing statement only if the notice is presented in a different color than the bill and is designed to be conspicuous. The cable or video providers may not assess a late fee prior to the 24th 29th day after the date of the bill for service.

(5) Every notice of impending termination shall include all of the following: the name and address of customer; the amount of the delinquency; the date on which payment is required to avoid termination; and the telephone number of the cable or video provider's service representative to make payment arrangements and to provide additional information about the charges for failure to return equipment and for reconnection, if any. No customer may be charged a fee for termination or disconnection of service, irrespective of whether the customer initiated termination or disconnection or the cable or video provider initiated termination or disconnection.

(6) Service may only be terminated on days when the customer is able to reach a service representative of the cable or video providers, either in person or by telephone.

(7) Any service terminated by a cable or video provider without good cause shall be restored without any reconnection fee, charge, or penalty; good cause for termination includes, but is not limited to, failure to pay a bill by the date specified in the notice of impending termination, payment by check for which there are insufficient funds, theft of service, abuse of equipment or personnel, or other similar subscriber actions.

(8) Cable or video providers shall cease charging a customer for any or all services within one business day after it receives a request to immediately terminate service or on the day requested by the customer if such a date is at least 5 days from the date requested by the customer. Nothing in this subsection (c) shall prohibit the provider from billing for charges that the customer incurs prior to the date of termination. Cable or video providers shall issue a credit no later than the customer's next billing cycle following the determination that a credit is warranted. Cable or video providers shall issue or a refund or return a deposit promptly, but not later than either the customer's next billing cycle following resolution of the request or 30 days, whichever is earlier, within

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10 business days after the close of the customer's billing cycle following the request for termination or the return of equipment, if any, whichever is later.

(9) The customers or subscribers of a cable or video provider shall be allowed to disconnect their service at any time within the first 30 60 days after subscribing to or upgrading the service. Within this 30-day 60-day period, cable or video providers shall not charge or impose any fees or penalties on the customer for disconnecting service, including, but not limited to, any installation charge or the imposition of an early termination charge, except the cable or video provider may impose a charge or fee to offset any rebates or credits received by the customer and may impose monthly service or maintenance charges, including pay-per-view and premium services charges, during such 30-day 60-day period.

(10) Cable and video providers shall guarantee customer satisfaction for new or upgraded service and the customer shall receive a pro-rata credit in an amount equal to the pro-rata charge for the remaining days of service being disconnected or replaced upon the customer's request if the customer is dissatisfied with the service and requests to discontinue the service within the first 60 days after subscribing to the upgraded service.

d) Response to customer inquiries:

(1) Cable or video providers will maintain a toll-free telephone access line that is available to customers 24 hours a day, 7 days a week to accept calls regarding installation, termination, service, and complaints. Trained, knowledgeable, qualified service representatives of the cable or video providers will be available to respond to customer telephone inquiries during normal business hours. Customer service representatives shall be able to provide credit, waive fees, schedule appointments, and change billing cycles. Any difficulties that cannot be resolved by the customer service representatives shall be referred to a supervisor who shall make his or her best efforts to resolve the issue immediately. If the supervisor does not resolve the issue to the customer's satisfaction, the customer shall be informed of the cable or video provider's complaint procedures and procedures for billing dispute resolution and given a description of the rights and remedies available to customers to enforce the terms of this Article, including the customer's rights to have the complaint reviewed by the local unit.
of government, to request mediation, and to review in a court of competent jurisdiction.

(2) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine. Inquiries received by telephone or e-mail after normal business hours shall be responded to by a trained service representative on the next business day. The cable or video provider shall respond to a written billing inquiry within 10 days of receipt of the inquiry.

(3) Cable or video providers shall provide customers seeking non-standard installations with a total installation cost estimate and an estimated date of completion. The actual charge to the customer shall not exceed 10% of the estimated cost without the written consent of the customer.

(4) If the cable or video provider receives notice that an unsafe condition exists with respect to its equipment, it shall investigate such condition immediately and shall take such measures as are necessary to remove or eliminate the unsafe condition. The cable or video provider shall inform the local unit of government promptly, but no later than 2 hours after it receives notification of an unsafe condition that it has not remedied.

(5) Under normal operating conditions, telephone answer time by the cable or video provider's customer representative, including wait time, shall not exceed 30 seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed 30 seconds. These standards shall be met no less than 90% of the time under normal operating conditions, measured on a quarterly basis. The cable or video provider shall not be required to acquire equipment or perform surveys to measure compliance with these telephone answering standards unless an historical record of complaints indicates a clear failure to comply.

(6) Under normal operating conditions, the cable or video provider's customers will receive a busy signal less than 3% of the time.

(e) Under normal operating conditions, each of the following standards related to installations, outages, and service calls will be met no less than 95% of the time measured on a quarterly basis:

(1) Standard installations will be performed within 7 business days after an order has been placed. "Standard"
installations are those that are located up to 125 feet from the existing distribution system.

(2) Excluding conditions beyond the control of the cable or video providers, the cable or video providers will begin working on "service interruptions" promptly and in no event later than 24 hours after the interruption is reported by the customer or otherwise becomes known to the cable or video providers. Cable or video providers must begin actions to correct other service problems the next business day after notification of the service problem and correct the problem within 48 hours after the interruption is reported by the customer 95% of the time, measured on a quarterly basis.

(3) The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at a maximum, a 4-hour time block during evening, weekend, and normal business hours. The cable or video provider may schedule service calls and other installation activities outside of these hours for the express convenience of the customer.

(4) Cable or video providers may not cancel an appointment with a customer after the close of business 5:00 p.m. on the business day prior to the scheduled appointment. If the cable or video provider's representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time that is convenient for the customer, even if the rescheduled appointment is not within normal business hours.

(f) Public benefit obligation:

(1) All cable or video providers offering service pursuant to the Cable and Video Competition Law of 2007, the Illinois Municipal Code, or the Counties Code shall provide a free service line drop and free basic service to all current and future public buildings within their footprint, including, but not limited to, all local unit of government buildings, public libraries, and public primary and secondary schools, whether owned or leased by that local unit of government ("eligible buildings"). Such service shall be used in a manner consistent with the government purpose for the eligible building and shall not be resold.

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(2) This obligation only applies to those cable or video service providers whose cable service or video service systems pass eligible buildings and its cable or video service is generally available to residential subscribers in the same local unit of government in which the eligible building is located. The burden of providing such service at each eligible building shall be shared by all cable and video providers whose systems pass the eligible buildings in an equitable and competitively neutral manner, and nothing herein shall require duplicative installations by more than one cable or video provider at each eligible building. Cable or video providers operating in a local unit of government shall meet as necessary and determine who will provide service to eligible buildings under this subsection (f). If the cable or video providers are unable to reach an agreement, they shall meet with the local unit of government, which shall determine which cable or video providers will serve each eligible building. The local unit of government shall bear the costs of any inside wiring or video equipment costs not ordinarily provided as part of the cable or video provider's basic offering.

(g) After the cable or video providers have offered service for one year, the cable or video providers shall make an annual report to the Commission, to the local unit of government, and to the Attorney General that it is meeting the standards specified in this Article, identifying the number of complaints it received over the prior year in the State and specifying the number of complaints related to each of the following: (1) billing, charges, refunds, and credits; (2) installation or termination of service; (3) quality of service and repair; (4) programming; and (5) miscellaneous complaints that do not fall within these categories. Thereafter, the cable or video providers shall also provide, upon request by the local unit of government where service is offered and to the Attorney General, an annual public report that includes performance data described in subdivisions (5) and (6) of subsection (d) and subdivisions (1) and (2) of subsection (e) of this Section for cable services or video services. The performance data shall be disaggregated for each requesting local unit of government or local exchange, as that term is defined in Section 13-206 of this Act, in which the cable or video providers have customers.

(h) To the extent consistent with federal law, cable or video providers shall offer the lowest-cost basic cable or video service as a stand-alone service to residential customers at reasonable rates. Cable or

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video providers shall not require the subscription to any service other than
the lowest-cost basic service or to any telecommunications or information
service, as a condition of access to cable or video service, including
programming offered on a per channel or per program basis. Cable or
video providers shall not discriminate between subscribers to the lowest-
cost basic service, subscribers to other cable services or video services,
and other subscribers with regard to the rates charged for cable or video
programming offered on a per channel or per program basis.

   (i) To the extent consistent with federal law, cable or video
providers shall ensure that charges for changes in the subscriber's selection
of services or equipment shall be based on the cost of such change and
shall not exceed nominal amounts when the system's configuration permits
changes in service tier selection to be effected solely by coded entry on a
computer terminal or by other similarly simple method.

   (j) To the extent consistent with federal law, cable or video
providers shall have a rate structure for the provision of cable or video
service that is uniform throughout the area within the boundaries of the
local unit of government. This subsection (j) is not intended to prohibit
bulk discounts to multiple dwelling units or to prohibit reasonable
discounts to senior citizens or other economically disadvantaged groups.

   (k) To the extent consistent with federal law, cable or video
providers shall not charge a subscriber for any service or equipment that
the subscriber has not affirmatively requested or affirmatively agreed to by
name. For purposes of this subsection (k), a subscriber's failure to refuse a
cable or video provider's proposal to provide service or equipment shall
not be deemed to be an affirmative request for such service or equipment.

   (l) No contract or service agreement containing an early
termination clause offering residential cable or video services or any
bundle including such services shall be for a term longer than 2 years. Any
contract or service offering with a term of service that contains an early
termination fee shall limit the early termination fee to not more than the
value of any additional goods or services provided with the cable or video
services, the amount of the discount reflected in the price for cable
services or video services for the period during which the consumer
benefited from the discount, or a declining fee based on the remainder of
the contract term.

   (m) Cable or video providers shall not discriminate in the provision
of services for the hearing and visually impaired, and shall comply with
the accessibility requirements of 47 U.S.C. 613. Cable or video providers

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shall deliver and pick-up or provide customers with pre-paid shipping and packaging for the return of converters and other necessary equipment at the home of customers with disabilities. Cable or video providers shall provide free use of a converter or remote control unit to mobility impaired customers.

(n)(1) To the extent consistent with federal law, cable or video providers shall comply with the provisions of 47 U.S.C. 532(h) and (j). The cable or video providers shall not exercise any editorial control over any video programming provided pursuant to this Section, or in any other way consider the content of such programming, except that a cable or video provider may refuse to transmit any leased access program or portion of a leased access program that contains obscenity, indecency, or nudity and may consider such content to the minimum extent necessary to establish a reasonable price for the commercial use of designated channel capacity by an unaffiliated person. This subsection (n) shall permit cable or video providers to enforce prospectively a written and published policy of prohibiting programming that the cable or video provider reasonably believes describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards.

(2) Upon customer request, the cable or video provider shall, without charge, fully scramble or otherwise fully block the audio and video programming of each channel carrying such programming so that a person who is not a subscriber does not receive the channel or programming.

(3) In providing sexually explicit adult programming or other programming that is indecent on any channel of its service primarily dedicated to sexually oriented programming, the cable or video provider shall fully scramble or otherwise fully block the video and audio portion of such channel so that a person who is not a subscriber to such channel or programming does not receive it.

(4) Scramble means to rearrange the content of the signal of the programming so that the programming cannot be viewed or heard in an understandable manner.

(o) Cable or video providers will maintain a listing, specific to the level of street address, of the areas where its cable or video services are available. Customers who inquire about purchasing cable or video service shall be informed about whether the cable or video provider's cable or video services are currently available to them at their specific location.
(p) Cable or video providers shall not disclose the name, address, telephone number or other personally identifying information of a cable service or video service customer to be used in mailing lists or to be used for other commercial purposes not reasonably related to the conduct of its business unless the cable or video provider has provided to the customer a notice, separately or included in any other customer service notice, that clearly and conspicuously describes the customer's ability to prohibit the disclosure. Cable or video providers shall provide an address and telephone number for a customer to use without a toll charge to prevent disclosure of the customer's name and address in mailing lists or for other commercial purposes not reasonably related to the conduct of its business to other businesses or affiliates of the cable or video provider. Cable or video providers shall comply with the consumer privacy requirements of Section 26-4.5 of the Criminal Code of 2012, the Restricted Call Registry Act, and 47 U.S.C. 551 that are in effect as of June 30, 2007 (the effective date of Public Act 95-9) and as amended thereafter.

(q) Cable or video providers shall implement an informal process for handling inquiries from local units of government and customers concerning billing issues, service issues, privacy concerns, and other consumer complaints. In the event that an issue is not resolved through this informal process, a local unit of government or the customer may request nonbinding mediation with the cable or video provider, with each party to bear its own costs of such mediation. Selection of the mediator will be by mutual agreement, and preference will be given to mediation services that do not charge the consumer for their services. In the event that the informal process does not produce a satisfactory result to the customer or the local unit of government, enforcement may be pursued as provided in subdivision (4) of subsection (r) of this Section.

(r) The Attorney General and the local unit of government may enforce all of the customer service and privacy protection standards of this Section with respect to complaints received from residents within the local unit of government's jurisdiction, but it may not adopt or seek to enforce any additional or different customer service or performance standards under any other authority or provision of law.

(1) The local unit of government may, by ordinance, provide a schedule of penalties for any material breach of this Section by cable or video providers in addition to the penalties provided herein. No monetary penalties shall be assessed for a material breach if it is out of the reasonable control of the cable or
video providers or its affiliate. Monetary penalties adopted in an ordinance pursuant to this Section shall apply on a competitively neutral basis to all providers of cable service or video service within the local unit of government's jurisdiction. In no event shall the penalties imposed under this subsection (r) exceed $750 for each day of the material breach, and these penalties shall not exceed $25,000 for each occurrence of a material breach per customer.

(2) For purposes of this Section, "material breach" means any substantial failure of a cable or video service provider to comply with service quality and other standards specified in any provision of this Act. The Attorney General or the local unit of government shall give the cable or video provider written notice of any alleged material breaches of this Act and allow such provider at least 30 days from receipt of the notice to remedy the specified material breach.

(3) A material breach, for the purposes of assessing penalties, shall be deemed to have occurred for each day that a material breach has not been remedied by the cable service or video service provider after the expiration of the period specified in subdivision (2) of this subsection (r) in each local unit of government's jurisdiction, irrespective of the number of customers affected.

(4) Any customer, the Attorney General, or a local unit of government may pursue alleged violations of this Act by the cable or video provider in a court of competent jurisdiction. A cable or video provider may seek judicial review of a decision of a local unit of government imposing penalties in a court of competent jurisdiction. No local unit of government shall be subject to suit for damages or other relief based upon its action in connection with its enforcement or review of any of the terms, conditions, and rights contained in this Act except a court may require the return of any penalty it finds was not properly assessed or imposed.

(s) Cable or video providers shall credit customers for violations in the amounts stated herein. The credits shall be applied on the statement issued to the customer for the next monthly billing cycle following the violation or following the discovery of the violation. Cable or video providers are responsible for providing the credits described herein and the customer is under no obligation to request the credit. If the customer is no

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longer taking service from the cable or video provider, the credit amount will be refunded to the customer by check within 30 days of the termination of service. A local unit of government may, by ordinance, adopt a schedule of credits payable directly to customers for breach of the customer service standards and obligations contained in this Article, provided the schedule of customer credits applies on a competitively neutral basis to all providers of cable service or video service in the local unit of government's jurisdiction and the credits are not greater than the credits provided in this Section.

(1) Failure to provide notice of customer service standards upon initiation of service: $25.00.

(2) Failure to install service within 7 days: Waiver of 50% of the installation fee or the monthly fee for the lowest-cost basic service, whichever is greater. Failure to install service within 14 days: Waiver of 100% of the installation fee or the monthly fee for the lowest-cost basic service, whichever is greater.

(3) Failure to remedy service interruptions or poor video or audio service quality within 48 hours: Pro-rata credit of total regular monthly charges equal to the number of days of the service interruption.

(4) Failure to keep an appointment or to notify the customer prior to the close of business on the business day prior to the scheduled appointment: $25.00.

(5) Violation of privacy protections: $150.00.

(6) Failure to comply with scrambling requirements: $50.00 per month.

(7) Violation of customer service and billing standards in subsections (c) and (d) of this Section: $25.00 per occurrence.

(8) Violation of the bundling rules in subsection (h) of this Section: $25.00 per month.

(i) The enforcement powers granted to the Attorney General in Article XXI of this Act shall apply to this Article, except that the Attorney General may not seek penalties for violation of this Article other than in the amounts specified herein. Nothing in this Section shall limit or affect the powers of the Attorney General to enforce the provisions of Article XXI of this Act or the Consumer Fraud and Deceptive Business Practices Act.

(u) This Article applies to all cable and video providers in the State, including but not limited to those operating under a local franchise.
as that term is used in 47 U.S.C. 522(9), those operating under authorization pursuant to Section 11-42-11 of the Illinois Municipal Code, those operating under authorization pursuant to Section 5-1095 of the Counties Code, and those operating under a State-issued authorization pursuant to Article XXI of this Act.
(Source: P.A. 96-927, eff. 6-15-10; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

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

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0046
(Senate Bill No. 1688)

AN ACT concerning education.

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

Section 5. The Public Community College Act is amended by changing Section 2-16.02 as follows:

(110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)
Sec. 2-16.02. Grants. Any community college district that maintains a community college recognized by the State Board shall receive, when eligible, grants enumerated in this Section. Funded semester credit hours or other measures or both as specified by the State Board shall be used to distribute grants to community colleges. Funded semester credit hours shall be defined, for purposes of this Section, as the greater of (1) the number of semester credit hours, or equivalent, in all funded instructional categories of students who have been certified as being in attendance at midterm during the respective terms of the base fiscal year or (2) the average of semester credit hours, or equivalent, in all funded instructional categories of students who have been certified as being in attendance at midterm during the respective terms of the base fiscal year and the 2 prior fiscal years. For purposes of this Section, "base fiscal year" means the fiscal year 2 years prior to the fiscal year for which the grants are appropriated. Such students shall have been residents of Illinois and shall have been enrolled in courses that are part of instructional program categories approved by the State Board and that are applicable toward an

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associate degree or certificate. Courses that are eligible for reimbursement are those courses for which the district pays 50% or more of the program costs from unrestricted revenue sources, with the exception of courses offered by contract with the Department of Corrections in correctional institutions. For the purposes of this Section, "unrestricted revenue sources" means those revenues in which the provider of the revenue imposes no financial limitations upon the district as it relates to the expenditure of the funds. Except for Fiscal Year 2012, base operating grants shall be paid based on rates per funded semester credit hour or equivalent calculated by the State Board for funded instructional categories using cost of instruction, enrollment, inflation, and other relevant factors. For Fiscal Year 2012, the allocations for base operating grants to community college districts shall be the same as they were in Fiscal Year 2011, reduced or increased proportionately according to the appropriation for base operating grants for Fiscal Year 2012. A portion of the base operating grant shall be allocated on the basis of non-residential gross square footage of space maintained by the district.

Equalization grants shall be calculated by the State Board by determining a local revenue factor for each district by: (A) adding (1) each district's Corporate Personal Property Replacement Fund allocations from the base fiscal year or the average of the base fiscal year and prior year, whichever is less, divided by the applicable statewide average tax rate to (2) the district's most recently audited year's equalized assessed valuation or the average of the most recently audited year and prior year, whichever is less, (B) then dividing by the district's audited full-time equivalent resident students for the base fiscal year or the average for the base fiscal year and the 2 prior fiscal years, whichever is greater, and (C) then multiplying by the applicable statewide average tax rate. The State Board shall calculate a statewide weighted average threshold by applying the same methodology to the totals of all districts' Corporate Personal Property Tax Replacement Fund allocations, equalized assessed valuations, and audited full-time equivalent district resident students and multiplying by the applicable statewide average tax rate. The difference between the statewide weighted average threshold and the local revenue factor, multiplied by the number of full-time equivalent resident students, shall determine the amount of equalization funding that each district is eligible to receive. A percentage factor, as determined by the State Board, may be applied to the statewide threshold as a method for allocating equalization funding. A minimum equalization grant of an amount per district as
determined by the State Board shall be established for any community college district which qualifies for an equalization grant based upon the preceding criteria, but becomes ineligible for equalization funding, or would have received a grant of less than the minimum equalization grant, due to threshold prorations applied to reduce equalization funding. As of July 1, 2004, a community college district must maintain a minimum required combined in-district tuition and universal fee rate per semester credit hour equal to 85% of the State-average combined rate, as determined by the State Board, for equalization funding. As of July 1, 2004, a community college district must maintain a minimum required operating tax rate equal to at least 95% of its maximum authorized tax rate to qualify for equalization funding. This 95% minimum tax rate requirement shall be based upon the maximum operating tax rate as limited by the Property Tax Extension Limitation Law.

The State Board shall distribute such other grants as may be authorized or appropriated by the General Assembly.

Each community college district entitled to State grants under this Section must submit a report of its enrollment to the State Board not later than 30 days following the end of each semester, quarter, or term in a format prescribed by the State Board. These semester credit hours, or equivalent, shall be certified by each district on forms provided by the State Board. Each district's certified semester credit hours, or equivalent, are subject to audit pursuant to Section 3-22.1.

The State Board shall certify, prepare, and submit monthly vouchers to the State Comptroller setting forth an amount equal to one-twelfth of the grants approved by the State Board for base operating grants and equalization grants. The State Board shall prepare and submit to the State Comptroller vouchers for payments of other grants as appropriated by the General Assembly. If the amount appropriated for grants is different from the amount provided for such grants under this Act, the grants shall be proportionately reduced or increased accordingly.

For the purposes of this Section, "resident student" means a student in a community college district who maintains residency in that district or meets other residency definitions established by the State Board, and who was enrolled either in one of the approved instructional program categories in that district, or in another community college district to which the resident's district is paying tuition under Section 6-2 or with which the resident's district has entered into a cooperative agreement in lieu of such tuition.

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For the purposes of this Section, a "full-time equivalent" student is equal to 30 semester credit hours.

The Illinois Community College Board Contracts and Grants Fund is hereby created in the State Treasury. Items of income to this fund shall include any grants, awards, endowments, or like proceeds, and where appropriate, other funds made available through contracts with governmental, public, and private agencies or persons. The General Assembly shall from time to time make appropriations payable from such fund for the support, improvement, and expenses of the State Board and Illinois community college districts.

(Source: P.A. 96-911, eff. 7-1-10; 97-72, eff. 7-1-11.)

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

Approved June 28, 2013.
Effective June 28, 2013.

PUBLIC ACT 98-0047
(House Bill No. 0002)

AN ACT concerning finance.

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

Section 5. The Illinois Grant Funds Recovery Act is amended by adding Section 15 as follows:

(30 ILCS 705/15 new)

Sec. 15. Illinois Single Audit Commission.

(a) There is created the Illinois Single Audit Commission. The Commission shall conduct research regarding the practices of the federal government in the administration of grants and create a report summarizing the Commission's recommendations regarding the adoption of uniform standards for the administration of grants in this State.

(b) The Commission shall be comprised of one representative from each of the following grant-making Departments who is an expert in grant subject matter, and who shall be appointed by the Governor, one of whom shall be designated as Chairperson:

(1) Department on Aging;
(2) Department of Children and Family Services;
(3) Department of Healthcare and Family Services;

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(4) Department of Human Services;
(5) Department of Public Health;
(6) Criminal Justice Information Authority;
(7) Department of Commerce and Economic Opportunity;
(8) Department of Transportation;
(9) Illinois State Board of Education;
(10) Illinois Student Assistance Commission;
(11) Department of Agriculture;
(12) Environmental Protection Agency; and
(13) Department of Natural Resources.

In addition, a total of 4 representatives of community organizations, providers, or associations may be appointed by the Departments listed in subsection (b) as follows: 1 member may be appointed by the Departments listed in subparagraphs (1) through (6); 1 member may be appointed by the Departments listed in subparagraphs (7) and (8); 1 member may be appointed by the Departments listed in subparagraphs (9) and (10); and 1 member may be appointed by the Departments listed in subparagraphs (11) through (13).

Should any of the Departments listed in subparagraphs (1) through (13) of subsection (b) deem that additional representation by community organizations, providers, or associations is necessary, and the Commission as a whole is in concurrence with this decision, the Department or Departments may appoint additional members, provided, however, that no more than a total of 4 such additional members may be appointed to the Commission.

The Governor may designate representatives of additional Departments with grant-making authority to serve as members of the Commission.

(c) The Commission shall also include: a representative of the Governor's Office of Management and Budget, appointed by the Governor; four members of the General Assembly, one from the House Democratic Caucus, one from the House Republican Caucus, one from the Senate Democratic Caucus, and one from the Senate Republican Caucus, all of which shall be appointed by the Governor; the Co-Chairs of the relevant subcommittees within the Management Initiative Improvement Committee (provided for under Section 1-37a of the Department of Human Services Act) may be included as members of the Commission if the Commission deems their inclusion necessary for the coordination of its efforts.
(d) The recommendations in the Commission's report shall focus primarily on developing a coordinated, non-redundant process for the provision of effective and efficient oversight of the selection and monitoring of grant recipients, ensuring quality programs, and limiting fraud, waste, and abuse. The report shall define the purpose, scope, applicability, and responsibilities in the life cycle of a grant, including the period before a grant is awarded, the period when a grant is awarded, and the period after a grant is awarded, as set forth in subsections (e) through (g) of this Section. To the extent feasible, the Commission's report shall include necessary statutory and rule changes required to implement any proposed actions.

(e) The report shall examine and make recommendations for the following with regard to a grant before it is awarded:

1. criteria to define mandatory formula-based grants and discretionary grants;
2. whether three-year discretionary grants should exist in a competitive grant environment;
3. the development of uniform grant applications;
4. the development of uniform budget requirements;
5. the development of pre-qualification requirements of applicants, including the fiscal condition of the organization;
6. the development of minimum requirements of applicant staff to manage and execute grant awards for programmatic and administrative purposes;
7. the development of criteria for requiring the retention of a fiscal agent and for becoming a fiscal agent; and
8. the development of disclosure requirements pertaining to related party status between grantees and grant-making agencies.

(f) The report shall examine and make recommendations for the following with regard to a grant at the time it is awarded:

1. the development of uniform grant agreements;
2. the development of uniform reporting requirements, including budget-to-actual quarterly reports;
3. the implementation of uniform monitoring, including on-site fiscal and administrative control reviews on a risk-based approach to determine the required frequency of monitoring;
4. the development of payment methods, including advance and reconcile, capital advances, and reimbursement;

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(5) the development of administrative requirements;
(6) the development of allowable cost principles;
(7) the development of a conditional exemption process;
(8) the development of standardized audit requirements;
(9) the development of program performance reporting and budgeting for results;
(10) the development of record retention and access requirements; and
(11) the development of grant termination and enforcement procedures.

(g) The report shall examine and make recommendations for the following with regard to a grant after it has been awarded:

(1) the development of standardized closeout procedures;
(2) the development of standardized audit requirements;
(3) the development of subsequent grant adjustments and continuing responsibilities;
(4) the development of a uniform method of grant recovery;
and
(5) the development of an appeals process.

(h) The report shall be filed with the General Assembly by January 1, 2014.

(i) Definitions. As used in this Section:

"Departments" means the agencies, boards, and commissions listed in subparagraph (b) of this Section, including any additional Departments designated by the Governor.

"Grant" means an award of financial assistance, the principal purpose of which is to transfer a thing of value from a federal or state agency to a recipient to carry out a public purpose of support or stimulation authorized by a law of the United States or the State of Illinois. A grant is distinguished from a contract, which is used to acquire property or services for the federal or State government's direct benefit or use as defined in Section 210 of Subpart B of federal Office of Management Board Circular A-133. Notwithstanding subparagraph (b) of Section 2 of this Act, fee-for-service purchase of care agreements are grants for purposes of this Section.

Technical terms used in subsections (e) through (g) shall have the same meanings as provided for by their usage or definition in federal Office of Management Board Circular A-110.
(j) The Commission shall operate with no direct costs to the State. The Office of the Governor shall coordinate with the Departments listed under subsection (b) to provide administrative support for the Commission.

(k) This Section is repealed on April 1, 2014.

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

Passed in the General Assembly May 20, 2013.
Approved July 1, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0048
(Senate Bill No. 1625)

AN ACT concerning education.

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

Section 5. The School Safety Drill Act is amended by changing Sections 15 and 20 as follows:

(105 ILCS 128/15)

Sec. 15. Types of drills. Under this Act, the following school safety drills shall be instituted by all schools in this State:

(1) School evacuation drills, which shall address and prepare students and school personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation incidents are based on the needs of particular communities and may include without limitation the following:

(A) fire;
(B) suspicious items or persons;
(C) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives; and
(D) bomb threats.

(2) Bus evacuation drills, which shall address and prepare students and school personnel for situations that occur when conditions outside of a bus are safer than inside the bus. Evacuation incidents are based on the needs of particular communities and may include without limitation the following:

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(A) fire;
(B) suspicious items; and
(C) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives.

(3) Law enforcement drills, which shall address and prepare students and school personnel for situations calling for the involvement of law enforcement when conditions inside a school building are safer than outside of a school building and it is necessary to protect building occupants from potential dangers in a school building. Law enforcement drills may involve situations that call for the reverse-evacuation or the lock-down of a school building. Evacuation or reverse-evacuation incidents shall may include a shooting incident. without limitation the following:

(A) shooting incidents;
(B) bomb threats;
(C) suspicious persons; and
(D) incidents involving hazardous materials.

(4) Severe weather and shelter-in-place drills, which shall address and prepare students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place incidents shall be based on the needs and environment of particular communities and may include without limitation the following:

(A) severe weather, including, but not limited to, shear winds, lightning, and earthquakes;
(B) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives; and
(C) incidents involving weapons of mass destruction, including, but not limited to, biological, chemical, and nuclear weapons.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/20)
Sec. 20. Number of drills; incidents covered; local authority participation.

(a) During each academic year, schools must conduct a minimum of 3 school evacuation drills to address and prepare students and school

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personnel for fire incidents. These drills must meet all of the following criteria:

(1) One of the 3 school evacuation drills shall require the participation of the appropriate local fire department or district.

   (A) Each local fire department or fire district must contact the appropriate school administrator or his or her designee no later than September 1 of each year in order to arrange for the participation of the department or district in the school evacuation drill.

   (B) Each school administrator or his or her designee must contact the responding local fire official no later than September 15 of each year and propose to the local fire official 4 dates within the month of October, during at least 2 different weeks of October, on which the drill shall occur. The fire official may choose any of the 4 available dates, and if he or she does so, the drill shall occur on that date.

   (C) The school administrator or his or her designee and the local fire official may also, by mutual agreement, set any other date for the drill, including a date outside of the month of October.

   (D) If the fire official does not select one of the 4 offered dates in October or set another date by mutual agreement, the requirement that the school include the local fire service in one of its mandatory school evacuation drills shall be waived. Schools, however, shall continue to be strongly encouraged to include the fire service in a school evacuation drill at a mutually agreed-upon time.

   (E) Upon the participation of the local fire service, the appropriate local fire official shall certify that the school evacuation drill was conducted.

   (F) When scheduling the school evacuation drill, the school administrator or his or her designee and the local fire department or fire district may, by mutual agreement on or before September 14, choose to waive the provisions of subparagraphs (B), (C), and (D) of this paragraph (1).

Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department or district.
(2) Schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation suspicious items or bomb threats.

(3) All drills shall be conducted at each school building that houses school children.

(b) During each academic year, schools must conduct a minimum of one bus evacuation drill. This drill shall be accounted for in the curriculum in all public schools and in all other educational institutions in this State that are supported or maintained, in whole or in part, by public funds and that provide instruction in any of the grades kindergarten through 12. This curriculum shall include instruction in safe bus riding practices for all students. Schools may conduct additional bus evacuation drills. All drills shall be conducted at each school building that houses school children.

(c) During each academic year, schools must conduct a law enforcement drill to address a school shooting incident, including without limitation reverse evacuations, lock-downs, shootings, bomb threats, or hazardous materials. Such drills must be conducted according to the school district's or private school's emergency and crisis response plans, protocols, and procedures, with the participation of the appropriate law enforcement agency. Law enforcement drills may be conducted on days and times when students are not present in the school building. All drills must be conducted at each school building that houses school children.

(1) A law enforcement drill must meet all of the following criteria:

(A) During each calendar year, the appropriate local law enforcement agency shall contact the appropriate school administrator to request to participate in a law enforcement drill. The school administrator and local law enforcement agency shall set, by mutual agreement, a date for the drill.

(A-5) The drill shall require the on-site participation of the local law enforcement agency. If a mutually agreeable date cannot be reached between the school administrator and the appropriate local law enforcement agency, then the school shall still hold the drill without participation from the agency, and may actively participate on-site in a drill.

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(B) Upon the participation of a local law enforcement agency in a law enforcement drill, the appropriate local law enforcement official shall certify that the law enforcement drill was conducted and notify the school in a timely manner of any deficiencies noted during the drill.

(2) Schools may conduct additional law enforcement drills at their discretion.

(3) (Blank).

(d) During each academic year, schools must conduct a minimum of one severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents and may conduct additional severe weather and shelter-in-place drills to account for other incidents, including without limitation earthquakes or hazardous materials. All drills shall be conducted at each school building that houses school children.

(Source: P.A. 94-600, eff. 8-16-05; 95-1015, eff. 12-15-08.)

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

Approved July 1, 2013.
Effective July 1, 2013.

PUBLIC ACT 98-0049
(House Bill No. 0948)

AN ACT concerning adult protective services.

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

Section 1. Short title. This Act may be cited as the Statewide Centralized Abuse, Neglect, Financial Exploitation, and Self-Neglect Hotline Act.

Section 5. Legislative findings. The General Assembly finds all of the following:

(a) Illinois' current investigatory system is decentralized, being comprised of different State agencies responsible for investigating abuse, neglect, financial exploitation, or self-neglect of different populations depending upon the age of the individual and the setting in which he or she resides.

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(b) Each of the investigatory agencies has its own hotline to receive reports of abuse, neglect, financial exploitation, or self-neglect of the individuals and settings over which they have investigative authority.

(c) To ensure the safety and well-being of the individuals the investigatory system was designed to protect, it is a goal to develop a statewide centralized hotline to receive reports of abuse, neglect, financial exploitation, or self-neglect of adults with disabilities and older adults.

Section 10. Exploratory committee for the Statewide Centralized Hotline. The Department on Aging shall, upon the effective date of this Act, act as the lead agency in convening an exploratory committee with the Department of Human Services and the Department of Public Health to determine how a centralized hotline will function and what types of funding, staffing, and training are required to support its operation. The Committee shall be composed of stakeholder representatives of all programs under consideration for inclusion in the Statewide Centralized Hotline, as well as representatives from each of the named agencies.

Section 15. Committee responsibilities. The Committee shall carry out the following responsibilities:

(1) analyze the laws and regulations that establish the respective agency hotlines;

(2) evaluate the respective agency phone systems to determine necessary technology changes for a centralized hotline;

(3) gather information on the volume of calls received by each agency;

(4) determine the exact process by which a call is screened to ascertain where it should be directed; and

(5) establish the manner in which the confidentiality of all complainant identities will be protected for purposes of any dissemination of records or other information outside agency personnel.

Section 20. Committee report. The Committee shall issue a report with its findings and recommendations together with a budget proposal within 6 months after the effective date of this Act.

Section 25. The Open Meetings Act is amended by changing Section 2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42)

Sec. 2. Open meetings.

(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

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(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably

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potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a

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hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) (Blank). Confidential information, when discussed by one or more members of an elder abuse fatality review team, designated under Section 15 of the Elder Abuse and Neglect Act, while participating in a review conducted by that team of the death of an elderly person in which abuse or neglect is suspected, alleged, or substantiated; provided that before the review team holds a closed meeting, or closes an open meeting, to discuss the confidential information, each participating review team member seeking to disclose the confidential information in the closed meeting or closed portion of the meeting must state on the record during an open meeting or the open portion of a meeting the nature

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of the information to be disclosed and the legal basis for otherwise holding that information confidential.

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) Those meetings or portions of meetings of an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council during which a review of the death of an eligible adult in which abuse or neglect is suspected, alleged, or substantiated is conducted pursuant to Section 15 of the Adult Protective Services Act.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

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Section 30. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

Sec. 7.5. Statutory Exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.


(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.
(j) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(q) Information prohibited from being disclosed by the Personnel Records Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the
Health Insurance Accountability and Portability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of significant abuse, neglect, or financial exploitation of an eligible adult maintained in the Department of Public Health's Health Care Worker Registry.

(z) Records and information provided to an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11; 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13.)

Section 35. The State Employee Indemnification Act is amended by changing Section 1 as follows:

(5 ILCS 350/1) (from Ch. 127, par. 1301)

Sec. 1. Definitions. For the purpose of this Act:

(a) The term "State" means the State of Illinois, the General Assembly, the court, or any State office, department, division, bureau, board, commission, or committee, the governing boards of the public institutions of higher education created by the State, the Illinois National Guard, the Comprehensive Health Insurance Board, any poison control center designated under the Poison Control System Act that receives State funding, or any other agency or instrumentality of the State. It does not mean any local public entity as that term is defined in Section 1-206 of the

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Local Governmental and Governmental Employees Tort Immunity Act or a pension fund.

(b) The term "employee" means any present or former elected or appointed officer, trustee or employee of the State, or of a pension fund, any present or former commissioner or employee of the Executive Ethics Commission or of the Legislative Ethics Commission, any present or former Executive, Legislative, or Auditor General's Inspector General, any present or former employee of an Office of an Executive, Legislative, or Auditor General's Inspector General, any present or former member of the Illinois National Guard while on active duty, individuals or organizations who contract with the Department of Corrections, the Comprehensive Health Insurance Board, or the Department of Veterans' Affairs to provide services, individuals or organizations who contract with the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services including but not limited to treatment and other services for sexually violent persons, individuals or organizations who contract with the Department of Military Affairs for youth programs, individuals or organizations who contract to perform carnival and amusement ride safety inspections for the Department of Labor, individual representatives of or designated organizations authorized to represent the Office of State Long-Term Ombudsman for the Department on Aging, individual representatives of or organizations designated by the Department on Aging in the performance of their duties as adult protective services agencies or regional administrative agencies under the Adult Protective Services Act , individuals or organizations appointed as members of a review team or the Advisory Council under the Adult Protective Services Act , individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing, individuals who serve on any public entity (whether created by law or administrative action) described in paragraph (a) of this Section, individuals or not for profit organizations who, either as volunteers, where such volunteer relationship is reduced to writing, or pursuant to contract, furnish professional advice or consultation to any agency or instrumentality of the State, individuals who serve as foster parents for the Department of Children and Family Services when caring for a Department ward, individuals who serve as members of an independent team of experts under Brian’s Law, and individuals who serve as arbitrators pursuant to Part 10A of Article II of the Code of Civil
Procedure and the rules of the Supreme Court implementing Part 10A, each as now or hereafter amended, but does not mean an independent contractor except as provided in this Section. The term includes an individual appointed as an inspector by the Director of State Police when performing duties within the scope of the activities of a Metropolitan Enforcement Group or a law enforcement organization established under the Intergovernmental Cooperation Act. An individual who renders professional advice and consultation to the State through an organization which qualifies as an "employee" under the Act is also an employee. The term includes the estate or personal representative of an employee.

(c) The term "pension fund" means a retirement system or pension fund created under the Illinois Pension Code.

(Source: P.A. 96-1235, eff. 1-1-11.)

Section 40. The Illinois Act on the Aging is amended by changing Section 4.01 as follows:

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

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

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

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

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

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

(5) To solicit, accept, hold, and administer in behalf of the State any grants or legacies of money, securities, or property to the State of

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service providers, area agencies on aging, senior citizens' centers, and senior citizens' organizations. The Department shall establish a central location within the State to be designated as the Senior Illinoisans Hall of Fame for the public display of all the annual awards, or replicas thereof.

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

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

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

(a) name and telephone number of the patient;
(b) name and telephone number of the prescribing physician;
(c) date of prescription;
(d) name of drug prescribed;
(e) directions for patient compliance; and
(f) name and telephone number of dispensing pharmacy.

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

(19) To conduct a study of the feasibility of implementing the Senior Companion Program throughout the State.
(20) The reimbursement rates paid through the community care program for chore housekeeping services and home care aides shall be the same.

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

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

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

(a) types of services to be offered by volunteers;
(b) types of services to be received upon the redemption of service credits;
(c) issues of liability for the volunteers and the administering organizations;
(d) methods of tracking service credits earned and service credits redeemed;
(e) issues of time limits for redemption of service credits;
(f) methods of recruitment of volunteers;
(g) utilization of community volunteers, community service groups, and other resources for delivering services to be received by service credit program clients;
(h) accountability and assurance that services will be available to individuals who have earned service credits; and

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(i) volunteer screening and qualifications.
The Department shall submit a written copy of the guidelines to the General Assembly by July 1, 1998.

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

(Source: P.A. 95-298, eff. 8-20-07; 95-689, eff. 10-29-07; 95-876, eff. 8-21-08; 96-918, eff. 6-9-10.)

Section 45. The Department of Human Services Act is amended by changing Section 1-17 as follows:

(20 ILCS 1305/1-17)
Sec. 1-17. Inspector General.

(a) Nature and purpose. It is the express intent of the General Assembly to ensure the health, safety, and financial condition of individuals receiving services in this State due to mental illness, developmental disability, or both by protecting those persons from acts of abuse, neglect, or both by service providers. To that end, the Office of the Inspector General for the Department of Human Services is created to investigate and report upon allegations of the abuse, neglect, or financial exploitation of individuals receiving services within mental health facilities, developmental disabilities facilities, and community agencies operated, licensed, funded or certified by the Department of Human Services, but not licensed or certified by any other State agency. It is also the express intent of the General Assembly to authorize the Inspector General to investigate alleged or suspected cases of abuse, neglect, or financial exploitation of adults with disabilities living in domestic settings in the community under the Abuse of Adults with Disabilities Intervention Act.

(b) Definitions. The following definitions apply to this Section:

"Adult student with a disability" means an adult student, age 18 through 21, inclusive, with an Individual Education Program, other than a resident of a facility licensed by the Department of Children and Family Services in accordance with the Child Care Act of 1969. For purposes of this definition, "through age 21, inclusive", means through the day before the student's 22nd birthday.

"Agency" or "community agency" means (i) a community agency licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide
mental health service or developmental disabilities service, or (ii) a program licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

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"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Department" means the Department of Human Services.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

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intimidation, or conversion for the employee's, facility's, or agency's own advantage or benefit.

"Finding" means the Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated, or unfounded.

"Health care worker registry" or "registry" means the health care worker registry created by the Nursing Home Care Act.

"Individual" means any person receiving mental health service, developmental disabilities service, or both from a facility or agency, while either on-site or off-site.

"Mental abuse" means the use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mental illness" means "mental illness" as defined in the Mental Health and Developmental Disabilities Code.

"Mentally ill" means having a mental illness.

"Mitigating circumstance" means a condition that (i) is attendant to a finding, (ii) does not excuse or justify the conduct in question, but (iii) may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused.

"Neglect" means an employee's, agency's, or facility's failure to provide adequate medical care, personal care, or maintenance and that, as a consequence, (i) causes an individual pain, injury, or emotional distress, (ii) results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or (iii) places the individual's health or safety at substantial risk.

"Physical abuse" means an employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual.

"Recommendation" means an admonition, separate from a finding, that requires action by the facility, agency, or Department to correct a systemic issue, problem, or deficiency identified during an investigation.
"Required reporter" means any employee who suspects, witnesses, or is informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Secretary" means the Chief Administrative Officer of the Department.

"Sexual abuse" means any sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual behavior that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior.

"Substantiated" means there is a preponderance of the evidence to support the allegation.

"Unfounded" means there is no credible evidence to support the allegation.

"Unsubstantiated" means there is credible evidence, but less than a preponderance of evidence to support the allegation.

(c) Appointment. The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary and the Governor.

(d) Operation and appropriation. The Inspector General shall function independently within the Department with respect to the operations of the Office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department.

(e) Powers and duties. The Inspector General shall investigate reports of suspected mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation of individuals in any mental health or developmental disabilities facility or agency and shall have authority to take immediate action to prevent any one or more of the following from happening to individuals under its jurisdiction: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. Upon written request of an agency of this State, the Inspector General may assist another agency of the State in investigating reports of the abuse, neglect, or abuse and neglect of persons with mental illness, persons with developmental disabilities, or persons with both. To comply with the requirements of subsection (k) of this Section, the Inspector General shall also review all reportable deaths for which there is no allegation of abuse or neglect.

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Nothing in this Section shall preempt any duties of the Medical Review Board set forth in the Mental Health and Developmental Disabilities Code. The Inspector General shall have no authority to investigate alleged violations of the State Officials and Employees Ethics Act. Allegations of misconduct under the State Officials and Employees Ethics Act shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(f) Limitations. The Inspector General shall not conduct an investigation within an agency or facility if that investigation would be redundant to or interfere with an investigation conducted by another State agency. The Inspector General shall have no supervision over, or involvement in, the routine programmatic, licensing, funding, or certification operations of the Department. Nothing in this subsection limits investigations by the Department that may otherwise be required by law or that may be necessary in the Department's capacity as central administrative authority responsible for the operation of the State's mental health and developmental disabilities facilities.

(g) Rulemaking authority. The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations as well as for initiating, conducting, and completing investigations based upon the nature of the allegation or allegations. The rules shall clearly establish that if 2 or more State agencies could investigate an allegation, the Inspector General shall not conduct an investigation that would be redundant to, or interfere with, an investigation conducted by another State agency. The rules shall further clarify the method and circumstances under which the Office of Inspector General may interact with the licensing, funding, or certification units of the Department in preventing further occurrences of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, and financial exploitation.

(h) Training programs. The Inspector General shall (i) establish a comprehensive program to ensure that every person authorized to conduct investigations receives ongoing training relative to investigation techniques, communication skills, and the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability, and (ii) establish and conduct periodic training programs for facility and agency employees concerning the prevention and reporting of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. Nothing in this Section shall
be deemed to prevent the Office of Inspector General from conducting any other training as determined by the Inspector General to be necessary or helpful.

(i) Duty to cooperate.

(1) The Inspector General shall at all times be granted access to any facility or agency for the purpose of investigating any allegation, conducting unannounced site visits, monitoring compliance with a written response, or completing any other statutorily assigned duty. The Inspector General shall conduct unannounced site visits to each facility at least annually for the purpose of reviewing and making recommendations on systemic issues relative to preventing, reporting, investigating, and responding to all of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation.

(2) Any employee who fails to cooperate with an Office of the Inspector General investigation is in violation of this Act. Failure to cooperate with an investigation includes, but is not limited to, any one or more of the following: (i) creating and transmitting a false report to the Office of the Inspector General hotline, (ii) providing false information to an Office of the Inspector General Investigator during an investigation, (iii) colluding with other employees to cover up evidence, (iv) colluding with other employees to provide false information to an Office of the Inspector General investigator, (v) destroying evidence, (vi) withholding evidence, or (vii) otherwise obstructing an Office of the Inspector General investigation. Additionally, any employee who, during an unannounced site visit or written response compliance check, fails to cooperate with requests from the Office of the Inspector General is in violation of this Act.

(j) Subpoena powers. The Inspector General shall have the power to subpoena witnesses and compel the production of all documents and physical evidence relating to his or her investigations and any hearings authorized by this Act. This subpoena power shall not extend to persons or documents of a labor organization or its representatives insofar as the persons are acting in a representative capacity to an employee whose conduct is the subject of an investigation or the documents relate to that representation. Any person who otherwise fails to respond to a subpoena or who knowingly provides false information to the Office of the Inspector General is in violation of this Act.
General by subpoena during an investigation is guilty of a Class A misdemeanor.

(k) Reporting allegations and deaths.
   (1) Allegations. If an employee witnesses, is told of, or has reason to believe an incident of mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation has occurred, the employee, agency, or facility shall report the allegation by phone to the Office of the Inspector General hotline according to the agency's or facility's procedures, but in no event later than 4 hours after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. A required reporter as defined in subsection (b) of this Section who knowingly or intentionally fails to comply with these reporting requirements is guilty of a Class A misdemeanor.
   (2) Deaths. Absent an allegation, a required reporter shall, within 24 hours after initial discovery, report by phone to the Office of the Inspector General hotline each of the following:
      (i) Any death of an individual occurring within 14 calendar days after discharge or transfer of the individual from a residential program or facility.
      (ii) Any death of an individual occurring within 24 hours after deflection from a residential program or facility.
      (iii) Any other death of an individual occurring at an agency or facility or at any Department-funded site.
   (3) Retaliation. It is a violation of this Act for any employee or administrator of an agency or facility to take retaliatory action against an employee who acts in good faith in conformance with his or her duties as a required reporter.
(l) Reporting to law enforcement.
   (1) Reporting criminal acts. Within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed or that special expertise may be required in an investigation, the Inspector General shall notify the Department of State Police or other appropriate law enforcement authority, or ensure that such notification is made. The Department of State Police shall investigate any report from a State-operated facility indicating a possible murder, sexual assault, or other felony by an employee. All investigations conducted by
the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(2) Reporting allegations of adult students with disabilities. Upon receipt of a reportable allegation regarding an adult student with a disability, the Department's Office of the Inspector General shall determine whether the allegation meets the criteria for the Domestic Abuse Program under the Abuse of Adults with Disabilities Intervention Act. If the allegation is reportable to that program, the Office of the Inspector General shall initiate an investigation. If the allegation is not reportable to the Domestic Abuse Program, the Office of the Inspector General shall make an expeditious referral to the respective law enforcement entity. If the alleged victim is already receiving services from the Department, the Office of the Inspector General shall also make a referral to the respective Department of Human Services' Division or Bureau.

(m) Investigative reports. Upon completion of an investigation, the Office of Inspector General shall issue an investigative report identifying whether the allegations are substantiated, unsubstantiated, or unfounded. Within 10 business days after the transmittal of a completed investigative report substantiating an allegation, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where any one or more of the following occurred: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. In a substantiated case, the investigative report shall include any mitigating or aggravating circumstances that were identified during the investigation. If the case involves substantiated neglect, the investigative report shall also state whether egregious neglect was found. An investigative report may also set forth recommendations. All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. Unsubstantiated and unfounded reports shall not be disclosed except as allowed under Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act. Raw data used to compile the investigative report shall not be subject to release unless required by law or a court order. "Raw data used to compile the investigative report" includes, but is not limited to, any one or more of the following: the initial complaint, witness statements, photographs,
investigator's notes, police reports, or incident reports. If the allegations are substantiated, the accused shall be provided with a redacted copy of the investigative report. Death reports where there was no allegation of abuse or neglect shall only be released pursuant to applicable State or federal law or a valid court order.

(n) Written responses and reconsideration requests.

(1) Written responses. Within 30 calendar days from receipt of a substantiated investigative report or an investigative report which contains recommendations, absent a reconsideration request, the facility or agency shall file a written response that addresses, in a concise and reasoned manner, the actions taken to: (i) protect the individual; (ii) prevent recurrences; and (iii) eliminate the problems identified. The response shall include the implementation and completion dates of such actions. If the written response is not filed within the allotted 30 calendar day period, the Secretary shall determine the appropriate corrective action to be taken.

(2) Reconsideration requests. The facility, agency, victim or guardian, or the subject employee may request that the Office of Inspector General reconsider or clarify its finding based upon additional information.

(o) Disclosure of the finding by the Inspector General. The Inspector General shall disclose the finding of an investigation to the following persons: (i) the Governor, (ii) the Secretary, (iii) the director of the facility or agency, (iv) the alleged victims and their guardians, (v) the complainant, and (vi) the accused. This information shall include whether the allegations were deemed substantiated, unsubstantiated, or unfounded.

(p) Secretary review. Upon review of the Inspector General's investigative report and any agency's or facility's written response, the Secretary shall accept or reject the written response and notify the Inspector General of that determination. The Secretary may further direct that other administrative action be taken, including, but not limited to, any or more of the following: (i) additional site visits, (ii) training, (iii) provision of technical assistance relative to administrative needs, licensure or certification, or (iv) the imposition of appropriate sanctions.

(q) Action by facility or agency. Within 30 days of the date the Secretary approves the written response or directs that further administrative action be taken, the facility or agency shall provide an implementation report to the Inspector General that provides the status of the action taken. The facility or agency shall be allowed an additional 30
days to send notice of completion of the action or to send an updated implementation report. If the action has not been completed within the additional 30 day period, the facility or agency shall send updated implementation reports every 60 days until completion. The Inspector General shall conduct a review of any implementation plan that takes more than 120 days after approval to complete, and shall monitor compliance through a random review of approved written responses, which may include, but are not limited to: (i) site visits, (ii) telephone contact, and (iii) requests for additional documentation evidencing compliance.

(r) Sanctions. Sanctions, if imposed by the Secretary under Subdivision (p)(iv) of this Section, shall be designed to prevent further acts of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation or some combination of one or more of those acts at a facility or agency, and may include any one or more of the following:

1. Appointment of on-site monitors.
2. Transfer or relocation of an individual or individuals.
3. Closure of units.
4. Termination of any one or more of the following:
   (i) Department licensing, (ii) funding, or (iii) certification.

The Inspector General may seek the assistance of the Illinois Attorney General or the office of any State's Attorney in implementing sanctions.

(s) Health care worker registry.

1. Reporting to the registry. The Inspector General shall report to the Department of Public Health's health care worker registry, a public registry, the identity and finding of each employee of a facility or agency against whom there is a final investigative report containing a substantiated allegation of physical or sexual abuse or egregious neglect of an individual.

2. Notice to employee. Prior to reporting the name of an employee, the employee shall be notified of the Department's obligation to report and shall be granted an opportunity to request an administrative hearing, the sole purpose of which is to determine if the substantiated finding warrants reporting to the registry. Notice to the employee shall contain a clear and concise statement of the grounds on which the report to the registry is based, offer the employee an opportunity for a hearing, and identify the process for requesting such a hearing. Notice is sufficient if
provided by certified mail to the employee's last known address. If the employee fails to request a hearing within 30 days from the date of the notice, the Inspector General shall report the name of the employee to the registry. Nothing in this subdivision (s)(2) shall diminish or impair the rights of a person who is a member of a collective bargaining unit under the Illinois Public Labor Relations Act or under any other federal labor statute.

(3) Registry hearings. If the employee requests an administrative hearing, the employee shall be granted an opportunity to appear before an administrative law judge to present reasons why the employee's name should not be reported to the registry. The Department shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that the substantiated finding warrants reporting to the registry. After considering all the evidence presented, the administrative law judge shall make a recommendation to the Secretary as to whether the substantiated finding warrants reporting the name of the employee to the registry. The Secretary shall render the final decision. The Department and the employee shall have the right to request that the administrative law judge consider a stipulated disposition of these proceedings.

(4) Testimony at registry hearings. A person who makes a report or who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such a report, as to any evidence of abuse or neglect, or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged perpetrator of abuse or neglect, or the individual alleged as the victim in the report, and the person making or investigating the report. Testimony at hearings is exempt from the confidentiality requirements of subsection (f) of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act.

(5) Employee's rights to collateral action. No reporting to the registry shall occur and no hearing shall be set or proceed if an employee notifies the Inspector General in writing, including any supporting documentation, that he or she is formally contesting an adverse employment action resulting from a substantiated finding by complaint filed with the Illinois Civil Service Commission, or which otherwise seeks to enforce the employee's rights pursuant to

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any applicable collective bargaining agreement. If an action taken by an employer against an employee as a result of a finding of physical abuse, sexual abuse, or egregious neglect is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement and if that employee's name has already been sent to the registry, the employee's name shall be removed from the registry.

(6) Removal from registry. At any time after the report to the registry, but no more than once in any 12-month period, an employee may petition the Department in writing to remove his or her name from the registry. Upon receiving notice of such request, the Inspector General shall conduct an investigation into the petition. Upon receipt of such request, an administrative hearing will be set by the Department. At the hearing, the employee shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that removal of the name from the registry is in the public interest. The parties may jointly request that the administrative law judge consider a stipulated disposition of these proceedings.

(t) Review of Administrative Decisions. The Department shall preserve a record of all proceedings at any formal hearing conducted by the Department involving health care worker registry hearings. Final administrative decisions of the Department are subject to judicial review pursuant to provisions of the Administrative Review Law.

(u) Quality Care Board. There is created, within the Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or developmentally disabled. Two members appointed by the Governor shall be persons with a disability or a parent of a person with a disability. Members shall serve
without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum allowing the Board to conduct its business. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to ensure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged abuse, neglect, or both abuse and neglect.

(2) Review existing regulations relating to the operation of facilities.

(3) Advise the Inspector General as to the content of training activities authorized under this Section.

(4) Recommend policies concerning methods for improving the intergovernmental relationships between the Office of the Inspector General and other State or federal offices.

(v) Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to individuals receiving mental health or developmental disabilities services. The report shall detail the imposition of sanctions, if any, and the final disposition of any corrective or administrative action directed by the Secretary. The summaries shall not contain any confidential or identifying information of any individual, but shall include objective data identifying any trends in the number of reported allegations, the timeliness of the Office of the Inspector General's investigations, and their disposition, for each facility and Department-wide, for the most recent 3-year time period. The report shall also identify, by facility, the staff-to-patient ratios taking account of direct care staff only. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(w) Program audit. The Auditor General shall conduct a program audit of the Office of the Inspector General on an as-needed basis, as determined by the Auditor General. The audit shall specifically include the Inspector General's compliance with the Act and effectiveness in

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investigating reports of allegations occurring in any facility or agency. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 following the audit period.

(x) Nothing in this Section shall be construed to mean that a patient is a victim of abuse or neglect because of health care services appropriately provided or not provided by health care professionals.

(y) Nothing in this Section shall require a facility, including its employees, agents, medical staff members, and health care professionals, to provide a service to a patient in contravention of that patient's stated or implied objection to the provision of that service on the ground that that service conflicts with the patient's religious beliefs or practices, nor shall the failure to provide a service to a patient be considered abuse under this Section if the patient has objected to the provision of that service based on his or her religious beliefs or practices.

(Source: P.A. 95-545, eff. 8-28-07; 96-339, eff. 7-1-10; 96-407, eff. 8-13-09; 96-555, eff. 8-18-09; 96-1000, eff. 7-2-10; 96-1446, eff. 8-20-10.)

(20 ILCS 2435/Act rep.)

Section 50. The Abuse of Adults with Disabilities Intervention Act is repealed.

Section 55. The Illinois Police Training Act is amended by changing Section 7 as follows:

(50 ILCS 705/7) (from Ch. 85, par. 507)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include but not be limited to the following:

a. The curriculum for probationary police officers which shall be offered by all certified schools shall include but not be limited to courses of arrest, search and seizure, civil rights, human relations, cultural diversity, including racial and ethnic sensitivity, criminal law, law of criminal procedure, vehicle and traffic law including uniform and nondiscriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, first-aid (including cardiopulmonary resuscitation), handling of juvenile offenders, recognition of mental conditions which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of elder abuse, and neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in

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Section 2 of the *Adult Protective Services Act* Elder Abuse and Neglect Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum for permanent police officers shall include but not be limited to (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary police officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.
A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to his or her successful completion of the training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of the effective date of this amendatory Act of 1996. Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position. All individuals hired as court security officers on or after the effective date of this amendatory Act of 1996 shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

(Source: P.A. 97-815, eff. 1-1-13; 97-862, eff. 1-1-13; revised 8-3-12.)

Section 60. The Illinois Banking Act is amended by changing Section 48.1 as follows:

Sec. 48.1. Customer financial records; confidentiality. (a) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of:

   (1) a document granting signature authority over a deposit or account;

   (2) a statement, ledger card or other record on any deposit or account, which shows each transaction in or with respect to that account;

   (3) a check, draft or money order drawn on a bank or issued and payable by a bank; or

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(4) any other item containing information pertaining to any relationship established in the ordinary course of a bank's business between a bank and its customer, including financial statements or other financial information provided by the customer.

(b) This Section does not prohibit:

(1) The preparation, examination, handling or maintenance of any financial records by any officer, employee or agent of a bank having custody of the records, or the examination of the records by a certified public accountant engaged by the bank to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by a bank to, any officer, employee or agent of (i) the Commissioner of Banks and Real Estate, (ii) after May 31, 1997, a state regulatory authority authorized to examine a branch of a State bank located in another state, (iii) the Comptroller of the Currency, (iv) the Federal Reserve Board, or (v) the Federal Deposit Insurance Corporation for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to customers where the data cannot be identified to any particular customer or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a bank and other banks or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a bank and other banks or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the bank or assets or liabilities of the bank.

(7) The furnishing of information to the appropriate law enforcement authorities where the bank reasonably believes it has been the victim of a crime.

(8) The furnishing of information under the Uniform Disposition of Unclaimed Property Act.

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(10) The furnishing of information under the federal Currency and Foreign Transactions Reporting Act Title 31, United States Code, Section 1051 et seq.

(11) The furnishing of information under any other statute that by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant, or court order.

(12) The furnishing of information about the existence of an account of a person to a judgment creditor of that person who has made a written request for that information.

(13) The exchange in the regular course of business of information between commonly owned banks in connection with a transaction authorized under paragraph (23) of Section 5 and conducted at an affiliate facility.

(14) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any bank governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the bank a reasonable fee not to exceed its actual cost incurred. A bank providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the bank in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. A bank shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(15) The exchange in the regular course of business of information between a bank and any commonly owned affiliate of the bank, subject to the provisions of the Financial Institutions Insurance Sales Law.

(16) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional
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(19) (a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b)(1) For purposes of this paragraph (19) of subsection (b) of Section 48.1, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (19) of subsection (b) of Section 48.1, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(c) Except as otherwise provided by this Act, a bank may not disclose to any person, except to the customer or his duly authorized agent, any financial records or financial information obtained from financial records relating to that customer of that bank unless:

(1) the customer has authorized disclosure to the person;

(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant, citation to discover assets, or court order which meets the requirements of subsection (d) of this Section; or

(3) the bank is attempting to collect an obligation owed to the bank and the bank complies with the provisions of Section 21 of the Consumer Fraud and Deceptive Business Practices Act.

(d) A bank shall disclose financial records under paragraph (2) of subsection (c) of this Section under a lawful subpoena, summons, warrant, citation to discover assets, or court order only after the bank mails a copy of the subpoena, summons, warrant, citation to discover assets, or court order to the person establishing the relationship with the bank, if living, and, otherwise his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the bank is specifically prohibited from notifying the person by order of court or by applicable State or federal law. A bank shall not mail a copy of a subpoena to any

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person pursuant to this subsection if the subpoena was issued by a grand jury under the Statewide Grand Jury Act.

(e) Any officer or employee of a bank who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(f) Any person who knowingly and willfully induces or attempts to induce any officer or employee of a bank to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) A bank shall be reimbursed for costs that are reasonably necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required or requested to be produced pursuant to a lawful subpoena, summons, warrant, citation to discover assets, or court order. The Commissioner shall determine the rates and conditions under which payment may be made.

(Source: P.A. 94-495, eff. 8-8-05; 94-851, eff. 6-13-06; 95-661, eff. 1-1-08.)

Section 65. The Illinois Savings and Loan Act of 1985 is amended by changing Section 3-8 as follows:

(205 ILCS 105/3-8) (from Ch. 17, par. 3303-8)

Sec. 3-8. Access to books and records; communication with members.

(a) Every member or holder of capital shall have the right to inspect the books and records of the association that pertain to his account. Otherwise, the right of inspection and examination of the books and records shall be limited as provided in this Act, and no other person shall have access to the books and records or shall be entitled to a list of the members.

(b) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (i) a document granting signature authority over a deposit or account; (ii) a statement, ledger card, or other record on any deposit or account that shows each transaction in or with respect to that account; (iii) a check, draft, or money order drawn on an association or issued and payable by an association; or (iv) any other item containing information pertaining to any relationship established in the ordinary course of an association's business between an association and

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its customer, including financial statements or other financial information provided by the member or holder of capital.

(c) This Section does not prohibit:

(1) The preparation, examination, handling, or maintenance of any financial records by any officer, employee, or agent of an association having custody of those records or the examination of those records by a certified public accountant engaged by the association to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by an association to, any officer, employee, or agent of the Commissioner of Banks and Real Estate or federal depository institution regulator for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to members or holders of capital where the data cannot be identified to any particular member, holder of capital, or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between an association and other associations or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between an association and other associations or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the association or assets or liabilities of the association.

(7) The furnishing of information to the appropriate law enforcement authorities where the association reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


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(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", (Title 31, United States Code, Section 1051 et seq.).

(11) The furnishing of information pursuant to any other statute that by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant, or court order.

(12) The exchange of information between an association and an affiliate of the association; as used in this item, "affiliate" includes any company, partnership, or organization that controls, is controlled by, or is under common control with an association.

(13) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any association governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the association a reasonable fee not to exceed its actual cost incurred. An association providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the association in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. An association shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(14) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena by the investigatory entity or the guardian, or (ii) if there is suspicion by the association that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (14), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the association to have a physical or mental disability.
that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. An association or person furnishing information pursuant to this item (14) shall be entitled to the same rights and protections as a person furnishing information under the Adult Protective Services Act and Elder Abuse and Neglect Act, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(15) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member or holder of capital, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member or holder of capital;

(B) maintaining or servicing an account of a member or holder of capital with the association; or

(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member or holder of capital.

Nothing in this item (15), however, authorizes the sale of the financial records or information of a member or holder of capital without the consent of the member or holder of capital.

(16) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(17)(a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

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(b)(1) For purposes of this paragraph (17) of subsection (c) of Section 3-8, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (17) of subsection (c) of Section 3-8, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(d) An association may not disclose to any person, except to the member or holder of capital or his duly authorized agent, any financial records relating to that member or holder of capital of that association unless:

(1) The member or holder of capital has authorized disclosure to the person; or

(2) The financial records are disclosed in response to a lawful subpoena, summons, warrant, citation to discover assets, or court order that meets the requirements of subsection (e) of this Section.

(e) An association shall disclose financial records under subsection (d) of this Section pursuant to a lawful subpoena, summons, warrant, citation to discover assets, or court order only after the association mails a copy of the subpoena, summons, warrant, citation to discover assets, or court order to the person establishing the relationship with the association, if living, and, otherwise, his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the association is specifically prohibited from notifying that person by order of court.

(f)(1) Any officer or employee of an association who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(2) Any person who knowingly and willfully induces or attempts to induce any officer or employee of an association to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) However, if any member desires to communicate with the other members of the association with reference to any question pending or to be

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presented at a meeting of the members, the association shall give him upon request a statement of the approximate number of members entitled to vote at the meeting and an estimate of the cost of preparing and mailing the communication. The requesting member then shall submit the communication to the Commissioner who, if he finds it to be appropriate and truthful, shall direct that it be prepared and mailed to the members upon the requesting member's payment or adequate provision for payment of the expenses of preparation and mailing.

(h) An association shall be reimbursed for costs that are necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required to be reproduced pursuant to a lawful subpoena, warrant, citation to discover assets, or court order.

(Source: P.A. 94-495, eff. 8-8-05; 94-851, eff. 6-13-06; 95-661, eff. 1-1-08.)

Section 70. The Savings Bank Act is amended by changing Section 4013 as follows:

(205 ILCS 205/4013) (from Ch. 17, par. 7304-13)

Sec. 4013. Access to books and records; communication with members and shareholders.

(a) Every member or shareholder shall have the right to inspect books and records of the savings bank that pertain to his accounts. Otherwise, the right of inspection and examination of the books and records shall be limited as provided in this Act, and no other person shall have access to the books and records nor shall be entitled to a list of the members or shareholders.

(b) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (1) a document granting signature authority over a deposit or account; (2) a statement, ledger card, or other record on any deposit or account that shows each transaction in or with respect to that account; (3) a check, draft, or money order drawn on a savings bank or issued and payable by a savings bank; or (4) any other item containing information pertaining to any relationship established in the ordinary course of a savings bank's business between a savings bank and its customer, including financial statements or other financial information provided by the member or shareholder.

(c) This Section does not prohibit:

(1) The preparation examination, handling, or maintenance of any financial records by any officer, employee, or agent of a

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savings bank having custody of records or examination of records by a certified public accountant engaged by the savings bank to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by a savings bank to, any officer, employee, or agent of the Commissioner of Banks and Real Estate or the federal depository institution regulator for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to members or holders of capital where the data cannot be identified to any particular member, shareholder, or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a savings bank and other savings banks or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a savings bank and other savings banks or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the savings bank or assets or liabilities of the savings bank.

(7) The furnishing of information to the appropriate law enforcement authorities where the savings bank reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", (Title 31, United States Code, Section 1051 et seq.).

(11) The furnishing of information pursuant to any other statute which by its terms or by regulations promulgated thereunder.
(12) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any savings bank governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the savings bank a reasonable fee not to exceed its actual cost incurred. A savings bank providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the savings bank in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. A savings bank shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(13) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena by the investigatory entity or the guardian, or (ii) if there is suspicion by the savings bank that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (13), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the savings bank to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. A savings bank or person furnishing information pursuant to this item (13) shall be entitled
to the same rights and protections as a person furnishing information under the *Adult Protective Services Act and Elder Abuse and Neglect Act*, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(14) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member or holder of capital, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member or holder of capital;
(B) maintaining or servicing an account of a member or holder of capital with the savings bank; or
(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member or holder of capital.

Nothing in this item (14), however, authorizes the sale of the financial records or information of a member or holder of capital without the consent of the member or holder of capital.

(15) The exchange in the regular course of business of information between a savings bank and any commonly owned affiliate of the savings bank, subject to the provisions of the Financial Institutions Insurance Sales Law.

(16) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(17)(a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b)(l) For purposes of this paragraph (17) of subsection (c) of Section 4013, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

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(2) For purposes of this paragraph (17) of subsection (c) of Section 4013, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(d) A savings bank may not disclose to any person, except to the member or holder of capital or his duly authorized agent, any financial records relating to that member or shareholder of the savings bank unless:

(1) the member or shareholder has authorized disclosure to the person; or

(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant, citation to discover assets, or court order that meets the requirements of subsection (e) of this Section.

(e) A savings bank shall disclose financial records under subsection (d) of this Section pursuant to a lawful subpoena, summons, warrant, citation to discover assets, or court order only after the savings bank mails a copy of the subpoena, summons, warrant, citation to discover assets, or court order to the person establishing the relationship with the savings bank, if living, and otherwise, his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the savings bank is specifically prohibited from notifying the person by order of court.

(f) Any officer or employee of a savings bank who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) Any person who knowingly and willfully induces or attempts to induce any officer or employee of a savings bank to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(h) If any member or shareholder desires to communicate with the other members or shareholders of the savings bank with reference to any question pending or to be presented at an annual or special meeting, the savings bank shall give that person, upon request, a statement of the approximate number of members or shareholders entitled to vote at the meeting and an estimate of the cost of preparing and mailing the communication. The requesting member shall submit the communication to the Commissioner who, upon finding it to be appropriate and truthful,

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shall direct that it be prepared and mailed to the members upon the requesting member's or shareholder's payment or adequate provision for payment of the expenses of preparation and mailing.

(i) A savings bank shall be reimbursed for costs that are necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required to be reproduced pursuant to a lawful subpoena, warrant, citation to discover assets, or court order.

(j) Notwithstanding the provisions of this Section, a savings bank may sell or otherwise make use of lists of customers' names and addresses. All other information regarding a customer's account are subject to the disclosure provisions of this Section. At the request of any customer, that customer's name and address shall be deleted from any list that is to be sold or used in any other manner beyond identification of the customer's accounts.

(Source: P.A. 94-495, eff. 8-8-05; 94-851, eff. 6-13-06; 95-661, eff. 1-1-08.)

Section 75. The Illinois Credit Union Act is amended by changing Section 10 as follows:

(205 ILCS 305/10) (from Ch. 17, par. 4411)

Sec. 10. Credit union records; member financial records.

(1) A credit union shall establish and maintain books, records, accounting systems and procedures which accurately reflect its operations and which enable the Department to readily ascertain the true financial condition of the credit union and whether it is complying with this Act.

(2) A photostatic or photographic reproduction of any credit union records shall be admissible as evidence of transactions with the credit union.

(3)(a) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (1) a document granting signature authority over an account, (2) a statement, ledger card or other record on any account which shows each transaction in or with respect to that account, (3) a check, draft or money order drawn on a financial institution or other entity or issued and payable by or through a financial institution or other entity, or (4) any other item containing information pertaining to any relationship established in the ordinary course of business between a credit union and its member, including financial statements or other financial information provided by the member.

(b) This Section does not prohibit:

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(1) The preparation, examination, handling or maintenance of any financial records by any officer, employee or agent of a credit union having custody of such records, or the examination of such records by a certified public accountant engaged by the credit union to perform an independent audit.

(2) The examination of any financial records by or the furnishing of financial records by a credit union to any officer, employee or agent of the Department, the National Credit Union Administration, Federal Reserve board or any insurer of share accounts for use solely in the exercise of his duties as an officer, employee or agent.

(3) The publication of data furnished from financial records relating to members where the data cannot be identified to any particular customer of account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1954.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a credit union and other credit unions or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a credit union and other credit unions or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a merger or a purchase or sale of assets or liabilities of the credit union.

(7) The furnishing of information to the appropriate law enforcement authorities where the credit union reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", Title 31, United States Code, Section 1051 et sequentia.

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(11) The furnishing of information pursuant to any other statute which by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant or court order.

(12) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any credit union governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the credit union a reasonable fee not to exceed its actual cost incurred. A credit union providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the credit union in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. A credit union shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(13) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena by the investigatory entity or the guardian, or (ii) if there is suspicion by the credit union that a member who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (13), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the credit union to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or

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resources in any manner contrary to law. A credit union or person furnishing information pursuant to this item (13) shall be entitled to the same rights and protections as a person furnishing information under the Adult Protective Services Act and Elder Abuse and Neglect Act; the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(14) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member;

(B) maintaining or servicing a member's account with the credit union; or

(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member.

Nothing in this item (14), however, authorizes the sale of the financial records or information of a member without the consent of the member.

(15) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(16)(a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b)(1) For purposes of this paragraph (16) of subsection (b) of Section 10, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (16) of subsection (b) of Section 10, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a
manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(c) Except as otherwise provided by this Act, a credit union may not disclose to any person, except to the member or his duly authorized agent, any financial records relating to that member of the credit union unless:

(1) the member has authorized disclosure to the person;
(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant, citation to discover assets, or court order that meets the requirements of subparagraph (d) of this Section; or
(3) the credit union is attempting to collect an obligation owed to the credit union and the credit union complies with the provisions of Section 2I of the Consumer Fraud and Deceptive Business Practices Act.

(d) A credit union shall disclose financial records under subparagraph (c)(2) of this Section pursuant to a lawful subpoena, summons, warrant, citation to discover assets, or court order only after the credit union mails a copy of the subpoena, summons, warrant, citation to discover assets, or court order to the person establishing the relationship with the credit union, if living, and otherwise his personal representative, if known, at his last known address by first class mail, postage prepaid unless the credit union is specifically prohibited from notifying the person by order of court or by applicable State or federal law. In the case of a grand jury subpoena, a credit union shall not mail a copy of a subpoena to any person pursuant to this subsection if the subpoena was issued by a grand jury under the Statewide Grand Jury Act or notifying the person would constitute a violation of the federal Right to Financial Privacy Act of 1978.

(e)(1) Any officer or employee of a credit union who knowingly and wilfully furnishes financial records in violation of this Section is guilty of a business offense and upon conviction thereof shall be fined not more than $1,000.
(2) Any person who knowingly and wilfully induces or attempts to induce any officer or employee of a credit union to disclose financial records in violation of this Section is guilty of a business offense and upon conviction thereof shall be fined not more than $1,000.

(f) A credit union shall be reimbursed for costs which are reasonably necessary and which have been directly incurred in searching

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for, reproducing or transporting books, papers, records or other data of a member required or requested to be produced pursuant to a lawful subpoena, summons, warrant, citation to discover assets, or court order. The Secretary and the Director may determine, by rule, the rates and conditions under which payment shall be made. Delivery of requested documents may be delayed until final reimbursement of all costs is received.

(Source: P.A. 97-133, eff. 1-1-12.)

Section 80. The Home Health, Home Services, and Home Nursing Agency Licensing Act is amended by changing Sections 6.3 and 6.7 as follows:

(210 ILCS 55/6.3)
Sec. 6.3. Home services agencies; standards; fees.
(a) Before January 1, 2008, the Department shall adopt standards for the licensure and operation of home services agencies operated in this State. The structure of the standards shall be based on the concept of home services and its focus on assistance with activities of daily living, housekeeping, personal laundry, and companionship being provided to an individual intended to enable that individual to remain safely and comfortably in his or her own personal residence. As home services do not include services that would be required to be performed by an individual licensed under the Nurse Practice Act, the standards shall be developed from a similar concept. After consideration and recommendations by the Home Health and Home Services Advisory Committee, the Department shall adopt such rules and regulations as are necessary for the proper regulation of home services agencies. Requirements for licensure as a home services agency shall include the following:

(1) Compliance with the requirements of the Health Care Worker Background Check Act.

(2) Notification, in a form and manner established by the Department by rule, to home services workers and consumers as to the party or parties responsible under State and federal laws for payment of employment taxes, social security taxes, and workers' compensation, liability, the day-to-day supervision of workers, and the hiring, firing, and discipline of workers with the placement arrangement for home services.

(3) Compliance with rules, as adopted by the Department, in regard to (i) reporting by the licensee of any known or suspected incidences of abuse, neglect, or financial exploitation of an eligible

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adult, as defined in the *Adult Protective Services Act* and *Elder Abuse and Neglect Act*, by a home services worker employed by or placed by the licensee or (ii) reports to a law enforcement agency in connection with any other individual protected under the laws of the State of Illinois.

(4) Compliance with rules, as adopted by the Department, addressing the health, safety, and well-being of clients receiving home services.

(b) The Department may establish fees for home services agency licensure in rules in a manner that will make the program self-supporting. The amount of the licensure fees shall be based on the funding required for operation of the licensure program. Notwithstanding any other provision of this Section, the Department may not charge any fee to a certified local health department in connection with the licensure of a home services agency.

(Source: P.A. 95-639, eff. 10-5-07; 96-577, eff. 8-18-09.)

(210 ILCS 55/6.7)

Sec. 6.7. Home nursing agencies; standards; fees.

(a) Before January 1, 2008, the Department shall adopt standards for the licensure and operation of home nursing agencies operated in this State. After consideration and recommendations by the Home Health and Home Services Advisory Committee, the Department shall adopt such rules as are necessary for the proper regulation of home nursing agencies. Requirements for licensure as a home nursing agency shall include the following:

(1) Compliance with the requirements of the Health Care Worker Background Check Act.

(2) Notification, in a form and manner established by the Department by rule, to home nursing agency workers and consumers as to the party or parties responsible under State and federal laws for payment of employment taxes, social security taxes, and workers' compensation, liability, the day-to-day supervision of workers, and the hiring, firing, and discipline of workers with the placement arrangement for home nursing services.

(3) Compliance with rules, as adopted by the Department, in regard to (i) reporting by the licensee of any known or suspected incidences of abuse, neglect, or financial exploitation of an eligible adult, as defined in the *Adult Protective Services Act* and *Elder Abuse and Neglect Act*.

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and Neglect Act, by a home nursing care worker employed by or
placed by the licensee or (ii) reports to a law enforcement agency
in connection with any other individual protected under the laws of
the State of Illinois.

(4) Compliance with rules, as adopted by the Department,
addressing the health, safety, and well-being of clients receiving
home nursing services.

(b) The Department may establish fees for home nursing agency
licensure in rules in a manner that will make the program self-supporting.
The amount of the licensure fees shall be based on the funding required for
the operation of the licensure program. Notwithstanding any other
 provision of this Section, the Department may not charge any fee to a
certified local health department in connection with the licensure of a
home nursing agency.
(Source: P.A. 96-577, eff. 8-18-09.)

Section 85. The Clinical Social Work and Social Work Practice
Act is amended by changing Section 16 as follows:

(225 ILCS 20/16) (from Ch. 111, par. 6366)
(Section scheduled to be repealed on January 1, 2018)

Sec. 16. Privileged Communications and Exceptions.
1. No licensed clinical social worker or licensed social worker shall
disclose any information acquired from persons consulting the social
worker in a professional capacity, except that which may be voluntarily
disclosed under the following circumstances:

(a) In the course of formally reporting, conferring or
consulting with administrative superiors, colleagues or consultants
who share professional responsibility, including a professional
responsibility to maintain confidentiality, in which instance all
recipients of such information are similarly bound to regard the
communication as privileged;

(b) With the written consent of the person who provided the
information;

(c) In case of death or disability, with the written consent of
a personal representative, other person authorized to sue, or the
beneficiary of an insurance policy on the person's life, health or
physical condition;

(d) When a communication reveals the intended
commission of a crime or harmful act and such disclosure is judged
necessary by the licensed clinical social worker or licensed social

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worker to protect any person from a clear, imminent risk of serious mental or physical harm or injury, or to forestall a serious threat to the public safety;

(e) When the person waives the privilege by bringing any public charges against the licensee; or

(f) When the information is acquired during the course of investigating a report or working on a case of elder abuse, neglect, or financial exploitation, or self-neglect of an eligible adult by a designated adult protective services agency and disclosure of the information is in accordance with the provisions of Section 8 of the Adult Protective Services Act.

2. When the person is a minor under the laws of the State of Illinois and the information acquired by the licensed clinical social worker or licensed social worker indicates the minor was the victim or subject of a crime, the licensed clinical social worker or licensed social worker may be required to testify in any judicial proceedings in which the commission of that crime is the subject of inquiry and when, after in camera review of the information that the licensed clinical social worker or licensed social worker acquired, the court determines that the interests of the minor in having the information held privileged are outweighed by the requirements of justice, the need to protect the public safety or the need to protect the minor, except as provided under the Abused and Neglected Child Reporting Act.

3. Any person having access to records or any one who participates in providing social work services or who, in providing any human services, is supervised by a licensed clinical social worker or licensed social worker, is similarly bound to regard all information and communications as privileged in accord with this Section.

4. Nothing shall be construed to prohibit a licensed clinical social worker or licensed social worker from voluntarily testifying in court hearings concerning matters of adoption, child abuse, child neglect or other matters pertaining to children, except as provided under the Abused and Neglected Child Reporting Act.

5. The Mental Health and Developmental Disabilities Confidentiality Act, as now or hereafter amended, is incorporated herein as if all of its provisions were included in this Act.

(Source: P.A. 96-71, eff. 7-23-09.)
Section 90. The Respiratory Care Practice Act is amended by changing Section 95 as follows:

(225 ILCS 106/95)

(Section scheduled to be repealed on January 1, 2016)

Sec. 95. Grounds for discipline.

(a) The Department may refuse to issue, renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department considers appropriate, including the issuance of fines not to exceed $5,000 for each violation, with regard to any license for any one or more of the following:

1. Material misstatement in furnishing information to the Department or to any other State or federal agency.

2. Violations of this Act, or any of its rules.

3. Conviction of any crime under the laws of the United States or any state or territory thereof that is a felony or a misdemeanor, an essential element of which is dishonesty, or of any crime that is directly related to the practice of the profession.

4. Making any misrepresentation for the purpose of obtaining a license.

5. Professional incompetence or negligence in the rendering of respiratory care services.

6. Malpractice.

7. Aiding or assisting another person in violating any rules or provisions of this Act.

8. Failing to provide information within 60 days in response to a written request made by the Department.

9. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

10. Violating the rules of professional conduct adopted by the Department.

11. Discipline by another jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

12. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or

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employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of the probation.

(14) Abandonment of a patient.

(15) Willfully filing false reports relating to a licensee's practice including, but not limited to, false records filed with a federal or State agency or department.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(17) Providing respiratory care, other than pursuant to an order.

(18) Physical or mental disability including, but not limited to, deterioration through the aging process or loss of motor skills that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by using false or misleading advertising.

(20) Failure to file a tax return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.

(21) Irregularities in billing a third party for services rendered or in reporting charges for services not rendered.

(22) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

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(23) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in an inability to practice with reasonable skill, judgment, or safety.

(24) Being named as a perpetrator in an indicated report by the Department on Aging under the Adult Protective Services Act Elder Abuse and Neglect Act, and upon proof by clear and convincing evidence that the licensee has caused an adult with disabilities or an older adult elderly person to be abused or neglected as defined in the Adult Protective Services Act Elder Abuse and Neglect Act.

(25) Willfully failing to report an instance of suspected elder abuse, or neglect, financial exploitation, or self-neglect of an adult with disabilities or an older adult as required by the Adult Protective Services Act Elder Abuse and Neglect Act.

(b) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in an automatic suspension of his or her license. The suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Director that the licensee be allowed to resume his or her practice.

(Source: P.A. 96-1482, eff. 11-29-10.)

Section 95. The Professional Counselor and Clinical Professional Counselor Licensing and Practice Act is amended by changing Sections 75 and 80 as follows:

(225 ILCS 107/75)

(Section scheduled to be repealed on January 1, 2023)

Sec. 75. Privileged communications and exceptions.

(a) No licensed professional counselor or licensed clinical professional counselor shall disclose any information acquired from persons consulting the counselor in a professional capacity, except that which may be voluntarily disclosed under the following circumstances:

(1) In the course of formally reporting, conferring, or consulting with administrative superiors, colleagues, or consultants who share professional responsibility, in which instance all recipients of the information are similarly bound to regard the communication as privileged;

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(2) With the written consent of the person who provided the information;

(3) In the case of death or disability, with the written consent of a personal representative, other person authorized to sue, or the beneficiary of an insurance policy on the person's life, health or physical condition;

(4) When a communication reveals the intended commission of a crime or harmful act and such disclosure is judged necessary by the licensed professional counselor or licensed clinical professional counselor to protect any person from a clear, imminent risk of serious mental or physical harm or injury, or to forestall a serious threat to the public safety; or

(5) When the person waives the privilege by bringing any public charges against the licensee.

(b) When the person is a minor under the laws of the State of Illinois and the information acquired by the licensed professional counselor or licensed clinical professional counselor indicates the minor was the victim or subject of a crime, the licensed professional counselor or licensed clinical professional counselor may be required to testify in any judicial proceedings in which the commission of that crime is the subject of inquiry when, after in camera review of the information that the licensed professional counselor or licensed clinical professional counselor acquired, the court determines that the interests of the minor in having the information held privileged are outweighed by the requirements of justice, the need to protect the public safety or the need to protect the minor, except as provided under the Abused and Neglected Child Reporting Act.

(c) Any person having access to records or anyone who participates in providing professional counseling or clinical professional counseling services, or, in providing any human services, is supervised by a licensed professional counselor or licensed clinical professional counselor, is similarly bound to regard all information and communications as privileged in accord with this Section.

(d) Nothing in this Act shall be construed to prohibit a licensed professional counselor or licensed clinical professional counselor from voluntarily testifying in court hearings concerning matters of adoption, child abuse, child neglect or other matters pertaining to children, except as provided under the Abused and Neglected Child Reporting Act and matters pertaining to adults with disabilities and older adults as set forth in the Adult Protective Services Act, as well as the Elder Abuse and Neglect Act.

New matter indicated by italics - deletions by strikeout
(e) The Mental Health and Developmental Disabilities Confidentiality Act is incorporated herein as if all of its provisions were included in this Act. In the event of a conflict between the application of this Section and the Mental Health and Developmental Disabilities Confidentiality Act to a specific situation, the provisions of the Mental Health and Developmental Disabilities Confidentiality Act shall control.

(f) Licensed professional counselors and licensed clinical professional counselors when performing professional counseling services or clinical professional counseling services shall comply with counselor licensure rules and laws contained in this Section and Section 80 of this Act regardless of their employment or work setting.

(Source: P.A. 97-706, eff. 6-25-12.)

(225 ILCS 107/80)

(Section scheduled to be repealed on January 1, 2023)

Sec. 80. Grounds for discipline.

(a) The Department may refuse to issue, renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed $10,000 for each violation, with regard to any license for any one or more of the following:

(1) Material misstatement in furnishing information to the Department or to any other State agency.

(2) Violations or negligent or intentional disregard of this Act or rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(5) Professional incompetence or gross negligence in the rendering of professional counseling or clinical professional counseling services.

(6) Malpractice.

New matter indicated by italics - deletions by strikeout
(7) Aiding or assisting another person in violating any provision of this Act or any rules.

(8) Failing to provide information within 60 days in response to a written request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the Department.

(10) Habitual or excessive use or abuse of drugs as defined in law as controlled substances, alcohol, or any other substance which results in inability to practice with reasonable skill, judgment, or safety.

(11) Discipline by another jurisdiction, the District of Columbia, territory, county, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Board that the licensee, after having the license placed on probationary status, has violated the terms of probation.

(14) Abandonment of a client.

(15) Willfully filing false reports relating to a licensee's practice, including but not limited to false records filed with federal or State agencies or departments.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act and in matters pertaining to elders or
suspected elder abuse, neglect, financial exploitation, or self-neglect of adults with disabilities and older adults as set forth in the Adult Protective Services Act and Elder Abuse and Neglect Act.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(18) Physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of abilities and skills which results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by using false or misleading advertising.

(20) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(21) A finding that licensure has been applied for or obtained by fraudulent means.

(22) Practicing under a false or, except as provided by law, an assumed name.

(23) Gross and willful overcharging for professional services including filing statements for collection of fees or monies for which services are not rendered.

(24) Rendering professional counseling or clinical professional counseling services without a license or practicing outside the scope of a license.

(25) Clinical supervisors failing to adequately and responsibly monitor supervisees.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department shall deny, without hearing, any application or renewal for a license under this Act to any person who has defaulted on an educational loan guaranteed by the Illinois State Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b-5) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any

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person who fails to file a return, pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b-10) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in an automatic suspension of his or her license. The suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Secretary that the licensee be allowed to resume professional practice.

(c-5) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit
to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(d) (Blank).

(Source: P.A. 96-1482, eff. 11-29-10; 97-706, eff. 6-25-12.)

Section 100. The Elder Abuse and Neglect Act is amended by changing the title of the Act and by changing Sections 1, 2, 3, 3.5, 4, 4.1, 5, 8, 9, and 15 and by adding Sections 7.1, 7.5, and 15.5 as follows:

(320 ILCS 20/Act title)

An Act in relation to adult protective services the abuse and neglect of elderly persons.

(320 ILCS 20/1) (from Ch. 23, par. 6601)

New matter indicated by italics - deletions by strikeout
Sec. 1. Short title. This Act shall be known and may be cited as the Adult Protective Services Act “Elder Abuse and Neglect Act”.
(Source: P.A. 85-1184.)
(320 ILCS 20/2) (from Ch. 23, par. 6602)
Sec. 2. Definitions. As used in this Act, unless the context requires otherwise:
(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.
Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.
Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.
(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.
(a-6) "Adult with disabilities" means a person aged 18 through 59 who resides in a domestic living situation and whose disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.
(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.
(b) "Department" means the Department on Aging of the State of Illinois.
(c) "Director" means the Director of the Department.
(c-5) "Disability" means a physical or mental disability, including, but not limited to, a developmental disability, an intellectual disability, a mental illness as defined under the Mental Health and Developmental Disabilities Code, or dementia as defined under the Alzheimer's Disease Assistance Act.
(d) "Domestic living situation" means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or a board and care home or other community-based unlicensed facility, but is not:

New matter indicated by italics - deletions by strikeout
(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;
(1.5) A facility licensed under the ID/DD Community Care Act;
(1.7) A facility licensed under the Specialized Mental Health Rehabilitation Act;
(2) A "life care facility" as defined in the Life Care Facilities Act;
(3) A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;
(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;
(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;
(6) (Blank);
(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act or a "community residential alternative" as licensed under that Act;
(8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or
(9) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.
(e) "Eligible adult" means either an adult with disabilities aged 18 through 59 or a person aged 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.
(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.
(f-1) "Financial exploitation" means the use of an eligible adult's resources by another to the disadvantage of that adult or the profit or advantage of a person other than that adult.
(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in: (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietitian Nutritionist Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(1.5) an employee of an entity providing developmental disabilities services or service coordination funded by the Department of Human Services;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary

New matter indicated by italics - deletions by strikeout
Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation. A provider agency is also referenced as a "designated agency" in this Act.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which
significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

(Source: P.A. 96-339, eff. 7-1-10; 96-526, eff. 1-1-10; 96-572, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-300, eff. 8-11-11; 97-706, eff. 6-25-12; 97-813, eff. 7-13-12; 97-1141, eff. 12-28-12.)

(320 ILCS 20/3) (from Ch. 23, par. 6603)

Sec. 3. Responsibilities.

(a) The Department shall establish, design, and manage a protective services program of response and services for eligible adults persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, financial exploitation, or self-neglect. The Department shall contract with or fund, or contract with and fund, regional administrative agencies, provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to this Act. For self-neglect, the program shall include the following services for eligible adults who have been removed from their residences for the purpose of cleanup or repairs: temporary housing; counseling; and caseworker services to try to ensure that the conditions necessitating the removal do not reoccur.

(a-1) The Department shall by rule develop standards for minimum staffing levels and staff qualifications. The Department shall by rule establish mandatory standards for the investigation of abuse, neglect, financial exploitation, or self-neglect of eligible adults and mandatory procedures for linking eligible adults to appropriate services and supports.

(a-5) A provider agency shall, in accordance with rules promulgated by the Department, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in the handling of complex abuse cases involving eligible adults. Each multi-disciplinary team shall consist of one volunteer representative from the following professions: banking or finance; disability care; health care; law; law enforcement; mental health care; and clergy. A provider agency may also choose to add representatives.
from the fields of substance abuse, domestic violence, sexual assault, or other related fields. To support multi-disciplinary teams in this role, law enforcement agencies and coroners or medical examiners shall supply records as may be requested in particular cases.

(b) Each regional administrative agency shall designate provider agencies within its planning and service area with prior approval by the Department on Aging, monitor the use of services, provide technical assistance to the provider agencies and be involved in program development activities.

(c) Provider agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently. Such assistance shall include, but not be limited to, receiving reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, conducting face-to-face assessments of such reported cases, determination of substantiated cases, referral of substantiated cases for necessary support services, referral of criminal conduct to law enforcement in accordance with Department guidelines, and provision of case work and follow-up services on substantiated cases. In the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report on an emergency basis in accordance with guidelines established by the Department by administrative rule and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. A provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends.

(c-5) Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, including any reports made after death, the agency shall immediately report the matter to both the appropriate law enforcement agency and the coroner or medical examiner. Between 30 and 45 days after making such a report, the provider agency again shall contact the law enforcement agency and coroner or medical examiner to determine whether any further action was taken. Upon request by a provider agency, a law enforcement agency and coroner or medical examiner shall supply a summary of its action in response to a reported death of an eligible adult. A copy of the report shall be maintained and all subsequent follow-up with the law enforcement agency and coroner or medical examiner shall be documented in the case record of the eligible adult.
(d) Upon sufficient appropriations to implement a statewide program, the Department shall implement a program, based on the recommendations of the Elder Self-Neglect Steering Committee, for (i) responding to reports of possible self-neglect, (ii) protecting the autonomy, rights, privacy, and privileges of adults during investigations of possible self-neglect and consequential judicial proceedings regarding competency, (iii) collecting and sharing relevant information and data among the Department, provider agencies, regional administrative agencies, and relevant seniors, (iv) developing working agreements between provider agencies and law enforcement, where practicable, and (v) developing procedures for collecting data regarding incidents of self-neglect.

(Source: P.A. 95-76, eff. 6-1-08; 96-526, eff. 1-1-10; 96-572, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(320 ILCS 20/3.5)

Sec. 3.5. Other Responsibilities. The Department shall also be responsible for the following activities, contingent upon adequate funding; implementation shall be expanded to adults with disabilities upon the effective date of this amendatory Act of the 98th General Assembly, except those responsibilities under subsection (a), which shall be undertaken as soon as practicable:

(a) promotion of a wide range of endeavors for the purpose of preventing elder abuse, neglect, financial exploitation, and self-neglect in both domestic and institutional settings, including, but not limited to, promotion of public and professional education to increase awareness of elder abuse, neglect, financial exploitation, and self-neglect; to increase reports; to establish access to and use of the Health Care Worker Registry; and to improve response by various legal, financial, social, and health systems;

(b) coordination of efforts with other agencies, councils, and like entities, to include but not be limited to, the Administrative Office of the Illinois Courts, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the Departments of Public Health, Healthcare and Family Services, Public Aid, and Human Services, the Illinois Guardianship and Advocacy Commission, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, and other entities which may impact awareness of, and response to, elder abuse, neglect, financial exploitation, and self-neglect;

(c) collection and analysis of data;

New matter indicated by italics - deletions by strikeout
(d) monitoring of the performance of regional administrative agencies and adult protective services elder abuse provider agencies;

(e) promotion of prevention activities;

(f) establishing and coordinating an aggressive training program on the unique nature of adult elder abuse cases with other agencies, councils, and like entities, to include but not be limited to the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the State Departments of Public Health, Healthcare and Family Services Public Aid, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act, and other entities that may impact awareness of and response to elder abuse, neglect, financial exploitation, and self-neglect;

(g) solicitation of financial institutions for the purpose of making information available to the general public warning of financial exploitation of adults the elderly and related financial fraud or abuse, including such information and warnings available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution;

(g-1) developing by joint rulemaking with the Department of Financial and Professional Regulation minimum training standards which shall be used by financial institutions for their current and new employees with direct customer contact; the Department of Financial and Professional Regulation shall retain sole visitation and enforcement authority under this subsection (g-1); the Department of Financial and Professional Regulation shall provide bi-annual reports to the Department setting forth aggregate statistics on the training programs required under this subsection (g-1); and

(h) coordinating efforts with utility and electric companies to send notices in utility bills to explain to persons 60 years of age or older their rights regarding telemarketing and home repair fraud.

(Source: P.A. 96-1103, eff. 7-19-10.)

(320 ILCS 20/4) (from Ch. 23, par. 6604)
Sec. 4. Reports of abuse or neglect.

(a) Any person who suspects the abuse, neglect, financial exploitation, or self-neglect of an eligible adult may report this suspicion
to an agency designated to receive such reports under this Act or to the Department.

(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of a disability or other condition or impairment dysfunction is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. The agency designated to receive such reports under this Act or the Department may establish a manner in which a mandated reporter can make the required report through an Internet reporting tool. Information sent and received through the Internet reporting tool is subject to the same rules in this Act as other types of confidential reporting established by the designated agency or the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, board and care home, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with the provisions of this Act and may also notify the person in charge of the institution, facility, board and care home, or agency or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, board and care home, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.
(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order, but is otherwise confidential.

(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A)(22) of Section 22 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 23 of the Illinois Dental Practice Act. Any optometrist who willfully fails to report as required by this Act shall be referred to the Department of Financial and Professional Regulation for action in accordance with paragraph (15) of subsection (a) of Section 24 of the Illinois Optometric Practice Act of 1987. Any other mandated reporter

New matter indicated by italics - deletions by strikeout
required by this Act to report suspected abuse, neglect, or financial exploitation who willfully fails to report the same is guilty of a Class A misdemeanor.

(Source: P.A. 96-378, eff. 1-1-10; 96-526, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-860, eff. 7-30-12.)

(320 ILCS 20/4.1)
Sec. 4.1. Employer discrimination. No employer shall discharge, demote or suspend, or threaten to discharge, demote or suspend, or in any manner discriminate against any employee who makes any good faith oral or written report of suspected elder abuse, neglect, or financial exploitation or who is or will be a witness or testify in any investigation or proceeding concerning a report of suspected elder abuse, neglect, or financial exploitation.

(Source: P.A. 90-628, eff. 1-1-99.)

(320 ILCS 20/5) (from Ch. 23, par. 6605)
Sec. 5. Procedure.

(a) A provider agency designated to receive reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act shall, upon receiving such a report, conduct a face-to-face assessment with respect to such report, in accord with established law and Department protocols, procedures, and policies. Face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect. In the absence of sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect, the designated adult protective services elder abuse provider agency shall refer all reports of self-neglect to the appropriate agency or agencies as designated by the Department for any follow-up. The assessment shall include, but not be limited to, a visit to the residence of the eligible adult who is the subject of the report and may include interviews or consultations with service agencies or individuals who may have knowledge of the eligible adult's circumstances. If, after the assessment, the provider agency determines that the case is substantiated it shall develop a service care plan for the eligible adult and may report its findings to the appropriate law enforcement agency in accord with established law and Department protocols, procedures, and policies. In developing a case the plan, the provider agency may consult with any other appropriate provider of services, and such providers shall

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be immune from civil or criminal liability on account of such acts. The plan shall include alternative suggested or recommended services which are appropriate to the needs of the eligible adult and which involve the least restriction of the eligible adult's activities commensurate with his or her needs. Only those services to which consent is provided in accordance with Section 9 of this Act shall be provided, contingent upon the availability of such services.

(b) A provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake or any time during the case. Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.

(c) If any person other than the alleged victim refuses to allow the provider agency to begin an investigation, interferes with the provider agency's ability to conduct an investigation, or refuses to give access to an eligible adult, the appropriate law enforcement agency must be consulted regarding the investigation.

(Source: P.A. 94-1064, eff. 1-1-07.)

(320 ILCS 20/7.1 new)

Sec. 7.1. Final investigative report. A provider agency shall prepare a final investigative report, upon the completion or closure of an investigation, in all cases of reported abuse, neglect, financial exploitation, or self-neglect of an eligible adult, whether or not there is a substantiated finding.

(320 ILCS 20/7.5 new)

Sec. 7.5. Health Care Worker Registry.

(a) Reporting to the registry. The Department on Aging shall report to the Department of Public Health's Health Care Worker Registry the identity and administrative finding of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult under this Act that is made against any caregiver, including consultants and volunteers, employed by a provider licensed, certified, or regulated by, or paid with public funds from, the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging. For uncompensated or privately paid caregivers, the Department on Aging shall report only a verified and substantiated decision of significant abuse, neglect, or financial exploitation of an

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eligible adult under this Act. An administrative finding placed in the registry shall preclude any caregiver from providing direct access or other services, including consulting and volunteering, in a position with a provider that is licensed, certified, or regulated by, or paid with public funds from or on behalf of, the State of Illinois or any Department thereof, that permits the caregiver direct access to an adult aged 60 or older or an adult, over 18, with a disability or to that individual's living quarters or personal, financial, or medical records.

(b) Definitions. As used in this Section:
"Direct care" includes, but is not limited to, direct access to an individual, his or her living quarters, or his or her personal, financial, or medical records for the purpose of providing nursing care or assistance with feeding, dressing, movement, bathing, toileting, other personal needs and activities of daily living, or assistance with financial transactions.

"Privately paid caregiver" means any caregiver who has been paid with resources other than public funds, regardless of licensure, certification, or regulation by the State of Illinois and any Department thereof. A privately paid caregiver does not include any caregiver that has been licensed, certified, or regulated by a State agency, or paid with public funds.

"Significant" means a finding of abuse, neglect, or financial exploitation as determined by the Department that (i) represents a meaningful failure to adequately provide for, or a material indifference to, the financial, health, safety, or medical needs of an eligible adult or (ii) results in an eligible adult's death or other serious deterioration of an eligible adult's financial resources, physical condition, or mental condition.

"Uncompensated caregiver" means a caregiver who, in an informal capacity, assists an eligible adult with activities of daily living, financial transactions, or chore housekeeping type duties. "Uncompensated caregiver" does not refer to an individual serving in a formal capacity as a volunteer with a provider licensed, certified, or regulated by a State agency.

(c) Access to and use of the Registry. Access to the registry shall be limited to licensed, certified, or regulated providers by the Department of Public Health, Healthcare and Family Service, or Human Services, or the Department on Aging. The State of Illinois, any Department thereof, or a provider licensed, certified, or regulated, or paid with public funds by, from, or on behalf of the Department of Public Health, Healthcare and

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Family Services, or Human Services, or the Department on Aging, shall not hire or compensate any person seeking employment, retain any contractors, or accept any volunteers to provide direct care without first conducting an online check of the person through the Department of Public Health's Health Care Worker Registry. The provider shall maintain a copy of the results of the online check to demonstrate compliance with this requirement. The provider is prohibited from hiring, compensating, or accepting a person, including as a consultant or volunteer, for whom the online check reveals a verified and substantiated claim of abuse, neglect, or financial exploitation, to provide direct care to any adult aged 60 or older or any adult, over 18, with a disability. Additionally, a provider is prohibited from retaining a person for whom they gain knowledge of a verified and substantiated claim of abuse, neglect, or financial exploitation in a position that permits the caregiver direct access to provide direct care to any adult aged 60 or older or any adult, over 18, with a disability or direct access to that individual's living quarters or personal, financial, or medical records. Failure to comply with this requirement may subject such a provider to corrective action by the appropriate regulatory agency or other lawful remedies provided under the applicable licensure, certification, or regulatory laws and rules.

(d) Notice to caregiver. The Department on Aging shall establish rules concerning notice to the caregiver in cases of abuse, neglect, or financial exploitation.

(e) Notification to eligible adults, guardians, or agents. As part of its investigation, the Department on Aging shall notify an eligible adult, or an eligible adult's guardian or agent, that a caregiver's name may be placed on the registry based on a finding as described in subsection (a-1) of this Section.

(f) Notification to employer. A provider licensed, certified, or regulated by the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging shall be notified of an administrative finding against any caregiver who is an employee, consultant, or volunteer of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult under this Act. If there is an imminent risk of danger to the eligible adult or an imminent risk of misuse of personal, medical, or financial information, the caregiver shall immediately be barred from direct access to the eligible adult, his or her living quarters, or his or her personal, financial, or medical records.

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pending the outcome of any challenge, criminal prosecution, or other type of collateral action.

(g) Caregiver challenges. The Department on Aging shall establish, by rule, procedures concerning caregiver challenges.

(h) Caregiver's rights to collateral action. The Department on Aging shall not make any report to the registry if a caregiver notifies the Department in writing, including any supporting documentation, that he or she is formally challenging an adverse employment action resulting from a verified and substantiated finding of abuse, neglect, or financial exploitation by complaint filed with the Illinois Civil Service Commission, or by another means which seeks to enforce the caregiver's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against a caregiver as a result of a finding of abuse, neglect, or financial exploitation is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement after that caregiver's name has already been sent to the registry, the caregiver's name shall be removed from the registry.

(i) Removal from registry. At any time after a report to the registry, but no more than once in each successive 3-year period thereafter, for a maximum of 3 such requests, a caregiver may write to the Director of the Department on Aging to request removal of his or her name from the registry in relationship to a single incident. The caregiver shall bear the burden of showing cause that establishes, by a preponderance of the evidence, that removal of his or her name from the registry is in the public interest. Upon receiving such a request, the Department on Aging shall conduct an investigation and consider any evidentiary material provided. The Department shall issue a decision either granting or denying removal within 60 calendar days, and shall issue such decision to the caregiver and the registry. The waiver process at the Department of Public Health does not apply to registry reports from the Department on Aging. The Department on Aging shall establish standards for the removal of a name from the registry by rule.

(j) Referral of registry reports to health care facilities. In the event an eligible adult receiving services from a provider agency changes his or her residence from a domestic living situation to that of a health care facility, the provider agency shall use reasonable efforts to promptly inform the health care facility and the appropriate Regional Long Term Care Ombudsman about any registry reports relating to the eligible adult.

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For purposes of this Section, a health care facility includes, but is not limited to, any residential facility licensed, certified, or regulated by the Department of Public Health, Healthcare and Family Services, or Human Services.

(320 ILCS 20/8) (from Ch. 23, par. 6608)  
Sec. 8. Access to records. All records concerning reports of elder abuse, neglect, financial exploitation, or self-neglect and all records generated as a result of such reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. In accord with established law and Department protocols, procedures, and policies, access to such records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, financial exploitation, or self-neglect as contained in such records, shall be provided, upon request, to the following persons and for the following persons:

(1) Department staff, provider agency staff, other aging network staff, and regional administrative agency staff, including staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency, in the furtherance of their responsibilities under this Act;

(2) A law enforcement agency investigating known or suspected elder abuse, neglect, financial exploitation, or self-neglect. Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, including any reports made after death, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;

(2.5) A law enforcement agency, fire department agency, or fire protection district having proper jurisdiction pursuant to a written agreement between a provider agency and the law enforcement agency, fire department agency, or fire protection district under which the provider agency may furnish to the law enforcement agency, fire department agency, or fire protection district a list of all eligible adults who may be at imminent risk of elder abuse, neglect, financial exploitation, or self-neglect;

(3) A physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may be abused, neglected, financially

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exploited, or self-neglected or who has been referred to the Adult Protective Services Elder Abuse and Neglect Program;

(4) An eligible adult reported to be abused, neglected, financially exploited, or self-neglected, or such adult's authorized guardian or agent, unless such guardian or agent is the abuser or the alleged abuser;

(4.5) An executor or administrator of the estate of an eligible adult who is deceased;

(5) In cases regarding elder abuse, neglect, or financial exploitation, a court or a guardian ad litem, upon its or his or her finding that access to such records may be necessary for the determination of an issue before the court. However, such access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it;

(5.5) In cases regarding self-neglect, a guardian ad litem;

(6) A grand jury, upon its determination that access to such records is necessary in the conduct of its official business;

(7) Any person authorized by the Director, in writing, for audit or bona fide research purposes;

(8) A coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, neglect, financial exploitation, or self-neglect. The provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult;

(8.5) A coroner or medical examiner having proper jurisdiction, pursuant to a written agreement between a provider agency and the coroner or medical examiner, under which the provider agency may furnish to the office of the coroner or medical examiner a list of all eligible adults who may be at imminent risk of death as a result of abuse, neglect, financial exploitation, or self-neglect; and

(9) Department of Financial and Professional Regulation staff and members of the Illinois Medical Disciplinary Board or the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act by provider agency staff or other

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licensing bodies at the discretion of the Director of the Department on Aging:

(9-a) Department of Healthcare and Family Services staff when that Department is funding services to the eligible adult, including access to the identity of the eligible adult;

(9-b) Department of Human Services staff when that Department is funding services to the eligible adult or is providing reimbursement for services provided by the abuser or alleged abuser, including access to the identity of the eligible adult;

(10) Hearing officers in the course of conducting an administrative hearing to determine whether a verified and substantiated finding of significant abuse, neglect, or financial exploitation of an eligible adult by a caregiver warrants reporting to the Health Care Worker Registry; and

(11) The Illinois Guardianship and Advocacy Commission and the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act shall have access, through the Department, to records, including the findings, pertaining to a completed or closed investigation of a report of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult.

(Source: P.A. 96-526, eff. 1-1-10; 97-864, eff. 1-1-13.)

(320 ILCS 20/9) (from Ch. 23, par. 6609)

Sec. 9. Authority to consent to services.

(a) If an eligible adult consents to an assessment of a reported incident of suspected abuse, neglect, financial exploitation, or self-neglect and, following the assessment of such report, consents to services being provided according to the case plan, such services shall be arranged to meet the adult's needs, based upon the availability of resources to provide such services. If an adult withdraws his or her consent for an assessment of the reported incident or withdraws his or her consent for services and refuses to accept such services, the services shall not be provided.

(b) If it reasonably appears to the Department or other agency designated under this Act that a person is an eligible adult and lacks the capacity to consent to an assessment of a reported incident of suspected abuse, neglect, financial exploitation, or self-neglect or to necessary services, including an assessment, the Department or other agency shall notify the Illinois Guardianship and Advocacy Commission, the Office of State Guardian, or any other appropriate agency, of the potential need for

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may seek the appointment of a temporary guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to an assessment of the reported incident and such services, together with an order for an evaluation of the eligible adult's physical, psychological, and medical condition and decisional capacity.

(c) A guardian of the person of an eligible adult may consent to an assessment of the reported incident and to services being provided according to the case plan. If an eligible adult lacks capacity to consent to services, an agent having authority under a power of attorney may consent to an assessment of the reported incident and to services. If the guardian or agent is the suspected abuser and he or she withdraws his or her consent for the assessment of the reported incident, or refuses to allow services to be provided to the eligible adult, the Department, an agency designated under this Act, or the office of the Attorney General may request a court order seeking appropriate remedies, and may in addition request removal of the guardian and appointment of a successor guardian or request removal of the agent and appointment of a guardian.

(d) If an emergency exists and the Department or other agency designated under this Act reasonably believes that a person is an eligible adult and lacks the capacity to consent to necessary services, the Department or other agency may request an ex parte order from the circuit court of the county in which the petitioner or respondent resides or in which the alleged abuse, neglect, financial exploitation, or self-neglect occurred, authorizing an assessment of a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect or the provision of necessary services, or both, including relief available under the Illinois Domestic Violence Act of 1986 in accord with established law and Department protocols, procedures, and policies. Petitions filed under this subsection shall be treated as expedited proceedings. When an eligible adult is at risk of serious injury or death and it reasonably appears that the eligible adult lacks capacity to consent to necessary services, the Department or other agency designated under this Act may take action necessary to ameliorate the risk in accordance with administrative rules promulgated by the Department.

(d-5) For purposes of this Section, an eligible adult "lacks the capacity to consent" if qualified staff of an agency designated under this Act reasonably determine, in accordance with administrative rules promulgated by the Department, that he or she appears either (i) unable to receive and evaluate information related to the assessment or services or
(ii) unable to communicate in any manner decisions related to the assessment of the reported incident or services.

(e) Within 15 days after the entry of the ex parte emergency order, the order shall expire, or, if the need for assessment of the reported incident or services continues, the provider agency shall petition for the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such assessment or services or to protect the eligible adult from further harm.

(f) If the court enters an ex parte order under subsection (d) for an assessment of a reported incident of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, or for the provision of necessary services in connection with alleged or suspected self-neglect, or for both, the court, as soon as is practicable thereafter, shall appoint a guardian ad litem for the eligible adult who is the subject of the order, for the purpose of reviewing the reasonableness of the order. The guardian ad litem shall review the order and, if the guardian ad litem reasonably believes that the order is unreasonable, the guardian ad litem shall file a petition with the court stating the guardian ad litem's belief and requesting that the order be vacated.

(g) In all cases in which there is a substantiated finding of abuse, neglect, or financial exploitation by a guardian, the Department shall, within 30 days after the finding, notify the Probate Court with jurisdiction over the guardianship.

(Source: P.A. 96-526, eff. 1-1-10.)

(320 ILCS 20/15)

Sec. 15. Abuse Fatality Review Teams

(a) State policy. In this Section, "review team" means a regional interagency elder abuse fatality review team established under this Section.

(1) Both the State and the community maintain a commitment to preventing the abuse, neglect, and financial exploitation of at-risk adults. This includes a charge to bring perpetrators of crimes against at-risk adults to justice and prevent untimely deaths in the community.

(2) When an at-risk adult dies, the response to the death by the community, law enforcement, and the State must include an accurate and complete determination of the cause of death, and the development and implementation of measures to prevent future deaths from similar causes.

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(3) Multidisciplinary and multi-agency reviews of deaths can assist the State and counties in developing a greater understanding of the incidence and causes of premature deaths and the methods for preventing those deaths, improving methods for investigating deaths, and identifying gaps in services to at-risk adults.

(4) Access to information regarding the deceased person and his or her family by multidisciplinary and multi-agency at-risk adult fatality review teams is necessary in order to fulfill their purposes and duties.

(a-5) Definitions. As used in this Section:


"Review Team" means a regional interagency at-risk adult fatality review team.

(b) The Director, in consultation with the Advisory Council, law enforcement, and other professionals who work in the fields of investigating, treating, or preventing abuse or neglect of at-risk adults, shall appoint members to a minimum of one review team in each of the Department's planning and service areas. Each member of a review team shall be appointed for a 2-year term and shall be eligible for reappointment upon the expiration of the term. A review team's purpose in conducting review of at-risk adult deaths is:

The Department, or any other State or county agency with Department approval, may establish regional interagency elder abuse fatality review teams (i) to assist local agencies in identifying and reviewing suspicious deaths of adult elderly victims of alleged, suspected, or substantiated abuse or neglect in domestic living situations; and (ii) to facilitate communications between officials responsible for autopsies and inquests and persons involved in reporting or investigating alleged or suspected cases of abuse, neglect, or financial exploitation of at-risk adults and persons involved in providing services to at-risk adults; (iii) to evaluate means by which the death might have been prevented; and (iv) to report its findings to the appropriate agencies and the Advisory Council and make recommendations that may help to reduce the number of at-risk adult deaths caused by abuse and neglect and that may help to improve the investigations of deaths of at-risk adults and increase prosecutions, if appropriate.

(b-5) Each such team shall be composed of representatives of entities and individuals including, but not limited to:

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(1) the Department on Aging;
(2) coroners or medical examiners (or both);
(3) State's Attorneys;
(4) local police departments;
(5) forensic units;
(6) local health departments;
(7) a social service or health care agency that provides services to persons with mental illness, in a program whose accreditation to provide such services is recognized by the Division of Mental Health within the Department of Human Services;
(8) a social service or health care agency that provides services to persons with developmental disabilities, in a program whose accreditation to provide such services is recognized by the Division of Developmental Disabilities within the Department of Human Services;
(9) a local hospital, trauma center, or provider of emergency medicine;
(10) providers of services for eligible adults in domestic living situations; and
(11) a physician, psychiatrist, or other health care provider knowledgeable about abuse and neglect of at-risk adults
the Department on Aging, coroners or medical examiners (or both), State's Attorneys, local police departments, forensic units, and providers of services for persons 60 years of age or older in domestic living situations.

(c) A review team shall review cases of deaths of at-risk adults occurring in its planning and service area persons 60 years of age or older in domestic living situations (i) involving blunt force trauma or an undetermined manner or suspicious cause of death, (ii) if requested by the deceased's attending physician or an emergency room physician, (iii) upon referral by a health care provider, (iv) upon referral by a coroner or medical examiner, (v) or (vi) constituting an open or closed case from an adult protective services agency, law enforcement agency, State's Attorney's office, or the Department of Human Services' Office of the Inspector General that involves alleged or suspected abuse, neglect, or financial exploitation; or (vi) upon referral by a law enforcement agency or State's Attorney's office. If such a death occurs in a planning and service area where a review team has not yet been established, the

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Director shall request that the Advisory Council or another review team review that death. A team may also review other cases of deaths of at-risk adults persons 60 years of age or older if the alleged abuse or neglect occurred while the person was residing in a domestic living situation.

A review team shall meet not less than 6 times a year to discuss cases for its possible review. Each review team, with the advice and consent of the Department, shall establish criteria to be used by review teams in discussing cases of alleged, suspected, or substantiated abuse or neglect for review and shall conduct its activities in accordance with any applicable policies and procedures established by the Department.

(c-5) The Illinois At-Risk Adult Fatality Review Teams Advisory Council, consisting of one member from each review team in Illinois, shall be the coordinating and oversight body for review teams and activities in Illinois. The Director may appoint to the Advisory Council any ex-officio members deemed necessary. Persons with expertise needed by the Advisory Council may be invited to meetings. The Advisory Council must select from its members a chairperson and a vice-chairperson, each to serve a 2-year term. The chairperson or vice-chairperson may be selected to serve additional, subsequent terms. The Advisory Council must meet at least 4 times during each calendar year.

The Department may provide or arrange for the staff support necessary for the Advisory Council to carry out its duties. The Director, in cooperation and consultation with the Advisory Council, shall appoint, reappoint, and remove review team members.

The Advisory Council has, but is not limited to, the following duties:

(1) To serve as the voice of review teams in Illinois.

(2) To oversee the review teams in order to ensure that the review teams' work is coordinated and in compliance with State statutes and the operating protocol.

(3) To ensure that the data, results, findings, and recommendations of the review teams are adequately used in a timely manner to make any necessary changes to the policies, procedures, and State statutes in order to protect at-risk adults.

(4) To collaborate with the Department in order to develop any legislation needed to prevent unnecessary deaths of at-risk adults.
(5) To ensure that the review teams' review processes are standardized in order to convey data, findings, and recommendations in a usable format.

(6) To serve as a link with review teams throughout the country and to participate in national review team activities.

(7) To provide the review teams with the most current information and practices concerning at-risk adult death review and related topics.

(8) To perform any other functions necessary to enhance the capability of the review teams to reduce and prevent at-risk adult fatalities.

The Advisory Council may prepare an annual report, in consultation with the Department, using aggregate data gathered by review teams and using the review teams' recommendations to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for at-risk adults and their families.

In any instance where a review team does not operate in accordance with established protocol, the Director, in consultation and cooperation with the Advisory Council, must take any necessary actions to bring the review team into compliance with the protocol.

(d) Any document or oral or written communication shared within or produced by the review team relating to a case discussed or reviewed by the review team is confidential and is not admissible as evidence in any civil or criminal proceeding, except for use by a State's Attorney's office in prosecuting a criminal case against a caregiver. Those records and information are, however, subject to discovery or subpoena, and are admissible as evidence, to the extent they are otherwise available to the public.

Any document or oral or written communication provided to a review team by an individual or entity, and created by that individual or entity solely for the use of the review team, is confidential, and is not subject to disclosure to or discoverable by another party, and is not admissible as evidence in any civil or criminal proceeding, except for use by a State's Attorney's office in prosecuting a criminal case against a caregiver. Those records and information are, however, subject to discovery or subpoena, and are admissible as evidence, to the extent they are otherwise available to the public.

Each entity or individual represented on the review team may share with other members of the team information in the

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entity's or individual's possession concerning the decedent who is the subject of the review or concerning any person who was in contact with the decedent, as well as any other information deemed by the entity or individual to be pertinent to the review. Any such information shared by an entity or individual with other members of the review team is confidential. The intent of this paragraph is to permit the disclosure to members of the review team of any information deemed confidential or privileged or prohibited from disclosure by any other provision of law. Release of confidential communication between domestic violence advocates and a domestic violence victim shall follow subsection (d) of Section 227 of the Illinois Domestic Violence Act of 1986 which allows for the waiver of privilege afforded to guardians, executors, or administrators of the estate of the domestic violence victim. This provision relating to the release of confidential communication between domestic violence advocates and a domestic violence victim shall exclude adult protective service providers.

A coroner's or medical examiner's office may share with the review team medical records that have been made available to the coroner's or medical examiner's office in connection with that office's investigation of a death.

Members of a review team and the Advisory Council are not subject to examination, in any civil or criminal proceeding, concerning information presented to members of the review team or the Advisory Council or opinions formed by members of the review team or the Advisory Council based on that information. A person may, however, be examined concerning information provided to a review team or the Advisory Council.

(d-5) Meetings of the review teams and the Advisory Council may be closed to the public under the Open Meetings Act. Records and information provided to a review team and the Advisory Council, and records maintained by a team or the Advisory Council, are exempt from release under the Freedom of Information Act.

(e) A review team's recommendation in relation to a case discussed or reviewed by the review team, including, but not limited to, a recommendation concerning an investigation or prosecution in relation to such a case, may be disclosed by the review team upon the completion of its review and at the discretion of a majority of its members who reviewed the case.

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(e-5) The State shall indemnify and hold harmless members of a review team and the Advisory Council for all their acts, omissions, decisions, or other conduct arising out of the scope of their service on the review team or Advisory Council, except those involving willful or wanton misconduct. The method of providing indemnification shall be as provided in the State Employee Indemnification Act.

(f) The Department, in consultation with coroners, medical examiners, and law enforcement agencies, shall use aggregate data gathered by review teams and review teams' recommendations from the Advisory Council and the review teams to create an annual report and may use those data and recommendations to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for at-risk adults persons 60 years of age or older and their families. The Department or other State or county agency, in consultation with coroners, medical examiners, and law enforcement agencies, also may use aggregate data gathered by the review teams to create a database of at-risk individuals.

(g) The Department shall adopt such rules and regulations as it deems necessary to implement this Section.

(Source: P.A. 95-402, eff. 6-1-08.)

(320 ILCS 20/15.5 new)

Sec. 15.5. Independent monitor. Subject to appropriation, to ensure the effectiveness and accountability of the adult protective services system, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act shall monitor the system and provide to the Department review and evaluation of the system in accordance with administrative rules promulgated by the Department.

Section 105. The Code of Criminal Procedure of 1963 is amended by changing Sections 114-13.5 and 115-10.3 as follows:

(725 ILCS 5/114-13.5)

Sec. 114-13.5. Evidence deposition; elder abuse. In a prosecution for abuse, neglect, or financial exploitation of an eligible adult as defined in the Adult Protective Services Act Elder Abuse and Neglect Act, the eligible adult may give testimony in the form of an evidence deposition and not be required to appear in court to testify.

(Source: P.A. 93-301, eff. 1-1-04.)

(725 ILCS 5/115-10.3)

Sec. 115-10.3. Hearsay exception regarding elder adults.

New matter indicated by italics - deletions by strikeout
(a) In a prosecution for a physical act, abuse, neglect, or financial exploitation perpetrated upon or against an eligible adult, as defined in the Adult Protective Services Act or Elder Abuse and Neglect Act, who has been diagnosed by a physician to suffer from (i) any form of dementia, developmental disability, or other form of mental incapacity or (ii) any physical infirmity, including but not limited to prosecutions for violations of Sections 10-1, 10-2, 10-3, 10-3.1, 10-4, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-11, 12-1, 12-2, 12-3, 12-3.05, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.5, 12-4.6, 12-4.7, 12-5, 12-6, 12-7.3, 12-7.4, 12-11, 12-11.1, 12-13, 12-14, 12-15, 12-16, 12-21, 16-1, 16-1.3, 17-1, 17-3, 17-56, 18-1, 18-2, 18-3, 18-4, 18-5, 18-6, 19-6, 20-1.1, 24-1.2, and 33A-2, or subsection (b) of Section 12-4.4a of, or subsection (a) of Section 17-32, of the Criminal Code of 1961 or the Criminal Code of 2012, the following evidence shall be admitted as an exception to the hearsay rule:

1. Testimony by an eligible adult, of an out of court statement made by the eligible adult, that he or she complained of such act to another; and

2. Testimony of an out of court statement made by the eligible adult, describing any complaint of such act or matter or detail pertaining to any act which is an element of an offense which is the subject of a prosecution for a physical act, abuse, neglect, or financial exploitation perpetrated upon or against the eligible adult.

(b) Such testimony shall only be admitted if:

1. The court finds in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and

2. The eligible adult either:
   A. testifies at the proceeding; or
   B. is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement.

(c) If a statement is admitted pursuant to this Section, the court shall instruct the jury that it is for the jury to determine the weight and credibility to be given the statement and that, in making the determination, it shall consider the condition of the eligible adult, the nature of the statement, the circumstances under which the statement was made, and any other relevant factor.
(d) The proponent of the statement shall give the adverse party reasonable notice of his or her intention to offer the statement and the particulars of the statement.
(Source: P.A. 96-1551, Article 1, Section 965, eff. 7-1-11; 96-1551, Article 2, Section 1040, eff. 7-1-11; 96-1551, Article 10, Section 10-145, eff. 7-1-11; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 110. The Code of Civil Procedure is amended by changing Section 8-2701 as follows:

(735 ILCS 5/8-2701)

Sec. 8-2701. Admissibility of evidence; out of court statements; elder abuse.

(a) An out of court statement made by an eligible adult, as defined in the Adult Protective Services Act Elder Abuse and Neglect Act, who has been diagnosed by a physician to suffer from (i) any form of dementia, developmental disability, or other form of mental incapacity or (ii) any physical infirmity which prevents the eligible adult's appearance in court, describing any act of elder abuse, neglect, or financial exploitation, or testimony by an eligible adult of an out of court statement made by the eligible adult that he or she complained of such acts to another, is admissible in any civil proceeding, if:

(1) the court conducts a hearing outside the presence of the jury and finds that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and

(2) the eligible adult either:

(A) testifies at the proceeding; or

(B) is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement.

(b) If a statement is admitted pursuant to this Section, the court shall instruct the jury that it is for the jury to determine the weight and credibility to be given to the statement and that, in making its determination, it shall consider the condition of the eligible adult, the nature of the statement, the circumstances under which the statement was made, and any other relevant factors.

(c) The proponent of the statement shall give the adverse party reasonable notice of an intention to offer the statement and the particulars of the statement.
(Source: P.A. 90-628, eff. 1-1-99.)

New matter indicated by italics - deletions by strikeout
Section 115. The Probate Act of 1975 is amended by changing Section 11a-10 as follows:
(755 ILCS 5/11a-10) (from Ch. 110 1/2, par. 11a-10)
Sec. 11a-10. Procedures preliminary to hearing.
(a) Upon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days. The court shall appoint a guardian ad litem to report to the court concerning the respondent's best interests consistent with the provisions of this Section, except that the appointment of a guardian ad litem shall not be required when the court determines that such appointment is not necessary for the protection of the respondent or a reasonably informed decision on the petition. If the guardian ad litem is not a licensed attorney, he or she shall be qualified, by training or experience, to work with or advocate for the developmentally disabled, mentally ill, physically disabled, the elderly, or persons disabled because of mental deterioration, depending on the type of disability that is alleged in the petition. The court may allow the guardian ad litem reasonable compensation. The guardian ad litem may consult with a person who by training or experience is qualified to work with persons with a developmental disability, persons with mental illness, or physically disabled persons, or persons disabled because of mental deterioration, depending on the type of disability that is alleged. The guardian ad litem shall personally observe the respondent prior to the hearing and shall inform him orally and in writing of the contents of the petition and of his rights under Section 11a-11. The guardian ad litem shall also attempt to elicit the respondent's position concerning the adjudication of disability, the proposed guardian, a proposed change in residential placement, changes in care that might result from the guardianship, and other areas of inquiry deemed appropriate by the court. Notwithstanding any provision in the Mental Health and Developmental Disabilities Confidentiality Act or any other law, a guardian ad litem shall have the right to inspect and copy any medical or mental health record of the respondent which the guardian ad litem deems necessary, provided that the information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings. At or before the hearing, the guardian ad litem shall file a written report detailing his or her observations of the respondent, the responses of the respondent to any of the inquires detailed in this Section, the opinion of the guardian ad litem or other professionals with whom the guardian ad litem consulted concerning the appropriateness of

New matter indicated by italics - deletions by strikeout
guardianship, and any other material issue discovered by the guardian ad litem. The guardian ad litem shall appear at the hearing and testify as to any issues presented in his or her report.

(b) The court (1) may appoint counsel for the respondent, if the court finds that the interests of the respondent will be best served by the appointment, and (2) shall appoint counsel upon respondent's request or if the respondent takes a position adverse to that of the guardian ad litem. The respondent shall be permitted to obtain the appointment of counsel either at the hearing or by any written or oral request communicated to the court prior to the hearing. The summons shall inform the respondent of this right to obtain appointed counsel. The court may allow counsel for the respondent reasonable compensation.

(c) If the respondent is unable to pay the fee of the guardian ad litem or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent's estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where the public guardian is the petitioner, consistent with Section 13-5 of the Probate Act of 1975, where an adult protective services agency is the petitioner, pursuant to Section 9 of the Adult Protective Services Act, or where the Department of Human Services Office of Inspector General is the petitioner, consistent with Section 45 of the Abuse of Adults with Disabilities Intervention Act, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the public guardian, the adult protective services agency, the elder abuse provider agency, or the Department of Human Services Office of Inspector General.

(d) The hearing may be held at such convenient place as the court directs, including at a facility in which the respondent resides.

(e) Unless he is the petitioner, the respondent shall be personally served with a copy of the petition and a summons not less than 14 days before the hearing. The summons shall be printed in large, bold type and shall include the following notice:

**NOTICE OF RIGHTS OF RESPONDENT**

You have been named as a respondent in a guardianship petition asking that you be declared a disabled person. If the court grants the petition, a guardian will be appointed for you. A copy of the guardianship petition is attached for your convenience.

The date and time of the hearing are:

New matter indicated by italics - deletions by strikeout
The place where the hearing will occur is:

The Judge's name and phone number is:

If a guardian is appointed for you, the guardian may be given the right to make all important personal decisions for you, such as where you may live, what medical treatment you may receive, what places you may visit, and who may visit you. A guardian may also be given the right to control and manage your money and other property, including your home, if you own one. You may lose the right to make these decisions for yourself.

You have the following legal rights:

(1) You have the right to be present at the court hearing.
(2) You have the right to be represented by a lawyer, either one that you retain, or one appointed by the Judge.
(3) You have the right to ask for a jury of six persons to hear your case.
(4) You have the right to present evidence to the court and to confront and cross-examine witnesses.
(5) You have the right to ask the Judge to appoint an independent expert to examine you and give an opinion about your need for a guardian.
(6) You have the right to ask that the court hearing be closed to the public.
(7) You have the right to tell the court whom you prefer to have for your guardian.

You do not have to attend the court hearing if you do not want to be there. If you do not attend, the Judge may appoint a guardian if the Judge finds that a guardian would be of benefit to you. The hearing will not be postponed or canceled if you do not attend.

IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE PERSON NAMED IN THE GUARDIANSHIP PETITION TO BE YOUR GUARDIAN. IF YOU DO NOT WANT A GUARDIAN OF IF YOU HAVE ANY OTHER PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND TELL THE JUDGE.

Service of summons and the petition may be made by a private person 18 years of age or over who is not a party to the action.

(f) Notice of the time and place of the hearing shall be given by the petitioner by mail or in person to those persons, including the proposed
guardian, whose names and addresses appear in the petition and who do not waive notice, not less than 14 days before the hearing.
(Source: P.A. 96-1052, eff. 7-14-10; 97-375, eff. 8-15-11; 97-1095, eff. 8-24-12.)

Section 120. The Illinois Power of Attorney Act is amended by changing Sections 2-7 and 2-10 as follows:

(755 ILCS 45/2-7) (from Ch. 110 1/2, par. 802-7)

(a) The agent shall be under no duty to exercise the powers granted by the agency or to assume control of or responsibility for any of the principal's property, care or affairs, regardless of the principal's physical or mental condition. Whenever a power is exercised, the agent shall act in good faith for the benefit of the principal using due care, competence, and diligence in accordance with the terms of the agency and shall be liable for negligent exercise. An agent who acts with due care for the benefit of the principal shall not be liable or limited merely because the agent also benefits from the act, has individual or conflicting interests in relation to the property, care or affairs of the principal or acts in a different manner with respect to the agency and the agent's individual interests. The agent shall not be affected by any amendment or termination of the agency until the agent has actual knowledge thereof. The agent shall not be liable for any loss due to error of judgment nor for the act or default of any other person.

(b) An agent that has accepted appointment must act in accordance with the principal's expectations to the extent actually known to the agent and otherwise in the principal's best interests.

(c) An agent shall keep a record of all receipts, disbursements, and significant actions taken under the authority of the agency and shall provide a copy of this record when requested to do so by:

(1) the principal, a guardian, another fiduciary acting on behalf of the principal, and, after the death of the principal, the personal representative or successors in interest of the principal's estate;

(2) a representative of a provider agency, as defined in Section 2 of the Adult Protective Services Act Elder Abuse and Neglect Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act;

(3) a representative of the Office of the State Long Term Care Ombudsman, acting in the course of an investigation of a

New matter indicated by italics - deletions by strikeout
complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging;

(4) a representative of the Office of Inspector General for the Department of Human Services, acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act; or

(5) a court under Section 2-10 of this Act.

(d) If the agent fails to provide his or her record of all receipts, disbursements, and significant actions within 21 days after a request under subsection (c), the adult elder abuse provider agency or the State Long Term Care Ombudsman may petition the court for an order requiring the agent to produce his or her record of receipts, disbursements, and significant actions. If the court finds that the agent's failure to provide his or her record in a timely manner to the adult elder abuse provider agency or the State Long Term Care Ombudsman was without good cause, the court may assess reasonable costs and attorney's fees against the agent, and order such other relief as is appropriate.

(e) An agent is not required to disclose receipts, disbursements, or other significant actions conducted on behalf of the principal except as otherwise provided in the power of attorney or as required under subsection (c).

(f) An agent that violates this Act is liable to the principal or the principal's successors in interest for the amount required (i) to restore the value of the principal's property to what it would have been had the violation not occurred, and (ii) to reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf. This subsection does not limit any other applicable legal or equitable remedies.

(Source: P.A. 96-1195, eff. 7-1-11.)

(755 ILCS 45/2-10) (from Ch. 110 1/2, par. 802-10)

Sec. 2-10. Agency-court relationship.

(a) Upon petition by any interested person (including the agent), with such notice to interested persons as the court directs and a finding by the court that the principal lacks either the capacity to control or the capacity to revoke the agency, the court may construe a power of attorney, review the agent's conduct, and grant appropriate relief including compensatory damages.

New matter indicated by italics - deletions by strikeout
(b) If the court finds that the agent is not acting for the benefit of the principal in accordance with the terms of the agency or that the agent's action or inaction has caused or threatens substantial harm to the principal's person or property in a manner not authorized or intended by the principal, the court may order a guardian of the principal's person or estate to exercise any powers of the principal under the agency, including the power to revoke the agency, or may enter such other orders without appointment of a guardian as the court deems necessary to provide for the best interests of the principal.

(c) If the court finds that the agency requires interpretation, the court may construe the agency and instruct the agent, but the court may not amend the agency.

(d) If the court finds that the agent has not acted for the benefit of the principal in accordance with the terms of the agency and the Illinois Power of Attorney Act, or that the agent's action caused or threatened substantial harm to the principal's person or property in a manner not authorized or intended by the principal, then the agent shall not be authorized to pay or be reimbursed from the estate of the principal the attorneys' fees and costs of the agent in defending a proceeding brought pursuant to this Section.

(e) Upon a finding that the agent's action has caused substantial harm to the principal's person or property, the court may assess against the agent reasonable costs and attorney's fees to a prevailing party who is a provider agency as defined in Section 2 of the Adult Protective Services Act, a representative of the Office of the State Long Term Care Ombudsman, or a governmental agency having regulatory authority to protect the welfare of the principal.

(f) As used in this Section, the term "interested person" includes (1) the principal or the agent; (2) a guardian of the person, guardian of the estate, or other fiduciary charged with management of the principal's property; (3) the principal's spouse, parent, or descendant; (4) a person who would be a presumptive heir-at-law of the principal; (5) a person named as a beneficiary to receive any property, benefit, or contractual right upon the principal's death, or as a beneficiary of a trust created by or for the principal; (6) a provider agency as defined in Section 2 of the Adult Protective Services Act, a representative of the Office of the State Long Term Care Ombudsman, or a governmental agency having regulatory authority to protect the welfare of the principal;

New matter indicated by italics - deletions by strikeout
and (7) the principal's caregiver or another person who demonstrates sufficient interest in the principal's welfare.

(g) Absent court order directing a guardian to exercise powers of the principal under the agency, a guardian will have no power, duty or liability with respect to any property subject to the agency or any personal or health care matters covered by the agency.

(h) Proceedings under this Section shall be commenced in the county where the guardian was appointed or, if no Illinois guardian is acting, then in the county where the agent or principal resides or where the principal owns real property.

(i) This Section shall not be construed to limit any other remedies available.

(Source: P.A. 96-1195, eff. 7-1-11.)

Section 999. Effective date. This Act takes effect July 1, 2013, except the provisions adding Section 7.5 to the Elder Abuse and Neglect Act take effect on January 1, 2014.

Approved July 1, 2013.
Effective July 1, 2013 and January 1, 2014.

July 1, 2013

To the Honorable Members of the Illinois House of Representatives 98th General Assembly

Today I return House Bill 215 with a line item veto in the amount of $2,613,500.

This appropriation is duplicative of an appropriation in Article 35, Section 10 of House Bill 214.

With this action, all other appropriations in House Bill 215 become law. Within the appropriations of House Bill 215 are items that are necessary for the day-to-day operations of State Government, and appropriations that are for the capital expenditures of the State. Of those capital expenditures, many projects are funded as pay-as-you-go items while others are projects that are intended to be funded with the issuance of bonds.

It is the intent of the State that all or a portion of the costs of projects funded by appropriations made in this Act from the Capital Development Fund, the School Construction Fund, the Anti-Pollution Fund, the Transportation Bond Series A Fund, the Transportation Bond Series B

New matter indicated by italics - deletions by strikeout
Fund, the Coal Development Fund, the Transportation Bond Series D Fund, and the Build Illinois Bond Fund which may be eligible for tax-exempt financing will be paid or reimbursed from the proceeds of tax-exempt bonds subsequently issued by the State.

Therefore, pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby return House Bill 215, entitled “AN ACT making appropriations” with a line item veto in appropriations totaling $2,613,500.

**Item Veto**

I hereby veto the appropriation item listed below:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Pages</th>
<th>Lines</th>
<th>Amount Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>305</td>
<td>112</td>
<td>1 – 3</td>
<td>2,613,500</td>
</tr>
</tbody>
</table>

In addition to this specific line item veto, I hereby approve all other appropriation items in House Bill 215.

Sincerely,

PAT QUINN
Governor

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**PUBLIC ACT 98-0050**

(>House Bill No. 0215<)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the State Appellate Defender:

- For Personal Services...................... 15,400,000
- For State Contributions to Social Security..... 1,123,100

New matter indicated by italics - deletions by strikeout
For Contractual Services............... 2,162,000
For Travel........................................ 80,000
For Commodities............................... 44,000
For Printing..................................... 45,000
For Equipment................................. 46,000
For EDP.......................................... 796,500
For Telecommunications...................... 155,000
For Law Student Program..................... 0
Total ........................................... $19,851,600

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes named, are appropriated to the Office of the State Appellate Defender for expenses related to federally assisted programs to work on systemic sentencing issues appeals cases to which the agency is appointed:

Payable from State Appellate Defender
Federal Trust Fund............................ 200,000
Matching Funds payable from General Revenue Fund............................... 60,000
Total ........................................... $260,000

Section 15. The sum of $175,000, or so much thereof as may be necessary, respectively, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for the ordinary and contingent expenses of the Expungement Program.

Section 20. The sum of $63,000, or so much thereof as may be necessary, respectively, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender to provide statewide training to Public Defenders under the Public Defender Training Program.

ARTICLE 2

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State's Attorneys Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2014:

For Personal Services:
Payable from General Revenue Fund for Collective Bargaining Unit................. 3,448,400
Payable from General Revenue Fund for Administrative Unit.......................... 966,600
Payable from State's Attorneys Appellate

New matter indicated by italics - deletions by strikeout
Prosecutor's County Fund................................. 779,800

For State Contribution to the State Employees' Retirement System Pick Up:
Payable from General Revenue Fund for Collective Bargaining Unit....................... 132,300
Payable from General Revenue Fund for Administrative Unit .................................... 33,800
Payable from State's Attorneys Appellate Prosecutor's County Fund.......................... 31,200

Payable from General Revenue Fund for Collective Bargaining Unit............................ 0
Payable from General Revenue Fund for Administrative Unit..................................... 0
Payable from State's Attorneys Appellate Prosecutor's County Fund.......................... 314,400

Payable from General Revenue Fund for Collective Bargaining Unit............................ 263,800
Payable from General Revenue Fund for Administrative Unit..................................... 67,400
Payable from State's Attorneys Appellate Prosecutor's County Fund.......................... 59,700

Payable from State's Attorneys Appellate Prosecutor's County Fund.......................... 241,500

Payable from General Revenue Fund................. 362,800
Payable from State's Attorneys Appellate Prosecutor's County Fund.......................... 560,000

Payable from General Revenue Fund................. 93,800
Payable from State’s Attorneys Appellate Prosecutor’s County Fund ......................... 36,400

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund............... 240,200
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 147,900

For Travel:
Payable from General Revenue Fund............... 24,000
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 15,500

For Commodities:
Payable from General Revenue Fund............... 18,200
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 10,300

For Printing:
Payable from General Revenue Fund............... 7,700
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 4,800

For Equipment:
Payable from General Revenue Fund............... 34,100
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 42,200

For Electronic Data Processing:
Payable from General Revenue Fund............... 21,000
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 32,400

For Telecommunications:
Payable from General Revenue Fund............... 43,400
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 41,300

For Operation of Automotive Equipment:
Payable from General Revenue Fund............... 20,700
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 16,500

For Law Intern Program:
Payable from General Revenue Fund............... 5,000
Payable from State's Attorneys Appellate
Prosecutor's County Fund....................... 28,200

For Continuing Legal Education:
Payable from General Revenue Fund............... 100,000
Payable from Continuing Legal Education
Trust Fund....................................... 150,000

New matter indicated by italics - deletions by strikeout
For Legal Publications:
Payable from General Revenue Fund.................. 1,500
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 14,300

For expenses for assisting County State's
Attorneys for services provided under the
Illinois Public Labor Relations Act:
For Personal Services:
Payable from General Revenue Fund............... 125,100
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 70,400

For State Contribution to the
State Employees' Retirement System Pick Up:
Payable from General Revenue Fund............. 4,800
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 2,800

For State Contribution to the
State Employees' Retirement System:
Payable from General Revenue Fund............... 0
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 28,400

For Contribution to Social Security:
Payable from General Revenue Fund................ 9,600
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 5,400

For County Reimbursement to State
for Group Insurance:
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 23,000

For Contractual Services:
Payable from General Revenue Fund............... 4,700
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 287,000

For Travel:
Payable from General Revenue Fund............... 1,400
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 1,300

For Commodities:
Payable from General Revenue Fund............... 1,000

New matter indicated by italics - deletions by strikeout
Payable from State's Attorneys
Prosecutor's County Fund.......................... 1,000

For Equipment:
Payable from General Revenue Fund............... 1,000
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 1,600

For Operation of Automotive Equipment:
Payable from General Revenue Fund............... 1,400
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 1,300

For expenses pursuant to Narcotics Profit
Forfeiture Act:
Payable from Narcotics Profit Forfeiture
Fund.................................................. 0

For Expenses Pursuant to Drug Asset Forfeiture
Procedure Act:
Payable from Narcotics Profit Forfeiture
Fund.................................................. 2,500,000

For Expenses Pursuant to P.A. 84-1340, which
requires the Office of the State's Attorneys
Appellate Prosecutor to conduct training
programs for Illinois State's Attorneys,
Assistant State's Attorneys and Law
Enforcement Officers on techniques and
methods of eliminating or reducing the
trauma of testifying in criminal proceedings
for children who serve as witnesses in such
proceedings; and other authorized criminal
justice training programs
Payable from General Revenue Fund............... 40,000

For Expenses Related to federally assisted
programs to assist local State's Attorneys
including special appeals, drug related cases
and cases arising under the Narcotics Profit
Forfeiture Act on the request of the State's
Attorney:
Payable from Special Federal Grant Project
Fund.................................................. 2,200,000

For Local Matching Purposes:

New matter indicated by italics - deletions by strikeout
For State Matching Purposes:
  Payable from General Revenue Fund............... 85,800

For Expenses Pursuant to Grant Agreements
For Training Grant Programs:
  Payable from Continuing Legal Education
  Trust Fund............................................ 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for a grant to the
Cook County State's Attorney for expenses incurred in filing appeals in Cook County....... 2,000,000

For Appropriation to the State’s Attorneys Appellate Prosecutor for Federal Grants........ 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for Training Grants
  Payable from General Revenue Fund............... 0

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes Grants:
  Payable from Continuing Legal Education
  Trust Fund............................................ 150,000

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes:
  Payable from Continuing Legal Education
  Trust Fund............................................ 300,000

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes Grants to Cook County:
  Payable from Continuing Legal Education
  Trust Fund............................................ 300,000

For Appropriation to the State’s Attorneys Appellate Implementation of Diversion Court Programs in Cook County:
  Payable from Continuing Legal Education
  Trust Fund............................................ 150,000

ARTICLE 3
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Capital Development Board:

**GENERAL OFFICE**

Payable from Capital Development Fund:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>6,752,700</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>2,722,200</td>
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<td>For State Contributions to Social Security</td>
<td>535,400</td>
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<tr>
<td>For Group Insurance</td>
<td>1,866,300</td>
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<tr>
<td>For Contractual Services</td>
<td>200,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>0</td>
</tr>
<tr>
<td>For Commodities</td>
<td>14,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
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<tr>
<td>For Electronic Data Processing</td>
<td>0</td>
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<tr>
<td>For Telecommunications Services</td>
<td>71,500</td>
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<tr>
<td>For Operation of Auto Equipment</td>
<td>24,100</td>
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<td>For Operational Expenses</td>
<td>400,000</td>
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<tr>
<td>For Facilities Conditions Assessments and Analysis</td>
<td>600,000</td>
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<tr>
<td>For Project Management Tracking</td>
<td>500,000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>13,686,700</strong></td>
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Payable from Capital Development Board Revolving Fund:

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<tr>
<th>Purpose</th>
<th>Amount</th>
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<tbody>
<tr>
<td>For Personal Services</td>
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<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,904,100</td>
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<td>For State Contributions to Social Security</td>
<td>370,600</td>
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<td>For Group Insurance</td>
<td>1,307,200</td>
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<td>For Contractual Services</td>
<td>282,500</td>
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<td>For Travel</td>
<td>157,700</td>
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<td>For Commodities</td>
<td>11,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>14,500</td>
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<tr>
<td>For Equipment</td>
<td>10,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>285,200</td>
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<td>For Telecommunications Services</td>
<td>92,100</td>
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<tr>
<td>For Operational Expenses</td>
<td>310,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Total $9,468,600
Payable from the School Infrastructure Fund:
  For operational purposes relating to the School Infrastructure Program............ 600,000

Section 10. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purposes in Article 3, Section 5 of Public Act 97-0731, respectively, for the objects and purposes hereinafter named, are reappropriated to the Capital Development Board:

  GENERAL OFFICE

Payable from the Capital Development Fund:
  For Facilities Conditions Assessments and Analysis........................................ 900,000
  For Project Management Tracking.................................................... 500,000
  Total $1,400,000

ARTICLE 4

Section 5. The sum of $1,207,417,200 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for operating costs and expenses for the fiscal year ending June 30, 2014.

STATEWIDE SERVICES AND GRANTS

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Corrections for the objects and purposes hereinafter named:

Payable from the General Revenue Fund:
  For Sheriffs’ Fees for Conveying Prisoners........ 327,300
  For the State’s share of Assistant State’s Attorney’s salaries – reimbursement to counties pursuant to Chapter 53 of the Illinois Revised Statutes.............. 365,200
  For Repairs, Maintenance and Other Capital Improvements........................ 2,910,600
  Total $3,603,100

Payable from the Department of Corrections Reimbursement and Education Fund:
  For payment of expenses associated with School District Programs.............. 5,000,000
  For payment of expenses associated with federal programs, including,

New matter indicated by italics - deletions by strikeout
but not limited to, construction of additional beds, treatment programs, and juvenile supervision. $5,000,000

For payment of expenses associated with miscellaneous programs, including, but not limited to, medical costs, food expenditures, Cook County Boot Camp and various construction costs. $27,000,000

Total $37,000,000

Section 15. The sum appropriated for repairs and maintenance, and other capital improvements in Sections 10 and 30 for repairs and maintenance, roof repairs and/or replacements, and miscellaneous capital improvements at the Department's various institutions are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Sections 10 and 30 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 20. The sum of $6,483,300, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for expenses related to statewide hospitalization services.

Section 25. The sum of $668,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the Illinois Sentencing Policy Advisory Council.

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the Working Capital Revolving Fund:

ILLINOIS CORRECTIONAL INDUSTRIES

For Personal Services.......................... 11,169,400
For the Student, Member and Inmate Compensation.......................... 2,177,400
For State Contributions to State Employees' Retirement System............... 4,502,600
For State Contributions to

New matter indicated by italics - deletions by strikeout
ARTICLE 5

Section 5. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Sex Offender Management Board Fund to the Sex Offender Management Board for the purposes authorized by the Sex Offender Management Board Act including, but not limited to, sex offender evaluation, treatment, and monitoring programs and grants. Funding received from private sources is to be expended in accordance with the terms and conditions placed upon the funding.

ARTICLE 6

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

OPERATIONS

Payable from General Revenue Fund:

For Personal Services.......................... 1,181,600
For State Contributions to Social Security................................. 90,400
For Contractual Services.......................... 388,700
For Travel........................................ 4,800
For Commodities............................... 1,600
For Printing....................................... 4,800
For Equipment................................... 0
For Electronic Data Processing.................... 30,600
For Telecommunications Services............... 29,100

Total

$54,596,200

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment.......................... 2,200
For Operational Expenses and Awards.................. 634,900
Total ....................................................... $2,368,700

Section 10. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for administrative costs, awards and grants for the Adult Redeploy program.

Section 15. The sum of $47,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to local units of government and non-profit organizations.

Section 20. The sum of $16,700,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for Byrne/JAG awards and grants to local units of government and non-profit organizations in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 25. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies.

Section 30. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for Byrne/JAG awards and grants to state agencies in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 35. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for activities undertaken in support of federal assistance programs administered by units of state and local government and non-profit organizations:
Payable from the Criminal Justice Trust Fund pursuant to the American Recovery and Reinvestment Act of 2009........................................ 700,000
Payable from the Criminal Justice Trust Fund................................. 5,800,000

New matter indicated by italics - deletions by strikeout
Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for awards and grants and other monies received from federal agencies, from other units of government, and from private/not-for-profit organizations for activities undertaken in support of investigating issues in criminal justice and for undertaking other criminal justice information projects:

Payable from the Criminal Justice Trust Fund: 1,700,000
Payable from the Criminal Justice Information Projects Fund: 400,000
Total: $2,100,000

Section 45. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Criminal Justice Information Authority for awards, grants and operational support to implement the Motor Vehicle Theft Prevention Act:

Payable from the Motor Vehicle Theft Prevention Trust Fund:
- For Personal Services: 253,600
- For other Ordinary and Contingent Expenses: 265,200
- For Awards and Grants to federal and state agencies, units of local government, corporations, and neighborhood, community and business organizations to include operational activities and programs undertaken by the Authority in support of the Motor Vehicle Theft Prevention Act: 6,500,000
- For Refunds: 75,000
Total: $7,093,800

Section 50. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated from the Juvenile Accountability Incentive Block Grant Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies and units of local government, including operational expenses of the Authority in support of the Juvenile Accountability Incentive Block Grant program.

New matter indicated by italics - deletions by strikeout
Section 55. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Illinois State Crime Stoppers Association Fund to the Illinois Criminal Justice Information Authority for grants to enhance and develop Crime Stoppers programs in Illinois.

Section 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Criminal Justice Information Authority for the training of law enforcement personnel and services for families of homicide or murder:

Payable from the Death Penalty Abolition Fund:

For Personal Services............................                          291,400
For other Ordinary and Contingent Expenses.......                          690,500
For Awards and Grants to Units of Government and Non Profit Organizations for training of law enforcement personnel and services for families of victims of homicide or murder...........................                                        13,312,800
For Awards and Grants to State Agencies for training of law enforcement personnel and services for families of victims of homicide or murder...........................                                         3,478,200

Total                                                                                       $17,772,900

Section 65. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Prescription Pill and Drug Disposal Fund to the Illinois Criminal Justice Information Authority for the purpose of collection, transportation, and incineration of pharmaceuticals by local law enforcement agencies.

Section 70. The following sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes named, to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

Payable from the ICJIA Violence Prevention Fund:

For Personal Services............................                          498,200
For State Contributions to State Employees' Retirement System...............     200,800
For State Contribution to Social Security...............................            38,200
For Group Insurance...............................                             195,200
For Contractual Services...............................                   7,000

New matter indicated by italics - deletions by strikeout
For Travel......................................... 6,000
For Commodities.................................... 3,000
For Printing....................................... 1,000
For Equipment...................................... 1,000
For Electronic Data Processing ..................... 3,000
For Telecommunications Services................... 10,000
Total                                                                                           $963,400

Section 75. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the ICJIA Violence Prevention Fund to the Illinois Criminal Justice Information Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 80. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for the purpose of awarding grants, contracts, administrative expenses and all related costs for violence prevention programs.

Section 85. The sum of $528,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for the Illinois Family Violence Coordinating Council Program.

Section 90. The sum of $264,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for all costs associated with Bullying Prevention.

Section 95. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses associated with community-based violence prevention programs.

Section 100. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses associated with after school programs.

Section 105. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for administrative costs and grants to the Chicago Area Project.

Section 110. The sum of $177,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois...
Criminal Justice Information Authority for administrative costs and grants to the Chicago Area Project for programs to reduce recidivism.

Section 115. The sum of $4,700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses related to Operation CeaseFire.

Section 120. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses for Franklin County Juvenile Detention Center for Methamphetamine Pilot Program.

Total, This Article (All Agency) $169,244,000

ARTICLE 7

Section 5. The sum of $116,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the East St. Louis Financial Advisory Authority for the operating expenses of the City of East St. Louis Financial Advisory Authority.

ARTICLE 8

Section 5. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

MANAGEMENT AND ADMINISTRATIVE SUPPORT

Payable from General Revenue Fund:

Payable from Nuclear Safety Emergency Preparedness Fund:

New matter indicated by italics - deletions by strikeout
Social Security........................................ 118,500
For Group Insurance................................. 473,600
For Contractual Services.......................... 2,057,000
For Travel............................................. 18,000
For Commodities..................................... 5,900
For Printing.......................................... 20,000
For Equipment........................................ 21,400
For Electronic Data Processing.................... 496,600
For Telecommunications Services.................. 170,500
For Operation of Auto Equipment.................. 228,500
Total                                                                                         $5,782,500
Payable from Radiation Protection Fund:
For Contractual Services......................... 940,100
For Travel............................................. 1,700
For Commodities.................................... 8,800
For Printing.......................................... 0
For Electronic Data Processing................... 200,000
For Telecommunications............................ 11,100
For Operation of Auto Equipment............... 20,500
Total                                                                                         $1,182,200
Payable from the Homeland Security Emergency Preparedness Fund:
For Terrorism Preparedness and Training costs in the current and prior years............... 70,000,000
For Terrorism Preparedness and Training costs in the current and prior years in the Chicago Urban Area............................. 205,000,000
Payable from the September 11th Fund:
For grants, contracts, and administrative expenses pursuant to 625 ILCS 5/3-660, including prior year costs.................. 100,000

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for the ordinary and contingent expenses incurred by the Illinois Emergency Management Agency.

Section 15. The sum of $20,000,000, or so much thereof as may be necessary, is appropriated from the Homeland Security Emergency
Preparedness Fund to the Illinois Emergency Management Agency for current and prior year expenses related to the federally funded Emergency Preparedness Grant Program.

Section 20. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for the ordinary and contingent expenses incurred by the Illinois Emergency Management Agency.

Section 25. The sum of $12,000,000, or so much thereof as may be necessary, is appropriated from the Disaster Response and Recovery Fund to the Illinois Emergency Management Agency for all current and prior year expenses associated with disaster response and recovery.

Section 30. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

**OPERATIONS**

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<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
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<tbody>
<tr>
<td>For Personal Services..............</td>
<td>787,600</td>
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<td>For State Contributions to Social Security ...</td>
<td>60,300</td>
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<td>For Telecommunications................</td>
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<td>Total</td>
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<thead>
<tr>
<th>Payable from Nuclear Safety Emergency Preparedness Fund:</th>
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<tbody>
<tr>
<td>For Personal Services.......................................</td>
<td>913,900</td>
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<tr>
<td>For State Contributions to State Employees' Retirement System..........................</td>
<td>368,500</td>
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<tr>
<td>For State Contributions to Social Security .............</td>
<td>70,000</td>
</tr>
<tr>
<td>For Group Insurance.........................................</td>
<td>271,400</td>
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<tr>
<td>For Contractual Services.................................</td>
<td>22,000</td>
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<tr>
<td>For Travel....................................................</td>
<td>20,000</td>
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<tr>
<td>For Commodities.............................................</td>
<td>10,000</td>
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<tr>
<td>For Printing..................................................</td>
<td>3,000</td>
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<td>280,400</td>
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<tr>
<th>Payable from Federal Civil Administrative Preparedness Fund:</th>
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</thead>
<tbody>
<tr>
<td>For Training and Education.................................</td>
<td>1,000,000</td>
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</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

**RADIATION SAFETY**

Payable from Radiation Protection Fund:
- For Personal Services.......................... 3,214,800
- For State Contributions to State Employees' Retirement System.................. 1,296,000
- For State Contributions to Social Security.................................. 246,000
- For Group Insurance............................ 808,500
- For Contractual Services.......................... 64,200
- For Travel........................................ 50,000
- For Commodities.................................... 4,000
- For Printing....................................... 3,000
- For Equipment.................................... 27,000
- For Telecommunications......................... 30,000
- For Refunds..................................... 44,700
- For reimbursing other governmental agencies for their assistance in responding to radiological emergencies.......... 44,700

Total $5,832,900

Section 40. The sum of $802,400, or so much thereof as may be necessary, is appropriated from the Indoor Radon Mitigation Fund to the Illinois Emergency Management Agency for current and prior year expenses relating to the federally funded State Indoor Radon Abatement Program.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

**NUCLEAR FACILITY SAFETY**

Payable from Nuclear Safety Emergency Preparedness Fund:
- For Personal Services.......................... 3,999,700
- For State Contributions to State Employees' Retirement System.................. 1,612,400
- For State Contributions to Social Security.................................. 306,200
- For Group Insurance............................ 947,100

New matter indicated by italics - deletions by strikeout
For Contractual Services................. 906,700
For Travel................................. 113,900
For Commodities.......................... 184,400
For Printing.................................. 0
For Equipment............................. 415,700
For Telecommunications Services......... 420,000
Total $8,906,100

Section 50. The following named sums, or so much thereof as may
be necessary, are appropriated to the Illinois Emergency Management
Agency for the objects and purposes hereinafter named:

DISASTER ASSISTANCE AND PREPAREDNESS

Payable from General Revenue Fund:
For Personal Services...................... 318,000
For State Contributions to Social
Security..................................... 24,300
For Travel.................................. 0
For Telecommunications Services......... 0
Total $342,300

Payable from Nuclear Safety Emergency
Preparedness Fund:
For Personal Services...................... 508,300
For State Contributions to State
Employees’ Retirement System............. 205,000
For State Contributions to Social
Security...................................... 39,000
For Group Insurance....................... 150,200
For Contractual Services.................. 93,300
For Travel................................. 35,000
For Commodities......................... 11,400
For Printing............................... 2,500
For Equipment............................ 2,200
For Telecommunications Services........ 10,200
For compensation to local governments
for expenses attributable to implementation
and maintenance of plans and programs
authorized by the Nuclear Safety
Preparedness Act.......................... 650,000
Total $1,707,100

Payable from the Federal Aid Disaster Fund:

New matter indicated by italics - deletions by strikeout
For Federal Disaster Declarations in Current and Prior Years................. 70,000,000
For State administration of the Federal Disaster Relief Program............. 1,000,000
Disaster Relief - Hazard Mitigation in Current and Prior Years.............. 55,000,000
For State administration of the Hazard Mitigation Program.................. 1,000,000
Total $127,000,000
Payable from the Emergency Planning and Training Fund:
For Activities as a Result of the Illinois Emergency Planning and Community Right To Know Act................................. 145,500
Payable from the Nuclear Civil Protection Planning Fund:
For Federal Projects.............................. 500,000
For Mitigation Assistance.......................... 2,000,000
Total $2,500,000
Payable from the Federal Civil Administrative Preparedness Fund:
For Training and Education....................... 1,851,000

Section 55. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

ENVIRONMENTAL SAFETY

Payable from Nuclear Safety Emergency Preparedness Fund:
For Personal Services............................ 1,849,400
For State Contributions to State Employees' Retirement System............. 745,600
For State Contributions to Social Security............................. 141,500
For Group Insurance............................. 508,200
For Contractual Services......................... 293,700
For Travel......................................... 43,500
For Commodities................................. 92,000
For Printing....................................... 0
For Equipment..................................... 200,000

New matter indicated by italics - deletions by strikeout
For Telecommunications............................. 30,000
Total                                           $3,903,900
Payable from Low-Level Radioactive Waste Facility Development and Operation Fund:
For Refunds for Overpayments made by Low-Level Waste Generators............................. 4,900

Section 60. The sum of $1,350,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for licensing facilities where radioactive uranium and thorium mill tailings are generated or located, and related costs for regulating the decontamination and decommissioning of such facilities and for identification, decontamination and environmental monitoring of unlicensed properties contaminated with such radioactive mill tailings.

Section 65. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for the purpose of funding costs related to environmental cleanup of the Ottawa Radiation Areas Superfund Project under cooperative agreements with the Federal Government.

Section 70. The sum of $620,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for recovery and remediation of radioactive materials and contaminated facilities or properties when such expenses cannot be paid by a responsible person or an available surety.

Section 75. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for local responder training, demonstrations, research, studies and investigations under funding agreements with the Federal Government.

Section 80. The sum of $97,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for related training and travel expenses and to reimburse the Illinois State Police and the Illinois Commerce Commission for costs incurred for activities related to inspecting and escorting shipments of spent nuclear fuel, high-level radioactive waste, and transuranic waste in Illinois as provided under the rules of the Agency.

Section 85. The sum of $271,200, or so much thereof as may be necessary, is appropriated from the Sheffield Agreed Order Fund to the

New matter indicated by italics - deletions by strikeout
Illinois Emergency Management Agency for the care, maintenance, monitoring, testing, remediation and insurance of the low-level radioactive waste disposal site near Sheffield, Illinois.

Section 90. The sum of $990,000, or so much thereof as may be necessary, is appropriated from the Low-Level Radioactive Waste Facility Development and Operation Fund to the Illinois Emergency Management Agency for use in accordance with Section 14(a) of the Illinois Low-Level Radioactive Waste Management Act for costs related to establishing a low-level radioactive waste disposal facility.

Section 95. The sum of $0, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for ordinary and contingent expenses of the Illinois Emergency Management Agency to include support of a centralized administrative processing center.

Section 100. The sum of $311,800, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for ordinary and contingent expenses of the Illinois Emergency Management Agency to include support of a centralized administrative processing center.

ARTICLE 9

Section 5. The sum of $2,626,500, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Operations Fund for its ordinary and contingent expenses.

Section 10. The sum of $914,900, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Trust Fund for deposit into the Illinois Power Agency Operations Fund pursuant to subsection (c) of Section 6z-75 of the State Finance Act.

Section 15. The sum of $51,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Renewable Energy Resources Fund for funding of purchases of renewable energy or renewable energy credits pursuant to subsections (b) and (c) of Section 1-56 of the Illinois Power Agency Act.

ARTICLE 10

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Judicial Inquiry
Board to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2014:

- For Personal Services: $320,800
- For State Contribution to State Employees’ Retirement System: $0
- For Retirement – Pension pick-up: $12,200
- For State Contribution to Social Security: $23,300
- For Contractual Services: $303,600
- For Travel: $7,750
- For Commodities: $1,500
- For Printing: $1,500
- For Equipment: $1,500
- For EDP: $0
- For Telecommunications: $5,450
- For Operations of Auto Equipment: $1,900

Total: $679,500

ARTICLE 11
Section 5. The sum of $116,498,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for operational expenses of the fiscal year ending June 30, 2014.

STATEWIDE SERVICES AND GRANTS
Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Juvenile Justice for the objects and purposes hereinafter named:

Payable from General Revenue Fund:
- For Repairs, Maintenance and Other Capital Improvements: $350,000

Payable from the Department of Corrections Reimbursement and Education Fund:
- For payment of expenses associated with School District Programs: $5,000,000
- For payment of expenses associated with federal programs, including, but not limited to, construction of additional beds, treatment programs, and juvenile supervision: $3,000,000
- For payment of expenses associated with miscellaneous programs, including,
but not limited to, medical costs, food expenditures, and various construction costs. 

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
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<td>Total</td>
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</tbody>
</table>

Section 15. The sums appropriated for repairs and maintenance, and other capital improvements in Section 10 for repairs and maintenance, roof repairs and/or replacements and miscellaneous capital improvements at the Department’s various institutions are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Section 10 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Section 20. The sum of $40,100, or so much thereof as may be necessary, is appropriated to the Department of Juvenile Justice from the General Revenue Fund for costs and expenses associated with payment of statewide hospitalization.

ARTICLE 12

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

FOR OPERATIONS
ALL DIVISIONS

Payable from General Revenue Fund:
For Personal Services.......................... 5,803,600
For State Contributions to Social Security................................. 409,600
For Contractual Services......................... 261,000
For Travel....................................... 105,000
For Commodities................................. 10,600
For Printing....................................... 2,500
For Equipment..................................... 27,200
For Electronic Data Processing............... 30,000
For Telecommunications Services............. 103,000
For Operation of Auto Equipment.............. 3,000

New matter indicated by italics - deletions by strikeout
Payable from Wage Theft Enforcement Fund:
For Personal Services......................... 85,000
For State Contributions to State
Employees Retirement System................. 34,300
For State Contributions to
Social Security................................ 6,500
For Group Insurance......................... 23,000
For Contractual Services...................... 0
For Travel..................................... 0
For Commodities.............................. 0
For Printing.................................... 0
For Equipment................................. 0
For Electronic Data Processing.............. 0
For Telecommunications....................... 0
Total........................................... $148,800

Section 10. The sum of $2,000,000, or so much thereof as may be
necessary, is appropriated from the Department of Labor Federal Trust
Fund to the Department of Labor for all costs associated with promoting
and enforcing the occupational safety and health administration state
program for public sector worksites.

Section 15. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Labor:

FAIR LABOR STANDARDS
Payable from Child Labor and Day and
Temporary Labor Services Enforcement Fund:
For Personal Services......................... 306,900
For State Contributions to State Employees
   Retirement System......................... 123,800
For State Contributions to
   Social Security........................... 23,500
For Group Insurance......................... 115,000
For Contractual Services.................... 7,900
For Travel.................................... 10,000
For Commodities............................ 14,400
For Printing................................. 1,000
For Equipment.............................. 2,000

New matter indicated by italics - deletions by strikeout
For Telecommunications Services .................. 
Total ........................................... 3,000

Payable from Employee Classification Fund:
For Personal Services .............................. 75,000
For State Contributions to State Employees
Retirement System......................... 30,200
For State Contributions to
Social Security............................... 5,800
For Group Insurance.......................... 23,000
For Contractual Services...................... 1,500
For Travel.................................... 0
For Commodities.............................. 0
For Printing.................................. 0
For Equipment................................ 0
For Electronic Data Processing............. 1,200
For Telecommunications Services............. 1,000
Total ........................................... $137,700

Section 20. The sum of $2,970,000, or so much thereof as necessary, is appropriated from the Federal Industrial Services Fund to the Department of Labor for administrative and other expenses, for the Occupational Safety and Health Administration Program, including refunds and prior year costs.

Section 25. The following named sum, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to meet the ordinary and contingent expenses of the Department of Labor:

PUBLIC SAFETY
Payable from Federal Industrial Services Fund:
For Contractual Services................... 30,000
Total, This Article (All Agency) ........... $12,635,500

ARTICLE 13

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Law Enforcement Training Standards Board:

OPERATIONS
Payable from the Traffic and Criminal Conviction Surcharge Fund:
For Personal Services....................... 1,887,000

New matter indicated by italics - deletions by strikeout
For State Contributions to State Employees' Retirement System................. 725,400
For State Contributions to Social Security................................................. 146,200
For Group Insurance................................................................. 621,000
For Contractual Services......................................................... 361,500
For Travel................................................................. 40,000
For Commodities.............................................................. 10,000
For Printing............................................................... 5,000
For Equipment.............................................................. 4,000
For Electronic Data Processing.................. 68,800
For Telecommunications Services............. 34,900
For Operation of Auto Equipment............... 22,000
Total $3,925,800

Payable from the Police Training Board Services Fund:
For payment of and/or services related to law enforcement training in accordance with statutory provisions of the Law Enforcement Intern Training Act.............................. 100,000

Payable from the Death Certificate Surcharge Fund:
For payment of and/or services related to death investigation in accordance with statutory provisions of the Vital Records Act.............. 400,000

Payable from the Law Enforcement Camera Grant Fund:
For grants to units of local government in Illinois related to installing video cameras in law enforcement vehicles and training law enforcement officers in the operation of the cameras in accordance with statutory provisions of the Law Enforcement Camera Grant Act................................. 1,000,000

Section 10. The following named sum, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named,
is appropriated to the Law Enforcement Training Standards Board as follows:

GRANTS-IN-AID

Payable from the Traffic and Criminal Conviction Surcharge Fund:
For payment of and/or reimbursement of training and training services in accordance with statutory provisions...... 11,700,000

ARTICLE 14

Section 5. The sum of $138,386,400, or so much thereof as may be necessary, is appropriated from the McCormick Place Expansion Project Fund to the Metropolitan Pier and Exposition Authority for debt service on the Authority's McCormick Place Expansion Project Bonds, issued pursuant to the "Metropolitan Pier and Exposition Authority Act", as amended, and related trustee and legal expenses.

Section 10. The sum of $7,500,000, or so much thereof as may be necessary, is appropriated to the Metropolitan Pier and Exposition Authority from the Metropolitan Pier and Exposition Authority Incentive Fund for Fiscal Year 2014 for certified incentives paid to conventions, meetings and trade shows held at the McCormick Place Convention Center and Navy Pier complexes during Fiscal Year 2013.

Section 15. The sum of $7,500,000, or so much thereof as may be necessary, is appropriated to the Metropolitan Pier and Exposition Authority from the Metropolitan Pier and Exposition Authority Incentive Fund for Fiscal Year 2014 for certified incentives paid to conventions, meetings and trade shows held at the McCormick Place Convention Center and Navy Pier complexes during Fiscal Year 2014.

Section 20. The sum of $8,935,000, or so much thereof as may be necessary, is appropriated to the Metropolitan Pier and Exposition Authority from the Chicago Travel Industry and Promotion Fund for a grant to the Chicago Convention and Tourism Bureau.

ARTICLE 15

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Military Affairs:

FOR OPERATIONS
OFFICE OF THE ADJUTANT GENERAL

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0050

For Personal Services.......................... 1,612,800
For State Contributions to
Social Security................................. 123,400
For Electronic Data Processing.................... 28,800
For State Officers’ Candidate School................. 700
For Lincoln’s Challenge......................... 2,200,000
Total $3,965,700

Payable from Federal Support Agreement
Revolving Fund:
For Lincoln’s Challenge........................ 6,600,000
For Lincoln’s Challenge Allowances............. 1,200,000
Total $7,800,000

FACILITIES OPERATIONS

Payable from General Revenue Fund:
For Personal Services.......................... 5,974,300
For State Contributions to
Social Security................................. 457,000
Total $6,431,300

Payable from Federal Support Agreement Revolving Fund:
Army/Air Reimbursable Positions............. 13,479,400

Section 10. The sum of $3,686,100, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Military Affairs to meet ordinary and contingent expenses
for the fiscal year ending June 30, 2014.

Section 15. The sum of $13,000,000, or so much thereof as may be
necessary, is appropriated from the Federal Support Agreement Revolving
Fund to the Department of Military Affairs Facilities Division for
expenses related to Army National Guard Facilities operations and
maintenance as provided for in the Cooperative Funding Agreements,
including costs in prior years.

Section 20. The sum of $7,400, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Military Affairs Office of the Adjutant General Division for
expenses related to the care and preservation of historic artifacts.

Section 25. The sum of $1,000,000, or so much thereof as may be
necessary, is appropriated from the Military Affairs Trust Fund to the
Department of Military Affairs Office of the Adjutant General Division to
support youth and other programs, provided such amounts shall not exceed
funds to be made available from public or private sources.

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Military Affairs Office of the Adjutant General Division for the issuance of grants to persons or families of persons who are members of the Illinois National Guard or Illinois residents who are members of the armed forces of the United States and who have been called to active duty as a result of the September 11, 2001 terrorist attacks, including costs in prior years.

Section 35. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for deposit into the Illinois Military Family Relief Fund.

ARTICLE 16

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to meet the ordinary and contingent expenses of the Prisoner Review Board for the fiscal year ending June 30, 2014:

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services............................                                          999,100
For State Contributions to
  Social Security.................................                                          76,500
For Contractual Services...........................                                          142,900
For Travel.....................................................                                          74,000
For Commodities........................................                                          12,100
For Printing..................................................                                          3,500
For Electronic Data Processing....................                                     27,300
For Telecommunications Services..................                                     33,600
Total                                                                                         $1,369,000

Section 10. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Prisoner Review Board Vehicle and Equipment Fund to the Prisoner Review Board for all ordinary and contingent expenses of the Board, but not including personal services.

ARTICLE 17

Section 5. The sum of $652,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Alton Center Business Park.

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $1,403,219, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Laclede Steel-Illinois.

Section 15. The sum of $234,530, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Children’s Center for Behavioral Development and related trustee and legal expenses.

ARTICLE 18
Section 5. The sum of $52,730,000, or so much thereof as may be necessary, is appropriated from the Illinois Sports Facilities Fund to the Illinois Sports Facilities Authority for its corporate purposes.

ARTICLE 19
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

**GENERAL OFFICE**

Payable from the Fire Prevention Fund:
- For Personal Services.......................... 9,204,000
- For State Contributions to the State Employees' Retirement System.................. 3,710,400
- For State Contributions to Social Security...... 704,100
- For Group Insurance............................... 2,498,000
- For Contractual Services......................... 1,231,500
- For Travel........................................... 82,900
- For Commodities.................................... 62,600
- For Printing........................................ 23,700
- For Equipment..................................... 20,000
- For Electronic Data Processing...................... 885,900
- For Telecommunications......................... 229,000
- For Operation of Auto Equipment............... 200,000
- For Refunds....................................... 8,800
Total $18,860,900

Payable from the Underground Storage Tank Fund:
- For Personal Services.......................... 1,753,700
- For State Contributions to the State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System................. 706,900
For State Contributions to Social Security...... 134,100
For Group Insurance.............................. 500,600
For Contractual Services........................ 368,300
For Travel........................................ 10,500
For Commodities................................... 10,200
For Printing....................................... 1,000
For Equipment..................................... 10,200
For Electronic Data Processing.................... 20,600
For Telecommunications........................... 26,100
For Operation of Auto Equipment................... 65,000
For Refunds........................................ 8,000
Total $3,615,200

Section 10. The sum of $715,500, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for costs and expenses related to or in support of a public safety shared services center.

Section 15. The sum of $65,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for costs and expenses related to or in support of the Fire Explorer and Cadet School.

Section 20. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Illinois Firefighters' Memorial Fund to the Office of the State Fire Marshal for expenses related to the maintenance of the Illinois Firefighters' Memorial, holding the annual Fallen Firefighter Ceremony, and other expenses as allowed under Public Act 91-0832.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State Fire Marshal as follows:
Payable from the Fire Prevention Fund:
For Expenses of senior officer training .......... 55,000
For Expenses of the Risk Watch/Remember When program........................................ 10,000
For Expenses related to fire prevention training.. 25,000
For Expenses of Firefighter Testing and Training Audits.................................... 150,000
Payable from the Fire Prevention Division Fund:
For Expenses of the U.S. Resource

New matter indicated by italics - deletions by strikeout
Conservation and Recovery Act
Underground Storage Program.................... 2,000,000

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

GRANTS

Payable from the Fire Prevention Fund:
For Chicago Fire Department Training Program... 2,349,100
For payment to local governmental agencies which participate in the State Training Programs........................................ 950,000
Total $3,299,100

Section 35. The sum of $1,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for the development of new fire districts.

Section 40. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for costs and services related to ILEAS/MABAS administration.

Section 45. The sum of $6,000,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for transfer to the Fire Truck Revolving Loan Fund and the Ambulance Revolving Loan Fund.

Section 50. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants for the Small Equipment Grant Program.

Section 55. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the Underground Storage Tank Fund to the Office of the State Fire Marshal for a grant to the City of Chicago for administrative costs incurred as a result of the State’s Underground Storage Program.

Section 60. The sum of $8,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purposes in Article 18, Section 45 of Public Act 97-0731, is reappropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for transfer to the Fire Truck Revolving Loan Fund and the Ambulance Revolving Loan Fund.

New matter indicated by italics - deletions by strikeout
ARTICLE 20
Section 5. The sum of $240,483,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of State Police for operating costs and expenses for the fiscal year ending June 30, 2014.

DIVISION OF ADMINISTRATION
Payable from the State Police Wireless Service Emergency Fund:
For costs associated with the administration and fulfillment of its responsibilities under the Wireless Emergency Telephone Safety Act.......................... 1,800,000
Payable from the State Police Vehicle Fund:
For purchase of vehicles and accessories...... 12,000,000
Payable from the State Police Vehicle Maintenance Fund:
For Operation of Auto.......................... 700,000

Section 10. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated from the State Asset Forfeiture Fund to the Department of State Police for payment of their expenditures as outlined in the Illinois Drug Asset Forfeiture Procedure Act, the Cannabis Control Act, the Controlled Substances Act, and the Environmental Safety Act.

Section 15. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Federal Asset Forfeiture Fund to the Department of State Police for payment of their expenditures in accordance with the Federal Equitable Sharing Guidelines.

Section 20. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Administration, from the Money Laundering Asset Recovery Fund for the ordinary and contingent expenses incurred by the Department of State Police.

Section 25. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of State Police for the following purpose:

INFORMATION SERVICES BUREAU
Payable from the LEADS Maintenance Fund:
For expenses related to the LEADS System....... 3,500,000

New matter indicated by italics - deletions by strikeout
Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF OPERATIONS

Payable from the Traffic and Criminal Conviction Surcharge Fund:
- For Personal Services............................ 502,500
- For State Contributions to State Employees' Retirement System............... 202,600
- For State Contributions to Social Security................................. 7,200
- For Group Insurance................................. 155,000
- For Contractual Services.............................. 465,400
- For Travel.............................................. 38,300
- For Commodities.................................... 174,600
- For Printing............................................ 26,500
- For Telecommunications Services................ 1,665,700
- For Operation of Auto Equipment............ 1,762,200

Total $5,000,000

Payable from the State Police Services Fund:
- For Payment of Expenses: Fingerprint Program.......................... 19,000,000
- For Payment of Expenses: Federal & IDOT Programs............. 8,400,000
- For Payment of Expenses: Riverboat Gambling.................. 1,500,000
- For Payment of Expenses: Miscellaneous Programs............ 4,300,000

Total $33,200,000

Payable from the Illinois State Police Federal Projects Fund:
- For Payment of Expenses......................... 20,000,000

Payable from the Sex Offender Registration Fund:
- For expenses of the Sex Offender Registration Program............... 100,000

Payable from the Motor Carrier Safety Inspection Fund:
- For expenses associated with the enforcement of Federal Motor Carrier Safety Regulations and related

New matter indicated by italics - deletions by strikeout
Illinois Motor Carrier
Safety Laws................................. 2,600,000

Payable from the State Police DUI Fund:
For Equipment Purchases to Assist in
the Prevention of Driving Under the
Influence of Alcohol, Drugs, or Intoxication
Compounds..................................... 1,300,000

Payable from the Sex Offender Investigation Fund:
For expenses related to sex
offender investigations.................. 100,000

Section 35. The sum of $97,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of State Police for a grant to the South Suburban Major
Crimes Task Force.

Section 40. The following sum, or so much thereof as may be
necessary for objects and purposes hereinafter named, is appropriated from
the Drug Traffic Prevention Fund to the Department of State Police,
Division of Operations, pursuant to the provisions of the
“Intergovernmental Drug Laws Enforcement Act” for Grants to
Metropolitan Enforcement Groups.
For Grants to Metropolitan Enforcement Groups:
Payable from the Drug Traffic
Prevention Fund.............................. 500,000

Section 45. In the event of the receipt of funds from the Motor
Vehicle Theft Prevention Council, through a grant from the Criminal
Justice Information Authority, the sum of $600,000, or so much thereof as
may be necessary, is appropriated from the State Police Motor Vehicle
Theft Prevention Trust Fund to the Department of State Police for
payment of expenses.

Section 50. The sum of $14,000,000, or so much thereof as may be
necessary, is appropriated from the State Police Whistleblower Reward
and Protection Fund to the Department of State Police for payment of their
expenditures for state law enforcement purposes in accordance with the
State Whistleblower Protection Act.

Section 55. The sum of $22,000,000, or so much thereof as may be
necessary, is appropriated from the State Police Operations Assistance
Fund to the Department of State Police for the ordinary and contingent
expenses incurred by the Department of State Police.

New matter indicated by italics - deletions by strikeout
Section 60. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the State Police Streetgang-Related Crime Fund to the Department of State Police for operations related to streetgang-related Crime Initiatives.

Section 65. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Over-Dimensional Load Police Escort Fund to the Department of State Police for expenses incurred for providing police escorts for over-dimensional loads.

Section 70. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Medicaid Fraud and Abuse Prevention Fund to the Department of State Police, Division of Operations - Financial Fraud and Forgery Unit for the detection, investigation or prosecution of recipient or vendor fraud.

Section 75. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION
Payable from the General Revenue Fund:
For Administration of a Statewide Sexual Assault Evidence Collection Program.............. 58,200
For Operational Expenses Related to the Combined DNA Index System...................... 2,254,800
For expenses related to the implementation of conceal and carry permits...................... 2,600,000
Total                                                                                  $4,913,000

For Administration and Operation of State Crime Laboratories:
Payable from State Crime Laboratory Fund....... 1,000,000
Payable from the State Police DUI Fund........... 150,000
Payable from State Offender DNA Identification System Fund......................... 3,423,500

Section 80. The sum of $717,900, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Internal Investigation, from the General Revenue Fund for the ordinary and contingent expenses incurred while operating the Nursing Home Identified Offender Program.

Section 85. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Forensic Services and Identification, from the Firearm Owner's...
Notification Fund for the administration and operation of the Firearm Owner's Identification Card Program.

ARTICLE 21

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the State Police Merit Board:

- For Personal Services: \(422,500\)
- For State Contributions to Social Security: \(32,400\)
- For Contractual Services: \(353,900\)
- For Travel: \(10,000\)
- For Commodities: \(5,000\)
- For Printing: \(6,000\)
- For Equipment: \(0\)
- For Electronic Data Processing: \(3,300\)
- For Telecommunications Services: \(7,300\)
- For Operation of Automotive Equipment: \(12,000\)

Total: \(852,400\)

Section 10. The sum of \(500,000\), or so much thereof as may be necessary, is appropriated to the State Police Merit Board from the State Police Merit Board Public Safety Fund for its ordinary and contingent expenses.

Section 15. The sum of \(4,300,000\), or so much thereof as may be necessary, is appropriated to the State Police Merit Board from the State Police Merit Board Public Safety Fund for all costs associated with a cadet program for the Department of State Police.

ARTICLE 22

DEPARTMENT OF TRANSPORTATION
MULTI-MODAL OPERATIONS

Section 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR CENTRAL ADMINISTRATION AND PLANNING OFFICES
- For Personal Services: \(28,686,000\)
- For State Contributions to State Employees' Retirement System: \(11,563,800\)
- For State Contributions to Social Security: \(2,130,200\)
For Contractual Services................. 24,625,400
For Travel..................................... 428,800
For Commodities............................ 315,400
For Printing................................... 434,600
For Equipment............................... 220,000
For Equipment:
  Purchase of Cars & Trucks................. 2,500,000
  For Telecommunications Services......... 423,100
  For Operation of Automotive Equipment.. 5,282,900
Total........................................ $76,610,200

Section 10. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR BUREAU OF INFORMATION PROCESSING
For Personal Services........................ 6,657,800
For State Contributions to State
  Employees' Retirement System........... 2,683,900
  For State Contributions to Social Security... 501,000
  For Contractual Services................. 10,298,300
  For Travel.................................. 30,900
  For Commodities.......................... 25,600
  For Equipment............................ 6,700
  For Electronic Data Processing.......... 18,500,000
  For Telecommunications................... 434,200
Total........................................ $39,138,400

Section 15. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR HIGHWAYS CENTRAL OFFICES
For Personal Services....................... 29,600,300
For Extra Help.............................. 975,000
For State Contributions to State
  Employees' Retirement System........... 12,325,400
  For State Contributions to Social Security... 2,287,300
  For Contractual Services................. 4,940,000
  For Travel.................................. 371,000
  For Commodities.......................... 330,800

New matter indicated by italics - deletions by strikeout
For Equipment................................. 370,000

For Equipment:
  Purchase of Cars and Trucks............... 78,200
  For Telecommunications Services.......... 2,130,900
  For Operation of Automotive Equipment... 273,700

Total ........................................ 53,682,600

Section 20. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR BUREAU OF DAY LABOR

For Personal Services...................... 3,686,500
For State Contributions to State
  Employees' Retirement System............. 1,486,100
For State Contributions to Social Security...  435,000
For Contractual Services.................. 4,150,000
For Travel.................................... 120,000
For Commodities........................... 141,600
For Equipment.............................. 600,000
For Equipment:
  Purchase of Cars and Trucks............. 493,500
  For Telecommunications Services........  27,500
  For Operation of Automotive Equipment... 605,000

Total ....................................... 11,745,200

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 1, SCHAUMBURG OFFICE

For Personal Services...................... 98,034,000
For Extra Help............................. 11,810,700
For State Contributions to State
  Employees' Retirement System............ 44,280,600
For State Contributions to Social Security....  8,276,400
For Contractual Services.................. 11,950,200
For Travel.................................... 240,500
For Commodities......................... 14,451,500
For Equipment......................... 1,523,600
For Equipment:
  Purchase of Cars and Trucks............ 5,840,700

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................ 3,375,000
For Operation of Automotive Equipment........ 10,982,600
Total $210,765,800

Section 30. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 2, DIXON OFFICE
For Personal Services......................... 29,828,200
For Extra Help................................. 3,000,000
For State Contributions to State Employees' Retirement System........ 13,233,700
For State Contributions to Social Security .... 2,470,200
For Contractual Services....................... 3,846,400
For Travel........................................ 82,200
For Commodities................................. 5,105,300
For Equipment................................... 1,085,000
For Equipment:
Purchase of Cars and Trucks.................... 1,606,000
For Telecommunications Services............... 270,000
For Operation of Automotive Equipment........ 4,560,500
Total $65,087,500

Section 35. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 3, OTTAWA OFFICE
For Personal Services......................... 27,416,600
For Extra Help................................. 2,850,000
For State Contributions to State Employees' Retirement System........ 12,201,100
For State Contributions to Social Security .... 2,277,400
For Contractual Services....................... 3,366,600
For Travel........................................ 70,000
For Commodities................................. 4,528,500
For Equipment................................... 1,085,000
For Equipment:
Purchase of Cars and Trucks.................... 1,929,200
For Telecommunications Services............... 240,000
For Operation of Automotive Equipment........ 4,251,500
Total $60,215,900

New matter indicated by italics - deletions by strikeout
Section 40. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 4, PEORIA OFFICE**

- For Personal Services.......................... 25,197,500
- For Extra Help........................................... 2,850,500
- For State Contributions to State Employees' Retirement System........... 11,306,700
- For State Contributions to Social Security..... 2,107,600
- For Contractual Services..................... 4,130,300
- For Travel.................................................. 71,300
- For Commodities................................. 2,828,500
- For Equipment.................................... 1,115,000
- For Equipment:
  - Purchase of Cars and Trucks........... 1,708,800
  - For Telecommunications Services.......... 258,500
  - For Operation of Automotive Equipment.... 4,623,800
- Total.................................................. $56,198,500

Section 45. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 5, PARIS OFFICE**

- For Personal Services.......................... 21,032,000
- For Extra Help........................................... 2,203,900
- For State Contributions to State Employees' Retirement System........... 9,366,900
- For State Contributions to Social Security..... 1,739,000
- For Contractual Services..................... 2,923,300
- For Travel.................................................. 54,100
- For Commodities................................. 2,503,800
- For Equipment.................................... 1,115,000
- For Equipment:
  - Purchase of Cars and Trucks........... 876,400
  - For Telecommunications Services.......... 205,000
  - For Operation of Automotive Equipment.... 3,375,300
- Total.................................................. $45,394,700

Section 50. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
**DISTRICT 6, SPRINGFIELD OFFICE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$29,110,200</td>
</tr>
<tr>
<td>For Extra Help</td>
<td>$1,800,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>$12,460,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$2,325,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$3,903,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>$73,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>$2,949,100</td>
</tr>
<tr>
<td>For Equipment</td>
<td>$1,054,300</td>
</tr>
<tr>
<td>For Equipment: Purchase of Cars and Trucks</td>
<td>$2,783,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$258,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>$3,567,600</td>
</tr>
<tr>
<td>Total</td>
<td>$60,285,600</td>
</tr>
</tbody>
</table>

Section 55. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 7, EFFINGHAM OFFICE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$23,001,200</td>
</tr>
<tr>
<td>For Extra Help</td>
<td>$1,654,800</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>$9,939,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$1,850,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$3,120,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>$79,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>$1,465,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>$1,084,000</td>
</tr>
<tr>
<td>For Equipment: Purchase of Cars and Trucks</td>
<td>$978,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$165,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>$3,168,400</td>
</tr>
<tr>
<td>Total</td>
<td>$46,506,400</td>
</tr>
</tbody>
</table>

Section 60. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 8, COLLINSVILLE OFFICE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$37,415,400</td>
</tr>
<tr>
<td>For Extra Help</td>
<td>$3,346,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For State Contributions to State
   Employees' Retirement System..............  16,431,900
   For State Contributions to Social Security...  3,050,700
   For Contractual Services....................  7,251,700
   For Travel....................................  178,900
   For Commodities..............................  2,736,900
   For Equipment..................................  1,448,400
   For Equipment:
      Purchase of Cars and Trucks...............  1,351,600
      For Telecommunications Services............  660,000
      For Operation of Automotive Equipment......  4,080,600
   Total                                       $77,952,600

   Section 65. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:
   DISTRICT 9, CARBONDALE OFFICE
   For Personal Services.........................  21,191,900
   For Extra Help...................................  1,620,000
   For State Contributions to State
      Employees' Retirement System..............  9,195,900
      For State Contributions to Social Security...  1,702,700
      For Contractual Services....................  3,122,500
      For Travel....................................  48,100
      For Commodities..............................  1,506,900
      For Equipment..................................  1,054,300
      For Equipment:
         Purchase of Cars and Trucks...............  533,600
         For Telecommunications Services............  147,600
         For Operation of Automotive Equipment......  2,936,800
   Total                                       $43,060,300

FOR TRAFFIC SAFETY

   Section 70. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses of the Division of Traffic Safety:
   ADMINISTRATIVE OFFICE FOR TRAFFIC SAFETY
   OPERATIONS
   For Personal Services.........................  6,299,800
   For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System..................                                2,539,600
For State Contributions to Social Security.......                              474,000
For Contractual Services........................                343,700
For Travel........................................                                                 85,000
For Commodities........................................                                      143,200
For Printing........................................                                                  289,200
For Equipment........................................                                              17,500
For Equipment:  
  Purchase of Cars and Trucks..........................                                         0
For Telecommunications Services..........................................................                140,000
For Operation of Automotive Equipment...............                                   307,800
Total                                                                                       $10,639,800

FOR CYCLE RIDER SAFETY
Section 75. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for the administration of the Cycle Rider Safety Training Program by the Division of Traffic Safety:

  OPERATIONS

For Personal Services............................                                          297,700
For State Contributions to State  
  Employees' Retirement System..................                                        120,000
For State Contributions to Social Security.......                              22,400
For Group Insurance..................................                                        70,100
For Contractual Services........................                120,100
For Travel........................................                                                 11,000
For Commodities......................................                                             800
For Printing.........................................                                                  1,700
For Equipment......................................                                              1,700
For Operation of Automotive Equipment...............                                   0
Total                                                                                       $645,500

FOR HIGHWAY SAFETY
Section 80. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended:

FOR THE DEPARTMENT OF TRANSPORTATION

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,367,500</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>551,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>102,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>626,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>40,400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>315,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>140,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>60,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$3,202,700</td>
</tr>
</tbody>
</table>

**FOR THE SECRETARY OF STATE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>120,800</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by State</td>
<td>3,400</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>48,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>0</td>
</tr>
<tr>
<td>For Travel</td>
<td>0</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,600</td>
</tr>
<tr>
<td>For Equipment</td>
<td>228,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>23,000</td>
</tr>
<tr>
<td>Total</td>
<td>$197,700</td>
</tr>
</tbody>
</table>

**FOR THE DEPARTMENT OF PUBLIC HEALTH**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>0</td>
</tr>
</tbody>
</table>

**FOR THE DEPARTMENT OF STATE POLICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,459,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>991,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>39,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>143,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>34,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>37,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,600</td>
</tr>
<tr>
<td>For Equipment</td>
<td>228,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>155,800</td>
</tr>
<tr>
<td>Total</td>
<td>$4,095,600</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
FOR THE ILLINOIS LAW ENFORCEMENT
TRAINING AND STANDARDS BOARD
For Contractual Services......................... 75,000
For Printing........................................ 0
Total                                           $75,000

FOR COMMERCIAL MOTOR CARRIER SAFETY
Section 85. The following named sums, or so much thereof as may
be necessary for the agencies hereinafter named, are appropriated from the
Road Fund to the Department of Transportation for implementation of the
Commercial Motor Vehicle Safety Program under provisions of Title IV
of the Surface Transportation Assistance Act of 1982, as amended by
MAP-21:

FOR THE ILLINOIS COMMERCE COMMISSION
For Personal Services............................. 0
For State Contributions to State
Employees' Retirement System............... 0
For State Contributions to Social Security.... 0
Total                                           $0

FOR THE DEPARTMENT OF TRANSPORTATION
For Personal Services............................ 2,469,700
For State Contributions to State
Employees' Retirement System............... 995,600
For State Contributions to Social Security.... 184,800
For Contractual Services....................... 1,156,300
For Travel........................................ 260,000
For Commodities.................................. 85,000
For Printing..................................... 11,200
For Equipment..................................... 85,000
For Equipment: Purchase of Cars and Trucks.... 0
For Telecommunications Services................. 105,000
For Operation of Automotive Equipment........ 0
Total                                           $5,352,600

FOR THE DEPARTMENT OF STATE POLICE
For Personal Services............................ 6,125,000
For State Contributions to State
Employees' Retirement System............... 2,469,100
For State Contributions to Social Security.... 118,400
For Contractual Services....................... 53,400
For Travel........................................ 170,200

New matter indicated by italics - deletions by strikeout
For Commodities..................................                                          135,100
For Printing......................................                                                 25,000
For Equipment....................................                                            150,000
For Equipment:
  Purchase of Cars and Trucks.......................                                         0
  For Telecommunications Services..................                                114,500
  For Operation of Automotive Equipment..........                          1,361,800
Total                                                                                       $10,722,500

FOR IMPAIRED DRIVING

Section 90. The following named sums, or so much thereof as may
be necessary for the agencies hereafter named, are appropriated from the
Road Fund to the Department of Transportation for implementation of the
Section 163 Impaired Driving Incentive Grant Program (.08 Alcohol) as
authorized by MAP-21:

FOR THE DEPT OF HUMAN SERVICES (.08)
For Commodities...................................                                           25,000
For Printing........................................             2,000
Total                                                                                           $27,000

FOR THE DEPARTMENT OF TRANSPORTION (.08)
For Contractual Services.........................                                        430,600
For Travel........................................                                                 29,800
For Commodities....................................                                            124,700
For Printing........................................             5,000
For Equipment..........................................                                                 0
For Telecommunications..............................                                             0
Total                                                                                           $780,100

FOR THE SECRETARY OF STATE (.08)
For Personal Services...............................                                          0
For Employee Retirement
  Contributions Paid by State..........................                                           0
For the State Contribution to State
  Employees' Retirement System..........................                                      0
For the State Contribution to Social
  Security................................................        11,900
For Contractual Services.........................                                        155,000
For Travel........................................                                                 4,000
For Commodities....................................                                            5,000
For Printing........................................             3,000
For Equipment..........................................                                                 0

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment..................... 0
Total $178,900

FOR THE DEPARTMENT OF PUBLIC HEALTH (.08)
For Contractual Services............................ 270,000

FOR THE DEPARTMENT OF STATE POLICE (.08)
For Personal Services................................ 0
For the State Contribution to State Employees' Retirement System.................. 0
For the State Contribution to Social Security.............................................. 0
For Contractual Services............................ 322,000
For Travel........................................... 2,000
For Commodities...................................... 60,000
For Equipment....................................... 130,500
For Operation of Auto Equipment..................... 0
Total $514,500

FOR ALCOHOL TRAFFIC SAFETY

Section 95. The following named sums, or so much thereof as may be necessary for the agencies hereafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by MAP-21:

FOR THE ILLINOIS LIQUOR CONTROL COMMISSION
For Contractual Services............................ 3,000
For Travel........................................... 1,000
For Commodities.................................... 1,000
For Printing......................................... 10,000
For Equipment....................................... 0
For Operation of Auto Equipment..................... 0
Total $15,000

FOR THE DEPARTMENT OF TRANSPORTATION (410)
For Contractual Services............................ 375,000
For Travel........................................... 35,700
For Commodities.................................... 30,000
For Printing......................................... 15,300
For Equipment....................................... 100,000
Total $556,000

FOR THE SECRETARY OF STATE (410)
For Personal Services............................... 56,000

New matter indicated by italics - deletions by strikeout
For Employee Retirement
Contribution by State..............
For the State Contribution to State
Employees' Retirement System........
For the State Contribution to Social
Security..............................
For Contractual Services...........
For Travel............................
For Commodities...................
For Printing........................
For Equipment......................
For Telecommunication Services.....
For Operation of Auto Equipment....
Total

$118,700

FOR THE DEPARTMENT OF STATE POLICE (410)
For Personal Services..............
For the State Contribution to State
Employees' Retirement System........
For the State Contribution to Social
Security..............................
For Contractual Services...........
For Travel............................
For Commodities...................
For Printing........................
For Equipment......................
For Telecommunication Services.....
For Operation of Auto Equipment....
Total

$1,001,300

FOR THE ILLINOIS LAW ENFORCEMENT STANDARDS TRAINING BOARD (410)
For Contractual Services...........
For Printing........................
Total

$250,000

FOR THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (410)
For Contractual Services...........
For Travel............................
For Commodities...................
Total

$40,000

New matter indicated by italics - deletions by strikeout
Section 100. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

<table>
<thead>
<tr>
<th>FOR AERONAUTICS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FOR PERSONAL SERVICES:</strong></td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from State Contributions to State</td>
</tr>
<tr>
<td>Employees’ Retirement System:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from State Contributions to Social Security:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Contractual Services:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Air Transportation Revolving Fund</td>
</tr>
<tr>
<td>Payable from Travel:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Travel: Executive Air Transportation Expenses of the General Assembly/Governor’s Office:</td>
</tr>
<tr>
<td>Payable from the General Revenue Fund</td>
</tr>
<tr>
<td>Payable from Commodities:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Aeronautics Fund</td>
</tr>
<tr>
<td>Payable from Equipment:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Equipment: Purchase of Cars and Trucks:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Telecommunications Services:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td>Payable from Operation of Automotive Equipment:</td>
</tr>
<tr>
<td>Payable from the Road Fund</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Section 105. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

<table>
<thead>
<tr>
<th>FOR PUBLIC AND INTERMODAL TRANSPORTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FOR PERSONAL SERVICES:</strong></td>
</tr>
<tr>
<td>Payable from State Contributions to State</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Employees' Retirement System.......................... 1,466,600
For State Contributions to Social Security......................... 269,300
For Contractual Services........................................ 52,600
For Travel................................................. 44,000
For Commodities.................................................. 4,000
For Equipment................................................... 3,000
For Equipment: Purchase of Cars and Trucks.................... 0
For Telecommunications Services......................... 45,000
For Operation of Automotive Equipment.................... 0
Total............................................................................ $5,522,500

Section 110. The following named sums, or so much thereof as may be necessary, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the ordinary and contingent expenses incident to the operations and functions of administering the provisions of the "Illinois Highway Code", relating to use of Motor Fuel Tax Funds by the counties, municipalities, road districts and townships:

MOTOR FUEL TAX ADMINISTRATION OPERATIONS

For Personal Services........................................ 8,072,000
For State Contributions to State Employees' Retirement System.......................... 3,254,100
For State Contributions to Social Security............. 603,100
For Group Insurance........................................... 2,457,600
For Contractual Services............................... 75,800
For Travel................................................... 35,500
For Commodities............................................... 12,000
For Printing.................................................. 34,000
For Equipment................................................. 3,400
For Telecommunications Services.................. 17,200
For Operation of Automotive Equipment.................. 7,100
Total............................................................................ $14,571,800

MULTI-MODAL LUMP SUMS
FOR CENTRAL ADMINISTRATION AND PLANNING OFFICES

Section 115. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:
For Planning, Research and Development Purposes............................. 550,000

New matter indicated by italics - deletions by strikeout
For costs associated with hazardous material abatement.................. 600,000
For metropolitan planning and research purposes as provided by law, provided such amount shall not exceed funds to be made available from the federal government or local sources............. 37,000,000
For metropolitan planning and research purposes as provided by law.............. 6,000,000
For federal reimbursement of planning activities as provided by MAP-21............. 1,750,000
For the federal share of the IDOT ITS Program, provided expenditures do not exceed funds to be made available by the Federal Government.......................... 1,000,000
For the state share of the IDOT ITS Corridor Program.............................. 3,500,000
For the Department's share of costs with the Illinois Commerce Commission for monitoring railroad crossing safety............................ 0
Total $50,400,000

FOR HIGHWAYS
Section 120. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

Section 125. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for costs associated with the State Radio Communications for the 21st Century (STARCOM) program.

Section 130. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for costs associated with the Technology Transfer Center, including the purchase of equipment, media initiatives, and training, provided that such expenditures do not exceed funds to be made available by the federal government for this purpose.

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Illinois Department of Transportation for costs associated with Illinois Terrorism Task Force, that consist of approved purchases for homeland security provided such expenditures do not exceed funds made available by the federal government for this purpose.

Section 140. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Illinois Department of Transportation for costs incurred by the Department’s response to natural disasters, emergencies and acts of terrorism that receive Presidential and/or State Disaster Declaration status. These costs would include, but not be limited to, the Department’s fuel costs, cost of materials and cost of equipment rentals. This appropriation is in addition to the Department’s other appropriations for District and Central Office operations.

Section 145. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Transportation Safety Highway Hire-back Fund to the Department of Transportation for agreements with the Illinois Department of State Police to provide patrol officers in highway construction work zones.

Section 150. The sum of $45,000, or so much thereof as may be necessary, is appropriated from the Roadside Memorial Fund to the Illinois Department of Transportation for payment of fees, in whole or in part, imposed under subsection (f) of Section 20 of the Roadside Memorial Act for DUI memorial markers, to the extent that moneys from this fund are made available.

FOR TRAFFIC SAFETY

Section 155. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for programs related to distracted driving, provided such amounts do not exceed funds to be made available from the federal government for this purpose.

FOR AERONAUTICS

Section 160. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Tax Recovery Fund to the Department of Transportation for maintenance and repair costs incurred on real property owned by the Department for development of an airport in Will County, for applicable refunds of security deposits to lessees, and for

New matter indicated by italics - deletions by strikeout
payments to the Will County Treasurer in lieu of leasehold taxes lost due to government ownership.

FOR PUBLIC TRANSPORTATION

Section 165. The sum of $258,700, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for public transportation technical studies.

Section 170. The sum of $1,034,900, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by MAP-21.

MULTI-MODAL AWARDS AND GRANTS
FOR CENTRAL ADMINISTRATION AND PLANNING

Section 175. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Tort Claims, including payment pursuant to P.A. 80-1078. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which the service was rendered or cost incurred................................. 603,100

For representation and indemnification for the Department of Transportation, the Illinois State Police and the Secretary of State, provided that the representation required resulted from the Road Fund portion of their normal operations. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which the service was rendered or cost incurred....... 225,000

For Transportation Enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures

New matter indicated by italics - deletions by strikeout
do not exceed funds made available by the federal government...................... 5,000,000
For auto liability payments for the Department of Transportation, the Illinois State Police, and the Secretary of State, provided that the liability resulted from the Road Fund portion of their normal operations. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which service was rendered or cost incurred...................... 3,610,800
Total $9,438,900

FOR HIGHWAYS
Section 180. The sum of $3,485,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for reimbursement to participating counties in the County Engineers Compensation Program, providing such reimbursements do not exceed funds to be made available from their federal highway allocations retained by the Department.

Section 185. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for grants to local governments for the following purposes:
For reimbursement of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations........... 4,000,000
For reimbursement of eligible expenses arising from City, County, and other State Maintenance Agreements................. 10,500,000
Total $14,500,000

FOR CYCLE RIDER SAFETY
Section 190. The sum of $5,500,000, or so much thereof as may be necessary, is appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for

New matter indicated by italics - deletions by strikeout
reimbursements to State and local universities and colleges for Cycle Rider Safety Training Programs.

FOR HIGHWAY SAFETY

Section 195. The sum of $7,500,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended.

FOR COMMERCIAL MOTOR CARRIER SAFETY

Section 200. The sum of $135,800, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Commercial Motor Vehicle Safety Program under provisions of Title IV of the Surface Transportation Assistance Act of 1982, as amended by MAP-21.

FOR IMPAIRED DRIVING INCENTIVE

Section 205. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Section 163 Impaired Driving Incentive Grant Program (.08 Alcohol) as authorized by MAP-21.

FOR ALCOHOL TRAFFIC SAFETY

Section 210. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by MAP-21.

FOR AERONAUTICS

Section 215. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

FOR PUBLIC TRANSPORTATION

New matter indicated by italics - deletions by strikeout
Section 220. The sum of $17,570,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for grants to the Regional Transportation Authority intended to reimburse the Service Boards for providing reduced fares on mass transportation services for students, handicapped persons, and the elderly, to be allocated proportionally among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.

Section 225. The sum of $3,825,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for the funding of the Americans with Disabilities Act of 1990 (ADA) paratransit services and for other costs and services.

Section 230. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Downstate Transit Improvement Fund to the Department of Transportation for making competitive capital grants pursuant to Section 2-15 of the Downstate Public Transportation Act (30 ILCS 740/2-15).

Section 235. The sum of $342,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for the purpose stated in Section 4.09 of the "Regional Transportation Authority Act", as amended.

Section 240. The sum of $40,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional State Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1989.

Section 245. The sum of $91,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional Financial Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c-5) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority.
pursuant to the Regional Transportation Authority Act as amended in 1999.

Section 250. The following named sums, or so much thereof as may be necessary, are appropriated from the Downstate Public Transportation Fund to the Department of Transportation for operating assistance grants to provide a portion of the eligible operating expenses for the following carriers for the purposes stated in Article II of Public Act 78-1109, as amended:

Champaign-Urbana Mass Transit District........ 27,466,600
Greater Peoria Mass Transit District (with Service to Pekin)......................... 21,269,800
Rock Island County Metropolitan Mass Transit District.......................... 17,318,700
Rockford Mass Transit District................. 14,374,800
Springfield Mass Transit District............. 13,979,200
Bloomington-Normal Public Transit System...... 7,840,800
City of Decatur........................................ 6,865,500
City of Quincy................................. 3,433,000
City of Galesburg.............................. 1,560,800
Stateline Mass Transit District (with service to South Beloit)......................... 366,100
City of Danville..................................... 2,497,200
RIDES Mass Transit District................... 6,362,300
South Central Illinois Mass Transit District... 5,217,900
River Valley Metro Mass Transit District....... 4,606,500
Jackson County Mass Transit District.......... 425,700
City of DeKalb....................................... 3,224,100
City of Macomb..................................... 2,154,800
Shawnee Mass Transit District................. 1,985,600
St. Clair County Transit District............ 51,129,400
West Central Mass Transit District........... 984,700
Monroe-Randolph Transit District............... 886,800
Madison County Mass Transit District........ 20,373,000
Bond County......................................... 314,200
Bureau County (with service to Putnam County).... 714,800
Coles County....................................... 480,500
East Central IL Mass Transit District....... 332,800
City of Freeport/Stephenson County.......... 837,400
Henry County....................................... 368,600

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>County</th>
<th>Amount</th>
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<tr>
<td>Jo Daviess County</td>
<td>504,600</td>
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<td>Kankakee County</td>
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<td>Peoria County</td>
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<td>Piatt County</td>
<td>439,600</td>
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<td>Shelby County</td>
<td>728,500</td>
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<td>Tazewell County</td>
<td>676,200</td>
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<td>CRIS Rural Mass Transit District</td>
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<td>Kendall County</td>
<td>1,570,400</td>
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<td>McLean County (with service to Macon, Dewitt, Ford, Iroquois and Livingston Counties)</td>
<td>1,501,900</td>
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<td>Woodford County</td>
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<td>Lee and Ogle Counties</td>
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<td>Whiteside County</td>
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<td>Champaign County</td>
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<td>Boone County</td>
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<td>Grundy County</td>
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<td>Stark County</td>
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<td>Warren County</td>
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<td>Rock Island/Mercer Counties</td>
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<td>Hancock County</td>
<td>175,500</td>
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<td>Macoupin County</td>
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<td>Fulton County</td>
<td>242,000</td>
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<td>Effingham County</td>
<td>363,000</td>
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<td>City of Ottawa (serving LaSalle County)</td>
<td>968,000</td>
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<td>Carroll County</td>
<td>145,200</td>
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<td>Cass County</td>
<td>121,000</td>
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<tr>
<td>Knox County</td>
<td>193,600</td>
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<tr>
<td>Logan County (with service to Mason County)</td>
<td>387,200</td>
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<tr>
<td>Macon County</td>
<td>169,400</td>
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<tr>
<td>Schuyler County</td>
<td>60,500</td>
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<tr>
<td>Sangamon County (with service to Menard County)</td>
<td>400,000</td>
</tr>
<tr>
<td>Christian County</td>
<td>250,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$232,042,400</strong></td>
</tr>
</tbody>
</table>

Section 255. The sum of $585,600, or so much thereof as may be necessary, is appropriated from the Downstate Public Transportation Fund to the Department of Transportation for audit adjustments in accordance
with Sections 2-7 and 2-15 of the "Downstate Public Transportation Act", as amended (30 ILCS 740/2-7 and 740/2-15), including prior year costs.

FOR RAIL PASSENGER

Section 260. The sum of $38,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for funding the State's share of intercity rail passenger service and making necessary expenditures for services and other program improvements.

Section 265. The sum of $540,000, or so much thereof as may be necessary, is appropriated from the Intercity Passenger Rail Fund to the Department of Transportation for grants to Amtrak or its successor for the operation of intercity rail services in the state.

Section 270. The following named sums, or so much thereof as are available for distribution in accordance with Section 8 of the Motor Fuel Tax Law, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the purposes stated:

DISTRIBUTIVE ITEMS

For apportioning, allotting, and paying as provided by law:

To Counties.............................. 212,868,000
To Municipalities......................... 298,040,000
To Counties for Distribution to Road Districts................. 96,592,000
Total........................................ $607,500,000

MULTI-MODAL REFUNDS

FOR HIGHWAYS

Section 275. The following named sum, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds............................ 50,000

FOR TRAFFIC SAFETY

Section 280. The following named sum, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds............................ 6,000

FOR AERONAUTICS

Section 285. The following named sum, or so much thereof as may be necessary, is appropriated from the Aeronautics Fund to the Department of Transportation for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
Section 290. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in Section 295 Latino Family Commission Section 300 ADA Paratransit Section 240 SCIP Debt Service I Section 245 SCIP Debt Service II of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Section 295. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for a grant to the Illinois Latino Family Commission for the costs associated with the assisting State agencies in developing programs, services, public policies and research strategies that will expand and enhance the social and economic well-being of Latino children and families.

Section 300. The sum of $4,675,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for the funding of the Americans with Disabilities Act of 1990 (ADA) paratransit services and for other costs and services.

Section 305. The sum of $2,613,500, or so much thereof as may be necessary, is appropriated from the State and Local Sales Tax Reform Fund to the Department of Transportation for the purpose stated in Section 6z-17 of the State Finance Act and Section 2-2.04 of the Downstate Public Transportation Act, for a grant to Madison County.

Total, This Article $2,423,035,000

ARTICLE 23
DEPARTMENT OF TRANSPORTATION
MULTIMODAL OFFICES
LUMP SUMS
FOR CENTRAL ADMINISTRATION AND PLANNING

Section 5. The sum of $2,008,669, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 5 of Public Act 97-0731, as amended is reappropriated from the Road Fund to the Department of Transportation for Planning, Research and Development Purposes.

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $857,025, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 10 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with hazardous material abatement.

Section 15. The sum of $93,286,030, or so much thereof as may be necessary, and remains unexpended, less $18,000,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 15 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation, for metropolitan planning and research purposes as provided by law, provided such amount shall not exceed funds to be made available from the federal government or local sources.

Section 20. The sum of $14,582,480, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 20 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for metropolitan planning and research purposes as provided by law.

Section 25. The sum of $21,504,437, or so much thereof as may be necessary, and remains unexpended, less $1,800,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 25 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for the federal share of the IDOT ITS program, provided expenditures do not exceed funds to be made available by the Federal Government.

Section 30. The sum of $21,432,285, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 10 and Article 22, Section 30 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for the state share of the IDOT ITS program.

Section 35. The sum of $8,756,593, or so much thereof as may be necessary, and remains unexpended, less $3,000,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the
appropriation and reappropriation heretofore made in Article 21, Section 15 and Article 22, Section 35 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for the administrative expenses associated with the implementation of the American Recovery and Reinvestment Act of 2009 and other capital projects.

FOR HIGHWAYS

Section 40. The sum of $2,442,554, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 40 and Article 22, Section 45 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

Section 45. The sum of $4,628,070, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 45 and Article 22, Section 50 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the State Radio Communications for the 21st Century (STARCOM) program.

Section 50. The sum of $134,504, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 50 and Article 22, Section 55 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the Technology Transfer Center, including the purchase of equipment, media initiatives and training, provided such expenditures do not exceed funds to be made available by the federal government for this purpose.

Section 55. The sum of $6,918,666, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 55 and Article 22, Section 60 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the Illinois Terrorism Task Force, that consist of approved purchases for homeland security provided such

New matter indicated by italics - deletions by strikeout
expenditures do not exceed funds made available by the federal government for this purpose.

FOR TRAFFIC SAFETY

Section 60. The sum of $8,089,807, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 22, Section 70 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for improvements to traffic safety, provided such amount not exceed funds to be made available from the federal government pursuant to the primary seatbelt enforcement incentive grant.

Section 65. The sum of $600,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 22, Section 75 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for programs related to distracted driving, provided such amount not exceed funds to be made available from the federal government this purpose.

FOR PUBLIC AND INTERMODAL TRANSPORTATION

Section 70. The sum of $916,277, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 185 and Article 22, Section 130 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for public transportation technical studies.

Section 75. The sum of $4,699,301, or so much thereof as may be necessary, and remains unexpended, less $750,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 190 and Article 22, Section 135 of Public Act 97-0731, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by SAFETEA-LU.

AWARDS AND GRANTS

FOR CENTRAL ADMINISTRATION AND PLANNING

Section 80. The sum of $32,680,692, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 20 and Article 22, Section 40 of Public Act 097-0731,
as amended, is reappropriated to the Department of Transportation for Transportation enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures do not exceed funds made available by the federal government.

FOR HIGHWAYS

Section 85. The sum of $30,172,128, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriations and reappropriation heretofore made in Article 21, Section 80 and in Article 22, Section 65 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for reimbursements of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations and reimbursements of eligible expenses arising from City, County, and other State Maintenance Agreements.

FOR CYCLE RIDER SAFETY

Section 90. The sum of $939,694, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made, in Article 22, Section 80 of Public Act 97-0731, as amended, is reappropriated from the Cycle Rider Safety Training Fund to the Department of Transportation for reimbursements to State and local universities and colleges for Cycle Rider Safety Training Programs.

Section 95. The sum of $6,283,873, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made, in Article 21, Section 105 and Article 22, Section 85 of Public Act 97-0731, as amended, is reappropriated from the Cycle Rider Safety Training Fund to the Department of Transportation for reimbursements to State and local universities and colleges for Cycle Rider Safety Training Programs.

HIGHWAY SAFETY PROGRAM

Section 100. The sum of $7,595,023, or so much thereof as may be necessary, and remains unexpended, less $3,797,523 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 22, Section 95 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highway Safety Grants for local

New matter indicated by italics - deletions by strikeout
highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 105. The sum of $14,790,464, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 270, and Article 22 Section 100 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for Illinois Highway Safety Program local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 110. The sum of $283,194, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 275, and Article 22, Section 105 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Commercial Motor Vehicle Safety Program for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 115. The sum of $10,782,396, or so much thereof as may be necessary, and remains unexpended, less $5,391,196 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 22, Section 110 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of Section 163 Impaired Driving Incentive Grant Program (.08 alcohol) for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 120. The sum of $7,822,807, or so much thereof as may be necessary, and remains unexpended, less $4,514,700 to be lapsed from the

New matter indicated by italics - deletions by strikeout
unpaid balance, at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 22, Section 120 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs (410) for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 130. The sum of $4,994,380, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013 from the appropriation and reappropriation heretofore made in Article 21, Section 285, and Article 22, Section 125 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs (410) for local highway safety projects by county and municipal governments, state and private universities and other private entities.

FOR AERONAUTICS

Section 135. The sum of $1,680,600, or so much thereof as may be necessary, and remains unexpended, less $400,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 170 and Article 22, Section 90 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

FOR PUBLIC AND INTERMODAL TRANSPORTATION

Section 140. The sum of $54,987,250, or so much thereof as may be necessary, and remains unexpended, less $10,000,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 21, Section 215 and Article 22, Section 140 of Public Act 97-0731, as amended, is reappropriated from the Downstate Transit Improvement Fund to the Department of Transportation for making competitive capital grants pursuant to Section 2-15 of the Downstate Public Transportation Act. (30 ILCS 740/2-15)

Section 145. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriations heretofore made in Article 21, Sections 35, 110, 115, 120, 125, 130, 135, 140, 145, 150 and 155 of Public
Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for equipment as follows:

Central Offices, Division of Highways
  For Equipment.................................. 359,523
Day Labor
  For Equipment.................................. 206,661
District 1, Schaumburg Office
  For Equipment.................................. 1,493,338
District 2, Dixon Office
  For Equipment.................................. 1,061,237
District 3, Ottawa Office
  For Equipment.................................. 1,045,162
District 4, Peoria Office
  For Equipment.................................. 1,078,006
District 5, Paris Office
  For Equipment.................................. 1,106,573
District 6, Springfield Office
  For Equipment.................................. 1,044,272
District 7, Effingham Office
  For Equipment.................................. 1,096,878
District 8, Collinsville Office
  For Equipment.................................. 1,440,495
District 9, Carbondale Office
  For Equipment.................................. 1,040,106
Total                                                                 $10,972,251

Section 150. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriations heretofore made in Article 21, Sections 5, 35, 90, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155 and 160 of Public Act 97-0731, as amended, is reappropriated from the Road Fund to the Department of Transportation for the purchase of Cars and Trucks as follows:

Central Offices, Administration and Planning
  For Purchase of Cars and Trucks................. 32,200
Central Offices, Division of Highways
  For Purchase of Cars and Trucks................. 194,200
Traffic Safety
  For Purchase of Cars and Trucks................. 43,500
Day Labor

New matter indicated by italics - deletions by strikeout
For Purchase of Cars and Trucks..............
  District 1, Schaumburg Office
  For Purchase of Cars and Trucks.............. 585,369
  District 2, Dixon Office
  For Purchase of Cars and Trucks.............. 6,013,000
  District 3, Ottawa Office
  For Purchase of Cars and Trucks.............. 1,993,200
  District 4, Peoria Office
  For Purchase of Cars and Trucks.............. 1,939,400
  District 5, Paris Office
  For Purchase of Cars and Trucks.............. 2,411,200
  District 6, Springfield Office
  For Purchase of Cars and Trucks.............. 1,160,700
  District 7, Effingham Office
  For Purchase of Cars and Trucks.............. 2,328,900
  District 8, Collinsville Office
  For Purchase of Cars and Trucks.............. 1,328,500
  District 9, Carbondale Office
  For Purchase of Cars and Trucks.............. 852,900

Aeronautics
  For Purchase of Cars and Trucks .............. 16,200

Total
$20,678,669
Total, Article 23
$356,392,253

ARTICLE 24

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission:

GENERAL OFFICE

For Personal Services:
  Regular Positions............................. 7,787,800
  Arbitrators................................. 3,612,700

For State Contributions to State
  Employees’ Retirement System............... 3,112,000
  For Arbitrators’ Retirement System......... 1,401,000
  For State Contributions to Social Security.... 856,500
  For Group Insurance......................... 3,404,000
  For Contractual Services.................... 1,618,500
  For Travel.................................. 400,000

New matter indicated by italics - deletions by strikeout
For Commodities................................. 68,000
For Printing..................................... 35,000
For Equipment................................. 15,000
For Telecommunications Services............. 100,000
Total........................................... $22,410,500

Section 10. The sum of $0, or so much thereof as may be
necessary, is appropriated from the Illinois Workers’ Compensation
Commission Operations Fund to the Illinois Workers’ Compensation
Commission for printing and distribution of Workers’ Compensation
handbooks containing information as to the rights and obligations of
employers.

Section 15. The sum of $199,100, or so much thereof as may be
necessary, is appropriated from the Illinois Workers’ Compensation
Commission Operations Fund to the Illinois Workers’ Compensation
Commission for the implementation and operation of an accident reporting
system.

Section 20. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the Illinois Workers’ Compensation Commission
Operations Fund to the Illinois Workers’ Compensation Commission:

ELECTRONIC DATA PROCESSING
For Personal Services............................ 978,700
For State Contributions to State
Employees' Retirement System.................... 394,600
For State Contributions to Social Security...... 73,300
For Group Insurance.............................. 253,000
For Contractual Services......................... 450,000
For Travel......................................... 7,000
For Commodities................................ 15,000
For Printing..................................... 2,000
For Equipment.................................. 25,000
For Telecommunications Services............... 90,000
Total........................................... $2,288,600

Section 25. The sum of $1,351,300, or so much thereof as may be
necessary, is appropriated from the Illinois Workers’ Compensation
Commission Operations Fund to Illinois Workers’ Compensation
Commission for costs associated with the establishment, administration
and operations of the Insurance Compliance Division of the workers’
compensation anti-fraud program administered by Illinois Workers’ Compensation Commission.

Section 30. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for costs associated with the establishment of the Medical Fee Schedule and other provisions of the Workers’ Compensation Act.

ARTICLE 25

ARCHITECT OF THE CAPITOL

Section 5. The sum of $3,883, or so much of thereof as may be necessary and remains unexpended on June 30, 2013, from a reappropriation heretofore made for such purpose in Section 5 of Article 8 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for plans, specifications, and continuation of work pursuant to the report and recommendations of the architectural, structural, and mechanical surveys of the State Capitol Building. This is for the continuation of the rehabilitation of the Capitol Building.

Section 10. The sum of $548,180, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purposes in Section 10 of Article 8 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for remodeling, planning, relocation, permanent equipment, and other related expenses, including architectural and engineering fees associated with construction, for the remodeling of office space and other support areas under the jurisdiction of the House of Representatives and the Senate.

Section 15. The sum of $43,091,520, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 8, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for all costs associated with capital upgrades and improvements.

Section 20. The following named sums, or so much thereof as may be necessary, and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 8, Section 20 of Public Act 97-0725, as amended, are reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for the projects hereinafter enumerated:

New matter indicated by italics - deletions by strikeout
CAPITOL BUILDING - SPRINGFIELD
(From Article 1, Section 20 of Public Act 97-0725)
For upgrading the HVAC systems and for renovations to meet compliance with ADA, in addition to funds previously appropriated.. 25,591,156
For upgrades to life safety protection systems in addition to funds previously appropriated........ 799,120
For equipment, remodeling and all other costs related to the maintenance, renovation or restoration of areas located in the Capitol Building..................... 220,763
For all costs related to asbestos and environmental abatement in the Capitol Building.......................... 118,292
Total ........................................ 26,729,331

Section 25. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 8, Section 25 of Public Act 97-0725, as amended, are reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD
(From Article 1, Section 25 of Public Act 97-0725)
For capital upgrades........................ 250,000,000
For completing the stone restoration, in addition to funds previously appropriated....... 323,373
For demolition of 222 S. College, and landscaping of Capitol Complex in addition to funds previously appropriated.......................... 963,567
For demolition of 222 South College Building and landscaping of Capitol Complex.......................... 585,151

WILLIAM G. STRATTON BUILDING - SPRINGFIELD
For the planning, design, reconstruction, and construction to renovate or replace the Stratton Office Building, in addition

New matter indicated by italics - deletions by strikeout
to funds previously appropriated.............. 6,685,662
Total                                  $258,557,753

Section 30. No contract shall be entered into or obligation incurred for any expenditures from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.
Total, this Article                      $328,930,667

ARTICLE 26
SECRETARY OF STATE

Section 5. The sum of $50,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 9, Section 5 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Secretary of State for capital grants to public libraries for permanent improvements.

Section 10. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.
Total, this Article                      $50,000,000

ARTICLE 27
DEPARTMENT OF AGRICULTURE

Section 5. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for repairs, maintenance, and capital improvements including construction, reconstruction, improvement, repair and installation of capital facilities, cost of planning, supplies, materials, equipment, services and all other expenses required to complete the work:
Payable from Agricultural Premium Fund:
For various projects at the Illinois State Fairgrounds......................... 1,800,000
For various projects at the DuQuoin State Fairgrounds......................... 750,000

Section 10. The sum of $2,612,500, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Projects Fund to the Department of Agriculture for the Conservation Practices Cost-Share program.
Total, this Article                      $5,162,500

ARTICLE 28
CENTRAL MANAGEMENT SERVICES

New matter indicated by italics - deletions by strikeout
Section 5. The sum of $3,483,998, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 11, Section 5 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Department of Central Management Services for Information Technology infrastructure expenses including but not limited to related hardware and equipment.

Section 10. The sum of $6,759,511, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purposes in Section 10 of Article 11 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Department of Central Management Services for infrastructure improvement, hardware and related costs.

Section 15. The sum of $11,574,033, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 11, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Central Management Services for the Illinois Century Network.

Section 20. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $21,817,542

ARTICLE 29
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purposes in Section 5 of Article 12 of Public Act 97-0725, is reappropriated from the Port Development Revolving Loan Fund to the Department of Commerce and Economic Opportunity for grants and loans associated with the Port Development Revolving Loan Program pursuant to 30 ILCS 750/9-11.

Section 10. The sum of $17,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purposes in Section 10 of Article 12 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the redevelopment of Brownfield sites.

New matter indicated by italics - deletions by strikeout
Section 15. The sum of $44,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 15 of Public Act 97-0725, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for grants pursuant to 20 ILCS 605/605-332 – Coal Revival Program.

Section 17. The sum of $6,000,000, or so much thereof as may be necessary, is appropriated from the Coal Development Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the owner of a generating facility located in Washington County, Illinois, with accredited summer capability of greater than 500 megawatts at such generating facility for the purposes specified in the Illinois Coal and Energy Development Bond Act and Section 8.1 of the Energy Conservation and Coal Development Bond Act.

Section 20. The sum of $1,975,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 20 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

Section 25. The sum of $9,750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for bondable infrastructure improvements to match federal and private funds of equal or greater value.

Section 30. The sum of $2,517,468, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 30 of Public Act 97-0725, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State.

Section 35. The sum of $5,250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 12, Section 35 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the Advanced Protein Crystallization Facility.

Section 40. The sum of $15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 40 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant for the Illinois Science and Technology Park.

Section 45. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 45 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

Section 50. The sum of $6,000,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 50 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the redevelopment of brownfield sites.

Section 55. The sum of $16,200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purpose of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State, including but not limited, to a grant for a commercial scale, low emissions project that produces electric power, synthesizes natural gas or chemicals and demonstrates underground storage of at least 1 million metric tons annually of carbon dioxide.

Section 60. The sum of $3,980,704, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 12, Section 60 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 65. The sum of $3,130,040, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8 or Article 10 of the Build Illinois Act.

Section 70. The sum of $2,600,251, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 70 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 75. The sum of $5,567,122, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 80. The sum of $4,524,172, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 85. The sum of $145,508,634, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 85 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of making grants and loans to local...
governments for planning, engineering, acquisition, construction, reconstruction, development, improvement and extension of the public infrastructure, and for any other purposes authorized in subsection (a) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 90. The sum of $47,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 90 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of fostering economic development and increased employment and the well being of the citizens of Illinois, and for any other purposes authorized in subsection (b) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 95. The sum of $11,532,167, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 95 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services, and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 100. The sum of $29,961,223, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 100 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for open spaces, recreational and conservation purposes and the protection of land and for deposits into the Partners for Conservation Projects Fund as authorized by subsection (c) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 105. The sum of $30,454,926, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 105 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for open spaces, educational, scientific, technical and vocational programs and facilities and the expansion of health and human services, and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

New matter indicated by italics - deletions by strikeout
Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 110. The sum of $10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 110 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 115. The sum of $24,250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 120. The sum of $13,645,450, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 120 of Public Act 97-0725, as amended, is reappropriated from the Fund for Illinois’ Future to the Department of Commerce and Economic Opportunity for grants to units of government, educational facilities and not-for-profit organizations for education and training, infrastructure improvements and other capital projects including but not limited to planning, construction, reconstruction, equipment, utilities and vehicles, and all costs associated with economic development programs, community service programs, public health programs, public safety programs, other programs and activities, and for grants to other State agencies for any capital or operating purposes.

Section 125. The sum of $22,380,861, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 12, Section 125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants to local governments for capital improvements to civic centers for the projects hereinafter enumerated:
Quad Cities Metropolitan Exposition and Auditorium Authority..................... 4,000,000
Peoria Metropolitan Exposition Authority..................... 4,000,000
Springfield Metropolitan Exposition and Auditorium Authority..................... 3,000,000
Rockford Metropolitan Exposition, Auditorium and Office Building Authority..................... 2,905,861
Will County Metropolitan Exposition, Auditorium and Office Building Authority..................... 2,200,000
Aurora Metropolitan Exposition, Auditorium and Office Building Authority..................... 1,575,000
Decatur Metropolitan Exposition, Auditorium and Office Building Authority..................... 2,100,000
Vermilion County Exposition, Auditorium and Office Building Authority..................... 850,000
Collinsville Metropolitan Exposition, Auditorium and Office Building Authority..................... 625,000
LaSalle County Metropolitan Exposition, Auditorium and Office Building Authority..................... 250,000
Quincy Metropolitan Exposition, Auditorium and Office Building Authority..................... 800,000

Section 130. The sum of $1,247,471, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
Section 130. The sum of $4,141,114, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for capital improvements.

Section 135. The sum of $4,141,114, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for capital improvements.

Section 135. The sum of $4,141,114, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for capital improvements.

Section 140. The sum of $9,711,584, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 140 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Housing Authority for LeClaire Courts.

Section 140. The sum of $9,711,584, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 140 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Housing Authority for LeClaire Courts.

Section 150. The sum of $420,292,664, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants awarded under the Urban Weatherization Initiative Act.

Section 155. The sum of $8,392,710, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

Section 156. The sum of $5,913,314, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 12, Section 156 of Public Act 97-0725, as amended, is reappropriated

New matter indicated by italics - deletions by strikeout
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

Section 160. The sum of $9,319,729, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans for transportation electrification infrastructure projects; including, but not limited to grants and loans for the purpose of encouraging electric car manufacturing and infrastructure for electric vehicles.

Section 165. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for infrastructure projects that lead directly to private sector expansion or retention activities including but not limited to public infrastructure construction and renovation, financing for the purchase of land and buildings, construction or renovation of fixed assets, site preparation and purchase of machinery and equipment.

Section 180. The sum of $15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide loans and grants for the modification, alteration, or retrofitting of renewable fuel plants in Illinois in order to encourage the implementation of technologies that increase the overall efficiency of the renewable fuel production process or reduce the life-cycle greenhouse gas emissions of the renewable fuel produced including, but not limited to: (i) improved water conservation; (ii) improved energy conservation; (iii) added value to bio-fuel co-products and bi-products; (iv) utilization of renewable energy resources; (v) utilization of fractionation; or (vi) utilization of cellulosic or other biomass conversion.

New matter indicated by italics - deletions by strikeout
Section 185. The sum of $28,205,383, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the requirements necessary to leverage capital-related American Recovery and Reinvestment Act of 2009 funds of equal or greater value in order to make Illinois or Illinois applicants more competitive and/or for costs associated with bondable improvements to match federal, local, private or other funds.

Section 190. The sum of $1,157,306, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Phoenix Foundation of Southern Illinois for hospital renovation and equipment.

Section 195. The sum of $11,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with the redevelopment of brownfield sites.

Section 200. The sum of $43,299,637, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United Neighborhood Organization for the acquisition, construction, rehabilitation, renovation and equipping facilities, to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System, to assist in alleviating school overcrowding in the state.

Section 205. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 12, Section 205 of Public Act 97-0725, as amended, are
reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford District 205 for the projects hereinafter enumerated:

**GREENTEK CARVER ACADEMY**
For the acquisition, construction, rehabilitation, renovation and equipping to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System .............................................. 0

**CICS ROCKFORD CHARTER PATRIOTS CENTER**
For the acquisition, construction, rehabilitation, renovation........................... 1,000,000

**SIGMA BETA LEADERSHIP SCHOOL**
For the acquisition, construction, rehabilitation, renovation........................... 1,000,000

Total .................................................................................................................. 2,000,000

Section 210. The sum of $12,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants for acquisition, construction, renovation and equipping new charter schools, to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System as approximated below:

For Instituto Del Progreso Latino ............... 12,000,000

Section 215. The sum of $10,188,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants, loans, and other investments to emerging technology enterprises to support and encourage: (i) commercialization of technology based products and services; (ii) technology transfer projects involving the promotion of new or innovative technologies; or (iii) research and development projects to respond to unique, advanced technology projects and which foster the development of...
Illinois’ economy through the advancement of the State’s economic, scientific, and technological assets.

Section 220. The sum of $8,625,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants for land acquisition, infrastructure, equipment and other permissible capital expenditures to businesses that will encourage new investment and the creation or retention of jobs in economically depressed areas of the state.

Section 222. The sum of $2,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 12, Section 222 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants for land acquisition, infrastructure, equipment and other permissible capital expenditures to businesses within a city located in both St. Clair and Madison Counties having a population of 5,000 people or less that will encourage new investment and the creation or retention of jobs in economically depressed areas of the state.

Section 230. The sum of $3,748,050, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 230 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Chicago Medical Center for costs associated with Provident Hospital.

Section 235. The sum of $1,798,133, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 12, Section 235 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Masonic Hospital for capital improvements.

Section 250. The sum of $2,250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
12, Section 250 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to Community Health and Emergency Services, Inc. for the construction of a hospital wing at the Cairo Megaclinic.

Section 260. The sum of $1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 12, Section 260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cook County Health and Hospital System for costs associated with medical equipment and capital improvements at Provident Hospital.

Section 280. The sum of $265,437, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 280 of Public Act 97-0725, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the purpose of facility cost reports prepared for not more than one facility pursuant to Section 1-56 of the Illinois Power Agency Act.

Section 285. The sum of $4,900,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 12, Section 285 of Public Act 97-0725, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the purpose of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act.

Section 290. This Article is not subject to limitations under Section 5 of Article 48 of Public Act 95-734 or any similar limitation.

Section 295. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in Sections 5 through 290 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $1,144,183,551

ARTICLE 29.5
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The amount of $10,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to Chicago Film Studios.

Section 10. The amount of $4,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Children’s Theater.

Section 15. The amount of $1,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House.

Section 20. The amount of $1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Center.

Section 25. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Educare of West DuPage.

Total, this Article $18,000,000

ARTICLE 30
DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of $725,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 10. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 15. To the extent federal funds including reimbursements are available for such purposes, the sum of $75,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats,
including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 20. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for a grant to the Chain O’Lakes – Fox River Waterway Management Agency for the Agency’s operational expenses.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from State Boating Act Fund:
For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation

Payable from State Parks Fund:
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation

Section 30. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for acquisition and development, including grants, for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl for the Mississippi Flyway.

Section 35. To the extent federal funds including reimbursements are available for such purposes, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of

New matter indicated by italics - deletions by strikeout
waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 40. The following named sum, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Forest Reserve Fund:
  For U.S. Forest Service Program..................                                  500,000

Section 45. The sum of $110,000, or so much thereof as may be necessary, is appropriated from the Plugging and Restoration Fund to the Department of Natural Resources, Office of Mines and Minerals for the Landowner Grant Program authorized under the Oil and Gas Act, as amended by Public Act 90-0260.

Section 50. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Abandoned Mined Lands Reclamation Set Aside Fund to the Department of Natural Resources for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines and any other expenses necessary for emergency response.

Section 55. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the State Furbearer Fund to the Department of Natural Resources for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 60. The following named sum, new appropriation, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Natural Resources:
Payable from Natural Areas Acquisition Fund:
  For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities..................                                         3,000,000

New matter indicated by italics - deletions by strikeout
Section 65. The sum of $14,000,000, or so much thereof as may be necessary, is appropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments and to distressed communities as provided in the "Open Space Lands Acquisition and Development Act".

Section 70. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

FOR ILLINOIS HABITAT FUND PROGRAM

Section 75. The sum of $1,350,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 80. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 85. The sum of $900,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources for expenditure by the Office of Water Resources from the Flood Control Land Lease Fund for disbursement of monies received pursuant to Act of Congress dated September 3, 1954 (68 Statutes 1266, same as appears in Section 701c-3, Title 33, United States Code Annotated), provided such disbursement shall be in compliance with 15 ILCS 515/1 Illinois Compiled Statutes.

Section 90. The following named sum, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Land and Water Recreation Fund:

New matter indicated by italics - deletions by strikeout
For Outdoor Recreation Programs .................. 2,500,000

Section 95. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Off-Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 100. The following named sum, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Federal Title IV Fire Protection Assistance Fund:

For Rural Community Fire Protection Programs..... 325,000

Section 105. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 110. The sum of $625,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 115. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $300,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 120. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the implementation of the North American Waterfowl Management Plan.
within the Dominion of Canada or the United States which specifically provides waterfowl to the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 125. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the development of waterfowl propagation areas within the Dominion of Canada or the United States which specifically provide waterfowl for the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 130. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

Section 135. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 140. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 145. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance, and other related expenses of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from State or federal sources.

Section 150. The following named sum, new appropriation, or so much thereof as may be necessary, for the object and purpose hereinafter named, is appropriated to the Department of Natural Resources:

Payable from the Park and Conservation Fund:

For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land

New matter indicated by italics - deletions by strikeout
acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation .......... 1,000,000

Section 155. The following named sum, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Natural Resources:

Payable from the Adeline Jay Geo-Karis Illinois Beach Marina Fund:
For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor

375,000

Section 160. The sum of $6,000,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 165. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for construction and maintenance of State owned, leased, and managed sites.

Section 170. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the acquisition, engineering, and rehabilitation of dedicated hunting and fishing lands in conjunction with the Illinois Hunting Heritage Protection Act.

Total, this Article $61,395,000

ARTICLE 31
DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of $44,561,606, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 5 of Public Act 97-0725 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in Illinois; to fund cost-share assistance to landowners to encourage approved

New matter indicated by italics - deletions by strikeout
conservation practices in environmentally sensitive and highly erodible areas of Illinois; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 10. The sum of $38,456,036, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 15, Section 10 of Public Act 97-0725 as amended is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

- Ashland – Cass County – For construction of a flood control project to relieve flooding.............. 580,000
- County Stormwater Improvements – For funding to assist County Stormwater Programs with implementation of flood relief projects........................................ 650,000
- Crystal Creek – Cook County – To design and construct multi-phase Crystal Creek Flood Control Projects in Schiller Park and Franklin Park.............. 2,182,059
- Des Plaines River Watershed - Lake and Cook County – For non-federal cost sharing requirements for the implementation of flood reduction measures...................................... 9,501,656
- East St. Louis Ecosystem and IFC - Madison & St. Clair Counties - For the non-federal funding to design and construct this multipurpose ecosystem project.............. 1,200,000
- Flood Hazard Mitigation – Statewide – For cost sharing to acquire flood prone structures, to implement flood hazard mitigation plans, and to acquire mitigation sites

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hickory Hills Reservoir – Cook County – For costs associated with construction of the Hickory Hills flood detention Reservoir</td>
<td>$10,264,456</td>
</tr>
<tr>
<td>Hickory/Spring Creek – Will County – For implementation of Hickory/Spring Creeks flood control project in cooperation with the City of Joliet</td>
<td>$40,208</td>
</tr>
<tr>
<td>Village of Union - McHenry County - For the implementation of flood damage relief measures</td>
<td>$11,641,657</td>
</tr>
<tr>
<td>Flood Control at 88th Ave &amp; 99th St – City of Palos Heights – Cook County</td>
<td>$1,282,000</td>
</tr>
<tr>
<td>Urban Flood Control Projects – Statewide – to fund flood damage reduction projects in partnership with units of local government</td>
<td>$71,000</td>
</tr>
<tr>
<td>Total</td>
<td>$38,456,036</td>
</tr>
</tbody>
</table>

Section 15. The sum of $39,415,567, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 15 of Public Act 97-0725 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for improvements needed at publicly-owned Dams for upgrading and rehabilitation of dams, spillways and supporting facilities, including dam removals and the required geotechnical investigations, preparation of plans and specifications, and the construction of the proposed rehabilitation to ensure reduced risk of injury to the public, and for needed repairs and improvements on and to waterways and infrastructure.

Section 20. The sum of $12,785,984, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 20 of Public Act 97-0725 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and
associated development in cooperation with the U.S. Army Corps of Engineers.

Section 25. The sum of $150,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 25 of Public Act 97-0725 as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for capital grants to parks or recreational units for permanent improvements.

Section 30. The sum of $46,336,959, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 30 of Public Act 97-0725 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for capital grants to public museums for permanent improvements.

Section 35. The sum of $1,500,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 35 of Public Act 97-0725 as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for capital grants to the Museum of Broadcast Communications for permanent improvements.

Section 45. The sum of $5,684,618, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 15, Section 45 of Public Act 97-0725 as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Mud to Parks dredging Illinois rivers and sediment reuse.

Section 50. The sum of $9,446,147, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 15, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for improvements needed at publicly-owned Dams for upgrading and rehabilitation of dams, spillways and supporting facilities, including dam removals and the required geotechnical investigations, preparation of plans and specifications, and the construction of the proposed rehabilitation to ensure reduced risk of injury to the public, and for needed repairs and improvements on and to waterways and infrastructure.
Section 55. The sum of $2,596,723, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 55 of Public Act 97-0725, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 60. The sum of $1,379,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 5 of Public Act 97-0725 and Article 15, Section 60, of Public Act 97-0725 is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 65. The sum of $370,011, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 10 of Public Act 97-0725 and Article 15, Section 65, of Public Act 97-0725, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 70. To the extent federal funds including reimbursements are available for such purposes, the sum of $5,988,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 15 of Public Act 97-0725 and Article 15, Section 70, of Public Act 97-0725, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 75. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such

New matter indicated by italics - deletions by strikeout
purpose, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from State Boating Act Fund:

(From Article 14, Section 25 of Public Act 97-0725 and Article 15, Section 75, of Public Act 97-0725, as amended)

For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation.............. 5,793,920

Section 80. The following named sums, or so much thereof as may be necessary, respectively, and as remain unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the State Parks Fund:

(From Article 15, Section 80, of Public Act 97-0725, as amended)

For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation.............. 996,396

(From Article 15, Section 80, of Public Act 97-0725, as amended)

For multiple use facilities and purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with

New matter indicated by italics - deletions by strikeout
the intent of this appropriation................ 244,857
(From Article 14, Section 25, of Public Act 97-0725, as amended)
For multiple use facilities and programs for park and trail purposes provided
by the Department of Natural Resources, including construction and development, all
costs for supplies, materials, labor, land acquisition, services, studies, and
all other expenses required to comply with the intent of this appropriation................ 150,000

Section 85. The sum of $1,971,218, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 15, Section 85, of Public Act 97-0725, as amended, is reappropriated from the State Parks Fund to the Department of Natural Resources, in coordination with the Capital Development Board, for the development of the World Shooting and Recreation Complex including all construction and debt service expenses required to comply with this appropriation. Provided further, to the extent that revenues are received for such purposes, said revenues must come from non-State sources.

Section 95. The sum of $298,941, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 95, of Public Act 97-0725, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal and/or state funds provided for such purposes.

Section 100. To the extent federal funds including reimbursements are available for such purposes, the sum of $995,019, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 35 of Public Act 97-0725 and Article 15, Section 100, of Public Act 97-0725, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 105. The sum of $285,712, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 15, Section 105, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 110. The sum of $1,068,104, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 110, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 115. The sum of $357,787, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 115, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 120. The sum of $951,495, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 120, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in Illinois; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of Illinois; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 125. The sum of $503,341, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 125, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the acquisition of lands, buildings, and structures, including easements and other property interests, located in the 100-year floodplain in counties or portions of counties authorized to

New matter indicated by italics - deletions by strikeout
prepare stormwater management plans and for removing such buildings and structures and preparing the site for open space use.

Section 130. The sum of $8,079,294, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 130, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

Flood Hazard Mitigation - For implementation of flood hazard mitigation plans, and acquisition of wetland and tree mitigation sites for state and local joint flood control projects in cooperation with federal agencies, state agencies, and units of local government, in various counties............................. 7,850,000

Fox Chain of Lakes - Lake and McHenry Counties - For the state cost share in implementation of the comprehensive Dredging and Disposal Plan, including beneficial use of dredge material and island creation, for the Fox River and Chain of Lakes................................... 229,294

Total                                                                                         $8,079,294

FOR WATERWAY IMPROVEMENTS

Section 135. The sum of $8,984,304, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 135, of Public Act 97-0725 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the following projects at the approximate costs set forth below:

Addison Creek Watershed - Cook and DuPage Counties................................................. 10,000

Crisenberry Dam - Jackson County:
For complete rehabilitation of the dam and spillway, including the required geotechnical investigation,

New matter indicated by italics - deletions by strikeout
the preparation of plans and specifications, and the construction of the proposed rehabilitation
East St. Louis and Vicinity Flood Control - Madison and St. Clair Counties - For partial payment of the non-federal cost requirements of an interior flood protection project and ecosystem restoration at
East St. Louis and Vicinity area
Flood Mitigation - Disaster Declaration Areas
Fox Chain O'Lakes - Lake and McHenry Counties
Fox River Dams - Kane, Kendall and McHenry Counties
Prairie/Farmers Creek - Cook County
Village of Lemont – Flood Control Reservoir
Village of Bluffs – Flood Control Channel
Union - McHenry County
Total

Section 140. The sum of $219,073, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 55 of Public Act 97-0725 and Article 15, Section 140, of Public Act 97-0725, as amended, is reappropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 145. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:
Payable from Natural Areas Acquisition Fund:
(From Article 14, Section 60 of Public Act 97-0725 and Article 15, Section 145, of Public Act 97-0725 as amended)
For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and

New matter indicated by italics - deletions by strikeout
threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities.......................... 11,388,318

Section 150. The sum of $81,524,315, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 65 of Public Act 97-0725 and Article 15, Section 150, of Public Act 97-0725, as amended, is reappropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

FOR STATE PHEASANT PROGRAM

Section 155. The sum of $1,962,557, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 70 of Public Act 97-0725 and Article 15, Section 155, of Public Act 97-0725, as amended, is reappropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

Section 160. The sum of $5,269,804, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 75 of Public Act 97-0725 and Article 15, Section 160, of Public Act 97-0725, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 165. The sum of $1,902,843, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 80 of Public Act 97-0725 and Article 15, Section 165, of Public Act 97-0725, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

New matter indicated by italics - deletions by strikeout
Section 170. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 90 of Public Act 97-0725 and Article 15, Section 170, of Public Act 97-0725, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Land and Water Recreation Fund:

For Outdoor Recreation Programs..............                             $11,774,481

Section 175. The sum of $2,829,022, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 95 of Public Act 97-0725 and Article 15, Section 175, of Public Act 97-0725, as amended, is reappropriated from the Off-Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 180. The sum of $1,432,515, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 180, of Public Act 97-0725, as amended, is reappropriated from the Partners for Conservation Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 185. The sum of $1,709,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 185, of Public Act 97-0725, as amended, is reappropriated from the Partners for Conservation Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

New matter indicated by italics - deletions by strikeout
Section 190. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 100 of Public Act 97-0725 and Article 15, Section 190, of Public Act 97-0725, as amended, made either independently or in cooperation with the Federal Government or any agency thereof; any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Federal Title IV Fire Protection Assistance Fund:
For Rural Community Fire Protection Program.............................                                         $465,773

Section 195. The sum of $249,668, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 110 of Public Act 97-0725 and Article 15, Section 195, of Public Act 97-0725, as amended, is reappropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 200. The sum of $4,026,997, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 115 of Public Act 97-0725 and Article 15, Section 200, of Public Act 97-0725, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 205. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $338,440, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 120 of Public Act 97-0725 and Article 15, Section 205, of Public Act 97-0725, as amended, is reappropriated from the Illinois Forestry Development Fund to the
Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 210. The sum of $2,696,357, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 135 of Public Act 97-0725 and Article 15, Section 210, of Public Act 97-0725, as amended, is reappropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

FOR BIKEWAYS PROGRAMS

Section 215. The sum of $10,431,532, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 140 of Public Act 97-0725 and Article 15, Section 215, of Public Act 97-0725, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 220. The following named sum, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 14, Section 155 of Public Act 97-0725 and Article 15, Section 220, of Public Act 97-0725, as amended, is reappropriated to the Department of Natural Resources:

Payable from the Park and Conservation Fund:
For multiple use facilities and programs
for park and trail purposes provided by
the Department of Natural Resources, including
construction and development, all costs
for supplies, materials, labor, land
acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation.............. 5,004,941

Section 225. The sum of $686,826, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 225, of Public Act 97-0725, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for multiple use facilities and programs for conservation purposes provided by the

New matter indicated by italics - deletions by strikeout
Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 230. The sum of $5,567,761, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 145 of Public Act 97-0725 and Article 15, Section 230, of Public Act 97-0725, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 235. The sum of $1,150,390, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 235, of Public Act 97-0725, as amended, is reappropriated to the Department of Natural Resources from the Park and Conservation Fund for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 240. The sum of $9,828,314, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 150 of Public Act 97-0725 and Article 15, Section 240, of Public Act 97-0725, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 245. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

New matter indicated by italics - deletions by strikeout
Payable from the Adeline Jay Geo-Karis Illinois Beach Marina Fund:
(From Article 14, Section 160 of Public Act 97-0725 and Article 15, Section 245, of Public Act 97-0725, as amended)
For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor

2,581,847

Section 250. The sum of $18,039,468, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 14, Section 165 of Public Act 97-0725 and Article 15, Section 250, of Public Act 97-0725, as amended, is reappropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 255. The sum of $203,973, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 255, of Public Act 97-0725, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the acquisition, engineering and rehabilitation of dedicated hunting and fishing lands in conjunction with the Illinois Hunting Heritage Protection Act; however, no more than $1,500,000 of the total appropriation may be used for engineering and rehabilitation.

Section 260. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 260, of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 265. The sum of $4,074,481, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 265, of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to
local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 270. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 270, of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the Illinois Open Land Trust Program as defined by the Illinois Open Land Trust Act as authorized by subsection (m) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 275. The sum of $22,113,140, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 15, Section 275, of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the Open Land Trust Program.

Section 280. The sum of $4,875,561, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 15, Section 280, of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for upgrades to lodges, camps and campsites, including but not limited to previously incurred costs.

Section 285. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Sections 5 through 50, 105 through 135, and 260 through 280 of this Article until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, this Article $646,550,379

ARTICLE 32
DEPARTMENT OF MILITARY AFFAIRS

Section 5. The sum of $91,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 17, Section 5 of Public Act 97-0725, is reappropriated from the Illinois
National Guard Construction Fund to the Department of Military Affairs for land acquisition and construction of parking facilities at armories.

Section 10. The sum of $499,969, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 16, Section 5 of Public Act 97-0725, is reappropriated from the Illinois National Guard Construction Fund to the Department of Military Affairs for all costs associated with the construction of Illinois National Guard facilities.

Total, this Article $591,569

ARTICLE 33
DEPARTMENT OF PUBLIC HEALTH

Section 5. The sum of $64,822,728, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 18, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Public Health for grants associated with the Hospital Capital Investment Program.

Section 10. The sum of $3,756,475, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 18, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Illinois Department of Public Health for the CLEAR-WIN Grant Program to correct lead based paint hazards in residential buildings.

Section 15. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $68,579,203

ARTICLE 34
DEPARTMENT OF REVENUE

Section 5. The sum of $71,634,210, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 19, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Revenue for the Illinois Housing Development Authority for affordable housing grants, loans, and investments for low-income families, low-income senior citizens, low-income persons with disabilities and at risk displaced veterans.

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $11,003,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 19, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Revenue for the Illinois Housing Development Authority affordable housing grants, loans, and investments to provide access to affordable and supportive housing for at risk displaced veterans and low-income persons with disabilities.

Section 15. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $82,637,210

ARTICLE 35
DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS
CONSTRUCTION

Section 5. The sum of $62,207,897, or so much thereof as may be necessary, is appropriated from the Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

Section 10. The sum of $8,844,302, or so much thereof as may be necessary, is appropriated from the Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

Section 15. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, This Article $71,052,199

ARTICLE 36
DEPARTMENT OF TRANSPORTATION
PERMANENT IMPROVEMENTS

Section 5. The sum of $10,750,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment.

New matter indicated by italics - deletions by strikeout
installed and all costs and charges incident to the completion thereof at various locations.

OTHER LUMP SUMS

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For costs associated with the identification, corrective action, and disposal of hazardous materials at storage facilities................. 750,000
For Maintenance, Traffic and Physical Research Purposes (A)........................ 36,700,000

For repair of damages by motorists to highway guardrails, fencing, lighting units, bridges, underpasses, signs, traffic signals, crash attenuators, landscaping, roadside shelters, rest areas, fringe parking facilities, sanitary facilities, maintenance facilities including salt storage buildings, vehicle weight enforcement facilities including scale houses, and other highway appurtenances, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages 5,500,000
For Maintenance, Traffic and Physical Research Purposes (B)......................... 13,200,000

Total $56,150,000

Section 13. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Transportation Bond Series B Fund to the Department of Transportation for reimbursements to airport sponsors for the costs of constructing or upgrading of Automated Weather Observation Systems for projects that were approved prior to July 1, 2012. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which the service was rendered or costs incurred.

MULTIMODAL GRANTS AND AWARDS

HIGHWAYS

Section 15. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For apportionment to counties for construction of township bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the
"Illinois Highway Code"....................... 15,000,000

For apportionment to needy Townships and Road Districts, as determined by the Department in consultation with the County Superintendents of Highways, Township Highway Commissioners, or Road District
Highway Commissioners......................... 10,014,300

For apportionment to high-growth cities over 5,000 in population, as determined by the Department in consultation with the Illinois Municipal League.............................. 4,000,000

For apportionment to counties under 1,000,000 in population, $8,000,000 of the total apportioned in equal amounts to each eligible county, and $13,800,000 apportioned to each eligible county in proportion to the amount of motor vehicle license fees received from the residents of eligible counties...................... 21,800,000
Total ............................................. $50,814,300

AERONAUTICS

Section 20. The sum of $120,000,000, or so much thereof as may be necessary, is appropriated from the Federal/Local Airport Fund to the Department of Transportation for funding airport improvement projects, including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws.

PUBLIC TRANSPORTATION

Section 25. The sum of $38,000,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

RAIL PASSENGER AND RAIL FREIGHT

Section 30. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for grants, construction, and all other costs relating to rail projects, provided such amounts not exceed funds made available by the federal government for this purpose.

Section 35. The sum of $2,700,000, or so much thereof as may be necessary, is appropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

New matter indicated by italics - deletions by strikeout
Section 40. The sum of $500,000,000, or so much thereof as may be necessary, is appropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for grants, construction, and all other costs relating to high speed rail projects, provided such amounts not exceed funds made available by the federal government for this purpose.

Section 45. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

MULTIMODAL CONSTRUCTION AND LAND ACQUISITION

Section 50. The sum of $591,000,000, or so much thereof as may be necessary, is appropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas fringe parking facilities and sanitary facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 1, Schaumburg</td>
<td>235,266,000</td>
</tr>
<tr>
<td>District 2, Dixon</td>
<td>38,067,000</td>
</tr>
<tr>
<td>District 3, Ottawa</td>
<td>58,987,000</td>
</tr>
<tr>
<td>District 4, Peoria</td>
<td>34,302,000</td>
</tr>
<tr>
<td>District 5, Paris</td>
<td>21,958,000</td>
</tr>
<tr>
<td>District 6, Springfield</td>
<td>44,152,000</td>
</tr>
<tr>
<td>District 7, Effingham</td>
<td>58,158,000</td>
</tr>
<tr>
<td>District 8, Collinsville</td>
<td>74,010,000</td>
</tr>
<tr>
<td>District 9, Carbondale</td>
<td>26,100,000</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>0</td>
</tr>
<tr>
<td>Engineering</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$591,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 55. The sum of $39,000,000, or so much thereof as may be necessary, is appropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

CONSTRUCTION AND LAND ACQUISITION
LUMP SUMS

Section 60. The sum of $805,985,700, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program as approximated below:

District 1, Schaumburg............... 150,517,000
District 2, Dixon..................... 24,354,000
District 3, Ottawa.................. 37,738,000
District 4, Peoria.................... 21,946,000
District 5, Paris...................... 14,048,000
District 6, Springfield.............. 28,248,000
District 7, Effingham............... 37,208,000
District 8, Collinsville............. 47,350,000
District 9, Carbondale.............. 16,699,000
Statewide (including refunds)........ 251,330,700
Engineering............................ 176,547,000
Total.................................. 805,985,700

Section 65. The sum of $427,200,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and

New matter indicated by italics - deletions by strikeout
improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 1, Schaumburg</td>
<td>214,581,000</td>
</tr>
<tr>
<td>District 2, Dixon</td>
<td>17,554,000</td>
</tr>
<tr>
<td>District 3, Ottawa</td>
<td>16,779,000</td>
</tr>
<tr>
<td>District 4, Peoria</td>
<td>18,080,000</td>
</tr>
<tr>
<td>District 5, Paris</td>
<td>14,857,000</td>
</tr>
<tr>
<td>District 6, Springfield</td>
<td>19,229,000</td>
</tr>
<tr>
<td>District 7, Effingham</td>
<td>14,180,000</td>
</tr>
<tr>
<td>District 8, Collinsville</td>
<td>21,537,000</td>
</tr>
<tr>
<td>District 9, Carbondale</td>
<td>8,530,000</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>81,873,000</td>
</tr>
<tr>
<td>Total</td>
<td>$427,200,000</td>
</tr>
</tbody>
</table>

Section 70. The sum of $31,703,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for land acquisition, construction engineering and construction of the Milburn Bypass (US 45 from north of Milburn Road to north of Grass Lake Road) provided that such amounts do not exceed amounts reimbursed by the local agency using Lake County Challenge Bonds.

Section 75. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Public Private Partnerships for Transportation Fund to the Department of Transportation for costs associated with the development, financing, and operation of transportation facilities pursuant to the provisions of the Public Private Partnerships for Transportation Act, as amended.

Section 80. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Illiana Expressway Proceeds Fund to the Department of Transportation for costs of the Department associated with the Public Private Agreements for the Illiana Expressway Act (605 ILCS 130) provided the total amount obligated shall not exceed the amount deposited/transferred into this Fund.

Section 85. The sum of $1,300,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of
Transportation for costs associated with the relocation of locally-owned utilities along federally-designated High Speed Rail Corridors in Illinois, provided that such amounts do not exceed funds to be made available and paid into the Road Fund pursuant to agreements executed between the Department of Transportation and the affected local governments.

Section 90. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in Section 5 Permanent Improvements
Section 35 State Rail Freight Loan Repayment
Section 45 Federal Rail Freight Loan Repayment
of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Total, this Article $2,694,853,000

ARTICLE 37
DEPARTMENT OF TRANSPORTATION
PERMANENT IMPROVEMENTS

Section 5. The sum of $39,663,722, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 5 and Article 21, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment installed and all costs and charges incident to the completion thereof at various locations.

CONSULTANT AND PRELIMINARY ENGINEERING

Section 10. The sum of $4,983,121, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highways Engineering and Consultant Contracts only.

Section 15. The sum of $4,831,205, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 15

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of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for Highway Engineering and Consultant Contracts only.

OTHER LUMP SUMS

Section 20. The sum of $9,168,964, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 10 and Article 21, Section 20 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the identification, corrective action, and disposal of hazardous materials at storage facilities.

Section 25. The sum of $44,927,836, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 10 and Article 21, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highways Formal Contract Specifics Maintenance, Traffic and Physical Research Purposes (A).

Section 30. The sum of $11,141,003, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 10 and Article 21, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to highway guardrails, fencing, lighting units, bridges, underpasses, signs, traffic signals, crash attenuators, landscaping, roadside shelters, rest areas, fringe parking facilities, sanitary facilities, maintenance facilities including salt storage buildings, vehicle weight enforcement facilities including scale houses, and other highway appurtenances, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

MULTI-MODAL AWARDS AND GRANTS

HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 35. The sum of $32,544,515, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 20 and Article 21, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for apportionment to counties for construction of township...
bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the "Illinois Highway Code".

Section 40. The sum of $200,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 40 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series D Fund to the Department of Transportation for grants to counties, municipalities, and road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois as allocated in Article 50, Section 36 of Public Act 96-0035.

AERONAUTICS

Section 45. The sum of $618,685,670, or so much thereof as may be necessary, and remains unexpended, less $50,000,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 60 and Article 21, Section 215 of Public Act 97-0725, as amended, is reappropriated from the Federal/Local Airport Fund to the Department of Transportation for funding the local or federal share of airport improvement projects, including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws, provided such amounts shall not exceed funds available from federal and/or local sources.

Section 50. The sum of $30,293,358, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 220 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for such purposes as are described Section 34 of the Illinois Aeronautics Act, as amended, and Section 72 of the Illinois Aeronautics Act, as amended, for airport improvements.

PUBLIC AND INTERMODAL TRANSPORTATION

Section 55. The sum of $368,962, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 235 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation.
for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers, and the Intercity Rail Program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the counties of Cook, DuPage, Kane, Lake, McHenry and Will, pursuant to Section 4(b)(2) of the General Obligation Bond Act, as amended.

Section 60. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriations heretofore made in Article 21, Section 235 and Section 240 of Public Act 97-0725, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers, and the Intercity Rail Program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, as follows:

Pursuant to Section 4(b)(1) of the
General Obligation Bond Act,
as amended.................................14,771,277

For the counties of the State outside
the counties of Cook, DuPage, Kane, McHenry,
and Will, pursuant to Section 4(b)(1) of
the General Obligation Bond
Act, as amended..............................992,508

For the Department of Transportation's
Operation Greenlight Program pursuant to
Section 4(b)(1) of the General
Obligation Bond Act, as amended.........5,523,968

Total ........................................ $21,287,753

Section 65. The sum of $5,000,002, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 245 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation to extend the metrolink rail-line to Mid-America Airport, including but not

New matter indicated by italics - deletions by strikeout
limited to, general infrastructure improvements authorized under Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305) such as parking lot infrastructure upgrades, pedestrian access improvements, ingress and egress infrastructure and construction of a pedestrian overpass at the Southwestern Illinois College metrolink station.

Section 70. The sum of $18,356,831, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 250 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended.

Section 75. The sum of $900,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 255 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to the Regional Transportation Authority.

Section 80. The sum of $100,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 260 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the purpose of downstate public transit systems.

Section 85. The sum of $1,422,237,972, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30,
2013, from the reappropriation heretofore made in Article 21, Section 265 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to the Regional Transportation Authority.

Section 90. The sum of $193,832,136, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 270 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the purpose of downstate public transit systems.

Section 95. The sum of $70,623,295, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 65 and Article 21, Section 275 of Public Act 97-0725, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

RAIL PASSENGER AND RAIL FREIGHT

Section 100. The sum of $475,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 290 of Public Act 97-0725 as amended, is reappropriated from the Road Fund to the Department of Transportation for the Quad City Track Improvements capital grant designated in the Omnibus Appropriations Act, 2009, Public Law 111-8, provided such amounts do not exceed funds made available by the federal government.

Section 105. The sum of $15,430,230, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 70 and Article 21, Section 295 of Public Act 97-0725,
as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

Section 110. The sum of $599,034,903, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 75 and Article 21, Section 305 of Public Act 97-0725, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for grants, construction, and all other costs relating to high speed rail projects, provided such amounts not exceed funds made available by the federal government for this purpose.

Section 115. The sum of $22,246,189, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 310 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation, pursuant to Section 4(b)(1) of the General Obligation Bond Act, for track and signal improvements, AMTRAK station improvements, rail passenger equipment, and rail freight facility improvements.

Section 120. The sum of $120,178,346, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 315 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for track and signal improvements, AMTRAK station improvements, rail passenger equipment, and rail freight facility improvements.

Section 125. The sum of $285,361,830, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 320 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation to leverage federal funding in accordance with the Department of Transportation’s Federal Railroad Administration’s Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service Program and any other federal grant programs made available for capital and operating improvements for intercity passenger rail.

Section 130. The sum of $4,262,749, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from the appropriation and reappropriation concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 20, Section 80 and Article 21, Section 325 of Public Act 97-0725, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

MULTI-MODAL CONSTRUCTION
HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 135. The following named sums or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013 from the reappropriations heretofore made in Article 21, Section 45 of Public Act 97-0725, as amended, are reappropriated to the Department of Transportation from the Road Fund for the FY04 federal earmarks provided in Conference Report 108-401 which accompanies Public Law 108-199. Expenditures shall not exceed funds to be made available by the federal government.

Bridge Discretionary
   North Avenue Bridge, Chicago..................... 324,335
National Corridor Planning & Development
   City of Forsyth Frontage Road..................... 11,917
Ferry Boats/Terminal Facilities
   Canal Corridor Association-Port of
   LaSalle Project................................. 400,000
Transportation & Community & System Preservation
   Homewood, Illinois railroad station/
   platform acquisition and improvement............ 16,042
Village of Glencoe, Green Bay
   Trail – North Branch Trail Connection............ 104,718
Section 115 Member Initiatives
   Annie Glidden Road, DeKalb.................... 151,977
Convocation Center Roadway........................ 151,655
Great River Road in Mercer County................... 14,882
ITS – I-74 in Peoria.............................. 750,000
Kaskaskia Regional Port District, access roads..... 9,586
Long Meadow Parkway Fox River Bridge Crossing, Bolz Road.......................... 125,434
Sauk Trail Reconstruction
   Improvements, Park Forest.................... 330,000

New matter indicated by italics - deletions by strikeout
Section 140. The following named sums or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from the reappropriations heretofore made in Article 21, Section 50 of Public Act 97-0725, as amended, are reappropriated to the Department of Transportation from the Road Fund for the FY05 federal earmarks provided in Conference Report 108-792 which accompanies Public Law 108-447. Expenditures shall not exceed funds to be made available by the federal government.

Bridge Discretionary
- North-South Wacker Drive Reconstruction in Chicago............... 1,916,666

Interstate Maintenance Discretionary
- I-55 South Barrier, Darien Illinois............. 1,400,000

Section 117 Member Initiatives
- 171st Street reconstruction, East Hazel Crest....... 6,429
- 67th Street Pedestrian Underpass, Chicago Lakefront.................. 400,000
- Camp Street upgrades, East Peoria.................. 219,935
- Cermak and Kenton Avenues.......................... 750,533
- Cicero Avenue lighting in University Park......... 115,269
- Des Plaines, Illinois alley, sidewalk improvements.......................... 16,073
- Fulton County Highway 6......................... 51,783
- I-290 Cap, Oak Park............................... 962,626
- KBS Railroad Hazard Elimination, Kankakee County... 300,000
- MacArthur Boulevard Extension, Springfield....... 137,583
- McHenry County / Crystal Lake Road................ 157,681
- Milwaukee Avenue, Grand to Gale, Chicago........... 20,091
- Route 178 relocation, Phase II Engineering......... 457,032
- Sheridan Road Improvements, Evanston.............. 8,036
- Sidewalks near Ford Heights........................ 200,000
- Street improvements and streetlights, Lynnwood..... 1,831

New matter indicated by italics - deletions by strikeout
Street improvements, Bartonville.................... 11,558
Street improvements, Village of Armington.......... 8,956
Streetlights and salt dome for Markham............. 300,000
U.S. 41/I-176 Interchange improvements
Phase I study....................................... 800,000
Winfield Pedestrian Tunnel........................... 98,400
Total $8,340,482

Section 145. The sum of $90,923,725, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 150. The sum of $62,220, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 60 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for Pavement Preservation Programs.

Section 155. The sum of $127,991,248, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 65 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for High Priority Projects (HPP) and Transportation Improvement Projects (TI) pertaining to local governments as designated in Public Law 109-59, Title I, Subtitle G, Section 1702 and Subtitle I, Section 1934 of the federal reauthorization act entitled SAFETEA-LU; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

New matter indicated by italics - deletions by strikeout
Specific project approximations appear in Article 101, Section 25 of Public Act 94-0798.

Section 160. The sum of $10,567,051, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 70 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Consolidated Appropriation Act, 2008, Division K, Public Law 110-161; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated in Article 35, Section 20 of Public Act 95-0734.

Section 165. The sum of $12,703,641, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 75 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance, Federal Lands Highway Discretionary, and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Omnibus Appropriations Act, 2009, Public Law 111-8; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated in Article 2, Section 20 of Public Act 96-0039.

Section 170. The sum of $6,517,495, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation, for Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance, and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Consolidated Appropriations Act, 2010, Public Law 111-11 117; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

New matter indicated by italics - deletions by strikeout
Section 175. The sum of $15,196,222, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Federal Discretionary Program Awards provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations. Specific project approximations appear in Article 20, Section 25 of Public Act 97-0725.

Section 180. The sum of $10,438,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation Investment Generating Economic Recovery III (TIGER III) Program awards as provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) provided such amounts do not exceed funds made available by the federal government.

Section 185. The sum of $204,575, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Federal Emergency Relief Program awards provided for in the FFY2012 US DOT Appropriations Bill – Public Law 112-055, provided such amounts do not exceed funds made available by the federal government for the projects listed below.

Emergency Relief
US 20 from IL 35 in East Dubuque to east edge of Galena;
IL 78 from the south edge of Stockton to 5 miles south of JoDaviess/Carroll Co. line.

Section 190. The sum of $13,453,048, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 26 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Federal Discretionary Projects identified in Article 20, Section 26 of Public Act 97-0725 provided such

New matter indicated by italics - deletions by strikeout
amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations obligations limitations or any other federal limitations (These amounts are in additional to amounts appropriated elsewhere.)

Section 195. The sum of $398,240,045, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 200, of Public Act 97-0725, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, and fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program.

Section 200. The sum of $2,006,675,457, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 205 of Public Act 97-0725, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series D Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, and fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program.
houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program.

Section 205. The sum of $859,037, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 90 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for all expenses related to Phase II of the I-57/294 interchange in the County of Cook.

Section 210. The sum of $37,757,819, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriations heretofore made in Article 21, Section 85 and Section 95 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 215. The sum of $68,272,618, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 100 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty;
and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 220. The sum of $63,383,276, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 105 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 225. The sum of $322,235,978, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 110 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.
Section 230. The sum of $551,648,563, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 40 of Public Act 97-0725, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

GRADE CROSSING PROTECTION
Section 235. The sum of $109,571,276, or so much thereof as may be necessary and remains unexpended, at the close of business on June 30, 2013, from the appropriation and reappropriation heretofore made in Article 20, Section 55 and Article 21, Section 210 of Public Act 97-0725, as amended, is reappropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

AERONAUTICS
Section 240. The sum of $30,826,870, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 225 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

Section 245. The sum of $4,063,086, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 230 of Public Act 97-0725, as amended, is reappropriated from the...
Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

MULTI-MODAL LUMP SUMS
HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 250. The sum of $40,025,134, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 115 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the High Priority Projects (HPP) and Transportation Improvement Projects (TI) specifically identified in Article 101, Section 25 of Public Act 94-0798, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 255. The sum of $105,968,401, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriations heretofore made in Article 21, Section 120 and Section 130 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 260. The sum of $8,543,526, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 150 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including

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reconstruction, extension and improvement of state highways, arterial
highways, roads, access areas, roadside shelters, rest areas, fringe parking
facilities and sanitary facilities, and such other purposes as provided by the
“Illinois Highway Code”; for purposes allowed or required by Title 23 of
the U.S. Code; for bikeways as provided by Public Act 78-850; for land
acquisition and signboard removal and control, junkyard removal and
control and preservation of natural beauty; and for capital improvements
which directly facilitate an effective vehicle weight enforcement program,
such as scales (fixed and portable), scale pits and scale installations and
scale houses, in accordance with applicable laws and regulations for the
state portion of the Road Improvement Program, including refunds.

Section 265. The sum of $320,273,584, or so much thereof as may
be necessary, and remains unexpended at the close of business on June 30,
2013, from the reappropriation heretofore made in Article 21, Section 170
of Public Act 97-0725, as amended, is reappropriated from the Road Fund
to the Department of Transportation for preliminary engineering and
construction engineering and contract costs of construction, including
reconstruction, extension and improvement of state highways, arterial
highways, roads, access areas, roadside shelters, rest areas, fringe parking
facilities and sanitary facilities, and such other purposes as provided by the
“Illinois Highway Code”; for purposes allowed or required by Title 23 of
the U.S. Code; for bikeways as provided by Public Act 78-850; for land
acquisition and signboard removal and control, junkyard removal and
control and preservation of natural beauty; and for capital improvements
which directly facilitate an effective vehicle weight enforcement program,
such as scales (fixed and portable), scale pits and scale installations and
scale houses, in accordance with applicable laws and regulations for the
state portion of the Road Improvement Program, including refunds.

Section 270. The sum of $377,735,625, or so much thereof as may
be necessary, and remains unexpended at the close of business on June 30,
2013, from the reappropriation heretofore made in Article 21, Section 180
of Public Act 97-0725, as amended, is reappropriated from the Road Fund
to the Department of Transportation for preliminary engineering and
construction engineering and contract costs of construction, including
reconstruction, extension and improvement of state highways, arterial
highways, roads, access areas, roadside shelters, rest areas, fringe parking
facilities and sanitary facilities, and such other purposes as provided by the
“Illinois Highway Code”; for purposes allowed or required by Title 23 of
the U.S. Code; for bikeways as provided by Public Act 78-850; for land
acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 275. The sum of $675,000,000, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 46 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the State and local portions of the Road Improvement Program, including refunds.

Section 280. The sum of $15,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 47 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for all costs associated with the procurement of public private agreements pursuant to the provisions of the Public Private Agreements for the Illiana Expressway Act (605 ILCS 130) as amended, that enable the Illiana Expressway to be developed, financed, constructed, managed, or operated in an entrepreneurial and business-like manner.

Section 285. The sum of $327,314,795, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriations heretofore made in Article 21, Section 125 and 135 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided
by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 290. The sum of $173,537,799, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 155 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 295. The sum of $142,301,364, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 175 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 300. The sum of $289,837,920, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 185 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23

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of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 305. The sum of $290,017,036, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 45 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program including refunds.

Section 310. The sum of $920,042, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 140 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 35, Section 20a of Public Act 96-0734, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 315. The sum of $39,805,434, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 145 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural

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beauty, in accordance with applicable laws and regulations. (Emergency Repair Program)

Section 320. The sum of $2,039,729, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 160 of Public Act 97-0725, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 2, Section 20 of Public Act 96-0039, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 325. The sum of $760,106, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation, for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 50, Section 16 of Public Act 96-0035, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 330. The sum of $11,617,839, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 190 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation Investment Generating Economic Recovery II (TIGER II) awards designated in Division A of the Consolidated Appropriations Act, 2010, Public Law 111-117 as identified and approximated in Article 10, Section 20 of Public Act 97-0076; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

Section 335. The sum of $3,200,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 195 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation

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Investment Generating Economic Recovery II (TIGER II) awards specifically identified in Article 10, Section 20 of Public Act 97-0076, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

Section 340. The sum of $624,833, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Federal Discretionary Program Awards provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) earmarks specifically identified in Article 20 Section 25 of Public Act 97-0725, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

Section 345. The sum of $770,066, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 27 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Federal Discretionary Projects (specifically identified in Article 20, Section 26 of Public Act 97-0725), provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments. (These amounts are in addition to amounts appropriated elsewhere.)

PUBLIC AND INTERMODAL TRANSPORTATION

Section 350. The sum of $22,645,693, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 280 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, provided such amounts not exceed funds made available by the federal government for this program.

Section 355. The sum of $10,440,000, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2013, from the appropriation heretofore made in Article 20, Section 67 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all

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other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, as awarded from the Transportation Investment Generating Economic Recovery (TIGER) IV, as provided for in the “Consolidated and Further Continuing Appropriations Act of 2012” – P.L. 112-055, provided such amounts do not exceed funds made available by the Federal government.

Section 360. The sum of $284,943,495, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 285 of Public Act 97-0725, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program.

MULTI-MODAL STIMULUS

HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 365. The sum of $284,712,288, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 330 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the State portion, provided such amounts do not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 370. The sum of $36,474,700, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 335 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including

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reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the State and Local portion, provided such amounts do not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 375. The sum of $22,390,652, or so much thereof as may be necessary, less $5,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 340 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation to provide local funding for project expenses in excess of the Local portion of federal funds made available from the American Recovery and Reinvestment Act of 2009, provided such amounts do not exceed funds made available and paid into the Road Fund by the local governments.

PUBLIC TRANSIT

Section 380. The sum of $23,270,130, or so much thereof as may be necessary, less $13,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 350 of Public Act 97-0725, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for capital, operating, consultant services, and technical assistance grants, state administration, and intergovernmental and interagency agreements, provided such amounts do not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

RAIL PASSENGER AND RAIL FREIGHT

Section 385. The sum of $237,732,307, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 355 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, provided such amounts do not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.
Section 390. The sum of $6,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 360 of Public Act 97-0725, as amended, is reappropriated from the Road Fund to the Department of Transportation for track and signal improvements, rail freight equipment, and rail freight facility improvements, provided such amounts do not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 395. The sum of $1,109,815,009, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from the reappropriation heretofore made in Article 21, Section 365 of Public Act 97-0725, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for grants, construction, and all other costs relating to high speed rail projects in compliance with the American Recovery and Reinvestment Act of 2009, provided such amounts do not exceed funds made available by the federal government for this purpose.

Section 400. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in:

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Section 360  Series B - Transit
of this Article until after the purpose and the amount of such expenditure
has been approved in writing by the Governor.
 Total, this Article

$13,465,341,810

ARTICLE 38
CAPITAL DEVELOPMENT BOARD

Section 5. The sum of $35,497,060, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
22, Section 5 of Public Act 97-0725, is reappropriated from the Capital
Development Fund to the Capital Development Board for grants awarded
under the Community Health Center Construction Act.

Section 10. The sum of $3,000,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
22, Section 10 of Public Act 97-0725, is reappropriated from the Capital
Development Fund to the Capital Development Board for grants to school-
based health centers that are operated by a Community Health Center as
defined in the federal Public Health Service Act (42 U.S.C. 254b).

Section 15. The following named sums, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2013, from reappropriations heretofore made for such purposes in Article
22, Section 15 of Public Act 97-0725, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department
of Agriculture for the projects hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - DUQUOIN
(From Article 22, Section 15 of Public Act 97-0725)
For completing the upgrade of the
 electrical distribution system, in
 addition to funds previously
 appropriated........................................ 100,759
For constructing a multi-purpose
 building................................................ 46,410

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD
For replacing the HVAC in
 the administration building................. 2,970,973
For replacing roofing systems –
 Administration Building and
 Lower Roof........................................ 195,361

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Plan and begin electrical
  system replacement........................... 30,601
For replacement of water and sewer
  service to various buildings................... 74,479
For an airlock addition to Metrology
  (Weights and Measures) Lab.................... 52,791
STATEWIDE
For replacing the roof........................... 322,345
Total                                                                 $3,793,719

Section 20. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 20 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

SPRINGFIELD - SUPREME COURT BUILDING
(From Article 22, Section 20 of Public Act 97-0725)
Plan and begin renovation of
Supreme Court Building......................... 13,408,166
For renovating the HVAC system on
the 3rd Floor.................................. 140,000
For installing humidifier and water
filtration systems.............................. 1,106,855

APPELLATE COURT SECOND DISTRICT - ELGIN
For miscellaneous improvements............... 60,520
Total                                                                 $14,715,541

Section 25. The following named sum, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 25 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

SUPREME COURT BUILDING - SPRINGFIELD
(From Article 22, Section 25 of Public Act 97-0725)
For renovating the Library and
completing HVAC, in addition to funds
previously appropriated......................... 235,000

Section 30. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30,
2013, from reappropriations heretofore made in Article 22, Section 30 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

**CAPITOL COMPLEX - SPRINGFIELD**
(From Article 22, Section 30 of Public Act 97-0725)

- For upgrading fire alarm panels................. 726,391
- Plan/begin upgrade of high voltage distribution system.......................... 1,284,200

**DRIVER SERVICES FACILITIES, NORTH, SOUTH AND WEST - CHICAGO**

- For HVAC upgrades.............................. 1,927,622
- To upgrade electrical systems.................... 117,144

**HOWLETT BUILDING- SPRINGFIELD**

- For upgrading the North Patio for public safety................................... 444,045
- For installing an emergency generator............ 734,299
- For replacing roofing systems.................... 206,855

**ILLINOIS STATE LIBRARY- SPRINGFIELD**

- For replacing the roofing system................ 35,326

**MOTOR VEHICLE SERVICES FACILITY - SPRINGFIELD**

- For upgrading the fire alarm and security systems..................................... 16,809
- Total                                                                                              $17,992

**Total**                                                                                          $5,492,691

Section 35. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Section 35 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

**CAPITOL COMPLEX – SPRINGFIELD**
(From Article 22, Section 35 of Public Act 97-0725)

- For upgrading fire alarm systems in two buildings............................................... 17,992
- Total                                                                                              $17,992

Section 40. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 40 of Public Act 97-0725, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

STATEWIDE

(From Article 22, Section 40 of Public Act 97-0725)

For the renovation of state-owned property........ 592,127
For renovating state owned property.................. 969,274
For upgrading the building security system at the James R. Thompson Center and the State of Illinois building in addition to funds previously appropriated.......................... 655,000

For renovation of State-owned property at the following locations: Kenneth Hall Regional Office Building, AIG (Franklin Complex) Building, James R. Thompson Center, Sangamo Complex (IEPA), Champaign Regional Office Building (IEPA), Springfield Regional Office Building, Natural Resource Center (DNR) and Read - Building (Elgin Mental Health Center)........ 157,715

CHICAGO MEDICAL CENTER - OFFICE AND LAB BUILDING

For installing an emergency generator and upgrading the electrical system........ 1,888,829
For planning and beginning the renovation of the facility............................... 462,651

COLLINSVILLE REGIONAL OFFICE COMPLEX

For replacing the roof........................... 1,012,947
To replace an emergency generator ................. 180,811

ELGIN REGIONAL OFFICE BUILDING

For upgrading the HVAC system.................. 2,373,194

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (WOOD) - CHICAGO

For upgrading fire and safety systems............ 27,113

JAMES R. THOMPSON CENTER - CHICAGO

For the purpose of emergency stone repair at the James R. Thompson Center......... 1,980,286
For planning and beginning electrical

New matter indicated by italics - deletions by strikeout
system and life safety system upgrades........... 749,823
For upgrading the HVAC system.................. 1,281,319
For installing an emergency generator.......... 3,545,000
For rehabilitating exterior columns, in
addition to funds previously appropriated........ 11,692
For upgrading mechanical systems, in
addition to funds previously appropriated........ 27,341
KENNETH HALL REGIONAL OFFICE BUILDING – EAST ST. LOUIS
For design services for emergency parapet
wall repairs..................................... 22,656
MEDICAL CENTER (DCFS DISTRICT OFFICE) - CHICAGO
For replacing roof and upgrading
mechanical and electrical systems............... 321,956
MEDICAL CENTER (EDWARDS CENTER) - CHICAGO
For medical center (Edwards Center)............. 184,899
MICHAEL A. BILANDIC BUILDING, CHICAGO
For upgrading HVAC and domestic water
system.............................................. 697,486
ROCKFORD REGIONAL OFFICE BUILDING
For replacing Halon and upgrading
the air conditioning............................ 162,614
SPRINGFIELD - RESEARCH AND COLLECTION CENTER
For expanding surplus warehouse.................. 73,584
SPRINGFIELD - COMPUTER FACILITY
For upgrading the computer room and the
electrical system................................ 23,421
SPRINGFIELD REGIONAL OFFICE BUILDING
For emergency cooling tower replacement
at 4500 S. Sixth Street Road....................... 56,864
SUBURBAN NORTH REGIONAL OFFICE FACILITY, DES PLAINES
For renovating office space...................... 92,465
Total $17,551,067

Section 45. The following named sum, or so much thereof as may
be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 22, Section 45, of
Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to
the Capital Development Board for the Department of Central
Management Services for the project hereinafter enumerated:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION

New matter indicated by italics - deletions by strikeout
Section 50. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 50 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Natural Resources for the projects hereinafter enumerated:

BABE WOODYARD STATE NATURAL AREA - VERMILION COUNTY (From Article 22, Section 50 of Public Act 97-0725)
For developing the site and associated land acquisition.......................... 244,604

BIG RIVER STATE FOREST
For ADA improvements............................................. 191,122

BUFFALO ROCK STATE PARK – LASALLE COUNTY
For replacing the septic system, in addition to funds previously appropriated........ 58,023

CARLYLE LAKE STATE PARKS
For road and site improvements at Carlyle Lake................................. 1,477,424
For infrastructure and site improvements at Carlyle Lake......................... 765,485

CARLYLE STATE FISH AND WILDLIFE AREA – FAYETTE COUNTY
To replace Cox Bridge at Carlyle State Fish and Wildlife Area....................... 550,000

FERNE CLYFFE STATE PARK - JOHNSON COUNTY
For replacing the campground sewage treatment system.......................... 365,054

GIANT CITY STATE PARK - JACKSON COUNTY
For replacing the sewer treatment system........... 458,605

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
For replacing floating boardwalk........................... 24,604

HENNEPIN CANAL PARKWAY STATE PARK AND ACCESS AREA
For rehabilitating/repairing railroad bridges, in addition to funds

New matter indicated by italics - deletions by strikeout
previously appropriated.......................... 851,685

HORSESHOE LAKE CONSERVATION AREA - ALEXANDER COUNTY
For dam rehabilitation and the State's share
to implement the ecological restoration
plan in cooperation with the U.S.
Army Corps of Engineers, and
land acquisition.............................. 842,605

I & M Canal - CHANNAHON – GRUNDY COUNTY
For repair of the spillway, in addition
to funds previously appropriated............. 364,320
For replacing Lock 14 Bridge..................... 308,871
For improving the DuPage River Spillway........ 853,884
For improving DuPage River Spillway........... 2,172

ILLINOIS BEACH STATE PARK - LAKE COUNTY
For stabilizing shoreline....................... 923,983
For replacing sanitary sewer line............... 8,196

JAKE WOLF MEMORIAL FISH HATCHERY
For replacing or upgrading
electrical system................................ 325,005

MORAIN HILLS STATE PARK – MCHENRY COUNTY
For replacing yellow-head marshy dam culverts.. 400,000

PERE MARQUETTE STATE PARK – JERSEY COUNTY
For replacing lodge pool dehumidifier,
in addition to funds previously appropriated.... 262,838
For design services to replace a lodge
pool dehumidifier............................. 25,413

PYRAMID STATE PARK
For renovating the Galum building for a
mine rescue station........................... 808,670

RED HILLS STATE PARK – LAWRENCE COUNTY
For miscellaneous improvements............... 44,740

RESEARCH & COLLECTIONS CENTER - SPRINGFIELD
For renovating the interior...................... 17,796

ROCK CUT STATE PARK - WINNEBAGO COUNTY
For rehabilitating water and sewer
system........................................... 11,615

SILOAM SPRINGS STATE PARK – ADAMS COUNTY
For rehabilitating office/service area........... 1,119,114

New matter indicated by italics - deletions by strikeout
STEPHEN A. FORBES STATE PARK, MARION COUNTY
For replacing dump and fish cleaning stations, in addition to funds previously appropriated.......................... 9,397
For design services to replace dump and fish cleaning stations.......................... 22,794

WORLD SHOOTING COMPLEX – SPARTA
For infrastructure improvements.......................... 45,910

SPRINGFIELD
For constructing an office building and interpretive center.......................... 166,153

STARVED ROCK STATE PARK AND LODGE
For replacing roofing systems.......................... 7,457

WAYNE FITZGERRELL STATE RECREATION AREA
For replacing roofs.......................... 149,768

WHITE PINES FOREST STATE PARK - OGLE COUNTY
For completing the replacement of the sewer system, in addition to funds previously appropriated.......................... 10,907

WILDLIFE PRAIRIE PARK
For rehabilitating the sewage treatment plant, or a grant to Friends of Wildlife Prairie Park for the same purpose.......................... 683,164
For upgrading sewage treatment plant, or a grant to Friends of Wildlife Prairie Park for the same purpose............. 1,032,000

STATEWIDE
For replacing/repairing the roofing systems at the following locations at the approximate cost set forth below.......................... 245,000
Clinton Lake Recreational Area - DeWitt County............. 65,000
Ferne Clyffe State Park- Johnson County...................... 20,000
Hennepin Canal Parkway State Park.......................... 26,000
Lake Le-Aqua-Na State Park- Stephenson County............. 39,000

New matter indicated by italics - deletions by strikeout
Mermet Lake Conservation Area-
Massac County
For replacing/repairing the roofing systems
at the following locations at the approximate
costs set forth below

Starved Rock State Park &
Lodge-LaSalle County
Kaskaskia River Fish & Wildlife Area-Randolph County
Pyramid State Park-
Perry County
Region V Office (Benton)
Franklin County
For rehabilitating dams and bridges
For constructing, replacing and renovating lodges and concession buildings
For replacing roofs at the following locations,
at the approximate cost set forth below

Shabbona Lake State Park
Hennepin Canal Parkway State Park
Randolph Fish & Wildlife Area
Dixon Springs State Park
For replacing and constructing vault toilets at the following locations,
at the approximate cost set forth below

Hennepin Canal Parkway State Trail
For rehabilitating dams at the following locations, at the approximate cost set forth below

Rock Cut State Park
For replacing roofs at the following locations, at the approximate cost set forth below

Southern IL Arts & Crafts Center
Frank Holten State Park
DNR Geological Survey-Champaign

New matter indicated by italics - deletions by strikeout
Sangchris Lake State Park............  5,291
Illini State Park....................  1,692
Shelbyville Fish & Wildlife Area....  79,480
Trail of Tears State Forest...........  3,685
Sanganois Conservation Area..........  413
Rice Lake State Park.................  28,090
Hidden Spring State Park............  53,740
Siloam Springs State Park............  2,417
Mississippi Palisades State Park....  30,880

For replacing vault toilets at the following locations, at the approximate cost set forth below.............................. 285,813

Anderson Lake Conservation Area - Fulton/Schuyler Counties........  71,453
Giant City State Park - Jackson/Union Counties........  71,453
Randolph County Conservation Area...  71,453
Silver Springs State Park - Kendall County........  71,453

For constructing hazardous material storage buildings........................................ 9,935

For constructing vault toilets at the following locations at the approximate cost set forth below:........................... 137,897

Apple River Canyon State Park......  19,699
Des Plaines Conservation Area......  19,700
Kankakee River State Park.........  19,700
Lake Le-Aqua-Na State Park........  19,699
Marshall County Conservation Area...  19,700
Morrison-Rockwood State Park......  19,699
Rice Lake Conservation Area........  19,700

For planning, construction, reconstruction, land acquisition and related costs, utilities, site improvements, and all other expenses necessary for various capital improvements at parks, conservation areas, and other facilities under the jurisdiction of the Department of Natural Resources.......... 415,159

Total ............................................. $16,172,818

New matter indicated by italics - deletions by strikeout
Section 55. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 55 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Natural Resources for the project hereinafter enumerated:

GOOSE LAKE PRAIRIE NATURAL AREA - Grundy County
(From Article 22, Section 55 of Public Act 97-0725)
For rehabilitating visitor's center exterior... 23,345
Total $23,345

Section 60. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 60 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

CENTRALIA CORRECTIONAL CENTER
(From Article 22, Section 60 of Public Act 97-0725)
For replacing roofing systems.............. 681,806
For replacing the cooling tower............. 201,948
To upgrade a sewage treatment plant........ 66,918

DIXON CORRECTIONAL CENTER
For replacing the fire alarm system......... 452,286
For planning the upgrade and expansion of the medical care facility............. 24,127

DWIGHT CORRECTIONAL CENTER
For renovating Housing Unit C8, in addition to funds previously appropriated.............................. 270,000
For renovating buildings, in addition to funds previously appropriated............. 274,847
For renovation of buildings..................... 30,261
For repair and replacement of roofing system......................................................... 10,221

EAST MOLINE CORRECTIONAL CENTER
For upgrading the roofing system............. 426,451
For replacing windows, in addition to funds previously appropriated............... 42,450

GRAHAM CORRECTIONAL CENTER

New matter indicated by italics - deletions by strikeout
For upgrading the mechanical system.............. 14,439
  HARDIN COUNTY WORK CAMP
To upgrade a sewage treatment plant.............. 23,581
  ILLINOIS RIVER CORRECTIONAL CENTER – CANTON
For replacing domestic hot water heater, in addition to
 funds previously appropriated...................... 239,698
  ILLINOIS YOUTH CENTER - HARRISBURG
For constructing a multi-purpose medical, vocational and confinement building and
 other improvements................................. 322,181
For utility upgrade, including gas and sewer.................. 4,578,404
  ILLINOIS YOUTH CENTER - ST. CHARLES
For constructing an R & C building and other improvements........ 587,406
  JACKSONVILLE CORRECTIONAL CENTER
For upgrading the fire alarm system............. 779,414
  LINCOLN CORRECTIONAL CENTER
For upgrading the building automation system........ 2,036,888
For replacing doors and locks........................ 31,592
  LOGAN CORRECTIONAL CENTER
For replacing housing unit roofs.................... 45,732
For planning and beginning the upgrade of the power plant........ 155,805
For renovating the electrical distribution system........ 159,995
For constructing a medical building and dietary building and other improvements..... 722,098
  MENARD CORRECTIONAL CENTER - CHESTER
For repairs and upgrades.............................. 9,308,013
For replacing the Administration Building........ 2,398
For replacing toilets and waste lines at E/W Cellhouse and upgrade
 North Cellhouse plumbing............................ 364,351
For renovation or replacement of the Old Hospital Building, in addition to funds previously appropriated............... 35,574

New matter indicated by italics - deletions by strikeout
For planning and construction of the Administration Building.................. 15,338

PONTIAC CORRECTIONAL CENTER
For replacing doors and frames.................. 1,620,000

SHAWNEE CORRECTIONAL CENTER
For replacing the emergency generator............. 44,867

SOUTHWESTERN CORRECTIONAL CENTER
For replacing the roofing system.................. 389,750

STATEVILLE CORRECTIONAL CENTER - JOLIET
For replacing the X House locks.................. 1,427,269

For the emergency compressor
failure at Stateville RNC and
other improvements..................
For replacing doors and locks..................
For replacing windows in B House............. 126,480
For replacing power plant and
utility distribution system..................
For upgrading electrical system and elevator
and installing HVAC system..................

TAYLORVILLE CORRECTIONAL CENTER
For replacing operators and
main gates, in addition to
funds previously appropriated..................

VANDALIA CORRECTIONAL CENTER
For an emergency generator..................
For replacing roofing systems..................
For constructing a multi-purpose program
building..................................
For converting Administration Building and
planning construction of an Administration/
Health Care Unit and other improvements....... 308,406
For replacement of roofing system..................

VIENNA CORRECTIONAL CENTER
For replacing windows..................
For replacing roofing systems..................
For replacing the cooler and freezer...........
For upgrading the power plant..........
For upgrading the HVAC system and replacing
water lines in six housing units.................

New matter indicated by italics - deletions by strikeout
For emergency roof replacement on
various buildings...................... 145,698

STATEWIDE
For the purpose of funding all
costs associated with constructing
an X-House............................... 1,262,924
For the purpose of funding all costs
associated with constructing a
Centralized Medical and
Long-Term Care Facility............... 4,175,151
For replacing doors and locks
at the following locations at the
approximate costs set forth below.......... 1,015,137
Dixon Correctional Center........... 991,258
Vienna Correctional Center........... 23,879
For upgrading water towers at the following
locations at the approximate
cost set forth below..................... 1,472,102
Dixon Correctional Center........... 388,482
Illinois Youth Center –
St. Charles..................... 1,228,853
Illinois Youth Center -
Valley View....................... 9,530
For planning, design, construction, equipment
and all other necessary costs for a
maximum security facility............... 74,683,197
For planning a medium security facility
and land acquisition..................... 2,629,428
For replacing roofing systems at
the following locations at the
approximate cost set forth below........... 111,921
Menard Correctional Center........... 6,194
Vienna Correctional Center........... 43,997
Illinois Youth Center -
Harrisburg............................. 10
Pontiac Correctional Center........... 10
Illinois Youth Center - Joliet...... 63,167
For replacing or upgrading security and
monitoring systems at the following

New matter indicated by italics - deletions by strikeout
locations at the approximate cost set forth below......................
Vienna Correctional Center........ 250,000
Joliet Correctional Center.......... 28,707

For planning and replacing windows at the following locations at the approximate cost set forth below..........................
Vienna Correctional Center........ 1,780,000
Sheridan Correctional Center....... 314,454
Illinois Youth Center - Valley View.. 8,310
Illinois Youth Center - Joliet...... 74,875
Dixon Correctional Center.......... 46,073
Shawnee Correctional Center........ 3,230

For replacing security fencing at the following locations at the approximate cost set forth below..................
Hill Correctional Center........... 3,547
Western IL Correctional Center..... 30,864
Joliet Correctional Center......... 49,119
Logan Correctional Center......... 158,964
Dixon Correctional Center.......... 8,694
Shawnee Correctional Center........ 5,269
Graham Correctional Center......... 24,369
Danville Correctional Center....... 11,399

For planning, design, construction, equipment and all other necessary costs for a female multi-security level correctional center..........................

For replacing roofing systems at the following locations at the approximate cost set forth below.....................
Vienna Correctional Center........ 108,867
Sheridan Correctional Center....... 10
Western Illinois Correctional Center - Mt. Sterling............ 21,238

For upgrading fire and safety systems at the following locations at the approximate costs set forth below, in addition to funds previously appropriated..................

New matter indicated by italics - deletions by strikeout
Menard Correctional Center -
Chester......................... 979,592
Sheridan Correctional Center...... 110,620
Vienna Correctional Center....... 72,077
Total $177,917,121

Section 65. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purpose in Article 22, Section 65, of Public Act 97-0725, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

BIG MUDDY CORRECTIONAL FACILITY
(From Article 22, Section 65 of Public Act 97-0725)
For replacing door locking controls and intercom systems......................... 2,221,298
STATEVILLE CORRECTIONAL CENTER
For installing fire alarm systems.......... 1,600,000
Total $3,821,298

Section 70. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 22, Section 70 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the projects hereinafter enumerated:

ILLINOIS YOUTH CENTER - JOLIET
(From Article 22, Section 70 of Public Act 97-0725)
For replacing roofs, in addition to funds previously appropriated................. 26,089
ILLINOIS YOUTH CENTER – KEWANEE
For replacing the sprinkler system......... 4,330,695
ILLINOIS YOUTH CENTER - PERE MARQUETTE
For replacing roofs............................. 193,043
ILLINOIS YOUTH CENTER - ST. CHARLES
For upgrading HVAC system.................. 331,430
Total $4,881,257

Section 75. The sum of $174,139, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 75 of Public Act 97-0725, is reappropriated from the Capital

New matter indicated by italics - deletions by strikeout

Section 80. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 80 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:

BLACK HAWK STATE HISTORIC SITE – ROCK ISLAND
(From Article 22, Section 80 of Public Act 97-0725)
For renovating a retaining wall and two shelters .............................................. 179,432

CAHOKIA MOUNDS HISTORIC SITE - COLLINSVILLE
For replacement of Monk's Mounds stairs and other improvements.................. 211,080
For restoration of Monk's Mound and other improvements........................... 606,489
For purchasing private land within historic site boundary and other improvements.......... 189,979
To create a new entrance around existing bronze artwork doors and other improvements...... 67,301

DANA THOMAS HOUSE STATE HISTORIC SITE
To rehabilitate the interior and exterior at Dana Thomas House State Historic Site........ 590,786

JARROT MANSION STATE HISTORICAL SITE
For restoring the mansion, site improvements and land acquisition, in addition to funds previously appropriated.............. 1,447,021

LINCOLN-HERNDON LAW OFFICE - SPRINGFIELD
For restoration of the Tinsley Shop.............. 1,000,000

LINCOLN LOG CABIN STATE HISTORIC SITE, COLES COUNTY
To replace a sewer system at Historic Site........ 11,918

LINCOLN’S TOMB/VIETNAM MEMORIAL - SPRINGFIELD
For rehabilitating site and providing irrigation system................................. 93,965

LINCOLN’S TOMB - SPRINGFIELD
For renovating the interior.......................... 621,627

LINCOLN'S NEW SALEM HISTORIC SITE - MENARD COUNTY

New matter indicated by italics - deletions by strikeout
For providing electrical at campgrounds........... 110,444

LINCOLN PRESIDENTIAL CENTER - SPRINGFIELD
For constructing library and museum complex, in addition to funds previously appropriated..... 2,505,208

OLD STATE CAPITOL - SPRINGFIELD
For repairing elevators.......................... 387,464

UNION STATION - SPRINGFIELD
For purchasing and rehabilitating................ 21,721

STATEWIDE
For statewide ISTEA 21 Match..................... 344,124
For matching ISTEA federal grant funds........... 18,146
Total $8,406,705

Section 85. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Section 85, of Public Act 97-0725, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:

MT. PULASKI COURTHOUSE HISTORIC SITE - LOGAN COUNTY
(From Article 22, Section 85 of Public Act 97-0725)
For rehabilitating interior & exterior............ 24,118

PULLMAN HISTORIC SITE
For all costs associated with the stabilization and restoration of the
Pullman Historic Site............................. 738,209
Total $762,327

Section 90. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from re appropriations heretofore made for such purposes in Article 22, Section 90 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

ALTON MENTAL HEALTH CENTER - MADISON COUNTY
(From Article 22, Section 90 of Public Act 97-0725)
For life/safety improvements...................... 832,914
For renovating the Forensic Complex and constructing two building additions, in addition to funds previously appropriated..... 3,900,000
For constructing two building additions

New matter indicated by italics - deletions by strikeout
at the Forensic Complex.......................... 6,780,876
For rehabilitation of the central dietary........ 9,179

CHESTER MENTAL HEALTH CENTER
For completing the replacement of
smoke and heat detectors, in addition
to funds previously appropriated............ 440,000
For upgrading HVAC systems................... 144,664
For replacing smoke/heat detectors........... 37,133

CHICAGO-READ MENTAL HEALTH CENTER - CHICAGO
For renovating Unit J-East for
forensic use, in addition to
funds previously appropriated.............. 3,398,163
For replacing the emergency
generator...................................... 344,277

CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER - ANNA
For upgrading the fire alarm system......... 1,804,362
For life/safety improvements.................. 7,133,453
For renovating Sycamore Hall............... 94,930
For renovating Sycamore...................... 4,385,000

ELGIN MENTAL HEALTH CENTER - KANE COUNTY
For converting the Read Building
for office space, in addition
to funds previously appropriated.......... 503,813
For replacing power plant and engineering
building...................................... 4,925,502
For renovating the central dietary
and kitchen.................................. 3,704,073
For construction of roads, parking lots
and street lights............................ 133,664

FOX DEVELOPMENTAL CENTER - DWIGHT
For upgrading fire/life safety systems....... 224,168
For replacing and repairing interior doors,
flooring and walls, in addition to funds
previously appropriated.................... 249,122
For planning and beginning replacement
of interior doors and flooring
and repairing walls in the Main and
Administration Buildings.................... 35,888

New matter indicated by italics - deletions by strikeout
HOWE DEVELOPMENTAL CENTER - TINLEY PARK
For completing upgrade of tunnels,
Phase II, in addition to funds previously
appropriated................................. 366,920
For renovating residences, in addition to
funds previously appropriated.......... 85,209

ILLINOIS SCHOOL FOR THE DEAF - JACKSONVILLE
For replacing the roof on the main
building and renovating the bathrooms
in three dormitories....................... 1,846,086
For installing sprinkler systems
in the dormitories and elementary
buildings.................................... 2,678,193
For renovating the High School Building
Phase II...................................... 135,066
For renovating High School Building...... 96,859

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED -
JACKSONVILLE
For replacing roofs.......................... 69,156
For renovating auditorium, classroom
and administration buildings............. 2,026,155
For renovating classrooms in Building 17... 1,250,724
For renovations to the powerhouse,
boilers and associated coal and ash
equipment................................. 37,501
For renovating the power house........... 656,458

JACKSONVILLE DEVELOPMENTAL CENTER - MORGAN
COUNTY
For upgrading fire/life safety systems..... 36,636
For planning and beginning the renovation
of the power house......................... 37,297

KILEY DEVELOPMENTAL CENTER - WAUKEGAN
For improving power reliability and
installing emergency lighting, in
addition to funds previously appropriated... 385,141
For upgrading Building C ceiling........... 164,629
For converting the facility to natural
gas, in addition to funds previously
appropriated................................. 112,391

New matter indicated by italics - deletions by strikeout
For renovating homes, Phase II, in addition to funds previously appropriated........ 77,343
  LINCOLN DEVELOPMENTAL CENTER - LOGAN

For various capital improvements, including planning and construction of four ten-bed transitional or residential homes..................... 527,150
  LUDEMAN DEVELOPMENTAL CENTER - PARK FOREST

For upgrading the electrical panel........... 175,717
For repairing and replacing furnaces and duct work, in addition to funds previously appropriated.............................. 41,569
For renovating residential and neighborhood homes, in addition to funds previously appropriated................................. 45,810
For replacing plumbing, HVAC and boiler systems... 47,586
For renovation of residential buildings, in addition to funds previously appropriated..... 73,252
  MABLEY DEVELOPMENTAL CENTER - DIXON
For replacing mechanicals and upgrading the fire alarm systems.................... 38,440
  MADDEN MENTAL HEALTH CENTER - HINES
For renovating residential pavilions, in addition to funds previously appropriated.... 531,642
For renovating pavilions and administration building for safety/security, in addition to funds previously appropriated................. 577,002
For renovating dietary.......................... 729,885
For renovation of pavilions, in addition to funds previously appropriated........... 60,833
  MCFARLAND MENTAL HEALTH CENTER - SPRINGFIELD
For upgrading fire alarm system............. 1,670,183
For replacing roofs – Kennedy and Administration Building......................... 773,136
  MURRAY DEVELOPMENTAL CENTER - CENTRALIA
For completing the renovation of the boiler house, in addition to funds previously appropriated...................... 2,991,120

New matter indicated by italics - deletions by strikeout
SHAPIRO DEVELOPMENTAL CENTER - KANKAKEE

For replacing the sewer system in
south campus.............................. 2,056,004
For planning and beginning renovation
of dietary................................. 203,263
For work necessary to remedy fire
damper deficiencies........................ 117,020
For replacing water mains and valves,
in addition to funds previously appropriated.... 210,015

SINGER MENTAL HEALTH CENTER - ROCKFORD

For upgrading fire alarm systems............. 47,651
For renovating dietary and stores............... 55,334
For renovating mechanicals and
residential areas............................ 691,943

TINLEY PARK MENTAL HEALTH CENTER – COOK COUNTY

For completing the upgrade of fire
and life/safety issues in Oak Hall,
in addition to funds previously appropriated.... 600,000

STATEWIDE

For replacing roofing systems at
the following locations, at the
approximate costs set forth below........ 244,866

Chicago-Read Mental
Health Center – Cook County.............. 148,645
Fox Developmental
Center - Dwight............................ 11,932
Kiley Developmental Center -
Waukegan................................. 84,289

For replacing and repairing roofing systems
at the following locations, at the
approximate cost set forth below........ 35,240

Alton Mental Health Center -
Madison................................. 5,873
Shapiro Developmental Center -
Kankakee................................. 5,873
Ludeman Developmental Center -
Park Forest............................. 5,873
Madden Mental Health Center -
Hines................................. 5,873

New matter indicated by italics - deletions by strikeout
Murray Developmental Center - Centralia............................... 5,874
Kiley Developmental Center - Waukegan................................. 5,874
For replacing and repairing roofing systems at the following locations, at the approximate cost set forth below.............. 558,859
Chicago-Read Mental Health Center................................. 13,767
Howe Developmental Center - Tinley Park............................ 488,032
Shapiro Developmental Center - Kankakee.......................... 42,392
Illinois School for the Deaf - Jacksonville.......................... 12,087
Kiley Developmental Center - Waukegan.............................. 2,581
For repairing or replacing roofs at the following locations, at the approximate cost set forth below............... 188,248
Illinois School for the Visually Impaired - Jacksonville........... 37,624
Jacksonville Developmental Center - Morgan County............... 60,000
Lincoln Developmental Center - Logan County....................... 2,039
Murray Developmental Center - Centralia............................ 2,039
Shapiro Developmental Center - Kankakee............................ 86,546
For replacing and repairing roofing systems at the following locations at the approximate cost set forth below.................. 58,410
Chicago-Read Mental Health Center................................. 32
Tinley Park Mental Health Center................................. 12,974
Illinois School for the Visually Impaired - Jacksonville.......... 19,414
Shapiro Developmental Center -

New matter indicated by italics - deletions by strikeout
For replacement of roofing systems at the following locations at the approximate costs set forth below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kankakee</td>
<td>25,955</td>
</tr>
<tr>
<td>Kiley Developmental Center - Waukegan</td>
<td>3</td>
</tr>
<tr>
<td>Ludeman Developmental Center - Park Forest</td>
<td>32</td>
</tr>
<tr>
<td>Lincoln Development Center</td>
<td>29,667</td>
</tr>
<tr>
<td>Murray Developmental Center</td>
<td>29,667</td>
</tr>
<tr>
<td>Elgin Developmental Center</td>
<td>29,667</td>
</tr>
<tr>
<td>Shapiro Developmental Center</td>
<td>29,669</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$62,611,793</strong></td>
</tr>
</tbody>
</table>

Section 95. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 95 of Public Act 97-0725, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Human Services for the project hereinafter enumerated:

**ILLINOIS SCHOOL FOR THE DEAF – JACKSONVILLE**

(From Article 22, Section 95 of Public Act 97-0725)

For replacing dorm doors.................................. 1,945,671

**JACKSONVILLE DEVELOPMENTAL CENTER – MORGAN**

For upgrading the mechanicals in the power plant, in addition to funds previously appropriated.................. 45,582

**SINGER MENTAL HEALTH CENTER**

For repair and/or replacement of roofs.............. 61,150

**FOX DEVELOPMENTAL CENTER - DWIGHT**

For renovating the water treatment plant.......... 678,331

**Total**                                         **$2,730,734**

Section 100. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Section 100 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Medical District Commission for the projects hereinafter enumerated:

**ILLINOIS MEDICAL DISTRICT COMMISSION - CHICAGO**

(From Article 22, Section 100 of Public Act 97-0725)

New matter indicated by italics - deletions by strikeout
For upgrading utility and infrastructure,
in addition to funds previously appropriated... 412,685
For upgrading core utilities..................... 101,289
For upgrading research center................... 346,714
Total ............................................ 860,688

Section 105. The following named sums, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2013, from reappropriations heretofore made for such purposes in
Article 22, Section 105 of Public Act 97-0725, are reappropriated from the
Capital Development Fund to the Capital Development Board for the
Department of Military Affairs for the projects hereinafter enumerated:

BLOOMINGTON ARMORY - McLEAN COUNTY
(From Article 22, Section 105 of Public Act 97-0725)
For rehabilitating the mechanical/electrical
systems and renovating the interior.............. 17,260

CAMP LINCOLN - SPRINGFIELD
For construction of a military academy
facility............................................. 39,188

ELGIN ARMORY - KANE COUNTY
For upgrading the interior and exterior......... 32,395

MACOMB ARMORY - McDONOUGH
For replacing the mechanical and electrical
systems and installing a kitchen............... 73,371

NORTH RIVERSIDE ARMORY
For rehabilitating the interior and
exterior.............................................. 14,648

NORTHWEST ARMORY - CHICAGO
For upgrading the electrical system.......... 2,377,448
For replacing the mechanical systems......... 46,187

SYCAMORE ARMORY
For replacing the electrical system,
renovating the interior and installing
air conditioning................................. 22,310

STATEWIDE
For capital improvements to the
Lincoln’s ChalleNGe Academy................... 37,398,550
For constructing an army aviation
support facility................................. 5,823,663
To complete construction and

New matter indicated by italics - deletions by strikeout
Purchase equipment for the Shiloh, Mt. Vernon, and Carbondale Readiness Center ........................................... 246,707
Total ........................................................................................................ $46,091,727

Section 110. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 110 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Military Affairs for the project hereinafter enumerated:

**LAWRENCEVILLE ARMORY**

(From Article 22, Section 110 of Public Act 97-0725)
For rehabilitating the exterior and replacing roofing systems ................. 176,837
Total ........................................................................................................ $176,837

Section 115. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 115 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Revenue for the projects hereinafter enumerated:

**WILLARD ICE BUILDING - SPRINGFIELD**

(From Article 22, Section 115 of Public Act 97-0725)
For repairing emergency generator .................. 108,285
For renovation of the parking ramp ............... 2,649,042
For completing the upgrade of building management controls,
in addition to funds previously appropriated ...................... 400,000
For replacing the dock exhaust system .......... 172,722
For upgrading building management Controls and other improvements .......... 3,495,466
For upgrading the plumbing system ............. 908,359
For renovating the interior and upgrading HVAC and other improvements ....... 2,847,517
Total ........................................................................................................ $10,581,391

Section 120. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
22, Section 120 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Revenue for the project hereinafter enumerated:

WILLARD ICE BUILDING – SPRINGFIELD
(From Article 22, Section 120 of Public Act 97-0725)
For completing the upgrade of the Plumbing System......................... 600,000
Total $600,000

Section 125. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 125 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of State Police for the projects hereinafter enumerated:

AMERICAN GENERAL BUILDING - SPRINGFIELD
(From Article 22, Section 125 of Public Act 97-0725)
For installing an emergency generator and various improvements........... 2,261,948

METRO-EAST FORENSIC LAB - BELLEVILLE
For constructing a new forensic lab in Belleville, in addition to funds previously appropriated........ 29,001,537
For constructing new forensic lab, in addition to funds previously appropriated..... 1,611,248
For planning and beginning the construction of a Metro East forensic laboratory, in addition to funds previously appropriated.............. 750,000

EFFINGHAM DISTRICT 12
For Effingham District 12 Firing Range.......... 61,586

CHICAGO FORENSIC LABORATORY
For planning and beginning the construction of an addition to the Chicago Forensic Laboratory........... 1,129,393

SPRINGFIELD ARMORY
For planning and design of the rehabilitation and site improvements of the Springfield Armory, in addition to funds previously appropriated......................... 352,523

New matter indicated by italics - deletions by strikeout
STATE POLICE TRAINING ACADEMY - SPRINGFIELD
For planning and beginning the construction of an addition to the CODIS Laboratory and other improvements........... 277,750

ULLIN DISTRICT 22
For emergency roof and interior and exterior repairs................................. 71,651

STATEWIDE
For replacing communications towers equipment and tower buildings............. 539,005
For replacing radio communication towers, equipment buildings and installing emergency power generators at the following locations at the approximate costs set forth below............................. 250,000
Harlem & Irving – Cook County....... 62,500
Savanna – Carroll County........... 62,500
Fairfield – Wayne County.......... 62,500
Niota – Hancock County........... 62,500
Total $36,306,641

Section 130. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 130 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Veterans’ Affairs for the projects hereinafter enumerated:

ANNA VETERAN’S HOME
(From Article 22, Section 130 of Public Act 97-0725)
To plan and begin the construction of a 40-50 bed addition....................... 467,333

LASALLE VETERAN’S HOME – LASALLE COUNTY
For the replacement of the galvanized water piping................................. 87,600

MANTENO VETERANS’ HOME - KANKAKEE COUNTY
For replacing air conditioner chillers........... 26,537
For replacing condensing units............... 65,237
For upgrading or construction of roads and parking lots........................ 28,785
For planning and constructing additional

New matter indicated by italics - deletions by strikeout
storage and support areas................................. 73,248
For upgrading storm sewer............................... 97,768

QUINCY VETERANS’ HOME - ADAMS COUNTY
For repairs and upgrades................................... 3,293,015
For planning and beginning renovation of Kent, Shapers and Elmore, in addition to funds previously appropriated.............. 876,371
For constructing a bus and ambulance garage and other improvements......... 324,001
For improvements to various buildings and replacement of Fletcher Building to meet licensure standards........................ 1,464,941
To replace a chimney stack and ash handling system........................................ 257,833

STATEWIDE
For the construction of a 200-bed veterans’ home facility, in addition to funds previously appropriated.............. 48,500,000
For planning and beginning the Construction of a skilled care Veterans’ home........................................ 2,000,000
For the construction of a 200-bed veterans’ home facility, in addition to funds previously appropriated.............. 12,005,734
Total $69,568,403

Section 135. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 135 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Attorney General for the projects hereinafter enumerated:

ATTORNEY GENERAL BUILDING - SPRINGFIELD
(From Article 22, Section 135 of Public Act 97-0725)
For renovating and waterproofing terrace........... 173,995
For replacing electronic ballasts....................... 915,729
For replacing the roof................................. 102,814
Total $1,192,538

New matter indicated by italics - deletions by strikeout
Section 140. The sum of $2,282,202, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 140 of Public Act 97-0725, to the Capital Development Board for the Department of Corrections for the Illinois Youth Center – Rushville for planning, design, construction, equipment and all other necessary costs to add a cellhouse, is reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the same purpose.

Section 145. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from appropriations and re appropriations heretofore made for such purposes in Article 22, Section 145 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the projects hereinafter enumerated:

CHICAGO

(From Article 22, Section 145 of Public Act 97-0725)

For expanding and renovating the Bio-Safety 3 Laboratory for the Department of Public Health........... 160,356

ATTORNEY GENERAL BUILDING - SPRINGFIELD

For upgrading the snow melt system at the Attorney General Building........... 66,116

For upgrading environmental equipment and HVAC, in addition to funds previously appropriated - Archives Building........... 35,633

STATEWIDE

For American with Disabilities Act (ADA) upgrades at the following locations at the approximate cost set forth below........... 2,946,788

DNR – I & M Canal Corridor........... 1,614,200

IBHE – Eastern Illinois University........... 1,819,039

For providing construction contingency for the following projects at the approximate cost set forth below, in addition to funds previously appropriated........... 773,500

New matter indicated by italics - deletions by strikeout
LINCOLN’S TOMB HISTORIC SITE -  
Rehab site/Provide irrigation system......................... 85,600

MICHAEL BILANDIC BUILDING -  
Upgrade HVAC and Domestic Water System......................... 184,700

SUBURBAN NORTH REGIONAL OFFICE FACILITY -  
Renovate for Office Space...... 300,200

SECRETARY OF STATE -  
Upgrade Electrical Systems at three Motor Vehicle Facilities...... 203,000

For all costs associated with a timekeeping and payroll system, including prior year costs ......................... 301,122

For emergencies and abatement of hazardous materials, in addition to funds previously appropriated..... 4,409,149

For escalation costs for state facility projects, in addition to funds previously appropriated......... 15,774,702

For escalation and emergencies for higher education projects, in addition to funds previously appropriated.... 23,353,319

For improving energy efficiency ......................... 56,107

For Emergency Repairs and Hazardous Material Abatement at State-Owned Facilities, State Universities, and Community Colleges ......................... 345,743

For the purposes of capital planning and condition assessment and analysis of State capital facilities, to be expended only upon the direction of the Director of the Governor’s Office of Management and Budget ......................... 15,326

For abating hazardous materials ......................... 7,731

For retrofitting or upgrading mechanized refrigeration equipment (CFCs) ......................... 650,000

For surveys and modifications to buildings to meet requirements of the federal

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0050

Americans with Disabilities Act (ADA).............. 21,797
For retrofitting or upgrading mechanized refrigeration equipment (CFCs)............... 606,472
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act.............. 52,282
For upgrading and remediating aboveground and underground storage tanks....... 906,710
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act.............. 81,823
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act.............. 31,148
Total $58,595,824

Section 150. The sum of $48,467, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 150 of Public Act 97-0725, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for surveying and abating asbestos-containing materials statewide.

Section 155. The sum of $83,812, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 155 of Public Act 97-0725, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for asbestos surveys and emergency abatement in relation to asbestos abatement in state governmental buildings or higher education residential and auxiliary enterprise buildings.

Section 160. The sum of $930,774,571, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 160 of Public Act 97-0725, is reappropriated from the School Construction Fund to the Capital Development Board for grants to school districts for school construction projects authorized by the School Construction Law.

Section 165. The sum of $15,721,469, or so much of that amount as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 165 of Public Act 97-0725, is reappropriated from the School

New matter indicated by italics - deletions by strikeout
Construction Fund to the Capital Development Board for Fiscal Year 2002 School Construction Program grant recipients as follows:

East St. Louis School District 189................ 3,569,787
Silvis School District 34......................... 5,662,558
Community Consolidated School Dist. 93
Carol Stream.................................... 1,554,822
DuQuoin Community Unit School District 300..... 1,092,386
Bethalto Community School District 8........... 2,624,916
Westmont Community Unit School District 201.... 1,217,000

Section 175. The sum of $3,683,589, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 175 of Public Act 97-0725, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 185. The sum of $18,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 185 of Public Act 97-0725, is reappropriated from the School Construction Fund to the Capital Development Board for grants to school districts for school improvement projects authorized by the School Construction Law.

Section 190. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 190 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 195. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 195 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for the projects hereinafter enumerated:

CITY COLLEGES OF CHICAGO
(From Article 22, Section 195 of Public Act 97-0725)

New matter indicated by italics - deletions by strikeout
For various bondable capital improvements........ 570,171

CITY COLLEGES OF CHICAGO/KENNEDY KING
For remodeling for Workforce Preparation Centers........................................ 3,575,930
For remodeling for a culinary arts educational facility.......................... 10,875,000

CITY COLLEGES OF CHICAGO - MALCOLM X COLLEGE
For remodeling the Allied Health program facilities............................... 4,298,223

COLLEGE OF DUPAG E
or Installation of the Instructional Center Noise Abatement........ 1,544,600

COLLEGE OF LAKE COUNTY
For Construction of a Student Service Building................................. 35,927,000

ELGIN COMMUNITY COLLEGE
For Spartan Drive Extension.......................... 2,244,800

IECC – LINCOLN TRAIL COLLEGE
For Construction of a Center for Technology...................................... 7,569,800

ILLINOIS VALLEY COMMUNITY COLLEGE
For Construction of a Community Technology Center.......................... 5,040,905

JOLIET JUNIOR COLLEGE
For renovation of Utilities.................................. 4,212,486

KANKAKEE COMMUNITY COLLEGE
For constructing a laboratory/classroom facility................................. 226,567

KASKASKIA COLLEGE
For all costs associated with construction of new facilities as part of Phase Two of the Vandalia Campus...... 5,600,000

LAKE LAND COLLEGE
For renovating and expanding Student Services Building Addition........ 2,361,100
For Construction of a Rural Development Technology Center.............. 7,524,100
For Student Services Building addition............................ 6,498,007

LEWIS AND CLARK COLLEGE

New matter indicated by italics - deletions by strikeout
For construction and infrastructure improvements to the National Great Rivers Research and Education Center ....... 1,658,841

MCHENRY COUNTY COLLEGE

For constructing classrooms and a student services building and remodeling space, in addition to funds previously appropriated ...................... 473,076

MORAINES VALLEY COMMUNITY COLLEGE - PALOS HILLS

For constructing a classroom/administration building, providing site improvements and purchasing equipment, in addition to funds previously appropriated .............. 41,635

MORTON COLLEGE

For costs associated with capital improvements ........................................ 4,500,000

PARKLAND COLLEGE

For renovating and expanding the Student Services Center Addition ............ 7,673,589

PRAIRIE STATE COLLEGE - CHICAGO HEIGHTS

For costs associated with capital improvements at Prairie State College ........ 4,285,099

For constructing an addition to the Adult Training/Outreach Center, in addition to funds previously appropriated ...................... 811,858

REND LAKE COLLEGE

For Art Program Addition and minor remodeling ..................................... 429,267

RICHLAND COMMUNITY COLLEGE

For Renovation of the Student Success Center and Construction of an Addition to the Student Success Center .................. 3,524,000

ROCK VALLEY COLLEGE

For Construction of an Arts Instructional Center and remodeling of existing classroom buildings .................. 26,711,900

SOUTH SUBURBAN COLLEGE

For improving flood retention .......................................................... 437,000

New matter indicated by italics - deletions by strikeout
TRITON COMMUNITY COLLEGE - RIVER GROVE
For renovating and expanding
the Technology Building...................... 10,402,114
For rehabilitating the Liberal Arts
Building........................................ 1,536,546
For rehabilitating the potable water
distribution system............................... 70,146

TRUMAN COLLEGE
For costs associated with capital
improvements..................................... 5,000,000

WILBUR WRIGHT COLLEGE
For costs associated with capital
improvements to the Humboldt Park
Vocational Education Center
at Wilbur Wright College....................... 5,000,000

WILLIAM RAINNEY HARPER COLLEGE
For Engineering and Technology
Center Renovations............................... 19,049,819
For Construction of a One
Stop/Admissions and Campus/
Student Life Center............................. 40,520,082

STATEWIDE
For the Illinois Community College Board
miscellaneous capital improvements including
construction, capital facilities, cost of
planning, supplies, equipment, materials,
services and all other expenses required to
complete the work at the various community
Colleges. This appropriated amount shall be
in addition to any other appropriated amounts
which can be expended for this purpose........ 1,406,085
For miscellaneous capital improvements
including construction, capital facilities,
cost of planning, supplies, equipment,
materials, services and all other expenses
required to complete the work at the
various community colleges. This appropriated
amount shall be in addition to any other
appropriated amounts which can be

New matter indicated by italics - deletions by strikeout
expended for these purposes.................. 4,837,570
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.................. 3,563,951
Total $240,001,267

Section 205. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purpose in Article 22, Section 205 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for the Temporary Facility Replacement Program for the projects hereinafter enumerated:

COLLEGE OF DUPAGE
(From Article 22, Section 205 of Public Act 97-0725)
For Temporary Facilities Replacement.......... 24,946,128

COLLEGE OF LAKE COUNTY
For Construction of a Classroom Building at the Grayslake Campus............... 17,172,536

IECC – LINCOLN TRAIL COLLEGE
For Construction of an AC/Refrigeration and Sheet Metal Technology Building........... 1,495,500

IECC – OLNEY CENTRAL
For Construction of the Collision Repair Technology Center......................... 1,076,211

IECC – WABASH VALLEY
For Construction of a Student Center......... 4,029,400

ILLINOIS CENTRAL COLLEGE
For Renovation and Additions to Dirksen Hall................................. 2,633,700

ILLINOIS VALLEY COMMUNITY COLLEGE
For Construction of a Community Technology Center............................. 4,451,368

JOLIET JUNIOR COLLEGE

New matter indicated by italics - deletions by strikeout
For Temporary Facilities Replacement..............                              445,568

LAKE LAND COLLEGE
For repair, renovation, and miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, costs of planning, supplies, equipment, materials, services, and all expenses on the Workforce Relocation Center, the Student Services Center, and other college buildings. This appropriation shall be in addition to funds previously appropriated..................                                   9,881,700

LEWIS & CLARK COMMUNITY COLLEGE
For Construction of a Daycare and Montessori.............................. 1,663,000
For Construction of an Engineering Annex............... 1,536,600

LINCOLN LAND COMMUNITY COLLEGE
For Renovations to Sangamon Hall South........ 2,991,200

MCHENRY COUNTY COLLEGE
For Construction of a Greenhouse......................... 671,600
For Construction of a Pumphouse......................... 115,900

OLIVE HARVEY COLLEGE
For Construction of a New Building............. 30,671,600

PARKLAND COLLEGE
For Construction of an Applied Technology Addition............................. 210,257

SPOON RIVER COLLEGE
For Construction of a Multi-Purpose Building................................. 4,027,100

WAUBONSEE COMMUNITY COLLEGE
To Replace Building “A” Temporary Building..................... 2,615,200

WILLIAM RAINNEY HARPER COLLEGE
To Replace the Hospitality Facility........... 3,944,800

Total                                                                                     $114,579,368

Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete work at the various higher education institutions. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for such purposes.

Section 235. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 235 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Higher Education for the project hereinafter enumerated:

ILLINOIS MATHEMATICS AND SCIENCE ACADEMY - AURORA
(From Article 22, Section 235 of Public Act 97-0725)
To plan and begin construction of a space for the delivery of teacher training and development and student enrichment programs ............................................. 108,843

Section 240. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Section 240 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete work at the various higher education institutions. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for such purposes

Chicago State University ................. 1,024,348
Eastern Illinois University ............... 1,803,587
Governors State University ............... 827,380
Illinois State University .................. 4,236,958
Northeastern Illinois University ......... 1,726,500
Northern Illinois University ............ 4,672,660
Western Illinois University ............. 3,107,287
Southern Illinois University - Carbondale..... 5,756,455
Southern Illinois University - Edwardsville... 3,359,670

New matter indicated by italics - deletions by strikeout
Section 245. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Sections 210, 215, 220, 225, 245, and 250 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work at the various colleges and universities as set forth below. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University.......................... 299,601
Eastern Illinois University...................... 2,432,638
Governors State University...................... 75,332
Illinois State University......................... 1,147,072
Northeastern Illinois University............. 839,586
Northern Illinois University.................. 5,160,836
Western Illinois University..................... 370,858
Southern Illinois University - Carbondale..... 1,057,824
Southern Illinois University - Edwardsville... 775,052
Southern Illinois University - Statewide........ 118,119
University of Illinois - Chicago.............. 7,848,866
University of Illinois - Springfield.......... 649,038
University of Illinois - Urbana/Champaign..... 9,334,693
University of Illinois - Statewide........... 284,330
Statewide........................................ 109,850
Illinois Community College Board........... 17,437,870
Total ........................................... $47,941,565

Section 255. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Sections 200, 255, 260, 265, 275, 285, 290, and 295 of Public Act 97-0725, are reappropriated from the Build Illinois Bond Fund to the Capital
Development Board for the Illinois Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work at the various colleges and universities as set forth below. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for these purposes.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicago State University</td>
<td>119,814</td>
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<tr>
<td>Eastern Illinois University</td>
<td>855,685</td>
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<td>Governors State University</td>
<td>188,650</td>
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<td>Illinois State University</td>
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<td>Northern Illinois University</td>
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<td>Northeastern Illinois University</td>
<td>2,414,423</td>
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<td>Western Illinois University</td>
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<tr>
<td>Southern Illinois University - Carbondale</td>
<td>598,665</td>
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<tr>
<td>Southern Illinois University - Edwardsville</td>
<td>464,253</td>
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<td>University of Illinois - Chicago</td>
<td>3,854,475</td>
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<tr>
<td>University of Illinois - Springfield</td>
<td>336,118</td>
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<tr>
<td>University of Illinois - Urbana/Champaign</td>
<td>5,665,447</td>
</tr>
<tr>
<td>University of Illinois - Statewide</td>
<td>73,780</td>
</tr>
<tr>
<td>Illinois Community College Board</td>
<td>47,656,303</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>63,485,254</strong></td>
</tr>
</tbody>
</table>

Section 270. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made in Article 22, Sections 270 and 380 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

**CHICAGO STATE UNIVERSITY**

(From Article 22, Section 270 of Public Act 97-0725)

For a grant for the construction of a Westside campus................. 39,000,000
For renovating Douglas Hall, in addition to funds previously appropriated.... 13,125,000
For Construction of an Early Childhood Development Center.............. 3,000,000
For Remediation of the Convocation Building, in addition to funds

New matter indicated by italics - deletions by strikeout
For replacing primary electrical feeder cable........................................ 115,049
For the construction of a conference Center, Daycare Facility, renovating Building K (Robinson Center) and Financial Outreach Building in addition to funds previously appropriated.............. 4,835,310
For the construction of a day care facility........................................ 4,863,999
For the construction of a student financial outreach building.................... 4,718,864
For constructing a new library facility, site improvements, utilities, and purchasing equipment, in addition to funds previously appropriated.......................... 56,133
For technology improvements and deferred maintenance............................ 497,372
For remodeling Building K, in addition to funds previously appropriated........ 8,473,251
For planning and beginning to remodel Building K and improving site................ 595,058
For upgrades and improvements to Electrical systems................................ 6,500,000

EASTERN ILLINOIS UNIVERSITY
For remodeling of the HVAC in the Life Science Building and Coleman Hall........ 4,757,100
For upgrading the electrical distribution system.................................. 59,282
For renovating and expanding the Fine Arts Center, in addition to funds previously appropriated.......................... 46,796
For planning and beginning to renovate and expand the Fine Arts Center - Phase 1, in addition to funds previously appropriated.......................... 133,604
For upgrading campus buildings for health, safety and environmental improvements.............. 9,809

GOVERNORS STATE UNIVERSITY

New matter indicated by italics - deletions by strikeout
For renovation of a Teaching/Learning Complex, in addition to funds previously appropriated................. 2,250,844
For replacing roadways and sidewalks................. 2,028,000
For constructing addition and remodeling the teaching & learning complex, in addition to funds previously appropriated.................. 12,893,263

ILLINOIS STATE UNIVERSITY
For renovations of the Fine Arts Complex.................. 54,250,100
For renovating Stevenson and Turner Halls for life/safety.................. 702,608
For the upgrade and remodeling of Schroeder Hall.................. 1,869,102
For remodeling Julian and Moulton Halls........ 376,727

NORTHEASTERN ILLINOIS UNIVERSITY
For costs associated with renovations to the facility for the construction of a Latino Cultural Center ............... 1,500,000
For constructing an education building........ 72,977,200
For renovating Building "C" and remodeling and expanding Building "E" and Building "F".................. 6,233,200
For planning and beginning to remodel Buildings A, B and E.................. 126,409
For remodeling in the Science Building to upgrade heating, ventilating and air conditioning systems.................. 2,021,400
For replacing fire alarm systems, lighting and ceilings.................. 116,081

NORTHERN ILLINOIS UNIVERSITY
For the renovation of Cole Hall and expanding/renovating Stevens Building..... 2,132,380
For renovating and expanding Stevens Building.................. 21,928,656
For planning Computer Sciences Technology Center.................. 2,787,400
For renovating the Founders Library

New matter indicated by italics - deletions by strikeout
basement, in addition to funds previously appropriated................................. 626,578
For planning a classroom building and developing site in Hoffman Estates........... 1,314,500
For completing the construction of the Engineering Building, in addition to amounts previously appropriated for such purpose........................................... 12,488
For renovating Altgeld Hall and purchasing equipment.......................................... 94,434

SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE
For renovating and constructing a Science Laboratory, in addition to funds previously appropriated.................. 37,479,882

SOUTHERN ILLINOIS UNIVERSITY - CARBONDALE
For constructing a Transportation Education Center, in addition to funds previously appropriated.............. 4,359,069
For planning and beginning Communications Building................................. 4,255,400
For renovating and constructing an addition to the Morris Library, in addition to funds previously appropriated................................................. 13,826

SIU SCHOOL OF MEDICINE - SPRINGFIELD
For constructing and for equipment for an addition to the combined laboratory, in addition to funds previously appropriated.............................................. 5,470

UNIVERSITY OF ILLINOIS AT CHICAGO
For upgrading the campus infrastructure and renovating campus buildings.............. 20,476,218
Plan, construct, and equip the Chemical Sciences Building.................................... 57,600,000
For planning, construction and equipment for a chemical sciences building............. 3,549,048
To plan and begin construction of a medical imaging research/clinical facility................................. 49,753

New matter indicated by italics - deletions by strikeout
For remodeling the Clinical Sciences Building......................... 854,132
For the renovation of the court area and Lecture Center, in addition to funds previously appropriated...................... 54,793

UNIVERSITY OF ILLINOIS AT CHAMPAIGN-URBANA

For renovating Lincoln Hall, in addition to funds previously appropriated.... 11,449,728
For constructing a Post Harvest Crop Processing and Research Laboratory, in addition to funds previously appropriated........ 20,034,000
For constructing an Electrical and Computer Engineering Building, in addition to funds previously appropriated. 22,176,076
Expansion of Microelectronics Lab......................... 41,764
For planning, construction and equipment for a biotechnology genomic facility......... 434,265
For planning, construction and equipment for a supercomputing application facility....... 88,416

UNIVERSITY OF ILLINOIS - SPRINGFIELD
For renovation and construction of the Public Safety Building................. 3,950,927

UNIVERSITY CENTER OF LAKE COUNTY
For constructing a university center and purchasing equipment, in addition to funds previously appropriated............... 1,197
For land, planning, remodeling, construction and all costs necessary to construct a facility.......................... 1,129

WESTERN ILLINOIS UNIVERSITY - MACOMB
For constructing a performing arts center, in addition to funds previously appropriated............... 66,672,778
Plan and construct performing arts center........ 791,665
For improvements to Memorial Hall......................... 222,384

WESTERN ILLINOIS UNIVERSITY - QUAD CITIES
For renovation and construction of a

New matter indicated by italics - deletions by strikeout
Riverfront Campus, in addition to funds previously appropriated........... 40,301,018
For the renovation and construction
of a Riverfront Campus,
in addition to funds
previously appropriated................. 1,218,116

ILLINOIS MATH AND SCIENCE ACADEMY
For residence hall rehabilitation
and main building addition.............. 6,260,000
For “A” wing laboratories remodeling..... 3,600,000
Total $587,969,051

Section 280. The following named sum, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 280 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for the project hereinafter enumerated:

EAST ST. LOUIS COLLEGE CENTER
(From Article 22, Section 280 of Public Act 97-0725)
For construction of facilities, remodeling,
site improvements, utilities and other
costs necessary for adapting the former
campus of Metropolitan Community College
for a Community College Center and Southern
Illinois University, in addition to funds
previously appropriated.................... 1,724,679

Section 300. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 300 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction, and equipment for a Nanofabrication and Molecular Center. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 305. The sum of $6,445, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for miscellaneous capital improvements to state facilities including

New matter indicated by italics - deletions by strikeout
construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the facilities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 310. The sum of $50,548,203, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 310 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services, and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 315. The sum of $104,385,984, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 315 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for educational purposes by State universities and colleges, the Illinois Community College Board created by the Public Community College Act and for grants to public community colleges as authorized by Sections 5-11 and 5-12 of the Public Community College Act as authorized by subsection (a) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 320. The sum of $190,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 320 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for grants to various private colleges and universities.

Section 325. The sum of $2,476,501, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 22, Section 325 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for grants to units of local government and other eligible entities for all costs associated with land acquisition, construction and rehabilitation projects.
Section 330. The sum of $2,517,200, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 330 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 335. The sum of $77,028,128, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 335 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for correctional purposes at State prison and correctional centers as authorized by subsection (b) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 340. The sum of $24,118,357, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 340 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for open spaces, recreational and conservation purposes and the protection of land and for deposits into the Partners for Conservation Projects Fund as authorized by subsection (c) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 345. The sum of $4,759,151, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 345 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 350. The sum of $79,401,608, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 350 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.
Development Fund to the Capital Development Board for use by the State, its departments, authorities, public corporations, commissions and agencies as authorized by subsection (e) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 355. The sum of $40,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 355 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for early childhood construction grants to school districts and not-for-profit providers of early childhood services for children ages birth to 5 years of age for construction or renovation of early childhood facilities, with priority given to projects located in those communities in this State with the greatest underserved population of young children, as identified by the Capital Development Board, in consultation with the State Board of Education, using census data and other reliable local early childhood service data.

Section 360. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Metropolitan Family Services for an early childhood center located in Gage Park.

Section 365. The sum of $23,258,697, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 360 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for the State Board of Education for grants to school districts for energy efficiency projects.

Section 370. The sum of $75,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 22, Section 365 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Capital Development Board for the Chicago Board of Education for costs associated with school renovation and construction for the purposes of providing vocational education.

Section 375. This Article is not subject to limitations under Section 5 of Article 48 of Public Act 95-734 or any similar limitation.

Section 380. No contract shall be entered into or obligation incurred for any expenditure in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $3,371,300,188
ARTICLE 39
ILLINOIS EMERGENCY MANAGEMENT AGENCY

Section 5. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 23, Section 5 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Illinois Emergency Management Agency for safety and security improvements at various public universities, private colleges or universities and community colleges or elementary or secondary schools.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $25,000,000

ARTICLE 40
ILLINOIS STATE BOARD OF EDUCATION

Section 5. The sum of $67,285,147, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 24, Section 5 of Public Act 97-0725, as amended, is reappropriated from the School Construction Fund to the Illinois State Board of Education for school districts for maintenance projects authorized by School Construction Law.

Section 10. The sum of $409,619, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 24, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Illinois State Board of Education to fund all costs associated with the Technology Immersion Project.

Section 15. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 24, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Illinois State Board of Education for grants to school districts for school construction projects pursuant to 105 ILCS 5/2-3.146.

Section 20. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

New matter indicated by italics - deletions by strikeout
ARTICLE 41
EASTERN ILLINOIS UNIVERSITY

Section 5. The sum of $1,551,914, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 25, Section 10 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University for all costs associated with renovation and expansion of the Doudna Fine Arts Center. This appropriation is in addition to funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $1,551,914

ARTICLE 42
SOUTHERN ILLINOIS UNIVERSITY

Section 5. The sum of $16,560,755, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 26, Section 5 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Board of Trustees of Southern Illinois University for construction and equipment expenses to complete the renovation and expansion of the Morris Library. This appropriation is in addition to funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $16,560,755

ARTICLE 43
ILLINOIS COMMERCE COMMISSION

Section 5. The sum of $52,857, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 27, Section 5 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Illinois Commerce Commission for train whistle abatement in counties with over 3,000,000 in population, where a public highway crosses a railroad at grade.

Total, this Article $52,857
Section 10. No contract shall be entered into or obligation incurred for any expenditure in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $52,857

ARTICLE 44
ENVIRONMENTAL PROTECTION AGENCY
Section 5. The sum of $350,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 10. The sum of $150,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 15. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for a small community water supply financial assistance program to address compliance problems.

Section 20. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for a green infrastructure financial assistance program to address water quality issues.

Total, this Article $507,000,000

ARTICLE 45
ENVIRONMENTAL PROTECTION AGENCY
Section 5. The sum of $591,895,728, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 28, Section 1 of Public Act 97-0725 and Article 30, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government.

New matter indicated by italics - deletions by strikeout
government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 10. The sum of $420,452,887, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 28, Section 5 of Public Act 97-0725 and Article 30, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 15. The sum of $54,170,078, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 15 of Public Act 97-0725, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 20. The sum of $5,176,618, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 20 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Environmental Protection Agency for financial assistance to municipalities with designated River Edge Redevelopment Zones for brownfields redevelopment in accordance with Section 58.13 of the Environmental Protection Act, including costs in prior years.

Section 25. The sum of $43,000,260, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 25 of Public Act 97-0725, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for reimbursements to eligible owners/operators of Leaking Underground Storage Tanks, including claims submitted in prior years and for costs associated with site remediation and grants and contracts associated with safe drinking water and water quality activities.

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $2,506,388, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for grants to units of local government for wastewater facilities, pursuant to provisions of the "Anti-Pollution Bond Act."

Section 35. The sum of $4,480,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for wastewater compliance grants to units of local government or sewer systems and wastewater treatment facilities pursuant to procedures and rules established under the Anti-Pollution Bond Act. These grants are limited to projects for which the local government provides at least 30% of the project cost. There is an approved project compliance plan, and there is an enforceable compliance schedule prior to the grant award. The grant award will be based on eligible project cost contained in the approved compliance plan.

Section 40. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 40 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 45. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 45 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 50. The sum of $9,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the plan.
deposit into the Hazardous Waste Fund for use pursuant to Section 22.2 of the Environmental Protection Act.

Section 55. The sum of $471,885, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants and contracts for public drinking water infrastructure, including design and construction, where private drinking water wells have been contaminated by a hazardous substance.

Section 60. The sum of $4,776,725, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 60 of Public Act 97-0725, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for financial assistance to municipalities with designated River Edge Redevelopment Zones for brownfields redevelopment in accordance with Section 58.13 of the Environmental Protection Act, including costs in prior years.

Section 65. The sum of $40,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants to units of local government and privately owned community water supplies for sewer systems, wastewater treatment facilities and drinking water infrastructure projects.

Section 70. The sum of $8,942,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 70 of Public Act 97-0725, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 75. The sum of $1,407,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

New matter indicated by italics - deletions by strikeout
Section 80. The sum of $7,858,247, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 85. The sum of $16,600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 85 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State Agencies for such purposes.

Section 90. The sum of $8,754,849, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 100 of Public Act 97-0725, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for a green infrastructure financial assistance program to address water quality issues.

Section 95. The sum of $186,872, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 30, Section 105 of Public Act 97-0725, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for a small community water supply financial assistance program to address compliance problems.

Section 100. No contract shall be entered into or obligation incurred for any expenditure made in Sections 15 through 85 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $1,224,180,949

ARTICLE 46
HISTORIC PRESERVATION AGENCY

New matter indicated by italics - deletions by strikeout
Section 5. The sum of $143,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 31, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for support facilities, acquisition or improvements for Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $143,000

ARTICLE 47

ILLINOIS FINANCE AUTHORITY

Section 5. The sum of $2,383,342, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 33, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Fire Truck Revolving Loan Fund to the Illinois Finance Authority for the purpose of making loans to fire departments, fire protection districts, and township fire departments as successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Section 10. The sum of $7,006,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 33, Section 10 of Public Act 97-0725, amended, is re appropriated from the Ambulance Revolving Loan Fund to the Illinois Finance Authority for the purpose of making loans to fire departments, fire protection districts, township fire departments or non-profit ambulance services as successor in interest to the Illinois Rural Bond Bank.

Total, this Article $9,390,142

ARTICLE 48

ILLINOIS COMMUNITY COLLEGE BOARD

Section 5. The sum of $314,597, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 34, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund for the Illinois Community College Board for

New matter indicated by italics - deletions by strikeout
remodeling of facilities for compliance with the Americans with Disabilities Act. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $314,597

ARTICLE 49
DEPARTMENT OF HUMAN SERVICES

Section 1. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 1, Section 1 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Human Services for building repairs at the Elgin Mental Health Center.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $100,000

ARTICLE 50
SOUTHERN ILLINOIS UNIVERSITY

Section 1. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 2, Section 1 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to Southern Illinois University for general infrastructure improvements of the Katherine Dunham Museum.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $100,000

ARTICLE 51
DEPARTMENT OF NATURAL RESOURCES

Section 1. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
3. Section 1 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for infrastructure improvements at the Sparta World Shooting Complex.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $175,000

ARTICLE 52
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with renovations to the Martin Luther King Community Center.

Section 15. The sum of $428,613, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with construction of a Martin Luther King Center Park.

Section 25. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skip-A-Long Child Development Services for costs associated with the construction of classrooms at the Moline Campus.

Section 30. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Morrison for costs associated with renovations to the Farmers’ Market facility.

New matter indicated by italics - deletions by strikeout
Section 35. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with capital improvements to Douglas Park.

Section 45. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 45 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Rock Island for costs associated with capital improvements to county facilities.

Section 50. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with engineering and design work associated with a new business park.

Section 55. The sum of $96,017, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Two Rivers YMCA for costs associated with renovations to the facility.

Section 63. The sum of $465,804, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 63 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Advocate Health Care for costs associated with infrastructure improvements.

Section 65. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
4, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Avenues to Independence for costs associated with renovations to the facility.

Section 70. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 70 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for costs associated with renovations at Brookfield Zoo.

Section 75. The sum of $425,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Des Plaines for costs associated with rehabilitation of the Storm Water Master Plan Area No. 3.

Section 85. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 85 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for costs associated with capital improvements to the storm water detention system.

Section 90. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 90 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elk Grove Township for costs associated with improvements to street signs.

Section 95. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 95 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clearbrook for costs associated with
Section 100. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elk Grove Village for costs associated with making repairs to the Greenleaf Lift Station.

Section 105. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to H.A.V.E. Dreams for costs associated with renovations to the facility.

Section 115. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for costs associated with construction of a new facility, to be located in Des Plaines.

Section 120. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakton Community College for costs associated with the installation of solar panels.

Section 125. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Roosevelt University for costs associated with renovations to classrooms.

Section 130. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Arlington Heights for costs associated with the modification and installation of traffic signals.

Section 135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with the installation of pedestrian crosswalk signals.

Section 140. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with renovations to the Neighborhood Resource Center.

Section 145. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with the reconstruction of the alley between Riverside Drive and Days Terrace.

Section 150. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with capital improvement to Prospect Street from Oakton Street to Greendale Avenue.

Section 155. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 155 of Public Act 97-0725, as amended, is reappropriated from

New matter indicated by italics - deletions by strikeout
the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with the installation of streetlights.

Section 160. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schaumburg for costs associated with renovations to the Emergency Operational Center.

Section 165. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with the procurement and installation of a generator.

Section 170. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Orpheum Children’s Science Museum for costs associated with expansion of the facility.

Section 175. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Crisis Nursery for costs associated with expansion of the facility located at 1309 West Hill Street in Urbana.

Section 185. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urbana Park District for costs
associated with the construction of the Meadowbrook Park Interpretive Center.

Section 190. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Champaign Park District for costs associated with general infrastructure.

Section 195. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mental Health Center of Champaign County, Inc. for costs associated with renovations to facilities.

Section 200. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Preservation and Conservation Association of Champaign for costs associated with renovations to the Harwood Solon House.

Section 205. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Disabled Citizens Foundation for costs associated with the construction and renovation of group homes.

Section 220. The sum of $324,050, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vermilion County Conservation District for costs associated with the construction of an environmental education center at Kennekuk County Park.

New matter indicated by italics - deletions by strikeout
Section 225. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Danville for costs associated with renovations to the fire fighting training tower.

Section 240. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Armstrong G Elementary International Studies School.

Section 245. The sum of $367, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Belding Elementary School.

Section 253. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 253 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Carl Schurz Elementary School.

Section 255. The sum of $87,784, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Chesed Fund for costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 260. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Heights for costs associated with road and infrastructure improvements.

Section 265. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with repairs to the walking and bike paths in Legion Park.

Section 275. The sum of $4,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public School District 299 for costs associated with capital improvements to the Decatur Classical School.

Section 280. The sum of $869, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public School District 299 for costs associated with capital improvements to the DeWitt Clinton Elementary School.

Section 290. The sum of $5,749, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Edgebrook Elementary School.

Section 295. The sum of $3,080, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Edgebrook Elementary School.
4, Section 295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Edison Regional Gifted Center.

Section 310. The sum of $199, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Frederick Von Steuben Metropolitan Science Center.

Section 320. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Hannah G. Solomon Public School.

Section 327. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 327 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanul Family Alliance for costs associated with capital improvements to the facility.

Section 330. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 330 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glenview CCSD 34 for costs associated with capital improvements to the Hoffman Elementary School.

Section 335. The sum of $4,910, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 335 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Golf School District 67 for costs associated with capital improvements to the Hynes Elementary School.

Section 340. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 340 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for costs associated with facility renovations and expansion, including the purchase of property.

Section 345. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center for costs associated with capital improvements.

Section 350. The sum of $15,085, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Jamieson Elementary School.

Section 360. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the John M. Palmer Elementary School.

Section 365. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Skokie School District 73.5 for costs associated with capital improvements to the John Middleton Elementary School.

Section 370. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Niles Township District for Special Education 807 for costs associated with capital improvements to the Julia S. Malloy Education Center.

Section 380. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Korean Senior Center DBA Hanul Family Alliance for costs associated with facility renovations and improvements.

Section 385. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Lincoln Hall Middle School.

Section 395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincolnwood Park District for costs associated with capital improvements.

Section 400. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Lincolnwood Public Library for costs associated with capital improvements.

Section 410. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with road improvements in the 39th Ward.

Section 415. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Mary G. Peterson Elementary School.

Section 420. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to Mather High School.

Section 425. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Maine School District 63 for costs associated with capital improvements to the Melzer School.

Section 430. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for
costs associated with renovations and technology infrastructure improvements at the facility.

Section 440. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Morton Grove Park District for costs associated with capital improvements.

Section 445. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Morton Grove Public Library for costs associated with capital improvements.

Section 450. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Muslim Women Resource Center for costs associated with capital improvements.

Section 455. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with road improvements in the 50th Ward.

Section 460. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Park District for costs associated with capital improvements.

Section 465. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Public Library for costs associated with capital improvements.

Section 470. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Township High School District 219 for costs associated with capital improvements to Niles West High School.

Section 475. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Northside College Preparatory High School.

Section 480. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Northside TMH Learning Center.

Section 485. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Notre Dame College Prep located in Niles for costs associated with capital improvements.

Section 490. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
Section 490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skokie School District 73.5 for costs associated with capital improvements to the Oliver McCracken Middle School.

Section 495. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skokie School District 73.5 for costs associated with capital improvements to the Oliver McCracken Middle School.

Section 500. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Rutledge Hall Elementary School.

Section 505. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Rutledge Hall Elementary School.

Section 510. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sauganash Neighbors for a New Park for costs associated with a new park.

Section 515. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
4, Section 515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shalva for costs associated with renovations and improvements to the facility located at 1610 W. Highland, Chicago.

Section 520. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services, Inc. for costs associated with accessibility improvements.

Section 530. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Skokie Public Library for costs associated with capital improvements.

Section 535. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Stone Scholastic Academy.

Section 540. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Telshe Yeshiva Chicago for costs associated with renovations to the facility.

Section 550. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Telshe Yeshiva Chicago for costs associated with renovations to the facility.
Economic Opportunity for a grant to Skokie & Morton Grove School District 69 for costs associated with capital improvements to the Thomas Edison Elementary School.

Section 555. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Todd Hall Elementary School.

Section 565. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Maine School District 63 for costs associated with capital improvements to the VH Maine Elementary School.

Section 570. The sum of $175,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with capital improvements in the 50th Ward.

Section 575. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to Wildwood Elementary School.

Section 585. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 585 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to PTACH for costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 590. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Korean American Resource & Cultural Center for costs associated with capital improvements.

Section 595. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with street repairs.

Section 600. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 600 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation for costs associated with capital improvements.

Section 605. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Thresholds for costs associated with capital improvements.

Section 610. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Agudath Israel for costs associated with capital improvements.

Section 615. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 615 of Public Act 97-0725, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with the construction of a sports recreations facility in the Morgan Park community.

Section 620. The sum of $55,610, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Kennedy Park.

Section 630. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at O’Halleran Park.

Section 640. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evergreen Park for costs associated with capital improvements to street and sewers located within the Village.

Section 650. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Ridge for costs associated with sewer and water projects.

Section 655. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Village of Merrionette Park for costs associated with street resurfacing within the Village.

Section 660. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for costs associated with capital improvements.

Section 665. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for costs associated with capital improvements.

Section 670. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Township for costs associated with capital improvements.

Section 680. The sum of $107,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 680 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with construction of a new park.

Section 685. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hickory Hills for costs associated with street construction and lighting within the city.

Section 690. The sum of $29,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 690 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for costs associated with improvements to technology infrastructure.

Section 705. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
4, Section 705 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for costs associated with capital improvements to the facility.

Section 710. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Advocate Christ Hospital and Medical Center for costs associated with renovations to the Pediatric Emergency Care Center.

Section 715. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 715 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Company of Mary Hospital for costs associated with capital improvements to the hospital.

Section 735. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Evergreen Park Public Library for costs associated with improvements to technology infrastructure.

Section 745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Moraine Valley College for all costs associated with renovations to the nursing and allied health facilities.

Section 750. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 750 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to...
Economic Opportunity for a grant to the Ridge Historical Society for costs associated with renovations to the facility.

Section 755. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 755 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beacon Therapeutic and Diagnostic and Treatment Center for costs associated with renovations to the Day Treatment Center for Children.

Section 760. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 760 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southwest Special Recreation Association for costs associated with purchasing an electronic marquee.

Section 765. The sum of $335,940, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Richard J. Daley College for costs associated with capital improvements at the Arturo Velazquez Institute.

Section 775. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gordon Tech College Prep for costs associated with infrastructure improvements.

Section 780. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 780 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements at Thomas Kelly High School.

Section 785. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the J. Sterling Morton High School District 201 for costs associated with capital improvements at Morton West High School.

Section 790. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the J. Sterling Morton High School District 201 for costs associated with capital improvements at Morton East High School.

Section 800. The sum of $978,969, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 800 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen-Little Village Community Mental Health Center DBA the Pilsen Wellness Center for costs associated with capital improvements at the facility.

Section 805. The sum of $568,502, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at Cuyler Park.

Section 815. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements at Marie Sklodowska Curie Metropolitan High School.

Section 820. The sum of $90,186, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 820 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at various parks.

Section 825. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Senka Park.

Section 830. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 830 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Casa Aztlan for costs associated with infrastructure improvements.

Section 835. The sum of $344,075, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 835 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Berwyn Park District for costs associated with capital improvements at various parks.

Section 845. The sum of $931,613, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen-Little Village Community Mental Health Center DBA the Pilsen Wellness Center for costs associated with capital improvements at the facility.

Section 860. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Puerto Rican Cultural Center for costs associated with capital improvements at the facility.
costs associated with renovations to the facility located at 2700 West Haddon in Chicago.

Section 875. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fellowship Connection Community Center for costs associated with renovations at the facility.

Section 880. The sum of $56,347, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Erie Elementary Charter School for costs associated with renovations to the facility.

Section 890. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public Schools District 299 for costs associated with renovations to the Roberto Clemente Community Academy.

Section 895. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Service Project for costs associated with infrastructure improvements.

Section 900. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 900 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovations to the Humboldt Park Family Health Center.

Section 905. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 905 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternatives Services, Inc. for costs associated with renovations to the facility.

Section 910. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Segundo Ruiz Belvis for costs associated with renovations to the facility.

Section 915. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 915 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Puerto Rican Chamber of Commerce of Illinois for costs associated with infrastructure improvements.

Section 920. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 920 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Division Street Business Development Association for costs associated with renovations to the facility.

Section 925. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Near Northwest Neighborhood Network for costs associated with development of the Paseo Boricua Arts Building.

Section 926. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Center for costs associated with infrastructure improvements to facilities.

Section 930. The sum of $12,503, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
4, Section 930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Maternal and Child Health Coalition for facility repairs.

Section 940. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rosalind Franklin University of Medicine and Science for costs associated with the construction of offices and classrooms at the facility.

Section 945. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for costs associated with infrastructure improvements.

Section 950. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Allendale Association for costs associated with renovations to the facility.

Section 955. The sum of $55,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Wellness Center for costs associated with renovations to the Northbrook facility.

Section 960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 960 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with replacement of the sanitary sewer lining at Wadsworth Avenue.

New matter indicated by italics - deletions by strikeout
Section 965. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with sidewalk repairs on Broadway Avenue.

Section 970. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 970 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with the installation of streetlights at the Buckley/Amstutz Underpass and 24th Avenue.

Section 975. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with replacing detector loops.

Section 980. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 980 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with 2009 Thermoplastic Stripping Program.

Section 985. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Park City for costs associated with construction of a public works facility.

Section 995. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for costs associated with acquisition of a building.

Section 1000. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1000 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Countryside Association for People with Disabilities for costs associated with renovations to the facility.

Section 1015. The sum of $97,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Special Education Services for costs associated with reconstruction of the parking lot at the Lake Shore Academy.

Section 1030. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1030 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Countryside for costs associated with the purchase and installation of streetlights on LaGrange Road.

Section 1040. The sum of $485,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1040 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of McCook for costs associated with general infrastructure.

Section 1050. The sum of $562,387, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1050 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Justice-Willow Springs Water Commission for costs associated with reservoir construction, pump station renovations and water main replacements, including the purchase of property.

Section 1055. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arab American Family Services for costs associated with capital improvements to the Community Service Center.

Section 1060. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bridgeview for costs associated with capital improvements to the 71st Street Pedestrian Safety Fence.

Section 1065. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for costs associated with capital improvements to the 31st Street Bike Path.

Section 1075. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Berwyn for costs associated with the infrastructure improvements to the public works facility.

Section 1080. The sum of $562,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1080 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Evanston for costs associated with renovations to the municipal recreational facilities.

Section 1085. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenview for costs associated with the development and construction of a salt dome.

New matter indicated by italics - deletions by strikeout
Section 1090. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Skokie for roadway maintenance and repairs.

Section 1095. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with relocation and expansion of the Evanston-Rogers Park Family Health Center.

Section 1100. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Enlace Chicago for costs associated with capital improvements to the Community Service Center.

Section 1105. The sum of $10,930, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Job Center of Evanston, Inc. for costs associated with renovations to the facility.

Section 1110. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1110 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the CJE SeniorLife for costs associated with renovations to the Lieberman Center.

Section 1115. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

New matter indicated by italics - deletions by strikeout
Economic Opportunity for a grant to the North Shore Senior Center for costs associated with renovations to the Wellness Center facilities.

Section 1135. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fulton County Health Department for costs associated with capital improvement to the Fulton County Dental Center.

Section 1140. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Canton Family YMCA for costs associated with capital improvement to the Activity Centers.

Section 1145. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tazewell County House of Hope for costs associated with renovations and improvements to the facility.

Section 1150. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heartland Community Health Clinic for costs associated with capital improvements to the facility.

Section 1155. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmington for costs associated with renovations to the water treatment plant.
Section 1160. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Friendship House of Christian Service for costs associated with renovations to the facility.

Section 1165. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulton County for costs associated with capital improvements to county facilities.

Section 1175. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shawnee Community College for costs associated with the capital improvements at the campus.

Section 1180. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southeastern Illinois College for costs associated with capital improvements at the campus.

Section 1185. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Galatia for costs associated with repairing and replacing water lines.

Section 1190. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1190 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shawneetown for costs associated with water and sewer improvements.

Section 1195. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eldorado Community School District No. 4 for costs associated with capital improvements to facilities.

Section 1200. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gallatin County for costs associated with capital improvements to county facilities.

Section 1205. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to County of Saline for costs associated with infrastructure improvements.

Section 1210. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Norris City for costs associated with repairing and replacing the water mains.

Section 1215. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mounds for costs associated with replacing sewage lift station pumps.

New matter indicated by italics - deletions by strikeout
Section 1220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Union County for costs associated with capital improvements to county facilities.

Section 1225. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Equality for costs associated with capital improvements.

Section 1235. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Johnston City for costs associated with repairing and replacing the water mains.

Section 1240. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marion for costs associated with repairing and replacing the water mains.

Section 1245. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Frankfort Community Unit School District for costs associated with capital improvements at the High School.

Section 1260. The sum of $205,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 1260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Colp for costs associated with repairs and maintenance to roadways within the Village.

Section 1265. The sum of $324,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Colp for costs associated with repairs and maintenance to roadways within the Village.

Section 1275. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Herrin for costs associated with replacing water mains.

Section 1280. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with traffic light installation in the 9th Ward.

Section 1285. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Markham for costs associated with road and infrastructure improvements.

Section 1293. The sum of $80,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Phoenix for costs associated with road and infrastructure improvements.

Section 1300. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for costs associated with resurfacing Kimbark Avenue and Dorchester Avenue.
Section 1305. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Harvey for costs associated with road and infrastructure improvements.

Section 1310. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calumet City for costs associated with construction of left turn lanes at River Oaks Drive and Paxton Avenue.

Section 1315. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thornton for costs associated with repairs and maintenance to roadways within the village.

Section 1320. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of University Park for costs associated with road and infrastructure improvements.

Section 1330. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for costs associated with replacement of the HVAC at the Public Safety Building.

Section 1335. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crete for costs associated with road and infrastructure improvements.

Section 1338. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for costs associated with road and infrastructure improvements.

Section 1340. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Village of...
Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for costs associated with road and infrastructure improvements.

Section 1345. The sum of $245,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for costs associated with capital improvements to public safety buildings.

Section 1350. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvey Park District for costs associated with infrastructure improvements to the Martin Luther King, Jr. Recreation Center.

Section 1355. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the School District 149 for costs associated with infrastructure improvements to Caroline Sibley School.

Section 1360. The sum of $55,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Harvey-Dixmoor School District 147 for costs associated with infrastructure improvements to schools.

Section 1365. The sum of $40,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dolton Park District for costs associated with infrastructure improvements to parks.

Section 1368. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for costs associated with road and infrastructure improvements.

Section 1370. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Black on Black Love for costs associated with the acquisition and renovation of a new facility.

Section 1375. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the TCA Health, Inc. for costs associated with renovations to the facility.

Section 1380. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southeast United Methodist Youth and Community Center for costs associated with upgrades to the heating system at the facility.

Section 1385. The sum of $55,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lansing for costs associated with capital improvements.

Section 1390. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 738 for costs associated with renovations to the building.

Section 1395. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Public Image Partnership, NFP for costs associated with purchasing a modular building.

Section 1400. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Botanic Garden for costs associated with infrastructure improvements.
Section 1405. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public School District 299 for costs associated with renovations to the Edward Coles Elementary Language Academy.

Section 1410. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Developing Community Projects, Inc. for costs associated with infrastructure improvements.

Section 1415. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for costs associated with repairs and maintenance to sidewalks and curbs in the city.

Section 1420. The sum of $71,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the installation of streetlights within the 6th Ward.

Section 1425. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the ETA Creative Arts Foundation for costs associated with renovations to the facility.

Section 1430. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the ETA Creative Arts Foundation for costs associated with renovations to the facility.

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Economic Opportunity for a grant to the Global Girls for costs associated with infrastructure improvements and/or the purchase of a building.

Section 1435. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Global Girls for costs associated with infrastructure improvements and/or the purchase of a building.

Section 1440. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Henry’s Sober Living House for costs associated with renovations to the facility.

Section 1445. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher for costs associated with the replacement of their ballfield lighting in Fireman’s Park.

Section 1450. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Momence for costs associated with renovations to the City Hall building.

Section 1455. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Monteno for costs associated with renovations to the nursing training center.

Section 1460. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Southland Health Care Forum for costs associated with infrastructure improvements.

Section 1465. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Oaks Center for Sustainable Renewal Living, NFP for costs associated with purchase and development of an Aquaculture Operation System.

Section 1500. The sum of $126,433, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park District of Highland Park for costs associated with construction of a lakefront pavilion.

Section 1505. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Partners for Affordable Housing for costs associated with the purchase and/or renovations of facilities.

Section 1510. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the PADS Lake County for costs associated with infrastructure improvements.

Section 1515. The sum of $3,480, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glencoe for costs associated with repairs and maintenance to Stone Bridge rails on Sheridan Road.

Section 1520. The sum of $183,119, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Bluff for costs associated with the installation of signal lights on North Shore Drive.

Section 1525. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with repairs and maintenance to Kensington Road.

Section 1530. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the
Village of Palatine for costs associated with pedestrian signals at Rand and Hicks Roads.

Section 1535. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highwood for costs associated with road improvements.

Section 1540. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Keshet for costs associated with renovations of a teaching kitchen.

Section 1545. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia for costs associated with the purchase and/or renovations to a new residential building.

Section 1550. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish United Fund for costs associated with replacing elevators at the Weinberg Campus facility in Deerfield.

Section 1555. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Barnes Jewish Hospital for costs associated with lab upgrades at Alton Memorial Hospital.

Section 1560. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Counseling Center located in Alton for costs associated with building improvements.

Section 1565. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Township High School District 214 for costs associated with equipment.
purchases and/or infrastructure improvements for the Career and Tech Education program at Wheeling High School.

Section 1570. The sum of $30,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1570 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YWCA of Alton for costs associated with renovations to the facility.

Section 1575. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lewis & Clark Society of America, Inc. for costs associated with waterline improvements and picnic shelter upgrades at the Hartford State Historic Site.

Section 1580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for costs associated with lift station repairs and improvements.

Section 1585. The sum of $3,452, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1585 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mitchell Public Water District for costs associated with water line relocation.

Section 1590. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Anthony’s Health Center for costs associated with lab system and diagnostic improvements.
Section 1595. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The William M. BeDell Achievement & Resource Center for costs associated with building improvements.

Section 1600. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1600 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Alton for costs associated with Phase Three of the Fosterberg Road Repair.

Section 1610. The sum of $538,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bethalto for costs associated with improvements to West Corbin Avenue.

Section 1615. The sum of $310,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Alton for costs associated with road repairs from Shamrock Avenue to St. Louis Avenue.

Section 1620. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Worden Public Library for costs associated with various capital upgrades.

Section 1625. The sum of $5,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1625 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maryville for costs associated with waterline improvements from Illinois Route 157 to Stonebridge Drive.

Section 1637. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1637 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Carbon for costs associated with water and drainage improvements.

Section 1640. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Collinsville for costs associated with the construction of a well for water distribution.

Section 1645. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairview Heights for costs associated with general infrastructure improvements within the city.

Section 1650. The sum of $42,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pontoon Beach for costs associated with land acquisition, development of a park, and general infrastructure improvements.

Section 1655. The sum of $31,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Collinsville Township Highway

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Department for costs associated with repair, resurfacing, and infrastructure needs of Lakeview Acres, Rex’s Drive, Meyer Drive and Wilson Heights.

Section 1670. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Edwardsville for costs associated with infrastructure improvements and streetscape in the historic district.

Section 1675. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for costs associated with infrastructure improvements located within the City of Belleville.

Section 1685. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East St. Louis for costs associated with infrastructure improvements located within the City of East St. Louis.

Section 1690. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1690 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Centreville for costs associated with infrastructure improvements located within the City of Centreville.

Section 1695. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1695 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Decatur for costs associated with infrastructure improvements located within the City of Decatur.
Economic Opportunity for a grant to the City of Swansea for costs associated with infrastructure improvements located within the City of Swansea.

Section 1700. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for costs associated with infrastructure improvements located within the City of Madison.

Section 1705. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1705 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for costs associated with infrastructure improvements located within the City of Granite City.

Section 1710. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Millstadt for costs associated with infrastructure improvements located within the City of Millstadt.

Section 1715. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1715 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Brooklyn for costs associated with infrastructure improvements located within the City of Brooklyn.

Section 1720. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1720 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alorton for costs associated with infrastructure improvements located within the City of Alorton.

Section 1721. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1721 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alorton for costs associated with infrastructure improvements located within the City of Alorton.

Section 1725. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1725 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Washington Park for costs associated with infrastructure improvements located within the Village of Washington Park.

Section 1730. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Caseyville for costs associated with infrastructure improvements located within the City of Caseyville.

Section 1735. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mascoutah for costs associated with infrastructure improvements located within the City of Mascoutah.

Section 1740. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
4, Section 1740 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairview Heights for costs associated with infrastructure improvements located within the City of Fairview Heights.

Section 1745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shiloh for costs associated with infrastructure improvements located within the City of Shiloh.

Section 1747. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1747 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Venice Township/Eagle Park for costs associated with infrastructure improvements located within Venice Township/Eagle Park.

Section 1750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1750 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sauget for costs associated with infrastructure improvements located within the City of Sauget.

Section 1760. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for costs associated with capital improvements to Goethe Elementary School.

Section 1763. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Freeburg for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

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Section 1765. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithton for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 1768. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for all costs associated with reconstruction of manholes.

Section 1770. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1770 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with the renovation of the Armitage Family Health Center.

Section 1775. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Erie Family Health Center for costs associated with site improvements to the Erie Helping Hands Health Center.

Section 1785. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public Library for construction of a new Independence Park Library.

Section 1800. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1800 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Pastoral Action Center,
Inc. for construction and renovation of a Holistic Family Wellness Center at the Chicago Midwest location.

Section 1805. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts & Culture for construction of a world-class museum and Fine Arts Center.

Section 1810. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1810 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brentano Math and Science Academy for costs associated with site improvements.

Section 1815. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Healthcare Alternative Systems for costs associated with the renovation of a drug rehab center and technology center.

Section 1830. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1830 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ignatia House for costs associated with renovation of half-way home for women.

Section 1835. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1835 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with Logan Square Boulevard Renovation.
Section 1840. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1840 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with infrastructure improvements at the Avondale Park Field House.

Section 1845. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of new stop light systems located at Devon and Greenview, Peterson and Ravenswood, and Foster and Albany through the Chicago Department of Transportation.

Section 1855. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations and improvements at Clarendon Park.

Section 1860. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Augustine College for costs associated with infrastructure improvements.

Section 1865. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations and improvements to Leone Park Beach Field House.

Section 1880. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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4, Section 1880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for costs associated with renovations and improvements at Ravenswood Elementary School located at 4332 North Paulina Street in Chicago.

Section 1885. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1885 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Alliance Marjorie Kovler Center for costs associated with facility renovations.

Section 1890. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Epworth United Methodist Church for costs associated with renovations and improvements to the facility’s Community House.

Section 1895. The sum of $126,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Test Positive Aware Network for costs associated with renovations at their facility to include all bondable costs.

Section 1910. The sum of $50,387, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago House and Social Service Agency for costs associated with infrastructure improvements.

Section 1930. The sum of $750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1930 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1950. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1960. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1965. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1970. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1975. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1980. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

Section 1985. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with river front improvements.

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Section 2005. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bedford Park for costs associated with capital improvements.

Section 2010. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of McCook for costs associated with capital improvements.

Section 2015. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Burbank for costs associated with capital improvements.

Section 2020. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 13th Ward.

Section 2025. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 14th Ward.

Section 2030. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for costs associated with capital improvements to the public works facility.

Section 2035. The sum of $175,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 23rd Ward.

Section 2040. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at parks.

Section 2045. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Odilo Elementary School for costs associated with renovation and improvements to the facility.

Section 2050. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicagoland Czech-American Association for costs associated with capital improvements to the Community Service Center.

Section 2055. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Chamber of Commerce for costs associated with capital improvements.

Section 2060. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Community Council for costs associated with capital improvements.

Section 2062. The sum of $3,750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2062 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for costs associated with capital improvements.

Section 2065. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Latinos Progresando for costs associated with infrastructure improvements to the Community Service Center.

Section 2070. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Math and Science Academy for costs associated with renovations to the residence halls.

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Section 2075. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to El Valor for costs associated with infrastructure improvements to the Community Service Center.

Section 2078. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Universidad Popular for costs associated with infrastructure improvements to the Community Service Center.

Section 2080. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2080 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oswego for costs associated with streetscaping.

Section 2090. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services, Inc. for costs associated with the construction of a rehabilitation facility.

Section 2095. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the First Tee for costs associated with capital improvements.

Section 2100. The sum of $170,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Troy Fire Protection District for costs associated with the construction of a fire station.

Section 2105. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2105 of Public Act 97-0725, as amended, is reappropriated...
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for costs associated with construction of a Early Childhood Care and Education Center.

Section 2110. The sum of $130,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Mathematics and Science Academy for costs associated with capital improvements to residence halls.

Section 2115. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Focus for costs associated with the renovation of facilities for immigration services.

Section 2120. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora University for costs associated with the construction of a new STEM school.

Section 2125. The sum of $62,552, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Adeline Geo-Karis State Park for costs associated with capital improvements.

Section 2140. The sum of $175,836, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youthbuild Lake County for costs associated with construction affordable housing units.

Section 2145. The sum of $57,967, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Village of Beach Park for costs associated with watermain extensions within the village.

Section 2195. The sum of $25,941, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arbor Park School District No. 145 for costs associated with repairs and renovations to facilities.

Section 2205. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for costs associated with renovations to facilities.

Section 2210. The sum of $26,625, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Markham Park District for costs associated with repairs and renovations to facilities and parking lots.

Section 2215. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Country Club Hills for costs associated with renovations to facilities.

Section 2220. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for costs associated with construction of a roadway bridge on Matteson Avenue.

Section 2225. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crests for costs associated with renovations to facilities.

Section 2245. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
4, Section 2245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grand Prairie Services for costs associated with construction of the Outpatient Behavioral Healthcare Facility.

Section 2250. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2250 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grand Prairie Services for costs associated with construction of the Outpatient Behavioral Healthcare Facility.

Section 2260. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 2260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban College for costs associated with repairs and maintenance to the roof at the facility.

Section 2270. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Major Crimes Task Force for costs associated with renovations to facilities.

Section 2275. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flossmoor for costs associated with engineering and reconstruction of the Brookwood Bridge Deck.

Section 2285. The sum of $155,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for costs associated with construction and maintenance projects within the Village of Hazel Crest.
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Olympia Fields for costs associated with installation of Handicap Sidewalk Ramps.

Section 2295. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Olympia Fields for costs associated with renovations to facilities.

Section 2300. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rich Township for costs associated with renovations to facilities.

Section 2305. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for costs associated with renovations to facilities.

Section 2325. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 2325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Prairie Hills School District 144 for costs associated with the purchase of an air conditioner at Prairie Hills Jr. High School, including any prior incurred costs.

Section 2330. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2330 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richton Park for costs associated with brownfield and leaking underground storage tank remediation.

Section 2350. The sum of $6,860, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Council on
Substance and Alcohol Abuse for costs associated with repairs to the facility.

Section 2365. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ada S. McKinley Community Services for costs associated with renovations to the Ersula Howard Childcare Center.

Section 2370. The sum of $190,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hyde Park Neighborhood Club for costs associated with infrastructure improvements.

Section 2375. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Allendale Association for costs associated with facility replacement.

Section 2385. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with repairs to the Rainbow Beach and Park.

Section 2390. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with repairs to the Russell Square Park.

Section 2400. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
4, Section 2400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with repairs to the Harold Washington Park.

Section 2405. The sum of $210,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Kelly Park.

Section 2410. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Organization of the Southwest for costs associated with capital improvements.

Section 2420. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United Business Association of Midway for costs associated with capital improvements.

Section 2425. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Environmental Justice Organization for costs associated with capital improvements.

Section 2430. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brighton Park Neighborhood Council for costs associated with capital improvements.

Section 2435. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with capital improvements to the Garfield Ridge Senior Center.

Section 2450. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements to Kenwood Academy.

Section 2455. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 2455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements at Reavis Elementary School.

Section 2460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Metropolis Convention and Tourism Council for costs associated with renovations to the facility.

Section 2465. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edward G. Irvin Foundation for costs associated with acquisition and renovation of a facility.

Section 2470. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the ETA Creative Arts Foundation for costs associated with construction and renovation to the facility located at 7558 S. South in Chicago.

Section 2485. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund for costs associated with acquisition and renovation of property located at 6946 S. Stony Island Avenue in Chicago.

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Section 2500. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Chicago YMCA for costs associated with renovations to the facility.

Section 2503. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2503 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovation of the Booker Family Health Center.

Section 2510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centers for New Horizons for costs associated with renovations to the Elam House.

Section 2515. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Friend Family Health Center for costs associated with expansion and renovation of the facility.

Section 2520. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harris Park Advisory Council for costs associated with renovations to the facility.

Section 2530. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 2530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Featherfist Center for costs associated with development of the center.

Section 2545. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peggy Notebart Nature Museum for costs associated with construction of a Green City Market Structure.

Section 2560. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Back of the Yards Neighborhood Council for costs associated with capital improvements to the community center.

Section 2562. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2562 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services of Elgin for costs associated with renovations to the facility.

Section 2630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Garfield Park Gators for all costs associated with general infrastructure.

Section 2633. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the AFC Community Development Corporation for all costs associated with capital improvements.
Section 2635. The sum of $750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Garfield Park Little League for all costs associated with general infrastructure.

Section 2670. The sum of $110,491, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for costs associated with general infrastructure improvements, including prior incurred costs.

Section 2675. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Worldwide Family Center for all costs associated with capital improvements.

Section 2700. The sum of $4,121,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southern Illinois University Edwardsville School of Dental Medicine for costs associated with a construction and renovation of a laboratory.

Section 2715. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2715 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincoln Park Conservancy Center for costs associated with construction of a North Pond Rustic Pavilion.

Section 2720. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2720 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Howard Brown Health Center for costs associated with infrastructure improvements.

Section 2730. The sum of $252,374, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for costs associated with technology infrastructure improvements.

Section 2735. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the AIDS Foundation of Chicago for costs associated with facility improvements.

Section 2740. The sum of $5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2740 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to Kankakee Community College for costs associated with infrastructure improvements.

Section 2745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the County of Macoupin for costs associated with capital improvements to the courthouse.

Section 2765. The sum of $59,778, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the County of Greene for costs associated with capital improvements to the courthouse.

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Section 2775. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Pike for costs associated with capital improvements to the courthouse.

Section 2800. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2800 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Coffeen for costs associated with City Hall repairs.

Section 2810. The sum of $96,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2810 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greenfield Community Unit District 10 for costs associated with the purchase of bleachers.

Section 2815. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Royal Lakes for costs associated with infrastructure improvements.

Section 2845. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Modesto for cost associated with the replacement of fire hydrants and gate valves.

Section 2860. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2860 of Public Act 97-0725, as amended, is reappropriated.
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greenfield Community Unit District 10 for costs associated with the purchase of a portable wheelchair lift.

Section 2895. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bunker Hill for costs associated with various capital improvements throughout the city.

Section 2905. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2905 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Royal Lakes for costs associated with capital improvements to Royal Lakes Community Center and gym.

Section 2918. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2918 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bunker Hill for costs associated with infrastructure improvements.

Section 2920. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2920 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with the purchase of exam room equipment for the Access Alma Family Health Center located at 318 West Madison Street in Maywood.

Section 2925. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2925 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovations and repairs to the Access West Division located at 4401 West Division Street in Chicago.

Section 2940. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovations and repairs to the Access West Division located at 4401 West Division Street in Chicago.

Section 2945. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of West Cook County for all costs associated with renovations and repairs to the facility.

Section 2950. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of West Cook County for all costs associated with renovations and repairs to the facility.

Section 2955. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for costs associated with masonry repairs at City Hall and the Fire Department.

Section 2965. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for costs associated with masonry repairs at City Hall and the Fire Department.

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Economic Opportunity for a grant to the Pleasant Ridge Missionary Baptist Church for costs associated with construction of a new training and educational development center located at 112 South Central Avenue in Chicago.

Section 2975. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso Township for costs associated with the purchase of new equipment including a new HVAC system for the township’s office building.

Section 2985. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Resource Center for Westside Communities for costs associated with the purchase and renovation of foreclosed properties for low-income housing.

Section 2990. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2990 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside for costs associated with renovations and repairs to the North Riverside Civic Center.

Section 2995. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 2995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vision of Restoration, Inc. for costs associated with the development of the Rock Heritage Center.

Section 3005. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3005 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Hamilton Park.

Section 3010. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations to the bathrooms at Harris Memorial Park.

Section 3015. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Hayes Park.

Section 3020. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for capital improvements at Mahalia Jackson Park.

Section 3030. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with street resurfacing on 87th Street from Ashland Avenue to Pulaski Road.

Section 3031. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for costs associated with construction of a dog park.

Section 3035. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with...
Economic Opportunity for a grant to the City of Chicago for costs associated with the renovation of viaducts at 79th Street and 75th Street.

Section 3045. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Auburn Gresham Development for costs associated with the purchase and renovation of a facility.

Section 3050. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations to the Dawes Park Ball Field.

Section 3060. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3060 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Direction Outreach for costs associated with construction of a family enrichment center.

Section 3065. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3065 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Lawn Park District for costs associated with capital improvements to Worthbrook Park.

Section 3070. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Lawn Park District for costs associated with capital improvements at Centennial Park.
Section 3073. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3073 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Auburn Gresham Development Corporation for costs associated with infrastructure improvements and development at the Metra Station located at 79th Street and Fielding Avenue, Chicago.

Section 3085. The sum of $4,373, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Justice for costs associated with road improvement projects within the village.

Section 3090. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Henry’s Sober Living House for costs associated with renovations at the facility located at 7143 South Harvard in Chicago.

Section 3095. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Inner-City Muslim Action Network for costs associated with a feasibility study for capital improvements at Marquette Park.

Section 3100. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blandinsville Senior Citizens

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Organization for costs associated for acquisition and renovation of a new facility.

Section 3105. The sum of $13,587, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cass County for costs associated with bridge construction.

Section 3110. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3110 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the city of Beardstown for costs associated with resurfacing Sixth Street from US 67 to Arenz Street and Arenz Street from Sixth Street to Main Street.

Section 3120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Colchester for costs associated with sewer system improvements.

Section 3130. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hamilton for costs associated with sewer system improvements.

Section 3135. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Havana for costs associated with the storm and sanitary sewer improvements.
Section 3150. The sum of $8,979, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Nauvoo for costs associated with water system improvements.

Section 3155. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Winchester for costs associated with Commercial Street Structure Replacement.

Section 3160. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fairview Fire Protection District for costs associated with construction of a storage facility.

Section 3165. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulton County Health Department for costs associated with construction of a dental facility, including prior incurred costs.

Section 3170. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hancock County for costs associated with Basco Road Truck Route connecting US 336 and IL 96.

Section 3185. The sum of $5,620, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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4, Section 3185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kirkwood Village for costs associated with construction of shallow well.

Section 3190. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of London Mills for costs associated with infrastructure improvements.

Section 3195. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McDonough County for costs associated with road improvements.

Section 3200. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McDonough County for costs associated with Courthouse roof repair.

Section 3205. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Sterling for costs associated with road improvements.

Section 3220. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Colchester for costs associated with capital improvements.

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Section 3225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roseville for costs associated with sewer repairs.

Section 3230. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3230 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Roseville Fire Protection District for costs associated with construction of a new fire station.

Section 3235. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rushville for costs associated with Brick Streets Reconstruction Projects.

Section 3240. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schuyler County Highway Department for costs associated with improvements and repairs.

Section 3255. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alsey for costs associated with water system improvements.

Section 3270. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3270 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Biggsville for costs associated with water system improvements.

Section 3275. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluffs for costs associated with replacement of a ground storage tank.

Section 3280. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Easton for costs associated with road improvements.

Section 3295. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oquawka for costs associated with storm sewer improvements.

Section 3300. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Versailles for costs associated with sidewalk repair and replacement.

Section 3315. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dallas City for costs associated with roadway maintenance and repairs.
Section 3320. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bushnell for costs associated with sewer system improvements.

Section 3325. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Astoria for costs associated with roadway maintenance and repairs.

Section 3335. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manito for costs associated with wastewater improvements.

Section 3345. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mason City for costs associated with wastewater improvements.

Section 3350. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Camp Point for costs associated with wastewater improvements.

Section 3355. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3355 of Public Act 97-0725, as amended, is reappropriated.
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Liberty for costs associated with renovations and repairs to the City Hall building.

Section 3370. The sum of $23, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Park Community Center for costs associated with building improvements to the Center in Joliet.

Section 3380. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greater Joliet Area YMCA for costs associated with construction of an outdoor complex.

Section 3395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Will County Historical Society for costs associated with renovations to the facility.

Section 3405. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Bolingbrook for costs associated with infrastructure improvements.

Section 3410. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Channahon for costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 3415. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crest Hill for costs associated with infrastructure improvements.

Section 3425. The sum of $6,747, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Joliet for costs associated with the Mound Road Overlay project.

Section 3430. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Joliet for costs associated with the Rialto Square Theater—University of St. Francis Downtown Campus Project.

Section 3435. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Joliet for costs associated with the Eastside Water Treatment Facility Plant Outfall Project.

Section 3440. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lockport for costs associated with infrastructure improvements.

Section 3450. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
Section 3450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockdale for costs associated with infrastructure improvements.

Section 3452. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3452 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for costs associated with infrastructure improvements.

Section 3455. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shorewood for costs associated with construction of a Veteran’s Memorial.

Section 3460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage Township for costs associated with infrastructure improvements.

Section 3465. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Green Garden Township Highway Department for costs associated with infrastructure improvements.

Section 3470. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Jackson Township for costs associated with infrastructure improvements.

Section 3475. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joliet Township for costs associated with renovations to the Joliet Township Animal Control building.

Section 3480. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lockport Township for costs associated with infrastructure improvements.

Section 3485. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Manhattan Township for costs associated with infrastructure improvements.

Section 3490. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Troy Township for costs associated with infrastructure improvements.

Section 3515. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Romeoville Parks and Recreation for costs associated with construction and renovation of park trails.
Section 3523. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3523 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services, Inc. for costs associated with construction and renovation of facilities in Will County.

Section 3525. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preserve District of Will County for costs associated with infrastructure improvements.

Section 3530. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Joliet Arsenal Development Authority for costs associated with planning costs associated with capital improvements.

Section 3535. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for costs associated with the purchase and installation of a generator for the village hall building.

Section 3540. The sum of $65,293, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for costs associated with the purchase and installation of a generator for the police department building.

New matter indicated by italics - deletions by strikeout
Section 3542. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3542 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for costs associated with the purchase and installation of an HVAC system for the public works building.

Section 3545. The sum of $21,978, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations to the Henry R. Clissold School.

Section 3550. The sum of $79,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations of the fire alarms system at Henry R. Clissold School.

Section 3555. The sum of $36,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations to the student lockers at Henry R. Clissold School.

Section 3560. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations of the LAN power distributor at Henry R. Clissold School.

New matter indicated by italics - deletions by strikeout
Section 3565. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations to the Fort Dearborn Elementary School.

Section 3570. The sum of $80,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverdale for costs associated with road and infrastructure improvements.

Section 3575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with replacing the HVAC system at the Kaptur Administrative Center.

Section 3580. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with renovations and improvements to the Historic Recreation Center.

Section 3585. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3585 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with construction of a railroad quiet zone at 86th Street and 127th Street.

Section 3590. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
4, Section 3590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with installation of traffic light signals at Creek Road and Illinois Route 45.

Section 3595. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with renovations to the McCord House.

Section 3615. The sum of $17,701, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of street lights within the 34th Ward.

Section 3620. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with infrastructure improvements within the 34th Ward.

Section 3625. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3625 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of street lights within the 9th Ward.

Section 3630. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs

New matter indicated by italics - deletions by strikeout
Section 3635. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for costs associated with construction and renovation of the Salt dome.

Section 3645. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Park Recreation Center for costs associated with renovations to the facility.

Section 3650. The sum of $61,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for infrastructure improvements and street lights.

Section 3655. The sum of $33,375, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for costs associated with infrastructure improvements to sidewalks within the 6th Ward.

Section 3660. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3660 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blue Island Park District for costs associated with capital improvements to parks.

New matter indicated by italics - deletions by strikeout
Section 3665. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3665 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Township for costs associated with capital improvements within the township and purchase of property.

Section 3670. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Midlothian Park District for costs associated with capital improvements.

Section 3675. The sum of $48,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for costs associated with capital improvements in parks throughout the village of Crestwood.

Section 3680. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3680 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for costs associated with infrastructure improvements to sidewalks.

Section 3685. The sum of $33,375, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for costs associated with infrastructure improvements to sidewalks within the 7th Ward.

New matter indicated by italics - deletions by strikeout
Section 3690. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3690 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cornerstone Chicago for costs associated with the renovation of Halfway House Recovery Home.

Section 3695. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3695 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bridge the Gap, Inc. for costs associated with capital improvement to that facility.

Section 3700. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Township for costs associated with general infrastructure for the Blue Island Little League.

Section 3705. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3705 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for costs associated with capital improvements.

Section 3710. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blue Island Fire Department for costs associated with infrastructure improvements at that facility.

Section 3715. The sum of $85,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the...
Developing Community Projects, Inc. for costs associated with capital improvements to their facility.

Section 3720. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3720 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Forest Park District for costs associated with infrastructure improvements.

Section 3725. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3725 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for costs associated with infrastructure improvements to sidewalks within the village.

Section 3735. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bremen Township for costs associated with infrastructure improvements within the township.

Section 3740. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary Perpetual Health for costs associated with capital improvements.

Section 3745. The sum of $800,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Back of the Yards Neighborhood Council for costs associated with the construction of a community center.

Section 3750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3750 of Public Act 97-0725, as amended, is reappropriated by italics - deletions by strikeout
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Our Lady of Good Counsel Church for costs associated with the purchase and installation of a new heating and cooling unit for the Blessed Sacrament Youth Program.

Section 3755. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Namaste Charter School for costs associated with capital improvements.

Section 3760. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bridgeport Catholic Academy for costs associated with capital improvements.

Section 3765. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Gull Parish for costs associated with capital improvements.

Section 3768. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Bruno Parish for costs associated with capital improvements.

Section 3770. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blessed Sacrament Parish for costs associated with capital improvements.

Section 3773. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Jerome Parish for costs associated with capital improvements.

Section 3775. The sum of $186,872, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Officer Donald Marquez Charter School for costs associated with the development of a soccer field.

Section 3780. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 3780 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mujeres Latinas En Acción for costs associated with capital development and neighborhood improvements.

Section 3785. The sum of $383,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Louis L. Valentine Boys and Girls Club of Chicago for costs associated with renovations and repairs to the facility.

Section 3790. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the General Robert E. Woods Boys and Girls Club of Chicago for costs associated with capital improvements at the facility.

Section 3795. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rauner Family YMCA for costs associated with capital improvements at the facility.

Section 3805. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Saint Paul Parish for costs associated with capital improvements at the facility located at 2127 W. 22nd Place, Chicago.

Section 3810. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3810 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Ann Catholic School for costs associated with capital improvements at the school.

Section 3815. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Brighton Park Neighborhood Council for costs associated with capital improvements at the facility.

Section 3820. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Barbara Church for costs associated with capital improvements.

Section 3823. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Bridgeport VFW Post 5079 for costs associated with capital improvements.

Section 3825. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3825 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for costs associated with capital improvements to the Cabrini Family Health Center.

Section 3830. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3830 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centro De Salud Esperanza for costs associated with capital improvements at the facility.

Section 3835. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Nativity of Our Lord Church for costs associated with capital improvements.

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Section 3840. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3840 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements at DuSable High School.

Section 3845. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centers for New Horizons for facility upgrades at Elam House.

Section 3850. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3850 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Baptist Institute for costs associated with capital improvements to the library.

Section 3855. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bishop Shepard Little Memorial Center, Inc. for costs associated with the construction of a community center.

Section 3860. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Pancratius Parish for costs associated with capital improvements.

Section 3865. The sum of $215,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Chicago Park District for cost associated with the purchase and installation of lights at Washington Park.

Section 3870. The sum of $163,978, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3870 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gordie’s Foundation, Inc. for costs associated with construction and renovation to the existing facility.

Section 3875. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Urban League for costs associated with capital improvements.

Section 3880. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plano Child Development Center for costs associated with the purchase and rehabilitation of a building to expand the “Eye Can Learn” program.

Section 3885. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pope John Paul II Catholic School for costs associated with capital improvements.

Section 3888. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gloria Day Lutheran Church for costs associated with capital improvements.

Section 3890. The sum of $10,865, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ada S. McKinley Community

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Services, Inc. for costs associated with renovations of buildings located at 6033 South Wentworth Avenue and 2920 South Wabash Avenue.

Section 3895. The sum of $33,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daniel J. Nellum Youth Services, Inc. for costs associated with capital improvements to the facility.

Section 3910. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Union Missionary Baptist Church for costs associated with infrastructure improvements, including previously incurred costs.

Section 3920. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3920 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Park Baptist Church for costs associated with construction of the Senators Fred and Margaret Smith East of Eden Housing and Senior Services Center.

Section 3925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 3925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Melcalf Collection for costs associated with infrastructure improvements.

Section 3935. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3935 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Heights Park District for costs associated with park improvements.

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Section 3945. The sum of $267, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Heights School District for costs associated with the development and construction of a new middle school academy located at the corner of Dixie Highway and 10th Street, Chicago Heights.

Section 3950. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Momence for costs associated with the reconstruction of the water bank and sidewalk.

Section 3955. The sum of $137,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eastern Will County Senior Transit for costs associated with renovations and repairs to the facility.

Section 3960. The sum of $137,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloom Township for costs associated with capital improvements to the food pantry.

Section 3965. The sum of $155,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Aroma Park for costs associated with roadway and maintenance repairs.

Section 3970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3970 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Beecher for costs associated with renovations and improvements to the sewer plant.

Section 3975. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bradley for costs associated with the construction of a new fire station.

Section 3985. The sum of $45,389, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Flossmoor for costs associated with the replacement of streetlights in the Central Business District.

Section 3990. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3990 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for costs associated with the Forest Area water main replacement.

Section 3995. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 3995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Homewood for costs associated with renovations and improvements to the Village sewer system.

Section 4010. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Homewood for costs associated with the Forest Area water main replacement.
Economic Opportunity for a grant to the Village of Sauk Village for costs associated with renovations and repairs to Arrowhead and Carroll Parks.

Section 4020. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk Village for costs associated with renovations and repairs to Arrowhead and Carroll Parks.

Section 4025. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4025 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glenwood School for Boys for costs associated with facility improvements.

Section 4030. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4030 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Heights Youth Committee for costs associated with facility improvements.

Section 4035. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Area Project for costs associated with facility improvements.

Section 4040. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4040 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grand Prairie Services for costs associated with facility improvements.

Section 4045. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Star Services for costs associated with facility improvements.

Section 4050. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lynwood for costs associated with infrastructure improvements.

Section 4055. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4055 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloom Township for costs associated with infrastructure improvements.

Section 4060. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4060 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Chicago Heights for costs associated with infrastructure improvements.

Section 4065. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4065 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Washington Township for costs associated with infrastructure improvements.

Section 4070. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Kankakee Courthouse for costs associated with improvements to the courthouse.

Section 4080. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4080 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for costs associated with the renovation and expansion of the City Police Department.

Section 4090. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for costs associated with infrastructure improvements.

Section 4095. The sum of $66, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hephzibah Children’s Association for costs associated with renovations and repairs to the facility located at 946 N. Boulevard in Oak Park.

Section 4100. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Triton College for costs associated with renovations to facilities including roof replacement.

Section 4105. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Unity Temple Restoration Foundation for costs associated with the replacement of the HVAC system.

Section 4120. The sum of $900,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stone Park for costs associated with the construction of a public safety building.

Section 4125. The sum of $78,109, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincoln Park Zoo for capital improvements.

Section 4135. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for costs associated with infrastructure improvements.

Section 4140. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Norte for costs associated with infrastructure improvements at the facility.

Section 4145. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Northbrook for costs associated with the installation of traffic signals.

Section 4160. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Chicago for all
costs associated with the renovation of a building for Washington Park Arts.

Section 4165. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kwame Nkrumah Academy for costs associated with construction of a new facility.

Section 4170. The sum of $1,731,054, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Centers Inc. for Metro Prep Schools for costs associated with infrastructure improvements, including prior incurred costs.

Section 4185. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mendon for costs associated with water system improvements, including prior incurred costs.

Section 4190. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Steger for costs associated with the rehabilitation of water towers.

Section 4220. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Food and Shelter Foundation for costs associated with capital improvements.
Section 4230. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ambassadors for Christ Church for costs associated with capital improvements.

Section 4235. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Association Network for costs associated with capital improvements to facilities.

Section 4240. The sum of $86,646, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cleaner Greener Neighborhoods for costs associated with capital improvements.

Section 4300. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greater Galilee Missionary Baptist Church for costs associated with infrastructure improvements to the homeless services facility.

Section 4305. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Safer Foundation for costs associated with infrastructure improvements.

Section 4315. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Home of Life Community.
Development Corporation for costs associated with infrastructure improvements.

Section 4325. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Safe Cities, Inc. for all costs associated with capital improvements.

Section 4326. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4326 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Family Guidance Center for all costs associated with infrastructure improvements.

Section 4345. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Advantage Network for costs associated with infrastructure improvements, and/or the purchase of a building, to include all prior incurred costs.

Section 4350. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin People’s Action Center for costs associated with the purchase and renovation of foreclosed properties for low-income housing and the development and construction of a Women’s Wellness Center.

Section 4355. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4355 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bethel New Life, Inc. for costs associated with conversion of a six-story parking garage into low-income senior housing.
Section 4360. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ebenezer Community Outreach for costs associated with purchase, renovation, and repairs of facilities.

Section 4365. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Progressive Ministries for costs associated with renovations to the facility’s Community Service Room.

Section 4370. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso-Leyden Council for Community Action, Inc. for costs associated with replacement of the facility’s roof.

Section 4375. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Westside Holistic Family Services for costs associated with the relocation and renovation of Westside Alternative High School.

Section 4380. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maywood Fine Arts Association for costs associated with facility repairs and renovations.

Section 4385. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4385 of Public Act 97-0725, as amended, is reappropriated...
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kuiche Café and Culinary Arts Academy for costs associated with the purchase and renovation of facilities.

Section 4390. The sum of $281,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange Park for costs associated with the construction of a public works facility.

Section 4395. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Suder Montessori Magnet PTA School for all costs associated with general infrastructure.

Section 4410. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Saving Our Sons Ministries for costs associated with infrastructure improvements.

Section 4415. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Peace Center of Roseland for costs associated with infrastructure improvements at the facility.

Section 4420. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blue Island Police Department for costs associated with the purchase of an emergency generator.

Section 4425. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Impact Family Center for all costs associated with general infrastructure.

Section 4430. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with general infrastructure at John D. Shoop Academy of Math, Science and Technology.

Section 4435. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bridgeview for all costs associated with construction of a pedestrian safety fence.

Section 4440. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Central Community Services, Inc. for costs associated with renovations to the community swimming pool.

Section 4445. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for costs associated with infrastructure improvements to the village facility.

Section 4450. The sum of $290,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4450 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hometown for costs associated with street repairs.

Section 4455. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hometown for costs associated with street repairs.

Section 4460. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with renovations to Helen C. Peirce School of International Studies.

Section 4465. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 4465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ethiopian Community Association of Chicago, Inc. for costs associated with the purchase of an elevator.

Section 4475. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oquawka for road improvements.

Section 4480. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oquawka for road improvements.
Section 4485. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stronghurst for construction of a well.

Section 4490. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Plymouth for costs associated with well improvements.

Section 4495. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clayton for costs associated with sewer improvements.

Section 4500. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Human Resources Development Institute for costs associated with capital improvements.

Section 4505. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quinn Chapel AME Church for costs associated with capital improvements to the Fellowship Hall.

Section 4510. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from an appropriation heretofore made for such purpose in Article 4, Section 4510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Ensemble Theater for costs associated with capital improvements.

Section 4515. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for costs associated with capital improvements at South Shore High School.

Section 4520. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vandercook College of Music for costs associated with capital improvements.

Section 4525. The sum of $38,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Adler School of Professional Psychology for costs associated with capital improvements.

Section 4530. The sum of $97,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the National Public Housing Museum for costs associated with capital improvements.

Section 4535. The sum of $1,300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the National Public Housing Museum for costs associated with capital improvements.
Economic Opportunity for a grant to Community Counseling Centers of Chicago for costs associated with the purchase and renovation of a facility.

Section 4540. The sum of $1,385,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Counseling Centers of Chicago for costs associated with the purchase and renovation of a facility.

Section 4545. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Center for costs associated with infrastructure improvements to the facility, to include prior incurred costs.

Section 4550. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House for costs associated with infrastructure improvements to the facility.

Section 4555. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with construction of a play lot at W. School Street, to include prior incurred costs.

Section 4556. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4556 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to V.F.W. Post 8141 for all costs associated with infrastructure improvements.

Section 4557. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4557 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Butterfield Park District for all costs associated with infrastructure improvements to park facilities.

Section 4558. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4558 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulfilling Our Responsibility Unto Mankind (F.O.R.U.M.) for all costs associated with infrastructure improvements to the facility.

Section 4559. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 4, Section 4559 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Shore Hospital for all costs associated with infrastructure improvements.

Section 4565. The sum of $45,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lifescape Community Services for all costs associated with capital improvements.

Section 4570. The sum of $35,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Public Library for all costs associated with infrastructure upgrades to Sullivan Center.

Section 4575. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter Care Ministries for all costs associated with infrastructure repairs for a new homeless shelter for veterans.
Section 4580. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Rockford for all costs associated with the Carlson facility capital improvements.

Section 4585. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Booker Washington Center for all costs associated with infrastructure improvements.

Section 4595. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for People with Disabilities for all costs associated with capital improvements.

Section 4600. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Deicke Home for all costs associated with capital improvements.

Section 4605. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage and the Fox Valley Region for all costs associated with capital improvements.

Section 4610. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Brighton Park Elementary School.

Section 4615. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John C. Burroughs Elementary School.

Section 4620. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at

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improvements at Calmeca Academy of Fine Arts and Dual Language School.

Section 4625. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Nathan Davis Elementary School.

Section 4628. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Charles G. Hammond Elementary School.

Section 4630. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Thomas Kelly High School.

Section 4635. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Francisco I. Madero Middle School.

Section 4640. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Mariano Azuela Elementary School.

Section 4645. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Telpochcalli Elementary School.

Section 4648. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Mariano Azuela Elementary School.

Section 4650. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John C. Dore Elementary School.

Section 4653. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Robert L. Grimes Elementary School.

Section 4655. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Nathan Hale Elementary School.

Section 4660. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John Hancock College Preparatory High School.

Section 4665. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Gordon S. Hubbard High School.

Section 4670. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Edward N. Hurley Elementary School.

Section 4675. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John H. Kinzie Elementary School.

Section 4680. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Henry Lee Elementary School.

New matter indicated by italics - deletions by strikeout
Section 4685. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Queen of the Universe School for costs associated with infrastructure improvement.

Section 4695. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary Star of the Sea School for costs associated with infrastructure improvement.

Section 4700. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Symphorosa School for costs associated with infrastructure improvement.

Section 4705. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Turibius School for costs associated with infrastructure improvement.

Section 4710. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Nicholas of Tolentine School for costs associated with infrastructure improvement.

Section 4715. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Gall School for costs associated with infrastructure improvement.

Section 4720. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Rene Goupil School for costs associated with infrastructure improvement.

Section 4725. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Riverside/Brookfield High School for costs associated with infrastructure improvement.

Section 4730. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St.
Daniel the Prophet School for costs associated with infrastructure improvement.

Section 4740. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Irene C. Hernandez Middle School.

Section 4745. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Socorro Sandoval Elementary School.

Section 4750. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Farragut Career Academy High School.

Section 4755. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Lazaro Cardenas Elementary School.

Section 4780. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Blair Early Childhood Center.

Section 4785. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Adlai E. Stevenson Elementary School.

Section 4790. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at James Shields Elementary School.

Section 4795. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Enrico Tonti Elementary School.

Section 4800. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Ferdinand Peck Elementary School.

Section 4805. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Michael M. Byrne Elementary School.

Section 4810. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John F. Kennedy High School.

Section 4815. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Eric Solorio Academy High School.

Section 4825. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Louis Pasteur Elementary School.

Section 4830. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for costs associated with road and infrastructure improvements.

Section 4835. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Steger for costs associated with road and infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 4840. The sum of $130,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township High Schools District 205 for costs associated with infrastructure improvements to Thornton Township High School.

Section 4845. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Riverdale Park District for costs associated with infrastructure improvements to parks.

Section 4855. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Building Our Own Community for costs associated with infrastructure improvements to the food pantry.

Section 4860. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $106,094,825

ARTICLE 53
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Coalition for Immigrant and Refugee Rights for the John Donahue Immigrant Training Center.

Section 10. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for an ADA compliant building at Whittier Elementary School.

Section 15. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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5, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Casa for the Fallen Police Memorial in Pilsen.

Section 25. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Alivio Medical Center for costs to expand the Western Avenue clinic.

Section 30. The sum of $44,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Federacion de Clubes Michoacanos en Illinois for infrastructure improvements.

Section 40. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 40 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Ann Catholic School for building improvements.

Section 45. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 45 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mujeres Latinas en Accion for general infrastructure.

Section 55. The sum of $21,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dorman Dunn Chapter of Veterans of Foreign Wars for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 60. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 60 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 0547 Dorman Dunn Post for general infrastructure.

Section 65. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovation of a soccer field at Ames Middle School.

Section 70. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 70 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for restroom renovations at Nixon Elementary School.

Section 75. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure renovations at Prosser Career Academy.

Section 80. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations to the track at Steinmetz Academic Centre.

Section 85. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 85 of Public Act 97-0725, as amended, is reappropriated from

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the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations to the restrooms at Hanson Park Stadium.

Section 105. The sum of $300,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with construction of a playground at Mary Lyons Elementary School.

Section 115. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Seeds of Hope, Incorporated for general infrastructure improvements at the facility on Fullerton Avenue.

Section 120. The sum of $300,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago International Charter School for all costs associated with a gymnasium.

Section 140. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems for the expansion of facilities.

Section 150. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for general infrastructure.

Section 165. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to St. Anthony’s Health Center for a lab system and diagnostic improvements.

Section 180. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Roxana for general infrastructure.

Section 210. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alton Memorial Hospital for a lab upgrade.

Section 215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alton Township for general infrastructure.

Section 225. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for general infrastructure.

Section 235. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Choteau Nameoki Venice for the drainage district, tree removal, and ditch improvements.

Section 245. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the William BeDell Center for building improvements.

New matter indicated by italics - deletions by strikeout
Section 265. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for clean up of the Eagle Monument, new lighting, and other upgrades in Logan Square.

Section 270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems, Inc. for façade renovation.

Section 275. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts and Culture for completion of museum construction.

Section 290. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspira Incorporated of Illinois for construction of new school facilities.

Section 300. The sum of $165,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for field house improvements at Koscinszko Park.

Section 305. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 305 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bickerdike Redevelopment Corporation for the construction of affordable housing at Zapata Apartments.

Section 310. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bickerdike Redevelopment Corporation for the construction of affordable housing at Zapata Apartments.

Section 315. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for field house improvements at Kelvyn Park.

Section 320. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for general infrastructure in the 31st Ward.

Section 325. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Pastoral Action Center for general infrastructure.

Section 330. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 330 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Kelvyn Park High School.

New matter indicated by italics - deletions by strikeout
Section 335. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blackhawk College for energy efficient infrastructure upgrades.

Section 345. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rend Lake Conservancy District for infrastructure improvements.

Section 355. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 355 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stonefort for infrastructure improvements.

Section 360. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ziegler for infrastructure improvements.

Section 365. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Freeman Spur for infrastructure improvements.

Section 375. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 375 of Public Act 97-0725, as amended, is reappropriated from

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the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crainville for infrastructure improvements.

Section 380. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North City for infrastructure improvements.

Section 390. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marion for infrastructure improvements.

Section 400. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bush for infrastructure improvements.

Section 405. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cambria for infrastructure improvements.

Section 410. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carterville for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 415. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Franklin County for infrastructure improvements.

Section 420. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ewing for infrastructure improvements.

Section 430. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sesser for historical and infrastructure improvements.

Section 435. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Creal Springs for infrastructure improvements.

Section 440. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hurst for infrastructure improvements.

Section 445. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 445 of Public Act 97-0725, as amended, is reappropriated from

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the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanaford for infrastructure improvements.

Section 450. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thompsonville for infrastructure improvements.

Section 455. The sum of $2,111, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pittsburgh for infrastructure improvements.

Section 460. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spillertown for infrastructure improvements.

Section 465. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Orient for infrastructure improvements.

Section 470. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crab Orchard for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 475. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West City for infrastructure improvements.

Section 485. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Williamson County Airport Authority for infrastructure improvements.

Section 505. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Advocate Christ Medical Center for the renovation and expansion of the Pediatric Emergency Care Center.

Section 510. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Company of Mary Hospital for a hospital construction project.

Section 525. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Lawn Public Library for repairs to equipment.

Section 530. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 530 of Public Act 97-0725, as amended, is reappropriated from

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the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Evergreen Park Public Library for
technological upgrades.

Section 540. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
5, Section 540 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Chicago Ridge Public Library for
technological upgrades.

Section 545. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
5, Section 545 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Metropolitan Family Services for
infrastructure improvements.

Section 555. The sum of $18,750, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
5, Section 555 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Chicago Park District for
construction, repairs, and improvements to O'Hallaren Park.

Section 560. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
5, Section 560 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Village of Evergreen Park for
playground improvements at Klein Park.

Section 600. The sum of $450,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article
5, Section 600 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the City of Chicago for general
infrastructure in the 4th Ward.

New matter indicated by italics - deletions by strikeout
Section 605. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sewer projects and general infrastructure in the 20th Ward.

Section 610. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Walter McCrone Industries for general infrastructure.

Section 615. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Center for New Horizons for general infrastructure.

Section 620. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to United Services of Chicago for general infrastructure.

Section 625. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 625 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois for general infrastructure.

Section 630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 630 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuSable Museum of African American History for general infrastructure.

Section 635. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edward G. Irvin Foundation for general infrastructure.

Section 645. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paramount Arts Centre for repair and renovation of the Paramount Theatre.

Section 650. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 655. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for repairs to Downer Place Bridge.

Section 665. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 665 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Moecherville Fire Department for construction and infrastructure improvements.

Section 680. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 680 of Public Act 97-0725, as amended, is reappropriated from

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the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Montgomery for infrastructure improvements, to include all prior incurred costs.

Section 690. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 690 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Aurora School District 131 for infrastructure updates to technology and equipment.

Section 705. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 705 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Area Project for infrastructure improvements.

Section 725. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 725 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Vernon Baptist Church for construction of a commercial kitchen at the JLM Abundant Life Center.

Section 730. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haven of Rest Missionary Baptist Church for building improvements and renovations of the John Conner Fellowship Hall and Community Center.

Section 735. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for improvements to the pool and gym at the South Chicago YMCA.

New matter indicated by italics - deletions by strikeout
Section 740. The sum of $59,507, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 740 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calvary Baptist Church in Chicago for infrastructure improvements at the Complex and Gymnasium.

Section 745. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Xi Lambda Chapter of A Phi A, Inc. for installation and renovation of Americans with Disabilities Act (ADA) accessible improvements.

Section 755. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 755 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hegewisch Chamber of Commerce for renovations to the chamber office building.

Section 760. The sum of $205,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 760 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for decorative street lights in eight blocks in the 8th Ward.

Section 765. The sum of $63,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Causa Community Committee for facility renovations.

Section 770. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 770 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hegewisch Community Committee for interior rehabilitations.

Section 800. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 800 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hegewisch Community Committee for interior rehabilitations.

Section 805. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hoffman Estates Park District for all costs associated with construction and installation of playground equipment at Eisenhower Middle School.

Section 815. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Streamwood Park District for all costs associated with a new indoor running track at Park Place.

Section 820. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 820 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Women in Need Growing Stronger (WINGS) for renovations and construction of a domestic violence shelter.

Section 825. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 825 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Roosevelt University for construction of a pharmacy school.

Section 845. The sum of $14,160, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Streamwood Park District for infrastructure improvements at Hoosier Grove Park.

Section 850. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 850 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Don Nash Park.

Section 855. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Rainbow Beach and Park.

Section 860. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Russell Square Park.

Section 865. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Veterans Memorial Park.

Section 870. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 870 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Veterans Memorial Park.
New matter indicated by italics - deletions by strikeout

Economic Opportunity for a grant to the Chicago Park District for water feature rehabilitation to Harold Washington Park.

Section 875. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Robert A. Black Magnet School.

Section 880. The sum of $100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Bouchet Elementary Math & Science Academy.

Section 885. The sum of $38,052, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 885 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Myra Bradwell Communications Arts and Sciences Elementary School.

Section 890. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Canter Middle School.

Section 895. The sum of $31, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Andrew Carnegie Elementary School.

New matter indicated by italics - deletions by strikeout
Section 900. The sum of $3,392, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 900 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Harte Elementary School.

Section 905. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 905 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Mireles Elementary Academy.

Section 910. The sum of $40, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Ninos Heroes Elementary Academic Center.

Section 925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at New Sullivan School.

Section 930. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Wadsworth Elementary School.

Section 935. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 935 of Public Act 97-0725, as amended, is reappropriated from
the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Kenwood Academy High School.

Section 940. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Hyde Park Academy High School.

Section 945. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for traffic intersection upgrades at 59th and Cornell Drive.

Section 950. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for new traffic signals at 81st and Exchange Avenue.

Section 955. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ada S. McKinley Community Services Incorporated for renovations to the Ersula Howard Childcare Center.

Section 960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 960 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ada S. McKinley Community Services Incorporated for renovations to the Ersula Howard Childcare Center.
Services Incorporated for renovations to the South Chicago Neighborhood House.

Section 965. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Youth Centers for Crowe Center Building renovations.

Section 970. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 970 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Excellent Way Urban Outreach for renovations to the Excellent Way Homeless Shelter.

Section 975. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hyde Park Neighborhood Club for renovations.

Section 980. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 980 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Central Community Services Incorporated for renovations to the South Shore campus.

Section 985. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South East Alcohol and Drug Abuse Center for renovations.

Section 990. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 990 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for renovations to the South Chicago YMCA.

Section 995. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for renovations to the South Side YMCA.

Section 1000. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1000 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to ACCESS Community Health Network for physical plant improvements at Brandon Family Health Center.

Section 1005. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1005 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Technical and Education Center for facility renovations.

Section 1010. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Rescue for physical plant improvements.

Section 1015. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Rescue for physical plant improvements.
Economic Opportunity for a grant to the Black United Fund of Illinois Incorporated for physical plant improvements.

Section 1020. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for infrastructure improvements at the Leaning Tower YMCA.

Section 1025. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1025 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Park District for improvements to athletic fields.

Section 1045. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for construction of a new playground with a water system at Mather Park.

Section 1050. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Niles for the reconstruction of an alley between Riverside Drive and Days Terrace.

Section 1060. The sum of $3,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1060 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations and additions to Sauganash Elementary School.

Section 1070. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for lighting and landscaping at Wildwood Park.

Section 1080. The sum of $41,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1080 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations and additions to Solomon Elementary School.

Section 1085. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia Home for infrastructure improvements.

Section 1090. The sum of $21,401, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations and additions to Edgebrook Elementary School.

Section 1095. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center for renovations to the building.

Section 1100. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center for renovations to the building.
Economic Opportunity for a grant to the Morton Grove Park District for renovations to the playground at Jacob’s Park.

Section 1105. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations, construction, and improvements to Wildwood World Magnet School.

Section 1110. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1110 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for renovations to the North Park Village senior center.

Section 1120. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Albany Park Community Center for renovations to the building.

Section 1130. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for infrastructure improvements.

Section 1135. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crestwood for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 1140. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Brainerd Park infrastructure improvements.

Section 1145. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Oakdale Park infrastructure improvements.

Section 1150. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the Jackie Robinson Field House.

Section 1155. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Clissold Elementary School infrastructure improvements.

Section 1160. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Fort Dearborn infrastructure improvements.

Section 1170. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1170 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for infrastructure improvements.

Section 1175. The sum of $66,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the city of Chicago for lighting and road resurfacing in the 19th Ward.

Section 1180. The sum of $275,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Morgan Park High School technology and infrastructure improvements.

Section 1185. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Percy Julian High School technology and infrastructure improvements.

Section 1190. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Green Elementary School technology and infrastructure improvements.

Section 1195. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Kipling Elementary School technology and infrastructure improvements.

Section 1205. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1205 of Public Act 97-0725, as amended, is reappropriated

New matter indicated by italics - deletions by strikeout
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alsip for technology and infrastructure improvements.

Section 1215. The sum of $66,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for infrastructure improvements.

Section 1220. The sum of $533,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brainerd Community Development Corporation for technology and infrastructure improvements.

Section 1225. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for local infrastructure improvements and/or renovations.

Section 1230. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1230 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverdale for local infrastructure improvements and/or renovations.

Section 1235. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dolton for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 1245. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Markham for local infrastructure improvements.

Section 1255. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dixmoor for local infrastructure improvements and/or renovations.

Section 1265. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for local infrastructure improvements and/or renovations.

Section 1270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for local infrastructure improvements and/or renovations.

Section 1275. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for local infrastructure improvements and/or renovations.

Section 1280. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1280 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for local infrastructure improvements and/or renovations.

Section 1285. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for local infrastructure improvements and/or renovations.

Section 1290. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Posen for local infrastructure improvements and/or renovations to the Posen Recreation Center.

Section 1295. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for local infrastructure improvements and/or renovations.

Section 1310. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements and/or renovations in the 34th Ward.

Section 1315. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Robbins for local infrastructure improvements and/or renovations.
infrastructure improvements and/or renovations to the Robbins Community Center.

Section 1335. The sum of $105,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Flossmoor for general infrastructure.

Section 1340. The sum of $35,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for general infrastructure.

Section 1360. The sum of $35,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mokena for general infrastructure.

Section 1375. The sum of $60,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of University Park for general infrastructure.

Section 1385. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manhattan for general infrastructure.

Section 1390. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Frankfort for general infrastructure.

Section 1410. The sum of $175,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Park Forest for general infrastructure.

Section 1415. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Chicago Heights for general infrastructure.

Section 1425. The sum of $62,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the City of Momence for general infrastructure.

Section 1435. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Anne for general infrastructure.

Section 1440. The sum of $20,298, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bradley for general infrastructure.

Section 1445. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Wilmington for general infrastructure.

Section 1450. The sum of $100,000, or so much thereof as may be necessary and is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Kankakee for general infrastructure.

Section 1455. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bonfield for general infrastructure.

Section 1460. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sun River Terrace for general infrastructure.

Section 1465. The sum of $53,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Anne for general infrastructure.

Section 1470. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Village of
Department of Commerce and Economic Opportunity for a grant to the Village of Limestone for general infrastructure.

Section 1475. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Aroma Park for general infrastructure.

Section 1480. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Reddick for general infrastructure.

Section 1485. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hopkins Park for general infrastructure.

Section 1490. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Peotone for general infrastructure.

Section 1495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pembroke Township for general infrastructure.

Section 1500. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Matthew House for general infrastructure upgrades.

Section 1505. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Door of Hope Rescue Mission for general infrastructure upgrades.

Section 1510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centers for New Horizons for construction and renovation.

Section 1515. The sum of $330,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure upgrades at McCorkle, Overton, Carter, Manierre, South Loop, and Dulles elementary schools.

Section 1525. The sum of $5,301, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Brand New Beginnings for general infrastructure upgrades.

Section 1545. The sum of $290,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dunbar Park for general infrastructure.

Section 1550. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1550 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boys’ Club/Girls’ Club of Chicago for construction and renovation at the Yancey Boys’ Club/Girls’ Club.

Section 1555. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boys’ Club/Girls’ Club of Chicago for construction and renovation at the Yancey Boys’ Club/Girls’ Club.

Section 1580. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to K.L.E.O. Community Family Life Center for parking lot resurfacing and renovation.

Section 1605. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Weisman Park.

Section 1610. The sum of $146,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Howard Brown Health Center in Chicago for clinical space modifications.

Section 1615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Chicago Center for
Metropolitan Chicago for the general renovations and repairs at the Florence Heller Jewish Community Center.

Section 1620. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Center on Halsted for all costs associated with infrastructure improvements to the 3600 North Halsted project.

Section 1630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for fire escape replacement at the Ezra Multi-Service Center.

Section 1670. The sum of $81,090, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Findlay for general infrastructure.

Section 1675. The sum of $110,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Springfield for general infrastructure improvements.

Section 1685. The sum of $80,039, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Windsor for general infrastructure.

Section 1705. The sum of $250,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary’s Hospital for all costs associated with fire sprinkler expansion.

Section 1710. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital for all costs associated with construction of a pedestrian corridor.

Section 1740. The sum of $175,000, or so much thereof as may be necessary is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Decatur for infrastructure improvements.

Section 1745. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 18th Ward.

Section 1765. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 21st Ward.

Section 1770. The sum of $36,214, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1770 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Cross Hospital for building renovations and improvements.

Section 1775. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leo High School for land acquisition.

Section 1785. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 17th Ward.

Section 1790. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Muhammad Holy Temple of Islam for facility improvements at the Salaam Conference Center.

Section 1795. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 6th Ward.

Section 1815. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Introspect Youth Services for general infrastructure.

Section 1820. The sum of $30,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to North Riverside for the purchase of a bondable vehicle.

Section 1860. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for security infrastructure and general infrastructure at Lewis Elementary School in Chicago.

Section 1880. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peace Corner Youth Center for general infrastructure improvements.

Section 1930. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 1930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for infrastructure improvements.

Section 1935. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1935 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for renovations and improvements at Safari Springs.

Section 1940. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elk Grove Village for renovations and infrastructure improvements to the Devon Avenue lift station.

Section 1950. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for the reconstruction project to Foster Avenue.

Section 1970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1970 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover Park for reconstruction and infrastructure improvements on Arden Avenue.

Section 1995. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peace and Education Coalition for renovations to the youth facility.
Section 2005. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2005 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Daniel J. Nellum Youth Services, Inc. for renovations.

Section 2010. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for security and infrastructure upgrades in the 16th Ward.

Section 2015. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bishop Shepard Little Memorial Center for new construction.

Section 2020. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Lowe Park, to include all prior incurred costs.

Section 2025. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2025 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Lindblom Park.

Section 2050. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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5, Section 2050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buckingham for general infrastructure improvements.

Section 2070. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Braceville for general infrastructure improvements.

Section 2090. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Custer Township for road repairs and resurfacing projects.

Section 2095. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gardner for general infrastructure improvements.

Section 2100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Coal City for general infrastructure improvements.

Section 2105. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Herscher for general infrastructure improvements.

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Section 2115. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Diamond for general infrastructure improvements.

Section 2120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Township for general infrastructure improvements.

Section 2125. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Essex for general infrastructure improvements.

Section 2135. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YWCA of Peoria for infrastructure upgrades.

Section 2150. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peoria Cancer Center for general infrastructure improvements.

Section 2155. The sum of $61,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2155 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Peoria School District 150 for the Manual High School Family and Community Center for general infrastructure improvements.

Section 2160. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Neighborhood Alliance of Peoria for general infrastructure improvements.

Section 2165. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Community High School District 310 for general infrastructure improvements at Limestone High School.

Section 2175. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals of Peoria for general infrastructure improvements.

Section 2190. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Junior League of Peoria for the Peoria Playhouse general infrastructure improvements.

Section 2205. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peoria Playhouse general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Joseph Higgins Smith Park.

Section 2210. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Joseph Higgins Smith Park.

Section 2215. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Union Park.

Section 2225. The sum of $38,461, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Martin Luther King Boys Club for general infrastructure.

Section 2230. The sum of $20,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2230 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Alfred Nobel Elementary School.

Section 2235. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for installation of a track at Kells Park.

Section 2240. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for installation of a track at Kells Park.

Section 2245. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2245 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Suder Montessori Magnet Elementary School.

Section 2250. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements to Tilton Park.

Section 2255. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for playground equipment at Augusta Park Playground.

Section 2260. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at William H Brown Elementary School.

Section 2265. The sum of $42,305, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Malachy Precious Blood Catholic School for infrastructure improvements.

Section 2270. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at George W Tilton Elementary School.

Section 3010. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Evanston History Center for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 3020. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services, Inc. for energy efficiency infrastructure upgrades.

Section 3025. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3025 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for technology infrastructure upgrades.

Section 3035. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Organizations Umbrella, Inc. for the construction of a new building.

Section 3070. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bunker Hill Library District for construction projects.

Section 3085. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for remodeling and replacement of equipment at the Langdon Albion play lot or other permanent improvements.

Section 3090. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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5, Section 3090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for remodeling and replacement of equipment at the Mellin play lot or other permanent improvements.

Section 3100. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the reconstruction of the Lake Shore Drive overpass at Montrose Avenue.

Section 3105. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the expansion of the Clarendon Park Field House or other permanent improvements.

Section 3115. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the Buttercup Park and McCutcheon School play lot or other permanent improvements.

Section 3120. The sum of $4,402, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for School Life Safety and ADA improvements to Ravenswood School.

Section 3125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3125 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the expansion of the Uplift School cafeteria.

Section 3135. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for new traffic signals at Foster Avenue and Albany Avenue and at Peterson Avenue and Ravenswood Avenue and at Devon Avenue and Greenview Avenue.

Section 3140. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clyde Park District for soccer fields within the City of Cicero.

Section 3145. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 3155. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for construction of a dental facility at the Alivio Health Center.

Section 3160. The sum of $3,164, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for re-surfacing of the walking track and the sodding of fields at Hawthorne Park District.

Section 3165. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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5, Section 3165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Berwyn Fire Department for general infrastructure.

Section 3170. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for plumbing and concrete work at Pavek pool, lighting at Janura Park softball field, and general infrastructure at Janura Park soccer field.

Section 3200. The sum of $5,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maryville for the construction of a water line from Illinois Route 157 to Stonebridge Drive and general infrastructure.

Section 3215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hollywood Heights Fire Department for firehouse addition and renovation and general infrastructure.

Section 3225. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the French Village Fire Department for infrastructure improvements.

Section 3230. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the State Park Fire Department for general infrastructure improvements.

Section 3240. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3240 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fairview Heights for general infrastructure.

Section 3250. The sum of $8,029, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3250 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for heating and air-conditioning replacement at the Senior Center.

Section 3255. The sum of $8, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for replacement of pumps at Courtney and Wabash pump stations.

Section 3270. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for construction of a salt dome and general infrastructure.

Section 3280. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Granite City Township for bus garage additions and parking lot improvements and general infrastructure.

Section 3285. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Edwardsville for streetscape in historic districts and general infrastructure.
Section 3300. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairmont Fire Department for infrastructure improvements.

Section 3305. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Edwardsville Township for bathroom renovation at the Township Park, Hays Mallory building renovation, and general infrastructure.

Section 3310. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glen Carbon Volunteer Fire Department for improvements to fire station and general infrastructure.

Section 3315. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for fire station improvements and general infrastructure.

Section 3320. The sum of $250,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Swansea for all costs associated with the engineering and design of Smelting Works Road.

Section 3325. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Venice for general infrastructure.

Section 3335. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3335 of Public Act 97-0725, as amended, is reappropriated...
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for general infrastructure.

Section 3355. The sum of $91,616, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3355 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Caseyville for general infrastructure.

Section 3360. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Swansea for general infrastructure.

Section 3380. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 5th Ward.

Section 3385. The sum of $575,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 6th Ward.

Section 3390. The sum of $33,150, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 7th Ward.

New matter indicated by italics - deletions by strikeout
Section 3395. The sum of $180,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 8th Ward.

Section 3405. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 10th Ward.

Section 3410. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 21st Ward.

Section 3425. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Village of Lansing for local infrastructure improvements.

Section 3430. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Venice for City Hall, library, and senior center renovations.

Section 3435. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3435 of Public Act 97-0725, as amended, is reappropriated

New matter indicated by italics - deletions by strikeout
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for general infrastructure improvements.

Section 3440. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for general infrastructure improvements.

Section 3445. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Washington Park for general infrastructure improvements.

Section 3460. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mascoutah for general infrastructure improvements.

Section 3465. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Millstadt for general infrastructure improvements.

Section 3470. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 3475. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shiloh for general infrastructure improvements.

Section 3480. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cahokia for general infrastructure improvements.

Section 3485. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brooklyn for general infrastructure improvements.

Section 3490. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alorton for general infrastructure improvements.

Section 3495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Swansea for general infrastructure improvements.

Section 3500. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3500 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stites Township for general infrastructure improvements.

Section 3505. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for general infrastructure improvements at Eagle Park.

Section 3510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Orpheum Children’s Museum for expanding new facilities.

Section 3515. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Crisis Nursery in Urbana for expanding new facilities.

Section 3530. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Champaign Park District for general infrastructure.

Section 3540. The sum of $139,595, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Preservation & Conservation Association of Champaign County for construction and renovation.
Section 3545. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Developmental Services Center of Champaign County for construction of a larger building.

Section 3565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Elizabeth Catholic Community Center for infrastructure improvements.

Section 3570. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3570 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Mass Transit District for infrastructure improvements.

Section 3575. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Carpenter’s Place for infrastructure improvements.

Section 3595. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Progressive West Rockford Community Development Corporation for infrastructure improvements.

Section 3600. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3600 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northwest Community Center for infrastructure improvements.

Section 3605. The sum of $70,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northwest Community Center for infrastructure improvements.

Section 3610. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Public Library Foundation for Montague Branch infrastructure improvements.

Section 3615. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Girl Scouts-Rock River Valley Council for infrastructure improvements.

Section 3620. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council of Boy Scouts of America, Inc. for infrastructure improvements.

Section 3625. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3625 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Winnebago County Health Department for infrastructure improvements to the Ellis Heights United Neighborhood Center.

Section 3630. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Rockford for infrastructure improvements.
Section 3630. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for acquisition and construction of a sports recreation facility in the Morgan Park community.

Section 3635. The sum of $87,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Kennedy Park, McKiernan Park, Munroe Park, and Ridge Park infrastructure improvements.

Section 3640. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for infrastructure improvements.

Section 3645. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alsip infrastructure improvements.

Section 3650. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oak Lawn for railroad quiet zone infrastructure improvements.

Section 3655. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Merrionette Park for infrastructure improvements.

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Section 3660. The sum of $2,861, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3660 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Worth Park District for the restoration of the Gale Moore Park Pavilion.

Section 3675. The sum of $42,871, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for development of its 5 acre park site.

Section 3680. The sum of $15,988, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3680 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for railroad quiet zone infrastructure improvements.

Section 3685. The sum of $120, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for the salt storage building infrastructure improvement.

Section 3690. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for infrastructure improvements.

Section 3700. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Helping Hand Rehabilitation

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Center for upgrading the Helping Hand Rehabilitation Center technology lab located in Lyons Township.

Section 3710. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the Mt. Greenwood Elementary School technological and infrastructure improvements.

Section 3715. The sum of $22,503, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3715 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Niles Township for construction of a food pantry.

Section 3720. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3720 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton Grove for the Long Avenue water main installation.

Section 3725. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3725 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton Grove for the resurfacing of Central Avenue.

Section 3730. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Holocaust Memorial Foundation of Illinois for infrastructure improvements of the Holocaust Memorial Museum in Skokie.
Section 3740. The sum of $27,648, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3740 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services for improvements to its basement.

Section 3750. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3750 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for remodeling its kitchen.

Section 3755. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3755 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakton Community College for ongoing capital needs at the Skokie Campus.

Section 3765. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lincolnwood for sidewalks.

Section 3775. The sum of $820,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Skokie for resurfacing Main Street from Crawford Avenue to McCormick Boulevard.

Section 3780. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3780 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Vital Bridges NFP for infrastructure improvements.

Section 3785. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia Home for infrastructure improvements.

Section 3790. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Agudath Israel of Illinois for the purchase of bondable equipment, vehicles, and/or infrastructure improvements.

Section 3795. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for facility renovation and expansion.

Section 3815. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center of Chicago for general infrastructure.

Section 3830. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3830 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at Portage and Thomas Jefferson Memorial Parks.
Section 3835. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3835 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daughters of St. Mary of Providence of Chicago for construction of a Developmentally Disabled Home for children and adults.

Section 3840. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3840 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Transit Authority for security infrastructure upgrades at Jefferson Park Terminal Complex.

Section 3845. The sum of $520,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants to the following Chicago Public Schools for general infrastructure: Beard, Beaubien, Chicago Academy Elementary, Chicago Academy High, Farnsworth, Gray, Hitch, Portage Park, Prussing, Reinberg, Smyser, Thorp Academy, and Vaughn Occupational.

Section 3850. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3850 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Horizons in Chicago for general infrastructure.

Section 3855. The sum of $315, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maryville Center for Children Crisis Nursery in Chicago for general infrastructure.
Section 3880. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ottawa for infrastructure improvements.

Section 3885. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3885 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cherry for infrastructure improvements.

Section 3890. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Spring Valley for infrastructure improvements.

Section 3900. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3900 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Naplate for infrastructure improvements.

Section 3905. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3905 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Utica for infrastructure improvements.

Section 3910. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3910 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Cedar Point for infrastructure improvements.

Section 3920. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3920 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Grand Ridge for infrastructure improvements.

Section 3925. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Van Orin for infrastructure improvements.

Section 3930. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hollowayville for infrastructure improvements.

Section 3940. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Standard for infrastructure improvements.

Section 3945. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Malden for infrastructure improvements.
Section 3950. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DePue for infrastructure improvements.

Section 3955. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dayton for infrastructure improvements.

Section 3965. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of LaSalle for infrastructure improvements.

Section 3970. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3970 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Triumph for infrastructure improvements.

Section 3975. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy Grove for infrastructure improvements.

Section 3980. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3980 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lamoille for infrastructure improvements.

Section 3985. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Putnam for infrastructure improvements.

Section 3995. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 3995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mark for infrastructure improvements.

Section 4005. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4005 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oglesby for infrastructure improvements.

Section 4010. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mendota for infrastructure improvements.

Section 4015. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Peru for infrastructure improvements.
Section 4025. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4025 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bannockburn for general infrastructure.

Section 4030. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4030 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to West Deerfield Township for resurfacing roads.

Section 4035. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deerfield for general infrastructure.

Section 4050. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for general infrastructure.

Section 4075. The sum of $93,518, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4075 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crest Hill for general infrastructure improvements.

Section 4085. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4085 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage Township for construction and improvements to the community center parking lot or general infrastructure improvements.

Section 4105. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Taft School District 90 for general infrastructure improvements.

Section 4115. The sum of $180, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lockport Township High School District 205 for general infrastructure improvements at Lockport High School.

Section 4135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services, Inc. for construction of a comprehensive community-based rehabilitation center in Northern Will County.

Section 4140. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lockport Township Park District for construction of an accessible playground or splash park.

Section 4145. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Bolingbrook Park District for general infrastructure improvements or Remington Lakes restroom improvements.

Section 4150. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the WILCO Area Career Center for general infrastructure improvements.

Section 4155. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for renovations to the Timber Drive signal.

Section 4165. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for the 156th Street extension construction.

Section 4175. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for road resurfacing of 91st Avenue.

Section 4185. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Frankfort Township for road projects.

Section 4190. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tinley Park Park District for the reconstruction of a community theatre.

Section 4195. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Forest Park District for construction and playground equipment at Vergne-Way Park.

Section 4200. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Big Brothers Big Sisters of Will and Grundy Counties for the purchase and renovation of a new administration center.

Section 4205. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Frankfort Square Park District for the design and construction of a parking garage for the South Suburban Special Recreation Association.

Section 4220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sertoma Centre-ALSIP for the repair and replacement of the facility roof.

Section 4225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4225 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Bremen for the construction of a parking garage.

Section 4230. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4230 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Bremen for the construction of a parking garage.

Section 4235. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joliet Junior College for infrastructure improvements on campus.

Section 4245. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago House Translate Center for infrastructure improvements.

Section 4255. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manhattan for road repairs.

Section 4270. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 4270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Catholic Charities of the Diocese of Joliet, Inc for renovations and improvements associated with the Daybreak Center.

Section 4275. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
5, Section 4275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elwood for infrastructure improvements to Diagonal Road.

Section 4280. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Will County for the Ridgewood water and sewer improvement project.

Section 4285. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Manhattan Township for building infrastructure improvements.

Section 4290. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Will-Grundy Center for Independent Living for infrastructure improvements to the facility.

Section 4295. The sum of $57,350, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ignatia Foundation for infrastructure, electrical, and plumbing improvements to the Ignatia House.

Section 4300. The sum of $180,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the Chicago Park District for general infrastructure.

Section 4305. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a new playground at Algonquin Playlot Park.

Section 4310. The sum of $53,004, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for restoration of a bungalow and infrastructure improvements at Independence Park.

Section 4325. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public Library for construction of a new building at Independence Park Library.

Section 4345. The sum of $29,033, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for costs associated with renovation of the auditorium at Kelly High School.

Section 4350. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the installation of fencing at Gage Park High School.
Section 4370. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure improvements at Carson Elementary School.

Section 4375. The sum of $337,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Brighton Park Neighborhood Council for the acquisition of land and construction of a community center.

Section 4390. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for the Kedzie Family Health Center expansion at 3213-27 West 47th Place in Chicago.

Section 4395. The sum of $210,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Calumet City for a left turn lane at River Oaks and Paxton Avenue.

Section 4400. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thornton for resurfacing of local streets.

Section 4405. The sum of $137,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

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5, Section 4405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for a 911 Dispatch Switch (CADS system).

Section 4410. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for general infrastructure improvements for traffic safety and control.

Section 4415. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for Glenwood Lynwood Public Library and general infrastructure.

Section 4425. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4425 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for construction of a salt dome.

Section 4430. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for sewer and infrastructure regarding flooding.

Section 4435. The sum of $80,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for general
infrastructure improvements to 143rd Street from Marquette Avenue to Manistee Avenue.

Section 4445. The sum of $360,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ford Heights for street and storm sewer improvements.

Section 4450. The sum of $110,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dolton School District #149 for general infrastructure improvements.

Section 4470. The sum of $15, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Maine Township for road resurfacing.

Section 4475. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenview for general infrastructure.

Section 4485. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Northbrook for general infrastructure.

Section 4495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for general infrastructure.

Section 4500. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for fire station construction.

Section 4535. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at Broadway Armory Park.

Section 4540. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with playground construction at Bryn Maur and Lake Shore Drive.

Section 4545. The sum of $149,738, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Senn High School.

Section 4550. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Chicago for all costs associated with cobblestone restoration on Glenwood Street.

Section 4555. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the

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City of Chicago for all costs associated with street resurfacing in the 49th Ward.

Section 4565. The sum of $52,011, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harrisburg Community Unit #3 School District for general infrastructure improvements.

Section 4590. The sum of $2,623, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Anna for general infrastructure improvements.

Section 4640. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Massac for general infrastructure improvements.

Section 4660. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4660 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Haven for general infrastructure improvements.

Section 4665. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4665 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Galatia for general infrastructure improvements.

Section 4695. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Harrisburg for general infrastructure improvements.

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Section 4700. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ridgway for general infrastructure improvements.

Section 4705. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Hamilton for general infrastructure improvements.

Section 4710. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Alexander for general infrastructure improvements.

Section 4725. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Jackson for general infrastructure improvements.

Section 4730. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Olive Branch for general infrastructure improvements.

Section 4735. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Metropolis for general infrastructure improvements.

Section 4740. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eldorado for general infrastructure improvements.

Section 4745. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eldorado Egyptian Health Department for general infrastructure improvements.

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Section 4755. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Hardin for general infrastructure improvements.

Section 4770. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4770 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chester for general infrastructure.

Section 4790. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dupo for general infrastructure.

Section 4795. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Carondelet for general infrastructure.

Section 4805. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evansville for general infrastructure.

Section 4810. The sum of $3,251, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4810 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fayetteville for general infrastructure.

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Section 4825. The sum of $16,322, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4825 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lenzburg for general infrastructure.

Section 4885. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4885 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sparta for general infrastructure.

Section 4915. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4915 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Randolph County for general infrastructure.

Section 4925. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Monroe County for general infrastructure.

Section 4930. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jarrot Mansion for general infrastructure.

Section 4935. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4935 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Perandoe Evansville Program for general infrastructure.

Section 4940. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beck Vocational Center for general infrastructure.

Section 4945. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Clair County Intergovernmental Grants Department for infrastructure improvements.

Section 5010. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calumet Township for general infrastructure and purchase of property.

Section 5020. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for infrastructure and sidewalks in the 34th Ward.

Section 5035. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 5040. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5040 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Calumet for general infrastructure and purchase of property.

Section 5050. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for capital improvements to the local fire department.

Section 5060. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5060 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for infrastructure and sidewalks.

Section 5065. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5065 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Park Recreation Center for general infrastructure upgrades.

Section 5070. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Recovering Community for general infrastructure.

Section 5075. The sum of $49, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5075 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for sidewalk improvements in the 6th Ward.

Section 5080. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5080 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalk improvements in the 9th Ward.

Section 5090. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for general infrastructure.

Section 5100. The sum of $2,525, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for infrastructure improvements and street lights.

Section 5105. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Guildhaus for general infrastructure.

Section 5115. The sum of $48,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for a salt dome.

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Section 5120. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for sidewalk improvements.

Section 5125. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for general infrastructure.

Section 5130. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calumet Township for general infrastructure for the Blue Island Little League.

Section 5140. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Alexian Brother Center for Mental Health for general infrastructure upgrades.

Section 5145. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for general infrastructure upgrades.

Section 5150. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5150 of Public Act 97-0725, as amended, is reappropriated...
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Avenues for Independence for construction and renovations.

Section 5160. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to YMCA of Greater Lake County for Central Lake YMCA for facility expansion.

Section 5175. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Countryside Association for People with Disabilities for facility expansion.

Section 5180. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haven Center for general infrastructure upgrades.

Section 5185. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Thresholds Psychiatric Rehabilitation Centers for facility upgrades.

Section 5195. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northpointe Resources, Inc. for general infrastructure upgrades.

New matter indicated by italics - deletions by strikeout
Section 5200. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rosalind Franklin University for general infrastructure upgrades at the Pharmacy School, Department of Nursing, Center for Stem Cell Research and Regenerative Medicine, Student Learning Center, and Information Commons.

Section 5205. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5205 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter, Inc. for general infrastructure upgrades.

Section 5215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS Program, Inc. for facility upgrades.

Section 5225. The sum of $96,046, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lake County Center for Independent Living for general infrastructure upgrades.

Section 5265. The sum of $65,134, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East Peoria for general infrastructure.

Section 5270. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

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Department of Commerce and Economic Opportunity for a grant to the Tovey Grade School for all costs associated with demolition.

Section 5290. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for general infrastructure.

Section 5295. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Liverpool for general infrastructure.

Section 5305. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Melrose Park for general infrastructure.

Section 5340. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stone Park for general infrastructure.

Section 5380. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House in Chicago for general infrastructure.

Section 5385. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Trinity High School in Chicago for renovation of science laboratories and technology.

Section 5390. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5390 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Puerto Rican Cultural Center in Chicago for capital improvements and general infrastructure at Vida-SIDA.

Section 5395. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Near Northwest Neighborhood Network in Chicago for improvements and general infrastructure.

Section 5400. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Stowe Elementary school.

Section 5403. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 5405. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5405 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems in Chicago for general infrastructure.

Section 5410. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Spanish Action Committee of Chicago for brick and mortar renovation and general infrastructure.

Section 5415. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 5415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for construction of hydroponics rooftop greenhouses and conservatory at Pedro Albizu Campos High School.

Section 5420. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wilbur Wright College in Chicago for a feasibility study for a building expansion at the Humboldt Park Vocational Education Center.

Section 5430. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Life Covenant Church in Chicago for upgrading of the façade and installation of energy efficient windows at the North Avenue facility.

Section 5435. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the McCormick YMCA of Metropolitan Chicago for construction of an Aquatic Center.

Section 5440. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5440 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts and Culture for renovations to its museum and construction of a Fine Arts center.

Section 5445. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
5, Section 5445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hispanic Housing in Chicago for North and Talman Phase III redevelopment and general infrastructure.

Section 5450. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centro Sin Fronteras in Chicago for general infrastructure.

Section 5455. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network in Chicago for renovation of existing health center.

Section 5460. The sum of $342,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to Project Brotherhood for the acquisition and rehabilitation of real property for housing of community related services.

Section 5465. The sum of $9,375, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for expansion of Meyering Playground Park.

Section 5470. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for road repairs in the 18th Ward.
Section 5485. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hickory Hills for all costs associated with sidewalk repairs and lighting.

Section 5490. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for sidewalk repairs in the 18th Ward.

Section 5495. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for sidewalk repairs in the 17th Ward.

Section 5500. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stickney for all costs associated with sidewalk repairs.

Section 5505. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Hickory Hills for all costs associated with sidewalk repair and lighting.

Section 5510. The sum of $60,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stickney for all costs associated with sidewalk repair and lighting.

Section 5515. The sum of $255,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

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Economic Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 18th Ward.

Section 5525. The sum of $1,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 18th Ward.

Section 5530. The sum of $33, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Marquette School.

Section 5535. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Marquette School.

Section 5540. The sum of $6,491, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the 69th Street development in the 17th Ward.

Section 5550. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the 71st Street development in the 17th Ward.

Section 5555. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for the 71st Street development in the 17th Ward.

Section 5560. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for an improvement project at the Sheridan Park baseball field.

Section 5565. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to AIDS care Veterans’ Home for general infrastructure improvements.

Section 5570. The sum of $110,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5570 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for a renovation project.

Section 5575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lawndale Christian Development Corporation for a housing development project.

Section 5580. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to...
Economic Opportunity for a grant to Lawndale Christian Health Center for construction of a new dental center.

Section 5590. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Lighthouse for the Blind for an infrastructure expansion project.

Section 5595. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haymarket Center for infrastructure expansion.

Section 5605. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for expansion of the emergency and security infrastructure.

Section 5615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Habilitative Systems Inc. for general infrastructure improvements.

Section 5625. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5625 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lawndale Christian Reform Church and School for general infrastructure renovations.

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Section 5630. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Homan Square Power House for renovations to the Homan Square Power House High School.

Section 5635. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mercy Home for Boys and Girls for general infrastructure renovations.

Section 5640. The sum of $109,422, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Rehabilitation Network for general infrastructure projects.

Section 5645. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Advantage Network for Children for general infrastructure improvements.

Section 5650. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Christian Valley Baptist Church for general infrastructure improvements.

Section 5655. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5655 of Public Act 97-0725, as amended, is reappropriated

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from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Allendale Association for general infrastructure improvements.

Section 5665. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5665 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Allendale Association for general infrastructure improvements.

Section 5670. The sum of $70,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois, Inc. for infrastructure renovations.

Section 5685. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois, Inc. for infrastructure renovations.

Section 5700. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Windsor for general infrastructure improvements.

Section 5705. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Andalusia for general infrastructure improvements.

Section 5710. The sum of $8,331, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mercer County for general infrastructure improvements.

Section 5725. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5735. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5740. The sum of $80,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Creek Care Center Auxiliary for general infrastructure improvements.

Section 5750. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Milan for general infrastructure improvements.

Section 5765. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Moline for general infrastructure improvements.

Section 5770. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5770 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois City/Buffalo Prairie fire protection district for general infrastructure improvements.

Section 5775. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Silvas for general infrastructure improvements.

Section 5780. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Village of Elk Grove for all costs associated with street lights and traffic signal painting along the Biesterfield corridor.

Section 5795. The sum of $65,548, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elk Grove for associated with street lights and traffic signal painting along the Biesterfield corridor.

Section 5795. The sum of $65,548, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elk Grove for all costs associated with street lights and traffic signal painting along the Biesterfield corridor.

Section 5810. The sum of $54,100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5810 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for the Hatlen Heights Storm Sewer.

Section 5840. The sum of $30,504, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5840 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Park District for construction and renovation.

Section 5855. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Chamber of Commerce of Lake County for the purchase of property.

Section 5860. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys’ Club/Girls’ Club of Waukegan for facility renovation and upgrade.

New matter indicated by italics - deletions by strikeout
Section 5865. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Regional Airport for general infrastructure.

Section 5875. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Baptist Bible Church, Inc. for general infrastructure.

Section 5895. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maywood for renovations to the municipal building.

Section 5900. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5900 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westchester for general infrastructure improvements to the Westchester Emergency Operation Center.

Section 5915. The sum of $240,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5915 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Summit for general infrastructure.

Section 5925. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
Section 5925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for general infrastructure.

Section 5930. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for general infrastructure.

Section 5940. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for general infrastructure improvements to Kiwanis Park.

Section 5945. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lagrange for signal change at 47th and East Avenue.

Section 5950. The sum of $182,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for construction and renovation.

Section 5955. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange Park for a public works municipal garage.

Section 5965. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for general road resurfacing.

Section 5970. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for general road resurfacing.
Department of Commerce and Economic Opportunity for a grant to the Village of Oak Park for general infrastructure.

Section 5975. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for renovations and/or infrastructure improvements at the Melrose Park facility.

Section 5980. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago North Avenue 29th Ward for lights and resurfacing.

Section 5995. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood for general infrastructure.

Section 6000. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6000 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for street lighting and resurfacing in the 29th Ward.

Section 6005. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure.

Section 6010. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of River Grove for general infrastructure.

Section 6015. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Franklin Park for general infrastructure.

Section 6035. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6035 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Wells High School.

Section 6040. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6040 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Norte, Inc. for general infrastructure.

Section 6045. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Julia Center, Inc. for general infrastructure.

Section 6050. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Service Project for general infrastructure.

Section 6055. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6055 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Clubs of Chicago for general infrastructure at the Barreto Boys and Girls Club.

Section 6070. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6070 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the A. Philip Randolph Pullman Porter Museum for rehabilitation of facilities.

Section 6075. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6075 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridging the Tys to Jordan for rehabilitation of a building.

Section 6085. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Thornton for general infrastructure.

Section 6095. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for costs associated with elevated tank renovations.

Section 6100. The sum of $3,562, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Illinois College of Dentistry for Pediatric Dental Clinic.

Section 6105. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Calumet City for road resurfacing.

Section 6110. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6110 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thornton for road resurfacing.

Section 6120. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Family Health Center, Inc. for general infrastructure.

Section 6125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for resurfacing of Lincoln Avenue from Winnemac to Peterson.

Section 6130. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at the West Ridge Nature Preserve.

Section 6150. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for sewer infrastructure and improvements.

Section 6160. The sum of $6,084, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Dawes Elementary School.

Section 6165. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Department of Transportation for all costs associated with sidewalk repair and lighting.

Section 6170. The sum of $13,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of McKay School.

Section 6190. The sum of $300, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Eberhart Elementary School.

Section 6210. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Justice for road repairs.

Section 6215. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mary’s Mission in Waukegan, IL for general infrastructure.

Section 6220. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sheridan Crossing for general infrastructure, upgrades, and renovations.

Section 6225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 6225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Shore Church of Christ for general infrastructure improvements.

Section 6230. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daisy Resource Center for general infrastructure.

Section 6235. The sum of $3,804, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Daisy’s Resource Developmental Center for general infrastructure.

Section 6245. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Family First Center for general infrastructure.

Section 6255. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the renovation of Funston Elementary School.

Section 6260. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the renovation of Lyons Elementary School.

Section 6265. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Chicago Public Schools for renovation of Northwest Middle School.

Section 6270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to El Rincon Community Clinic for renovations.

Section 6275. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Segundo Ruiz Belvis Cultural Center for renovations.

Section 6280. The sum of $82,841, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Night’s Shield in West Frankfort for infrastructure improvements to the Roan Center.

Section 6290. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Herrin for infrastructure improvements to the Herrin Civic Center.

Section 6300. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Southern Illinois Healthcare for infrastructure improvements at Herrin Hospital.

Section 6305. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Regional Medical Center for infrastructure improvements.

Section 6310. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Franklin Hospital for infrastructure improvements.

Section 6315. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Lighthouse Shelter in Marion for infrastructure improvements.

Section 6320. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to CASA of Franklin County for infrastructure improvements.

Section 6325. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marion Regional Humane Society for infrastructure improvements.

Section 6335. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marion Regional Humane Society for infrastructure improvements.
Economic Opportunity for a grant to the Rockford Fire Department for infrastructure improvements.

Section 6340. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6340 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Voz Latina, Inc. in Rockford for infrastructure improvements.

Section 6345. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southwest Ideas For Today & Tomorrow, Inc. for infrastructure improvements.

Section 6350. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Veterans Memorial Hall in Rockford for infrastructure improvements.

Section 6355. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6355 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Rock River Valley for infrastructure improvements.

Section 6360. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Young Women’s Christian Association of Rockford, Illinois for infrastructure improvements.

Section 6365. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lifescape Community Services, Inc. for infrastructure improvements.

Section 6370. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Barbara Olson Center of Hope, Inc. for infrastructure improvements.

Section 6375. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Janet Wattles Mental Health Center, Inc. for infrastructure improvements.

Section 6380. The sum of $289,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6380 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pleasant Dale Park District for general infrastructure.

Section 6400. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Holocaust Memorial Foundation of Illinois, Incorporated for general infrastructure to the Holocaust Museum.

Section 6410. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Holocaust Memorial Foundation of Illinois, Incorporated for general infrastructure to the Holocaust Museum.
Economic Opportunity for a grant to the Kane County Sheriff’s Department for general infrastructure.

Section 6415. The sum of $5,563,450, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Catholic Charities of the Archdiocese of Chicago for general infrastructure.

Section 6420. The sum of $213,798, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Seguin Services Inc for infrastructure improvements.

Section 6430. The sum of $1,600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6430 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Justice for general infrastructure.

Section 6435. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for lighting infrastructure improvements in the 34th Ward.

Section 6450. The sum of $65,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois Central College for general infrastructure.

Section 6455. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Section 6460. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Peoria for general infrastructure improvements at the Peoria Fire Department.

Section 6465. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Township in Peoria County for general infrastructure improvements at the Limestone Fire Department.

Section 6475. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Peoria Residents Association for general infrastructure improvements.

Section 6480. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Peoria Citizens Committee for Economic Opportunity, Inc. for general infrastructure.

Section 6495. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a field house and play lot at Bradley Park.

New matter indicated by italics - deletions by strikeout
Section 6500. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for construction and pedestrian improvements at Dixon Park.

Section 6510. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Catholic Charities of the Archdiocese of Chicago for renovations to the common recreation areas at the St. Ailbe Faith Apartments and the St. Ailbe Love Apartments.

Section 6520. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a play lot at Grand Crossing Park.

Section 6540. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Valier for infrastructure improvements.

Section 6545. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Sertoma Centre in Alsip for infrastructure improvements.

Section 6550. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article
Section 6550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Truth and Deliverance International Ministries for roofing work and general infrastructure improvements.

Section 6560. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pleasant Ridge Missionary Baptist Church for infrastructure improvements.

Section 6575. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for a new field house in Haas Park.

Section 6580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Kenwell Park.

Section 6585. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6585 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Avondale Elementary School.

Section 6590. The sum of $14,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Barry Elementary School.

Section 6595. The sum of $2,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Lorenzo Brentano Math and Science Academy.

Section 6600. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6600 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Chase Elementary School.

Section 6605. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Darwin Elementary School.

Section 6610. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Falconer Elementary School.

Section 6615. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Goethe Elementary School.
Section 6620. The sum of $10,100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Logandale Middle School.

Section 6630. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Schubert Elementary School.

Section 6635. The sum of $205, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Yates Elementary School.

Section 6640. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to North Center for Handicapped Children and Adults for roof repair and general infrastructure needs.

Section 6645. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grace Lutheran School in Chicago for infrastructure improvements.

Section 6655. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6655 of Public Act 97-0725, as amended, is reappropriated
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Salem Christian Academy for infrastructure improvements.

Section 6660. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6660 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Salem Christian Academy for infrastructure improvements.

Section 6670. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Archdiocese of Chicago for infrastructure improvements at St. Hyacinth School.

Section 6675. The sum of $7,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Commuter Rail Division of the Regional Transportation Authority for a Metra station at Peterson Avenue and Ravenswood Avenue.

Section 6680. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with a soccer field at Hayt School.

Section 6700. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6700 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for pigeon netting at the Irving Park Viaduct.

Section 6715. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6715 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to CALOR (Anixter) for renovations.

Section 6720. The sum of $300,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for flag poles in the 26th Ward.

Section 6730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dolton-Riverdale School District 148 for technology and infrastructure improvements.

Section 6735. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6735 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Armour Square Park.

Section 6755. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6755 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Brighton Park Elementary School.

Section 6760. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6760 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at John C. Burroughs Elementary School.

Section 6765. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article

New matter indicated by italics - deletions by strikeout
Section 6765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Columbia Explorers Elementary Academy.

Section 6790. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Cyrus H. McCormick Elementary School.

Section 6795. The sum of $130,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6795 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pope John Paul II Elementary School for general infrastructure.

Section 6805. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palatine for general infrastructure.

Section 6815. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6815 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Metropolis for general infrastructure improvements.

Section 6825. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6825 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Counseling Centers, Inc. for general infrastructure improvements.
Section 6830. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County Gallatin for general infrastructure improvements.

Section 6835. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Saline for general infrastructure improvements.

Section 6860. The sum of $190,264, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for infrastructure, water, sewer, and facility projects.

Section 6865. The sum of $190,264, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Country Club Hills for infrastructure, water, sewer, and facility projects.

Section 6870. The sum of $178,784, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6870 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Olympia Fields for infrastructure, water, sewer, and facility projects.

Section 6875. The sum of $2,421, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Park Forest for infrastructure, water, sewer, and facility projects.

Section 6880. The sum of $128,274, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Park Forest for infrastructure, water, sewer, and facility projects.

New matter indicated by italics - deletions by strikeout
5, Section 6880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for infrastructure, water, sewer, and facility projects.

Section 6885. The sum of $48,572, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6885 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for infrastructure, water, sewer, and facility projects.

Section 6890. The sum of $154,842, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6890 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flossmoor for infrastructure, water, sewer, and facility projects.

Section 6895. The sum of $129,672, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Markham for infrastructure, water, sewer, and facility projects.

Section 6900. The sum of $52,364, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6900 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bremen Township for local infrastructure improvements.

Section 6910. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvey Park District for the water park.

New matter indicated by italics - deletions by strikeout
Section 6915. The sum of $111,953, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6915 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mobile C.A.R.E. Foundation for general infrastructure construction for a program to address asthma problems in minority populations.

Section 6935. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6935 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Steger for general infrastructure.

Section 6940. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Park Forest for general infrastructure.

Section 6955. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alton YWCA for building improvements.

Section 6960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6960 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fosterburg Fire Protection District for an emergency generator.

Section 6965. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and
Economic Opportunity for a grant to the Holiday Shores Fire Department for a natural gas generator.

Section 6980. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6980 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wood River for general infrastructure.

Section 7000. The sum of $800,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7000 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oak Lawn for street repaving, sewers, and water main repairs.

Section 7005. The sum of $4,736, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7005 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Ridge for street repaving, gutters, and sewers.

Section 7010. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7010 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park Lawn Association Inc for capital improvements and upgrades to the Park Lawn Center and Rehabilitation Center.

Section 7035. The sum of $105,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Olympia Fields for general infrastructure.

Section 7040. The sum of $305,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago Heights for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 7045. The sum of $129,296, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7045 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fuller Park Community Development Center for construction and renovation at Eden’s Place Nature Center in Fuller Park.

Section 7050. The sum of $226,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7050 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for a streetscape of Lawrence Avenue from the Chicago River to Clark Street.

Section 7055. The sum of $59,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7055 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for reconstruction of Alice Avenue from State Street to Hammond Avenue.

Section 7065. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of McLeansboro for general infrastructure improvements.

Section 7075. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7075 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stonefort for general infrastructure improvements.

Section 7080. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carbondale for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 7085. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7085 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Golconda for general infrastructure improvements.

Section 7090. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7090 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hardin County for general infrastructure improvements.

Section 7095. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7095 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Marissa for general infrastructure.

Section 7100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Galilee Baptist Church for infrastructure upgrades.

Section 7105. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7105 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Roosevelt Square Partners for housing development projects.

Section 7115. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7115 of Public Act 97-0725, as amended, is reappropriated

New matter indicated by italics - deletions by strikeout
from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to MLK Developer LLC for housing development projects.

Section 7120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Marissa for general infrastructure.

Section 7125. The sum of $73,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for resurfacing Hollywood Avenue from Washentaw Avenue to Western Avenue.

Section 7130. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Home of Life Missionary Baptist Church for construction of an ex-offender building.

Section 7135. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Clark G.R. Elementary School in Chicago.

Section 7140. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 7145. The sum of $250,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Park YMCA for general infrastructure.

Section 7150. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for security infrastructure and general infrastructure at McNair Elementary School in Chicago.

Section 7160. The sum of $10,275, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Service and Mental Health Center of Oak Park for general infrastructure.

Section 7165. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Clark Academic Preparatory Magnet High School.

Section 7170. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Bethel Healing Temple for general infrastructure.

Section 7180. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Fire Department for general infrastructure upgrades.

Section 7185. The sum of $48,037, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Community Church for general infrastructure improvements.

Section 7190. The sum of $1,810,501, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marillac Social Center for construction and infrastructure improvements.

Section 7200. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Connection Charter for construction of a hydroponics rooftop greenhouse and conservatory at Pedro Albizu Campos High School.

Section 7210. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Carbon for purchase, construction, and development of parks and walking trails, including all prior incurred costs.

Section 7220. The sum of $528,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wings Program, Inc. for all costs associated with the purchase of a building, to include prior incurred costs.

Section 7230. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of East Moline for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 7240. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for general infrastructure in the 4th Ward.

Section 7255. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7255 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for renovations at Pritzker College Prep.

Section 7285. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 7285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicagoland Czech-American Community Center for a new community center.

Section 7290. The sum of $115,000, or so much thereof as may be necessary is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sherman United Methodist Church for the construction of a new building.

Section 7295. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Organizations Umbrella, Inc. for the construction of a new building.

Section 7300. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Riverside Historical Society for the restoration of the Melody Mill Ballroom.
Section 7305. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Shabbona Park infrastructure improvements.

Section 7310. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Susan G. Komen Memorial Affiliate in Peoria, Illinois for infrastructure improvements to the mobile mammogram van.

Section 7315. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carver Community Center in Peoria, Illinois for infrastructure improvements.

Section 7320. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Pius V Church and School for infrastructure improvements.

Section 7325. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chinatown Museum for infrastructure improvements.

Section 7330. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5,
Section 7330 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Bridgeport VFW Post 5079 for infrastructure improvements.

Section 7335. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Instituto Health Sciences Career Academy for infrastructure improvements.

Section 7345. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Life Center Church of Deliverance for all costs associated with infrastructure improvements.

Section 7350. The sum of $28,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 5, Section 7350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ravenswood Budlong Congregation d.b.a. Chabad Living Room for all costs associated with infrastructure improvements.

Section 7355. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Urbana School District 116 for parking lot improvements.

Section 7360. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake Beach for water distribution system improvements.

Section 7365. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grayslake Park District for a new roof for Jones Island Day Care.

New matter indicated by italics - deletions by strikeout
Section 7370. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Round Lake Park District for construction of a gazebo in Shaw Park.

Section 7375. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Third Lake for street maintenance.

Section 7380. The sum of $18,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Ebenezer Baptist Church for general infrastructure.

Section 7385. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Unity Temple for general infrastructure.

Section 7390. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago North Avenue 37th Ward for lights and resurfacing.

Section 7395. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin YMCA for general infrastructure.

Section 7400. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Dream Makers for general infrastructure.

Section 7405. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Chamber of Commerce for general infrastructure.

Section 7410. The sum of $350,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United Pentecostal Church International Bible College for 19th Avenue beautification projects.

Section 7415. The sum of $500,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the

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Department of Commerce and Economic Opportunity for a grant to the Young Men’s Residential Center of Miracle Revival Center for general infrastructure.

Section 7420. The sum of $500,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rock Heritage Center for the construction of a veterans and senior home.

Section 7425. The sum of $250,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso Leyden Council for Community Action for general infrastructure.

Section 7430. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maywood Fine Arts Association for the purchase and renovation of the Widow’s Home.

Section 7435. The sum of $500,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Progressive Fitness Center for general infrastructure.

Section 7440. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Riverbender Community Center for general infrastructure.

Section 7445. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oasis Women’s Center for general infrastructure.

Section 7450. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Park District for general infrastructure.

Section 7455. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Arden Shore for general infrastructure.

Section 7460. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Father Gary Graf Center for general infrastructure.

Section 7465. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Action Project for general infrastructure.

Section 7470. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Waukegan for general infrastructure.

Section 7475. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Airport for general infrastructure.

Section 7480. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Way of Life for general infrastructure.

Section 7485. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Chamber Training Academy for general infrastructure.

Section 7490. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Public Library for general infrastructure.

Section 7495. The sum of $60,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lion’s Math and Science Academy for general infrastructure.

Section 7500. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Build North Chicago for general infrastructure.

Section 7505. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Former Inmates Strive Together for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 7510. The sum of $3,000,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for construction of a sports recreation facility in Morgan Park.

Section 7515. The sum of $47,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Streamwood Park District for all costs associated with new rooftop thermal units at Park Place.

Section 7520. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Side Health Authority for general infrastructure improvements.

Section 7525. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Dream Makers for general infrastructure improvements.

Section 7530. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with a bike flyover in the 42nd Ward.

Section 7535. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for infrastructure improvements.

Section 7540. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for infrastructure improvements.

Section 7545. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Palos Heights for infrastructure improvements.

Section 7550. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for infrastructure improvements.

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Chicago Park District for all costs associated with the reconstruction of Lincoln Park.

Section 7555. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lansing Library for infrastructure improvements.

Section 7560. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lansing for infrastructure improvements.

Section 7565. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Calumet for infrastructure improvements.

Section 7570. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lynwood for infrastructure improvements.

Section 7575. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk for infrastructure improvements.

Section 7580. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Memorial Park District for infrastructure improvements.

Section 7585. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Park District for infrastructure improvements.

Section 7590. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Thornton for infrastructure improvements.

Section 7595. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban College for infrastructure improvements.

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Section 7600. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk for infrastructure improvements.

Section 7605. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lynwood for infrastructure improvements.

Section 7610. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for infrastructure improvements.

Section 7615. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manteno for infrastructure improvements.

Section 7620. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher for infrastructure improvements.

Section 7625. The sum of $105,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for infrastructure improvements in the 9th Ward.

Section 7630. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for infrastructure improvements in the 17th Ward.

Section 7635. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Chicago Board of Education for infrastructure improvements at the Edgar Allan Poe Classical School.

Section 7640. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Chicago Board of Education for infrastructure improvements at the Lenart Elementary Regional Gifted Center.

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Section 7645. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at the James E. Mcdade Classical School.

Section 7650. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at the Jane E. Neil Elementary School.

Section 7655. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at John M. Harlan Community Academy High School.

Section 7660. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Schmid Elementary School.

Section 7665. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Consolidated School District 168 for infrastructure improvements at the Wagoner Elementary School.

Section 7670. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lansing School District 168 for infrastructure improvements to the Reavis Elementary School.

Section 7675. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beecher School District 200-U for infrastructure improvements at the Beecher Elementary School.

Section 7680. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the

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Cicero Public School District 99 for infrastructure improvements to the Burnham Elementary School.

Section 7685. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Tuley Park.

Section 7690. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Greater Grand Crossing.

Section 7695. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Gately Park.

Section 7700. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for general infrastructure improvements.

Section 7705. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bolingbrook for general infrastructure improvements.

Section 7710. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Queen Bee School District 16 for all costs associated with recreational equipment construction.

Section 7715. The sum of $35,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for road repairs.

Section 7720. The sum of $35,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for road repairs.

Section 7725. The sum of $15,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for road repairs.

Section 7730. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst Community Unit School District 205 for all costs associated with Safe Routes to School.

Section 7735. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the City of Chicago for general infrastructure improvements in the 5th Ward.

Section 7740. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the City of Washington Park for general infrastructure improvements.

Section 7745. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Village of Brooklyn for general infrastructure improvements.

Section 7750. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the City of Madison for general infrastructure improvements.

Section 7755. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the City of Fairmont for general infrastructure improvements.

Section 7755. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Aurora University for costs associated with the construction of a new STEM school.

Section 7760. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Chicago Board of Education for all costs associated with a playground at Agassiz Elementary School.

Section 7765. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

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Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Horace Greeley School.

Section 7770. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $100,084,564

ARTICLE 54
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 2. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 2 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Harwood Heights for all costs associated with capital improvements.

Section 3. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 3 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schorsch Village Improvement Association for all costs associated with capital improvements.

Section 5. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Horizon Center for the Developmentally Disabled for all costs associated with capital improvements.

Section 7. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 7 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with capital improvements in various 20th District parks.

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Triton Community College for all costs associated with making all campus restroom facilities ADA accessible.

Section 12. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 12 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fox Valley Park District for all costs associated with utility and infrastructure improvements.

Section 14. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 14 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Convalescent for all costs associated with infrastructure, public safety, and security improvements.

Section 15. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Loaves and Fishes for all costs associated with construction of a community food pantry.

Section 16. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 16 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for all costs associated with infrastructure, public safety, security, and improvements.

Section 17. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 17 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Little Friends for all costs associated with infrastructure, public safety, and security improvements.

Section 20. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 20 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Indian Prairie School District 204 for all costs associated with public safety, infrastructure, and security improvements.

Section 21. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 21 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Naperville Community School District 203 for all costs associated with infrastructure, public safety, and security improvements.

Section 22. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 22 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Naperville Park District for all costs associated with construction of new park amenities.

Section 23. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 23 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Turning Pointe for all costs associated with capital improvements.

Section 25. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to AID for all costs associated with constructing a disability work center.
Section 27. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 27 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Batavia Township for all costs associated with road construction improvements.

Section 29. The sum of $7,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 29 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blackberry Township for all costs associated with Seavy Road Bridge repairs and capital improvements.

Section 30. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 30 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Big Grove Township for all costs associated with road signs and capital improvements.

Section 31. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 31 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Big Rock Township for all costs associated with Township Hall improvements.

Section 32. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 32 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Big Rock for all costs associated with the design and construction of a waste water facility.

Section 33. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 33 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Big Rock for all costs associated with the design and construction of a waste water facility.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Campton Township for all costs associated with community center expansion.

Section 34. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 34 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campton Hills for all costs associated with sewer replacement.

Section 35. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elburn for all costs associated with sidewalk repairs.

Section 38. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 38 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kaneville Township for all costs associated with road repair improvements.

Section 40. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 40 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maple Park for all costs associated with construction of a community center restroom and storage facility.

Section 41. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 41 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Montgomery for all costs associated with construction of a water main.

New matter indicated by italics - deletions by strikeout
Section 42. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 42 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Newark for all costs associated with the construction of a village hall.

Section 43. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 43 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northern Illinois Food Depository for all costs associated with the construction of a Community Nutrition Center.

Section 44. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 44 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Aurora for all costs associated with the construction of a village hall.

Section 45. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 45 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oswego for all costs associated with the construction of a road.

Section 46. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 46 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services Assoc., Inc. for all costs associated with the construction of a storage facility.

Section 48. The sum of $5,083, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 48 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheridan for all costs associated with sewer and stormwater improvements.

Section 49. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 49 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southern Kane County Training Association for all costs associated with construction of a regional training facility.

Section 50. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sugar Grove for all costs associated with road improvements.

Section 51. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 51 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United City of Yorkville for all costs associated with the construction of a materials storage facility.

Section 52. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 52 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Virgil for all costs associated with village roadway improvements.

Section 53. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 53 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fox Township for all costs associated with infrastructure improvements.
Section 54. The sum of $7,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 54 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Virgil Township for all costs associated with construction of a fabric salt storage building.

Section 55. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 55 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Plano for all costs associated with infrastructure improvements.

Section 56. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 56 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Heyworth for all costs associated with infrastructure, public safety, and security improvements.

Section 57. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 57 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heyworth Fire Protection District for all costs associated with fire station renovation improvements.

Section 58. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 58 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spaulding for all costs associated with infrastructure improvements for emergency purposes.

Section 59. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 59 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Heyworth for all costs associated with infrastructure improvements for emergency purposes.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo for all costs associated with the road improvements.

Section 60. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 60 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Family School for all costs associated with the infrastructure, public safety, and security improvements.

Section 62. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 62 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lutheran School Association for all costs associated with the infrastructure, public safety, and security improvements.

Section 63. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 63 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Decatur Christian School for all costs associated with infrastructure, public safety, and security improvements.

Section 64. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 64 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latham Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 65. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Clinton American Legion for all costs associated with infrastructure, public safety, and security improvements.

New matter indicated by italics - deletions by strikeout
Section 66. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 66 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post #382 for all costs associated with infrastructure, public safety, and security improvements.

Section 67. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 67 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Stonington American Legion Post #257 for all costs associated with infrastructure, public service, and safety improvements.

Section 68. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 68 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Atlanta Fire Protection District for all costs associated with infrastructure, public service, and safety improvements.

Section 69. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 69 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Macon Fire Protection District for all costs associated with fire station construction.

Section 70. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 70 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmer City for all costs associated with the construction of a walking path.

Section 71. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 71 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmer City for all costs associated with the construction of a walking path.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Theresa High School for all costs associated with construction.

Section 72. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 72 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Austin Township for all costs associated with township bridge replacement.

Section 73. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 73 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hopedale for all costs associated with culvert replacement.

Section 74. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 74 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Farmer City Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 75. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argenta Fire Department for all costs associated with the purchase and renovation of a fire station.

Section 76. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 76 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Pulaski Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.
Section 77. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 77 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Riverton Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 78. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 78 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hickory Point Fire Department for all costs associated with infrastructure, public safety, and security improvements.

Section 79. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 79 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maroa Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 80. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Mackinaw Township Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 81. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 81 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mackinaw Fire District for all costs associated with infrastructure, public safety, and security improvements.

Section 82. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 82 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wapella Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 83. The sum of $26,141, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 83 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kinney Fire Protection District for all costs associated with fire station repairs.

Section 85. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 85 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tazewell County coroner for all costs associated with capital improvements.

Section 86. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 86 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forsyth for all costs associated with infrastructure, public safety, and security improvements.

Section 87. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 87 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincoln Rural Fire Protection District for all costs associated with construction.

Section 88. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 88 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the McLean Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

New matter indicated by italics - deletions by strikeout
Section 89. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 89 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mt. Auburn for all costs associated with the repair and replacement of sidewalks.

Section 90. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 90 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Edinburg for all costs associated with the purchase and renovation of a police department.

Section 91. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 91 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mechanicsburg for all costs associated with rebuilding Water Tower Road.

Section 92. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 92 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with infrastructure improvements.

Section 93. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 93 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with remodeling the DuPage County Convalescent Center Kitchen.

Section 95. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 95 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with remodeling the DuPage County Convalescent Center Kitchen.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gower School District 62 for all costs associated with the purchase of technology equipment.

Section 96. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 96 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange for all costs associated with infrastructure improvements.

Section 98. The sum of $213,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 98 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Indian Head Park for all costs associated with watermain repairs.

Section 99. The sum of $340,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 99 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with street repairs.

Section 100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Helping Hand Rehabilitation Center for all costs associated with capital improvements.

Section 103. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 103 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Panola for all costs associated with infrastructure improvements.

Section 104. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 104 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Tazewell County for all costs associated with infrastructure improvements.

Section 106. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 106 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pontiac for all costs associated with infrastructure improvements.

Section 107. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 107 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton for all costs associated with infrastructure improvements.

Section 108. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 108 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Leroy for all costs associated with infrastructure improvements.

Section 110. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 110 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Point for all costs associated with infrastructure improvements.

Section 111. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 111 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Downs for all costs associated with infrastructure improvements.

Section 112. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 112 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lexington for all costs associated with infrastructure improvements.

Section 114. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 114 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flanagan for all costs associated with infrastructure improvements.

Section 115. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 115 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stanford for all costs associated with infrastructure improvements.

Section 116. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 116 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gridley for all costs associated with infrastructure improvements.

Section 117. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 118 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hudson for all costs associated with infrastructure improvements.

Section 119. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 119 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of El Paso for all costs associated with infrastructure improvements.

Section 120. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Leonore for all costs associated with infrastructure improvements.

Section 121. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 121 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rutland for all costs associated with infrastructure improvements.

Section 122. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 122 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Goodfield for all costs associated with infrastructure improvements.

Section 123. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 123 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the Village of Secor for all costs associated with infrastructure improvements.

Section 124. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 124 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East Peoria for all costs associated with infrastructure improvements.

Section 125. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cornell for all costs associated with infrastructure improvements.

Section 126. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 126 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dana for all costs associated with infrastructure improvements.

Section 127. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 127 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ellsworth for all costs associated with infrastructure improvements.

Section 128. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 128 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eureka for all costs associated with infrastructure improvements.

Section 129. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 129 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deer Creek for all costs associated with infrastructure improvements.

Section 132. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 132 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cooksville for all costs associated with infrastructure improvements.

Section 133. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 133 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Towanda for all costs associated with infrastructure improvements.

Section 134. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 134 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carlock for all costs associated with infrastructure improvements.

Section 135. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lostant for all costs associated with infrastructure improvements.

Section 136. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 136 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lostant for all costs associated with infrastructure improvements.
for a grant to the Village of Kappa for all costs associated with infrastructure improvements.

Section 137. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 137 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Morton Township for all costs associated with infrastructure improvements.

Section 138. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 138 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Washington Township for all costs associated with infrastructure improvements.

Section 139. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 139 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fondulac Township for all costs associated with infrastructure improvements.

Section 140. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 140 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Deer Creek Township for all costs associated with infrastructure improvements.

Section 141. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 141 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eureka-Goodfield Fire Department for all costs associated with infrastructure improvements.

Section 142. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 142 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Allin Township for all costs associated with infrastructure improvements.

Section 143. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 143 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decker Township for all costs associated with infrastructure improvements.

Section 144. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 144 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fairfield Community High School for all costs associated with infrastructure improvements.

Section 145. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harter/Stanford Fire District for all costs associated with new fire hydrants.

Section 146. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 146 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Claremont for all costs associated with water tower infrastructure improvements.

Section 148. The sum of $7,289, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 148 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Wayne County ETSB for all costs associated with infrastructure, public safety, and security improvements.

Section 149. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 149 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jasper County Board for all costs associated with infrastructure, public safety, and security improvements.

Section 155. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 155 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Claremont Township for all costs associated with infrastructure improvements.

Section 156. The sum of $2,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 156 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Madison Township for all costs associated with infrastructure improvements.

Section 158. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 158 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Children’s Museum Foundation Corp. for all costs associated with infrastructure improvements, to include the purchase of land and/or a building.

Section 159. The sum of $98,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 159 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Salem Lincoln League for all costs associated with infrastructure improvements at Lincoln’s New Salem State Historic Site.
Section 160. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Springfield for all costs associated with infrastructure improvements.

Section 161. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 161 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Springfield for all costs associated with capital improvements to the water system.

Section 162. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 162 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downtown Springfield, Inc. for all costs associated with infrastructure improvements.

Section 163. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 163 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to G.R.O.W.T.H. International for all costs associated with infrastructure improvements.

Section 164. The sum of $3,624, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 164 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to United Cerebral Palsy Land of Lincoln for all costs associated with infrastructure improvements.

Section 165. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to United Cerebral Palsy Land of Lincoln for all costs associated with infrastructure improvements.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Central Illinois Foodbank for all costs associated with infrastructure improvements.

Section 166. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 166 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kumler Outreach Ministries for all costs associated with infrastructure improvements.

Section 167. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 167 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Historic West Side Neighborhood Association for all costs associated with community and capital improvements.

Section 168. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 168 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Enos Park Neighborhood Association for all costs associated with park improvements.

Section 169. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 169 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvard Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 170. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 170 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salvation Army for all costs associated with infrastructure improvements.
Section 171. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 171 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Free Mason Central Lodge #3 for all costs associated with capital improvements.

Section 172. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 172 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iles Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 173. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 173 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincoln Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 174. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 174 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Ridge Neighborhood Association for all costs associated with infrastructure improvements.

Section 175. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Twin Lake Homeowners Association for all costs associated with infrastructure improvements.

Section 176. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 176 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vinegar Hill Neighborhood Association for all costs associated with sidewalk and lighting improvements.

Section 177. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 177 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakhill Cemetery of Clearlake for all costs associated with infrastructure improvements.

Section 178. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 178 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois State Fair Museum Foundation for all costs associated with infrastructure improvements.

Section 179. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 179 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois State Police Heritage Foundation for all costs associated with infrastructure improvements.

Section 180. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services of Central Illinois for all costs associated with infrastructure improvements.

Section 181. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 181 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Springfield for all costs associated with Monument Avenue infrastructure improvements.
Section 182. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 182 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield Muni Opera for all costs associated with infrastructure improvements.

Section 183. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 183 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cuba Township Road District for all costs associated with new construction on township property.

Section 185. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Algonquin Township Road District for all costs associated with construction and roof repair on township property.

Section 188. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 188 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grant Township Road District for all costs associated with township road improvements.

Section 190. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 190 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Avon Township Road District for all costs associated with township road improvements.

Section 191. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 191 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Avon Township Road District for all costs associated with township road improvements.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Barrington Township for all costs associated with township road improvements.

Section 195. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 195 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage PADS for all costs associated with infrastructure, public safety, and security improvements.

Section 197. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 197 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lisle for all costs associated with infrastructure, public safety, and security improvements.

Section 198. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 198 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with infrastructure, public safety, and security improvements.

Section 199. The sum of $11,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 199 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with infrastructure, public safety, and security improvements.

Section 200. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bolingbrook for all costs associated with infrastructure, public safety, and security improvements.
Section 201. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 201 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Naperville Park District for all costs associated with infrastructure, public safety, and security improvements.

Section 202. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 202 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Park District for all costs associated with infrastructure, public safety, and security improvements.

Section 204. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 204 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Convalescent Center for all costs associated with infrastructure, public safety, and security improvements.

Section 207. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 207 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Benedictine University for all costs associated with infrastructure, public safety, and security improvements.

Section 208. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 208 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Woodridge Fire District for all costs associated with infrastructure, public safety, and security improvements.

Section 209. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 209 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund for a grant to the DuPage Convalescent Center for all costs associated with infrastructure, public safety, and security improvements.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lisle Township for all costs associated with infrastructure, public safety, and security improvements.

Section 210. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Coach Care Center for all costs associated with infrastructure, public safety, and security improvements.

Section 212. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 212 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for all costs associated with infrastructure, public safety, and security improvements and flooring improvements.

Section 213. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 213 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Patrick’s Residence for all costs associated with infrastructure, public safety, and security improvements and flooring improvements.

Section 214. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 214 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Loaves and Fishes for all costs associated with the construction of a new community food pantry.

Section 215. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the City of Casey for all costs associated with drain improvements.

Section 216. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 216 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casey-Westfield Community Unit School District 4C for all costs associated with capital improvements.

Section 217. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 217 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marshall for all costs associated with a city-wide broadband project.

Section 218. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 218 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marshall Community Unit School District No. 2C for all costs associated with capital improvements.

Section 219. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 219 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lake Land College Forsyth Center for all costs associated with expansion of automotive technology center.

Section 220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 220 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Martinsville Community Unit School District No. 3C for all costs associated with capital improvements.

Section 221. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 221 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westfield for all costs associated with infrastructure, public safety, and security improvements.

Section 222. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 222 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Union Park District for all costs associated with playground improvements.

Section 223. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 223 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flat Rock for all costs associated with infrastructure, public safety, and security improvements.

Section 224. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 224 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hutsonville Community Unit School District No. 1 for all costs associated with capital improvements.

Section 225. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for all costs associated with the Wabash River boat ramp project.

Section 226. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 226 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to the Village of Hutsonville for all costs associated with infrastructure, public safety, and security improvements.

Section 228. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 228 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oblong Community Unit School District No. 4 for all costs associated with capital improvements.

Section 229. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 229 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Oil Field Museum for all costs associated with capital improvements.

Section 230. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 230 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oblong for all costs associated with infrastructure, public safety, and security improvements.

Section 231. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 231 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oblong Children’s Christian Home for all costs associated with capital improvements.

Section 232. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 232 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Palestine Community Unit School District No. 3 for all costs associated with capital improvements.

Section 233. The sum of $35,296, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 233 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palestine for all costs associated with infrastructure, public safety, and security improvements.

Section 234. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 234 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Robinson Community Unit School District No. 2 for all costs associated with infrastructure, public safety, and security improvements.

Section 235. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 235 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Robinson for all costs associated with Main Street and square improvements.

Section 236. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 236 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Robinson for all costs associated with road improvements.

Section 237. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 237 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincoln Trail College for all costs associated with the welding program building expansion and/or capital improvements.

Section 238. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 238 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Crawford County for all costs associated with broadband project expansion.

Section 239. The sum of $31,105, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 239 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Greenup for all costs associated with infrastructure, public safety, and security improvements.

Section 240. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 240 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Jewett for all costs associated with infrastructure, public safety, and security improvements.

Section 241. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 241 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Neoga Community Unit School District No. 3 for all costs associated with capital improvements.

Section 242. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 242 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cumberland Community Unit School District No. 77 for all costs associated with capital improvements.

Section 243. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 243 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Toledo for all costs associated with infrastructure, public safety, and security improvements.

Section 244. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 244 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edgar County Community Unit School District No. 6 for all costs associated with capital improvements.

Section 245. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 245 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kansas Community Unit School District No. 3 for all costs associated with capital improvements.

Section 246. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 246 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paris Community Unit School District No. 4 for all costs associated with capital improvements.

Section 247. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 247 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paris Union School District No. 95 for all costs associated with capital improvements.

Section 249. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 249 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Paul Warner Rescue for all costs associated with structural expansions and/or capital improvements.

Section 250. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 250 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the Altamont Community Unit School District No. 10 for all costs associated with capital improvements.

Section 251. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 251 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Altamont for all costs associated with infrastructure, public safety, and security improvements.

Section 252. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 252 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beecher City Community Unit School District No. 20 for all costs associated with capital improvements.

Section 253. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 253 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher City for all costs associated with infrastructure, public safety, and security improvements.

Section 254. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 254 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Red Hill Community Unit School District No. 10 for all costs associated with capital improvements.

Section 255. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 257 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lawrenceville for all costs associated with infrastructure, public service, and safety improvements.

Section 258. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 258 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Francisville for all costs associated with infrastructure, public safety, and security improvements.

Section 259. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 259 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sumner for all costs associated with infrastructure, public service, and safety improvements.

Section 260. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Stewardson-Strasburg Community Unit School District No. 5A for all costs associated with capital improvements.

Section 262. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 262 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shelbyville Community Unit School District No. 4 for all costs associated with capital improvements for schools.

Section 263. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 263 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of Shelbyville for all costs associated with infrastructure, public service, and safety improvements.

Section 264. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 264 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Allendale Community Unit School District No. 17 for all costs associated with capital improvements to schools.

Section 265. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wabash CUSD 348 for all costs associated with capital improvements to schools.

Section 267. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 267 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wamac for all costs associated with infrastructure, public service, and security improvements.

Section 268. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 268 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Nason for all costs associated with infrastructure improvements.

Section 270. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 270 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Belle Rive for all costs associated with water project improvements.

Section 271. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 271 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bonnie for all costs associated with infrastructure improvements.

Section 272. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 272 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluford for all costs associated with infrastructure improvements.

Section 273. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 273 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ina for all costs associated with infrastructure, public service, and security improvements.

Section 274. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 274 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodlawn for all costs associated with infrastructure, public service, and security improvements.

Section 275. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jefferson County Sheriff’s Department for all costs associated with infrastructure, public service, and security improvements.

Section 276. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 276 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jefferson County Sheriff’s Department for all costs associated with infrastructure, public service, and security improvements.
for a grant to the Mt. Vernon Police Department for all costs associated with infrastructure, public service, and security improvements.

Section 277. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 277 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waltonville for all costs associated with infrastructure, public service, and security improvements.

Section 278. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 278 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Patoka for all costs associated with infrastructure, public service, and security improvements.

Section 279. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 279 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Walnut Hill for all costs associated with infrastructure, public service, and security improvements.

Section 280. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Community Activities Center for all costs associated with infrastructure improvements.

Section 281. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 281 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marion County Fair Association for all costs associated with infrastructure improvements.

Section 282. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 282 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centralia City Fire Department for all costs associated with fire station construction.

Section 283. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 283 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Police Department for all costs associated with infrastructure improvements.

Section 285. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 285 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sandoval for all costs associated with infrastructure improvements.

Section 286. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 286 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois Theater for all costs associated with infrastructure improvements.

Section 287. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 287 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bartelso for all costs associated with capital improvements.

Section 288. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 288 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Beckemeyer for all costs associated with capital improvements.

Section 289. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 289 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Clinton County Sheriff’s Department for all costs associated with infrastructure improvements.

Section 290. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoffman for all costs associated with infrastructure improvements.

Section 291. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 291 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carlyle Fire Protection District for all costs associated with infrastructure improvements.

Section 292. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 292 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Fire Protection District for all costs associated with infrastructure, public service, and security improvements.

Section 293. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 293 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alma for all costs associated with infrastructure, public service, and safety improvements, and the construction of a new community center.
Section 294. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 294 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Odin for all costs associated with infrastructure, public service, and safety improvements.

Section 295. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 295 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Iuka for all costs associated with infrastructure, public service, and safety improvements.

Section 297. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 297 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Breese Fire Department for all costs associated with the purchase of a new fire truck and/or capital improvements.

Section 300. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 300 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Germantown for all costs associated with the extension of utilities to development (retail) project and sewer improvements.

Section 301. The sum of $36,669, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 301 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carlyle for all costs associated with infrastructure, public service, and safety improvements, and purchase of property.

Section 302. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 302 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Area Aquatics Foundation for all costs associated with construction of an indoor center and pool.

Section 303. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 303 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Community Theatre and Cultural Center for all costs associated with construction of ADA accessible restroom facilities and a new entrance.

Section 304. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 304 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carlyle Police Department for all costs associated with a construction project for the safe transport of prisoners.

Section 305. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Breese Police Department for all costs associated with infrastructure, public service, and safety improvements.

Section 306. The sum of $48,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 306 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Breese for all costs associated with the construction of a sanitary sewer main.

Section 308. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 308 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of Rolling Meadows for all costs associated with Salt Creek stabilization.

Section 309. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 309 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoffman Estates for all costs associated with construction of a water main.

Section 310. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Inverness for all costs associated with village hall rehabilitation.

Section 311. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 311 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Palatine Park District for all costs associated with construction of Falcon Park Recreation Center.

Section 312. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 312 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rolling Meadows Park District for all costs associated with parking lot repairs.

Section 313. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 313 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Consolidated School District 15 for all costs associated with plumbing renovations and/or capital improvements.

Section 314. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 314 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township High School District 211 for all costs associated with water and sewer pipe replacement.

Section 315. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Senior Center for all costs associated with building renovations and a parking lot.

Section 316. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 316 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township for all costs associated with building renovations and parking lot repairs.

Section 321. The sum of $48,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 321 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Alexian Brothers Center for Mental Health for all costs associated with roofing, water, and sewer improvements.

Section 322. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 322 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS for all costs associated with a building purchase.

Section 323. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 323 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter, Inc. for all costs associated with roof renovation and/or capital improvements.

New matter indicated by italics - deletions by strikeout
Section 325. The sum of $190,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carpentersville for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 326. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 326 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements, and construction of a bike bridge.

Section 328. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 328 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gilberts for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 329. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 329 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hampshire for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 330. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 330 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pingree Grove for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 331. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 331 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Algonquin for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 333. The sum of $190,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 333 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of West Dundee for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 335. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Charles for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements, and electric utility upgrades.

Section 336. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 336 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 337. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 337 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burlington for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 338. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 338 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to the Rutland Township for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 340. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 340 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Geneva Township for all costs associated with roadway improvements and bridge construction.

Section 341. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 341 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Batavia Park District for all costs associated with capital park improvements and land purchases.

Section 342. The sum of $275,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 342 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preservation District of Kane County for all costs associated with capital park improvements, land purchases, and building construction.

Section 343. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 343 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Geneva Park District for all costs associated with capital park upgrades and land purchases.

Section 344. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 344 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Charles Park District for all costs associated with capital park improvements, land purchases, and the development of a new community park.
Section 346. The sum of $25,633, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 346 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dundee Park District for all costs associated with making Brunner Property accessible for public use, capital park improvements, and land purchases.

Section 347. The sum of $6,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 347 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Anchor for all costs associated with infrastructure improvements.

Section 348. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 348 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crescent City for all costs associated with infrastructure improvements.

Section 350. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roberts for all costs associated with infrastructure improvements.

Section 351. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 351 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cissna Park for all costs associated with infrastructure improvements.

Section 352. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 352 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gibson City for all costs associated with infrastructure improvements.

Section 353. The sum of $40,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 353 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Strawn for all costs associated with infrastructure improvements.

Section 354. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 354 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iroquois County Agriculture and 4-H Club Fair for all costs associated with infrastructure improvements.

Section 355. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 355 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Piper City for all costs associated with infrastructure improvements.

Section 356. The sum of $33,122, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 356 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cullom for all costs associated with infrastructure improvements.

Section 357. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 357 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elliot for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 358. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 358 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buckley for all costs associated with infrastructure improvements.

Section 359. The sum of $22,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 359 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Danforth for all costs associated with infrastructure improvements.

Section 360. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stockland Township for all costs associated with infrastructure improvements.

Section 361. The sum of $16,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 361 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Melvin for all costs associated with infrastructure improvements.

Section 362. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 362 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Iroquois for all costs associated with infrastructure improvements.

Section 363. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 363 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois...
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Iroquois County for all costs associated with infrastructure improvements.

Section 364. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 364 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Foosland for all costs associated with infrastructure improvements.

Section 365. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 365 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bellflower for all costs associated with infrastructure improvements.

Section 366. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 366 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodland for all costs associated with infrastructure improvements.

Section 367. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 367 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forrest for all costs associated with infrastructure improvements.

Section 368. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 368 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iroquois-Ford Fire Protection District for all costs associated with infrastructure improvements.
Section 369. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 369 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Emington for all costs associated with infrastructure improvements.

Section 370. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 370 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Milford for all costs associated with infrastructure improvements.

Section 371. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 371 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clifton for all costs associated with infrastructure improvements.

Section 372. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 372 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thawville for all costs associated with infrastructure improvements.

Section 373. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 373 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Dixon Community Fire Protection District for all costs associated with light installation.

Section 374. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 374 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dixon Community Fire Protection District for all costs associated with light installation.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the PADS Homeless Shelter for all costs associated with building construction.

Section 377. The sum of $32,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 377 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Phenix Township for all costs associated with materials and construction of a new Phenix Township building.

Section 378. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 378 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Amboy Fire Protection District for all costs associated with construction of a training/storage building.

Section 379. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 379 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dixon for all costs associated with capital improvements.

Section 381. The sum of $38,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 381 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Polo Park Board for all costs associated with infrastructure improvements.

Section 382. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 382 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Phenix Township for all costs associated with capital improvements.
Section 383. The sum of $28,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 383 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Falls for all costs associated with capital improvements.

Section 385. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Polo Fire Protection District for all costs associated with fire station improvements.

Section 386. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 386 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Perry for all costs associated with water system improvements and emergency siren system improvements.

Section 387. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 387 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Golden for all costs associated with a storm sewer replacement project.

Section 388. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 388 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mid River Port Commission for all costs associated with road construction and improvements.

Section 389. The sum of $148,238, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 389 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Golden for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quincy Family YMCA for all costs associated with capital improvements.

Section 390. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Winchester for all costs associated with street improvements.

Section 392. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 392 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Versailles for all costs associated with capital improvements.

Section 393. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 393 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alsey for all costs associated with water system improvements.

Section 394. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 394 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Beardstown for all costs associated with water system improvements.

Section 395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluffs for all costs associated with a new water storage tank and water system improvements.
Section 396. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 396 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rushville for all costs associated with water distribution improvements.

Section 397. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 397 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Scott County Rural Water Cooperative for all costs associated with the construction of a water main.

Section 398. The sum of $256, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 398 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manchester for all costs associated with fire department improvements.

Section 399. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 399 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ashland for all costs associated with surface water and flood control improvements.

Section 400. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kirkwood for all costs associated with water and sewer improvements.

Section 401. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 401 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kirkwood for all costs associated with water and sewer improvements.
Section 402. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 402 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Warsaw for all costs associated with infrastructure improvements.

Section 403. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 403 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hamilton for all costs associated with sewer improvements.

Section 406. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 406 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Industry for all costs associated with sewer improvements.

Section 409. The sum of $47,597, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 409 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fairview Fire Protection District for all costs associated with expansion.

Section 410. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 410 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alexis for all costs associated with sewer improvements.
Section 412. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 412 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hancock McDonough ROE 26 for all costs associated with a building purchase for a co-op.

Section 413. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 413 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little York Fire Protection District for all costs associated with the purchase of a fire truck and fire fighting equipment and/or capital improvements.

Section 416. The sum of $168, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 416 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belvidere for all costs associated with the purchase of a street sweeper and capital improvements.

Section 418. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 418 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rockford for all costs associated with the purchase of a fire truck and/or capital improvements.

Section 419. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 419 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of South Beloit for all costs associated with capital improvements.

Section 422. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 422 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cherry Valley for all costs associated with capital improvements.

Section 426. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 426 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roscoe for all costs associated with capital improvements.

Section 427. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 427 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Timberlane for all costs associated with capital improvements.

Section 436. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 436 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Belvidere Park District for all costs associated with capital improvements.

Section 438. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 438 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council of Boy Scouts of America for all costs associated with a program and administration building.

Section 439. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 439 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the River Rock Council Girl Scouts for all costs associated with a program and administration building.

New matter indicated by italics - deletions by strikeout
Section 442. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 442 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Batavia for all costs associated with fiber optic pilot program construction.

Section 443. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 443 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West Chicago for all costs associated with water system infrastructure improvements.

Section 445. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with stormwater infrastructure improvements and land acquisition.

Section 447. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 447 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Warrenville for all costs associated with demolition and property remediation and other capital improvements.

Section 449. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 449 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with construction of new facilities for the convalescent center.

Section 450. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with construction of new facilities for the convalescent center.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Forest Preservation District for all costs associated with West Branch-Winfield Mounds construction.

Section 451. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 451 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Forest Preservation District for all costs associated with West Branch-Winfield Mounds construction.

Section 453. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 453 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Geneva Township for all costs associated with bridge replacement.

Section 455. The sum of $192,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for all costs associated with infrastructure improvements.

Section 457. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 457 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with water distribution modernization and other capital improvements.

Section 458. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 458 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with the modernization of Pump House and other capital improvements.

New matter indicated by italics - deletions by strikeout
Section 459. The sum of $11,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 459 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with a security system for Pump House and Water Tank and other capital improvements.

Section 460. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 460 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with new street lighting and other capital improvements.

Section 462. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 462 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for all costs associated with the renovation of City Hall and other capital improvements.

Section 463. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 463 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schiller Park for all costs associated with Irving Park Road viaduct improvements and other capital improvements.

Section 464. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 464 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schiller Park for capital improvements.

Section 466. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 466 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
for a grant to the Village of Elmwood Park for all costs associated with the Harlem Avenue lighting project and other capital improvements.

Section 467. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 467 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bensenville for all costs associated with new road improvements (no resurfacing) and other capital projects.

Section 468. The sum of $275,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 468 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Franklin Park for all costs associated with the Franklin Avenue water main and other capital improvements.

Section 469. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 469 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Franklin Park for capital improvements.

Section 470. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for all costs associated with the North Avenue decorative lighting project and other capital improvements.

Section 471. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 471 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for all costs associated with the Belmont Avenue streetscape and other capital improvements.

Section 472. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 472 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Downers Grove Park District for all costs associated with infrastructure improvements.

Section 473. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 473 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Woodridge Park District for all costs associated with building a park for youth.

Section 475. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post #250 for all costs associated with restoration of the veterans meeting room with new furniture and equipment.

Section 476. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 476 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westmont American Legion Post #338 for all costs associated with wheelchairs and equipment for veterans meeting room restoration.

Section 477. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 477 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Seaspar Special Recreation District for all costs associated with infrastructure improvements for a park for disabled children.

Section 478. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 478 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Woodridge Park District for all costs associated with building a park for youth.
Section 481. The sum of $14,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 481 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westmont Park District for all costs associated with infrastructure improvements to parks.

Section 482. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 482 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northeast DuPage Special Recreation Association for all costs associated with infrastructure and safety improvements for a wheelchair gym in the Special Recreation District.

Section 483. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 483 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indian Boundary YMCA for all costs associated with renovation of the Early Childhood after school learning room.

Section 485. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 485 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Almost Home Kids for all costs associated with infrastructure improvements for a nursing office for respite care for medically fragile children.

Section 486. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 486 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Convalescent Center for all costs associated with infrastructure improvements in the county nursing home.
for a grant to Giant Steps for all costs associated with infrastructure improvements for the expansion of a community outreach autism program.

Section 487. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 487 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Easter Seals of DuPage and the Fox Valley Region for all costs associated with infrastructure improvements.

Section 491. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 491 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westmont for all costs associated with improvements to the Village Hall Police Department, commuter train, station security and safety equipment.

Section 495. The sum of $13,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with flood project improvements.

Section 496. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 496 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with Juniper Avenue infrastructure improvements.

Section 497. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 497 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with the construction of a gazebo at Prairie Trail Park and infrastructure improvements.
Section 498. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 498 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with the construction of a municipal salt storage building.

Section 499. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 499 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with 63rd Street stormwater inlet improvements.

Section 501. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 501 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure, public safety, and security improvements.

Section 502. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 502 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Shelter for all costs associated with infrastructure improvements for victims of domestic violence.

Section 503. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 503 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ray Graham for all costs associated with exterior work on CILA (Community Integrated Living Arrangement) Home for Disabled Children.

Section 505. The sum of $367,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 505 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to University High School for all costs associated with renovation of boys' and girls' locker rooms.

Section 509. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 509 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bloomington Township Fire Department for all costs associated with construction for the expansion of the fire department.

Section 511. The sum of $131,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 511 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Normal for all costs associated with the Connie Link Amphitheater/Construction Trail restroom construction project.

Section 514. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 514 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Medinah Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 516. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 516 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Roselle Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 517. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 517 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carol Stream Park District for all costs associated with infrastructure, public safety, and safety improvements.
Section 518. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 518 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glendale Heights Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 520. The sum of $17,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addison for all costs associated with infrastructure, public security, and safety improvements.

Section 523. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 523 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for all costs associated with infrastructure, public security, and safety improvements.

Section 525. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with infrastructure, public safety, and safety improvements.

Section 528. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 528 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with infrastructure, public safety, and safety improvements.

Section 529. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 529 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with infrastructure, public safety, and safety improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure, public safety, and safety improvements.

Section 530. The sum of $11,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with infrastructure, public safety, and safety improvements.

Section 531. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 531 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Recreation Association for all costs associated with infrastructure, public safety, and safety improvements.

Section 532. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 532 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage for all costs associated with infrastructure, public safety, and safety improvements.

Section 533. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 533 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Outreach Community Center in Carol Stream for all costs associated with infrastructure, public safety, and safety improvements.

Section 534. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 534 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Carl Sandburg Community College for all costs associated with capital improvements at the Galesburg campus.
Section 535. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galesburg Fire Department for all costs associated with capital improvements and equipment.

Section 536. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 536 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Princeton for all costs associated with capital improvements.

Section 537. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 537 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Freedom House for all costs associated with capital improvements.

Section 540. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 540 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oneida for all costs associated with capital improvements for water, sewer, or streets.

Section 541. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 541 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altona for all costs associated with capital improvements for water, sewer, or streets.

Section 542. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 542 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Altona for all costs associated with capital improvements for water, sewer, or streets.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Abingdon for all costs associated with capital improvements.

Section 544. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 544 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Knox County Board for all costs associated with capital improvements.

Section 545. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elba-Salem Fire District for all costs associated with the purchase of a new fire truck and/or capital improvements.

Section 546. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 546 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wyoming for all costs associated with capital improvements.

Section 547. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 547 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Toulon for all costs associated with capital improvements.

Section 548. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 548 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aunt Martha’s Youth Services Center for all costs associated with capital improvements for a dentistry room and permanent equipment.
Section 549. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 549 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Abilities Plus for all costs associated with capital improvements for a new group home.

Section 551. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 551 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Black Hawk College- East Campus for all costs associated with capital improvements to Kewanee Campus.

Section 553. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 553 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cambridge for all costs associated with capital improvements.

Section 555. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 555 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodhull for all costs associated with capital improvements.

Section 556. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 556 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alpha for all costs associated with capital improvements.

Section 557. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 557 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodhull for all costs associated with capital improvements.

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Annawan for all costs associated with capital improvements.

Section 559. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 559 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Princeton for all costs associated with capital improvements.

Section 560. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wyanet for all costs associated with capital improvements.

Section 561. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 561 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Walnut for all costs associated with capital improvements.

Section 562. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 562 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ohio for all costs associated with capital improvements.

Section 563. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 563 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Buda Fire District for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 565. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheffield for all costs associated with capital improvements.

Section 566. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 566 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manlius for all costs associated with capital improvements.

Section 567. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 567 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bartlett Fire Protection District for all costs associated with a fire tower and training center.

Section 568. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 568 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West Chicago for all costs associated with infrastructure, security, and public safety improvements.

Section 570. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 570 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wayne Township Road District for all costs associated with the Powis Road Flood Control project.

Section 572. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 572 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bartlett for all costs associated with infrastructure, security, and public safety improvements.

Section 573. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 573 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Charles for all costs associated with infrastructure, security, and public safety improvements.

Section 574. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 574 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with infrastructure, security, and public safety improvements.

Section 575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 575 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover Park for all costs associated with infrastructure, security, and public safety improvements.

Section 576. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 576 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wayne for all costs associated with infrastructure, security, and public safety improvements.

Section 577. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 577 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for all costs associated with infrastructure, security, and public safety improvements.
Section 578. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 578 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Arlington Heights School District 25 for all costs associated with capital improvements.

Section 580. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 21 for all costs associated with the construction of a Data Center.

Section 581. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 581 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clearbrook for all costs associated with kitchen remodeling in CILA group homes.

Section 582. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 582 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheeling Township Road District for all costs associated with road and flood improvements.

Section 583. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 583 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indian Trails Public Library District for all costs associated with capital improvements.

Section 584. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 584 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arlington Heights Memorial Library for all costs associated with renovation of the children’s department.

Section 586. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 586 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arlington Heights Memorial Library for all costs associated with renovation of the children’s department.

Section 589. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 589 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Prospect Park District for all costs associated with Prospect Meadows Park improvements.

Section 590. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Prospect Park District for all costs associated with Prospect Meadows Park improvements.

Section 592. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 592 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Arlington Heights for all costs associated with the replacement of the Camelot Park pedestrian bridge.

Section 593. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 593 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Arlington Heights for all costs associated with flood control improvements.

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Section 594. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 594 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo Grove for all costs associated with stormwater and flooding management programs.

Section 596. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 596 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bensenville Park District for all costs associated with Fischer Farm infrastructure improvements.

Section 598. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 598 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Itasca Park District for all costs associated with a lightning detection system and waterpark upgrades.

Section 599. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 599 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst Park District for all costs associated with Marjorie Davis Park upgrades and Wagner Center improvements.

Section 602. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 602 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the VFW post for all costs associated with a new parking lot.

Section 604. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 604 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
for a grant to the Addison Fire Protection District for all costs associated with capital improvements.

Section 605. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with building repairs, security fencing, and parking lot repairs.

Section 606. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 606 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 1205 for all costs associated with roof and parking lot repairs.

Section 609. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 609 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Addison Park District for all costs associated with infrastructure improvements to Army Trail Nature Center.

Section 610. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the East Seals of DuPage and Fox Valley Region for all costs associated with a new parking lot and parking lot repairs.

Section 611. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 611 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lombard Park District for all costs associated with a new roof for the Lombard Lagoon Building and making the cemetery stairs and ramping at Washington Park ADA compliant.
Section 612. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 612 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the VFW Addison Post 7446 for all costs associated with parking lot improvements.

Section 613. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 613 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Addison Township for all costs associated with parking lot improvements.

Section 615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 615 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fenton Community High School District 100 for all costs associated with building and parking lot improvements.

Section 616. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 616 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Itasca for all costs associated with street and drainage improvements.

Section 617. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 617 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with building improvements and repairs at Jefferson and Lufkin swimming pools.

Section 618. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 618 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst YMCA for all costs associated with building repairs.

Section 619. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 619 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with rebuilding West Avenue and restoring Fischer Farm (one room schoolhouse).

Section 620. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elmhurst CUSD 205 for all costs associated with building additional classrooms at Emerson School.

Section 621. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 621 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with Bensenville CILA improvements.

Section 623. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 623 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with infrastructure and safety upgrades.

Section 625. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 625 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lombard for all costs associated with infrastructure projects including but not limited to road improvements.
Section 626. The sum of $63,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 626 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hamel for all costs associated with capital improvements.

Section 627. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 627 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the VFW Post 1377 for all costs associated with capital improvements.

Section 628. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 628 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mulberry Grove Fire Department for all costs associated with a gear extractor system.

Section 630. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Troy for all costs associated with sidewalks along North Staunton Road.

Section 631. The sum of $32,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 631 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mascoutah Fire Department for all costs associated with firehouse improvements and upgrades.

Section 632. The sum of $17,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 632 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mascoutah Fire Department for all costs associated with firehouse improvements and upgrades.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy Fire Department for all costs associated with an indoor exhaust ventilation system.

Section 634. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 634 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Madison County Fair Association for all costs associated with capital improvements.

Section 635. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 635 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alhambra for all costs associated with stormwater improvements.

Section 636. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 636 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bond County Humane Society for all costs associated with capital improvements for an animal shelter.

Section 637. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 637 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bond County Senior Center for all costs associated with the new senior citizen center.

Section 639. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 639 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pocahontas for all costs associated with water treatment system upgrades.

New matter indicated by italics - deletions by strikeout
Section 640. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Elmo Historical Society for all costs associated with the renovation of Elmo Movie Theater.

Section 641. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 641 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sorento for community building renovations.

Section 642. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 642 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Vandalia for all costs associated with a cemetery maintenance building.

Section 643. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 643 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Trenton for all costs associated with drainage improvements at city park.

Section 644. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 644 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tower Hill for all costs associated with replacing water meters.

Section 645. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 645 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tower Hill for all costs associated with replacing water meters.

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for a grant to the Village of Summerville for all costs associated with the construction of a new city hall.

Section 646. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 646 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithboro for all costs associated with stormwater drainage improvements.

Section 647. The sum of $37,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 647 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Peter for all costs associated with the design and engineering of a sewer upgrade.

Section 648. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 648 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Peter for all costs associated with the purchase and/or construction of a new community building.

Section 649. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 649 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Jacob for all costs associated with the purchase and/or construction of a new public works building.

Section 650. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 650 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Elmo for all costs associated with sanitary sewer improvements.

Section 651. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 651 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Panama for all costs associated with sidewalk replacement.

Section 652. The sum of $96,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 652 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for all costs associated with water line replacement.

Section 653. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 653 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lebanon for all costs associated with replacement of the roof on the police station.

Section 654. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 654 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Keyesport for all costs associated with new sidewalks.

Section 655. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highland for all costs associated with construction including incurred costs.

Section 656. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 656 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to City of Highland for all costs associated with the sidewalk and handicap ramp improvements along Route 143.

Section 658. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 658 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Aviston for all costs associated with the purchase of and/or construction of a new maintenance building.

Section 659. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 659 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brownstown for all costs associated with a severe weather warning system.

Section 660. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 660 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cowden for all costs associated with park improvements.

Section 661. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 661 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Women’s Military and Civilian Memorial Inc. for all costs associated with building a military and civilian memorial for women who have served in times of war.

Section 662. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 662 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Trinity Services, Inc. for all costs associated with capital improvements for street improvements.

New matter indicated by italics - deletions by strikeout
Section 663. The sum of $36,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 663 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mulberry Grove for all costs associated with the purchase of bondable equipment and capital improvements.

Section 666. The sum of $131,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 666 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nunda Township for all costs associated with road improvements.

Section 667. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 667 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Algonquin Township for all costs associated with road improvements.

Section 668. The sum of $1,767, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 668 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake in the Hills for all costs associated with capital improvements for Sunset Park.

Section 670. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lakeside Legacy for all costs associated with restorations and infrastructure improvements.

Section 671. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 671 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fox River Grove for all costs associated with infrastructure improvements.

Section 675. The sum of $59,361, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fox River Grove for all costs associated with infrastructure improvements.

Section 678. The sum of $337,563, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 678 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ludlow Community Consolidated School District #142 for all costs associated with the construction of a lunch room addition and other infrastructure improvements.

Section 678. The sum of $337,563, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 678 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ludlow Community Consolidated School District #142 for all costs associated with the construction of a lunch room addition and other infrastructure improvements.

Section 682. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 682 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Potomac for all costs associated with the replacement of a water main and related repairs to a water tower.

Section 683. The sum of $51,760, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 683 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tilton for infrastructure improvements associated with flood prevention.

Section 684. The sum of $140,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 684 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
for a grant to the Village of Ogden for all costs associated with infrastructure improvements.

Section 685. The sum of $147,442, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 685 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Generations of Hope for all costs associated with the construction of apartments and other capital improvements.

Section 688. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 688 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jo Daviess County for all costs associated with infrastructure improvements.

Section 689. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 689 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elizabeth for capital improvements.

Section 690. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 690 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Leaf River for infrastructure improvements.

Section 691. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 691 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winnebago for infrastructure improvements.

Section 693. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 693 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the Village of Dakota for capital improvements to Main Street.

Section 694. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 694 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Scales Mound for infrastructure improvements to the Village Hall.

Section 695. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 695 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shannon for all costs associated with water and sewer improvements.

Section 696. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 696 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Nora for all costs associated with capital and infrastructure improvements.

Section 698. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 698 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Freeport for capital improvements.

Section 699. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 699 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stephenson County for all costs associated with rail track to an industrial park and other infrastructure improvements.

Section 700. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 700 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orangeville for all costs associated with construction on Main Street and High Street, including sidewalks and lighting.

Section 701. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 701 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Warren for all costs associated with the demolition of a water tower and other infrastructure improvements.

Section 703. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 703 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winslow for all costs associated with water and sewer infrastructure improvements.

Section 704. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 704 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover for all costs associated with the replacement of a water tower and other infrastructure improvements.

Section 705. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 705 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lanark for all costs associated with a sewer lift station replacement and other infrastructure improvements.

Section 706. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 706 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galena for infrastructure improvements.
Section 707. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 707 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Davis for all costs associated with infrastructure improvements.

Section 708. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 708 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Morris for infrastructure improvements.

Section 709. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 709 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Galena – Jo Davies County Historical Society and Museum for capital improvements.

Section 710. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 710 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rock City for capital improvements to the water and sewer infrastructure.

Section 712. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 712 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fullersburg Historic Foundations for capital improvements.

Section 713. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 713 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...

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Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for infrastructure improvements.

Section 714. The sum of $54,950, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 714 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for infrastructure improvements for Brookfield Zoo.

Section 718. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 718 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange Park for infrastructure improvements.

Section 719. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 719 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for infrastructure improvements.

Section 720. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 720 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for infrastructure improvements.

Section 721. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 721 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for capital improvements.

Section 722. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 722 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for infrastructure improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakbrook for infrastructure improvements.

Section 723. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 723 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for infrastructure improvements.

Section 724. The sum of $25,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 724 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakbrook Terrace for infrastructure improvements.

Section 725. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 725 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for infrastructure improvements.

Section 727. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 727 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Riverside Township for infrastructure improvements.

Section 729. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 729 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cat Nap from the Heart for capital improvements.

Section 730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 730 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 731. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 731 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Way Back Inn, Inc. for capital improvements.

Section 732. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 732 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspire for capital improvements.

Section 733. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 733 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Machesney Park for capital road improvements.

Section 734. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 734 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County Forest Preserve District for capital improvements to the Macktown Historic District Barn and other capital improvements.

Section 739. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 739 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockton for all costs associated with the development of the Rockton Athletic Field.

Section 741. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 741 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockton for all costs associated with the development of the Rockton Athletic Field.

New matter indicated by italics - deletions by strikeout
for a grant to Winnebago County for all costs associated with the construction of an emergency vehicle garage and other capital improvements.

Section 742. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 742 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Loves Park for capital improvements to a fire station.

Section 744. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 744 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Voz Latina for all costs associated with classroom improvements and the purchase and installation of a fire sprinkler system.

Section 745. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 745 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Girl Scouts of Northern Illinois for all costs associated with the construction and capital improvements of the program and administration building.

Section 746. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 746 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council Boys Scouts of America for all costs associated with the construction and capital improvements of the program and administration building.

Section 747. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 747 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Memorial Hospital for the all costs associated

New matter indicated by italics - deletions by strikeout
with the expansion of the Neo-Natal Intensive Care Unit and other capital improvements.

Section 748. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 748 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Swedish American Hospital for capital improvements to the x-ray and emergency room facilities and other capital improvements.

Section 752. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 752 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Villa Grove for all costs associated with infrastructure improvements.

Section 753. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 753 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Charleston Transitional Facility for all costs associated with capital improvements.

Section 754. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 754 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Disabled Citizens Foundation for all costs associated with facility construction and capital improvements.

Section 757. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 757 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mahomet for all costs associated with infrastructure improvements.

Section 758. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 758 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cortland for all costs associated with storm water management.

Section 759. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 759 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cortland for all costs associated with detention pond reconstruction and other capital improvements.

Section 761. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 761 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Davis Junction for sewer and water infrastructure improvements.

Section 763. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 763 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hillcrest for all costs associated with the construction of a new sewer system and other capital improvements.

Section 764. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 764 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hinckley for all costs associated with storm water management.

Section 765. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 765 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Lee for all costs associated with water system improvements and other capital improvements.

Section 767. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 767 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Malta for all costs associated with water main replacement and other capital improvements.

Section 771. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 771 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deer Park for all costs associated with storm water drainage and other capital improvements.

Section 772. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 772 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kildeer for all costs associated with storm sewer drainage and other capital improvements.

Section 773. The sum of $131,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 773 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Grove for all costs associated with sidewalk and street reconstruction and other capital improvements.

Section 775. The sum of $239,864, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 775 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Zurich for all costs associated with water treatment plant expansion and other capital improvements.

Section 776. The sum of $425,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 776 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Libertyville for all costs associated with sidewalk and street construction and other capital improvements.

Section 782. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 782 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Peoria for all costs associated with capital and infrastructure improvements.

Section 783. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 783 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Methodist Medical Center of Illinois for all costs associated with construction and capital improvement projects.

Section 785. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 785 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Antioch Township for all costs associated with the purchase of sirens for the emergency operations center and other capital and infrastructure improvements.

Section 790. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 790 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beach Park for all costs associated with water main extension and other capital improvements.

Section 791. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 791 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Grant Township Highway for all costs associated with
drainage and restructuring of roadways damaged by flooding and other
capital infrastructure improvements.

Section 792. The sum of $200,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 792 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Lake Villa for all costs associated with road
construction and other infrastructure projects.

Section 793. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 793 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Lake Villa Township Highway Department for all costs
associated with a water and/or sewer improvements.

Section 794. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 794 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Lindenhurst for all costs associated with road
and infrastructure improvements.

Section 796. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 796 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Northwest Lake County Fire Training Company for all
costs associated with the construction of a training facility for fire and
rescue personnel.

Section 797. The sum of $98,282, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 797 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Winthrop Harbor for all costs associated with
the construction of a water tower and other infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 799. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 799 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Zion Park District for all costs associated with infrastructure and capital improvements including for the Leisure Center roof and HVAC completion.

Section 800. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 800 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pike County for all costs associated with the construction of a Public Safety Building and other infrastructure improvements.

Section 801. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 801 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Morgan County for all costs associated with repairs to the courthouse and other capital and infrastructure improvements.

Section 803. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 803 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Green County Sheriff’s Department for all costs associated with the construction of a new evidence room and other capital improvements.

Section 804a. The sum of $200,009, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 804a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jerseyville for all costs associated with the upgrade of the wastewater plant and other infrastructure improvements.

Section 805. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 805 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jacksonville YMCA for all costs associated with capital facility improvements.

Section 806. The sum of $26,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 806 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Jacksonville for all costs associated with road construction, repairs, and other infrastructure improvements.

Section 807. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 807 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jefferson Park Association for all costs associated with capital improvements including roof repair.

Section 808. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 808 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roodhouse for the purchase and installation of emergency warning sirens.

Section 810. The sum of $170,711, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 810 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lindenhurst for all costs associated with the construction of a pedestrian walkway to connect Engle Memorial Park to the Lake Villa Library.

Section 814. The sum of $1,064, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 814 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for
for a grant to the Round Lake Area Park District for capital improvements including the construction of an event shelter.

Section 816. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 816 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake Beach for capital and infrastructure improvements including for the purchase of an elevated tank generator.

Section 817. The sum of $8,531, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 817 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wildwood Park District for all costs associated with shore stabilization and sea wall construction.

Section 818. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 818 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridge Communities for all costs associated with the infrastructure upgrades and capital improvements.

Section 819. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 819 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Butler School District 45 for the purchase of student lockers and other capital improvements.

Section 820. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 820 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Butterfield Park District for infrastructure and capital improvements.

New matter indicated by italics - deletions by strikeout
Section 821. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 821 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lombard for all costs associated with infrastructure projects including but not limited to road improvements.

Section 822. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 822 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Center for Independent Living for infrastructure and capital improvements.

Section 823. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 823 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Terrace to purchase signage for City entrance and other capital improvements.

Section 824. The sum of $5,999, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 824 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 89 for art room upgrades at Glen Crest Middle School and other infrastructure and capital improvements.

Section 825. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 825 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 99 for all costs associated with the installation of a parking lot and other infrastructure repairs and capital improvements.

Section 826. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 826 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Housing Association of DuPage for all costs associated with roof replacement and other improvements.

Section 827. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 827 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downers Grove School District 58 for capital improvements.

Section 828. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 828 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downers Grove Park District for all costs associated with Phase 1 of the Blodgett House Renovation and other capital improvements.

Section 829. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 829 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Convalescent Center for all costs associated with infrastructure improvements to the Alzheimer’s Dementia Care Unit.

Section 830. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 830 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage P.A.D.S for the purchase of land in conjunction with the purchase of a building.

Section 831. The sum of $590, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 831 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Easter Seals of DuPage and the Fox Valley Region for

New matter indicated by italics - deletions by strikeout
the purchase and installation of three HVAC units and other capital improvements.

Section 832. The sum of $33,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 832 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Historical Society for the purchase and installation of an irrigation system for the Glen Ellyn History Park Development Project.

Section 833. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 833 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Park District for all costs associated with capital improvements.

Section 834. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 834 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Public Library for infrastructure and capital improvements.

Section 835. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 835 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glen Ellyn School District #41 for infrastructure and capital improvements to the Courtyard classroom and the Performing Arts Center.

Section 836. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 836 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glenbard Township High School District 87 for capital improvements.
Section 837. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 837 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Helen M. Plum Memorial Library for infrastructure improvements including an air conditioner upgrade.

Section 838. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 838 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Park District for all costs associated with the construction of a boat launch and other capital improvements.

Section 839. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 839 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lisle Township Highway Department for all costs associated with curb replacement and infrastructure improvements.

Section 840. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 840 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lombard Elementary District 44 for all costs associated with infrastructure improvements to the kitchen and other capital improvements.

Section 841. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 841 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lombard Park District for all costs associated with the construction of a picnic shelter and other capital improvements.

Section 842. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 842 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lombard Park District for all costs associated with the construction of a picnic shelter and other capital improvements.

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Milton Township Highway Department for all costs associated with the sidewalk and curb installation for ADA compliance and other infrastructure improvements.

Section 843. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 843 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Milton Township Highway Department for all costs associated with the sidewalk and curb installation for ADA compliance and other infrastructure improvements.

Section 844. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 844 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northeast DuPage Special Recreation Association for infrastructure upgrades and capital improvements.

Section 845. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 845 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the People’s Resource Center for capital improvements.

Section 846. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 846 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with roof replacement.

Section 847. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 847 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to School District 45, DuPage County Schools, for all costs associated with infrastructure improvements to the science lab.
Section 848. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 848 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Downers Grove Highway Department for all costs associated with Graceland Street Road Improvement Project.

Section 849. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 849 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park Public Library for land purchase.

Section 850. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 850 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Downers Grove for all costs associated with a downtown pedestrian crossing system and other capital improvements.

Section 851. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 851 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Ellyn for all costs associated with storm sewer installation.

Section 854. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 854 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for infrastructure improvements.

Section 855. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 855 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Western DuPage Special Recreation Association for capital improvements.

Section 857. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 857 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with the roof replacement of the City of Wheaton Police Department building.

Section 858. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 858 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the York Center Fire Protection District for capital improvements.

Section 859. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 859 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township for all costs associated with sidewalk installation.

Section 860. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 860 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township Highway Department for all costs associated with capital street improvements.

Section 861. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 861 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Midwest Shelter for Homeless Veterans for all costs associated with facility expansion.

Section 862. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 862 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glen Ellyn Park District for all costs associated with the construction of a Safety Village.

Section 864. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 864 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for all costs associated with the purchase and development of a historic site.

Section 865. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 865 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for all costs associated with road improvements.

Section 867. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 867 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for all costs associated with capital improvements.

Section 868. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 868 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for all costs associated with infrastructure, safety, and security improvements.

Section 870. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 870 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
for a grant to the Forest Preserve District of Will County for all costs associated with capital improvements to the Hickory Creek bicycle trail.

Section 873. The sum of $42,980, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 873 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Homer Township Fire Protection District for all costs associated with capital improvements to the Capital Life Safety Building.

Section 875. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 875 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homer Glen for infrastructure, safety, and security improvements.

Section 876. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 876 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mokena Fire Protection District for infrastructure, safety, and security improvements.

Section 880. The sum of $12,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 880 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenview for all costs associated with capital improvements for storm water detention and other infrastructure improvements.

Section 883. The sum of $187, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 883 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Northfield for infrastructure improvements, including but not limited to storm sewer improvements.
Section 893. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 893 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rainbow Hospice and Palliative Care for all costs associated with the purchase of bondable equipment and other capital improvements.

Section 894. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 894 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park Ridge Fire Department for all costs associated with the construction and capital costs related to a fire department training tower.

Section 895. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 895 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Des Plaines for all costs associated with sewer improvements.

Section 898. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 898 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Des Plaines Community Consolidated School District #62 for capital improvements including but not limited to costs associated with the replacement of bathrooms.

Section 899. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 899 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Avenues to Independence for all costs associated with capital improvements including but not limited to sewer, plumbing, and roof replacement.
Section 901. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 901 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Des Plaines Fire Department for the purchase of a fire engine truck and/or infrastructure improvements.

Section 903. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 903 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park Ridge Police Department for the purchase of bondable equipment, vehicles and/or capital improvements.

Section 906. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 906 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addieville for all costs associated with road and sidewalk improvements.

Section 907. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 907 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alto Pass for the purchase of a fire truck.

Section 908. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 908 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ashley for the purchase of a dump truck.

Section 909. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 909 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ashley for the purchase of a dump truck.
for a grant to the City of Ava for all costs associated with road and sidewalk improvements.

Section 910. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 910 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campbell Hill for all costs associated with road and sidewalk improvements.

Section 911. The sum of $262,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 911 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carbondale for infrastructure improvements and the purchase of bondable equipment.

Section 912. The sum of $26,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 912 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cobden for the purchase of bondable equipment and infrastructure improvements.

Section 913. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 913 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Damiansville for all costs associated with road and sidewalk improvements.

Section 914. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 914 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dowell for all costs associated with road and sidewalk improvements.

Section 915. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 915 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dubois for all costs associated with road and sidewalk improvements.

Section 916. The sum of $127,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 916 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of DuQuoin for all costs associated with capital improvements including but not limited to street improvements, sewer improvements, and the purchase of storm warning sirens.

Section 917. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 917 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoyleton for infrastructure improvements including curbs, sidewalks, and other improvements.

Section 918. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 918 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkville for infrastructure improvements and bondable equipment.

Section 919. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 919 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Irvington for all costs associated with street and sidewalk improvements.

Section 920. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 920 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to the City of Jonesboro for all costs associated with infrastructure improvements.

Section 921. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 921 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Makanda for all costs associated with the construction or purchase of a storage facility.

Section 922. The sum of $106,722, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 922 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Murphysboro for infrastructure improvements and for the purchase of bondable equipment.

Section 923. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 923 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Murphysboro Health Center for all costs associated with construction of the facility.

Section 925. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 925 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Baden for all costs associated with road improvements to Hillside Drive.

Section 926. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 926 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakdale for all costs associated with street and sidewalk improvements.

Section 927. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 927 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with the construction of a water tower.

Section 928. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 928 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pinckneyville for infrastructure improvements.

Section 929. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 929 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of R advertis for all costs associated with drainage sewer improvements.

Section 930. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 930 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richview for all costs associated with street and sidewalk improvements.

Section 931. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 931 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tamaroa for all costs associated with capital improvements to a high school.

Section 932. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made in Article 6, Section 932 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Venedy for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 933. The sum of $17,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 933 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Vergennes for the infrastructure improvements and the purchase of bondable equipment.

Section 934. The sum of $32,460, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 934 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DeSoto for capital improvements including but not limited to the construction of street curbs and a walking track.

Section 935. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 935 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ready Set Ride for purchase of a bondable vehicle and / or capital improvements.

Section 936. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 936 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for capital improvements including but not limited to the construction of a bike path.

Section 937. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 937 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plainfield American Legion Marne Post 13 for all costs associated with infrastructure improvements.

Section 938. The sum of $498,598, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 938 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DeSoto for capital improvements including but not limited to the construction of street curbs and a walking track.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Plainfield for all costs associated with the construction of a pedestrian bridge.

Section 940. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 940 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Plainfield for all costs associated with the construction of a pedestrian bridge.

Section 941. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 941 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Plainfield Township for all costs associated with capital improvements to the Senior Center, to include the purchase of land/building.

Section 943. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 943 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Plainfield Food Pantry for all costs associated with building expansion and other infrastructure improvements.

Section 945. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Conservation Plainfield for all costs associated with new building construction.

Section 946. The sum of $370,499, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 946 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plainfield Park District for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 947. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 947 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Township for all costs associated with infrastructure improvements.

Section 949. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 949 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Fire Protection District for the purchase of a fire truck and/or capital improvements.

Section 950. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 950 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Public Library for all costs associated with parking lot expansion and other capital improvements.

Section 951. The sum of $675,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 951 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Community Unit School District 308 for capital improvements.

Section 952. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 952 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Park District for all costs associated with land purchase.

Section 953. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 953 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Township for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Police Department for bondable equipment and/or the capital improvements.

Section 954. The sum of $210,095, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 954 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shorewood for all costs associated with sewer improvements.

Section 955. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 955 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shorewood Police Department for bondable equipment and/or the capital improvements.

Section 956. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 956 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shorewood Public Library District for land acquisition.

Section 957. The sum of $9,778, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 957 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Troy Township for all costs associated with the construction of a storage facility.

Section 958. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 958 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Troy Community Consolidated School District 30C for all costs associated with capital improvements.

Section 959. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
Section 960. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 960 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheatland Township for all costs associated with the construction of a new Township building.

Section 961. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 961 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kendall County Fair Association for capital improvements to the Kendall County fairgrounds.

Section 962. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 962 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kendall County Historical Society for all costs associated with roof replacement.

Section 963. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 963 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fox Valley Family YMCA for all costs associated with capital improvements.

Section 965. The sum of $2,738, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to Kendall County Senior Services for the construction of a storage facility.

Section 967. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 967 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary’s Immaculate Parish for all costs associated with roof replacement.

Section 968. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 968 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the C.W. Avery YMCA for capital improvements.

Section 969. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 969 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for capital improvements.

Section 970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 970 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Yorkville Legion for capital improvements.

Section 972. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 972 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia for the capital improvements.

Section 973. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 973 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to Chicago Zoological Society for infrastructure improvements for Brookfield Zoo.

Section 975. The sum of $6,129, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for infrastructure improvements.

Section 978. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 978 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Convalescent Center for capital improvements.

Section 979. The sum of $206,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 979 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for infrastructure improvements.

Section 982. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 982 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Effingham for all capital improvements.

Section 983. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 983 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schaumburg Township Highway Commission for infrastructure improvements.

Section 984. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 984 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schaumburg Township Highway Commission for infrastructure improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Conservation Foundation for all costs associated with infrastructure improvements.

Section 985. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 985 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bartlett Park District for all costs associated with infrastructure improvements.

Section 986. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 986 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for all costs associated with infrastructure improvements.

Section 986a. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 986a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carol Stream Park District for all costs associated with infrastructure improvements.

Section 986b. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 986b of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the KESHET for all costs associated with the purchase of bondable equipment and infrastructure improvements.

Section 988. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 988 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rock Valley College for all costs associated with remodeling the science lab and other capital improvements.

New matter indicated by italics - deletions by strikeout
Section 990. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 990 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Allendale Association for all costs associated with capital improvements.

Section 990a. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 990a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Friendly Community Development Corp. for all costs associated with a land purchase and other capital improvements.

Section 991. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 991 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora Township for all costs associated with stormwater improvements.

Section 992. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 992 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quincy Salvation Army for homeless shelter improvements.

Section 994. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 994 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services for all costs associated with the purchase of bondable equipment and/or capital improvements.

Section 997. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 997 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Friendly Community Development Corp. for all costs associated with a land purchase and other capital improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pawnee for all costs associated with infrastructure improvements.

Section 998. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 998 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pawnee for all costs associated with infrastructure improvements.

Section 999. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 999 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for capital improvements.

Section 1002. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1002 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheatland Township for capital improvements.

Section 1003. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1003 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bloomington-Normal YMCA for all costs associated with infrastructure improvements.

Section 1004. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1004 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YWCA McLean County for all costs associated with infrastructure improvements.

Section 1005. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1005 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Barrington for all costs associated with infrastructure improvements.

Section 1011. The sum of $115,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1011 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Basketball Hall of Fame for all costs associated with infrastructure improvements.

Section 1012. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1012 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lyons for infrastructure improvements.

Section 1014. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1014 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Illinois College of Medicine at Peoria for capital improvements.

Section 1015. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Danville Art League for all costs associated with infrastructure improvements.

Section 1016. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 6, Section 1016 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kane County for road or other capital improvements.

Section 1017. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from an appropriation heretofore made for such purpose in Article 6, Section 1017 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boone County Historical Society for infrastructure improvements and/or capital improvements.

Section 1018. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 6, Section 1018 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cherry Valley Public Library District for infrastructure improvements and/or capital improvements.

Section 1019. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 6, Section 1019 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of South Beloit for infrastructure improvements and/or capital improvements.

Section 1020. The sum of $42,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 6, Section 1020 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bloomingdale Park District for all costs associated with infrastructure and/or capital improvements.

Section 1021. The sum of $40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cherry Valley Public Library for all costs associated with capital improvements.

Section 1022. The sum of $25,000, or so much thereof as may be necessary and is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the village of Poplar Grove for all costs associated with capital improvements.

Section 1023. The sum of $135,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boone County for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 1024. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Fire Department for all costs associated with capital improvements.

Section 1025. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with capital improvements.

Section 1026. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Lenox Township for all costs associated with capital construction and/or infrastructure improvements.

Section 1027. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to city of Villa Grove for all costs associated with infrastructure improvements.

Section 1028. No contracts shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $53,626,951

ARTICLE 55
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alden Township for all costs associated with road infrastructure improvements.

Section 7. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 7 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Burton Township for all costs associated with road infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 8. The sum of $9,664, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 8 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chemung Township for all costs associated with road infrastructure improvements.

Section 10. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dorr Township for all costs associated with road infrastructure improvements.

Section 11. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 11 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dunham Township for all costs associated with road infrastructure improvements.

Section 12. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 12 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grafton Township for all costs associated with road infrastructure improvements.

Section 14. The sum of $33,026, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 14 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hartland Township for all costs associated with road infrastructure improvements.

Section 15. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 15 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hartland Township for all costs associated with road infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hebron Township for all costs associated with road infrastructure improvements.

Section 16. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 16 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marengo Township for all costs associated with road infrastructure improvements.

Section 17. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 17 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McHenry Township for all costs associated with road infrastructure improvements.

Section 18. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 18 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nunda Township for all costs associated with road infrastructure improvements.

Section 21. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 21 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Seneca Township for all costs associated with road infrastructure improvements.

Section 22. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 22 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hebron for all costs associated with public safety construction and road infrastructure.
Section 25. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 25 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crystal Lake for all costs associated with road infrastructure improvements.

Section 26. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 26 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Woodstock for all costs associated with road infrastructure improvements.

Section 27. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 27 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake in the Hills for all costs associated with park development and improvements.

Section 28. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 28 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marengo for all costs associated with water and/or wastewater infrastructure improvements.

Section 32. The sum of $106,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 32 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Auburn for all costs associated with capital improvements to Red Bud Park including, but not limited to, earthwork, parking lots, storm sewers, culverts, and roadways.

Section 34. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 34 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berlin for Berlin Park for all costs associated with playground equipment and lighting.

Section 35. The sum of $27,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 35 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berlin for all costs associated with lighting and parking lot repairs.

Section 36. The sum of $52,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 36 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Broadwell for all costs associated with hydropneumatic storage tank rehabilitation.

Section 38. The sum of $52,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 38 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Curran for all costs associated with sanitary sewer system renovations and improvements and/or construction of a roadway.

Section 40. The sum of $214,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 40 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkhart for all costs associated with water system upgrades.

Section 41. The sum of $36,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 41 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greenview Civic Improvement Association for all costs associated with lighting and parking lot repairs.
associated with construction of wheelchair accessible restrooms in the Community Building.

Section 43. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 43 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lincoln for all costs associated with general repair work in the downtown area.

Section 44. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 44 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lincoln for all costs associated with resurfacing parking lots and lighting.

Section 46. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 46 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Loami Fire Protection District for all costs associated with lighting and/or the purchase and installation of a generator.

Section 47. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 47 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Middletown Stage Coach Inn for all costs associated with major renovations and improvements.

Section 48. The sum of $149,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 48 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Berlin for all costs associated with reconstruction of North Cedar Street.

Section 49. The sum of $74,981, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 49 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakford for all costs associated with updates and major repairs to the Village Hall.

Section 50. The sum of $27,999, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 50 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pawnee for all costs associated with repairs to the San Terra sewer lift station.

Section 52. The sum of $39,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 52 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pawnee for all costs associated with sidewalks and lighting.

Section 53. The sum of $155,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 53 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Petersburg for all costs associated with lighting, sidewalks, wiring, and water line replacement.

Section 56. The sum of $107,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 56 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sherman for all costs associated with drainage and infrastructure improvements.

Section 58. The sum of $69,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 58 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
Section 60. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 60 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the G.R.O.W.T.H Int’l for all costs associated with the purchase of a building for a senior and/or youth community center.

Section 61. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 61 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Channel Organization for all costs associated with acquisition of a facility.

Section 62. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 62 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tallula for all costs associated with drainage west of town.

Section 63. The sum of $160,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 63 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Williamsville for all costs associated with sanitary sewer repair.

Section 64. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 64 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Amboy for all costs associated with the construction of a new maintenance building.

Section 65. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 65 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ashton for all costs associated with construction of a water main loop.

Section 66. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 66 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Atkinson for all costs associated with emergency and industrial water well activation phase I.

Section 68. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 68 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lowden State Park for all costs associated with restoration projects.

Section 69. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 69 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dixon for all costs associated with River Street parking reconstruction.

Section 71. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 71 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Franklin Grove for all costs associated with construction of a new well house.

Section 72. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 72 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
for a grant to the City of Freeport for all costs associated with construction of a new water well.

Section 73. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 73 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover for all costs associated with improvements to the wastewater collection system.

Section 75. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 75 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Historic Preservation Agency for all costs associated with the purchase of property near Grant’s Home and the Grant Washburne Facility.

Section 76. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 76 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Highland College for all costs associated with construction of a wind turbine technician building, including all prior incurred costs.

Section 77. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 77 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lanark for all costs associated with replacement of the east sewer lift station.

Section 78. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 78 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of West Brooklyn for all costs associated with water main replacement.

New matter indicated by italics - deletions by strikeout
Section 78a. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 78a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forreston for all costs associated with water main replacement.

Section 78b. The sum of $50,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 78b of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galena for all costs associated with Gateway Park for infrastructure improvements.

Section 79. The sum of $110,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 79 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Phenix Township for all costs associated with construction of a new township building.

Section 80. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 80 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pearl City for all costs associated with water distribution system upgrades.

Section 81. The sum of $303,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 81 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Falls for all costs associated with infrastructure improvements.

Section 82. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 82 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forreston for all costs associated with water main replacement.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sterling YMCA for all costs associated with roof replacement.

Section 83. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 83 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Scales Mound for all costs associated with Village Hall renovation including handicap accessibility.

Section 84. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 84 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stephenson County for all costs associated with reconstruction of Forest and Pearl City Roads.

Section 86. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 86 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for all costs associated with infrastructure, public security and safety improvements.

Section 87. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 87 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Itasca for all costs associated with infrastructure, public security and safety improvements.

Section 88. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 88 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wood Dale for all costs associated with infrastructure, public security and safety improvements.
Section 89. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 89 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bensenville for all costs associated with infrastructure, public security and safety improvements.

Section 90. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 90 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bloomingdale for all costs associated with infrastructure, public security and safety improvements.

Section 91. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 91 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for all costs associated with infrastructure, public security and safety improvements.

Section 92. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 92 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with infrastructure, public security and safety improvements.

Section 93. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 93 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for all costs associated with infrastructure, public security and safety improvements.

Section 94. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 94 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for all costs associated with infrastructure, public security and safety improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with infrastructure, public security and safety improvements.

Section 95. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 95 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lombard for all costs associated with infrastructure, public security and safety improvements.

Section 96. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 96 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Ellyn for all costs associated with infrastructure, public security and safety improvements.

Section 97. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 97 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with infrastructure, public security and safety improvements.

Section 98. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 98 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winfield for all costs associated with infrastructure, public security and safety improvements.

Section 99. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 99 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 100 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements.

Section 101. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 101 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with construction of a multi-purpose trail bridge on County Farm Road.

Section 102. The sum of $470,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 102 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with construction of Woodland Hawk multi-purpose trail.

Section 103. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 103 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Addison Park District for all costs associated with infrastructure, public security and safety improvements.

Section 108. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 108 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Medinah Park District for all costs associated with infrastructure, public security and safety improvements.

Section 111. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 111 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wood Dale Park District for all costs associated with infrastructure, public security and safety improvements.

Section 112. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 112 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Itasca Library District for all costs associated with infrastructure, public security and safety improvements.

Section 116. The sum of $625,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 116 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mattoon for all costs associated with road improvements.

Section 119a. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Charleston Transitional Facility for all costs associated with capital improvements.

Section 119b. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119b of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Jewett for all costs associated with infrastructure improvements.

Section 119c. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119c of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Paris for all costs associated with capital costs associated with the Ed-Plex Building.

New matter indicated by italics - deletions by strikeout
Section 119e. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119e of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Francisville for all costs associated with infrastructure improvements.

Section 119f. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119f of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oblong Children’s Home for all costs associated with capital improvements to facilities.

Section 119g. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119g of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altamont for all costs associated with infrastructure improvements.

Section 119h. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 119h of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shelbyville for all costs associated with infrastructure improvements.

Section 120. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 120 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Coles County Association for the Retarded (CCAR) for all costs associated with renovation of physical facilities.

Section 123. The sum of $66,320, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 123 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oblong Children’s Home for all costs associated with capital improvements to facilities.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Martinsville for all costs associated with sidewalk improvements.

Section 125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Crawford County Senior Citizens Senior Nutrition Program for all costs associated with renovation and/or purchase of kitchen and meal delivery facilities.

Section 126. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 126 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shumway for all costs associated with sewer and/or septic improvements.

Section 127. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 127 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bridgeport for all costs associated with sewer lagoon improvements.

Section 128. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 128 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Neoga for all costs associated with water and/or sewer line replacement.

Section 129. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 129 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher City for all costs associated with septic system improvements.
Section 130. The sum of $68,282, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 130 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Strasburg for all costs associated with sewer system improvements.

Section 131. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 131 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelby County for all costs associated with bridge improvements.

Section 133. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 133 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mount Carmel for all costs associated with water system improvements.

Section 134. The sum of $105,100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 134 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hutsonville for all costs associated with construction of a new fire station.

Section 135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 135 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kansas for all costs associated with infrastructure improvements.

Section 136. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 136 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kansas for all costs associated with infrastructure improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chrisman for all costs associated with infrastructure improvements.

Section 137. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 137 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with streetscaping along Spring Road.

Section 138. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 138 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with repair of St. Charles Road Bridge over Salt Creek.

Section 139. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 139 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with renovation of the Village Hall.

Section 141. The sum of $187,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 141 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oak Brook for all costs associated with repair, renovation, and improvement of park, recreation, and athletic facilities.

Section 143. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 143 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for all costs associated with road improvements.

New matter indicated by italics - deletions by strikeout
Section 145. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 145 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside for all costs associated with infrastructure improvements and/or the purchase of a fire inspection vehicle.

Section 146. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 146 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside for all costs associated with the purchase and installation of digital video cameras for squad cars.

Section 147. The sum of $2,919, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 147 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange Park for all costs associated with construction of parking lot adjacent to 31st Street Commercial District (Beach Avenue parking).

Section 148. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 148 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Friends of DuPage County Animal Care and Control for all costs associated with repairs and renovations to the DuPage County facility.

Section 149. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 149 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of York for all costs associated with a water improvement project.
Section 150. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 150 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Housing Authority for all costs associated with development of housing for disabled veterans.

Section 151. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 151 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Milton Highway Department for all costs associated with repairs, reconstruction of curbs, and construction of ADA accessible facilities.

Section 152. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 152 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with repairs, renovation and improvements to the Hanson Center in Burr Ridge.

Section 159. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 159 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Good Samaritan Hospital for all costs associated with repairs, renovations, and improvements to the south parking garage.

Section 160. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 160 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Zoological Society for all costs associated with acquisition and construction of new facilities and attractions at Brookfield Zoo.

Section 160a. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 160a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Convalescent Center for all costs associated with the kitchen remodel project.

Section 160b. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 160b of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Proviso for all costs associated with construction and renovation of office space to facilitate relocation of mental health services.

Section 161. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 161 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Child’s Voice School for all costs associated with infrastructure improvements and/or equipment purchase.

Section 162. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 162 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elmhurst Park District for all costs associated with construction of walkways in Wilder Park.

Section 164. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 164 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with restoration of Ben Fuller historic home.

Section 165. The sum of $32,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 165 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
for a grant to Lisle-Woodridge Fire Protection District for all costs associated with the purchase and installation of a traffic control device at Ogden and Center in Lisle.

Section 167. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 167 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elmhurst School District 205 Foundation for all costs associated with development of technological alternatives to textbooks and textbook formats including various digital formats.

Section 168. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 168 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Villa Park School District 45 for Jackson Middle School for all costs associated with cafeteria expansion, renovation and construction.

Section 169. The sum of $55,557, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 169 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hennepin for all costs associated with construction of an emergency service/fire station building and purchase of a back-up generator.

Section 172. The sum of $115,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 172 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of LaSalle for all costs infrastructure improvements.

Section 173. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 173 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Seatonville for all costs associated with a water plant upgrade.

New matter indicated by italics - deletions by strikeout
Section 174. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 174 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kangley for all costs associated with construction of new storm water drainage.

Section 175. The sum of $14,633, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 175 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tonica for all costs associated with construction of new public works garage, office, and shop.

Section 176. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 176 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Putnam County Emergency Management Agency for all costs associated with construction of a building.

Section 177. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 177 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to LaSalle County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 178. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 178 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bureau County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 179. The sum of $41,110, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 179 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Virginia county Emergency Management Agency for all costs associated with construction of a building.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Putnam County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 180. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 180 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grundy County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 181. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 181 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kankakee County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 182. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 182 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Iroquois County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 187. The sum of $215,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 187 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bureau Junction for all costs associated with construction of a new building for the Fire Department.

Section 188. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 188 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Brooklyn for all costs associated with storm sewer and street improvement projects.

New matter indicated by italics - deletions by strikeout
Section 189. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 189 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chenoa for all costs associated with infrastructure improvements.

Section 194. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 194 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hoopeston for all costs associated with infrastructure improvements.

Section 197. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 197 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Minonk for all costs associated with infrastructure improvements.

Section 199. The sum of $530,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 199 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pontiac for all costs associated with infrastructure improvements related to area tourism.

Section 200. The sum of $24,992, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 200 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Washington for all costs associated with infrastructure improvements.

Section 201. The sum of $32,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 201 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Washington for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Watseka for all costs associated with infrastructure improvements.

Section 203. The sum of $10,417, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 203 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gibson Area Hospital for all costs associated with infrastructure improvements.

Section 207. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 207 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Livingston County for all costs associated with infrastructure improvements.

Section 208. The sum of $276,491, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 208 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McLean County Highway Department for all costs associated with infrastructure improvements.

Section 210. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 210 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. James Hospital for all costs associated with infrastructure improvements.

Section 211. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 211 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Chatsworth for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 212. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 212 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rankin Fire Protection District for all costs associated with construction of a new fire station building.

Section 214. The sum of $7,640, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 214 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ashkum for all costs associated with infrastructure improvements.

Section 215. The sum of $950, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 215 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bellflower for all costs associated with infrastructure improvements.

Section 218. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 218 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campus for all costs associated with infrastructure improvements.

Section 219. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 219 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carlock for all costs associated with infrastructure improvements.

Section 221. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 221 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of...
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clifton for all costs associated with infrastructure improvements.

Section 223. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 223 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cooksville for all costs associated with infrastructure improvements.

Section 224. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 224 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cornell for all costs associated with infrastructure improvements.

Section 225. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 225 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crescent City for all costs associated with infrastructure improvements.

Section 226. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 226 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cullom for all costs associated with infrastructure improvements.

Section 228. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 228 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Danforth for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 231. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 231 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Downs for all costs associated with infrastructure improvements.

Section 234. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 234 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Emington for all costs associated with infrastructure improvements.

Section 239. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 239 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hudson for all costs associated with infrastructure improvements.

Section 242. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 242 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Loda for all costs associated with infrastructure improvements.

Section 243. The sum of $13,040, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 243 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Point for all costs associated with infrastructure improvements.

Section 244. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 244 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Point for all costs associated with infrastructure improvements.
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lostant for all costs associated with infrastructure improvements.

Section 246. The sum of $66,679, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 246 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton for all costs associated with infrastructure improvements.

Section 247. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 247 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Odell for all costs associated with infrastructure improvements.

Section 252. The sum of $647, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 252 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rutland for all costs associated with infrastructure improvements.

Section 254. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 254 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Saybrook for all costs associated with infrastructure improvements.

Section 256. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 256 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheldon for all costs associated with infrastructure improvements.
Section 257. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 257 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sibley for all costs associated with infrastructure improvements.

Section 258. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 258 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stanford for all costs associated with infrastructure improvements.

Section 260. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 260 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thawville for all costs associated with infrastructure improvements.

Section 263d. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 263d of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodford County for all costs associated with infrastructure improvements.

Section 264. The sum of $1,987, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 264 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Barrington for all costs associated with a repaving project.

Section 265. The sum of $337,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 265 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Barrington for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cary for all costs associated with Route 14 and Jandus Road intersection improvements.

Section 266. The sum of $361,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 266 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crystal Lake for all costs associated with the North Shore Flooding Improvement Project.

Section 267. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 267 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deer Park for all costs associated with a storm water improvement project.

Section 269. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 269 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fox River Grove for all costs associated with a reconstruction and public utility extension project.

Section 273. The sum of $1,533, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 273 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Libertyville for all costs associated with construction and/or reconstruction of the driveway and parking lot at Fire Station 1.

Section 274. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 274 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Grove for all costs associated with Route 53 pathway construction.

New matter indicated by italics - deletions by strikeout
Section 275. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 275 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of McHenry for all costs associated with Huntersville Sewer Project.

Section 276. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 276 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mundelein for all costs associated with Community Park access, safety improvements, including, but not limited to, a pedestrian crossing signal.

Section 277. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 277 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake for all costs associated with the purchase and installation of a wireless system.

Section 280. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 280 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stark County for all costs associated with the construction of an addition and the relocation of a memorial monument and tree, utilities and fence.

Section 286. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 286 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodford County for all costs associated with reconstruction of County Highway 23.

Section 287. The sum of $41,171, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 287 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eureka for all costs associated with the sewer upgrade project, including prior incurred costs.

Section 290. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 290 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galesburg for all costs associated with construction of the National Railroad Hall of Fame.

Section 294. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 294 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Kewanee for all costs associated with street improvements.

Section 298. The sum of $165,076, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 298 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of DeKalb for all costs associated with Gurle Road reconstruction.

Section 302. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 302 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Poplar Grove for all costs associated with construction of low flow channels.

Section 303. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 303 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Capron for all costs associated with water/sewer infrastructure improvements.

Section 304. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 304 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Mass Transit Authority for all costs associated with roof replacement.

Section 305. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 305 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rockford for all costs associated with infrastructure improvements and/or the purchase of a fire rescue pumper truck.

Section 306. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 306 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with construction of an emergency vehicle storage facility.

Section 307. The sum of $224, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 307 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Park District for all costs associated with purchase and construction at Sportscore II.

Section 309. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 309 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sandwich for all costs associated with extension of Fairwind Boulevard.

New matter indicated by italics - deletions by strikeout
Section 310. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 310 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kirkland for all costs associated with street reconstruction.

Section 311. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 311 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Genoa for all costs associated with street reconstruction.

Section 312. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 312 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kingston for all costs associated with new water lines and meters.

Section 315. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 315 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stillman Valley for all costs associated with construction of a new wastewater treatment plant.

Section 316. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 316 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waterman for all costs associated with water system arsenic remediation project.

Section 317. The sum of $23,150, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 317 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waterman for all costs associated with water system arsenic remediation project.

New matter indicated by italics - deletions by strikeout
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rome Township for all costs associated with purchase of a building or construction of a new facility for the Township Building.

Section 319. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 319 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grand Prairie Township for all costs associated with road and/or bridge construction.

Section 320. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 320 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blissville Township for all costs associated with construction of a new township building.

Section 321. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 321 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Farrington Township for all costs associated with construction of a township/equipment building.

Section 322. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 323 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kinmundy Fire Department for all costs associated with infrastructure improvements and/or the purchase of a fire truck.

Section 324. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 324 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Geff Community Consolidated School District 14 for all costs associated with roof replacement and/or repair and kitchen repairs at the elementary school.

New matter indicated by italics - deletions by strikeout
Section 325. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 325 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Flora for all costs associated with the construction of a new fire station.

Section 329. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 329 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Breese for all costs associated with construction of a new sewer line entering into the new lift station.

Section 331. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 331 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Salem for all costs associated with water line replacement.

Section 332. The sum of $495,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 332 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mt. Vernon for all costs associated with engineering and construction on Veterans and Davidson Drive.

Section 333. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 333 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairfield for all costs associated with reconstruction and/or remodeling of the Armory Building, purchase of a generator for the Police Station, and the purchase of 911 equipment.

Section 334. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 334 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Olney for all costs associated with water line extension.

Section 335. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 335 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Inverness for all costs associated with village hall repairs.

Section 336. The sum of $82, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 336 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northwest Special Recreation Association for all costs associated with building renovations.

Section 338. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 338 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jewish United Fund/Jewish Federation of Metropolitan Chicago for all costs associated with building renovations.

Section 339. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 339 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridge Youth and Family Services for all costs associated with building renovation.

Section 340a. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 340a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wheeling for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 341. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 341 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS for all costs associated with the purchase of a resale store.

Section 342. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 342 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 21 for all costs associated with technology upgrades and wi-fi installation.

Section 344. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 344 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Town Fund for all costs associated with infrastructure improvements.

Section 345. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 345 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Senior Center for all costs associated with renovation and expansion.

Section 346. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 346 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheeling Township for all costs associated with food pantry expansion and construction of a walkway canopy for the Wheeling Township Community Center, including all prior incurred costs.

Section 348. The sum of $64,335, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 348 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access to Care for all costs associated with purchase and installation of a phone system, computer software, and computer system.

Section 350. The sum of $255,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with construction engineering.

Section 356. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 356 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Indian Trails Public Library for all costs associated with lobby renovations.

Section 357. The sum of $325,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 357 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Prospect Heights for all costs associated with road resurfacing and other road related projects to include all prior costs.

Section 358. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 358 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo Grove for all costs associated with resurfacing commuter parking lot and streambank erosion protection.

Section 360. The sum of $127,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 360 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Park District for all costs associated with the purchase and/or construction of a facility for Sportscore II.
Section 365. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made in Article 7, Section 365 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with renovations and related work on the Courthouse.

Section 368. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 368 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of South Beloit for all costs associated with purchase/installation of the Fire Department overhead doors plus rear apron and pavement.

Section 375. The sum of $10,175, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 375 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Boys and Girls Club for all costs associated with construction, replacement and upgrades to the physical plant at the Carlson Boys and Girls Club.

Section 376. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 376 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harlem Community Center for all costs associated with construction, replacement and upgrades to the physical plant.

Section 377. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 377 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rock Valley College for all costs associated with reconstruction of Stenstrom Center.

Section 379. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
Section 381. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 381 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Boone for all costs associated with infrastructure improvements to include all prior incurred costs.

Section 383. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 383 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Goldie Floberg Center for all costs associated with building remodeling.

Section 384. The sum of $130,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 384 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford School District #205 for all costs associated with Sharefest remodeling projects.

Section 385. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 385 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Patriots Gateway for all costs associated with construction, replacement and upgrades to the physical plant.

Section 386. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 386 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
for a grant to Crusader Clinic for all costs associated with construction, replacement and upgrades to the physical plant.

Section 387. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 387 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roscoe for all costs associated with Village Park and playground construction/renovation.

Section 388. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 388 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Heyworth for all costs associated with infrastructure and security improvements.

Section 389. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 389 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heyworth Fire Protection District for all costs associated with renovation of the Fire Station.

Section 390. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 390 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Austin Township for all costs associated with bridge replacement.

Section 391. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 391 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmer City for all costs associated with construction of a walking path.

Section 392. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 392 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spaulding for all costs associated with the purchase and installation of tornado sirens.

Section 393. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 393 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hopedale for all costs associated with culvert replacement.

Section 394. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 394 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Farmer City Fire Protection District for all costs associated with infrastructure and security improvements.

Section 395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 395 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argenta-Oreana Fire Protection District for all costs associated with the purchase and/or renovation of a building for a fire station.

Section 396. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 396 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Macon Fire Protection District for all costs associated with infrastructure improvements.

Section 397. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 397 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
for a grant to Beason Fire Protection District for all costs associated with infrastructure improvements.

Section 398. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 398 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Tazewell County Coroner for all costs associated with renovations to Pekin Hospital Morgue.

Section 399. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 399 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Auburn for all costs associated with sidewalk repair.

Section 400. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 400 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Edinburg for all costs associated with infrastructure improvements at the Police Department.

Section 401. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 401 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Atlanta Fire Protection District for all costs associated with infrastructure improvements.

Section 403. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 403 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hopedale Medical Foundation for all costs associated with construction of a heliport.

Section 404. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 404 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mt. Pulaski for all costs associated with construction of a lift station.

Section 406. The sum of $750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 406 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bloomington for all costs associated with enhancement to parks and trails.

Section 407. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 407 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Normal for all costs associated with enhancement of parks and trails.

Section 407a. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 407a of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to David Davis Mansion Foundation for all costs associated with construction and/or improvements at the Visitor’s Center, including, but not limited to, handicap accessibility.

Section 407c. The sum of $11,312, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 407c of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Project Oz for all costs associated with parking lot construction and/or reconstruction and a room addition.

Section 407d. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 407d of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the Village of Buffalo for all costs associated with infrastructure improvements and/or purchase of a new dump truck.

Section 409. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 409 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Cancer Center, LLC for all costs associated with construction of a new building.

Section 411. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 411 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stonington American Legion for all costs associated with building renovations.

Section 412. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 412 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Christian County Senior Center for all costs associated with building renovations.

Section 413. The sum of $249,051, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 413 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois State University for all costs associated with construction in the ROTC Building.

Section 414. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 414 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Clinton for all costs associated with infrastructure improvements and/or purchase of a new fire truck.

Section 415. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 415 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DeWitt County for all costs associated with marina construction.

Section 416. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 416 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital Cancer Center for all costs associated with building improvements.

Section 417. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 417 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Robert Bellarmine Catholic Newman Center for all costs associated with construction of a student services building at Illinois State University.

Section 419. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 419 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Community College for all costs associated with construction of Challenger Learning Center facilities.

Section 420. The sum of $270,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 420 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bartlett for all costs associated with new construction and/or infrastructure improvements.

Section 421. The sum of $206,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 421 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

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for a grant to the Village of Schaumburg for all costs associated with new
construction and/or infrastructure improvements.

Section 422. The sum of $95, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 422 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Carol Stream for all costs associated with new
construction and/or infrastructure improvements.

Section 424. The sum of $175,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 424 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Elk Grove Village for all costs associated with
new construction and/or infrastructure improvements.

Section 425. The sum of $150,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 425 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of West Chicago for all costs associated with new
construction and/or infrastructure improvements.

Section 426. The sum of $245,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 426 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of St. Charles for all costs associated with new
construction and/or infrastructure improvements.

Section 427. The sum of $200,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 427 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Roselle for all costs associated with new
construction and/or infrastructure improvements.

Section 428. The sum of $150,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 428 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with new construction and/or infrastructure improvements.

Section 429. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 429 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bloomingdale for all costs associated with new construction and/or infrastructure improvements.

Section 431. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 431 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wayne for all costs associated with new construction and/or infrastructure improvements.

Section 432. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 432 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with new construction and/or infrastructure improvements.

Section 433. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 433 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with patio construction.

Section 434. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 434 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Carol Stream Park District for all costs associated with new construction and/or infrastructure improvements.

Section 435. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 435 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northeast DuPage Special Recreation Association for all costs associated with new construction and/or infrastructure improvements.

Section 436. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 436 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Western DuPage Special Recreation Association Foundation for all costs associated with infrastructure improvements.

Section 437. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 437 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Children’s Home and Aid Society for all costs associated with infrastructure improvements.

Section 438. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 438 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Children’s Advocacy Center of North and Northwest Cook County for all costs associated with new construction and/or infrastructure improvements.

Section 439. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 439 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for all costs associated with
infrastructure improvements including, but not limited to, handicap accessibility.

Section 441. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 441 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Area Project for all costs associated with acquisition of a new building.

Section 442. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 442 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bartlett Fire Protection District for all costs associated with renovation and expansion of the fire station.

Section 443. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 443 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wayne Township Highway Department for all costs associated with a flood control project.

Section 444. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 444 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to EduCare for all costs associated with construction of a new facility.

Section 445. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 445 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kane County Sheriff’s Department for all costs associated with infrastructure improvements.

Section 446. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 446 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Schaumburg Township for all costs associated with highway and/or road reconstruction and improvements.

Section 450. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 450 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to EduCare for all costs associated with construction of a new facility.

Section 453. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 453 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kiwanis Club of Wheaton for all costs associated with Safety City Development infrastructure improvements.

Section 455. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 455 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Gateway Foundation for all costs associated with infrastructure improvements.

Section 457. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 457 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure improvements.

Section 458. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 458 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to...
for a grant to Outreach Ministries for all costs associated with the purchase
of a new facility and repair.

Section 459. The sum of $27,050, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 459 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Outreach Ministries for all costs associated with building
repair and handicap accessibility.

Section 460. The sum of $40,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 460 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Easter Seals DuPage and Fox Valley for all costs associated
with building repair and infrastructure improvements.

Section 461. The sum of $187,500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 461 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of Wheaton for all costs associated with storm water
infrastructure improvements.

Section 462. The sum of $112,500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 462 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of Warrenville for all costs associated with
infrastructure improvements.

Section 463. The sum of $150,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 463 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the City of West Chicago for all costs associated with
infrastructure improvements.

Section 464. The sum of $75,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 464 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Batavia for all costs associated with infrastructure improvements.

Section 465. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 465 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Geneva for all costs associated with infrastructure improvements.

Section 466. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 466 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winfield for all costs associated with infrastructure improvements.

Section 467. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 467 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for all costs associated with parking lot resurfacing and infrastructure improvements.

Section 468. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 468 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Aurora for all costs associated with infrastructure improvements.

Section 469. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 469 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to West Chicago Fire Department for all costs associated with construction of a new facility.

Section 470. The sum of $4,084, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 470 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winfield Park District for all costs associated with parking lot construction.

Section 471. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 471 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for all costs associated with building and park construction and repair.

Section 472. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 472 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Warrenville Park District for all costs associated with building and park construction and repair.

Section 473. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 473 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Batavia Park District for all costs associated with building and park construction and repair.

Section 474. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 474 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Chicago Park District for all costs associated with building and park construction and repair.

Section 475. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 475 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Geneva Park District for all costs associated with building and park construction and repair.

Section 476. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 476 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fox Valley Park District for all costs associated with building and park construction and repair.

Section 477. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 477 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Naperville Park District for all costs associated with building and park construction and repair.

Section 478. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 478 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Convalescent Center for all costs associated with kitchen building and repair.

Section 479. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 479 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with West Branch infrastructure improvements.

Section 480. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 480 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements to Ben Fuller Historic Home.

Section 481. The sum of $495,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 481 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hinsdale for all costs associated with Oak Street Bridge replacement project.

Section 483. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 483 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westmont for all costs associated with downtown infrastructure improvements.

Section 484. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 484 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clarendon Hills for all costs associated with a Metra Station improvement project.

Section 486. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 486 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for all costs associated with Brookfield Zoo infrastructure improvements.

Section 487. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 487 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bolingbrook for all costs associated with the Riverwoods Subdivision and Concord Creek Erosion Control projects.

Section 488. The sum of $92,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 488 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with streetlight installation.

Section 489. The sum of $3,039, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 489 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Western Illinois University for all costs associated with Alumni House window and door replacement.

Section 490. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 490 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lisle for all costs associated with infrastructure improvements.

Section 492. The sum of $131,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 492 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for all costs associated with infrastructure improvements for Arrowhead.

Section 495. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 495 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodridge Park District for all costs associated with Lake Harriet infrastructure improvements.

Section 496. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 496 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to Hinsdale Adventist Hospital for all costs associated with infrastructure improvements.

Section 497. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 497 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Advocate Good Samaritan Hospital for all costs associated with infrastructure improvements.

Section 498. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 498 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Delnor Community Hospital for all costs associated with capital investment in equipment and building, including, but not limited to the emergency room.

Section 499. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 499 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Provena Mercy Hospital for all costs associated with capital investment in equipment and building, restricted to Aurora and Elgin locations only.

Section 500. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 500 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Waubonsee Community College for all costs associated with capital investment in equipment and building at Sugar Grove Campus.

Section 501. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 501 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elgin Community College for all costs associated with
capital investment in library and textbook purchases, campus security, and for the Radiological Technology Program.

Section 502. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 502 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora West School District 129 for all costs associated with Washington Middle School and West Aurora High School asbestos abatement and/or locker replacement projects, to include all prior costs.

Section 504. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 504 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gateway Foundation for all costs associated with construction of a 128-bed youth residential substance abuse treatment center for Kane, Kendall, DeKalb and Western DuPage Counties.

Section 505. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 505 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gilberts for all costs associated with reconstruction of the bridge over Tyler Creek Crossing at Hennessy Court.

Section 506. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 506 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mutual Ground, Inc. for all costs associated with capital investment in equipment and structural protection at shelter residence in Aurora.

Section 507. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 507 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity...
for a grant to Tri-City Family Services, Inc. for all costs associated with capital investment for replacement of management information systems.

Section 508. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 508 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Counseling Service of Aurora for all costs associated with capital needs for reconstruction and structural protection.

Section 509. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 509 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Public Action to Deliver Shelter Inc. for all costs associated with infrastructure improvements.

Section 510. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 510 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Prestbury Citizens Association for all costs associated with environmental remediation of three lakes in Prestbury Community.

Section 511. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 511 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Service Association of Greater Elgin Area for all costs associated with capital investment for replacement of medical records system and billing data processing and/or infrastructure improvements.

Section 512. The sum of $53,852, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 512 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Newark for all costs associated with a sewer system construction project.
Section 513. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 513 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hampshire for all costs associated with a water treatment construction project.

Section 514. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 514 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Association for Individual Development for all costs associated with capital investment for housing persons with developmental disabilities.

Section 515. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 515 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elgin Ecker Center for Mental Health for all costs associated with capital improvements.

Section 516. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 516 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elburn Blackberry Township for all costs associated with bridge reconstruction, construction, repair and/or rehabilitation.

Section 517. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 517 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Gilberts Family Branch of Greater Elgin YMCA for all costs associated with capital investment in equipment and building, restricted to Gilberts Branch.

Section 518. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 518 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kane County for all costs associated with construction of a railroad crossing and/or safety and noise mitigation of railway horns.

Section 520. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 520 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alhambra for all costs associated with drainage infrastructure improvements.

Section 521. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 521 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altamont for all costs associated with water line replacement.

Section 522. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 522 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Arthur for all costs associated with infrastructure improvements.

Section 524. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 524 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital for all costs associated with construction of a new all-weather pedestrian corridor joining general services building and main hospital.

Section 525. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 525 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity
Section 526. The sum of $281,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 526 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Greenville for all costs associated with bridge culvert and road extension from Illinois Route 127 into Buckite Development.

Section 527. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 527 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highland for all costs associated with construction of a multi-use trail.

Section 528. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 528 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lebanon for all costs associated with the purchase and installation of pedestrian signals on Madison Street.

Section 530. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 530 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mascoutah for all costs associated with land acquisition off Route 177.

Section 532. The sum of $92,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 532 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for all costs associated with reconstruction of manholes.

for a grant to St. Mary’s Hospital for all costs associated with expansion of the fire sprinkler system.
Section 534. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 534 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argenta-Oreana Fire Protection District for all costs associated with renovation and/or rehabilitation of the Argenta-Oreana Firehouse, to include all prior incurred costs.

Section 536. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 536 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sorento for all costs associated with renovations of the Community Building.

Section 537. The sum of $33,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 537 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Jacob for all costs associated with drainage project at Sixth and Napoleon Street.

Section 538. The sum of $37,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 538 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Peter for all costs associated with design and engineering costs for a sewer upgrade.

Section 539. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 539 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sullivan for all costs associated with infrastructure improvements.

Section 540. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 540 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy for all costs associated with downtown streetscape-Main Street.

Section 541. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 541 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Vandalia for all costs associated with water main extension project at Main Street and VanSant Avenue.

Section 543. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 543 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelby County for all costs associated with infrastructure improvements.

Section 544. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 544 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The H Group BBT Inc for all costs associated with the purchase of a building/facility.

Section 545. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Carbondale for all costs associated with building infrastructure.

Section 547. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 547 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pierre Menard Home for all costs associated with repairs to the facility.

New matter indicated by italics - deletions by strikeout
Section 548. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 548 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Beck Vocational Center for all costs associated with construction of a building.

Section 549. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 549 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shawnee Health Center (Murphysboro Campus Center) for all costs associated with construction of a new building.

Section 550. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 550 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addieville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 551. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 551 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ava for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 552. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 552 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Albers for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 553. The sum of $18,844, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 553 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alto Pass for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 556. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 556 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campbell Hill for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 557. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 557 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cahokia for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 558. The sum of $67,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 558 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chester for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 559. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 559 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cobden for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 560. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 560 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Coulterville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 561. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 561 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Columbia for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 562. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 562 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cutler for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 564. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 564 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DuBois for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 565 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of DuQuoin for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Section 566. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 566 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DeSoto for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 567. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 567 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dowell for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 568. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 568 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dupo for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 569. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 569 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 571. The sum of $30,817, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 571 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evansville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 572. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 572 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Freeburg for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 574. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 574 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hecker for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 577. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 577 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jonesboro for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 578. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 578 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Makanda for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 580. The sum of $32,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 580 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Makanda for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.
for a grant to the Village of Maestown for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 581. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 581 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Millstadt for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 582. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 582 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Murphysboro for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 587. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 587 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakdale for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 588. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 588 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 589. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 589 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Percy for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 590. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 590 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pinckneyville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 592. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 592 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Red Bud for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 593. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 593 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richview for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 595. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 595 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Libory for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 596. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 596 of

New matter indicated by italics - deletions by strikeout
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithton for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 597. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 597 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sparta for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 599. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 599 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tamaroa for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 600. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 600 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tilden for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 601. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 601 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Valmeyer for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 602. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 602 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Vergennes for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 604. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 604 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willisville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 605. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 605 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fayetteville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 606. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 606 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Radom for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 608. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 608 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockwood for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 609. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 609 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lenzburg for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 610. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 610 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fults for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 611. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 611 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with construction of a new water tower.

Section 612. The sum of $13,188, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 612 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Venedy for all costs associated with the purchase of a tractor and loader and/or infrastructure improvements.

Section 613. The sum of $165,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 613 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carbondale for all costs associated with the purchase of generators and/or water and sewer infrastructure improvements.

Section 614. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 614 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspire for all costs associated with repairs and improvements to residential and therapeutic facilities.

Section 620. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 620 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnway Special Recreation Association for all costs associated with construction of a new facility.

Section 621. The sum of $41,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 621 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pillars for all costs associated with repairs and enhancements to Constance Morris House.

Section 622. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 622 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pillars Community Services for all costs associated with infrastructure improvements at the Summit Facility, to include all prior costs incurred.

Section 627. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 627 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Zoological Society for all costs associated with infrastructure improvements at Brookfield Zoo.

Section 628. The sum of $70,026, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 628 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
for a grant to DuPage County Convalescent Center for all costs associated with renovations and improvements.

Section 629. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 629 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preserve District of DuPage County for all costs associated with infrastructure improvements to Waterfall Glen Sawmill Creek Overlook.

Section 630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 630 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lemont Township for all costs associated with infrastructure improvements.

Section 640. The sum of $67,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 640 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange for all costs associated with signalization and infrastructure improvements.

Section 647. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 647 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with Knolls Lake drainage improvement project.

Section 648. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 648 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 649. The sum of $137,460, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 649 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with adaptive fitness equipment and accessibility for the veterans initiative.

Section 652. The sum of $96,228, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 652 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Easter Seals for all costs associated with repairs, renovation and improvements to the Villa Park Center.

Section 654. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 654 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joseph Academy, Inc. for all costs associated with repairs, renovations and improvements to facilities.

Section 655. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 655 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with repairs, renovations and improvements to facilities including the purchase of wheelchairs.

Section 656. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 656 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Plunkett Foundation for all costs associated with development and construction of athletic fields and facilities with Elmhurst Park District and Immaculate Conception High School in and
Section 658. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 658 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DePue for all costs associated with the purchase and installation of a tornado warning system.

Section 666. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 666 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marshall County for all costs associated with highway and bridge maintenance.

Section 667. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 667 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Henry County Board for all costs associated with courthouse improvements.

Section 669. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 669 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westchester for all costs associated with an emergency generator, to include all prior incurred costs.

Section 670. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 670 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst YMCA for all costs associated with repairs, renovations, and improvements to facilities.

Section 671. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 7, Section 671 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield YMCA for all costs associated with repairs, renovations, and improvements to downtown facilities.

Section 672. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 672 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Grayville for all costs associated with the repair of flood damage to the municipal pool.

Section 673. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 7, Section 673 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Neville House c/o Mid-Central Community Action for all costs associated with infrastructure improvements.

Section 674. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 7, Section 674 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloomington Public Library for all costs associated with infrastructure improvements.

Section 675. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 7, Section 675 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Timber Point Outdoor Center for all costs associated with infrastructure improvements.

Section 677. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made for such purpose in Article 7, Section 677 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Children’s Center for all
costs associated with new construction and/or infrastructure improvements including all prior incurred costs.

Section 678. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Park District for all costs associated with miscellaneous capital projects.

Section 679. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Harvard for all costs associated with road infrastructure improvements.

Section 680. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spring Grove for all costs associated with road infrastructure improvements.

Section 681. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $51,719,746

ARTICLE 999

Section 999. Effective date. This Act takes effect July 1, 2013.
Approved with vetoed amounts July 2, 2013.
Effective July 2, 2013.
Returned to General Assembly July 8, 2013.
Final General Assembly action on vetoed amounts: No funds restored. Amounts remain vetoed.
PUBLIC ACT 98-0051
(House Bill No. 0226)

AN ACT concerning elections.

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

Section 5. The Election Code is amended by adding Section 3-6 as follows:

(10 ILCS 5/3-6 new)

Sec. 3-6. Voting age. Notwithstanding any other provision of law, a person who is 17 years old on the date of a primary election and who is otherwise qualified to vote is qualified to vote at that primary, including voting an absentee, grace period, or early voting ballot with respect to that primary, if that person will be 18 years old on the date of the immediately following general election.

References in this Code and elsewhere to the requirement that a person must be 18 years old to vote shall be interpreted in accordance with this Section.

For the purposes of this Act, an individual who is 17 years of age and who will be 18 years of age on the date of the general election shall be deemed competent to execute and attest to any voter registration forms.


Approved July 3, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0052
(House Bill No. 2563)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 6-508 as follows:

(625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

Sec. 6-508. Commercial Driver's License (CDL) - qualification standards.

(a) Testing.

(1) General. No person shall be issued an original or renewal CDL unless that person is domiciled in this State. The

New matter indicated in italics - deletions by strikeout
Secretary shall cause to be administered such tests as the Secretary deems necessary to meet the requirements of 49 C.F.R. Part 383, subparts F, G, H, and J.

(2) Third party testing. The Secretary of state may authorize a "third party tester", pursuant to 49 C.F.R. Part 383.75, to administer the skills test or tests specified by Federal Motor Carrier Safety Administration pursuant to the Commercial Motor Vehicle Safety Act of 1986 and any appropriate federal rule.

(b) Waiver of Skills Test. The Secretary of State may waive the skills test specified in this Section for a driver applicant for a commercial driver license who meets the requirements of 49 C.F.R. Part 383.77 and Part 383.123. The Secretary of State shall waive the skills tests specified in this Section for a driver applicant who has military commercial motor vehicle experience, subject to the requirements of 49 C.F.R. 383.77.

(b-1) No person shall be issued a commercial driver instruction permit or CDL unless the person certifies to the Secretary one of the following types of driving operations in which he or she will be engaged:

- (1) non-excepted interstate;
- (2) non-excepted intrastate;
- (3) excepted interstate; or
- (4) excepted intrastate.

(b-2) Persons who hold a commercial driver instruction permit or CDL on January 30, 2012 must certify to the Secretary no later than January 30, 2014 one of the following applicable self-certifications:

- (1) non-excepted interstate;
- (2) non-excepted intrastate;
- (3) excepted interstate; or
- (4) excepted intrastate.

(c) Limitations on issuance of a CDL. A CDL, or a commercial driver instruction permit, shall not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or unless otherwise permitted by this Code, while the person's driver's license is suspended, revoked or cancelled in any state, or any territory or province of Canada; nor may a CDL be issued to a person who has a CDL issued by any other state, or foreign jurisdiction, unless the person first surrenders all such licenses. No CDL shall be issued to or renewed for a person who does not meet the requirement of 49 CFR 391.41(b)(11). The requirement may be met with the aid of a hearing aid.

New matter indicated in italics - deletions by strikeout
(c-1) The Secretary may issue a CDL with a school bus driver endorsement to allow a person to drive the type of bus described in subsection (d-5) of Section 6-104 of this Code. The CDL with a school bus driver endorsement may be issued only to a person meeting the following requirements:

(1) the person has submitted his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases;

(2) the person has passed a written test, administered by the Secretary of State, on charter bus operation, charter bus safety, and certain special traffic laws relating to school buses determined by the Secretary of State to be relevant to charter buses, and submitted to a review of the driver applicant's driving habits by the Secretary of State at the time the written test is given;

(3) the person has demonstrated physical fitness to operate school buses by submitting the results of a medical examination, including tests for drug use; and

(4) the person has not been convicted of committing or attempting to commit any one or more of the following offenses: (i) those offenses defined in Sections 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6, 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection (b) of Section 8-1, and in subdivisions (a)(1), (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and (f)(1) of Section 12-3.05, and in subsection (a) and subsection (b), clause (1), of Section 12-4, and
in subsection (A), clauses (a) and (b), of Section 24-3, and those offenses contained in Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012; (ii) those offenses defined in the Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) of Section 5 of the Cannabis Control Act; (iii) those offenses defined in the Illinois Controlled Substances Act; (iv) those offenses defined in the Methamphetamine Control and Community Protection Act; (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State would be punishable as one or more of the foregoing offenses; (vi) the offenses defined in Sections 4.1 and 5.1 of the Wrongs to Children Act or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012; (vii) those offenses defined in Section 6-16 of the Liquor Control Act of 1934; and (viii) those offenses defined in the Methamphetamine Precursor Control Act.

The Department of State Police shall charge a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and may not exceed the actual cost of the records check.

(c-2) The Secretary shall issue a CDL with a school bus endorsement to allow a person to drive a school bus as defined in this Section. The CDL shall be issued according to the requirements outlined in 49 C.F.R. 383. A person may not operate a school bus as defined in this Section without a school bus endorsement. The Secretary of State may adopt rules consistent with Federal guidelines to implement this subsection (c-2).

(d) Commercial driver instruction permit. A commercial driver instruction permit may be issued to any person holding a valid Illinois driver's license if such person successfully passes such tests as the Secretary determines to be necessary. A commercial driver instruction permit shall not be issued to a person who does not meet the requirements of 49 CFR 391.41 (b)(11), except for the renewal of a commercial driver instruction permit for a person who possesses a commercial instruction permit prior to the effective date of this amendatory Act of 1999.

(\textit{Source: \textit{P.A.} 96-1182, eff. 7-22-10; 96-1551, Article 1, Section 95, eff. 7-1-11; 96-1551, Article 2, Section 1025, eff. 7-1-11; 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.})

Approved July 8, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0053
(House Bill No. 3186)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Emergency Medical Services (EMS) Systems Act is
amended by changing Section 3.50 as follows:
(210 ILCS 50/3.50)
Sec. 3.50. Emergency Medical Technician (EMT) Licensure.
(a) "Emergency Medical Technician-Basic" or "EMT-B" means a
person who has successfully completed a course of instruction in basic life
support as prescribed by the Department, is currently licensed by the
Department in accordance with standards prescribed by this Act and rules
adopted by the Department pursuant to this Act, and practices within an
EMS System.
(b) "Emergency Medical Technician-Intermediate" or "EMT-I"
means a person who has successfully completed a course of instruction in
intermediate life support as prescribed by the Department, is currently
licensed by the Department in accordance with standards prescribed by
this Act and rules adopted by the Department pursuant to this Act, and
practices within an Intermediate or Advanced Life Support EMS System.
(c) "Emergency Medical Technician-Paramedic" or "EMT-P"
means a person who has successfully completed a course of instruction in
advanced life support care as prescribed by the Department, is licensed by
the Department in accordance with standards prescribed by this Act and
rules adopted by the Department pursuant to this Act, and practices within
an Advanced Life Support EMS System.
(d) The Department shall have the authority and responsibility to:
(1) Prescribe education and training requirements, which
includes training in the use of epinephrine, for all levels of EMT,
based on the respective national curricula of the United States
Department of Transportation and any modifications to such
curricula specified by the Department through rules adopted
pursuant to this Act.

New matter indicated in italics - deletions by strikeout
(2) Prescribe licensure testing requirements for all levels of EMT, which shall include a requirement that all phases of instruction, training, and field experience be completed before taking the EMT licensure examination. Candidates may elect to take the National Registry of Emergency Medical Technicians examination in lieu of the Department's examination, but are responsible for making their own arrangements for taking the National Registry examination. In prescribing licensure testing requirements for honorably discharged members of the armed forces of the United States under this paragraph (2), the Department shall ensure that a candidate's military emergency medical training, emergency medical curriculum completed, and clinical experience, as described in paragraph (2.5), are recognized.

(2.5) Review applications for EMT licensure from honorably discharged members of the armed forces of the United States with military emergency medical training. Applications shall be filed with the Department within one year after military discharge and shall contain: (i) proof of successful completion of military emergency medical training; (ii) a detailed description of the emergency medical curriculum completed; and (iii) a detailed description of the applicant's clinical experience. The Department may request additional and clarifying information. The Department shall evaluate the application, including the applicant's training and experience, consistent with the standards set forth under subsections (a), (b), (c), and (d) of Section 3.10. If the application clearly demonstrates that the training and experience meets such standards, the Department shall offer the applicant the opportunity to successfully complete a Department-approved EMT examination for which the applicant is qualified. Upon passage of an examination, the Department shall issue a license, which shall be subject to all provisions of this Act that are otherwise applicable to the class of EMT license issued.

(3) License individuals as an EMT-B, EMT-I, or EMT-P who have met the Department's education, training and examination requirements.

(4) Prescribe annual continuing education and relicensure requirements for all levels of EMT.
(5) Relicense individuals as an EMT-B, EMT-I, or EMT-P every 4 years, based on their compliance with continuing education and relicensure requirements. Every 4 years, an EMT-P shall have 100 hours of approved continuing education, an EMT-I and an advanced EMT shall have 80 hours of approved continuing education, and EMT-B shall have 60 hours of approved continuing education. An Illinois licensed Emergency Medical Technician whose license has been expired for less than 36 months may apply for reinstatement by the Department. Reinstatement shall require that the applicant (i) submit satisfactory proof of completion of continuing medical education and clinical requirements to be prescribed by the Department in an administrative rule; (ii) submit a positive recommendation from an Illinois EMS Medical Director attesting to the applicant's qualifications for retesting; and (iii) pass a Department approved test for the level of EMT license sought to be reinstated.

(6) Grant inactive status to any EMT who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act.

(7) Charge a fee for EMT examination, licensure, and license renewal.

(8) Suspend, revoke, or refuse to issue or renew the license of any licensee, after an opportunity for an impartial hearing before a neutral administrative law judge appointed by the Director, where the preponderance of the evidence shows one or more of the following:

(A) The licensee has not met continuing education or relicensure requirements as prescribed by the Department;

(B) The licensee has failed to maintain proficiency in the level of skills for which he or she is licensed;

(C) The licensee, during the provision of medical services, engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(D) The licensee has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in rules adopted pursuant to this Act or his or her EMS System's Program Plan;

New matter indicated in italics - deletions by strikeout
(E) The licensee is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(F) The licensee is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(G) The licensee has violated this Act or any rule adopted by the Department pursuant to this Act; or

(H) The licensee has been convicted (or entered a plea of guilty or nolo-contendere) by a court of competent jurisdiction of a Class X, Class 1, or Class 2 felony in this State or an out-of-state equivalent offense.

(9) An EMT who is a member of the Illinois National Guard or an Illinois State Trooper or who exclusively serves as a volunteer for units of local government with a population base of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the Department for a waiver of the fees described under paragraph (7) on a form prescribed by the Department.

The education requirements prescribed by the Department under this subsection must allow for the suspension of those requirements in the case of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard who is on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor at the time that the member would otherwise be required to fulfill a particular education requirement. Such a person must fulfill the education requirement within 6 months after his or her release from active duty.

(e) In the event that any rule of the Department or an EMS Medical Director that requires testing for drug use as a condition for EMT licensure conflicts with or duplicates a provision of a collective bargaining agreement that requires testing for drug use, that rule shall not apply to any person covered by the collective bargaining agreement.
AN ACT concerning State government.

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

Section 5. The State Police Act is amended by changing Section 9 as follows:

(20 ILCS 2610/9) (from Ch. 121, par. 307.9)

Sec. 9. Appointment; qualifications.

(a) Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed 2 years of law enforcement studies at an accredited college or university. Any person appointed subsequent to successful completion of 2 years of such law enforcement studies shall not have power of arrest, nor shall he be permitted to carry firearms, until he reaches 21 years of age. In addition, all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records, possess such prerequisites of training, education and experience as the Board may from time to time prescribe, and shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board. Notwithstanding any Board rule to the contrary, all persons who either: (i) have been honorably discharged and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal by the United States Armed Forces or (ii) are active members of the Illinois National Guard or a reserve component of the United States Armed Forces and who have been awarded a

New matter indicated in italics - deletions by strikeout
Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal as a result of honorable service during deployment on active duty, are deemed to have met the collegiate educational requirements. All persons who have been honorably discharged and who have been awarded an Afghan or Iraqi campaign medal by the military or naval services of the United States are deemed to have met the collegiate educational requirements, notwithstanding any Board rule. Preference shall be given in such appointments to persons who have honorably served in the military or naval services of the United States. All appointees shall serve a probationary period of 12 months from the date of appointment and during that period may be discharged at the will of the Director. However, the Director may in his or her sole discretion extend the probationary period of an officer up to an additional 6 months when to do so is deemed in the best interest of the Department.

(b) Notwithstanding the other provisions of this Act, after July 1, 1977 and before July 1, 1980, the Director of State Police may appoint and promote not more than 20 persons having special qualifications as special agents as he deems necessary to carry out the Department's objectives. Any such appointment or promotion shall be ratified by the Board.

(c) During the 90 days following the effective date of this amendatory Act of 1995, the Director of State Police may appoint up to 25 persons as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (c) and any additional criteria that may be established by the Director, but are not subject to any other requirements of this Act. The Director may specify the initial rank for each person appointed under this subsection.

All appointments under this subsection (c) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection must have been employed by the Illinois Commerce Commission on November 30, 1994 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension Code.

Persons appointed under this subsection (c) shall thereafter be subject to the same requirements and procedures as other State police officers. A person appointed under this subsection must serve a
probationary period of 12 months from the date of appointment, during which he or she may be discharged at the will of the Director.

This subsection (c) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(Source: P.A. 97-640, eff. 12-19-11.)

Passed in the General Assembly May 10, 2013.
Approved July 5, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0055
(House Bill No. 0630)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 5-3 and by adding Sections 1-3.39 and 6-36 as follows:

(235 ILCS 5/1-3.39 new)

Sec. 1-3.39. Homemade brewed beverage. "Homemade brewed beverage" means beer or any other beverage obtained by the alcoholic fermentation of an infusion or concoction of grains, sugars, or both in water and includes, but is not limited to, beer, mead, and cider made by a person 21 years of age or older, through his or her own efforts, fermented at his or her place of residence, fermented at another place of residence of a homemade brewed beverage brewer, or fermented at a premises of a commercial enterprise that is engaged primarily in selling supplies and equipment for use by home brewers and not for a commercial purpose but for consumption by that person or his or her family, neighbors, guests, and friends or for use at an exhibition, demonstration, judging, tasting, or sampling with sampling sizes as authorized by Section 6-31 of this Act or as part of a contest or competition authorized by Section 6-36 of this Act.

(235 ILCS 5/5-3) (from Ch. 43, par. 118)

Sec. 5-3. License fees. Except as otherwise provided herein, at the time application is made to the State Commission for a license of any class, the applicant shall pay to the State Commission the fee hereinafter provided for the kind of license applied for.

The fee for licenses issued by the State Commission shall be as follows:

For a manufacturer's license:

New matter indicated in italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Class</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Distiller</td>
<td>$3,600</td>
</tr>
<tr>
<td>2</td>
<td>Rectifier</td>
<td>3,600</td>
</tr>
<tr>
<td>3</td>
<td>Brewer</td>
<td>900</td>
</tr>
<tr>
<td>4</td>
<td>First-class Wine Manufacturer</td>
<td>600</td>
</tr>
<tr>
<td>5</td>
<td>Second-class Wine Manufacturer</td>
<td>1,200</td>
</tr>
<tr>
<td>6</td>
<td>First-class wine-maker</td>
<td>600</td>
</tr>
<tr>
<td>7</td>
<td>Second-class wine-maker</td>
<td>1,200</td>
</tr>
<tr>
<td>8</td>
<td>Limited Wine Manufacturer</td>
<td>120</td>
</tr>
<tr>
<td>9</td>
<td>Craft Distiller</td>
<td>1,800</td>
</tr>
<tr>
<td>10</td>
<td>Craft Brewer</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>For a Brew Pub License</td>
<td>1,050</td>
</tr>
<tr>
<td></td>
<td>For a caterer retailer's license</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>For a foreign importer's license</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>For an importing distributor's license</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>For a distributor's license</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>For a non-resident dealer's license</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(500,000 gallons or over)</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>For a non-resident dealer's license</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(under 500,000 gallons)</td>
<td>90</td>
</tr>
<tr>
<td></td>
<td>For a wine-maker's premises license</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>(under 250,000 gallons)</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td>For a winery shipper's license</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(250,000 or over, but under 500,000 gallons)</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>For a winery shipper's license</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(500,000 gallons or over)</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>For a wine-maker's premises license,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>second location</td>
<td>350</td>
</tr>
<tr>
<td></td>
<td>For a wine-maker's premises license,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>third location</td>
<td>350</td>
</tr>
<tr>
<td></td>
<td>For a retailer's license</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>For a special event retailer's license,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(not-for-profit)</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>For a special use permit license,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>one day only</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>2 days or more</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>For a railroad license</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>For a boat license</td>
<td>180</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
For an airplane license, times the licensee's maximum number of aircraft in flight, serving liquor over the State at any given time, which either originate, terminate, or make an intermediate stop in the State .................. 60

For a non-beverage user's license:
- Class 1 ............................ 24
- Class 2 ............................ 60
- Class 3 ............................ 120
- Class 4 ............................ 240
- Class 5 ............................ 600

For a broker's license ....................... 600
For an auction liquor license .................... 50

*For a homebrewer special event permit .......... 25*

Fees collected under this Section shall be paid into the Dram Shop Fund. On and after July 1, 2003, of the funds received for a retailer's license, in addition to the first $175, an additional $75 shall be paid into the Dram Shop Fund, and $250 shall be paid into the General Revenue Fund. Beginning June 30, 1990 and on June 30 of each subsequent year through June 29, 2003, any balance over $5,000,000 remaining in the Dram Shop Fund shall be credited to State liquor licensees and applied against their fees for State liquor licenses for the following year. The amount credited to each licensee shall be a proportion of the balance in the Dram Fund that is the same as the proportion of the license fee paid by the licensee under this Section for the period in which the balance was accumulated to the aggregate fees paid by all licensees during that period.

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(b) Universities, colleges of learning or schools when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11.)

(235 ILCS 5/6-36 new)

Sec. 6-36. Homemade brewed beverages.

New matter indicated in italics - deletions by strikeout
(a) No license or permit is required under this Act for the making of homemade brewed beverages or for the possession, transportation, or storage of homemade brewed beverages by any person 21 years of age or older, if all of the following apply:

(1) the person who makes the homemade brewed beverages receives no compensation;

(2) the homemade brewed beverages is not sold or offered for sale; and

(3) the total quantity of homemade brewed beverages made, in a calendar year, by the person does not exceed 100 gallons if the household has only one person 21 years of age or older or 200 gallons if the household has 2 or more persons 21 years of age or older.

(b) A person who makes, possesses, transports, or stores homemade brewed beverages in compliance with the limitations specified in subsection (a) is not a brewer, craft brewer, wholesaler, retailer, or a manufacturer of beer for the purposes of this Act.

(c) Homemade brewed beverages made in compliance with the limitations specified in subsection (a) may be consumed by the person who made it and his or her family, neighbors, and friends at any private residence or other private location where the possession and consumption of alcohol is permissible under this Act, local ordinances, and other applicable law, provided that the homemade brewed beverages are not made available for consumption by the general public.

(d) Homemade brewed beverages made in compliance with the limitations specified in subsection (a) may be used for purposes of a public exhibition, demonstration, tasting, or sampling with sampling sizes as authorized by Section 6-31, if the event is held at a private residence or at a location other than a retail licensed premises. If the public event is not held at a private residence, the event organizer shall obtain a homebrewer special event permit for each location, and is subject to the provisions in subsection (a) of Section 6-21. Homemade brewed beverages used for purposes described in this subsection (d), including the submission or consumption of the homemade brewed beverages, are not considered sold or offered for sale under this Act. A public exhibition, demonstration, tasting, or sampling with sampling sizes as authorized by Section 6-31 held by a licensee on a location other than a retail licensed premises may require an admission charge to the event, but no separate or additional fee may be charged for the consumption of a person's homemade brewed beverages.
beverages at the public exhibition, demonstration, tasting, or sampling with sampling sizes as authorized by Section 6-31. Event admission charges that are collected may be partially used to provide prizes to makers of homemade brewed beverages, but the admission charges may not be divided in any fashion among the makers of the homemade brewed beverages who participate in the event. Homemade brewed beverages used for purposes described in this subsection (d) are not considered sold or offered for sale under this Act if a maker of homemade brewed beverages receives free event admission or discounted event admission in return for the maker's donation of the homemade brewed beverages to an event specified in this subsection (d) that collects event admission charges; free admission or discounted admission to the event is not considered compensation under this Act. No admission fee and no charge for the consumption of a person's homemade brewed beverage may be collected if the public exhibition, demonstration, tasting, sampling with sampling sizes as authorized by Section 6-31 is held at a private residence.

(e) A person who is not a licensee under this Act may at a private residence, and a person who is a licensee under this Act may on the licensed premises, conduct, sponsor, or host a contest, competition, or other event for the exhibition, demonstration, judging, tasting, or sampling of homemade brewed beverages made in compliance with the limitations specified in subsection (a), if the person does not sell the homemade brewed beverages and, unless the person is the brewer of the homemade brewed beverages, does not acquire any ownership interest in the homemade brewed beverages. If the contest, competition, exhibition, demonstration, or judging is not held at a private residence, the consumption of the homemade brewed beverages is limited to qualified judges and stewards as defined by a national or international beer judging program, who are identified by the event organizer in advance of the contest, competition, exhibition, demonstration, or judging. Homemade brewed beverages used for the purposes described in this subsection (e), including the submission or consumption of the homemade brewed beverages, are not considered sold or offered for sale under this Act and any prize awarded at a contest or competition or as a result of an exhibition, demonstration, or judging is not considered compensation under this Act. An exhibition, demonstration, judging, contest, or competition held by a licensee on a licensed premises may require an admission charge to the event, but no separate or additional fee may be charged for the consumption of a person's homemade brewed beverage at
the exhibition, demonstration, judging, contest, or competition. A portion of event admission charges that are collected may be used to provide prizes to makers of homemade brewed beverages, but the admission charges may not be divided in any fashion among the makers of the homemade brewed beverages who participate in the event. Homemade brewed beverages used for purposes described in this subsection (e) are not considered sold or offered for sale under this Act if a maker of homemade brewed beverages receives free event admission or discounted event admission in return for the maker's donation of the homemade brewed beverages to an event specified in this subsection (e) that collects event admission charges; free admission or discounted admission to the event is not considered compensation under this Act. No admission fee and no charge for the consumption of a person's homemade brewed beverage may be charged if the exhibition, demonstration, judging, contest, or competition is held at a private residence. The fact that a person is acting in a manner authorized by this Section is not, by itself, sufficient to constitute a public nuisance under Section 10-7 of this Act. If the contest, competition, or other event is held on licensed premises, the licensee may allow the homemade brewed beverages to be stored on the premises if the homemade brewed beverages are clearly identified, kept separate from any alcohol beverages owned by the licensee. If the contest, competition, or other event is held on licensed premises, other provisions of this Act not inconsistent with this Section apply.

(f) A commercial enterprise engaged primarily in selling supplies and equipment to the public for use by homebrewers may manufacture homemade brewed beverages for the purpose of tasting the homemade brewed beverages at the location of the commercial enterprise, provided that the homemade brewed beverages are not sold or offered for sale. Homemade brewed beverages provided at a commercial enterprise for tasting under this subsection (f) shall be in compliance with Sections 6-16, 6-21, and 6-31 of this Act. A commercial enterprise engaged solely in selling supplies and equipment for use by homebrewers shall not be required to secure a license under this Act, however, such commercial enterprise shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(g) Homemade brewed beverages are not subject to Section 8-1 of this Act.

New matter indicated in italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Highway Advertising Control Act of 1971 is amended by changing Sections 3.12, 4.02, 4.03, 4.04, and 8 and by adding Sections 3.17, 3.18, 3.19, 3.20, and 15 as follows:

(225 ILCS 440/3.12) (from Ch. 121, par. 503.12)
Sec. 3.12. Business area. (a) "Business area" means any part of an area adjacent to and within 660 feet of the right-of-way which is at any time zoned for business, commercial or industrial activities under the authority of any law of this State; or not so zoned, but which constitutes an unzoned commercial or industrial area as defined in Section 3.11. However, as to signs along Interstate highways, the term "business area" includes only areas which are within incorporated limits of any city, village, or incorporated town, as such limits existed on September 21, 1959, and which are zoned for industrial or commercial use, or both, or to portions of Interstate highways which traverse other areas where the land use, as of September 21, 1959, was established by State law as industrial or commercial, or both.

With respect to signs owned or leased by the State or a political subdivision, an area zoned for business, commercial, or industrial activities that is adjacent to and within 660 feet of an Interstate highway and that is in Township 41 North, Range 10 East of the Third Principal Meridian, shall be deemed a "business area" for purposes of this Act. This zoning must have been a part of comprehensive zoning and not have been created primarily to permit outdoor advertising structures as described in 23 CFR 750.

(b) The changes to this Section made by this amendatory Act of the 95th General Assembly are intended to comply with the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations

New matter indicated in italics - deletions by strikeout
promulgated thereunder by the Secretary of the United States Department of Transportation. To the extent that the Secretary of the United States Department of Transportation or any court finds the changes to this Section made by this amendatory Act to be inconsistent with or preempted by such law or regulations, the changes shall be repealed to the extent necessary to cure such inconsistency or preemption.

(c) The provisions of this amendatory Act of the 95th General Assembly shall not be applicable if such application would impact the receipt, use, or reimbursement of federal funds by the Illinois Department of Transportation.

(Source: P.A. 95-340, eff. 1-1-08.)

(225 ILCS 440/3.17 new)

Sec. 3.17. On-premise sign. "On-premise sign" means any sign advertising a business or activity conducted on the property on which they are located.

(225 ILCS 440/3.18 new)

Sec. 3.18. Off-premise sign. "Off-premise sign" means any sign advertising a business or activity not being conducted on the same property as the sign.

(225 ILCS 440/3.19 new)

Sec. 3.19. Real estate sign. "Real estate sign" means any sign advertising solely the sale or lease of the property on which the sign is located.

(225 ILCS 440/3.20 new)

Sec. 3.20. Municipal network sign. "Municipal network sign" means an official sign or a sign that:

(1) is located on property owned or controlled by a local government that has a population of 2,000,000 or more and that has adopted zoning regulations consistent with this Act;
(2) is controlled under the direction of the local government;
(3) complies with zoning regulations consistent with this Act;
(4) is placed within a business area as defined in Section 3.12 of this Act;
(5) is used to communicate emergency, public, and commercial information; and

New matter indicated in italics - deletions by strikeout
Sec. 4.02. Real estate signs. Real estate signs as defined in Section 3.19 of this Act. However, real estate signs must comply only with the provisions in Section 5 of this Act. Signs advertising the sale or lease of property on which they are located, which signs, if along Interstate highways outside a "business area", comply with the following requirements:

(a) There may not be more than one such sign designed to attract traffic on the Interstate highway proceeding in any one direction;

(b) The sign may not exceed 150 square feet in size;

(e) No such sign may be erected or maintained which attempts to attract traffic on the Interstate highway proceeding in any one direction;

(d) No such sign may be erected or maintained which prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic;

(e) No such sign may be erected or maintained which contains, includes, or is illuminated by any flashing, intermittent or moving light or lights;

(f) No lighting may be used in any way, in connection with any such sign, unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way of the highway, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle;

(g) No such sign may be erected or maintained which moves or has any animated or moving parts and no such sign may be erected or maintained upon trees or painted or drawn upon rocks or other natural features.

(Source: P.A. 77-1815.)

(225 ILCS 440/4.03) (from Ch. 121, par. 504.03)

Sec. 4.03. On-premise signs. On-premise signs as defined in Section 3.17 of this Act. However, on-premise signs must comply only with the provisions in Section 5 of this Act. Signs advertising activities conducted on the property on which they are located; which, if along

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Interstate highways outside a "business area" comply with the following requirements:

(a) There may not be more than one such sign located more than 50 feet from such activity designed to attract traffic on the Interstate highway proceeding in any one direction;

(b) No such sign visible to traffic on an Interstate highway and located more than 50 feet from such activity, which displays any trade name referring to or identifying any service rendered or any product sold, used or otherwise handled, may be permitted unless the name of the advertised activity is displayed as conspicuously as such trade name. This restriction does not apply if the trade name identifies or characterizes places for lodging, eating, telephone facilities, vehicle service and repair, or identifies vehicle equipment, parts, accessories, fuels, oils or lubricants being offered for sale at such places;

(c) No such sign in excess of 20 feet in length, width or height, or 150 square feet in area, including border and trim, but excluding supports, may be erected or maintained more than 50 feet from the activities conducted upon the property where the sign is located;

(d) The sign must comply with subparagraphs (c), (d), (f) and (g) of Section 4.02;

(e) No such sign may be erected or maintained which contains, includes, or is illuminated by any flashing, intermittent or moving light or lights except those which may be changed at reasonable intervals by electronic process or by remote control as long as these do not interfere with the effectiveness of an official traffic control device.

(Source: P.A. 81-550.)

(225 ILCS 440/4.04) (from Ch. 121, par. 504.04)
Sec. 4.04. Off-premise signs. Off-premise signs Signs which are erected in business areas after the effective date of this Act and which comply, when erected, with Sections 5, 6 (subject to provisions of Section 7) and 8 of this Act.
(Source: P.A. 77-1815.)

(225 ILCS 440/8) (from Ch. 121, par. 508)
Sec. 8. Within 90 days after the effective date of this Act, each sign, except signs described by Sections 4.01, and signs along primary highways described by Sections 4.02, and 4.03, must be registered with the Department by the owner of the sign, on forms obtained from the Department. Within 90 days after the effective date of this amendatory Act of 1975, each sign located beyond 660 feet of the right-of-way located

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outside of urban areas, visible from the main-traveled way of the highway and erected with the purpose of the message being read from such traveled way, must be registered with the Department by the owner of the sign on forms obtained from the Department. The Department shall require reasonable information to be furnished including the name of the owner of the land on which the sign is located and a statement that the owner has consented to the erection or maintenance of the sign. Registration must be made of each sign and shall be accompanied by a registration fee of $5.

No sign, except signs described by Sections Section 4.01, and signs along primary highways described by Sections 4.02, and 4.03, may be erected after the effective date of this Act without first obtaining a permit from the Department. The application for permit shall be on a form provided by the Department and shall contain such information as the Department may reasonably require. Upon receipt of an application containing all required information and appropriately executed and upon payment of the fee required under this Section, the Department then issues a permit to the applicant for the erection of the sign, provided such sign will not violate any provision of this Act. The application fee shall be as follows:

(1) for signs of less than 150 square feet, $50;
(2) for signs of at least 150 but less than 300 square feet, $100; and
(3) for signs of 300 or more square feet, $200.

In determining the appropriateness of issuing a permit for a municipal network sign, the Department shall waive any provision or requirement of this Act or administrative rule adopted under the authority of this Act to the extent that the waiver does not contravene the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated under that Act by the Secretary of the United States Department of Transportation. Any municipal network sign applications pending on May 1, 2013 that are not affected by compliance with the federal Highway Beautification Act of 1965 shall be issued within 10 days after the effective date of this amendatory Act of the 98th General Assembly. The determination of the balance of pending municipal network sign applications and issuance of approved permits shall be completed within 30 days after the effective date of this amendatory Act of the 98th General Assembly. To the extent that the Secretary of the United States Department of Transportation or any court finds any permit granted pursuant to such a waiver to be inconsistent with or preempted by the
federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated under that Act, that permit shall be void.

Upon change of sign ownership the new owner of the sign shall notify the Department and supply the necessary information to renew the permit for such sign at no cost within 60 days after the change of ownership. Any permit not so renewed shall become void.

Owners of registered signs shall be issued an identifying tag, which must remain be securely affixed to the front face of the sign or sign structure in a conspicuous position by the owner within 60 days after receipt of the tag; owners of signs erected by permit shall be issued an identifying tag which must remain be securely affixed to the front face of the sign or sign structure in a conspicuous position by the owner upon completion of the sign erection or within 10 days after receipt of the tag, whichever is the later.

(Source: P.A. 87-1205.)

(225 ILCS 440/15 new)

Sec. 15. Applicability. The changes made to this Act by this amendatory Act of the 98th General Assembly shall not be applicable if the application would impact the receipt, use, or reimbursement of federal funds by the Illinois Department of Transportation other than the reimbursement of Bonus Agreement funds. Any permit granted pursuant to an inapplicable provision is void.

(225 ILCS 440/4.07 rep.)

Section 10. The Highway Advertising Control Act of 1971 is amended by repealing Section 4.07.

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

Approved July 8, 2013.
Effective July 5, 2013.
Sec. 5-111. Natural gas performance reporting.

(a) The General Assembly recognizes that for well over a century Illinois residents and businesses have relied on the natural gas utility system. The General Assembly finds that in order for a natural gas utility to provide safe, reliable, and affordable service to the State's current and future utility customers, a utility must refurbish, rebuild, modernize, and expand its infrastructure and adequately train its workforce on appropriate operations procedures and policies designed to effectively maintain its infrastructure.

(b) A natural gas public utility shall report annually to the Commission the following information, compiled on a calendar-year basis, beginning with the first report on April 1, 2014:

1. the number of emergency calls with response times exceeding both 30 minutes and 60 minutes and the number of emergency calls in which the utility stopped the flow of natural gas on the system or appropriately vented natural gas in a time exceeding both 60 minutes and 90 minutes;

2. the number of incidents of damage per thousand gas facility locate requests to the utility's pipeline facilities resulting from utility error and the number of incidents of damage per thousand gas facility locate requests to the utility's pipeline facilities resulting from the fault of third parties;

3. the number of scheduled cathodic protection readings below -0.850 volts;

4. the number of service lines that were inactive for over 3 years and not disconnected from a source of supply;

5. the number of difficult to locate services replaced;

6. the number of remotely-readable cathodic protection devices;

7. the miles of main and numbers of services replaced that were constructed of cast iron, wrought iron, ductile iron, unprotected coated steel, unprotected bare steel, mechanically coupled steel, copper, Cellulose Acetate Butyrate (CAB) plastic, pre-1973 DuPont Aldyl "A" polyethylene, PVC, or other types of materials identified by a State or federal governmental agency as being prone to leakage;

8. the number of miles of transmission facilities on which maximum allowable operating pressures have been established;

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(9) the number of miles of transmission facilities equipped with remotely controlled shut-off valve capability; and
(10) the value in dollars of contracts in force with minority-owned, female-owned, and qualified service-disabled veteran-owned businesses.

(c) Reports required under this Section shall be submitted to the Commission by April 1 of each year. Reports shall be verified in the same manner as Form 21 ILCC and contain the information specified in subsection (b) of this Section for the preceding calendar year. The reports shall further identify the number of jobs attributable to each of the reporting requirements in (b)(1) through (b)(10) of this Section. Following the submission of a utility's initial report, subsequent reports by the utility shall state year-over-year changes in the information being reported. The Commission shall post the reports on the public portion of its web site.

(d) A natural gas utility shall submit an annual plan specifying its goals for each of the items identified in subsection (b) of this Section, and such utility is expected to show reasonable and continuing progress in improving its performance under the criteria identified in subsection (b) of this Section. If the Commission finds, after notice and hearing, that a utility has failed to show progressive improvement in its performance under those criteria, the Commission may require the natural gas utility to submit a remediation plan for the criteria identified in subsection (b) of this Section designed to improve the utility's performance.

(e) The Commission may adopt rules to implement the requirements of this Section.

(f) This Section does not apply to a gas utility that on January 1, 2013 provided gas service to fewer than 100,000 customers in Illinois.

(220 ILCS 5/9-220.3 new)
Sec. 9-220.3. Natural gas surcharges authorized.
(a) Tariff.

(1) Pursuant to Section 9-201 of this Act, a natural gas utility serving more than 700,000 customers may file a tariff for a surcharge which adjusts rates and charges to provide for recovery of costs associated with investments in qualifying infrastructure plant, independent of any other matters related to the utility's revenue requirement.

(2) Within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the Commission shall adopt emergency rules to implement the provisions of this
Public Act 98-0057

(3) The Commission shall issue an order approving, or approving with modification to ensure compliance with this Section, the tariff no later than 120 days after such filing of the tariffs filed pursuant to this Section. The utility shall have 7 days following the date of service of the order to notify the Commission in writing whether it will accept any modifications so identified in the order or whether it has elected not to proceed with the tariff. If the order includes no modifications or if the utility notifies the Commission that it will accept such modifications, the tariff shall take effect on the first day of the calendar year in which the Commission issues the order, subject to petitions for rehearing and appellate procedures. After the tariff takes effect, the utility may, upon 10 days' notice to the Commission, file to withdraw the tariff at any time, and the Commission shall approve such filing without suspension or hearing, subject to a final reconciliation as provided in subsection (e) of this Section.

(4) When a natural gas utility withdraws the surcharge tariff, the utility shall not recover any additional charges through the surcharge approved pursuant to this Section, subject to the resolution of the final reconciliation pursuant to subsection (e) of this Section. The utility's qualifying infrastructure investment net of accumulated depreciation may be transferred to the natural gas utility's rate base in the utility's next general rate case. The utility's delivery base rates in effect upon withdrawal of the surcharge tariff shall not be adjusted at the time the surcharge tariff is withdrawn.

(5) A natural gas utility that is subject to its delivery base rates being fixed at their current rates pursuant to a Commission order entered in Docket No. 11-0046, notwithstanding the effective date of its tariff authorized pursuant to this Section, shall reflect in a tariff surcharge only those projects placed in service after the fixed rate period of the merger agreement has expired by its terms. (b) For purposes of this Section, "qualifying infrastructure plant" includes only plant additions placed in service not reflected in the rate base used to establish the utility's delivery base rates. "Costs associated
with investments in qualifying infrastructure plant" shall include a return on qualifying infrastructure plant and recovery of depreciation and amortization expense on qualifying infrastructure plant, net of the depreciation included in the utility's base rates on any plant retired in conjunction with the installation of the qualifying infrastructure plant. Collectively the "qualifying infrastructure plant" and "costs associated with investments in qualifying infrastructure plant" are referred to as the "qualifying infrastructure investment" and that are related to one or more of the following:

(1) the installation of facilities to retire and replace underground natural gas facilities, including facilities appurtenant to facilities constructed of those materials such as meters, regulators, and services, and that are constructed of cast iron, wrought iron, ductile iron, unprotected coated steel, unprotected bare steel, mechanically coupled steel, copper, Cellulose Acetate Butyrate (CAB) plastic, pre-1973 DuPont Aldyl "A" polyethylene, PVC, or other types of materials identified by a State or federal governmental agency as being prone to leakage;

(2) the relocation of meters from inside customers' facilities to outside;

(3) the upgrading of the gas distribution system from a low pressure to a medium pressure system, including installation of high-pressure facilities to support the upgrade;

(4) modernization investments by a combination utility, as defined in subsection (b) of Section 16-108.5 of this Act, to install:

   (A) advanced gas meters in connection with the installation of advanced electric meters pursuant to Sections 16-108.5 and 16-108.6 of this Act; and

   (B) the communications hardware and software and associated system software that creates a network between advanced gas meters and utility business systems and allows the collection and distribution of gas-related information to customers and other parties in addition to providing information to the utility itself;

(5) replacing high-pressure transmission pipelines and associated facilities identified as having a higher risk of leakage or failure or installing or replacing high-pressure transmission pipelines and associated facilities to establish records and maximum allowable operating pressures;

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(6) replacing difficult to locate mains and service pipes and associated facilities; and
(7) replacing or installing transmission and distribution regulator stations, regulators, valves, and associated facilities to establish over-pressure protection.

With respect to the installation of the facilities identified in paragraph (1) of subsection (b) of this Section, the natural gas utility shall determine priorities for such installation with consideration of projects either: (i) integral to a general government public facilities improvement program or (ii) ranked in the highest risk categories in the utility's most recent Distribution Integrity Management Plan where removal or replacement is the remedial measure.

(c) Qualifying infrastructure investment, defined in subsection (b) of this Section, recoverable through a tariff authorized by subsection (a) of this Section, shall not include costs or expenses incurred in the ordinary course of business for the ongoing or routine operations of the utility, including, but not limited to:

(1) operating and maintenance costs; and
(2) costs of facilities that are revenue-producing, which means facilities that are constructed or installed for the purpose of serving new customers.

(d) Gas utility commitments. A natural gas utility that has in effect a natural gas surcharge tariff pursuant to this Section shall:

(1) recognize that the General Assembly identifies improved public safety and reliability of natural gas facilities as the cornerstone upon which this Section is designed, and qualifying projects should be encouraged, selected, and prioritized based on these factors; and
(2) provide information to the Commission as requested to demonstrate that (i) the projects included in the tariff are indeed qualifying projects and (ii) the projects are selected and prioritized taking into account improved public safety and reliability.

(3) The amount of qualifying infrastructure investment eligible for recovery under the tariff in the applicable calendar year is limited to the lesser of (i) the actual qualifying infrastructure plant placed in service in the applicable calendar year and (ii) the difference by which total plant additions in the applicable calendar year exceed the baseline amount, and subject to the limitation in subsection (g) of this Section. A natural gas

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utility can recover the costs of qualifying infrastructure investments through an approved surcharge tariff from the beginning of each calendar year subject to the reconciliation initiated under paragraph (2) of subsection (e) of this Section, during which the Commission may make adjustments to ensure that the limits defined in this paragraph are not exceeded. Further, if total plant additions in a calendar year do not exceed the baseline amount in the applicable calendar year, the Commission, during the reconciliation initiated under paragraph (2) of subsection (e) of this Section for the applicable calendar year, shall adjust the amount of qualifying infrastructure investment eligible for recovery under the tariff to zero.

(4) For purposes of this Section, "baseline amount" means an amount equal to the utility's average of total depreciation expense, as reported on page 336, column (b) of the utility's ILCC Form 21, for the calendar years 2006 through 2010.

(e) Review of investment.

(1) The amount of qualifying infrastructure investment shall be shown on an Information Sheet supplemental to the surcharge tariff and filed with the Commission monthly or some other time period at the option of the utility. The Information Sheet shall be accompanied by data showing the calculation of the qualifying infrastructure investment adjustment. Unless otherwise ordered by the Commission, each qualifying infrastructure investment adjustment shown on an Information Sheet shall become effective pursuant to the utility's approved tariffs.

(2) For each calendar year in which a surcharge tariff is in effect, the natural gas utility shall file a petition with the Commission to initiate hearings to reconcile amounts billed under each surcharge authorized pursuant to this Section with the actual prudently incurred costs recoverable under this tariff in the preceding year. The petition filed by the natural gas utility shall include testimony and schedules that support the accuracy and the prudence of the qualifying infrastructure investment for the calendar year being reconciled. The petition filed shall also include the number of jobs attributable to the natural gas surcharge tariff as required by rule. The review of the utility's investment shall include identification and review of all plant that

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was ranked within the highest risk categories in that utility's most recent Distribution Integrity Management Plan.

(f) The rate of return applied shall be the overall rate of return authorized by the Commission in the utility's last gas rate case.

(g) The cumulative amount of increases billed under the surcharge, since the utility's most recent delivery service rate order, shall not exceed an annual average 4% of the utility's delivery base rate revenues, but shall not exceed 5.5% in any given year. On the effective date of new delivery base rates, the surcharge shall be reduced to zero with respect to qualifying infrastructure investment that is transferred to the rate base used to establish the utility's delivery base rates, provided that the utility may continue to charge or refund any reconciliation adjustment determined pursuant to subsection (e) of this Section.

(h) If a gas utility obtains a surcharge tariff under this Section 9-220.3, then it and its affiliates are excused from the rate case filing requirements contained in Sections 9-220(h) and 9-220(h-1). In the event a natural gas utility, prior to the effective date of this amendatory Act of the 98th General Assembly, made a rate case filing that is still pending on the effective date of this amendatory Act of the 98th General Assembly, the natural gas utility may, at the time it files its surcharge tariff with the Commission, also file a notice with the Commission to withdraw its rate case filing. Any affiliate of such natural gas utility may also file to withdraw its rate case filing. Upon receipt of such notice, the Commission shall dismiss the rate case filing with prejudice and such tariffs and the record related thereto shall not be the subject of any further hearing, investigation, or proceeding of any kind related to rates for gas delivery services. Notwithstanding the foregoing, a natural gas utility shall not be permitted to withdraw a rate case filing for which a proposed order recommending a rate reduction is pending. A natural gas utility shall not be permitted to withdraw the gas delivery services tariffs that are the subject of Commission Docket Nos. 12-0511/12-0512 (cons.). None of the costs incurred for the withdrawn rate case are recoverable from ratepayers.

(i) The Commission shall promulgate rules and regulations to carry out the provisions of this Section under the emergency rulemaking provisions set forth in Section 5-45 of the Illinois Administrative Procedure Act, and such emergency rules shall be effective no later than 30 days after the effective date of this amendatory Act of the 98th General Assembly.

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(j) This Section is repealed December 31, 2023.

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

Approved July 5, 2013.
Effective July 5, 2013.

PUBLIC ACT 98-0058
(House Bill No. 1139)

AN ACT concerning criminal law.

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

Section 1. Short title. This Act may be cited as the Gang Crime Witness Protection Act of 2013.

Section 5. Definition. As used in this Act, "gang crime" means any criminal offense committed by a member of a "gang" as that term is defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act when the offense is in furtherance of any activity, enterprise, pursuit, or undertaking of a gang.

Section 10. Program. Subject to appropriation, the Illinois Criminal Justice Information Authority shall establish and administer a program to assist victims and witnesses who are actively aiding in the prosecution of perpetrators of gang crime, and appropriate related persons. Financial assistance may be provided, upon application by a State's Attorney or the Attorney General, or a chief executive of a police agency with the approval from the State's Attorney or Attorney General, investigating or prosecuting a gang crime occurring under the State's Attorney's or Attorney General's respective jurisdiction, from funds deposited in the Gang Crime Witness Protection Program Fund and appropriated from that Fund for the purposes of this Act.

Section 15. Funding. The Illinois Criminal Justice Information Authority, in consultation with the Attorney General, shall adopt rules for the implementation of the Gang Crime Witness Protection Program. Assistance shall be subject to the following limitations:

(a) Funds shall be limited to payment of the following:
   (1) temporary living costs;
   (2) moving expenses;
   (3) rent;

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(4) security deposits; and 
(5) other appropriate expenses of relocation or transition;
(b) Approval of applications made by State's Attorneys shall be conditioned upon county funding for costs at a level of at least 25%, unless this requirement is waived by the administrator, in accordance with adopted rules, for good cause shown;
(c) Counties providing assistance consistent with the limitations in this Act may apply for reimbursement of up to 75% of their costs; and
(d) No more than 50% of funding available in any given fiscal year may be used for costs associated with any single county.

(e) Before the Illinois Criminal Justice Information Authority distributes moneys from the Gang Crime Witness Protection Program Fund as provided in this Section, it shall retain 2% of those moneys for administrative purposes.

Section 20. Gang Crime Witness Protection Program Fund. There is created in the State Treasury the Gang Crime Witness Protection Program Fund into which shall be deposited appropriated funds, grants, or other funds made available to the Illinois Criminal Justice Information Authority to assist State's Attorneys and the Attorney General in protecting victims and witnesses who are aiding in the prosecution of perpetrators of gang crime, and appropriate related persons. Within 30 days after the effective date of this Act, all moneys in the Gang Crime Witness Protection Fund shall be transferred into the Gang Crime Witness Protection Program Fund.

Section 25. Beginning of operation. The program created by this Act shall begin operation on July 1, 2013.

Section 90. The State Finance Act is amended by adding Section 5.826 as follows:
(30 ILCS 105/5.826 new)

Approved July 8, 2013.
Effective July 8, 2013.

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AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 10-21.4a and 22-20 as follows:

(105 ILCS 5/10-21.4a) (from Ch. 122, par. 10-21.4a)

Sec. 10-21.4a. Principals and assistant principals - Duties. To employ principals and assistant principals who hold valid supervisory or administrative certificates. The principal, with the assistance of any assistant principals, shall supervise the operation of attendance centers as the board shall determine necessary. In an attendance center having fewer than 4 teachers, a head teacher who does not qualify as a principal may be assigned in the place of a principal.

The principal, with the assistance of any assistant principals, shall assume administrative responsibilities and instructional leadership, under the supervision of the superintendent, and in accordance with reasonable rules and regulations of the board, for the planning, operation and evaluation of the educational program of the attendance area to which he or she is assigned. However, in districts under a Financial Oversight Panel pursuant to Section 1A-8 for violating a financial plan, the duties and responsibilities of principals and assistant principals in relation to the financial and business operations of the district shall be approved by the Panel. In the event the Board refuses or fails to follow a directive or comply with an information request of the Panel, the performance of those duties shall be subject to the direction of the Panel.

School boards shall specify in their formal job description for principals that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers.

Unless residency within a school district is made an express condition of a person's employment or continued employment as a principal or assistant principal of that school district at the time of the person's initial employment as a principal or assistant principal of that district, residency within that school district may not at any time thereafter

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be made a condition of that person's employment or continued employment as a principal or assistant principal of the district, without regard to whether the person's initial employment as a principal or assistant principal of the district began before or begins on or after the effective date of this amendatory Act of 1996 and without regard to whether that person's residency within or outside of the district began or was changed before or begins or changes on or after that effective date. In no event shall residency within a school district be considered in determining the compensation of a principal or assistant principal or the assignment or transfer of a principal or assistant principal to an attendance center of the district.

School boards shall ensure that their principals and assistant principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

The principal shall submit recommendations to the superintendent concerning the appointment, retention, promotion and assignment of all personnel assigned to the attendance center.

(Source: P.A. 97-217, eff. 7-28-11.)

(105 ILCS 5/22-20) (from Ch. 122, par. 22-20)

Sec. 22-20. All courts and law enforcement agencies of the State of Illinois and its political subdivisions shall report to the principal of any public school in this State whenever a child enrolled therein is detained for proceedings under the Juvenile Court Act of 1987, as heretofore and hereafter amended, or for any criminal offense, including illegal gang activity, or any violation of a municipal or county ordinance. The report shall include the basis for detaining the child, circumstances surrounding the events which led to the child's detention, and status of proceedings. The report shall be updated as appropriate to notify the principal of developments and the disposition of the matter.

The information derived thereby shall be kept separate from and shall not become a part of the official school record of such child and shall not be a public record. Such information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper

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rehabilitation of the child and to protect the safety of students and employees in the school.
(Source: P.A. 97-1104, eff. 1-1-13.)
Passed in the General Assembly May 16, 2013.
Approved July 8, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0060
(House Bill No. 2401)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Probation and Probation Officers Act is amended by changing Section 16.1 as follows:
(730 ILCS 110/16.1)
Sec. 16.1. Redeploy Illinois Program.
(a) The purpose of this Section is to encourage the deinstitutionalization of juvenile offenders by establishing projects in counties or groups of counties that reallocate State funds from juvenile correctional confinement to local jurisdictions, which will establish a continuum of local, community-based sanctions and treatment alternatives for juvenile offenders who would be incarcerated if those local services and sanctions did not exist. It is also intended to offer alternatives, when appropriate, to avoid commitment to the Department of Juvenile Justice, to direct child welfare services for minors charged with a criminal offense or adjudicated delinquent under Section 5 of the Children and Family Services Act. The allotment of funds will be based on a formula that rewards local jurisdictions for the establishment or expansion of local alternatives to incarceration, and requires them to pay for utilization of incarceration as a sanction. In addition, there shall be an allocation of resources (amount to be determined annually by the Redeploy Illinois Oversight Board) set aside at the beginning of each fiscal year to be made available for any county or groups of counties which need resources only occasionally for services to avoid commitment to the Department of Juvenile Justice for a limited number of youth. This redeployment of funds shall be made in a manner consistent with the Juvenile Court Act of 1987 and the following purposes and policies:

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(1) The juvenile justice system should protect the community, impose accountability to victims and communities for violations of law, and equip juvenile offenders with competencies to live responsibly and productively.

(2) Juveniles should be treated in the least restrictive manner possible while maintaining the safety of the community.

(3) A continuum of services and sanctions from least restrictive to most restrictive should be available in every community.

(4) There should be local responsibility and authority for planning, organizing, and coordinating service resources in the community. People in the community can best choose a range of services which reflect community values and meet the needs of their own youth.

(5) Juveniles who pose a threat to the community or themselves need special care, including secure settings. Such services as detention, long-term incarceration, or residential treatment are too costly to provide in each community and should be coordinated and provided on a regional or Statewide basis.

(6) The roles of State and local government in creating and maintaining services to youth in the juvenile justice system should be clearly defined. The role of the State is to fund services, set standards of care, train service providers, and monitor the integration and coordination of services. The role of local government should be to oversee the provision of services.

(b) Each county or circuit participating in the Redeploy Illinois program must create a local plan demonstrating how it will reduce the county or circuit's utilization of secure confinement of juvenile offenders in the Illinois Department of Juvenile Justice or county detention centers by the creation or expansion of individualized services or programs that may include but are not limited to the following:

(1) Assessment and evaluation services to provide the juvenile justice system with accurate individualized case information on each juvenile offender including mental health, substance abuse, educational, and family information;

(2) Direct services to individual juvenile offenders including educational, vocational, mental health, substance abuse, supervision, and service coordination; and

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(3) Programs that seek to restore the offender to the community, such as victim offender panels, teen courts, competency building, enhanced accountability measures, restitution, and community service. The local plan must be directed in such a manner as to emphasize an individualized approach to providing services to juvenile offenders in an integrated community based system including probation as the broker of services. The plan must also detail the reduction in utilization of secure confinement. The local plan shall be limited to services and shall not include costs for:

(i) capital expenditures;
(ii) renovations or remodeling;
(iii) personnel costs for probation.

The local plan shall be submitted to the Department of Human Services.

(c) A county or group of counties may develop an agreement with the Department of Human Services to reduce their number of commitments of juvenile offenders, excluding minors sentenced based upon a finding of guilt of first degree murder or an offense which is a Class X forcible felony as defined in the Criminal Code of 1961, to the Department of Juvenile Justice, and then use the savings to develop local programming for youth who would otherwise have been committed to the Department of Juvenile Justice. A county or group of counties shall agree to limit their commitments to 75% of the level of commitments from the average number of juvenile commitments for the past 3 years, and will receive the savings to redeploy for local programming for juveniles who would otherwise be held in confinement. For any county or group of counties with a decrease of juvenile commitments of at least 25%, based on the average reductions of the prior 3 years, which are chosen to participate or continue as sites, the Redeploy Illinois Oversight Board has the authority to reduce the required percentage of future commitments to achieve the purpose of this Section. The agreement shall set forth the following:

(1) a Statement of the number and type of juvenile offenders from the county who were held in secure confinement by the Illinois Department of Juvenile Justice or in county detention the previous year, and an explanation of which, and how many, of these offenders might be served through the proposed Redeploy Illinois Program for which the funds shall be used;

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(2) a Statement of the service needs of currently confined juveniles;
(3) a Statement of the type of services and programs to provide for the individual needs of the juvenile offenders, and the research or evidence base that qualifies those services and programs as proven or promising practices;
(4) a budget indicating the costs of each service or program to be funded under the plan;
(5) a summary of contracts and service agreements indicating the treatment goals and number of juvenile offenders to be served by each service provider; and
(6) a Statement indicating that the Redeploy Illinois Program will not duplicate existing services and programs. Funds for this plan shall not supplant existing county funded programs.

In a county with a population exceeding 2,000,000, the Redeploy Illinois Oversight Board may authorize the Department of Human Services to enter into an agreement with that county to reduce the number of commitments by the same percentage as is required by this Section of other counties, and with all of the same requirements of this Act, including reporting and evaluation, except that the agreement may encompass a clearly identifiable geographical subdivision of that county. The geographical subdivision may include, but is not limited to, a police district or group of police districts, a geographical area making up a court calendar or group of court calendars, a municipal district or group of municipal districts, or a municipality or group of municipalities.

(d) (Blank).

(d-5) A county or group of counties that does not have an approved Redeploy Illinois program, as described in subsection (b), and that has committed fewer than 10 Redeploy eligible youth to the Department of Juvenile Justice on average over the previous 3 years, may develop an individualized agreement with the Department of Human Services through the Redeploy Illinois program to provide services to youth to avoid commitment to the Department of Juvenile Justice. The agreement shall set forth the following:

(1) a statement of the number and type of juvenile offenders from the county who were at risk under any of the categories listed above during the 3 previous years, and an explanation of which of these offenders would be served through the proposed Redeploy Illinois program for which the funds shall be used, or through

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individualized contracts with existing Redploy programs in neighboring counties;

(2) a statement of the service needs;

(3) a statement of the type of services and programs to provide for the individual needs of the juvenile offenders, and the research or evidence that qualifies those services and programs as proven or promising practices;

(4) a budget indicating the costs of each service or program to be funded under the plan;

(5) a summary of contracts and service agreements indicating the treatment goals and number of juvenile offenders to be served by each service provider; and

(6) a statement indicating that the Redploy Illinois program will not duplicate existing services and programs. Funds for this plan shall not supplant existing county funded programs.

(e) The Department of Human Services shall be responsible for the following:

(1) Reviewing each Redploy Illinois Program plan for compliance with standards established for such plans. A plan may be approved as submitted, approved with modifications, or rejected. No plan shall be considered for approval if the circuit or county is not in full compliance with all regulations, standards and guidelines pertaining to the delivery of basic probation services as established by the Supreme Court.

(2) Monitoring on a continual basis and evaluating annually both the program and its fiscal activities in all counties receiving an allocation under the Redploy Illinois Program. Any program or service that has not met the goals and objectives of its contract or service agreement shall be subject to denial for funding in subsequent years. The Department of Human Services shall evaluate the effectiveness of the Redploy Illinois Program in each circuit or county. In determining the future funding for the Redploy Illinois Program under this Act, the evaluation shall include, as a primary indicator of success, a decreased number of confinement days for the county's juvenile offenders.

(f) Any Redploy Illinois Program allocations not applied for and approved by the Department of Human Services shall be available for redistribution to approved plans for the remainder of that fiscal year. Any county that invests local moneys in the Redploy Illinois Program shall be
given first consideration for any redistribution of allocations. Jurisdictions participating in Redeploy Illinois that exceed their agreed upon level of commitments to the Department of Juvenile Justice shall reimburse the Department of Corrections for each commitment above the agreed upon level.

(g) Implementation of Redeploy Illinois.
(1) Oversight of Redeploy Illinois.
   (i) Redeploy Illinois Oversight Board. The Department of Human Services shall convene an oversight board to oversee the Redeploy Illinois Program. The Board shall include, but not be limited to, designees from the Department of Juvenile Justice, the Administrative Office of Illinois Courts, the Illinois Juvenile Justice Commission, the Illinois Criminal Justice Information Authority, the Department of Children and Family Services, the State Board of Education, the Cook County State's Attorney, and a State's Attorney selected by the President of the Illinois State's Attorney's Association, the Cook County Public Defender, a representative of the defense bar appointed by the Chief Justice of the Illinois Supreme Court, a representative of probation appointed by the Chief Justice of the Illinois Supreme Court, and judicial representation appointed by the Chief Justice of the Illinois Supreme Court. Up to an additional 9 members may be appointed by the Secretary of Human Services from recommendations by the Oversight Board; these appointees shall possess a knowledge of juvenile justice issues and reflect the collaborative public/private relationship of Redeploy programs.
   (ii) Responsibilities of the Redeploy Illinois Oversight Board. The Oversight Board shall:
       (A) Identify jurisdictions to be included in the program of Redeploy Illinois.
       (B) Develop a formula for reimbursement of local jurisdictions for local and community-based services utilized in lieu of commitment to the Department of Juvenile Justice, as well as for any charges for local jurisdictions for commitments above the agreed upon limit in the approved plan.

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(C) Identify resources sufficient to support the administration and evaluation of Redeploy Illinois.

(D) Develop a process and identify resources to support on-going monitoring and evaluation of Redeploy Illinois.

(E) Develop a process and identify resources to support training on Redeploy Illinois.

(E-5) Review proposed individualized agreements and approve where appropriate the distribution of resources.

(F) Report to the Governor and the General Assembly on an annual basis on the progress of Redeploy Illinois.

(iii) Length of Planning Phase. The planning phase may last up to, but may in no event last longer than, July 1, 2004.

(2) (Blank).

(3) There shall be created the Redeploy County Review Committee composed of the designees of the Secretary of Human Services and the Directors of Juvenile Justice, of Children and Family Services, and of the Governor's Office of Management and Budget who shall constitute a subcommittee of the Redeploy Illinois Oversight Board.

(h) Responsibilities of the County Review Committee. The County Review Committee shall:

(1) Review individualized agreements from counties requesting resources on an occasional basis for services for youth described in subsection (d-5).

(2) Report its decisions to the Redeploy Illinois Oversight Board at regularly scheduled meetings.

(3) Monitor the effectiveness of the resources in meeting the mandates of the Redeploy Illinois program set forth in this Section so these results might be included in the Report described in clause (g)(1)(ii)(F).

(4) During the third quarter, assess the amount of remaining funds available and necessary to complete the fiscal year so that any unused funds may be distributed as defined in subsection (f).
(5) Ensure that the number of youth from any applicant county receiving individualized resources will not exceed the previous three-year average of Redeploy eligible recipients and that counties are in conformity with all other elements of this law.

(i) Implementation of this Section is subject to appropriation.

(j) Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of and procedures and rules implementing the Illinois Administrative Procedure Act; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 94-696, eff. 6-1-06; 94-1032, eff. 1-1-07; 95-1050, eff. 1-1-10.)

Passed in the General Assembly May 14, 2013.
Approved July 8, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0061
(House Bill No. 2404)

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

Section 5. The Juvenile Court Act of 1987 is amended by changing Sections 1-7, 1-8, 1-9, 2-10, 3-12, 4-9, 5-105, 5-120, 5-130, 5-401.5, 5-410, 5-901, 5-905, and 5-915 as follows:

(705 ILCS 405/1-7) (from Ch. 37, par. 801-7)
Sec. 1-7. Confidentiality of law enforcement records.

(A) Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 18th/17th birthday shall be restricted to the following:

(1) Any local, State or federal law enforcement officers of any jurisdiction or agency when necessary for the discharge of their official duties during the investigation or prosecution of a crime or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang, or, when necessary for the discharge of its official duties in connection with a particular

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investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers. For purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(2) Prosecutors, probation officers, social workers, or other individuals assigned by the court to conduct a pre-adjudication or pre-disposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court, when essential to performing their responsibilities.

(3) Prosecutors and probation officers:
   (a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or
   (b) when institution of criminal proceedings has been permitted or required under Section 5-805 and such minor is the subject of a proceeding to determine the amount of bail; or
   (c) when criminal proceedings have been permitted or required under Section 5-805 and such minor is the subject of a pre-trial investigation, pre-sentence investigation, fitness hearing, or proceedings on an application for probation.

(4) Adult and Juvenile Prisoner Review Board.

(5) Authorized military personnel.

(6) Persons engaged in bona fide research, with the permission of the Presiding Judge of the Juvenile Court and the chief executive of the respective law enforcement agency; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the minor's record.

(7) Department of Children and Family Services child protection investigators acting in their official capacity.

(8) The appropriate school official only if the agency or officer believes that there is an imminent threat of physical harm to students, school personnel, or others who are present in the school or on school grounds.

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(A) Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest by a local law enforcement agency under a reciprocal reporting system established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled in a school within the school district who has been arrested or taken into custody for any of the following offenses:

- (i) any violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012;
- (ii) a violation of the Illinois Controlled Substances Act;
- (iii) a violation of the Cannabis Control Act;
- (iv) a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012;
- (v) a violation of the Methamphetamine Control and Community Protection Act;
- (vi) a violation of Section 1-2 of the Harassing and Obscene Communications Act;
- (vii) a violation of the Hazing Act; or

The information derived from the law enforcement records shall be kept separate from and shall not become a part of the official school record of that child and shall not be a public record. The information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school. If the designated law enforcement and school officials deem it to be in the best interest of the minor, the student may be referred to in-school or community based social services if those services are available. "Rehabilitation services" may include interventions by school support personnel.
personnel, evaluation for eligibility for special education, referrals to community-based agencies such as youth services, behavioral healthcare service providers, drug and alcohol prevention or treatment programs, and other interventions as deemed appropriate for the student.

(B) Any information provided to appropriate school officials whom the school has determined to have a legitimate educational or safety interest by local law enforcement officials about a minor who is the subject of a current police investigation that is directly related to school safety shall consist of oral information only, and not written law enforcement records, and shall be used solely by the appropriate school official or officials to protect the safety of students and employees in the school and aid in the proper rehabilitation of the child. The information derived orally from the local law enforcement officials shall be kept separate from and shall not become a part of the official school record of the child and shall not be a public record. This limitation on the use of information about a minor who is the subject of a current police investigation shall in no way limit the use of this information by prosecutors in pursuing criminal charges arising out of the information disclosed during a police investigation of the minor. For purposes of this paragraph, "investigation" means an official systematic inquiry by a law enforcement agency into actual or suspected criminal activity.

(9) Mental health professionals on behalf of the Illinois Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile law enforcement records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act who is the subject of the juvenile law enforcement records sought. Any records and any information obtained from those records under this paragraph (9) may be used only in sexually violent persons commitment proceedings.

(10) The president of a park district. Inspection and copying shall be limited to law enforcement records transmitted to the
president of the park district by the Illinois State Police under Section 8-23 of the Park District Code or Section 16a-5 of the Chicago Park District Act concerning a person who is seeking employment with that park district and who has been adjudicated a juvenile delinquent for any of the offenses listed in subsection (c) of Section 8-23 of the Park District Code or subsection (c) of Section 16a-5 of the Chicago Park District Act.

(B) (1) Except as provided in paragraph (2), no law enforcement officer or other person or agency may knowingly transmit to the Department of Corrections or the Department of State Police or to the Federal Bureau of Investigation any fingerprint or photograph relating to a minor who has been arrested or taken into custody before his or her 18th birthday, unless the court in proceedings under this Act authorizes the transmission or enters an order under Section 5-805 permitting or requiring the institution of criminal proceedings.

(2) Law enforcement officers or other persons or agencies shall transmit to the Department of State Police copies of fingerprints and descriptions of all minors who have been arrested or taken into custody before their 18th birthday for the offense of unlawful use of weapons under Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, a Class X or Class 1 felony, a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012, or a Class 2 or greater felony under the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or Chapter 4 of the Illinois Vehicle Code, pursuant to Section 5 of the Criminal Identification Act. Information reported to the Department pursuant to this Section may be maintained with records that the Department files pursuant to Section 2.1 of the Criminal Identification Act. Nothing in this Act prohibits a law enforcement agency from fingerprinting a minor taken into custody or arrested before his or her 18th birthday for an offense other than those listed in this paragraph (2).

(C) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 18 years of age must be maintained separate from the records of arrests and may not be open to public

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inspection or their contents disclosed to the public except by order of the court presiding over matters pursuant to this Act or when the institution of criminal proceedings has been permitted or required under Section 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation or when provided by law. For purposes of obtaining documents pursuant to this Section, a civil subpoena is not an order of the court.

(1) In cases where the law enforcement, or independent agency, records concern a pending juvenile court case, the party seeking to inspect the records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(2) In cases where the records concern a juvenile court case that is no longer pending, the party seeking to inspect the records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(3) In determining whether the records should be available for inspection, the court shall consider the minor's interest in confidentiality and rehabilitation over the moving party's interest in obtaining the information. Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office or securing employment, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(D) Nothing contained in subsection (C) of this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection and disclosure is conducted in the presence of a law enforcement officer for the purpose of the identification or apprehension of any person subject to the provisions of this Act or for the investigation or prosecution of any crime.

(E) Law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor.

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(F) Nothing contained in this Section shall prohibit law enforcement agencies from communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 18 years of age if there are reasonable grounds to believe that the person poses a real and present danger to the safety of the public or law enforcement officers. The information provided under this subsection (F) shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(G) Nothing in this Section shall prohibit the right of a Civil Service Commission or appointing authority of any state, county or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department from obtaining and examining the records of any law enforcement agency relating to any record of the applicant having been arrested or taken into custody before the applicant's 18th birthday.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 96-419, eff. 8-13-09; 97-700, eff. 6-22-12; 97-1083, eff. 8-24-12; 97-1104, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(705 ILCS 405/1-8) (from Ch. 37, par. 801-8)

Sec. 1-8. Confidentiality and accessibility of juvenile court records. 

(A) Inspection and copying of juvenile court records relating to a minor who is the subject of a proceeding under this Act shall be restricted to the following:

1) The minor who is the subject of record, his parents, guardian and counsel.

2) Law enforcement officers and law enforcement agencies when such information is essential to executing an arrest or search warrant or other compulsory process, or to conducting an ongoing investigation or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang.

Before July 1, 1994, for the purposes of this Section, "criminal street gang" means any ongoing organization, association, or group of 3 or more persons, whether formal or
informal, having as one of its primary activities the commission of one or more criminal acts and that has a common name or common identifying sign, symbol or specific color apparel displayed, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity.

Beginning July 1, 1994, for purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(3) Judges, hearing officers, prosecutors, probation officers, social workers or other individuals assigned by the court to conduct a pre-adjudication or predisposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court when essential to performing their responsibilities.

(4) Judges, prosecutors and probation officers:
   (a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or
   (b) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a proceeding to determine the amount of bail; or
   (c) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a pre-trial investigation, pre-sentence investigation or fitness hearing, or proceedings on an application for probation; or
   (d) when a minor becomes 18 years of age or older, and is the subject of criminal proceedings, including a hearing to determine the amount of bail, a pre-trial investigation, a pre-sentence investigation, a fitness hearing, or proceedings on an application for probation.

(5) Adult and Juvenile Prisoner Review Boards.

(6) Authorized military personnel.

(7) Victims, their subrogees and legal representatives; however, such persons shall have access only to the name and address of the minor and information pertaining to the disposition or alternative adjustment plan of the juvenile court.

(8) Persons engaged in bona fide research, with the permission of the presiding judge of the juvenile court and the
chief executive of the agency that prepared the particular records; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record.

(9) The Secretary of State to whom the Clerk of the Court shall report the disposition of all cases, as required in Section 6-204 of the Illinois Vehicle Code. However, information reported relative to these offenses shall be privileged and available only to the Secretary of State, courts, and police officers.

(10) The administrator of a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court.

(11) Mental health professionals on behalf of the Illinois Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile court records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act, who is the subject of juvenile court records sought. Any records and any information obtained from those records under this paragraph (11) may be used only in sexually violent persons commitment proceedings.

(A-1) Findings and exclusions of paternity entered in proceedings occurring under Article II of this Act shall be disclosed, in a manner and form approved by the Presiding Judge of the Juvenile Court, to the Department of Healthcare and Family Services when necessary to discharge the duties of the Department of Healthcare and Family Services under Article X of the Illinois Public Aid Code.

(B) A minor who is the victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record.

(C) Except as otherwise provided in this subsection (C), juvenile court records shall not be made available to the general public but may be inspected by representatives of agencies, associations and news media or other properly interested persons by general or special order of the court presiding over matters pursuant to this Act.

(0.1) In cases where the records concern a pending juvenile court case, the party seeking to inspect the juvenile court records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

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(0.2) In cases where the records concern a juvenile court case that is no longer pending, the party seeking to inspect the juvenile court records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(0.3) In determining whether the records should be available for inspection, the court shall consider the minor's interest in confidentiality and rehabilitation over the moving party's interest in obtaining the information. The State's Attorney, the minor, and the minor's parents, guardian, and counsel shall at all times have the right to examine court files and records. For purposes of obtaining documents pursuant to this Section, a civil subpoena is not an order of the court.

(0.4) Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(1) The court shall allow the general public to have access to the name, address, and offense of a minor who is adjudicated a delinquent minor under this Act under either of the following circumstances:

(A) The adjudication of delinquency was based upon the minor's commission of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault; or

(B) The court has made a finding that the minor was at least 13 years of age at the time the act was committed and the adjudication of delinquency was based upon the minor's commission of: (i) an act in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an act involving the use of a firearm in the commission of a felony, (iii) an act that would be a Class X felony offense under or the minor's second or subsequent Class 2 or greater felony offense under the Cannabis Control Act if committed by an adult, (iv) an act that would be a second or subsequent offense

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under Section 402 of the Illinois Controlled Substances Act if committed by an adult, (v) an act that would be an offense under Section 401 of the Illinois Controlled Substances Act if committed by an adult, (vi) an act that would be a second or subsequent offense under Section 60 of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(2) The court shall allow the general public to have access to the name, address, and offense of a minor who is at least 13 years of age at the time the offense is committed and who is convicted, in criminal proceedings permitted or required under Section 5-4, under either of the following circumstances:

(A) The minor has been convicted of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault,

(B) The court has made a finding that the minor was at least 13 years of age at the time the offense was committed and the conviction was based upon the minor's commission of: (i) an offense in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an offense involving the use of a firearm in the commission of a felony, (iii) a Class X felony offense under or a second or subsequent Class 2 or greater felony offense under the Cannabis Control Act, (iv) a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act, (v) an offense under Section 401 of the Illinois Controlled Substances Act, (vi) an act that would be a second or subsequent offense under Section 60 of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(D) Pending or following any adjudication of delinquency for any offense defined in Sections 11-1.20 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the victim of any such offense shall receive the rights set out in Sections 4 and 6 of the Bill of Rights for Victims and Witnesses of Violent Crime Act; and the

New matter indicated in italics - deletions by strikeout
juvenile who is the subject of the adjudication, notwithstanding any other provision of this Act, shall be treated as an adult for the purpose of affording such rights to the victim.

(E) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority of any state, county or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records of disposition or evidence which were made in proceedings under this Act.

(F) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the dispositional order to the principal or chief administrative officer of the school. Access to such juvenile records shall be limited to the principal or chief administrative officer of the school and any guidance counselor designated by him.

(G) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(H) When a Court hearing a proceeding under Article II of this Act becomes aware that an earlier proceeding under Article II had been heard in a different county, that Court shall request, and the Court in which the earlier proceedings were initiated shall transmit, an authenticated copy of the Court record, including all documents, petitions, and orders filed therein and the minute orders, transcript of proceedings, and docket entries of the Court.

(I) The Clerk of the Circuit Court shall report to the Department of State Police, in the form and manner required by the Department of State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 18th or 17th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.
The changes made to this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 96-212, eff. 8-10-09; 96-1551, eff. 7-1-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Sec. 1-9. Expungement of law enforcement and juvenile court records.

(1) Expungement of law enforcement and juvenile court delinquency records shall be governed by Section 5-915.

(2) This subsection (2) applies to expungement of law enforcement and juvenile court records other than delinquency proceedings. Whenever any person has attained the age of 18 or whenever all juvenile court proceedings relating to that person have been terminated, whichever is later, the person may petition the court to expunge law enforcement records relating to incidents occurring before his 18th birthday or his juvenile court records, or both, if the minor was placed under supervision pursuant to Sections 2-20, 3-21, or 4-18, and such order of supervision has since been successfully terminated.

(3) The chief judge of the circuit in which an arrest was made or a charge was brought or any judge of that circuit designated by the chief judge may, upon verified petition of a person who is the subject of an arrest or a juvenile court proceeding pursuant to subsection (2) of this Section, order the law enforcement records or juvenile court records, or both, to be expunged from the official records of the arresting authority and the clerk of the circuit court. Notice of the petition shall be served upon the State's Attorney and upon the arresting authority which is the subject of the petition for expungement.

(4) The changes made to this Section by this amendatory Act of the 98th General Assembly apply to law enforcement and juvenile court records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 90-590, eff. 1-1-99.)

Sec. 2-10. Temporary custody hearing. At the appearance of the minor before the court at the temporary custody hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

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(1) If the court finds that there is not probable cause to believe that the minor is abused, neglected or dependent it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is abused, neglected or dependent, the court shall state in writing the factual basis supporting its finding and the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. The Department of Children and Family Services shall give testimony concerning indicated reports of abuse and neglect, of which they are aware of through the central registry, involving the minor's parent, guardian or custodian. After such testimony, the court may, consistent with the health, safety and best interests of the minor, enter an order that the minor shall be released upon the request of parent, guardian or custodian if the parent, guardian or custodian appears to take custody. If it is determined that a parent's, guardian's, or custodian's compliance with critical services mitigates the necessity for removal of the minor from his or her home, the court may enter an Order of Protection setting forth reasonable conditions of behavior that a parent, guardian, or custodian must observe for a specified period of time, not to exceed 12 months, without a violation; provided, however, that the 12-month period shall begin anew after any violation. Custodian shall include any agency of the State which has been given custody or wardship of the child. If it is consistent with the health, safety and best interests of the minor, the court may also prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; however, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except a minor less than 15 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act or a minor for whom an independent basis of abuse, neglect, or dependency exists. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

In placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. In determining the health, safety and

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best interests of the minor to prescribe shelter care, the court must find that it is a matter of immediate and urgent necessity for the safety and protection of the minor or of the person or property of another that the minor be placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, and must further find that reasonable efforts have been made or that, consistent with the health, safety and best interests of the minor, no efforts reasonably can be made to prevent or eliminate the necessity of removal of the minor from his or her home. The court shall require documentation from the Department of Children and Family Services as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home or the reasons why no efforts reasonably could be made to prevent or eliminate the necessity of removal. When a minor is placed in the home of a relative, the Department of Children and Family Services shall complete a preliminary background review of the members of the minor's custodian's household in accordance with Section 4.3 of the Child Care Act of 1969 within 90 days of that placement. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the appropriate Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, the Department of Children and Family Services shall file with the court and serve on the parties a parent-child visiting plan, within 10 days, excluding weekends and holidays, after the appointment. The parent-child visiting plan shall set out the time and place of visits, the frequency of visits, the length of visits, who shall be present at the visits, and where appropriate, the minor's opportunities to have telephone and mail communication with the parents.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, and when the child has siblings in care, the Department of Children and Family Services shall file with the court and serve on the
parties a sibling placement and contact plan within 10 days, excluding weekends and holidays, after the appointment. The sibling placement and contact plan shall set forth whether the siblings are placed together, and if they are not placed together, what, if any, efforts are being made to place them together. If the Department has determined that it is not in a child's best interest to be placed with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. For siblings placed separately, the sibling placement and contact plan shall set the time and place for visits, the frequency of the visits, the length of visits, who shall be present for the visits, and where appropriate, the child's opportunities to have contact with their siblings in addition to in person contact. If the Department determines it is not in the best interest of a sibling to have contact with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. The sibling placement and contact plan shall specify a date for development of the Sibling Contact Support Plan, under subsection (f) of Section 7.4 of the Children and Family Services Act, and shall remain in effect until the Sibling Contact Support Plan is developed.

For good cause, the court may waive the requirement to file the parent-child visiting plan or the sibling placement and contact plan, or extend the time for filing either plan. Any party may, by motion, request the court to review the parent-child visiting plan to determine whether it is reasonably calculated to expeditiously facilitate the achievement of the permanency goal. A party may, by motion, request the court to review the parent-child visiting plan or the sibling placement and contact plan to determine whether it is consistent with the minor's best interest. The court may refer the parties to mediation where available. The frequency, duration, and locations of visitation shall be measured by the needs of the child and family, and not by the convenience of Department personnel. Child development principles shall be considered by the court in its analysis of how frequent visitation should be, how long it should last, where it should take place, and who should be present. If upon motion of the party to review either plan and after receiving evidence, the court determines that the parent-child visiting plan is not reasonably calculated to expeditiously facilitate the achievement of the permanency goal or that the restrictions placed on parent-child contact or sibling placement or contact are contrary to the child's best interests, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court shall enter an order for the

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Department to implement changes to the parent-child visiting plan or sibling placement or contact plan, consistent with the court's findings. At any stage of proceeding, any party may by motion request the court to enter any orders necessary to implement the parent-child visiting plan, sibling placement or contact plan or subsequently developed Sibling Contact Support Plan. Nothing under this subsection (2) shall restrict the court from granting discretionary authority to the Department to increase opportunities for additional parent-child contacts or sibling contacts, without further court orders. Nothing in this subsection (2) shall restrict the Department from immediately restricting or terminating parent-child contact or sibling contacts, without either amending the parent-child visiting plan or the sibling contact plan or obtaining a court order, where the Department or its assigns reasonably believe that continuation of the contact, as set out in the plan, would be contrary to the child's health, safety, and welfare. The Department shall file with the court and serve on the parties any amendments to the plan within 10 days, excluding weekends and holidays, of the change of the visitation.

Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that it is consistent with the health, safety and best interests of the minor to prescribe shelter care, the court shall state in writing (i) the factual basis supporting its findings concerning the immediate and urgent necessity for the protection of the minor or of the person or property of another and (ii) the factual basis supporting its findings that reasonable efforts were made to prevent or eliminate the removal of the minor from his or her home or that no efforts reasonably could be made to prevent or eliminate the removal of the minor from his or her home. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian
or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

If the child is placed in the temporary custody of the Department of Children and Family Services for his or her protection, the court shall admonish the parents, guardian, custodian or responsible relative that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions which require the child to be in care, or risk termination of their parental rights.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the moving party is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether temporary custody is sought, and the consequences of failure to appear and shall contain a notice that the parties will not be entitled to further written notices or publication notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights, except as required by Supreme Court Rule 11; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN
OF SHELTER CARE HEARING

On .......... at ......., before the Honorable .........., (address:) ............, the State of Illinois will present evidence (1) that (name of child or children) .............. are abused, neglected or dependent for the following reasons: .............................................. and (2) whether there is "immediate and urgent necessity" to remove the child or children from the responsible relative.

New matter indicated in italics - deletions by strikeout
YOUR FAILURE TO APPEAR AT THE HEARING MAY RESULT IN PLACEMENT of the child or children in foster care until a trial can be held. A trial may not be held for up to 90 days. You will not be entitled to further notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.
2. To ask the court to continue the hearing to allow them time to prepare.
3. To present evidence concerning:
   a. Whether or not the child or children were abused, neglected or dependent.
   b. Whether or not there is "immediate and urgent necessity" to remove the child from home (including: their ability to care for the child, conditions in the home, alternative means of protecting the child other than removal).
   c. The best interests of the child.
4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

NOTICE OF PARENT'S AND CHILDREN'S RIGHTS TO REHEARING ON TEMPORARY CUSTODY

If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ............... was awarded to ................., you have the right to request a full rehearing on whether the State should have temporary custody of ............... To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ................., in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.
2. That you did not get adequate notice (explaining how the notice was inadequate).
3. Your signature.
4. Signature must be notarized.

New matter indicated in italics - deletions by strikeout
The rehearing should be scheduled within 48 hours of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:

1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
   a. Whether they are abused, neglected or dependent.
   b. Whether there is "immediate and urgent necessity" to be removed from home.
   c. Their best interests.
3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, minor age 8 or over, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period as specified in Section 2-9, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to

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subsection (2) of this Section, then the clerk of the court shall set the
matter for rehearing not later than 7 days after the original order and shall
issue a summons directed to the parent, guardian or custodian to appear.
At the same time the probation department shall prepare a report on the
minor. If a parent, guardian or custodian does not appear at such rehearing,
the judge may enter an order prescribing that the minor be kept in a
suitable place designated by the Department of Children and Family
Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section any
interested party, including the State, the temporary custodian, an agency
providing services to the minor or family under a service plan pursuant to
Section 8.2 of the Abused and Neglected Child Reporting Act, foster
parent, or any of their representatives, on notice to all parties entitled to
notice, may file a motion that it is in the best interests of the minor to
modify or vacate a temporary custody order on any of the following
grounds:

(a) It is no longer a matter of immediate and urgent
necessity that the minor remain in shelter care; or

(b) There is a material change in the circumstances of the
natural family from which the minor was removed and the child
can be cared for at home without endangering the child's health or
safety; or

(c) A person not a party to the alleged abuse, neglect or
dependency, including a parent, relative or legal guardian, is
capable of assuming temporary custody of the minor; or

(d) Services provided by the Department of Children and
Family Services or a child welfare agency or other service provider
have been successful in eliminating the need for temporary custody
and the child can be cared for at home without endangering the
child's health or safety.

In ruling on the motion, the court shall determine whether it is
consistent with the health, safety and best interests of the minor to modify
or vacate a temporary custody order.

The clerk shall set the matter for hearing not later than 14 days
after such motion is filed. In the event that the court modifies or vacates a
temporary custody order but does not vacate its finding of probable cause,
the court may order that appropriate services be continued or initiated in
behalf of the minor and his or her family.

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(10) When the court finds or has found that there is probable cause to believe a minor is an abused minor as described in subsection (2) of Section 2-3 and that there is an immediate and urgent necessity for the abused minor to be placed in shelter care, immediate and urgent necessity shall be presumed for any other minor residing in the same household as the abused minor provided:

(a) Such other minor is the subject of an abuse or neglect petition pending before the court; and

(b) A party to the petition is seeking shelter care for such other minor.

Once the presumption of immediate and urgent necessity has been raised, the burden of demonstrating the lack of immediate and urgent necessity shall be on any party that is opposing shelter care for the other minor.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 97-1076, eff. 8-24-12; 97-1150, eff. 1-25-13.)

(705 ILCS 405/3-12) (from Ch. 37, par. 803-12)

Sec. 3-12. Shelter care hearing. At the appearance of the minor before the court at the shelter care hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is a person requiring authoritative intervention, it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is a person requiring authoritative intervention, the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. After such testimony, the court may enter an order that the minor shall be released upon the request of a parent, guardian or custodian if the parent, guardian or custodian appears to take custody. Custodian shall include any agency of the State which has been given custody or wardship of the child. The Court shall require documentation by representatives of the Department of Children and Family Services or the probation department as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home, and shall consider the testimony of any person as to those reasonable efforts. If the court finds that it is a matter of

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immediate and urgent necessity for the protection of the minor or of the person or property of another that the minor be placed in a shelter care facility, or that he or she is likely to flee the jurisdiction of the court, and further finds that reasonable efforts have been made or good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court may prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; otherwise it shall release the minor from custody. If the court prescribes shelter care, then in placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity. Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that reasonable efforts have been made or that good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court shall state in writing its findings concerning the nature of the services that were offered or the efforts that were made to prevent removal of the child and the apparent reasons that such services or efforts could not prevent the need for removal. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child.

The order together with the court's findings of fact and support thereof shall be entered of record in the court.

New matter indicated in italics - deletions by strikeout
Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the petitioner is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether temporary custody is sought, and the consequences of failure to appear; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN OF SHELTER CARE HEARING

On ................ at ........, before the Honorable ................, (address:)
................., the State of Illinois will present evidence (1) that (name of child or children) ....................... are abused, neglected or dependent for the following reasons: ............................................................. and (2) that there is "immediate and urgent necessity" to remove the child or children from the responsible relative.

YOUR FAILURE TO APPEAR AT THE HEARING MAY RESULT IN PLACEMENT of the child or children in foster care until a trial can be held. A trial may not be held for up to 90 days.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.

2. To ask the court to continue the hearing to allow them time to prepare.

New matter indicated in italics - deletions by strikeout
3. To present evidence concerning:
   a. Whether or not the child or children were abused, neglected or dependent.
   b. Whether or not there is "immediate and urgent necessity" to remove the child from home (including: their ability to care for the child, conditions in the home, alternative means of protecting the child other than removal).
   c. The best interests of the child.
4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

NOTICE OF PARENT'S AND CHILDREN'S RIGHTS TO REHEARING ON TEMPORARY CUSTODY

If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ............... was awarded to ............... , you have the right to request a full rehearing on whether the State should have temporary custody of ............... . To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ............... , in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.
2. That you did not get adequate notice (explaining how the notice was inadequate).
3. Your signature.
4. Signature must be notarized.

The rehearing should be scheduled within one day of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:
1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
   a. Whether they are abused, neglected or dependent.
   b. Whether there is "immediate and urgent necessity" to be removed from home.
   c. Their best interests.
3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period specified in Section 3-11, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section, any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, on notice to all parties entitled to notice, may file a motion to modify or vacate a temporary custody order on any of the following grounds:

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(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or
(b) There is a material change in the circumstances of the natural family from which the minor was removed; or
(c) A person, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or
(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(705 ILCS 405/4-9) (from Ch. 37, par. 804-9)

Sec. 4-9. Shelter care hearing. At the appearance of the minor before the court at the shelter care hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is addicted, it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is addicted, the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. After such testimony, the court may enter an order that the minor shall be released upon the request of a parent, guardian or custodian if the parent, guardian or custodian appears to take custody and agrees to abide by a court order which requires the minor and his or her parent, guardian, or legal custodian to complete an evaluation by an entity licensed by the Department of Human Services, as the successor to the Department of Alcoholism and Substance Abuse, and complete any treatment recommendations indicated by the assessment. Custodian shall include any agency of the State which has been given custody or wardship of the child.
The Court shall require documentation by representatives of the Department of Children and Family Services or the probation department as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home, and shall consider the testimony of any person as to those reasonable efforts. If the court finds that it is a matter of immediate and urgent necessity for the protection of the minor or of the person or property of another that the minor be or placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, and further, finds that reasonable efforts have been made or good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court may prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency, or in a facility or program licensed by the Department of Human Services for shelter and treatment services; otherwise it shall release the minor from custody. If the court prescribes shelter care, then in placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, or in a facility or program licensed by the Department of Human Services for shelter and treatment services, the court shall, upon request of the appropriate Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity. Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that reasonable efforts have been made or that good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court shall state in writing its findings concerning the nature of the services that were

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offered or the efforts that were made to prevent removal of the child and the apparent reasons that such services or efforts could not prevent the need for removal. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

(3) If neither the parent, guardian, legal custodian, responsible relative nor counsel of the minor has had actual notice of or is present at the shelter care hearing, he or she may file his or her affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 24 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(4) If the minor is not brought before a judicial officer within the time period as specified in Section 4-8, the minor must immediately be released from custody.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with adults confined pursuant to the criminal law.

(7) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing,
the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(8) Any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, may file a motion to modify or vacate a temporary custody order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or
(b) There is a material change in the circumstances of the natural family from which the minor was removed; or
(c) A person, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or
(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 89-422; 89-507, eff. 7-1-97; 90-590, eff. 1-1-99.)

(705 ILCS 405/5-105)
Sec. 5-105. Definitions. As used in this Article:

(1) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act, and includes the term Juvenile Court.

(2) "Community service" means uncompensated labor for a community service agency as hereinafter defined.

(2.5) "Community service agency" means a not-for-profit organization, community organization, church, charitable organization, individual, public office, or other public body whose purpose is to enhance the physical or mental health of a delinquent minor or to rehabilitate the minor, or to improve the environmental quality or social welfare of the

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community which agrees to accept community service from juvenile delinquents and to report on the progress of the community service to the State's Attorney pursuant to an agreement or to the court or to any agency designated by the court or to the authorized diversion program that has referred the delinquent minor for community service.

(3) "Delinquent minor" means any minor who prior to his or her 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or State law, county or municipal ordinance, and any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance classified as a misdemeanor offense.

(4) "Department" means the Department of Human Services unless specifically referenced as another department.

(5) "Detention" means the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object. In addition, "detention" includes the court ordered care of an alleged or adjudicated delinquent minor who requires secure custody pursuant to Section 5-125 of this Act.

(6) "Diversion" means the referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

(7) "Juvenile detention home" means a public facility with specially trained staff that conforms to the county juvenile detention standards promulgated by the Department of Corrections.

(8) "Juvenile justice continuum" means a set of delinquency prevention programs and services designed for the purpose of preventing or reducing delinquent acts, including criminal activity by youth gangs, as well as intervention, rehabilitation, and prevention services targeted at minors who have committed delinquent acts, and minors who have previously been committed to residential treatment programs for delinquents. The term includes children-in-need-of-services and families-in-need-of-services programs; aftercare and reentry services; substance abuse and mental health programs; community service programs;

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community service work programs; and alternative-dispute resolution programs serving youth-at-risk of delinquency and their families, whether offered or delivered by State or local governmental entities, public or private for-profit or not-for-profit organizations, or religious or charitable organizations. This term would also encompass any program or service consistent with the purpose of those programs and services enumerated in this subsection.

(9) "Juvenile police officer" means a sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of State Police.

(10) "Minor" means a person under the age of 21 years subject to this Act.

(11) "Non-secure custody" means confinement where the minor is not physically restricted by being placed in a locked cell or room, by being handcuffed to a rail or other stationary object, or by other means. Non-secure custody may include, but is not limited to, electronic monitoring, foster home placement, home confinement, group home placement, or physical restriction of movement or activity solely through facility staff.

(12) "Public or community service" means uncompensated labor for a not-for-profit organization or public body whose purpose is to enhance physical or mental stability of the offender, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the offender and the public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(13) "Sentencing hearing" means a hearing to determine whether a minor should be adjudged a ward of the court, and to determine what sentence should be imposed on the minor. It is the intent of the General Assembly that the term "sentencing hearing" replace the term "dispositional hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

(14) "Shelter" means the temporary care of a minor in physically unrestricing facilities pending court disposition or execution of court order for placement.
(15) "Site" means a not-for-profit organization, public body, church, charitable organization, or individual agreeing to accept community service from offenders and to report on the progress of ordered or required public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(16) "Station adjustment" means the informal or formal handling of an alleged offender by a juvenile police officer.

(17) "Trial" means a hearing to determine whether the allegations of a petition under Section 5-520 that a minor is delinquent are proved beyond a reasonable doubt. It is the intent of the General Assembly that the term "trial" replace the term "adjudicatory hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

*The changes made to this Section by this amendatory Act of the 98th General Assembly apply to violations or attempted violations committed on or after the effective date of this amendatory Act.*

(SOURCE: P.A. 95-1031, eff. 1-1-10.)

(705 ILCS 405/5-120)

Sec. 5-120. Exclusive jurisdiction. Proceedings may be instituted under the provisions of this Article concerning any minor who prior to the minor's 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or State law or municipal or county ordinance, and any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance classified as a misdemeanor offense. If before trial or plea, an information or indictment is filed that includes one or more charges under the criminal laws of this State and additional charges that are classified as misdemeanors that are subject to proceedings under this Act, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State. If after trial or plea the court finds that the minor committed an offense that is solely classified as a misdemeanor, the court must proceed under Section 5-705 and 5-710 of this Act. Except as provided in Sections 5-125, 5-130, 5-805, and 5-810 of this Article, no minor who was under 18 years of age at the time of the alleged offense may be prosecuted under the criminal laws of this State.

*The changes made to this Section by this amendatory Act of the 98th General Assembly apply to violations or attempted violations committed on or after the effective date of this amendatory Act.*

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(705 ILCS 405/5-130)
Sec. 5-130. Excluded jurisdiction.
(1) (a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who at the time of an offense was at least 15 years of age and who is charged with: (i) first degree murder, (ii) aggravated criminal sexual assault, (iii) aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05 where the minor personally discharged a firearm as defined in Section 2-15.5 of the Criminal Code of 1961 or the Criminal Code of 2012, (iv) armed robbery when the armed robbery was committed with a firearm, or (v) aggravated vehicular hijacking when the hijacking was committed with a firearm.

These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b) (i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (1) the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (1) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the Criminal Code of 1961 or the Criminal Code of 2012.

(c) (i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (1), then, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (1), that finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict.
Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine if the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(2) (Blank).

(3) (a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who at the time of the offense was at least 15 years of age and who is charged with a violation of the provisions of paragraph (1), (3), (4), or (10) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 while in school, regardless of the time of day or the time of year, or on the real property comprising any school, regardless of the time of day or the time of year. School is defined, for purposes of this Section as any public or private elementary or secondary school, community college, college, or university. These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b) (i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (3) the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (3) and additional charges that are not specified in that paragraph, all of

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the charges arising out of the same incident shall be prosecuted under the
criminal laws of this State.

(c) (i) If after trial or plea the minor is convicted of any offense
covered by paragraph (a) of this subsection (3), then, in sentencing the
minor, the court shall have available any or all dispositions prescribed for
that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an
offense not covered by paragraph (a) of this subsection (3), that finding
shall not invalidate the verdict or the prosecution of the minor under the
criminal laws of the State; however, unless the State requests a hearing for
the purpose of sentencing the minor under Chapter V of the Unified Code
of Corrections, the Court must proceed under Sections 5-705 and 5-710 of
this Article. To request a hearing, the State must file a written motion
within 10 days following the entry of a finding or the return of a verdict.
Reasonable notice of the motion shall be given to the minor or his or her
ounsel. If the motion is made by the State, the court shall conduct a
hearing to determine if the minor should be sentenced under Chapter V of
the Unified Code of Corrections. In making its determination, the court
shall consider among other matters: (a) whether there is evidence that the
offense was committed in an aggressive and premeditated manner; (b) the
age of the minor; (c) the previous history of the minor; (d) whether there
are facilities particularly available to the Juvenile Court or the Department
of Juvenile Justice for the treatment and rehabilitation of the minor; (e)
whether the security of the public requires sentencing under Chapter V of
the Unified Code of Corrections; and (f) whether the minor possessed a
deadly weapon when committing the offense. The rules of evidence shall
be the same as if at trial. If after the hearing the court finds that the minor
should be sentenced under Chapter V of the Unified Code of Corrections,
then the court shall sentence the minor accordingly having available to it
any or all dispositions so prescribed.

(4) (a) The definition of delinquent minor under Section 5-120 of
this Article shall not apply to any minor who at the time of an offense was
at least 13 years of age and who is charged with first degree murder
committed during the course of either aggravated criminal sexual assault,
criminal sexual assault, or aggravated kidnaping. However, this subsection
(4) does not include a minor charged with first degree murder based
exclusively upon the accountability provisions of the Criminal Code of
1961 or the Criminal Code of 2012.
(b) (i) If before trial or plea an information or indictment is filed that does not charge first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnapping, the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnapping, and additional charges that are not specified in paragraph (a) of this subsection, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(c) (i) If after trial or plea the minor is convicted of first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnapping, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If the minor was not yet 15 years of age at the time of the offense, and if after trial or plea the court finds that the minor committed an offense other than first degree murder committed during the course of either aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnapping, the finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine whether the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous delinquent history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department

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of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the best interest of the minor and the security of the public require sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(5) (a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who is charged with a violation of subsection (a) of Section 31-6 or Section 32-10 of the Criminal Code of 1961 or the Criminal Code of 2012 when the minor is subject to prosecution under the criminal laws of this State as a result of the application of the provisions of Section 5-125, or subsection (1) or (2) of this Section. These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b) (i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (5), the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (5) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(c) (i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (5), then, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (5), the conviction shall not invalidate the verdict or the prosecution of the minor under the criminal laws of this State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code
of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine if whether the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous delinquent history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(6) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who, pursuant to subsection (1) or (3) or Section 5-805 or 5-810, has previously been placed under the jurisdiction of the criminal court and has been convicted of a crime under an adult criminal or penal statute. Such a minor shall be subject to prosecution under the criminal laws of this State.

(7) The procedures set out in this Article for the investigation, arrest and prosecution of juvenile offenders shall not apply to minors who are excluded from jurisdiction of the Juvenile Court, except that minors under 18 years of age shall be kept separate from confined adults.

(8) Nothing in this Act prohibits or limits the prosecution of any minor for an offense committed on or after his or her 18th birthday even though he or she is at the time of the offense a ward of the court.

(9) If an original petition for adjudication of wardship alleges the commission by a minor 13 years of age or over of an act that constitutes a crime under the laws of this State, the minor, with the consent of his or her counsel, may, at any time before commencement of the adjudicatory hearing, file with the court a motion that criminal prosecution be ordered and that the petition be dismissed insofar as the act or acts involved in the

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criminal proceedings are concerned. If such a motion is filed as herein provided, the court shall enter its order accordingly.

(10) If, prior to August 12, 2005 (the effective date of Public Act 94-574), a minor is charged with a violation of Section 401 of the Illinois Controlled Substances Act under the criminal laws of this State, other than a minor charged with a Class X felony violation of the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, any party including the minor or the court sua sponte may, before trial, move for a hearing for the purpose of trying and sentencing the minor as a delinquent minor. To request a hearing, the party must file a motion prior to trial. Reasonable notice of the motion shall be given to all parties. On its own motion or upon the filing of a motion by one of the parties including the minor, the court shall conduct a hearing to determine whether the minor should be tried and sentenced as a delinquent minor under this Article. In making its determination, the court shall consider among other matters:

(a) The age of the minor;
(b) Any previous delinquent or criminal history of the minor;
(c) Any previous abuse or neglect history of the minor;
(d) Any mental health or educational history of the minor, or both;

and

(e) Whether there is probable cause to support the charge, whether the minor is charged through accountability, and whether there is evidence the minor possessed a deadly weapon or caused serious bodily harm during the offense.

Any material that is relevant and reliable shall be admissible at the hearing. In all cases, the judge shall enter an order permitting prosecution under the criminal laws of Illinois unless the judge makes a finding based on a preponderance of the evidence that the minor would be amenable to the care, treatment, and training programs available through the facilities of the juvenile court based on an evaluation of the factors listed in this subsection (10).

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.
(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(705 ILCS 405/5-401.5)
Sec. 5-401.5. When statements by minor may be used.
(a) In this Section, "custodial interrogation" means any interrogation (i) during which a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "electronic recording" includes motion picture, audiotape, videotape, or digital recording.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors.

(b) An oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 18 years, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of this amendatory Act of the 93rd General Assembly shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3, of the Criminal Code of 1961 or the Criminal Code of 2012, or under clause (d)(1)(F) of Section 11-501 of the Illinois Vehicle Code unless:

(1) an electronic recording is made of the custodial interrogation; and

(2) the recording is substantially accurate and not intentionally altered.

(c) Every electronic recording required under this Section must be preserved until such time as the minor's adjudication for any offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

(d) If the court finds, by a preponderance of the evidence, that the minor was subjected to a custodial interrogation in violation of this Section, then any statements made by the minor during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding or juvenile court proceeding against the minor except for the purposes of impeachment.

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(e) Nothing in this Section precludes the admission (i) of a statement made by the minor in open court in any criminal proceeding or juvenile court proceeding, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is not made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is conducted out-of-state, (viii) of a statement given at a time when the interrogators are unaware that a death has in fact occurred, or (ix) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a suspect at a custodial interrogation at a police station or other place of detention may be overcome by a preponderance of the evidence that the statement was voluntarily given and is reliable, based on the totality of the circumstances.

(g) Any electronic recording of any statement made by a minor during a custodial interrogation that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section.

(h) A statement, admission, confession, or incriminating information made by or obtained from a minor related to the instant offense, as part of any behavioral health screening, assessment, evaluation,
or treatment, whether or not court-ordered, shall not be admissible as evidence against the minor on the issue of guilt only in the instant juvenile court proceeding. The provisions of this subsection (h) are in addition to and do not override any existing statutory and constitutional prohibition on the admission into evidence in delinquency proceedings of information obtained during screening, assessment, or treatment.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to statements of a minor made on or after the effective date of this amendatory Act.

(Source: P.A. 96-1251, eff. 1-1-11; 97-1150, eff. 1-25-13.)

(705 ILCS 405/5-410)

Sec. 5-410. Non-secure custody or detention.

(1) Any minor arrested or taken into custody pursuant to this Act who requires care away from his or her home but who does not require physical restriction shall be given temporary care in a foster family home or other shelter facility designated by the court.

(2) (a) Any minor 10 years of age or older arrested pursuant to this Act where there is probable cause to believe that the minor is a delinquent minor and that (i) secured custody is a matter of immediate and urgent necessity for the protection of the minor or of the person or property of another, (ii) the minor is likely to flee the jurisdiction of the court, or (iii) the minor was taken into custody under a warrant, may be kept or detained in an authorized detention facility. No minor under 12 years of age shall be detained in a county jail or a municipal lockup for more than 6 hours.

(b) The written authorization of the probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) constitutes authority for the superintendent of any juvenile detention home to detain and keep a minor for up to 40 hours, excluding Saturdays, Sundays and court-designated holidays. These records shall be available to the same persons and pursuant to the same conditions as are law enforcement records as provided in Section 5-905.

(b-4) The consultation required by subsection (b-5) shall not be applicable if the probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) utilizes a scorable detention screening instrument, which has been developed with input by the State's Attorney, to determine whether a minor should be detained, however, subsection (b-5) shall still be applicable where no such screening instrument is used or where the probation officer, detention officer (or other public officer designated by
the court in a county having 3,000,000 or more inhabitants) deviates from the screening instrument.

(b-5) Subject to the provisions of subsection (b-4), if a probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) does not intend to detain a minor for an offense which constitutes one of the following offenses he or she shall consult with the State's Attorney's Office prior to the release of the minor: first degree murder, second degree murder, involuntary manslaughter, criminal sexual assault, aggravated criminal sexual assault, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, aggravated or heinous battery involving permanent disability or disfigurement or great bodily harm, robbery, aggravated robbery, armed robbery, vehicular hijacking, aggravated vehicular hijacking, vehicular invasion, arson, aggravated arson, kidnapping, aggravated kidnapping, home invasion, burglary, or residential burglary.

(c) Except as otherwise provided in paragraph (a), (d), or (e), no minor shall be detained in a county jail or municipal lockup for more than 12 hours, unless the offense is a crime of violence in which case the minor may be detained up to 24 hours. For the purpose of this paragraph, "crime of violence" has the meaning ascribed to it in Section 1-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(i) The period of detention is deemed to have begun once the minor has been placed in a locked room or cell or handcuffed to a stationary object in a building housing a county jail or municipal lockup. Time spent transporting a minor is not considered to be time in detention or secure custody.

(ii) Any minor so confined shall be under periodic supervision and shall not be permitted to come into or remain in contact with adults in custody in the building.

(iii) Upon placement in secure custody in a jail or lockup, the minor shall be informed of the purpose of the detention, the time it is expected to last and the fact that it cannot exceed the time specified under this Act.

(iv) A log shall be kept which shows the offense which is the basis for the detention, the reasons and circumstances for the decision to detain and the length of time the minor was in detention.
(v) Violation of the time limit on detention in a county jail or municipal lockup shall not, in and of itself, render inadmissible evidence obtained as a result of the violation of this time limit. Minors under 18 years of age shall be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with adults confined pursuant to criminal law. Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) The age of the person;
(B) Any previous delinquent or criminal history of the person;
(C) Any previous abuse or neglect history of the person; and
(D) Any mental health or educational history of the person, or both.

(d) (i) If a minor 12 years of age or older is confined in a county jail in a county with a population below 3,000,000 inhabitants, then the minor's confinement shall be implemented in such a manner that there will be no contact by sight, sound or otherwise between the minor and adult prisoners. Minors 12 years of age or older must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with confined adults. This paragraph (d)(i) shall only apply to confinement pending an adjudicatory hearing and shall not exceed 40 hours, excluding Saturdays, Sundays and court designated holidays. To accept or hold minors during this time period, county jails shall comply with all monitoring standards promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(ii) To accept or hold minors, 12 years of age or older, after the time period prescribed in paragraph (d)(i) of this subsection (2) of this Section but not exceeding 7 days including Saturdays, Sundays and holidays pending an adjudicatory hearing, county jails shall comply with all temporary detention standards promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

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(iii) To accept or hold minors 12 years of age or older, after the time period prescribed in paragraphs (d)(i) and (d)(ii) of this subsection (2) of this Section, county jails shall comply with all programmatic and training standards for juvenile detention homes promulgated by the Department of Corrections.

(e) When a minor who is at least 15 years of age is prosecuted under the criminal laws of this State, the court may enter an order directing that the juvenile be confined in the county jail. However, any juvenile confined in the county jail under this provision shall be separated from adults who are confined in the county jail in such a manner that there will be no contact by sight, sound or otherwise between the juvenile and adult prisoners.

(f) For purposes of appearing in a physical lineup, the minor may be taken to a county jail or municipal lockup under the direct and constant supervision of a juvenile police officer. During such time as is necessary to conduct a lineup, and while supervised by a juvenile police officer, the sight and sound separation provisions shall not apply.

(g) For purposes of processing a minor, the minor may be taken to a County Jail or municipal lockup under the direct and constant supervision of a law enforcement officer or correctional officer. During such time as is necessary to process the minor, and while supervised by a law enforcement officer or correctional officer, the sight and sound separation provisions shall not apply.

(3) If the probation officer or State's Attorney (or such other public officer designated by the court in a county having 3,000,000 or more inhabitants) determines that the minor may be a delinquent minor as described in subsection (3) of Section 5-105, and should be retained in custody but does not require physical restriction, the minor may be placed in non-secure custody for up to 40 hours pending a detention hearing.

(4) Any minor taken into temporary custody, not requiring secure detention, may, however, be detained in the home of his or her parent or guardian subject to such conditions as the court may impose.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 96-1551, eff. 7-1-11.)

(705 ILCS 405/5-901)
Sec. 5-901. Court file.

New matter indicated in italics - deletions by strikeout
(1) The Court file with respect to proceedings under this Article shall consist of the petitions, pleadings, victim impact statements, process, service of process, orders, writs and docket entries reflecting hearings held and judgments and decrees entered by the court. The court file shall be kept separate from other records of the court.

(a) The file, including information identifying the victim or alleged victim of any sex offense, shall be disclosed only to the following parties when necessary for discharge of their official duties:

(i) A judge of the circuit court and members of the staff of the court designated by the judge;
(ii) Parties to the proceedings and their attorneys;
(iii) Victims and their attorneys, except in cases of multiple victims of sex offenses in which case the information identifying the nonrequesting victims shall be redacted;
(iv) Probation officers, law enforcement officers or prosecutors or their staff;
(v) Adult and juvenile Prisoner Review Boards.

(b) The Court file redacted to remove any information identifying the victim or alleged victim of any sex offense shall be disclosed only to the following parties when necessary for discharge of their official duties:

(i) Authorized military personnel;
(ii) Persons engaged in bona fide research, with the permission of the judge of the juvenile court and the chief executive of the agency that prepared the particular recording: provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record;
(iii) The Secretary of State to whom the Clerk of the Court shall report the disposition of all cases, as required in Section 6-204 or Section 6-205.1 of the Illinois Vehicle Code. However, information reported relative to these offenses shall be privileged and available only to the Secretary of State, courts, and police officers;
(iv) The administrator of a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court;

New matter indicated in italics - deletions by strikeout
(v) Any individual, or any public or private agency or institution, having custody of the juvenile under court order or providing educational, medical or mental health services to the juvenile or a court-approved advocate for the juvenile or any placement provider or potential placement provider as determined by the court.

(3) A minor who is the victim or alleged victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record. Information identifying victims and alleged victims of sex offenses, shall not be disclosed or open to public inspection under any circumstances. Nothing in this Section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing his or her identity.

(4) Relevant information, reports and records shall be made available to the Department of Juvenile Justice when a juvenile offender has been placed in the custody of the Department of Juvenile Justice.

(5) Except as otherwise provided in this subsection (5), juvenile court records shall not be made available to the general public but may be inspected by representatives of agencies, associations and news media or other properly interested persons by general or special order of the court. The State's Attorney, the minor, his or her parents, guardian and counsel shall at all times have the right to examine court files and records.

(a) The court shall allow the general public to have access to the name, address, and offense of a minor who is adjudicated a delinquent minor under this Act under either of the following circumstances:

   (i) The adjudication of delinquency was based upon the minor's commission of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault; or

   (ii) The court has made a finding that the minor was at least 13 years of age at the time the act was committed and the adjudication of delinquency was based upon the minor's commission of: (A) an act in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (B) an act involving the use of a firearm in the commission of a felony, (C) an act that would be a Class X felony offense under or the minor's second or

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subsequent Class 2 or greater felony offense under the Cannabis Control Act if committed by an adult, (D) an act that would be a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act if committed by an adult, (E) an act that would be an offense under Section 401 of the Illinois Controlled Substances Act if committed by an adult, or (F) an act that would be an offense under the Methamphetamine Control and Community Protection Act if committed by an adult.

(b) The court shall allow the general public to have access to the name, address, and offense of a minor who is at least 13 years of age at the time the offense is committed and who is convicted, in criminal proceedings permitted or required under Section 5-805, under either of the following circumstances:

(i) The minor has been convicted of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault,

(ii) The court has made a finding that the minor was at least 13 years of age at the time the offense was committed and the conviction was based upon the minor's commission of: (A) an offense in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (B) an offense involving the use of a firearm in the commission of a felony, (C) a Class X felony offense under the Cannabis Control Act or a second or subsequent Class 2 or greater felony offense under the Cannabis Control Act, (D) a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act, (E) an offense under Section 401 of the Illinois Controlled Substances Act, or (F) an offense under the Methamphetamine Control and Community Protection Act.

(6) Nothing in this Section shall be construed to limit the use of a adjudication of delinquency as evidence in any juvenile or criminal proceeding, where it would otherwise be admissible under the rules of evidence, including but not limited to, use as impeachment evidence against any witness, including the minor if he or she testifies.

(7) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority examining the character and fitness of an applicant for a position as a law enforcement officer to ascertain

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whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records or evidence which were made in proceedings under this Act.

(8) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the sentencing order to the principal or chief administrative officer of the school. Access to such juvenile records shall be limited to the principal or chief administrative officer of the school and any guidance counselor designated by him or her.

(9) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(11) The Clerk of the Circuit Court shall report to the Department of State Police, in the form and manner required by the Department of State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 18th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.

(12) Information or records may be disclosed to the general public when the court is conducting hearings under Section 5-805 or 5-810.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to juvenile court records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 97-1150, eff. 1-25-13.)

(705 ILCS 405/5-905)
Sec. 5-905. Law enforcement records.

(1) Law Enforcement Records. Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 18th birthday shall be restricted to the following and when necessary for the discharge of their official duties:

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(a) A judge of the circuit court and members of the staff of the court designated by the judge;

(b) Law enforcement officers, probation officers or prosecutors or their staff, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers;

(c) The minor, the minor's parents or legal guardian and their attorneys, but only when the juvenile has been charged with an offense;

(d) Adult and Juvenile Prisoner Review Boards;

(e) Authorized military personnel;

(f) Persons engaged in bona fide research, with the permission of the judge of juvenile court and the chief executive of the agency that prepared the particular recording; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record;

(g) Individuals responsible for supervising or providing temporary or permanent care and custody of minors pursuant to orders of the juvenile court or directives from officials of the Department of Children and Family Services or the Department of Human Services who certify in writing that the information will not be disclosed to any other party except as provided under law or order of court;

(h) The appropriate school official only if the agency or officer believes that there is an imminent threat of physical harm to students, school personnel, or others who are present in the school or on school grounds.

(A) Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest by a local law enforcement agency under a reciprocal reporting system established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled

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in a school within the school district who has been arrested or taken into custody for any of the following offenses:

(i) any violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) a violation of the Illinois Controlled Substances Act;

(iii) a violation of the Cannabis Control Act;

(iv) a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012;

(v) a violation of the Methamphetamine Control and Community Protection Act;

(vi) a violation of Section 1-2 of the Harassing and Obscene Communications Act;

(vii) a violation of the Hazing Act; or


The information derived from the law enforcement records shall be kept separate from and shall not become a part of the official school record of that child and shall not be a public record. The information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school. If the designated law enforcement and school officials deem it to be in the best interest of the minor, the student may be referred to in-school or community based social services if those services are available. "Rehabilitation services" may include interventions by school support personnel, evaluation for eligibility for special education, referrals to community-based agencies such as youth services, behavioral healthcare service providers, drug and alcohol prevention or treatment programs, and other interventions as deemed appropriate for the student.
(B) Any information provided to appropriate school officials whom the school has determined to have a legitimate educational or safety interest by local law enforcement officials about a minor who is the subject of a current police investigation that is directly related to school safety shall consist of oral information only, and not written law enforcement records, and shall be used solely by the appropriate school official or officials to protect the safety of students and employees in the school and aid in the proper rehabilitation of the child. The information derived orally from the local law enforcement officials shall be kept separate from and shall not become a part of the official school record of the child and shall not be a public record. This limitation on the use of information about a minor who is the subject of a current police investigation shall in no way limit the use of this information by prosecutors in pursuing criminal charges arising out of the information disclosed during a police investigation of the minor. For purposes of this paragraph, "investigation" means an official systematic inquiry by a law enforcement agency into actual or suspected criminal activity;

(i) The president of a park district. Inspection and copying shall be limited to law enforcement records transmitted to the president of the park district by the Illinois State Police under Section 8-23 of the Park District Code or Section 16a-5 of the Chicago Park District Act concerning a person who is seeking employment with that park district and who has been adjudicated a juvenile delinquent for any of the offenses listed in subsection (c) of Section 8-23 of the Park District Code or subsection (c) of Section 16a-5 of the Chicago Park District Act.

(2) Information identifying victims and alleged victims of sex offenses, shall not be disclosed or open to public inspection under any circumstances. Nothing in this Section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing his or her identity.

(2.5) If the minor is a victim of aggravated battery, battery, attempted first degree murder, or other non-sexual violent offense, the identity of the victim may be disclosed to appropriate school officials, for the purpose of preventing foreseeable future violence involving minors, by a local law enforcement agency pursuant to an agreement established

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between the school district and a local law enforcement agency subject to the approval by the presiding judge of the juvenile court.

(3) Relevant information, reports and records shall be made available to the Department of Juvenile Justice when a juvenile offender has been placed in the custody of the Department of Juvenile Justice.

(4) Nothing in this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection or disclosure is conducted in the presence of a law enforcement officer for purposes of identification or apprehension of any person in the course of any criminal investigation or prosecution.

(5) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 18 years of age must be maintained separate from the records of adults and may not be open to public inspection or their contents disclosed to the public except by order of the court or when the institution of criminal proceedings has been permitted under Section 5-130 or 5-805 or required under Section 5-130 or 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or when provided by law.

(6) Except as otherwise provided in this subsection (6), law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor. Any victim or parent or legal guardian of a victim may petition the court to disclose the name and address of the minor and the minor's parents or legal guardian, or both. Upon a finding by clear and convincing evidence that the disclosure is either necessary for the victim to pursue a civil remedy against the minor or the minor's parents or legal guardian, or both, or to protect the victim's person or property from the minor, then the court may order the disclosure of the information to the victim or to the parent or legal guardian of the victim only for the purpose of the victim pursuing a civil remedy against the minor or the minor's parents or legal guardian, or both, or to protect the victim's person or property from the minor.

(7) Nothing contained in this Section shall prohibit law enforcement agencies when acting in their official capacity from

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communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 18 years of age. The information provided under this subsection (7) shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(8) No person shall disclose information under this Section except when acting in his or her official capacity and as provided by law or order of court.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 96-419, eff. 8-13-09; 96-1414, eff. 1-1-11; 97-700, eff. 6-22-12; 97-1104, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(705 ILCS 405/5-915)

Sec. 5-915. Expungement of juvenile law enforcement and court records.

(0.05) For purposes of this Section and Section 5-622:

"Expunge" means to physically destroy the records and to obliterate the minor's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the internal office records, files, or databases maintained by a State's Attorney's Office or other prosecutor.

"Law enforcement record" includes but is not limited to records of arrest, station adjustments, fingerprints, probation adjustments, the issuance of a notice to appear, or any other records maintained by a law enforcement agency relating to a minor suspected of committing an offense.

(1) Whenever any person has attained the age of 18 or whenever all juvenile court proceedings relating to that person have been terminated, whichever is later, the person may petition the court to expunge law enforcement records relating to incidents occurring before his or her 18th birthday or his or her juvenile court records, or both, but only in the following circumstances:

(a) the minor was arrested and no petition for delinquency was filed with the clerk of the circuit court; or

(b) the minor was charged with an offense and was found not delinquent of that offense; or

New matter indicated in italics - deletions by strikeout
(c) the minor was placed under supervision pursuant to Section 5-615, and the order of supervision has since been successfully terminated; or

(d) the minor was adjudicated for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult.

(2) Any person may petition the court to expunge all law enforcement records relating to any incidents occurring before his or her 18th/17th birthday which did not result in proceedings in criminal court and all juvenile court records with respect to any adjudications except those based upon first degree murder and sex offenses which would be felonies if committed by an adult, if the person for whom expungement is sought has had no convictions for any crime since his or her 18th/17th birthday and:

(a) has attained the age of 21 years; or

(b) 5 years have elapsed since all juvenile court proceedings relating to him or her have been terminated or his or her commitment to the Department of Juvenile Justice pursuant to this Act has been terminated;

whichever is later of (a) or (b). Nothing in this Section 5-915 precludes a minor from obtaining expungement under Section 5-622.

(2.5) If a minor is arrested and no petition for delinquency is filed with the clerk of the circuit court as provided in paragraph (a) of subsection (1) at the time the minor is released from custody, the youth officer, if applicable, or other designated person from the arresting agency, shall notify verbally and in writing to the minor or the minor's parents or guardians that if the State's Attorney does not file a petition for delinquency, the minor has a right to petition to have his or her arrest record expunged when the minor attains the age of 18/17 or when all juvenile court proceedings relating to that minor have been terminated and that unless a petition to expunge is filed, the minor shall have an arrest record and shall provide the minor and the minor's parents or guardians with an expungement information packet, including a petition to expunge juvenile records obtained from the clerk of the circuit court.

(2.6) If a minor is charged with an offense and is found not delinquent of that offense; or if a minor is placed under supervision under Section 5-615, and the order of supervision is successfully terminated; or if a minor is adjudicated for an offense that would be a Class B misdemeanor, a Class C misdemeanor, or a business or petty offense if
committed by an adult; or if a minor has incidents occurring before his or her 18th birthday that have not resulted in proceedings in criminal court, or resulted in proceedings in juvenile court, and the adjudications were not based upon first degree murder or sex offenses that would be felonies if committed by an adult; then at the time of sentencing or dismissal of the case, the judge shall inform the delinquent minor of his or her right to petition for expungement as provided by law, and the clerk of the circuit court shall provide an expungement information packet to the delinquent minor, written in plain language, including a petition for expungement, a sample of a completed petition, expungement instructions that shall include information informing the minor that (i) once the case is expunged, it shall be treated as if it never occurred, (ii) he or she may apply to have petition fees waived, (iii) once he or she obtains an expungement, he or she may not be required to disclose that he or she had a juvenile record, and (iv) he or she may file the petition on his or her own or with the assistance of an attorney. The failure of the judge to inform the delinquent minor of his or her right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency, (ii) a new trial; or (iii) an appeal.

(2.7) For counties with a population over 3,000,000, the clerk of the circuit court shall send a "Notification of a Possible Right to Expungement" post card to the minor at the address last received by the clerk of the circuit court on the date that the minor attains the age of 18 based on the birthdate provided to the court by the minor or his or her guardian in cases under paragraphs (b), (c), and (d) of subsection (1); and when the minor attains the age of 21 based on the birthdate provided to the court by the minor or his or her guardian in cases under subsection (2).

(2.8) The petition for expungement for subsection (1) shall be substantially in the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS

PETITION TO EXPUNGE JUVENILE RECORDS

(705 ILCS 405/5-915 (SUBSECTION 1))

New matter indicated in italics - deletions by strikeout
(Please prepare a separate petition for each offense)

Now comes ..........., petitioner, and respectfully requests that this Honorable Court enter an order expunging all juvenile law enforcement and court records of petitioner and in support thereof states that: Petitioner has attained the age of 18½, his/her birth date being ......., or all Juvenile Court proceedings terminated as of ......., whichever occurred later. Petitioner was arrested on ..... by the ....... Police Department for the offense of ......., and:

(Check One:)
( ) a. no petition was filed with the Clerk of the Circuit Court.
( ) b. was charged with ...... and was found not delinquent of the offense.
( ) c. a petition was filed and the petition was dismissed without a finding of delinquency on ..... 
( ) d. on ...... placed under supervision pursuant to Section 5-615 of the Juvenile Court Act of 1987 and such order of supervision successfully terminated on .......
( ) e. was adjudicated for the offense, which would have been a Class B misdemeanor, a Class C misdemeanor, or a petty offense or business offense if committed by an adult.

Petitioner .... has .... has not been arrested on charges in this or any county other than the charges listed above. If petitioner has been arrested on additional charges, please list the charges below:
Charge(s): .......
Arresting Agency or Agencies: ...........
Disposition/Result: (choose from a. through e., above): ..... 

WHEREFORE, the petitioner respectfully requests this Honorable Court to (1) order all law enforcement agencies to expunge all records of petitioner to this incident, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident.

.........................
Petitioner (Signature)
.........................
Petitioner's Street Address
.........................
City, State, Zip Code
.........................
Petitioner's Telephone Number

New matter indicated in italics - deletions by strikeout
Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

Petitioner (Signature)

The Petition for Expungement for subsection (2) shall be substantially in the following form:

IN THE CIRCUIT COURT OF ......., ILLINOIS 

JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.

)

)

............

(Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS

(705 ILCS 405/5-915 (SUBSECTION 2))

(Please prepare a separate petition for each offense)

Now comes ..........., petitioner, and respectfully requests that this Honorable Court enter an order expunging all Juvenile Law Enforcement and Court records of petitioner and in support thereof states that:

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and did not result in proceedings in criminal court and the Petitioner has not had any convictions for any crime since his/her 18th birthday; and

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and the adjudication was not based upon first-degree murder or sex offenses which would be felonies if committed by an adult, and the Petitioner has not had any convictions for any crime since his/her 18th birthday.

Petitioner was arrested on ...... by the ....... Police Department for the offense of ......., and:

(Check whichever one occurred the latest:)

( ) a. The Petitioner has attained the age of 21 years, his/her birthday being ........; or

( ) b. 5 years have elapsed since all juvenile court proceedings relating to the Petitioner have been terminated; or the Petitioner's commitment to the Department of Juvenile Justice pursuant to the expungement of juvenile law enforcement and court records provisions of the Juvenile Court Act of 1987 has been terminated. Petitioner ...has ...has not been arrested on

New matter indicated in italics - deletions by strikeout
charges in this or any other county other than the charge listed above. If petitioner has been arrested on additional charges, please list the charges below:
Charge(s): ........
Arresting Agency or Agencies: .......
Disposition/Result: (choose from a or b, above): .........
WHEREFORE, the petitioner respectfully requests this Honorable Court to (1) order all law enforcement agencies to expunge all records of petitioner related to this incident, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident.

...........................................
Petitioner (Signature)

...........................................
Petitioner's Street Address

...........................................
City, State, Zip Code

...........................................
Petitioner's Telephone Number

Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

...........................................
Petitioner (Signature)

(3) The chief judge of the circuit in which an arrest was made or a charge was brought or any judge of that circuit designated by the chief judge may, upon verified petition of a person who is the subject of an arrest or a juvenile court proceeding under subsection (1) or (2) of this Section, order the law enforcement records or official court file, or both, to be expunged from the official records of the arresting authority, the clerk of the circuit court and the Department of State Police. The person whose records are to be expunged shall petition the court using the appropriate form containing his or her current address and shall promptly notify the clerk of the circuit court of any change of address. Notice of the petition shall be served upon the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, and the arresting agency or agencies by the clerk of the circuit court. If an objection is filed within 45 days of the notice of the petition, the clerk of the circuit court shall set a date for hearing after the 45 day objection period. At the hearing the court shall hear evidence on whether the
expungement should or should not be granted. Unless the State's Attorney or prosecutor, the Department of State Police, or an arresting agency objects to the expungement within 45 days of the notice, the court may enter an order granting expungement. The person whose records are to be expunged shall pay the clerk of the circuit court a fee equivalent to the cost associated with expungement of records by the clerk and the Department of State Police. The clerk shall forward a certified copy of the order to the Department of State Police, the appropriate portion of the fee to the Department of State Police for processing, and deliver a certified copy of the order to the arresting agency.

(3.1) The Notice of Expungement shall be in substantially the following form:

```
IN THE CIRCUIT COURT OF ......, ILLINOIS

..... JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.
                      )
                      )
                      ...................)
                      (Name of Petitioner)

NOTICE

TO: State's Attorney
TO: Arresting Agency

..................

..................

..................

TO: Illinois State Police

..................

..................

ATTENTION: Expungement

You are hereby notified that on ......, at ......, in courtroom ..., located at ..., before the Honorable ..., Judge, or any judge sitting in his/her stead, I shall then and there present a Petition to Expunge Juvenile records in the above-entitled matter, at which time and place you may appear.

..................

Petitioner's Signature

..................

Petitioner's Street Address

..................
```
City, State, Zip Code
........................................
Petitioner's Telephone Number

PROOF OF SERVICE
On the ...... day of ......, 20..., I on oath state that I served this notice and true and correct copies of the above-checked documents by:
(Check One:)
delivering copies personally to each entity to whom they are directed;
or
by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, before the hour of 5:00 p.m., at the United States Postal Depository located at ............... ........................................
........................................
Signature
Clerk of the Circuit Court or Deputy Clerk

Printed Name of Delinquent Minor/Petitioner: ....
Address: ........................................
Telephone Number: ...............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

(3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
.............................
.............................
.............................
.............................

ORDER OF EXPUNGEMENT
(705 ILCS 405/5-915 (SUBSECTION 3))
This matter having been heard on the petitioner's motion and the court being fully advised in the premises does find that the petitioner is indigent or has presented reasonable cause to waive all costs in this matter, IT IS HEREBY ORDERED that:
( ) 1. Clerk of Court and Department of State Police costs are hereby waived in this matter.

New matter indicated in italics - deletions by strikeout
( ) 2. The Illinois State Police Bureau of Identification and the following law enforcement agencies expunge all records of petitioner relating to an arrest dated ...... for the offense of ......

   Law Enforcement Agencies:
   ........................
   ........................

( ) 3. IT IS FURTHER ORDERED that the Clerk of the Circuit Court expunge all records regarding the above-captioned case.

   ENTER: ....................

JUDGE
DATED: ......
Name:
Attorney for:
Address: City/State/Zip:
Attorney Number:

(3.3) The Notice of Objection shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
................................. JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.
                     )
                     )

...............)
(Name of Petitioner)

NOTICE OF OBJECTION
TO:(Attorney, Public Defender, Minor)
.................................
.................................
TO:(Illinois State Police)
.................................
.................................
TO:(Clerk of the Court)
.................................
.................................
TO:(Judge)
.................................
.................................
TO:(Arresting Agency/Agencies)
.................................

New matter indicated in italics - deletions by strikeout
ATTENTION: You are hereby notified that an objection has been filed by the following entity regarding the above-named minor's petition for expungement of juvenile records:
( ) State's Attorney's Office;
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;
( ) Department of Illinois State Police; or
( ) Arresting Agency or Agencies.
The agency checked above respectfully requests that this case be continued and set for hearing on whether the expungement should or should not be granted.
DATED: .......
Name: 
Attorney For: 
Address: 
City/State/Zip: 
Telephone: 
Attorney No.:

FOR USE BY CLERK OF THE COURT PERSONNEL ONLY
This matter has been set for hearing on the foregoing objection, on ...... in room ...., located at ......, before the Honorable ......, Judge, or any judge sitting in his/her stead. (Only one hearing shall be set, regardless of the number of Notices of Objection received on the same case). A copy of this completed Notice of Objection containing the court date, time, and location, has been sent via regular U.S. Mail to the following entities. (If more than one Notice of Objection is received on the same case, each one must be completed with the court date, time and location and mailed to the following entities):
( ) Attorney, Public Defender or Minor;
( ) State's Attorney's Office;
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;
( ) Department of Illinois State Police; and
( ) Arresting agency or agencies.
Date: .......
Initials of Clerk completing this section: ......

(4) Upon entry of an order expunging records or files, the offense, which the records or files concern shall be treated as if it never occurred.

New matter indicated in italics - deletions by strikeout
Law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the person.

(5) Records which have not been expunged are sealed, and may be obtained only under the provisions of Sections 5-901, 5-905 and 5-915.

(6) Nothing in this Section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the offender. This information may only be used for statistical and bona fide research purposes.

(7)(a) The State Appellate Defender shall establish, maintain, and carry out, by December 31, 2004, a juvenile expungement program to provide information and assistance to minors eligible to have their juvenile records expunged.

(b) The State Appellate Defender shall develop brochures, pamphlets, and other materials in printed form and through the agency's World Wide Web site. The pamphlets and other materials shall include at a minimum the following information:

(i) An explanation of the State's juvenile expungement process;
(ii) The circumstances under which juvenile expungement may occur;
(iii) The juvenile offenses that may be expunged;
(iv) The steps necessary to initiate and complete the juvenile expungement process; and
(v) Directions on how to contact the State Appellate Defender.

(c) The State Appellate Defender shall establish and maintain a statewide toll-free telephone number that a person may use to receive information or assistance concerning the expungement of juvenile records. The State Appellate Defender shall advertise the toll-free telephone number statewide. The State Appellate Defender shall develop an expungement information packet that may be sent to eligible persons seeking expungement of their juvenile records, which may include, but is not limited to, a pre-printed expungement petition with instructions on how to complete the petition and a pamphlet containing information that would assist individuals through the juvenile expungement process.
(d) The State Appellate Defender shall compile a statewide list of volunteer attorneys willing to assist eligible individuals through the juvenile expungement process.

(e) This Section shall be implemented from funds appropriated by the General Assembly to the State Appellate Defender for this purpose. The State Appellate Defender shall employ the necessary staff and adopt the necessary rules for implementation of this Section.

(8)(a) Except with respect to law enforcement agencies, the Department of Corrections, State's Attorneys, or other prosecutors, an expunged juvenile record may not be considered by any private or public entity in employment matters, certification, licensing, revocation of certification or licensure, or registration. Applications for employment must contain specific language that states that the applicant is not obligated to disclose expunged juvenile records of conviction or arrest. Employers may not ask if an applicant has had a juvenile record expunged. Effective January 1, 2005, the Department of Labor shall develop a link on the Department's website to inform employers that employers may not ask if an applicant had a juvenile record expunged and that application for employment must contain specific language that states that the applicant is not obligated to disclose expunged juvenile records of arrest or conviction.

(b) A person whose juvenile records have been expunged is not entitled to remission of any fines, costs, or other money paid as a consequence of expungement. This amendatory Act of the 93rd General Assembly does not affect the right of the victim of a crime to prosecute or defend a civil action for damages.

(c) The expungement of juvenile records under Section 5-622 shall be funded by the additional fine imposed under Section 5-9-1.17 of the Unified Code of Corrections and additional appropriations made by the General Assembly for such purpose.

The changes made to this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after the effective date of this amendatory Act.

(Source: P.A. 95-861, eff. 1-1-09; 96-707, eff. 1-1-10.)

Passed in the General Assembly May 14, 2013.
Approved July 8, 2013.
Effective January 1, 2014.
AN ACT concerning courts.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Juvenile Court Act of 1987 is amended by changing
Section 5-615 as follows:
(705 ILCS 405/5-615)
Sec. 5-615. Continuance under supervision.
(1) The court may enter an order of continuance under supervision
for an offense other than first degree murder, a Class X felony or a forcible
felony:
(a) upon an admission or stipulation by the appropriate
respondent or minor respondent of the facts supporting the petition
and before the court makes a finding of delinquency proceeding to
adjudication, or after hearing the evidence at the trial, and (b) in the
absence of objection made in open court by the minor, his or her
parent, guardian, or legal custodian, the minor's attorney or the
State's Attorney; or -
(b) upon a finding of delinquency and after considering the
circumstances of the offense and the history, character, and
condition of the minor, if the court is of the opinion that:
(i) the minor is not likely to commit further crimes;
(ii) the minor and the public would be best served if
the minor were not to receive a criminal record; and
(iii) in the best interests of justice an order of
continuance under supervision is more appropriate than a
sentence otherwise permitted under this Act.
(2) (Blank). If the minor, his or her parent, guardian, or legal
custodian, the minor's attorney or State's Attorney objects in open court to
any continuance and insists upon proceeding to findings and adjudication;
the court shall so proceed.
(3) Nothing in this Section limits the power of the court to order a
continuance of the hearing for the production of additional evidence or for
any other proper reason.
(4) When a hearing where a minor is alleged to be a delinquent is
continued pursuant to this Section, the period of continuance under
supervision may not exceed 24 months. The court may terminate a

New matter indicated in italics - deletions by strikeout
continuance under supervision at any time if warranted by the conduct of the minor and the ends of justice or vacate the finding of delinquency or both.

(5) When a hearing where a minor is alleged to be delinquent is continued pursuant to this Section, the court may, as conditions of the continuance under supervision, require the minor to do any of the following:

(a) not violate any criminal statute of any jurisdiction;
(b) make a report to and appear in person before any person or agency as directed by the court;
(c) work or pursue a course of study or vocational training;
(d) undergo medical or psychotherapeutic treatment rendered by a therapist licensed under the provisions of the Medical Practice Act of 1987, the Clinical Psychologist Licensing Act, or the Clinical Social Work and Social Work Practice Act, or an entity licensed by the Department of Human Services as a successor to the Department of Alcoholism and Substance Abuse, for the provision of drug addiction and alcoholism treatment;
(e) attend or reside in a facility established for the instruction or residence of persons on probation;
(f) support his or her dependents, if any;
(g) pay costs;
(h) refrain from possessing a firearm or other dangerous weapon, or an automobile;
(i) permit the probation officer to visit him or her at his or her home or elsewhere;
(j) reside with his or her parents or in a foster home;
(k) attend school;
(k-5) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she committed a crime of violence as defined in Section 2 of the Crime Victims Compensation Act in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;
(l) attend a non-residential program for youth;
(m) contribute to his or her own support at home or in a foster home;
(n) perform some reasonable public or community service;
(o) make restitution to the victim, in the same manner and under the same conditions as provided in subsection (4) of Section 5-710, except that the "sentencing hearing" referred to in that Section shall be the adjudicatory hearing for purposes of this Section;

(p) comply with curfew requirements as designated by the court;

(q) refrain from entering into a designated geographic area except upon terms as the court finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the minor, and advance approval by a probation officer;

(r) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(r-5) undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body;

(s) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug; or

(t) comply with any other conditions as may be ordered by the court.

(6) A minor whose case is continued under supervision under subsection (5) shall be given a certificate setting forth the conditions imposed by the court. Those conditions may be reduced, enlarged, or modified by the court on motion of the probation officer or on its own motion, or that of the State's Attorney, or, at the request of the minor after notice and hearing.

(7) If a petition is filed charging a violation of a condition of the continuance under supervision, the court shall conduct a hearing. If the court finds that a condition of supervision has not been fulfilled, the court may proceed to findings, and adjudication, and disposition or adjudication and disposition. The filing of a petition for violation of a condition of the continuance under supervision shall toll the period of continuance under

New matter indicated in italics - deletions by strikeout
supervision until the final determination of the charge, and the term of the continuance under supervision shall not run until the hearing and disposition of the petition for violation; provided where the petition alleges conduct that does not constitute a criminal offense, the hearing must be held within 30 days of the filing of the petition unless a delay shall continue the tolling of the period of continuance under supervision for the period of the delay.

(8) When a hearing in which a minor is alleged to be a delinquent for reasons that include a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 is continued under this Section, the court shall, as a condition of the continuance under supervision, require the minor to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage that was caused by the alleged violation or similar damage to property located in the municipality or county in which the alleged violation occurred. The condition may be in addition to any other condition.

(8.5) When a hearing in which a minor is alleged to be a delinquent for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (d) of subsection (1) of Section 21-1 of the Criminal Code of 1961 or paragraph (4) of subsection (a) of Section 21-1 or the Criminal Code of 2012 is continued under this Section, the court shall, as a condition of the continuance under supervision, require the minor to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The condition may be in addition to any other condition.

(9) When a hearing in which a minor is alleged to be a delinquent is continued under this Section, the court, before continuing the case, shall make a finding whether the offense alleged to have been committed either: (i) was related to or in furtherance of the activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (ii) is a violation of paragraph (13) of subsection (a) of Section 12-2 or paragraph (2) of subsection (c) of Section 12-2 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the unlawful use of a firearm. If the court determines the question in the affirmative the court shall, as a condition of the continuance under supervision and as part of or in
addition to any other condition of the supervision, require the minor to perform community service for not less than 30 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The community service shall include, but need not be limited to, the cleanup and repair of any damage caused by an alleged violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the alleged violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(10) The court shall impose upon a minor placed on supervision, as a condition of the supervision, a fee of $50 for each month of supervision ordered by the court, unless after determining the inability of the minor placed on supervision to pay the fee, the court assesses a lesser amount. The court may not impose the fee on a minor who is made a ward of the State under this Act while the minor is in placement. The fee shall be imposed only upon a minor who is actively supervised by the probation and court services department. A court may order the parent, guardian, or legal custodian of the minor to pay some or all of the fee on the minor's behalf.

(11) If a minor is placed on supervision for a violation of subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program as defined in that Act if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1 of that Act. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1 of that Act, the court, upon request by the State's Attorney, may in its discretion require the offender to remit a fee for his or her attendance at a smoker's education or youth diversion program.

For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of
smoking tobacco products and the health consequences of smoking tobacco products that can be conducted with a locality's youth diversion program.

In addition to any other penalty that the court may impose under this subsection (11):

(a) If a minor violates subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may impose a sentence of 15 hours of community service or a fine of $25 for a first violation.

(b) A second violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a fine of $50 and 25 hours of community service.

(c) A third or subsequent violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a $100 fine and 30 hours of community service.

(d) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.

(Source: P.A. 96-179, eff. 8-10-09; 96-1414, eff. 1-1-11; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 29, 2013.
Approved July 8, 2013.
Effective January 1, 2014.
"Concealed firearm" means a loaded or unloaded handgun carried on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle.

"Department" means the Department of State Police.

"Director" means the Director of State Police.

"Handgun" means any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand. "Handgun" does not include:

1. a stun gun or taser;
2. a machine gun as defined in item (i) of paragraph (7) of subsection (a) of Section 24-1 of the Criminal Code of 2012;
3. a short-barreled rifle or shotgun as defined in item (ii) of paragraph (7) of subsection (a) of Section 24-1 of the Criminal Code of 2012; or
4. any pneumatic gun, spring gun, paintball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter, or which has a maximum muzzle velocity of less than 700 feet per second, or which expels breakable paint balls containing washable marking colors.

"Law enforcement agency" means any federal, State, or local law enforcement agency, including offices of State's Attorneys and the Office of the Attorney General.

"License" means a license issued by the Department of State Police to carry a concealed handgun.

"Licensee" means a person issued a license to carry a concealed handgun.

"Municipality" has the meaning ascribed to it in Section 1 of Article VII of the Illinois Constitution.

"Unit of local government" has the meaning ascribed to it in Section 1 of Article VII of the Illinois Constitution.

Section 10. Issuance of licenses to carry a concealed firearm.

(a) The Department shall issue a license to carry a concealed firearm under this Act to an applicant who:

1. meets the qualifications of Section 25 of this Act;
2. has provided the application and documentation required in Section 30 of this Act;
3. has submitted the requisite fees; and

4. satisfies the conditions prescribed in Section 31 of this Act.

New matter indicated in italics - deletions by strikeout
PUBLIC ACT 98-0063

(4) does not pose a danger to himself, herself, or others, or a threat to public safety as determined by the Concealed Carry Licensing Review Board in accordance with Section 20.
(b) The Department shall issue a renewal, corrected, or duplicate license as provided in this Act.
(c) A license shall be valid throughout the State for a period of 5 years from the date of issuance. A license shall permit the licensee to:
   (1) carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and
   (2) keep or carry a loaded or unloaded concealed firearm on or about his or her person within a vehicle.
(d) The Department shall make applications for a license available no later than 180 days after the effective date of this Act. The Department shall establish rules for the availability and submission of applications in accordance with this Act.
(e) An application for a license submitted to the Department that contains all the information and materials required by this Act, including the requisite fee, shall be deemed completed. Except as otherwise provided in this Act, no later than 90 days after receipt of a completed application, the Department shall issue or deny the applicant a license.
(f) The Department shall deny the applicant a license if the applicant fails to meet the requirements under this Act or the Department receives a determination from the Board that the applicant is ineligible for a license. The Department must notify the applicant stating the grounds for the denial. The notice of denial must inform the applicant of his or her right to an appeal through administrative and judicial review.
(g) A licensee shall possess a license at all times the licensee carries a concealed firearm except:
   (1) when the licensee is carrying or possessing a concealed firearm on his or her land or in his or her abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission;
   (2) when the person is authorized to carry a firearm under Section 24-2 of the Criminal Code of 2012, except subsection (a-5) of that Section; or
   (3) when the handgun is broken down in a non-functioning state, is not immediately accessible, or is unloaded and enclosed in a case.

New matter indicated in italics - deletions by strikeout
(h) If an officer of a law enforcement agency initiates an investigative stop, including but not limited to a traffic stop, of a licensee who is carrying a concealed firearm, upon the request of the officer the licensee shall disclose to the officer that he or she is in possession of a concealed firearm under this Act, present the license upon the request of the officer, and identify the location of the concealed firearm.

(i) The Department shall maintain a database of license applicants and licensees. The database shall be available to all federal, State, and local law enforcement agencies, State's Attorneys, the Attorney General, and authorized court personnel. Within 180 days after the effective date of this Act, the database shall be searchable and provide all information included in the application, including the applicant's previous addresses within the 10 years prior to the license application and any information related to violations of this Act. No law enforcement agency, State's Attorney, Attorney General, or member or staff of the judiciary shall provide any information to a requester who is not entitled to it by law.

(j) No later than 10 days after receipt of a completed application, the Department shall enter the relevant information about the applicant into the database under subsection (i) of this Section which is accessible by law enforcement agencies.

Section 15. Objections by law enforcement agencies.

(a) Any law enforcement agency may submit an objection to a license applicant based upon a reasonable suspicion that the applicant is a danger to himself or herself or others, or a threat to public safety. The objection shall be made by the chief law enforcement officer of the law enforcement agency, or his or her designee, and must include any information relevant to the objection. If a law enforcement agency submits an objection within 30 days after the entry of an applicant into the database, the Department shall submit the objection and all information related to the application to the Board within 10 days of completing all necessary background checks.

(b) If an applicant has 5 or more arrests for any reason, that have been entered into the Criminal History Records Information (CHRI) System, within the 7 years preceding the date of application for a license, or has 3 or more arrests within the 7 years preceding the date of application for a license for any combination of gang-related offenses, the Department shall object and submit the applicant's arrest record, the application materials, and any additional information submitted by a law enforcement agency to the Board. For purposes of this subsection, "gang-
related offense" is an offense described in Section 12-6.4, Section 24-1.8, Section 25-5, Section 33-4, or Section 33G-4, or in paragraph (1) of subsection (a) of Section 12-6.2, paragraph (2) of subsection (b) of Section 16-30, paragraph (2) of subsection (b) of Section 31-4, or item (iii) of paragraph (1.5) of subsection (i) of Section 48-1 of the Criminal Code of 2012.

(c) The referral of an objection under this Section to the Board shall toll the 90-day period for the Department to issue or deny the applicant a license under subsection (e) of Section 10 of this Act, during the period of review and until the Board issues its decision.

(d) If no objection is made by a law enforcement agency or the Department under this Section, the Department shall process the application in accordance with this Act.

Section 20. Concealed Carry Licensing Review Board.

(a) There is hereby created a Concealed Carry Licensing Review Board to consider any objection to an applicant's eligibility to obtain a license under this Act submitted by a law enforcement agency or the Department under Section 15 of this Act. The Board shall consist of 7 commissioners to be appointed by the Governor, with the advice and consent of the Senate, with 3 commissioners residing within the First Judicial District and one commissioner residing within each of the 4 remaining Judicial Districts. No more than 4 commissioners shall be members of the same political party. The Governor shall designate one commissioner as the Chairperson. The Board shall consist of:

(1) one commissioner with at least 5 years of service as a federal judge;

(2) 2 commissioners with at least 5 years of experience serving as an attorney with the United States Department of Justice;

(3) 3 commissioners with at least 5 years of experience as a federal agent or employee with investigative experience or duties related to criminal justice under the United States Department of Justice, Drug Enforcement Administration, Department of Homeland Security, or Federal Bureau of Investigation; and

(4) one member with at least 5 years of experience as a licensed physician or clinical psychologist with expertise in the diagnosis and treatment of mental illness.

(b) The initial terms of the commissioners shall end on January 12, 2015. Thereafter, the commissioners shall hold office for 4 years, with
terms expiring on the second Monday in January of the fourth year. Commissioners may be reappointed. Vacancies in the office of commissioner shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. The Governor may remove a commissioner for incompetence, neglect of duty, malfeasance, or inability to serve. Commissioners shall receive compensation in an amount equal to the compensation of members of the Executive Ethics Commission and may be reimbursed for reasonable expenses actually incurred in the performance of their Board duties, from funds appropriated for that purpose.

(c) The Board shall meet at the call of the chairperson as often as necessary to consider objections to applications for a license under this Act. If necessary to ensure the participation of a commissioner, the Board shall allow a commissioner to participate in a Board meeting by electronic communication. Any commissioner participating electronically shall be deemed present for purposes of establishing a quorum and voting.

(d) The Board shall adopt rules for the conduct of hearings. The Board shall maintain a record of its decisions and all materials considered in making its decisions. All Board decisions and voting records shall be kept confidential and all materials considered by the Board shall be exempt from inspection except upon order of a court.

(e) In considering an objection of a law enforcement agency or the Department, the Board shall review the materials received with the objection from the law enforcement agency or the Department. By a vote of at least 4 commissioners, the Board may request additional information from the law enforcement agency, Department, or the applicant, or the testimony of the law enforcement agency, Department, or the applicant. The Board may only consider information submitted by the Department, a law enforcement agency, or the applicant. The Board shall review each objection and determine by a majority of commissioners whether an applicant is eligible for a license.

(f) The Board shall issue a decision within 30 days of receipt of the objection from the Department. However, the Board need not issue a decision within 30 days if:

(1) the Board requests information from the applicant in accordance with subsection (e) of this Section, in which case the Board shall make a decision within 30 days of receipt of the required information from the applicant;

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(2) the applicant agrees, in writing, to allow the Board additional time to consider an objection; or
(3) the Board notifies the applicant and the Department that the Board needs an additional 30 days to issue a decision.

(g) If the Board determines by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall affirm the objection of the law enforcement agency or the Department and shall notify the Department that the applicant is ineligible for a license. If the Board does not determine by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall notify the Department that the applicant is eligible for a license.

(h) Meetings of the Board shall not be subject to the Open Meetings Act and records of the Board shall not be subject to the Freedom of Information Act.

(i) The Board shall report monthly to the Governor and the General Assembly on the number of objections received and provide details of the circumstances in which the Board has determined to deny licensure based on law enforcement or Department objections under Section 15 of this Act. The report shall not contain any identifying information about the applicants.

Section 25. Qualifications for a license.
The Department shall issue a license to an applicant completing an application in accordance with Section 30 of this Act if the person:
(1) is at least 21 years of age;
(2) has a currently valid Firearm Owner's Identification Card and at the time of application meets the requirements for the issuance of a Firearm Owner's Identification Card and is not prohibited under the Firearm Owners Identification Card Act or federal law from possessing or receiving a firearm;
(3) has not been convicted or found guilty in this State or in any other state of:
   (A) a misdemeanor involving the use or threat of physical force or violence to any person within the 5 years preceding the date of the license application; or
   (B) 2 or more violations related to driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination

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thereof, within the 5 years preceding the date of the license application; and

(4) is not the subject of a pending arrest warrant, prosecution, or proceeding for an offense or action that could lead to disqualification to own or possess a firearm;

(5) has not been in residential or court-ordered treatment for alcoholism, alcohol detoxification, or drug treatment within the 5 years immediately preceding the date of the license application; and

(6) has completed firearms training and any education component required under Section 75 of this Act.

Section 30. Contents of license application.

(a) The license application shall be in writing, under penalty of perjury, on a standard form adopted by the Department and shall be accompanied by the documentation required in this Section and the applicable fee. Each application form shall include the following statement printed in bold type: "Warning: Entering false information on this form is punishable as perjury under Section 32-2 of the Criminal Code of 2012."

(b) The application shall contain the following:

(1) the applicant's name, current address, date and year of birth, place of birth, height, weight, hair color, eye color, maiden name or any other name the applicant has used or identified with, and any address where the applicant resided for more than 30 days within the 10 years preceding the date of the license application;

(2) the applicant's valid driver's license number or valid state identification card number;

(3) a waiver of the applicant's privacy and confidentiality rights and privileges under all federal and state laws, including those limiting access to juvenile court, criminal justice, psychological, or psychiatric records or records relating to any institutionalization of the applicant, and an affirmative request that a person having custody of any of these records provide it or information concerning it to the Department;

(4) an affirmation that the applicant possesses a currently valid Firearm Owner's Identification Card and card number if possessed or notice the applicant is applying for a Firearm Owner's Identification Card in conjunction with the license application;

(5) an affirmation that the applicant has not been convicted or found guilty of:

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(A) a felony;
(B) a misdemeanor involving the use or threat of physical force or violence to any person within the 5 years preceding the date of the application; or
(C) 2 or more violations related to driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, within the 5 years preceding the date of the license application; and
(6) whether the applicant has failed a drug test for a drug for which the applicant did not have a prescription, within the previous year, and if so, the provider of the test, the specific substance involved, and the date of the test;
(7) written consent for the Department to review and use the applicant's Illinois digital driver's license or Illinois identification card photograph and signature;
(8) a full set of fingerprints submitted to the Department in electronic format, provided the Department may accept an application submitted without a set of fingerprints in which case the Department shall be granted 30 days in addition to the 90 days provided under subsection (e) of Section 10 of this Act to issue or deny a license;
(9) a head and shoulder color photograph in a size specified by the Department taken within the 30 days preceding the date of the license application; and
(10) a photocopy of any certificates or other evidence of compliance with the training requirements under this Act.

Section 35. Investigation of the applicant.
The Department shall conduct a background check of the applicant to ensure compliance with the requirements of this Act and all federal, State, and local laws. The background check shall include a search of the following:

(1) the National Instant Criminal Background Check System of the Federal Bureau of Investigation;
(2) all available state and local criminal history record information files, including records of juvenile adjudications;
(3) all available federal, state, and local records regarding wanted persons;

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(4) all available federal, state, and local records of domestic violence restraining and protective orders;

(5) the files of the Department of Human Services relating to mental health and developmental disabilities; and

(6) all other available records of a federal, state, or local agency or other public entity in any jurisdiction likely to contain information relevant to whether the applicant is prohibited from purchasing, possessing, or carrying a firearm under federal, state, or local law.

(7) Fingerprints collected under Section 30 shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check.

Section 40. Non-resident license applications.

(a) For the purposes of this Section, "non-resident" means a person who has not resided within this State for more than 30 days and resides in another state or territory.

(b) The Department shall by rule allow for non-resident license applications from any state or territory of the United States with laws related to firearm ownership, possession, and carrying, that are substantially similar to the requirements to obtain a license under this Act.

(c) A resident of a state or territory approved by the Department under subsection (b) of this Section may apply for a non-resident license. The applicant shall apply to the Department and must meet all of the qualifications established in Section 25 of this Act, except for the Illinois residency requirement in item (xiv) of paragraph (2) of subsection (a) of Section 4 of the Firearm Owners Identification Card Act. The applicant shall submit:

(1) the application and documentation required under Section 30 of this Act and the applicable fee;

(2) a notarized document stating that the applicant:

   (A) is eligible under federal law and the laws of his or her state or territory of residence to own or possess a firearm;

   (B) if applicable, has a license or permit to carry a firearm or concealed firearm issued by his or her state or
territory of residence and attach a copy of the license or permit to the application;

(C) understands Illinois laws pertaining to the possession and transport of firearms, and

(D) acknowledges that the applicant is subject to the jurisdiction of the Department and Illinois courts for any violation of this Act; and

(3) a photocopy of any certificates or other evidence of compliance with the training requirements under Section 75 of this Act; and

(4) a head and shoulder color photograph in a size specified by the Department taken within the 30 days preceding the date of the application.

(d) In lieu of an Illinois driver's license or Illinois identification card, a non-resident applicant shall provide similar documentation from his or her state or territory of residence. In lieu of a valid Firearm Owner's Identification Card, the applicant shall submit documentation and information required by the Department to obtain a Firearm Owner's Identification Card, including an affidavit that the non-resident meets the mental health standards to obtain a firearm under Illinois law, and the Department shall ensure that the applicant would meet the eligibility criteria to obtain a Firearm Owner's Identification card if he or she was a resident of this State.

(e) Nothing in this Act shall prohibit a non-resident from transporting a concealed firearm within his or her vehicle in Illinois, if the concealed firearm remains within his or her vehicle and the non-resident:

(1) is not prohibited from owning or possessing a firearm under federal law;

(2) is eligible to carry a firearm in public under the laws of his or her state or territory of residence; and

(3) is not in possession of a license under this Act.

If the non-resident leaves his or her vehicle unattended, he or she shall store the firearm within a locked vehicle or locked container within the vehicle in accordance with subsection (b) of Section 65 of this Act.

Section 45. Civil immunity; Board, employees, and agents. The Board, Department, local law enforcement agency, or the employees and agents of the Board, Department, or local law enforcement agency participating in the licensing process under this Act shall not be held liable for damages in any civil action arising from alleged wrongful or improper

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granting, denying, renewing, revoking, suspending, or failing to grant, deny, renew, revoke, or suspend a license under this Act, except for willful or wanton misconduct.

Section 50. License renewal.

Applications for renewal of a license shall be made to the Department. A license shall be renewed for a period of 5 years upon receipt of a completed renewal application, completion of 3 hours of training required under Section 75 of this Section, payment of the applicable renewal fee, and completion of an investigation under Section 35 of this Act. The renewal application shall contain the information required in Section 30 of this Act, except that the applicant need not resubmit a full set of fingerprints.

Section 55. Change of address or name; lost, destroyed, or stolen licenses.

(a) A licensee shall notify the Department within 30 days of moving or changing residence or any change of name. The licensee shall submit:

(1) a notarized statement that the licensee has changed his or her residence or his or her name, including the prior and current address or name and the date the applicant moved or changed his or her name; and

(2) the requisite fee.

(b) A licensee shall notify the Department within 10 days of discovering that a license has been lost, destroyed, or stolen. A lost, destroyed, or stolen license is invalid. To request a replacement license, the licensee shall submit:

(1) a notarized statement that the licensee no longer possesses the license, and that it was lost, destroyed, or stolen;

(2) if applicable, a copy of a police report stating that the license was stolen; and

(3) the requisite fee.

(c) A violation of this Section is a petty offense with a fine of $150 which shall be deposited into the Mental Health Reporting Fund.

Section 60. Fees.

(a) All fees collected under this Act shall be deposited as provided in this Section. Application, renewal, and replacement fees shall be non-refundable.

(b) An applicant for a new license or a renewal shall submit $150 with the application, of which $120 shall be apportioned to the State
Police Firearm Services Fund, $20 shall be apportioned to the Mental Health Reporting Fund, and $10 shall be apportioned to the State Crime Laboratory Fund.

(c) A non-resident applicant for a new license or renewal shall submit $300 with the application, of which $250 shall be apportioned to the State Police Firearm Services Fund, $40 shall be apportioned to the Mental Health Reporting Fund, and $10 shall be apportioned to the State Crime Laboratory Fund.

(d) A licensee requesting a new license in accordance with Section 55 shall submit $75, of which $60 shall be apportioned to the State Police Firearm Services Fund, $5 shall be apportioned to the Mental Health Reporting Fund, and $10 shall be apportioned to the State Crime Laboratory Fund.

Section 65. Prohibited areas.

(a) A licensee under this Act shall not knowingly carry a firearm on or into:

(1) Any building, real property, and parking area under the control of a public or private elementary or secondary school.

(2) Any building, real property, and parking area under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility. Nothing in this paragraph shall prevent the operator of a child care facility in a family home from owning or possessing a firearm in the home or license under this Act, if no child under child care at the home is present in the home or the firearm in the home is stored in a locked container when a child under child care at the home is present in the home.

(3) Any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government, provided that nothing in this paragraph shall prohibit a licensee from carrying a concealed firearm onto the real property, bikeway, or trail in a park regulated by the Department of Natural Resources or any other designated public hunting area or building where firearm possession is permitted as established by the Department of Natural Resources under Section 1.8 of the Wildlife Code.

(4) Any building designated for matters before a circuit court, appellate court, or the Supreme Court, or any building or portion of a building under the control of the Supreme Court.
(5) Any building or portion of a building under the control of a unit of local government.

(6) Any building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison, or jail.

(7) Any building, real property, and parking area under the control of a public or private hospital or hospital affiliate, mental health facility, or nursing home.

(8) Any bus, train, or form of transportation paid for in whole or in part with public funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.

(9) Any building, real property, and parking area under the control of an establishment that serves alcohol on its premises, if more than 50% of the establishment's gross receipts within the prior 3 months is from the sale of alcohol. The owner of an establishment who knowingly fails to prohibit concealed firearms on its premises as provided in this paragraph or who knowingly makes a false statement or record to avoid the prohibition on concealed firearms under this paragraph is subject to the penalty under subsection (c-5) of Section 10-1 of the Liquor Control Act of 1934.

(10) Any public gathering or special event conducted on property open to the public that requires the issuance of a permit from the unit of local government, provided this prohibition shall not apply to a licensee who must walk through a public gathering in order to access his or her residence, place of business, or vehicle.

(11) Any building or real property that has been issued a Special Event Retailer's license as defined in Section 1-3.17.1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special Event Retailer's license, or a Special use permit license as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.

(12) Any public playground.

(13) Any public park, athletic area, or athletic facility under the control of a municipality or park district, provided nothing in this Section shall prohibit a licensee from carrying a concealed firearm.

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firearm while on a trail or bikeway if only a portion of the trail or bikeway includes a public park.

(14) Any real property under the control of the Cook County Forest Preserve District.

(15) Any building, classroom, laboratory, medical clinic, hospital, artistic venue, athletic venue, entertainment venue, officially recognized university-related organization property, whether owned or leased, and any real property, including parking areas, sidewalks, and common areas under the control of a public or private community college, college, or university.

(16) Any building, real property, or parking area under the control of a gaming facility licensed under the Riverboat Gambling Act or the Illinois Horse Racing Act of 1975, including an inter-track wagering location licensee.

(17) Any stadium, arena, or the real property or parking area under the control of a stadium, arena, or any collegiate or professional sporting event.

(18) Any building, real property, or parking area under the control of a public library.

(19) Any building, real property, or parking area under the control of an airport.

(20) Any building, real property, or parking area under the control of an amusement park.

(21) Any building, real property, or parking area under the control of a zoo or museum.

(22) Any street, driveway, parking area, property, building, or facility, owned, leased, controlled, or used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission. The licensee shall not under any circumstance store a firearm or ammunition in his or her vehicle or in a compartment or container within a vehicle located anywhere in or on the street, driveway, parking area, property, building, or facility described in this paragraph.

(23) Any area where firearms are prohibited under federal law.

(a-5) Nothing in this Act shall prohibit a public or private community college, college, or university from:

(1) prohibiting persons from carrying a firearm within a vehicle owned, leased, or controlled by the college or university;

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(2) developing resolutions, regulations, or policies regarding student, employee, or visitor misconduct and discipline, including suspension and expulsion;
(3) developing resolutions, regulations, or policies regarding the storage or maintenance of firearms, which must include designated areas where persons can park vehicles that carry firearms; and
(4) permitting the carrying or use of firearms for the purpose of instruction and curriculum of officially recognized programs, including but not limited to military science and law enforcement training programs, or in any designated area used for hunting purposes or target shooting.

(a-10) The owner of private real property of any type may prohibit the carrying of concealed firearms on the property under his or her control. The owner must post a sign in accordance with subsection (d) of this Section indicating that firearms are prohibited on the property, unless the property is a private residence.

(b) Notwithstanding subsections (a), (a-5), and (a-10) of this Section except under paragraph (22) or (23) of subsection (a), any licensee prohibited from carrying a concealed firearm into the parking area of a prohibited location specified in subsection (a), (a-5), or (a-10) of this Section shall be permitted to carry a concealed firearm on or about his or her person within a vehicle into the parking area and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, provided the licensee ensures the concealed firearm is unloaded prior to exiting the vehicle. For purposes of this subsection, "case" includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other container.

(c) A licensee shall not be in violation of this Section while he or she is traveling along a public right of way that touches or crosses any of the premises under subsection (a), (a-5), or (a-10) of this Section if the concealed firearm is carried on his or her person in accordance with the provisions of this Act or is being transported in a vehicle by the licensee in accordance with all other applicable provisions of law.
(d) Signs stating that the carrying of firearms is prohibited shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in this Section as a prohibited area, unless the building or premises is a private residence. Signs shall be of a uniform design as established by the Department and shall be 4 inches by 6 inches in size. The Department shall adopt rules for standardized signs to be used under this subsection.

Section 70. Violations.

(a) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found to be ineligible for a license under this Act or the licensee no longer meets the eligibility requirements of the Firearm Owners Identification Card Act.

(b) A license shall be suspended if an order of protection, including an emergency order of protection, plenary order of protection, or interim order of protection under Article 112A of the Code of Criminal Procedure of 1963 or under the Illinois Domestic Violence Act of 1986, is issued against a licensee for the duration of the order, or if the Department is made aware of a similar order issued against the licensee in any other jurisdiction. If an order of protection is issued against a licensee, the licensee shall surrender the license, as applicable, to the court at the time the order is entered or to the law enforcement agency or entity serving process at the time the licensee is served the order. The court, law enforcement agency, or entity responsible for serving the order of protection shall notify the Department within 7 days and transmit the license to the Department.

(c) A license is invalid upon expiration of the license, unless the licensee has submitted an application to renew the license, and the applicant is otherwise eligible to possess a license under this Act.

(d) A licensee shall not carry a concealed firearm while under the influence of alcohol, other drug or drugs, intoxicating compound or combination of compounds, or any combination thereof, under the standards set forth in subsection (a) of Section 11-501 of the Illinois Vehicle Code.

A licensee in violation of this subsection (d) shall be guilty of a Class A misdemeanor for a first or second violation and a Class 4 felony for a third violation. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for a third violation.

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(e) Except as otherwise provided, a licensee in violation of this Act shall be guilty of a Class B misdemeanor. A second or subsequent violation is a Class A misdemeanor. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for 3 or more violations of Section 65 of this Act. Any person convicted of a violation under this Section shall pay a $150 fee to be deposited into the Mental Health Reporting Fund, plus any applicable court costs or fees.

(f) A licensee convicted or found guilty of a violation of this Act who has a valid license and is otherwise eligible to carry a concealed firearm shall only be subject to the penalties under this Section and shall not be subject to the penalties under Section 21-6, paragraph (4), (8), or (10) of subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5) of paragraph (3) of subsection (a) of Section 24-1.6 of the Criminal Code of 2012. Except as otherwise provided in this subsection, nothing in this subsection prohibits the licensee from being subjected to penalties for violations other than those specified in this Act.

(g) A licensee whose license is revoked, suspended, or denied shall, within 48 hours of receiving notice of the revocation, suspension, or denial surrender his or her concealed carry license to the local law enforcement agency where the person resides. The local law enforcement agency shall provide the licensee a receipt and transmit the concealed carry license to the Department of State Police. If the licensee whose concealed carry license has been revoked, suspended, or denied fails to comply with the requirements of this subsection, the law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the concealed carry license in the possession and under the custody or control of the licensee whose concealed carry license has been revoked, suspended, or denied. The observation of a concealed carry license in the possession of a person whose license has been revoked, suspended, or denied constitutes a sufficient basis for the arrest of that person for violation of this subsection. A violation of this subsection is a Class A misdemeanor.

(h) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found ineligible for a Firearm Owner's Identification Card, or the licensee no longer possesses a valid Firearm Owner's Identification Card. A licensee whose license is revoked under this subsection (h) shall surrender his or her concealed carry license as provided for in subsection (g) of this Section.

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This subsection shall not apply to a person who has filed an application with the State Police for renewal of a Firearm Owner's Identification Card and who is not otherwise ineligible to obtain a Firearm Owner's Identification Card.

Section 75. Applicant firearm training.
(a) Within 60 days of the effective date of this Act, the Department shall begin approval of firearm training courses and shall make a list of approved courses available on the Department's website.
(b) An applicant for a new license shall provide proof of completion of a firearms training course or combination of courses approved by the Department of at least 16 hours, which includes range qualification time under subsection (c) of this Section, that covers the following:
   (1) firearm safety;
   (2) the basic principles of marksmanship;
   (3) care, cleaning, loading, and unloading of a concealable firearm;
   (4) all applicable State and federal laws relating to the ownership, storage, carry, and transportation of a firearm; and
   (5) instruction on the appropriate and lawful interaction with law enforcement while transporting or carrying a concealed firearm.
(c) An applicant for a new license shall provide proof of certification by a certified instructor that the applicant passed a live fire exercise with a concealable firearm consisting of:
   (1) a minimum of 30 rounds; and
   (2) 10 rounds from a distance of 5 yards; 10 rounds from a distance of 7 yards; and 10 rounds from a distance of 10 yards at a B-27 silhouette target approved by the Department.
(d) An applicant for renewal of a license shall provide proof of completion of a firearms training course or combination of courses approved by the Department of at least 3 hours.
(e) A certificate of completion for an applicant's firearm training course shall not be issued to a student who:
   (1) does not follow the orders of the certified firearms instructor;
   (2) in the judgment of the certified instructor, handles a firearm in a manner that poses a danger to the student or to others; or

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(3) during the range firing portion of testing fails to hit the target with 70% of the rounds fired.

(f) An instructor shall maintain a record of each student's performance for at least 5 years, and shall make all records available upon demand of authorized personnel of the Department.

(g) The Department and certified firearms instructor shall recognize up to 8 hours of training already completed toward the 16 hour training requirement under this Section if the training course is approved by the Department and recognized under the laws of another state. Any remaining hours that the applicant completes must at least cover the classroom subject matter of paragraph (4) of subsection (b) of this Section, and the range qualification in subsection (c) of this Section.

(h) A person who has qualified to carry a firearm as an active law enforcement officer, a person certified as a firearms instructor by this Act or by the Illinois Law Enforcement Training Standards Board, or a person who has completed the required training and has been issued a firearm control card by the Department of Financial and Professional Regulation shall be exempt from the requirements of this Section.

(i) The Department shall accept 8 hours of training as completed toward the 16 hour training requirement under this Section, if the applicant is an active, retired, or honorably discharged member of the United States Armed Forces.

Section 80. Firearms instructor training.

(a) Within 60 days of the effective date of this Act, the Department shall begin approval of certified firearms instructors and enter certified firearms instructors into an online registry on the Department's website.

(b) A person who is not a certified firearms instructor shall not teach applicant training courses or advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a license under this Act. Each violation of this subsection is a business offense with a fine of at least $1,000 per violation.

(c) A person seeking to become a certified firearms instructor shall:

(1) be at least 21 years of age;
(2) be a legal resident of the United States; and
(3) meet the requirements of Section 25 of this Act, and any additional uniformly applied requirements established by the Department.
(d) A person seeking to become a certified firearms instructor trainer, in addition to the requirements of subsection (c) of this Section, shall:

(1) possess a high school diploma or GED certificate; and
(2) have at least one of the following valid firearms instructor certifications:
   (A) certification from a law enforcement agency;
   (B) certification from a firearm instructor course offered by a State or federal governmental agency;
   (C) certification from a firearm instructor qualification course offered by the Illinois Law Enforcement Training Standards Board; or
   (D) certification from an entity approved by the Department that offers firearm instructor education and training in the use and safety of firearms.

(e) A person may have his or her firearms instructor certification denied or revoked if he or she does not meet the requirements to obtain a license under this Act, provides false or misleading information to the Department, or has had a prior instructor certification revoked or denied by the Department.

Section 85. Background Checks for Sales.

A license to carry a concealed firearm issued by this State shall not exempt the licensee from the requirements of a background check, including a check of the National Instant Criminal Background Check System, upon purchase or transfer of a firearm.

Section 87. Administrative and judicial review.

(a) Whenever an application for a concealed carry license is denied, whenever the Department fails to act on an application within 90 days of its receipt, or whenever a license is revoked or suspended as provided in this Act, the aggrieved party may appeal to the Director for a hearing upon the denial, revocation, suspension, or failure to act on the application, unless the denial was made by the Concealed Carry Licensing Review Board, in which case the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing upon the denial.

(b) All final administrative decisions of the Department or the Concealed Carry Licensing Review Board under this Act shall be subject to judicial review under the provisions of the Administrative Review Law.
The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Section 90. Preemption.

The regulation, licensing, possession, registration, and transportation of handguns and ammunition for handguns by licensees are exclusive powers and functions of the State. Any ordinance or regulation, or portion thereof, enacted on or before the effective date of this Act that purports to impose regulations or restrictions on licensees or handguns and ammunition for handguns in a manner inconsistent with this Act shall be invalid in its application to licensees under this Act on the effective date of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 92. Consolidation of concealed carry license and Firearm Owner's Identification Card.

(a) The Director shall create a task force to develop a plan to incorporate and consolidate the concealed carry license under this Act and the Firearm Owner's Identification Card under the Firearm Owners Identification Card Act into a designation on the Illinois driver's license or Illinois identification card of a person with authority to possess a firearm under the Firearm Owners Identification Card Act, or authority to possess a firearm under the Firearm Owners Identification Card Act and authority to carry a concealed firearm under this Act. The plan must provide for an alternative card for:

(1) a non-resident or a resident without an Illinois driver's license or Illinois identification card, who has been granted authority under this Act to carry a concealed firearm in this State; and

(2) a resident without an Illinois driver's license or Illinois identification card, who has been granted authority to possess a firearm under the Firearm Owners Identification Card Act.

The plan shall include statutory changes necessary to implement it.

(b) The task force shall consist of the following members:

(1) one member appointed by the Speaker of the House of Representatives;

(2) one member appointed by the House of Representatives Minority Leader;

(3) one member appointed by the President of the Senate;

(4) one member appointed by the Senate Minority Leader;

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(5) one member appointed by the Secretary of State;
(6) one member appointed by the Director of State Police;
(7) one member appointed by the Secretary of State representing the National Rifle Association;
(8) one member appointed by the Governor from the Department of Natural Resources; and
(9) one member appointed by the Governor representing the Chicago Police Department.

The task force shall elect a chairperson from its membership. Members shall serve without compensation.

(c) The task force shall file the plan supported by a majority of its members with the General Assembly and the Secretary of State on or before March 1, 2014.

(d) This Section is repealed on March 2, 2014.

Section 95. Procurement; rulemaking.

(a) The Department of State Police, in consultation with and subject to the approval of the Chief Procurement Officer, may procure a single contract or multiple contracts to implement the provisions of this Act. A contract or contracts under this paragraph are not subject to the provisions of the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50. This exemption shall be repealed one year from the effective date of this Act.

(b) The Department shall adopt rules to implement the provisions of this Act. The Department may adopt rules necessary to implement the provisions of this Act through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act for a period not to exceed 180 days after the effective date of this Act.

Section 100. Short title. Sections 100 through 110 may be cited as the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

Section 105. Duty of school administrator. It is the duty of the principal of a public elementary or secondary school, or his or her designee, and the chief administrative officer of a private elementary or secondary school or a public or private community college, college, or university, or his or her designee, to report to the Department of State Police when a student is determined to pose a clear and present danger to himself, herself, or to others, within 24 hours of the determination as

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provided in Section 6-103.3 of the Mental Health and Developmental Disabilities Code. "Clear and present danger" has the meaning as provided in paragraph (2) of the definition of "clear and present danger" in Section 1.1 of the Firearm Owners Identification Card Act.

Section 110. Immunity. A principal or chief administrative officer, or the designee of a principal or chief administrative officer, making the determination and reporting under Section 105 of this Law shall not be held criminally, civilly, or professionally liable, except for willful or wanton misconduct.

Section 115. The Open Meetings Act is amended by changing Section 2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42)
Sec. 2. Open meetings.
(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

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(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the
law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

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(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) Confidential information, when discussed by one or more members of an elder abuse fatality review team, designated under Section 15 of the Elder Abuse and Neglect Act, while participating in a review conducted by that team of the death of an elderly person in which abuse or neglect is suspected, alleged, or substantiated; provided that before the review team holds a closed meeting, or closes an open meeting, to discuss the confidential information, each participating review team member seeking to disclose the confidential information in the closed meeting or closed portion of the meeting must state on the record during an open meeting or the open portion of a meeting the nature of the information to be disclosed and the legal basis for otherwise holding that information confidential.

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not
include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

(Source: P.A. 96-1235, eff. 1-1-11; 96-1378, eff. 7-29-10; 96-1428, eff. 8-11-10; 97-318, eff. 1-1-12; 97-333, eff. 8-12-11; 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876, eff. 8-1-12.)

Section 120. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

Sec. 7.5. Statutory Exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

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(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

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(q) Information prohibited from being disclosed by the Personnel Records Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Accountability and Portability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11; 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13.)

Section 122. The Secretary of State Act is amended by adding Section 13.5 as follows:

(15 ILCS 305/13.5 new)
Sec. 13.5. Department of State Police access to driver's license and identification card photographs.

The Secretary of State shall allow the Department of State Police to access the driver's license or Illinois Identification card photograph, if available, of an applicant for a firearm concealed carry license under the Firearm Concealed Carry Act for the purpose of identifying the firearm concealed carry license applicant and issuing a license to the applicant.

Section 125. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-300 and by adding Section 2605-595 as follows:

(20 ILCS 2605/2605-300) (was 20 ILCS 2605/55a in part)

Sec. 2605-300. Records; crime laboratories; personnel. To do the following:

1. Be a central repository and custodian of criminal statistics for the State.
2. Be a central repository for criminal history record information.
3. Procure and file for record information that is necessary and helpful to plan programs of crime prevention, law enforcement, and criminal justice.
4. Procure and file for record copies of fingerprints that may be required by law.
5. Establish general and field crime laboratories.
6. Register and file for record information that may be required by law for the issuance of firearm owner's identification cards under the Firearm Owners Identification Card Act and concealed carry licenses under the Firearm Concealed Carry Act.
7. Employ polygraph operators, laboratory technicians, and other specially qualified persons to aid in the identification of criminal activity.
8. Undertake other identification, information, laboratory, statistical, or registration activities that may be required by law.

(Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372, eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793, eff. 8-14-98; 91-239, eff. 1-1-00.)

(20 ILCS 2605/2605-595 new)

Sec. 2605-595. State Police Firearm Services Fund.

(a) There is created in the State treasury a special fund known as the State Police Firearm Services Fund. The Fund shall receive revenue

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under the Firearm Concealed Carry Act and Section 5 of the Firearm Owners Identification Card Act. The Fund may also receive revenue from grants, pass-through grants, donations, appropriations, and any other legal source.

(b) The Department of State Police may use moneys in the Fund to finance any of its lawful purposes, mandates, functions, and duties under the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act, including the cost of sending notices of expiration of Firearm Owner's Identification Cards, concealed carry licenses, the prompt and efficient processing of applications under the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act, the improved efficiency and reporting of the LEADS and federal NICS law enforcement data systems, and support for investigations required under these Acts and law. Any surplus funds beyond what is needed to comply with the aforementioned purposes shall be used by the Department to improve the Law Enforcement Agencies Data System (LEADS) and criminal history background check system.

(c) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

Section 130. The State Finance Act is amended by adding Sections 5.826, 5.827, and 6z-98 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Mental Health Reporting Fund.

(30 ILCS 105/5.827 new)
Sec. 5.827. The State Police Firearm Services Fund.

(30 ILCS 105/6z-98 new)
Sec. 6z-98. The Mental Health Reporting Fund.

(a) There is created in the State treasury a special fund known as the Mental Health Reporting Fund. The Fund shall receive revenue under the Firearm Concealed Carry Act. The Fund may also receive revenue from grants, pass-through grants, donations, appropriations, and any other legal source.

(b) The Department of State Police and Department of Human Services shall coordinate to use moneys in the Fund to finance their respective duties of collecting and reporting data on mental health records and ensuring that mental health firearm possession prohibitors are enforced as set forth under the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act. Any surplus in the Fund beyond
what is necessary to ensure compliance with mental health reporting under these Acts shall be used by the Department of Human Services for mental health treatment programs.

c) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(30 ILCS 105/5.206 rep.)

Section 135. The State Finance Act is amended by repealing Section 5.206.

Section 140. The Illinois Explosives Act is amended by changing Section 2005 as follows:

(225 ILCS 210/2005) (from Ch. 96 1/2, par. 1-2005)


(a) No person shall qualify to hold a license who:

(1) is under 21 years of age;

(2) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(3) is under indictment for a crime punishable by imprisonment for a term exceeding one year;

(4) is a fugitive from justice;

(5) is an unlawful user of or addicted to any controlled substance as defined in Section 102 of the federal Controlled Substances Act (21 U.S.C. Sec. 802 et seq.);

(6) has been adjudicated a mentally disabled person as defined in Section 1.1 of the Firearm Owners Identification Card Act; or

(7) is not a legal citizen of the United States.

(b) A person who has been granted a "relief from disabilities" regarding criminal convictions and indictments, pursuant to the federal Safe Explosives Act (18 U.S.C. Sec. 845) may receive a license provided all other qualifications under this Act are met.

(Source: P.A. 96-1194, eff. 1-1-11.)

Section 142. The Liquor Control Act of 1934 is amended by changing Section 10-1 as follows:

(235 ILCS 5/10-1) (from Ch. 43, par. 183)

Sec. 10-1. Violations; penalties. Whereas a substantial threat to the sound and careful control, regulation, and taxation of the manufacture, sale, and distribution of alcoholic liquors exists by virtue of individuals who manufacture, import, distribute, or sell alcoholic liquors within the

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State without having first obtained a valid license to do so, and whereas such threat is especially serious along the borders of this State, and whereas such threat requires immediate correction by this Act, by active investigation and prosecution by law enforcement officials and prosecutors, and by prompt and strict enforcement through the courts of this State to punish violators and to deter such conduct in the future:

(a) Any person who manufactures, imports for distribution or use, or distributes or sells alcoholic liquor at any place within the State without having first obtained a valid license to do so under the provisions of this Act shall be guilty of a business offense and fined not more than $1,000 for the first such offense and shall be guilty of a Class 4 felony for each subsequent offense.

(b) (1) Any retailer, licensed in this State, who knowingly causes to furnish, give, sell, or otherwise being within the State, any alcoholic liquor destined to be used, distributed, consumed or sold in another state, unless such alcoholic liquor was received in this State by a duly licensed distributor, or importing distributors shall have his license suspended for 7 days for the first offense and for the second offense, shall have his license revoked by the Commission.

(2) In the event the Commission receives a certified copy of a final order from a foreign jurisdiction that an Illinois retail licensee has been found to have violated that foreign jurisdiction's laws, rules, or regulations concerning the importation of alcoholic liquor into that foreign jurisdiction, the violation may be grounds for the Commission to revoke, suspend, or refuse to issue or renew a license, to impose a fine, or to take any additional action provided by this Act with respect to the Illinois retail license or licensee. Any such action on the part of the Commission shall be in accordance with this Act and implementing rules.

For the purposes of paragraph (2): (i) "foreign jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, and (ii) "final order" means an order or judgment of a court or administrative body that determines the rights of the parties respecting the subject matter of the proceeding, that remains in full force and effect, and from which no appeal can be taken.

(c) Any person who shall make any false statement or otherwise violates any of the provisions of this Act in obtaining any license hereunder, or who having obtained a license hereunder shall violate any of the provisions of this Act with respect to the manufacture, possession,
distribution or sale of alcoholic liquor, or with respect to the maintenance of the licensed premises, or shall violate any other provision of this Act, shall for a first offense be guilty of a petty offense and fined not more than $500, and for a second or subsequent offense shall be guilty of a Class B misdemeanor.

(c-5) Any owner of an establishment that serves alcohol on its premises, if more than 50% of the establishment's gross receipts within the prior 3 months is from the sale of alcohol, who knowingly fails to prohibit concealed firearms on its premises or who knowingly makes a false statement or record to avoid the prohibition of concealed firearms on its premises under the Firearm Concealed Carry Act shall be guilty of a business offense with a fine up to $5,000.

(d) Each day any person engages in business as a manufacturer, foreign importer, importing distributor, distributor or retailer in violation of the provisions of this Act shall constitute a separate offense.

(e) Any person, under the age of 21 years who, for the purpose of buying, accepting or receiving alcoholic liquor from a licensee, represents that he is 21 years of age or over shall be guilty of a Class A misdemeanor.

(f) In addition to the penalties herein provided, any person licensed as a wine-maker in either class who manufactures more wine than authorized by his license shall be guilty of a business offense and shall be fined $1 for each gallon so manufactured.

(g) A person shall be exempt from prosecution for a violation of this Act if he is a peace officer in the enforcement of the criminal laws and such activity is approved in writing by one of the following:

(1) In all counties, the respective State's Attorney;

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(3) In cities over 1,000,000, the Superintendent of Police.

(Source: P.A. 90-739, eff. 8-13-98; 91-239, eff. 1-1-00.)

Section 145. The Mental Health and Developmental Disabilities Code is amended by changing Section 6-103.1 and by adding Sections 6-103.2 and 6-103.3 as follows:

(405 ILCS 5/6-103.1)

Sec. 6-103.1. Adjudication as a mentally disabled person mental defective.

When a person has been adjudicated as a mentally disabled person mental defective as defined in Section 1.1 of the Firearm Owners Identification Card Act, including, but not limited to, an adjudication as a disabled person as defined in Section 11a-2 of the Probate Act of 1975, the court shall direct the circuit court clerk to immediately notify the Department of State Police, Firearm Owner's Identification (FOID) Office, in a form and manner prescribed by the Department of State Police, and shall forward a copy of the court order to the Department no later than 7 days after the entry of the order. Upon receipt of the order, the Department of State Police shall provide notification to the National Instant Criminal Background Check System.

(Source: P.A. 97-1131, eff. 1-1-13.)

(405 ILCS 5/6-103.2 new)

Sec. 6-103.2. Developmental disability; notice.

For purposes of this Section, if a person is determined to be developmentally disabled as defined in Section 1.1 of the Firearm Owners Identification Card Act by a physician, clinical psychologist, or qualified examiner, whether practicing at a public or by a private mental health facility or developmental disability facility, the physician, clinical psychologist, or qualified examiner shall notify the Department of Human Services within 24 hours of making the determination that the person has a developmental disability. The Department of Human Services shall immediately update its records and information relating to mental health and developmental disabilities, and if appropriate, shall notify the Department of State Police in a form and manner prescribed by the Department of State Police. Information disclosed under this Section shall

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remains privileged and confidential, and shall not be redisclosed, except as required under subsection (e) of Section 3.1 of the Firearm Owners Identification Card Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond that which is necessary for the purpose of this Section and shall be provided by rule by the Department of Human Services. The identity of the person reporting under this Section shall not be disclosed to the subject of the report.

The physician, clinical psychologist, or qualified examiner making the determination and his or her employer may not be held criminally, civilly, or professionally liable for making or not making the notification required under this Section, except for willful or wanton misconduct.

(405 ILCS 5/6-103.3 new)
Sec. 6-103.3. Clear and present danger; notice.
If a person is determined to pose a clear and present danger to himself, herself, or to others by a physician, clinical psychologist, or qualified examiner, whether employed by the State, by any public or private mental health facility or part thereof, or by a law enforcement official or a school administrator, then the physician, clinical psychologist, qualified examiner shall notify the Department of Human Services and a law enforcement official or school administrator shall notify the Department of State Police, within 24 hours of making the determination that the person poses a clear and present danger. The Department of Human Services shall immediately update its records and information relating to mental health and developmental disabilities, and if appropriate, shall notify the Department of State Police in a form and manner prescribed by the Department of State Police. Information disclosed under this Section shall remain privileged and confidential, and shall not be redisclosed, except as required under subsection (e) of Section 3.1 of the Firearm Owners Identification Card Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond that which is necessary for the purpose of this Section and shall be provided by rule by the Department of Human Services. The identity of the person reporting under this Section shall not be disclosed to the subject of the report. The physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator making the determination and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this Section, except for willful or...
wanton misconduct. This Section does not apply to a law enforcement official, if making the notification under this Section will interfere with an ongoing or pending criminal investigation.

For the purposes of this Section:

"Clear and present danger" has the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act.

"School administrator" means the person required to report under the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

Section 150. The Firearm Owners Identification Card Act is amended by changing Sections 1.1, 3.1, 4, 5, 8, 8.1, 9, 10, 13.1, and 13.2 and by adding Sections 5.1 and 9.5 as follows:

(430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)
(Text of Section before amendment by P.A. 97-1167)

Sec. 1.1. For purposes of this Act:

"Addicted to narcotics" means a person who has been:

(1) convicted of an offense involving the use or possession of cannabis, a controlled substance, or methamphetamine within the past year; or

(2) determined by the Department of State Police to be addicted to narcotics based upon federal law or federal guidelines.

"Addicted to narcotics" does not include possession or use of a prescribed controlled substance under the direction and authority of a physician or other person authorized to prescribe the controlled substance when the controlled substance is used in the prescribed manner.

"Adjudicated as a mentally disabled person" means the person is the subject of a determination by a court, board, commission or other lawful authority that the person, as a result of marked subnormal intelligence, or mental illness, mental impairment, incompetency, condition, or disease:

(1) presents a clear and present danger to himself, herself, or to others;

(2) lacks the mental capacity to manage his or her own affairs or is adjudicated a disabled person as defined in Section 11a-2 of the Probate Act of 1975;

(3) is not guilty in a criminal case by reason of insanity, mental disease or defect;

(3.5) is guilty but mentally ill, as provided in Section 5-2-6 of the Unified Code of Corrections;

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(4) is incompetent to stand trial in a criminal case;
(5) is not guilty by reason of lack of mental responsibility under Articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 876b;
(6) is a sexually violent person under subsection (f) of Section 5 of the Sexually Violent Persons Commitment Act;
(7) has been found to be a sexually dangerous person under the Sexually Dangerous Persons Act;
(8) is unfit to stand trial under the Juvenile Court Act of 1987;
(9) is not guilty by reason of insanity under the Juvenile Court Act of 1987;
(10) is subject to involuntary admission as an inpatient as defined in Section 1-119 of the Mental Health and Developmental Disabilities Code;
(11) is subject to involuntary admission as an outpatient as defined in Section 1-119.1 of the Mental Health and Developmental Disabilities Code;
(12) is subject to judicial admission as set forth in Section 4-500 of the Mental Health and Developmental Disabilities Code; or
(13) is subject to the provisions of the Interstate Agreements on Sexually Dangerous Persons Act.

"Clear and present danger" means a person who:
(1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or
(2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

"Clinical psychologist" has the meaning provided in Section 1-103 of the Mental Health and Developmental Disabilities Code.
"Controlled substance" means a controlled substance or controlled substance analog as defined in the Illinois Controlled Substances Act.

New matter indicated in italics - deletions by strikeout
"Counterfeit" means to copy or imitate, without legal authority, with intent to deceive.

"Developmentally disabled" means a disability which is attributable to any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by intellectually disabled persons. The disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial handicap.

"Federally licensed firearm dealer" means a person who is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

1. any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;

1.1 any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;

2. any device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;

3. any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and

4. an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

1. any ammunition exclusively designed for use with a device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; and

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(2) any ammunition designed exclusively for use with a
stud or rivet driver or other similar industrial ammunition.
"Gun show" means an event or function:
(1) at which the sale and transfer of firearms is the regular
and normal course of business and where 50 or more firearms are
displayed, offered, or exhibited for sale, transfer, or exchange; or
(2) at which not less than 10 gun show vendors display,
offer, or exhibit for sale, sell, transfer, or exchange firearms.
"Gun show" includes the entire premises provided for an event or
function, including parking areas for the event or function, that is
sponsored to facilitate the purchase, sale, transfer, or exchange of firearms
as described in this Section.
"Gun show" does not include training or safety classes, competitive
shooting events, such as rifle, shotgun, or handgun matches, trap, skeet, or
sporting clays shoots, dinners, banquets, raffles, or any other event where
the sale or transfer of firearms is not the primary course of business.
"Gun show promoter" means a person who organizes or operates a
gun show.
"Gun show vendor" means a person who exhibits, sells, offers for
sale, transfers, or exchanges any firearms at a gun show, regardless of
whether the person arranges with a gun show promoter for a fixed location
from which to exhibit, sell, offer for sale, transfer, or exchange any
firearm.
"Intellectually disabled" means significantly subaverage general
intellectual functioning which exists concurrently with impairment in
adaptive behavior and which originates before the age of 18 years.
"Involuntarily admitted" has the meaning as prescribed in Sections
1-119 and 1-119.1 of the Mental Health and Developmental Disabilities
Code.
"Mental health facility" means any licensed private hospital or
hospital affiliate, institution, or facility, or part thereof, and any facility,
or part thereof, operated by the State or a political subdivision thereof
which provide treatment of persons with mental illness and includes all
hospitals, institutions, clinics, evaluation facilities, mental health centers,
colleges, universities, long-term care facilities, and nursing homes, or
parts thereof, which provide treatment of persons with mental illness
whether or not the primary purpose is to provide treatment of persons with
mental illness.
"Patient" means:

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(1) a person who voluntarily receives mental health treatment as an in-patient or resident of any public or private mental health facility, unless the treatment was solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness; or

(2) a person who voluntarily receives mental health treatment as an out-patient or is provided services by a public or private mental health facility, and who poses a clear and present danger to himself, herself, or to others.

"Physician" has the meaning as defined in Section 1-120 of the Mental Health and Developmental Disabilities Code.

"Qualified examiner" has the meaning provided in Section 1-122 of the Mental Health and Developmental Disabilities Code.

"Sanctioned competitive shooting event" means a shooting contest officially recognized by a national or state shooting sport association, and includes any sight-in or practice conducted in conjunction with the event.

"School administrator" means the person required to report under the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

"Stun gun or taser" has the meaning ascribed to it in Section 24-10 of the Criminal Code of 2012.

(Source: P.A. 97-776, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Sec. 1.1. For purposes of this Act:

"Addicted to narcotics" means a person who has been:

(1) convicted of an offense involving the use or possession of cannabis, a controlled substance, or methamphetamine within the past year; or

(2) determined by the Department of State Police to be addicted to narcotics based upon federal law or federal guidelines.

"Addicted to narcotics" does not include possession or use of a prescribed controlled substance under the direction and authority of a physician or other person authorized to prescribe the controlled substance when the controlled substance is used in the prescribed manner.

"Adjudicated as a mentally disabled person" means the person is the subject of a determination by a court, board, commission or other lawful authority that the person, as a result of marked subnormal intelligence, or mental illness, mental impairment, incompetency, condition, or disease:

New matter indicated in italics - deletions by strikeout
(1) presents a clear and present danger to himself, herself, or to others;
(2) lacks the mental capacity to manage his or her own affairs or is adjudicated a disabled person as defined in Section 11a-2 of the Probate Act of 1975;
(3) is not guilty in a criminal case by reason of insanity, mental disease or defect;
(3.5) is guilty but mentally ill, as provided in Section 5-2-6 of the Unified Code of Corrections;
(4) is incompetent to stand trial in a criminal case;
(5) is not guilty by reason of lack of mental responsibility under pursuant to Articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 876b;
(6) is a sexually violent person under subsection (f) of Section 5 of the Sexually Violent Persons Commitment Act;
(7) is a sexually dangerous person under the Sexually Dangerous Persons Act;
(8) is unfit to stand trial under the Juvenile Court Act of 1987;
(9) is not guilty by reason of insanity under the Juvenile Court Act of 1987;
(10) is subject to involuntary admission as an inpatient as defined in Section 1-119 of the Mental Health and Developmental Disabilities Code;
(11) is subject to involuntary admission as an outpatient as defined in Section 1-119.1 of the Mental Health and Developmental Disabilities Code;
(12) is subject to judicial admission as set forth in Section 4-500 of the Mental Health and Developmental Disabilities Code; or
(13) is subject to the provisions of the Interstate Agreements on Sexually Dangerous Persons Act.
"Clear and present danger" means a person who:
(1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or

New matter indicated in italics - deletions by strikeout
(2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

"Clinical psychologist" has the meaning provided in Section 1-103 of the Mental Health and Developmental Disabilities Code.

"Controlled substance" means a controlled substance or controlled substance analog as defined in the Illinois Controlled Substances Act.

"Counterfeit" means to copy or imitate, without legal authority, with intent to deceive.

"Developmentally disabled" means a disability which is attributable to any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by intellectually disabled persons. The disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial handicap.

"Federally licensed firearm dealer" means a person who is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

(1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;

(1.1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;

(2) any device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;

(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and

(4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and

New matter indicated in italics - deletions by strikeout
other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

(1) any ammunition exclusively designed for use with a device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; and

(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

"Gun show" means an event or function:

(1) at which the sale and transfer of firearms is the regular and normal course of business and where 50 or more firearms are displayed, offered, or exhibited for sale, transfer, or exchange; or

(2) at which not less than 10 gun show vendors display, offer, or exhibit for sale, sell, transfer, or exchange firearms.

"Gun show" includes the entire premises provided for an event or function, including parking areas for the event or function, that is sponsored to facilitate the purchase, sale, transfer, or exchange of firearms as described in this Section.

"Gun show" does not include training or safety classes, competitive shooting events, such as rifle, shotgun, or handgun matches, trap, skeet, or sporting clays shoots, dinners, banquets, raffles, or any other event where the sale or transfer of firearms is not the primary course of business.

"Gun show promoter" means a person who organizes or operates a gun show.

"Gun show vendor" means a person who exhibits, sells, offers for sale, transfers, or exchanges any firearms at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

"Intellectually disabled" means significantly subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years.

"Involuntarily admitted" has the meaning as prescribed in Sections 1-119 and 1-119.1 of the Mental Health and Developmental Disabilities Code.
"Mental health facility institution" means any licensed private hospital or hospital affiliate, institution, or facility, or part thereof, and any facility, or part thereof, operated by the State or a political subdivision thereof which provides clinic, evaluation facility, mental health center, or part thereof, which is used primarily for the care or treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, mental health centers, colleges, universities, long-term care facilities, and nursing homes, or parts thereof, which provide treatment of persons with mental illness whether or not the primary purpose is to provide treatment of persons with mental illness.

"Patient" means:

(1) a person who voluntarily receives mental health treatment as an in-patient or resident of any public or private mental health facility, unless the treatment was solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness; or

(2) a person who voluntarily receives mental health treatment as an out-patient or is provided services by a public or private mental health facility, and who poses a clear and present danger to himself, herself, or to others.

"Physician" has the meaning as defined in Section 1-120 of the Mental Health and Developmental Disabilities Code.

"Qualified examiner" has the meaning provided in Section 1-122 of the Mental Health and Developmental Disabilities Code.

"Patient in a mental institution" means the person was admitted, either voluntarily or involuntarily, to a mental institution for mental health treatment, unless the treatment was voluntary and solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness.

"Sanctioned competitive shooting event" means a shooting contest officially recognized by a national or state shooting sport association, and includes any sight-in or practice conducted in conjunction with the event.

"School administrator" means the person required to report under the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

"Stun gun or taser" has the meaning ascribed to it in Section 24-1 of the Criminal Code of 2012.

(Source: P.A. 97-776, eff. 7-13-12; 97-1150, eff. 1-25-13; 97-1167, eff. 6-1-13.)
Sec. 3.1. Dial up system.

(a) The Department of State Police shall provide a dial up telephone system or utilize other existing technology which shall be used by any federally licensed firearm dealer, gun show promoter, or gun show vendor who is to transfer a firearm, stun gun, or taser under the provisions of this Act. The Department of State Police may utilize existing technology which allows the caller to be charged a fee not to exceed $2. Fees collected by the Department of State Police shall be deposited in the State Police Services Fund and used to provide the service.

(b) Upon receiving a request from a federally licensed firearm dealer, gun show promoter, or gun show vendor, the Department of State Police shall immediately approve, or within the time period established by Section 24-3 of the Criminal Code of 2012 regarding the delivery of firearms, stun guns, and tasers notify the inquiring dealer, gun show promoter, or gun show vendor of any objection that would disqualify the transferee from acquiring or possessing a firearm, stun gun, or taser. In conducting the inquiry, the Department of State Police shall initiate and complete an automated search of its criminal history record information files and those of the Federal Bureau of Investigation, including the National Instant Criminal Background Check System, and of the files of the Department of Human Services relating to mental health and developmental disabilities to obtain any felony conviction or patient hospitalization information which would disqualify a person from obtaining or require revocation of a currently valid Firearm Owner's Identification Card.

(c) If receipt of a firearm would not violate Section 24-3 of the Criminal Code of 2012, federal law, or this Act the Department of State Police shall:

(1) assign a unique identification number to the transfer; and

(2) provide the licensee, gun show promoter, or gun show vendor with the number.

(d) Approvals issued by the Department of State Police for the purchase of a firearm are valid for 30 days from the date of issue.

(e) (1) The Department of State Police must act as the Illinois Point of Contact for the National Instant Criminal Background Check System.

(2) The Department of State Police and the Department of Human Services shall, in accordance with State and federal law regarding

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confidentiality, enter into a memorandum of understanding with the Federal Bureau of Investigation for the purpose of implementing the National Instant Criminal Background Check System in the State. The Department of State Police shall report the name, date of birth, and physical description of any person prohibited from possessing a firearm pursuant to the Firearm Owners Identification Card Act or 18 U.S.C. 922(g) and (n) to the National Instant Criminal Background Check System Index, Denied Persons Files.

(3) The Department of State Police shall provide notice of the disqualification of a person under subsection (b) of this Section or the revocation of a person's Firearm Owner's Identification Card under Section 8 of this Act, and the reason for the disqualification or revocation, to all law enforcement agencies with jurisdiction to assist with the seizure of the person's Firearm Owner's Identification Card.

(f) The Department of State Police shall adopt promulgate rules not inconsistent with this Section to implement this system.

(Source: P.A. 97-1150, eff. 1-25-13.)

(430 ILCS 65/4) (from Ch. 38, par. 83-4)

Sec. 4. (a) Each applicant for a Firearm Owner's Identification Card must:

(1) Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police, or by electronic means, if and when made available by the Department of State Police; and

(2) Submit evidence to the Department of State Police that:

(i) He or she is 21 years of age or over, or if he or she is under 21 years of age that he or she has the written consent of his or her parent or legal guardian to possess and acquire firearms and firearm ammunition and that he or she has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he or she is not an individual prohibited from having a Card;

(ii) He or she has not been convicted of a felony under the laws of this or any other jurisdiction;

New matter indicated in italics - deletions by strikeout
(iii) He or she is not addicted to narcotics;
(iv) He or she has not been a patient in a mental health facility within the past 5 years or, if he or she has been a patient in a mental health facility more than 5 years ago submit the certification required under subsection (u) of Section 8 of this Act and he or she has not been adjudicated as a mental defective;
(v) He or she is not intellectually disabled;
(vi) He or she is not an alien who is unlawfully present in the United States under the laws of the United States;
(vii) He or she is not subject to an existing order of protection prohibiting him or her from possessing a firearm;
(viii) He or she has not been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;
(ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant knowingly and intelligently waives the right to have an offense described in this clause (ix) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying the issuance of a Firearm Owner's Identification Card under this Section;
(x) (Blank);
(xi) He or she is not an alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), or that he or

New matter indicated in italics - deletions by strikeout
she is an alien who has been lawfully admitted to the
United States under a non-immigrant visa if that alien is:
(1) admitted to the United States for lawful
hunting or sporting purposes;
(2) an official representative of a foreign
government who is:
   (A) accredited to the United States
   Government or the Government's mission to
   an international organization having its
   headquarters in the United States; or
   (B) en route to or from another
country to which that alien is accredited;
(3) an official of a foreign government or
distinguished foreign visitor who has been so
designated by the Department of State;
(4) a foreign law enforcement officer of a
friendly foreign government entering the United
States on official business; or
(5) one who has received a waiver from the
Attorney General of the United States pursuant to
18 U.S.C. 922(y)(3);
(xii) He or she is not a minor subject to a petition
filed under Section 5-520 of the Juvenile Court Act of 1987
alleging that the minor is a delinquent minor for the
commission of an offense that if committed by an adult
would be a felony;
(xiii) He or she is not an adult who had been
adjudicated a delinquent minor under the Juvenile Court
Act of 1987 for the commission of an offense that if
committed by an adult would be a felony; and
(xiv) He or she is a resident of the State of Illinois;
and
(xv) He or she has not been adjudicated as a
mentally disabled person;
(xvi) He or she has not been involuntarily admitted
into a mental health facility; and
(xvii) He or she is not developmentally disabled;
and

New matter indicated in italics - deletions by strikeout
(3) Upon request by the Department of State Police, sign a release on a form prescribed by the Department of State Police waiving any right to confidentiality and requesting the disclosure to the Department of State Police of limited mental health institution admission information from another state, the District of Columbia, any other territory of the United States, or a foreign nation concerning the applicant for the sole purpose of determining whether the applicant is or was a patient in a mental health institution and disqualified because of that status from receiving a Firearm Owner's Identification Card. No mental health care or treatment records may be requested. The information received shall be destroyed within one year of receipt.

(a-5) Each applicant for a Firearm Owner's Identification Card who is over the age of 18 shall furnish to the Department of State Police either his or her Illinois driver's license number or Illinois Identification Card number, except as provided in subsection (a-10).

(a-10) Each applicant for a Firearm Owner's Identification Card, who is employed as a law enforcement officer, an armed security officer in Illinois, or by the United States Military permanently assigned in Illinois and who is not an Illinois resident, shall furnish to the Department of State Police his or her driver's license number or state identification card number from his or her state of residence. The Department of State Police may adopt promulgate rules to enforce the provisions of this subsection (a-10).

(a-15) If an applicant applying for a Firearm Owner's Identification Card moves from the residence address named in the application, he or she shall immediately notify in a form and manner prescribed by the Department of State Police of that change of address.

(b) Each application form shall include the following statement printed in bold type: "Warning: Entering false information on an
application for a Firearm Owner's Identification Card is punishable as a Class 2 felony in accordance with subsection (d-5) of Section 14 of the Firearm Owners Identification Card Act.

(c) Upon such written consent, pursuant to Section 4, paragraph (a)(2)(i), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.

(Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13.)

(Text of Section after amendment by P.A. 97-1167)

Sec. 4. (a) Each applicant for a Firearm Owner's Identification Card must:

(1) Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police, or by electronic means, if and when made available by the Department of State Police; and

(2) Submit evidence to the Department of State Police that:

(i) He or she is 21 years of age or over, or if he or she is under 21 years of age that he or she has the written consent of his or her parent or legal guardian to possess and acquire firearms and firearm ammunition and that he or she has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he or she is not an individual prohibited from having a Card;

(ii) He or she has not been convicted of a felony under the laws of this or any other jurisdiction;

(iii) He or she is not addicted to narcotics;

(iv) He or she has not been a patient in a mental health facility within the past 5 years or, if he or she has been a patient in a mental health facility more than 5 years ago submit the certification required under subsection (u) of Section 8 of this Act;

(v) He or she is not intellectually disabled;

New matter indicated in italics - deletions by strikeout
(vi) He or she is not an alien who is unlawfully present in the United States under the laws of the United States;

(vii) He or she is not subject to an existing order of protection prohibiting him or her from possessing a firearm;

(viii) He or she has not been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant knowingly and intelligently waives the right to have an offense described in this clause (ix) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying the issuance of a Firearm Owner's Identification Card under this Section;

(x) (Blank);

(xi) He or she is not an alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)), or that he or she is an alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to

New matter indicated in italics - deletions by strikeout
an international organization having its headquarters in the United States; or

(B) en route to or from another
country to which that alien is accredited;

(3) an official of a foreign government or
distinguished foreign visitor who has been so
designated by the Department of State;

(4) a foreign law enforcement officer of a
friendly foreign government entering the United
States on official business; or

(5) one who has received a waiver from the
Attorney General of the United States pursuant to
18 U.S.C. 922(y)(3);

(xii) He or she is not a minor subject to a petition
filed under Section 5-520 of the Juvenile Court Act of 1987
alleging that the minor is a delinquent minor for the
commission of an offense that if committed by an adult
would be a felony;

(xiii) He or she is not an adult who had been
adjudicated a delinquent minor under the Juvenile Court
Act of 1987 for the commission of an offense that if
committed by an adult would be a felony;

(xiv) He or she is a resident of the State of Illinois;

and

(xv) He or she has not been adjudicated as a
mentally disabled person; and

(xvi) He or she has not been involuntarily admitted
into a mental health facility; and

(xvii) He or she is not developmentally disabled;

and

(3) Upon request by the Department of State Police, sign a
release on a form prescribed by the Department of State Police
waiving any right to confidentiality and requesting the disclosure to
the Department of State Police of limited mental health institution
admission information from another state, the District of
Columbia, any other territory of the United States, or a foreign
nation concerning the applicant for the sole purpose of determining
whether the applicant is or was a patient in a mental health
institution and disqualified because of that status from receiving a

New matter indicated in italics - deletions by strikeout
Firearm Owner's Identification Card. No mental health care or treatment records may be requested. The information received shall be destroyed within one year of receipt.

(a-5) Each applicant for a Firearm Owner's Identification Card who is over the age of 18 shall furnish to the Department of State Police either his or her Illinois driver's license number or Illinois Identification Card number, except as provided in subsection (a-10).

(a-10) Each applicant for a Firearm Owner's Identification Card, who is employed as a law enforcement officer, an armed security officer in Illinois, or by the United States Military permanently assigned in Illinois and who is not an Illinois resident, shall furnish to the Department of State Police his or her driver's license number or state identification card number from his or her state of residence. The Department of State Police may adopt promulgate rules to enforce the provisions of this subsection (a-10).

(a-15) If an applicant applying for a Firearm Owner's Identification Card moves from the residence address named in the application, he or she shall immediately notify in a form and manner prescribed by the Department of State Police of that change of address.

(a-20) Each applicant for a Firearm Owner's Identification Card shall furnish to the Department of State Police his or her photograph. An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement must furnish with the application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. In lieu of a photograph, an applicant regardless of age seeking a religious exemption to the photograph requirement shall submit fingerprints on a form and manner prescribed by the Department with his or her application.

(b) Each application form shall include the following statement printed in bold type: "Warning: Entering false information on an application for a Firearm Owner's Identification Card is punishable as a Class 2 felony in accordance with subsection (d-5) of Section 14 of the Firearm Owners Identification Card Act."

(c) Upon such written consent, pursuant to Section 4, paragraph (a)(2)(i), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.

(Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13; 97-1167, eff. 6-1-13.)

New matter indicated in italics - deletions by strikeout
(430 ILCS 65/5) (from Ch. 38, par. 83-5)

Sec. 5. The Department of State Police shall either approve or deny all applications within 30 days from the date they are received, and every applicant found qualified under pursuant to Section 8 of this Act by the Department shall be entitled to a Firearm Owner's Identification Card upon the payment of a $10 fee. Any applicant who is an active duty member of the Armed Forces of the United States, a member of the Illinois National Guard, or a member of the Reserve Forces of the United States is exempt from the application fee. $6 of each fee derived from the issuance of Firearm Owner's Identification Cards, or renewals thereof, shall be deposited in the Wildlife and Fish Fund in the State Treasury; $1 of the such fee shall be deposited in the State Police Services Fund and $3 of the such fee shall be deposited in the State Police Firearm Services Fund. Firearm Owner's Notification Fund. Monies in the Firearm Owner's Notification Fund shall be used exclusively to pay for the cost of sending notices of expiration of Firearm Owner's Identification Cards under Section 13.2 of this Act. Excess monies in the Firearm Owner's Notification Fund shall be used to ensure the prompt and efficient processing of applications received under Section 4 of this Act.

(Source: P.A. 95-581, eff. 6-1-08; 96-91, eff. 7-27-09.)

(430 ILCS 65/5.1 new)

Sec. 5.1. State Police Firearm Services Fund. All moneys remaining in the Firearm Owner's Notification Fund on the effective date of this amendatory Act of the 98th General Assembly shall be transferred into the State Police Firearm Services Fund, a special fund created in the State treasury, to be expended by the Department of State Police, for the purposes specified in this Act and Section 2605-595 of the Department of State Police Law of the Civil Administrative Code of Illinois.

(430 ILCS 65/8) (from Ch. 38, par. 83-8)

(Text of Section before amendment by P.A. 97-1167)

Sec. 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and

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firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental health facility institution within the past 5 years or a person who has been a patient in a mental health facility more than 5 years ago who has not received the certification required under subsection (u) of this Section. An active law enforcement officer employed by a unit of government who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under this subsection (e) may obtain relief as described in subsection (c-5) of Section 10 of this Act if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and the officer seeks mental health treatment or has been adjudicated as a mental defective;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

For the purposes of this Section, "mental condition" means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is intellectually disabled;

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;

(i) An alien who is unlawfully present in the United States under the laws of the United States;

(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

New matter indicated in italics - deletions by strikeout
(B) en route to or from another country to which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(j) (Blank);

(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (l) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony; or
(q) A person who is not a resident of the State of Illinois, except as provided in subsection (a-10) of Section 4; 

(r) A person who has been adjudicated as a mentally disabled person;

(s) A person who has been found to be developmentally disabled;

(t) A person involuntarily admitted into a mental health facility;

(u) A person who has had his or her Firearm Owner's Identification Card revoked or denied under subsection (e) of this Section or item (iv) of Section 4 of this Act because he or she was a patient in a mental health facility as provided in item (2) of subsection (e) of this Section, shall not be permitted to obtain a Firearm Owner's Identification Card, after the 5 year period has lapsed, unless he or she has received a mental health evaluation by a physician, clinical psychologist, or qualified examiner as those terms are defined in the Mental Health and Developmental Disabilities Code, and has received a certification that he or she is not a clear and present danger to himself, herself, or others. The physician, clinical psychologist, or qualified examiner making the certification and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the certification required under this subsection, except for willful or wanton misconduct. This subsection does not apply to a person whose firearm possession rights have been restored through administrative or judicial action under Section 10 or 11 of this Act; or

(v) Upon revocation of a person's Firearm Owner's Identification Card, the Department of State Police shall provide notice to the person and the person shall comply with Section 9.5 of this Act.

(Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13.)

(Text of Section after amendment by P.A. 97-1167)

Sec. 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent.
(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental health facility institution within the past 5 years or a person who has been a patient in a mental health facility more than 5 years ago who has not received the certification required under subsection (u) of this Section. An active law enforcement officer employed by a unit of government who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under this subsection (e) may obtain relief as described in subsection (c-5) of Section 10 of this Act if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and the officer seeks mental health treatment;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

For the purposes of this Section, “mental condition” means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is intellectually disabled;

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;

(i) An alien who is unlawfully present in the United States under the laws of the United States;

(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

New matter indicated in italics - deletions by strikeout
(B) en route to or from another country to which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(j) (Blank);

(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (l) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking and seizing a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony;
(q) A person who is not a resident of the State of Illinois, except as
provided in subsection (a-10) of Section 4; or

(r) A person who has been adjudicated as a *mentally disabled*
person; *mental defective:*

(s) A person who has been found to be developmentally disabled;

(t) A person involuntarily admitted into a mental health facility;

(u) A person who has had his or her Firearm Owner's
Identification Card revoked or denied under subsection (e) of this Section
or item (iv) of Section 4 of this Act because he or she was a patient in a
mental health facility as provided in item (2) of subsection (e) of this
Section, shall not be permitted to obtain a Firearm Owner's Identification
Card, after the 5 year period has lapsed, unless he or she has received a
mental health evaluation by a physician, clinical psychologist, or qualified
examiner as those terms are defined in the Mental Health and
Developmental Disabilities Code, and has received a certification that he
or she is not a clear and present danger to himself, herself, or others. The
physician, clinical psychologist, or qualified examiner making the
certification and his or her employer shall not be held criminally, civilly,
or professionally liable for making or not making the certification
required under this subsection, except for willful or wanton misconduct.
This subsection does not apply to a person whose firearm possession
rights have been restored through administrative or judicial action under
Section 10 or 11 of this Act; or

(v) Upon revocation of a person's Firearm Owner's Identification
Card, the Department of State Police shall provide notice to the person
and the person shall comply with Section 9.5 of this Act.

(Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227, eff. 1-1-12;
97-813, eff. 7-13-12; 97-1131, eff. 1-1-13; 97-1167, eff. 6-1-13.)

(430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

Sec. 8.1. Notifications to the Circuit Clerk to notify Department of
State Police.

(a) The Circuit Clerk shall, in the form and manner required by the
Supreme Court, notify the Department of State Police of all final
dispositions of cases for which the Department has received information
reported to it under Sections 2.1 and 2.2 of the Criminal Identification Act.

(b) Upon adjudication of any individual as a *mentally disabled*
person *mental defective:*, as defined in Section 1.1 of this Act or a finding
that a person has been involuntarily admitted or as provided in paragraph
(3.5) of subsection (e) of Section 104-26 of the Code of Criminal

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Procedure of 1963, the court shall direct the circuit court clerk to immediately notify the Department of State Police, Firearm Owner's Identification (FOID) department, and shall forward a copy of the court order to the Department.

(c) The Department of Human Services shall, in the form and manner prescribed by the Department of State Police, report all information collected under subsection (b) of Section 12 of the Mental Health and Developmental Disabilities Confidentiality Act for the purpose of determining whether a person who may be or may have been a patient in a mental health facility is disqualified under State or federal law from receiving or retaining a Firearm Owner's Identification Card, or purchasing a weapon.

(d) If a person is determined to pose a clear and present danger to himself, herself, or to others by a physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator, or is determined to be developmentally disabled by a physician, clinical psychologist, or qualified examiner, whether employed by the State or by a private mental health facility, then the physician, clinical psychologist, or qualified examiner shall, within 24 hours of making the determination, notify the Department of Human Services that the person poses a clear and present danger. The Department of Human Services shall immediately update its records and information relating to mental health and developmental disabilities, and if appropriate, shall notify the Department of State Police in a form and manner prescribed by the Department of State Police. The Department of State Police shall determine whether to revoke the person's Firearm Owner's Identification Card under Section 8 of this Act. Any information disclosed under this subsection shall remain privileged and confidential, and shall not be redisclosed, except as required under subsection (e) of Section 3.1 of this Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond what is necessary for the purpose of this Section and shall be provided by rule by the Department of Human Services. The identity of the person reporting under this Section shall not be disclosed to the subject of the report. The physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator making the determination and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this subsection, except for willful or wanton misconduct.

New matter indicated in italics - deletions by strikeout
(e) The Department of State Police shall adopt rules to implement this Section.
(Source: P.A. 97-1131, eff. 1-1-13.)

(430 ILCS 65/9) (from Ch. 38, par. 83-9)

Sec. 9. Every person whose application for a Firearm Owner's Identification Card is denied, and every holder of such a Card whose Card is revoked or seized, shall receive a written notice from the Department of State Police stating specifically the grounds upon which his application has been denied or upon which his Identification Card has been revoked. The written notice shall include the requirements of Section 9.5 of this Act and the persons' right to administrative or judicial review under Section 10 and 11 of this Act. A copy of the written notice shall be provided to the sheriff and law enforcement agency where the person resides.
(Source: P.A. 97-1131, eff. 1-1-13.)

(430 ILCS 65/9.5 new)

Sec. 9.5. Revocation of Firearm Owner's Identification Card.

(a) A person who receives a revocation notice under Section 9 of this Act shall, within 48 hours of receiving notice of the revocation:

(1) surrender his or her Firearm Owner's Identification Card to the local law enforcement agency where the person resides. The local law enforcement agency shall provide the person a receipt and transmit the Firearm Owner's Identification Card to the Department of State Police; and

(2) complete a Firearm Disposition Record on a form prescribed by the Department of State Police and place his or her firearms in the location or with the person reported in the Firearm Disposition Record. The form shall require the person to disclose:

(A) the make, model, and serial number of each firearm owned by or under the custody and control of the revoked person;

(B) the location where each firearm will be maintained during the prohibited term; and

(C) if any firearm will be transferred to the custody of another person, the name, address and Firearm Owner's Identification Card number of the transferee.

(b) The local law enforcement agency shall provide a copy of the Firearm Disposition Record to the person whose Firearm Owner's Identification Card has been revoked and to the Department of State Police.
(c) If the person whose Firearm Owner's Identification Card has been revoked fails to comply with the requirements of this Section, the sheriff or law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the Firearm Owner's Identification Card and firearms in the possession or under the custody or control of the person whose Firearm Owner's Identification Card has been revoked.

(d) A violation of subsection (a) of this Section is a Class A misdemeanor.

(e) The observation of a Firearm Owner's Identification Card in the possession of a person whose Firearm Owner's Identification Card has been revoked constitutes a sufficient basis for the arrest of that person for violation of this Section.

(f) Within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the Department of State Police shall provide written notice of the requirements of this Section to persons whose Firearm Owner's Identification Cards have been revoked, suspended, or expired and who have failed to surrender their cards to the Department.

(g) A person whose Firearm Owner's Identification Card has been revoked and who received notice under subsection (f) shall comply with the requirements of this Section within 48 hours of receiving notice.

(430 ILCS 65/10) (from Ch. 38, par. 83-10)
(Text of Section before amendment by P.A. 97-1167)

Sec. 10. Appeal to director; hearing; relief from firearm prohibitions.

(a) Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may appeal to the Director of State Police for a hearing upon such denial, revocation or seizure, unless the denial, revocation, or seizure was based upon a forcible felony, stalking, aggravated stalking, domestic battery, any violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act that is classified as a Class 2 or greater felony, any felony violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or any adjudication as a delinquent minor for the commission of an offense that if committed by an adult would be a felony, in which case the aggrieved party may
petition the circuit court in writing in the county of his or her residence for a hearing upon such denial, revocation, or seizure.

(b) At least 30 days before any hearing in the circuit court, the petitioner shall serve the relevant State's Attorney with a copy of the petition. The State's Attorney may object to the petition and present evidence. At the hearing the court shall determine whether substantial justice has been done. Should the court determine that substantial justice has not been done, the court shall issue an order directing the Department of State Police to issue a Card. However, the court shall not issue the order if the petitioner is otherwise prohibited from obtaining, possessing, or using a firearm under federal law.

(c) Any person prohibited from possessing a firearm under Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or acquiring a Firearm Owner's Identification Card under Section 8 of this Act may apply to the Director of State Police or petition the circuit court in the county where the petitioner resides, whichever is applicable in accordance with subsection (a) of this Section, requesting relief from such prohibition and the Director or court may grant such relief if it is established by the applicant to the court's or Director's satisfaction that:

(0.05) when in the circuit court, the State's Attorney has been served with a written copy of the petition at least 30 days before any such hearing in the circuit court and at the hearing the State's Attorney was afforded an opportunity to present evidence and object to the petition;

(1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction within 20 years of the applicant's application for a Firearm Owner's Identification Card, or at least 20 years have passed since the end of any period of imprisonment imposed in relation to that conviction;

(2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety;

(3) granting relief would not be contrary to the public interest; and

(4) granting relief would not be contrary to federal law.

(c-5) (1) An active law enforcement officer employed by a unit of government, who is denied, revoked, or has his or her

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Firearm Owner’s Identification Card seized under subsection (e) of Section 8 of this Act may apply to the Director of State Police requesting relief if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and as a result of his or her work is referred by the employer for or voluntarily seeks mental health evaluation or treatment by a licensed clinical psychologist, psychiatrist, or qualified examiner, and:

(A) the officer has not received treatment involuntarily at a mental health facility, regardless of the length of admission; or has not been voluntarily admitted to a mental health facility for more than 30 days and not for more than one incident within the past 5 years; and

(B) the officer has not left the mental institution against medical advice.

(2) The Director of State Police shall grant expedited relief to active law enforcement officers described in paragraph (1) of this subsection (c-5) upon a determination by the Director that the officer’s possession of a firearm does not present a threat to themselves, others, or public safety. The Director shall act on the request for relief within 30 business days of receipt of:

(A) a notarized statement from the officer in the form prescribed by the Director detailing the circumstances that led to the hospitalization;

(B) all documentation regarding the admission, evaluation, treatment and discharge from the treating licensed clinical psychologist or psychiatrist of the officer;

(C) a psychological fitness for duty evaluation of the person completed after the time of discharge; and

(D) written confirmation in the form prescribed by the Director from the treating licensed clinical psychologist or psychiatrist that the provisions set forth in paragraph (1) of this subsection (c-5) have been met, the person successfully completed treatment, and their professional opinion regarding the person's ability to possess firearms.

(3) Officers eligible for the expedited relief in paragraph (2) of this subsection (c-5) have the burden of proof on eligibility and must provide all information required. The Director may not
consider granting expedited relief until the proof and information is received.

(4) "Clinical psychologist", "psychiatrist", and "qualified examiner" shall have the same meaning as provided in Chapter 1 of the Mental Health and Developmental Disabilities Code.

(d) When a minor is adjudicated delinquent for an offense which if committed by an adult would be a felony, the court shall notify the Department of State Police.

(e) The court shall review the denial of an application or the revocation of a Firearm Owner's Identification Card of a person who has been adjudicated delinquent for an offense that if committed by an adult would be a felony if an application for relief has been filed at least 10 years after the adjudication of delinquency and the court determines that the applicant should be granted relief from disability to obtain a Firearm Owner's Identification Card. If the court grants relief, the court shall notify the Department of State Police that the disability has been removed and that the applicant is eligible to obtain a Firearm Owner's Identification Card.

(f) Any person who is subject to the disabilities of 18 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act of 1968 because of an adjudication or commitment that occurred under the laws of this State or who was determined to be subject to the provisions of subsections (e), (f), or (g) of Section 8 of this Act may apply to the Department of State Police requesting relief from that prohibition. The Director shall grant the relief if it is established by a preponderance of the evidence that the person will not be likely to act in a manner dangerous to public safety and that granting relief would not be contrary to the public interest. In making this determination, the Director shall receive evidence concerning (i) the circumstances regarding the firearms disabilities from which relief is sought; (ii) the petitioner's mental health and criminal history records, if any; (iii) the petitioner's reputation, developed at a minimum through character witness statements, testimony, or other character evidence; and (iv) changes in the petitioner's condition or circumstances since the disqualifying events relevant to the relief sought. If relief is granted under this subsection or by order of a court under this Section, the Director shall as soon as practicable but in no case later than 15 business days, update, correct, modify, or remove the person's record in any database that the Department of State Police makes available to the National Instant Criminal Background Check System and notify the United States Attorney...
Sec. 10. Appeal to director; hearing; relief from firearm prohibitions.

(a) Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may appeal to the Director of State Police for a hearing upon such denial, revocation or seizure, unless the denial, revocation, or seizure was based upon a forcible felony, stalking, aggravated stalking, domestic battery, any violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act that is classified as a Class 2 or greater felony, any felony violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or any adjudication as a delinquent minor for the commission of an offense that if committed by an adult would be a felony, in which case the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing upon such denial, revocation, or seizure.

(b) At least 30 days before any hearing in the circuit court, the petitioner shall serve the relevant State's Attorney with a copy of the petition. The State's Attorney may object to the petition and present evidence. At the hearing the court shall determine whether substantial justice has been done. Should the court determine that substantial justice has not been done, the court shall issue an order directing the Department of State Police to issue a Card. However, the court shall not issue the order if the petitioner is otherwise prohibited from obtaining, possessing, or using a firearm under federal law.

(c) Any person prohibited from possessing a firearm under Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or acquiring a Firearm Owner's Identification Card under Section 8 of this Act may apply to the Director of State Police or petition the circuit court in the county where the petitioner resides, whichever is applicable in accordance with subsection (a) of this Section, requesting relief from such prohibition and

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the Director or court may grant such relief if it is established by the applicant to the court's or Director's satisfaction that:

(0.05) when in the circuit court, the State's Attorney has been served with a written copy of the petition at least 30 days before any such hearing in the circuit court and at the hearing the State's Attorney was afforded an opportunity to present evidence and object to the petition;

(1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction within 20 years of the applicant's application for a Firearm Owner's Identification Card, or at least 20 years have passed since the end of any period of imprisonment imposed in relation to that conviction;

(2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety;

(3) granting relief would not be contrary to the public interest; and

(4) granting relief would not be contrary to federal law.

(c-5) (1) An active law enforcement officer employed by a unit of government, who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under subsection (e) of Section 8 of this Act may apply to the Director of State Police requesting relief if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and as a result of his or her work is referred by the employer for or voluntarily seeks mental health evaluation or treatment by a licensed clinical psychologist, psychiatrist, or qualified examiner, and:

(A) the officer has not received treatment involuntarily at a mental health facility institution, regardless of the length of admission; or has not been voluntarily admitted to a mental health facility institution for more than 30 days and not for more than one incident within the past 5 years; and

(B) the officer has not left the mental institution against medical advice.
(2) The Director of State Police shall grant expedited relief to active law enforcement officers described in paragraph (1) of this subsection (c-5) upon a determination by the Director that the officer's possession of a firearm does not present a threat to themselves, others, or public safety. The Director shall act on the request for relief within 30 business days of receipt of:

(A) a notarized statement from the officer in the form prescribed by the Director detailing the circumstances that led to the hospitalization;

(B) all documentation regarding the admission, evaluation, treatment and discharge from the treating licensed clinical psychologist or psychiatrist of the officer;

(C) a psychological fitness for duty evaluation of the person completed after the time of discharge; and

(D) written confirmation in the form prescribed by the Director from the treating licensed clinical psychologist or psychiatrist that the provisions set forth in paragraph (1) of this subsection (c-5) have been met, the person successfully completed treatment, and their professional opinion regarding the person's ability to possess firearms.

(3) Officers eligible for the expedited relief in paragraph (2) of this subsection (c-5) have the burden of proof on eligibility and must provide all information required. The Director may not consider granting expedited relief until the proof and information is received.

(4) "Clinical psychologist", "psychiatrist", and "qualified examiner" shall have the same meaning as provided in Chapter 1 of the Mental Health and Developmental Disabilities Code.

(d) When a minor is adjudicated delinquent for an offense which if committed by an adult would be a felony, the court shall notify the Department of State Police.

(e) The court shall review the denial of an application or the revocation of a Firearm Owner's Identification Card of a person who has been adjudicated delinquent for an offense that if committed by an adult would be a felony if an application for relief has been filed at least 10 years after the adjudication of delinquency and the court determines that the applicant should be granted relief from disability to obtain a Firearm Owner's Identification Card. If the court grants relief, the court shall notify the Department of State Police that the disability has been removed and
that the applicant is eligible to obtain a Firearm Owner's Identification Card.

(f) Any person who is subject to the disabilities of 18 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act of 1968 because of an adjudication or commitment that occurred under the laws of this State or who was determined to be subject to the provisions of subsections (e), (f), or (g) of Section 8 of this Act may apply to the Department of State Police requesting relief from that prohibition. The Director shall grant the relief if it is established by a preponderance of the evidence that the person will not be likely to act in a manner dangerous to public safety and that granting relief would not be contrary to the public interest. In making this determination, the Director shall receive evidence concerning (i) the circumstances regarding the firearms disabilities from which relief is sought; (ii) the petitioner's mental health and criminal history records, if any; (iii) the petitioner's reputation, developed at a minimum through character witness statements, testimony, or other character evidence; and (iv) changes in the petitioner's condition or circumstances since the disqualifying events relevant to the relief sought. If relief is granted under this subsection or by order of a court under this Section, the Director shall as soon as practicable but in no case later than 15 business days, update, correct, modify, or remove the person's record in any database that the Department of State Police makes available to the National Instant Criminal Background Check System and notify the United States Attorney General that the basis for the record being made available no longer applies. The Department of State Police shall adopt rules for the administration of this Section subsection (f).

(Source: P.A. 96-1368, eff. 7-28-10; 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13; 97-1167, eff. 6-1-13.)

(430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)
Sec. 13.1. Preemption.
(a) Except as otherwise provided in the Firearm Concealed Carry Act and subsections (b) and (c) of this Section, the provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act.

(b) Notwithstanding subsection (a) of this Section, the regulation, licensing, possession, and registration of handguns and ammunition for a handgun, and the transportation of any firearm and ammunition by a

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holder of a valid Firearm Owner's Identification Card issued by the
Department of State Police under this Act are exclusive powers and
functions of this State. Any ordinance or regulation, or portion of that
ordinance or regulation, enacted on or before the effective date of this
amendatory Act of the 98th General Assembly that purports to impose
regulations or restrictions on a holder of a valid Firearm Owner's
Identification Card issued by the Department of State Police under this
Act in a manner that is inconsistent with this Act, on the effective date of
this amendatory Act of the 98th General Assembly, shall be invalid in its
application to a holder of a valid Firearm Owner's Identification Card
issued by the Department of State Police under this Act.

(c) Notwithstanding subsection (a) of this Section, the regulation of
the possession or ownership of assault weapons are exclusive powers and
functions of this State. Any ordinance or regulation, or portion of that
ordinance or regulation, that purports to regulate the possession or
ownership of assault weapons in a manner that is inconsistent with this
Act, shall be invalid unless the ordinance or regulation is enacted on,
before, or within 10 days after the effective date of this amendatory Act of
the 98th General Assembly. Any ordinance or regulation described in this
subsection (c) enacted more than 10 days after the effective date of this
amendatory Act of the 98th General Assembly is invalid. An ordinance
enacted on, before, or within 10 days after the effective date of this
amendatory Act of the 98th General Assembly may be amended. The
enactment or amendment of ordinances under this subsection (c) are
subject to the submission requirements of Section 13.3. For the purposes
of this subsection, "assault weapons" means firearms designated by either
make or model or by a test or list of cosmetic features that cumulatively
would place the firearm into a definition of "assault weapon" under the
ordinance.

(d) For the purposes of this Section, "handgun" has the meaning
ascribed to it in Section 5 of the Firearm Concealed Carry Act.

(e) This Section is a denial and limitation of home rule powers and
functions under subsection (h) of Section 6 of Article VII of the Illinois
Constitution.

(Source: P.A. 76-1939.)

(430 ILCS 65/13.2) (from Ch. 38, par. 83-13.2)

Sec. 13.2. The Department of State Police shall, 60 days prior to
the expiration of a Firearm Owner's Identification Card, forward by first
class mail to each person whose card is to expire a notification of the

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expiration of the card and an application which may be used to apply for renewal of the card. It is the obligation of the holder of a Firearm Owner's Identification Card to notify the Department of State Police of any address change since the issuance of the Firearm Owner's Identification Card. Whenever any person moves from the residence address named on his or her card, the person shall within 21 calendar days thereafter notify in a form and manner prescribed by the Department of his or her old and new residence addresses and the card number held by him or her. Any person whose legal name has changed from the name on the card that he or she has been previously issued must apply for a corrected card within 30 calendar days after the change. The cost for a corrected card shall be $5 which shall be deposited into the State Police Firearm Services Fund.

(Source: P.A. 97-1131, eff. 1-1-13.)

Section 155. The Criminal Code of 2012 is amended by changing Sections 24-1.6 and 24-2 as follows:

(720 ILCS 5/24-1.6)
Sec. 24-1.6. Aggravated unlawful use of a weapon.
(a) A person commits the offense of aggravated unlawful use of a weapon when he or she knowingly:

(1) Carries on or about his or her person or in any vehicle or concealed on or about his or her person except when on his or her land or in his or her abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun or taser or other firearm; or

(2) Carries or possesses on or about his or her person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his or her own land or in his or her own abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun or taser or other firearm; and

(3) One of the following factors is present:

(A) the firearm, other than a pistol, revolver, or handgun, possessed was uncased, loaded, and immediately accessible at the time of the offense; or

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(A-5) the pistol, revolver, or handgun possessed was uncased, loaded, and immediately accessible at the time of the offense and the person possessing the pistol, revolver, or handgun has not been issued a currently valid license under the Firearm Concealed Carry Act; or

(B) the firearm, other than a pistol, revolver, or handgun, possessed was uncased, unloaded, and the ammunition for the weapon was immediately accessible at the time of the offense; or

(B-5) the pistol, revolver, or handgun possessed was uncased, unloaded, and the ammunition for the weapon was immediately accessible at the time of the offense and the person possessing the pistol, revolver, or handgun has not been issued a currently valid license under the Firearm Concealed Carry Act; or

(C) the person possessing the firearm has not been issued a currently valid Firearm Owner's Identification Card; or

(D) the person possessing the weapon was previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a felony; or

(E) the person possessing the weapon was engaged in a misdemeanor violation of the Cannabis Control Act, in a misdemeanor violation of the Illinois Controlled Substances Act, or in a misdemeanor violation of the Methamphetamine Control and Community Protection Act; or

(F) (blank); or

(G) the person possessing the weapon had a order of protection issued against him or her within the previous 2 years; or

(H) the person possessing the weapon was engaged in the commission or attempted commission of a misdemeanor involving the use or threat of violence against the person or property of another; or

(I) the person possessing the weapon was under 21 years of age and in possession of a handgun as defined in Section 24-3, unless the person under 21 is engaged in

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lawful activities under the Wildlife Code or described in
subsection 24-2(b)(1), (b)(3), or 24-2(f).

(a-5) "Handgun" as used in this Section has the meaning given to it in Section 5 of the Firearm Concealed Carry Act.

(b) "Stun gun or taser" as used in this Section has the same definition given to it in Section 24-1 of this Code.

(c) This Section does not apply to or affect the transportation or possession of weapons that:

(i) are broken down in a non-functioning state; or
(ii) are not immediately accessible; or
(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card.

(d) Sentence.

(1) Aggravated unlawful use of a weapon is a Class 4 felony; a second or subsequent offense is a Class 2 felony for which the person shall be sentenced to a term of imprisonment of not less than 3 years and not more than 7 years.

(2) Except as otherwise provided in paragraphs (3) and (4) of this subsection (d), a first offense of aggravated unlawful use of a weapon committed with a firearm by a person 18 years of age or older where the factors listed in both items (A) and (C) or both items (A-5) and (C) of paragraph (3) of subsection (a) are present is a Class 4 felony, for which the person shall be sentenced to a term of imprisonment of not less than one year and not more than 3 years.

(3) Aggravated unlawful use of a weapon by a person who has been previously convicted of a felony in this State or another jurisdiction is a Class 2 felony for which the person shall be sentenced to a term of imprisonment of not less than 3 years and not more than 7 years.

(4) Aggravated unlawful use of a weapon while wearing or in possession of body armor as defined in Section 33F-1 by a person who has not been issued a valid Firearms Owner's Identification Card in accordance with Section 5 of the Firearm Owners Identification Card Act is a Class X felony.

(e) The possession of each firearm in violation of this Section constitutes a single and separate violation.
Sec. 24-2. Exemptions.
(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Financial and Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a private security contractor, private detective, or private alarm contractor, or employee of a licensed agency and 20 hours of required firearm training, and has been

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issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the private security contractor, private detective, or private alarm contractor, or employee of the licensed agency at all times when he or she is in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Financial and Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such

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financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.
(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply to or affect any person carrying a concealed pistol, revolver, or handgun and the person has been issued a currently valid license under the Firearm Concealed Carry Act at the time of the commission of the offense.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) Carrying or possessing any pistol, revolver, stun gun or taser or other firearm on the land or in the legal dwelling of another person as an invitee with that person's permission.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

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(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.
During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(7) A person possessing a rifle with a barrel or barrels less than 16 inches in length if: (A) the person has been issued a Curios and Relics license from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B) the person is an active member of a bona fide, nationally recognized military re-enacting group and the modification is required and necessary to accurately portray the weapon for historical re-enactment purposes; the re-enactor is in possession of a valid and current re-enacting group membership credential; and the overall length of the weapon as modified is not less than 26 inches.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

1. Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

2. Bonafide collectors of antique or surplus military ordinance.

3. Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

4. Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person

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exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, these devices shall be detached from any weapon or not immediately accessible.

(g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any parole agent or parole supervisor who meets the qualifications and conditions prescribed in Section 3-14-1.5 of the Unified Code of Corrections.

(g-7) Subsection 24-1(a)(6) does not apply to a peace officer while serving as a member of a tactical response team or special operations team. A peace officer may not personally own or apply for ownership of a device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm. These devices shall be owned and maintained by lawfully recognized units of government whose duties include the investigation of criminal acts.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in
this Article. The defendant shall have the burden of proving such an exemption.

   (i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

(Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11; 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13; revised 8-23-12.)

Section 160. The Code of Criminal Procedure of 1963 is amended by changing Section 112A-14 as follows:

   (725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)

Sec. 112A-14. Order of protection; remedies.

   (a) Issuance of order. If the court finds that petitioner has been abused by a family or household member, as defined in this Article, an order of protection prohibiting such abuse shall issue; provided that petitioner must also satisfy the requirements of one of the following Sections, as appropriate: Section 112A-17 on emergency orders, Section 112A-18 on interim orders, or Section 112A-19 on plenary orders. Petitioner shall not be denied an order of protection because petitioner or respondent is a minor. The court, when determining whether or not to issue an order of protection, shall not require physical manifestations of abuse on the person of the victim. Modification and extension of prior orders of protection shall be in accordance with this Article.

   (b) Remedies and standards. The remedies to be included in an order of protection shall be determined in accordance with this Section and one of the following Sections, as appropriate: Section 112A-17 on emergency orders, Section 112A-18 on interim orders, and Section 112A-19 on plenary orders. The remedies listed in this subsection shall be in addition to other civil or criminal remedies available to petitioner.

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(1) Prohibition of abuse. Prohibit respondent's harassment, interference with personal liberty, intimidation of a dependent, physical abuse or willful deprivation, as defined in this Article, if such abuse has occurred or otherwise appears likely to occur if not prohibited.

(2) Grant of exclusive possession of residence. Prohibit respondent from entering or remaining in any residence, household, or premises of the petitioner, including one owned or leased by respondent, if petitioner has a right to occupancy thereof. The grant of exclusive possession of the residence, household, or premises shall not affect title to real property, nor shall the court be limited by the standard set forth in Section 701 of the Illinois Marriage and Dissolution of Marriage Act.

(A) Right to occupancy. A party has a right to occupancy of a residence or household if it is solely or jointly owned or leased by that party, that party's spouse, a person with a legal duty to support that party or a minor child in that party's care, or by any person or entity other than the opposing party that authorizes that party's occupancy (e.g., a domestic violence shelter). Standards set forth in subparagraph (B) shall not preclude equitable relief.

(B) Presumption of hardships. If petitioner and respondent each has the right to occupancy of a residence or household, the court shall balance (i) the hardships to respondent and any minor child or dependent adult in respondent's care resulting from entry of this remedy with (ii) the hardships to petitioner and any minor child or dependent adult in petitioner's care resulting from continued exposure to the risk of abuse (should petitioner remain at the residence or household) or from loss of possession of the residence or household (should petitioner leave to avoid the risk of abuse). When determining the balance of hardships, the court shall also take into account the accessibility of the residence or household. Hardships need not be balanced if respondent does not have a right to occupancy.

The balance of hardships is presumed to favor possession by petitioner unless the presumption is rebutted.
by a preponderance of the evidence, showing that the hardships to respondent substantially outweigh the hardships to petitioner and any minor child or dependent adult in petitioner's care. The court, on the request of petitioner or on its own motion, may order respondent to provide suitable, accessible, alternate housing for petitioner instead of excluding respondent from a mutual residence or household.

(3) Stay away order and additional prohibitions. Order respondent to stay away from petitioner or any other person protected by the order of protection, or prohibit respondent from entering or remaining present at petitioner's school, place of employment, or other specified places at times when petitioner is present, or both, if reasonable, given the balance of hardships. Hardships need not be balanced for the court to enter a stay away order or prohibit entry if respondent has no right to enter the premises.

If an order of protection grants petitioner exclusive possession of the residence, or prohibits respondent from entering the residence, or orders respondent to stay away from petitioner or other protected persons, then the court may allow respondent access to the residence to remove items of clothing and personal adornment used exclusively by respondent, medications, and other items as the court directs. The right to access shall be exercised on only one occasion as the court directs and in the presence of an agreed-upon adult third party or law enforcement officer.

(4) Counseling. Require or recommend the respondent to undergo counseling for a specified duration with a social worker, psychologist, clinical psychologist, psychiatrist, family service agency, alcohol or substance abuse program, mental health center guidance counselor, agency providing services to elders, program designed for domestic violence abusers or any other guidance service the court deems appropriate. The court may order the respondent in any intimate partner relationship to report to an Illinois Department of Human Services protocol approved partner abuse intervention program for an assessment and to follow all recommended treatment.

(5) Physical care and possession of the minor child. In order to protect the minor child from abuse, neglect, or unwarranted...
separation from the person who has been the minor child's primary caretaker, or to otherwise protect the well-being of the minor child, the court may do either or both of the following: (i) grant petitioner physical care or possession of the minor child, or both, or (ii) order respondent to return a minor child to, or not remove a minor child from, the physical care of a parent or person in loco parentis.

If a court finds, after a hearing, that respondent has committed abuse (as defined in Section 112A-3) of a minor child, there shall be a rebuttable presumption that awarding physical care to respondent would not be in the minor child's best interest.

(6) Temporary legal custody. Award temporary legal custody to petitioner in accordance with this Section, the Illinois Marriage and Dissolution of Marriage Act, the Illinois Parentage Act of 1984, and this State's Uniform Child-Custody Jurisdiction and Enforcement Act.

If a court finds, after a hearing, that respondent has committed abuse (as defined in Section 112A-3) of a minor child, there shall be a rebuttable presumption that awarding temporary legal custody to respondent would not be in the child's best interest.

(7) Visitation. Determine the visitation rights, if any, of respondent in any case in which the court awards physical care or temporary legal custody of a minor child to petitioner. The court shall restrict or deny respondent's visitation with a minor child if the court finds that respondent has done or is likely to do any of the following: (i) abuse or endanger the minor child during visitation; (ii) use the visitation as an opportunity to abuse or harass petitioner or petitioner's family or household members; (iii) improperly conceal or detain the minor child; or (iv) otherwise act in a manner that is not in the best interests of the minor child. The court shall not be limited by the standards set forth in Section 607.1 of the Illinois Marriage and Dissolution of Marriage Act. If the court grants visitation, the order shall specify dates and times for the visitation to take place or other specific parameters or conditions that are appropriate. No order for visitation shall refer merely to the term "reasonable visitation".

Petitioner may deny respondent access to the minor child if, when respondent arrives for visitation, respondent is under the influence of drugs or alcohol and constitutes a threat to the safety
and well-being of petitioner or petitioner's minor children or is behaving in a violent or abusive manner.

If necessary to protect any member of petitioner's family or household from future abuse, respondent shall be prohibited from coming to petitioner's residence to meet the minor child for visitation, and the parties shall submit to the court their recommendations for reasonable alternative arrangements for visitation. A person may be approved to supervise visitation only after filing an affidavit accepting that responsibility and acknowledging accountability to the court.

(8) Removal or concealment of minor child. Prohibit respondent from removing a minor child from the State or concealing the child within the State.

(9) Order to appear. Order the respondent to appear in court, alone or with a minor child, to prevent abuse, neglect, removal or concealment of the child, to return the child to the custody or care of the petitioner or to permit any court-ordered interview or examination of the child or the respondent.

(10) Possession of personal property. Grant petitioner exclusive possession of personal property and, if respondent has possession or control, direct respondent to promptly make it available to petitioner, if:

(i) petitioner, but not respondent, owns the property; or

(ii) the parties own the property jointly; sharing it would risk abuse of petitioner by respondent or is impracticable; and the balance of hardships favors temporary possession by petitioner.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may award petitioner temporary possession thereof under the standards of subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

No order under this provision shall affect title to property.

(11) Protection of property. Forbid the respondent from taking, transferring, encumbering, concealing, damaging or otherwise disposing of any real or personal property, except as explicitly authorized by the court, if:

New matter indicated in italics - deletions by strikeout
(i) petitioner, but not respondent, owns the property; or
(ii) the parties own the property jointly, and the balance of hardships favors granting this remedy.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may grant petitioner relief under subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

The court may further prohibit respondent from improperly using the financial or other resources of an aged member of the family or household for the profit or advantage of respondent or of any other person.

(11.5) Protection of animals. Grant the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

(12) Order for payment of support. Order respondent to pay temporary support for the petitioner or any child in the petitioner's care or custody, when the respondent has a legal obligation to support that person, in accordance with the Illinois Marriage and Dissolution of Marriage Act, which shall govern, among other matters, the amount of support, payment through the clerk and withholding of income to secure payment. An order for child support may be granted to a petitioner with lawful physical care or custody of a child, or an order or agreement for physical care or custody, prior to entry of an order for legal custody. Such a support order shall expire upon entry of a valid order granting legal custody to another, unless otherwise provided in the custody order.

(13) Order for payment of losses. Order respondent to pay petitioner for losses suffered as a direct result of the abuse. Such losses shall include, but not be limited to, medical expenses, lost earnings or other support, repair or replacement of property damaged or taken, reasonable attorney's fees, court costs and

New matter indicated in italics - deletions by strikeout
moving or other travel expenses, including additional reasonable expenses for temporary shelter and restaurant meals.

(i) Losses affecting family needs. If a party is entitled to seek maintenance, child support or property distribution from the other party under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended, the court may order respondent to reimburse petitioner's actual losses, to the extent that such reimbursement would be "appropriate temporary relief", as authorized by subsection (a)(3) of Section 501 of that Act.

(ii) Recovery of expenses. In the case of an improper concealment or removal of a minor child, the court may order respondent to pay the reasonable expenses incurred or to be incurred in the search for and recovery of the minor child, including but not limited to legal fees, court costs, private investigator fees, and travel costs.

(14) Prohibition of entry. Prohibit the respondent from entering or remaining in the residence or household while the respondent is under the influence of alcohol or drugs and constitutes a threat to the safety and well-being of the petitioner or the petitioner's children.

(14.5) Prohibition of firearm possession.

(A) A person who is subject to an existing order of protection, interim order of protection, emergency order of protection, or plenary order of protection, issued under this Code may not lawfully possess weapons under Section 8.2 of the Firearm Owners Identification Card Act. (a) Prohibit a respondent against whom an order of protection was issued from possessing any firearms during the duration of the order if the order:

(1) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(2) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

New matter indicated in italics - deletions by strikeout
(2)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

(B) Any firearms in the possession of the respondent, except as provided in subparagraph (C) of this paragraph (14.5) subsection (b), shall be ordered by the court to be turned over to a person with a valid Firearm Owner's Identification Card the local law enforcement agency for safekeeping. The court shall issue an order that the respondent's Firearm Owner's Identification Card be turned over to the local law enforcement agency, which in turn shall immediately mail the card to the Department of State Police Firearm Owner's Identification Card Office for safekeeping. The period of safekeeping shall be for the duration of the order of protection. The firearm or firearms and Firearm Owner's Identification Card, if unexpired, shall at the respondent's request be returned to the respondent at expiration of the order of protection.

(C) (b) If the respondent is a peace officer as defined in Section 2-13 of the Criminal Code of 2012, the court shall order that any firearms used by the respondent in the performance of his or her duties as a peace officer be surrendered to the chief law enforcement executive of the agency in which the respondent is employed, who shall retain the firearms for safekeeping for the duration of the order of protection.

(D) (c) Upon expiration of the period of safekeeping, if the firearms or Firearm Owner's Identification Card cannot be returned to respondent because respondent cannot be located, fails to respond to requests to retrieve the firearms, or is not lawfully eligible to possess a firearm, upon petition from the local law enforcement agency, the court may order the local law enforcement agency to destroy the firearms, use the firearms for training purposes, or for any other application
as deemed appropriate by the local law enforcement agency; or that the firearms be turned over to a third party who is lawfully eligible to possess firearms, and who does not reside with respondent.

(15) Prohibition of access to records. If an order of protection prohibits respondent from having contact with the minor child, or if petitioner's address is omitted under subsection (b) of Section 112A-5, or if necessary to prevent abuse or wrongful removal or concealment of a minor child, the order shall deny respondent access to, and prohibit respondent from inspecting, obtaining, or attempting to inspect or obtain, school or any other records of the minor child who is in the care of petitioner.

(16) Order for payment of shelter services. Order respondent to reimburse a shelter providing temporary housing and counseling services to the petitioner for the cost of the services, as certified by the shelter and deemed reasonable by the court.

(17) Order for injunctive relief. Enter injunctive relief necessary or appropriate to prevent further abuse of a family or household member or to effectuate one of the granted remedies, if supported by the balance of hardships. If the harm to be prevented by the injunction is abuse or any other harm that one of the remedies listed in paragraphs (1) through (16) of this subsection is designed to prevent, no further evidence is necessary to establish that the harm is an irreparable injury.

(c) Relevant factors; findings.

(1) In determining whether to grant a specific remedy, other than payment of support, the court shall consider relevant factors, including but not limited to the following:

(i) the nature, frequency, severity, pattern and consequences of the respondent's past abuse of the petitioner or any family or household member, including the concealment of his or her location in order to evade service of process or notice, and the likelihood of danger of future abuse to petitioner or any member of petitioner's or respondent's family or household; and

(ii) the danger that any minor child will be abused or neglected or improperly removed from the jurisdiction, improperly concealed within the State or improperly separated from the child's primary caretaker.

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(2) In comparing relative hardships resulting to the parties from loss of possession of the family home, the court shall consider relevant factors, including but not limited to the following:
   (i) availability, accessibility, cost, safety, adequacy, location and other characteristics of alternate housing for each party and any minor child or dependent adult in the party's care;
   (ii) the effect on the party's employment; and
   (iii) the effect on the relationship of the party, and any minor child or dependent adult in the party's care, to family, school, church and community.

(3) Subject to the exceptions set forth in paragraph (4) of this subsection, the court shall make its findings in an official record or in writing, and shall at a minimum set forth the following:
   (i) That the court has considered the applicable relevant factors described in paragraphs (1) and (2) of this subsection.
   (ii) Whether the conduct or actions of respondent, unless prohibited, will likely cause irreparable harm or continued abuse.
   (iii) Whether it is necessary to grant the requested relief in order to protect petitioner or other alleged abused persons.

(4) For purposes of issuing an ex parte emergency order of protection, the court, as an alternative to or as a supplement to making the findings described in paragraphs (c)(3)(i) through (c)(3)(iii) of this subsection, may use the following procedure:
   When a verified petition for an emergency order of protection in accordance with the requirements of Sections 112A-5 and 112A-17 is presented to the court, the court shall examine petitioner on oath or affirmation. An emergency order of protection shall be issued by the court if it appears from the contents of the petition and the examination of petitioner that the averments are sufficient to indicate abuse by respondent and to support the granting of relief under the issuance of the emergency order of protection.

(5) Never married parties. No rights or responsibilities for a minor child born outside of marriage attach to a putative father
until a father and child relationship has been established under the Illinois Parentage Act of 1984. Absent such an adjudication, no putative father shall be granted temporary custody of the minor child, visitation with the minor child, or physical care and possession of the minor child, nor shall an order of payment for support of the minor child be entered.

(d) Balance of hardships; findings. If the court finds that the balance of hardships does not support the granting of a remedy governed by paragraph (2), (3), (10), (11), or (16) of subsection (b) of this Section, which may require such balancing, the court's findings shall so indicate and shall include a finding as to whether granting the remedy will result in hardship to respondent that would substantially outweigh the hardship to petitioner from denial of the remedy. The findings shall be an official record or in writing.

(e) Denial of remedies. Denial of any remedy shall not be based, in whole or in part, on evidence that:

(1) Respondent has cause for any use of force, unless that cause satisfies the standards for justifiable use of force provided by Article 7 of the Criminal Code of 2012;

(2) Respondent was voluntarily intoxicated;

(3) Petitioner acted in self-defense or defense of another, provided that, if petitioner utilized force, such force was justifiable under Article 7 of the Criminal Code of 2012;

(4) Petitioner did not act in self-defense or defense of another;

(5) Petitioner left the residence or household to avoid further abuse by respondent;

(6) Petitioner did not leave the residence or household to avoid further abuse by respondent;

(7) Conduct by any family or household member excused the abuse by respondent, unless that same conduct would have excused such abuse if the parties had not been family or household members.

(Source: P.A. 96-701, eff. 1-1-10; 96-1239, eff. 1-1-11; 97-158, eff. 1-1-12; 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 165. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 12 as follows:

(740 ILCS 110/12) (from Ch. 91 1/2, par. 812)
Sec. 12. (a) If the United States Secret Service or the Department of State Police requests information from a mental health or developmental disability facility, as defined in Section 1-107 and 1-114 of the Mental Health and Developmental Disabilities Code, relating to a specific recipient and the facility director determines that disclosure of such information may be necessary to protect the life of, or to prevent the infliction of great bodily harm to, a public official, or a person under the protection of the United States Secret Service, only the following information may be disclosed: the recipient's name, address, and age and the date of any admission to or discharge from a facility; and any information which would indicate whether or not the recipient has a history of violence or presents a danger of violence to the person under protection. Any information so disclosed shall be used for investigative purposes only and shall not be publicly disseminated. Any person participating in good faith in the disclosure of such information in accordance with this provision shall have immunity from any liability, civil, criminal or otherwise, if such information is disclosed relying upon the representation of an officer of the United States Secret Service or the Department of State Police that a person is under the protection of the United States Secret Service or is a public official.

For the purpose of this subsection (a), the term "public official" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, State Comptroller, State Treasurer, member of the General Assembly, member of the United States Congress, Judge of the United States as defined in 28 U.S.C. 451, Justice of the United States as defined in 28 U.S.C. 451, United States Magistrate Judge as defined in 28 U.S.C. 639, Bankruptcy Judge appointed under 28 U.S.C. 152, or Supreme, Appellate, Circuit, or Associate Judge of the State of Illinois. The term shall also include the spouse, child or children of a public official.

(b) The Department of Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities) and all public or private hospitals and mental health facilities are required, as hereafter described in this subsection, to furnish the Department of State Police only such information as may be required for the sole purpose of determining whether an individual who may be or may have been a patient is disqualified because of that status from receiving or retaining a Firearm Owner's Identification Card or falls within the federal prohibitors under subsection (e), (f), (g), (r), (s), or (t) of Section 8 of the Firearm Owners Identification Card Act, or falls within the federal prohibitors in under

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subsection (e) or (f) of Section 8 of the Firearm Owners Identification Card Act or 18 U.S.C. 922(g) and (n). All physicians, clinical psychologists, or qualified examiners at public or private hospitals and mental health facilities or parts thereof as defined in this subsection shall, in the form and manner required by the Department, provide notice directly to the Department of Human Services, or to his or her employer who shall then report to the Department, within 24 hours after determining that a patient as described in clause (2) of the definition of "patient" in Section 1.1 of the Firearm Owners Identification Card Act poses a clear and present danger to himself, herself, or others, or is determined to be developmentally disabled such information as shall be necessary for the Department to comply with the reporting requirements to the Department of State Police. This such information shall be furnished within 24 hours after the physician, clinical psychologist, or qualified examiner has made a determination, or within 7 days after admission to a public or private hospital or mental health facility or the provision of services to a patient described in clause (1) of the definition of "patient" in Section 1.1 of the Firearm Owners Identification Card Act clause (2) of this subsection (b). Any such information disclosed under this subsection shall remain privileged and confidential, and shall not be redisclosed, except as required by subsection (e) clause (e)(2) of Section 3.1 of the Firearm Owners Identification Card Act, nor utilized for any other purpose. The method of requiring the providing of such information shall guarantee that no information is released beyond what is necessary for this purpose. In addition, the information disclosed shall be provided by the Department within the time period established by Section 24-3 of the Criminal Code of 2012 regarding the delivery of firearms. The method used shall be sufficient to provide the necessary information within the prescribed time period, which may include periodically providing lists to the Department of Human Services or any public or private hospital or mental health facility of Firearm Owner's Identification Card applicants on which the Department or hospital shall indicate the identities of those individuals who are to its knowledge disqualified from having a Firearm Owner's Identification Card for reasons described herein. The Department may provide for a centralized source of information for the State on this subject under its jurisdiction. The identity of the person reporting under this subsection shall not be disclosed to the subject of the report. For the purposes of this subsection, the physician, clinical psychologist, or qualified examiner making the determination and his or her employer

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shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this subsection, except for willful or wanton misconduct.

Any person, institution, or agency, under this Act, participating in good faith in the reporting or disclosure of records and communications otherwise in accordance with this provision or with rules, regulations or guidelines issued by the Department shall have immunity from any liability, civil, criminal or otherwise, that might result by reason of the action. For the purpose of any proceeding, civil or criminal, arising out of a report or disclosure in accordance with this provision, the good faith of any person, institution, or agency so reporting or disclosing shall be presumed. The full extent of the immunity provided in this subsection (b) shall apply to any person, institution or agency that fails to make a report or disclosure in the good faith belief that the report or disclosure would violate federal regulations governing the confidentiality of alcohol and drug abuse patient records implementing 42 U.S.C. 290dd-3 and 290ee-3.

For purposes of this subsection (b) only, the following terms shall have the meaning prescribed:

(1) (Blank). "Hospital" means only that type of institution which is providing full-time residential facilities and treatment.

(1.3) "Clear and present danger" has the meaning as defined in Section 1.1 of the Firearm Owners Identification Card Act.

(1.5) "Developmentally disabled" has the meaning as defined in Section 1.1 of the Firearm Owners Identification Card Act.

(2) "Patient" has the meaning as defined in Section 1.1 of the Firearm Owners Identification Card Act shall include only: (i) a person who is an in-patient or resident of any public or private hospital or mental health facility or (ii) a person who is an outpatient or provided services by a public or private hospital or mental health facility whose mental condition is of such a nature that it is manifested by violent, suicidal, threatening, or assaultive behavior or reported behavior, for which there is a reasonable belief by a physician, clinical psychologist, or qualified examiner that the condition poses a clear and present or imminent danger to the patient, any other person or the community meaning the patient's condition poses a clear and present danger in accordance with subsection (f) of Section 8 of the Firearm Owners

New matter indicated in italics - deletions by strikeout
Identification Card Act. The terms physician, clinical psychologist, and qualified examiner are defined in Sections 1-120, 1-103, and 1-122 of the Mental Health and Developmental Disabilities Code.

(3) "Mental health facility" has the meaning as defined in Section 1.1 of the Firearm Owners Identification Card Act is defined by Section 1-114 of the Mental Health and Developmental Disabilities Code.

(c) Upon the request of a peace officer who takes a person into custody and transports such person to a mental health or developmental disability facility pursuant to Section 3-606 or 4-404 of the Mental Health and Developmental Disabilities Code or who transports a person from such facility, a facility director shall furnish said peace officer the name, address, age and name of the nearest relative of the person transported to or from the mental health or developmental disability facility. In no case shall the facility director disclose to the peace officer any information relating to the diagnosis, treatment or evaluation of the person's mental or physical health.

For the purposes of this subsection (c), the terms "mental health or developmental disability facility", "peace officer" and "facility director" shall have the meanings ascribed to them in the Mental Health and Developmental Disabilities Code.

(d) Upon the request of a peace officer or prosecuting authority who is conducting a bona fide investigation of a criminal offense, or attempting to apprehend a fugitive from justice, a facility director may disclose whether a person is present at the facility. Upon request of a peace officer or prosecuting authority who has a valid forcible felony warrant issued, a facility director shall disclose: (1) whether the person who is the subject of the warrant is present at the facility and (2) the date of that person's discharge or future discharge from the facility. The requesting peace officer or prosecuting authority must furnish a case number and the purpose of the investigation or an outstanding arrest warrant at the time of the request. Any person, institution, or agency participating in good faith in disclosing such information in accordance with this subsection (d) is immune from any liability, civil, criminal or otherwise, that might result by reason of the action.

(Source: P.A. 96-193, eff. 8-10-09; 97-1150, eff. 1-25-13.)

Section 170. The Probate Act of 1975 is amended by adding Section 11a-24 as follows:

(755 ILCS 5/11a-24 new)

New matter indicated in italics - deletions by strikeout
Sec. 11a-24. Notification; Department of State Police. When a court adjudges a respondent to be a disabled person under this Article, the court shall direct the circuit court clerk to notify the Department of State Police, Firearm Owner's Identification (FOID) Office, in a form and manner prescribed by the Department of State Police, and shall forward a copy of the court order to the Department no later than 7 days after the entry of the order. Upon receipt of the order, the Department of State Police shall provide notification to the National Instant Criminal Background Check System.

Section 195. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 999. Effective date. This Act takes effect upon becoming law.

General Assembly Overrides Amendatory Veto July 9, 2013.
Effective July 9, 2013.

July 10, 2013

To the Honorable Members of the Illinois House of Representatives
98th General Assembly

Pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby return House Bill 214, entitled “AN ACT making appropriations,” with line item vetoes in appropriations totaling $13,852,700.

Item Vetoes

I hereby veto the appropriation items listed below:

<table>
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<tr>
<th>Article</th>
<th>Section</th>
<th>Pages</th>
<th>Lines</th>
<th>Amount Enacted</th>
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<td>75</td>
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<td>15</td>
<td>75</td>
<td>9-10</td>
<td>3,947,800</td>
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In addition to these specific line item vetoes, I hereby approve all other appropriation items in House Bill 214.

Sincerely,

PAT QUINN  
Governor

PUBLIC ACT 98-0064  
(House Bill No.0214)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

FOR OPERATIONS

ADMINISTRATIVE SERVICES

Payable from General Revenue Fund:

For Personal Services....................... 879,100
For State Contributions to Social Security........................................ 67,300
For Contractual Services.................... 375,000

New matter indicated in italics - deletions by strikeout
For Travel........................................                                                 15,000
For Printing......................................                                                 15,000
For Refunds.......................................                                                10,000
Total                                                                                         $1,361,400
Payable from Wholesome Meat Fund:
For Personal Services............................                                          235,600
For State Contributions to State
  Employees' Retirement System....................                                  95,000
For State Contributions to
  Social Security.....................................                                          18,200
For Group Insurance.................................                                          69,000
For Contractual Services..........................                                        110,000
For Travel........................................                                                 10,000
For Commodities....................................                                           11,100
For Printing.......................................                                                  3,100
For Equipment.....................................                                             28,000
Total                                                                                            $580,000

Section 10. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for costs and expenses related to or in support of the agency’s operations.

Section 15. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wholesome Meat Fund to the Department of Agriculture for costs and expenses related to or in support of the agency’s operations.

Section 20. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture for expenses related to the Food Safety Modernization Initiative.

Section 25. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

Section 30. The sum of $994,700, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

Section 35. The sum of $2,449,200, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Fund to the
Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund for operational expenses and programs at the University of Illinois Cook County Cooperative Extension Service.

Section 40. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

**COMPUTER SERVICES**

Payable from General Revenue Fund:
- For Personal Services: $334,200
- For State Contributions to Social Security: $25,600
  - Total: $359,800

Payable from Agricultural Premium Fund:
- For Personal Services: $300,000
- For State Contributions to State Employees' Retirement System: $120,900
- For State Contributions to Social Security: $23,000
- For Contractual Services: $1,140,000
- For Commodities: $10,000
- For Printing: $10,000
- For Equipment: $50,000
- For Telecommunications Services: $42,000
  - Total: $1,695,900

Section 45. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

**FOR OPERATIONS**

**AGRICULTURE REGULATION**

Payable from General Revenue Fund:
- For Personal Services: $1,618,400
- For State Contributions to Social Security: $123,800
- For Contractual Services: $18,000
- For Travel: $2,000
- For Commodities: $3,000
- For Printing: $2,000
- For Equipment: $20,000
- For Telecommunications Services: $7,000
  - Total: $1,893,400

New matter indicated in italics - deletions by strikeout
For Operation of Auto Equipment
Total
Payable from the Agricultural Federal Projects Fund:
For Expenses of Various Federal Projects

Section 50. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Fertilizer Control Fund to the Department of Agriculture for expenses relating to agricultural products inspection.

Section 55. The sum of $1,800,000, or so much thereof as may be necessary, is appropriated from the Feed Control Fund to the Department of Agriculture for Feed Control.

Section 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

MARKETING
Payable from General Revenue Fund:
For Personal Services
For State Contributions to Social Security
Total
Payable from Agricultural Premium Fund:
For Expenses Connected With the Promotion and Marketing of Illinois Agriculture and Agriculture Exports
For Implementation of Programs and Activities to Promote, Develop and Enhance the Biotechnology Industry in Illinois
For Expenses Related to Viticulturist and Enologist Contractual Staff
For Implementation of a Farmers' Market Technology Improvement Program
Payable from Agricultural Marketing Services Fund:
For Administering Illinois' Part under Public

New matter indicated in italics - deletions by strikeout
Law No. 733, "An Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products"........... 4,000

Payable from Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects........ 850,000

Section 65. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

ANIMAL INDUSTRIES

Payable from General Revenue Fund:
For Personal Services.......................... 2,582,500
For State Contributions to Social Security........................... 197,600
For Contractual Services......................... 275,000
For Travel........................................ 20,000
For Commodities................................. 180,300
For Printing....................................... 5,000
For Equipment..................................... 2,000
For Telecommunications Services............... 22,000
For Operation of Auto Equipment............... 15,000
Total                                   $3,299,400

Payable from the Illinois Department of Agriculture Laboratory Services Revolving Fund:
For Expenses Authorized by the Animal Disease Laboratories Act.................. 1,250,000

Payable from the Illinois Animal Abuse Fund:
For Expenses Associated with the Investigation of Animal Abuse and Neglect under the Humane Care for Animals Act.................. 4,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects.................. 100,000

New matter indicated in italics - deletions by strikeout
Section 70. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

MEAT AND POULTRY INSPECTION

Payable from the General Revenue Fund:
- For Personal Services.......................... 3,139,800
- For State Contributions to
  Social Security............................... 240,100
- For Operation of Auto Equipment................. 76,000
  Total $3,455,900

Payable from Wholesome Meat Fund:
- For Personal Services.......................... 3,566,600
- For State Contributions to State
  Employees' Retirement System................ 1,437,800
- For State Contributions to
  Social Security............................... 272,800
- For Group Insurance........................... 1,426,700
- For Contractual Services........................ 338,800
- For Travel...................................... 199,600
- For Commodities................................ 63,300
- For Printing.................................... 6,300
- For Equipment.................................. 73,500
- For Telecommunications Services................. 63,600
- For Operation of Auto Equipment................. 216,300
  Total $7,665,300

Payable from Agricultural Master Fund:
- For Expenses Relating to
  Inspection of Agricultural Products.......... 1,000,000

Payable from the Agriculture Federal
Projects Fund:
- For Expenses of Various Federal Projects....... 315,000

Section 75. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

WEIGHTS AND MEASURES

Payable from the Agriculture Federal
Projects Fund:
- For Expenses of various
  Federal Projects............................... 200,000

New matter indicated in italics - deletions by strikeout
Payable from the Weights and Measures Fund:
For Personal Services......................... 2,952,000
For State Contributions to State Employees' Retirement System............... 1,190,000
For State Contributions to Social Security.......................... 225,800
For Group Insurance........................................ 1,021,200
For Contractual Services.......................... 373,200
For Travel.................................................. 90,000
For Commodities........................................... 30,000
For Printing.................................................. 12,000
For Equipment.............................................. 468,000
For Telecommunications Services............... 43,200
For Operation of Auto Equipment................. 346,800
For Refunds.................................................. 3,100
Total $6,755,300

Payable from the Motor Fuel and Petroleum Standards Fund:
For the Regulation of Motor Fuel Quality.......... 50,000

Section 80. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

ENVIRONMENTAL PROGRAMS

Payable from the General Revenue Fund:
For Administration of the Livestock Management Facilities Act............... 275,500
For the Detection, Eradication, and Control of Exotic Pests, such as the Asian Long-Horned Beetle and Gypsy Moth................................. 456,000
Total $731,500

Payable from Agriculture Pesticide Control Act Fund:
For Expenses of Pesticide Enforcement Program... 650,000

Payable from Pesticide Control Fund:
For Administration and Enforcement of the Pesticide Act of 1979.............. 6,325,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects...... 1,975,000

New matter indicated in italics - deletions by strikeout
Payable from Livestock Management Facilities Fund:
For Administration of the Livestock Management Facilities Act........................ 30,000

Payable from the Used Tire Management Fund:
For Mosquito Control.............................. 40,000

Section 85. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

LAND AND WATER RESOURCES

Payable from the Agricultural Premium Fund:
For Personal Services............................ 599,700
For State Contributions to State Employees’ Retirement System.................... 241,800
For State Contributions to Social Security................................................. 45,900
For Contractual Services............................ 110,000
For Travel........................................... 10,000
For Commodities...................................... 6,000
For Printing........................................... 3,500
For Equipment....................................... 25,000
For Telecommunications Services........................... 11,000
For Operation of Automotive Equipment............. 15,000
For the Ordinary and Contingent Expenses of the Natural Resources Advisory Board................................. 2,000
Total $1,069,900

Payable from the Agriculture Federal Projects Fund:
For Expenses Relating to Various Federal Projects........................................ 200,000

Payable from the Partners for Conservation Fund:
For Personal Services.............................. 405,000
For State Contributions to State Employees’ Retirement System.................... 163,300
For State Contributions to Social Security................................................. 31,000
For Group Insurance................................. 125,500
Total $724,800

New matter indicated in italics - deletions by strikeout
Section 90. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated to the Department of Agriculture from the Partners for Conservation Fund for the Partners for Conservation Program to implement agricultural resource enhancement programs for Illinois’ natural resources, including operational expenses, consisting of the following elements at the approximate costs set forth below:

Conservation Practices
- Cost Sharing Program.......................... $3,900,000
- Sustainable Agriculture Program............... $300,000
- Streambank Restoration........................... $300,000

Section 95. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

SPRINGFIELD BUILDINGS AND GROUNDS

Payable from General Revenue Fund:
- For Personal Services.......................... $1,500,000
- For State Contributions to Social Security................................. $134,000
- For Contractual Services....................... $3,279,800
- For Commodities.................................. $150,000
- For Equipment.................................... $150,000
- For Telecommunications Services............... $53,900
- For Payment to the City of Springfield for Fire Protection Services at the Illinois State Fairgrounds...................... $114,400

Total $5,382,100

Section 100. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Illinois State Fair Fund to the Department of Agriculture to promote and conduct activities at the Illinois State Fairgrounds at Springfield other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairground uses sufficient to offset such expenditures have been collected and deposited into the Illinois State Fair Fund.

Section 105. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN BUILDINGS AND GROUNDS

New matter indicated in italics - deletions by strikeout
Payable from General Revenue Fund:

For Personal Services............................ 250,000
For State Contributions to Social Security....................... 19,100
For Contractual Services ....................... 1,225,000
For Commodities................................. 120,000
For Equipment................................. 100,000
For Telecommunications Services............. 30,000
For Operation of Auto Equipment............. 25,000
Total $1,769,100

Section 110. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture to conduct activities at the Illinois State Fairgrounds at DuQuoin other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairgrounds uses sufficient to offset such expenditures have been collected and deposited into the Agricultural Premium Fund.

Section 115. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

**DUQUOIN STATE FAIR**

Payable from General Revenue Fund:

For Personal Services............................ 556,500
For State Contributions to Social Security....................... 42,500
For Contractual Services ....................... 362,000
For Travel......................................... 1,000
For Commodities................................. 3,000
For Printing....................................... 10,000
For Equipment................................. 5,000
For Telecommunications Services............. 30,000
Total $1,010,000

Payable from the Agricultural Premium Fund:

For Entertainment at the DuQuoin State Fair, Including the Percentage Portion of Entertainment Contracts................................. 696,000
Section 120. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of Agriculture for:

**ILLINOIS STATE FAIR**

Payable from the Illinois State Fair Fund:
- For Operations of the Illinois State Fair
  - Including Entertainment and the Percentage Portion of Entertainment Contracts............ $5,500,000

Section 125. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

**COUNTY FAIRS AND HORSE RACING**

Payable from the Agricultural Premium Fund:
- For Personal Services.......................................................... $63,000
- For State Contributions to State Employees' Retirement System.......................... $25,400
- For State Contributions to Social Security.............................................. $6,700
- For Contractual Services......................................................... $28,000
- For Travel................................................................................. $2,000
- For Commodities......................................................................... $1,800
- For Printing.................................................................................. $3,100
- For Equipment............................................................................... $3,500
- For Telecommunications Services............................................... $4,700
- For Operation of Auto Equipment................................................. $4,000
- **Total** $142,200

Payable from Illinois Standardbred Breeders Fund:
- For Personal Services.......................................................... $65,000
- For State Contributions to State Employees' Retirement System.......................... $26,200
- For State Contributions to Social Security.............................................. $7,500
- For Contractual Services......................................................... $89,000
- For Travel................................................................................. $2,300
- For Commodities......................................................................... $3,000
- For Printing.................................................................................. $3,000
- For Operation of Auto Equipment................................................. $12,000
- **Total** $208,000

Payable from Illinois Thoroughbred

New matter indicated in italics - deletions by strikeout
Breeders Fund:
For Personal Services ......................... 238,200
For State Contributions to State
Employees' Retirement System ............... 96,000
For State Contributions to
Social Security ............................... 23,900
For Contractual Services ..................... 84,100
For Travel .................................... 2,100
For Commodities .............................. 2,300
For Printing ................................. 1,900
For Equipment ............................... 4,000
For Telecommunications Services .......... 10,000
For Operation of Auto Equipment ........ 9,600
Total ...................................... $472,100

Section 130. The following named sum, or so much thereof as may
be necessary, is appropriated to the Department of Agriculture for:

LAND AND WATER RESOURCES PROGRAMS
Payable from the Partners for Conservation Fund:
For grants to Soil and Water Conservation
Districts for clerical and other personnel,
for education and promotional assistance,
and for expenses of Soil and Water
Conservation District Boards and
Administrative Expenses ................. 3,000,000

Section 135. The following named sums, or so much thereof as
may be necessary, are appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR PROGRAMS
Payable from the Illinois State Fair Fund:
For Awards to Livestock Breeders
and Related Expenses ....................... 221,500
For Awards and Premiums at the
Illinois State Fair
and related expenses ....................... 483,400
For Awards and Premiums for Grand
Circuit Horse Racing at the
Illinois State Fairgrounds
and related expenses ....................... 178,600
Total .................................... $883,500

New matter indicated in italics - deletions by strikeout
Section 140. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING PROGRAMS

Payable from the Illinois Racing Quarterhorse Breeders Fund:
  For Promotion of the Illinois Horse Racing and Breeding Industry.................. 30,000

Payable from the Illinois Standardbred Breeders Fund:
  For Grants and Other Purposes.......................... 1,187,600

Payable from the Illinois Thoroughbred Breeders Fund:
  For Grants and Other Purposes.................. 1,609,500

Payable from the Agricultural Premium Fund:
  For Distribution to Encourage and Aid County Fairs and Other Agricultural Societies. This Distribution Shall be Prorated and Approved by the Department of Agriculture.......................... 1,798,600
  For Premiums to Agricultural Extension or 4-H Clubs to be Distributed at a Uniform Rate.......................... 786,400
  For Premiums to Vocational Agriculture Fairs.......................... 325,000
  For Rehabilitation of County Fairgrounds....... 1,301,000
  For Grants and Other Purposes for County Fair and State Fair Horse Racing........... 329,300
  Total $4,540,300

Payable from Fair and Exposition Fund:
  For Distribution to County Fairs and Fair and Exposition Authorities................. 900,000

Section 145. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for grants pursuant to the Forever Green Illinois Program.

Section 150. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Agriculture Premium Fund to the Department of Agriculture for expenses associated with the implementation of House Bill 1 of the 98th General Assembly.

New matter indicated in italics - deletions by strikeout
ARTICLE 2

Section 5. The sum of $1,602,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:

Payable from General Revenue Fund:
- For Grants and Financial Assistance for Creative Sector (Arts Organizations and Individual Artists)............... 4,125,800
- For Grants and Financial Assistance for Underserved Constituencies............... 370,000
- For Grants and Financial Assistance for Arts Education......................... 582,500
Total $5,078,300

Payable from the Illinois Arts Council Federal Grant Fund:
- For Grants and Programs to Enhance the Cultural Environment............... 935,000
- For the purposes of Administrative Costs and Awarding Grants associated with the Education Leadership Institute............... 80,000

Section 15. The sum of $1,417,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for the purpose of funding administrative and grant expenses associated with humanities programs and related activities.

Section 20. The sum of $2,012,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations and related administrative expenses, pursuant to the Public Radio and Television Grant Act.

Section 25. In addition to other sums appropriated for this purpose, the following named sum, or so much thereof as may be necessary, respectively, for the object and purpose hereinafter named, is appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:

Payable from Illinois Arts Council

New matter indicated in italics - deletions by strikeout
Federal Grant Fund:
For Grants and Programs to Enhance
the Cultural Environment and associated
administrative costs..................................... 65,000

ARTICLE 3
Section 5. The sum of $30,843,200, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Office of
the Attorney General to meet its operational expenses for the fiscal year
ending June 30, 2014.

Section 10. The sum of $1,400,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Office of
the Attorney General for disbursement to the Illinois Equal Justice
Foundation for use as provided in the Illinois Equal Justice Act.

Section 15. The sum of $1,000,000, or so much thereof as is
available for use by the Attorney General, is appropriated to the Attorney
General from the Illinois Gaming Law Enforcement Fund for State law
enforcement purposes.

Section 20. The sum of $1,700,000, or so much thereof as may be
necessary, is appropriated from the Asbestos Abatement Fund to the
Attorney General to meet the ordinary and contingent expenses of the
Environmental Enforcement-Asbestos Litigation Division.

Section 25. The sum of $8,750,000, or so much thereof as may be
necessary, is appropriated from the Attorney General Court Ordered and
Voluntary Compliance Payment Projects Fund to the Office of the
Attorney General for use, subject to pertinent court order or agreement, in
the performance of any function pertaining to the exercise of the duties of
the Attorney General, including State law enforcement and public
education.

Section 30. The sum of $1,900,000, or so much thereof as may be
necessary, is appropriated from the Illinois Charity Bureau Fund to the
Office of the Attorney General to enforce the provisions of the Solicitation
for Charity Act and to gather and disseminate information about charitable
trustees and organizations to the public.

Section 35. The sum of $7,700,000, or so much thereof as may be
necessary, is appropriated from the Attorney General Whistleblower
Reward and Protection Fund to the Office of the Attorney General for
ordinary and contingent expenses, including State law enforcement
purposes.

New matter indicated in italics - deletions by strikeout
Section 40. The sum of $9,350,000, or so much thereof as may be necessary, is appropriated from the Attorney General's State Projects and Court Ordered Distribution Fund to the Attorney General for payment of interagency agreements, for court-ordered distributions to third parties, and, subject to pertinent court order, for performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the Attorney General:

**OPERATIONS**

Payable from the Violent Crime Victims Assistance Fund:

For Personal Services.......................... 1,029,300
For State Contribution to State Employees' Retirement System.......................... 415,000
For State Contribution to Social Security........ 78,000
For Group Insurance.............................. 483,000
For Operational Expenses,
Crime Victims Services Division............... 150,000
For Operational Expenses,
Automated Victim Notification System......... 800,000
For Awards and Grants under the Violent Crime Victims Assistance Act............. 6,000,000
Total                                      $8,955,300

Section 50. The sum of $240,000, or so much thereof as may be necessary, is appropriated from the Child Support Administrative Fund to the Office of the Attorney General for child support enforcement purposes.

Section 55. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Attorney General Federal Grant Fund to the Office of the Attorney General for funding for federal grants.

Section 60. The sum of $500,000, or so much thereof as may be necessary, is appropriated to the Office of the Attorney General from the Domestic Violence Fund pursuant to Public Act 95-711 for grants to public or private nonprofit agencies for the purposes of facilitating or providing free domestic violence legal advocacy, assistance, or services to victims of domestic violence who are married or formerly married or parties or former parties to a civil union related to order of protection proceedings, or other proceedings for civil remedies for domestic violence.

New matter indicated in italics - deletions by strikeout
Section 65. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General Tobacco Fund to the Office of the Attorney General for the oversight, enforcement, and implementation of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al (Circuit Court of Cook County, No. 96L13146), for the administration and enforcement of the Tobacco Product Manufacturers’ Escrow Act, for the handling of tobacco-related litigation, and for other law enforcement activities of the Attorney General.

Section 70. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Attorney General Sex Offender Awareness, Training, and Education Fund to the Office of the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various victim notification laws and for training law enforcement agencies, State’s Attorneys, and medical providers regarding their legal duties concerning the prosecution and investigation of sex offenses.

ARTICLE 4

Section 5. The following named sums, or so much of those sums as may be necessary, respectively, are appropriated to the Auditor General to meet the ordinary and contingent expenses of the Office of the Auditor General, as provided in the Illinois State Auditing Act:

For Personal Services:
  For Regular Positions................. 5,551,000
For Employee Contribution to Retirement
  System by Employer......................... 0
For State Contribution to Social Security...... 425,000
For Contractual Services..................... 649,000
For Travel..................................... 0
For Commodities............................ 20,000
For Printing................................... 20,000
For Equipment................................ 25,000
For Electronic Data Processing................ 37,000
For Telecommunications...................... 75,000
For Operation of Auto Equipment.............. 5,000
Total $6,807,000

Section 10. The sum of $22,109,989, or so much of that amount as may be necessary, is appropriated to the Auditor General from the Audit

New matter indicated in italics - deletions by strikeout
Expense Fund for administrative and operations expenses and audits, studies, investigations, and expenses related to actuarial services.

ARTICLE 5

Section 5. The sum of $13,848,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Central Management Services for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF ADMINISTRATIVE OPERATIONS

PAYABLE FROM STATE GARAGE REVOLVING FUND
For Contractual Services.......................... 11,000
For Electronic Data Processing................. 1,000,000
Total                                        $1,011,000

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND
For Personal Services............................ 258,200
For State Contribution to State
Employees' Retirement Fund....................... 104,100
For State Contributions to Social
Security........................................... 19,800
For Group Insurance.............................. 81,000
For Contractual Services......................... 58,300
For Travel........................................ 9,000
For Commodities.................................. 1,000
For Printing...................................... 1,000
For Equipment.................................... 1,000
For Telecommunications Services............... 3,800
Total                                        $537,200

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services............................ 184,600
For State Contributions to State
Employees' Retirement System.................... 74,500
For State Contribution to
Social Security.................................... 14,200
For Group Insurance.............................. 50,000
For Contractual Services......................... 18,000
For Travel........................................ 5,000
For Commodities.................................. 2,000

New matter indicated in italics - deletions by strikeout
For Printing................................. 800
For Equipment.............................. 2,000
For Electronic Data Processing............. 2,200,000
Total $2,551,100

PAYABLE FROM PROFESSIONAL SERVICES FUND
For Professional Services including Administrative and Related Costs.............. 10,500,000

PAYABLE FROM WORKERS' COMPENSATION REVOLVING FUND
For administrative costs and claims of any state agency or university employee................... 140,891,000

Expenditures from appropriations for treatment and expense may be made after the Department of Central Management Services, or a vendor contracted by the State to administer the Workers’ Compensation Program for State employees, has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person.

Section 15. In addition to any other amounts appropriated, the following named sums, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for costs and expenses associated with or in support of a General and Regulatory Shared Services Center:
Payable from State Garage Revolving Fund......................... 704,600
Payable from Statistical Services Revolving Fund....................... 1,522,700
Payable from Communications Revolving Fund..... 1,218,600
Payable from Facilities Management Revolving Fund......................... 1,519,000
Payable from Health Insurance Reserve Fund....... 502,400
Total $5,467,300

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Central Management Services:

ILLINOIS INFORMATION SERVICES
PAYABLE FROM COMMUNICATIONS REVOLVING FUND

New matter indicated in italics - deletions by strikeout
For Personal Services............................................ 3,569,300
For State Contributions to State Employees’ Retirement System............... 1,438,900
For State Contributions to Social Security........................................... 273,300
For Group Insurance.......................... 1,150,000
For Contractual Services........................................ 522,300
For Travel........................................ 45,000
For Commodities................................... 68,000
For Printing........................................ 51,400
For Equipment.................................... 192,700
For Electronic Data Processing............... 197,000
For Telecommunications Services................. 167,000
For Operation of Auto Equipment................... 11,000
Total $7,685,900

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF BENEFITS
PAYABLE FROM GENERAL REVENUE FUND
For payment of claims, including prior years claims, under the Representation and Indemnification in Civil Lawsuits Act............... 1,145,300
For auto liability, adjusting and Administration of claims, loss control and prevention services, and auto liability claims, including prior years claims..................................... 1,360,200
PAYABLE FROM STATE EMPLOYEES DEFERRED COMPENSATION PLAN FUND
For expenses related to the administration of the State Employees’ Deferred Compensation Plan........................................ 1,500,000

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

BUREAU OF PERSONNEL
PAYABLE FROM GENERAL REVENUE FUND

New matter indicated in italics - deletions by strikeout
For Awards and Expenses of the
State Government Suggestion Award Board........... 3,500
For Wage Claims........................................ 1,113,100
For Veterans' Job Assistance Program............. 282,200
For Governor's and Vito Marzullo's
Internship programs............................. 572,900
For Nurses' Tuition.................................. 80,000
Total                                                                                          $2,051,700

Section 35. The following named sum, or so much thereof as may
be necessary, respectively, is appropriated for the objects and purposes
hereinafter named, to the Department of Central Management Services:

BUREAU OF PROPERTY MANAGEMENT
PAYABLE FROM GENERAL REVENUE FUND
For Contractual Services...................... 12,989,400

Section 40. The following named sums, or so much thereof as may
be necessary, are appropriated from the Facilities Management Revolving
Fund to the Department of Central Management Services for expenses
related to the following:
PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND
For Personal Services........................... 20,563,900
For State Contributions to State
   Employees’ Retirement System.............. 8,289,800
For State Contributions to Social
   Security........................................ 1,573,200
For Group Insurance.............................. 6,128,000
For Contractual Services..................... 168,730,400
For Travel........................................... 38,700
For Commodities.................................. 397,900
For Printing........................................ 100
For Equipment..................................... 62,800
For Electronic Data Processing............... 622,900
For Telecommunications Services............ 273,500
For Operation of Auto Equipment............... 149,000
For Lump Sums.................................... 93,043,200
Total                                                                                     $299,873,400

Section 45. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated for the objects and purposes
hereinafter named to the Department of Central Management Services:

BUREAU OF COMMUNICATION AND COMPUTER SERVICES

New matter indicated in italics - deletions by strikeout
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND

For Personal Services......................... 42,009,600
For State Contributions to State
   Employees' Retirement System............. 16,935,000
For State Contributions to Social
   Security.................................... 3,213,800
For Group Insurance......................... 11,475,000
For Contractual Services..................... 2,428,700
For Travel.................................... 285,000
For Commodities.............................. 86,700
For Printing.................................. 203,600
For Equipment............................... 186,300
For Electronic Data Processing............. 86,418,200
For Telecommunications Services.......... 4,518,400
For Operation of Auto Equipment.......... 80,000
For Refunds.................................. 5,300,000
Total ........................................ $173,140,300

PAYABLE FROM COMMUNICATIONS REVOLVING FUND

For Personal Services......................... 7,128,800
For State Contributions to State
   Employees' Retirement System............. 2,873,800
For State Contributions to Social
   Security.................................... 545,400
For Group Insurance......................... 2,075,000
For Contractual Services..................... 3,620,000
For Travel.................................... 138,300
For Commodities.............................. 21,900
For Printing.................................. 5,500
For Equipment............................... 33,000
For Telecommunications Services.......... 97,510,800
For Operation of Auto Equipment.......... 15,000
For Refunds.................................. 3,293,400
For Broadband Network...................... 52,152,600
Total ........................................ $169,413,500

Section 50. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to the Department of Central Management Services:

BUREAU OF AGENCY SERVICES

PAYABLE FROM STATE GARAGE REVOLVING FUND

New matter indicated in italics - deletions by strikeout
For Personal Services.......................... 11,575,600
For State Contributions to State Employees' Retirement System........... 4,666,400
For State Contributions to Social Security........................................ 885,600
For Group Insurance................................................. 4,340,000
For Contractual Services................. 2,350,000
For Travel................................................. 15,000
For Commodities................................... 85,000
For Printing....................................... 15,000
For Equipment..................................... 17,946,500
For Telecommunications Services.......... 80,000
For Operation of Auto Equipment........ 34,621,000
For Refunds................................................. 1,000
Total .............................................................. $76,581,100

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services.......................... 1,137,900
For State Contributions to State Employees' Retirement System........... 458,700
For State Contributions to Social Security........................................ 87,100
For Group Insurance................................................. 550,000
For Contractual Services................. 1,556,400
For Travel................................................. 3,000
For Commodities................................... 12,000
For Equipment..................................... 48,000
For Operation of Auto Equipment........ 121,000
Total .............................................................. $3,974,100

PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND
For Personal Services.......................... 287,100
For State Contributions to State Employees' Retirement System........... 115,800
For State Contributions to Social Security........................................ 22,000
For Group Insurance................................................. 100,000
For Contractual Services................. 10,000
For Travel................................................. 5,000
For Commodities................................... 2,500
For Printing....................................... 2,500

New matter indicated in italics - deletions by strikeout
For Equipment...................................... 5,000
For Electronic Data Processing..................... 6,000
For Telecommunications............................. 5,000
For Operation of Auto Equipment.................... 5,000
Total $565,900

PAYABLE FROM STATE SURPLUS PROPERTY REVOLVING FUND

For Expenses Related to the Administration and Operation of Surplus Property and Recycling Programs.................. 4,758,700

ARTICLE 6

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the State Civil Service Commission:

For Personal Services............................ 248,700
For State Contributions to Social Security.......................... 19,600
Total $268,300

Section 10. The sum of $110,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Civil Service Commission to meet its operational expenses for the fiscal year ending June 30, 2014.

ARTICLE 7

Section 5. The sum of $10,541,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

GENERAL ADMINISTRATION OPERATIONS

Payable from the Tourism Promotion Fund:
For ordinary and contingent expenses associated with general administration, including prior year costs.................. 6,800,500

Payable from the Intra-Agency Services Fund:
For overhead costs related to federal

New matter indicated in italics - deletions by strikeout
programs, including prior year costs............ 19,539,400

Payable from the Build Illinois Bond Fund:
For ordinary and contingent expenses associated with the administration of the capital program, including prior year costs.................. 2,000,000

Section 15. The following named sum, or so much thereof as may be necessary, respectively, is appropriated to the Department of Commerce and Economic Opportunity:

**GENERAL ADMINISTRATION**

**GRANTS**

Payable from the FY09 Budget Relief Fund:
For Grants, Contracts and Administrative Expenses Associated with a Summer Jobs for Youth Program including prior year costs............... 14,000,000

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

**OFFICE OF TOURISM**

**OPERATIONS**

Payable from the Tourism Promotion Fund:
For administrative expenses of the tourism program, including prior year costs.................. 4,091,600
For administrative and grant expenses associated with statewide tourism promotion and development, including prior year costs... 7,317,700
For Advertising and Promotion of Tourism For Illinois State Fair Ethnic Village Expenses....................... 50,000
For advertising and promotion of Tourism throughout Illinois Under Subsection (2) of Section 4a of the Illinois Promotion Act..... 12,578,700
For Advertising and Promotion of Illinois Tourism in International Markets............ 3,740,500
Total $27,778,500

New matter indicated in italics - deletions by strikeout
Section 25. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF TOURISM

GRANTS

Payable from the International Tourism Fund:
For Grants, Contracts and Administrative Expenses Associated with the International Tourism Program Pursuant to 20 ILCS 605/605-707, Including Prior Year Costs.................................... 5,000,000

Payable from the Tourism Promotion Fund:
For the Tourism Matching Grant Program Pursuant to 20 ILCS 665/8-1 for Counties under 1,000,000.................. 1,203,400

For the Tourism Matching Grant Program Pursuant to 20 ILCS 665/8-1 for Counties over 1,000,000.................. 721,600

For the Tourism Attraction Development Grant Program Pursuant to 20 ILCS 665/8a...... 2,064,600

For Purposes Pursuant to the Illinois Promotion Act, 20 ILCS 665/4a-1 to Match Funds from Sources in the Private Sector................................. 660,000

For Grants to Regional Tourism Development Organizations....................... 528,000

For Grants, Contracts and Administrative Expenses Associated with the Development of the Illinois Grape and Wine Industry, Including Prior Year Costs...................... 150,000

Total $5,327,600

The Department, with the consent in writing from the Governor, may reallocate not more than ten percent of the total appropriation of Tourism Promotion Fund, in Section 20 above, among the various purposes therein recommended.

Payable from Local Tourism Fund:
For grants to Convention and Tourism Bureaus Bureaus Outside of Chicago .................. 12,276,700

Chicago Office of Tourism .................. 2,694,900

For grants, contracts, and administrative

New matter indicated in italics - deletions by strikeout
expenses associated with the
Local Tourism and Convention Bureau
Program pursuant to 20 ILCS 605/605-705
including prior year costs.................. 308,000
Total $15,279,600
Payable from the General Revenue Fund:
For grants, contracts, and administrative expenses associated with the 2014 IPW, to the Chicago Convention and Tourism Bureau................................. 500,000
For grants, contracts, and administrative expenses associated with the 2014 IPW........................................... 500,000
Total $1,000,000

Section 30. The following named sum, or so much thereof as may be necessary, respectively, is appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF EMPLOYMENT AND TRAINING GRANTS
Payable from the Federal Workforce Training Fund:
For Grants, Contracts and Administrative Expenses Associated with the Workforce Investment Act and other workforce training programs, including refunds and prior year costs...................... 275,000,000

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF ENTREPRENEURSHIP, INNOVATION AND TECHNOLOGY GRANTS
Payable from the General Revenue Fund:
For grants, contracts, and administrative expenses associated with the Illinois Office of Entrepreneurship, Innovation and Technology, including prior year costs.... 5,500,000
For grants, contracts, and administrative Expenses associated with DCEO Technology-Based Programs, including prior year

New matter indicated in italics - deletions by strikeout
Payable from the Small Business Environmental Assistance Fund:
For grants and administrative expenses of the Small Business Environmental Assistance Program, including prior year costs: 425,000

Payable from the Workforce, Technology, and Economic Development Fund:
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-420, Including Prior Year Costs: 1,000,000

Payable from the Commerce and Community Affairs Assistance Fund:
For grants, contracts and administrative expenses of the Procurement Technical Assistance Center Program, including prior year costs: 750,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-500, Including Prior Year Costs: 14,000,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-30, Including Prior Year Costs: 4,000,000
Total: 18,750,000

Payable from the Digital Divide Elimination Fund:
For the Community Technology Center Grant Program, Pursuant to 30 ILCS 780, including prior year costs: 5,000,000

Section 40. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:
OFFICE OF BUSINESS DEVELOPMENT OPERATIONS

Payable from Economic Research and Information Fund:
For Purposes Set Forth in Section 605-20 of the Civil

New matter indicated in italics - deletions by strikeout
Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF BUSINESS DEVELOPMENT

GRANTS

Payable from the General Revenue Fund:

For the Purpose of Grants, Contracts, and Administrative Expenses associated with DCEO Job Training Programs, including prior year costs......................... 9,000,000

For a grant associated with Job training to the Illinois Manufacturers’ Association, including prior year costs......................... 1,500,000

For a grant associated with Job training to the Chicago Federation of Labor, including prior year costs......................... 1,500,000

For a grant associated with Job training to the Illinois Manufacturing Extension Center, including prior year costs......................... 1,000,000

For a grant associated with Job training to the Chicagoland Regional College Program, including prior year costs......................... 2,000,000

For a grant associated with Job training to the New Start, Inc. for basic nurse assistance training program in Latino communities, including prior year costs......................... 750,000

New matter indicated in italics - deletions by strikeout
For grants associated with Business and Community Development.............. 5,065,000
Total $20,815,000

Payable from the Intermodal Facilities Promotion Fund:
For the purpose of promoting construction of intermodal transportation facilities Including Reimbursement of Prior Year Costs.............. 3,000,000

Payable from the Illinois Capital Revolving Loan Fund:
For the Purpose of Contracts, Grants, Loans, Investments and Administrative Expenses in Accordance with the Provisions of the Small Business Development Act pursuant to 30 ILCS 750/9.............. 10,500,000

Payable from the Illinois Equity Fund:
For the purpose of Grants, Loans, and Investments in Accordance with the Provisions of the Small Business Development Act........................ 1,000,000

Payable from the Large Business Attraction Fund:
For the purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 10 of the Build Illinois Act............... 1,500,000

Payable from the Public Infrastructure Construction Loan Revolving Fund:
For the Purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 8 of the Build Illinois Act................. 12,000,000

Payable from the State Small Business Credit Initiative Fund:
For the Purpose of Contracts, Grants, Loans, Investments and Administrative Expenses in Accordance with the State Small Business Credit Initiative Program, including prior year costs................. 68,000,000

New matter indicated in italics - deletions by strikeout
Section 50. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of Commerce and Economic Opportunity:

**OFFICE OF COAL DEVELOPMENT**

**GRANTS**

Payable from the Coal Technology Development Assistance Fund:
For Grants, Contracts and Administrative Expenses Under the Provisions of the Illinois Coal Technology Development Assistance Act, including prior years
Costs........................................ 20,000,000

Section 55. The following named sum, or so much thereof as may be necessary, respectively, is appropriated to the Department of Commerce and Economic Opportunity:

**ILLINOIS FILM OFFICE**

Payable from Tourism Promotion Fund:
For Administrative Expenses, Grants, and Contracts Associated with Advertising and Promotion, including prior year costs.......................... 1,317,700

Section 60. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

**OFFICE OF TRADE AND INVESTMENT**

**OPERATIONS**

Payable from the General Revenue Fund:
For Grants, Contracts, and Administrative Expenses associated with the Illinois Office of Trade and Investment, including prior year costs.......................... 1,500,000

Payable from the International Tourism Fund:
For Grants, Contracts, and Administrative Expenses associated with the Illinois Office Trade and Investment, including prior year costs.......................... 5,000,000

Payable from the International and Promotional Fund:
For Grants, Contracts, Administrative Expenses, and Refunds Pursuant to

New matter indicated in italics - deletions by strikeout
20 ILCS 605/605-25, including prior year costs
Payable from the Tourism Promotion Fund:
For Grants, Contracts, and Administrative Expenses associated with the Illinois Office Trade and Investment, including prior year costs

Section 65. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF ENERGY ASSISTANCE
GRANTS

Payable from Supplemental Low-Income Energy Assistance Fund:
For Grants and Administrative Expenses Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended, including refunds and prior year costs

Payable from Good Samaritan Energy Trust Fund:
For Grants, Contracts and Administrative Expenses Pursuant to the Good Samaritan Energy Plan Act, including refunds and prior year costs

Payable from Energy Administration Fund:
For Grants, Contracts and Administrative Expenses associated with DCEO Weatherization Programs, including refunds and prior year costs

Payable from Low Income Home Energy Assistance Block Grant Fund:
For Grants, Contracts and Administrative Expenses associated with the Low Income Home Energy Assistance Act of 1981, including Refunds and prior year

Section 70. The following named sums, or so much thereof as may be necessary, respectively are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF COMMUNITY DEVELOPMENT
GRANTS

New matter indicated in italics - deletions by strikeout
Payable from the General Revenue Fund:
For grants, contracts, and administrative expenses associated with the African American Family Commission ............................... 750,000
For grants, contracts, and administrative expenses associated with the Northeast DuPage Special Recreation Association ............................... 250,000
For grants, contracts, and administrative expenses associated with Agudath Israel of Illinois for school transportation ......................... 1,200,000
Total $2,200,000

Payable from the Agricultural Premium Fund:
For the Ordinary and Contingent Expenses of the Rural Affairs Institute at Western Illinois University ............................... 160,000

Payable from the Federal Moderate Rehabilitation Housing Fund:
For Grants, Contracts and Administrative Expenses associated with Housing Assistance Payments, including refunds and prior year costs ............................... 1,500,000

Payable from the Community Services Block Grant Fund:
For Administrative Expenses and Grants to Eligible Recipients as Defined in the Community Services Block Grant Act, including refunds and prior year costs ............................... 65,000,000

Payable from the Community Development Small Cities Block Grant Fund:
For Grants, Contracts and Administrative Expenses related to the Section 108 Loan Guarantee Program ............................... 130,000,000
For Grants to Local Units of Government or Other Eligible Recipients and for contracts and administrative expenses, as Defined in the Community Development Act of 1974, or by U.S. HUD Notice approving Supplemental allocation

New matter indicated in italics - deletions by strikeout
For the Illinois CDBG Program, including refunds and prior year costs........................ 300,000,000
For Administrative and Grant Expenses Relating to Training, Technical Assistance and Administration of the Community Development Assistance Programs, and for Grants to Local Units of Government or Other Eligible Recipients as Defined in the Community Development Act of 1974, as amended, for Illinois Cities with populations under 50,000, Including Refunds, and prior year costs.......................... 120,000,000
Total $550,000,000

Section 75. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

ILLINOIS ENERGY OFFICE

GRANTS

Payable from the Solid Waste Management Fund:
For Grants, Contracts and Administrative Expenses Associated with Providing Financial Assistance for Recycling and Reuse in Accordance with Section 22.15 of the Environmental Protection Act, the Illinois Solid Waste Management Act and the Solid Waste Planning and Recycling Act, including prior year costs...................... 7,000,000

Payable from the Alternate Fuels Fund:
For Administration and Grant Expenses of the Ethanol Fuel Research Program, Including Prior Year Costs...................... 1,000,000

Payable from the Renewable Energy Resources Trust Fund:
For Grants, Loans, Investments and Administrative Expenses of the Renewable Energy Resources Program, and the Illinois Renewable Fuels Development Program, Including Prior Year Costs........... 9,000,000

Payable from the Energy Efficiency Trust Fund:
For Grants and Administrative Expenses

New matter indicated in italics - deletions by strikeout
Relating to Projects that Promote Energy Efficiency, including prior year costs......... 6,000,000
Payable from the DCEO Energy Projects Fund:
For Expenses and Grants Connected with Energy Programs, including prior year Costs........................................... 3,000,000
Payable from the Federal Energy Fund:
For Expenses and Grants Connected with the State Energy Program, including prior year costs.............................. 3,000,000
Payable from the Energy Efficiency Portfolio Standards Fund:
For Grants, Contracts, and Administrative Expenses associated with Energy Efficiency Programs, including refunds and prior year costs............................. 125,000,000

Section 80. The sum of $3,700,000, or so much thereof as may be necessary, and remains unexpended from an appropriation hereto made for such purposes in Section 100 of Article 5 of Public Act 97-0727, is re-appropriated from the Renewable Energy Resources Trust Fund to the Department of Commerce and Economic Opportunity for grants, and administrative expenses associated with the Illinois Green Economy Network.

Section 85. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
GRANTS

Payable from Energy Administration Fund:
For Grants and Technical Assistance Services for Nonprofit Community Organizations and other Operating and Administrative Costs under the Provisions of the American Recovery And Reinvestment Act of 2009, including refunds and prior year costs....................... 5,000,000
Payable from the Federal Energy Fund:
For Grants, Contracts and Administrative

New matter indicated in italics - deletions by strikeout
Expenses under the provisions of the American Recovery and Reinvestment Act of 2009, including refunds and prior year costs. 

Payable from the Federal Workforce Training Fund:
For Grants, Contracts and Administrative Expenses under the Provisions of the American Recovery and Reinvestment Act of 2009, including refunds and prior year costs.

Total, this Article $1,854,204,600

ARTICLE 8
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses to the Illinois Commerce Commission:

CHAIRMAN AND COMMISSIONER'S OFFICE

Payable from Transportation Regulatory Fund:
For Personal Services 
For State Contributions to State Employees' Retirement System 
For State Contributions to Social Security 
For Group Insurance 
For Contractual Services 
For Travel 
For Equipment 
For Telecommunications 
For Operation of Auto Equipment
Total $131,500

Payable from Public Utility Fund:
For Personal Services 
For State Contributions to State Employees' Retirement System 
For State Contributions to Social Security 
For Group Insurance 
For Contractual Services 
For Travel 
For Commodities 
For Equipment 
For Telecommunications
Total $1,854,204,600

New matter indicated in italics - deletions by strikeout
Section 10. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Public Utility Fund for the ordinary and contingent expenses of the Illinois Commerce Commission.

PUBLIC UTILITIES

For Personal Services............................ 15,379,800
For State Contributions to State
  Employees' Retirement System................. 6,199,900
  For State Contributions to Social Security..... 1,173,700
  For Group Insurance......................... 4,442,300
  For Contractual Services...................... 1,665,500
  For Travel................................... 100,000
  For Commodities.............................. 24,000
  ForPrinting.................................. 22,000
  For Equipment................................ 46,000
  For Electronic Data Processing.............. 773,400
  For Telecommunications.................... 260,000
  For Operation of Auto Equipment........... 68,500
  For Refunds................................ 26,500
Total ........................................... $30,181,600

Section 15. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Illinois Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for a grant to the Statewide One-call Notice System, as required in the Illinois Underground Utility Facilities Damage Prevention Act.

Section 20. The sum of $1,000, or so much thereof as may be necessary, is appropriated from the Illinois Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for refunds.

Section 25. The sum of $77,130,000, or so much thereof as may be necessary, is appropriated from the Wireless Service Emergency Fund to the Illinois Commerce Commission for its administrative costs and for grants to emergency telephone system boards, qualified government entities, or the Department of State Police for the design, implementation, operation, maintenance, or upgrade of wireless 9-1-1 or E9-1-1 emergency services and public safety answering points.

New matter indicated in italics - deletions by strikeout
Section 30. The sum of $5,689,800, or so much thereof as may be necessary, is appropriated from the Wireless Carrier Reimbursement Fund to the Illinois Commerce Commission for reimbursement of wireless carriers for costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 services mandates and for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Transportation Regulatory Fund for ordinary and contingent expenses to the Illinois Commerce Commission:

TRANSPORTATION

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>6,528,100</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>2,631,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>497,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,899,700</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>908,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>98,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>41,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>80,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>279,200</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>357,400</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>226,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>222,600</td>
</tr>
<tr>
<td>For Refunds</td>
<td>24,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$13,795,300</strong></td>
</tr>
</tbody>
</table>

Section 40. The sum of $4,240,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for (1) disbursing funds collected for the Single State Insurance Registration Program and/or Unified Carrier Registration System; (2) for refunds for overpayments; and (3) for administrative expenses.

Section 45. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for railroad crossing improvement initiatives.

Section 50. The sum of $9,000,000, or so much of thereof as may be necessary, is appropriated to the Illinois Commerce Commission from
the Wireless Carrier Reimbursement Fund for deposit into the Public Utility Fund.

ARTICLE 9

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Office of the State Comptroller:

For Personal Services.......................... 15,050,000
For Employee Retirement Contributions
   Paid by the Employer.......................... 0
For State Contribution to State
   Employees' Retirement System.................. 0
For State Contribution to
   Social Security............................... 1,149,000
For Contractual Services...................... 4,682,500
For Travel....................................... 128,100
For Commodities............................... 225,000
For Printing.................................... 345,000
For Equipment.................................. 12,800
For Telecommunications....................... 241,000
For Electronic Data Processing............... 1,695,000
For Operation of Auto.......................... 8,900
For Expenses of Local Government
   Officials Training......................... 12,500
For Contractual Services for auditing
   and assisting local governments......... 25,000
Merit Commission
For Merit Commission Expenses.............. 93,000

Section 10. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated to the State Comptroller from the Comptroller's Administrative Fund for the discharge of duties of the office.

Section 15. The sum of $50,300, or so much thereof as may be necessary, is appropriated to the State Comptroller from the State Lottery Fund for expenses in connection with the State Lottery.

Section 20. The sum of $70,000, or so much thereof as may be necessary, is appropriated to the State Comptroller to meet the ordinary and contingent expenses for the Office of Inspector General.

New matter indicated in italics - deletions by strikeout
Section 25. The sum of $103,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for expenses and the administration of Section 15-125 of the Pension Code.

Section 30. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for ordinary and contingent expenses associated with the Financial Reporting Standards Board Act.

ARTICLE 10

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Office of the State Comptroller for the fiscal year ending June 30, 2014:

For Personal Services, Social Security and Operations:

Official Court Reporting................................. 41,108,400
For Employee Retirement Contributions
Paid by the Employer........................................ 0
For State Contributions to the State Employees’ Retirement System..................................... 0
For State Contributions to Social Security.................................... 3,144,800

For Travel:

For Official Court Reporting................................. 167,900
For Contractual Services................................. 4,046,700
For Commodities..................................................... 1,000
For Printing.......................................................... 0
For Equipment......................................................... 5,000
For Telecommunications........................................ 2,000
For Electronic Data Processing................................. 0

Section 10. The sum of $750,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for ordinary and contingent expenses associated with the payment to official court reporters pursuant to law.

ARTICLE 11

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay the elected State officers of the Executive Branch of the State Government, at various rates prescribed by law:

For the Governor.............................................. 177,500

New matter indicated in italics - deletions by strikeout
Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

**From General Revenue Fund**

- **Department on Aging**
  - For the Director: 115,700

- **Department of Agriculture**
  - For the Director: 0
  - For the Assistant Director: 0

- **Department of Central Management Services**
  - For the Director: 142,400
  - For 2 Assistant Directors: 242,100

- **Department of Children and Family Services**
  - For the Director: 0

- **Department of Corrections**
  - For the Director: 150,300
  - For the Assistant Director: 127,800

- **Department of Commerce and Economic Opportunities**
  - For the Director: 142,400
  - For the Assistant Director: 121,100

- **Environmental Protection Agency**
  - For the Director: 133,300

- **Department of Financial and Professional Regulation**
  - For the Secretary: 0
  - For the Director: 0
  - For the Director: 0

- **Department of Human Services**
  - For the Secretary: 150,300
  - For 2 Assistant Secretaries: 255,500

New matter indicated in italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Department</th>
<th>Position</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Juvenile Justice</td>
<td>For the Director</td>
<td>120,400</td>
</tr>
<tr>
<td>Department of Labor</td>
<td>For the Director</td>
<td>124,100</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>113,200</td>
</tr>
<tr>
<td></td>
<td>For the Chief Factory Inspector</td>
<td>52,200</td>
</tr>
<tr>
<td></td>
<td>For the Superintendent of Safety Inspection</td>
<td>57,400</td>
</tr>
<tr>
<td></td>
<td>and Education</td>
<td></td>
</tr>
<tr>
<td>Department of State Police</td>
<td>For the Director</td>
<td>132,600</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>113,200</td>
</tr>
<tr>
<td>Department of Military Affairs</td>
<td>For the Adjutant General</td>
<td>115,700</td>
</tr>
<tr>
<td></td>
<td>For two Chief Assistants to the Adjutant General</td>
<td>197,100</td>
</tr>
<tr>
<td>Department of Lottery</td>
<td>For the Superintendent</td>
<td>0</td>
</tr>
<tr>
<td>Department of Natural Resources</td>
<td>For the Director</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>For six Mine Officers</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>For four Miners' Examining Officers</td>
<td>0</td>
</tr>
<tr>
<td>Illinois Labor Relations Board</td>
<td>For the Chairman</td>
<td>104,400</td>
</tr>
<tr>
<td></td>
<td>For four State Labor Relations Board members</td>
<td>375,800</td>
</tr>
<tr>
<td></td>
<td>For two Local Labor Relations Board members</td>
<td>187,900</td>
</tr>
<tr>
<td></td>
<td>For the Local Labor Relations Board Chairman</td>
<td>93,900</td>
</tr>
<tr>
<td>Department of Healthcare and Family Services</td>
<td>For the Director</td>
<td>142,400</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>121,100</td>
</tr>
<tr>
<td>Department of Public Health</td>
<td>For the Director</td>
<td>150,300</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>127,800</td>
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<tr>
<td>Department of Revenue</td>
<td>For the Director</td>
<td>142,400</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>121,000</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Agency/Movement</th>
<th>Position</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Veterans' Affairs</td>
<td>For the Director</td>
<td>115,700</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>98,600</td>
</tr>
<tr>
<td>Civil Service Commission</td>
<td>For the Chairman</td>
<td>30,500</td>
</tr>
<tr>
<td></td>
<td>For four members</td>
<td>101,300</td>
</tr>
<tr>
<td>Commerce Commission</td>
<td>For the Chairman</td>
<td>134,100</td>
</tr>
<tr>
<td></td>
<td>For four members</td>
<td>468,200</td>
</tr>
<tr>
<td>Court of Claims</td>
<td>For the Chief Judge</td>
<td>65,000</td>
</tr>
<tr>
<td></td>
<td>For the six Judges</td>
<td>359,600</td>
</tr>
<tr>
<td>State Board of Elections</td>
<td>For the Chairman</td>
<td>58,500</td>
</tr>
<tr>
<td></td>
<td>For the Vice-Chairman</td>
<td>48,100</td>
</tr>
<tr>
<td></td>
<td>For six members</td>
<td>225,500</td>
</tr>
<tr>
<td>Illinois Emergency Management Agency</td>
<td>For the Director</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>For the Assistant Director</td>
<td>0</td>
</tr>
<tr>
<td>Department of Human Rights</td>
<td>For the Director</td>
<td>115,700</td>
</tr>
<tr>
<td>Human Rights Commission</td>
<td>For the Chairman</td>
<td>52,200</td>
</tr>
<tr>
<td></td>
<td>For twelve members</td>
<td>563,600</td>
</tr>
<tr>
<td>Illinois Workers’ Compensation Commission</td>
<td>For the Chairman</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>For nine members</td>
<td>0</td>
</tr>
<tr>
<td>Liquor Control Commission</td>
<td>For the Chairman</td>
<td>39,000</td>
</tr>
<tr>
<td></td>
<td>For six members</td>
<td>204,400</td>
</tr>
<tr>
<td></td>
<td>For the Secretary</td>
<td>37,600</td>
</tr>
<tr>
<td></td>
<td>For the Chairman and one</td>
<td>55,000</td>
</tr>
<tr>
<td></td>
<td>member as designated by</td>
<td></td>
</tr>
<tr>
<td></td>
<td>law, $200 per diem for</td>
<td></td>
</tr>
<tr>
<td></td>
<td>work on a license appeal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>commission</td>
<td></td>
</tr>
<tr>
<td>Executive Ethics Commission</td>
<td>For nine members</td>
<td>338,200</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
Illinois Power Agency
For the Director.......................... 0

Pollution Control Board
For the Chairman.......................... 121,100
For four members.......................... 468,200

Prisoner Review Board
For the Chairman.......................... 95,900
For fourteen members of the
Prisoner Review Board.................. 1,202,500

Secretary of State Merit Commission
For the Chairman.......................... 0
For four members.......................... 51,700

Educational Labor Relations Board
For the Chairman.......................... 104,400
For four members.......................... 375,800

Department of State Police
For five members of the State Police
Merit Board, $237 per diem,
whichever is applicable in accordance
with law, for a maximum of 100
days each.......................... 118,500

Department of Transportation
For the Secretary.......................... 0
For the Assistant Secretary.............. 0

Office of Small Business Utility Advocate
For the small business utility advocate.... 0

Section 15. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the State Comptroller to pay
certain officers of the Legislative Branch of the State Government, at the
various rates prescribed by law:

Office of Auditor General
For the Auditor General.................. 149,100
For two Deputy Auditor Generals......... 123,200
Total........................................... 272,300

Officers and Members of General Assembly
For salaries of the 118 members
of the House of Representatives at
a base salary of $67,836.................. 7,766,100
For salaries of the 59 members

New matter indicated in italics - deletions by strikeout
of the Senate at a base salary of $67,836..... 3,947,800
Total $11,713,900

For additional amounts, as prescribed by law, for party leaders in both chambers as follows:
For the Speaker of the House, the President of the Senate and Minority Leaders of both Chambers.............. 104,900
For the Majority Leader of the House.............. 22,200
For the eleven assistant majority and minority leaders in the Senate.............. 216,800
For the twelve assistant majority and minority leaders in the House.............. 206,900
For the majority and minority caucus chairmen in the Senate.............. 39,500
For the majority and minority conference chairmen in the House.............. 34,500
For the two Deputy Majority and the two Deputy Minority leaders in the House.............. 75,600
For chairmen and minority spokesmen of standing committees in the Senate except the Committee on Assignments................................. 532,000
For chairmen and minority spokesmen of standing and select committees in the House................................. 906,400
Total $2,138,800

For per diem allowances for the members of the Senate, as provided by law................................. 400,000
For per diem allowances for the members of the House, as provided by law................................. 800,000
For mileage for all members of the General Assembly, as provided by law................................. 450,000
Total $1,650,000

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay

New matter indicated in italics - deletions by strikeout
certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

Department of Agriculture
For the Director
   From Weights and Measures Fund .................. 133,300
For the Assistant Director
   From Weights and Measures Fund .................. 113,200

Department of Children and Family Services
For the Director
   From DCFS Children’s Services Fund .............. 150,300

Illinois Emergency Management Agency
For the Director
   From Nuclear Safety Emergency Preparedness Fund .................. 129,000
   From Radiation Protection Fund .................. 115,700

Department of Financial and Professional Regulation
For the Secretary
   From the Professions Indirect Cost Fund ........... 135,100
For the Director
   From the Professions Indirect Cost Fund ........... 115,700
   From the Professions Indirect Cost Fund ........... 124,100

Illinois Power Agency
For the Director
   From the Illinois Power Agency Operations Fund .. 103,800

Department of Insurance
For the Director
   From Insurance Producer Administration Fund .... 135,100

Department of Lottery
For the Superintendent
   From State Lottery Fund ........................... 142,000

Department of Natural Resources
Payable from Park and Conservation Fund
   For the Director ................................. 133,300
   For the Assistant Director ........................ 124,600
Payable from Coal Mining Regulatory Fund
   For six Mine Officers ............................ 94,000
   For four Miners’ Examining Officers ............ 51,700

New matter indicated in italics - deletions by strikeout
Payable from Road Fund
  For the Secretary.............................. 150,300
  For the Assistant Secretary.................... 127,800

Illinois Workers’ Compensation Commission
Payable from IWCC Operations Fund
  For the Chairman............................... 125,300
  For nine members............................... 1,078,600

Office of the State Fire Marshal
For the State Fire Marshal:
  From Fire Prevention Fund..................... 115,700

Illinois Racing Board
For eleven members of the Illinois Racing Board, $300 per diem to a maximum 12,665 as prescribed by law:
  From the Horse Racing Fund................... 137,800

Department of Employment Security
Payable from Title III Social Security and Employment Service Fund:
  For the Director.............................. 142,200
  For five members of the Board of Review........ 75,000
  Total........................................ 217,200

Department of Financial and Professional Regulation
Payable from Bank and Trust Company Fund:
  For the Director.............................. 136,300

Subtotals:
  Weights and Measures.......................... 246,500
  DCFS Children’s Services Fund.................. 150,300
  Nuclear Safety Emergency Preparedness Fund..... 129,000
  Radiation Protection Fund .................... 115,700
  Professions Indirect Cost Fund................ 374,900
  Illinois Power Agency Operations Fund......... 103,800
  Insurance Producer Administration Fund....... 135,100
  State Lottery Fund............................ 142,000
  Park and Conservation Fund.................... 257,900
  Coal Mining Regulatory Fund................... 145,700
  Road Fund.................................... 278,100
  IWCC Operations Fund.......................... 1,203,900
  Fire Prevention.............................. 115,700

New matter indicated in italics - deletions by strikeout
Horse Racing
Bank and Trust Company Fund
Title III Social Security and Employment Service Fund
Total

$3,889,900

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the State Comptroller in connection with the payment of salaries for officers of the Executive and Legislative Branches of State Government:

For State Contribution to State Employees' Retirement System:

- From Horse Racing Fund
- From Fire Prevention Fund
- From Bank and Trust Company Fund
- From Title III Social Security and Employment Service Fund
- From Weights and Measures
- From DCFS Children’s Services Fund
- From Nuclear Safety Emergency Preparedness Fund
- From Radiation Protection Fund
- From Professions Indirect Cost Fund
- From Illinois Power Agency Operations Fund
- From State Lottery Fund
- From Park and Conservation Fund
- From Coal Mining Regulatory Fund
- From Road Fund
- From IWCC Operations Fund

Total

$1,497,800

For State Contribution to Social Security:

- From General Revenue Fund
- From Horse Racing Fund
- From Fire Prevention Fund
- From Bank and Trust Company Fund
- From Title III Social Security and Employment Service Fund
- From Weights and Measures
- From DCFS Children’s Services Fund

New matter indicated in italics - deletions by strikeout
Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

Executive Inspector Generals

For the Executive Inspector General for the Office of the Governor .................. 150,200

For the Executive Inspector General for the Office of the Attorney General .............. 106,500

For the Executive Inspector General for the

New matter indicated in italics - deletions by strikeout
Section 35. The amount of $1,603,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for contingencies in the event that any amounts appropriated in Sections 5 through 30 of this Article are insufficient and other expenses associated with the administration of Sections 5 through 30.

ARTICLE 12

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Court of Claims for its ordinary and contingent expenses:

CLAIMS ADJUDICATION

Payable from the General Revenue Fund:

For Personal Services.......................... 1,173,800
For Employee Retirement Contributions
  Paid by Employer.................................. 47,000
For State Contribution to Social Security.......................... 90,100
For Contractual Services.......................... 20,000
For Travel........................................ 11,250
For Commodities.................................... 4,250
For Printing....................................... 5,100
For Equipment..................................... 11,000
For Telecommunications Services................. 3,750
For Refunds........................................ 425
For Reimbursement for Incidental Expenses Incurred by Judges.................. 30,005

Total $1,396,680

Section 10. The sum of $450,000, or so much thereof may be necessary, is appropriated from the Court of Claims Administration and Grant Fund to the Court of Claims for administrative expenses under the Crime Victims Compensation Act.

Section 15. The following named sum, or so much thereof as may be necessary, is appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims

New matter indicated in italics - deletions by strikeout
Compensation Act:
Payable from the Court of Claims
Federal Grant Fund.............................. 10,000,000

Section 20. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended from an appropriation hereto made for such purposes in Section 40 of Article 8 of Public Act 97-0727, is re-appropriated from the General Revenue Fund to the Court of Claims for payment of awards solely as a result of the lapsing of an appropriation originally made from any funds held by the State Treasurer.

Section 25. The sum of $8,000,000, or so much thereof as may be necessary and remains unexpended from an appropriation hereto made for such purposes in Section 45 of Article 8 of Public Act 97-0727, is re-appropriated from the General Revenue Fund to the Court of Claims for payment of line of duty awards.

Section 30. The following named sums, or so much thereof as may be necessary and remains unexpended from an appropriation hereto made for such purposes in Section 50 of Article 8 of Public Act 97-0727, are re-appropriated to the Court of Claims for payment of claims as follows:
For claims under the Crime Victims Compensation Act:
Payable from General Revenue Fund............ 6,000,000

For claims other than Crime Victims:
Payable from the General Revenue Fund........ 9,807,400
Total................................................. $15,807,400

Section 35. The following named sums, or so much of that amount as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:
For claims other than the Crime Victims Compensation Act:
Payable from the Road Fund..................... 1,000,000
Payable from the DCFS Children's Services Fund................................. 1,500,000
Payable from the State Garage Fund............. 50,000
Payable from the Traffic and Criminal Conviction Surcharge Fund....................... 100,000
Payable from the Vocational Rehabilitation Fund.................................... 125,000
Total................................................. $2,775,000

ARTICLE 13
Section 5. The sum of $5,360,000, or so much thereof as may be necessary, is appropriated from the Drycleaner Environmental Response Trust Fund to the Drycleaner Environmental Response Trust Fund Council for use in accordance with the Drycleaner Environmental Response Trust Fund Act.

ARTICLE 14

Section 5. The following named sums, or so much of those amounts as may be necessary, respectively, are appropriated to the State Board of Elections for its ordinary and contingent expenses as follows:

The Board
- For Contractual Services: $27,200
- For Travel: $19,000
- For Equipment: $700
  Total: $46,900

Administration
- For Personal Services: $754,400
- For Employee Retirement Contributions
  - Paid By Employer: $30,200
- For State Contributions to Social Security: $57,800
- For Contractual Services: $568,800
- For Travel: $14,400
- For Commodities: $16,400
- For Printing: $9,800
- For Equipment: $6,000
- For Telecommunications: $143,700
- For Operation of Automotive Equipment: $4,900
  Total: $1,606,400

Elections
- For Personal Services: $1,702,500
- For Employee Retirement Contributions
  - Paid By Employer: $68,100
- For State Contributions to Social Security: $130,300
- For Contractual Services: $33,400
- For Travel: $51,300
- For Printing: $6,900
- For Equipment: $3,300
- For Purchase of Election Codes: $17,500
- For HAVA Maintenance of Effort

New matter indicated in italics - deletions by strikeout
Contribution-State.............................. 550,000
For FY 2014 costs related to development and implementation of Statewide voter canvassing operations and reporting system project, as mandated by Public Act 95-0699................. 65,000
For FY 2014 reimbursement and assistance to local election jurisdictions for ongoing support costs, and SBE maintenance of local election jurisdiction interfaces for the Illinois Voter Registration System (IVRS) Statewide database................... 3,700,000
Total $6,328,300

General Counsel
For Personal Services............................ 315,100
For Employee Retirement Contributions
Paid By Employer.................................. 12,600
For State Contributions to
Social Security................................. 24,200
For Contractual Services......................... 128,700
For Travel........................................ 9,500
For Equipment................................. 500
Total $490,600

Campaign Disclosure
For Personal Services............................ 779,600
For Employee Retirement Contributions
Paid By Employer.................................. 31,200
For State Contributions to
Social Security................................. 59,700
For Contractual Services......................... 2,300
For Travel........................................ 11,300
For Printing...................................... 20,200
For Equipment................................. 500
Total $904,800

Information Technology
For Personal Services............................ 727,500
For Employee Retirement Contributions
Paid By Employer.................................. 29,100
For State Contributions to Social Security....... 55,700
For Contractual Services......................... 342,400

New matter indicated in italics - deletions by strikeout
For Travel........................................                    10,900
For Commodities...............................               24,000
For Printing...........................................              700
For Equipment....................................              131,100
Total                                                                 $1,321,400

Section 10. The following named sums, or so much thereof as may be necessary, are reappropriated from the Help Illinois Vote Fund to the State Board of Elections for Implementation of the Help America Vote Act of 2002:

For distribution to Local Election Authorities under Section 251 of the Help America Vote Act......................... 9,300,000
For the implementation of the Statewide Voter Registration System as required by Section 1A-25 of the Illinois Election Code, including maintenance of the IDEA/VISTA program................................. 3,600,000
For administrative costs and discretionary grants to Local Election Authorities under Section 101 of the Help America Vote Act...................................... 2,000,300
Total                                                                 $14,900,300

Section 15. The following named sums, or so much thereof as may be necessary, are appropriated to the State Board of Elections:
Payable from the Personal Property Tax Replacement Fund:
For Reimbursement to Counties for Increased Compensation to Judges and other Election Officials, as provided in Public Acts 81-850, 81-1149, and 90-672-Election Day Judges only........................................ 2,300,000
For Payment of Lump Sum Awards to County Clerks, County Recorders, and Chief Election Clerks as Compensation for Additional Duties required of such officials by consolidation of elections law, as provided in Public Acts 82-691 and 90-713................................. 806,000
Total                                                                 $3,106,000

New matter indicated in italics - deletions by strikeout
ARTICLE 15

Section 5. In addition to any other sums appropriated, the sum of $295,058,400, or so much thereof as may be necessary, is appropriated from the Title III Social Security and Employment Fund to the Department of Employment Security for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT

Payable from Title III Social Security and Employment Fund:

- For the expenses related to the Development of Training Programs: $100,000
- For the expenses related to Employment Security Automation: $7,000,000
- For expenses related to a Benefit Information System Redefinition: $4,500,000

Payable from the Unemployment Compensation Special Administration Fund:

- For expenses related to Legal Assistance as required by law: $2,000,000
- For deposit into the Title III Social Security and Employment Fund: $16,200,000
- For Interest on Refunds of Erroneously Paid Contributions, Penalties and Interest: $100,000

Total: $29,900,000

Section 15. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT

Grants-In-Aid

Payable from Title III Social Security and Employment Fund:

- For Grants Related to Workforce Development: $95,000
- For Tort Claims: $679,300

New matter indicated in italics - deletions by strikeout
Section 20. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security, for unemployment compensation benefits, other than benefits provided for in Section 3, to Former State Employees as follows:

**TRUST FUND UNIT**

Grants-In-Aid

Payable from the Road Fund:

- For benefits paid on the basis of wages paid for insured work for the Department of Transportation: $1,900,000

Payable from the Illinois Mathematics and Science Academy Income Fund: $16,700

Payable from Title III Social Security and Employment Fund: $1,734,300

Payable from the General Revenue Fund: $24,000,000

Total: $27,651,000

**ARTICLE 16**

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency:

**ADMINISTRATION**

- For Personal Services: $1,067,700
- For State Contributions to State Employees’ Retirement System: $430,400
- For State Contributions to Social Security: $81,700
- For Group Insurance: $260,000
- For Contractual Services: $210,000
- For Travel: $18,400
- For Commodities: $37,000
- For Equipment: $50,000
- For Telecommunications Services: $57,900
- For Operation of Auto Equipment: $42,500

Total: $2,255,600

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.
Payable from U.S. Environmental Protection Fund:
For Contractual Services.......................... 1,491,100
For Electronic Data Processing................. 473,300
Payable from Underground Storage Tank Fund:
For Contractual Services.......................... 385,300
For Electronic Data Processing............... 174,200
Payable from Solid Waste Management Fund:
For Contractual Services.......................... 593,000
For Electronic Data Processing.............. 138,100
Payable from Subtitle D Management Fund:
For Contractual Services.......................... 121,400
For Electronic Data Processing............... 56,900
Payable from CAA Permit Fund:
For Contractual Services.......................... 1,005,900
For Electronic Data Processing.............. 334,700
Payable from Water Revolving Fund:
For Contractual Services.......................... 942,600
For Electronic Data Processing............... 354,500
Payable from Used Tire Management Fund:
For Contractual Services.......................... 390,200
For Electronic Data Processing............... 153,500
Payable from Hazardous Waste Fund:
For Contractual Services.......................... 489,200
For Electronic Data Processing............... 141,500
Payable from Environmental Protection Permit and Inspection Fund:
For Contractual Services.......................... 376,100
For Electronic Data Processing............... 142,200
For Refunds........................................ 100,000
Payable from Vehicle Inspection Fund:
For Contractual Services.......................... 709,200
For Electronic Data Processing............... 341,500
Payable from the Illinois Clean Water Fund:
For Contractual Services.......................... 660,600
For Electronic Data Processing............... 623,700
Total ............................................. $10,198,700

Section 15. The sum of $1,450,000, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency from the EPA Special States Projects Trust Fund for the purpose of funding all
costs associated with environmental programs, including costs in prior years.

Section 20. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for all costs associated with environmental projects as defined by federal assistance awards.

Section 25. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Oil Spill Response Fund to the Environmental Protection Agency for use in accordance with Section 25c-1 of the Environmental Protection Act.

Section 30. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for awards and grants as directed by the Environmental Protection Trust Fund Commission.

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

**AIR POLLUTION CONTROL**

Payable from U.S. Environmental Protection Fund:

For Personal Services .................. 3,645,300
For State Contributions to State Employees' Retirement System ............ 1,469,500
For State Contributions to Social Security .................................. 279,700
For Group Insurance ....................... 980,000
For Contractual Services ............... 2,704,000
For Travel .................................. 31,600
For Commodities ........................... 132,000
For Printing ............................... 15,000
For Equipment ............................ 355,000
For Telecommunications Services ...... 215,000
For Operation of Auto Equipment ...... 52,000
For Use by the City of Chicago ........ 374,600
For Expenses Related to
Clean Air Activities ..................... 4,950,000

Total $15,203,700

Payable from the Environmental Protection Permit and Inspection Fund for Air

New matter indicated in italics - deletions by strikeout
Permit and Inspection Activities:
For Personal Services....................... 2,139,700
For Other Expenses.......................... 2,285,500
Total........................................ $4,425,200

Payable from the Vehicle Inspection Fund:
For Personal Services....................... 5,459,400
For State Contributions to State
Employees' Retirement System.............. 2,200,800
For State Contributions to
Social Security................................ 417,600
For Group Insurance......................... 1,863,000
For Contractual Services, including
prior year costs............................. 15,564,900
For Travel.................................... 40,000
For Commodities............................. 15,000
For Printing.................................. 334,000
For Equipment................................ 60,900
For Telecommunications..................... 175,000
For Operation of Auto Equipment........... 29,200
For the Alternate Fuels Rebate and
Grant Program, including rebates
from prior years............................ 10,000,000
Total........................................ $36,159,800

Section 40. The following named sum, or so much thereof as may
be necessary, is appropriated from the CAA Permit Fund to the
Environmental Protection Agency for the purpose of funding Clean Air
Act Title V activities in accordance with Clean Air Act Amendments of
1990:
For Personal Services and Other
Expenses of the Program..................... 18,707,400

Section 45. The named sums, or so much thereof as may be
necessary, is appropriated from the Alternate Fuels Fund to the
Environmental Protection Agency for the purpose of administering the
Alternate Fuels Rebate Program and the Ethanol Fuel Research Program:
For Personal Services and Other
Expenses....................................... 225,000
For Grants and Rebates, including
costs in prior years.......................... 3,000,000
Total........................................ $3,225,000

New matter indicated in italics - deletions by strikeout
Section 50. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Alternate Compliance Market Account Fund to the Environmental Protection Agency for all costs associated with the emissions reduction market program.

LABORATORY SERVICES

Section 55. The sum of $1,339,400, or so much thereof as may be necessary, is appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency for the purpose of laboratory analysis of samples.

Section 60. The following named sum, or so much thereof as may be necessary, is appropriated from the Community Water Supply Laboratory Fund to the Environmental Protection Agency for the purpose of performing laboratory testing of samples from community water supplies and for administrative costs of the Agency and the Community Water Supply Testing Council:

For Personal Services and Other Expenses of the Program

Section 65. The sum of $540,000, or so much thereof as may be necessary, is appropriated from the Environmental Laboratory Certification Fund to the Environmental Protection Agency for the purpose of administering the environmental laboratories certification program.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

LAND POLLUTION CONTROL

Payable from U.S. Environmental Protection Fund:

For Personal Services

For State Contributions to State Employees' Retirement System

For State Contributions to Social Security

For Group Insurance

For Contractual Services

For Travel

For Commodities

For Printing

For Equipment

For Telecommunications Services

New matter indicated in italics - deletions by strikeout
For Operation of Auto Equipment................. 25,000
For Use by the Office of the Attorney General..... 25,000
For Underground Storage Tank Program........... 2,600,000
Total                                       $7,820,000

Section 75. The following named sums, or so much thereof as may be necessary, including prior year costs, are appropriated to the Environmental Protection Agency, payable from the U. S. Environmental Protection Fund, for use of remedial, preventive or corrective action in accordance with the Federal Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended:
For Personal Services.......................... 1,043,800
For State Contributions to State
Employees' Retirement System..................... 420,800
For State Contributions to
Social Security................................. 79,600
For Group Insurance.............................. 295,000
For Contractual Services......................... 140,000
For Travel........................................ 50,000
For Commodities................................ 50,000
For Printing...................................... 10,000
For Equipment................................... 50,000
For Telecommunications Services............... 50,000
For Operation of Auto Equipment................. 35,000
For Contractual Expenses Related to
Remedial, Preventive or Corrective
Actions in Accordance with the
Federal Comprehensive and Liability
Act of 1980, including Costs in
Prior Years.................................... 9,000,000
Total                                        $11,224,200

Section 80. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for the purpose of funding the Underground Storage Tank Program.
Payable from the Underground Storage Tank Fund:
For Personal Services.......................... 3,261,700
For State Contributions to State
Employees' Retirement System..................... 1,314,900
For State Contributions to
Social Security................................. 250,500

New matter indicated in italics - deletions by strikeout
For Group Insurance.......................... 910,000
For Contractual Services.................... 320,000
For Travel.................................... 8,000
For Commodities............................ 20,000
For Printing.................................. 5,000
For Equipment............................... 100,000
For Telecommunications Services.......... 50,000
For Operation of Auto Equipment......... 16,300
For Contracts for Site Remediation and
for Reimbursements to Eligible Owners/
Operators of Leaking Underground
Storage Tanks, including claims
submitted in prior years.................... 60,100,000
Total ...................................... $66,356,400

Section 85. The following named sums, or so much thereof as may
be necessary, are appropriated to the Environmental Protection Agency for
use in accordance with Section 22.2 of the Environmental Protection Act:
Payable from the Hazardous Waste Fund:
For Personal Services....................... 4,383,800
For State Contributions to State
Employees' Retirement System............. 1,767,200
For State Contributions to
Social Security................................ 335,400
For Group Insurance......................... 1,219,000
For Contractual Services................... 442,500
For Travel.................................... 30,000
For Commodities.............................. 15,000
For Printing................................. 25,000
For Equipment............................. 40,000
For Telecommunications Services........ 29,100
For Operation of Auto Equipment........ 37,500
For Refunds.................................. 50,000
For Contracts for Site Remediations, including costs
in Prior Years............................... 4,000,000
Total ...................................... $12,374,500

Section 90. The following named sums, or so much thereof as may
be necessary, are appropriated from the Environmental Protection Permit

New matter indicated in italics - deletions by strikeout
and Inspection Fund to the Environmental Protection Agency for land permit and inspection activities:

For Personal Services.......................... 1,878,800
For State Contributions to State
  Employees' Retirement System.............. 757,300
For State Contributions to
  Social Security............................. 144,000
For Group Insurance......................... 570,000
For Contractual Services..................... 30,000
For Travel.................................... 6,500
For Commodities................................ 5,000
For Printing................................... 5,000
For Equipment................................ 5,000
For Telecommunications Services............ 15,000
For Operation of Auto Equipment............. 5,000
Total $3,421,600

Section 95. The following named sums, or so much thereof as may be necessary, are appropriated from the Solid Waste Management Fund to the Environmental Protection Agency for use in accordance with Section 22.15 of the Environmental Protection Act:

For Personal Services......................... 4,926,500
For State Contributions to State
  Employees' Retirement System.............. 1,985,900
For State Contributions to
  Social Security............................. 376,900
For Group Insurance......................... 1,449,000
For Contractual Services..................... 122,000
For Travel.................................... 25,000
For Commodities................................ 10,000
For Printing................................... 25,000
For Equipment................................ 12,500
For Telecommunications Services............ 50,000
For Operation of Auto Equipment............ 15,000
For Refunds................................... 5,000
For financial assistance to units of local government for operations under delegation agreements.................. 1,700,000
Total $10,702,800

New matter indicated in italics - deletions by strikeout
Section 100. The following named sums, or so much therefore as may be necessary, are appropriated to the Environmental Protection Agency for all costs associated with solid waste management activities, including costs from prior years:
Payable from the Solid Waste Management Fund................................. 4,000,000

Section 105. The following named sums, or so much thereof as may be necessary, are appropriated from the Used Tire Management Fund to the Environmental Protection Agency for purposes as provided for in Section 55.6 of the Environmental Protection Act:
For Personal Services......................... 2,922,500
For State Contributions to State Employees' Retirement System............... 1,178,100
For State Contributions to Social Security................................. 223,600
For Group Insurance........................................ 775,000
For Contractual Services, including prior year costs........................... 4,060,000
For Travel........................................... 30,000
For Commodities................................... 25,000
For Printing...................................... 10,000
For Equipment..................................... 48,000
For Telecommunications Services.............. 40,000
For Operation of Auto Equipment............... 25,000
Total $9,337,200

Section 110. The following named sums, or so much thereof as may be necessary, are appropriated from the Subtitle D Management Fund to the Environmental Protection Agency for the purpose of funding the Subtitle D permit program in accordance with Section 22.44 of the Environmental Protection Act:
For Personal Services......................... 725,400
For State Contributions to State Employees' Retirement System............... 292,500
For State Contributions to Social Security................................. 55,500
For Group Insurance.............................. 184,000
For Contractual Services......................... 257,000
For Travel........................................... 8,000
For Commodities................................... 20,000

New matter indicated in italics - deletions by strikeout
For Printing......................................  25,000  
For Equipment.....................................  25,000  
For Telecommunications............................  75,000  
For Operation of Auto Equipment...................  18,000  
Total                                                                                         $1,685,400  

Section 115. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Landfill Closure and Post Closure Fund to the Environmental Protection Agency for the purpose of funding closure activities in accordance with Section 22.17 of the Environmental Protection Act.

Section 120. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Hazardous Waste Occupational Licensing Fund to the Environmental Protection Agency for expenses related to the licensing of Hazardous Waste Laborers and Crane and Hoisting Equipment Operators, as mandated by Public Act 85-1195.

Section 125. The following named sum, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency for use in accordance with the Brownfields Redevelopment program:
Payable from the Brownfields Redevelopment Fund:  
For Personal Services and Other Expenses of the Program.......................  1,656,700  

Section 130. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated from the Brownfields Redevelopment Fund to the Environmental Protection Agency for financial assistance for Brownfields redevelopment in accordance with 58.3(5), 58.13 and 58.15 of the Environmental Protection Act, including costs in prior years.

Section 135. The sum of $1,300,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for all expenses related to removal or mediation actions at the Worthy Park, Cook County, hazardous waste site.

Section 140. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Electronics Recycling Fund to the Environmental Protection Agency for use in accordance with Public Act 95-0959, Electronic Products Recycling and Reuse Act.

Section 145. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

BUREAU OF WATER

New matter indicated in italics - deletions by strikeout
Payable from U.S. Environmental Protection Fund:
For Personal Services......................... 7,160,300
For State Contributions to State
  Employees' Retirement System............... 2,886,500
For State Contributions to
  Social Security............................. 548,000
For Group Insurance............................ 2,012,000
For Contractual Services...................... 1,800,000
For Travel...................................... 113,900
For Commodities.............................. 30,500
For Printing.................................... 48,100
For Equipment.................................. 140,000
For Telecommunications Services.............. 106,400
For Operation of Auto Equipment.............. 34,800
For Use by the Department of
  Public Health.............................. 830,000
For non-point source pollution management
  and special water pollution studies
  including costs in prior years.............. 8,950,000
For Water Quality Planning,
  including costs in prior years............. 900,000
For Use by the Department of
  Agriculture............................... 150,000
Total .................................. $25,710,500

Section 150. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:
Payable from the Environmental Protection Permit and Inspection Fund:
For Personal Services....................... 317,300
For State Contribution to State
  Employees' Retirement System............. 127,900
For State Contribution to
  Social Security......................... 24,200
For Group Insurance......................... 115,000
For Contractual Services................... 10,000
For Travel.................................. 10,000
For Commodities.......................... 10,000

New matter indicated in italics - deletions by strikeout
For Equipment..................................... 20,000
For Telecommunications Services.............. 15,000
For Operation of Automotive Equipment........ 10,000
Total $659,400

Section 155. The sum of $7 54,300, or so much thereof as may be necessary, including costs in prior years, is appropriated from the Partners for Conservation Fund to the Environmental Protection Agency for financial assistance for lake management activities.

Section 160. The sum of $ 12,563,300, or so much thereof as may be necessary, is appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency for all costs associated with clean water activities.

Section 165. The following named sums, or so much thereof as may be necessary, respectively, for the object and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from the Water Revolving Fund:
For Administrative Costs of Water Pollution Control
Revolving Loan Program.......................... 3,433,800
For Program Support Costs of Water Pollution Control Program.............. 10,996,200
For Administrative Costs of the Drinking Water Revolving Loan Program........... 2,069,300
For Program Support Costs of the Drinking Water Program.......................... 3,067,300
Total $19,566,600

Section 170. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Environmental Protection Agency for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Pollution Control Board Division:

POLLUTION CONTROL BOARD DIVISION
Payable from Pollution Control Board Fund:
For Contractual Services.......................... 45,000
For Telecommunications Services............... 4,000
For Refunds........................................ 1,000
Total $50,000
Payable from the Environmental Protection Permit and Inspection Fund:

New matter indicated in italics - deletions by strikeout
For Personal Services.................................. 551,400  
For State Contributions to State Employees'
Retirement System.................................. 222,300  
For State Contributions to Social Security....... 42,300  
For Group Insurance............................... 161,000  
For Contractual Services........................... 0  
For Travel............................................. 0  
For Telecommunications Services................... 0  
Total                                                                                           $977,000  

Payable from the CAA Permit Fund:  
For Personal Services............................ 799,600  
For State Contributions to State Employees'
Retirement System.................................. 322,300  
For State Contributions to Social Security....... 61,200  
For Group Insurance............................... 276,000  
For Contractual Services.......................... 10,000  
Total                                                                                           $1,469,100  

Section 175. The sum of $260,000, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the Environmental Protection Agency for the purposes as provided for in Section 55.6 of the Environmental Protection Act.  

Section 180. The sum of $429,900, or so much thereof as may be necessary, is appropriated from the Underground Storage Tank Fund to the Environmental Protection Agency for case processing of leaking underground storage tank permit and claims appeals.  

ARTICLE 17  

Section 5. The sum of $6,589,200, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Executive Ethics Commission for its ordinary and contingent expenses.  

ARTICLE 18  

Section 5. The sum of $5,927,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Executive Inspector General to meet its operational expenses for the fiscal year ending June 30, 2014.  

Section 10. The sum of $1,610,800, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Office of Executive Inspector General to meet its operational expenses for the fiscal year ending June 30, 2014.  

ARTICLE 19  

New matter indicated in italics - deletions by strikeout
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Financial Institution Fund to the Department of Financial and Professional Regulation:

For Personal Services........................................4,159,400
For State Contributions to the State Employees' Retirement System....................1,676,700
For State Contributions to Social Security........318,200
For Group Insurance.................................1,081,000
For Contractual Services..............................93,000
For Travel....................................................228,300
For Refunds..................................................3,400
Total..................................................................$7,560,000

Section 10. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Credit Union Fund to the Department of Financial and Professional Regulation:

CREDIT UNION
For Personal Services........................................2,361,200
For State Contributions to State Employees' Retirement System...............951,900
For State Contributions to Social Security.........180,800
For Group Insurance.................................575,000
For Contractual Services..............................45,200
For Travel....................................................260,700
For Refunds....................................................1,000
Total..................................................................$4,375,800

Section 15. In addition to the sums heretofore appropriated, the following named sum, or so much thereof as may be necessary, is appropriated from the TOMA Consumer Protection Fund to the Department of Financial and Professional Regulation:

TOMA CONSUMER PROTECTION
For Refunds....................................................8,700

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Bank and Trust Company Fund to the Department of Financial and Professional Regulation:

DOMESTIC AND FOREIGN COMMERCIAL BANK REGULATION
For Personal Services.................................12,403,400
For State Contribution to State Employees' Retirement System...............5,000,100

New matter indicated in italics - deletions by strikeout
PUBLIC ACT 98-0064 1948

For State Contributions to Social Security...... 948,900
For Group Insurance.............................. 2,898,000
For Contractual Services.......................... 273,700
For Travel........................................... 1,028,400
For Refunds........................................... 2,900
For Corporate Fiduciary Receivership............. 485,000
Total                                                                                       $23,040,400

Section 25. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the Pawnbroker Regulation Fund to the Department
of Financial and Professional Regulation:

PAWNBROKER REGULATION
For Personal Services............................ 168,700
For State Contributions to State
Employees' Retirement System.................... 68,000
For State Contributions to Social Security...... 12,900
For Group Insurance.............................. 46,000
For Contractual Services......................... 4,900
For Travel........................................... 11,900
For Refunds......................................... 1,000
Total                                                                                       $313,400

Section 30. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated from the Savings and
Residential Finance Regulatory Fund to the Department of Financial and
Professional Regulation:

MORTGAGE BANKING AND THRIFT REGULATION
For Personal Services............................ 1,911,700
For State Contributions to State
Employees' Retirement System.................... 770,700
For State Contributions to Social Security...... 146,300
For Group Insurance.............................. 529,000
For Contractual Services......................... 134,900
For Travel........................................... 167,800
For Refunds......................................... 4,900
Total                                                                                       $3,665,300

Section 35. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated from the Real Estate License
Administration Fund to the Department of Financial and Professional
Regulation:

New matter indicated in italics - deletions by strikeout
REAL ESTATE LICENSING AND ENFORCEMENT

For Personal Services.......................... 3,408,900
For State Contributions to State
   Employees' Retirement System.................. 1,374,200
For State Contributions to Social Security....... 260,800
For Group Insurance............................. 897,000
For Contractual Services.......................... 168,600
For Travel....................................... 117,700
For Refunds........................................ 7,800
Total                                                                                         $6,235,000

Section 40. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated from the Appraisal
Administration Fund to the Department of Financial and Professional
Regulation:

APPRAISAL LICENSING

For Personal Services.......................... 551,000
For State Contributions to State
   Employees' Retirement System............... 222,100
For State Contributions to Social Security.... 42,200
For Group Insurance............................. 161,000
For Contractual Services........................ 81,300
For Travel....................................... 21,700
For forwarding real estate appraisal fees
to the federal government...................... 230,000
For Refunds........................................ 2,900
Total                                                                                         $1,312,200

Section 45. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the Home Inspector Administration Fund to the
Department of Financial and Professional Regulation:

HOME INSPECTOR REGULATION

For Personal Services.......................... 80,800
For State Contributions to State
   Employees' Retirement System............... 32,600
For State Contributions to Social Security... 6,200
For Group Insurance............................. 23,000
For Contractual Services......................... 8,700
For Travel..................................... 8,200
For Refunds..................................... 1,000

New matter indicated in italics - deletions by strikeout
Section 50. The sum of $38,800, or so much thereof as may be necessary, is appropriated from the Real Estate Audit Fund to the Department of Financial and Professional Regulation for operating expenses for Real Estate audits.

Section 55. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Professions Dedicated Fund to the Department of Financial and Professional Regulation:

**GENERAL PROFESSIONS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,214,500</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>1,295,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>245,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>989,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>194,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>79,600</td>
</tr>
<tr>
<td>For Refunds</td>
<td>30,100</td>
</tr>
<tr>
<td>Total</td>
<td>6,049,000</td>
</tr>
</tbody>
</table>

Section 60. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Dental Disciplinary Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>559,500</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>225,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>42,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>161,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>68,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>19,400</td>
</tr>
<tr>
<td>For Refunds</td>
<td>2,400</td>
</tr>
<tr>
<td>Total</td>
<td>1,079,500</td>
</tr>
</tbody>
</table>

Section 65. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Medical Disciplinary Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,413,200</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>972,900</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
For State Contributions to Social Security...... 184,600
For Group Insurance......................... 644,000
For Contractual Services....................... 224,100
For Travel....................................... 77,600
For Refunds.....................................  9,700
Total                                      $4,526,100

Section 70. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Optometric Licensing and Disciplinary Committee Fund to the Department of Financial and Professional Regulation:
For Personal Services........................ 136,200
For State Contributions to State
  Employees' Retirement System............... 55,000
For State Contributions to Social Security... 10,500
For Group Insurance...........................  46,000
For Contractual Services.....................  72,800
For Travel....................................  11,600
For Refunds..................................  2,400
Total                                      $334,500

Section 75. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Design Professionals Administration and Investigation Fund to the Department of Financial and Professional Regulation:
For Personal Services........................ 512,000
For State Contributions to State
  Employees’ Retirement System.............. 206,400
For State Contributions to Social Security.. 39,200
For Group Insurance.......................... 161,000
For Contractual Services...................  87,300
For Travel..................................  53,400
For Refunds..................................  2,400
Total                                      $1,061,700

Section 80. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Pharmacy Disciplinary Fund to the Department of Financial and Professional Regulation:
For Personal Services....................... 896,000
For State Contributions to State
  Employees' Retirement System.............. 361,200

New matter indicated in italics - deletions by strikeout
For State Contributions to Social Security........ 68,500
For Group Insurance............................... 207,000
For Contractual Services.......................... 112,500
For Travel........................................... 29,100
For Refunds........................................... 11,600
Total.................................................. $1,685,900

Section 85. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Podiatric Disciplinary Fund to the Department of Financial and Professional Regulation:
For Contractual Services........................... 4,900
For Travel........................................... 4,900
For Refunds........................................... 1,000
Total.................................................. $10,800

Section 90. The sum of $327,600, or so much thereof as may be necessary, is appropriated from the Registered Certified Public Accountant Administration and Disciplinary Fund to the Department of Financial and Professional Regulation for the administration of the Registered CPA Program.

Section 95. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation:
For Personal Services............................. 1,141,400
For State Contributions to State Employees' Retirement System............... 460,100
For State Contributions to Social Security....... 87,400
For Group Insurance............................... 299,000
For Contractual Services.......................... 127,100
For Travel........................................... 24,300
For Refunds........................................... 9,700
Total.................................................. $2,149,000

Section 100. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation for the establishment and operation of an Illinois Center for Nursing.

Section 105. The sum of $9,700, or so much thereof as may be necessary, is appropriated from the Professional Regulation Evidence Fund to the Department of Financial and Professional Regulation for all

New matter indicated in italics - deletions by strikeout
costs associated with conducting covert activities, including equipment and other operational expenses.

Section 110. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>For</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>13,794,600</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td>5,560,900</td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>1,055,400</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>3,772,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,251,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>71,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>110,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>161,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>187,600</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>2,917,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>840,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>217,500</td>
</tr>
<tr>
<td>Total</td>
<td>$37,941,600</td>
</tr>
</tbody>
</table>

Section 115. The sum of $2,770,000, or so much thereof as may be necessary, is appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation for costs and expenses related to or in support of a Regulatory/G&A shared services center.

Section 120. The sum of $2,318,300, or so much thereof as may be necessary, is appropriated from the Cemetery Oversight Licensing and Disciplinary Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Cemetery Oversight Act.

Section 125. The sum of $393,700, or so much thereof as may be necessary, is appropriated from the Community Association Manager Licensing and Disciplinary Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Community Association Manager Licensing and Disciplinary Act.

Section 130. The sum of $19,000, or so much thereof as may be necessary, is appropriated to the Department of Financial and Professional Regulation from the Real Estate Research and Education Fund for costs

New matter indicated in italics - deletions by strikeout
associated with the operation of the Office of Real Estate Research at the University of Illinois.

Section 135. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Athletics Supervision and Regulation Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Boxing and Full-contact Martial Arts Act.

Section 140. The sum of $1,400,000, or so much thereof as may be necessary, is appropriated from the Savings Institutions Regulatory Fund to the Department of Financial and Professional Regulation for the ordinary and contingent expenses of the Department of Financial and Professional Regulation and the Division of Banking, or their successors, in administering and enforcing the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and other laws, rules, and regulations as may apply to the administration and enforcement of the foregoing laws, rules, and regulations, as amended from time to time.

ARTICLE 20

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Gaming Board:

**PAYABLE FROM THE STATE GAMING FUND**

For Personal Services......................... 11,550,000
For State Contributions to the
  State Employees' Retirement System........ 4,656,000
For State Contributions to
  Social Security............................... 520,000
For Group Insurance............................ 3,151,000
For Contractual Services......................... 500,000
For Travel....................................... 100,000
For Commodities................................... 20,000
For Printing....................................... 5,000
For Equipment.................................... 50,000
For Electronic Data Processing............... 138,000
For Telecommunications......................... 350,000
For Operation of Auto Equipment.............. 93,000
For Refunds..................................... 50,000
For Expenses Related to the Illinois
  State Police................................. 14,875,000

New matter indicated in italics - deletions by strikeout
For distributions to local
governments for admissions and
wagering tax, including prior year costs.... 115,000,000
For costs associated with the
implementation and administration
of the Video Gaming Act.................. 20,975,000
Total $172,033,000

Section 10. The sum of $390,000, or so much thereof as may be
necessary, is appropriated from the State Gaming Fund to the Illinois
Gaming Board for costs and expenses related to or in support of a
Government Services Shared Services Center.

Section 15. The sum of $3,000,000, or so much thereof as may be
necessary, is appropriated from the State Gaming Fund to Chicago State
University pursuant to Section 13 of the Riverboat Gambling Act.

ARTICLE 21
Section 5. The sum of $13,091,050, or so much thereof as may be
necessary, respectively, is appropriated to the President of the Senate and
the Speaker of the House of Representatives for furnishing the items
provided in Section 4 of the General Assembly Compensation Act to
members of their respective houses throughout the year in connection with
their legislative duties and responsibilities and not in connection with any
political campaign as prescribed by law. Of this amount, 37.436% is
appropriated to the President of the Senate for such expenditures and
62.564% is appropriated to the Speaker of the House for such
expenditures.

Section 10. Payments from the sums appropriated in Section 5
hereof shall be made only upon the delivery of a voucher approved by the
member to the State Comptroller. The voucher shall also be approved by
the President of the Senate or the Speaker of the House of Representatives
as the case may be.

Section 15. The sum of $20,603,400, or so much thereof as may be
necessary, respectively, is appropriated to meet the ordinary and incidental
expenses of the Senate legislative leadership and legislative staff assistants
and the House Majority and Minority leadership staff, general staff and
office operations. Of this amount, 25.7% is appropriated to the President
of the Senate for such expenditures, 25.7% is appropriated to the Senate
Minority Leader for such expenditures and 24.8% is appropriated to the
Speaker of the House for such expenditures, and 23.8% is appropriated to
the House Minority Leader for such expenditures.

New matter indicated in italics - deletions by strikeout
Section 20. The sum of $9,882,100, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Speaker of the House of Representatives for the ordinary and incidental expenses of committees, the general staff and operations, per diem employees, special and standing committees, expenses incurred in transcribing and printing of debates. Of this amount, 43.018% is appropriated to the President of the Senate for such expenditures and 56.982% is appropriated to the Speaker of the House for such expenditures.

Section 25. The sum of $309,200, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Speaker of the House of Representatives for the ordinary and incidental expenses, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies. For the House, no part of which shall be expended for expenses of purchasing, handling or distributing such supplies and against which no indebtedness shall be incurred without the written approval of the Speaker of the House of Representatives. Of this amount, 69.277% is appropriated to the President of the Senate for such expenditures and 30.723% is appropriated to the Speaker of the House for such expenditures.

Section 30. The sum of $6,483,050, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate for the use of standing committees for expert witnesses, technical services, consulting assistance and other research assistance associated with special studies and long range research projects which may be requested by the standing committees and the Speaker of the House of Representatives for Standing House Committees pursuant to the Legislative Commission Reorganization Act of 1984. Of this amount, 46.862% is appropriated to the President of the Senate for such expenditures and 53.138% is appropriated to the Speaker of the House for such expenditures.

Section 35. The sum of $167,000, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Senate Minority Leader for allowances for the particular and additional services appertaining to or entailed by the respective officers of the Senate. Of this amount, 50% is appropriated to the President of the Senate for such expenditures and 50% is appropriated to the Senate Minority Leader for such expenditures.

Section 40. The sum of $88,100, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and
the Speaker of the House of Representatives for travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in Session. Of this amount, 65.5% is appropriated to the President of the Senate for such expenditures and 34.5% is appropriated to the Speaker of the House for such expenditures.

Section 45. The sum of $441,600, or so much thereof as may be necessary and remains unexpended from an appropriation heretofore made for such purposes in Article 7 of Public Act 97-726, is reappropriated to the Speaker of the House for expenses in connection with the planning and preparation of redistricting of legislative and representative districts as required by Article IV, Section 3 of the Illinois Constitution of 1970.

Section 50. The sum of $341,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the General Assembly to meet ordinary and contingent expenses. Any use of funds appropriated under this Section must be approved jointly by the Clerk of the House of Representatives and the Secretary of the Senate.

Section 55. As used in Section 15 hereof, except where the approval of the Speaker of the House of Representatives is expressively required for the expenditure of or the incurring of indebtedness against an appropriation for certain purchases on contract, “Speaker” means the leader of the party having the largest number of members of the House of Representatives as of January 9, 2013, and “Minority Leader” means the leader of the party having the second largest number of members of the House of Representatives as of January 9, 2013.

Section 60. The sum of $312,500, or so much thereof as may be necessary, is appropriated to the Legislative Ethics Commission to meet the ordinary and contingent expenses of the Commission and the Office of Legislative Inspector General.

Section 65. The sum of $113,700, or so much thereof as may be necessary, is appropriated for the ordinary and contingent expenses of the Senate Operations Commission including the planning costs, construction costs, moving expenses and all other costs associated with the construction and reconstruction of Senate offices in the Capitol Complex area.

Section 70. The sum of $500,000, or so much thereof as may be necessary, respectively, is appropriated from the General Assembly Operations Revolving Fund to the President of the Senate and the Speaker of the House of Representatives to meet ordinary and contingent expenses. Of this amount, 50% is appropriated to the President of the Senate for such

New matter indicated in italics - deletions by strikeout
expenditures and 50% is appropriated to the Speaker of the House for such expenditures.

Section 75. The following named sums, or so much thereof as may be necessary and remain unexpended from an appropriation hereto made for such purposes in Section 85 of Article 7 of Public Act 97-726, as amended, are re-appropriated from the General Revenue Fund for expenses in connection with the planning and preparation of redistricting of Legislative and Representative Districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

To the Senate President.......................... 500,000
To the Senate Minority Leader.................... 500,000
Total                                          $1,000,000

Section 80. The following named sums, or so much thereof as may be necessary and remain unexpended from an appropriation hereto made for such purposes in Section 90 of Article 7 of Public Act 97-726, as amended, are re-appropriated from the General Revenue Fund for expenses in connection with the planning and preparation of redistricting of Legislative and Representative Districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

To the House Speaker............................. 500,000
To the House Minority Leader..................... 500,000
Total                                          $1,000,000

ARTICLE 22

Section 5. The sum of $5,521,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Governor for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Governor's Grant Fund to the Office of the Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the exercise of the powers or performance of the duties of the Office of the Governor.

ARTICLE 23

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
EXECUTIVE OFFICE

New matter indicated in italics - deletions by strikeout
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services......................... 1,252,900
For State Contributions to Social Security.... 95,900
For Contractual Services....................... 98,600
For Travel....................................... 6,000
For Commodities.................................. 3,000
For Printing...................................... 25,000
For Electronic Data Processing..................... 30,000
For Telecommunications Services.................. 15,000
Total $1,526,400

Section 10. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Preservation Agency for a grant to the DuSable Museum of African American History for costs associated with the Amistad Commission of Illinois.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
EXECUTIVE OFFICE
PAYABLE FROM ILLINOIS HISTORIC SITES FUND

For historic preservation programs
administered by the Executive Office,
only to the extent that funds are received
through grants, and awards, or gifts.......... 50,000

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
PRESERVATION SERVICES DIVISION
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services......................... 400,200
For State Contributions to Social Security .... 31,000
For Contractual Services....................... 3,000
For Commodities.................................. 2,000
For Telecommunications Services.................. 3,700
Total $439,900

New matter indicated in italics - deletions by strikeout
Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
PRESERVATION SERVICES DIVISION
PAYABLE FROM ILLINOIS HISTORIC SITES FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>543,400</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>219,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>41,600</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>184,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>79,000</td>
</tr>
<tr>
<td>For historic preservation programs</td>
<td></td>
</tr>
<tr>
<td>made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, or for refunds</td>
<td>300,000</td>
</tr>
<tr>
<td>Total</td>
<td>$1,367,100</td>
</tr>
</tbody>
</table>

Section 30. The sum of $ 150,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 35. The sum of $292,944, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purpose in Article 17, Sections 40 and 45 of Public Act 97-0727, is reappropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

New matter indicated in italics - deletions by strikeout
Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
BUILDING AND GROUNDS MAINTENANCE SERVICES
PAYABLE FROM THE GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..............................</td>
<td>495,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security........</td>
<td>37,900</td>
</tr>
<tr>
<td>For Contractual Services.........................</td>
<td>226,100</td>
</tr>
<tr>
<td>For Commodities....................................</td>
<td>6,400</td>
</tr>
<tr>
<td>For Printing........................................</td>
<td>1,100</td>
</tr>
<tr>
<td>For Telecommunications Services....................</td>
<td>12,000</td>
</tr>
<tr>
<td>For Operation Of Auto Equipment...................</td>
<td>5,000</td>
</tr>
<tr>
<td>Total</td>
<td>$783,500</td>
</tr>
</tbody>
</table>

Section 45. The sum of $275,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for the ordinary and contingent expenses of the Administrative Services division for costs associated with but not limited to Union Station, the Old State Capitol and the Old Journal Register Building.

Section 50. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
HISTORIC SITES DIVISION
PAYABLE FROM GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..............................</td>
<td>4,310,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security........</td>
<td>329,700</td>
</tr>
<tr>
<td>For Contractual Services.........................</td>
<td>659,000</td>
</tr>
<tr>
<td>For Commodities....................................</td>
<td>60,000</td>
</tr>
<tr>
<td>For Equipment......................................</td>
<td>20,000</td>
</tr>
<tr>
<td>For Telecommunications Services....................</td>
<td>35,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment...................</td>
<td>18,000</td>
</tr>
<tr>
<td>Total</td>
<td>$5,431,800</td>
</tr>
</tbody>
</table>

Section 55. The sum of $243,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic

New matter indicated in italics - deletions by strikeout
Preservation Agency for the operational expenses of the Lewis and Clark Historic Site in Madison County.

Section 60. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
HISTORIC SITES DIVISION
PAYABLE FROM ILLINOIS HISTORIC SITES FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>325,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>131,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>25,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>300,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>20,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>25,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>15,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>10,000</td>
</tr>
<tr>
<td>For Historic Preservation Programs Administered</td>
<td></td>
</tr>
<tr>
<td>by the Historic Sites Division</td>
<td></td>
</tr>
<tr>
<td>Extent that Funds are Received Through</td>
<td></td>
</tr>
<tr>
<td>Grants, Awards, or Gifts</td>
<td>300,000</td>
</tr>
<tr>
<td>For Permanent Improvements</td>
<td>75,000</td>
</tr>
<tr>
<td>Total</td>
<td>1,231,000</td>
</tr>
</tbody>
</table>

Section 65. The sum of $450,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for operations, maintenance, repairs, permanent improvements, special events, and all other costs related to the operation of Illinois Historic Sites and only to the extent which donations are received at Illinois State Historic Sites.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
ABRAHAM LINCOLN PRESIDENTIAL LIBRARY AND MUSEUM DIVISION
Payable from the Illinois Historic Sites Fund:

New matter indicated in italics - deletions by strikeout
For research projects associated with Abraham Lincoln.................. 75,000  
For microfilming Illinois newspapers and manuscripts and performing genealogical research.................. 175,000  
Total $250,000  
Payable from the Presidential Library and Museum Operating Fund  
For the ordinary and contingent expenses of the Abraham Lincoln Presidential Library and Museum in Springfield.......... 14,200,000  

ARTICLE 24  
Section 5. The sum of $437,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Independent Tax Tribunal to meet its operational expenses for the fiscal year ending June 30, 2014.  
Section 10. The sum of $79,400, or so much thereof as may be necessary, is appropriated from the Illinois Independent Tax Tribunal Fund to the Office of Independent Tax Tribunal to meet its operational expenses for the fiscal year ending June 30, 2014.  

ARTICLE 25  
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Producer Administration Fund to the Department of Insurance:  

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRODUCER ADMINISTRATION</td>
<td></td>
</tr>
<tr>
<td>For Personal Services..........................</td>
<td>10,144,400</td>
</tr>
<tr>
<td>For State Contributions to the State Employees' Retirement System.............</td>
<td>4,089,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security....</td>
<td>776,100</td>
</tr>
<tr>
<td>For Group Insurance............................</td>
<td>3,335,000</td>
</tr>
<tr>
<td>For Contractual Services.......................</td>
<td>1,850,000</td>
</tr>
<tr>
<td>For Travel.......................................</td>
<td>145,000</td>
</tr>
<tr>
<td>For Commodities...................................</td>
<td>23,400</td>
</tr>
<tr>
<td>For Printing......................................</td>
<td>34,800</td>
</tr>
<tr>
<td>For Equipment.....................................</td>
<td>88,800</td>
</tr>
<tr>
<td>For Electronic Data Processing..................</td>
<td>500,000</td>
</tr>
<tr>
<td>For Telecommunications Services..................</td>
<td>231,300</td>
</tr>
<tr>
<td>For Operation of Auto Equipment.................</td>
<td>9,000</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
For Refunds...................................... 200,000
Total $21,427,300

Section 10. The sum of $627,200, or so much thereof as may be necessary, is appropriated from the Insurance Producer Administration Fund to the Department of Insurance for costs and expenses related to or in support of a Regulatory/G&A Shared Services Center.

Section 15. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Insurance Producer Administration Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Financial Regulation Fund to the Department of Insurance:

FINANCIAL REGULATION

For Personal Services......................... 12,352,400
For State Contributions to the State
  Employees' Retirement System............... 4,979,500
  For State Contributions to Social Security.... 945,000
  For Group Insurance.......................... 3,611,000
  For Contractual Services..................... 1,850,000
  For Travel................................... 300,000
  For Commodities................................ 23,400
  For Printing.................................. 34,700
  For Equipment................................ 65,700
  For Electronic Data Processing.............. 500,000
  For Telecommunications Services............. 218,500
  For Operation of Auto Equipment............. 9,200
  For Refunds.................................. 49,000
Total $24,938,400

Section 25. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Insurance Financial Regulation Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

Section 30. The sum of $476,100, or so much thereof as may be necessary, is appropriated from the Insurance Financial Regulation Fund to the Department of Insurance for costs and expenses related to or in support of a Regulatory/G&A shared services center.

New matter indicated in italics - deletions by strikeout
Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Public Pension Regulation Fund to the Department of Insurance:

**PENSION DIVISION**

- For Personal Services: 1,909,000
- For State Contributions to the State Employees' Retirement System: 769,600
- For State Contributions to Social Security: 146,100
- For Group Insurance: 667,000
- For Contractual Services: 58,000
- For Travel: 77,500
- For Commodities: 14,500
- For Printing: 10,500
- For Equipment: 34,800
- For Telecommunications Services: 17,500

Total: $3,704,500

Section 40. The sum of $950,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Department of Insurance for costs associated with the administration and operations of the Insurance Fraud Division of the Illinois Workers’ Compensation Commission’s anti-fraud program.

Section 45. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Public Pension Regulation Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

**ARTICLE 26**

Section 5. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Labor Relations Board for the objects and purposes hereinafter named:

**OPERATIONS**

- For Personal Services: 1,244,000
- For State Contributions to Social Security: 95,300
- For Contractual Services: 144,500
- For Travel: 9,500
- For Commodities: 1,900

New matter indicated in italics - deletions by strikeout
For Printing................................. 2,500
For Equipment............................... 500
For Electronic Data Processing................. 24,900
For Telecommunications Services............... 36,300
Total ........................................ $1,559,400

ARTICLE 27

Section 5. The sum of $5,166,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Information System to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 10. The following sum, or so much of that amount as may be necessary, is appropriated from the General Revenue Assembly Computer Equipment Revolving Fund to the Legislative Information System:
  For Purchase, Maintenance, and Rental of
  General Assembly Electronic Data Processing
  Equipment and for other operational purposes
  of the General Assembly.................... 1,600,000

Section 15. The sum of $2,160,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Printing Unit to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 20. The sum of $243,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Audit Commission to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 25. The sum of $2,950,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Research Unit to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 30. The sum of $2,489,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Reference Bureau to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 35. The sum of $1,140,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Joint Committee on Administrative Rules to meet its operational expenses for the fiscal year ending June 30, 2014.

New matter indicated in italics - deletions by strikeout
Section 40. The sum of $1,669,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Architect of the Capitol to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 45. The sum of $1,201,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Commission on Government Forecasting and Accountability to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 50. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Commission on Government Forecasting and Accountability for the purpose of making pension pick up contributions to the State Employees’ Retirement System of Illinois for affected legislative staff employees.

ARTICLE 28

Section 5. The sum of $1,396,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Lieutenant Governor to meet its operational expenses for the fiscal year beginning July 1, 2013.

Section 10. The sum of $47,500, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Office of the Lieutenant Governor for all costs associated with the Rural Affairs Council including any grants or administrative expenses.

ARTICLE 29

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses for the Department of the Lottery, including operating expenses related to Multi-State Lottery games pursuant to the Illinois Lottery Law:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAYABLE FROM STATE LOTTERY FUND</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>11,836,500</td>
</tr>
<tr>
<td>For State Contributions for the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>4,771,500</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>908,500</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>4,025,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>7,185,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>135,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>50,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>29,800</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
For Equipment.................................... 850,000
For Electronic Data Processing................. 5,350,200
For Telecommunications Services............... 964,000
For Operation of Auto Equipment............... 376,000
For Refunds..................................... 100,000
For Expenses of Developing and Promoting Lottery Games............. 192,800,000
For Expenses of the Lottery Board............... 8,300
For payment of prizes to holders of winning lottery tickets or shares, including prizes related to Multi-State Lottery games, and payment of promotional or incentive prizes associated with the sale of lottery tickets, pursuant to the provisions of the "Illinois Lottery Law".............. 1,000,000,000
Total                                                                                         $1,229,390,100

Section 10. The sum of $535,700, or so much thereof as may be necessary, is appropriated from the State Lottery Fund to the Department of the Lottery for costs and expenses related to or in support of a Government Services shared services center.

ARTICLE 30

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenses of the Governor’s Office of Management and Budget in the Executive Office of the Governor:

GENERAL OFFICE

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,503,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>122,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>123,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>35,400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>1,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>4,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>2,250</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>25,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>26,250</td>
</tr>
<tr>
<td>Total</td>
<td>$1,845,400</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
Section 10. The sum of $1,543,100, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of General Obligation bonds.

Section 15. The sum of $440,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of Build Illinois bonds.

Section 20. The sum of $378,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the purpose of making payments to the Trustee under the Master Indenture as defined by and pursuant to the Build Illinois Bond Act.

Section 25. The sum of $113,400, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Governor’s Office of Management and Budget for operational expenses related to the School Infrastructure Program.

Section 30. The sum of $14,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Civic Center Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the principal and interest and premium, if any, on Limited Obligation Revenue bonds issued pursuant to the Metropolitan Civic Center Support Act.

Section 35. No contract shall be entered into or obligation incurred for any expenditures from the appropriations made in Sections 10, 15, and 20 until after the purposes and amounts have been approved in writing by the Governor.

ARTICLE 31

Section 5. The sum of $44,121,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for operational expenses of the fiscal year ending June 30, 2014.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

GENERAL OFFICE

New matter indicated in italics - deletions by strikeout
For Personal Services:

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the State Boating Act Fund..........</td>
<td>370,300</td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund...............</td>
<td>938,900</td>
</tr>
<tr>
<td>Payable from Federal Surface Mining Control</td>
<td></td>
</tr>
<tr>
<td>and Reclamation Fund...............................</td>
<td>192,500</td>
</tr>
<tr>
<td>Payable from Abandoned Mined Lands Reclamation</td>
<td></td>
</tr>
<tr>
<td>Council Federal Trust Fund.......................</td>
<td>123,500</td>
</tr>
</tbody>
</table>

For State Contributions to State Employees’ Retirement System:

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the State Boating Act Fund..........</td>
<td>149,300</td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund...............</td>
<td>378,500</td>
</tr>
<tr>
<td>Payable from Federal Surface Mining Control</td>
<td></td>
</tr>
<tr>
<td>and Reclamation Fund...............................</td>
<td>77,700</td>
</tr>
<tr>
<td>Payable from Abandoned Mined Lands Reclamation</td>
<td></td>
</tr>
<tr>
<td>Council Federal Trust Fund.......................</td>
<td>49,800</td>
</tr>
</tbody>
</table>

For State Contributions to Social Security:

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the State Boating Act Fund..........</td>
<td>28,500</td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund...............</td>
<td>72,100</td>
</tr>
<tr>
<td>Payable from Federal Surface Mining Control</td>
<td></td>
</tr>
<tr>
<td>and Reclamation Fund...............................</td>
<td>14,800</td>
</tr>
<tr>
<td>Payable from Abandoned Mined Lands Reclamation</td>
<td></td>
</tr>
<tr>
<td>Council Federal Trust Fund.......................</td>
<td>9,500</td>
</tr>
</tbody>
</table>

For Group Insurance:

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the State Boating Act Fund..........</td>
<td>130,000</td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund...............</td>
<td>245,000</td>
</tr>
<tr>
<td>Payable from Federal Surface Mining Control</td>
<td></td>
</tr>
<tr>
<td>and Reclamation Fund...............................</td>
<td>70,100</td>
</tr>
<tr>
<td>Payable from Abandoned Mined Lands Reclamation</td>
<td></td>
</tr>
<tr>
<td>Council Federal Trust Fund.......................</td>
<td>55,000</td>
</tr>
</tbody>
</table>

For Contractual Services:

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from State Boating Act Fund...............</td>
<td>131,000</td>
</tr>
<tr>
<td>Payable from State Parks Fund......................</td>
<td>300,000</td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund...............</td>
<td>115,500</td>
</tr>
<tr>
<td>Payable from Plugging and Restoration Fund.......</td>
<td>32,800</td>
</tr>
<tr>
<td>Payable from Underground Resources</td>
<td></td>
</tr>
<tr>
<td>Conservation Enforcement Fund.....................</td>
<td>63,200</td>
</tr>
<tr>
<td>Payable from Federal Surface Mining Control</td>
<td></td>
</tr>
<tr>
<td>and Reclamation Fund...............................</td>
<td>125,800</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
Payable from Park and Conservation Fund........ 1,600,000
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........ 129,000
For Travel:
Payable from Wildlife and Fish Fund............. 5,000
For Equipment:
Payable from Wildlife and Fish Fund............. 1,000
For Telecommunications Services:
Payable from the Aggregate Operations
Regulatory Fund........................................ 16,000
For expenses of the Park and Conservation
Program:
Payable from Park and Conservation Fund........ 1,780,300
Total $7,279,900

Section 15. The sum of $582,063, or so much thereof as may be
necessary and as remains unexpended at the close of business on June 30,
2013, from appropriations heretofore made in Article 23, Section 5 of
Public Act 97-0727, is reappropriated to the Department of Natural
Resources from the Park and Conservation Fund for expenses of the Park
and Conservation Program.

Section 20. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Natural Resources:

ARCHITECTURE, ENGINEERING AND GRANTS
For Personal Services:
Payable from State Boating Act Fund.............. 110,800
For State Contributions to State
Employees' Retirement System:
Payable from State Boating Act Fund.............. 44,700
For State Contributions to Social Security:
Payable from State Boating Act Fund.............. 8,500
For Group Insurance:
Payable from State Boating Act Fund.............. 33,000
For Travel:
Payable from Wildlife and Fish Fund.............. 2,300
For Equipment:
Payable from Wildlife and Fish Fund.............. 23,000
For expenses of the Heavy Equipment Dredging Crew:

New matter indicated in italics - deletions by strikeout
PUBLIC ACT 98-0064

Payable from State Boating Act Fund.............. 548,000
Payable from Wildlife and Fish Fund.............. 190,000
For expenses of the OSLAD Program:
   Payable from Open Space Lands Acquisition and Development Fund............. 1,313,200
For Ordinary and Contingent Expenses:
   Payable from Park and Conservation Fund....... 2,671,600
For expenses of the Bikeways Program:
   Payable from Park and Conservation Fund....... 579,900
Total $5,525,000

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF REAL ESTATE AND ENVIRONMENTAL PLANNING

For Personal Services:
   Payable from Wildlife and Fish Fund.............. 104,000
For State Contributions to State Employees' Retirement System:
   Payable from Wildlife and Fish Fund.............. 42,000
For State Contributions to Social Security:
   Payable from Wildlife and Fish Fund.............. 8,000
For Group Insurance:
   Payable from Wildlife and Fish Fund.............. 33,000
For Commodities:
   Payable from State Parks Fund...................... 8,100
For Equipment:
   Payable from State Parks Fund...................... 26,100
For expenses of Natural Areas Execution:
   Payable from the Natural Areas Acquisition Fund...................... 187,500
For operation of Conservation Program:
   Payable from the Illinois Wildlife Preservation Fund...................... 1,200,000
For expenses of the OSLAD Program and the Statewide Comprehensive Outdoor Recreation Plan (SCORP):
   Payable from Open Space Lands Acquisition and Development Fund...................... 388,200

New matter indicated in italics - deletions by strikeout
For expenses of the Partners for Conservation Program:
Payable from the Partners for Conservation Fund............................. 1,590,200

For Natural Resources Trustee Program:
Payable from Natural Resources Restoration Trust Fund.................... 1,400,000

For Ordinary and Contingent Expenses:
Payable from Park and Conservation Fund........... 3,388,900

For expenses of the Bikeways Program:
Payable from Park and Conservation Fund........ 503,600

Total $8,879,600

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF STRATEGIC SERVICES

For Personal Services:
Payable from State Boating Act Fund.............. 985,400
Payable from Wildlife and Fish Fund.............. 2,707,100
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund........ 183,500

For State Contributions to State Employees' Retirement System:
Payable from State Boating Act Fund.............. 397,300
Payable from Wildlife and Fish Fund.............. 1,091,300
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund ........ 74,000

For State Contributions to Social Security:
Payable from State Boating Act Fund.............. 75,700
Payable from Wildlife and Fish Fund.............. 207,800
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund ........ 14,100

For Group Insurance:
Payable from State Boating Act Fund.............. 452,400
Payable from Wildlife and Fish Fund.............. 863,200
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund ........ 61,000

For Contractual Services:

New matter indicated in italics - deletions by strikeout
Payable from State Boating Act Fund.............. 171,000
Payable from Wildlife and Fish Fund.............. 752,500
Payable from Federal Surface Mining Control and Reclamation Fund.......................... 5,400
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund............ 3,000

For Contractual Services for Postage Expenses for DNR Headquarters:
Payable from State Boating Act Fund............... 35,000
Payable from Wildlife and Fish Fund............... 35,000
Payable from Federal Surface Mining Control and Reclamation Fund.......................... 25,000
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund............ 25,000

For Travel:
Payable from Wildlife and Fish Fund............... 31,000

For Commodities:
Payable from State Boating Act Fund............... 135,600
Payable from Wildlife and Fish Fund............... 179,600

For Commodities for DNR Headquarters:
Payable from State Boating Act Fund............... 3,300
Payable from Wildlife and Fish Fund............... 48,400
Payable from Aggregate Operations Regulatory Fund.............................................. 2,300
Payable from Federal Surface Mining Control and Reclamation Fund.......................... 3,300
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund............ 1,700

For Printing:
Payable from State Boating Act Fund............... 211,300
Payable from Wildlife and Fish Fund............... 180,600

For Equipment:
Payable from Wildlife and Fish Fund............... 57,000

For Electronic Data Processing:
Payable from State Boating Act Fund............... 150,000
Payable from State Parks Fund...................... 40,000
Payable from Wildlife and Fish Fund............... 940,000
Payable from Natural Areas Acquisition Fund...... 50,000
Payable from Federal Surface Mining Control

New matter indicated in italics - deletions by strikeout
and Reclamation Fund..........................  175,000
Payable from Illinois Forestry Development Fund...  25,000
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.........  175,000
For Operation of Auto Equipment for
DNR Headquarters:
  Payable from State Boating Act Fund..............  4,800
  Payable from Wildlife and Fish Fund.............  26,900
For expenses associated with Watercraft Titling:
  Payable from the State Boating Act Fund........  359,000
For the implementation of the
Camping/Lodging Reservation System:
  Payable from the State Parks Fund..............  332,000
For Public Events and Promotions:
  Payable from State Parks Fund...................  47,100
  Payable from Wildlife and Fish Fund...........  2,100
For operation and maintenance of
new sites and facilities, including Sparta:
  Payable from State Parks Fund...................  50,000
For expenses incurred for the implementation,
education and maintenance of the Point of
Sale System:
  Payable from the Wildlife and Fish Fund.......  3,000,000
For the transfer of check-off dollars to the
Illinois Conservation Foundation:
  Payable from the Wildlife and Fish Fund........  5,000
For Educational Publications Services and
Expenses:
  Payable from Wildlife and Fish Fund............  25,000
For expenses associated with the State Fair:
  Payable from the Wildlife and Fish Fund........  15,500
  Payable from Illinois Forestry Development Fund...
  Payable from Park and Conservation Fund.........  56,700
For expenses associated with the
Sportsmen Against Hunger Program:
  Payable from the Wildlife and Fish Fund........  120,000
For Ordinary and Contingent Expenses:
  Payable from Park and Conservation Fund........  896,300
For Refunds:

New matter indicated in italics - deletions by strikeout
Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**SPARTA WORLD SHOOTING AND RECREATION COMPLEX**

For the ordinary and contingent expenses of the World Shooting and Recreational Complex:
- Payable from the State Parks Fund.............. $1,372,800
- Payable from the Wildlife and Fish Fund........ $1,455,200

For the Sparta Imprest Account:
- Payable from the State Parks Fund............... $200,000

For the ordinary and contingent expenses of the World Shooting and Recreational Complex, of which no expenditures shall be authorized from the appropriation until revenues from sponsorships or donations sufficient to offset such expenditures have been collected and deposited into the State Parks Fund:
- Payable from the State Parks Fund............... $350,000

Total $3,378,000

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**OFFICE OF RESOURCE CONSERVATION**

For Personal Services:
- Payable from Wildlife and Fish Fund.......... $12,607,000
- Payable from Salmon Fund...................... $186,00
- Payable from Natural Areas Acquisition Fund.... $1,402,400

For State Contributions to State Employees' Retirement System:
- Payable from Wildlife and Fish Fund.......... $5,082,200
- Payable from Salmon Fund...................... $75,000
- Payable from Natural Areas Acquisition Fund..... $565,400

New matter indicated in italics - deletions by strikeout
For State Contributions to Social Security:
   Payable from Wildlife and Fish Fund............... 967,600
   Payable from Salmon Fund.......................... 14,300
   Payable from Natural Areas Acquisition Fund...... 107,700

For Group Insurance:
   Payable from Wildlife and Fish Fund............... 4,027,300
   Payable from Salmon Fund.......................... 50,000
   Payable from Natural Areas Acquisition Fund...... 442,800

For Contractual Services:
   Payable from Wildlife and Fish Fund............... 1,918,100
   Payable from Natural Areas Acquisition Fund...... 79,300

For Travel:
   Payable from Wildlife and Fish Fund............... 96,000
   Payable from Natural Areas Acquisition Fund...... 32,200

For Commodities:
   Payable from Wildlife and Fish Fund............... 1,453,600
   Payable from Natural Areas Acquisition Fund...... 40,200

For Printing:
   Payable from Wildlife and Fish Fund............... 133,700
   Payable from Natural Areas Acquisition Fund...... 11,600

For Equipment:
   Payable from Wildlife and Fish Fund............... 280,000
   Payable from Natural Areas Acquisition Fund...... 85,000

For Telecommunications Services:
   Payable from Wildlife and Fish Fund............... 120,000
   Payable from Natural Areas Acquisition Fund...... 34,200

For Operation of Auto Equipment:
   Payable from Wildlife and Fish Fund............... 734,400
   Payable from Natural Areas Acquisition Fund...... 69,200

For expenses of subgrantee payments:
   Payable from the Wildlife and Fish Fund........... 1,500,000

For Ordinary and Contingent Expenses
   of The Chronic Wasting Disease Program
   and the control of feral swine population:
   Payable from Wildlife and Fish Fund............... 1,500,000

For ordinary and contingent expenses
   of Resource Conservation:
   Payable from the Wildlife and Fish Fund........... 1,500,000

For an Urban Fishing Program in
conjunction with the Chicago Park District to provide fishing and resource management at the park district lagoons:

Payable from Wildlife and Fish Fund.............. 285,800

For workshops, training and other activities to improve the administration of fish and wildlife federal aid programs from federal aid administrative grants received for such purposes:

Payable from Wildlife and Fish Fund.............. 10,000

For expenses of the Natural Areas Stewardship Program:

Payable from Natural Areas Acquisition Fund.... 1,509,300

For Expenses Related to the Endangered Species Protection Board:

Payable from Natural Areas Acquisition Fund...... 386,900

For Administration of the "Illinois Natural Areas Preservation Act":

Payable from Natural Areas Acquisition Fund.... 2,052,800

For ordinary and contingent expenses of operating the Partners for Conservation Program:

Payable from Partners for Conservation Fund.... 1,574,200

For operational expenses related to the Division of Fisheries:

Payable from Illinois Fisheries Management Fund.......................... 1,680,000

For ordinary and contingent expenses of the Department of Natural Resources:

Payable from Illinois Forestry Development Fund.......................... 1,100,000

For payment of timber buyers’ bond forfeitures:

Payable from Illinois Forestry Development Fund.......................... 139,500

For payment of the expenses of the Illinois Forestry Development Council:

Payable from Illinois Forestry Development Fund.......................... 118,500

New matter indicated in italics - deletions by strikeout
For the Purposes of the “Illinois Non-Game Wildlife Protection Act”:
Payable from Illinois Wildlife Preservation Fund............................... 500,000
For Stamp Fund Operations:
Payable from the State Migratory Waterfowl Stamp Fund......................... 250,000
Total .................................................. $44,722,200

Section 45. The sum of $250,000, new appropriation, is appropriated and the sum of $250,002, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Section 35 of Public Act 97-0727, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 50. The sum of $2,147,152, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Sections 30 and 40 of Public Act 97-0727, is reappropriated from the Wildlife & Fish Fund to the Department of Natural Resources for expenses of subgrantee payments.

Section 55. The sum of $7,250,000, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for (i) reallocation of Wildlife and Fish grant reimbursements, (ii) wildlife conservation and restoration plans and programs from federal and/or state funds provided for such purposes or (iii) both purposes.

Section 60. The sum of $5,179,307, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Sections 45 and 50 of Public Act 97-0727, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for (i) reallocation of Wildlife and Fish grant reimbursements, (ii) wildlife conservation and

New matter indicated in italics - deletions by strikeout
restoration plans and programs from federal and/or state funds provided for such purposes or (iii) both purposes.

Section 65. The sum of $948,324, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 55 of Public Act 97-0727, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for operational expenses of Resource Conservation.

Section 70. The sum of $1,132,478, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 60 of Public Act 97-0727, is reappropriated from the Partners for Conservation Fund to the Department of Natural Resources implement ecosystem-based management for Illinois' natural resources.

Section 75. The sum of $1,000,000, new appropriation, and the sum of $1,000,000 or so much thereof may be necessary and as remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 65 of Public Act 97-0727, is reappropriated to the Department of Natural Resources from the Partners for Conservation Fund for expenses associated with Partners for Conservation Program to Implement Ecosystem-Based Management for Illinois' Natural Resources.

Section 80. The sum of $508,420, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 70 of Public Act 97-0727, is reappropriated from the DNR Federal Projects Fund to the Department of Natural Resources for projects in cooperation with the National Resources Conservation Service, Ducks Unlimited, and the National Turkey Association and to the extent that funds are made available for such purposes.

Section 85. The sum of $478,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 75 of Public Act 97-0727, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for Shoreline Improvements associated with Conservation Reserve Enhancement Program.

Section 90. The sum of $2,337,918, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2013, from an appropriation heretofore made in Article 23, Section 80 of Public Act 97-0727, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for expenses related to the Coastal Management Program.

Section 95. The sum of $7,193,597, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 85 of Public Act 97-0727, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for expenses related to the Great Lakes Initiative.

Section 100. The sum of $550,534, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 90 of Public Act 97-0727, is reappropriated to the Department of Natural Resources from the Illinois Forestry Development Fund for ordinary and contingent expenses of the Department of Natural Resources.

Section 105. The sum of $2,036,907, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Sections 90 and 105 of Public Act 97-0727, is reappropriated from the Illinois Wildlife Preservation Fund to the Department of Natural Resources for the Purposes of the “Illinois Non-Game Wildlife Protection Act”.

Section 110. The sum of $1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from an appropriation heretofore made in Article 23, Section 30 of Public Act 97-0727, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for ordinary and contingent expenses of Resource Conservation.

Section 115. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAW ENFORCEMENT

For Personal Services:
Payable from State Boating Act Fund............ 3,402,200
Payable from State Parks Fund................. 1,528,000
Payable from Wildlife and Fish Fund........... 3,278,700

For State Contributions to State Employees' Retirement System:

New matter indicated in italics - deletions by strikeout
Payable from State Boating Act Fund............ 1,371,500
Payable from State Parks Fund.................... 616,000
Payable from Wildlife and Fish Fund............ 1,321,700

For State Contributions to Social Security:
Payable from State Boating Act Fund............ 261,200
Payable from State Parks Fund.................... 102,300
Payable from Wildlife and Fish Fund............ 77,500

For Group Insurance:
Payable from State Boating Act Fund............ 1,098,700
Payable from State Parks Fund.................... 463,600
Payable from Wildlife and Fish Fund............ 1,063,000

For Contractual Services:
Payable from State Boating Act Fund............ 110,200
Payable from Wildlife and Fish Fund............ 150,000

For Travel:
Payable from State Boating Act Fund............ 25,000
Payable from Wildlife and Fish Fund............ 29,100

For Commodities:
Payable from State Boating Act Fund............ 64,800
Payable from Wildlife and Fish Fund............ 45,500

For Printing:
Payable from Wildlife and Fish Fund............ 5,800

For Equipment:
Payable from State Boating Act Fund............ 151,100
Payable from State Parks Fund.................... 75,000
Payable from Wildlife and Fish Fund............ 115,000

For Telecommunications Services:
Payable from State Boating Act Fund............ 157,900
Payable from Wildlife and Fish Fund............ 247,000

For Operation of Auto Equipment:
Payable from State Boating Act Fund............ 307,300
Payable from Wildlife and Fish Fund............ 200,000

For Expenses of DUI/OUI Equipment:
Payable from the State Boating Act Fund....... 20,000

For Operational Expenses of the Snowmobile Program:
Payable from the State Boating Act Fund....... 35,000

For expenses associated with the
Conservation Police Officers:
Payable from Conservation Police

New matter indicated in italics - deletions by strikeout
Operations Assistance Fund.................. 1,250,000

For use in enforcing laws regulating controlled substances and cannabis on Department of Natural Resources regulated lands and waterways to the extent funds are received by the Department:
Payable from the Drug Traffic Prevention Fund.......................... 25,000

Total $17,598,100

Section 120. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAND MANAGEMENT AND EDUCATION

For Personal Services:
Payable from State Boating Act Fund........... 1,651,100
Payable from State Parks Fund.................. 441,200
Payable from Wildlife and Fish Fund........... 9,046,500

For State Contributions to State Employees’ Retirement System:
Payable from State Boating Act Fund........... 665,600
Payable from State Parks Fund.................. 177,900
Payable from Wildlife and Fish Fund........... 3,646,900

For State Contributions to Social Security:
Payable from State Boating Act Fund........... 126,800
Payable from State Parks Fund.................. 33,900
Payable from Wildlife and Fish Fund........... 694,400

For Group Insurance:
Payable from State Boating Act Fund........... 643,000
Payable from State Parks Fund.................. 183,300
Payable from Wildlife and Fish Fund........... 3,256,200

For Contractual Services:
Payable from State Boating Act Fund........... 451,200
Payable from State Parks Fund.................. 1,900,000
Payable from Wildlife and Fish Fund........... 1,343,700

For Travel:
Payable from State Boating Act Fund........... 5,900
Payable from State Parks Fund.................. 49,700
Payable from Wildlife and Fish Fund........... 14,700

New matter indicated in italics - deletions by strikeout
For Commodities:
  Payable from State Boating Act Fund............... 51,000
  Payable from State Parks Fund..................... 443,400
  Payable from Wildlife and Fish Fund.............. 537,700
For Equipment:
  Payable from State Parks Fund..................... 200,000
  Payable from Wildlife and Fish Fund............... 200,000
For Telecommunications Services:
  Payable from State Parks Fund..................... 300,000
  Payable from Wildlife and Fish Fund.............. 32,500
For Operation of Auto Equipment:
  Payable from State Parks Fund..................... 250,000
  Payable from Wildlife and Fish Fund.............. 204,800
For Snowmobile Programs:
  Payable from State Boating Act Fund............... 46,900
For expenses related to the Illinois-Michigan Canal:
  Payable from State Parks Fund..................... 118,000
  Payable from Illinois and Michigan Canal Fund.... 75,000
For operations and maintenance from revenues derived from the sale of surplus crops and timber harvest:
  Payable from the State Parks Fund................. 1,000,000
  Payable from the Wildlife and Fish Fund.......... 1,809,000
For Union County and Horseshoe Lake Conservation Areas, Farming and Wildlife Operations:
  Payable from Wildlife and Fish Fund............... 466,100
For Wildlife Prairie Park Operations and Improvements:
  Payable from Wildlife Prairie Park Fund.......... 100,000
For expenses of the Park and Conservation program:
  Payable from Park and Conservation Fund......... 20,253,300
For expenses of the Bikeways program:
  Payable from Park and Conservation Fund......... 1,664,900
For the expenses related to FEMA Grants to the extent that such funds are available to the Department:
  Payable from Park and Conservation Fund......... 1,000,000

New matter indicated in italics - deletions by strikeout
For operating expenses of the North Point Marina at Winthrop Harbor:
Payable from the Adeline Jay Geo-Karis Illinois Beach Marina Fund........... 2,105,200

For Refunds:
Payable from State Parks Fund.............................. 50,000
Payable from Adeline Jay Geo-Karis Illinois Beach Marina Fund...................... 25,000
Total .................................................. 55,264,800

Section 125. The sum of $ 2,929,544, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Sections 115 and 120 of Public Act 97-0727, are reappropriated from the State Parks Fund to the Department of Natural Resources for operations and maintenance.

Section 130. The sum of $4,526,292, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 23, Sections 115 and 125 of Public Act 97-0727, are reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for operations and maintenance.

Section 135. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF MINES AND MINERALS
For Personal Services:
Payable from Mines and Minerals Underground Injection Control Fund.......................... 210,000
Payable from Plugging and Restoration Fund....... 167,300
Payable from Underground Resources Conservation Enforcement Fund.................... 460,500
Payable from Federal Surface Mining Control and Reclamation Fund...................... 2,189,600
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund........... 3,313,700
For State Contributions to State Employees' Retirement System:
Payable from Mines and Minerals Underground

New matter indicated in italics - deletions by strikeout
Injection Control Fund............................. 84,700
Payable from Plugging and Restoration Fund........ 67,500
Payable from Underground Resources
Conservation Enforcement Fund...................... 185,700
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 882,700
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.......... 1,335,900

For State Contributions to Social Security:
Payable from Mines and Minerals Underground
Injection Control Fund................................ 16,200
Payable from Plugging and Restoration Fund........ 12,900
Payable from Underground Resources
Conservation Enforcement Fund...................... 35,400
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 168,100
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.......... 254,400

For Group Insurance:
Payable from Mines and Minerals Underground
Injection Control Fund................................ 66,300
Payable from Plugging and Restoration Fund........ 55,100
Payable from Underground Resources
Conservation Enforcement Fund...................... 178,300
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 807,900
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.......... 1,043,000

For Contractual Services:
Payable from Underground Resources
Conservation Enforcement Fund...................... 45,100
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 468,200
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........ 218,200

For expenses associated with litigation
of Mining Regulatory actions:
Payable from Federal Surface Mining Control
and Reclamation Fund.................................. 15,000

New matter indicated in italics - deletions by strikeout
### For Travel:
- Payable from Mines and Minerals Underground Injection Control Fund.......................... 2,000
- Payable from Plugging and Restoration Fund....... 2,000
- Payable from Underground Resources Conservation Enforcement Fund......................... 6,000
- Payable from Federal Surface Mining Control and Reclamation Fund............................. 31,400
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 30,700

### For Commodities:
- Payable from Underground Resources Conservation Enforcement Fund......................... 4,700
- Payable from Federal Surface Mining Control and Reclamation Fund............................. 12,400
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 25,800

### For Printing:
- Payable from Underground Resources Conservation Enforcement Fund......................... 3,300
- Payable from Federal Surface Mining Control and Reclamation Fund............................. 11,200
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 1,000

### For Equipment:
- Payable from Mines and Minerals Underground Injection Control Fund.......................... 20,000
- Payable from Underground Resources Conservation Enforcement Fund......................... 2,700
- Payable from Federal Surface Mining Control and Reclamation Fund............................. 49,600
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 81,300

### For Electronic Data Processing:
- Payable from Plugging and Restoration Fund....... 6,000
- Payable from Underground Resources Conservation Enforcement Fund......................... 3,500
- Payable from Federal Surface Mining Control and Reclamation Fund............................. 119,800

**New matter indicated in italics - deletions by strikeout**
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........... 83,900

For Telecommunications Services:
Payable from Underground Resources
Conservation Enforcement Fund............... 15,600
Payable from Federal Surface Mining Control
and Reclamation Fund............................ 48,900
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........ 32,900

For Operation of Auto Equipment:
Payable from Plugging and Restoration Fund.... 43,100
Payable from Underground Resources
Conservation Enforcement Fund............... 63,000
Payable from Federal Surface Mining Control
and Reclamation Fund......................... 65,700
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund........ 53,900

For Plugging & Restoration Projects:
Payable from Plugging & Restoration Fund..... 62,500

For expenses associated with Explosive
Regulation:
Payable from Explosives Regulatory Fund...... 63,300

For expenses associated with Aggregate
Mining Regulation:
Payable from Aggregate Operations
Regulatory Fund............................... 269,000

For the purpose of coordinating
training and education programs for
miners and laboratory analysis and
testing of coal samples and mine atmospheres:
Payable from the Coal Mining Regulatory Fund... 32,800
Payable from Federal Surface Mining
Control and Reclamation Fund.................. 412,100

For expenses associated with Surface
Coal Mining Regulation:
Payable from Coal Mining Regulatory Fund..... 212,400

For operation of the Mining Safety Program:
Payable from the Coal Mining Regulatory Fund... 5,487,800

For Interest Penalty Escrow:

New matter indicated in italics - deletions by strikeout
Payable from Underground Resources
Conservation Enforcement Fund....................... 500
For Small Operators' Assistance Program:
Payable from Federal Surface Mining Control and Reclamation Fund................. 150,000
For the purpose of reclaiming surface mined lands, with respect to which a bond has been forfeited:
Payable from Land Reclamation Fund.................. 800,000
For expenses associated with Environmental Mitigation Projects, Studies, Research, and Administrative Support:
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund........ 500,000
For Refunds:
Payable from Plugging and Restoration Fund........ 25,000
Payable from Underground Resources Conservation Enforcement Fund................... 25,000
For expenses associated with the operations Of the Office of Mines and Minerals:
Payable from the Mines and Minerals Regulatory Fund................................. 8,000,000
Total $29,142,500

Section 140. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF WATER RESOURCES
For Personal Services:
Payable from State Boating Act Fund.............. 1,288,500
For State Contributions to State Employees' Retirement System:
Payable from State Boating Act Fund.............. 519,400
For State Contributions to Social Security:
Payable from State Boating Act Fund.............. 98,900
For Group Insurance:
Payable from State Boating Act Fund.............. 495,000
For Contractual Services:
Payable from State Boating Act Fund.............. 688,500

New matter indicated in italics - deletions by strikeout
For Travel:
  Payable from State Boating Act Fund............... 32,000
For Commodities:
  Payable from State Boating Act Fund............... 14,200
For Equipment:
  Payable from State Boating Act Fund............... 60,000
For Telecommunications Services:
  Payable from State Boating Act Fund............... 7,800
For Operation of Auto Equipment:
  Payable from State Boating Act Fund............... 3,500
For operating expenses related
to the Dam Safety Program:
  Payable from the General Revenue Fund............... 57,200
For expenses of the Boat Grant Match:
  Payable from the State Boating Act Fund............... 100,000
For Repairs and Modifications to Facilities:
  Payable from State Boating Act Fund............... 53,900
For payment of the Department’s share
of operation and maintenance of
statewide stream gauging network,
water data storage and retrieval system,
in cooperation with the U.S. Geological Survey:
  Payable from the Wildlife and Fish Fund............... 200,000
For execution of state assistance programs
to improve the administration of the
National Flood Insurance Program (NFIP)
and National Dam Safety Program as
approved by the Federal Emergency
Management Agency (82 Stat. 572):
  Payable from National Flood Insurance
  Program Fund........................................ 564,200
For expenses of the Floodplain Map
Modernization as approved by the Federal
Emergency Management Agency:
  Payable from DNR Federal Projects Fund
  Program Fund........................................ 100,000
Total $4,283,100

Section 145. The sum of $969,600, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the

New matter indicated in italics - deletions by strikeout
Department of Natural Resources for expenditure by the Office of Water Resources for the objects, uses, and purposes specified, including grants for such purposes and electronic data processing expenses, at the approximate costs set forth below:

Corps of Engineers Studies – To jointly plan local flood protection projects with the U.S. Army Corps of Engineers and to share planning expenses as required by Section 203 of the U.S. Water Resources Development Act of 1996 (P.L. 104-303)............................... 36,900

Federal Facilities - For payment of the State's share of operation and maintenance costs as local sponsor of the federal Aquatic Nuisance Barrier in the Chicago Sanitary and ship canal and the federal Rend Lake Reservoir and the federal projects on the Kaskaskia River................................. 99,400

Lake Michigan Management - For studies carrying out the provisions of the Level of Lake Michigan Act, 615 ILCS 50 and the Lake Michigan Shoreline Act, 615 ILCS 55................................. 8,000

National Water Planning – For expenses to participate in national and regional water planning programs including membership in regional and national associations, commissions and compacts................................. 85,000

River Basin Studies - For purchase of necessary mapping, surveying, test boring, field work, equipment, studies, legal fees, hearings, archaeological and environmental studies, data, engineering, technical services, appraisals and other related expenses to make water resources reconnaissance and

New matter indicated in italics - deletions by strikeout
feasibility studies of river basins, to identify drainage and flood problem areas, to determine viable alternatives for flood damage reduction and drainage improvement, and to prepare project plans and specifications.......................... 50,700

Design Investigations - For purchase of necessary mapping, equipment test boring, field work for Geotechnical investigations and other design and construction related studies ................. 2,400

Rivers and Lakes Management – For purchase of necessary surveying, equipment, obtaining data, field work studies, publications, legal fees, hearings and other expenses in order to expedite the fulfillment of the provisions of the 1911 Act in relation to the "Regulation of Rivers, Lakes and Streams Act", 615 ILCS 5/4.9 et seq.................... 3,300

State Facilities - For materials, equipment, supplies, services, field vehicles, and heavy construction equipment required to operate, maintain, repair, construct, modify or rehabilitate facilities controlled or constructed by the Office of Water Resources, and to assist local governments preserve the streams of the State....................... 56,800

State Water Supply and Planning – For data collection, studies, equipment and related expenses for analysis and management of the water resources of the State, implementation of the State Water Plan, and management of state-owned water resources ...................... 30,900

USGS Cooperative Program – For payment of the Department's share of operation

New matter indicated in italics - deletions by strikeout
and maintenance of statewide stream gauging network, water data storage and retrieval system, preparation of topography mapping, and water related studies; all in cooperation with the U.S. Geological Survey.

For operation and maintenance costs associated with a U.S. Army Corps of Engineers and State of Illinois joint use water supply agreement at Rend Lake.

ARTICLE 32
Section 5. The sum of $474,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Procurement Policy Board for its ordinary and contingent expenses.

ARTICLE 33
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Property Tax Appeal Board:

Payable from the Personal Property Tax Replacement Fund:
For Personal Services
For Contributions to the State Employees’ Retirement System
For State Contributions to Social Security
For Group Insurance
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Electronic Data Processing
For Telecommunication Services
For Operation of Auto Equipment
For Refunds
For Costs Associated with the Appeal Process and the Reestablishment of a

New matter indicated in italics - deletions by strikeout
ARTICLE 34

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Racing Board:

PAYABLE FROM THE HORSE RACING FUND

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,083,300</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>436,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>82,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>368,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>198,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>24,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>3,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>2,300</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>60,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>95,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>12,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>1,300</td>
</tr>
<tr>
<td>For Expenses related to the Laboratory Program</td>
<td>1,795,500</td>
</tr>
<tr>
<td>For Expenses related to the Regulation of Racing Program</td>
<td>3,573,200</td>
</tr>
<tr>
<td>For Distribution to local governments for admissions tax</td>
<td>500,000</td>
</tr>
</tbody>
</table>

Total $8,236,900

Section 10. The sum of $194,400, or so much thereof as may be necessary, is appropriated from the Horse Racing Fund to the Illinois Racing Board for costs and expenses related to or in support of a Government Services Shared Services Center.

Section 15. The sum of $23,000,000, or so much thereof as may be necessary, is appropriated from the Horse Racing Equity Fund to the Illinois Racing Board for the purposes set forth in Section 54 of the Illinois Horse Racing Act of 1975.

ARTICLE 35

New matter indicated in italics - deletions by strikeout
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

GOVERNMENT SERVICES
PAYABLE FROM GENERAL REVENUE FUND

For Refund of certain taxes in lieu of credit memoranda, where such refunds are authorized by law.................. 4,000,000

PAYABLE FROM THE PERSONAL PROPERTY TAX REPLACEMENT FUND:

For a portion of the state’s share of state’s attorneys’ and assistant state’s attorneys’ salaried, including prior year costs.............................. 13,803,700

For a portion of the state’s share of county public defenders’ salaries pursuant to 55 ILCS 5/3-4007...................... 7,000,000

For the State’s share of county supervisors of assessments or county assessors’ salaries, as provided by law...................... 3,150,000

For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the “Revenue Act of 1939”, as amended............................... 350,000

For additional compensation for local assessors, as provided by Section 2.7 of the “Revenue Act of 1939”, as amended............................... 660,000

For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended......................... 663,000

For the annual stipend for sheriffs as provided in subsection (d) of Section 4-6300 and Section 4-8002 of the counties code................................. 663,000

For the annual stipend to county coroners pursuant to 55 ILCS 5/4-6002

New matter indicated in italics - deletions by strikeout
PUBLIC ACT 98-0064  1996

including prior year costs.........................  663,000
For additional compensation for county auditors, pursuant to Public Act 95-0782, including prior year costs.........................  110,500
Total                                              $27,063,200

PAYABLE FROM MOTOR FUEL TAX FUND
For Reimbursement to International Fuel Tax Agreement Member States..............  6,000,000
For Refunds........................................  22,000,000
Total                                              $28,000,000

PAYABLE FROM UNDERGROUND STORAGE TANK FUND
For Refunds as provided for in Section 13a.8 of the Motor Fuel Tax Act....................  12,000

PAYABLE FROM STATE AND LOCAL SALES TAX REFORM FUND
For allocation to Chicago for additional 1.25% Use Tax pursuant to P.A. 86-0928.......  64,000,000

PAYABLE FROM THE MUNICIPAL TELECOMMUNICATIONS FUND
For refunds associated with the Simplified Municipal Telecommunications Act............  12,000

PAYABLE FROM LOCAL GOVERNMENT DISTRIBUTIVE FUND
For allocation to local governments for additional 1.25% Use Tax pursuant to P.A. 86-0928..............  184,280,000

PAYABLE FROM LOCAL GOVERNMENT VIDEO GAMING DISTRIBUTIVE FUND
For allocation to local governments of the net terminal income tax per the Video Gaming Act..........................  45,000,000

PAYABLE FROM R.T.A. OCCUPATION AND USE TAX REPLACEMENT FUND
For allocation to RTA for 10% of the 1.25% Use Tax pursuant to P.A. 86-0928.......  32,000,000

PAYABLE FROM SENIOR CITIZENS’ REAL ESTATE TAX REVOLVING FUND
For payments to counties as required by the Senior Citizens Real Estate Tax Deferral Act, including

New matter indicated in italics - deletions by strikeout
prior year cost............................... 9,200,000
PAYABLE FROM RENTAL HOUSING SUPPORT PROGRAM FUND
For administration of the Rental Housing Support Program.............. 1,100,000
For rental assistance to the Rental Housing Support Program, administered by the Illinois Housing Development Authority............................... 25,000,000
Total $26,100,000
PAYABLE FROM ILLINOIS AFFORDABLE HOUSING TRUST FUND
For administration of the Illinois Affordable Housing Act................... 4,000,000
PAYABLE FROM ILLINOIS GAMING LAW ENFORCEMENT FUND
For a Grant for Allocation to Local Law Enforcement Agencies for joint state and local efforts in Administration of the Charitable Games, Pull Tabs and Jar Games Act............................... 1,100,000

Section 10. The sum of $2,613,500, or so much thereof as may be necessary, is appropriated from the State and Local Sales Tax Reform Fund to the Department of Revenue for the purpose stated in Section 6z-17 of the State Finance Act and Section 2-2.04 of the Downstate Public Transportation Act for a grant to Madison County.

Section 15. The sum of $50,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Revenue for grants, (down payment assistance, rental subsidies, security deposit subsidies, technical assistance, outreach, building an organization's capacity to develop affordable housing projects and other related purposes), mortgages, loans, or for the purpose of securing bonds pursuant to the Illinois Affordable Housing Act, administered by the Illinois Housing Development Authority.

Section 20. The sum of $845,000, or so much thereof as may be necessary, is appropriated from the Predatory Lending Database Program Fund to the Department of Revenue for grants pursuant to the Predatory Lending Database Program, administered by the Illinois Housing Development Authority.

Section 25. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund

New matter indicated in italics - deletions by strikeout
to the Department of Revenue for grants to other state agencies for rental
assistance, supportive living and adaptive housing.

Section 30. The sum of $25,000,000, new appropriation, is
appropriated and the sum of $19,864,600, or so much thereof as may be
necessary and as remains unexpended at the close of business on June 30,
2013, from appropriations and reappropriations heretofore made in Article
27, Section 20 of Public Act 97-0727 is reappropriated from the Federal
HOME Investment Trust Fund to the Department of Revenue for the
Illinois HOME Investment Partnerships Program administered by the
Illinois Housing Development Authority.

Section 35. The sum of $20,000,000, or so much thereof as may be
necessary, is appropriated from the Foreclosure Prevention Program Fund
to the Department of Revenue for administration by the Illinois Housing
Development Authority, for grants and administrative expenses pursuant
to the Foreclosure Prevention Program.

Section 40. The sum of $30,000,000, or so much thereof as may be
necessary, is appropriated from the Abandoned Residential Property
Municipality Relief Fund to the Department of Revenue for administration
by the Illinois Housing Development Authority, for grants and administrative expenses pursuant to the Abandoned Residential Property
Municipality Relief Program.

Section 45. The sum of $105,317,300, or so much thereof as may
be necessary, is appropriated from the General Revenue Fund to the
Department of Revenue for operational expenses of the fiscal year ending
June 30, 2014.

Section 50. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Revenue:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAX ADMINISTRATION AND ENFORCEMENT</td>
<td></td>
</tr>
<tr>
<td>PAYABLE FROM MOTOR FUEL TAX FUND</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>17,774,700</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>7,165,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security.....</td>
<td>1,359,700</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>4,416,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,720,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>773,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>58,400</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Printing</td>
<td>184,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td>15,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>7,036,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>767,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>43,200</td>
</tr>
<tr>
<td>For Administrative Costs Associated With the Motor Fuel Tax Enforcement</td>
<td>150,000</td>
</tr>
<tr>
<td>Grant from USDOT</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>41,463,400</td>
</tr>
</tbody>
</table>

**PAYABLE FROM UNDERGROUND STORAGE TANK FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>838,700</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>338,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>64,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>253,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>30,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,500</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>242,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>61,400</td>
</tr>
<tr>
<td>Total</td>
<td>1,831,800</td>
</tr>
</tbody>
</table>

**PAYABLE FROM ILLINOIS GAMING LAW ENFORCEMENT FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>381,600</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>153,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>29,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>138,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>10,000</td>
</tr>
<tr>
<td>Total</td>
<td>712,700</td>
</tr>
</tbody>
</table>

**PAYABLE FROM COUNTY OPTION MOTOR FUEL TAX FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>394,500</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>159,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>30,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>155,400</td>
</tr>
<tr>
<td>Total</td>
<td>739,100</td>
</tr>
</tbody>
</table>

**PAYABLE FROM TAX COMPLIANCE AND ADMINISTRATION FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,373,000</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
For State Contributions to State
  Employees' Retirement System.............. 1,359,700
  For State Contributions to Social Security.... 258,000
  For Group Insurance.......................... 1,524,400
  For Contractual Services...................... 440,400
  For Travel................................... 300,000
  For Commodities............................... 2,400
  For Electronic Data Processing................. 3,462,700
  For Telecommunications Services............... 97,400
  For Administration of the Illinois
    Petroleum Education and Marketing Act........ 9,000
  For Administration of the Drycleaner
    Environmental Response Trust Fund Act........ 116,200
  For Administration of the Simplified
    Telecommunications Act........................ 2,546,800
  For administrative costs associated
    with the Municipality Sales Tax
    as directed in Public Act 93-1053.......... 162,500
Total................................................................ $13,652,500

PAYABLE FROM PERSONAL PROPERTY TAX REPLACEMENT FUND

For Personal Services.......................... 11,101,000
  or State Contributions to State
  Employees' Retirement System............... 4,475,100
  For State Contributions to Social Security... 849,200
  For Group Insurance............................ 3,751,300
  For Contractual services...................... 1,003,000
  For Travel..................................... 243,900
  For Commodities............................... 52,500
  For Printing................................... 27,100
  For Electronic Data Processing................. 4,924,700
  For Telecommunications Services.............. 561,100
  For Operation of Automotive Equipment........ 17,800
Total................................................................ $27,006,700

PAYABLE FROM HOME RULE MUNICIPAL RETAILERS OCCUPATION TAX FUND

For Personal Services......................... 1,213,900
For State Contributions to State
  Employees' Retirement System............... 489,400

New matter indicated in italics - deletions by strikeout
For State Contributions to Social Security........ 92,900
For Group Insurance.............................. 322,000
For Travel........................................ 50,800
For Electronic Data Processing................... 277,200
For Telecommunications Services............... 44,600
Total                                        $2,490,800

PAYABLE FROM ILLINOIS TAX INCREMENT FUND
For Personal Services............................ 322,400
For State Contributions to State
Employees' Retirement System.................... 129,900
For State Contributions to Social Security...... 24,700
For Group Insurance................................ 92,000
For Electronic Data Processing.................. 135,000
For Telecommunications Services............... 18,700
Total                                         $722,700

PAYABLE FROM ILLINOIS DEPARTMENT OF REVENUE
FEDERAL TRUST FUND
For Administrative Costs Associated
with the Illinois Department of
Revenue Federal Trust Fund..................... 250,000

PAYABLE FROM THE DEBT COLLECTION FUND
For Administrative Costs Associated
with Statewide Debt Collection.................. 20,000

LIQUOR CONTROL COMMISSION
Section 55. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Department of Revenue:
PAYABLE FROM DRAM SHOP FUND
For Personal Services............................. 3,164,100
For State Contributions to State
Employees' Retirement System.................... 1,275,500
For State Contributions to
Social Security.................................... 242,000
For Group Insurance.............................. 1,039,500
For Contractual Services......................... 296,900
For Travel......................................... 110,000
For Commodities................................. 7,000
For Printing....................................... 5,000
For Equipment.................................... 2,900

New matter indicated in italics - deletions by strikeout
For Electronic Data Processing.................. 747,500
For Telecommunications Services............. 80,000
For Operation of Automotive Equipment........ 75,400
For Refunds.................................... 5,000
For expenses related to the
Retailer Education Program.................... 244,300
For the purpose of operating the
Tobacco Study program, including the
Tobacco Retailer Inspection Program
pursuant to the USFDA reimbursement grant.... 1,387,700
For grants to local governmental
units to establish enforcement
programs that will reduce youth
access to tobacco products.................... 1,000,000
For the purpose of operating the
Beverage Alcohol Sellers and
Servers Education and Training
(BASSET) Program............................ 271,300
For costs associated with the Parental
Responsibility Grant.......................... 200,000
Total $10,154,100

SHARED SERVICES
Section 60. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Revenue:

PAYABLE FROM THE GENERAL REVENUE FUND
For costs and expenses related to or in
support of a Government Services
shared services center....................... 1,870,800

PAYABLE FROM MOTOR FUEL TAX FUND
For costs and expenses related to or in
support of a Government Services
shared services center....................... 1,055,500

PAYABLE FROM DRAM SHOP FUND
For costs and expenses related
to or in support of a Government
Services shared services center............ 135,000

New matter indicated in italics - deletions by strikeout
PAYABLE FROM TAX COMPLIANCE AND ADMINISTRATION FUND

For costs and expenses related to or in support of a Government Services shared services center

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAYABLE FROM TAX COMPLIANCE AND ADMINISTRATION FUND</td>
<td>466,600</td>
</tr>
<tr>
<td>Total</td>
<td>$3,527,900</td>
</tr>
</tbody>
</table>

ARTICLE 36

Section 5. The following named sums, or so much of those amounts as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Office of the Secretary of State to meet the ordinary, contingent, and distributive expenses of the following organizational units of the Office of the Secretary of State:

EXECUTIVE GROUP

For Personal Services:
For Regular Positions:
| Payable from General Revenue Fund | 5,250,800 |
| Payable from Securities Audit and Enforcement Fund | 0 |

For Extra Help:
| Payable from General Revenue Fund | 56,600 |

For Employee Contribution to State Employees' Retirement System:
| Payable from General Revenue Fund | 105,500 |
| Payable from Road Fund | 0 |
| Payable from Securities Audit and Enforcement Fund | 0 |
| Payable from Vehicle Inspection Fund | 0 |

For State Contribution to State Employees' Retirement System:
| Payable from Securities Audit and Enforcement Fund | 0 |

For State Contribution to Social Security:
| Payable from General Revenue Fund | 355,300 |
| Payable from Securities Audit and Enforcement Fund | 0 |

For Group Insurance:
| Payable from Securities Audit | |

New matter indicated in italics - deletions by strikeout
and Enforcement Fund................................. 0
For Contractual Services:
  Payable from General Revenue Fund............. 418,800
For Travel Expenses:
  Payable from General Revenue Fund............. 38,500
For Commodities:
  Payable from General Revenue Fund............. 24,000
For Printing:
  Payable from General Revenue Fund............. 8,500
For Equipment:
  Payable from General Revenue Fund............. 7,500
For Telecommunications:
  Payable from General Revenue Fund............. 102,900

GENERAL ADMINISTRATIVE GROUP
For Personal Services:
For Regular Positions:
  Payable from General Revenue Fund.............. 49,581,800
  Payable from Road Fund................................. 0
  Payable from Lobbyist Registration Fund........ 530,100
  Payable from Registered Limited
     Liability Partnership Fund....................... 92,300
  Payable from Securities Audit
     and Enforcement Fund.............................. 6,147,600
  Payable from Department of Business Services
     Special Operations Fund.......................... 6,175,000
For Extra Help:
  Payable from General Revenue Fund.............. 1,003,200
  Payable from Road Fund................................. 0
  Payable from Securities Audit
     and Enforcement Fund.............................. 6,600
  Payable from Department of Business Services
     Special Operations Fund.......................... 143,400
For Employee Contribution to State
Employees' Retirement System:
  Payable from General Revenue Fund.............. 1,003,600
  Payable from Lobbyist Registration Fund........ 10,600
  Payable from Registered Limited
     Liability Partnership Fund....................... 1,800
  Payable from Securities Audit

New matter indicated in italics - deletions by strikeout
and Enforcement Fund
Payable from Department of Business Services Special Operations Fund

For State Contribution to State Employees' Retirement System:
Payable from Road Fund
Payable from Lobbyist Registration Fund
Payable from Registered Limited Liability Partnership Fund
Payable from Securities Audit and Enforcement Fund

For State Contribution to Social Security:
Payable from General Revenue Fund
Payable from Road Fund
Payable from Lobbyist Registration Fund
Payable from Registered Limited Liability Partnership Fund
Payable from Securities Audit and Enforcement Fund

For Group Insurance:
Payable from Lobbyist Registration Fund
Payable from Registered Limited Liability Partnership Fund
Payable from Securities Audit and Enforcement Fund

For Contractual Services:
Payable from General Revenue Fund
Payable from Road Fund
Payable from Motor Fuel Tax Fund
Payable from Lobbyist Registration Fund
Payable from Registered Limited Liability Partnership Fund

New matter indicated in italics - deletions by strikeout
Payable from Securities Audit and Enforcement Fund.................. 1,593,300
Payable from Department of Business Services Special Operations Fund............... 748,600

For Travel Expenses:
Payable from General Revenue Fund................. 149,100
Payable from Road Fund................................. 0
Payable from Lobbyist Registration Fund.......... 5,000
Payable from Securities Audit and Enforcement Fund.................. 28,200
Payable from Department of Business Services Special Operations Fund............... 6,500

For Commodities:
Payable from General Revenue Fund................. 966,300
Payable from Road Fund................................. 0
Payable from Lobbyist Registration Fund.......... 2,700
Payable from Registered Limited Liability Partnership Fund.................. 900
Payable from Securities Audit and Enforcement Fund.................. 14,200
Payable from Department of Business Services Special Operations Fund............... 12,200

For Printing:
Payable from General Revenue Fund................. 483,600
Payable from Road Fund................................. 0
Payable from Lobbyist Registration Fund.......... 5,500
Payable from Securities Audit and Enforcement Fund.................. 57,500
Payable from Department of Business Services Special Operations Fund............... 44,000

For Equipment:
Payable from General Revenue Fund................. 382,100
Payable from Road Fund................................. 0
Payable from Lobbyist Registration Fund.......... 7,500
Payable from Registered Limited Liability Partnership Fund.................. 0
Payable from Securities Audit and Enforcement Fund.................. 175,000
Payable from Department of Business Services

New matter indicated in italics - deletions by strikeout
Special Operations Fund......................... 6,000

For Electronic Data Processing:
  Payable from Road Fund.............................. 0
  Payable from the Secretary of State
    Special Services Fund............................. 9,000,000

For Telecommunications:
  Payable from General Revenue Fund............... 377,500
  Payable from Road Fund.............................. 0
  Payable from Lobbyist Registration Fund......... 7,100
  Payable from Registered Limited
    Liability Partnership Fund....................... 600
  Payable from Securities Audit
    and Enforcement Fund............................. 83,800
  Payable from Department of Business Services
    Special Operations Fund........................... 51,400

For Operation of Automotive Equipment:
  Payable from General Revenue Fund.............. 442,000
  Payable from Securities Audit
    and Enforcement Fund............................. 192,500
  Payable from Department of Business Services
    Special Operations Fund......................... 93,500

For Refunds:
  Payable from General Revenue Fund.............. 10,000
  Payable from Road Fund.............................. 2,500,000

MOTOR VEHICLE GROUP

For Personal Services:
For Regular Positions:
  Payable from General Revenue Fund............ 117,362,800
  Payable from Road Fund.............................. 0
  Payable from the Secretary of State
    Special License Plate Fund....................... 780,200
    Payable from Motor Vehicle Review
      Board Fund....................................... 145,000
  Payable from Vehicle Inspection Fund.......... 1,492,200

For Extra Help:
  Payable from General Revenue Fund............ 7,146,800
  Payable from Road Fund.............................. 0
  Payable from Vehicle Inspection Fund.......... 46,700

For Employee Contribution to

New matter indicated in italics - deletions by strikeout
State Employees' Retirement System:
Payable from General Revenue Fund............ 2,516,400
Payable from the Secretary of State
Special License Plate Fund...................... 15,600
Payable from Motor Vehicle Review Board Fund.... 2,900
Payable from Vehicle Inspection Fund........... 30,300
For State Contribution to
State Employees' Retirement System:
Payable from Road Fund............................. 0
Payable from the Secretary of State
Special License Plate Fund...................... 314,500
Payable from Motor Vehicle Review Board Fund.... 58,500
Payable from Vehicle Inspection Fund........... 620,400
For State Contribution to
Social Security:
Payable from General Revenue Fund............ 8,910,900
Payable from Road Fund............................. 0
Payable from the Secretary of State
Special License Plate Fund...................... 60,000
Payable from Motor Vehicle Review Board Fund................... 11,100
Payable from Vehicle Inspection Fund........... 114,000
For Group Insurance:
Payable from the Secretary of State
Special License Plate Fund...................... 399,500
Payable From Motor Vehicle Review Board Fund........................... 0
Payable from Vehicle Inspection Fund........... 670,900
For Contractual Services:
Payable from General Revenue Fund............ 13,770,800
Payable from Road Fund............................. 0
Payable from CDLIS/AAMVAnet Trust Fund...................... 800,000
Payable from the Secretary of State
Special License Plate Fund...................... 679,500
Payable from Motor Vehicle Review Board Fund........................... 45,300
Payable from Vehicle Inspection Fund........... 1,080,700
For Travel Expenses:

New matter indicated in italics - deletions by strikeout
Payable from General Revenue Fund.............. 285,800
Payable from Road Fund................................. 0
Payable from the Secretary of State
Special License Plate Fund..................... 13,500
Payable from Motor Vehicle Review
Board Fund................................................. 0
Payable from Vehicle Inspection Fund........... 0

For Commodities:
Payable from General Revenue Fund.............. 221,800
Payable from Road Fund................................. 0
Payable from the Secretary of State
Special License Plate Fund.................. 1,000,000
Payable from Motor Vehicle Review
Board Fund................................................. 100
Payable from Vehicle Inspection Fund........... 25,000

For Printing:
Payable from General Revenue Fund.............. 1,220,000
Payable from Road Fund................................. 0
Payable from the Secretary of State
Special License Plate Fund................ 2,279,400
Payable from Motor Vehicle Review
Board Fund................................................. 2,400
Payable from Vehicle Inspection Fund........... 0

For Equipment:
Payable from General Revenue Fund.............. 400,000
Payable from Road Fund................................. 0
Payable from CDLIS/AAMVAnet Trust Fund....... 100,000
Payable from the Secretary of State
Special License Plate Fund............... 107,800
Payable from Motor Vehicle Review
Board Fund................................................. 0
Payable from Vehicle Inspection Fund........... 0

For Telecommunications:
Payable from General Revenue Fund.............. 1,449,800
Payable from Road Fund................................. 0
Payable from the Secretary of State
Special License Plate Fund.................. 300,000
Payable from Motor Vehicle Review
Board Fund................................................. 600

New matter indicated in italics - deletions by strikeout
Payable from Vehicle Inspection Fund............. 30,000
For Operation of Automotive Equipment:
Payable from General Revenue Fund............. 580,000
Payable from Road Fund............................. 0

Section 10. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, and nonrecurring repairs and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Office of the Secretary of State, including sidewalks, terraces, and grounds and all labor, materials, and other costs incidental to the above work:
From General Revenue Fund......................... 425,000

Section 15. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N. Elston Ave., Chicago, Illinois 60630; Charles Chew Jr. Facility, 9901 S. King Drive, Chicago, Illinois 60628; and Capitol Complex buildings located in Springfield Illinois.

Section 20. The sum of $1,182,987, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made for such purpose in Article 10, Section 15 and Section 15.5 of Public Act 97-00726, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N. Elston, Chicago, Illinois 60630; Charles Crew Jr. Facility, 9901 S. King Drive, Chicago, Illinois 60628; and Capitol Complex buildings located in Springfield Illinois.

Section 25. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the State Parking Facility Maintenance Fund to the Secretary of State for the maintenance of parking facilities owned or operated by the Secretary of State.

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:

New matter indicated in italics - deletions by strikeout
For annual equalization grants, per capita and area grants to library systems, and per capita grants to public libraries, under Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund.................................. 12,482,400
From Live and Learn Fund.................................... 16,004,200

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for library services for the blind and physically handicapped:

From General Revenue Fund.................................. 865,400
From Live and Learn Fund.................................... 300,000
From Accessible Electronic Information Service Fund................................. 60,000

Section 40. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:

For annual per capita grants to all school districts of the State for the establishment and operation of qualified school libraries or the additional support of existing qualified school libraries under Section 8.4 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund.................................. 214,700
From Live and Learn Fund.................................... 1,145,000

Section 45. The following named sums, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for grants to library systems for library computers and new technologies to promote and improve interlibrary cooperation and resource sharing programs among Illinois libraries:

From Live and Learn Fund.................................... 274,000
From Secretary of State Special Services Fund................................. 226,000

New matter indicated in italics - deletions by strikeout
Section 50. The following named sums, or so much thereof as may be necessary, are appropriated to the Office of the Secretary of State for annual library technology grants and for direct purchase of equipment and services that support library development and technology advancement in libraries statewide:

- From General Revenue Fund: $35,000
- From Live and Learn Fund: $306,000
- From Secretary of State Special Services Fund: $1,600,000

Total: $1,941,000

Section 55. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of making grants to libraries for construction and renovation as provided in Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

- From Live and Learn Fund: $620,800

Section 60. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For library services under the Federal Library Services and Technology Act, P.L. 104-208, as amended; and the National Foundation on the Arts and Humanities Act of 1965, P.L. 89-209. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

- From Federal Library Services Fund: $7,000,000

Section 65. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for support and expansion of the Literacy Programs administered by education agencies, libraries, volunteers, or community based organizations or a coalition of any of the above:

- From General Revenue Fund: $3,718,300
- From Live and Learn Fund: $500,000
- From Federal Library Services Fund: $0
- From Secretary of State Special Services Fund: $1,300,000

Section 70. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for...
tuition and fees and other expenses related to the program for Illinois Archival Depository System Interns:

From General Revenue Fund.............................. 1

Section 75. The sum of $1, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Secretary of State for the Penny Severns Summer Family Literacy Grants.

Section 80. In addition to any other sums appropriated for such purposes, the sum of $1,288,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the Chicago Public Library.

Section 85. The sum of $1, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for all expenditures and grants to libraries for the Project Next Generation Program.

Section 90. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of promotion of organ and tissue donations:

From Live and Learn Fund.............................. 1,750,000

Section 95. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Special License Plate Fund to the Office of the Secretary of State for grants to benefit Illinois Veterans Home libraries.

Section 100. The sum of $40,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Master Mason Fund to provide grants to the Illinois Masonic Foundation for the Prevention of Drug and Alcohol Abuse Among Children, Inc., a not-for-profit corporation, for the purpose of providing Model Student Assistance Programs in public and private schools in Illinois.

Section 105. The sum of $75,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Pan Hellenic Trust Fund to provide grants for charitable purposes sponsored by African-American fraternities and sororities.

Section 110. The sum of $30,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Park District Youth Program Fund to provide grants for the Illinois Association of Park Districts: After School Programming.

Section 115. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Route

New matter indicated in italics - deletions by strikeout
Section 120. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Police Memorial Committee Fund to the Office of the Secretary of State for grants to the Police Memorial Committee for maintaining a memorial statue, holding an annual memorial commemoration, and giving scholarships to children of police officers killed in the line of duty.

Section 125. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Mammogram Fund to the Office of the Secretary of State for grants to the Susan G. Komen Foundation for breast cancer research, education, screening, and treatment.

Section 130. The following named sum, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for such purposes in Section 3-646 of the Illinois Vehicle Code (625 ILCS 5), for grants to the Regional Organ Bank of Illinois and to Mid-America Transplant Services for the purpose of promotion of organ and tissue donation awareness. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Organ Donor Awareness Fund .................. 200,000

Section 135. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Chicago Police Memorial Foundation Fund for grants to the Chicago Police Memorial Foundation for maintenance of a memorial and park, holding an annual memorial commemoration, giving scholarships to children of police officers killed or catastrophically injured in the line of duty, providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty, and paying the insurance premiums for police officers who are terminally ill.

Section 140. The sum of $100,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the U.S. Marine Corps Scholarship Fund to provide grants for scholarships for Higher Education.

Section 145. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the SOS Federal Projects Fund to the Office of the Secretary of State for the payment of any operational expenses relating to the cost incident to augmenting the Illinois Commercial Motor Vehicle safety program by assuring and verifying the identity of drivers prior to licensure, including CDL operators; for

New matter indicated in italics - deletions by strikeout
improved security for Drivers Licenses and Personal Identification Cards; and any other related program deemed appropriate by the Office of the Secretary of State.

Section 150. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Securities Investors Education Fund for any expenses used to promote public awareness of the dangers of securities fraud.

Section 155. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Secretary of State Evidence Fund for the purchase of evidence, for the employment of persons to obtain evidence, and for the payment for any goods or services related to obtaining evidence.

Section 160. The sum of $225,000, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Office of Secretary of State for the cost of administering the Alternate Fuels Act.

Section 165. The sum of $17,124,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Special Services Fund to the Office of the Secretary of State for office automation and technology.

Section 170. The sum of $14,386,300, or so much thereof as may be necessary, is appropriated from the Motor Vehicle License Plate Fund to the Office of the Secretary of State for the cost incident to providing new or replacement plates for motor vehicles.

Section 175. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Secretary of State DUI Administration Fund to the Office of Secretary of State for operation of the Department of Administrative Hearings of the Office of Secretary of State and for no other purpose.

Section 180. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Police DUI Fund to the Secretary of State for the payments of goods and services that will assist in the prevention of alcohol-related criminal violence throughout the State.

Section 185. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Police Services Fund to the Secretary of State for purposes as indicated by the grantor or contractor or, in the case of money bequeathed or granted for no specific purpose, for any purpose as deemed appropriate by the Director of Police,
Secretary of State in administering the responsibilities of the Secretary of State Department of Police.

Section 190. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Office of the Secretary of State Grant Fund to the Office of the Secretary of State to be expended in accordance with the terms and conditions upon which such funds were received.

Section 195. The sum of $24,300, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the State Library Fund to increase the collection of books, records, and holdings; to hold public forums; to purchase equipment and resource materials for the State Library; and for the upkeep, repair, and maintenance of the State Library building and grounds.

Section 200. The following sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitations, new construction, and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Secretary of State to enhance security measures in the Capitol Complex:

From General Revenue Fund.............................. 3,200,000

Section 205. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Identification Security and Theft Prevention Fund to the Office of Secretary of State for all costs related to implementing identification security and theft prevention measures.

Section 210. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Driver Services Administration Fund for the payment of costs related to the issuance of temporary visitor’s driver’s licenses, and other operational costs, including personnel, facilities, computer programming, and data transmission.

Section 215. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Monitoring Device Driving Permit Administration Fee Fund to the Office of the Secretary of State for all Secretary of State costs associated with administering Monitoring Device Driving Permits per Public Act 95-0400.

Section 220. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Indigent BAIID Fund to the Office of the Secretary of State to reimburse ignition interlock device providers per Public Act 95-0400.

New matter indicated in italics - deletions by strikeout
Section 225. The sum of $50,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Professional Golfers Association Junior Golf Fund for grants to the Illinois Professional Golfers Association Foundation to help Association members expose Illinois youngsters to the game of golf.

Section 230. The sum of $70,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Agriculture in the Classroom Fund for grants to support Agriculture in the Classroom programming for public and private schools within Illinois.

Section 235. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Boy Scout and Girl Scout Fund for grants to the Illinois divisions of the Boy Scouts of America and the Girl Scouts of the U.S.A.

Section 240. The sum of $30,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Support Our Troops Fund for grants to Illinois Support Our Troops, Inc. for charitable assistance to the troops and their families in accordance with its Articles of Incorporation.

Section 245. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois EMS Memorial Scholarship and Training Fund for grants to the EMS Memorial Scholarship and Training Council for providing scholarships for graduate study, undergraduate study, or both, to children and spouses of emergency medical services (EMS) personnel killed in the course of their employment and for grants for the training of EMS personnel.

Section 250. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Rotary Club Fund for grants for charitable purposes sponsored by the Rotary Club.

Section 255. The sum of $10,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Ovarian Cancer Awareness Fund for grants to the National Ovarian Cancer Coalition, Inc. for ovarian cancer research, education, screening, and treatment.

Section 260. The sum of $6,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Sheet Metal Workers International Association of Illinois Fund for grants for charitable purposes sponsored by Illinois chapters of the Sheet Metal Workers International Association.
Section 265. The sum of $75,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Illinois Police Association Fund for providing death benefits for the families of police officers killed in the line of duty, and for providing scholarships, for graduate study, undergraduate study, or both, to children and spouses of police officers killed in the line of duty.

Section 270. The sum of $3,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the International Brotherhood of Teamsters Fund for grants to the Teamsters Joint Council 25 Charitable Trust for religious, charitable, scientific, literary, and educational purposes.

Section 275. The sum of $8,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the 4-H Fund for grants to the Illinois 4-H foundation for the purpose of funding 4-H programs in Illinois.

Section 280. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Fraternal Order of Police Fund for grants to the Illinois Fraternal Order of Police to increase the efficiency and professionalism of law enforcement officers in Illinois, to educate the public about law enforcement issues, to more firmly establish the public confidence in law enforcement, to create partnerships with the public, and to honor the service of law enforcement officers.

Section 285. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Share the Road Fund for grants to the League of Illinois Bicyclists, a not for profit corporation, for educational programs instructing bicyclists and motorists how to legally and more safely share the roadways.

Section 290. The sum of $4,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the St. Jude Children’s Research Fund for grants to St. Jude Children’s Research Hospital for pediatric treatment and research.

Section 295. The sum of $40,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Ducks Unlimited Fund for grants to Ducks Unlimited, Inc. to fund wetland protection, enhancement, and restoration projects in the State of Illinois, to fund education and outreach for media, volunteers, members, and the general public regarding waterfowl and wetlands conservation in the State of Illinois, and to cover reasonable cost for Ducks Unlimited plate

New matter indicated in italics - deletions by strikeout
advertising and administration of the wetland conservation projects and education program.

Section 300. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Family Responsibility Fund for all costs associated with enforcement of the Family Financial Responsibility Law.

Section 305. In addition to any other sums appropriated for such purposes, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the Oak Park Library.

Section 310. In addition to any other sums appropriated for such purposes, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the North Riverside Library.

Section 315. In addition to any other sums appropriated for such purposes, the sum of $50,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the LaGrange Library.

Section 320. In addition to any other sums appropriated for such purposes, the sum of $50,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the LaGrange Park Library.

ARTICLE 37

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the State Employees' Retirement System:

SOCIAL SECURITY DIVISION

For Personal Services.............................                                           51,800
For State Contributions to
    Social Security........................................ 4,000
For Contractual Services......................... 15,700
For Travel................................................ 1,200
For Commodities................................. 100
For Printing.......................................... 0
For Equipment........................................ 0
For Electronic Data Processing.................... 500
For Telecommunications Services................. 400
Total                                                                                          73,700

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CENTRAL OFFICE

For Employee Retirement Contributions
Paid by Employer for Prior Fiscal Years................. 0

ARTICLE 38

Section 5. In addition to other sums appropriated, the sum of $238,221,198, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Supreme Court for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2014.

Section 10. The sum of $63,600,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Supreme Court for probation reimbursements.

Section 15. In addition to other sums appropriated, the sum of $26,515,000, or so much thereof as may be necessary, is appropriated from the Mandatory Arbitration Fund to the Supreme Court for operational expenses, awards, grants, Mandatory Arbitration Programs, and permanent improvements for the fiscal year ending June 30, 2014.

Section 25. The sum of $500,000 shall be transferred from the General Revenue Fund to the Foreign Language Interpreter Fund.

Section 30. The sum of $645,100, or so much thereof as may be necessary, is appropriated from the Foreign Language Interpreter Fund to the Supreme Court for the Foreign Language Interpreter Program.

Section 35. The sum of $939,800, or so much thereof as may be necessary, is appropriated from the Lawyers' Assistance Program Fund to the Supreme Court for lawyers' assistance programs.

ARTICLE 39

Section 5. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Supreme Court Historic Preservation Fund to the Supreme Court Historic Preservation Commission for historic preservation purposes.

ARTICLE 40

Section 5. The sum of $8,001,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Treasurer to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 10. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated to the State Treasurer from the General Revenue Fund for the purpose of making refunds of accrued interest on protested tax cases.

New matter indicated in italics - deletions by strikeout
Section 15. The sum of $9,343,930, or so much thereof as may be necessary, is appropriated from the State Pensions Fund to the Office of the State Treasurer to meet its operational expenses for the fiscal year ending June 30, 2014.

Section 20. The sum of $8,100,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Bank Services Trust Fund for the purpose of making payments to financial institutions for banking services pursuant to the State Treasurer's Bank Services Trust Fund Act.

Section 25. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated to the State Treasurer from the General Obligation Bond Rebate Fund for the purpose of making arbitrage rebate payments to the U.S. government.

Section 30. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Charitable Trust Stabilization Fund to the State Treasurer for the State Treasurer’s operational costs to administer the Charitable Trust Stabilization Fund and for grants to public and private entities in the State for the purposes set out in the Charitable Trust Stabilization Act.

ARTICLE 41

Section 5. The sum of $62,622,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Teachers’ Retirement System of the State of Illinois for deposit into the Teacher Health Insurance Security Fund as the state’s contribution for teachers’ health insurance.

ARTICLE 999

Section 999. Effective date. This Act takes effect July 1, 2013.
Approved with vetoed amounts July 10, 2013.
Effective July 10, 2013.
Returned to General Assembly October 22, 2013.
Final General Assembly Action on vetoed amounts: No funds restored. Amounts remain vetoed.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Personnel Code is amended by changing Section 4c as follows:

(20 ILCS 415/4c) (from Ch. 127, par. 63b104c)
Sec. 4c. General exemptions. The following positions in State service shall be exempt from jurisdictions A, B, and C, unless the jurisdictions shall be extended as provided in this Act:

(1) All officers elected by the people.

(2) All positions under the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Board of Education, Clerk of the Supreme Court, Attorney General, and State Board of Elections.

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

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

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

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

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

(8) The presidents, other principal administrative officers, and teaching, research and extension faculties of Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Community College Board, Southern Illinois University, Illinois Board of Higher Education, University of Illinois, State Universities Civil Service System, University Retirement System of Illinois, and the administrative officers and scientific and technical staff of the Illinois State Museum.

New matter indicated in italics - deletions by strikeout
(9) All other employees except the presidents, other principal administrative officers, and teaching, research and extension faculties of the universities under the jurisdiction of the Board of Regents and the colleges and universities under the jurisdiction of the Board of Governors of State Colleges and Universities, Illinois Community College Board, Southern Illinois University, Illinois Board of Higher Education, Board of Governors of State Colleges and Universities, the Board of Regents, University of Illinois, State Universities Civil Service System, University Retirement System of Illinois, so long as these are subject to the provisions of the State Universities Civil Service Act.

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

(11) (Blank).

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

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

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

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

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

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

(18) Employees of the Illinois Young Adult Conservation Corps program, administered by the Illinois Department of Natural Resources, authorized grantee under Title VIII of the

New matter indicated in italics - deletions by strikeout

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

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

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

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

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

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

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

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

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


(29) All employees of the Illinois Power Agency.

(30) Employees having demonstrable, defined advanced skills in accounting, financial reporting, or technical expertise who are employed within executive branch agencies and whose duties are directly related to the submission to the Office of the Comptroller of financial information for the publication of the Comprehensive Annual Financial Report (CAFR).


(Source: P.A. 97-618, eff. 10-26-11; 97-1055, eff. 8-23-12.)

New matter indicated in italics - deletions by strikeout
Section 10. The Unified Code of Corrections is amended by changing Section 5-8-8 as follows:

(730 ILCS 5/5-8-8)

(Section scheduled to be repealed on December 31, 2015)

Sec. 5-8-8. Illinois Sentencing Policy Advisory Council.

(a) Creation. There is created under the jurisdiction of the Governor the Illinois Sentencing Policy Advisory Council, hereinafter referred to as the Council.

(b) Purposes and goals. The purpose of the Council is to review sentencing policies and practices and examine how these policies and practices impact the criminal justice system as a whole in the State of Illinois. In carrying out its duties, the Council shall be mindful of and aim to achieve the purposes of sentencing in Illinois, which are set out in Section 1-1-2 of this Code:

(1) prescribe sanctions proportionate to the seriousness of the offenses and permit the recognition of differences in rehabilitation possibilities among individual offenders;

(2) forbid and prevent the commission of offenses;

(3) prevent arbitrary or oppressive treatment of persons adjudicated offenders or delinquents; and

(4) restore offenders to useful citizenship.

(c) Council composition.

(1) The Council shall consist of the following members:

(A) the President of the Senate, or his or her designee;

(B) the Minority Leader of the Senate, or his or her designee;

(C) the Speaker of the House, or his or her designee;

(D) the Minority Leader of the House, or his or her designee;

(E) the Governor, or his or her designee;

(F) the Attorney General, or his or her designee;

(G) two retired judges, who may have been circuit, appellate, or supreme court judges; retired judges appointed prior to the effective date of this amendatory Act of the 98th General Assembly shall be selected by the members of the Council designated in clauses (c)(1)(A) through (L), and retired judges appointed on or after the effective date of this amendatory Act of the 98th General
Assembly shall be appointed by the Chief Justice of the Illinois Supreme Court;

(G-5) two sitting judges, who may be circuit, appellate, or supreme court judges, appointed by the Chief Justice of the Supreme Court; one member appointed under this paragraph (G-5) shall be selected from the Circuit Court of Cook County or the First Judicial District, and one member appointed under this paragraph (G-5) shall be selected from a judicial circuit or district other than the Circuit Court of Cook County or the First Judicial District;

(H) the Cook County State's Attorney, or his or her designee;

(I) the Cook County Public Defender, or his or her designee;

(J) a State's Attorney not from Cook County, appointed by the State's Attorney's Appellate Prosecutor;

(K) the State Appellate Defender, or his or her designee;

(L) the Director of the Administrative Office of the Illinois Courts, or his or her designee;

(M) a victim of a violent felony or a representative of a crime victims' organization, selected by the members of the Council designated in clauses (c)(1)(A) through (L);

(N) a representative of a community-based organization, selected by the members of the Council designated in clauses (c)(1)(A) through (L);

(O) a criminal justice academic researcher, to be selected by the members of the Council designated in clauses (c)(1)(A) through (L);

(P) a representative of law enforcement from a unit of local government to be selected by the members of the Council designated in clauses (c)(1)(A) through (L);

(Q) a sheriff selected by the members of the Council designated in clauses (c)(1)(A) through (L); and

(R) ex-officio members shall include:

(i) the Director of Corrections, or his or her designee;

(ii) the Chair of the Prisoner Review Board, or his or her designee;

New matter indicated in italics - deletions by strikeout
(iii) the Director of the Illinois State Police, or his or her designee; and
(iv) the Director of the Illinois Criminal Justice Information Authority, or his or her designee; and
(v) the assistant Director of the Administrative Office of the Illinois Courts, or his or her designee.

(1.5) The Chair and Vice Chair shall be elected from among its members by a majority of the members of the Council.

(2) Members of the Council who serve because of their public office or position, or those who are designated as members by such officials, shall serve only as long as they hold such office or position.

(3) Council members shall serve without compensation but shall be reimbursed for travel and per diem expenses incurred in their work for the Council.

(4) The Council may exercise any power, perform any function, take any action, or do anything in furtherance of its purposes and goals upon the appointment of a quorum of its members. The term of office of each member of the Council ends on the date of repeal of this amendatory Act of the 96th General Assembly.

(d) Duties. The Council shall perform, as resources permit, duties including:

(1) Collect and analyze information including sentencing data, crime trends, and existing correctional resources to support legislative and executive action affecting the use of correctional resources on the State and local levels.

(2) Prepare criminal justice population projections annually, including correctional and community-based supervision populations.

(3) Analyze data relevant to proposed sentencing legislation and its effect on current policies or practices, and provide information to support evidence-based sentencing.

(4) Ensure that adequate resources and facilities are available for carrying out sentences imposed on offenders and that rational priorities are established for the use of those resources. To do so, the Council shall prepare criminal justice resource
statements, identifying the fiscal and practical effects of proposed
criminal sentencing legislation, including, but not limited to, the
correctional population, court processes, and county or local
government resources.

(5) Perform such other studies or tasks pertaining to
sentencing policies as may be requested by the Governor or the
Illinois General Assembly.

(6) Perform such other functions as may be required by law
or as are necessary to carry out the purposes and goals of the
Council prescribed in subsection (b).

(e) Authority.

(1) The Council shall have the power to perform the
functions necessary to carry out its duties, purposes and goals
under this Act. In so doing, the Council shall utilize information
and analysis developed by the Illinois Criminal Justice Information
Authority, the Administrative Office of the Illinois Courts, and the
Illinois Department of Corrections.

(2) Upon request from the Council, each executive agency
and department of State and local government shall provide
information and records to the Council in the execution of its
duties.

(f) Report. The Council shall report in writing annually to the
General Assembly, the Illinois Supreme Court, and the Governor.

(g) This Section is repealed on December 31, 2015.

(Source: P.A. 96-711, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-775, eff. 7-13-
12.)

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

Passed in the General Assembly May 14, 2013.
Approved July 15, 2013.
Effective July 15, 2013.
Section 5. The State Finance Act is amended by adding Sections 5.826 and 5.827 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The National Wild Turkey Federation Fund.

(30 ILCS 105/5.827 new)
Sec. 5.827. The Curing Childhood Cancer Fund.

Section 10. The Illinois Vehicle Code is amended by adding Sections 3-699 and 3-699.1 as follows:

(625 ILCS 5/3-699 new)
Sec. 3-699. National Wild Turkey Federation license plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as National Wild Turkey Federation license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the National Wild Turkey Federation Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the National Wild Turkey Federation Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The National Wild Turkey Federation Fund is created as a special fund in the State treasury. All moneys in the National Wild Turkey Federation Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to National Wild Turkey Federation, Inc., a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, to fund turkey habitat protection, enhancement,
and restoration projects in the State of Illinois, to fund education and outreach for media, volunteers, members, and the general public regarding turkeys and turkey habitat conservation in the State of Illinois, and to cover the reasonable cost for National Wild Turkey Federation special plate advertising and administration of the conservation projects and education program.

(625 ILCS 5/3-699.1 new)

Sec. 3-699.1. Curing Childhood Cancer Plates.
(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Curing Childhood Cancer license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a $65 fee for original issuance in addition to the appropriate registration fee. Of this fee, $50 shall be deposited into the Curing Childhood Cancer Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a $52 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $50 shall be deposited into the Curing Childhood Cancer Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Curing Childhood Cancer Fund is created as a special fund in the State treasury. All money in the Curing Childhood Cancer Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, in equal share as grants to the St. Jude Children's Research Hospital and the Children's Oncology Group for the purpose of funding scientific research on cancer.

Passed in the General Assembly May 29, 2013.
Approved July 15, 2013.
Effective January 1, 2014.
AN ACT concerning children.

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

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 4 as follows:

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatrist, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), personnel of institutions of higher education, educational advocate assigned to a child pursuant to the School Code, member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse), truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational or athletic program or facility personnel, early intervention provider as defined in the Early Intervention Services System Act, law enforcement officer, licensed professional counselor, licensed clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, animal control officer or Illinois Department of Agriculture Bureau of Animal

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Health and Welfare field investigator, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.

Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

Notwithstanding any other provision of this Act, if an employee of a school district has made a report or caused a report to be made to the Department under this Act involving the conduct of a current or former employee of the school district and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant

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or caused a report to be made to the Department, as required under this Act. Only the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department may be disclosed by the general superintendent of the school district to which the request for information concerning the applicant is made, and this fact may be disclosed only in cases where the employee and the general superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district must be informed by that school district that if he or she applies for employment with another school district, the general superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting school district that the employee is or was the subject of such a report.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required by this Act or constitute grounds for failure to share information or documents with the Department during the course of a child abuse or neglect investigation. If requested by the professional, the Department shall confirm in writing that the information or documents disclosed by the professional were gathered in the course of a child abuse or neglect investigation.

The reporting requirements of this Act shall not apply to the contents of a privileged communication between an attorney and his or
her client or to confidential information within the meaning of Rule 1.6 of the Illinois Rules of Professional Conduct relating to the legal representation of an individual client.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

Any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives shall provide to all office personnel copies of written information and training materials about abuse and neglect and the requirements of this Act that are provided to employees of the office, clinic, or physical location who are required to make reports to the Department under this Act, and instruct such office personnel to bring to the attention of an employee of the office, clinic, or physical location who is required to make reports to the Department under this Act any reasonable suspicion that a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child. In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.

The Department shall provide copies of this Act, upon request, to all employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this provision is a Class 4 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or

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scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

Nothing in this Act prohibits a mandated reporter who reasonably believes that an animal is being abused or neglected in violation of the Humane Care for Animals Act from reporting animal abuse or neglect to the Department of Agriculture's Bureau of Animal Health and Welfare.

A home rule unit may not regulate the reporting of child abuse or neglect in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(126x311)For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(Source: P.A. 96-494, eff. 8-14-09; 96-1446, eff. 8-20-10; 97-189, eff. 7-22-11; 97-254, eff. 1-1-12; 97-387, eff. 8-15-11; 97-711, eff. 6-27-12; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

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

Approved July 15, 2013.
Effective July 15, 2013.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Pawnbroker Regulation Act is amended by adding
Section 20 as follows:
(205 ILCS 510/20 new)
Sec. 20. Precious Metal Purchasers Task Force.
(a) The General Assembly finds:
(1) There has been, and continues to be, a significant
expansion in the volume of precious metals and jewelry sold
through pawnbrokers, auction services, for-profit consignment
sellers, and other resellers.
(2) There has been, and continues to be, a similar increase
in the volume of stolen precious metals and jewelry.
(3) Access by law enforcement to sales-related information
generated by pawnbrokers, auction services, for-profit
consignment sellers, and other resellers has always been an
important tool in combating burglary, robbery, theft, and other
crimes directed at personal property.
(4) Recent advances in electronic data collection and
compilation have greatly simplified both the reporting of sales-
related information by pawnbrokers, auction services, for-profit
consignment sellers, and other resellers.
(5) Law enforcement agencies, pawnbrokers, auction
services, for-profit consignment sellers, resellers, and information
technology-related businesses in several states have created
differing systems to provide law enforcement with timely access to
sales-related information.
(b) There is hereby created the Precious Metal Purchasers Task
Force, consisting of members appointed as follows:
(1) two members from the Senate, one appointed by the
Senate President and one appointed by the Minority Leader;
(2) two members from the House of Representatives, one
appointed by the Speaker of the House and one appointed by the
Minority Leader;
(3) one member appointed by the Governor as chairperson
of the task force;
(4) one member appointed by the Secretary of State;
(5) one member appointed by the Attorney General;

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(6) one member appointed by the Secretary of Financial and Professional Regulation from the Department of Financial and Professional Regulation;
(7) one member appointed by the Director of State Police from the Department of State Police;
(8) one member from a statewide organization representing the Chiefs of Police appointed by the Governor;
(9) one member recommended by the Illinois Municipal League and appointed by the Governor;
(10) one member of an association representing the interests of pawnbrokers appointed by the Governor;
(11) one member representing the interests of for-profit consignment shops appointed by the Governor;
(12) one member representing the interests of the insurance industry with a strong vested interest in stopping theft and recovering stolen goods appointed by the Governor;
(13) two members representing the interests of the general public appointed by the Governor;
(14) one member representing the interests of the scrap recycling industry appointed by the Governor;
(15) one member of a statewide association exclusively representing retailers appointed by the Governor; and
(16) one member of an association representing numismatic shops appointed by the Governor.

All members appointed under this Section shall serve without compensation, and may be reimbursed for their reasonable and necessary expenses from funds appropriated from the Pawnbroker Regulation Fund.

(c) The task force shall study the various systems, technologies, and methods of operation for providing law enforcement with the timely access to information relating to the sales of precious metals and jewelry by pawnbrokers, auction sellers, for-profit consignment sellers, resellers, and other persons or entities as it may deem fit, including, but not limited to, providers of technology and services relating to the collection, compilation, storage, and access to such information.

(d) The Department of Financial and Professional Regulation shall provide any necessary administrative and other support to the task force.

(e) On or before December 31, 2013, the task force shall file and present a report to the General Assembly concerning its recommendations regarding the systems and technologies, together with their usage and

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potential funding mechanisms and sources, to be implemented to create a statewide system for the collection of information of the sales of precious metals and jewelry by pawnbrokers, auction services, for-profit consignment sellers, and other resellers, and for the compilation, storage, and timely access to that information by law enforcement and shall include proposed legislation to implement its recommendations, if needed.

(f) This Section is repealed on December 31, 2014.

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0069
(House Bill No. 3370)

AN ACT concerning local government.

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

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Section 12 as follows:

(70 ILCS 2605/12) (from Ch. 42, par. 332)

Sec. 12. Power to levy taxes. The board of commissioners annually may levy taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which, exclusive of the amount levied for (a) the payment of bonded indebtedness and the interest on bonded indebtedness (b) employees' annuity and benefit purposes (c) construction purposes, and (d) for the purpose of establishing and maintaining a reserve fund for the payment of claims, awards, losses, judgments, or liabilities, settlements, or demands and associated attorney's fees and costs that which might be imposed on or incurred by such sanitary district in matters including, but not limited to, under the Workers' Compensation Act or the Workers' Occupational Diseases Act, and any claim in tort, including but not limited to, any claim imposed upon such sanitary district under the Local Governmental and Governmental Employees Tort Immunity Act, any claim of deprivation of any constitutional or statutory right or protection, for all expenses, fees, and costs, both direct and in support of and for all costs related to the repair or replacement of any property owned by such sanitary district which is

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damaged by fire, flood, explosion, vandalism or any other peril, natural or manmade, shall not exceed the sum produced by extending the rate of .46% for each of the years 1979 through 2004 and by extending the rate of 0.41% for the year 2005 and each year thereafter, upon the assessed valuation of all taxable property within the sanitary district as equalized and determined for State and local taxes.

In addition, for stormwater management purposes, including but not limited to those provided in subsection (f) of Section 7(h), the board of commissioners may levy taxes for the year 2005 and each year thereafter at a rate not to exceed 0.05% of the assessed valuation of all taxable property within the District as equalized and determined for State and local taxes. And in addition thereto, for construction purposes as defined in Section 5.2 of this Act, the board of commissioners may levy taxes for the year 1985 and each year thereafter which shall be at a rate not to exceed .10% of the assessed valuation of all taxable property within the sanitary district as equalized and determined for State and local taxes. Amounts realized from taxes so levied for construction purposes shall be limited for use to such purposes and shall not be available for appropriation or used to defray the cost of repairs to or expense of maintaining or operating existing or future facilities, but such restrictions, however, shall not apply to additions, alterations, enlargements, and replacements which will add appreciably to the value, utility, or the useful life of said facilities. Such rates shall be extended against the assessed valuation of the taxable property within the corporate limits as the same shall be assessed and equalized for the county taxes for the year in which the levy is made and said board shall cause the amount to be raised by taxation in each year to be certified to the county clerk on or before the thirtieth day of March; provided, however, that if during the budget year the General Assembly authorizes an increase in such rates, the board of commissioners may adopt a supplemental levy and shall make such certification to the County Clerk on or before the thirtieth day of December.

For the purpose of establishing and maintaining a reserve fund for the payment of claims, awards, losses, judgments, or liabilities, settlements, or demands and associated attorney's fees and costs that which might be imposed on or incurred by such sanitary district in matters including, but not limited to, under the Workers' Compensation Act or the Workers' Occupational Diseases Act, and any claim in tort, including but not limited to, any claim imposed upon such sanitary district under the Local Governmental and Governmental Employees Tort Immunity Act,
any claim of deprivation of any constitutional or statutory right or protection, for all expenses, fees, and costs, both direct and in support and for all costs related to the repair or replacement, where the cost thereof exceeds the sum of $10,000, of any property owned by such sanitary district which is damaged by fire, flood, explosion, vandalism or any other peril, natural or man-made, such sanitary district may also levy annually upon all taxable property within its territorial limits a tax not to exceed .005% of the assessed valuation of said taxable property as equalized and determined for State and local taxes; provided, however, the aggregate amount which may be accumulated in such reserve fund shall not exceed .05% of such assessed valuation.

All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district, in the manner and at the time provided by the general revenue law. No part of the taxes hereby authorized shall be used by such sanitary district for the construction of permanent, fixed, immovable bridges across any channel constructed under the provisions of this Act. All bridges built across such channel shall not necessarily interfere with or obstruct the navigation of such channel, when the same becomes a navigable stream, as provided in Section 24 of this Act, but such bridges shall be so constructed that they can be raised, swung or moved out of the way of vessels, tugs, boats or other water craft navigating such channel. Nothing in this Act shall be so construed as to compel said district to maintain or operate said bridges, as movable bridges, for a period of 9 years from and after the time when the water has been turned into said channel pursuant to law, unless the needs of general navigation of the Des Plaines and Illinois Rivers, when connected by said channel, sooner require it. In levying taxes the board of commissioners, in order to produce the net amount required by the levies for payment of bonds and interest thereon, shall include an amount or rate estimated to be sufficient to cover losses in collection of taxes, the cost of collecting taxes, abatements in the amount of such taxes as extended on the collector's books and the amount of such taxes collection of which will be deferred; the amount so added for the purpose of producing the net amount required shall not exceed any applicable maximum tax rate or amount.

(Source: P.A. 96-164, eff. 8-10-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
PUBLIC ACT 98-0070
(Senate Bill No. 0030)

AN ACT concerning government.

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

Section 1. Short title. This Act may be cited as the Thomson United States Penitentiary Cession Act.

Section 5. Cession of concurrent jurisdiction. The State of Illinois hereby cedes to the United States concurrent jurisdiction in and over the following land comprising the site of the United States Penitentiary, Thomson, described as follows:

A part of the southeast quarter and southwest quarter of section 13 and part of the northeast quarter and northwest quarter of section 24 all in township 23 north range 3 east of the fourth principal meridian Carroll County, Illinois. More particularly described as follows: Commencing at the southwest corner of the southwest quarter of said section 13 as the point of beginning of the tract to be described: from the point of beginning, Thence North 01°08'51" west, (bearings are for descriptive purposes only) along the west line of said southwest quarter of section 13, a distance of 942.27 feet; thence north 87°45'03" east, a distance of 2,733.29 feet to the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad; thence south 06°34'13" east along said westerly right-of-way line, a distance of 1,916.34 feet; thence south 87°47'21" west, a distance of 348.55 feet; thence south 02°14'57" east, a distance of 380.05 feet to a point on the south line of the north half of the northwest quarter of section 24; thence south 87°45'03" west along said south line of the north half of the northwest quarter of section 24, a distance of 2,589.84 feet to the southwest corner of the north half of the northwest quarter of section 24; thence north 00°26'24" west, along the west line of the north half of the northwest quarter of said section 24, a distance of 1,349.28 feet to the point of beginning, in Carroll County, Illinois. Containing 146.541 acres.
Section 10. Acceptance. Cession shall be effective upon the filing of an acceptance by the United States with the Governor of the State of Illinois in accordance with the requirements of 40 U.S.C. 3112. Federal jurisdiction shall end whenever the United States shall cease to own, lease, or use for national purposes the lands or improvements thereon.

Section 15. Retention of jurisdiction. Nothing in this Act shall be construed to deprive the State of Illinois of any of its jurisdiction over the above described lands.

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0071
(Senate Bill No. 0032)

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

Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 18.3 as follows:

(20 ILCS 1705/18.3)

Sec. 18.3. Integrated system for services for the mentally ill. The Department shall develop an effective, integrated system for delivering State-funded and State-operated services to persons with mental illness. No later than June 30, 1994, the Department shall enter into one or more cooperative arrangements with the Department of Public Aid, the Department of Rehabilitation Services, the Department of Public Health, and any other appropriate entities for administration or supervision by the Department of Mental Health and Developmental Disabilities of all State programs for services to persons in community care facilities for persons with mental illness, including but not limited to intermediate care facilities, that are supported by State funds or by funding under Title XIX of the federal Social Security Act. The Department shall form a medical advisory panel, appointed by the Secretary, comprised of 5 physicians licensed to practice medicine in all its branches with a special emphasis in treating mental illness, to provide advice on care rendered to patients in any integrated delivery system. The Department of Human Services shall

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succeed to the responsibilities of the Department of Mental Health and Developmental Disabilities and the Department of Rehabilitation Services under any such cooperative arrangement in existence on July 1, 1997.
(Source: P.A. 88-388; 89-507, eff. 7-1-97.)

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

Approved July 15, 2013.
Effective July 15, 2015.

PUBLIC ACT 98-0072
(Senate Bill No. 0033)

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

Section 5. The Environmental Protection Act is amended by changing Section 4 as follows:

Sec. 4. Environmental Protection Agency; establishment; duties.

(a) There is established in the Executive Branch of the State Government an agency to be known as the Environmental Protection Agency. This Agency shall be under the supervision and direction of a Director who shall be appointed by the Governor with the advice and consent of the Senate. The term of office of the Director shall expire on the third Monday of January in odd numbered years, provided that he or she shall hold office until a successor is appointed and has qualified. The Director shall receive an annual salary as set by the Compensation Review Board. The Director, in accord with the Personnel Code, shall employ and direct such personnel, and shall provide for such laboratory and other facilities, as may be necessary to carry out the purposes of this Act. In addition, the Director may by agreement secure such services as he or she may deem necessary from any other department, agency, or unit of the State Government, and may employ and compensate such consultants and technical assistants as may be required.

(b) The Agency shall have the duty to collect and disseminate such information, acquire such technical data, and conduct such experiments as may be required to carry out the purposes of this Act, including ascertainment of the quantity and nature of discharges from any

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contaminant source and data on those sources, and to operate and arrange for the operation of devices for the monitoring of environmental quality.

(c) The Agency shall have authority to conduct a program of continuing surveillance and of regular or periodic inspection of actual or potential contaminant or noise sources, of public water supplies, and of refuse disposal sites.

(d) In accordance with constitutional limitations, the Agency shall have authority to enter at all reasonable times upon any private or public property for the purpose of:

(1) Inspecting and investigating to ascertain possible violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order; or

(2) In accordance with the provisions of this Act, taking whatever preventive or corrective action, including but not limited to removal or remedial action, that is necessary or appropriate whenever there is a release or a substantial threat of a release of (A) a hazardous substance or pesticide or (B) petroleum from an underground storage tank.

(e) The Agency shall have the duty to investigate violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order; to issue administrative citations as provided in Section 31.1 of this Act; and to take such summary enforcement action as is provided for by Section 34 of this Act.

(f) The Agency shall appear before the Board in any hearing upon a petition for variance, the denial of a permit, or the validity or effect of a rule or regulation of the Board, and shall have the authority to appear before the Board in any hearing under the Act.

(g) The Agency shall have the duty to administer, in accord with Title X of this Act, such permit and certification systems as may be established by this Act or by regulations adopted thereunder. The Agency may enter into written delegation agreements with any department, agency, or unit of State or local government under which all or portions of this duty may be delegated for public water supply storage and transport systems, sewage collection and transport systems, air pollution control sources with uncontrolled emissions of 100 tons per year or less and application of algicides to waters of the State. Such delegation agreements will require that the work to be performed thereunder will be in accordance with Agency criteria, subject to Agency review, and shall

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include such financial and program auditing by the Agency as may be required.

(h) The Agency shall have authority to require the submission of complete plans and specifications from any applicant for a permit required by this Act or by regulations thereunder, and to require the submission of such reports regarding actual or potential violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order, as may be necessary for the purposes of this Act.

(i) The Agency shall have authority to make recommendations to the Board for the adoption of regulations under Title VII of the Act.

(j) The Agency shall have the duty to represent the State of Illinois in any and all matters pertaining to plans, procedures, or negotiations for interstate compacts or other governmental arrangements relating to environmental protection.

(k) The Agency shall have the authority to accept, receive, and administer on behalf of the State any grants, gifts, loans, indirect cost reimbursements, or other funds made available to the State from any source for purposes of this Act or for air or water pollution control, public water supply, solid waste disposal, noise abatement, or other environmental protection activities, surveys, or programs. Any federal funds received by the Agency pursuant to this subsection shall be deposited in a trust fund with the State Treasurer and held and disbursed by him in accordance with Treasurer as Custodian of Funds Act, provided that such monies shall be used only for the purposes for which they are contributed and any balance remaining shall be returned to the contributor.

The Agency is authorized to promulgate such regulations and enter into such contracts as it may deem necessary for carrying out the provisions of this subsection.

(l) The Agency is hereby designated as water pollution agency for the state for all purposes of the Federal Water Pollution Control Act, as amended; as implementing agency for the State for all purposes of the Safe Drinking Water Act, Public Law 93-523, as now or hereafter amended, except Section 1425 of that Act; as air pollution agency for the state for all purposes of the Clean Air Act of 1970, Public Law 91-604, approved December 31, 1970, as amended; and as solid waste agency for the state for all purposes of the Solid Waste Disposal Act, Public Law 89-272, approved October 20, 1965, and amended by the Resource Recovery Act of 1970, Public Law 91-512, approved October 26, 1970, as amended, and

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amended by the Resource Conservation and Recovery Act of 1976, (P.L. 94-580) approved October 21, 1976, as amended; as noise control agency for the state for all purposes of the Noise Control Act of 1972, Public Law 92-574, approved October 27, 1972, as amended; and as implementing agency for the State for all purposes of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510), as amended; and otherwise as pollution control agency for the State pursuant to federal laws integrated with the foregoing laws, for financing purposes or otherwise. The Agency is hereby authorized to take all action necessary or appropriate to secure to the State the benefits of such federal Acts, provided that the Agency shall transmit to the United States without change any standards adopted by the Pollution Control Board pursuant to Section 5(c) of this Act. This subsection (l) of Section 4 shall not be construed to bar or prohibit the Environmental Protection Trust Fund Commission from accepting, receiving, and administering on behalf of the State any grants, gifts, loans or other funds for which the Commission is eligible pursuant to the Environmental Protection Trust Fund Act. The Agency is hereby designated as the State agency for all purposes of administering the requirements of Section 313 of the federal Emergency Planning and Community Right-to-Know Act of 1986.

Any municipality, sanitary district, or other political subdivision, or any Agency of the State or interstate Agency, which makes application for loans or grants under such federal Acts shall notify the Agency of such application; the Agency may participate in proceedings under such federal Acts.

(m) The Agency shall have authority, consistent with Section 5(c) and other provisions of this Act, and for purposes of Section 303(e) of the Federal Water Pollution Control Act, as now or hereafter amended, to engage in planning processes and activities and to develop plans in cooperation with units of local government, state agencies and officers, and other appropriate persons in connection with the jurisdiction or duties of each such unit, agency, officer or person. Public hearings shall be held on the planning process, at which any person shall be permitted to appear and be heard, pursuant to procedural regulations promulgated by the Agency.

(n) In accordance with the powers conferred upon the Agency by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the Agency shall have authority to establish and enforce minimum standards for the operation of laboratories relating to analyses and laboratory tests for air pollution, water

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pollution, noise emissions, contaminant discharges onto land and sanitary, chemical, and mineral quality of water distributed by a public water supply. The Agency may enter into formal working agreements with other departments or agencies of state government under which all or portions of this authority may be delegated to the cooperating department or agency.

(o) The Agency shall have the authority to issue certificates of competency to persons and laboratories meeting the minimum standards established by the Agency in accordance with Section 4(n) of this Act and to promulgate and enforce regulations relevant to the issuance and use of such certificates. The Agency may enter into formal working agreements with other departments or agencies of state government under which all or portions of this authority may be delegated to the cooperating department or agency.

(p) Except as provided in Section 17.7, the Agency shall have the duty to analyze samples as required from each public water supply to determine compliance with the contaminant levels specified by the Pollution Control Board. The maximum number of samples which the Agency shall be required to analyze for microbiological quality shall be 6 per month, but the Agency may, at its option, analyze a larger number each month for any supply. Results of sample analyses for additional required bacteriological testing, turbidity, residual chlorine and radionuclides are to be provided to the Agency in accordance with Section 19. Owners of water supplies may enter into agreements with the Agency to provide for reduced Agency participation in sample analyses.

(q) The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance or pesticide. Such notice shall include the identified response action and an opportunity for such person to perform the response action.

(r) The Agency may enter into written delegation agreements with any unit of local government under which it may delegate all or portions of its inspecting, investigating and enforcement functions. Such delegation agreements shall require that work performed thereunder be in accordance with Agency criteria and subject to Agency review. Notwithstanding any other provision of law to the contrary, no unit of local government shall be liable for any injury resulting from the exercise of its authority pursuant to such a delegation agreement unless the injury is proximately caused by the willful and wanton negligence of an agent or employee of the unit of local government, and any policy of insurance coverage issued to a unit of local government.
government may provide for the denial of liability and the nonpayment of claims based upon injuries for which the unit of local government is not liable pursuant to this subsection (r).

(s) The Agency shall have authority to take whatever preventive or corrective action is necessary or appropriate, including but not limited to expenditure of monies appropriated from the Build Illinois Bond Fund and the Build Illinois Purposes Fund for removal or remedial action, whenever any hazardous substance or pesticide is released or there is a substantial threat of such a release into the environment. The State, the Director, and any State employee shall be indemnified for any damages or injury arising out of or resulting from any action taken under this subsection. The Director of the Agency is authorized to enter into such contracts and agreements as are necessary to carry out the Agency's duties under this subsection.

(t) The Agency shall have authority to distribute grants, subject to appropriation by the General Assembly, to units of local government for financing and construction of wastewater facilities in both incorporated and unincorporated areas. With respect to all monies appropriated from the Build Illinois Bond Fund and the Build Illinois Purposes Fund for wastewater facility grants, the Agency shall make distributions in conformity with the rules and regulations established pursuant to the Anti-Pollution Bond Act, as now or hereafter amended.

(u) Pursuant to the Illinois Administrative Procedure Act, the Agency shall have the authority to adopt such rules as are necessary or appropriate for the Agency to implement Section 31.1 of this Act.

(v) (Blank.)

(w) Neither the State, nor the Director, nor the Board, nor any State employee shall be liable for any damages or injury arising out of or resulting from any action taken under subsection (s).

(x)(1) The Agency shall have authority to distribute grants, subject to appropriation by the General Assembly, to units of local government for financing and construction of public water supply facilities. With respect to all monies appropriated from the Build Illinois Bond Fund or the Build Illinois Purposes Fund for public water supply grants, such grants shall be made in accordance with rules promulgated by the Agency. Such rules shall include a requirement for a local match of 30% of the total project cost for projects funded through such grants.
(2) The Agency shall not terminate a grant to a unit of local government for the financing and construction of public water supply facilities unless and until the Agency adopts rules that set forth precise and complete standards, pursuant to Section 5-20 of the Illinois Administrative Procedure Act, for the termination of such grants. The Agency shall not make determinations on whether specific grant conditions are necessary to ensure the integrity of a project or on whether subagreements shall be awarded, with respect to grants for the financing and construction of public water supply facilities, unless and until the Agency adopts rules that set forth precise and complete standards, pursuant to Section 5-20 of the Illinois Administrative Procedure Act, for making such determinations. The Agency shall not issue a stop-work order in relation to such grants unless and until the Agency adopts precise and complete standards, pursuant to Section 5-20 of the Illinois Administrative Procedure Act, for determining whether to issue a stop-work order.

(y) The Agency shall have authority to release any person from further responsibility for preventive or corrective action under this Act following successful completion of preventive or corrective action undertaken by such person upon written request by the person.

(z) To the extent permitted by any applicable federal law or regulation, for all work performed for State construction projects which are funded in whole or in part by a capital infrastructure bill enacted by the 96th General Assembly by sums appropriated to the Environmental Protection Agency, at least 50% of the total labor hours must be performed by actual residents of the State of Illinois. For purposes of this subsection, "actual residents of the State of Illinois" means persons domiciled in the State of Illinois. The Department of Labor shall promulgate rules providing for the enforcement of this subsection.

(aa) The Agency may adopt rules requiring the electronic submission of any information required to be submitted to the Agency pursuant to any State or federal law or regulation or any court or Board order. Any rules adopted under this subsection (aa) must include, but are not limited to, identification of the information to be submitted electronically.

(Source: P.A. 96-37, eff. 7-13-09; 96-503, eff. 8-14-09; 96-800, eff. 10-30-09; 96-1000, eff. 7-2-10.)

New matter indicated in italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0073
(Senate Bill No. 0047)

AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by changing
Section 11-22 as follows:

(305 ILCS 5/11-22) (from Ch. 23, par. 11-22)

Sec. 11-22. Charge upon claims and causes of action for injuries.
The Illinois Department shall have a charge upon all claims, demands and
causes of action for injuries to an applicant for or recipient of (i) financial
aid under Articles III, IV, and V, (ii) health care benefits provided under
the Covering ALL KIDS Health Insurance Act, or (iii) health care benefits
provided under the Veterans' Health Insurance Program Act or the
Veterans' Health Insurance Program Act of 2008 for the total amount of
medical assistance provided the recipient from the time of injury to the
date of recovery upon such claim, demand or cause of action. In addition,
if the applicant or recipient was employable, as defined by the Department,
at the time of the injury, the Department shall also have a charge upon any
such claims, demands and causes of action for the total amount of aid
provided to the recipient and his dependents, including all cash assistance
and medical assistance only to the extent includable in the claimant's
action, from the time of injury to the date of recovery upon such claim,
demand or cause of action. Any definition of "employable" adopted by the
Department shall apply only to persons above the age of compulsory
school attendance.

If the injured person was employable at the time of the injury and
is provided aid under Articles III, IV, or V and any dependent or member
of his family is provided aid under Article VI, or vice versa, both the
Illinois Department and the local governmental unit shall have a charge
upon such claims, demands and causes of action for the aid provided to the
injured person and any dependent member of his family, including all cash

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assistance, medical assistance and food stamps, from the time of the injury to the date of recovery.

"Recipient", as used herein, means (i) in the case of financial aid provided under this Code, the grantee of record and any persons whose needs are included in the financial aid provided to the grantee of record or otherwise met by grants under the appropriate Article of this Code for which such person is eligible, (ii) in the case of health care benefits provided under the Covering ALL KIDS Health Insurance Act, the child to whom those benefits are provided, and (iii) in the case of health care benefits provided under the Veterans' Health Insurance Program Act or the Veterans' Health Insurance Program Act of 2008, the veteran to whom benefits are provided.

In each case, the notice shall be served by certified mail or registered mail, or by facsimile or electronic messaging when requested by the party or parties against whom the applicant or recipient has a claim, demand, or cause of action, upon the party or parties against whom the applicant or recipient has a claim, demand or cause of action. The notice shall claim the charge and describe the interest the Illinois Department, the local governmental unit, or the county, has in the claim, demand, or cause of action. The charge shall attach to any verdict or judgment entered and to any money or property which may be recovered on account of such claim, demand, cause of action or suit from and after the time of the service of the notice.

On petition filed by the Illinois Department, or by the local governmental unit or county if either is claiming a charge, or by the recipient, or by the defendant, the court, on written notice to all interested parties, may adjudicate the rights of the parties and enforce the charge. The court may approve the settlement of any claim, demand or cause of action either before or after a verdict, and nothing in this Section shall be construed as requiring the actual trial or final adjudication of any claim, demand or cause of action upon which the Illinois Department, the local governmental unit or county has charge. The court may determine what portion of the recovery shall be paid to the injured person and what portion shall be paid to the Illinois Department, the local governmental unit or county having a charge against the recovery. In making this determination, the court shall conduct an evidentiary hearing and shall consider competent evidence pertaining to the following matters:

(1) the amount of the charge sought to be enforced against the recovery when expressed as a percentage of the gross amount

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of the recovery; the amount of the charge sought to be enforced against the recovery when expressed as a percentage of the amount obtained by subtracting from the gross amount of the recovery the total attorney's fees and other costs incurred by the recipient incident to the recovery; and whether the Department, unit of local government or county seeking to enforce the charge against the recovery should as a matter of fairness and equity bear its proportionate share of the fees and costs incurred to generate the recovery from which the charge is sought to be satisfied;

(2) the amount, if any, of the attorney's fees and other costs incurred by the recipient incident to the recovery and paid by the recipient up to the time of recovery, and the amount of such fees and costs remaining unpaid at the time of recovery;

(3) the total hospital, doctor and other medical expenses incurred for care and treatment of the injury to the date of recovery therefor, the portion of such expenses theretofore paid by the recipient, by insurance provided by the recipient, and by the Department, unit of local government and county seeking to enforce a charge against the recovery, and the amount of such previously incurred expenses which remain unpaid at the time of recovery and by whom such incurred, unpaid expenses are to be paid;

(4) whether the recovery represents less than substantially full recompense for the injury and the hospital, doctor and other medical expenses incurred to the date of recovery for the care and treatment of the injury, so that reduction of the charge sought to be enforced against the recovery would not likely result in a double recovery or unjust enrichment to the recipient;

(5) the age of the recipient and of persons dependent for support upon the recipient, the nature and permanency of the recipient's injuries as they affect not only the future employability and education of the recipient but also the reasonably necessary and foreseeable future material, maintenance, medical, rehabilitative and training needs of the recipient, the cost of such reasonably necessary and foreseeable future needs, and the resources available to meet such needs and pay such costs;

(6) the realistic ability of the recipient to repay in whole or in part the charge sought to be enforced against the recovery when judged in light of the factors enumerated above.

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The burden of producing evidence sufficient to support the exercise by the court of its discretion to reduce the amount of a proven charge sought to be enforced against the recovery shall rest with the party seeking such reduction.

The court may reduce and apportion the Illinois Department's lien proportionate to the recovery of the claimant. The court may consider the nature and extent of the injury, economic and noneconomic loss, settlement offers, comparative negligence as it applies to the case at hand, hospital costs, physician costs, and all other appropriate costs. The Illinois Department shall pay its pro rata share of the attorney fees based on the Illinois Department's lien as it compares to the total settlement agreed upon. This Section shall not affect the priority of an attorney's lien under the Attorneys Lien Act. The charges of the Illinois Department described in this Section, however, shall take priority over all other liens and charges existing under the laws of the State of Illinois with the exception of the attorney's lien under said statute.

Whenever the Department or any unit of local government has a statutory charge under this Section against a recovery for damages incurred by a recipient because of its advancement of any assistance, such charge shall not be satisfied out of any recovery until the attorney's claim for fees is satisfied, irrespective of whether or not an action based on recipient's claim has been filed in court.

This Section shall be inapplicable to any claim, demand or cause of action arising under (a) the Workers' Compensation Act or the predecessor Workers' Compensation Act of June 28, 1913, (b) the Workers' Occupational Diseases Act or the predecessor Workers' Occupational Diseases Act of March 16, 1936; and (c) the Wrongful Death Act.

(Source: P.A. 94-693, eff. 7-1-06; 94-816, eff. 5-30-06; 95-755, eff. 7-25-08.)

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

Approved July 15, 2013.
Effective July 15, 2013.
PUBLIC ACT 98-0074
(Senate Bill No. 0048)

AN ACT concerning civil law.

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

(750 ILCS 24/Act rep.)

Section 5. The Unified Child Support Services Act is repealed.

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


Approved July 15, 2013.

Effective July 15, 2013.

PUBLIC ACT 98-0075
(Senate Bill No. 0062)

AN ACT concerning health.

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

Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Section 1-103 as follows:

(405 ILCS 5/1-103) (from Ch. 91 1/2, par. 1-103)

Sec. 1-103. "Clinical psychologist" means a person licensed by the Department of Financial and Professional Regulation under the Clinical Psychologist Licensing Act. psychologist registered with the Illinois Department of Professional Regulation who meets the following qualifications:

(a) has a doctoral degree from a regionally accredited university, college, or professional school, and has two years of supervised experience in health services of which at least one year is postdoctoral and one year is in an organized health service program; or

(b) has a graduate degree in psychology from a regionally accredited university or college, and has not less than six years of experience as a psychologist with at least two years of supervised experience in health services.

(Source: P.A. 85-1209.)

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

New matter indicated in italics - deletions by strikeout
Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0076
(Senate Bill No. 0063)

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

Section 5. The Civil Administrative Code of Illinois is amended by changing Section 5-550 as follows:

Sec. 5-550. In the Department of Human Services. A State Rehabilitation Council, hereinafter referred to as the Council, is hereby established for the purpose of complying with the requirements of 34 CFR 361.16 and advising the Secretary of Human Services and the vocational rehabilitation administrator of the provisions of the federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 in matters concerning individuals with disabilities and the provision of vocational rehabilitation services. The Council shall consist of 25 members appointed by the Governor after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. However, the Governor may delegate his appointing authority under this Section to the Council by executive order.

The Council shall consist of the following appointed members: The Governor shall appoint to this Council the following:

1. One representative of a parent training center established in accordance with the federal Individuals with Disabilities Education Act.

2. One representative of the Client Assistance Program client assistance program.

3. One vocational rehabilitation counselor who has knowledge of and experience with vocational rehabilitation programs. (If an employee of the Department of Human Services is appointed under this item, then he or she that appointee shall serve as an ex officio, nonvoting member.)

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(4) One representative of community rehabilitation program service providers.

(5) Four representatives of business, industry, and labor.

(6) At least two but not more than five representatives of disability advocacy groups representing a cross section of the following:

(A) individuals with physical, cognitive, sensory, and mental disabilities; and

(B) parents, family members, guardians, advocates, or authorized representative of individuals with disabilities who have difficulty in representing themselves or who are unable, due to their disabilities, to represent themselves.

(7) One current or former applicant for, or recipient of, vocational rehabilitation services.

(8) One representative from secondary or higher education.

(9) One representative of the State Workforce Investment Board.

(10) One representative of the Illinois State Board of Education who is knowledgeable about the Individuals with Disabilities Education Act.

(11) The chairperson of, or a member designated by, the Statewide Independent Living Council established under Section 12a of the Disabled Persons Rehabilitation Act.

(12) The chairperson of, or a member designated by, the Blind Services Planning Council established under Section 7 of the Bureau for the Blind Act.

(13) The vocational rehabilitation administrator, as defined in Section 1b of the Disabled Persons Rehabilitation Act, who shall serve as an ex officio, nonvoting member.

The chairperson of, or a member designated by, the Statewide Independent Living Council created under Section 12a of the Disabled Persons Rehabilitation Act, the chairperson of the Blind Services Planning Council created under the Bureau for the Blind Act, and the vocational rehabilitation administrator shall serve as ex-officio members. The vocational rehabilitation administrator shall have no vote.

The Council shall select a Chairperson.

The Chairperson and a majority of the at least 12 other members of the Council shall be persons who are individuals with disabilities.
recognized disability. At least one member shall be a senior citizen age 60 or over, and at least one member shall be at least 18 but not more than 25 years old. A majority of the Council members shall not be employees of the Department of Human Services. Current members of the Rehabilitation Services Council shall serve until members of the newly created Council are appointed.

The terms of all members appointed before the effective date of Public Act 88-10 shall expire on July 1, 1993. The members first appointed under Public Act 88-10 shall be appointed to serve for staggered terms beginning July 1, 1993; as follows: 7 members shall be appointed for terms of 3 years; 7 members shall be appointed for terms of 2 years; and 6 members shall be appointed for terms of one year. Thereafter, all appointments shall be for terms of 3 years. Vacancies shall be filled for the unexpired term. Appointments to fill vacancies in unexpired terms and new terms shall be filled by the Governor or by the Council if the Governor delegates that power to the Council by executive order. Members shall serve until their successors are appointed and qualified. No member, except the representative of the client assistance program, shall serve for more than 2 full terms.

Members appointed to the Council for full terms on or after the effective date of this amendatory Act of the 98th General Assembly shall be appointed for terms of 3 years. No Council member, other than the vocational rehabilitation administrator and the representative of the Client Assistance Program, shall serve for more than 2 consecutive terms as a representative of one of the 13 enumerated categories. If an individual, other than the vocational rehabilitation administrator and the representative of the Client Assistance Program, has completed 2 consecutive terms and is eligible to seek appointment as a representative of one of the other enumerated categories, then that individual may be appointed to serve as a representative of one of those other enumerated categories after a meaningful break in Council service, as defined by the Council through its by-laws.

Vacancies for unexpired terms shall be filled. Individuals appointed by the appointing authority to fill an unexpired term shall complete the remainder of the vacated term. When the initial term of a person appointed to fill a vacancy is completed, the individual appointed to fill that vacancy may be re-appointed by the appointing authority to the vacated position for one subsequent term.

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If an excessive number of expired terms and vacated terms combine to place an undue burden on the Council, the appointing authority may appoint members for terms of 1, 2, or 3 years. The appointing authority shall determine the terms of Council members to ensure the number of terms expiring each year is as close to equal as possible.

Notwithstanding the foregoing, a member who is serving on the Council on the effective date of this amendatory Act of the 98th General Assembly and whose term expires as a result of the changes made by this amendatory Act of the 98th General Assembly may complete the unexpired portion of his or her term.

Members shall be reimbursed in accordance with State laws, rules, and rates for their actual expenses incurred in the performance of their approved, Council-related duties, including expenses for travel, child care, or personal assistance services. A member who is not employed or who must forfeit wages from other employment may be paid reasonable compensation, as determined by the Department, for each day the member is engaged in performing approved duties of the Council.

The Council shall meet at least 4 times per year at times and places designated by the Chairperson upon 10 days written notice to the members. Special meetings may be called by the Chairperson or 7 members of the Council upon 7 days written notice to the other members. Nine members shall constitute a quorum. No member of the Council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under Illinois law.

The Council shall prepare and submit to the vocational rehabilitation administrator the reports and findings that the vocational rehabilitation administrator may request or that the Council deems fit. The Council shall select jointly with the vocational rehabilitation administrator a pool of qualified persons to serve as impartial hearing officers. The Council shall, with the vocational rehabilitation unit in the Department, jointly develop, agree to, and review annually State goals and priorities and jointly submit annual reports of progress to the federal Commissioner of the Rehabilitation Services Administration.

To the extent that there is a disagreement between the Council and the unit within the Department of Human Services responsible for the administration of the vocational rehabilitation program, regarding the

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resources necessary to carry out the functions of the Council as set forth in this Section, the disagreement shall be resolved by the Governor. 
(Source: P.A. 91-239, eff. 1-1-00; 91-540, eff. 8-13-99; 92-16, eff. 6-28-01.)

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0077
(Senate Bill No. 0070)

AN ACT concerning gaming.

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

Section 5. The Video Gaming Act is amended by changing Section
25 as follows:

(230 ILCS 40/25)
Sec. 25. Restriction of licensees.
(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or

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inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, notwithstanding any agreement to the contrary. A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

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(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or

(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization licensee or an inter-track wagering licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal. The location restrictions in this subsection (h) do not apply if (A) a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee, a school, or a place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment becomes licensed under this Act or (B) a school or place of
worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment obtains its original liquor license. For the purpose of this subsection, "school" means an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Notwithstanding the provisions of this subsection (h), the Board may waive the requirement that a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment not be located within 1,000 feet from a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act. The Board shall not grant such waiver if there is any common ownership or control, shared business activity, or contractual arrangement of any type between the establishment and the organization licensee, inter-track wagering licensee, inter-track wagering location licensee, or owners licensee of a riverboat. The Board shall adopt rules to implement the provisions of this paragraph.

(i) Undue economic concentration. In addition to considering all other requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration. For purposes of this Section, "undue economic concentration" means that a terminal operator would have such actual or potential influence over video gaming terminals in Illinois as to:

   (1) substantially impede or suppress competition among terminal operators;
   (2) adversely impact the economic stability of the video gaming industry in Illinois; or
   (3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the
number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.
(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)

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

Passed in the General Assembly May 17, 2013.
Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0078
(Senate Bill No. 0072)

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

(30 ILCS 105/5.380 rep.)
Section 3. The State Finance Act is amended by repealing Section 5.380.

(225 ILCS 52/Act rep.)
Section 5. The Industrial Hygienists Licensure Act is repealed.
Section 7. The Commercial and Public Building Asbestos Abatement Act is amended by changing Section 20 as follows:

(225 ILCS 207/20)
Sec. 20. Powers and Duties of the Department.
(a) The Department is empowered to promulgate any rules necessary to ensure proper implementation and administration of this Act, and compliance with the federal Asbestos School Hazard Abatement Reauthorization Act of 1990.

(b) Rules promulgated by the Department shall include, but not be limited to, rules relating to the correct and safe performance of response action services, rules for the assessment of civil penalties for violations of this Act or rules promulgated under it, and rules providing for the training and licensing of persons and firms (i) to perform asbestos inspection, (ii)
to perform abatement work, and (iii) to serve as asbestos abatement contractors, response action contractors, and asbestos workers. The Department is empowered to inspect activities regulated by this Act to ensure compliance.

Except as otherwise provided by Department rule, on and after the effective date of this amendatory Act of the 98th General Assembly, any licensing requirement adopted pursuant to this Section that may be satisfied by an industrial hygienist licensed pursuant to the Industrial Hygienists Licensure Act repealed in this amendatory Act may be satisfied by a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

(c) In carrying out its responsibilities under this Act, the Department shall:

(1) Publish a list of response action contractors licensed under this Act, except that the Department shall not be required to publish a list of licensed asbestos workers; and

(2) Adopt rules for the collection of fees for training course approval and for the licensing of inspectors, project designers, contractors, supervisors, and workers.

(d) The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Public Health under this Act, except that in case of conflict between the Illinois Administrative Procedure Act and this Act the provisions of this Act shall control, and except that Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking does not apply to the adoption of any rule required by federal law in connection with which the Department is precluded by law from exercising any discretion.

(e) All final administrative decisions of the Department under this Act shall be subject to judicial review pursuant to the provisions of the Administrative Review Law and the rules adopted under it. The term "administrative decision" has the meaning ascribed to it in Section 3-101 of the Code of Civil Procedure.

(f) The Director, after notice and opportunity for hearing to the applicant or license holder, may deny, suspend, or revoke a license or expunge such person from the State list in any case in which he or she finds that there has been a substantial failure to comply with the provisions of this Act or the standards or rules established under it. Notice shall be provided by certified mail, return receipt requested, or by personal service.
setting forth the particular response for the proposed action and fixing a
date, not less than 15 days from the date of such mailing or service, at
which time the applicant, asbestos abatement contractor, or license holder
shall be given an opportunity to request hearing.

The hearing shall be conducted by the Director or by an individual
designated in writing by the Director as Hearing Officer to conduct the
hearing. On the basis of any such hearing, or upon default of the asbestos
abatement contractor, applicant or license holder, the Director shall make a
determination specifying his or her findings and conclusions. A copy of
the determination shall be sent by certified mail, return receipt requested,
or served personally upon the applicant, contractor, or license holder.

The procedure governing hearings authorized by this Section shall
be in accordance with rules promulgated by the Department. A full and
complete record shall be kept of all proceedings, including the notice of
hearing, complaint, and all other documents in the nature of pleadings,
written motions filed in the proceedings, and the report and orders of the
Director and Hearing Officer. All testimony shall be reported but need not
be transcribed unless the decision is sought to be reviewed under the
Administrative Review Law. A copy or copies of the transcript may be
obtained by any interested party on payment of the cost of preparing the
copy or copies. The Director or Hearing Officer shall, upon his or her own
motion or on the written request of any party to the proceeding, issue
subpoenas requiring the attendance and the giving of testimony by
witnesses, and subpoenas duces tecum requiring the production of books,
papers, records, or memoranda. All subpoenas and subpoenas duces tecum
issued under this Act may be served by any person of legal age. The fees
of witnesses for attendance and travel shall be the same as the fees of
witnesses before the courts of this State, such fees to be paid when the
witness is excused from further attendance. When the witness is
summoned at the instance of the Director or Hearing Officer, such fees
shall be paid in the same manner as other expenses of the Department, and
when the witness is subpoenaed at the instance of any other party to any
such proceeding the Department may require that the cost of service of the
subpoena or subpoena duces tecum and the fee of the witness be borne by
the party at whose instance the witness is summoned. In such case, the
Department in its discretion may require a deposit to cover the cost of such
service and witness fees. A subpoena or subpoena duces tecum so issued
as above stated shall be served in the same manner as a subpoena issued
by a circuit court.

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Any circuit court of this State, upon the application of the Director, or upon the application of any other party to the proceeding, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records, or memoranda and the giving of testimony before the Director or Hearing Officer conducting an investigation or holding a hearing authorized by this Act, by an attachment for contempt or otherwise, in the same manner as production of evidence may be compelled before the court.

The Director or Hearing Officer, or any party in an investigation or hearing before the Department, may cause the depositions of witnesses within this State to be taken in the manner prescribed by law for like depositions in civil actions in courts of this State, and, to that end, compel the attendance of witnesses and the production of books, papers, records, or memoranda.

(Source: P.A. 89-143, eff. 7-14-95.)

Section 8. The Lead Poisoning Prevention Act is amended by changing Section 11.1 as follows:

(410 ILCS 45/11.1) (from Ch. 111 1/2, par. 1311.1)

Sec. 11.1. Licensing of lead abatement contractors and workers. Except as otherwise provided in this Act, performing lead abatement or mitigation without a license is a Class A misdemeanor. The Department shall provide by rule for the licensing of lead abatement contractors and lead abatement workers and shall establish standards and procedures for the licensure. The Department may collect a reasonable fee for the licenses. The fees shall be deposited into the Lead Poisoning Screening, Prevention, and Abatement Fund and used by the Department for the costs of licensing lead abatement contractors and workers and other activities prescribed by this Act.

The Department shall promote and encourage minorities and females and minority and female owned entities to apply for licensure under this Act as either licensed lead abatement workers or licensed lead abatement contractors.

The Department may adopt any rules necessary to ensure proper implementation and administration of this Act and of the federal Toxic Substances Control Act, 15 USC 2682 and 2684, and the regulations promulgated thereunder: Lead; Requirements for Lead-Based Paint Activities (40 CFR 745). The application of this Section shall not be limited to the activities taken in regard to lead poisoned children and shall include all activities related to lead abatement, mitigation and training.

New matter indicated in italics - deletions by strikeout
Except as otherwise provided by Department rule, on and after the effective date of this amendatory Act of the 98th General Assembly, any licensing requirement adopted pursuant to this Section that may be satisfied by an industrial hygienist licensed pursuant to the Industrial Hygienists Licensure Act repealed in this amendatory Act may be satisfied by a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

(Source: P.A. 89-381, eff. 8-18-95.)

Section 10. The Environmental Protection Act is amended by changing Sections 17, 22.2, and 22.8 as follows:

Sec. 17. Rules; chlorination requirements.
(a) The Board may adopt regulations governing the location, design, construction, and continuous operation and maintenance of public water supply installations, changes or additions which may affect the continuous sanitary quality, mineral quality, or adequacy of the public water supply, pursuant to Title VII of this Act.
(b) The Agency shall exempt from any mandatory chlorination requirement of the Board any community water supply which meets all of the following conditions:

(1) The population of the community served is not more than 5,000;
(2) Has as its only source of raw water one or more properly constructed wells into confined geologic formations not subject to contamination;
(3) Has no history of persistent or recurring contamination, as indicated by sampling results which show violations of finished water quality requirements, for the most recent five-year period;
(4) Does not provide any raw water treatment other than fluoridation;
(5) Has an active program approved by the Agency to educate water supply consumers on preventing the entry of contaminants into the water system;
(6) Has a certified operator of the proper class, or if it is an exempt community public water supply, under the Public Water Supply Operations Act has a registered person responsible in charge of operation of the public water supply;
(7) Submits samples for microbiological analysis at twice the frequency specified in the Board regulations; and

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(8) A unit of local government seeking to exempt its public water supply from the chlorination requirement under this subsection (b) on or after September 9, 1983 shall be required to receive the approval of the voters of such local government. The proposition to exempt the community water supply from the mandatory chlorination requirement shall be placed on the ballot if the governing body of the local government adopts an ordinance or resolution directing the clerk of the local government to place such question on the ballot. The clerk shall cause the election officials to place the proposition on the ballot at the next election at which such proposition may be voted upon if a certified copy of the adopted ordinance or resolution is filed in his office at least 90 days before such election. The proposition shall also be placed on the ballot if a petition containing the signatures of at least 10% of the eligible voters residing in the local government is filed with the clerk at least 90 days before the next election at which the proposition may be voted upon. The proposition shall be in substantially the following form:

-------------------------------------------------------------
Shall the community water supply of ..... (specify YES
the unit of local government) YES
be exempt from the mandatory NO
chlorination requirement of the State of Illinois?
-------------------------------------------------------------

If the majority of the voters of the local government voting therein vote in favor of the proposition, the community water supply of that local government shall be exempt from the mandatory chlorination requirement, provided that the other requirements under this subsection (b) are met. If the majority of the vote is against such proposition, the community water supply may not be exempt from the mandatory chlorination requirement.

Agency decisions regarding exemptions under this subsection may be appealed to the Board pursuant to the provisions of Section 40(a) of this Act.

(c) Any supply showing contamination in its distribution system (including finished water storage) may be required to chlorinate until the Agency has determined that the source of contamination has been removed and all traces of contamination in the distribution system have been

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eliminated. Standby chlorination equipment may be required by the Agency if a supply otherwise exempt from chlorination shows frequent or gross episodes of contamination.
(Source: P.A. 92-574, eff. 6-26-02.)

(415 ILCS 5/22.2) (from Ch. 111 1/2, par. 1022.2)
Sec. 22.2. Hazardous waste; fees; liability.
(a) There are hereby created within the State Treasury 2 special funds to be known respectively as the "Hazardous Waste Fund" and the "Hazardous Waste Research Fund", constituted from the fees collected pursuant to this Section. In addition to the fees collected under this Section, the Hazardous Waste Fund shall include other moneys made available from any source for deposit into the Fund.
(b)(1) On and after January 1, 1989, the Agency shall collect from the owner or operator of each of the following sites a fee in the amount of:

(A) 9 cents per gallon or $18.18 per cubic yard, if the hazardous waste disposal site is located off the site where such waste was produced. The maximum amount payable under this subdivision (A) with respect to the hazardous waste generated by a single generator and deposited in monofills is $30,000 per year. If, as a result of the use of multiple monofills, waste fees in excess of the maximum are assessed with respect to a single waste generator, the generator may apply to the Agency for a credit.

(B) 9 cents or $18.18 per cubic yard, if the hazardous waste disposal site is located on the site where such waste was produced, provided however the maximum amount of fees payable under this paragraph (B) is $30,000 per year for each such hazardous waste disposal site.

(C) If the hazardous waste disposal site is an underground injection well, $6,000 per year if not more than 10,000,000 gallons per year are injected, $15,000 per year if more than 10,000,000 gallons but not more than 50,000,000 gallons per year are injected, and $27,000 per year if more than 50,000,000 gallons per year are injected.

(D) 3 cents per gallon or $6.06 per cubic yard of hazardous waste received for treatment at a hazardous waste treatment site, if the hazardous waste treatment site is
located off the site where such waste was produced and if such hazardous waste treatment site is owned, controlled and operated by a person other than the generator of such waste. After treatment at such hazardous waste treatment site, the waste shall not be subject to any other fee imposed by this subsection (b). For purposes of this subsection (b), the term "treatment" is defined as in Section 3.505 but shall not include recycling, reclamation or reuse.

(2) The General Assembly shall annually appropriate to the Fund such amounts as it deems necessary to fulfill the purposes of this Act.

(3) The Agency shall have the authority to accept, receive, and administer on behalf of the State any moneys made available to the State from any source for the purposes of the Hazardous Waste Fund set forth in subsection (d) of this Section.

(4) Of the amount collected as fees provided for in this Section, the Agency shall manage the use of such funds to assure that sufficient funds are available for match towards federal expenditures for response action at sites which are listed on the National Priorities List; provided, however, that this shall not apply to additional monies appropriated to the Fund by the General Assembly, nor shall it apply in the event that the Director finds that revenues in the Hazardous Waste Fund must be used to address conditions which create or may create an immediate danger to the environment or public health or to the welfare of the people of the State of Illinois.

(5) Notwithstanding the other provisions of this subsection (b), sludge from a publicly-owned sewage works generated in Illinois, coal mining wastes and refuse generated in Illinois, bottom boiler ash, flyash and flue gas desulphurization sludge from public utility electric generating facilities located in Illinois, and bottom boiler ash and flyash from all incinerators which process solely municipal waste shall not be subject to the fee.

(6) For the purposes of this subsection (b), "monofill" means a facility, or a unit at a facility, that accepts only wastes bearing the same USEPA hazardous waste identification number, or compatible wastes as determined by the Agency.

(c) The Agency shall establish procedures, not later than January 1, 1984, relating to the collection of the fees authorized by this Section. Such
procedures shall include, but not be limited to: (1) necessary records identifying the quantities of hazardous waste received or disposed; (2) the form and submission of reports to accompany the payment of fees to the Agency; and (3) the time and manner of payment of fees to the Agency, which payments shall be not more often than quarterly.

(d) Beginning July 1, 1996, the Agency shall deposit all such receipts in the State Treasury to the credit of the Hazardous Waste Fund, except as provided in subsection (e) of this Section. All monies in the Hazardous Waste Fund shall be used by the Agency for the following purposes:

(1) Taking whatever preventive or corrective action is necessary or appropriate, in circumstances certified by the Director, including but not limited to removal or remedial action whenever there is a release or substantial threat of a release of a hazardous substance or pesticide; provided, the Agency shall expend no more than $1,000,000 on any single incident without appropriation by the General Assembly.

(2) To meet any requirements which must be met by the State in order to obtain federal funds pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, (P.L. 96-510).

(3) In an amount up to 30% of the amount collected as fees provided for in this Section, for use by the Agency to conduct groundwater protection activities, including providing grants to appropriate units of local government which are addressing protection of underground waters pursuant to the provisions of this Act.

(4) To fund the development and implementation of the model pesticide collection program under Section 19.1 of the Illinois Pesticide Act.

(5) To the extent the Agency has received and deposited monies in the Fund other than fees collected under subsection (b) of this Section, to pay for the cost of Agency employees for services provided in reviewing the performance of response actions pursuant to Title XVII of this Act.

(6) In an amount up to 15% of the fees collected annually under subsection (b) of this Section, for use by the Agency for administration of the provisions of this Section.
(e) The Agency shall deposit 10% of all receipts collected under subsection (b) of this Section, but not to exceed $200,000 per year, in the State Treasury to the credit of the Hazardous Waste Research Fund established by this Act. Pursuant to appropriation, all monies in such Fund shall be used by the University of Illinois for the purposes set forth in this subsection.

The University of Illinois may enter into contracts with business, industrial, university, governmental or other qualified individuals or organizations to assist in the research and development intended to recycle, reduce the volume of, separate, detoxify or reduce the hazardous properties of hazardous wastes in Illinois. Monies in the Fund may also be used by the University of Illinois for technical studies, monitoring activities, and educational and research activities which are related to the protection of underground waters. Monies in the Hazardous Waste Research Fund may be used to administer the Illinois Health and Hazardous Substances Registry Act. Monies in the Hazardous Waste Research Fund shall not be used for any sanitary landfill or the acquisition or construction of any facility. This does not preclude the purchase of equipment for the purpose of public demonstration projects. The University of Illinois shall adopt guidelines for cost sharing, selecting, and administering projects under this subsection.

(f) Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois or any unit of local government as a result of a release or substantial threat of a release of a hazardous substance or pesticide:

(1) the owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance or pesticide;
(2) any person who at the time of disposal, transport, storage or treatment of a hazardous substance or pesticide owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance or pesticide;
(3) any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances or pesticides owned, controlled or possessed by such person at a facility owned or
operated by another party or entity from which facility there is a release or substantial threat of a release of such hazardous substances or pesticides; and

(4) any person who accepts or accepted any hazardous substances or pesticides for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance or pesticide.

Any monies received by the State of Illinois pursuant to this subsection (f) shall be deposited in the State Treasury to the credit of the Hazardous Waste Fund.

In accordance with the other provisions of this Section, costs of removal or remedial action incurred by a unit of local government may be recovered in an action before the Board brought by the unit of local government under subsection (i) of this Section. Any monies so recovered shall be paid to the unit of local government.

(g)(1) No indemnification, hold harmless, or similar agreement or conveyance shall be effective to transfer from the owner or operator of any vessel or facility or from any person who may be liable for a release or substantial threat of a release under this Section, to any other person the liability imposed under this Section. Nothing in this Section shall bar any agreement to insure, hold harmless or indemnify a party to such agreements for any liability under this Section.

(2) Nothing in this Section, including the provisions of paragraph (g)(1) of this Section, shall bar a cause of action that an owner or operator or any other person subject to liability under this Section, or a guarantor, has or would have, by reason of subrogation or otherwise against any person.

(h) For purposes of this Section:

(1) The term "facility" means:

(A) any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft; or

(B) any site or area where a hazardous substance has been deposited, stored, disposed of, placed, or otherwise come to be located.

(2) The term "owner or operator" means:

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(A) any person owning or operating a vessel or facility;

(B) in the case of an abandoned facility, any person owning or operating the abandoned facility or any person who owned, operated, or otherwise controlled activities at the abandoned facility immediately prior to such abandonment;

(C) in the case of a land trust as defined in Section 2 of the Land Trustee as Creditor Act, the person owning the beneficial interest in the land trust;

(D) in the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and not the fiduciary. For the purposes of this Section, "fiduciary" means a trustee, executor, administrator, guardian, receiver, conservator or other person holding a facility or vessel in a fiduciary capacity;

(E) in the case of a "financial institution", meaning the Illinois Housing Development Authority and that term as defined in Section 2 of the Illinois Banking Act, that has acquired ownership, operation, management, or control of a vessel or facility through foreclosure or under the terms of a security interest held by the financial institution or under the terms of an extension of credit made by the financial institution, the financial institution only if the financial institution takes possession of the vessel or facility and the financial institution exercises actual, direct, and continual or recurrent managerial control in the operation of the vessel or facility that causes a release or substantial threat of a release of a hazardous substance or pesticide resulting in removal or remedial action;

(F) In the case of an owner of residential property, the owner if the owner is a person other than an individual, or if the owner is an individual who owns more than 10 dwelling units in Illinois, or if the owner, or an agent, representative, contractor, or employee of the owner, has caused, contributed to, or allowed the release or threatened release of a hazardous substance or pesticide. The term "residential property" means single family residences of one

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to 4 dwelling units, including accessory land, buildings, or improvements incidental to those dwellings that are exclusively used for the residential use. For purposes of this subparagraph (F), the term "individual" means a natural person, and shall not include corporations, partnerships, trusts, or other non-natural persons.

(G) In the case of any facility, title or control of which was conveyed due to bankruptcy, foreclosure, tax delinquency, abandonment, or similar means to a unit of State or local government, any person who owned, operated, or otherwise controlled activities at the facility immediately beforehand.

(H) The term "owner or operator" does not include a unit of State or local government which acquired ownership or control through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government acquires title by virtue of its function as sovereign. The exclusion provided under this paragraph shall not apply to any State or local government which has caused or contributed to the release or threatened release of a hazardous substance from the facility, and such a State or local government shall be subject to the provisions of this Act in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity, including liability under Section 22.2(f).

(i) The costs and damages provided for in this Section may be imposed by the Board in an action brought before the Board in accordance with Title VIII of this Act, except that Section 33(c) of this Act shall not apply to any such action.

(j)(1) There shall be no liability under this Section for a person otherwise liable who can establish by a preponderance of the evidence that the release or substantial threat of release of a hazardous substance and the damages resulting therefrom were caused solely by:

(A) an act of God;
(B) an act of war;
(C) an act or omission of a third party other than an employee or agent of the defendant, or other than one whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the defendant (except where the

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sole contractual arrangement arises from a published tariff and acceptance for carriage by a common carrier by rail), if the defendant establishes by a preponderance of the evidence that (i) he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of such hazardous substance, in light of all relevant facts and circumstances, and (ii) he took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions; or

(D) any combination of the foregoing paragraphs.

(2) There shall be no liability under this Section for any release permitted by State or federal law.

(3) There shall be no liability under this Section for damages as a result of actions taken or omitted in the course of rendering care, assistance, or advice in accordance with this Section or the National Contingency Plan pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (P.L. 96-510) or at the direction of an on-scene coordinator appointed under such plan, with respect to an incident creating a danger to public health or welfare or the environment as a result of any release of a hazardous substance or a substantial threat thereof. This subsection shall not preclude liability for damages as the result of gross negligence or intentional misconduct on the part of such person. For the purposes of the preceding sentence, reckless, willful, or wanton misconduct shall constitute gross negligence.

(4) There shall be no liability under this Section for any person (including, but not limited to, an owner of residential property who applies a pesticide to the residential property or who has another person apply a pesticide to the residential property) for response costs or damages as the result of the storage, handling and use, or recommendation for storage, handling and use, of a pesticide consistent with:

(A) its directions for storage, handling and use as stated in its label or labeling;

(B) its warnings and cautions as stated in its label or labeling; and

(C) the uses for which it is registered under the Federal Insecticide, Fungicide and Rodenticide Act and the Illinois Pesticide Act.

(4.5) There shall be no liability under subdivision (f)(1) of this Section for response costs or damages as the result of a release of a

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pesticide from an agrichemical facility site if the Agency has received notice from the Department of Agriculture pursuant to Section 19.3 of the Illinois Pesticide Act, the owner or operator of the agrichemical facility is proceeding with a corrective action plan under the Agrichemical Facility Response Action Program implemented under that Section, and the Agency has provided a written endorsement of a corrective action plan.

(4.6) There shall be no liability under subdivision (f)(1) of this Section for response costs or damages as the result of a substantial threat of a release of a pesticide from an agrichemical facility site if the Agency has received notice from the Department of Agriculture pursuant to Section 19.3 of the Illinois Pesticide Act and the owner or operator of the agrichemical facility is proceeding with a corrective action plan under the Agrichemical Facility Response Action Program implemented under that Section.

(5) Nothing in this subsection (j) shall affect or modify in any way the obligations or liability of any person under any other provision of this Act or State or federal law, including common law, for damages, injury, or loss resulting from a release or substantial threat of a release of any hazardous substance or for removal or remedial action or the costs of removal or remedial action of such hazardous substance.

(6)(A) The term "contractual relationship", for the purpose of this subsection includes, but is not limited to, land contracts, deeds or other instruments transferring title or possession, unless the real property on which the facility concerned is located was acquired by the defendant after the disposal or placement of the hazardous substance on, in, or at the facility, and one or more of the circumstances described in clause (i), (ii), or (iii) of this paragraph is also established by the defendant by a preponderance of the evidence:

(i) At the time the defendant acquired the facility the defendant did not know and had no reason to know that any hazardous substance which is the subject of the release or threatened release was disposed of on, in or at the facility.

(ii) The defendant is a government entity which acquired the facility by escheat, or through any other involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation.

(iii) The defendant acquired the facility by inheritance or bequest.

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In addition to establishing the foregoing, the defendant must establish that he has satisfied the requirements of subparagraph (C) of paragraph (l) of this subsection (j).

(B) To establish the defendant had no reason to know, as provided in clause (i) of subparagraph (A) of this paragraph, the defendant must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability. For purposes of the preceding sentence, the court shall take into account any specialized knowledge or experience on the part of the defendant, the relationship of the purchase price to the value of the property if uncontaminated, commonly known or reasonably ascertainable information about the property, the obviousness of the presence or likely presence of contamination at the property, and the ability to detect such contamination by appropriate inspection.

(C) Nothing in this paragraph (6) or in subparagraph (C) of paragraph (1) of this subsection shall diminish the liability of any previous owner or operator of such facility who would otherwise be liable under this Act. Notwithstanding this paragraph (6), if the defendant obtained actual knowledge of the release or threatened release of a hazardous substance at such facility when the defendant owned the real property and then subsequently transferred ownership of the property to another person without disclosing such knowledge, such defendant shall be treated as liable under subsection (f) of this Section and no defense under subparagraph (C) of paragraph (1) of this subsection shall be available to such defendant.

(D) Nothing in this paragraph (6) shall affect the liability under this Act of a defendant who, by any act or omission, caused or contributed to the release or threatened release of a hazardous substance which is the subject of the action relating to the facility.

(E)(i) Except as provided in clause (ii) of this subparagraph (E), a defendant who has acquired real property shall have established a rebuttable presumption against all State claims and a conclusive presumption against all private party claims that the defendant has made all appropriate inquiry within the meaning of subdivision (6)(B) of this subsection (j) if the defendant proves that immediately prior to or at the time of the acquisition:

(I) the defendant obtained a Phase I Environmental Audit of the real property that meets or exceeds the requirements of this
subparagraph (E), and the Phase I Environmental Audit did not disclose the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property; or

(II) the defendant obtained a Phase II Environmental Audit of the real property that meets or exceeds the requirements of this subparagraph (E), and the Phase II Environmental Audit did not disclose the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property.

(ii) No presumption shall be created under clause (i) of this subparagraph (E), and a defendant shall be precluded from demonstrating that the defendant has made all appropriate inquiry within the meaning of subdivision (6)(B) of this subsection (j), if:

(I) the defendant fails to obtain all Environmental Audits required under this subparagraph (E) or any such Environmental Audit fails to meet or exceed the requirements of this subparagraph (E);

(II) a Phase I Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from real property, and the defendant fails to obtain a Phase II Environmental Audit;

(III) a Phase II Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property;

(IV) the defendant fails to maintain a written compilation and explanatory summary report of the information reviewed in the course of each Environmental Audit under this subparagraph (E); or

(V) there is any evidence of fraud, material concealment, or material misrepresentation by the defendant of environmental conditions or of related information discovered during the course of an Environmental Audit.

(iii) For purposes of this subparagraph (E), the term "environmental professional" means an individual (other than a practicing attorney) who, through academic training, occupational experience, and reputation (such as engineers, industrial hygienists, or geologists) can
objectively conduct one or more aspects of an Environmental Audit and who either:

(I) maintains at the time of the Environmental Audit and for at least one year thereafter at least $500,000 of environmental consultants' professional liability insurance coverage issued by an insurance company licensed to do business in Illinois; or

(II) is an Illinois licensed professional engineer or a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene or an Illinois licensed industrial hygienist.

An environmental professional may employ persons who are not environmental professionals to assist in the preparation of an Environmental Audit if such persons are under the direct supervision and control of the environmental professional.

(iv) For purposes of this subparagraph (E), the term "real property" means any interest in any parcel of land, and includes, but is not limited to, buildings, fixtures, and improvements.

(v) For purposes of this subparagraph (E), the term "Phase I Environmental Audit" means an investigation of real property, conducted by environmental professionals, to discover the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from real property, and whether a release or a substantial threat of a release of a hazardous substance or pesticide has occurred or may occur at, on, to, or from the real property. Until such time as the United States Environmental Protection Agency establishes standards for making appropriate inquiry into the previous ownership and uses of the facility pursuant to 42 U.S.C. Sec. 9601(35)(B)(ii), the investigation shall comply with the procedures of the American Society for Testing and Materials, including the document known as Standard E1527-97, entitled "Standard Procedures for Environmental Site Assessment: Phase I Environmental Site Assessment Process". Upon their adoption, the standards promulgated by USEPA pursuant to 42 U.S.C. Sec. 9601(35)(B)(ii) shall govern the performance of Phase I Environmental Audits. In addition to the above requirements, the Phase I Environmental Audit shall include a review of recorded land title records for the purpose of determining whether the real property is subject to an environmental land use restriction such as a No Further Remediation Letter, Environmental Land Use Control, or Highway Authority Agreement.

(vi) For purposes of subparagraph (E), the term "Phase II Environmental Audit" means an investigation of real property, conducted
by environmental professionals, subsequent to a Phase I Environmental Audit. If the Phase I Environmental Audit discloses the presence or likely presence of a hazardous substance or a pesticide or a release or a substantial threat of a release of a hazardous substance or pesticide:

(I) In or to soil, the defendant, as part of the Phase II Environmental Audit, shall perform a series of soil borings sufficient to determine whether there is a presence or likely presence of a hazardous substance or pesticide and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide:

(II) In or to groundwater, the defendant, as part of the Phase II Environmental Audit, shall: review information regarding local geology, water well locations, and locations of waters of the State as may be obtained from State, federal, and local government records, including but not limited to the United States Geological Survey, the State Geological Survey of the University of Illinois, and the State Water Survey of the University of Illinois; and perform groundwater monitoring sufficient to determine whether there is a presence or likely presence of a hazardous substance or pesticide, and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide:

(III) On or to media other than soil or groundwater, the defendant, as part of the Phase II Environmental Audit, shall perform an investigation sufficient to determine whether there is a presence or likely presence of a hazardous substance or pesticide, and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide:

(vii) The findings of each Environmental Audit prepared under this subparagraph (E) shall be set forth in a written audit report. Each audit report shall contain an affirmation by the defendant and by each environmental professional who prepared the Environmental Audit that the facts stated in the report are true and are made under a penalty of perjury as defined in Section 32-2 of the Criminal Code of 1961. It is perjury for any person to sign an audit report that contains a false material statement that the person does not believe to be true.
(viii) The Agency is not required to review, approve, or certify the results of any Environmental Audit. The performance of an Environmental Audit shall in no way entitle a defendant to a presumption of Agency approval or certification of the results of the Environmental Audit.

The presence or absence of a disclosure document prepared under the Responsible Property Transfer Act of 1988 shall not be a defense under this Act and shall not satisfy the requirements of subdivision (6)(A) of this subsection (j).

(7) No person shall be liable under this Section for response costs or damages as the result of a pesticide release if the Agency has found that a pesticide release occurred based on a Health Advisory issued by the U.S. Environmental Protection Agency or an action level developed by the Agency, unless the Agency notified the manufacturer of the pesticide and provided an opportunity of not less than 30 days for the manufacturer to comment on the technical and scientific justification supporting the Health Advisory or action level.

(8) No person shall be liable under this Section for response costs or damages as the result of a pesticide release that occurs in the course of a farm pesticide collection program operated under Section 19.1 of the Illinois Pesticide Act, unless the release results from gross negligence or intentional misconduct.

(k) If any person who is liable for a release or substantial threat of release of a hazardous substance or pesticide fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the Agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as a result of such failure to take such removal or remedial action. The punitive damages imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law.

Any monies received by the State pursuant to this subsection (k) shall be deposited in the Hazardous Waste Fund.

(l) Beginning January 1, 1988, and prior to January 1, 2013, the Agency shall annually collect a $250 fee for each Special Waste Hauling Permit Application and, in addition, shall collect a fee of $20 for each waste hauling vehicle identified in the annual permit application and for each vehicle which is added to the permit during the annual period.
Beginning January 1, 2013, the Agency shall issue 3-year Special Waste Hauling Permits instead of annual Special Waste Hauling Permits and shall collect a $750 fee for each Special Waste Hauling Permit Application. In addition, beginning January 1, 2013, the Agency shall collect a fee of $60 for each waste hauling vehicle identified in the permit application and for each vehicle that is added to the permit during the 3-year period. The Agency shall deposit 85% of such fees collected under this subsection in the State Treasury to the credit of the Hazardous Waste Research Fund; and shall deposit the remaining 15% of such fees collected in the State Treasury to the credit of the Environmental Protection Permit and Inspection Fund. The majority of such receipts which are deposited in the Hazardous Waste Research Fund pursuant to this subsection shall be used by the University of Illinois for activities which relate to the protection of underground waters.

(l-5) (Blank).
(m) (Blank).
(n) (Blank).

(Source: P.A. 97-220, eff. 7-28-11; 97-1081, eff. 8-24-12.)

(415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)
Sec. 22.8. Environmental Protection Permit and Inspection Fund.
(a) There is hereby created in the State Treasury a special fund to be known as the Environmental Protection Permit and Inspection Fund. All fees collected by the Agency pursuant to this Section, Section 9.6, 12.2, 16.1, 22.2 (j)(6)(E)(v)(IV), 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act or pursuant to Section 22 of the Public Water Supply Operations Act and funds collected under subsection (b.5) of Section 42 of this Act shall be deposited into the Fund. In addition to any monies appropriated from the General Revenue Fund, monies in the Fund shall be appropriated by the General Assembly to the Agency in amounts deemed necessary for manifest, permit, and inspection activities and for processing requests under Section 22.2 (j)(6)(E)(v)(IV).

The General Assembly may appropriate monies in the Fund deemed necessary for Board regulatory and adjudicatory proceedings.

(a-5) As soon as practicable after the effective date of this amendatory Act of the 98th General Assembly, but no later than January 1, 2014, the State Comptroller shall direct and the State Treasurer shall transfer all monies in the Industrial Hygiene Regulatory and Enforcement Fund to the Environmental Protection Permit and Inspection Fund to be

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used in accordance with the terms of the Environmental Protection Permit and Inspection Fund.

(b) The Agency shall collect from the owner or operator of any of the following types of hazardous waste disposal sites or management facilities which require a RCRA permit under subsection (f) of Section 21 of this Act, or a UIC permit under subsection (g) of Section 12 of this Act, an annual fee in the amount of:

1. $35,000 ($70,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located off the site where such waste was produced;
2. $9,000 ($18,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located on the site where such waste was produced;
3. $7,000 ($14,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is an underground injection well;
4. $2,000 ($4,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by incineration;
5. $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by a method, technique or process other than incineration;
6. $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility storing hazardous waste in a surface impoundment or pile;
7. $250 ($500 beginning in 2004) for a hazardous waste management facility storing hazardous waste other than in a surface impoundment or pile; and
8. Beginning in 2004, $500 for a large quantity hazardous waste generator required to submit an annual or biennial report for hazardous waste generation.

(c) Where two or more operational units are located within a single hazardous waste disposal site, the Agency shall collect from the owner or operator of such site an annual fee equal to the highest fee imposed by subsection (b) of this Section upon any single operational unit within the site.

New matter indicated in italics - deletions by strikeout
(d) The fee imposed upon a hazardous waste disposal site under this Section shall be the exclusive permit and inspection fee applicable to hazardous waste disposal at such site, provided that nothing in this Section shall be construed to diminish or otherwise affect any fee imposed upon the owner or operator of a hazardous waste disposal site by Section 22.2.

(e) The Agency shall establish procedures, no later than December 1, 1984, relating to the collection of the hazardous waste disposal site fees authorized by this Section. Such procedures shall include, but not be limited to the time and manner of payment of fees to the Agency, which shall be quarterly, payable at the beginning of each quarter for hazardous waste disposal site fees. Annual fees required under paragraph (7) of subsection (b) of this Section shall accompany the annual report required by Board regulations for the calendar year for which the report applies.

(f) For purposes of this Section, a hazardous waste disposal site consists of one or more of the following operational units:

   (1) a landfill receiving hazardous waste for disposal;
   (2) a waste pile or surface impoundment, receiving hazardous waste, in which residues which exhibit any of the characteristics of hazardous waste pursuant to Board regulations are reasonably expected to remain after closure;
   (3) a land treatment facility receiving hazardous waste; or
   (4) a well injecting hazardous waste.

(g) The Agency shall assess a fee for each manifest provided by the Agency. For manifests provided on or after January 1, 1989 but before July 1, 2003, the fee shall be $1 per manifest. For manifests provided on or after July 1, 2003, the fee shall be $3 per manifest.

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

Section 13. The Illinois Pesticide Act is amended by changing Section 19.3 as follows:

Sec. 19.3. Agrichemical Facility Response Action Program.

(a) It is the policy of the State of Illinois that an Agrichemical Facility Response Action Program be implemented to reduce potential agrichemical pollution and minimize environmental degradation risk potential at these sites. In this Section, "agrichemical facility" means a site where agrichemicals are stored or handled, or both, in preparation for end use. "Agrichemical facility" does not include basic manufacturing or central distribution sites utilized only for wholesale purposes. As used in
this Section, "agrichemical" means pesticides or commercial fertilizers at an agrichemical facility.

The program shall provide guidance for assessing the threat of soil agrichemical contaminants to groundwater and recommending which sites need to establish a voluntary corrective action program.

The program shall establish appropriate site-specific soil cleanup objectives, which shall be based on the potential for the agrichemical contaminants to move from the soil to groundwater and the potential of the specific soil agrichemical contaminants to cause an exceedence of a Class I or Class III groundwater quality standard or a health advisory level. The Department shall use the information found and procedures developed in the Agrichemical Facility Site Contamination Study or other appropriate physical evidence to establish the soil agrichemical contaminant levels of concern to groundwater in the various hydrological settings to establish site-specific cleanup objectives.

No remediation of a site may be recommended unless (i) the agrichemical contamination level in the soil exceeds the site-specific cleanup objectives or (ii) the agrichemical contaminant level in the soil exceeds levels where physical evidence and risk evaluation indicates probability of the site causing an exceedence of a groundwater quality standard.

When a remediation plan must be carried out over a number of years due to limited financial resources of the owner or operator of the agrichemical facility, those soil agrichemical contaminated areas that have the greatest potential to adversely impact vulnerable Class I groundwater aquifers and adjacent potable water wells shall receive the highest priority rating and be remediated first.

(b) The Agrichemical Facility Response Action Program Board ("the Board") is created. The Board members shall consist of the following:

   (1) The Director or the Director's designee.
   (2) One member who represents pesticide manufacturers.
   (3) Two members who represent retail agrichemical dealers.
   (4) One member who represents agrichemical distributors.
   (5) One member who represents active farmers.
   (6) One member at large.

The public members of the Board shall be appointed by the Governor for terms of 2 years. Those persons on the Board who represent
pesticide manufacturers, agrichemical dealers, agrichemical distributors, and farmers shall be selected from recommendations made by the associations whose membership reflects those specific areas of interest. The members of the Board shall be appointed within 90 days after the effective date of this amendatory Act of 1995. Vacancies on the Board shall be filled within 30 days. The Board may fill any membership position vacant for a period exceeding 30 days.

The members of the Board shall be paid no compensation, but shall be reimbursed for their expenses incurred in performing their duties. If a civil proceeding is commenced against a Board member arising out of an act or omission occurring within the scope of the Board member's performance of his or her duties under this Section, the State, as provided by rule, shall indemnify the Board member for any damages awarded and court costs and attorney's fees assessed as part of a final and unreversed judgement, or shall pay the judgment, unless the court or jury finds that the conduct or inaction that gave rise to the claim or cause of action was intentional, willful or wanton misconduct and was not intended to serve or benefit interests of the State.

The chairperson of the Board shall be selected by the Board from among the public members.

c) The Board has the authority to do the following:

(1) Cooperate with the Department and review and approve an agrichemical facility remediation program as outlined in the handbook or manual as set forth in subdivision (d)(8) of this Section.

(2) Review and give final approval to each agrichemical facility corrective action plan.

(3) Approve any changes to an agrichemical facility's corrective action plan that may be necessary.

(4) Upon completion of the corrective action plan, recommend to the Department that the site-specific cleanup objectives have been met and that a notice of closure be issued by the Department stating that no further remedial action is required to remedy the past agrichemical contamination.

(5) When a soil agrichemical contaminant assessment confirms that remedial action is not required in accordance with the Agrichemical Facility Response Action Program, recommend that a notice of closure be issued by the Department stating that no
further remedial action is required to remedy the past agrichemical contamination.

(6) Periodically review the Department's administration of the Agrichemical Incident Response Trust Fund and actions taken with respect to the Fund. The Board shall also provide advice to the Interagency Committee on Pesticides regarding the proper handling of agrichemical incidents at agrichemical facilities in Illinois.

(d) The Director has the authority to do the following:

(1) When requested by the owner or operator of an agrichemical facility, may investigate the agrichemical facility site contamination.

(2) After completion of the investigation under subdivision (d)(1) of this Section, recommend to the owner or operator of an agrichemical facility that a voluntary assessment be made of the soil agrichemical contaminant when there is evidence that the evaluation of risk indicates that groundwater could be adversely impacted.

(3) Review and make recommendations on any corrective action plan submitted by the owner or operator of an agrichemical facility to the Board for final approval.

(4) On approval by the Board, issue an order to the owner or operator of an agrichemical facility that has filed a voluntary corrective action plan that the owner or operator may proceed with that plan.

(5) Provide remedial project oversight, monitor remedial work progress, and report to the Board on the status of remediation projects.

(6) Provide staff to support the activities of the Board.

(7) Take appropriate action on the Board's recommendations regarding policy needed to carry out the Board's responsibilities under this Section.

(8) In cooperation with the Board, incorporate the following into a handbook or manual: the procedures for site assessment; pesticide constituents of concern and associated parameters; guidance on remediation techniques, land application, and corrective action plans; and other information or instructions that the Department may find necessary.

New matter indicated in italics - deletions by strikeout
(9) Coordinate preventive response actions at agrichemical facilities pursuant to the Groundwater Quality Standards adopted pursuant to Section 8 of the Illinois Groundwater Protection Act to mitigate resource groundwater impairment.

Upon completion of the corrective action plan and upon recommendation of the Board, the Department shall issue a notice of closure stating that site-specific cleanup objectives have been met and no further remedial action is required to remedy the past agrichemical contamination.

When a soil agrichemical contaminant assessment confirms that remedial action is not required in accordance with the Agrichemical Facility Response Action Program and upon the recommendation of the Board, a notice of closure shall be issued by the Department stating that no further remedial action is required to remedy the past agrichemical contamination.

(e) Upon receipt of notification of an agrichemical contaminant in groundwater pursuant to the Groundwater Quality Standards, the Department shall evaluate the severity of the agrichemical contamination and shall submit to the Environmental Protection Agency an informational notice characterizing it as follows:

(1) An agrichemical contaminant in Class I or Class III groundwater has exceeded the levels of a standard adopted pursuant to the Illinois Groundwater Protection Act or a health advisory established by the Illinois Environmental Protection Agency or the United States Environmental Protection Agency; or

(2) An agrichemical has been detected at a level that requires preventive notification pursuant to a standard adopted pursuant to the Illinois Groundwater Protection Act.

(f) When agrichemical contamination is characterized as in subdivision (e)(1) of this Section, a facility may elect to participate in the Agrichemical Facility Response Action Program. In these instances, the scope of the corrective action plans developed, approved, and completed under this program shall be limited to the soil agrichemical contamination present at the site unless implementation of the plan is coordinated with the Illinois Environmental Protection Agency as follows:

(1) Upon receipt of notice of intent to include groundwater in an action by a facility, the Department shall also notify the Illinois Environmental Protection Agency.

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(2) Upon receipt of the corrective action plan, the Department shall coordinate a joint review of the plan with the Illinois Environmental Protection Agency.

(3) The Illinois Environmental Protection Agency may provide a written endorsement of the corrective action plan.

(4) The Illinois Environmental Protection Agency may approve a groundwater management zone for a period of 5 years after the implementation of the corrective action plan to allow for groundwater impairment mitigation results.

(5) The Department, in cooperation with the Illinois Environmental Protection Agency, shall recommend a proposed corrective action plan to the Board for final approval to proceed with remediation. The recommendation shall be based on the joint review conducted under subdivision (f)(2) of this Section and the status of any endorsement issued under subdivision (f)(3) of this Section.

(6) The Department, in cooperation with the Illinois Environmental Protection Agency, shall provide remedial project oversight, monitor remedial work progress, and report to the Board on the status of the remediation project.

(7) The Department shall, upon completion of the corrective action plan and recommendation of the Board, issue a notice of closure stating that no further remedial action is required to remedy the past agrichemical contamination.

(g) When an owner or operator of an agrichemical facility initiates a soil contamination assessment on the owner's or operator's own volition and independent of any requirement under this Section 19.3, information contained in that assessment may be held as confidential information by the owner or operator of the facility.

(h) Except as otherwise provided by Department rule, on and after the effective date of this amendatory Act of the 98th General Assembly, any Agrichemical Facility Response Action Program requirement that may be satisfied by an industrial hygienist licensed pursuant to the Industrial Hygienists Licensure Act repealed in this amendatory Act may be satisfied by a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

(Source: P.A. 92-113, eff. 7-20-01.)

Section 15. The Rivers, Lakes, and Streams Act is amended by changing Section 14a as follows:

New matter indicated in italics - deletions by strikeout
(615 ILCS 5/14a) (from Ch. 19, par. 61a)

Sec. 14a. It is the express intention of this legislation that close cooperation shall exist between the Pollution Control Board, the Environmental Protection Agency, and the Department of Natural Resources and that every resource of State government shall be applied to the proper preservation and utilization of the waters of Lake Michigan.

The Environmental Protection Agency shall work in close cooperation with the City of Chicago and other affected units of government to: (1) terminate discharge of pollutional waste materials to Lake Michigan from vessels in both intra-state and inter-state navigation, and (2) abate domestic, industrial, and other pollution to assure that Lake Michigan beaches in Illinois are suitable for full body contact sports, meeting criteria of the Pollution Control Board.

The Environmental Protection Agency shall regularly conduct water quality and lake bed surveys to evaluate the ecology and the quality of water in Lake Michigan. Results of such surveys shall be made available, without charge, to all interested persons and agencies. It shall be the responsibility of the Director of the Environmental Protection Agency to report biennially or at such other times as the Governor shall direct; such report shall provide hydrologic, biologic, and chemical data together with recommendations to the Governor and members of the General Assembly.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

In meeting the requirements of this Act, the Pollution Control Board, Environmental Protection Agency and Department of Natural Resources are authorized to be in direct contact with individuals, municipalities, public and private corporations and other organizations which are or may be contributing to the discharge of pollution to Lake Michigan.

(Source: P.A. 89-445, eff. 2-7-96.)

New matter indicated in italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0079
(Senate Bill No. 0093)

AN ACT concerning State government.

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

Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 14 as follows:

Sec. 14. Chester Mental Health Center. To maintain and operate a facility for the care, custody, and treatment of persons with mental illness or habilitation of persons with developmental disabilities hereinafter designated, to be known as the Chester Mental Health Center.

Within the Chester Mental Health Center there shall be confined the following classes of persons, whose history, in the opinion of the Department, discloses dangerous or violent tendencies and who, upon examination under the direction of the Department, have been found a fit subject for confinement in that facility:

(a) Any male person who is charged with the commission of a crime but has been acquitted by reason of insanity as provided in Section 5-2-4 of the Unified Code of Corrections.

(b) Any male person who is charged with the commission of a crime but has been found unfit under Article 104 of the Code of Criminal Procedure of 1963.

(c) Any male person with mental illness or developmental disabilities or person in need of mental treatment now confined under the supervision of the Department or hereafter admitted to any facility thereof or committed thereto by any court of competent jurisdiction.

If and when it shall appear to the facility director of the Chester Mental Health Center that it is necessary to confine persons in order to maintain security or provide for the protection and safety of recipients and staff, the Chester Mental Health Center may confine all persons on a unit

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to their rooms. This period of confinement shall not exceed 10 hours in a
24 hour period, including the recipient's scheduled hours of sleep, unless
approved by the Secretary of the Department. During the period of
confinement, the persons confined shall be observed at least every 15
minutes. A record shall be kept of the observations. This confinement shall
not be considered seclusion as defined in the Mental Health and
Developmental Disabilities Code.

The facility director of the Chester Mental Health Center may
authorize the temporary use of handcuffs on a recipient for a period not to
exceed 10 minutes when necessary in the course of transport of the
recipient within the facility to maintain custody or security. Use of
handcuffs is subject to the provisions of Section 2-108 of the Mental
Health and Developmental Disabilities Code. The facility shall keep a
monthly record listing each instance in which handcuffs are used,
circumstances indicating the need for use of handcuffs, and time of
application of handcuffs and time of release therefrom. The facility
director shall allow the Illinois Guardianship and Advocacy Commission,
the agency designated by the Governor under Section 1 of the Protection
and Advocacy for Developmentally Disabled Persons Act, and the
Department to examine and copy such record upon request.

If and when it shall appear to the satisfaction of the Department
that any person confined in the Chester Mental Health Center is not or has
ceased to be such a source of danger to the public as to require his
subjection to the regimen of the center, the Department is hereby
authorized to transfer such person to any State facility for treatment of
persons with mental illness or habilitation of persons with developmental
disabilities, as the nature of the individual case may require.

Subject to the provisions of this Section, the Department, except
where otherwise provided by law, shall, with respect to the management,
conduct and control of the Chester Mental Health Center and the
discipline, custody and treatment of the persons confined therein, have and
exercise the same rights and powers as are vested by law in the
Department with respect to any and all of the State facilities for treatment
of persons with mental illness or habilitation of persons with
developmental disabilities, and the recipients thereof, and shall be subject
to the same duties as are imposed by law upon the Department with
respect to such facilities and the recipients thereof.

*The Department may elect to place persons who have been ordered*
*by the court to be detained under the Sexually Violent Persons*

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Commitment Act in a distinct portion of the Chester Mental Health Center. The persons so placed shall be separated and shall not comingle with the recipients of the Chester Mental Health Center. The portion of Chester Mental Health Center that is used for the persons detained under the Sexually Violent Persons Commitment Act shall not be a part of the mental health facility for the enforcement and implementation of the Mental Health and Developmental Disabilities Code nor shall their care and treatment be subject to the provisions of the Mental Health and Developmental Disabilities Code. The changes added to this Section by this amendatory Act of the 98th General Assembly are inoperative on and after June 30, 2015.

(Source: P.A. 91-559, eff. 1-1-00.)

Section 10. The Sexually Violent Persons Commitment Act is amended by changing Section 30 as follows:

(725 ILCS 207/30)

Sec. 30. Detention; probable cause hearing; transfer for examination.

(a) Upon the filing of a petition under Section 15 of this Act, the court shall review the petition to determine whether to issue an order for detention of the person who is the subject of the petition. The person shall be detained only if there is cause to believe that the person is eligible for commitment under subsection (f) of Section 35 of this Act. A person detained under this Section shall be held in a facility approved by the Department. The Department may elect to place persons who have been ordered by the court to be detained in a State-operated mental health facility or a portion of that facility. Persons placed in a State-operated mental health facility under this Act shall be separated and shall not comingle with the recipients of the mental health facility. The portion of a State-operated mental health facility that is used for the persons detained under this Act shall not be a part of the mental health facility for the enforcement and implementation of the Mental Health and Developmental Disabilities Code nor shall their care and treatment be subject to the provisions of the Mental Health and Developmental Disabilities Code. The changes added to this Section by this amendatory Act of the 98th General Assembly are inoperative on and after June 30, 2015. If the person is serving a sentence of imprisonment, is in a Department of Corrections correctional facility or juvenile correctional facility or is committed to institutional care, and the court orders detention under this Section, the court shall order that the person be transferred to a detention facility.

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approved by the Department. A detention order under this Section remains in effect until the person is discharged after a trial under Section 35 of this Act or until the effective date of a commitment order under Section 40 of this Act, whichever is applicable.

(b) Whenever a petition is filed under Section 15 of this Act, the court shall hold a hearing to determine whether there is probable cause to believe that the person named in the petition is a sexually violent person. If the person named in the petition is in custody, the court shall hold the probable cause hearing within 72 hours after the petition is filed, excluding Saturdays, Sundays and legal holidays. The court may grant a continuance of the probable cause hearing for no more than 7 additional days upon the motion of the respondent, for good cause. If the person named in the petition has been released, is on parole, is on mandatory supervised release, or otherwise is not in custody, the court shall hold the probable cause hearing within a reasonable time after the filing of the petition. At the probable cause hearing, the court shall admit and consider all relevant hearsay evidence.

(c) If the court determines after a hearing that there is probable cause to believe that the person named in the petition is a sexually violent person, the court shall order that the person be taken into custody if he or she is not in custody and shall order the person to be transferred within a reasonable time to an appropriate facility for an evaluation as to whether the person is a sexually violent person. If the person who is named in the petition refuses to speak to, communicate with, or otherwise fails to cooperate with the examining evaluator from the Department of Human Services or the Department of Corrections, that person may only introduce evidence and testimony from any expert or professional person who is retained or court-appointed to conduct an examination of the person that results from a review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, all evaluations conducted pursuant to this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held pursuant to this Act, including the probable cause hearing and the trial.

If the court determines that probable cause does not exist to believe that the person is a sexually violent person, the court shall dismiss the petition.

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(d) The Department shall promulgate rules that provide the qualifications for persons conducting evaluations under subsection (c) of this Section.

(e) If the person named in the petition claims or appears to be indigent, the court shall, prior to the probable cause hearing under subsection (b) of this Section, appoint counsel.

(Source: P.A. 92-415, eff. 8-17-01; 93-616, eff. 1-1-04; 93-970, eff. 8-20-04.)

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0080
(Senate Bill No. 0922)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 12-215 as follows:

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)
Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the

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lights may be visible or activated only when responding to a bona
fide emergency;

3. Vehicles of local fire departments and State or federal
firefighting vehicles;

4. Vehicles which are designed and used exclusively as
ambulances or rescue vehicles; furthermore, such lights shall not
be lighted except when responding to an emergency call for and
while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights;
furthermore, such lights shall not be lighted on any such tow truck
while the tow truck is operating in the State of Illinois;

vehicles of the Office of the Illinois State Fire Marshal, vehicles of
the Illinois Department of Public Health, and vehicles of the
Department of Nuclear Safety;

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

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

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

10. Vehicles of the Illinois Department of Natural
Resources that are used for mine rescue and explosives emergency
response.

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

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

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flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code; in addition, these vehicles may use white oscillating, rotating, or flashing lights in combination with amber oscillating, rotating, or flashing lights as provided in this paragraph;

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

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

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

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

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

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

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;
8. Such other vehicles as may be authorized by local authorities;
9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;
9.5. Propane delivery trucks;
10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;
10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;
11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;
12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;
13. Vehicles used by a security company, alarm responder, or control agency;
14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and 15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.
(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:
1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
   voluntary firefighter;
   paid firefighter;
   part-paid firefighter;
   call firefighter;
   member of the board of trustees of a fire protection district;

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paid or unpaid member of a rescue squad; paid or unpaid member of a voluntary ambulance unit; or paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

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

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

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

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

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

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

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

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

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5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

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


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

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

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

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.
(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles designed and used for towing or hoisting vehicles or motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped; furthermore, such lights shall not be lighted on second division vehicles designed and used for towing or hoisting vehicles or vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in a tow operation, highway maintenance, or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

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

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

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

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

(Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10; 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12.)

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

Approved July 15, 2013.
Effective July 15, 2013.
AN ACT concerning civil law.

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

Section 5. The Income Withholding for Support Act is amended by changing Section 20 as follows:

(750 ILCS 28/20)

Sec. 20. Entry of order for support containing income withholding provisions; income withholding notice.

(a) In addition to any content required under other laws, every order for support entered on or after July 1, 1997, shall:

   (1) Require an income withholding notice to be prepared and served immediately upon any payor of the obligor by the obligee or public office, unless a written agreement is reached between and signed by both parties providing for an alternative arrangement, approved and entered into the record by the court, which ensures payment of support. In that case, the order for support shall provide that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support; and

   (2) Contain a dollar amount to be paid until payment in full of any delinquency that accrues after entry of the order for support. The amount for payment of delinquency shall not be less than 20% of the total of the current support amount and the amount to be paid periodically for payment of any arrearage stated in the order for support; and

   (3) Include the obligor's Social Security Number, which the obligor shall disclose to the court. If the obligor is not a United States citizen, the obligor shall disclose to the court, and the court shall include in the order for support, the obligor's alien registration number, passport number, and home country's social security or national health number, if applicable.

(b) At the time the order for support is entered, the Clerk of the Circuit Court shall provide a copy of the order to the obligor and shall make copies available to the obligee and public office.

(c) The income withholding notice shall:

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(1) be in the standard format prescribed by the federal Department of Health and Human Services; and
   (1.1) state the date of entry of the order for support upon which the income withholding notice is based; and
(2) direct any payor to withhold the dollar amount required for current support under the order for support; and
(3) direct any payor to withhold the dollar amount required to be paid periodically under the order for support for payment of the amount of any arrearage stated in the order for support; and
(4) direct any payor or labor union or trade union to enroll a child as a beneficiary of a health insurance plan and withhold or cause to be withheld, if applicable, any required premiums; and
(5) state the amount of the payor income withholding fee specified under this Section; and
(6) state that the amount actually withheld from the obligor's income for support and other purposes, including the payor withholding fee specified under this Section, may not be in excess of the maximum amount permitted under the federal Consumer Credit Protection Act; and
(7) in bold face type, the size of which equals the largest type on the notice, state the duties of the payor and the fines and penalties for failure to withhold and pay over income and for discharging, disciplining, refusing to hire, or otherwise penalizing the obligor because of the duty to withhold and pay over income under this Section; and
(8) state the rights, remedies, and duties of the obligor under this Section; and
(9) include the Social Security number of the obligor; and
(10) (blank) include the date that withholding for current support terminates, which shall be the date of termination of the current support obligation set forth in the order for support; and
(11) contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office, except that the failure to contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office shall not affect the validity of the income withholding notice; and
(12) direct any payor to pay over amounts withheld for payment of support to the State Disbursement Unit.

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(d) The accrual of a delinquency as a condition for service of an income withholding notice, under the exception to immediate withholding in subsection (a) of this Section, shall apply only to the initial service of an income withholding notice on a payor of the obligor.

(e) Notwithstanding the exception to immediate withholding contained in subsection (a) of this Section, if the court finds at the time of any hearing that an arrearage has accrued, the court shall order immediate service of an income withholding notice upon the payor.

(f) If the order for support, under the exception to immediate withholding contained in subsection (a) of this Section, provides that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support, the obligor may execute a written waiver of that condition and request immediate service on the payor.

(g) The obligee or public office may serve the income withholding notice on the payor or its superintendent, manager, or other agent by ordinary mail or certified mail return receipt requested, by facsimile transmission or other electronic means, by personal delivery, or by any method provided by law for service of a summons. At the time of service on the payor and as notice that withholding has commenced, the obligee or public office shall serve a copy of the income withholding notice on the obligor by ordinary mail addressed to his or her last known address. A copy of an income withholding notice and proof of service shall be filed with the Clerk of the Circuit Court only when necessary in connection with a petition to contest, modify, suspend, terminate, or correct an income withholding notice, an action to enforce income withholding against a payor, or the resolution of other disputes involving an income withholding notice. The changes made to this subsection by this amendatory Act of the 96th General Assembly apply on and after September 1, 2009.

(h) At any time after the initial service of an income withholding notice, any other payor of the obligor may be served with the same income withholding notice without further notice to the obligor. A copy of the income withholding notice together with a proof of service on the other payor shall be filed with the Clerk of the Circuit Court.

(i) New service of an income withholding notice is not required in order to resume withholding of income in the case of an obligor with respect to whom an income withholding notice was previously served on the payor if withholding of income was terminated because of an interruption in the obligor's employment of less than 180 days.

New matter indicated in italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Child Care Act of 1969 is amended by changing Section 5.2 as follows:

(225 ILCS 10/5.2)

Sec. 5.2. Unsafe children's products.

(a) A child care facility may not use or have on the premises, on or after July 1, 2000, an unsafe children's product as described in Section 15 of the Children's Product Safety Act. This subsection (a) does not apply to an antique or collectible children's product if it is not used by, or accessible to, any child in the child care facility.

(b) The Department of Children and Family Services shall notify child care facilities, on an ongoing basis, including during the license application facility examination and during annual license monitoring visits, of the provisions of this Section and the Children's Product Safety Act and of the comprehensive list of unsafe children's products as provided and maintained by the Department of Public Health available on the Internet, as determined in accordance with that Act, in plain, non-technical language that will enable each child care facility to effectively inspect children's products and identify unsafe children's products. The Department of Children and Family Services shall adopt rules to maintain data on child care facilities without Internet access and shall ensure the child care facilities without Internet access register for available mailing lists of pertinent recalls distributed in paper form. The Department of Children and Family Services must make the comprehensive list available to those facilities that do not have Internet access. Child care facilities must maintain all written information provided pursuant to this subsection in a file accessible to both facility staff and parents of children attending...
the facility. Child care facilities must post in prominent locations regularly visited by parents written notification of the existence of the comprehensive list of unsafe children's products available on the Internet. The Department of Children and Family Services shall adopt rules to carry out this Section.
(Source: P.A. 93-805, eff. 7-24-04.)

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0083
(Senate Bill No. 1213)

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

Section 5. The State Employee Indemnification Act is amended by changing Section 1 as follows:
(5 ILCS 350/1) (from Ch. 127, par. 1301)
Sec. 1. Definitions. For the purpose of this Act:
(a) The term "State" means the State of Illinois, the General Assembly, the court, or any State office, department, division, bureau, board, commission, or committee, the governing boards of the public institutions of higher education created by the State, the Illinois National Guard, the Comprehensive Health Insurance Board, any poison control center designated under the Poison Control System Act that receives State funding, or any other agency or instrumentality of the State. It does not mean any local public entity as that term is defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act or a pension fund.

(b) The term "employee" means any present or former elected or appointed officer, trustee or employee of the State, or of a pension fund, any present or former commissioner or employee of the Executive Ethics Commission or of the Legislative Ethics Commission, any present or former Executive, Legislative, or Auditor General's Inspector General, any present or former employee of an Office of an Executive, Legislative, or Auditor General's Inspector General, any present or former member of the
Illinois National Guard while on active duty, individuals or organizations who contract with the Department of Corrections, the Department of Juvenile Justice, the Comprehensive Health Insurance Board, or the Department of Veterans' Affairs to provide services, individuals or organizations who contract with the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services including but not limited to treatment and other services for sexually violent persons, individuals or organizations who contract with the Department of Military Affairs for youth programs, individuals or organizations who contract to perform carnival and amusement ride safety inspections for the Department of Labor, individual representatives of or designated organizations authorized to represent the Office of State Long-Term Ombudsman for the Department on Aging, individual representatives of or organizations designated by the Department on Aging in the performance of their duties as elder abuse provider agencies or regional administrative agencies under the Elder Abuse and Neglect Act, individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing, individuals who serve on any public entity (whether created by law or administrative action) described in paragraph (a) of this Section, individuals or not for profit organizations who, either as volunteers, where such volunteer relationship is reduced to writing, or pursuant to contract, furnish professional advice or consultation to any agency or instrumentality of the State, individuals who serve as foster parents for the Department of Children and Family Services when caring for a Department ward, individuals who serve as members of an independent team of experts under Brian's Law, and individuals who serve as arbitrators pursuant to Part 10A of Article II of the Code of Civil Procedure and the rules of the Supreme Court implementing Part 10A, each as now or hereafter amended, but does not mean an independent contractor except as provided in this Section. The term includes an individual appointed as an inspector by the Director of State Police when performing duties within the scope of the activities of a Metropolitan Enforcement Group or a law enforcement organization established under the Intergovernmental Cooperation Act. An individual who renders professional advice and consultation to the State through an organization which qualifies as an "employee" under the Act is also an employee. The term includes the estate or personal representative of an employee.

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(c) The term "pension fund" means a retirement system or pension fund created under the Illinois Pension Code.
(Source: P.A. 96-1235, eff. 1-1-11.)

Section 10. The Juvenile Court Act of 1987 is amended by changing Section 3-28 as follows:

(705 ILCS 405/3-28) (from Ch. 37, par. 803-28)

Sec. 3-28. Placement; legal custody or guardianship.

(1) If the court finds that the parents, guardian or legal custodian of a minor adjudged a ward of the court are unfit or are unable, for some reason other than financial circumstances alone, to care for, protect, train or discipline the minor or are unwilling to do so, and that appropriate services aimed at family preservation and family reunification have been unsuccessful in rectifying the conditions which have led to such a finding of unfitness or inability to care for, protect, train or discipline the minor, and that it is in the best interest of the minor to take him from the custody of his parents, guardian or custodian, the court may:

(a) place him in the custody of a suitable relative or other person;
(b) place him under the guardianship of a probation officer;
(c) commit him to an agency for care or placement, except an institution under the authority of the Department of Juvenile Justice Corrections or of the Department of Children and Family Services;
(d) commit him to some licensed training school or industrial school; or
(e) commit him to any appropriate institution having among its purposes the care of delinquent children, including a child protective facility maintained by a Child Protection District serving the county from which commitment is made, but not including any institution under the authority of the Department of Juvenile Justice Corrections or of the Department of Children and Family Services.

(2) When making such placement, the court, wherever possible, shall select a person holding the same religious belief as that of the minor or a private agency controlled by persons of like religious faith of the minor and shall require the Department of Children and Family Services to otherwise comply with Section 7 of the Children and Family Services Act in placing the child. In addition, whenever alternative plans for placement

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are available, the court shall ascertain and consider, to the extent appropriate in the particular case, the views and preferences of the minor.

(3) When a minor is placed with a suitable relative or other person, the court shall appoint him the legal custodian or guardian of the person of the minor. When a minor is committed to any agency, the court shall appoint the proper officer or representative thereof as legal custodian or guardian of the person of the minor. Legal custodians and guardians of the person of the minor have the respective rights and duties set forth in paragraph (9) of Section 1-3 except as otherwise provided by order of the court; but no guardian of the person may consent to adoption of the minor unless that authority is conferred upon him in accordance with Section 3-30. An agency whose representative is appointed guardian of the person or legal custodian of the minor may place him in any child care facility, but such facility must be licensed under the Child Care Act of 1969 or have been approved by the Department of Children and Family Services as meeting the standards established for such licensing. No agency may place such minor in a child care facility unless such placement is in compliance with the rules and regulations for placement under this Section promulgated by the Department of Children and Family Services under Section 5 of "An Act creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named". Like authority and restrictions shall be conferred by the court upon any probation officer who has been appointed guardian of the person of a minor.

(4) No placement by any probation officer or agency whose representative is appointed guardian of the person or legal custodian of a minor may be made in any out of State child care facility unless it complies with the Interstate Compact on the Placement of Children.

(5) The clerk of the court shall issue to such legal custodian or guardian of the person a certified copy of the order of the court, as proof of his authority. No other process is necessary as authority for the keeping of the minor.

(6) Custody or guardianship granted hereunder continues until the court otherwise directs, but not after the minor reaches the age of 19 years except as set forth in Section 3-32.

(Source: P.A. 89-422.)

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

AN ACT concerning aging.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
(320 ILCS 45/Act rep.)
Section 5. The Senior Citizens Child Care Support Act is repealed.
Section 99. Effective date. This Act takes effect upon becoming
law.
Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0085
(Senate Bill No. 1292)

AN ACT concerning health facilities.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Nursing Home Care Act is amended by changing
Section 3-304.1 and by adding Section 3-518 as follows:
(210 ILCS 45/3-304.1)
Sec. 3-304.1. Public computer access to information.
(a) The Department must make information regarding nursing homes in the State available to the public in electronic form on the World Wide Web, including all of the following information:
   (1) who regulates nursing homes;
   (2) information in the possession of the Department that is listed in Sections 3-210 and 3-304;
   (3) deficiencies and plans of correction;
   (4) enforcement remedies;
   (5) penalty letters;
   (6) designation of penalty monies;

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(7) the U.S. Department of Health and Human Services' Health Care Financing Administration special projects or federally required inspections;
(8) advisory standards;
(9) deficiency-free surveys;
(10) enforcement actions and enforcement summaries; and
(11) distressed facilities; and
(12) the report submitted under Section 3-518.

(b) No fee or other charge may be imposed by the Department as a condition of accessing the information.

(c) The electronic public access provided through the World Wide Web shall be in addition to any other electronic or print distribution of the information.

(d) The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form.

(210 ILCS 45/3-518 new)

Sec. 3-518. Fines. Beginning January 15, 2014, and each January 15 thereafter, the Department shall submit to the General Assembly, the Department's Long-Term Care Facility Advisory Board, and the State Ombudsman an accounting of all federal and State fines received by the Department in the preceding fiscal year by the fund in which they have been deposited. For each fund, the report shall show the source of all moneys that are deposited into each fund and the purpose and amount of all expenditures from each fund.

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0086
(Senate Bill No. 1293)

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

New matter indicated in italics - deletions by strikeout
Section 5. The Illinois Refrigerated Warehouses Act is amended by changing Section 2 as follows:

(240 ILCS 35/2) (from Ch. 56 1/2, par. 79.2)

Sec. 2. No person, firm or corporation shall maintain or operate a refrigerated warehouse without a license to do so issued by the Department. Any person, firm or corporation desiring such a license shall make written application to the Department for that purpose, stating the location of the refrigerated warehouse. The Director or his agents thereupon shall make an examination of the refrigerated warehouse and, if it is in a proper sanitary condition and otherwise properly equipped for its intended use, he shall issue a license authorizing the applicant to operate it as a refrigerated warehouse for one year. The licensing cycle shall be the same as the State fiscal year and a license shall be issued upon payment by the applicant of a license fee of $50 per annum to the Department.

Any license issued under the provisions of the Act herein repealed that is valid immediately prior to the time this Act takes effect shall be considered as a license issued under the provisions of this Act and shall continue in effect until its expiration date unless sooner revoked under the provisions of this Act.

(Source: P.A. 77-510.)

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0087
(Senate Bill No. 1321)

AN ACT concerning public health.

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

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-397 as follows:

(20 ILCS 2310/2310-397) (was 20 ILCS 2310/55.90)
Sec. 2310-397. Prostate and testicular cancer program.
(a) The Department, subject to appropriation or other available funding, shall conduct a program to promote awareness and early detection

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of prostate and testicular cancer. The program may include, but need not be limited to:

(1) Dissemination of information regarding the incidence of prostate and testicular cancer, the risk factors associated with prostate and testicular cancer, and the benefits of early detection and treatment.

(2) Promotion of information and counseling about treatment options.

(3) Establishment and promotion of referral services and screening programs.

Beginning July 1, 2004, the program must include the development and dissemination, through print and broadcast media, of public service announcements that publicize the importance of prostate cancer screening for men over age 40.

(b) Subject to appropriation or other available funding, a Prostate Cancer Screening Program shall be established in the Department of Public Health.

(1) The Program shall apply to the following persons and entities:

   (A) uninsured and underinsured men 50 years of age and older;

   (B) uninsured and underinsured men between 40 and 50 years of age who are at high risk for prostate cancer, upon the advice of a physician or upon the request of the patient; and

   (C) non-profit organizations providing assistance to persons described in subparagraphs (A) and (B).

(2) Any entity funded by the Program shall coordinate with other local providers of prostate cancer screening, diagnostic, follow-up, education, and advocacy services to avoid duplication of effort. Any entity funded by the Program shall comply with any applicable State and federal standards regarding prostate cancer screening.

(3) Administrative costs of the Department shall not exceed 10% of the funds allocated to the Program. Indirect costs of the entities funded by this Program shall not exceed 12%. The Department shall define "indirect costs" in accordance with applicable State and federal law.

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(4) Any entity funded by the Program shall collect data and maintain records that are determined by the Department to be necessary to facilitate the Department's ability to monitor and evaluate the effectiveness of the entities and the Program. Commencing with the Program's second year of operation, the Department shall submit an Annual Report to the General Assembly and the Governor. The report shall describe the activities and effectiveness of the Program and shall include, but not be limited to, the following types of information regarding those served by the Program:

(A) the number; and
(B) the ethnic, geographic, and age breakdown.
(C) the stages of presentation; and
(D) the diagnostic and treatment status.

(5) The Department or any entity funded by the Program shall collect personal and medical information necessary to administer the Program from any individual applying for services under the Program. The information shall be confidential and shall not be disclosed other than for purposes directly connected with the administration of the Program or except as otherwise provided by law or pursuant to prior written consent of the subject of the information.

(6) The Department or any entity funded by the program may disclose the confidential information to medical personnel and fiscal intermediaries of the State to the extent necessary to administer the Program, and to other State public health agencies or medical researchers if the confidential information is necessary to carry out the duties of those agencies or researchers in the investigation, control, or surveillance of prostate cancer.

(c) The Department shall adopt rules to implement the Prostate Cancer Screening Program in accordance with the Illinois Administrative Procedure Act.

(Source: P.A. 92-16, eff. 6-28-01; 93-122, 1-1-04.)
Passed in the General Assembly May 7, 2013.
Approved July 15, 2013.
Effective January 1, 2014.

New matter indicated in italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Sexually Dangerous Persons Act is amended by changing Sections 4, 4.01, 4.02, 5, and 9 and by adding Sections 4.04 and 4.05 as follows:

(725 ILCS 205/4) (from Ch. 38, par. 105-4)

Sec. 4. After the filing of the petition, the court shall appoint two qualified evaluators psychiatrists to make a personal examination of the alleged sexually dangerous person, to ascertain whether the person is sexually dangerous, and the evaluators psychiatrists shall file with the court a report in writing of the result of their examination, a copy of which shall be delivered to the respondent.

(Source: Laws 1955, p. 1144.)

(725 ILCS 205/4.01) (from Ch. 38, par. 105-4.01)

Sec. 4.01. "Qualified evaluator psychiatrist" means a reputable physician or psychologist licensed in Illinois or any other state to practice medicine or psychology, or any other licensed professional who specializes in the evaluation of sex offenders in all its branches, who has specialized in the diagnosis and treatment of mental and nervous disorders for a period of not less than 5 years.

(Source: Laws 1959, p. 1685.)

(725 ILCS 205/4.02) (from Ch. 38, par. 105-4.02)

Sec. 4.02. In counties of less than 500,000 inhabitants the cost of the psychiatric examination required by Section 4 is a charge against and shall be paid out of the general fund of the county in which the proceeding is brought.

(Source: Laws 1959, p. 1685.)

(725 ILCS 205/4.04 new)

Sec. 4.04. Examination. "Examination" means an examination conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act.

(725 ILCS 205/4.05 new)

Sec. 4.05. Criminal propensities to the commission of sex offenses. For the purposes of this Act, "criminal propensities to the commission of
sex offenses" means that it is substantially probable that the person subject to the commitment proceeding will engage in the commission of sex offenses in the future if not confined.

(725 ILCS 205/5) (from Ch. 38, par. 105-5)

Sec. 5. The respondent in any proceedings under this Act shall have the right to demand a trial by jury and to be represented by counsel. The cost of representation by counsel for an indigent respondent shall be paid by the county in which the proceeding is brought. At the hearing on the petition it shall be competent to introduce evidence of the commission by the respondent of any number of crimes together with whatever punishments, if any, were inflicted.

(Source: Laws 1955, p. 1144.)

(725 ILCS 205/9) (from Ch. 38, par. 105-9)

Sec. 9. Recovery; examination and hearing.

(a) An application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered may be filed before the committing court. Upon receipt thereof, the clerk of the court shall cause a copy of the application to be sent to the Director of the Department of Corrections. The Director shall then cause to be prepared and sent to the court a socio-psychiatric report concerning the applicant. The report shall be prepared by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act a social worker and psychologist under the supervision of a licensed psychiatrist assigned to the institution wherein such applicant is confined. The court shall set a date for the hearing upon the application and shall consider the report so prepared under the direction of the Director of the Department of Corrections and any other relevant information submitted by or on behalf of the applicant.

(b) At a hearing under this Section, the Attorney General or State's Attorney who filed the original application shall represent the State. The sexually dangerous person or the State may elect to have the hearing before a jury. The State has the burden of proving by clear and convincing evidence that the applicant is still a sexually dangerous person.

(c) If the applicant refuses to speak to, communicate with, or otherwise fails to cooperate with the State's examiner, the applicant may only introduce evidence and testimony from any expert or professional person who is retained to conduct an examination based upon review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental

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Health and Developmental Disabilities Confidentiality Act, all evaluations conducted under this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held under this Act.

(d) If a person has previously filed an application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered and the court determined either at a hearing or following a jury trial that the applicant is still a sexually dangerous person, or if the application is withdrawn, no additional application may be filed for 2 years after a finding that the person is still sexually dangerous or after the application is withdrawn, except if the application is accompanied by a statement from the treatment provider that the applicant has made exceptional progress and the application contains facts upon which a court could find that the condition of the person had so changed that a hearing is warranted.

(e) If the person is found to be no longer dangerous, the court shall order that he or she be discharged. If the court finds that the person appears no longer to be dangerous but that it is impossible to determine with certainty under conditions of institutional care that the person has fully recovered, the court shall enter an order permitting the person to go at large subject to conditions and supervision by the Director as in the opinion of the court will adequately protect the public. In the event the person violates any of the conditions of the order, the court shall revoke the conditional release and recommit the person under Section 5-6-4 of the Unified Code of Corrections under the terms of the original commitment. Upon an order of discharge every outstanding information and indictment, the basis of which was the reason for the present detention, shall be quashed.

(Source: P.A. 94-404, eff. 1-1-06.)

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

Passed in the General Assembly May 7, 2013.
Approved July 15, 2013.
Effective July 15, 2013.
AN ACT concerning civil law.

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

Section 5. The Probate Act of 1975 is amended by changing Section 11a-10 as follows:

(755 ILCS 5/11a-10) (from Ch. 110 1/2, par. 11a-10)

Sec. 11a-10. Procedures preliminary to hearing.

(a) Upon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days. The court shall appoint a guardian ad litem to report to the court concerning the respondent's best interests consistent with the provisions of this Section, except that the appointment of a guardian ad litem shall not be required when the court determines that such appointment is not necessary for the protection of the respondent or a reasonably informed decision on the petition. If the guardian ad litem is not a licensed attorney, he or she shall be qualified, by training or experience, to work with or advocate for the developmentally disabled, mentally ill, physically disabled, the elderly, or persons disabled because of mental deterioration, depending on the type of disability that is alleged in the petition. The court may allow the guardian ad litem reasonable compensation. The guardian ad litem may consult with a person who by training or experience is qualified to work with persons with a developmental disability, persons with mental illness, or physically disabled persons, or persons disabled because of mental deterioration, depending on the type of disability that is alleged. The guardian ad litem shall personally observe the respondent prior to the hearing and shall inform him orally and in writing of the contents of the petition and of his rights under Section 11a-11. The guardian ad litem shall also attempt to elicit the respondent's position concerning the adjudication of disability, the proposed guardian, a proposed change in residential placement, changes in care that might result from the guardianship, and other areas of inquiry deemed appropriate by the court. Notwithstanding any provision in the Mental Health and Developmental Disabilities Confidentiality Act or any other law, a guardian ad litem shall have the right to inspect and copy any medical or mental health record of the respondent which the guardian ad litem deems necessary, provided that the information so disclosed shall not be utilized

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for any other purpose nor be redisclosed except in connection with the proceedings. At or before the hearing, the guardian ad litem shall file a written report detailing his or her observations of the respondent, the responses of the respondent to any of the inquiries detailed in this Section, the opinion of the guardian ad litem or other professionals with whom the guardian ad litem consulted concerning the appropriateness of guardianship, and any other material issue discovered by the guardian ad litem. The guardian ad litem shall appear at the hearing and testify as to any issues presented in his or her report.

(b) The court (1) may appoint counsel for the respondent, if the court finds that the interests of the respondent will be best served by the appointment, and (2) shall appoint counsel upon respondent's request or if the respondent takes a position adverse to that of the guardian ad litem. The respondent shall be permitted to obtain the appointment of counsel either at the hearing or by any written or oral request communicated to the court prior to the hearing. The summons shall inform the respondent of this right to obtain appointed counsel. The court may allow counsel for the respondent reasonable compensation.

(c) If the respondent is unable to pay the fee of the guardian ad litem or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent's estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where the public guardian is the petitioner, consistent with Section 13-5 of the Probate Act of 1975, where an elder abuse provider agency is the petitioner, pursuant to Section 9 of the Elder Abuse and Neglect Act, or where the Department of Human Services Office of Inspector General is the petitioner, consistent with Section 45 of the Abuse of Adults with Disabilities Intervention Act, or where the Department of Children and Family Services is the petitioner under subparagraph (d) of subsection (1) of Section 2-27 of the Juvenile Court Act of 1987, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the public guardian, the elder abuse provider agency, or the Department of Human Services Office of Inspector General, or the Department of Children and Family Services.

(d) The hearing may be held at such convenient place as the court directs, including at a facility in which the respondent resides.

(e) Unless he is the petitioner, the respondent shall be personally served with a copy of the petition and a summons not less than 14 days
before the hearing. The summons shall be printed in large, bold type and shall include the following notice:

NOTICE OF RIGHTS OF RESPONDENT

You have been named as a respondent in a guardianship petition asking that you be declared a disabled person. If the court grants the petition, a guardian will be appointed for you. A copy of the guardianship petition is attached for your convenience.

The date and time of the hearing are:

The place where the hearing will occur is:

The Judge's name and phone number is:

If a guardian is appointed for you, the guardian may be given the right to make all important personal decisions for you, such as where you may live, what medical treatment you may receive, what places you may visit, and who may visit you. A guardian may also be given the right to control and manage your money and other property, including your home, if you own one. You may lose the right to make these decisions for yourself.

You have the following legal rights:

(1) You have the right to be present at the court hearing.
(2) You have the right to be represented by a lawyer, either one that you retain, or one appointed by the Judge.
(3) You have the right to ask for a jury of six persons to hear your case.
(4) You have the right to present evidence to the court and to confront and cross-examine witnesses.
(5) You have the right to ask the Judge to appoint an independent expert to examine you and give an opinion about your need for a guardian.
(6) You have the right to ask that the court hearing be closed to the public.
(7) You have the right to tell the court whom you prefer to have for your guardian.

You do not have to attend the court hearing if you do not want to be there. If you do not attend, the Judge may appoint a guardian if the Judge finds that a guardian would be of benefit to you. The hearing will not be postponed or canceled if you do not attend.

IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE PERSON NAMED IN THE

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GUARDIANSHIP PETITION TO BE YOUR GUARDIAN. IF YOU DO NOT WANT A GUARDIAN OR IF YOU HAVE ANY OTHER PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND TELL THE JUDGE.

Service of summons and the petition may be made by a private person 18 years of age or over who is not a party to the action.

(f) Notice of the time and place of the hearing shall be given by the petitioner by mail or in person to those persons, including the proposed guardian, whose names and addresses appear in the petition and who do not waive notice, not less than 14 days before the hearing.

(Source: P.A. 96-1052, eff. 7-14-10; 97-375, eff. 8-15-11; 97-1095, eff. 8-24-12.)

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

Passed in the General Assembly May 7, 2013.
Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0090
(Senate Bill No. 1603)

AN ACT concerning finance.

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

Section 5. The Illinois Finance Authority Act is amended by changing Sections 801-10, 801-55, 825-12, 825-65, 825-95, 825-110, 830-10, and 830-15 as follows:

(20 ILCS 3501/801-10)
Sec. 801-10. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) The term "Authority" means the Illinois Finance Authority created by this Act.

(b) The term "project" means an industrial project, conservation project, housing project, public purpose project, higher education project, health facility project, cultural institution project, municipal bond program project, agricultural facility or agribusiness, and "project" may include any combination of one or more of the foregoing undertaken jointly by any person with one or more other persons.

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(c) The term "public purpose project" means any project or facility including without limitation land, buildings, structures, machinery, equipment and all other real and personal property, which is authorized or required by law to be acquired, constructed, improved, rehabilitated, reconstructed, replaced or maintained by any unit of government or any other lawful public purpose which is authorized or required by law to be undertaken by any unit of government.

(d) The term "industrial project" means the acquisition, construction, refurbishment, creation, development or redevelopment of any facility, equipment, machinery, real property or personal property for use by any instrumentality of the State or its political subdivisions, for use by any person or institution, public or private, for profit or not for profit, or for use in any trade or business including, but not limited to, any industrial, manufacturing or commercial enterprise that is located within or outside the State, provided that, with respect to a project involving property located outside the State, the property must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, and which is (1) a capital project including but not limited to: (i) land and any rights therein, one or more buildings, structures or other improvements, machinery and equipment, whether now existing or hereafter acquired, and whether or not located on the same site or sites; (ii) all appurtenances and facilities incidental to the foregoing, including, but not limited to utilities, access roads, railroad sidings, track, docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling or related equipment, site preparation and landscaping; and (iii) all non-capital costs and expenses relating thereto or (2) any addition to, renovation, rehabilitation or improvement of a capital project or (3) any activity or undertaking within or outside the State, provided that, with respect to a project involving property located outside the State, the property must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, which the Authority determines will aid, assist or encourage economic growth, development or redevelopment within the State or any area thereof, will promote the expansion, retention or diversification of employment opportunities within the State or any area thereof or will aid in stabilizing or developing any industry or economic sector of the State economy. The term "industrial project" also means the production of motion pictures.

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(e) The term "bond" or "bonds" shall include bonds, notes (including bond, grant or revenue anticipation notes), certificates and/or other evidences of indebtedness representing an obligation to pay money, including refunding bonds.

(f) The terms "lease agreement" and "loan agreement" shall mean: (i) an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person, corporation or unit of local government which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority issued with respect to such project, providing for the maintenance, insuring and operation of the project on terms satisfactory to the Authority, providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, and such other terms as may be deemed desirable by the Authority, or (ii) any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds issued with respect to a project or other funds of the Authority to any person which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority, if any, issued with respect to the project, and providing for maintenance, insurance and other matters as may be deemed desirable by the Authority.

(g) The term "financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its bonds, notes or other evidences of indebtedness or from other sources for the development, construction, acquisition or improvement of a project.

(h) The term "person" means an individual, corporation, unit of government, business trust, estate, trust, partnership or association, 2 or more persons having a joint or common interest, or any other legal entity.

(i) The term "unit of government" means the federal government, the State or unit of local government, a school district, or any agency or instrumentality, office, officer, department, division, bureau, commission, college or university thereof.

(j) The term "health facility" means: (a) any public or private institution, place, building, or agency required to be licensed under the Hospital Licensing Act; (b) any public or private institution, place, building, or agency required to be licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD

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Community Care Act; (c) any public or licensed private hospital as defined in the Mental Health and Developmental Disabilities Code; (d) any such facility exempted from such licensure when the Director of Public Health attests that such exempted facility meets the statutory definition of a facility subject to licensure; (e) any other public or private health service institution, place, building, or agency which the Director of Public Health attests is subject to certification by the Secretary, U.S. Department of Health and Human Services under the Social Security Act, as now or hereafter amended, or which the Director of Public Health attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency; (f) any public or private institution, place, building or agency engaged in providing one or more supporting services to a health facility; (g) any public or private institution, place, building or agency engaged in providing training in the healing arts, including but not limited to schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy or nursing, schools for the training of x-ray, laboratory or other health care technicians and schools for the training of para-professionals in the health care field; (h) any public or private congregate, life or extended care or elderly housing facility or any public or private home for the aged or infirm, including, without limitation, any Facility as defined in the Life Care Facilities Act; (i) any public or private mental, emotional or physical rehabilitation facility or any public or private educational, counseling, or rehabilitation facility or home, for those persons with a developmental disability, those who are physically ill or disabled, the emotionally disturbed, those persons with a mental illness or persons with learning or similar disabilities or problems; (j) any public or private alcohol, drug or substance abuse diagnosis, counseling treatment or rehabilitation facility, (k) any public or private institution, place, building or agency licensed by the Department of Children and Family Services or which is not so licensed but which the Director of Children and Family Services attests provides child care, child welfare or other services of the type provided by facilities subject to such licensure; (l) any public or private adoption agency or facility; and (m) any public or private blood bank or blood center. "Health facility" also means a public or private structure or structures suitable primarily for use as a laboratory, laundry, nurses or interns residence or other housing or hotel facility used in whole or in part for staff, employees or students and their families, patients or relatives of patients admitted for treatment or care in a health facility, or persons conducting business with a health facility, physician's facility, surgicenter,
administration building, research facility, maintenance, storage or utility facility and all structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking or other facilities or other supporting service structures required or useful for the orderly conduct of such health facility. "Health facility" also means, with respect to a project located outside the State, any public or private institution, place, building, or agency which provides services similar to those described above, provided that such project is owned, operated, leased or managed by a participating health institution located within the State, or a participating health institution affiliated with an entity located within the State.

(k) The term "participating health institution" means (i) a private corporation or association or (ii) a public entity of this State, in either case authorized by the laws of this State or the applicable state to provide or operate a health facility as defined in this Act and which, pursuant to the provisions of this Act, undertakes the financing, construction or acquisition of a project or undertakes the refunding or refinancing of obligations, loans, indebtedness or advances as provided in this Act.

(l) The term "health facility project", means a specific health facility work or improvement to be financed or refinanced (including without limitation through reimbursement of prior expenditures), acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, with funds provided in whole or in part hereunder, any accounts receivable, working capital, liability or insurance cost or operating expense financing or refinancing program of a health facility with or involving funds provided in whole or in part hereunder, or any combination thereof.

(m) The term "bond resolution" means the resolution or resolutions authorizing the issuance of, or providing terms and conditions related to, bonds issued under this Act and includes, where appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of trust providing terms and conditions for such bonds.

(n) The term "property" means any real, personal or mixed property, whether tangible or intangible, or any interest therein, including, without limitation, any real estate, leasehold interests, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights of way, structures, accounts, contract rights or any interest therein.

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(o) The term "revenues" means, with respect to any project, the rents, fees, charges, interest, principal repayments, collections and other income or profit derived therefrom.

(p) The term "higher education project" means, in the case of a private institution of higher education, an educational facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(q) The term "cultural institution project" means, in the case of a cultural institution, a cultural facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(r) The term "educational facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the instruction, feeding, recreation or housing of students, the conducting of research or other work of a private institution of higher education, the use by a private institution of higher education in connection with any educational, research or related or incidental activities then being or to be conducted by it, or any combination of the foregoing, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an academic facility, administrative facility, agricultural facility, assembly hall, athletic facility, auditorium, boating facility, campus, communication facility, computer facility, continuing education facility, classroom, dining hall, dormitory, exhibition hall, fire fighting facility, fire prevention facility, food service and preparation facility, gymnasium, greenhouse, health care facility, hospital, housing, instructional facility, laboratory, library, maintenance facility, medical facility, museum, offices, parking area, physical education facility, recreational facility, research facility, stadium, storage facility, student union, study facility, theatre or utility.

(s) The term "cultural facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before the effective date of this Act.

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or after the effective date of this Act, which is or will be, in whole or in part, suitable for the particular purposes or needs of a cultural institution, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an administrative facility, aquarium, assembly hall, auditorium, botanical garden, exhibition hall, gallery, greenhouse, library, museum, scientific laboratory, theater or zoological facility, and shall also include, without limitation, books, works of art or music, animal, plant or aquatic life or other items for display, exhibition or performance. The term "cultural facility" includes buildings on the National Register of Historic Places which are owned or operated by nonprofit entities.

(t) "Private institution of higher education" means a not-for-profit educational institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which is authorized by law to provide a program of education beyond the high school level and which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Provides an educational program for which it awards a bachelor's degree, or provides an educational program, admission into which is conditioned upon the prior attainment of a bachelor's degree or its equivalent, for which it awards a postgraduate degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(3) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than 3 institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, and holds an unrevoked certificate of approval under the Private College Act from the Board of Higher Education, or is qualified as a "degree granting institution" under the Academic Degree Act; and

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(4) Does not discriminate in the admission of students on the basis of race or color. "Private institution of higher education" also includes any "academic institution".

(u) The term "academic institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in, or facilitates academic, scientific, educational or professional research or learning in a field or fields of study taught at a private institution of higher education. Academic institutions include, without limitation, libraries, archives, academic, scientific, educational or professional societies, institutions, associations or foundations having such purposes.

(v) The term "cultural institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in the cultural, intellectual, scientific, educational or artistic enrichment of the people of the State. Cultural institutions include, without limitation, aquaria, botanical societies, historical societies, libraries, museums, performing arts associations or societies, scientific societies and zoological societies.

(w) The term "affiliate" means, with respect to financing of an agricultural facility or an agribusiness, any lender, any person, firm or corporation controlled by, or under common control with, such lender, and any person, firm or corporation controlling such lender.

(x) The term "agricultural facility" means land, any building or other improvement thereon or thereto, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the treating, processing or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming and which land, building, improvement or personal property is located within the State, or is located outside the State, provided, that if such property is located outside the State, it must be owned, operated, leased, or managed by an entity located within the State or an entity affiliated with an entity located within the State.

(y) The term "lender" with respect to financing of an agricultural facility or an agribusiness, means any federal or State chartered bank, Federal Land Bank, Production Credit Association, Bank for Cooperatives,
federal or State chartered savings and loan association or building and loan association, Small Business Investment Company or any other institution qualified within this State to originate and service loans, including, but without limitation to, insurance companies, credit unions and mortgage loan companies. "Lender" also means a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

(z) The term "agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation or cooperative which operates or will operate a facility located within the State or outside the State, provided, that if any facility is located outside the State, it must be owned, operated, leased, or managed by an entity located within the State or an entity affiliated with an entity located within the State, of Illinois that is related to the processing of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the manufacturing, production or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. Agribusiness includes but is not limited to the following:

1. grain handling and processing, including grain storage, drying, treatment, conditioning, mailing and packaging;
2. seed and feed grain development and processing;
3. fruit and vegetable processing, including preparation, canning and packaging;
4. processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning and packaging;
5. fertilizer and agricultural chemical manufacturing, processing, application and supplying;
6. farm machinery, equipment and implement manufacturing and supplying;
7. manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning or packaging of agricultural commodities;
8. farm building and farm structure manufacturing, construction and supplying;

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(9) construction, manufacturing, implementation, supplying or servicing of irrigation, drainage and soil and water conservation devices or equipment;

(10) fuel processing and development facilities that produce fuel from agricultural commodities or byproducts;

(11) facilities and equipment for processing and packaging agricultural commodities specifically for export;

(12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture or other goods from forestry products;

(13) facilities and equipment for research and development of products, processes and equipment for the production, processing, preparation or packaging of agricultural commodities and byproducts.

(aa) The term "asset" with respect to financing of any agricultural facility or any agribusiness, means, but is not limited to the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interests in trusts; government payments or grants; and any other assets.

(bb) The term "liability" with respect to financing of any agricultural facility or any agribusiness shall include, but not be limited to the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

(cc) The term "Predecessor Authorities" means those authorities as described in Section 845-75.

(dd) The term "housing project" means a specific work or improvement located within the State or outside the State and undertaken to provide residential dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are part of the housing project, including land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement

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homes, hotels, financial institutions, service, health care, education, recreation or research establishments, or any other commercial purpose which are or are to be related to a housing development, provided that any work or improvement located outside the State is owned, operated, leased or managed by an entity located within the State, or any entity affiliated with an entity located within the State.

(ee) The term "conservation project" means any project including the acquisition, construction, rehabilitation, maintenance, operation, or upgrade that is intended to create or expand open space or to reduce energy usage through efficiency measures. For the purpose of this definition, "open space" has the definition set forth under Section 10 of the Illinois Open Land Trust Act.

(ff) The term "significant presence" means the existence within the State of the national or regional headquarters of an entity or group or such other facility of an entity or group of entities where a significant amount of the business functions are performed for such entity or group of entities.

(gg) The term "municipal bond issuer" means the State or any other state or commonwealth of the United States, or any unit of local government, school district, agency or instrumentality, office, department, division, bureau, commission, college or university thereof located in the State or any other state or commonwealth of the United States.

(hh) The term "municipal bond program project" means a program for the funding of the purchase of bonds, notes or other obligations issued by or on behalf of a municipal bond issuer.

(Source: P.A. 96-339, eff. 7-1-10; 96-1021, eff. 7-12-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(20 ILCS 3501/801-55)

Sec. 801-55. Required findings for projects located outside the State. The Authority may approve an application to finance or refinance a project located outside of the State other than a municipal bond program project only after it has made the following findings with respect to such financing or refinancing, all of which shall be deemed conclusive:

(a) the entity financing or refinancing a project located outside the State, or an affiliate thereof, is also engaged in the financing or refinancing of a project located within the State or, alternately, the entity seeking the financing or refinancing, or an affiliate thereof, maintains a significant presence within the State;

(b) financing or refinancing the out-of-state project would promote the economy of the State for the benefit of the health,
welfare, safety, trade, commerce, industry and economy of the people of the State by creating employment opportunities in the State or lowering the cost of accessing housing, healthcare, private education, or cultural institutions or undertaking industrial projects, housing projects, higher education projects, health facility projects, cultural institution projects, conservation projects, energy efficiency projects, agricultural facilities or agribusiness in the State by reducing the cost of financing, refinancing or operating projects; and

(c) after giving effect to the financing or refinancing of the out-of-state project, the Authority shall have the ability to issue at least an additional $1,000,000,000 of bonds under Section 845-5(a) of this Act.

The Authority may approve an application to finance or refinance a municipal bond program project located outside of the State only after it has made the following findings with respect to such financing or refinancing, all of which shall be deemed conclusive:

(1) the municipal bond program project includes the purchase of bonds, notes, or obligations issued by or on behalf of the State or any agency, instrumentality, office, department, division, bureau, or commission thereof, or any unit of local government, school district, college, or university of the State; and

(2) financing or refinancing the municipal bond program project would promote the economy of the State for the benefit of the health, welfare, safety, trade, commerce, industry, and economy of the people of the State by reducing the cost of borrowing to the State or such agency, instrumentality, office, department, division, bureau, commission, unit of local government, school district, college, or university.

The Authority shall not provide financing or refinancing for any project, or portion thereof, located outside the boundaries of the United States of America.

Notwithstanding any other provision of this Act, the Authority shall not provide financing or refinancing that uses State volume cap under Section 146 of the Internal Revenue Code of 1986, as amended, except as permitted under that Section 146, or constitutes an indebtedness or obligation, general or moral, or a pledge of the full faith or loan of credit of the State for any project, or portion thereof, that is located outside of the State.

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(Source: P.A. 96-1021, eff. 7-12-10.)

(20 ILCS 3501/825-12)

Sec. 825-12. Conservation projects.

(a) The Authority may develop a program to provide low-interest loans and other financing to individuals, business entities, private organizations, and units of local government for conservation projects within the United States, provided that, if the conservation project is located outside of the State, it is owned, operated, leased or managed by an entity located within the State or any entity affiliated with an entity located within the State in the State of Illinois.

(b) Projects under this Section may include, without limitation, the acquisition of land for open-space projects, preservation or recreation measures for open spaces, and energy conservation or efficiency projects that are intended to reduce energy usage and costs.

(c) The Authority, in cooperation with the Department of Natural Resources and the Department of Commerce and Economic Opportunity, may adopt any rules necessary for the administration of this Section. The Authority must include any information concerning the program under this Section on its Internet website.

(Source: P.A. 95-697, eff. 11-6-07.)

(20 ILCS 3501/825-65)


(a) Findings and declaration of policy.

(i) It is hereby found and declared that Illinois has abundant coal resources and, in some areas of Illinois, the demand for power exceeds the generating capacity. Incentives to encourage the construction of coal-fueled electric generating plants in Illinois to ensure power generating capacity into the future and to advance clean coal technology and the use of Illinois coal are in the best interests of all of the citizens of Illinois.

(ii) It is further found and declared that Illinois has abundant potential and resources to develop renewable energy resource projects and that there are many opportunities to invest in cost-effective energy efficiency projects throughout the State. The development of those projects will create jobs and investment as well as decrease environmental impacts and promote energy independence in Illinois. Accordingly, the development of those projects is in the best interests of all of the citizens of Illinois.

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(iii) The Authority is authorized to issue bonds to help finance Clean Coal, Coal, Energy Efficiency, and Renewable Energy projects pursuant to this Section.

(b) Definitions.

(i) "Clean Coal Project" means (A) "clean coal facility", as defined in Section 1-10 of the Illinois Power Agency Act; (B) "clean coal SNG facility", as defined in Section 1-10 of the Illinois Power Agency Act; (C) transmission lines and associated equipment that transfer electricity from points of supply to points of delivery for projects described in this subsection (b); (D) pipelines or other methods to transfer carbon dioxide from the point of production to the point of storage or sequestration for projects described in this subsection (b); or (E) projects to provide carbon abatement technology for existing generating facilities.

(ii) "Coal Project" means new electric generating facilities or new gasification facilities, as defined in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, which may include mine-mouth power plants, projects that employ the use of clean coal technology, projects to provide scrubber technology for existing energy generating plants, or projects to provide electric transmission facilities or new gasification facilities.

(iii) "Energy Efficiency Project" means measures that reduce the amount of electricity or natural gas required to achieve a given end use, consistent with Section 1-10 of the Illinois Power Agency Act. "Energy Efficiency Project" also includes measures that reduce the total Btus of electricity and natural gas needed to meet the end use or uses consistent with Section 1-10 of the Illinois Power Agency Act.

(iv) "Renewable Energy Project" means (A) a project that uses renewable energy resources, as defined in Section 1-10 of the Illinois Power Agency Act; (B) a project that uses environmentally preferable technologies and practices that result in improvements to the production of renewable fuels, including but not limited to, cellulosic conversion, water and energy conservation, fractionation, alternative feedstocks, or reduced greenhouse gas emissions; (C) transmission lines and associated equipment that transfer electricity from points of supply to points of delivery for projects described in this subsection (b); or (D) projects that use technology for the

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storage of renewable energy, including, without limitation, the use
of battery or electrochemical storage technology for mobile or
stationary applications.

(c) Creation of reserve funds. The Authority may establish and
maintain one or more reserve funds to enhance bonds issued by the
Authority for a Clean Coal Project, a Coal Project, an Energy Efficiency
Project, or a Renewable Energy Project. There may be one or more
accounts in these reserve funds in which there may be deposited:

(1) any proceeds of the bonds issued by the Authority
required to be deposited therein by the terms of any contract
between the Authority and its bondholders or any resolution of the
Authority;

(2) any other moneys or funds of the Authority that it may
determine to deposit therein from any other source; and

(3) any other moneys or funds made available to the
Authority. Subject to the terms of any pledge to the owners of any
bonds, moneys in any reserve fund may be held and applied to the
payment of principal, premium, if any, and interest of such bonds.

(d) Powers and duties. The Authority has the power:

(1) To issue bonds in one or more series pursuant to one or
more resolutions of the Authority for any Clean Coal Project, Coal
Project, Energy Efficiency Project, or Renewable Energy Project
authorized under this Section, within the authorization set forth in
subsection (e).

(2) To provide for the funding of any reserves or other
funds or accounts deemed necessary by the Authority in connection
with any bonds issued by the Authority.

(3) To pledge any funds of the Authority or funds made
available to the Authority that may be applied to such purpose as
security for any bonds or any guarantees, letters of credit, insurance
contracts or similar credit support or liquidity instruments securing
the bonds.

(4) To enter into agreements or contracts with third parties,
whether public or private, including, without limitation, the United
States of America, the State or any department or agency thereof,
to obtain any appropriations, grants, loans or guarantees that are
deemed necessary or desirable by the Authority. Any such
guarantee, agreement or contract may contain terms and provisions

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necessary or desirable in connection with the program, subject to
the requirements established by the Act.

(5) To exercise such other powers as are necessary or
incidental to the foregoing.

(e) Clean Coal Project, Coal Project, Energy Efficiency Project,
and Renewable Energy Project bond authorization and financing limits. In
addition to any other bonds authorized to be issued under Sections 801-
40(w), 825-60, 830-25 and 845-5, the Authority may have outstanding, at
any time, bonds for the purpose enumerated in this Section 825-65 in an
aggregate principal amount that shall not exceed $3,000,000,000, subject
to the following limitations: (i) up to $300,000,000 may be issued to
finance projects, as described in clause (C) of subsection (b)(i) and clause
(C) of subsection (b)(iv) of this Section 825-65; (ii) up to $500,000,000
may be issued to finance projects, as described in clauses (D) and (E) of
subsection (b)(i) of this Section 825-65; (iii) up to $2,000,000,000 may be
issued to finance Clean Coal Projects, as described in clauses (A) and (B)
of subsection (b)(i) of this Section 825-65 and Coal Projects, as described
in subsection (b)(ii) of this Section 825-65; and (iv) up to $2,000,000,000
may be issued to finance Energy Efficiency Projects, as described in
subsection (b)(iii) of this Section 825-65 and Renewable Energy Projects,
as described in clauses (A), (B), and (D) of subsection (b)(iii) of this
Section 825-65. An application for a loan financed from bond proceeds
from a borrower or its affiliates for a Clean Coal Project, a Coal Project,
Energy Efficiency Project, or a Renewable Energy Project may not be
approved by the Authority for an amount in excess of $450,000,000 for
any borrower or its affiliates. A Clean Coal Project or Coal Project must
be located within the State. An Energy Efficiency Project may be located
within the State or outside the State, provided that, if the Energy Efficiency
Project is located outside of the State, it must be owned, operated, leased,
or managed by an entity located within the State or any entity affiliated
with an entity located within the State. These bonds shall not constitute an
indebtedness or obligation of the State of Illinois and it shall be plainly
stated on the face of each bond that it does not constitute an indebtedness
or obligation of the State of Illinois, but is payable solely from the
revenues, income or other assets of the Authority pledged therefor.

(f) The bonding authority granted under this Section is in addition
to and not limited by the provisions of Section 845-5.
(Source: P.A. 95-470, eff. 8-27-07; 96-103, eff. 1-1-10; 96-817, eff. 1-1-
10.)
(20 ILCS 3501/825-95)

Sec. 825-95. Emerald ash borer revolving loan program.

(a) The Illinois Finance Authority may shall administer an emerald ash borer revolving loan program. The program shall provide low-interest or zero-interest loans to units of local government for the treatment of standing trees and replanting of trees on public lands that are within emerald ash borer quarantine areas as established by the Illinois Department of Agriculture. The Authority may shall make loans based on the recommendation of the Department of Agriculture. For the purposes of this Section, "treatment" means the administration, by environmentally sensitive processes and methods, of products and materials proven by academic research to protect ash trees from the invasive Emerald Ash Borer in order to prevent or reverse the damage and preserve the trees.

(b) The loan funds, subject to appropriation, must be paid out of the Emerald Ash Borer Revolving Loan Fund, a special fund created in the State treasury. The moneys in the Fund consist of any moneys transferred or appropriated into the Fund as well as all repayments of loans made under this program. Moneys in the Fund may be used only for loans to units of local government for the treatment of standing trees and replanting of trees within emerald ash borer quarantine areas established by the Department of Agriculture and for no other purpose. All interest earned on moneys in the Fund must be deposited into the Fund.

(c) A loan for the treatment of standing trees and replanting of trees on public lands within emerald ash borer quarantine areas established by the Department of Agriculture may not exceed $5,000,000 to any one unit of local government. The repayment period for the loan may not exceed 20 years. The unit of local government shall repay, each year, at least 5% of the principal amount borrowed or the remaining balance of the loan, whichever is less. All repayments of loans must be deposited into the Emerald Ash Borer Revolving Loan Fund.

(d) Any loan under this Section to a unit of local government may not exceed the moneys that the unit of local government expends or dedicates for the reforestation project for which the loan is made.

(e) The Department of Agriculture may enter into agreements with a unit of local government under which the unit of local government is authorized to assist the Department in carrying out its duties in a quarantined area, including inspection and eradication of any dangerous insect or dangerous plant disease, and including the transportation, processing, and disposal of diseased material. The Department is

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authorized to provide compensation or financial assistance to the unit of local government for its costs.

(f) The Authority, with the assistance of the Department of Agriculture and the Department of Natural Resources, shall adopt rules to administer the program under this Section.

(Source: P.A. 95-588, eff. 9-4-07; 95-876, eff. 8-21-08.)

(20 ILCS 3501/825-110)

Sec. 825-110. Implementation of ARRA provisions regarding qualified energy conservation bonds.

(a) Definitions.

(i) "Affected local government" means any county or municipality within the State if the county or municipality has a population of 100,000 or more, as defined in Section 54D(c)(2)(C) of the Code.

(ii) "Allocation amount" means the $133,846,000 amount of qualified energy conservation bonds authorized under ARRA for the financing of qualifying projects located within the State and the sub-allocation of those amounts among each affected local government.

(iii) "ARRA" means, collectively, the American Recovery and Reinvestment Act of 2009, including, without limitation, Section 54D of the Code; the guidance provided by the Internal Revenue Service applicable to qualified energy conservation bonds; and any legislation subsequently adopted by the United States Congress to extend or expand the economic development bond financing incentives authorized by ARRA.

(iv) "ARRA implementing regulations" means the regulations promulgated by the Authority as further described in subdivision (c)(iv) of this Section to implement the provisions of this Section.

(v) "Code" means the Internal Revenue Code of 1986, as amended.

(vi) "Qualified energy conservation bond" means any qualified energy conservation bond issued pursuant to Section 54D of the Code.

(vii) "Qualified energy conservation bond allocation" means an allocation of authority to issue qualified energy conservation bonds granted pursuant to Section 54D of the Code.

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(ix) "Sub-allocation" means the portion of the allocation amount allocated to each affected local government.

(x) "Waived qualified energy conservation bond allocation" means the amount of the qualified energy conservation bond allocation that an affected local government elects to reallocate to the State pursuant to Section 54D(e)(2)(B) of the Code.

(xi) "Waiver agreement" means an agreement between the Authority and an affected local government providing for the reallocation, in whole or in part, of that affected local government's sub-allocation to the Authority. The waiver agreement may provide for the payment of an affected local government's reasonable fees and costs as determined by the Authority in connection with the affected local government's reallocation of its sub-allocation.

(b) Findings.

It is found and declared that:

(i) it is in the public interest and for the benefit of the State to maximize the use of economic development incentives authorized by ARRA;

(ii) those incentives include the maximum use of the allocation amount for the issuance of qualified energy conservation bonds to promote energy conservation under the applicable provisions of ARRA; and

(iii) those incentives also include the issuance by the Authority of qualified energy conservation bonds for the purposes of financing qualifying projects to be financed with proceeds of qualified energy conservation bonds.

(c) Powers of Authority.
(i) In order to carry out the provisions of ARRA and further the purposes of this Section, the Authority has:

(A) the power to receive from any affected local government its sub-allocation that it voluntarily waives to the Authority, in whole or in part, for allocation by the Authority to a regional authority specifically designated by that affected local government, and the Authority shall reallocate that waived qualified energy conservation bond allocation to the regional authority specifically designated by that affected local government; provided that (1) the affected local government must take official action by resolution or ordinance, as applicable, to waive the sub-allocation to the Authority and specifically designate that its waived qualified energy conservation bond allocation should be reallocated to a regional authority; (2) the regional authority must use the sub-allocation to issue qualified energy conservation bonds on or before August 16, 2010 and, if qualified energy conservation bonds are not issued on or before August 16, 2010, the sub-allocation shall be deemed waived to the Authority for reallocation by the Authority to qualifying projects; and (3) the proceeds of the qualified energy conservation bonds must be used for qualifying projects within the jurisdiction of the applicable regional authority;

(B) at the Authority's sole discretion, the power to reallocate any sub-allocation deemed waived to the Authority pursuant to subsection (c)(i)(A)(2) back to the Regional Authority that had the sub-allocation;

(C) the power to enter into waiver agreements with affected local governments to provide for the reallocation, in whole or in part, of their sub-allocations, to receive waived qualified energy conservation bond allocations from those affected local governments, and to use those waived qualified energy conservation bond allocations, in whole or in part, to issue qualified energy conservation bonds of the Authority for qualifying projects or to reallocate those qualified energy conservation bond allocations, in whole or in part, to a county or municipality to issue its own energy conservation bonds for qualifying projects; and

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(D) the power to issue qualified energy conservation bonds for any project authorized to be financed with proceeds thereof under the applicable provisions of ARRA.

(ii) In addition to the powers set forth in item (i), the Authority shall be the sole recipient, on behalf of the State, of any waived qualified energy conservation bond allocations. Qualified energy conservation bond allocations can be reallocated to the Authority only by voluntary waiver as provided in this Section.

(iii) In addition to the powers set forth in items (i) and (ii), the Authority has any powers otherwise enjoyed by the Authority in connection with the issuance of its bonds if those powers are not in conflict with any provisions with respect to qualified energy conservation bonds set forth in ARRA.

(iv) The Authority has the power to adopt regulations providing for the implementation of any of the provisions contained in this Section, including the provisions regarding waiver agreements and reallocation of all or any portion of the allocation amount and sub-allocations and the issuance of qualified energy conservation bonds; except that those regulations shall not (1) provide any waiver or reallocation of an affected local government's sub-allocation other than a voluntary waiver as described in subsection (c) or (2) be inconsistent with the provisions of subsection (c)(i). Regulations adopted by the Authority for determining reallocation of all or any portion of a waived qualified energy conservation allocation may include, but are not limited to, (1) the ability of the county or municipality to issue qualified energy conservation bonds by the end of a given calendar year, (2) the amount of jobs that will be retained or created, or both, by the qualifying project to be financed by qualified energy conservation bonds, and (3) the geographical proximity of the qualifying project to be financed by qualified energy conservation bonds to a municipality or county that reallocated its sub-allocation to the Authority.

(d) Established dates for notice.

Any affected local government or regional authority that has issued qualified energy conservation bonds on or before the effective date of this Section must report its issuance of qualified energy conservation bonds to the Authority within 30 days after the effective date of this Section. After the effective date of this Section, any affected local government or any

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regional authority must report its issuance of qualified energy conservation bonds to the Authority not less than 30 days after those bonds are issued.

(e) Reports to the General Assembly.

Starting 60 days after the effective date of this Section and ending when there is no longer any allocation amount, the Authority shall file a report before the end of the 15th day of each fiscal year with the General Assembly detailing its implementation of this Section, including but not limited to the dollar amount of the allocation amount that has been reallocated by the Authority pursuant to this Section, the qualified energy conservation bonds issued in the State as of the date of the report, and descriptions of the qualifying projects financed by those qualified energy conservation bonds.

(Source: P.A. 96-1020, eff. 7-12-10.)

(20 ILCS 3501/830-10)

Sec. 830-10. (a) The Authority may establish a Farm Debt Relief Program to help provide eligible Illinois farmers with State assistance in meeting their farming-related debts.

(b) To be eligible for the program, a person must (1) be actively engaged in farming in this State, (2) have farming-related debts in an amount equal to at least 55% of the person's total assets, and (3) demonstrate that he can secure credit from a conventional lender for the 1986 crop year.

(c) An eligible person may apply to the Authority, in such manner as the Authority may specify, for a one-time farm debt relief payment of up to 2% of the person's outstanding farming-related debt. If the Authority determines that the applicant is eligible for a payment under this Section, it may then approve a payment to the applicant. Such payment shall consist of a payment made by the Authority directly to one or more of the applicant's farming-related creditors, to be applied to the reduction of the applicant's farming-related debt. The applicant shall be entitled to select the creditor or creditors to receive the payment, unless the applicant is subject to the jurisdiction of a bankruptcy court, in which case the selection of the court shall control.

(d) Payments shall be made from the Farm Emergency Assistance Fund, which is hereby established as a special fund in the State treasury, from funds appropriated to the Authority for that purpose. No grant may exceed the lesser of (1) 2% of the applicant's outstanding farm-related debt, or (2) $2000. Not more than one grant under this Section may be

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made to any one person, or to any one household, or to any single farming operation.

(e) Payments to applicants having farming-related debts in an amount equal to at least 55% of the person's total assets, but less than 70%, shall be repaid by the applicant to the Authority for deposit into the Farm Emergency Assistance Fund within five years from the date the payment was made. Repayment shall be made in equal installments during the five-year period with no additional interest charge and may be prepaid in whole or in part at any time. Applicants having farming-related debts in an amount equal to at least 70% of the person's total assets shall not be required to make any repayment. Assets shall include, but not be limited to, the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interests in trusts; government payments or grants; and any other assets. Debts shall include, but not be limited to, the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

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

(20 ILCS 3501/830-15)
Sec. 830-15. Interest-buy-back program.
(a) The Authority may establish an interest-buy-back program to subsidize the interest cost on certain loans to Illinois farmers.

(b) To be eligible an applicant must (i) be a resident of Illinois; (ii) be a principal operator of a farm or land; (iii) derive at least 50% of annual gross income from farming; and (iv) have a net worth of at least $10,000. The Authority shall establish minimum and maximum financial requirements, maximum payment amounts, starting and ending dates for the program, and other criteria.

(c) Lenders may apply on behalf of eligible applicants on forms provided by the Authority. Lenders may submit requests for payment on forms provided by the Authority. Lenders and applicants shall be responsible for any fees or charges the Authority may require.

(d) The Authority shall make payments to lenders from available appropriations from the General Revenue Fund.

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Section 10. The Illinois Environmental Facilities Financing Act is amended by changing Sections 2 and 3 and by adding Section 7.5 as follows:

(20 ILCS 3515/2) (from Ch. 127, par. 722)

Sec. 2. Declaration of necessity and purpose - Liberal construction.

(a) The General Assembly finds:

(i) that environmental damage seriously endangers the public health and welfare;

(ii) that such environmental damage results from air, water, and other resource pollution and from public water supply, solid waste disposal, noise, surface mining and other environmental problems;

(iii) that to reduce, control and prevent such pollution and problems, quality and land reclamation standards have been established necessitating the employment of anti-pollution and reclamation devices, equipment and facilities and stringent time schedules have been and will be imposed for compliance with such standards;

(iv) that it is desirable to provide additional and alternative methods of financing the costs of the acquisition and installation of the devices, equipment and facilities required to comply with the quality and land reclamation standards;

(v) that the alternative method of financing provided in this Act is therefore in the public interest and serves a public purpose in protecting and promoting the health and welfare of the citizens of this state by reducing, controlling and preventing environmental damage;

(vi) that it is desirable to promote the use of Illinois coal in a manner that is consistent with air quality and land reclamation standards; and

(vii) that it is desirable to promote the use of alternative methods for managing hazardous wastes and to provide additional and alternative methods of financing the costs of establishing the recycling, incineration, physical, chemical and biological treatment, and other facilities necessary to meet the requirements of the Environmental Protection Act; and

(viii) that the environmental damage and pollution that occurs within this State often results from sources in other states, and that providing financing alternatives for environmental facilities that are located outside the State that are owned, operated, leased, managed by, or otherwise affiliated with, institutions located within the State can reduce, control, or prevent environmental damage and pollution within this State.

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(b) It is the purpose of this Act, as more specifically described in later sections, to authorize the State authority to acquire, construct, reconstruct, repair, alter, improve, extend, own, finance, lease, sell and otherwise dispose of pollution control and surface mined land reclamation facilities to the end that the State authority may be able to promote the health and welfare of the people of this State and to vest such State authority with all powers to enable such State authority to accomplish such purpose; it is not intended by this Act that the State authority shall itself be authorized to operate any such pollution control, hazardous waste treatment or surface mined land reclamation facilities; nor shall any such facilities be geographically located outside the State of Illinois, except as otherwise provided in this Act. It is the intent of the General Assembly that access to the benefits of the financing herein provided for shall be equally available to all persons.

(c) It is the intent of the General Assembly that the State authority shall give special consideration to small businesses as defined in paragraph (i) of Section 3 of this Act in authorizing the issuance of bonds for the financing of pollution control or hazardous waste treatment facilities in order to assist small businesses in surviving the economic burdens imposed by the required financing of such facilities.

(d) Notwithstanding paragraph (b) of this Section, it is the intent of the General Assembly that with respect to applications involving environmental facilities for new coal-fired electric steam generating plants and new coal-fired industrial boilers as defined in paragraph (j) of Section 3 of this Act, the State authority shall only finance such facilities where Illinois coal will be used as the primary source of fuel. The Authority shall impose appropriate financial penalties on any person who receives financing from the State Authority for environmental facilities based on a commitment to use Illinois coal as the primary source of fuel at a new coal-fired electric utility steam generating plant or new coal-fired industrial boiler and later uses a non-Illinois coal as the primary source of fuel.

(e) It is the intent of the General Assembly that the Authority give special consideration to projects which involve a reduction in volume of hazardous waste products generated, or the recycling, re-use, reclamation, or treatment of hazardous waste.

(f) This Act shall be liberally construed to accomplish the intentions expressed herein.

(Source: P.A. 83-1362; 83-1442.)

New matter indicated in italics - deletions by strikeout
Sec. 3. Definitions. In this Act, unless the context otherwise clearly requires, the terms used herein shall have the meanings ascribed to them as follows:

(a) "Bonds" means any bonds, notes, debentures, temporary, interim or permanent certificates of indebtedness or other obligations evidencing indebtedness.

(b) "Directing body" means the members of the State authority.

(c) "Environmental facility" or "facilities" means any land, interest in land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment or any combination thereof, and all real and personal property deemed necessary therewith, having to do with or the primary purpose of which is, reducing, controlling or preventing pollution, or reclaiming surface mined land. Environmental facilities may be located anywhere in this State and may include those facilities or processes used to (i) remove potential pollutants from coal prior to combustion, (ii) reduce the volume or composition of hazardous waste by changing or replacing manufacturing equipment or processes, (iii) recycle hazardous waste, or (iv) recover resources from hazardous waste. Environmental facilities may also include (i) solar collectors, solar storage mechanisms and solar energy systems, as defined in Section 10-5 of the Property Tax Code; (ii) facilities designed to collect, store, transfer, or distribute, for residential, commercial or industrial use, heat energy which is a by-product of industrial or energy generation processes and which would otherwise be wasted; (iii) facilities designed to remove pollutants from emissions that result from the combustion of coal; and (iv) facilities for the combustion of coal in a fluidized bed boiler. Environmental facilities may be located outside of the State, provided that the environmental facility must either (i) be owned, operated, leased, or managed by an entity located within the State or an entity affiliated with an entity located within the State or (ii) substantially reduce, control, and prevent the environmental damage and pollution within the State. Environmental facilities include landfill gas recovery facilities, as defined in the Illinois Environmental Protection Act.

Environmental facilities do not include any land, interest in land, buildings, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment or any combination thereof, and all real and personal property deemed necessary therewith, having to do with a hazardous waste disposal site, except where such land, interest in land,
buildings, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, real or personal property are used for the management or recovery of gas generated by a hazardous waste disposal site or are used for recycling, reclamation, tank storage or treatment in tanks which occurs on the same site as a hazardous waste disposal site.

(d) "Finance" or "financing" means the issuing of revenue bonds pursuant to Section 9 of this Act by the State authority for the purpose of using the proceeds to pay project costs for an environmental or hazardous waste treatment facility including one in or to which title at all times remains in a person other than the State authority, in which case the bonds of the Authority are secured by a pledge of one or more notes, debentures, bonds or other obligations, secured or unsecured, of any person.

(e) "Person" means any individual, partnership, copartnership, firm, company, corporation (including public utilities), association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

(f) "Pollution" means any form of environmental pollution including, but not limited to, water pollution, air pollution, land pollution, solid waste pollution, thermal pollution, radiation contamination, or noise pollution as determined by the various standards prescribed by this state or the federal government and including but not limited to, anything which is considered as pollution or environmental damage in the Environmental Protection Act, approved June 29, 1970, as now or hereafter amended.

(g) "Project costs" as applied to environmental or hazardous waste treatment facilities financed under this Act means and includes the sum total of all reasonable or necessary costs incidental to the acquisition, construction, reconstruction, repair, alteration, improvement and extension of such environmental or hazardous waste treatment facilities including without limitation the cost of studies and surveys; plans, specifications, architectural and engineering services; legal, organization, marketing or other special services; financing, acquisition, demolition, construction, equipment and site development of new and rehabilitated buildings; rehabilitation, reconstruction, repair or remodeling of existing buildings and all other necessary and incidental expenses including an initial bond and interest reserve together with interest on bonds issued to finance such environmental or hazardous waste treatment facilities to a date 6 months subsequent to the estimated date of completion.

(h) "State authority" or "authority" means the Illinois Finance Authority created by the Illinois Finance Authority Act.

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(i) "Small business" or "small businesses" means those commercial and manufacturing entities which at the time of their application to the authority meet those criteria, as interpreted and applied by the State authority, for definition as a "small business" established for the Small Business Administration and set forth as Section 121.3-10 of Part 121 of Title 13 of the Code of Federal Regulations as such Section is in effect on the effective date of this amendatory Act of 1975.

(j) "New coal-fired electric utility steam generating plants" and "new coal-fired industrial boilers" means those plants and boilers on which construction begins after the effective date of this amendatory Act of 1981.

(k) "Hazardous waste treatment facility" means any land, interest in land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, or any combination thereof, and all real and personal property deemed necessary therewith, the primary purpose of which is to recycle, incinerate, or physically, chemically, biologically or otherwise treat hazardous wastes, or to reduce the production of hazardous wastes by changing or replacing manufacturing equipment or processes, and which meets the requirements of the Environmental Protection Act and all regulations adopted thereunder.

(l) The term "significant presence" means the existence within the State of the national or regional headquarters of an entity or group or such other facility of an entity or group of entities where a significant amount of the business functions are performed for such entity or group of entities.

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

(20 ILCS 3515/7.5 new)

Sec. 7.5. Required findings for environmental facilities located outside the State. The State authority may approve an application to finance or refinance environmental facilities located outside of the State only after it has made either of the following findings with respect to such financing or refinancing, all of which shall be deemed conclusive:

(1) that all of the following conditions exist:

(A) the entity financing or refinancing an environmental facility located outside the State, or an affiliate thereof, is also engaged in the financing or refinancing of an environmental facility located within the State or, alternately, the entity seeking the financing or refinancing, or an affiliate thereof, maintains a significant presence within the State;

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(B) financing or refinancing the out-of-state environmental facility would promote the interests of the State for the benefit of the health, welfare, safety, trade, commerce, industry, and economy of the people of the State by reducing, controlling, or preventing environmental damage and pollution within the State or lowering the cost of environmental facilities within the State by reducing the cost of financing, refinancing, or operating environmental facilities; and

(C) after giving effect to the financing or refinancing of the out-of-state environmental facility, the State authority shall have the ability to issue at least an additional $250,000,000 in bonds under Section 9 of this Act; or

(2) that financing or refinancing the out-of-state environmental facility will substantially reduce, control, or prevent environmental damage within the State.

The State authority shall not provide financing or refinancing for any project, or portion thereof, located outside the boundaries of the United States of America.

Notwithstanding any other provision of this Act, the Authority shall not provide financing or refinancing that uses State volume cap under Section 146 of the Internal Revenue Code of 1986, as amended, except as permitted under said Section 146, or constitutes an indebtedness or obligation, general or moral, or a pledge of the full faith or loan of credit of the State for any project, or portion thereof, that is located outside of the State.

Section 13. The Illinois Power Agency Act is amended by changing Section 1-10 as follows:

(20 ILCS 3855/1-10)
Sec. 1-10. Definitions.
"Agency" means the Illinois Power Agency.

"Agency loan agreement" means any agreement pursuant to which the Illinois Finance Authority agrees to loan the proceeds of revenue bonds issued with respect to a project to the Agency upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on those revenue bonds, and providing for maintenance, insurance, and other matters in respect of the project.

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"Authority" means the Illinois Finance Authority.

"Clean coal facility" means an electric generating facility that uses primarily coal as a feedstock and that captures and sequesters carbon dioxide emissions at the following levels: at least 50% of the total carbon dioxide emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation before 2016, at least 70% of the total carbon dioxide emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation during 2016 or 2017, and at least 90% of the total carbon dioxide emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation after 2017. The power block of the clean coal facility shall not exceed allowable emission rates for sulfur dioxide, nitrogen oxides, carbon monoxide, particulates and mercury for a natural gas-fired combined-cycle facility the same size as and in the same location as the clean coal facility at the time the clean coal facility obtains an approved air permit. All coal used by a clean coal facility shall have high volatile bituminous rank and greater than 1.7 pounds of sulfur per million Btu content, unless the clean coal facility does not use gasification technology and was operating as a conventional coal-fired electric generating facility on June 1, 2009 (the effective date of Public Act 95-1027).

"Clean coal SNG brownfield facility" means a facility that (1) has commenced construction by July 1, 2015 on an urban brownfield site in a municipality with at least 1,000,000 residents; (2) uses a gasification process to produce substitute natural gas; (3) uses coal as at least 50% of the total feedstock over the term of any sourcing agreement with a utility and the remainder of the feedstock may be either petroleum coke or coal, with all such coal having a high bituminous rank and greater than 1.7 pounds of sulfur per million Btu content unless the facility reasonably determines that it is necessary to use additional petroleum coke to deliver additional consumer savings, in which case the facility shall use coal for at least 35% of the total feedstock over the term of any sourcing agreement; and (4) captures and sequesters at least 85% of the total carbon dioxide emissions that the facility would otherwise emit.

"Clean coal SNG facility" means a facility that uses a gasification process to produce substitute natural gas, that sequesters at least 90% of the total carbon dioxide emissions that the facility would otherwise emit, that uses at least 90% coal as a feedstock, with all such coal having a high volatile bituminous rank and greater than 1.7 pounds of sulfur per million Btu content unless the facility reasonably determines that it is necessary to use additional petroleum coke to deliver additional consumer savings, in which case the facility shall use coal for at least 35% of the total feedstock over the term of any sourcing agreement; and (4) captures and sequesters at least 85% of the total carbon dioxide emissions that the facility would otherwise emit.

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bituminous rank and greater than 1.7 pounds of sulfur per million btu content, and that has a valid and effective permit to construct emission sources and air pollution control equipment and approval with respect to the federal regulations for Prevention of Significant Deterioration of Air Quality (PSD) for the plant pursuant to the federal Clean Air Act; provided, however, a clean coal SNG brownfield facility shall not be a clean coal SNG facility.

"Commission" means the Illinois Commerce Commission.

"Costs incurred in connection with the development and construction of a facility" means:

(1) the cost of acquisition of all real property, fixtures, and improvements in connection therewith and equipment, personal property, and other property, rights, and easements acquired that are deemed necessary for the operation and maintenance of the facility;

(2) financing costs with respect to bonds, notes, and other evidences of indebtedness of the Agency;

(3) all origination, commitment, utilization, facility, placement, underwriting, syndication, credit enhancement, and rating agency fees;

(4) engineering, design, procurement, consulting, legal, accounting, title insurance, survey, appraisal, escrow, trustee, collateral agency, interest rate hedging, interest rate swap, capitalized interest, contingency, as required by lenders, and other financing costs, and other expenses for professional services; and

(5) the costs of plans, specifications, site study and investigation, installation, surveys, other Agency costs and estimates of costs, and other expenses necessary or incidental to determining the feasibility of any project, together with such other expenses as may be necessary or incidental to the financing, insuring, acquisition, and construction of a specific project and starting up, commissioning, and placing that project in operation.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of the Illinois Power Agency.

"Demand-response" means measures that decrease peak electricity demand or shift demand from peak to off-peak periods.

"Distributed renewable energy generation device" means a device that is:

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(1) powered by wind, solar thermal energy, photovoltaic cells and panels, biodiesel, crops and untreated and unadulterated organic waste biomass, tree waste, and hydropower that does not involve new construction or significant expansion of hydropower dams;

(2) interconnected at the distribution system level of either an electric utility as defined in this Section, an alternative retail electric supplier as defined in Section 16-102 of the Public Utilities Act, a municipal utility as defined in Section 3-105 of the Public Utilities Act, or a rural electric cooperative as defined in Section 3-119 of the Public Utilities Act;

(3) located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load; and

(4) limited in nameplate capacity to no more than 2,000 kilowatts.

"Energy efficiency" means measures that reduce the amount of electricity or natural gas required to achieve a given end use. "Energy efficiency" also includes measures that reduce the total Btus of electricity and natural gas needed to meet the end use or uses.

"Electric utility" has the same definition as found in Section 16-102 of the Public Utilities Act.

"Facility" means an electric generating unit or a co-generating unit that produces electricity along with related equipment necessary to connect the facility to an electric transmission or distribution system.

"Governmental aggregator" means one or more units of local government that individually or collectively procure electricity to serve residential retail electrical loads located within its or their jurisdiction.

"Local government" means a unit of local government as defined in Section 1 of Article VII of the Illinois Constitution.

"Municipality" means a city, village, or incorporated town.

"Person" means any natural person, firm, partnership, corporation, either domestic or foreign, company, association, limited liability company, joint stock company, or association and includes any trustee, receiver, assignee, or personal representative thereof.

"Project" means the planning, bidding, and construction of a facility.

"Public utility" has the same definition as found in Section 3-105 of the Public Utilities Act.

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"Real property" means any interest in land together with all structures, fixtures, and improvements thereon, including lands under water and riparian rights, any easements, covenants, licenses, leases, rights-of-way, uses, and other interests, together with any liens, judgments, mortgages, or other claims or security interests related to real property.

"Renewable energy credit" means a tradable credit that represents the environmental attributes of a certain amount of energy produced from a renewable energy resource.

"Renewable energy resources" includes energy and its associated renewable energy credit or renewable energy credits from wind, solar thermal energy, photovoltaic cells and panels, biodiesel, anaerobic digestion, crops and untreated and unadulterated organic waste biomass, tree waste, hydropower that does not involve new construction or significant expansion of hydropower dams, and other alternative sources of environmentally preferable energy. For purposes of this Act, landfill gas produced in the State is considered a renewable energy resource.

"Renewable energy resources" does not include the incineration or burning of tires, garbage, general household, institutional, and commercial waste, industrial lunchroom or office waste, landscape waste other than tree waste, railroad crossties, utility poles, or construction or demolition debris, other than untreated and unadulterated waste wood.

"Revenue bond" means any bond, note, or other evidence of indebtedness issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Agency.

"Sequester" means permanent storage of carbon dioxide by injecting it into a saline aquifer, a depleted gas reservoir, or an oil reservoir, directly or through an enhanced oil recovery process that may involve intermediate storage, regardless of whether these activities are conducted by a clean coal facility, a clean coal SNG facility, a clean coal SNG brownfield facility, or a party with which a clean coal facility, clean coal SNG facility, or clean coal SNG brownfield facility has contracted for such purposes.

"Sourcing agreement" means (i) in the case of an electric utility, an agreement between the owner of a clean coal facility and such electric utility, which agreement shall have terms and conditions meeting the requirements of paragraph (3) of subsection (d) of Section 1-75, (ii) in the case of an alternative retail electric supplier, an agreement between the owner of a clean coal facility and such alternative retail electric supplier,
which agreement shall have terms and conditions meeting the requirements of Section 16-115(d)(5) of the Public Utilities Act, and (iii) in case of a gas utility, an agreement between the owner of a clean coal SNG brownfield facility and the gas utility, which agreement shall have the terms and conditions meeting the requirements of subsection (h-1) of Section 9-220 of the Public Utilities Act.

"Substitute natural gas" or "SNG" means a gas manufactured by gasification of hydrocarbon feedstock, which is substantially interchangeable in use and distribution with conventional natural gas.

"Total resource cost test" or "TRC test" means a standard that is met if, for an investment in energy efficiency or demand-response measures, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the total benefits of the program to the net present value of the total costs as calculated over the lifetime of the measures. A total resource cost test compares the sum of avoided electric utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided natural gas utility costs, to the sum of all incremental costs of end-use measures that are implemented due to the program (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side program, to quantify the net savings obtained by substituting the demand-side program for supply resources. In calculating avoided costs of power and energy that an electric utility would otherwise have had to acquire, reasonable estimates shall be included of financial costs likely to be imposed by future regulations and legislation on emissions of greenhouse gases.

(Source: P.A. 96-33, eff. 7-10-09; 96-159, eff. 8-10-09; 96-784, eff. 8-28-09; 96-1000, eff. 7-2-10; 97-96, eff. 7-13-11; 97-239, eff. 8-2-11; 97-491, eff. 8-22-11; 97-616, eff. 10-26-11; 97-813, eff. 7-13-12.)

Section 15. The Illinois Procurement Code is amended by changing Sections 1-10 and 53-25 as follows:

(30 ILCS 500/1-10)
Sec. 1-10. Application.

(a) This Code applies only to procurements for which contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including but not limited to any covenant

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entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care.

(4) Hiring of an individual as employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 7 days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

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(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts, donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) Contracts for legal, financial, and other professional and artistic services entered into on or before December 31, 2018 by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the Board of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the Board of the Illinois Finance Authority of the terms of the contract. Notwithstanding any other provision of law, contracts entered into under item (12) of this subsection (b) shall be published in the Procurement Bulletin within 14 days after contract execution. The chief procurement officer shall prescribe the form and content of the notice. The Illinois Finance Authority shall provide the chief procurement officer, on a monthly basis, in the form and content prescribed by the chief procurement officer, a report of contracts that are related to the procurement of goods and services identified in item (12) of this subsection (b). At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of each of these contracts shall be made available to the chief procurement officer immediately upon request. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the
provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(Source: P.A. 96-840, eff. 12-23-09; 96-1331, eff. 7-27-10; 97-96, eff. 7-13-11; 97-239, eff. 8-2-11; 97-502, eff. 8-23-11; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; 97-895, eff. 8-3-12; revised 8-23-12.)

(30 ILCS 500/53-25)

Sec. 53-25. Public institutions of higher education.

(a) Each public institution of higher education may enter into concessions, including the assignment, license, sale, or transfer of interests
in or rights to discoveries, inventions, patents, or copyrightable works, for property, whether tangible or intangible, over which it has jurisdiction. Concessions shall be reduced to writing and shall be awarded at the discretion of the institution with jurisdiction over the property. The duration and terms of concessions and leases shall be at the discretion of the institution with jurisdiction over the property. Notice of the award of a concession shall be published in the higher education volume of the Illinois Procurement Bulletin.

(b) The duration and terms of concessions and leases for personal property shall be at the discretion of the institution with jurisdiction over the property.

(c) Notwithstanding any other provision of law, if the Illinois Finance Authority issues bonds for the financing of buildings, structures, or facilities that are determined by the governing board of a public institution of higher education to be either required by or necessary for the use or benefit of that public institution of higher education, then the duration of any lease for real property entered into by that public institution of higher education, as lessee or lessor, in connection with the issuance of those bonds shall be at the discretion of that public institution of higher education.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 20. The Illinois Municipal Code is amended by changing Section 11-20-12 as follows:

(65 ILCS 5/11-20-12) (from Ch. 24, par. 11-20-12)
Sec. 11-20-12. Removal of infected trees.

(a) The corporate authorities of each municipality may provide for the treatment or removal of elm trees infected with Dutch elm disease or ash trees infected with the emerald ash borer (Agrilus planipennis Fairmaire) from any parcel of private property within the municipality if the owners of that parcel, after reasonable notice, refuse or neglect to treat or remove the infected trees. The municipality may collect, from the owners of the parcel, the reasonable removal cost.

(b) The municipality's removal cost under this Section is a lien upon the underlying parcel in accordance with Section 11-20-15.

(c) For the purpose of this Section, "removal cost" means the total cost of the removal of the infected trees. "Treatment" means the administration, by environmentally sensitive processes and methods, of products and materials proven by academic research to protect elm and

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ash trees from an invasive disease in order to prevent or reverse the damage and preserve the trees.

(d) In the case of an abandoned residential property as defined in Section 11-20-15.1, the municipality may elect to obtain a lien for the removal cost pursuant to Section 11-20-15.1, in which case the provisions of Section 11-20-15.1 shall be the exclusive remedy for the removal cost.

The provisions of this subsection (d), other than this sentence, are inoperative upon certification by the Secretary of the Illinois Department of Financial and Professional Regulation, after consultation with the United States Department of Housing and Urban Development, that the Mortgage Electronic Registration System program is effectively registering substantially all mortgaged residential properties located in the State of Illinois, is available for access by all municipalities located in the State of Illinois without charge to them, and such registration includes the telephone number for the mortgage servicer.

(Source: P.A. 95-183, eff. 8-14-07; 96-462, eff. 8-14-09; 96-856, eff. 3-1-10.)

Section 25. The Public Utilities Act is amended by changing Sections 8-103 and 8-104 as follows:

(220 ILCS 5/8-103)

Sec. 8-103. Energy efficiency and demand-response measures.

(a) It is the policy of the State that electric utilities are required to use cost-effective energy efficiency and demand-response measures to reduce delivery load. Requiring investment in cost-effective energy efficiency and demand-response measures will reduce direct and indirect costs to consumers by decreasing environmental impacts and by avoiding or delaying the need for new generation, transmission, and distribution infrastructure. It serves the public interest to allow electric utilities to recover costs for reasonably and prudently incurred expenses for energy efficiency and demand-response measures. As used in this Section, "cost-effective" means that the measures satisfy the total resource cost test. The low-income measures described in subsection (f)(4) of this Section shall not be required to meet the total resource cost test. For purposes of this Section, the terms "energy-efficiency", "demand-response", "electric utility", and "total resource cost test" shall have the meanings set forth in the Illinois Power Agency Act. For purposes of this Section, the amount per kilowatthour means the total amount paid for electric service expressed on a per kilowatthour basis. For purposes of this Section, the total amount

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paid for electric service includes without limitation estimated amounts
paid for supply, transmission, distribution, surcharges, and add-on-taxes.

(b) Electric utilities shall implement cost-effective energy efficiency measures to meet the following incremental annual energy savings goals:

1. 0.2% of energy delivered in the year commencing June 1, 2008;
2. 0.4% of energy delivered in the year commencing June 1, 2009;
3. 0.6% of energy delivered in the year commencing June 1, 2010;
4. 0.8% of energy delivered in the year commencing June 1, 2011;
5. 1% of energy delivered in the year commencing June 1, 2012;
6. 1.4% of energy delivered in the year commencing June 1, 2013;
7. 1.8% of energy delivered in the year commencing June 1, 2014; and
8. 2% of energy delivered in the year commencing June 1, 2015 and each year thereafter.

Electric utilities may comply with this subsection (b) by meeting the annual incremental savings goal in the applicable year or by showing that the total cumulative annual savings within a 3-year planning period associated with measures implemented after May 31, 2014 was equal to the sum of each annual incremental savings requirement from May 31, 2014 through the end of the applicable year.

(c) Electric utilities shall implement cost-effective demand-response measures to reduce peak demand by 0.1% over the prior year for eligible retail customers, as defined in Section 16-111.5 of this Act, and for customers that elect hourly service from the utility pursuant to Section 16-107 of this Act, provided those customers have not been declared competitive. This requirement commences June 1, 2008 and continues for 10 years.

(d) Notwithstanding the requirements of subsections (b) and (c) of this Section, an electric utility shall reduce the amount of energy efficiency and demand-response measures implemented over a 3-year planning period in any single year by an amount necessary to limit the estimated

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average annual increase in the amounts paid by retail customers in connection with electric service due to the cost of those measures to:

(1) in 2008, no more than 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;

(2) in 2009, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2008 or 1% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;

(3) in 2010, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009 or 1.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;

(4) in 2011, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2010 or 2% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007; and

(5) thereafter, the amount of energy efficiency and demand-response measures implemented for any single year shall be reduced by an amount necessary to limit the estimated average net increase due to the cost of these measures included in the amounts paid by eligible retail customers in connection with electric service to no more than the greater of 2.015% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007 or the incremental amount per kilowatthour paid for these measures in 2011.

No later than June 30, 2011, the Commission shall review the limitation on the amount of energy efficiency and demand-response measures implemented pursuant to this Section and report to the General Assembly its findings as to whether that limitation unduly constrains the procurement of energy efficiency and demand-response measures.

(e) Electric utilities shall be responsible for overseeing the design, development, and filing of energy efficiency and demand-response plans with the Commission. Electric utilities shall implement 100% of the demand-response measures in the plans. Electric utilities shall implement 75% of the energy efficiency measures approved by the Commission, and may, as part of that implementation, outsource various aspects of program development and implementation. The remaining 25% of those energy efficiency measures approved by the Commission shall be implemented by

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the Department of Commerce and Economic Opportunity, and must be
designed in conjunction with the utility and the filing process. The
Department may outsource development and implementation of energy
efficiency measures. A minimum of 10% of the entire portfolio of cost-
effective energy efficiency measures shall be procured from units of local
government, municipal corporations, school districts, and community
college districts. The Department shall coordinate the implementation of
these measures.

The apportionment of the dollars to cover the costs to implement
the Department's share of the portfolio of energy efficiency measures shall
be made to the Department once the Department has executed rebate
agreements, grants, or contracts for energy efficiency measures and
provided supporting documentation for those rebate agreements, grants,
and contracts to the utility. The Department is authorized to adopt any
rules necessary and prescribe procedures in order to ensure compliance by
applicants in carrying out the purposes of rebate agreements for energy
efficiency measures implemented by the Department made under this
Section.

The details of the measures implemented by the Department shall
be submitted by the Department to the Commission in connection with the
utility's filing regarding the energy efficiency and demand-response
measures that the utility implements.

A utility providing approved energy efficiency and demand-
response measures in the State shall be permitted to recover costs of those
measures through an automatic adjustment clause tariff filed with and
approved by the Commission. The tariff shall be established outside the
context of a general rate case. Each year the Commission shall initiate a
review to reconcile any amounts collected with the actual costs and to
determine the required adjustment to the annual tariff factor to match
annual expenditures.

Each utility shall include, in its recovery of costs, the costs
estimated for both the utility's and the Department's implementation of
energy efficiency and demand-response measures. Costs collected by the
utility for measures implemented by the Department shall be submitted to
the Department pursuant to Section 605-323 of the Civil Administrative
Code of Illinois, shall be deposited into the Energy Efficiency Portfolio
Standards Fund, and shall be used by the Department solely for the
purpose of implementing these measures. A utility shall not be required to
advance any moneys to the Department but only to forward such funds as

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it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual savings targets described in subsections (b) and (c) of this Section, as modified by subsection (d) of this Section.

The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the utility or Department.

No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet incremental annual performance goals for the portion of the portfolio implemented by the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (7) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

(f) No later than November 15, 2007, each electric utility shall file an energy efficiency and demand-response plan with the Commission to meet the energy efficiency and demand-response standards for 2008 through 2010. No later than October 1, 2010, each electric utility shall file an energy efficiency and demand-response plan with the Commission to meet the energy efficiency and demand-response standards for 2011 through 2013. Every 3 years thereafter, each electric utility shall file, no
later than September 1, an energy efficiency and demand-response plan with the Commission. If a utility does not file such a plan by September 1 of an applicable year, it shall face a penalty of $100,000 per day until the plan is filed. Each utility's plan shall set forth the utility's proposals to meet the utility's portion of the energy efficiency standards identified in subsection (b) and the demand-response standards identified in subsection (c) of this Section as modified by subsections (d) and (e), taking into account the unique circumstances of the utility's service territory. The Commission shall seek public comment on the utility's plan and shall issue an order approving or disapproving each plan within 5 months after its submission. If the Commission disapproves a plan, the Commission shall, within 30 days, describe in detail the reasons for the disapproval and describe a path by which the utility may file a revised draft of the plan to address the Commission's concerns satisfactorily. If the utility does not refile with the Commission within 60 days, the utility shall be subject to penalties at a rate of $100,000 per day until the plan is filed. This process shall continue, and penalties shall accrue, until the utility has successfully filed a portfolio of energy efficiency and demand-response measures. Penalties shall be deposited into the Energy Efficiency Trust Fund. In submitting proposed energy efficiency and demand-response plans and funding levels to meet the savings goals adopted by this Act the utility shall:

(1) Demonstrate that its proposed energy efficiency and demand-response measures will achieve the requirements that are identified in subsections (b) and (c) of this Section, as modified by subsections (d) and (e).

(2) Present specific proposals to implement new building and appliance standards that have been placed into effect.

(3) Present estimates of the total amount paid for electric service expressed on a per kilowatthour basis associated with the proposed portfolio of measures designed to meet the requirements that are identified in subsections (b) and (c) of this Section, as modified by subsections (d) and (e).

(4) Coordinate with the Department to present a portfolio of energy efficiency measures proportionate to the share of total annual utility revenues in Illinois from households at or below 150% of the poverty level. The energy efficiency programs shall be targeted to households with incomes at or below 80% of area median income.

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(5) Demonstrate that its overall portfolio of energy efficiency and demand-response measures, not including programs covered by item (4) of this subsection (f), are cost-effective using the total resource cost test and represent a diverse cross-section of opportunities for customers of all rate classes to participate in the programs.

(6) Include a proposed cost-recovery tariff mechanism to fund the proposed energy efficiency and demand-response measures and to ensure the recovery of the prudently and reasonably incurred costs of Commission-approved programs.

(7) Provide for an annual independent evaluation of the performance of the cost-effectiveness of the utility's portfolio of measures and the Department's portfolio of measures, as well as a full review of the 3-year results of the broader net program impacts and, to the extent practical, for adjustment of the measures on a going-forward basis as a result of the evaluations. The resources dedicated to evaluation shall not exceed 3% of portfolio resources in any given year.

(g) No more than 3% of energy efficiency and demand-response program revenue may be allocated for demonstration of breakthrough equipment and devices.

(h) This Section does not apply to an electric utility that on December 31, 2005 provided electric service to fewer than 100,000 customers in Illinois.

(i) If, after 2 years, an electric utility fails to meet the efficiency standard specified in subsection (b) of this Section, as modified by subsections (d) and (e), it shall make a contribution to the Low-Income Home Energy Assistance Program. The combined total liability for failure to meet the goal shall be $1,000,000, which shall be assessed as follows: a large electric utility shall pay $665,000, and a medium electric utility shall pay $335,000. If, after 3 years, an electric utility fails to meet the efficiency standard specified in subsection (b) of this Section, as modified by subsections (d) and (e), it shall make a contribution to the Low-Income Home Energy Assistance Program. The combined total liability for failure to meet the goal shall be $1,000,000, which shall be assessed as follows: a large electric utility shall pay $665,000, and a medium electric utility shall pay $335,000. In addition, the responsibility for implementing the energy efficiency measures of the utility making the payment shall be transferred to the Illinois Power Agency if, after 3 years, or in any subsequent 3-year

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period, the utility fails to meet the efficiency standard specified in subsection (b) of this Section, as modified by subsections (d) and (e). The Agency shall implement a competitive procurement program to procure resources necessary to meet the standards specified in this Section as modified by subsections (d) and (e), with costs for those resources to be recovered in the same manner as products purchased through the procurement plan as provided in Section 16-111.5. The Director shall implement this requirement in connection with the procurement plan as provided in Section 16-111.5.

For purposes of this Section, (i) a "large electric utility" is an electric utility that, on December 31, 2005, served more than 2,000,000 electric customers in Illinois; (ii) a "medium electric utility" is an electric utility that, on December 31, 2005, served 2,000,000 or fewer but more than 100,000 electric customers in Illinois; and (iii) Illinois electric utilities that are affiliated by virtue of a common parent company are considered a single electric utility.

(j) If, after 3 years, or any subsequent 3-year period, the Department fails to implement the Department's share of energy efficiency measures required by the standards in subsection (b), then the Illinois Power Agency may assume responsibility for and control of the Department's share of the required energy efficiency measures. The Agency shall implement a competitive procurement program to procure resources necessary to meet the standards specified in this Section, with the costs of these resources to be recovered in the same manner as provided for the Department in this Section.

(k) No electric utility shall be deemed to have failed to meet the energy efficiency standards to the extent any such failure is due to a failure of the Department or the Agency.

(Source: P.A. 96-33, eff. 7-10-09; 96-159, eff. 8-10-09; 96-1000, eff. 7-2-10; 97-616, eff. 10-26-11; 97-841, eff. 7-20-12.)

(220 ILCS 5/8-104)

Sec. 8-104. Natural gas energy efficiency programs.

(a) It is the policy of the State that natural gas utilities and the Department of Commerce and Economic Opportunity are required to use cost-effective energy efficiency to reduce direct and indirect costs to consumers. It serves the public interest to allow natural gas utilities to recover costs for reasonably and prudently incurred expenses for cost-effective energy efficiency measures.

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(b) For purposes of this Section, "energy efficiency" means measures that reduce the amount of energy required to achieve a given end use. "Energy efficiency" also includes measures that reduce the total Btus of electricity and natural gas needed to meet the end use or uses. "Cost-effective" and "cost-effective" means that the measures satisfy the total resource cost test which, for purposes of this Section, means a standard that is met if, for an investment in energy efficiency, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the total benefits of the measures to the net present value of the total costs as calculated over the lifetime of the measures. The total resource cost test compares the sum of avoided natural gas utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided electric utility costs, to the sum of all incremental costs of end use measures (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side measure, to quantify the net savings obtained by substituting demand-side measures for supply resources. In calculating avoided costs, reasonable estimates shall be included for financial costs likely to be imposed by future regulation of emissions of greenhouse gases. The low-income programs described in item (4) of subsection (f) of this Section shall not be required to meet the total resource cost test.

(c) Natural gas utilities shall implement cost-effective energy efficiency measures to meet at least the following natural gas savings requirements, which shall be based upon the total amount of gas delivered to retail customers, other than the customers described in subsection (m) of this Section, during calendar year 2009 multiplied by the applicable percentage. Natural gas utilities may comply with this Section by meeting the annual incremental savings goal in the applicable year or by showing that total cumulative annual savings within a 3-year planning period associated with measures implemented after May 31, 2011 were equal to the sum of each annual incremental savings requirement from May 31, 2011 through the end of the applicable year:

(1) 0.2% by May 31, 2012;
(2) an additional 0.4% by May 31, 2013, increasing total savings to .6%;
(3) an additional 0.6% by May 31, 2014, increasing total savings to 1.2%;

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(4) an additional 0.8% by May 31, 2015, increasing total savings to 2.0%;
(5) an additional 1% by May 31, 2016, increasing total savings to 3.0%;
(6) an additional 1.2% by May 31, 2017, increasing total savings to 4.2%;
(7) an additional 1.4% by May 31, 2018, increasing total savings to 5.6%;
(8) an additional 1.5% by May 31, 2019, increasing total savings to 7.1%; and
(9) an additional 1.5% in each 12-month period thereafter.

(d) Notwithstanding the requirements of subsection (c) of this Section, a natural gas utility shall limit the amount of energy efficiency implemented in any 3-year reporting period established by subsection (f) of Section 8-104 of this Act, by an amount necessary to limit the estimated average increase in the amounts paid by retail customers in connection with natural gas service to no more than 2% in the applicable 3-year reporting period. The energy savings requirements in subsection (c) of this Section may be reduced by the Commission for the subject plan, if the utility demonstrates by substantial evidence that it is highly unlikely that the requirements could be achieved without exceeding the applicable spending limits in any 3-year reporting period. No later than September 1, 2013, the Commission shall review the limitation on the amount of energy efficiency measures implemented pursuant to this Section and report to the General Assembly, in the report required by subsection (k) of this Section, its findings as to whether that limitation unduly constrains the procurement of energy efficiency measures.

(e) Natural gas utilities shall be responsible for overseeing the design, development, and filing of their efficiency plans with the Commission. The utility shall utilize 75% of the available funding associated with energy efficiency programs approved by the Commission, and may outsource various aspects of program development and implementation. The remaining 25% of available funding shall be used by the Department of Commerce and Economic Opportunity to implement energy efficiency measures that achieve no less than 20% of the requirements of subsection (c) of this Section. Such measures shall be designed in conjunction with the utility and approved by the Commission. The Department may outsource development and implementation of energy efficiency measures. A minimum of 10% of the entire portfolio of
cost-effective energy efficiency measures shall be procured from local
government, municipal corporations, school districts, and community
college districts. Five percent of the entire portfolio of cost-effective
energy efficiency measures may be granted to local government and
municipal corporations for market transformation initiatives. The
Department shall coordinate the implementation of these measures and
shall integrate delivery of natural gas efficiency programs with electric
efficiency programs delivered pursuant to Section 8-103 of this Act, unless
the Department can show that integration is not feasible.

The apportionment of the dollars to cover the costs to implement
the Department's share of the portfolio of energy efficiency measures shall
be made to the Department once the Department has executed rebate
agreements, grants, or contracts for energy efficiency measures and
provided supporting documentation for those rebate agreements, grants,
and contracts to the utility. The Department is authorized to adopt any
rules necessary and prescribe procedures in order to ensure compliance by
applicants in carrying out the purposes of rebate agreements for energy
efficiency measures implemented by the Department made under this
Section.

The details of the measures implemented by the Department shall
be submitted by the Department to the Commission in connection with the
utility's filing regarding the energy efficiency measures that the utility
implements.

A utility providing approved energy efficiency measures in this
State shall be permitted to recover costs of those measures through an
automatic adjustment clause tariff filed with and approved by the
Commission. The tariff shall be established outside the context of a
general rate case and shall be applicable to the utility's customers other
than the customers described in subsection (m) of this Section. Each year
the Commission shall initiate a review to reconcile any amounts collected
with the actual costs and to determine the required adjustment to the
annual tariff factor to match annual expenditures.

Each utility shall include, in its recovery of costs, the costs
estimated for both the utility's and the Department's implementation of
energy efficiency measures. Costs collected by the utility for measures
implemented by the Department shall be submitted to the Department
pursuant to Section 605-323 of the Civil Administrative Code of Illinois,
shall be deposited into the Energy Efficiency Portfolio Standards Fund,
and shall be used by the Department solely for the purpose of

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implementing these measures. A utility shall not be required to advance any moneys to the Department but only to forward such funds as it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual energy savings requirements set forth in subsection (c) of this Section, as modified by subsection (d) of this Section.

The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the Department.

No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet performance requirements for the portion of the portfolio implemented by the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (8) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

(f) No later than October 1, 2010, each gas utility shall file an energy efficiency plan with the Commission to meet the energy efficiency standards through May 31, 2014. Every 3 years thereafter, each utility shall file, no later than October 1, an energy efficiency plan with the Commission. If a utility does not file such a plan by October 1 of the applicable year, then it shall face a penalty of $100,000 per day until the

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plan is filed. Each utility's plan shall set forth the utility's proposals to meet the utility's portion of the energy efficiency standards identified in subsection (c) of this Section, as modified by subsection (d) of this Section, taking into account the unique circumstances of the utility's service territory. The Commission shall seek public comment on the utility's plan and shall issue an order approving or disapproving each plan. If the Commission disapproves a plan, the Commission shall, within 30 days, describe in detail the reasons for the disapproval and describe a path by which the utility may file a revised draft of the plan to address the Commission's concerns satisfactorily. If the utility does not refile with the Commission within 60 days after the disapproval, the utility shall be subject to penalties at a rate of $100,000 per day until the plan is filed. This process shall continue, and penalties shall accrue, until the utility has successfully filed a portfolio of energy efficiency measures. Penalties shall be deposited into the Energy Efficiency Trust Fund and the cost of any such penalties may not be recovered from ratepayers. In submitting proposed energy efficiency plans and funding levels to meet the savings goals adopted by this Act the utility shall:

(1) Demonstrate that its proposed energy efficiency measures will achieve the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(2) Present specific proposals to implement new building and appliance standards that have been placed into effect.

(3) Present estimates of the total amount paid for gas service expressed on a per therm basis associated with the proposed portfolio of measures designed to meet the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(4) Coordinate with the Department to present a portfolio of energy efficiency measures proportionate to the share of total annual utility revenues in Illinois from households at or below 150% of the poverty level. Such programs shall be targeted to households with incomes at or below 80% of area median income.

(5) Demonstrate that its overall portfolio of energy efficiency measures, not including programs covered by item (4) of this subsection (f), are cost-effective using the total resource cost test and represent a diverse cross section of opportunities for customers of all rate classes to participate in the programs.

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(6) Demonstrate that a gas utility affiliated with an electric utility that is required to comply with Section 8-103 of this Act has integrated gas and electric efficiency measures into a single program that reduces program or participant costs and appropriately allocates costs to gas and electric ratepayers. The Department shall integrate all gas and electric programs it delivers in any such utilities' service territories, unless the Department can show that integration is not feasible or appropriate.

(7) Include a proposed cost recovery tariff mechanism to fund the proposed energy efficiency measures and to ensure the recovery of the prudently and reasonably incurred costs of Commission-approved programs.

(8) Provide for quarterly status reports tracking implementation of and expenditures for the utility's portfolio of measures and the Department's portfolio of measures, an annual independent review, and a full independent evaluation of the 3-year results of the performance and the cost-effectiveness of the utility's and Department's portfolios of measures and broader net program impacts and, to the extent practical, for adjustment of the measures on a going forward basis as a result of the evaluations. The resources dedicated to evaluation shall not exceed 3% of portfolio resources in any given 3-year period.

(g) No more than 3% of expenditures on energy efficiency measures may be allocated for demonstration of breakthrough equipment and devices.

(h) Illinois natural gas utilities that are affiliated by virtue of a common parent company may, at the utilities' request, be considered a single natural gas utility for purposes of complying with this Section.

(i) If, after 3 years, a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section as modified by subsection (d), then it shall make a contribution to the Low-Income Home Energy Assistance Program. The total liability for failure to meet the goal shall be assessed as follows:

(1) a large gas utility shall pay $600,000;
(2) a medium gas utility shall pay $400,000; and
(3) a small gas utility shall pay $200,000.

For purposes of this Section, (i) a "large gas utility" is a gas utility that on December 31, 2008, served more than 1,500,000 gas customers in Illinois; (ii) a "medium gas utility" is a gas utility that on December 31,
2008, served fewer than 1,500,000, but more than 500,000 gas customers in Illinois; and (iii) a "small gas utility" is a gas utility that on December 31, 2008, served fewer than 500,000 and more than 100,000 gas customers in Illinois. The costs of this contribution may not be recovered from ratepayers.

If a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, in any 2 consecutive 3-year planning periods, then the responsibility for implementing the utility's energy efficiency measures shall be transferred to an independent program administrator selected by the Commission. Reasonable and prudent costs incurred by the independent program administrator to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, may be recovered from the customers of the affected gas utilities, other than customers described in subsection (m) of this Section. The utility shall provide the independent program administrator with all information and assistance necessary to perform the program administrator's duties including but not limited to customer, account, and energy usage data, and shall allow the program administrator to include inserts in customer bills. The utility may recover reasonable costs associated with any such assistance.

(j) No utility shall be deemed to have failed to meet the energy efficiency standards to the extent any such failure is due to a failure of the Department.

(k) Not later than January 1, 2012, the Commission shall develop and solicit public comment on a plan to foster statewide coordination and consistency between statutorily mandated natural gas and electric energy efficiency programs to reduce program or participant costs or to improve program performance. Not later than September 1, 2013, the Commission shall issue a report to the General Assembly containing its findings and recommendations.

(l) This Section does not apply to a gas utility that on January 1, 2009, provided gas service to fewer than 100,000 customers in Illinois.

(m) Subsections (a) through (k) of this Section do not apply to customers of a natural gas utility that have a North American Industry Classification System code number that is 22111 or any such code number beginning with the digits 31, 32, or 33 and (i) annual usage in the aggregate of 4 million therms or more within the service territory of the affected gas utility or with aggregate usage of 8 million therms or more in

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this State and complying with the provisions of item (l) of this subsection (m); or (ii) using natural gas as feedstock and meeting the usage requirements described in item (i) of this subsection (m), to the extent such annual feedstock usage is greater than 60% of the customer's total annual usage of natural gas.

(1) Customers described in this subsection (m) of this Section shall apply, on a form approved on or before October 1, 2009 by the Department, to the Department to be designated as a self-directing customer ("SDC") or as an exempt customer using natural gas as a feedstock from which other products are made, including, but not limited to, feedstock for a hydrogen plant, on or before the 1st day of February, 2010. Thereafter, application may be made not less than 6 months before the filing date of the gas utility energy efficiency plan described in subsection (f) of this Section; however, a new customer that commences taking service from a natural gas utility after February 1, 2010 may apply to become a SDC or exempt customer up to 30 days after beginning service. Such application shall contain the following:

(A) the customer's certification that, at the time of its application, it qualifies to be a SDC or exempt customer described in this subsection (m) of this Section;

(B) in the case of a SDC, the customer's certification that it has established or will establish by the beginning of the utility's 3-year planning period commencing subsequent to the application, and will maintain for accounting purposes, an energy efficiency reserve account and that the customer will accrue funds in said account to be held for the purpose of funding, in whole or in part, energy efficiency measures of the customer's choosing, which may include, but are not limited to, projects involving combined heat and power systems that use the same energy source both for the generation of electrical or mechanical power and the production of steam or another form of useful thermal energy or the use of combustible gas produced from biomass, or both;

(C) in the case of a SDC, the customer's certification that annual funding levels for the energy efficiency reserve account will be equal to 2% of the customer's cost of natural gas, composed of the customer's
commodity cost and the delivery service charges paid to the
gas utility, or $150,000, whichever is less;

(D) in the case of a SDC, the customer's
certification that the required reserve account balance will
be capped at 3 years' worth of accruals and that the
customer may, at its option, make further deposits to the
account to the extent such deposit would increase the
reserve account balance above the designated cap level;

(E) in the case of a SDC, the customer's certification
that by October 1 of each year, beginning no sooner than
October 1, 2012, the customer will report to the Department
information, for the 12-month period ending May 31 of the
same year, on all deposits and reductions, if any, to the
reserve account during the reporting year, and to the extent
deposits to the reserve account in any year are in an amount
less than $150,000, the basis for such reduced deposits;
reserve account balances by month; a description of energy
efficiency measures undertaken by the customer and paid
for in whole or in part with funds from the reserve account;
an estimate of the energy saved, or to be saved, by the
measure; and that the report shall include a verification by
an officer or plant manager of the customer or by a
registered professional engineer or certified energy
efficiency trade professional that the funds withdrawn from
the reserve account were used for the energy efficiency
measures;

(F) in the case of an exempt customer, the
customer's certification of the level of gas usage as
feedstock in the customer's operation in a typical year and
that it will provide information establishing this level, upon
request of the Department;

(G) in the case of either an exempt customer or a
SDC, the customer's certification that it has provided the
gas utility or utilities serving the customer with a copy of
the application as filed with the Department;

(H) in the case of either an exempt customer or a
SDC, certification of the natural gas utility or utilities
serving the customer in Illinois including the natural gas
utility accounts that are the subject of the application; and

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(I) in the case of either an exempt customer or a SDC, a verification signed by a plant manager or an authorized corporate officer attesting to the truthfulness and accuracy of the information contained in the application.

(2) The Department shall review the application to determine that it contains the information described in provisions (A) through (I) of item (1) of this subsection (m), as applicable. The review shall be completed within 30 days after the date the application is filed with the Department. Absent a determination by the Department within the 30-day period, the applicant shall be considered to be a SDC or exempt customer, as applicable, for all subsequent 3-year planning periods, as of the date of filing the application described in this subsection (m). If the Department determines that the application does not contain the applicable information described in provisions (A) through (I) of item (1) of this subsection (m), it shall notify the customer, in writing, of its determination that the application does not contain the required information and identify the information that is missing, and the customer shall provide the missing information within 15 working days after the date of receipt of the Department's notification.

(3) The Department shall have the right to audit the information provided in the customer's application and annual reports to ensure continued compliance with the requirements of this subsection. Based on the audit, if the Department determines the customer is no longer in compliance with the requirements of items (A) through (I) of item (1) of this subsection (m), as applicable, the Department shall notify the customer in writing of the noncompliance. The customer shall have 30 days to establish its compliance, and failing to do so, may have its status as a SDC or exempt customer revoked by the Department. The Department shall treat all information provided by any customer seeking SDC status or exemption from the provisions of this Section as strictly confidential.

(4) Upon request, or on its own motion, the Commission may open an investigation, no more than once every 3 years and not before October 1, 2014, to evaluate the effectiveness of the self-directing program described in this subsection (m).

(n) The applicability of this Section to customers described in subsection (m) of this Section is conditioned on the existence of the SDC
program. In no event will any provision of this Section apply to such customers after January 1, 2020.
(Source: P.A. 96-33, eff. 7-10-09; 97-813, eff. 7-13-12; 97-841, eff. 7-20-12.)

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

Approved July 15, 2013.
Effective July 15, 2013.

PUBLIC ACT 98-0091
(House Bill No. 2591)

AN ACT concerning employment.

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

Section 1. Short title. This Act may be cited as the Illinois Employment First Act.

Section 5. Policy. It is the policy of this State that competitive and integrated employment shall be considered the first option when serving persons with disabilities of working age. This policy applies to programs and services that provide services and supports to help persons with disabilities obtain employment. All State agencies shall follow this policy and ensure that it is effectively implemented in their programs and services. Nothing in this Section shall be construed to require any employer to give preference to hiring persons with disabilities.

Section 10. Definitions. As used in this Act:

"Competitive employment" means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

"Disability" has the meaning ascribed to that term in Section 10 of the Disabilities Services Act of 2003.

"Integrated setting" means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible

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individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.

"State agency" means and includes all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the State, created by or in accordance with the Illinois Constitution or State statute, of the executive branch of State government and does include colleges, universities, public employee retirement systems, and institutions under the jurisdiction of the governing boards of the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governors State University, Northeastern Illinois University, and the Illinois Board of Higher Education.

Section 15. Agency coordination. All State agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that State programs, policies, procedures, and funding support competitive and integrated employment of persons with disabilities. All State agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this Act. State agencies are authorized to adopt rules to implement this Act.

Section 20. Establishment of measurable goals and objectives. The Employment and Economic Opportunity for Persons with Disabilities Task Force established under the Employment and Economic Opportunity for Persons with Disabilities Task Force Act shall establish measurable goals and objectives for the State to ensure implementation of this Act and monitor the measured progress toward implementation of this Act. All State agencies shall fully cooperate with the Task Force and provide data and information to assist the Task Force in carrying out its responsibilities. The Task Force shall include in its annual report a progress report on the implementation of this Act and any recommendations with respect to the implementation of this Act.

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

Passed in the General Assembly May 14, 2013.
Approved July 16, 2013.
Effective July 16, 2013.
PUBLIC ACT 98-0092
(House Bill No. 2993)

AN ACT concerning public employee benefits.

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


(40 ILCS 5/1-160)
Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15 or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code, to any person with respect to service as a sheriff's law enforcement employee under Article 7, or to any participant of the retirement plan established under Section 22-101.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) In Article Articles 7 (except for service as sheriff's law enforcement employees) and 15, "final rate of earnings".

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

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(4) In Article 14, "final average compensation".
(5) In Article 17, "average salary".
(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67.

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in

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the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

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(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank). Notwithstanding any other provision of this Section, a person who first becomes a participant of the retirement system established under Article 15 on or after January 1, 2011 shall have the option to enroll in the self-managed plan created under Section 15-158.2 of this Code.

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11; 97-609, eff. 1-1-12.)

(40 ILCS 5/15-102) (from Ch. 108 1/2, par. 15-102)
Sec. 15-102. Terms defined. The terms used in this Article shall have the meanings ascribed to them in Sections 15-103 through 15-198, except when the context otherwise requires.
(Source: P.A. 91-357, eff. 7-29-99.)

(40 ILCS 5/15-108.1 new)

Sec. 15-108.1. Tier 1 member. "Tier 1 member": A participant or an annuitant of a retirement annuity under this Article, other than a participant in the self-managed plan under Section 15-158.2, who first became a participant or member before January 1, 2011 under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Articles 2, 3, 4, 5, 6, or 18 of this Code. "Tier 1 member" includes a person who first became a participant under this System before January 1, 2011 and who accepts a refund and is subsequently reemployed by an employer on or after January 1, 2011.

(40 ILCS 5/15-108.2 new)

Sec. 15-108.2. Tier 2 member. "Tier 2 member": A participant under this Article, other than a participant in the self-managed plan under Section 15-158.2, who on or after January 1, 2011, first becomes a participant or member under any reciprocal retirement system or pension fund established under this Code.

(40 ILCS 5/15-111) (from Ch. 108 1/2, par. 15-111)

Sec. 15-111. Earnings.

(a) "Earnings": An amount paid for personal services equal to the sum of the basic compensation plus extra compensation for summer teaching, overtime or other extra service. For periods for which an employee receives service credit under subsection (c) of Section 15-113.1 or Section 15-113.2, earnings are equal to the basic compensation on which contributions are paid by the employee during such periods. Compensation for employment which is irregular, intermittent and temporary shall not be considered earnings, unless the participant is also receiving earnings from the employer as an employee under Section 15-107.

With respect to transition pay paid by the University of Illinois to a person who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department:

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(1) "Earnings" includes transition pay paid to the employee on or after the effective date of this amendatory Act of the 91st General Assembly.

(2) "Earnings" includes transition pay paid to the employee before the effective date of this amendatory Act of the 91st General Assembly only if (i) employee contributions under Section 15-157 have been withheld from that transition pay or (ii) the employee pays to the System before January 1, 2001 an amount representing employee contributions under Section 15-157 on that transition pay. Employee contributions under item (ii) may be paid in a lump sum, by withholding from additional transition pay accruing before January 1, 2001, or in any other manner approved by the System. Upon payment of the employee contributions on transition pay, the corresponding employer contributions become an obligation of the State.

(b) For a Tier 2 member, the annual earnings shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(Source: P.A. 91-887, eff. 7-6-00.)

Sec. 15-112. Final rate of earnings.

"Final rate of earnings":

(a) This subsection (a) applies only to a Tier 1 member to a person who first becomes a participant of any system before January 1, 2011.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings during the 48 consecutive calendar month period

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ending with the last day of final termination of employment or the 4 consecutive academic years of service in which the employee's earnings were the highest, whichever is greater. For any other employee, the average annual earnings during the 4 consecutive academic years of service in which his or her earnings were the highest. For an employee with less than 48 months or 4 consecutive academic years of service, the average earnings during his or her entire period of service. The earnings of an employee with more than 36 months of service prior to the date of becoming a participant are, for such period, considered equal to the average earnings during the last 36 months of such service.

(b) This subsection (b) applies to a Tier 2 member person to whom subsection (a) does not apply.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings obtained by dividing by 8 the total earnings of the employee during the 96 consecutive months in which the total earnings were the highest within the last 120 months prior to termination.

For any other employee, the average annual earnings during the 8 consecutive academic years within the 10 years prior to termination in which the employee's earnings were the highest. For an employee with less than 96 consecutive months or 8 consecutive academic years of service, whichever is necessary, the average earnings during his or her entire period of service.

(c) For an employee on leave of absence with pay, or on leave of absence without pay who makes contributions during such leave, earnings are assumed to be equal to the basic compensation on the date the leave began.

(d) For an employee on disability leave, earnings are assumed to be equal to the basic compensation on the date disability occurs or the average earnings during the 24 months immediately preceding the month in which disability occurs, whichever is greater.

(e) For a Tier 1 member participant who retires on or after the effective date of this amendatory Act of 1997 with at least 20 years of service as a firefighter or police officer under this Article, the final rate of earnings shall be the annual rate of earnings received by the participant on his or her last day as a firefighter or police officer under this Article, if that is greater than the final rate of earnings as calculated under the other provisions of this Section.
(f) If a Tier 1 member participant to whom subsection (a) of this Section applies is an employee for at least 6 months during the academic year in which his or her employment is terminated, the annual final rate of earnings shall be 25% of the sum of (1) the annual basic compensation for that year, and (2) the amount earned during the 36 months immediately preceding that year, if this is greater than the final rate of earnings as calculated under the other provisions of this Section.

(g) In the determination of the final rate of earnings for an employee, that part of an employee's earnings for any academic year beginning after June 30, 1997, which exceeds the employee's earnings with that employer for the preceding year by more than 20 percent shall be excluded; in the event that an employee has more than one employer this limitation shall be calculated separately for the earnings with each employer. In making such calculation, only the basic compensation of employees shall be considered, without regard to vacation or overtime or to contracts for summer employment.

(h) The following are not considered as earnings in determining final rate of earnings: (1) severance or separation pay, (2) retirement pay, (3) payment for unused sick leave, and (4) payments from an employer for the period used in determining final rate of earnings for any purpose other than (i) services rendered, (ii) leave of absence or vacation granted during that period, and (iii) vacation of up to 56 work days allowed upon termination of employment; except that, if the benefit has been collectively bargained between the employer and the recognized collective bargaining agent pursuant to the Illinois Educational Labor Relations Act, payment received during a period of up to 2 academic years for unused sick leave may be considered as earnings in accordance with the applicable collective bargaining agreement, subject to the 20% increase limitation of this Section. Any unused sick leave considered as earnings under this Section shall not be taken into account in calculating service credit under Section 15-113.4.

(i) Intermittent periods of service shall be considered as consecutive in determining final rate of earnings.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/15-113.6) (from Ch. 108 1/2, par. 15-113.6)

Sec. 15-113.6. Service for employment in public schools. "Service for employment in public schools": Includes those periods not exceeding the lesser of 10 years or 2/3 of the service granted under other Sections of this Article dealing with service credit, during which a person who entered

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the system after September 1, 1974 was employed full time by a public common school, public college and public university, or by an agency or instrumentality of any of the foregoing, of any state, territory, dependency or possession of the United States of America, including the Philippine Islands, or a school operated by or under the auspices of any agency or department of any other state, if the person (1) cannot qualify for a retirement pension or other benefit based upon employer contributions from another retirement system, exclusive of federal social security, based in whole or in part upon this employment, and (2) pays the lesser of (A) an amount equal to 8% of his or her annual basic compensation on the date of becoming a participating employee subsequent to this service multiplied by the number of years of such service, together with compound interest from the date participation begins to the date payment is received by the board at the rate of 6% per annum through August 31, 1982, and at the effective rates after that date, and (B) 50% of the actuarial value of the increase in the retirement annuity provided by this service, and (3) contributes for at least 5 years subsequent to this employment to one or more of the following systems: the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, and the Public School Teachers' Pension and Retirement Fund of Chicago.

The service granted under this Section shall not be considered in determining whether the person has the minimum of 8 years of service required to qualify for a retirement annuity at age 55 or the 5 years of service required to qualify for a retirement annuity at age 62 or the 10 years of service required to qualify for a retirement annuity at age 67, as provided in Section 15-135, or the 10 years required by subsection (c) of Section 1-160 for a person who first becomes a participant on or after January 1, 2011. The maximum allowable service of 10 years for this governmental employment shall be reduced by the service credit which is validated under paragraph (2) of subsection (b) of Section 16-127 and paragraph 1 of Section 17-133.

(Source: P.A. 95-83, eff. 8-13-07; 96-1490, eff. 1-1-11.)

(40 ILCS 5/15-134) (from Ch. 108 1/2, par. 15-134)
Sec. 15-134. Participant.

(a) Each person shall, as a condition of employment, become a participant and be subject to this Article on the date that he or she becomes an employee, makes an election to participate in, or otherwise becomes a participant in one of the retirement programs offered under this Article, whichever date is later.
An employee who becomes a participant shall continue to be a participant until he or she becomes an annuitant, dies or accepts a refund of contributions. For purposes of subsection (f) of Section 1-160, the term "participant" shall include a person receiving a retirement annuity.

(b) A person employed concurrently by 2 or more employers is eligible to participate in the system on compensation received from all employers.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/15-135) (from Ch. 108 1/2, par. 15-135)
Sec. 15-135. Retirement annuities - Conditions.

(a) This subsection (a) applies only to a Tier 1 member. A participant who retires in one of the following specified years with the specified amount of service is entitled to a retirement annuity at any age under the retirement program applicable to the participant:

- 35 years if retirement is in 1997 or before;
- 34 years if retirement is in 1998;
- 33 years if retirement is in 1999;
- 32 years if retirement is in 2000;
- 31 years if retirement is in 2001;
- 30 years if retirement is in 2002 or later.

A participant with 8 or more years of service after September 1, 1941, is entitled to a retirement annuity on or after attainment of age 55.

A participant with at least 5 but less than 8 years of service after September 1, 1941, is entitled to a retirement annuity on or after attainment of age 62.

A participant who has at least 25 years of service in this system as a police officer or firefighter is entitled to a retirement annuity on or after the attainment of age 50, if Rule 4 of Section 15-136 is applicable to the participant.

(a-5) A Tier 2 member is entitled to a retirement annuity upon written application if he or she has attained age 67 and has at least 10 years of service credit and is otherwise eligible under the requirements of this Article. A Tier 2 member who has attained age 62 and has at least 10 years of service credit and is otherwise eligible under the requirements of this Article may elect to receive the lower retirement annuity provided in subsection (b-5) of Section 15-136 of this Article.

(b) The annuity payment period shall begin on the date specified by the participant or the recipient of a disability retirement annuity submitting a written application, which date shall not be prior to termination of

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employment or more than one year before the application is received by the board; however, if the participant is not an employee of an employer participating in this System or in a participating system as defined in Article 20 of this Code on April 1 of the calendar year next following the calendar year in which the participant attains age 70 1/2, the annuity payment period shall begin on that date regardless of whether an application has been filed.

(c) An annuity is not payable if the amount provided under Section 15-136 is less than $10 per month.
(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12.)

(40 ILCS 5/15-136) (from Ch. 108 1/2, par. 15-136)

Sec. 15-136. Retirement annuities - Amount. The provisions of this Section 15-136 apply only to those participants who are participating in the traditional benefit package or the portable benefit package and do not apply to participants who are participating in the self-managed plan.

(a) The amount of a participant's retirement annuity, expressed in the form of a single-life annuity, shall be determined by whichever of the following rules is applicable and provides the largest annuity:

Rule 1: The retirement annuity shall be 1.67% of final rate of earnings for each of the first 10 years of service, 1.90% for each of the next 10 years of service, 2.10% for each year of service in excess of 20 but not exceeding 30, and 2.30% for each year in excess of 30; or for persons who retire on or after January 1, 1998, 2.2% of the final rate of earnings for each year of service.

Rule 2: The retirement annuity shall be the sum of the following, determined from amounts credited to the participant in accordance with the actuarial tables and the effective rate of interest in effect at the time the retirement annuity begins:

(i) the normal annuity which can be provided on an actuarially equivalent basis, by the accumulated normal contributions as of the date the annuity begins;

(ii) an annuity from employer contributions of an amount equal to that which can be provided on an actuarially equivalent basis from the accumulated normal contributions made by the participant under Section 15-113.6 and Section 15-113.7 plus 1.4 times all other accumulated normal contributions made by the participant; and

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(iii) the annuity that can be provided on an actuarially equivalent basis from the entire contribution made by the participant under Section 15-113.3.

With respect to a police officer or firefighter who retires on or after August 14, 1998, the accumulated normal contributions taken into account under clauses (i) and (ii) of this Rule 2 shall include the additional normal contributions made by the police officer or firefighter under Section 15-157(a).

The amount of a retirement annuity calculated under this Rule 2 shall be computed solely on the basis of the participant's accumulated normal contributions, as specified in this Rule and defined in Section 15-116. Neither an employee or employer contribution for early retirement under Section 15-136.2 nor any other employer contribution shall be used in the calculation of the amount of a retirement annuity under this Rule 2.

This amendatory Act of the 91st General Assembly is a clarification of existing law and applies to every participant and annuitant without regard to whether status as an employee terminates before the effective date of this amendatory Act.

This Rule 2 does not apply to a person who first becomes an employee under this Article on or after July 1, 2005.

Rule 3: The retirement annuity of a participant who is employed at least one-half time during the period on which his or her final rate of earnings is based, shall be equal to the participant's years of service not to exceed 30, multiplied by (1) $96 if the participant's final rate of earnings is less than $3,500, (2) $108 if the final rate of earnings is at least $3,500 but less than $4,500, (3) $120 if the final rate of earnings is at least $4,500 but less than $5,500, (4) $132 if the final rate of earnings is at least $5,500 but less than $6,500, (5) $144 if the final rate of earnings is at least $6,500 but less than $7,500, (6) $156 if the final rate of earnings is at least $7,500 but less than $8,500, (7) $168 if the final rate of earnings is at least $8,500 but less than $9,500, and (8) $180 if the final rate of earnings is $9,500 or more, except that the annuity for those persons having made an election under Section 15-154(a-1) shall be calculated and payable under the portable retirement benefit program pursuant to the provisions of Section 15-136.4.

Rule 4: A participant who is at least age 50 and has 25 or more years of service as a police officer or firefighter, and a participant who is age 55 or over and has at least 20 but less than 25 years of service as a police officer or firefighter, shall be entitled to a retirement annuity of 2

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1/4% of the final rate of earnings for each of the first 10 years of service as a police officer or firefighter, 2 1/2% for each of the next 10 years of service as a police officer or firefighter, and 2 3/4% for each year of service as a police officer or firefighter in excess of 20. The retirement annuity for all other service shall be computed under Rule 1. A Tier 2 member is eligible for a retirement annuity calculated under Rule 4 only if that Tier 2 member meets the service requirements for that benefit calculation as prescribed under this Rule 4 in addition to the applicable age requirement under subsection (a-5) of Section 15-135.

For purposes of this Rule 4, a participant's service as a firefighter shall also include the following:

(i) service that is performed while the person is an employee under subsection (h) of Section 15-107; and

(ii) in the case of an individual who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department and who immediately after the elimination of that fire department transferred to another job with the University of Illinois, service performed as an employee of the University of Illinois in a position other than police officer or firefighter, from the date of that transfer until the employee's next termination of service with the University of Illinois.

Rule 5: The retirement annuity of a participant who elected early retirement under the provisions of Section 15-136.2 and who, on or before February 16, 1995, brought administrative proceedings pursuant to the administrative rules adopted by the System to challenge the calculation of his or her retirement annuity shall be the sum of the following, determined from amounts credited to the participant in accordance with the actuarial tables and the prescribed rate of interest in effect at the time the retirement annuity begins:

(i) the normal annuity which can be provided on an actuarially equivalent basis, by the accumulated normal contributions as of the date the annuity begins; and

(ii) an annuity from employer contributions of an amount equal to that which can be provided on an actuarially equivalent basis from the accumulated normal contributions made by the participant under Section 15-113.6 and Section 15-113.7 plus 1.4 times all other accumulated normal contributions made by the participant; and

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(iii) an annuity which can be provided on an actuarially equivalent basis from the employee contribution for early retirement under Section 15-136.2; and an annuity from employer contributions of an amount equal to that which can be provided on an actuarially equivalent basis from the employee contribution for early retirement under Section 15-136.2.

In no event shall a retirement annuity under this Rule 5 be lower than the amount obtained by adding (1) the monthly amount obtained by dividing the combined employee and employer contributions made under Section 15-136.2 by the System's annuity factor for the age of the participant at the beginning of the annuity payment period and (2) the amount equal to the participant's annuity if calculated under Rule 1, reduced under Section 15-136(b) as if no contributions had been made under Section 15-136.2.

With respect to a participant who is qualified for a retirement annuity under this Rule 5 whose retirement annuity began before the effective date of this amendatory Act of the 91st General Assembly, and for whom an employee contribution was made under Section 15-136.2, the System shall recalculate the retirement annuity under this Rule 5 and shall pay any additional amounts due in the manner provided in Section 15-186.1 for benefits mistakenly set too low.

The amount of a retirement annuity calculated under this Rule 5 shall be computed solely on the basis of those contributions specifically set forth in this Rule 5. Except as provided in clause (iii) of this Rule 5, neither an employee nor employer contribution for early retirement under Section 15-136.2, nor any other employer contribution, shall be used in the calculation of the amount of a retirement annuity under this Rule 5.

The General Assembly has adopted the changes set forth in Section 25 of this amendatory Act of the 91st General Assembly in recognition that the decision of the Appellate Court for the Fourth District in Mattis v. State Universities Retirement System et al. might be deemed to give some right to the plaintiff in that case. The changes made by Section 25 of this amendatory Act of the 91st General Assembly are a legislative implementation of the decision of the Appellate Court for the Fourth District in Mattis v. State Universities Retirement System et al. with respect to that plaintiff.

The changes made by Section 25 of this amendatory Act of the 91st General Assembly apply without regard to whether the person is in service as an employee on or after its effective date.

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(b) For a Tier 1 member, the retirement annuity provided under Rules 1 and 3 above shall be reduced by 1/2 of 1% for each month the participant is under age 60 at the time of retirement. However, this reduction shall not apply in the following cases:

(1) For a disabled participant whose disability benefits have been discontinued because he or she has exhausted eligibility for disability benefits under clause (6) of Section 15-152;

(2) For a participant who has at least the number of years of service required to retire at any age under subsection (a) of Section 15-135; or

(3) For that portion of a retirement annuity which has been provided on account of service of the participant during periods when he or she performed the duties of a police officer or firefighter, if these duties were performed for at least 5 years immediately preceding the date the retirement annuity is to begin.

(b-5) The retirement annuity of a Tier 2 member who is retiring after attaining age 62 with at least 10 years of service credit shall be reduced by 1/2 of 1% for each full month that the member's age is under age 67.

(c) The maximum retirement annuity provided under Rules 1, 2, 4, and 5 shall be the lesser of (1) the annual limit of benefits as specified in Section 415 of the Internal Revenue Code of 1986, as such Section may be amended from time to time and as such benefit limits shall be adjusted by the Commissioner of Internal Revenue, and (2) 80% of final rate of earnings.

(d) A Tier 1 member whose status as an employee terminates after August 14, 1969 shall receive automatic increases in his or her retirement annuity as follows:

Effective January 1 immediately following the date the retirement annuity begins, the annuitant shall receive an increase in his or her monthly retirement annuity of 0.125% of the monthly retirement annuity provided under Rule 1, Rule 2, Rule 3, or Rule 4, or Rule 5, contained in this Section, multiplied by the number of full months which elapsed from the date the retirement annuity payments began to January 1, 1972, plus 0.1667% of such annuity, multiplied by the number of full months which elapsed from January 1, 1972, or the date the retirement annuity payments began, whichever is later, to January 1, 1978, plus 0.25% of such annuity multiplied by the number of full months which elapsed from January 1,
1978, or the date the retirement annuity payments began, whichever is later, to the effective date of the increase.

The annuitant shall receive an increase in his or her monthly retirement annuity on each January 1 thereafter during the annuitant's life of 3% of the monthly annuity provided under Rule 1, Rule 2, Rule 3, or Rule 4, or Rule 5 contained in this Section. The change made under this subsection by P.A. 81-970 is effective January 1, 1980 and applies to each annuitant whose status as an employee terminates before or after that date.

Beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total annuity payable at the time of the increase, including all increases previously granted under this Article.

The change made in this subsection by P.A. 85-1008 is effective January 26, 1988, and is applicable without regard to whether status as an employee terminated before that date.

(d-5) A retirement annuity of a Tier 2 member shall receive annual increases on the January 1 occurring either on or after the attainment of age 67 or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(e) If, on January 1, 1987, or the date the retirement annuity payment period begins, whichever is later, the sum of the retirement annuity provided under Rule 1 or Rule 2 of this Section and the automatic annual increases provided under the preceding subsection or Section 15-136.1, amounts to less than the retirement annuity which would be provided by Rule 3, the retirement annuity shall be increased as of January 1, 1987, or the date the retirement annuity payment period begins, whichever is later, to the amount which would be provided by Rule 3 of this Section. Such increased amount shall be considered as the retirement annuity in determining benefits provided under other Sections of this Article. This paragraph applies without regard to whether status as an employee terminated before the effective date of this amendatory Act of

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1987, provided that the annuitant was employed at least one-half time during the period on which the final rate of earnings was based.

(f) A participant is entitled to such additional annuity as may be provided on an actuarially equivalent basis, by any accumulated additional contributions to his or her credit. However, the additional contributions made by the participant toward the automatic increases in annuity provided under this Section shall not be taken into account in determining the amount of such additional annuity.

(g) If, (1) by law, a function of a governmental unit, as defined by Section 20-107 of this Code, is transferred in whole or in part to an employer, and (2) a participant transfers employment from such governmental unit to such employer within 6 months after the transfer of the function, and (3) the sum of (A) the annuity payable to the participant under Rule 1, 2, or 3 of this Section (B) all proportional annuities payable to the participant by all other retirement systems covered by Article 20, and (C) the initial primary insurance amount to which the participant is entitled under the Social Security Act, is less than the retirement annuity which would have been payable if all of the participant's pension credits validated under Section 20-109 had been validated under this system, a supplemental annuity equal to the difference in such amounts shall be payable to the participant.

(h) On January 1, 1981, an annuitant who was receiving a retirement annuity on or before January 1, 1971 shall have his or her retirement annuity then being paid increased $1 per month for each year of creditable service. On January 1, 1982, an annuitant whose retirement annuity began on or before January 1, 1977, shall have his or her retirement annuity then being paid increased $1 per month for each year of creditable service.

(i) On January 1, 1987, any annuitant whose retirement annuity began on or before January 1, 1977, shall have the monthly retirement annuity increased by an amount equal to 8¢ per year of creditable service times the number of years that have elapsed since the annuity began.

(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12.)

Sec. 15-136.3. Minimum retirement annuity.

(a) Beginning January 1, 1997, any person who is receiving a monthly retirement annuity under this Article which, after inclusion of (1) all one-time and automatic annual increases to which the person is entitled, (2) any supplemental annuity payable under Section 15-136.1, and

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(3) any amount deducted under Section 15-138 or 15-140 to provide a reversionary annuity, is less than the minimum monthly retirement benefit amount specified in subsection (b) of this Section, shall be entitled to a monthly supplemental payment equal to the difference.

(b) For purposes of the calculation in subsection (a), the minimum monthly retirement benefit amount is the sum of $25 for each year of service credit, up to a maximum of 30 years of service.

(c) This Section applies to all persons receiving a retirement annuity under this Article, without regard to whether or not employment terminated prior to the effective date of this Section. The annual increase provided in subsection (e) of Section 1-160 does not apply to any benefit provided under this Section.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/15-139) (from Ch. 108 1/2, par. 15-139)
Sec. 15-139. Retirement annuities; cancellation; suspended during employment.

(a) If an annuitant returns to employment for an employer within 60 days after the beginning of the retirement annuity payment period, the retirement annuity shall be cancelled, and the annuitant shall refund to the System the total amount of the retirement annuity payments which he or she received. If the retirement annuity is cancelled, the participant shall continue to participate in the System.

(b) If an annuitant retires prior to age 60 and receives or becomes entitled to receive during any month compensation in excess of the monthly retirement annuity (including any automatic annual increases) for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall not be payable.

If an annuitant retires at age 60 or over and receives or becomes entitled to receive during any academic year compensation in excess of the difference between his or her highest annual earnings prior to retirement and his or her annual retirement annuity computed under Rule 1, Rule 2, Rule 3, or Rule 4, or Rule 5 of Section 15-136, or under Section 15-136.4, for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall be reduced by an amount equal to the compensation that exceeds such difference.

However, any remuneration received for serving as a member of the Illinois Educational Labor Relations Board shall be excluded from...
"compensation" for the purposes of this subsection (b), and serving as a member of the Illinois Educational Labor Relations Board shall not be deemed to be a return to employment for the purposes of this Section. This provision applies without regard to whether service was terminated prior to the effective date of this amendatory Act of 1991.

(c) If an employer certifies that an annuitant has been reemployed on a permanent and continuous basis or in a position in which the annuitant is expected to serve for at least 9 months, the annuitant shall resume his or her status as a participating employee and shall be entitled to all rights applicable to participating employees upon filing with the board an election to forgo all annuity payments during the period of reemployment. Upon subsequent retirement, the retirement annuity shall consist of the annuity which was terminated by the reemployment, plus the additional retirement annuity based upon service granted during the period of reemployment, but the combined retirement annuity shall not exceed the maximum annuity applicable on the date of the last retirement.

The total service and earnings credited before and after the initial date of retirement shall be considered in determining eligibility of the employee or the employee's beneficiary to benefits under this Article, and in calculating final rate of earnings.

In determining the death benefit payable to a beneficiary of an annuitant who again becomes a participating employee under this Section, accumulated normal and additional contributions shall be considered as the sum of the accumulated normal and additional contributions at the date of initial retirement and the accumulated normal and additional contributions credited after that date, less the sum of the annuity payments received by the annuitant.

The survivors insurance benefits provided under Section 15-145 shall not be applicable to an annuitant who resumes his or her status as a participating employee, unless the annuitant, at the time of initial retirement, has a survivors insurance beneficiary who could qualify for such benefits.

If the participant's employment is terminated because of circumstances other than death before 9 months from the date of reemployment, the provisions of this Section regarding resumption of status as a participating employee shall not apply. The normal and survivors insurance contributions which are deducted during this period shall be refunded to the annuitant without interest, and subsequent benefits

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under this Article shall be the same as those which were applicable prior to
the date the annuitant resumed employment.

The amendments made to this Section by this amendatory Act of
the 91st General Assembly apply without regard to whether the annuitant
was in service on or after the effective date of this amendatory Act.
(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12.)

(40 ILCS 5/15-139.1 new)

Sec. 15-139.1. Tier 2 member retirement annuities; suspended
during employment. If a Tier 2 member is receiving a retirement annuity
under this System and becomes a member or participant under any other
system or fund created by this Code and is employed on a full-time basis,
then the person's retirement annuity shall be suspended during that
employment. Upon termination of that employment, the person's
retirement annuity shall resume and be recalculated if recalculation is
provided for under this Article.

(40 ILCS 5/15-145) (from Ch. 108 1/2, par. 15-145)

Sec. 15-145. Survivors insurance benefits; conditions and amounts.

(a) The survivors insurance benefits provided under this Section
shall be payable to the eligible survivors of a Tier 1 member participant
covered under the traditional benefit package upon the death of (1) a
participating employee with at least 1 1/2 years of service, (2) a participant
who terminated employment with at least 10 years of service, and (3) an
annuitant in receipt of a retirement annuity or disability retirement annuity
under this Article.

Service under the State Employees' Retirement System of Illinois,
the Teachers' Retirement System of the State of Illinois and the Public
School Teachers' Pension and Retirement Fund of Chicago shall be
considered in determining eligibility for survivors benefits under this
Section.

If by law, a function of a governmental unit, as defined by Section
20-107, is transferred in whole or in part to an employer, and an employee
transfers employment from this governmental unit to such employer within
6 months after the transfer of this function, the service credits in the
governmental unit's retirement system which have been validated under
Section 20-109 shall be considered in determining eligibility for survivors
benefits under this Section.

(b) A surviving spouse of a deceased participant, or of a deceased
annuitant who did not take a refund or additional annuity consisting of
accumulated survivors insurance contributions, shall receive a survivors

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annuity of 30% of the final rate of earnings. Payments shall begin on the
day following the participant's or annuitant's death or the date the
surviving spouse attains age 50, whichever is later, and continue until the
death of the surviving spouse. The annuity shall be payable to the
surviving spouse prior to attainment of age 50 if the surviving spouse has
in his or her care a deceased participant's or annuitant's dependent
unmarried child under age 18 (under age 22 if a full-time student) who is
eligible for a survivors annuity.

Remarriage of a surviving spouse prior to attainment of age 55 that
occurs before the effective date of this amendatory Act of the 91st General
Assembly shall disqualify him or her for the receipt of a survivors annuity
until July 6, 2000.

A surviving spouse whose survivors annuity has been terminated
due to remarriage may apply for reinstatement of that annuity. The
reinstated annuity shall begin to accrue on July 6, 2000, except that if, on
July 6, 2000, the annuity is payable to an eligible surviving child or parent,
payment of the annuity to the surviving spouse shall not be reinstated until
the annuity is no longer payable to any eligible surviving child or parent.
The reinstated annuity shall include any one-time or annual increases
received prior to the date of termination, as well as any increases that
would otherwise have accrued from the date of termination to the date of
reinstatement. An eligible surviving spouse whose expectation of
receiving a survivors annuity was lost due to remarriage before attainment
of age 50 shall also be entitled to reinstatement under this subsection, but
the resulting survivors annuity shall not begin to accrue sooner than upon
the surviving spouse's attainment of age 50.

The changes made to this subsection by this amendatory Act of the
92nd General Assembly (pertaining to remarriage prior to age 55 or 50)
apply without regard to whether the deceased participant or annuitant was
in service on or after the effective date of this amendatory Act.

(c) Each dependent unmarried child under age 18 (under age 22 if a
full-time student) of a deceased participant, or of a deceased annuitant who
did not take a refund or additional annuity consisting of accumulated
survivors insurance contributions, shall receive a survivors annuity equal
to the sum of (1) 20% of the final rate of earnings, and (2) 10% of the final
rate of earnings divided by the number of children entitled to this benefit.
Payments shall begin on the day following the participant's or annuitant's
death and continue until the child marries, dies, or attains age 18 (age 22 if
a full-time student). If the child is in the care of a surviving spouse who is

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eligible for survivors insurance benefits, the child's benefit shall be paid to the surviving spouse.

Each unmarried child over age 18 of a deceased participant or of a deceased annuitant who had a survivor's insurance beneficiary at the time of his or her retirement, and who was dependent upon the participant or annuitant by reason of a physical or mental disability which began prior to the date the child attained age 18 (age 22 if a full-time student), shall receive a survivor's annuity equal to the sum of (1) 20% of the final rate of earnings, and (2) 10% of the final rate of earnings divided by the number of children entitled to survivors benefits. Payments shall begin on the day following the participant's or annuitant's death and continue until the child marries, dies, or is no longer disabled. If the child is in the care of a surviving spouse who is eligible for survivors insurance benefits, the child's benefit may be paid to the surviving spouse. For the purposes of this Section, disability means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of at least one year.

(d) Each dependent parent of a deceased participant, or of a deceased annuitant who did not take a refund or additional annuity consisting of accumulated survivors insurance contributions, shall receive a survivors annuity equal to the sum of (1) 20% of final rate of earnings, and (2) 10% of final rate of earnings divided by the number of parents who qualify for the benefit. Payments shall begin when the parent reaches age 55 or the day following the participant's or annuitant's death, whichever is later, and continue until the parent dies. Remarriage of a parent prior to attainment of age 55 shall disqualify the parent for the receipt of a survivors annuity.

(e) In addition to the survivors annuity provided above, each survivors insurance beneficiary shall, upon death of the participant or annuitant, receive a lump sum payment of $1,000 divided by the number of such beneficiaries.

(f) The changes made in this Section by Public Act 81-712 pertaining to survivors annuities in cases of remarriage prior to age 55 shall apply to each survivors insurance beneficiary who remarries after June 30, 1979, regardless of the date that the participant or annuitant terminated his employment or died.

The change made to this Section by this amendatory Act of the 91st General Assembly, pertaining to remarriage prior to age 55, applies

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without regard to whether the deceased participant or annuitant was in service on or after the effective date of this amendatory Act of the 91st General Assembly.

(g) On January 1, 1981, any person who was receiving a survivors annuity on or before January 1, 1971 shall have the survivors annuity then being paid increased by 1% for each full year which has elapsed from the date the annuity began. On January 1, 1982, any survivor whose annuity began after January 1, 1971, but before January 1, 1981, shall have the survivor's annuity then being paid increased by 1% for each year which has elapsed from the date the survivor's annuity began. On January 1, 1987, any survivor who began receiving a survivor's annuity on or before January 1, 1977, shall have the monthly survivor's annuity increased by $1 for each full year which has elapsed since the date the survivor's annuity began.

(h) If the sum of the lump sum and total monthly survivor benefits payable under this Section upon the death of a participant amounts to less than the sum of the death benefits payable under items (2) and (3) of Section 15-141, the difference shall be paid in a lump sum to the beneficiary of the participant who is living on the date that this additional amount becomes payable.

(i) If the sum of the lump sum and total monthly survivor benefits payable under this Section upon the death of an annuitant receiving a retirement annuity or disability retirement annuity amounts to less than the death benefit payable under Section 15-142, the difference shall be paid to the beneficiary of the annuitant who is living on the date that this additional amount becomes payable.

(j) Effective on the later of (1) January 1, 1990, or (2) the January 1 on or next after the date on which the survivor annuity begins, if the deceased member died while receiving a retirement annuity, or in all other cases the January 1 nearest the first anniversary of the date the survivor annuity payments begin, every survivors insurance beneficiary shall receive an increase in his or her monthly survivors annuity of 3%. On each January 1 after the initial increase, the monthly survivors annuity shall be increased by 3% of the total survivors annuity provided under this Article, including previous increases provided by this subsection. Such increases shall apply to the survivors insurance beneficiaries of each participant and annuitant, whether or not the employment status of the participant or annuitant terminates before the effective date of this amendatory Act of

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1990. This subsection (j) also applies to persons receiving a survivor annuity under the portable benefit package.

(k) If the Internal Revenue Code of 1986, as amended, requires that the survivors benefits be payable at an age earlier than that specified in this Section the benefits shall begin at the earlier age, in which event, the survivor's beneficiary shall be entitled only to that amount which is equal to the actuarial equivalent of the benefits provided by this Section.

(l) The changes made to this Section and Section 15-131 by this amendatory Act of 1997, relating to benefits for certain unmarried children who are full-time students under age 22, apply without regard to whether the deceased member was in service on or after the effective date of this amendatory Act of 1997. These changes do not authorize the repayment of a refund or a re-election of benefits, and any benefit or increase in benefits resulting from these changes is not payable retroactively for any period before the effective date of this amendatory Act of 1997.

(Source: P.A. 91-887, eff. 7-6-00; 92-749, eff. 8-2-02.)

Sec. 15-145.1. Survivor's insurance benefits for Tier 2 Members; amount. The initial survivor's insurance benefit of a survivors insurance beneficiary of a Tier 2 member shall be in the amount of 66 2/3% of the Tier 2 member's retirement annuity at the date of death. In the case of the death of a Tier 2 member who has not retired, eligibility for a survivor's insurance benefit shall be determined by the applicable Section of this Article. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age and shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased Tier 2 member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the benefit. Each annual increase shall be calculated at 3% or one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's insurance benefit. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the survivor's insurance benefit shall not be increased. A beneficiary of a Tier 2 member who elects the Portable Benefit Package provided under this Article shall not be eligible for the survivor's insurance benefit that is provided under this Section. If 2 or more persons are eligible to receive

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survivor's insurance benefits as provided under this Section based on the same deceased Tier 2 member, the calculation of the survivor's insurance benefits shall be based on the total calculation of the survivor's insurance benefit and divided pro rata.

(40 ILCS 5/15-146) (from Ch. 108 1/2, par. 15-146)

Sec. 15-146. Survivors insurance benefits - Minimum amounts.

(a) The minimum total survivors annuity payable on account of the death of a participant shall be 50% of the retirement annuity which would have been provided under Rule 1, Rule 2, or Rule 3, or Rule 5 of Section 15-136 upon the participant's attainment of the minimum age at which the penalty for early retirement would not be applicable or the date of the participant's death, whichever is later, on the basis of credits earned prior to the time of death.

(b) The minimum total survivors annuity payable on account of the death of an annuitant shall be 50% of the retirement annuity which is payable under Section 15-136 at the time of death or 50% of the disability retirement annuity payable under Section 15-153.2. This minimum survivors annuity shall apply to each participant and annuitant who dies after September 16, 1979, whether or not his or her employee status terminates before or after that date.

(c) If an annuitant has elected a reversionary annuity, the retirement annuity referred to in this Section is that which would have been payable had such election not been filed.

(d) Beginning January 1, 2002, any person who is receiving a survivors annuity under this Article which, after inclusion of all one-time and automatic annual increases to which the person is entitled, is less than the sum of $17.50 for each year (up to a maximum of 30 years) of the deceased member's service credit, shall be entitled to a monthly supplemental payment equal to the difference.

If 2 or more persons are receiving survivors annuities based on the same deceased member, the calculation of the supplemental payment under this subsection shall be based on the total of those annuities and divided pro rata. The supplemental payment is not subject to any limitation on the maximum amount of the annuity and shall not be included in the calculation of any automatic annual increase under Section 15-145. The annual increase provided in subsection (f) of Section 1-160 does not apply to any benefit provided under this subsection.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/15-146.1) (from Ch. 108 1/2, par. 15-146.1)
Sec. 15-146.1. Survivors insurance benefits-Maximum amounts.

(a) The maximum total survivors annuity payable on account of any deceased participating employee shall be the lesser of: (1) 80% of the final rate of earnings; or (2) (A) $400 per month if one survivors insurance beneficiary is entitled to a survivors annuity, or (B) $600 per month if there are 2 or more such beneficiaries.

(b) The maximum total survivors annuity payable on account of the death of any person occurring after retirement or after termination of his or her employee status shall be the lesser of: (1) 80% of the final rate of earnings; (2) (A) $400 per month if one survivors insurance beneficiary is entitled to a survivors annuity, or (B) $600 per month if there are 2 or more such beneficiaries; or (3) 80% of the retirement annuity payable to the annuitant at the date of retirement under the provisions of Rule 1, Rule 2, or Rule 3, or Rule 5 of Section 15-136, or 80% of the retirement annuity which would have been payable to the participant upon attainment of the minimum age at which the penalty for early retirement would not be applicable or the date of death, whichever is later, based upon credits earned as of the date of death.

(c) The maximum total survivors annuity payable on account of the death of any person whose death occurs while in receipt of a disability retirement annuity under Section 15-153.2 shall be the lesser of (1) 80% of his or her final rate of earnings, (2) (A) $400 per month if one survivors insurance beneficiary is entitled to a survivors annuity, or (B) $600 per month if 2 or more survivors insurance beneficiaries qualify for this benefit, or (3) 80% of the retirement annuity which would have been payable upon attainment of the age at which the penalty for early retirement would not be applicable or the date of death, whichever is later, based upon the participant's credits on the date of death, or 80% of the disability retirement annuity whichever is greater.

(d) If the minimum annuity provided under Section 15-146 exceeds the maximum annuity provided under this Section, the minimum annuity shall be payable.

(e) If an annuitant has elected a reversionary annuity, the retirement annuity referred to in this Section is that which would have been payable had such election not been filed.

(f) If a survivors insurance beneficiary qualifies for a survivors or widows annuity because of pension credits established by the participant or annuitant in another system covered by Article 20, and the combined survivors annuities exceed the highest survivors annuity which could be

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provided by either system based upon the combined pension credits, the survivors annuity payable by this system shall be reduced to that amount which, when added to the survivors annuity payable by the other system, would equal this highest survivors annuity. If the other system has a similar provision for adjustment of the survivors annuity, the respective proportional survivors annuities shall be reduced proportionately according to the ratio which the amount of each proportional survivors annuity bears to the aggregate of all proportional survivors annuities. If a survivors annuity is payable by another system covered by Article 20, and the survivor elects to waive the survivors annuity and accept a lump sum payment or death benefit in lieu of the survivors annuity, this system shall, for the purpose of adjusting the survivors annuity under this subsection, assume that the survivor was entitled to a survivors annuity which, in accordance with actuarial tables of this system, is the actuarial equivalent of the amount of the lump sum payment or death benefit.

(g) The total monthly survivors annuity payable to the beneficiaries of any annuitant who terminated employment before July 14, 1959 and whose death occurs after September 16, 1977 shall not exceed $200.

(h) Whenever a reduction in the survivors annuity is made as authorized above, the survivors annuity to each dependent parent shall be proportionately reduced or eliminated, and if further reduction is necessary, the survivors annuity payable to every other person shall be proportionately decreased.

(i) This Section applies to the survivors insurance benefits provided to the eligible survivors of a Tier I member.

(Source: P.A. 91-887, eff. 7-6-00.)

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

Sec. 15-155. Employer contributions.

(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).
(a-1) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $252,064,100.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $702,514,000 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 15-165 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any

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reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient

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to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

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(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings, determined on a full-time equivalent basis, exceeds the amount of his or her earnings with the same employer for the previous academic year, determined on a full-time equivalent basis, by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection (g), the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (h) or (i) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of subsection (h) or (i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (g) (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.
(h) This subsection (h) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that: (i) in the case of overloads (A) the overload work is for the sole purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid and (B) the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant's current salary rate and work schedule; and (ii) in the case of overtime, the overtime was necessary for the educational mission.

When assessing payment for any amount due under subsection (g), the System shall exclude any earnings increase resulting from (i) a promotion for which the employee moves from one classification to a higher classification under the State Universities Civil Service System, (ii) a promotion in academic rank for a tenured or tenure-track faculty position, or (iii) a promotion that the Illinois Community College Board has recommended in accordance with subsection (k) of this Section. These earnings increases shall be excluded only if the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions.

(i) When assessing payment for any amount due under subsection (g), the System shall exclude any salary increase described in subsection (h) of this Section given on or after July 1, 2011 but before July 1, 2014.
under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (g) of this Section.

(j) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.
(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.
(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.
(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(k) The Illinois Community College Board shall adopt rules for recommending lists of promotional positions submitted to the Board by community colleges and for reviewing the promotional lists on an annual basis. When recommending promotional lists, the Board shall consider the similarity of the positions submitted to those positions recognized for State universities by the State Universities Civil Service System. The Illinois Community College Board shall file a copy of its findings with the System. The System shall consider the findings of the Illinois Community College Board when making determinations under this Section. The System shall not exclude any earnings increases resulting from a promotion when the promotion was not submitted by a community college. Nothing in this subsection (k) shall require any community college to submit any information to the Community College Board.

(l) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a
fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(m) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-813, eff. 7-13-12; revised 10-17-12.)

(40 ILCS 5/15-157) (from Ch. 108 1/2, par. 15-157)

Sec. 15-157. Employee Contributions.

(a) Each participating employee shall make contributions towards the retirement benefits payable under the retirement program applicable to the employee from each payment of earnings applicable to employment under this system on and after the date of becoming a participant as follows: Prior to September 1, 1949, 3 1/2% of earnings; from September 1, 1949 to August 31, 1955, 5%; from September 1, 1955 to August 31, 1969, 6%; from September 1, 1969, 6 1/2%. These contributions are to be considered as normal contributions for purposes of this Article.

Each participant who is a police officer or firefighter shall make normal contributions of 8% of each payment of earnings applicable to employment as a police officer or firefighter under this system on or after September 1, 1981, unless he or she files with the board within 60 days after the effective date of this amendatory Act of 1991 or 60 days after the board receives notice that he or she is employed as a police officer or firefighter, whichever is later, a written notice waiving the retirement formula provided by Rule 4 of Section 15-136. This waiver shall be irrevocable. If a participant had met the conditions set forth in Section 15-132.1 prior to the effective date of this amendatory Act of 1991 but failed to make the additional normal contributions required by this paragraph, he or she may elect to pay the additional contributions plus compound interest at the effective rate. If such payment is received by the board, the service shall be considered as police officer service in calculating the retirement annuity under Rule 4 of Section 15-136. While performing service described in clause (i) or (ii) of Rule 4 of Section 15-136, a participating employee shall be deemed to be employed as a firefighter for the purpose of determining the rate of employee contributions under this Section.

(b) Starting September 1, 1969, each participating employee shall make additional contributions of 1/2 of 1% of earnings to finance a portion of the cost of the annual increases in retirement annuity provided under
Section 15-136, except that with respect to participants in the self-managed plan this additional contribution shall be used to finance the benefits obtained under that retirement program.

(c) In addition to the amounts described in subsections (a) and (b) of this Section, each participating employee shall make contributions of 1% of earnings applicable under this system on and after August 1, 1959. The contributions made under this subsection (c) shall be considered as survivor's insurance contributions for purposes of this Article if the employee is covered under the traditional benefit package, and such contributions shall be considered as additional contributions for purposes of this Article if the employee is participating in the self-managed plan or has elected to participate in the portable benefit package and has completed the applicable one-year waiting period. Contributions in excess of $80 during any fiscal year beginning before August 31, 1969 and in excess of $120 during any fiscal year thereafter until September 1, 1971 shall be considered as additional contributions for purposes of this Article.

(d) If the board by board rule so permits and subject to such conditions and limitations as may be specified in its rules, a participant may make other additional contributions of such percentage of earnings or amounts as the participant shall elect in a written notice thereof received by the board.

(e) That fraction of a participant's total accumulated normal contributions, the numerator of which is equal to the number of years of service in excess of that which is required to qualify for the maximum retirement annuity, and the denominator of which is equal to the total service of the participant, shall be considered as accumulated additional contributions. The determination of the applicable maximum annuity and the adjustment in contributions required by this provision shall be made as of the date of the participant's retirement.

(f) Notwithstanding the foregoing, a participating employee shall not be required to make contributions under this Section after the date upon which continuance of such contributions would otherwise cause his or her retirement annuity to exceed the maximum retirement annuity as specified in clause (1) of subsection (c) of Section 15-136.

(g) A participating employee may make contributions for the purchase of service credit under this Article.

(h) A Tier 2 member shall not make contributions on earnings that exceed the limitation as prescribed under subsection (b) of Section 15-111 of this Article.

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Sec. 15-158.2. Self-managed plan.

(a) Purpose. The General Assembly finds that it is important for colleges and universities to be able to attract and retain the most qualified employees and that in order to attract and retain these employees, colleges and universities should have the flexibility to provide a defined contribution plan as an alternative for eligible employees who elect not to participate in a defined benefit retirement program provided under this Article. Accordingly, the State Universities Retirement System is hereby authorized to establish and administer a self-managed plan, which shall offer participating employees the opportunity to accumulate assets for retirement through a combination of employee and employer contributions that may be invested in mutual funds, collective investment funds, or other investment products and used to purchase annuity contracts, either fixed or variable or a combination thereof. The plan must be qualified under the Internal Revenue Code of 1986.

(b) Adoption by employers. Each employer subject to this Article may elect to adopt the self-managed plan established under this Section; this election is irrevocable. An employer's election to adopt the self-managed plan makes available to the eligible employees of that employer the elections described in Section 15-134.5.

The State Universities Retirement System shall be the plan sponsor for the self-managed plan and shall prepare a plan document and prescribe such rules and procedures as are considered necessary or desirable for the administration of the self-managed plan. Consistent with its fiduciary duty to the participants and beneficiaries of the self-managed plan, the Board of Trustees of the System may delegate aspects of plan administration as it sees fit to companies authorized to do business in this State, to the employers, or to a combination of both.

(c) Selection of service providers and funding vehicles. The System, in consultation with the employers, shall solicit proposals to provide administrative services and funding vehicles for the self-managed plan from insurance and annuity companies and mutual fund companies, banks, trust companies, or other financial institutions authorized to do business in this State. In reviewing the proposals received and approving and contracting with no fewer than 2 and no more than 7 companies, the

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Board of Trustees of the System shall consider, among other things, the following criteria:

(1) the nature and extent of the benefits that would be provided to the participants;
(2) the reasonableness of the benefits in relation to the premium charged;
(3) the suitability of the benefits to the needs and interests of the participating employees and the employer;
(4) the ability of the company to provide benefits under the contract and the financial stability of the company; and
(5) the efficacy of the contract in the recruitment and retention of employees.

The System, in consultation with the employers, shall periodically review each approved company. A company may continue to provide administrative services and funding vehicles for the self-managed plan only so long as it continues to be an approved company under contract with the Board.

(d) Employee Direction. Employees who are participating in the program must be allowed to direct the transfer of their account balances among the various investment options offered, subject to applicable contractual provisions. The participant shall not be deemed a fiduciary by reason of providing such investment direction. A person who is a fiduciary shall not be liable for any loss resulting from such investment direction and shall not be deemed to have breached any fiduciary duty by acting in accordance with that direction. Neither the System nor the employer guarantees any of the investments in the employee's account balances.

(e) Participation. An employee eligible to participate in the self-managed plan must make a written election in accordance with the provisions of Section 15-134.5 and the procedures established by the System. Participation in the self-managed plan by an electing employee shall begin on the first day of the first pay period following the later of the date the employee's election is filed with the System or the effective date as of which the employee's employer begins to offer participation in the self-managed plan. Employers may not make the self-managed plan available earlier than January 1, 1998. An employee's participation in any other retirement program administered by the System under this Article shall terminate on the date that participation in the self-managed plan begins.

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An employee who has elected to participate in the self-managed plan under this Section must continue participation while employed in an eligible position, and may not participate in any other retirement program administered by the System under this Article while employed by that employer or any other employer that has adopted the self-managed plan, unless the self-managed plan is terminated in accordance with subsection (i).

*Notwithstanding any other provision of this Article, a Tier 2 member shall have the option to enroll in the self-managed plan.*

Participation in the self-managed plan under this Section shall constitute membership in the State Universities Retirement System.

A participant under this Section shall be entitled to the benefits of Article 20 of this Code.

(f) Establishment of Initial Account Balance. If at the time an employee elects to participate in the self-managed plan he or she has rights and credits in the System due to previous participation in the traditional benefit package, the System shall establish for the employee an opening account balance in the self-managed plan, equal to the amount of contribution refund that the employee would be eligible to receive under Section 15-154 if the employee terminated employment on that date and elected a refund of contributions, except that this hypothetical refund shall include interest at the effective rate for the respective years. The System shall transfer assets from the defined benefit retirement program to the self-managed plan, as a tax free transfer in accordance with Internal Revenue Service guidelines, for purposes of funding the employee's opening account balance.

(g) No Duplication of Service Credit. Notwithstanding any other provision of this Article, an employee may not purchase or receive service or service credit applicable to any other retirement program administered by the System under this Article for any period during which the employee was a participant in the self-managed plan established under this Section.

(h) Contributions. The self-managed plan shall be funded by contributions from employees participating in the self-managed plan and employer contributions as provided in this Section.

The contribution rate for employees participating in the self-managed plan under this Section shall be equal to the employee contribution rate for other participants in the System, as provided in Section 15-157. This required contribution shall be made as an "employer pick-up" under Section 414(h) of the Internal Revenue Code of 1986 or

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any successor Section thereof. Any employee participating in the System's traditional benefit package prior to his or her election to participate in the self-managed plan shall continue to have the employer pick up the contributions required under Section 15-157. However, the amounts picked up after the election of the self-managed plan shall be remitted to and treated as assets of the self-managed plan. In no event shall an employee have an option of receiving these amounts in cash. Employees may make additional contributions to the self-managed plan in accordance with procedures prescribed by the System, to the extent permitted under rules prescribed by the System.

The program shall provide for employer contributions to be credited to each self-managed plan participant at a rate of 7.6% of the participating employee's salary, less the amount used by the System to provide disability benefits for the employee. The amounts so credited shall be paid into the participant's self-managed plan accounts in a manner to be prescribed by the System.

An amount of employer contribution, not exceeding 1% of the participating employee's salary, shall be used for the purpose of providing the disability benefits of the System to the employee. Prior to the beginning of each plan year under the self-managed plan, the Board of Trustees shall determine, as a percentage of salary, the amount of employer contributions to be allocated during that plan year for providing disability benefits for employees in the self-managed plan.

The State of Illinois shall make contributions by appropriations to the System of the employer contributions required for employees who participate in the self-managed plan under this Section. The amount required shall be certified by the Board of Trustees of the System and paid by the State in accordance with Section 15-165. The System shall not be obligated to remit the required employer contributions to any of the insurance and annuity companies, mutual fund companies, banks, trust companies, financial institutions, or other sponsors of any of the funding vehicles offered under the self-managed plan until it has received the required employer contributions from the State. In the event of a deficiency in the amount of State contributions, the System shall implement those procedures described in subsection (c) of Section 15-165 to obtain the required funding from the General Revenue Fund.

(i) Termination. The self-managed plan authorized under this Section may be terminated by the System, subject to the terms of any relevant contracts, and the System shall have no obligation to reestablish

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the self-managed plan under this Section. This Section does not create a right to continued participation in any self-managed plan set up by the System under this Section. If the self-managed plan is terminated, the participants shall have the right to participate in one of the other retirement programs offered by the System and receive service credit in such other retirement program for any years of employment following the termination.

(j) Vesting; Withdrawal; Return to Service. A participant in the self-managed plan becomes vested in the employer contributions credited to his or her accounts in the self-managed plan on the earliest to occur of the following: (1) completion of 5 years of service with an employer described in Section 15-106; (2) the death of the participating employee while employed by an employer described in Section 15-106, if the participant has completed at least 1 1/2 years of service; or (3) the participant's election to retire and apply the reciprocal provisions of Article 20 of this Code.

A participant in the self-managed plan who receives a distribution of his or her vested amounts from the self-managed plan while not yet eligible for retirement under this Article (and Article 20, if applicable) shall forfeit all service credit and accrued rights in the System; if subsequently re-employed, the participant shall be considered a new employee. If a former participant again becomes a participating employee (or becomes employed by a participating system under Article 20 of this Code) and continues as such for at least 2 years, all such rights, service credits, and previous status as a participant shall be restored upon repayment of the amount of the distribution, without interest.

(k) Benefit amounts. If an employee who is vested in employer contributions terminates employment, the employee shall be entitled to a benefit which is based on the account values attributable to both employer and employee contributions and any investment return thereon.

If an employee who is not vested in employer contributions terminates employment, the employee shall be entitled to a benefit based solely on the account values attributable to the employee's contributions and any investment return thereon, and the employer contributions and any investment return thereon shall be forfeited. Any employer contributions which are forfeited shall be held in escrow by the company investing those contributions and shall be used as directed by the System for future allocations of employer contributions or for the restoration of amounts
previously forfeited by former participants who again become participating employees.
(Source: P.A. 93-347, eff. 7-24-03.)

(40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)

Sec. 15-159. Board created.

(a) A board of trustees constituted as provided in this Section shall administer this System. The board shall be known as the Board of Trustees of the State Universities Retirement System.

(b) (Blank). Until July 1, 1995, the Board of Trustees shall be constituted as follows:

Two trustees shall be members of the Board of Trustees of the University of Illinois, one shall be a member of the Board of Trustees of Southern Illinois University, one shall be a member of the Board of Trustees of Chicago State University, one shall be a member of the Board of Trustees of Eastern Illinois University, one shall be a member of the Board of Trustees of Governors State University, one shall be a member of the Board of Trustees of Illinois State University, one shall be a member of the Board of Trustees of Northeastern Illinois University, one shall be a member of the Board of Trustees of Northern Illinois University, one shall be a member of the Board of Trustees of Western Illinois University, and one shall be a member of the Illinois Community College Board, selected in each case by their respective boards, and 2 shall be participants of the system appointed by the Governor for a 6 year term with the first appointment made pursuant to this amendatory Act of 1984 to be effective September 1, 1985, and one shall be a participant appointed by the Illinois Community College Board for a 6 year term, and one shall be a participant appointed by the Board of Trustees of the University of Illinois for a 6 year term, and one shall be a participant or annuitant of the system who is a senior citizen age 60 or older appointed by the Governor for a 6 year term with the first appointment to be effective September 1, 1985.

The terms of all trustees holding office under this subsection (b) on June 30, 1995 shall terminate at the end of that day and the Board shall thereafter be constituted as provided in subsection (c):

(c) (Blank). Beginning July 1, 1995, the Board of Trustees shall be constituted as follows:

The Board shall consist of 9 trustees appointed by the Governor. Two of the trustees, designated at the time of appointment, shall be participants of the System. Two of the trustees, designated at the time of appointment, shall be annuitants of the System who are receiving

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retirement annuities under this Article. The 5 remaining trustees may, but need not, be participants or annuitants of the System.

The term of office of trustees appointed under this subsection (c) shall be 6 years, beginning on July 1. However, of the initial trustees appointed under this subsection (c), 3 shall be appointed for terms of 2 years, 3 shall be appointed for terms of 4 years, and 3 shall be appointed for terms of 6 years, to be designated by the Governor at the time of appointment.

The term of all trustees holding office under this subsection (c) on the effective date of this amendatory Act of the 96th General Assembly shall terminate on that effective date. The Governor shall make nominations for appointment under this Section within 60 days after the effective date of this amendatory Act of the 96th General Assembly. A trustee sitting on the board on the effective date of this amendatory Act of the 96th General Assembly may not hold over in office for more than 90 days after the effective date of this amendatory Act of the 96th General Assembly. Nothing in this Section shall prevent the Governor from making a temporary appointment or nominating a trustee holding office on the day before the effective date of this amendatory Act of the 96th General Assembly.

(d) Beginning on the 90th day after April 3, 2009 (the effective date of Public Act 96-6) this amendatory Act of the 96th General Assembly, the Board of Trustees shall be constituted as follows:

(1) The Chairperson of the Board of Higher Education, who shall act as chairperson of this Board.

(2) Four trustees appointed by the Governor with the advice and consent of the Senate who may not be members of the system or hold an elective State office and who shall serve for a term of 6 years, except that the terms of the initial appointees under this subsection (d) shall be as follows: 2 for a term of 3 years and 2 for a term of 6 years.

(3) Four active participants of the system to be elected from the contributing membership of the system by the contributing members, no more than 2 of which may be from any of the University of Illinois campuses, who shall serve for a term of 6 years, except that the terms of the initial electees shall be as follows: 2 for a term of 3 years and 2 for a term of 6 years.

(4) Two annuitants of the system who have been annuitants for at least one full year, to be elected from and by the annuitants...
of the system, no more than one of which may be from any of the
University of Illinois campuses, who shall serve for a term of 6
years, except that the terms of the initial electees shall be as
follows: one for a term of 3 years and one for a term of 6 years.

For the purposes of this Section, the Governor may make a
nomination and the Senate may confirm the nominee in advance of the
commencement of the nominee's term of office.

(e) The 6 elected trustees shall be elected within 90 days after April
3, 2009 (the effective date of Public Act 96-6) this amendatory Act of the
96th General Assembly for a term beginning on the 90th day after that the
effective date of this amendatory Act. Trustees shall be elected thereafter
as terms expire for a 6-year term beginning July 15 next following their
election, and such election shall be held on May 1, or on May 2 when May
1 falls on a Sunday. The board may establish rules for the election of
trustees to implement the provisions of Public Act 96-6 this amendatory
Act of the 96th General Assembly and for future elections. Candidates for
the participating trustee shall be nominated by petitions in writing, signed
by not less than 400 participants with their addresses shown opposite their
names. Candidates for the annuitant trustee shall be nominated by petitions
in writing, signed by not less than 100 annuitants with their addresses
shown opposite their names. If there is more than one qualified nominee
for each elected trustee, then the board shall conduct a secret ballot
election by mail for that trustee, in accordance with rules as established by
the board. If there is only one qualified person nominated by petition for
each elected trustee, then the election as required by this Section shall not
be conducted for that trustee and the board shall declare such nominee
duly elected. A vacancy occurring in the elective membership of the board
shall be filled for the unexpired term by the elected trustees serving on the
board for the remainder of the term. Nothing in this subsection shall
preclude the adoption of rules providing for internet or phone balloting in
addition, or as an alternative, to election by mail.

(f) A vacancy in the appointed membership on the board of trustees
cau sed by resignation, death, expiration of term of office, or other reason
shall be filled by a qualified person appointed by the Governor for the
remainder of the unexpired term.

(g) Trustees (other than the trustees incumbent on June 30, 1995 or
as provided in subsection (c) of this Section) shall continue in office until
their respective successors are appointed and have qualified, except that a
trustee appointed to one of the participant positions shall be disqualified

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immediately upon the termination of his or her status as a participant and a
trustee appointed to one of the annuitant positions shall be disqualified
immediately upon the termination of his or her status as an annuitant
receiving a retirement annuity.

(h) Each trustee must take an oath of office before a notary public
of this State and shall qualify as a trustee upon the presentation to the
board of a certified copy of the oath. The oath must state that the person
will diligently and honestly administer the affairs of the retirement system,
and will not knowingly violate or willfully permit to be violated
any provisions of this Article.

Each trustee shall serve without compensation but shall be
reimbursed for expenses necessarily incurred in attending board meetings
and carrying out his or her duties as a trustee or officer of the system.

(i) This amendatory Act of 1995 is intended to supersede the
changes made to this Section by Public Act 89-4.
(Source: P.A. 96-6, eff. 4-3-09; 96-1000, eff. 7-2-10.)
(40 ILCS 5/15-162) (from Ch. 108 1/2, par. 15-162)
Sec. 15-162. To hold meetings.
To hold regular meetings at least quarterly in each year and special
meetings at such times as the chairperson or a majority of the
board deem necessary.
(Source: Laws 1963, p. 161.)
(40 ILCS 5/15-165) (from Ch. 108 1/2, par. 15-165)
Sec. 15-165. To certify amounts and submit vouchers.
(a) The Board shall certify to the Governor on or before November
15 of each year until November 15, 2011 the appropriation required from
State funds for the purposes of this System for the following fiscal year.
The certification under this subsection (a) shall include a copy of the
actuarial recommendations upon which it is based and shall specifically
identify the System's projected State normal cost for that fiscal year and
the projected State cost for the self-managed plan for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify
to the Governor the amount of the required State contribution to the
System for State fiscal year 2005, taking into account the amounts
appropriated to and received by the System under subsection (d) of Section
7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify
to the Governor the amount of the required State contribution to the
System for State fiscal year 2006, taking into account the changes in

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required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note, in a written response to the State Actuary, any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(b) The Board shall certify to the State Comptroller or employer, as the case may be, from time to time, by its chairperson president and secretary, with its seal attached, the amounts payable to the System from the various funds.

(c) Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (b) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by

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the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this Section, the difference shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(d) So long as the payments received are the full amount lawfully vouchered under this Section, payments received by the System under this Section shall be applied first toward the employer contribution to the self-managed plan established under Section 15-158.2. Payments shall be applied second toward the employer's portion of the normal costs of the System, as defined in subsection (f) of Section 15-155. The balance shall be applied toward the unfunded actuarial liabilities of the System.

(e) In the event that the System does not receive, as a result of legislative enactment or otherwise, payments sufficient to fully fund the employer contribution to the self-managed plan established under Section 15-158.2 and to fully fund that portion of the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1), then any payments received shall be applied proportionately to the optional retirement program established under Section 15-158.2 and to the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1).

(Source: P.A. 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 97-694, eff. 6-18-12.)

(40 ILCS 5/15-168) (from Ch. 108 1/2, par. 15-168)
Sec. 15-168. To require information.

To require such information as shall be necessary for the proper operation of the system from any participant or officer, department head or other person or persons in authority, as the case may be, of any employer.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/15-169) (from Ch. 108 1/2, par. 15-169)
Sec. 15-169. To elect officers and appoint employees. To elect officers; to appoint a secretary and treasurer; to have a seal; to employ and fix the rate of pay of such actuarial, legal, clerical, audit, or medical, or
other services, or corporate trustee organized under the laws of this State with a capital of not less than $1,000,000, or investment counsel and other persons as shall be required for the efficient administration of the system. All actions brought by or against the board shall be prosecuted or defended by the Attorney General or by other counsel, as the board may decide. (Source: P.A. 83-1440.)

Sec. 15-171. To receive, record and deposit payments. To receive all payments made to the system; to make a record thereof; and to cause all payments to be deposited immediately with the treasurer of the system. The Board may delegate the actions prescribed under this Section to persons employed by the System. (Source: Laws 1963, p. 161.)

Sec. 15-172. To certify warrants, checks, or drafts. To provide for certification on its behalf by its president and secretary of all warrants, checks, or drafts upon its depository bank or corporate trustee upon its treasurer in accordance with the by-laws and actions of the board authorizing payments for benefits, expenses, investments and debt service, including any redemption premium and required deposits for any bonds of the board, out of funds belonging to this system. (Source: P.A. 86-1034.)

Sec. 15-177. To make rules. To establish by-laws; to fix the number necessary for a quorum; to set up an executive committee of its members to exercise all powers of the board except as limited by the board; to establish rules and regulations, not inconsistent with the provisions of this Article, as are necessary for the administration of the system; and generally to carry on any other reasonable activities which are deemed necessary to accomplish the purposes of this system, including without limitation the time and manner of reporting contributions by participants and, if applicable, contributions by employers. (Source: Laws 1963, p. 161.)

Sec. 16-106.6. Teacher certification. For purposes of this Article, a teacher shall be deemed to be certificated if he or she is required to be licensed by the Illinois State Board of Education. (Source: P.A. 86-1034.)
Sec. 16-152. Contributions by members.
(a) Each member shall make contributions for membership service to this System as follows:

(1) Effective July 1, 1998, contributions of 7.50% of salary towards the cost of the retirement annuity. Such contributions shall be deemed "normal contributions".

(2) Effective July 1, 1969, contributions of 1/2 of 1% of salary toward the cost of the automatic annual increase in retirement annuity provided under Section 16-133.1.

(3) Effective July 24, 1959, contributions of 1% of salary towards the cost of survivor benefits. Such contributions shall not be credited to the individual account of the member and shall not be subject to refund except as provided under Section 16-143.2.

(4) Effective July 1, 2005, contributions of 0.40% of salary toward the cost of the early retirement without discount option provided under Section 16-133.2. This contribution shall cease upon termination of the early retirement without discount option as provided in Section 16-176.

(b) The minimum required contribution for any year of full-time teaching service shall be $192.

(c) Contributions shall not be required of any annuitant receiving a retirement annuity who is given employment as permitted under Section 16-118 or 16-150.1.

(d) A person who (i) was a member before July 1, 1998, (ii) retires with more than 34 years of creditable service, and (iii) does not elect to qualify for the augmented rate under Section 16-129.1 shall be entitled, at the time of retirement, to receive a partial refund of contributions made under this Section for service occurring after the later of June 30, 1998 or attainment of 34 years of creditable service, in an amount equal to 1.00% of the salary upon which those contributions were based.

(e) A member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall not be refunded if the member has elected early retirement without discount under Section 16-133.2 and has begun to receive a retirement annuity under this Article calculated in accordance with that election. Otherwise, a member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall be refunded according to whichever one of the following circumstances occurs first:

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(1) The contributions shall be refunded to the member, without interest, within 120 days after the member's retirement annuity commences, if the member does not elect early retirement without discount under Section 16-133.2.

(2) The contributions shall be included, without interest, in any refund claimed by the member under Section 16-151.

(3) The contributions shall be refunded to the member's designated beneficiary (or if there is no beneficiary, to the member's estate), without interest, if the member dies without having begun to receive a retirement annuity under this Article.

(4) The contributions shall be refunded to the member, without interest, if within 120 days after the early retirement without discount option provided under Section 16-133.2 is terminated under Section 16-176. In that event, the System shall provide to the member, within 120 days after the option is terminated, an application for a refund of those contributions.

(Source: P.A. 93-320, eff. 7-23-03; 94-4, eff. 6-1-05.)

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

INDEX
Statutes amended in order of appearance

40 ILCS 5/1-160 from Ch. 108 1/2, par. 15-102
40 ILCS 5/15-102 from Ch. 108 1/2, par. 15-111
40 ILCS 5/15-108.1 new
40 ILCS 5/15-108.2 new
40 ILCS 5/15-111 from Ch. 108 1/2, par. 15-112
40 ILCS 5/15-112 from Ch. 108 1/2, par. 15-113.6
40 ILCS 5/15-113.6 from Ch. 108 1/2, par. 15-134
40 ILCS 5/15-134 from Ch. 108 1/2, par. 15-135
40 ILCS 5/15-135 from Ch. 108 1/2, par. 15-136
40 ILCS 5/15-136 from Ch. 108 1/2, par. 15-136.3
40 ILCS 5/15-136.3 from Ch. 108 1/2, par. 15-139
40 ILCS 5/15-139 from Ch. 108 1/2, par. 15-139.1 new
40 ILCS 5/15-145 from Ch. 108 1/2, par. 15-145
40 ILCS 5/15-145.1 new
40 ILCS 5/15-146 from Ch. 108 1/2, par. 15-146
40 ILCS 5/15-146.1 from Ch. 108 1/2, par. 15-146.1
40 ILCS 5/15-155 from Ch. 108 1/2, par. 15-155

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AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Section 20-15 and by adding Section 9-275 as follows:

(35 ILCS 200/9-275 new)

Sec. 9-275. Erroneous homestead exemptions.

(a) For purposes of this Section:

"Erroneous homestead exemption" means a homestead exemption that was granted for real property in a taxable year if the property was not eligible for that exemption in that taxable year. If the taxpayer receives an erroneous homestead exemption under a single Section of this Code for the same property in multiple years, that exemption is considered a single erroneous homestead exemption for purposes of this Section. However, if the taxpayer receives erroneous homestead exemptions under multiple Sections of this Code for the same property, or if the taxpayer receives erroneous homestead exemptions under the same Section of this Code for multiple properties, then each of those exemptions is considered a separate erroneous homestead exemption for purposes of this Section.

"Homestead exemption" means an exemption under Section 15-165 (disabled veterans), 15-167 (returning veterans), 15-168 (disabled persons), 15-169 (disabled veterans standard homestead), 15-170 (senior citizens), 15-172 (senior citizens assessment freeze), 15-175 (general
homestead), 15-176 (alternative general homestead), or 15-177 (long-time occupant).

(b) Notwithstanding any other provision of law, in counties with 3,000,000 or more inhabitants, the chief county assessment officer shall include the following information with each assessment notice sent in a general assessment year: (1) a list of each homestead exemption available under Article 15 of this Code and a description of the eligibility criteria for that exemption; (2) a list of each homestead exemption applied to the property in the current assessment year; (3) information regarding penalties and interest that may be incurred under this Section if the property owner received an erroneous homestead exemption in a previous taxable year; and (4) notice of the 60-day grace period available under this subsection. If, within 60 days after receiving his or her assessment notice, the property owner notifies the chief county assessment officer that he or she received an erroneous homestead exemption in a previous assessment year, and if the property owner pays the principal amount of back taxes due and owing with respect to that exemption, plus interest as provided in subsection (f), then the property owner shall not be liable for the penalties provided in subsection (f) with respect to that exemption.

(c) The chief county assessment officer in a county with 3,000,000 or more inhabitants may cause a lien to be recorded against property that (1) is located in the county and (2) received one or more erroneous homestead exemptions if, upon determination of the chief county assessment officer, the property owner received: (A) one or 2 erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served; or (2) 3 or more erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 6 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served. Prior to recording the lien against the property, the chief county assessment officer shall cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property.

(d) The notice of intent to record a tax lien described in subsection (c) shall: (1) identify, by property index number, the property against
which the lien is being sought; (2) identify each specific homestead exemption that was erroneously granted and the year or years in which each exemption was granted; (3) set forth the arrearage of taxes that would have been due if not for the erroneous homestead exemptions; (4) inform the property owner that he or she may request a hearing within 30 days after service and may appeal the hearing officer's ruling to the circuit court; and (5) inform the property owner that he or she may pay the amount due, plus interest and penalties, within 30 days after service.

(e) The notice must also include a form that the property owner may return to the chief county assessment officer to request a hearing. The property owner may request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the property owner is served. The chief county assessment officer shall promulgate rules of service and procedure for the hearing. The chief county assessment officer must generally follow rules of evidence and practices that prevail in the county circuit courts, but, because of the nature of these proceedings, the chief county assessment officer is not bound by those rules in all particulars. The chief county assessment officer shall appoint a hearing officer to oversee the hearing. The property owner shall be allowed to present evidence to the hearing officer at the hearing. After taking into consideration all the relevant testimony and evidence, the hearing officer shall make an administrative decision on whether the property owner was erroneously granted a homestead exemption for the assessment year in question. The property owner may appeal the hearing officer's ruling to the circuit court of the county where the property is located as a final administrative decision under the Administrative Review Law.

(f) A lien against the property imposed under this Section shall be filed with the county recorder of deeds, but may not be filed sooner than 60 days after the notice was delivered to the property owner if the property owner does not request a hearing, or until the conclusion of the hearing and all appeals if the property owner does request a hearing. If a lien is filed pursuant to this Section and the property owner received one or 2 erroneous homestead exemptions during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served, then the arrearages of taxes that might have been assessed for that property, plus 10% interest per annum, shall be charged against the property by the county treasurer. However, if a lien is filed pursuant to this Section and the property owner received 3

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or more erroneous homestead exemptions during any of the 6 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served, the arrearages of taxes that might have been assessed for that property, plus a penalty of 50% of the total amount of unpaid taxes for each year for that property and 10% interest per annum, shall be charged against the property by the county treasurer.

(g) If a person received an erroneous homestead exemption under Section 15-170 and: (1) the person was the spouse, child, grandchild, brother, sister, niece, or nephew of the previous owner; and (2) the person received the property by bequest or inheritance; then the person is not liable for the penalties imposed under this subsection for any year or years during which the county did not require an annual application for the exemption. However, that person is responsible for any interest owed under subsection (f).

(h) If the erroneous homestead exemption was granted as a result of a clerical error or omission on the part of the chief county assessment officer, and if the owner has paid its tax bills as received for the year in which the error occurred, then the interest and penalties authorized by this Section with respect to that homestead exemption shall not be chargeable to the owner. However, nothing in this Section shall prevent the collection of the principal amount of back taxes due and owing.

(i) A lien under this Section is not valid as to (1) any bona fide purchaser for value without notice of the erroneous homestead exemption whose rights in and to the underlying parcel arose after the erroneous homestead exemption was granted but before the filing of the notice of lien; or (2) any mortgagee, judgment creditor, or other lienor whose rights in and to the underlying parcel arose before the filing of the notice of lien. A title insurance policy for the property that is issued by a title company licensed to do business in the State showing that the property is free and clear of any liens imposed under this Section shall be prima facie evidence that the property owner is without notice of the erroneous homestead exemption. Nothing in this Section shall be deemed to impair the rights of subsequent creditors and subsequent purchasers under Section 30 of the Conveyances Act.

(j) When a lien is filed against the property pursuant to this Section, the chief county assessment officer shall mail a copy of the lien to the person to whom the most recent tax bill was mailed and to the owner of record, and the outstanding liability created by such a lien is due and payable within 30 days after the mailing of the lien by the chief county

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assessment officer. Payment shall be made to the chief county assessment officer who shall, upon receipt of the full amount due, provide in reasonable form a release of the lien and shall transmit the funds received to the county treasurer for distribution as provided in subsection (i) of this Section. This liability is deemed delinquent and shall bear interest beginning on the day after the due date.

(k) The unpaid taxes shall be paid to the appropriate taxing districts. Interest shall be paid to the county where the property is located. The penalty shall be paid to the chief county assessment officer's office for the administration of the provisions of this amendatory Act of the 98th General Assembly.

(l) The chief county assessment officer in a county with 3,000,000 or more inhabitants shall establish an amnesty period for all taxpayers owing any tax due to an erroneous homestead exemption granted in a tax year prior to the 2013 tax year. The amnesty period shall begin on the effective date of this amendatory Act of the 98th General Assembly and shall run through December 31, 2013. If, during the amnesty period, the taxpayer pays the entire arrearage of taxes due for tax years prior to 2013, the county clerk shall abate and not seek to collect any interest or penalties that may be applicable and shall not seek civil or criminal prosecution for any taxpayer for tax years prior to 2013. Failure to pay all such taxes due during the amnesty period established under this Section shall invalidate the amnesty period for that taxpayer.

The chief county assessment officer in a county with 3,000,000 or more inhabitants shall (i) mail notice of the amnesty period with the tax bills for the second installment of taxes for the 2012 assessment year and (ii) as soon as possible after the effective date of this amendatory Act of the 98th General Assembly, publish notice of the amnesty period in a newspaper of general circulation in the county. Notices shall include information on the amnesty period, its purpose, and the method in which to make payment.

Taxpayers who are a party to any criminal investigation or to any civil or criminal litigation that is pending in any circuit court or appellate court, or in the Supreme Court of this State, for nonpayment, delinquency, or fraud in relation to any property tax imposed by any taxing district located in the State on the effective date of this amendatory Act of the 98th General Assembly may not take advantage of the amnesty period.
A taxpayer who has claimed 3 or more homestead exemptions in error shall not be eligible for the amnesty period established under this subsection.

(35 ILCS 200/20-15)

Sec. 20-15. Information on bill or separate statement. There shall be printed on each bill, or on a separate slip which shall be mailed with the bill:

(a) a statement itemizing the rate at which taxes have been extended for each of the taxing districts in the county in whose district the property is located, and in those counties utilizing electronic data processing equipment the dollar amount of tax due from the person assessed allocable to each of those taxing districts, including a separate statement of the dollar amount of tax due which is allocable to a tax levied under the Illinois Local Library Act or to any other tax levied by a municipality or township for public library purposes,

(b) a separate statement for each of the taxing districts of the dollar amount of tax due which is allocable to a tax levied under the Illinois Pension Code or to any other tax levied by a municipality or township for public pension or retirement purposes,

(c) the total tax rate,

(d) the total amount of tax due, and

(e) the amount by which the total tax and the tax allocable to each taxing district differs from the taxpayer's last prior tax bill.

The county treasurer shall ensure that only those taxing districts in which a parcel of property is located shall be listed on the bill for that property.

In all counties the statement shall also provide:

(1) the property index number or other suitable description,

(2) the assessment of the property,

(3) the statutory amount of each homestead exemption applied to the property,

(4) the assessed value of the property after application of all homestead exemptions,

(5) the equalization factors imposed by the county and by the Department, and

(6) the equalized assessment resulting from the application of the equalization factors to the basic assessment.

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In all counties which do not classify property for purposes of taxation, for property on which a single family residence is situated the statement shall also include a statement to reflect the fair cash value determined for the property. In all counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution, for parcels of residential property in the lowest assessment classification the statement shall also include a statement to reflect the fair cash value determined for the property.

In all counties, the statement must include information that certain taxpayers may be eligible for tax exemptions, abatements, and other assistance programs and that, for more information, taxpayers should consult with the office of their township or county assessor and with the Illinois Department of Revenue.

In all counties, the statement shall include information that certain taxpayers may be eligible for the Senior Citizens and Disabled Persons Property Tax Relief Act and that applications are available from the Illinois Department on Aging.

In counties which use the estimated or accelerated billing methods, these statements shall only be provided with the final installment of taxes due. The provisions of this Section create a mandatory statutory duty. They are not merely directory or discretionary. The failure or neglect of the collector to mail the bill, or the failure of the taxpayer to receive the bill, shall not affect the validity of any tax, or the liability for the payment of any tax.

(Source: P.A. 97-689, eff. 6-14-12.)

Section 99. Effective date. This Act takes effect June 1, 2013.
Passed in the General Assembly May 27, 2013.
Approved July 17, 2013.
Effective July 16, 2013.

PUBLIC ACT 98-0094
(House Bill No. 2869)

AN ACT concerning finance.

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

Section 5. The State Finance Act is amended by changing Section 6z-78 as follows:

(30 ILCS 105/6z-78)

New matter indicated in italics - deletions by strikeout
Sec. 6z-78. Capital Projects Fund; bonded indebtedness; transfers. Money in the Capital Projects Fund shall, if and when the State of Illinois incurs any bonded indebtedness using the bond authorizations enacted in Public Act 96-36, Public Act 96-1554, Public Act 97-771, and this amendatory Act of the 98th 97th General Assembly, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable.

In addition to other transfers to the General Obligation Bond Retirement and Interest Fund made pursuant to Section 15 of the General Obligation Bond Act, upon each delivery of general obligation bonds using bond authorizations enacted in Public Act 96-36, Public Act 96-1554, Public Act 97-771, and this amendatory Act of the 98th 97th General Assembly the State Comptroller shall compute and certify to the State Treasurer the total amount of principal of, interest on, and premium, if any, on such bonds during the then current and each succeeding fiscal year. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for the period.

(a) Except as provided for in subsection (b), on or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(b) On or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the General Obligation Bond Retirement and Interest Fund an amount
sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds issued prior to January 1, 2012 pursuant to Section 4(d) of the General Obligation Bond Act payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. If the available balance in the Capital Projects Fund is not sufficient for the transfer required in this subsection, the State Treasurer and State Comptroller shall transfer the difference from the Road Fund to the General Obligation Bond Retirement and Interest Fund; except that such Road Fund transfers shall constitute a debt of the Capital Projects Fund which shall be repaid according to subsection (c). Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(c) On the first day of any month when the Capital Projects Fund is carrying a debt to the Road Fund due to the provisions of subsection (b), the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the Road Fund an amount sufficient to discharge that debt. These transfers to the Road Fund shall continue until the Capital Projects Fund has repaid to the Road Fund all transfers made from the Road Fund pursuant to subsection (b). Notwithstanding any other law to the contrary, transfers to the Road Fund from the Capital Projects Fund shall be made prior to any other expenditures or transfers out of the Capital Projects Fund.

(Source: P.A. 96-36, eff. 7-13-09; 96-820, eff. 11-18-09; 96-1554, eff. 3-18-11; 97-771, eff. 7-10-12.)

Section 10. The General Obligation Bond Act is amended by changing Sections 2, 3, 4, 5, 6, and 7 as follows:

(30 ILCS 330/2) (from Ch. 127, par. 652)

Sec. 2. Authorization for Bonds. The State of Illinois is authorized to issue, sell and provide for the retirement of General Obligation Bonds of the State of Illinois for the categories and specific purposes expressed in
Sections 2 through 8 of this Act, in the total amount of $49,317,925,743
$47,092,925,743 $45,476,125,743.

The bonds authorized in this Section 2 and in Section 16 of this
Act are herein called "Bonds".

Of the total amount of Bonds authorized in this Act, up to
$2,200,000,000 in aggregate original principal amount may be issued and
sold in accordance with the Baccalaureate Savings Act in the form of
General Obligation College Savings Bonds.

Of the total amount of Bonds authorized in this Act, up to
$300,000,000 in aggregate original principal amount may be issued and
sold in accordance with the Retirement Savings Act in the form of General
Obligation Retirement Savings Bonds.

Of the total amount of Bonds authorized in this Act, the additional
$10,000,000,000 authorized by Public Act 93-2, the $3,466,000,000
authorized by Public Act 96-43, and the $4,096,348,300 authorized by
Public Act 96-1497 shall be used solely as provided in Section 7.2.

The issuance and sale of Bonds pursuant to the General Obligation
Bond Act is an economical and efficient method of financing the long-
term capital needs of the State. This Act will permit the issuance of a
multi-purpose General Obligation Bond with uniform terms and features.
This will not only lower the cost of registration but also reduce the overall
cost of issuing debt by improving the marketability of Illinois General
Obligation Bonds.

(Source: P.A. 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-43, eff. 7-15-09;
96-885, eff. 3-11-10; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1554,
eff. 3-18-11; 97-333, eff. 8-12-11; 97-771, eff. 7-10-12; 97-813, eff. 7-13-
d3-12; revised 7-23-12.)

(30 ILCS 330/3) (from Ch. 127, par. 653)

Sec. 3. Capital Facilities. The amount of $9,753,963,443
$8,900,463,443 is authorized to be used for the acquisition, development,
construction, reconstruction, improvement, financing, architectural
planning and installation of capital facilities within the State, consisting of
buildings, structures, durable equipment, land, interests in land, and the
costs associated with the purchase and implementation of information
technology, including but not limited to the purchase of hardware and
software, for the following specific purposes:

(a) $3,393,228,000 $3,007,228,000 for educational
purposes by State universities and colleges, the Illinois Community
College Board created by the Public Community College Act and

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for grants to public community colleges as authorized by Sections 5-11 and 5-12 of the Public Community College Act;

(b) $1,648,420,000 for correctional purposes at State prison and correctional centers;

(c) $599,183,000 for open spaces, recreational and conservation purposes and the protection of land;

(d) $751,317,000 $691,917,000 for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses;

(e) $2,152,790,000 $1,777,990,000 for use by the State, its departments, authorities, public corporations, commissions and agencies;

(f) $818,100 for cargo handling facilities at port districts and for breakwaters, including harbor entrances, at port districts in conjunction with facilities for small boats and pleasure crafts;

(g) $297,177,074 $274,877,074 for water resource management projects;

(h) $16,940,269 for the provision of facilities for food production research and related instructional and public service activities at the State universities and public community colleges;

(i) $36,000,000 for grants by the Secretary of State, as State Librarian, for central library facilities authorized by Section 8 of the Illinois Library System Act and for grants by the Capital Development Board to units of local government for public library facilities;

(j) $25,000,000 for the acquisition, development, construction, reconstruction, improvement, financing, architectural planning and installation of capital facilities consisting of buildings, structures, durable equipment and land for grants to counties, municipalities or public building commissions with correctional facilities that do not comply with the minimum standards of the Department of Corrections under Section 3-15-2 of the Unified Code of Corrections;

(k) $5,000,000 for grants in fiscal year 1988 by the Department of Conservation for improvement or expansion of aquarium facilities located on property owned by a park district;

(l) $599,590,000 $588,590,000 to State agencies for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of

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capital facilities consisting of buildings, structures, durable equipment, and land; and

(m) $228,500,000 for the Illinois Open Land Trust Program as defined by the Illinois Open Land Trust Act.

The amounts authorized above for capital facilities may be used for the acquisition, installation, alteration, construction, or reconstruction of capital facilities and for the purchase of equipment for the purpose of major capital improvements which will reduce energy consumption in State buildings or facilities.

(Source: P.A. 96-36, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1554, eff. 3-18-11.)

(30 ILCS 330/4) (from Ch. 127, par. 654)

Sec. 4. Transportation. The amount of $14,848,199,000 is authorized for use by the Department of Transportation for the specific purpose of promoting and assuring rapid, efficient, and safe highway, air and mass transportation for the inhabitants of the State by providing monies, including the making of grants and loans, for the acquisition, construction, reconstruction, extension and improvement of the following transportation facilities and equipment, and for the acquisition of real property and interests in real property required or expected to be required in connection therewith as follows:

(a) $5,432,129,000 for State highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts for the following specific purposes:

(1) $3,330,000,000 for use statewide,
(2) $3,677,000 for use outside the Chicago urbanized area,
(3) $7,543,000 for use within the Chicago urbanized area,
(4) $13,060,600 for use within the City of Chicago,
(5) $58,987,500 for use within the counties of Cook, DuPage, Kane, Lake, McHenry and Will,
(6) $18,860,900 for use outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, and
(7) $2,000,000,000 for use on projects included in either (i) the FY09-14 Proposed Highway Improvement Program as published by the Illinois Department of Transportation in May 2008 or (ii) the FY10-15 Proposed Highway Improvement Program to be published by the Illinois Department of Transportation in the spring of 2009; except that all projects must be maintenance

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projects for the existing State system with the goal of reaching 90% acceptable condition in the system statewide and further except that all projects must reflect the generally accepted historical distribution of projects throughout the State.

(b) $5,379,670,000 $5,079,570,000 for rail facilities and for mass transit facilities, as defined in Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), including rapid transit, rail, bus and other equipment used in connection therewith by the State or any unit of local government, special transportation district, municipal corporation or other corporation or public authority authorized to provide and promote public transportation within the State or two or more of the foregoing jointly, for the following specific purposes:

(1) $4,283,870,000 $3,983,770,000 statewide,
(2) $83,350,000 for use within the counties of Cook, DuPage, Kane, Lake, McHenry and Will,
(3) $12,450,000 for use outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, and
(4) $1,000,000,000 for use on projects that shall reflect the generally accepted historical distribution of projects throughout the State.

(c) $482,600,000 for airport or aviation facilities and any equipment used in connection therewith, including engineering and land acquisition costs, by the State or any unit of local government, special transportation district, municipal corporation or other corporation or public authority authorized to provide public transportation within the State, or two or more of the foregoing acting jointly, and for the making of deposits into the Airport Land Loan Revolving Fund for loans to public airport owners pursuant to the Illinois Aeronautics Act.

(d) $3,553,800,000 $3,066,300,000 for use statewide for State or local highways, arterial highways, freeways, roads, bridges, and structures separating highways and railroads and roads, and for grants to counties, municipalities, townships, or road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction-related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois.

(Source: P.A. 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1554, eff. 3-18-11; 97-771, eff. 7-10-12.)

(30 ILCS 330/5) (from Ch. 127, par. 655)
Sec. 5. School Construction.

(a) The amount of $58,450,000 is authorized to make grants to local school districts for the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning and installation of capital facilities, including but not limited to those required for special education building projects provided for in Article 14 of The School Code, consisting of buildings, structures, and durable equipment, and for the acquisition and improvement of real property and interests in real property required, or expected to be required, in connection therewith.

(b) $22,550,000, or so much thereof as may be necessary, for grants to school districts for the making of principal and interest payments, required to be made, on bonds issued by such school districts after January 1, 1969, pursuant to any indenture, ordinance, resolution, agreement or contract to provide funds for the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning and installation of capital facilities consisting of buildings, structures, durable equipment and land for educational purposes or for lease payments required to be made by a school district for principal and interest payments on bonds issued by a Public Building Commission after January 1, 1969.

(c) $10,000,000 for grants to school districts for the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning and installation of capital facilities consisting of buildings, structures, durable equipment and land for special education building projects.

(d) $9,000,000 for grants to school districts for the reconstruction, rehabilitation, improvement, financing and architectural planning of capital facilities, including construction at another location to replace such capital facilities, consisting of those public school buildings and temporary school facilities which, prior to January 1, 1984, were condemned by the regional superintendent under Section 3-14.22 of The School Code or by any State official having jurisdiction over building safety.

(e) $3,050,000,000 for grants to school districts for school improvement projects authorized by the School Construction Law. The bonds shall be sold in amounts not to exceed the following schedule, except any bonds not sold during one year shall be added to the bonds to be sold during the remainder of the schedule:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First year</td>
<td>$200,000,000</td>
</tr>
<tr>
<td>Second year</td>
<td>$450,000,000</td>
</tr>
</tbody>
</table>

New matter indicated in italics - deletions by strikeout
Third year................................... $500,000,000
Fourth year.................................. $500,000,000
Fifth year................................... $800,000,000
Sixth year and thereafter................. $600,000,000
(f) $1,600,000,000 $1,066,000,000 grants to school districts for school implemented projects authorized by the School Construction Law.
(Source: P.A. 96-36, eff. 7-13-09; 96-1554, eff. 3-18-11.)
(30 ILCS 330/6) (from Ch. 127, par. 656)
Sec. 6. Anti-Pollution.
(a) The amount of $443,215,000 $422,815,000 is authorized for allocation by the Environmental Protection Agency for grants or loans to units of local government in such amounts, at such times and for such purpose as the Agency deems necessary or desirable for the planning, financing, and construction of municipal sewage treatment works and solid waste disposal facilities and for making of deposits into the Water Revolving Fund and the U.S. Environmental Protection Fund to provide assistance in accordance with the provisions of Title IV-A of the Environmental Protection Act.
(b) The amount of $236,500,000 is authorized for allocation by the Environmental Protection Agency for payment of claims submitted to the State and approved for payment under the Leaking Underground Storage Tank Program established in Title XVI of the Environmental Protection Act.
(Source: P.A. 96-36, eff. 7-13-09; 96-1554, eff. 3-18-11.)
(30 ILCS 330/7) (from Ch. 127, par. 657)
Sec. 7. Coal and Energy Development. The amount of $742,700,000 $698,200,000 is authorized to be used by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) for coal and energy development purposes, pursuant to Sections 2, 3 and 3.1 of the Illinois Coal and Energy Development Bond Act, for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act, for the purposes specified in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, and for the purpose of facility cost reports prepared pursuant to Sections 1-58 or 1-75(d)(4) of the Illinois Power Agency Act and for the purpose of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act. Of this amount:

New matter indicated in italics - deletions by strikeout
(a) $143,500,000 $115,000,000 is for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State and for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act;

(b) $35,000,000 is for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act and making grants to generating stations and coal gasification facilities within the State of Illinois and to the owner of a generating station located in Illinois and having at least three coal-fired generating units with accredited summer capability greater than 500 megawatts each at such generating station as provided in Section 6 of that Bond Act;

(c) $13,200,000 is for research, development and demonstration of forms of energy other than that derived from coal, either on or off State property;

(d) $500,000,000 is for the purpose of providing financial assistance to new electric generating facilities as provided in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois; and

(e) $51,000,000 $50,000,000 is for the purpose of facility cost reports prepared for not more than one facility pursuant to Section 1-75(d)(4) of the Illinois Power Agency Act and not more than one facility pursuant to Section 1-58 of the Illinois Power Agency Act and for the purpose of up to $6,000,000 of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act.

(Source: P.A. 95-1026, eff. 1-12-09; 96-781, eff. 8-28-09; 96-1000, eff. 7-2-10; 96-1465, eff. 8-20-10; 96-1554, eff. 3-18-11.)

Section 15. The Build Illinois Bond Act is amended by changing Sections 2 and 4 as follows:

(30 ILCS 425/2) (from Ch. 127, par. 2802)

Sec. 2. Authorization for Bonds. The State of Illinois is authorized to issue, sell and provide for the retirement of limited obligation bonds, notes and other evidences of indebtedness of the State of Illinois in the total principal amount of $6,246,009,000 $5,703,509,000 herein called "Bonds". Such authorized amount of Bonds shall be reduced from time to time by amounts, if any, which are equal to the moneys received by the Department of Revenue in any fiscal year pursuant to Section 3-1001 of

New matter indicated in italics - deletions by strikeout
the "Illinois Vehicle Code", as amended, in excess of the Annual Specified Amount (as defined in Section 3 of the "Retailers' Occupation Tax Act", as amended) and transferred at the end of such fiscal year from the General Revenue Fund to the Build Illinois Purposes Fund (now abolished) as provided in Section 3-1001 of said Code; provided, however, that no such reduction shall affect the validity or enforceability of any Bonds issued prior to such reduction. Such amount of authorized Bonds shall be exclusive of any refunding Bonds issued pursuant to Section 15 of this Act and exclusive of any Bonds issued pursuant to this Section which are redeemed, purchased, advance refunded, or defeased in accordance with paragraph (f) of Section 4 of this Act. Bonds shall be issued for the categories and specific purposes expressed in Section 4 of this Act.

(Source: P.A. 96-36, eff. 7-13-09; 96-1554, eff. 3-18-11.)

(30 ILCS 425/4) (from Ch. 127, par. 2804)

Sec. 4. Purposes of Bonds. Bonds shall be issued for the following purposes and in the approximate amounts as set forth below:

(a) $3,222,800,000 $3,213,000,000 for the expenses of issuance and sale of Bonds, including bond discounts, and for planning, engineering, acquisition, construction, reconstruction, development, improvement and extension of the public infrastructure in the State of Illinois, including: the making of loans or grants to local governments for waste disposal systems, water and sewer line extensions and water distribution and purification facilities, rail or air or water port improvements, gas and electric utility extensions, publicly owned industrial and commercial sites, buildings used for public administration purposes and other public infrastructure capital improvements; the making of loans or grants to units of local government for financing and construction of wastewater facilities, including grants to serve unincorporated areas; refinancing or retiring bonds issued between January 1, 1987 and January 1, 1990 by home rule municipalities, debt service on which is provided from a tax imposed by home rule municipalities prior to January 1, 1990 on the sale of food and drugs pursuant to Section 8-11-1 of the Home Rule Municipal Retailers' Occupation Tax Act or Section 8-11-5 of the Home Rule Municipal Service Occupation Tax Act; the making of deposits not to exceed $70,000,000 in the aggregate into the Water Pollution Control Revolving Fund to provide assistance in accordance with the provisions of Title IV-A of the Environmental Protection Act; the planning, engineering, acquisition, construction, reconstruction, alteration, expansion, extension and improvement of

New matter indicated in italics - deletions by strikeout
highways, bridges, structures separating highways and railroads, rest areas, interchanges, access roads to and from any State or local highway and other transportation improvement projects which are related to economic development activities; the making of loans or grants for planning, engineering, rehabilitation, improvement or construction of rail and transit facilities; the planning, engineering, acquisition, construction, reconstruction and improvement of watershed, drainage, flood control, recreation and related improvements and facilities, including expenses related to land and easement acquisition, relocation, control structures, channel work and clearing and appurtenant work; the making of grants for improvement and development of zoos and park district field houses and related structures; and the making of grants for improvement and development of Navy Pier and related structures.

(b) $849,000,000 $541,000,000 for fostering economic development and increased employment and the well being of the citizens of Illinois, including: the making of grants for improvement and development of McCormick Place and related structures; the planning and construction of a microelectronics research center, including the planning, engineering, construction, improvement, renovation and acquisition of buildings, equipment and related utility support systems; the making of loans to businesses and investments in small businesses; acquiring real properties for industrial or commercial site development; acquiring, rehabilitating and reconveying industrial and commercial properties for the purpose of expanding employment and encouraging private and other public sector investment in the economy of Illinois; the payment of expenses associated with siting the Superconducting Super Collider Particle Accelerator in Illinois and with its acquisition, construction, maintenance, operation, promotion and support; the making of loans for the planning, engineering, acquisition, construction, improvement and conversion of facilities and equipment which will foster the use of Illinois coal; the payment of expenses associated with the promotion, establishment, acquisition and operation of small business incubator facilities and agribusiness research facilities, including the lease, purchase, renovation, planning, engineering, construction and maintenance of buildings, utility support systems and equipment designated for such purposes and the establishment and maintenance of centralized support services within such facilities; and the making of grants or loans to units of local government for Urban Development Action Grant and Housing Partnership programs.

New matter indicated in italics - deletions by strikeout
(c) $1,944,058,100 $1,741,358,100 for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services for all citizens of Illinois, including: the making of construction and improvement grants and loans to public libraries and library systems; the making of grants and loans for planning, engineering, acquisition and construction of a new State central library in Springfield; the planning, engineering, acquisition and construction of an animal and dairy sciences facility; the planning, engineering, acquisition and construction of a campus and all related buildings, facilities, equipment and materials for Richland Community College; the acquisition, rehabilitation and installation of equipment and materials for scientific and historical surveys; the making of grants or loans for distribution to eligible vocational education instructional programs for the upgrading of vocational education programs, school shops and laboratories, including the acquisition, rehabilitation and installation of technical equipment and materials; the making of grants or loans for distribution to eligible local educational agencies for the upgrading of math and science instructional programs, including the acquisition of instructional equipment and materials; miscellaneous capital improvements for universities and community colleges including the planning, engineering, construction, reconstruction, remodeling, improvement, repair and installation of capital facilities and costs of planning, supplies, equipment, materials, services, and all other required expenses; the making of grants or loans for repair, renovation and miscellaneous capital improvements for privately operated colleges and universities and community colleges, including the planning, engineering, acquisition, construction, reconstruction, remodeling, improvement, repair and installation of capital facilities and costs of planning, supplies, equipment, materials, services, and all other required expenses; and the making of grants or loans for distribution to local governments for hospital and other health care facilities including the planning, engineering, acquisition, construction, reconstruction, remodeling, improvement, repair and installation of capital facilities and costs of planning, supplies, equipment, materials, services, and all other required expenses.

(d) $230,150,900 $208,150,900 for protection, preservation, restoration and conservation of environmental and natural resources, including: the making of grants to soil and water conservation districts for the planning and implementation of conservation practices and for funding

New matter indicated in italics - deletions by strikeout
contracts with the Soil Conservation Service for watershed planning; the making of grants to units of local government for the capital development and improvement of recreation areas, including planning and engineering costs, sewer projects, including planning and engineering costs and water projects, including planning and engineering costs, and for the acquisition of open space lands, including the acquisition of easements and other property interests of less than fee simple ownership; the acquisition and related costs and development and management of natural heritage lands, including natural areas and areas providing habitat for endangered species and nongame wildlife, and buffer area lands; the acquisition and related costs and development and management of habitat lands, including forest, wildlife habitat and wetlands; and the removal and disposition of hazardous substances, including the cost of project management, equipment, laboratory analysis, and contractual services necessary for preventative and corrective actions related to the preservation, restoration and conservation of the environment, including deposits not to exceed $60,000,000 in the aggregate into the Hazardous Waste Fund and the Brownfields Redevelopment Fund for improvements in accordance with the provisions of Titles V and XVII of the Environmental Protection Act.

(e) The amount specified in paragraph (a) above shall include an amount necessary to pay reasonable expenses of each issuance and sale of the Bonds, as specified in the related Bond Sale Order (hereinafter defined).

(f) Any unexpended proceeds from any sale of Bonds which are held in the Build Illinois Bond Fund may be used to redeem, purchase, advance refund, or defease any Bonds outstanding.
(Source: P.A. 96-36, eff. 7-13-09; 96-503, eff. 8-14-09; 96-1000, eff. 7-2-10; 96-1554, eff. 3-18-11.)

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

Approved July 17, 2013.
Effective July 17, 2013.
AN ACT concerning finance.

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

Section 5. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 2 as follows:

(30 ILCS 575/2)
(Section scheduled to be repealed on June 30, 2016)
Sec. 2. Definitions.
(A) For the purpose of this Act, the following terms shall have the following definitions:

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

   (a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

   (b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

   (c) Black or African American (a person having origins in any of the black racial groups of Africa). Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".

   (d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

   (e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

(2) "Female" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.
(2.05) "Person with a disability" means a person who is a citizen or lawful resident of the United States and is a person qualifying as being disabled under subdivision (2.1) of this subsection (A).

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

(a) results from:
  amputation,
  arthritis,
  autism,
  blindness,
  burn injury,
  cancer,
  cerebral palsy,
  Crohn's disease,
  cystic fibrosis,
  deafness,
  head injury,
  heart disease,
  hemiplegia,
  hemophilia,
  respiratory or pulmonary dysfunction,
  an intellectual disability,
  mental illness,
  multiple sclerosis,
  muscular dystrophy,
  musculoskeletal disorders,
  neurological disorders, including stroke and epilepsy,
  paraplegia,
  quadriplegia and other spinal cord conditions,
  sickle cell anemia,
  ulcerative colitis,
  specific learning disabilities, or
  end stage renal failure disease; and
(b) substantially limits one or more of the person's major life activities.

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

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

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

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

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

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

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

(6) "State agencies" shall mean all departments, officers, boards, commissions, institutions and bodies politic and corporate of the State, but does not include the Board of Trustees of the

New matter indicated in italics - deletions by strikeout
University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Northwestern University, the Board of Trustees of Western Illinois University, municipalities or other local governmental units, or other State constitutional officers.

(7) "State universities" shall mean the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northern Illinois University, and the Board of Trustees of Western Illinois University.

(8) "Certification" means a determination made by the Council or by one delegated authority from the Council to make certifications, or by a State agency with statutory authority to make such a certification, that a business entity is a business owned by a minority, female, or person with a disability for whatever purpose. A business owned and controlled by females shall be certified as a "Female owned business". A business owned and controlled by females who are also minorities shall be certified as both a "Female owned business" and a "Minority owned business". The Council shall select and designate whether such business is to be certified as a "Female-owned business" or "Minority-owned business" if the females are also minorities.

(9) "Control" means the exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing, not pro forma. Control shall include the power to direct or cause the direction of
the management and policies of the business and to make the day-
to-day as well as major decisions in matters of policy, management
and operations. Control shall be exemplified by possessing the
requisite knowledge and expertise to run the particular business
and control shall not include simple majority or absentee
ownership.

(10) "Business concern or business" means a business that
has annual gross sales of less than $75,000,000 as evidenced by the
federal income tax return of the business. A firm with gross sales
in excess of this cap may apply to the Council for certification for a
particular contract if the firm can demonstrate that the contract
would have significant impact on businesses owned by minorities,
females, or persons with disabilities as suppliers or subcontractors
or in employment of minorities, females, or persons with
disabilities.

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

(Source: P.A. 96-453, eff. 8-14-09; 96-795, eff. 7-1-10 (see Section 5 of
P.A. 96-793 for effective date of changes made by P.A. 96-795); 96-1000,
eff. 7-2-10; 97-227, eff. 1-1-12; 97-396, eff. 1-1-12; 97-813, eff. 7-13-12.)

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

Approved July 17, 2013.
Effective July 17, 2013.

PUBLIC ACT 98-0096
(House Bill No. 1815)

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

New matter indicated in italics - deletions by strikeout
Section 5. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Diabetes Awareness license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Diabetes Awareness license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary of State. The Secretary, in his or her discretion, may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the Diabetes Research Checkoff Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Diabetes Research Checkoff Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

Passed in the General Assembly May 16, 2013.

Approved July 18, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0097
(House Bill No. 2199)

AN ACT concerning State government.

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

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-643 as follows:

New matter indicated in italics - deletions by strikeout

(a) Commission established. The Illinois State Diabetes Commission is established within the Department of Public Health. The Commission shall consist of members that are residents of this State and shall include an Executive Committee appointed by the Director. The members of the Commission shall be appointed by the Director as follows:

1. The Director or the Director's designee, who shall serve as chairperson of the Commission.

2. Physicians who are board certified in endocrinology, with at least one physician with expertise and experience in the treatment of childhood diabetes and at least one physician with expertise and experience in the treatment of adult onset diabetes.

3. Health care professionals with expertise and experience in the prevention, treatment, and control of diabetes.

4. Representatives of organizations or groups that advocate on behalf of persons suffering from diabetes.

5. Representatives of voluntary health organizations or advocacy groups with an interest in the prevention, treatment, and control of diabetes.

6. Members of the public who have been diagnosed with diabetes.

The Director may appoint additional members deemed necessary and appropriate by the Director.

Members of the Commission shall be appointed by June 1, 2010. A member shall continue to serve until his or her successor is duly appointed and qualified.

(b) Meetings. Meetings shall be held 3 times per year or at the call of the Commission chairperson.

(c) Reimbursement. Members shall serve without compensation but shall, subject to appropriation, be reimbursed for reasonable and necessary expenses actually incurred in the performance of the member's official duties.

(d) Department support. The Department shall provide administrative support and current staff as necessary for the effective operation of the Commission.

(e) Duties. The Commission shall perform all of the following duties:

New matter indicated in italics - deletions by strikeout
(1) Hold public hearings to gather information from the general public on issues pertaining to the prevention, treatment, and control of diabetes.

(2) Develop a strategy for the prevention, treatment, and control of diabetes in this State.

(3) Examine the needs of adults, children, racial and ethnic minorities, and medically underserved populations who have diabetes.

(4) Prepare and make available an annual report on the activities of the Commission to the Director, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the Governor by June 30 of each year, beginning on June 30, 2011.

(f) Funding. The Department may accept on behalf of the Commission any federal funds or gifts and donations from individuals, private organizations, and foundations and any other funds that may become available.

(g) Rules. The Director may adopt rules to implement and administer this Section.

(h) Report. By January 10, 2015 and January 10 of each odd-numbered year thereafter, the Commission shall submit a report to the General Assembly containing the following:

(1) the financial impact and reach that diabetes of all types is having on the State and the Department; this assessment shall include the number of people with diabetes impacted in this State or covered by the State Medicaid program, the number of people with diabetes and family members impacted by prevention and diabetes control programs implemented by the Department, the financial toll or impact diabetes and its complications places on the Department's diabetes program, and the financial toll or impact diabetes and its complications places on the diabetes program in comparison to other chronic diseases and conditions;

(2) an assessment of the benefits of implemented programs and activities aimed at controlling diabetes and preventing the disease; this assessment shall also document the amount and source for any funding directed to the Department from the General Assembly for programs and activities aimed at reaching those with diabetes;

New matter indicated in italics - deletions by strikeout
(3) a description of the level of coordination that exists between the Department and other entities on activities, programs, and messaging on managing, treating, or preventing all forms of diabetes and its complications;

(4) the development or revision of a detailed action plan for battling diabetes with a range of actionable items for consideration by the General Assembly; the plan shall identify proposed action steps to reduce the impact of diabetes, pre-diabetes, and related diabetes complications; the plan shall also identify expected outcomes of the action steps proposed for the 2 years following the submission of the report while also establishing benchmarks for controlling and preventing relevant forms of diabetes; and

(5) the development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan identified in item (4) of this subsection (h); this blueprint shall include a budget range for all options presented in the plan identified in item (4) of this subsection (h) for consideration by the General Assembly.

The Department of Healthcare and Family Services shall provide cooperation to the Department of Public Health to facilitate the implementation of this subsection (h).

(Source: P.A. 96-1406, eff. 7-29-10.)

Passed in the General Assembly May 21, 2013.
Approved July 18, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0098
(House Bill No. 2905)

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 32-13 as follows:

(720 ILCS 5/32-13)
Sec. 32-13. Unlawful clouding of title.
(a) Any person who intentionally records or files or causes to be recorded or filed any document in the office of the recorder or registrar of
titles of any county of this State that is a cloud on the title of land in this State, knowing that the theory upon which the purported cloud on title is based is not recognized as a legitimate legal theory by the courts of this State or of the United States, commits the offense of unlawful clouding of title.

(b) Unlawful clouding of title is a Class A misdemeanor for a first offense if the cloud on the title has a value that does not exceed $10,000. Unlawful clouding of title is a Class 4 felony if the cloud on the title has a value that exceeds $10,000, or for a second or subsequent offense.

(c) In addition to any other sentence that may be imposed, the court shall order any person convicted of a violation of this Section, or placed on supervision for a violation of this Section, to execute a release of the purported cloud on title as may be requested by or on behalf of any person whose property is encumbered or potentially encumbered by the document filed. Irrespective of whether or not a person charged under this Section is convicted of the offense of unlawful clouding of title, when the evidence demonstrates that, as a matter of law, the cloud on title is not a type of cloud recognized or authorized by the courts of this State or the United States, the court shall forthwith direct the recorder or registrar of titles to expunge the cloud.

(c-5) This Section does not apply to an attorney licensed to practice law in this State who in good faith files a lien on behalf of his or her client and who in good faith believes that the validity of the lien is supported by statutory law, by a decision of a court of law, or by a good faith argument for an extension, modification, or reversal of existing court decisions relating to the validity of the lien.

(d) For purposes of this Section, "cloud on title" or "cloud on the title" means an outstanding claim or encumbrance that, if valid, would affect or impair the title of the owner of an estate in land and on its face has that effect, but can be shown by extrinsic proof to be invalid or inapplicable to that estate.

(Source: P.A. 89-682, eff. 1-1-97.)

Approved July 19, 2013.
Effective January 1, 2014.
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 3-5010.5 as follows:

(55 ILCS 5/3-5010.5 new)

Sec. 3-5010.5. Fraud referral and review.

(a) Legislative findings. The General Assembly finds that property fraud, including fraudulent filings intended to cloud or fraudulently transfer title to property by recording false or altered documents and deeds, is a rapidly growing problem throughout the State. In order to combat the increase in the number of these filings, a recorder may establish a process to review and refer documents suspected to be fraudulent.

(b) Definitions. The terms "recording" and "filing" are used interchangeably in this Section.

(c) Establishment and use of a fraud referral and review process. A recorder who establishes a fraud referral and review process under the provisions of this Section may use it to review deeds and instruments and refer any of them to an administrative law judge for review pursuant to subsection (g) of this Section that cause the recorder to reasonably believe that the filing may be fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property. The recorder may enter into an intergovernmental agreement with local law enforcement officials for the purposes of this referral and review. A recorder may request that the Secretary of the Department of Financial and Professional Regulation assist in reviewing possible fraudulent filings. Upon request, the Secretary, or his or her designee, shall assist in identifying the validity of filings. The recorder shall notify the Secretary when a document suspected to be fraudulent is discovered.

In counties with a population of less than 3 million, a recorder shall provide public notice 90 days before the establishment of the fraud referral and review process. The notice shall include a statement of the recorder's intent to create a fraud referral and review process and shall be published in a newspaper of general circulation in the county and, if

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feasible, posted on the recorder's website and at the recorder's office or offices.

In determining whether to refer a document to an administrative law judge for review, a recorder may take into consideration any of the following factors:

(1) whether the owner of the property or his or her designated representative has reported to the recorder that another individual is attempting or has attempted to record a fraudulent deed or other instrument upon the property;

(2) whether a law enforcement official has contacted the recorder indicating that he or she has probable cause to suspect title or recording fraud;

(3) whether the filer's name has a copyright attached to it or the property owner's name has nonstandard punctuation attached to it;

(4) whether the documents assert fines that do not exist or have no basis under current law or that require payment in gold or silver;

(5) whether the documents are maritime liens, or liens under the Federal Maritime Lien Act or the Preferred Ship Mortgage Act, or not authorized by the United States Coast Guard;

(6) whether the documents are land patents not authorized and certified by the United States Department of the Interior Bureau of Land Management;

(7) whether the documents are representing that the subject of the lien is releasing itself from a lien held by another entity, with no apparent cooperation or authorization provided by the lienholder;

(8) whether the documents are protesting or disputing a foreclosure proceeding that are not filed within the foreclosure suit and with the court presiding over the matter;

(9) whether the documents are Uniform Commercial Code filings referencing birth certificates or other private records that are not in compliance with Section 9-501 of the Uniform Commercial Code;

(10) whether the documents are re-recording deeds to re-notarize or attach notary certification if prior notarization already appears unaltered on the document of record;

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(11) whether the documents are asserting diplomatic credentials or immunity, non-United States citizenship, or independence from the laws of the United States;

(12) whether the documents are claims that a bank cannot hold title after a foreclosure;

(13) whether the documents are deeds not properly signed by the last legal owner of record or his or her court appointed representative or attorney-in-fact under a power of attorney;

(14) whether the documents are manipulated or altered federal or State legal or court forms that release a lien;

(15) whether a document is not related to a valid existing or potential adverse transaction, existing lien, or judgment of a court of competent jurisdiction;

(16) a document that is not related to a valid existing or potential commercial or financial transaction, existing agricultural or other lien, or judgment of a court of competent jurisdiction;

(17) whether the document is filed with the intent to harass or defraud the person identified in the record or any other person;

(18) whether the document is filed with the intent to harass or defraud any member of a governmental office, including, but not limited to, the recorder's office, local government offices, the State of Illinois, or the Federal government; and

(19) whether the documents are previous court determinations, including a previous determination by a court of competent jurisdiction that a particular document is fraudulent, invalid, or forged.

(d) Determinations. If a recorder determines, after review by legal staff and counsel, that a deed or instrument that is recorded in the grantor's index or the grantee's index may be fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property, he or she shall refer the deed or instrument to an administrative law judge for review pursuant to subsection (g) of this Section. The recorder shall record a Notice of Referral in the grantor's index or the grantee's index identifying the document, corresponding document number in question, and the date of referral. The recorder shall also notify the parties set forth in subsection (e) of this Section. The recorder may, at his or her discretion, notify law enforcement officials regarding a filing determined to be fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property.

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(e) Notice. The recorder shall use county property tax records to identify and provide notice to the last owner of record by telephone, if available, and certified mail both when: (1) a deed or instrument has been referred for review and determination; and (2) a final determination has been made regarding the deed or instrument. Notice, by mail, shall also be sent to the physical address of the property associated with the deed or instrument.

(f) Administrative decision. The recorder's decision to add a Notice of Referral and refer a document for review is a final administrative decision that is subject to review by the circuit court of the county where the real property is located under the Administrative Review Law. The standard of review by the circuit court shall be de novo.

(g) Referral and review process. Prior to referral, the recorder shall notify the last owner of record of the document or documents suspected to be fraudulent. The person, entity, or legal representative thereof shall confirm in writing his or her belief that a document or documents are suspected to be fraudulent and may request that the recorder refer the case for review. Upon request, the recorder shall bring a case to its county department of administrative hearings and, within 10 business days after receipt, an administrative law judge shall schedule a hearing to occur no later than 30 days after receiving the referral. The referral and case shall clearly identify the person, persons, or entity believed to be the last true owner of record as the petitioner. Notice of the hearing shall be provided by the administrative law judge to the filer, or the party represented by the filer, of the suspected fraudulent document, the legal representative of the recorder of deeds who referred the case, and the last owner of record, as identified in the referral.

If clear and convincing evidence shows the document in question to be fraudulent, the administrative law judge shall rule the document to be fraudulent and forward the judgment to all the parties identified in this subsection. Upon receiving notice of the judgment of fraud, the recorder shall, within 5 business days, record a new document that includes a copy of the judgment in front of the Notice of Referral that shall clearly state that the document in question has been found to be fraudulent and shall not be considered to affect the chain of title of the property in any way.

If the administrative law judge finds the document to be legitimate, the recorder shall, within 5 business days after receiving notice, record a copy of the judgment.

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A decision by an administrative law judge shall not preclude a State's attorney or sheriff from proceeding with a criminal investigation or criminal charges. If a county does not have an administrative law judge that specializes in public records, one shall be appointed within 3 months after the effective date of this amendatory Act of the 98th General Assembly, or the original case shall be forwarded to the proper circuit court with jurisdiction.

Nothing in this Section precludes a private right of action by any party with an interest in the property affected by the review and referral, or the filer of the document or documents suspected to be fraudulent. Nothing in this Section requires a person or entity who may have had a fraudulent document or encumbrance filed against his or her property to use the fraud review and referral process or administrative review created by this Section.

(h) Fees. The recorder shall retain any filing fees associated with filing a deed or instrument that is determined to be fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property under this Section.

(i) Liability. Neither a recorder nor any of his or her employees or agents shall be subject to personal liability by reason of any error or omission in the performance of any duty under this Section, except in case of willful or wanton conduct. Neither the recorder nor any of his or her employees shall incur liability for the referral or review, or failure to refer or review, a document or instrument under this Section.

(j) Applicability. This Section applies only to filings provided to the recorder on and after the effective date of this amendatory Act of the 98th General Assembly.

(k) This Section is repealed June 1, 2018.

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

Approved July 19, 2013.
Effective July 19, 2013.
AN ACT concerning State government.

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

Section 5. The Illinois Public Labor Relations Act is amended by changing Sections 3 and 6.1 as follows:

(5 ILCS 315/3) (from Ch. 48, par. 1603)
Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Board" means the Illinois Labor Relations Board or, with respect to a matter over which the jurisdiction of the Board is assigned to the State Panel or the Local Panel under Section 5, the panel having jurisdiction over the matter.

(b) "Collective bargaining" means bargaining over terms and conditions of employment, including hours, wages, and other conditions of employment, as detailed in Section 7 and which are not excluded by Section 4.

(c) "Confidential employee" means an employee who, in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine, and effectuate management policies with regard to labor relations or who, in the regular course of his or her duties, has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies.

(d) "Craft employees" means skilled journeymen, crafts persons, and their apprentices and helpers.

(e) "Essential services employees" means those public employees performing functions so essential that the interruption or termination of the function will constitute a clear and present danger to the health and safety of the persons in the affected community.

(f) "Exclusive representative", except with respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, means the labor organization that has been (i) designated by the Board as the representative of a majority of public employees in an appropriate bargaining unit in accordance with the procedures contained in this Act, (ii) historically recognized by the State of Illinois or any political subdivision of the State before July 1, 1984 (the effective date of this Act)
as the exclusive representative of the employees in an appropriate bargaining unit, (iii) after July 1, 1984 (the effective date of this Act) recognized by an employer upon evidence, acceptable to the Board, that the labor organization has been designated as the exclusive representative by a majority of the employees in an appropriate bargaining unit; (iv) recognized as the exclusive representative of personal care attendants or personal assistants under Executive Order 2003-8 prior to the effective date of this amendatory Act of the 93rd General Assembly, and the organization shall be considered to be the exclusive representative of the personal care attendants or personal assistants as defined in this Section; or (v) recognized as the exclusive representative of child and day care home providers, including licensed and license exempt providers, pursuant to an election held under Executive Order 2005-1 prior to the effective date of this amendatory Act of the 94th General Assembly, and the organization shall be considered to be the exclusive representative of the child and day care home providers as defined in this Section.

With respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, "exclusive representative" means the labor organization that has been (i) designated by the Board as the representative of a majority of peace officers or fire fighters in an appropriate bargaining unit in accordance with the procedures contained in this Act, (ii) historically recognized by the State of Illinois or any political subdivision of the State before January 1, 1986 (the effective date of this amendatory Act of 1985) as the exclusive representative by a majority of the peace officers or fire fighters in an appropriate bargaining unit, or (iii) after January 1, 1986 (the effective date of this amendatory Act of 1985) recognized by an employer upon evidence, acceptable to the Board, that the labor organization has been designated as the exclusive representative by a majority of the peace officers or fire fighters in an appropriate bargaining unit.

Where a historical pattern of representation exists for the workers of a water system that was owned by a public utility, as defined in Section 3-105 of the Public Utilities Act, prior to becoming certified employees of a municipality or municipalities once the municipality or municipalities have acquired the water system as authorized in Section 11-124-5 of the Illinois Municipal Code, the Board shall find the labor organization that has historically represented the workers to be the exclusive representative.
under this Act, and shall find the unit represented by the exclusive representative to be the appropriate unit.

(g) "Fair share agreement" means an agreement between the employer and an employee organization under which all or any of the employees in a collective bargaining unit are required to pay their proportionate share of the costs of the collective bargaining process, contract administration, and pursuing matters affecting wages, hours, and other conditions of employment, but not to exceed the amount of dues uniformly required of members. The amount certified by the exclusive representative shall not include any fees for contributions related to the election or support of any candidate for political office. Nothing in this subsection (g) shall preclude an employee from making voluntary political contributions in conjunction with his or her fair share payment.

(g-1) "Fire fighter" means, for the purposes of this Act only, any person who has been or is hereafter appointed to a fire department or fire protection district or employed by a state university and sworn or commissioned to perform fire fighter duties or paramedic duties, except that the following persons are not included: part-time fire fighters, auxiliary, reserve or voluntary fire fighters, including paid on-call fire fighters, clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform fire fighter duties, or elected officials.

(g-2) "General Assembly of the State of Illinois" means the legislative branch of the government of the State of Illinois, as provided for under Article IV of the Constitution of the State of Illinois, and includes but is not limited to the House of Representatives, the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, the Joint Committee on Legislative Support Services and any legislative support services agency listed in the Legislative Commission Reorganization Act of 1984.

(h) "Governing body" means, in the case of the State, the State Panel of the Illinois Labor Relations Board, the Director of the Department of Central Management Services, and the Director of the Department of Labor; the county board in the case of a county; the corporate authorities in the case of a municipality; and the appropriate body authorized to provide for expenditures of its funds in the case of any other unit of government.

(i) "Labor organization" means any organization in which public employees participate and that exists for the purpose, in whole or in part,
of dealing with a public employer concerning wages, hours, and other terms and conditions of employment, including the settlement of grievances.

(i-5) "Legislative liaison" means a person who is an employee of a State agency, the Attorney General, the Secretary of State, the Comptroller, or the Treasurer, as the case may be, and whose job duties require the person to regularly communicate in the course of his or her employment with any official or staff of the General Assembly of the State of Illinois for the purpose of influencing any legislative action.

(j) "Managerial employee" means an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices. With respect only to State employees in positions under the jurisdiction of the Attorney General, Secretary of State, Comptroller, or Treasurer (i) that were certified in a bargaining unit on or after December 2, 2008, (ii) for which a petition is filed with the Illinois Public Labor Relations Board on or after April 5, 2013 (the effective date of Public Act 97-1172) this amendatory Act of the 97th General Assembly, or (iii) for which a petition is pending before the Illinois Public Labor Relations Board on that date, "managerial employee" means an individual who is engaged in executive and management functions or who is charged with the effectuation of management policies and practices or who represents management interests by taking or recommending discretionary actions that effectively control or implement policy. Nothing in this definition prohibits an individual from also meeting the definition of "supervisor" under subsection (r) of this Section.

(k) "Peace officer" means, for the purposes of this Act only, any persons who have been or are hereafter appointed to a police force, department, or agency and sworn or commissioned to perform police duties, except that the following persons are not included: part-time police officers, special police officers, auxiliary police as defined by Section 3.1-30-20 of the Illinois Municipal Code, night watchmen, "merchant police", court security officers as defined by Section 3-6012.1 of the Counties Code, temporary employees, traffic guards or wardens, civilian parking meter and parking facilities personnel or other individuals specially appointed to aid or direct traffic at or near schools or public functions or to aid in civil defense or disaster, parking enforcement employees who are not commissioned as peace officers and who are not armed and who are not routinely expected to effect arrests, parking lot attendants, clerks and

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dispatchers or other civilian employees of a police department who are not routinely expected to effect arrests, or elected officials.

(I) "Person" includes one or more individuals, labor organizations, public employees, associations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, or the State of Illinois or any political subdivision of the State or governing body, but does not include the General Assembly of the State of Illinois or any individual employed by the General Assembly of the State of Illinois.

(m) "Professional employee" means any employee engaged in work predominantly intellectual and varied in character rather than routine mental, manual, mechanical or physical work; involving the consistent exercise of discretion and adjustment in its performance; of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from apprenticeship or from training in the performance of routine mental, manual, or physical processes; or any employee who has completed the courses of specialized intellectual instruction and study prescribed in this subsection (m) and is performing related work under the supervision of a professional person to qualify to become a professional employee as defined in this subsection (m).

(n) "Public employee" or "employee", for the purposes of this Act, means any individual employed by a public employer, including (i) interns and residents at public hospitals, (ii) as of the effective date of this amendatory Act of the 93rd General Assembly, but not before, personal care attendants and personal assistants working under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, subject to the limitations set forth in this Act and in the Disabled Persons Rehabilitation Act, (iii) as of the effective date of this amendatory Act of the 94th General Assembly, but not before, child and day care home providers participating in the child care assistance program under Section 9A-11 of the Illinois Public Aid Code, subject to the limitations set forth in this Act and in Section 9A-11 of the Illinois Public Aid Code, and (iv) as of January 29, 2013 (the effective date of Public Act 97-1158) this amendatory Act of the 97th General Assembly, but not before except as otherwise provided in this subsection (n), home care and home health workers who function as personal care attendants, personal assistants, and
individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, no matter whether the State provides those services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, (v) beginning on the effective date of this amendatory Act of the 98th General Assembly and notwithstanding any other provision of this Act, any person employed by a public employer and who is classified as or who holds the employment title of Chief Stationary Engineer, Assistant Chief Stationary Engineer, Sewage Plant Operator, Water Plant Operator, Stationary Engineer, Plant Operating Engineer, and any other employee who holds the position of: Civil Engineer V, Civil Engineer VI, Civil Engineer VII, Technical Manager I, Technical Manager II, Technical Manager III, Technical Manager IV, Technical Manager V, Technical Manager VI, Realty Specialist III, Realty Specialist IV, Realty Specialist V, Technical Advisor I, Technical Advisor II, Technical Advisor III, Technical Advisor IV, or Technical Advisor V employed by the Department of Transportation who is in a position which is certified in a bargaining unit on or before the effective date of this amendatory Act of the 98th General Assembly, and (vi) beginning on the effective date of this amendatory Act of the 98th General Assembly and notwithstanding any other provision of this Act, any mental health administrator in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 8K), any employee of the Office of the Inspector General in the Department of Human Services who is classified as or who holds the position of Public Service Administrator (Option 7), any Deputy of Intelligence in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 7), and any employee of the Department of State Police who handles issues concerning the Illinois State Police Sex Offender Registry and who is classified as or holds the position of Public Service Administrator (Option 7), but excluding all of the following: employees of the General Assembly of the State of Illinois; elected officials; executive heads of a department; members of boards or commissions; the Executive Inspectors General; any special Executive Inspectors General; employees of each Office of an Executive Inspector General; commissioners and employees of the Executive Ethics Commission; the Auditor General's Inspector General; employees of the Office of the Auditor General's Inspector General; the Legislative Inspector General; any special Legislative Inspectors General;

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employees of the Office of the Legislative Inspector General; commissioners and employees of the Legislative Ethics Commission; employees of any agency, board or commission created by this Act; employees appointed to State positions of a temporary or emergency nature; all employees of school districts and higher education institutions except firefighters and peace officers employed by a state university and except peace officers employed by a school district in its own police department in existence on the effective date of this amendatory Act of the 96th General Assembly; managerial employees; short-term employees; legislative liaisons; a person who is a State employee under the jurisdiction of the Office of the Attorney General who is licensed to practice law or whose position authorizes, either directly or indirectly, meaningful input into government decision-making on issues where there is room for principled disagreement on goals or their implementation; a person who is a State employee under the jurisdiction of the Office of the Comptroller who holds the position of Public Service Administrator or whose position is otherwise exempt under the Comptroller Merit Employment Code; a person who is a State employee under the jurisdiction of the Secretary of State who holds the position classification of Executive I or higher, whose position authorizes, either directly or indirectly, meaningful input into government decision-making on issues where there is room for principled disagreement on goals or their implementation, or who is otherwise exempt under the Secretary of State Merit Employment Code; employees in the Office of the Secretary of State who are completely exempt from jurisdiction B of the Secretary of State Merit Employment Code and who are in Rutan-exempt positions on or after April 5, 2013 (the effective date of Public Act 97-1172) this amendatory Act of the 97th General Assembly; a person who is a State employee under the jurisdiction of the Treasurer who holds a position that is exempt from the State Treasurer Employment Code; any employee of a State agency who (i) holds the title or position of, or exercises substantially similar duties as a legislative liaison, Agency General Counsel, Agency Chief of Staff, Agency Executive Director, Agency Deputy Director, Agency Chief Fiscal Officer, Agency Human Resources Director, Public Information Officer, or Chief Information Officer and (ii) was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any employee of a State agency who (i) is in a position that is Rutan-exempt, as designated by the employer, and completely exempt from jurisdiction B of the Personnel Code and (ii)
was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any term appointed employee of a State agency pursuant to Section 8b.18 or 8b.19 of the Personnel Code who was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any employment position properly designated pursuant to Section 6.1 of this Act; confidential employees; independent contractors; and supervisors except as provided in this Act.

Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be considered public employees for any purposes not specifically provided for in Public Act 93-204 or Public Act 97-1158 this amendatory Act of the 97th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

Child and day care home providers shall not be considered public employees for any purposes not specifically provided for in this amendatory Act of the 94th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Child and day care home providers shall not be covered by the State Employees Group Insurance Act of 1971.

Notwithstanding Section 9, subsection (c), or any other provisions of this Act, all peace officers above the rank of captain in municipalities with more than 1,000,000 inhabitants shall be excluded from this Act.

(o) Except as otherwise in subsection (o-5), "public employer" or "employer" means the State of Illinois; any political subdivision of the State, unit of local government or school district; authorities including departments, divisions, bureaus, boards, commissions, or other agencies of the foregoing entities; and any person acting within the scope of his or her authority, express or implied, on behalf of those entities in dealing with its employees. As of the effective date of the amendatory Act of the 93rd General Assembly, but not before, the State of Illinois shall be considered

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the employer of the personal care attendants and personal assistants working under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, subject to the limitations set forth in this Act and in the Disabled Persons Rehabilitation Act. As of January 29, 2013 (the effective date of Public Act 97-1158) this amendatory Act of the 97th General Assembly, but not before except as otherwise provided in this subsection (o), the State shall be considered the employer of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, no matter whether the State provides those services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, but subject to the limitations set forth in this Act and the Disabled Persons Rehabilitation Act. The State shall not be considered to be the employer of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, for any purposes not specifically provided for in Public Act 93-204 or Public Act 97-1158 this amendatory Act of the 97th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/). As of the effective date of this amendatory Act of the 94th General Assembly but not before, the State of Illinois shall be considered the employer of the day and child care home providers participating in the child care assistance program under Section 9A-11 of the Illinois Public Aid Code, subject to the limitations set forth in this Act and in Section 9A-11 of the Illinois Public Aid Code. The State shall not be considered to be the employer of child and day care home providers for any purposes not specifically provided for in this amendatory Act of the 94th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Child and day care home providers shall not be covered by the State Employees Group Insurance Act of 1971.

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"Public employer" or "employer" as used in this Act, however, does not mean and shall not include the General Assembly of the State of Illinois, the Executive Ethics Commission, the Offices of the Executive Inspectors General, the Legislative Ethics Commission, the Office of the Legislative Inspector General, the Office of the Auditor General's Inspector General, the Office of the Governor, the Governor's Office of Management and Budget, the Illinois Finance Authority, the Office of the Lieutenant Governor, the State Board of Elections, and educational employers or employers as defined in the Illinois Educational Labor Relations Act, except with respect to a state university in its employment of firefighters and peace officers and except with respect to a school district in the employment of peace officers in its own police department in existence on the effective date of this amendatory Act of the 96th General Assembly. County boards and county sheriffs shall be designated as joint or co-employers of county peace officers appointed under the authority of a county sheriff. Nothing in this subsection (o) shall be construed to prevent the State Panel or the Local Panel from determining that employers are joint or co-employers.

(o-5) With respect to wages, fringe benefits, hours, holidays, vacations, proficiency examinations, sick leave, and other conditions of employment, the public employer of public employees who are court reporters, as defined in the Court Reporters Act, shall be determined as follows:

(1) For court reporters employed by the Cook County Judicial Circuit, the chief judge of the Cook County Circuit Court is the public employer and employer representative.

(2) For court reporters employed by the 12th, 18th, 19th, and, on and after December 4, 2006, the 22nd judicial circuits, a group consisting of the chief judges of those circuits, acting jointly by majority vote, is the public employer and employer representative.

(3) For court reporters employed by all other judicial circuits, a group consisting of the chief judges of those circuits, acting jointly by majority vote, is the public employer and employer representative.

(p) "Security employee" means an employee who is responsible for the supervision and control of inmates at correctional facilities. The term also includes other non-security employees in bargaining units having the

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majority of employees being responsible for the supervision and control of inmates at correctional facilities.

(q) "Short-term employee" means an employee who is employed for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable assurance that he or she will be rehired by the same employer for the same service in a subsequent calendar year.

(q-5) "State agency" means an agency directly responsible to the Governor, as defined in Section 3.1 of the Executive Reorganization Implementation Act, and the Illinois Commerce Commission, the Illinois Workers' Compensation Commission, the Civil Service Commission, the Pollution Control Board, the Illinois Racing Board, and the Department of State Police Merit Board.

(r) "Supervisor" is:

(1) An employee whose principal work is substantially different from that of his or her subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances, or to effectively recommend any of those actions, if the exercise of that authority is not of a merely routine or clerical nature, but requires the consistent use of independent judgment. Except with respect to police employment, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising that authority, State supervisors notwithstanding. Nothing in this definition prohibits an individual from also meeting the definition of "managerial employee" under subsection (j) of this Section. In addition, in determining supervisory status in police employment, rank shall not be determinative. The Board shall consider, as evidence of bargaining unit inclusion or exclusion, the common law enforcement policies and relationships between police officer ranks and certification under applicable civil service law, ordinances, personnel codes, or Division 2.1 of Article 10 of the Illinois Municipal Code, but these factors shall not be the sole or predominant factors considered by the Board in determining police supervisory status.

Notwithstanding the provisions of the preceding paragraph, in determining supervisory status in fire fighter employment, no fire fighter shall be excluded as a supervisor who has established representation rights under Section 9 of this Act. Further, in new
fire fighter units, employees shall consist of fire fighters of the rank of company officer and below. If a company officer otherwise qualifies as a supervisor under the preceding paragraph, however, he or she shall not be included in the fire fighter unit. If there is no rank between that of chief and the highest company officer, the employer may designate a position on each shift as a Shift Commander, and the persons occupying those positions shall be supervisors. All other ranks above that of company officer shall be supervisors.

(2) With respect only to State employees in positions under the jurisdiction of the Attorney General, Secretary of State, Comptroller, or Treasurer (i) that were certified in a bargaining unit on or after December 2, 2008, (ii) for which a petition is filed with the Illinois Public Labor Relations Board on or after April 5, 2013 (the effective date of Public Act 97-1172) this amendatory Act of the 97th General Assembly, or (iii) for which a petition is pending before the Illinois Public Labor Relations Board on that date, an employee who qualifies as a supervisor under (A) Section 152 of the National Labor Relations Act and (B) orders of the National Labor Relations Board interpreting that provision or decisions of courts reviewing decisions of the National Labor Relations Board.

(s)(1) "Unit" means a class of jobs or positions that are held by employees whose collective interests may suitably be represented by a labor organization for collective bargaining. Except with respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, a bargaining unit determined by the Board shall not include both employees and supervisors, or supervisors only, except as provided in paragraph (2) of this subsection (s) and except for bargaining units in existence on July 1, 1984 (the effective date of this Act). With respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, a bargaining unit determined by the Board shall not include both supervisors and nonsupervisors, or supervisors only, except as provided in paragraph (2) of this subsection (s) and except for bargaining units in existence on January 1, 1986 (the effective date of this amendatory Act of 1985). A bargaining unit determined by the Board to contain peace officers shall contain no employees other than peace officers unless otherwise agreed to by the
employer and the labor organization or labor organizations involved. Notwithstanding any other provision of this Act, a bargaining unit, including a historical bargaining unit, containing sworn peace officers of the Department of Natural Resources (formerly designated the Department of Conservation) shall contain no employees other than such sworn peace officers upon the effective date of this amendatory Act of 1990 or upon the expiration date of any collective bargaining agreement in effect upon the effective date of this amendatory Act of 1990 covering both such sworn peace officers and other employees.

(2) Notwithstanding the exclusion of supervisors from bargaining units as provided in paragraph (1) of this subsection (s), a public employer may agree to permit its supervisory employees to form bargaining units and may bargain with those units. This Act shall apply if the public employer chooses to bargain under this subsection.

(3) Public employees who are court reporters, as defined in the Court Reporters Act, shall be divided into 3 units for collective bargaining purposes. One unit shall be court reporters employed by the Cook County Judicial Circuit; one unit shall be court reporters employed by the 12th, 18th, 19th, and, on and after December 4, 2006, the 22nd judicial circuits; and one unit shall be court reporters employed by all other judicial circuits.

(t) "Active petition for certification in a bargaining unit" means a petition for certification filed with the Board under one of the following case numbers: S-RC-11-110; S-RC-11-098; S-UC-11-080; S-RC-11-086; S-RC-11-074; S-RC-11-076; S-RC-11-078; S-UC-11-052; S-UC-11-054; S-RC-11-062; S-RC-11-060; S-RC-11-042; S-RC-11-014; S-RC-11-016; S-RC-11-020; S-RC-11-030; S-RC-11-004; S-RC-10-244; S-RC-10-228; S-RC-10-222; S-RC-10-220; S-RC-10-214; S-RC-10-196; S-RC-10-194; S-RC-10-178; S-RC-10-176; S-RC-10-162; S-RC-10-156; S-RC-10-088; S-RC-10-074; S-RC-10-076; S-RC-10-078; S-RC-10-060; S-RC-10-070; S-RC-10-044; S-RC-10-038; S-RC-10-040; S-RC-10-042; S-RC-10-018; S-RC-10-024; S-RC-10-004; S-RC-10-006; S-RC-10-008; S-RC-10-010; S-RC-10-012; S-RC-09-202; S-RC-09-182; S-RC-09-180; S-RC-09-156; S-UC-09-196; S-UC-09-182; S-RC-08-130; S-RC-07-110; or S-RC-07-100.

(Source: P.A. 96-1257, eff. 7-23-10; 97-586, eff. 8-26-11; 97-1158, eff. 1-29-13; 97-1172, eff. 4-5-13; revised 4-8-13.)

New matter indicated in italics - deletions by strikeout
Sec. 6.1. Gubernatorial designation of certain public employment positions as excluded from collective bargaining.

(a) Notwithstanding any provision of this Act to the contrary, except subsections (e) and (f) of this Section, the Governor is authorized to designate up to 3,580 State employment positions collectively within State agencies directly responsible to the Governor, and, upon designation, those positions and employees in those positions, if any, are hereby excluded from the self-organization and collective bargaining provisions of Section 6 of this Act. Only those employment positions that have been certified in a bargaining unit on or after December 2, 2008, that have a pending petition for certification in a bargaining unit on April 5, 2013 (the effective date of Public Act 97-1172) this amendatory Act of the 97th General Assembly, or that neither have been certified in a bargaining unit on or after December 2, 2008 nor have a pending petition for certification in a bargaining unit on the effective date of this amendatory Act of the 97th General Assembly are eligible to be designated by the Governor under this Section. The Governor may not designate under this Section, however, more than 1,900 employment positions that have been certified in a bargaining unit on or after December 2, 2008.

(b) In order to properly designate a State employment position under this Section, the Governor shall provide in writing to the Board: the job title and job duties of the employment position; the name of the State employee currently in the employment position, if any; the name of the State agency employing the public employee; and the category under which the position qualifies for designation under this Section.

To qualify for designation under this Section, the employment position must meet one or more of the following requirements:

1. It must authorize an employee in that position to act as a legislative liaison;

2. It must have a title of, or authorize a person who holds that position to exercise substantially similar duties as an, Agency General Counsel, Agency Chief of Staff, Agency Executive Director, Agency Deputy Director, Agency Chief Fiscal Officer, Agency Human Resources Director, Senior Public Service Administrator, Public Information Officer, or Chief Information Officer;
(3) it must be a Rutan-exempt, as designated by the employer, position and completely exempt from jurisdiction B of the Personnel Code;

(4) it must be a term appointed position pursuant to Section 8b.18 or 8b.19 of the Personnel Code; or

(5) it must authorize an employee in that position to have significant and independent discretionary authority as an employee.

Within 60 days after the Governor makes a designation under this Section, the Board shall determine, in a manner that is consistent with the requirements of due process, whether the designation comports with the requirements of this Section.

(c) For the purposes of this Section, a person has significant and independent discretionary authority as an employee if he or she (i) is engaged in executive and management functions of a State agency and charged with the effectuation of management policies and practices of a State agency or represents management interests by taking or recommending discretionary actions that effectively control or implement the policy of a State agency or (ii) qualifies as a supervisor of a State agency as that term is defined under Section 152 of the National Labor Relations Act or any orders of the National Labor Relations Board interpreting that provision or decisions of courts reviewing decisions of the National Labor Relations Board.

(d) The Governor must exercise the authority afforded under this Section within 365 calendar days after April 5, 2013 (the effective date of this amendatory Act of the 97th General Assembly). Any designation made by the Governor under this Section shall be presumed to have been properly made.

If the Governor chooses not to designate a position under this Section, then that decision does not preclude a State agency from otherwise challenging the certification of that position under this Act.

The qualifying categories set forth in paragraphs (1) through (5) of subsection (b) of this Section are operative and function solely within this Section and do not expand or restrict the scope of any other provision contained in this Act.

(e) The provisions of this Section do not apply to any employee who is employed by a public employer and who is classified as, or holds the employment title of, Chief Stationary Engineer, Assistant Chief Stationary Engineer, Sewage Plant Operator, Water Plant Operator, Stationary Engineer, Plant Operating Engineer, and any employee who

New matter indicated in italics - deletions by strikeout
holds the position of: Civil Engineer V, Civil Engineer VI, Civil Engineer VII, Technical Manager I, Technical Manager II, Technical Manager III, Technical Manager IV, Technical Manager V, Technical Manager VI, Realty Specialist III, Realty Specialist IV, Realty Specialist V, Technical Advisor I, Technical Advisor II, Technical Advisor III, Technical Advisor IV, or Technical Advisor V employed by the Department of Transportation who is in a position which is certified in a bargaining unit on or before the effective date of this amendatory Act of the 98th General Assembly.

(f) The provisions of this Section also do not apply to any mental health administrator in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 8K), any employee of the Office of the Inspector General in the Department of Human Services who is classified as or who holds the position of Public Service Administrator (Option 7), any Deputy of Intelligence in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 7), or any employee of the Department of State Police who handles issues concerning the Illinois State Police Sex Offender Registry and who is classified as or holds the position of Public Service Administrator (Option 7).

(Source: P.A. 97-1172, eff. 4-5-13.)

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

Approved July 19, 2013.
Effective July 19, 2013.

PUBLIC ACT 98-0101
(House Bill No. 0083)

AN ACT concerning animals.

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

Section 5. The Humane Care for Animals Act is amended by changing Section 3 as follows:

(510 ILCS 70/3) (from Ch. 8, par. 703)
Sec. 3. Owner's duties.
(a) Each owner shall provide for each of his or her animals:

(1) a sufficient quantity of good quality, wholesome food and water;

New matter indicated in italics - deletions by strikeout
adequate shelter and protection from the weather;

(3) veterinary care when needed to prevent suffering;

and

(4) humane care and treatment.

(b) To lawfully tether a dog outdoors, an owner must ensure that the dog:

(1) does not suffer from a condition that is known, by that person, to be exacerbated by tethering;

(2) is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;

(3) is not tethered with a lead that (i) exceeds one-eighth of the dog's body weight or (ii) is a tow chain or a log chain;

(4) is tethered with a lead that measures, when rounded to the nearest whole foot, at least 10 feet in length;

(5) is tethered with a properly fitting harness or collar other than the lead or a pinch, prong, or choke-type collar; and

(6) is not tethered in a manner that will allow it to reach within the property of another person, a public walkway, or a road.

(c) Subsection (b) of this Section shall not be construed to prohibit:

(1) a person from walking a dog with a hand-held leash;

(2) conduct that is directly related to the cultivating of agricultural products, including shepherding or herding cattle or livestock, if the restraint is reasonably necessary for the safety of the dog;

(3) the tethering of a dog while at an organized and lawful animal function, such as hunting, obedience training, performance and conformance events, or law enforcement training, or while in the pursuit of working or competing in those endeavors; or

(4) a dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, State, or local authority or jurisdiction.

(d) A person convicted of violating subsection (a) of this Section is guilty of a Class B misdemeanor. A second or subsequent violation of subsection (a) of this Section is a Class 4 felony with every day that a violation continues constituting a separate offense. In addition to any other penalty provided by law, upon conviction for violating subsection (a) of this Section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the
convicted person's expense that the court determines to be appropriate after due consideration of the evaluation. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

(e) A person convicted of violating subsection (b) of this Section is guilty of a Class B misdemeanor.

(f) As used in this Section, "tether" means to restrain by tying to an object or structure, including, without limitation, a house, tree, fence, post, garage, shed, or clothes line at a person's residence or business, by any means, including, without limitation, a chain, rope, cord, leash, or running line.

(Source: P.A. 92-650, eff. 7-11-02.)

Approved July 22, 2013.
Effective January 1, 2014.
used in this Section, "manufacture" means to construct or assemble a vessel or alter a vessel in such manner as to change its weight capacity.

(2) A capacity plate shall bear the following information permanently marked thereon in such manner as to be clearly visible and legible from the position designed or normally intended to be occupied by the operator of the vessel when under way:

a. For all vessels designed for or represented by the manufacturer as being suitable for use with outboard motor:
   1. The total weight of persons, motor, gear and other articles placed aboard which the vessel is capable of carrying with safety under normal conditions.
   2. The recommended number of persons commensurate with the weight capacity of the vessel and the presumed weight in pounds of each such person. In no instance may such presumed weight per person be less than 150 pounds.
   3. Clear notice that the information appearing on the capacity plate is applicable under normal conditions and that the weight of the outboard motor and associated equipment is considered to be part of total weight capacity.
   4. The maximum horsepower of the motor the vessel is designed or intended to accommodate.

b. For all other vessels to which this Section applies:
   1. The total weight of persons, gear and other articles placed aboard which the vessel is capable of carrying with safety under normal conditions.
   2. The recommended number of persons commensurate with the weight capacity of the vessel and the presumed weight in pounds of each such person. In no instance shall such presumed weight per person be less than 150 pounds.
   3. Clear notice that the information appearing on the capacity plate is applicable under normal conditions.

(3) The information relating to maximum capacity required to appear on capacity plates by Subsection B (2) of this Section shall be determined in accordance with such methods and formulas as shall be prescribed by rule or regulation adopted by the Department. In prescribing such methods and formulas, the Department shall be guided by and give due regard to the necessity for uniformity in methods and formulas lawful for use in determining small vessel capacity in the several states and to any
methods and formulas which may be recognized or recommended by the United States Coast Guard or any agency successor thereto.

(4) Any vessel to which this Section applies, not having a capacity plate meeting the requirements of law affixed thereto by the manufacturer thereof, may have such affixed by any other person in accordance with such rules and regulations as the Department may prescribe and may thereafter be offered for sale in this State, but no action taken pursuant to this Section or in the manner described herein, shall relieve any manufacturer from liability for failure to comply with the requirements of this Section.

(5) The information appearing on a capacity plate shall be deemed to warrant that the manufacturer, or the person affixing the capacity plate is permitted by Subsection B (4) of this Section, as the case may be, has correctly and faithfully employed a method and formula for the calculation of maximum weight capacity prescribed by the Department and that the information appearing on the capacity plate with respect to maximum weight capacity and recommended number of persons is the result of the application of such method and formula, and with respect to information concerning horsepower limitations, that such information is not a deliberate or negligent misrepresentation.

(6) If any vessel required by this Section to have a capacity plate affixed thereto is of such design or construction as to make it impracticable or undesirable to affix such plate, the manufacturer, or other person having the responsibility for affixing the plate, may represent such impracticability or undesirability to the Department in writing. Upon determination by the Department that such representation has merit and that a proper and effective substitute for the capacity plate which will serve the same purpose is feasible, the Department may authorize such alternative compliance and such alternative compliance shall thereafter be deemed compliance with the capacity plate requirements of this Section.

(7) The Department may by rules or regulations exempt from the requirements of this Section vessels which it finds to be of such unconventional design or construction that the information required on capacity plates would not assist in promoting safety or is not reasonably obtainable.

(8) The Department is authorized to issue and amend rules and regulations to carry out the purposes of this Section.
Failure to affix a proper capacity plate shall constitute a separate violation of this subsection B for each vessel with respect to which such failure occurs.

(Source: P.A. 82-783.)

(625 ILCS 45/5-22)

Sec. 5-22. Operation of watercraft upon the approach of an authorized emergency watercraft.

(a) As used in this Section, "authorized emergency watercraft" includes any watercraft operated by the Illinois Department of Natural Resources Police, the Illinois Department of State Police, a county sheriff, a local law enforcement agency, a fire department, a provider of emergency medical services, or the United States Coast Guard, equipped with alternately flashing red, blue, red and white, red and blue, or red in combination with white or blue lights, while engaged in official duties. Any authorized emergency watercraft must be clearly emblazoned with markings identifying it as a watercraft operated by the qualifying agency.

(b) Upon the immediate approach of an authorized emergency watercraft making use of rotating or flashing visual signals and lawfully making use of a visual signal, the operator of every other watercraft shall yield the right-of-way and shall immediately reduce the speed of the watercraft, so as not to create a wake, and shall yield way to the emergency watercraft, moving to the right to permit the safe passage of the emergency watercraft, and shall stop and remain in that position until the authorized emergency watercraft has passed, unless otherwise directed by a police officer.

(c) Upon approaching a stationary authorized emergency watercraft, when the authorized emergency watercraft is giving a signal by displaying rotating or alternately flashing red, blue, red and white, red and blue, or red in combination with white or blue lights, a person operating an approaching watercraft shall proceed with due caution at no-wake speed and yield the right-of-way by moving safely away from that authorized emergency watercraft, proceeding with due caution at a no-wake speed with due regard to safety and water conditions, maintaining no-wake speed until sufficiently away from the emergency watercraft so as not to create a wake that would otherwise rock or otherwise disturb the authorized emergency watercraft.

(d) This Section shall not operate to relieve the operator of an authorized emergency watercraft from the duty to operate that watercraft with due regard for the safety of all persons using the waterway.
(e) A person who violates this Section commits a business offense punishable by a fine of not less than $100 or more than $10,000. It is a factor in aggravation if the person committed the offense while in violation of Section 5-16 of this Act.

(f) If a violation of this Section results in damage to the property of another person, in addition to any other penalty imposed, the person’s watercraft operating privileges shall be suspended for a fixed period of not less than 90 days and not more than one year.

(g) If a violation of this Section results in injury to another person, in addition to any other penalty imposed, the person's watercraft operating privileges shall be suspended for a fixed period of not less than 180 days and not more than 2 years.

(h) If a violation of subsection (c) of this Section results in great bodily harm or permanent disability or disfigurement to, or the death of, another person, in addition to any other penalty imposed, the person's watercraft operating privileges shall be suspended for 2 years.

(i) The Department of Natural Resources shall, upon receiving a record of a judgment entered against a person under this Section:

(1) suspend the person's watercraft operating privileges for the mandatory period; or

(2) extend the period of an existing suspension by the appropriate mandatory period.

(Source: P.A. 95-107, eff. 1-1-08.)

(625 ILCS 45/11A-2) (from Ch. 95 1/2, par. 321A-2)

Sec. 11A-2. A. Any person who violates Section 3-11, 3A-3, 3A-13, 3A-14, or 3A-20 is guilty of a Class A misdemeanor.

B. Any person who violates Section 3A-21 is guilty of a Class 2 felony.

(Source: P.A. 88-524.)

(625 ILCS 45/11A-3) (from Ch. 95 1/2, par. 321A-3)

Sec. 11A-3. Any person who violates any of the provisions of Section 5-1, 7-1, or 7-8 of this Act is guilty of a Class B misdemeanor.

Any person who violates Section 5-2 of this Act is guilty of a Class A misdemeanor, except that aggravated reckless operation of a watercraft is a Class 4 felony.

(Source: P.A. 93-782, eff. 1-1-05.)

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


New matter indicated in italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 6-206 as follows:

(625 ILCS 5/6-206)

Sec. 6-206. Discretionary authority to suspend or revoke license or permit; Right to a hearing.

(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;

2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more

New matter indicated in italics - deletions by strikeout
than one year after the date of the accident, whichever date occurs later;

5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;

6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;

7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;

8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;

9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;

10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;

12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;

13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;

14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;

15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to

New matter indicated in italics - deletions by strikeout
criminal trespass to vehicles in which case, the suspension shall be for one year;

16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;

17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;

18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;

19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;

20. Has been convicted of violating Section 6-104 relating to classification of driver's license;

21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of $1,000, in which case the suspension shall be for one year;

22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;

24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;

26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;

27. Has violated Section 6-16 of the Liquor Control Act of 1934;

28. Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a

New matter indicated in italics - deletions by strikeout
driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;

30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;

31. Has refused to submit to a test as required by Section 11-501.6 of this Code or Section 5-16c of the Boat Registration and Safety Act or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;

New matter indicated in italics - deletions by strikeout
32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;

34. Has committed a violation of Section 11-1301.5 of this Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;

38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;

39. Has committed a second or subsequent violation of Section 11-1201 of this Code;

40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;

41. Has committed a second or subsequent violation of Section 11-605.1 of this Code, a similar provision of a local ordinance, or a similar violation in any other state within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days;

42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor

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Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;

44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;

45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person; or

46. Has committed a violation of subsection (j) of Section 3-413 of this Code.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2
of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or

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drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or disabled persons who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare. Those multiple offenders identified in subdivision (b)4 of Section 6-208 of this Code, however, shall not be eligible for the issuance of a restricted driving permit.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times within a 10 year period due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension or revocation under Section 11-501.1; or

(iii) a suspension under Section 6-203.1; arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it
has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire within one year from the date of issuance. The Secretary may not, however, issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of Section 11-501 of this Code or a similar provision of a local ordinance or any similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or any similar out-of-state offense, or any combination of those offenses, until the expiration of at least one year from the date of the revocation. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The

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Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Driver's License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

(Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff. 7-1-11; 96-1551, eff. 7-1-11; 97-229, eff. 7-28-11; 97-333, eff. 8-12-11; 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

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Section 10. The Boat Registration and Safety Act is amended by adding Section 5-16c as follows:

(625 ILCS 45/5-16c new)

Sec. 5-16c. Operator involvement in personal injury or fatal boating accident; chemical tests.

(a) Any person who operates or is in actual physical control of a motorboat within this State and who has been involved in a personal injury or fatal boating accident shall be deemed to have given consent to a breath test using a portable device as approved by the Department of State Police or to a chemical test or tests of blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds of the person’s blood if arrested as evidenced by the issuance of a uniform citation for a violation of the Boat Registration and Safety Act or a similar provision of a local ordinance, with the exception of equipment violations contained in Article IV of this Act or similar provisions of local ordinances. The test or tests shall be administered at the direction of the arresting officer. The law enforcement agency employing the officer shall designate which of the aforesaid tests shall be administered. A urine test may be administered even after a blood or breath test or both has been administered. Compliance with this Section does not relieve the person from the requirements of any other Section of this Act.

(b) Any person who is dead, unconscious, or who is otherwise in a condition rendering that person incapable of refusal shall be deemed not to have withdrawn the consent provided by subsection (a) of this Section. In addition, if an operator of a motorboat is receiving medical treatment as a result of a boating accident, any physician licensed to practice medicine, licensed physician assistant, licensed advanced practice nurse, registered nurse, or a phlebotomist acting under the direction of a licensed physician shall withdraw blood for testing purposes to ascertain the presence of alcohol, other drug or drugs, or intoxicating compound or compounds, upon the specific request of a law enforcement officer. However, this testing shall not be performed until, in the opinion of the medical personnel on scene, the withdrawal can be made without interfering with or endangering the well-being of the patient.

(c) A person requested to submit to a test under subsection (a) of this Section shall be warned by the law enforcement officer requesting the test that a refusal to submit to the test, or submission to the test resulting in an alcohol concentration of 0.08 or more, or any amount of a drug,
substance, or intoxicating compound resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as detected in the person's blood or urine, may result in the suspension of the person's privilege to operate a motor vehicle and may result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of the Illinois Vehicle Code, if the person is a CDL holder. The length of the suspension shall be the same as outlined in Section 6-208.1 of the Illinois Vehicle Code regarding statutory summary suspensions.

(d) If the person refuses testing or submits to a test which discloses an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, the law enforcement officer shall immediately submit a sworn report to the Secretary of State on a form prescribed by the Secretary of State, certifying that the test or tests were requested under subsection (a) of this Section and the person refused to submit to a test or tests or submitted to testing which disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's blood or urine, resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act.

Upon receipt of the sworn report of a law enforcement officer, the Secretary of State shall enter the suspension and disqualification to the person's driving record and the suspension and disqualification shall be effective on the 46th day following the date notice of the suspension was given to the person.

The law enforcement officer submitting the sworn report shall serve immediate notice of this suspension on the person and this
suspension and disqualification shall be effective on the 46th day following the date notice was given.

In cases where the blood alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, is established by a subsequent analysis of blood or urine collected at the time of arrest, the arresting officer shall give notice as provided in this Section or by deposit in the United States mail of this notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the uniform citation and the suspension and disqualification shall be effective on the 46th day following the date notice was given.

Upon receipt of the sworn report of a law enforcement officer, the Secretary of State shall also give notice of the suspension and disqualification to the person by mailing a notice of the effective date of the suspension and disqualification to the person. However, should the sworn report be defective by not containing sufficient information or be completed in error, the notice of the suspension and disqualification shall not be mailed to the person or entered to the driving record, but rather the sworn report shall be returned to the issuing law enforcement agency.

(e) A person may contest this suspension of his or her driving privileges and disqualification of his or her CDL privileges by requesting an administrative hearing with the Secretary of State in accordance with Section 2-118 of the Illinois Vehicle Code. At the conclusion of a hearing held under Section 2-118 of the Illinois Vehicle Code, the Secretary of State may rescind, continue, or modify the orders of suspension and disqualification. If the Secretary of State does not rescind the orders of suspension and disqualification, a restricted driving permit may be granted by the Secretary of State upon application being made and good cause shown. A restricted driving permit may be granted to relieve undue hardship to allow driving for employment, educational, and medical purposes as outlined in Section 6-206 of the Illinois Vehicle Code. The provisions of Section 6-206 of the Illinois Vehicle Code shall apply. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle.
to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified.

(f) For the purposes of this Section, a personal injury shall include any type A injury as indicated on the accident report completed by a law enforcement officer that requires immediate professional attention in a doctor's office or a medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

Approved July 22, 2013.
Effective January 1, 2014.

July 22, 2013

To the Honorable Members of the 98th General Assembly:

Today, I sign Senate Bill 26. In my State of the State address I called for the General Assembly to increase access to health care by authorizing the Department of Healthcare and Family Services to implement the Affordable Care Act provisions creating a new eligibility category for Medicaid. This bill achieves that goal, providing hundreds of thousands of Illinoisans with needed access to health coverage and bringing billions of dollars in federal funds into our State.

This bill also includes a series of changes to the Specialized Mental Health Rehabilitation Act of 2011. During the weeks this bill has been under review, I have heard from numerous stakeholders with concerns about these changes and the implications for the State’s rebalancing efforts.

I am committed to making sure all Illinois citizens, including those with physical, mental health or developmental disabilities, have the opportunity to meet their full potential. Soon after taking office, I settled three class action Olmstead lawsuits, agreeing to move individuals out of private nursing facilities into community-based care. I have closed outdated state institutions and invested in community-based settings. I also recently signed Employment First legislation to expand employment opportunities for people with disabilities.

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My staff will work with the General Assembly and stakeholders to ensure that the rules implementing the provisions of this bill that expand the role of Specialized Mental Health Rehabilitation Facilities (SMHRFs) do not undermine the state’s compliance with the Olmstead consent decrees or overall rebalancing goals. It is my intent to pursue follow-up legislation to address any problems that arise in advancing these goals as the law is implemented.

Sincerely,

PAT QUINN
Governor

PUBLIC ACT 98-0104
(Senate Bill No. 0026)

AN ACT concerning public aid.

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

ARTICLE 1.
SHORT TITLE, PRIOR LAW, AND DEFINITIONS

Section 1-101. Short title. This Act may be cited as the Specialized Mental Health Rehabilitation Act of 2013.

Section 1-101.3. Legislative findings. Illinois is committed to providing behavioral health services in the most community-integrated settings possible, based on the needs of consumers who qualify for State support. This goal is consistent with federal law and regulations and recent court decrees. A variety of services and settings are necessary to ensure that people with serious mental illness receive high quality care that is oriented toward their safety, rehabilitation, and recovery.

The State of Illinois has an inordinately high inpatient hospitalization rate for behavioral health services. This is not productive for those needing behavioral health services. It is also the least cost effective form of behavioral health delivery possible. The General Assembly finds that alternatives to inpatient hospitalization for behavioral health are necessary to both improve outcomes and reduce costs.

New matter indicated in italics - deletions by strikeout
Residential settings are an important component of the system of behavioral health care that Illinois is developing. When residential treatment is necessary, these facilities must offer high quality rehabilitation and recovery care, help consumers achieve and maintain their highest level of independent functioning, and prepare them to live in permanent supportive housing and other community-integrated settings. Facilities licensed under this Act will be multi-faceted facilities that provide triage and crisis stabilization to inpatient hospitalization, provide stabilization for those in post crisis stabilization, and provide transitional living assistance to prepare those with serious mental illness to reintegrate successfully into community living settings. Those licensed under this Act will provide care under a coordinated care model and seek appropriate national accreditation and provide productive and measurable outcomes.

Section 1-101.5. Prior law.

(a) This Act provides for licensure of long term care facilities that are federally designated as institutions for the mentally diseased on the effective date of this Act and specialize in providing services to individuals with a serious mental illness. On and after the effective date of this Act, these facilities shall be governed by this Act instead of the Nursing Home Care Act.

(b) All consent decrees that apply to facilities federally designated as institutions for the mentally diseased shall continue to apply to facilities licensed under this Act.

Section 1-101.6. Mental health system planning. The General Assembly finds the services contained in this Act are necessary for the effective delivery of mental health services for the citizens of the State of Illinois. The General Assembly also finds that the mental health system in the State requires further review to develop additional needed services. To ensure the adequacy of community-based services and to offer choice to all individuals with serious mental illness who choose to live in the community, and for whom the community is the appropriate setting, but are at risk of institutional care, the Governor shall convene a working group to develop the process and procedure for identifying needed services in the different geographic regions of the State. The Governor shall include the Division of Mental Health of the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, community mental health providers, statewide associations of mental health providers, mental health advocacy groups, and any other entity as deemed appropriate for participation in the

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working group. The Department of Human Services shall provide staff and support to this working group.

Section 1-102. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Abuse" means any physical or mental injury or sexual assault inflicted on a consumer other than by accidental means in a facility.

"Accreditation" means any of the following:

(1) the Joint Commission;

(2) the Commission on Accreditation of Rehabilitation Facilities;

(3) the Healthcare Facilities Accreditation Program; or

(4) any other national standards of care as approved by the Department.

"Applicant" means any person making application for a license or a provisional license under this Act.

"Consumer" means a person, 18 years of age or older, admitted to a mental health rehabilitation facility for evaluation, observation, diagnosis, treatment, stabilization, recovery, and rehabilitation.

"Consumer" does not mean any of the following:

(i) an individual requiring a locked setting;

(ii) an individual requiring psychiatric hospitalization because of an acute psychiatric crisis;

(iii) an individual under 18 years of age;

(iv) an individual who is actively suicidal or violent toward others;

(v) an individual who has been found unfit to stand trial;

(vi) an individual who has been found not guilty by reason of insanity based on committing a violent act, such as sexual assault, assault with a deadly weapon, arson, or murder;

(vii) an individual subject to temporary detention and examination under Section 3-607 of the Mental Health and Developmental Disabilities Code;

(viii) an individual deemed clinically appropriate for inpatient admission in a State psychiatric hospital; and

(ix) an individual transferred by the Department of Corrections pursuant to Section 3-8-5 of the Unified Code of Corrections.

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"Consumer record" means a record that organizes all information on the care, treatment, and rehabilitation services rendered to a consumer in a specialized mental health rehabilitation facility.


"Department" means the Department of Public Health.

"Discharge" means the full release of any consumer from a facility.

"Drug administration" means the act in which a single dose of a prescribed drug or biological is given to a consumer. The complete act of administration entails removing an individual dose from a container, verifying the dose with the prescriber's orders, giving the individual dose to the consumer, and promptly recording the time and dose given.

"Drug dispensing" means the act entailing the following of a prescription order for a drug or biological and proper selection, measuring, packaging, labeling, and issuance of the drug or biological to a consumer.

"Emergency" means a situation, physical condition, or one or more practices, methods, or operations which present imminent danger of death or serious physical or mental harm to consumers of a facility.

"Facility" means a specialized mental health rehabilitation facility that provides at least one of the following services: (1) triage center; (2) crisis stabilization; (3) recovery and rehabilitation supports; or (4) transitional living units for 3 or more persons. The facility shall provide a 24-hour program that provides intensive support and recovery services designed to assist persons, 18 years or older, with mental disorders to develop the skills to become self-sufficient and capable of increasing levels of independent functioning. It includes facilities that meet the following criteria:

(1) 100% of the consumer population of the facility has a diagnosis of serious mental illness;
(2) no more than 15% of the consumer population of the facility is 65 years of age or older;
(3) none of the consumers are non-ambulatory;
(4) none of the consumers have a primary diagnosis of moderate, severe, or profound intellectual disability; and
(5) the facility must have been licensed under the Specialized Mental Health Rehabilitation Act or the Nursing Home Care Act immediately preceding the effective date of this Act and

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qualifies as a institute for mental disease under the federal definition of the term.
"Facility" does not include the following:
(1) a home, institution, or place operated by the federal government or agency thereof, or by the State of Illinois;
(2) a hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care, and treatment of human illness through the maintenance and operation as organized facilities therefor which is required to be licensed under the Hospital Licensing Act;
(3) a facility for child care as defined in the Child Care Act of 1969;
(4) a community living facility as defined in the Community Living Facilities Licensing Act;
(5) a nursing home or sanatorium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination; however, such nursing home or sanatorium shall comply with all local laws and rules relating to sanitation and safety;
(6) a facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;
(7) a supportive residence licensed under the Supportive Residences Licensing Act;
(8) a supportive living facility in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;
(9) an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;
(10) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act;

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(11) a home, institution, or other place operated by or under the authority of the Illinois Department of Veterans' Affairs;
(12) a facility licensed under the ID/DD Community Care Act; or
(13) a facility licensed under the Nursing Home Care Act after the effective date of this Act.

"Executive director" means a person who is charged with the general administration and supervision of a facility licensed under this Act. "Guardian" means a person appointed as a guardian of the person or guardian of the estate, or both, of a consumer under the Probate Act of 1975.

"Identified offender" means a person who meets any of the following criteria:

(1) Has been convicted of, found guilty of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any felony offense listed in Section 25 of the Health Care Worker Background Check Act, except for the following:

   (i) a felony offense described in Section 10-5 of the Nurse Practice Act;
   (ii) a felony offense described in Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act;
   (iii) a felony offense described in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act;
   (iv) a felony offense described in Section 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act; and
   (v) a felony offense described in the Methamphetamine Control and Community Protection Act.

(2) Has been convicted of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any sex offense as defined in subsection (c) of Section 10 of the Sex Offender Management Board Act.

"Transitional living units" are residential units within a facility that have the purpose of assisting the consumer in developing and reinforcing the necessary skills to live independently outside of the facility. The duration of stay in such a setting shall not exceed 120 days for each consumer. Nothing in this definition shall be construed to be a prerequisite for transitioning out of a facility.
"Licensee" means the person, persons, firm, partnership, association, organization, company, corporation, or business trust to which a license has been issued.

"Misappropriation of a consumer's property" means the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a consumer's belongings or money without the consent of a consumer or his or her guardian.

"Neglect" means a facility's failure to provide, or willful withholding of, adequate medical care, mental health treatment, psychiatric rehabilitation, personal care, or assistance that is necessary to avoid physical harm and mental anguish of a consumer.

"Personal care" means assistance with meals, dressing, movement, bathing, or other personal needs, maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person, whether or not a guardian has been appointed for such individual. "Personal care" shall not be construed to confine or otherwise constrain a facility's pursuit to develop the skills and abilities of a consumer to become self-sufficient and capable of increasing levels of independent functioning.

"Recovery and rehabilitation supports" means a program that facilitates a consumer's longer-term symptom management and stabilization while preparing the consumer for transitional living units by improving living skills and community socialization. The duration of stay in such a setting shall be established by the Department by rule.

"Restraint" means:

(i) a physical restraint that is any manual method or physical or mechanical device, material, or equipment attached or adjacent to a consumer's body that the consumer cannot remove easily and restricts freedom of movement or normal access to one's body; devices used for positioning, including, but not limited to, bed rails, gait belts, and cushions, shall not be considered to be restraints for purposes of this Section; or

(ii) a chemical restraint that is any drug used for discipline or convenience and not required to treat medical symptoms; the Department shall, by rule, designate certain devices as restraints, including at least all those devices that have been determined to be restraints by the United States Department of Health and Human Services in interpretive guidelines issued for the purposes of...
administering Titles XVIII and XIX of the federal Social Security Act. For the purposes of this Act, restraint shall be administered only after utilizing a coercive free environment and culture.

"Self-administration of medication" means consumers shall be responsible for the control, management, and use of their own medication.

"Crisis stabilization" means a secure and separate unit that provides short-term behavioral, emotional, or psychiatric crisis stabilization as an alternative to hospitalization or re-hospitalization for consumers from residential or community placement. The duration of stay in such a setting shall not exceed 21 days for each consumer.

"Therapeutic separation" means the removal of a consumer from the milieu to a room or area which is designed to aid in the emotional or psychiatric stabilization of that consumer.

"Triage center" means a non-residential 23-hour center that serves as an alternative to emergency room care, hospitalization, or re-hospitalization for consumers in need of short-term crisis stabilization.

ARTICLE 2.

GENERAL PROVISIONS

Section 2-100. Rulemaking. The Department is empowered to promulgate any rules necessary to ensure proper implementation and administration of this Act.

Section 2-101. Standards for facilities. The Department shall, by rule, prescribe minimum standards for each level of care for facilities to be in place during the provisional licensure period and thereafter. These standards shall include, but are not limited to, the following:

(1) life safety standards that will ensure the health, safety and welfare of residents and their protection from hazards;

(2) number and qualifications of all personnel, including management and clinical personnel, having responsibility for any part of the care given to consumers; specifically, the Department shall establish staffing ratios for facilities which shall specify the number of staff hours per consumer of care that are needed for each level of care offered within the facility;

(3) all sanitary conditions within the facility and its surroundings, including water supply, sewage disposal, food handling, and general hygiene which shall ensure the health and comfort of consumers;

(4) a program for adequate maintenance of physical plant and equipment;

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(5) adequate accommodations, staff, and services for the number and types of services being offered to consumers for whom the facility is licensed to care;

(6) development of evacuation and other appropriate safety plans for use during weather, health, fire, physical plant, environmental, and national defense emergencies;

(7) maintenance of minimum financial or other resources necessary to meet the standards established under this Section, and to operate and conduct the facility in accordance with this Act; and

(8) standards for coercive free environment, restraint, and therapeutic separation.

Section 2-102. Staffing ratios. The Department shall establish rules governing the minimum staffing levels and staffing qualifications for facilities. In crafting the staffing ratios, the Department shall take into account the ambulatory nature and mental health of the population served in the facilities. Staffing ratios shall be consistent with national accreditation standards in behavioral health from a recognized national accreditation entity as set forth in the definition of "accreditation" in Section 2-102. The rules shall be created for each type of care offered at the facilities and be crafted to address the different type of services offered. The staffing ratios contained in the rules shall specifically list the positions that are to be counted toward the staffing ratio. In no case shall the staffing ratios contained in rule be less than the following ratios:

(1) a staffing ratio of 3.6 hours of direct care for crisis stabilization;

(2) a staffing ratio of 1.8 hours of direct care for recovery and rehabilitation supports; and

(3) a staffing ratio of 1.6 hours of direct care for transitional living.

Section 2-103. Staff training. Training for all new employees specific to the various levels of care offered by a facility shall be provided to employees during their orientation period and annually thereafter. Training shall be independent of the Department and overseen by the Division of Mental Health to determine the content of all facility employee training and to provide training for all trainers of facility employees. Training of employees shall be consistent with nationally recognized national accreditation standards as defined later in this Act. Training shall be required for all existing staff at a facility prior to the implementation of any new services authorized under this Act.

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Section 2-104. Screening prior to admission.

(a) A facility shall, within 24 hours after admission, request a criminal history background check pursuant to the Uniform Conviction Information Act for all persons age 18 or older seeking admission to the facility, unless a background check was initiated by a hospital pursuant to subsection (d) of Section 6.09 of the Hospital Licensing Act. Background checks conducted pursuant to this Section shall be based on the consumer's name, date of birth, and other identifiers as required by the Department of State Police. If the results of the background check are inconclusive, the facility shall initiate a fingerprint-based check, unless the fingerprint check is waived by the Director of Public Health based on verification by the facility that the consumer meets criteria related to the consumer's health or lack of potential risk which may be established by Departmental rule. A waiver issued pursuant to this Section shall be valid only while the consumer is immobile or while the criteria supporting the waiver exist. The facility shall provide for or arrange for any required fingerprint-based checks to be taken on the premises of the facility. If a fingerprint-based check is required, the facility shall arrange for it to be conducted in a manner that is respectful of the consumer's dignity and that minimizes any emotional or physical hardship to the consumer.

(b) If the results of a consumer's criminal history background check reveal that the consumer is an identified offender as defined in this Act, the facility shall do the following:

(1) Immediately notify the Department of State Police, in the form and manner required by the Department of State Police, in collaboration with the Department of Public Health, that the consumer is an identified offender.

(2) Within 72 hours, arrange for a fingerprint-based criminal history record inquiry to be requested on the identified offender consumer. The inquiry shall be based on the subject's name, sex, race, date of birth, fingerprint images, and other identifiers required by the Department of State Police. The inquiry shall be processed through the files of the Department of State Police and the Federal Bureau of Investigation to locate any criminal history record information that may exist regarding the subject. The Federal Bureau of Investigation shall furnish to the Department of State Police, pursuant to an inquiry under this paragraph (2), any criminal history record information contained in its files.

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Section 2-105. Criminal History Report.

(a) The Department of State Police shall prepare a Criminal History Report when it receives information, through the criminal history background check required pursuant to subsection (d) of Section 6.09 of the Hospital Licensing Act or subsection (c) of Section 2-201.5 of the Nursing Home Care Act, or through any other means, that a consumer of a facility is an identified offender.

(b) The Department of State Police shall complete the Criminal History Report within 10 business days after receiving information under subsection (a) that a consumer is an identified offender.

(c) The Criminal History Report shall include, but not be limited to, the following:

1. Copies of the identified offender's parole, mandatory supervised release, or probation orders.
2. An interview with the identified offender.
3. A detailed summary of the entire criminal history of the offender, including arrests, convictions, and the date of the identified offender's last conviction relative to the date of admission to a long-term care facility.
4. If the identified offender is a convicted or registered sex offender, a review of any and all sex offender evaluations conducted on that offender. If there is no sex offender evaluation available, the Department of State Police shall arrange, through the Department of Public Health, for a sex offender evaluation to be conducted on the identified offender. If the convicted or registered sex offender is under supervision by the Illinois Department of Corrections or a county probation department, the sex offender evaluation shall be arranged by and at the expense of the supervising agency. All evaluations conducted on convicted or registered sex offenders under this Act shall be conducted by sex offender evaluators approved by the Sex Offender Management Board.

(d) The Department of State Police shall provide the Criminal History Report to a licensed forensic psychologist. After (i) consideration of the Criminal History Report, (ii) consultation with the facility administrator or the facility medical director, or both, regarding the mental and physical condition of the identified offender, and (iii) reviewing the facility's file on the identified offender, including all incident reports, all information regarding medication and medication compliance, and all

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information regarding previous discharges or transfers from other facilities, the licensed forensic psychologist shall prepare an Identified Offender Report and Recommendation. The Identified Offender Report and Recommendation shall detail whether and to what extent the identified offender's criminal history necessitates the implementation of security measures within the long-term care facility. If the identified offender is a convicted or registered sex offender or if the Identified Offender Report and Recommendation reveals that the identified offender poses a significant risk of harm to others within the facility, the offender shall be required to have his or her own room within the facility.

(e) The licensed forensic psychologist shall complete the Identified Offender Report and Recommendation within 14 business days after receiving the Criminal History Report and shall promptly provide the Identified Offender Report and Recommendation to the Department of State Police, which shall provide the Identified Offender Report and Recommendation to the following:

(1) The facility within which the identified offender resides.
(2) The Chief of Police of the municipality in which the facility is located.
(3) The State of Illinois Long Term Care Ombudsman.
(4) The Department of Public Health.

(e-5) The Department of Public Health shall keep a continuing record of all consumers determined to be identified offenders as defined in Section 1-114.01 of the Nursing Home Care Act and shall report the number of identified offender consumers annually to the General Assembly.

(f) The facility shall incorporate the Identified Offender Report and Recommendation into the identified offender's care plan created pursuant to 42 CFR 483.20.

(g) If, based on the Identified Offender Report and Recommendation, a facility determines that it cannot manage the identified offender consumer safely within the facility, it shall commence involuntary transfer or discharge proceedings pursuant to Section 3-402.

(h) Except for willful and wanton misconduct, any person authorized to participate in the development of a Criminal History Report or Identified Offender Report and Recommendation is immune from criminal or civil liability for any acts or omissions as the result of his or her good faith effort to comply with this Section.

ARTICLE 3.

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RIGHTS AND RESPONSIBILITIES

PART 1.

CONSUMER RIGHTS

Section 3-101. Consumers' rights. Consumers served by a facility under this Act shall have all the rights guaranteed pursuant to Chapter II, Article I of the Mental Health and Developmental Disabilities Code, a list of which shall be prominently posted in English and any other language representing at least 5% of the county population in which the specialized mental health rehabilitation facility is located.

Section 3-102. Financial affairs. A consumer shall be permitted to manage his or her own financial affairs unless he or she or his or her guardian authorizes the executive director of the facility in writing to manage the consumer's financial affairs.

Section 3-103. Consumers' moneys and possessions. To the extent possible, each consumer shall be responsible for his or her own moneys and personal property or possessions in his or her own immediate living quarters unless deemed inappropriate by a physician or other facility clinician and so documented in the consumer's record. In the event the moneys or possessions of a consumer come under the supervision of the facility, either voluntarily on the part of the consumer or so ordered by a facility physician or other clinician, each facility to whom a consumer's moneys or possessions have been entrusted shall comply with the following:

1. no facility shall commingle consumers' moneys or possessions with those of the facility; consumers' moneys and possessions shall be maintained separately, intact, and free from any liability that the facility incurs in the use of the facility's funds;

2. the facility shall provide reasonably adequate space for the possessions of the consumer; the facility shall provide a means of safeguarding small items of value for its consumers in their rooms or in any other part of the facility so long as the consumers have reasonable and adequate access to such possessions; and

3. the facility shall make reasonable efforts to prevent loss and theft of consumers' possessions; those efforts shall be appropriate to the particular facility and particular living setting within each facility and may include staff training and monitoring, labeling possessions, and frequent possession inventories; the facility shall develop procedures for investigating complaints

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concerning theft of consumers' possessions and shall promptly investigate all such complaints.

Section 3-104. Care, treatment, and records. Facilities shall provide, at a minimum, the following services: physician, nursing, pharmaceutical, rehabilitative, and dietary services. To provide these services, the facility shall adhere to the following:

1. Each consumer shall be encouraged and assisted to achieve and maintain the highest level of self-care and independence. Every effort shall be made to keep consumers active and out of bed for reasonable periods of time, except when contraindicated by physician orders.

2. Every consumer shall be engaged in a person-centered planning process regarding his or her total care and treatment.

3. All medical treatment and procedures shall be administered as ordered by a physician. All new physician orders shall be reviewed by the facility's director of nursing or charge nurse designee within 24 hours after such orders have been issued to ensure facility compliance with such orders. According to rules adopted by the Department, every woman consumer of child bearing age shall receive routine obstetrical and gynecological evaluations as well as necessary prenatal care.

4. Each consumer shall be provided with good nutrition and with necessary fluids for hydration.

5. Each consumer shall be provided visual privacy during treatment and personal care.

6. Every consumer or consumer's guardian shall be permitted to inspect and copy all his or her clinical and other records concerning his or her care kept by the facility or by his or her physician. The facility may charge a reasonable fee for duplication of a record.

Section 3-105. Supplemental Security Income. The Department of Healthcare and Family Services shall explore potential avenues to enable consumers to continue to receive and possess a portion of, or their full, Supplemental Security Income benefit while receiving services at a facility. The Department of Healthcare and Family Services shall investigate strategies that are most beneficial to the consumer and cost effective for the State. The Department of Healthcare and Family Services may implement a strategy to enable a consumer to receive and possess a portion of, or his or her full, Supplemental Security Income in

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Section 3-106. Pharmaceutical treatment.

(a) A consumer shall not be given unnecessary drugs. An unnecessary drug is any drug used in an excessive dose, including in duplicative therapy; for excessive duration; without adequate monitoring; without adequate indications for its use; or in the presence of adverse consequences that indicate the drug should be reduced or discontinued.

(b) The Department shall adopt, by rule, the standards for unnecessary drugs.

(c) No drug shall be administered except upon the order of a person lawfully authorized to prescribe for and treat mental illness.

(d) All drug orders shall be written, dated, and signed by the person authorized to give such an order. The name, quantity, or specific duration of therapy, dosage, and time or frequency of administration of the drug and the route of administration if other than oral shall be specific.

(e) Verbal orders for drugs and treatment shall be received only by those authorized under Illinois law to do so from their supervising physician. Such orders shall be recorded immediately in the consumer's record by the person receiving the order and shall include the date and time of the order.

Section 3-107. Abuse or neglect; duty to report. A licensee, executive director, employee, or agent of a facility shall not abuse or neglect a consumer. It is the duty of any facility employee or agent who becomes aware of such abuse or neglect to report it to the Department within 24 hours. Facilities shall comply with Sections 3-610 and 3-810 of the Nursing Home Care Act. The provisions under Sections 3-610 and 3-810 of the Nursing Home Care Act shall apply to employees of facilities licensed under this Act.

Section 3-108. Communications; visits. Every consumer, except those in triage centers, shall be permitted unimpeded, private, and uncensored communication of his or her choice by mail, telephone, Internet, or visitation.

The executive director shall ensure that correspondence is conveniently received and reasonably accessible.
The executive director shall ensure that consumers may have private visits at any reasonable hour unless such visits are restricted due to the treatment plan of the consumer.

The executive director shall ensure that space for visits is available and that facility personnel reasonably announce their intent to enter, except in an emergency, before entering any consumer's room during such visits.

Consumers shall be free to leave at any time. If a consumer in a triage center expresses a desire to contact a third party for any purpose, the facility staff shall contact that third party on behalf of the consumer.

Section 3-109. Religion. A consumer shall be permitted the free exercise of religion. Upon a consumer's request, and if necessary, at the consumer's expense, the executive director may make arrangements for a consumer's attendance at religious services of the consumer's choice. However, no religious beliefs or practices or attendance at religious services may be imposed upon any consumer.

Section 3-110. Access to consumers.
(a) Any employee or agent of a public agency, any representative of a community legal services program, or any other member of the general public shall be permitted access at reasonable hours to any individual consumer of any facility, unless the consumer is receiving care and treatment in triage centers.

(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any consumer without first identifying himself or herself and then receiving permission from the consumer to enter. The rights of other consumers present in the room shall be respected. A consumer may terminate at any time a visit by a person having access to the consumer's living area under this Section.

(c) This Section shall not limit the power of the Department or other public agency otherwise permitted or required by law to enter and inspect a facility.

(d) Notwithstanding subsection (a) of this Section, the executive director of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a consumer or would threaten the security of the property of a consumer or the facility, or if the person seeks access to the facility for commercial purposes.

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(e) Nothing in this Section shall be construed to conflict with, or infringe upon, any court orders or consent decrees regarding access.

Section 3-111. Discharge. A consumer may be discharged from a facility after he or she gives the executive director, a physician, or a nurse of the facility written notice of the desire to be discharged. If a guardian has been appointed for a consumer, the consumer shall be discharged upon written consent of his or her guardian. In the event of a requested consumer discharge, the facility is relieved from any responsibility for the consumer's care, safety, and well-being upon the consumer's discharge. The Department shall by rule establish criteria, hearings, and procedures for involuntary discharge.

Section 3-112. Grievances. A consumer shall be permitted to present grievances on behalf of himself or herself or others to the executive director, the consumers' advisory council, State governmental agencies, or other persons without threat of discharge or reprisal in any form or manner whatsoever. The executive director shall provide all consumers or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged.

Section 3-113. Labor. A consumer may refuse to perform labor for a facility.

Section 3-114. Unlawful discrimination. No consumer shall be subjected to unlawful discrimination as defined in Section 1-103 of the Illinois Human Rights Act by any owner, licensee, executive director, employee, or agent of a facility. Unlawful discrimination does not include an action by any licensee, executive director, employee, or agent of a facility that is required by this Act or rules adopted under this Act.

Section 3-115. Informed consent; restraints. Informed consent shall be required for restraints consistent with the requirements contained in subsection (c) of Section 2-106 of the Nursing Home Care Act.

Section 3-116. Experimental research. No consumer shall be subjected to experimental research or treatment without first obtaining his or her informed, written consent. The conduct of any experimental research or treatment shall be authorized and monitored by an institutional review board appointed by the executive director. The membership, operating procedures and review criteria for the institutional review board shall be prescribed under rules and regulations of the Department and shall comply with the requirements for institutional review boards established by the federal Food and Drug Administration. No person who has received

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compensation in the prior 3 years from an entity that manufactures, distributes, or sells pharmaceuticals, biologics, or medical devices may serve on the institutional review board.

No facility shall permit experimental research or treatment to be conducted on a consumer, or give access to any person or person's records for a retrospective study about the safety or efficacy of any care or treatment, without the prior written approval of the institutional review board. No executive director, or person licensed by the State to provide medical care or treatment to any person, may assist or participate in any experimental research on or treatment of a consumer, including a retrospective study, that does not have the prior written approval of the board. Such conduct shall be grounds for professional discipline by the Department of Financial and Professional Regulation.

The institutional review board may exempt from ongoing review research or treatment initiated on a consumer before the individual's admission to a facility and for which the board determines there is adequate ongoing oversight by another institutional review board. Nothing in this Section shall prevent a facility, any facility employee, or any other person from assisting or participating in any experimental research on or treatment of a consumer, if the research or treatment began before the person's admission to a facility, until the board has reviewed the research or treatment and decided to grant or deny approval or to exempt the research or treatment from ongoing review.

PART 2.
RESPONSIBILITIES

Section 3-201. Screening prior to admission. Standards for screening prior to admission into a facility under this Act shall be established by rule. The rules shall recognize the different levels of care provided by these facilities, including, but not limited to, the following:

(1) triage centers;
(2) crisis stabilization;
(3) recovery and rehabilitation supports; or
(4) transitional living units.

Section 3-203. Consumers' advisory council. Each facility shall establish a consumers' advisory council. The executive director shall designate a member of the facility staff to coordinate the establishment of, and render assistance to, the council.
(1) The composition of the consumers' advisory council shall be specified by rule, but no employee or affiliate of a facility shall be a member of the council.

(2) The council shall meet at least once each month with the staff coordinator who shall provide assistance to the council in preparing and disseminating a report of each meeting to all consumers, the executive director, and the staff.

(3) Records of council meetings shall be maintained in the office of the executive director.

(4) The consumers' advisory council may communicate to the executive director the opinions and concerns of the consumers. The council shall review procedures for implementing consumer rights and facility responsibilities and make recommendations for changes or additions that will strengthen the facility's policies and procedures as they affect consumer rights and facility responsibilities.

(5) The council shall be a forum for:
   (A) obtaining and disseminating information;
   (B) soliciting and adopting recommendations for facility programming and improvements; and
   (C) early identification and for recommending orderly resolution of problems.

(6) The council may present complaints on behalf of a consumer to the Department or to any other person it considers appropriate.

Section 3-205. Disclosure of information to public. Standards for the disclosure of information to the public shall be established by rule. These information disclosure standards shall include, but are not limited to, the following: staffing and personnel levels, licensure and inspection information, national accreditation information, cost and reimbursement information, and consumer complaint information. Rules for the public disclosure of information shall be in accordance with the provisions for inspection and copying of public records in the Freedom of Information Act.

Section 3-206. Confidentiality of records.

(a) The Department shall respect the confidentiality of a consumer's record and shall not divulge or disclose the contents of a record in a manner that identifies a consumer, except upon a consumer's death to a relative or guardian or under judicial proceedings. This Section shall not

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be construed to limit the right of a consumer to inspect or copy the consumer's own records.

(b) Confidential medical, social, personal, or financial information identifying a consumer shall not be available for public inspection in a manner that identifies a consumer.

Section 3-207. Notice of imminent death. A facility shall immediately notify the consumer's next of kin, representative, and physician of the consumer's death or when the consumer's death appears to be imminent.

Section 3-208. Policies and procedures. A facility shall establish written policies and procedures to implement the responsibilities and rights provided under this Article. The policies shall include the procedure for the investigation and resolution of consumer complaints. The policies and procedures shall be clear and unambiguous and shall be available for inspection by any person. A summary of the policies and procedures, printed in not less than 12-point font, shall be distributed to each consumer and representative.

Section 3-209. Explanation of rights. Each consumer and consumer's guardian or other person acting on behalf of the consumer shall be given a written explanation of all of his or her rights. The explanation shall be given at the time of admission to a facility or as soon thereafter as the condition of the consumer permits, but in no event later than 48 hours after admission and again at least annually thereafter. At the time of the implementation of this Act, each consumer shall be given a written summary of all of his or her rights. If a consumer is unable to read such written explanation, it shall be read to the consumer in a language the consumer understands.

Section 3-210. Staff familiarity with rights and responsibilities. The facility shall ensure that its staff is familiar with and observes the rights and responsibilities enumerated in this Article.

Section 3-211. Vaccinations.

(a) A facility shall annually administer or arrange for administration of a vaccination against influenza to each consumer, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the consumer has refused the vaccine.

(b) All persons seeking admission to a facility shall be verbally screened for risk factors associated with hepatitis B, hepatitis C, and the

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Human Immunodeficiency Virus (HIV) according to guidelines established by the U.S. Centers for Disease Control and Prevention. Persons who are identified as being at high risk for hepatitis B, hepatitis C, or HIV shall be offered an opportunity to undergo laboratory testing in order to determine infection status if they will be admitted to the facility for at least 7 days and are not known to be infected with any of the listed viruses. All HIV testing shall be conducted in compliance with the AIDS Confidentiality Act. All persons determined to be susceptible to the hepatitis B virus shall be offered immunization within 10 days after admission to any facility. A facility shall document in the consumer's medical record that he or she was verbally screened for risk factors associated with hepatitis B, hepatitis C, and HIV, and whether or not the consumer was immunized against hepatitis B.

Section 3-212. Order for transportation of consumer by ambulance. If a facility orders transportation of a consumer of the facility by ambulance, then the facility must maintain a written record that shows (i) the name of the person who placed the order for that transportation and (ii) the medical reason for that transportation.

ARTICLE 4.
LICENSING AND ACCREDITATION
PART 1.
LICENSING
Section 4-101. Licensure system. The Department shall be the sole agency responsible for licensure and shall establish a comprehensive system of licensure for facilities in accordance with this Act for the purpose of:

(1) protecting the health, welfare, and safety of consumers; and

(2) ensuring the accountability for reimbursed care provided in facilities.

Section 4-102. Necessity of license. No person may establish, operate, maintain, offer, or advertise a facility within this State unless and until he or she obtains a valid license therefor as hereinafter provided, which license remains unsuspended, unrevoked, and unexpired. No public official or employee may place any person in, or recommend that any person be in, or directly or indirectly cause any person to be placed in any facility that is being operated without a valid license. All licenses and licensing procedures established under Article III of the Nursing Home Care Act, except those contained in Section 3-202, shall be deemed valid
under this Act until the Department establishes licensure. The Department
is granted the authority under this Act to establish provisional licensure
and licensing procedures under this Act by emergency rule and shall do so
within 120 days of the effective date of this Act.

Section 4-103. Provisional licensure emergency rules. The
Department, in consultation with the Division of Mental Health of the
Department of Human Services and the Department of Healthcare and
Family Services, is granted the authority under this Act to establish
provisional licensure and licensing procedures by emergency rule. The
Department shall file emergency rules concerning provisional licensure
under this Act within 120 days after the effective date of this Act. The
rules to be filed for provisional licensure shall be for a period of 3 years,
beginning with the adoption date of the emergency rules establishing the
provisional license, and shall not be extended beyond the date of 3 years
after the effective date of the emergency rules creating the provisional
license and licensing process. Rules governing the provisional license and
licensing process shall contain rules for the different levels of care offered
by the facilities authorized under this Act and shall address each type of
care hereafter enumerated:

(1) triage centers;
(2) crisis stabilization;
(3) recovery and rehabilitation supports;
(4) transitional living units; or
(5) other intensive treatment and stabilization programs
designed and developed in collaboration with the Department.

Section 4-104. Provisional licensure requirements. Rules
governing the provisional license and licensing process shall address, at a
minimum, the following provisions:

(1) mandatory community agency linkage;
(2) discharge and transition planning;
(3) non-residential triage centers and stabilization center
requirements;
(4) crisis stabilization;
(5) transitional living units;
(6) recovery and rehabilitation supports;
(7) therapeutic activity and leisure training program;
(8) admission policies;
(9) consumer admission and assessment requirements;

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(10) screening and consumer background checks, consistent with Section 1-114.01, subsections (b) and (c) of Section 2-201.5, and Section 2-201.6 of the Nursing Home Care Act;
(11) consumer records;
(12) informed consent;
(13) individualized treatment plan;
(14) consumer rights and confidentiality;
(15) safeguard of consumer funds;
(16) restraints and therapeutic separation;
(17) employee personnel policies and records;
(18) employee health evaluation;
(19) health care worker background check, consistent with the Health Care Worker Background Check Act;
(20) required professional job positions;
(21) consultation and training;
(22) quality assessment and performance improvement;
(23) consumer information;
(24) reporting of unusual occurrences;
(25) abuse and reporting to local law enforcement;
(26) fire safety and disaster preparedness;
(27) required support services, including, but not limited to, physician, health, pharmaceutical, infection control, dietetic, dental, and environmental;
(28) enhanced services requests and program flexibility requests;
(29) participation in a managed care entity, a coordinated care entity, or an accountable care entity; and
(30) appropriate fines and sanctions associated with violations of laws, rules, or regulations.

Section 4-105. Provisional licensure duration. A provisional license shall be valid upon fulfilling the requirements established by the Department by emergency rule. The license shall remain valid as long as a facility remains in compliance with the licensure provisions established in rule. The provisional license shall expire when the administrative rule established by the Department for provisional licensure expires at the end of a 3-year period.

Section 4-106. Provisional licensure outcomes. The Department of Healthcare and Family Services, in conjunction with the Division of Mental Health of the Department of Human Services and the Department
of Public Health, shall establish a methodology by which financial and clinical data are reported and monitored from each program that is implemented in a facility after the effective date of this Act. The Department of Healthcare and Family Services shall work in concert with a managed care entity, a care coordination entity, or an accountable care entity to gather the data necessary to report and monitor the progress of the services offered under this Act.

Section 4-107. Provisional licensure period completion. After the provisional licensure period is completed, no individual with mental illness whose service plan provides for placement in community-based settings shall be housed or offered placement in a facility at public expense unless, after being fully informed, he or she declines the opportunity to receive services in a community-based setting.

Section 4-108. Surveys and inspections. The Department shall conduct surveys of licensed facilities and their certified programs and services. The Department shall review the records or premises, or both, as it deems appropriate for the purpose of determining compliance with this Act and the rules promulgated under this Act. The Department shall have access to and may reproduce or photocopy any books, records, and other documents maintained by the facility to the extent necessary to carry out this Act and the rules promulgated under this Act. The Department shall not divulge or disclose the contents of a record under this Section as otherwise prohibited by this Act. Any holder of a license or applicant for a license shall be deemed to have given consent to any authorized officer, employee, or agent of the Department to enter and inspect the facility in accordance with this Article. Refusal to permit such entry or inspection shall constitute grounds for denial, suspension, or revocation of a license under this Act.

(1) The Department shall conduct surveys to determine compliance and may conduct surveys to investigate complaints.

(2) Determination of compliance with the service requirements shall be based on a survey centered on individuals that sample services being provided.

(3) Determination of compliance with the general administrative requirements shall be based on a review of facility records and observation of individuals and staff. Section 4-109. License sanctions and revocation.

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(a) The Department may revoke a license for any failure to substantially comply with this Act and the rules promulgated under this Act, including, but not limited to, the following:

1. fails to correct deficiencies identified as a result of an on-site survey by the Department and fails to submit a plan of correction within 30 days after receipt of the notice of violation;
2. submits false information either on Department forms, required certifications, plans of correction or during an on-site inspection;
3. refuses to permit or participate in a scheduled or unscheduled survey; or
4. willfully violates any rights of individuals being served.

(b) The Department may refuse to license or relicense a facility if the owner or authorized representative or licensee has been convicted of a felony related to the provision of healthcare or mental health services, as shown by a certified copy of the court of conviction.

(c) Facilities, as a result of an on-site survey, shall be recognized according to levels of compliance with standards as set forth in this Act. Facilities with findings from Level 1 to Level 3 will be considered to be in good standing with the Department. Findings from Level 3 to Level 5 will result in a notice of violations, a plan of correction and defined sanctions. Findings resulting in Level 6 will result in a notice of violations and defined sanction. The levels of compliance are:

1. Level 1: Full compliance with this Act and the rules promulgated under this Act.
2. Level 2: Acceptable compliance with this Act and the rules promulgated under this Act. No written plan of correction will be required from the licensee.
3. Level 3: Partial compliance with this Act and the rules promulgated under this Act. An administrative warning is issued. The licensee shall submit a written plan of correction.
4. Level 4: Minimal compliance with this Act and the rules promulgated under this Act. The licensee shall submit a written plan of correction, and the Department will issue a probationary license. A resurvey shall occur within 90 days.
5. Level 5: Unsatisfactory compliance with this Act and the rules promulgated under this Act. The facility shall submit a written plan of correction, and the Department will issue a restricted license. A resurvey shall occur within 60 days.

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(6) Level 6: Revocation of the license to provide services. Revocation may occur as a result of a licensee's consistent and repeated failure to take necessary corrective actions to rectify documented violations, or the failure to protect clients from situations that produce an imminent risk.

(d) Prior to initiating formal action to sanction a license, the Department shall allow the licensee an opportunity to take corrective action to eliminate or ameliorate a violation of this Act except in cases in which the Department determines that emergency action is necessary to protect the public or individual interest, safety, or welfare.

(e) Subsequent to an on-site survey, the Department shall issue a written notice to the licensee. The Department shall specify the particular Sections of this Act or the rules promulgated under this Act, if any, with which the facility is not compliant. The Department's notice shall require any corrective actions be taken within a specified time period as required by this Act.

(f) Sanctions shall be imposed according to the following definitions:

(1) Administrative notice: A written notice issued by the Department that specifies rule violations requiring a written plan of correction with time frames for corrections to be made and a notice that any additional violation of this Act or the rules promulgated under this Act may result in a higher level sanction. (Level 3)

(2) Probation: Compliance with this Act and the rules promulgated under this Act is minimally acceptable and necessitates immediate corrective action. Individuals' life safety or quality of care are not in jeopardy. The probationary period is time limited to 90 days. During the probationary period, the facility must make corrective changes sufficient to bring the facility back into good standing with the Department. Failure to make corrective changes within that given time frame may result in a determination to initiate a higher-level sanction. The admission of new individuals shall be prohibited during the probationary period. (Level 4)

(3) Restricted license: A licensee is sanctioned for unsatisfactory compliance. The admission of new individuals shall be prohibited during the restricted licensure period. Corrective action sufficient to bring the licensee back into good standing with the Department must be taken within 60 days. During the restricted

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licensure period a monitor will be assigned to oversee the progress of the facility in taking corrective action. If corrective actions are not taken, the facility will be subject to a higher-level sanction. (Level 5)

(4) Revocation: Revocation of the license is withdrawal by formal actions of the license. The revocation shall be in effect until such time that the provider submits a re-application and the licensee can demonstrate its ability to operate in good standing with the Department. The Department has the right not to reinstate a license. If revocation occurs as a result of imminent risk, all individuals shall be immediately relocated and all funding will be transferred. (Level 6)

(5) Financial penalty: A financial penalty may be imposed upon finding of violation in any one or combination of the provisions of this Act. In determining an appropriate financial penalty, the Department may consider the deterrent effect of the penalty on the organization and on other providers, the nature of the violation, the degree to which the violation resulted in a benefit to the organization or harm to the public, and any other relevant factor to be examined in mitigation or aggravation of the organization's conduct. The financial penalty may be imposed in conjunction with other sanctions or separately. Higher level sanctions may be imposed in situations where there are repeat violations.

Section 4-110. Citation review and appeal procedures.
(a) Upon receipt of Level 3 to 6 citations, the licensee may provide additional written information and argument disputing the citation with 10 working days. The Department shall respond within 20 days to the licensee's disputation.

(b) If a licensee contests the Department's decision regarding a Level 4 to 6 citation or penalty, it can request a hearing by submitting a written request within 20 working days of the Department's dispute resolution decision. The Department shall notify the licensee of the time and place of the hearing not less than 14 days prior to the hearing date.

(c) A license may not be denied or revoked unless the licensee is given written notice of the grounds for the Department's action. Except when revocation of a license is based on imminent risk, the facility or program whose license has been revoked may operate and receive

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reimbursement for services during the period preceding the hearing, until such time as a final decision is made.

Section 4-111. Notwithstanding the existence or pursuit of any other remedy, the Director of the Department may, in the manner provided by law, upon the advice of the Attorney General who shall represent the Director of the Department in the proceedings, maintain an action in the name of the State for injunction or other process against any person or governmental unit to restrain or prevent the establishment of a facility without a license issued pursuant to this Act, or to restrain or prevent the opening, conduction, operating, or maintaining of a facility without a license issued pursuant to this Act. In addition, the Director of the Department may, in the manner provided by law, in the name of the People of the State and through the Attorney General who shall represent the Director of the Department in the proceedings, maintain an action for injunction or other relief or process against any licensee or other person to enforce and compel compliance with the provisions of this Act and the standards, rules, and regulations established by virtue of this Act and any order entered for any response action pursuant to this Act and such standards, rules, and regulations.

PART 2.

ACCREDITATION

Section 4-201. Accreditation and licensure. At the end of the provisional licensure period established in Article 3, Part 1 of this Act, the Department shall license a facility as a specialized mental health rehabilitation facility under this Act that successfully completes and obtains valid national accreditation in behavioral health from a recognized national accreditation entity and complies with licensure standards as established by the Department of Public Health in administrative rule. Rules governing licensure standards shall include, but not be limited to, appropriate fines and sanctions associated with violations of laws or regulations. The following shall be considered to be valid national accreditation in behavioral health from a national accreditation entity:

(1) the Joint Commission;
(2) the Commission on Accreditation of Rehabilitation Facilities;
(3) the Healthcare Facilities Accreditation Program; or
(4) any other national standards of care as approved by the Department.

ARTICLE 5.

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FACILITY PAYMENT

Section 5-101. Managed care entity, coordinated care entity, and accountable care entity payments. For facilities licensed by the Department of Public Health under this Act, the payment for services provided shall be determined by negotiation with managed care entities, coordinated care entities, or accountable care entities. However, for 3 years after the effective date of this Act, in no event shall the reimbursement rate paid to facilities licensed under this Act be less than the rate in effect on June 30, 2013 less $7.07 times the number of occupied bed days, as that term is defined in Article V-B of the Illinois Public Aid Code, for each facility previously licensed under the Nursing Home Care Act on June 30, 2013; or the rate in effect on June 30, 2013 for each facility licensed under the Specialized Mental Health Rehabilitation Act on June 30, 2013. Any adjustment in the support component or the capital component for facilities licensed by the Department of Public Health under the Nursing Home Care Act shall apply equally to facilities licensed by the Department of Public Health under this Act for the duration of the provisional licensure period as defined in Section 4-105 of this Act.

ARTICLE 6.
MISCELLANEOUS AND AMENDATORY PROVISIONS; REPEALER

Section 6-101. Illinois Administrative Procedure Act. The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and shall apply to all administrative rules and procedures of the Department under this Act.

Section 6-102. Judicial review. All final administrative decisions of the Department under this Act are subject to judicial review under the Administrative Review Law and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Section 6-105. The Election Code is amended by changing Sections 3-3, 4-6.3, 4-10, 5-9, 5-16.3, 6-50.3, 6-56, 19-4, 19-12.1, and 19-12.2 as follows:

(10 ILCS 5/3-3) (from Ch. 46, par. 3-3)

Sec. 3-3. Every honorably discharged soldier or sailor who is an inmate of any soldiers' and sailors' home within the State of Illinois, any person who is a resident of a facility licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, or any person who is a resident of a community-integrated living arrangement, as defined in

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Section 3 of the Community-Integrated Living Arrangements Licensure and Certification Act, for 30 days or longer, and who is a citizen of the United States and has resided in this State and in the election district 30 days next preceding any election shall be entitled to vote in the election district in which any such home or community-integrated living arrangement in which he is an inmate or resident is located, for all officers that now are or hereafter may be elected by the people, and upon all questions that may be submitted to the vote of the people: Provided, that he shall declare upon oath, that it was his bona fide intention at the time he entered said home or community-integrated living arrangement to become a resident thereof.

(Source: P.A. 96-339, eff. 7-1-10; 96-563, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/4-6.3) (from Ch. 46, par. 4-6.3)

Sec. 4-6.3. The county clerk may establish a temporary place of registration for such times and at such locations within the county as the county clerk may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of the time and place of registration under this Section shall be published by the county clerk in a newspaper having a general circulation in the county not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by deputy county clerks or deputy registrars appointed pursuant to Section 4-6.2.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/4-10) (from Ch. 46, par. 4-10)
Sec. 4-10. Except as herein provided, no person shall be registered, unless he applies in person to a registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the registration officers or a deputy registration officer, county clerk, or clerk in the office of the county clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your name, place of residence, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The registration officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of any precinct registration and shall have the right to challenge any applicant who applies to be registered.

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In case the officer is not satisfied that the applicant is qualified he
shall forthwith notify such applicant in writing to appear before the county
clerk to complete his registration. Upon the card of such applicant shall be
written the word "incomplete" and no such applicant shall be permitted to
vote unless such registration is satisfactorily completed as hereinafter
provided. No registration shall be taken and marked as incomplete if
information to complete it can be furnished on the date of the original
application.

Any person claiming to be an elector in any election precinct and
whose registration card is marked "Incomplete" may make and sign an
application in writing, under oath, to the county clerk in substance in the
following form:

"I do solemnly swear that I, ...., did on (insert date) make
application to the board of registry of the .... precinct of the township of ....
(or to the county clerk of .... county) and that said board or clerk refused to
complete my registration as a qualified voter in said precinct. That I reside
in said precinct, that I intend to reside in said precinct, and am a duly
qualified voter of said precinct and am entitled to be registered to vote in
said precinct at the next election.

(Signature of applicant) ............................."

All such applications shall be presented to the county clerk or to
his duly authorized representative by the applicant, in person between the
hours of 9:00 a.m. and 5:00 p.m. on any day after the days on which the
1969 and 1970 precinct re-registrations are held but not on any day within
27 days preceding the ensuing general election and thereafter for the
registration provided in Section 4-7 all such applications shall be
presented to the county clerk or his duly authorized representative by the
applicant in person between the hours of 9:00 a.m. and 5:00 p.m. on any
day prior to 27 days preceding the ensuing general election. Such
application shall be heard by the county clerk or his duly authorized
representative at the time the application is presented. If the applicant for
registration has registered with the county clerk, such application may be
presented to and heard by the county clerk or by his duly authorized
representative upon the dates specified above or at any time prior thereto
designated by the county clerk.

Any otherwise qualified person who is absent from his county of
residence either due to business of the United States or because he is
temporarily outside the territorial limits of the United States may become
registered by mailing an application to the county clerk within the periods

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of registration provided for in this Article, or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..................................

AFFIDAVIT OF REGISTRATION

State of ...........) )ss
County of ...........) )ss

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

..................................

(His or her signature or mark)
Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

........................................
Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 4-8 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 96-317, eff. 1-1-10; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/5-9) (from Ch. 46, par. 5-9)

Sec. 5-9. Except as herein provided, no person shall be registered unless he applies in person to registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the Deputy Registrars, the Judge of Registration, or an Officer of Registration, County Clerk, or clerk in the office of the County Clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of

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residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The Registration Officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of precinct registration, and shall have the right to challenge any applicant who applies to be registered.

In case the officer is not satisfied that the applicant is qualified, he shall forthwith in writing notify such applicant to appear before the County Clerk to furnish further proof of his qualifications. Upon the card of such applicant shall be written the word "Incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as "incomplete" if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct in such township, city, village or incorporated town and whose registration is marked "Incomplete" may make and sign an application in writing, under oath, to the County Clerk in substance in the following form:

"I do solemnly swear that I, ........, did on (insert date) make application to the Board of Registry of the ........ precinct of ........ ward of the City of .... or of the ........ District ........ Town of ........ (or to the County Clerk of ...........) and ........ County; that said Board or Clerk refused to complete my registration as a qualified voter in said precinct, that I reside in said precinct (or that I intend to reside in said precinct), am a duly qualified voter and entitled to vote in said precinct at the next election.

................................
(Signature of Applicant)"

All such applications shall be presented to the County Clerk by the applicant, in person between the hours of nine o'clock a.m. and five o'clock p.m., on Monday and Tuesday of the third week subsequent to the
weeks in which the 1961 and 1962 precinct re-registrations are to be held, and thereafter for the registration provided in Section 5-17 of this Article, all such applications shall be presented to the County Clerk by the applicant in person between the hours of nine o'clock a.m. and nine o'clock p.m. on Monday and Tuesday of the third week prior to the date on which such election is to be held.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ................................

AFFIDAVIT OF REGISTRATION

State of ........)

)(ss

County of ........)

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I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois for 6 months and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

..............................
(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

.................................
Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 5-7 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 96-317, eff. 1-1-10; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/5-16.3) (from Ch. 46, par. 5-16.3)

Sec. 5-16.3. The county clerk may establish temporary places of registration for such times and at such locations within the county as the county clerk may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of time and place of registration at any such temporary place of registration under this Section shall be published by the county clerk in a newspaper having a general circulation in the county not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act,
Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by deputy county clerks or deputy registrars appointed pursuant to Section 5-16.2.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/6-50.3) (from Ch. 46, par. 6-50.3)

Sec. 6-50.3. The board of election commissioners may establish temporary places of registration for such times and at such locations as the board may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of the time and place of registration at any such temporary place of registration under this Section shall be published by the board of election commissioners in a newspaper having a general circulation in the city, village or incorporated town not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by employees of the board of election commissioners or deputy registrars appointed pursuant to Section 6-50.2.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/6-56) (from Ch. 46, par. 6-56)

Sec. 6-56. Not more than 30 nor less than 28 days before any election under this Article, all owners, managers, administrators or

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operators of hotels, lodging houses, rooming houses, furnished apartments or facilities licensed or certified under the Nursing Home Care Act, which house 4 or more persons, outside the members of the family of such owner, manager, administrator or operator, shall file with the board of election commissioners a report, under oath, together with one copy thereof, in such form as may be required by the board of election commissioners, of the names and descriptions of all lodgers, guests or residents claiming a voting residence at the hotels, lodging houses, rooming houses, furnished apartments, or facility licensed or certified under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act under their control. In counties having a population of 500,000 or more such report shall be made on forms mailed to them by the board of election commissioners. The board of election commissioners shall sort and assemble the sworn copies of the reports in numerical order according to ward and according to precincts within each ward and shall, not later than 5 days after the last day allowed by this Article for the filing of the reports, maintain one assembled set of sworn duplicate reports available for public inspection until 60 days after election days. Except as is otherwise expressly provided in this Article, the board shall not be required to perform any duties with respect to the sworn reports other than to mail, sort, assemble, post and file them as hereinabove provided.

Except in such cases where a precinct canvass is being conducted by the Board of Election Commissioners prior to a Primary or Election, the board of election commissioners shall compare the original copy of each such report with the list of registered voters from such addresses. Every person registered from such address and not listed in such report or whose name is different from any name so listed, shall immediately after the last day of registration be sent a notice through the United States mail, at the address appearing upon his registration record card, requiring him to appear before the board of election commissioners on one of the days specified in Section 6-45 of this Article and show cause why his registration should not be cancelled. The provisions of Sections 6-45, 6-46 and 6-47 of this Article shall apply to such hearing and proceedings subsequent thereto.

Any owner, manager or operator of any such hotel, lodging house, rooming house or furnished apartment who shall fail or neglect to file such statement and copy thereof as in this Article provided, may, upon written information of the attorney for the election commissioners, be cited by the
election commissioners or upon the complaint of any voter of such city, village or incorporated town, to appear before them and furnish such sworn statement and copy thereof and make such oral statements under oath regarding such hotel, lodging house, rooming house or furnished apartment, as the election commissioners may require. The election commissioners shall sit to hear such citations on the Friday of the fourth week preceding the week in which such election is to be held. Such citation shall be served not later than the day preceding the day on which it is returnable.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

Sec. 19-4. Mailing or delivery of ballots - Time.) Immediately upon the receipt of such application either by mail, not more than 40 days nor less than 5 days prior to such election, or by personal delivery not more than 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for an absentee ballot, the election authority shall transmit that name and other posted information to the State Board of Elections, which shall maintain those names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. Within 2 business days after posting a name and other information on the list within its office, the election authority shall mail, postage prepaid, or deliver in person in such office an official ballot or ballots if more than one are to be voted at said election. Mail delivery of Temporarily Absent Student ballot applications pursuant to Section 19-12.3 shall be by nonforwardable mail. However, for the consolidated election, absentee

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ballots for certain precincts may be delivered to applicants not less than 25 days before the election if so much time is required to have prepared and printed the ballots containing the names of persons nominated for offices at the consolidated primary. The election authority shall enclose with each absentee ballot or application written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the State Board of Elections, enumerating the circumstances under which a person is authorized to vote by absentee ballot pursuant to this Article; such document shall also include a statement informing the applicant that if he or she falsifies or is solicited by another to falsify his or her eligibility to cast an absentee ballot, such applicant or other is subject to penalties pursuant to Section 29-10 and Section 29-20 of the Election Code. Each election authority shall maintain a list of the name, street address, ward and precinct, or township and district number, as the case may be, of all applicants who have returned absentee ballots to such authority, and the name of such absent voter shall be added to such list within one business day from receipt of such ballot. If the absentee ballot envelope indicates that the voter was assisted in casting the ballot, the name of the person so assisting shall be included on the list. The list, the pages of which are to be numbered consecutively, shall be kept by each election authority in a conspicuous, open, and public place accessible to the public at the entrance of the office of the election authority and in a manner that the list may be viewed without necessity of requesting permission for viewing.

Each election authority shall maintain a list for each election of the voters to whom it has issued absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom absentee ballots have been issued by mail.

Each election authority shall maintain a list for each election of voters to whom it has issued temporarily absent student ballots. The list shall be maintained for each election jurisdiction within which such voters temporarily abide. Immediately after the close of the period during which application may be made by mail for absentee ballots, each election authority shall mail to each other election authority within the State a certified list of all such voters temporarily abiding within the jurisdiction of the other election authority.

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In the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, within the jurisdiction of the election authority, and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Saturday, Sunday or Monday immediately preceding the election as designated by the election authority under Section 19-12.2. Such judge shall deliver in person on the designated day the ballot to the applicant on the premises of the facility from which application was made. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the designated day.

All applications for absentee ballots shall be available at the office of the election authority for public inspection upon request from the time of receipt thereof by the election authority until 30 days after the election, except during the time such applications are kept in the office of the election authority pursuant to Section 19-7, and except during the time such applications are in the possession of the judges of election.

(10 ILCS 5/19-12.1) (from Ch. 46, par. 19-12.1)

Sec. 19-12.1. Any qualified elector who has secured an Illinois Person with a Disability Identification Card in accordance with the Illinois Identification Card Act, indicating that the person named thereon has a Class 1A or Class 2 disability or any qualified voter who has a permanent physical incapacity of such a nature as to make it improbable that he will be able to be present at the polls at any future election, or any voter who is a resident of (i) a federally operated veterans' home, hospital, or facility located in Illinois or (ii) a facility licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act and has a condition or disability of such a nature as to make it improbable that he will be able to be present at the polls at any future election, may secure a disabled voter's or nursing home resident's identification card, which will enable him to vote under this Article as a physically incapacitated or nursing home voter. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown

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VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center.

Application for a disabled voter's or nursing home resident's identification card shall be made either: (a) in writing, with voter's sworn affidavit, to the county clerk or board of election commissioners, as the case may be, and shall be accompanied by the affidavit of the attending physician specifically describing the nature of the physical incapacity or the fact that the voter is a nursing home resident and is physically unable to be present at the polls on election days; or (b) by presenting, in writing or otherwise, to the county clerk or board of election commissioners, as the case may be, proof that the applicant has secured an Illinois Person with a Disability Identification Card indicating that the person named thereon has a Class 1A or Class 2 disability. Upon the receipt of either the sworn-to application and the physician's affidavit or proof that the applicant has secured an Illinois Person with a Disability Identification Card indicating that the person named thereon has a Class 1A or Class 2 disability, the county clerk or board of election commissioners shall issue a disabled voter's or nursing home resident's identification card. Such identification cards shall be issued for a period of 5 years, upon the expiration of which time the voter may secure a new card by making application in the same manner as is prescribed for the issuance of an original card, accompanied by a new affidavit of the attending physician. The date of expiration of such five-year period shall be made known to any interested person by the election authority upon the request of such person. Applications for the renewal of the identification cards shall be mailed to the voters holding such cards not less than 3 months prior to the date of expiration of the cards.

Each disabled voter's or nursing home resident's identification card shall bear an identification number, which shall be clearly noted on the voter's original and duplicate registration record cards. In the event the holder becomes physically capable of resuming normal voting, he must surrender his disabled voter's or nursing home resident's identification card to the county clerk or board of election commissioners before the next election.

The holder of a disabled voter's or nursing home resident's identification card may make application by mail for an official ballot within the time prescribed by Section 19-2. Such application shall contain the same information as is included in the form of application for ballot by
a physically incapacitated elector prescribed in Section 19-3 except that it shall also include the applicant's disabled voter's identification card number and except that it need not be sworn to. If an examination of the records discloses that the applicant is lawfully entitled to vote, he shall be mailed a ballot as provided in Section 19-4. The ballot envelope shall be the same as that prescribed in Section 19-5 for physically disabled voters, and the manner of voting and returning the ballot shall be the same as that provided in this Article for other absentee ballots, except that a statement to be subscribed to by the voter but which need not be sworn to shall be placed on the ballot envelope in lieu of the affidavit prescribed by Section 19-5.

Any person who knowingly subscribes to a false statement in connection with voting under this Section shall be guilty of a Class A misdemeanor.

For the purposes of this Section, "nursing home resident" includes a resident of (i) a federally operated veterans' home, hospital, or facility located in Illinois or (ii) a facility licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-275, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1064, eff. 1-1-13.)
(10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

Sec. 19-12.2. Voting by physically incapacitated electors who have made proper application to the election authority not later than 5 days before the regular primary and general election of 1980 and before each election thereafter shall be conducted on the premises of (i) federally operated veterans' homes, hospitals, and facilities located in Illinois or (ii) facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act for the sole benefit of residents of such homes, hospitals, and facilities. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center. Such voting shall be
conducted during any continuous period sufficient to allow all applicants to cast their ballots between the hours of 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday or Monday immediately preceding the regular election. This absentee voting on one of said days designated by the election authority shall be supervised by two election judges who must be selected by the election authority in the following order of priority: (1) from the panel of judges appointed for the precinct in which such home, hospital, or facility is located, or from a panel of judges appointed for any other precinct within the jurisdiction of the election authority in the same ward or township, as the case may be, in which the home, hospital, or facility is located or, only in the case where a judge or judges from the precinct, township or ward are unavailable to serve, (3) from a panel of judges appointed for any other precinct within the jurisdiction of the election authority. The two judges shall be from different political parties.

Not less than 30 days before each regular election, the election authority shall have arranged with the chief administrative officer of each home, hospital, or facility in his or its election jurisdiction a mutually convenient time period on the Friday, Saturday, Sunday or Monday immediately preceding the election for such voting on the premises of the home, hospital, or facility and shall post in a prominent place in his or its office a notice of the agreed day and time period for conducting such voting at each home, hospital, or facility; provided that the election authority shall not later than noon on the Thursday before the election also post the names and addresses of those homes, hospitals, and facilities from which no applications were received and in which no supervised absentee voting will be conducted. All provisions of this Code applicable to pollwatchers shall be applicable herein. To the maximum extent feasible, voting booths or screens shall be provided to insure the privacy of the voter. Voting procedures shall be as described in Article 17 of this Code, except that ballots shall be treated as absentee ballots and shall not be counted until the close of the polls on the following day. After the last voter has concluded voting, the judges shall seal the ballots in an envelope and affix their signatures across the flap of the envelope. Immediately thereafter, the judges shall bring the sealed envelope to the office of the election authority who shall deliver such ballots to the election authority's central ballot counting location prior to the closing of the polls on the day of election. The judges of election shall also report to the election authority the name of any applicant in the home, hospital, or facility who, due to unforeseen circumstance or condition or because of a religious holiday,
was unable to vote. In this event, the election authority may appoint a qualified person from his or its staff to deliver the ballot to such applicant on the day of election. This staff person shall follow the same procedures prescribed for judges conducting absentee voting in such homes, hospitals, or facilities and shall return the ballot to the central ballot counting location before the polls close. However, if the home, hospital, or facility from which the application was made is also used as a regular precinct polling place for that voter, voting procedures heretofore prescribed may be implemented by 2 of the election judges of opposite party affiliation assigned to that polling place during the hours of voting on the day of the election. Judges of election shall be compensated not less than $25.00 for conducting absentee voting in such homes, hospitals, or facilities.

Not less than 120 days before each regular election, the Department of Public Health shall certify to the State Board of Elections a list of the facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act. The lists shall indicate the approved bed capacity and the name of the chief administrative officer of each such home, hospital, or facility, and the State Board of Elections shall certify the same to the appropriate election authority within 20 days thereafter.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-275, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-110. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 15 as follows:

(20 ILCS 1705/15) (from Ch. 91 1/2, par. 100-15)

Sec. 15. Before any person is released from a facility operated by the State pursuant to an absolute discharge or a conditional discharge from hospitalization under this Act, the facility director of the facility in which such person is hospitalized shall determine that such person is not currently in need of hospitalization and:

(a) is able to live independently in the community; or
(b) requires further oversight and supervisory care for which arrangements have been made with responsible relatives or supervised residential program approved by the Department; or
(c) requires further personal care or general oversight as defined by the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, for which placement arrangements have been made with a suitable family home or other licensed facility approved by the Department under this Section; or

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(d) requires community mental health services for which arrangements have been made with a community mental health provider in accordance with criteria, standards, and procedures promulgated by rule.

Such determination shall be made in writing and shall become a part of the facility record of such absolutely or conditionally discharged person. When the determination indicates that the condition of the person to be granted an absolute discharge or a conditional discharge is described under subparagraph (c) or (d) of this Section, the name and address of the continuing care facility or home to which such person is to be released shall be entered in the facility record. Where a discharge from a mental health facility is made under subparagraph (c), the Department shall assign the person so discharged to an existing community based not-for-profit agency for participation in day activities suitable to the person's needs, such as but not limited to social and vocational rehabilitation, and other recreational, educational and financial activities unless the community based not-for-profit agency is unqualified to accept such assignment.

Where the clientele of any not-for-profit agency increases as a result of assignments under this amendatory Act of 1977 by more than 3% over the prior year, the Department shall fully reimburse such agency for the costs of providing services to such persons in excess of such 3% increase. The Department shall keep written records detailing how many persons have been assigned to a community based not-for-profit agency and how many persons were not so assigned because the community based agency was unable to accept the assignments, in accordance with criteria, standards, and procedures promulgated by rule. Whenever a community based agency is found to be unable to accept the assignments, the name of the agency and the reason for the finding shall be included in the report.

Insofar as desirable in the interests of the former recipient, the facility, program or home in which the discharged person is to be placed shall be located in or near the community in which the person resided prior to hospitalization or in the community in which the person's family or nearest next of kin presently reside. Placement of the discharged person in facilities, programs or homes located outside of this State shall not be made by the Department unless there are no appropriate facilities, programs or homes available within this State. Out-of-state placements shall be subject to return of recipients so placed upon the availability of facilities, programs or homes within this State to accommodate these recipients, except where placement in a contiguous state results in locating

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a recipient in a facility or program closer to the recipient's home or family. If an appropriate facility or program becomes available equal to or closer to the recipient's home or family, the recipient shall be returned to and placed at the appropriate facility or program within this State.

To place any person who is under a program of the Department at board in a suitable family home or in such other facility or program as the Department may consider desirable. The Department may place in licensed nursing homes, sheltered care homes, or homes for the aged those persons whose behavioral manifestations and medical and nursing care needs are such as to be substantially indistinguishable from persons already living in such facilities. Prior to any placement by the Department under this Section, a determination shall be made by the personnel of the Department, as to the capability and suitability of such facility to adequately meet the needs of the person to be discharged. When specialized programs are necessary in order to enable persons in need of supervised living to develop and improve in the community, the Department shall place such persons only in specialized residential care facilities which shall meet Department standards including restricted admission policy, special staffing and programming for social and vocational rehabilitation, in addition to the requirements of the appropriate State licensing agency. The Department shall not place any new person in a facility the license of which has been revoked or not renewed on grounds of inadequate programming, staffing, or medical or adjunctive services, regardless of the pendency of an action for administrative review regarding such revocation or failure to renew. Before the Department may transfer any person to a licensed nursing home, sheltered care home or home for the aged or place any person in a specialized residential care facility the Department shall notify the person to be transferred, or a responsible relative of such person, in writing, at least 30 days before the proposed transfer, with respect to all the relevant facts concerning such transfer, except in cases of emergency when such notice is not required. If either the person to be transferred or a responsible relative of such person objects to such transfer, in writing to the Department, at any time after receipt of notice and before the transfer, the facility director of the facility in which the person was a recipient shall immediately schedule a hearing at the facility with the presence of the facility director, the person who objected to such proposed transfer, and a psychiatrist who is familiar with the record of the person to be transferred. Such person to be transferred or a responsible relative may be represented by such counsel or interested party

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as he may appoint, who may present such testimony with respect to the
proposed transfer. Testimony presented at such hearing shall become a
part of the facility record of the person-to-be-transferred. The record of
testimony shall be held in the person-to-be-transferred's record in the
central files of the facility. If such hearing is held a transfer may only be
implemented, if at all, in accordance with the results of such hearing.
Within 15 days after such hearing the facility director shall deliver his
findings based on the record of the case and the testimony presented at the
hearing, by registered or certified mail, to the parties to such hearing. The
findings of the facility director shall be deemed a final administrative
decision of the Department. For purposes of this Section, "case of
emergency" means those instances in which the health of the person to be
transferred is imperiled and the most appropriate mental health care or
medical care is available at a licensed nursing home, sheltered care home
or home for the aged or a specialized residential care facility.

Prior to placement of any person in a facility under this Section the
Department shall ensure that an appropriate training plan for staff is
provided by the facility. Said training may include instruction and
demonstration by Department personnel qualified in the area of mental
illness or intellectual disabilities, as applicable to the person to be placed.
Training may be given both at the facility from which the recipient is
transferred and at the facility receiving the recipient, and may be available
on a continuing basis subsequent to placement. In a facility providing
services to former Department recipients, training shall be available as
necessary for facility staff. Such training will be on a continuing basis as
the needs of the facility and recipients change and further training is
required.

The Department shall not place any person in a facility which does
not have appropriately trained staff in sufficient numbers to accommodate
the recipient population already at the facility. As a condition of further or
future placements of persons, the Department shall require the
employment of additional trained staff members at the facility where said
persons are to be placed. The Secretary, or his or her designate, shall
establish written guidelines for placement of persons in facilities under
this Act. The Department shall keep written records detailing which
facilities have been determined to have staff who have been appropriately
trained by the Department and all training which it has provided or
required under this Section.

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Bills for the support for a person boarded out shall be payable monthly out of the proper maintenance funds and shall be audited as any other accounts of the Department. If a person is placed in a facility or program outside the Department, the Department may pay the actual costs of residence, treatment or maintenance in such facility and may collect such actual costs or a portion thereof from the recipient or the estate of a person placed in accordance with this Section.

Other than those placed in a family home the Department shall cause all persons who are placed in a facility, as defined by the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, or in designated community living situations or programs, to be visited at least once during the first month following placement, and once every month thereafter for the first year following placement when indicated, but at least quarterly. After the first year, the Department shall determine at what point the appropriate licensing entity for the facility or designated community living situation or program will assume the responsibility of ensuring that appropriate services are being provided to the resident. Once that responsibility is assumed, the Department may discontinue such visits. If a long term care facility has periodic care plan conferences, the visitor may participate in those conferences, if such participation is approved by the resident or the resident's guardian. Visits shall be made by qualified and trained Department personnel, or their designee, in the area of mental health or developmental disabilities applicable to the person visited, and shall be made on a more frequent basis when indicated. The Department may not use as designee any personnel connected with or responsible to the representatives of any facility in which persons who have been transferred under this Section are placed. In the course of such visit there shall be consideration of the following areas, but not limited thereto: effects of transfer on physical and mental health of the person, sufficiency of nursing care and medical coverage required by the person, sufficiency of staff personnel and ability to provide basic care for the person, social, recreational and programmatic activities available for the person, and other appropriate aspects of the person's environment.

A report containing the above observations shall be made to the Department, to the licensing agency, and to any other appropriate agency subsequent to each visitation. The report shall contain recommendations to improve the care and treatment of the resident, as necessary, which shall

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be reviewed by the facility's interdisciplinary team and the resident or the resident's legal guardian.

Upon the complaint of any person placed in accordance with this Section or any responsible citizen or upon discovery that such person has been abused, neglected, or improperly cared for, or that the placement does not provide the type of care required by the recipient's current condition, the Department immediately shall investigate, and determine if the well-being, health, care, or safety of any person is affected by any of the above occurrences, and if any one of the above occurrences is verified, the Department shall remove such person at once to a facility of the Department or to another facility outside the Department, provided such person's needs can be met at said facility. The Department may also provide any person placed in accordance with this Section who is without available funds, and who is permitted to engage in employment outside the facility, such sums for the transportation, and other expenses as may be needed by him until he receives his wages for such employment.

The Department shall promulgate rules and regulations governing the purchase of care for persons who are wards of or who are receiving services from the Department. Such rules and regulations shall apply to all monies expended by any agency of the State of Illinois for services rendered by any person, corporate entity, agency, governmental agency or political subdivision whether public or private outside of the Department whether payment is made through a contractual, per-diem or other arrangement. No funds shall be paid to any person, corporation, agency, governmental entity or political subdivision without compliance with such rules and regulations.

The rules and regulations governing purchase of care shall describe categories and types of service deemed appropriate for purchase by the Department.

Any provider of services under this Act may elect to receive payment for those services, and the Department is authorized to arrange for that payment, by means of direct deposit transmittals to the service provider's account maintained at a bank, savings and loan association, or other financial institution. The financial institution shall be approved by the Department, and the deposits shall be in accordance with rules and regulations adopted by the Department.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)
Section 6-115. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Sections 2310-550, 2310-560, 2310-565, and 2310-625 as follows:

(20 ILCS 2310/2310-550) (was 20 ILCS 2310/55.40)
Sec. 2310-550. Long-term care facilities. The Department may perform, in all long-term care facilities as defined in the Nursing Home Care Act, all facilities as defined in the Specialized Mental Health Rehabilitation Act of 2013, and all facilities as defined in the ID/DD Community Care Act, all inspection, evaluation, certification, and inspection of care duties that the federal government may require the State of Illinois to perform or have performed as a condition of participation in any programs under Title XVIII or Title XIX of the federal Social Security Act.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(20 ILCS 2310/2310-560) (was 20 ILCS 2310/55.87)
Sec. 2310-560. Advisory committees concerning construction of facilities.

(a) The Director shall appoint an advisory committee. The committee shall be established by the Department by rule. The Director and the Department shall consult with the advisory committee concerning the application of building codes and Department rules related to those building codes to facilities under the Ambulatory Surgical Treatment Center Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, and the ID/DD Community Care Act.

(b) The Director shall appoint an advisory committee to advise the Department and to conduct informal dispute resolution concerning the application of building codes for new and existing construction and related Department rules and standards under the Hospital Licensing Act, including without limitation rules and standards for (i) design and construction, (ii) engineering and maintenance of the physical plant, site, equipment, and systems (heating, cooling, electrical, ventilation, plumbing, water, sewer, and solid waste disposal), and (iii) fire and safety. The advisory committee shall be composed of all of the following members:

(1) The chairperson or an elected representative from the Hospital Licensing Board under the Hospital Licensing Act.
(2) Two health care architects with a minimum of 10 years of experience in institutional design and building code analysis.

(3) Two engineering professionals (one mechanical and one electrical) with a minimum of 10 years of experience in institutional design and building code analysis.

(4) One commercial interior design professional with a minimum of 10 years of experience.

(5) Two representatives from provider associations.

(6) The Director or his or her designee, who shall serve as the committee moderator.

Appointments shall be made with the concurrence of the Hospital Licensing Board. The committee shall submit recommendations concerning the application of building codes and related Department rules and standards to the Hospital Licensing Board for review and comment prior to submission to the Department. The committee shall submit recommendations concerning informal dispute resolution to the Director. The Department shall provide per diem and travel expenses to the committee members.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(20 ILCS 2310/2310-565) (was 20 ILCS 2310/55.88)

Sec. 2310-565. Facility construction training program. The Department shall conduct, at least annually, a joint in-service training program for architects, engineers, interior designers, and other persons involved in the construction of a facility under the Ambulatory Surgical Treatment Center Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the Hospital Licensing Act on problems and issues relating to the construction of facilities under any of those Acts.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(20 ILCS 2310/2310-625)


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

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

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

(3) The power to modify the scope of practice restrictions under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act for Certified Nursing Assistants for any person working under the direction of the Illinois Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

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

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

(20 ILCS 2435/15) (from Ch. 23, par. 3395-15)

Sec. 15. Definitions. As used in this Act:
"Abuse" means causing any physical, sexual, or mental abuse to an adult with disabilities, including exploitation of the adult's financial

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resources. Nothing in this Act shall be construed to mean that an adult with disabilities is a victim of abuse or neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination. Nothing in this Act shall be construed to mean that an adult with disabilities is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

"Adult with disabilities" means a person aged 18 through 59 who resides in a domestic living situation and whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.

"Department" means the Department of Human Services.

"Adults with Disabilities Abuse Project" or "project" means that program within the Office of Inspector General designated by the Department of Human Services to receive and assess reports of alleged or suspected abuse, neglect, or exploitation of adults with disabilities.

"Domestic living situation" means a residence where the adult with disabilities lives alone or with his or her family or household members, a care giver, or others or at a board and care home or other community-based unlicensed facility, but is not:

(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act or Section 1-113 of the ID/DD Community Care Act or Section 1-102 of the Specialized Mental Health Rehabilitation Act of 2013.

(2) A life care facility as defined in the Life Care Facilities Act.

(3) A home, institution, or other place operated by the federal government, a federal agency, or the State.

(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities and that is required to be licensed under the Hospital Licensing Act.

(5) A community living facility as defined in the Community Living Facilities Licensing Act.

(6) A community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and

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Certification Act or community residential alternative as licensed under that Act.

"Emergency" means a situation in which an adult with disabilities is in danger of death or great bodily harm.

"Family or household members" means a person who as a family member, volunteer, or paid care provider has assumed responsibility for all or a portion of the care of an adult with disabilities who needs assistance with activities of daily living.

"Financial exploitation" means the illegal, including tortious, use of the assets or resources of an adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of an adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or by the use of the assets or resources in a manner contrary to law.

"Mental abuse" means the infliction of emotional or mental distress by a caregiver, a family member, or any person with ongoing access to a person with disabilities by threat of harm, humiliation, or other verbal or nonverbal conduct.

"Neglect" means the failure of another individual to provide an adult with disabilities with or the willful withholding from an adult with disabilities the necessities of life, including, but not limited to, food, clothing, shelter, or medical care.

Nothing in the definition of "neglect" shall be construed to impose a requirement that assistance be provided to an adult with disabilities over his or her objection in the absence of a court order, nor to create any new affirmative duty to provide support, assistance, or intervention to an adult with disabilities. Nothing in this Act shall be construed to mean that an adult with disabilities is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

"Physical abuse" means any of the following acts:

(1) knowing or reckless use of physical force, confinement, or restraint;

(2) knowing, repeated, and unnecessary sleep deprivation;

(3) knowing or reckless conduct which creates an immediate risk of physical harm; or

(4) when committed by a caregiver, a family member, or any person with ongoing access to a person with disabilities, directing another person to physically abuse a person with disabilities.
"Secretary" means the Secretary of Human Services.

"Sexual abuse" means touching, fondling, sexual threats, sexually inappropriate remarks, or any other sexual activity with an adult with disabilities when the adult with disabilities is unable to understand, unwilling to consent, threatened, or physically forced to engage in sexual behavior. Sexual abuse includes acts of sexual exploitation including, but not limited to, facilitating or compelling an adult with disabilities to become a prostitute, or receiving anything of value from an adult with disabilities knowing it was obtained in whole or in part from the practice of prostitution.

"Substantiated case" means a reported case of alleged or suspected abuse, neglect, or exploitation in which the Adults with Disabilities Abuse Project staff, after assessment, determines that there is reason to believe abuse, neglect, or exploitation has occurred.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-354, eff. 8-12-11; 97-813, eff. 7-13-12.)

Section 6-125. The Illinois Finance Authority Act is amended by changing Section 801-10 as follows:

(20 ILCS 3501/801-10)

Sec. 801-10. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) The term "Authority" means the Illinois Finance Authority created by this Act.

(b) The term "project" means an industrial project, conservation project, housing project, public purpose project, higher education project, health facility project, cultural institution project, agricultural facility or agribusiness, and "project" may include any combination of one or more of the foregoing undertaken jointly by any person with one or more other persons.

(c) The term "public purpose project" means any project or facility including without limitation land, buildings, structures, machinery, equipment and all other real and personal property, which is authorized or required by law to be acquired, constructed, improved, rehabilitated, reconstructed, replaced or maintained by any unit of government or any other lawful public purpose which is authorized or required by law to be undertaken by any unit of government.

(d) The term "industrial project" means the acquisition, construction, refurbishment, creation, development or redevelopment of

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any facility, equipment, machinery, real property or personal property for use by any instrumentality of the State or its political subdivisions, for use by any person or institution, public or private, for profit or not for profit, or for use in any trade or business including, but not limited to, any industrial, manufacturing or commercial enterprise and which is (1) a capital project including but not limited to: (i) land and any rights therein, one or more buildings, structures or other improvements, machinery and equipment, whether now existing or hereafter acquired, and whether or not located on the same site or sites; (ii) all appurtenances and facilities incidental to the foregoing, including, but not limited to utilities, access roads, railroad sidings, track, docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling or related equipment, site preparation and landscaping; and (iii) all non-capital costs and expenses relating thereto or (2) any addition to, renovation, rehabilitation or improvement of a capital project or (3) any activity or undertaking which the Authority determines will aid, assist or encourage economic growth, development or redevelopment within the State or any area thereof, will promote the expansion, retention or diversification of employment opportunities within the State or any area thereof or will aid in stabilizing or developing any industry or economic sector of the State economy. The term "industrial project" also means the production of motion pictures.

(e) The term "bond" or "bonds" shall include bonds, notes (including bond, grant or revenue anticipation notes), certificates and/or other evidences of indebtedness representing an obligation to pay money, including refunding bonds.

(f) The terms "lease agreement" and "loan agreement" shall mean: (i) an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person, corporation or unit of local government which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority issued with respect to such project, providing for the maintenance, insuring and operation of the project on terms satisfactory to the Authority, providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, and such other terms as may be deemed desirable by the Authority, or (ii) any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds issued with respect to a project or other
funds of the Authority to any person which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority, if any, issued with respect to the project, and providing for maintenance, insurance and other matters as may be deemed desirable by the Authority.

(g) The term "financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its bonds, notes or other evidences of indebtedness or from other sources for the development, construction, acquisition or improvement of a project.

(h) The term "person" means an individual, corporation, unit of government, business trust, estate, trust, partnership or association, 2 or more persons having a joint or common interest, or any other legal entity.

(i) The term "unit of government" means the federal government, the State or unit of local government, a school district, or any agency or instrumentality, office, officer, department, division, bureau, commission, college or university thereof.

(j) The term "health facility" means: (a) any public or private institution, place, building, or agency required to be licensed under the Hospital Licensing Act; (b) any public or private institution, place, building, or agency required to be licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act; (c) any public or licensed private hospital as defined in the Mental Health and Developmental Disabilities Code; (d) any such facility exempted from such licensure when the Director of Public Health attests that such exempted facility meets the statutory definition of a facility subject to licensure; (e) any other public or private health service institution, place, building, or agency which the Director of Public Health attests is subject to certification by the Secretary, U.S. Department of Health and Human Services under the Social Security Act, as now or hereafter amended, or which the Director of Public Health attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency; (f) any public or private institution, place, building or agency engaged in providing one or more supporting services to a health facility; (g) any public or private institution, place, building or agency engaged in providing training in the healing arts, including but not limited to schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy or nursing, schools for the training of x-ray, laboratory or other health care technicians and schools for the training of

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para-professionals in the health care field; (h) any public or private congregate, life or extended care or elderly housing facility or any public or private home for the aged or infirm, including, without limitation, any Facility as defined in the Life Care Facilities Act; (i) any public or private mental, emotional or physical rehabilitation facility or any public or private educational, counseling, or rehabilitation facility or home, for those persons with a developmental disability, those who are physically ill or disabled, the emotionally disturbed, those persons with a mental illness or persons with learning or similar disabilities or problems; (j) any public or private alcohol, drug or substance abuse diagnosis, counseling treatment or rehabilitation facility, (k) any public or private institution, place, building or agency licensed by the Department of Children and Family Services or which is not so licensed but which the Director of Children and Family Services attests provides child care, child welfare or other services of the type provided by facilities subject to such licensure; (l) any public or private adoption agency or facility; and (m) any public or private blood bank or blood center. "Health facility" also means a public or private structure or structures suitable primarily for use as a laboratory, laundry, nurses or interns residence or other housing or hotel facility used in whole or in part for staff, employees or students and their families, patients or relatives of patients admitted for treatment or care in a health facility, or persons conducting business with a health facility, physician's facility, surgicenter, administration building, research facility, maintenance, storage or utility facility and all structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking or other facilities or other supporting service structures required or useful for the orderly conduct of such health facility. "Health facility" also means, with respect to a project located outside the State, any public or private institution, place, building, or agency which provides services similar to those described above, provided that such project is owned, operated, leased or managed by a participating health institution located within the State, or a participating health institution affiliated with an entity located within the State.

(k) The term "participating health institution" means (i) a private corporation or association or (ii) a public entity of this State, in either case authorized by the laws of this State or the applicable state to provide or operate a health facility as defined in this Act and which, pursuant to the provisions of this Act, undertakes the financing, construction or
acquisition of a project or undertakes the refunding or refinancing of obligations, loans, indebtedness or advances as provided in this Act.

(l) The term "health facility project", means a specific health facility work or improvement to be financed or refinanced (including without limitation through reimbursement of prior expenditures), acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, with funds provided in whole or in part hereunder, any accounts receivable, working capital, liability or insurance cost or operating expense financing or refinancing program of a health facility with or involving funds provided in whole or in part hereunder, or any combination thereof.

(m) The term "bond resolution" means the resolution or resolutions authorizing the issuance of, or providing terms and conditions related to, bonds issued under this Act and includes, where appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of trust providing terms and conditions for such bonds.

(n) The term "property" means any real, personal or mixed property, whether tangible or intangible, or any interest therein, including, without limitation, any real estate, leasehold interests, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights of way, structures, accounts, contract rights or any interest therein.

(o) The term "revenues" means, with respect to any project, the rents, fees, charges, interest, principal repayments, collections and other income or profit derived therefrom.

(p) The term "higher education project" means, in the case of a private institution of higher education, an educational facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(q) The term "cultural institution project" means, in the case of a cultural institution, a cultural facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(r) The term "educational facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the instruction, feeding, recreation or

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housing of students, the conducting of research or other work of a private institution of higher education, the use by a private institution of higher education in connection with any educational, research or related or incidental activities then being or to be conducted by it, or any combination of the foregoing, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an academic facility, administrative facility, agricultural facility, assembly hall, athletic facility, auditorium, boating facility, campus, communication facility, computer facility, continuing education facility, classroom, dining hall, dormitory, exhibition hall, fire fighting facility, fire prevention facility, food service and preparation facility, gymnasium, greenhouse, health care facility, hospital, housing, instructional facility, laboratory, library, maintenance facility, medical facility, museum, offices, parking area, physical education facility, recreational facility, research facility, stadium, storage facility, student union, study facility, theatre or utility.

(s) The term "cultural facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the particular purposes or needs of a cultural institution, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an administrative facility, aquarium, assembly hall, auditorium, botanical garden, exhibition hall, gallery, greenhouse, library, museum, scientific laboratory, theater or zoological facility, and shall also include, without limitation, books, works of art or music, animal, plant or aquatic life or other items for display, exhibition or performance. The term "cultural facility" includes buildings on the National Register of Historic Places which are owned or operated by nonprofit entities.

(t) "Private institution of higher education" means a not-for-profit educational institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which is authorized by law to provide a program of education beyond the high school level and which:
(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Provides an educational program for which it awards a bachelor's degree, or provides an educational program, admission into which is conditioned upon the prior attainment of a bachelor's degree or its equivalent, for which it awards a postgraduate degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(3) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than 3 institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, and holds an unrevoked certificate of approval under the Private College Act from the Board of Higher Education, or is qualified as a "degree granting institution" under the Academic Degree Act; and

(4) Does not discriminate in the admission of students on the basis of race or color. "Private institution of higher education" also includes any "academic institution".

(u) The term "academic institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in, or facilitates academic, scientific, educational or professional research or learning in a field or fields of study taught at a private institution of higher education. Academic institutions include, without limitation, libraries, archives, academic, scientific, educational or professional societies, institutions, associations or foundations having such purposes.

(v) The term "cultural institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in the cultural, intellectual, scientific, educational or artistic

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enrichment of the people of the State. Cultural institutions include, without limitation, aquaria, botanical societies, historical societies, libraries, museums, performing arts associations or societies, scientific societies and zoological societies.

(w) The term "affiliate" means, with respect to financing of an agricultural facility or an agribusiness, any lender, any person, firm or corporation controlled by, or under common control with, such lender, and any person, firm or corporation controlling such lender.

(x) The term "agricultural facility" means land, any building or other improvement thereon or thereto, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the treating, processing or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming.

(y) The term "lender" with respect to financing of an agricultural facility or an agribusiness, means any federal or State chartered bank, Federal Land Bank, Production Credit Association, Bank for Cooperatives, federal or State chartered savings and loan association or building and loan association, Small Business Investment Company or any other institution qualified within this State to originate and service loans, including, but without limitation to, insurance companies, credit unions and mortgage loan companies. "Lender" also means a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

(z) The term "agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation or cooperative which operates or will operate a facility located within the State of Illinois that is related to the processing of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the manufacturing, production or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. Agribusiness includes but is not limited to the following:

(1) grain handling and processing, including grain storage, drying, treatment, conditioning, mailing and packaging;
(2) seed and feed grain development and processing;

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(3) fruit and vegetable processing, including preparation, canning and packaging;

(4) processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning and packaging;

(5) fertilizer and agricultural chemical manufacturing, processing, application and supplying;

(6) farm machinery, equipment and implement manufacturing and supplying;

(7) manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning or packaging of agricultural commodities;

(8) farm building and farm structure manufacturing, construction and supplying;

(9) construction, manufacturing, implementation, supplying or servicing of irrigation, drainage and soil and water conservation devices or equipment;

(10) fuel processing and development facilities that produce fuel from agricultural commodities or byproducts;

(11) facilities and equipment for processing and packaging agricultural commodities specifically for export;

(12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture or other goods from forestry products;

(13) facilities and equipment for research and development of products, processes and equipment for the production, processing, preparation or packaging of agricultural commodities and byproducts.

(aa) The term "asset" with respect to financing of any agricultural facility or any agribusiness, means, but is not limited to the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence;

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value of beneficial interests in trusts; government payments or grants; and any other assets.

(bb) The term "liability" with respect to financing of any agricultural facility or any agribusiness shall include, but not be limited to the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

(cc) The term "Predecessor Authorities" means those authorities as described in Section 845-75.

(dd) The term "housing project" means a specific work or improvement undertaken to provide residential dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are part of the housing project, including land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement homes, hotels, financial institutions, service, health care, education, recreation or research establishments, or any other commercial purpose which are or are to be related to a housing development.

(ee) The term "conservation project" means any project including the acquisition, construction, rehabilitation, maintenance, operation, or upgrade that is intended to create or expand open space or to reduce energy usage through efficiency measures. For the purpose of this definition, "open space" has the definition set forth under Section 10 of the Illinois Open Land Trust Act.

(ff) The term "significant presence" means the existence within the State of the national or regional headquarters of an entity or group or such other facility of an entity or group of entities where a significant amount of the business functions are performed for such entity or group of entities.

(Source: P.A. 96-339, eff. 7-1-10; 96-1021, eff. 7-12-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-135. The Illinois Income Tax Act is amended by changing Section 806 as follows:

(35 ILCS 5/806)

Sec. 806. Exemption from penalty. An individual taxpayer shall not be subject to a penalty for failing to pay estimated tax as required by Section 803 if the taxpayer is 65 years of age or older and is a permanent resident of a nursing home. For purposes of this Section, "nursing home" means a skilled nursing or intermediate long term care facility that is
subject to licensure by the Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-140. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5)
Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption

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under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois
Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and

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flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for

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purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however,
that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

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(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption.
identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle

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weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is

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transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 6-145. The Service Use Tax Act is amended by changing Sections 3-5 and 3-10 as follows:

(35 ILCS 110/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

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(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities.
such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America,

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Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (14) is exempt from the provisions of Section 3-75, and the exemption provided for under this item (14) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 95th General Assembly for such taxes paid during the period beginning May 30, 2000 and ending on the effective date of this amendatory Act of the 95th General Assembly.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that

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lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or

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technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis,
analysis, or treatment of hospital patients purchased by a lessor who leases
the equipment, under a lease of one year or longer executed or in effect at
the time the lessor would otherwise be subject to the tax imposed by this
Act, to a hospital that has been issued an active tax exemption
identification number by the Department under Section 1g of the Retailers' 
Occupation Tax Act. If the equipment is leased in a manner that does not
qualify for this exemption or is used in any other nonexempt manner, the
lessor shall be liable for the tax imposed under this Act or the Use Tax 
Act, as the case may be, based on the fair market value of the property at
the time the nonqualifying use occurs. No lessor shall collect or attempt to
collect an amount (however designated) that purports to reimburse that
lessor for the tax imposed by this Act or the Use Tax Act, as the case may
be, if the tax has not been paid by the lessor. If a lessor improperly collects
any such amount from the lessee, the lessee shall have a legal right to
claim a refund of that amount from the lessor. If, however, that amount is
not refunded to the lessee for any reason, the lessor is liable to pay that
amount to the Department. This paragraph is exempt from the provisions
of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the
92nd General Assembly, personal property purchased by a lessor who
leases the property, under a lease of one year or longer executed or in
effect at the time the lessor would otherwise be subject to the tax imposed
by this Act, to a governmental body that has been issued an active tax
exemption identification number by the Department under Section 1g of
the Retailers' Occupation Tax Act. If the property is leased in a manner
that does not qualify for this exemption or is used in any other nonexempt
manner, the lessor shall be liable for the tax imposed under this Act or the
Use Tax Act, as the case may be, based on the fair market value of the
property at the time the nonqualifying use occurs. No lessor shall collect or
attempt to collect an amount (however designated) that purports to
reimburse that lessor for the tax imposed by this Act or the Use Tax Act,
as the case may be, if the tax has not been paid by the lessor. If a lessor
improperly collects any such amount from the lessee, the lessee shall have
a legal right to claim a refund of that amount from the lessor. If, however,
that amount is not refunded to the lessee for any reason, the lessor is liable
to pay that amount to the Department. This paragraph is exempt from the
provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in
the construction or maintenance of a community water supply, as defined

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under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

(27) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(28) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

(35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)
Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the selling price of tangible personal property transferred as an incident to the sale of service, but, for the purpose of computing this tax, in no event shall the selling price be less than the cost price of the property to the serviceman.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the selling price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the selling price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to
the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred as an incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

New matter indicated in italics - deletions by strikeout
Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

If the property that is acquired from a serviceman is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

New matter indicated in italics - deletions by strikeout
Section 6-150. The Service Occupation Tax Act is amended by changing Sections 3-5 and 3-10 as follows:

(35 ILCS 115/3-5)
Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the

New matter indicated in italics - deletions by strikeout
chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

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(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Beginning January 1, 1992 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

New matter indicated in italics - deletions by strikeout
(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (15) is exempt from the provisions of Section 3-55, and the exemption provided for under this item (15) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering

New matter indicated in italics - deletions by strikeout
Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated
amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(27) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined

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under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-55.

(28) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-55.

(29) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

New matter indicated in italics - deletions by strikeout
Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the "selling price", as defined in Section 2 of the Service Use Tax Act, of the tangible personal property. For the purpose of computing this tax, in no event shall the "selling price" be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred as an incident of a sale of service may be shown as a distinct and separate item on the serviceman's billing to the service customer. If the selling price is not so shown, the selling price of the tangible personal property is deemed to be 50% of the serviceman's entire billing to the service customer. When, however, a serviceman contracts to design, develop, and produce special order machinery or equipment, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the completion of the contract.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act shall apply to (i) 70% of the cost price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the cost price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before
December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel material, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are

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contained in any closed or sealed can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that

New matter indicated in italics - deletions by strikeout
identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-636, eff. 6-1-12.)

Section 6-155. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

New matter indicated in italics - deletions by strikeout
Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.
(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

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(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

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(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or
the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

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(1) the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

(2) the aircraft is not based or registered in this State after the sale of the aircraft; and

(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of the primary physical location of the aircraft, and other information that the Department may reasonably require.

For purposes of this item (25-7):
"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May
30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation,
limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-

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term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated

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by a not-for-profit corporation that holds a valid water supply permit
issued under Title IV of the Environmental Protection Act. This paragraph
is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment,
components, and furnishings incorporated into or upon an aircraft as part
of the modification, refurbishment, completion, replacement, repair, or
maintenance of the aircraft. This exemption includes consumable supplies
used in the modification, refurbishment, completion, replacement, repair,
and maintenance of aircraft, but excludes any materials, parts, equipment,
components, and consumable supplies used in the modification,
replacement, repair, and maintenance of aircraft engines or power plants,
whether such engines or power plants are installed or uninstalled upon any
such aircraft. "Consumable supplies" include, but are not limited to,
adhesive, tape, sandpaper, general purpose lubricants, cleaning solution,
latex gloves, and protective films. This exemption applies only to those
organizations that (i) hold an Air Agency Certificate and are empowered to
operate an approved repair station by the Federal Aviation Administration,
(ii) have a Class IV Rating, and (iii) conduct operations in accordance with
Part 145 of the Federal Aviation Regulations. The exemption does not
include aircraft operated by a commercial air carrier providing scheduled
passenger air service pursuant to authority issued under Part 121 or Part
129 of the Federal Aviation Regulations.

(41) Tangible personal property sold to a public-facilities
corporation, as described in Section 11-65-10 of the Illinois Municipal
Code, for purposes of constructing or furnishing a municipal convention
hall, but only if the legal title to the municipal convention hall is
transferred to the municipality without any further consideration by or on
behalf of the municipality at the time of the completion of the municipal
convention hall or upon the retirement or redemption of any bonds or other
debt instruments issued by the public-facilities corporation in connection
with the development of the municipal convention hall. This exemption
includes existing public-facilities corporations as provided in Section 11-
65-25 of the Illinois Municipal Code. This paragraph is exempt from the
provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-
09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73,
eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12;
97-767, eff. 7-9-12.)

New matter indicated in italics - deletions by strikeout
Section 6-160. The Property Tax Code is amended by changing Sections 15-168, 15-170, and 15-172 as follows:

(35 ILCS 200/15-168)

Sec. 15-168. Disabled persons' homestead exemption.

(a) Beginning with taxable year 2007, an annual homestead exemption is granted to disabled persons in the amount of $2,000, except as provided in subsection (c), to be deducted from the property's value as equalized or assessed by the Department of Revenue. The disabled person shall receive the homestead exemption upon meeting the following requirements:

(1) The property must be occupied as the primary residence by the disabled person.
(2) The disabled person must be liable for paying the real estate taxes on the property.
(3) The disabled person must be an owner of record of the property or have a legal or equitable interest in the property as evidenced by a written instrument. In the case of a leasehold interest in property, the lease must be for a single family residence.

A person who is disabled during the taxable year is eligible to apply for this homestead exemption during that taxable year. Application must be made during the application period in effect for the county of residence. If a homestead exemption has been granted under this Section and the person awarded the exemption subsequently becomes a resident of a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, then the exemption shall continue (i) so long as the residence continues to be occupied by the qualifying person's spouse or (ii) if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

(b) For the purposes of this Section, "disabled person" means a person unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months. Disabled persons filing claims under this Act shall submit proof of disability in such form and manner as the Department shall by rule and regulation prescribe. Proof that a claimant is eligible to receive disability benefits under the Federal Social Security Act shall constitute proof of disability for purposes of this Act. Issuance of an Illinois Person with a Disability Identification Card

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stating that the claimant is under a Class 2 disability, as defined in Section 4A of the Illinois Identification Card Act, shall constitute proof that the person named thereon is a disabled person for purposes of this Act. A disabled person not covered under the Federal Social Security Act and not presenting an Illinois Person with a Disability Identification Card stating that the claimant is under a Class 2 disability shall be examined by a physician designated by the Department, and his status as a disabled person determined using the same standards as used by the Social Security Administration. The costs of any required examination shall be borne by the claimant.

(c) For land improved with (i) an apartment building owned and operated as a cooperative or (ii) a life care facility as defined under Section 2 of the Life Care Facilities Act that is considered to be a cooperative, the maximum reduction from the value of the property, as equalized or assessed by the Department, shall be multiplied by the number of apartments or units occupied by a disabled person. The disabled person shall receive the homestead exemption upon meeting the following requirements:

(1) The property must be occupied as the primary residence by the disabled person.

(2) The disabled person must be liable by contract with the owner or owners of record for paying the apportioned property taxes on the property of the cooperative or life care facility. In the case of a life care facility, the disabled person must be liable for paying the apportioned property taxes under a life care contract as defined in Section 2 of the Life Care Facilities Act.

(3) The disabled person must be an owner of record of a legal or equitable interest in the cooperative apartment building. A leasehold interest does not meet this requirement.

If a homestead exemption is granted under this subsection, the cooperative association or management firm shall credit the savings resulting from the exemption to the apportioned tax liability of the qualifying disabled person. The chief county assessment officer may request reasonable proof that the association or firm has properly credited the exemption. A person who willfully refuses to credit an exemption to the qualified disabled person is guilty of a Class B misdemeanor.

(d) The chief county assessment officer shall determine the eligibility of property to receive the homestead exemption according to guidelines established by the Department. After a person has received an

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exemption under this Section, an annual verification of eligibility for the
exemption shall be mailed to the taxpayer.

In counties with fewer than 3,000,000 inhabitants, the chief county
assessment officer shall provide to each person granted a homestead
exemption under this Section a form to designate any other person to
receive a duplicate of any notice of delinquency in the payment of taxes
assessed and levied under this Code on the person's qualifying property.
The duplicate notice shall be in addition to the notice required to be
provided to the person receiving the exemption and shall be given in the
manner required by this Code. The person filing the request for the
duplicate notice shall pay an administrative fee of $5 to the chief county
assessment officer. The assessment officer shall then file the executed
designation with the county collector, who shall issue the duplicate notices
as indicated by the designation. A designation may be rescinded by the
disabled person in the manner required by the chief county assessment
officer.

(e) A taxpayer who claims an exemption under Section 15-165 or
15-169 may not claim an exemption under this Section.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12;
97-813, eff. 7-13-12; 97-1064, eff. 1-1-13.)
(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual
homestead exemption limited, except as described here with relation to
cooperatives or life care facilities, to a maximum reduction set forth below
from the property's value, as equalized or assessed by the Department, is
granted for property that is occupied as a residence by a person 65 years of
age or older who is liable for paying real estate taxes on the property and is
an owner of record of the property or has a legal or equitable interest
therein as evidenced by a written instrument, except for a leasehold
interest, other than a leasehold interest of land on which a single family
residence is located, which is occupied as a residence by a person 65 years
or older who has an ownership interest therein, legal, equitable or as a
lessee, and on which he or she is liable for the payment of property taxes.
Before taxable year 2004, the maximum reduction shall be $2,500 in
counties with 3,000,000 or more inhabitants and $2,000 in all other
counties. For taxable years 2004 through 2005, the maximum reduction
shall be $3,000 in all counties. For taxable years 2006 and 2007, the
maximum reduction shall be $3,500 and, for taxable years 2008 and
thereafter, the maximum reduction is $4,000 in all counties.
For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections 15-175, 15-176, and 15-177, "life care facility" means a facility, as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Assisted Living and Shared Housing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens
homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of $5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In counties with 3,000,000 or more inhabitants, beginning in taxable year 2010, each taxpayer who has been granted an exemption under this Section must reapply on an annual basis. The chief county assessment officer shall mail the application to the taxpayer. In counties

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with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

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

(Source: P.A. 96-339, eff. 7-1-10; 96-355, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1418, eff. 8-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(35 ILCS 200/15-172)

Sec. 15-172. Senior Citizens Assessment Freeze Homestead Exemption.

(a) This Section may be cited as the Senior Citizens Assessment Freeze Homestead Exemption.

(b) As used in this Section:
"Applicant" means an individual who has filed an application under this Section.
"Base amount" means the base year equalized assessed value of the residence plus the first year's equalized assessed value of any added improvements which increased the assessed value of the residence after the base year.
"Base year" means the taxable year prior to the taxable year for which the applicant first qualifies and applies for the exemption provided that in the prior taxable year the property was improved with a permanent structure that was occupied as a residence by the applicant who was liable for paying real property taxes on the property and who was either (i) an owner of record of the property or had legal or equitable interest in the property as evidenced by a written instrument or (ii) had a legal or
equitable interest as a lessee in the parcel of property that was single family residence. If in any subsequent taxable year for which the applicant applies and qualifies for the exemption the equalized assessed value of the residence is less than the equalized assessed value in the existing base year (provided that such equalized assessed value is not based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years), then that subsequent taxable year shall become the base year until a new base year is established under the terms of this paragraph. For taxable year 1999 only, the Chief County Assessment Officer shall review (i) all taxable years for which the applicant applied and qualified for the exemption and (ii) the existing base year. The assessment officer shall select as the new base year the year with the lowest equalized assessed value. An equalized assessed value that is based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years shall not be considered the lowest equalized assessed value. The selected year shall be the base year for taxable year 1999 and thereafter until a new base year is established under the terms of this paragraph.

"Chief County Assessment Officer" means the County Assessor or Supervisor of Assessments of the county in which the property is located.

"Equalized assessed value" means the assessed value as equalized by the Illinois Department of Revenue.

"Household" means the applicant, the spouse of the applicant, and all persons using the residence of the applicant as their principal place of residence.

"Household income" means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income" has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief Act, except that, beginning in assessment year 2001, "income" does not include veteran's benefits.

"Internal Revenue Code of 1986" means the United States Internal Revenue Code of 1986 or any successor law or laws relating to federal income taxes in effect for the year preceding the taxable year.

"Life care facility that qualifies as a cooperative" means a facility as defined in Section 2 of the Life Care Facilities Act.

"Maximum income limitation" means:

1) $35,000 prior to taxable year 1999;
2) $40,000 in taxable years 1999 through 2003;
(3) $45,000 in taxable years 2004 through 2005;
(4) $50,000 in taxable years 2006 and 2007; and
(5) $55,000 in taxable year 2008 and thereafter.

"Residence" means the principal dwelling place and appurtenant structures used for residential purposes in this State occupied on January 1 of the taxable year by a household and so much of the surrounding land, constituting the parcel upon which the dwelling place is situated, as is used for residential purposes. If the Chief County Assessment Officer has established a specific legal description for a portion of property constituting the residence, then that portion of property shall be deemed the residence for the purposes of this Section.

"Taxable year" means the calendar year during which ad valorem property taxes payable in the next succeeding year are levied.

(c) Beginning in taxable year 1994, a senior citizens assessment freeze homestead exemption is granted for real property that is improved with a permanent structure that is occupied as a residence by an applicant who (i) is 65 years of age or older during the taxable year, (ii) has a household income that does not exceed the maximum income limitation, (iii) is liable for paying real property taxes on the property, and (iv) is an owner of record of the property or has a legal or equitable interest in the property as evidenced by a written instrument. This homestead exemption shall also apply to a leasehold interest in a parcel of property improved with a permanent structure that is a single family residence that is occupied as a residence by a person who (i) is 65 years of age or older during the taxable year, (ii) has a household income that does not exceed the maximum income limitation, (iii) has a legal or equitable ownership interest in the property as lessee, and (iv) is liable for the payment of real property taxes on that property.

In counties of 3,000,000 or more inhabitants, the amount of the exemption for all taxable years is the equalized assessed value of the residence in the taxable year for which application is made minus the base amount. In all other counties, the amount of the exemption is as follows: (i) through taxable year 2005 and for taxable year 2007 and thereafter, the amount of this exemption shall be the equalized assessed value of the residence in the taxable year for which application is made minus the base amount; and (ii) for taxable year 2006, the amount of the exemption is as follows:

(1) For an applicant who has a household income of $45,000 or less, the amount of the exemption is the equalized

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assessed value of the residence in the taxable year for which application is made minus the base amount.

(2) For an applicant who has a household income exceeding $45,000 but not exceeding $46,250, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.8.

(3) For an applicant who has a household income exceeding $46,250 but not exceeding $47,500, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.6.

(4) For an applicant who has a household income exceeding $47,500 but not exceeding $48,750, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.4.

(5) For an applicant who has a household income exceeding $48,750 but not exceeding $50,000, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.2.

When the applicant is a surviving spouse of an applicant for a prior year for the same residence for which an exemption under this Section has been granted, the base year and base amount for that residence are the same as for the applicant for the prior year.

Each year at the time the assessment books are certified to the County Clerk, the Board of Review or Board of Appeals shall give to the County Clerk a list of the assessed values of improvements on each parcel qualifying for this exemption that were added after the base year for this parcel and that increased the assessed value of the property.

In the case of land improved with an apartment building owned and operated as a cooperative or a building that is a life care facility that qualifies as a cooperative, the maximum reduction from the equalized assessed value of the property is limited to the sum of the reductions calculated for each unit occupied as a residence by a person or persons (i) 65 years of age or older, (ii) with a household income that does not exceed the maximum income limitation, (iii) who is liable, by contract with the owner or owners of record, for paying real property taxes on the property,

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and (iv) who is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In the instance of a cooperative where a homestead exemption has been granted under this Section, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to credit that savings to an owner who qualifies for the exemption is guilty of a Class B misdemeanor.

When a homestead exemption has been granted under this Section and an applicant then becomes a resident of a facility licensed under the Assisted Living and Shared Housing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the exemption shall be granted in subsequent years so long as the residence (i) continues to be occupied by the qualified applicant's spouse or (ii) if remaining unoccupied, is still owned by the qualified applicant for the homestead exemption.

Beginning January 1, 1997, when an individual dies who would have qualified for an exemption under this Section, and the surviving spouse does not independently qualify for this exemption because of age, the exemption under this Section shall be granted to the surviving spouse for the taxable year preceding and the taxable year of the death, provided that, except for age, the surviving spouse meets all other qualifications for the granting of this exemption for those years.

When married persons maintain separate residences, the exemption provided for in this Section may be claimed by only one of such persons and for only one residence.

For taxable year 1994 only, in counties having less than 3,000,000 inhabitants, to receive the exemption, a person shall submit an application by February 15, 1995 to the Chief County Assessment Officer of the county in which the property is located. In counties having 3,000,000 or more inhabitants, for taxable year 1994 and all subsequent taxable years, to receive the exemption, a person may submit an application to the Chief County Assessment Officer of the county in which the property is located during such period as may be specified by the Chief County Assessment Officer. The Chief County Assessment Officer in counties of 3,000,000 or more inhabitants shall annually give notice of the application period by mail or by publication. In counties having less than 3,000,000 inhabitants, beginning with taxable year 1995 and thereafter, to receive the exemption, a person shall submit an application by July 1 of each taxable year to the
Chief County Assessment Officer of the county in which the property is located. A county may, by ordinance, establish a date for submission of applications that is different than July 1. The applicant shall submit with the application an affidavit of the applicant's total household income, age, marital status (and if married the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall establish, by rule, a method for verifying the accuracy of affidavits filed by applicants under this Section, and the Chief County Assessment Officer may conduct audits of any taxpayer claiming an exemption under this Section to verify that the taxpayer is eligible to receive the exemption. Each application shall contain or be verified by a written declaration that it is made under the penalties of perjury. A taxpayer's signing a fraudulent application under this Act is perjury, as defined in Section 32-2 of the Criminal Code of 2012. The applications shall be clearly marked as applications for the Senior Citizens Assessment Freeze Homestead Exemption and must contain a notice that any taxpayer who receives the exemption is subject to an audit by the Chief County Assessment Officer.

Notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 30 days after the applicant regains the capability to file the application, but in no case may the filing deadline be extended beyond 3 months of the original filing deadline. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner, and the date on which the applicant regained the capability to file the application.

Beginning January 1, 1998, notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may

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extend the filing deadline for a period of 3 months. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, and that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner.

In counties having less than 3,000,000 inhabitants, if an applicant was denied an exemption in taxable year 1994 and the denial occurred due to an error on the part of an assessment official, or his or her agent or employee, then beginning in taxable year 1997 the applicant's base year, for purposes of determining the amount of the exemption, shall be 1993 rather than 1994. In addition, in taxable year 1997, the applicant's exemption shall also include an amount equal to (i) the amount of any exemption denied to the applicant in taxable year 1995 as a result of using 1994, rather than 1993, as the base year, (ii) the amount of any exemption denied to the applicant in taxable year 1996 as a result of using 1994, rather than 1993, as the base year, and (iii) the amount of the exemption erroneously denied for taxable year 1994.

For purposes of this Section, a person who will be 65 years of age during the current taxable year shall be eligible to apply for the homestead exemption during that taxable year. Application shall be made during the application period in effect for the county of his or her residence.

The Chief County Assessment Officer may determine the eligibility of a life care facility that qualifies as a cooperative to receive the benefits provided by this Section by use of an affidavit, application, visual inspection, questionnaire, or other reasonable method in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The Chief County Assessment Officer may request reasonable proof that the management firm has so credited that exemption.

Except as provided in this Section, all information received by the chief county assessment officer or the Department from applications filed under this Section, or from any investigation conducted under the provisions of this Section, shall be confidential, except for official purposes or pursuant to official procedures for collection of any State or local tax or enforcement of any civil or criminal penalty or sanction imposed by this Act or by any statute or ordinance imposing a State or local tax. Any person who divulges any such information in any manner,
except in accordance with a proper judicial order, is guilty of a Class A misdemeanor.

Nothing contained in this Section shall prevent the Director or chief county assessment officer from publishing or making available reasonable statistics concerning the operation of the exemption contained in this Section in which the contents of claims are grouped into aggregates in such a way that information contained in any individual claim shall not be disclosed.

(d) Each Chief County Assessment Officer shall annually publish a notice of availability of the exemption provided under this Section. The notice shall be published at least 60 days but no more than 75 days prior to the date on which the application must be submitted to the Chief County Assessment Officer of the county in which the property is located. The notice shall appear in a newspaper of general circulation in the county.

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

(Source: P.A. 96-339, eff. 7-1-10; 96-355, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Section 6-165. The Regional Transportation Authority Act is amended by changing Section 4.03 as follows:

(70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

Sec. 4.03. Taxes.

(a) In order to carry out any of the powers or purposes of the Authority, the Board may by ordinance adopted with the concurrence of 12 of the then Directors, impose throughout the metropolitan region any or all of the taxes provided in this Section. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes. Nothing in this amendatory Act of the 95th General Assembly is intended to invalidate any taxes currently imposed by the Authority. The increased vote requirements to impose a tax shall only apply to actions taken after the effective date of this amendatory Act of the 95th General Assembly.

(b) The Board may impose a public transportation tax upon all persons engaged in the metropolitan region in the business of selling at
retail motor fuel for operation of motor vehicles upon public highways. The tax shall be at a rate not to exceed 5% of the gross receipts from the sales of motor fuel in the course of the business. As used in this Act, the term "motor fuel" shall have the same meaning as in the Motor Fuel Tax Law. The Board may provide for details of the tax. The provisions of any tax shall conform, as closely as may be practicable, to the provisions of the Municipal Retailers Occupation Tax Act, including without limitation, conformity to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed, except that reference in the Act to any municipality shall refer to the Authority and the tax shall be imposed only with regard to receipts from sales of motor fuel in the metropolitan region, at rates as limited by this Section.

(c) In connection with the tax imposed under paragraph (b) of this Section the Board may impose a tax upon the privilege of using in the metropolitan region motor fuel for the operation of a motor vehicle upon public highways, the tax to be at a rate not in excess of the rate of tax imposed under paragraph (b) of this Section. The Board may provide for details of the tax.

(d) The Board may impose a motor vehicle parking tax upon the privilege of parking motor vehicles at off-street parking facilities in the metropolitan region at which a fee is charged, and may provide for reasonable classifications in and exemptions to the tax, for administration and enforcement thereof and for civil penalties and refunds thereunder and may provide criminal penalties thereunder, the maximum penalties not to exceed the maximum criminal penalties provided in the Retailers' Occupation Tax Act. The Authority may collect and enforce the tax itself or by contract with any unit of local government. The State Department of Revenue shall have no responsibility for the collection and enforcement unless the Department agrees with the Authority to undertake the collection and enforcement. As used in this paragraph, the term "parking facility" means a parking area or structure having parking spaces for more than 2 vehicles at which motor vehicles are permitted to park in return for an hourly, daily, or other periodic fee, whether publicly or privately owned, but does not include parking spaces on a public street, the use of which is regulated by parking meters.

(e) The Board may impose a Regional Transportation Authority Retailers' Occupation Tax upon all persons engaged in the business of

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selling tangible personal property at retail in the metropolitan region. In
Cook County the tax rate shall be 1.25% of the gross receipts from sales of
food for human consumption that is to be consumed off the premises
where it is sold (other than alcoholic beverages, soft drinks and food that
has been prepared for immediate consumption) and prescription and
nonprescription medicines, drugs, medical appliances and insulin, urine
testing materials, syringes and needles used by diabetics, and 1% of the
gross receipts from other taxable sales made in the course of that business.
In DuPage, Kane, Lake, McHenry, and Will Counties, the tax rate shall be
0.75% of the gross receipts from all taxable sales made in the course of
that business. The tax imposed under this Section and all civil penalties
that may be assessed as an incident thereof shall be collected and enforced
by the State Department of Revenue. The Department shall have full
power to administer and enforce this Section; to collect all taxes and
penalties so collected in the manner hereinafter provided; and to determine
all rights to credit memoranda arising on account of the erroneous payment
of tax or penalty hereunder. In the administration of, and compliance with
this Section, the Department and persons who are subject to this Section
shall have the same rights, remedies, privileges, immunities, powers and
duties, and be subject to the same conditions, restrictions, limitations,
penalties, exclusions, exemptions and definitions of terms, and employ the
same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,
1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than
the State rate of tax), 2c, 3 (except as to the disposition of taxes and
penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a,
6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and
Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those
provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in
this Section may reimburse themselves for their seller's tax liability
hereunder by separately stating the tax as an additional charge, which
charge may be stated in combination in a single amount with State taxes
that sellers are required to collect under the Use Tax Act, under any
bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made
under this Section to a claimant instead of issuing a credit memorandum,
the Department shall notify the State Comptroller, who shall cause the
warrant to be drawn for the amount specified, and to the person named, in
the notification from the Department. The refund shall be paid by the State

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Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

If a tax is imposed under this subsection (e), a tax shall also be imposed under subsections (f) and (g) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the Regional Transportation Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) If a tax has been imposed under paragraph (e), a Regional Transportation Authority Service Occupation Tax shall also be imposed upon all persons engaged, in the metropolitan region in the business of making sales of service, who as an incident to making the sales of service, transfer tangible personal property within the metropolitan region, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. In Cook County, the tax rate shall be: (1) 1.25% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act that is located in the metropolitan region; (2) 1.25% of the selling price of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics; and (3) 1% of the selling price from other taxable sales of tangible personal property transferred. In DuPage, Kane, Lake, McHenry and Will Counties the rate...
shall be 0.75% of the selling price of all tangible personal property transferred.

The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

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Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(g) If a tax has been imposed under paragraph (e), a tax shall also be imposed upon the privilege of using in the metropolitan region, any item of tangible personal property that is purchased outside the metropolitan region at retail from a retailer, and that is titled or registered with an agency of this State's government. In Cook County the tax rate shall be 1% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry and Will counties the tax rate shall be 0.75% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan region. The tax shall be collected by the Department of Revenue for the Regional Transportation Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a,
14, 15, 19 (except the portions pertaining to claims by retailers and except
the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act,
and are not inconsistent with this paragraph, as fully as if those provisions
were set forth herein.

Whenever the Department determines that a refund should be made
under this paragraph to a claimant instead of issuing a credit
memorandum, the Department shall notify the State Comptroller, who
shall cause the order to be drawn for the amount specified, and to the
person named in the notification from the Department. The refund shall be
paid by the State Treasurer out of the Regional Transportation Authority
tax fund established under paragraph (n) of this Section.

(h) The Authority may impose a replacement vehicle tax of $50 on
any passenger car as defined in Section 1-157 of the Illinois Vehicle Code
purchased within the metropolitan region by or on behalf of an insurance
company to replace a passenger car of an insured person in settlement of a
total loss claim. The tax imposed may not become effective before the first
day of the month following the passage of the ordinance imposing the tax
and receipt of a certified copy of the ordinance by the Department of
Revenue. The Department of Revenue shall collect the tax for the
Authority in accordance with Sections 3-2002 and 3-2003 of the Illinois
Vehicle Code.

The Department shall immediately pay over to the State Treasurer,
ex officio, as trustee, all taxes collected hereunder.

As soon as possible after the first day of each month, beginning
January 1, 2011, upon certification of the Department of Revenue, the
Comptroller shall order transferred, and the Treasurer shall transfer, to the
STAR Bonds Revenue Fund the local sales tax increment, as defined in
the Innovation Development and Economy Act, collected under this
Section during the second preceding calendar month for sales within a
STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on
or before the 25th day of each calendar month, the Department shall
prepare and certify to the Comptroller the disbursement of stated sums of
money to the Authority. The amount to be paid to the Authority shall be
the amount collected hereunder during the second preceding calendar
month by the Department, less any amount determined by the Department
to be necessary for the payment of refunds, and less any amounts that are
transferred to the STAR Bonds Revenue Fund. Within 10 days after
receipt by the Comptroller of the disbursement certification to the

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Authority provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for that amount in accordance with the directions contained in the certification.

(i) The Board may not impose any other taxes except as it may from time to time be authorized by law to impose.

(j) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (e), (f) or (g) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(k) The provisions of any tax imposed under paragraph (c) of this Section shall conform as closely as may be practicable to the provisions of the Use Tax Act, including without limitation conformity as to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed. The taxes shall be imposed only on use within the metropolitan region and at rates as provided in the paragraph.

(l) The Board in imposing any tax as provided in paragraphs (b) and (c) of this Section, shall, after seeking the advice of the State Department of Revenue, provide means for retailers, users or purchasers of motor fuel for purposes other than those with regard to which the taxes may be imposed as provided in those paragraphs to receive refunds of taxes improperly paid, which provisions may be at variance with the refund provisions as applicable under the Municipal Retailers Occupation Tax Act. The State Department of Revenue may provide for certificates of registration for users or purchasers of motor fuel for purposes other than those with regard to which taxes may be imposed as provided in paragraphs (b) and (c) of this Section to facilitate the reporting and nontaxability of the exempt sales or uses.

(m) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Regional Transportation Authority as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution
imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing, increasing, decreasing, or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department, whereupon the Department shall proceed to administer and enforce this Section as of the first day of the first month to occur not less than 60 days following such adoption and filing. Any ordinance or resolution of the Authority imposing a tax under this Section and in effect on August 1, 2007 shall remain in full force and effect and shall be administered by the Department of Revenue under the terms and conditions and rates of tax established by such ordinance or resolution until the Department begins administering and enforcing an increased tax under this Section as authorized by this amendatory Act of the 95th General Assembly. The tax rates authorized by this amendatory Act of the 95th General Assembly are effective only if imposed by ordinance of the Authority.

(n) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the Authority. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois and to the Authority (i) the amount of taxes collected in each County other than Cook County in the metropolitan region, (ii) the amount of taxes collected within the City of Chicago, and (iii) the amount collected in that portion of Cook County outside of Chicago, each amount less the amount necessary for the payment of refunds to taxpayers located in those areas described in items (i), (ii), and (iii). Within 10 days after receipt by the Comptroller of the certification of the amounts, the Comptroller shall cause an order to be drawn for the payment of two-thirds of the amounts certified in item (i) of this subsection to the Authority and one-third of the amounts certified in item (i) of this subsection to the respective counties other than Cook County and the amount certified in items (ii) and (iii) of this subsection to the Authority.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in July 1991 and each year thereafter to the Regional Transportation Authority. The allocation shall be

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made in an amount equal to the average monthly distribution during the preceding calendar year (excluding the 2 months of lowest receipts) and the allocation shall include the amount of average monthly distribution from the Regional Transportation Authority Occupation and Use Tax Replacement Fund. The distribution made in July 1992 and each year thereafter under this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department of Revenue shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(o) Failure to adopt a budget ordinance or otherwise to comply with Section 4.01 of this Act or to adopt a Five-year Capital Program or otherwise to comply with paragraph (b) of Section 2.01 of this Act shall not affect the validity of any tax imposed by the Authority otherwise in conformity with law.

(p) At no time shall a public transportation tax or motor vehicle parking tax authorized under paragraphs (b), (c) and (d) of this Section be in effect at the same time as any retailers' occupation, use or service occupation tax authorized under paragraphs (e), (f) and (g) of this Section is in effect.

Any taxes imposed under the authority provided in paragraphs (b), (c) and (d) shall remain in effect only until the time as any tax authorized by paragraphs (e), (f) or (g) of this Section are imposed and becomes effective. Once any tax authorized by paragraphs (e), (f) or (g) is imposed the Board may not reimpose taxes as authorized in paragraphs (b), (c) and (d) of the Section unless any tax authorized by paragraphs (e), (f) or (g) of this Section becomes ineffective by means other than an ordinance of the Board.

(q) Any existing rights, remedies and obligations (including enforcement by the Regional Transportation Authority) arising under any tax imposed under paragraphs (b), (c) or (d) of this Section shall not be affected by the imposition of a tax under paragraphs (e), (f) or (g) of this Section.

(210 ILCS 9/10)

Sec. 10. Definitions. For purposes of this Act:

New matter indicated in italics - deletions by strikeout
"Activities of daily living" means eating, dressing, bathing, toileting, transferring, or personal hygiene. "Assisted living establishment" or "establishment" means a home, building, residence, or any other place where sleeping accommodations are provided for at least 3 unrelated adults, at least 80% of whom are 55 years of age or older and where the following are provided consistent with the purposes of this Act:

(1) services consistent with a social model that is based on the premise that the resident's unit in assisted living and shared housing is his or her own home;

(2) community-based residential care for persons who need assistance with activities of daily living, including personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident;

(3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or resident's representative; and

(4) a physical environment that is a homelike setting that includes the following and such other elements as established by the Department: individual living units each of which shall accommodate small kitchen appliances and contain private bathing, washing, and toilet facilities, or private washing and toilet facilities with a common bathing room readily accessible to each resident. Units shall be maintained for single occupancy except in cases in which 2 residents choose to share a unit. Sufficient common space shall exist to permit individual and group activities.

"Assisted living establishment" or "establishment" does not mean any of the following:

(1) A home, institution, or similar place operated by the federal government or the State of Illinois.

(2) A long term care facility licensed under the Nursing Home Care Act, a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013, or a facility licensed under the ID/DD Community Care Act. However, a facility licensed under either of those Acts may convert distinct parts of the facility to assisted living. If the facility elects to do so, the facility shall retain

New matter indicated in italics - deletions by strikeout
the Certificate of Need for its nursing and sheltered care beds that were converted.

(3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child Care Act of 1969.

(5) A community living facility as defined in the Community Living Facilities Licensing Act.

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the Supportive Residences Licensing Act.

(9) The portion of a life care facility as defined in the Life Care Facilities Act not licensed as an assisted living establishment under this Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.

(11) A shared housing establishment.

(12) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Emergency situation" means imminent danger of death or serious physical harm to a resident of an establishment.

"License" means any of the following types of licenses issued to an applicant or licensee by the Department:

(1) "Probationary license" means a license issued to an applicant or licensee that has not held a license under this Act prior to its application or pursuant to a license transfer in accordance with Section 50 of this Act.
(2) "Regular license" means a license issued by the Department to an applicant or licensee that is in substantial compliance with this Act and any rules promulgated under this Act.

"Licensee" means a person, agency, association, corporation, partnership, or organization that has been issued a license to operate an assisted living or shared housing establishment.

"Licensed health care professional" means a registered professional nurse, an advanced practice nurse, a physician assistant, and a licensed practical nurse.

"Mandatory services" include the following:

(1) 3 meals per day available to the residents prepared by the establishment or an outside contractor;

(2) housekeeping services including, but not limited to, vacuuming, dusting, and cleaning the resident's unit;

(3) personal laundry and linen services available to the residents provided or arranged for by the establishment;

(4) security provided 24 hours each day including, but not limited to, locked entrances or building or contract security personnel;

(5) an emergency communication response system, which is a procedure in place 24 hours each day by which a resident can notify building management, an emergency response vendor, or others able to respond to his or her need for assistance; and

(6) assistance with activities of daily living as required by each resident.

"Negotiated risk" is the process by which a resident, or his or her representative, may formally negotiate with providers what risks each are willing and unwilling to assume in service provision and the resident's living environment. The provider assures that the resident and the resident's representative, if any, are informed of the risks of these decisions and of the potential consequences of assuming these risks.

"Owner" means the individual, partnership, corporation, association, or other person who owns an assisted living or shared housing establishment. In the event an assisted living or shared housing establishment is operated by a person who leases or manages the physical plant, which is owned by another person, "owner" means the person who operates the assisted living or shared housing establishment, except that if the person who owns the physical plant is an affiliate of the person who
operates the assisted living or shared housing establishment and has
significant control over the day to day operations of the assisted living or
shared housing establishment, the person who owns the physical plant
shall incur jointly and severally with the owner all liabilities imposed on
an owner under this Act.

"Physician" means a person licensed under the Medical Practice
Act of 1987 to practice medicine in all of its branches.

"Resident" means a person residing in an assisted living or shared
housing establishment.

"Resident's representative" means a person, other than the owner,
agent, or employee of an establishment or of the health care provider
unless related to the resident, designated in writing by a resident to be his
or her representative. This designation may be accomplished through the
Illinois Power of Attorney Act, pursuant to the guardianship process under
the Probate Act of 1975, or pursuant to an executed designation of
representative form specified by the Department.

"Self" means the individual or the individual's designated
representative.

"Shared housing establishment" or "establishment" means a
publicly or privately operated free-standing residence for 16 or fewer
persons, at least 80% of whom are 55 years of age or older and who are
unrelated to the owners and one manager of the residence, where the
following are provided:

(1) services consistent with a social model that is based on
the premise that the resident's unit is his or her own home;
(2) community-based residential care for persons who need
assistance with activities of daily living, including housing and
personal, supportive, and intermittent health-related services
available 24 hours per day, if needed, to meet the scheduled and
unscheduled needs of a resident; and
(3) mandatory services, whether provided directly by the
establishment or by another entity arranged for by the
establishment, with the consent of the resident or the resident's
representative.

"Shared housing establishment" or "establishment" does not mean
any of the following:

(1) A home, institution, or similar place operated by the
federal government or the State of Illinois.

New matter indicated in italics - deletions by strikeout
(2) A long term care facility licensed under the Nursing Home Care Act, a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013, or a facility licensed under the ID/DD Community Care Act. A facility licensed under either of those Acts may, however, convert sections of the facility to assisted living. If the facility elects to do so, the facility shall retain the Certificate of Need for its nursing beds that were converted.

(3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child Care Act of 1969.

(5) A community living facility as defined in the Community Living Facilities Licensing Act.

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the Supportive Residences Licensing Act.

(9) A life care facility as defined in the Life Care Facilities Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.

(11) An assisted living establishment.

(12) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

"Total assistance" means that staff or another individual performs the entire activity of daily living without participation by the resident.

(Source: P.A. 96-339, eff. 7-1-10; 96-975, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 9/35)

Sec. 35. Issuance of license.
(a) Upon receipt and review of an application for a license and review of the applicant establishment, the Director may issue a license if he or she finds:

(1) that the individual applicant, or the corporation, partnership, or other entity if the applicant is not an individual, is a person responsible and suitable to operate or to direct or participate in the operation of an establishment by virtue of financial capacity, appropriate business or professional experience, a record of lawful compliance with lawful orders of the Department and lack of revocation of a license issued under this Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act during the previous 5 years;

(2) that the establishment is under the supervision of a full-time director who is at least 21 years of age and has a high school diploma or equivalent plus either:

   (A) 2 years of management experience or 2 years of experience in positions of progressive responsibility in health care, housing with services, or adult day care or providing similar services to the elderly; or

   (B) 2 years of management experience or 2 years of experience in positions of progressive responsibility in hospitality and training in health care and housing with services management as defined by rule;

(3) that the establishment has staff sufficient in number with qualifications, adequate skills, education, and experience to meet the 24 hour scheduled and unscheduled needs of residents and who participate in ongoing training to serve the resident population;

(4) that all employees who are subject to the Health Care Worker Background Check Act meet the requirements of that Act;

(5) that the applicant is in substantial compliance with this Act and such other requirements for a license as the Department by rule may establish under this Act;

(6) that the applicant pays all required fees;

(7) that the applicant has provided to the Department an accurate disclosure document in accordance with the Alzheimer's Disease and Related Dementias Special Care Disclosure Act and in substantial compliance with Section 150 of this Act.

New matter indicated in italics - deletions by strikeout
In addition to any other requirements set forth in this Act, as a condition of licensure under this Act, the director of an establishment must participate in at least 20 hours of training every 2 years to assist him or her in better meeting the needs of the residents of the establishment and managing the operation of the establishment.

Any license issued by the Director shall state the physical location of the establishment, the date the license was issued, and the expiration date. All licenses shall be valid for one year, except as provided in Sections 40 and 45. Each license shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable.

(Source: P.A. 96-339, eff. 7-1-10; 96-990, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 9/55)

Sec. 55. Grounds for denial of a license. An application for a license may be denied for any of the following reasons:

(1) failure to meet any of the standards set forth in this Act or by rules adopted by the Department under this Act;

(2) conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or if a corporation, the conviction of the corporation or any of its officers or stockholders, or of the person designated to manage or supervise the establishment, of a felony or of 2 or more misdemeanors involving moral turpitude during the previous 5 years as shown by a certified copy of the record of the court of conviction;

(3) personnel insufficient in number or unqualified by training or experience to properly care for the residents;

(4) insufficient financial or other resources to operate and conduct the establishment in accordance with standards adopted by the Department under this Act;

(5) revocation of a license during the previous 5 years, if such prior license was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant; or any affiliate of the individual applicant or controlling owner of the applicant and such individual applicant, controlling owner of the applicant or affiliate of the applicant was a controlling owner of the prior license; provided, however, that the denial of an application for a license pursuant to this Section must be supported by evidence that the prior revocation renders the applicant

New matter indicated in italics - deletions by strikeout
unqualified or incapable of meeting or maintaining an
establishment in accordance with the standards and rules adopted
by the Department under this Act; or
(6) the establishment is not under the direct supervision of a
full-time director, as defined by rule.

The Department shall deny an application for a license if 6 months
after submitting its initial application the applicant has not provided the
Department with all of the information required for review and approval or
the applicant is not actively pursuing the processing of its application. In
addition, the Department shall determine whether the applicant has
violated any provision of the Nursing Home Care Act, the Specialized
Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care
Act.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12;
97-813, eff. 7-13-12.)
(210 ILCS 9/145)
Sec. 145. Conversion of facilities. Entities licensed as facilities
under the Nursing Home Care Act, the Specialized Mental Health
Rehabilitation Act of 2013, or the ID/DD Community Care Act may elect
to convert to a license under this Act. Any facility that chooses to convert,
in whole or in part, shall follow the requirements in the Nursing Home
Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the
ID/DD Community Care Act, as applicable, and rules promulgated under
those Acts regarding voluntary closure and notice to residents. Any
conversion of existing beds licensed under the Nursing Home Care Act,
the Specialized Mental Health Rehabilitation Act of 2013, or the
ID/DD Community Care Act to licensure under this Act is exempt from review by
the Health Facilities and Services Review Board.
(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-
10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-175. The Abuse Prevention Review Team Act is
amended by changing Sections 10 and 50 as follows:
(210 ILCS 28/10)
Sec. 10. Definitions. As used in this Act, unless the context
requires otherwise:
"Department" means the Department of Public Health.
"Director" means the Director of Public Health.

New matter indicated in italics - deletions by strikeout
"Executive Council" means the Illinois Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council.

"Resident" means a person residing in and receiving personal care from a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act.

"Review team" means a residential health care facility resident sexual assault and death review team appointed under this Act.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 28/50)

Sec. 50. Funding. Notwithstanding any other provision of law, to the extent permitted by federal law, the Department shall use moneys from fines paid by facilities licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act for violating requirements for certification under Titles XVIII and XIX of the Social Security Act to implement the provisions of this Act. The Department shall use moneys deposited in the Long Term Care Monitor/Receiver Fund to pay the costs of implementing this Act that cannot be met by the use of federal civil monetary penalties.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-180. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Sections 3, 4, and 6 as follows:

(210 ILCS 30/3) (from Ch. 111 1/2, par. 4163)

Sec. 3. As used in this Act unless the context otherwise requires:

a. "Department" means the Department of Public Health of the State of Illinois.

b. "Resident" means a person residing in and receiving personal care from a long term care facility, or residing in a mental health facility or developmental disability facility as defined in the Mental Health and Developmental Disabilities Code.

c. "Long term care facility" has the same meaning ascribed to such term in the Nursing Home Care Act, except that the term as used in this Act shall include any mental health facility or developmental disability facility as defined in the Mental Health and Developmental Disabilities Code. The term also includes any facility licensed under the ID/DD
Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

d. "Abuse" means any physical injury, sexual abuse or mental injury inflicted on a resident other than by accidental means.

e. "Neglect" means a failure in a long term care facility to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition.

f. "Protective services" means services provided to a resident who has been abused or neglected, which may include, but are not limited to alternative temporary institutional placement, nursing care, counseling, other social services provided at the nursing home where the resident resides or at some other facility, personal care and such protective services of voluntary agencies as are available.

g. Unless the context otherwise requires, direct or indirect references in this Act to the programs, personnel, facilities, services, service providers, or service recipients of the Department of Human Services shall be construed to refer only to those programs, personnel, facilities, services, service providers, or service recipients that pertain to the Department of Human Services' mental health and developmental disabilities functions.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 30/4) (from Ch. 111 1/2, par. 4164)

Sec. 4. Any long term care facility administrator, agent or employee or any physician, hospital, surgeon, dentist, osteopath, chiropractor, podiatrist, accredited religious practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church, coroner, social worker, social services administrator, registered nurse, law enforcement officer, field personnel of the Department of Healthcare and Family Services, field personnel of the Illinois Department of Public Health and County or Municipal Health Departments, personnel of the Department of Human Services (acting as the successor to the Department of Mental Health and Developmental Disabilities or the Department of Public Aid), personnel of the Guardianship and Advocacy Commission, personnel of the State Fire Marshal, local fire department inspectors or other personnel, or personnel of the Illinois Department on Aging, or its subsidiary Agencies on Aging, or employee of a facility licensed under the Assisted Living and Shared

New matter indicated in italics - deletions by strikeout
Housing Act, having reasonable cause to believe any resident with whom they have direct contact has been subjected to abuse or neglect shall immediately report or cause a report to be made to the Department. Persons required to make reports or cause reports to be made under this Section include all employees of the State of Illinois who are involved in providing services to residents, including professionals providing medical or rehabilitation services and all other persons having direct contact with residents; and further include all employees of community service agencies who provide services to a resident of a public or private long term care facility outside of that facility. Any long term care surveyor of the Illinois Department of Public Health who has reasonable cause to believe in the course of a survey that a resident has been abused or neglected and initiates an investigation while on site at the facility shall be exempt from making a report under this Section but the results of any such investigation shall be forwarded to the central register in a manner and form described by the Department.

The requirement of this Act shall not relieve any long term care facility administrator, agent or employee of responsibility to report the abuse or neglect of a resident under Section 3-610 of the Nursing Home Care Act or under Section 3-610 of the ID/DD Community Care Act or under Section 2-107 3-610 of the Specialized Mental Health Rehabilitation Act of 2013.

In addition to the above persons required to report suspected resident abuse and neglect, any other person may make a report to the Department, or to any law enforcement officer, if such person has reasonable cause to suspect a resident has been abused or neglected.

This Section also applies to residents whose death occurs from suspected abuse or neglect before being found or brought to a hospital.

A person required to make reports or cause reports to be made under this Section who fails to comply with the requirements of this Section is guilty of a Class A misdemeanor.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 30/6) (from Ch. 111 1/2, par. 4166)

Sec. 6. All reports of suspected abuse or neglect made under this Act shall be made immediately by telephone to the Department's central register established under Section 14 on the single, State-wide, toll-free telephone number established under Section 13, or in person or by telephone through the nearest Department office. No long term care
facility administrator, agent or employee, or any other person, shall screen reports or otherwise withhold any reports from the Department, and no long term care facility, department of State government, or other agency shall establish any rules, criteria, standards or guidelines to the contrary. Every long term care facility, department of State government and other agency whose employees are required to make or cause to be made reports under Section 4 shall notify its employees of the provisions of that Section and of this Section, and provide to the Department documentation that such notification has been given. The Department of Human Services shall train all of its mental health and developmental disabilities employees in the detection and reporting of suspected abuse and neglect of residents. Reports made to the central register through the State-wide, toll-free telephone number shall be transmitted to appropriate Department offices and municipal health departments that have responsibility for licensing long term care facilities under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act. All reports received through offices of the Department shall be forwarded to the central register, in a manner and form described by the Department. The Department shall be capable of receiving reports of suspected abuse and neglect 24 hours a day, 7 days a week. Reports shall also be made in writing deposited in the U.S. mail, postage prepaid, within 24 hours after having reasonable cause to believe that the condition of the resident resulted from abuse or neglect. Such reports may in addition be made to the local law enforcement agency in the same manner. However, in the event a report is made to the local law enforcement agency, the reporter also shall immediately so inform the Department. The Department shall initiate an investigation of each report of resident abuse and neglect under this Act, whether oral or written, as provided for in Section 3-702 of the Nursing Home Care Act, Section 2-208 of the Specialized Mental Health Rehabilitation Act of 2013, or Section 3-702 of the ID/DD Community Care Act, except that reports of abuse which indicate that a resident's life or safety is in imminent danger shall be investigated within 24 hours of such report. The Department may delegate to law enforcement officials or other public agencies the duty to perform such investigation.

With respect to investigations of reports of suspected abuse or neglect of residents of mental health and developmental disabilities institutions under the jurisdiction of the Department of Human Services, the Department shall transmit copies of such reports to the Department of State Police, the Department of Human Services, and the Inspector

New matter indicated in italics - deletions by strikeout
General appointed under Section 1-17 of the Department of Human Services Act. If the Department receives a report of suspected abuse or neglect of a recipient of services as defined in Section 1-123 of the Mental Health and Developmental Disabilities Code, the Department shall transmit copies of such report to the Inspector General and the Directors of the Guardianship and Advocacy Commission and the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act. When requested by the Director of the Guardianship and Advocacy Commission, the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act, or the Department of Financial and Professional Regulation, the Department, the Department of Human Services and the Department of State Police shall make available a copy of the final investigative report regarding investigations conducted by their respective agencies on incidents of suspected abuse or neglect of residents of mental health and developmental disabilities institutions or individuals receiving services at community agencies under the jurisdiction of the Department of Human Services. Such final investigative report shall not contain witness statements, investigation notes, draft summaries, results of lie detector tests, investigative files or other raw data which was used to compile the final investigative report. Specifically, the final investigative report of the Department of State Police shall mean the Director's final transmittal letter. The Department of Human Services shall also make available a copy of the results of disciplinary proceedings of employees involved in incidents of abuse or neglect to the Directors. All identifiable information in reports provided shall not be further disclosed except as provided by the Mental Health and Developmental Disabilities Confidentiality Act. Nothing in this Section is intended to limit or construe the power or authority granted to the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act, pursuant to any other State or federal statute.

With respect to investigations of reported resident abuse or neglect, the Department shall effect with appropriate law enforcement agencies formal agreements concerning methods and procedures for the conduct of investigations into the criminal histories of any administrator, staff assistant or employee of the nursing home or other person responsible for the residents care, as well as for other residents in the nursing home who may be in a position to abuse, neglect or exploit the patient. Pursuant to the formal agreements entered into with appropriate law enforcement

New matter indicated in italics - deletions by strikeout
agencies, the Department may request information with respect to whether
the person or persons set forth in this paragraph have ever been charged
with a crime and if so, the disposition of those charges. Unless the
criminal histories of the subjects involved crimes of violence or resident
abuse or neglect, the Department shall be entitled only to information
limited in scope to charges and their dispositions. In cases where prior
crimes of violence or resident abuse or neglect are involved, a more
detailed report can be made available to authorized representatives of the
Department, pursuant to the agreements entered into with appropriate law
enforcement agencies. Any criminal charges and their disposition
information obtained by the Department shall be confidential and may not
be transmitted outside the Department, except as required herein, to
authorized representatives or delegates of the Department, and may not be
transmitted to anyone within the Department who is not duly authorized to
handle resident abuse or neglect investigations.

The Department shall effect formal agreements with appropriate
law enforcement agencies in the various counties and communities to
encourage cooperation and coordination in the handling of resident abuse
or neglect cases pursuant to this Act. The Department shall adopt and
implement methods and procedures to promote statewide uniformity in the
handling of reports of abuse and neglect under this Act, and those methods
and procedures shall be adhered to by personnel of the Department
involved in such investigations and reporting. The Department shall also
make information required by this Act available to authorized personnel
within the Department, as well as its authorized representatives.

The Department shall keep a continuing record of all reports made
pursuant to this Act, including indications of the final determination of any
investigation and the final disposition of all reports.

The Department shall report annually to the General Assembly on
the incidence of abuse and neglect of long term care facility residents, with
special attention to residents who are mentally disabled. The report shall
include but not be limited to data on the number and source of reports of
suspected abuse or neglect filed under this Act, the nature of any injuries
to residents, the final determination of investigations, the type and number
of cases where abuse or neglect is determined to exist, and the final
disposition of cases.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12;
97-813, eff. 7-13-12.)

New matter indicated in italics - deletions by strikeout
Section 6-185. The Nursing Home Care Act is amended by changing Sections 1-113, 2-204, 3-202.05, and 3-202.5 as follows:

(210 ILCS 45/1-113) (from Ch. 111 1/2, par. 4151-113)

Sec. 1-113. "Facility" or "long-term care facility" means a private home, institution, building, residence, or any other place, whether operated for profit or not, or a county home for the infirm and chronically ill, which provides, through its ownership or management, personal care, sheltered care or nursing for 3 or more persons, not related to the applicant or owner by blood or marriage. It includes skilled nursing facilities and intermediate care facilities as those terms are defined in Title XVIII and Title XIX of the Federal Social Security Act. It also includes homes, institutions, or other places operated by or under the authority of the Illinois Department of Veterans Affairs.

"Facility" does not include the following:

1. A home, institution, or other place operated by the federal government or agency thereof, or by the State of Illinois, other than homes, institutions, or other places operated by or under the authority of the Illinois Department of Veterans Affairs.

2. A hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care, and treatment of human illness through the maintenance and operation as organized facilities therefor, which is required to be licensed under the Hospital Licensing Act.

3. Any "facility for child care", as defined in the Child Care Act of 1969.

4. Any "Community Living Facility" as defined in the Community Living Facilities Licensing Act.

5. Any "community residential alternative", as defined in the Community Residential Alternatives Licensing Act.

6. Any nursing home or sanatorium operated solely by and for persons who rely exclusively upon spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination. However, such nursing home or sanatorium shall comply with all local laws and rules relating to sanitation and safety.

7. Any facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in Title XVIII and Title XIX of the Federal Social Security Act.
in the Community-Integrated Living Arrangements Licensure and Certification Act;
  (8) Any "Supportive Residence" licensed under the Supportive Residences Licensing Act;
  (9) Any "supportive living facility" in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code, except only for purposes of the employment of persons in accordance with Section 3-206.01;
  (10) Any assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act, except only for purposes of the employment of persons in accordance with Section 3-206.01;
  (11) An Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act;
  (12) A facility licensed under the ID/DD Community Care Act; or
  (13) A facility licensed under the Specialized Mental Health Rehabilitation Act of 2013.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)
(210 ILCS 45/2-204) (from Ch. 111 1/2, par. 4152-204)
Sec. 2-204. The Director shall appoint a Long-Term Care Facility Advisory Board to consult with the Department and the residents' advisory councils created under Section 2-203.
(a) The Board shall be comprised of the following persons:
  (1) The Director who shall serve as chairman, ex officio and nonvoting; and
  (2) One representative each of the Department of Healthcare and Family Services, the Department of Human Services, the Department on Aging, and the Office of the State Fire Marshal, all nonvoting members;
  (3) One member who shall be a physician licensed to practice medicine in all its branches;
  (4) One member who shall be a registered nurse selected from the recommendations of professional nursing associations;
  (5) Four members who shall be selected from the recommendations by organizations whose membership consists of facilities;

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(6) Two members who shall represent the general public who are not members of a residents' advisory council established under Section 2-203 and who have no responsibility for management or formation of policy or financial interest in a facility;

(7) One member who is a member of a residents' advisory council established under Section 2-203 and is capable of actively participating on the Board; and

(8) One member who shall be selected from the recommendations of consumer organizations which engage solely in advocacy or legal representation on behalf of residents and their immediate families.

(b) The terms of those members of the Board appointed prior to the effective date of this amendatory Act of 1988 shall expire on December 31, 1988. Members of the Board created by this amendatory Act of 1988 shall be appointed to serve for terms as follows: 3 for 2 years, 3 for 3 years and 3 for 4 years. The member of the Board added by this amendatory Act of 1989 shall be appointed to serve for a term of 4 years. Each successor member shall be appointed for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Board shall meet as frequently as the chairman deems necessary, but not less than 4 times each year. Upon request by 4 or more members the chairman shall call a meeting of the Board. The affirmative vote of 6 members of the Board shall be necessary for Board action. A member of the Board can designate a replacement to serve at the Board meeting and vote in place of the member by submitting a letter of designation to the chairman prior to or at the Board meeting. The Board members shall be reimbursed for their actual expenses incurred in the performance of their duties.

(c) The Advisory Board shall advise the Department of Public Health on all aspects of its responsibilities under this Act and the Specialized Mental Health Rehabilitation Facilities Act of 2013, including the format and content of any rules promulgated by the Department of Public Health. Any such rules, except emergency rules promulgated pursuant to Section 5-45 of the Illinois Administrative Procedure Act, promulgated without obtaining the advice of the Advisory Board are null and void. In the event that the Department fails to follow the advice of the Board, the Department shall, prior to the promulgation of such rules,
transmit a written explanation of the reason thereof to the Board. During its review of rules, the Board shall analyze the economic and regulatory impact of those rules. If the Advisory Board, having been asked for its advice, fails to advise the Department within 90 days, the rules shall be considered acted upon.

(Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)

(210 ILCS 45/3-202.05)

Sec. 3-202.05. Staffing ratios effective July 1, 2010 and thereafter.

(a) For the purpose of computing staff to resident ratios, direct care staff shall include:

- (1) registered nurses;
- (2) licensed practical nurses;
- (3) certified nurse assistants;
- (4) psychiatric services rehabilitation aides;
- (5) rehabilitation and therapy aides;
- (6) psychiatric services rehabilitation coordinators;
- (7) assistant directors of nursing;
- (8) 50% of the Director of Nurses' time; and
- (9) 30% of the Social Services Directors' time.

The Department shall, by rule, allow certain facilities subject to 77 Ill. Admin. Code 300.4000 and following (Subpart S) to utilize specialized clinical staff, as defined in rules, to count towards the staffing ratios.

Within 120 days of the effective date of this amendatory Act of the 97th General Assembly, the Department shall promulgate rules specific to the staffing requirements for facilities federally defined as Institutions for Mental Disease. These rules shall recognize the unique nature of individuals with chronic mental health conditions, shall include minimum requirements for specialized clinical staff, including clinical social workers, psychiatrists, psychologists, and direct care staff set forth in paragraphs (4) through (6) and any other specialized staff which may be utilized and deemed necessary to count toward staffing ratios.

Within 120 days of the effective date of this amendatory Act of the 97th General Assembly, the Department shall promulgate rules specific to the staffing requirements for facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013. These rules shall recognize the unique nature of individuals with chronic mental health conditions, shall include minimum requirements for specialized clinical staff, including clinical social workers, psychiatrists, psychologists, and direct care staff set forth in paragraphs (4) through (6) and any other specialized staff set forth in paragraphs (4) through (6) and any other specialized staff

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which may be utilized and deemed necessary to count toward staffing ratios.

(b) Beginning January 1, 2011, and thereafter, light intermediate care shall be staffed at the same staffing ratio as intermediate care.

(c) Facilities shall notify the Department within 60 days after the effective date of this amendatory Act of the 96th General Assembly, in a form and manner prescribed by the Department, of the staffing ratios in effect on the effective date of this amendatory Act of the 96th General Assembly for both intermediate and skilled care and the number of residents receiving each level of care.

(d)(1) Effective July 1, 2010, for each resident needing skilled care, a minimum staffing ratio of 2.5 hours of nursing and personal care each day must be provided; for each resident needing intermediate care, 1.7 hours of nursing and personal care each day must be provided.

(2) Effective January 1, 2011, the minimum staffing ratios shall be increased to 2.7 hours of nursing and personal care each day for a resident needing skilled care and 1.9 hours of nursing and personal care each day for a resident needing intermediate care.

(3) Effective January 1, 2012, the minimum staffing ratios shall be increased to 3.0 hours of nursing and personal care each day for a resident needing skilled care and 2.1 hours of nursing and personal care each day for a resident needing intermediate care.

(4) Effective January 1, 2013, the minimum staffing ratios shall be increased to 3.4 hours of nursing and personal care each day for a resident needing skilled care and 2.3 hours of nursing and personal care each day for a resident needing intermediate care.

(5) Effective January 1, 2014, the minimum staffing ratios shall be increased to 3.8 hours of nursing and personal care each day for a resident needing skilled care and 2.5 hours of nursing and personal care each day for a resident needing intermediate care.

(e) Ninety days after the effective date of this amendatory Act of the 97th General Assembly, a minimum of 25% of nursing and personal care time shall be provided by licensed nurses, with at least 10% of nursing and personal care time provided by registered nurses. These minimum requirements shall remain in effect until an acuity based registered nurse requirement is promulgated by rule concurrent with the adoption of the Resource Utilization Group classification-based payment methodology, as provided in Section 5-5.2 of the Illinois Public Aid Code. Registered nurses and licensed practical nurses employed by a facility in
excess of these requirements may be used to satisfy the remaining 75% of the nursing and personal care time requirements. Notwithstanding this subsection, no staffing requirement in statute in effect on the effective date of this amendatory Act of the 97th General Assembly shall be reduced on account of this subsection.

(Source: P.A. 96-1372, eff. 7-29-10; 96-1504, eff. 1-27-11; 97-689, eff. 6-14-12.)

(210 ILCS 45/3-202.5)

Sec. 3-202.5. Facility plan review; fees.

(a) Before commencing construction of a new facility or specified types of alteration or additions to an existing long term care facility involving major construction, as defined by rule by the Department, with an estimated cost greater than $100,000, architectural drawings and specifications for the facility shall be submitted to the Department for review and approval. A facility may submit architectural drawings and specifications for other construction projects for Department review according to subsection (b) that shall not be subject to fees under subsection (d). Review of drawings and specifications shall be conducted by an employee of the Department meeting the qualifications established by the Department of Central Management Services class specifications for such an individual's position or by a person contracting with the Department who meets those class specifications. Final approval of the drawings and specifications for compliance with design and construction standards shall be obtained from the Department before the alteration, addition, or new construction is begun.

(b) The Department shall inform an applicant in writing within 10 working days after receiving drawings and specifications and the required fee, if any, from the applicant whether the applicant's submission is complete or incomplete. Failure to provide the applicant with this notice within 10 working days shall result in the submission being deemed complete for purposes of initiating the 60-day review period under this Section. If the submission is incomplete, the Department shall inform the applicant of the deficiencies with the submission in writing. If the submission is complete the required fee, if any, has been paid, the Department shall approve or disapprove drawings and specifications submitted to the Department no later than 60 days following receipt by the Department. The drawings and specifications shall be of sufficient detail, as provided by Department rule, to enable the Department to render a determination of compliance with design and construction standards under
this Act. If the Department finds that the drawings are not of sufficient detail for it to render a determination of compliance, the plans shall be determined to be incomplete and shall not be considered for purposes of initiating the 60 day review period. If a submission of drawings and specifications is incomplete, the applicant may submit additional information. The 60-day review period shall not commence until the Department determines that a submission of drawings and specifications is complete or the submission is deemed complete. If the Department has not approved or disapproved the drawings and specifications within 60 days, the construction, major alteration, or addition shall be deemed approved. If the drawings and specifications are disapproved, the Department shall state in writing, with specificity, the reasons for the disapproval. The entity submitting the drawings and specifications may submit additional information in response to the written comments from the Department or request a reconsideration of the disapproval. A final decision of approval or disapproval shall be made within 45 days of the receipt of the additional information or reconsideration request. If denied, the Department shall state the specific reasons for the denial.

(c) The Department shall provide written approval for occupancy pursuant to subsection (g) and shall not issue a violation to a facility as a result of a licensure or complaint survey based upon the facility's physical structure if:

(1) the Department reviewed and approved or deemed approved the drawings and specifications for compliance with design and construction standards;

(2) the construction, major alteration, or addition was built as submitted;

(3) the law or rules have not been amended since the original approval; and

(4) the conditions at the facility indicate that there is a reasonable degree of safety provided for the residents.

(d) The Department shall charge the following fees in connection with its reviews conducted before June 30, 2004 under this Section:

(1) (Blank).

(2) (Blank).

(3) If the estimated dollar value of the alteration, addition, or new construction is $100,000 or more but less than $500,000, the fee shall be the greater of $2,400 or 1.2% of that value.

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(4) If the estimated dollar value of the alteration, addition, or new construction is $500,000 or more but less than $1,000,000, the fee shall be the greater of $6,000 or 0.96% of that value.

(5) If the estimated dollar value of the alteration, addition, or new construction is $1,000,000 or more but less than $5,000,000, the fee shall be the greater of $9,600 or 0.22% of that value.

(6) If the estimated dollar value of the alteration, addition, or new construction is $5,000,000 or more, the fee shall be the greater of $11,000 or 0.11% of that value, but shall not exceed $40,000.

The fees provided in this subsection (d) shall not apply to major construction projects involving facility changes that are required by Department rule amendments.

The fees provided in this subsection (d) shall also not apply to major construction projects if 51% or more of the estimated cost of the project is attributed to capital equipment. For major construction projects where 51% or more of the estimated cost of the project is attributed to capital equipment, the Department shall by rule establish a fee that is reasonably related to the cost of reviewing the project.

The Department shall not commence the facility plan review process under this Section until the applicable fee has been paid.

(e) All fees received by the Department under this Section shall be deposited into the Health Facility Plan Review Fund, a special fund created in the State Treasury. All fees paid by long-term care facilities under subsection (d) shall be used only to cover the costs relating to the Department's review of long-term care facility projects under this Section. Moneys shall be appropriated from that Fund to the Department only to pay the costs of conducting reviews under this Section or under Section 3-202.5 of the ID/DD Community Care Act or under Section 3-202.5 of the Specialized Mental Health Rehabilitation Act. None of the moneys in the Health Facility Plan Review Fund shall be used to reduce the amount of General Revenue Fund moneys appropriated to the Department for facility plan reviews conducted pursuant to this Section.

(f)(1) The provisions of this amendatory Act of 1997 concerning drawings and specifications shall apply only to drawings and specifications submitted to the Department on or after October 1, 1997.

(2) On and after the effective date of this amendatory Act of 1997 and before October 1, 1997, an applicant may submit or resubmit drawings
and specifications to the Department and pay the fees provided in subsection (d). If an applicant pays the fees provided in subsection (d) under this paragraph (2), the provisions of subsection (b) shall apply with regard to those drawings and specifications.

(g) The Department shall conduct an on-site inspection of the completed project no later than 30 days after notification from the applicant that the project has been completed and all certifications required by the Department have been received and accepted by the Department. The Department shall provide written approval for occupancy to the applicant within 5 working days of the Department's final inspection, provided the applicant has demonstrated substantial compliance as defined by Department rule. Occupancy of new major construction is prohibited until Department approval is received, unless the Department has not acted within the time frames provided in this subsection (g), in which case the construction shall be deemed approved. Occupancy shall be authorized after any required health inspection by the Department has been conducted.

(h) The Department shall establish, by rule, a procedure to conduct interim on-site review of large or complex construction projects.

(i) The Department shall establish, by rule, an expedited process for emergency repairs or replacement of like equipment.

(j) Nothing in this Section shall be construed to apply to maintenance, upkeep, or renovation that does not affect the structural integrity of the building, does not add beds or services over the number for which the long-term care facility is licensed, and provides a reasonable degree of safety for the residents.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 48/Act rep.)

Section 6-187. The Specialized Mental Health Rehabilitation Act is repealed.

Section 6-190. The Home Health, Home Services, and Home Nursing Agency Licensing Act is amended by changing Section 2.08 as follows:

(210 ILCS 55/2.08)

Sec. 2.08. "Home services agency" means an agency that provides services directly, or acts as a placement agency, for the purpose of placing individuals as workers providing home services for consumers in their personal residences. "Home services agency" does not include agencies

New matter indicated in italics - deletions by strikeout
licensed under the Nurse Agency Licensing Act, the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Assisted Living and Shared Housing Act and does not include an agency that limits its business exclusively to providing housecleaning services. Programs providing services exclusively through the Community Care Program of the Illinois Department on Aging, the Department of Human Services Office of Rehabilitation Services, or the United States Department of Veterans Affairs are not considered to be a home services agency under this Act.

(Source: P.A. 96-339, eff. 7-1-10; 96-577, eff. 8-18-09; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-195. The Hospice Program Licensing Act is amended by changing Sections 3 and 4 as follows:

(210 ILCS 60/3) (from Ch. 111 1/2, par. 6103)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Bereavement" means the period of time during which the hospice patient's family experiences and adjusts to the death of the hospice patient.

(a-5) "Bereavement services" means counseling services provided to an individual's family after the individual's death.

(a-10) "Attending physician" means a physician who:

(1) is a doctor of medicine or osteopathy; and

(2) is identified by an individual, at the time the individual elects to receive hospice care, as having the most significant role in the determination and delivery of the individual's medical care.

(b) "Department" means the Illinois Department of Public Health.

(c) "Director" means the Director of the Illinois Department of Public Health.

(d) "Hospice care" means a program of palliative care that provides for the physical, emotional, and spiritual care needs of a terminally ill patient and his or her family. The goal of such care is to achieve the highest quality of life as defined by the patient and his or her family through the relief of suffering and control of symptoms.

(e) "Hospice care team" means an interdisciplinary group or groups composed of individuals who provide or supervise the care and services offered by the hospice.

New matter indicated in italics - deletions by strikeout
(f) "Hospice patient" means a terminally ill person receiving hospice services.

(g) "Hospice patient's family" means a hospice patient's immediate family consisting of a spouse, sibling, child, parent and those individuals designated as such by the patient for the purposes of this Act.

(g-1) "Hospice residence" means a separately licensed home, apartment building, or similar building providing living quarters:

(1) that is owned or operated by a person licensed to operate as a comprehensive hospice; and

(2) at which hospice services are provided to facility residents.

A building that is licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act is not a hospice residence.

(h) "Hospice services" means a range of professional and other supportive services provided to a hospice patient and his or her family. These services may include, but are not limited to, physician services, nursing services, medical social work services, spiritual counseling services, bereavement services, and volunteer services.

(h-5) "Hospice program" means a licensed public agency or private organization, or a subdivision of either of those, that is primarily engaged in providing care to terminally ill individuals through a program of home care or inpatient care, or both home care and inpatient care, utilizing a medically directed interdisciplinary hospice care team of professionals or volunteers, or both professionals and volunteers. A hospice program may be licensed as a comprehensive hospice program or a volunteer hospice program.

(h-10) "Comprehensive hospice" means a program that provides hospice services and meets the minimum standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418 but is not required to be Medicare-certified.

(i) "Palliative care" means the management of pain and other distressing symptoms that incorporates medical, nursing, psychosocial, and spiritual care according to the needs, values, beliefs, and culture or cultures of the patient and his or her family. The evaluation and treatment is patient-centered, with a focus on the central role of the family unit in decision-making.

(j) "Hospice service plan" means a plan detailing the specific hospice services offered by a comprehensive or volunteer hospice.

New matter indicated in italics - deletions by strikeout
program, and the administrative and direct care personnel responsible for those services. The plan shall include but not be limited to:

(1) Identification of the person or persons administratively responsible for the program.
(2) The estimated average monthly patient census.
(3) The proposed geographic area the hospice will serve.
(4) A listing of those hospice services provided directly by the hospice, and those hospice services provided indirectly through a contractual agreement.
(5) The name and qualifications of those persons or entities under contract to provide indirect hospice services.
(6) The name and qualifications of those persons providing direct hospice services, with the exception of volunteers.
(7) A description of how the hospice plans to utilize volunteers in the provision of hospice services.
(8) A description of the program's record keeping system.

(k) "Terminally ill" means a medical prognosis by a physician licensed to practice medicine in all of its branches that a patient has an anticipated life expectancy of one year or less.

(l) "Volunteer" means a person who offers his or her services to a hospice without compensation. Reimbursement for a volunteer's expenses in providing hospice service shall not be considered compensation.

(l-5) "Employee" means a paid or unpaid member of the staff of a hospice program, or, if the hospice program is a subdivision of an agency or organization, of the agency or organization, who is appropriately trained and assigned to the hospice program. "Employee" also means a volunteer whose duties are prescribed by the hospice program and whose performance of those duties is supervised by the hospice program.

(l-10) "Representative" means an individual who has been authorized under State law to terminate an individual's medical care or to elect or revoke the election of hospice care on behalf of a terminally ill individual who is mentally or physically incapacitated.

(m) "Volunteer hospice" means a program which provides hospice services to patients regardless of their ability to pay, with emphasis on the utilization of volunteers to provide services, under the administration of a not-for-profit agency. This definition does not prohibit the employment of staff.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

New matter indicated in italics - deletions by strikeout
Sec. 4. License.

(a) No person shall establish, conduct or maintain a comprehensive or volunteer hospice program without first obtaining a license from the Department. A hospice residence may be operated only at the locations listed on the license. A comprehensive hospice program owning or operating a hospice residence is not subject to the provisions of the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act in owning or operating a hospice residence.

(b) No public or private agency shall advertise or present itself to the public as a comprehensive or volunteer hospice program which provides hospice services without meeting the provisions of subsection (a).

(c) The license shall be valid only in the possession of the hospice to which it was originally issued and shall not be transferred or assigned to any other person, agency, or corporation.

(d) The license shall be renewed annually.

(e) The license shall be displayed in a conspicuous place inside the hospice program office.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-200. The Hospital Licensing Act is amended by changing Sections 3 and 6.09 as follows:

(210 ILCS 85/3)

Sec. 3. As used in this Act:

(A) "Hospital" means any institution, place, building, buildings on a campus, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity.

The term "hospital", without regard to length of stay, shall also include:

(a) any facility which is devoted primarily to providing psychiatric and related services and programs for the diagnosis and treatment or care of 2 or more unrelated persons suffering from emotional or nervous diseases;

New matter indicated in italics - deletions by strikeout
(b) all places where pregnant females are received, cared for, or treated during delivery irrespective of the number of patients received.

The term "hospital" includes general and specialized hospitals, tuberculosis sanitaria, mental or psychiatric hospitals and sanitaria, and includes maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery.

The term "hospital" does not include:

(1) any person or institution required to be licensed pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;

(2) hospitalization or care facilities maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitalization or care facilities under its management and control;

(3) hospitalization or care facilities maintained by the federal government or agencies thereof;

(4) hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation;

(5) any person or facility required to be licensed pursuant to the Alcoholism and Other Drug Abuse and Dependency Act;

(6) any facility operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination;

(7) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act; or

(8) any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 or maintained by a State-supported or publicly funded university or college.

(B) "Person" means the State, and any political subdivision or municipal corporation, individual, firm, partnership, corporation, company, association, or joint stock association, or the legal successor thereof.
(C) "Department" means the Department of Public Health of the State of Illinois.

(D) "Director" means the Director of Public Health of the State of Illinois.

(E) "Perinatal" means the period of time between the conception of an infant and the end of the first month after birth.

(F) "Federally designated organ procurement agency" means the organ procurement agency designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located; except that in the case of a hospital located in a county adjacent to Wisconsin which currently contracts with an organ procurement agency located in Wisconsin that is not the organ procurement agency designated by the U.S. Secretary of Health and Human Services for the service area in which the hospital is located, if the hospital applies for a waiver pursuant to 42 USC 1320b-8(a), it may designate an organ procurement agency located in Wisconsin to be thereafter deemed its federally designated organ procurement agency for the purposes of this Act.

(G) "Tissue bank" means any facility or program operating in Illinois that is certified by the American Association of Tissue Banks or the Eye Bank Association of America and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them into the human body. "Tissue bank" does not include a licensed blood bank. For the purposes of this Act, "tissue" does not include organs.

(H) "Campus", as this terms applies to operations, has the same meaning as the term "campus" as set forth in federal Medicare regulations, 42 CFR 413.65.

(Source: P.A. 96-219, eff. 8-10-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1515, eff. 2-4-11; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 85/6.09) (from Ch. 111 1/2, par. 147.09)

Sec. 6.09. (a) In order to facilitate the orderly transition of aged and disabled patients from hospitals to post-hospital care, whenever a patient who qualifies for the federal Medicare program is hospitalized, the patient shall be notified of discharge at least 24 hours prior to discharge from the hospital. With regard to pending discharges to a skilled nursing facility, the hospital must notify the case coordination unit, as defined in 89 Ill. Adm. Code 240.260, at least 24 hours prior to discharge or, if home health
services are ordered, the hospital must inform its designated case coordination unit, as defined in 89 Ill. Adm. Code 240.260, of the pending discharge and must provide the patient with the case coordination unit’s telephone number and other contact information.

(b) Every hospital shall develop procedures for a physician with medical staff privileges at the hospital or any appropriate medical staff member to provide the discharge notice prescribed in subsection (a) of this Section. The procedures must include prohibitions against discharging or referring a patient to any of the following if unlicensed, uncertified, or unregistered: (i) a board and care facility, as defined in the Board and Care Home Act; (ii) an assisted living and shared housing establishment, as defined in the Assisted Living and Shared Housing Act; (iii) a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act; (iv) a supportive living facility, as defined in Section 5-5.01a of the Illinois Public Aid Code; or (v) a free-standing hospice facility licensed under the Hospice Program Licensing Act if licensure, certification, or registration is required. The Department of Public Health shall annually provide hospitals with a list of licensed, certified, or registered board and care facilities, assisted living and shared housing establishments, nursing homes, supportive living facilities, facilities licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, and hospice facilities. Reliance upon this list by a hospital shall satisfy compliance with this requirement. The procedure may also include a waiver for any case in which a discharge notice is not feasible due to a short length of stay in the hospital by the patient, or for any case in which the patient voluntarily desires to leave the hospital before the expiration of the 24 hour period.

(c) At least 24 hours prior to discharge from the hospital, the patient shall receive written information on the patient's right to appeal the discharge pursuant to the federal Medicare program, including the steps to follow to appeal the discharge and the appropriate telephone number to call in case the patient intends to appeal the discharge.

(d) Before transfer of a patient to a long term care facility licensed under the Nursing Home Care Act where elderly persons reside, a hospital shall as soon as practicable initiate a name-based criminal history background check by electronic submission to the Department of State Police for all persons between the ages of 18 and 70 years; provided,
however, that a hospital shall be required to initiate such a background check only with respect to patients who:

(1) are transferring to a long term care facility for the first time;
(2) have been in the hospital more than 5 days;
(3) are reasonably expected to remain at the long term care facility for more than 30 days;
(4) have a known history of serious mental illness or substance abuse; and
(5) are independently ambulatory or mobile for more than a temporary period of time.

A hospital may also request a criminal history background check for a patient who does not meet any of the criteria set forth in items (1) through (5).

A hospital shall notify a long term care facility if the hospital has initiated a criminal history background check on a patient being discharged to that facility. In all circumstances in which the hospital is required by this subsection to initiate the criminal history background check, the transfer to the long term care facility may proceed regardless of the availability of criminal history results. Upon receipt of the results, the hospital shall promptly forward the results to the appropriate long term care facility. If the results of the background check are inconclusive, the hospital shall have no additional duty or obligation to seek additional information from, or about, the patient.

(Source: P.A. 96-339, eff. 7-1-10; 96-1372, eff. 7-29-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-205. The Language Assistance Services Act is amended by changing Section 10 as follows:

(210 ILCS 87/10)
Sec. 10. Definitions. As used in this Act:
"Department" means the Department of Public Health.
"Interpreter" means a person fluent in English and in the necessary language of the patient who can accurately speak, read, and readily interpret the necessary second language, or a person who can accurately sign and read sign language. Interpreters shall have the ability to translate the names of body parts and to describe completely symptoms and injuries in both languages. Interpreters may include members of the medical or professional staff.
"Language or communication barriers" means either of the following:

(1) With respect to spoken language, barriers that are experienced by limited-English-speaking or non-English-speaking individuals who speak the same primary language, if those individuals constitute at least 5% of the patients served by the health facility annually.

(2) With respect to sign language, barriers that are experienced by individuals who are deaf and whose primary language is sign language.

"Health facility" means a hospital licensed under the Hospital Licensing Act, a long-term care facility licensed under the Nursing Home Care Act, or a facility licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-210. The Community-Integrated Living Arrangements Licensure and Certification Act is amended by changing Section 4 as follows:

(210 ILCS 135/4) (from Ch. 91 1/2, par. 1704)

Sec. 4. (a) Any community mental health or developmental services agency who wishes to develop and support a variety of community-integrated living arrangements may do so pursuant to a license issued by the Department under this Act. However, programs established under or otherwise subject to the Child Care Act of 1969, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, as now or hereafter amended, shall remain subject thereto, and this Act shall not be construed to limit the application of those Acts.

(b) The system of licensure established under this Act shall be for the purposes of:

(1) Insuring that all recipients residing in community-integrated living arrangements are receiving appropriate community-based services, including treatment, training and habilitation or rehabilitation;

(2) Insuring that recipients' rights are protected and that all programs provided to and placements arranged for recipients comply with this Act, the Mental Health and Developmental

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Disabilities Code, and applicable Department rules and regulations;

(3) Maintaining the integrity of communities by requiring regular monitoring and inspection of placements and other services provided in community-integrated living arrangements.

The licensure system shall be administered by a quality assurance unit within the Department which shall be administratively independent of units responsible for funding of agencies or community services.

(c) As a condition of being licensed by the Department as a community mental health or developmental services agency under this Act, the agency shall certify to the Department that:

(1) All recipients residing in community-integrated living arrangements are receiving appropriate community-based services, including treatment, training and habilitation or rehabilitation;

(2) All programs provided to and placements arranged for recipients are supervised by the agency; and

(3) All programs provided to and placements arranged for recipients comply with this Act, the Mental Health and Developmental Disabilities Code, and applicable Department rules and regulations.

(d) An applicant for licensure as a community mental health or developmental services agency under this Act shall submit an application pursuant to the application process established by the Department by rule and shall pay an application fee in an amount established by the Department, which amount shall not be more than $200.

(e) If an applicant meets the requirements established by the Department to be licensed as a community mental health or developmental services agency under this Act, after payment of the licensing fee, the Department shall issue a license valid for 3 years from the date thereof unless suspended or revoked by the Department or voluntarily surrendered by the agency.

(f) Upon application to the Department, the Department may issue a temporary permit to an applicant for a 6-month period to allow the holder of such permit reasonable time to become eligible for a license under this Act.

(g) (1) The Department may conduct site visits to an agency licensed under this Act, or to any program or placement certified by the agency, and inspect the records or premises, or both, of such agency, program or placement as it deems appropriate, for the purpose of

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determining compliance with this Act, the Mental Health and Developmental Disabilities Code, and applicable Department rules and regulations.

(2) If the Department determines that an agency licensed under this Act is not in compliance with this Act or the rules and regulations promulgated under this Act, the Department shall serve a notice of violation upon the licensee. Each notice of violation shall be prepared in writing and shall specify the nature of the violation, the statutory provision or rule alleged to have been violated, and that the licensee submit a plan of correction to the Department if required. The notice shall also inform the licensee of any other action which the Department might take pursuant to this Act and of the right to a hearing.

(g-5) As determined by the Department, a disproportionate number or percentage of licensure complaints; a disproportionate number or percentage of substantiated cases of abuse, neglect, or exploitation involving an agency; an apparent unnatural death of an individual served by an agency; any egregious or life-threatening abuse or neglect within an agency; or any other significant event as determined by the Department shall initiate a review of the agency's license by the Department, as well as a review of its service agreement for funding. The Department shall adopt rules to establish the process by which the determination to initiate a review shall be made and the timeframe to initiate a review upon the making of such determination.

(h) Upon the expiration of any license issued under this Act, a license renewal application shall be required of and a license renewal fee in an amount established by the Department shall be charged to a community mental health or developmental services agency, provided that such fee shall not be more than $200.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-441, eff. 8-19-11; 97-813, eff. 7-13-12.)

Section 6-215. The Child Care Act of 1969 is amended by changing Section 2.06 as follows:

(225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

Sec. 2.06. "Child care institution" means a child care facility where more than 7 children are received and maintained for the purpose of providing them with care or training or both. The term "child care institution" includes residential schools, primarily serving ambulatory handicapped children, and those operating a full calendar year, but does not include:

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(a) Any State-operated institution for child care established by legislative action;
(b) Any juvenile detention or shelter care home established and operated by any county or child protection district established under the "Child Protection Act";
(c) Any institution, home, place or facility operating under a license pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;
(d) Any bona fide boarding school in which children are primarily taught branches of education corresponding to those taught in public schools, grades one through 12, or taught in public elementary schools, high schools, or both elementary and high schools, and which operates on a regular academic school year basis; or
(e) Any facility licensed as a "group home" as defined in this Act.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-220. The Health Care Worker Background Check Act is amended by changing Section 15 as follows:

(225 ILCS 46/15)
Sec. 15. Definitions. In this Act:
"Applicant" means an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment.
"Conditional offer of employment" means a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of Public Health indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25.
"Direct care" means the provision of nursing care or assistance with feeding, dressing, movement, bathing, toileting, or other personal needs, including home services as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act. The entity responsible for inspecting and licensing, certifying, or registering the health care employer may, by administrative rule, prescribe guidelines for interpreting this definition with regard to the health care employers that it licenses.
"Disqualifying offenses" means those offenses set forth in Section 25 of this Act.
"Employee" means any individual hired, employed, or retained to which this Act applies.

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"Fingerprint-based criminal history records check" means a livescan fingerprint-based criminal history records check submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police.

"Health care employer" means:

(1) the owner or licensee of any of the following:
   (i) a community living facility, as defined in the Community Living Facilities Act;
   (ii) a life care facility, as defined in the Life Care Facilities Act;
   (iii) a long-term care facility;
   (iv) a home health agency, home services agency, or home nursing agency as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;
   (v) a hospice care program or volunteer hospice program, as defined in the Hospice Program Licensing Act;
   (vi) a hospital, as defined in the Hospital Licensing Act;
   (vii) (blank);
   (viii) a nurse agency, as defined in the Nurse Agency Licensing Act;
   (ix) a respite care provider, as defined in the Respite Program Act;
   (ix-a) an establishment licensed under the Assisted Living and Shared Housing Act;
   (x) a supportive living program, as defined in the Illinois Public Aid Code;
   (xi) early childhood intervention programs as described in 59 Ill. Adm. Code 121;
   (xii) the University of Illinois Hospital, Chicago;
   (xiii) programs funded by the Department on Aging through the Community Care Program;
   (xiv) programs certified to participate in the Supportive Living Program authorized pursuant to Section 5-5.01a of the Illinois Public Aid Code;
   (xv) programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers;
(xvi) locations licensed under the Alternative Health Care Delivery Act;
(2) a day training program certified by the Department of Human Services;
(3) a community integrated living arrangement operated by a community mental health and developmental service agency, as defined in the Community-Integrated Living Arrangements Licensing and Certification Act; or
(4) the State Long Term Care Ombudsman Program, including any regional long term care ombudsman programs under Section 4.04 of the Illinois Act on the Aging, only for the purpose of securing background checks.

"Initiate" means obtaining from a student, applicant, or employee his or her social security number, demographics, a disclosure statement, and an authorization for the Department of Public Health or its designee to request a fingerprint-based criminal history records check; transmitting this information electronically to the Department of Public Health; conducting Internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or conducting similar searches as defined by rule; and having the student, applicant, or employee's fingerprints collected and transmitted electronically to the Department of State Police.

"Livescan vendor" means an entity whose equipment has been certified by the Department of State Police to collect an individual's demographics and inkless fingerprints and, in a manner prescribed by the Department of State Police and the Department of Public Health, electronically transmit the fingerprints and required data to the Department of State Police and a daily file of required data to the Department of Public Health. The Department of Public Health shall negotiate a contract with one or more vendors that effectively demonstrate that the vendor has 2 or more years of experience transmitting fingerprints electronically to the Department of State Police and that the vendor can successfully transmit the required data in a manner prescribed by the Department of Public Health.
Health. Vendor authorization may be further defined by administrative rule.

"Long-term care facility" means a facility licensed by the State or certified under federal law as a long-term care facility, including without limitation facilities licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, a supportive living facility, an assisted living establishment, or a shared housing establishment or registered as a board and care home.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-225. The Nursing Home Administrators Licensing and Disciplinary Act is amended by changing Sections 4 and 17 as follows:

(225 ILCS 70/4) (from Ch. 111, par. 3654)

(Section scheduled to be repealed on January 1, 2018)

Sec. 4. Definitions. For purposes of this Act, the following definitions shall have the following meanings, except where the context requires otherwise:

(1) "Act" means the Nursing Home Administrators Licensing and Disciplinary Act.

(2) "Department" means the Department of Financial and Professional Regulation.

(3) "Secretary" means the Secretary of Financial and Professional Regulation.

(4) "Board" means the Nursing Home Administrators Licensing and Disciplinary Board appointed by the Governor.

(5) "Nursing home administrator" means the individual licensed under this Act and directly responsible for planning, organizing, directing and supervising the operation of a nursing home, or who in fact performs such functions, whether or not such functions are delegated to one or more other persons.

(6) "Nursing home" or "facility" means any entity that is required to be licensed by the Department of Public Health under the Nursing Home Care Act, as amended, other than a sheltered care home as defined thereunder, and includes private homes, institutions, buildings, residences, or other places, whether operated for profit or not, irrespective of the names attributed to them, county homes for the infirm and chronically ill operated pursuant to the County Nursing Home Act, as amended, and any

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similar institutions operated by a political subdivision of the State of Illinois that provide, though their ownership or management, maintenance, personal care, and nursing for 3 or more persons, not related to the owner by blood or marriage, or any similar facilities in which maintenance is provided to 3 or more persons who by reason of illness of physical infirmity require personal care and nursing. The term also means any facility licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(7) "Maintenance" means food, shelter and laundry.

(8) "Personal care" means assistance with meals, dressing, movement, bathing, or other personal needs, or general supervision of the physical and mental well-being of an individual who because of age, physical, or mental disability, emotion or behavior disorder, or an intellectual disability is incapable of managing his or her person, whether or not a guardian has been appointed for such individual. For the purposes of this Act, this definition does not include the professional services of a nurse.

(9) "Nursing" means professional nursing or practical nursing, as those terms are defined in the Nurse Practice Act, for sick or infirm persons who are under the care and supervision of licensed physicians or dentists.

(10) "Disciplinary action" means revocation, suspension, probation, supervision, reprimand, required education, fines or any other action taken by the Department against a person holding a license.

(11) "Impaired" means the inability to practice with reasonable skill and safety due to physical or mental disabilities as evidenced by a written determination or written consent based on clinical evidence including deterioration through the aging process or loss of motor skill, or abuse of drugs or alcohol, of sufficient degree to diminish a person's ability to administer a nursing home.

(12) "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's
website or by contacting the Department's licensure maintenance unit.
(Source: P.A. 96-328, eff. 8-11-09; 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)
(225 ILCS 70/17) (from Ch. 111, par. 3667)
Sec. 17. Grounds for disciplinary action.
(a) The Department may impose fines not to exceed $10,000 or may refuse to issue or to renew, or may revoke, suspend, place on probation, censure, reprimand or take other disciplinary or non-disciplinary action with regard to the license of any person, for any one or combination of the following causes:

1. Intentional material misstatement in furnishing information to the Department.
2. Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or a misdemeanor of which an essential element is dishonesty or that is directly related to the practice of the profession of nursing home administration.
3. Making any misrepresentation for the purpose of obtaining a license, or violating any provision of this Act.
4. Immoral conduct in the commission of any act, such as sexual abuse or sexual misconduct, related to the licensee's practice.
5. Failing to respond within 30 days, to a written request made by the Department for information.
6. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.
7. Habitual use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill or safety.
8. Discipline by another U.S. jurisdiction if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.
9. A finding by the Department that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

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(10) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with State agencies or departments.

(11) Physical illness, mental illness, or other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill or safety.

(12) Disregard or violation of this Act or of any rule issued pursuant to this Act.

(13) Aiding or abetting another in the violation of this Act or any rule or regulation issued pursuant to this Act.

(14) Allowing one's license to be used by an unlicensed person.

(15) (Blank).

(16) Professional incompetence in the practice of nursing home administration.

(17) Conviction of a violation of Section 12-19 or subsection (a) of Section 12-4.4a of the Criminal Code of 1961 or the Criminal Code of 2012 for the abuse and criminal neglect of a long term care facility resident.

(18) Violation of the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act or of any rule issued under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act. A final adjudication of a Type "AA" violation of the Nursing Home Care Act made by the Illinois Department of Public Health, as identified by rule, relating to the hiring, training, planning, organizing, directing, or supervising the operation of a nursing home and a licensee's failure to comply with this Act or the rules adopted under this Act, shall create a rebuttable presumption of a violation of this subsection.

(19) Failure to report to the Department any adverse final action taken against the licensee by a licensing authority of another state, territory of the United States, or foreign country; or by any governmental or law enforcement agency; or by any court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

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(20) Failure to report to the Department the surrender of a license or authorization to practice as a nursing home administrator in another state or jurisdiction for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

(21) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of (i) a complaint alleging the commission of or notice of the conviction order for any of the acts described herein or (ii) a referral for investigation under Section 3-108 of the Nursing Home Care Act.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Department order based upon a finding by the Board that they have been determined to be recovered from mental illness by the court and upon the Board's recommendation that they be permitted to resume their practice.

The Department, upon the recommendation of the Board, may adopt rules which set forth standards to be used in determining what constitutes:

(i) when a person will be deemed sufficiently rehabilitated to warrant the public trust;
(ii) dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
(iii) immoral conduct in the commission of any act related to the licensee's practice; and
(iv) professional incompetence in the practice of nursing home administration.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel any individual licensed to

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practice under this Act, or who has applied for licensure pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physician or physicians shall be those specifically designated by the Department or Board. The Department or Board may order the examining physician to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination, when directed, shall be grounds for suspension of his or her license until such time as the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board shall require such individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. Any individual whose license was granted pursuant to this Act or continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions shall be referred to the Secretary for a determination as to whether the licensee shall have his or her license suspended immediately, pending a hearing by the Department. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Board within 30 days after such suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject administrator's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.
An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(b) Any individual or organization acting in good faith, and not in a wilful and wanton manner, in complying with this Act by providing any report or other information to the Department, or assisting in the investigation or preparation of such information, or by participating in proceedings of the Department, or by serving as a member of the Board, shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(c) Members of the Board, and persons retained under contract to assist and advise in an investigation, shall be indemnified by the State for any actions occurring within the scope of services on or for the Board, done in good faith and not wilful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were wilful and wanton.

Should the Attorney General decline representation, a person entitled to indemnification under this Section shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were wilful and wanton.

A person entitled to indemnification under this Section must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine within 7 days after receiving such notice, whether he or she will undertake to represent a person entitled to indemnification under this Section.

(d) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the

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patient; and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(e) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(f) The Department of Public Health shall transmit to the Department a list of those facilities which receive an "A" violation as defined in Section 1-129 of the Nursing Home Care Act.

(Source: P.A. 96-339, eff. 7-1-10; 96-1372, eff. 7-29-10; 96-1551, eff. 7-1-11; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 6-230. The Pharmacy Practice Act is amended by changing Section 3 as follows:

(225 ILCS 85/3)

(Section scheduled to be repealed on January 1, 2018)

Sec. 3. Definitions. For the purpose of this Act, except where otherwise limited therein:

(a) "Pharmacy" or "drugstore" means and includes every store, shop, pharmacy department, or other place where pharmacist care is provided by a pharmacist (1) where drugs, medicines, or poisons are dispensed, sold or offered for sale at retail, or displayed for sale at retail; or (2) where prescriptions of physicians, dentists, advanced practice nurses, physician assistants, veterinarians, podiatrists, or optometrists, within the limits of their licenses, are compounded, filled, or dispensed; or (3) which has upon it or displayed within it, or affixed to or used in connection with it, a sign bearing the word or words "Pharmacist", "Druggist", "Pharmacy", "Pharmaceutical Care", "Apothecary", "Drugstore", "Medicine Store", "Prescriptions", "Drugs", "Dispensary", "Medicines", or any word or words of similar or like import, either in the English language or any other language; or (4) where the characteristic prescription sign (Rx) or similar design is exhibited; or (5) any store, or shop, or other place with respect to which any of the above words, objects, signs or designs are used in any advertisement.

(b) "Drugs" means and includes (I) articles recognized in the official United States Pharmacopoeia/National Formulary (USP/NF), or any supplement thereto and being intended for and having for their main
use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals, as approved by the United States Food and Drug Administration, but does not include devices or their components, parts, or accessories; and (2) all other articles intended for and having for their main use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals, as approved by the United States Food and Drug Administration, but does not include devices or their components, parts, or accessories; and (3) articles (other than food) having for their main use and intended to affect the structure or any function of the body of man or other animals; and (4) articles having for their main use and intended for use as a component or any articles specified in clause (1), (2) or (3); but does not include devices or their components, parts or accessories.

(c) "Medicines" means and includes all drugs intended for human or veterinary use approved by the United States Food and Drug Administration.

(d) "Practice of pharmacy" means (1) the interpretation and the provision of assistance in the monitoring, evaluation, and implementation of prescription drug orders; (2) the dispensing of prescription drug orders; (3) participation in drug and device selection; (4) drug administration limited to the administration of oral, topical, injectable, and inhalation as follows: in the context of patient education on the proper use or delivery of medications; vaccination of patients 14 years of age and older pursuant to a valid prescription or standing order, by a physician licensed to practice medicine in all its branches, upon completion of appropriate training, including how to address contraindications and adverse reactions set forth by rule, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures; (5) vaccination of patients ages 10 through 13 limited to the Influenza (inactivated influenza vaccine and live attenuated influenza intranasal vaccine) and Tdap (defined as tetanus, diphtheria, acellular pertussis) vaccines, pursuant to a valid prescription or standing order, by a physician licensed to practice medicine in all its branches, upon completion of appropriate training, including how to address contraindications and adverse reactions set forth by rule, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures; (6) drug regimen review; (7) drug or drug-related research; (8) the provision of patient counseling; (9) the practice of telepharmacy; (10) the provision of those acts or services necessary to provide pharmacist care; (11)
medication therapy management; and (12) the responsibility for compounding and labeling of drugs and devices (except labeling by a manufacturer, repackager, or distributor of non-prescription drugs and commercially packaged legend drugs and devices), proper and safe storage of drugs and devices, and maintenance of required records. A pharmacist who performs any of the acts defined as the practice of pharmacy in this State must be actively licensed as a pharmacist under this Act.

(e) "Prescription" means and includes any written, oral, facsimile, or electronically transmitted order for drugs or medical devices, issued by a physician licensed to practice medicine in all its branches, dentist, veterinarian, or podiatrist, or optometrist, within the limits of their licenses, by a physician assistant in accordance with subsection (f) of Section 4, or by an advanced practice nurse in accordance with subsection (g) of Section 4, containing the following: (1) name of the patient; (2) date when prescription was issued; (3) name and strength of drug or description of the medical device prescribed; and (4) quantity; (5) directions for use; (6) prescriber's name, address, and signature; and (7) DEA number where required, for controlled substances. The prescription may, but is not required to, list the illness, disease, or condition for which the drug or device is being prescribed. DEA numbers shall not be required on inpatient drug orders.

(f) "Person" means and includes a natural person, copartnership, association, corporation, government entity, or any other legal entity.

(g) "Department" means the Department of Financial and Professional Regulation.

(h) "Board of Pharmacy" or "Board" means the State Board of Pharmacy of the Department of Financial and Professional Regulation.

(i) "Secretary" means the Secretary of Financial and Professional Regulation.

(j) "Drug product selection" means the interchange for a prescribed pharmaceutical product in accordance with Section 25 of this Act and Section 3.14 of the Illinois Food, Drug and Cosmetic Act.

(k) "Inpatient drug order" means an order issued by an authorized prescriber for a resident or patient of a facility licensed under the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Hospital Licensing Act, or "An Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs", approved July 3, 1931, as amended, or a facility which is operated by the
Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or the Department of Corrections.

(k-5) "Pharmacist" means an individual health care professional and provider currently licensed by this State to engage in the practice of pharmacy.

(l) "Pharmacist in charge" means the licensed pharmacist whose name appears on a pharmacy license and who is responsible for all aspects of the operation related to the practice of pharmacy.

(m) "Dispense" or "dispensing" means the interpretation, evaluation, and implementation of a prescription drug order, including the preparation and delivery of a drug or device to a patient or patient's agent in a suitable container appropriately labeled for subsequent administration to or use by a patient in accordance with applicable State and federal laws and regulations. "Dispense" or "dispensing" does not mean the physical delivery to a patient or a patient's representative in a home or institution by a designee of a pharmacist or by common carrier. "Dispense" or "dispensing" also does not mean the physical delivery of a drug or medical device to a patient or patient's representative by a pharmacist's designee within a pharmacy or drugstore while the pharmacist is on duty and the pharmacy is open.

(n) "Nonresident pharmacy" means a pharmacy that is located in a state, commonwealth, or territory of the United States, other than Illinois, that delivers, dispenses, or distributes, through the United States Postal Service, commercially acceptable parcel delivery service, or other common carrier, to Illinois residents, any substance which requires a prescription.

(o) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if all of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

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(p) (Blank).
(q) (Blank).
(r) "Patient counseling" means the communication between a pharmacist or a student pharmacist under the supervision of a pharmacist and a patient or the patient's representative about the patient's medication or device for the purpose of optimizing proper use of prescription medications or devices. "Patient counseling" may include without limitation (1) obtaining a medication history; (2) acquiring a patient's allergies and health conditions; (3) facilitation of the patient's understanding of the intended use of the medication; (4) proper directions for use; (5) significant potential adverse events; (6) potential food-drug interactions; and (7) the need to be compliant with the medication therapy. A pharmacy technician may only participate in the following aspects of patient counseling under the supervision of a pharmacist: (1) obtaining medication history; (2) providing the offer for counseling by a pharmacist or student pharmacist; and (3) acquiring a patient's allergies and health conditions.

(s) "Patient profiles" or "patient drug therapy record" means the obtaining, recording, and maintenance of patient prescription information, including prescriptions for controlled substances, and personal information.
(t) (Blank).
(u) "Medical device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component part or accessory, required under federal law to bear the label "Caution: Federal law requires dispensing by or on the order of a physician". A seller of goods and services who, only for the purpose of retail sales, compounds, sells, rents, or leases medical devices shall not, by reasons thereof, be required to be a licensed pharmacy.
(v) "Unique identifier" means an electronic signature, handwritten signature or initials, thumb print, or other acceptable biometric or electronic identification process as approved by the Department.
(w) "Current usual and customary retail price" means the price that a pharmacy charges to a non-third-party payor.
(x) "Automated pharmacy system" means a mechanical system located within the confines of the pharmacy or remote location that performs operations or activities, other than compounding or administration, relative to storage, packaging, dispensing, or distribution.

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of medication, and which collects, controls, and maintains all transaction information.

(y) "Drug regimen review" means and includes the evaluation of prescription drug orders and patient records for (1) known allergies; (2) drug or potential therapy contraindications; (3) reasonable dose, duration of use, and route of administration, taking into consideration factors such as age, gender, and contraindications; (4) reasonable directions for use; (5) potential or actual adverse drug reactions; (6) drug-drug interactions; (7) drug-food interactions; (8) drug-disease contraindications; (9) therapeutic duplication; (10) patient laboratory values when authorized and available; (11) proper utilization (including over or under utilization) and optimum therapeutic outcomes; and (12) abuse and misuse.

(z) "Electronic transmission prescription" means any prescription order for which a facsimile or electronic image of the order is electronically transmitted from a licensed prescriber to a pharmacy. "Electronic transmission prescription" includes both data and image prescriptions.

(aa) "Medication therapy management services" means a distinct service or group of services offered by licensed pharmacists, physicians licensed to practice medicine in all its branches, advanced practice nurses authorized in a written agreement with a physician licensed to practice medicine in all its branches, or physician assistants authorized in guidelines by a supervising physician that optimize therapeutic outcomes for individual patients through improved medication use. In a retail or other non-hospital pharmacy, medication therapy management services shall consist of the evaluation of prescription drug orders and patient medication records to resolve conflicts with the following:

1. known allergies;
2. drug or potential therapy contraindications;
3. reasonable dose, duration of use, and route of administration, taking into consideration factors such as age, gender, and contraindications;
4. reasonable directions for use;
5. potential or actual adverse drug reactions;
6. drug-drug interactions;
7. drug-food interactions;
8. drug-disease contraindications;
9. identification of therapeutic duplication;

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(10) patient laboratory values when authorized and available;
(11) proper utilization (including over or under utilization) and optimum therapeutic outcomes; and
(12) drug abuse and misuse.
"Medication therapy management services" includes the following:
(1) documenting the services delivered and communicating the information provided to patients' prescribers within an appropriate time frame, not to exceed 48 hours;
(2) providing patient counseling designed to enhance a patient's understanding and the appropriate use of his or her medications; and
(3) providing information, support services, and resources designed to enhance a patient's adherence with his or her prescribed therapeutic regimens.
"Medication therapy management services" may also include patient care functions authorized by a physician licensed to practice medicine in all its branches for his or her identified patient or groups of patients under specified conditions or limitations in a standing order from the physician.
"Medication therapy management services" in a licensed hospital may also include the following:
(1) reviewing assessments of the patient's health status; and
(2) following protocols of a hospital pharmacy and therapeutics committee with respect to the fulfillment of medication orders.
(bb) "Pharmacist care" means the provision by a pharmacist of medication therapy management services, with or without the dispensing of drugs or devices, intended to achieve outcomes that improve patient health, quality of life, and comfort and enhance patient safety.
(cc) "Protected health information" means individually identifiable health information that, except as otherwise provided, is:
(1) transmitted by electronic media;
(2) maintained in any medium set forth in the definition of "electronic media" in the federal Health Insurance Portability and Accountability Act; or
(3) transmitted or maintained in any other form or medium.
"Protected health information" does not include individually identifiable health information found in:

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(1) education records covered by the federal Family Educational Right and Privacy Act; or
(2) employment records held by a licensee in its role as an employer.

(dd) "Standing order" means a specific order for a patient or group of patients issued by a physician licensed to practice medicine in all its branches in Illinois.

(ee) "Address of record" means the address recorded by the Department in the applicant's or licensee's application file or license file, as maintained by the Department's licensure maintenance unit.

(ff) "Home pharmacy" means the location of a pharmacy's primary operations.

(Source: P.A. 96-339, eff. 7-1-10; 96-673, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1353, eff. 7-28-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1043, eff. 8-21-12.)

Section 6-235. The Nurse Agency Licensing Act is amended by changing Section 3 as follows:

(225 ILCS 510/3) (from Ch. 111, par. 953)
Sec. 3. Definitions. As used in this Act:
(a) "Certified nurse aide" means an individual certified as defined in Section 3-206 of the Nursing Home Care Act, Section 3-206 of the Specialized Mental Health Rehabilitation Act, or Section 3-206 of the ID/DD Community Care Act, as now or hereafter amended.
(b) "Department" means the Department of Labor.
(c) "Director" means the Director of Labor.
(d) "Health care facility" is defined as in Section 3 of the Illinois Health Facilities Planning Act, as now or hereafter amended.
(e) "Licensee" means any nursing agency which is properly licensed under this Act.
(f) "Nurse" means a registered nurse or a licensed practical nurse as defined in the Nurse Practice Act.
(g) "Nurse agency" means any individual, firm, corporation, partnership or other legal entity that employs, assigns or refers nurses or certified nurse aides to a health care facility for a fee. The term "nurse agency" includes nurses registries. The term "nurse agency" does not include services provided by home health agencies licensed and operated under the Home Health, Home Services, and Home Nursing Agency Licensing Act or a licensed or certified individual who provides his or her own services as a regular employee of a health care facility, nor does it
apply to a health care facility's organizing nonsalaried employees to
provide services only in that facility.
(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12;
97-813, eff. 7-13-12.)

Section 6-240. The Illinois Public Aid Code is amended by
changing Sections 5-5.2, 5-5.4, 5-5.7, 5-5f, 5-6, and 8A-11 as follows:
(305 ILCS 5/5-5.2) (from Ch. 23, par. 5-5.2)
Sec. 5-5.2. Payment.
(a) All nursing facilities that are grouped pursuant to Section 5-5.1
of this Act shall receive the same rate of payment for similar services.
(b) It shall be a matter of State policy that the Illinois Department
shall utilize a uniform billing cycle throughout the State for the long-term
care providers.
(c) Notwithstanding any other provisions of this Code, the
methodologies for reimbursement of nursing services as provided under
this Article shall no longer be applicable for bills payable for nursing
services rendered on or after a new reimbursement system based on the
Resource Utilization Groups (RUGs) has been fully operationalized,
which shall take effect for services provided on or after January 1, 2014.
(d) A new nursing services reimbursement methodology utilizing
RUGs IV 48 grouper model shall be established and may include an
Illinois-specific default group, as needed. The new RUGs-based nursing
services reimbursement methodology shall be resident-driven, facility-
specific, and cost-based. Costs shall be annually rebased and case mix
index quarterly updated. The methodology shall include regional wage
adjustors based on the Health Service Areas (HSA) groupings in effect on
April 30, 2012. The Department shall assign a case mix index to each
resident class based on the Centers for Medicare and Medicaid Services
staff time measurement study utilizing an index maximization approach.
(e) Notwithstanding any other provision of this Code, the
Department shall by rule develop a reimbursement methodology reflective
of the intensity of care and services requirements of low need residents in
the lowest RUG IV groupers and corresponding regulations.
(f) Notwithstanding any other provision of this Code, on and after
July 1, 2012, reimbursement rates associated with the nursing or support
components of the current nursing facility rate methodology shall not
increase beyond the level effective May 1, 2011 until a new
reimbursement system based on the RUGs IV 48 grouper model has been
fully operationalized.

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(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:

1. Individual nursing rates for residents classified in RUG IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;
2. Individual nursing rates for residents classified in all other RUG IV groups shall be reduced by 1.0%;
3. Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(Source: P.A. 96-1530, eff. 2-16-11; 97-689, eff. 6-14-12.)

(305 ILCS 5/5.4) (from Ch. 23, par. 5.4)

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services. The Department of Healthcare and Family Services shall develop standards of payment of nursing facility and ICF/DD services in facilities providing such services under this Article which:

1. Provide for the determination of a facility's payment for nursing facility or ICF/DD services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the ID/DD Community Care Act or the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before January 1, 2014, unless specifically provided for in this Section. The changes made

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by Public Act 93-841 extending the duration of the prohibition against a 
rate increase or update for inflation are effective retroactive to July 1, 
2004.

For facilities licensed by the Department of Public Health under 
the Nursing Home Care Act as Intermediate Care for the Developmentally 
Disabled facilities or Long Term Care for Under Age 22 facilities, the 
rates taking effect on July 1, 1998 shall include an increase of 3%. For 
facilities licensed by the Department of Public Health under the Nursing 
Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, 
the rates taking effect on July 1, 1998 shall include an increase of 3% plus 
$1.10 per resident-day, as defined by the Department. For facilities 
licensed by the Department of Public Health under the Nursing Home Care 
Act as Intermediate Care Facilities for the Developmentally Disabled or 
Long Term Care for Under Age 22 facilities, the rates taking effect on 
January 1, 2006 shall include an increase of 3%. For facilities licensed by 
the Department of Public Health under the Nursing Home Care Act as 
Intermediate Care Facilities for the Developmentally Disabled or Long 
Term Care for Under Age 22 facilities, the rates taking effect on January 1, 
2009 shall include an increase sufficient to provide a $0.50 per hour wage 
increase for non-executive staff.

For facilities licensed by the Department of Public Health under 
the Nursing Home Care Act as Intermediate Care for the Developmentally 
Disabled facilities or Long Term Care for Under Age 22 facilities, the 
rates taking effect on July 1, 1999 shall include an increase of 1.6% plus 
$3.00 per resident-day, as defined by the Department. For facilities 
licensed by the Department of Public Health under the Nursing Home Care 
Act as Skilled Nursing facilities or Intermediate Care facilities, the rates 
taking effect on July 1, 1999 shall include an increase of 1.6% and, for 
services provided on or after October 1, 1999, shall be increased by $4.00 
per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under 
the Nursing Home Care Act as Intermediate Care for the Developmentally 
Disabled facilities or Long Term Care for Under Age 22 facilities, the 
rates taking effect on July 1, 2000 shall include an increase of 2.5% per 
resident-day, as defined by the Department. For facilities licensed by the 
Department of Public Health under the Nursing Home Care Act as Skilled 
Nursing facilities or Intermediate Care facilities, the rates taking effect on 
July 1, 2000 shall include an increase of 2.5% per resident-day, as defined 
by the Department.

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For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

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Act as skilled nursing facilities or intermediate care facilities, except facilities participating in the Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

(i) For rates taking effect January 1, 2007, $60,000,000.
(ii) For rates taking effect January 1, 2008, $110,000,000.
(iii) For rates taking effect January 1, 2009, $194,000,000.
(iv) For rates taking effect April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, $416,500,000 or an amount as may be necessary to complete the transition to the MDS methodology for the nursing component of the rate. Increased payments under this item (iv) are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.
For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2009, the per diem support component of the rates effective on January 1, 2008, computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006, shall be increased to the amount that would have been derived using standard Department of Healthcare and Family Services methods, procedures, and inflators.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, or facilities licensed by the Department of Public

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Health under the Specialized Mental Health Rehabilitation Act of 2013, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor of 3.53. For services provided on or after April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, whichever is later, the Illinois Department may by rule adjust these socio-development component rates, and may use different adjustment methodologies for those facilities participating, and those not participating, in the Illinois Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, but in no case may such rates be diminished below those in effect on August 1, 2008.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 95th General Assembly shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed
through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

The Department shall develop enhanced payments to offset the additional costs incurred by a facility serving exceptional need residents

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and shall allocate at least $4,000,000 of the funds collected from the assessment established by Section 5B-2 of this Code for such payments. For the purpose of this Section, "exceptional needs" means, but need not be limited to, ventilator care, tracheotomy care, bariatric care, complex wound care, and traumatic brain injury care. The enhanced payments for exceptional need residents under this paragraph are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Beginning January 1, 2014 the methodologies for reimbursement of nursing facility services as provided under this Section 5-5.4 shall no longer be applicable for services provided on or after January 1, 2014.

No payment increase under this Section for the MDS methodology, exceptional care residents, or the socio-development component rate established by Public Act 96-1530 of the 96th General Assembly and funded by the assessment imposed under Section 5B-2 of this Code shall be due and payable until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under this Section have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under this Section and the waivers granted under 42 CFR 433.68, all increased payments otherwise due under this Section prior to the date of notification shall be due and payable within 90 days of the date federal approval is received.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-45, eff. 7-15-09; 96-339, eff. 7-1-10; 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1530, eff. 2-16-11; 97-10, eff. 6-14-11; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-584, eff. 8-26-11; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12.)

(305 ILCS 5/5-5.7) (from Ch. 23, par. 5-5.7)
Sec. 5-5.7. Cost Reports - Audits. The Department of Healthcare and Family Services shall work with the Department of Public Health to use cost report information currently being collected under provisions of the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, and the ID/DD Community Care Act. The Department of Healthcare and Family Services may, in conjunction with the Department of Public Health, develop in accordance with generally accepted accounting principles a uniform chart of accounts which each facility providing services under the medical assistance program shall adopt, after a reasonable period.

Facilities licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act and providers of adult developmental training services certified by the Department of Human Services pursuant to Section 15.2 of the Mental Health and Developmental Disabilities Administrative Act which provide services to clients eligible for medical assistance under this Article are responsible for submitting the required annual cost report to the Department of Healthcare and Family Services.

The Department of Healthcare and Family Services shall audit the financial and statistical records of each provider participating in the medical assistance program as a nursing facility, a specialized mental health rehabilitation facility, or an ICF/DD over a 3 year period, beginning with the close of the first cost reporting year. Following the end of this 3-year term, audits of the financial and statistical records will be performed each year in at least 20% of the facilities participating in the medical assistance program with at least 10% being selected on a random sample basis, and the remainder selected on the basis of exceptional profiles. All audits shall be conducted in accordance with generally accepted auditing standards.

The Department of Healthcare and Family Services shall establish prospective payment rates for categories or levels of services within each licensure class, in order to more appropriately recognize the individual needs of patients in nursing facilities.

The Department of Healthcare and Family Services shall provide, during the process of establishing the payment rate for nursing facility, specialized mental health rehabilitation facility, or ICF/DD services, or when a substantial change in rates is proposed, an opportunity for public review and comment on the proposed rates prior to their becoming effective.

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Sec. 5-5f. Elimination and limitations of medical assistance services. Notwithstanding any other provision of this Code to the contrary, on and after July 1, 2012:

(a) The following services shall no longer be a covered service available under this Code: group psychotherapy for residents of any facility licensed under the Nursing Home Care Act or the Specialized Mental Health Rehabilitation Act of 2013; and adult chiropractic services.

(b) The Department shall place the following limitations on services: (i) the Department shall limit adult eyeglasses to one pair every 2 years; (ii) the Department shall set an annual limit of a maximum of 20 visits for each of the following services: adult speech, hearing, and language therapy services, adult occupational therapy services, and physical therapy services; (iii) the Department shall limit podiatry services to individuals with diabetes; (iv) the Department shall pay for caesarean sections at the normal vaginal delivery rate unless a caesarean section was medically necessary; (v) the Department shall limit adult dental services to emergencies; and (vi) effective July 1, 2012, the Department shall place limitations and require concurrent review on every inpatient detoxification stay to prevent repeat admissions to any hospital for detoxification within 60 days of a previous inpatient detoxification stay. The Department shall convene a workgroup of hospitals, substance abuse providers, care coordination entities, managed care plans, and other stakeholders to develop recommendations for quality standards, diversion to other settings, and admission criteria for patients who need inpatient detoxification.

(c) The Department shall require prior approval of the following services: wheelchair repairs, regardless of the cost of the repairs, coronary artery bypass graft, and bariatric surgery consistent with Medicare standards concerning patient responsibility. The wholesale cost of power wheelchairs shall be actual acquisition cost including all discounts.

(d) The Department shall establish benchmarks for hospitals to measure and align payments to reduce potentially preventable hospital readmissions, inpatient complications, and unnecessary emergency room visits. In doing so, the Department shall consider items, including, but not limited to, historic and current acuity of care and historic and current trends in readmission. The Department shall publish provider-specific

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historical readmission data and anticipated potentially preventable targets 60 days prior to the start of the program. In the instance of readmissions, the Department shall adopt policies and rates of reimbursement for services and other payments provided under this Code to ensure that, by June 30, 2013, expenditures to hospitals are reduced by, at a minimum, $40,000,000.

(e) The Department shall establish utilization controls for the hospice program such that it shall not pay for other care services when an individual is in hospice.

(f) For home health services, the Department shall require Medicare certification of providers participating in the program, implement the Medicare face-to-face encounter rule, and limit services to post-hospitalization. The Department shall require providers to implement auditable electronic service verification based on global positioning systems or other cost-effective technology.

(g) For the Home Services Program operated by the Department of Human Services and the Community Care Program operated by the Department on Aging, the Department of Human Services, in cooperation with the Department on Aging, shall implement an electronic service verification based on global positioning systems or other cost-effective technology.

(h) The Department shall not pay for hospital admissions when the claim indicates a hospital acquired condition that would cause Medicare to reduce its payment on the claim had the claim been submitted to Medicare, nor shall the Department pay for hospital admissions where a Medicare identified "never event" occurred.

(i) The Department shall implement cost savings initiatives for advanced imaging services, cardiac imaging services, pain management services, and back surgery. Such initiatives shall be designed to achieve annual costs savings.

(Source: P.A. 97-689, eff. 6-14-12.)

(305 ILCS 5/5-6) (from Ch. 23, par. 5-6)

Sec. 5-6. Obligations incurred prior to death of a recipient. Obligations incurred but not paid for at the time of a recipient's death for services authorized under Section 5-5, including medical and other care in facilities as defined in the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, or in like facilities not required to be licensed under that Act, may be paid,
Sec. 8A-11. (a) No person shall:

(1) Knowingly charge a resident of a nursing home for any services provided pursuant to Article V of the Illinois Public Aid Code, money or other consideration at a rate in excess of the rates established for covered services by the Illinois Department pursuant to Article V of The Illinois Public Aid Code; or

(2) Knowingly charge, solicit, accept or receive, in addition to any amount otherwise authorized or required to be paid pursuant to Article V of The Illinois Public Aid Code, any gift, money, donation or other consideration:

(i) As a precondition to admitting or expediting the admission of a recipient or applicant, pursuant to Article V of The Illinois Public Aid Code, to a long-term care facility as defined in Section 1-113 of the Nursing Home Care Act or a facility as defined in Section 1-113 of the ID/DD Community Care Act or Section 1-113 of the Specialized Mental Health Rehabilitation Act of 2013; and

(ii) As a requirement for the recipient's or applicant's continued stay in such facility when the cost of the services provided therein to the recipient is paid for, in whole or in part, pursuant to Article V of The Illinois Public Aid Code.

(b) Nothing herein shall prohibit a person from making a voluntary contribution, gift or donation to a long-term care facility.

(c) This paragraph shall not apply to agreements to provide continuing care or life care between a life care facility as defined by the Life Care Facilities Act, and a person financially eligible for benefits pursuant to Article V of The Illinois Public Aid Code.

(d) Any person who violates this Section shall be guilty of a business offense and fined not less than $5,000 nor more than $25,000.

(e) "Person", as used in this Section, means an individual, corporation, partnership, or unincorporated association.

(f) The State's Attorney of the county in which the facility is located and the Attorney General shall be notified by the Illinois State's Attorney upon the filing of a charge under this Section.
Department of any alleged violations of this Section known to the Department.

(g) The Illinois Department shall adopt rules and regulations to carry out the provisions of this Section.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-245. The Elder Abuse and Neglect Act is amended by changing Section 2 as follows:

(320 ILCS 20/2) (from Ch. 23, par. 6602)

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

(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

(c) "Director" means the Director of the Department.

(d) "Domestic living situation" means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or a board and care home or other community-based unlicensed facility, but is not:

(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;

(1.5) A facility licensed under the ID/DD Community Care Act;

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(1.7) A facility licensed under the Specialized Mental Health Rehabilitation Act of 2013;
(2) A "life care facility" as defined in the Life Care Facilities Act;
(3) A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;
(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;
(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;
(6) (Blank);
(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;
(8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or
(9) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

e) "Eligible adult" means a person 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.

f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

1) a professional or professional's delegate while engaged in: (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietitian Nutritionist Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the
Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the
necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

(405 ILCS 5/2-107) (from Ch. 91 1/2, par. 2-107)
Sec. 2-107. Refusal of services; informing of risks.

New matter indicated in italics - deletions by strikeout
(a) An adult recipient of services or the recipient's guardian, if the recipient is under guardianship, and the recipient's substitute decision maker, if any, must be informed of the recipient's right to refuse medication or electroconvulsive therapy. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication or electroconvulsive therapy. If such services are refused, they shall not be given unless such services are necessary to prevent the recipient from causing serious and imminent physical harm to the recipient or others and no less restrictive alternative is available. The facility director shall inform a recipient, guardian, or substitute decision maker, if any, who refuses such services of alternate services available and the risks of such alternate services, as well as the possible consequences to the recipient of refusal of such services.

(b) Psychotropic medication or electroconvulsive therapy may be administered under this Section for up to 24 hours only if the circumstances leading up to the need for emergency treatment are set forth in writing in the recipient's record.

(c) Administration of medication or electroconvulsive therapy may not be continued unless the need for such treatment is redetermined at least every 24 hours based upon a personal examination of the recipient by a physician or a nurse under the supervision of a physician and the circumstances demonstrating that need are set forth in writing in the recipient's record.

(d) Neither psychotropic medication nor electroconvulsive therapy may be administered under this Section for a period in excess of 72 hours, excluding Saturdays, Sundays, and holidays, unless a petition is filed under Section 2-107.1 and the treatment continues to be necessary under subsection (a) of this Section. Once the petition has been filed, treatment may continue in compliance with subsections (a), (b), and (c) of this Section until the final outcome of the hearing on the petition.

(e) The Department shall issue rules designed to insure that in State-operated mental health facilities psychotropic medication and electroconvulsive therapy are administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. The facility director of each mental health facility not operated by the State shall issue rules designed to insure that in that facility psychotropic medication and electroconvulsive therapy are

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administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. Such rules shall be available for public inspection and copying during normal business hours.

(f) The provisions of this Section with respect to the emergency administration of psychotropic medication and electroconvulsive therapy do not apply to facilities licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act.

(g) Under no circumstances may long-acting psychotropic medications be administered under this Section.

(h) Whenever psychotropic medication or electroconvulsive therapy is refused pursuant to subsection (a) of this Section at least once that day, the physician shall determine and state in writing the reasons why the recipient did not meet the criteria for administration of medication or electroconvulsive therapy under subsection (a) and whether the recipient meets the standard for administration of psychotropic medication or electroconvulsive therapy under Section 2-107.1 of this Code. If the physician determines that the recipient meets the standard for administration of psychotropic medication or electroconvulsive therapy under Section 2-107.1, the facility director or his or her designee shall petition the court for administration of psychotropic medication or electroconvulsive therapy pursuant to that Section unless the facility director or his or her designee states in writing in the recipient's record why the filing of such a petition is not warranted. This subsection (h) applies only to State-operated mental health facilities.

(i) The Department shall conduct annual trainings for all physicians and registered nurses working in State-operated mental health facilities on the appropriate use of emergency administration of psychotropic medication and electroconvulsive therapy, standards for their use, and the methods of authorization under this Section.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-255. The Protection and Advocacy for Mentally Ill Persons Act is amended by changing Section 3 as follows:

(405 ILCS 45/3) (from Ch. 91 1/2, par. 1353)
Sec. 3. Powers and Duties.

New matter indicated in italics - deletions by strikeout
(A) In order to properly exercise its powers and duties, the agency shall have the authority to:

(1) Investigate incidents of abuse and neglect of mentally ill persons if the incidents are reported to the agency or if there is probable cause to believe that the incidents occurred. In case of conflict with provisions of the Abused and Neglected Child Reporting Act or the Nursing Home Care Act, the provisions of those Acts shall apply.

(2) Pursue administrative, legal and other appropriate remedies to ensure the protection of the rights of mentally ill persons who are receiving care and treatment in this State.

(3) Pursue administrative, legal and other remedies on behalf of an individual who:
   (a) was a mentally ill individual; and
   (b) is a resident of this State, but only with respect to matters which occur within 90 days after the date of the discharge of such individual from a facility providing care and treatment.

(4) Establish a board which shall:
   (a) advise the protection and advocacy system on policies and priorities to be carried out in protecting and advocating the rights of mentally ill individuals; and
   (b) include attorneys, mental health professionals, individuals from the public who are knowledgeable about mental illness, a provider of mental health services, individuals who have received or are receiving mental health services and family members of such individuals. At least one-half the members of the board shall be individuals who have received or are receiving mental health services or who are family members of such individuals.

(5) On January 1, 1988, and on January 1 of each succeeding year, prepare and transmit to the Secretary of the United States Department of Health and Human Services and to the Illinois Secretary of Human Services a report describing the activities, accomplishments and expenditures of the protection and advocacy system during the most recently completed fiscal year.

(B) The agency shall have access to all mental health facilities as defined in Sections 1-107 and 1-114 of the Mental Health and Developmental Disabilities Code, all facilities as defined in Section 1-113.
of the Nursing Home Care Act, all facilities as defined in Section 1-102 of the Specialized Mental Health Rehabilitation Act of 2013, all facilities as defined in Section 1-113 of the ID/DD Community Care Act, all facilities as defined in Section 2.06 of the Child Care Act of 1969, as now or hereafter amended, and all other facilities providing care or treatment to mentally ill persons. Such access shall be granted for the purposes of meeting with residents and staff, informing them of services available from the agency, distributing written information about the agency and the rights of persons who are mentally ill, conducting scheduled and unscheduled visits, and performing other activities designed to protect the rights of mentally ill persons.

(C) The agency shall have access to all records of mentally ill persons who are receiving care or treatment from a facility, subject to the limitations of this Act, the Mental Health and Developmental Disabilities Confidentiality Act, the Nursing Home Care Act and the Child Care Act of 1969, as now or hereafter amended. If the mentally ill person has a legal guardian other than the State or a designee of the State, the facility director shall disclose the guardian's name, address and telephone number to the agency upon its request. In cases of conflict with provisions of the Abused and Neglected Child Reporting Act and the Nursing Home Care Act, the provisions of the Abused and Neglected Child Reporting Act and the Nursing Home Care Act shall apply. The agency shall also have access, for the purpose of inspection and copying, to the records of a mentally ill person (i) who by reason of his or her mental or physical condition is unable to authorize the agency to have such access; (ii) who does not have a legal guardian or for whom the State or a designee of the State is the legal guardian; and (iii) with respect to whom a complaint has been received by the agency or with respect to whom there is probable cause to believe that such person has been subjected to abuse or neglect.

The agency shall provide written notice to the mentally ill person and the State guardian of the nature of the complaint based upon which the agency has gained access to the records. No record or the contents of the record shall be redisclosed by the agency unless the person who is mentally ill and the State guardian are provided 7 days advance written notice, except in emergency situations, of the agency's intent to redisclose such record. Within such 7-day period, the mentally ill person or the State guardian may seek an injunction prohibiting the agency's redisclosure of such record on the grounds that such redisclosure is contrary to the interests of the mentally ill person.

New matter indicated in italics - deletions by strikeout
Upon request, the authorized agency shall be entitled to inspect and copy any clinical or trust fund records of mentally ill persons which may further the agency's investigation of alleged problems affecting numbers of mentally ill persons. When required by law, any personally identifiable information of mentally ill persons shall be removed from the records. However, the agency may not inspect or copy any records or other materials when the removal of personally identifiable information imposes an unreasonable burden on any facility as defined by the Mental Health and Developmental Disabilities Code, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or any other facility providing care or treatment to mentally ill persons.

(D) Prior to instituting any legal action in a federal or State court on behalf of a mentally ill individual, an eligible protection and advocacy system, or a State agency or nonprofit organization which entered into a contract with such an eligible system under Section 104(a) of the federal Protection and Advocacy for Mentally Ill Individuals Act of 1986, shall exhaust in a timely manner all administrative remedies where appropriate. If, in pursuing administrative remedies, the system, State agency or organization determines that any matter with respect to such individual will not be resolved within a reasonable time, the system, State agency or organization may pursue alternative remedies, including the initiation of appropriate legal action.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-260. The Developmental Disability and Mental Disability Services Act is amended by changing Sections 2-3 and 5-1 as follows:

(405 ILCS 80/2-3) (from Ch. 91 1/2, par. 1802-3)

Sec. 2-3. As used in this Article, unless the context requires otherwise:

(a) "Agency" means an agency or entity licensed by the Department pursuant to this Article or pursuant to the Community Residential Alternatives Licensing Act.

(b) "Department" means the Department of Human Services, as successor to the Department of Mental Health and Developmental Disabilities.
(c) "Home-based services" means services provided to a mentally disabled adult who lives in his or her own home. These services include but are not limited to:

(1) home health services;
(2) case management;
(3) crisis management;
(4) training and assistance in self-care;
(5) personal care services;
(6) habilitation and rehabilitation services;
(7) employment-related services;
(8) respite care; and
(9) other skill training that enables a person to become self-supporting.

(d) "Legal guardian" means a person appointed by a court of competent jurisdiction to exercise certain powers on behalf of a mentally disabled adult.

(e) "Mentally disabled adult" means a person over the age of 18 years who lives in his or her own home; who needs home-based services, but does not require 24-hour-a-day supervision; and who has one of the following conditions: severe autism, severe mental illness, a severe or profound intellectual disability, or severe and multiple impairments.

(f) In one's "own home" means that a mentally disabled adult lives alone; or that a mentally disabled adult is in full-time residence with his or her parents, legal guardian, or other relatives; or that a mentally disabled adult is in full-time residence in a setting not subject to licensure under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the Child Care Act of 1969, as now or hereafter amended, with 3 or fewer other adults unrelated to the mentally disabled adult who do not provide home-based services to the mentally disabled adult.

(g) "Parent" means the biological or adoptive parent of a mentally disabled adult, or a person licensed as a foster parent under the laws of this State who acts as a mentally disabled adult's foster parent.

(h) "Relative" means any of the following relationships by blood, marriage or adoption: parent, son, daughter, brother, sister, grandparent, uncle, aunt, nephew, niece, great grandparent, great uncle, great aunt, stepbrother, stepsister, stepson, stepdaughter, stepparent or first cousin.

(i) "Severe autism" means a lifelong developmental disability which is typically manifested before 30 months of age and is characterized

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by severe disturbances in reciprocal social interactions; verbal and nonverbal communication and imaginative activity; and repertoire of activities and interests. A person shall be determined severely autistic, for purposes of this Article, if both of the following are present:

(1) Diagnosis consistent with the criteria for autistic disorder in the current edition of the Diagnostic and Statistical Manual of Mental Disorders.

(2) Severe disturbances in reciprocal social interactions; verbal and nonverbal communication and imaginative activity; repertoire of activities and interests. A determination of severe autism shall be based upon a comprehensive, documented assessment with an evaluation by a licensed clinical psychologist or psychiatrist. A determination of severe autism shall not be based solely on behaviors relating to environmental, cultural or economic differences.

(j) "Severe mental illness" means the manifestation of all of the following characteristics:

(1) A primary diagnosis of one of the major mental disorders in the current edition of the Diagnostic and Statistical Manual of Mental Disorders listed below:

(A) Schizophrenia disorder.
(B) Delusional disorder.
(C) Schizo-affective disorder.
(D) Bipolar affective disorder.
(E) Atypical psychosis.
(F) Major depression, recurrent.

(2) The individual's mental illness must substantially impair his or her functioning in at least 2 of the following areas:

(A) Self-maintenance.
(B) Social functioning.
(C) Activities of community living.
(D) Work skills.

(3) Disability must be present or expected to be present for at least one year.

A determination of severe mental illness shall be based upon a comprehensive, documented assessment with an evaluation by a licensed clinical psychologist or psychiatrist, and shall not be based solely on behaviors relating to environmental, cultural or economic differences.
(k) "Severe or profound intellectual disability" means a manifestation of all of the following characteristics:

(1) A diagnosis which meets Classification in Mental Retardation or criteria in the current edition of the Diagnostic and Statistical Manual of Mental Disorders for severe or profound mental retardation (an IQ of 40 or below). This must be measured by a standardized instrument for general intellectual functioning.

(2) A severe or profound level of disturbed adaptive behavior. This must be measured by a standardized adaptive behavior scale or informal appraisal by the professional in keeping with illustrations in Classification in Mental Retardation, 1983.

(3) Disability diagnosed before age of 18.

A determination of a severe or profound intellectual disability shall be based upon a comprehensive, documented assessment with an evaluation by a licensed clinical psychologist or certified school psychologist or a psychiatrist, and shall not be based solely on behaviors relating to environmental, cultural or economic differences.

(l) "Severe and multiple impairments" means the manifestation of all of the following characteristics:

(1) The evaluation determines the presence of a developmental disability which is expected to continue indefinitely, constitutes a substantial handicap and is attributable to any of the following:

   (A) Intellectual disability, which is defined as general intellectual functioning that is 2 or more standard deviations below the mean concurrent with impairment of adaptive behavior which is 2 or more standard deviations below the mean. Assessment of the individual's intellectual functioning must be measured by a standardized instrument for general intellectual functioning.

   (B) Cerebral palsy.

   (C) Epilepsy.

   (D) Autism.

   (E) Any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by intellectually disabled persons.

(2) The evaluation determines multiple handicaps in physical, sensory, behavioral or cognitive functioning which
constitute a severe or profound impairment attributable to one or more of the following:

(A) Physical functioning, which severely impairs the individual's motor performance that may be due to:

   (i) Neurological, psychological or physical involvement resulting in a variety of disabling conditions such as hemiplegia, quadriplegia or ataxia,

   (ii) Severe organ systems involvement such as congenital heart defect,

   (iii) Physical abnormalities resulting in the individual being non-mobile and non-ambulatory or confined to bed and receiving assistance in transferring, or

   (iv) The need for regular medical or nursing supervision such as gastrostomy care and feeding.

Assessment of physical functioning must be based on clinical medical assessment by a physician licensed to practice medicine in all its branches, using the appropriate instruments, techniques and standards of measurement required by the professional.

(B) Sensory, which involves severe restriction due to hearing or visual impairment limiting the individual's movement and creating dependence in completing most daily activities. Hearing impairment is defined as a loss of 70 decibels aided or speech discrimination of less than 50% aided. Visual impairment is defined as 20/200 corrected in the better eye or a visual field of 20 degrees or less. Sensory functioning must be based on clinical medical assessment by a physician licensed to practice medicine in all its branches using the appropriate instruments, techniques and standards of measurement required by the professional.

(C) Behavioral, which involves behavior that is maladaptive and presents a danger to self or others, is destructive to property by deliberately breaking, destroying or defacing objects, is disruptive by fighting, or has other socially offensive behaviors in sufficient frequency or severity to seriously limit social integration. Assessment of behavioral functioning may be measured by a standardized
scale or informal appraisal by a clinical psychologist or psychiatrist.

(D) Cognitive, which involves intellectual functioning at a measured IQ of 70 or below. Assessment of cognitive functioning must be measured by a standardized instrument for general intelligence.

(3) The evaluation determines that development is substantially less than expected for the age in cognitive, affective or psychomotor behavior as follows:

(A) Cognitive, which involves intellectual functioning at a measured IQ of 70 or below. Assessment of cognitive functioning must be measured by a standardized instrument for general intelligence.

(B) Affective behavior, which involves over and under responding to stimuli in the environment and may be observed in mood, attention to awareness, or in behaviors such as euphoria, anger or sadness that seriously limit integration into society. Affective behavior must be based on clinical assessment using the appropriate instruments, techniques and standards of measurement required by the professional.

(C) Psychomotor, which includes a severe developmental delay in fine or gross motor skills so that development in self-care, social interaction, communication or physical activity will be greatly delayed or restricted.

(4) A determination that the disability originated before the age of 18 years.

A determination of severe and multiple impairments shall be based upon a comprehensive, documented assessment with an evaluation by a licensed clinical psychologist or psychiatrist.

If the examiner is a licensed clinical psychologist, ancillary evaluation of physical impairment, cerebral palsy or epilepsy must be made by a physician licensed to practice medicine in all its branches.

Regardless of the discipline of the examiner, ancillary evaluation of visual impairment must be made by an ophthalmologist or a licensed optometrist.

Regardless of the discipline of the examiner, ancillary evaluation of hearing impairment must be made by an otolaryngologist or an audiologist with a certificate of clinical competency.

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The only exception to the above is in the case of a person with cerebral palsy or epilepsy who, according to the eligibility criteria listed below, has multiple impairments which are only physical and sensory. In such a case, a physician licensed to practice medicine in all its branches may serve as the examiner.

(m) "Twenty-four-hour-a-day supervision" means 24-hour-a-day care by a trained mental health or developmental disability professional on an ongoing basis.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(405 ILCS 80/5-1) (from Ch. 91 1/2, par. 1805-1)

Sec. 5-1. As the mental health and developmental disabilities or intellectual disabilities authority for the State of Illinois, the Department of Human Services shall have the authority to license, certify and prescribe standards governing the programs and services provided under this Act, as well as all other agencies or programs which provide home-based or community-based services to the mentally disabled, except those services, programs or agencies established under or otherwise subject to the Child Care Act of 1969, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, as now or hereafter amended, and this Act shall not be construed to limit the application of those Acts.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-265. The Facilities Requiring Smoke Detectors Act is amended by changing Section 1 as follows:

(425 ILCS 10/1) (from Ch. 127 1/2, par. 821)

Sec. 1. For purposes of this Act, unless the context requires otherwise:

(a) "Facility" means:

(1) Any long-term care facility as defined in Section 1-113 of the Nursing Home Care Act or any facility as defined in Section 1-113 of the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, as amended;

(2) Any community residential alternative as defined in paragraph (4) of Section 3 of the Community Residential Alternatives Licensing Act, as amended; and

(3) Any child care facility as defined in Section 2.05 of the Child Care Act of 1969, as amended.

New matter indicated in italics - deletions by strikeout
(b) "Approved smoke detector" or "detector" means a smoke detector of the ionization or photoelectric type which complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal. (Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-270. The Criminal Code of 2012 is amended by changing Sections 12-4.4a and 26-1 as follows:

(720 ILCS 5/12-4.4a)
Sec. 12-4.4a. Abuse or criminal neglect of a long term care facility resident; criminal abuse or neglect of an elderly person or person with a disability.

(a) Abuse or criminal neglect of a long term care facility resident.

(1) A person or an owner or licensee commits abuse of a long term care facility resident when he or she knowingly causes any physical or mental injury to, or commits any sexual offense in this Code against, a resident.

(2) A person or an owner or licensee commits criminal neglect of a long term care facility resident when he or she recklessly:

(A) performs acts that cause a resident's life to be endangered, health to be injured, or pre-existing physical or mental condition to deteriorate, or that create the substantial likelihood that an elderly person's or person with a disability's life will be endangered, health will be injured, or pre-existing physical or mental condition will deteriorate;

(B) fails to perform acts that he or she knows or reasonably should know are necessary to maintain or preserve the life or health of a resident, and that failure causes the resident's life to be endangered, health to be injured, or pre-existing physical or mental condition to deteriorate, or that create the substantial likelihood that an elderly person's or person with a disability's life will be endangered, health will be injured, or pre-existing physical or mental condition will deteriorate; or

(C) abandons a resident.

(3) A person or an owner or licensee commits neglect of a long term care facility resident when he or she negligently fails to provide adequate medical care, personal care, or maintenance to

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the resident which results in physical or mental injury or deterioration of the resident's physical or mental condition. An owner or licensee is guilty under this subdivision (a)(3), however, only if the owner or licensee failed to exercise reasonable care in the hiring, training, supervising, or providing of staff or other related routine administrative responsibilities.

(b) Criminal abuse or neglect of an elderly person or person with a disability.

(1) A caregiver commits criminal abuse or neglect of an elderly person or person with a disability when he or she knowingly does any of the following:

   (A) performs acts that cause the person's life to be endangered, health to be injured, or pre-existing physical or mental condition to deteriorate;

   (B) fails to perform acts that he or she knows or reasonably should know are necessary to maintain or preserve the life or health of the person, and that failure causes the person's life to be endangered, health to be injured, or pre-existing physical or mental condition to deteriorate;

   (C) abandons the person;

   (D) physically abuses, harasses, intimidates, or interferes with the personal liberty of the person; or

   (E) exposes the person to willful deprivation.

(2) It is not a defense to criminal abuse or neglect of an elderly person or person with a disability that the caregiver reasonably believed that the victim was not an elderly person or person with a disability.

(c) Offense not applicable.

(1) Nothing in this Section applies to a physician licensed to practice medicine in all its branches or a duly licensed nurse providing care within the scope of his or her professional judgment and within the accepted standards of care within the community.

(2) Nothing in this Section imposes criminal liability on a caregiver who made a good faith effort to provide for the health and personal care of an elderly person or person with a disability, but through no fault of his or her own was unable to provide such care.

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(3) Nothing in this Section applies to the medical supervision, regulation, or control of the remedial care or treatment of residents in a long term care facility conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination as described in Section 3-803 of the Nursing Home Care Act, Section 1-102 3-803 of the Specialized Mental Health Rehabilitation Act of 2013, or Section 3-803 of the ID/DD Community Care Act.

(4) Nothing in this Section prohibits a caregiver from providing treatment to an elderly person or person with a disability by spiritual means through prayer alone and care consistent therewith in lieu of medical care and treatment in accordance with the tenets and practices of any church or religious denomination of which the elderly person or person with a disability is a member.

(5) Nothing in this Section limits the remedies available to the victim under the Illinois Domestic Violence Act of 1986.

(d) Sentence.

(1) Long term care facility. Abuse of a long term care facility resident is a Class 3 felony. Criminal neglect of a long term care facility resident is a Class 4 felony, unless it results in the resident's death in which case it is a Class 3 felony. Neglect of a long term care facility resident is a petty offense.

(2) Caregiver. Criminal abuse or neglect of an elderly person or person with a disability is a Class 3 felony, unless it results in the person's death in which case it is a Class 2 felony, and if imprisonment is imposed it shall be for a minimum term of 3 years and a maximum term of 14 years.

(e) Definitions. For the purposes of this Section:

"Abandon" means to desert or knowingly forsake a resident or an elderly person or person with a disability under circumstances in which a reasonable person would continue to provide care and custody.

"Caregiver" means a person who has a duty to provide for an elderly person or person with a disability's health and personal care, at the elderly person or person with a disability's place of residence, including, but not limited to, food and nutrition, shelter, hygiene, prescribed medication, and medical care and treatment, and includes any of the following:

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(1) A parent, spouse, adult child, or other relative by blood or marriage who resides with or resides in the same building with or regularly visits the elderly person or person with a disability, knows or reasonably should know of such person's physical or mental impairment, and knows or reasonably should know that such person is unable to adequately provide for his or her own health and personal care.

(2) A person who is employed by the elderly person or person with a disability or by another to reside with or regularly visit the elderly person or person with a disability and provide for such person's health and personal care.

(3) A person who has agreed for consideration to reside with or regularly visit the elderly person or person with a disability and provide for such person's health and personal care.

(4) A person who has been appointed by a private or public agency or by a court of competent jurisdiction to provide for the elderly person or person with a disability's health and personal care.

"Caregiver" does not include a long-term care facility licensed or certified under the Nursing Home Care Act or a facility licensed or certified under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, or any administrative, medical, or other personnel of such a facility, or a health care provider who is licensed under the Medical Practice Act of 1987 and renders care in the ordinary course of his or her profession.

"Elderly person" means a person 60 years of age or older who is incapable of adequately providing for his or her own health and personal care.

"Licensee" means the individual or entity licensed to operate a facility under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the Assisted Living and Shared Housing Act.

"Long term care facility" means a private home, institution, building, residence, or other place, whether operated for profit or not, or a county home for the infirm and chronically ill operated pursuant to Division 5-21 or 5-22 of the Counties Code, or any similar institution operated by the State of Illinois or a political subdivision thereof, which provides, through its ownership or management, personal care, sheltered care, or nursing for 3 or more persons not related to the owner by blood or

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marriage. The term also includes skilled nursing facilities and intermediate care facilities as defined in Titles XVIII and XIX of the federal Social Security Act and assisted living establishments and shared housing establishments licensed under the Assisted Living and Shared Housing Act.

"Owner" means the owner a long term care facility as provided in the Nursing Home Care Act, the owner of a facility as provided under the Specialized Mental Health Rehabilitation Act of 2013, the owner of a facility as provided in the ID/DD Community Care Act, or the owner of an assisted living or shared housing establishment as provided in the Assisted Living and Shared Housing Act.

"Person with a disability" means a person who suffers from a permanent physical or mental impairment, resulting from disease, injury, functional disorder, or congenital condition, which renders the person incapable of adequately providing for his or her own health and personal care.

"Resident" means a person residing in a long term care facility.

"Willful deprivation" has the meaning ascribed to it in paragraph (15) of Section 103 of the Illinois Domestic Violence Act of 1986.

(Source: P.A. 96-1551, eff. 7-1-11; incorporates 97-38, eff. 6-28-11, and 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13.)

(720 ILCS 5/26-1) (from Ch. 38, par. 26-1)
Sec. 26-1. Disorderly conduct.
(a) A person commits disorderly conduct when he or she knowingly:

(1) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace;

(2) Transmits or causes to be transmitted in any manner to the fire department of any city, town, village or fire protection district a false alarm of fire, knowing at the time of the transmission that there is no reasonable ground for believing that the fire exists;

(3) Transmits or causes to be transmitted in any manner to another a false alarm to the effect that a bomb or other explosive of any nature or a container holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in a place where its explosion or release would endanger human life, knowing at the time of the transmission that there is no reasonable ground for believing that the bomb, explosive or a container

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holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in the place;

(3.5) Transmits or causes to be transmitted a threat of destruction of a school building or school property, or a threat of violence, death, or bodily harm directed against persons at a school, school function, or school event, whether or not school is in session;

(4) Transmits or causes to be transmitted in any manner to any peace officer, public officer or public employee a report to the effect that an offense will be committed, is being committed, or has been committed, knowing at the time of the transmission that there is no reasonable ground for believing that the offense will be committed, is being committed, or has been committed;

(5) Transmits or causes to be transmitted a false report to any public safety agency without the reasonable grounds necessary to believe that transmitting the report is necessary for the safety and welfare of the public; or

(6) Calls the number "911" for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call or transmission is made, the person knows there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency;

(7) Transmits or causes to be transmitted a false report to the Department of Children and Family Services under Section 4 of the "Abused and Neglected Child Reporting Act";

(8) Transmits or causes to be transmitted a false report to the Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;

(9) Transmits or causes to be transmitted in any manner to the police department or fire department of any municipality or fire protection district, or any privately owned and operated ambulance service, a false request for an ambulance, emergency medical technician-ambulance or emergency medical technician-paramedic knowing at the time there is no reasonable ground for believing that the assistance is required;

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(10) Transmits or causes to be transmitted a false report under Article II of "An Act in relation to victims of violence and abuse", approved September 16, 1984, as amended;

(11) Enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it; or

(12) While acting as a collection agency as defined in the Collection Agency Act or as an employee of the collection agency, and while attempting to collect an alleged debt, makes a telephone call to the alleged debtor which is designed to harass, annoy or intimidate the alleged debtor.

(b) Sentence. A violation of subsection (a)(1) of this Section is a Class C misdemeanor. A violation of subsection (a)(5) or (a)(11) of this Section is a Class A misdemeanor. A violation of subsection (a)(8) or (a)(10) of this Section is a Class B misdemeanor. A violation of subsection (a)(2), (a)(3.5), (a)(4), (a)(6), (a)(7), or (a)(9) of this Section is a Class 4 felony. A violation of subsection (a)(3) of this Section is a Class 3 felony, for which a fine of not less than $3,000 and no more than $10,000 shall be assessed in addition to any other penalty imposed.

A violation of subsection (a)(12) of this Section is a Business Offense and shall be punished by a fine not to exceed $3,000. A second or subsequent violation of subsection (a)(7) or (a)(5) of this Section is a Class 4 felony. A third or subsequent violation of subsection (a)(11) of this Section is a Class 4 felony.

(c) In addition to any other sentence that may be imposed, a court shall order any person convicted of disorderly conduct to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service.

This subsection does not apply when the court imposes a sentence of incarceration.

(d) In addition to any other sentence that may be imposed, the court shall order any person convicted of disorderly conduct under paragraph (3) of subsection (a) involving a false alarm of a threat that a bomb or explosive device has been placed in a school to reimburse the unit of government that employs the emergency response officer or officers that
were dispatched to the school for the cost of the search for a bomb or explosive device. For the purposes of this Section, "emergency response" means any incident requiring a response by a police officer, a firefighter, a State Fire Marshal employee, or an ambulance. (Source: P.A. 96-339, eff. 7-1-10; 96-413, eff. 8-13-09; 96-772, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1261, eff. 1-1-11; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1108, eff. 1-1-13.)

Section 6-275. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:

(730 ILCS 5/5-5-3.2)
Sec. 5-5-3.2. Factors in Aggravation and Extended-Term Sentencing.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1 or Article 4.5 of Chapter V:

(1) the defendant's conduct caused or threatened serious harm;

(2) the defendant received compensation for committing the offense;

(3) the defendant has a history of prior delinquency or criminal activity;

(4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;

(5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;

(6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;

(7) the sentence is necessary to deter others from committing the same crime;

(8) the defendant committed the offense against a person 60 years of age or older or such person's property;

(9) the defendant committed the offense against a person who is physically handicapped or such person's property;

(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant

New matter indicated in italics - deletions by strikeout
committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;

(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;

(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;

(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;

(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 11-0.1 of the Criminal Code of 2012, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 against that victim;

(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

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(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of
Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(22) the defendant committed the offense against a person that the defendant knew, or reasonably should have known, was a member of the Armed Forces of the United States serving on active duty. For purposes of this clause (22), the term "Armed Forces" means any of the Armed Forces of the United States, including a member of any reserve component thereof or National Guard unit called to active duty;

(23) the defendant committed the offense against a person who was elderly, disabled, or infirm by taking advantage of a family or fiduciary relationship with the elderly, disabled, or infirm person;

(24) the defendant committed any offense under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 and possessed 100 or more images;

(25) the defendant committed the offense while the defendant or the victim was in a train, bus, or other vehicle used for public transportation;

(26) the defendant committed the offense of child pornography or aggravated child pornography, specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal
Code of 2012 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context and specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or Section 11-20.3 of the Criminal Code of 1961 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context;

(27) the defendant committed the offense of first degree murder, assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person who was a veteran and the defendant knew, or reasonably should have known, that the person was a veteran performing duties as a representative of a veterans' organization. For the purposes of this paragraph (27), "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces; and "veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit; or

(28) the defendant committed the offense of assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person that the defendant knew or reasonably should have known was a letter carrier or postal worker while that person was performing his or her duties delivering mail for the United States Postal Service.

For the purposes of this Section:
"School" is defined as a public or private elementary or secondary school, community college, college, or university.
"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.
"Public transportation" means the transportation or conveyance of persons by means available to the general public, and includes paratransit services.

(b) The following factors, related to all felonies, may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;
(ii) a person 60 years of age or older at the time of the offense or such person's property; or
(iii) a person physically handicapped at the time of the offense or such person's property; or

(4) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;
(ii) the theft of human corpses;
(iii) the kidnapping of humans;
(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or
(v) ritualized abuse of a child; or

(5) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense.
and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(6) When a defendant is convicted of an offense committed while using a firearm with a laser sight attached to it. For purposes of this paragraph, "laser sight" has the meaning ascribed to it in Section 26-7 of the Criminal Code of 2012; or

(7) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(8) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged.

(c) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

(1) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and the charges are separately brought and tried and arise out of different series of acts.

(1.5) When a defendant is convicted of first degree murder, after having been previously convicted of domestic battery (720 ILCS 5/12-3.2) or aggravated domestic battery (720 ILCS 5/12-3.3) committed on the same victim or after having been previously convicted of violation of an order of protection (720 ILCS 5/12-30) in which the same victim was the protected person.

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(2) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter, or reckless homicide in which the defendant has been convicted of causing the death of more than one individual.

(3) When a defendant is convicted of aggravated criminal sexual assault or criminal sexual assault, when there is a finding that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective.

(4) If the victim was under 18 years of age at the time of the commission of the offense, when a defendant is convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 11-1.40 or subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/11-1.40 or 5/12-14.1).

(5) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) and there is a finding that the defendant is a member of an organized gang.

(6) When a defendant was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

(7) When a defendant is convicted of an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act (720 ILCS 646/25), or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph, "emergency" means a situation in which a person's life,

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health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(d) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(e) The court may impose an extended term sentence under Article 4.5 of Chapter V upon an offender who has been convicted of a felony violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the offender; and the offender, at the time of the commission of the offense, knew or should have known that the victim had consumed alcohol.

(Source: P.A. 96-41, eff. 1-1-10; 96-292, eff. 1-1-10; 96-328, eff. 8-11-09; 96-339, eff. 7-1-10; 96-1000, eff. 8-11-09; 96-1228, eff. 1-1-11; 96-1390, eff. 1-1-11; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 97-38, eff. 6-28-11, 97-227, eff. 1-1-12; 97-333, eff. 8-12-11; 97-693, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 6-285. The Code of Civil Procedure is amended by changing Section 2-203 as follows:

(735 ILCS 5/2-203) (from Ch. 110, par. 2-203)
Sec. 2-203. Service on individuals.

(a) Except as otherwise expressly provided, service of summons upon an individual defendant shall be made (1) by leaving a copy of the summons with the defendant personally, (2) by leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the contents of the summons, provided the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the defendant at his or her usual place of abode, or (3) as provided in Section 1-2-9.2 of the Illinois Municipal Code with respect to violation of an ordinance

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governing parking or standing of vehicles in cities with a population over 500,000. The certificate of the officer or affidavit of the person that he or she has sent the copy in pursuance of this Section is evidence that he or she has done so. No employee of a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act shall obstruct an officer or other person making service in compliance with this Section.

(b) The officer, in his or her certificate or in a record filed and maintained in the Sheriff's office, or other person making service, in his or her affidavit or in a record filed and maintained in his or her employer's office, shall (1) identify as to sex, race, and approximate age the defendant or other person with whom the summons was left and (2) state the place where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant or other person.

(c) Any person who knowingly sets forth in the certificate or affidavit any false statement, shall be liable in civil contempt. When the court holds a person in civil contempt under this Section, it shall award such damages as it determines to be just and, when the contempt is prosecuted by a private attorney, may award reasonable attorney's fees.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 6-290. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2BBB as follows:

(815 ILCS 505/2BBB)

Sec. 2BBB. Long term care facility, ID/DD facility, or specialized mental health rehabilitation facility; Consumer Choice Information Report. A long term care facility that fails to comply with Section 2-214 of the Nursing Home Care Act or a facility that fails to comply with Section 2-214 of the ID/DD Community Care Act or Section 2-214 of the Specialized Mental Health Rehabilitation Act commits an unlawful practice within the meaning of this Act.

(Source: P.A. 96-328, eff. 8-11-09; 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

ARTICLE 7.

Section 7-10. The Children's Health Insurance Program Act is amended by changing Sections 15, 25, 30, and 35 as follows:

(215 ILCS 106/15)

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Sec. 15. Operation of the Program. There is hereby created a Children's Health Insurance Program. The Program shall operate subject to appropriation and shall be administered by the Department of Healthcare and Family Services. The Department shall have the powers and authority granted to the Department under the Illinois Public Aid Code, including, but not limited to, Section 11-5.1 of the Code. The Department may contract with a Third Party Administrator or other entities to administer and oversee any portion of this Program. Beginning October 1, 2013, the determination of eligibility under this Act shall comply with the requirements of 42 U.S.C. 1397bb(b)(1)(B)(v) and applicable federal regulations. If changes made to this Section require federal approval, they shall not take effect until such approval has been received.

(Source: P.A. 95-331, eff. 8-21-07; 96-1501, eff. 1-25-11.)

(215 ILCS 106/25)

Sec. 25. Health benefits for children.

(a) The Department shall, subject to appropriation, provide health benefits coverage to eligible children by:

(1) Until December 31, 2013 and providing that no application for such coverage shall be accepted after September 30, 2013, subsidizing the cost of privately sponsored health insurance, including employer based health insurance, to assist families to take advantage of available privately sponsored health insurance for their eligible children; and

(2) Purchasing, until December 31, 2013, or providing health care benefits for eligible children. The health benefits provided under this subdivision (a)(2) shall, subject to appropriation and without regard to any applicable cost sharing under Section 30, be identical to the benefits provided for children under the State's approved plan under Title XIX of the Social Security Act. Providers under this subdivision (a)(2) shall be subject to approval by the Department to provide health care under the Illinois Public Aid Code and shall be reimbursed at the same rate as providers under the State's approved plan under Title XIX of the Social Security Act. In addition, providers may retain co-payments when determined appropriate by the Department.

(b) The subsidization provided pursuant to subdivision (a)(1) shall be credited to the family of the eligible child.

(c) The Department is prohibited from denying coverage to a child who is enrolled in a privately sponsored health insurance plan pursuant to

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subdivision (a)(1) because the plan does not meet federal benchmarking standards or cost sharing and contribution requirements. To be eligible for inclusion in the Program, the plan shall contain comprehensive major medical coverage which shall consist of physician and hospital inpatient services. The Department is prohibited from denying coverage to a child who is enrolled in a privately sponsored health insurance plan pursuant to subdivision (a)(1) because the plan offers benefits in addition to physician and hospital inpatient services.

(d) The total dollar amount of subsidizing coverage per child per month pursuant to subdivision (a)(1) shall be equal to the average dollar payments, less premiums incurred, per child per month pursuant to subdivision (a)(2). The Department shall set this amount prospectively based upon the prior fiscal year's experience adjusted for incurred but not reported claims and estimated increases or decreases in the cost of medical care. Payments obligated before July 1, 1999, will be computed using State Fiscal Year 1996 payments for children eligible for Medical Assistance and income assistance under the Aid to Families with Dependent Children Program, with appropriate adjustments for cost and utilization changes through January 1, 1999. The Department is prohibited from providing a subsidy pursuant to subdivision (a)(1) that is more than the individual's monthly portion of the premium.

(e) An eligible child may obtain immediate coverage under this Program only once during a medical visit. If coverage lapses, re-enrollment shall be completed in advance of the next covered medical visit and the first month's required premium shall be paid in advance of any covered medical visit.

(f) In order to accelerate and facilitate the development of networks to deliver services to children in areas outside counties with populations in excess of 3,000,000, in the event less than 25% of the eligible children in a county or contiguous counties has enrolled with a Health Maintenance Organization pursuant to Section 5-11 of the Illinois Public Aid Code, the Department may develop and implement demonstration projects to create alternative networks designed to enhance enrollment and participation in the program. The Department shall prescribe by rule the criteria, standards, and procedures for effecting demonstration projects under this Section.

(g) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Act or the Illinois Public Aid Code to
reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e of the Illinois Public Aid Code.
(Source: P.A. 97-689, eff. 6-14-12.)
(215 ILCS 106/30)
Sec. 30. Cost sharing.
(a) Children enrolled in a health benefits program pursuant to subdivision (a)(2) of Section 25 and persons enrolled in a health benefits waiver program pursuant to Section 40 shall be subject to the following cost sharing requirements:

(1) There shall be no co-payment required for well-baby or well-child care, including age-appropriate immunizations as required under federal law.

(2) Health insurance premiums for family members, either children or adults, in families whose household income is above 150% of the federal poverty level shall be payable monthly, subject to rules promulgated by the Department for grace periods and advance payments, and shall be as follows:

(A) $15 per month for one family member.
(B) $25 per month for 2 family members.
(C) $30 per month for 3 family members.
(D) $35 per month for 4 family members.
(E) $40 per month for 5 or more family members.

(3) Co-payments for children or adults in families whose income is at or below 150% of the federal poverty level, at a minimum and to the extent permitted under federal law, shall be $2 for all medical visits and prescriptions provided under this Act and up to $10 for emergency room use for a non-emergency situation as defined by the Department by rule and subject to federal approval.

(4) Co-payments for children or adults in families whose income is above 150% of the federal poverty level, at a minimum and to the extent permitted under federal law shall be as follows:

(A) $5 for medical visits.
(B) $3 for generic prescriptions and $5 for brand name prescriptions.
(C) $25 for emergency room use for a non-emergency situation as defined by the Department by rule.

(5) (Blank).
(6) Co-payments shall be maximized to the extent permitted by federal law and are subject to federal approval.
(b) **Blank**. Individuals enrolled in a privately sponsored health insurance plan pursuant to subdivision (a)(1) of Section 25 shall be subject to the cost sharing provisions as stated in the privately sponsored health insurance plan.

(Source: P.A. 97-74, eff. 6-30-11.)

(215 ILCS 106/35)

Sec. 35. Funding.

(a) This Program is not an entitlement and shall not be construed to create an entitlement. Eligibility for the Program is subject to appropriation of funds by the State and federal governments. Subdivision (a)(2) of Section 25 shall operate and be funded only if subdivision (a)(1) of Section 25 is operational and funded. The estimated net State share of appropriated funds for subdivision (a)(2) of Section 25 shall be equal to the estimated net State share of appropriated funds for subdivision (a)(1) of Section 25.

(b) Any requirement imposed under this Act and any implementation of this Act by the Department shall cease in the event (1) continued receipt of federal funds for implementation of this Act requires an amendment to this Act, or (2) federal funds for implementation of the Act are not otherwise available.

(c) Payments under this Act shall be appropriated from the General Revenue Fund and other funds that are authorized to be used to reimburse or make medical payments for health care benefits under this Act or Title XXI of the Social Security Act.

(d) Benefits under this Act shall be available only as long as the intergovernmental agreements made pursuant to Section 12-4.7 and Article XV of the Illinois Public Aid Code and entered into between the Department and the Cook County Board of Commissioners continue to exist.

(Source: P.A. 90-736, eff. 8-12-98; 91-24, eff. 7-1-99.)

Section 7-20. The Covering ALL KIDS Health Insurance Act is amended by changing Section 15 as follows:

(215 ILCS 170/15)

Sec. 15. Operation of Program. The Covering ALL KIDS Health Insurance Program is created. The Program shall be administered by the Department of Healthcare and Family Services. The Department shall have the same powers and authority to administer the Program as are provided to the Department in connection with the Department's administration of

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the Illinois Public Aid Code, including, but not limited to, the provisions under Section 11-5.1 of the Code, and the Children's Health Insurance Program Act. The Department shall coordinate the Program with the existing children's health programs operated by the Department and other State agencies. Effective October 1, 2013, the determination of eligibility under this Act shall comply with the requirements of 42 U.S.C. 1397bb(b)(1)(B)(v) and applicable federal regulations. If changes made to this Section require federal approval, they shall not take effect until such approval has been received.

(Source: P.A. 96-1501, eff. 1-25-11.)

Section 7-30. The Illinois Public Aid Code is amended by changing Section 5-1.1 as follows:

(305 ILCS 5/5-1.1) (from Ch. 23, par. 5-1.1)

Sec. 5-1.1. Definitions. The terms defined in this Section shall have the meanings ascribed to them, except when the context otherwise requires.

(a) "Nursing facility" means a facility, licensed by the Department of Public Health under the Nursing Home Care Act, that provides nursing facility services within the meaning of Title XIX of the federal Social Security Act.

(b) "Intermediate care facility for the developmentally disabled" or "ICF/DD" means a facility, licensed by the Department of Public Health under the ID/DD Community Care Act, that is an intermediate care facility for the mentally retarded within the meaning of Title XIX of the federal Social Security Act.

(c) "Standard services" means those services required for the care of all patients in the facility and shall, as a minimum, include the following: (1) administration; (2) dietary (standard); (3) housekeeping; (4) laundry and linen; (5) maintenance of property and equipment, including utilities; (6) medical records; (7) training of employees; (8) utilization review; (9) activities services; (10) social services; (11) disability services; and all other similar services required by either the laws of the State of Illinois or one of its political subdivisions or municipalities or by Title XIX of the Social Security Act.

(d) "Patient services" means those which vary with the number of personnel; professional and para-professional skills of the personnel; specialized equipment, and reflect the intensity of the medical and psycho-social needs of the patients. Patient services shall as a minimum include: (1) physical services; (2) nursing services, including restorative nursing;

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(3) medical direction and patient care planning; (4) health related supportive and habilitative services and all similar services required by either the laws of the State of Illinois or one of its political subdivisions or municipalities or by Title XIX of the Social Security Act.

(e) "Ancillary services" means those services which require a specific physician's order and defined as under the medical assistance program as not being routine in nature for skilled nursing facilities and ICF/DDs. Such services generally must be authorized prior to delivery and payment as provided for under the rules of the Department of Healthcare and Family Services.

(f) "Capital" means the investment in a facility's assets for both debt and non-debt funds. Non-debt capital is the difference between an adjusted replacement value of the assets and the actual amount of debt capital.

(g) "Profit" means the amount which shall accrue to a facility as a result of its revenues exceeding its expenses as determined in accordance with generally accepted accounting principles.

(h) "Non-institutional services" means those services provided under paragraph (f) of Section 3 of the Disabled Persons Rehabilitation Act and those services provided under Section 4.02 of the Illinois Act on the Aging.

(i) (Blank).

(j) "Institutionalized person" means an individual who is an inpatient in an ICF/DD or nursing facility, or who is an inpatient in a medical institution receiving a level of care equivalent to that of an ICF/DD or nursing facility, or who is receiving services under Section 1915(c) of the Social Security Act.

(k) "Institutionalized spouse" means an institutionalized person who is expected to receive services at the same level of care for at least 30 days and is married to a spouse who is not an institutionalized person.

(l) "Community spouse" is the spouse of an institutionalized spouse.

(m) "Health Benefits Service Package" means, subject to federal approval, benefits covered by the medical assistance program as determined by the Department by rule for individuals eligible for medical assistance under paragraph 18 of Section 5-2 of this Code.

(n) "Federal poverty level" means the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services. These guidelines set poverty levels by family size.

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Section 7-35. The Illinois Public Aid Code is amended by changing Section 5-1.4 as follows:

(305 ILCS 5/5-1.4)

Sec. 5-1.4. Moratorium on eligibility expansions. Beginning on January 25, 2011 (the effective date of Public Act 96-1501), there shall be a 4-year moratorium on the expansion of eligibility through increasing financial eligibility standards, or through increasing income disregards, or through the creation of new programs which would add new categories of eligible individuals under the medical assistance program in addition to those categories covered on January 1, 2011 or above the level of any subsequent reduction in eligibility. This moratorium shall not apply to expansions required as a federal condition of State participation in the medical assistance program or to expansions approved by the federal government that are financed entirely by units of local government and federal matching funds. If the State of Illinois finds that the State has borne a cost related to such an expansion, the unit of local government shall reimburse the State. All federal funds associated with an expansion funded by a unit of local government shall be returned to the local government entity funding the expansion, pursuant to an intergovernmental agreement between the Department of Healthcare and Family Services and the local government entity. Within 10 calendar days of the effective date of this amendatory Act of the 97th General Assembly, the Department of Healthcare and Family Services shall formally advise the Centers for Medicare and Medicaid Services of the passage of this amendatory Act of the 97th General Assembly. The State is prohibited from submitting additional waiver requests that expand or allow for an increase in the classes of persons eligible for medical assistance under this Article to the federal government for its consideration beginning on the 20th calendar day following the effective date of this amendatory Act of the 97th General Assembly until January 25, 2015. This moratorium shall not apply to those persons eligible for medical assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and 42 U.S.C. 1396a(a)(10)(A)(i)(IX).

(Source: P.A. 96-1501, eff. 1-25-11; 97-687, eff. 6-14-12.)

Section 7-40. The Illinois Public Aid Code is amended by changing Section 5-2 as follows:

(305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

Sec. 5-2. Classes of Persons Eligible.

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Medical assistance under this Article shall be available to any of the following classes of persons in respect to whom a plan for coverage has been submitted to the Governor by the Illinois Department and approved by him. If changes made in this Section 5-2 require federal approval, they shall not take effect until such approval has been received:

1. Recipients of basic maintenance grants under Articles III and IV.

2. Beginning January 1, 2014, persons otherwise eligible for basic maintenance under Article Articles III and IV, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, but who fail to qualify thereunder on the basis of need or who qualify but are not receiving basic maintenance under Article IV, and who have insufficient income and resources to meet the costs of necessary medical care, including but not limited to the following:
   (a) All persons otherwise eligible for basic maintenance under Article III but who fail to qualify under that Article on the basis of need and who meet either of the following requirements:
      (i) their income, as determined by the Illinois Department in accordance with any federal requirements, is equal to or less than 100% of the federal poverty level 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size; or
      (ii) their income, after the deduction of costs incurred for medical care and for other types of remedial care, is equal to or less than 100% of the federal poverty level 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule,
and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined in item (i) of this subparagraph (a).

(b) (Blank). All persons who, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, would be determined eligible for such basic maintenance under Article IV by disregarding the maximum earned income permitted by federal law.

3. (Blank). Persons who would otherwise qualify for Aid to the Medically Indigent under Article VII.

4. Persons not eligible under any of the preceding paragraphs who fall sick, are injured, or die, not having sufficient money, property or other resources to meet the costs of necessary medical care or funeral and burial expenses.

5.(a) Women during pregnancy, after the fact of pregnancy has been determined by medical diagnosis, and during the 60-day period beginning on the last day of the pregnancy, together with their infants and children born after September 30, 1983, whose income is at or below 200% of the federal poverty level. Until September 30, 2019, or sooner if the maintenance of effort requirements under the Patient Protection and Affordable Care Act are eliminated or may be waived before then, women during pregnancy and during the 60-day period beginning on the last day of the pregnancy, whose countable monthly income, after the deduction of costs incurred for medical care and for other types of remedial care as specified in administrative rule, is equal to or less than the Medical Assistance-No Grant(C) (MANG(C)) Income Standard in effect on April 1, 2013 as set forth in administrative rule and resources are insufficient to meet the costs of necessary medical care to the maximum extent possible under Title XIX of the Federal Social Security Act.

(b) The plan for coverage Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 5(a) by April 1, 1990. Such plan shall provide ambulatory prenatal care to pregnant women during a presumptive eligibility period and establish an income eligibility standard that is
equal to 200% of the federal poverty level or 133% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size, provided that costs incurred for medical care are not taken into account in determining such income eligibility.

(c) The Illinois Department may conduct a demonstration in at least one county that will provide medical assistance to pregnant women, together with their infants and children up to one year of age, where the income eligibility standard is set up to 185% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget. The Illinois Department shall seek and obtain necessary authorization provided under federal law to implement such a demonstration. Such demonstration may establish resource standards that are not more restrictive than those established under Article IV of this Code.

6. (a) Children younger than age 19 when countable income is at or below 133% of the federal poverty level. Until September 30, 2019, or sooner if the maintenance of effort requirements under the Patient Protection and Affordable Care Act are eliminated or may be waived before then, children younger than age 19 whose countable monthly income, after the deduction of costs incurred for medical care and for other types of remedial care as specified in administrative rule, is equal to or less than the Medical Assistance-No Grant(C) (MANG(C)) Income Standard in effect on April 1, 2013 as set forth in administrative rule.

   (b) Children and youth who are under temporary custody or guardianship of the Department of Children and Family Services or who receive financial assistance in support of an adoption or guardianship placement from the Department of Children and Family Services.

Persons under the age of 18 who fail to qualify as dependent under Article IV and who have insufficient income and resources to meet the costs of necessary medical care to the maximum extent permitted under Title XIX of the Federal Social Security Act.

7. (Blank).

8. As required under federal law, persons who are eligible for Transitional Medical Assistance as a result of an increase in

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earnings or child or spousal support received. Persons who become ineligible for basic maintenance assistance under Article IV of this Code in programs administered by the Illinois Department due to employment earnings and persons in assistance units comprised of adults and children who become ineligible for basic maintenance assistance under Article VI of this Code due to employment earnings. The plan for coverage for this class of persons shall:

(a) extend the medical assistance coverage to the extent required by federal law for up to 12 months following termination of basic maintenance assistance; and

(b) offer persons who have initially received 6 months of the coverage provided in paragraph (a) above, the option of receiving an additional 6 months of coverage, subject to the following:

(i) such coverage shall be pursuant to provisions of the federal Social Security Act;

(ii) such coverage shall include all services covered under Illinois' State Medicaid Plan while the person was eligible for basic maintenance assistance;

(iii) no premium shall be charged for such coverage; and

(iv) such coverage shall be suspended in the event of a person's failure without good cause to file in a timely fashion reports required for this coverage under the Social Security Act and coverage shall be reinstated upon the filing of such reports if the person remains otherwise eligible.

9. Persons with acquired immunodeficiency syndrome (AIDS) or with AIDS-related conditions with respect to whom there has been a determination that but for home or community-based services such individuals would require the level of care provided in an inpatient hospital, skilled nursing facility or intermediate care facility the cost of which is reimbursed under this Article. Assistance shall be provided to such persons to the maximum extent permitted under Title XIX of the Federal Social Security Act.

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10. Participants in the long-term care insurance partnership program established under the Illinois Long-Term Care Partnership Program Act who meet the qualifications for protection of resources described in Section 15 of that Act.

11. Persons with disabilities who are employed and eligible for Medicaid, pursuant to Section 1902(a)(10)(A)(ii)(xv) of the Social Security Act, and, subject to federal approval, persons with a medically improved disability who are employed and eligible for Medicaid pursuant to Section 1902(a)(10)(A)(ii)(xvi) of the Social Security Act, as provided by the Illinois Department by rule. In establishing eligibility standards under this paragraph 11, the Department shall, subject to federal approval:

(a) set the income eligibility standard at not lower than 350% of the federal poverty level;

(b) exempt retirement accounts that the person cannot access without penalty before the age of 59 1/2, and medical savings accounts established pursuant to 26 U.S.C. 220;

(c) allow non-exempt assets up to $25,000 as to those assets accumulated during periods of eligibility under this paragraph 11; and

(d) continue to apply subparagraphs (b) and (c) in determining the eligibility of the person under this Article even if the person loses eligibility under this paragraph 11.

12. Subject to federal approval, persons who are eligible for medical assistance coverage under applicable provisions of the federal Social Security Act and the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000. Those eligible persons are defined to include, but not be limited to, the following persons:

(1) persons who have been screened for breast or cervical cancer under the U.S. Centers for Disease Control and Prevention Breast and Cervical Cancer Program established under Title XV of the federal Public Health Services Act in accordance with the requirements of Section 1504 of that Act as administered by the Illinois Department of Public Health; and

(2) persons whose screenings under the above program were funded in whole or in part by funds

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appropriated to the Illinois Department of Public Health for breast or cervical cancer screening.

"Medical assistance" under this paragraph 12 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. The Department must request federal approval of the coverage under this paragraph 12 within 30 days after the effective date of this amendatory Act of the 92nd General Assembly.

In addition to the persons who are eligible for medical assistance pursuant to subparagraphs (1) and (2) of this paragraph 12, and to be paid from funds appropriated to the Department for its medical programs, any uninsured person as defined by the Department in rules residing in Illinois who is younger than 65 years of age, who has been screened for breast and cervical cancer in accordance with standards and procedures adopted by the Department of Public Health for screening, and who is referred to the Department by the Department of Public Health as being in need of treatment for breast or cervical cancer is eligible for medical assistance benefits that are consistent with the benefits provided to those persons described in subparagraphs (1) and (2). Medical assistance coverage for the persons who are eligible under the preceding sentence is not dependent on federal approval, but federal moneys may be used to pay for services provided under that coverage upon federal approval.

13. Subject to appropriation and to federal approval, persons living with HIV/AIDS who are not otherwise eligible under this Article and who qualify for services covered under Section 5-5.04 as provided by the Illinois Department by rule.

14. Subject to the availability of funds for this purpose, the Department may provide coverage under this Article to persons who reside in Illinois who are not eligible under any of the preceding paragraphs and who meet the income guidelines of paragraph 2(a) of this Section and (i) have an application for asylum pending before the federal Department of Homeland Security or on appeal before a court of competent jurisdiction and are represented either by counsel or by an advocate accredited by the federal Department of Homeland Security and employed by a not-for-profit organization in regard to that application or appeal, or (ii) are receiving services through a federally funded torture

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treatment center. Medical coverage under this paragraph 14 may be provided for up to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of this paragraph 14. If an individual has an appeal pending regarding an application for asylum before the Department of Homeland Security, eligibility under this paragraph 14 may be extended until a final decision is rendered on the appeal. The Department may adopt rules governing the implementation of this paragraph 14.

15. Family Care Eligibility.
   (a) On and after July 1, 2012, a parent or other caretaker relative who is 19 years of age or older when countable income is at or below 133% of the federal poverty level Federal Poverty Level Guidelines, as published annually in the Federal Register, for the appropriate family size. A person may not spend down to become eligible under this paragraph 15.
   (b) Eligibility shall be reviewed annually.
   (c) (Blank).
   (d) (Blank).
   (e) (Blank).
   (f) (Blank).
   (g) (Blank).
   (h) (Blank).
   (i) Following termination of an individual's coverage under this paragraph 15, the individual must be determined eligible before the person can be re-enrolled.

16. Subject to appropriation, uninsured persons who are not otherwise eligible under this Section who have been certified and referred by the Department of Public Health as having been screened and found to need diagnostic evaluation or treatment, or both diagnostic evaluation and treatment, for prostate or testicular cancer. For the purposes of this paragraph 16, uninsured persons are those who do not have creditable coverage, as defined under the Health Insurance Portability and Accountability Act, or have otherwise exhausted any insurance benefits they may have had, for prostate or testicular cancer diagnostic evaluation or treatment, or both diagnostic evaluation and treatment. To be eligible, a person must furnish a Social Security number. A person's assets are exempt from consideration in determining eligibility under this paragraph 16.

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paragraph 16. Such persons shall be eligible for medical assistance under this paragraph 16 for so long as they need treatment for the cancer. A person shall be considered to need treatment if, in the opinion of the person's treating physician, the person requires therapy directed toward cure or palliation of prostate or testicular cancer, including recurrent metastatic cancer that is a known or presumed complication of prostate or testicular cancer and complications resulting from the treatment modalities themselves. Persons who require only routine monitoring services are not considered to need treatment. "Medical assistance" under this paragraph 16 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. Notwithstanding any other provision of law, the Department (i) does not have a claim against the estate of a deceased recipient of services under this paragraph 16 and (ii) does not have a lien against any homestead property or other legal or equitable real property interest owned by a recipient of services under this paragraph 16.

17. Persons who, pursuant to a waiver approved by the Secretary of the U.S. Department of Health and Human Services, are eligible for medical assistance under Title XIX or XXI of the federal Social Security Act. Notwithstanding any other provision of this Code and consistent with the terms of the approved waiver, the Illinois Department, may by rule:

   (a) Limit the geographic areas in which the waiver program operates.

   (b) Determine the scope, quantity, duration, and quality, and the rate and method of reimbursement, of the medical services to be provided, which may differ from those for other classes of persons eligible for assistance under this Article.

   (c) Restrict the persons' freedom in choice of providers.

18. Beginning January 1, 2014, persons aged 19 or older, but younger than 65, who are not otherwise eligible for medical assistance under this Section 5-2, who qualify for medical assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and applicable federal regulations, and who have income at or below 133% of the federal poverty level plus 5% for the applicable family

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size as determined pursuant to 42 U.S.C. 1396a(e)(14) and applicable federal regulations. Persons eligible for medical assistance under this paragraph 18 shall receive coverage for the Health Benefits Service Package as that term is defined in subsection (m) of Section 5-1.1 of this Code. If Illinois' federal medical assistance percentage (FMAP) is reduced below 90% for persons eligible for medical assistance under this paragraph 18, eligibility under this paragraph 18 shall cease no later than the end of the third month following the month in which the reduction in FMAP takes effect.

19. Beginning January 1, 2014, as required under 42 U.S.C. 1396a(a)(10)(A)(i)(IX), persons older than age 18 and younger than age 26 who are not otherwise eligible for medical assistance under paragraphs (1) through (17) of this Section who (i) were in foster care under the responsibility of the State on the date of attaining age 18 or on the date of attaining age 21 when a court has continued wardship for good cause as provided in Section 2-31 of the Juvenile Court Act of 1987 and (ii) received medical assistance under the Illinois Title XIX State Plan or waiver of such plan while in foster care.

In implementing the provisions of Public Act 96-20, the Department is authorized to adopt only those rules necessary, including emergency rules. Nothing in Public Act 96-20 permits the Department to adopt rules or issue a decision that expands eligibility for the FamilyCare Program to a person whose income exceeds 185% of the Federal Poverty Level as determined from time to time by the U.S. Department of Health and Human Services, unless the Department is provided with express statutory authority.

The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 7 as soon as possible after July 1, 1984.

The eligibility of any such person for medical assistance under this Article is not affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act.

The Department shall by rule establish the amounts of assets to be disregarded in determining eligibility for medical assistance, which shall at a minimum equal the amounts to be disregarded under the Federal

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Supplemental Security Income Program. The amount of assets of a single person to be disregarded shall not be less than $2,000, and the amount of assets of a married couple to be disregarded shall not be less than $3,000.

To the extent permitted under federal law, any person found guilty of a second violation of Article VIIIA shall be ineligible for medical assistance under this Article, as provided in Section 8A-8.

The eligibility of any person for medical assistance under this Article shall not be affected by the receipt by the person of donations or benefits from fundraisers held for the person in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.

Notwithstanding any other provision of this Code, if the United States Supreme Court holds Title II, Subtitle A, Section 2001(a) of Public Law 111-148 to be unconstitutional, or if a holding of Public Law 111-148 makes Medicaid eligibility allowed under Section 2001(a) inoperable, the State or a unit of local government shall be prohibited from enrolling individuals in the Medical Assistance Program as the result of federal approval of a State Medicaid waiver on or after the effective date of this amendatory Act of the 97th General Assembly, and any individuals enrolled in the Medical Assistance Program pursuant to eligibility permitted as a result of such a State Medicaid waiver shall become immediately ineligible.

Notwithstanding any other provision of this Code, if an Act of Congress that becomes a Public Law eliminates Section 2001(a) of Public Law 111-148, the State or a unit of local government shall be prohibited from enrolling individuals in the Medical Assistance Program as the result of federal approval of a State Medicaid waiver on or after the effective date of this amendatory Act of the 97th General Assembly, and any individuals enrolled in the Medical Assistance Program pursuant to eligibility permitted as a result of such a State Medicaid waiver shall become immediately ineligible.

Effective October 1, 2013, the determination of eligibility of persons who qualify under paragraphs 5, 6, 8, 15, 17, and 18 of this Section shall comply with the requirements of 42 U.S.C. 1396a(e)(14) and applicable federal regulations.

The Department of Healthcare and Family Services, the Department of Human Services, and the Illinois health insurance marketplace shall work cooperatively to assist persons who would

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otherwise lose health benefits as a result of changes made under this amendatory Act of the 98th General Assembly to transition to other health insurance coverage.

(Source: P.A. 96-20, eff. 6-30-09; 96-181, eff. 8-10-09; 96-328, eff. 8-11-09; 96-567, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1123, eff. 1-1-11; 96-1270, eff. 7-26-10; 97-48, eff. 6-28-11; 97-74, eff. 6-30-11; 97-333, eff. 8-12-11; 97-687, eff. 6-14-12; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; revised 7-23-12.)

Section 7-50. The Veterans' Health Insurance Program Act of 2008 is amended by changing Section 10 as follows:

(330 ILCS 126/10)

Sec. 10. Operation of the Program.

(a) The Veterans' Health Insurance Program is created. This Program is not an entitlement. Enrollment is based on the availability of funds, and enrollment may be capped based on funds appropriated for the Program. As soon as practical after the effective date of this Act, coverage for this Program shall begin. The Program shall be administered by the Department of Healthcare and Family Services in collaboration with the Department of Veterans' Affairs. The Department shall have the same powers and authority to administer the Program as are provided to the Department in connection with the Department's administration of the Illinois Public Aid Code. The Department shall coordinate the Program with other health programs operated by the Department and other State and federal agencies.

(b) The Department shall operate the Program in a manner so that the estimated cost of the Program during the fiscal year will not exceed the total appropriation for the Program. The Department may take any appropriate action to limit spending or enrollment into the Program, including, but not limited to, ceasing to accept or process applications, reviewing eligibility more frequently than annually, adjusting cost-sharing, or reducing the income threshold for eligibility as necessary to control expenditures for the Program.

(c) Notwithstanding subsections (a) and (b) and with the mutual agreement of the Department of Veterans' Affairs and the Department of Healthcare and Family Services, the operation of the Program may be changed to simplify its administration and to take advantage of health insurance coverage that may be available to veterans under the Patient Protection and Affordable Care Act.

(Source: P.A. 95-755, eff. 7-25-08.)

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Section 7-60. The Renal Disease Treatment Act is amended by changing Section 3 as follows:

(410 ILCS 430/3) (from Ch. 111 1/2, par. 22.33)

Sec. 3. Duties of Departments of Healthcare and Family Services and Public Health.

(A) The Department of Healthcare and Family Services shall:

(a) Develop standards for determining eligibility for care and treatment under this program. Among other standards so developed under this paragraph, candidates, to be eligible for care and treatment, must be evaluated in a center properly staffed and equipped for such evaluation.

(b) (Blank).

(c) (Blank).

(d) Extend financial assistance to persons suffering from chronic renal diseases in obtaining the medical, surgical, nursing, pharmaceutical, and technical services necessary in caring for such diseases, including the renting of home dialysis equipment. The Renal Disease Advisory Committee shall recommend to the Department the extent of financial assistance, including the reasonable charges and fees, for:

(1) Treatment in a dialysis facility;
(2) Hospital treatment for dialysis and transplant surgery;
(3) Treatment in a limited care facility;
(4) Home dialysis training; and
(5) Home dialysis.

(e) (Blank). Assist in equipping dialysis centers.

(f) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Act or the Illinois Public Aid Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e of the Illinois Public Aid Code.

Effective January 1, 2014, coverage under this Act shall be coordinated with the requirements of the Patient Protection and Affordable Care Act and eligibility under this Act shall be available only to individuals who have met their obligations under the Patient Protection and Affordable Care Act to obtain health insurance. For purposes of this

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Act. payment of a tax penalty for failing to obtain insurance is not considered fulfilling the obligation to obtain health insurance under the Patient Protection and Affordable Care Act. Coverage of the services listed in paragraph (d) of this subsection shall be coordinated with the individual's health insurance plan.

The Department of Healthcare and Family Services, the Department of Human Services, and the Illinois health insurance marketplace shall work cooperatively to assist persons enrolled for services under this Act to obtain health insurance coverage prior to January 1, 2014.

(B) The Department of Public Health shall:

(a) Assist in the development and expansion of programs for the care and treatment of persons suffering from chronic renal diseases, including dialysis and other medical or surgical procedures and techniques that will have a lifesaving effect in the care and treatment of persons suffering from these diseases.

(b) Assist in the development of programs for the prevention of chronic renal diseases.

(c) Institute and carry on an educational program among physicians, hospitals, public health departments, and the public concerning chronic renal diseases, including the dissemination of information and the conducting of educational programs concerning the prevention of chronic renal diseases and the methods for the care and treatment of persons suffering from these diseases.

(Source: P.A. 97-689, eff. 6-14-12.)

(410 ILCS 430/2 rep.)

Section 7-61. The Renal Disease Treatment Act is amended by repealing Section 2.

Section 7-70. The Hemophilia Care Act is amended by changing Sections 1, 1.5, and 3 as follows:

(410 ILCS 420/1) (from Ch. 111 1/2, par. 2901)

Sec. 1. Definitions. As used in this Act, unless the context clearly requires otherwise:

(1) "Department" means the Department of Healthcare and Family Services.

(1.5) "Director" means the Director of Healthcare and Family Services and the Director of Insurance.

(2) (Blank).

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(3) "Hemophilia" means a bleeding tendency resulting from a genetically determined deficiency in the blood.

(4) (Blank).

(5) "Eligible person" means any resident of the State suffering from hemophilia.

(6) "Family" means:

(a) In the case of a patient who is a dependent of another person or couple as defined by the Illinois Income Tax Act, all those persons for whom exemption is claimed in the State income tax return of the person or couple whose dependent the eligible person is, and

(b) In all other cases, all those persons for whom exemption is claimed in the State income tax return of the eligible person, or of the eligible person and his spouse.

(7) "Eligible cost of hemophilia services" means the cost of blood transfusions, blood derivatives, and for outpatient services, of physician charges, medical supplies, and appliances, used in the treatment of eligible persons for hemophilia, plus one half of the cost of hospital inpatient care, minus any amount of such cost which is eligible for payment or reimbursement by any hospital or medical insurance program, by any other government medical or financial assistance program, or by any charitable assistance program.

(8) "Gross income" means the base income for State income tax purposes of all members of the family.

(9) "Available family income" means the lesser of:

(a) Gross income minus the sum of (1) $5,500, and (2) $3,500 times the number of persons in the family, or

(b) One half of gross income.

(10) (Blank). "Board" means the Hemophilia Advisory Review Board.

(Source: P.A. 95-12, eff. 7-2-07; 95-331, eff. 8-21-07.)

Sec. 1.5. Findings. The General Assembly finds all of the following:

(1) Inherited hemophilia and other bleeding disorders are devastating health conditions that can cause serious financial, social, and emotional hardships for patients and their families. Hemophilia, which occurs predominantly in males, is a rare but well-known type of inherited bleeding disorder in which one of

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several proteins normally found in blood are either deficient or inactive, and causing pain, swelling, and permanent damage to joints and muscles. The disorder affects Americans of all racial and ethnic backgrounds. In about one-third of all cases, there is no known family history of the disorder. In these cases, the disease developed after a new or spontaneous gene mutation.

(2) Hemophilia is one of a spectrum of devastating chronic bleeding disorders impacting Americans. Von Willebrand Disease, another type of bleeding disorder, is caused by a deficiency on the von Willebrand protein. Persons with the disorder often bruise easily, have frequent nosebleeds, or bleed after tooth extraction, tonsillectomy, or other surgery. In some instances, women will have prolonged menstrual bleeding. The disorder occurs in about 1% to 2% of the U.S. population.

(3) Appropriat care and treatment are necessities for maintaining optimum health for persons afflicted with hemophilia and other bleeding disorders.

(4) While hemophilia and other bleeding disorders are incurable, advancements in drug therapies are allowing individuals greater latitude in managing their conditions, fostering independence, and minimizing chronic complications such as damage to the joints and muscles, blood-transmitted infectious diseases, and chronic liver diseases. At the same time, treatment for clotting disorders is saving more and more lives. The rarity of these disorders coupled with the delicate processes for producing factors, however, makes treating these disorders extremely costly. As a result, insurance coverage is a major concern for patients and their families.

(5) It is thus the intent of the General Assembly to coordinate State support for through implementation of this Act to establish an advisory board to provide expert advice to the State on health and insurance policies, plans, and public health programs that impact individuals with hemophilia and other bleeding disorders with the health insurance protections made available to all Americans under the Patient Protection and Affordable Care Act.

(Source: P.A. 95-12, eff. 7-2-07.)

(410 ILCS 420/3) (from Ch. 111 1/2, par. 2903)

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Sec. 3. The powers and duties of the Department shall include the following:

(1) Develop with the advice and counsel of the Committee, standards for determining eligibility for care and treatment under this program. Among other standards developed under this Section, persons suffering from hemophilia must be evaluated in a center properly staffed and equipped for such evaluation, but not operated by the Department.

(2) (Blank).

(3) Extend financial assistance to eligible persons in order that they may obtain blood and blood derivatives for use in hospitals, in medical and dental facilities, or at home. The Department shall extend financial assistance in each fiscal year to each family containing one or more eligible persons in the amount of (a) the family's eligible cost of hemophilia services for that fiscal year, minus (b) one fifth of its available family income for its next preceding taxable year. The Director may extend financial assistance in the case of unusual hardships, according to specific procedures and conditions adopted for this purpose in the rules and regulations promulgated by the Department to implement and administer this Act.

(4) (Blank).

(5) Promulgate rules and regulations with the advice and counsel of the Committee for the implementation and administration of this Act.

Effective January 1, 2014, coverage under this Act shall be coordinated with the requirements of the Patient Protection and Affordable Care Act and eligibility under this Act shall be available only to individuals who have met their obligations under the Patient Protection and Affordable Care Act to obtain health insurance. For purposes of this Act, payment of a tax penalty for failing to obtain insurance is not considered fulfilling the obligation to obtain health insurance under the Patient Protection and Affordable Care Act. Coverage of blood and blood derivatives for use in hospitals, in medical and dental facilities, or at home shall be coordinated with the individual's health insurance plan.

The Department of Healthcare and Family Services, the Department of Human Services, and the Illinois health insurance marketplace shall work cooperatively to assist persons enrolled for

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services under this Act to obtain health insurance coverage prior to January 1, 2014.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Act or the Illinois Public Aid Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e of the Illinois Public Aid Code.

(Source: P.A. 97-689, eff. 6-14-12.)

(410 ILCS 420/2.5 rep.)

Section 7-71. The Hemophilia Care Act is amended by repealing Section 2.5.

ARTICLE 8.

Section 8-5. The Illinois Public Aid Code is amended by changing Sections 5A-2, 5A-4, 5A-5, 5A-8, and 5A-12.4 as follows:

(305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2)

(Section scheduled to be repealed on January 1, 2015)

Sec. 5A-2. Assessment.

(a) Subject to Sections 5A-3 and 5A-10, for State fiscal years 2009 through 2014, and from July 1, 2014 through December 31, 2014, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to $218.38 multiplied by the difference of the hospital's occupied bed days less the hospital's Medicare bed days.

For State fiscal years 2009 through 2014, and after a hospital's occupied bed days and Medicare bed days shall be determined using the most recent data available from each hospital's 2005 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on December 31, 2006, without regard to any subsequent adjustments or changes to such data. If a hospital's 2005 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Illinois Department may obtain the hospital provider's occupied bed days and Medicare bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Illinois Department or its duly authorized agents and employees.

(b) (Blank).

(b-5) Subject to Sections 5A-3 and 5A-10, for the portion of State fiscal year 2012, beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2014, and July 1, 2014 through December 31, 2014, an annual assessment on outpatient services is imposed on each

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hospital provider in an amount equal to .008766 multiplied by the hospital's outpatient gross revenue. For the period beginning June 10, 2012 through June 30, 2012, the annual assessment on outpatient services shall be prorated by multiplying the assessment amount by a fraction, the numerator of which is 21 days and the denominator of which is 365 days.

For the portion of State fiscal year 2012, beginning June 10, 2012 through June 30, 2012, and State fiscal years 2013 through 2014, and July 1, 2014 through December 31, 2014, a hospital's outpatient gross revenue shall be determined using the most recent data available from each hospital's 2009 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on June 30, 2011, without regard to any subsequent adjustments or changes to such data. If a hospital's 2009 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Department may obtain the hospital provider's outpatient gross revenue from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department or its duly authorized agents and employees.

(c) (Blank).

(d) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules to reduce the rate of any annual assessment imposed under this Section, as authorized by Section 5-46.2 of the Illinois Administrative Procedure Act.

(e) Notwithstanding any other provision of this Section, any plan providing for an assessment on a hospital provider as a permissible tax under Title XIX of the federal Social Security Act and Medicaid-eligible payments to hospital providers from the revenues derived from that assessment shall be reviewed by the Illinois Department of Healthcare and Family Services, as the Single State Medicaid Agency required by federal law, to determine whether those assessments and hospital provider payments meet federal Medicaid standards. If the Department determines that the elements of the plan may meet federal Medicaid standards and a related State Medicaid Plan Amendment is prepared in a manner and form suitable for submission, that State Plan Amendment shall be submitted in a timely manner for review by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services and subject to approval by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services. No such plan shall become effective without approval by the Illinois Department of Healthcare and Family Services.
General Assembly by the enactment into law of related legislation. Notwithstanding any other provision of this Section, the Department is authorized to adopt rules to reduce the rate of any annual assessment imposed under this Section. Any such rules may be adopted by the Department under Section 5-50 of the Illinois Administrative Procedure Act.

(Source: P.A. 96-1530, eff. 2-16-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12.)

(305 ILCS 5/5A-4) (from Ch. 23, par. 5A-4)
Sec. 5A-4. Payment of assessment; penalty.

(a) The assessment imposed by Section 5A-2 for State fiscal year 2009 and each subsequent State fiscal year shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the fourteenth State business day of each month. No installment payment of an assessment imposed by Section 5A-2 shall be due and payable, however, until after the Comptroller has issued the payments required under this Article.

Except as provided in subsection (a-5) of this Section, the assessment imposed by subsection (b-5) of Section 5A-2 for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal year 2013 and each subsequent State fiscal year shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the 14th State business day of each month. No installment payment of an assessment imposed by subsection (b-5) of Section 5A-2 shall be due and payable, however, until after: (i) the Department notifies the hospital provider, in writing, that the payment methodologies to hospitals required under Section 5A-12.4, have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services, and the waiver under 42 CFR 433.68 for the assessment imposed by subsection (b-5) of Section 5A-2, if necessary, has been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services; and (ii) the Comptroller has issued the payments required under Section 5A-12.4. Upon notification to the Department of approval of the payment methodologies required under Section 5A-12.4 and the waiver granted under 42 CFR 433.68, if necessary, all installments otherwise due under subsection (b-5) of Section 5A-2 prior to the date of notification shall be due and payable to the Department upon written direction from the
Department and issuance by the Comptroller of the payments required under Section 5A-12.4.

(a-5) The Illinois Department may accelerate the schedule upon which assessment installments are due and payable by hospitals with a payment ratio greater than or equal to one. Such acceleration of due dates for payment of the assessment may be made only in conjunction with a corresponding acceleration in access payments identified in Section 5A-12.2 or Section 5A-12.4 to the same hospitals. For the purposes of this subsection (a-5), a hospital's payment ratio is defined as the quotient obtained by dividing the total payments for the State fiscal year, as authorized under Section 5A-12.2 or Section 5A-12.4, by the total assessment for the State fiscal year imposed under Section 5A-2 or subsection (b-5) of Section 5A-2.

(b) The Illinois Department is authorized to establish delayed payment schedules for hospital providers that are unable to make installment payments when due under this Section due to financial difficulties, as determined by the Illinois Department.

(c) If a hospital provider fails to pay the full amount of an installment when due (including any extensions granted under subsection (b)), there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5A-2 a penalty assessment equal to the lesser of (i) 5% of the amount of the installment not paid on or before the due date plus 5% of the portion thereof remaining unpaid on the last day of each 30-day period thereafter or (ii) 100% of the installment amount not paid on or before the due date. For purposes of this subsection, payments will be credited first to unpaid installment amounts (rather than to penalty or interest), beginning with the most delinquent installments.

(d) Any assessment amount that is due and payable to the Illinois Department more frequently than once per calendar quarter shall be remitted to the Illinois Department by the hospital provider by means of electronic funds transfer. The Illinois Department may provide for remittance by other means if (i) the amount due is less than $10,000 or (ii) electronic funds transfer is unavailable for this purpose.

(Source: P.A. 96-821, eff. 11-20-09; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12.)

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

Sec. 5A-5. Notice; penalty; maintenance of records.
(a) The Illinois Department shall send a notice of assessment to every hospital provider subject to assessment under this Article. The notice of assessment shall notify the hospital of its assessment and shall be sent after receipt by the Department of notification from the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services that the payment methodologies required under this Article and, if necessary, the waiver granted under 42 CFR 433.68 have been approved. The notice shall be on a form prepared by the Illinois Department and shall state the following:

1. The name of the hospital provider.
2. The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.
3. The occupied bed days, occupied bed days less Medicare days, adjusted gross hospital revenue, or outpatient gross revenue of the hospital provider (whichever is applicable), the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice is sent, and the amount of each installment to be paid during the State fiscal year.
4. (Blank).
5. Other reasonable information as determined by the Illinois Department.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider shall pay the assessment for each hospital separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon ceasing to conduct, operate, or maintain a hospital, the person shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider who commences conducting, operating, or maintaining a hospital, upon
notice by the Illinois Department, shall pay the assessment computed under Section 5A-2 and subsection (e) in installments on the due dates stated in the notice and on the regular installment due dates for the State fiscal year occurring after the due dates of the initial notice.

(e) Notwithstanding any other provision in this Article, for State fiscal years 2009 through 2015, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2005, the assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Illinois Department. Notwithstanding any other provision in this Article, for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2014, and for July 1, 2014 through December 31, 2014, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2009, the assessment under subsection (b-5) of Section 5A-2 for that State fiscal year shall be computed on the basis of hypothetical gross outpatient revenue for the full calendar year as determined by the Illinois Department.

(f) Every hospital provider subject to assessment under this Article shall keep sufficient records to permit the determination of adjusted gross hospital revenue for the hospital's fiscal year. All such records shall be kept in the English language and shall, at all times during regular business hours of the day, be subject to inspection by the Illinois Department or its duly authorized agents and employees.

(g) The Illinois Department may, by rule, provide a hospital provider a reasonable opportunity to request a clarification or correction of any clerical or computational errors contained in the calculation of its assessment, but such corrections shall not extend to updating the cost report information used to calculate the assessment.

(h) (Blank).

(Source: P.A. 96-1530, eff. 2-16-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; revised 10-17-12.)

(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)
Sec. 5A-8. Hospital Provider Fund.

(a) There is created in the State Treasury the Hospital Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

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(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law:

   (1) For making payments to hospitals as required under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

   (2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Code.

   (3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing activities under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

   (4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

   (5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

   (6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Hospital Provider Fund plus any interest that would have been earned by that fund on the monies that had been transferred.

   (6.5) For making transfers to the Healthcare Provider Relief Fund, except that transfers made under this paragraph (6.5) shall not exceed $60,000,000 in the aggregate.

   (7) For making transfers not exceeding the following amounts, in State fiscal years 2013 and 2014 in each State fiscal year during which an assessment is imposed pursuant to Section 5A-2, to the following designated funds:

   Health and Human Services Medicaid Trust

New matter indicated in italics - deletions by strikeout
Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.1) For making transfers not exceeding the following amounts, in State fiscal year 2015, to the following designated funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Human Services Medicaid Trust Fund</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Fund</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$80,000,000</td>
</tr>
</tbody>
</table>

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.11) For State fiscal year 2015, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Care Provider Relief Fund</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

New matter indicated in italics - deletions by strikeout
(7.12) For State fiscal year 2013, for increasing by 21/365ths the transfer of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

Health Care Provider Relief Fund....... $2,870,000

(8) For making refunds to hospital providers pursuant to Section 5A-10.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank).

(305 ILCS 5/5A-12.4)

Sec. 5A-12.4. Hospital access improvement payments on or after June 10, 2012.

(a) Hospital access improvement payments. To preserve and improve access to hospital services, for hospital and physician services rendered on or after June 10, 2012, the Illinois Department

New matter indicated in italics - deletions by strikeout
shall, except for hospitals described in subsection (b) of Section 5A-3, make payments to hospitals as set forth in this Section. These payments shall be paid in 12 equal installments on or before the 7th State business day of each month, except that no payment shall be due within 100 days after the later of the date of notification of federal approval of the payment methodologies required under this Section or any waiver required under 42 CFR 433.68, at which time the sum of amounts required under this Section prior to the date of notification is due and payable. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed under subsection (b-5) of Section 5A-2 of this Article is determined to be a permissible tax under Title XIX of the Social Security Act. The Illinois Department shall take all actions necessary to implement the payments under this Section effective July 1, 2012, including but not limited to providing public notice pursuant to federal requirements, the filing of a State Plan amendment, and the adoption of administrative rules. For State fiscal year 2013, payments under this Section shall be increased by $170 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009. (a-5) Accelerated schedule. The Illinois Department may, when practicable, accelerate the schedule upon which payments authorized under this Section are made. (b) Magnet and perinatal hospital adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that, as of August 25, 2011, was recognized as a Magnet hospital by the American Nurses Credentialing Center and that, as of September 14, 2011, was designated as a level III perinatal center amounts as follows:

(1) For hospitals with a case mix index equal to or greater than the 80th percentile of case mix indices for all Illinois hospitals, $470 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

New matter indicated in italics - deletions by strikeout
(c) Trauma level II adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that, as of July 1, 2011, was designated as a level II trauma center amounts as follows:

(1) For hospitals with a case mix index equal to or greater than the 50th percentile of case mix indices for all Illinois hospitals, $470 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(3) For the purposes of this adjustment, hospitals located in the same city that alternate their trauma center designation as defined in 89 Ill. Adm. Code 148.295(a)(2) shall have the adjustment provided under this Section divided between the 2 hospitals.

(d) Dual-eligible adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois general acute care hospital that had a ratio of crossover days to total inpatient days for programs under Title XIX of the Social Security Act administered by the Department (utilizing information from 2009 paid claims) greater than 50%, and a case mix index equal to or greater than the 75th percentile of case mix indices for all Illinois hospitals, a rate of $400 for each Medicaid inpatient day during State fiscal year 2009 including crossover days.

(e) Medicaid volume adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that provided more than 10,000 Medicaid inpatient days of care in State fiscal year 2009, has a Medicaid inpatient utilization rate of at least 29.05% as calculated by the Department for the Rate Year 2011 Disproportionate Share determination, and is not eligible for Medicaid Percentage Adjustment payments in rate year 2011 an amount equal to $135 for each Medicaid inpatient day of care provided during State fiscal year 2009.

(f) Outpatient service adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital an amount at least equal to $100 multiplied by the hospital's outpatient ambulatory procedure listing services (excluding categories 3B and 3C) and by the hospital's end stage renal disease treatment services provided for State fiscal year 2009.

New matter indicated in italics - deletions by strikeout
(g) Ambulatory service adjustment.

(1) In addition to the rates paid for outpatient hospital services provided in the emergency department, the Department shall pay each Illinois hospital an amount equal to $105 multiplied by the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

(2) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois freestanding psychiatric hospital an amount equal to $200 multiplied by the hospital's ambulatory procedure listing services for category 5A for State fiscal year 2009.

(h) Specialty hospital adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois long term acute care hospital and each Illinois hospital devoted exclusively to the treatment of cancer, an amount equal to $700 multiplied by the hospital's outpatient ambulatory procedure listing services and by the hospital's end stage renal disease treatment services (including services provided to individuals eligible for both Medicaid and Medicare) provided for State fiscal year 2009.

(h-1) ER Safety Net Payments. In addition to rates paid for outpatient hospital services, the Department shall pay to each Illinois general acute care hospital with an emergency room ratio equal to or greater than 55%, that is not eligible for Medicaid percentage adjustments payments in rate year 2011, with a case mix index equal to or greater than the 20th percentile, and that is not designated as a trauma center by the Illinois Department of Public Health on July 1, 2011, as follows:

(1) Each hospital with an emergency room ratio equal to or greater than 74% shall receive a rate of $225 for each outpatient ambulatory procedure listing and end-stage renal disease treatment service provided for State fiscal year 2009.

(2) For all other hospitals, $65 shall be paid for each outpatient ambulatory procedure listing and end-stage renal disease treatment service provided for State fiscal year 2009.

(i) Physician supplemental adjustment. In addition to the rates paid for physician services, the Department shall make an adjustment payment for services provided by physicians as follows:

(1) Physician services eligible for the adjustment payment are those provided by physicians employed by or who have a contract to provide services to patients of the following hospitals:

New matter indicated in italics - deletions by strikeout
(i) Illinois general acute care hospitals that provided at least 17,000 Medicaid inpatient days of care in State fiscal year 2009 and are eligible for Medicaid Percentage Adjustment Payments in rate year 2011; and (ii) Illinois freestanding children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3)(A).

(2) The amount of the adjustment for each eligible hospital under this subsection (i) shall be determined by rule by the Department to spend a total pool of at least $6,960,000 annually. This pool shall be allocated among the eligible hospitals based on the difference between the upper payment limit for what could have been paid under Medicaid for physician services provided during State fiscal year 2009 by physicians employed by or who had a contract with the hospital and the amount that was paid under Medicaid for such services, provided however, that in no event shall physicians at any individual hospital collectively receive an annual, aggregate adjustment in excess of $435,000, except that any amount that is not distributed to a hospital because of the upper payment limit shall be reallocated among the remaining eligible hospitals that are below the upper payment limitation, on a proportionate basis.

(i-5) For any children's hospital which did not charge for its services during the base period, the Department shall use data supplied by the hospital to determine payments using similar methodologies for freestanding children's hospitals under this Section or Section 5A-12.2.

(j) For purposes of this Section, a hospital that is enrolled to provide Medicaid services during State fiscal year 2009 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this Section.

(k) For purposes of this Section, the terms "Medicaid days", "ambulatory procedure listing services", and "ambulatory procedure listing payments" do not include any days, charges, or services for which Medicare or a managed care organization reimbursed on a capitated basis was liable for payment, except where explicitly stated otherwise in this Section.

(l) Definitions. Unless the context requires otherwise or unless provided otherwise in this Section, the terms used in this Section for qualifying criteria and payment calculations shall have the same meanings as those terms have been given in the Illinois Department's administrative regulations.
rules as in effect on October 1, 2011. Other terms shall be defined by the Illinois Department by rule.

As used in this Section, unless the context requires otherwise:

"Case mix index" means, for a given hospital, the sum of the per admission (DRG) relative weighting factors in effect on January 1, 2005, for all general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82, divided by the total number of general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82.

"Emergency room ratio" means, for a given hospital, a fraction, the denominator of which is the number of the hospital's outpatient ambulatory procedure listing and end-stage renal disease treatment services provided for State fiscal year 2009 and the numerator of which is the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

"Medicaid inpatient day" means, for a given hospital, the sum of days of inpatient hospital days provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring during State fiscal year 2009 that was adjudicated by the Department through June 30, 2010.

"Outpatient ambulatory procedure listing services" means, for a given hospital, ambulatory procedure listing services, as described in 89 Ill. Adm. Code 148.140(b), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding services for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

"Outpatient end-stage renal disease treatment services" means, for a given hospital, the services, as described in 89 Ill. Adm. Code 148.140(c), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding payments for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for
services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

(m) The Department may adjust payments made under this Section 5A-12.4 to comply with federal law or regulations regarding hospital-specific payment limitations on government-owned or government-operated hospitals.

(n) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules that change the hospital access improvement payments specified in this Section, but only to the extent necessary to conform to any federally approved amendment to the Title XIX State plan. Any such rules shall be adopted by the Department as authorized by Section 5-50 of the Illinois Administrative Procedure Act. Notwithstanding any other provision of law, any changes implemented as a result of this subsection (n) shall be given retroactive effect so that they shall be deemed to have taken effect as of the effective date of this Section.

(o) The Department of Healthcare and Family Services must submit a State Medicaid Plan Amendment to the Centers for Medicare and Medicaid Services to implement the payments under this Section within 30 days of the effective date of this Act.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

ARTICLE 9.

Section 9-5. The Illinois Public Aid Code is amended by changing Sections 3-1.2, 5-2b, 5-4, 5-5, 5-5e, 5-5e.1, and 5-5f as follows:

(305 ILCS 5/3-1.2) (from Ch. 23, par. 3-1.2)
Sec. 3-1.2. Need. Income available to the person, when added to contributions in money, substance, or services from other sources, including contributions from legally responsible relatives, must be insufficient to equal the grant amount established by Department regulation for such person.

In determining earned income to be taken into account, consideration shall be given to any expenses reasonably attributable to the earning of such income. If federal law or regulations permit or require exemption of earned or other income and resources, the Illinois Department shall provide by rule and regulation that the amount of income to be disregarded be increased (1) to the maximum extent so required and (2) to the maximum extent permitted by federal law or regulation in effect as of the date this Amendatory Act becomes law. The Illinois Department may also provide by rule and regulation that the amount of resources to be
disregarded be increased to the maximum extent so permitted or required.
Subject to federal approval, resources (for example, land, buildings, 
equipment, supplies, or tools), including farmland property and personal 
property used in the income-producing operations related to the farmland 
(for example, equipment and supplies, motor vehicles, or tools), necessary 
for self-support, up to $6,000 of the person's equity in the income-
producing property, provided that the property produces a net annual income of at least 6% of the excluded equity value of the property, are 
exempt. Equity value in excess of $6,000 shall not be excluded. If the activity produces income that is less than 6% of the exempt equity due to 
reasons beyond the person's control (for example, the person's illness or 
crop failure) and there is a reasonable expectation that the property will 
again produce income equal to or greater than 6% of the equity value (for example, a medical prognosis that the person is expected to respond to 
treatment or that drought-resistant corn will be planted), the equity value in 
the property up to $6,000 is exempt. If the person owns more than one 
piece of property and each produces income, each piece of property shall 
be looked at to determine whether the 6% rule is met, and then the 
amounts of the person's equity in all of those properties shall be totaled to 
determine whether the total equity is $6,000 or less. The total equity value of all properties that is exempt shall be limited to $6,000.

In determining the resources of an individual or any dependents, 
the Department shall exclude from consideration the value of funeral and 
burial spaces, funeral and burial insurance the proceeds of which can only 
be used to pay the funeral and burial expenses of the insured and funds 
specifically set aside for the funeral and burial arrangements of the 
individual or his or her dependents, including prepaid funeral and burial 
plans, to the same extent that such items are excluded from consideration 
under the federal Supplemental Security Income program (SSI).

Prepaid funeral or burial contracts are exempt to the following 
extent:

(1) Funds in a revocable prepaid funeral or burial contract 
are exempt up to $1,500, except that any portion of a contract that 
clearly represents the purchase of burial space, as that term is 
defined for purposes of the Supplemental Security Income 
program, is exempt regardless of value.

(2) Funds in an irrevocable prepaid funeral or burial 
contract are exempt up to $5,874, except that any portion of a 
contract that clearly represents the purchase of burial space, as that
term is defined for purposes of the Supplemental Security Income program, is exempt regardless of value. This amount shall be adjusted annually for any increase in the Consumer Price Index. The amount exempted shall be limited to the price of the funeral goods and services to be provided upon death. The contract must provide a complete description of the funeral goods and services to be provided and the price thereof. Any amount in the contract not so specified shall be treated as a transfer of assets for less than fair market value.

(3) A prepaid, guaranteed-price funeral or burial contract, funded by an irrevocable assignment of a person's life insurance policy to a trust, is exempt. The amount exempted shall be limited to the amount of the insurance benefit designated for the cost of the funeral goods and services to be provided upon the person's death. The contract must provide a complete description of the funeral goods and services to be provided and the price thereof. Any amount in the contract not so specified shall be treated as a transfer of assets for less than fair market value. The trust must include a statement that, upon the death of the person, the State will receive all amounts remaining in the trust, including any remaining payable proceeds under the insurance policy up to an amount equal to the total medical assistance paid on behalf of the person. The trust is responsible for ensuring that the provider of funeral services under the contract receives the proceeds of the policy when it provides the funeral goods and services specified under the contract. The irrevocable assignment of ownership of the insurance policy must be acknowledged by the insurance company.

Notwithstanding any other provision of this Code to the contrary, an irrevocable trust containing the resources of a person who is determined to have a disability shall be considered exempt from consideration. A pooled Such trust must be established and managed by a non-profit association that pools funds but maintains a separate account for each beneficiary. The trust may be established by the person, a parent, grandparent, legal guardian, or court. It must be established for the sole benefit of the person and language contained in the trust shall stipulate that any amount remaining in the trust (up to the amount expended by the Department on medical assistance) that is not retained by the trust for reasonable administrative costs related to wrapping up the affairs of the subaccount shall be paid to the Department upon the death of the person.

New matter indicated in italics - deletions by strikeout
After a person reaches age 65, any funding by or on behalf of the person to the trust shall be treated as a transfer of assets for less than fair market value unless the person is a ward of a county public guardian or the State guardian pursuant to Section 13-5 of the Probate Act of 1975 or Section 30 of the Guardianship and Advocacy Act and lives in the community, or the person is a ward of a county public guardian or the State guardian pursuant to Section 13-5 of the Probate Act of 1975 or Section 30 of the Guardianship and Advocacy Act and a court has found that any expenditures from the trust will maintain or enhance the person's quality of life. If the trust contains proceeds from a personal injury settlement, any Department charge must be satisfied in order for the transfer to the trust to be treated as a transfer for fair market value.

The homestead shall be exempt from consideration except to the extent that it meets the income and shelter needs of the person. "Homestead" means the dwelling house and contiguous real estate owned and occupied by the person, regardless of its value. Subject to federal approval, a person shall not be eligible for long-term care services, however, if the person's equity interest in his or her homestead exceeds the minimum home equity as allowed and increased annually under federal law. Subject to federal approval, on and after the effective date of this amendatory Act of the 97th General Assembly, homestead property transferred to a trust shall no longer be considered homestead property.

Occasional or irregular gifts in cash, goods or services from persons who are not legally responsible relatives which are of nominal value or which do not have significant effect in meeting essential requirements shall be disregarded. The eligibility of any applicant for or recipient of public aid under this Article is not affected by the payment of any grant under the "Senior Citizens and Disabled Persons Property Tax Relief Act" or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act.

The Illinois Department may, after appropriate investigation, establish and implement a consolidated standard to determine need and eligibility for and amount of benefits under this Article or a uniform cash supplement to the federal Supplemental Security Income program for all or any part of the then current recipients under this Article; provided, however, that the establishment or implementation of such a standard or supplement shall not result in reductions in benefits under this Article for the then current recipients of such benefits.

New matter indicated in italics - deletions by strikeout
Sec. 5-2b. Medically fragile and technology dependent children eligibility and program. Notwithstanding any other provision of law, on and after September 1, 2012, subject to federal approval, medical assistance under this Article shall be available to children who qualify as persons with a disability, as defined under the federal Supplemental Security Income program and who are medically fragile and technology dependent. The program shall allow eligible children to receive the medical assistance provided under this Article in the community, shall be limited to families with income up to 500% of the federal poverty level, and must maximize, to the fullest extent permissible under federal law, federal reimbursement and family cost-sharing, including co-pays, premiums, or any other family contributions, except that the Department shall be permitted to incentivize the utilization of selected services through the use of cost-sharing adjustments. The Department shall establish the policies, procedures, standards, services, and criteria for this program by rule.

Sec. 5-4. Amount and nature of medical assistance. (a) The amount and nature of medical assistance shall be determined in accordance with the standards, rules, and regulations of the Department of Healthcare and Family Services, with due regard to the requirements and conditions in each case, including contributions available from legally responsible relatives. However, the amount and nature of such medical assistance shall not be affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The amount and nature of medical assistance shall not be affected by the receipt of donations or benefits from fundraisers in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.

In determining the income and resources available to the institutionalized spouse and to the community spouse, the Department of Healthcare and Family Services shall follow the procedures established by federal law. If an institutionalized spouse or community spouse refuses to
comply with the requirements of Title XIX of the federal Social Security Act and the regulations duly promulgated thereunder by failing to provide the total value of assets, including income and resources, to the extent either the institutionalized spouse or community spouse has an ownership interest in them pursuant to 42 U.S.C. 1396r-5, such refusal may result in the institutionalized spouse being denied eligibility and continuing to remain ineligible for the medical assistance program based on failure to cooperate.

Subject to federal approval, the community spouse resource allowance shall be established and maintained at the higher of $109,560 or the minimum level permitted pursuant to Section 1924(f)(2) of the Social Security Act, as now or hereafter amended, or an amount set after a fair hearing, whichever is greater. The monthly maintenance allowance for the community spouse shall be established and maintained at the higher of $2,739 per month or the minimum level permitted pursuant to Section 1924(d)(3)(C) of the Social Security Act, as now or hereafter amended, or an amount set after a fair hearing, whichever is greater. Subject to the approval of the Secretary of the United States Department of Health and Human Services, the provisions of this Section shall be extended to persons who but for the provision of home or community-based services under Section 4.02 of the Illinois Act on the Aging, would require the level of care provided in an institution, as is provided for in federal law.

(b) Spousal support for institutionalized spouses receiving medical assistance.

(i) The Department may seek support for an institutionalized spouse, who has assigned his or her right of support from his or her spouse to the State, from the resources and income available to the community spouse.

(ii) The Department may bring an action in the circuit court to establish support orders or itself establish administrative support orders by any means and procedures authorized in this Code, as applicable, except that the standard and regulations for determining ability to support in Section 10-3 shall not limit the amount of support that may be ordered.

(iii) Proceedings may be initiated to obtain support, or for the recovery of aid granted during the period such support was not provided, or both, for the obtainment of support and the recovery of the aid provided. Proceedings for the recovery of aid may be taken separately or they may be consolidated with actions to obtain support.

New matter indicated in italics - deletions by strikeout
support. Such proceedings may be brought in the name of the person or persons requiring support or may be brought in the name of the Department, as the case requires.

(iv) The orders for the payment of moneys for the support of the person shall be just and equitable and may direct payment thereof for such period or periods of time as the circumstances require, including support for a period before the date the order for support is entered. In no event shall the orders reduce the community spouse resource allowance below the level established in subsection (a) of this Section or an amount set after a fair hearing, whichever is greater, or reduce the monthly maintenance allowance for the community spouse below the level permitted pursuant to subsection (a) of this Section.

(Source: P.A. 97-689, eff. 6-14-12.)

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for

New matter indicated in italics - deletions by strikeout
purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; “uniform” does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for

New matter indicated in italics - deletions by strikeout
assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman’s health care provider for women under 40 years of age and having a family history of breast cancer.

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cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the
highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical
and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

(1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

(2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

(3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall
immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all

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prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor. Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits;

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database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.
In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the
Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or

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changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

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Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; 96-926, eff. 1-1-11; 96-1000, eff. 7-2-10; 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; revised 9-20-12.)

(305 ILCS 5/5-5e)
Sec. 5-5e. Adjusted rates of reimbursement.

(a) Rates or payments for services in effect on June 30, 2012 shall be adjusted and services shall be affected as required by any other provision of this amendatory Act of the 97th General Assembly. In addition, the Department shall do the following:

(1) Delink the per diem rate paid for supportive living facility services from the per diem rate paid for nursing facility services, effective for services provided on or after May 1, 2011.

(2) Cease payment for bed reserves in nursing facilities and specialized mental health rehabilitation facilities, and, except in the instance of residents who are under 21 years of age, intermediate care facilities for persons with developmental disabilities.

(2.5) Cease payment for bed reserves for purposes of inpatient hospitalizations to intermediate care facilities for persons with development disabilities, except in the instance of residents who are under 21 years of age.

(3) Cease payment of the $10 per day add-on payment to nursing facilities for certain residents with developmental disabilities.

(b) After the application of subsection (a), notwithstanding any other provision of this Code to the contrary and to the extent permitted by federal law, on and after July 1, 2012, the rates of reimbursement for services and other payments provided under this Code shall further be reduced as follows:

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(1) Rates or payments for physician services, dental services, or community health center services reimbursed through an encounter rate, and services provided under the Medicaid Rehabilitation Option of the Illinois Title XIX State Plan shall not be further reduced.

(2) Rates or payments, or the portion thereof, paid to a provider that is operated by a unit of local government or State University that provides the non-federal share of such services shall not be further reduced.

(3) Rates or payments for hospital services delivered by a hospital defined as a Safety-Net Hospital under Section 5-5e.1 of this Code shall not be further reduced.

(4) Rates or payments for hospital services delivered by a Critical Access Hospital, which is an Illinois hospital designated as a critical care hospital by the Department of Public Health in accordance with 42 CFR 485, Subpart F, shall not be further reduced.

(5) Rates or payments for Nursing Facility Services shall only be further adjusted pursuant to Section 5-5.2 of this Code.

(6) Rates or payments for services delivered by long term care facilities licensed under the ID/DD Community Care Act and developmental training services shall not be further reduced.

(7) Rates or payments for services provided under capitation rates shall be adjusted taking into consideration the rates reduction and covered services required by this amendatory Act of the 97th General Assembly.

(8) For hospitals not previously described in this subsection, the rates or payments for hospital services shall be further reduced by 3.5%, except for payments authorized under Section 5A-12.4 of this Code.

(9) For all other rates or payments for services delivered by providers not specifically referenced in paragraphs (1) through (8), rates or payments shall be further reduced by 2.7%.

(c) Any assessment imposed by this Code shall continue and nothing in this Section shall be construed to cause it to cease.

(Source: P.A. 97-689, eff. 6-14-12.)

(305 ILCS 5/5-5e.1)
Sec. 5-5e.1. Safety-Net Hospitals.
(a) A Safety-Net Hospital is an Illinois hospital that:

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(1) is licensed by the Department of Public Health as a general acute care or pediatric hospital; and
(2) is a disproportionate share hospital, as described in Section 1923 of the federal Social Security Act, as determined by the Department; and
(3) meets one of the following:
   (A) has a MIUR of at least 40% and a charity percent of at least 4%; or
   (B) has a MIUR of at least 50%.

(b) Definitions. As used in this Section:
   (1) "Charity percent" means the ratio of (i) the hospital's charity charges for services provided to individuals without health insurance or another source of third party coverage to (ii) the Illinois total hospital charges, each as reported on the hospital's OBRA form.
   (2) "MIUR" means Medicaid Inpatient Utilization Rate and is defined as a fraction, the numerator of which is the number of a hospital's inpatient days provided in the hospital's fiscal year ending 3 years prior to the rate year, to patients who, for such days, were eligible for Medicaid under Title XIX of the federal Social Security Act, 42 USC 1396a et seq., excluding those persons eligible for medical assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of Section 5-2 of this Article, and the denominator of which is the total number of the hospital's inpatient days in that same period, excluding those persons eligible for medical assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of Section 5-2 of this Article.
   (3) "OBRA form" means form HFS-3834, OBRA '93 data collection form, for the rate year.
   (4) "Rate year" means the 12-month period beginning on October 1.
(c) For the 27-month period beginning July 1, 2012, a hospital that would have qualified for the rate year beginning October 1, 2011, shall be a Safety-Net Hospital.
(d) No later than August 15 preceding the rate year, each hospital shall submit the OBRA form to the Department. Prior to October 1, the Department shall notify each hospital whether it has qualified as a Safety-Net Hospital.

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(e) The Department may promulgate rules in order to implement this Section.
(Source: P.A. 97-689, eff. 6-14-12.)

Sec. 5-5f. Elimination and limitations of medical assistance services. Notwithstanding any other provision of this Code to the contrary, on and after July 1, 2012:

(a) The following services shall no longer be a covered service available under this Code: group psychotherapy for residents of any facility licensed under the Nursing Home Care Act or the Specialized Mental Health Rehabilitation Act; and adult chiropractic services.

(b) The Department shall place the following limitations on services: (i) the Department shall limit adult eyeglasses to one pair every 2 years; (ii) the Department shall set an annual limit of a maximum of 20 visits for each of the following services: adult speech, hearing, and language therapy services, adult occupational therapy services, and physical therapy services; (iii) the Department shall limit adult podiatry services to individuals with diabetes; (iv) the Department shall pay for caesarean sections at the normal vaginal delivery rate unless a caesarean section was medically necessary; (v) the Department shall limit adult dental services to emergencies; beginning July 1, 2013, the Department shall ensure that the following conditions are recognized as emergencies: (A) dental services necessary for an individual in order for the individual to be cleared for a medical procedure, such as a transplant; (B) extractions and dentures necessary for a diabetic to receive proper nutrition; (C) extractions and dentures necessary as a result of cancer treatment; and (D) dental services necessary for the health of a pregnant woman prior to delivery of her baby; and (vi) effective July 1, 2012, the Department shall place limitations and require concurrent review on every inpatient detoxification stay to prevent repeat admissions to any hospital for detoxification within 60 days of a previous inpatient detoxification stay. The Department shall convene a workgroup of hospitals, substance abuse providers, care coordination entities, managed care plans, and other stakeholders to develop recommendations for quality standards, diversion to other settings, and admission criteria for patients who need inpatient detoxification, which shall be published on the Department's website no later than September 1, 2013.

(c) The Department shall require prior approval of the following services: wheelchair repairs costing more than $400, regardless of the cost
of the repairs, coronary artery bypass graft, and bariatric surgery consistent
with Medicare standards concerning patient responsibility. Wheelchair
repair prior approval requests shall be adjudicated within one business
day of receipt of complete supporting documentation. Providers may not
break wheelchair repairs into separate claims for purposes of staying
under the $400 threshold for requiring prior approval. The wholesale
price cost of manual and power wheelchairs, durable medical equipment
and supplies, and complex rehabilitation technology products and services
shall be defined as actual acquisition cost including all discounts.

(d) The Department shall establish benchmarks for hospitals to
measure and align payments to reduce potentially preventable hospital
readmissions, inpatient complications, and unnecessary emergency room
visits. In doing so, the Department shall consider items, including, but not
limited to, historic and current acuity of care and historic and current
trends in readmission. The Department shall publish provider-specific
historical readmission data and anticipated potentially preventable targets
60 days prior to the start of the program. In the instance of readmissions,
the Department shall adopt policies and rates of reimbursement for
services and other payments provided under this Code to ensure that, by
June 30, 2013, expenditures to hospitals are reduced by, at a minimum,
$40,000,000.

(e) The Department shall establish utilization controls for the
hospice program such that it shall not pay for other care services when an
individual is in hospice.

(f) For home health services, the Department shall require
Medicare certification of providers participating in the program and implement
the Medicare face-to-face encounter rule, and limit services to post-hospitalization. The Department shall require providers to implement
auditable electronic service verification based on global positioning
systems or other cost-effective technology.

(g) For the Home Services Program operated by the Department of
Human Services and the Community Care Program operated by the
Department on Aging, the Department of Human Services, in cooperation
with the Department on Aging, shall implement an electronic service verification based on global positioning systems or other cost-effective
technology.

(h) Effective with inpatient hospital admissions on or after July 1,
2012, the Department shall reduce the payment for a claim that indicates
the occurrence of a provider-preventable condition during the admission

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as specified by the Department in rules. The Department shall not pay for services related to an other provider-preventable condition.

As used in this subsection (h):

"Provider-preventable condition" means a health care acquired condition as defined under the federal Medicaid regulation found at 42 CFR 447.26 or an other provider-preventable condition.

"Other provider-preventable condition" means a wrong surgical or other invasive procedure performed on a patient, a surgical or other invasive procedure performed on the wrong body part, or a surgical procedure or other invasive procedure performed on the wrong patient.

The Department shall not pay for hospital admissions when the claim indicates a hospital acquired condition that would cause Medicare to reduce its payment on the claim had the claim been submitted to Medicare, nor shall the Department pay for hospital admissions where a Medicare identified "never event" occurred:

(i) The Department shall implement cost savings initiatives for advanced imaging services, cardiac imaging services, pain management services, and back surgery. Such initiatives shall be designed to achieve annual costs savings.

(j) The Department shall ensure that beneficiaries with a diagnosis of epilepsy or seizure disorder in Department records will not require prior approval for anticonvulsants.

(Source: P.A. 97-689, eff. 6-14-12.)

ARTICLE 11.

Section 11-5. The Illinois Public Aid Code is amended by changing Section 11-5.3 as follows:

(305 ILCS 5/11-5.3)

Sec. 11-5.3. Procurement of vendor to verify eligibility for assistance under Article V.

(a) No later than 60 days after the effective date of this amendatory Act of the 97th General Assembly, the Chief Procurement Officer for General Services, in consultation with the Department of Healthcare and Family Services, shall conduct and complete any procurement necessary to procure a vendor to verify eligibility for assistance under Article V of this Code. Such authority shall include procuring a vendor to assist the Chief Procurement Officer in conducting the procurement. The Chief Procurement Officer and the Department shall jointly negotiate final contract terms with a vendor selected by the Chief Procurement Officer. Within 30 days of selection of an eligibility verification vendor, the

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Department of Healthcare and Family Services shall enter into a contract with the selected vendor. The Department of Healthcare and Family Services and the Department of Human Services shall cooperate with and provide any information requested by the Chief Procurement Officer to conduct the procurement.

(b) Notwithstanding any other provision of law, any procurement or contract necessary to comply with this Section shall be exempt from: (i) the Illinois Procurement Code pursuant to Section 1-10(h) of the Illinois Procurement Code, except that bidders shall comply with the disclosure requirement in Sections 50-10.5(a) through (d), 50-13, 50-35, and 50-37 of the Illinois Procurement Code and a vendor awarded a contract under this Section shall comply with Section 50-37 of the Illinois Procurement Code; (ii) any administrative rules of this State pertaining to procurement or contract formation; and (iii) any State or Department policies or procedures pertaining to procurement, contract formation, contract award, and Business Enterprise Program approval.

(c) Upon becoming operational, the contractor shall conduct data matches using the name, date of birth, address, and Social Security Number of each applicant and recipient against public records to verify eligibility. The contractor, upon preliminary determination that an enrollee is eligible or ineligible, shall notify the Department, except that the contractor shall not make preliminary determinations regarding the eligibility of persons residing in long term care facilities whose income and resources were at or below the applicable financial eligibility standards at the time of their last review. Within 20 business days of such notification, the Department shall accept the recommendation or reject it with a stated reason. The Department shall retain final authority over eligibility determinations. The contractor shall keep a record of all preliminary determinations of ineligibility communicated to the Department. Within 30 days of the end of each calendar quarter, the Department and contractor shall file a joint report on a quarterly basis to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Senate President, and the Senate Minority Leader. The report shall include, but shall not be limited to, monthly recommendations of preliminary determinations of eligibility or ineligibility communicated by the contractor, the actions taken on those preliminary determinations by the Department, and the stated reasons for those recommendations that the Department rejected.

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(d) An eligibility verification vendor contract shall be awarded for an initial 2-year period with up to a maximum of 2 one-year renewal options. Nothing in this Section shall compel the award of a contract to a vendor that fails to meet the needs of the Department. A contract with a vendor to assist in the procurement shall be awarded for a period of time not to exceed 6 months.

(e) The provisions of this Section shall be administered in compliance with federal law.

(Source: P.A. 97-689, eff. 6-14-12.)

Section 11-10. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Medicaid Research and Education Support Fund.

Section 11-15. The Illinois Public Aid Code is amended by adding Sections 5-5e.2, 5-31, and 5-32 as follows:

(305 ILCS 5/5-5e.2 new)
Sec. 5-5e.2. Academic medical centers and major teaching hospital status.

(a) Hospitals dedicated to medical research and medical education shall be classified each State fiscal year in 3 tiers based on specific criteria:

(1) Tier I. A private academic medical center must:
   (A) be a hospital located in Illinois which is either:
      (i) under common ownership with the college of medicine of a non-public college or university;
      (ii) a freestanding hospital in which the majority of the clinical chiefs of service or clinical department chairs are department chairmen in an affiliated non-public Illinois medical school; or
      (iii) a children's hospital which is separately incorporated and non-integrated into the academic medical center hospital but which is the pediatric partner for an academic medical center hospital and which serves as the primary teaching hospital for pediatrics for its affiliated Illinois medical school. A hospital identified herein is deemed to meet the additional Tier I criteria if its partner

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academic medical center hospital meets the Tier I criteria;

(B) serve as the training site for at least 30 graduate medical education programs accredited by Accreditation Council for Graduate Medical Education;

(C) facilitate the training on its campus or on affiliated off-campus sites no less than 500 medical students, interns, residents, and fellows during the calendar year preceding the beginning of the State fiscal year;

(D) perform, either itself or through its affiliated university, at least $12,000,000 in medical research funded through grants or contracts from the National Institutes of Health either directly or, with respect to hospitals described in item (ii) of subparagraph (A) of this paragraph, have as its affiliated non-public Illinois medical school a medical school that performs either itself or through its affiliated University medical research funded using at least $12,000,000 in grants or contracts from the National Institutes of Health; and

(E) expend directly or indirectly through an affiliated non-public medical school or as part of a hospital system as defined in paragraph (4) of subsection (h) of Section 3-8 of the Service Use Tax Act no less than $5,000,000 toward medical research and education during the calendar year preceding the beginning of the State fiscal year.

(2) Tier II. A public academic medical center must:

(A) be a hospital located in Illinois which is a primary teaching hospital affiliated with:

(i) University of Illinois School of Medicine at Chicago; or

(ii) University of Illinois School of Medicine at Peoria; or

(iii) University of Illinois School of Medicine at Rockford; or

(iv) University of Illinois School of Medicine at Urbana; or

(v) Southern Illinois University School of Medicine in Springfield; and

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(B) contribute no less than $2,500,000 toward medical research and education during the calendar year preceding the beginning of the State fiscal year.

(3) Tier III. A major teaching hospital must:

(A) be an Illinois hospital with 100 or more interns and residents or with a ratio of interns and residents to beds greater than or equal to 0.25; and

(B) support at least one graduate medical education program accredited by Accreditation Council for Graduate Medical Education.

(b) All hospitals seeking to qualify for Tier I, Tier II, or Tier III recognition must annually submit a report to the Department with supporting documentation and attesting to meeting the requirements in this Section. Such reporting must also describe each hospital's education and research activities for the preceding year.

(305 ILCS 5/5-31 new)

Sec. 5-31. Medicaid Research and Education Support Fund.

(a) There is created in the State treasury the Medicaid Research and Education Support Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving moneys, donations, and grants from private and public colleges and universities and disbursing moneys only for the following purposes, notwithstanding any other provision of law, for making payments to hospitals as required under Section 5-32 of this Code and any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

Disbursements from the Fund shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from donations and grants from private and public colleges and universities.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

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(3) Any interest or penalty levied in conjunction with the administration of this Section.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) Interfund transfers from the Medicaid Research and Education Support Fund are prohibited.

Sec. 5-32. Medicaid research and education enhancement payments.

(a) The Department shall make Medicaid enhancement payments to Tier I and Tier II academic medical centers as defined in Section 5-5e.2 of this Code identified as primary affiliates by any university or college that makes a donation to the Medicaid Research and Education Support Fund.

(b) By April 30 of each year, a university or college that intends to make a donation to the Medicaid Research and Education Support Fund for the upcoming State fiscal year must notify the Department of this intent and identify a primary Tier I or Tier II academic medical center as defined in Section 5-5e.2 of this Code.

(c) Only Tier I and Tier II academic medical centers as defined in Section 5-5e.2 of this Code identified by a university or college as required under subsection (b) of this Section are eligible to receive payments under this Section.

(d) Reimbursement methodology. The Department shall develop a reimbursement methodology consistent with this Section for distribution of moneys from the funds in a manner that would allow distributions from these funds to be matchable under Title XIX of the Social Security Act. The Department may enhance payment rates to any combination of Medicaid inpatient or outpatient Medicaid services. The Department may enhance Medicaid physician services for physicians employed by Tier I or Tier II academic medical centers as defined in Section 5-5e.2 of this Code qualified to receive payment under this Section if the Department and the Tier I or Tier II academic medical centers as defined in Section 5-5e.2 of this Code agree prior to the start of the State fiscal year for which payments are made. The Department shall promulgate rules necessary to make these distributions matchable.

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(e) The Department of Healthcare and Family Services must submit a State Medicaid Plan Amendment to the Centers for Medicare and Medicaid Services to implement the payments under this Section within 60 days of the effective date of this amendatory Act of the 98th General Assembly.

(f) Reimbursements or payments by the State. Nothing in this Section may be used to reduce reimbursements or payments by the State to a hospital under any other Act.

Section 11-20. The Illinois Public Aid Code is amended by changing Section 5-30 as follows:

(305 ILCS 5/5-30)
Sec. 5-30. Care coordination.

(a) At least 50% of recipients eligible for comprehensive medical benefits in all medical assistance programs or other health benefit programs administered by the Department, including the Children's Health Insurance Program Act and the Covering ALL KIDS Health Insurance Act, shall be enrolled in a care coordination program by no later than January 1, 2015. For purposes of this Section, "coordinated care" or "care coordination" means delivery systems where recipients will receive their care from providers who participate under contract in integrated delivery systems that are responsible for providing or arranging the majority of care, including primary care physician services, referrals from primary care physicians, diagnostic and treatment services, behavioral health services, in-patient and outpatient hospital services, dental services, and rehabilitation and long-term care services. The Department shall designate or contract for such integrated delivery systems (i) to ensure enrollees have a choice of systems and of primary care providers within such systems; (ii) to ensure that enrollees receive quality care in a culturally and linguistically appropriate manner; and (iii) to ensure that coordinated care programs meet the diverse needs of enrollees with developmental, mental health, physical, and age-related disabilities.

(b) Payment for such coordinated care shall be based on arrangements where the State pays for performance related to health care outcomes, the use of evidence-based practices, the use of primary care delivered through comprehensive medical homes, the use of electronic medical records, and the appropriate exchange of health information electronically made either on a capitated basis in which a fixed monthly premium per recipient is paid and full financial risk is assumed for the delivery of services, or through other risk-based payment arrangements.

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(c) To qualify for compliance with this Section, the 50% goal shall be achieved by enrolling medical assistance enrollees from each medical assistance enrollment category, including parents, children, seniors, and people with disabilities to the extent that current State Medicaid payment laws would not limit federal matching funds for recipients in care coordination programs. In addition, services must be more comprehensively defined and more risk shall be assumed than in the Department's primary care case management program as of the effective date of this amendatory Act of the 96th General Assembly.

(d) The Department shall report to the General Assembly in a separate part of its annual medical assistance program report, beginning April, 2012 until April, 2016, on the progress and implementation of the care coordination program initiatives established by the provisions of this amendatory Act of the 96th General Assembly. The Department shall include in its April 2011 report a full analysis of federal laws or regulations regarding upper payment limitations to providers and the necessary revisions or adjustments in rate methodologies and payments to providers under this Code that would be necessary to implement coordinated care with full financial risk by a party other than the Department.

(e) Integrated Care Program for individuals with chronic mental health conditions.

(1) The Integrated Care Program shall encompass services administered to recipients of medical assistance under this Article to prevent exacerbations and complications using cost-effective, evidence-based practice guidelines and mental health management strategies.

(2) The Department may utilize and expand upon existing contractual arrangements with integrated care plans under the Integrated Care Program for providing the coordinated care provisions of this Section.

(3) Payment for such coordinated care shall be based on arrangements where the State pays for performance related to mental health outcomes on a capitated basis in which a fixed monthly premium per recipient is paid and full financial risk is assumed for the delivery of services, or through other risk-based payment arrangements such as provider-based care coordination.

(4) The Department shall examine whether chronic mental health management programs and services for recipients with

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specific chronic mental health conditions do any or all of the following:

(A) Improve the patient's overall mental health in a more expeditious and cost-effective manner.

(B) Lower costs in other aspects of the medical assistance program, such as hospital admissions, emergency room visits, or more frequent and inappropriate psychotropic drug use.

(5) The Department shall work with the facilities and any integrated care plan participating in the program to identify and correct barriers to the successful implementation of this subsection (e) prior to and during the implementation to best facilitate the goals and objectives of this subsection (e).

(f) A hospital that is located in a county of the State in which the Department mandates some or all of the beneficiaries of the Medical Assistance Program residing in the county to enroll in a Care Coordination Program, as set forth in Section 5-30 of this Code, shall not be eligible for any non-claims based payments not mandated by Article V-A of this Code for which it would otherwise be qualified to receive, unless the hospital is a Coordinated Care Participating Hospital no later than 60 days after the effective date of this amendatory Act of the 97th General Assembly or 60 days after the first mandatory enrollment of a beneficiary in a Coordinated Care program. For purposes of this subsection, "Coordinated Care Participating Hospital" means a hospital that meets one of the following criteria:

(1) The hospital has entered into a contract to provide hospital services to enrollees of the care coordination program.

(2) The hospital has not been offered a contract by a care coordination plan that pays at least as much as the Department would pay, on a fee-for-service basis, not including disproportionate share hospital adjustment payments or any other supplemental adjustment or add-on payment to the base fee-for-service rate.

(g) No later than August 1, 2013, the Department shall issue a purchase of care solicitation for Accountable Care Entities (ACE) to serve any children and parents or caretaker relatives of children eligible for medical assistance under this Article. An ACE may be a single corporate structure or a network of providers organized through contractual

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relationships with a single corporate entity. The solicitation shall require that:

1. An ACE operating in Cook County be capable of serving at least 40,000 eligible individuals in that county; an ACE operating in Lake, Kane, DuPage, or Will Counties be capable of serving at least 20,000 eligible individuals in those counties and an ACE operating in other regions of the State be capable of serving at least 10,000 eligible individuals in the region in which it operates. During initial periods of mandatory enrollment, the Department shall require its enrollment services contractor to use a default assignment algorithm that ensures if possible an ACE reaches the minimum enrollment levels set forth in this paragraph.

2. An ACE must include at a minimum the following types of providers: primary care, specialty care, hospitals, and behavioral healthcare.

3. An ACE shall have a governance structure that includes the major components of the health care delivery system, including one representative from each of the groups listed in paragraph (2).

4. An ACE must be an integrated delivery system, including a network able to provide the full range of services needed by Medicaid beneficiaries and system capacity to securely pass clinical information across participating entities and to aggregate and analyze that data in order to coordinate care.

5. An ACE must be capable of providing both care coordination and complex case management, as necessary, to beneficiaries. To be responsive to the solicitation, a potential ACE must outline its care coordination and complex case management model and plan to reduce the cost of care.

6. In the first 18 months of operation, unless the ACE selects a shorter period, an ACE shall be paid care coordination fees on a per member per month basis that are projected to be cost neutral to the State during the term of their payment and, subject to federal approval, be eligible to share in additional savings generated by their care coordination.

7. In months 19 through 36 of operation, unless the ACE selects a shorter period, an ACE shall be paid on a pre-paid capitation basis for all medical assistance covered services, under contract terms similar to Managed Care Organizations (MCO), with the Department sharing the risk through either stop-loss

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insurance for extremely high cost individuals or corridors of shared risk based on the overall cost of the total enrollment in the ACE. The ACE shall be responsible for claims processing, encounter data submission, utilization control, and quality assurance.

(8) In the fourth and subsequent years of operation, an ACE shall convert to a Managed Care Community Network (MCCN), as defined in this Article, or Health Maintenance Organization pursuant to the Illinois Insurance Code, accepting full-risk capitation payments.

The Department shall allow potential ACE entities 5 months from the date of the posting of the solicitation to submit proposals. After the solicitation is released, in addition to the MCO rate development data available on the Department's website, subject to federal and State confidentiality and privacy laws and regulations, the Department shall provide 2 years of de-identified summary service data on the targeted population, split between children and adults, showing the historical type and volume of services received and the cost of those services to those potential bidders that sign a data use agreement. The Department may add up to 2 non-state government employees with expertise in creating integrated delivery systems to its review team for the purchase of care solicitation described in this subsection. Any such individuals must sign a no-conflict disclosure and confidentiality agreement and agree to act in accordance with all applicable State laws.

During the first 2 years of an ACE's operation, the Department shall provide claims data to the ACE on its enrollees on a periodic basis no less frequently than monthly.

Nothing in this subsection shall be construed to limit the Department's mandate to enroll 50% of its beneficiaries into care coordination systems by January 1, 2015, using all available care coordination delivery systems, including Care Coordination Entities (CCE), MCCNs, or MCOs, nor be construed to affect the current CCEs, MCCNs, and MCOs selected to serve seniors and persons with disabilities prior to that date.

(h) Department contracts with MCOs and other entities reimbursed by risk based capitation shall have a minimum medical loss ratio of 85%, shall require the MCO or other entity to pay claims within 30 days of receiving a bill that contains all the essential information needed to adjudicate the bill, and shall require the entity to pay a penalty

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that is at least equal to the penalty imposed under the Illinois Insurance Code for any claims not paid within this time period. The requirements of this subsection shall apply to contracts with MCOs entered into or renewed or extended after June 1, 2013.

(Source: P.A. 96-1501, eff. 1-25-11; 97-689, eff. 6-14-12.)

Section 11-25. The Illinois Public Aid Code is amended by changing Section 5-5.02 as follows:

(305 ILCS 5/5-5.02) (from Ch. 23, par. 5-5.02)

Sec. 5-5.02. Hospital reimbursements.

(a) Reimbursement to Hospitals; July 1, 1992 through September 30, 1992. Notwithstanding any other provisions of this Code or the Illinois Department's Rules promulgated under the Illinois Administrative Procedure Act, reimbursement to hospitals for services provided during the period July 1, 1992 through September 30, 1992, shall be as follows:

(1) For inpatient hospital services rendered, or if applicable, for inpatient hospital discharges occurring, on or after July 1, 1992 and on or before September 30, 1992, the Illinois Department shall reimburse hospitals for inpatient services under the reimbursement methodologies in effect for each hospital, and at the inpatient payment rate calculated for each hospital, as of June 30, 1992. For purposes of this paragraph, "reimbursement methodologies" means all reimbursement methodologies that pertain to the provision of inpatient hospital services, including, but not limited to, any adjustments for disproportionate share, targeted access, critical care access and uncompensated care, as defined by the Illinois Department on June 30, 1992.

(2) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly adjustment payments for targeted access and critical care, as defined by the Illinois Department on June 30, 1992, the adjustment payment for the period July 1, 1992 through September 30, 1992, shall be 25% of the annual adjustment payments calculated for each eligible hospital, as of June 30, 1992. The Illinois Department shall determine by rule the adjustment payments for targeted access and critical care beginning October 1, 1992.

(3) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly adjustment payments for uncompensated care, as defined by the Illinois Department on June 30, 1992, the adjustment payment for the period August 1,
1992 through September 30, 1992, shall be one-sixth of the total uncompensated care adjustment payments calculated for each eligible hospital for the uncompensated care rate year, as defined by the Illinois Department, ending on July 31, 1992. The Illinois Department shall determine by rule the adjustment payments for uncompensated care beginning October 1, 1992.

(b) Inpatient payments. For inpatient services provided on or after October 1, 1993, in addition to rates paid for hospital inpatient services pursuant to the Illinois Health Finance Reform Act, as now or hereafter amended, or the Illinois Department's prospective reimbursement methodology, or any other methodology used by the Illinois Department for inpatient services, the Illinois Department shall make adjustment payments, in an amount calculated pursuant to the methodology described in paragraph (c) of this Section, to hospitals that the Illinois Department determines satisfy any one of the following requirements:

(1) Hospitals that are described in Section 1923 of the federal Social Security Act, as now or hereafter amended, except that for rate year 2015 and after a hospital described in Section 1923(b)(1)(B) of the federal Social Security Act and qualified for the payments described in subsection (c) of this Section for rate year 2014 provided the hospital continues to meet the description in Section 1923(b)(1)(B) in the current determination year; or

(2) Illinois hospitals that have a Medicaid inpatient utilization rate which is at least one-half a standard deviation above the mean Medicaid inpatient utilization rate for all hospitals in Illinois receiving Medicaid payments from the Illinois Department; or

(3) Illinois hospitals that on July 1, 1991 had a Medicaid inpatient utilization rate, as defined in paragraph (h) of this Section, that was at least the mean Medicaid inpatient utilization rate for all hospitals in Illinois receiving Medicaid payments from the Illinois Department and which were located in a planning area with one-third or fewer excess beds as determined by the Health Facilities and Services Review Board, and that, as of June 30, 1992, were located in a federally designated Health Manpower Shortage Area; or

(4) Illinois hospitals that:

(A) have a Medicaid inpatient utilization rate that is at least equal to the mean Medicaid inpatient utilization rate
for all hospitals in Illinois receiving Medicaid payments from the Department; and

(B) also have a Medicaid obstetrical inpatient utilization rate that is at least one standard deviation above the mean Medicaid obstetrical inpatient utilization rate for all hospitals in Illinois receiving Medicaid payments from the Department for obstetrical services; or

(5) Any children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children if either (i) the facility devoted exclusively to caring for children is separately licensed as a hospital by a municipality prior to February 28, 2013 September 30, 1998 or (ii) the hospital has been designated by the State as a Level III perinatal care facility, has a Medicaid Inpatient Utilization rate greater than 55% for the rate year 2003 disproportionate share determination, and has more than 10,000 qualified children days as defined by the Department in rulemaking.

(c) Inpatient adjustment payments. The adjustment payments required by paragraph (b) shall be calculated based upon the hospital's Medicaid inpatient utilization rate as follows:

(1) hospitals with a Medicaid inpatient utilization rate below the mean shall receive a per day adjustment payment equal to $25;

(2) hospitals with a Medicaid inpatient utilization rate that is equal to or greater than the mean Medicaid inpatient utilization rate but less than one standard deviation above the mean Medicaid inpatient utilization rate shall receive a per day adjustment payment equal to the sum of $25 plus $1 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds the mean Medicaid inpatient utilization rate;

(3) hospitals with a Medicaid inpatient utilization rate that is equal to or greater than one standard deviation above the mean Medicaid inpatient utilization rate but less than 1.5 standard deviations above the mean Medicaid inpatient utilization rate shall receive a per day adjustment payment equal to the sum of $40 plus $7 for each one percent that the hospital's Medicaid inpatient
utilization rate exceeds one standard deviation above the mean Medicaid inpatient utilization rate; and

(4) hospitals with a Medicaid inpatient utilization rate that is equal to or greater than 1.5 standard deviations above the mean Medicaid inpatient utilization rate shall receive a per day adjustment payment equal to the sum of $90 plus $2 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds 1.5 standard deviations above the mean Medicaid inpatient utilization rate.

(d) Supplemental adjustment payments. In addition to the adjustment payments described in paragraph (c), hospitals as defined in clauses (1) through (5) of paragraph (b), excluding county hospitals (as defined in subsection (c) of Section 15-1 of this Code) and a hospital organized under the University of Illinois Hospital Act, shall be paid supplemental inpatient adjustment payments of $60 per day. For purposes of Title XIX of the federal Social Security Act, these supplemental adjustment payments shall not be classified as adjustment payments to disproportionate share hospitals.

(e) The inpatient adjustment payments described in paragraphs (c) and (d) shall be increased on October 1, 1993 and annually thereafter by a percentage equal to the lesser of (i) the increase in the DRI hospital cost index for the most recent 12 month period for which data are available, or (ii) the percentage increase in the statewide average hospital payment rate over the previous year's statewide average hospital payment rate. The sum of the inpatient adjustment payments under paragraphs (c) and (d) to a hospital, other than a county hospital (as defined in subsection (c) of Section 15-1 of this Code) or a hospital organized under the University of Illinois Hospital Act, however, shall not exceed $275 per day; that limit shall be increased on October 1, 1993 and annually thereafter by a percentage equal to the lesser of (i) the increase in the DRI hospital cost index for the most recent 12-month period for which data are available or (ii) the percentage increase in the statewide average hospital payment rate over the previous year's statewide average hospital payment rate.

(f) Children's hospital inpatient adjustment payments. For children's hospitals, as defined in clause (5) of paragraph (b), the adjustment payments required pursuant to paragraphs (c) and (d) shall be multiplied by 2.0.

(g) County hospital inpatient adjustment payments. For county hospitals, as defined in subsection (c) of Section 15-1 of this Code, there

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shall be an adjustment payment as determined by rules issued by the Illinois Department.

(h) For the purposes of this Section the following terms shall be defined as follows:

(1) "Medicaid inpatient utilization rate" means a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicaid under Title XIX of the federal Social Security Act, and the denominator of which is the total number of the hospital's inpatient days in that same period.

(2) "Mean Medicaid inpatient utilization rate" means the total number of Medicaid inpatient days provided by all Illinois Medicaid-participating hospitals divided by the total number of inpatient days provided by those same hospitals.

(3) "Medicaid obstetrical inpatient utilization rate" means the ratio of Medicaid obstetrical inpatient days to total Medicaid inpatient days for all Illinois hospitals receiving Medicaid payments from the Illinois Department.

(i) Inpatient adjustment payment limit. In order to meet the limits of Public Law 102-234 and Public Law 103-66, the Illinois Department shall by rule adjust disproportionate share adjustment payments.

(j) University of Illinois Hospital inpatient adjustment payments. For hospitals organized under the University of Illinois Hospital Act, there shall be an adjustment payment as determined by rules adopted by the Illinois Department.

(k) The Illinois Department may by rule establish criteria for and develop methodologies for adjustment payments to hospitals participating under this Article.

(l) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-31, eff. 6-30-09; 97-689, eff. 6-14-12.)

Section 11-30. The Personnel Code is amended by changing Section 4d as follows:

(20 ILCS 415/4d) (from Ch. 127, par. 63b104d)
Sec. 4d. Partial exemptions. The following positions in State service are exempt from jurisdictions A, B, and C to the extent stated for each, unless those jurisdictions are extended as provided in this Act:

1. In each department, board or commission that now maintains or may hereafter maintain a major administrative division, service or office in both Sangamon County and Cook County, 2 private secretaries for the director or chairman thereof, one located in the Cook County office and the other located in the Sangamon County office, shall be exempt from jurisdiction B; in all other departments, boards and commissions one private secretary for the director or chairman thereof shall be exempt from jurisdiction B. In all departments, boards and commissions one confidential assistant for the director or chairman thereof shall be exempt from jurisdiction B. This paragraph is subject to such modifications or waiver of the exemptions as may be necessary to assure the continuity of federal contributions in those agencies supported in whole or in part by federal funds.

2. The resident administrative head of each State charitable, penal and correctional institution, the chaplains thereof, and all member, patient and inmate employees are exempt from jurisdiction B.

3. The Civil Service Commission, upon written recommendation of the Director of Central Management Services, shall exempt from jurisdiction B other positions which, in the judgment of the Commission, involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out, except positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements, and except positions in agencies supported in whole by federal funds.

4. All beauticians and teachers of beauty culture and teachers of barbering, and all positions heretofore paid under Section 1.22 of "An Act to standardize position titles and salary rates", approved June 30, 1943, as amended, shall be exempt from jurisdiction B.

5. Licensed attorneys in positions as legal or technical advisors, positions in the Department of Natural Resources requiring incumbents to be either a registered professional engineer
or to hold a bachelor's degree in engineering from a recognized college or university, licensed physicians in positions of medical administrator or physician or physician specialist (including psychiatrists), and registered nurses (except those registered nurses employed by the Department of Public Health), except those in positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements and except those in positions in agencies supported in whole by federal funds, are exempt from jurisdiction B only to the extent that the requirements of Section 8b.1, 8b.3 and 8b.5 of this Code need not be met.

(6) All positions established outside the geographical limits of the State of Illinois to which appointments of other than Illinois citizens may be made are exempt from jurisdiction B.

(7) Staff attorneys reporting directly to individual Commissioners of the Illinois Workers’ Compensation Commission are exempt from jurisdiction B.

(8) Twenty-one senior public service administrator positions within the Department of Healthcare and Family Services, as set forth in this paragraph (8), requiring the specific knowledge of healthcare administration, healthcare finance, healthcare data analytics, or information technology described are exempt from jurisdiction B only to the extent that the requirements of Sections 8b.1, 8b.3, and 8b.5 of this Code need not be met. The General Assembly finds that these positions are all senior policy makers and have spokesperson authority for the Director of the Department of Healthcare and Family Services. When filling positions so designated, the Director of Healthcare and Family Services shall cause a position description to be published which allots points to various qualifications desired. After scoring qualified applications, the Director shall add Veteran's Preference points as enumerated in Section 8b.7 of this Code. The following are the minimum qualifications for the senior public service administrator positions provided for in this paragraph (8):

(A) HEALTHCARE ADMINISTRATION.

Medical Director: Licensed Medical Doctor in good standing; experience in healthcare payment systems, pay for performance initiatives, medical necessity criteria or federal or State quality

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improvement programs; preferred experience serving Medicaid patients or experience in population health programs with a large provider, health insurer, government agency, or research institution.

Chief, Bureau of Quality Management: Advanced degree in health policy or health professional field preferred; at least 3 years experience in implementing or managing healthcare quality improvement initiatives in a clinical setting.

Quality Management Bureau: Manager, Care Coordination/Managed Care Quality: Clinical degree or advanced degree in relevant field required; experience in the field of managed care quality improvement, with knowledge of HEDIS measurements, coding, and related data definitions.

Quality Management Bureau: Manager, Primary Care Provider Quality and Practice Development: Clinical degree or advanced degree in relevant field required; experience in practice administration in the primary care setting with a provider or a provider association or an accrediting body; knowledge of practice standards for medical homes and best evidence based standards of care for primary care.

Director of Care Coordination Contracts and Compliance: Bachelor's degree required; multi-year experience in negotiating managed care contracts, preferably on behalf of a payer; experience with health care contract compliance.

Manager, Long Term Care Policy: Bachelor's degree required; social work, gerontology, or social service degree preferred; knowledge of Olmstead and other relevant court decisions required; experience working with diverse long term care populations and service systems, federal initiatives to create long term care community options, and home and community-based waiver services required. The General
Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Behavioral Health Programs: Clinical license or Advanced degree required, preferably in psychology, social work, or relevant field; knowledge of medical necessity criteria and governmental policies and regulations governing the provision of mental health services to Medicaid populations, including children and adults, in community and institutional settings of care. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Office of Accountable Care Entity Development Chief, Bureau of Maternal and Child Health Promotion: Bachelor's degree required, clinical degree or advanced degree in relevant field preferred; experience in developing integrated delivery systems, including knowledge of health homes and evidence-based standards of care delivery advanced degree preferred, in public health, health care management, or a clinical field; multi-year experience in health care or public health management; knowledge of federal ACO or other similar delivery system EPSDT requirements and strategies for improving health care delivery for children as well as improving birth outcomes.

Manager of Federal Regulatory Compliance Director of Dental Program: Bachelor's degree required, advanced degree preferred, in healthcare management or relevant field; experience in healthcare administration or Medicaid State Plan amendments preferred; experience interpreting federal rules; experience with either federal health care agency or with a State agency in working with federal regulations; experience in administering dental healthcare programs, knowledge of practice

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standards for dental care and treatment services; knowledge of the public dental health infrastructure.

Manager, Office of Medical Project Management: Bachelor's degree required, project management certification preferred; multi-year experience in project management and developing business analyst skills; leadership skills to manage multiple and complex projects.

Manager of Medicare/Medicaid Coordination: Bachelor's degree required, knowledge and experience with Medicare Advantage rules and regulations, knowledge of Medicaid laws and policies; experience with contract drafting preferred.

Chief, Bureau of Eligibility Integrity: Bachelor's degree required, advanced degree in public administration or business administration preferred; experience equivalent to 4 years of administration in a public or business organization required; experience with managing contract compliance required; knowledge of Medicaid eligibility laws and policy preferred; supervisory experience preferred. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

(B) HEALTHCARE FINANCE.

Director of Care Coordination Rate and Finance: MBA, CPA, or Actuarial degree required; experience in managed care rate setting, including, but not limited to, baseline costs and growth trends; knowledge and experience with Medical Loss Ratio standards and measurements.

Director of Encounter Data Program: Bachelor's degree required, advanced degree preferred, preferably in health care, business, or information systems; at least 2 years healthcare or other similar data reporting experience, including, but not limited to, data definitions, submission, and editing; strong background in HIPAA transactions.
relevant to encounter data submission; experience with large provider, health insurer, government agency, or research institution or other knowledge of healthcare claims systems.

Chief, Bureau of Rate Development and Analysis: Bachelor's degree required, advanced degree preferred, with preferred coursework in business or public administration, accounting, finance, data analysis, or statistics; experience with Medicaid reimbursement methodologies and regulations; experience with extracting data from large systems for analysis.

Manager of Medical Finance, Division of Finance: Requires relevant advanced degree or certification in relevant field, such as Certified Public Accountant; coursework in business or public administration, accounting, finance, data analysis, or statistics preferred; experience in control systems and GAAP; financial management experience in a healthcare or government entity utilizing Medicaid funding.

(C) HEALTHCARE DATA ANALYTICS.

Data Quality Assurance Manager: Bachelor's degree required, advanced degree preferred, preferably in business, information systems, or epidemiology; at least 3 years of extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous data quality assurance role or formal data quality assurance training.

Data Analytics Unit Manager: Bachelor's degree required, advanced degree preferred, in information systems, applied mathematics, or another field with a strong analytics component; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments; in-depth
knowledge of health insurance coding and evolving healthcare quality metrics; working knowledge of SQL and/or SAS.

Data Analytics Platform Manager: Bachelor's degree required, advanced degree preferred, preferably in business or information systems; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous experience working on a health insurance data analytics platform; experience managing contracts and vendors preferred.

(D) HEALTHCARE INFORMATION TECHNOLOGY.

Manager of MMIS Claims Unit: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 4 years of administration in a public or business organization; working knowledge with design and implementation of technical solutions to medical claims payment systems; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies, and related documents; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Assistant Bureau Chief, Office of Information Systems: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 5 years of administration in a public or private business organization; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies and related documents; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between...
business and information technology departments; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Technical System Architect: Bachelor's degree required, with preferred coursework in computer science or information technology; prior experience equivalent to 5 years of computer science or IT administration in a public or business organization; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments.

The provisions of this paragraph (8), other than this sentence, are inoperative after January 1, 2014.

(Source: P.A. 97-649, eff. 12-30-11; 97-689, eff. 6-14-12.)

Section 11-35. The Illinois Public Aid Code is amended by changing Section 5-5.2 as follows:

Sec. 5-5.2. Payment.

(a) All nursing facilities that are grouped pursuant to Section 5-5.1 of this Act shall receive the same rate of payment for similar services.

(b) It shall be a matter of State policy that the Illinois Department shall utilize a uniform billing cycle throughout the State for the long-term care providers.

(c) Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Resource Utilization Groups (RUGs) has been fully operationalized, which shall take effect for services provided on or after January 1, 2014.

(d) The new nursing services reimbursement methodology utilizing RUG-IV 48 grouper model, which shall be referred to as the RUGs reimbursement system, taking effect January 1, 2014, shall be based on the following: A new nursing services reimbursement methodology utilizing RUGs IV 48 grouper model shall be established and may include an Illinois-specific default group, as needed.

New matter indicated in italics - deletions by strikeout
(1) The methodology The new RUGs-based nursing services reimbursement methodology shall be resident-driven, facility-specific, and cost-based.

(2) Costs shall be annually rebased and case mix index quarterly updated. The nursing services methodology will be assigned to the Medicaid enrolled residents on record as of 30 days prior to the beginning of the rate period in the Department's Medicaid Management Information System (MMIS) as present on the last day of the second quarter preceding the rate period.

(3) Regional The methodology shall include regional wage adjustors based on the Health Service Areas (HSA) groupings and adjusters in effect on April 30, 2012 shall be included.

(4) Case The Department shall assign a case mix index shall be assigned to each resident class based on the Centers for Medicare and Medicaid Services staff time measurement study in effect on July 1, 2013, utilizing an index maximization approach.

(5) The pool of funds available for distribution by case mix and the base facility rate shall be determined using the formula contained in subsection (d-1).

(d-1) Calculation of base year Statewide RUG-IV nursing base per diem rate.

(1) Base rate spending pool shall be:

(A) The base year resident days which are calculated by multiplying the number of Medicaid residents in each nursing home as indicated in the MDS data defined in paragraph (4) by 365.

(B) Each facility's nursing component per diem in effect on July 1, 2012 shall be multiplied by subsection (A).

(C) Thirteen million is added to the product of subparagraph (A) and subparagraph (B) to adjust for the exclusion of nursing homes defined in paragraph (5).

(2) For each nursing home with Medicaid residents as indicated by the MDS data defined in paragraph (4), weighted days adjusted for case mix and regional wage adjustment shall be calculated. For each home this calculation is the product of:

(A) Base year resident days as calculated in subparagraph (A) of paragraph (1).
(B) The nursing home's regional wage adjustor based on the Health Service Areas (HSA) groupings and adjustors in effect on April 30, 2012.

(C) Facility weighted case mix which is the number of Medicaid residents as indicated by the MDS data defined in paragraph (4) multiplied by the associated case weight for the RUG-IV 48 grouper model using standard RUG-IV procedures for index maximization.

(D) The sum of the products calculated for each nursing home in subparagraphs (A) through (C) above shall be the base year case mix, rate adjusted weighted days.

(3) The Statewide RUG-IV nursing base per diem rate on January 1, 2014 shall be the quotient of the paragraph (1) divided by the sum calculated under subparagraph (D) of paragraph (2).

(4) Minimum Data Set (MDS) comprehensive assessments for Medicaid residents on the last day of the quarter used to establish the base rate.

(5) Nursing facilities designated as of July 1, 2012 by the Department as "Institutions for Mental Disease" shall be excluded from all calculations under this subsection. The data from these facilities shall not be used in the computations described in paragraphs (1) through (4) above to establish the base rate.

(e) Notwithstanding any other provision of this Code, the Department shall by rule develop a reimbursement methodology reflective of the intensity of care and services requirements of low need residents in the lowest RUG IV groupers and corresponding regulations. Only that portion of the RUGs Reimbursement System spending pool described in subsection (d-1) attributed to the groupers as of July 1, 2013 for which the methodology in this Section is developed may be diverted for this purpose. The Department shall submit the rules no later than January 1, 2014 for an implementation date no later than January 1, 2015. If the Department does not implement this reimbursement methodology by the required date, the nursing component per diem on January 1, 2015 for residents classified in RUG-IV groups PA1, PA2, BA1, and BA2 shall be the blended rate of the calculated RUG-IV nursing component per diem and the nursing component per diem in effect on July 1, 2012. This blended rate shall be applied only to nursing homes whose resident population is greater than or equal to 70% of the total residents served and whose

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RUG-IV nursing component per diem rate is less than the nursing component per diem in effect on July 1, 2012. This blended rate shall be in effect until the reimbursement methodology is implemented or until July 1, 2019, whichever is sooner.

(e-1) Notwithstanding any other provision of this Article, rates established pursuant to this subsection shall not apply to any and all nursing facilities designated by the Department as "Institutions for Mental Disease" and shall be excluded from the RUGs Reimbursement System applicable to facilities not designated as "Institutions for the Mentally Diseased" by the Department.

(e-2) For dates of services beginning January 1, 2014, the RUG-IV nursing component per diem for a nursing home shall be the product of the statewide RUG-IV nursing base per diem rate, the facility average case mix index, and the regional wage adjustor. Transition rates for services provided between January 1, 2014 and December 31, 2014 shall be as follows:

(1) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is greater than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

(A) The nursing component rate in effect July 1, 2012; plus

(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.88.

(2) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is less than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

(A) The nursing component rate in effect July 1, 2012; plus

(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.13.

(f) Notwithstanding any other provision of this Code, on and after July 1, 2012, reimbursement rates associated with the nursing or support components of the current nursing facility rate methodology shall not
increase beyond the level effective May 1, 2011 until a new reimbursement system based on the RUGs IV 48 grouper model has been fully operationalized.

(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:

1. Individual nursing rates for residents classified in RUG IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;
2. Individual nursing rates for residents classified in all other RUG IV groups shall be reduced by 1.0%;
3. Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(Source: P.A. 96-1530, eff. 2-16-11; 97-689, eff. 6-14-12.)

Section 11-40. The Mental Health and Developmental Disabilities Code is amended by adding Section 6-104.3 as follows:

(405 ILCS 5/6-104.3 new)

Sec. 6-104.3. Comparable programs for the services contained in the Specialized Mental Health Rehabilitation Act of 2013. The Division of Mental Health of the Department of Human Services shall oversee the creation of comparable programs for the services contained in the Specialized Mental Health Rehabilitation Act of 2013 for community-based providers to provide the following services:

1. triage center;
2. crisis stabilization; and
3. transitional living.

These comparable programs shall operate under the regulations that may currently exist for such programs, or, if no such regulations are in existence, regulations shall be created. The comparable programs shall be provided through a managed care entity, a coordinated care entity, or an accountable care entity. The Department shall work in concert with

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any managed care entity, care coordination entity, or accountable care entity to gather the data necessary to report and monitor the progress of the services offered under this Section. The services to be provided under this Section shall be subject to a specific appropriation of the General Assembly for the specific purposes of this Section.

The Department shall adopt any emergency rules necessary to implement this Section.

Section 11-45. The Illinois Public Aid Code is amended by adding Section 5-5.4h as follows:

(305 ILCS 5/5-5.4h new)

Sec. 5-5.4h. Medicaid reimbursement for pediatric skilled nursing facilities.

(a) Facilities uniquely licensed as pediatric skilled nursing facilities that serve severely and chronically ill pediatric patients shall have a specific reimbursement system designed to recognize the characteristics and needs of the patients they serve.

(b) For dates of services starting July 1, 2013 and until a new reimbursement system is designed, pediatric skilled nursing facilities that meet the following criteria:

(1) serve exceptional care patients; and
(2) have 30% or more of their patients receiving ventilator care;

shall receive Medicaid reimbursement on a 30-day expedited schedule.

ARTICLE 12.

Section 12-1. Short title. This Article 12 may be referred to as the Resident First Act.

Section 12-5. Purpose. The purpose of this Article is to reprioritize the State's oversight of nursing homes to focus on the needs of the residents first. As unfunded mandates have increased, the State also reduced or eliminated its financial support for services nursing home residents need. In doing so, the State turned its back on frail elderly citizens for whom nursing home care is not a luxury but a necessity.

Section 12-10. Findings. The General Assembly finds the following:

(1) The needs of residents must always take precedence.
(2) Medicaid eligibility delays adversely impact quality.
(3) Payment delays further compound quality-of-care issues.
(4) Nursing homes are viable members of our communities.

New matter indicated in italics - deletions by strikeout
(5) When a nursing home closes, residents lose touch with their families, jobs are lost, and the local economy suffers.

(6) Increasing the number of State employees dedicated to Medicaid long term care determinations and updating the State's out-of-date data processing systems would positively impact the excessive eligibility determination delays experienced by nursing home residents.

Section 12-15. The Nursing Home Care Act is amended by changing Sections 2-202, 3-212, 3-301, and 3-305 as follows:

Sec. 2-202. (a) Before a person is admitted to a facility, or at the expiration of the period of previous contract, or when the source of payment for the resident's care changes from private to public funds or from public to private funds, a written contract shall be executed between a licensee and the following in order of priority:

(1) the person, or if the person is a minor, his parent or guardian; or

(2) the person's guardian, if any, or agent, if any, as defined in Section 2-3 of the Illinois Power of Attorney Act; or

(3) a member of the person's immediate family.

An adult person shall be presumed to have the capacity to contract for admission to a long term care facility unless he has been adjudicated a "disabled person" within the meaning of Section 11a-2 of the Probate Act of 1975, or unless a petition for such an adjudication is pending in a circuit court of Illinois.

If there is no guardian, agent or member of the person's immediate family available, able or willing to execute the contract required by this Section and a physician determines that a person is so disabled as to be unable to consent to placement in a facility, or if a person has already been found to be a "disabled person", but no order has been entered allowing residential placement of the person, that person may be admitted to a facility before the execution of a contract required by this Section; provided that a petition for guardianship or for modification of guardianship is filed within 15 days of the person's admission to a facility, and provided further that such a contract is executed within 10 days of the disposition of the petition.

No adult shall be admitted to a facility if he objects, orally or in writing, to such admission, except as otherwise provided in Chapters III
and IV of the Mental Health and Developmental Disabilities Code or Section 11a-14.1 of the Probate Act of 1975.

If a person has not executed a contract as required by this Section, then such a contract shall be executed on or before July 1, 1981, or within 10 days after the disposition of a petition for guardianship or modification of guardianship that was filed prior to July 1, 1981, whichever is later.

Before a licensee enters a contract under this Section, it shall provide the prospective resident and his or her guardian, if any, with written notice of the licensee's policy regarding discharge of a resident whose private funds for payment of care are exhausted.

Before a licensee enters into a contract under this Section, it shall provide the resident or prospective resident and his or her guardian, if any, with a copy of the licensee's policy regarding the assignment of Social Security representative payee status as a condition of the contract when the resident's or prospective resident's care is being funded under Title XIX of the Social Security Act and Article V of the Illinois Public Aid Code.

(b) A resident shall not be discharged or transferred at the expiration of the term of a contract, except as provided in Sections 3-401 through 3-423.

(c) At the time of the resident's admission to the facility, a copy of the contract shall be given to the resident, his guardian, if any, and any other person who executed the contract.

(d) A copy of the contract for a resident who is supported by nonpublic funds other than the resident's own funds shall be made available to the person providing the funds for the resident's support.

(e) The original or a copy of the contract shall be maintained in the facility and be made available upon request to representatives of the Department and the Department of Healthcare and Family Services.

(f) The contract shall be written in clear and unambiguous language and shall be printed in not less than 12-point type. The general form of the contract shall be prescribed by the Department.

(g) The contract shall specify:
   (1) the term of the contract;
   (2) the services to be provided under the contract and the charges for the services;
   (3) the services that may be provided to supplement the contract and the charges for the services;
   (4) the sources liable for payments due under the contract;

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(5) the amount of deposit paid; and
(6) the rights, duties and obligations of the resident, except that the specification of a resident's rights may be furnished on a separate document which complies with the requirements of Section 2-211.

(h) The contract shall designate the name of the resident's representative, if any. The resident shall provide the facility with a copy of the written agreement between the resident and the resident's representative which authorizes the resident's representative to inspect and copy the resident's records and authorizes the resident's representative to execute the contract on behalf of the resident required by this Section.

(i) The contract shall provide that if the resident is compelled by a change in physical or mental health to leave the facility, the contract and all obligations under it shall terminate on 7 days notice. No prior notice of termination of the contract shall be required, however, in the case of a resident's death. The contract shall also provide that in all other situations, a resident may terminate the contract and all obligations under it with 30 days notice. All charges shall be prorated as of the date on which the contract terminates, and, if any payments have been made in advance, the excess shall be refunded to the resident. This provision shall not apply to life-care contracts through which a facility agrees to provide maintenance and care for a resident throughout the remainder of his life nor to continuing-care contracts through which a facility agrees to supplement all available forms of financial support in providing maintenance and care for a resident throughout the remainder of his life.

(j) In addition to all other contract specifications contained in this Section admission contracts shall also specify:

(1) whether the facility accepts Medicaid clients;
(2) whether the facility requires a deposit of the resident or his family prior to the establishment of Medicaid eligibility;
(3) in the event that a deposit is required, a clear and concise statement of the procedure to be followed for the return of such deposit to the resident or the appropriate family member or guardian of the person;
(4) that all deposits made to a facility by a resident, or on behalf of a resident, shall be returned by the facility within 30 days of the establishment of Medicaid eligibility, unless such deposits must be drawn upon or encumbered in accordance with Medicaid...
eligibility requirements established by the Department of Healthcare and Family Services.

(k) It shall be a business offense for a facility to knowingly and intentionally both retain a resident's deposit and accept Medicaid payments on behalf of that resident.

(Source: P.A. 95-331, eff. 8-21-07.)

(210 ILCS 45/3-212) (from Ch. 111 1/2, par. 4153-212)

Sec. 3-212. Inspection.

(a) The Department, whenever it deems necessary in accordance with subsection (b), shall inspect, survey and evaluate every facility to determine compliance with applicable licensure requirements and standards. Submission of a facility's current Consumer Choice Information Report required by Section 2-214 shall be verified at time of inspection. An inspection should occur within 120 days prior to license renewal. The Department may periodically visit a facility for the purpose of consultation. An inspection, survey, or evaluation, other than an inspection of financial records, shall be conducted without prior notice to the facility. A visit for the sole purpose of consultation may be announced. The Department shall provide training to surveyors about the appropriate assessment, care planning, and care of persons with mental illness (other than Alzheimer's disease or related disorders) to enable its surveyors to determine whether a facility is complying with State and federal requirements about the assessment, care planning, and care of those persons.

(a-1) An employee of a State or unit of local government agency charged with inspecting, surveying, and evaluating facilities who directly or indirectly gives prior notice of an inspection, survey, or evaluation, other than an inspection of financial records, to a facility or to an employee of a facility is guilty of a Class A misdemeanor.

An inspector or an employee of the Department who intentionally prenotifies a facility, orally or in writing, of a pending complaint investigation or inspection shall be guilty of a Class A misdemeanor. Superiors of persons who have prenotified a facility shall be subject to the same penalties, if they have knowingly allowed the prenotification. A person found guilty of prenotifying a facility shall be subject to disciplinary action by his or her employer.

If the Department has a good faith belief, based upon information that comes to its attention, that a violation of this subsection has occurred, it must file a complaint with the Attorney General or the State's Attorney

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in the county where the violation took place within 30 days after discovery of the information.

(a-2) An employee of a State or unit of local government agency charged with inspecting, surveying, or evaluating facilities who willfully profits from violating the confidentiality of the inspection, survey, or evaluation process shall be guilty of a Class 4 felony and that conduct shall be deemed unprofessional conduct that may subject a person to loss of his or her professional license. An action to prosecute a person for violating this subsection (a-2) may be brought by either the Attorney General or the State's Attorney in the county where the violation took place.

(b) In determining whether to make more than the required number of unannounced inspections, surveys and evaluations of a facility the Department shall consider one or more of the following: previous inspection reports; the facility's history of compliance with standards, rules and regulations promulgated under this Act and correction of violations, penalties or other enforcement actions; the number and severity of complaints received about the facility; any allegations of resident abuse or neglect; weather conditions; health emergencies; other reasonable belief that deficiencies exist.

(b-1) The Department shall not be required to determine whether a facility certified to participate in the Medicare program under Title XVIII of the Social Security Act, or the Medicaid program under Title XIX of the Social Security Act, and which the Department determines by inspection under this Section or under Section 3-702 of this Act to be in compliance with the certification requirements of Title XVIII or XIX, is in compliance with any requirement of this Act that is less stringent than or duplicates a federal certification requirement. In accordance with subsection (a) of this Section or subsection (d) of Section 3-702, the Department shall determine whether a certified facility is in compliance with requirements of this Act that exceed federal certification requirements. If a certified facility is found to be out of compliance with federal certification requirements, the results of an inspection conducted pursuant to Title XVIII or XIX of the Social Security Act may be used as the basis for enforcement remedies authorized and commenced, with the Department's discretion to evaluate whether penalties are warranted, under this Act. Enforcement of this Act against a certified facility shall be commenced pursuant to the requirements of this Act, unless enforcement remedies sought pursuant to Title XVIII or XIX of the Social Security Act exceed those authorized by
this Act. As used in this subsection, "enforcement remedy" means a sanction for violating a federal certification requirement or this Act.

(c) Upon completion of each inspection, survey and evaluation, the appropriate Department personnel who conducted the inspection, survey or evaluation shall submit a copy of their report to the licensee upon exiting the facility, and shall submit the actual report to the appropriate regional office of the Department. Such report and any recommendations for action by the Department under this Act shall be transmitted to the appropriate offices of the associate director of the Department, together with related comments or documentation provided by the licensee which may refute findings in the report, which explain extenuating circumstances that the facility could not reasonably have prevented, or which indicate methods and timetables for correction of deficiencies described in the report. Without affecting the application of subsection (a) of Section 3-303, any documentation or comments of the licensee shall be provided within 10 days of receipt of the copy of the report. Such report shall recommend to the Director appropriate action under this Act with respect to findings against a facility. The Director shall then determine whether the report's findings constitute a violation or violations of which the facility must be given notice. Such determination shall be based upon the severity of the finding, the danger posed to resident health and safety, the comments and documentation provided by the facility, the diligence and efforts to correct deficiencies, correction of the reported deficiencies, the frequency and duration of similar findings in previous reports and the facility's general inspection history. Violations shall be determined under this subsection no later than 75 90 days after completion of each inspection, survey and evaluation.

(d) The Department shall maintain all inspection, survey and evaluation reports for at least 5 years in a manner accessible to and understandable by the public.

(e) Revisit surveys. The Department shall conduct a revisit to its licensure and certification surveys, consistent with federal regulations and guidelines.

(f) Notwithstanding any other provision of this Act, the Department shall, no later than 180 days after the effective date of this amendatory Act of the 98th General Assembly, implement a single survey process that encompasses federal certification and State licensure requirements, health and life safety requirements, and an enhanced complaint investigation initiative.

New matter indicated in italics - deletions by strikeout
(1) To meet the requirement of a single survey process, the portions of the health and life safety survey associated with federal certification and State licensure surveys must be started within 7 working days of each other. Nothing in this paragraph (1) of subsection (f) of this Section applies to a complaint investigation.

(2) The enhanced complaint and incident report investigation initiative shall permit the facility to challenge the amount of the fine due to the excessive length of the investigation which results in one or more of the following conditions:

(A) prohibits the timely development and implementation of a plan of correction;
(B) creates undue financial hardship impacting the quality of care delivered to the resident;
(C) delays initiation of corrective training; and
(D) negatively impacts quality assurance and patient improvement standards.

This paragraph (2) does not apply to complaint investigations exited within 14 working days or a situation that triggers an extended survey.

(Source: P.A. 95-823, eff. 1-1-09; 96-1372, eff. 7-29-10.)

(210 ILCS 45/3-301) (from Ch. 111 1/2, par. 4153-301)

Sec. 3-301. Determination of violation; notice; review team.

(a) If after receiving the report specified in subsection (c) of Section 3-212 the Director or his designee determines that a facility is in violation of this Act or of any rule promulgated thereunder, he shall serve a notice of violation upon the licensee within 10 days thereafter. Each notice of violation shall be prepared in writing and shall specify the nature of the violation, and the statutory provision or rule alleged to have been violated. The notice shall inform the licensee of any action the Department may take under the Act, including the requirement of a facility plan of correction under Section 3-303; placement of the facility on a list prepared under Section 3-304; assessment of a penalty under Section 3-305; a conditional license under Sections 3-311 through 3-317; or license suspension or revocation under Section 3-119. The Director or his designee shall also inform the licensee of rights to a hearing under Section 3-703.

(b) The Department shall perform an audit of all Type "AA" or Type "A" violations between January 1, 2014 and January 1, 2015. The purpose of the audit is to determine the consistency of assigning Type
"AA" and Type "A" violations. The audit shall be completed and a report submitted to the Long Term Care Advisory Committee by April 1, 2015 for comment. The report shall include recommendations for increasing the consistency of assignment of violations. The Committee may offer additional recommendations to be incorporated into the report. The final report shall be filed with the General Assembly by June 30, 2015.
(Source: P.A. 85-1378.)

(210 ILCS 45/3-305) (from Ch. 111 1/2, par. 4153-305)

Sec. 3-305. The license of a facility which is in violation of this Act or any rule adopted thereunder may be subject to the penalties or fines levied by the Department as specified in this Section.

(1) A licensee who commits a Type "AA" violation as defined in Section 1-128.5 is automatically issued a conditional license for a period of 6 months to coincide with an acceptable plan of correction and assessed a fine up to $25,000 per violation.

(1.5) A licensee who commits a Type "A" violation as defined in Section 1-129 is automatically issued a conditional license for a period of 6 months to coincide with an acceptable plan of correction and assessed a fine of up to $12,500 per violation.

(2) A licensee who commits a Type "B" violation as defined in Section 1-130 shall be assessed a fine of up to $1,100 per violation.

(2.5) A licensee who commits 10 or more Type "C" violations, as defined in Section 1-132, in a single survey shall be assessed a fine of up to $250 per violation. A licensee who commits one or more Type "C" violations with a high risk designation, as defined by rule, shall be assessed a fine of up to $500 per violation.

(3) A licensee who commits a Type "AA" or Type "A" violation as defined in Section 1-128.5 or 1-129 which continues beyond the time specified in paragraph (a) of Section 3-303 which is cited as a repeat violation shall have its license revoked and shall be assessed a fine of 3 times the fine computed per resident per day under subsection (1).

(4) A licensee who fails to satisfactorily comply with an accepted plan of correction for a Type "B" violation or an administrative warning issued pursuant to Sections 3-401 through 3-413 or the rules promulgated thereunder shall be automatically issued a conditional license for a period of not less than 6 months. A second or subsequent acceptable plan of correction shall be filed. A fine shall be assessed in accordance with subsection (2) when cited for the repeat violation. This fine shall be

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computed for all days of the violation, including the duration of the first plan of correction compliance time.

(5) For the purpose of computing a penalty under subsections (2) through (4), the number of residents per day shall be based on the average number of residents in the facility during the 30 days preceding the discovery of the violation.

(6) When the Department finds that a provision of Article II has been violated with regard to a particular resident, the Department shall issue an order requiring the facility to reimburse the resident for injuries incurred, or $100, whichever is greater. In the case of a violation involving any action other than theft of money belonging to a resident, reimbursement shall be ordered only if a provision of Article II has been violated with regard to that or any other resident of the facility within the 2 years immediately preceding the violation in question.

(7) For purposes of assessing fines under this Section, a repeat violation shall be a violation which has been cited during one inspection of the facility for which an accepted plan of correction was not complied with or a new citation of the same rule if the licensee is not substantially addressing the issue routinely throughout the facility.

(7.5) If an occurrence results in more than one type of violation as defined in this Act (that is, a Type "AA", Type "A", Type "B", or Type "C" violation), the Department shall assess only one fine, which shall not exceed the maximum fine that may be assessed for that occurrence is the maximum fine that may be assessed for the most serious type of violation charged. For purposes of the preceding sentence, a Type "AA" violation is the most serious type of violation that may be charged, followed by a Type "A", Type "B", or Type "C" violation, in that order.

(8) The minimum and maximum fines that may be assessed pursuant to this Section shall be twice those otherwise specified for any facility that willfully makes a misstatement of fact to the Department, or willfully fails to make a required notification to the Department, if that misstatement or failure delays the start of a survey or impedes a survey.

(9) High risk designation. If the Department finds that a facility has violated a provision of the Illinois Administrative Code that has a high risk designation, or that a facility has violated the same provision of the Illinois Administrative Code 3 or more times in the previous 12 months, the Department may assess a fine of up to 2 times the maximum fine otherwise allowed.

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(10) If a licensee has paid a civil monetary penalty imposed pursuant to the Medicare and Medicaid Certification Program for the equivalent federal violation giving rise to a fine under this Section, the Department shall offset the fine by the amount of the civil monetary penalty. The offset may not reduce the fine by more than 75% of the original fine, however.
(Source: P.A. 96-1372, eff. 7-29-10.)

Section 12-20. The Illinois Public Aid Code is amended by changing Section 5-5 and by adding Section 11-5.4 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical

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treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

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(2) eyeglasses prescribed by a physician skilled in the
diseases of the eye, or by an optometrist, whichever the person may
select.

Notwithstanding any other provision of this Code and subject to
federal approval, the Department may adopt rules to allow a dentist who is
volunteering his or her service at no cost to render dental services through
an enrolled not-for-profit health clinic without the dentist personally
enrolling as a participating provider in the medical assistance program. A
not-for-profit health clinic shall include a public health clinic or Federally
Qualified Health Center or other enrolled provider, as determined by the
Department, through which dental services covered under this Section are
performed. The Department shall establish a process for payment of claims
for reimbursement for covered dental services rendered under this
provision.

The Illinois Department, by rule, may distinguish and classify the
medical services to be provided only in accordance with the classes of
persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide
coverage and reimbursement for amino acid-based elemental formulas,
regardless of delivery method, for the diagnosis and treatment of (i)
eosinophilic disorders and (ii) short bowel syndrome when the prescribing
physician has issued a written order stating that the amino acid-based
elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall
authorize payment for, screening by low-dose mammography for the
presence of occult breast cancer for women 35 years of age or older who
are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or
older.

(C) A mammogram at the age and intervals considered
medically necessary by the woman's health care provider for
women under 40 years of age and having a family history of breast
cancer, prior personal history of breast cancer, positive genetic
testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire
breast or breasts if a mammogram demonstrates heterogeneous or
dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care.

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for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons
eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

1. Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
2. The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
3. Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.
The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced
miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after the effective date of this amendatory Act of the 98th General Assembly, establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois

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Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

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In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the
Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or
changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.
Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; 96-926, eff. 1-1-11; 96-1000, eff. 7-2-10; 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; revised 9-20-12.)

Sec. 11-5.4. Expedited long-term care eligibility determination and enrollment.

(a) An expedited long-term care eligibility determination and enrollment system shall be established to reduce long-term care determinations to 90 days or fewer by July 1, 2014 and streamline the long-term care enrollment process. Establishment of the system shall be a joint venture of the Department of Human Services and Healthcare and Family Services and the Department on Aging. The Governor shall name a lead agency no later than 30 days after the effective date of this amendatory Act of the 98th General Assembly to assume responsibility for the full implementation of the establishment and maintenance of the system. Project outcomes shall include an enhanced eligibility determination tracking system accessible to providers and a centralized application review and eligibility determination with all applicants reviewed within 90 days of receipt by the State of a complete application. If the Department of Healthcare and Family Services' Office of the Inspector General determines that there is a likelihood that a non-allowable transfer of assets has occurred, and the facility in which the applicant resides is notified, an extension of up to 90 days shall be permissible. On or before December 31, 2015, a streamlined application and enrollment process shall be put in place based on the following principles:

(1) Minimize the burden on applicants by collecting only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset.

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(2) Integrate online data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification.
(3) Provide online prompts to alert the applicant that information is missing or not complete.

(b) The Department shall, on or before July 1, 2014, assess the feasibility of incorporating all information needed to determine eligibility for long-term care services, including asset transfer and spousal impoverishment financials, into the State's integrated eligibility system identifying all resources needed and reasonable timeframes for achieving the specified integration.

(c) The lead agency shall file interim reports with the Chairs and Minority Spokespersons of the House and Senate Human Services Committees no later than September 1, 2013 and on February 1, 2014. The Department of Healthcare and Family Services shall include in the annual Medicaid report for State Fiscal Year 2014 and every fiscal year thereafter information concerning implementation of the provisions of this Section.

(d) No later than August 1, 2014, the Auditor General shall report to the General Assembly concerning the extent to which the timeframes specified in this Section have been met and the extent to which State staffing levels are adequate to meet the requirements of this Section.

ARTICLE 99.

Section 99-5. The Illinois Administrative Procedure Act is amended by changing Section 5-45 as follows:

(5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

Sec. 5-45. Emergency rulemaking.
(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency

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rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24 month period, except that this limitation on the number of emergency rules that may be adopted in a 24 month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health, (iv) emergency rules adopted pursuant to subsection (n) of this Section, (v) emergency rules adopted pursuant to subsection (o) of this Section, or (vi) emergency rules adopted pursuant to subsection (c-5) of this Section. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(c-5) To facilitate the maintenance of the program of group health benefits provided to annuitants, survivors, and retired employees under the State Employees Group Insurance Act of 1971, rules to alter the contributions to be paid by the State, annuitants, survivors, retired employees, or any combination of those entities, for that program of group health benefits, shall be adopted as emergency rules. The adoption of those rules shall be considered an emergency and necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not

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apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.
Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of this amendatory Act of the 93rd General Assembly or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to implement any provision of this amendatory Act of the 94th General Assembly or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of
Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.

(m) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2008 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2008, including rules effective July 1, 2008, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (m) shall be deemed to be necessary for the public interest, safety, and welfare.

(n) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2010 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this...
subsection (n) shall be deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (n) shall apply only to rules promulgated during Fiscal Year 2010.

(o) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2011 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2011 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (o) is deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (o) applies only to rules promulgated on or after the effective date of this amendatory Act of the 96th General Assembly through June 30, 2011.

(p) In order to provide for the expeditious and timely implementation of the provisions of Public Act 97-689 this amendatory Act of the 97th General Assembly, emergency rules to implement any provision of Public Act 97-689 this amendatory Act of the 97th General Assembly may be adopted in accordance with this subsection (p) by the agency charged with administering that provision or initiative. The 150-day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection (p), and the effective period may continue through June 30, 2013. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (p). The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety, and welfare.

(q) In order to provide for the expeditious and timely implementation of the provisions of Articles 7, 8, 9, 11, and 12 of this amendatory Act of the 98th General Assembly, emergency rules to implement any provision of Articles 7, 8, 9, 11, and 12 of this amendatory Act of the 98th General Assembly may be adopted in accordance with this subsection (q) by the agency charged with administering that provision or initiative. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (q). The adoption of emergency rules authorized by this subsection (q) is deemed to be necessary for the public interest, safety, and welfare.

(Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11; 97-689, eff. 6-14-12; 97-695, eff. 7-1-12; revised 7-10-12.)
Section 99-10. Severability. If any provision of this Act or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid application or provision, and to this end the provisions of this Act are declared to be severable.

Section 99-95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Approved July 22, 2013.
Effective July 22, 2013.

PUBLIC ACT 98-0105
(House Bill No. 0923)

AN ACT concerning employment.

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

Section 5. The Employee Classification Act is amended by adding Section 43 as follows:

(820 ILCS 185/43 new)

Sec. 43. Reporting requirements.

(a) Any contractor for which either an individual, sole proprietor, or partnership is performing construction services shall report all payments made to that individual, sole proprietor, or partnership if the recipient of payment is not classified as an employee. The report shall be submitted to the Illinois Department of Labor annually on or before January 31 following the taxable year in which the payment was made. The report must include:

   (1) the contractor name, address, and business identification number;

   (2) the individual, sole proprietor, or partnership name, address, and federal employer identification number; and

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(3) the total amount the contractor paid to the individual, sole proprietor, or partnership performing services in the taxable year, including payments for services and for any materials and equipment that was provided along with the services.

(b) Reports filed under this Section are confidential and exempt from public disclosure other than to employees in performance of their official duties. However, the name of the reporting contractor and the name of the individual, sole proprietor, or partnership performing construction services shall be disclosed upon request by the general public under the Freedom of Information Act.

(c) If the Department, upon investigation, finds that a contractor has failed to file a report or has filed an incomplete report in violation of this Section, the Department shall notify the contractor, in writing, of its finding and assess a civil penalty as provided in Section 40. The matter shall be referred to an Administrative Law Judge to schedule a formal hearing in accordance with the Illinois Administrative Procedure Act.

(d) A final decision of an Administrative Law Judge issued pursuant to this Section is subject to the provisions of the Administrative Review Law and shall be enforceable in an action brought in the name of the people of the State of Illinois by the Attorney General.

(e) The Department shall have the authority to adopt reasonable rules for implementation of this Section and the hearing process. The General Assembly finds that the adoption of rules to implement this Section is deemed an emergency and necessary for the public interest and welfare.

(f) A violation of this Section shall subject the violator to debarment pursuant to Section 42.

(g) Nothing in this Section shall apply to a business primarily engaged in the sale of tangible personal property or a contractor doing work for a business primarily engaged in the sale of tangible personal property.

(h) Nothing in this Section shall apply to individuals or firms meeting the responsible bidder requirements of Section 30-22 of the Illinois Procurement Code.

Passed in the General Assembly May 21, 2013.
Approved July 23, 2013.
Effective January 1, 2014.
AN ACT concerning employment.

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

Section 5. The Employee Classification Act is amended by changing Sections 5, 25, 30, and 40 and by adding Section 63 as follows:

(820 ILCS 185/5)

Sec. 5. Definitions. As used in this Act:

"Construction" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, water works, parking facility, railroad, excavation or other structure, project, development, real property or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to, or fabrication into, any structure, project, development, real property or improvement herein described of any material or article of merchandise. Construction shall also include moving construction related materials on the job site to or from the job site.

"Contractor" means any individual, sole proprietor, partnership, firm, corporation, limited liability company, association or other legal entity permitted by law to do business within the State of Illinois who engages in construction as defined in this Act.

"Contractor" includes a general contractor and a subcontractor.

"Department" means the Department of Labor.

"Director" means the Director of the Department of Labor.

"Employer" means any contractor that employs individuals deemed employees under Section 10 of this Act; however, "employer" does not include (i) the State of Illinois or its officers, agencies, or political subdivisions or (ii) the federal government.

"Entity" means any contractor for which an individual is performing services and is not classified as an employee under Section 10 of this Act; however, "entity" does not include (i) the State of Illinois or its officers, agencies, or political subdivisions or (ii) the federal government.

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"Interested party" means a person with an interest in compliance with this Act.

"Performing services" means the performance of any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, water works, parking facility, railroad, excavation or other structure, project, development, real property or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to, or fabrication into, any structure, project, development, real property or improvement herein described of any material or article of merchandise. Construction shall also include moving construction related materials on the job site to or from the job site.

(Source: P.A. 95-26, eff. 1-1-08.)

(820 ILCS 185/25)

Sec. 25. Enforcement.

(a) Any interested party may file a complaint with the Department against an entity or employer covered under this Act if there is a reasonable belief that the entity or employer is in violation of this Act. It shall be the duty of the Department to enforce the provisions of this Act. The Department shall have the power to conduct investigations in connection with the administration and enforcement of this Act and any investigator with the Department shall be authorized to visit and inspect, at all reasonable times, any places covered by this Act and shall be authorized to inspect, at all reasonable times, documents related to the determination of whether an individual is an employee under Section 10 of this Act. The Director of Labor or his or her representative may compel, by subpoena, the attendance and testimony of witnesses and the production of books, payrolls, records, papers, and other evidence in any investigation and may administer oaths to witnesses. Within 120 days of the filing of a complaint, the Department shall notify the employer in writing of the filing of a complaint and provide the employer the location and approximate date of the project or projects, affected contractors, and the nature of the allegations being investigated.

(b) Whenever the Department believes upon investigation that there has been a violation of any of the provisions of this Act or any rules or regulations promulgated under this Act, the Department may: (i) issue

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and cause to be served on any party an order to cease and desist from further violation of the Act, (ii) take affirmative or other action as deemed reasonable to eliminate the effect of the violation, (iii) collect the amount of any wages, salary, employment benefits, or other compensation denied or lost to the individual, and (iv) assess any civil penalty allowed by this Act. The civil penalties assessed by the Department as well as any other relief requested by the Department shall be recoverable in an action brought in the name of the people of the State of Illinois by the Attorney General:

(c) If, upon investigation, the Department finds cause to believe that Section 20 or Section 55 of this Act has been violated, the Department shall notify the employer, in writing, of its finding and any proposed relief due and penalties assessed and that the matter will be referred to an Administrative Law Judge to schedule a formal hearing in accordance with the Illinois Administrative Procedure Act.

(d) The employer has 28 calendar days from the date of the Department's findings to answer the allegations contained in the Department's findings. If an employer fails to answer all allegations contained in the Department's findings, any unanswered allegations or findings shall be deemed admitted to be true and shall be found true in the final decision issued by the Administrative Law Judge. If, within 30 calendar days of the final decision issued by the Administrative Law Judge, the employer files a motion to vacate the Administrative Law Judge's final decision and demonstrates good cause for failing to answer the Department's allegations, and the Administrative Law Judge grants the motion, the employer shall be afforded an opportunity to answer and the matter shall proceed as if an original answer to the Department's findings had been filed.

(e) A final decision of an Administrative Law Judge issued pursuant to this Section is subject to the provisions of the Administrative Review Law and shall be enforceable in an action brought in the name of the people of the State of Illinois by the Attorney General.

(Source: P.A. 95-26, eff. 1-1-08.)

(820 ILCS 185/30)

Sec. 30. Attorney General; State's Attorneys. Criminal violations of this Act shall be prosecuted by the Attorney General or the appropriate State's Attorney. The Department shall refer matters to the Attorney General and the appropriate State's Attorney upon determining that a

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criminal violation may have occurred. In all other proceedings the Department shall be represented by the Attorney General's Office.
(Source: P.A. 95-26, eff. 1-1-08.)

(820 ILCS 185/40)
Sec. 40. Penalties.

(a) An employer or entity that violates any of the provisions of this Act or any rule adopted under this Act shall be subject to a civil penalty not to exceed $1,000 for each violation found in the first audit by the Department. Following a first audit, an employer or entity shall be subject to a civil penalty not to exceed $2,000 for each repeat violation found by the Department within a 5 year period. For purposes of this Section, each violation of this Act for each person and for each day the violation continues shall constitute a separate and distinct violation. In determining the amount of a penalty, the Director shall consider the appropriateness of the penalty to the employer or entity charged, upon the determination of the gravity of the violations.

(b) The amount of the penalty, when finally determined, may be recovered in any administrative proceeding or a civil action filed in any circuit court by the Director of Labor, or a person aggrieved by a violation of this Act or any rule adopted under this Act.

(1) The Department shall distribute to all affected employees 10% of the civil penalty recovered as a result of any administrative proceeding or civil action brought by the Department. The remaining 90% of the amount recovered shall be submitted to the Director of Labor.

(2) In any civil action brought by an interested party pursuant to this Section, the circuit court shall award the interested party 10% of the amount recovered. In such case, the remaining amount recovered shall be submitted to the Director of Labor.

(c) Any uncollected amount shall be subject to the provisions of the Illinois State Collection Act of 1986.
(Source: P.A. 95-26, eff. 1-1-08.)

(820 ILCS 185/63 new)
Sec. 63. Individual liability. In addition to an individual who is an employer pursuant to Section 5 of this Act, any officer of a corporation or agent of a corporation who knowingly permits such employer to violate the provisions of this Act may be held individually liable for all violations and penalties assessed under this Act. This Section shall not apply to an individual who is an officer or agent of a corporation which on the project

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under investigation satisfies the responsible bidder requirements set forth in the Illinois Procurement Code.

Passed in the General Assembly May 29, 2013.
Approved July 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0107
(House Bill No. 3125)

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

Section 5. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by changing Section 1005-47 and by adding Section 1005-165 as follows:

(20 ILCS 1005/1005-47)
Sec. 1005-47. IllinoisJobLink.com Illinois Skills Match Program.
(a) The Department of Employment Security, through its IllinoisJobLink.com Illinois Skills Match System, or a successor system, shall maintain a web site that allows job seekers to search online for employment opportunities that match the skills of the person seeking employment.

(b) Each executive branch State agency and any individual or entity that is party to a contract with an executive branch State agency, except those individuals or entities that are party to a contract with a bona fide labor organization and perform construction or construction-related services as defined in Section 1-15.20 of the Illinois Procurement Code agencies with one or more positions subject to any jurisdiction of the Personnel Code, must either (i) post employment vacancies on the Department's IllinoisJobLink.com Skills Match System or its successor system or (ii) provide an online link to its employment vacancies so that this link is accessible through the web page of the IllinoisJobLink.com Illinois Skills Match System or its successor system. "State agency" has the meaning given to that term in Section 1-15.30 of the Illinois Procurement Code. The Department of Central Management Services shall comply with this Section on behalf of executive branch State agencies with one or more positions subject to any jurisdiction of the Personnel Code.

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Personnel Code provide an online link to its State employment information and career services web page so that this link is accessible through the web page of the Illinois Skills Match System or its successor system.

This Section does not apply to positions exempt from the requirements of the Rutan decision or to construction-related services as defined in Section 1-15.20 of the Illinois Procurement Code.

(c) All units of local government, school districts, and other public and private employers not subject to subsection (b) may, and are encouraged to, post employment vacancies on the IllinoisJobLink.com Illinois Skills Match System or successor system.

(d) The Department may not charge any employer or any person seeking employment a fee for using the IllinoisJobLink.com Illinois Skills Match System or successor system.

(e) The Department is authorized to adopt all rules necessary to implement and administer the IllinoisJobLink.com Illinois Skills Match System or any successor system under this Section.

(Source: P.A. 94-786, eff. 7-1-07.)

(20 ILCS 1005/1005-165 new)

Sec. 1005-165. Disabled veterans outreach. The Department shall employ such disabled veterans outreach program specialists as appropriate and efficient according to Section 4103A of Title 38 of the United States Code, or any successor legislation, based upon available federal funding for that purpose.

Section 10. The Veterans' Employment Representative Act is amended by changing Sections 1 and 2 as follows:

(330 ILCS 50/1) (from Ch. 48, par. 186a)

Sec. 1. Veteran services; representative. The Department of Employment Security shall assign at least one full time Veterans' Employment Representative, defined by title and classification under the Personnel Code of Illinois, to each full service office of the employment service, to work exclusively in job counseling, training, and placement of veterans. Preference for these positions shall be given to qualified persons who have been members of the armed forces of the United States in times of hostilities with a foreign country. Any candidate for these positions shall be deemed to have met and satisfied examination admission requirements if the candidate served in the armed forces during times of hostilities with a foreign country and was honorably discharged therefrom due to a combat-related disability.

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The holder of such a position shall be administratively responsible to the local office manager, and his or her first line responsibility is functional supervision of all local office services to veterans. He or she may also be delegated line supervision of veteran units, assistant local veterans' employment representative, or veteran aid. Individualized veterans' services such as application taking, counseling, job referral, or training will continue to be provided to veterans on a priority basis by all local office staff.

(Source: P.A. 90-372, eff. 7-1-98.)

(330 ILCS 50/2) (from Ch. 48, par. 186b)

Sec. 2. Veteran services; funding. Since funding for these veteran services by the employment service Job Service has already been provided for by the U.S. Department of Labor, no additional funds will be required to carry out the provisions of this Act.

(Source: P.A. 90-372, eff. 7-1-98.)

Section 15. The Unemployment Insurance Act is amended by changing Sections 1400, 1510, 1801.1, 2401, and 2800 and by adding Section 2208.1 as follows:

(820 ILCS 405/1400) (from Ch. 48, par. 550)

Sec. 1400. Payment of contributions. On and after July 1, 1937, contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this Act, with respect to wages payable for employment occurring during the six months' period beginning July 1, 1937, and the calendar years 1938, 1939, and 1940. For the year 1941 and for each calendar year thereafter, contributions shall accrue and become payable by each employer upon the wages paid with respect to employment after December 31, 1940. Except as otherwise provided in Section 1400.2, such contributions shall become due and shall be paid quarterly on or before the last day of the month next following the calendar quarter for which such contributions have accrued; except that any employer who is delinquent in filing a contribution report or in paying his contributions for any calendar quarter may, at the discretion of the Director, be required to report and to pay contributions on a calendar month basis. Such contributions shall not be deducted, in whole or in part, from the wages of individuals in such employer's employ. If the Director shall find that the collection of any contributions will be jeopardized by delay, he may declare the same to be immediately due and payable.

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In the payment of any contributions, interest, or penalties, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

The Director may by regulation provide that if, at any time, a total amount of less than $2 is payable with respect to a quarter, including any contributions, payments in lieu of contributions, interest or penalties, such amount may be disregarded. Any amounts disregarded under this paragraph are deemed to have been paid for all other purposes of this Act. Nothing in this paragraph is intended to relieve any employer from filing any reports required by this Act or by any rules or regulations adopted by the Director pursuant to this Act.

Except with respect to the provisions concerning amounts that may be disregarded pursuant to regulation, this Section does not apply to any nonprofit organization or any governmental entity referred to in subsection B of Section 1405 for any period with respect to which it does not incur liability for the payment of contributions by reason of having elected to make payments in lieu of contributions, or to any political subdivision or municipal corporation for any period with respect to which it is not subject to payments in lieu of contributions under the provisions of paragraph 1 of Section 302C by reason of having elected to make payments in lieu of contributions under paragraph 2 of that Section, or to the State of Illinois or any of its instrumentalities.

The Director may, by regulation, provide that amounts due from an employing unit for contributions, payments in lieu of contributions, penalties, or interest be paid by an electronic funds transfer, including amounts paid on behalf of an employing unit by an entity representing the employing unit. The regulation shall not apply to an employing unit until the Director notifies the employing unit of the regulation. Except as otherwise provided in this Section, where the employing unit, within 30 days of the date of service of the notice sent pursuant to this amendatory Act of the 98th General Assembly, notifies the Director that it declines to pay by electronic funds transfer, the regulation shall not apply to the employing unit. Except as otherwise provided in this Section, where the employing unit, within 30 days of the date of service of a notice sent pursuant to Section 1509 of this Act, notifies the Director that it declines to pay by electronic funds transfer, the regulation shall not apply to the employing unit with respect to any payment due after the date the employing unit so notifies the Director. The Director is authorized to provide by regulation reasonable penalties for employing units that are...
subject to and fail to comply with such a regulation. Any employing unit that is not subject to the regulation may elect to become subject to the regulation by paying amounts due for contributions, payments in lieu of contributions, penalties, or interest by an electronic funds transfer. Notwithstanding any other provision to the contrary, in the case of an entity representing 5 or more employing units, neither the entity nor the employing units (for as long as they are represented by that entity) shall have the option to decline to pay by electronic funds transfer.

(Source: P.A. 94-723, eff. 1-19-06.)

(820 ILCS 405/1510) (from Ch. 48, par. 580)

Sec. 1510. Service of notice. Whenever service of notice is required by Sections 1400, 1508, and 1509, such notice may be given and be complete by depositing the same with the United States Mail, addressed to the employer at his last known address. If represented by counsel in the proceedings before the Director, then service of notice may be made upon such employer by mailing same to such counsel. If agreed to by the person or entity entitled to notice, notice may be given and completed electronically, in the manner prescribed by rule, by posting the notice on a secure web site accessible to the person or entity and sending notice of the posting to the last known e-mail address of the person or entity.

(Source: P.A. 97-621, eff. 11-18-11.)

(820 ILCS 405/1801.1)

Sec. 1801.1. Directory of New Hires.

A. The Director shall establish and operate an automated directory of newly hired employees which shall be known as the "Illinois Directory of New Hires" which shall contain the information required to be reported by employers to the Department under subsection B. In the administration of the Directory, the Director shall comply with any requirements concerning the Employer New Hire Reporting Program established by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The Director is authorized to use the information contained in the Directory of New Hires to administer any of the provisions of this Act.

B. Each employer in Illinois, except a department, agency, or instrumentality of the United States, shall file with the Department a report in accordance with rules adopted by the Department (but in any event not later than 20 days after the date the employer hires the employee or, in the case of an employer transmitting reports magnetically or electronically, by 2 monthly transmissions, if necessary, not less than 12 days nor more than 16 days apart) providing the following information concerning each newly
hired employee: the employee's name, address, and social security number, the date services for remuneration were first performed by the employee, the employee's projected monthly wages, and the employer's name, address, Federal Employer Identification Number assigned under Section 6109 of the Internal Revenue Code of 1986, and such other information as may be required by federal law or regulation, provided that each employer may voluntarily file the address to which the employer wants income withholding orders to be mailed, if it is different from the address given on the Federal Employer Identification Number. An employer in Illinois which transmits its reports electronically or magnetically and which also has employees in another state may report all newly hired employees to a single designated state in which the employer has employees if it has so notified the Secretary of the United States Department of Health and Human Services in writing. An employer may, at its option, submit information regarding any rehired employee in the same manner as information is submitted regarding a newly hired employee. Each report required under this subsection shall, to the extent practicable, be made on an Internal Revenue Service Form W-4 or, at the option of the employer, an equivalent form, and may be transmitted by first class mail, by telefax, magnetically, or electronically.

C. An employer which knowingly fails to comply with the reporting requirements established by this Section shall be subject to a civil penalty of $15 for each individual whom it fails to report. An employer shall be considered to have knowingly failed to comply with the reporting requirements established by this Section with respect to an individual if the employer has been notified by the Department that it has failed to report an individual, and it fails, without reasonable cause, to supply the required information to the Department within 21 days after the date of mailing of the notice. Any individual who knowingly conspires with the newly hired employee to cause the employer to fail to report the information required by this Section or who knowingly conspires with the newly hired employee to cause the employer to file a false or incomplete report shall be guilty of a Class B misdemeanor with a fine not to exceed $500 with respect to each employee with whom the individual so conspires.

D. As used in this Section, "newly hired employee" means an individual who (i) is an employee within the meaning of Chapter 24 of the Internal Revenue Code of 1986 and (ii) either has not previously been employed by the employer or was previously employed by the employer

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but has been separated from that prior employment for at least 60 consecutive days; however, "newly hired employee" does not include an employee of a federal or State agency performing intelligence or counterintelligence functions, if the head of that agency has determined that the filing of the report required by this Section with respect to the employee could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

Notwithstanding Section 205, and for the purposes of this Section only, the term "employer" has the meaning given by Section 3401(d) of the Internal Revenue Code of 1986 and includes any governmental entity and labor organization as defined by Section 2(5) of the National Labor Relations Act, and includes any entity (also known as a hiring hall) which is used by the organization and an employer to carry out the requirements described in Section 8(f)(3) of that Act of an agreement between the organization and the employer.

(Source: P.A. 97-621, eff. 11-18-11; 97-689, eff. 6-14-12; 97-791, eff. 1-1-13; revised 7-23-12.)

(820 ILCS 405/2208.1 new)

Sec. 2208.1. Return receipts. Whenever any provision of this Act requires service by certified or registered mail, either a paper return receipt issued by the United States Postal Service or an electronic return receipt issued by the United States Postal Service shall constitute proof of service.

(820 ILCS 405/2401) (from Ch. 48, par. 721)

Sec. 2401. Recording and release of lien. A. The lien created by Section 2400 shall be invalid only as to any innocent purchaser for value of stock in trade of any employer in the usual course of such employer's business, and shall be invalid as to any innocent purchaser for value of any of the other assets to which such lien has attached, unless notice thereof has been filed by the Director in the office of the recorder of the county within which the property subject to the lien is situated. The Director may, in his discretion, for good cause shown and upon the reimbursement of any recording fees paid by the Director with respect to the lien, issue a certificate of withdrawal of notice of lien filed against any employer, which certificate shall be recorded in the same manner as herein provided for the recording of notice of liens. Such withdrawal of notice of lien shall invalidate such lien as against any person acquiring any of such employer's property or any interest therein, subsequent to the recordation of the withdrawal of notice of lien, but shall not otherwise affect the validity of

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such lien, nor shall it prevent the Director from re-recording notice of such lien. In the event notice of such lien is re-recorded, such notice shall be effective as against third persons only as of the date of such re-recording.

B. The recorder of each county shall procure at the expense of the county a file labeled "Unemployment Compensation Contribution Lien Notice" and an index book labeled "Unemployment Compensation Contribution Lien Index." When a notice of any such lien is presented to him for filing, he shall file it in numerical order in the file and shall enter it alphabetically in the index. The entry shall show the name and last known business address of the employer named in the notice, the serial number of the notice, the date and hour of filing, and the amount of contribution, interest and penalty thereon due and unpaid. When a certificate of complete or partial release of such lien issued by the Director is presented for filing in the office of the recorder where a notice of lien was filed, the recorder shall permanently attach the certificate of release to the notice of lien and shall enter the certificate of release and the date in the Unemployment Compensation Contribution Lien Index on the line where the notice of lien is entered. In case title to land to be affected by the Notice of Lien is registered under the provisions of "An Act Concerning Land Titles", approved May 1, 1897, as amended, such notice shall be filed in the office of the Registrar of Titles of the county within which the property subject to the lien is situated and shall be entered upon the register of titles as a memorial or charge upon each folium of the register of title affected by such notice, and the Director shall not have a preference over the rights of any bona fide purchaser, mortgagee, judgment creditor or other lien holder arising prior to the registration of such notice.

C. The Director shall have the power to issue a certificate of partial release of any part of the property subject to the lien, upon the reimbursement of any recording fees paid by the Director with respect to the lien, if he shall find that the fair market value of that part of such property remaining subject to the lien is at least equal to the amount of all prior liens upon such property plus double the amount of the liability for contributions, interest and penalties thereon remaining unsatisfied.

D. Where the amount of or the liability for the payment of any contribution, interest or penalty is contested by any employing unit against whose property a lien has attached, and the determination of the Director with reference to such contribution has not become final, the Director may issue a certificate of release of lien upon the reimbursement of any recording fees paid by the Director with respect to the lien and the
furnishing of bond by such employing unit in 125% the amount of the sum of such contribution, interest and penalty, for which lien is claimed, with good and sufficient surety to be approved by the Director conditioned upon the prompt payment of such contribution, together with interest and penalty thereon, by such employing unit to the Director immediately upon the decision of the Director in respect to the liability for such contribution, interest and penalty becoming final.

E. When a lien obtained pursuant to this Act has been satisfied and upon the reimbursement of any recording fees paid by the Director with respect to the lien, the Department shall issue a release to the person, or his agent, against whom the lien was obtained and such release shall contain in legible letters a statement as follows:

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES, IN WHOSE OFFICE, THE LIEN WAS FILED.

(Source: P.A. 83-358.)

(820 ILCS 405/2800) (from Ch. 48, par. 780)

Sec. 2800. Violations and penalties.

A. It shall be unlawful for any person or employing unit to--

1. Make a false statement or representation or fail to disclose a material fact:
   a. To obtain, or increase, or prevent, or reduce any benefit or payment under the provisions of this Act, or under the unemployment compensation law of any State or the Federal Government, either for himself or for any other person; or
   b. To avoid or reduce any contribution or other payment required from an employing unit under this Act.

2. Fail to pay a contribution due under the provisions of this Act.

3. Fail to furnish any report, audit, or information duly required by the Director under this Act.

4. Refuse to allow the Director or his duly authorized representative to inspect or copy the payroll or other records or documents relative to the enforcement of this Act or required by this Act.

5. Make any deduction from the wages of any individual in its employ because of its liability for the payment of contributions required by this Act.

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6. Knowingly fail to furnish to any individual in its employ any notice, report, or information duly required under the provisions of this Act or the rules or regulations of the Director.

7. Attempt to induce any individual, directly or indirectly (by promise of re-employment or by threat not to employ or not to re-employ or by any other means), to refrain from claiming or accepting benefits or to waive any other rights under this Act; or to maintain a rehiring policy which discriminates against former individuals in its employ by reason of their having claimed benefits.

8. Pay contributions upon wages for services not rendered for such employing unit if the purpose of such payment is either to reduce the amount of contributions due or to become due from any employing unit or to affect the benefit rights of any individual.

9. Solicit, or aid or abet the solicitation of, information from any individual concerning his place of employment, residence, assets or earnings, by any means which are intended to mislead such individual to believe that the person or employing unit seeking such information is the Department or one of its Divisions or branches, or a representative thereof.

B. Any employing unit or person who willfully violates any provision of this Section or any other provision of this Act or any rule or regulation promulgated thereunder, or does any act prohibited by this Act, or who fails, neglects, or refuses to perform any duty required by any provision of this Act or rule or regulation of the Director, within the time prescribed by the Director, for which no penalty has been specifically provided, or who fails, neglects, or refuses to obey any lawful order given or made by the Director, shall be guilty of a Class B misdemeanor, and each such act, failure, neglect, or refusal shall constitute a separate and distinct offense. An employing unit's or person's willful filing of a fraudulent quarterly wage report shall constitute a Class 4 felony if the amount of contributions owed with respect to the quarter is less than $300 and a Class 3 felony if the amount of contributions owed with respect to the quarter is $300 or more. An employing unit's or person's willful failure to honor a subpoena issued by the Department shall constitute a Class 4 felony. If a such person or employing unit described in this Section is a corporation, the president, the secretary, and the treasurer, and any other officer exercising corresponding functions, shall each be subject to the aforesaid penalties for the violation of any provisions of this Section of which he or they had or, in the exercise of his or their duties, ought to have had knowledge, not including the provisions regarding the filing of a

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fraudulent quarterly wage report or the willful failure to honor a subpoena.
(Source: P.A. 77-2439.)
(820 ILCS 405/1704 rep.)
(820 ILCS 405/2105 rep.)
Section 20. The Unemployment Insurance Act is amended by repealing Sections 1704 and 2105.
Section 99. Effective date. This Act takes effect upon becoming law, except that the provisions amending Section 2401 of the Unemployment Insurance Act take effect July 1, 2014.
Approved July 23, 2013.

PUBLIC ACT 98-0108
(House Bill No. 0140)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Employees Group Insurance Act of 1971 is amended by adding Sections 2.5, 2.6, 2.7, and 2.8 as follows:
(5 ILCS 375/2.5 new)
Sec. 2.5. Application to Regional Transportation Authority Board members. Notwithstanding any other provision of this Act to the contrary, this Act does not apply to any member of the Regional Transportation Authority Board who first becomes a member of that Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service of that Board.
(5 ILCS 375/2.6 new)
Sec. 2.6. Application to Suburban Bus Board members. Notwithstanding any other provision of this Act to the contrary, this Act does not apply to any member of the Suburban Bus Board who first becomes a member of that Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service of that Board.
(5 ILCS 375/2.7 new)
Sec. 2.7. Application to Commuter Rail Board members. Notwithstanding any other provision of this Act to the contrary, this Act

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does not apply to any member of the Commuter Rail Board who first becomes a member of that Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service of that Board.

(5 ILCS 375/2.8 new)

Sec. 2.8. Application to Chicago Transit Authority Board members. Notwithstanding any other provision of this Act to the contrary, this Act does not apply to any member of the Chicago Transit Authority Board who first becomes a member of that Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service of that Board.

Section 10. The Illinois Pension Code is amended by adding Sections 22-105, 22-106, 22-107, and 22-108 as follows:

(40 ILCS 5/22-105 new)

Sec. 22-105. Application to Regional Transportation Authority Board members. This Code does not apply to any individual who first becomes a member of the Regional Transportation Authority Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service on that Board.

(40 ILCS 5/22-106 new)

Sec. 22-106. Application to Suburban Bus Board members. This Code does not apply to any individual who first becomes a member of the Suburban Bus Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service on that Board.

(40 ILCS 5/22-107 new)

Sec. 22-107. Application to Commuter Rail Board members. This Code does not apply to any individual who first becomes a member of the Commuter Rail Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service on that Board.

(40 ILCS 5/22-108 new)

Sec. 22-108. Application to Chicago Transit Authority Board members. This Code does not apply to any individual who first becomes a member of the Chicago Transit Authority Board on or after the effective date of this amendatory Act of the 98th General Assembly with respect to service on that Board.

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

Approved July 24, 2013.

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PUBLIC ACT 98-0109
(Senate Bill No. 0020)

AN ACT concerning government.

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

ARTICLE 1.
SHORT TITLE

Section 1-1. Short title. This Act may be cited as the Economic Development Act of 2013.

ARTICLE 2.
PUBLIC-PRIVATE AGREEMENTS FOR THE SOUTH SUBURBAN AIRPORT ACT

Section 2-1. Short title. This Article may be cited as the Public-Private Agreements for the South Suburban Airport Act. References in this Article to "this Act" mean this Article.

Section 2-5. Legislative findings.

(a) Providing facilities for air travel to and from the State of Illinois through the South Suburban Airport is essential for the health and welfare of the people of the State of Illinois and economic development of the State of Illinois.

(b) Airport development has significant regional impacts with regard to economic development, public infrastructure requirements, traffic, noise, and other concerns.

(c) The South Suburban Airport will promote development and investment in the State of Illinois and serve as a critical transportation hub in the region.

(d) Existing requirements of procurement and financing of airports by the Department impose limitations on the methods by which airports may be developed and operated within the State.

(e) Public-private agreements between the State of Illinois and one or more private entities to develop, finance, construct, manage, operate, maintain, or any combination thereof, the South Suburban Airport have the potential of maximizing value and benefit to the People of the State of Illinois and the public at large.

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(f) Public-private agreements may enable the South Suburban Airport to be developed, financed, constructed, managed, operated, and maintained in an entrepreneurial and business-like manner.

(g) In the event that the State of Illinois enters into one or more public-private agreements to develop, finance, construct, manage, operate, or maintain the South Suburban Airport, the private parties to the agreements should be accountable to the People of Illinois through a comprehensive system of oversight, regulation, auditing, and reporting.

(h) It is the intent of this Act to use Illinois design professionals, construction companies, and workers to the greatest extent permitted by law by offering them the right to compete for this work.

(i) It is the intent of this Act for the Department to collaborate with affected municipalities, counties, citizens, elected officials, interest groups, and other stakeholders to foster economic development around the South Suburban Airport and the region, and to insure that the communities near the South Suburban Airport have an ongoing opportunity to provide input on the development and operation of the South Suburban Airport.

Section 2-10. Definitions. As used in this Act:
"Agreement" means a public-private agreement.
"Airport" means a facility for all types of air service, including, without limitation, landing fields, taxiways, aprons, runways, runway clear areas, heliports, hangars, aircraft service facilities, approaches, navigational aids, air traffic control facilities, terminals, inspection facilities, security facilities, parking, internal transit facilities, fueling facilities, cargo handling facilities, concessions, rapid transit and roadway access, land and interests in land, public waters, submerged land under public waters and reclaimed land located on previously submerged land under public waters, and all other property and appurtenances necessary or useful for development, ownership, and operation of any such facilities. "Airport" includes commercial or industrial facilities related to the functioning of the airport or to providing services to users of the airport.
"Contractor" means a person that has been selected to enter or has entered into a public-private agreement with the Department on behalf of the State for the development, financing, construction, management, or operation of the South Suburban Airport under this Act.
"Department" means the Illinois Department of Transportation.
"Inaugural airport" means all airport facilities, equipment, property, and appurtenances necessary or useful to the development and operation of the South Suburban Airport that are constructed, developed, installed, or
acquired as of the commencement of public operations of the South Suburban Airport.

"Inaugural airport boundary" means the property limits of the inaugural airport as determined by the Department, as may be adjusted and reconfigured from time to time.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and any other categories of maintenance that may be designated by the Department.

"Metropolitan planning organization" means a metropolitan planning organization designated under 23 U.S.C. Section 134.

"Offeror" means a person that responds to a request for proposals under this Act.

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

"Person" means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, or any other legal entity, group, or combination thereof.

"Public-private agreement" means an agreement or contract between the Department on behalf of the State and all schedules, exhibits, and attachments thereto, entered into pursuant to a competitive request for proposals process governed by this Act, for the development, financing, construction, management, or operation of the South Suburban Airport under this Act.

"Revenues" means all revenues, including any combination of, but not limited to: income; user fees; earnings; interest; lease payments; allocations; moneys from the federal government, the State, and units of local government, including but not limited to federal, State, and local appropriations, grants, loans, lines of credit, and credit guarantees; bond proceeds; equity investments; service payments; or other receipts arising out of or in connection with the financing, development, construction, management, or operation of the South Suburban Airport.

"State" means the State of Illinois.

"Secretary" means the Secretary of the Illinois Department of Transportation.

"South Suburban Airport" means the airport to be developed on a site located in Will County and approved by the Federal Aviation Administration in the Record of Decision for Tier 1: FAA Site Approval And Land Acquisition By The State Of Illinois, Proposed South Suburban
Airport, Will County, Illinois, dated July 2002, and all property within the inaugural airport boundary and the ultimate airport boundary.

"Ultimate airport boundary" means the development and property limits of the South Suburban Airport beyond the inaugural airport boundary as determined by the Department, as may be adjusted and reconfigured from time to time.

"Unit of local government" has the meaning ascribed to that term in Article VII, Section 1 of the Constitution of the State of Illinois, and, for purposes of this Act, includes school districts.

"User fees" means the rates, fees, or other charges imposed by the State or the contractor for use of all or a portion of the South Suburban Airport under a public-private agreement.

Section 2-15. General airport powers.

(a) The Department has the power to plan, develop, secure permits, licenses, and approvals for, acquire, develop, construct, equip, own, and operate the South Suburban Airport. The Department also has the power to own, operate, acquire facilities for, construct, improve, repair, maintain, renovate, and expand the South Suburban Airport, including any facilities located on the site of the South Suburban Airport for use by any individual or entity other than the Department. The development of the South Suburban Airport shall also include all land, highways, waterways, mass transit facilities, and other infrastructure that, in the determination of the Department, are necessary or appropriate in connection with the development or operation of the South Suburban Airport. The development of the South Suburban Airport also includes acquisition and development of any land or facilities for (i) relocation of persons, including providing replacement housing or facilities for persons and entities displaced by that development, (ii) protecting or reclaiming the environment with respect to the South Suburban Airport, (iii) providing substitute or replacement property or facilities, including without limitation, for areas of recreation, conservation, open space, and wetlands, (iv) providing navigational aids, or (v) utilities to serve the airport, whether or not located on the site of the South Suburban Airport.

(b) The Department shall have the authority to undertake and complete all ongoing projects related to the South Suburban Airport, including the South Suburban Airport Master Plan, and assisting the Federal Aviation Administration in preparing and approving the Environmental Impact Statement and Record of Decision.

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(c) The Department has the power to enter into all contracts useful for carrying out its purposes and powers, including, without limitation, public-private agreements pursuant to the provisions of this Act; leases of any of its property or facilities, use agreements with airlines or other airport users relating to the South Suburban Airport, agreements with South Suburban Airport concessionaires, and franchise agreements for use of or access to South Suburban Airport facilities.

(d) The Department has the power to apply to the proper authorities of the United States, the State of Illinois, and other governmental entities, as permitted or authorized by applicable law, to obtain any licenses, approvals, or permits reasonably necessary to achieve the purposes of this Act. All applications to the Federal Aviation Administration, or any successor agency, shall be made by the Department.

(e) The Department may take all steps consistent with applicable laws to maximize funding for the costs of the South Suburban Airport from grants by the Federal Aviation Administration or any successor agency, or any other federal governmental agency.

(f) The Department has the power to apply to the proper authorities of the United States pursuant to appropriate law for permission to establish, operate, maintain, and lease foreign trade zones and sub-zones within the areas of the South Suburban Airport and to establish, operate, maintain, and lease foreign trade zones and sub-zones.

(g) The Department may publicize, advertise, and promote the activities of the South Suburban Airport, including, to make known the advantages, facilities, resources, products, attractions, and attributes of the South Suburban Airport.

(h) The Department may, at any time, acquire any land, any interests in land, other property, and interests in property needed for the South Suburban Airport or necessary to carry out the Department's powers and functions under this Act, including by exercise of the power of eminent domain pursuant to Section 2-100 of this Act. The Department shall also have the power to dispose of any such lands, interests, and property upon terms it deems appropriate.

(i) The Department may adopt any reasonable rules for the administration of this Act in accordance with the Illinois Administrative Procedure Act.

Section 2-20. Public-private agreement authorized.

(a) Notwithstanding any provision of law to the contrary, the Department may, on behalf of the State, and pursuant to a competitive
request for proposals process governed by Section 2-30 of this Act, enter into one or more public-private agreements with one or more contractors to develop, finance, construct, manage, operate, or maintain, or any combination thereof, the South Suburban Airport. Pursuant to those agreements, the contractors may receive the right to certain revenues including user fees in consideration of the payment of moneys to the State for that right.

(b) Before taking any action in connection with the development, financing, operation, or maintenance of the South Suburban Airport that is not authorized by an interim agreement under Section 2-40 of this Act, a contractor shall enter into a public-private agreement.

(c) The term of a public-private agreement, including all extensions, shall be no more than 75 years.

(d) The term of a public-private agreement may be extended, but only if the extension is specifically authorized by the General Assembly by law.

Section 2-25. Prequalification to enter into public-private agreements. The Department may establish a process for prequalification of offerors. If the Department creates a prequalification process, it shall: (i) provide a public notice of the prequalification at least 30 days before the date on which applications are due; (ii) set forth requirements and evaluation criteria in order to become prequalified; (iii) determine which offerors that have submitted prequalification applications, if any, meet the requirements and evaluation criteria; and (iv) allow only those offerors that have been prequalified to respond to the request for proposals.

Section 2-30. Request for proposals process to enter into public-private agreements.

(a) Notwithstanding any provisions of the Illinois Procurement Code, the Department, on behalf of the State, shall select a contractor through a competitive request for proposals process governed by Section 2-30 of this Act. The Department will consult with the chief procurement officer for construction or construction-related activities designated pursuant to clause (2) of Section 1-15.15 of the Illinois Procurement Code on the competitive request for proposals process, and the Secretary will determine, in consultation with the chief procurement officer, which procedures to adopt and apply to the competitive request for proposals process in order to ensure an open, transparent, and efficient process that accomplishes the purposes of this Act.
(b) The competitive request for proposals process shall, at a minimum, solicit statements of qualification and proposals from offerors. 

(c) The competitive request for proposals process shall, at a minimum, take into account the following criteria:

1. the offeror's plans for the South Suburban Airport project;
2. the offeror's current and past business practices;
3. the offeror's poor or inadequate past performance in developing, financing, constructing, managing, or operating airports or other public assets;
4. the offeror's ability to meet the utilization goals for business enterprises established in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act;
5. the offeror's ability to comply with Section 2-105 of the Illinois Human Rights Act; and
6. the offeror's plans to comply with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and Section 2-105 of the Illinois Human Rights Act.

(d) The Department shall retain the services of an advisor or advisors with significant experience in the development, financing, construction, management, or operation of public assets to assist in the preparation of the request for proposals.

(e) The Department shall not include terms in the request for proposals that provide an advantage, whether directly or indirectly, to any contractor presently providing goods, services, or equipment to the Department.

(f) The Department shall select one or more offerors as finalists. The Department shall submit the offeror's statements of qualification and proposals to the Commission on Government Forecasting and Accountability and the Procurement Policy Board, which shall, within 30 days after the submission, complete a review of the statements of qualification and proposals and, jointly or separately, report on, at a minimum, the satisfaction of the criteria contained in the request for proposals, the qualifications of the offerors, and the value of the proposals to the State. The Department shall not select an offeror as the contractor for the South Suburban Airport project until it has received and considered the findings of the Commission on Government Forecasting and Accountability and the Procurement Policy Board as set forth in their respective reports.

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(g) Before awarding a public-private agreement to an offeror, the Department shall schedule and hold a public hearing or hearings on the proposed public-private agreement and publish notice of the hearing or hearings at least 7 days before the hearing. The notice shall include the following:

(1) the date, time, and place of the hearing and the address of the Department;
(2) the subject matter of the hearing;
(3) a description of the agreement that may be awarded; and
(4) the recommendation that has been made to select an offeror as the contractor for the South Suburban Airport project.

At the hearing, the Department shall allow the public to be heard on the subject of the hearing.

(h) After the procedures required in this Section have been completed, the Department shall make a determination as to whether the offeror should be designated as the contractor for the South Suburban Airport project and shall submit the decision to the Governor and to the Governor's Office of Management and Budget. After review of the Department's determination, the Governor may accept or reject the determination. If the Governor accepts the determination of the Department, the Governor shall designate the offeror for the South Suburban Airport project.

Section 2-35. Provisions of the public-private agreement.
(a) The public-private agreement shall include all of the following:

(1) the term of the public-private agreement that is consistent with Section 2-20 of this Act;
(2) the powers, duties, responsibilities, obligations, and functions of the Department and the contractor;
(3) compensation or payments to the Department;
(4) compensation or payments to the contractor;
(5) a provision specifying that the Department has:
   (A) ready access to information regarding the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement;
   (B) the right to demand and receive information from the contractor concerning any aspect of the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement; and

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(C) the authority to direct or countermand decisions by the contractor at any time;

(6) a provision imposing an affirmative duty on the contractor to provide the Department with any information the Department reasonably would want to know or would need to know to enable the Department to exercise its powers, carry out its duties, responsibilities, and obligations, and perform its functions under this Act or the public-private agreement or as otherwise required by law;

(7) a provision requiring the contractor to provide the Department with advance written notice of any decision that bears significantly on the public interest so the Department has a reasonable opportunity to evaluate and countermand that decision under this Section;

(8) a requirement that the Department monitor and oversee the contractor's practices and take action that the Department considers appropriate to ensure that the contractor is in compliance with the terms of the public-private agreement;

(9) the authority of the Department to enter into contracts with third parties pursuant to Section 2-65 of this Act;

(10) a provision governing the contractor's authority to negotiate and execute subcontracts with third parties;

(11) the authority of the contractor to impose user fees and the amounts of those fees;

(12) a provision governing the deposit and allocation of revenues including user fees;

(13) a provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;

(14) a provision stating that the contractor shall, pursuant to Section 2-85 of this Act, pay the costs of an independent audit if the construction costs under the contract exceed $50,000,000;

(15) a provision regarding the implementation and delivery of a comprehensive system of internal audits;

(16) a provision regarding the implementation and delivery of reports, which shall include a requirement that the contractor file with the Department, at least on an annual basis, financial statements containing information required by generally accepted accounting principles (GAAP);

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(17) procedural requirements for obtaining the prior approval of the Department when rights that are the subject of the agreement, including, but not limited to development rights, construction rights, property rights, and rights to certain revenues, are sold, assigned, transferred, or pledged as collateral to secure financing or for any other reason;

(18) grounds for termination of the agreement by the Department or the contractor and a restatement of the Department's rights under Section 2-45 of this Act;

(19) a requirement that the contractor enter into a project labor agreement under Section 2-120 of this Act;

(20) a provision stating that construction contractors shall comply with Section 2-120 of this Act;

(21) timelines, deadlines, and scheduling;

(22) review of plans, including development, financing, construction, management, operations, or maintenance plans, by the Department;

(23) a provision regarding inspections by the Department, including inspections of construction work and improvements;

(24) rights and remedies of the Department in the event that the contractor defaults or otherwise fails to comply with the terms of the public-private agreement;

(25) a code of ethics for the contractor's officers and employees; and

(26) procedures for amendment to the agreement.

(b) The public-private agreement may include any or all of the following:

(1) a provision regarding the extension of the agreement that is consistent with Section 2-20 of this Act;

(2) provisions leasing to the contractor all or any portion of the South Suburban Airport, provided that the lease may not extend beyond the term of the public-private agreement.

(3) cash reserves requirements;

(4) delivery of performance and payment bonds or other performance security in a form and amount that is satisfactory to the Department;

(5) maintenance of public liability insurance;

(6) maintenance of self-insurance;

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(7) provisions governing grants and loans, pursuant to which the Department may agree to make grants or loans for the development, financing, construction, management, or operation of the South Suburban Airport project from time to time from amounts received from the federal government or any agency or instrumentality of the federal government or from any State or local agency;

(8) reimbursements to the Department for work performed and goods, services, and equipment provided by the Department;

(9) provisions allowing the Department to submit any contractual disputes with the contractor relating to the public-private agreement to non-binding alternative dispute resolution proceedings; and

(10) any other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest.

Section 2-40. Interim agreements.

(a) Prior to or in connection with the negotiation of the public-private agreement, the Department may enter into an interim agreement with the contractor.

(b) The interim agreement may not authorize the contractor to perform construction work prior to the execution of the public-private agreement.

(c) The interim agreement may include any or all of the following:

(1) timelines, deadlines, and scheduling;

(2) compensation including the payment of costs and fees in the event the Department terminates the interim agreement or declines to proceed with negotiation of the public-private agreement;

(3) a provision governing the contractor's authority to commence activities related to the South Suburban Airport project including, but not limited to, project planning, advance property acquisition, design and engineering, environmental analysis and mitigation, surveying, conducting studies including revenue and transportation studies, and ascertaining the availability of financing;

(4) procurement procedures;

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(5) a provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;

(6) all other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest.

(d) The Department may enter into one or more interim agreements with one or more contractors if the Department determines in writing that it is in the public interest to do so.

Section 2-45. Termination of the public-private agreement. The Department may terminate a public-private agreement or interim agreement entered into by the Department under Section 2-40 of this Act if the contractor or any executive employee of the contractor is found guilty of any criminal offense related to the conduct of its business or the regulation thereof in any jurisdiction. For purposes of this Section, an "executive employee" is the President, Chairman, Chief Executive Officer, or Chief Financial Officer; any employee with executive decision-making authority over the long-term or day-to-day affairs of the contractor; or any employee whose compensation or evaluation is determined in whole or in part by the award of the public-private agreement.

Section 2-50. Public-private agreement proceeds. After the payment of all transaction costs, including payments for legal, accounting, financial, consultation, and other professional services, all moneys received by the State as compensation for the public-private agreement shall be deposited into the South Suburban Airport Improvement Fund, which is hereby created as a special fund in the State treasury. Expenditures may be made from the South Suburban Airport Improvement Fund only in the manner as appropriated by the General Assembly by law.

Section 2-55. User fees. No user fees may be imposed by the contractor except as set forth in the public-private agreement.

Section 2-60. Selection of professional design firms. Notwithstanding any provision of law to the contrary, the selection of professional design firms by the Department for South Suburban Airport projects, other than the selection of a contractor for a public-private agreement or interim agreement, shall comply with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

Section 2-65. Other contracts. Except as otherwise provided in a public-private agreement entered into pursuant to this Act, the Department may, pursuant to the Illinois Procurement Code and its rules, award

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contracts for goods, services, or equipment, or lease all or any portion of the South Suburban Airport.

Section 2-70. Planning for the South Suburban Airport project. The South Suburban Airport project shall be subject to all applicable planning requirements otherwise required by law, including land use planning, regional planning, transportation planning, and environmental compliance requirements.

Section 2-75. Illinois Department of Transportation reporting requirements and information requests.

(a) The Department shall submit written progress reports to the Procurement Policy Board and the General Assembly on the South Suburban Airport project. These progress reports shall be provided quarterly prior to the commencement of the construction of the South Suburban Airport, and shall be provided monthly thereafter until construction is complete. The reports shall include the status of any public-private agreements or other contracting and any ongoing or completed studies. The Procurement Policy Board may determine the format for the written progress reports.

(b) Upon request, the Department shall appear and testify before the Procurement Policy Board and produce information requested by the Procurement Policy Board.

(c) At least 30 days prior to the beginning of the Department's fiscal year, the Department shall prepare an annual written progress report on the South Suburban Airport project. The report shall include the status of any public-private agreements or other contracting and any ongoing or completed studies. The report shall be delivered to the Procurement Policy Board and each county, municipality, and metropolitan planning organization whose territory includes or lies within 5 miles from the ultimate airport boundary.

Section 2-80. Illinois Department of Transportation publication requirements.

(a) The Department shall publish a notice of the execution of the public-private agreement on its website and in a newspaper of general circulation within the county or counties whose territory includes or lies within 5 miles of the ultimate airport boundary.

(b) The Department shall publish the full text of the public-private agreement on its website.

Section 2-85. Independent audits. If the public-private agreement provides for the construction of all or part of the South Suburban Airport

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project and the estimated construction costs under the public-private agreement exceed $50,000,000, the Department shall also require the contractor to pay the costs for an independent audit of any and all cost estimates associated with the public-private agreement as well as a review of all public costs and potential liabilities to which taxpayers could be exposed (including improvements to other transportation facilities that may be needed as a result of the public-private agreement, failure by the contractor to reimburse the Department for services provided, and potential risk and liability in the event of default on the agreement or default on other types of financing). The independent audit shall be conducted by an independent consultant selected by the Department.

Section 2-90. Establishment of planning boundaries.

(a) The Department shall establish and provide public notice of the approximate location of the inaugural airport boundary and the ultimate airport boundary to inform the public and prevent costly and conflicting development of the land involved. The Department shall hold a public hearing when it desires to formally provide public notice of the approximate locations of the inaugural airport boundary and the ultimate airport boundary. The hearing shall be held in Will County and notice of the hearing shall be published in a newspaper or newspapers of general circulation in Will County. Any interested person or his representative shall be heard. The Department shall evaluate the testimony given at the hearing. The Department shall make a survey and prepare maps showing the location of the inaugural airport boundary and the ultimate airport boundary. The maps shall show the property lines and owners of record of all land within the inaugural airport boundary and the ultimate airport boundary and all other pertinent information. Approval of the maps with any changes resulting from the hearing shall be indicated in the record of the hearing and a notice of the approval and a copy of the maps shall be filed in the office of the recorder for Will County. Public notice of the approval and filing shall be given in newspapers of general circulation in Will County and shall be served by registered mail within 60 days thereafter on all owners of record of the land needed for future additions.

(b) The Department may approve changes in the maps of the inaugural airport boundary and the ultimate airport boundary from time to time. The changes shall be filed and notice given in the manner provided for the original maps. After the maps are filed and notice thereof given to the owners of record of the land needed for future additions, no one shall incur development costs or place improvements in, upon, or under the land

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involved, nor rebuild, alter, or add to any existing structure without first giving 60 days' notice by registered mail to the Department. This prohibition shall not apply to any normal or emergency repairs to existing structures. The Department has 45 days after receipt of that notice to inform the owner of the Department's intention to acquire the land involved. After informing the owner, the Department shall have 120 days to acquire the land by purchase or to initiate action to acquire the land through the exercise of the right of eminent domain. When the land is acquired by the State no compensation shall be allowed for any construction, alteration, or addition in violation of this Section unless the Department has failed to acquire the land by purchase or has abandoned an eminent domain proceeding initiated under the provisions of this paragraph. Any land needed for modifications to the inaugural airport boundary or the ultimate airport boundary may be acquired at any time by the State. The time of determination of the value of the property to be taken under this Section for additions to the South Suburban Airport shall be the date of the actual taking, if the property is acquired by purchase, or the date of the filing of a complaint for condemnation or as established by Section 10-5-60 of the Eminent Domain Act, if the property is acquired through the exercise of the right of eminent domain, rather than the date when the maps of the inaugural airport boundary or the ultimate airport boundary were filed of record.

Section 2-95. Relocation. The Department has the power to provide for the relocation of all persons and entities displaced by the development of the South Suburban Airport. Except when federal funds are available for the payment of direct financial assistance to persons displaced by the acquisition of their real property, the Department shall pay to displaced persons reimbursement for their reasonable relocation costs, determined in the same manner as under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and as implemented by rules adopted under that Act.

Section 2-100. Property acquisition.

(a) In addition to any other powers the Department may have under Sections 72 and 74 of the Illinois Aeronautics Act or any other applicable law, and notwithstanding any other law to the contrary, the Department may acquire by gift, grant, lease, purchase, condemnation, or otherwise, any right, title, or interest in any private property, property held in the name of or belonging to any public body or unit of government, or any property devoted to a public use, or any other rights or easements,
including any property, rights, or easements owned by the State, units of local government, or school districts, including forest preserve districts, for purposes related to the South Suburban Airport. The powers given to the Department under this Section include the power to acquire, by condemnation or otherwise, any property used for cemetery purposes within or outside of inaugural airport boundary, and to require that the cemetery be removed to a different location. The powers given to the Department under this Section include the power to condemn or otherwise acquire, and to convey, substitute property when the Department reasonably determines that monetary compensation will not be sufficient or practical just compensation for property acquired by the Department in connection with the South Suburban Airport. The acquisition of substitute property is declared to be for public use. The powers given by this Section to the Department to condemn property include the power of condemnation by quick-take under Article 20 of the Eminent Domain Act. Property acquired under this Section includes property that the Department reasonably determines will be necessary for future use, regardless of whether final regulatory or funding decisions have been made; provided, however, that quick-take of such property is subject to Section 25-5-45 of the Eminent Domain Act.

(b) With respect to any land acquired or sought to be acquired by the Department by condemnation for the South Suburban Airport pursuant to the powers granted by Section 72 or 74 of the Aeronautics Act, the phrase "within the limitation of available appropriations" shall be deemed to require that the Department have, on the date of filing the condemnation complaint, unexpended appropriations equal to the amount of the Department's most recent offer to purchase the property.

(c) No property owned by the Department may be subject to taking by condemnation or otherwise by any unit of local government, any other airport authority, or by any agency, instrumentality, or political subdivision of the State.

Section 2-105. Rights of the Illinois Department of Transportation upon expiration or termination of the agreement.

(a) Upon the termination or expiration of the public-private agreement, including a termination for default, the Department shall have the right to take over the South Suburban Airport project and to succeed to all of the right, title, and interest in the South Suburban Airport project, subject to any liens on revenues previously granted by the contractor to any person providing financing for the South Suburban Airport project.

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(b) If the Department elects to take over the South Suburban Airport project as provided in subsection (a) of this Section, the Department may, without limitation, do the following:

(1) develop, finance, construct, maintain, or operate the project, including through another public-private agreement entered into in accordance with this Act; or

(2) impose, collect, retain, and use user fees, if any, for the project.

(c) If the Department elects to take over the South Suburban Airport project as provided in subsection (a) of this Section, the Department may, without limitation, use the revenues, if any, for any lawful purpose, including to:

(1) make payments to individuals or entities in connection with any financing of the South Suburban Airport project;

(2) permit a contractor or third party to receive some or all of the revenues under the public-private agreement entered into under this Act;

(3) pay development costs of the South Suburban Airport;

(4) pay current operation costs of the South Suburban Airport; and

(5) pay the contractor for any compensation or payment owing upon termination.

(d) All real property acquired as a part of the South Suburban Airport shall be held in the name of the State of Illinois upon termination of the South Suburban Airport project.

(e) The full faith and credit of the State or any political subdivision of the State or the Department is not pledged to secure any financing of the contractor by the election to take over the South Suburban Airport project. Assumption of development, operation, or both, of the South Suburban Airport project does not obligate the State or any political subdivision of the State or the Department to pay any obligation of the contractor.

Section 2-110. Standards for the South Suburban Airport project. The plans and specifications for the South Suburban Airport project shall comply with the following:

(1) the Department's standards for other projects of a similar nature or as otherwise provided in the public-private agreement;

(2) the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, the Illinois
(3) any other applicable State or federal standards.

Section 2-115. Financial arrangements.
(a) The Department may apply for, execute, or endorse applications submitted by contractors and other third parties to obtain federal, State, or local credit assistance to develop, finance, maintain, or operate the South Suburban Airport project.

(b) The Department may take any action to obtain federal, State, or local assistance for the South Suburban Airport project that serves the public purpose of this Act and may enter into any contracts required to receive the federal assistance. The Department may determine that it serves the public purpose of this Act for all or any portion of the costs of the South Suburban Airport project to be paid, directly or indirectly, from the proceeds of a grant or loan, line of credit, or loan guarantee made by a local, State, or federal government or any agency or instrumentality of a local, State, or federal government. This assistance may include, but not be limited to, federal credit assistance under the Transportation Infrastructure Finance and Innovation Act (TIFIA).

(c) The Department may agree to make grants or loans for the development, financing, construction, management, operation, or maintenance of the South Suburban Airport project from time to time, from amounts received from the federal, State, or local government or any agency or instrumentality of the federal, State, or local government.

(d) Any financing of the South Suburban Airport project may be in the amounts and subject to the terms and conditions contained in the public-private agreement.

(e) For the purpose of financing the South Suburban Airport project, the contractor and the Department may do the following:
   (1) propose to use any and all revenues that may be available to them;
   (2) enter into grant agreements;
   (3) access any other funds available to the Department; and
   (4) accept grants from any public or private agency or entity.

(f) For the purpose of financing the South Suburban Airport project, public funds may be used, mixed, and aggregated with funds provided by or on behalf of the contractor or other private entities.

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(g) For the purpose of financing the South Suburban Airport project, the Department is authorized to apply for, execute, or endorse applications for an allocation of tax-exempt bond financing authorization provided by Section 142(m) of the United States Internal Revenue Code, as well as financing available under any other federal law or program.

(h) Any bonds, debt, other securities, or other financing issued or incurred by the contractor for the purposes of this Act shall not be deemed to constitute a debt of the State or any political subdivision of the State or a pledge of the faith and credit of the State or any political subdivision of the State.

Section 2-120. Labor.
(a) The public-private agreement shall require the contractor to enter into a project labor agreement.
(b) The public-private agreement shall require all construction contractors to comply with the requirements of Section 30-22 of the Illinois Procurement Code as they apply to responsible bidders and to present satisfactory evidence of that compliance to the Department, unless the South Suburban Airport project is federally funded and the application of those requirements would jeopardize the receipt or use of federal funds in support of the South Suburban Airport project.

Section 2-125. Law enforcement.
(a) All law enforcement officers of the State and of each affected local jurisdiction have the same powers and jurisdiction within the boundaries of the South Suburban Airport as they have in their respective areas of jurisdiction.
(b) Law enforcement officers shall have access to the South Suburban Airport at any time for the purpose of exercising the law enforcement officers' powers and jurisdiction.

Section 2-130. Term of agreement; reversion of property to the Department.
(a) The Department shall terminate the contractor's authority and duties under the public-private agreement on the date set forth in the public-private agreement.
(b) Upon termination of the public-private agreement, the authority and duties of the contractor under this Act cease, except for those duties and obligations that extend beyond the termination, as set forth in the public-private agreement, and all interests in the South Suburban Airport shall revert to the Department.

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Section 2-135. Additional powers of the Department with respect to the South Suburban Airport.

(a) The Department may exercise any powers provided under this Act in participation or cooperation with any governmental entity and enter into any contracts to facilitate that participation or cooperation. The Department shall cooperate with other governmental entities under this Act.

(b) The Department may make and enter into all contracts and agreements necessary or incidental to the performance of the Department's duties and the execution of the Department's powers under this Act. Except as otherwise required by law, these contracts or agreements are not subject to any approvals other than the approval of the Department, Governor, or federal agencies and may contain any terms that are considered reasonable by the Department and not in conflict with any provisions of this Act or other statutes, rules, or laws.

(c) The Department may pay the costs incurred under the public-private agreement entered into under this Act from any funds available to the Department for the purpose of the South Suburban Airport under this Act or any other statute.

(d) The Department and other State agencies shall not take any action that would impair the public-private agreement entered into under this Act, except as provided by law.

(e) The Department may enter into an agreement between and among the contractor, the Department, and the Department of State Police concerning the provision of law enforcement assistance with respect to the South Suburban Airport under this Act.

(f) The Department is authorized to enter into arrangements with the Illinois State Police related to costs incurred in providing law enforcement assistance under this Act.

Section 2-140. Prohibited local action; home rule. A unit of local government, including a home rule unit, may not take any action that would have the effect of impairing the development, construction management operation, or maintenance of the South Suburban Airport pursuant to the public-private agreement authorized under this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 2-145. Powers liberally construed. The powers conferred by this Act shall be liberally construed in order to accomplish their purposes and shall be in addition and supplemental to the powers

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conferred to the Department by any other law. If any other law or rule is inconsistent with this Act, this Act is controlling as to the authority of the Department and any public-private agreement entered into under this Act.

Section 2-150. Full and complete authority. This Act contains full and complete authority for (i) agreements and leases with private entities to carry out the activities described in this Act and (ii) the Department to take any and all actions authorized by this Act. Notwithstanding any provision of any other law to the contrary, no procedure, proceedings, publications, notices, consents, approvals, orders, or acts by the Department or any other State or local agency or official are required to enter into an agreement or lease.

Section 2-155. Prior actions. Nothing in this Act shall be deemed to invalidate any actions previously taken or commenced by the Department prior to the adoption of this Act that relate to the development of the South Suburban Airport or any acquisition of property related thereto.

ARTICLE 3.
BROWNFIELDS REDEVELOPMENT AND INTERMODAL PROMOTION ACT

Section 3-1. Short title. This Article may be cited as the Brownfields Redevelopment and Intermodal Promotion Act. References in this Article to "this Act" mean this Article.

Section 3-5. Findings. The General Assembly has determined that it is in the interest of the State of Illinois to facilitate remediation and productive re-use of brownfield sites located within specified areas and communities in Illinois; to capitalize on current trends in international trade routes by encouraging the redevelopment of brownfield sites located near existing freight assets into scattered site logistics parks and related facilities and businesses; and furthermore that it is in the interest of the State to encourage the hiring of minority and other historically disadvantaged individuals in new businesses or facilities developed with State assistance, and especially to encourage the hiring of individuals who reside in high-unemployment communities where such businesses or facilities are developed.

Section 3-10. Definitions. As used in this Act:
"Affected Municipality" means a municipality whose boundaries are partially or completely within the Brownfields Redevelopment Zone and where an Eligible Project will take place.

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"Developer Agreement" means the agreement between an eligible developer or eligible employer and the Department under this Act.

"Brownfield" means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant; for the purposes of this Act, a property will be considered a brownfield if a prospective purchaser seeking financing from a private financial institution is required by that institution to conduct a Phase I Environmental Site Assessment (ESA), as defined by ASTM Standard E-1527-05 ("Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process").

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of the Department of Commerce and Economic Opportunity.

"Eligible Developer" means an individual, partnership, corporation, or other entity, currently and actively engaged in the development of logistics, warehousing, distribution, or light manufacturing facilities in North America, including the Managing Partner of the South Suburban Brownfields Redevelopment Zone, that owns, options, or otherwise directly controls a parcel of land that is included in a South Suburban Brownfields Redevelopment Zone Project.

"Eligible employer" means an individual, partnership, corporation, or other entity that employs or will employ full-time employees at finished facilities on property that is within the South Suburban Brownfields Redevelopment Zone.

"Employment goal" means the goal of achieving a minimum percentage of labor hours to be performed by employees who are a member of a minority group and who reside in one of the municipalities containing property that is part of the South Suburban Brownfields Redevelopment Zone.

"Full-time employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization is a full-time employee if employed in the service of the eligible employer for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment.

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"Eligible Project" means those projects described in Section 3-35 of this Act.

"Incremental income tax" means the total amount withheld from the compensation of new employees under Article 7 of the Illinois Income Tax Act arising from employment by an eligible employer.

"Infrastructure" means roads and streets, bridges, sidewalks, street lights, water and sewer line extensions or improvements, storm water drainage and retention facilities, gas and electric utility line extensions or improvements, and rail improvements including signalization and siding construction or repair, on publicly owned land or other public improvements that are essential to the development of a Redevelopment Zone Project.

"Intermodal" means a type of international freight system that permits transshipping among sea, highway, rail and air modes of transportation through use of ANSI/International Organization for Standardization containers, line haul assets, and handling equipment.

"Intermodal terminal" means an integrated facility where trailers and containers are transferred between intermodal railcars and highway carriers, including domestic and international container shipments; or an integrated facility where dry or liquid bulk and packaged commodities are transferred between conventional railroad freight cars and highway carriers.

"Managing Partner" means a representative of Cook County appointed by the President of the Board of Commissioners of Cook County or a duly created instrumentality of the County which enters into an agreement with the Department as described in subsection (c) of Section 3-30 of this Act regarding the overall management and use of Increment Funds and which is authorized by the County to undertake, or to enter into Development agreements with third parties to undertake, activities necessary for the redevelopment of parcels designated under this Act as part of a South Suburban Brownfields Redevelopment Zone. For the purposes of this definition, a "duly created instrumentality of the county" is a company that:

(1) is licensed to conduct business in the State of Illinois;

(2) has (i) executed industrial developments of the type described as "eligible projects" in Section 3-35 and duly met all of its financial obligations entailed in those projects and (ii) managed each of the types of tasks described in Section 3-45 of this Act as "eligible activities", performing those activities with results that
met or exceeded the objectives of the project, or otherwise possesses the business experience described in this item (2);

(3) is selected through a competitive Request for Proposals process conducted according to rules and standards generally applicable to the selection of professional service contractors by the government of Cook County.

"Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(i) African American, meaning a person whose origins are in any of the Black racial groups of Africa, and who has historically and consistently identified himself or herself as being such a person;

(ii) Hispanic American or Latino American, meaning a person whose origins are in Mexico, Central or South America, or any of the Spanish speaking islands of the Caribbean (for example Cuba and Puerto Rico), regardless of race, and who has historically and consistently identified himself or herself as being such a person;

(iii) Asian or Pacific Islander American, meaning a person whose origins are in any of the original peoples of the Far East, Southeast Asia, the islands of the Pacific or the Northern Marianas, or the Indian Subcontinent, and who has historically and consistently identified himself or herself as being such a person; or

(iv) Native American, meaning a person having origins in any of the original peoples of North America, and who maintain tribal affiliation or demonstrate at least one-quarter descent from such groups, and who has historically and consistently identified himself or herself as being such a person.

"New employee" means a full-time employee first employed by an eligible employer for a project that is the subject of an agreement between the Managing Partner and an eligible developer or eligible employer and who is hired after the eligible developer enters into the agreement, but does not include:

(1) an employee of the eligible employer who performs a job that (i) existed for at least 6 months before the employee was hired and (ii) was previously performed by another employee;

(2) an employee of the eligible employer who was previously employed in Illinois by a related member of the eligible

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employer and whose employment was shifted to the eligible employer after the eligible employer entered into the agreement; or

(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the eligible employer.

Notwithstanding item (2) of this definition, an employee may be considered a new employee under the agreement if the employee performs a job that was previously performed by an employee who was: (i) treated under the agreement as a new employee and (ii) promoted by the eligible employer to another job.

"Professional Employer Organization" means an employee leasing company, as defined in Section 206.1(A)(2) of the Unemployment Insurance Act.

"Related member" means a person or entity that, with respect to the eligible employer during any portion of the taxable year, is any one of the following:

(1) an individual stockholder, if the stockholder and the members of the stockholder’s family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the eligible employer's outstanding stock;

(2) a partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the eligible employer;

(3) a corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock;

(4) a corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at

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least 50% of the profits, capital, stock, or value of the eligible employer; or

(5) a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a related member under this definition, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"South Suburban Brownfields Advisory Council" or "Advisory Council" means a body comprised of representatives of Affected Municipalities, along with experts appointed by the President of the Cook County Board of Commissioners and the Governor of Illinois, created to guide development within the South Suburban Brownfields Redevelopment Zone.

"South Suburban Brownfields Redevelopment Zone Project" or "Project" means an Eligible Project, as described in Section 3-35, to coordinate the redevelopment and re-use of industrial sites within the South Suburban Brownfields Redevelopment Zone in southern Cook County.

"South Suburban Brownfields Redevelopment Zone", "Brownfields Redevelopment Zone" or "Zone" means the area fully encompassing all properties, acreage, and structures, including sites that conform to the Environmental Protection Agency definition of Brownfield Industrial Sites, that are zoned for industrial uses by the applicable local zoning agency and which are located within the following South Suburban Cook County municipalities that surround the Canadian National and Union Pacific intermodal freight terminals in Harvey and Dolton, Illinois respectively: Dixmoor, Dolton, East Hazelcrest, Harvey, Hazelcrest, Homewood, Markham, Phoenix, Posen, Riverdale, South Holland and Thornton. The South Suburban Brownfields Advisory Council shall advise the Managing Partner in regard to the selection of Projects. The composition of the Advisory Council is determined as set forth in subsection (a) of Section 3-30 of this Act.

Section 3-15. South Suburban Brownfields Redevelopment Zone Fund. The South Suburban Brownfields Redevelopment Zone Fund is created as a special fund in the State treasury. Upon certification of the Department of Revenue following review of the amounts contained in the quarter-annual report required under paragraph 4 of Section 3-50 of this Act and subject to the limits set forth in Section 3-25 of this Act, the
Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the South Suburban Brownfields Redevelopment Fund an amount equal to the incremental income tax for the previous month attributable to new employees at finished facilities on property that was redeveloped as part of the South Suburban Brownfields Redevelopment Zone. These revenues may be used to pay the Managing Partner for its administrative expenses pursuant to Section 3-45 of this Act or to reimburse Eligible Developers or Eligible Employers for the cost of the activities detailed under Section 3-45 of this Act for Projects being undertaken within the South Suburban Brownfields Redevelopment Zone.

Section 3-20. South Suburban Brownfields Redevelopment Fund; eligible projects. In State fiscal years 2015 through 2021, all moneys in the South Suburban Brownfields Redevelopment Zone Fund shall be held solely to fund eligible projects undertaken pursuant to the provisions of Section 3-35 of this Act and performed either directly by Cook County through a development agreement with the Department, by an entity designated by Cook County through a development agreement with the Department to perform specific tasks, or by an Eligible Developer or an Eligible Employer through a development agreement. All Eligible Projects are subject to review and approval by the Managing Partner and by the Department. The life span of the Fund may be extended past 2026 by law.

Section 3-25. Limitation on amounts for eligible projects. The total amount of tax increment to be transferred to the South Suburban Increment Fund shall not exceed $3,000,000 in each State fiscal year. Any increment generated in a given State fiscal year in excess of $3,000,000 shall be retained by the State. Any revenues in the South Suburban Brownfields Redevelopment Fund not used in a given fiscal year may be rolled over into subsequent fiscal years. Use of the Fund to pay or reimburse eligible expenses shall not preclude the receipt of benefits from any Enterprise Zone, Tax Increment Finance District, property tax abatement program, or other business development program of a federal, State, or local economic development program that may be available to the project, and any brownfield site included in an agreement with an eligible developer or eligible employer shall remain fully eligible for all State and Federal tax incentives and grants specifically related to brownfield remediation.

Section 3-30. Managing Partner; Advisory Council; responsibilities.

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(a) The Managing Partner shall report its recommendations to the Advisory Council. The Advisory Council consists of two members appointed by the Governor of the State of Illinois, two members appointed by the President of the Cook County Board of Commissioners and five members selected by the Affected Municipalities to represent them. All members shall serve for a term of 3 years. Upon expiration of each member's term, a successor shall be appointed for a term of 3 years. Vacancies on the Advisory Council shall be filled in the same manner as the original appointments and any members so appointed shall serve during the remainder of the term for which the vacancy occurred. The appointments shall be made within 90 days of the effective date of this Act. Five members shall constitute a quorum. The Council shall elect a Chairperson amongst its members by simple majority vote. Members shall serve without compensation and accurate minutes shall be kept of all meetings of the Advisory Council. The Advisory Council shall meet no less frequently than quarterly and a meeting may be called by the Chairperson or any four members of the Board. The relationship between the Managing Partner and the Advisory Council shall be set forth in an agreement among the parties.

(b) The Managing Partner is responsible for ensuring that, in consultation with the Advisory Board, the acreage designated as part of the Zone is redeveloped to simultaneously maximize the following:

   (1) Protection and improvement of the natural environment and the remediation of brownfield industrial property within the Brownfield Redevelopment Zone.

   (2) Restoration of industrially zoned land to its best and highest use, defined here as the highest possible number of new jobs in logistics or manufacturing operations and the highest levels of new business revenues.

   (3) Employment of local low and moderate income residents of the Zone and minority residents of the Zone and contracting with local minority-owned firms, to the extent consistent with Cook County policies and existing law.

(c) In order to fulfill the responsibilities set forth in subsection (b) of this Section, the Managing Partner has the following powers and duties, which shall collectively comprise its program administration tasks:

   (1) Create, gain approval from the Director for, and regularly update, a master plan for the redevelopment of properties
and the use of the Fund, for review by the Advisory Board and the Director, including the following elements:

(A) An explanation of how the features of the master plan allow the Managing Partner to fulfill the broad responsibility outlined in this Section.

(B) The tasks that the Managing Partner will undertake, directly or through assistance in the negotiation of development agreements with eligible developers or eligible employers, to acquire, assemble, remediate, prepare for development, redevelop, or market parcels that are part of the Zone.

(C) The criteria by which the Managing Partner will evaluate and select from among potential eligible projects to carry out its basic responsibilities as outlined in this Section, including criteria that will fulfill the following programmatic goals: (i) at least 30% of labor hours must be performed by members of minority groups who reside in the municipalities where the Zone operates, and (ii) at least 20% of the dollar value of contracts and subcontracts must be held by minority-owned firms that are based in the municipalities where the Zone operates.

(D) Methods the Managing Partner employed to receive and incorporate input on the master plan from a broad range of residents and stakeholders within the municipalities where the Zone operates, and methods it will employ to publicize the master plan so that it is constantly available for public review.

(E) Documentation of the master plan's consistency with the applicable metropolitan planning organization's current regional comprehensive plan and regional Transportation Improvement Plan (TIP), and with the current State Transportation Improvement Plan (STIP).

(2) Develop and maintain a current database or set of databases with detailed information including:

(A) All industrially zoned real estate properties that are part of the Zone, including information concerning each property's ownership; current or delinquent tax status; proximity to major elements of freight infrastructure; status as a potential or designated brownfield; and any other
information to support the marketing and redevelopment of properties that are part of the Zone.

(B) All major elements of infrastructure that serve the properties that are part of the Zone, including the capacity and state of repair of rail lines and spurs, roadways, water, sewage, and power systems.

(C) Names of minority-owned contracting firms that are based in municipalities containing property that is included in the Zone and wish to be hired by eligible developers or eligible employers, including the qualifications and contact information for these contractors.

(D) Names of individuals who are residents of municipalities containing property that is part of the Zone and are members of a minority group, who wish to be employed by eligible developers or eligible employers, including the qualifications and contact information for these residents.

(3) Execute its master plan through a series of eligible activities as outlined in Section 3-45 of this Act, governed by agreements.

(4) Evaluate project proposals to determine their appropriateness and priority for funding based on the evaluation criteria defined in the master plan.

(5) Negotiate and monitor agreements with Affected Municipalities, eligible developers and eligible employers.

(6) Maintain records of activities and financial transactions including regular reports to the Department and an annual certified public audit.

(7) Publish and make publicly available an annual report detailing local minority hiring and contracting that has resulted from the use of revenues in the Fund, to include the following: (A) the total number of labor hours performed by new employees who work at finished facilities located on property that is part of the Zone and who (i) are members of a minority group, and (ii) reside in one of the municipalities containing property that is part of the Zone; (B) the total number of labor hours performed by all new employees who work at finished facilities located on property that is part of the Zone; (C) the total dollar value of contracted or subcontracted services reimbursed with revenues from the Fund.
and that were performed by firms that are (i) minority-owned, and (ii) based in one of the municipalities containing property that is part of the Zone; (D) the total dollar value of contracted or subcontracted services reimbursed with revenues from the Fund; and (E) an explanation of concrete steps that will be taken if these values do not meet the programmatic goals that (i) at least 30% of labor hours must be performed by members of local minority groups, and (ii) at least 20% of the dollar value of contracts and subcontracts must be held by local minority-owned firms.

(8) Report to the Director quarterly on the progress of executing the master plan and eligible activities.

(d) The Department shall manage and allocate all South Suburban Brownfields Redevelopment Fund revenues subject to the Director's finding that funds are being used to execute the master plan for redevelopment of properties that are part of the Zone.

The Managing Partner may, at its discretion, contract with an entity of its choosing to support these program administration tasks.

Section 3-35. Eligible projects. Funds may be used only for projects that are necessary for the establishment of a facility classified under the current edition of the Urban Land Institute's "Guide to Classifying Industrial Property" in one of the following primary categories: warehouse distribution, manufacturing (light or metal fabrication), or freight forwarding; where the secondary categories under warehouse distribution include regional, bulk, and rack-supported warehouses as well as both heavy and refrigerated distribution facilities; and where the secondary categories under manufacturing include parts assembly or packaging plants, food processing plants, and metal working plants that fashion complete products or components of machinery, transportation equipment, appliances, or construction elements and where the secondary category under freight forwarding includes truck terminals. Projects must adhere to applicable local and regional zoning regulations. Projects may consist of new construction or expansion of existing facilities so long as the expansion results in the creation of new jobs. Projects may consist of a set of activities undertaken as part of an agreement to bring back into productive use a brownfield property that is part of the Zone, including activities defined as eligible purposes of funds in Section 3-45 of this Act.

Section 3-40. Prohibited projects. Funds shall not be used to support projects that create the following types of permanent facilities and structures:

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(i) any type or kind of processing, handling, or sorting facility for any kind of municipal or private liquid or solid waste;

(ii) any type or kind of intermodal or multimodal transfer station for any kind of municipal or private liquid or solid waste; or

(iii) container storage yards that are not part of a larger facility whose primary function is the maintenance, repair, and rebuilding of transportation equipment including intermodal containers and trailers, container chassis, mechanical lift equipment, hoisting tractors, and over-the-road tractors.

Temporary or short-term processing or transfer facilities specifically used as part of an approved environmental remediation plan for a specific site or parcel under an agreement are permitted.

Section 3-45. Eligible activities. Funds held in the South Suburban Brownfields Redevelopment Fund may be expended for the following purposes:

(1) Payment of costs undertaken directly by the Managing Partner or reimbursement of costs incurred by an eligible developer or eligible employer as part of the execution of an agreement, any of which services may be subcontracted out to third parties for the following activities:

(A) environmental site assessments, site investigations, remediation action plans, and remediation of brownfield sites located on property where any portion of an eligible project is taking place;

(B) land acquisition and site assembly, site development plans, and demolition of derelict or outdated structures.

(C) recruiting and training of individuals who are both (i) members of a minority group, and (ii) residing in one of the municipalities containing property that is part of the Zone, for employment in logistics or light manufacturing, such as through pre-employment services, pre-apprenticeship training, apprenticeship training, and skills training; expenditures for these recruiting or training activities shall not exceed 20% of the total dollars transferred to the South Suburban Increment Fund in any fiscal year or 15% of the total dollars transferred to this Fund during the entire period of the Fund's existence.
(2) Payment of the costs of repairing or upgrading public infrastructure on publicly owned land within the Zone, including rights of way, provided such infrastructure is on public property that is either included within the Brownfields Redevelopment Zone or which is essential to the development of a Project.

In agreements with for-profit eligible developers and employers governing redevelopment of privately held land, reimbursements must first and foremost prioritize the activities described in item (A).

(3) Program administration costs. The Managing Partner may request up to a total of 15% of amounts in the Fund over the course of the fiscal year to support its responsibilities in that fiscal year or in prior years as detailed in Section 3-30 of this Act. The Managing Partner must find additional funds for any program administration costs not covered by the 15%. Subject to the Department's approval, the Managing Partner may impose a reasonable fee upon eligible developers and eligible employers who submit proposals, for purposes of processing these applications and performing such due diligence as may be necessary to assess overall feasibility of the proposed projects and their consistency with the development objectives of this Act and the Zone Master Plan as discussed in Section 3-30 of this Act. Those fees may not exceed 2% of the dollar amount requested from the Fund for the proposed project, and the Managing Partner may use these fees to support program administration. The income to the Managing Partner generated by those fees shall be counted as part of the 15% of total transfers to the Fund permitted for the Managing Partner's compensation.

Section 3-50. Agreements with Eligible Developers and Affected Municipalities. Prior to the expenditure of any amounts from the Fund (except for administration costs of the Managing Partner which may be requested periodically), the Department and the Affected Municipality shall enter into an agreement which has been recommended by the Managing Partner with an Eligible Developer or Eligible Employer who is seeking reimbursement under this Act. The agreement must contain all of the following:

(1) A detailed description of the project that is the subject of the agreement, including the location of the project, the expected number of jobs to be created by the project, and a list of the costs incurred or to be incurred by the eligible developer or employer for

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eligible activities, excluding any amounts that are to be funded through other public sources.

(2) A requirement that the eligible developer or eligible employer maintain operations at the project location, stated as a minimum number of years not to exceed 10 years.

(3) A specific method for determining the number of new employees attributable to the project.

(4) A requirement that the eligible developer or eligible employer report on a quarterly basis to the Managing Partner, the Department, and the Department of Revenue the number of new employees and the incremental income tax withheld in connection with the new employees.

(5) A provision authorizing the Department to verify with the Department of Revenue the amounts reported under paragraph (4) and to report this information to the Managing Partner.

(6) A provision authorizing the Department of Revenue to audit the information reported under paragraph (4).

(7) A plan for how the eligible developer or eligible employer will encourage local low and moderate income and minority hiring and minority contracting, including specific employment and contracting goals; plans for recruiting, training, and retaining local minority employees; plans for identifying and soliciting bids from local minority-owned firms for contracted or subcontracted services; a list of two or more community organizations that it plans to work with to achieve those goals and plans; and a specific method for determining and reporting on the fulfillment of local minority and low and moderate income hiring and minority contracting goals.

(8) A commitment from the eligible developer or eligible employer to work with the City-County Office of Workforce Employment and to consider referrals of trained workers from such Office on a timely and non-discriminatory basis.

(9) Documentation that any road improvements that are part of the agreement are consistent with the current regional Transportation Improvement Plan (TIP) and the State Transportation Improvement Plan (STIP).

(10) Evidence of approval of the Eligible Project by the Affected Municipality or Municipalities following such public
hearings and public notice as may be required by Illinois law in regard to such Eligible Projects.

Section 3-55. Rules. The Department and the Department of Revenue may promulgate rules necessary to implement this Act.

ARTICLE 4.

SOUTH SUBURBAN AIRPORT AMENDATORY PROVISIONS

Section 4-5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-220 as follows:

(20 ILCS 2705/2705-220)

Sec. 2705-220. Public private partnerships for transportation. The Department may exercise all powers granted to it under the Public Private Agreements for the Illiana Expressway Act and the Public-Private Agreements for the South Suburban Airport Act.
(Source: P.A. 96-913, eff. 6-9-10.)

Section 4-10. The Archaeological and Paleontological Resources Protection Act is amended by adding Section 1.75 as follows:

(20 ILCS 3435/1.75 new)

Sec. 1.75. South Suburban Airport. The Illinois Department of Transportation, and any person acting on its behalf under a public-private agreement entered into in accordance with the Public-Private Agreements for the South Suburban Airport Act, is exempt from the permit requirements of this Act, provided that the Illinois Department of Transportation, or any such person, takes reasonable steps to comply with the provisions of this Act so long as compliance does not interfere with the design, development, operation, or maintenance of the South Suburban Airport or the exercise of their powers under the Public-Private Agreements for the South Suburban Airport Act.

Section 4-15. The Human Skeletal Remains Protection Act is amended by adding Section 4.75 as follows:

(20 ILCS 3440/4.75 new)

Sec. 4.75. South Suburban Airport. The Illinois Department of Transportation, and any person acting on its behalf under a public-private agreement entered into in accordance with the Public-Private Agreements for the South Suburban Airport Act, is exempt from the permit requirements of this Act, provided that the Illinois Department of Transportation, or any such person, takes reasonable steps to comply with the provisions of this Act so long as compliance does not interfere with the design, development, operation, or maintenance of the South Suburban

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Airport or the exercise of their powers under the Public-Private Agreements for the South Suburban Airport Act.

Section 4-20. The Illinois Finance Authority Act is amended by adding Section 825-106.5 as follows:

(20 ILCS 3501/825-106.5 new)
Sec. 825-106.5. South Suburban Airport financing. For the purpose of financing the South Suburban Airport under the Public-Private Agreements for the South Suburban Airport Act, the Authority is authorized to apply for an allocation of tax-exempt bond financing authorization provided by Section 142(m) of the United States Internal Revenue Code, as well as financing available under any other federal law or program.

Section 4-25. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The South Suburban Airport Improvement Fund.

Section 4-30. The Public Construction Bond Act is amended by changing Section 1.5 as follows:

(30 ILCS 550/1.5)
Sec. 1.5. Public private agreements. This Act applies to any public private agreement entered into under the Public Private Agreements for the Illiana Expressway Act and the Public-Private Agreements for the South Suburban Airport Act.

(Source: P.A. 96-913, eff. 6-9-10.)

Section 4-35. The Employment of Illinois Workers on Public Works Act is amended by changing Section 2.5 as follows:

(30 ILCS 570/2.5)
Sec. 2.5. Public private agreements. This Act applies to any public private agreement entered into under the Public Private Agreements for the Illiana Expressway Act and the Public-Private Agreements for the South Suburban Airport Act.

(Source: P.A. 96-913, eff. 6-9-10.)

Section 4-40. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 2.5 as follows:

(30 ILCS 575/2.5)
Sec. 2.5. Public private agreements. This Act applies to any public private agreement entered into under the Public Private Agreements for the Illiana Expressway Act and the Public-Private Agreements for the South Suburban Airport Act.

(SEction scheduled to be repealed on June 30, 2016)
Sec. 2.5. Public private agreements. This Act applies to any public private agreement entered into under the Public Private Agreements for the
Illiana Expressway Act and the Public-Private Agreements for the South Suburban Airport Act.
(Source: P.A. 96-913, eff. 6-9-10.)

Section 4-45. The Retailers' Occupation Tax Act is amended by adding Section 1s as follows:

(35 ILCS 120/1s new)
Sec. 1s. Building materials exemption; South Suburban Airport public-private partnership.

(a) Each retailer that makes a qualified sale of building materials to be incorporated into the South Suburban Airport as defined in the Public-Private Agreements for the South Suburban Airport Act, by remodeling, rehabilitating, or new construction, may deduct receipts from those sales when calculating the tax imposed by this Act.

(b) As used in this Section, "qualified sale" means a sale of building materials that will be incorporated into the South Suburban Airport for which a Certificate of Eligibility for Sales Tax Exemption has been issued by the Illinois Department of Transportation, which has authority over the project.

(c) To document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued by the Illinois Department of Transportation, which has jurisdiction over the project into which the building materials will be incorporated is located. The Certificate of Eligibility for Sales Tax Exemption must contain all of the following:

(1) statement that the project identified in the Certificate meets all the requirements of the Illinois Department of Transportation;

(2) the location or address of the project; and

(3) the signature of the Secretary of the Illinois Department of Transportation, which has authority over the South Suburban Airport or the Secretary's delegate.

(d) In addition to meeting the requirements of subsection (c) of this Act, the retailer must obtain a certificate from the purchaser that contains all of the following:

(1) a statement that the building materials are being purchased for incorporation into the South Suburban Airport in accordance with the Public-Private Agreements for the South Suburban Airport Act;

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(2) the location or address of the project into which the building materials will be incorporated;
(3) the name of the project;
(4) a description of the building materials being purchased;
and
(5) the purchaser's signature and date of purchase.

(e) This Section is exempt from Section 2-70 of this Act.

Section 4-50. The Property Tax Code is amended by changing Section 15-55 as follows:

(35 ILCS 200/15-55)
Sec. 15-55. State property.
(a) All property belonging to the State of Illinois is exempt. However, the State agency holding title shall file the certificate of ownership and use required by Section 15-10, together with a copy of any written lease or agreement, in effect on March 30 of the assessment year, concerning parcels of 1 acre or more, or an explanation of the terms of any oral agreement under which the property is leased, subleased or rented.

The leased property shall be assessed to the lessee and the taxes thereon extended and billed to the lessee, and collected in the same manner as for property which is not exempt. The lessee shall be liable for the taxes and no lien shall attach to the property of the State.

For the purposes of this Section, the word "leases" includes licenses, franchises, operating agreements and other arrangements under which private individuals, associations or corporations are granted the right to use property of the Illinois State Toll Highway Authority and includes all property of the Authority used by others without regard to the size of the leased parcel.

(b) However, all property of every kind belonging to the State of Illinois, which is or may hereafter be leased to the Illinois Prairie Path Corporation, shall be exempt from all assessments, taxation or collection, despite the making of any such lease, if it is used for:

(1) conservation, nature trail or any other charitable, scientific, educational or recreational purposes with public benefit, including the preserving and aiding in the preservation of natural areas, objects, flora, fauna or biotic communities;
(2) the establishment of footpaths, trails and other protected areas;

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(3) the conservation of the proper use of natural resources or the promotion of the study of plant and animal communities and of other phases of ecology, natural history and conservation;
(4) the promotion of education in the fields of nature, preservation and conservation; or
(5) similar public recreational activities conducted by the Illinois Prairie Path Corporation.

No lien shall attach to the property of the State. No tax liability shall become the obligation of or be enforceable against Illinois Prairie Path Corporation.

(c) If the State sells the James R. Thompson Center or the Elgin Mental Health Center and surrounding land located at 750 S. State Street, Elgin, Illinois, as provided in subdivision (a)(2) of Section 7.4 of the State Property Control Act, to another entity whose property is not exempt and immediately thereafter enters into a leaseback or other agreement that directly or indirectly gives the State a right to use, control, and possess the property, that portion of the property leased and occupied exclusively by the State shall remain exempt under this Section. For the property to remain exempt under this subsection (c), the State must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the State.

If the property has been conveyed as described in this subsection (c), the property is no longer exempt pursuant to this Section as of the date when:

(1) the right of the State to use, control, and possess the property has been terminated; or
(2) the State no longer has an option to purchase or otherwise acquire the property and there is no provision for a reverter of the property to the State within the limitations period for reverters.

Pursuant to Sections 15-15 and 15-20 of this Code, the State shall notify the chief county assessment officer of any transaction under this subsection (c). The chief county assessment officer shall determine initial and continuing compliance with the requirements of this Section for tax exemption. Failure to notify the chief county assessment officer of a transaction under this subsection (c) or to otherwise comply with the requirements of Sections 15-15 and 15-20 of this Code shall, in the discretion of the chief county assessment officer, constitute cause to
terminate the exemption, notwithstanding any other provision of this Code.

(c-1) If the Illinois State Toll Highway Authority sells the Illinois State Toll Highway Authority headquarters building and surrounding land, located at 2700 Ogden Avenue, Downers Grove, Illinois as provided in subdivision (a)(2) of Section 7.5 of the State Property Control Act, to another entity whose property is not exempt and immediately thereafter enters into a leaseback or other agreement that directly or indirectly gives the State or the Illinois State Toll Highway Authority a right to use, control, and possess the property, that portion of the property leased and occupied exclusively by the State or the Authority shall remain exempt under this Section. For the property to remain exempt under this subsection (c), the Authority must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the Authority.

If the property has been conveyed as described in this subsection (c), the property is no longer exempt pursuant to this Section as of the date when:

(1) the right of the State or the Authority to use, control, and possess the property has been terminated; or
(2) the Authority no longer has an option to purchase or otherwise acquire the property and there is no provision for a reverter of the property to the Authority within the limitations period for reverters.

Pursuant to Sections 15-15 and 15-20 of this Code, the Authority shall notify the chief county assessment officer of any transaction under this subsection (c). The chief county assessment officer shall determine initial and continuing compliance with the requirements of this Section for tax exemption. Failure to notify the chief county assessment officer of a transaction under this subsection (c) or to otherwise comply with the requirements of Sections 15-15 and 15-20 of this Code shall, in the discretion of the chief county assessment officer, constitute cause to terminate the exemption, notwithstanding any other provision of this Code.

(d) The fair market rent of each parcel of real property in Will County owned by the State of Illinois for the purpose of developing an airport by the Department of Transportation shall include the assessed value of leasehold tax. The lessee of each parcel of real property in Will County owned by the State of Illinois for the purpose of developing an

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airport by the Department of Transportation shall not be liable for the taxes thereon. In order for the State to compensate taxing districts for the leasehold tax under this paragraph the Will County Supervisor of Assessments shall certify, in writing, to the Department of Transportation, the amount of leasehold taxes extended for the 2002 property tax year for each such exempt parcel. The Department of Transportation shall pay to the Will County Treasurer, from the Tax Recovery Fund, on or before July 1 of each year, the amount of leasehold taxes for each such exempt parcel as certified by the Will County Supervisor of Assessments. The tax compensation shall terminate on December 31, 2020. It is the duty of the Department of Transportation to file with the Office of the Will County Supervisor of Assessments an affidavit stating the termination date for rental of each such parcel due to airport construction. The affidavit shall include the property identification number for each such parcel. In no instance shall tax compensation for property owned by the State be deemed delinquent or bear interest. In no instance shall a lien attach to the property of the State. In no instance shall the State be required to pay leasehold tax compensation in excess of the Tax Recovery Fund's balance.

(e) Public Act 81-1026 applies to all leases or agreements entered into or renewed on or after September 24, 1979.

(f) Notwithstanding anything to the contrary in this Code, all property owned by the State that is the Illiana Expressway, as defined in the Public Private Agreements for the Illiana Expressway Act, and that is used for transportation purposes and that is leased for those purposes to another entity whose property is not exempt shall remain exempt, and any leasehold interest in the property shall not be subject to taxation under Section 9-195 of this Act.

(g) Notwithstanding anything to the contrary in this Section, all property owned by the State or the Illinois State Toll Highway Authority that is defined as a transportation project under the Public-Private Partnerships for Transportation Act and that is used for transportation purposes and that is leased for those purposes to another entity whose property is not exempt shall remain exempt, and any leasehold interest in the property shall not be subject to taxation under Section 9-195 of this Act.

(h) Notwithstanding anything to the contrary in this Code, all property owned by the State that is the South Suburban Airport, as defined in the Public-Private Agreements for the South Suburban Airport Act, and that is used for airport purposes and that is leased for those purposes to
another entity whose property is not exempt shall remain exempt, and any leasehold interest in the property shall not be subject to taxation under Section 9-195 of this Act.
(Source: P.A. 96-192, eff. 8-10-09; 96-913, eff. 6-9-10; 97-502, eff. 8-23-11.)

Section 4-55. The Foreign Trade Zones Act is amended by changing Section 1 as follows:

(50 ILCS 40/1) (from Ch. 24, par. 1361)

Sec. 1. Each of the following units of State or local government and public or private corporations shall have the power to apply to proper authorities of the United States of America pursuant to appropriate law for the right to establish, operate, maintain and lease foreign trade zones and sub-zones within its corporate limits or within limits established pursuant to agreement with proper authorities of the United States of America, as the case may be, and to establish, operate, maintain and lease such foreign trade zones and sub-zones:

(a) The City of East St. Louis.
(b) The Bi-State Authority, Lawrenceville - Vincennes Airport.
(c) The Waukegan Port district.
(d) The Illinois Valley Regional Port District.
(e) The Economic Development Council, Inc. located in the area of the United States Customs Port of Entry for Peoria, pursuant to authorization granted by the county boards in the geographic area served by the proposed foreign trade zone.
(f) The Greater Rockford Airport Authority.
(f-5) The Illinois Department of Transportation, with respect to the South Suburban Airport.

(g) After the effective date of this amendatory Act of 1984, any county, city, village or town within the State or a public or private corporation authorized or licensed to do business in the State or any combination thereof may apply to the Foreign Trade Zones Board, United States Department of Commerce, for the right to establish, operate and maintain a foreign trade zone and sub-zones. For the purposes of this Section, such foreign trade zone or sub-zones may be incorporated outside the corporate boundaries or be made up of areas from adjoining counties or states.

(h) No foreign trade zone may be established within 50 miles of an existing zone situated in a county with 3,000,000 or more inhabitants or within 35 miles of an existing zone situated in a county with less than
3,000,000 inhabitants, such zones having been created pursuant to this Act without the permission of the authorities which established the existing zone.
(Source: P.A. 85-471.)

Section 4-60. The Downstate Forest Preserve District Act is amended by changing Section 5e as follows:
(70 ILCS 805/5e) (from Ch. 96 1/2, par. 6308e)

Sec. 5e. Property owned by a forest preserve district and property in which a forest preserve district is the grantee of a conservation easement or the grantee of a conservation right as defined in Section 1(a) of the Real Property Conservation Rights Act shall not be subject to eminent domain or condemnation proceedings, except as otherwise provided in Section 15 of the O'Hare Modernization Act and Section 2-100 of the Public-Private Agreements for the South Suburban Airport Act.
(Source: P.A. 95-111, eff. 8-13-07.)

Section 4-65. The Vital Records Act is amended by changing Section 21 as follows:
(410 ILCS 535/21) (from Ch. 111 1/2, par. 73-21)

Sec. 21. (1) The funeral director or person acting as such who first assumes custody of a dead body or fetus shall make a written report to the registrar of the district in which death occurred or in which the body or fetus was found within 24 hours after taking custody of the body or fetus on a form prescribed and furnished by the State Registrar and in accordance with the rules promulgated by the State Registrar. Except as specified in paragraph (2) of this Section, the written report shall serve as a permit to transport, bury or entomb the body or fetus within this State, provided that the funeral director or person acting as such shall certify that the physician in charge of the patient's care for the illness or condition which resulted in death has been contacted and has affirmatively stated that he will sign the medical certificate of death or the fetal death certificate. If a funeral director fails to file written reports under this Section in a timely manner, the local registrar may suspend the funeral director's privilege of filing written reports by mail. In a county with a population greater than 3,000,000, if a funeral director or person acting as such inter or entombs a dead body without having previously certified that the physician in charge of the patient's care for the illness or condition that resulted in death has been contacted and has affirmatively stated that he or she will sign the medical certificate of death, then that funeral director or person acting as such is responsible for payment of the specific

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costs incurred by the county medical examiner in disinterring and
reinterring or reentombing the dead body.

(2) The written report as specified in paragraph (1) of this Section
shall not serve as a permit to:

(a) Remove body or fetus from this State;
(b) Cremate the body or fetus; or
(c) Make disposal of any body or fetus in any manner when
death is subject to the coroner's or medical examiner's
investigation.

(3) In accordance with the provisions of paragraph (2) of this
Section the funeral director or person acting as such who first assumes
custody of a dead body or fetus shall obtain a permit for disposition of
such dead human body prior to final disposition or removal from the State
of the body or fetus. Such permit shall be issued by the registrar of the
district where death occurred or the body or fetus was found. No such
permit shall be issued until a properly completed certificate of death has
been filed with the registrar. The registrar shall insure the issuance of a
permit for disposition within an expedited period of time to accommodate
Sunday or holiday burials of decedents whose time of death and religious
tenets or beliefs necessitate Sunday or holiday burials.

(4) A permit which accompanies a dead body or fetus brought into
this State shall be authority for final disposition of the body or fetus in this
State, except in municipalities where local ordinance requires the issuance
of a local permit prior to disposition.

(5) A permit for disposition of a dead human body shall be
required prior to disinterment of a dead body or fetus, and when the
disinterred body is to be shipped by a common carrier. Such permit shall
be issued to a licensed funeral director or person acting as such, upon
proper application, by the local registrar of the district in which
disinterment is to be made. In the case of disinterment, proper application
shall include a statement providing the name and address of any surviving
spouse of the deceased, or, if none, any surviving children of the deceased,
or if no surviving spouse or children, a parent, brother, or sister of the
deceased. The application shall indicate whether the applicant is one of
these parties and, if so, whether the applicant is a surviving spouse or a
surviving child. Prior to the issuance of a permit for disinterment, the local
registrar shall, by certified mail, notify the surviving spouse, unless he or
she is the applicant, or if there is no surviving spouse, all surviving
children except for the applicant, of the application for the permit. The

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person or persons notified shall have 30 days from the mailing of the notice to object by obtaining an injunction enjoining the issuance of the permit. After the 30-day period has expired, the local registrar shall issue the permit unless he or she has been enjoined from doing so or there are other statutory grounds for refusal. The notice to the spouse or surviving children shall inform the person or persons being notified of the right to seek an injunction within 30 days. Notwithstanding any other provision of this subsection (5), a court may order issuance of a permit for disinterment without notice or prior to the expiration of the 30-day period where the petition is made by an agency of any governmental unit and good cause is shown for disinterment without notice or for the early order. Nothing in this subsection (5) limits the authority of the City of Chicago to acquire property or otherwise exercise its powers under the O'Hare Modernization Act or requires that City, or any person acting on behalf of that City, to obtain a permit under this subsection (5) when exercising powers under the O'Hare Modernization Act. The Illinois Department of Transportation, and any person acting on its behalf under a public-private agreement entered into in accordance with the Public-Private Agreements for the South Suburban Airport Act, is exempt from this subsection (5), provided that the Illinois Department of Transportation, or any such person, takes reasonable steps to comply with the provisions of this subsection (5) so long as compliance does not interfere with the design, development, operation, or maintenance of the South Suburban Airport or the exercise of their powers under the Public-Private Agreements for the South Suburban Airport Act.

(735 ILCS 30/10-5-10) (was 735 ILCS 5/7-102)
Sec. 10-5-10. Parties.

(a) When the right (i) to take private property for public use, without the owner's consent, (ii) to construct or maintain any public road, railroad, plankroad, turnpike road, canal, or other public work or improvement, or (iii) to damage property not actually taken has been or is conferred by general law or special charter upon any corporate or municipal authority, public body, officer or agent, person, commissioner, or corporation and when (i) the compensation to be paid for or in respect of the property sought to be appropriated or damaged for the purposes mentioned cannot be agreed upon by the parties interested, (ii) the owner

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of the property is incapable of consenting, (iii) the owner's name or residence is unknown, or (iv) the owner is a nonresident of the State, then the party authorized to take or damage the property so required, or to construct, operate, and maintain any public road, railroad, plankroad, turnpike road, canal, or other public work or improvement, may apply to the circuit court of the county where the property or any part of the property is situated, by filing with the clerk a complaint. The complaint shall set forth, by reference, (i) the complainant's authority in the premises, (ii) the purpose for which the property is sought to be taken or damaged, (iii) a description of the property, and (iv) the names of all persons interested in the property as owners or otherwise, as appearing of record, if known, or if not known stating that fact; and shall pray the court to cause the compensation to be paid to the owner to be assessed.

(b) If it appears that any person not in being, upon coming into being, is, or may become or may claim to be, entitled to any interest in the property sought to be appropriated or damaged, the court shall appoint some competent and disinterested person as guardian ad litem to appear for and represent that interest in the proceeding and to defend the proceeding on behalf of the person not in being. Any judgment entered in the proceeding shall be as effectual for all purposes as though the person was in being and was a party to the proceeding.

(c) If the proceeding seeks to affect the property of persons under guardianship, the guardians shall be made parties defendant.

(d) Any interested persons whose names are unknown may be made parties defendant by the same descriptions and in the same manner as provided in other civil cases.

(e) When the property to be taken or damaged is a common element of property subject to a declaration of condominium ownership, pursuant to the Condominium Property Act, or of a common interest community, the complaint shall name the unit owners' association in lieu of naming the individual unit owners and lienholders on individual units. Unit owners, mortgagees, and other lienholders may intervene as parties defendant. For the purposes of this Section, "common interest community" has the same meaning as set forth in subsection (c) of Section 9-102 of the Code of Civil Procedure. "Unit owners' association" or "association" shall refer to both the definition contained in Section 2 of the Condominium Property Act and subsection (c) of Section 9-102 of the Code of Civil Procedure.
(f) When the property is sought to be taken or damaged by the State for the purposes of establishing, operating, or maintaining any State house or State charitable or other institutions or improvements, the complaint shall be signed by the Governor, or the Governor's designee, or as otherwise provided by law.

(g) No property, except property described in Section 3 of the Sports Stadium Act, property to be acquired in furtherance of actions under Article 11, Divisions 124, 126, 128, 130, 135, 136, and 139, of the Illinois Municipal Code, property to be acquired in furtherance of actions under Section 3.1 of the Intergovernmental Cooperation Act, property to be acquired that is a water system or waterworks pursuant to the home rule powers of a unit of local government, and property described as Site B in Section 2 of the Metropolitan Pier and Exposition Authority Act, and property that may be taken as provided in the Public-Private Agreements for the South Suburban Airport Act belonging to a railroad or other public utility subject to the jurisdiction of the Illinois Commerce Commission may be taken or damaged, pursuant to the provisions of this Act, without the prior approval of the Illinois Commerce Commission.

(Source: P.A. 94-1055, eff. 1-1-07; incorporates P.A. 94-1007, eff. 1-1-07; 95-331, eff. 8-21-07.)

(735 ILCS 30/15-5-47 new)

Sec. 15-5-47. Eminent domain powers in new Acts. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:

Public-Private Agreements for the South Suburban Airport Act;
Department of Transportation; for South Suburban Airport purposes.

(735 ILCS 30/25-5-45 new)

Sec. 25-5-45. Quick-take; South Suburban Airport. Quick-take proceedings under Article 20 may be used by the Department of Transportation for the purpose of development of the South Suburban Airport within the boundaries designated on the map filed with the Secretary of State on May 28, 2013 and known as file number 98-GA-D01.

Section 4-75. The Religious Freedom Restoration Act is amended by changing Section 30 as follows:

(775 ILCS 35/30)

Sec. 30. O'Hare Modernization and South Suburban Airport. Nothing in this Act limits the authority of the City of Chicago to exercise its powers under the O'Hare Modernization Act, or the Department of

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Transportation to exercise its powers under the Public-Private Agreements for the South Suburban Airport Act, for the purposes of relocation of cemeteries or the graves located therein.
(Source: P.A. 93-450, eff. 8-6-03.)

ARTICLE 5.
AMENDATORY PROVISIONS

Section 5-5. The Illinois Enterprise Zone Act is amended by changing Sections 4.1, 5.2, 5.2.1, 5.3, 5.5, 8.1, and 8.2 as follows:
(20 ILCS 655/4.1)
Sec. 4.1. Department recommendations.
(a) For all applications that qualify under Section 4 of this Act, the Department shall issue recommendations by assigning a score to each applicant. The scores will be determined by the Department, based on the extent to which an applicant meets the criteria points under subsection (f) of Section 4 of this Act. Scores will be determined using the following scoring system:

(1) Up to 50 points for the extent to which the applicant meets or exceeds the criteria in item (1) of subsection (f) of Section 4 of this Act, with points awarded according to the severity of the unemployment.

(2) Up to 50 points for the extent to which the applicant meets or exceeds the criteria in item (2) of subsection (f) of Section 4 of this Act, with points awarded in accordance with the number of jobs created and the aggregate amount of investment promised.

(3) Up to 40 points for the extent to which the applicant meets or exceeds the criteria in item (3) of subsection (f) of Section 4 of this Act, with points awarded in accordance with the severity of the unemployment rate according to the latest federal decennial census.

(4) Up to 30 points for the extent to which the applicant meets or exceeds the criteria in item (4) of subsection (f) of Section 4 of this Act, with points awarded in accordance with the severity of the environmental impact of the abandoned coal mine, brownfield, or federal disaster area.

(5) Up to 50 points for the extent to which the applicant meets or exceeds the criteria in item (5) of subsection (f) of Section 4 of this Act, with points awarded in accordance with the severity of the applicable facility closures or downsizing.

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(6) Up to 40 points for the extent to which the applicant
meets or exceeds the criteria in item (6) of subsection (f) of Section
4 of this Act, with points awarded in accordance with the severity
and extent of the high floor vacancy or deterioration.

(7) Up to 30 points for the extent to which the applicant
meets or exceeds the criteria in item (7) of subsection (f) of Section
4 of this Act, with points awarded in accordance with the extent to
which the application addresses a plan to improve the State and
local government tax base.

(8) Up to 50 points for the extent to which the applicant
meets or exceeds the criteria in item (8) of subsection (f) of Section
4 of this Act, with points awarded in accordance with the existence
of significant public infrastructure.

(9) Up to 40 points for the extent to which the applicant
meets or exceeds the criteria in item (9) of subsection (f) of Section
4 of this Act, with points awarded in accordance with the extent to
which educational programs exist for career preparation.

(10) Up to 40 points for the extent to which the applicant
meets or exceeds the criteria in item (10) of subsection (f) of
Section 4 of this Act, with points awarded according to the
severity of the change in equalized assessed valuation.

(b) After assigning a score for each of the individual criteria using
the point system as described in subsection (a), the Department shall then
take the sum of the scores for each applicant and assign a final score. The
Department shall then submit this information to the Board, as required in
subsection (c) of Section 5.2, as its recommendation.

(Source: P.A. 97-905, eff. 8-7-12.)

(20 ILCS 655/5.2) (from Ch. 67 1/2, par. 607)
Sec. 5.2. Department Review of Enterprise Zone Applications.
(a) All applications which are to be considered and acted upon by
the Department during a calendar year must be received by the Department
no later than December 31 of the preceding calendar year.

Any application received after December 31 of any calendar year
shall be held by the Department for consideration and action during the
following calendar year.

Each enterprise zone application shall include a specific definition
of the applicant's local labor market area.

(a-5) The Department shall, no later than July March 31, 2013,
develop an application process for an enterprise zone application.

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Department has emergency rulemaking authority for the purpose of application development only until 12 months after the effective date of this amendatory Act of the 97th General Assembly.

(b) Upon receipt of an application from a county or municipality the Department shall review the application to determine whether the designated area qualifies as an enterprise zone under Section 4 of this Act.

(c) No later than June 30, the Department shall notify all applicant municipalities and counties of the Department's determination of the qualification of their respective designated enterprise zone areas, and shall send qualifying applications, including the applicant's scores for items (1) through (10) of subsection (a) of Section 4.1 and the applicant's final score under that Section, to the Board for the Board's consideration, along with supporting documentation of the basis for the Department's decision.

(d) If any such designated area is found to be qualified to be an enterprise zone by the Department under subsection (c) of this Section, the Department shall, no later than July 15, send a letter of notification to each member of the General Assembly whose legislative district or representative district contains all or part of the designated area and publish a notice in at least one newspaper of general circulation within the proposed zone area to notify the general public of the application and their opportunity to comment. Such notice shall include a description of the area and a brief summary of the application and shall indicate locations where the applicant has provided copies of the application for public inspection. The notice shall also indicate appropriate procedures for the filing of written comments from zone residents, business, civic and other organizations and property owners to the Department.

(e) (Blank).

(f) (Blank).

(g) (Blank).

(h) (Blank).

(Source: P.A. 97-905, eff. 8-7-12.)

(20 ILCS 655/5.2.1)

Sec. 5.2.1. Enterprise Zone Board.

(a) An Enterprise Zone Board is hereby created within the Department.

(b) The Board shall consist of the following 5 members:

(1) the Director of Commerce and Economic Opportunity, or his or her designee, who shall serve as chairperson;

(2) the Director of Revenue, or his or her designee; and

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(3) three members appointed by the Governor, with the advice and consent of the Senate. Board members shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties.

(c) Each member appointed under item (3) of subsection (b) shall have at least 5 years of experience in business, economic development, or site location. Of the members appointed under item (3) of subsection (b): one member shall reside in Cook County; one member shall reside in DuPage, Kane, Lake, McHenry, or Will County; and one member shall reside in a county other than Cook, DuPage, Kane, Lake, McHenry, or Will.

(d) Of the initial members appointed under item (3) of subsection (b): one member shall serve for a term of 2 years; one member shall serve for a term of 3 years; and one member shall serve for a term of 4 years. Thereafter, all members appointed under item (3) of subsection (b) shall serve for terms of 4 years. Members appointed under item (3) of subsection (b) may be reappointed. The Governor may remove a member appointed under item (3) of subsection (b) for incompetence, neglect of duty, or malfeasance in office.

(e) By September 30, 2015 2014, and September 30 of each year thereafter, all applications filed by December 31 of the preceding calendar year and deemed qualified by the Department shall be approved or denied by the Board. If such application is not approved by September 30, the application shall be considered denied. If an application is denied, the Board shall inform the applicant of the specific reasons for the denial.

(f) A majority of the Board will determine whether an application is approved or denied. The Board is not, at any time, required to designate an enterprise zone.

(g) In determining which designated areas shall be approved and certified as enterprise zones, the Board shall give preference to the extent to which the area meets the criteria set forth in Section 4.

(Source: P.A. 97-905, eff. 8-7-12.)
signed by the Director of the Department, shall make specific reference to the designating ordinance, which shall be attached thereto, and shall be filed in the office of the Secretary of State. A certified copy of the Enterprise Zone Certificate, or a duplicate original thereof, shall be recorded in the office of recorder of deeds of the county in which the Enterprise Zone lies.

(b) An Enterprise Zone shall be effective on January 1 of the first calendar year after Department certification. The Department shall transmit a copy of the certification to the Department of Revenue, and to the designating municipality or county.

Upon certification of an Enterprise Zone, the terms and provisions of the designating ordinance shall be in effect, and may not be amended or repealed except in accordance with Section 5.4.

(c) With the exception of Enterprise Zones scheduled to expire before December 31, 2018, an Enterprise Zone designated before the effective date of this amendatory Act of the 97th General Assembly shall be in effect for 30 calendar years, or for a lesser number of years specified in the certified designating ordinance. Notwithstanding the foregoing, any Enterprise Zone in existence on the effective date of this amendatory Act of the 98th General Assembly that has a term of 20 calendar years may be extended for an additional 10 calendar years upon amendment of the designating ordinance by the designating municipality or county and submission of the ordinance to the Department. The amended ordinance must be properly recorded in the Office of Recorder of Deeds of each county in which the Enterprise Zone lies. Each Enterprise Zone in existence on the effective date of this amendatory Act of the 97th General Assembly that is scheduled to expire before July 1, 2016 may have its termination date extended until July 1, 2016 upon amendment of the designating ordinance by the designating municipality or county extending the termination date to July 1, 2016 and submission of the ordinance to the Department. The amended ordinance must be properly recorded in the Office of Recorder of Deeds of each county in which the Enterprise Zone lies. An Enterprise Zone designated on or after the effective date of this amendatory Act of the 97th General Assembly shall be in effect for a term of 15 calendar years, or for a lesser number of years specified in the certified designating ordinance. An enterprise zone designated on or after the effective date of this amendatory Act of the 97th General Assembly shall be subject to review by the Board after 13 years for an additional 10-year designation beginning on the expiration date of the enterprise zone.

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During the review process, the Board shall consider the costs incurred by the State and units of local government as a result of tax benefits received by the enterprise zone. Enterprise Zones shall terminate at midnight of December 31 of the final calendar year of the certified term, except as provided in Section 5.4.

(d) No more than 12 Enterprise Zones may be certified by the Department in calendar year 1984, no more than 12 Enterprise Zones may be certified by the Department in calendar year 1985, no more than 13 Enterprise Zones may be certified by the Department in calendar year 1986, no more than 15 Enterprise Zones may be certified by the Department in calendar year 1987, and no more than 20 Enterprise Zones may be certified by the Department in calendar year 1990. In other calendar years, no more than 13 Enterprise Zones may be certified by the Department. The Department may also designate up to 8 additional Enterprise Zones outside the regular application cycle if warranted by the extreme economic circumstances as determined by the Department. The Department may also designate one additional Enterprise Zone outside the regular application cycle if an aircraft manufacturer agrees to locate an aircraft manufacturing facility in the proposed Enterprise Zone. Notwithstanding any other provision of this Act, no more than 89 Enterprise Zones may be certified by the Department for the 10 calendar years commencing with 1983. The 7 additional Enterprise Zones authorized by Public Act 86-15 shall not lie within municipalities or unincorporated areas of counties that abut or are contiguous to Enterprise Zones certified pursuant to this Section prior to June 30, 1989. The 7 additional Enterprise Zones (excluding the additional Enterprise Zone which may be designated outside the regular application cycle) authorized by Public Act 86-1030 shall not lie within municipalities or unincorporated areas of counties that abut or are contiguous to Enterprise Zones certified pursuant to this Section prior to February 28, 1990. Beginning in calendar year 2004 and until December 31, 2008, one additional enterprise zone may be certified by the Department. In any calendar year, the Department may not certify more than 3 Zones located within the same municipality. The Department may certify Enterprise Zones in each of the 10 calendar years commencing with 1983. The Department may not certify more than a total of 18 Enterprise Zones located within the same county (whether within municipalities or within unincorporated territory) for the 10 calendar years commencing with 1983. Thereafter, the Department may not certify any additional Enterprise Zones.
Zones, but may amend and rescind certifications of existing Enterprise Zones in accordance with Section 5.4.

(e) Notwithstanding any other provision of law, if (i) the county board of any county in which a current military base is located, in part or in whole, or in which a military base that has been closed within 20 years of the effective date of this amendatory Act of 1998 is located, in part or in whole, adopts a designating ordinance in accordance with Section 5 of this Act to designate the military base in that county as an enterprise zone and (ii) the property otherwise meets the qualifications for an enterprise zone as prescribed in Section 4 of this Act, then the Department may certify the designating ordinance or ordinances, as the case may be.

(f) Applications for Enterprise Zones that are scheduled to expire in 2016, 2017, or 2018, including Enterprise Zones that have been extended until 2016 by this amendatory Act of the 97th General Assembly, shall be submitted to the Department no later than December 31, 2014 the date established by the Department by rule pursuant to Section 5.2. At that time, the Zone becomes available for either the previously designated area or a different area to compete for designation. No preference for designation as a Zone will be given to the previously designated area.

For Enterprise Zones that are scheduled to expire on or after January 1, 2017, an application process shall begin 2 years prior to the year in which the Zone expires. At that time, the Zone becomes available for either the previously designated area or a different area to compete for designation. No preference for designation as a Zone will be given to the previously designated area.

Each Enterprise Zone that reapplies for certification but does not receive a new certification shall expire on its scheduled termination date.

(Source: P.A. 97-905, eff. 8-7-12.)

(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois subject to the following conditions:

(1) such applications may be submitted at any time during the year;

(2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;

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(3) the business intends to do one or more of the following:

   (A) the business intends to make a minimum investment of $12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of $30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time retained jobs at a designated location in Illinois. The business must certify in writing that the investments would not be placed in service in qualified property and the job creation or job retention would not occur without the tax credits and exemptions set forth in subsection (b) of this Section. The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

   (B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly-constructed electric generation plant or a newly-constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and (i) shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs, or (ii) shall be funded through a federal Department of Energy grant before December 31, 2010 and shall support the creation of Illinois coal-mining jobs, or (iii) shall use

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coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and shall support the creation of Illinois coal-mining jobs. The business must certify in writing that the investments necessary to establish a new electric generating facility would not be placed in service and the job creation in the case of a coal-fueled plant would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B-5) the business intends to establish a new gasification facility at a designated location in Illinois. As used in this Section, "new gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. The business must certify in writing that the investments necessary to establish a new, expanded, or reopened coal mine would not be placed in service and the job creation would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning

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as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High Impact Business in accordance with this Section. The business must certify in writing that the investments necessary to construct new transmission facilities or upgrade existing transmission facilities would not be placed in service without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(E) the business intends to establish a new wind power facility at a designated location in Illinois. For purposes of this Section, "new wind power facility" means a newly constructed electric generation facility, or a newly constructed expansion of an existing electric generation facility, placed in service on or after July 1, 2009, that generates electricity using wind energy devices, and such facility shall be deemed to include all associated transmission lines, substations, and other equipment related to the generation of electricity from wind energy devices. For purposes of this Section, "wind energy device" means any device, with a nameplate capacity of at least 0.5 megawatts, that is used in the process of converting kinetic energy from the wind to generate electricity; or and

(F) the business commits to (i) make a minimum investment of $500,000,000, which will be placed in service in a qualified property, (ii) create 125 full-time equivalent jobs at a designated location in Illinois, (iii) establish a fertilizer plant at a designated location in Illinois that
complies with the set-back standards as described in Table 1: Initial Isolation and Protective Action Distances in the 2012 Emergency Response Guidebook published by the United States Department of Transportation, (iv) pay a prevailing wage for employees at that location who are engaged in construction activities, and (v) secure an appropriate level of general liability insurance to protect against catastrophic failure of the fertilizer plant or any of its constituent systems; in addition, the business must agree to enter into a construction project labor agreement including provisions establishing wages, benefits, and other compensation for employees performing work under the project labor agreement at that location; for the purposes of this Section, "fertilizer plant" means a newly constructed or upgraded plant utilizing gas used in the production of anhydrous ammonia and downstream nitrogen fertilizer products for resale; for the purposes of this Section, "prevailing wage" means the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works; this paragraph (F) applies only to businesses that submit an application to the Department within 60 days after the effective date of this amendatory Act of the 98th General Assembly; and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act; provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in

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subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time retained jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also qualify for the exemption described in Section 51 of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C), and (a)(3)(D) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 51 of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new gasification facility, the new transmission facility, or the new, expanded, or reopened coal mine is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 51 of the Retailers' Occupation Tax Act.

(b-6) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(E) of this Section shall qualify for the exemptions described in Section 51 of the Retailers' Occupation Tax Act; any business so designated as a High Impact Business being, for purposes of this Section, a "Wind Energy Business".

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, existing Illinois businesses which apply for designation as a High Impact Business must provide the Department with the prospective plan for which 1,500 full-time retained jobs would be eliminated in the event that the business is not designated.

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(e) Except for new wind power facilities contemplated under subdivision (a)(3)(E) of this Section, new proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, in the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation. However, the penalties for new wind power facilities or Wind Energy Businesses for failure to comply with any of the terms or conditions of the Illinois Prevailing Wage Act shall be only those penalties identified in the Illinois Prevailing Wage Act, and the Department shall not revoke a High Impact Business designation as a result of the failure to comply with any of the terms or conditions of the Illinois Prevailing Wage Act in relation to a new wind power facility or a Wind Energy Business.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(Source: P.A. 96-28, eff. 7-1-09; 97-905, eff. 8-7-12.)

(20 ILCS 655/8.1)

Sec. 8.1. Accounting.

(a) Any business receiving tax incentives due to its location within an Enterprise Zone or its designation as a High Impact Business must annually report to the Department of Revenue information reasonably necessary for the calculation of the extent of the benefits received.
required by the Department of Revenue to enable the Department to verify and calculate the total Enterprise Zone or High Impact Business tax benefits for property taxes and taxes imposed by the State that are received by the business, broken down by incentive category and enterprise zone, if applicable, annually to the Department of Revenue. Reports will be due no later than May 31 March 30 of each year and shall cover the previous calendar year. The first report will be for the 2012 calendar year and will be due no later than May 31, 2013 March 30, 2013. Failure to report data may shall result in ineligibility to receive incentives.

To the extent that a business receiving tax incentives has obtained an Enterprise Zone Building Materials Exemption Certificate or a High Impact Business Building Materials Exemption Certificate, that business is required to report those building materials exemption benefits only under subsection (a-5) of this Section. No additional reporting for those building materials exemption benefits is required under this subsection (a). The Department, in consultation with the Department of Revenue, is authorized to adopt rules governing ineligibility to receive exemptions, including the length of ineligibility. Factors to be considered in determining whether a business is ineligible shall include, but are not limited to, prior compliance with the reporting requirements, cooperation in discontinuing and correcting violations, the extent of the violation, and whether the violation was willful or inadvertent. For the first offense, a business shall be given 60 days to comply.

(a-5) Each contractor or other entity that has been issued an Enterprise Zone Building Materials Exemption Certificate under Section 5k of the Retailers' Occupation Tax Act or a High Impact Business Building Materials Exemption Certificate under Section 5l of the Retailers' Occupation Tax Act shall annually report to the Department of Revenue the total value of the Enterprise Zone or High Impact Business building materials exemption from State taxes. Reports shall contain information reasonably required by the Department of Revenue to enable it to verify and calculate the total tax benefits for taxes imposed by the State, and shall be broken down by Enterprise Zone. Reports are due no later than May 31 of each year and shall cover the previous calendar year. The first report will be for the 2013 calendar year and will be due no later than May 31, 2014. Failure to report data may result in revocation of the Enterprise Zone Building Materials Exemption Certificate or High Impact Business Building Materials Exemption Certificate issued to the contractor or other entity.
The Department of Revenue is authorized to adopt rules governing revocation determinations, including the length of revocation. Factors to be considered in revocations shall include, but are not limited to, prior compliance with the reporting requirements, cooperation in discontinuing and correcting violations, and whether the certificate was used unlawfully during the preceding year.

(b) Each person required to file a return under the Gas Revenue Tax Act, the Gas Use Tax Act, the Electricity Excise Tax Act, or the Telecommunications Excise Tax Act shall file, on or before May 31
March 30 of each year, a report with the Department of Revenue, in the manner and form required by the Department of Revenue, containing information reasonably required by the Department of Revenue to enable the Department of Revenue to calculate the amount of the deduction for taxes imposed by the State that is taken under each Act, respectively, due to the location of a business in an Enterprise Zone or its designation as a High Impact Business. The report shall be itemized by business and the business location address.

(c) Employers shall report their job creation, retention, and capital investment numbers within the zone annually to the administrator, which will compile the information and report it to the Department of Revenue no later than May 31 March 30 of each calendar year. High Impact Businesses shall report their job creation, retention, and capital investment numbers directly to the Department of Revenue no later than May 31 March 30 of each year.

(d) The Department of Revenue will aggregate and collect the tax, job, and capital investment data by Enterprise Zone and High Impact Business and report this information, formatted to exclude company-specific proprietary information, to the Department and the Board by August May 1, 2013, and by August May 1 of every calendar year thereafter. The Department will include this information in their required reports under Section 6 of this Act. The Board shall consider this information during the reviews required under subsection (d-5) of Section 5.4 of this Act and subsection (c) of Section 5.3 of this Act.

(e) The Department of Revenue, in its discretion, may require that the reports filed under this Section be submitted electronically.

(f) The Department of Revenue shall have the authority to adopt rules as are reasonable and necessary to implement the provisions of this Section.

(Source: P.A. 97-905, eff. 8-7-12.)

New matter indicated in italics - deletions by strikeout
Sec. 8.2. Zone Administrator.

(a) Each Zone Administrator designated under Section 8 of this Act shall post a copy of the boundaries of the Enterprise Zone on its official Internet website and shall provide an electronic copy to the Department. The Department shall post each copy of the boundaries of an Enterprise Zone that it receives from a Zone Administrator on its official Internet website.

(b) The Zone Administrator shall collect and aggregate the following information:

(1) the estimated cost of each building project, broken down into labor and materials; and

(2) within 60 days after the end of the project, the estimated cost of each building project, broken down into labor and materials.

(c) By April 1 of each year, each Zone Administrator shall file a copy of its fee schedule with the Department, and the Department shall review and approve the fee schedule. Zone Administrators shall charge no more than 0.5% of the cost of building materials of the project associated with the specific Enterprise Zone, with a maximum fee of no more than $50,000.

(Source: P.A. 97-905, eff. 8-7-12.)

Section 5-10. The Corporate Accountability for Tax Expenditures Act is amended by changing Section 25 as follows:

Sec. 25. Recapture.

(a) All development assistance agreements shall contain, at a minimum, the following recapture provisions:

(1) The recipient must (i) make the level of capital investment in the economic development project specified in the development assistance agreement; (ii) create or retain, or both, the requisite number of jobs, paying not less than specified wages for the created and retained jobs, within and for the duration of the time period specified in the legislation authorizing, or the administrative rules implementing, the development assistance programs and the development assistance agreement.

(2) If the recipient fails to create or retain the requisite number of jobs within and for the time period specified, in the legislation authorizing, or the administrative rules implementing,
the development assistance programs and the development assistance agreement, the recipient shall be deemed to no longer qualify for the State economic assistance and the applicable recapture provisions shall take effect.

(3) If the recipient receives State economic assistance in the form of a High Impact Business designation pursuant to Section 5.5 of the Illinois Enterprise Zone Act and the business receives the benefit of the exemption authorized under Section 51 of the Retailers' Occupation Tax Act (for the sale of building materials incorporated into a High Impact Business location) or the utility tax exemption authorized under Section 9-222.1A of the Public Utilities Act and the recipient fails to create or retain the requisite number of jobs, as determined by the legislation authorizing the development assistance programs or the administrative rules implementing such legislation, or both, within the requisite period of time, the recipient shall be required to pay to the State the full amount of both the State tax exemption and the utility tax exemption that it received as a result of the High Impact Business designation.

(4) If the recipient receives a grant or loan pursuant to the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program and the recipient fails to create or retain the requisite number of jobs for the requisite time period, as provided in the legislation authorizing the development assistance programs or the administrative rules implementing such legislation, or both, or in the development assistance agreement, the recipient shall be required to repay to the State a pro rata amount of the grant; that amount shall reflect the percentage of the deficiency between the requisite number of jobs to be created or retained by the recipient and the actual number of such jobs in existence as of the date the Department determines the recipient is in breach of the job creation or retention covenants contained in the development assistance agreement. If the recipient of development assistance under the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program ceases operations at the specific project site, during the 5-year period commencing on the date of assistance, the recipient shall be

New matter indicated in italics - deletions by strikeout
required to repay the entire amount of the grant or to accelerate repayment of the loan back to the State.

(5) If the recipient receives a tax credit under the Economic Development for a Growing Economy tax credit program, the development assistance agreement must provide that (i) if the number of new or retained employees falls below the requisite number set forth in the development assistance agreement, the allowance of the credit shall be automatically suspended until the number of new and retained employees equals or exceeds the requisite number in the development assistance agreement; (ii) if the recipient discontinues operations at the specific project site during the 5-year period after the beginning of the first tax year for which the Department issues a tax credit certificate, the recipient shall forfeit all credits taken by the recipient during such 5-year period; and (iii) in the event of a revocation or suspension of the credit, the Department shall contact the Director of Revenue to initiate proceedings against the recipient to recover wrongfully exempted Illinois State income taxes and the recipient shall promptly repay to the Department of Revenue any wrongfully exempted Illinois State income taxes. The forfeited amount of credits shall be deemed assessed on the date the Department contacts the Department of Revenue and the recipient shall promptly repay to the Department of Revenue any wrongfully exempted Illinois State income taxes.

(b) The Director may elect to waive enforcement of any contractual provision arising out of the development assistance agreement required by this Act based on a finding that the waiver is necessary to avert an imminent and demonstrable hardship to the recipient that may result in such recipient's insolvency or discharge of workers. If a waiver is granted, the recipient must agree to a contractual modification, including recapture provisions, to the development assistance agreement. The existence of any waiver granted pursuant to this subsection (b) (c), the date of the granting of such waiver, and a brief summary of the reasons supporting the granting of such waiver shall be disclosed consistent with the provisions of Section 25 of this Act.

(b-5) The Department shall post, on its website, (i) the identity of each recipient from whom amounts were recaptured under this Section on or after the effective date of this amendatory Act of the 97th General Assembly, (ii) the date of the recapture, (iii) a summary of the reasons
supporting the recapture, and (iv) the amount recaptured from those recipients.

(c) Beginning June 1, 2004, the Department shall annually compile a report on the outcomes and effectiveness of recapture provisions by program, including but not limited to: (i) the total number of companies that receive development assistance as defined in this Act; (ii) the total number of recipients in violation of development agreements with the Department; (iii) the total number of completed recapture efforts; (iv) the total number of recapture efforts initiated; and (v) the number of waivers granted. This report shall be disclosed consistent with the provisions of Section 20 of this Act.

(d) For the purposes of this Act, recapture provisions do not include the Illinois Department of Transportation Economic Development Program, any grants under the Industrial Training Program that are not given as an incentive to a recipient business organization, or any successor programs as described in the term "development assistance" in Section 5 of this Act.

(Source: P.A. 97-2, eff. 5-6-11; 97-721, eff. 6-29-12; revised 10-10-12.)

Section 5-20. The State Finance Act is amended by adding Section 5.827 and 5.829 as follows:

(30 ILCS 105/5.827 new)
Sec. 5.827. The South Suburban Brownfields Redevelopment Fund.
(30 ILCS 105/5.829 new)
Sec. 5.829. The Riverfront Development Fund.

Section 5-25. The Project Labor Agreements Act is amended by changing Section 10 as follows:

(30 ILCS 571/10)
Sec. 10. Public works projects. On a project-by-project basis, a State department, agency, authority, board, or instrumentality that is under the control of the Governor shall include a project labor agreement on a public works project when that department, agency, authority, board, or instrumentality has determined that the agreement advances the State's interests of cost, efficiency, quality, safety, timeliness, skilled labor force, labor stability, or the State's policy to advance minority-owned and women-owned businesses and minority and female employment. For purposes of this Act, any corrective action performed pursuant to Title XVI of the Environmental Protection Act for which payment from the Underground Storage Tank Fund is requested shall be considered a public works project.

New matter indicated in italics - deletions by strikeout
Section 5-30. The Illinois Income Tax Act is amended by changing Section 201 as follows:

(35 ILCS 5/201) (from Ch. 120, par. 2-201)

Sec. 201. Tax Imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 5% of the taxpayer's net income for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after
December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 3.25% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2025, an amount equal to 3.25% of the taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.
(10) In the case of a corporation, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 4.8% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after January 1, 2025, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation,
other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code, equals 1.25% for taxable years ending prior to December 31, 2003, or
1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than

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the year in which the property was placed in service in Illinois. For
tax years ending on or after December 31, 1987, and on or before
December 31, 1988, the credit shall be allowed for the tax year in
which the property is placed in service, or, if the amount of the
credit exceeds the tax liability for that year, whether it exceeds the
original liability or the liability as later amended, such excess may
be carried forward and applied to the tax liability of the 5 taxable
years following the excess credit years if the taxpayer (i) makes
investments which cause the creation of a minimum of 2,000 full-
time equivalent jobs in Illinois, (ii) is located in an enterprise zone
established pursuant to the Illinois Enterprise Zone Act and (iii) is
certified by the Department of Commerce and Community Affairs
(now Department of Commerce and Economic Opportunity) as
complying with the requirements specified in clause (i) and (ii) by
July 1, 1986. The Department of Commerce and Community
Affairs (now Department of Commerce and Economic Opportunity)
shall notify the Department of Revenue of all such
certifications immediately. For tax years ending after December 31,
1988, the credit shall be allowed for the tax year in which the
property is placed in service, or, if the amount of the credit exceeds
the tax liability for that year, whether it exceeds the original
liability or the liability as later amended, such excess may be
 carried forward and applied to the tax liability of the 5 taxable
years following the excess credit years. The credit shall be applied
to the earliest year for which there is a liability. If there is credit
from more than one tax year that is available to offset a liability,
earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including
buildings and structural components of buildings and signs
that are real property, but not including land or
improvements to real property that are not a structural
component of a building such as landscaping, sewer lines,
local access roads, fencing, parking lots, and other
appurtenances;

(B) is depreciable pursuant to Section 167 of the
Internal Revenue Code, except that "3-year property" as
defined in Section 168(c)(2)(A) of that Code is not eligible
for the credit provided by this subsection (e);

New matter indicated in italics - deletions by strikeout
(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;
(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and
(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property for use or consumption and not for resale, or services rendered in conjunction with the sale of tangible personal property for use or consumption and not for resale. For purposes of this subsection (e), "tangible personal property" has the same meaning as when that term is used in the Retailers' Occupation Tax Act, and, for taxable years ending after December 31, 2008, does not include the generation, transmission, or distribution of electricity.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months
after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation.
corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:
   (A) is tangible, whether new or used, including buildings and structural components of buildings;

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(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the
taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(g) (Blank). Jobs Tax Credit; River Edge Redevelopment Zone and Foreign Trade Zone or Sub-Zone:

(1) A taxpayer conducting a trade or business, for taxable years ending on or after December 31, 2006, in a River Edge Redevelopment Zone or conducting a trade or business in a federally designated Foreign Trade Zone or Sub-Zone shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section in the amount of $500 per eligible employee hired to work in the zone during the taxable year.

(2) To qualify for the credit:

(A) the taxpayer must hire 5 or more eligible employees to work in a River Edge Redevelopment Zone or federally designated Foreign Trade Zone or Sub-Zone during the taxable year;

(B) the taxpayer's total employment within the River Edge Redevelopment Zone or federally designated Foreign Trade Zone or Sub-Zone must increase by 5 or more full-time employees beyond the total employed in that zone at the end of the previous tax year for which a jobs tax credit under this Section was taken, or beyond the total employed by the taxpayer as of December 31, 1985, whichever is later; and

(C) the eligible employees must be employed 180 consecutive days in order to be deemed hired for purposes of this subsection.

(3) An "eligible employee" means an employee who is:

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(A) Certified by the Department of Commerce and Economic Opportunity as "eligible for services" pursuant to regulations promulgated in accordance with Title II of the Job Training Partnership Act, Training Services for the Disadvantaged or Title III of the Job Training Partnership Act, Employment and Training Assistance for Dislocated Workers Program:

(B) Hired after the River Edge Redevelopment Zone or federally designated Foreign Trade Zone or Sub-Zone was designated or the trade or business was located in that zone, whichever is later.

(C) Employed in the River Edge Redevelopment Zone or Foreign Trade Zone or Sub-Zone. An employee is employed in a federally designated Foreign Trade Zone or Sub-Zone if his services are rendered there or it is the base of operations for the services performed.

(D) A full-time employee working 30 or more hours per week.

(4) For tax years ending on or after December 31, 1985 and prior to December 31, 1988, the credit shall be allowed for the tax year in which the eligible employees are hired. For tax years ending on or after December 31, 1988, the credit shall be allowed for the tax year immediately following the tax year in which the eligible employees are hired. If the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(5) The Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this subsection (g).

(6) The credit shall be available for eligible employees hired on or after January 1, 1986.

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a

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credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:
   (A) is tangible, whether new or used, including buildings and structural components of buildings;

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(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates
its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons

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employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2016, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the
excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency
approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit

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arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed $500. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero.

This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section
26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

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(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(Source: P.A. 96-115, eff. 7-31-09; 96-116, eff. 7-31-09; 96-937, eff. 6-23-10; 96-1000, eff. 7-2-10; 96-1496, eff. 1-13-11; 97-2, eff. 5-6-11; 97-636, eff. 6-1-12; 97-905, eff. 8-7-12.)

Section 5-33. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction

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by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

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If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

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The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year.
begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the

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Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department

New matter indicated in italics - deletions by strikeout
does not exceed $50, the Department may authorize his returns to be filed
on an annual basis, with the return for a given year being due by January
20 of the following year.

Such quarter annual and annual returns, as to form and substance,
shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the
time within which a retailer may file his return, in the case of any retailer
who ceases to engage in a kind of business which makes him responsible
for filing returns under this Act, such retailer shall file a final return under
this Act with the Department not more than one month after discontinuing
such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and
trailers that are required to be registered with an agency of this State, every
retailer selling this kind of tangible personal property shall file, with the
Department, upon a form to be prescribed and supplied by the Department,
a separate return for each such item of tangible personal property which
the retailer sells, except that if, in the same transaction, (i) a retailer of
aircraft, watercraft, motor vehicles or trailers transfers more than one
aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft,
motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of
aircraft, watercraft, motor vehicles, or trailers transfers more than one
aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a
qualifying rolling stock as provided in Section 3-55 of this Act, then that
seller may report the transfer of all the aircraft, watercraft, motor vehicles
or trailers involved in that transaction to the Department on the same
uniform invoice-transaction reporting return form. For purposes of this
Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as
defined in Section 3-2 of the Boat Registration and Safety Act, a personal
watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or
trailers that are required to be registered with an agency of this State, shall
be the same document as the Uniform Invoice referred to in Section 5-402
of the Illinois Vehicle Code and must show the name and address of the
seller; the name and address of the purchaser; the amount of the selling
price including the amount allowed by the retailer for traded-in property, if
any; the amount allowed by the retailer for the traded-in tangible personal
property, if any, to the extent to which Section 2 of this Act allows an
exemption for the value of traded-in property; the balance payable after
deducting such trade-in allowance from the total selling price; the amount

New matter indicated in italics - deletions by strikeout
of tax due from the retailer with respect to such transaction; the amount of
tax collected from the purchaser by the retailer on such transaction (or
satisfactory evidence that such tax is not due in that particular instance, if
that is claimed to be the fact); the place and date of the sale; a sufficient
identification of the property sold; such other information as is required in
Section 5-402 of the Illinois Vehicle Code, and such other information as
the Department may reasonably require.

The transaction reporting return in the case of watercraft and
aircraft must show the name and address of the seller; the name and
address of the purchaser; the amount of the selling price including the
amount allowed by the retailer for traded-in property, if any; the amount
allowed by the retailer for the traded-in tangible personal property, if any,
to the extent to which Section 2 of this Act allows an exemption for the
value of traded-in property; the balance payable after deducting such trade-
in allowance from the total selling price; the amount of tax due from the
retailer with respect to such transaction; the amount of tax collected from
the purchaser by the retailer on such transaction (or satisfactory evidence
that such tax is not due in that particular instance, if that is claimed to be
the fact); the place and date of the sale, a sufficient identification of the
property sold, and such other information as the Department may
reasonably require.

Such transaction reporting return shall be filed not later than 20
days after the date of delivery of the item that is being sold, but may be
filed by the retailer at any time sooner than that if he chooses to do so. The
transaction reporting return and tax remittance or proof of exemption from
the tax that is imposed by this Act may be transmitted to the Department
by way of the State agency with which, or State officer with whom, the
tangible personal property must be titled or registered (if titling or
registration is required) if the Department and such agency or State officer
determine that this procedure will expedite the processing of applications
for title or registration.

With each such transaction reporting return, the retailer shall remit
the proper amount of tax due (or shall submit satisfactory evidence that the
sale is not taxable if that is the case), to the Department or its agents,
whereupon the Department shall issue, in the purchaser's name, a tax
receipt (or a certificate of exemption if the Department is satisfied that the
particular sale is tax exempt) which such purchaser may submit to the
agency with which, or State officer with whom, he must title or register the
tangible personal property that is involved (if titling or registration is

New matter indicated in italics - deletions by strikeout
required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.
Any retailer filing a return under this Section shall also include (for
the purpose of paying tax thereon) the total tax covered by such return
upon the selling price of tangible personal property purchased by him at
retail from a retailer, but as to which the tax imposed by this Act was not
collected from the retailer filing such return, and such retailer shall remit
the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the
Department may prescribe and furnish a combination or joint return which
will enable retailers, who are required to file returns hereunder and also
under the Retailers' Occupation Tax Act, to furnish all the return
information required by both Acts on the one form.

Where the retailer has more than one business registered with the
Department under separate registration under this Act, such retailer may
not file each return that is due as a single return covering all such
registered businesses, but shall file separate returns for each such
registered business.

Beginning January 1, 1990, each month the Department shall pay
into the State and Local Sales Tax Reform Fund, a special fund in the
State Treasury which is hereby created, the net revenue realized for the
preceding month from the 1% tax on sales of food for human consumption
which is to be consumed off the premises where it is sold (other than
alcoholic beverages, soft drinks and food which has been prepared for
immediate consumption) and prescription and nonprescription medicines,
drugs, medical appliances and insulin, urine testing materials, syringes and
needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay
into the County and Mass Transit District Fund 4% of the net revenue
realized for the preceding month from the 6.25% general rate on the
selling price of tangible personal property which is purchased outside
Illinois at retail from a retailer and which is titled or registered by an
agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay
into the State and Local Sales Tax Reform Fund, a special fund in the
State Treasury, 20% of the net revenue realized for the preceding month
from the 6.25% general rate on the selling price of tangible personal
property, other than tangible personal property which is purchased outside
Illinois at retail from a retailer and which is titled or registered by an
agency of this State's government.

New matter indicated in italics - deletions by strikeout
Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund

New matter indicated in italics - deletions by strikeout
and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect

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thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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<th>Fiscal Year</th>
<th>Total Deposit</th>
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<tr>
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<tr>
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2002  93,000,000
2003  99,000,000
2004  103,000,000
2005  108,000,000
2006  113,000,000
2007  119,000,000
2008  126,000,000
2009  132,000,000
2010  139,000,000
2011  146,000,000
2012  153,000,000
2013  161,000,000
2014  170,000,000
2015  179,000,000
2016  189,000,000
2017  199,000,000
2018  210,000,000
2019  221,000,000
2020  233,000,000
2021  246,000,000
2022  260,000,000
2023  275,000,000
2024  275,000,000
2025  275,000,000
2026  279,000,000
2027  292,000,000
2028  307,000,000
2029  322,000,000
2030  338,000,000
2031  350,000,000
2032  350,000,000

and

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

New matter indicated in italics - deletions by strikeout
Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month.

New matter indicated in italics - deletions by strikeout
Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Proviso effective Jan. 1, 1999.)

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Proviso effective Jan. 1, 1999.)

Section 5-35. The Service Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department

New matter indicated in italics - deletions by strikeout
for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.
Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such

New matter indicated in italics - deletions by strikeout
property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which
is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers'
Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are

New matter indicated in italics - deletions by strikeout
subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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New matter indicated in italics - deletions by strikeout
2017     199,000,000
2018     210,000,000
2019     221,000,000
2020     233,000,000
2021     246,000,000
2022     260,000,000
2023     275,000,000
2024     275,000,000
2025     275,000,000
2026     279,000,000
2027     292,000,000
2028     307,000,000
2029     322,000,000
2030     338,000,000
2031     350,000,000
2032     350,000,000

and

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year
thereafter, one-eighth of the amount requested in the certificate of the
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal
year, less the amount deposited into the McCormick Place Expansion
Project Fund by the State Treasurer in the respective month under
subsection (g) of Section 13 of the Metropolitan Pier and Exposition
Authority Act, plus cumulative deficiencies in the deposits required under
this Section for previous months and years, shall be deposited into the
McCormick Place Expansion Project Fund, until the full amount requested
for the fiscal year, but not in excess of the amount specified above as
"Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the
McCormick Place Expansion Project Fund pursuant to the preceding
paragraphs or in any amendments thereto hereafter enacted, beginning July
1, 1993, the Department shall each month pay into the Illinois Tax

New matter indicated in italics - deletions by strikeout
Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

All remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 5-37. The Service Occupation Tax Act is amended by changing Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

New matter indicated in italics - deletions by strikeout
Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1,

New matter indicated in italics - deletions by strikeout
2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a

New matter indicated in italics - deletions by strikeout
taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman

New matter indicated in italics - deletions by strikeout
may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

New matter indicated in italics - deletions by strikeout
Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during
such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and
Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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New matter indicated in italics - deletions by strikeout
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and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning

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with the receipt of the first report of taxes paid by an eligible business and
continuing for a 25-year period, the Department shall each month pay into
the Energy Infrastructure Fund 80% of the net revenue realized from the
6.25% general rate on the selling price of Illinois-mined coal that was sold
to an eligible business. For purposes of this paragraph, the term "eligible
business" means a new electric generating facility certified pursuant to
Section 605-332 of the Department of Commerce and Economic

Remaining moneys received by the Department pursuant to this
Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer,
require the taxpayer to prepare and file with the Department on a form
prescribed by the Department within not less than 60 days after receipt of
the notice an annual information return for the tax year specified in the
notice. Such annual return to the Department shall include a statement of
gross receipts as shown by the taxpayer's last Federal income tax return. If
the total receipts of the business as reported in the Federal income tax
return do not agree with the gross receipts reported to the Department of
Revenue for the same period, the taxpayer shall attach to his annual return
a schedule showing a reconciliation of the 2 amounts and the reasons for
the difference. The taxpayer's annual return to the Department shall also
disclose the cost of goods sold by the taxpayer during the year covered by
such return, opening and closing inventories of such goods for such year,
cost of goods used from stock or taken from stock and given away by the
taxpayer during such year, payroll information of the taxpayer's business
during such year and any additional reasonable information which the
Department deems would be helpful in determining the accuracy of the
monthly, quarterly or annual returns filed by such taxpayer as hereinbefore
provided for in this Section.

If the annual information return required by this Section is not filed
when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a
penalty equal to 1/6 of 1% of the tax due from such taxpayer under
this Act during the period to be covered by the annual return for
each month or fraction of a month until such return is filed as
required, the penalty to be assessed and collected in the same
manner as any other penalty provided for in this Act.

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(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 5-40. The Retailers' Occupation Tax Act is amended by changing Sections 2-54, 3, 5k, 5l, and 9 as follows:

(35 ILCS 120/2-54)

Sec. 2-54. Building materials exemption; River Edge Redevelopment Zones.

(a) Each retailer that makes a qualified sale of building materials to be incorporated into real estate within a River Edge Redevelopment Zone

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in accordance with the River Edge Redevelopment Zone Act by remodeling, rehabilitating, or new construction may deduct receipts from those sales when calculating the tax imposed by this Act. For purposes of this Section, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of an industrial or commercial project for which a Certificate of Eligibility for Sales Tax Exemption has been issued by the corporate authorities of the municipality in which the building project is located.

(b) Before July 1, 2013, to document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued by the corporate authorities of the municipality in which the real estate into which the building materials will be incorporated is located. The Certificate of Eligibility for Sales Tax Exemption must contain all of the following:

1. A statement that the commercial or industrial project identified in the Certificate meets all the requirements of the jurisdiction in which the project is located.
2. The location or address of the building project.
3. The signature of the chief executive officer of the municipality in which the building project is located, or the chief executive officer's delegate.

(c) Before July 1, 2013, in addition, the retailer must obtain a certificate from the purchaser that contains all of the following:

1. A statement that the building materials are being purchased for incorporation into real estate located in a River Edge Redevelopment Zone included in a redevelopment project area in accordance with River Edge Redevelopment Zone Act.
2. The location or address of the real estate into which the building materials will be incorporated.
3. The name of the River Edge Redevelopment Zone in which that real estate is located.
4. A description of the building materials being purchased.
5. The purchaser's signature and date of purchase.

(d) On and after July 1, 2013, to document the exemption allowed under this Section the retailer must obtain from the purchaser the purchaser's River Edge Building Materials Exemption Certificate number issued by the Department. A construction contractor or other entity shall
not make tax-free purchases unless it has an active Exemption Certificate issued by the Department at the time of purchase.

Upon request from the corporate authorities of the municipality in which the building project is located, the Department shall issue a River Edge Building Materials Exemption Certificate for each construction contractor or other entity identified by the corporate authorities of the municipality in which the building project is located. The Department shall make the Exemption Certificates available to the corporate authorities of the municipality in which the building project is located and each construction contractor or other entity. The request for River Edge Building Materials Exemption Certificates from the corporate authorities of the municipality in which the building project is located to the Department must include the following information:

1. the name and address of the construction contractor or other entity;
2. the name and number of the River Edge Redevelopment Zone in which the building project is located;
3. the name and location or address of the building project in the River Edge Redevelopment Zone;
4. the estimated amount of the exemption for each construction contractor or other entity for which a request for Exemption Certificate is made, based on a stated estimated average tax rate and the percentage of the contract that consists of materials;
5. the period of time over which supplies for the project are expected to be purchased; and
6. other reasonable information as the Department may require, including but not limited to FEIN numbers, to determine if the contractor or other entity, or any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity, is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department.

The Department shall issue the River Edge Building Materials Exemption Certificates within 3 business days after receipt of request from the corporate authorities of the municipality in which the building project is located. This requirement does not apply in circumstances where the
Department, for reasonable cause, is unable to issue the Exemption Certificate within 3 business days. The Department may refuse to issue an Exemption Certificate if the owner, any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department. The River Edge Building Materials Exemption Certificate shall contain language stating that, if the construction contractor or other entity who is issued the Exemption Certificate makes a tax-exempt purchase as described in this Section that is not eligible for exemption under this Section, or allows another person to make a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that is not eligible for the exemption.

The Department, in its discretion, may require that the request for River Edge Building Materials Exemption Certificates be submitted electronically. The Department may, in its discretion, issue the Exemption Certificates electronically. The River Edge Building Materials Exemption Certificate number shall be designed in such a way that the Department can identify from the unique number on the Exemption Certificate issued to a given construction contractor or other entity, the name of the River Edge Redevelopment Zone in which the building project is located, the project for which the Exemption Certificate is issued, and the construction contractor or other entity to whom the Exemption Certificate is issued. The Exemption Certificate shall contain an expiration date, which shall be no more than 2 years after the date of issuance. At the request of the corporate authorities of the municipality in which the building project is located, the Department may renew an Exemption Certificate. After the Department issues Exemption Certificates for a given River Edge building project, the corporate authorities of the municipality in which the building project is located may notify the Department of additional construction contractors or other entities eligible for a River Edge Building Materials Exemption Certificate. Upon notification by the corporate authorities of the municipality in which the building project is located, and subject to the
other provisions of this subsection (d), the Department shall issue a River Edge Building Materials Exemption Certificate to each additional construction contractor or other entity identified by the corporate authorities of the municipality in which the building project is located. The corporate authorities of the municipality in which the building project is located may notify the Department to rescind a Building Materials Exemption Certificate previously issued by the Department but that has not yet expired. Upon notification by the corporate authorities of the municipality in which the building project is located, and subject to the other provisions of this subsection (d), the Department shall issue the rescission of the River Edge Building Materials Exemption Certificate to the construction contractor or other entity identified by the corporate authorities of the municipality in which the building project is located and provide a copy to the corporate authorities of the municipality in which the building project is located.

If the Department of Revenue determines that a construction contractor or other entity that was issued an Exemption Certificate under this subsection (d) made a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section, or allowed another person to make a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that was not eligible for the exemption.

Notwithstanding anything to the contrary in this Section, for River Edge building projects already in existence and for which construction contracts are already in place on July 1, 2013, the request for River Edge Building Materials Exemption Certificates from the corporate authorities of the municipality in which the building project is located to the Department for these pre-existing construction contractors and other entities must include the information required under subsection (d), but not including the information listed in items (4) and (5). For any new construction contract entered into on or after July 1, 2013, however, all of the information in this subsection (d) must be provided.

(e) The provisions of this Section are exempt from Section 2-70.
(Source: P.A. 94-1021, eff. 7-12-06.)
(35 ILCS 120/3) (from Ch. 120, par. 442)

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Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on

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and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions.
Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of
the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by

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October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.
Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be
filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form
in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability

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for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than

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$9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding

New matter indicated in italics - deletions by strikeout
2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the

New matter indicated in italics - deletions by strikeout
requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate

New matter indicated in italics - deletions by strikeout
consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

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Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
</tr>
<tr>
<td>1988</td>
<td>$80,480,000</td>
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<tr>
<td>1989</td>
<td>$88,510,000</td>
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<tr>
<td>1990</td>
<td>$115,330,000</td>
</tr>
<tr>
<td>1991</td>
<td>$145,470,000</td>
</tr>
<tr>
<td>1992</td>
<td>$182,730,000</td>
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</table>

New matter indicated in italics - deletions by strikeout
and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the
Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
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<tr>
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<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
<tr>
<td>2015</td>
<td>179,000,000</td>
</tr>
</tbody>
</table>

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2016          189,000,000
2017          199,000,000
2018          210,000,000
2019          221,000,000
2020          233,000,000
2021          246,000,000
2022          260,000,000
2023          275,000,000
2024          275,000,000
2025          275,000,000
2026          279,000,000
2027          292,000,000
2028          307,000,000
2029          322,000,000
2030          338,000,000
2031          350,000,000
2032          350,000,000

and
each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year
thereafter, one-eighth of the amount requested in the certificate of the
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal
year, less the amount deposited into the McCormick Place Expansion
Project Fund by the State Treasurer in the respective month under
subsection (g) of Section 13 of the Metropolitan Pier and Exposition
Authority Act, plus cumulative deficiencies in the deposits required under
this Section for previous months and years, shall be deposited into the
McCormick Place Expansion Project Fund, until the full amount requested
for the fiscal year, but not in excess of the amount specified above as
"Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the
McCormick Place Expansion Project Fund pursuant to the preceding
paragraphs or in any amendments thereto hereafter enacted, beginning July

New matter indicated in italics - deletions by strikeout
1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

New matter indicated in italics - deletions by strikeout
If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair,
DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10; 96-1012, eff. 7-7-10; 97-95, eff. 7-12-11; 97-333, eff. 8-12-11.)

(35 ILCS 120/5k) (from Ch. 120, par. 444k)

Sec. 5k. Building materials exemption; enterprise zone.

(a) Each retailer who makes a qualified sale of building materials to be incorporated into real estate in an enterprise zone established by a county or municipality under the Illinois Enterprise Zone Act by remodeling, rehabilitation or new construction, may deduct receipts from such sales when calculating the tax imposed by this Act. For purposes of this Section, before July 1, 2013, "qualified sale" means a sale of building materials...
materials that will be incorporated into real estate as part of a building project for which a Certificate of Eligibility for Sales Tax Exemption has been issued by the administrator of the enterprise zone in which the building project is located, and on and after July 1, 2013, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of a building project for which an Enterprise Zone Building Materials Exemption Certificate has been issued to the purchaser by the Department. A construction contractor or other entity shall not make tax-free purchases unless it has an active Exemption Certificate issued by the Department at the time of the purchase.

(b) Before July 1, 2013, to document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued by the administrator of the enterprise zone into which the building materials will be incorporated. On and after July 1, 2013, to document the exemption allowed under this Section, the retailer must obtain from the purchaser the certification required under subsection (c), which must contain the Enterprise Zone Building Materials Exemption Certificate number issued to the purchaser by the Department. Upon request from the enterprise zone administrator, the Department shall issue an Enterprise Zone Building Materials Exemption Certificate for each construction contractor or other entity identified by the enterprise zone administrator. The Department shall make the Exemption Certificates available directly to each enterprise zone administrator, construction contractor, or other entity. The Department shall also provide the enterprise zone administrator with a copy of each Exemption Certificate issued. The request for Enterprise Zone Building Materials Exemption Certificates from the enterprise zone administrator to the Department must include the following information:

(1) the name and address of the construction contractor or other entity;
(2) the name and number of the enterprise zone;
(3) the name and location or address of the building project in the enterprise zone;
(4) the estimated amount of the exemption for each construction contractor or other entity for which a request for Exemption Certificate is made, based on a stated estimated average tax rate and the percentage of the contract that consists of materials;

New matter indicated in italics - deletions by strikeout
(5) the period of time over which supplies for the project are expected to be purchased; and
(6) other reasonable information as the Department may require, including, but not limited to FEIN numbers, to determine if the contractor or other entity, or any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity, is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department.

The Department shall issue the Enterprise Zone Building Materials Exemption Certificates within 3 business days after receipt of request from the zone administrator. This requirement does not apply in circumstances where the Department, for reasonable cause, is unable to issue the Exemption Certificate within 3 business days. The Department may refuse to issue an Exemption Certificate if the owner, any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department. The Enterprise Zone Building Materials Exemption Certificate shall contain language stating that if the construction contractor or other entity who is issued the Exemption Certificate makes a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section or allows another person to make a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers’ occupation tax on the purchase that is not eligible for the exemption.

The Department, in its discretion, may require that the request for Enterprise Zone Building Materials Exemption Certificates be submitted electronically. The Department may, in its discretion, issue the Exemption Certificates electronically. The Enterprise Zone Building Materials Exemption Certificate number shall be designed in such a way that the Department can identify from the unique number on the Exemption Certificate.
Certificate issued to a given construction contractor or other entity, the name of the Enterprise Zone, the project for which the Exemption Certificate is issued, and the construction contractor or other entity to whom the Exemption Certificate is issued. The Exemption Certificate shall contain an expiration date, which shall be no more than 2 years after the date of issuance. At the request of the zone administrator, the Department may renew an Exemption Certificate. After the Department issues Exemption Certificates for a given enterprise zone project, the enterprise zone administrator may notify the Department of additional construction contractors or other entities eligible for an Enterprise Zone Building Materials Exemption Certificate. Upon notification by the enterprise zone administrator and subject to the other provisions of this subsection (b), the Department shall issue an Enterprise Zone Building Materials Exemption Certificate to each additional construction contractor or other entity identified by the enterprise zone administrator. An enterprise zone administrator may notify the Department to rescind an Enterprise Zone Building Materials Exemption Certificate previously issued by the Department but that has not yet expired. Upon notification by the enterprise zone administrator and subject to the other provisions of this subsection (b), the Department shall issue the rescission of the Enterprise Zone Building Materials Exemption Certificate to the construction contractor or other entity identified by the enterprise zone administrator and provide a copy to the enterprise zone administrator.

If the Department of Revenue determines that a construction contractor or other entity that was issued an Exemption Certificate under this subsection (b) made a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section or allowed another person to make a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that was not eligible for the exemption.

(c) In addition, the retailer must obtain certification from the purchaser that contains:

(1) a statement that the building materials are being purchased for incorporation into real estate located in an Illinois enterprise zone;

New matter indicated in italics - deletions by strikeout
(2) the location or address of the real estate into which the building materials will be incorporated;
(3) the name of the enterprise zone in which that real estate is located;
(4) a description of the building materials being purchased;
(5) on and after July 1, 2013, the purchaser's Enterprise Zone Building Materials Exemption Certificate number issued by the Department; and
(6) the purchaser's signature and date of purchase.

(d) The deduction allowed by this Section for the sale of building materials may be limited, to the extent authorized by ordinance, adopted after the effective date of this amendatory Act of 1992, by the municipality or county that created the enterprise zone into which the building materials will be incorporated. The ordinance, however, may neither require nor prohibit the purchase of building materials from any retailer or class of retailers in order to qualify for the exemption allowed under this Section. The provisions of this Section are exempt from Section 2-70.

(e) Notwithstanding anything to the contrary in this Section, for enterprise zone projects already in existence and for which construction contracts are already in place on July 1, 2013, the request for Enterprise Zone Building Materials Exemption Certificates from the enterprise zone administrator to the Department for these pre-existing construction contractors and other entities must include the information required under subsection (b), but not including the information listed in items (4) and (5). For any new construction contract entered into on or after July 1, 2013, however, all of the information in subsection (b) must be provided.

(Source: P.A. 97-905, eff. 8-7-12.)

(35 ILCS 120/5l) (from Ch. 120, par. 444l)
Sec. 5l. Building materials exemption; High Impact Business.
(a) Beginning January 1, 1995, each retailer who makes a sale of building materials that will be incorporated into a High Impact Business location as designated by the Department of Commerce and Economic Opportunity under Section 5.5 of the Illinois Enterprise Zone Act may deduct receipts from such sales when calculating only the 6.25% State rate of tax imposed by this Act. Beginning on the effective date of this amendatory Act of 1995, a retailer may also deduct receipts from such sales when calculating any applicable local taxes. However, until the effective date of this amendatory Act of 1995, a retailer may file claims for credit or refund to recover the amount of any applicable local tax paid on
such sales. No retailer who is eligible for the deduction or credit under Section 5k of this Act for making a sale of building materials to be incorporated into real estate in an enterprise zone by rehabilitation, remodeling or new construction shall be eligible for the deduction or credit authorized under this Section.

(b) On and after July 1, 2013, in addition to any other requirements to document the exemption allowed under this Section, the retailer must obtain from the purchaser the purchaser's High Impact Business Building Materials Exemption Certificate number issued by the Department. A construction contractor or other entity shall not make tax-free purchases unless it has an active Exemption Certificate issued by the Department at the time of purchase.

Upon request from the designated High Impact Business, the Department shall issue a High Impact Business Building Materials Exemption Certificate for each construction contractor or other entity identified by the designated High Impact Business. The Department shall make issue the Exemption Certificates available directly to each construction contractor or other entity and the designated High Impact Business. The Department shall also provide the designated High Impact Business with a copy of each Exemption Certificate issued. The request for Building Materials Exemption Certificates from the designated High Impact Business to the Department must include the following information:

(1) the name and address of the construction contractor or other entity;
(2) the name and location or address of the designated High Impact Business;
(3) the estimated amount of the exemption for each construction contractor or other entity for which a request for Exemption Certificate is made, based on a stated estimated average tax rate and the percentage of the contract that consists of materials;
(4) the period of time over which supplies for the project are expected to be purchased; and
(5) other reasonable information as the Department may require, including but not limited to FEIN numbers, to determine if the contractor or other entity, or any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity, is or has
been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department.

The Department shall issue the High Impact Business Building Materials Exemption Certificates within 3 business days after receipt of request from the designated High Impact Business. This requirement does not apply in circumstances where the Department, for reasonable cause, is unable to issue the Exemption Certificate within 3 business days. The Department may refuse to issue an Exemption Certificate if the owner, any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department. The High Impact Business Building Materials Exemption Certificate shall contain language stating that if the construction contractor or other entity who is issued the Exemption Certificate makes a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section or allows another person to make a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that is not eligible for the exemption.

The Department, in its discretion, may require that the request for High Impact Business Building Materials Exemption Certificates be submitted electronically. The Department may, in its discretion, issue the Exemption Certificates electronically. The High Impact Business Building Materials Exemption Certificate number shall be designed in such a way that the Department can identify from the unique number on the Exemption Certificate issued to a given construction contractor or other entity, the name of the designated High Impact Business and the construction contractor or other entity to whom the Exemption Certificate is issued. The Exemption Certificate shall contain an expiration date, which shall be no more than 2 years after the date of issuance. At the request of the designated High Impact Business, the Department may renew an Exemption Certificate. After the Department issues Exemption

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Certificates for a given designated High Impact Business, the designated High Impact Business may notify the Department of additional construction contractors or other entities eligible for a Building Materials Exemption Certificate. Upon notification by the designated High Impact Business and subject to the other provisions of this subsection (b), the Department shall issue a High Impact Business Building Materials Exemption Certificate to each additional construction contractor or other entity identified by the designated High Impact Business. A designated High Impact Business may notify the Department to rescind a Building Materials Exemption Certificate previously issued by the Department but that has not yet expired. Upon notification by the designated High Impact Business and subject to the other provisions of this subsection (b), the Department shall issue the rescission of the Building Materials Exemption Certificate to the construction contractor or other entity identified by the designated High Impact Business and provide a copy to the designated High Impact Business.

If the Department of Revenue determines that a construction contractor or other entity that was issued an Exemption Certificate under this subsection (b) made a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section or allowed another person to make a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that was not eligible for the exemption.

(c) Notwithstanding anything to the contrary in this Section, for High Impact Businesses for which projects are already in existence and for which construction contracts are already in place on July 1, 2013, the request for High Impact Business Building Materials Exemption Certificates from the High Impact Business to the Department for these pre-existing construction contractors and other entities must include the information required under subsection (b), but not including the information listed in items (3) and (4). For any new construction contract entered into on or after July 1, 2013, however, all of the information in subsection (b) must be provided.

(Source: P.A. 97-905, eff. 8-7-12.)

Section 5-50. The Property Tax Code is amended by changing Sections 10-115 and 18-165 as follows:

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(35 ILCS 200/10-115)

Sec. 10-115. Department guidelines and valuations for farmland. The Department shall issue guidelines and recommendations for the valuation of farmland to achieve equitable assessment within and between counties.

The Director of Revenue shall appoint a five-person Farmland Assessment Technical Advisory Board, consisting of technical experts from the colleges or schools of agriculture of the State universities and State and federal agricultural agencies, to advise in and provide data and technical information needed for implementation of this Section.

By May 1 of each year, the Department shall certify to each chief county assessment officer the following, calculated from data provided by the Farmland Technical Advisory Board, on a per acre basis by soil productivity index for harvested cropland, using moving averages for the most recent 5-year period for which data are available:

(a) gross income, estimated by using yields per acre as assigned to soil productivity indices, the crop mix for each soil productivity index as determined by the College of Agriculture of the University of Illinois and average prices received by farmers for principal crops as published by the Illinois Crop Reporting Service;

(b) production costs, other than land costs, provided by the College of Agriculture of the University of Illinois;

(c) net return to land, which shall be the difference between (a) and (b) above;

(d) a proposed agricultural economic value determined by dividing the net return to land by the moving average of the Federal Land Bank farmland mortgage interest rate as calculated by the Department;

(e) the equalized assessed value per acre of farmland for each soil productivity index, which shall be 33-1/3% of the agricultural economic value, or the percentage as provided under Section 17-5; but any increase or decrease in the equalized assessed value per acre by soil productivity index shall not exceed 10% from the immediate preceding year’s soil productivity index certified assessed value of the median cropped soil; in tax year 2015 only, that 10% limitation shall be reduced by $5 per acre;

(f) a proposed average equalized assessed value per acre of cropland for each individual county, weighted by the distribution of soils by productivity index in the county; and

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(g) a proposed average equalized assessed value per acre for all farmland in each county, weighted (i) to consider the proportions of all farmland acres in the county which are cropland, permanent pasture, and other farmland, and (ii) to reflect the valuations for those types of land and debasements for slope and erosion as required by Section 10-125.

(Source: P.A. 91-357, eff. 7-29-99.)

(35 ILCS 200/18-165)

Sec. 18-165. Abatement of taxes.

(a) Any taxing district, upon a majority vote of its governing authority, may, after the determination of the assessed valuation of its property, order the clerk of that county to abate any portion of its taxes on the following types of property:

(1) Commercial and industrial.

   (A) The property of any commercial or industrial firm, including but not limited to the property of (i) any firm that is used for collecting, separating, storing, or processing recyclable materials, locating within the taxing district during the immediately preceding year from another state, territory, or country, or having been newly created within this State during the immediately preceding year, or expanding an existing facility, or (ii) any firm that is used for the generation and transmission of electricity locating within the taxing district during the immediately preceding year or expanding its presence within the taxing district during the immediately preceding year by construction of a new electric generating facility that uses natural gas as its fuel, or any firm that is used for production operations at a new, expanded, or reopened coal mine within the taxing district, that has been certified as a High Impact Business by the Illinois Department of Commerce and Economic Opportunity. The property of any firm used for the generation and transmission of electricity shall include all property of the firm used for transmission facilities as defined in Section 5.5 of the Illinois Enterprise Zone Act. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000.
(A-5) Any property in the taxing district of a new electric generating facility, as defined in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. The abatement shall not exceed a period of 10 years. The abatement shall be subject to the following limitations:

(i) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $25,000,000 but less than $50,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 5% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 20% of the taxing district's taxes from the new electric generating facility;

(ii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $50,000,000 but less than $75,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 10% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 35% of the taxing district's taxes from the new electric generating facility;

(iii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $75,000,000 but less than $100,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 20% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 50% of the taxing district's taxes from the new electric generating facility;

(iv) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $100,000,000 but less than $125,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 30% of the taxing district's aggregate taxes from the new electric generating facility.
facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(v) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $125,000,000 but less than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 40% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(vi) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 50% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility.

The abatement is not effective unless the owner of the new electric generating facility agrees to repay to the taxing district all amounts previously abated, together with interest computed at the rate and in the manner provided for delinquent taxes, in the event that the owner of the new electric generating facility closes the new electric generating facility before the expiration of the entire term of the abatement.

The authorization of taxing districts to abate taxes under this subdivision (a)(1)(A-5) expires on January 1, 2010.

(B) The property of any commercial or industrial development of at least (i) 500 acres or (ii) 225 acres in the case of a commercial or industrial development that applies for and is granted designation as a High Impact Business under paragraph (F) of item (3) of subsection (a) of Section 5.5 of the Illinois Enterprise Zone Act, having been created within the taxing district. The abatement shall not exceed a period of 20 years and the aggregate amount

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of abated taxes for all taxing districts combined shall not exceed $12,000,000.

(C) The property of any commercial or industrial firm currently located in the taxing district that expands a facility or its number of employees. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000. The abatement period may be renewed at the option of the taxing districts.

(2) Horse racing. Any property in the taxing district which is used for the racing of horses and upon which capital improvements consisting of expansion, improvement or replacement of existing facilities have been made since July 1, 1987. The combined abatements for such property from all taxing districts in any county shall not exceed $5,000,000 annually and shall not exceed a period of 10 years.

(3) Auto racing. Any property designed exclusively for the racing of motor vehicles. Such abatement shall not exceed a period of 10 years.

(4) Academic or research institute. The property of any academic or research institute in the taxing district that (i) is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code, (ii) operates for the benefit of the public by actually and exclusively performing scientific research and making the results of the research available to the interested public on a non-discriminatory basis, and (iii) employs more than 100 employees. An abatement granted under this paragraph shall be for at least 15 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $5,000,000.

(5) Housing for older persons. Any property in the taxing district that is devoted exclusively to affordable housing for older households. For purposes of this paragraph, "older households" means those households (i) living in housing provided under any State or federal program that the Department of Human Rights determines is specifically designed and operated to assist elderly persons and is solely occupied by persons 55 years of age or older and (ii) whose annual income does not exceed 80% of the area gross median income, adjusted for family size, as such gross income and median income are determined from time to time by
the United States Department of Housing and Urban Development. The abatement shall not exceed a period of 15 years, and the aggregate amount of abated taxes for all taxing districts shall not exceed $3,000,000.

(6) Historical society. For assessment years 1998 through 2018, the property of an historical society qualifying as an exempt organization under Section 501(c)(3) of the federal Internal Revenue Code.

(7) Recreational facilities. Any property in the taxing district (i) that is used for a municipal airport, (ii) that is subject to a leasehold assessment under Section 9-195 of this Code and (iii) which is sublet from a park district that is leasing the property from a municipality, but only if the property is used exclusively for recreational facilities or for parking lots used exclusively for those facilities. The abatement shall not exceed a period of 10 years.

(8) Relocated corporate headquarters. If approval occurs within 5 years after the effective date of this amendatory Act of the 92nd General Assembly, any property or a portion of any property in a taxing district that is used by an eligible business for a corporate headquarters as defined in the Corporate Headquarters Relocation Act. Instead of an abatement under this paragraph (8), a taxing district may enter into an agreement with an eligible business to make annual payments to that eligible business in an amount not to exceed the property taxes paid directly or indirectly by that eligible business to the taxing district and any other taxing districts for premises occupied pursuant to a written lease and may make those payments without the need for an annual appropriation. No school district, however, may enter into an agreement with, or abate taxes for, an eligible business unless the municipality in which the corporate headquarters is located agrees to provide funding to the school district in an amount equal to the amount abated or paid by the school district as provided in this paragraph (8). Any abatement ordered or agreement entered into under this paragraph (8) may be effective for the entire term specified by the taxing district, except the term of the abatement or annual payments may not exceed 20 years.

(9) United States Military Public/Private Residential Developments. Each building, structure, or other improvement designed, financed, constructed, renovated, managed, operated, or

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maintained after January 1, 2006 under a "PPV Lease", as set forth under Division 14 of Article 10, and any such PPV Lease.

(10) Property located in a business corridor that qualifies for an abatement under Section 18-184.10.

(b) Upon a majority vote of its governing authority, any municipality may, after the determination of the assessed valuation of its property, order the county clerk to abate any portion of its taxes on any property that is located within the corporate limits of the municipality in accordance with Section 8-3-18 of the Illinois Municipal Code.

(Source: P.A. 96-1136, eff. 7-21-10; 97-577, eff. 1-1-12; 97-636, eff. 6-1-12.)

Section 5-55. The County Economic Development Project Area Property Tax Allocation Act is amended by changing Section 3 as follows:

(55 ILCS 85/3) (from Ch. 34, par. 7003)

Sec. 3. Definitions. In this Act, words or terms shall have the following meanings unless the context usage clearly indicates that another meaning is intended.

(a) "Department" means the Department of Commerce and Economic Opportunity.

(b) "Economic development plan" means the written plan of a county which sets forth an economic development program for an economic development project area. Each economic development plan shall include but not be limited to (1) estimated economic development project costs, (2) the sources of funds to pay such costs, (3) the nature and term of any obligations to be issued by the county to pay such costs, (4) the most recent equalized assessed valuation of the economic development project area, (5) an estimate of the equalized assessed valuation of the economic development project area after completion of the economic development plan, (6) the estimated date of completion of any economic development project proposed to be undertaken, (7) a general description of any proposed developer, user, or tenant of any property to be located or improved within the economic development project area, (8) a description of the type, structure and general character of the facilities to be developed or improved in the economic development project area, (9) a description of the general land uses to apply in the economic development project area, (10) a description of the type, class and number of employees to be employed in the operation of the facilities to be developed or improved in the economic development project area and (11) a commitment by the county to fair employment practices and an affirmative action plan with

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respect to any economic development program to be undertaken by the county. The economic development plan for an economic development project area authorized by subsection (a-15) of Section 4 of this Act must additionally include (1) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and is not reasonably expected to be subject to such growth and development without the assistance provided through the implementation of the economic development plan and (2) evidence that portions of the economic development project area have incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the project area.

(c) "Economic development project" means any development project in furtherance of the objectives of this Act.

(d) "Economic development project area" means any improved or vacant area which is located within the corporate limits of a county and which (1) is within the unincorporated area of such county, or, with the consent of any affected municipality, is located partially within the unincorporated area of such county and partially within one or more municipalities, (2) is contiguous, (3) is not less in the aggregate than 100 acres and, for an economic development project area authorized by subsection (a-15) of Section 4 of this Act, not more than 2,000 acres, (4) is suitable for siting by any commercial, manufacturing, industrial, research or transportation enterprise of facilities to include but not be limited to commercial businesses, offices, factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial or commercial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or transportation facilities, whether or not such area has been used at any time for such facilities and whether or not the area has been used or is suitable for such facilities and whether or not the area has been used or is suitable for other uses, including commercial agricultural purposes, and (5) which has been certified by the Department pursuant to this Act.
(e) "Economic development project costs" means and includes the sum total of all reasonable or necessary costs incurred by a county incidental to an economic development project, including, without limitation, the following:

(1) Costs of studies, surveys, development of plans and specifications, implementation and administration of an economic development plan, personnel and professional service costs for architectural, engineering, legal, marketing, financial, planning, sheriff, fire, public works or other services, provided that no charges for professional services may be based on a percentage of incremental tax revenue;

(2) Property assembly costs within an economic development project area, including but not limited to acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other non-governmental persons as reimbursement for property assembly costs incurred by such developer or other non-governmental person;

(3) Site preparation costs, including but not limited to clearance of any area within an economic development project area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading; site improvement addressing ground level or below ground environmental contamination; and including installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public site improvements within or without an economic development project area which are essential to the preparation of the economic development project area for use in accordance with an economic development plan; and specifically including payments to developers or other non-governmental persons as reimbursement for site preparation costs incurred by such developer or non-governmental person;

(4) Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of any existing buildings, improvements, and fixtures within an economic development project area, and specifically including payments to developers or other non-governmental persons as reimbursement for such costs incurred by such developer or non-governmental person;

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(5) Costs of construction within an economic development project area of public improvements, including but not limited to, buildings, structures, works, improvements, utilities or fixtures;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued hereunder which accrues during the estimated period of construction of any economic development project for which such obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of such obligations;

(7) All or a portion of a taxing district's capital costs resulting from an economic development project necessarily incurred or estimated to be incurred by a taxing district in the furtherance of the objectives of an economic development project, to the extent that the county by written agreement accepts, approves and agrees to incur or to reimburse such costs;

(8) Relocation costs to the extent that a county determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law;

(9) The estimated tax revenues from real property in an economic development project area acquired by a county which, according to the economic development plan, is to be used for a private use and which any taxing district would have received had the county not adopted property tax allocation financing for an economic development project area and which would result from such taxing district's levies made after the time of the adoption by the county of property tax allocation financing to the time the current equalized assessed value of real property in the economic development project area exceeds the total initial equalized value of real property in that area;

(10) Costs of rebating ad valorem taxes paid by any developer or other nongovernmental person in whose name the general taxes were paid for the last preceding year on any lot, block, tract or parcel of land in the economic development project area, provided that:

(i) such economic development project area is located in an enterprise zone created pursuant to the Illinois Enterprise Zone Act; beginning on the effective date of this
(i) such ad valorem taxes shall be rebated only in such amounts and for such tax year or years as the county and any one or more affected taxing districts shall have agreed by prior written agreement; beginning on the effective date of this amendatory Act of the 98th General Assembly and ending on the date occurring 3 years later, compliance with this provision (ii) is not required in Grundy County if the county receives approval from 2/3 of the taxing districts representing no less than 75% of the aggregate tax levy for all of the affected taxing districts for the levy year;

(iii) any amount of rebate of taxes shall not exceed the portion, if any, of taxes levied by the county or such taxing district or districts which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the economic development project area over and above the initial equalized assessed value of each property existing at the time property tax allocation financing was adopted for said economic development project area; and

(iv) costs of rebating ad valorem taxes shall be paid by a county solely from the special tax allocation fund established pursuant to this Act and shall be paid from the proceeds of any obligations issued by a county.

(11) Costs of job training, advanced vocational education or career education programs, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in an economic development project area, and further provided, that when such costs are incurred by a taxing district or taxing districts other than the county, they shall be set forth in a written agreement by or among the county and the taxing district or taxing districts, which agreement describes the program

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to be undertaken, including, but not limited to, the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Section 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20 and 10-23.3a of the School Code;

(12) Private financing costs incurred by developers or other non-governmental persons in connection with an economic development project, and specifically including payments to developers or other non-governmental persons as reimbursement for such costs incurred by such developer or other non-governmental persons provided that:

(A) private financing costs shall be paid or reimbursed by a county only pursuant to the prior official action of the county evidencing an intent to pay such private financing costs;

(B) except as provided in subparagraph (D) of this Section, the aggregate amount of such costs paid or reimbursed by a county in any one year shall not exceed 30% of such costs paid or incurred by such developer or other non-governmental person in that year;

(C) private financing costs shall be paid or reimbursed by a county solely from the special tax allocation fund established pursuant to this Act and shall not be paid or reimbursed from the proceeds of any obligations issued by a county;

(D) if there are not sufficient funds available in the special tax allocation fund in any year to make such payment or reimbursement in full, any amount of such private financing costs remaining to be paid or reimbursed by a county shall accrue and be payable when funds are available in the special tax allocation fund to make such payment; and

(E) in connection with its approval and certification of an economic development project pursuant to Section 5 of this Act, the Department shall review any agreement

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authorizing the payment or reimbursement by a county of private financing costs in its consideration of the impact on the revenues of the county and the affected taxing districts of the use of property tax allocation financing.

(f) "Obligations" means any instrument evidencing the obligation of a county to pay money, including without limitation, bonds, notes, installment or financing contracts, certificates, tax anticipation warrants or notes, vouchers, and any other evidence of indebtedness.

(g) "Taxing districts" means municipalities, townships, counties, and school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other county corporations or districts with the power to levy taxes on real property.

(Source: P.A. 96-1262, eff. 7-26-10.)

Section 5-60. The Illinois Municipal Code is amended by changing Sections 11-65-10 and 11-74.4-3.5 as follows:

(65 ILCS 5/11-65-10)

Sec. 11-65-10. Public-facilities corporations authorized.

(a) Each municipality referenced in Section 11-65-2 is authorized to incorporate a public-facilities corporation to exercise, as business agent of the municipality, the powers of the municipality set forth in Section 11-65-2, Section 11-65-6, and Section 11-65-7, and also the power of the municipality to acquire by dedication, gift, lease, contract, or purchase all property and rights, necessary or proper, within the corporate limits of the municipality, for municipal convention hall purposes.

(b) In this Division 65, unless the context otherwise requires, a "public-facilities corporation" means an Illinois not-for-profit corporation whose purpose is charitable and civic, organized solely for the purpose of (i) acquiring a site or sites appropriate for a municipal convention hall; (ii) constructing, building, and equipping thereon a municipal convention hall; and (iii) collecting the revenues therefrom, entirely without profit to the public-facilities corporation, its officers, or directors. A public-facilities corporation shall assist the municipality it serves in the municipality's essential governmental purposes.

(c) The municipality shall retain control of the public-facilities corporation by means of the municipality's expressed legal right, set forth in the articles of incorporation of the public-facilities corporation, to appoint, remove, and replace the members of the board of directors of the public-facilities corporation. The directors and officers of the public-facilities corporation shall assist the municipality it serves in the municipality's essential governmental purposes.

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facilities corporation shall serve without compensation but may be reimbursed for their reasonable expenses that are incurred on behalf of the public-facilities corporation. Upon retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall, the legal title to the municipal convention hall shall be transferred to the municipality without any further consideration by or on behalf of the municipality.

(d) The municipality may designate a public-facilities corporation to include a facility that operates for the benefit of multiple units of local government through a management board created by a duly executed intergovernmental cooperation agreement and ratified by each duly elected board.

(Source: P.A. 95-672, eff. 10-11-07.)

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be

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made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is

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located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;

(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;

(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;

(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;

(12) if the ordinance was adopted in September 1988 by Sauk Village;

(13) if the ordinance was adopted in October 1993 by Sauk Village;

(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;

(15) if the ordinance was adopted in March 1991 by the City of Centreville;

(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;

(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;

(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;

(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;

(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;

(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;

(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;

(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;

(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;

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(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;

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(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;

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(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);

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(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;

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(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;*

(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;*

(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;*

(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;*

(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District; or

(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least

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$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 96-127, eff. 8-4-09; 96-182, eff. 8-10-09; 96-208, eff. 8-10-09; 96-209, eff. 1-1-10; 96-213, eff. 8-10-09; 96-264, eff. 8-11-09; 96-328, eff. 8-11-09; 96-439, eff. 8-14-09; 96-454, eff. 8-14-09; 96-722, eff. 8-25-09; 96-773, eff. 8-28-09; 96-830, eff. 12-4-09; 96-837, eff. 12-16-09; 96-1000, eff. 7-2-10; 96-1359, eff. 7-28-10; 96-1494, eff. 12-30-10; 96-1514, eff. 2-4-11; 96-1552, eff. 3-10-11; 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; revised 9-20-12.)

Section 5-65. The River Edge Redevelopment Zone Act is amended by changing Section 10-10.2 and by adding Section 10-15 as follows:

(65 ILCS 115/10-10.2)
Sec. 10-10.2. Accounting.
(a) Any business receiving tax incentives due to its location within a River Edge Redevelopment Zone must annually report to the Department of Revenue information reasonably required by the Department to enable the Department of Revenue to verify and calculate the total tax benefits for property taxes and taxes imposed by the State that are received by the business, broken down by incentive category, annually to the Department of Revenue. To the extent that a business receiving tax incentives has obtained a River Edge Building Materials Exemption Certificate, that business is required to report those building materials exemption benefits only under subsection (a-5) of this Section. No additional reporting for those building materials exemption benefits is required under this subsection (a). Reports will be due no later than May
March 30 of each year and shall cover the previous calendar year. The first report will be for the 2012 calendar year and will be due no later than May 31, 2013. Failure to report data may result in ineligibility to receive incentives. The Department, in consultation with the Department of Revenue, is authorized to adopt rules governing ineligibility to receive exemptions, including the length of ineligibility. Factors to be considered in determining whether a business is ineligible shall include, but are not limited to, prior compliance with the reporting requirements, cooperation in discontinuing and correcting violations, the extent of the violation, and whether the violation was willful or inadvertent. For the first offense, a business shall be given 60 days to comply.

(a-5) Each contractor or other entity that has been issued a River Edge Building Materials Exemption Certificate under Section 2-54 of the Retailers' Occupation Tax Act shall annually report to the Department of Revenue the total tax benefits for taxes imposed by the State that are received under River Edge building materials exemption. Reports shall contain information reasonably required by the Department of Revenue to enable it to verify and calculate the total tax benefits for taxes imposed by the State, and shall be broken down by River Edge Redevelopment Zone. Reports are due no later than May 31 of each year and shall cover the previous calendar year. The first report will be for the 2013 calendar year and will be due no later than May 31, 2014. Failure to report data may result in revocation of the River Edge Building Materials Exemption Certificate issued to the contractor or other entity. The Department of Revenue is authorized to adopt rules governing revocation determinations, including the length of revocations. Factors to be considered in revocations shall include, but are not limited to, prior compliance with the reporting requirements, cooperation in discontinuing and correcting violations, and whether the certificate was used unlawfully during the preceding year.

(b) Each person required to file a return under the Gas Revenue Tax Act, the Gas Use Tax Act, the Electricity Excise Tax Act, or the Telecommunications Excise Tax Act shall file, on or before May 31 of each year, a report with the Department of Revenue, in the manner and form required by the Department of Revenue, containing information reasonably required by the Department of Revenue to enable the Department of Revenue to verify and calculate the amount of the deduction for taxes imposed by the State that is taken under each Act,

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respectively, due to the location of a business in a River Edge Redevelopment Zone. The report shall be itemized by business and the business location address.

(c) Employers shall report their job creation, retention, and capital investment numbers within the River Edge Redevelopment Zone annually to the administrator which will compile the information and report it to the Department of Revenue no later than March 30 of each calendar year.

(d) The Department of Revenue will aggregate and collect the tax, job, and capital investment data by River Edge Redevelopment Zone and report this information, formatted to exclude company-specific proprietary information, to the Department by August 1, 2013, and by August 1 of every calendar year thereafter. The Department will include this information in their required reports under Section 6 of this Act.

(e) The Department of Revenue, in its discretion, may require that the reports filed under this Section be submitted electronically.

(f) The Department of Revenue shall have the authority to adopt rules as are reasonable and necessary to implement the provisions of this Section.

(Source: P.A. 97-905, eff. 8-7-12.)

(65 ILCS 115/10-15 new)

Sec. 10-15. Riverfront Development Fund.

(a) Purpose. The General Assembly has determined that it is in the interest of the State of Illinois to promote development that will protect, promote, and improve the riverfront areas of a financially distressed city designated under the Financially Distressed City Law.

(b) Definitions. As used in this Section:

"Agreement" means the agreement between an eligible employer and the Department under the provisions of subsection (f) of this Section.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Eligible developer" means an individual, partnership, corporation, or other entity that develops within a river edge redevelopment zone that is located within a municipality designated as a financially distressed city.

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"Eligible employer" means an individual, partnership, corporation, or other entity that employs full-time employees within a river edge redevelopment zone that is located within a municipality designated as a financially distressed city.

"Full-time employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the eligible employer for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment.

"Incremental income tax" means the total amount withheld from the compensation of new employees under Article 7 of the Illinois Income Tax Act arising from employment by an eligible employer.

"Infrastructure" means roads, access roads, streets, bridges, sidewalks, water and sewer line extensions, water distribution and purification facilities, waste disposal systems, sewage treatment facilities, stormwater drainage and retention facilities, gas and electric utility line extensions, or other improvements that are essential to the development of the project that is the subject of an agreement.

"New employee" means a full-time employee first employed by an eligible employer in the project that is the subject of an agreement between the Department and an eligible developer and who is hired after the eligible developer enters into the agreement, but does not include:

(1) an employee of the eligible employer who performs a job that (i) existed for at least 6 months before the employee was hired and (ii) was previously performed by another employee;

(2) an employee of the eligible employer who was previously employed in Illinois by a related member of the eligible employer and whose employment was shifted to the eligible employer after the eligible employer entered into the agreement; or
(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the eligible employer.

Notwithstanding item (2) of this definition, an employee may be considered a new employee under the agreement if the employee performs a job that was previously performed by an employee who was:

(A) treated under the agreement as a new employee;

and

(B) promoted by the eligible employer to another job.

"Professional Employer Organization" (PEO) means an employee leasing company, as defined in Section 206.1(A)(2) of the Illinois Unemployment Insurance Act.

"Related member" means a person or entity that, with respect to the eligible employer during any portion of the taxable year, is any one of the following:

(1) an individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the eligible employer's outstanding stock;

(2) a partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, or beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the eligible employer;

(3) a corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock;

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(4) a corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the eligible employer; or

(5) a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a related member under this definition, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

(c) The Riverfront Development Fund. The Riverfront Development Fund is created as a special fund in the State treasury. As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Riverfront Development Fund an amount equal to the incremental income tax for the previous month attributable to a project that is the subject of an agreement. The total amount transferred under this subsection may not exceed $3,000,000 in any State fiscal year.

(d) Grants from the Riverfront Development Fund. In State fiscal years 2015 through 2021, all moneys in the Riverfront Development Fund, held solely for the benefit of eligible developers, shall be appropriated to the Department to make infrastructure grants to eligible developers pursuant to agreements.

(e) Limitation on grant amounts. The total aggregate amount of grants awarded to all eligible developers shall not exceed $3,000,000 in each State fiscal year. The total amount of a grant awarded to an eligible developer shall not exceed the total amount of infrastructure costs incurred by that eligible developer with respect to a project that is the subject of an agreement. No eligible developer shall receive moneys that are attributable to a project that is not the subject of the developer's agreement with the Department.

(f) Agreements with applicants. The Department shall enter into an agreement with an eligible developer who is entitled to grants under this Section. The agreement must include all of the following:

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(1) A detailed description of the project that is the subject of the agreement, including the location of the project, the number of jobs created by the project, and project costs. For purposes of this subsection, "project costs" includes the costs of the project incurred or to be incurred by the eligible developer, including infrastructure costs, but excludes the value of State or local incentives, including tax increment financing and deductions, credits, or exemptions afforded to an employer located in an enterprise zone.

(2) A requirement that the eligible developer shall maintain operations at the project location, stated as a minimum number of years not to exceed 10 years.

(3) A specific method for determining the number of new employees attributable to the project.

(4) A requirement that the eligible developer shall report monthly to the Department and the Department of Revenue the number of new employees and the incremental income tax withheld in connection with the new employees.

(5) A requirement that the Department is authorized to verify with the Department of Revenue the amounts reported under paragraph (4).

Section 5-67. The Metropolitan Pier and Exposition Authority Act is amended by changing Sections 5, 5.4, and 13.2 as follows:

(70 ILCS 210/5) (from Ch. 85, par. 1225)

Sec. 5. The Metropolitan Pier and Exposition Authority shall also have the following rights and powers:

(a) To accept from Chicago Park Fair, a corporation, an assignment of whatever sums of money it may have received from the Fair and Exposition Fund, allocated by the Department of Agriculture of the State of Illinois, and Chicago Park Fair is hereby authorized to assign, set over and transfer any of those funds to the Metropolitan Pier and Exposition Authority. The Authority has the right and power hereafter to receive sums as may be distributed to it by the Department of Agriculture of the State of Illinois from the Fair and Exposition Fund pursuant to the provisions of Sections 5, 6i, and 28 of the State Finance Act. All sums received by the Authority shall be held in the sole custody of the secretary-treasurer of the Metropolitan Pier and Exposition Board.

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(b) To accept the assignment of, assume and execute any contracts heretofore entered into by Chicago Park Fair.

(c) To acquire, own, construct, equip, lease, operate and maintain grounds, buildings and facilities to carry out its corporate purposes and duties, and to carry out or otherwise provide for the recreational, cultural, commercial or residential development of Navy Pier, and to fix and collect just, reasonable and nondiscriminatory charges for the use thereof. The charges so collected shall be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest upon any revenue bonds issued by the Authority. The Authority shall be subject to and comply with the Lake Michigan and Chicago Lakefront Protection Ordinance, the Chicago Building Code, the Chicago Zoning Ordinance, and all ordinances and regulations of the City of Chicago contained in the following Titles of the Municipal Code of Chicago: Businesses, Occupations and Consumer Protection; Health and Safety; Fire Prevention; Public Peace, Morals and Welfare; Utilities and Environmental Protection; Streets, Public Ways, Parks, Airports and Harbors; Electrical Equipment and Installation; Housing and Economic Development (only Chapter 5-4 thereof); and Revenue and Finance (only so far as such Title pertains to the Authority's duty to collect taxes on behalf of the City of Chicago).

(d) To enter into contracts treating in any manner with the objects and purposes of this Act.

(e) To lease any buildings to the Adjutant General of the State of Illinois for the use of the Illinois National Guard or the Illinois Naval Militia.

(f) To exercise the right of eminent domain by condemnation proceedings in the manner provided by the Eminent Domain Act, including, with respect to Site B only, the authority to exercise quick take condemnation by immediate vesting of title under Article 20 of the Eminent Domain Act, to acquire any privately owned real or personal property and, with respect to Site B only, public property used for rail transportation purposes (but no such taking of such public property shall, in the reasonable judgment of the owner, interfere with such rail transportation) for the lawful purposes of the Authority in Site A, at Navy Pier, and at Site B. Just compensation for property taken or acquired under this

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paragraph shall be paid in money or, notwithstanding any other provision of this Act and with the agreement of the owner of the property to be taken or acquired, the Authority may convey substitute property or interests in property or enter into agreements with the property owner, including leases, licenses, or concessions, with respect to any property owned by the Authority, or may provide for other lawful forms of just compensation to the owner. Any property acquired in condemnation proceedings shall be used only as provided in this Act. Except as otherwise provided by law, the City of Chicago shall have a right of first refusal prior to any sale of any such property by the Authority to a third party other than substitute property. The Authority shall develop and implement a relocation plan for businesses displaced as a result of the Authority's acquisition of property. The relocation plan shall be substantially similar to provisions of the Uniform Relocation Assistance and Real Property Acquisition Act and regulations promulgated under that Act relating to assistance to displaced businesses. To implement the relocation plan the Authority may acquire property by purchase or gift or may exercise the powers authorized in this subsection (f), except the immediate vesting of title under Article 20 of the Eminent Domain Act, to acquire substitute private property within one mile of Site B for the benefit of displaced businesses located on property being acquired by the Authority. However, no such substitute property may be acquired by the Authority unless the mayor of the municipality in which the property is located certifies in writing that the acquisition is consistent with the municipality's land use and economic development policies and goals. The acquisition of substitute property is declared to be for public use. In exercising the powers authorized in this subsection (f), the Authority shall use its best efforts to relocate businesses within the area of McCormick Place or, failing that, within the City of Chicago.

(g) To enter into contracts relating to construction projects which provide for the delivery by the contractor of a completed project, structure, improvement, or specific portion thereof, for a fixed maximum price, which contract may provide that the delivery of the project, structure, improvement, or specific portion thereof, for the fixed maximum price is insured or guaranteed by a third party capable of completing the construction.
(h) To enter into agreements with any person with respect to the use and occupancy of the grounds, buildings, and facilities of the Authority, including concession, license, and lease agreements on terms and conditions as the Authority determines. Notwithstanding Section 24, agreements with respect to the use and occupancy of the grounds, buildings, and facilities of the Authority for a term of more than one year shall be entered into in accordance with the procurement process provided for in Section 25.1.

(i) To enter into agreements with any person with respect to the operation and management of the grounds, buildings, and facilities of the Authority or the provision of goods and services on terms and conditions as the Authority determines.

(j) After conducting the procurement process provided for in Section 25.1, to enter into one or more contracts to provide for the design and construction of all or part of the Authority's Expansion Project grounds, buildings, and facilities. Any contract for design and construction of the Expansion Project shall be in the form authorized by subsection (g), shall be for a fixed maximum price not in excess of the funds that are authorized to be made available for those purposes during the term of the contract, and shall be entered into before commencement of construction.

(k) To enter into agreements, including project agreements with labor unions, that the Authority deems necessary to complete the Expansion Project or any other construction or improvement project in the most timely and efficient manner and without strikes, picketing, or other actions that might cause disruption or delay and thereby add to the cost of the project.

(l) To provide incentives to organizations and entities that agree to make use of the grounds, buildings, and facilities of the Authority for conventions, meetings, or trade shows. The incentives may take the form of discounts from regular fees charged by the Authority, subsidies for or assumption of the costs incurred with respect to the convention, meeting, or trade show, or other inducements. The Authority shall award incentives to attract large conventions, meetings, and trade shows to its facilities under the terms set forth in this subsection (l) from amounts appropriated to the Authority from the Metropolitan Pier and Exposition Authority Incentive Fund for this purpose.

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No later than May 15 of each year, the Chief Executive Officer of the Metropolitan Pier and Exposition Authority shall certify to the State Comptroller and the State Treasurer the amounts of incentive grant funds used during the current fiscal year to provide incentives for conventions, meetings, or trade shows that (i) have been approved by the Authority, in consultation with an organization meeting the qualifications set out in Section 5.6 of this Act, provided the Authority has entered into a marketing agreement with such an organization, (ii) demonstrate registered attendance in excess of 5,000 individuals or in excess of 10,000 individuals, as appropriate, and (iii) but for the incentive, would not have used the facilities of the Authority for the convention, meeting, or trade show. The State Comptroller may request that the Auditor General conduct an audit of the accuracy of the certification. If the State Comptroller determines by this process of certification that incentive funds, in whole or in part, were disbursed by the Authority by means other than in accordance with the standards of this subsection (l), then any amount transferred to the Metropolitan Pier and Exposition Authority Incentive Fund shall be reduced during the next subsequent transfer in direct proportion to that amount determined to be in violation of the terms set forth in this subsection (l).

On July 15, 2012, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund the sum of $7,500,000 plus an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous 2 fiscal years that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of $15,000,000 shall not be made in any fiscal year.

On July 15, 2013, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund the sum of $7,500,000 plus an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous fiscal year that have not otherwise been transferred into the
Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of $15,000,000 shall not be made in any fiscal year.

On July 15, 2014, and every year thereafter, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous fiscal year that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of $15,000,000 shall not be made in any fiscal year.

After a transfer has been made under this subsection (l), the Chief Executive Officer shall file a request for payment with the Comptroller evidencing that the incentive grants have been made and the Comptroller shall thereafter order paid, and the Treasurer shall pay, the requested amounts to the Metropolitan Pier and Exposition Authority.

In no case shall more than $5,000,000 be used in any one year by the Authority for incentives granted conventions, meetings, or trade shows with a registered attendance of more than 5,000 and less than 10,000. Amounts in the Metropolitan Pier and Exposition Authority Incentive Fund shall only be used by the Authority for incentives paid to attract large conventions, meetings, and trade shows to its facilities as provided in this subsection (l).

(l-5) The Village of Rosemont shall provide incentives from amounts transferred into the Convention Center Support Fund to retain and attract conventions, meetings, or trade shows to the Donald E. Stephens Convention Center under the terms set forth in this subsection (l-5).

No later than May 15 of each year, the Mayor of the Village of Rosemont or his or her designee shall certify to the State Comptroller and the State Treasurer the amounts of incentive grant funds used during the previous fiscal year to provide incentives for conventions, meetings, or trade shows that (1) have been approved by the Village, (2) demonstrate registered attendance in excess of 5,000 individuals, and (3) but for the incentive, would not have used the Donald E. Stephens Convention Center facilities for the

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convention, meeting, or trade show. The State Comptroller may request that the Auditor General conduct an audit of the accuracy of the certification.

If the State Comptroller determines by this process of certification that incentive funds, in whole or in part, were disbursed by the Village by means other than in accordance with the standards of this subsection (l-5), then the amount transferred to the Convention Center Support Fund shall be reduced during the next subsequent transfer in direct proportion to that amount determined to be in violation of the terms set forth in this subsection (l-5).

On July 15, 2012, and each year thereafter, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Convention Center Support Fund from the General Revenue Fund the amount of $5,000,000 for (i) incentives to attract large conventions, meetings, and trade shows to the Donald E. Stephens Convention Center, and (ii) to be used by the Village of Rosemont for the repair, maintenance, and improvement of the Donald E. Stephens Convention Center and for debt service on debt instruments issued for those purposes by the village. No later than 30 days after the transfer, the Comptroller shall order paid, and the Treasurer shall pay, to the Village of Rosemont the amounts transferred.

(m) To enter into contracts with any person conveying the naming rights or other intellectual property rights with respect to the grounds, buildings, and facilities of the Authority.

(n) To enter into grant agreements with the Chicago Convention and Tourism Bureau providing for the marketing of the convention facilities to large and small conventions, meetings, and trade shows and the promotion of the travel industry in the City of Chicago, provided such agreements meet the requirements of Section 5.6 of this Act. Receipts of the Authority from the increase in the airport departure tax authorized by Section 13(f) of this amendatory Act of the 96th General Assembly and, subject to appropriation to the Authority, funds deposited in the Chicago Travel Industry Promotion Fund pursuant to Section 6 of the Hotel Operators' Occupation Tax Act shall be granted to the Bureau for such purposes.

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Nothing in this Act shall be construed to authorize the Authority to spend the proceeds of any bonds or notes issued under Section 13.2 or any taxes levied under Section 13 to construct a stadium to be leased to or used by professional sports teams.
(Source: P.A. 96-739, eff. 1-1-10; 96-898, eff. 5-27-10; 97-617, eff. 10-26-11.)

(70 ILCS 210/5.4)
Sec. 5.4. Exhibitor rights and work rule reforms.
(a) Legislative findings.

(1) The Authority is a political subdivision of the State of Illinois subject to the plenary authority of the General Assembly and was created for the benefit of the general public to promote business, industry, commerce, and tourism within the City of Chicago and the State of Illinois.

(2) The Authority owns and operates McCormick Place and Navy Pier, which have collectively 2.8 million square feet of exhibit hall space, 700,000 square feet of meeting room space.

(3) The Authority is a vital economic engine that annually generates 65,000 jobs and $8 billion of economic activity for the State of Illinois through the trade shows, conventions, and other meetings held and attended at McCormick Place and Navy Pier.

(4) The Authority supports the operation of McCormick Place and Navy Pier through not only fees on the rental of exhibit and meeting room space, electrical and utility service, food and beverage services, and parking, but also hotel room rates paid by persons staying at the Authority-owned hotel.

(5) The Authority has a compelling and proprietary interest in the success, competitiveness, and continued viability of McCormick Place and Navy Pier as the owner and operator of the convention facilities and its obligation to ensure that these facilities produce sufficient operating revenues.

(6) The Authority's convention facilities were constructed and renovated through the issuance of public bonds that are directly repaid by State hotel, auto rental, food and beverage, and airport and departure taxes paid principally by persons who attend, work at, exhibit, and provide goods and services to conventions, shows, exhibitions, and meetings at McCormick Place and Navy Pier.

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(7) State law also dedicates State occupation and use tax revenues to fulfill debt service obligations on these bonds should State hotel, auto rental, food and beverage, and airport and departure taxes fail to generate sufficient revenue.

(8) Through fiscal year 2010, $55 million in State occupation and use taxes will have been allocated to make debt service payments on the Authority's bonds due to shortfalls in State hotel, auto rental, food and beverage, and airport and departure taxes. These shortfalls are expected to continue in future fiscal years and would require the annual dedication of approximately $40 million in State occupation and use taxes to fulfill debt service payments.

(9) In 2009, managers of the International Plastics Showcase announced that 2009 was the last year they would host their exhibition at McCormick Place, as they had since 1971, because union labor work rules and electric and food service costs make it uneconomical for the show managers and exhibitors to use McCormick Place as a convention venue as compared to convention facilities in Orlando, Florida and Las Vegas, Nevada. The exhibition used over 740,000 square feet of exhibit space, attracted over 43,000 attendees, generated $4.8 million of revenues to McCormick Place, and raised over $200,000 in taxes to pay debt service on convention facility bonds.

(10) After the International Plastics Showcase exhibition announced its departure, other conventions and exhibitions managers and exhibitors also stated that they would not return to McCormick Place and Navy Pier for the same reasons cited by the International Plastics Showcase exhibition. In addition, still other managers and exhibitors stated that they would not select McCormick Place as a convention venue unless the union labor work rules and electrical and food service costs were made competitive with those in Orlando and Las Vegas.

(11) The General Assembly created the Joint Committee on the Metropolitan Pier and Exposition Authority to conduct hearings and obtain facts to determine how union labor work rules and electrical and food service costs make McCormick Place and Navy Pier uneconomical as a convention venue.

(12) Witness testimony and fact-gathering revealed that while the skilled labor provided by trade unions at McCormick

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Place and Navy Pier is second to none and is actually "exported" to work on conventions and exhibitions held in Orlando and Las Vegas, restrictive work rules on the activities show exhibitors may perform present exhibitors and show managers with an uninviting atmosphere and result in significantly higher costs than competing convention facilities.

(13) Witness testimony and fact-gathering also revealed that the mark-up on electrical and food service imposed by the Authority to generate operating revenue for McCormick Place and Navy Pier also substantially increased exhibitor and show organizer costs to the point of excess when compared to competing convention facilities.

(14) Witness testimony and fact-gathering further revealed that the additional departure of conventions, exhibitions, and trade shows from Authority facilities threatens the continued economic viability of these facilities and the stability of sufficient tax revenues necessary to support debt service.

(15) In order to safeguard the Authority's and State of Illinois' shared compelling and proprietary interests in McCormick Place and Navy Pier and in response to local economic needs, the provisions contained in this Section set forth mandated changes and reforms to restore and ensure that (i) the Authority's facilities remain economically competitive with other convention venues and (ii) conventions, exhibitions, trade shows, and other meetings are attracted to and retained at Authority facilities by producing an exhibitor-friendly environment and by reducing costs for exhibitors and show managers.

(16) The provisions set forth in this Section are reasonable, necessary, and narrowly tailored to safeguard the Authority's and State of Illinois' shared and compelling proprietary interests and respond to local economic needs as compared to the available alternative set forth in House Bill 4900 of the 96th General Assembly and proposals submitted to the Joint Committee on the Metropolitan Pier and Exposition Authority. Action by the State offers the only comprehensive means to remedy the circumstances set forth in these findings, despite the concerted and laudable voluntary efforts of the Authority, labor unions, show contractors, show managers, and exhibitors.

(b) Definitions. As used in this Section:

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"Booth" means the demarcated exhibit space of an exhibitor on Authority premises.

"Contractor" or "show contractor" means any person who contracts with the Authority, an exhibitor, or with the manager of a show to provide any services related to drayage, rigging, carpentry, decorating, electrical, maintenance, mechanical, and food and beverage services or related trades and duties for shows on Authority premises.

"Exhibitor" or "show exhibitor" means any person who contracts with the Authority or with a manager or contractor of a show held or to be held on Authority premises.

"Exhibitor employee" means any person who has been employed by the exhibitor as a full-time employee for a minimum of 6 months before the show's opening date.

"Hand tools" means cordless tools, power tools, and other tools as determined by the Authority.

"Licensee" means any entity that uses the Authority's premises.

"Manager" or "show manager" means any person that owns or manages a show held or to be held on Authority premises.

"Personally owned vehicles" means the vehicles owned by show exhibitors or the show management, excluding commercially registered trucks, vans, and other vehicles as determined by the Authority.

"Premises" means grounds, buildings, and facilities of the Authority.

"Show" means a convention, exposition, trade show, event, or meeting held on Authority premises by a show manager or show contractor on behalf of a show manager.

"2011 Settlement Agreement" means the agreement that the Authority made and entered into with the Chicago Regional Council of Carpenters, not including any revisions or amendments, and filed with the Illinois Secretary of State Index Department and designated as 97-GA-A01.

"Union employees" means workers represented by a labor organization, as defined in the National Labor Relations Act, providing skilled labor services to exhibitors, a show manager, or a show contractor on Authority premises.

(c) Exhibitor rights.

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In order to control costs, increase the competitiveness, and promote and provide for the economic stability of Authority premises, all Authority contracts with exhibitors, contractors, and managers shall include the following minimum terms and conditions:

(1) Consistent with safety and the skills and training necessary to perform the task, as determined by the Authority, an exhibitor and exhibitor employees are permitted in a booth of any size with the use of the exhibitor's ladders and hand tools to:
   (i) set-up and dismantle exhibits displayed on Authority premises;
   (ii) assemble and disassemble materials, machinery, or equipment on Authority premises; and
   (iii) install all signs, graphics, props, balloons, other decorative items, and the exhibitor's own drapery, including the skirting of exhibitor tables, on the Authority's premises.
(2) An exhibitor and exhibitor employees are permitted in a booth of any size to deliver, set-up, plug in, interconnect, and operate an exhibitor's electrical equipment, computers, audio-visual devices, and other equipment.
(3) An exhibitor and exhibitor employees are permitted in a booth of any size to skid, position, and re-skid all exhibitor material, machinery, and equipment on Authority premises.
(4) An exhibitor and exhibitor employees are prohibited at any time from using scooters, forklifts, pallet jacks, condors, scissors lifts, motorized dollies, or similar motorized or hydraulic equipment on Authority premises.
(5) The Authority shall designate areas, in its discretion, where exhibitors may unload and load exhibitor materials from privately owned vehicles at Authority premises with the use of non-motorized hand trucks and dollies.
(6) On Monday through Friday for any consecutive 8-hour period during the hours of 6:00 a.m. and 10:00 p.m., union employees on Authority premises shall be paid straight-time hourly wages plus fringe benefits. Union employees shall be paid straight-time and a half hourly wages plus fringe benefits for labor services provided after any consecutive 8-hour period; provided, however, that between the hours of midnight and 6:00 a.m. union employees

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shall be paid double straight-time wages plus fringe benefits for labor services.

(7) On Monday through Friday for any consecutive 8-hour period during the hours of 6:00 a.m. and 10:00 p.m., a show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises based on straight-time hourly wages plus fringe benefits along with a reasonable mark-up. After any consecutive 8-hour period, a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on straight-time and a half hourly wages plus fringe benefits along with a reasonable mark-up; provided, however, that between the hours of midnight and 6:00 a.m. a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on double straight-time wages plus fringe benefits along with a reasonable mark-up.

(8) (Blank).

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Authority has the power to determine, after consultation with the Advisory Council, the work jurisdiction and scope of work of union employees on Authority premises during the move-in, move-out, and run of a show, provided that any affected labor organization may contest the Authority's determination through a binding decision of an independent, third-party arbitrator. When making the determination, the Authority or arbitrator, as the case may be, shall consider the training and skills required to perform the task, past practices on Authority premises, safety, and the need for efficiency and exhibitor satisfaction. These factors shall be considered in their totality and not in isolation. The Authority's determination must be made in writing, set forth an explanation and statement of the reason or reasons supporting the determination, and be provided to each affected labor organization. The changes in this item (12) by this amendatory Act of the 97th General Assembly are declarative of existing law and shall not be construed as a new enactment. Nothing in this item permits the Authority to eliminate any labor organization representing union employees that provide labor services on the move-in, move-out,
and run of the show as of the effective date of this amendatory Act of the 96th General Assembly.

(13) (Blank).

(14) An exhibitor or show manager may request by name specific union employees to provide labor services on Authority premises consistent with all State and federal laws. Union employees requested by an exhibitor shall take priority over union employees requested by a show manager.

(15) A show manager or show contractor on behalf of a show manager may retain an electrical contractor approved by the Authority or Authority-provisioned electrical services to provide electrical services on the premises. If a show manager or show contractor on behalf of a show manager retains Authority-provisioned electrical services, then the Authority shall offer these services at a rate not to exceed the cost of providing those services.

(16) Crew sizes for any task or operation shall not exceed 2 persons unless, after consultation with the Advisory Council, the Authority determines otherwise based on the task, skills, and training required to perform the task and on safety.

(17) An exhibitor may bring food and beverages on the premises of the Authority for personal consumption.

(18) Show managers and contractors shall comply with any audit performed under subsection (e) of this Section.

(19) A show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises on a minimum half-hour basis.

The Authority has the power to implement, enforce, and administer the exhibitor rights set forth in this subsection, including the promulgation of rules. The Authority also has the power to determine violations of this subsection and implement appropriate remedies, including, but not limited to, barring violators from Authority premises. The provisions set forth in this Section are binding and equally applicable to any show conducted at Navy Pier, and this statement of the law is declarative of existing law and shall not be construed as a new enactment. The Authority may waive the applicability of only item (6) of this subsection (c) to the extent necessary and required to comply with paragraph 1 of Section F of the 2011 Settlement Agreement, as set forth on Page 12 of that Agreement.

(d) Advisory Council.

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(1) An Advisory Council is hereby established to ensure an active and productive dialogue between all affected stakeholders to ensure exhibitor satisfaction for conventions, exhibitions, trade shows, and meetings held on Authority premises.

(2) The composition of the Council shall be determined by the Authority consistent with its existing practice for labor-management relations.

(3) The Council shall hold meetings no less than once every 90 days.

(e) Audit of exhibitor rights.

The Authority shall retain the services of a person to complete, at least once twice per calendar year, a financial statement audit and compliance attestation engagement that may consist of an examination or an agreed-upon procedures engagement that, in the opinion of the licensed public accounting firm selected by the Authority in accordance with the provisions of this Act and with the concurrence of the Authority, is better suited to determine and verify compliance with the exhibitor rights set forth in this Section, and that cost reductions or other efficiencies resulting from the exhibitor rights have been fairly passed along to exhibitors. In the event an agreed-upon procedures engagement is performed, the Authority shall first consult with the Advisory Committee and solicit its suggestions and advice with respect to the specific procedures to be agreed upon in the engagement. Thereafter, the public accounting firm and the Authority shall agree upon the specific procedures to be followed in the engagement. It is intended that the design of the engagement and the procedures to be followed shall allow for flexibility in targeting specific areas for examination and to revise the procedures where appropriate for achieving the purpose of the engagement. The financial statement audit shall be performed in accordance with generally accepted auditing standards. The compliance attestation engagement shall be (i) performed in accordance with attestation standards established by the American Institute of Certified Public Accountants and shall examine the compliance with the requirements set forth in this Section and (ii) conducted by a licensed public accounting firm, selected by the Authority from a list of firms prequalified to do business with the Illinois Auditor General. Upon request, a show...
contractor or manager shall provide the Authority or person retained to provide attestation auditing services with any information and other documentation reasonably necessary to perform the obligations set forth in this subsection. Upon completion, the report shall be submitted to the Authority and made publicly available on the Authority's website.

Within 30 days of the next regularly scheduled meeting of the Advisory Committee following the effective date of this amendatory Act of the 98th General Assembly, the Authority, in conjunction with the Advisory Committee, shall adopt a uniform set of procedures to expeditiously investigate and address exhibitor complaints and concerns. The procedures shall require full disclosure and cooperation among the Authority, show managers, show contractors, exhibitor-appointed contractors, professional service providers, and labor unions.

(f) Exhibitor service reforms. The Authority shall make every effort to substantially reduce exhibitor's costs for participating in shows.

(1) Any contract to provide food or beverage services in the buildings and facilities of the Authority, except Navy Pier, shall be provided at a rate not to exceed the cost established in the contract. The Board shall periodically review all food and beverage contracts.

(2) A department or unit of the Authority shall not serve as the exclusive provider of electrical services.

(3) Exhibitors shall receive a detailed statement of all costs associated with utility services, including the cost of labor, equipment, and materials.

(g) Severability. If any provision of this Section or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Section that can be given effect without the invalid provision or application.

(Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10; 97-629, eff. 11-30-11.)

(70 ILCS 210/13.2) (from Ch. 85, par. 1233.2)

Sec. 13.2. The McCormick Place Expansion Project Fund is created in the State Treasury. All moneys in the McCormick Place Expansion Project Fund are allocated to and shall be appropriated and used only for the purposes authorized by and subject to the limitations and conditions of this Section. Those amounts may be appropriated by law to the Authority for the purposes of paying the debt service requirements on all bonds and notes, including bonds and notes issued to refund or advance

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refund bonds and notes issued under this Section, Section 13.1, or issued to refund or advance refund bonds and notes otherwise issued under this Act, (collectively referred to as "bonds") to be issued by the Authority under this Section in an aggregate original principal amount (excluding the amount of any bonds and notes issued to refund or advance refund bonds or notes issued under this Section and Section 13.1) not to exceed $2,557,000,000 for the purposes of carrying out and performing its duties and exercising its powers under this Act. The increased debt authorization provided by this amendatory Act of the 96th General Assembly shall be used solely for the purpose of: (i) hotel construction and related necessary capital improvements; (ii) and other needed capital improvements to existing facilities; and (iii) land acquisition for and construction of one multi-use facility on property bounded by East Cermak Road on the south, East 21st Street on the north, South Indiana Avenue on the west, and South Prairie Avenue on the east in the City of Chicago, Cook County, Illinois. No bonds issued to refund or advance refund bonds issued under this Section may mature later than 40 years from the date of issuance of the refunding or advance refunding bonds. After the aggregate original principal amount of bonds authorized in this Section has been issued, the payment of any principal amount of such bonds does not authorize the issuance of additional bonds (except refunding bonds). Any bonds and notes issued under this Section in any year in which there is an outstanding "post-2010 deficiency amount" as that term is defined in Section 13 (g)(3) of this Act shall provide for the payment to the State Treasurer of the amount of that deficiency.

On the first day of each month commencing after July 1, 1993, amounts, if any, on deposit in the McCormick Place Expansion Project Fund shall, subject to appropriation, be paid in full to the Authority or, upon its direction, to the trustee or trustees for bondholders of bonds that by their terms are payable from the moneys received from the McCormick Place Expansion Project Fund, until an amount equal to 100% of the aggregate amount of the principal and interest in the fiscal year, including that pursuant to sinking fund requirements, has been so paid and deficiencies in reserves shall have been remedied.

The State of Illinois pledges to and agrees with the holders of the bonds of the Metropolitan Pier and Exposition Authority issued under this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with those holders or in any way impair the rights and
remedies of those holders until the bonds, together with interest thereon, interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of those holders are fully met and discharged; provided that any increase in the Tax Act Amounts specified in Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund pursuant to any law hereafter enacted shall not be deemed to impair the rights of such holders so long as the increase does not result in the aggregate debt service payable in the current or any future fiscal year of the State on all bonds issued pursuant to the Build Illinois Bond Act and the Metropolitan Pier and Exposition Authority Act and payable from tax revenues specified in Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act exceeding 33 1/3% of such tax revenues for the most recently completed fiscal year of the State at the time of such increase. In addition, the State pledges to and agrees with the holders of the bonds of the Authority issued under this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act or the use of those funds so as to impair the terms of any such contract; provided that any increase in the Tax Act Amounts specified in Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund pursuant to any law hereafter enacted shall not be deemed to impair the terms of any such contract so long as the increase does not result in the aggregate debt service payable in the current or any future fiscal year of the State on all bonds issued pursuant to the Build Illinois Bond Act and the Metropolitan Pier and Exposition Authority Act and payable from tax revenues specified in Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act exceeding 33 1/3% of such tax revenues for the most recently completed fiscal year of the State at the time of such increase. The Authority is authorized to include these pledges and agreements with the State in any contract with the holders of bonds issued under this Section.

The State shall not be liable on bonds of the Authority issued under this Section those bonds shall not be a debt of the State, and this Act shall

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not be construed as a guarantee by the State of the debts of the Authority. The bonds shall contain a statement to this effect on the face of the bonds. (Source: P.A. 96-898, eff. 5-27-10.)

Section 5-70. The Public Utilities Act is amended by changing Section 9-222.1A as follows:

(220 ILCS 5/9-222.1A)

Sec. 9-222.1A. High impact business. Beginning on August 1, 1998 and thereafter, a business enterprise that is certified as a High Impact Business by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) is exempt from the tax imposed by Section 2-4 of the Electricity Excise Tax Law, if the High Impact Business is registered to self-assess that tax, and is exempt from any additional charges added to the business enterprise's utility bills as a pass-on of State utility taxes under Section 9-222 of this Act, to the extent the tax or charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity for State utility taxes, provided the business enterprise meets the following criteria:

(1) (A) it intends either (i) to make a minimum eligible investment of $12,000,000 that will be placed in service in qualified property in Illinois and is intended to create at least 500 full-time equivalent jobs at a designated location in Illinois; or (ii) to make a minimum eligible investment of $30,000,000 that will be placed in service in qualified property in Illinois and is intended to retain at least 1,500 full-time equivalent jobs at a designated location in Illinois; or

(B) it meets the criteria of subdivision (a)(3)(B), (a)(3)(C), or (a)(3)(D), or (a)(3)(F) of Section 5.5 of the Illinois Enterprise Zone Act;

(2) it is designated as a High Impact Business by the Department of Commerce and Economic Opportunity; and

(3) it is certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity shall determine the period during which the exemption from the Electricity Excise Tax Law and the charges imposed under Section 9-222 are in effect, which shall not exceed 20 years from the date of initial

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certification, and shall specify the percentage of the exemption from those taxes or additional charges.

The Department of Commerce and Economic Opportunity is authorized to promulgate rules and regulations to carry out the provisions of this Section, including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments that business enterprises must make in order to receive State utility tax exemptions or exemptions from the additional charges imposed under Section 9-222 and this Section; to approve such utility tax exemptions for business enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions or exemptions from additional charges under Section 9-222 repay the exempted amount if the business enterprise fails to comply with the terms and conditions of the certification.

Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity, the Department of Commerce and Economic Opportunity shall notify the Department of Revenue of the certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the tax or pass-on charges of State utility taxes. The exemption status shall take effect within 3 months after certification of the business enterprise.

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

Section 5-73. The Environmental Protection Act is amended by changing Sections 57.7, 57.8, and 57.11 as follows:

(415 ILCS 5/57.7)

Sec. 57.7. Leaking underground storage tanks; site investigation and corrective action.

(a) Site investigation.

(1) For any site investigation activities required by statute or rule, the owner or operator shall submit to the Agency for approval a site investigation plan designed to determine the nature, concentration, direction of movement, rate of movement, and extent of the contamination as well as the significant physical features of the site and surrounding area that may affect contaminant transport and risk to human health and safety and the environment.

(2) Any owner or operator intending to seek payment from the Fund shall submit to the Agency for approval a site
investigation budget that includes, but is not limited to, an accounting of all costs associated with the implementation and completion of the site investigation plan.

(3) Remediation objectives for the applicable indicator contaminants shall be determined using the tiered approach to corrective action objectives rules adopted by the Board pursuant to this Title and Title XVII of this Act. For the purposes of this Title, "Contaminant of Concern" or "Regulated Substance of Concern" in the rules means the applicable indicator contaminants set forth in subsection (d) of this Section and the rules adopted thereunder.

(4) Upon the Agency's approval of a site investigation plan, or as otherwise directed by the Agency, the owner or operator shall conduct a site investigation in accordance with the plan.

(5) Within 30 days after completing the site investigation, the owner or operator shall submit to the Agency for approval a site investigation completion report. At a minimum the report shall include all of the following:

(A) Executive summary.
(B) Site history.
(C) Site-specific sampling methods and results.
(D) Documentation of all field activities, including quality assurance.
(E) Documentation regarding the development of proposed remediation objectives.
(F) Interpretation of results.
(G) Conclusions.

(b) Corrective action.

(1) If the site investigation confirms none of the applicable indicator contaminants exceed the proposed remediation objectives, within 30 days after completing the site investigation the owner or operator shall submit to the Agency for approval a corrective action completion report in accordance with this Section.

(2) If any of the applicable indicator contaminants exceed the remediation objectives approved for the site, within 30 days after the Agency approves the site investigation completion report the owner or operator shall submit to the Agency for approval a corrective action plan designed to mitigate any threat to human health, human safety, or the environment resulting from the
underground storage tank release. The plan shall describe the selected remedy and evaluate its ability and effectiveness to achieve the remediation objectives approved for the site. At a minimum, the report shall include all of the following:

(A) Executive summary.
(B) Statement of remediation objectives.
(C) Remedial technologies selected.
(D) Confirmation sampling plan.
(E) Current and projected future use of the property.
(F) Applicable preventive, engineering, and institutional controls including long-term reliability, operating, and maintenance plans, and monitoring procedures.
(G) A schedule for implementation and completion of the plan.

(3) Any owner or operator intending to seek payment from the Fund shall submit to the Agency for approval a corrective action budget that includes, but is not limited to, an accounting of all costs associated with the implementation and completion of the corrective action plan.

(4) Upon the Agency's approval of a corrective action plan, or as otherwise directed by the Agency, the owner or operator shall proceed with corrective action in accordance with the plan.

(5) Within 30 days after the completion of a corrective action plan that achieves applicable remediation objectives the owner or operator shall submit to the Agency for approval a corrective action completion report. The report shall demonstrate whether corrective action was completed in accordance with the approved corrective action plan and whether the remediation objectives approved for the site, as well as any other requirements of the plan, have been achieved.

(6) If within 4 years after the approval of any corrective action plan the applicable remediation objectives have not been achieved and the owner or operator has not submitted a corrective action completion report, the owner or operator must submit a status report for Agency review. The status report must include, but is not limited to, a description of the remediation activities taken to date, the effectiveness of the method of remediation being used, the likelihood of meeting the applicable remediation objectives using
the current method of remediation, and the date the applicable remediation objectives are expected to be achieved.

(7) If the Agency determines any approved corrective action plan will not achieve applicable remediation objectives within a reasonable time, based upon the method of remediation and site specific circumstances, the Agency may require the owner or operator to submit to the Agency for approval a revised corrective action plan. If the owner or operator intends to seek payment from the Fund, the owner or operator must also submit a revised budget.

(c) Agency review and approval.

(1) Agency approval of any plan and associated budget, as described in this subsection (c), shall be considered final approval for purposes of seeking and obtaining payment from the Underground Storage Tank Fund if the costs associated with the completion of any such plan are less than or equal to the amounts approved in such budget.

(2) In the event the Agency fails to approve, disapprove, or modify any plan or report submitted pursuant to this Title in writing within 120 days of the receipt by the Agency, the plan or report shall be considered to be rejected by operation of law for purposes of this Title and rejected for purposes of payment from the Underground Storage Tank Fund.

(A) For purposes of those plans as identified in paragraph (5) of this subsection (c), the Agency's review may be an audit procedure. Such review or audit shall be consistent with the procedure for such review or audit as promulgated by the Board under Section 57.14. The Agency has the authority to establish an auditing program to verify compliance of such plans with the provisions of this Title.

(B) For purposes of corrective action plans submitted pursuant to subsection (b) of this Section for which payment from the Fund is not being sought, the Agency need not take action on such plan until 120 days after it receives the corrective action completion report required under subsection (b) of this Section. In the event the Agency approved the plan, it shall proceed under the provisions of this subsection (c).
(3) In approving any plan submitted pursuant to subsection (a) or (b) of this Section, the Agency shall determine, by a procedure promulgated by the Board under Section 57.14, that the costs associated with the plan are reasonable, will be incurred in the performance of site investigation or corrective action, and will not be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of this Title. The Agency shall also determine, pursuant to the Project Labor Agreements Act, whether the corrective action shall include a project labor agreement if payment from the Underground Storage Tank Fund is to be requested.

(A) For purposes of payment from the Fund, corrective action activities required to meet the minimum requirements of this Title shall include, but not be limited to, the following use of the Board's Tiered Approach to Corrective Action Objectives rules adopted under Title XVII of this Act:

(i) For the site where the release occurred, the use of Tier 2 remediation objectives that are no more stringent than Tier 1 remediation objectives.

(ii) The use of industrial/commercial property remediation objectives, unless the owner or operator demonstrates that the property being remediated is residential property or being developed into residential property.

(iii) The use of groundwater ordinances as institutional controls in accordance with Board rules.

(iv) The use of on-site groundwater use restrictions as institutional controls in accordance with Board rules.

(B) Any bidding process adopted under Board rules to determine the reasonableness of costs of corrective action must provide for a publicly-noticed, competitive, and sealed bidding process that includes, at a minimum, the following:

(i) The owner or operator must issue invitations for bids that include, at a minimum, a description of the work being bid and applicable

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contractual terms and conditions. The criteria on which the bids will be evaluated must be set forth in the invitation for bids. The criteria may include, but shall not be limited to, criteria for determining acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Criteria that will affect the bid price and be considered in the evaluation of a bid, such as discounts, shall be objectively measurable.

(ii) At least 14 days prior to the date set in the invitation for the opening of bids, public notice of the invitation for bids must be published in a local paper of general circulation for the area in which the site is located.

(iii) Bids must be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The name of each bidder, the amount of each bid, and other relevant information as specified in Board rules must be recorded and submitted to the Agency in the applicable budget. After selection of the winning bid, the winning bid and the record of each unsuccessful bid shall be open to public inspection.

(iv) Bids must be unconditionally accepted without alteration or correction. Bids must be evaluated based on the requirements set forth in the invitation for bids, which may include criteria for determining acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Criteria that will affect the bid price and be considered in the evaluation of a bid, such as discounts, shall be objectively measurable. The invitation for bids shall set forth the evaluation criteria to be used.

(v) Correction or withdrawal of inadvertently erroneous bids before or after selection of the winning bid, or cancellation of winning bids based on bid mistakes, shall be allowed in accordance with Board rules. After bid
opening, no changes in bid prices or other provisions of bids prejudicial to the owner or operator or fair competition shall be allowed. All decisions to allow the correction or withdrawal of bids based on bid mistakes shall be supported by a written determination made by the owner or operator.

(vi) The owner or operator shall select the winning bid with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. The winning bid and other relevant information as specified in Board rules must be recorded and submitted to the Agency in the applicable budget.

(vii) All bidding documentation must be retained by the owner or operator for a minimum of 3 years after the costs bid are submitted in an application for payment, except that documentation relating to an appeal, litigation, or other disputed claim must be maintained until at least 3 years after the date of the final disposition of the appeal, litigation, or other disputed claim. All bidding documentation must be made available to the Agency for inspection and copying during normal business hours.

(C) Any bidding process adopted under Board rules to determine the reasonableness of costs of corrective action shall (i) be optional and (ii) allow bidding only if the owner or operator demonstrates that corrective action cannot be performed for amounts less than or equal to maximum payment amounts adopted by the Board.

(4) For any plan or report received after June 24, 2002, any action by the Agency to disapprove or modify a plan submitted pursuant to this Title shall be provided to the owner or operator in writing within 120 days of the receipt by the Agency or, in the case of a site investigation plan or corrective action plan for which payment is not being sought, within 120 days of receipt of the site

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investigation completion report or corrective action completion report, respectively, and shall be accompanied by:

(A) an explanation of the Sections of this Act which may be violated if the plans were approved;
(B) an explanation of the provisions of the regulations, promulgated under this Act, which may be violated if the plan were approved;
(C) an explanation of the specific type of information, if any, which the Agency deems the applicant did not provide the Agency; and
(D) a statement of specific reasons why the Act and the regulations might not be met if the plan were approved.

Any action by the Agency to disapprove or modify a plan or report or the rejection of any plan or report by operation of law shall be subject to appeal to the Board in accordance with the procedures of Section 40. If the owner or operator elects to incorporate modifications required by the Agency rather than appeal, an amended plan shall be submitted to the Agency within 35 days of receipt of the Agency's written notification.

(5) For purposes of this Title, the term "plan" shall include:

(A) Any site investigation plan submitted pursuant to subsection (a) of this Section;
(B) Any site investigation budget submitted pursuant to subsection (a) of this Section;
(C) Any corrective action plan submitted pursuant to subsection (b) of this Section; or
(D) Any corrective action plan budget submitted pursuant to subsection (b) of this Section.

(d) For purposes of this Title, the term "indicator contaminant" shall mean, unless and until the Board promulgates regulations to the contrary, the following: (i) if an underground storage tank contains gasoline, the indicator parameter shall be BTEX and Benzene; (ii) if the tank contained petroleum products consisting of middle distillate or heavy ends, then the indicator parameter shall be determined by a scan of PNA's taken from the location where contamination is most likely to be present; and (iii) if the tank contained used oil, then the indicator contaminant shall be those chemical constituents which indicate the type of petroleum stored in an underground storage tank. All references in this Title to groundwater

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objectives shall mean Class I groundwater standards or objectives as applicable.

(e) (1) Notwithstanding the provisions of this Section, an owner or operator may proceed to conduct site investigation or corrective action prior to the submittal or approval of an otherwise required plan. If the owner or operator elects to so proceed, an applicable plan shall be filed with the Agency at any time. Such plan shall detail the steps taken to determine the type of site investigation or corrective action which was necessary at the site along with the site investigation or corrective action taken or to be taken, in addition to costs associated with activities to date and anticipated costs.

(2) Upon receipt of a plan submitted after activities have commenced at a site, the Agency shall proceed to review in the same manner as required under this Title. In the event the Agency disapproves all or part of the costs, the owner or operator may appeal such decision to the Board. The owner or operator shall not be eligible to be reimbursed for such disapproved costs unless and until the Board determines that such costs were eligible for payment.

(f) All investigations, plans, and reports conducted or prepared under this Section shall be conducted or prepared under the supervision of a licensed professional engineer and in accordance with the requirements of this Title.

(Source: P.A. 95-331, eff. 8-21-07; 96-908, eff. 6-8-10.)

(415 ILCS 5/57.8)

Sec. 57.8. Underground Storage Tank Fund; payment; options for State payment; deferred correction election to commence corrective action upon availability of funds. If an owner or operator is eligible to access the Underground Storage Tank Fund pursuant to an Office of State Fire Marshal eligibility/deductible final determination letter issued in accordance with Section 57.9, the owner or operator may submit a complete application for final or partial payment to the Agency for activities taken in response to a confirmed release. An owner or operator may submit a request for partial or final payment regarding a site no more frequently than once every 90 days.

(a) Payment after completion of corrective action measures. The owner or operator may submit an application for payment for activities performed at a site after completion of the requirements of Sections 57.6

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and 57.7, or after completion of any other required activities at the underground storage tank site.

(1) In the case of any approved plan and budget for which payment is being sought, the Agency shall make a payment determination within 120 days of receipt of the application. Such determination shall be considered a final decision. The Agency's review shall be limited to generally accepted auditing and accounting practices. In no case shall the Agency conduct additional review of any plan which was completed within the budget, beyond auditing for adherence to the corrective action measures in the proposal. If the Agency fails to approve the payment application within 120 days, such application shall be deemed approved by operation of law and the Agency shall proceed to reimburse the owner or operator the amount requested in the payment application. However, in no event shall the Agency reimburse the owner or operator an amount greater than the amount approved in the plan.

(2) If sufficient funds are available in the Underground Storage Tank Fund, the Agency shall, within 60 days, forward to the Office of the State Comptroller a voucher in the amount approved under the payment application.

(3) In the case of insufficient funds, the Agency shall form a priority list for payment and shall notify persons in such priority list monthly of the availability of funds and when payment shall be made. Payment shall be made to the owner or operator at such time as sufficient funds become available for the costs associated with site investigation and corrective action and costs expended for activities performed where no proposal is required, if applicable. Such priority list shall be available to any owner or operator upon request. Priority for payment shall be determined by the date the Agency receives a complete request for partial or final payment. Upon receipt of notification from the Agency that the requirements of this Title have been met, the Comptroller shall make payment to the owner or operator of the amount approved by the Agency, if sufficient money exists in the Fund. If there is insufficient money in the Fund, then payment shall not be made. If the owner or operator appeals a final Agency payment determination and it is determined that the owner or operator is eligible for payment or additional payment, the priority date for the payment or additional

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payment shall be the same as the priority date assigned to the original request for partial or final payment.

(4) Any deductible, as determined pursuant to the Office of the State Fire Marshal's eligibility and deductibility final determination in accordance with Section 57.9, shall be subtracted from any payment invoice paid to an eligible owner or operator. Only one deductible shall apply per underground storage tank site.

(5) In the event that costs are or will be incurred in addition to those approved by the Agency, or after payment, the owner or operator may submit successive plans containing amended budgets. The requirements of Section 57.7 shall apply to any amended plans.

(6) For purposes of this Section, a complete application shall consist of:

(A) A certification from a Licensed Professional Engineer or Licensed Professional Geologist as required under this Title and acknowledged by the owner or operator.

(B) A statement of the amounts approved in the budget and the amounts actually sought for payment along with a certified statement by the owner or operator that the amounts so sought were expended in conformance with the approved budget.

(C) A copy of the Office of the State Fire Marshal's eligibility and deductibility determination.

(D) Proof that approval of the payment requested will not result in the limitations set forth in subsection (g) of this Section being exceeded.

(E) A federal taxpayer identification number and legal status disclosure certification on a form prescribed and provided by the Agency.

(F) If the Agency determined under subsection (c)(3) of Section 57.7 of this Act that corrective action must include a project labor agreement, a certification from the owner or operator that the corrective action was (i) performed under a project labor agreement that meets the requirements of Section 25 of the Project Labor Agreements Act and (ii) implemented in a manner consistent with the terms and conditions of the Project
Labor Agreements Act and in full compliance with all statutes, regulations, and Executive Orders as required under that Act and the Prevailing Wage Act.

(b) Commencement of site investigation or corrective action upon availability of funds. The Board shall adopt regulations setting forth procedures based on risk to human health or the environment under which the owner or operator who has received approval for any budget plan submitted pursuant to Section 57.7, and who is eligible for payment from the Underground Storage Tank Fund pursuant to an Office of the State Fire Marshal eligibility and deductibility determination, may elect to defer site investigation or corrective action activities until funds are available in an amount equal to the amount approved in the budget. The regulations shall establish criteria based on risk to human health or the environment to be used for determining on a site-by-site basis whether deferral is appropriate. The regulations also shall establish the minimum investigatory requirements for determining whether the risk based criteria are present at a site considering deferral and procedures for the notification of owners or operators of insufficient funds, Agency review of request for deferral, notification of Agency final decisions, returning deferred sites to active status, and earmarking of funds for payment.

(c) When the owner or operator requests indemnification for payment of costs incurred as a result of a release of petroleum from an underground storage tank, if the owner or operator has satisfied the requirements of subsection (a) of this Section, the Agency shall forward a copy of the request to the Attorney General. The Attorney General shall review and approve the request for indemnification if:

1. there is a legally enforceable judgment entered against the owner or operator and such judgment was entered due to harm caused by a release of petroleum from an underground storage tank and such judgment was not entered as a result of fraud; or
2. a settlement with a third party due to a release of petroleum from an underground storage tank is reasonable.

(d) Notwithstanding any other provision of this Title, the Agency shall not approve payment to an owner or operator from the Fund for costs of corrective action or indemnification incurred during a calendar year in excess of the following aggregate amounts based on the number of petroleum underground storage tanks owned or operated by such owner or operator in Illinois.

<table>
<thead>
<tr>
<th>Amount</th>
<th>Number of Tanks</th>
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$2,000,000.........................fewer than 101
$3,000,000..........................101 or more

(1) Costs incurred in excess of the aggregate amounts set forth in paragraph (1) of this subsection shall not be eligible for payment in subsequent years.

(2) For purposes of this subsection, requests submitted by any of the agencies, departments, boards, committees or commissions of the State of Illinois shall be acted upon as claims from a single owner or operator.

(3) For purposes of this subsection, owner or operator includes (i) any subsidiary, parent, or joint stock company of the owner or operator and (ii) any company owned by any parent, subsidiary, or joint stock company of the owner or operator.

(e) Costs of corrective action or indemnification incurred by an owner or operator which have been paid to an owner or operator under a policy of insurance, another written agreement, or a court order are not eligible for payment under this Section. An owner or operator who receives payment under a policy of insurance, another written agreement, or a court order shall reimburse the State to the extent such payment covers costs for which payment was received from the Fund. Any monies received by the State under this subsection (e) shall be deposited into the Fund.

(f) (Blank.)

(g) The Agency shall not approve any payment from the Fund to pay an owner or operator:

(1) for costs of corrective action incurred by such owner or operator in an amount in excess of $1,500,000 per occurrence; and

(2) for costs of indemnification of such owner or operator in an amount in excess of $1,500,000 per occurrence.

(h) Payment of any amount from the Fund for corrective action or indemnification shall be subject to the State acquiring by subrogation the rights of any owner, operator, or other person to recover the costs of corrective action or indemnification for which the Fund has compensated such owner, operator, or person from the person responsible or liable for the release.

(i) If the Agency refuses to pay or authorizes only a partial payment, the affected owner or operator may petition the Board for a hearing in the manner provided for the review of permit decisions in Section 40 of this Act.

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(j) Costs of corrective action or indemnification incurred by an owner or operator prior to July 28, 1989, shall not be eligible for payment or reimbursement under this Section.

(k) The Agency shall not pay costs of corrective action or indemnification incurred before providing notification of the release of petroleum in accordance with the provisions of this Title.

(l) Corrective action does not include legal defense costs. Legal defense costs include legal costs for seeking payment under this Title unless the owner or operator prevails before the Board in which case the Board may authorize payment of legal fees.

(m) The Agency may apportion payment of costs for plans submitted under Section 57.7 if:

(1) the owner or operator was deemed eligible to access the Fund for payment of corrective action costs for some, but not all, of the underground storage tanks at the site; and

(2) the owner or operator failed to justify all costs attributable to each underground storage tank at the site.

(n) The Agency shall not pay costs associated with a corrective action plan incurred after the Agency provides notification to the owner or operator pursuant to item (7) of subsection (b) of Section 57.7 that a revised corrective action plan is required. Costs associated with any subsequently approved corrective action plan shall be eligible for reimbursement if they meet the requirements of this Title.

(Source: P.A. 95-331, eff. 8-21-07.)

(415 ILCS 5/57.11)

Sec. 57.11. Underground Storage Tank Fund; creation.

(a) There is hereby created in the State Treasury a special fund to be known as the Underground Storage Tank Fund. There shall be deposited into the Underground Storage Tank Fund all monies received by the Office of the State Fire Marshal as fees for underground storage tanks under Sections 4 and 5 of the Gasoline Storage Act, and as fees pursuant to the Motor Fuel Tax Law, and beginning July 1, 2013, payments pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. All amounts held in the Underground Storage Tank Fund shall be invested at interest by the State Treasurer. All income earned from the investments shall be deposited into the Underground Storage Tank Fund no less frequently than quarterly. Moneys in the Underground Storage Tank Fund, pursuant to
appropriation, may be used by the Agency and the Office of the State Fire Marshal for the following purposes:

1. To take action authorized under Section 57.12 to recover costs under Section 57.12.

2. To assist in the reduction and mitigation of damage caused by leaks from underground storage tanks, including but not limited to, providing alternative water supplies to persons whose drinking water has become contaminated as a result of those leaks.

3. To be used as a matching amount towards federal assistance relative to the release of petroleum from underground storage tanks.

4. For the costs of administering activities of the Agency and the Office of the State Fire Marshal relative to the Underground Storage Tank Fund.

5. For payment of costs of corrective action incurred by and indemnification to operators of underground storage tanks as provided in this Title.

6. For a total of 2 demonstration projects in amounts in excess of a $10,000 deductible charge designed to assess the viability of corrective action projects at sites which have experienced contamination from petroleum releases. Such demonstration projects shall be conducted in accordance with the provision of this Title.

7. Subject to appropriation, moneys in the Underground Storage Tank Fund may also be used by the Department of Revenue for the costs of administering its activities relative to the Fund and for refunds provided for in Section 13a.8 of the Motor Fuel Tax Act.

(b) Moneys in the Underground Storage Tank Fund may, pursuant to appropriation, be used by the Office of the State Fire Marshal or the Agency to take whatever emergency action is necessary or appropriate to assure that the public health or safety is not threatened whenever there is a release or substantial threat of a release of petroleum from an underground storage tank and for the costs of administering its activities relative to the Underground Storage Tank Fund.

(c) Beginning July 1, 1993, the Governor shall certify to the State Comptroller and State Treasurer the monthly amount necessary to pay debt service on State obligations issued pursuant to Section 6 of the General Obligation Bond Act. On the last day of each month, the Comptroller shall
order transferred and the Treasurer shall transfer from the Underground Storage Tank Fund to the General Obligation Bond Retirement and Interest Fund the amount certified by the Governor, plus any cumulative deficiency in those transfers for prior months.

(d) Except as provided in subsection (c) of this Section, the Underground Storage Tank Fund is not subject to administrative charges authorized under Section 8h of the State Finance Act that would in any way transfer any funds from the Underground Storage Tank Fund into any other fund of the State.

(e) Each fiscal year, subject to appropriation, the Agency may commit up to $10,000,000 of the moneys in the Underground Storage Tank Fund to the payment of corrective action costs for legacy sites that meet one or more of the following criteria as a result of the underground storage tank release: (i) the presence of free product, (ii) contamination within a regulated recharge area, a wellhead protection area, or the setback zone of a potable water supply well, (iii) contamination extending beyond the boundaries of the site where the release occurred, or (iv) such other criteria as may be adopted in Agency rules.

(1) Fund moneys committed under this subsection (e) shall be held in the Fund for payment of the corrective action costs for which the moneys were committed.

(2) The Agency may adopt rules governing the commitment of Fund moneys under this subsection (e).

(3) This subsection (e) does not limit the use of Fund moneys at legacy sites as otherwise provided under this Title.

(4) For the purposes of this subsection (e), the term "legacy site" means a site for which (i) an underground storage tank release was reported prior to January 1, 2005, (ii) the owner or operator has been determined eligible to receive payment from the Fund for corrective action costs, and (iii) the Agency did not receive any applications for payment prior to January 1, 2010.

(f) Beginning July 1, 2013, if the amounts deposited into the Fund from moneys received by the Office of the State Fire Marshal as fees for underground storage tanks under Sections 4 and 5 of the Gasoline Storage Act and as fees pursuant to the Motor Fuel Tax Law during a State fiscal year are sufficient to pay all claims for payment by the fund received during that State fiscal year, then the amount of any payments into the fund pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act during that
State fiscal year shall be deposited as follows: 75% thereof shall be paid into the State treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-908, eff. 6-8-10.)

Section 5-75. The Prevailing Wage Act is amended by changing Section 2 as follows:

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

Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

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

"Public works" means all fixed works constructed or demolished by any public body, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through the State or any of its political subdivisions, including but not limited to: bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division 74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act; loans or other funds made available pursuant to the Build Illinois Act; loans or other funds made available pursuant to the Riverfront Development Fund under Section 10-15 of the River Edge Redevelopment Zone Act; or funds from the Fund for Illinois' Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes (i) all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement; (ii) all work performed pursuant to a public private agreement under the Public Private Agreements for the Illiana Expressway Act or the Public-Private Agreements for the South Suburban

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Airport Act; and (iii) all projects undertaken under a public-private agreement under the Public-Private Partnerships for Transportation Act. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act. "Public works" also includes the construction of a new wind power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act. "Public works" does not include work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds. "Public works" also includes any corrective action performed pursuant to Title XVI of the Environmental Protection Act for which payment from the Underground Storage Tank Fund is requested. "Public works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence.

"Construction" means all work on public works involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

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

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this

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

(Source: P.A. 96-28, eff. 7-1-09; 96-58, eff. 1-1-10; 96-186, eff. 1-1-10; 96-913, eff. 6-9-10; 96-1000, eff. 7-2-10; 97-502, eff. 8-23-11.)

ARTICLE 99.

EFFECTIVE DATE AND SEVERABILITY

Section 99-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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


Approved July 25, 2013.

Effective July 25, 2013.

PUBLIC ACT 98-0110

(House Bill No. 1571)

AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 26 and 53 as follows:

(215 ILCS 5/26) (from Ch. 73, par. 638)

Sec. 26. Deposit.

(a) A company subject to the provisions of this Article shall make and maintain with the Director for the protection of all creditors, policyholders and policy obligations of the company, a deposit of securities which are authorized investments under Section 126.11A(1), 126.11A(2), 126.24A(1), or 126.24A(2) having a fair market value equal to the minimum capital and surplus required to be maintained under Section 13. The Director may release the required deposit of securities upon receipt of an order of a court having proper jurisdiction or upon: (i) certification by the company that it has no outstanding creditors, policyholders, or policy obligations in effect and no plans to engage in the

New matter indicated in italics - deletions by strikeout
business of insurance; (ii) receipt of a lawful resolution of the company's board of directors effecting the surrender of its articles of incorporation for administrative dissolution by the Director; and (iii) receipt of the name and forwarding address for each of the final officers and directors of the company, together with a plan of dissolution approved by the Director.

(b) All deposits by insurers subject to this Article must be limited to the following types:

(1) United States government bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.

(2) United States public bonds and notes of any state or of the District of Columbia, or Canadian public bonds and notes of any province thereof, for which the full faith and credit of the issuer has been pledged for the payment of principal and interest.

(3) United States and Canadian county, provincial, municipal, and district bonds and notes for which the issuer has lawful authority to levy taxes or make assessments for the payment of principal and interest.

(4) Bonds and notes of any federal agency that are guaranteed as to payment of principal and interest by the United States.

(5) International development bank bonds, bonds issued by the State of Israel and sold through the Development Corporation for Israel or its successor entities, and notes issued, assumed, and guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or the International Finance Corporation.

(6) Corporate bonds and notes of any private corporations that are not affiliates or subsidiaries of the insurer, which corporations are organized under the laws of the United States, Canada, any state, the District of Columbia, any territory or possession of the United States, or any province of Canada.

(7) Certificates of deposit.

(c) To be eligible for deposit under subsection (b), any bond or note must have the following characteristics:

(1) The bond or note must be interest-bearing or interest-accruing, and the insurer must be the exclusive owner of the

New matter indicated in italics - deletions by strikeout
interest accruing thereon and entitled to receive the interest for its account.

(2) The issuer must be in a solvent financial condition and the bond or note must not be in default.

(3) The bond, note, or debt of the issuing country must be rated in one of the 4 highest classifications by an established, nationally recognized investment rating service or must have been given a rating of 1 by the Securities Valuation Office of the National Association of Insurance Commissioners.

(4) The market value of the bond or note must be readily ascertainable or the value of the bond or note must be obtainable by the insurer or its custodian from the issuer's fiscal agent.

(5) The bond or note must be the direct obligation of the issuer.

(6) The bond or note must be stated in United States dollar denominations.

(7) The bond or note must be eligible for book-entry form on the books of the Federal Reserve's book-entry system or in a depository trust clearing system or on the books of the issuer's transfer agent or evidenced by a certificate delivered to the insurer or its custodian.

(d) To be eligible for deposit under item (7) of subsection (b), a certificate of deposit must have the following characteristics:

(1) The certificate of deposit must be issued by a bank, savings bank, or savings association that is organized under the laws of the United States, of this State, or of any other state and that has a principal office or branch office in this State that is authorized to receive deposits in this State.

(2) The certificate of deposit must be interest-bearing and may not be issued in discounted form.

(3) The certificate of deposit must be issued for a period of not less than one year.

(4) The issuing bank, savings bank, or savings association must agree to the terms and conditions of the Director regarding the rights to the certificate of deposit and must have executed a written certificate of deposit agreement with the Director. The terms and conditions of the agreement shall include, but need not be limited to:

New matter indicated in italics - deletions by strikeout
(A) Exclusive authorized signature authority for the chief financial officer.

(B) An agreement to pay, without protest, the proceeds of its certificate of deposit to the Director within 30 business days after presentation.

(C) A prohibition against levies, setoffs, survivorship, or other conditions that might hinder the Director's ability to recover the full face value of a certificate of deposit.

(D) Instructions regarding interest payments, renewals, taxpayer identification, and early withdrawal penalties.

(E) An agreement to be subject to the jurisdiction of the courts of this State, or those of the United States that are located in this State, for the purposes of any litigation arising out of this Section.

(F) Such other conditions as the Director requires.

(e) The Director may refuse to accept certain securities or refuse to accept the reported market value of certain securities offered pursuant to this Section in order to ensure that sufficient cash and securities are on hand to meet the purposes of the deposit. In making a refusal under this subsection (e), the guidelines for use of the Director may include, but need not be limited to, whether the market value of the securities cannot be readily ascertained and the lack of liquidity of the securities. Securities refused under this subsection (e) are not acceptable as deposits.

(f) All deposits required of a domestic insurer pursuant to the laws of another state, province, or country must be comprised of securities of the kinds required under subsection (b), having the characteristics required under subsections (c) and (d), and permitted by the laws of the other state, province, or country, except common stocks, mortgages or loans of any kind, real estate investment trust funds or programs, commercial paper, and letters of credit.

(Source: P.A. 92-75, eff. 7-12-01.)

(215 ILCS 5/53) (from Ch. 73, par. 665)

(Section scheduled to be repealed on January 1, 2017)

Sec. 53. Deposit.

(a) A company subject to the provisions of this Article shall make and maintain with the Director for the protection of all creditors, policyholders and policy obligations of the company, a deposit of

New matter indicated in italics - deletions by strikeout
securities which are authorized investments under Section 126.11A(1), 126.11A(2), 126.24A(1), or 126.24A(2) having a fair market value equal to the minimum surplus required to be maintained under Section 43. The Director may release the required deposit of securities upon receipt of an order of a court having proper jurisdiction or upon: (i) certification by the company that it has no outstanding creditors, policyholders, or policy obligations in effect and no plans to engage in the business of insurance; (ii) receipt of a lawful resolution of the company's board of directors effecting the surrender of its articles of incorporation for administrative dissolution by the Director; and (iii) receipt of the name and forwarding address for each of the final officers and directors of the company, together with a plan of dissolution approved by the Director.

(b) All deposits by insurers subject to this Article must be limited to the following types:

(1) United States government bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.

(2) United States public bonds and notes of any state or of the District of Columbia, or Canadian public bonds and notes of any province thereof, for which the full faith and credit of the issuer has been pledged for the payment of principal and interest.

(3) United States and Canadian county, provincial, municipal, and district bonds and notes for which the issuer has lawful authority to levy taxes or make assessments for the payment of principal and interest.

(4) Bonds and notes of any federal agency that are guaranteed as to payment of principal and interest by the United States.

(5) International development bank bonds, bonds issued by the State of Israel and sold through the Development Corporation for Israel or its successor entities, and notes issued, assumed, and guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or the International Finance Corporation.

(6) Corporate bonds and notes of any private corporations that are not affiliates or subsidiaries of the insurer, which corporations are organized under the laws of the United States,
Canada, any state, the District of Columbia, any territory or possession of the United States, or any province of Canada.

(7) Certificates of deposit.

c) To be eligible for deposit under subsection (b), any bond or note must have the following characteristics:

(1) The bond or note must be interest-bearing or interest-accruing, and the insurer must be the exclusive owner of the interest accruing thereon and entitled to receive the interest for its account.

(2) The issuer must be in a solvent financial condition and the bond or note must not be in default.

(3) The bond, note, or debt of the issuing country must be rated in one of the 4 highest classifications by an established, nationally recognized investment rating service or must have been given a rating of 1 by the Securities Valuation Office of the National Association of Insurance Commissioners.

(4) The market value of the bond or note must be readily ascertainable or the value of the bond or note must be obtainable by the insurer or its custodian from the issuer's fiscal agent.

(5) The bond or note must be the direct obligation of the issuer.

(6) The bond or note must be stated in United States dollar denominations.

(7) The bond or note must be eligible for book-entry form on the books of the Federal Reserve's book-entry system or in a depository trust clearing system or on the books of the issuer's transfer agent or evidenced by a certificate delivered to the insurer or its custodian.

d) To be eligible for deposit under item (7) of subsection (b), a certificate of deposit must have the following characteristics:

(1) The certificate of deposit must be issued by a bank, savings bank, or savings association that is organized under the laws of the United States, of this State, or of any other state and that has a principal office or branch office in this State that is authorized to receive deposits in this State.

(2) The certificate of deposit must be interest-bearing and may not be issued in discounted form.

(3) The certificate of deposit must be issued for a period of not less than one year.

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(4) The issuing bank, savings bank, or savings association must agree to the terms and conditions of the Director regarding the rights to the certificate of deposit and must have executed a written certificate of deposit agreement with the Director. The terms and conditions of the agreement shall include, but need not be limited to:

(A) Exclusive authorized signature authority for the chief financial officer.

(B) An agreement to pay, without protest, the proceeds of its certificate of deposit to the Director within 30 business days after presentation.

(C) A prohibition against levies, setoffs, survivorship, or other conditions that might hinder the Director's ability to recover the full face value of a certificate of deposit.

(D) Instructions regarding interest payments, renewals, taxpayer identification, and early withdrawal penalties.

(E) An agreement to be subject to the jurisdiction of the courts of this State, or those of the United States that are located in this State, for the purposes of any litigation arising out of this Section.

(F) Such other conditions as the Director requires.

(e) The Director may refuse to accept certain securities or refuse to accept the reported market value of certain securities offered pursuant to this Section in order to ensure that sufficient cash and securities are on hand to meet the purposes of the deposit. In making a refusal under this subsection (e), the guidelines for use of the Director may include, but need not be limited to, whether the market value of the securities cannot be readily ascertained and the lack of liquidity of the securities. Securities refused under this subsection (e) are not acceptable as deposits.

(f) All deposits required of a domestic insurer pursuant to the laws of another state, province, or country must be comprised of securities of the kinds required under subsection (b), having the characteristics required under subsections (c) and (d), and permitted by the laws of the other state, province, or country, except common stocks, mortgages or loans of any kind, real estate investment trust funds or programs, commercial paper, and letters of credit.

(Source: P.A. 92-75, eff. 7-12-01.)

New matter indicated in italics - deletions by strikeout
AN ACT concerning gaming.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS, REPRESENTED IN THE GENERAL ASSEMBLY:

Section 5. The Video Gaming Act is amended by changing Section 35 as follows:

(230 ILCS 40/35)
Sec. 35. Display of license; confiscation; violation as felony.

(a) Each video gaming terminal shall be licensed by the Board before placement or operation on the premises of a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment. The license of each video gaming terminal shall be maintained at the location where the video gaming terminal is operated. Failure to do so is a petty offense with a fine not to exceed $100. Any licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment used for the conduct of gambling games in violation of this Act shall be considered a gambling place in violation of Section 28-3 of the Criminal Code of 2012. Every gambling device found in a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment operating gambling games in violation of this Act shall be subject to seizure, confiscation, and destruction as provided in Section 28-5 of the Criminal Code of 2012. Any license issued under the Liquor Control Act of 1934 to any owner or operator of a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that operates or permits the operation of a video gaming terminal within its establishment in violation of this Act shall be immediately revoked. No person may own, operate, have in his or her possession or custody or under his or her control, or permit to be kept in any place under his or her possession or control, any device that awards credits and contains a circuit, meter, or switch capable of removing and recording the removal of credits when the award of credits is dependent upon chance.

New matter indicated in italics - deletions by strikeout
Nothing in this Section shall be deemed to prohibit the use of a game device only if the game device is used in an activity that is not gambling under subsection (b) of Section 28-1 of the Criminal Code of 2012.

A violation of this Section is a Class 4 felony. All devices that are owned, operated, or possessed in violation of this Section are hereby declared to be public nuisances and shall be subject to seizure, confiscation, and destruction as provided in Section 28-5 of the Criminal Code of 2012.

The provisions of this Section do not apply to devices or electronic video game terminals licensed pursuant to this Act. A video gaming terminal operated for amusement only and bearing a valid amusement tax sticker shall not be subject to this Section until 30 days after the Board establishes that the central communications system is functional.

(b) (1) The odds of winning each video game shall be posted on or near each video gaming terminal. The manner in which the odds are calculated and how they are posted shall be determined by the Board by rule.

(2) No video gaming terminal licensed under this Act may be played except during the legal hours of operation allowed for the consumption of alcoholic beverages at the licensed establishment, licensed fraternal establishment, or licensed veterans establishment. A licensed establishment, licensed fraternal establishment, or licensed veterans establishment that violates this subsection is subject to termination of its license by the Board.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 16, 2013.
Approved July 26, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0112
(House Bill No. 1570)

AN ACT concerning gaming.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Video Gaming Act is amended by changing Section 25 as follows:

New matter indicated in italics - deletions by strikeout
Sec. 25. Restriction of licensees.

(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, notwithstanding any agreement to the contrary. A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless permitted by the Board.
terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or

New matter indicated in italics - deletions by strikeout
(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization licensee or an inter-track wagering licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal. The location restrictions in this subsection (h) do not apply if a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee, a school, or a place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment becomes licensed under this Act. For the purpose of this subsection, "school" means an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Notwithstanding the provisions of this subsection (h), the Board may waive the requirement that a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment not be located within 1,000 feet from a facility operated by an organization licensee or an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act. The Board shall not grant such waiver if there is any common ownership or control, shared business activity, or contractual arrangement of any type between the establishment and the organization licensee, inter-track wagering licensee, inter-track wagering location licensee, or owners licensee of a riverboat. The Board shall adopt rules to implement the provisions of this paragraph.
(i) Undue economic concentration. In addition to considering all other requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration. For purposes of this Section, "undue economic concentration" means that a terminal operator would have such actual or potential influence over video gaming terminals in Illinois as to:

(1) substantially impede or suppress competition among terminal operators;

(2) adversely impact the economic stability of the video gaming industry in Illinois; or

(3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)

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

Passed in the General Assembly May 14, 2013.
Approved July 26, 2013.
Effective July 26, 2013.
PUBLIC ACT 98-0113  
(House Bill No. 2362)

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

Section 5. The DCFS Residential Services Construction Grant Program Act is amended by changing Section 5 as follows:

(20 ILCS 530/5)
Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Capital Development Board.
"Department" means the Illinois Department of Children and Family Services.
"Residential services" means child care institution care, group home care, independent living services, and transitional living services that are licensed and purchased by the Department on behalf of children under the age of 22 years who are served by the Department and who need 24 hour residential care due to emotional and behavior problems and that are services for which the Department has rate setting authority.
(Source: P.A. 96-1192, eff. 7-22-10.)

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

Passed in the General Assembly May 16, 2013.
Approved July 26, 2013.
Effective July 26, 2013.

PUBLIC ACT 98-0114  
(House Bill No. 2262)

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

Section 5. The Illinois Public Aid Code is amended by changing Section 4-1.6 as follows:

(305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)
Sec. 4-1.6. Need. Income available to the family as defined by the Illinois Department by rule, or to the child in the case of a child removed from his or her home, when added to contributions in money, substance or services from other sources, including income available from parents

New matter indicated in italics - deletions by strikeout
absent from the home or from a stepparent, contributions made for the benefit of the parent or other persons necessary to provide care and supervision to the child, and contributions from legally responsible relatives, must be equal to or less than the grant amount established by Department regulation for such a person. For purposes of eligibility for aid under this Article, the Department shall (a) disregard all earned income between the grant amount and 50% of the Federal Poverty Level and (b) disregard the value of all assets held by the family.

In considering income to be taken into account, consideration shall be given to any expenses reasonably attributable to the earning of such income. Three-fourths of the earned income of a household eligible for aid under this Article shall be disregarded when determining the level of assistance for which a household is eligible. The Illinois Department may also permit all or any portion of earned or other income to be set aside for the future identifiable needs of a child. The Illinois Department may provide by rule and regulation for the exemptions thus permitted or required. The eligibility of any applicant for or recipient of public aid under this Article is not affected by the payment of any grant under the "Senior Citizens and Disabled Persons Property Tax Relief Act" or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act.

The Illinois Department may, by rule, set forth criteria under which an assistance unit is ineligible for cash assistance under this Article for a specified number of months due to the receipt of a lump sum payment.

(Source: P.A. 96-866, eff. 7-1-10; 97-689, eff. 6-14-12.)

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

Passed in the General Assembly May 21, 2013.
Approved July 29, 2013.
Effective July 29, 2013.

PUBLIC ACT 98-0115
(House Bill No. 2418)

AN ACT concerning elections.

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

New matter indicated in italics - deletions by strikeout
Section 5. The Election Code is amended by changing Sections 1A-16, 1A-25, 4-8, 4-10, 4-12, 4-15, 4-33, 4-50, 5-7, 5-9, 5-15, 5-21, 5-43, 5-50, 6-29, 6-35, 6-40, 6-57, 6-79, 6-100, 6A-1, 6A-2, 6A-3, 6A-4, 8-9, 9-1.8, 9-8.5, 9-9.5, 10-6.2, 10-7, 10-9, 10-10, 17-23, 18A-15, 19-2, 19-2.1, 19-3, 19-4, 19-7, 19A-15, 19A-70, 22-6, 24A-16, and 28-8 and by adding Sections 1-12, 1A-16.5, 6-19.5, 24A-6.2, 24B-6.2, and 24C-6.2 as follows:

(10 ILCS 5/1-12 new)

Sec. 1-12. Public university voting. Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting in a high traffic location on the campus of a public university within the election authority's jurisdiction. For the purposes of this Section, "public university" means the University of Illinois at its campuses in Urbana-Champaign and Springfield, Southern Illinois University at its campuses in Carbondale and Edwardsville, Eastern Illinois University, Illinois State University, Northern Illinois University, and Western Illinois University at its campuses in Macomb and Moline. The voting required by this Section to be conducted on campus must be conducted as otherwise required by Article 19A of this Code. If an election authority has voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority shall extend early voting under this Section to any registered voter in the election authority's jurisdiction. However, if the election authority does not have voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority may limit early voting under this Section to registered voters in precincts where the public university is located and precincts bordering the university. Each public university shall make the space available in a high traffic area for, and cooperate and coordinate with the appropriate election authority in, the implementation of this Section.

(10 ILCS 5/1A-16)

Sec. 1A-16. Voter registration information; internet posting; processing of voter registration forms; content of such forms. Notwithstanding any law to the contrary, the following provisions shall apply to voter registration under this Code.

(a) Voter registration information; Internet posting of voter registration form. Within 90 days after the effective date of this amendatory Act of the 93rd General Assembly, the State Board of
Elections shall post on its World Wide Web site the following information:

(1) A comprehensive list of the names, addresses, phone numbers, and websites, if applicable, of all county clerks and boards of election commissioners in Illinois.

(2) A schedule of upcoming elections and the deadline for voter registration.

(3) A downloadable, printable voter registration form, in at least English and in Spanish versions, that a person may complete and mail or submit to the State Board of Elections or the appropriate county clerk or board of election commissioners.

Any forms described under paragraph (3) must state the following:

If you do not have a driver's license or social security number, and this form is submitted by mail, and you have never registered to vote in the jurisdiction you are now registering in, then you must send, with this application, either (i) a copy of a current and valid photo identification, or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. If you do not provide the information required above, then you will be required to provide election officials with either (i) or (ii) described above the first time you vote at a voting place or by absentee ballot.

(b) Acceptance of registration forms by the State Board of Elections and county clerks and board of election commissioners. The State Board of Elections, county clerks, and board of election commissioners shall accept all completed voter registration forms described in subsection (a)(3) of this Section and Sections 1A-17 and 1A-30 that are:

(1) postmarked on or before the day that voter registration is closed under the Election Code;

(2) not postmarked, but arrives no later than 5 days after the close of registration;

(3) submitted in person by a person using the form on or before the day that voter registration is closed under the Election Code; or

(4) submitted in person by a person who submits one or more forms on behalf of one or more persons who used the form

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on or before the day that voter registration is closed under the Election Code.

Upon the receipt of a registration form, the State Board of Elections shall mark the date on which the form was received and send the form via first class mail to the appropriate county clerk or board of election commissioners, as the case may be, within 2 business days based upon the home address of the person submitting the registration form. The county clerk and board of election commissioners shall accept and process any form received from the State Board of Elections.

(c) Processing of registration forms by county clerks and boards of election commissioners. The county clerk or board of election commissioners shall promulgate procedures for processing the voter registration form.

(d) Contents of the voter registration form. The State Board shall create a voter registration form, which must contain the following content:

1. Instructions for completing the form.
2. A summary of the qualifications to register to vote in Illinois.
3. Instructions for mailing in or submitting the form in person.
4. The phone number for the State Board of Elections should a person submitting the form have questions.
5. A box for the person to check that explains one of 3 reasons for submitting the form:
   (a) new registration;
   (b) change of address; or
   (c) change of name.
6. A box for the person to check yes or no that asks, "Are you a citizen of the United States?", a box for the person to check yes or no that asks, "Will you be 18 years of age on or before election day?", and a statement of "If you checked 'no' in response to either of these questions, then do not complete this form."
7. A space for the person to fill in his or her home telephone number.
8. Spaces for the person to fill in his or her first, middle, and last names, street address (principal place of residence), county, city, state, and zip code.
(9) Spaces for the person to fill in his or her mailing address, city, state, and zip code if different from his or her principal place of residence.

(10) A space for the person to fill in his or her Illinois driver's license number if the person has a driver's license.

(11) A space for a person without a driver's license to fill in the last four digits of his or her social security number if the person has a social security number.

(12) A space for a person without an Illinois driver's license to fill in his or her identification number from his or her State Identification card issued by the Secretary of State.

(13) A space for the person to fill the name appearing on his or her last voter registration, the street address of his or her last registration, including the city, county, state, and zip code.

(14) A space where the person swears or affirms the following under penalty of perjury with his or her signature:

   (a) "I am a citizen of the United States."
   
   (b) "I will be at least 18 years old on or before the next election."
   
   (c) "I will have lived in the State of Illinois and in my election precinct at least 30 days as of the date of the next election."
   
   "The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, then I may be fined, imprisoned, or if I am not a U.S. citizen, deported from or refused entry into the United States."

(15) A space for the person to fill in his or her e-mail address if he or she chooses to provide that information.

(d-5) Compliance with federal law; rulemaking authority. The voter registration form described in this Section shall be consistent with the form prescribed by the Federal Election Commission under the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, and the Help America Vote Act of 2002, P.L. 107-252, in all relevant respects. The State Board of Elections shall periodically update the form based on changes to federal or State law. The State Board of Elections shall promulgate any rules necessary for the implementation of this Section; provided that the rules comport with the letter and spirit of
the National Voter Registration Act of 1993 and Help America Vote Act of 2002 and maximize the opportunity for a person to register to vote.

(e) Forms available in paper form. The State Board of Elections shall make the voter registration form available in regular paper stock and form in sufficient quantities for the general public. The State Board of Elections may provide the voter registration form to the Secretary of State, county clerks, boards of election commissioners, designated agencies of the State of Illinois, and any other person or entity designated to have these forms by the Election Code in regular paper stock and form or some other format deemed suitable by the Board. Each county clerk or board of election commissioners has the authority to design and print its own voter registration form so long as the form complies with the requirements of this Section. The State Board of Elections, county clerks, boards of election commissioners, or other designated agencies of the State of Illinois required to have these forms under the Election Code shall provide a member of the public with any reasonable number of forms that he or she may request. Nothing in this Section shall permit the State Board of Elections, county clerk, board of election commissioners, or other appropriate election official who may accept a voter registration form to refuse to accept a voter registration form because the form is printed on photocopier or regular paper stock and form.

(f) (Blank). Internet voter registration study. The State Board of Elections shall investigate the feasibility of offering voter registration on its website and consider voter registration methods of other states in an effort to maximize the opportunity for all Illinois citizens to register to vote. The State Board of Elections shall assemble its findings in a report and submit it to the General Assembly no later than January 1, 2006. The report shall contain legislative recommendations to the General Assembly on improving voter registration in Illinois.

(Source: P.A. 94-492, eff. 1-1-06; 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

(10 ILCS 5/1A-16.5 new)

Sec. 1A-16.5. Online voter registration.

(a) The State Board of Elections shall establish and maintain a system for online voter registration that permits a person to apply to register to vote or to update his or her existing voter registration. In accordance with technical specifications provided by the State Board of Elections, each election authority shall maintain a voter registration system capable of receiving and processing voter registration application

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information, including electronic signatures, from the online voter registration system established by the State Board of Elections.

(b) The online voter registration system shall employ security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this Section.

(c) The Board may receive voter registration information provided by applicants using the State Board of Elections' website, may cross reference that information with data or information contained in the Secretary of State's database in order to match the information submitted by applicants, and may receive from the Secretary of State the applicant's digitized signature upon a successful match of that applicant's information with that contained in the Secretary of State's database.

(d) Notwithstanding any other provision of law, a person who is qualified to register to vote and who has an authentic Illinois driver's license or State identification card issued by the Secretary of State may submit an application to register to vote electronically on a website maintained by the State Board of Elections.

(e) An online voter registration application shall contain all of the information that is required for a paper application as provided in Section 1A-16 of this Code, except that the applicant shall be required to provide:

(1) the applicant's full Illinois driver's license or State identification card number;

(2) the last 4 digits of the applicant's social security number; and

(3) the date the Illinois driver's license or State identification card was issued.

(f) For an applicant's registration or change in registration to be accepted, the applicant shall mark the box associated with the following statement included as part of the online voter registration application:

By clicking on the box below, I swear or affirm all of the following:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Illinois.

(2) All the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize the Secretary of State to transmit to the State Board of Elections my signature that is on file with the Secretary of State and understand that such signature will be used by my local election authority
on this online voter registration application for admission as an elector as if I had signed this form personally."

(g) Immediately upon receiving a completed online voter registration application, the online voter registration system shall send, by electronic mail, a confirmation notice that the application has been received. Within 48 hours of receiving such an application, the online voter registration system shall send by electronic mail, a notice informing the applicant of whether the following information has been matched with the Secretary of State database:

(1) that the applicant has an authentic Illinois driver's license or State identification card issued by the Secretary of State and that the driver's license or State identification number provided by the applicant matches the driver's license or State identification card number for that person on file with the Secretary of State;

(2) that the date of issuance of the Illinois driver's license or State identification card listed on the application matches the date of issuance of that card for that person on file with the Secretary of State;

(3) that the date of birth provided by the applicant matches the date of birth for that person on file with the Secretary of State; and

(4) that the last 4 digits of the applicant's social security number matches the last four digits for that person on file with the Secretary of State.

(h) If the information provided by the applicant matches the information on the Secretary of State's databases for any driver's license and State identification card holder and is matched as provided in subsection (g) above, the online voter registration system shall:

(1) retrieve from the Secretary of State's database files an electronic copy of the applicant's signature from his or her Illinois driver's license or State identification card and such signature shall be deemed to be the applicant's signature on his or her online voter registration application;

(2) within 2 days of receiving the application, forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (i) the application, along with the applicant's relevant data that can be directly loaded into the jurisdiction's voter registration system and
(ii) a copy of the applicant's electronic signature and a certification from the State Board of Elections that the applicant's driver's license or State identification card number, driver's license or State identification card date of issuance, and date of birth and social security information have been successfully matched.

(i) Upon receipt of the online voter registration application, the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration shall promptly search its voter registration database to determine whether the applicant is already registered to vote at the address on the application and whether the new registration would create a duplicate registration. If the applicant is already registered to vote at the address on the application, the clerk or board, as the case may be, shall send the applicant by first class mail, and electronic mail if the applicant has provided an electronic mail address on the original voter registration form for that address, a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at such address. If the applicant is not already registered to vote at the address on the application and the applicant is otherwise eligible to register to vote, the clerk or board, as the case may be, shall:

1. enter the name and address of the applicant on the list of registered voters in the jurisdiction; and
2. send by mail, and electronic mail if the applicant has provided an electronic mail address on the voter registration form, a disposition notice to the applicant as otherwise provided by law setting forth the applicant's name and address as it appears on the application and stating that the person is registered to vote.

(j) An electronic signature of the person submitting a duplicate registration application or a change of address form that is retrieved and imported from the Secretary of State's driver's license or State identification card database as provided herein may, in the discretion of the clerk or board, be substituted for and replace any existing signature for that individual in the voter registration database of the county clerk or board of election commissioners.

(k) Any new registration or change of address submitted electronically as provided in this Section shall become effective as of the date it is received by the county clerk or board of election commissioners having jurisdiction over said registration. Disposition notices prescribed in this Section shall be sent within 5 business days of receipt of the online registration.
application or change of address by the county clerk or board of election commissioners.

(i) All provisions of this Code governing voter registration and applicable thereto and not inconsistent with this Section shall apply to online voter registration under this Section. All applications submitted on a website maintained by the State Board of Elections shall be deemed timely filed if they are submitted no later than 11:59 p.m. on the final day for voter registration prior to an election. After the registration period for an upcoming election has ended and until the 2nd day following such election, the web page containing the online voter registration form on the State Board of Elections website shall inform users of the procedure for grace period voting.

(m) The State Board of Elections shall maintain a list of the name, street address, e-mail address, and likely precinct, ward, township, and district numbers, as the case may be, of people who apply to vote online through the voter registration system and those names and that information shall be stored in an electronic format on its website, arranged by county and accessible to State and local political committees.

(n) The Illinois State Board of Elections shall submit a report to the General Assembly and the Governor by January 31, 2014 detailing the progress made to implement the online voter registration system described in this Section.

(o) The online voter registration system provided for in this Section shall be fully operational by July 1, 2014.

(10 ILCS 5/1A-25)
Sec. 1A-25. Centralized statewide voter registration list. The centralized statewide voter registration list required by Title III, Subtitle A, Section 303 of the Help America Vote Act of 2002 shall be created and maintained by the State Board of Elections as provided in this Section.

(1) The centralized statewide voter registration list shall be compiled from the voter registration data bases of each election authority in this State.

(2) With the exception of voter registration forms submitted electronically through an online voter registration system, all new voter registration forms and applications to register to vote, including those reviewed by the Secretary of State at a driver services facility, shall be transmitted only to the appropriate election authority as required by Articles 4, 5, and 6 of this Code and not to the State Board of Elections. All voter registration forms

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submitted electronically to the State Board of Elections through an online voter registration system shall be transmitted to the appropriate election authority as required by Section 1A-16.5. The election authority shall process and verify each voter registration form and electronically enter verified registrations on an expedited basis onto the statewide voter registration list. All original registration cards shall remain permanently in the office of the election authority as required by this Code.

(3) The centralized statewide voter registration list shall:
   (i) Be designed to allow election authorities to utilize the registration data on the statewide voter registration list pertinent to voters registered in their election jurisdiction on locally maintained software programs that are unique to each jurisdiction.
   (ii) Allow each election authority to perform essential election management functions, including but not limited to production of voter lists, processing of absentee voters, production of individual, pre-printed applications to vote, administration of election judges, and polling place administration, but shall not prevent any election authority from using information from that election authority's own systems.

(4) The registration information maintained by each election authority shall be synchronized with that authority's information on the statewide list at least once every 24 hours.

To protect the privacy and confidentiality of voter registration information, the disclosure of any portion of the centralized statewide voter registration list to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list.

New matter indicated in italics - deletions by strikeout
Sec. 4-8. The county clerk shall provide a sufficient number of blank forms for the registration of electors, which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate.

The registration record card shall contain the following and such other information as the county clerk may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the section, congressional township and range number may be used, or such other description as may be necessary, including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and precinct. This information shall be furnished by the applicant stating the place or places where he resided and the dates during which he resided in such place or places during the year next preceding the date of the next ensuing election.

Nativity. The state or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place, and date of naturalization.

Date of application for registration, i.e., the day, month and year when applicant presented himself for registration.

Age. Date of birth, by month, day and year.

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Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

*Electronic mail address, if any.*

Signature of voter. The applicant, after the registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink to the affidavit on both the original and duplicate registration record cards.

Signature of deputy registrar or officer of registration.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the officer empowered to give the registration oath shall write a detailed description of the applicant in the space provided on the back or at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

- Father's first name.
- Mother's first name.
- From what address did the applicant last register?
- Reason for inability to sign name.

Each applicant for registration shall make an affidavit in substantially the following form:

**AFFIDAVIT OF REGISTRATION**

**STATE OF ILLINOIS**

**COUNTY OF ........**

I hereby swear (or affirm) that I am a citizen of the United States; that on the date of the next election I shall have resided in the State of Illinois and in the election precinct in which I reside 30 days and that I intend that this location shall be my residence; that I am fully qualified to vote, and that the above statements are true.

..................................

(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

..................................

Signature of registration officer.

(To be signed in presence of registrant.)

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to precincts, and may be serially or otherwise marked for identification in such manner as the county clerk may determine.

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The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the county clerk within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. The costs of furnishing updated copies of tapes or discs shall be paid at a rate of $0.00034 per name of registered voters in the election jurisdiction, but

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not less than $50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose. The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs, or other electronic data shall be furnished by the county clerk to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, et cetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.
The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of.... County, Illinois. (or)
To the Election Commission of the City of ...., Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was ...................... Having moved out of your (county) (city), I hereby authorize you to cancel said registration in your office.

Dated at ...., Illinois, on (insert date).

..........................................................
(Signature of Voter)

Attest: ............... County Clerk, .............
County, Illinois.

The cancellation certificate shall be mailed immediately by the County Clerk to the County Clerk (or election commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04; 94-136, eff. 7-7-05.)

(10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

Sec. 4-10. Except as herein provided, no person shall be registered, unless he applies in person to a registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card.

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lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the registration officers or a deputy registration officer, county clerk, or clerk in the office of the county clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your name, place of residence, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The registration officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?"

Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of any precinct registration and shall have the right to challenge any applicant who applies to be registered.

In case the officer is not satisfied that the applicant is qualified he shall forthwith notify such applicant in writing to appear before the county clerk to complete his registration. Upon the card of such applicant shall be written the word "incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as incomplete if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct and whose registration card is marked "Incomplete" may make and sign an
application in writing, under oath, to the county clerk in substance in the following form:

"I do solemnly swear that I, ...., did on (insert date) make application to the board of registry of the .... precinct of the township of .... (or to the county clerk of .... county) and that said board or clerk refused to complete my registration as a qualified voter in said precinct. That I reside in said precinct, that I intend to reside in said precinct, and am a duly qualified voter of said precinct and am entitled to be registered to vote in said precinct at the next election.

(Signature of applicant) ..................................

All such applications shall be presented to the county clerk or to his duly authorized representative by the applicant, in person between the hours of 9:00 a.m. and 5:00 p.m. on any day after the days on which the 1969 and 1970 precinct re-registrations are held but not on any day within 27 days preceding the ensuing general election and thereafter for the registration provided in Section 4-7 all such applications shall be presented to the county clerk or his duly authorized representative by the applicant in person between the hours of 9:00 a.m. and 5:00 p.m. on any day prior to 27 days preceding the ensuing general election. Such application shall be heard by the county clerk or his duly authorized representative at the time the application is presented. If the applicant for registration has registered with the county clerk, such application may be presented to and heard by the county clerk or by his duly authorized representative upon the dates specified above or at any time prior thereto designated by the county clerk.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article, or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

New matter indicated in italics - deletions by strikeout
Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Electronic mail address, if the registrant has provided this information.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ......................

AFFIDAVIT OF REGISTRATION

State of ..........) )ss
County of ..........) 

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

.................................

(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

.................................

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 4-8 of this Article and shall

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attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 96-317, eff. 1-1-10; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Sec. 4-12. Any voter or voters in the township, city, village or incorporated town containing such precinct, and any precinct committeeman in the county, may, between the hours of 9:00 a.m. and 5:00 p.m. of Monday and Tuesday of the second week prior to the week in which the 1970 primary election for the nomination of candidates for State and county offices or any election thereafter is to be held, make application in writing, to the county clerk, to have any name upon the register of any precinct erased. Such application shall be, in substance, in the words and figures following:

"I being a qualified voter, registered from No. .... Street in the .... precinct of the .... ward of the city (village or town of) .... (or of the .... town of ....) do hereby solemnly swear (or affirm) that .... registered from No. .... Street is not a qualified voter in the .... precinct of .... ward of the city (village or town) of .... (or of the .... town of ....) and hence I ask that his name be erased from the register of such precinct for the following reason ..... 

Affiant further says that he has personal knowledge of the facts set forth in the above affidavit.

(Signed) ..... 

Subscribed and sworn to before me on (insert date).

.... 

.... 

...."

Such application shall be signed and sworn to by the applicant before the county clerk or any deputy authorized by the county clerk for that purpose, and filed with said clerk. Thereupon notice of such application, and of the time and place of hearing thereon, with a demand to appear before the county clerk and show cause why his name shall not be erased from said register, shall be mailed, in an envelope duly stamped and directed to such person at the address upon said register, at least four days before the day fixed in said notice to show cause. If such person has provided the election authority with an e-mail address, then the election

New matter indicated in italics - deletions by strikeout
authority shall also send the same notice by electronic mail at least 4 days before the day fixed in said notice to show cause.

A like notice shall be mailed to the person or persons making the application to have the name upon such register erased to appear and show cause why said name should be erased, the notice to set out the day and hour of such hearing. If the voter making such application fails to appear before said clerk at the time set for the hearing as fixed in the said notice or fails to show cause why the name upon such register shall be erased, the application to erase may be dismissed by the county clerk.

Any voter making the application is privileged from arrest while presenting it to the county clerk, and while going to and from the office of the county clerk.

(Source: P.A. 91-357, eff. 7-29-99.)

(10 ILCS 5/4-15) (from Ch. 46, par. 4-15)

Sec. 4-15. Within 5 days after a person registers or transfers his registration with the office of the election authority county clerk, such election authority clerk shall send by mail, and by electronic mail if the registrant has provided the election authority with an e-mail address, a certificate to such person setting forth the elector's name and address as it appears upon the registration record card, and shall request him in case of any error to present the certificate on or before the 7th day next ensuing at the office of the election authority county clerk in order to secure correction of the error. The certificate shall contain on the outside a request for the postmaster to return it within 5 days if it cannot be delivered to the addressee at the address given thereon. Upon the return by the post office of a certificate which it has been unable to deliver at the given address because the addressee cannot be found there or because no such address exists, a notice shall be at once sent through the United States mail to such person at the address appearing upon his registration record card requiring him to appear before the election authority county clerk, within 5 days, to answer questions touching his right to register. If the person notified fails to appear at the election authority's county clerk's office within 5 days as directed or if he appears and fails to prove his right to register, the election authority county clerk shall mark his registration card as incomplete and he shall not be permitted to vote until his registration is satisfactorily completed.

If an elector possesses such a certificate valid on its face, if his name does not expressly appear to have been erased or withdrawn from the precinct list as corrected and revised as provided by Section 4-11 of

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this Article, if he makes an affidavit and attaches such certificate thereto, and if such affidavit substantially in the form prescribed in Section 17-10 of this Act is sworn to before a judge of election on suitable forms provided by the election authority county clerk for that purpose, such elector shall be permitted to vote even though his duplicate registration card is not to be found in the precinct binder and even though his name is not to be found upon the printed or any other list.

(Source: Laws 1961, p. 3394.)

(10 ILCS 5/4-33)
Sec. 4-33. Computerization of voter records.
(a) The State Board of Elections shall design a registration record card that, except as otherwise provided in this Section, shall be used in duplicate by all election authorities in the State adopting a computer-based voter registration file as provided in this Section. The Board shall prescribe the form and specifications, including but not limited to the weight of paper, color, and print of the cards. The cards shall contain boxes or spaces for the information required under Sections 4-8 and 4-21; provided that the cards shall also contain: (i) A space for a person to fill in his or her Illinois driver's license number if the person has a driver's license; (ii) A space for a person without a driver's license to fill in the last four digits of his or her social security number if the person has a social security number.

(b) The election authority may develop and implement a system to prepare, use, and maintain a computer-based voter registration file that includes a computer-stored image of the signature of each voter. The computer-based voter registration file may be used for all purposes for which the original registration cards are to be used, provided that a system for the storage of at least one copy of the original registration cards remains in effect. In the case of voter registration forms received via an online voter registration system, the original registration cards will include the signature received from the Secretary of State database. The electronic file shall be the master file.

(c) Any system created, used, and maintained under subsection (b) of this Section shall meet the following standards:

(1) Access to any computer-based voter registration file shall be limited to those persons authorized by the election authority, and each access to the computer-based voter registration file, other than an access solely for inquiry, shall be recorded.

New matter indicated in italics - deletions by strikeout
(2) No copy, summary, list, abstract, or index of any computer-based voter registration file that includes any computer-stored image of the signature of any registered voter shall be made available to the public outside of the offices of the election authority.

(3) Any copy, summary, list, abstract, or index of any computer-based voter registration file that includes a computer-stored image of the signature of a registered voter shall be produced in such a manner that it cannot be reproduced.

(4) Each person desiring to vote shall sign an application for a ballot, and the signature comparison authorized in Articles 17 and 18 of this Code may be made to a copy of the computer-stored image of the signature of the registered voter.

(5) Any voter list produced from a computer-based voter registration file that includes computer-stored images of the signatures of registered voters and is used in a polling place during an election shall be preserved by the election authority in secure storage until the end of the second calendar year following the election in which it was used.

(d) Before the first election in which the election authority elects to use a voter list produced from the computer-stored images of the signatures of registered voters in a computer-based voter registration file for signature comparison in a polling place, the State Board of Elections shall certify that the system used by the election authority complies with the standards set forth in this Section. The State Board of Elections may request a sample poll list intended to be used in a polling place to test the accuracy of the list and the adequacy of the computer-stored images of the signatures of the registered voters.

(e) With respect to a jurisdiction that has copied all of its voter signatures into a computer-based registration file, all references in this Act or any other Act to the use, other than storage, of paper-based voter registration records shall be deemed to refer to their computer-based equivalents.

(f) Nothing in this Section prevents an election authority from submitting to the State Board of Elections a duplicate copy of some, as the State Board of Elections shall determine, or all of the data contained in each voter registration record that is part of the electronic master file. The duplicate copy of the registration record shall be maintained by the State Board of Elections under the same terms and limitations applicable to the
election authority and shall be of equal legal dignity with the original
registration record maintained by the election authority as proof of any fact
contained in the voter registration record.
(Source: P.A. 93-574, eff. 8-21-03.)
(10 ILCS 5/4-50)
Sec. 4-50. Grace period. Notwithstanding any other provision of
this Code to the contrary, each election authority shall establish procedures
for the registration of voters and for change of address during the period
from the close of registration for a primary or election and until the 3rd
day before the primary or election. During this grace period, an
unregistered qualified elector may register to vote, and a registered voter
may submit a change of address form, in person in the office of the
election authority or at a voter registration location specifically designated
for this purpose by the election authority. The election authority shall
register that individual, or change a registered voter's address, in the same
manner as otherwise provided by this Article for registration and change of
address.

If a voter who registers or changes address during this grace period
wishes to vote at the first election or primary occurring after the grace
period, he or she must do so by grace period voting, either in person in the
office of the election authority or at a location specifically designated
for this purpose by the election authority, or by mail, at the discretion of the
election authority. The election authority shall offer in-person grace
period voting at the authority's office and may offer in-person grace
period voting at additional locations specifically designated for the
purpose of grace period voting by the election authority. The election
authority may allow grace period voting by mail only if the election
authority has no ballots prepared at the authority's office. Grace period
voting shall be in a manner substantially similar to voting under Article
19.

Within one day after a voter casts a grace period ballot, or within
one day after the ballot is received by the election authority if the election
authority allows grace period voting by mail, the election authority shall
transmit by electronic means pursuant to a process established by the
State Board of Elections the voter's name, street address, e-mail address,
and precinct, ward, township, and district numbers, as the case may be, to
the State Board of Elections, which shall maintain those names and that
information in an electronic format on its website, arranged by county and
accessible to State and local political committees. The name of each

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person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

Sec. 5-7. The county clerk shall provide a sufficient number of blank forms for the registration of electors which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate.

The registration record card shall contain the following and such other information as the county clerk may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant, including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and the precinct. Which questions may be answered by the applicant stating, in excess of 30 days in the State and in excess of 30 days in the precinct.

New matter indicated in italics - deletions by strikeout
Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Date of application for registration, i.e., the day, month and year when applicant presented himself for registration.

Age. Date of birth, by month, day and year.

Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

Electronic mail address, if any.

Signature of voter. The applicant, after the registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink to the affidavit on the original and duplicate registration record card.

Signature of Deputy Registrar.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the officer empowered to give the registration oath shall write a detailed description of the applicant in the space provided at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

Father's first name ....................
Mother's first name ....................
From what address did you last register?
Reason for inability to sign name.

Each applicant for registration shall make an affidavit in substantially the following form:

AFFIDAVIT OF REGISTRATION

State of Illinois)
)ss
County of )

I hereby swear (or affirm) that I am a citizen of the United States; that on the date of the next election I shall have resided in the State of Illinois and in the election precinct in which I reside 30 days; that I am fully qualified to vote. That I intend that this location shall be my residence and that the above statements are true.

..............................
(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

........................................

New matter indicated in italics - deletions by strikeout
Signature of Registration Officer.
(To be signed in presence of Registrant.)

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to towns and precincts, wards, cities and villages, as the case may be, and may be serially or otherwise marked for identification in such manner as the county clerk may determine.

The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the county clerk within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party

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affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. The costs of furnishing updated copies of tapes or discs shall be paid at a rate of $0.00034 per name of registered voters in the election jurisdiction, but not less than $50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose. The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs or other electronic data shall be furnished by the county clerk to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, et cetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county

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government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.

The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of .... County, Illinois. To the Election Commission of the City of ...., Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was ....

Having moved out of your (county) (city), I hereby authorize you to cancel said registration in your office.
Dated at .... Illinois, on (insert date).

........................
(Signature of Voter)

Attest ...., County Clerk, .... County, Illinois.

The cancellation certificate shall be mailed immediately by the county clerk to the county clerk (or election commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04; 94-136, eff. 7-7-05.)

(10 ILCS 5/5-9) (from Ch. 46, par. 5-9)
Sec. 5-9. Except as herein provided, no person shall be registered unless he applies in person to registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the Deputy Registrars, the Judge of Registration, or an Officer of Registration, County Clerk, or clerk in the office of the County Clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The Registration Officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?"

Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of precinct registration, and shall have the right to challenge any applicant who applies to be registered.
In case the officer is not satisfied that the applicant is qualified, he shall forthwith in writing notify such applicant to appear before the County Clerk to furnish further proof of his qualifications. Upon the card of such applicant shall be written the word "Incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as "incomplete" if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct in such township, city, village or incorporated town and whose registration is marked "Incomplete" may make and sign an application in writing, under oath, to the County Clerk in substance in the following form:

"I do solemnly swear that I, .........., did on (insert date) make application to the Board of Registry of the ....... precinct of ....... ward of the City of .... or of the ....... District ....... Town of ....... (or to the County Clerk of ..........) and ........... County; that said Board or Clerk refused to complete my registration as a qualified voter in said precinct, that I reside in said precinct (or that I intend to reside in said precinct), am a duly qualified voter and entitled to vote in said precinct at the next election.

................................

(Signature of Applicant)"

All such applications shall be presented to the County Clerk by the applicant, in person between the hours of nine o'clock a.m. and five o'clock p.m., on Monday and Tuesday of the third week subsequent to the weeks in which the 1961 and 1962 precinct re-registrations are to be held, and thereafter for the registration provided in Section 5-17 of this Article, all such applications shall be presented to the County Clerk by the applicant in person between the hours of nine o'clock a.m. and nine o'clock p.m. on Monday and Tuesday of the third week prior to the date on which such election is to be held.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.
Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

*Electronic mail address, if the registrant has provided this information.*

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..........................

____________________________

AFFIDAVIT OF REGISTRATION

State of ........)

)ss

County of ........)

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois for 6 months and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

____________________________

(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

New matter indicated in italics - deletions by strikeout
Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 5-7 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 96-317, eff. 1-1-10; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(10 ILCS 5/5-15) (from Ch. 46, par. 5-15)

Sec. 5-15. Any voter or voters in the township, city, village, or incorporated town containing such precinct, and any precinct committeeman in the county, may, between the hours of nine o'clock a.m. and six o'clock p.m. of the Monday and Tuesday of the third week immediately preceding the week in which such April 10, 1962 Primary Election is to be held, make application in writing, before such County Clerk, to have any name upon such register of any precinct erased. Thereafter such application shall be made between the hours of nine o'clock a.m. and six o'clock p.m. of Monday and Tuesday of the second week prior to the week in which any county, city, village, township, or incorporated town election is to be held. Such application shall be in substance, in the words and figures following:

"I, being a qualified voter, registered from No. .... Street in the .... precinct of the .... Ward of the city (village or town of ....) of the .... District .... town of .... do hereby solemnly swear (or affirm) that .... registered from No. .... Street is not a qualified voter in the .... precinct of the .... ward of the city (village or town) of .... or of the .... district town of .... hence I ask that his name be erased from the register of such precinct for the following reason ..... Affiant further says that he has personal knowledge of the facts set forth in the above affidavit.

(Signed) ....

Subscribed and sworn to before me on (insert date).

....

...."

Such application shall be signed and sworn to by the applicant before the County Clerk or any Deputy authorized by the County Clerk for

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that purpose, and filed with the Clerk. Thereupon notice of such application, with a demand to appear before the County Clerk and show cause why his name shall not be erased from the register, shall be mailed by special delivery, duly stamped and directed, to such person, to the address upon said register at least 4 days before the day fixed in said notice to show cause. If such person has provided the election authority with an e-mail address, then the election authority shall also send the same notice by electronic mail at least 4 days before the day fixed in said notice to show cause.

A like notice shall be mailed to the person or persons making the application to have the name upon such register erased to appear and show cause why the name should be erased, the notice to set out the day and hour of such hearing. If the voter making such application fails to appear before the Clerk at the time set for the hearing as fixed in the said notice or fails to show cause why the name upon such register shall be erased, the application may be dismissed by the County Clerk.

Any voter making such application or applications shall be privileged from arrest while presenting the same to the County Clerk, and whilst going to and returning from the office of the County Clerk.

(Source: P.A. 91-357, eff. 7-29-99.)

(10 ILCS 5/5-21) (from Ch. 46, par. 5-21)

Sec. 5-21. To each person who registers at the office of the county, city, village, incorporated town or town clerk, or any place designated by the Board of County Commissioners under section 5-17 of article 5 and within five days thereafter, the election authority County Clerk shall send by mail, and electronic mail if the registrant has provided the election authority with an e-mail address, a notice setting forth the elector's name and address as it appears on the registration record card, and shall request him in case of any error to present the notice on or before the seventh day next ensuing at the office of the election authority County Clerk in order to secure the correction of the error. Such notice shall contain on the outside a request for the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon. Upon the return by the post office of such notice which it has been unable to deliver at the given address because the addressee cannot be found there, a notice shall be at once sent through the United States mail to such person at the address appearing upon his registration record card requiring him to appear before the election authority County Clerk, within five days, to answer questions touching his right to register. If the person notified fails
to appear at the election authority's County Clerk's office within five days as directed or if he appears and fails to prove his right to register, the election authority County Clerk shall cancel his registration.

(Source: P.A. 80-1469.)

(10 ILCS 5/5-43)

Sec. 5-43. Computerization of voter records.

(a) The State Board of Elections shall design a registration record card that, except as otherwise provided in this Section, shall be used in duplicate by all election authorities in the State adopting a computer-based voter registration file as provided in this Section. The Board shall prescribe the form and specifications, including but not limited to the weight of paper, color, and print of the cards. The cards shall contain boxes or spaces for the information required under Sections 5-7 and 5-28.1; provided that the cards shall also contain: (i) A space for the person to fill in his or her Illinois driver's license number if the person has a driver's license; (ii) A space for a person without a driver's license to fill in the last four digits of his or her social security number if the person has a social security number.

(b) The election authority may develop and implement a system to prepare, use, and maintain a computer-based voter registration file that includes a computer-stored image of the signature of each voter. The computer-based voter registration file may be used for all purposes for which the original registration cards are to be used, provided that a system for the storage of at least one copy of the original registration cards remains in effect. In the case of voter registration forms received via an online voter registration system, the original registration cards will include the signature received from the Secretary of State database. The electronic file shall be the master file.

(c) Any system created, used, and maintained under subsection (b) of this Section shall meet the following standards:

(1) Access to any computer-based voter registration file shall be limited to those persons authorized by the election authority, and each access to the computer-based voter registration file, other than an access solely for inquiry, shall be recorded.

(2) No copy, summary, list, abstract, or index of any computer-based voter registration file that includes any computer-stored image of the signature of any registered voter shall be made available to the public outside of the offices of the election authority.

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(3) Any copy, summary, list, abstract, or index of any computer-based voter registration file that includes a computer-stored image of the signature of a registered voter shall be produced in such a manner that it cannot be reproduced.

(4) Each person desiring to vote shall sign an application for a ballot, and the signature comparison authorized in Articles 17 and 18 of this Code may be made to a copy of the computer-stored image of the signature of the registered voter.

(5) Any voter list produced from a computer-based voter registration file that includes computer-stored images of the signatures of registered voters and is used in a polling place during an election shall be preserved by the election authority in secure storage until the end of the second calendar year following the election in which it was used.

(d) Before the first election in which the election authority elects to use a voter list produced from the computer-stored images of the signatures of registered voters in a computer-based voter registration file for signature comparison in a polling place, the State Board of Elections shall certify that the system used by the election authority complies with the standards set forth in this Section. The State Board of Elections may request a sample poll list intended to be used in a polling place to test the accuracy of the list and the adequacy of the computer-stored images of the signatures of the registered voters.

(e) With respect to a jurisdiction that has copied all of its voter signatures into a computer-based registration file, all references in this Act or any other Act to the use, other than storage, of paper-based voter registration records shall be deemed to refer to their computer-based equivalents.

(f) Nothing in this Section prevents an election authority from submitting to the State Board of Elections a duplicate copy of some, as the State Board of Elections shall determine, or all of the data contained in each voter registration record that is part of the electronic master file. The duplicate copy of the registration record shall be maintained by the State Board of Elections under the same terms and limitations applicable to the election authority and shall be of equal legal dignity with the original registration record maintained by the election authority as proof of any fact contained in the voter registration record.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/5-50)
Sec. 5-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 3rd day before the primary or election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting, either in person in the office of the election authority or at a location specifically designated for this purpose by the election authority, or by mail, at the discretion of the election authority. The election authority shall offer in-person grace period voting at his or her office and may offer in-person grace period voting at additional locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the
 Sect. 6-19.5. Rejection of Article by superseding county board of election commissioners. In addition to any other method of rejection provided in this Article, when a county board of election commissioners is established in accordance with subsection (c) of Section 6A-1 in a county in which is located any portion of a municipality with a municipal board of election commissioners, the application of the provisions of this Article to the territory of that municipality located within that county is rejected.

(10 ILCS 5/6-19.5 new)

Sec. 6-29. For the purpose of registering voters under this Article, the office of the Board of Election Commissioners shall be open during ordinary business hours of each week day, from 9 a.m. to 12 o'clock noon on the last four Saturdays immediately preceding the end of the period of registration preceding each election, and such other days and such other times as the board may direct. During the 27 days immediately preceding any election there shall be no registration of voters at the office of the Board of Election Commissioners in cities, villages and incorporated towns of fewer than 200,000 inhabitants. In cities, villages and incorporated towns of 200,000 or more inhabitants, there shall be no registration of voters at the office of the Board of Election Commissioners during the 35 days immediately preceding any election; provided, however, where no precinct registration is being conducted prior to any election then registration may be taken in the office of the Board up to and including the 28th day prior to such election. The Board of Election Commissioners may set up and establish as many branch offices for the purpose of taking registrations as it may deem necessary, and the branch offices may be open on any or all dates and hours during which registrations may be taken in the main office. All officers and employees of the Board of Election Commissioners who are authorized by such board to take registrations under this Article shall be considered officers of the circuit court, and shall be subject to the same control as is provided by Section 14-5 of this Act with respect to judges of election.
In any election called for the submission of the revision or alteration of, or the amendments to the Constitution, submitted by a Constitutional Convention, the final day for registration at the office of the election authority charged with the printing of the ballot of this election shall be the 15th day prior to the date of election.

The Board of Election Commissioners shall appoint one or more registration teams, consisting of 2 of its employees for each team, for the purpose of accepting the registration of any voter who files an affidavit, within the period for taking registrations provided for in this article, that he is physically unable to appear at the office of the Board or at any appointed place of registration. On the day or days when a precinct registration is being conducted such teams shall consist of one member from each of the 2 leading political parties who are serving on the Precinct Registration Board. Each team so designated shall visit each disabled person and shall accept the registration of such person the same as if he had applied for registration in person.

Any otherwise qualified person who is absent from his county of residence due to business of the United States, or who is temporarily residing outside the territorial limits of the United States, may make application to become registered by mail to the Board of Election Commissioners within the periods for registration provided for in this Article or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the Board of Election Commissioners shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.
Electronic mail address, if the registrant has provided this information.
Term of residence in the State of Illinois and the precinct.
Nativity. The state or country in which the applicant was born.
Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.
Age. Date of birth, by month, day and year.
Out of State address of ..................

AFFIDAVIT OF REGISTRATION

State of .........)
) ss.
County of .........)

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois, and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

........................................
(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

........................................
Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the Board of Election Commissioners shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 6-35 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 91-357, eff. 7-29-99; 92-816, eff. 8-21-02.)
(10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

Sec. 6-35. The Boards of Election Commissioners shall provide a sufficient number of blank forms for the registration of electors which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer

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cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate. The duplicate of which may be a carbon copy of the original or a copy of the original made by the use of other method or material used for making simultaneous true copies or duplications.

The registration record card shall contain the following and such other information as the Board of Election Commissioners may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant, including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and the precinct.

Nativity. The state or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place, and date of naturalization.

Date of application for registration, i.e., the day, month and year when the applicant presented himself for registration.

Age. Date of birth, by month, day and year.

Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

Electronic mail address, if any.

Signature of voter. The applicant, after registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink to the affidavit on both the original and the duplicate registration record card.

Signature of deputy registrar.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the registration officer shall write a detailed
description of the applicant in the space provided at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

Father's first name ................................
Mother's first name ..............................
From what address did you last register? ....
Reason for inability to sign name ..........

Each applicant for registration shall make an affidavit in substantially the following form:

**AFFIDAVIT OF REGISTRATION**

State of Illinois )
 )ss
County of ...... )

I hereby swear (or affirm) that I am a citizen of the United States, that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days and that I intend that this location is my residence; that I am fully qualified to vote, and that the above statements are true.

........................................
(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

........................................
Signature of registration officer
(to be signed in presence of registrant).

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to wards or precincts, as the case may be, and may be serially or otherwise marked for identification in such manner as the Board of Election Commissioners may determine.

The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the

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jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the Board of Election Commissioners within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the State Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. The costs of furnishing updated copies of tapes or discs shall be paid at a rate of $.00034 per name of registered voters in the election jurisdiction, but not less than $50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose. The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local

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political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs or other electronic data shall be furnished by the Board of Election Commissioners to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, etcetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.

The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority...
utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of .... County, Illinois.
To the Election Commission of the City of ...., Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was .... Having moved out of your (county), (city), I hereby authorize you to cancel that registration in your office.

Dated at ...., Illinois, on (insert date).

........................

(Signature of Voter)

Attest ...., Clerk, Election Commission of the City of...., Illinois.

The cancellation certificate shall be mailed immediately by the clerk of the Election Commission to the county clerk, (or Election Commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04; 94-136, eff. 7-7-05.)

(10 ILCS 5/6-40) (from Ch. 46, par. 6-40)

Sec. 6-40. Where verification lists are furnished to the canvassers by the Board of Election Commissioners, immediately upon completion of the canvass, the canvassers, or one of them, shall file with the Board of Election Commissioners the list of registered voters upon which the canvassers have made notation in the column headed "Remarks" as follows: "O. K.", if they still reside at the address shown on the registration list, or "Died", "Moved", or "Changed Name" as the case may be. Such lists shall be attested to by the canvassers in an attached affidavit. No canvasser shall be remunerated for services as canvasser until such signed affidavit is filed with the Board of Election Commissioners.

Upon receipt by the Board of Election Commissioners of the completed list and the attached affidavit as to the correctness of the list, the Board of Election Commissioners shall prepare post card "Notices to Show Cause Why Registration Should not be Cancelled" to send to each voter on each list after whose name the canvassers have written "Died", "Moved", or "Changed Name". They shall be sent by mail, and electronic

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mail if the person whose registration is questioned has provided the election authority with an e-mail address, mailed to those whose registration is questioned by the Board of Election Commissioners not later than 10 P.M. on Friday of the week of the canvass. The affidavits made by the canvassers showing the names and addresses of such canvassers shall be a public record for 60 days.

The Board of Election Commissioners shall also prepare a correct list of those registered voters in each precinct who are designated "O.K." in the remarks column by the canvassers and supplemental lists after the hearings on "Notices to Show Cause Why Registration Should Not be Cancelled"; such lists to be called "Printed Register of Registered Voters" of a given date and supplements thereto.

It shall be the duty of the Board of Election Commissioners when complaint is made to them, to investigate the action of such canvassers and to cause them or either of them to be brought before the circuit court and to prosecute them as for contempt, and also at the discretion of the Board of Election Commissioners, to cause them to be prosecuted criminally for such wilful neglect of duty.

(Source: Laws 1965, p. 3501.)

(10 ILCS 5/6-57) (from Ch. 46, par. 6-57)

Sec. 6-57. To each person who registers at the office of the board of election commissioners or at any place designated by such board under Section 6-51 of this Article, after the first registration under this Article, the board shall send by mail, and electronic mail if the registrant has provided the board of election committees with an e-mail address, a notice setting forth the elector's name and address as it appears on the registration record card, and shall request him in case of any error to present the notice on or before the tenth day next ensuing at the office of the Board of Election Commissioners in order to secure the correction of the error. Such notice shall contain on the outside a request for the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon. Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there, a notice shall be at once sent through the United States mail to such person at the address appearing upon his registration record card requiring him to appear before the Board of Election Commissioners at a time and place specified in the notice and show cause why his name should not be cancelled from the register. Thereafter, proceedings shall be, as nearly as may be, in conformity with those

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established by Section 6-52 of this Article with respect to applications to complete registration. Such notice may be sent at any time within thirty days after the registration of any person, but such notice shall be sent within five days after the last day of registration before any election, to all persons who have registered since the last preceding election, and to whom no such notice has theretofore been sent; and where the addressee cannot be found, notice requiring such person to appear before the board of election commissioners shall specify dates for hearing before the election not later than those prescribed by Section 6-45 of this Article.

(Source: Laws 1951, p. 1795.)

(10 ILCS 5/6-79)

Sec. 6-79. Computerization of voter records.
(a) The State Board of Elections shall design a registration record card that, except as otherwise provided in this Section, shall be used in duplicate by all election authorities in the State adopting a computer-based voter registration file as provided in this Section. The Board shall prescribe the form and specifications, including but not limited to the weight of paper, color, and print of the cards. The cards shall contain boxes or spaces for the information required under Sections 6-31.1 and 6-35; provided that the cards shall also contain: (i) A space for the person to fill in his or her Illinois driver's license number if the person has a driver's license; (ii) A space for a person without a driver's license to fill in the last four digits of his or her social security number if the person has a social security number.

(b) The election authority may develop and implement a system to prepare, use, and maintain a computer-based voter registration file that includes a computer-stored image of the signature of each voter. The computer-based voter registration file may be used for all purposes for which the original registration cards are to be used, provided that a system for the storage of at least one copy of the original registration cards remains in effect. In the case of voter registration forms received via an online voter registration system, the original registration cards will include the signature received from the Secretary of State database. The electronic file shall be the master file.

(c) Any system created, used, and maintained under subsection (b) of this Section shall meet the following standards:

(1) Access to any computer-based voter registration file shall be limited to those persons authorized by the election

New matter indicated in italics - deletions by strikeout
authority, and each access to the computer-based voter registration file, other than an access solely for inquiry, shall be recorded.

(2) No copy, summary, list, abstract, or index of any computer-based voter registration file that includes any computer-stored image of the signature of any registered voter shall be made available to the public outside of the offices of the election authority.

(3) Any copy, summary, list, abstract, or index of any computer-based voter registration file that includes a computer-stored image of the signature of a registered voter shall be produced in such a manner that it cannot be reproduced.

(4) Each person desiring to vote shall sign an application for a ballot, and the signature comparison authorized in Articles 17 and 18 of this Code may be made to a copy of the computer-stored image of the signature of the registered voter.

(5) Any voter list produced from a computer-based voter registration file that includes computer-stored images of the signatures of registered voters and is used in a polling place during an election shall be preserved by the election authority in secure storage until the end of the second calendar year following the election in which it was used.

(d) Before the first election in which the election authority elects to use a voter list produced from the computer-stored images of the signatures of registered voters in a computer-based voter registration file for signature comparison in a polling place, the State Board of Elections shall certify that the system used by the election authority complies with the standards set forth in this Section. The State Board of Elections may request a sample poll list intended to be used in a polling place to test the accuracy of the list and the adequacy of the computer-stored images of the signatures of the registered voters.

(e) With respect to a jurisdiction that has copied all of its voter signatures into a computer-based registration file, all references in this Act or any other Act to the use, other than storage, of paper-based voter registration records shall be deemed to refer to their computer-based equivalents.

(f) Nothing in this Section prevents an election authority from submitting to the State Board of Elections a duplicate copy of some, as the State Board of Elections shall determine, or all of the data contained in each voter registration record that is part of the electronic master file. The
duplicate copy of the registration record shall be maintained by the State Board of Elections under the same terms and limitations applicable to the election authority and shall be of equal legal dignity with the original registration record maintained by the election authority as proof of any fact contained in the voter registration record.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/6-100)

Sec. 6-100. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 3rd day before the primary or election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting, either in person in the office of the election authority or at a location specifically designated for this purpose by the election authority, or by mail, at the discretion of the election authority. The election authority shall offer in-person grace period voting at the authority's office and may offer in-person grace period voting at additional locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that

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information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 96-441, eff. 1-1-10; 97-766, eff. 7-6-12.)

(10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

Sec. 6A-1.

(a) Any county in which there is no city, village or incorporated town with a board of election commissioners may establish a county board of election commissioners either (1) by ordinance of the county board or (2) by vote of the electors of the county in accordance with subsection (a) of Section 6A-2.

The fact that some territory in a county is within the corporate limits of a city, village or incorporated town with a board of election commissioners does not prevent that county from establishing a county board of election commissioners in accordance with this Article if no portion of such city, village or incorporated town was within the county at the time of the establishment of the board of election commissioners for such city, village or incorporated town. If such a county establishes a county board of election commissioners pursuant to this Article, the county board of election commissioners shall, with respect to the territory in the county within the corporate limits of the city, village or incorporated town, supersede the board of election commissioners of that city, village or incorporated town.

(b) Any county with a population of more than 700,000 persons as of the 2010 federal decennial census that borders another state and borders no more than 2 other Illinois counties, shall be subject to a county board of election commissioners beginning 90 days after the effective date of this amendatory Act of the 98th General Assembly.

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(c) Any county with a population of less than 200,000 but more than 175,000 persons as of the 2010 federal decennial census in which a city, village, or incorporated town with a board of election commissioners is located may establish a county board of election commissioners by vote of the electors of the county in accordance with subsection (b) of Section 6A-2. If such a county establishes a county board of election commissioners, the county board of election commissioners, with respect to the territory in the county within the corporate limits of the city, village, or incorporated town, shall supersede the board of election commissioners of that city, village, or incorporated town.

(Source: P.A. 81-1433.)

(10 ILCS 5/6A-2) (from Ch. 46, par. 6A-2)

Sec. 6A-2. Submission to voters.

(a) Whenever registered voters in a the county described in subsection (a) of Section 6A-1, numbering at least 1,000 or 1/8 of the number voting at the last preceding general election in the county, whichever is less, petition the circuit court to submit to the electors of the county a proposition to establish a county board of election commissioners, the circuit court shall cause such proposition to be submitted to the electors of the county at the next succeeding general election.

(b) If the county board of a county described in subsection (c) of Section 6A-1 passes an ordinance or resolution establishing a county board of election commissioners, then the proposition to establish a county board of election commissioners shall be submitted to the electors of that county at the next possible general election. The board shall certify the ordinance or resolution and the proposition to the proper election officials who shall submit the proposition at the next general election in accordance with the general election law.

(c) The proposition shall be submitted in the same manner as provided in Article 6 for the adoption of Articles 6, 14 and 18 by cities, villages and incorporated towns, except that the question shall be stated: "Shall a board of election commissioners be established for .... County?"

(Source: P.A. 78-465.)

(10 ILCS 5/6A-3) (from Ch. 46, par. 6A-3)

Sec. 6A-3. Commissioners; filling vacancies.

(a) If the county board adopts an ordinance providing for the establishment of a county board of election commissioners, or if a majority of the votes cast on a proposition submitted in accordance with Section

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6A-2(a) are in favor of a county board of election commissioners, a county board of election commissioners shall be appointed in the same manner as is provided in Article 6 for boards of election commissioners in cities, villages and incorporated towns, except that the county board of election commissioners shall be appointed by the chairman of the county board rather than the circuit court. However, before any appointments are made, the appointing authority shall ascertain whether the county clerk desires to be a member of the county board of election commissioners. If the county clerk so desires, he shall be one of the members of the county board of election commissioners, and the appointing authority shall appoint only 2 other members.

(b) For any county board of election commissioners established under subsection (b) of Section 6A-1, within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the chief judge of the circuit court of the county shall appoint 5 commissioners. At least 4 of those commissioners shall be selected from the 2 major established political parties of the State, with at least 2 from each of those parties. Such appointment shall be entered of record in the office of the County Clerk and the State Board of Elections. Those first appointed shall hold their offices for the period of one, 2, and 3 years respectively, and the judge appointing them shall designate the term for which each commissioner shall hold his or her office, whether for one, 2 or 3 years except that no more than one commissioner from each major established political party may be designated the same term. After the initial term, each commissioner or his or her successor shall be appointed to a 3 year term. No elected official or former elected official who has been out of elected office for less than 2 years may be appointed to the board. Vacancies shall be filled by the chief judge of the circuit court within 30 days of the vacancy in a manner that maintains the foregoing political party representation.

(c) For any county board of election commissioners established under subsection (c) of Section 6A-1, within 30 days after the conclusion of the election at which the proposition to establish a county board of election commissioners is approved by the voters, the municipal board shall apply to the circuit court of the county for the chief judge of the circuit court to appoint 2 additional commissioners, one of whom shall be from each major established political party and neither of whom shall reside within the limits of the municipal board, so that 3 commissioners shall reside within the limits of the municipal board and 2 shall reside

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within the county but not within the municipality, as it may exist from time to time. Not more than 3 of the commissioners shall be members of the same major established political party. Vacancies shall be filled by the chief judge of the circuit court upon application of the remaining commissioners in a manner that maintains the foregoing geographical and political party representation.

(Source: P.A. 91-358, eff. 7-29-99.)

(10 ILCS 5/6A-4) (from Ch. 46, par. 6A-4)

Sec. 6A-4. Transfer of records. Upon the opening of an office of a county board of election commissioners, the county clerk and any municipal board of election commissioners in the county shall turn over to such such board all registry books, registration record cards, poll books, tally sheets and ballot boxes and all other books, forms, blanks and stationery of every description in the clerk's or municipal board's possession in any way relating to elections or the holding of elections in the county and any unused appropriations related to elections in that county are transferred to the county board of election commissioners.

(Source: P.A. 78-465.)

(10 ILCS 5/8-9) (from Ch. 46, par. 8-9)

Sec. 8-9. All petitions for nomination shall be filed by mail or in person as follows:

1. Where the nomination is made for a legislative office, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 113 and not less than 106 days prior to the date of the primary.

2. The State Board of Elections shall, upon receipt of each petition, endorse thereon the day and hour on which it was filed. Petitions filed by mail and received after midnight on the first day for filing and in the first mail delivery or pickup of that day, shall be deemed as filed as of 8:00 a.m. of that day or as of the normal opening hour of such day as the case may be, and all petitions received thereafter shall be deemed as filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed to have been filed simultaneously. Where 2 or more petitions are received simultaneously, the State Board of Elections shall break ties and

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determine the order of filing, by means of a lottery as provided in Section 7-12 of this Code.

(3) Any person for whom a petition for nomination has been filed, may cause his name to be withdrawn by a request in writing, signed by him, duly acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the principal or permanent branch office of the State Board of Elections not later than the date of certification of candidates for the general primary ballot, and no names so withdrawn shall be certified by the State Board of Elections to the county clerk, or printed on the primary ballot. If petitions for nomination have been filed for the same person with respect to more than one political party, his name shall not be certified nor printed on the primary ballot of any party. If petitions for nomination have been filed for the same person for 2 or more offices which are incompatible so that the same person could not serve in more than one of such offices if elected, that person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing. If he fails to withdraw as a candidate for all but one of such offices within such time, his name shall not be certified, nor printed on the primary ballot, for any office. For the purpose of the foregoing provisions, an office in a political party is not incompatible with any other office.

(4) If multiple sets of nomination papers are filed for a candidate to the same office, the State Board of Elections shall within 2 business days notify the candidate of his or her multiple petition filings and that the candidate has 3 business days after receipt of the notice to notify the State Board of Elections that he or she may cancel prior sets of petitions. If the candidate notifies the State Board of Elections the last set of petitions filed shall be the only petitions to be considered valid by the State Board of Elections. If the candidate fails to notify the State Board then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.

(Source: P.A. 96-1008, eff. 7-6-10.)

(10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)
Sec. 9-1.8. Political committees.

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(a) "Political committee" includes a candidate political committee, a political party committee, a political action committee, a ballot initiative committee, and an independent expenditure committee.

(b) "Candidate political committee" means the candidate himself or herself or any natural person, trust, partnership, corporation, or other organization or group of persons designated by the candidate that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $5,000 on behalf of the candidate.

(c) "Political party committee" means the State central committee of a political party, a county central committee of a political party, a legislative caucus committee, or a committee formed by a ward or township committeeman of a political party. For purposes of this Article, a "legislative caucus committee" means a committee established for the purpose of electing candidates to the General Assembly by the person elected President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, or a committee established by 5 or more members of the same caucus of the Senate or 10 or more members of the same caucus of the House of Representatives.

(d) "Political action committee" means any natural person, trust, partnership, committee, association, corporation, or other organization or group of persons, other than a candidate, political party, candidate political committee, or political party committee, that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $5,000 on behalf of or in opposition to a candidate or candidates for public office. "Political action committee" includes any natural person, trust, partnership, committee, association, corporation, or other organization or group of persons, other than a candidate, political party, candidate political committee, or political party committee, that makes electioneering communications during any 12-month period in an aggregate amount exceeding $5,000 related to any candidate or candidates for public office.

(e) "Ballot initiative committee" means any natural person, trust, partnership, committee, association, corporation, or other organization or group of persons that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $5,000 in support of or in opposition to any question of public policy to be submitted to the electors. "Ballot initiative committee" includes any natural person, trust, partnership, committee, association, corporation, or other organization or group of persons.
organization or group of persons that makes electioneering communications during any 12-month period in an aggregate amount exceeding $5,000 $3,000 related to any question of public policy to be submitted to the voters. The $5,000 $3,000 threshold applies to any contributions or expenditures received or made with the purpose of securing a place on the ballot for, advocating the defeat or passage of, or engaging in electioneering communication regarding the question of public policy, regardless of the method of initiation of the question of public policy and regardless of whether petitions have been circulated or filed with the appropriate office or whether the question has been adopted and certified by the governing body.

(f) "Independent expenditure committee" means any trust, partnership, committee, association, corporation, or other organization or group of persons formed for the exclusive purpose of making independent expenditures during any 12-month period in an aggregate amount exceeding $5,000 $3,000 in support of or in opposition to (i) the nomination for election, election, retention, or defeat of any public official or candidate or (ii) any question of public policy to be submitted to the electors. "Independent expenditure committee" also includes any trust, partnership, committee, association, corporation, or other organization or group of persons that makes electioneering communications that are not made in connection, consultation, or concert with or at the request or suggestion of a public official or candidate, a public official's or candidate's designated political committee or campaign, or an agent or agents of the public official, candidate, or political committee or campaign during any 12-month period in an aggregate amount exceeding $5,000 $3,000 related to (i) the nomination for election, election, retention, or defeat of any public official or candidate or (ii) any question of public policy to be submitted to the voters.

(Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)

(10 ILCS 5/9-8.5)

Sec. 9-8.5. Limitations on campaign contributions.

(a) It is unlawful for a political committee to accept contributions except as provided in this Section.

(b) During an election cycle, a candidate political committee may not accept contributions with an aggregate value over the following: (i) $5,000 from any individual, (ii) $10,000 from any corporation, labor organization, or association, or (iii) $50,000 from a candidate political committee or political action committee. A candidate political committee

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may accept contributions in any amount from a political party committee except during an election cycle in which the candidate seeks nomination at a primary election. During an election cycle in which the candidate seeks nomination at a primary election, a candidate political committee may not accept contributions from political party committees with an aggregate value over the following: (i) $200,000 for a candidate political committee established to support a candidate seeking nomination to statewide office, (ii) $125,000 for a candidate political committee established to support a candidate seeking nomination to the Senate, the Supreme Court or Appellate Court in the First Judicial District, or an office elected by all voters in a county with 1,000,000 or more residents, (iii) $75,000 for a candidate political committee established to support a candidate seeking nomination to the House of Representatives, the Supreme Court or Appellate Court for a Judicial District other than the First Judicial District, an office elected by all voters of a county of fewer than 1,000,000 residents, and municipal and county offices in Cook County other than those elected by all voters of Cook County, and (iv) $50,000 for a candidate political committee established to support the nomination of a candidate to any other office. A candidate political committee established to elect a candidate to the General Assembly may accept contributions from only one legislative caucus committee. A candidate political committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee.

(c) During an election cycle, a political party committee may not accept contributions with an aggregate value over the following: (i) $10,000 from any individual, (ii) $20,000 from any corporation, labor organization, or association, or (iii) $50,000 from a political action committee. A political party committee may accept contributions in any amount from another political party committee or a candidate political committee, except as provided in subsection (c-5). Nothing in this Section shall limit the amounts that may be transferred between a political party committee established under subsection (a) of Section 7-8 of this Code and an affiliated federal political committee established under the Federal Election Code by the same political party. A political party committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee. A political party committee established by a legislative caucus may not accept contributions from another political party committee established by a legislative caucus.

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(c-5) During the period beginning on the date candidates may begin circulating petitions for a primary election and ending on the day of the primary election, a political party committee may not accept contributions with an aggregate value over $50,000 from a candidate political committee or political party committee. A political party committee may accept contributions in any amount from a candidate political committee or political party committee if the political party committee receiving the contribution filed a statement of nonparticipation in the primary as provided in subsection (c-10). The Task Force on Campaign Finance Reform shall study and make recommendations on the provisions of this subsection to the Governor and General Assembly by September 30, 2012. This subsection becomes inoperative on July 1, 2013 and thereafter no longer applies.

(c-10) A political party committee that does not intend to make contributions to candidates to be nominated at a general primary election or consolidated primary election may file a Statement of Nonparticipation in a Primary Election with the Board. The Statement of Nonparticipation shall include a verification signed by the chairperson and treasurer of the committee that (i) the committee will not make contributions or coordinated expenditures in support of or opposition to a candidate or candidates to be nominated at the general primary election or consolidated primary election (select one) to be held on (insert date), (ii) the political party committee may accept unlimited contributions from candidate political committees and political party committees, provided that the political party committee does not make contributions to a candidate or candidates to be nominated at the primary election, and (iii) failure to abide by these requirements shall deem the political party committee in violation of this Article and subject the committee to a fine of no more than 150% of the total contributions or coordinated expenditures made by the committee in violation of this Article. This subsection becomes inoperative on July 1, 2013 and thereafter no longer applies.

(d) During an election cycle, a political action committee may not accept contributions with an aggregate value over the following: (i) $10,000 from any individual, (ii) $20,000 from any corporation, labor organization, political party committee, or association, or (iii) $50,000 from a political action committee or candidate political committee. A political action committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee.
(e) A ballot initiative committee may accept contributions in any amount from any source, provided that the committee files the document required by Section 9-3 of this Article and files the disclosure reports required by the provisions of this Article.

(e-5) An independent expenditure committee may accept contributions in any amount from any source, provided that the committee files the document required by Section 9-3 of this Article and files the disclosure reports required by the provisions of this Article.

(f) Nothing in this Section shall prohibit a political committee from dividing the proceeds of joint fundraising efforts; provided that no political committee may receive more than the limit from any one contributor, and provided that an independent expenditure committee may not conduct joint fundraising efforts with a candidate political committee or a political party committee.

(g) On January 1 of each odd-numbered year, the State Board of Elections shall adjust the amounts of the contribution limitations established in this Section for inflation as determined by the Consumer Price Index for All Urban Consumers as issued by the United States Department of Labor and rounded to the nearest $100. The State Board shall publish this information on its official website.

(h) Self-funding candidates. If a public official, a candidate, or the public official's or candidate's immediate family contributes or loans to the public official's or candidate's political committee or to other political committees that transfer funds to the public official's or candidate's political committee or makes independent expenditures for the benefit of the public official's or candidate's campaign during the 12 months prior to an election in an aggregate amount of more than (i) $250,000 for statewide office or (ii) $100,000 for all other elective offices, then the public official or candidate shall file with the State Board of Elections, within one day, a Notification of Self-funding that shall detail each contribution or loan made by the public official, the candidate, or the public official's or candidate's immediate family. Within 2 business days after the filing of a Notification of Self-funding, the notification shall be posted on the Board's website and the Board shall give official notice of the filing to each candidate for the same office as the public official or candidate making the filing, including the public official or candidate filing the Notification of Self-funding. **Notice shall be sent via first class mail to the candidate and the treasurer of the candidate's committee. Notice shall also be sent by e-mail to the candidate and the treasurer of the candidate's committee if the**

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candidate and the treasurer, as applicable, have provided the Board with an e-mail address. Upon posting of the receiving notice on from the Board's website Board, all candidates for that office, including the public official or candidate who filed a Notification of Self-funding, shall be permitted to accept contributions in excess of any contribution limits imposed by subsection (b). If a public official or candidate filed a Notification of Self-funding during an election cycle that includes a general primary election or consolidated primary election and that public official or candidate is nominated, all candidates for that office, including the nominee who filed the notification of self-funding, shall be permitted to accept contributions in excess of any contribution limit imposed by subsection (b) for the subsequent election cycle. For the purposes of this subsection, "immediate family" means the spouse, parent, or child of a public official or candidate.

(h-5) If a natural person or independent expenditure committee makes independent expenditures in support of or in opposition to the campaign of a particular public official or candidate in an aggregate amount of more than (i) $250,000 for statewide office or (ii) $100,000 for all other elective offices in an election cycle, as reported in a written disclosure filed under subsection (a) of Section 9-8.6 or subsection (e-5) of Section 9-10, then the State Board of Elections shall, within 2 business days after the filing of the disclosure, post the disclosure on the Board's website and give official notice of the disclosure to each candidate for the same office as the public official or candidate for whose benefit or detriment the natural person or independent expenditure committee made independent expenditures. Upon posting of the receiving notice on from the Board's website Board, all candidates for that office in that election, including the public official or candidate for whose benefit or detriment the natural person or independent expenditure committee made independent expenditures, shall be permitted to accept contributions in excess of any contribution limits imposed by subsection (b).

(h-10) If the State Board of Elections receives notification or determines that a natural person or persons, an independent expenditure committee or committees, or combination thereof has made independent expenditures in support of or in opposition to the campaign of a particular public official or candidate in an aggregate amount of more than (i) $250,000 for statewide office or (ii) $100,000 for all other elective offices in an election cycle, then the Board shall, within 2 business days after discovering the independent expenditures that, in the aggregate, exceed

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the threshold set forth in (i) and (ii) of this subsection, post notice of this fact on the Board's website and give official notice to each candidate for the same office as the public official or candidate for whose benefit or detriment the independent expenditures were made. Notice shall be sent via first class mail to the candidate and the treasurer of the candidate's committee. Notice shall also be sent by e-mail to the candidate and the treasurer of the candidate's committee if the candidate and the treasurer, as applicable, have provided the Board with an e-mail address. Upon posting of the notice on the Board's website, all candidates of that office in that election, including the public official or candidate for whose benefit or detriment the independent expenditures were made, may accept contributions in excess of any contribution limits imposed by subsection (b). The Campaign Finance Task Force shall submit a report to the Governor and General Assembly no later than February 1, 2013. The report shall examine and make recommendations regarding the provisions in this subsection including, but not limited to, case law concerning independent expenditures, the manner in which independent expenditures are handled in the other states and at the federal level; independent expenditures made in Illinois during the 2012 general primary and separately, the 2012 general election, and independent expenditures made at the federal level during the 2012 general election. The Task Force shall conduct at least 2 public hearings regarding independent expenditures.

(i) For the purposes of this Section, a corporation, labor organization, association, or a political action committee established by a corporation, labor organization, or association may act as a conduit in facilitating the delivery to a political action committee of contributions made through dues, levies, or similar assessments and the political action committee may report the contributions in the aggregate, provided that: (i) contributions made through dues, levies, or similar assessments paid by any natural person, corporation, labor organization, or association in a calendar year may not exceed the limits set forth in this Section; (ii) the corporation, labor organization, association, or a political action committee established by a corporation, labor organization, or association facilitating the delivery of contributions maintains a list of natural persons, corporations, labor organizations, and associations that paid the dues, levies, or similar assessments from which the contributions comprising the aggregate amount derive; and (iii) contributions made through dues, levies, or similar assessments paid by any natural person, corporation, labor organization, or association that exceed $500 in a quarterly reporting

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period shall be itemized on the committee's quarterly report and may not be reported in the aggregate. A political action committee facilitating the delivery of contributions or receiving contributions shall disclose the amount of contributions made through dues delivered or received and the name of the corporation, labor organization, association, or political action committee delivering the contributions, if applicable. On January 1 of each odd-numbered year, the State Board of Elections shall adjust the amounts of the contribution limitations established in this subsection for inflation as determined by the Consumer Price Index for All Urban Consumers as issued by the United States Department of Labor and rounded to the nearest $100. The State Board shall publish this information on its official website.

(j) A political committee that receives a contribution or transfer in violation of this Section shall dispose of the contribution or transfer by returning the contribution or transfer, or an amount equal to the contribution or transfer, to the contributor or transferor or donating the contribution or transfer, or an amount equal to the contribution or transfer, to a charity. A contribution or transfer received in violation of this Section that is not disposed of as provided in this subsection within 30 days after the Board sends notification to the political committee of the excess contribution by certified mail shall escheat to the General Revenue Fund and the political committee shall be deemed in violation of this Section and subject to a civil penalty not to exceed 150% of the total amount of the contribution.

(k) For the purposes of this Section, "statewide office" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

(l) This Section is repealed if and when the United States Supreme Court invalidates contribution limits on committees formed to assist candidates, political parties, corporations, associations, or labor organizations established by or pursuant to federal law.

(Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)

(10 ILCS 5/9-9.5)
Sec. 9-9.5. Disclosures in political communications.
(a) Any political committee, organized under the Election Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and mentioning the name of a candidate in the next upcoming election shall ensure that the name of the
political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication as the payor. This subsection does not apply to items that are too small to contain the required disclosure. *This subsection does not apply to an expenditure for the preparation or distribution of any printed communication directed at constituents of a member of the General Assembly if the expenditure is made by a political committee in accordance with subsection (c) of Section 9-8.10.* Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

Whenever any vendor or other person provides any of the services listed in this subsection, other than any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy, the vendor or person shall keep and maintain records showing the name and address of the person who purchased or requested the services and the amount paid for the services. The records required by this subsection shall be kept for a period of one year after the date upon which payment was received for the services.

(b) Any political committee, organized under this Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and (i) mentioning the name of a candidate in the next upcoming election, without that candidate's permission, or (ii) advocating for or against a public policy position shall ensure that the name of the political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication. Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

(c) A political committee organized under this Code shall not make an expenditure for any unsolicited telephone call to the line of a residential telephone customer in this State using any method to block or otherwise circumvent that customer's use of a caller identification service.

(Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

(10 ILCS 5/10-6.2) (from Ch. 46, par. 10-6.2)

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Sec. 10-6.2. The State Board of Elections, the election authority or the local election official with whom petitions for nomination are filed pursuant to this Article 10 shall specify the place where filings shall be made and upon receipt shall endorse thereon the day and the hour at which each petition was filed. Except as provided by Article 9 of The School Code, all petitions filed by persons waiting in line as of 8:00 a.m. on the first day for filing, or as of the normal opening hour of the office involved on such day, shall be deemed filed as of 8:00 a.m. or the normal opening hour, as the case may be. Petitions filed by mail and received after midnight of the first day for filing and in the first mail delivery or pickup of that day shall be deemed filed as of 8:00 a.m. of that day or as of the normal opening hour of such day, as the case may be. All petitions received thereafter shall be deemed filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed filed simultaneously. Where 2 or more petitions are received simultaneously, the State Board of Elections, the election authority or the local election official with whom such petitions are filed shall break ties and determine the order of filing by means of a lottery or other fair and impartial method of random selection approved by the State Board of Elections. Such lottery shall be conducted within 9 days following the last day for petition filing and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given, by the State Board of Elections, the election authority, or local election official, to the Chairman of each political party, and to each organization of citizens within the election jurisdiction which was entitled, under this Code, at the next preceding election, to have pollwatchers present on the day of election. The State Board of Elections, the election authority or local election official shall post in a conspicuous, open and public place, at the entrance of the office, notice of the time and place of such lottery. The State Board of Elections shall adopt rules and regulations governing the procedures for the conduct of such lottery. All candidates shall be certified in the order in which their petitions have been filed and in the manner prescribed by Section 10-14 and 10-15 of this Article. Where candidates have filed simultaneously, they shall be certified in the order determined by lot and prior to candidates who filed for the same office or offices at a later time. Certificates of nomination filed within the period prescribed in Section 10-6(2) for candidates nominated by caucus for township or municipal offices.
shall be subject to the ballot placement lottery for established political parties prescribed in Section 7-60 of this Code.

If multiple sets of nomination papers are filed for a candidate to the same office, the State Board of Elections, appropriate election authority or local election official where the petitions are filed shall within 2 business days notify the candidate of his or her multiple petition filings and that the candidate has 3 business days after receipt of the notice to notify the State Board of Elections, appropriate election authority or local election official that he or she may cancel prior sets of petitions. If the candidate notifies the State Board of Elections, appropriate election authority or local election official, the last set of petitions filed shall be the only petitions to be considered valid by the State Board of Elections, election authority or local election official. If the candidate fails to notify the State Board of Elections, appropriate election authority or local election official then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.

(Source: P.A. 91-357, eff. 7-29-99.)

(10 ILCS 5/10-7) (from Ch. 46, par. 10-7)

Sec. 10-7. Any person whose name has been presented as a candidate may cause his name to be withdrawn from any such nomination by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgment of deeds, and presented to the principal office or permanent branch office of the Board, the election authority, or the local election official, as the case may be, not later than the date for certification of candidates for the ballot. No name so withdrawn shall be printed upon the ballots under the party appellation or title from which the candidate has withdrawn his name. If such a request for withdrawal is received after the date for certification of the candidates for the ballot, then the votes cast for the withdrawn candidate are invalid and shall not be reported by the election authority. If the name of the same person has been presented as a candidate for 2 or more offices which are incompatible so that the same person could not serve in more than one of such offices if elected, that person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing. If he fails to withdraw as a candidate for all but one of such offices within such time, his name shall not be certified, nor printed on the ballot, for any office. However, nothing in this section shall be construed as precluding a judge who is seeking retention in office from also being a candidate for another judicial office. Except as otherwise herein provided,
in case the certificate of nomination or petition as provided for in this Article shall contain or exhibit the name of any candidate for any office upon more than one of said certificates or petitions (for the same office), then and in that case the Board or election authority or local election official, as the case may be, shall immediately notify said candidate of said fact and that his name appears unlawfully upon more than one of said certificates or petitions and that within 3 days from the receipt of said notification, said candidate must elect as to which of said political party appellations or groups he desires his name to appear and remain under upon said ballot, and if said candidate refuses, fails or neglects to make such election, then and in that case the Board or election authority or local election official, as the case may be, shall permit the name of said candidate to appear or be printed or placed upon said ballot only under the political party appellation or group appearing on the certificate of nomination or petition, as the case may be, first filed, and shall strike or cause to be stricken the name of said candidate from all certificates of nomination and petitions filed after the first such certificate of nomination or petition.

Whenever the name of a candidate for an office is withdrawn from a new political party petition, it shall constitute a vacancy in nomination for that office which may be filled in accordance with Section 10-11 of this Article; provided, that if the names of all candidates for all offices on a new political party petition are withdrawn or such petition is declared invalid by an electoral board or upon judicial review, no vacancies in nomination for those offices shall exist and the filing of any notice or resolution purporting to fill vacancies in nomination shall have no legal effect.

Whenever the name of an independent candidate for an office is withdrawn or an independent candidate's petition is declared invalid by an electoral board or upon judicial review, no vacancy in nomination for that office shall exist and the filing of any notice or resolution purporting to fill a vacancy in nomination shall have no legal effect.

All certificates of nomination and nomination papers when presented or filed shall be open, under proper regulation, to public inspection, and the State Board of Elections and the several election authorities and local election officials having charge of nomination papers shall preserve the same in their respective offices not less than 6 months.

(Source: P.A. 86-875.)

(10 ILCS 5/10-9) (from Ch. 46, par. 10-9)
Sec. 10-9. The following electoral boards are designated for the purpose of hearing and passing upon the objector's petition described in Section 10-8.

1. The State Board of Elections will hear and pass upon objections to the nominations of candidates for State offices, nominations of candidates for congressional, legislative and judicial offices of districts, subcircuits, or circuits situated in more than one county, nominations of candidates for the offices of State's attorney or regional superintendent of schools to be elected from more than one county, and petitions for proposed amendments to the Constitution of the State of Illinois as provided for in Section 3 of Article XIV of the Constitution.

2. The county officers electoral board to hear and pass upon objections to the nominations of candidates for county offices, for congressional, legislative and judicial offices of a district, subcircuit, or circuit coterminous with or less than a county, for any school district offices trustees to be voted for by the electors of the county or by the electors of a township of the county, for the office of multi-township assessor where candidates for such office are nominated in accordance with this Code, and for all special district offices, shall be composed of the county clerk, or an assistant designated by the county clerk, the State's attorney of the county or an Assistant State's Attorney designated by the State's Attorney, and the clerk of the circuit court, or an assistant designated by the clerk of the circuit court, of the county, of whom the county clerk or his designee shall be the chairman, except that in any county which has established a county board of election commissioners that board shall constitute the county officers electoral board ex-officio. If a school district is located in 2 or more counties, the county officers electoral board of the county in which the principal office of the school district is located shall hear and pass upon objections to nominations of candidates for school district office in that school district.

3. The municipal officers electoral board to hear and pass upon objections to the nominations of candidates for officers of municipalities shall be composed of the mayor or president of the board of trustees of the city, village or incorporated town, and the city, village or incorporated town clerk, and one member of the city council or board of trustees, that member being designated who is

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eligible to serve on the electoral board and has served the greatest number of years as a member of the city council or board of trustees, of whom the mayor or president of the board of trustees shall be the chairman.

4. The township officers electoral board to pass upon objections to the nominations of township officers shall be composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has had the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman.

5. The education officers electoral board to hear and pass upon objections to the nominations of candidates for offices in school or community college districts shall be composed of the presiding officer of the school or community college district board, who shall be the chairman, the secretary of the school or community college district board and the eligible elected school or community college board member who has the longest term of continuous service as a board member.

6. In all cases, however, where the Congressional, Legislative, or Representative district is wholly or partially within the jurisdiction of a single municipal board of election commissioners in Cook County and in all cases where the school district or special district is wholly within the jurisdiction of a municipal board of election commissioners and in all cases where the municipality or township is wholly or partially within the jurisdiction of a municipal board of election commissioners, the board of election commissioners shall ex-officio constitute the electoral board.

For special districts situated in more than one county, the county officers electoral board of the county in which the principal office of the district is located has jurisdiction to hear and pass upon objections. For purposes of this Section, "special districts" means all political subdivisions other than counties, municipalities, townships and school and community college districts.

In the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows:

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a. In the county officers electoral board by the county treasurer, and if he or she is ineligible to serve, by the sheriff of the county.

b. In the municipal officers electoral board by the eligible elected city council or board of trustees member who has served the second greatest number of years as a city council or board of trustees member.

c. In the township officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as a town trustee.

d. In the education officers electoral board by the eligible elected school or community college district board member who has had the second longest term of continuous service as a board member.

In the event that the chairman of the electoral board is ineligible to act because of the fact that he or she is a candidate for the office with relation to which the objector's petition is filed, then the substitute chosen under the provisions of this Section shall be the chairman; In this case, the officer or board with whom the objector's petition is filed, shall transmit the certificate of nomination or nomination papers as the case may be, and the objector's petition to the substitute chairman of the electoral board.

When 2 or more eligible individuals, by reason of their terms of service on a city council or board of trustees, township board of trustees, or school or community college district board, qualify to serve on an electoral board, the one to serve shall be chosen by lot.

Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the Circuit Court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies. The Chief Judge shall be so notified by a member of the electoral board or the officer or board with whom the objector's petition was filed. In the event that none of the individuals designated by this Section to serve on the electoral board are eligible, the chairman of an electoral board shall be designated by the Chief Judge.

(Source: P.A. 96-1008, eff. 7-6-10.)

(10 ILCS 5/10-10) (from Ch. 46, par. 10-10)

Sec. 10-10. Within 24 hours after the receipt of the certificate of nomination or nomination papers or proposed question of public policy, as the case may be, and the objector's petition, the chairman of the electoral board

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board other than the State Board of Elections shall send a call by registered
or certified mail to each of the members of the electoral board, and to the
objector who filed the objector's petition, and either to the candidate
whose certificate of nomination or nomination papers are objected to or to
the principal proponent or attorney for proponents of a question of public
policy, as the case may be, whose petitions are objected to, and shall also
cause the sheriff of the county or counties in which such officers and
persons reside to serve a copy of such call upon each of such officers and
persons, which call shall set out the fact that the electoral board is required
to meet to hear and pass upon the objections to nominations made for the
office, designating it, and shall state the day, hour and place at which the
electoral board shall meet for the purpose, which place shall be in the
county court house in the county in the case of the County Officers
Electoral Board, the Municipal Officers Electoral Board, the Township
Officers Electoral Board or the Education Officers Electoral Board, except
that the Municipal Officers Electoral Board, the Township Officers
Electoral Board, and the Education Officers Electoral Board may meet at
the location where the governing body of the municipality, township, or
school or community college district, respectively, holds its regularly
scheduled meetings, if that location is available; provided that voter
records may be removed from the offices of an election authority only at
the discretion and under the supervision of the election authority. In those
cases where the State Board of Elections is the electoral board designated
under Section 10-9, the chairman of the State Board of Elections shall,
within 24 hours after the receipt of the certificate of nomination or
nomination papers or petitions for a proposed amendment to Article IV of
the Constitution or proposed statewide question of public policy, send a
call by registered or certified mail to the objector who files the objector's
petition, and either to the candidate whose certificate of nomination or
nomination papers are objected to or to the principal proponent or attorney
for proponents of the proposed Constitutional amendment or statewide
question of public policy and shall state the day, hour and place at which
the electoral board shall meet for the purpose, which place may be in the
Capitol Building or in the principal or permanent branch office of the State
Board. The day of the meeting shall not be less than 3 nor more than 5
days after the receipt of the certificate of nomination or nomination papers
and the objector's petition by the chairman of the electoral board.

The electoral board shall have the power to administer oaths and to
subpoena and examine witnesses and at the request of either party the

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chairman may issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry before the electoral board, in the same manner as witnesses are subpoenaed in the Circuit Court.

Service of such subpoenas shall be made by any sheriff or other person in the same manner as in cases in such court and the fees of such sheriff shall be the same as is provided by law, and shall be paid by the objector or candidate who causes the issuance of the subpoena. In case any person so served shall knowingly neglect or refuse to obey any such subpoena, or to testify, the electoral board shall at once file a petition in the circuit court of the county in which such hearing is to be heard, or has been attempted to be heard, setting forth the facts, of such knowing refusal or neglect, and accompanying the petition with a copy of the citation and the answer, if one has been filed, together with a copy of the subpoena and the return of service thereon, and shall apply for an order of court requiring such person to attend and testify, and forthwith produce books and papers, before the electoral board. Any circuit court of the state, excluding the judge who is sitting on the electoral board, upon such showing shall order such person to appear and testify, and to forthwith produce such books and papers, before the electoral board at a place to be fixed by the court. If such person shall knowingly fail or refuse to obey such order of the court without lawful excuse, the court shall punish him or her by fine and imprisonment, as the nature of the case may require and may be lawful in cases of contempt of court.

The electoral board on the first day of its meeting shall adopt rules of procedure for the introduction of evidence and the presentation of arguments and may, in its discretion, provide for the filing of briefs by the parties to the objection or by other interested persons.

In the event of a State Electoral Board hearing on objections to a petition for an amendment to Article IV of the Constitution pursuant to Section 3 of Article XIV of the Constitution, or to a petition for a question of public policy to be submitted to the voters of the entire State, the certificates of the county clerks and boards of election commissioners showing the results of the random sample of signatures on the petition shall be prima facie valid and accurate, and shall be presumed to establish the number of valid and invalid signatures on the petition sheets reviewed in the random sample, as prescribed in Section 28-11 and 28-12 of this Code. Either party, however, may introduce evidence at such hearing to

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dispute the findings as to particular signatures. In addition to the foregoing, in the absence of competent evidence presented at such hearing by a party substantially challenging the results of a random sample, or showing a different result obtained by an additional sample, this certificate of a county clerk or board of election commissioners shall be presumed to establish the ratio of valid to invalid signatures within the particular election jurisdiction.

The electoral board shall take up the question as to whether or not the certificate of nomination or nomination papers or petitions are in proper form, and whether or not they were filed within the time and under the conditions required by law, and whether or not they are the genuine certificate of nomination or nomination papers or petitions which they purport to be, and whether or not in the case of the certificate of nomination in question it represents accurately the decision of the caucus or convention issuing it, and in general shall decide whether or not the certificate of nomination or nominating papers or petitions on file are valid or whether the objections thereto should be sustained and the decision of a majority of the electoral board shall be final subject to judicial review as provided in Section 10-10.1. The electoral board must state its findings in writing and must state in writing which objections, if any, it has sustained. A copy of the decision shall be served upon the parties to the proceedings in open proceedings before the electoral board. If a party does not appear for receipt of the decision, the decision shall be deemed to have been served on the absent party on the date when a copy of the decision is personally delivered or on the date when a copy of the decision is deposited in the United States mail, in a sealed envelope or package, with postage prepaid, addressed to each party affected by the decision or to such party's attorney of record, if any, at the address on record for such person in the files of the electoral board.

Upon the expiration of the period within which a proceeding for judicial review must be commenced under Section 10-10.1, the electoral board shall, unless a proceeding for judicial review has been commenced within such period, transmit, by registered or certified mail, a certified copy of its ruling, together with the original certificate of nomination or nomination papers or petitions and the original objector's petition, to the officer or board with whom the certificate of nomination or nomination papers or petitions, as objected to, were on file, and such officer or board shall abide by and comply with the ruling so made to all intents and purposes.

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Sec. 17-23. Pollwatchers in a general election shall be authorized in the following manner:

(1) Each established political party shall be entitled to appoint two pollwatchers per precinct. Such pollwatchers must be affiliated with the political party for which they are pollwatching. For all elections, the pollwatchers must be registered to vote in Illinois.

(2) Each candidate shall be entitled to appoint two pollwatchers per precinct. For all elections, the pollwatchers must be registered to vote in Illinois.

(3) Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or prosecution of election frauds, and which shall have registered its name and address and the name and addresses of its principal officers with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. For all elections, the pollwatcher must be registered to vote in Illinois.

(3.5) Each State nonpartisan civic organization within the county or political subdivision shall be entitled to appoint one pollwatcher per precinct, provided that no more than 2 pollwatchers appointed by State nonpartisan civic organizations shall be present in a precinct polling place at the same time. Each organization shall have registered the names and addresses of its principal officers with the proper election authority at least 40 days before the election. The pollwatchers must be registered to vote in Illinois. For the purpose of this paragraph, a "State nonpartisan civic organization" means any corporation, unincorporated association, or organization that:

(i) as part of its written articles of incorporation, bylaws, or charter or by separate written declaration, has among its stated purposes the provision of voter information and education, the protection of individual voters' rights, and the promotion of free and equal elections;

(ii) is organized or primarily conducts its activities within the State of Illinois; and

(iii) continuously maintains an office or business location within the State of Illinois, together with a current listed telephone number (a post office box number without a current listed telephone number is not sufficient).
(4) In any general election held to elect candidates for the offices of a municipality of less than 3,000,000 population that is situated in 2 or more counties, a pollwatcher who is a resident of Illinois shall be eligible to serve as a pollwatcher in any poll located within such municipality, provided that such pollwatcher otherwise complies with the respective requirements of subsections (1) through (3) of this Section and is a registered voter in Illinois.

(5) Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. The pollwatcher must be registered to vote in Illinois.

All pollwatchers shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature(s) of the election authority or the State Board of Elections and shall be available for distribution by the election authority and State Board of Elections at least 2 weeks prior to the election. Such credentials shall be authorized by the real or facsimile signature of the State or local party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group, as the case may be. Neither the election authority nor the State Board of Elections may not require any such party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group to submit the names or other information concerning pollwatchers before making credentials available to such persons or organizations.

Pollwatcher credentials shall be in substantially the following form:

POLLWATCHER CREDENTIALS
TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, the undersigned hereby appoints .......... (name of pollwatcher) who resides at .......... (address) in the county of ..........., .......... (township or municipality) of .......... (name), State of Illinois and who is duly registered to vote from this address, to act as a pollwatcher in the .......... precinct of the .......... ward (if applicable) of the .......... (township or municipality) of .......... at the .......... election to be held on (insert date).

........................(Signature of Appointing Authority)
Under penalties provided by law pursuant to Section 29-10 of the Election Code, the undersigned pollwatcher certifies that he or she resides at ................ (address) in the county of ............, ........ (township or municipality) of .......... (name), State of Illinois, and is duly registered to vote in Illinois.

(Precinct and/or Ward in Which Pollwatcher Resides) (Signature of Pollwatcher)

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, he may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election. Pollwatchers may be substituted during the course of the day, but established political parties, candidates and qualified civic organizations can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers. After the polls have closed pollwatchers shall be allowed to remain until the canvass of votes is completed; but may leave and reenter only in cases of necessity, provided that such action is not so continuous as to disrupt the canvass of votes.

Candidates seeking office in a district or municipality encompassing 2 or more counties shall be admitted to any and all polling places throughout such district or municipality without regard to the counties in which such candidates are registered to vote. Actions of such candidates shall be governed in each polling place by the same privileges and limitations that apply to pollwatchers as provided in this Section. Any such candidate who engages in an activity in a polling place which could reasonably be construed by a majority of the judges of election as campaign activity shall be removed forthwith from such polling place.

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Candidates seeking office in a district or municipality encompassing 2 or more counties who desire to be admitted to polling places on election day in such district or municipality shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature of the State Board of Elections or the election authority of the election jurisdiction where the polling place in which the candidate seeks admittance is located, and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be signed by the candidate.

Candidate credentials shall be in substantially the following form:

CANDIDATE CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, I ...... (name of candidate) hereby certify that I am a candidate for ...... (name of office) and seek admittance to ...... precinct of the ...... ward (if applicable) of ...... township or municipality of ...... at the ...... election to be held on (insert date).

......................

(Signature of Candidate) OFFICE FOR WHICH

CANDIDATE SEeks

NOMINATION OR

ELECTION

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election and shall not, in any event, be permitted to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.

If a majority of the judges of election determine that the polling place has become too overcrowded with pollwatchers so as to interfere with the orderly conduct of the election, the judges shall, by lot, limit such

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pollwatchers to a reasonable number, except that each established or new political party shall be permitted to have at least one pollwatcher present.

Representatives of an election authority, with regard to an election under its jurisdiction, the State Board of Elections, and law enforcement agencies, including but not limited to a United States Attorney, a State's attorney, the Attorney General, and a State, county, or local police department, in the performance of their official election duties, shall be permitted at all times to enter and remain in the polling place. Upon entering the polling place, such representatives shall display their official credentials or other identification to the judges of election.

Uniformed police officers assigned to polling place duty shall follow all lawful instructions of the judges of election.

The provisions of this Section shall also apply to supervised casting of absentee ballots as provided in Section 19-12.2 of this Act. (Source: P.A. 94-645, eff. 8-22-05; 95-267, eff. 8-17-07; 95-699, eff. 11-9-07; 95-876, eff. 8-21-08.)

(10 ILCS 5/18A-15)

Sec. 18A-15. Validating and counting provisional ballots.

(a) The county clerk or board of election commissioners shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. The county clerk or board of election commissioners shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The State Board of Elections shall complete within 31 calendar days of the election or sooner if all the returns are received, its final canvass of the vote for all public offices.

(b) If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote:

(1) the provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority. Votes for federal and statewide offices on a provisional ballot cast in the incorrect precinct that meet the other requirements of this subsection shall be valid and counted in accordance with rules adopted by the State Board of Elections. As used in this item, "federal office" is defined as

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provided in Section 20-1 and "statewide office" means the Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. Votes for General Assembly, countywide, citywide, or township office on a provisional ballot cast in the incorrect precinct but in the correct legislative district, representative district, county, municipality, or township, as the case may be, shall be valid and counted in accordance with rules adopted by the State Board of Elections. As used in this item, "citywide office" means an office elected by the electors of an entire municipality. As used in this item, "township office" means an office elected by the electors of an entire township;

(2) the affidavit executed by the provisional voter pursuant to subsection (b)(2) of Section 18A-5 contains, at a minimum, the provisional voter's first and last name, house number and street name, and signature or mark;

(3) the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from any of the following:
   i. the provisional voter;
   ii. an election judge;
   iii. the statewide voter registration database maintained by the State Board of Elections;
   iv. the records of the county clerk or board of election commissioners' database; or
   v. the records of the Secretary of State; and

(4) for a provisional ballot cast under item (6) of subsection (a) of Section 18A-5, the voter did not vote by absentee ballot in the election at which the provisional ballot was cast.

(c) With respect to subsection (b)(3) of this Section, the county clerk or board of election commissioners shall investigate and record whether or not the specified information is available from each of the 5 identified sources. If the information is available from one or more of the identified sources, then the county clerk or board of election commissioners shall seek to obtain the information from each of those sources until satisfied, with information from at least one of those sources, that the provisional voter is registered and entitled to vote. The county clerk or board of election commissioners shall use any information it obtains as the basis for determining the voter registration status of the provisional voter. If a conflict exists among the information available to

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the county clerk or board of election commissioners as to the registration status of the provisional voter, then the county clerk or board of election commissioners shall make a determination based on the totality of the circumstances. In a case where the above information equally supports or opposes the registration status of the voter, the county clerk or board of election commissioners shall decide in favor of the provisional voter as being duly registered to vote. If the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is registered to vote, but the county clerk's or board of election commissioners' voter registration database indicates that the provisional voter is not registered to vote, then the information found in the statewide voter registration database shall control the matter and the provisional voter shall be deemed to be registered to vote. If the records of the county clerk or board of election commissioners indicates that the provisional voter is registered to vote, but the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is not registered to vote, then the information found in the records of the county clerk or board of election commissioners shall control the matter and the provisional voter shall be deemed to be registered to vote. If the provisional voter's signature on his or her provisional ballot request varies from the signature on an otherwise valid registration application solely because of the substitution of initials for the first or middle name, the election authority may not reject the provisional ballot.

(d) In validating the registration status of a person casting a provisional ballot, the county clerk or board of election commissioners shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter under subsection (b)(2) of Section 18A-5. In addition, the county clerk or board of election commissioners shall not require all provisional voters or any particular class or group of provisional voters to appear personally before the county clerk or board of election commissioners or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter. Within 2 calendar days after the election, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, of each person casting a provisional ballot to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website,

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arranged by county and accessible to State and local political committees. The provisional voter may, within 7 ± calendar days after the election, submit additional information to the county clerk or board of election commissioners. This information must be received by the county clerk or board of election commissioners within the 7-calendar-day ± calendar-day period.

(e) If the county clerk or board of election commissioners determines that subsection (b)(1), (b)(2), or (b)(3) does not apply, then the provisional ballot is not valid and may not be counted. The provisional ballot envelope containing the ballot cast by the provisional voter may not be opened. The county clerk or board of election commissioners shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid."

(f) If the county clerk or board of election commissioners determines that a provisional ballot is valid under this Section, then the provisional ballot envelope shall be opened. The outside of each provisional ballot envelope shall also be marked to identify the precinct and the date of the election.

(g) Provisional ballots determined to be valid shall be counted at the election authority's central ballot counting location and shall not be counted in precincts. The provisional ballots determined to be valid shall be added to the vote totals for the precincts from which they were cast in the order in which the ballots were opened. The validation and counting of provisional ballots shall be subject to the provisions of this Code that apply to pollwatchers. If the provisional ballots are a ballot of a punch card voting system, then the provisional ballot shall be counted in a manner consistent with Article 24A. If the provisional ballots are a ballot of optical scan or other type of approved electronic voting system, then the provisional ballots shall be counted in a manner consistent with Article 24B.

(h) As soon as the ballots have been counted, the election judges or election officials shall, in the presence of the county clerk or board of election commissioners, place each of the following items in a separate envelope or bag: (1) all provisional ballots, voted or spoiled; (2) all provisional ballot envelopes of provisional ballots voted or spoiled; and (3) all executed affidavits of the provisional ballots voted or spoiled. All provisional ballot envelopes for provisional voters who have been determined not to be registered to vote shall remain sealed. The county clerk or board of election commissioners shall treat the provisional ballot

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envelope containing the written affidavit as a voter registration application for that person for the next election and process that application. The election judges or election officials shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct in which the provisional ballots were cast. The election judges or election officials shall then place each sealed envelope or bag into a box, secure and seal it in the same manner as described in item (6) of subsection (b) of Section 18A-5. Each election judge or election official shall take and subscribe an oath before the county clerk or board of election commissioners that the election judge or election official securely kept the ballots and papers in the box, did not permit any person to open the box or otherwise touch or tamper with the ballots and papers in the box, and has no knowledge of any other person opening the box. For purposes of this Section, the term "election official" means the county clerk, a member of the board of election commissioners, as the case may be, and their respective employees.

(Source: P.A. 97-766, eff. 7-6-12.)

(10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

Sec. 19-2. Any elector as defined in Section 19-1 may by mail or electronically on the website of the appropriate election authority, not more than 40 nor less than 5 days prior to the date of such election, or by personal delivery not more than 40 nor less than one day prior to the date of such election, make application to the county clerk or to the Board of Election Commissioners for an official ballot for the voter's precinct to be voted at such election. Such a ballot shall be delivered to the elector only upon separate application by the elector for each election.

(Source: P.A. 96-553, eff. 8-17-09; 97-81, eff. 7-5-11.)

(10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

Sec. 19-2.1. In-person absentee voting in the office of the municipal, township, or road district clerks. At the consolidated primary, general primary, consolidated, and general elections, electors entitled to vote by absentee ballot under the provisions of Section 19-1 may vote in person at the office of the municipal clerk, if the elector is a resident of a municipality not having a board of election commissioners, or at the office of the township clerk or, in counties not under township organization, at the office of the road district clerk if the elector is not a resident of a municipality; provided, in each case that the municipal, township or road district clerk, as the case may be, is authorized to conduct in-person absentee voting pursuant to this Section. Absentee voting in such

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municipal and township clerk's offices under this Section shall be conducted from the 22nd day through the day before the election.

Municipal and township clerks (or road district clerks) who have regularly scheduled working hours at regularly designated offices other than a place of residence and whose offices are open for business during the same hours as the office of the election authority shall conduct in-person absentee voting for said elections. Municipal and township clerks (or road district clerks) who have no regularly scheduled working hours but who have regularly designated offices other than a place of residence shall conduct in-person absentee voting for said elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not during such hours as the office of the election authority is closed, unless the clerk files a written waiver with the election authority not later than July 1 of each year stating that he or she is unable to conduct such voting and the reasons therefor. Such clerks who conduct in-person absentee voting may extend their hours for that purpose to include any hours in which the election authority's office is open. Municipal and township clerks (or road district clerks) who have no regularly scheduled office hours and no regularly designated offices other than a place of residence may not conduct in-person absentee voting for said elections. The election authority may devise alternative methods for in-person absentee voting before said elections for those precincts located within the territorial area of a municipality or township (or road district) wherein the clerk of such municipality or township (or road district) has waived or is not entitled to conduct such voting. In addition, electors may vote by absentee ballot under the provisions of Section 19-1 at the office of the election authority having jurisdiction over their residence. Unless specifically authorized by the election authority, municipal, township, and road district clerks shall not conduct in-person absentee voting. No less than 45 days before the date of an election, the election authority shall notify the municipal, township, and road district clerks within its jurisdiction if they are to conduct in-person absentee voting. Election authorities, however, may conduct in-person absentee voting in one or more designated appropriate public buildings from the fourth day before the election through the day before the election.

In conducting in-person absentee voting under this Section, the respective clerks shall be required to verify the signature of the absentee voter by comparison with the signature on the official registration record card. The clerk also shall reasonably ascertain the identity of such
applicant, shall verify that each such applicant is a registered voter, and shall verify the precinct in which he or she is registered and the proper ballots of the political subdivisions in which the applicant resides and is entitled to vote, prior to providing any absentee ballot to such applicant. The clerk shall verify the applicant's registration and from the most recent poll list provided by the county clerk, and if the applicant is not listed on that poll list then by telephoning the office of the county clerk.

Within one day after a voter casts an in-person absentee ballot, the appropriate election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees.

Absentee voting procedures in the office of the municipal, township and road district clerks shall be subject to all of the applicable provisions of this Article 19. Pollwatchers may be appointed to observe in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, at the office of the municipal, township or road district clerks' offices where such absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted. Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials. All requirements in this Article applicable to election authorities shall apply to the respective local clerks, except where inconsistent with this Section.

The sealed absentee ballots in their carrier envelope shall be delivered by the respective clerks, or by the election authority on behalf of a clerk if the clerk and the election authority agree, to the election authority's central ballot counting location before the close of the polls on the day of the general primary, consolidated primary, consolidated, or general election.

Not more than 23 days before the general and consolidated elections, the county clerk shall make available to those municipal, township and road district clerks conducting in-person absentee voting

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within such county, a sufficient number of applications, absentee ballots, envelopes, and printed voting instruction slips for use by absentee voters in the offices of such clerks. The respective clerks shall receipt for all ballots received, shall return all unused or spoiled ballots to the county clerk on the day of the election and shall strictly account for all ballots received.

The ballots delivered to the respective clerks shall include absentee ballots for each precinct in the municipality, township or road district, or shall include such separate ballots for each political subdivision conducting an election of officers or a referendum on that election day as will permit any resident of the municipality, township or road district to vote absentee in the office of the proper clerk.

The clerks of all municipalities, townships and road districts may distribute applications for absentee ballot for the use of voters who wish to mail such applications to the appropriate election authority. Any person may produce, reproduce, distribute, or return to an election authority the application for absentee ballot. Upon receipt, the appropriate election authority shall accept and promptly process any application for absentee ballot.

(10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

Sec. 19-3. The application for absentee ballot shall be substantially in the following form:

APPLICATION FOR ABSENTEE BALLOT

To be voted at the .... election in the County of .... and State of Illinois, in the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the City of ....

I state that I am a resident of the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the city of .... in such city or town in the county of .... and State of Illinois; that I have lived at such address for .... month(s) last past; that I am lawfully entitled to vote in such precinct at the .... election to be held therein on ....; and that I wish to vote by absentee ballot.

I hereby make application for an official ballot or ballots to be voted by me at such election, and I agree that I shall return such ballot or ballots to the official issuing the same prior to the closing of the polls on the date of the election or, if returned by mail, postmarked no later than midnight preceding election day, for counting no later than during the

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period for counting provisional ballots, the last day of which is the 14th day following election day.

I understand that this application is made for an official absentee ballot or ballots to be voted by me at the election specified in this application and that I must submit a separate application for an official absentee ballot or ballots to be voted by me at any subsequent election.

Under penalties as provided by law pursuant to Section 29-10 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

....

*fill in either (1), (2) or (3).

Post office address to which ballot is mailed:

.............

However, if application is made for a primary election ballot, such application shall require the applicant to designate the name of the political party with which the applicant is affiliated.

If application is made electronically, the applicant shall mark the box associated with the above described statement included as part of the online application certifying that the statements set forth in this application are true and correct, and a signature is not required.

Any person may produce, reproduce, distribute, or return to an election authority the application for absentee ballot. Upon receipt, the appropriate election authority shall accept and promptly process any application for absentee ballot submitted in a form substantially similar to that required by this Section, including any substantially similar production or reproduction generated by the applicant.

(Source: P.A. 96-312, eff. 1-1-10; 96-553, eff. 8-17-09; 96-1000, eff. 7-2-10; 96-1008, eff. 7-6-10; 97-766, eff. 7-6-12.)

(10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

Sec. 19-4. Mailing or delivery of ballots - Time.) Immediately upon the receipt of such application either by mail or electronic means, not more than 40 days nor less than 5 days prior to such election, or by personal delivery not more than 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and

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precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for an absentee ballot, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections that name and other posted information to the State Board of Elections, which shall maintain those names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. Within 2 business days after posting a name and other information on the list within its office, the election authority shall mail, postage prepaid, or deliver in person in such office an official ballot or ballots if more than one are to be voted at said election. Mail delivery of Temporarily Absent Student ballot applications pursuant to Section 19-12.3 shall be by nonforwardable mail. However, for the consolidated election, absentee ballots for certain precincts may be delivered to applicants not less than 25 days before the election if so much time is required to have prepared and printed the ballots containing the names of persons nominated for offices at the consolidated primary. The election authority shall enclose with each absentee ballot or application written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the State Board of Elections, enumerating the circumstances under which a person is authorized to vote by absentee ballot pursuant to this Article; such document shall also include a statement informing the applicant that if he or she falsifies or is solicited by another to falsify his or her eligibility to cast an absentee ballot, such applicant or other is subject to penalties pursuant to Section 29-10 and Section 29-20 of the Election Code. Each election authority shall maintain a list of the name, street address, ward and precinct, or township and district number, as the case may be, of all applicants who have returned absentee ballots to such authority, and the name of such absent voter shall be added to such list within one business day from receipt of such ballot. If the absentee ballot envelope indicates that the voter was assisted in casting the ballot, the name of the person so assisting shall be included on the list. The list, the pages of which are to be numbered consecutively, shall be kept by each election authority in a

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conspicuous, open, and public place accessible to the public at the entrance of the office of the election authority and in a manner that the list may be viewed without necessity of requesting permission for viewing.

Each election authority shall maintain a list for each election of the voters to whom it has issued absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom absentee ballots have been issued by mail.

Each election authority shall maintain a list for each election of voters to whom it has issued temporarily absent student ballots. The list shall be maintained for each election jurisdiction within which such voters temporarily abide. Immediately after the close of the period during which application may be made by mail or electronic means for absentee ballots, each election authority shall mail to each other election authority within the State a certified list of all such voters temporarily abiding within the jurisdiction of the other election authority.

In the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, within the jurisdiction of the election authority, and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Saturday, Sunday or Monday immediately preceding the election as designated by the election authority under Section 19-12.2. Such judge shall deliver in person on the designated day the ballot to the applicant on the premises of the facility from which application was made. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the designated day.

All applications for absentee ballots shall be available at the office of the election authority for public inspection upon request from the time of receipt thereof by the election authority until 30 days after the election, except during the time such applications are kept in the office of the election authority pursuant to Section 19-7, and except during the time such applications are in the possession of the judges of election.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

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(10 ILCS 5/19-7) (from Ch. 46, par. 19-7)

Sec. 19-7.

(a) Upon receipt of such absent voter's ballot, the election authority shall forthwith enclose the same unopened, together with the application made by said absent voter in a large or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains an absent voter's ballot and must be opened on election day," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until counted by him as provided in the next section.

(b) Within one day after receipt of such absent voter's ballot, the election authority shall transmit, by electronic means pursuant to a process established by the State Board of Elections, the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees.

(Source: P.A. 81-155.)

(10 ILCS 5/19A-15)

Sec. 19A-15. Period for early voting; hours.

(a) The period for early voting by personal appearance begins the 15th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the 3rd day before election day.

(b) A permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays, Sundays; and holidays, and 12:00 p.m. to 3:00 p.m. on Sundays; except that, in addition to the hours required by this subsection, a permanent early voting polling place designated by an election authority under subsection (c) of Section 19A-10 must remain open for a total of at least 8 hours on any holiday during the early voting period and a total of at least 14 hours on the final weekend during the early voting period.

(c) Notwithstanding subsections (a) and (b), an election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency. In the event of a closure, the election authority shall conduct early voting on the 2nd day before election

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day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. The election authority shall notify the State Board of Elections of any closure and shall make reasonable efforts to provide notice to the public of the extended early voting period.

(d) Notwithstanding subsections (a) and (b), in 2013 only, an election authority may close an early voting place on Good Friday, Holy Saturday, and Easter Sunday, provided that the early voting place remains open 2 hours later on April 3, 4, and 5 of 2013. The election authority shall notify the State Board of Elections of any closure and shall provide notice to the public of the closure and the extended hours during the final week.

(Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4, eff. 3-12-13.)

(10 ILCS 5/19A-70)

Sec. 19A-70. Advertising or campaigning in proximity of polling place; penalty. During the period prescribed in Section 19A-15 for early voting by personal appearance, no advertising pertaining to any candidate or proposition to be voted on may be displayed in or within 100 feet of any polling place used by voters under this Article. No person may engage in electioneering in or within 100 feet of any polling place used by voters under this Article. The provisions of Section 17-29 with respect to establishment of a campaign free zone, including, but not limited to, the provisions for placement of signage on public property beyond the campaign free zone, apply to polling places under this Article.

Any person who violates this Section may be punished for contempt of court.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/22-6) (from Ch. 46, par. 22-6)

Sec. 22-6. E-Canvass.

(a) Within 22 days after each election, each Election Authority shall provide unit-by-unit vote totals to the State Board of Elections in an electronic format to be prescribed by the State Board of Elections. The State Board of Elections shall promulgate rules necessary for the implementation of this Section.

(b) Beginning with the November 2014 general election and every primary, consolidated, general, and special election thereafter, within 52 days after each election, the State Board of Elections shall publish the precinct-by-precinct vote totals on its website and make them available in a downloadable form.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/24A-6.2 new)
Sec. 24A-6.2. Programming of automatic tabulating equipment. Beginning with the 2014 general election and all primary, consolidated, general, and special elections thereafter, automatic tabulating equipment authorized by this Section and programmed for a primary, consolidated, general, or special election conducted pursuant to general election law shall be programmed using the unique race and candidate ID numbers assigned by the State Board of Elections. The unique race and candidate ID numbers will be provided to the county clerk or election authority, as the case may be, with the candidate certification prepared by the State Board of Elections. In addition, any new voting system approved by the state after the 2014 general election shall have the capability to export the election results by ballot style and group them by precinct in an electronic format prescribed by the State Board of Elections.

(10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

Sec. 24A-16. The State Board of Elections shall approve all voting systems provided by this Article.

No voting system shall be approved unless it fulfills the following requirements:

1. It enables a voter to vote in absolute secrecy;
2. (Blank);
3. It enables a voter to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all parties, and in part from independent candidates and in part of candidates whose names are written in by the voter;
4. It enables a voter to vote a written or printed ticket of his own selection for any person for any office for whom he may desire to vote;
5. It will reject all votes for an office or upon a proposition when the voter has cast more votes for such office or upon such proposition than he is entitled to cast;
5.5 It will identify when a voter has not voted for all statewide constitutional offices;
6. It will accommodate all propositions to be submitted to the voters in the form provided by law or, where no such form is provided, then in brief form, not to exceed 75 words.
7. It will accommodate the tabulation programming requirements of Sections 24A-6.2, 24B-6.2, and 24C-6.2.
The State Board of Elections shall not approve any voting equipment or system that includes an external Infrared Data Association (IrDA) communications port.

The State Board of Elections is authorized to withdraw its approval of a voting system if the system fails to fulfill the above requirements.

The vendor, person, or other private entity shall be solely responsible for the production and cost of: all application fees; all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software.

Any voting system vendor, person, or other private entity seeking the State Board of Elections' approval of a voting system shall, as part of the approval application, submit to the State Board a non-refundable fee. The State Board of Elections by rule shall establish an appropriate fee structure, taking into account the type of voting system approval that is requested (such as approval of a new system, a modification of an existing system, the size of the modification, etc.). No voting system or modification of a voting system shall be approved unless the fee is paid.

No vendor, person, or other entity may sell, lease, or loan, or have a written contract, including a contract contingent upon State Board approval of the voting system or voting system component, to sell, lease, or loan, a voting system or voting system component to any election jurisdiction unless the voting system or voting system component is first approved by the State Board of Elections pursuant to this Section.

(Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

(10 ILCS 5/24B-6.2 new)

Sec. 24B-6.2. Programming of automatic tabulating equipment. Beginning with the 2014 general election and all primary, consolidated, general, and special elections thereafter, automatic tabulating equipment authorized by this Section and programmed for a primary, consolidated, general, or special election conducted pursuant to general election law shall be programmed using the unique race and candidate ID numbers assigned by the State Board of Elections. The unique race and candidate ID numbers will be provided to the county clerk or election authority, as the case may be, with the candidate certification prepared by the State Board of Elections. In addition, any new voting system approved by the State after the 2014 general election shall have the capability to export the election results by ballot style and group them by precinct in an electronic format prescribed by the State Board of Elections.

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Sec. 24C-6.2. Programming of automatic tabulating equipment. Beginning with the 2014 general election and all primary, consolidated, general, and special elections thereafter, automatic tabulating equipment authorized by this Section and programmed for a primary, consolidated, general, or special election conducted pursuant to general election law shall be programmed using the unique race and candidate ID numbers assigned by the State Board of Elections. The unique race and candidate ID numbers will be provided to the county clerk or election authority, as the case may be, with the candidate certification prepared by the State Board of Elections. In addition, any new voting system approved by the State after the 2014 general election shall have the capability to export the election results by ballot style and group them by precinct in an electronic format prescribed by the State Board of Elections.

Sec. 28-8. If a referendum held in accordance with Section 28-7 of this Act involved the question of whether a unit of local government shall become a home rule unit or shall cease to be a home rule unit and if that referendum passed, then the clerk of that unit of local government shall, within 45 days after the referendum, file with the Secretary of State a certified statement showing the results of the referendum and the resulting status of the unit of local government as a home rule unit or a non-home rule unit. The Secretary of State shall maintain such certified statements in his office as a public record.

The question of whether a unit of local government shall become a home rule unit shall be submitted in substantially the following form:

Shall (name of the unit of local government) become a home rule unit?

Votes must be recorded as "yes" or "no".

The question of whether a unit of local government shall cease to be a home rule unit shall be submitted in substantially the following form:

Shall (name of the unit of local government) cease to be a home rule unit?

Votes must be recorded as "yes" or "no".

(Source: P.A. 95-699, eff. 11-9-07.)

Section 7. The Illinois Identification Card Act is amended by changing Section 11 as follows:

(15 ILCS 335/11) (from Ch. 124, par. 31)
Sec. 11. The Secretary may make a search of his records and furnish information as to whether a person has a current Standard Illinois Identification Card or an Illinois Person with a Disability Identification Card then on file, upon receipt of a written application therefor accompanied with the prescribed fee. However, the Secretary may not disclose medical information concerning an individual to any person, public agency, private agency, corporation or governmental body unless the individual has submitted a written request for the information or unless the individual has given prior written consent for the release of the information to a specific person or entity. This exception shall not apply to: (1) offices and employees of the Secretary who have a need to know the medical information in performance of their official duties, or (2) orders of a court of competent jurisdiction. When medical information is disclosed by the Secretary in accordance with the provisions of this Section, no liability shall rest with the Office of the Secretary of State as the information is released for informational purposes only.

The Secretary may release personally identifying information or highly restricted personal information only to:

(1) officers and employees of the Secretary who have a need to know that information;

(2) other governmental agencies for use in their official governmental functions;

(3) law enforcement agencies that need the information for a criminal or civil investigation; or

(3-5) the State Board of Elections for the sole purpose of providing the signatures required by a local election authority to register a voter through an online voter registration system; or

(4) any entity that the Secretary has authorized, by rule, to receive this information.

The Secretary may not disclose an individual's social security number or any associated information obtained from the Social Security Administration without the written request or consent of the individual except: (i) to officers and employees of the Secretary who have a need to know the social security number in the performance of their official duties; (ii) to law enforcement officials for a lawful civil or criminal law enforcement investigation if the head of the law enforcement agency has made a written request to the Secretary specifying the law enforcement investigation for which the social security number is being sought; (iii) under a lawful court order signed by a judge; or (iv) to the Illinois
Department of Veterans' Affairs for the purpose of confirming veteran status.
(Source: P.A. 97-739, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

Section 10. The Counties Code is amended by changing Section 3-6001.5 as follows:

(55 ILCS 5/3-6001.5)
Sec. 3-6001.5. Sheriff qualifications. On or after the effective date of this amendatory Act of the 98th General Assembly December 1, 1997, except as otherwise provided in this Section, a person is not eligible to be a candidate for the office of sheriff, and a person shall not be elected or appointed to the office of sheriff, unless that person meets all of the following requirements:

(1) Is a United States citizen.
(2) Has been a resident of the county for at least one year.
(3) Is not a convicted felon.

(Source: P.A. 90-447, eff. 8-16-97.)

Section 15. The Illinois Municipal Code is amended by changing Section 3.1-10-5 as follows:

(65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)
Sec. 3.1-10-5. Qualifications; elective office.

(a) A person is not eligible for an elective municipal office unless that person is a qualified elector of the municipality and has resided in the municipality at least one year next preceding the election or appointment, except as provided in Section 3.1-20-25, subsection (b) of Section 3.1-25-75, Section 5-2-2, or Section 5-2-11.

(b) A person is not eligible to take the oath of office for a municipal office if that person is, at the time required for taking the oath of office, in arrears in the payment of a tax or other indebtedness due to the municipality or has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony.

(b-5) A person is not eligible to hold a municipal office, if that person is, at any time during the term of office, in arrears in the payment of a tax or other indebtedness due to the municipality or has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony.

(c) A person is not eligible for the office of alderman of a ward unless that person has resided in the ward that the person seeks to
represent, and a person is not eligible for the office of trustee of a district unless that person has resided in the municipality, at least one year next preceding the election or appointment, except as provided in Section 3.1-20-25, subsection (b) of Section 3.1-25-75, Section 5-2-2, or Section 5-2-11.

(d) If a person (i) is a resident of a municipality immediately prior to the active duty military service of that person or that person's spouse, (ii) resides anywhere outside of the municipality during that active duty military service, and (iii) immediately upon completion of that active duty military service is again a resident of the municipality, then the time during which the person resides outside the municipality during the active duty military service is deemed to be time during which the person is a resident of the municipality for purposes of determining the residency requirement under subsection (a).

(Source: P.A. 97-1091, eff. 8-24-12.)

Section 20. The Revised Cities and Villages Act of 1941 is amended by changing Sections 21-12, 21-28, 21-30 and 21-32 as follows:

(65 ILCS 20/21-12) (from Ch. 24, par. 21-12)

Sec. 21-12. City clerk and city treasurer; Election; Tenure. At the time of election of the mayor there shall be elected also in a nonpartisan election a city clerk and a city treasurer. The candidates receiving a majority of the votes cast for clerk and treasurer at the consolidated primary election shall be declared the clerk and treasurer. If no candidate receives a majority of the votes for one of the offices, a runoff election shall be held at the consolidated election, when only the names of the candidates receiving the highest and second highest number of votes for that office at the consolidated primary election shall appear on the ballot. If more than one candidate received the highest or second highest number of votes for one of the offices at the consolidated primary election, the names of all candidates receiving the highest and second highest number of votes for that office shall appear on the ballot at the consolidated election. The candidate receiving the highest number of votes at the consolidated election shall be declared elected.

The clerk and treasurer each shall hold office for a term of 4 years beginning at noon on the third Monday in May following the election and until a successor is elected and qualified. No person, however, shall be elected to the office of city treasurer for 2 terms in succession.

(65 ILCS 20/21-28) (from Ch. 24, par. 21-28)
Sec. 21-28. Nomination by petition.

(a) All nominations for alderman of any ward in the city shall be by petition. All petitions for nominations of candidates shall be signed by such a number of legal voters of the ward as will aggregate not less than 4% two percent of all the votes cast for alderman in such ward at the last preceding general election. For the election following the redistricting of wards petitions for nominations of candidates shall be signed by the number of legal voters of the ward as will aggregate not less than 4% 2% of the total number of votes cast for mayor at the last preceding municipal election divided by the number of wards.

(b) All nominations for mayor, city clerk, and city treasurer in the city shall be by petition. Each petition for nomination of a candidate must be signed by at least 12,500 legal voters of the city.

(c) All such petitions, and procedure with respect thereto, shall conform in other respects to the provisions of the election and ballot laws then in force in the city of Chicago concerning the nomination of independent candidates for public office by petition. The method of nomination herein provided is exclusive of and replaces all other methods heretofore provided by law.

(Source: P.A. 94-645, eff. 8-22-05.)

(65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

Sec. 21-30. Form of ballot. Ballots to be used at any general, supplementary or special election for aldermen held under the provisions of this article, in addition to other requirements of law, shall conform to the following requirements:

(1) At the top of the ballots shall be printed in capital letters the words designating the ballot. If a general aldermanic election the words shall be "Official aldermanic election ballot"; if a supplementary election the designating words shall be "Official supplementary aldermanic election ballot"; if a special aldermanic election, the words shall be "Special aldermanic election ballot."

(2) Beginning not less than one inch below such designating words and extending across the face of the ballot, the title of each office to be filled shall be printed in capital letters.

(3) The names of candidates for different terms of service therein (if any there be), shall be arranged and printed in groups according to the length of such terms.
(4) Immediately below the title of each office or group heading indicating the term of office, shall be printed in small letters the directions to voters, "Vote for one."

(5) Following thereupon shall be printed the names of the candidates for such office according to the title and the term thereof and below the name of each candidate shall be printed his place of residence, stating the street and number (if any). The names of candidates shall be printed in capital letters not less than one-eighth nor more than one-quarter of an inch in height, and immediately at the left of the name of each candidate shall be printed a square, the sides of which shall not be less than one-quarter of an inch in length. The names of all the candidates for each office shall be printed in a column and arranged in the order hereinafter designated; all names of candidates shall be printed in uniform type; the places of residence of such candidates shall be printed in uniform type; and squares upon said ballots shall be of uniform size; and spaces between the names of the candidates for the same office shall be of uniform size.

(6) The names of the candidates for alderman shall appear upon the ballot in the order in which petitions for nomination have been filed in the office of the board of election commissioners. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed filed simultaneously. Where 2 or more petitions are received simultaneously, the board of election commissioners shall break ties and determine the order of filing by means of a lottery or other fair and impartial method of random selection approved by the board of election commissioners. Such lottery shall be conducted within 9 days following the last day for petition filing and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given, by the board of election commissioners, to the Chairman of each political party and to each organization of citizens within the city which was entitled, under The Election Code, at the next preceding election, to have pollwatchers present on the day of election. The board of election commissioners shall post in a conspicuous, open and public place, at the entrance of the office, notice of the time and place of such lottery. The board of election commissioners shall adopt rules and regulations governing the procedures for the conduct of such lottery.

(Source: P.A. 86-867.)

(65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

New matter indicated in italics - deletions by strikeout
Sec. 21-32. Party designations prohibited - Ballot to be separate from other ballots.

No party name, party initial, party circle platform, principle, appellation or distinguishing mark of any kind shall be printed upon any election ballot used at any aldermanic election for mayor, city clerk, city treasurer, or alderman held under the provisions of this article.

If any party primary election or any election for any office other than aldermanic shall be held at the same time with any aldermanic election, the ballots for aldermen shall be separate from all other ballots; except that any question of public policy not required by law to be submitted on a separate ballot from that containing names of persons to be voted for may be submitted in the manner provided by law upon the same ballot as that used for an aldermanic election. Provided, that the polls shall be opened and closed for any aldermanic election at the same time as is provided for the opening and closing of any party primary election for any office other than alderman held at the same time.

(Source: Laws 1941, vol. 2, p. 19.)

Section 25. The School Code is amended by changing Sections 6-2, 6-19, 9-10, 10-10, 32-1, and 32-2.5 as follows:

(105 ILCS 5/6-2) (from Ch. 122, par. 6-2)

Sec. 6-2. Regional board; creation; membership; abolition and transfer of duties.

(a) There is created a regional board of school trustees for that territory in each educational service region exclusive of any school district organized under Article 34 and exclusive of any school district whose school board has been given the powers of school trustees; provided that on the effective date of this amendatory Act of 1992 the regional board of school trustees theretofore created and existing for any territory in an educational service region containing 2,000,000 or more inhabitants is abolished, the terms of office of all members of the regional board of school trustees so abolished are terminated on that effective date, and from and after that effective date all rights, powers, duties, and responsibilities that were vested in or required by law to be exercised and performed by the former regional board of school trustees shall be vested in and exercised and performed by the successors to the former regional board of school trustees as provided in subsection (b) of this Section 6-2. Any school district whose board of education acts as a board of school trustees shall have within its district the powers and duties of a regional board of school trustees.

New matter indicated in italics - deletions by strikeout
Unless abolished as provided in this Section, the regional board of school trustees, in both single county and multi-county educational service regions, shall consist of 7 members. In single county regions not more than one trustee may be a resident of any one congressional township; however, in case there are fewer than 7 congressional townships in the region then not more than two of such trustees may be residents of the same congressional township. *Notwithstanding the foregoing residency provision, in a single county region with a population of greater than 750,000 inhabitants, but less than 1,200,000 inhabitants, 2 trustees may be residents of the same congressional township if and only if such trustees were elected at the April 9, 2013 consolidated election.* In 2 county regions at least 2 trustees shall be residents of each county. In 3 or more county regions at least one trustee shall be a resident of each county. If more than 7 counties constitute the educational service region, the regional board of school trustees shall consist of one resident of each county.

The regional board of school trustees shall be a body politic and corporate by the name of "Regional Board of School Trustees of... County (or Counties), Illinois." Such corporation shall have perpetual existence with power to sue and be sued and to plead and be impleaded in all courts and places where judicial proceedings are had.

(b) Upon the abolition of the regional board of school trustees and the termination of the terms of office of the members of that former regional board of school trustees in an educational service region containing 2,000,000 or more inhabitants as provided in subsection (a), the trustees of schools of each township included within the territory of that educational service region that was served by the former regional board of school trustees, or if any such township is a township referred to in subsection (b) of Section 5-1 and there are no trustees of schools acting in that township then the school board of each school district located in that township, shall be the successors to the former regional board of school trustees. As successors to the former regional board of school trustees, the trustees of schools of each such township and the school board of each such school district, with respect to all territory included within the school township or school district served by the trustees of schools of the township or school board, shall be vested with and shall exercise and perform all rights, powers, duties, and responsibilities formerly held, exercised, and performed with respect to that territory by the regional board of school trustees abolished under subsection (a) of this Section.

New matter indicated in italics - deletions by strikeout
Upon abolition of the regional board of school trustees in an educational service region having 2,000,000 or more inhabitants as provided in subsection (a) of this Section, all books, records, maps, papers, documents, equipment, supplies, accounts, deposits, and other personal property belonging to or subject to the control or disposition of the former regional board of school trustees (excluding only such items as may have been provided by the county board) shall be transferred and delivered to the trustees of schools of the townships and the school boards that are the successors to the former regional board of school trustees for the territory included within their respective school townships or school districts.

From and after the effective date of this amendatory Act of 1992, any reference in the School Code or any other law of this State to the regional board of school trustees or county board of school trustees shall mean, with respect to all territory within an educational service region containing 2,000,000 or more inhabitants that formerly was served by a regional board of school trustees abolished under subsection (a) of this Section, the trustees of schools of the township or the school board of the school district that is the successor to the former regional board of school trustees with respect to the territory included within that school township or school district.

(Source: P.A. 87-969.)

(105 ILCS 5/6-19) (from Ch. 122, par. 6-19)

Sec. 6-19. Vacancy on regional board. Subject to the residency provisions in Section 6-2 of this Code, any vacancy on the regional board of school trustees shall be filled from the same territory by the remaining members until the next regular election for members of the regional board of school trustees, when the vacancy shall be filled for the unexpired time. Removal of a member from the township from which such member was elected into a township which has its quota of members on the board shall constitute a vacancy.

(Source: P.A. 80-1469.)

(105 ILCS 5/9-10) (from Ch. 122, par. 9-10)

Sec. 9-10. Candidates for office - Nominating petitions. Candidates for the office of school director shall be nominated by petition signed by at least 25 voters or 5% of the voters, whichever is less, residing within the district and filed with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located.
directors or with a person designated by the board to receive nominating petitions.

Nominations for members of boards of education, including non-high school boards of education shall be made by a petition signed by at least 50 voters or 10% of the voters, whichever is less, residing within the district and shall be filed with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located secretary of the board of education or with a person designated by the board to receive nominating petitions. In addition to the requirements of the general election law, the form of such petitions shall be substantially as follows:

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

To the (County Clerk or County Board of Election Commissioners)
secretary of the board of education (or board of directors) of district number .... of in .... County:

We the undersigned, being (.... or more) (or 10% or more) (or 5% or more) of the voters residing within said district, hereby petition that .... who resides at .... in the (city or village) of .... in Township .... (or who resides outside any city, village or incorporated town and in Township ....) in said district shall be a candidate for the office of .... of the board of education (or board of directors) (full term) (vacancy) to be voted for at the election to be held on (insert date).

Name: .................. Address: ...................

In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or

New matter indicated in italics - deletions by strikeout
parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation, such as a political slogan, as defined by Section 7-17 of the Election Code, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

All petitions for the nomination of members of a board of education shall be filed with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located. The county clerk or the county board of election commissioners secretary shall receive and file only those petitions which include a statement of candidacy, the required number of voter signatures, the notarized signature of the petition circulator and a receipt from the County Clerk showing that the candidate has filed a statement of economic interest on or before the last day to file as required by the Illinois Governmental Ethics Act. The county clerk or the county board of election commissioners secretary may have petition forms available for issuance to potential candidates, and may give notice of the petition filing period by publication in a newspaper of general circulation within the school district not less than 10 days prior to the first day of filing. The county clerk or the county board of election commissioners secretary shall make certification to the proper election authorities in accordance with the general election law. If the secretary is an incumbent school board member seeking re-election, a disinterested person must be a witness to the filing of his petition.
The county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located shall notify the candidates for whom a petition for nomination is filed or the appropriate committee of the obligations under the Campaign Financing Act as provided in the general election law. Such notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law. The county clerk or county board of election commissioners shall within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing the office's acceptance of the petition.

A candidate for membership on the board of education or for office as a school director, who has petitioned for nomination to fill a full term and to fill a vacant term to be voted upon at the same election, must withdraw his or her petition for nomination from either the full term or the vacant term by written declaration.

In all newly organized districts the petition for the nomination of candidates for members of the board of education at the first election shall be addressed to and filed with the regional superintendent of schools in the manner herein specified for the petitions for members of a board of education. For such election the regional superintendent shall fulfill all duties otherwise assigned to the secretary of the board of education.

(Source: P.A. 95-141, eff. 8-13-07.)

(105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

Sec. 10-10. Board of education; Term; Vacancy. All school districts having a population of not fewer than 1,000 and not more than 500,000 inhabitants, as ascertained by any special or general census, and not governed by special Acts, shall be governed by a board of education consisting of 7 members, serving without compensation except as herein provided. Each member shall be elected for a term of 4 years for the initial members of the board of education of a combined school district to which that subsection applies. If 5 members are elected in 1983 pursuant to the extension of terms provided by law for transition to the consolidated election schedule under the general election law, 2 of those members shall be elected to serve terms of 2 years and 3 shall be elected to serve terms of 4 years; their successors shall serve for a 4 year term. When the voters of a district have voted to elect members of the board of education for 6 year terms, as provided in Section 9-5, the terms of office of members of the board of education of that district expire when their successors assume office.

New matter indicated in italics - deletions by strikeout
office but not later than 7 days after such election. If at the regular school
election held in the first odd-numbered year after the determination to elect
members for 6 year terms 2 members are elected, they shall serve for a 6
year term; and of the members elected at the next regular school election 3
shall serve for a term of 6 years and 2 shall serve a term of 2 years.
Thereafter members elected in such districts shall be elected to a 6 year
term. If at the regular school election held in the first odd-numbered year
after the determination to elect members for 6 year terms 3 members are
elected, they shall serve for a 6 year term; and of the members elected at
the next regular school election 2 shall serve for a term of 2 years and 2
shall serve for a term of 6 years. Thereafter members elected in such
districts shall be elected to a 6 year term. If at the regular school election
held in the first odd-numbered year after the determination to elect
members for 6 year terms 4 members are elected, 3 shall serve for a term
of 6 years and one shall serve for a term of 2 years; and of the members
elected at the next regular school election 2 shall serve for terms of 6 years
and 2 shall serve for terms of 2 years. Thereafter members elected in such
districts shall be elected to a 6 year term. If at the regular school election
held in the first odd-numbered year after the determination to elect
members for 6 year terms 5 members are elected, 3 shall serve for a term
of 6 years and 2 shall serve for a term of 2 years; and of the members
elected at the next regular school election 2 shall serve for terms of 6 years
and 2 shall serve for terms of 2 years. Thereafter members elected in such
districts shall be elected to a 6 year term. An election for board members
shall not be held in school districts which by consolidation, annexation or
otherwise shall cease to exist as a school district within 6 months after the
election date, and the term of all board members which would otherwise
terminate shall be continued until such district shall cease to exist. Each
member, on the date of his or her election, shall be a citizen of the United
States of the age of 18 years or over, shall be a resident of the State and the
territory of the district for at least one year immediately preceding his or
her election, shall be a registered voter as provided in the general election
law, shall not be a school trustee, and shall not be a child sex offender as
defined in Section 11-9.3 of the Criminal Code of 2012. When the board
of education is the successor of the school directors, all rights of property,
and all rights regarding causes of action existing or vested in such
directors, shall vest in it as fully as they were vested in the school
directors. Terms of members are subject to Section 2A-54 of the Election
Code.

New matter indicated in italics - deletions by strikeout
Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

Whenever a vacancy occurs, the remaining members shall notify the regional superintendent of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next regular school election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, or if the vacancy occurs less than 88 days before the next regularly scheduled election for this office then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Should they fail so to act, within 45 days after the vacancy occurs, the regional superintendent of schools under whose supervision and control the district is operating, as defined in Section 3-14.2 of this Act, shall within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for herein. Upon the regional superintendent's failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election. Whether elected or appointed by the remaining members or regional superintendent, the successor shall be an inhabitant of the particular area from which his or her predecessor was elected if the residential requirements contained in Section 10-10.5 or 12-2 of this Code apply.

A board of education may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

(Source: P.A. 96-538, eff. 8-14-09; 97-1150, eff. 1-25-13.)
(105 ILCS 5/32-1) (from Ch. 122, par. 32-1)

New matter indicated in italics - deletions by strikeout
Sec. 32-1. May vote to organize under general law.

(a) Any special charter district may, by vote of its electors, cease to control its school under the Act under which it was organized, and become part of the school township or townships in which it is situated. Upon petition of 50 voters of the district, presented to the board having the control and management of the schools, the board shall order submitted to the voters at an election to be held in the district, in accordance with the general election law, the question of "organizing under the general school law". The secretary of the board shall make certification to the proper election authority in accordance with the general election law. If, however, a majority of the votes cast at any such election in any school district subject to Sections 32-3 through 32-4.11 is against organizing the district under the general school law, the question may not again be submitted in the district for 22 months thereafter, and then only upon petition signed by at least 2% of the voters of the school district. Notice shall be given in accordance with the general election law, which notice shall be in the following form:

NOTICE OF REFERENDUM

Notice is hereby given that on (insert date), a referendum will be held at.... for the purpose of deciding the question of organizing under the general school law. The polls will be opened at .... o'clock ..m and closed at .... o'clock ..m.

Signed .....  

If a majority of the votes cast on the proposition is in favor of organizing under the general school law, then the board having the control and management of schools in the district, shall declare the proposition carried.

When such a proposition is declared to have so carried, the board of education shall continue to exercise its powers and duties under the general school law. Each member of the board of education selected under the provisions of the special charter shall continue in office until his term has expired. Before the term of each of these members expires, the board shall give notice of an election to be held on the date of the next regular school election, in accordance with the general election law to fill the vacancy which is created. Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located a receipt from the county clerk showing
that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

(b) Notwithstanding the foregoing, any special charter district whose board is appointed by the mayor or other corporate authority of that municipality may, by resolution adopted by the corporate authorities of that municipality cease to control its school under the Act under which it was organized, become a part of the school township or townships in which it is situated and become organized under the general school law. If such a resolution is adopted, the board of education shall continue to exercise its powers and duties under the general school law. Each member of the board of education selected under the provisions of the special charter shall continue in office until his term has expired. Before the term of each of these members expires, the board shall give notice of an election to be held on the date of the next regular school election, in accordance with the general election law to fill the vacancy which is created.

(Source: P.A. 91-357, eff. 7-29-99.)

(105 ILCS 5/32-2.5) (from Ch. 122, par. 32-2.5)

Sec. 32-2.5. Election of board of education in lieu of appointive board. In all special charter districts having a population of over 35,000 by the last federal census, where the board of directors or board of education is elected or appointed by the city council of the city, of which school district such city may form the whole or a part, and where there are no provisions in the special charter creating such school district for the election of a board of directors or board of education, there shall be elected in lieu of the present governing body a board of education to consist of 7 members. Nomination of a candidate for member of the board of education shall be made by petitions signed in the aggregate by not less than 200 qualified voters residing in the school district, and also by filing with the petitions a statement of candidacy as provided in the general election law, which petitions and statements of candidacy shall be filed in the office of the board of education in accordance with the general election law.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located copy of the petition.
a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

The county clerk or the county board of election commissioners shall make certification to the proper election authority in accordance with the general election law.

(Source: P.A. 81-1490.)

Section 30. The Fox Waterway Agency Act is amended by changing Section 5 as follows:

(615 ILCS 90/5) (from Ch. 19, par. 1205)

Sec. 5. The Agency shall be governed by a Board of Directors, which shall consist of 6 directors and one chairman elected pursuant to this Section.

Three directors shall be elected from within the territory of each member county. Any resident of a member county and the territory of the Agency, at least 18 years of age, may become a candidate for election as a director by filing a nominating petition with the State Board of Elections containing the verified signatures of at least 200 of the registered voters of such county who reside within the territory of the Agency. Such petition shall be filed not more than 113 78 nor less than 106 71 days prior to the date of election.

The chairman shall be elected at large from the territory of the Agency. Any person eligible to become a candidate for election as director may become a candidate for election as chairman by filing a nominating petition with the State Board of Elections containing the verified signatures of at least 200 of the registered voters of each member county who reside within the territory of the Agency. Such petition shall be filed not more than 113 78 nor less than 106 71 days prior to the date of election.

Within 7 days after each consolidated election at which the chairman is elected, the county clerk of each member county shall transmit the returns for the election to the office of chairman to the State Board of Elections. The State Board of Elections shall immediately canvass the returns and proclaim the results thereof and shall issue a certificate of election to the person so elected.

New matter indicated in italics - deletions by strikeout
Beginning in 1985, the directors and chairman shall be elected at the consolidated election and shall serve from the third Monday in May following their respective elections until their respective successors are elected and qualified. The term of office of a director shall be for 4 years, except that of the directors elected at the consolidated election of 1985, 3 shall serve until the first Monday in May 1987 and 3 shall serve until the first Monday in May 1989. The term of office of a chairman shall be 4 years.

At least 90 days before the consolidated election of 1985 the State Board of Elections shall meet to determine by lot which 3 director positions shall be elected for terms to expire on the first Monday in May 1987 and which 3 director positions shall be elected for terms to expire on the first Monday in May 1989. At least one director position from each member county shall be elected for a term to expire on the first Monday in May 1987.

The county clerks of the member counties shall provide notice of each election for chairman and director in the manner prescribed in Article 12 of The Election Code, with the notice of the elections to be held at the consolidated election of 1985 to include a statement as to whether the director is to be elected for a term of 2 years or for a term of 4 years.

A chairman shall be elected at the consolidated election of 1985 and at each consolidated election every 4 years thereafter. Six directors shall be elected at the consolidated election of 1985. At the consolidated election of 1987, and at each consolidated election every 4 years thereafter, directors shall be elected from the constituencies of the directors who were elected at the consolidated election of 1985 and whose terms expired on the first Monday in May 1987. At the consolidated election of 1989, and at each consolidated election every 4 years thereafter, directors shall be elected from the constituencies of the directors who were elected at the consolidated election of 1985 and whose terms expired on the first Monday in May 1989.

Vacancies in the office of director or chairman shall be filled by the remaining members of the Board, who shall appoint to fill the vacated office for the remainder of the term of such office an individual who would be eligible for election to such office. If, however, a vacancy occurs in the office of chairman or director with at least 28 months remaining in the term of such office, the office shall be filled for the remainder of the term at the next consolidated election. Until the office is filled by election,...
the remaining members of the Board shall appoint a qualified person to the office in the manner provided in this Section.
(Source: P.A. 93-847, eff. 7-30-04.)

Section 35. The Illinois Vehicle Code is amended by changing Section 6-110.1 as follows:
(625 ILCS 5/6-110.1)
Sec. 6-110.1. Confidentiality of captured photographs or images. The Secretary of State shall maintain a file on or contract to file all photographs and signatures obtained in the process of issuing a driver's license, permit, or identification card. The photographs and signatures shall be confidential and shall not be disclosed except to the following persons:

(1) the individual upon written request;
(2) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling driver's licenses, permits, or identification cards;
(3) law enforcement officials for a lawful civil or criminal law enforcement investigation; or
(3-5) the State Board of Elections for the sole purpose of providing the signatures required by a local election authority to register a voter through an online voter registration system; or
(4) other entities that the Secretary may exempt by rule.
(Source: P.A. 92-16, eff. 6-28-01.)

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

Section 99. Effective date. This Act takes effect upon becoming law, except that the changes made to Sections 1A-16, 4-8, 4-10, 4-12, 4-15, 5-7, 5-9, 5-15, 5-21, 6-29, 6-35, 6-40, and 6-57 of the Election Code take effect on October 1, 2013.
Approved July 29, 2013.
Effective July 29, 2013 and October 1, 2013.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27-6 as follows:

Sec. 27-6. Courses in physical education required; special activities.

(a) Pupils enrolled in the public schools and State universities engaged in preparing teachers shall be required to engage daily during the school day, except on block scheduled days for those public schools engaged in block scheduling, in courses of physical education for such periods as are compatible with the optimum growth and developmental needs of individuals at the various age levels except when appropriate excuses are submitted to the school by a pupil's parent or guardian or by a person licensed under the Medical Practice Act of 1987 and except as provided in subsection (b) of this Section.

Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act of 1987, prevents their participation in the courses provided for normal children.

(b) A school board is authorized to excuse pupils enrolled in grades 11 and 12 from engaging in physical education courses if those pupils request to be excused for any of the following reasons: (1) for ongoing participation in an interscholastic athletic program; (2) to enroll in academic classes which are required for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or (3) to enroll in academic classes which are required for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate. A school board may also excuse pupils in grades 9 through 12 enrolled in a marching band program for credit from engaging in physical education courses if those pupils request to be excused for ongoing participation in such marching band program. In addition, a pupil in any of grades 3 through 12 who is eligible for special education may be excused if the pupil's parent or guardian agrees that the

New matter indicated by italics - deletions by strikeout
pupil must utilize the time set aside for physical education to receive special education support and services or, if there is no agreement, the individualized education program team for the pupil determines that the pupil must utilize the time set aside for physical education to receive special education support and services, which agreement or determination must be made a part of the individualized education program. However, a pupil requiring adapted physical education must receive that service in accordance with the individualized education program developed for the pupil. If requested, a school board is authorized to excuse a pupil from engaging in a physical education course if the pupil has an individualized educational program under Article 14 of this Code, is participating in an adaptive athletic program outside of the school setting, and documents such participation as determined by the school board. A school board may also excuse pupils in grades 9 through 12 enrolled in a Reserve Officer's Training Corps (ROTC) program sponsored by the school district from engaging in physical education courses. School boards which choose to exercise this authority shall establish a policy to excuse pupils on an individual basis.

(c) The provisions of this Section are subject to the provisions of Section 27-22.05.

(Source: P.A. 94-189, eff. 7-12-05; 94-198, eff. 1-1-06; 94-200, eff. 7-12-05; 94-1098, eff. 2-2-07; 95-331, eff. 8-21-07.)

Section 99. Effective date. This Act takes effect July 1, 2013.
Passed in the General Assembly May 20, 2013.
Approved July 29, 2013.
Effective July 29, 2013.
(a) Purpose. The purpose of this Section is to provide for assistance to disadvantaged business enterprises with project financing costs for those firms that are ready, willing, and able to participate on Department construction contracts. The Department's disparity study recommends and supports a financing program to address this barrier faced by disadvantaged business enterprises.

(b) For the purposes of this Section:

"Construction" means building, altering, repairing, improving, or demolishing any public structure or building, or making improvements of any kind to public real property. Construction does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"Construction-related services" means those services including construction design, layout, inspection, support, feasibility or location study, research, development, planning, or other investigative study undertaken by a construction agency concerning construction or potential construction.

"Contractor" means one who participates, through a contract or subcontract at any tier, in a United States Department of Transportation-assisted or Illinois Department of Transportation-assisted highway, rail, transit, or airport program.

"Escrow account" means a fiduciary account established with (1) a banking corporation which is both organized under the Illinois Banking Act and authorized to accept and administer trusts in this State; or (2) a national banking association which has its principal place of business in this State and which is authorized to accept and administer trusts in this State.

"Fund Control Agent" means a person who provides managerial and technical assistance to disadvantaged business enterprises and holds the authority to manage a loan under this Section. The Fund Control Agent will be procured by the Department under a request for proposal process governed by the Illinois Procurement Code and rules adopted under that Code.

"Loan" or "loan assistance funds" means a low-interest line of credit made available to a selected disadvantaged business enterprise under this program for the purposes set forth in subsection (f) below.

(c) The Department may enter into agreements to make loans to disadvantaged business enterprises certified by the Department for participation on Department-procured construction and construction-
related contracts. For purposes of this Section, the term "disadvantaged business enterprise" has the meaning ascribed to it by 49 CFR Part 26.

The Department shall establish a loan selection committee to review applications and select eligible disadvantaged business enterprises for low-interest loans under this program. A selection committee shall be comprised of at least 3 members appointed by the Secretary of the Department and shall include at least one public member from the construction or financing industry. The public member may not be employed or associated with any disadvantaged business enterprise holding a contract with the Department nor may the public member's firm be considered for a contract with the Department while he or she is serving as a public member of the committee. Terms of service for public members shall not exceed 5 years. No public member of the loan selection committee shall hold consecutive terms, nor shall any member receive any compensation other than for reasonable expenses for service related to this committee.

The Department shall establish through administrative rules the requirements for eligibility and criteria for loan applications, approved use of funds, amount of loans, interest rates, collateral, and terms. The Department is authorized to adopt rules to implement this Section.

The Department shall notify the prime contractor on a project that a subcontractor on the same project has been awarded a loan from the Working Capital Revolving Loan Fund. If the loan agreement is amended by the parties of the loan agreement, the prime contractor shall not be a party to any disadvantaged business enterprise loan agreement between the Department and participating subcontractor and shall not incur any liability for loan debt accrued as a result of the loan agreement.

(d) Loan funds shall be disbursed to the escrow account, subject to appropriation, from the Working Capital Revolving Loan Fund established as a special fund in the State treasury. Loaned funds that are repaid to the Department shall be deposited into the Working Capital Revolving Loan Fund. Other appropriations, grants, awards, and donations to the Department for the purpose of the revolving loan program established by this Section shall be deposited into the Working Capital Revolving Loan Fund.

(e) A funds control process shall be established to serve as an intermediary between the Department and the contractor to verify payments and to ensure paperwork is properly filed. The Fund Control Agent and contractor shall enter into an agreement regarding the control

New matter indicated by italics - deletions by strikeout
and disbursement of all payments to be made by the Fund Control Agent under the contract. The Department shall authorize and direct the Fund Control Agent to review all disbursement requests and supporting documents received from the contractor. The Fund Control Agent shall direct the escrow account to disburse escrow funds to the subcontractor, material supplier, and other appropriate entities by written request for the disbursement. The disadvantaged business enterprise shall maintain control over its business operations by directing the payments of the loan funds through its relationship with the Funds Control Agent. The funds control process shall require the Fund Control Agent to intercept payments made from a contractor to a subcontractor receiving a loan made under this Act and allow the Fund Control Agent to deduct any unpaid loan repayments owed to the State before releasing the payment to the subcontractor.

(f) Loan assistance funds shall be allowed for current liabilities or working capital expenses associated with participation in the performance of contracts procured and awarded by the Department for transportation construction and construction-related purposes. Loan funds shall not be used for:

1. refinancing or payment of existing long-term debt;
2. payment of non-current taxes;
3. payments, advances, or loans to stockholders, officers, directors, partners, or member owners of limited liability companies; or
4. the purchase or lease of non-construction motor vehicles or equipment.

The loan agreement shall provide for the terms and conditions of repayment which shall not extend repayment longer than final payment made by the Department following completion and acceptance of the work authorized for loan assistance under the program. The funds shall be loaned with interest.

(g) The number of loans one disadvantaged business enterprise may receive under this program is limited to 3. Loans shall not be granted simultaneously. An applicant shall not be permitted to obtain a loan under this program for a different and additional project until payment in full of any outstanding loans granted under this program have been received by the Department.

(h) The rate of interest for any loan shall be set by rule.
(i) The loan amount to any successful applicant shall not exceed 55% percent of the contract or subcontract supporting the loan.

(j) Nothing in this Section shall impair the contractual rights of the Department and the prime contractor or the contractual rights between a prime contractor and subcontractor.

(k) Nothing in this Section is intended nor shall be construed to vest applicants denied funds by the Department in accordance with this Section a right to challenge, protest, or contest the awarding of funds by the Department to successful applicants or any loan or agreement executed in connection with it.

(l) The debt delinquency prohibition under Section 50-11 of the Illinois Procurement Code applies to any future contracts or subcontracts in the event of a loan default.

(m) Investment income which is attributable to the investment of moneys in the Working Capital Revolving Loan Fund shall be retained in the Working Capital Revolving Loan Fund.

(n) By January 1, 2014 and January 1 of each succeeding year, the Department shall report to the Governor and the General Assembly on the utilization and status of the revolving loan program. The report shall, at a minimum, include the amount transferred from the Road Fund to the Working Capital Revolving Loan Fund, the number and size of approved loans, the amounts disbursed to and from the escrow account, the amounts, if any, repaid to the Working Capital Revolving Loan Fund, the interest and fees paid by loan recipients, and the interest earned on balances in the Working Capital Revolving Loan Fund, and the names of any contractors who are delinquent or in default of payment. The January 1, 2017 report shall include an evaluation of the program by the Department to determine the program's viability and progress towards its stated purpose.

(o) The Department's authority to execute additional loans or request transfers to the Working Capital Revolving Loan Fund expires on June 1, 2018. The Comptroller shall order transferred and the Treasurer shall transfer any available balance remaining in the Working Capital Revolving Loan Fund to the Road Fund on January 1, 2019, or as soon thereafter as may be practical. Any loan repayments, interest, or fees that are by the terms of a loan agreement payable to the Working Capital Revolving Loan Fund after June 20, 2018 shall instead be paid into the Road Fund as the successor fund to the Working Capital Revolving Loan Fund.

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Section 10. The State Finance Act is amended by adding Sections 5.826 and 8r as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Working Capital Revolving Loan Fund.

(30 ILCS 105/8r new)

Sec. 8r. Transfer to the Working Capital Revolving Loan Fund.

(a) Except as provided in subsection (b), upon the written request of the Secretary of Transportation, the State Comptroller shall order and the State Treasurer shall transfer amounts not to exceed $3,000,000 in aggregate during a fiscal year, for a period of 5 years, from the Road Fund to the Working Capital Revolving Loan Fund as requested by the Secretary of Transportation or as soon thereafter as may be practical.

(b) No transfer may be requested or ordered if the available balance in the Working Capital Revolving Loan Fund is equal to or greater than $6,000,000.

Section 99. Effective date. This Act takes effect July 1, 2013.


Approved July 30, 2013.

Effective July 30, 2013.

PUBLIC ACT 98-0118
(Senate Bill No. 0050)

AN ACT concerning wildlife.

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

Section 5. The Wildlife Code is amended by changing Section 3.1-4 as follows:

(520 ILCS 5/3.1-4)

Sec. 3.1-4. Military members returning from mobilization and service outside the United States.

(a) After returning from service abroad or mobilization by the President of the United States as an active duty member of the United States Armed Forces, the Illinois National Guard, or the Reserves of the United States Armed Forces, an Illinois resident may hunt any of the species protected by Section 2.2 of this Code without paying any fees required to obtain a hunting license for the time period prescribed by subsection (b) of this Section if the Illinois resident applies for a license within 2 years after returning from service abroad or mobilization. The

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applicant shall provide acceptable verification of service or mobilization to
the Department either at the Department's office in Springfield or at a
Regional Office of the Department.

  (b) For each year that an applicant is an active duty member
pursuant to subsection (a) of this Section, the applicant shall receive one
free hunting license, one free Deer Hunting Permit as provided in Section
2.26 of this Code and rules adopted pursuant to that Section, and one free
State Habitat Stamp. For the purposes of this determination, if the period
of active duty is a portion of a year (for example, one year and 3 months),
the applicant will be credited with a full year for the portion of a year
served.

  (c) (Blank).

  (c-5) An Illinois resident veteran may obtain an Illinois Hunter
Education card if he or she completes the online study section of the
Illinois Hunter Education program and provides the Department with
acceptable verification of service or mobilization.

  (d) For the purposes of this Section, "acceptable verification of
service or mobilization" means official documentation from the
Department of Defense or the appropriate Major Command showing
mobilization dates or service abroad dates, including: (i) a DD-214, (ii) a
letter from the Illinois Department of Military Affairs for members of the
Illinois National Guard, (iii) a letter from the Regional Reserve Command
for members of the Armed Forces Reserve, (iv) a letter from the Major
Command covering Illinois for active duty members, (v) personnel records
for mobilized State employees, and (vi) any other documentation that the
Department, by administrative rule, deems acceptable to establish dates of
mobilization or service abroad.

  (e) For the purposes of this Section, the term "service abroad"
means active duty service outside of the 50 United States and the District
of Columbia, and includes all active duty service in territories and
possessions of the United States.

(Source: P.A. 96-1014, eff. 1-1-11.)

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

Approved July 30, 2013.
Effective July 30, 2013.
AN ACT concerning wildlife.

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

Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

Sec. 2.33. Prohibitions.

(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.

(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall

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prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

New matter indicated by italics - deletions by strikeout
(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to trap or hunt, or intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or tenant. It shall be prima facie evidence that a person does not have permission of the owner or tenant if the person is unable to demonstrate to the law enforcement officer in the field that permission had been obtained. This provision may only be rebutted by testimony of the owner or tenant that permission had been given. Before enforcing this Section the law enforcement officer must have received notice from the owner or tenant of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.
(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color,

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with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a daily bag limit without making a reasonable effort to retrieve such species and include such in the daily bag limit.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(nn) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(nn) It shall be unlawful to possess any species of wildlife or wildlife parts taken unlawfully in Illinois, any other state, or any other country, whether or not the wildlife or wildlife parts is indigenous to Illinois. For the purposes of this subsection, the statute of limitations for unlawful possession of wildlife or wildlife parts shall not cease until 2 years after the possession has permanently ended.

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.

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

Section 5. The Probate Act of 1975 is amended by changing Section 11a-5 as follows:

(755 ILCS 5/11a-5) (from Ch. 110 1/2, par. 11a-5)
Sec. 11a-5. Who may act as guardian.

(a) A person is qualified to act as guardian of the person and as guardian of the estate of a disabled person if the court finds that the proposed guardian is capable of providing an active and suitable program of guardianship for the disabled person and that the proposed guardian:

(1) has attained the age of 18 years;
(2) is a resident of the United States;
(3) is not of unsound mind;
(4) is not an adjudged disabled person as defined in this Act; and
(5) has not been convicted of a felony, unless the court finds appointment of the person convicted of a felony to be in the disabled person's best interests, and as part of the best interest determination, the court has considered the nature of the offense, the date of offense, and the evidence of the proposed guardian's rehabilitation. No person shall be appointed who has been convicted of a felony involving harm or threat to a minor or an elderly or disabled person, including a felony sexual offense.

(b) Any public agency, or not-for-profit corporation found capable by the court of providing an active and suitable program of guardianship for the disabled person, taking into consideration the nature of such person's disability and the nature of such organization's services, may be appointed guardian of the person or of the estate, or both, of the disabled person. The court shall not appoint as guardian an agency which is directly

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providing residential services to the ward. One person or agency may be appointed guardian of the person and another person or agency appointed guardian of the estate.

(c) Any corporation qualified to accept and execute trusts in this State may be appointed guardian of the estate of a disabled person.

(Source: P.A. 94-579, eff. 8-12-05.)


Approved July 30, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0121
(Senate Bill No. 1303)

AN ACT concerning regulation.

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

Section 5. The Nursing Home Care Act is amended by changing Section 1-125.1 as follows:

Sec. 1-125.1. "Student intern" means any person whose total term of employment in any facility during any 12-month period is equal to or less than 90 continuous days, and whose term of employment is either,

(1) an academic credit requirement in a high school or undergraduate or graduate institution; or

(2) immediately succeeds a full quarter, semester or trimester of academic enrollment in either a high school or undergraduate or graduate institution, provided that such person is registered for another full quarter, semester or trimester of academic enrollment in either a high school or undergraduate or graduate institution which quarter, semester or trimester will commence immediately following the term of employment; or:

(3) immediately succeeds graduation from the high school or undergraduate or graduate institution.

(Source: P.A. 82-184.)

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


Approved July 30, 2013.

Effective July 30, 2013.
AN ACT concerning alternative treatment for serious diseases causing chronic pain and debilitating conditions.

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

Section 1. Short title. This Act may be cited as the Compassionate Use of Medical Cannabis Pilot Program Act.

Section 5. Findings.

(a) The recorded use of cannabis as a medicine goes back nearly 5,000 years. Modern medical research has confirmed the beneficial uses of cannabis in treating or alleviating the pain, nausea, and other symptoms associated with a variety of debilitating medical conditions, including cancer, multiple sclerosis, and HIV/AIDS, as found by the National Academy of Sciences' Institute of Medicine in March 1999.

(b) Studies published since the 1999 Institute of Medicine report continue to show the therapeutic value of cannabis in treating a wide array of debilitating medical conditions. These include relief of the neuropathic pain caused by multiple sclerosis, HIV/AIDS, and other illnesses that often fail to respond to conventional treatments and relief of nausea, vomiting, and other side effects of drugs used to treat HIV/AIDS and hepatitis C, increasing the chances of patients continuing on life-saving treatment regimens.

(c) Cannabis has many currently accepted medical uses in the United States, having been recommended by thousands of licensed physicians to at least 600,000 patients in states with medical cannabis laws. The medical utility of cannabis is recognized by a wide range of medical and public health organizations, including the American Academy of HIV Medicine, the American College of Physicians, the American Nurses Association, the American Public Health Association, the Leukemia & Lymphoma Society, and many others.

(d) Data from the Federal Bureau of Investigation's Uniform Crime Reports and the Compendium of Federal Justice Statistics show that approximately 99 out of every 100 cannabis arrests in the U.S. are made under state law, rather than under federal law. Consequently, changing State law will have the practical effect of protecting from arrest the vast majority of seriously ill patients who have a medical need to use cannabis.
(e) Alaska, Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Maine, Massachusetts, Michigan, Montana, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Washington, and Washington, D.C. have removed state-level criminal penalties from the medical use and cultivation of cannabis. Illinois joins in this effort for the health and welfare of its citizens.

(f) States are not required to enforce federal law or prosecute people for engaging in activities prohibited by federal law. Therefore, compliance with this Act does not put the State of Illinois in violation of federal law.

(g) State law should make a distinction between the medical and non-medical uses of cannabis. Hence, the purpose of this Act is to protect patients with debilitating medical conditions, as well as their physicians and providers, from arrest and prosecution, criminal and other penalties, and property forfeiture if the patients engage in the medical use of cannabis.

Section 10. Definitions. The following terms, as used in this Act, shall have the meanings set forth in this Section:

(a) "Adequate supply" means:

1. 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source.

2. Subject to the rules of the Department of Public Health, a patient may apply for a waiver where a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 2.5 ounces is an insufficient adequate supply for a 14-day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

3. This subsection may not be construed to authorize the possession of more than 2.5 ounces at any time without authority from the Department of Public Health.

4. The pre-mixed weight of medical cannabis used in making a cannabis infused product shall apply toward the limit on the total amount of medical cannabis a registered qualifying patient may possess at any one time.

(b) "Cannabis" has the meaning given that term in Section 3 of the Cannabis Control Act.

New matter indicated by italics - deletions by strikeout
(c) "Cannabis plant monitoring system" means a system that includes, but is not limited to, testing and data collection established and maintained by the registered cultivation center and available to the Department for the purposes of documenting each cannabis plant and for monitoring plant development throughout the life cycle of a cannabis plant cultivated for the intended use by a qualifying patient from seed planting to final packaging.

(d) "Cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Department of Public Health.

(e) "Cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

(f) "Cultivation center agent" means a principal officer, board member, employee, or agent of a registered cultivation center who is 21 years of age or older and has not been convicted of an excluded offense.

(g) "Cultivation center agent identification card" means a document issued by the Department of Agriculture that identifies a person as a cultivation center agent.

(h) "Debilitating medical condition" means one or more of the following:

1. cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, cachexia/wasting syndrome, muscular dystrophy, severe fibromyalgia, spinal cord disease, including but not limited to arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia, Rheumatoid arthritis, fibrous dysplasia, spinal cord injury, traumatic brain injury and post-concussion syndrome, Multiple Sclerosis, Arnold-Chiari malformation and Syringomyelia, Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's, Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD (Complex Regional Pain Syndromes Type I), Causalgia, CRPS (Complex Regional Pain Syndromes Type II), Neurofibromatosis, Chronic Inflammatory Demyelinating Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella syndrome, residual limb pain, or the treatment of these conditions; or
(2) any other debilitating medical condition or its treatment that is added by the Department of Public Health by rule as provided in Section 45.

(i) "Designated caregiver" means a person who: (1) is at least 21 years of age; (2) has agreed to assist with a patient's medical use of cannabis; (3) has not been convicted of an excluded offense; and (4) assists no more than one registered qualifying patient with his or her medical use of cannabis.

(j) "Dispensing organization agent identification card" means a document issued by the Department of Financial and Professional Regulation that identifies a person as a medical cannabis dispensing organization agent.

(k) "Enclosed, locked facility" means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store, and distribute cannabis for registered qualifying patients.

(l) "Excluded offense" means:

(1) a violent crime defined in Section 3 of the Rights of Crime Victims and Witnesses Act or a substantially similar offense that was classified as a felony in the jurisdiction where the person was convicted; or

(2) a violation of a state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted, except that the registering Department may waive this restriction if the person demonstrates to the registering Department's satisfaction that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use. This exception does not apply if the conviction was under state law and involved a violation of an existing medical cannabis law.

(m) "Medical cannabis cultivation center registration" means a registration issued by the Department of Agriculture.

(n) "Medical cannabis container" means a sealed, traceable, food compliant, tamper resistant, tamper evident container, or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization.

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(o) "Medical cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

(p) "Medical cannabis dispensing organization agent" or "dispensing organization agent" means a principal officer, board member, employee, or agent of a registered medical cannabis dispensing organization who is 21 years of age or older and has not been convicted of an excluded offense.

(q) "Medical cannabis infused product" means food, oils, ointments, or other products containing usable cannabis that are not smoked.

(r) "Medical use" means the acquisition; administration; delivery; possession; transfer; transportation; or use of cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

(s) "Physician" means a doctor of medicine or doctor of osteopathy licensed under the Medical Practice Act of 1987 to practice medicine and who has a controlled substances license under Article III of the Illinois Controlled Substances Act. It does not include a licensed practitioner under any other Act including but not limited to the Illinois Dental Practice Act.

(t) "Qualifying patient" means a person who has been diagnosed by a physician as having a debilitating medical condition.

(u) "Registered" means licensed, permitted, or otherwise certified by the Department of Agriculture, Department of Public Health, or Department of Financial and Professional Regulation.

(v) "Registry identification card" means a document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

(w) "Usable cannabis" means the seeds, leaves, buds, and flowers of the cannabis plant and any mixture or preparation thereof, but does not include the stalks, and roots of the plant. It does not include the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

(x) "Verification system" means a Web-based system established and maintained by the Department of Public Health that is available to the
Department of Agriculture, the Department of Financial and Professional Regulation, law enforcement personnel, and registered medical cannabis dispensing organization agents on a 24-hour basis for the verification of registry identification cards, the tracking of delivery of medical cannabis to medical cannabis dispensing organizations, and the tracking of the date of sale, amount, and price of medical cannabis purchased by a registered qualifying patient.

(y) "Written certification" means a document dated and signed by a physician, stating (1) that in the physician's professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition; (2) that the qualifying patient has a debilitating medical condition and specifying the debilitating medical condition the qualifying patient has; and (3) that the patient is under the physician's care for the debilitating medical condition. A written certification shall be made only in the course of a bona fide physician-patient relationship, after the physician has completed an assessment of the qualifying patient's medical history, reviewed relevant records related to the patient's debilitating medical condition, and conducted a physical examination.

A veteran who has received treatment at a VA hospital shall be deemed to have a bona fide physician-patient relationship with a VA physician if the patient has been seen for his or her debilitating medical condition at the VA Hospital in accordance with VA Hospital protocols.

A bona fide physician-patient relationship under this subsection is a privileged communication within the meaning of Section 8-802 of the Code of Civil Procedure.

Section 15. Authority.
(a) It is the duty of the Department of Public Health to enforce the following provisions of this Act unless otherwise provided for by this Act:

(1) establish and maintain a confidential registry of qualifying patients authorized to engage in the medical use of cannabis and their caregivers;

(2) distribute educational materials about the health risks associated with the abuse of cannabis and prescription medications;

(3) adopt rules to administer the patient and caregiver registration program; and

New matter indicated by italics - deletions by strikeout
(4) adopt rules establishing food handling requirements for cannabis-infused products that are prepared for human consumption.

(b) It is the duty of the Department of Agriculture to enforce the provisions of this Act relating to the registration and oversight of cultivation centers unless otherwise provided for in this Act.

(c) It is the duty of the Department of Financial and Professional Regulation to enforce the provisions of this Act relating to the registration and oversight of dispensing organizations unless otherwise provided for in this Act.

(d) The Department of Public Health, the Department of Agriculture, or the Department of Financial and Professional Regulation shall enter into intergovernmental agreements, as necessary, to carry out the provisions of this Act including, but not limited to, the provisions relating to the registration and oversight of cultivation centers, dispensing organizations, and qualifying patients and caregivers.

(e) The Department of Public Health, Department of Agriculture, or the Department of Financial and Professional Regulation may suspend or revoke a registration for violations of this Act and any rules adopted in accordance thereto. The suspension or revocation of a registration is a final Agency action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

Section 20. Compassionate Use of Medical Cannabis Fund.

(a) There is created the Compassionate Use of Medical Cannabis Fund in the State Treasury to be used exclusively for the direct and indirect costs associated with the implementation, administration, and enforcement of this Act. Funds in excess of the direct and indirect costs associated with the implementation, administration, and enforcement of this Act shall be used to fund crime prevention programs.

(b) All monies collected under this Act shall be deposited in the Compassionate Use of Medical Cannabis Fund in the State treasury. All earnings received from investment of monies in the Compassionate Use of Medical Cannabis Fund shall be deposited in the Compassionate Use of Medical Cannabis Fund.

(c) Notwithstanding any other law to the contrary, the Compassionate Use of Medical Cannabis Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the Compassionate Use of Medical Cannabis Fund into any other fund of the State.

New matter indicated by italics - deletions by strikeout
Section 25. Immunities and presumptions related to the medical use of cannabis.

(a) A registered qualifying patient is not subject to arrest, prosecution, or denial of any right or privilege, including but not limited to civil penalty or disciplinary action by an occupational or professional licensing board, for the medical use of cannabis in accordance with this Act, if the registered qualifying patient possesses an amount of cannabis that does not exceed an adequate supply as defined in subsection (a) of Section 10 of this Act of usable cannabis and, where the registered qualifying patient is a licensed professional, the use of cannabis does not impair that licensed professional when he or she is engaged in the practice of the profession for which he or she is licensed.

(b) A registered designated caregiver is not subject to arrest, prosecution, or denial of any right or privilege, including but not limited to civil penalty or disciplinary action by an occupational or professional licensing board, for acting in accordance with this Act to assist a registered qualifying patient to whom he or she is connected through the Department's registration process with the medical use of cannabis if the designated caregiver possesses an amount of cannabis that does not exceed an adequate supply as defined in subsection (a) of Section 10 of this Act of usable cannabis. The total amount possessed between the qualifying patient and caregiver shall not exceed the patient's adequate supply as defined in subsection (a) of Section 10 of this Act.

(c) A registered qualifying patient or registered designated caregiver is not subject to arrest, prosecution, or denial of any right or privilege, including but not limited to civil penalty or disciplinary action by an occupational or professional licensing board for possession of cannabis that is incidental to medical use, but is not usable cannabis as defined in this Act.

(d)(1) There is a rebuttable presumption that a registered qualifying patient is engaged in, or a designated caregiver is assisting with, the medical use of cannabis in accordance with this Act if the qualifying patient or designated caregiver:

   (A) is in possession of a valid registry identification card; and

   (B) is in possession of an amount of cannabis that does not exceed the amount allowed under subsection (a) of Section 10.

   (2) The presumption may be rebutted by evidence that conduct related to cannabis was not for the purpose of treating or alleviating the
qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition in compliance with this Act.

(e) A physician is not subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by the Medical Disciplinary Board or by any other occupational or professional licensing board, solely for providing written certifications or for otherwise stating that, in the physician's professional opinion, a patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition, provided that nothing shall prevent a professional licensing or disciplinary board from sanctioning a physician for: (1) issuing a written certification to a patient who is not under the physician's care for a debilitating medical condition; or (2) failing to properly evaluate a patient's medical condition or otherwise violating the standard of care for evaluating medical conditions.

(f) No person may be subject to arrest, prosecution, or denial of any right or privilege, including but not limited to civil penalty or disciplinary action by an occupational or professional licensing board, solely for: (1) selling cannabis paraphernalia to a cardholder upon presentation of an unexpired registry identification card in the recipient's name, if employed and registered as a dispensing agent by a registered dispensing organization; (2) being in the presence or vicinity of the medical use of cannabis as allowed under this Act; or (3) assisting a registered qualifying patient with the act of administering cannabis.

(g) A registered cultivation center is not subject to prosecution; search or inspection, except by the Department of Agriculture, Department of Public Health, or State or local law enforcement under Section 130; seizure; or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business licensing board or entity, for acting under this Act and Department of Agriculture rules to: acquire, possess, cultivate, manufacture, deliver, transfer, transport, supply, or sell cannabis to registered dispensing organizations.

(h) A registered cultivation center agent is not subject to prosecution, search, or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business licensing board or entity, for working or volunteering for a registered cannabis cultivation center under this Act and Department of Agriculture rules.
Agriculture rules, including to perform the actions listed under subsection (g).

(i) A registered dispensing organization is not subject to prosecution; search or inspection, except by the Department of Financial and Professional Regulation or State or local law enforcement pursuant to Section 130; seizure; or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business licensing board or entity, for acting under this Act and Department of Financial and Professional Regulation rules to: acquire, possess, or dispense cannabis, or related supplies, and educational materials to registered qualifying patients or registered designated caregivers on behalf of registered qualifying patients.

(j) A registered dispensing organization agent is not subject to prosecution, search, or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business licensing board or entity, for working or volunteering for a dispensing organization under this Act and Department of Financial and Professional Regulation rules, including to perform the actions listed under subsection (i).

(k) Any cannabis, cannabis paraphernalia, illegal property, or interest in legal property that is possessed, owned, or used in connection with the medical use of cannabis as allowed under this Act, or acts incidental to that use, may not be seized or forfeited. This Act does not prevent the seizure or forfeiture of cannabis exceeding the amounts allowed under this Act, nor shall it prevent seizure or forfeiture if the basis for the action is unrelated to the cannabis that is possessed, manufactured, transferred, or used under this Act.

(l) Mere possession of, or application for, a registry identification card or registration certificate does not constitute probable cause or reasonable suspicion, nor shall it be used as the sole basis to support the search of the person, property, or home of the person possessing or applying for the registry identification card. The possession of, or application for, a registry identification card does not preclude the existence of probable cause if probable cause exists on other grounds.

(m) Nothing in this Act shall preclude local or State law enforcement agencies from searching a registered cultivation center where there is probable cause to believe that the criminal laws of this State have been violated and the search is conducted in conformity with the Illinois Constitution, the Constitution of the United States, and all State statutes.

New matter indicated by italics - deletions by strikeout
(n) Nothing in this Act shall preclude local or state law enforcement agencies from searching a registered dispensing organization where there is probable cause to believe that the criminal laws of this State have been violated and the search is conducted in conformity with the Illinois Constitution, the Constitution of the United States, and all State statutes.

(o) No individual employed by the State of Illinois shall be subject to criminal or civil penalties for taking any action in accordance with the provisions of this Act, when the actions are within the scope of his or her employment. Representation and indemnification of State employees shall be provided to State employees as set forth in Section 2 of the State Employee Indemnification Act.

Section 30. Limitations and penalties.

(a) This Act does not permit any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for engaging in, the following conduct:

1. Undertaking any task under the influence of cannabis, when doing so would constitute negligence, professional malpractice, or professional misconduct;
2. Possessing cannabis:
   (A) in a school bus;
   (B) on the grounds of any preschool or primary or secondary school;
   (C) in any correctional facility;
   (D) in a vehicle under Section 11-502.1 of the Illinois Vehicle Code;
   (E) in a vehicle not open to the public unless the medical cannabis is in a reasonably secured, sealed, tamper-evident container and reasonably inaccessible while the vehicle is moving; or
   (F) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;
3. Using cannabis:
   (A) in a school bus;
   (B) on the grounds of any preschool or primary or secondary school;
   (C) in any correctional facility;
   (D) in any motor vehicle;

New matter indicated by italics - deletions by strikeout
(E) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;

(F) in any public place. "Public place" as used in this subsection means any place where an individual could reasonably be expected to be observed by others. A "public place" includes all parts of buildings owned in whole or in part, or leased, by the State or a local unit of government. A "public place" does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises. For purposes of this subsection, a "public place" does not include a health care facility. For purposes of this Section, a "health care facility" includes, but is not limited to, hospitals, nursing homes, hospice care centers, and long-term care facilities;

(G) knowingly in close physical proximity to anyone under the age of 18 years of age;

(4) Smoking medical cannabis in any public place where an individual could reasonably be expected to be observed by others, in a health care facility, or any other place where smoking is prohibited under the Smoke Free Illinois Act;

(5) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, or motorboat while using or under the influence of cannabis in violation of Sections 11-501 and 11-502.1 of the Illinois Vehicle Code;

(6) Using or possessing cannabis if that person does not have a debilitating medical condition and is not a registered qualifying patient or caregiver;

(7) Allowing any person who is not allowed to use cannabis under this Act to use cannabis that a cardholder is allowed to possess under this Act;

(8) Transferring cannabis to any person contrary to the provisions of this Act;

(9) The use of medical cannabis by an active duty law enforcement officer, correctional officer, correctional probation officer, or firefighter, or

(10) The use of medical cannabis by a person who has a school bus permit or a Commercial Driver's License.

New matter indicated by italics - deletions by strikeout
(b) Nothing in this Act shall be construed to prevent the arrest or prosecution of a registered qualifying patient for reckless driving or driving under the influence of cannabis where probable cause exists.

(c) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, knowingly making a misrepresentation to a law enforcement official of any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is a petty offense punishable by a fine of up to $1,000, which shall be in addition to any other penalties that may apply for making a false statement or for the use of cannabis other than use undertaken under this Act.

(d) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, any person who makes a misrepresentation of a medical condition to a physician or fraudulently provides material misinformation to a physician in order to obtain a written certification is guilty of a petty offense punishable by a fine of up to $1,000.

(e) Any cardholder or registered caregiver who sells cannabis shall have his or her registry identification card revoked and is subject to other penalties for the unauthorized sale of cannabis.

(f) Any registered qualifying patient who commits a violation of Section 11-502.1 of the Illinois Vehicle Code or refuses a properly requested test related to operating a motor vehicle while under the influence of cannabis shall have his or her registry identification card revoked.

(g) No registered qualifying patient or designated caregiver shall knowingly obtain, seek to obtain, or possess, individually or collectively, an amount of usable cannabis from a registered medical cannabis dispensing organization that would cause him or her to exceed the authorized adequate supply under subsection (a) of Section 10.

(h) Nothing in this Act shall prevent a private business from restricting or prohibiting the medical use of cannabis on its property.

(i) Nothing in this Act shall prevent a university, college, or other institution of post-secondary education from restricting or prohibiting the use of medical cannabis on its property.

Section 35. Physician requirements.

(a) A physician who certifies a debilitating medical condition for a qualifying patient shall comply with all of the following requirements:

(1) The Physician shall be currently licensed under the Medical Practice Act of 1987 to practice medicine in all its
branches and in good standing, and must hold a controlled substances license under Article III of the Illinois Controlled Substances Act.

(2) A physician making a medical cannabis recommendation shall comply with generally accepted standards of medical practice, the provisions of the Medical Practice Act of 1987 and all applicable rules.

(3) The physical examination required by this Act may not be performed by remote means, including telemedicine.

(4) The physician shall maintain a record-keeping system for all patients for whom the physician has recommended the medical use of cannabis. These records shall be accessible to and subject to review by the Department of Public Health and the Department of Financial and Professional Regulation upon request.

(b) A physician may not:

(1) accept, solicit, or offer any form of remuneration from or to a qualifying patient, primary caregiver, cultivation center, or dispensing organization, including each principal officer, board member, agent, and employee other than accepting payment from a patient for the fee associated with the examination required prior to certifying a qualifying patient;

(2) offer a discount of any other item of value to a qualifying patient who uses or agrees to use a particular primary caregiver or dispensing organization to obtain medical cannabis;

(3) conduct a personal physical examination of a patient for purposes of diagnosing a debilitating medical condition at a location where medical cannabis is sold or distributed or at the address of a principal officer, agent, or employee or a medical cannabis organization;

(4) hold a direct or indirect economic interest in a cultivation center or dispensing organization if he or she recommends the use of medical cannabis to qualified patients or is in a partnership or other fee or profit-sharing relationship with a physician who recommends medical cannabis;

(5) serve on the board of directors or as an employee of a cultivation center or dispensing organization;

(6) refer patients to a cultivation center, a dispensing organization, or a registered designated caregiver; or

New matter indicated by italics - deletions by strikeout
(7) advertise in a cultivation center or a dispensing organization.

(c) The Department of Public Health may with reasonable cause refer a physician, who has certified a debilitating medical condition of a patient, to the Illinois Department of Financial and Professional Regulation for potential violations of this Section.

(d) Any violation of this Section or any other provision of this Act or rules adopted under this Act is a violation of the Medical Practice Act of 1987.

Section 40. Discrimination prohibited.

(a)(1) No school, employer, or landlord may refuse to enroll or lease to, or otherwise penalize, a person solely for his or her status as a registered qualifying patient or a registered designated caregiver, unless failing to do so would put the school, employer, or landlord in violation of federal law or unless failing to do so would cause it to lose a monetary or licensing-related benefit under federal law or rules. This does not prevent a landlord from prohibiting the smoking of cannabis on the premises.

(2) For the purposes of medical care, including organ transplants, a registered qualifying patient's authorized use of cannabis in accordance with this Act is considered the equivalent of the authorized use of any other medication used at the direction of a physician, and may not constitute the use of an illicit substance or otherwise disqualify a qualifying patient from needed medical care.

(b) A person otherwise entitled to custody of or visitation or parenting time with a minor may not be denied that right, and there is no presumption of neglect or child endangerment, for conduct allowed under this Act, unless the person's actions in relation to cannabis were such that they created an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

(c) No school, landlord, or employer may be penalized or denied any benefit under State law for enrolling, leasing to, or employing a cardholder.

(d) Nothing in this Act may be construed to require a government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of cannabis.

(e) Nothing in this Act may be construed to require any person or establishment in lawful possession of property to allow a guest, client, customer, or visitor who is a registered qualifying patient to use cannabis on or in that property.

New matter indicated by italics - deletions by strikeout
Section 45. Addition of debilitating medical conditions. Any citizen may petition the Department of Public Health to add debilitating conditions or treatments to the list of debilitating medical conditions listed in subsection (h) of Section 10. The Department of Public Health shall consider petitions in the manner required by Department rule, including public notice and hearing. The Department shall approve or deny a petition within 180 days of its submission, and, upon approval, shall proceed to add that condition by rule in accordance with the Administrative Procedure Act. The approval or denial of any petition is a final decision of the Department, subject to judicial review. Jurisdiction and venue are vested in the Circuit Court.

Section 50. Employment; employer liability.
(a) Nothing in this Act shall prohibit an employer from adopting reasonable regulations concerning the consumption, storage, or timekeeping requirements for qualifying patients related to the use of medical cannabis.
(b) Nothing in this Act shall prohibit an employer from enforcing a policy concerning drug testing, zero-tolerance, or a drug free workplace provided the policy is applied in a nondiscriminatory manner.
(c) Nothing in this Act shall limit an employer from disciplining a registered qualifying patient for violating a workplace drug policy.
(d) Nothing in this Act shall limit an employer's ability to discipline an employee for failing a drug test if failing to do so would put the employer in violation of federal law or cause it to lose a federal contract or funding.
(e) Nothing in this Act shall be construed to create a defense for a third party who fails a drug test.
(f) An employer may consider a registered qualifying patient to be impaired when he or she manifests specific, articulable symptoms while working that decrease or lessen his or her performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment or machinery, disregard for the safety of the employee or others, or involvement in an accident that results in serious damage to equipment or property, disruption of a production or manufacturing process, or carelessness that results in any injury to the employee or others. If an employer elects to discipline a qualifying patient under this
subsection, it must afford the employee a reasonable opportunity to contest the basis of the determination.

(g) Nothing in this Act shall be construed to create or imply a cause of action for any person against an employer for: (1) actions based on the employer's good faith belief that a registered qualifying patient used or possessed cannabis while on the employer's premises or during the hours of employment; (2) actions based on the employer's good faith belief that a registered qualifying patient was impaired while working on the employer's premises during the hours of employment; (3) injury or loss to a third party if the employer neither knew nor had reason to know that the employee was impaired.

(h) Nothing in this Act shall be construed to interfere with any federal restrictions on employment including but not limited to the United States Department of Transportation regulation 49 CFR 40.151(e).

Section 55. Registration of qualifying patients and designated caregivers.

(a) The Department of Public Health shall issue registry identification cards to qualifying patients and designated caregivers who submit a completed application, and at minimum, the following, in accordance with Department of Public Health rules:

(1) A written certification, on a form developed by the Department of Public Health and issued by a physician, within 90 days immediately preceding the date of an application;

(2) upon the execution of applicable privacy waivers, the patient's medical documentation related to his or her debilitating condition and any other information that may be reasonably required by the Department of Public Health to confirm that the physician and patient have a bona fide physician-patient relationship, that the qualifying patient is in the physician's care for his or her debilitating medical condition, and to substantiate the patient's diagnosis;

(3) the application or renewal fee as set by rule;

(4) the name, address, date of birth, and social security number of the qualifying patient, except that if the applicant is homeless no address is required;

(5) the name, address, and telephone number of the qualifying patient's physician;

(6) the name, address, and date of birth of the designated caregiver, if any, chosen by the qualifying patient;
(7) the name of the registered medical cannabis dispensing organization the qualifying patient designates;

(8) signed statements from the patient and designated caregiver asserting that they will not divert medical cannabis; and

(9) completed background checks for the patient and designated caregiver.

Section 60. Issuance of registry identification cards.
(a) Except as provided in subsection (b), the Department of Public Health shall:

(1) verify the information contained in an application or renewal for a registry identification card submitted under this Act, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation specified in Section 55;

(2) issue registry identification cards to a qualifying patient and his or her designated caregiver, if any, within 15 business days of approving the application or renewal;

(3) enter the registry identification number of the registered dispensing organization the patient designates into the verification system; and

(4) allow for an electronic application process, and provide a confirmation by electronic or other methods that an application has been submitted.

(b) The Department of Public Health may not issue a registry identification card to a qualifying patient who is under 18 years of age.

(c) A veteran who has received treatment at a VA hospital is deemed to have a bona fide physician-patient relationship with a VA physician if the patient has been seen for his or her debilitating medical condition at the VA Hospital in accordance with VA Hospital protocols. All reasonable inferences regarding the existence of a bona fide physician-patient relationship shall be drawn in favor of an applicant who is a veteran and has undergone treatment at a VA hospital.

(d) Upon the approval of the registration and issuance of a registry card under this Section, the Department of Public Health shall forward the designated caregiver or registered qualified patient's driver's registration number to the Secretary of State and certify that the individual is permitted to engage in the medical use of cannabis. For the purposes of law enforcement, the Secretary of State shall make a notation on the person's driving record stating the person is a registered qualifying patient who is
entitled to the lawful medical use of cannabis. If the person no longer holds a valid registry card, the Department shall notify the Secretary of State and the Secretary of State shall remove the notation from the person's driving record. The Department and the Secretary of State may establish a system by which the information may be shared electronically.

Section 65. Denial of registry identification cards.

(a) The Department of Public Health may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

(1) did not provide the required information and materials;
(2) previously had a registry identification card revoked;
(3) did not meet the requirements of this Act; or
(4) provided false or falsified information.

(b) No person who has been convicted of a felony under the Illinois Controlled Substances Act, Cannabis Control Act, or Methamphetamine Control and Community Protection Act, or similar provision in a local ordinance or other jurisdiction is eligible to receive a registry identification card.

(c) The Department of Public Health may deny an application or renewal for a designated caregiver chosen by a qualifying patient whose registry identification card was granted only if:

(1) the designated caregiver does not meet the requirements of subsection (i) of Section 10;
(2) the applicant did not provide the information required;
(3) the prospective patient's application was denied;
(4) the designated caregiver previously had a registry identification card revoked; or
(5) the applicant or the designated caregiver provided false or falsified information.

(d) The Department of Public Health through the Illinois State Police shall conduct a background check of the prospective qualifying patient and designated caregiver in order to carry out this provision. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Public Health. Each person applying as a qualifying patient or a designated caregiver shall submit a full set of fingerprints to the Department of Public Health for the purpose of obtaining a state and federal criminal records check. The Department of Public Health may exchange this data with the Department of State Police or the Federal Bureau of Investigation without disclosing that the records

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check is related to this Act. The Department of Public Health shall destroy each set of fingerprints after the criminal records check is completed. The Department of Public Health may waive the submission of a qualifying patient's complete fingerprints based on (1) the severity of the patient's illness and (2) the inability of the qualifying patient to obtain those fingerprints, provided that a complete criminal background check is conducted by the Department of State Police prior to the issuance of a registry identification card.

(e) The Department of Public Health shall notify the qualifying patient who has designated someone to serve as his or her designated caregiver if a registry identification card will not be issued to the designated caregiver.

(f) Denial of an application or renewal is considered a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

Section 70. Registry identification cards.

(a) A registered qualifying patient or designated caregiver must keep their registry identification card in his or her possession at all times when engaging in the medical use of cannabis.

(b) Registry identification cards shall contain the following:

(1) the name of the cardholder;

(2) a designation of whether the cardholder is a designated caregiver or qualifying patient;

(3) the date of issuance and expiration date of the registry identification card;

(4) a random alphanumeric identification number that is unique to the cardholder;

(5) if the cardholder is a designated caregiver, the random alphanumeric identification number of the registered qualifying patient the designated caregiver is receiving the registry identification card to assist; and

(6) a photograph of the cardholder, if required by Department of Public Health rules.

(c) To maintain a valid registration identification card, a registered qualifying patient and caregiver must annually resubmit, at least 45 days prior to the expiration date stated on the registry identification card, a completed renewal application, renewal fee, and accompanying documentation as described in Department of Public Health rules. The Department of Public Health shall send a notification to a registered

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qualifying patient or registered designated caregiver 90 days prior to the expiration of the registered qualifying patient's or registered designated caregiver's identification card. If the Department of Public Health fails to grant or deny a renewal application received in accordance with this Section, then the renewal is deemed granted and the registered qualifying patient or registered designated caregiver may continue to use the expired identification card until the Department of Public Health denies the renewal or issues a new identification card.

(d) Except as otherwise provided in this Section, the expiration date is one year after the date of issuance.

(e) The Department of Public Health may electronically store in the card any or all of the information listed in subsection (b), along with the address and date of birth of the cardholder and the qualifying patient's designated dispensary organization, to allow it to be read by law enforcement agents.

Section 75. Notifications to Department of Public Health and responses; civil penalty.

(a) The following notifications and Department of Public Health responses are required:

(1) A registered qualifying patient shall notify the Department of Public Health of any change in his or her name or address, or if the registered qualifying patient ceases to have his or her debilitating medical condition, within 10 days of the change.

(2) A registered designated caregiver shall notify the Department of Public Health of any change in his or her name or address, or if the designated caregiver becomes aware the registered qualifying patient passed away, within 10 days of the change.

(3) Before a registered qualifying patient changes his or her designated caregiver, the qualifying patient must notify the Department of Public Health.

(4) If a cardholder loses his or her registry identification card, he or she shall notify the Department within 10 days of becoming aware the card has been lost.

(b) When a cardholder notifies the Department of Public Health of items listed in subsection (a), but remains eligible under this Act, the Department of Public Health shall issue the cardholder a new registry identification card with a new random alphanumeric identification number within 15 business days of receiving the updated information and a fee as

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specified in Department of Public Health rules. If the person notifying the Department of Public Health is a registered qualifying patient, the Department shall also issue his or her registered designated caregiver, if any, a new registry identification card within 15 business days of receiving the updated information.

(c) If a registered qualifying patient ceases to be a registered qualifying patient or changes his or her registered designated caregiver, the Department of Public Health shall promptly notify the designated caregiver. The registered designated caregiver's protections under this Act as to that qualifying patient shall expire 15 days after notification by the Department.

(d) A cardholder who fails to make a notification to the Department of Public Health that is required by this Section is subject to a civil infraction, punishable by a penalty of no more than $150.

(e) A registered qualifying patient shall notify the Department of Public Health of any change to his or her designated registered dispensing organization. Registered dispensing organizations must comply with all requirements of this Act.

(f) If the registered qualifying patient's certifying physician notifies the Department in writing that either the registered qualifying patient has ceased to suffer from a debilitating medical condition or that the physician no longer believes the patient would receive therapeutic or palliative benefit from the medical use of cannabis, the card shall become null and void. However, the registered qualifying patient shall have 15 days to destroy his or her remaining medical cannabis and related paraphernalia.

Section 80. Preparation of cannabis infused products.

(a) Notwithstanding any other provision of law, neither the Department of Public Health nor the Department of Agriculture nor the health department of a unit of local government may regulate the service of food by a registered cultivation center or registered dispensing organization provided that all of the following conditions are met:

(1) No cannabis infused products requiring refrigeration or hot-holding shall be manufactured at a cultivation center for sale or distribution at a dispensing organization due to the potential for food-borne illness.

(2) Baked products infused with medical cannabis (such as brownies, bars, cookies, cakes), tinctures, and other non-refrigerated items are acceptable for sale at dispensing organizations.
organizations. The products are allowable for sale only at registered dispensing organizations.

(3) All items shall be individually wrapped at the original point of preparation. The packaging of the medical cannabis infused product shall conform to the labeling requirements of the Illinois Food, Drug and Cosmetic Act and shall include the following information on each product offered for sale or distribution:

(A) the name and address of the registered cultivation center where the item was manufactured;
(B) the common or usual name of the item;
(C) all ingredients of the item, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names;
(D) the following phrase: "This product was produced in a medical cannabis cultivation center not subject to public health inspection that may also process common food allergens."
(F) the pre-mixed total weight (in ounces or grams) of usable cannabis in the package;
(G) a warning that the item is a medical cannabis infused product and not a food must be distinctly and clearly legible on the front of the package;
(H) a clearly legible warning emphasizing that the product contains medical cannabis and is intended for consumption by registered qualifying patients only; and
(I) date of manufacture and "use by date".

(4) Any dispensing organization that sells edible cannabis infused products must display a placard that states the following: "Edible cannabis infused products were produced in a kitchen not subject to public health inspections that may also process common food allergens." The placard shall be no smaller than 24" tall by 36" wide, with typed letters no smaller than 2". The placard shall
be clearly visible and readable by customers and shall be written in English.

(5) Cannabis infused products for sale or distribution at a dispensing organization must be prepared by an approved staff member of a registered cultivation center.

(6) A cultivation center that prepares cannabis infused products for sale or distribution at a dispensing organization shall be under the operational supervision of a Department of Public Health certified food service sanitation manager.

(b) The Department of Public Health shall adopt rules for the manufacture of medical cannabis-infused products and shall enforce these provisions, and for that purpose it may at all times enter every building, room, basement, enclosure, or premises occupied or used or suspected of being occupied or used for the production, preparation, manufacture for sale, storage, sale, distribution or transportation of medical cannabis edible products, to inspect the premises and all utensils, fixtures, furniture, and machinery used for the preparation of these products.

(c) If a local health organization has a reasonable belief that a cultivation center's cannabis-infused product poses a public health hazard, it may refer the cultivation center to the Department of Public Health. If the Department of Public Health finds that a cannabis-infused product poses a health hazard, it may without administrative procedure to bond, bring an action for immediate injunctive relief to require that action be taken as the court may deem necessary to meet the hazard of the cultivation center.

Section 85. Issuance and denial of medical cannabis cultivation permit.

(a) The Department of Agriculture may register up to 22 cultivation center registrations for operation. The Department of Agriculture may not issue more than one registration per each Illinois State Police District boundary as specified on the date of January 1, 2013. The Department of Agriculture may not issue less than the 22 registrations if there are qualified applicants who have applied with the Department.

(b) The registrations shall be issued and renewed annually as determined by administrative rule.

(c) The Department of Agriculture shall determine a registration fee by rule.

(d) A cultivation center may only operate if it has been issued a valid registration from the Department of Agriculture. When applying for
a cultivation center registration, the applicant shall submit the following in accordance with Department of Agriculture rules:

(1) the proposed legal name of the cultivation center;

(2) the proposed physical address of the cultivation center and description of the enclosed, locked facility as it applies to cultivation centers where medical cannabis will be grown, harvested, manufactured, packaged, or otherwise prepared for distribution to a dispensing organization;

(3) the name, address, and date of birth of each principal officer and board member of the cultivation center, provided that all those individuals shall be at least 21 years of age;

(4) any instance in which a business that any of the prospective board members of the cultivation center had managed or served on the board of the business and was convicted, fined, censured, or had a registration or license suspended or revoked in any administrative or judicial proceeding;

(5) cultivation, inventory, and packaging plans;

(6) proposed operating by-laws that include procedures for the oversight of the cultivation center, development and implementation of a plant monitoring system, medical cannabis container tracking system, accurate record keeping, staffing plan, and security plan reviewed by the State Police that are in accordance with the rules issued by the Department of Agriculture under this Act. A physical inventory shall be performed of all plants and medical cannabis containers on a weekly basis;

(7) experience with agricultural cultivation techniques and industry standards;

(8) any academic degrees, certifications, or relevant experience with related businesses;

(9) the identity of every person, association, trust, or corporation having any direct or indirect pecuniary interest in the cultivation center operation with respect to which the registration is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a partnership, the names and addresses of all partners, both general and limited;

(10) verification from the State Police that all background checks of the principal officer, board members, and registered

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agents have been conducted and those individuals have not been convicted of an excluded offense;

(11) provide a copy of the current local zoning ordinance to the Department of Agriculture and verify that proposed cultivation center is in compliance with the local zoning rules issued in accordance with Section 140;

(12) an application fee set by the Department of Agriculture by rule; and

(13) any other information required by Department of Agriculture rules, including, but not limited to a cultivation center applicant's experience with the cultivation of agricultural or horticultural products, operating an agriculturally related business, or operating a horticultural business.

(e) An application for a cultivation center permit must be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials required by this Section, including if the applicant's plans do not satisfy the security, oversight, inventory, or recordkeeping rules issued by the Department of Agriculture;

(2) the applicant would not be in compliance with local zoning rules issued in accordance with Section 140;

(3) one or more of the prospective principal officers or board members has been convicted of an excluded offense;

(4) one or more of the prospective principal officers or board members has served as a principal officer or board member for a registered dispensing organization or cultivation center that has had its registration revoked;

(5) one or more of the principal officers or board members is under 21 years of age;

(6) a principal officer or board member of the cultivation center has been convicted of a felony under the laws of this State, any other state, or the United States;

(7) a principal officer or board member of the cultivation center has been convicted of any violation of Article 28 of the Criminal Code of 2012, or substantially similar laws of any other jurisdiction; or

(8) the person has submitted an application for a certificate under this Act which contains false information.

Section 90. Renewal of cultivation center registrations.
(a) Registrations shall be renewed annually. The registered cultivation center shall receive written notice 90 days prior to the expiration of its current registration that the registration will expire. The Department of Agriculture shall grant a renewal application within 45 days of its submission if the following conditions are satisfied:

(1) the registered cultivation center submits a renewal application and the required renewal fee established by the Department of Agriculture by rule; and

(2) the Department of Agriculture has not suspended the registration of the cultivation center or suspended or revoked the registration for violation of this Act or rules adopted under this Act.

Section 95. Background checks.

(a) The Department of Agriculture through the Department of State Police shall conduct a background check of the prospective cultivation center agents. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Agriculture. In order to carry out this provision, each person applying as a cultivation center agent shall submit a full set of fingerprints to the Department of Agriculture for the purpose of obtaining a state and federal criminal records check. The Department of Agriculture may exchange this data with the Department of State Police and the Federal Bureau of Investigation without disclosing that the records check is related to this Act. The Department of Agriculture shall destroy each set of fingerprints after the criminal records check is complete.

(b) When applying for the initial permit, the background checks for the principal officer, board members, and registered agents shall be completed prior to submitting the application to the Department of Agriculture.

Section 100. Cultivation center agent identification card.

(a) The Department of Agriculture shall:

(1) verify the information contained in an application or renewal for a cultivation center identification card submitted under this Act, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;

(2) issue a cultivation center agent identification card to a qualifying agent within 15 business days of approving the application or renewal;

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(3) enter the registry identification number of the cultivation center where the agent works; and
(4) allow for an electronic application process, and provide a confirmation by electronic or other methods that an application has been submitted.

(b) A cultivation center agent must keep his or her identification card visible at all times when on the property of a cultivation center and during the transportation of medical cannabis to a registered dispensary organization.

(c) The cultivation center agent identification cards shall contain the following:

(1) the name of the cardholder;
(2) the date of issuance and expiration date of cultivation center agent identification cards;
(3) a random 10 digit alphanumeric identification number containing at least 4 numbers and at least 4 letters; that is unique to the holder; and
(4) a photograph of the cardholder.

(d) The cultivation center agent identification cards shall be immediately returned to the cultivation center upon termination of employment.

(e) Any card lost by a cultivation center agent shall be reported to the State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) An applicant shall be denied a cultivation center agent identification card if he or she has been convicted of an excluded offense.

Section 105. Requirements; prohibitions; penalties for cultivation centers.

(a) The operating documents of a registered cultivation center shall include procedures for the oversight of the cultivation center, a cannabis plant monitoring system including a physical inventory recorded weekly, a cannabis container system including a physical inventory recorded weekly, accurate record keeping, and a staffing plan.

(b) A registered cultivation center shall implement a security plan reviewed by the State Police and including but not limited to: facility access controls, perimeter intrusion detection systems, personnel identification systems, 24-hour surveillance system to monitor the interior and exterior of the registered cultivation center facility and accessible to
authorized law enforcement and the Department of Financial and Professional Regulation in real-time.

(c) A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

(d) All cultivation of cannabis for distribution to a registered dispensing organization must take place in an enclosed, locked facility as it applies to cultivation centers at the physical address provided to the Department of Agriculture during the registration process. The cultivation center location shall only be accessed by the cultivation center agents working for the registered cultivation center, Department of Agriculture staff performing inspections, Department of Public Health staff performing inspections, law enforcement or other emergency personnel, and contractors working on jobs unrelated to medical cannabis, such as installing or maintaining security devices or performing electrical wiring.

(e) A cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under this Act.

(f) All harvested cannabis intended for distribution to a dispensing organization must be packaged in a labeled medical cannabis container and entered into a data collection system.

(g) No person who has been convicted of an excluded offense may be a cultivation center agent.

(h) Registered cultivation centers are subject to random inspection by the State Police.

(i) Registered cultivation centers are subject to random inspections by the Department of Agriculture and the Department of Public Health.

(j) A cultivation center agent shall notify local law enforcement, the State Police, and the Department of Agriculture within 24 hours of the discovery of any loss or theft. Notification shall be made by phone or in-person, or by written or electronic communication.

(k) A cultivation center shall comply with all State and federal rules and regulations regarding the use of pesticides.

Section 110. Suspension revocation of a registration.

(a) The Department of Agriculture may suspend or revoke a registration for violations of this Act and rules issued in accordance with this Section.
(b) The suspension or revocation of a certificate is a final Department of Agriculture action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

Section 115. Registration of dispensing organizations.

(a) The Department of Financial and Professional Regulation may issue up to 60 dispensing organization registrations for operation. The Department of Financial and Professional Regulation may not issue less than the 60 registrations if there are qualified applicants who have applied with the Department of Financial and Professional Regulation. The organizations shall be geographically dispersed throughout the State to allow all registered qualifying patients reasonable proximity and access to a dispensing organization.

(b) A dispensing organization may only operate if it has been issued a registration from the Department of Financial and Professional Regulation. The Department of Financial and Professional Regulation shall adopt rules establishing the procedures for applicants for dispensing organizations.

(c) When applying for a dispensing organization registration, the applicant shall submit, at a minimum, the following in accordance with Department of Financial and Professional Regulation rules:

(1) a non-refundable application fee established by rule;
(2) the proposed legal name of the dispensing organization;
(3) the proposed physical address of the dispensing organization;
(4) the name, address, and date of birth of each principal officer and board member of the dispensing organization, provided that all those individuals shall be at least 21 years of age;
(5) information, in writing, regarding any instances in which a business or not-for-profit that any of the prospective board members managed or served on the board was convicted, fined, censured, or had a registration suspended or revoked in any administrative or judicial proceeding;
(6) proposed operating by-laws that include procedures for the oversight of the medical cannabis dispensing organization and procedures to ensure accurate record keeping and security measures that are in accordance with the rules applied by the Department of Financial and Professional Regulation under this Act. The by-laws shall include a description of the enclosed,
locked facility where medical cannabis will be stored by the dispensing organization; and

(7) signed statements from each dispensing organization agent stating that they will not divert medical cannabis.

(d) The Department of Financial and Professional Regulation shall conduct a background check of the prospective dispensing organization agents in order to carry out this provision. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Financial and Professional Regulation. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Department of Financial and Professional Regulation for the purpose of obtaining a state and federal criminal records check. The Department of Financial and Professional Regulation may exchange this data with the Department of State Police and the Federal Bureau of Investigation without disclosing that the records check is related to this Act. The Department of Financial and Professional Regulation shall destroy each set of fingerprints after the criminal records check is completed.

(e) A dispensing organization must pay a registration fee set by the Department of Financial and Professional Regulation.

(f) An application for a medical cannabis dispensing organization registration must be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials required by this Section, including if the applicant's plans do not satisfy the security, oversight, or recordkeeping rules issued by the Department of Financial and Professional Regulation;

(2) the applicant would not be in compliance with local zoning rules issued in accordance with Section 140;

(3) the applicant does not meet the requirements of Section 130;

(4) one or more of the prospective principal officers or board members has been convicted of an excluded offense;

(5) one or more of the prospective principal officers or board members has served as a principal officer or board member for a registered medical cannabis dispensing organization that has had its registration revoked;

(6) one or more of the principal officers or board members is under 21 years of age; and

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(7) one or more of the principal officers or board members is a registered qualified patient or a registered caregiver.

Section 120. Dispensing organization agent identification card.
(a) The Department of Financial and Professional Regulation shall:
   (1) verify the information contained in an application or renewal for a dispensing organization agent identification card submitted under this Act, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;
   (2) issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal;
   (3) enter the registry identification number of the dispensing organization where the agent works; and
   (4) allow for an electronic application process, and provide a confirmation by electronic or other methods that an application has been submitted.
(b) A dispensing agent must keep his or her identification card visible at all times when on the property of a dispensing organization.
(c) The dispensing organization agent identification cards shall contain the following:
   (1) the name of the cardholder;
   (2) the date of issuance and expiration date of the dispensing organization agent identification cards;
   (3) a random 10 digit alphanumeric identification number containing at least 4 numbers and at least 4 letters; that is unique to the holder; and
   (4) a photograph of the cardholder.
(d) The dispensing organization agent identification cards shall be immediately returned to the cultivation center upon termination of employment.
(e) Any card lost by a dispensing organization agent shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.
(f) An applicant shall be denied a dispensing organization agent identification card if he or she has been convicted of an excluded offense.

Section 125. Medical cannabis dispensing organization certification renewal.

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(a) The registered dispensing organization shall receive written notice 90 days prior to the expiration of its current registration that the registration will expire. The Department of Financial and Professional Regulation shall grant a renewal application within 45 days of its submission if the following conditions are satisfied:

(1) the registered dispensing organization submits a renewal application and the required renewal fee established by the Department of Financial and Professional Regulation rules; and

(2) the Department of Financial and Professional Regulation has not suspended the registered dispensing organization or suspended or revoked the registration for violation of this Act or rules adopted under this Act.

(b) If a dispensing organization fails to renew its registration prior to expiration, the dispensing organization shall cease operations until registration is renewed.

(c) If a dispensing organization agent fails to renew his or her registration prior to its expiration, he or she shall cease to work or volunteer at a dispensing organization until his or her registration is renewed.

(d) Any dispensing organization that continues to operate or dispensing agent that continues to work or volunteer at a dispensing organization that fails to renew its registration shall be subject to penalty as provided in Section 130.

Section 130. Requirements; prohibitions; penalties; dispensing organizations.

(a) The Department of Financial and Professional Regulation shall implement the provisions of this Section by rule.

(b) A dispensing organization shall maintain operating documents which shall include procedures for the oversight of the registered dispensing organization and procedures to ensure accurate recordkeeping.

(c) A dispensing organization shall implement appropriate security measures, as provided by rule, to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

(d) A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use.

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(e) A dispensing organization is prohibited from acquiring cannabis from anyone other than a registered cultivation center. A dispensing organization is prohibited from obtaining cannabis from outside the State of Illinois.

(f) A registered dispensing organization is prohibited from dispensing cannabis for any purpose except to assist registered qualifying patients with the medical use of cannabis directly or through the qualifying patients' designated caregivers.

(g) The area in a dispensing organization where medical cannabis is stored can only be accessed by dispensing organization agents working for the dispensing organization, Department of Financial and Professional Regulation staff performing inspections, law enforcement or other emergency personnel, and contractors working on jobs unrelated to medical cannabis, such as installing or maintaining security devices or performing electrical wiring.

(h) A dispensing organization may not dispense more than 2.5 ounces of cannabis to a registered qualifying patient, directly or via a designated caregiver, in any 14-day period unless the qualifying patient has a Department of Public Health-approved quantity waiver.

(i) Before medical cannabis may be dispensed to a designated caregiver or a registered qualifying patient, a dispensing organization agent must determine that the individual is a current cardholder in the verification system and must verify each of the following:

1. that the registry identification card presented to the registered dispensing organization is valid;

2. that the person presenting the card is the person identified on the registry identification card presented to the dispensing organization agent;

3. that the dispensing organization is the designated dispensing organization for the registered qualifying patient who is obtaining the cannabis directly or via his or her designated caregiver; and

4. that the registered qualifying patient has not exceeded his or her adequate supply.

(j) Dispensing organizations shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is dispensed to the registered qualifying patient and whether it was dispensed directly to the registered qualifying patient or to the designated caregiver. Each entry...
must include the date and time the cannabis was dispensed. Additional recordkeeping requirements may be set by rule.

(k) The physician-patient privilege as set forth by Section 8-802 of the Code of Civil Procedure shall apply between a qualifying patient and a registered dispensing organization and its agents with respect to communications and records concerning qualifying patients' debilitating conditions.

(l) A dispensing organization may not permit any person to consume cannabis on the property of a medical cannabis organization.

(m) A dispensing organization may not share office space with or refer patients to a physician.

(n) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, the Department of Financial and Professional Regulation may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action as the Department of Financial and Professional Regulation may deem proper with regard to the registration of any person issued under this Act to operate a dispensing organization or act as a dispensing organization agent, including imposing fines not to exceed $10,000 for each violation, for any violations of this Act and rules adopted in accordance with this Act. The procedures for disciplining a registered dispensing organization shall be determined by rule. All final administrative decisions of the Department of Financial and Professional Regulation are subject to judicial review under the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(o) Dispensing organizations are subject to random inspection and cannabis testing by the Department of Financial and Professional Regulation and State Police as provided by rule.

Section 135. Change in designated dispensing organization. Nothing contained in this Act shall be construed to prohibit a dispensing organization registered in this State from filling or refilling a valid written certification for medical cannabis that is on file with the Department of Public Health and the designation has been transferred from one dispensing organization to another under this Act upon the following conditions and exceptions:

(1) Prior to dispensing medical cannabis under any written certification and the requirements of this Act, the dispensing organization agent shall:

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(A) advise the patient that the designated dispensing organization on file with the Department of Public Health must be changed before he or she will be able to dispense any quantity of medical cannabis;

(B) determine that the patient is registered and in compliance with the Department of Public Health under the requirements of this Act;

(C) notify the dispensing organization designated by the registered qualifying patient that the registered qualifying patient is changing his or her designation and the patient may no longer purchase medical cannabis at the original dispensing organization; and

(D) notify the Department of Public Health of a patient's change in designation and receive confirmation from the Department of Public Health that it has updated the registered qualifying patient database.

(2) The Department of Public Health's electronically accessible database created under this Act shall maintain a registered qualified patient's designated dispensary information. The Department of Public Health may formulate rules, not inconsistent with law, as may be necessary to carry out the purposes of and to enforce the provisions of this Section.

(3) Medical cannabis shall in no event be dispensed more frequently or in larger amounts than permitted under this Act.

Section 140. Local ordinances. A unit of local government may enact reasonable zoning ordinances or resolutions, not in conflict with this Act or with Department of Agriculture or Department of Public Health rules, regulating registered medical cannabis cultivation center or medical cannabis dispensing organizations. No unit of local government, including a home rule unit, or school district may regulate registered medical cannabis organizations other than as provided in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by this Act. This Section is a denial and limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 145. Confidentiality.

(a) The following information received and records kept by the Department of Public Health, Department of Financial and Professional Regulation, Department of Agriculture, or Department of State Police

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under their rules for purposes of administering this Act are subject to all applicable federal privacy laws, confidential, and exempt from the Freedom of Information Act, and not subject to disclosure to any individual or public or private entity, except as necessary for authorized employees of those authorized agencies to perform official duties under this Act, except that the information received and records kept by Department of Public Health, Department of Agriculture, Department of Financial and Professional Regulation, and Department of State Police may disclose this information and records to each other upon request:

(1) Applications and renewals, their contents, and supporting information submitted by qualifying patients and designated caregivers, including information regarding their designated caregivers and physicians.

(2) Applications and renewals, their contents, and supporting information submitted by or on behalf of cultivation centers and dispensing organizations in compliance with this Act, including their physical addresses.

(3) The individual names and other information identifying persons to whom the Department of Public Health has issued registry identification cards.

(4) Any dispensing information required to be kept under Section 135, Section 150, or Department of Public Health, Department of Agriculture, or Department of Financial and Professional Regulation rules shall identify cardholders and registered cultivation centers by their registry identification numbers and medical cannabis dispensing organizations by their registration number and not contain names or other personally identifying information.

(5) All medical records provided to the Department of Public Health in connection with an application for a registry card.

(b) Nothing in this Section precludes the following:

(1) Department of Agriculture, Department of Financial and Professional Regulation, or Public Health employees may notify law enforcement about falsified or fraudulent information submitted to the Departments if the employee who suspects that falsified or fraudulent information has been submitted conferred with his or her supervisor and both agree that circumstances exist that warrant reporting.
(2) If the employee conferred with his or her supervisor and both agree that circumstances exist that warrant reporting, Department of Public Health employees may notify the Department of Financial and Professional Regulation if there is reasonable cause to believe a physician:

   (A) issued a written certification without a bona fide physician-patient relationship under this Act;
   (B) issued a written certification to a person who was not under the physician's care for the debilitating medical condition; or
   (C) failed to abide by the acceptable and prevailing standard of care when evaluating a patient's medical condition.

(3) The Department of Public Health, Department of Agriculture, and Department of Financial and Professional Regulation may notify State or local law enforcement about apparent criminal violations of this Act if the employee who suspects the offense has conferred with his or her supervisor and both agree that circumstances exist that warrant reporting.

(4) Medical cannabis cultivation center agents and medical cannabis dispensing organizations may notify the Department of Public Health, Department of Financial and Professional Regulation, or Department of Agriculture of a suspected violation or attempted violation of this Act or the rules issued under it.

(5) Each Department may verify registry identification cards under Section 150.

(6) The submission of the report to the General Assembly under Section 160.

(c) It is a Class B misdemeanor with a $1,000 fine for any person, including an employee or official of the Department of Public Health, Department of Financial and Professional Regulation, or Department of Agriculture or another State agency or local government, to breach the confidentiality of information obtained under this Act.

Section 150. Registry identification and registration certificate verification.

(a) The Department of Public Health shall maintain a confidential list of the persons to whom the Department of Public Health has issued registry identification cards and their addresses, phone numbers, and registry identification numbers. This confidential list may not be combined
or linked in any manner with any other list or database except as provided in this Section.

(b) Within 180 days of the effective date of this Act, the Department of Public Health, Department of Financial and Professional Regulation, and Department of Agriculture shall together establish a computerized database or verification system. The database or verification system must allow law enforcement personnel and medical cannabis dispensary organization agents to determine whether or not the identification number corresponds with a current, valid registry identification card. The system shall only disclose whether the identification card is valid, whether the cardholder is a registered qualifying patient or a registered designated caregiver, the registry identification number of the registered medical cannabis dispensing organization designated to serve the registered qualifying patient who holds the card, and the registry identification number of the patient who is assisted by a registered designated caregiver who holds the card. Notwithstanding any other requirements established by this subsection, the Department of Public Health shall issue registry cards to qualifying patients, the Department of Financial and Professional Regulation may issue registration to medical cannabis dispensing organizations for the period during which the database is being established, and the Department of Agriculture may issue registration to medical cannabis cultivation organizations for the period during which the database is being established.

Section 155. Review of administrative decisions. All final administrative decisions of the Departments of Public Health, Department of Agriculture, and Department of Financial and Professional Regulation are subject to direct judicial review under the provisions of the Administrative Review Law and the rules adopted under that Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Section 160. Annual reports.

(a) The Department of Public Health shall submit to the General Assembly a report, by September 30 of each year, that does not disclose any identifying information about registered qualifying patients, registered caregivers, or physicians, but does contain, at a minimum, all of the following information based on the fiscal year for reporting purposes:

(1) the number of applications and renewals filed for registry identification cards or registrations;

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(2) the number of qualifying patients and designated caregivers served by each dispensary during the report year;
(3) the nature of the debilitating medical conditions of the qualifying patients;
(4) the number of registry identification cards or registrations revoked for misconduct;
(5) the number of physicians providing written certifications for qualifying patients; and
(6) the number of registered medical cannabis cultivation centers or registered dispensing organizations.

Section 165. Administrative rulemaking.
(a) Not later than 120 days after the effective date of this Act, the Department of Public Health, Department of Agriculture, and the Department of Financial and Professional Regulation shall develop rules in accordance to their responsibilities under this Act and file those rules with the Joint Committee on Administrative Rules.
(b) The Department of Public Health rules shall address, but not be limited to, the following:
   (1) fees for applications for registration as a qualified patient or caregiver;
   (2) establishing the form and content of registration and renewal applications submitted under this Act, including a standard form for written certifications;
   (3) governing the manner in which it shall consider applications for and renewals of registry identification cards;
   (4) the manufacture of medical cannabis-infused products;
   (5) fees for the application and renewal of registry identification cards. Fee revenue may be offset or supplemented by private donations;
   (6) any other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this Act; and
   (7) reasonable rules concerning the medical use of cannabis at a nursing care institution, hospice, assisted living center, assisted living facility, assisted living home, residential care institution, or adult day health care facility.
(c) The Department of Agriculture rules shall address, but not be limited to the following related to registered cultivation centers, with the goal of protecting against diversion and theft, without imposing an undue burden on the registered cultivation centers:

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(1) oversight requirements for registered cultivation centers;
(2) recordkeeping requirements for registered cultivation centers;
(3) security requirements for registered cultivation centers, which shall include that each registered cultivation center location must be protected by a fully operational security alarm system;
(4) rules and standards for what constitutes an enclosed, locked facility under this Act;
(5) procedures for suspending or revoking the registration certificates or registry identification cards of registered cultivation centers and their agents that commit violations of the provisions of this Act or the rules adopted under this Section;
(6) rules concerning the intrastate transportation of medical cannabis from a cultivation center to a dispensing organization;
(7) standards concerning the testing, quality, and cultivation of medical cannabis;
(8) any other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this Act;
(9) application and renewal fees for cultivation center agents; and
(10) application, renewal, and registration fees for cultivation centers.

(d) The Department of Financial and Professional Regulation rules shall address, but not be limited to the following matters related to registered dispensing organizations, with the goal of protecting against diversion and theft, without imposing an undue burden on the registered dispensing organizations or compromising the confidentiality of cardholders:

(1) application and renewal and registration fees for dispensing organizations and dispensing organizations agents;
(2) medical cannabis dispensing agent-in-charge oversight requirements for dispensing organizations;
(3) recordkeeping requirements for dispensing organizations;
(4) security requirements for medical cannabis dispensing organizations, which shall include that each registered dispensing organization location must be protected by a fully operational security alarm system;

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(5) procedures for suspending or suspending the registrations of dispensing organizations and dispensing organization agents that commit violations of the provisions of this Act or the rules adopted under this Act;

(6) application and renewal fees for dispensing organizations; and

(7) application and renewal fees for dispensing organization agents.

(e) The Department of Public Health may establish a sliding scale of patient application and renewal fees based upon a qualifying patient's household income. The Department of Public health may accept donations from private sources to reduce application and renewal fees, and registry identification card fees shall include an additional fee set by rule which shall be used to develop and disseminate educational information about the health risks associated with the abuse of cannabis and prescription medications.

(f) During the rule-making process, each Department shall make a good faith effort to consult with stakeholders identified in the rule-making analysis as being impacted by the rules, including patients or a representative of an organization advocating on behalf of patients.

(g) The Department of Public Health shall develop and disseminate educational information about the health risks associated with the abuse of cannabis and prescription medications.

Section 170. Enforcement of this Act.

(a) If a Department fails to adopt rules to implement this Act within the times provided for in this Act, any citizen may commence a mandamus action in the Circuit Court to compel the Departments to perform the actions mandated under the provisions of this Act.

(b) If the Department of Public Health, Department of Agriculture, or Department of Financial and Professional Regulation fails to issue a valid identification card in response to a valid application or renewal submitted under this Act or fails to issue a verbal or written notice of denial of the application within 30 days of its submission, the identification card is deemed granted, and a copy of the registry identification application, including a valid written certification in the case of patients, or renewal shall be deemed a valid registry identification card.

(c) Authorized employees of State or local law enforcement agencies shall immediately notify the Department of Public Health when any person in possession of a registry identification card has been

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determined by a court of law to have willfully violated the provisions of this Act or has pled guilty to the offense.

Section 175. Administrative hearings. All administrative hearings under this Act shall be conducted in accordance with the Department of Public Health's rules governing administrative hearings.

Section 180. Destruction of medical cannabis.
(a) All cannabis byproduct, scrap, and harvested cannabis not intended for distribution to a medical cannabis organization must be destroyed and disposed of pursuant to State law. Documentation of destruction and disposal shall be retained at the cultivation center for a period of not less than 5 years.
(b) A cultivation center shall prior to the destruction, notify the Department of Agriculture and the State Police.
(c) The cultivation center shall keep record of the date of destruction and how much was destroyed.
(d) A dispensary organization shall destroy all cannabis, including cannabis-infused products, that are not sold to registered qualifying patients. Documentation of destruction and disposal shall be retained at the dispensary organization for a period of not less than 5 years.
(e) A dispensary organization shall prior to the destruction, notify the Department of Financial and Professional Regulation and the State Police.

Section 185. Suspension revocation of a registration.
(a) The Department of Agriculture and the Department of Public Health may suspend or revoke a registration for violations of this Act and rules issued in accordance with this Section.
(b) The suspension or revocation of a registration is a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

Section 190. Medical Cannabis Cultivation Privilege Tax Law. Sections 190 through 215 may be cited as the Medical Cannabis Cultivation Privilege Tax Law.

Section 195. Definitions. For the purposes of this Law:
"Cultivation center" has the meaning ascribed to that term in the Compassionate Use of Medical Cannabis Pilot Program Act.
"Department" means the Department of Revenue.
"Dispensing organization" has the meaning ascribed to that term in the Compassionate Use of Medical Cannabis Pilot Program Act.
"Person" means an individual, partnership, corporation, or public or private organization.

"Qualifying patient" means a qualifying patient registered under the Compassionate Use of Medical Cannabis Pilot Program Act.

Section 200. Tax imposed.
(a) Beginning on the effective date of this Act, a tax is imposed upon the privilege of cultivating medical cannabis at a rate of 7% of the sales price per ounce. The proceeds from this tax shall be deposited into the Compassionate Use of Medical Cannabis Fund created under the Compassionate Use of Medical Cannabis Pilot Program Act. This tax shall be paid by a cultivation center and is not the responsibility of a dispensing organization or a qualifying patient.

(b) The tax imposed under this Act shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.

Section 205. Department enforcement.
(a) Every person subject to the tax under this Law shall apply to the Department (upon a form prescribed and furnished by the Department) for a certificate of registration under this Law. Application for a certificate of registration shall be made to the Department upon forms furnished by the Department. The certificate of registration which is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the taxpayer to engage in a business which is taxable under this Law without registering separately with the Department.

(b) The Department shall have full power to administer and enforce this Law, to collect all taxes and penalties due hereunder, to dispose of taxes and penalties so collected in the manner hereinafter provided, and to determine all rights to credit memoranda, arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Law, the Department and persons who are subject to this Law shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments, and except for provisions that are inconsistent with this Law), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the
Uniform Penalty and Interest Act as fully as if those provisions were set forth herein.

Section 210. Returns. On or before the twentieth day of each calendar month, every person subject to the tax imposed under this Law during the preceding calendar month shall file a return with the Department, stating:

(1) The name of the taxpayer;
(2) The number of ounces of medical cannabis sold to a dispensary organization or a registered qualifying patient during the preceding calendar month;
(3) The amount of tax due;
(4) The signature of the taxpayer; and
(5) Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

The taxpayer shall remit the amount of the tax due to the Department at the time the taxpayer files his or her return.

Section 215. Rules. The Department may adopt rules related to the enforcement of this Law.

Section 220. Repeal of Act. This Act is repealed 4 years after the effective date of this Act.

Section 900. The Election Code is amended by adding Section 9-45 as follows:

(10 ILCS 5/9-45 new)

Sec. 9-45. Medical cannabis organization; contributions. It is unlawful for any medical cannabis cultivation center or medical cannabis dispensary organization or any political action committee created by any medical cannabis cultivation center or dispensary organization to make a campaign contribution to any political committee established to promote the candidacy of a candidate or public official. It is unlawful for any candidate, political committee, or other person to knowingly accept or receive any contribution prohibited by this Section. It is unlawful for any officer or agent of a medical cannabis cultivation center or dispensary organization to consent to any contribution or expenditure by the medical cannabis organization that is prohibited by this Section. As used in this Section, "medical cannabis cultivation center" and "dispensary

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organization" have the meaning ascribed to those terms in Section 10 of the Compassionate Use of Medical Cannabis Pilot Program Act.

Section 905. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Compassionate Use of Medical Cannabis Fund.

Section 910. The Illinois Income Tax Act is amended by changing Section 201 as follows:

(35 ILCS 5/201) (from Ch. 120, par. 2-201)
Sec. 201. Tax Imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.
(5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 5% of the taxpayer's net income for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 3.25% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2025, an amount equal to 3.25% of the taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.
(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 4.8% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after January 1, 2025, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed...
by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

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(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,
equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).
This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year
is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines,
local access roads, fencing, parking lots, and other
appurtenances;

(B) is depreciable pursuant to Section 167 of the
Internal Revenue Code, except that "3-year property" as
defined in Section 168(c)(2)(A) of that Code is not eligible
for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section
179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily
engaged in manufacturing, or in mining coal or fluorite, or
in retailing, or was placed in service on or after July 1, 2006
in a River Edge Redevelopment Zone established pursuant
to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a
manner and by such a person as would qualify for the credit
provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing"
means the material staging and production of tangible personal
property by procedures commonly regarded as manufacturing,
processing, fabrication, or assembling which changes some
existing material into new shapes, new qualities, or new
combinations. For purposes of this subsection (e) the term
"mining" shall have the same meaning as the term "mining" in
Section 613(c) of the Internal Revenue Code. For purposes of this
subsection (e), the term "retailing" means the sale of tangible
personal property for use or consumption and not for resale, or
services rendered in conjunction with the sale of tangible personal
property for use or consumption and not for resale. For purposes of
this subsection (e), "tangible personal property" has the same
meaning as when that term is used in the Retailers' Occupation Tax
Act, and, for taxable years ending after December 31, 2008, does
not include the generation, transmission, or distribution of
electricity.

(4) The basis of qualified property shall be the basis used to
compute the depreciation deduction for federal income tax
purposes.

(5) If the basis of the property for federal income tax
depreciation purposes is increased after it has been placed in
service in Illinois by the taxpayer, the amount of such increase

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shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under

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subsection (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to

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offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:
   (A) is tangible, whether new or used, including buildings and structural components of buildings;
   (B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);
   (C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;
   (D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and
   (E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property

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resulting from a redetermination of the purchase price shall be
deemed a disposition of qualified property to the extent of such
reduction.

(7) There shall be allowed an additional credit equal to
0.5% of the basis of qualified property placed in service during the
taxable year in a River Edge Redevelopment Zone, provided such
property is placed in service on or after July 1, 2006, and the
taxpayer's base employment within Illinois has increased by 1% or
more over the preceding year as determined by the taxpayer's
employment records filed with the Illinois Department of
Employment Security. Taxpayers who are new to Illinois shall be
deemed to have met the 1% growth in base employment for the
first year in which they file employment records with the Illinois
Department of Employment Security. If, in any year, the increase in
base employment within Illinois over the preceding year is less
than 1%, the additional credit shall be limited to that percentage
times a fraction, the numerator of which is 0.5% and the
denominator of which is 1%, but shall not exceed 0.5%.

(g) Jobs Tax Credit; River Edge Redevelopment Zone and Foreign
Trade Zone or Sub-Zone.

(1) A taxpayer conducting a trade or business, for taxable
years ending on or after December 31, 2006, in a River Edge
Redevelopment Zone or conducting a trade or business in a
federally designated Foreign Trade Zone or Sub-Zone shall be
allowed a credit against the tax imposed by subsections (a) and (b)
of this Section in the amount of $500 per eligible employee hired
to work in the zone during the taxable year.

(2) To qualify for the credit:

(A) the taxpayer must hire 5 or more eligible
employees to work in a River Edge Redevelopment Zone or
federally designated Foreign Trade Zone or Sub-Zone
during the taxable year;

(B) the taxpayer's total employment within the
River Edge Redevelopment Zone or federally designated
Foreign Trade Zone or Sub-Zone must increase by 5 or
more full-time employees beyond the total employed in that
zone at the end of the previous tax year for which a jobs tax
credit under this Section was taken, or beyond the total

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employed by the taxpayer as of December 31, 1985, whichever is later; and

(C) the eligible employees must be employed 180 consecutive days in order to be deemed hired for purposes of this subsection.

(3) An "eligible employee" means an employee who is:

(A) Certified by the Department of Commerce and Economic Opportunity as "eligible for services" pursuant to regulations promulgated in accordance with Title II of the Job Training Partnership Act, Training Services for the Disadvantaged or Title III of the Job Training Partnership Act, Employment and Training Assistance for Dislocated Workers Program.

(B) Hired after the River Edge Redevelopment Zone or federally designated Foreign Trade Zone or Sub-Zone was designated or the trade or business was located in that zone, whichever is later.

(C) Employed in the River Edge Redevelopment Zone or Foreign Trade Zone or Sub-Zone. An employee is employed in a federally designated Foreign Trade Zone or Sub-Zone if his services are rendered there or it is the base of operations for the services performed.

(D) A full-time employee working 30 or more hours per week.

(4) For tax years ending on or after December 31, 1985 and prior to December 31, 1988, the credit shall be allowed for the tax year in which the eligible employees are hired. For tax years ending on or after December 31, 1988, the credit shall be allowed for the tax year immediately following the tax year in which the eligible employees are hired. If the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.
(5) The Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this subsection (g).

(6) The credit shall be available for eligible employees hired on or after January 1, 1986.

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit

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from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the

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amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced credit.
tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2016, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection

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to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation
costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

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(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed $500. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:
"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through
twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.
   (i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act.

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For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(o) For each of taxable years during the Compassionate Use of Medical Cannabis Pilot Program, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of an organization registrant under the Compassionate Use of Medical Cannabis Pilot Program Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year.
attributable to those sales and exchanges. The surcharge imposed does not apply if:

(1) the medical cannabis cultivation center registration, medical cannabis dispensary registration, or the property of a registration is transferred as a result of any of the following:
   (A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial registration or the substantial owners of the initial registration;
   (B) cancellation, revocation, or termination of any registration by the Illinois Department of Public Health;
   (C) a determination by the Illinois Department of Public Health that transfer of the registration is in the best interests of Illinois qualifying patients as defined by the Compassionate Use of Medical Cannabis Pilot Program Act;
   (D) the death of an owner of the equity interest in a registrant;
   (E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;
   (F) a transfer by a parent company to a wholly owned subsidiary; or
   (G) the transfer or sale to or by one person to another person where both persons were initial owners of the registration when the registration was issued; or

(2) the cannabis cultivation center registration, medical cannabis dispensary registration, or the controlling interest in a registrant's property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized.

(Source: P.A. 96-115, eff. 7-31-09; 96-116, eff. 7-31-09; 96-937, eff. 6-23-10; 96-1000, eff. 7-2-10; 96-1496, eff. 1-13-11; 97-2, eff. 5-6-11; 97-636, eff. 6-1-12; 97-905, eff. 8-7-12.)

Section 915. The Use Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 105/3-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of either the selling
price or the fair market value, if any, of the tangible personal property. In all cases where property functionally used or consumed is the same as the property that was purchased at retail, then the tax is imposed on the selling price of the property. In all cases where property functionally used or consumed is a by-product or waste product that has been refined, manufactured, or produced from property purchased at retail, then the tax is imposed on the lower of the fair market value, if any, of the specific property so used in this State or on the selling price of the property purchased at retail. For purposes of this Section "fair market value" means the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts. The fair market value shall be established by Illinois sales by the taxpayer of the same property as that functionally used or consumed, or if there are no such sales by the taxpayer, then comparable sales or purchases of property of like kind and character in Illinois.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Beginning on August 6, 2010 through August 15, 2010, with respect to sales tax holiday items as defined in Section 3-6 of this Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of sales made thereafter. If, at any
time, however, the tax under this Act on sales of biodiesel blends with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel and biodiesel blends with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the proceeds of sales made thereafter.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, the tax is imposed at the rate of 1%. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the

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premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.

If the property that is purchased at retail from a retailer is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1012, eff. 7-7-10; 97-636, eff. 6-1-12.)

New matter indicated by italics - deletions by strikeout
Section 920. The Service Use Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the selling price of tangible personal property transferred as an incident to the sale of service, but, for the purpose of computing this tax, in no event shall the selling price be less than the cost price of the property to the serviceman.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the selling price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the selling price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

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With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred as an incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that

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contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

*Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and*
"drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.

If the property that is acquired from a serviceman is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-636, eff. 6-1-12.)

Section 925. The Service Occupation Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the "selling price", as defined in Section 2 of the Service Use Tax Act, of the tangible personal property. For the purpose of computing this tax, in no event shall the "selling price" be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred as an incident of a sale of service may be shown as a distinct and separate item on the serviceman's billing to the service customer. If the selling price is not so shown, the selling price of the tangible personal property is deemed to be 50% of the serviceman's entire billing to the service customer. When, however, a serviceman contracts to design, develop, and produce special order machinery or equipment, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the completion of the contract.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act shall apply to (i) 70% of the cost price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the cost price
thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel material, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act,
or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other
ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-636, eff. 6-1-12.)

Section 930. The Retailers' Occupation Tax Act is amended by changing Section 2-10 as follows:

(35 ILCS 120/2-10)

Sec. 2-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of gross receipts from sales of tangible personal property made in the course of business.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Beginning on August 6, 2010 through August 15, 2010, with respect to sales tax holiday items as defined in Section 2-8 of this Act, the tax is imposed at the rate of 1.25%.

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Within 14 days after the effective date of this amendatory Act of the 91st General Assembly, each retailer of motor fuel and gasohol shall cause the following notice to be posted in a prominently visible place on each retail dispensing device that is used to dispense motor fuel or gasohol in the State of Illinois: "As of July 1, 2000, the State of Illinois has eliminated the State's share of sales tax on motor fuel and gasohol through December 31, 2000. The price on this pump should reflect the elimination of the tax." The notice shall be printed in bold print on a sign that is no smaller than 4 inches by 8 inches. The sign shall be clearly visible to customers. Any retailer who fails to post or maintain a required sign through December 31, 2000 is guilty of a petty offense for which the fine shall be $500 per day per each retail premises where a violation occurs.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before

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December 31, 2018 but applies to 100% of the proceeds of sales made thereafter.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, the tax is imposed at the rate of 1%. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural

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or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1012, eff. 7-7-10; 97-636, eff. 6-1-12.)

Section 935. The Illinois Vehicle Code is amended by changing Sections 2-118.1, 6-206, 6-206.1, 6-208.1, 6-514, 11-501, 11-501.1, and 11-501.2 and by adding Section 11-502.1 as follows:

(625 ILCS 5/2-118.1) (from Ch. 95 1/2, par. 2-118.1)

Sec. 2-118.1. Opportunity for hearing; statutory summary alcohol or other drug related suspension or revocation pursuant to Section 11-501.1.

(a) A statutory summary suspension or revocation of driving privileges under Section 11-501.1 shall not become effective until the person is notified in writing of the impending suspension or revocation and informed that he may request a hearing in the circuit court of venue under paragraph (b) of this Section and the statutory summary suspension or revocation shall become effective as provided in Section 11-501.1.

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(b) Within 90 days after the notice of statutory summary suspension or revocation served under Section 11-501.1, the person may make a written request for a judicial hearing in the circuit court of venue. The request to the circuit court shall state the grounds upon which the person seeks to have the statutory summary suspension or revocation rescinded. Within 30 days after receipt of the written request or the first appearance date on the Uniform Traffic Ticket issued pursuant to a violation of Section 11-501, or a similar provision of a local ordinance, the hearing shall be conducted by the circuit court having jurisdiction. This judicial hearing, request, or process shall not stay or delay the statutory summary suspension or revocation. The hearings shall proceed in the court in the same manner as in other civil proceedings.

The hearing may be conducted upon a review of the law enforcement officer's own official reports; provided however, that the person may subpoena the officer. Failure of the officer to answer the subpoena shall be considered grounds for a continuance if in the court's discretion the continuance is appropriate.

The scope of the hearing shall be limited to the issues of:

1. Whether the person was placed under arrest for an offense as defined in Section 11-501, or a similar provision of a local ordinance, as evidenced by the issuance of a Uniform Traffic Ticket, or issued a Uniform Traffic Ticket out of state as provided in subsection (a) or (a-5) of Section 11-501.1; and

2. Whether the officer had reasonable grounds to believe that the person was driving or in actual physical control of a motor vehicle upon a highway while under the influence of alcohol, other drug, or combination of both; and

3. Whether the person, after being advised by the officer that the privilege to operate a motor vehicle would be suspended or revoked if the person refused to submit to and complete the test or tests, did refuse to submit to or complete the test or tests authorized under Section 11-501.1 to determine the person's alcohol or drug concentration; or

4. Whether the person, after being advised by the officer that the privilege to operate a motor vehicle would be suspended if the person submits to a chemical test, or tests, and the test discloses an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the

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Cannabis Control Act, a controlled substance listed in the Illinois
Controlled Substances Act, an intoxicating compound as listed in
the Use of Intoxicating Compounds Act, or methamphetamine as
listed in the Methamphetamine Control and Community Protection
Act, and the person did submit to and complete the test or tests that
determined an alcohol concentration of 0.08 or more.

4.2. If the person is a qualifying patient licensed under the
Compassionate Use of Medical Cannabis Pilot Program Act who
is in possession of a valid registry card issued under that Act, after
being advised by the officer that the privilege to operate a motor
vehicle would be suspended or revoked if the person refused to
submit to and complete the test or tests, did refuse to submit to or
complete the test or tests authorized under Section 11-501.1.

4.5. If the person is a qualifying patient licensed under the
Compassionate Use of Medical Cannabis Pilot Program Act who
is in possession of a valid registry card issued under that Act,
whether that person, after being advised by the officer that the
privilege to operate a motor vehicle would be suspended if the
person submits to a standardized field sobriety test, or tests, and
the test indicates impairment resulting from the consumption of
cannabis, did submit to and complete the test or tests that indicated
impairment.

5. If the person's driving privileges were revoked, whether
the person was involved in a motor vehicle accident that caused
Type A injury or death to another.

Upon the conclusion of the judicial hearing, the circuit court shall
sustain or rescind the statutory summary suspension or revocation and
immediately notify the Secretary of State. Reports received by the
Secretary of State under this Section shall be privileged information and
for use only by the courts, police officers, and Secretary of State.
(Source: P.A. 95-355, eff. 1-1-08; 96-1344, eff. 7-1-11.)
(625 ILCS 5/6-206)

Sec. 6-206. Discretionary authority to suspend or revoke license or
permit; Right to a hearing.
(a) The Secretary of State is authorized to suspend or revoke the
driving privileges of any person without preliminary hearing upon a
showing of the person's records or other sufficient evidence that the
person:

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1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;

2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;

5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;

6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;

7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;

8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;

9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;

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10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;

12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;

13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;

14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;

15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;

16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;

17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;

18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;

19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;

20. Has been convicted of violating Section 6-104 relating to classification of driver's license;

21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in

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damage to a vehicle in excess of $1,000, in which case the suspension shall be for one year;

22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;

24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;

26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;

27. Has violated Section 6-16 of the Liquor Control Act of 1934;

28. Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual

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abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;

30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;

31. Has refused to submit to a test as required by Section 11-501.6 or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;

32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;

34. Has committed a violation of Section 11-1301.5 of this Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

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37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;
38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;
39. Has committed a second or subsequent violation of Section 11-1201 of this Code;
40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;
41. Has committed a second or subsequent violation of Section 11-605.1 of this Code, a similar provision of a local ordinance, or a similar violation in any other state within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days;
42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;
43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;
44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;
45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person; or
46. Has committed a violation of subsection (j) of Section 3-413 of this Code; or
47. Has committed a violation of Section 11-502.1 of this Code.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued
when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date
of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or disabled persons who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare. Those multiple offenders identified in subdivision (b)4 of Section 6-208 of this Code, however, shall not be eligible for the issuance of a restricted driving permit.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of

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the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times within a 10 year period due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension or revocation under Section 11-501.1; or

(iii) a suspension under Section 6-203.1; arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that
all permits shall expire within one year from the date of issuance. The Secretary may not, however, issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of Section 11-501 of this Code or a similar provision of a local ordinance or any similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or any similar out-of-state offense, or any combination of those offenses, until the expiration of at least one year from the date of the revocation. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her

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driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Drivers License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

(Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff. 7-1-11; 96-1551, eff. 7-1-11; 97-229, eff. 7-28-11; 97-333, eff. 8-12-11; 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

Sec. 6-206.1. Monitoring Device Driving Permit. Declaration of Policy. It is hereby declared a policy of the State of Illinois that the driver who is impaired by alcohol, other drug or drugs, or intoxicating compound or compounds is a threat to the public safety and welfare. Therefore, to provide a deterrent to such practice, a statutory summary driver's license suspension is appropriate. It is also recognized that driving is a privilege and therefore, that the granting of driving privileges, in a manner consistent with public safety, is warranted during the period of suspension in the form of a monitoring device driving permit. A person who drives and fails to comply with the requirements of the monitoring device driving permit commits a violation of Section 6-303 of this Code.

The following procedures shall apply whenever a first offender, as defined in Section 11-500 of this Code, is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance and is subject to the provisions of Section 11-501.1:

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(a) Upon mailing of the notice of suspension of driving privileges as provided in subsection (h) of Section 11-501.1 of this Code, the Secretary shall also send written notice informing the person that he or she will be issued a monitoring device driving permit (MDDP). The notice shall include, at minimum, information summarizing the procedure to be followed for issuance of the MDDP, installation of the breath alcohol ignition installation device (BAIID), as provided in this Section, exemption from BAIID installation requirements, and procedures to be followed by those seeking indigent status, as provided in this Section. The notice shall also include information summarizing the procedure to be followed if the person wishes to decline issuance of the MDDP. A copy of the notice shall also be sent to the court of venue together with the notice of suspension of driving privileges, as provided in subsection (h) of Section 11-501. However, a MDDP shall not be issued if the Secretary finds that:

(1) The offender's driver's license is otherwise invalid;
(2) Death or great bodily harm resulted from the arrest for Section 11-501;
(3) The offender has been previously convicted of reckless homicide or aggravated driving under the influence involving death; or
(4) The offender is less than 18 years of age; or
(5) The offender is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and refused to submit to standardized field sobriety tests as required by subsection (a-5) of Section 11-501.1 or did submit to testing and failed the test or tests.

Any offender participating in the MDDP program must pay the Secretary a MDDP Administration Fee in an amount not to exceed $30 per month, to be deposited into the Monitoring Device Driving Permit Administration Fee Fund. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees. The offender must have an ignition interlock device installed within 14 days of the date the Secretary issues the MDDP. The ignition interlock device provider must notify the Secretary, in a manner and form prescribed by the Secretary, of the installation. If the Secretary does not receive notice of installation, the Secretary shall cancel the MDDP.
A MDDP shall not become effective prior to the 31st day of the original statutory summary suspension.

Upon receipt of the notice, as provided in paragraph (a) of this Section, the person may file a petition to decline issuance of the MDDP with the court of venue. The court shall admonish the offender of all consequences of declining issuance of the MDDP including, but not limited to, the enhanced penalties for driving while suspended. After being so admonished, the offender shall be permitted, in writing, to execute a notice declining issuance of the MDDP. This notice shall be filed with the court and forwarded by the clerk of the court to the Secretary. The offender may, at any time thereafter, apply to the Secretary for issuance of a MDDP.

(a-1) A person issued a MDDP may drive for any purpose and at any time, subject to the rules adopted by the Secretary under subsection (g). The person must, at his or her own expense, drive only vehicles equipped with an ignition interlock device as defined in Section 1-129.1, but in no event shall such person drive a commercial motor vehicle.

(a-2) Persons who are issued a MDDP and must drive employer-owned vehicles in the course of their employment duties may seek permission to drive an employer-owned vehicle that does not have an ignition interlock device. The employer shall provide to the Secretary a form, as prescribed by the Secretary, completed by the employer verifying that the employee must drive an employer-owned vehicle in the course of employment. If approved by the Secretary, the form must be in the driver's possession while operating an employer-owner vehicle not equipped with an ignition interlock device. No person may use this exemption to drive a school bus, school vehicle, or a vehicle designed to transport more than 15 passengers. No person may use this exemption to drive an employer-owned motor vehicle that is owned by an entity that is wholly or partially owned by the person holding the MDDP, or by a family member of the person holding the MDDP. No person may use this exemption to drive an employer-owned vehicle that is made available to the employee for personal use. No person may drive the exempted vehicle more than 12 hours per day, 6 days per week.

(a-3) Persons who are issued a MDDP and who must drive a farm tractor to and from a farm, within 50 air miles from the originating farm are exempt from installation of a BAIID on the farm tractor, so long as the farm tractor is being used for the exclusive purpose of conducting farm operations.

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(b) (Blank).

(c) (Blank).

(c-1) If the holder of the MDDP is convicted of or receives court supervision for a violation of Section 6-206.2, 6-303, 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar provision of a local ordinance or a similar out-of-state offense or is convicted of or receives court supervision for any offense for which alcohol or drugs is an element of the offense and in which a motor vehicle was involved (for an arrest other than the one for which the MDDP is issued), or de-installs the BAIID without prior authorization from the Secretary, the MDDP shall be cancelled.

(c-5) If the Secretary determines that the person seeking the MDDP is indigent, the Secretary shall provide the person with a written document as evidence of that determination, and the person shall provide that written document to an ignition interlock device provider. The provider shall install an ignition interlock device on that person's vehicle without charge to the person, and seek reimbursement from the Indigent BAIID Fund. If the Secretary has deemed an offender indigent, the BAIID provider shall also provide the normal monthly monitoring services and the de-installation without charge to the offender and seek reimbursement from the Indigent BAIID Fund. Any other monetary charges, such as a lockout fee or reset fee, shall be the responsibility of the MDDP holder. A BAIID provider may not seek a security deposit from the Indigent BAIID Fund.

(d) MDDP information shall be available only to the courts, police officers, and the Secretary, except during the actual period the MDDP is valid, during which time it shall be a public record.

(e) (Blank).

(f) (Blank).

(g) The Secretary shall adopt rules for implementing this Section. The rules adopted shall address issues including, but not limited to: compliance with the requirements of the MDDP; methods for determining compliance with those requirements; the consequences of noncompliance with those requirements; what constitutes a violation of the MDDP; methods for determining indigency; and the duties of a person or entity that supplies the ignition interlock device.

(h) The rules adopted under subsection (g) shall provide, at a minimum, that the person is not in compliance with the requirements of the MDDP if he or she:

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(1) tampers or attempts to tamper with or circumvent the proper operation of the ignition interlock device;

(2) provides valid breath samples that register blood alcohol levels in excess of the number of times allowed under the rules;

(3) fails to provide evidence sufficient to satisfy the Secretary that the ignition interlock device has been installed in the designated vehicle or vehicles; or

(4) fails to follow any other applicable rules adopted by the Secretary.

(i) Any person or entity that supplies an ignition interlock device as provided under this Section shall, in addition to supplying only those devices which fully comply with all the rules adopted under subsection (g), provide the Secretary, within 7 days of inspection, all monitoring reports of each person who has had an ignition interlock device installed. These reports shall be furnished in a manner or form as prescribed by the Secretary.

(j) Upon making a determination that a violation of the requirements of the MDDP has occurred, the Secretary shall extend the summary suspension period for an additional 3 months beyond the originally imposed summary suspension period, during which time the person shall only be allowed to drive vehicles equipped with an ignition interlock device; provided further there are no limitations on the total number of times the summary suspension may be extended. The Secretary may, however, limit the number of extensions imposed for violations occurring during any one monitoring period, as set forth by rule. Any person whose summary suspension is extended pursuant to this Section shall have the right to contest the extension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. If the summary suspension has already terminated prior to the Secretary receiving the monitoring report that shows a violation, the Secretary shall be authorized to suspend the person's driving privileges for 3 months, provided that the Secretary may, by rule, limit the number of suspensions to be entered pursuant to this paragraph for violations occurring during any one monitoring period. Any person whose license is suspended pursuant to this paragraph, after the summary suspension had already terminated, shall have the right to contest the suspension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. The only permit the person shall be eligible for during this new suspension period is a MDDP.

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(k) A person who has had his or her summary suspension extended for the third time, or has any combination of 3 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle impounded for a period of 30 days, at the person's own expense. A person who has his or her summary suspension extended for the fourth time, or has any combination of 4 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle subject to seizure and forfeiture. The Secretary shall notify the prosecuting authority of any third or fourth extensions or new suspension entered as a result of a violation that occurred while the person held a MDDP. Upon receipt of the notification, the prosecuting authority shall impound or forfeit the vehicle. The impoundment or forfeiture of a vehicle shall be conducted pursuant to the procedure specified in Article 36 of the Criminal Code of 2012.

(l) A person whose driving privileges have been suspended under Section 11-501.1 of this Code and who had a MDDP that was cancelled, or would have been cancelled had notification of a violation been received prior to expiration of the MDDP, pursuant to subsection (c-1) of this Section, shall not be eligible for reinstatement when the summary suspension is scheduled to terminate. Instead, the person's driving privileges shall be suspended for a period of not less than twice the original summary suspension period, or for the length of any extensions entered under subsection (j), whichever is longer. During the period of suspension, the person shall be eligible only to apply for a restricted driving permit. If a restricted driving permit is granted, the offender may only operate vehicles equipped with a BAIID in accordance with this Section.

(m) Any person or entity that supplies an ignition interlock device under this Section shall, for each ignition interlock device installed, pay 5% of the total gross revenue received for the device, including monthly monitoring fees, into the Indigent BAIID Fund. This 5% shall be clearly indicated as a separate surcharge on each invoice that is issued. The Secretary shall conduct an annual review of the fund to determine whether the surcharge is sufficient to provide for indigent users. The Secretary may increase or decrease this surcharge requirement as needed.
(n) Any person or entity that supplies an ignition interlock device under this Section that is requested to provide an ignition interlock device to a person who presents written documentation of indigency from the Secretary, as provided in subsection (c-5) of this Section, shall install the device on the person's vehicle without charge to the person and shall seek reimbursement from the Indigent BAIID Fund.

(o) The Indigent BAIID Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use all money in the Indigent BAIID Fund to reimburse ignition interlock device providers who have installed devices in vehicles of indigent persons. The Secretary shall make payments to such providers every 3 months. If the amount of money in the fund at the time payments are made is not sufficient to pay all requests for reimbursement submitted during that 3 month period, the Secretary shall make payments on a pro-rata basis, and those payments shall be considered payment in full for the requests submitted.

(p) The Monitoring Device Driving Permit Administration Fee Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use the money paid into this fund to offset its administrative costs for administering MDDPs.

(q) The Secretary is authorized to prescribe such forms as it deems necessary to carry out the provisions of this Section.

(Source: P.A. 96-184, eff. 8-10-09; 96-1526, eff. 2-14-11; 97-229; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

Text of Section from P.A. 96-1526

Sec. 6-208.1. Period of statutory summary alcohol, other drug, or intoxicating compound related suspension.

(a) Unless the statutory summary suspension has been rescinded, any person whose privilege to drive a motor vehicle on the public highways has been summarily suspended, pursuant to Section 11-501.1, shall not be eligible for restoration of the privilege until the expiration of:

1. Twelve months from the effective date of the statutory summary suspension for a refusal or failure to complete a test or tests authorized under to determine the alcohol, drug, or intoxicating compound concentration, pursuant to Section 11-501.1; or

2. Six months from the effective date of the statutory summary suspension imposed following the person's submission to
a chemical test which disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in such person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, pursuant to Section 11-501.1; or

3. Three years from the effective date of the statutory summary suspension for any person other than a first offender who refuses or fails to complete a test or tests to determine the alcohol, drug, or intoxicating compound concentration pursuant to Section 11-501.1; or

4. One year from the effective date of the summary suspension imposed for any person other than a first offender following submission to a chemical test which disclosed an alcohol concentration of 0.08 or more pursuant to Section 11-501.1 or any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or:

5. Six months from the effective date of the statutory summary suspension imposed for any person following submission to a standardized field sobriety test that disclosed impairment if the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and submitted to testing under subsection (a-5) of Section 11-501.1.

(b) Following a statutory summary suspension of the privilege to drive a motor vehicle under Section 11-501.1, driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled by this Code. If the court has reason to believe that the person's driving privilege should not be restored, the court shall notify the Secretary of State prior to the expiration of the statutory summary suspension so appropriate action may be taken pursuant to this Code.

New matter indicated by italics - deletions by strikeout
(c) Driving privileges may not be restored until all applicable reinstatement fees, as provided by this Code, have been paid to the Secretary of State and the appropriate entry made to the driver's record.

(d) Where a driving privilege has been summarily suspended under Section 11-501.1 and the person is subsequently convicted of violating Section 11-501, or a similar provision of a local ordinance, for the same incident, any period served on statutory summary suspension shall be credited toward the minimum period of revocation of driving privileges imposed pursuant to Section 6-205.

(e) (Blank).

(f) (Blank).

(g) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1 where the person was not a first offender, as defined in Section 11-500, the Secretary of State may not issue a restricted driving permit.

(h) (Blank).

(Source: P.A. 95-355, eff. 1-1-08; 95-400, eff. 1-1-09; 95-876, eff. 8-21-08; 96-1526, eff. 2-14-11.)

(Text of Section from P.A. 96-1344 and 97-229)

Sec. 6-208.1. Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.

(a) Unless the statutory summary suspension has been rescinded, any person whose privilege to drive a motor vehicle on the public highways has been summarily suspended, pursuant to Section 11-501.1, shall not be eligible for restoration of the privilege until the expiration of:

1. Twelve months from the effective date of the statutory summary suspension for a refusal or failure to complete a test or tests authorized under to determine the alcohol, drug, or intoxicating compound concentration, pursuant to Section 11-501.1, if the person was not involved in a motor vehicle crash that caused personal injury or death to another; or

2. Six months from the effective date of the statutory summary suspension imposed following the person's submission to a chemical test which disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in such person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of

New matter indicated by italics - deletions by strikeout
Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, pursuant to Section 11-501.1; or

3. Three years from the effective date of the statutory summary suspension for any person other than a first offender who refuses or fails to complete a test or tests to determine the alcohol, drug, or intoxicating compound concentration pursuant to Section 11-501.1; or

4. One year from the effective date of the summary suspension imposed for any person other than a first offender following submission to a chemical test which disclosed an alcohol concentration of 0.08 or more pursuant to Section 11-501.1 or any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or:

5. Six months from the effective date of the statutory summary suspension imposed for any person following submission to a standardized field sobriety test that disclosed impairment if the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and submitted to testing under subsection (a-5) of Section 11-501.1.

(a-1) Unless the statutory summary revocation has been rescinded, any person whose privilege to drive has been summarily revoked pursuant to Section 11-501.1 may not make application for a license or permit until the expiration of one year from the effective date of the summary revocation.

(b) Following a statutory summary suspension of the privilege to drive a motor vehicle under Section 11-501.1, driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled by this Code. If the court has reason to believe that the person's driving privilege should not be restored, the court shall notify the Secretary of State prior to the expiration of the statutory summary suspension so appropriate action may be taken pursuant to this Code.

New matter indicated by italics - deletions by strikeout
(c) Driving privileges may not be restored until all applicable reinstatement fees, as provided by this Code, have been paid to the Secretary of State and the appropriate entry made to the driver's record.

(d) Where a driving privilege has been summarily suspended or revoked under Section 11-501.1 and the person is subsequently convicted of violating Section 11-501, or a similar provision of a local ordinance, for the same incident, any period served on statutory summary suspension or revocation shall be credited toward the minimum period of revocation of driving privileges imposed pursuant to Section 6-205.

(e) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1, for a first offender, the circuit court shall, unless the offender has opted in writing not to have a monitoring device driving permit issued, order the Secretary of State to issue a monitoring device driving permit as provided in Section 6-206.1. A monitoring device driving permit shall not be effective prior to the 31st day of the statutory summary suspension. A first offender who refused chemical testing and whose driving privileges were summarily revoked pursuant to Section 11-501.1 shall not be eligible for a monitoring device driving permit, but may make application for reinstatement or for a restricted driving permit after a period of one year has elapsed from the effective date of the revocation.

(f) (Blank).

(g) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1 where the person was not a first offender, as defined in Section 11-500, the Secretary of State may not issue a restricted driving permit.

(h) (Blank).

(Source: P.A. 96-1344, eff. 7-1-11; 97-229, eff. 7-28-11.)

(625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

Sec. 6-514. Commercial Driver's License (CDL) - Disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

1. Refusing to submit to or failure to complete a test or tests authorized under Section 11-501.1 to determine the driver's blood concentration of alcohol, other drug, or both, while driving a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

2. Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04,

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or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a commercial driver's license; or

(3) Conviction for a first violation of:

   (i) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

   (iii) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while committing any felony; or

   (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

   (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary

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manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

New matter indicated by italics - deletions by strikeout
(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CDL or commercial driver instruction permit from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

1. For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.
2. For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction occurred after March 31, 1992.
conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(4) For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

   (i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

   (ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

New matter indicated by italics - deletions by strikeout
(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

   (i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

   (ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

   (iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations
(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(Source: P.A. 96-544, eff. 1-1-10; 96-1080, eff. 7-16-10; 96-1244, eff. 1-1-11; 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act. Subject to all other requirements and provisions under this Section, this paragraph (6) does not apply to the lawful consumption of cannabis by a qualifying patient licensed under the Compassionate Use Act.

New matter indicated by italics - deletions by strikeout
Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, unless that person is impaired by the use of cannabis.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, cannabis under the Compassionate Use of Medical Cannabis Pilot Program Act, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Penalties.

(1) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(2) A person who violates subsection (a) or a similar provision a second time shall be sentenced to a mandatory minimum term of either 5 days of imprisonment or 240 hours of community service in addition to any other criminal or administrative sanction.

(3) A person who violates subsection (a) is subject to 6 months of imprisonment, an additional mandatory minimum fine of $1,000, and 25 days of community service in a program benefiting children if the person was transporting a person under the age of 16 at the time of the violation.

(4) A person who violates subsection (a) a first time, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(5) A person who violates subsection (a) a second time, if at the time of the second violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(d) Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.

New matter indicated by italics - deletions by strikeout
(1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

   (A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

   (B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

   (C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

   (D) the person committed a violation of subsection (a) and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

   (E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm;

   (F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;
(G) the person committed a violation of subsection (a) during a period in which the defendant's driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a) or a similar provision, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;

(H) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit;

(I) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(J) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in bodily harm, but not great bodily harm, to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury; or

(K) the person in committing a second violation of subsection (a) or a similar provision was transporting a person under the age of 16.

(2)(A) Except as provided otherwise, a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony.

(B) A third violation of this Section or a similar provision is a Class 2 felony. If at the time of the third violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the third violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.
(C) A fourth violation of this Section or a similar provision is a Class 2 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fourth violation, the defendant was transporting a person under the age of 16 a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(D) A fifth violation of this Section or a similar provision is a Class 1 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fifth violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(E) A sixth or subsequent violation of this Section or similar provision is a Class X felony. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(F) For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

New matter indicated by italics - deletions by strikeout
(G) A violation of subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (i) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (ii) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons.

(H) For a violation of subparagraph (J) of paragraph (1) of this subsection (d), a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(I) A violation of subparagraph (K) of paragraph (1) of this subsection (d), is a Class 2 felony and a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction. If the child being transported suffered bodily harm, but not great bodily harm, in a motor vehicle accident, and the violation was the proximate cause of that injury, a mandatory fine of $5,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(J) A violation of subparagraph (D) of paragraph (1) of this subsection (d) is a Class 3 felony, for which a sentence of probation or conditional discharge may not be imposed.

(3) Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge in addition to any other criminal or administrative sanction.

(e) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state or an offense committed on a military installation that is similar to a violation of subsection (a) of this Section.

(f) The imposition of a mandatory term of imprisonment or assignment of community service for a violation of this Section shall not be suspended or reduced by the court.
(g) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(h) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

(625 ILCS 5/11-501.1)

Sec. 11-501.1. Suspension of drivers license; statutory summary alcohol, other drug or drugs, or intoxicating compound or compounds related suspension or revocation; implied consent.

(a) Any person who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent, subject to the provisions of Section 11-501.2, to a chemical test or tests of blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof in the person's blood if arrested, as evidenced by the issuance of a Uniform Traffic Ticket, for any offense as defined in Section 11-501 or a similar provision of a local ordinance, or if arrested for violating Section 11-401. If a law enforcement officer has probable cause to believe the person was under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, the law enforcement officer shall request a chemical test or tests which shall be administered at the direction of the arresting officer. The law enforcement agency employing the officer shall designate which of the aforesaid tests shall be administered. A urine test may be administered even after a blood or breath test or both has been administered. For purposes of this Section, an Illinois law enforcement officer of this State who is investigating the person for any offense defined in Section 11-501 may travel into an adjoining state, where the person has been transported for medical care, to complete an investigation and to request that the person submit to the test or tests set forth in this Section. The requirements of this Section that the person be arrested are inapplicable, but the officer shall issue the person a Uniform Traffic Ticket for an offense as defined in Section 11-501 or a similar provision of a local ordinance prior to requesting that the person submit to the test or tests. The issuance of the Uniform Traffic Ticket shall not constitute an arrest, but shall be for the purpose of notifying the person that he or she is subject to
the provisions of this Section and of the officer's belief of the existence of probable cause to arrest. Upon returning to this State, the officer shall file the Uniform Traffic Ticket with the Circuit Clerk of the county where the offense was committed, and shall seek the issuance of an arrest warrant or a summons for the person.

(a-5) In addition to the requirements and provisions of subsection (a), any person issued a registry card under the Compassionate Use of Medical Cannabis Pilot Program Act who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent, subject to the provisions of Section 11-501.2, to standardized field sobriety tests approved by the National Highway Traffic Safety Administration if arrested, as evidenced by the issuance of a Uniform Traffic Ticket, for any offense as defined in Section 11-501 or a similar provision of a local ordinance, or if arrested for violating Section 11-401. The person's status as a registry card holder alone is not a sufficient basis for conducting these tests. The officer must have an independent, cannabis-related factual basis giving reasonable suspicion that the person is driving under the influence of cannabis for conducting standardized field sobriety tests. This independent basis of suspicion shall be listed on the standardized field sobriety test results and any influence reports made by the arresting officer.

(b) Any person who is dead, unconscious, or who is otherwise in a condition rendering the person incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this Section and the test or tests may be administered, subject to the provisions of Section 11-501.2.

(c) A person requested to submit to a test as provided above shall be warned by the law enforcement officer requesting the test that a refusal to submit to the test will result in the statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1 of this Code, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder. The person shall also be warned that a refusal to submit to the test, when the person was involved in a motor vehicle accident that caused personal injury or death to another, will result in the statutory summary revocation of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if

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the person is a CDL holder. The person shall also be warned by the law enforcement officer that if the person submits to the test or tests provided in paragraph (a) of this Section and the alcohol concentration in the person's blood or breath is 0.08 or greater, or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is detected in the person's blood or urine, or if the person fails the standardized field sobriety tests as required by paragraph (a-5), a statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Sections 6-208.1 and 11-501.1 of this Code, and a disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder, will be imposed.

A person who is under the age of 21 at the time the person is requested to submit to a test as provided above shall, in addition to the warnings provided for in this Section, be further warned by the law enforcement officer requesting the test that if the person submits to the test or tests provided in paragraph (a) or (a-5) of this Section and the alcohol concentration in the person's blood or breath is greater than 0.00 and less than 0.08, a suspension of the person's privilege to operate a motor vehicle, as provided under Sections 6-208.2 and 11-501.8 of this Code, will be imposed. The results of this test shall be admissible in a civil or criminal action or proceeding arising from an arrest for an offense as defined in Section 11-501 of this Code or a similar provision of a local ordinance or pursuant to Section 11-501.4 in prosecutions for reckless homicide brought under the Criminal Code of 1961 or the Criminal Code of 2012. These test results, however, shall be admissible only in actions or proceedings directly related to the incident upon which the test request was made.

(d) If the person refuses testing or submits to a test that discloses an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the

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Methamphetamine Control and Community Protection Act, the law enforcement officer shall immediately submit a sworn report to the circuit court of venue and the Secretary of State, certifying that the test or tests was or were requested under paragraph (a) or (a-5) and the person refused to submit to a test, or tests, or submitted to testing that disclosed an alcohol concentration of 0.08 or more. A sworn report indicating refusal or failure of testing under paragraph (a-5) of this Section shall include the factual basis of the arresting officer's reasonable suspicion that the person was under the influence of cannabis. The person's possession of a valid registry card under the Compassionate Use of Medical Cannabis Pilot Program Act alone is not sufficient basis for reasonable suspicion.

(e) Upon receipt of the sworn report of a law enforcement officer submitted under paragraph (d), the Secretary of State shall enter the statutory summary suspension or revocation and disqualification for the periods specified in Sections 6-208.1 and 6-514, respectively, and effective as provided in paragraph (g).

If the person is a first offender as defined in Section 11-500 of this Code, and is not convicted of a violation of Section 11-501 of this Code or a similar provision of a local ordinance, then reports received by the Secretary of State under this Section shall, except during the actual time the Statutory Summary Suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities or the Secretary of State, unless the person is a CDL holder, is operating a commercial motor vehicle or vehicle required to be placarded for hazardous materials, in which case the suspension shall not be privileged. Reports received by the Secretary of State under this Section shall also be made available to the parent or guardian of a person under the age of 18 years that holds an instruction permit or a graduated driver's license, regardless of whether the statutory summary suspension is in effect. A statutory summary revocation shall not be privileged information.

(f) The law enforcement officer submitting the sworn report under paragraph (d) shall serve immediate notice of the statutory summary suspension or revocation on the person and the suspension or revocation and disqualification shall be effective as provided in paragraph (g).

(1) In cases where the blood alcohol concentration of 0.08 or greater or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating

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compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is established by a subsequent analysis of blood or urine collected at the time of arrest, the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his address as shown on the Uniform Traffic Ticket and the statutory summary suspension and disqualification shall begin as provided in paragraph (g). The officer shall confiscate any Illinois driver's license or permit on the person at the time of arrest. If the person has a valid driver's license or permit, the officer shall issue the person a receipt, in a form prescribed by the Secretary of State, that will allow that person to drive during the periods provided for in paragraph (g). The officer shall immediately forward the driver's license or permit to the circuit court of venue along with the sworn report provided for in paragraph (d).

(2) In cases indicating refusal or failure of testing under paragraph (a-5) of this Section the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the Uniform Traffic Ticket and the statutory summary suspension and disqualification shall begin as provided in paragraph (g). This notice shall include the factual basis of the arresting officer's reasonable suspicion that the person was under the influence of cannabis. The person's possession of a valid registry card under the Compassionate Use of Medical Cannabis Pilot Program Act alone is not sufficient basis for reasonable suspicion.

(g) The statutory summary suspension or revocation and disqualification referred to in this Section shall take effect on the 46th day following the date the notice of the statutory summary suspension or revocation was given to the person.

(h) The following procedure shall apply whenever a person is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance:

Upon receipt of the sworn report from the law enforcement officer, the Secretary of State shall confirm the statutory summary suspension or

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revocation by mailing a notice of the effective date of the suspension or
revocation to the person and the court of venue. The Secretary of State
shall also mail notice of the effective date of the disqualification to the
person. However, should the sworn report be defective by not containing
sufficient information or be completed in error, the confirmation of the
statutory summary suspension or revocation shall not be mailed to the
person or entered to the record; instead, the sworn report shall be
forwarded to the court of venue with a copy returned to the issuing agency
identifying any defect.

(i) As used in this Section, "personal injury" includes any Type A
injury as indicated on the traffic accident report completed by a law
enforcement officer that requires immediate professional attention in either
a doctor's office or a medical facility. A Type A injury includes severely
bleeding wounds, distorted extremities, and injuries that require the
injured party to be carried from the scene.

(Source: P.A. 96-1080, eff. 7-16-10; 96-1344, eff. 7-1-11; 97-333, eff. 8-
12-11; 97-471, eff. 8-22-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

Sec. 11-501.2. Chemical and other tests.

(a) Upon the trial of any civil or criminal action or proceeding
arising out of an arrest for an offense as defined in Section 11-501 or a
similar local ordinance or proceedings pursuant to Section 2-118.1,
evidence of the concentration of alcohol, other drug or drugs, or
intoxicating compound or compounds, or any combination thereof in a
person's blood or breath at the time alleged, as determined by analysis of
the person's blood, urine, breath or other bodily substance, shall be
admissible. Where such test is made the following provisions shall apply:

1. Chemical analyses of the person's blood, urine, breath or
other bodily substance to be considered valid under the provisions
of this Section shall have been performed according to standards
promulgated by the Department of State Police by a licensed
physician, registered nurse, trained phlebotomist, certified
paramedic, or other individual possessing a valid permit issued by
that Department for this purpose. The Director of State Police is
authorized to approve satisfactory techniques or methods, to
ascertain the qualifications and competence of individuals to
conduct such analyses, to issue permits which shall be subject to
termination or revocation at the discretion of that Department and
to certify the accuracy of breath testing equipment. The

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Department of State Police shall prescribe regulations as necessary to implement this Section.

2. When a person in this State shall submit to a blood test at the request of a law enforcement officer under the provisions of Section 11-501.1, only a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, trained phlebotomist, or certified paramedic, or other qualified person approved by the Department of State Police may withdraw blood for the purpose of determining the alcohol, drug, or alcohol and drug content therein. This limitation shall not apply to the taking of breath or urine specimens.

When a blood test of a person who has been taken to an adjoining state for medical treatment is requested by an Illinois law enforcement officer, the blood may be withdrawn only by a physician authorized to practice medicine in the adjoining state, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist acting under the direction of the physician, or certified paramedic. The law enforcement officer requesting the test shall take custody of the blood sample, and the blood sample shall be analyzed by a laboratory certified by the Department of State Police for that purpose.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

4. Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or such person's attorney.

5. Alcohol concentration shall mean either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

(a-5) Law enforcement officials may use standardized field sobriety tests approved by the National Highway Traffic Safety Administration when conducting investigations of a violation of Section 11-501 or similar local ordinance by drivers suspected of driving under the influence of alcohol.
the influence of cannabis. The General Assembly finds that standardized field sobriety tests approved by the National Highway Traffic Safety Administration are divided attention tasks that are intended to determine if a person is under the influence of cannabis. The purpose of these tests is to determine the effect of the use of cannabis on a person's capacity to think and act with ordinary care and therefore operate a motor vehicle safely. Therefore, the results of these standardized field sobriety tests, appropriately administered, shall be admissible in the trial of any civil or criminal action or proceeding arising out of an arrest for a cannabis-related offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1. Where a test is made the following provisions shall apply:

1. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to the standardized field sobriety test or tests administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person does not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

2. Upon the request of the person who shall submit to a standardized field sobriety test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or the person's attorney.

3. At the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1 in which the results of these standardized field sobriety tests are admitted, the cardholder may present and the trier of fact may consider evidence that the cardholder lacked the physical capacity to perform the standardized field sobriety tests.

(b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of alcohol, the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

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1. If there was at that time an alcohol concentration of 0.05 or less, it shall be presumed that the person was not under the influence of alcohol.

2. If there was at that time an alcohol concentration in excess of 0.05 but less than 0.08, such facts shall not give rise to any presumption that the person was or was not under the influence of alcohol, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcohol.

3. If there was at that time an alcohol concentration of 0.08 or more, it shall be presumed that the person was under the influence of alcohol.

4. The foregoing provisions of this Section shall not be construed as limiting the introduction of any other relevant evidence bearing upon the question whether the person was under the influence of alcohol.

(c) 1. If a person under arrest refuses to submit to a chemical test under the provisions of Section 11-501.1, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof was driving or in actual physical control of a motor vehicle.

2. Notwithstanding any ability to refuse under this Code to submit to these tests or any ability to revoke the implied consent to these tests, if a law enforcement officer has probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof has caused the death or personal injury to another, the law enforcement officer shall request, and that person shall submit, upon the request of a law enforcement officer, to a chemical test or tests of his or her blood, breath or urine for the purpose of determining the alcohol content thereof or the presence of any other drug or combination of both.

   This provision does not affect the applicability of or imposition of driver's license sanctions under Section 11-501.1 of this Code.

3. For purposes of this Section, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe
bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.
(Source: P.A. 96-289, eff. 8-11-09; 97-450, eff. 8-19-11; 97-471, eff. 8-22-11; 97-813, eff. 7-13-12.)

(625 ILCS 5/11-502.1 new)

Sec. 11-502.1. Possession of medical cannabis in a motor vehicle.
(a) No driver, who is a medical cannabis cardholder, may use medical cannabis within the passenger area of any motor vehicle upon a highway in this State.

(b) No driver, who is a medical cannabis cardholder, a medical cannabis designated caregiver, medical cannabis cultivation center agent, or dispensing organization agent may possess medical cannabis within any area of any motor vehicle upon a highway in this State except in a sealed, tamper-evident medical cannabis container.

(c) No passenger, who is a medical cannabis card holder, a medical cannabis designated caregiver, or medical cannabis dispensing organization agent may possess medical cannabis within any passenger area of any motor vehicle upon a highway in this State except in a sealed, tamper-evident medical cannabis container.

(d) Any person who violates subsections (a) through (c) of this Section:

(1) commits a Class A misdemeanor;

(2) shall be subject to revocation of his or her medical cannabis card for a period of 2 years from the end of the sentence imposed;

(4) shall be subject to revocation of his or her status as a medical cannabis caregiver, medical cannabis cultivation center agent, or medical cannabis dispensing organization agent for a period of 2 years from the end of the sentence imposed.

Section 997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 999. Effective date. This Act takes effect on January 1, 2014.

Passed in the General Assembly May 17, 2013.
Approved August 1, 2013.
Effective January 1, 2014.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105 and 12-215 as follows:

(625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)
Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.
(Source: P.A. 96-214, eff. 8-10-09; 96-986, eff. 1-1-11; 96-1190, eff. 7-22-10; 97-149, eff. 7-14-11; 97-333, eff. 7-12-11.)

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)
Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:
(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:
   1. Law enforcement vehicles of State, Federal or local authorities;
   2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;
   2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the
designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;


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

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

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

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response.

11. Vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol. The lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency.

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

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

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

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

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

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

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

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

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

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

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

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

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

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

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

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

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

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

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
   voluntary firefighter;
   paid firefighter;
   part-paid firefighter;

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call firefighter; member of the board of trustees of a fire protection district; paid or unpaid member of a rescue squad; paid or unpaid member of a voluntary ambulance unit; or paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

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

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

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

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

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

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

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

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

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


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

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

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

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

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped; furthermore, such lights shall not be lighted on vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in highway maintenance or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

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

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

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

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

(Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10; 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12.)

Approved August 1, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0124
(House Bill No. 1045)

AN ACT concerning State government.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Local Government Consolidation Commission Act of 2011 is amended by changing Section 25 as follows:

(20 ILCS 3987/25)

Sec. 25. Report. The Commission shall render its final report to the General Assembly not later than September 30, 2013 December 31, 2012, setting out its findings and recommendations and proposing those measures it considers necessary to effect essential changes and improvements in the existing laws relating to any or all of the matters enumerated in Section 10 of this Act.

(Source: P.A. 97-316, eff. 8-12-11.)

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

Passed in the General Assembly May 21, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0125
(House Bill No. 2267)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 7-2a, 7-4, 10-22.22c, 11E-20, 11E-45, and 11E-70 as follows:

(105 ILCS 5/7-2a) (from Ch. 122, par. 7-2a)

Sec. 7-2a. (a) Except as provided in subsection (b) of this Section, any petition for dissolution filed under this Article must specify the school district or districts to which all of the territory of the district proposed to be dissolved will be annexed. Any petition for dissolution may be made by the board of education of the district or a majority of the legal voters residing in the district proposed to be dissolved. No petition from any other district affected by the proposed dissolution shall be required.

(b) Any school district with a population of less than 5,000 residents or an enrollment of less than 750 students, as determined by the district's current fall housing report filed with the State Board of Education, shall be dissolved and its territory annexed as provided in Section 7-11 by the regional board of school trustees upon the filing with the regional board of school trustees of a petition adopted by resolution of the board of education or a petition signed by a majority of the registered

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voters of the district seeking such dissolution. No petition shall be adopted or signed under this subsection until the board of education or the petitioners, as the case may be, shall have given at least 10 days’ notice to be published once in a newspaper having general circulation in the district and shall have conducted a public informational meeting to inform the residents of the district of the proposed dissolution and to answer questions concerning the proposed dissolution. The petition shall be filed with and decided solely by the regional board of school trustees of the region in which the regional superintendent of schools has supervision of the school district being dissolved. The regional board of school trustees shall not act on a petition filed by a board of education if within 45 days after giving notice of the hearing required under Section 7-11 a petition in opposition to the petition of the board to dissolve, signed by a majority of the registered voters of the district, is filed with the regional board of school trustees. The regional board of school trustees shall have no authority to deny dissolution requested in a proper petition for dissolution filed under this subsection (b), but shall exercise its discretion in accordance with Section 7-11 on the issue of annexing the territory of a district being dissolved, giving consideration to but not being bound by the wishes expressed by the residents of the various school districts that may be affected by such annexation.

When dissolution and annexation become effective for purposes of administration and attendance as determined pursuant to Section 7-11, the positions of teachers in contractual continued service in the district being dissolved are transferred to an annexing district or to annexing districts pursuant to the provisions of Section 24-12 relative to teachers having contractual continued service status whose positions are transferred from one board to the control of a different board, and those said provisions of Section 24-12 shall apply to said transferred teachers. In the event that the territory is added to 2 or more districts, the decision on which positions shall be transferred to which annexing districts shall be made giving consideration to the proportionate percent of pupils transferred and the annexing districts' staffing needs, and the transfer of specific individuals into such positions shall be based upon the request of those teachers in order of seniority in the dissolving district. The contractual continued service status of any teacher thereby transferred to an annexing district is not lost and the different board is subject to this Act with respect to such transferred teacher in the same manner as if such teacher was that district's employee and had been its employee during the time such teacher was
actually employed by the board of the dissolving district from which the
position was transferred.
(Source: P.A. 86-13; 87-1215.)
(105 ILCS 5/7-4) (from Ch. 122, par. 7-4)
Sec. 7-4. Requirements for granting petitions. No petition shall be
granted under Section Sections 7-1 or 7-2 of this Code Act:
(a) If there will be any non-high school territory resulting from the
granting of the petition.
(b) Unless after granting the petition any community unit district,
community consolidated district, elementary district or high school district
created shall have a population of at least 2,000 and an equalized assessed
valuation of at least $6,000,000 based upon the last value as equalized by
the Department of Revenue as of the date of filing of the petition.
(c) Unless the territory within any district so created or any district
whose boundaries are affected by the granting of a petition shall after the
granting thereof be compact and contiguous except as provided in Section
7-6 of this Code or as otherwise provided in this subdivision (c) Act. The
fact that a district is divided by territory lying within the corporate limits
of the city of Chicago shall not render it non-compact or non-contiguous.
If, pursuant to a petition filed under Section 7-1 or 7-2 of this Code, all of
the territory of a district is to be annexed to another district, then the
annexing district and the annexed district need not be contiguous if the
following requirements are met and documented within 2 calendar years
prior to the petition filing date:
(1) the distance between each district administrative office
is documented as no more than 30 miles;
(2) every district contiguous to the district wishing to be
annexed determines that it is not interested in participating in a
petition filed under Section 7-1 or 7-2 of this Code, through a vote
of its school board, and documents that non-interest in a letter to
the regional board of school trustees containing approved minutes
that record the school board vote; and
(3) documentation of meeting these requirements are
presented as evidence at the hearing required under Section 7-6 of
this Code.
(d) To create any school district with a population of less than
2,000 unless the State Board of Education and the regional superintendent
of schools for the region in which the proposed district will lie shall certify
to the regional board or boards of school trustees that the creation of such

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new district will not interfere with the ultimate reorganization of the territory of such proposed district as a part of a district having a population of 2,000 or more. Notwithstanding any other provisions of this Article, the granting or approval by a regional board or regional boards of school trustees or by the State Superintendent of Education of a petition that under subsection (b-5) of Section 7-6 is required to request the submission of a proposition at a regular scheduled election for the purpose of voting for or against the annexation of the territory described in the petition to the school district proposing to annex that territory is subject to, and any change in school district boundaries pursuant to the granting of the petition shall not be made except upon, approval of the proposition at the election in the manner provided by Section 7-7.7.

(Source: P.A. 89-397, eff. 8-20-95; 90-459, eff. 8-17-97.)

(105 ILCS 5/10-22.22c) (from Ch. 122, par. 10-22.22c)

Sec. 10-22.22c. (a) Subject to the following provisions of this Section two or more contiguous school districts each of which has an enrollment in grades 9 through 12 of less than 600 students may, when in their judgment the interest of the districts and of the students therein will be best served, jointly operate one or more cooperative high schools. Such action shall be taken for a minimum period of 20 school years, and may be taken only with the approval of the voters of each district. A district with 600 or more students enrolled in grades 9 through 12 may qualify for inclusion with one or more districts having less than 600 such students by receiving a size waiver from the State Board of Education based on a finding that such inclusion would significantly increase the educational opportunities of the district's students, and by meeting the other prerequisites of this Section. The board of each district contemplating such joint operation shall, by proper resolution, cause the proposition to enter into such joint operation to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM FOR SCHOOL DISTRICT
NO. ....... AND SCHOOL DISTRICT NO. .......
TO JOINTLY OPERATE (A) COOPERATIVE HIGH
SCHOOL (SCHOOLS)

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Notice is hereby given that on (insert date), a referendum will be held in ...... County (Counties) for the purpose of voting for or against the proposition for School District No. ...... and School District No. ...... to jointly operate (a) cooperative high school (schools).

The polls will be open at ...... o'clock ... m., and close at ...... o'clock ... m., of the same day.

A ....... B .......

Dated (insert date).
Regional Superintendent of Schools

The proposition shall be in substantially the following form:

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Shall the Board of Education of
School District No. ...., .....                          YES
County (Counties), Illinois be
authorized to enter with
into an agreement with School District No. ...., .... County
(Counties), Illinois to jointly
operate (a) cooperative high
school (schools)?                              NO
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If the majority of those voting on the proposition in each district vote in favor of the proposition, the school boards of the participating districts may, if they agree on terms, execute a contract for such joint operation subject to the following provisions of this Section.

(b) The agreement for joint operation of any such cooperative high school shall include, but not be limited to, provisions for administration, staff, programs, financing, facilities, and transportation. Such agreements may be modified, extended, or terminated by approval of each of the participating districts, provided that a district may withdraw from the agreement during its initial 20-year term only if the district is reorganizing with one or more districts under other provisions of this Code. Even if 2 or more of the participating district boards approve an extension of the agreement, any other participating district shall, upon failure of its board to approve such extension, disengage from such participation at the end of the then current agreement term.

(c) A governing board, which shall govern the operation of any such cooperative high school, shall be composed of an equal number of board members from each of the participating districts, except that where
all participating district boards concur, membership on the governing board may be apportioned to reflect the number of students in each respective district who attend the cooperative high school. The membership of the governing board shall be not less than 6 nor more than 10 and shall be set by the agreement entered into by the participating districts. The school board of each participating district shall select, from its membership, its representatives on the governing board. The governing board shall prepare and adopt a budget for the cooperative high school. The governing board shall administer the cooperative high school in accordance with the agreement of the districts and shall have the power to hire, supervise, and terminate staff; to enter into contracts; to adopt policies for the school; and to take all other actions necessary and proper for the operation of the school. However, the governing board may not levy taxes or incur any indebtedness except within the annual budget approved by the participating districts.

(d) (Blank).

(e) Each participating district shall pay its per capita cost of educating the students residing in its district and attending any such cooperative high school into the budget for the maintenance and operation of the cooperative high school.

The manner of determining per capita cost shall be set forth in the agreement. Each district shall pay the amount owed the governing board under the terms of the agreement from the fund that the district would have used if the district had incurred the costs directly and may levy taxes and issue bonds as otherwise authorized for these purposes in order to make payments to the governing board.

(f) Additional school districts having an enrollment in grades 9 through 12 of less than 600 students may be added to the agreement in accordance with the process described in subsection (a) of this Section. In the event additional districts are added, a new contract shall be executed in accordance with the provisions of this Section.

(g) Upon formation of the cooperative high school, the school board of each participating district shall:

(1) confer and coordinate with each other and the governing board, if the governing board is then in existence, as to staffing needs for the cooperative high school;

(2) in consultation with any exclusive employee representatives and the governing board, if the governing board is then in existence, establish a combined list of teachers in all

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participating districts, categorized by positions, showing the length of service and the contractual continued service status, if any, of each teacher in each participating district who is qualified to hold any such positions at the cooperative high school, and then distribute this list to the exclusive employee representatives on or before February 1 of the school year prior to the commencement of the operation of the cooperative high school or within 30 days after the date of the referendum election if the proposition receives a majority of those voting in each district, whichever occurs first. This list is in addition to and not a substitute for the list mandated by Section 24-12 of this Code; and

(3) transfer to the governing board of the cooperative high school the employment and the position of so many of the full-time or part-time high school teachers employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative high school, provided that these teacher transfers shall be done:

(A) by categories listed on the seniority list mentioned in subdivision (2) of this subsection (g);

(B) in each category, by having teachers in contractual continued service being transferred before any teachers who are not in contractual continued service; and

(C) in order from greatest seniority first through lesser amounts of seniority.

A teacher who is not in contractual continued service shall not be transferred if there is a teacher in contractual continued service in the same category who is qualified to hold the position that is to be filled.

If there are more teachers who have entered upon contractual continued service than there are available positions at the cooperative high school or within other assignments in the district, a school board shall first remove or dismiss all teachers who have not entered upon contractual continued service before removing or dismissing any teacher who has entered upon contractual continued service and who is legally qualified (i) to hold a position at the cooperative high school planned to be held by a teacher who has not entered upon contractual continued service or (ii) to hold another position in the participating district. As between teachers who have entered upon contractual continued service, the teacher or teachers with the shorter length of continuing service in any of the participating districts.
districts shall be dismissed first. Any teacher dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term. If the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available shall be tendered to the teachers so removed or dismissed so far as they are legally qualified to hold such positions. However, if the number of honorable dismissal notices in all participating districts exceeds 15% of full-time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year in all participating districts and if the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within 2 calendar years from the beginning of the following school term, the positions so becoming available shall be tendered to the teachers who were so notified, removed, or dismissed whenever these teachers are legally qualified to hold such positions.

The provisions of Section 24-12 of this Code concerning teachers whose positions are transferred from one board to the control of a different board shall apply to the teachers who are transferred. The contractual continued service of any transferred teacher is not lost and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been the governing board's employee during the time the teacher was actually employed by the board of the district from which the position and the teacher's employment were transferred. The time spent in employment with a participating district by any teacher who has not yet entered upon contractual continued service and who is transferred to the governing board is not lost when computing the time necessary for the teacher to enter upon contractual continued service, and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been the governing board's employee during the time the teacher was actually employed by the school board from which the position and the teacher's employment were transferred.

If the cooperative high school is dissolved, any teacher who was transferred from a participating district shall be transferred back to the district and Section 24-12 of this Code shall apply. In that case, a district is
subject to this Code in the same manner as if the teacher transferred back had been continuously in the service of the receiving district.

(h) Upon formation of the cooperative high school, the school board of each participating district shall:

(1) confer and coordinate with each other and the governing board, if the governing board is then in existence, as to needs for educational support personnel for the cooperative high school;

(2) in consultation with any exclusive employee representative or bargaining agent and the governing board, if the governing board is then in existence, establish a combined list of educational support personnel in participating districts, categorized by positions, showing the length of continuing service of each full-time educational support personnel employee who is qualified to hold any such position at the cooperative high school, and then distribute this list to the exclusive employee representative or bargaining agent on or before February 1 of the school year prior to the commencement of the operation of the cooperative high school or within 30 days after the date of the referendum election if the proposition receives a majority of those voting in each district, whichever occurs first; and

(3) transfer to the governing board of the cooperative high school the employment and the positions of so many of the full-time educational support personnel employees employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative high school, provided that the full-time educational personnel employee transfers shall be done by categories on the seniority list mentioned in subdivision (2) of this subsection (h) and done in order from greatest seniority first through lesser amounts of seniority.

If there are more full-time educational support personnel employees than there are available positions at the cooperative high school or in the participating district, a school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service in any of the participating districts, within the respective category of position. The governing board is subject to this Code with respect to the educational support personnel employee as if the educational support personnel employee had been the governing board's

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employee during the time the educational support personnel employee was actually employed by the school board of the district from which the employment and position were transferred. Any educational support personnel employee dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day following his or her last day of employment. If the school board that has dismissed the educational support personnel employee or the governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available within a specific category of position shall be tendered to the employees so removed or dismissed from that category of position so far as they are legally qualified to hold such positions. If the cooperative high school is dissolved, any educational support personnel employee who was transferred from a participating district shall be transferred back to the district and Section 10-23.5 of this Code shall apply. In that case, a district is subject to this Code in the same manner as if the educational support personnel employee transferred back had been continuously in the service of the receiving district.

(i) Two or more school districts not contiguous to each other, each of which has an enrollment in grades 9 through 12 of less than 600 students, may jointly operate one or more cooperative high schools if the following requirements are met and documented within 2 calendar years prior to the proposition filing date, pursuant to subsection (a) of this Section:

(1) the distance between each district administrative office is documented as no more than 30 miles;
(2) every district contiguous to the district wishing to operate one or more cooperative high schools under the provisions of this Section determines that it is not interested in participating in such joint operation, through a vote of its school board, and documents that non-interest in a letter to the districts wishing to form the cooperative high school containing approved minutes that record the school board vote;
(3) documentation of meeting these requirements is attached to the board resolution required under subsection (a) of this Section; and
(4) all other provisions of this Section are followed.

(Source: P.A. 91-63, eff. 1-1-00; 91-357, eff. 7-29-99.)
(105 ILCS 5/11E-20)

New matter indicated by italics - deletions by strikeout
Sec. 11E-20. Combined school district formation.

(a)(1) The territory of 2 or more entire contiguous elementary districts may be organized into a combined elementary district under the provisions of this Article.

(2) Any 2 or more entire elementary districts that collectively are within or substantially coterminal with the boundaries of a high school district, regardless of whether the districts are compact and contiguous with each other, may be organized into a combined school district in accordance with this Article.

(3) Any 2 or more entire elementary districts that are not contiguous may be organized into a combined school district in accordance with this Article if the following requirements are met and documented within 2 calendar years prior to the petition filing date:

(A) the distance between each district administrative office is documented as no more than 30 miles; and

(B) every district contiguous to a district wishing to organize into a combined school district under the provisions of this paragraph (3) determines that it is not interested in participating in a petition for a combined school district filed in accordance with this Article, through a vote of its school board, and documents that non-interest in a letter to the regional superintendent of schools containing approved minutes that record the school board vote.

(b)(1) The territory of any 2 or more entire contiguous high school districts may be organized into a combined high school district under the provisions of this Article.

(2) Any 2 or more entire high school districts that are not contiguous may be organized into a combined school district in accordance with this Article if the following requirements are met and documented within 2 calendar years prior to the petition filing date:

(A) the distance between each district administrative office is documented as no more than 30 miles; and
(B) every district contiguous to a district wishing to organize into a combined school district under the provisions of this paragraph (2) determines that it is not interested in participating in a petition for a combined school district filed in accordance with this Article, through a vote of its school board, and documents that non-interest in a letter to the regional superintendent of schools containing approved minutes that record the school board vote.

(c)(1) The territory of Any 2 or more entire contiguous unit districts may be organized into a combined unit district under the provisions of this Article.

(2) Any 2 or more entire unit districts that are not contiguous may be organized into a combined school district in accordance with this Article if the following requirements are met and documented within 2 calendar years prior to the petition filing date:

(A) the distance between each district administrative office is documented as no more than 30 miles; and

(B) every district contiguous to the district wishing to organize into a combined school district under the provisions of this paragraph (2) determines that it is not interested in participating in a petition for a combined school district filed in accordance with this Article, through a vote of its school board, and documents that non-interest in a letter to the regional superintendent of schools containing approved minutes that record the school board vote.

(105 ILCS 5/11E-45)

Sec. 11E-45. Hearing.

(a) No more than 15 days after the last date on which the required notice under Section 11E-40 of this Code is published, the regional superintendent of schools with whom the petition is required to be filed shall hold a hearing on the petition. Prior to the hearing, the Committee of Ten shall submit to the regional superintendent maps showing the districts involved and any other information deemed pertinent by the Committee of Ten to the proposed action. The regional superintendent of schools may

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adjourn the hearing from time to time or may continue the matter for want of sufficient notice or other good cause.

(b) At the hearing, the regional superintendent of schools shall allow public testimony on the action proposed in the petition. The Committee of Ten shall present, or arrange for the presentation of all of the following:

(1) Evidence as to the school needs and conditions in the territory described in the petition and the area adjacent thereto.

(2) Evidence with respect to the ability of the proposed district or districts to meet standards of recognition as prescribed by the State Board of Education.

(3) A consideration of the division of funds and assets that will occur if the petition is approved.

(4) A description of the maximum tax rates the proposed district or districts is authorized to levy for various purposes and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code.

(5) For a non-contiguous combined school district, as specified in paragraph (3) of subsection (a), paragraph (2) of subsection (b), or paragraph (2) of subsection (c) of Section 11E-20 of this Code, evidence that the action proposed in the petition meets the requirements of the respective paragraph.

(c) Any regional superintendent of schools entitled under the provisions of this Article to be given a copy of the petition and any resident or representative of a school district in which any territory described in the petition is situated may appear in person or by an attorney at law to provide oral or written testimony or both in relation to the action proposed in the petition.

(d) The regional superintendent of schools shall arrange for a written transcript of the hearing. The expense of the written transcript shall be borne by the petitioners and paid on behalf of the petitioners by the Committee of Ten.

(Source: P.A. 94-1019, eff. 7-10-06; 95-903, eff. 8-25-08.)

(105 ILCS 5/11E-70)

Sec. 11E-70. Effective date of change.

(a) Except as provided in subsections (a-5) and (a-10) of this Section, if a petition is filed under the authority of this Article, the change is granted and approved at election, and no appeal is taken, then the change shall become effective after the time for appeal has run for the
purpose of all elections; however, the change shall not affect the administration of the schools until July 1 following the date that the school board election is held for the new district or districts and the school boards of the districts as they existed prior to the change shall exercise the same power and authority over the territory until that date.

(a-5) If a petition is filed under the authority of this Article for the consolidation of Christopher Unit School District 99 and Zeigler-Royalton Community Unit School District 188, the change is granted and approved at election, and no appeal is taken, then the change shall become effective after one or both of the school districts have been awarded school construction grants under the School Construction Law.

(a-10) If (i) a petition is filed under the authority of this Article for the reorganization of 2 or more school districts that requires a new school building to effectively educate students, (ii) the change is granted and approved at an election, and (iii) no appeal is taken, then, with the approval of the regional superintendent of schools, the change may become effective after one or more of the school districts have been awarded school construction grants, in accordance with the School Construction Law. The intent to postpone the reorganization's effective date must be documented in the petition, and the petition is void if it does not take effect within 5 years after being filed. After the referendum approval and before the effective date of the reorganization, the petition becomes void if the following requirements are met:

(1) the board of each affected district, by proper resolution, causes the proposition to void the petition to be submitted to the voters of each affected district at a regularly scheduled election; and

(2) a majority of the electors voting at the election in each affected district votes in favor of voiding the petition.

(b) If any school district is dissolved in accordance with this Article, upon the close of the then current school year, the terms of office of the school board of the dissolved district shall terminate.

(c) New districts shall be permitted to organize and elect officers within the time prescribed by the general election law. Additionally, between the date of the organization and the election of officers and the date on which the new district takes effect for all purposes, the new district shall also be permitted, with the stipulation of the districts from which the new district is formed and the approval of the regional superintendent of schools, to take all action necessary or appropriate to do the following:

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(1) Establish the tax levy for the new district, in lieu of the levies by the districts from which the new district is formed, within the time generally provided by law and in accordance with this Article. The funds produced by the levy shall be transferred to the new district as generally provided by law at such time as they are received by the county collector.

(2) Enter into agreements with depositories and direct the deposit and investment of any funds received from the county collector or any other source, all as generally provided by law.

(3) Conduct a search for the superintendent of the new district and enter into a contract with the person selected to serve as the superintendent of the new district in accordance with the provisions of this Code generally applicable to the employment of a superintendent.

(4) Conduct a search for other administrators and staff of the new district and enter into a contract with these persons in accordance with the provisions of this Code generally applicable to the employment of administrators and other staff.

(5) Engage the services of accountants, architects, attorneys, and other consultants, including but not limited to consultants to assist in the search for the superintendent.

(6) Plan for the transition from the administration of the schools by the districts from which the new district is formed.

(7) Bargain collectively, pursuant to the Illinois Educational Labor Relations Act, with the certified exclusive bargaining representative or certified exclusive bargaining representatives of the new district's employees.

(8) Expend the funds received from the levy and any funds received from the districts from which the new district is formed to meet payroll and other essential operating expenses or otherwise in the exercise of the foregoing powers until the new district takes effect for all purposes.

(9) Issue bonds authorized in the proposition to form the new district or bonds pursuant to and in accordance with all of the requirements of Section 17-2.11 of this Code, levy taxes upon all of the taxable property within the new district to pay the principal of and interest on those bonds as provided by statute, expend the proceeds of the bonds and enter into any necessary contracts for the work financed therewith as authorized by statute, and avail itself of

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the provisions of other applicable law, including the Omnibus Bond Acts, in connection with the issuance of those bonds.

(d) After the granting of a petition has become final and approved at election, the date when the change becomes effective for purposes of administration and attendance may be accelerated or postponed by stipulation of the school board of each district affected and approval by the regional superintendent of schools with which the original petition is required to be filed.

(Source: P.A. 97-925, eff. 8-10-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0126
(Senate Bill No. 0494)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Division 5-44 to Article 5 and Sections 5-44005, 5-44010, 5-44015, 5-44020, 5-44025, 5-44030, 5-44035, 5-44040, 5-44045, 5-44050, and 5-44055 as follows:

(55 ILCS 5/Div. 5-44 heading new)

Division 5-44. Local Government Reduction and Efficiency

(55 ILCS 5/5-44005 new)

Sec. 5-44005. Findings and purpose.
(a) The General Assembly finds:

(1) Illinois has more units of local government than any other state.

(2) The large number of units of local government results in the inefficient delivery of governmental services at a higher cost to taxpayers.

(3) In a number of cases, units of local government provide services that are duplicative in nature, as they are provided by other units of local government.

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It is in the best interest of taxpayers that more efficient service delivery structures be established in order to replace units of local government that are not financially sustainable.

Units of local government managed by appointed governing boards not directly accountable to the electorate can encourage a lack of oversight and complacency that is not in the best interest of taxpayers.

Various provisions of Illinois law governing the dissolution of units of local government are inconsistent and outdated.

The lack of a streamlined method to consolidate government functions and to dissolve units of local government results in an unfair tax burden on the citizens of the State of Illinois residing in those units of local government and prevents the expenditure of limited public funds for critical programs and services.

The purpose of this Act is to provide county boards with supplemental authority regarding the dissolution of units of local government and the consolidation of governmental functions.

Sec. 5-44010. Applicability. The powers and authorities provided by this Division 5-44 apply only to counties with a population of more than 900,000 and less than 3,000,000 that are contiguous to a county with a population of more than 3,000,000 and units of local government within such counties.

Sec. 5-44015. Powers; supplemental. The Sections of this Division 5-44 are intended to be supplemental and in addition to all other powers and authorities granted to any county board, shall be construed liberally, and shall not be construed as a limitation of any power or authority otherwise granted.

Sec. 5-44020. Definitions. In this Division 5-44:
"Fire protection jurisdiction" means a fire protection district, municipal fire department, or service organized under Section 5-1056.1 of the Counties Code, Sections 195 and 200 of the Township Code, Section 10-2.1 of the Illinois Municipal Code, or the Illinois Fire Protection District Act.
"Governing board" means the individual or individuals who constitute the corporate authorities of a unit of local government; and "Unit of local government" or "unit" means any unit of local government located entirely within one county, to which the county board chairman or county executive directly appoints a majority of its governing board with the advice and consent of the county board, but shall not include a fire protection district that directly employs any regular full-time employees or a special district organized under the Water Commission Act of 1985.

(55 ILCS 5/5-44025 new)
Sec. 5-44025. Dissolution of units of local government.
(a) A county board may, by ordinance, propose the dissolution of a unit of local government. The ordinance shall detail the purpose and cost savings to be achieved by such dissolution, and be published in a newspaper of general circulation served by the unit of local government and on the county's website, if applicable.

(b) Upon the effective date of an ordinance enacted pursuant to subsection (a) of this Section, the chairman of the county board shall cause an audit of all claims against the unit, all receipts of the unit, the inventory of all real and personal property owned by the unit or under its control or management, and any debts owed by the unit. The chairman may, at his or her discretion, undertake any other audit or financial review of the affairs of the unit. The person or entity conducting such audit shall report the findings of the audit to the county board and to the chairman of the county board within 30 days.

(c) Following the return of the audit report required by subsection (b) of this Section, the county board may adopt an ordinance dissolving the unit 150 days following the effective date of the ordinance. Upon adoption of the ordinance, but not before the end of the 30-day period set forth in subsection (e) of this Section and prior to its effective date, the chairman of the county board shall petition the circuit court for an order designating a trustee-in-dissolution for the unit, immediately terminating the terms of the members of the governing board of the unit of local government on the effective date of the ordinance, and providing for the compensation of the trustee, which shall be paid from the corporate funds of the unit.

(d) Upon the effective date of an ordinance enacted under subsection (c) of this Section, and notwithstanding any other provision of law, the State's attorney, or his or her designee, shall become the exclusive

New matter indicated by italics - deletions by strikeout
legal representative of the dissolving unit of local government. The county treasurer shall become the treasurer of the unit of local government and the county clerk shall become the secretary of the unit of local government.

(e) Any dissolution of a unit of local government proposed pursuant to this Act shall be subject to a backdoor referendum. In addition to, or as part of, the authorizing ordinance enacted pursuant to subsection (c) of this Section, a notice shall be published that includes: (1) the specific number of voters required to sign a petition requesting that the question of dissolution be submitted to referendum; (2) the time when such petition must be filed; (3) the date of the prospective referendum; and (4) the statement of the cost savings and the purpose or basis for the dissolution as set forth in the authorizing ordinance under subsection (a) of this Section. The county's election authority shall provide a petition form to anyone requesting one. If no petition is filed with the county's election authority within 30 days of publication of the authorizing ordinance and notice, the ordinance shall become effective.

However, the election authority shall certify the question for submission at the next election held in accordance with general election law if a petition: (1) is filed within the 30-day period; (2) is signed by electors numbering either 7.5% of the registered voters in the governmental unit or 200 registered voters, whichever is less; and (3) asks that the question of dissolution be submitted to referendum.

The election authority shall submit the question to voters residing in the area served by the unit of local government in substantially the following form:

Shall the county board be authorized to dissolve [name of unit of local government]?

The election authority shall record the votes as "Yes" or "No".

If a majority of the votes cast on the question at such election are in favor of dissolution of the unit of local government and provided that notice of the referendum was provided as set forth in Section 12-5 of the Election Code, the county board is authorized to proceed pursuant to subsection (c) of this Section.

(55 ILCS 5/5-44030 new)

Sec. 5-44030. Trustee-in-dissolution; powers and duties.

(a) The trustee-in-dissolution shall have the following powers and duties:

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(1) to execute all of the powers and duties of the previous board;

(2) to levy and rebate taxes, subject to the approval of the county board, for the purpose of paying the debts, obligations, and liabilities of the unit that are outstanding on the date of the dissolution and the necessary expenses of closing up the affairs of the district if these funds are not available from the unit of local government's general fund;

(3) to present, within 30 days of his or her appointment, a plan for the consolidation and dissolution of the unit of local government to the county board for its approval. The plan shall identify what functions, if any, of the unit of local government shall be undertaken by the county upon dissolution and whether any taxes previously levied for the provision of these functions shall be maintained;

(4) to enter into an intergovernmental agreement with one or more governmental entities to utilize existing resources including, but not limited to, labor, materials, and property, as may be needed to carry out the foregoing duties;

(5) to enter into an intergovernmental agreement with the county to combine or transfer any of the powers, privileges, functions, or authority of the unit of local government to the county as may be required to facilitate the transition; and

(6) to sell the property of the unit and, in case any excess remains after all liabilities of the unit are paid, the excess shall be transferred to a special fund created and maintained by the county treasurer to be expended solely to defer the costs incurred by the county in performing the duties of the unit, subject to the requirements of Section 5-44035 of this Division. Nothing in this Section shall prohibit the county from acquiring any or all real or personal property of the district.

(b) For fire protection jurisdictions, the trustee-in-dissolution shall not have:

(1) the powers enumerated in this Section unless the dissolution of that unit of local government shall not increase the average response times nor decrease the level of services provided; and

New matter indicated by italics - deletions by strikeout
(2) the power to decrease the levy that is in effect on or before the date of dissolution of the fire protection jurisdiction that affects the provision of fire and emergency medical services.

(55 ILCS 5/5-44035 new)

Sec. 5-44035. Outstanding indebtedness.
(a) In case any unit dissolved pursuant to this Division has bonds or notes outstanding that are a lien on funds available in the treasury at the time of consolidation, such lien shall be unimpaired by such dissolution and the lien shall continue in favor of the bond or note holders. The funds available subject to such a lien shall be set apart and held for the purpose of retiring such secured debt and no such funds shall be transferred into the general funds of the county.

(b) In case any unit dissolved pursuant to this Division has unsecured debts outstanding at the time of dissolution, any funds in the treasury of such unit or otherwise available and not committed shall, to the extent necessary, be applied to the payment of such debts.

(c) All property in the territory served by the dissolved unit of government shall be subject to taxation to pay the debts, bonds, and obligations of the dissolved district. The county board shall abate this taxation upon the discharge of all outstanding obligations.

(55 ILCS 5/5-44040 new)

Sec. 5-44040. Effect of dissolution. Immediately upon the dissolution of a unit of local government pursuant to this Division:

(a) Notwithstanding the provisions of the Special Service Area Tax Law of the Property Tax Code that pertain to the establishment of special service areas, all or part of the territory formerly served by the dissolved unit of local government may be established as a special service area or areas of the county if the county board by resolution determines that this designation is necessary for it to provide services. The special service area, if created, shall include all territory formerly served by the dissolved unit of local government if the dissolved unit has outstanding indebtedness. If the boundaries of a special service area created under this subsection include territory within a municipality, the corporate authorities of that municipality may, with the consent of the county, assume responsibility for the special service area and become its governing body.

All or part of the territory formerly served by a dissolved fire protection jurisdiction shall not be established as a special service area.
unless the creation of the special service area does not increase the average response times nor decrease the level of service provided.

(b) In addition to any other powers provided by law, the governing body of a special service area created pursuant to this subsection shall assume and is authorized to exercise all the powers and duties of the dissolved unit with respect to the special service area. The governing body is also authorized to continue to levy any tax previously imposed by the unit of local government within the special service area. However, the governing board shall not have the power to decrease the levy that is in effect on or before the date of dissolution of the fire protection jurisdiction that affects the provision of fire and emergency medical services.

(c) Subsequent increases of the current tax levy within the special service area or areas shall be made in accordance with the provisions of the Special Service Area Tax Law of the Property Tax Code.

(55 ILCS 5/5-44045 new)

Sec. 5-44045. Abatement of levy. Whenever a county has dissolved a unit of local government pursuant to this Division, the county or municipality shall, within 6 months of the effective date of the dissolution and every year thereafter, evaluate the need to continue any existing tax levy until the county or municipality abates the levy in the manner set forth by the Special Service Area Tax Law of the Property Tax Code.

(55 ILCS 5/5-44050 new)

Sec. 5-44050. Tax collection and enforcement. The dissolution of a unit of government pursuant to this Division shall not adversely affect proceedings for the collection or enforcement of any tax. Those proceedings shall continue to finality as though no dissolution had taken place. The proceeds thereof shall be paid over to the treasurer of the county to be used for the purpose for which the tax was levied or assessed. Proceedings to collect and enforce such taxes may be instituted and carried on in the name of the unit.

(55 ILCS 5/5-44055 new)

Sec. 5-44055. Litigation. All suits pending in any court on behalf of or against a unit dissolved pursuant to this Division may be prosecuted or defended in the name of the county by the State's attorney. All judgments obtained for a unit dissolved pursuant to this Division shall be collected and enforced by the county for its benefit.

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

Passed in the General Assembly May 14, 2013.
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by adding Section 3-70 as follows:
(35 ILCS 200/3-70 new)
Sec. 3-70. Cessation of Township Assessor. If the office of Township Assessor in a coterminous township ceases as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of the Township Assessor under this Code.
Section 10. The Township Code is amended by adding Article 27 as follows:
(60 ILCS 1/Art. 27 heading new)
ARTICLE 27. DISCONTINUANCE OF TOWNSHIP ORGANIZATION WITHIN COTERMINOUS MUNICIPALITY
(60 ILCS 1/27-5 new)
Sec. 27-5. Applicability. This Article shall apply only to a township that: (1) is within a coterminous, or substantially coterminous, municipality in which the city council exercises the powers and duties of the township board, or in which one or more municipal officials serve as an officer or trustee of the township; (2) is located within a county with a population of 3 million or more; and (3) contains a territory of 7 square miles or more.
(60 ILCS 1/27-10 new)
Sec. 27-10. Petition and referendum to discontinue and abolish a township organization within a coterminous municipality. Upon ordinance adopted by the city council of a township described under Section 27-5 of this Article, or upon petition of at least 10% of the registered voters of that township, the city council shall certify and cause to be submitted to the voters of the township, at the next election or consolidated election, a proposition to discontinue and abolish the township organization and to transfer all the rights, powers, duties, assets, property, liabilities,
obligations, and responsibilities of the township organization to the
coterminous municipality.

A signature on a petition shall not be valid or counted in
considering the petition unless the form requirements are complied with
and the date of each signature is less than 90 days before the last day for
filing the petition. The statement of the person who circulates the petition
must include an attestation (i) indicating the dates on which that sheet was
circulated, (ii) indicating the first and last date on which that sheet was
circulated, or (iii) certifying that none of the signatures on the sheet was
signed more than 90 days before the last day for filing the petition. The
petition shall be treated and the proposition certified in the manner
provided by the general election law. After the proposition has once been
submitted to the electorate, the proposition shall not be resubmitted for 4
years.

The proposition shall be in substantially the following form:

Shall the township organization be continued in [Name of
Township] Township?
The votes shall be recorded as "Yes" or "No".

Sec. 27-15. Cessation of township organization. If a majority of the
votes of the township cast are in favor of the proposition to discontinue
and abolish the township organization, then the township organization in
that township shall cease.

On the effective date of the discontinuance and abolishment of the
township organization, all the rights, powers, duties, assets, property,
liabilities, obligations, and responsibilities of the township shall by
operation of law vest in and be assumed by the coterminous municipality.

Sec. 27-20. Township officers.

Upon the effective date of discontinuance, the coterminous
municipality shall exercise all duties and responsibilities of that township
officer as provided in the Township Code, the Illinois Public Aid Code,
Property Tax Code, and the Illinois Highway Code, as applicable. The
coterminous municipality may enter into an intergovernmental agreement
or contract with the county or the State to administer the duties and
responsibilities of that township officer for services under its jurisdiction.

Sec. 27-25. Business, records, and property of discontinued
township organization. The records of a township organization
discontinued under this Article shall be deposited in the coterminous municipality's city clerk's office. The coterminous municipality may close up all unfinished business of the township and sell and dispose of any of the property belonging to the township for benefit of the inhabitants of the municipality.

Section 15. The Public Health District Act is amended by adding Section 25 as follows:

(70 ILCS 905/25 new)

Sec. 25. Discontinuance of a coterminous township. If the office of Township Assessor in a coterminous township is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality's Council members shall be the board of health for the public health district under this Act.

Section 20. The Illinois Public Aid Code is amended by adding Section 12-3.1 as follows:

(305 ILCS 5/12-3.1 new)

Sec. 12-3.1. Discontinuance of a coterminous township. Upon discontinuance of a coterminous township under Article 27 of the Township Code, the coterminous municipality shall provide funds for and administer the public aid program provided for under Article VI of this Code.

Section 25. The Illinois Highway Code is amended by adding Section 5-205.10 as follows:

(605 ILCS 5/5-205.10 new)

Sec. 5-205.10. Discontinuance of a coterminous township. If township organization is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of highway commissioner under this Code.

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

Passed in the General Assembly May 16, 2013.
Approved August 2, 2013.
Effective August 2, 2013.
AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Sections 4-8-6, 4-8-6a, and 4-8-7 as follows:

(65 ILCS 5/4-8-6) (from Ch. 24, par. 4-8-6)

Sec. 4-8-6. (a) No officer or employee elected or appointed under this article shall be interested, directly or indirectly, in his own name or in the name of any other person, association, trust or corporation, in any contract for work or materials, or profits thereof, or services to be furnished or performed for the municipality or for any person operating a public utility wholly or partly within the territorial limits of the municipality.

(b) However, any elected or appointed member of the governing body may provide materials, merchandise, property, services or labor, if:

A. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which such interested member of the governing body of the municipality has less than a 7 1/2% share in the ownership; and

B. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

C. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

D. such contract is approved by a majority vote of those members presently holding office; and

E. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds $1500, or awarded without bidding if the amount of the contract is less than $1500; and

F. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $25,000.

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(c) In addition to the above exemption, any elected or appointed member of the governing body may provide materials, merchandise, property, services or labor if:

A. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

B. the amount of the contract does not exceed $1000; and

C. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $2000; and

D. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

E. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(d) A contract for the procurement of public utility services by a municipality with a public utility company is not barred by this Section by one or more members of the governing body being an officer or employee of the public utility company or holding an ownership interest of no more than 7 1/2% in the public utility company, or holding an ownership interest of any size if the municipality has a population of less than 7,500 and the public utility's rates are approved by the Illinois Commerce Commission. An elected or appointed member of the governing body having such an interest shall be deemed not to have a prohibited interest under this Section.

(e) Any officer who violates this Section is guilty of a Class 4 felony and in addition thereto any office held by such person so convicted shall become vacant and shall be so declared as part of the judgment of the court.

(f) Nothing contained in this Section, including the restrictions set forth in subsections (b), (c) and (d), shall preclude a contract of deposit of monies, loans or other financial services by a municipality with a local bank or local savings and loan association, regardless of whether a member or members of the governing body of the municipality are interested in such bank or savings and loan association as an officer or employee or as a holder of less than 7 1/2% of the total ownership interest. A member or members holding such an interest in such a contract shall not

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be deemed to be holding a prohibited interest for purposes of this Act. Such interested member or members of the governing body must publicly state the nature and extent of their interest during deliberations concerning the proposed award of such a contract, but shall not participate in any further deliberations concerning the proposed award. Such interested member or members shall not vote on such a proposed award. Any member or members abstaining from participation in deliberations and voting under this Section may be considered present for purposes of establishing a quorum. Award of such a contract shall require approval by a majority vote of those members presently holding office. Consideration and award of any such contract in which a member or members are interested may only be made at a regularly scheduled public meeting of the governing body of the municipality.

(g) This Section applies only to an officer or employee elected or appointed under this Article who is a member of the board of an investor-owned public service corporation.
(Source: P.A. 82-399.)

(65 ILCS 5/4-8-6a) (from Ch. 24, par. 4-8-6a)
Sec. 4-8-6a. No officer or employee elected or appointed under this Article shall request, accept, or receive, directly or indirectly, from any person owning, operating, or leasing within or partly within the territorial limits of the municipality, any public utility, or any water craft leaving or entering or operating within the municipality, any service or transportation upon terms more favorable than are granted to the public generally, or any employment, for hire or otherwise, or any free service or transportation, either for himself or any other person.

A violation of this Section is a petty offense. A conviction shall effect a forfeiture of the office or employment.

The prohibition of free transportation shall not apply to policemen or firemen in uniform, nor shall this Section affect any free service to municipal officers or employees provided by any franchise or license, granted prior to March 9, 1910.

This Section applies only to an officer or employee elected or appointed under this Article who is a member of the board of an investor-owned public service corporation.
(Source: P.A. 80-938.)

(65 ILCS 5/4-8-7) (from Ch. 24, par. 4-8-7)
Sec. 4-8-7. No mayor or commissioner elected under this article shall be an official of any public service corporation at the time he or she assumes office. A violation of this section is a Class A misdemeanor.

For the purposes of this Section, "official of any public service corporation" means a member of the board of an investor-owned public service corporation.

(Source: P.A. 77-2500.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0129
(House Bill No. 0064)

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

Section 1. Short title. This Act may be cited as the Right to Privacy in the School Setting Act.

Section 5. Definitions. In this Act:
"Elementary or secondary school" means a public elementary or secondary school or school district or a nonpublic school recognized by the State Board of Education.
"Post-secondary school" means an institution of higher learning as defined in the Higher Education Student Assistance Act.
"Social networking website" means an Internet-based service that allows individuals to do the following:

(1) construct a public or semi-public profile within a bounded system created by the service;
(2) create a list of other users with whom they share a connection within the system; and
(3) view and navigate their list of connections and those made by others within the system.
"Social networking website" does not include electronic mail.

Section 10. Prohibited inquiry.
(a) It is unlawful for a post-secondary school to request or require a student or his or her parent or guardian to provide a password or other

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related account information in order to gain access to the student's account or profile on a social networking website or to demand access in any manner to a student's account or profile on a social networking website.

(b) Nothing in this Section limits a post-secondary school's right to do the following:

   (1) promulgate and maintain lawful school policies governing the use of the post-secondary school's electronic equipment, including policies regarding Internet use, social networking website use, and electronic mail use; and

   (2) monitor usage of the post-secondary school's electronic equipment and the post-secondary school's electronic mail without requesting or requiring a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website.

(c) Nothing in this Section prohibits a post-secondary school from obtaining information about a student that is in the public domain or that is otherwise obtained in compliance with this Act.

(d) This Section does not apply when a post-secondary school has reasonable cause to believe that a student's account on a social networking website contains evidence that the student has violated a school disciplinary rule or policy.

Section 15. Notification. An elementary or secondary school must provide notification to the student and his or her parent or guardian that the elementary or secondary school may request or require a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website if the elementary or secondary school has reasonable cause to believe that the student's account on a social networking website contains evidence that the student has violated a school disciplinary rule or policy. The notification must be published in the elementary or secondary school's disciplinary rules, policies, or handbook or communicated by similar means.

Section 20. Penalty. A post-secondary school or an agent of a post-secondary school who violates this Act is guilty of a petty offense.

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective January 1, 2014.
AN ACT concerning the Department of Healthcare and Family Services.

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

Section 5. The Illinois Insurance Code is amended by changing Section 5.5 as follows:

(215 ILCS 5/5.5)

Sec. 5.5. Compliance with the Department of Healthcare and Family Services. A company authorized to do business in this State or accredited by the State to issue policies of health insurance, including but not limited to, self-insured plans, group health plans (as defined in Section 607(1) of the Employee Retirement Income Security Act of 1974), service benefit plans, managed care organizations, pharmacy benefit managers, or other parties that are by statute, contract, or agreement legally responsible for payment of a claim for a health care item or service as a condition of doing business in the State must:

(1) provide to the Department of Healthcare and Family Services, or any successor agency, on at least a quarterly basis if so requested by the Department, information to determine during what period any individual may be, or may have been, covered by a health insurer and the nature of the coverage that is or was provided by the health insurer, including the name, address, and identifying number of the plan;

(2) accept the State's right of recovery and the assignment to the State of any right of an individual or other entity to payment from the party for an item or service for which payment has been made under the medical programs of the Department of Healthcare and Family Services, or any successor agency, under this Code or the Illinois Public Aid Code;

(3) respond to any inquiry by the Department of Healthcare and Family Services regarding a claim for payment for any health care item or service that is submitted not later than 3 years after the date of the provision of such health care item or service; and

(4) agree not to deny a claim submitted by the Department of Healthcare and Family Services solely on the basis of the date of submission of the claim, the type or format of the claim form, or a...
failure to present proper documentation at the point-of-sale that is the basis of the claim if (i) the claim is submitted by the Department of Healthcare and Family Services within the 3-year period beginning on the date on which the item or service was furnished and (ii) any action by the Department of Healthcare and Family Services to enforce its rights with respect to such claim is commenced within 6 years of its submission of such claim.

The Department of Healthcare and Family Services may impose an administrative penalty as provided under Section 12-4.45 of the Illinois Public Aid Code on entities that have established a pattern of failure to provide the information required under this Section, or in cases in which the Department of Healthcare and Family Services has determined that an entity that provides health insurance coverage has established a pattern of failure to provide the information required under this Section, and has subsequently certified that determination, along with supporting documentation, to the Director of the Department of Insurance, the Director of the Department of Insurance, based upon the certification of determination made by the Department of Healthcare and Family Services, may commence regulatory proceedings in accordance with all applicable provisions of the Illinois Insurance Code.

(Source: P.A. 95-632, eff. 9-25-07; 96-1501, eff. 1-25-11.)

Section 10. The Covering ALL KIDS Health Insurance Act is amended by changing Section 20 as follows:

(215 ILCS 170/20)

(Section scheduled to be repealed on July 1, 2016)
Sec. 20. Eligibility.

(a) To be eligible for the Program, a person must be a child:

(1) who is a resident of the State of Illinois;

(2) who is ineligible for medical assistance under the Illinois Public Aid Code or benefits under the Children's Health Insurance Program Act;

(3) either (i) who has been without health insurance coverage for 12 months, (ii) whose parent has lost employment that made available affordable dependent health insurance coverage, until such time as affordable employer-sponsored dependent health insurance coverage is again available for the child as set forth by the Department in rules, (iii) who is a newborn whose responsible relative does not have available affordable private or employer-sponsored health insurance, or (iv) who, within one year of
applying for coverage under this Act, lost medical benefits under
the Illinois Public Aid Code or the Children's Health Insurance
Program Act; and

(3.5) whose household income, as determined by the
Department, is at or below 300% of the federal poverty level. This
item (3.5) is effective July 1, 2011.

An entity that provides health insurance coverage (as defined in
Section 2 of the Comprehensive Health Insurance Plan Act) to Illinois
residents shall provide health insurance data match to the Department of
Healthcare and Family Services as provided by and subject to Section 5.5
of the Illinois Insurance Code. The Department of Healthcare and Family
Services may impose an administrative penalty as provided under Section
12-4.45 of the Illinois Public Aid Code on entities that have established a
pattern of failure to provide the information required under this Section.

The Department of Healthcare and Family Services, in
collaboration with the Department of Insurance, shall adopt rules
governing the exchange of information under this Section. The rules shall
be consistent with all laws relating to the confidentiality or privacy of
personal information or medical records, including provisions under the
Federal Health Insurance Portability and Accountability Act (HIPAA).

(b) The Department shall monitor the availability and retention of
employer-sponsored dependent health insurance coverage and shall modify
the period described in subdivision (a)(3) if necessary to promote retention
of private or employer-sponsored health insurance and timely access to
healthcare services, but at no time shall the period described in subdivision
(a)(3) be less than 6 months.

c) The Department, at its discretion, may take into account the
affordability of dependent health insurance when determining whether
employer-sponsored dependent health insurance coverage is available
upon reemployment of a child's parent as provided in subdivision (a)(3).

d) A child who is determined to be eligible for the Program shall
remain eligible for 12 months, provided that the child maintains his or her
residence in this State, has not yet attained 19 years of age, and is not
excluded under subsection (e).

e) A child is not eligible for coverage under the Program if:

(1) the premium required under Section 40 has not been
timely paid; if the required premiums are not paid, the liability of
the Program shall be limited to benefits incurred under the Program
for the time period for which premiums have been paid; re-
enrollment shall be completed before the next covered medical visit, and the first month's required premium shall be paid in advance of the next covered medical visit; or

(2) the child is an inmate of a public institution or an institution for mental diseases.

(f) The Department may adopt rules, including, but not limited to: rules regarding annual renewals of eligibility for the Program in conformance with Section 7 of this Act; rules providing for re-enrollment, grace periods, notice requirements, and hearing procedures under subdivision (e)(1) of this Section; and rules regarding what constitutes availability and affordability of private or employer-sponsored health insurance, with consideration of such factors as the percentage of income needed to purchase children or family health insurance, the availability of employer subsidies, and other relevant factors.

(g) Each child enrolled in the Program as of July 1, 2011 whose family income, as established by the Department, exceeds 300% of the federal poverty level may remain enrolled in the Program for 12 additional months commencing July 1, 2011. Continued enrollment pursuant to this subsection shall be available only if the child continues to meet all eligibility criteria established under the Program as of the effective date of this amendatory Act of the 96th General Assembly without a break in coverage. Nothing contained in this subsection shall prevent a child from qualifying for any other health benefits program operated by the Department.

(Source: P.A. 96-1272, eff. 1-1-11; 96-1501, eff. 1-25-11.)

Section 15. The Illinois Public Aid Code is amended by changing Section 12-9 and by adding Section 12-4.45 as follows:

(305 ILCS 5/12-4.45 new)

Sec. 12-4.45. Third party liability.

(a) To the extent authorized under federal law, the Department of Healthcare and Family Services shall identify individuals receiving services under medical assistance programs funded or partially funded by the State who may be or may have been covered by a third party health insurer, the period of coverage for such individuals, and the nature of coverage. A company, as defined in Section 5.5 of the Illinois Insurance Code and Section 2 of the Comprehensive Health Insurance Plan Act, must provide the Department eligibility information in a federally recommended or mutually agreed-upon format that includes at a minimum:

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(1) The names, addresses, dates, and sex of primary covered persons.
(2) The policy group numbers of the covered persons.
(3) The names, dates of birth, and sex of covered dependents, and the relationship of dependents to the primary covered person.
(4) The effective dates of coverage for each covered person.
(5) The generally defined covered services information, such as drugs, medical, or any other similar description of services covered.

(b) The Department may impose an administrative penalty on a company that does not comply with the request for information made under Section 5.5 of the Illinois Insurance Code and paragraph (3) of subsection (a) of Section 20 of the Covering ALL KIDS Health Insurance Act. The amount of the penalty shall not exceed $10,000 per day for each day of noncompliance that occurs after the 180th day after the date of the request. The first day of the 180-day period commences on the business day following the date of the correspondence requesting the information sent by the Department to the company. The amount shall be based on:

(1) The seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation.
(2) The economic harm caused by the violation.
(3) The history of previous violations.
(4) The amount necessary to deter a future violation.
(5) Efforts to correct the violation.
(6) Any other matter that justice may require.

(c) The enforcement of the penalty may be stayed during the time the order is under administrative review if the company files an appeal.

(d) The Attorney General may bring suit on behalf of the Department to collect the penalty.

(e) Recoveries made by the Department in connection with the imposition of an administrative penalty as provided under this Section shall be deposited into the Public Aid Recoveries Trust Fund created under Section 12-9.

(305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The Public Aid Recoveries Trust Fund shall consist of (1) recoveries by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) authorized by this Code in respect to applicants or recipients under

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Articles III, IV, V, and VI, including recoveries made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) from the estates of deceased recipients, (2) recoveries made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) in respect to applicants and recipients under the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (2.5) recoveries made by the Department of Healthcare and Family Services in connection with the imposition of an administrative penalty as provided under Section 12-4.45, (3) federal funds received on behalf of and earned by State universities and local governmental entities for services provided to applicants or recipients covered under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (3.5) federal financial participation revenue related to eligible disbursements made by the Department of Healthcare and Family Services from appropriations required by this Section, and (4) all other moneys received to the Fund, including interest thereon. The Fund shall be held as a special fund in the State Treasury.

Disbursements from this Fund shall be only (1) for the reimbursement of claims collected by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) through error or mistake, (2) for payment to persons or agencies designated as payees or co-payees on any instrument, whether or not negotiable, delivered to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as a recovery under this Section, such payment to be in proportion to the respective interests of the payees in the amount so collected, (3) for payments to the Department of Human Services for collections made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) on behalf of the Department of Human Services under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (4) for payment of administrative expenses incurred in performing the activities authorized under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (5) for payment of fees to persons or agencies in the performance of activities pursuant to the collection of monies owed the State that are collected under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (6) for payments of any amounts which are reimbursable to the federal government which are required to be paid by
State warrant by either the State or federal government, and (7) for payments to State universities and local governmental entities of federal funds for services provided to applicants or recipients covered under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act. Disbursements from this Fund for purposes of items (4) and (5) of this paragraph shall be subject to appropriations from the Fund to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid).

The balance in this Fund on the first day of each calendar quarter, after payment therefrom of any amounts reimbursable to the federal government, and minus the amount reasonably anticipated to be needed to make the disbursements during that quarter authorized by this Section, shall be certified by the Director of Healthcare and Family Services and transferred by the State Comptroller to the Drug Rebate Fund or the Healthcare Provider Relief Fund in the State Treasury, as appropriate, within 30 days of the first day of each calendar quarter. The Director of Healthcare and Family Services may certify and the State Comptroller shall transfer to the Drug Rebate Fund amounts on a more frequent basis.

On July 1, 1999, the State Comptroller shall transfer the sum of $5,000,000 from the Public Aid Recoveries Trust Fund (formerly the Public Assistance Recoveries Trust Fund) into the DHS Recoveries Trust Fund.

(Source: P.A. 96-1100, eff. 1-1-11; 97-647, eff. 1-1-12; 97-689, eff. 6-14-12.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

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

Section 5. The School Code is amended by changing Section 17-2A as follows:

(105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

New matter indicated by italics - deletions by strikeout
Sec. 17-2A. Interfund Transfers.

(a) The school board of any district having a population of less than 500,000 inhabitants may, by proper resolution following a public hearing set by the school board or the president of the school board (that is preceded (i) by at least one published notice over the name of the clerk or secretary of the board, occurring at least 7 days and not more than 30 days prior to the hearing, in a newspaper of general circulation within the school district and (ii) by posted notice over the name of the clerk or secretary of the board, at least 48 hours before the hearing, at the principal office of the school board or at the building where the hearing is to be held if a principal office does not exist, with both notices setting forth the time, date, place, and subject matter of the hearing), transfer money from (1) the Educational Fund to the Operations and Maintenance Fund or the Transportation Fund, (2) the Operations and Maintenance Fund to the Educational Fund or the Transportation Fund, or (3) the Transportation Fund to the Educational Fund or the Operations and Maintenance Fund of said district, provided that, except during the period from July 1, 2003 through June 30, 2016, such transfer is made solely for the purpose of meeting one-time, non-recurring expenses. Except during the period from July 1, 2003 through June 30, 2016 and except as otherwise provided in subsection (b) of this Section, any other permanent interfund transfers authorized by any provision or judicial interpretation of this Code for which the transferee fund is not precisely and specifically set forth in the provision of this Code authorizing such transfer shall be made to the fund of the school district most in need of the funds being transferred, as determined by resolution of the school board.

(b) Notwithstanding subsection (a) of this Section or any other provision of this Code to the contrary, the school board of any school district (i) that is subject to the Property Tax Extension Limitation Law, (ii) that has a population of less than 500,000 inhabitants, (iii) that is levying at its maximum tax rate, (iv) whose total equalized assessed valuation has declined 20% in the prior 2 years, (v) in which 80% or more of its students receive free or reduced-price lunch, and (vi) that had an equalized assessed valuation of less than $207 million but more than $203 million in the 2011 levy year may annually, until July 1, 2016, transfer money from any fund of the district, other than the Illinois Municipal Retirement Fund and the Bonds and Interest Fund, to the educational fund, the operations and maintenance fund, or the transportation fund of the district by proper resolution following a public hearing set by the
school board or the president of the school board, with notice as provided in subsection (a) of this Section, so long as the district meets the qualifications set forth in this subsection (b) on the effective date of this amendatory Act of the 98th General Assembly even if the district does not meet those qualifications at the time a given transfer is made.

(Source: P.A. 95-53, eff. 8-10-07; 96-1201, eff. 7-22-10.)

Section 10. The Tort Liability of Schools Act is amended by adding Section 9.5 as follows:

(745 ILCS 25/9.5 new)

Sec. 9.5. Tort immunity fund transfers. Notwithstanding any provision of the School Code to the contrary, if a school board determines that there are educational needs that will go unmet because of a lack of funds in the district's educational, operations and maintenance, and transportation funds, that there exists a sufficient fund balance in the district's tort immunity fund to meet those educational needs, and that a transfer will not cause the district to realize increased tort exposure, then the school board of any school district (i) that is subject to the Property Tax Extension Limitation Law, (ii) that has a population of less than 500,000 inhabitants, (iii) that is levying at its maximum tax rate, (iv) whose total equalized assessed valuation has declined 20% in the prior 2 years, (v) in which 80% or more of its students receive free or reduced-price lunch, and (vi) that had an equalized assessed valuation of less than $207 million but more than $203 million in the 2011 levy year may annually, until July 1, 2016, transfer money from the tort immunity fund of the district to the educational fund, the operations and maintenance fund, or the transportation fund of the district by proper resolution following a public hearing set by the school board or the president of the school board, with notice as provided in subsection (a) of Section 17-2A of the School Code, so long as the district meets the qualifications set forth in this Section on the effective date of this amendatory Act of the 98th General Assembly even if the district does not meet those qualifications at the time a given transfer is made.

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective January 1, 2014.
AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:

Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized.
under the Local Mass Transit District Act, subject to the approval of the
governing Board of the District, or in Bicentennial Park, or on the
premises of the City of Mendota Lake Park located adjacent to Route 51 in
Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or
in the community center owned by the City of Loves Park that is located at
1000 River Park Drive in Loves Park, Illinois, or, in connection with the
operation of an established food serving facility during times when food is
dispensed for consumption on the premises, and at the following aquarium
and museums located in public parks: Art Institute of Chicago, Chicago
Academy of Sciences, Chicago Historical Society, Field Museum of
Natural History, Museum of Science and Industry, DuSable Museum of
African American History, John G. Shedd Aquarium and Adler
Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in
connection with the operation of the facilities of the Chicago Zoological
Society or the Chicago Horticultural Society on land owned by the Forest
Preserve District of Cook County, or on any land used for a golf course or
for recreational purposes owned by the Forest Preserve District of Cook
County, subject to the control of the Forest Preserve District Board of
Commissioners and applicable local law, provided that dram shop liability
insurance is provided at maximum coverage limits so as to hold the
District harmless from all financial loss, damage, and harm, or in any
building located on land owned by the Chicago Park District if approved
by the Park District Commissioners, or on any land used for a golf course
or for recreational purposes and owned by the Illinois International Port
District if approved by the District's governing board, or at any airport,
golf course, faculty center, or facility in which conference and convention
type activities take place belonging to or under control of any State
university or public community college district, provided that with respect
to a facility for conference and convention type activities alcoholic liquors
shall be limited to the use of the convention or conference participants or
participants in cultural, political or educational activities held in such
facilities, and provided further that the faculty or staff of the State
university or a public community college district, or members of an
organization of students, alumni, faculty or staff of the State university or
a public community college district are active participants in the
conference or convention, or in Memorial Stadium on the campus of the
University of Illinois at Urbana-Champaign during games in which the
Chicago Bears professional football team is playing in that stadium during
the renovation of Soldier Field, not more than one and a half hours before

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the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the 10-minute mark of the second half of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or in a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the University of Illinois, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial

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loss, damage or harm. Alcoholic liquors may be sold at retail in buildings
of golf courses owned by municipalities or Illinois State University in
connection with the operation of an established food serving facility
during times when food is dispensed for consumption upon the premises.
Alcoholic liquors may be delivered to and sold at retail in any building
owned by a fire protection district organized under the Fire Protection
District Act, provided that such delivery and sale is approved by the board
of trustees of the district, and provided further that such delivery and sale
is limited to fundraising events and to a maximum of 6 events per year.

Alcoholic liquors may be served or sold in buildings under the
control of the Board of Trustees of the University of Illinois for events that
the Board may determine are public events and not related student
activities. The Board of Trustees shall issue a written policy within 6
months of the effective date of this amendatory Act of the 95th General
Assembly concerning the types of events that would be eligible for an
exemption. Thereafter, the Board of Trustees may issue revised, updated,
new, or amended policies as it deems necessary and appropriate. In
preparing its written policy, the Board of Trustees shall, among other
factors it considers relevant and important, give consideration to the
following: (i) whether the event is a student activity or student related
activity; (ii) whether the physical setting of the event is conducive to
control of liquor sales and distribution; (iii) the ability of the event
operator to ensure that the sale or serving of alcoholic liquors and the
demeanor of the participants are in accordance with State law and
University policies; (iv) regarding the anticipated attendees at the event,
the relative proportion of individuals under the age of 21 to individuals age
21 or older; (v) the ability of the venue operator to prevent the sale or
distribution of alcoholic liquors to individuals under the age of 21; (vi)
whether the event prohibits participants from removing alcoholic
beverages from the venue; and (vii) whether the event prohibits
participants from providing their own alcoholic liquors to the venue. In
addition, any policy submitted by the Board of Trustees to the Illinois
Liquor Control Commission must require that any event at which alcoholic
liquors are served or sold in buildings under the control of the Board of
Trustees shall require the prior written approval of the Office of the
Chancellor for the University campus where the event is located. The
Board of Trustees shall submit its policy, and any subsequently revised,
updated, new, or amended policies, to the Illinois Liquor Control
Commission, and any University event, or location for an event, exempted

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under such policies shall apply for a license under the applicable Sections of this Act.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Chicago State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after the effective date of this amendatory Act of the 98th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and

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University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Illinois State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after the effective date of this amendatory Act of the 97th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

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(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;
(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
(iii) the organized function is one for which the planned attendance is 25 or more persons; and
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;
(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
(iii) the organized function is one for which the planned attendance is 25 or more persons;
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and
(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a
United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or

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restaurant concessionaire is not subject to the provisions of Articles IV and IX.
Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

d. no such sale shall be made during normal working hours of the State of Illinois; and

e. the consent is in writing.

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Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the controlling government authority;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering
establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization:

a. Obtains written consent from the controlling government authority;
b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;
c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or organization in the facility, property or building;
d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any

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day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. obtains written consent from the Department of Central Management Services;

b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and

d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop
liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

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c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit that sale or delivery, notwithstanding any other provision of this Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by McLean County, situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the Community Building Complex Committee of Boone County, Illinois if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance with coverage and in amounts that the Committee reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet Renaissance Center, City Center Campus, located at 214 N. Ottawa Street,
Joliet, and the Food Services/Culinary Arts Department facilities, Main Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at Triton College, Illinois Community College District No. 504.

Alcoholic liquors may be delivered to and sold at the College of DuPage, Illinois Community College District No. 502.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508.

(Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51, eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11; 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.
AN ACT concerning criminal law.

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

Section 5. The Criminal Identification Act is amended by changing Section 5.2 as follows:

(20 ILCS 2630/5.2)

Sec. 5.2. Expungement and sealing.

(a) General Provisions.

(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.

(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:

(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally
constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois
Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent
solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), and (e-5) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;
(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a Class 4 felony offense listed in subsection (c)(2)(F) or the charge is amended to a Class 4 felony offense listed in subsection (c)(2)(F). Records of arrests which result in the petitioner being charged with a Class 4 felony offense listed in subsection (c)(2)(F), records of charges not initiated by arrest for Class 4 felony offenses listed in subsection (c)(2)(F), and records
of charges amended to a Class 4 felony offense listed in (c)(2)(F) may be sealed, regardless of the disposition, subject to any waiting periods set forth in subsection (c)(3);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under
Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest

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record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court that finds the petitioner factually innocent of the charge shall enter an expungement order for the conviction for which the petitioner has been determined to be innocent as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills

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those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(8) If the petitioner has been granted a certificate of innocence under Section 2-702 of the Code of Civil Procedure, the court that grants the certificate of innocence shall also enter an order expunging the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the
Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in Class 4 felony convictions for the following offenses:

(i) Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012;
(ii) Section 4 of the Cannabis Control Act;
(iii) Section 402 of the Illinois Controlled Substances Act;
(iv) the Methamphetamine Precursor Control Act; and
(v) the Steroid Control Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a

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subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b) and (e), and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to seal felony records pursuant to clause (c)(2)(E), (c)(2)(F)(ii)-(v), or (e-5) or if he or she is petitioning to expunge felony records of a qualified probation pursuant to clause (b)(1)(B)(iv).

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(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.

(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing, and shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the
arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Effect of order.

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.
any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in

New matter indicated by italics - deletions by strikeout
performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. The petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition

New matter indicated by italics - deletions by strikeout
to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 96-1532, eff. 1-1-12; 96-1551, Article 1, Section 905, eff. 7-1-11; 96-1551, Article 2, Section 925, eff. 7-1-11; 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-5-4 as follows:

(730 ILCS 5/5-5-4) (from Ch. 38, par. 1005-5-4)

New matter indicated by italics - deletions by strikeout
Sec. 5-5-4. Resentences.

(a) Where a conviction or sentence has been set aside on direct review or on collateral attack, the court shall not impose a new sentence for the same offense or for a different offense based on the same conduct which is more severe than the prior sentence less the portion of the prior sentence previously satisfied unless the more severe sentence is based upon conduct on the part of the defendant occurring after the original sentencing. If a sentence is vacated on appeal or on collateral attack due to the failure of the trier of fact at trial to determine beyond a reasonable doubt the existence of a fact (other than a prior conviction) necessary to increase the punishment for the offense beyond the statutory maximum otherwise applicable, either the defendant may be re-sentenced to a term within the range otherwise provided or, if the State files notice of its intention to again seek the extended sentence, the defendant shall be afforded a new trial.

(b) If a conviction or sentence has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the defendant was factually innocent of the charge, the court shall enter an order expunging the record of arrest from the official records of the arresting authority and order that the records of the clerk of the circuit court and Department of State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense but the order shall not affect any index issued by the circuit court clerk before the entry of the order. *The court shall enter the expungement order regardless of whether the defendant has prior criminal convictions.*

All records sealed by the Department of State Police may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, the court upon a later arrest for the same or similar offense, or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual.

Upon entry of the order of expungement, the clerk of the circuit court shall promptly mail a copy of the order to the person whose records were expunged and sealed.

New matter indicated by italics - deletions by strikeout
(c) If a conviction has been vacated as a result of a claim of actual innocence based on newly discovered evidence made under Section 122-1 of the Code of Criminal Procedure of 1963 or Section 2-1401 of the Code of Civil Procedure, and the provisions of paragraphs (1) and (2) of subsection (g) of Section 2-702 of the Code of Civil Procedure are otherwise satisfied, the court shall enter an order for a certificate of innocence and an order expunging the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(Source: P.A. 93-210, eff. 7-18-03.)

Section 15. The Code of Civil Procedure is amended by changing Section 2-702 as follows:

(735 ILCS 5/2-702)

Sec. 2-702. Petition for a certificate of innocence that the petitioner was innocent of all offenses for which he or she was incarcerated.

(a) The General Assembly finds and declares that innocent persons who have been wrongly convicted of crimes in Illinois and subsequently imprisoned have been frustrated in seeking legal redress due to a variety of substantive and technical obstacles in the law and that such persons should have an available avenue to obtain a finding of innocence so that they may obtain relief through a petition in the Court of Claims. The General Assembly further finds misleading the current legal nomenclature which compels an innocent person to seek a pardon for being wrongfully incarcerated. It is the intent of the General Assembly that the court, in exercising its discretion as permitted by law regarding the weight and admissibility of evidence submitted pursuant to this Section, shall, in the interest of justice, give due consideration to difficulties of proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence or other factors not caused by such persons or those acting on their behalf.

(b) Any person convicted and subsequently imprisoned for one or more felonies by the State of Illinois which he or she did not commit, may, under the conditions hereinafter provided, file a petition for certificate of innocence in the circuit court of the county in which the person was convicted. The petition shall request a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated.

New matter indicated by italics - deletions by strikeout
(c) In order to present the claim for certificate of innocence of an unjust conviction and imprisonment, the petitioner must attach to his or her petition documentation demonstrating that:

   (1) he or she has been convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence; and
   (2) his or her judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either he or she was found not guilty at the new trial or he or she was not retried and the indictment or information dismissed; or the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois; and
   (3) his or her claim is not time barred by the provisions of subsection (i) of this Section.

(d) The petition shall state facts in sufficient detail to permit the court to find that the petitioner is likely to succeed at trial in proving that the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State of Illinois, and the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction. The petition shall be verified by the petitioner.

(e) A copy of the petition shall be served on the Attorney General and the State's Attorney of the county where the conviction was had. The Attorney General and the State's Attorney of the county where the conviction was had shall have the right to intervene as parties.

(f) In any hearing seeking a certificate of innocence, the court may take judicial notice of prior sworn testimony or evidence admitted in the criminal proceedings related to the convictions which resulted in the alleged wrongful incarceration, if the petitioner was either represented by counsel at such prior proceedings or the right to counsel was knowingly waived.

(g) In order to obtain a certificate of innocence the petitioner must prove by a preponderance of evidence that:

   (1) the petitioner was convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;
(2)(A) the judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either the petitioner was found not guilty at the new trial or the petitioner was not retried and the indictment or information dismissed; or (B) the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois;

(3) the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State; and

(4) the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction.

(h) If the court finds that the petitioner is entitled to a judgment, it shall enter a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated. Upon entry of the certificate of innocence or pardon from the Governor stating that such pardon was issued on the ground of innocence of the crime for which he or she was imprisoned, (1) the clerk of the court shall transmit a copy of the certificate of innocence to the clerk of the Court of Claims, together with the claimant's current address; and (2) the court shall enter an order expunging or sealing the record of arrest from the official records of the arresting authority and order that the records of the clerk of the circuit court and Department of State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense but the order shall not affect any index issued by the circuit court clerk before the entry of the order. The court shall enter the expungement order regardless of whether the petitioner has prior criminal convictions.

All records sealed by the Department of State Police may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, the court upon a later arrest for the same or similar offense, or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual.
Upon entry of the order of expungement, the clerk of the circuit court shall promptly mail a copy of the order to the person whose records were expunged and sealed.

(i) Any person seeking a certificate of innocence under this Section based on the dismissal of an indictment or information or acquittal that occurred before the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the effective date of this amendatory Act of the 95th General Assembly. Any person seeking a certificate of innocence under this Section based on the dismissal of an indictment or information or acquittal that occurred on or after the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the dismissal.

(j) The decision to grant or deny a certificate of innocence shall be binding only with respect to claims filed in the Court of Claims and shall not have a res judicata effect on any other proceedings.

(Source: P.A. 95-970, eff. 9-22-08; 96-1550, eff. 7-1-11.)

Passed in the General Assembly May 29, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0134
(House Bill No. 0956)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Counties Code is amended by changing Section 5-1182 as follows:

(55 ILCS 5/5-1182)
Sec. 5-1182. Charitable organizations; solicitation.
(a) No county may prohibit a charitable organization, as defined in Section 2 of the Charitable Games Act, from soliciting for charitable purposes, including solicitations taking place on public roadways from passing motorists, if all of the following requirements are met.

(1) The persons to be engaged in the solicitation are law enforcement personnel, firefighters, or other persons employed to protect the public safety of a local agency, and those persons are soliciting solely in an area that is within the service area of that local agency.

New matter indicated by italics - deletions by strikeout
(2) The charitable organization files an application with the municipality or county having jurisdiction over the location or locations where the solicitation is to occur. The applications shall be filed not later than 10 business days before the date that the solicitation is to begin and shall include all of the following:

(A) The date or dates and times of day when the solicitation is to occur.

(B) The location or locations where the solicitation is to occur along with a list of 3 alternate locations listed in order of preference.

(C) The manner and conditions under which the solicitation is to occur.

(D) Proof of a valid liability insurance policy in the amount of at least $1,000,000 insuring the charity or local agency against bodily injury and property damage arising out of or in connection with the solicitation.

The county shall approve the application within 5 business days after the filing date of the application, but may impose reasonable conditions in writing that are consistent with the intent of this Section and are based on articulated public safety concerns. If the county determines that the applicant's location cannot be permitted due to significant safety concerns, such as high traffic volumes, poor geometrics, construction, maintenance operations, or past accident history, then the county may deny the application for that location and must approve one of the 3 alternate locations following the order of preference submitted by the applicant on the alternate location list. By acting under this Section, a local agency does not waive or limit any immunity from liability provided by any other provision of law.

(b) For purposes of this Section, "local agency" means a municipality, county, special district, fire district, joint powers of authority, or other political subdivision of the State of Illinois.

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

(Source: 09700SB3518eng.)

Section 10. The Illinois Municipal Code is amended by changing Section 11-80-9 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 11-80-9. The corporate authorities of each municipality may prevent and regulate all amusements and activities having a tendency to annoy or endanger persons or property on the sidewalks, streets, and other municipal property. However, no municipality may prohibit a charitable organization, as defined in Section 2 of the Charitable Games Act, from soliciting for charitable purposes, including solicitations taking place on public roadways from passing motorists, if all of the following requirements are met.

(1) The persons to be engaged in the solicitation are law enforcement personnel, firefighters, or other persons employed to protect the public safety of a local agency, and that are soliciting solely in an area that is within the service area of that local agency.

(2) The charitable organization files an application with the municipality or county having jurisdiction over the location or locations where the solicitation is to occur. The applications shall be filed not later than 10 business days before the date that the solicitation is to begin and shall include all of the following:

(A) The date or dates and times of day when the solicitation is to occur.

(B) The location or locations where the solicitation is to occur along with a list of 3 alternate locations listed in order of preference.

(C) The manner and conditions under which the solicitation is to occur.

(D) Proof of a valid liability insurance policy in the amount of at least $1,000,000 insuring the charity or local agency against bodily injury and property damage arising out of or in connection with the solicitation.

The municipality shall approve the application within 5 business days after the filing date of the application, but may impose reasonable conditions in writing that are consistent with the intent of this Section and are based on articulated public safety concerns. If the municipality determines that the applicant's location cannot be permitted due to significant safety concerns, such as high traffic volumes, poor geometrics, construction, maintenance operations, or past accident history, then the municipality may deny the application for that location and must approve one of the 3 alternate locations following the order of preference submitted by the applicant on the alternate location list. By acting under
this Section, a local agency does not waive or limit any immunity from liability provided by any other provision of law.

(3) For purposes of this Section, "local agency" means a municipality, county, special district, fire district, joint powers of authority, or other political subdivision of the State of Illinois.

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

(Source: Laws 1961, p. 576; 09700SB3518eng.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0135
(House Bill No. 0963)

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than
December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;

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(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;

(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;

(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;

(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;

(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;

(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;

(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;

(12) if the ordinance was adopted in September 1988 by Sauk Village;

(13) if the ordinance was adopted in October 1993 by Sauk Village;

(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;

(15) if the ordinance was adopted in March 1991 by the City of Centreville;

(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;

(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;

(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;

New matter indicated by italics - deletions by strikeout
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;

New matter indicated by italics - deletions by strikeout
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;

New matter indicated by italics - deletions by strikeout
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;

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(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;

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(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline; or
(102) if the ordinance was adopted on March 30, 1992 by the Village of Ohio.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more

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than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 96-127, eff. 8-4-09; 96-182, eff. 8-10-09; 96-208, eff. 8-10-09; 96-209, eff. 1-1-10; 96-213, eff. 8-10-09; 96-264, eff. 8-11-09; 96-328, eff. 8-11-09; 96-439, eff. 8-14-09; 96-454, eff. 8-14-09; 96-722, eff. 8-25-09; 96-773, eff. 8-28-09; 96-830, eff. 12-4-09; 96-837, eff. 12-16-09; 96-1000, eff. 7-2-10; 96-1359, eff. 7-28-10; 96-1494, eff. 12-30-10; 96-1514, eff. 2-4-11; 96-1552, eff. 3-10-11; 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; revised 12-29-11.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

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

Section 5. The Illinois Insurance Code is amended by adding Section 188.2 as follows:

(215 ILCS 5/188.2 new)

New matter indicated by italics - deletions by strikeout
Sec. 188.2. Grounds for and provisions applicable to rehabilitation or liquidation of a domestic company that is a covered financial company under the federal Dodd-Frank Wall Street Reform and Consumer Protection Act.

(a) The provisions of this Section apply in accordance with Title II of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203, with respect to an insurance company that is a covered financial company, as that term is defined under 12 U.S.C. 5381.

(b) The Director may file a complaint for an order of rehabilitation or liquidation pursuant to Section 188 of this Code on any of the following grounds:

(1) upon a determination and notification given by the Secretary of the Treasury of the United States (in consultation with the President of the United States) that the insurance company is a financial company satisfying the requirements of 12 U.S.C. 5383(b), and the board of directors (or body performing similar functions) of the insurance company acquiesces or consents to the appointment of a receiver pursuant to 12 U.S.C. 5382(a)(l)(A)(i), with such consent to be considered as consent to an order of rehabilitation or liquidation;

(2) upon an order of the United States District Court for the District of Columbia under 12 U.S.C. 5382(a)(l)(A)(iv)(I) granting the petition of the Secretary of the Treasury of the United States concerning the insurance company under 12 U.S.C. 5382(a)(l)(A)(i); or

(3) a petition by the Secretary of the Treasury of the United States concerning the insurance company is granted by operation of law under 12 U.S.C. 5382(a)(l)(A)(v).

(c) Notwithstanding any other provision in this Article, this Code, or any other law, after notice to the insurance company, the receivership court may grant an order on the complaint for rehabilitation or liquidation within 24 hours after the filing of a complaint pursuant to this Section.

(d) If the receivership court does not make a determination on a complaint for rehabilitation or liquidation filed by the Director pursuant to this Section within 24 hours after its filing, then it shall be deemed granted by operation of law upon the expiration of the 24-hour period. At the time that an order is deemed granted under this Section, the provisions of Article XIII of this Code shall be deemed to be in effect, and the
Director shall be deemed to be affirmed as receiver and have all of the applicable powers provided by this Code, regardless of whether an order has been entered. The receivership court shall expeditiously enter an order of rehabilitation or liquidation that:

(1) is effective as of the date that it is deemed granted by operation of law; and

(2) conforms to the provisions for rehabilitation or liquidation contained in Article XIII of this Code, as applicable.

(e) Any order of rehabilitation or liquidation made pursuant to this Section shall not be subject to any stay or injunction pending appeal.

(f) Nothing in this Section shall be construed to supersede or impair any other power or authority of the Director or the court under this Article or Code.

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0137
(House Bill No. 1005)

AN ACT concerning health.

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

Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Sections 2-108 and 2-109 as follows:

(405 ILCS 5/2-108) (from Ch. 91 1/2, par. 2-108)

Sec. 2-108. Use of restraint. Restraint may be used only as a therapeutic measure to prevent a recipient from causing physical harm to himself or physical abuse to others. Restraint may only be applied by a person who has been trained in the application of the particular type of restraint to be utilized. In no event shall restraint be utilized to punish or discipline a recipient, nor is restraint to be used as a convenience for the staff.

(a) Except as provided in this Section, restraint shall be employed only upon the written order of a physician, clinical psychologist, clinical social worker, clinical professional counselor, or registered nurse with supervisory responsibilities. No restraint shall be ordered unless the

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physician, clinical psychologist, clinical social worker, *clinical professional counselor*, or registered nurse with supervisory responsibilities, after personally observing and examining the recipient, is clinically satisfied that the use of restraint is justified to prevent the recipient from causing physical harm to himself or others. In no event may restraint continue for longer than 2 hours unless within that time period a nurse with supervisory responsibilities or a physician confirms, in writing, following a personal examination of the recipient, that the restraint does not pose an undue risk to the recipient's health in light of the recipient's physical or medical condition. The order shall state the events leading up to the need for restraint and the purposes for which restraint is employed. The order shall also state the length of time restraint is to be employed and the clinical justification for that length of time. No order for restraint shall be valid for more than 16 hours. If further restraint is required, a new order must be issued pursuant to the requirements provided in this Section.

(b) In the event there is an emergency requiring the immediate use of restraint, it may be ordered temporarily by a qualified person only where a physician, clinical psychologist, clinical social worker, *clinical professional counselor*, or registered nurse with supervisory responsibilities is not immediately available. In that event, an order by a nurse, clinical psychologist, clinical social worker, *clinical professional counselor*, or physician shall be obtained pursuant to the requirements of this Section as quickly as possible, and the recipient shall be examined by a physician or supervisory nurse within 2 hours after the initial employment of the emergency restraint. Whoever orders restraint in emergency situations shall document its necessity and place that documentation in the recipient's record.

(c) The person who orders restraint shall inform the facility director or his designee in writing of the use of restraint within 24 hours.

(d) The facility director shall review all restraint orders daily and shall inquire into the reasons for the orders for restraint by any person who routinely orders them.

(e) Restraint may be employed during all or part of one 24 hour period, the period commencing with the initial application of the restraint. However, once restraint has been employed during one 24 hour period, it shall not be used again on the same recipient during the next 48 hours without the prior written authorization of the facility director.

(f) Restraint shall be employed in a humane and therapeutic manner and the person being restrained shall be observed by a qualified
person as often as is clinically appropriate but in no event less than once every 15 minutes. The qualified person shall maintain a record of the observations. Specifically, unless there is an immediate danger that the recipient will physically harm himself or others, restraint shall be loosely applied to permit freedom of movement. Further, the recipient shall be permitted to have regular meals and toilet privileges free from the restraint, except when freedom of action may result in physical harm to the recipient or others.

(g) Every facility that employs restraint shall provide training in the safe and humane application of each type of restraint employed. The facility shall not authorize the use of any type of restraint by an employee who has not received training in the safe and humane application of that type of restraint. Each facility in which restraint is used shall maintain records detailing which employees have been trained and are authorized to apply restraint, the date of the training and the type of restraint that the employee was trained to use.

(h) Whenever restraint is imposed upon any recipient whose primary mode of communication is sign language, the recipient shall be permitted to have his hands free from restraint for brief periods each hour, except when freedom may result in physical harm to the recipient or others.

(i) A recipient who is restrained may only be secluded at the same time pursuant to an explicit written authorization as provided in Section 2-109 of this Code. Whenever a recipient is restrained, a member of the facility staff shall remain with the recipient at all times unless the recipient has been secluded. A recipient who is restrained and secluded shall be observed by a qualified person as often as is clinically appropriate but in no event less than every 15 minutes.

(j) Whenever restraint is used, the recipient shall be advised of his right, pursuant to Sections 2-200 and 2-201 of this Code, to have any person of his choosing, including the Guardianship and Advocacy Commission or the agency designated pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act notified of the restraint. A recipient who is under guardianship may request that any person of his choosing be notified of the restraint whether or not the guardian approves of the notice. Whenever the Guardianship and Advocacy Commission is notified that a recipient has been restrained, it shall contact that recipient to determine the circumstances of the restraint and whether further action is warranted.

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Sec. 2-109. Seclusion. Seclusion may be used only as a therapeutic measure to prevent a recipient from causing physical harm to himself or physical abuse to others. In no event shall seclusion be utilized to punish or discipline a recipient, nor is seclusion to be used as a convenience for the staff.

(a) Seclusion shall be employed only upon the written order of a physician, clinical psychologist, clinical social worker, clinical professional counselor, or registered nurse with supervisory responsibilities. No seclusion shall be ordered unless the physician, clinical psychologist, clinical social worker, clinical professional counselor, or registered nurse with supervisory responsibilities, after personally observing and examining the recipient, is clinically satisfied that the use of seclusion is justified to prevent the recipient from causing physical harm to himself or others. In no event may seclusion continue for longer than 2 hours unless within that time period a nurse with supervisory responsibilities or a physician confirms in writing, following a personal examination of the recipient, that the seclusion does not pose an undue risk to the recipient's health in light of the recipient's physical or medical condition. The order shall state the events leading up to the need for seclusion and the purposes for which seclusion is employed. The order shall also state the length of time seclusion is to be employed and the clinical justification for the length of time. No order for seclusion shall be valid for more than 16 hours. If further seclusion is required, a new order must be issued pursuant to the requirements provided in this Section.

(b) The person who orders seclusion shall inform the facility director or his designee in writing of the use of seclusion within 24 hours.

(c) The facility director shall review all seclusion orders daily and shall inquire into the reasons for the orders for seclusion by any person who routinely orders them.

(d) Seclusion may be employed during all or part of one 16 hour period, that period commencing with the initial application of the seclusion. However, once seclusion has been employed during one 16 hour period, it shall not be used again on the same recipient during the next 48 hours without the prior written authorization of the facility director.

(e) The person who ordered the seclusion shall assign a qualified person to observe the recipient at all times. A recipient who is restrained

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and secluded shall be observed by a qualified person as often as is
clinically appropriate but in no event less than once every 15 minutes.

(f) Safety precautions shall be followed to prevent injuries to the
recipient in the seclusion room. Seclusion rooms shall be adequately
lighted, heated, and furnished. If a door is locked, someone with a key
shall be in constant attendance nearby.

(g) Whenever seclusion is used, the recipient shall be advised of
his right, pursuant to Sections 2-200 and 2-201 of this Code, to have any
person of his choosing, including the Guardianship and Advocacy
Commission notified of the seclusion. A person who is under guardianship
may request that any person of his choosing be notified of the seclusion
whether or not the guardian approves of the notice. Whenever the
Guardianship and Advocacy Commission is notified that a recipient has
been secluded, it shall contact that recipient to determine the
circumstances of the seclusion and whether further action is warranted.
(Source: P.A. 86-1013; 86-1402; 87-124; 87-530; 87-895.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0138
(House Bill No. 1020)

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

Section 5. The Counties Code is amended by changing Section 5-1121 as follows:

(55 ILCS 5/5-1121)

Sec. 5-1121. Demolition, repair, or enclosure.

(a) The county board of each county may demolish, repair, or
enclose or cause the demolition, repair, or enclosure of dangerous and
unsafe buildings or uncompleted and abandoned buildings within the
territory of the county, but outside the territory of any municipality, and
may remove or cause the removal of garbage, debris, and other hazardous,
noxious, or unhealthy substances or materials from those buildings. If a
township within the county makes a formal request to the county board as

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provided in Section 85-50 of the Township Code that the county board commence specified proceedings under this Section with respect to property located within the township but outside the territory of any municipality, then, at the next regular county board meeting occurring at least 10 days after the formal request is made to the county board, the county board shall either commence the requested proceedings or decline to do so (either formally or by failing to commence the proceedings within 60 days after the request) and shall notify the township board making the request of the county board's decision. In any county having adopted, by referendum or otherwise, a county health department as provided by Division 5-25 of the Counties Code or its predecessor, the county board of any such county may upon a formal request by the city, village, or incorporated town demolish, repair or cause the demolition or repair of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of any city, village, or incorporated town having a population of less than 50,000.

The county board shall apply to the circuit court of the county in which the building is located (i) for an order authorizing action to be taken with respect to a building if the owner or owners of the building, including the lien holders of record, after at least 15 days' written notice by mail to do so, have failed to commence proceedings to put the building in a safe condition or to demolish it or (ii) for an order requiring the owner or owners of record to demolish, repair, or enclose the building or to remove garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from the building. It is not a defense to the cause of action that the building is boarded up or otherwise enclosed, although the court may order the defendant to have the building boarded up or otherwise enclosed. Where, upon diligent search, the identity or whereabouts of the owner or owners of the building, including the lien holders of record, is not ascertainable, notice mailed to the person or persons in whose name the real estate was last assessed and the posting of such notice upon the premises sought to be demolished or repaired is sufficient notice under this Section.

The hearing upon the application to the circuit court shall be expedited by the court and shall be given precedence over all other suits.

The cost of the demolition, repair, enclosure, or removal incurred by the county, by an intervenor, or by a lien holder of record, including court costs, attorney's fees, and other costs related to the enforcement of this Section, is recoverable from the owner or owners of the real estate or

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the previous owner or both if the property was transferred during the 15 day notice period and is a lien on the real estate; the lien is superior to all prior existing liens and encumbrances, except taxes, if, within 180 days after the repair, demolition, enclosure, or removal, the county, the lien holder of record, or the intervenor who incurred the cost and expense shall file a notice of lien for the cost and expense incurred in the office of the recorder in the county in which the real estate is located or in the office of the registrar of titles of the county if the real estate affected is registered under the Registered Titles (Torrens) Act.

The notice must consist of a sworn statement setting out (1) a description of the real estate sufficient for its identification, (2) the amount of money representing the cost and expense incurred, and (3) the date or dates when the cost and expense was incurred by the county, the lien holder of record, or the intervenor. Upon payment of the cost and expense by the owner of or persons interested in the property after the notice of lien has been filed, the lien shall be released by the county, the person in whose name the lien has been filed, or the assignee of the lien, and the release may be filed of record as in the case of filing notice of lien. Unless the lien is enforced under subsection (b), the lien may be enforced by foreclosure proceedings as in the case of mortgage foreclosures under Article XV of the Code of Civil Procedure or mechanics' lien foreclosures. An action to foreclose this lien may be commenced at any time after the date of filing of the notice of lien. The costs of foreclosure incurred by the county, including court costs, reasonable attorney's fees, advances to preserve the property, and other costs related to the enforcement of this subsection, plus statutory interest, are a lien on the real estate and are recoverable by the county from the owner or owners of the real estate.

All liens arising under this subsection (a) shall be assignable. The assignee of the lien shall have the same power to enforce the lien as the assigning party, except that the lien may not be enforced under subsection (b).

If the appropriate official of any county determines that any dangerous and unsafe building or uncompleted and abandoned building within its territory fulfills the requirements for an action by the county under the Abandoned Housing Rehabilitation Act, the county may petition under that Act in a proceeding brought under this subsection.

(b) In any case where a county has obtained a lien under subsection (a), the county may enforce the lien under this subsection (b) in the same proceeding in which the lien is authorized.
A county desiring to enforce a lien under this subsection (b) shall petition the court to retain jurisdiction for foreclosure proceedings under this subsection. Notice of the petition shall be served, by certified or registered mail, on all persons who were served notice under subsection (a). The court shall conduct a hearing on the petition not less than 15 days after the notice is served. If the court determines that the requirements of this subsection (b) have been satisfied, it shall grant the petition and retain jurisdiction over the matter until the foreclosure proceeding is completed. The costs of foreclosure incurred by the county, including court costs, reasonable attorneys' fees, advances to preserve the property, and other costs related to the enforcement of this subsection, plus statutory interest, are a lien on the real estate and are recoverable by the county from the owner or owners of the real estate. If the court denies the petition, the county may enforce the lien in a separate action as provided in subsection (a).

All persons designated in Section 15-1501 of the Code of Civil Procedure as necessary parties in a mortgage foreclosure action shall be joined as parties before issuance of an order of foreclosure. Persons designated in Section 15-1501 of the Code of Civil Procedure as permissible parties may also be joined as parties in the action.

The provisions of Article XV of the Code of Civil Procedure applicable to mortgage foreclosures shall apply to the foreclosure of a lien under this subsection (b), except to the extent that those provisions are inconsistent with this subsection. For purposes of foreclosures of liens under this subsection, however, the redemption period described in subsection (b) of Section 15-1603 of the Code of Civil Procedure shall end 60 days after the date of entry of the order of foreclosure.

(c) In addition to any other remedy provided by law, the county board of any county may petition the circuit court to have property declared abandoned under this subsection (c) if:

(1) the property has been tax delinquent for 2 or more years or bills for water service for the property have been outstanding for 2 or more years;

(2) the property is unoccupied by persons legally in possession; and

(3) the property contains a dangerous or unsafe building.

All persons having an interest of record in the property, including tax purchasers and beneficial owners of any Illinois land trust having title to the property, shall be named as defendants in the petition and shall be
served with process. In addition, service shall be had under Section 2-206 of the Code of Civil Procedure as in other cases affecting property.

The county, however, may proceed under this subsection in a proceeding brought under subsection (a). Notice of the petition shall be served by certified or registered mail on all persons who were served notice under subsection (a).

If the county proves that the conditions described in this subsection exist and the owner of record of the property does not enter an appearance in the action, or, if title to the property is held by an Illinois land trust, if neither the owner of record nor the owner of the beneficial interest of the trust enters an appearance, the court shall declare the property abandoned.

If that determination is made, notice shall be sent by certified or registered mail to all persons having an interest of record in the property, including tax purchasers and beneficial owners of any Illinois land trust having title to the property, stating that title to the property will be transferred to the county unless, within 30 days of the notice, the owner of record enters an appearance in the action, or unless any other person having an interest in the property files with the court a request to demolish the dangerous or unsafe building or to put the building in safe condition.

If the owner of record enters an appearance in the action within the 30 day period, the court shall vacate its order declaring the property abandoned. In that case, the county may amend its complaint in order to initiate proceedings under subsection (a).

If a request to demolish or repair the building is filed within the 30 day period, the court shall grant permission to the requesting party to demolish the building within 30 days or to restore the building to safe condition within 60 days after the request is granted. An extension of that period for up to 60 additional days may be given for good cause. If more than one person with an interest in the property files a timely request, preference shall be given to the person with the lien or other interest of the highest priority.

If the requesting party proves to the court that the building has been demolished or put in a safe condition within the period of time granted by the court, the court shall issue a quitclaim judicial deed for the property to the requesting party, conveying only the interest of the owner of record, upon proof of payment to the county of all costs incurred by the county in connection with the action, including but not limited to court costs, attorney's fees, administrative costs, the costs, if any, associated with building enclosure or removal, and receiver's certificates. The interest in
the property so conveyed shall be subject to all liens and encumbrances on the property. In addition, if the interest is conveyed to a person holding a certificate of purchase for the property under the Property Tax Code, the conveyance shall be subject to the rights of redemption of all persons entitled to redeem under that Act, including the original owner of record.

If no person with an interest in the property files a timely request or if the requesting party fails to demolish the building or put the building in safe condition within the time specified by the court, the county may petition the court to issue a judicial deed for the property to the county. A conveyance by judicial deed shall operate to extinguish all existing ownership interests in, liens on, and other interest in the property, including tax liens.

(d) Each county may use the provisions of this subsection to expedite the removal of certain buildings that are a continuing hazard to the community in which they are located.

If a residential building is 2 stories or less in height as defined by the county's building code, and the official designated to be in charge of enforcing the county's building code determines that the building is open and vacant and an immediate and continuing hazard to the community in which the building is located, then the official shall be authorized to post a notice not less than 2 feet by 2 feet in size on the front of the building. The notice shall be dated as of the date of the posting and shall state that unless the building is demolished, repaired, or enclosed, and unless any garbage, debris, and other hazardous, noxious, or unhealthy substances or materials are removed so that an immediate and continuing hazard to the community no longer exists, then the building may be demolished, repaired, or enclosed, or any garbage, debris, and other hazardous, noxious, or unhealthy substances or materials may be removed, by the county.

Not later than 30 days following the posting of the notice, the county shall do both of the following:

(1) Cause to be sent, by certified mail, return receipt requested, a notice to all owners of record of the property, the beneficial owners of any Illinois land trust having title to the property, and all lienholders of record in the property, stating the intent of the county to demolish, repair, or enclose the building or remove any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials if that action is not taken by the owner or owners.

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(2) Cause to be published, in a newspaper published or circulated in the county where the building is located, a notice setting forth (i) the permanent tax index number and the address of the building, (ii) a statement that the property is open and vacant and constitutes an immediate and continuing hazard to the community, and (iii) a statement that the county intends to demolish, repair, or enclose the building or remove any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials if the owner or owners or lienholders of record fail to do so. This notice shall be published for 3 consecutive days.

A person objecting to the proposed actions of the county board may file his or her objection in an appropriate form in a court of competent jurisdiction.

If the building is not demolished, repaired, or enclosed, or the garbage, debris, or other hazardous, noxious, or unhealthy substances or materials are not removed, within 30 days of mailing the notice to the owners of record, the beneficial owners of any Illinois land trust having title to the property, and all lienholders of record in the property, or within 30 days of the last day of publication of the notice, whichever is later, the county board shall have the power to demolish, repair, or enclose the building or to remove any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials.

The county may proceed to demolish, repair, or enclose a building or remove any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials under this subsection within a 120-day period following the date of the mailing of the notice if the appropriate official determines that the demolition, repair, enclosure, or removal of any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials is necessary to remedy the immediate and continuing hazard. If, however, before the county proceeds with any of the actions authorized by this subsection, any person has sought a hearing under this subsection before a court and has served a copy of the complaint on the chief executive officer of the county, then the county shall not proceed with the demolition, repair, enclosure, or removal of garbage, debris, or other substances until the court determines that that action is necessary to remedy the hazard and issues an order authorizing the county to do so.

Following the demolition, repair, or enclosure of a building, or the removal of garbage, debris, or other hazardous, noxious, or unhealthy substances or materials under this subsection, the county may file a notice.
of lien against the real estate for the cost of the demolition, repair, enclosure, or removal within 180 days after the repair, demolition, enclosure, or removal occurred, for the cost and expense incurred, in the office of the recorder in the county in which the real estate is located or in the office of the registrar of titles of the county if the real estate affected is registered under the Registered Titles (Torrens) Act. The notice of lien shall consist of a sworn statement setting forth (i) a description of the real estate, such as the address or other description of the property, sufficient for its identification; (ii) the expenses incurred by the county in undertaking the remedial actions authorized under this subsection; (iii) the date or dates the expenses were incurred by the county; (iv) a statement by the official responsible for enforcing the building code that the building was open and vacant and constituted an immediate and continuing hazard to the community; (v) a statement by the official that the required sign was posted on the building, that notice was sent by certified mail to the owners of record, and that notice was published in accordance with this subsection; and (vi) a statement as to when and where the notice was published. The lien authorized by this subsection may thereafter be released or enforced by the county as provided in subsection (a).

(e) In any case where a county has obtained a lien under subsection (a), the county may also bring an action for a money judgment against the owner or owners of the real estate in the amount of the lien in the same manner as provided for bringing causes of action in Article II of the Code of Civil Procedure and, upon obtaining a judgment, file a judgment lien against all of the real estate of the owner or owners and enforce that lien as provided for in Article XII of the Code of Civil Procedure.

(Source: P.A. 97-549, eff. 8-25-11.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0139
(House Bill No. 1046)

AN ACT concerning public aid.

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

New matter indicated by italics - deletions by strikeout
Section 1. The Illinois Public Aid Code is amended by changing Section 1-8.5 as follows:

(305 ILCS 5/1-8.5)

Sec. 1-8.5. Eligibility for medical assistance during periods of incarceration or detention.

(a) To the extent permitted by federal law and notwithstanding any other provision of this Code, the Department of Healthcare and Family Services shall not cancel a person's eligibility for medical assistance solely because that person has become an inmate of a public institution, including, but not limited to, a county jail, juvenile detention center, or State correctional facility. The person may remain enrolled for medical assistance as long as all other eligibility criteria are met.

(b) The Department may adopt rules to permit a person to apply for medical assistance while he or she is an inmate of a public institution as described in subsection (a). The rules may limit applications to persons who would be likely to qualify for medical assistance if they resided in the community. Any such person who is not already enrolled for medical assistance may apply for medical assistance no more than 30 days prior to the date of scheduled release or discharge from a penal institution or county jail or similar status.

(c) Except as provided under Section 17 of the County Jail Act, the Department shall not be responsible to provide medical assistance under this Code for any medical care, services, or supplies provided to a person while he or she is an inmate of a public institution as described in subsection (a). The responsibility for providing medical care shall remain as otherwise provided by law with the Department of Corrections, county, or other arresting authority. The Department may seek federal financial participation, to the extent that it is available and with the cooperation of the Department of Juvenile Justice, the Department of Corrections, or the relevant county, for the costs of those services.

(d) To the extent permitted under State and federal law, the Department shall develop procedures to expedite required periodic reviews of continued eligibility for persons described in subsection (a).

(e) Counties, the Department of Juvenile Justice, the Department of Human Services, and the Department of Corrections shall cooperate with the Department in administering this Section. That cooperation shall include managing eligibility processing and sharing information sufficient to inform the Department, in a manner established by the Department, that
a person enrolled in the medical assistance program has been detained or incarcerated.

(f) The Department shall resume responsibility for providing medical assistance upon release of the person to the community as long as all of the following apply:

(1) The person is enrolled for medical assistance at the time of release.

(2) Neither a county, the Department of Juvenile Justice, the Department of Corrections, nor any other criminal justice authority continues to bear responsibility for the person's medical care.

(3) The county, the Department of Juvenile Justice, or the Department of Corrections provides timely notice of the date of release in a manner established by the Department.

(g) This Section applies on and after December 31, 2011.

(Source: P.A. 96-872, eff. 6-1-10.)

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0140
( House Bill No. 1217)

AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 and adding Section 4.34 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. Acts and Section of an Act repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:

- The Electrologist Licensing Act.
- The Illinois Occupational Therapy Practice Act.
- The Illinois Public Accounting Act.
- The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.

New matter indicated by italics - deletions by strikeout
Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)
(5 ILCS 80/4.34 new)
Sec. 4.34. Section repealed on January 1, 2024. The following Section of an Act is repealed on January 1, 2024:
Section 2.5 of the Illinois Plumbing License Law.
Section 99. Effective date. This Act takes effect December 31, 2013.
Passed in the General Assembly May 21, 2013.
Approved August 2, 2013.
Effective December 31, 2013.

PUBLIC ACT 98-0141
(House Bill No. 2775)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Commemorative Dates Act is amended by adding Section 175 as follows:
(5 ILCS 490/175 new)
Sec. 175. Mother Mary Ann Bickerdyke Day. The second Wednesday in May of each year is designated as Mother Mary Ann Bickerdyke Day, to be observed throughout the State as a day set apart to honor Mother Mary Ann Bickerdyke of Galesburg, military nurses, and the contribution of nurses to the State of Illinois and the United States of America.
Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 2, 2013.
Effective August 2, 2013.
PUBLIC ACT 98-0142
(House Bill No. 3061)

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

Section 5. The Criminal Identification Act is amended by changing Section 5.2 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.

(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.

(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:

(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally
constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois
Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent

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solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (e), and (e-5) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;
(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a Class 4 felony offense listed in subsection (c)(2)(F) or the charge is amended to a Class 4 felony offense listed in subsection (c)(2)(F). Records of arrests which result in the petitioner being charged with a Class 4 felony offense listed in subsection (c)(2)(F), records of charges not initiated by arrest for Class 4 felony offenses listed in subsection (c)(2)(F), and records

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of charges amended to a Class 4 felony offense listed in (c)(2)(F) may be sealed, regardless of the disposition, subject to any waiting periods set forth in subsection (c)(3);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under
Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest

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record, conviction record, if any, and all official records of the
arresting authority, the Department, other criminal justice agencies,
the prosecutor, and the trial court concerning such arrest, if any, by
removing his or her name from all such records in connection with
the arrest and conviction, if any, and by inserting in the records the
name of the offender, if known or ascertainable, in lieu of the
aggrieved's name. The records of the circuit court clerk shall be
sealed until further order of the court upon good cause shown and
the name of the aggrieved person obliterated on the official index
required to be kept by the circuit court clerk under Section 16 of
the Clerks of Courts Act, but the order shall not affect any index
issued by the circuit court clerk before the entry of the order.
Nothing in this Section shall limit the Department of State Police
or other criminal justice agencies or prosecutors from listing under
an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal
sexual assault, aggravated criminal sexual assault, predatory
criminal sexual assault of a child, criminal sexual abuse, or
aggravated criminal sexual abuse, the victim of that offense may
request that the State's Attorney of the county in which the
conviction occurred file a verified petition with the presiding trial
judge at the petitioner's trial to have a court order entered to seal
the records of the circuit court clerk in connection with the
proceedings of the trial court concerning that offense. However, the
records of the arresting authority and the Department of State
Police concerning the offense shall not be sealed. The court, upon
good cause shown, shall make the records of the circuit court clerk
in connection with the proceedings of the trial court concerning the
offense available for public inspection.

(6) If a conviction has been set aside on direct review or on
collateral attack and the court determines by clear and convincing
evidence that the petitioner was factually innocent of the charge,
the court shall enter an expungement order as provided in
subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of
State Police from maintaining all records of any person who is
admitted to probation upon terms and conditions and who fulfills
those terms and conditions pursuant to Section 10 of the Cannabis
Control Act, Section 410 of the Illinois Controlled Substances Act,

New matter indicated by italics - deletions by strikeout
Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

   (A) All arrests resulting in release without charging;
   (B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);
   (C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);
   (D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);
   (E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and
   (F) Arrests or charges not initiated by arrest resulting in Class 4 felony convictions for the following offenses:

      (i) Class 4 felony convictions for: 
          Prostitution under Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012.

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Possession of cannabis under Section 4 of the Cannabis Control Act.
Possession of a controlled substance under Section 402 of the Illinois Controlled Substances Act.
Offenses under the Methamphetamine Precursor Control Act.
Offenses under the Steroid Control Act.
Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.
(ii) Class 3 felony convictions for:
Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.
Possession with intent to manufacture or deliver a controlled

New matter indicated by italics - deletions by strikeout
substance under Section 401 of the Illinois Controlled Substances Act.
(i) Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012;
(ii) Section 4 of the Cannabis Control Act;
(iii) Section 402 of the Illinois Controlled Substances Act;
(iv) the Methamphetamine Precursor Control Act; and
(v) the Steroid Control Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.
(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b) and (e), and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to:

(A) seal felony records under pursuant to clause (e)(2)(E); 

(B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F); 

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(C) seal felony records under subsection (e-5); or

(D) if he or she is petitioning to expunge felony records of a qualified probation under pursuant to clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.

(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing, and shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the following:

(A) the strength of the evidence supporting the defendant's conviction;

New matter indicated by italics - deletions by strikeout
(B) the reasons for retention of the conviction records by the State;

(C) the petitioner's age, criminal record history, and employment history;

(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and

(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Effect of order.

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

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(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall

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seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. The petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the

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circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who

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apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 96-1532, eff. 1-1-12; 96-1551, Article 1, Section 905, eff. 7-1-11; 96-1551, Article 2, Section 925, eff. 7-1-11; 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0143
(Senate Bill No. 0039)

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

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 109-1 as follows:

Sec. 109-1. Person arrested.
(a) A person arrested with or without a warrant shall be taken without unnecessary delay before the nearest and most accessible judge in that county, except when such county is a participant in a regional jail authority, in which event such person may be taken to the nearest and most accessible judge, irrespective of the county where such judge presides, and a charge shall be filed. Whenever a person arrested either with or without a warrant is required to be taken before a judge, a charge may be filed against such person by way of a two-way closed circuit television system, except that a hearing to deny bail to the defendant may not be conducted by way of closed circuit television.
(b) The judge shall:
(1) Inform the defendant of the charge against him and shall provide him with a copy of the charge;

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(2) Advise the defendant of his right to counsel and if indigent shall appoint a public defender or licensed attorney at law of this State to represent him in accordance with the provisions of Section 113-3 of this Code;

(3) Schedule a preliminary hearing in appropriate cases; and

(4) Admit the defendant to bail in accordance with the provisions of Article 110 of this Code; and:

(5) Order the confiscation of the person's passport or impose travel restrictions on a defendant arrested for first degree murder or other violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act, if the judge determines based on the factors in Section 110-5 of this Code, that this will reasonably assure the appearance of the defendant and compliance by the defendant with all conditions of release.

(c) The court may issue an order of protection in accordance with the provisions of Article 112A of this Code.

(Source: P.A. 97-813, eff. 7-13-12.)

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0144
(Senate Bill No. 0084)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 21-14 as follows:

(105 ILCS 5/21-14) (from Ch. 122, par. 21-14)
Sec. 21-14. Registration and renewal of certificates.
(a) A limited four-year certificate or a certificate issued after July 1, 1955, shall be renewable at its expiration or within 60 days thereafter by the county superintendent of schools having supervision and control over the school where the teacher is teaching upon certified evidence of meeting the requirements for renewal as required by this Act and prescribed by the State Board of Education in consultation with the State Teacher Certification Board. An elementary supervisory certificate shall

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not be renewed at the end of the first four-year period covered by the certificate unless the holder thereof has filed certified evidence with the State Teacher Certification Board that he has a master's degree or that he has earned 8 semester hours of credit in the field of educational administration and supervision in a recognized institution of higher learning. The holder shall continue to earn 8 semester hours of credit each four-year period until such time as he has earned a master's degree.

All certificates not renewed as provided in this Section or registered in accordance with this Code shall lapse after a period of 6 months from the expiration of the last year of registration. Such certificates may be immediately reinstated upon payment by the applicant to the State Board of Education of (1) any and all back fees, including without limitation registration fees, owed from the time of expiration of the certificate until the date of reinstatement; and (2) a $500 penalty or the demonstration of proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with the educator's endorsement area or areas; provided that, until September 1, 2012, certificates that have lapsed solely for the failure to pay a registration fee may be immediately reinstated upon payment only of any and all back fees, including without limitation registration fees, owed from the time of expiration of the certificate until the date of reinstatement. Penalty Any and all back fees and penalty amounts shall be deposited by the State Board of Education into the Teacher Certificate Fee Revolving Fund. Beginning on the effective date of this amendatory Act of the 98th General Assembly, all back fees for registration must be paid and kept in accordance with Sections 3-12 and 21-16 of this Code. Any certificate may be voluntarily surrendered by the certificate holder. A voluntarily surrendered certificate shall be treated as a revoked certificate.

(b) When those teaching certificates issued before February 15, 2000 are renewed for the first time after February 15, 2000, all such teaching certificates shall be exchanged for Standard Teaching Certificates as provided in subsection (c) of Section 21-2. All Initial and Standard Teaching Certificates, including those issued to persons who previously held teaching certificates issued before February 15, 2000, shall be renewable under the conditions set forth in this subsection (b).

Initial Teaching Certificates are valid for 4 years of teaching, as provided in subsection (b) of Section 21-2 of this Code, and are renewable every 4 years until the person completes 4 years of teaching. If the holder

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of an Initial Certificate has completed 4 years of teaching but has not completed the requirements set forth in paragraph (2) of subsection (c) of Section 21-2 of this Code, then the Initial Certificate may be reinstated for one year, during which the requirements must be met. A holder of an Initial Certificate who has not completed 4 years of teaching may continuously register the certificate for additional 4-year periods without penalty. Initial Certificates that are not registered shall lapse consistent with subsection (a) of this Section and may be reinstated only in accordance with subsection (a). Standard Teaching Certificates are renewable every 5 years as provided in subsection (c) of Section 21-2 and subsection (c) of this Section. For purposes of this Section, "teaching" is defined as employment and performance of services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, in a certificated teaching position, or in a charter school operating in compliance with the Charter Schools Law.

(c) In compliance with subsection (c) of Section 21-2 of this Code, which provides that a Standard Teaching Certificate may be renewed by the State Teacher Certification Board based upon proof of continuing professional development, the State Board of Education and the State Teacher Certification Board shall jointly:

(1) establish a procedure for renewing Standard Teaching Certificates, which shall include but not be limited to annual timelines for the renewal process and the components set forth in subsections (d) through (k) of this Section;

(2) establish the standards for certificate renewal;

(3) approve or disapprove the providers of continuing professional development activities;

(4) determine the maximum credit for each category of continuing professional development activities, based upon recommendations submitted by a continuing professional development activity task force, which shall consist of 6 staff members from the State Board of Education, appointed by the State Superintendent of Education, and 6 teacher representatives, 3 of whom are selected by the Illinois Education Association and 3 of whom are selected by the Illinois Federation of Teachers;

(5) designate the type and amount of documentation required to show that continuing professional development activities have been completed; and
(6) provide, on a timely basis to all Illinois teachers, certificate holders, regional superintendents of schools, school districts, and others with an interest in continuing professional development, information about the standards and requirements established pursuant to this subsection (c).

(d) Any Standard Teaching Certificate held by an individual employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated teaching position or a charter school in compliance with the Charter Schools Law must be maintained Valid and Active through certificate renewal activities specified in the certificate renewal procedure established pursuant to subsection (c) of this Section, provided that a holder of a Valid and Active certificate who is only employed on either a part-time basis or day-to-day basis as a substitute teacher shall pay only the required registration fee to renew his or her certificate and maintain it as Valid and Active. All other Standard Teaching Certificates held may be maintained as Valid and Exempt through the registration process provided for in the certificate renewal procedure established pursuant to subsection (c) of this Section. A Valid and Exempt certificate must be immediately activated, through procedures developed jointly by the State Board of Education and the State Teacher Certification Board, upon the certificate holder becoming employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated teaching position or a charter school operating in compliance with the Charter Schools Law. A holder of a Valid and Exempt certificate may activate his or her certificate through procedures provided for in the certificate renewal procedure established pursuant to subsection (c) of this Section.

(e)(1) A Standard Teaching Certificate that has been maintained as Valid and Active for the 5 years of the certificate's validity shall be renewed as Valid and Active upon the certificate holder: (i) completing an advanced degree from an approved institution in an education-related field; (ii) completing at least 8 semester hours of coursework as described in subdivision (B) of paragraph (3) of this subsection (e); (iii) (blank); (iv) completing the National Board for Professional Teaching Standards process as described in subdivision (D) of paragraph (3) of this subsection (e); or (v) earning 120 continuing professional development units ("CPDU") as described in subdivision (E) of paragraph (3) of this

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subsection (e). The maximum continuing professional development units for each continuing professional development activity identified in subdivisions (F) through (J) of paragraph (3) of this subsection (e) shall be jointly determined by the State Board of Education and the State Teacher Certification Board. If, however, the certificate holder has maintained the certificate as Valid and Exempt for a portion of the 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active shall be proportionately reduced by the amount of time the certificate was Valid and Exempt. Furthermore, if a certificate holder is employed and performs teaching services on a part-time basis for all or a portion of the certificate's 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active shall be reduced by 50% for the amount of time the certificate holder has been employed and performed teaching services on a part-time basis. Part-time shall be defined as less than 50% of the school day or school term.

Notwithstanding any other requirements to the contrary, if a Standard Teaching Certificate has been maintained as Valid and Active for the 5 years of the certificate's validity and the certificate holder has completed his or her certificate renewal plan before July 1, 2002, the certificate shall be renewed as Valid and Active.

(2) Beginning July 1, 2004, in order to satisfy the requirements for continuing professional development provided for in subsection (c) of Section 21-2 of this Code, each Valid and Active Standard Teaching Certificate holder shall complete professional development activities that address the certificate or those certificates that are required of his or her certificated teaching position, if the certificate holder is employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, or that certificate or those certificates most closely related to his or her teaching position, if the certificate holder is employed in a charter school. Except as otherwise provided in this subsection (e), the certificate holder's activities must address purposes (A), (B), (C), or (D) and must reflect purpose (E) of the following continuing professional development purposes:

(A) Advance both the certificate holder's knowledge and skills as a teacher consistent with the Illinois Professional Teaching Standards and the Illinois Content Area Standards in the certificate
holder's areas of certification, endorsement, or teaching assignment in order to keep the certificate holder current in those areas.

(B) Develop the certificate holder's knowledge and skills in areas determined to be critical for all Illinois teachers, as defined by the State Board of Education, known as "State priorities".

(C) Address the knowledge, skills, and goals of the certificate holder's local school improvement plan, if the teacher is employed in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control.

(D) Expand the certificate holder's knowledge and skills in an additional teaching field or toward the acquisition of another teaching certificate, endorsement, or relevant education degree.

(E) Address the needs of serving students with disabilities, including adapting and modifying the general curriculum related to the Illinois Learning Standards to meet the needs of students with disabilities and serving such students in the least restrictive environment. Teachers who hold certificates endorsed for special education must devote at least 50% of their continuing professional development activities to this purpose. Teachers holding other certificates must devote at least 20% of their activities to this purpose.

A speech-language pathologist or audiologist who is licensed under the Illinois Speech-Language Pathology and Audiology Practice Act and who has met the continuing education requirements of that Act and the rules promulgated under that Act shall be deemed to have satisfied the continuing professional development requirements established by the State Board of Education and the Teacher Certification Board to renew a Standard Certificate.

(3) Continuing professional development activities may include, but are not limited to, the following activities:

(A) completion of an advanced degree from an approved institution in an education-related field;

(B) at least 8 semester hours of coursework in an approved education-related program, of which at least 2 semester hours relate to the continuing professional development purpose set forth in purpose (A) of paragraph (2) of this subsection (e), completion of which means no other continuing professional development activities are required;

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(C) (blank);

(D) completion of the National Board for Professional Teaching Standards ("NBPTS") process for certification or recertification, completion of which means no other continuing professional development activities are required;

(E) completion of 120 continuing professional development units that satisfy the continuing professional development purposes set forth in paragraph (2) of this subsection (e) and may include without limitation the activities identified in subdivisions (F) through (J) of this paragraph (3);

(F) collaboration and partnership activities related to improving the teacher's knowledge and skills as a teacher, including the following:

(i) participating on collaborative planning and professional improvement teams and committees;
(ii) peer review and coaching;
(iii) mentoring in a formal mentoring program, including service as a consulting teacher participating in a remediation process formulated under Section 24A-5 of this Code;
(iv) participating in site-based management or decision making teams, relevant committees, boards, or task forces directly related to school improvement plans;
(v) coordinating community resources in schools, if the project is a specific goal of the school improvement plan;
(vi) facilitating parent education programs for a school, school district, or regional office of education directly related to student achievement or school improvement plans;
(vii) participating in business, school, or community partnerships directly related to student achievement or school improvement plans; or
(viii) supervising a student teacher or teacher education candidate in clinical supervision, provided that the supervision may only be counted once during the course of 5 years;

(G) college or university coursework related to improving the teacher's knowledge and skills as a teacher as follows:

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(i) completing undergraduate or graduate credit earned from a regionally accredited institution in coursework relevant to the certificate area being renewed, including coursework that incorporates induction activities and development of a portfolio of both student and teacher work that provides experience in reflective practices, provided the coursework meets Illinois Professional Teaching Standards or Illinois Content Area Standards and supports the essential characteristics of quality professional development; or

(ii) teaching college or university courses in areas relevant to the certificate area being renewed, provided that the teaching may only be counted once during the course of 5 years;

(H) conferences, workshops, institutes, seminars, and symposiums related to improving the teacher's knowledge and skills as a teacher, subject to disapproval of the activity or event by the State Teacher Certification Board acting jointly with the State Board of Education, including the following:

(i) completing non-university credit directly related to student achievement, school improvement plans, or State priorities;

(ii) participating in or presenting at workshops, seminars, conferences, institutes, and symposiums;

(iii) training as external reviewers for Quality Assurance;

(iv) training as reviewers of university teacher preparation programs; or

(v) participating in or presenting at in-service training programs on suicide prevention.

A teacher, however, may not receive credit for conferences, workshops, institutes, seminars, or symposiums that are designed for entertainment, promotional, or commercial purposes or that are solely inspirational or motivational. The State Superintendent of Education and regional superintendents of schools are authorized to review the activities and events provided or to be provided under this subdivision (H) and to investigate complaints regarding those activities and events, and either the State Superintendent of Education or a regional superintendent of schools may recommend

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that the State Teacher Certification Board and the State Board of Education jointly disapprove those activities and events considered to be inconsistent with this subdivision (H);

(I) other educational experiences related to improving the teacher's knowledge and skills as a teacher, including the following:

(i) participating in action research and inquiry projects;

(ii) observing programs or teaching in schools, related businesses, or industry that is systematic, purposeful, and relevant to certificate renewal;

(iii) traveling related to one's teaching assignment, directly related to student achievement or school improvement plans and approved by the regional superintendent of schools or his or her designee at least 30 days prior to the travel experience, provided that the traveling shall not include time spent commuting to destinations where the learning experience will occur;

(iv) participating in study groups related to student achievement or school improvement plans;

(v) serving on a statewide education-related committee, including but not limited to the State Teacher Certification Board, State Board of Education strategic agenda teams, or the State Advisory Council on Education of Children with Disabilities;

(vi) participating in work/learn programs or internships; or

(vii) developing a portfolio of student and teacher work;

(J) professional leadership experiences related to improving the teacher's knowledge and skills as a teacher, including the following:

(i) participating in curriculum development or assessment activities at the school, school district, regional office of education, State, or national level;

(ii) participating in team or department leadership in a school or school district;

(iii) participating on external or internal school or school district review teams;
(iv) publishing educational articles, columns, or books relevant to the certificate area being renewed; or
(v) participating in non-strike related professional association or labor organization service or activities related to professional development;

(K) receipt of a subsequent Illinois certificate or endorsement pursuant to this Article;

(L) completion of requirements for meeting the Illinois criteria for becoming "highly qualified" (for purposes of the No Child Left Behind Act of 2001, Public Law 107-110) in an additional teaching area;

(M) successful completion of 4 semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Teaching Standards, as described in clause (B) of paragraph (2) of subsection (c) of Section 21-2 of this Code; or

(N) successful completion of a minimum of 4 semester hours of graduate-level coursework addressing preparation to meet the requirements for certification by the National Board for Professional Teaching Standards, as described in clause (C) of paragraph (2) of subsection (c) of Section 21-2 of this Code.

(4) A person must complete the requirements of this subsection (e) before the expiration of his or her Standard Teaching Certificate and must submit assurance to the regional superintendent of schools or, if applicable, a local professional development committee authorized by the regional superintendent to submit recommendations to him or her for this purpose. The statement of assurance shall contain a list of the activities completed, the provider offering each activity, the number of credits earned for each activity, and the purposes to which each activity is attributed. The certificate holder shall maintain the evidence of completion of each activity for at least one certificate renewal cycle. The certificate holder shall affirm under penalty of perjury that he or she has completed the activities listed and will maintain the required evidence of completion. The State Board of Education or the regional superintendent of schools for each region shall conduct random audits of assurance statements and supporting documentation.

(5) (Blank).

(6) (Blank).
(f) Notwithstanding any other provisions of this Code, a school
district is authorized to enter into an agreement with the exclusive
bargaining representative, if any, to form a local professional development
committee (LPDC). The membership and terms of members of the LPDC
may be determined by the agreement. Provisions regarding LPDCs
contained in a collective bargaining agreement in existence on the
effective date of this amendatory Act of the 93rd General Assembly
between a school district and the exclusive bargaining representative shall
remain in full force and effect for the term of the agreement, unless
terminated by mutual agreement. The LPDC shall make recommendations
to the regional superintendent of schools on renewal of teaching
certificates. The regional superintendent of schools for each region shall
perform the following functions:

(1) review recommendations for certificate renewal, if any,
received from LPDCs;

(2) (blank);

(3) (blank);

(4) (blank);

(5) determine whether certificate holders have met the
requirements for certificate renewal and notify certificate holders if
the decision is not to renew the certificate;

(6) provide a certificate holder with the opportunity to
appeal a recommendation made by a LPDC, if any, not to renew
the certificate to the regional professional development review
committee;

(7) issue and forward recommendations for renewal or
nonrenewal of certificate holders' Standard Teaching Certificates to
the State Teacher Certification Board; and

(8) (blank).

(g)(1) Each regional superintendent of schools shall review and
concur or nonconcur with each recommendation for renewal or
nonrenewal of a Standard Teaching Certificate he or she receives from a
local professional development committee, if any, or, if a certificate holder
appeals the recommendation to the regional professional development
review committee, the recommendation for renewal or nonrenewal he or
she receives from a regional professional development review committee
and, within 14 days of receipt of the recommendation, shall provide the
State Teacher Certification Board with verification of the following, if
applicable:

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(A) the certificate holder has satisfactorily completed professional development and continuing education activities set forth in paragraph (3) of subsection (e) of this Section;

(B) the certificate holder has submitted the statement of assurance required under paragraph (4) of subsection (e) of this Section, and this statement has been attached to the application for renewal;

(C) the local professional development committee, if any, has recommended the renewal of the certificate holder's Standard Teaching Certificate and forwarded the recommendation to the regional superintendent of schools;

(D) the certificate holder has appealed his or her local professional development committee's recommendation of nonrenewal, if any, to the regional professional development review committee and the result of that appeal;

(E) the regional superintendent of schools has concurred or nonconcurred with the local professional development committee's or regional professional development review committee's recommendation, if any, to renew or nonrenew the certificate holder's Standard Teaching Certificate and made a recommendation to that effect; and

(F) the established registration fee for the Standard Teaching Certificate has been paid.

If the notice required by this subsection (g) includes a recommendation of certificate nonrenewal, then, at the same time the regional superintendent of schools provides the State Teacher Certification Board with the notice, he or she shall also notify the certificate holder in writing, by certified mail, return receipt requested, that this notice has been provided to the State Teacher Certification Board.

(2) Each certificate holder shall have the right to appeal his or her local professional development committee's recommendation of nonrenewal, if any, to the regional professional development review committee, within 14 days of receipt of notice that the recommendation has been sent to the regional superintendent of schools. Each regional superintendent of schools shall establish a regional professional development review committee or committees for the purpose of advising the regional superintendent of schools, upon request, and handling certificate holder appeals. This committee shall consist of at least 4 classroom teachers, one non-administrative certificated educational

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employee, 2 administrators, and one at-large member who shall be either (i) a parent, (ii) a member of the business community, (iii) a community member, or (iv) an administrator, with preference given to an individual chosen from among those persons listed in items (i), (ii), and (iii) in order to secure representation of an interest not already represented on the committee. The teacher and non-administrative certificated educational employee members of the review committee shall be selected by their exclusive representative, if any, and the administrators and at-large member shall be selected by the regional superintendent of schools. A regional superintendent of schools may add additional members to the committee, provided that the same proportion of teachers to administrators and at-large members on the committee is maintained. Any additional teacher and non-administrative certificated educational employee members shall be selected by their exclusive representative, if any. Vacancies in positions on a regional professional development review committee shall be filled in the same manner as the original selections. Committee members shall serve staggered 3-year terms. All individuals selected to serve on regional professional development review committees must be known to demonstrate the best practices in teaching or their respective field of practice.

(h)(1) The State Teacher Certification Board shall review the regional superintendent of schools' recommendations to renew or nonrenew Standard Teaching Certificates and notify certificate holders in writing whether their certificates have been renewed or nonrenewed within 90 days of receipt of the recommendations, unless a certificate holder has appealed a regional superintendent of schools' recommendation of nonrenewal, as provided in paragraph (2) of this subsection (h). The State Teacher Certification Board shall verify that the certificate holder has met the renewal criteria set forth in paragraph (1) of subsection (g) of this Section.

(2) Each certificate holder shall have the right to appeal a regional superintendent of school's recommendation to nonrenew his or her Standard Teaching Certificate to the State Teacher Certification Board, within 14 days of receipt of notice that the decision has been sent to the State Teacher Certification Board, which shall hold an appeal hearing within 60 days of receipt of the appeal. When such an appeal is taken, the certificate holder's Standard Teaching Certificate shall continue to be valid until the appeal is finally determined. The State Teacher Certification Board shall review the regional superintendent of school's

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recommendation, the regional professional development review committee's recommendation, if any, and the local professional development committee's recommendation, if any, and all relevant documentation to verify whether the certificate holder has met the renewal criteria set forth in paragraph (1) of subsection (g) of this Section. The State Teacher Certification Board may request that the certificate holder appear before it. All actions taken by the State Teacher Certification Board shall require a quorum and be by a simple majority of those present and voting. A record of all votes shall be maintained. The State Teacher Certification Board shall notify the certificate holder in writing, within 7 days of completing the review, whether his or her Standard Teaching Certificate has been renewed or nonrenewed, provided that if the State Teacher Certification Board determines to nonrenew a certificate, the written notice provided to the certificate holder shall be by certified mail, return receipt requested. All certificate renewal or nonrenewal decisions of the State Teacher Certification Board are final and subject to administrative review.

(i) Holders of Master Teaching Certificates shall meet the same requirements and follow the same procedures as holders of Standard Teaching Certificates, except that their renewal cycle shall be as set forth in subsection (d) of Section 21-2 of this Code and their renewal requirements shall be subject to paragraph (8) of subsection (c) of Section 21-2 of this Code.

A holder of a teaching certificate endorsed as a speech-language pathologist who has been granted the Certificate of Clinical Competence by the American Speech-Language Hearing Association may renew his or her Standard Teaching Certificate pursuant to the 10-year renewal cycle set forth in subsection (d) of Section 21-2 of this Code.

(j) Holders of Valid and Exempt Standard and Master Teaching Certificates who are not employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, in a certificated teaching position, may voluntarily activate their certificates through the regional superintendent of schools of the regional office of education for the geographic area where their teaching is done. These certificate holders shall follow the same renewal criteria and procedures as all other Standard and Master Teaching Certificate holders, except that their continuing professional development activities need not

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reflect or address the knowledge, skills, and goals of a local school improvement plan.

(k) (Blank).

(l) (Blank).

(m) The changes made to this Section by this amendatory Act of the 93rd General Assembly that affect renewal of Standard and Master Certificates shall apply to those persons who hold Standard or Master Certificates on or after the effective date of this amendatory Act of the 93rd General Assembly and shall be given effect upon renewal of those certificates.

(Source: P.A. 96-951, eff. 6-28-10; 97-607, eff. 8-26-11; 97-682, eff. 5-8-12.)

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

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0145
(Senate Bill No. 0722)

AN ACT concerning liquor.

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

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

Sec. 6-33. Sealing and removal of open wine bottles from a restaurant or winery. Notwithstanding any other provision of this Act, a restaurant licensed to sell alcoholic liquor in this State may permit a patron to remove one unsealed and partially consumed bottle of wine for off-premise consumption provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. Notwithstanding any other provision of this Act, a winery licensed to sell alcoholic liquor in this State may permit a patron to remove one unsealed and partially consumed bottle of wine for off-premise consumption. A partially consumed bottle of wine that is to be removed from the premises pursuant to this Section shall be securely sealed by the licensee or an agent of the licensee prior to removal from the

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premises and placed in a transparent one-time use tamper-proof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this Section and not tampered with and transported in accordance with the restrictions of subsections (a) and (b) of Section 11-502 of the Illinois Vehicle Code shall not be deemed to violate Section 11-502 of the Illinois Vehicle Code.

(Source: P.A. 94-1047, eff. 1-1-07; 95-331, eff. 8-21-07; 95-847, eff. 8-15-08.)

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0146
(Senate Bill No. 0850)

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

Section 5. The Environmental Protection Act is amended by changing Section 3.330 as follows:

(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)
Sec. 3.330. Pollution control facility.
(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.
The following are not pollution control facilities:
(1) (blank);
(2) waste storage sites regulated under 40 CFR, Part 761.42;
(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or

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when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;

(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;

(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;

(6) sites or facilities used by any person to specifically conduct a landscape composting operation;

(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are:

(i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an

New matter indicated by italics - deletions by strikeout
Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility that (i) accepts exclusively general construction or demolition debris, (ii) is located in a county with a population over 3,000,000 as of January 1, 2000 or in a county that is contiguous to such a county, and (iii) is operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the

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federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;

(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

New matter indicated by italics - deletions by strikeout
(iii) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for child care licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste,
or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

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(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887); and

(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of this Act; and

(23) until July 1, 2017, the portion of a site or facility:

(A) that is used exclusively for the transfer of commingled landscape waste and food scrap held at the site or facility for no longer than 24 hours after their receipt;

(B) that is located entirely within a home rule unit having a population of either (i) not less than 100,000 and not more than 115,000 according to the 2010 federal census or (ii) not less than 5,000 and not more than 10,000 according to the 2010 federal census;

(C) that is permitted, by the Agency, prior to January 1, 2002, for the transfer of landscape waste; and

(D) for which a permit application is submitted to the Agency within 6 months after the effective date of this amendatory Act of the 98th General Assembly to modify an existing permit for the transfer of landscape waste to also include, on a demonstration basis not to exceed 18 months, the transfer of commingled landscape waste and food scrap.

(b) A new pollution control facility is:

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(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or
(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or
(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 96-418, eff. 1-1-10; 96-611, eff. 8-24-09; 96-887, eff. 4-9-10; 96-1000, eff. 7-2-10; 96-1068, eff. 7-16-10; 96-1314, eff. 7-27-10; 97-333, eff. 8-12-11; 97-545, eff. 1-1-12.)

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0147
(Senate Bill No. 1217)

AN ACT concerning regulation.

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

Section 5. The Illinois Dental Practice Act is amended by changing Sections 16 and 17 as follows:

Sec. 16. Expiration, renewal and restoration of licenses. The expiration date and renewal date for each license issued under this Act shall be set by rule. The renewal period for each license issued under this Act shall be 3 years. A dentist or dental hygienist may renew a license during the month preceding its expiration date by paying the required fee. A dentist or dental hygienist shall provide proof of current Basic Life Support (BLS) certification by an organization that has adopted the American Heart Association's guidelines on BLS intended for health care providers at the time of renewal as provided by rule. Basic Life Support certification training taken as a requirement of this Section shall be counted for no more than 4 hours during each licensure period towards the continuing education hours under Section 16.1 of this Act. The Department shall provide by rule for exemptions from this requirement for a dentist or dental hygienist with a physical disability that would preclude him or her from performing BLS.

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Any dentist or dental hygienist whose license has expired or whose license is on inactive status may have his license restored at any time within 5 years after the expiration thereof, upon payment of the required fee and a showing of proof of compliance with current continuing education requirements, as provided by rule.

Any person whose license has been expired for more than 5 years or who has had his license on inactive status for more than 5 years may have his license restored by making application to the Department and filing proof acceptable to the Department of taking continuing education and of his fitness to have the license restored, including sworn evidence certifying to active practice in another jurisdiction, and by paying the required restoration fee. A person practicing on an expired license is deemed to be practicing without a license. However, a holder of a license may renew the license within 90 days after its expiration by complying with the requirements for renewal and payment of an additional fee. A license renewal within 90 days after expiration shall be effective retroactively to the expiration date.

If a person whose license has expired or who has had his license on inactive status for more than 5 years has not maintained an active practice satisfactory to the department, the Department shall determine, by an evaluation process established by rule, his or her fitness to resume active status and may require the person to complete a period of evaluated clinical experience and may require successful completion of a practical examination.

However, any person whose license expired while he or she was (i) on active duty with the Armed Forces of the United States or called into service or training by the State militia or (ii) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license renewed, reinstated, or restored without paying any lapsed renewal or restoration fee, if within 2 years after termination of such service, training, or education other than by dishonorable discharge, he or she furnishes the Department with satisfactory proof that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(Source: P.A. 96-617, eff. 8-24-09; 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

(225 ILCS 25/17) (from Ch. 111, par. 2317)
(Section scheduled to be repealed on January 1, 2016)
Sec. 17. Acts Constituting the Practice of Dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums or jaw; or

(2) Who is a manager, proprietor, operator or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

(6) Who offers or undertakes, by any means or method, to diagnose, treat or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated tissues by means of a filling, crown, a bridge, a denture or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce or repair, or who furnishes, supplies, constructs, reproduces or repairs, prosthetic dentures, bridges or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a...
consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

   (i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

   (ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or
any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of
dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental
assistant, if such service is performed under the supervision and
full responsibility of a dentist.

For purposes of this paragraph (g), "dental service" is
defined to mean any intraoral procedure or act which shall be
prescribed by rule or regulation of the Department. Dental service,
however, shall not include:

(1) Any and all diagnosis of or prescription for
treatment of disease, pain, deformity, deficiency, injury or
physical condition of the human teeth or jaws, or adjacent
structures.

(2) Removal of, or restoration of, or addition to the
hard or soft tissues of the oral cavity, except for the placing,
carving, and finishing of amalgam restorations by dental
assistants who have had additional formal education and
certification as determined by the Department. A dentist
utilizing dental assistants shall not supervise more than 4
dental assistants at any one time for placing, carving, and
finishing of amalgam restorations.

(3) Any and all correction of malformation of teeth
or of the jaws.

(4) Administration of anesthetics, except for
monitoring application of topical anesthetics and
monitoring of nitrous oxide. Monitoring of nitrous oxide,
conscious sedation, deep sedation, and general anesthetic
as provided in Section 8.1 of this Act, that may be
performed only after successful completion of a training
program approved by the Department. A dentist utilizing
dental assistants shall not supervise more than 4 dental
assistants at any one time for the monitoring of nitrous
oxide.

(5) Removal of calculus from human teeth.

(6) Taking of impressions for the fabrication of
prosthetic appliances, crowns, bridges, inlays, onlays, or
other restorative or replacement dentistry.

New matter indicated by italics - deletions by strikeout
(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

_The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this Section mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist._

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e), of Section 9, of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c), of Section 11, of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

New matter indicated by italics - deletions by strikeout
The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 96-617, eff. 8-24-09; 97-526, eff. 1-1-12; 97-886, eff. 8-2-12; 97-1013, eff. 8-17-12; revised 8-23-12.)

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0148
(Senate Bill No. 1229)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Dietitian Nutritionist Practice Act is amended by changing Sections 10 and 95 and by adding Section 17 as follows:

(225 ILCS 30/10) (from Ch. 111, par. 8401-10)
(Section scheduled to be repealed on January 1, 2023)
Sec. 10. Definitions. As used in this Act:
"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Board" means the Dietitian Nutritionist Practice Board appointed by the Secretary.

New matter indicated by italics - deletions by strikeout
"Certified clinical nutritionist" means an individual certified by the Clinical Nutrition Certification Board.

"Certified nutrition specialist" means an individual certified by the Certification Board for Nutrition Specialists.

"Department" means the Department of Financial and Professional Regulation.

"Dietetics and nutrition services" means the integration and application of principles derived from the sciences of food and nutrition to provide for all aspects of nutrition care for individuals and groups, including, but not limited to:

(1) nutrition counseling; "nutrition counseling" means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment;

(2) nutrition assessment; "nutrition assessment" means the evaluation of the nutrition needs of individuals or groups using appropriate data to determine nutrient needs or status and make appropriate nutrition recommendations;

(3) medically prescribed diet; "medically prescribed diet" is one form of medical nutrition therapy and means a diet prescribed when specific food or nutrient levels need to be monitored, altered, or both as a component of a treatment program for an individual whose health status is impaired or at risk due to disease, injury, or surgery and may only be performed as initiated by or in consultation with a physician licensed under the Medical Practice Act of 1987 acting within the scope of his or her practice, except that a medically prescribed diet for a resident of a nursing home shall only be performed as initiated by or in consultation with a physician licensed to practice medicine in all of its branches;

(4) medical nutrition therapy; "medical nutrition therapy" means the component of nutrition care that deals with the systematic use of food and oral supplementation, based on the nutrition assessment and individual health status and need to manage health conditions; medical nutrition therapy; "medical nutrition therapy" means the component of nutrition care that deals with:

(A) interpreting and recommending nutrient needs relative to medically prescribed diets, including, but not

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limited to, enteral feedings, specialized intravenous solutions, and specialized oral feedings;

(B) food and prescription drug interactions; and

(C) developing and managing food service operations whose chief function is nutrition care and provision of medically prescribed diets;

(5) nutrition services for individuals and groups; "nutrition services for individuals and groups" includes, but is not limited to, all of the following:

(A) providing nutrition assessments relative to preventive maintenance or restorative care;

(B) providing nutrition education and nutrition counseling as components of preventive maintenance or restorative care; and

(C) developing and managing systems whose chief function is nutrition care; nutrition services for individuals and groups does not include medical nutrition therapy as defined in this Act; and

(6) restorative; "restorative" means the component of nutrition care that deals with oral dietary needs for individuals and groups; activities shall relate to the metabolism of food and the requirements for nutrients, including dietary supplements for growth, development, maintenance, or attainment of optimal health.

"Diplomate of the American Clinical Board of Nutrition" means an individual certified by the American Clinical Board of Nutrition.

"Licensed dietitian nutritionist" means a person licensed under this Act to practice dietetics and nutrition services, as defined in this Section. Activities of a licensed dietitian nutritionist do not include the medical differential diagnosis of the health status of an individual.

"Practice experience" means a preprofessional, documented, supervised practice in dietetics or nutrition services that is acceptable to the Department in compliance with requirements for licensure, as specified in Section 45. It may be or may include a documented, supervised practice experience which is a component of the educational requirements for licensure, as specified in Section 45.

"Registered dietitian" means an individual registered with the Commission on Dietetic Registration, the accrediting body of the
Academy of Nutrition and Dietetics, formerly known as the American Dietetic Association.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Telepractice" means the delivery of services under this Act by means other than in-person, including, but not limited to, telephone, email, internet, or other methods of electronic communication. Telepractice is not prohibited under this Act provided that the provision of telepractice services is appropriate for the client and the level of care provided meets the required level of care for that client. Individuals providing services regulated by this Act via telepractice shall comply with and are subject to all licensing and disciplinary provisions of this Act.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/17 new)

Sec. 17. Other activities subject to licensure under this Act.

(1) Enteral and parenteral nutrition therapy shall consist of enteral feedings or specialized intravenous solutions and shall only be performed by an individual licensed under this Act who:

(a) is a registered dietitian registered with the Commission on Dietetic Registration, the accrediting body of the Academy of Nutrition and Dietetics, formerly known as the American Dietetic Association;

(b) is a certified nutrition support clinician as certified by the National Board of Nutrition Support Certification; or

(c) meets the requirements set forth in the rules of the Department.

(2) Developing and managing food service operations whose chief function is nutrition care shall only be performed by an individual licensed under this Act.

(225 ILCS 30/95) (from Ch. 111, par. 8401-95)

(Section scheduled to be repealed on January 1, 2023)

Sec. 95. Grounds for discipline.

(1) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any license or certificate for any one or combination of the following causes:

New matter indicated by italics - deletions by strikeout
(a) Material misstatement in furnishing information to the Department.
(b) Violations of this Act or of rules adopted under this Act.
(c) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.
(d) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.
(e) Professional incompetence or gross negligence.
(f) Malpractice.
(g) Aiding or assisting another person in violating any provision of this Act or its rules.
(h) Failing to provide information within 60 days in response to a written request made by the Department.
(i) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
(j) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.
(k) Discipline by another state, the District of Columbia, territory, country, or governmental agency if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
(l) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered. Nothing in this paragraph (1) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment

New matter indicated by italics - deletions by strikeout
benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (1) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(m) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(n) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(o) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(p) Practicing under a false or, except as provided by law, an assumed name.

(q) Gross and willful overcharging for professional services.

(r) (Blank).

(s) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(t) Cheating on or attempting to subvert a licensing examination administered under this Act.

(u) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety.

(v) Physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill that results in a licensee's inability to practice under this Act with reasonable judgment, skill, or safety.

(w) Advising an individual to discontinue, reduce, increase, or otherwise alter the intake of a drug prescribed by a physician licensed to practice medicine in all its branches or by a prescriber as defined in Section 102 of the Illinois Controlled Substance Act.

(2) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are
satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(3) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(4) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 1205-15 of the Civil Administrative Code of Illinois.

(5) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(6) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit
to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, then the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-1482, eff. 11-29-10; 97-1141, eff. 12-28-12.)

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

Passed in the General Assembly May 10, 2013.
Approved August 2, 2013.
Effective August 2, 2013.
PUBLIC ACT 98-0149
(Senate Bill No. 1373)

AN ACT concerning regulation.

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

Section 5. The Nursing Home Care Act is amended by changing Section 1-123 as follows:

(210 ILCS 45/1-123) (from Ch. 111 1/2, par. 4151-123)

Sec. 1-123. "Resident's representative" means a person other than the owner not related to the resident, or an agent or employee of a facility not related to the resident, designated in writing by a resident to be his representative, or the resident's guardian, or the parent of a minor resident for whom no guardian has been appointed.

(Source: P.A. 97-869, eff. 7-30-12.)

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

Passed in the General Assembly May 7, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0150
(Senate Bill No. 1383)

AN ACT concerning transportation.

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

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Illinois Nurses Foundation Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Illinois Nurses license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Nurses license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first

New matter indicated by italics - deletions by strikeout
division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $35 fee for original issuance in addition to the appropriate registration fee. Of this fee, $20 shall be deposited into the Illinois Nurses Foundation Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray administrative processing costs.

For each registration renewal period, a $22 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $20 shall be deposited into the Illinois Nurses Foundation Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Nurses Foundation Fund is created as a special fund in the State treasury. All money in the Illinois Nurses Foundation Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Nurses Foundation, to promote the health of the public by advancing the nursing profession in this State.

Passed in the General Assembly May 7, 2013.
Approved August 2, 2013.
Effective January 1, 2014.
Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. American Red Cross license plates.
(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as American Red Cross license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.
(b) The design and color of the special plates shall be within the discretion of the Secretary, but shall include the American Red Cross official logo. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.
(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the American Red Cross Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the American Red Cross Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.
(d) The American Red Cross Fund is created as a special fund in the State treasury. All moneys in the American Red Cross Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the American Red Cross or to charitable entities designated by the American Red Cross.

Passed in the General Assembly May 7, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Veterans and Servicemembers Court Treatment Act is amended by changing Section 20 as follows:

(730 ILCS 167/20)

Sec. 20. Eligibility. Veterans and Servicemembers are eligible for Veterans and Servicemembers Courts, provided the following:

(a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a Veterans and Servicemembers Court program only upon the agreement of the prosecutor and the defendant and with the approval of the Court.

(b) A defendant shall be excluded from Veterans and Servicemembers Court program if any of one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, including but not limited to: first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping and kidnapping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm or where occurred serious bodily injury or death to any person.

(4) (Blank).

(5) The crime for which the defendant has been convicted is non-probationable.

(6) The sentence imposed on the defendant, whether the result of a plea or a finding of guilt, renders the defendant ineligible for probation.

(Source: P.A. 96-924, eff. 6-14-10; 97-946, eff. 8-13-12.)

New matter indicated by italics - deletions by strikeout
Section 10. The Mental Health Court Treatment Act is amended by changing Section 20 as follows:

Sec. 20. Eligibility.

(a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a mental health court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.

(b) A defendant shall be excluded from a mental health court program if any one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) (Blank).

(5) The crime for which the defendant has been convicted is non-probationable.

(6) The sentence imposed on the defendant, whether the result of a plea or a finding of guilt, renders the defendant ineligible for probation.

(Source: P.A. 97-946, eff. 8-13-12.)

Passed in the General Assembly May 7, 2013.

Approved August 2, 2013.

Effective January 1, 2014.
Section 5. The Illinois Vehicle Code is amended by changing Section 12-503 as follows:

Sec. 12-503. Windshields must be unobstructed and equipped with wipers.

(a) No person shall drive a motor vehicle with any sign, poster, window application, reflective material, nonreflective material or tinted film upon the front windshield, except that a nonreflective tinted film may be used along the uppermost portion of the windshield if such material does not extend more than 6 inches down from the top of the windshield.

(a-5) No window treatment or tinting shall be applied to the windows immediately adjacent to each side of the driver, except:

(1) On vehicles where none of the windows to the rear of the driver's seat are treated in a manner that allows less than 30% light transmittance, a nonreflective tinted film that allows at least 50% light transmittance, with a 5% variance observed by any law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(2) On vehicles where none of the windows to the rear of the driver's seat are treated in a manner that allows less than 35% light transmittance, a nonreflective tinted film that allows at least 35% light transmittance, with a 5% variance observed by any law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(3) (Blank).

(4) On vehicles where a nonreflective smoked or tinted glass that was originally installed by the manufacturer on the windows to the rear of the driver's seat, a nonreflective tint that allows at least 50% light transmittance, with a 5% variance observed by a law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(a-10) No person shall install or repair any material prohibited by subsection (a) of this Section.

(1) Nothing in this subsection shall prohibit a person from removing or altering any material prohibited by subsection (a) to
make a motor vehicle comply with the requirements of this Section.

(2) Nothing in this subsection shall prohibit a person from installing window treatment for a person with a medical condition described in subsection (g) of this Section. An installer who installs window treatment for a person with a medical condition described in subsection (g) must obtain a copy of the certified statement or letter written by a physician described in subsection (g) from the person with the medical condition prior to installing the window treatment. The copy of the certified statement or letter must be kept in the installer's permanent records.

(b) On motor vehicles where window treatment has not been applied to the windows immediately adjacent to each side of the driver, the use of a perforated window screen or other decorative window application on windows to the rear of the driver's seat shall be allowed.

(b-5) Any motor vehicle with a window to the rear of the driver's seat treated in this manner shall be equipped with a side mirror on each side of the motor vehicle which are in conformance with Section 12-502.

(c) No person shall drive a motor vehicle with any objects placed or suspended between the driver and the front windshield, rear window, side wings or side windows immediately adjacent to each side of the driver which materially obstructs the driver's view.

(d) Every motor vehicle, except motorcycles, shall be equipped with a device, controlled by the driver, for cleaning rain, snow, moisture or other obstructions from the windshield; and no person shall drive a motor vehicle with snow, ice, moisture or other material on any of the windows or mirrors, which materially obstructs the driver's clear view of the highway.

(e) No person shall drive a motor vehicle when the windshield, side or rear windows are in such defective condition or repair as to materially impair the driver's view to the front, side or rear. A vehicle equipped with a side mirror on each side of the vehicle which are in conformance with Section 12-502 will be deemed to be in compliance in the event the rear window of the vehicle is materially obscured.

(f) Paragraphs (a), (a-5), (b), and (b-5) of this Section shall not apply to:

(1) (Blank).

(2) those motor vehicles properly registered in another jurisdiction.

New matter indicated by italics - deletions by strikeout
(g) Paragraphs (a) and (a-5) of this Section shall not apply to window treatment, including but not limited to a window application, nonreflective material, or tinted film, applied or affixed to a motor vehicle for which distinctive license plates or license plate stickers have been issued pursuant to subsection (k) of Section 3-412 of this Code, and which:

(1) is owned and operated by a person afflicted with or suffering from a medical disease, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism, which would require that person to be shielded from the direct rays of the sun; or

(2) is used in transporting a person when the person resides at the same address as the registered owner of the vehicle and the person is afflicted with or suffering from a medical disease which would require the person to be shielded from the direct rays of the sun, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism.

The owner must obtain a certified statement or letter written by a physician licensed to practice medicine in Illinois that such person owning and operating or being transported in a motor vehicle is afflicted with or suffers from such disease, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism. However, no exemption from the requirements of subsection (a-5) shall be granted for any condition, such as light sensitivity, for which protection from the direct rays of the sun can be adequately obtained by the use of sunglasses or other eye protective devices.

Such certification must be carried in the motor vehicle at all times. The certification shall be legible and shall contain the date of issuance, the name, address and signature of the attending physician, and the name, address, and medical condition of the person requiring exemption. The information on the certificate for a window treatment must remain current and shall be renewed annually by the attending physician. The owner shall also submit a copy of the certification to the Secretary of State. The Secretary of State may forward notice of certification to law enforcement agencies.

(g-5) (Blank).

New matter indicated by italics - deletions by strikeout
(g-7) Installers shall only install window treatment authorized by subsection (g) on motor vehicles for which distinctive plates or license plate stickers have been issued pursuant to subsection (k) of Section 3-412 of this Code. The distinctive license plates or plate sticker must be on the motor vehicle at the time of window treatment installation.

(h) Paragraph (a) of this Section shall not apply to motor vehicle stickers or other certificates issued by State or local authorities which are required to be displayed upon motor vehicle windows to evidence compliance with requirements concerning motor vehicles.

(i) (Blank).

(j) A person found guilty of violating paragraphs (a), (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be guilty of a petty offense and fined no less than $50 nor more than $500. A second or subsequent violation of paragraphs (a), (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be treated as a Class C misdemeanor and the violator fined no less than $100 nor more than $500. Any person convicted under paragraphs (a), (a-5), (b), or (b-5) of this Section shall be ordered to alter any nonconforming windows into compliance with this Section.

(k) Nothing in this Section shall create a cause of action on behalf of a buyer against a vehicle dealer or manufacturer who sells a motor vehicle with a window which is in violation of this Section.

(l) The Secretary of State shall provide a notice of the requirements of this Section to a new resident applying for vehicle registration in this State pursuant to Section 3-801 of this Code. The Secretary of State may comply with this subsection by posting the requirements of this Section on the Secretary of State's website.

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

(Source: P.A. 95-202, eff. 8-16-07; 96-530, eff. 1-1-10; 96-815, eff. 10-30-09; 96-1000, eff. 7-2-10; 96-1056, eff. 7-14-10.)

Approved August 2, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning insurance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Insurance Code is amended by changing Section 356z.3a as follows:
(215 ILCS 5/356z.3a)
Sec. 356z.3a. Nonparticipating facility-based physicians and providers.
(a) For purposes of this Section, "facility-based provider" means a physician or other provider who provide radiology, anesthesia, pathology, neonatology, or emergency department services to insureds, beneficiaries, or enrollees in a participating hospital or participating ambulatory surgical treatment center.
(b) When a beneficiary, insured, or enrollee utilizes a participating network hospital or a participating network ambulatory surgery center and, due to any reason, in network services for radiology, anesthesia, pathology, emergency physician, or neonatology are unavailable and are provided by a nonparticipating facility-based physician or provider, the insurer or health plan shall ensure that the beneficiary, insured, or enrollee shall incur no greater out-of-pocket costs than the beneficiary, insured, or enrollee would have incurred with a participating physician or provider for covered services.
(c) If a beneficiary, insured, or enrollee agrees in writing, notwithstanding any other provision of this Code, any benefits a beneficiary, insured, or enrollee receives for services under the situation in subsection (b) are assigned to the nonparticipating facility-based providers. The insurer or health plan shall provide the nonparticipating provider with a written explanation of benefits that specifies the proposed reimbursement and the applicable deductible, copayment or coinsurance amounts owed by the insured, beneficiary or enrollee. The insurer or health plan shall pay any reimbursement directly to the nonparticipating facility-based provider. The nonparticipating facility-based physician or provider shall not bill the beneficiary, insured, or enrollee, except for applicable deductible, copayment, or coinsurance amounts that would apply if the beneficiary, insured, or enrollee utilized a participating physician or provider for covered services. If a beneficiary, insured, or

New matter indicated by italics - deletions by strikeout
enrollee specifically rejects assignment under this Section in writing to the nonparticipating facility-based provider, then the nonparticipating facility-based provider may bill the beneficiary, insured, or enrollee for the services rendered.

(d) For bills assigned under subsection (c), the nonparticipating facility-based provider may bill the insurer or health plan for the services rendered, and the insurer or health plan may pay the billed amount or attempt to negotiate reimbursement with the nonparticipating facility-based provider. If attempts to negotiate reimbursement for services provided by a nonparticipating facility-based provider do not result in a resolution of the payment dispute within 30 days after receipt of written explanation of benefits by the insurer or health plan, then an insurer or health plan or nonparticipating facility-based physician or provider may initiate binding arbitration to determine payment for services provided on a per bill basis. The party requesting arbitration shall notify the other party arbitration has been initiated and state its final offer before arbitration. In response to this notice, the nonrequesting party shall inform the requesting party of its final offer before the arbitration occurs. Arbitration shall be initiated by filing a request with the Department of Insurance.

(e) The Department of Insurance shall publish a list of approved arbitrators or entities that shall provide binding arbitration. These arbitrators shall be American Arbitration Association or American Health Lawyers Association trained arbitrators. Both parties must agree on an arbitrator from the Department of Insurance's list of arbitrators. If no agreement can be reached, then a list of 5 arbitrators shall be provided by the Department of Insurance. From the list of 5 arbitrators, the insurer can veto 2 arbitrators and the provider can veto 2 arbitrators. The remaining arbitrator shall be the chosen arbitrator. This arbitration shall consist of a review of the written submissions by both parties. Binding arbitration shall provide for a written decision within 45 days after the request is filed with the Department of Insurance. Both parties shall be bound by the arbitrator's decision. The arbitrator's expenses and fees, together with other expenses, not including attorney's fees, incurred in the conduct of the arbitration, shall be paid as provided in the decision.

(f) This Section 356z.3a does not apply to a beneficiary, insured, or enrollee who willfully chooses to access a nonparticipating facility-based physician or provider for health care services available through the insurer's or plan's network of participating physicians and providers.
these circumstances, the contractual requirements for nonparticipating facility-based provider reimbursements will apply.

(g) Section 368a of this Act shall not apply during the pendency of a decision under subsection (d) any interest required to be paid a provider under Section 368a shall not accrue until after 30 days of an arbitrator's decision as provided in subsection (d), but in no circumstances longer than 150 days from date the nonparticipating facility-based provider billed for services rendered.

(h) Nothing in this Section shall be interpreted to change the prudent layperson provisions with respect to emergency services under the Managed Care Reform and Patient Rights Act.

(Source: P.A. 96-1523, eff. 6-1-11.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0155
(Senate Bill No. 1691)

AN ACT concerning local government.

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

Section 5. The Metropolitan Water Reclamation District Act is amended by adding Section 307 as follows:

(70 ILCS 2605/307 new)

Sec. 307. District enlarged. Upon the effective date of this amendatory Act of the 98th General Assembly, the corporate limits of the Metropolitan Water Reclamation District of Greater Chicago are extended to include within those corporate limits the following described tracts of land, and the tracts are hereby annexed to the District:

Parcel 1:
THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 25; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID

New matter indicated by italics - deletions by strikeout
NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 1314.40
FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID
NORTHWEST QUARTER OF SECTION 25; THENCE SOUTH 89
DEGREES 15 MINUTES 17 SECONDS WEST ALONG THE NORTH
LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF
SECTION 25, A DISTANCE OF 170.00 FEET; THENCE SOUTH 44
DEGREES 22 MINUTES 03 SECONDS WEST, 582.43 FEET TO A LINE
1755.25 FEET PARALLEL WITH THE WEST LINE OF SAID
NORTHWEST QUARTER OF SECTION 25; THENCE SOUTH 00
DEGREES 02 MINUTES 28 SECONDS EAST ALONG SAID PARALLEL
LINE, 278.99 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 17
SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID
SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 25,
479.77 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89
DEGREES 15 MINUTES 07 SECONDS WEST, 46.00 FEET; THENCE
NORTH 00 DEGREES 02 MINUTES 28 SECONDS WEST, 299.50 FEET;
THENCE NORTH 23 DEGREES 54 MINUTES 47 SECONDS WEST, 9.18
FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 32 SECONDS
WEST, 197.72 FEET; THENCE NORTH 29 DEGREES 55 MINUTES 24
SECONDS WEST, 672.16 FEET; THENCE NORTH 60 DEGREES 05
MINUTES 00 SECONDS EAST, 569.54 FEET; THENCE NORTH 02
DEGREES 55 MINUTES 45 SECONDS EAST, 203.09 FEET; THENCE
NORTH 29 DEGREES 16 MINUTES 05 SECONDS EAST, 63.00 FEET;
THENCE NORTH 02 DEGREES 55 MINUTES 45 SECONDS EAST,
90.16 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 25
SECONDS EAST, 210.28 FEET TO THE WEST LINE OF LINE OF THE
MWRD ANNEXED AREA PER 70 ILCS 2605/260; THENCE SOUTH 00
DEGREES 02 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE,
646.44 FEET TO THE NORTHEAST CORNER OF THE MWRD
ANNEXED AREA PER 70 ILCS 2605/268; THENCE SOUTH 89
DEGREES 15 MINUTES 07 SECONDS WEST, 360.14 FEET TO THE
NORTHWEST CORNER OF SAID ANNEXED AREA; THENCE SOUTH
00 DEGREES 02 MINUTES 28 SECONDS EAST, 364.25 FEET TO THE
SOUTHWEST CORNER OF SAID ANNEXED AREA; THENCE NORTH
89 DEGREES 15 MINUTES 07 SECONDS EAST, 60.00 FEET TO THE
NORTHWEST CORNER OF THE MWRD ANNEXED AREA PER 70 ILCS
2605/289; THENCE ALONG THE WEST LINE OF SAID ANNEXED
AREA THE FOLLOWING 3 COURSES 1) SOUTH 00 DEGREES 02
MINUTES 28 SECONDS EAST, 150.68 FEET, 2) NORTH 89 DEGREES

New matter indicated by italics - deletions by strikeout
57 MINUTES 32 SECONDS EAST, 120.37 FEET, 3) SOUTH 00 DEGREES 02 MINUTES 28 SECONDS EAST, 353.10 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Parcel 2:
THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 25; THENENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 1314.40 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER OF SECTION 25; THENENCE SOUTH 89 DEGREES 15 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 170.00 FEET; THENENCE SOUTH 44 DEGREES 22 MINUTES 03 SECONDS EAST, 196.44 FEET TO THE POINT OF BEGINNING; THENENCE SOUTH 27 DEGREES 27 MINUTES 11 SECONDS EAST, 128.60 FEET; THENENCE SOUTH 28 DEGREES 28 MINUTES 36 SECONDS EAST, 111.07 FEET; THENENCE SOUTH 87 DEGREES 45 MINUTES 34 SECONDS EAST, 179.49 FEET; THENENCE SOUTH 57 DEGREES 32 MINUTES 54 SECONDS EAST, 19.12 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 25; THENENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE, 23.70 FEET; THENENCE NORTH 57 DEGREES 32 MINUTES 54 SECONDS WEST, 26.44 FEET; THENENCE NORTH 87 DEGREES 45 MINUTES 34 SECONDS WEST, 177.13 FEET; THENENCE SOUTH 60 DEGREES 43 MINUTES 28 SECONDS WEST, 433.09 FEET TO THE EAST LINE OF THE MWRD ANNEXED AREA PER 70 ILCS 2605/289; THENENCE NORTH 00 DEGREES 02 MINUTES 28 SECONDS WEST ALONG SAID EAST LINE, 22.92 FEET; THENENCE NORTH 60 DEGREES 43 MINUTES 28 SECONDS EAST, 114.47 FEET; THENENCE NORTH 30 DEGREES 44 MINUTES 04 SECONDS WEST, 67.78 FEET; THENENCE NORTH 83 DEGREES 32 MINUTES 15 SECONDS WEST, 65.71 FEET TO THE EAST LINE OF THE MWRD ANNEXED AREA PER 70 ILCS 2605/289; THENENCE NORTH 00 DEGREES 02 MINUTES 28 SECONDS WEST ALONG SAID EAST LINE, 20.13 FEET; THENENCE SOUTH 83 DEGREES 32 MINUTES 15 SECONDS EAST, 77.92 FEET; THENENCE SOUTH 30 DEGREES 44 MINUTES 04 SECONDS EAST,

New matter indicated by italics - deletions by strikeout
78.22 FEET; THENCE NORTH 60 DEGREES 43 MINUTES 28 SECONDS EAST, 255.02 FEET; THENCE NORTH 87 DEGREES 43 MINUTES 50 SECONDS WEST, 284.59 FEET TO THE EAST LINE OF THE MWRD ANNEXED AREA PER 70 ILCS 2605/289; THENCE NORTH 44 DEGREES 22 MINUTES 03 SECONDS EAST ALONG SAID EAST LINE, 26.95 FEET; THENCE SOUTH 87 DEGREES 43 MINUTES 50 SECONDS EAST, 284.30 FEET; THENCE NORTH 28 DEGREES 28 MINUTES 36 SECONDS WEST, 99.25 FEET; THENCE NORTH 27 DEGREES 27 MINUTES 11 SECONDS WEST, 122.21 FEET; THENCE NORTH 44 DEGREES 22 MINUTES 03 SECONDS EAST, 21.05 FEET; TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALL CONTAINING 9.93845 ACRES, MORE OR LESS, IN COOK COUNTY, ILLINOIS.

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0156
( Senate Bill No. 1703)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 24-2 as follows:

(105 ILCS 5/24-2) (from Ch. 122, par. 24-2)
Sec. 24-2. Holidays.
(a) Teachers shall not be required to teach on Saturdays, nor, except as provided in subsection (b) of this Section, shall teachers or other school employees, other than noncertificated school employees whose presence is necessary because of an emergency or for the continued operation and maintenance of school facilities or property, be required to work on legal school holidays, which are January 1, New Year's Day; the third Monday in January, the Birthday of Dr. Martin Luther King, Jr.; February 12, the Birthday of President Abraham Lincoln; the first Monday in March (to be known as Casimir Pulaski's birthday); Good Friday; the day designated as Memorial Day by federal law; July 4, Independence Day.

New matter indicated by italics - deletions by strikeout
Day; the first Monday in September, Labor Day; the second Monday in October, Columbus Day; November 11, Veterans' Day; the Thursday in November commonly called Thanksgiving Day; and December 25, Christmas Day. School boards may grant special holidays whenever in their judgment such action is advisable. No deduction shall be made from the time or compensation of a school employee on account of any legal or special holiday.

(b) A school board or other entity eligible to apply for waivers and modifications under Section 2-3.25g of this Code is authorized to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on the third Monday in January (the Birthday of Dr. Martin Luther King, Jr.); February 12 (the Birthday of President Abraham Lincoln); the first Monday in March (known as Casimir Pulaski's birthday); the second Monday in October (Columbus Day); and November 11 (Veterans' Day), provided that:

(1) the person or persons honored by the holiday are recognized through instructional activities conducted on that day or, if the day is not used for student attendance, on the first school day preceding or following that day; and

(2) the entity that chooses to exercise this authority first holds a public hearing about the proposal. The entity shall provide notice preceding the public hearing to both educators and parents. The notice shall set forth the time, date, and place of the hearing, describe the proposal, and indicate that the entity will take testimony from educators and parents about the proposal.

(c) Commemorative holidays, which recognize specified patriotic, civic, cultural or historical persons, activities, or events, are regular school days. Commemorative holidays are: January 28 (to be known as Christa McAuliffe Day and observed as a commemoration of space exploration), February 15 (the birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans' Day), September 11 (September 11th Day of Remembrance), the school day immediately preceding Veterans' Day (Korean War Veterans' Day), October 1 (Recycling Day), October 7 (Iraq and Afghanistan Veterans Remembrance Day), December 7 (Pearl Harbor Veterans' Day), and any day so appointed by the President or Governor. School boards may establish commemorative holidays whenever in their judgment such action is advisable. School boards shall include instruction relative to commemorated persons, activities, or events on the commemorative holiday or at any other time during the school year and at any point in the
curriculum when such instruction may be deemed appropriate. The State Board of Education shall prepare and make available to school boards instructional materials relative to commemorated persons, activities, or events which may be used by school boards in conjunction with any instruction provided pursuant to this paragraph.

(d) City of Chicago School District 299 shall observe March 4 of each year as a commemorative holiday. This holiday shall be known as Mayors' Day which shall be a day to commemorate and be reminded of the past Chief Executive Officers of the City of Chicago, and in particular the late Mayor Richard J. Daley and the late Mayor Harold Washington. If March 4 falls on a Saturday or Sunday, Mayors' Day shall be observed on the following Monday.

(Source: P.A. 95-699, eff. 11-9-07; 96-640, eff. 8-24-09.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0157
(Senate Bill No. 1729)

AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 35A-5, 35A-10, 35A-15, 35A-30, and 35A-60 as follows:

(215 ILCS 5/35A-5)
Sec. 35A-5. Definitions. As used in this Article, the terms listed in this Section have the meaning given herein.

"Adjusted RBC Report" means an RBC Report that has been adjusted by the Director in accordance with subsection (f) of Section 35A-10.

"Authorized control level RBC" means the number determined under the risk-based capital formula in accordance with the RBC Instructions.

"Company action level RBC" means the product of 2.0 and the insurer's authorized control level RBC.

New matter indicated by italics - deletions by strikeout
"Corrective Order" means an order issued by the Director in accordance with Article XII 1/2 specifying corrective actions that the Director determines are required.

"Domestic insurer" means any insurance company domiciled in this State under Article II, Article III, Article III 1/2, or Article IV or a health organization as defined by this Article, except this shall include only those health maintenance organizations that are "domestic companies" in accordance with Section 5-3 of the Health Maintenance Organization Act and only those limited health service organizations that are "domestic companies" in accordance with Section 4003 of the Limited Health Service Organization Act.

"Fraternal benefit society" means any insurance company licensed under Article XVII of this Code.

"Foreign insurer" means any foreign or alien insurance company licensed under Article VI that is not domiciled in this State and any health maintenance organization that is not a "domestic company" in accordance with Section 5-3 of the Health Maintenance Organization Act and any limited health service organization that is not a "domestic company" in accordance with Section 4003 of the Limited Health Service Organization Act.

"Health organization" means an entity operating under a certificate of authority issued pursuant to the Health Maintenance Organization Act, the Dental Service Plan Act, the Limited Health Service Organization Act, or the Voluntary Health Services Plans Act, unless the entity is otherwise defined as a "life, health, or life and health insurer" pursuant to this Act.

"Life, health, or life and health insurer" means an insurance company that has authority to transact the kinds of insurance described in either or both clause (a) or clause (b) of Class 1 of Section 4 or a licensed property and casualty insurer writing only accident and health insurance.

"Mandatory control level RBC" means the product of 0.70 and the insurer's authorized control level RBC.

"NAIC" means the National Association of Insurance Commissioners.

"Negative trend" means, with respect to a life, health, or life and health insurer or a fraternal benefit society, a negative trend over a period of time, as determined in accordance with the trend test calculation included in the Life or Fraternal RBC Instructions.

"Property and casualty insurer" means an insurance company that has authority to transact the kinds of insurance in either or both Class 2 or

New matter indicated by italics - deletions by strikeout
Class 3 of Section 4 or a licensed insurer writing only insurance authorized under clause (c) of Class 1, but does not include monoline mortgage guaranty insurers, financial guaranty insurers, and title insurers.

"RBC" means risk-based capital.

"RBC Instructions" means the RBC Report including risk-based capital instructions adopted by the NAIC as those instructions may be amended by the NAIC from time to time in accordance with the procedures adopted by the NAIC.

"RBC level" means an insurer's company action level RBC, regulatory action level RBC, authorized control level RBC, or mandatory control level RBC.

"RBC Plan" means a comprehensive financial plan containing the elements specified in subsection (b) of Section 35A-15.

"RBC Report" means the risk-based capital report required under Section 35A-10.

" Receivership" means conservation, rehabilitation, or liquidation under Article XIII.

"Regulatory action level RBC" means the product of 1.5 and the insurer's authorized control level RBC.

"Revised RBC Plan" means an RBC Plan rejected by the Director and revised by the insurer with or without the Director's recommendations.

"Total adjusted capital" means the sum of (1) an insurer's statutory capital and surplus and (2) any other items that the RBC Instructions may provide.

(Source: P.A. 90-794, eff. 8-14-98; 91-549, eff. 8-14-99.)

(215 ILCS 5/35A-10)

Sec. 35A-10. RBC Reports.

(a) On or before each March 1 (the "filing date"), every domestic insurer shall prepare and submit to the Director a report of its RBC levels as of the end of the previous calendar year in the form and containing the information required by the RBC Instructions. Every domestic insurer shall also file its RBC Report with the NAIC in accordance with the RBC Instructions. In addition, if requested in writing by the chief insurance regulatory official of any state in which it is authorized to do business, every domestic insurer shall file its RBC Report with that official no later than the later of 15 days after the insurer receives the written request or the filing date.

(b) A life, health, or life and health insurer's or fraternal benefit society's RBC shall be determined under the formula set forth in the RBC...
Instructions. The formula shall take into account (and may adjust for the covariance between):

1. the risk with respect to the insurer's assets;
2. the risk of adverse insurance experience with respect to the insurer's liabilities and obligations;
3. the interest rate risk with respect to the insurer's business; and
4. all other business risks and other relevant risks set forth in the RBC Instructions.

These risks shall be determined in each case by applying the factors in the manner set forth in the RBC Instructions.

(c) A property and casualty insurer's RBC shall be determined in accordance with the formula set forth in the RBC Instructions. The formula shall take into account (and may adjust for the covariance between):

1. asset risk;
2. credit risk;
3. underwriting risk; and
4. all other business risks and other relevant risks set forth in the RBC Instructions.

These risks shall be determined in each case by applying the factors in the manner set forth in the RBC Instructions.

(d) A health organization's RBC shall be determined in accordance with the formula set forth in the RBC Instructions. The formula shall take the following into account (and may adjust for the covariance between):

1. asset risk;
2. credit risk;
3. underwriting risk; and
4. all other business risks and other relevant risks set forth in the RBC Instructions.

These risks shall be determined in each case by applying the factors in the manner set forth in the RBC Instructions.

(e) An excess of capital over the amount produced by the risk-based capital requirements contained in this Code and the formulas, schedules, and instructions referenced in this Code is desirable in the business of insurance. Accordingly, insurers should seek to maintain capital above the RBC levels required by this Code. Additional capital is used and useful in the insurance business and helps to secure an insurer against various risks inherent in, or affecting, the business of insurance.
and not accounted for or only partially measured by the risk-based capital requirements contained in this Code.

(f) If a domestic insurer files an RBC Report that, in the judgment of the Director, is inaccurate, the Director shall adjust the RBC Report to correct the inaccuracy and shall notify the insurer of the adjustment. The notice shall contain a statement of the reason for the adjustment.

(Source: P.A. 91-549, eff. 8-14-99.)

(215 ILCS 5/35A-15)
Sec. 35A-15. Company action level event.

(a) A company action level event means any of the following events:

(1) The filing of an RBC Report by an insurer that indicates that:

   (A) the insurer's total adjusted capital is greater than or equal to its regulatory action level RBC, but less than its company action level RBC;

   (B) the insurer, if a life, health, or life and health insurer or a fraternal benefit society, has total adjusted capital that is greater than or equal to its company action level RBC, but less than the product of its authorized control level RBC and 3.0 and has a negative trend; or

   (C) the insurer, if a property and casualty insurer, has total adjusted capital that is greater than or equal to its company action level RBC, but less than the product of its authorized control level RBC and 3.0 and triggers the trend test determined in accordance with the trend test calculation included in the property and casualty RBC Instructions.

(2) The notification by the Director to the insurer of an Adjusted RBC Report that indicates an event described in paragraph (1), provided the insurer does not challenge the Adjusted RBC Report under Section 35A-35.

(3) The notification by the Director to the insurer that the Director has, after a hearing, rejected the insurer's challenge under Section 35A-35 to an Adjusted RBC Report that indicates the event described in paragraph (1).

(b) In the event of a company action level event, the insurer shall prepare and submit to the Director an RBC Plan that does all of the following:

New matter indicated by italics - deletions by strikeout
(1) Identifies the conditions that contribute to the company action level event.

(2) Contains proposed corrective actions that the insurer intends to take and that are expected to result in the elimination of the company action level event. A health organization is not prohibited from proposing recognition of a parental guarantee or a letter of credit to eliminate the company action level event; however the Director shall, at his discretion, determine whether or the extent to which the proposed parental guarantee or letter of credit is an acceptable part of a satisfactory RBC Plan or Revised RBC Plan.

(3) Provides projections of the insurer's financial results in the current year and at least the 4 succeeding years, both in the absence of proposed corrective actions and giving effect to the proposed corrective actions, including projections of statutory operating income, net income, capital, and surplus. The projections for both new and renewal business may include separate projections for each major line of business and separately identify each significant income, expense, and benefit component.

(4) Identifies the key assumptions affecting the insurer's projections and the sensitivity of the projections to the assumptions.

(5) Identifies the quality of, and problems associated with, the insurer's business including, but not limited to, its assets, anticipated business growth and associated surplus strain, extraordinary exposure to risk, mix of business, and use of reinsurance, if any, in each case.

(c) The insurer shall submit the RBC Plan to the Director within 45 days after the company action level event occurs or within 45 days after the Director notifies the insurer that the Director has, after a hearing, rejected its challenge under Section 35A-35 to an Adjusted RBC Report.

(d) Within 60 days after an insurer submits an RBC Plan to the Director, the Director shall notify the insurer whether the RBC Plan shall be implemented or is, in the judgment of the Director, unsatisfactory. If the Director determines the RBC Plan is unsatisfactory, the notification to the insurer shall set forth the reasons for the determination and may set forth proposed revisions that will render the RBC Plan satisfactory in the judgment of the Director. Upon notification from the Director, the insurer shall prepare a Revised RBC Plan, which may incorporate by reference

New matter indicated by italics - deletions by strikeout
any revisions proposed by the Director. The insurer shall submit the Revised RBC Plan to the Director within 45 days after the Director notifies the insurer that the RBC Plan is unsatisfactory or within 45 days after the Director notifies the insurer that the Director has, after a hearing, rejected its challenge under Section 35A-35 to the determination that the RBC Plan is unsatisfactory.

(e) In the event the Director notifies an insurer that its RBC Plan or Revised RBC Plan is unsatisfactory, the Director may, at the Director's discretion and subject to the insurer's right to a hearing under Section 35A-35, specify in the notification that the notification constitutes a regulatory action level event.

(f) Every domestic insurer that files an RBC Plan or Revised RBC Plan with the Director shall file a copy of the RBC Plan or Revised RBC Plan with the chief insurance regulatory official in any state in which the insurer is authorized to do business if that state has a law substantially similar to the confidentiality provisions in subsection (a) of Section 35A-50 and if that official requests in writing a copy of the plan. The insurer shall file a copy of the RBC Plan or Revised RBC Plan in that state no later than 15 days after receiving the written request for the copy or the date on which the RBC Plan or Revised RBC Plan is filed under subsection (c) or (d) of this Section.

(215 ILCS 5/35A-30)
Sec. 35A-30. Mandatory control level event.
(a) A mandatory control level event means any of the following events:

(1) The filing of an RBC Report that indicates that the insurer's total adjusted capital is less than its mandatory control level RBC.

(2) The notification by the Director to the insurer of an Adjusted RBC Report that indicates the event described in paragraph (1), provided the insurer does not challenge the Adjusted RBC Report under Section 35A-35.

(3) The notification by the Director to the insurer that the Director has, after a hearing, rejected the insurer's challenge under Section 35A-35 to the Adjusted RBC Report that indicates the event described in paragraph (1).

(b) In the event of a mandatory control level event with respect to a life, health, or life and health insurer or a fraternal benefit society, the...
Director shall take actions necessary to place the insurer in receivership under Article XIII. In that event, the mandatory control level event shall be deemed sufficient grounds for the Director to take action under Article XIII, and the Director shall have the rights, powers, and duties with respect to the insurer that are set forth in Article XIII. If the Director takes action under this subsection regarding an Adjusted RBC Report, the insurer shall be entitled to the protections of Article XIII. If the Director finds that there is a reasonable expectation that the mandatory control level event may be eliminated within 90 days after it occurs, the Director may delay action for not more than 90 days after the mandatory control level event.

(c) In the case of a mandatory control level event with respect to a property and casualty insurer, the Director shall take the actions necessary to place the insurer in receivership under Article XIII or, in the case of an insurer that is writing no business and that is running-off its existing business, may allow the insurer to continue its run-off under the supervision of the Director. In either case, the mandatory control level event is deemed sufficient grounds for the Director to take action under Article XIII, and the Director has the rights, powers, and duties with respect to the insurer that are set forth in Article XIII. If the Director takes action regarding an Adjusted RBC Report, the insurer shall be entitled to the protections of Article XIII. If the Director finds that there is a reasonable expectation that the mandatory control level event may be eliminated within 90 days after it occurs, the Director may delay action for not more than 90 days after the mandatory control level event.

(d) In the case of a mandatory control level event with respect to a health organization, the Director shall take the actions necessary to place the insurer in receivership under Article XIII or, in the case of an insurer that is writing no business and that is running-off its existing business, may allow the insurer to continue its run-off under the supervision of the Director. In either case, the mandatory control level event is deemed sufficient grounds for the Director to take action under Article XIII, and the Director has the rights, powers, and duties with respect to the insurer that are set forth in Article XIII. If the Director takes action regarding an Adjusted RBC Report, the insurer shall be entitled to the protections of Article XIII. If the Director finds that there is a reasonable expectation that the mandatory control level event may be eliminated within 90 days after it occurs, the Director may delay action for not more than 90 days after the mandatory control level event.

(Source: P.A. 91-549, eff. 8-14-99.)
Sec. 35A-60. Phase-in of Article.

(a) For RBC Reports filed with respect to the December 31, 1993 annual statement, instead of the provisions of Sections 35A-15, 35A-20, 35A-25, and 35A-30, the following provisions apply:

(1) In the event of a company action level event, the Director shall take no action under this Article.

(2) In the event of a regulatory action level event under paragraph (1), (2), or (3) of subsection (a) of Section 35A-20, the Director shall take the actions required under Section 35A-15.

(3) In the event of a regulatory action level event under paragraph (4), (5), (6), (7), (8), or (9) of subsection (a) of Section 35A-20 or an authorized control level event, the Director shall take the actions required under Section 35A-20.

(4) In the event of a mandatory control level event, the Director shall take the actions required under Section 35A-25.

(b) For RBC Reports required to be filed by property and casualty insurers with respect to the December 31, 1995 annual statement, instead of the provisions of Section 35A-15, 35A-20, 35A-25, and 35A-30, the following provisions apply:

(1) In the event of a company action level event with respect to a domestic insurer, the Director shall take no regulatory action under this Article.

(2) In the event of a regulatory action level event under paragraph (1), (2) or (3) of subsection (a) of Section 35A-20, the Director shall take the actions required under Section 35A-15.

(3) In the event of a regulatory action level event under paragraph (4), (5), (6), (7), (8), or (9) of subsection (a) of Section 35A-20 or an authorized control level event, the Director shall take the actions required under Section 35A-20.

(4) In the event of a mandatory control level event, the Director shall take the actions required under Section 35A-25.

(c) For RBC Reports required to be filed by health organizations with respect to the December 31, 1999 annual statement and the December 31, 2000 annual statement, instead of the provisions of Sections 35A-15, 35A-20, 35A-25, and 35A-30, the following provisions apply:

(1) In the event of a company action level event with respect to a domestic insurer, the Director shall take no regulatory action under this Article.

New matter indicated by italics - deletions by strikeout
(2) In the event of a regulatory action level event under paragraph (1), (2), or (3) of subsection (a) of Section 35A-20, the Director shall take the actions required under Section 35A-15.

(3) In the event of a regulatory action level event under paragraph (4), (5), (6), (7), (8), or (9) of subsection (a) of Section 35A-20 or an authorized control level event, the Director shall take the actions required under Section 35A-20.

(4) In the event of a mandatory control level event, the Director shall take the actions required under Section 35A-25.

This subsection does not apply to a health organization that provides or arranges for a health care plan under which enrollees may access health care services from contracted providers without a referral from their primary care physician.

Nothing in this subsection shall preclude or limit other powers or duties of the Director under any other laws.

(d) For RBC Reports required to be filed by fraternal benefit societies with respect to the December 31, 2013 annual statement and the December 31, 2014 annual statement, instead of the provisions of Sections 35A-15, 35A-20, 35A-25, and 35A-30, the following provisions apply:

(1) In the event of a company action level event with respect to a domestic insurer, the Director shall take no regulatory action under this Article.

(2) In the event of a regulatory action level event under paragraph (1), (2), or (3) of subsection (a) of Section 35A-20, the Director shall take the actions required under Section 35A-15.

(3) In the event of a regulatory action level event under paragraph (4), (5), (6), (7), (8), or (9) of subsection (a) of Section 35A-20 or an authorized control level event, the Director shall take the actions required under Section 35A-20.

(4) In the event of a mandatory control level event, the Director shall take the actions required under Section 35A-25.

Nothing in this subsection shall preclude or limit other powers or duties of the Director under any other laws.

(Source: P.A. 91-549, eff. 8-14-99.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.
AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Section 412 as follows:

(215 ILCS 5/412) (from Ch. 73, par. 1024)
Sec. 412. Refunds; penalties; collection.

(1) (a) Whenever it appears to the satisfaction of the Director that because of some mistake of fact, error in calculation, or erroneous interpretation of a statute of this or any other state, any authorized company has paid to him, pursuant to any provision of law, taxes, fees, or other charges in excess of the amount legally chargeable against it, during the 6 year period immediately preceding the discovery of such overpayment, he shall have power to refund to such company the amount of the excess or excesses by applying the amount or amounts thereof toward the payment of taxes, fees, or other charges already due, or which may thereafter become due from that company until such excess or excesses have been fully refunded, or upon a written request from the authorized company, the Director shall provide a cash refund within 120 days after receipt of the written request if all necessary information has been filed with the Department in order for it to perform an audit of the annual return for the year in which the overpayment occurred or within 120 days after the date the Department receives all the necessary information to perform such audit. The Director shall not provide a cash refund if there are insufficient funds in the Insurance Premium Tax Refund Fund to provide a cash refund, if the amount of the overpayment is less than $100, or if the amount of the overpayment can be fully offset against the taxpayer's estimated liability for the year following the year of the cash refund request. Any cash refund shall be paid from the Insurance Premium Tax Refund Fund, a special fund hereby created in the State treasury.

(b) Beginning January 1, 2000 and thereafter, the Department shall deposit a percentage of the amounts collected under Sections 409, 444, and 444.1 of this Code into the Insurance...
Premium Tax Refund Fund. The percentage deposited into the Insurance Premium Tax Refund Fund shall be the annual percentage. The annual percentage shall be calculated as a fraction, the numerator of which shall be the amount of cash refunds approved by the Director for payment and paid during the preceding calendar year as a result of overpayment of tax liability under Sections 409, 444, and 444.1 of this Code and the denominator of which shall be the amounts collected pursuant to Sections 409, 444, and 444.1 of this Code during the preceding calendar year. However, if there were no cash refunds paid in a preceding calendar year, the Department shall deposit 5% of the amount collected in that preceding calendar year pursuant to Sections 409, 444, and 444.1 of this Code into the Insurance Premium Tax Refund Fund instead of an amount calculated by using the annual percentage.

(c) Beginning July 1, 1999, moneys in the Insurance Premium Tax Refund Fund shall be expended exclusively for the purpose of paying cash refunds resulting from overpayment of tax liability under Sections 409, 444, and 444.1 of this Code as determined by the Director pursuant to subsection 1(a) of this Section. Cash refunds made in accordance with this Section may be made from the Insurance Premium Tax Refund Fund only to the extent that amounts have been deposited and retained in the Insurance Premium Tax Refund Fund.

(d) This Section shall constitute an irrevocable and continuing appropriation from the Insurance Premium Tax Refund Fund for the purpose of paying cash refunds pursuant to the provisions of this Section.

(2) When any insurance company or any surplus line producer fails to file any tax return required under Sections 408.1, 409, 444, 444.1 and 445 of this Code or Section 12 of the Fire Investigation Act on the date prescribed, including any extensions, there shall be added as a penalty $400 or 10% of the amount of such tax, whichever is greater, for each month or part of a month of failure to file, the entire penalty not to exceed $2,000 or 50% of the tax due, whichever is greater.

(3) (a) When any insurance company or any surplus line producer fails to pay the full amount due under the provisions of this Section, Sections 408.1, 409, 444, 444.1 or 445 of this Code, or
Section 12 of the Fire Investigation Act, there shall be added to the amount due as a penalty an amount equal to 10% of the deficiency.

(b) If such failure to pay is determined by the Director to be wilful, after a hearing under Sections 402 and 403, there shall be added to the tax as a penalty an amount equal to the greater of 50% of the deficiency or 10% of the amount due and unpaid for each month or part of a month that the deficiency remains unpaid commencing with the date that the amount becomes due. Such amount shall be in lieu of any determined under paragraph (a).

(4) Any insurance company or any surplus line producer which fails to pay the full amount due under this Section or Sections 408.1, 409, 444, 444.1 or 445 of this Code, or Section 12 of the Fire Investigation Act is liable, in addition to the tax and any penalties, for interest on such deficiency at the rate of 12% per annum, or at such higher adjusted rates as are or may be established under subsection (b) of Section 6621 of the Internal Revenue Code, from the date that payment of any such tax was due, determined without regard to any extensions, to the date of payment of such amount.

(5) The Director, through the Attorney General, may institute an action in the name of the People of the State of Illinois, in any court of competent jurisdiction, for the recovery of the amount of such taxes, fees, and penalties due, and prosecute the same to final judgment, and take such steps as are necessary to collect the same.

(6) In the event that the certificate of authority of a foreign or alien company is revoked for any cause or the company withdraws from this State prior to the renewal date of the certificate of authority as provided in Section 114, the company may recover the amount of any such tax paid in advance. Except as provided in this subsection, no revocation or withdrawal excuses payment of or constitutes grounds for the recovery of any taxes or penalties imposed by this Code.

(7) When an insurance company or domestic affiliated group fails to pay the full amount of any fee of $200 or more due under Section 408 of this Code, there shall be added to the amount due as a penalty the greater of $100 or an amount equal to 10% of the deficiency for each month or part of a month that the deficiency remains unpaid.

(8) The Department shall have a lien for the taxes, fees, charges, fines, penalties, interest, other charges, or any portion thereof, imposed or assessed pursuant to this Code, upon all the real and personal property of any company or person to whom the assessment or final order has been

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issued or whenever a tax return is filed without payment of the tax or penalty shown therein to be due, including all such property of the company or person acquired after receipt of the assessment, issuance of the order, or filing of the return. The company or person is liable for the filing fee incurred by the Department for filing the lien and the filing fee incurred by the Department to file the release of that lien. The filing fees shall be paid to the Department in addition to payment of the tax, fee, charge, fine, penalty, interest, other charges, or any portion thereof, included in the amount of the lien. However, where the lien arises because of the issuance of a final order of the Director or tax assessment by the Department, the lien shall not attach and the notice referred to in this Section shall not be filed until all administrative proceedings or proceedings in court for review of the final order or assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

Upon the granting of Department review after a lien has attached, the lien shall remain in full force except to the extent to which the final assessment may be reduced by a revised final assessment following the rehearing or review. The lien created by the issuance of a final assessment shall terminate, unless a notice of lien is filed, within 3 years after the date all proceedings in court for the review of the final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted, or (in the case of a revised final assessment issued pursuant to a rehearing or review by the Department) within 3 years after the date all proceedings in court for the review of such revised final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. Where the lien results from the filing of a tax return without payment of the tax or penalty shown therein to be due, the lien shall terminate, unless a notice of lien is filed, within 3 years after the date when the return is filed with the Department.

The time limitation period on the Department's right to file a notice of lien shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from filing such notice of lien. If the Department finds that a company or person is about to depart from the State, to conceal himself or his property, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the amount due and owing to the Department unless such proceedings are brought without delay, or if the Department finds that the collection of the amount due from any company

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or person will be jeopardized by delay, the Department shall give the company or person notice of such findings and shall make demand for immediate return and payment of the amount, whereupon the amount shall become immediately due and payable. If the company or person, within 5 days after the notice (or within such extension of time as the Department may grant), does not comply with the notice or show to the Department that the findings in the notice are erroneous, the Department may file a notice of jeopardy assessment lien in the office of the recorder of the county in which any property of the company or person may be located and shall notify the company or person of the filing. The jeopardy assessment lien shall have the same scope and effect as the statutory lien provided for in this Section. If the company or person believes that the company or person does not owe some or all of the tax for which the jeopardy assessment lien against the company or person has been filed, or that no jeopardy to the revenue in fact exists, the company or person may protest within 20 days after being notified by the Department of the filing of the jeopardy assessment lien and request a hearing, whereupon the Department shall hold a hearing in conformity with the provisions of this Code and, pursuant thereto, shall notify the company or person of its findings as to whether or not the jeopardy assessment lien will be released. If not, and if the company or person is aggrieved by this decision, the company or person may file an action for judicial review of the final determination of the Department in accordance with the Administrative Review Law. If, pursuant to such hearing (or after an independent determination of the facts by the Department without a hearing), the Department determines that some or all of the amount due covered by the jeopardy assessment lien is not owed by the company or person, or that no jeopardy to the revenue exists, or if on judicial review the final judgment of the court is that the company or person does not owe some or all of the amount due covered by the jeopardy assessment lien against them, or that no jeopardy to the revenue exists, the Department shall release its jeopardy assessment lien to the extent of such finding of nonliability for the amount, or to the extent of such finding of no jeopardy to the revenue. The Department shall also release its jeopardy assessment lien against the company or person whenever the amount due and owing covered by the lien, plus any interest which may be due, are paid and the company or person has paid the Department in cash or by guaranteed remittance an amount representing the filing fee for the lien and the filing

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fee for the release of that lien. The Department shall file that release of lien with the recorder of the county where that lien was filed.

Nothing in this Section shall be construed to give the Department a preference over the rights of any bona fide purchaser, holder of a security interest, mechanics lienholder, mortgagee, or judgment lien creditor arising prior to the filing of a regular notice of lien or a notice of jeopardy assessment lien in the office of the recorder in the county in which the property subject to the lien is located. For purposes of this Section, "bona fide" shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagee or the holder of the security acting as trustee for unsecured creditors of the company or person mentioned in the notice of lien who executed such chattel or real property mortgage or the document evidencing such credit transaction. The lien shall be inferior to the lien of general taxes, special assessments, and special taxes levied by any political subdivision of this State. In case title to land to be affected by the notice of lien or notice of jeopardy assessment lien is registered under the provisions of the Registered Titles (Torrens) Act, such notice shall be filed in the office of the Registrar of Titles of the county within which the property subject to the lien is situated and shall be entered upon the register of titles as a memorial or charge upon each folium of the register of titles affected by such notice, and the Department shall not have a preference over the rights of any bona fide purchaser, mortgagee, judgment creditor, or other lienholder arising prior to the registration of such notice. The regular lien or jeopardy assessment lien shall not be effective against any purchaser with respect to any item in a retailer's stock in trade purchased from the retailer in the usual course of the retailer's business.

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

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.
AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 500-100 and 500-135 as follows:

(215 ILCS 5/500-100)

Sec. 500-100. Limited lines producer license.

(a) An individual who is at least 18 years of age and whom the Director considers to be competent, trustworthy, and of good business reputation may obtain a limited lines producer license for one or more of the following classes:

(1) insurance on baggage or limited travel health, accident, or trip cancellation insurance sold in connection with transportation provided by a common carrier;

(2) industrial life insurance, as defined in Section 228 of this Code;

(3) industrial accident and health insurance, as defined in Section 368 of this Code;

(4) insurance issued by a company organized under the Farm Mutual Insurance Company Act of 1986;

(5) legal expense insurance;

(6) enrollment of recipients of public aid or medicare in a health maintenance organization;

(7) a limited health care plan issued by an organization having a certificate of authority under the Limited Health Service Organization Act;

(8) credit life and credit accident and health insurance and other credit insurance policies approved or permitted by the Director; a credit insurance company must conduct a training program in which an applicant shall receive basic instruction about the credit insurance products that they will be selling.

(b) The application for a limited lines producer license must be submitted on a form prescribed by the Director by a designee of the insurance company, health maintenance organization, or limited health service organization appointing the limited insurance representative. The
insurance company, health maintenance organization, or limited health service organization must pay the fee required by Section 500-135.

(c) A limited lines producer may represent more than one insurance company, health maintenance organization, or limited health service organization.

(d) An applicant who has met the requirements of this Section shall be issued a perpetual limited lines producer license.

(e) A limited lines producer license shall remain in effect as long as the appointing insurance company pays the respective fee required by Section 500-135 prior to January 1 of each year, unless the license is revoked or suspended pursuant to Section 500-70. Failure of the insurance company to pay the license fee or to submit the required documents shall cause immediate termination of the limited line insurance producer license with respect to which the failure occurs.

(f) A limited lines producer license may be terminated by the insurance company or the licensee.

(g) A person whom the Director considers to be competent, trustworthy, and of good business reputation may be issued a car rental limited line license. A car rental limited line license for a rental company shall remain in effect as long as the car rental limited line licensee pays the respective fee required by Section 500-135 prior to the next fee date unless the car rental license is revoked or suspended pursuant to Section 500-70. Failure of the car rental limited line licensee to pay the license fee or to submit the required documents shall cause immediate suspension of the car rental limited line license. A car rental limited line license for rental companies may be voluntarily terminated by the car rental limited line licensee. The license fee shall not be refunded upon termination of the car rental limited line license by the car rental limited line licensee.

(h) A limited lines producer issued a license pursuant to this Section is not subject to the requirements of Section 500-30.

(i) A limited lines producer license must contain the name, address and personal identification number of the licensee, the date the license was issued, general conditions relative to the license's expiration or termination, and any other information the Director considers proper. A limited line producer license, if applicable, must also contain the name and address of the appointing insurance company.

(Source: P.A. 92-386, eff. 1-1-02.)

(215 ILCS 5/500-135)

(Section scheduled to be repealed on January 1, 2017)
Sec. 500-135. Fees.
(a) The fees required by this Article are as follows:
   (1) a fee of $180 for a person who is a resident of Illinois, and $250 for a person who is not a resident of Illinois, payable once every 2 years for an insurance producer license;
   (2) a fee of $50 for the issuance of a temporary insurance producer license;
   (3) a fee of $150 payable once every 2 years for a business entity;
   (4) an annual $50 fee for a limited line producer license issued under items (1) through (8) of subsection (a) of Section 500-100;
   (5) a $50 application fee for the processing of a request to take the written examination for an insurance producer license;
   (6) an annual registration fee of $1,000 for registration of an education provider;
   (7) a certification fee of $50 for each certified pre-licensing or continuing education course and an annual fee of $20 for renewing the certification of each such course;
   (8) a fee of $180 for a person who is a resident of Illinois, and $250 for a person who is not a resident of Illinois, payable once every 2 years for a car rental limited line license;
   (9) a fee of $200 payable once every 2 years for a limited lines license other than the licenses issued under items (1) through (8) of subsection (a) of Section 500-100, a car rental limited line license, or a self-service storage facility limited line license;
   (10) a fee of $50 payable once every 2 years for a self-service storage facility limited line license.
(b) Except as otherwise provided, all fees paid to and collected by the Director under this Section shall be paid promptly after receipt thereof, together with a detailed statement of such fees, into a special fund in the State Treasury to be known as the Insurance Producer Administration Fund. The moneys deposited into the Insurance Producer Administration Fund may be used only for payment of the expenses of the Department in the execution, administration, and enforcement of the insurance laws of this State, and shall be appropriated as otherwise provided by law for the payment of those expenses with first priority being any expenses incident to or associated with the administration and enforcement of this Article.
(Source: P.A. 95-331, eff. 8-21-07.)

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

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0160
(Senate Bill No. 1814)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 115-7.3 as follows:
(725 ILCS 5/115-7.3)
Sec. 115-7.3. Evidence in certain cases.
(a) This Section applies to criminal cases in which:
   (1) the defendant is accused of predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, criminal sexual abuse, child pornography, aggravated child pornography, or criminal transmission of HIV, or child abduction as defined in paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 or the Criminal Code of 2012;
   (2) the defendant is accused of battery, aggravated battery, first degree murder, or second degree murder when the commission of the offense involves sexual penetration or sexual conduct as defined in Section 11-0.1 of the Criminal Code of 2012; or
   (3) the defendant is tried or retried for any of the offenses formerly known as rape, deviate sexual assault, indecent liberties with a child, or aggravated indecent liberties with a child.
(b) If the defendant is accused of an offense set forth in paragraph (1) or (2) of subsection (a) or the defendant is tried or retried for any of the offenses set forth in paragraph (3) of subsection (a), evidence of the defendant's commission of another offense or offenses set forth in paragraph (1), (2), or (3) of subsection (a), or evidence to rebut that proof or an inference from that proof, may be admissible (if that evidence is otherwise admissible under the rules of evidence) and may be considered for its bearing on any matter to which it is relevant.

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(c) In weighing the probative value of the evidence against undue prejudice to the defendant, the court may consider:

(1) the proximity in time to the charged or predicate offense;

(2) the degree of factual similarity to the charged or predicate offense; or

(3) other relevant facts and circumstances.

(d) In a criminal case in which the prosecution intends to offer evidence under this Section, it must disclose the evidence, including statements of witnesses or a summary of the substance of any testimony, at a reasonable time in advance of trial, or during trial if the court excuses pretrial notice on good cause shown.

(e) In a criminal case in which evidence is offered under this Section, proof may be made by specific instances of conduct, testimony as to reputation, or testimony in the form of an expert opinion, except that the prosecution may offer reputation testimony only after the opposing party has offered that testimony.

(f) In prosecutions for a violation of Section 10-2, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-3.05, 12-4, 12-13, 12-14, 12-14.1, 12-15, 12-16, or 18-5 of the Criminal Code of 1961 or the Criminal Code of 2012, involving the involuntary delivery of a controlled substance to a victim, no inference may be made about the fact that a victim did not consent to a test for the presence of controlled substances.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0161
(Senate Bill No. 1854)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Unified Code of Corrections is amended by changing Section 5-1-10 and adding Section 5-8A-8 as follows:
(730 ILCS 5/5-1-10) (from Ch. 38, par. 1005-1-10)
Sec. 5-1-10. Imprisonment.

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"Imprisonment" means incarceration in a correctional institution under a sentence of imprisonment and does not include "periodic imprisonment" under Article 7. "Imprisonment" also includes electronic home detention served by an offender after (i) the offender has been committed to the custody of the sheriff to serve the sentence and (ii) the sheriff has placed the offender in an electronic home detention program in accordance with Article 8A of Chapter V of this Code.

(730 ILCS 5/5-8A-8 new)

Sec. 5-8A-8. Service of a minimum term of imprisonment. When an offender is sentenced under a provision of law that requires the sentence to include a minimum term of imprisonment and the offender is committed to the custody of the sheriff to serve the sentence, the sheriff may place the offender in an electronic home detention program for service of that minimum term of imprisonment unless (i) the offender was convicted of an excluded offense or (ii) the court's sentencing order specifies that the minimum term of imprisonment shall be served in a county correctional facility.

Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective January 1, 2014.

AN ACT concerning local government.

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

Section 5. The North Shore Sanitary District Act is amended by changing Sections 3, 4, 7, 7.1, 9, 11, and 20 as follows:

Sec. 3. Election of trustees; terms. The corporate authority of the North Shore Sanitary District shall consist of 5 trustees.

Within 20 days after the adoption of the Act, as provided in Section 1, the county governing body shall proceed to divide the sanitary district into 5 wards for the purpose of electing trustees. One trustee shall be elected for each ward on the date of the next regular county election. In each sanitary district organized pursuant to the provisions of this Act prior to the effective date of this amendatory Act of 1975, one trustee shall be

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elected for each ward on the date of the regular county election in the year 1976. However, the population in no one ward shall be less than 1/6 of the population of the whole district and the territory in each of the wards shall be composed of contiguous territory in as compact form as practicable. A portion of each ward shall abut the west shore of Lake Michigan and the boundaries of the respective wards shall coincide with precinct boundaries and the boundaries of existing municipalities as nearly as practicable. In the year 1981, and every 10 years thereafter, the sanitary district board of trustees shall reapportion the district, so that the respective wards shall conform as nearly as practicable with the above requirements as to population, shape and territory.

All trustees elected from 1994 through 2011 shall assume office on the first Monday in December following the general election. All trustees elected in 2012 or thereafter shall assume office on the second Wednesday in December following the general election.

In the year 1982, and every 10 years thereafter, following each decennial Federal census, all 5 trustees shall be elected. Immediately following each decennial redistricting, the sanitary district board of trustees shall be randomly divided divide the wards into 2 groups, one of which shall consist of 3 wards and the other shall consist of 2 wards. A random process shall again be used to determine which trustees from one group shall serve terms of 4 years, 4 years and 2 years; and which trustees from the other group shall serve terms of 2 years, 4 years and 4 years.

Each of the trustees, upon entering the duties of their respective offices, shall execute a bond with security, in the amount and form to be approved by the corporate authorities, payable to the district, in the penal sum of not less than $250,000.00, $10,000.00, as directed by resolution or ordinance, conditioned upon the faithful performance of the duties of the office. Each bond shall be filed with and preserved by the board secretary.

When a vacancy exists in the office of trustees of any sanitary district organized under the provisions of this Act, the vacancy shall be filled by appointment by the president of the sanitary district board of trustees, with the advice and consent of the sanitary district board of trustees, until the next regular election at which trustees of the sanitary district are elected, and shall be made a matter of record in the office of the county clerk in the county in which the district is located.

A majority of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day. No trustee or employee of
the district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by the district; nor in the purchase of any real estate or other property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the district. The trustees have the power to provide and adopt a corporate seal for the district.

(Source: P.A. 97-500, eff. 8-23-11.)

(70 ILCS 2305/4) (from Ch. 42, par. 280)

Sec. 4. Board of trustees; powers; compensation. The trustees shall constitute a board of trustees for the district. The board of trustees is the corporate authority of the district, and shall exercise all the powers and manage and control all the affairs and property of the district. The board shall elect a president and vice-president from among their own number. In case of the death, resignation, absence from the state, or other disability of the president, the powers, duties and emoluments of the office of the president shall devolve upon the vice-president, until the disability is removed or until a successor to the president is appointed and chosen in the manner provided in this Act. The board may select a secretary, treasurer, executive director, chief engineer, superintendent, and attorney, and may provide by ordinance for the employment of such clerks and other employees as the board may deem necessary for the municipality. The board may appoint such other officers and hire such employees to manage and control the operations of the district as it deems necessary; provided, however, that the board shall not employ an individual as a wastewater operator whose Certificate of Technical Competency is suspended or revoked under rules adopted by the Pollution Control Board under item (4) of subsection (a) of Section 13 of the Environmental Protection Act. All employees selected by the board shall hold their respective offices during the pleasure of the board, and give such bond as may be required by the board. The board may prescribe the duties and fix the compensation of all the officers and employees of the sanitary district. However, the president of the board of trustees shall not receive more than $10,000 per year and the other members of the board shall not receive more than $7,000 per year. However, beginning with the commencement of the new term of each board member in 1993, the president shall not receive more than $11,000 per year and each other member of the board shall not receive more than $8,000 per year. Beginning with the commencement of the first new term after the effective date of this amendatory Act of the 95th
General Assembly, the president of the board shall not receive more than $14,000 per year, and each other member of the board shall not receive more than $11,000 per year. The board of trustees has full power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and of the corporation, and for carrying into effect the objects for which the sanitary district was formed. The ordinances may provide for a fine for each offense of not less than $100 or more than $1,000. Each day's continuance of a violation shall be a separate offense. Fines under this Section are recoverable by the sanitary district in a civil action. The sanitary district is authorized to apply to the circuit court for injunctive relief or mandamus when, in the opinion of the chief administrative officer, the relief is necessary to protect the sewerage system of the sanitary district.

The board of trustees shall have the authority to change the name of the District, by ordinance, to the North Shore Water Reclamation District. If an ordinance is passed pursuant to this paragraph, all provisions of this Act shall apply to the newly renamed district.

(Source: P.A. 95-607, eff. 9-11-07.)

(70 ILCS 2305/7) (from Ch. 42, par. 283)

Sec. 7. Powers of the board of trustees. The board of trustees of any sanitary district organized under this Act may provide for the treatment disposal of the sewage thereof and save and preserve the water supplied to the inhabitants of such district from contamination. For that purpose the board may construct and maintain an enclosed conduit or conduits, main pipes, wholly or partially submerged, buried or otherwise, and by means of pumps or otherwise cause such sewage to flow or to be forced through such conduit or conduits, pipe or pipes to and into any ditch or canal constructed and operated by any other sanitary district, after having first acquired the right so to do. Such board may provide for the drainage of such district by laying out, establishing, constructing and maintaining one or more channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed, in a satisfactory manner, including pumps and pumping stations and the operation of the same. Such board shall provide suitable and modernly equipped sewage treatment disposal works or plants for the separation and treatment disposal of all solids and deleterious matter from the liquids, and shall treat and purify the residue of such sewage so that

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when it flows into any lake, it will not injuriously contaminate the waters thereof. The board shall adopt any feasible method to accomplish the object for which such sanitary district may be created, and may also provide means whereby the sanitary district may reach and procure supplies of water for diluting and flushing purposes. The board of trustees of any sanitary district formed under this Act may also enter into an agreement to sell, convey, or disburse treated wastewater to any public or private entity located within or outside of the boundaries of the sanitary district. Any use of treated wastewater by any public or private entity shall be subject to the orders of the Pollution Control Board. The agreement may not exceed 20 years.

Nothing set forth in this Section may be construed to empower, authorize or require such board of trustees to operate a system of water works for the purpose of furnishing or delivering water to any such municipality or to the inhabitants thereof without payment therefor at such rates as the board may determine. Nothing in this Act shall require a sanitary district to extend service to any individual residence or other building within the district, and it is the intent of the Illinois General Assembly that any construction contemplated by this Section shall be restricted to construction of works and main or interceptor sewers, conduits, channels and similar facilities, but not individual service lines. Nothing in this Act contained authorizes the trustees to flow the sewage of such district into Lake Michigan. Any such plan for sewage disposal by any sanitary district organized hereunder is prohibited, unless such sewage has been treated and purified as provided in this Section, all laws of the Federal government relating to the pollution of navigable waters have been complied with, the approval of plans and constructions of outlets and connection with any of the streams or navigable bodies of water within or bordering upon the State has been obtained from the Department of Natural Resources of the State. The discharge of any sewage from any such district into any of the streams or navigable bodies of water within or bordering upon the State is subject to the orders of the Pollution Control Board. Nothing in this Act contained may be construed as superseding or in any manner limiting the provisions of the Environmental Protection Act.

After the construction of such sewage disposal plant, if the board finds that it will promote the prevention of pollution of waters of the State, such board of trustees may adopt ordinances or rules and regulations, prohibiting or regulating the discharge to sewers of inadmissible wastes or
substances toxic to biological wastewater treatment processes. Inadmissible wastes include those which create a fire or explosion hazard in the sewer or treatment works; those which will impair the hydraulic capacity of sewer systems; and those which in any quantity, create a hazard to people, sewer systems, treatment processes, or receiving waters. Substances that may be toxic to wastewater treatment processes include copper, chromium, lead, zinc, arsenic and nickel and any poisonous compounds such as cyanide or radioactive wastes which pass through wastewater treatment plants in hazardous concentrations and menace users of the receiving waters. Such ordinances or rules and regulations shall be effective throughout the sanitary district, in the incorporated areas as well as the unincorporated areas and all public sewers therein.

(Source: P.A. 97-500, eff. 8-23-11.)

Sec. 7.1. In providing works for the treatment disposal of industrial sewage, commonly called industrial wastes, whether the industrial sewage is disposed of in combination with municipal sewage or independently, the sanitary district has power to apportion and collect therefore, from the producer thereof, fair additional construction, maintenance and operating costs over and above those covered by normal taxes, and in case of dispute as to the fairness of such additional construction, maintenance and operating costs, then the same shall be determined by an arbitration board of 3 engineers, one appointed by the sanitary district, one appointed by such producer or producers or their legal representatives, and the third to be appointed by the 2 engineers selected as above described. In the event the 2 engineers so selected fail to agree upon a third engineer then upon the petition of either of the parties the circuit judge shall appoint such third engineer. A decision of a majority of the arbitration board shall be binding on both parties and the cost of the services of the arbitration board shall be shared by both parties equally. Such decision is an administrative decision and is subject to judicial review as provided in the Administrative Review Law.

In providing works, including the main pipes referred to in Section 7, for the treatment disposal of raw sewage, in the manner provided in this Act, whether such sewage is treated disposed of in combination with municipal sewage or independently, the sanitary district has power to collect a fair and reasonable charge for connection to its system in addition to those charges covered by normal taxes, for the construction, expansion and extension of the works of the system, the charge to be assessed against

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new or additional users of the system and to be known as a connection charge. Such construction, expansion and extension of the works of the system shall include proposed or existing collector systems and may, at the discretion of such district, include connections by individual properties. The charge for connection shall be determined by the district and may equal or exceed the actual cost to the district of the construction, expansion or extension of the works of the system required by the connection. The funds thus collected shall be used by the sanitary district for its general corporate purposes with primary application thereof being made by the necessary expansion of the works of the system to meet the requirements of the new users thereof.

(Source: P.A. 85-480; 85-782.)

(70 ILCS 2305/9) (from Ch. 42, par. 285)

Sec. 9. The corporation may borrow money for corporate purposes and may issue bonds therefor, but shall not become indebted, in any manner, or for any purpose, to an amount in the aggregate to exceed 4.50% 5.75% on the valuation of taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979. Whenever the board of trustees of such district desires to issue bonds hereunder they shall certify the question to the proper election officials who shall submit the question at an election to be held in such district in accordance with the general election law. In addition to the requirements of the general election law, the notice of election shall state the amount of bonds to be issued. The result of the election shall be entered upon the records of the district. If it shall appear that a majority of the voters voting at the election on the question shall have voted in favor of the issue of the bonds, the board of trustees shall order and direct the execution of the bonds for and on behalf of the district. All bonds issued hereunder shall mature in not exceeding 20 annual installments. The question shall be in substantially the following form:

<table>
<thead>
<tr>
<th>Proposition to issue bonds</th>
<th>YES</th>
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<tr>
<td>of..... district to the</td>
<td></td>
</tr>
<tr>
<td>amount of..... dollars.</td>
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Provided that the corporation may borrow money for corporate purposes, and may issue bonds therefor, without holding an election or referendum upon the question, if the corporation or the board of trustees thereof has been directed by an order issued by the circuit court or by an administrative agency of the State of Illinois having jurisdiction to issue such order, to abate its discharge of untreated or inadequately treated sewage, and such borrowing is deemed necessary by the board of trustees of the Sanitary District to make possible compliance with such order. The amount of money that the corporation may borrow to abate such sewage discharge shall be limited to that required for that purpose plus such reasonable future expansion as shall be approved by the court or an administrative agency of the State of Illinois having jurisdiction. The ordinance providing for such bonds shall set out the fact that such bonds are deemed necessary to make possible compliance with the order, and shall be published or posted in the manner provided in this Act for publication or posting of ordinances making appropriations. The ordinance shall be in full force and effect after its adoption and publication or posting, as herein provided, notwithstanding any provision in this Act or any other law to the contrary.

(Source: P.A. 81-1489.)

(70 ILCS 2305/11) (from Ch. 42, par. 287)

Sec. 11. Except as otherwise provided in this Section, all contracts for purchases or sales by the municipality, the expense of which will exceed the mandatory competitive bid threshold, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in the district, and the board may reject any and all bids and readvertise. In determining the lowest responsible bidder, the board shall take into consideration the qualities and serviceability of the articles supplied, their conformity with specifications, their suitability to the requirements of the district, the availability of support services, the uniqueness of the service, materials, equipment, or supplies as it applies to network integrated computer systems, the compatibility of the service, materials, equipment or supplies with existing equipment, and the delivery terms. Contracts for services in excess of the mandatory competitive bid threshold may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees. All contracts for purchases or sales that will not exceed the mandatory competitive bid threshold may be
made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than $10,000, nor more than $40,000.

Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of the mandatory competitive bid threshold and, if so required, the advertisement for bids shall so specify.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended, contracts for the purchase or sale of utilities, contracts for commodities including supply contracts for natural gas and electricity, contracts for materials economically procurable only from a single source of supply, contracts for services, supplies, materials, parts, or equipment which are available only from a single source or contracts for maintenance, repairs, OEM supplies, or OEM parts from the manufacturer or from a source authorized by the manufacturer, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by an entity other than the district itself, purchases of used equipment, purchases at auction or similar transactions which by their very nature are not suitable to competitive bids, and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The District may use a design-build procurement method for any public project which shall not be subject to the competitive bidding
requirements of this Section provided the Board of Trustees approves the contract for the public project by a vote of 4 of the 5 trustees. For the purposes of this Section, "design-build" means a delivery system that provides responsibility within a single contract for the furnishing of architecture, engineering, land surveying and related services as required, and the labor, materials, equipment, and other construction services for the project.

In the case of an emergency affecting the public health or safety so declared by the Board of Trustees of the municipality at a meeting thereof duly convened, which declaration shall require the affirmative vote of four of the five Trustees elected, and shall set forth the nature of the danger to the public health or safety, contracts totaling not more than the emergency contract cap may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the dollar amount of an emergency contract shall not exceed the emergency contract cap, which is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than $40,000, nor more than $350,000. The Resolution or Ordinance in which such declaration is embodied shall fix the date upon which such emergency shall terminate which date may be extended or abridged by the Board of Trustees as in their judgment the circumstances require. A full written account of any such emergency, together with a requisition for the materials, supplies, labor or equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase. Within 30 days after the passage of the resolution or ordinance declaring an emergency affecting the public health or safety, the municipality shall submit to the Illinois Environmental Protection Agency the full written account of any such emergency along with a copy of the resolution or ordinance declaring the emergency, in accordance with requirements as may be provided by rule.

To address operating emergencies not affecting the public health or safety, the Board of Trustees shall authorize, in writing, officials or employees of the sanitary district to purchase in the open market and without advertisement any supplies, materials, equipment, or services for immediate delivery to meet the bona fide operating emergency, without filing a requisition or estimate therefor, in an amount not in excess of $100,000; provided that the Board of Trustees must be notified of the

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operating emergency. A full, written account of each operating emergency and a requisition for the materials, supplies, equipment, and services required to meet the operating emergency must be immediately submitted by the officials or employees authorized to make purchases to the Board of Trustees. The account must be available for public inspection for a period of at least one year after the date of the operating emergency purchase. The exercise of authority with respect to purchases for a bona fide operating emergency is not dependent on a declaration of an operating emergency by the Board of Trustees.

The competitive bidding requirements of this Section do not apply to contracts, including contracts for both materials and services incidental thereto, for the repair or replacement of a sanitary district's treatment plant, sewers, equipment, or facilities damaged or destroyed as the result of a sudden or unexpected occurrence, including, but not limited to, a flood, fire, tornado, earthquake, storm, or other natural or man-made disaster, if the board of trustees determines in writing that the awarding of those contracts without competitive bidding is reasonably necessary for the sanitary district to maintain compliance with a permit issued under the National Pollution Discharge Elimination System (NPDES) or any successor system or with any outstanding order relating to that compliance issued by the United States Environmental Protection Agency, the Illinois Environmental Protection Agency, or the Illinois Pollution Control Board. The authority to issue contracts without competitive bidding pursuant to this paragraph expires 6 months after the date of the writing determining that the awarding of contracts without competitive bidding is reasonably necessary.

No Trustee shall be interested, directly or indirectly, in any contract, work or business of the municipality, or in the sale of any article, whenever the expense, price or consideration of the contract work, business or sale is paid either from the treasury or by any assessment levied by any Statute or Ordinance. No Trustee shall be interested, directly or indirectly, in the purchase of any property which (1) belongs to the municipality, or (2) is sold for taxes or assessments of the municipality, or (3) is sold by virtue of legal process in the suit of the municipality.

A contract for any work or other public improvement, to be paid for in whole or in part by special assessment or special taxation, shall be entered into and the performance thereof controlled by the provisions of Division 2 of Article 9 of the "Illinois Municipal Code", approved May 29, 1961, as heretofore or hereafter amended, as near as may be. However,
contracts may be let for making proper and suitable connections between
the mains and outlets of the respective sanitary sewers in the district with
any conduit, conduits, main pipe or pipes that may be constructed by such
sanitary district.
(Source: P.A. 95-607, eff. 9-11-07; 96-49, eff. 1-1-10.)

(70 ILCS 2305/20) (from Ch. 42, par. 296)

Sec. 20. (a) The board of trustees of any such sanitary district shall
have power and authority to prevent the pollution of any waters from
which a water supply may be obtained by any city, town or village within
said district, and shall have the right and power to appoint and support a
sufficient police force, the members of which may have and exercise
police powers over the territory within such drainage district, and over the
waters from which said water supply may be obtained, for a distance of
three miles from the shore thereof, for the purpose of preventing the
pollution of said waters, and any interference with any of the property of
such drainage district; but such police officers when acting within the
limits of any such city, town or village, shall act in aid of the regular police
force thereof, and shall then be subject to the direction of its chief of
police, city or village marshals or other head thereof: Provided, that in so
doing they shall not be prevented or hindered from executing the orders
and authority of said board of trustees of such drainage district: Provided,
further, that before compelling a change in any method of disposal of
sewage so as to prevent the said pollution of any water, the board of
trustees of such district shall first provide some other method of sewage
treatment disposal.

(b) The board of trustees of any sanitary district organized under
this Act is authorized to apply to the circuit court for injunctive relief or
mandamus when, in the opinion of the board of trustees, such relief is
necessary to prevent the pollution of any waters from which a water supply
may be obtained by any municipality within the district.

(c) The sanitary district shall have the power and authority to
prevent the pollution of any waters from which a water supply may be
obtained by any city, town or village. The sanitary district, acting through
the chief administrative officer of such sanitary district, shall have the
power to commence an action or proceeding in the circuit court in and for
the county in which the district is located for the purpose of having the
pollution stopped and prevented either by mandamus or injunction. The
court shall specify a time, not exceeding 20 days after the service of the
copy of the petition, in which the party complained of must answer the

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petition, and in the meantime, the party be restrained. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances of the case and enter an appropriate order in respect to the matters complained of. An appeal may be taken in the same manner and with the same effect as appeals are taken in other actions for mandamus or injunction.
(Source: P.A. 85-1136.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 9, 2013.
Approved August 2, 2013.
Effective August 2, 2013.

PUBLIC ACT 98-0163
(House Bill No. 2470)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Identification Act is amended by changing Sections 5.2 and 14 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.
(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.
(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:
(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),

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(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified
probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the
probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (e), and (e-5) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.
(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a

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disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a Class 4 felony offense listed in subsection (c)(2)(F) or the charge is amended to a Class 4 felony offense listed in subsection (c)(2)(F). Records of arrests which result in the petitioner being charged with a Class 4 felony offense listed in subsection (c)(2)(F), records of charges not initiated by arrest for Class 4 felony offenses listed in subsection (c)(2)(F), and records of charges amended to a Class 4 felony offense listed in (c)(2)(F) may be sealed, regardless of the disposition, subject to any waiting periods set forth in subsection (c)(3);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.
(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such
(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State

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Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court shall enter an expungement order as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:
   (A) All arrests resulting in release without charging;
   (B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);
   (C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);
   (D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

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(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in Class 4 felony convictions for the following offenses:

(i) Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012;
(ii) Section 4 of the Cannabis Control Act;
(iii) Section 402 of the Illinois Controlled Substances Act;
(iv) the Methamphetamine Precursor Control Act; and
(v) the Steroid Control Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.
(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b) and (e), and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or

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she is petitioning to seal felony records pursuant to clause (c)(2)(E), (c)(2)(F)(ii)-(v), or (e-5) or if he or she is petitioning to expunge felony records of a qualified probation pursuant to clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.

(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing. Prior to the hearing, the State's Attorney shall consult with the Department as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing.
(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation Effect of order. 

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;
(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Department shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that

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order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Department to expunge or seal records. In the event of an appeal from the circuit court order, the Department shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

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(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by this amendatory Act of the 98th General Assembly apply to all petitions pending on the effective date of this amendatory Act of the 98th General Assembly and to all orders ruling on a petition to expunge or seal on or after the effective date of this amendatory Act of the 98th General Assembly.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the

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defendant obliterated from the official index requested to be kept by the
circuit court clerk under Section 16 of the Clerks of Courts Act in
connection with the arrest and conviction for the offense for which he or
she had been pardoned but the order shall not affect any index issued by
the circuit court clerk before the entry of the order. All records sealed by
the Department may be disseminated by the Department only to the
arresting authority, the State's Attorney, and the court upon a later arrest
for the same or similar offense or for the purpose of sentencing for any
subsequent felony. Upon conviction for any subsequent offense, the
Department of Corrections shall have access to all sealed records of the
Department pertaining to that individual. Upon entry of the order of
expungement, the circuit court clerk shall promptly mail a copy of the
order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is
granted a certificate of eligibility for sealing by the Prisoner Review Board
which specifically authorizes sealing, he or she may, upon verified petition
to the Chief Judge of the circuit where the person had been convicted, any
judge of the circuit designated by the Chief Judge, or in counties of less
than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial,
have a court order entered sealing the record of arrest from the official
records of the arresting authority and order that the records of the circuit
court clerk and the Department be sealed until further order of the court
upon good cause shown or as otherwise provided herein, and the name of
the petitioner obliterated from the official index requested to be kept by
the circuit court clerk under Section 16 of the Clerks of Courts Act in
connection with the arrest and conviction for the offense for which he or
she had been granted the certificate but the order shall not affect any index
issued by the circuit court clerk before the entry of the order. All records
sealed by the Department may be disseminated by the Department only as
required by this Act or to the arresting authority, a law enforcement
agency, the State's Attorney, and the court upon a later arrest for the same
or similar offense or for the purpose of sentencing for any subsequent
felony. Upon conviction for any subsequent offense, the Department of
Corrections shall have access to all sealed records of the Department
pertaining to that individual. Upon entry of the order of sealing, the circuit
court clerk shall promptly mail a copy of the order to the person who was
granted the certificate of eligibility for sealing.

(f) Subject to available funding, the Illinois Department of
Corrections shall conduct a study of the impact of sealing, especially on

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employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 96-1532, eff. 1-1-12; 96-1551, Article 1, Section 905, eff. 7-1-11; 96-1551, Article 2, Section 925, eff. 7-1-11; 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(20 ILCS 2630/14)


(a) On or before August 1 of each year, the Department of State Police shall report to the Governor, the Attorney General, the Office of the State Appellate Defender, and both houses of the General Assembly the following information for the previous fiscal year:

   (1) the number of petitions to expunge received by the Department;

   (2) the number of petitions to expunge to which the Department objected pursuant to subdivision (d)(5)(B) of Section 5.2 of this Act;

   (3) the number of petitions to seal records received by the Department;

   (4) the number of petitions to seal records to which the Department objected pursuant to subdivision (d)(5)(B) of Section 5.2 of this Act;

   (5) the number of orders to expunge received by the Department;

   (6) the number of orders to expunge to which the Department successfully filed a motion to vacate, modify or reconsider under paragraph (12) of subsection (d) of Section 5.2 of this Act;

   (7) the number of orders to expunge records entered by the Department;

   (8) the number of orders to seal records received by the Department;

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(9) the number of orders to seal records to which the Department successfully filed a motion to vacate, modify or reconsider under paragraph (12) of subsection (d) of Section 5.2 of this Act;

(10) the number of orders to seal records entered by the Department;

(11) the amount of fees received by the Department pursuant to subdivision (d)(10) of Section 5.2 of this Act and deposited into the State Police Services Fund;

(12) the number of orders to expunge or to seal records received by the Department that have not been entered as of June 30 of the previous fiscal year.

(b) The information reported under this Section shall be made available to the public, at the time it is reported, on the official web site of the Department of State Police.

(c) Upon request of a State's Attorney or the Attorney General, the Department shall provide within 90 days a list of all orders to expunge or seal with which the Department has not yet complied. This list shall include the date of the order, the name of the petitioner, the case number, and a detailed statement of the basis for non-compliance.

(Source: P.A. 96-409, eff. 1-1-10.)

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

Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0164
(House Bill No. 3010)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Identification Act is amended by changing Section 5.2 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.

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(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.

(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:

(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.
(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.
(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.
(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (e), and (e-5) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;
(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a Class 4 felony offense listed in subsection (c)(2)(F) or the charge is amended to a Class 4 felony offense listed in subsection (c)(2)(F). Records of arrests which result in the petitioner being charged with a Class 4 felony offense listed in subsection (c)(2)(F), records of charges not initiated by arrest for Class 4 felony offenses listed in subsection (c)(2)(F), and records of charges amended to a Class 4 felony offense listed in (c)(2)(F) may be sealed, regardless of the disposition, subject to any waiting periods set forth in subsection (c)(3);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or
(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

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(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the

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aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court shall enter an expungement order as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug

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Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in Class 4 felony convictions for the following offenses:

   (i) Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012;
   (ii) Section 4 of the Cannabis Control Act;
   (iii) Section 402 of the Illinois Controlled Substances Act;
   (iv) the Methamphetamine Precursor Control Act; and
   (v) the Steroid Control Act.

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(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b) and (e), and sealing under subsections (c) and (e-5):

1. Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or
charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to seal felony records pursuant to clause (c)(2)(E), (c)(2)(F)(ii)-(v), or (e-5) or if he or she is petitioning to expunge felony records of a qualified probation pursuant to clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.
(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing, and shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Effect of order.

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon
good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the

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Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. The petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order.
(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as
required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 96-1532, eff. 1-1-12; 96-1551, Article 1, Section 905, eff. 7-1-11; 96-1551, Article 2, Section 925, eff. 7-1-11; 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 10. The Criminal Code of 2012 is amended by changing Section 11-14 as follows:

(720 ILCS 5/11-14) (from Ch. 38, par. 11-14)
Sec. 11-14. Prostitution.

(a) Any person who knowingly performs, offers or agrees to perform any act of sexual penetration as defined in Section 11-0.1 of this Code for anything of value, or any touching or fondling of the sex organs of one person by another person, for anything of value, for the purpose of sexual arousal or gratification commits an act of prostitution.

(b) Sentence.

A violation of this Section is a Class A misdemeanor, unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 4 felony. A second or subsequent violation of this Section, or any combination of convictions under this Section and Section 11-14.1 (solicitation of a sexual act), 11-14.3 (promoting prostitution), 11-14.4 (promoting juvenile prostitution), 11-15 (soliciting for a prostitute),
11-15.1 (soliciting for a juvenile prostitute), 11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of juvenile prostitution), 11-18 (patronizing a prostitute), 11-18.1 (patronizing a juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child), is a Class 4 felony.

(c) First offender; felony prostitution.

(1) Whenever any person who has not previously been convicted of or placed on probation for felony prostitution or any law of the United States or of any other state relating to felony prostitution pleads guilty to or is found guilty of felony prostitution, the court, without entering a judgment and with the consent of such person, may sentence the person to probation.

(2) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(3) The conditions of probation shall be that the person: (i) not violate any criminal statute of any jurisdiction; (ii) refrain from possessing a firearm or other dangerous weapon; (iii) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and (iv) perform no less than 30 hours of community service, provided community service is available in the jurisdiction and is funded and approved by the county board.

(4) The court may, in addition to other conditions, require that the person:

(A) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;

(B) pay a fine and costs;

(C) work or pursue a course of study or vocational training;

(D) undergo medical or psychiatric treatment; or treatment or rehabilitation by a provider approved by the Illinois Department of Human Services;

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(E) attend or reside in a facility established for the instruction or residence of defendants on probation;
(F) support his or her dependents;
(G) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug.

(5) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(6) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person and dismiss the proceedings against him or her.

(7) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this subsection is not a conviction for purposes of this Code or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(8) There may be only one discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, or Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections.

(9) If a person is convicted of prostitution within 5 years subsequent to a discharge and dismissal under this subsection, the discharge and dismissal under this subsection shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(d) Notwithstanding the foregoing, if it is determined, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of this Section is a person under the age of 18, that person shall be immune from prosecution for a prostitution offense under this Section, and shall be subject to the temporary protective custody provisions of Sections 2-5 and 2-6 of the Juvenile Court Act of 1987. Pursuant to the provisions of Section 2-6 of the Juvenile Court Act of 1987, a law enforcement officer who takes a person under 18 years of age

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into custody under this Section shall immediately report an allegation of a violation of Section 10-9 of this Code to the Illinois Department of Children and Family Services State Central Register, which shall commence an initial investigation into child abuse or child neglect within 24 hours pursuant to Section 7.4 of the Abused and Neglected Child Reporting Act.

(Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11; 97-1118, eff. 1-1-13.)

Section 15. The Cannabis Control Act is amended by changing Section 10 as follows:

(720 ILCS 550/10) (from Ch. 56 1/2, par. 710)

Sec. 10. (a) Whenever any person who has not previously been convicted of, or placed on probation or court supervision for, any offense under this Act or any law of the United States or of any State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, pleads guilty to or is found guilty of violating Sections 4(a), 4(b), 4(c), 5(a), 5(b), 5(c) or 8 of this Act, the court may, without entering a judgment and with the consent of such person, sentence him to probation.

(b) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months, and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the person: (1) not violate any criminal statute of any jurisdiction; (2) refrain from possession of a firearm or other dangerous weapon; (3) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and (4) perform no less than 30 hours of community service, provided community service is available in the jurisdiction and is funded and approved by the county board.

(d) The court may, in addition to other conditions, require that the person:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;

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(4) undergo medical or psychiatric treatment; or treatment for drug addiction or alcoholism;
(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his dependents;
(7) refrain from possessing a firearm or other dangerous weapon;
(7-5) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;
(8) and in addition, if a minor:
   (i) reside with his parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth;
   (iv) contribute to his own support at home or in a foster home.

(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge such person and dismiss the proceedings against him.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this Section is not a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime (including the additional penalty imposed for subsequent offenses under Section 4(c), 4(d), 5(c) or 5(d) of this Act).

(h) Discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, or subsection (c) of Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012 may occur only once with respect to any person.

(i) If a person is convicted of an offense under this Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act within 5 years subsequent to a discharge and
dismissal under this Section, the discharge and dismissal under this
Section shall be admissible in the sentencing proceeding for that
conviction as a factor in aggravation.
(Source: P.A. 97-1118, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 20. The Illinois Controlled Substances Act is amended by
changing Section 410 as follows:

(720 ILCS 570/410) (from Ch. 56 1/2, par. 1410)

Sec. 410. (a) Whenever any person who has not previously been
convicted of, or placed on probation or court supervision for any offense
under this Act or any law of the United States or of any State relating to
cannabis or controlled substances, pleads guilty to or is found guilty of
possession of a controlled or counterfeit substance under subsection (c) of
Section 402 or of unauthorized possession of prescription form under
Section 406.2, the court, without entering a judgment and with the consent
of such person, may sentence him or her to probation.

(b) When a person is placed on probation, the court shall enter an
order specifying a period of probation of 24 months and shall defer further
proceedings in the case until the conclusion of the period or until the filing
of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the person: (1) not
violate any criminal statute of any jurisdiction; (2) refrain from possessing
a firearm or other dangerous weapon; (3) submit to periodic drug testing at
a time and in a manner as ordered by the court, but no less than 3 times
during the period of the probation, with the cost of the testing to be paid by
the probationer; and (4) perform no less than 30 hours of community
service, provided community service is available in the jurisdiction and is
funded and approved by the county board.

(d) The court may, in addition to other conditions, require that the
person:

(1) make a report to and appear in person before or
participate with the court or such courts, person, or social service
agency as directed by the court in the order of probation;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;
(4) undergo medical or psychiatric treatment; or treatment
or rehabilitation approved by the Illinois Department of Human
Services;
(5) attend or reside in a facility established for the
instruction or residence of defendants on probation;

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(6) support his or her dependents;

(6-5) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(7) and in addition, if a minor:

(i) reside with his or her parents or in a foster home;
(ii) attend school;
(iii) attend a non-residential program for youth;
(iv) contribute to his or her own support at home or in a foster home.

(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person and dismiss the proceedings against him or her.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this Section is not a conviction for purposes of this Act or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(h) There may be only one discharge and dismissal under this Section, Section 10 of the Cannabis Control Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, or subsection (c) of Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012 with respect to any person.

(i) If a person is convicted of an offense under this Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(Source: P.A. 97-334, eff. 1-1-12; 97-1118, eff. 1-1-13; 97-1150, eff. 1-25-13.)
Section 25. The Methamphetamine Control and Community Protection Act is amended by changing Section 70 as follows:

(720 ILCS 646/70)
Sec. 70. Probation.

(a) Whenever any person who has not previously been convicted of, or placed on probation or court supervision for any offense under this Act, the Illinois Controlled Substances Act, the Cannabis Control Act, or any law of the United States or of any state relating to cannabis or controlled substances, pleads guilty to or is found guilty of possession of less than 15 grams of methamphetamine under paragraph (1) or (2) of subsection (b) of Section 60 of this Act, the court, without entering a judgment and with the consent of the person, may sentence him or her to probation.

(b) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the person:

(1) not violate any criminal statute of any jurisdiction;
(2) refrain from possessing a firearm or other dangerous weapon;
(3) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and
(4) perform no less than 30 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board.

(d) The court may, in addition to other conditions, require that the person take one or more of the following actions:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;
(4) undergo medical or psychiatric treatment; or treatment or rehabilitation approved by the Illinois Department of Human Services;

New matter indicated by italics - deletions by strikeout
(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his or her dependents;
(7) refrain from having in his or her body the presence of any illicit drug prohibited by this Act, the Cannabis Control Act, or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug; or
(8) if a minor:
   (i) reside with his or her parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth; or
   (iv) contribute to his or her own support at home or in a foster home.

(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person and dismiss the proceedings against the person.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this Section is not a conviction for purposes of this Act or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(h) There may be only one discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 10 of the Cannabis Control Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, or subsection (c) of Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012 with respect to any person.

(i) If a person is convicted of an offense under this Act, the Cannabis Control Act, or the Illinois Controlled Substances Act within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section are admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(Source: P.A. 97-1118, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 30. The Unified Code of Corrections is amended by adding Section 5-6-3.4 as follows:

(730 ILCS 5/5-6-3.4 new)
Sec. 5-6-3.4. Second Chance Probation.

(a) Whenever any person who has not previously been convicted of, or placed on probation or conditional discharge for, any felony offense under the laws of this State, the laws of any other state, or the laws of the United States, including probation under Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, subsection (c) of Section 11-14 of the Criminal Code of 2012, Treatment Alternatives for Criminal Justice Clients (TASC) under Article 40 of the Alcoholism and Other Drug Abuse and Dependency Act, or prior successful completion of the Offender Initiative Program under Section 5-6-3.3 of this Code, and pleads guilty to, or is found guilty of, a probationable felony offense of possession of a controlled substance that is punishable as a Class 4 felony; possession of methamphetamine that is punishable as a Class 4 felony; theft that is punishable as a Class 3 felony based on the value of the property or punishable as a Class 4 felony if the theft was committed in a school or place of worship or if the theft was of governmental property; retail theft that is punishable as a Class 3 felony based on the value of the property; criminal damage to property that is punishable as a Class 4 felony; criminal damage to government supported property that is punishable as a Class 4 felony; or possession of cannabis which is punishable as a Class 4 felony, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to probation under this Section.

(a-1) Exemptions. A defendant is not eligible for this probation if the offense he or she pleads guilty to, or is found guilty of, is a violent offense, or he or she has previously been convicted of a violent offense. For purposes of this probation, a "violent offense" is any offense where bodily harm was inflicted or where force was used against any person or threatened against any person, any offense involving sexual conduct, sexual penetration, or sexual exploitation, any offense of domestic violence, domestic battery, violation of an order of protection, stalking, hate crime, driving under the influence of drugs or alcohol, and any offense involving the possession of a firearm or dangerous weapon. A defendant shall not be eligible for this probation if he or she has previously been adjudicated a delinquent minor for the commission of a violent offense as defined in this subsection.

(b) When a defendant is placed on probation, the court shall enter an order specifying a period of probation of not less than 24 months and
shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the defendant:

(1) not violate any criminal statute of this State or any other jurisdiction;
(2) refrain from possessing a firearm or other dangerous weapon;
(3) make full restitution to the victim or property owner under Section 5-5-6 of this Code;
(4) obtain or attempt to obtain employment;
(5) pay fines and costs;
(6) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing the high school level test of General Educational Development (G.E.D.) or to work toward completing a vocational training program;
(7) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of probation, with the cost of the testing to be paid by the defendant; and
(8) perform a minimum of 30 hours of community service.

(d) The court may, in addition to other conditions, require that the defendant:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;
(2) undergo medical or psychiatric treatment, or treatment or rehabilitation approved by the Illinois Department of Human Services;
(3) attend or reside in a facility established for the instruction or residence of defendants on probation;
(4) support his or her dependents; or
(5) refrain from having in his or her body the presence of any illicit drug prohibited by the Methamphetamine Control and Community Protection Act, the Cannabis Control Act, or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug.

New matter indicated by italics - deletions by strikeout
(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person and dismiss the proceedings against the person.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal; however, a discharge and dismissal under this Section is not a conviction for purposes of this Code or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(h) There may be only one discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, Treatment Alternatives for Criminal Justice Clients (TASC) under Article 40 of the Alcoholism and Other Drug Abuse and Dependency Act, the Offender Initiative Program under Section 5-6-3.3 of this Code, and subsection (c) of Section 11-14 of the Criminal Code of 2012 with respect to any person.

(i) If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

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Statutes amended in order of appearance

20 ILCS 2630/5.2
720 ILCS 5/11-14 from Ch. 38, par. 11-14
720 ILCS 550/10 from Ch. 56 1/2, par. 710
720 ILCS 570/410 from Ch. 56 1/2, par. 1410
720 ILCS 646/70
730 ILCS 5/5-6-3.4 new

Passed in the General Assembly May 29, 2013.
Approved August 5, 2013.
Effective January 1, 2014.
AN ACT concerning revenue.

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

Section 5. The Illinois Income Tax Act is amended by changing Section 216 as follows:

(35 ILCS 5/216)

Sec. 216. Credit for wages paid to ex-felons.

(a) For each taxable year beginning on or after January 1, 2007, each taxpayer is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act in an amount equal to 5% of qualified wages paid by the taxpayer during the taxable year to one or more Illinois residents who are qualified ex-offenders. The total credit allowed to a taxpayer with respect to each qualified ex-offender may not exceed $1,500 for all taxable years. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(b) For purposes of this Section, "qualified wages":

(1) includes only wages that are subject to federal unemployment tax under Section 3306 of the Internal Revenue Code, without regard to any dollar limitation contained in that Section;

(2) does not include any amounts paid or incurred by an employer for any period to any qualified ex-offender for whom the employer receives federally funded payments for on-the-job training of that qualified ex-offender for that period; and

(3) includes only wages attributable to service rendered during the one-year period beginning with the day the qualified ex-offender begins work for the employer.

If the taxpayer has received any payment from a program established under Section 482(e)(1) of the federal Social Security Act with respect to a qualified ex-offender, then, for purposes of calculating the...

New matter indicated by italics - deletions by strikeout
credit under this Section, the amount of the qualified wages paid to that qualified ex-offender must be reduced by the amount of the payment.

(c) For purposes of this Section, "qualified ex-offender" means any person who:

(1) has been convicted of a crime in this State or of an offense in any other jurisdiction, not including any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act is an eligible offender, as defined under Section 5-5.5-5 of the Unified Code of Corrections;

(2) was sentenced to a period of incarceration in an Illinois adult correctional center; and

(3) was hired by the taxpayer within 3 years one year after being released from an Illinois adult correctional center.

(d) In no event shall a credit under this Section reduce the taxpayer's liability to less than zero. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset a liability, the earlier credit shall be applied first.

(e) This Section is exempt from the provisions of Section 250.

(Source: P.A. 94-1067, eff. 8-1-06.)

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

Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0166
(Senate Bill No. 2178)

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

Section 5. The School Code is amended by changing Section 22-15 as follows:

(105 ILCS 5/22-15) (from Ch. 122, par. 22-15)
Sec. 22-15. Insurance on athletes.

New matter indicated by italics - deletions by strikeout
(a) In this Section, "IHSA" means the Illinois High School Association.

(b) A public school district maintaining grades 9 through 12 shall provide catastrophic accident insurance coverage, with aggregate benefit limits of $3 million or 5 years, whichever occurs first, for eligible students in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the IHSA (including direct and uninterrupted travel to and from the athletic event as well as during a temporary stay at the location of an athletic event held away from the student's school) that results in medical expenses in excess of $50,000. These benefit limits are to be in excess of any and all other insurance, coverage or benefit, in whatever form or designation. Any public school that requires students participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the IHSA (including direct and uninterrupted travel to and from the athletic event as well as during a temporary stay at the location of an athletic event held away from the student's school) to be covered under an individual or group policy of accident and health insurance is exempt from the requirements of this Section.

Non-public schools maintaining grades 9 through 12 shall provide catastrophic accident insurance coverage, with aggregate benefit limits of $3 million or 5 years, whichever occurs first, for eligible students in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic tournaments sanctioned by the IHSA (including direct and uninterrupted travel to and from the athletic tournament as well as during a temporary stay at the location of an athletic tournament held away from the student's school) that results in medical expenses in excess of $50,000. These benefit limits are to be in excess of any and all other insurance, coverage or benefit, in whatever form or designation. Any non-public school that requires students participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the IHSA (including direct and uninterrupted travel to and from the athletic event as well as during a temporary stay at the location of an athletic event held away from the student's school) to be covered under an individual or group policy of accident and health insurance is exempt from the requirements of this Section.

(c) The IHSA has the exclusive authority to promulgate a plan of coverage necessary to ensure compliance with this Section. The IHSA
shall provide a group policy providing the coverage necessary to comply with this Section. Public school districts and non-public schools may purchase the coverage necessary to comply with this Section by participating in the group policy.

Alternatively, public school districts or non-public schools that do not participate in the group policy may obtain the coverage necessary to comply with this Section from other coverage providers, but must submit to the IHSA, 60 days before the coverage inception, a certificate of insurance from the coverage provider stating that the insurance provided by the coverage provider is in compliance with the plan of coverage approved by the IHSA. A public school district that manages schools located within a city of over 500,000 inhabitants may provide the catastrophic accident insurance coverage required by this Section through a program of self-insurance, and the public school district must submit to the IHSA, 60 days before coverage inception, proof that the program is in compliance with the plan of coverage.

(d) A public school district maintaining grades kindergarten through 8 may provide medical or hospital service, or both, through accident and health insurance on a group or individual basis, or through non-profit hospital service corporations or medical service plan corporations or both, for pupils of the district in grades kindergarten through 8 injured while participating in any athletic activity under the jurisdiction of or sponsored or controlled by the district or the authorities of any school thereof. The cost of such insurance or of subscriptions to such non-profit corporations, when paid from the funds of the district, shall, to the extent such moneys are sufficient, be paid from moneys derived from athletic activities. To the extent that moneys derived from athletic activities are insufficient, such cost may be paid from the educational fund of the district. Such insurance may be purchased from or such subscriptions may be taken in only such companies or corporations as are authorized to do business in Illinois.

(Source: P.A. 77-1554.)

Section 99. Effective date. This Act takes effect July 1, 2013.
Passed in the General Assembly May 20, 2013.
Approved August 5, 2013.
Effective August 5, 2013.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 6-103 and by adding Section 6-107.5 as follows:

(625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

Sec. 6-103. What persons shall not be licensed as drivers or granted permits. The Secretary of State shall not issue, renew, or allow the retention of any driver's license nor issue any permit under this Code:

1. To any person, as a driver, who is under the age of 18 years except as provided in Section 6-107, and except that an instruction permit may be issued under Section 6-107.1 to a child who is not less than 15 years of age if the child is enrolled in an approved driver education course as defined in Section 1-103 of this Code and requires an instruction permit to participate therein, except that an instruction permit may be issued under the provisions of Section 6-107.1 to a child who is 17 years and 3 months of age without the child having enrolled in an approved driver education course and except that an instruction permit may be issued to a child who is at least 15 years and 3 months of age, is enrolled in school, meets the educational requirements of the Driver Education Act, and has passed examinations the Secretary of State in his or her discretion may prescribe;

1.5. To any person at least 18 years of age but less than 21 years of age unless the person has, in addition to any other requirements of this Code, successfully completed an adult driver education course as provided in Section 6-107.5 of this Code.

2. To any person who is under the age of 18 as an operator of a motorcycle other than a motor driven cycle unless the person has, in addition to meeting the provisions of Section 6-107 of this Code, successfully completed a motorcycle training course approved by the Illinois Department of Transportation and successfully completes the required Secretary of State's motorcycle driver's examination;

3. To any person, as a driver, whose driver's license or permit has been suspended, during the suspension, nor to any

New matter indicated by italics - deletions by strikeout
person whose driver's license or permit has been revoked, except as provided in Sections 6-205, 6-206, and 6-208;

4. To any person, as a driver, who is a user of alcohol or any other drug to a degree that renders the person incapable of safely driving a motor vehicle;

5. To any person, as a driver, who has previously been adjudged to be afflicted with or suffering from any mental or physical disability or disease and who has not at the time of application been restored to competency by the methods provided by law;

6. To any person, as a driver, who is required by the Secretary of State to submit an alcohol and drug evaluation or take an examination provided for in this Code unless the person has successfully passed the examination and submitted any required evaluation;

7. To any person who is required under the provisions of the laws of this State to deposit security or proof of financial responsibility and who has not deposited the security or proof;

8. To any person when the Secretary of State has good cause to believe that the person by reason of physical or mental disability would not be able to safely operate a motor vehicle upon the highways, unless the person shall furnish to the Secretary of State a verified written statement, acceptable to the Secretary of State, from a competent medical specialist, a licensed physician assistant who has been delegated the performance of medical examinations by his or her supervising physician, or a licensed advanced practice nurse who has a written collaborative agreement with a collaborating physician which authorizes him or her to perform medical examinations, to the effect that the operation of a motor vehicle by the person would not be inimical to the public safety;

9. To any person, as a driver, who is 69 years of age or older, unless the person has successfully complied with the provisions of Section 6-109;

10. To any person convicted, within 12 months of application for a license, of any of the sexual offenses enumerated in paragraph 2 of subsection (b) of Section 6-205;

11. To any person who is under the age of 21 years with a classification prohibited in paragraph (b) of Section 6-104 and to

New matter indicated by italics - deletions by strikeout
any person who is under the age of 18 years with a classification prohibited in paragraph (c) of Section 6-104;

12. To any person who has been either convicted of or adjudicated under the Juvenile Court Act of 1987 based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. The Secretary of State shall not issue a new license or permit for a period of one year;

13. To any person who is under the age of 18 years and who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 or a similar out of state offense;

14. To any person who is 90 days or more delinquent in court ordered child support payments or has been adjudicated in arrears in an amount equal to 90 days' obligation or more and who has been found in contempt of court for failure to pay the support, subject to the requirements and procedures of Article VII of Chapter 7 of the Illinois Vehicle Code;

14.5. To any person certified by the Illinois Department of Healthcare and Family Services as being 90 days or more delinquent in payment of support under an order of support entered by a court or administrative body of this or any other State, subject to the requirements and procedures of Article VII of Chapter 7 of this Code regarding those certifications;

15. To any person released from a term of imprisonment for violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a law of another state relating to reckless homicide or for violating subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code.

New matter indicated by italics - deletions by strikeout
relating to aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, if the violation was the proximate cause of a death, within 24 months of release from a term of imprisonment;

16. To any person who, with intent to influence any act related to the issuance of any driver's license or permit, by an employee of the Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, promises or tenders to that person any property or personal advantage which that person is not authorized by law to accept. Any persons promising or tendering such property or personal advantage shall be disqualified from holding any class of driver's license or permit for 120 consecutive days. The Secretary of State shall establish by rule the procedures for implementing this period of disqualification and the procedures by which persons so disqualified may obtain administrative review of the decision to disqualify;

17. To any person for whom the Secretary of State cannot verify the accuracy of any information or documentation submitted in application for a driver's license; or

18. To any person who has been adjudicated under the Juvenile Court Act of 1987 based upon an offense that is determined by the court to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The person shall be denied a license or permit for the period determined by the court.

The Secretary of State shall retain all conviction information, if the information is required to be held confidential under the Juvenile Court Act of 1987.

(Source: P.A. 96-607, eff. 8-24-09; 96-740, eff. 1-1-10; 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-185, eff. 7-22-11; 97-1150, eff. 1-25-13.)
(625 ILCS 5/6-107.5 new)
Sec. 6-107.5. Adult Driver Education Course.
(a) The Secretary shall establish by rule the curriculum and designate the materials to be used in an adult driver education course.

New matter indicated by italics - deletions by strikeout
The course shall be at least 6 hours in length and shall include instruction on traffic laws; highway signs, signals, and markings that regulate, warn, or direct traffic; and issues commonly associated with motor vehicle accidents including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, texting while driving, using wireless communication devices, and alcohol and drug awareness. The curriculum shall not require the operation of a motor vehicle.

(b) The Secretary shall certify course providers. The requirements to be a certified course provider, the process for applying for certification, and the procedure for decertifying a course provider shall be established by rule.

(c) The Secretary may permit a course provider to offer the course online, if the Secretary is satisfied the course provider has established adequate procedures for verifying:

1. the identity of the person taking the course online; and
2. the person completes the entire course.

(d) The Secretary shall establish a method of electronic verification of a student's successful completion of the course.

(e) The fee charged by the course provider must bear a reasonable relationship to the cost of the course. The Secretary shall post on the Secretary of State's website a list of approved course providers, the fees charged by the providers, and contact information for each provider.

(f) In addition to any other fee charged by the course provider, the course provider shall collect a fee of $5 from each student to offset the costs incurred by the Secretary in administering this program. The $5 shall be submitted to the Secretary within 14 days of the day on which it was collected. All such fees received by the Secretary shall be deposited in the Secretary of State Driver Services Administration Fund.

Section 99. Effective date. This Act takes effect July 1, 2014.
Passed in the General Assembly May 29, 2013.
Approved August 5, 2013.
Effective July 1, 2014.
AN ACT concerning transportation, which may be referred to as "Kelsey's Law".

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-107, 6-108, and 6-301.3 as follows:

(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated, for a driver's license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult. The written consent must accompany any application for a driver's license under this subsection (b), regardless of whether or not the required written consent also accompanied the person's previous application for an instruction permit.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 9 months.

(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

New matter indicated by italics - deletions by strikeout
(3) Certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of 50 hours of behind-the-wheel practice time, at least 10 hours of which have been at night, and is sufficiently prepared and able to safely operate a motor vehicle.

(b-1) No graduated driver's license shall be issued to any applicant who is under 18 years of age and not legally emancipated, unless the applicant has graduated from a secondary school of this State or any other state, is enrolled in a course leading to a general educational development (GED) certificate, has obtained a GED certificate, is enrolled in an elementary or secondary school or college or university of this State or any other state and is not a chronic or habitual truant as provided in Section 26-2a of the School Code, or is receiving home instruction and submits proof of meeting any of those requirements at the time of application.

An applicant under 18 years of age who provides proof acceptable to the Secretary that the applicant has resumed regular school attendance or home instruction or that his or her application was denied in error shall be eligible to receive a graduated license if other requirements are met. The Secretary shall adopt rules for implementing this subsection (b-1).

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 of this Code or a similar out of state offense and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Use of Intoxicating Compounds Act, or the Methamphetamine Control and Community Protection Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle.
and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 9 months to any applicant under the age of 18 years who has committed and subsequently been convicted of an offense against traffic regulations governing the movement of vehicles, any violation of this Section or Section 12-603.1 of this Code, or who has received a disposition of court supervision for a violation of Section 6-20 of the Illinois Liquor Control Act of 1934 or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code. If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the violation, the provisions of this paragraph shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

(f) (Blank).

(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 12 months he or she holds the license or until he or she reaches the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver. If a graduated driver's license holder committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code during the first 12 months the license is held and subsequently is convicted of the violation, the provisions of this paragraph shall remain in effect until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

New matter indicated by italics - deletions by strikeout
(h) It shall be an offense for a person that is age 15, but under age 20, to be a passenger in a vehicle operated by a driver holding a graduated driver's license during the first 12 months the driver holds the license or until the driver reaches the age of 18, whichever occurs sooner, if another passenger under the age of 20 is present, excluding a sibling, step-sibling, child, or step-child of the driver.

(i) No graduated driver's license shall be issued to any applicant under the age of 18 years if the applicant has been issued a traffic citation for which a disposition has not been rendered at the time of application.

(Source: P.A. 96-607, eff. 8-24-09; 97-229, eff. 7-28-11; 97-835, eff. 7-20-12.)

(625 ILCS 5/6-108) (from Ch. 95 1/2, par. 6-108)
Sec. 6-108. Cancellation of license issued to minor.
(a) The Secretary of State shall cancel the license or permit of any minor under the age of 18 years in any of the following events:

1. Upon the verified written request of the person who consented to the application of the minor that the license or permit be cancelled;

2. Upon receipt of satisfactory evidence of the death of the person who consented to the application of the minor;

3. Upon receipt of satisfactory evidence that the person who consented to the application of a minor no longer has legal custody of the minor;

4. Upon receipt of information, submitted on a form prescribed by the Secretary of State under Section 26-3a of the School Code and provided voluntarily by nonpublic schools, that a license-holding minor no longer meets the school attendance requirements defined in Section 6-107 of this Code.

A minor who provides proof acceptable to the Secretary that the minor has resumed regular school attendance or home instruction or that his or her license or permit was cancelled in error shall have his or her license reinstated. The Secretary shall adopt rules for implementing this subdivision (a)4.

5. Upon determination by the Secretary that at the time of license issuance, the minor held an instruction permit and had a traffic citation for which a disposition had not been rendered.

After cancellation, the Secretary of State shall not issue a new license or permit until the applicant meets the provisions of Section 6-107 of this Code.

New matter indicated by italics - deletions by strikeout
(b) The Secretary of State shall cancel the license or permit of any person under the age of 18 years if he or she is convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation or until the minor attains the age of 18 years, whichever is longer. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the person's residence and person's place of employment or within the scope of the person's employment related duties, or to allow transportation for the person or a household member of the person's family for the receipt of necessary medical care or, if the professional evaluation indicates, provide transportation for the petitioner for alcohol remedial or rehabilitative activity, or for the person to attend classes, as a student, in an accredited educational institution; if the person is able to demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue a restricted driving permit for a period as he deems appropriate, except that the permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted
driving permit, require the applicant to participate in a driver remedial or rehabilitative program. Thereafter, upon reapplication for a license as provided in Section 6-106 of this Code or a permit as provided in Section 6-105 of this Code and upon payment of the appropriate application fee, the Secretary of State shall issue the applicant a license as provided in Section 6-106 of this Code or shall issue the applicant a permit as provided in Section 6-105.

(Source: P.A. 94-556, eff. 9-11-05; 94-916, eff. 7-1-07; 95-331, eff. 8-21-07.)

(625 ILCS 5/6-301.3)
Sec. 6-301.3. Invalidation of a driver's license or permit.
(a) The Secretary of State may invalidate a driver's license or permit:

(1) when the holder voluntarily surrenders the license or permit and declares his or her intention to do so in writing to the Secretary;
(2) when the Secretary receives a certified court order indicating the holder is to refrain from driving;
(3) upon the death of the holder; or
(4) as the Secretary deems appropriate by administrative rule.

(b) A driver's license or permit invalidated under this Section shall nullify the holder's driving privileges. If a license is invalidated under subdivision (a)(3) of this Section, the actual license or permit may be released to a relative of the decedent; provided, the actual license or permit bears a readily identifiable designation evidencing invalidation as prescribed by the Secretary.

(c) If a driver is issued a citation for any violation of this Code or a similar local ordinance and the violation is the proximate cause of the death or Type A injury of another, the prosecuting authority may ask the court to enter an order invalidating the driver's license or permit under paragraph (2) of subsection (a) of this Section. For purposes of this Section, Type A injury has the meaning ascribed in Section 6-108.1 of this Code.

(Source: P.A. 91-357, eff. 7-29-99.)
Passed in the General Assembly May 9, 2013.
Approved August 5, 2013.
Effective January 1, 2014.
AN ACT concerning criminal law, which may be referred to as "Patricia's Law".

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

Section 5. The Unified Code of Corrections is amended by changing Section 5-6-1 as follows:

(730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)
(Text of Section before amendment by P.A. 97-831)

Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

(1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

(2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

(3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of
the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961 or the Criminal Code of 2012: Sections 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6; 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) a felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

1. the offender is not likely to commit further crimes;
2. the defendant and the public would be best served if the offender were not to receive a criminal record; and
3. in the best interests of justice an order of supervision is more appropriate than a sentence otherwise permitted under this Code.

(c-5) Subsections (a), (b), and (c) of this Section do not apply to a defendant charged with a second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit or privileges were revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the
offense of reckless homicide, or a similar provision of a law of another state.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance when the defendant has previously been:

(1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or
(2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or
(3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if said defendant has within the last 5 years been:

(1) convicted for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012; or
(2) assigned supervision for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, Section 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

New matter indicated by italics - deletions by strikeout
(1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or
(2) if the defendant has previously been sentenced under the provisions of paragraph (c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(h-1) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision.

New matter indicated by italics - deletions by strikeout
(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension was for a violation of Section 11-501 or a similar provision of a local ordinance or a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code if the defendant has within the last 10 years been:

1. convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
2. assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(k) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance. The provisions of this paragraph (k) do not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(l) A defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance who receives a disposition of supervision under subsection (c) shall pay an additional fee of $29, to be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. In addition to the $29 fee, the person shall also pay a fee of $6, which, if not waived by the court, shall be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. The $29 fee shall be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. If the $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

New matter indicated by italics - deletions by strikeout
(m) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (m) becomes inoperative 7 years after October 13, 2007 (the effective date of Public Act 95-154).

(n) The provisions of paragraph (c) shall not apply to any person under the age of 18 who commits an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, except upon personal appearance of the defendant in court and upon the written consent of the defendant's parent or legal guardian, executed before the presiding judge. The presiding judge shall have the authority to waive this requirement upon the showing of good cause by the defendant.

(o) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the suspension was for a violation of Section 11-501.1 of the Illinois Vehicle Code and when:

(1) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code and the defendant failed to obtain a monitoring device driving permit; or

(2) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code, had subsequently obtained a monitoring device driving permit, but was driving a vehicle not equipped with a breath alcohol ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code.

(p) The provisions of paragraph (c) shall not apply to a defendant charged with violating subsection (b) of Section 11-601.5 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(Source: P.A. 96-253, eff. 8-11-09; 96-286, eff. 8-11-09; 96-328, eff. 8-11-09; 96-625, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1002, eff. 1-1-11; 96-1175, eff. 9-20-10; 96-1551, eff. 7-1-11; 97-333, eff. 8-12-11; 97-597, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(Text of Section after amendment by P.A. 97-831)
Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

(1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

(2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

(3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or

New matter indicated by italics - deletions by strikeout
felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961 or the Criminal Code of 2012: Sections 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6; 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) a felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

(1) the offender is not likely to commit further crimes;
(2) the defendant and the public would be best served if the defendant were not to receive a criminal record; and
(3) in the best interests of justice an order of supervision is more appropriate than a sentence otherwise permitted under this Code.

(c-5) Subsections (a), (b), and (c) of this Section do not apply to a defendant charged with a second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit or privileges were revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance when the defendant has previously been:

(1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or
(2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if said defendant has within the last 5 years been:

(1) convicted for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(2) assigned supervision for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, Section 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

(1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.
(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or

(2) if the defendant has previously been sentenced under the provisions of paragraph (c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(h-1) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision.

(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension
was for a violation of Section 11-501 or a similar provision of a local ordinance or a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code if the defendant has within the last 10 years been:

(1) convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(2) assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(k) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance. The provisions of this paragraph (k) do not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(l) A defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance who receives a disposition of supervision under subsection (c) shall pay an additional fee of $29, to be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. In addition to the $29 fee, the person shall also pay a fee of $6, which, if not waived by the court, shall be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. The $29 fee shall be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. If the $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(m) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (m) becomes inoperative 7 years after October 13, 2007 (the effective date of Public Act 95-154).
(n) The provisions of paragraph (c) shall not apply to any person under the age of 18 who commits an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, except upon personal appearance of the defendant in court and upon the written consent of the defendant's parent or legal guardian, executed before the presiding judge. The presiding judge shall have the authority to waive this requirement upon the showing of good cause by the defendant.

(o) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the suspension was for a violation of Section 11-501.1 of the Illinois Vehicle Code and when:

(1) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code and the defendant failed to obtain a monitoring device driving permit; or

(2) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code, had subsequently obtained a monitoring device driving permit, but was driving a vehicle not equipped with a breath alcohol ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code.

(p) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-601.5 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(q) The provisions of paragraph (c) shall not apply to a defendant charged with violating subsection (b) of Section 11-601 of the Illinois Vehicle Code when the defendant was operating a vehicle, in an urban district, at a speed in excess of 25 miles per hour over the posted speed limit.

(r) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance if the violation was the proximate cause of the death of another and the defendant's driving abstract contains a prior conviction or disposition of court supervision for any violation of the Illinois Vehicle Code, other than an equipment violation, or a suspension, revocation, or cancellation of the driver's license.

(Source: P.A. 96-253, eff. 8-11-09; 96-286, eff. 8-11-09; 96-328, eff. 8-11-09; 96-625, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1002, eff. 1-1-11; 96-
Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Passed in the General Assembly May 29, 2013.
Approved August 5, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0170
(House Bill No. 1013)

AN ACT concerning apostilles and certifications.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Secretary of State Act is amended by adding Section 5.20 as follows:
(15 ILCS 305/5.20 new)
Sec. 5.20. Apostilles and certifications.
(a) A request for an apostille or a certification shall be submitted on the form prescribed by the Secretary of State and must be accompanied by the lawful fee for the apostille or certification.
(b) The Secretary of State may refuse to issue an apostille or certification if:
   (1) the document has not been certified by the appropriate authority, if applicable;
   (2) the document has not been properly notarized in accordance with the Illinois Notary Public Act, if applicable;
   (3) the document submitted to the Secretary of State is not an original document;
   (4) the document is intended for use in the United States or in a country not party to the Hague Legalization Convention, if applicable;
   (5) the document makes a claim regarding or purports to affect citizenship, immunity, allegiance to a government or jurisdiction, sovereignty, or any similar or related matter; or

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(6) the Secretary of State has reasonable cause to believe the document may be used to accomplish any fraudulent, criminal, or unlawful purpose.

(c) A person may not remove an apostille, certification, any part of the apostille or certification, or the "great seal of the State of Illinois" from any document to which the Secretary of State has affixed it. This act or any attempt to do so shall render the apostille or certification invalid.

(d) The Secretary of State shall have the power and authority reasonably necessary to administer this Section efficiently, to perform the duties imposed by this Section, and to adopt rules relating to those duties, in accordance with the Illinois Administrative Procedure Act.

Section 10. The Criminal Code of 2012 is amended by adding Section 32-8.1 as follows:

(720 ILCS 5/32-8.1 new)

Sec. 32-8.1. Tampering with a certification by a public official.

(a) A person commits tampering with a certification by a public official when he or she knowingly, without lawful authority, and with the intent to defraud any individual, entity, public officer, or governmental unit, uses a certification or part of a certification by a public official, including but not limited to an apostille, the "great seal of the State of Illinois", or other similar certification, in connection with any document he or she knows or reasonably should know is not the original document for which the public official originally issued the certification.

(b) Sentence. Tampering with a certification by a public official is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense.

Section 99. Effective date. This Act takes effect July 1, 2013.


Approved August 5, 2013.

Effective August 5, 2013.

PUBLIC ACT 98-0171

(AN ACT concerning business.

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

Section 5. The Business Corporation Act of 1983 is amended by changing Sections 5.25 and 13.45 as follows:

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Sec. 5.25. Service of process on domestic or foreign corporation.

(a) Any process, notice, or demand required or permitted by law to be served upon a domestic corporation or a foreign corporation having authority to transact business in this State may be served either upon the registered agent appointed by the corporation or upon the Secretary of State as provided in this Section.

(b) The Secretary of State shall be irrevocably appointed as an agent of a domestic corporation or of a foreign corporation having authority upon whom any process, notice or demand may be served:

(1) Whenever the corporation shall fail to appoint or maintain a registered agent in this State, or

(2) Whenever the corporation's registered agent cannot with reasonable diligence be found at the registered office in this State, or

(3) When a domestic corporation has been dissolved, the conditions of paragraph (1) or paragraph (2) exist, and a civil action, suit or proceeding is instituted against or affecting the corporation within the five years after the issuance of a certificate of dissolution or the filing of a judgment of dissolution, or

(4) When a domestic corporation has been dissolved, the conditions of paragraph (1) or paragraph (2) exist, and a criminal proceeding has been instituted against or affecting the corporation, or

(5) When the authority of a foreign corporation to transact business in this State has been revoked or withdrawn.

(c) Service under subsection (b) shall be made by:

(1) Service on the Secretary of State, or on any clerk having charge of the corporation division of his or her office, of a copy of the process, notice or demand, together with any papers required by law to be delivered in connection with service, and a fee as prescribed by subsection (b) of Section 15.15 of this Act;

(2) Transmittal by the person instituting the action, suit or proceeding of notice of the service on the Secretary of State and a copy of the process, notice or demand and accompanying papers to the corporation being served, by registered or certified mail:

(i) At the last registered office of the corporation as shown by the records on file in the office of the Secretary of State; and

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(ii) At such address the use of which the person instituting the action, suit or proceeding knows or, on the basis of reasonable inquiry, has reason to believe, is most likely to result in actual notice; and

(3) Appendage, by the person instituting the action, suit or proceeding, of an affidavit of compliance with this Section, in substantially such form as the Secretary of State may by rule or regulation prescribe, to the process, notice or demand.

(d) Nothing herein contained shall limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

(e) The Secretary of State shall keep a record of all processes, notices, and demands served upon him or her under this Section, and shall record therein the time of such service and his or her action with reference thereto, but shall not be required to retain such information for a period longer than five years from his or her receipt of the service.

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

(805 ILCS 5/13.45) (from Ch. 32, par. 13.45)

Sec. 13.45. Withdrawal of foreign corporation. A foreign corporation authorized to transact business in this State may withdraw from this State upon filing with the Secretary of State an application for withdrawal. In order to procure such withdrawal, the foreign corporation shall:

(a) execute and file in duplicate, in accordance with Section 1.10 of this Act, an application for withdrawal and a final report, which shall set forth:

    (1) that no proportion of its issued shares is, on the date of the application, represented by business transacted or property located in this State;
    (2) that it surrenders its authority to transact business in this State;
    (3) that it revokes the authority of its registered agent in this State to accept service of process and consents that service of process in any suit, action, or proceeding based upon any cause of action arising in this State during the time the corporation was licensed to transact business in this State may thereafter be made on the corporation by service on the Secretary of State;

New matter indicated by italics - deletions by strikeout
(4) a post-office address to which may be mailed a copy of any process against the corporation that may be served on the Secretary of State;

(5) the name of the corporation and the state or country under the laws of which it is organized;

(6) a statement of the aggregate number of issued shares of the corporation itemized by classes, and series, if any, within a class, as of the date of the final report;

(7) a statement of the amount of paid-in capital of the corporation as of the date of the final report; and

(8) such additional information as may be necessary or appropriate in order to enable the Secretary of State to determine and assess any unpaid fees or franchise taxes payable by the foreign corporation as prescribed in this Act; or

(b) if it has been dissolved, file a copy of the articles of dissolution duly authenticated by the proper officer of the state or country under the laws of which the corporation was organized; or

(c) if it has been the non-survivor of a statutory merger and the surviving entity was a foreign corporation or limited liability company which had not obtained authority to transact business in this State, file a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which the corporation or limited liability company was organized; or:

(d) if it has been converted into another entity, file a copy of the articles of conversion duly authenticated by the proper officer of the state or country under the laws of which the corporation was organized.

The application for withdrawal and the final report shall be made on forms prescribed and furnished by the Secretary of State.

When the corporation has complied with subsection (a) of this Section, the Secretary of State shall file the application for withdrawal and mail a copy of the application to the corporation or its representative. If the provisions of subsection (b) of this Section have been followed, the Secretary of State shall file the copy of the articles of dissolution in his or her office.
Upon the filing of the application for withdrawal or copy of the articles of dissolution, the authority of the corporation to transact business in this State shall cease.

(Source: P.A. 92-16, eff. 6-28-01; 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

Section 10. The General Not For Profit Corporation Act of 1986 is amended by changing Section 105.25 as follows:

(805 ILCS 105/105.25) (from Ch. 32, par. 105.25)

Sec. 105.25. Service of process on domestic or foreign corporation.

(a) Any process, notice, or demand required or permitted by law to be served upon a domestic corporation or a foreign corporation having authority to conduct affairs in this State may be served either upon the registered agent appointed by the corporation or upon the Secretary of State as provided in this Section.

(b) The Secretary of State shall be irrevocably appointed as an agent of a domestic corporation or of a foreign corporation having authority upon whom any process, notice or demand may be served:

1. Whenever the corporation shall fail to appoint or maintain a registered agent in this State; or
2. Whenever the corporation's registered agent cannot with reasonable diligence be found at the registered office in this State; or
3. When a domestic corporation has been dissolved, the conditions of paragraph (1) or paragraph (2) exist, and an action, suit or proceeding is instituted against or affecting the corporation within the two years after the dissolution or the filing of a judgment of dissolution; or
4. When a domestic corporation has been dissolved, the conditions of paragraph (1) or (2) exist, and a criminal proceeding has been instituted against or affecting the corporation; or
5. When the authority of a foreign corporation to transact business has been revoked or withdrawn.

(c) Service under subsection (b) shall be made by:

1. Service on the Secretary of State, or on any clerk having charge of the corporation division at his or her office, of a copy of the process, notice or demand, together with any papers required by law to be delivered in connection with service, and a fee as prescribed by subsection (b) of Section 115.15 of this Act;
2. Transmittal by the person instituting the action, suit or proceeding of notice of the service on the Secretary of State and a
copy of the process, notice or demand and accompanying papers to
the corporation being served, by registered or certified mail:

   (i) At the last registered office of the corporation as
shown by the records on file in the office of the Secretary of
State; or

   (ii) At such address the use of which the person
institution the action, suit or proceeding knows or, on the
basis of reasonable inquiry, has reason to believe is most
likely to result in actual notice; and

   (3) Appendage by the person instituting the action, suit or
proceeding of an affidavit of compliance with this Section in
substantially such form as the Secretary of State may by rule or
regulation prescribe, to the process, notice or demand.

   (d) Nothing herein contained shall limit or affect the right to serve
any process, notice, or demand required or permitted by law to be served
upon a corporation in any other manner now or hereafter permitted by law.

   (e) The Secretary of State shall keep a record of all processes,
notices, and demands served upon him or her under this Section, and shall
record therein the time of such service and his or her action with reference
thereto but shall not be required to retain such information for a period
longer than five years from his or her receipt of the service.

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

Section 15. The Limited Liability Company Act is amended by
changing Sections 1-50, 5-5, 5-30, 35-25, 35-30, 45-5, 45-35, 45-40, and
45-50 and by adding Section 45-36 as follows:

   (805 ILCS 180/1-50)

Sec. 1-50. Service of process on limited liability company.

   (a) Any process, notice, or demand required or permitted by law to
be served upon either a limited liability company or foreign limited
liability company shall be served either upon the registered agent
appointed by the limited liability company or upon the Secretary of State
as provided in this Section.

   (b) The Secretary of State shall be irrevocably appointed as an
agent of a limited liability company upon whom any process, notice, or
demand may be served under any of the following circumstances:

   (1) Whenever the limited liability company shall fail to
appoint or maintain a registered agent in this State.

   (2) Whenever the limited liability company’s registered
agent cannot with reasonable diligence, by registered or certified

New matter indicated by italics - deletions by strikeout
mail, be found at the registered office in this State or at the principal place of business stated in the articles of organization.

(3) When a limited liability company has dissolved, the conditions of paragraph (1) and paragraph (2) exist, and a civil action, suit or proceeding is instituted against or affecting the limited liability company within 5 years after the issuance of a certificate of dissolution or the filing of a judgment of dissolution.

(4) When a domestic limited liability company has been dissolved, the conditions of paragraph (1) or paragraph (2) exist, and a criminal proceeding has been instituted against or affecting the limited liability company.

(5) When the admission of a foreign limited liability company to transact business in this State has been revoked or withdrawn.

(c) Service under subsection (b) shall be made by the person instituting the action by doing all of the following:

(1) Serving on the Secretary of State, or on any employee having responsibility for administering this Act, a copy of the process, notice, or demand, together with any papers required by law to be delivered in connection with service and paying the fee prescribed by Article 50 of this Act.

(2) Transmitting notice of the service on the Secretary of State and a copy of the process, notice, or demand and accompanying papers to the limited liability company being served, by registered or certified mail:

   (A) at the last registered office of the limited liability company shown by the records on file in the Office of the Secretary of State; and

   (B) at the address the use of which the person instituting the action, suit, or proceeding knows or, on the basis of reasonable inquiry, has reason to believe, is most likely to result in actual notice.

(3) Attaching an affidavit of compliance with this Section, in substantially the form that the Secretary of State may by rule or regulation prescribe, to the process, notice, or demand.

(d) Nothing herein contained shall limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a limited liability company in any other manner now or hereafter permitted by law.

New matter indicated by italics - deletions by strikeout
(e) The Secretary of State shall keep, for a period of 5 years from the date of service, a record of all processes, notices, and demands served upon him or her under this Section and shall record therein the time of the service and such person's action with reference thereto.

(Source: P.A. 87-1062.)

(805 ILCS 180/5-5)
Sec. 5-5. Articles of organization.
(a) The articles of organization shall set forth all of the following:

(1) The name of the limited liability company and the address of its principal place of business which may, but need not be a place of business in this State.

(2) The purposes for which the limited liability company is organized, which may be stated to be, or to include, the transaction of any or all lawful businesses for which limited liability companies may be organized under this Act.

(3) The name of its registered agent and the address of its registered office.

(4) If the limited liability company is to be managed by a manager or managers, the names and business addresses of the initial manager or managers.

(5) If management of the limited liability company is to be vested in the members under Section 15-1, then the names and addresses of the initial member or members.

(5.5) The duration of the limited liability company, which shall be perpetual unless otherwise stated.

(6) (Blank). The latest date, if any, upon which the limited liability company is to dissolve and other events of dissolution, if any, that may be agreed upon by the members under Section 35-1 hereof:

(7) The name and address of each organizer.

(8) Any other provision, not inconsistent with law, that the members elect to set out in the articles of organization for the regulation of the internal affairs of the limited liability company, including any provisions that, under this Act, are required or permitted to be set out in the operating agreement of the limited liability company.

(b) A limited liability company is organized at the time articles of organization are filed by the Secretary of State or at any later time, not
more than 60 days after the filing of the articles of organization, specified in the articles of organization.

(c) Articles of organization for the organization of a limited liability company for the purpose of accepting and executing trusts shall not be filed by the Secretary of State until there is delivered to him or her a statement executed by the Commissioner of the Office of Banks and Real Estate that the organizers of the limited liability company have made arrangements with the Commissioner of the Office of Banks and Real Estate to comply with the Corporate Fiduciary Act.

(d) Articles of organization for the organization of a limited liability company as a bank or a savings bank must be filed with the Commissioner of Banks and Real Estate or, if the bank or savings bank will be organized under federal law, with the appropriate federal banking regulator.

(Source: P.A. 93-561, eff. 1-1-04.)

(805 ILCS 180/5-30)

Sec. 5-30. Restated articles of organization. A limited liability company, whenever desired, may integrate into a single instrument all of the provisions of its articles of organization which are then in effect and operative as a result of there having previously been filed with the Secretary of State one or more instruments under this Act. The restated articles of organization shall be specifically designated as such in the heading. They shall state, either in their heading or in an introductory paragraph, (i) the company's present name if the name has been changed, (ii) the name under which documents were originally filed, and (iii) the date of filing of the original articles of organization by the Secretary of State. Restated articles of organization shall also state that they were duly executed and filed in accordance with the provisions of this Section. Restated articles of organization shall supersede the original articles of organization and all amendments thereto prior to the effective date of filing the restated articles of organization.

(Source: P.A. 87-1062.)

(805 ILCS 180/35-25)

Sec. 35-25. Grounds for administrative dissolution. The Secretary of State may dissolve any limited liability company administratively if any of the following occur:

(1) it has failed to file its annual report and pay its fee as required by this Act before the first day of the anniversary month or has failed to
pay any fees, penalties, or charges required by this Act; within 180 days of the anniversary day;

(2) it has failed to file in the Office of the Secretary of State any report after the expiration of the period prescribed in this Act for filing the report; within 180 days of the date for filing the report; or

(2.5) it has misrepresented any material matter in any application, report, affidavit, or other document submitted by the limited liability company under this Act;

(3) it has failed to appoint and maintain a registered agent in Illinois within 60 days after a registered agent's notice of resignation under Section 1-35;

(4) a manager or member to whom interrogatories have been propounded by the Secretary of State as provided in Section 5-60 of this Act fails to answer the interrogatories fully and to timely file the answer in the office of the Secretary of State; or

(5) it has tendered payment to the Secretary of State which is returned due to insufficient funds, a closed account, or for any other reason, and acceptable payment has not been subsequently tendered.

(Source: P.A. 91-354, eff. 1-1-00.)

(805 ILCS 180/35-30)

Sec. 35-30. Procedure for administrative dissolution.

(a) After the Secretary of State determines that one or more grounds exist under Section 35-25 for the administrative dissolution of a limited liability company, the Secretary of State shall send a notice of delinquency by regular mail to each delinquent limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business of the limited liability company office at which records of the limited liability company are maintained in accordance with Section 1-40 of this Act.

(b) If the limited liability company does not correct the default described in paragraphs (1) or (2) of Section 35-25 within 120 days following the date of the notice of delinquency, the Secretary of State shall thereupon dissolve the limited liability company by issuing a certificate of dissolution that recites the grounds for dissolution and its effective date. If the limited liability company does not correct the default described in paragraphs (2.5), (3), (4), or (5) of Section 35-25 within 60 days following the notice, the Secretary of State shall dissolve the limited liability company by issuing a certificate of dissolution that recites the
grounds for dissolution and its effective date. The Secretary of State shall file the original of the certificate notice in his or her office and mail one copy to the limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business of the limited liability company office at which records of the limited liability company are maintained in accordance with Section 1-40 of this Act.

(c) Upon the administrative dissolution of a limited liability company, a dissolved limited liability company shall continue for only the purpose of winding up its business. A dissolved limited liability company may take all action authorized under Section 1-30 or necessary to wind up its business and affairs and terminate.

(Source: P.A. 93-59, eff. 7-1-03.)

(805 ILCS 180/45-5)
Sec. 45-5. Admission to transact business.

(a) Except as provided in Article V of the Illinois Insurance Code, before transacting business in this State, a foreign limited liability company shall be admitted to do so by the Secretary of State. In order to be admitted, a foreign limited liability company shall submit to the Office of the Secretary of State an application for admission to transact business as a foreign limited liability company setting forth all of the following:

(1) The name of the foreign limited liability company and, if different, the name under which it proposes to transact business in this State.

(2) The jurisdiction, date of its formation, and period of duration.

(3) A certificate stating that the company is in existence under the laws of the jurisdiction wherein it is organized executed by the Secretary of State of that jurisdiction or by some other official that may have custody of the records pertaining to limited liability companies (or affidavit from an appropriate official of the jurisdiction that good standing certificates are not issued or other evidence of existence which the Secretary of State shall deem appropriate).

(4) The name and business address of the proposed registered agent in this State, which registered agent shall be an individual resident of this State, a domestic corporation, or a foreign corporation having a place of business in, and authorized to

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do business in this State; if the registered agent is a corporation, the corporation must be authorized by its articles of incorporation to act as a registered agent.

(5) The address, including street and number, rural route number or 911 address, where applicable, of its principal place of business of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal place of business of the foreign limited liability company.

(6) The purpose or purposes for which it was organized and the purpose or purposes which it proposes to conduct in the transaction of business in this State.

(7) A statement whether the limited liability company is managed by a manager or managers or whether management of the limited liability company is vested in the members.

(8) A statement that the Secretary of State is appointed the agent of the foreign limited liability company for service of process under the circumstances set forth in subsection (b) of Section 1-50.

(9) All additional information that may be necessary or appropriate in order to enable the Secretary of State to determine whether the limited liability company is entitled to transact business in this State.

(b) No foreign limited liability company shall transact in this State any business that a limited liability company formed under the laws of this State is not permitted to transact. A foreign limited liability company admitted to transact business in this State shall, until admission is revoked as provided in this Act, enjoy the same, but no greater, rights and privileges as a limited liability company formed under the laws of this State.

(c) The acceptance and filing by the Office of the Secretary of State of a foreign limited liability company’s application shall admit the foreign limited liability company to transact business in the State.

(Source: P.A. 90-424, eff. 1-1-98; 91-593, eff. 8-14-99.)

(805 ILCS 180/45-35)

Sec. 45-35. Grounds for revocation Revocation of admission.

(a) The admission of a foreign limited liability company to transact business in this State may be revoked by the Secretary of State if upon the occurrence of any of the following events:

(1) The foreign limited company has failed to:

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(A) file its limited liability company annual report and pay its fee as required by this Act before the first day of the anniversary month within the time required by Section 50-1 or has failed to pay any fees or penalties prescribed by this Act Article;

(B) appoint and maintain a registered agent in Illinois within 60 days after a registered agent's notice of resignation under Section 1-35;

(C) (blank); file a report upon any change in the name or business address of the registered agent;

(D) file in the Office of the Secretary of State any amendment to its application for admission as specified in Section 45-25 or any report after the expiration of the period prescribed in this Act for filing the report; or

(E) renew its assumed name, or to apply to change its assumed name under this Act, when the limited liability company may only transact business within this State under its assumed name in accordance with the provisions of Section 45-15 of this Act.

(2) A misrepresentation has been made of any material matter in any application, report, affidavit, or other document submitted by the foreign limited liability company under this Act Article.

(2.5) A manager or member to whom interrogatories have been propounded by the Secretary of State as provided in Section 5-60 of this Act fails to answer the interrogatories fully and to timely file the answer in the office of the Secretary of State.

(3) The Receipt by the Secretary of State receives of a certified copy of a memorandum of judgment relating to a judgment entered for money owed to a unit of local government or school district, together with a statement filed by its attorney that the judgment has not been satisfied and that no appeal has been filed.

(4) It has tendered payment to the Secretary of State which is returned due to insufficient funds, a closed account, or for any other reason, and acceptable payment has not been subsequently tendered.

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(b) (Blank). The admission of a foreign limited liability company shall not be revoked by the Secretary of State unless all of the following occur:

(1) The Secretary of State has given the foreign limited liability company not less than 60 days' notice thereof by mail addressed to its registered office in this State or, if the foreign limited liability company fails to appoint and maintain a registered agent in this State, addressed to the office required to be maintained under paragraph (5) of subsection (a) of Section 45-5:

(2) During that 60 day period, the foreign limited liability company has failed to file the limited liability company report, to pay fees or penalties, to file a report of change regarding the registered agent, to file any amendment, to correct any misrepresentation.

(c) (Blank). Upon the expiration of 120 days after the mailing of the notice, the admission of the foreign limited liability company to transact business in this State shall cease.

(Source: P.A. 95-515, eff. 8-28-07.)

(805 ILCS 180/45-36 new)

Sec. 45-36. Procedure for revocation of admission.

(a) After the Secretary of State determines that one or more grounds exist under Section 45-35 for the revocation of admission of a foreign limited liability company, the Secretary of State shall send a notice of delinquency by regular mail to each delinquent limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business.

(b) If the limited liability company does not correct the default described in item (A) or (D) of paragraph (1) of subsection (a) of Section 45-35 within 120 days following the date of the notice of delinquency, the Secretary of State shall revoke the admission of the limited liability company by issuing a certificate of revocation that recites the grounds for revocation and its effective date. If the limited liability company does not correct the default described in item (B) or (E) of paragraph (1) or paragraph (2), (2.5), (3), or (4) of subsection (a) of Section 45-35 within 60 days following the notice, the Secretary of State shall revoke the admission of the limited liability company by issuing a certificate of revocation that recites the grounds for revocation and its effective date.
The Secretary of State shall file the original of the certificate in his or her office and mail one copy to the limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business.

(c) Upon the issuance of a certificate of revocation, the admission of the limited liability company to transact business in this State shall cease and the revoked company shall not thereafter carry on any business in this State.

(805 ILCS 180/45-40)
Sec. 45-40. Withdrawal.

(a) A foreign limited liability company admitted to transact business in this State may withdraw from this State upon filing with the Secretary of State an application for withdrawal. In order to withdraw, the foreign limited liability company shall deliver to the Secretary of State an application for withdrawal, which shall set forth all of the following:

(1) The name of the limited liability company and the State or country under the laws of which it is organized.

(2) That the limited liability company is not transacting business in this State.

(3) That the limited liability company surrenders its admission to transact business in this State.

(4) That the limited liability company revokes the authority of its registered agent in this State to accept service of process and consents that service of process in any action, suit, or proceeding based upon any cause of action arising in this State during the time the limited liability company was admitted to transact business in this State may thereafter be made on the limited liability company by service thereof upon the Secretary of State.

(5) A post office address to which may be mailed a copy of any process against the limited liability company that may be served on the Secretary of State.

(6) All additional information that is necessary or appropriate in order to enable the Secretary of State to determine and assess any unpaid fees payable by the limited liability company as prescribed in this Article.

(b) The application for withdrawal shall be in the form and manner designated by the Secretary of State and shall be executed by the limited liability company.

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liability company by one of its managers or, if none, any member or
members that may be designated by the members pursuant to limited
liability company action properly taken under applicable local law or, if
the limited liability company is in the hands of a receiver or trustee, by the
receiver or trustee on behalf of the limited liability company. This report
shall be accompanied by a written declaration that it is made under the
penalties of perjury.
(Source: P.A. 87-1062.)

(805 ILCS 180/45-50)
Sec. 45-50. Action to restrain from transaction of business.
(a) The Attorney General may bring an action to restrain a foreign
limited liability company from transacting business in this State in
violation of this Article.
(b) If the authority of a foreign limited liability company to do
business in Illinois ceases because of failure to pay a judgment reported to
the Secretary of State under subdivision (a)(3) of Section 45-35, then the
Attorney General shall bring an action to restrain a foreign limited liability
company from transacting business in this State.
(Source: P.A. 95-515, eff. 8-28-07.)

Section 99. Effective date. This Act takes effect July 1, 2013.
Passed in the General Assembly May 9, 2013.
Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0172
(House Bill No. 2339)

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

Section 5. The Illinois Anatomical Gift Act is amended by
changing Sections 1-5, 1-10, 5-5, 5-15, 5-20, 5-25, 5-27, 5-35, 5-45, and
5-50 and by adding Sections 5-7, 5-12, 5-42, 5-43, 5-47, and 5-55 as
follows:

(755 ILCS 50/1-5)
Sec. 1-5. Purpose. Illinois recognizes that there is a critical
shortage of human organs and tissues available to citizens in need of organ
and tissue transplants. This shortage leads to the untimely death of many
adults and children in Illinois and across the nation each year. This Act is

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intended to implement the public policy of encouraging timely donation of human organs and tissue in Illinois, and facilitating transplantation of those organs and tissue into patients in need of them, and encouraging anatomical gifts for therapy, research, or education. Through this Act, laws relating to organ and tissue donation and transplantation are consolidated and modified for the purpose of furthering this public policy, and for the purpose of establishing consistency between this Act and the core provisions of the Revised Uniform Anatomical Gift Act drafted by the National Conference of Commissioners on Uniform State Laws.

(Source: P.A. 93-794, eff. 7-22-04.)

(755 ILCS 50/1-10) (was 755 ILCS 50/2)

Sec. 1-10. Definitions.

"Bank or storage facility" means a facility licensed, accredited or approved under the laws of any state for storage of human bodies or parts thereof.

"Close friend" means any person 18 years of age or older who has exhibited special care and concern for the decedent and who presents an affidavit to the decedent's attending physician, or the hospital administrator or his or her designated representative, stating that he or she (i) was a close friend of the decedent, (ii) is willing and able to authorize consent to the donation, and (iii) maintained such regular contact with the decedent as to be familiar with the decedent's health and social history, and religious and moral beliefs. The affidavit must also state facts and circumstances that demonstrate that familiarity.

"Death" means, for the purposes of the Act, when, according to accepted medical standards, there is (i) an irreversible cessation of circulatory and respiratory functions; or (ii) an irreversible cessation of all functions of the entire brain, including the brain stem the irreversible cessation of total brain function, according to usual and customary standards of medical practice.

"Decedent" means a deceased individual and includes a stillborn infant or fetus.

"Disinterested witness" means a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift, or another adult who exhibited special care and concern for the individual. The term does not include a person to whom an anatomical gift could pass under Section 5-12.

New matter indicated by italics - deletions by strikeout
"Document of gift" means a donor card or other record used to make an anatomical gift. The term includes a donor registry.

"Donee" means the individual designated by the donor as the intended recipient or an entity which receives the anatomical gift, including, but not limited to, a hospital; an accredited medical school, dental school, college, or university; an organ procurement organization; an eye bank; a tissue bank; for research or education, a non-transplant anatomic bank; or other appropriate person.

"Donor" means an individual whose body or part is the subject of an anatomical gift.

"Federally designated organ procurement agency" means the organ procurement agency designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located, or the organ procurement agency for which the U.S. Secretary of Health and Human Services has granted the hospital a waiver pursuant to 42 U.S.C. 1320b-8(a).

"Hospital" means a hospital licensed, accredited or approved under the laws of any state; and includes a hospital operated by the United States government, a state, or a subdivision thereof, although not required to be licensed under state laws.

"Non-transplant anatomic bank" means any facility or program operating or providing services in this State that is accredited by the American Association of Tissue Banks and that is involved in procuring, furnishing, or distributing whole bodies or parts for the purpose of medical education. For purposes of this Section, a non-transplant anatomic bank operating under the auspices of a hospital, accredited medical school, dental school, college or university, or federally designated organ procurement organization is not required to be accredited by the American Association of Tissue Banks.

"Not available" for the giving of consent or refusal means:

(1) the existence of the person is unknown to the hospital administrator or designee, organ procurement agency, or tissue bank and is not readily ascertainable through the examination of the decedent's hospital records and the questioning of any persons who are available for giving consent;

(2) the administrator or designee, organ procurement agency, or tissue bank has unsuccessfully attempted to contact the person by telephone or in any other reasonable manner; or
(3) the person is unable or unwilling to respond in a manner that indicates the person's refusal or consent:

"Organ" means a human kidney, liver, heart, lung, pancreas, small bowel, or other transplantable vascular body part as determined by the Organ Procurement and Transplantation Network, as periodically selected by the U.S. Department of Health and Human Services.

"Organ procurement organization" means the organ procurement organization designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located, or the organ procurement organization for which the Secretary of the U.S. Department of Health and Human Services has granted the hospital a waiver pursuant to 42 U.S.C. 1320b-8(a).

"Tissue" means eyes, bones, heart valves, veins, skin, and any other portions of a human body excluding blood, blood products or organs.

"Part" means organs, tissues, eyes, bones, arteries, blood, other fluids and any other portions of a human body.

"Physician" or "surgeon" means a physician or surgeon licensed or authorized to practice medicine in all of its branches under the laws of any state.

"Procurement organization" means an organ procurement organization or a tissue bank.

"Reasonably available for the giving of consent or refusal" means being able to be contacted by a procurement organization without undue effort and being willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.

"Recipient" means an individual into whose body a donor's part has been or is intended to be transplanted.

"State" includes any state, district, commonwealth, territory, insular possession, and any other area subject to the legislative authority of the United States of America.

"Technician" means an individual trained and certified to remove tissue, by a recognized medical training institution in the State of Illinois.

"Tissue" means eyes, bones, heart valves, veins, skin, and any other portions of a human body excluding blood, blood products or organs.

New matter indicated by italics - deletions by strikeout
"Tissue bank" means any facility or program operating in Illinois that is accredited by the American Association of Tissue Banks, the Eye Bank Association of America, or the Association of Organ Procurement Organizations and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them into the human body or for the purpose of research or education. "Tissue bank" does not include a licensed blood bank. For the purposes of this Act, "tissue" does not include organs or blood or blood products.

(Source: P.A. 93-794, eff. 7-22-04.)

(755 ILCS 50/5-5) (was 755 ILCS 50/3)

Sec. 5-5. Persons who may execute an anatomical gift.

(a) An anatomical gift of a donor's body or part that is to be carried out upon the donor's death may be made during the life of the donor for the purpose of transplantation, therapy, research, or education by:

(1) the donor, if the donor is an adult or if the donor is an emancipated minor;
(2) an agent of the donor, unless the power of attorney for health care or other record prohibits the agent from making an anatomical gift;
(3) a parent of the donor, if the donor is an unemancipated minor; or
(4) the donor's guardian.

Any individual of sound mind who has attained the age of 18 may give all or any part of his or her body for any purpose specified in Section 5-10. Such a gift may be executed in any of the ways set out in Section 5-20, and shall take effect upon the individual's death without the need to obtain the consent of any survivor. An anatomical gift made by an agent of an individual, as authorized by the individual under the Powers of Attorney for Health Care Law, as now or hereafter amended, is deemed to be a gift by that individual and takes effect without the need to obtain the consent of any other person.

(b) If no gift has been executed under subsection (a), an anatomical gift of a decedent's body or part for the purpose of transplantation, therapy, research, or education may be made at the time of the decedent's death, or when death is imminent, by a member of the following classes of persons who is reasonably available for the giving of authorization or refusal, in the order of priority listed any of the following:

New matter indicated by italics - deletions by strikeout
persons, in the order of priority stated in items (1) through (11) below, when persons in prior classes are not available for the giving of authorization consent or refusal and in the absence of (i) actual notice of contrary intentions by the decedent and (ii) actual notice of opposition by any member within the same priority class, may consent to give all or any part of the decedent's body after or immediately before death to a person who may become a donee for any purpose specified in Section 5-10:

(1) an individual acting as the decedent's agent under a power of attorney for health care;
(2) the guardian of the person of the decedent;
(3) the spouse or civil union partner of the decedent;
(4) an adult child of the decedent;
(5) a parent of the decedent;
(6) an adult sibling of the decedent;
(7) an adult grandchild of the decedent;
(8) a grandparent of the decedent;
(9) a close friend of the decedent;
(10) the guardian of the estate of the decedent; and
(2) the decedent's surrogate decision maker identified by the attending physician in accordance with the Health Care Surrogate Act.
(3) the guardian of the decedent's person at the time of death;
(4) the decedent's spouse;
(5) any of the decedent's adult sons or daughters;
(6) either of the decedent's parents;
(7) any of the decedent's adult brothers or sisters;
(8) any adult grandchild of the decedent;
(9) a close friend of the decedent;
(10) the guardian of the decedent's estate;
(11) any other person authorized or under legal obligation to dispose of the body.

If the donee has actual notice of opposition to the gift by the decedent or any person in the highest priority class in which an available person can be found, then no gift of all or any part of the decedent's body shall be accepted.

(b-5) If there is more than one member of a class listed in item (2), (4), (5), (6), or (7) of subsection (b) of this Section entitled to make an anatomical gift, an anatomical gift may be made by a member of the class...
unless that member or a person to which the gift may pass under Section 5-12 knows of an objection by another member of the class. If an objection is known, the gift may be made only by a majority of the members of the class who are reasonably available for the giving of authorization or refusal.

(b-10) A person may not make an anatomical gift if, at the time of the decedent's death, a person in a higher priority class under subsection (b) of this Section is reasonably available for the giving of authorization or refusal.

(c) A gift of all or part of a body authorizes any blood or tissue test or minimally invasive examination necessary to assure medical acceptability of the gift for the purposes intended. The hospital shall, to the extent possible and in accordance with any agreement with the organ procurement organization or tissue bank, take measures necessary to maintain the medical suitability of the part until the procurement organization has had the opportunity to advise the applicable persons as set forth in this Act of the option to make an anatomical gift or has ascertained that the individual expressed a contrary intent and has so informed the hospital. The results of tests and examinations under this subsection shall be used or disclosed only for purposes of evaluating medical suitability for donation, to facilitate the donation process, and as required or permitted by existing law.

(d) The rights of the donee created by the gift are paramount to the rights of others except as provided by Section 5-45(d).

(e) If no gift has been executed under this Act, then no part of the decedent's body may be used for any purpose specified in this Act.

(755 ILCS 50/5-7 new)

Sec. 5-7. Preclusive effect of anatomical gift, amendment, or revocation.

(a) Subject to subsection (f) of this Section, in the absence of an express, contrary indication by the donor, a person other than the donor is barred from changing, amending, or revoking an anatomical gift of a donor's body or part if the donor made an anatomical gift of the donor's body or part under Section 5-20 or an amendment to an anatomical gift of the donor's body or part under Section 5-42.

(b) A donor's revocation of an anatomical gift of the donor's body or part under Section 5-42 is not a refusal and does not bar another person specified in subsection (a) or (b) of Section 5-5 from making an
anatomical gift of the donor's body or part under subsection (a), (b), (e), or (e-5) of Section 5-20.

(c) If a person other than the donor makes an unrevoked anatomical gift of the donor's body or part under subsection (a) or (b) of Section 5-20, or an amendment to an anatomical gift of the donor's body or part under Section 5-42, another person may not make, amend, or revoke the gift of the donor's body or part under subsection (e) or (e-5) of Section 5-20.

(d) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift, a revocation of an anatomical gift of a donor's body or part under Section 5-42 by a person other than the donor does not bar another person from making an anatomical gift of the body or part under subsection (a), (b), (e), or (e-5) of Section 5-20.

(e) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under subsection (a) of Section 5-5, an anatomical gift of a part is neither a refusal to give another part nor a limitation on the making of an anatomical gift of another part at a later time by the donor or another person.

(f) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under subsection (a) of Section 5-5, an anatomical gift of a part for one or more of the purposes set forth in subsection (a) of Section 5-5 is not a limitation on the making of an anatomical gift of the part for any of the other purposes by the donor or any other person under subsection (a), (b), (b-5), (b-10), (e), or (e-5) of Section 5-20.

(755 ILCS 50/5-12 new)

Sec. 5-12. Persons who may receive an anatomical gift; purpose of anatomical gift.

(a) An anatomical gift may be made to the following persons named in the document of gift:

1. for research or education, a hospital; an accredited medical school, dental school, college, or university; an organ procurement organization; or other appropriate person;
2. subject to subsection (b) of this Section, an individual designated by the person making the anatomical gift if the individual is the recipient of the part;
3. an eye bank or tissue bank; or

New matter indicated by italics - deletions by strikeout
(4) for research or education, a non-transplant anatomic bank.

(b) If an anatomical gift to an individual under item (2) of subsection (a) of this Section cannot be transplanted into the individual, the part passes in accordance with subsection (g) of this Section unless there is an express, contrary indication by the person making the anatomical gift.

(c) If an anatomical gift of one or more specific parts or of all parts is made in a document of gift that does not name a person described in subsection (a) of this Section, but identifies the purpose for which an anatomical gift may be used, the following rules apply:

(1) If the part is an eye and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate eye bank.

(2) If the part is tissue and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate tissue bank.

(3) If the part is an organ and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate organ procurement organization as custodian of the organ.

(4) If the part is an organ, an eye, or tissue and the gift is for the purpose of research or education, the gift passes to the appropriate procurement organization.

(d) For the purpose of subsection (c) of this Section, if there is more than one purpose of an anatomical gift set forth in the document of gift but the purposes are not set forth in any priority, and if the gift cannot be used for transplantation or therapy, the gift may be used for research or education.

(e) If an anatomical gift of one or more specific parts is made in a document of gift that does not name a person described in subsection (a) of this Section and does not identify the purpose of the gift, the gift may be used only for transplantation or therapy or research, and the gift passes in accordance with subsection (g) of this Section.

(f) If a document of gift specifies only a general intent to make an anatomical gift by words such as "donor", "organ donor", or "body donor", or by a symbol or statement of similar import, the gift may be used only for transplantation or therapy or research, and the gift passes in accordance with subsection (g) of this Section.

New matter indicated by italics - deletions by strikeout
(g) For purposes of subsections (b), (e), and (f) of this Section, the following rules apply:

(1) If the part is an eye, the gift passes to the appropriate eye bank.

(2) If the part is tissue, the gift passes to the appropriate tissue bank.

(3) If the part is an organ, the gift passes to the appropriate organ procurement organization as custodian of the organ.

(h) An anatomical gift of an organ for transplantation or therapy, other than an anatomical gift under item (2) of subsection (a) of this Section, passes to the organ procurement organization as custodian of the organ.

(i) If an anatomical gift does not pass under this Section or the decedent's body or part is not used for transplantation, therapy, research, or education, custody of the body or part passes to the person under obligation to dispose of the body or part.

(j) A person may not accept an anatomical gift if the person knows that the gift was not effectively made under Section 5-5 or subsection (e) or (e-5) of Section 5-20 or if the person knows that the decedent made a refusal under Section 5-43 that was not revoked.

(k) Except as otherwise provided in item (2) of subsection (a) of this Section, nothing in this Act affects the allocation of organs for transplantation or therapy.

(755 ILCS 50/5-15) (was 755 ILCS 50/4.5)

Sec. 5-15. Disability of recipient.

(a) No hospital, physician and surgeon, procurement organization bank or storage facility, or other person shall determine the ultimate recipient of an anatomical gift based upon a potential recipient's physical or mental disability, except to the extent that the physical or mental disability has been found by a physician and surgeon, following a case-by-case evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift.

(b) Subsection (a) shall apply to each part of the organ transplant process.

(c) The court shall accord priority on its calendar and handle expeditiously any action brought to seek any remedy authorized by law for purposes of enforcing compliance with this Section.

New matter indicated by italics - deletions by strikeout
(d) This Section shall not be deemed to require referrals or recommendations for or the performance of medically inappropriate organ
transplants.

(e) As used in this Section "disability" has the same meaning as in
the federal Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et
seq., Public Law 101-336) as may be amended from time to time.
(Source: P.A. 93-794, eff. 7-22-04.)

(755 ILCS 50/5-20) (was 755 ILCS 50/5)
Sec. 5-20. Manner of Executing Anatomical Gifts.
(a) A donor may make an anatomical gift:
   (1) by authorizing a statement or symbol indicating that the
donor has made an anatomical gift to be imprinted on the donor's
driver's license or identification card;
   (2) in a will;
   (3) during a terminal illness or injury of the donor, by any
form of communication addressed to at least 2 adults, at least one
of whom is a disinterested witness; or
   (4) as provided in subsection (b) of this Section.

A gift of all or part of the body under Section 5-5 (a) may be made
by will. The gift becomes effective upon the death of the testator without
waiting for probate. If the will is not probated, or if it is declared invalid
for testamentary purposes, the gift, to the extent that it has been acted upon
in good faith, is nevertheless valid and effective.

(b) A donor or other person authorized to make an anatomical gift
under subsection (a) of Section 5-5 may make a gift by a donor card or
other record signed by the donor or other person making the gift or by
authorizing that a statement or symbol indicating that the donor has made
an anatomical gift be included on a donor registry. If the donor or other
person is physically unable to sign a record, the record may be signed by
another individual at the direction of the donor or other person and must:
   (1) be witnessed by at least 2 adults, at least one of whom is
a disinterested witness, who have signed at the request of the
donor or the other person; and
   (2) state that it has been signed and witnessed as provided
in paragraph (1) of this subsection (b).

A gift of all or part of the body under Section 5-5 (a) may also be
made by a written, signed document other than a will. The gift becomes
effective upon the death of the donor. The document, which may be a card
or a valid driver's license designed to be carried on the person, is effective

New matter indicated by italics - deletions by strikeout
without regard to the presence or signature of witnesses. Such a gift may also be made by properly executing the form provided by the Secretary of State on the reverse side of the donor's driver's license pursuant to subsection (b) of Section 6-110 of The Illinois Vehicle Code. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid.

(b-1) A gift under Section 5-5 (a) may also be made by an individual consenting to have his or her name included in the First Person Consent organ and tissue donor registry maintained by the Secretary of State under Section 6-117 of the Illinois Vehicle Code. An individual's consent to have his or her name included in the First Person Consent organ and tissue donor registry constitutes full legal authority for the donation of any of his or her organs or tissue for purposes of transplantation, therapy, or research. Consenting to be included in the First Person Consent organ and tissue donor registry is effective without regard to the presence or signature of witnesses.

(b-5) Revocation, suspension, expiration, or cancellation of a driver's license or identification card upon which an anatomical gift is indicated does not invalidate the gift.

(b-10) An anatomical gift made by will takes effect upon the donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.

(c) The anatomical gift may be made to a specified donee or without specifying a donee. If the latter, the gift may be accepted by the attending physician as donee upon or following death: If the gift is made to a specified donee who is not available at the time and place of death, then if made for the purpose of transplantation, it shall be effectuated in accordance with Section 5-25, and if made for any other purpose the attending physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee.

(d) The donee or other person authorized to accept the gift pursuant to Section 5-12 may employ or authorize any qualified technician, surgeon, or physician to perform the recovery. Notwithstanding Section 5-45 (b), the donor may designate in his will, card, or other document of gift the surgeon or physician to carry out the appropriate procedures. In the absence of a designation or if the designee is not available, the donee or other person authorized to accept the gift may employ or authorize any surgeon or physician for the purpose.
(e) A person authorized to make an anatomical gift under subsection (b) of Section 5-5 may make an anatomical gift by a document of gift signed by the person making the gift or by that person's oral communication that is electronically recorded or is contemporaneously reduced to a record and signed by the individual receiving the oral communication. Any gift by a person designated in Section 5-5 (b) shall be made by a document signed by him or made by his telegraphic, recorded telephonic, or other recorded message.

(e-5) An anatomical gift by a person authorized under subsection (b) of Section 5-5 may be amended or revoked orally or in a record by a member of a prior class who is reasonably available for the giving of authorization or refusal. If more than one member of the prior class is reasonably available for the giving of authorization or refusal, the gift made by a person authorized under subsection (b) of Section 5-5 may be:

1. amended only if a majority of the class members reasonably available for the giving of authorization or refusal agree to the amending of the gift; or

2. revoked only if a majority of the class members reasonably available for the giving of authorization or refusal agree to the revoking of the gift or if they are equally divided as to whether to revoke the gift.

(e-10) A revocation under subsection (e-5) is effective only if, before an incision has been made to remove a part from the donor's body or before invasive procedures have been commenced to prepare the recipient, the procurement organization, non-transplant anatomic bank, transplant hospital, or physician or technician knows of the revocation.

(f) When there is a suitable candidate for organ donation and a donation or consent to donate has not yet been given, procedures to preserve the decedent's body for possible organ and tissue donation may be implemented under the authorization of the applicable organ procurement organization agency, at its own expense, prior to making a donation request pursuant to Section 5-25. If the organ procurement organization agency does not locate a person authorized to consent to donation or consent to donation is denied, then procedures to preserve the decedent's body shall be ceased and no donation shall be made. The organ procurement organization agency shall respect the religious tenets of the decedent, if known, such as a pause after death, before initiating preservation services. Nothing in this Section shall be construed to...
authorize interference with the coroner in carrying out an investigation or autopsy.
(Source: P.A. 93-794, eff. 7-22-04; 94-75, eff. 1-1-06; 94-920, eff. 1-1-07.)

(755 ILCS 50/5-25)
Sec. 5-25. Notification; authorization consent.
(a) Each hospital in this State shall enter into agreements or affiliations with procurement organizations for coordination of procurement and use of anatomical gifts. When, based upon generally accepted medical standards, an inpatient in a general acute care hospital with more than 100 beds is a suitable candidate for organ or tissue donation and the patient has not made an anatomical gift of all or any part of his or her body pursuant to Section 5-20 of this Act, the hospital
(b) Hospitals shall proceed in accordance with the applicable requirements of 42 CFR 482.45 or any successor provisions of federal statute or regulation, as may be amended from time to time, with regard to collaboration with procurement organizations to facilitate organ, tissue, and eye donation and the written agreement between the hospital and the applicable organ procurement agency executed thereunder.

(b) In making a request for organ or tissue donation, the hospital or the hospital's federally designated organ procurement organization agency or tissue bank shall request any of the following persons, in the order of priority stated in items (1) through (11) below, when persons in prior classes are not available and in the absence of (i) actual notice of contrary intentions by the decedent, (ii) actual notice of opposition by any member within the same priority class, and (iii) reason to believe that an anatomical gift is contrary to the decedent's religious beliefs, to authorize consent to the gift of all or any part of the decedent's body for any purpose specified in Section 5-12 5-10 of this Act:

(1) an individual acting as the decedent's agent under a power of attorney for health care;
(2) the guardian of the person of the decedent;
(3) the spouse or civil union partner of the decedent;
(4) an adult child of the decedent;
(5) a parent of the decedent;
(6) an adult sibling of the decedent;
(7) an adult grandchild of the decedent;
(8) a grandparent of the decedent;
(9) a close friend of the decedent;
(10) the guardian of the estate of the decedent; and
(2) the decedent’s surrogate decision maker identified by
the attending physician in accordance with the Health Care
Surrogate Act;
(3) the guardian of the decedent’s person at the time of
death;
(4) the decedent’s spouse;
(5) any of the decedent’s adult sons or daughters;
(6) either of the decedent’s parents;
(7) any of the decedent’s adult brothers or sisters;
(8) any adult grandchild of the decedent;
(9) a close friend of the decedent;
(10) the guardian of the decedent’s estate; or
(11) any other person authorized or under legal obligation
to dispose of the body.

(c) (Blank). If (1) the hospital, the applicable organ procure-
ment agency, or the tissue bank has actual notice of opposition to the gift by the
decedent or any person in the highest priority class in which an available
person can be found, or (2) there is reason to believe that an anatomical
gift is contrary to the decedent’s religious beliefs, or (3) the Director of
Public Health has adopted a rule signifying his or her determination that
the need for organs and tissues for donation has been adequately met, then
the gift of all or any part of the decedent’s body shall not be requested. If a
donation is requested, consent or refusal may be obtained only from the
person or persons in the highest priority class available. If the hospital
administrator, or his or her designated representative, the designated organ
procurement agency, or the tissue bank is unable to obtain consent from
any of the persons named in items (1) through (11) of subsection (b) of
this Section, the decedent’s body shall not be used for an anatomical gift
unless a valid anatomical gift document was executed under this Act.

(d) (Blank). When there is a suitable candidate for organ donation,
as described in subsection (a), or if consent to remove organs and tissues is
granted, the hospital shall notify the applicable federally designated organ
procurement agency. The federally designated organ procurement agency
shall notify any tissue bank specified by the hospital of the suitable
candidate for tissue donation. The organ procurement agency shall
collaborate with all tissue banks in Illinois to maximize tissue procurement
in a timely manner.
(Source: P.A. 93-794, eff. 7-22-04.)
Sec. 5-27. Notification of patient; family rights and options after circulatory death.

(a) In this Section, "donation after circulatory cardiac death" means the donation of organs from a ventilated patient whose death is declared based upon cardiopulmonary, and not neurological, criteria, following the implementation of the decision to withdraw life support without a certification of brain death and with a do-not-resuscitate order, if a decision has been reached by the physician and the family to withdraw life support and if the donation does not occur until after the declaration of cardiac death.

(b) If (i) a potential organ donor, or an individual given authority under subsection (b) of Section 5-25 to consent to an organ donation, expresses an interest in organ donation, (ii) there has not been a certification of brain death for the potential donor, and (iii) the potential donor is a patient at a hospital that does not allow donation after circulatory cardiac death, then the organ procurement organization agency shall inform the patient or the individual given authority to consent to organ donation that the hospital does not allow donation after circulatory cardiac death.

(c) In addition to providing oral notification, the organ procurement organization agency shall develop a written form that indicates to the patient or the individual given authority to consent to organ donation, at a minimum, the following information:

(1) That the patient or the individual given authority to consent to organ donation has received literature and has been counseled by (representative's name) of the (organ procurement organization agency name).

(2) That all organ donation options have been explained to the patient or the individual given authority to consent to organ donation, including the option of donation after circulatory cardiac death.

(3) That the patient or the individual given authority to consent to organ donation is aware that the hospital where the potential donor is a patient does not allow donation after circulatory cardiac death.

(4) That the patient or the individual given authority to consent to organ donation has been informed of the right to request
a patient transfer to a facility allowing donation after circulatory cardiac death.

(5) That the patient or the individual given authority to consent to organ donation has been informed of another hospital that will allow donation after circulatory cardiac death and will accept a patient transfer for the purpose of donation after circulatory cardiac death; and that the cost of transferring the patient to that other hospital will be covered by the organ procurement organization agency, with no additional cost to the patient or the individual given authority to consent to organ donation.

The form required under this subsection must include a place for the signatures of the patient or the individual given authority to consent to organ donation and the representative of the organ procurement organization agency and space to provide the date that the form was signed.

(Source: P.A. 95-331, eff. 8-21-07.)

(755 ILCS 50/5-35) (was 755 ILCS 50/6)

Sec. 5-35. Delivery of document of anatomical gift not required; right to examine Document of Gift.

(a) A document of gift need not be delivered during the donor's lifetime to be effective.

(b) Upon or after an individual's death, a person in possession of a document of gift or a refusal to make an anatomical gift with respect to the individual shall allow examination and copying of the document of gift or refusal by a person authorized to make or object to the making of an anatomical gift with respect to the individual or by a person to which the gift could pass under Section 5-12. If the gift is made by the donor to a specified donee, the will, card, or other document, or an executed copy thereof, may be delivered to the donee to expedite the appropriate procedures immediately after death. Delivery is not necessary to the validity of the gift. The will, card, or other document, or an executed copy thereof, may be deposited in any hospital, bank or storage facility, or registry office that accepts it for safekeeping or for facilitation of procedures after death. On request of any interested party upon or after the donor's death, the person in possession shall produce the document for examination.

(Source: P.A. 93-794, eff. 7-22-04.)

(755 ILCS 50/5-42 new)
Sec. 5-42. Amending or revoking anatomical gift before donor's death.

(a) Subject to Section 5-7, a donor or other person authorized to make an anatomical gift under subsection (a) of Section 5-5 may amend or revoke an anatomical gift by:

(1) a record signed by:
   (A) the donor;
   (B) the other authorized person; or
   (C) subject to subsection (b) of this Section, another individual acting at the direction of the donor or the other person if the donor or other person is physically unable to sign; or

(2) a later-executed document of gift that amends or revokes a previous anatomical gift or portion of an anatomical gift, either expressly or by inconsistency.

(b) A record signed under subdivision (a)(1)(C) of this Section must:

(1) be witnessed by at least 2 adults, at least one of whom is a disinterested witness, who have signed at the request of the donor or the other person; and

(2) state that it has been signed and witnessed as provided in paragraph (1) of this subsection (b).

(c) Subject to Section 5-7, a donor or other person authorized to make an anatomical gift under subsection (a) of Section 5-5 may revoke an anatomical gift by the destruction or cancellation of the document of gift, or the portion of the document of gift used to make the gift, with the intent to revoke the gift.

(d) A donor may amend or revoke an anatomical gift that was not made in a will by any form of communication during a terminal illness or injury addressed to at least 2 adults, at least one of whom is a disinterested witness.

(e) A donor who makes an anatomical gift in a will may amend or revoke the gift in the manner provided for amendment or revocation of wills or as provided in subsection (a) of this Section.

(755 ILCS 50/5-43 new)

Sec. 5-43. Refusal to make anatomical gift; effect of refusal.

(a) An individual may refuse to make an anatomical gift of the individual's body or part by:

(1) a record signed by:

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(A) the individual; or
(B) subject to subsection (b) of this Section, another individual acting at the direction of the individual if the individual is physically unable to sign;
(2) the individual’s will, whether or not the will is admitted to probate or invalidated after the individual’s death; or
(3) any form of communication made by the individual during the individual’s terminal illness or injury addressed to at least 2 adults, at least one of whom is a disinterested witness.
(b) A record signed under subdivision (a)(1)(B) of this Section must:
(1) be witnessed by at least 2 adults, at least one of whom is a disinterested witness, who have signed at the request of the individual; and
(2) state that it has been signed and witnessed as provided in paragraph (1) of this subsection (b).
(c) An individual who has made a refusal may amend or revoke the refusal:
(1) in the manner provided in subsection (a) of this Section for making a refusal;
(2) by subsequently making an anatomical gift under subsection (a), (b), (b-5), or (b-10) of Section 5-20 that is inconsistent with the refusal; or
(3) by destroying or canceling the record evidencing the refusal, or the portion of the record used to make the refusal, with the intent to revoke the refusal.
(d) In the absence of an express, contrary indication by the individual set forth in the refusal, an individual’s unrevoked refusal to make an anatomical gift of the individual’s body or part bars all other persons from making an anatomical gift of the individual’s body or part.

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disposition is to take place. If the gift is of a part of the body, the donee or technician designated by him upon the death of the donor and prior to embalming, shall cause the part to be removed without unnecessary mutilation and without undue delay in the release of the body for the purposes of final disposition. After removal of the part, custody of the remainder of the body vests in the surviving spouse, next of kin, or other persons under obligation to dispose of the body, in the order of priority listed in subsection (b) of Section 5-5 of this Act.

(b) The time of death shall be determined by a physician who attends the donor at his death, or, if none, the physician who certifies the death. The physician shall not participate in the procedures for removing or transplanting a part.

(c) A person who acts or attempts in good faith to act in accordance with this Act, the Illinois Vehicle Code, the AIDS Confidentiality Act, or the applicable anatomical gift law of another state is not liable for the act in a civil action, criminal prosecution, or administrative proceeding. Neither the person making an anatomical gift nor the donor's estate is liable for any injury or damage that results from the making or use of the gift. In determining whether an anatomical gift has been made, amended, or revoked under this Act, a person may rely upon representations of an individual listed in item (2), (3), (4), (5), (6), (7), or (8) of subsection (b) of Section 5-5 relating to the individual's relationship to the donor or prospective donor unless the person knows that the representation is untrue. A person who acts in good faith in accord with the terms of this Act, the Illinois Vehicle Code, and the AIDS Confidentiality Act, or the anatomical gift laws of another state or a foreign country, is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his act. Any person that participates in good faith and according to the usual and customary standards of medical practice in the preservation, removal, or transplantation of any part of a decedent's body pursuant to an anatomical gift made by the decedent under Section 5-20 of this Act or pursuant to an anatomical gift made by an individual as authorized by subsection (b) of Section 5-5 of this Act shall have immunity from liability, civil, criminal, or otherwise, that might result by reason of such actions. For the purpose of any proceedings, civil or criminal, the validity of an anatomical gift executed pursuant to Section 5-20 of this Act shall be presumed and the good faith of any person participating in the removal or transplantation of

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any part of a decedent's body pursuant to an anatomical gift made by the decedent or by another individual authorized by the Act shall be presumed.

(d) This Act is subject to the provisions of "An Act to revise the law in relation to coroners", approved February 6, 1874, as now or hereafter amended, to the laws of this State prescribing powers and duties with respect to autopsies, and to the statutes, rules, and regulations of this State with respect to the transportation and disposition of deceased human bodies.

(e) If the donee is provided information, or determines through independent examination, that there is evidence that the anatomical gift was exposed to the human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS), the donee may reject the gift and shall treat the information and examination results as a confidential medical record; the donee may disclose only the results confirming HIV exposure, and only to the physician of the deceased donor. The donor's physician shall determine whether the person who executed the gift should be notified of the confirmed positive test result.

(Source: P.A. 93-794, eff. 7-22-04; 94-75, eff. 1-1-06; 94-920, eff. 1-1-07.)

(755 ILCS 50/5-47 new)

Sec. 5-47. Rights and duties of procurement organizations and others.

(a) When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of the records of the Secretary of State and any donor registry that it knows exists for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

(b) A procurement organization shall be allowed reasonable access to information in the records of the Secretary of State to ascertain whether an individual at or near death is a donor.

(c) Unless prohibited by law other than this Act, at any time after a donor's death, the person to which a part passes under Section 5-12 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

(d) Unless prohibited by law other than this Act, an examination under subsection (c) may include an examination of all medical and dental records of the donor or prospective donor.
(e) Upon referral by a hospital under subsection (a) of this Section, a procurement organization shall make a reasonable search for any person listed in subsection (b) of Section 5-5 having priority to make an anatomical gift on behalf of a prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

(f) Subject to subsection (i) of Section 5-12, the rights of the person to which a part passes under Section 5-12 are superior to the rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and this Act, a person who accepts an anatomical gift of an entire body may allow embalming, burial or cremation, and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under Section 5-12, upon the death of the donor and before embalming, burial, or cremation, shall cause the part to be removed without unnecessary mutilation.

(g) Neither the physician who attends the decedent at death nor the physician who determines the time of the decedent’s death may participate in the procedures for removing or transplanting a part from the decedent.

(h) A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

(755 ILCS 50/5-50) (was 755 ILCS 50/8.1)

Sec. 5-50. Payment for anatomical gift.

(a) Except as provided in subsection (b), any person who knowingly pays or offers to pay any financial consideration to a donor or to any of the persons listed in subsection (b) of Section 5-5 for making or authorizing consenting to an anatomical gift shall be guilty of a Class A misdemeanor for the first conviction and a Class 4 felony for subsequent convictions.

(b) This Section does not prohibit reimbursement for reasonable costs associated with the removal, processing, preservation, quality control, storage, transportation, implantation, or disposal removal, storage or transportation of a human body or part thereof pursuant to an anatomical gift executed pursuant to this Act.

(Source: P.A. 93-794, eff. 7-22-04.)

(755 ILCS 50/5-55 new)

Sec. 5-55. Law governing validity; choice of law as to the execution of document of anatomical gift; presumption of validity.

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(a) A document of gift is valid if executed in accordance with:
   (1) this Act;
   (2) the laws of the state or country where it was executed;
   or
   (3) the laws of the state or country where the person making the anatomical gift was domiciled, had a place of residence, or was a national at the time the document of gift was executed.

(b) If a document of gift is valid under this Section, the law of this State governs the interpretation of the document of gift.

(c) A person may presume that a document of gift or amendment of an anatomical gift is valid unless that person knows that it was not validly executed or was revoked.

(755 ILCS 50/5-10 rep.)
(755 ILCS 50/5-30 rep.)
(755 ILCS 50/5-40 rep.)

Section 10. The Illinois Anatomical Gift Act is amended by repealing Sections 5-10, 5-30, and 5-40.

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 5, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0173
(House Bill No. 2540)

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

Section 5. The Prevailing Wage Act is amended by changing Section 9 as follows:

(820 ILCS 130/9) (from Ch. 48, par. 39s-9)

Sec. 9. To effectuate the purpose and policy of this Act each public body shall, during the month of June of each calendar year, investigate and ascertain the prevailing rate of wages as defined in this Act and publicly post or keep available for inspection by any interested party in the main office of such public body its determination of such prevailing rate of wage and shall promptly file, no later than July 15 of each year, a certified

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The Department of Labor shall during the month of June of each calendar year, investigate and ascertain the prevailing rate of wages for each county in the State. If a public body does not investigate and ascertain the prevailing rate of wages during the month of June as required by the previous paragraph, then the prevailing rate of wages for that public body shall be the rate as determined by the Department under this paragraph for the county in which such public body is located.

Where the Department of Labor ascertains the prevailing rate of wages, it is the duty of the Department of Labor within 30 days after receiving a notice from the public body authorizing the proposed work, to conduct an investigation to ascertain the prevailing rate of wages as defined in this Act and such investigation shall be conducted in the locality in which the work is to be performed. The Department of Labor shall send a certified copy of its findings to the public body authorizing the work and keep a record of its findings available for inspection by any interested party in the office of the Department of Labor at Springfield.

The public body except for the Department of Transportation with respect to highway contracts shall within 30 days after filing with the Department of Labor Secretary of State, or the Department of Labor shall within 30 days after filing with such public body, publish in a newspaper of general circulation within the area that the determination is effective, a notice of its determination and shall promptly mail a copy of its determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

At any time within 30 days after the Department of Labor has published on its official web site a prevailing wage schedule, any person affected thereby may object in writing to the determination or such part thereof as they may deem objectionable by filing a written notice with the public body or Department of Labor, whichever has made such determination, stating the specified grounds of the objection. It shall thereafter be the duty of the public body or Department of Labor to set a date for a hearing on the objection after giving written notice to the objectors at least 10 days before the date of the hearing and said notice shall state the time and place of such hearing. Such hearing by a public

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body shall be held within 45 days after the objection is filed, and shall not be postponed or reset for a later date except upon the consent, in writing, of all the objectors and the public body. If such hearing is not held by the public body within the time herein specified, the Department of Labor may, upon request of the objectors, conduct the hearing on behalf of the public body.

The public body or Department of Labor, whichever has made such determination, is authorized in its discretion to hear each written objection filed separately or consolidate for hearing any one or more written objections filed with them. At such hearing the public body or Department of Labor shall introduce in evidence the investigation it instituted which formed the basis of its determination, and the public body or Department of Labor, or any interested objectors may thereafter introduce such evidence as is material to the issue. Thereafter, the public body or Department of Labor, must rule upon the written objection and make such final determination as it believes the evidence warrants, and promptly file a certified copy of its final determination with such public body and the Secretary of State, and serve a copy by personal service or registered mail on all parties to the proceedings. The final determination by the Department of Labor or a public body shall be rendered within 30 days after the conclusion of the hearing.

If proceedings to review judicially the final determination of the public body or Department of Labor are not instituted as hereafter provided, such determination shall be final and binding.

The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of any public body or the Department of Labor hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Appeals from all final orders and judgments entered by the court in review of the final administrative decision of the public body or Department of Labor, may be taken by any party to the action.

Any proceeding in any court affecting a determination of the Department of Labor or public body shall have priority in hearing and determination over all other civil proceedings pending in said court, except election contests.

In all reviews or appeals under this Act, it shall be the duty of the Attorney General to represent the Department of Labor, and defend its
determination. The Attorney General shall not represent any public body, except the State, in any such review or appeal.
(Source: P.A. 93-38, eff. 6-1-04.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Passed in the General Assembly May 14, 2013.
Approved August 5, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0174
(House Bill No. 2969)

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

Section 5. The Illinois Securities Law of 1953 is amended by changing Section 13 as follows:

Sec. 13. Private and other civil remedies; securities.
A. Every sale of a security made in violation of the provisions of this Act shall be voidable at the election of the purchaser exercised as provided in subsection B of this Section; and the issuer, controlling person, underwriter, dealer or other person by or on behalf of whom said sale was made, and each underwriter, dealer or salesperson who shall have participated or aided in any way in making the sale, and in case the issuer, controlling person, underwriter or dealer is a corporation or unincorporated association or organization, each of its officers and directors (or persons performing similar functions) who shall have participated or aided in making the sale, shall be jointly and severally liable to the purchaser as follows:

(1) for the full amount paid, together with interest from the date of payment for the securities sold at the rate of the interest or dividend stipulated in the securities sold (or if no rate is stipulated, then at the rate of 10% per annum) less any income or other amounts received by the purchaser on the securities, upon offer to tender to the seller or tender into court of the securities sold or, where the securities were not received, of any contract made in respect of the sale; or

(2) if the purchaser no longer owns the securities, for the amounts set forth in clause (1) of this subsection A less any

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amounts received by the purchaser for or on account of the disposition of the securities.

If the purchaser shall prevail in any action brought to enforce any of the remedies provided in this subsection, the court shall assess costs together with the reasonable fees and expenses of the purchaser's attorney against the defendant. Any provision of this subsection A to the contrary notwithstanding, the civil remedies provided in this subsection A shall not be available against any person by reason of the failure to file with the Secretary of State, or on account of the content of, any report of sale provided for in subsection G or P of Section 4, paragraph (2) of subsection D of Sections 5 and 6, or paragraph (2) of subsection F of Section 7 of this Act.

B. Notice of any election provided for in subsection A of this Section shall be given by the purchaser within 6 months after the purchaser shall have knowledge that the sale of the securities to him or her is voidable, to each person from whom recovery will be sought, by registered mail or certified mail, return receipt requested, addressed to the person to be notified at his or her last known address with proper postage affixed, or by personal service.

C. No purchaser shall have any right or remedy under this Section who shall fail, within 15 days from the date of receipt thereof, to accept an offer to repurchase the securities purchased by him or her for a price equal to the full amount paid therefor plus interest thereon and less any income thereon as set forth in subsection A of this Section. Every offer of repurchase provided for in this subsection shall be in writing, shall be delivered to the purchaser or sent by registered mail or certified mail, return receipt requested, addressed to the purchaser at his or her last known address, and shall offer to repurchase the securities sold for a price equal to the full amount paid therefor plus interest thereon and less any income thereon as set forth in subsection A of this Section. Such offer shall continue in force for 15 days from the date on which it was received by the purchaser, shall advise the purchaser of his or her rights and the period of time limited for acceptance thereof, and shall contain such further information, if any, as the Secretary of State may prescribe. Any agreement not to accept or refusing or waiving any such offer made during or prior to said 15 days shall be void.

D. No action shall be brought for relief under this Section or upon or because of any of the matters for which relief is granted by this Section after 3 years from the date of sale; provided, that if the party bringing the

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action neither knew nor in the exercise of reasonable diligence should have known of any alleged violation of subsection E, F, G, H, I or J of Section 12 of this Act which is the basis for the action, the 3 year period provided herein shall begin to run upon the earlier of:

(1) the date upon which the party bringing the action has actual knowledge of the alleged violation of this Act; or

(2) the date upon which the party bringing the action has notice of facts which in the exercise of reasonable diligence would lead to actual knowledge of the alleged violation of this Act; but in no event shall the period of limitation so extended be more than 2 years beyond the expiration of the 3 year period otherwise applicable.

E. The term purchaser as used in this Section shall include the personal representative or representatives of the purchaser.

F. Anything in this Act to the contrary notwithstanding and in addition to all other remedies, the Secretary of State through the Office of the Attorney General may bring an action in any circuit court of the State of Illinois in the name and on behalf of the State of Illinois against any person or persons participating in or about to participate in a violation of this Act to enjoin those persons who are continuing or doing any act in violation of this Act or to enforce compliance with this Act. Upon a proper showing the court may grant a permanent or preliminary injunction or temporary restraining order without bond, and may order the defendant to make an offer of rescission of any sales or purchases of securities determined by the court to be unlawful under this Act. The court shall further have jurisdiction and authority, in addition to the other penalties and remedies in this Act provided, to act or appoint another person as a receiver, conservator, ancillary receiver or ancillary conservator for the defendant or the defendant's assets located in this State and may assess costs against the defendant for the use of the State.

G. (1) Whenever any person has engaged or is about to engage in any act or practice constituting a violation of this Act, any party in interest may bring an action in the circuit court of the county in which the party in interest resides, or where the person has his, her or its principal office or registered office or where any part of the transaction has or will take place, to enjoin that person from continuing or doing any act in violation of or to enforce compliance with this Act. Upon a proper showing, the court shall grant a permanent or preliminary injunction or temporary restraining order or rescission of any sales or purchases of securities determined to be

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unlawful under this Act, and may assess costs of the proceedings against
the defendant.

(2) A copy of the complaint shall be served upon the Secretary of
State within one business day of filing in the form and manner prescribed
by the Secretary of State by rule or regulation; provided, that the failure to
comply with this provision shall not invalidate the action which is the
subject of the complaint.

H. Any provision of this Section 13 to the contrary
notwithstanding, neither the civil remedies provided in subsection A of
this Section 13 nor the remedies of rescission and appointment of a
receiver, conservator, ancillary receiver or ancillary conservator provided
in subsection I of Section 11 of this Act and in subsections F and G of this
Section 13 of this Act nor the remedies of restitution, damages or
disgorgement of profits provided in subsection I of Section 11 of this Act
shall be available against any person by reason of the failure to file with
the Secretary of State, or on account of the contents of, any notice filing
under Section 2a of this Act or subsection C-5 of Section 8 of this Act or
any report of sale provided for in subsection G or P of Section 4,
paragraph (2) of subsection D of Sections 5 and 6, or paragraph (2) of
subsection F of Section 7 of this Act.
(Source: P.A. 89-209, eff. 1-1-96; 89-626, eff. 8-9-96; 90-70, eff. 7-8-97.)

Section 99. Effective date. This Act takes effect upon becomi-
ing law.

Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0175
(Senate Bill No. 0206)

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

Section 5. The Secretary of State Merit Employment Code is
amended by changing Section 12 as follows:
(15 ILCS 310/12) (from Ch. 124, par. 112)
Sec. 12.
(a) Except as provided in subsection (b), employees of
the Office of the Secretary of State - election to public office - leave of

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absence - re-entry of service. Any person holding a position in the Office of the Secretary of State, who is elected to public office, shall, upon request, be granted a leave of absence, without pay, from such position. The leave of absence shall continue so long as he or she remains an elected officer or for a period of 5 years, whichever is shorter. and for a period of 30 calendar days thereafter.

If such person files a written request with the Director of Personnel to re-enter active service with the Office of the Secretary of State within the such 30 day period following the termination of his or her leave of absence he or she may shall be reinstated to his or her former position or a position of comparable duties, responsibilities, and pay. The Office of the Secretary of State shall, by mail, notify an employee on leave of absence under this Section on the effective date of this amendatory Act of the 98th General Assembly of the leave of absence change.

(b) Employees on leave of absence under this Section on the effective date of this amendatory Act of the 98th General Assembly are subject to the following conditions:

(1) An employee whose leave of absence has not exceeded 5 years shall be subject to the requirements of subsection (a) of this Section.

(2) An employee whose leave of absence has exceeded 5 years shall not be barred from re-entering active service by the 5 year limit under subsection (a) of this Section if the employee files a written request to re-enter active service as required under subsection (a) of this Section within 30 days of the date that the Secretary of State mailed the notice to the employee as required under subsection (a) of this Section. The Secretary of State may reinstate the employee as provided in subsection (a) of this Section.

(Source: P.A. 80-13.)

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

Approved August 5, 2013.
Effective August 5, 2013.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-111.6, 1-115.3, 1-204.4, 2-119, 6-101, 6-118, 6-201, 6-204, 6-207, 6-500, 6-502, 6-503, 6-506, 6-507, 6-508, 6-508.1, 6-509, 6-510, 6-511, 6-512, 6-513, 6-514, 6-518, 6-523, and 6-704 and by adding Sections 1-110.1a, 1-111.7a, 1-148.5a, 6-507.5, and 6-512.5 as follows:

Sec. 1-110.1a. CDL Driver. A person holding a CDL or a person required to hold a CDL.

Sec. 1-111.6. Commercial driver's license (CDL). A license issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 C.F.R. Part 383, to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

Sec. 1-111.7a. Commercial Learner's Permit (CLP). A permit issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 C.F.R. Part 383, which, when carried with a valid driver's license issued by the same state or jurisdiction of domicile, authorizes the individual to operate a class of commercial motor vehicle when accompanied by a holder of a valid CDL for purposes of behind-the-wheel training. When issued to a CDL holder, a CLP serves as authorization for accompanied behind-the-wheel training in a commercial motor vehicle for which the holder's current CDL is not valid.

Sec. 1-115.3. Disqualification. Disqualification means any of the following 3 actions:

(a) The suspension, revocation, or cancellation of a CLP or CDL by the State or jurisdiction of issuance.

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a State or other jurisdiction as a result of a violation of
State or local law relating to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations).

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. Part 391.

(Source: P.A. 94-307, eff. 9-30-05.)

(625 ILCS 5/1-148.5a new)

Sec. 1-148.5a. Non-CDL. Any other type of motor vehicle license, such as an automobile driver's license or a motorcycle license. 

(625 ILCS 5/1-204.4)

Sec. 1-204.4. Tank vehicle. Any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle. Those vehicles include, but are not limited to, cargo tanks and portable tanks, as defined in 49 C.F.R. Part 171. However, for the purposes of Article V of Chapter 6 of this Code, this definition does not include portable tanks having a rated capacity of less than 1,000 gallons.

(Source: P.A. 90-89, eff. 1-1-98.)

(625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

Sec. 2-119. Disposition of fees and taxes.

(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.

(b) Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $0.50 shall be deposited into the Used Tire Management Fund. Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $1.50 shall be deposited in the Park and Conservation Fund.

Beginning January 1, 1995, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $3.25 shall be deposited in the Park and Conservation Fund. The moneys deposited in the Park and Conservation Fund pursuant to this Section shall be used for the acquisition and development of bike paths as

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provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law (20 ILCS 805/805-420). The monies deposited into the Park and Conservation Fund under this subsection shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Beginning January 1, 2000, of the moneys collected for each certificate of title, duplicate certificate of title, and corrected certificate of title, $48 shall be deposited into the Road Fund and $4 shall be deposited into the Motor Vehicle License Plate Fund, except that if the balance in the Motor Vehicle License Plate Fund exceeds $40,000,000 on the last day of a calendar month, then during the next calendar month the $4 shall instead be deposited into the Road Fund.

Beginning January 1, 2005, of the moneys collected for each delinquent vehicle registration renewal fee, $20 shall be deposited into the General Revenue Fund.

Except as otherwise provided in this Code, all remaining moneys collected for certificates of title, and all moneys collected for filing of security interests, shall be placed in the General Revenue Fund in the State Treasury.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Driver Education Fund in the State Treasury.

(d) Beginning January 1, 1999, of the monies collected as a registration fee for each motorcycle, motor driven cycle and moped, 27% of each annual registration fee for such vehicle and 27% of each semiannual registration fee for such vehicle is deposited in the Cycle Rider Safety Training Fund.

(e) Of the monies received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 of this Code, 37% shall be deposited into the State Construction Fund.

(f) Of the total money collected for a commercial learner's permit (CLP) or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial Driver's License Act (UCDLA): (i) $6 of the total fee for an original or renewal CDL, and $6 of the total CLP fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/Net Trust Fund (Commercial
Driver's License Information System/American Association of Motor Vehicle Administrators network Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) $20 of the total fee for an original or renewal CDL or CLP commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.

(g) All remaining moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7)(A) of subsection (b) of Section 5-101 and Section 5-109 of this Code, shall be deposited in the Road Fund in the State Treasury. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).

(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii) for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

On or before October 1, 1995, the Secretary of State shall direct the State Comptroller and State Treasurer to transfer any unexpended balance in the Special Environmental License Plate Fund, the Special Korean War Veteran License Plate Fund, and the Retired Congressional License Plate Fund to the Secretary of State Special License Plate Fund.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in

New matter indicated by italics - deletions by strikeout
administering the Motor Vehicle Review Board under the Motor Vehicle
Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a
special fund to be known as the Family Responsibility Fund. Moneys
deposited into the Fund shall, subject to appropriation, be used by the
Office of the Secretary of State for the purpose of enforcing the Family
Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as a special
fund in the State Treasury. Moneys deposited into the Fund shall, subject
to appropriation, be used by the Office of the State Fire Marshal for
construction of the Illinois Fire Fighters' Memorial to be located at the
State Capitol grounds in Springfield, Illinois. Upon the completion of the
Memorial, moneys in the Fund shall be used in accordance with Section 3-634.

(o) Of the money collected for each certificate of title for all-terrain
vehicles and off-highway motorcycles, $17 shall be deposited into the Off-
Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant to
Section 2-124(d) of this Code, 50% of the money collected as audit fees
shall be deposited into the General Revenue Fund.

(Source: P.A. 96-554, eff. 1-1-10; 97-1136, eff. 1-1-13.)

(625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

Sec. 6-101. Drivers must have licenses or permits.

(a) No person, except those expressly exempted by Section 6-102,
shall drive any motor vehicle upon a highway in this State unless such
person has a valid license or permit, or a restricted driving permit,
issued under the provisions of this Act.

(b) No person shall drive a motor vehicle unless he holds a valid
license or permit, or a restricted driving permit issued under the provisions
of Section 6-205, 6-206, or 6-113 of this Act. Any person to whom a
license is issued under the provisions of this Act must surrender to the
Secretary of State all valid licenses or permits, except that an applicant for
a non-domiciled commercial learner's permit or commercial driver's
license shall not be required to surrender a license or permit issued by the
applicant's state or country of domicile. No drivers license or instruction
permit shall be issued to any person who holds a valid Foreign State
license, identification card, or permit unless such person first surrenders to
the Secretary of State any such valid Foreign State license, identification
card, or permit.
(b-5) Any person who commits a violation of subsection (a) or (b) of this Section is guilty of a Class A misdemeanor, if at the time of the violation the person's driver's license or permit was cancelled under clause (a)9 of Section 6-201 of this Code.

(c) Any person licensed as a driver hereunder shall not be required by any city, village, incorporated town or other municipal corporation to obtain any other license to exercise the privilege thereby granted.

(d) In addition to other penalties imposed under this Section, any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the motor vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(e) In addition to other penalties imposed under this Section, the vehicle of any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements and who, in violating this Section, has caused death or personal injury to another person is subject to forfeiture under Sections 36-1 and 36-2 of the Criminal Code of 2012. For the purposes of this Section, a personal injury shall include any type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(Source: P.A. 97-229, eff. 7-28-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-118)
Sec. 6-118. Fees.
(a) The fee for licenses and permits under this Article is as follows:
Original driver's license............................. $30
Original or renewal driver's license
issued to 18, 19 and 20 year olds............... 5
All driver's licenses for persons
age 69 through age 80......................... 5
All driver's licenses for persons
age 81 through age 86....................... 2
All driver's licenses for persons

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age 87 or older</td>
<td>0</td>
</tr>
<tr>
<td>Renewal driver's license (except for applicants ages 18, 19 and 20 or age 69 and older)</td>
<td>30</td>
</tr>
<tr>
<td>Original instruction permit issued to persons (except those age 69 and older) who do not hold or have not previously held an Illinois instruction permit or driver's license</td>
<td>20</td>
</tr>
<tr>
<td>Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal</td>
<td>5</td>
</tr>
<tr>
<td>Any instruction permit issued to a person age 69 and older</td>
<td>5</td>
</tr>
<tr>
<td>Instruction permit issued to any person under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois</td>
<td>10</td>
</tr>
<tr>
<td>Restricted driving permit</td>
<td>8</td>
</tr>
<tr>
<td>Monitoring device driving permit</td>
<td>8</td>
</tr>
<tr>
<td>Duplicate or corrected driver's license or permit</td>
<td>5</td>
</tr>
<tr>
<td>Duplicate or corrected restricted driving permit</td>
<td>5</td>
</tr>
<tr>
<td>Duplicate or corrected monitoring device driving permit</td>
<td>5</td>
</tr>
<tr>
<td>Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or the dependent children living with the member</td>
<td>0</td>
</tr>
<tr>
<td>Original or renewal M or L endorsement</td>
<td>5</td>
</tr>
</tbody>
</table>

**SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE**

The fees for commercial driver licenses and permits under Article V shall be as follows:

New matter indicated by italics - deletions by strikeout
Commercial driver's license:
$6 for the CDLIS/AAMVAnet Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network Trust Fund);
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL:.............................                          $60

Renewal commercial driver's license:
$6 for the CDLIS/AAMVAnet Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL:.................................                             $60

Commercial learner's driver instruction permit issued to any person holding a valid Illinois driver's license for the purpose of changing to a CDL classification: $6 for the CDLIS/AAMVAnet Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund; and
$24 for the CDL classification...................                      $50

Commercial learner's driver instruction permit issued to any person holding a valid Illinois CDL for the purpose of making a change in a classification, endorsement or restriction:................. $5

CDL duplicate or corrected license:........................ $5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

New matter indicated by italics - deletions by strikeout
No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

<table>
<thead>
<tr>
<th>Suspension</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 3-707</td>
<td>$100</td>
</tr>
<tr>
<td>Section 11-501.1</td>
<td>$250</td>
</tr>
<tr>
<td>Section 11-501.1</td>
<td>$500</td>
</tr>
<tr>
<td>Other suspension</td>
<td>$70</td>
</tr>
<tr>
<td>Revocation</td>
<td>$500</td>
</tr>
</tbody>
</table>

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

<table>
<thead>
<tr>
<th>Suspension</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 11-501.1</td>
<td>$500</td>
</tr>
<tr>
<td>Section 11-501.1</td>
<td>$500</td>
</tr>
<tr>
<td>Revocation</td>
<td>$500</td>
</tr>
</tbody>
</table>

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:

   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $30 fee for an original driver's license;
   (C) $5 of the $30 fee for a 4 year renewal driver's license;
   (D) $4 of the $8 fee for a restricted driving permit;

New matter indicated by italics - deletions by strikeout
(E) $4 of the $8 fee for a monitoring device driving
permit.

2. $30 of the $250 fee for reinstatement of a license
summarily suspended under Section 11-501.1 shall be deposited
into the Drunk and Drugged Driving Prevention Fund. However,
for a person whose license or privilege to operate a motor vehicle
in this State has been suspended or revoked for a second or
subsequent time for a violation of Section 11-501 or 11-501.1 of
this Code or Section 9-3 of the Criminal Code of 1961 or the
Criminal Code of 2012, $190 of the $500 fee for reinstatement of a
license summarily suspended under Section 11-501.1, and $190 of
the $500 fee for reinstatement of a revoked license shall be
deposited into the Drunk and Drugged Driving Prevention Fund.
$190 of the $500 fee for reinstatement of a license summarily
revoked pursuant to Section 11-501.1 shall be deposited into the
Drunk and Drugged Driving Prevention Fund.

3. $6 of the such original or renewal fee for a commercial
driver's license and $6 of the commercial learner's driver
instruction permit fee when the such permit is issued to any person
holding a valid Illinois driver's license, shall be paid into the
CDLIS/AAMVAAnet Trust Fund.

4. $30 of the $70 fee for reinstatement of a license
suspended under the Family Financial Responsibility Law shall be
paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L
endorsement shall be deposited into the Cycle Rider Safety
Training Fund.

6. $20 of any original or renewal fee for a commercial
driver's license or commercial learner's driver instruction
permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General
Revenue Fund:

(A) $190 of the $250 reinstatement fee for a
summary suspension under Section 11-501.1;
(B) $40 of the $70 reinstatement fee for any other
suspension provided in subsection (b) of this Section; and
(C) $440 of the $500 reinstatement fee for a first
offense revocation and $310 of the $500 reinstatement fee
for a second or subsequent revocation.

New matter indicated by italics - deletions by strikeout
(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1231, eff. 7-23-10; 96-1344, eff. 7-1-11; 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-201)

Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or
4. committed any fraud in the making of such application; or
5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or
6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or
7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of
this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person

New matter indicated by italics - deletions by strikeout
holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or

11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued or to present documentation for verification of identity; or

12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or

13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or

14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or

15. was convicted of fraud relating to the testing or issuance of a CDL or CLP, in which case only the CDL or CLP shall be cancelled. After cancellation, the Secretary shall not issue a CLP or CDL for a period of one year from the date of cancellation.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.
(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12.)

New matter indicated by italics - deletions by strikeout
Sec. 6-204. When Court to forward License and Reports.

(a) For the purpose of providing to the Secretary of State the records essential to the performance of the Secretary's duties under this Code to cancel, revoke or suspend the driver's license and privilege to drive motor vehicles of certain minors adjudicated truant minors in need of supervision, addicted, or delinquent and of persons found guilty of the criminal offenses or traffic violations which this Code recognizes as evidence relating to unfitness to safely operate motor vehicles, the following duties are imposed upon public officials:

(1) Whenever any person is convicted of any offense for which this Code makes mandatory the cancellation or revocation of the driver's license or permit of such person by the Secretary of State, the judge of the court in which such conviction is had shall require the surrender to the clerk of the court of all driver's licenses or permits then held by the person so convicted, and the clerk of the court shall, within 5 days thereafter, forward the same, together with a report of such conviction, to the Secretary.

(2) Whenever any person is convicted of any offense under this Code or similar offenses under a municipal ordinance, other than regulations governing standing, parking or weights of vehicles, and excepting the following enumerated Sections of this Code: Sections 11-1406 (obstruction to driver's view or control), 11-1407 (improper opening of door into traffic), 11-1410 (coasting on downgrade), 11-1411 (following fire apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving vehicle which is in unsafe condition or improperly equipped), 12-201(a) (daytime lights on motorcycles), 12-202 (clearance, identification and side marker lamps), 12-204 (lamp or flag on projecting load), 12-205 (failure to display the safety lights required), 12-401 (restrictions as to tire equipment), 12-502 (mirrors), 12-503 (windshields must be unobstructed and equipped with wipers), 12-601 (horns and warning devices), 12-602 (mufflers, prevention of noise or smoke), 12-603 (seat safety belts), 12-702 (certain vehicles to carry flares or other warning devices), 12-703 (vehicles for oiling roads operated on highways), 12-710 (splash guards and replacements), 13-101 (safety tests), 15-101 (size, weight and load), 15-102 (width), 15-103 (height), 15-104 (name and address on second division vehicles), 15-107 (length of vehicle), 15-109.1 (cover or tarpaulin),
15-111 (weights), 15-112 (weights), 15-301 (weights), 15-316 (weights), 15-318 (weights), and also excepting the following enumerated Sections of the Chicago Municipal Code: Sections 27-245 (following fire apparatus), 27-254 (obstruction of traffic), 27-258 (driving vehicle which is in unsafe condition), 27-259 (coasting on downgrade), 27-264 (use of horns and signal devices), 27-265 (obstruction to driver's view or driver mechanism), 27-267 (dimming of headlights), 27-268 (unattended motor vehicle), 27-272 (illegal funeral procession), 27-273 (funeral procession on boulevard), 27-275 (driving freight hauling vehicles on boulevard), 27-276 (stopping and standing of buses or taxicabs), 27-277 (cruising of public passenger vehicles), 27-305 (parallel parking), 27-306 (diagonal parking), 27-307 (parking not to obstruct traffic), 27-308 (stopping, standing or parking regulated), 27-311 (parking regulations), 27-312 (parking regulations), 27-313 (parking regulations), 27-314 (parking regulations), 27-315 (parking regulations), 27-316 (parking regulations), 27-317 (parking regulations), 27-318 (parking regulations), 27-319 (parking regulations), 27-320 (parking regulations), 27-321 (parking regulations), 27-322 (parking regulations), 27-324 (loading and unloading at an angle), 27-333 (wheel and axle loads), 27-334 (load restrictions in the downtown district), 27-335 (load restrictions in residential areas), 27-338 (width of vehicles), 27-339 (height of vehicles), 27-340 (length of vehicles), 27-352 (reflectors on trailers), 27-353 (mufflers), 27-354 (display of plates), 27-355 (display of city vehicle tax sticker), 27-357 (identification of vehicles), 27-358 (projecting of loads), and also excepting the following enumerated paragraphs of Section 2-201 of the Rules and Regulations of the Illinois State Toll Highway Authority: (l) (driving unsafe vehicle on tollway), (m) (vehicles transporting dangerous cargo not properly indicated), it shall be the duty of the clerk of the court in which such conviction is had within 5 days thereafter to forward to the Secretary of State a report of the conviction and the court may recommend the suspension of the driver's license or permit of the person so convicted.

The reporting requirements of this subsection shall apply to all violations stated in paragraphs (1) and (2) of this subsection when the individual has been adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987. Such reporting requirements shall also apply
to individuals adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987 who have committed a violation of Section 11-501 of this Code, or similar provision of a local ordinance, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide. These reporting requirements also apply to individuals adjudicated under the Juvenile Court Act of 1987 based on any offense determined to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The reporting requirements of this subsection shall also apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor and whose driver's license and privilege to drive a motor vehicle has been ordered suspended for such times as determined by the Court, but only until he or she attains 18 years of age. It shall be the duty of the clerk of the court in which adjudication is had within 5 days thereafter to forward to the Secretary of State a report of the adjudication and the court order requiring the Secretary of State to suspend the minor's driver's license and driving privilege for such time as determined by the Court, but only until he or she attains the age of 18 years. All juvenile court dispositions reported to the Secretary of State under this provision shall be processed by the Secretary of State as if the cases had been adjudicated in traffic or criminal court. However, information reported relative to the offense of reckless homicide, or Section 11-501 of this Code, or a similar provision of a local ordinance, shall be privileged and available only to the Secretary of State, courts, and police officers.

The reporting requirements of this subsection (a) apply to all violations listed in paragraphs (1) and (2) of this subsection (a), excluding parking violations, when the driver holds a CLP or CDL, regardless of the type of vehicle in which the violation occurred, or when any driver committed the violation in a commercial motor vehicle as defined in Section 6-500 of this Code.

(3) Whenever an order is entered vacating the forfeiture of any bail, security or bond given to secure appearance for any offense under this Code or similar offenses under municipal ordinance, it shall be the duty of the clerk of the court in which such vacation was had or the judge of such court if such court has

New matter indicated by italics - deletions by strikeout
no clerk, within 5 days thereafter to forward to the Secretary of State a report of the vacation.

(4) A report of any disposition of court supervision for a violation of Sections 6-303, 11-401, 11-501 or a similar provision of a local ordinance, 11-503, 11-504, and 11-506 shall be forwarded to the Secretary of State. A report of any disposition of court supervision for a violation of an offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance committed by a person under the age of 21 years shall be forwarded to the Secretary of State.

(5) Reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium shall be forwarded to the Secretary of State via the Supreme Court in the form and format required by the Illinois Supreme Court and established by a written agreement between the Supreme Court and the Secretary of State. In counties with a population over 300,000, instead of forwarding reports to the Supreme Court, reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium may be forwarded to the Secretary of State by the Circuit Court Clerk in a form and format required by the Secretary of State and established by written agreement between the Circuit Court Clerk and the Secretary of State. Failure to forward the reports of conviction or sentencing hearing under the Juvenile Court Act of 1987 as required by this Section shall be deemed an omission of duty and it shall be the duty of the several State's Attorneys to enforce the requirements of this Section.

(b) Whenever a restricted driving permit is forwarded to a court, as a result of confiscation by a police officer pursuant to the authority in Section 6-113(f), it shall be the duty of the clerk, or judge, if the court has no clerk, to forward such restricted driving permit and a facsimile of the officer's citation to the Secretary of State as expeditiously as practicable.

(c) For the purposes of this Code, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court when forfeiture has not been vacated, or the failure of a defendant to appear for trial after depositing his driver's license in lieu of other bail, shall be equivalent to a conviction.

New matter indicated by italics - deletions by strikeout
(d) For the purpose of providing the Secretary of State with records necessary to properly monitor and assess driver performance and assist the courts in the proper disposition of repeat traffic law offenders, the clerk of the court shall forward to the Secretary of State, on a form prescribed by the Secretary, records of a driver's participation in a driver remedial or rehabilitative program which was required, through a court order or court supervision, in relation to the driver's arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance. The clerk of the court shall also forward to the Secretary, either on paper or in an electronic format or a computer processible medium as required under paragraph (5) of subsection (a) of this Section, any disposition of court supervision for any traffic violation, excluding those offenses listed in paragraph (2) of subsection (a) of this Section. These reports shall be sent within 5 days after disposition, or, if the driver is referred to a driver remedial or rehabilitative program, within 5 days of the driver's referral to that program. These reports received by the Secretary of State, including those required to be forwarded under paragraph (a)(4), shall be privileged information, available only (i) to the affected driver, (ii) to the parent or guardian of a person under the age of 18 years holding an instruction permit or a graduated driver's license, and (iii) for use by the courts, police officers, prosecuting authorities, the Secretary of State, and the driver licensing administrator of any other state. In accordance with 49 C.F.R. Part 384, all reports of court supervision, except violations related to parking, shall be forwarded to the Secretary of State for all holders of a CLP or CDL or any driver who commits an offense while driving a commercial motor vehicle. These reports shall be recorded to the driver's record as a conviction for use in the disqualification of the driver's commercial motor vehicle privileges and shall not be privileged information.

(Source: P.A. 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-207) (from Ch. 95 1/2, par. 6-207)

Sec. 6-207. Secretary of State may require reexamination or reissuance of a license.

(a) The Secretary of State, having good cause to believe that a licensed driver or person holding a permit or applying for a license or license renewal is incompetent or otherwise not qualified to hold a license or permit, may upon written notice of at least 5 days to the person require the person to submit to an examination as prescribed by the Secretary.
Refusal or neglect of the person to submit an alcohol, drug, or intoxicating compound evaluation or submit to or failure to successfully complete the examination is grounds for suspension of the person's license or permit under Section 6-206 of this Act or cancellation of his license or permit under Section 6-201 of this Act.

(b) The Secretary of State, having issued a driver's license or permit in error, may upon written notice of at least 5 days to the person, require the person to appear at a Driver Services facility to have the license or permit error corrected and a new license or permit issued.

Refusal or neglect of the person to appear is grounds for cancellation of the person's license or permit under Section 6-201 of this Act.

(c) The Secretary of State, having issued a driver's license or permit to a person who subsequently becomes ineligible to retain that license or permit as currently issued, may, upon written notice of at least 5 days to the person, require the person to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued.

(d) The Secretary of State, having good cause to believe that a driver's license or permit was issued based on invalid, fictitious, or fraudulent documents, may upon written notice of at least 5 days require the person to appear at a Driver Services facility to present valid documents for verification of identity. Refusal or neglect of the person to appear shall result in cancellation of the person's license or permit.

(e) Under 49 C.F.R. 383.73, if the Secretary of State receives credible information that a CLP or CDL was issued and fraud was committed relating to the issuance of the CLP or CDL, the Secretary shall require the CLP or CDL holder to re-submit to all testing required for the issuance of the CLP or CDL (written, pre-trip, skills, and road exams). Upon written notification by the Secretary, the holder shall have 5 days to submit to re-examination. Failure to appear or successfully complete the examination shall result in the cancellation of the CLP or CDL under Section 6-201 of this Act.

(Source: P.A. 97-229, eff. 7-28-11.)

(625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

Sec. 6-500. Definitions of words and phrases. Notwithstanding the definitions set forth elsewhere in this Code, for purposes of the Uniform Commercial Driver's License Act (UCDLA), the words and phrases listed below have the meanings ascribed to them as follows:

New matter indicated by italics - deletions by strikeout
(1) Alcohol. "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) Alcohol concentration. "Alcohol concentration" means:
   (A) the number of grams of alcohol per 210 liters of breath; or
   (B) the number of grams of alcohol per 100 milliliters of blood; or
   (C) the number of grams of alcohol per 67 milliliters of urine.

Alcohol tests administered within 2 hours of the driver being "stopped or detained" shall be considered that driver's "alcohol concentration" for the purposes of enforcing this UCDLA.

(3) (Blank).

(4) (Blank).

(5) (Blank).

(5.3) CDLIS driver record. "CDLIS driver record" means the electronic record of the individual CDL driver's status and history stored by the State-of-Record as part of the Commercial Driver's License Information System, or CDLIS, established under 49 U.S.C. 31309.

(5.5) CDLIS motor vehicle record. "CDLIS motor vehicle record" or "CDLIS MVR" means a report generated from the CDLIS driver record meeting the requirements for access to CDLIS information and provided by states to users authorized in 49 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721–2725.

(5.7) Commercial driver's license downgrade. "Commercial driver's license downgrade" or "CDL downgrade" means either:
   (A) a state allows the driver to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;
   (B) a state allows the driver to change his or her self-certification to intrastate only, if the driver qualifies under that state's physical qualification requirements for intrastate only;
   (C) a state allows the driver to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

New matter indicated by italics - deletions by strikeout
(D) a state removes the CDL privilege from the driver license.

(6) Commercial Motor Vehicle.

(A) "Commercial motor vehicle" or "CMV" means a motor vehicle or combination of motor vehicles used in commerce, except those referred to in subdivision (B), designed to transport passengers or property if the motor vehicle:

(i) has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of any towed unit with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater the vehicle has a GVWR of 26,001 pounds or more or such a lesser GVWR as subsequently determined by federal regulations or the Secretary of State; or any combination of vehicles with a GCWR of 26,001 pounds or more, provided the GVWR of any vehicle or vehicles being towed is 10,001 pounds or more; or

(ii-5) has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or

(ii) the vehicle is designed to transport 16 or more persons, including the driver; or

(iii) the vehicle is of any size and is used in transporting hazardous materials as defined in 49 C.F.R. 383.5 and is required to be placarded in accordance with 49 C.F.R. Part 172, subpart F.

(B) Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986 by the Federal Highway Administration, the definition of "commercial motor vehicle" does not include:

(i) recreational vehicles, when operated primarily for personal use;

(ii) vehicles owned by or operated under the direction of the United States Department of Defense or the United States Coast Guard only when operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard;

New matter indicated by italics - deletions by strikeout
personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or

(iii) firefighting, police, and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code), with audible and visual signals, owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency governmental functions which are normally not subject to general traffic rules and regulations.

(7) Controlled Substance. "Controlled substance" shall have the same meaning as defined in Section 102 of the Illinois Controlled Substances Act, and shall also include cannabis as defined in Section 3 of the Cannabis Control Act and methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act.

(8) Conviction. "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; a plea of guilty or nolo contendere accepted by the court; the payment of a fine or court cost regardless of whether the imposition of sentence is deferred and ultimately a judgment dismissing the underlying charge is entered; or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated.

(8.5) Day. "Day" means calendar day.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) (Blank).

(13) Driver. "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle, any person who is required to hold a CDL, or any person who is a holder of a CDL while operating a non-commercial motor vehicle.

New matter indicated by italics - deletions by strikeout
(13.5) Driver applicant. "Driver applicant" means an individual who applies to a state or other jurisdiction to obtain, transfer, upgrade, or renew a CDL or to obtain or renew a CLP.

(13.8) Electronic device. "Electronic device" includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer, or any other device used to input, write, send, receive, or read text.

(14) Employee. "Employee" means a person who is employed as a commercial motor vehicle driver. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA pertaining to employees. An owner-operator on a long-term lease shall be considered an employee.

(15) Employer. "Employer" means a person (including the United States, a State or a local authority) who owns or leases a commercial motor vehicle or assigns employees to operate such a vehicle. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA.

(15.1) Endorsement. "Endorsement" means an authorization to an individual's CLP or CDL required to permit the individual to operate certain types of commercial motor vehicles.

(15.3) Excepted interstate. "Excepted interstate" means a person who operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3 from all or part of the qualification requirements of 49 C.F.R. Part 391 and is not required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(15.5) Excepted intrastate. "Excepted intrastate" means a person who operates in intrastate commerce but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(16) (Blank).

(16.5) Fatality. "Fatality" means the death of a person as a result of a motor vehicle accident.

(17) Foreign jurisdiction. "Foreign jurisdiction" means a sovereign jurisdiction that does not fall within the definition of "State".

(18) (Blank).

(19) (Blank).

(20) Hazardous materials. "Hazardous Material" means any material that has been designated under 49 U.S.C. 5103 and is required to
be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.

(20.5) Imminent Hazard. "Imminent hazard" means the existence of a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment.

(20.6) Issuance. "Issuance" means initial issuance, transfer, renewal, or upgrade of a CLP or CDL and non-domiciled CLP or CDL.

(20.7) Issue. "Issue" means initial issuance, transfer, renewal, or upgrade of a CLP or CDL and non-domiciled CLP or non-domiciled CDL.

(21) Long-term lease. "Long-term lease" means a lease of a commercial motor vehicle by the owner-lessee to a lessee, for a period of more than 29 days.

(21.01) Manual transmission. "Manual transmission" means a transmission utilizing a driver-operated clutch that is activated by a pedal or lever and a gear-shift mechanism operated either by hand or foot including those known as a stick shift, stick, straight drive, or standard transmission. All other transmissions, whether semi-automatic or automatic, shall be considered automatic for the purposes of the standardized restriction code.

(21.1) Medical examiner. "Medical examiner" means a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

(21.2) Medical examiner's certificate. "Medical examiner's certificate" means a document prescribed or approved by the Secretary of State that is issued by a medical examiner to a driver to medically qualify him or her to drive.

(21.5) Medical variance. "Medical variance" means a driver has received one of the following from the Federal Motor Carrier Safety Administration which allows the driver to be issued a medical certificate: (1) an exemption letter permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or
(2) a skill performance evaluation (SPE) certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(21.7) Mobile telephone. "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two-way or citizens band radio services.

(22) Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from over head trolley wires but not operated upon rails, except vehicles moved solely by human power and motorized wheel chairs.

(22.2) Motor vehicle record. "Motor vehicle record" means a report of the driving status and history of a driver generated from the driver record provided to users, such as drivers or employers, and is subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(22.5) Non-CMV. "Non-CMV" means a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" or "CMV" in this Section.

(22.7) Non-excepted interstate. "Non-excepted interstate" means a person who operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements under 49 C.F.R. Part 391, and is required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(22.8) Non-excepted intrastate. "Non-excepted intrastate" means a person who operates only in intrastate commerce and is subject to State driver qualification requirements.

(23) Non-domiciled CLP or Non-domiciled CDL. "Non-domiciled CLP" or "Non-domiciled CDL" means a commercial driver's license issued by a state or other jurisdiction under one of the following two conditions:

(i) to an individual domiciled in a foreign country meeting the requirements of Part 383.23(b)(1) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(ii) to an individual domiciled in another state meeting the requirements of Part 383.23(b)(2) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(24) (Blank).

(25) (Blank).

New matter indicated by italics - deletions by strikeout
(25.5) Railroad-Highway Grade Crossing Violation. "Railroad-highway grade crossing violation" means a violation, while operating a commercial motor vehicle, of any of the following:

(A) Section 11-1201, 11-1202, or 11-1425 of this Code.

(B) Any other similar law or local ordinance of any state relating to railroad-highway grade crossing.

(25.7) School Bus. "School bus" means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. "School bus" does not include a bus used as a common carrier.

(26) Serious Traffic Violation. "Serious traffic violation" means:

(A) a conviction when operating a commercial motor vehicle, or when operating a non-CMV while holding a CLP or CDL, of:

(i) a violation relating to excessive speeding, involving a single speeding charge of 15 miles per hour or more above the legal speed limit; or

(ii) a violation relating to reckless driving; or

(iii) a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; or

(iv) a violation of Section 6-501, relating to having multiple driver's licenses; or

(v) a violation of paragraph (a) of Section 6-507, relating to the requirement to have a valid CDL; or

(vi) a violation relating to improper or erratic traffic lane changes; or

(vii) a violation relating to following another vehicle too closely; or

(viii) a violation relating to texting while driving; or

(ix) a violation relating to the use of a hand-held mobile telephone while driving; or

(B) any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines by administrative rule to be serious.

New matter indicated by italics - deletions by strikeout
(27) State. "State" means a state of the United States, the District of Columbia and any province or territory of Canada.

(28) (Blank).

(29) (Blank).

(30) (Blank).

(31) (Blank).

(32) Texting. "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device.

   (1) Texting includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access a World Wide Web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry for present or future communication.

   (2) Texting does not include:

   (i) inputting, selecting, or reading information on a global positioning system or navigation system; or

   (ii) pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

   (iii) using a device capable of performing multiple functions (for example, a fleet management system, dispatching device, smart phone, citizens band radio, or music player) for a purpose that is not otherwise prohibited by Part 392 of the Federal Motor Carrier Safety Regulations.

(32.3) Third party skills test examiner. "Third party skills test examiner" means a person employed by a third party tester who is authorized by the State to administer the CDL skills tests specified in 49 C.F.R. Part 383, subparts G and H.

(32.5) Third party tester. "Third party tester" means a person (including, but not limited to, another state, a motor carrier, a private driver training facility or other private institution, or a department, agency, or instrumentality of a local government) authorized by the State to employ skills test examiners to administer the CDL skills tests specified in 49 C.F.R. Part 383, subparts G and H.

(32.7) United States. "United States" means the 50 states and the District of Columbia.

(33) Use a hand-held mobile telephone. "Use a hand-held mobile telephone" means:

New matter indicated by italics - deletions by strikeout
(1) using at least one hand to hold a mobile telephone to
conduct a voice communication;
(2) dialing or answering a mobile telephone by pressing
more than a single button; or
(3) reaching for a mobile telephone in a manner that
requires a driver to maneuver so that he or she is no longer in a
seated driving position, restrained by a seat belt that is installed in
accordance with 49 CFR 393.93 and adjusted in accordance with
the vehicle manufacturer's instructions.
(Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829, eff. 1-1-13;
revised 8-3-12.)

(625 ILCS 5/6-502) (from Ch. 95 1/2, par. 6-502)
Sec. 6-502. Commercial motor vehicle drivers - reporting of traffic
violations to the Secretary of State. When required by the Commercial
Motor Vehicle Safety Act of 1986, every person who has been issued an
Illinois non-domiciled non-resident CLP or non-domiciled CDL or who is
a domiciliary of this State and drives a commercial motor vehicle in
violation of a law or local ordinance of any State relating to motor vehicle
traffic control (other than parking violations) in any other state, shall notify
the Secretary of State, on a form and in a manner prescribed by the
Secretary, of such violation within 30 days after the date such person has
been convicted of such offense.
(Source: P.A. 86-845.)

(625 ILCS 5/6-503) (from Ch. 95 1/2, par. 6-503)
Sec. 6-503. Commercial motor vehicle drivers - reporting of traffic
violations to employer. Every person who is a domiciliary of this State or
who has been issued an Illinois non-domiciled non-resident CLP or non-
domiciled CDL and drives a commercial motor vehicle in violation of a
law or local ordinance of any State relating to motor vehicle traffic control
(other than parking violations) in this or any other state, shall notify such
person's employer of such violation within 30 days after the date such person
is convicted of such offense.

In the event such person is a "common carrier of property by motor
vehicle", as defined in Section 18c-1104 of this Code, such person shall
notify the principal lessor of such within 30 days after the date such person
is convicted of the violation. However, if such person is an independent
contractor or owner operator, such report shall be kept at the principal
place of business and available during normal office hours for inspection
and auditing purposes by an authorized agency.

New matter indicated by italics - deletions by strikeout
Sec. 6-506. Commercial motor vehicle driver - employer/owner responsibilities.

(a) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require an employee to drive a commercial motor vehicle on the highways during any period in which such employee:

(1) has a driver's license suspended, revoked or cancelled by any state; or
(2) has lost the privilege to drive a commercial motor vehicle in any state; or
(3) has been disqualified from driving a commercial motor vehicle; or
(4) has more than one CLP or CDL driver's license, except as provided by this UCDLA; or
(5) is subject to or in violation of an "out-of-service" order;

(b) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle in violation of any law or regulation pertaining to railroad-highway grade crossings.

(b-3) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle during any period in which the commercial motor vehicle is subject to an "out-of-service" order.

(b-5) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle during any period in which the motor carrier operation is subject to an "out-of-service" order.

(c) Any employer convicted of violating subsection (a), (b-3), or (b-5) of this Section, whether individually or in connection with one or more other persons, or as principal agent, or accessory, shall be guilty of a Class A misdemeanor.

(625 ILCS 5/6-506) (from Ch. 95 1/2, par. 6-506)

New matter indicated by italics - deletions by strikeout
Sec. 6-507. Commercial Driver's License (CDL) or Commercial Learner's Permit (CLP) Required.

(a) Except as expressly permitted by this UCDLA, or when driving pursuant to the issuance of a commercial learner's driver instruction permit and accompanied by the holder of a CDL valid for the vehicle being driven; no person shall drive a commercial motor vehicle on the highways without:

(1) a CDL in the driver's possession;
(2) having obtained a CLP or CDL;
(3) the proper class of CLP or CDL or endorsements or both for the specific vehicle group being operated or for the passengers or type of cargo being transported; or
(4) a copy of a medical variance document, if one exists, such as an exemption letter or a skill performance evaluation certificate.

(a-5) A CLP or CDL holder whose CLP or CDL is held by this State or any other state in the course of enforcement of a motor vehicle traffic code and who has not been convicted of a disqualifying offense under 49 C.F.R. 383.51 based on this enforcement, may drive a CMV while holding a dated receipt for the CLP or CDL.

(b) Except as otherwise provided by this Code, no person may drive a commercial motor vehicle on the highways while such person's driving privilege, license, or permit is:

(1) Suspended, revoked, cancelled, or subject to disqualification. Any person convicted of violating this provision or a similar provision of this or any other state shall have their driving privileges revoked under paragraph 12 of subsection (a) of Section 6-205 of this Code.

(2) Subject to or in violation of an "out-of-service" order. Any person who has been issued a CLP or CDL and is convicted of violating this provision or a similar provision of any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.

(3) Subject to or in violation of a driver or vehicle "out of service" order while operating a vehicle designed to transport 16 or more passengers, including the driver, or transporting hazardous materials required to be placarded. Any person who has been issued a CLP or CDL and is convicted of violating this provision

New matter indicated by italics - deletions by strikeout
or a similar provision of this or any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.

(b-3) Except as otherwise provided by this Code, no person may drive a commercial motor vehicle on the highways during a period which the commercial motor vehicle or the motor carrier operation is subject to an "out-of-service" order. Any person who is convicted of violating this provision or a similar provision of any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.

(b-5) Except as otherwise provided by this Code, no person may operate a vehicle designed to transport 16 or more passengers including the driver or hazardous materials of a type or quantity that requires the vehicle to be placarded during a period in which the commercial motor vehicle or the motor carrier operation is subject to an "out-of-service" order. Any person who is convicted of violating this provision or a similar provision of any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.

(c) Pursuant to the options provided to the States by FHWA Docket No. MC-88-8, the driver of any motor vehicle controlled or operated by or for a farmer is waived from the requirements of this Section, when such motor vehicle is being used to transport: agricultural products; implements of husbandry; or farm supplies; to and from a farm, as long as such movement is not over 150 air miles from the originating farm. This waiver does not apply to the driver of any motor vehicle being used in a common or contract carrier type operation. However, for those drivers of any truck-tractor semitrailer combination or combinations registered under subsection (c) of Section 3-815 of this Code, this waiver shall apply only when the driver is a farmer or a member of the farmer's family and the driver is 21 years of age or more and has successfully completed any tests the Secretary of State deems necessary.

In addition, the farmer or a member of the farmer's family who operates a truck-tractor semitrailer combination or combinations pursuant to this waiver shall be granted all of the rights and shall be subject to all of the duties and restrictions with respect to Sections 6-514 and 6-515 of this Code applicable to the driver who possesses a commercial driver's license issued under this Code, except that the driver shall not be subject to any additional duties or restrictions contained in Part 382 of the Federal Motor...
Carrier Safety Regulations that are not otherwise imposed under Section 6-514 or 6-515 of this Code.

For purposes of this subsection (c), a member of the farmer's family is a natural or in-law spouse, child, parent, or sibling.

(c-5) An employee of a township or road district with a population of less than 3,000 operating a vehicle within the boundaries of the township or road district for the purpose of removing snow or ice from a roadway by plowing, sanding, or salting is waived from the requirements of this Section when the employee is needed to operate the vehicle because the employee of the township or road district who ordinarily operates the vehicle and who has a commercial driver's license is unable to operate the vehicle or is in need of additional assistance due to a snow emergency.

(c-10) A driver of a commercial motor vehicle used primarily in the transportation of propane winter heating fuel or a driver of a motor vehicle used to respond to a pipeline emergency is waived from the requirements of this Section if such requirements would prevent the driver from responding to an emergency condition requiring immediate response as defined in 49 C.F.R. Part 390.5.

(d) Any person convicted of violating this Section, shall be guilty of a Class A misdemeanor.

(e) Any person convicted of violating paragraph (1) of subsection (b) of this Section, shall have all driving privileges revoked by the Secretary of State.

(f) This Section shall not apply to:

1. A person who currently holds a valid Illinois driver's license, for the type of vehicle being operated, until the expiration of such license or April 1, 1992, whichever is earlier; or
2. A non-Illinois domiciliary who is properly licensed in another State, until April 1, 1992. A non-Illinois domiciliary, if such domiciliary is properly licensed in another State or foreign jurisdiction, until April 1, 1992.

(Source: P.A. 96-544, eff. 1-1-10; 97-208, eff. 1-1-12; 97-229, eff. 1-1-09; 97-813, eff. 7-13-12.)

(625 ILCS 5/6-507.5 new)

Sec. 6-507.5. Application for Commercial Learner's Permit (CLP).

(a) The application for a CLP must include, but is not limited to, the following:

1. the driver applicant's full legal name and current Illinois domiciliary address, unless the driver applicant is from a
foreign country and is applying for a non-domiciled CLP in which case the driver applicant shall submit proof of Illinois residency or the driver applicant is from another state and is applying for a non-domiciled CLP in which case the driver applicant shall submit proof of domicile in the state which issued the driver applicant's Non-CDL;

(2) a physical description of the driver applicant including gender, height, weight, color of eyes, and hair color;
(3) date of birth;
(4) the driver applicant's social security number;
(5) the driver applicant's signature;
(6) the names of all states where the driver applicant has previously been licensed to drive any type of motor vehicle during the previous 10 years under 49 C.F.R. Part 383;
(7) proof of citizenship or lawful permanent residency as set forth in Table 1 of 49 C.F.R. 383.71, unless the driver applicant is from a foreign country and is applying for a non-domiciled CLP, in which case the applicant must provide an unexpired employment authorization document (EAD) issued by USCIS or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States; and
(8) any other information required by the Secretary of State.

(b) No CLP shall be issued to a driver applicant unless the applicant has taken and passed a general knowledge test that meets the federal standards contained in 49 C.F.R. Part 383, subparts F, G, and H for the commercial motor vehicle the applicant expects to operate.

(c) No CLP shall be issued to a driver applicant unless the applicant possesses a valid Illinois driver's license or if the applicant is applying for a non-domiciled CLP under subsection (b) of Section 6-509 of this Code, in which case the driver applicant must possess a valid driver's license from his or her state of domicile.

(d) No CLP shall be issued to a person under 18 years of age.

(e) No person shall be issued a CLP unless the person certifies to the Secretary one of the following types of driving operations in which he or she will be engaged:

(1) non-excepted interstate;
(2) non-excepted intrastate;
(3) excepted interstate; or
(4) excepted intrastate.

(f) No person shall be issued a CLP unless the person certifies to the Secretary that he or she is not subject to any disqualification under 49 C.F.R. 383.51, or any license disqualification under State law, and that he or she does not have a driver's license from more than one state or jurisdiction.

(g) No CLP shall be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, unless otherwise permitted by this Code, while the person's driver's license is suspended, revoked, or cancelled in any state, or any territory or province of Canada; nor may a CLP be issued to a person who has a CLP or CDL issued by any other state or foreign jurisdiction, unless the person surrenders all of these licenses. No CLP shall be issued to or renewed for a person who does not meet the requirement of 49 C.F.R. 391.41(b)(11). The requirement may be met with the aid of a hearing aid.

(h) No CLP with a Passenger, School Bus or Tank Vehicle endorsement shall be issued to a person unless the driver applicant has taken and passed the knowledge test for each endorsement.

(1) A CLP holder with a Passenger (P) endorsement is prohibited from operating a CMV carrying passengers, other than federal or State auditors and inspectors, test examiners, or other trainees, and the CDL holder accompanying the CLP holder as prescribed by subsection (a) of Section 6-507 of this Code. The P endorsement must be class specific.

(2) A CLP holder with a School Bus (S) endorsement is prohibited from operating a school bus with passengers other than federal or State auditors and inspectors, test examiners, or other trainees, and the CDL holder accompanying the CLP holder as prescribed by subsection (a) of Section 6-507 of this Code.

(3) A CLP holder with a Tank Vehicle (N) endorsement may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous material that has not been purged of all residue.

(4) All other federal endorsements are prohibited on a CLP.

(i) No CLP holder may operate a commercial motor vehicle transporting hazardous material as defined in paragraph (20) of Section 6-500 of this Code.

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(j) The CLP holder must be accompanied by the holder of a valid CDL who has the proper CDL group and endorsement necessary to operate the CMV. The CDL holder must at all times be physically present in the front seat of the vehicle next to the CLP holder or, in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision.

(k) A CLP is valid for 180 days from the date of issuance. A CLP may be renewed for an additional 180 days without requiring the CLP holder to retake the general and endorsement knowledge tests.

(l) A CLP issued prior to July 1, 2014 for a limited time period according to state requirements, shall be considered a valid commercial driver's license for purposes of behind-the-wheel training on public roads or highways.

(625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)
Sec. 6-508. Commercial Driver's License (CDL) - qualification standards.

(a) Testing.

(1) General. No person shall be issued an original or renewal CDL unless that person is domiciled in this State or is applying for a non-domiciled CDL under Sections 6-509 and 6-510 of this Code. The Secretary shall cause to be administered such tests as the Secretary deems necessary to meet the requirements of 49 C.F.R. Part 383, subparts F, G, H, and J.

(1.5) Effective July 1, 2014, no person shall be issued an original CDL or an upgraded CDL that requires a skills test unless that person has held a CLP, for a minimum of 14 calendar days, for the classification of vehicle and endorsement, if any, for which the person is seeking a CDL.

(2) Third party testing. The Secretary of state may authorize a "third party tester", pursuant to 49 C.F.R. Part 383.75 and 49 C.F.R. 384.228 and 384.229, to administer the skills test or tests specified by Federal Motor Carrier Safety Administration pursuant to the Commercial Motor Vehicle Safety Act of 1986 and any appropriate federal rule.

(b) Waiver of Skills Test. The Secretary of State may waive the skills test specified in this Section for a driver applicant for a commercial driver license who meets the requirements of 49 C.F.R. Part 383.77 and Part 383.123.
(b-1) No person shall be issued a commercial driver instruction permit or CDL unless the person certifies to the Secretary one of the following types of driving operations in which he or she will be engaged:

1. non-excepted interstate;
2. non-excepted intrastate;
3. excepted interstate; or
4. excepted intrastate.

(b-2) **(Blank).** Persons who hold a commercial driver instruction permit or CDL on January 30, 2012 must certify to the Secretary no later than January 30, 2014 one of the following applicable self-certifications:

1. non-excepted interstate;
2. non-excepted intrastate;
3. excepted interstate; or
4. excepted intrastate.

(c) Limitations on issuance of a CDL. A CDL, or a commercial driver instruction permit, shall not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or unless otherwise permitted by this Code, while the person's driver's license is suspended, revoked or cancelled in any state, or any territory or province of Canada; nor may a CLP or CDL be issued to a person who has a CLP or CDL issued by any other state, or foreign jurisdiction, nor may a CDL be issued to a person who has an Illinois CLP unless the person first surrenders all of these such licenses or permits. However, a person may hold an Illinois CLP and an Illinois CDL providing the CLP is necessary to train or practice for an endorsement or vehicle classification not present on the current CDL. No CDL shall be issued to or renewed for a person who does not meet the requirement of 49 CFR 391.41(b)(11). The requirement may be met with the aid of a hearing aid.

(c-1) The Secretary may issue a CDL with a school bus driver endorsement to allow a person to drive the type of bus described in subsection (d-5) of Section 6-104 of this Code. The CDL with a school bus driver endorsement may be issued only to a person meeting the following requirements:

1. the person has submitted his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases;
(2) the person has passed a written test, administered by the Secretary of State, on charter bus operation, charter bus safety, and certain special traffic laws relating to school buses determined by the Secretary of State to be relevant to charter buses, and submitted to a review of the driver applicant's driving habits by the Secretary of State at the time the written test is given;

(3) the person has demonstrated physical fitness to operate school buses by submitting the results of a medical examination, including tests for drug use; and

(4) the person has not been convicted of committing or attempting to commit any one or more of the following offenses:
(i) those offenses defined in Sections 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6, 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.2, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection (b) of Section 8-1, and in subdivisions (a)(1), (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and (f)(1) of Section 12-3.05, and in subsection (a) and subsection (b), clause (1), of Section 12-4, and in subsection (A), clauses (a) and (b), of Section 24-3, and those offenses contained in Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012; (ii) those offenses defined in the Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) of Section 5 of the Cannabis Control Act; (iii) those offenses defined in the Illinois Controlled Substances Act; (iv) those offenses defined in the Methamphetamine Control and Community Protection Act; (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State would be punishable as one or more of the foregoing.

New matter indicated by italics - deletions by strikeout
offenses; (vi) the offenses defined in Sections 4.1 and 5.1 of the Wrongs to Children Act or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012; (vii) those offenses defined in Section 6-16 of the Liquor Control Act of 1934; and (viii) those offenses defined in the Methamphetamine Precursor Control Act.

The Department of State Police shall charge a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and may not exceed the actual cost of the records check.

(c-2) The Secretary shall issue a CDL with a school bus endorsement to allow a person to drive a school bus as defined in this Section. The CDL shall be issued according to the requirements outlined in 49 C.F.R. 383. A person may not operate a school bus as defined in this Section without a school bus endorsement. The Secretary of State may adopt rules consistent with Federal guidelines to implement this subsection (c-2).

(d) (Blank).

Commercial driver instruction permit. A commercial driver instruction permit may be issued to any person holding a valid Illinois driver's license if such person successfully passes such tests as the Secretary determines to be necessary. A commercial driver instruction permit shall not be issued to a person who does not meet the requirements of 49 CFR 391.41 (b)(11), except for the renewal of a commercial driver instruction permit for a person who possesses a commercial instruction permit prior to the effective date of this amendatory Act of 1999.

(Source: P.A. 96-1182, eff. 7-22-10; 96-1551, Article 1, Section 95, eff. 7-1-11; 96-1551, Article 2, Section 1025, eff. 7-1-11; 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-508.1)
Sec. 6-508.1. Medical Examiner's Certificate.

(a) It shall be unlawful for any person to drive a CMV in non-excepted interstate commerce unless the person holds a CLP or CDL and is medically certified as physically qualified to do so.

(b) No person who has certified to non-excepted interstate driving as provided in Sections 6-507.5 and Section 6-508 of this Code shall be issued a commercial learner's driver instruction permit or CDL unless that person presents to the Secretary a medical examiner's certificate or has a current medical examiner's certificate on the CDLIS driver record.

(c) Persons who hold a commercial driver instruction permit or CDL on January 30, 2012 who have certified as non-excepted interstate as
provided in Section 6-508 of this Code must provide to the Secretary a medical examiner's certificate no later than January 30, 2014.

(d) **On and after January 30, 2014,** all persons who hold a commercial driver instruction permit or CDL who have certified as non-excepted interstate shall maintain a current medical examiner's certificate on file with the Secretary. **On and after July 1, 2014,** all persons issued a CLP who have certified as non-excepted interstate shall maintain a current medical examiner's certificate on file with the Secretary.

(e) Within 10 calendar days of receipt of a medical examiner's certificate of a driver who has certified as non-excepted interstate, the Secretary shall post the following to the CDLIS driver record:

1. the medical examiner's name;
2. the medical examiner's telephone number;
3. the date of issuance of the medical examiner's certificate;
4. the medical examiner's license number and the state that issued it;
5. the medical certification status;
6. the expiration date of the medical examiner's certificate;
7. the existence of any medical variance on the medical examiner's certificate or grandfather provisions;
8. any restrictions noted on the medical examiner's certificate; and
9. the date the medical examiner's certificate information was posted to the CDLIS driver record.

(f) Within 10 calendar days of the expiration or rescission of the driver's medical examiner's certificate or medical variance or both, the Secretary shall update the medical certification status to "not certified".

(g) Within 10 calendar days of receipt of information from the Federal Motor Carrier Safety Administration regarding issuance or renewal of a medical variance, the Secretary shall update the CDLIS driver record to include the medical variance information provided by the Federal Motor Carrier Safety Administration.

(h) The Secretary shall notify the driver of his or her non-certified status and that his or her CDL will be canceled unless the driver submits a current medical examiner's certificate or medical variance or changes his or her self-certification to driving only in excepted or intrastate commerce.

(i) Within 60 calendar days of a driver's medical certification status becoming non-certified, the Secretary shall cancel the CDL.

New matter indicated by italics - deletions by strikeout
Sec. 6-509. Non-domiciled commercial learner's permit and non-domiciled commercial driver's license.

(a) The Secretary of State may issue a non-domiciled CLP or non-domiciled non-resident CDL to a domiciliary of a foreign jurisdiction if the United States Secretary of Transportation has determined that the commercial motor vehicle testing and licensing standards, in that foreign jurisdiction, do not meet the testing standards established in 49 C.F.R. Part 383. The Secretary of State may also issue a non-resident CDL to an individual domiciled in another state while that state is prohibited from issuing CDLs in accordance with 49 C.F.R. Part 384. A non-domiciled CLP or non-domiciled non-resident CDL shall be issued in accordance with the testing and licensing standards contained in subparts F, G, and H of 49 C.F.R. Part 383. The word "Non-domiciled" or "Non-resident" must appear on the face of the non-domiciled CLP or non-domiciled non-resident CDL. A driver applicant must surrender any non-domiciled CLP or non-domiciled non-resident CDL, license or permit issued by any other state.

(b) If an individual is domiciled in a state while that state is prohibited from issuing CDLs in accordance with 49 C.F.R. Part 384.405, that individual is eligible to obtain a non-domiciled CLP or non-domiciled non-resident CDL from any state that elects to issue a non-domiciled CLP or non-domiciled non-resident CDL and which complies with the testing and licensing standards contained in subparts F, G, and H of 49 C.F.R. Part 383.23. "Non-domiciled" must appear on the face of the non-domiciled CLP or non-domiciled CDL. A driver applicant must surrender any non-domiciled CLP or non-domiciled CDL issued in any other state.

Sec. 6-510. Application for Commercial Driver's License (CDL). The application for a CDL or commercial driver instruction permit, must include, but is not necessarily be limited to, the following:

(1) the driver applicant's full legal name and current Illinois domiciliary address, (unless the driver applicant is from a foreign country and is applying for a non-domiciled Non-resident CDL) in which case the driver applicant shall submit proof of Illinois residency or the driver applicant is from another state and is applying for a non-domiciled CDL in which case the

New matter indicated by italics - deletions by strikeout
driver applicant shall submit proof of domicile in the state which issued the driver applicant's Non-CDL of the driver applicant;

(2) a physical description of the driver applicant including gender sex, height, weight, color of eyes, and hair color;

(3) date of birth;

(4) the driver applicant's social security number;

(5) the driver applicant's signature;

(6) certifications required by 49 C.F.R. Part 383.71;

(6.1) the names of all states where the driver applicant has previously been licensed to drive any type of motor vehicle during the previous 10 years pursuant to 49 C.F.R. Part 383; and

(6.2) proof of citizenship or lawful permanent residency as set forth in Table 1 of 49 C.F.R. 383.71, unless the driver applicant is from a foreign country and is applying for a non-domiciled CDL, in which case the applicant must provide an unexpired employment authorization document (EAD) issued by USCIS or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States; and

(7) any other information required by the Secretary of State.

(Source: P.A. 97-263, eff. 8-5-11.)

(625 ILCS 5/6-511) (from Ch. 95 1/2, par. 6-511)
Sec. 6-511. Change of legal name or domiciliary address.
(a) All persons to whom a CLP or CDL has been issued, shall notify the Driver Services Department of the Secretary of State's Office within 10 days of any change in domiciliary address. In addition, the such person shall make application for a corrected CLP or CDL within 30 days after the of any such change.

(b) Any person to whom a CLP or CDL has been issued whose legal name has changed from the name on the previously-issued CLP or CDL shall apply for a corrected card within 30 days after the change.

(Source: P.A. 93-895, eff. 1-1-05.)

(625 ILCS 5/6-512) (from Ch. 95 1/2, par. 6-512)
Sec. 6-512. Unlawful operation of a commercial motor vehicle pursuant to a non-Illinois issued CLP or CDL. No person, after becoming a domiciliary of this State for 30 days or more, shall drive a commercial motor vehicle on the highways of this State pursuant to the authority of a CLP or CDL issued by any other State or foreign jurisdiction.

(Source: P.A. 86-845.)

New matter indicated by italics - deletions by strikeout
Sec. 6-512.5. Commercial Learner's Permit or CLP.
(a) The content of the CLP shall include, but is not limited to, the following:

   (1) A CLP shall be distinctly marked "Commercial Learner's Permit" or "CLP" and that it is invalid unless accompanied by the underlying driver's license issued by the State of Illinois;
   
   (2) the full legal name and the Illinois domiciliary address (unless it is a non-domiciled CLP) of the person to whom the CLP is issued;
   
   (3) a physical description of the person including gender, height, weight, color of eyes, and hair color;
   
   (4) date of birth;
   
   (5) the Illinois driver's license number assigned by the Secretary of State;
   
   (6) the person's signature;
   
   (7) an indicator showing that the CLP was issued by the State of Illinois;
   
   (8) the date of issuance and the date of expiration of the CLP;
   
   (9) the class or type of commercial vehicle or vehicles which the person is authorized to drive together with any endorsement or restriction.

(b) If the CLP is a non-domiciled CLP, it must contain the prominent statement that the permit is a "Non-domiciled Commercial Learner's Permit" or "Non-domiciled CLP".

(c) Applicant Record Check. Prior to issuing, renewing, upgrading, or transferring a CLP, the Secretary of State shall obtain, review, and maintain upon issuance, renewal, upgrade, or transfer the driver applicant's driving record as required by 49 C.F.R. Parts 383 and 384 and the United States Secretary of Transportation.

(d) Notification of Commercial Learner's Permit (CLP) Issuance and Self-Certification. Within 10 days after issuing a CLP, the Secretary of State must notify the Commercial Driver License Information System of that fact, and provide all information required to ensure identification of the person. The Secretary shall also post the driver's self-certification for the type of driving operations to the CDLIS driver record.

(625 ILCS 5/6-513) (from Ch. 95 1/2, par. 6-513)
Sec. 6-513. Commercial Driver's License or CDL. The content of the CDL shall include, but is not necessarily limited to the following:

(a) A CDL shall be distinctly marked "Commercial Driver's License" or "CDL". It must include, but is not necessarily limited to, the following information:

1. The full legal name and the Illinois domiciliary address (unless it is a non-domiciled Non-resident CDL) of the person to whom the CDL is issued;
2. A color photograph of the person;
3. A physical description of the person including gender, height, and may include weight, color of eyes, and hair color;
4. Date of birth;
5. A CDL or file number assigned by the Secretary of State;
6. The person's signature;
7. The class or type of commercial vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;
8. The name of the issuing state;
9. The issuance and expiration dates of the CDL; and
10. The restriction code "V" if the driver has been issued a medical variance.

(a-5) If the CDL is a non-domiciled CDL it must contain the prominent statement that the license is a "Non-domiciled Commercial Driver's License" or "Non-domiciled CDL".

(b) Applicant Record Check.
Prior to issuing, renewing, upgrading, or transferring a CDL, the Secretary of State shall obtain, review, and maintain upon issuance, renewal, upgrade, or transfer the driver applicant's driving record as required by 49 C.F.R. Part 383 and Part 384 and the United States Secretary of Transportation.

(c) Notification of Commercial Driver's License (CDL) Issuance and Self-Certification.
Within 10 days after issuing a CDL, the Secretary of State must notify the Commercial Driver License Information System of that fact, and provide all information required to ensure identification of the person. The Secretary shall also post the driver's self-certification for the type of driving operations to the CDLIS driver record.

(c-5) Change in driver identification information.

New matter indicated by italics - deletions by strikeout
Within 10 days of any change of driver identification information on any CDL holder, the Secretary of State must notify the Commercial Driver License Information System of the change.

(d) Renewal.

Every person applying for a renewal of a CDL must complete the appropriate application form required by this Code and any other test deemed necessary by the Secretary.

(Source: P.A. 97-208, eff. 1-1-12.)

(625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

Sec. 6-514. Commercial Driver's License (CDL) - Disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests to determine the driver's blood concentration of alcohol, other drug, or both, while driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a CLP or CDL commercial driver's license; or

(3) Conviction for a first violation of:

New matter indicated by italics - deletions by strikeout
(i) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or
   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or
   (iii) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while committing any felony; or
   (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or
   (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in
the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CLP or CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a CLP or CDL commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CLP or CDL or commercial driver instruction permit from another jurisdiction, the
Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

(1) For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.

(2) For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(4) For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the
period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation
described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(Source: P.A. 96-544, eff. 1-1-10; 96-1080, eff. 7-16-10; 96-1244, eff. 1-1-11; 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/6-518) (from Ch. 95 1/2, par. 6-518)

Sec. 6-518. Notification of Traffic Convictions.

(a) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver who has been issued a CLP or CDL by another State, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in any motor vehicle, the Secretary of State must notify the driver licensing authority which issued such CLP or CDL of said conviction.

(b) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver from another state, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in a commercial motor vehicle, the Secretary of State must notify the driver licensing authority which issued the person's driver's license of the conviction.

(Source: P.A. 96-1080, eff. 7-16-10.)

(625 ILCS 5/6-523) (from Ch. 95 1/2, par. 6-523)

Sec. 6-523. Reciprocity.
(a) Notwithstanding any law to the contrary, a person may drive a commercial motor vehicle in this State if the person has a valid CDL, non-domiciled CDL, CLP, or non-domiciled CLP issued by another State or foreign jurisdiction as long as that person has not been an established domiciliary of this State for 30 days or more.

(b) The Secretary of State shall give out of state convictions full faith and credit and treat them for sanctioning purposes, under this UCDLA, just as if they occurred in this State.

(c) A CLP or CDL issued by this State or any other state before the date on and after which the state is prohibited from issuing CLPs or CDLs under 49 C.F.R. Part 384, remains valid until its stated expiration date.

(Source: P.A. 94-307, eff. 9-30-05.)

Sec. 6-704. Applications for New Licenses.

Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

1. The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.

2. The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.

3. The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders this license, except that if an applicant is applying only for a non-domiciled commercial learner's permit or non-domiciled commercial driver's license, the applicant is not required to surrender the license issued by the applicant's state or country of domicile.

(Source: P.A. 76-1615.)

(625 ILCS 5/1-111.5 rep.)

New matter indicated by italics - deletions by strikeout
Section 10. The Illinois Vehicle Code is amended by repealing Section 1-111.5.

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved August 5, 2013.
Effective July 1, 2014.

PUBLIC ACT 98-0177
(Senate Bill No. 1828)

AN ACT concerning transportation.

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

Section 5. The State Finance Act is amended by changing Sections 5.270 and 6z-23 as follows:

(30 ILCS 105/5.270) (from Ch. 127, par. 141.270)
Sec. 5.270. The CDLIS/AAMVAnet/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund).
(Source: P.A. 86-845; 86-1028.)
(30 ILCS 105/6z-23) (from Ch. 127, par. 142z-23)
Sec. 6z-23. All monies received by the Secretary of State pursuant to paragraph (f) of Section 2-119 or subsection (b) of Section 3-113 of the Illinois Vehicle Code shall be deposited in the CDLIS/AAMVAnet/NMVTIS Trust Fund. The money in this Fund shall only be used by the Secretary of State to pay for (1) the enrollment of commercial drivers into the Commercial Driver License Information System (CDLIS), (2) network charges assessed Illinois by AAMVAnet, Inc., for motor vehicle and driver records data and information, and (3) expenses (limited to equipment, maintenance, and software) related to the testing of applicants for commercial driver's licenses, and (4) expenses related to participation in the National Motor Vehicle Title Information Service.
(Source: P.A. 91-537, eff. 8-13-99; 91-679, eff. 1-26-00.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 2-119, 3-113, 5-803, and 6-118 as follows:

(625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)
Sec. 2-119. Disposition of fees and taxes.

New matter indicated by italics - deletions by strikeout
(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.

(b) Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $0.50 shall be deposited into the Used Tire Management Fund. Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $1.50 shall be deposited in the Park and Conservation Fund.

Beginning January 1, 1995, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $3.25 shall be deposited in the Park and Conservation Fund. The moneys deposited in the Park and Conservation Fund pursuant to this Section shall be used for the acquisition and development of bike paths as provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law (20 ILCS 805/805-420). The monies deposited into the Park and Conservation Fund under this subsection shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Beginning January 1, 2000, of the moneys collected for each certificate of title, duplicate certificate of title, and corrected certificate of title, $48 shall be deposited into the Road Fund and $4 shall be deposited into the Motor Vehicle License Plate Fund, except that if the balance in the Motor Vehicle License Plate Fund exceeds $40,000,000 on the last day of a calendar month, then during the next calendar month the $4 shall instead be deposited into the Road Fund.

Beginning January 1, 2005, of the moneys collected for each delinquent vehicle registration renewal fee, $20 shall be deposited into the General Revenue Fund.

Except as otherwise provided in this Code, all remaining moneys collected for certificates of title, and all moneys collected for filing of security interests, shall be placed in the General Revenue Fund in the State Treasury.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Driver Education Fund in the State Treasury.

(d) Beginning January 1, 1999, of the monies collected as a registration fee for each motorcycle, motor driven cycle and moped, 27% of each annual registration fee for such vehicle and 27% of each

New matter indicated by italics - deletions by strikeout
semiannual registration fee for such vehicle is deposited in the Cycle Rider Safety Training Fund.

(e) Of the monies received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 of this Code, 37% shall be deposited into the State Construction Fund.

(f) Of the total money collected for a CDL instruction permit or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial Driver's License Act (UCDLA): (i) $6 of the total fee for an original or renewal CDL, and $6 of the total CDL instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/ NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) $20 of the total fee for an original or renewal CDL or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.

(g) All remaining moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7)(A) of subsection (b) of Section 5-101 and Section 5-109 of this Code, shall be deposited in the Road Fund in the State Treasury. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).

(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii)
for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

On or before October 1, 1995, the Secretary of State shall direct the State Comptroller and State Treasurer to transfer any unexpended balance in the Special Environmental License Plate Fund, the Special Korean War Veteran License Plate Fund, and the Retired Congressional License Plate Fund to the Secretary of State Special License Plate Fund.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in administering the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a special fund to be known as the Family Responsibility Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State for the purpose of enforcing the Family Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the State Fire Marshal for construction of the Illinois Fire Fighters' Memorial to be located at the State Capitol grounds in Springfield, Illinois. Upon the completion of the Memorial, moneys in the Fund shall be used in accordance with Section 3-634.

(o) Of the money collected for each certificate of title for all-terrain vehicles and off-highway motorcycles, $17 shall be deposited into the Off-Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant to Section 2-124(d) of this Code, 50% of the money collected as audit fees shall be deposited into the General Revenue Fund.

(Source: P.A. 96-554, eff. 1-1-10; 97-1136, eff. 1-1-13.)

(625 ILCS 5/3-113) (from Ch. 95 1/2, par. 3-113)

Sec. 3-113. Transfer to or from dealer; records.

(a) After a dealer buys a vehicle and holds it for resale, the dealer must procure the certificate of title from the owner or the lienholder. The dealer may hold the certificate until he or she transfers the vehicle to

New matter indicated by italics - deletions by strikeout
another person. Upon transferring the vehicle to another person, the dealer shall promptly and within 20 days execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale, in the spaces provided therefor on the certificate or as the Secretary of State prescribes, and mail or deliver the certificate to the Secretary of State with the transferee's application for a new certificate, except as provided in Section 3-117.2. A dealer has complied with this Section if the date of the mailing of the certificate, as indicated by the postmark, is within 20 days of the date on which the vehicle was transferred to another person.

(b) The Secretary of State may decline to process any application for a transfer of an interest in a vehicle if any fees or taxes due under this Code from the transferor or the transferee have not been paid upon reasonable notice and demand.

(c) Any person who violates this Section shall be guilty of a petty offense.

(d) Beginning January 1, 2014, the Secretary of State is authorized to impose a delinquent vehicle dealer transfer fee of $20 if the certificate of title is received by the Secretary from the dealer 30 days but less than 60 days after the date of sale. If the certificate of title is received by the Secretary from the dealer 60 days but less than 90 days after the date of sale, the delinquent dealer transfer fee shall be $35. If the certificate of title is received by the Secretary from the dealer 90 days but less than 120 days after the date of sale, the delinquent vehicle dealer transfer fee shall be $65. If the certificate of title is received by the Secretary from the dealer 120 days or more after the date of sale, the delinquent vehicle dealer transfer fee shall be $100. All monies collected under this subsection shall be deposited into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

(Source: P.A. 94-239, eff. 1-1-06; 95-284, eff. 1-1-08.)

(625 ILCS 5/5-803)

Sec. 5-803. Administrative penalties. Instead of filing a criminal complaint against a new or used vehicle dealer, or against any other entity licensed by the Secretary under this Code, a Secretary of State Police investigator may issue administrative citations for violations of any of the provisions of this Code or any administrative rule adopted by the Secretary under this Code. A party receiving a citation shall have the right to contest the citation in proceedings before the Secretary of State

New matter indicated by italics - deletions by strikeout
Department of Administrative Hearings. Penalties imposed by issuance of an administrative citation shall not exceed $50 per violation. A penalty may not be imposed unless, during the course of a single investigation or upon review of the party's records, the party is found to have committed at least 3 separate violations of one or more of the provisions of this Code or any administrative rule adopted by the Secretary under this Code. Penalties paid as a result of the issuance of administrative citations shall be deposited in the Secretary of State Police Services Fund.

(Source: P.A. 97-838, eff. 7-20-12.)

(625 ILCS 5/6-118)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

<table>
<thead>
<tr>
<th>License Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original driver's license</td>
<td>$30</td>
</tr>
<tr>
<td>Original or renewal driver's license</td>
<td></td>
</tr>
<tr>
<td>issued to 18, 19 and 20 year olds</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 69 through age 80</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 81 through age 86</td>
<td>2</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 87 or older</td>
<td>0</td>
</tr>
<tr>
<td>Renewal driver's license (except for applicants ages 18, 19 and 20 or age 69 and older)</td>
<td>30</td>
</tr>
<tr>
<td>Original instruction permit issued to persons (except those age 69 and older) who do not hold or have not previously held an Illinois instruction permit or driver's license</td>
<td>20</td>
</tr>
<tr>
<td>Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal</td>
<td>5</td>
</tr>
<tr>
<td>Any instruction permit issued to a person age 69 and older</td>
<td>5</td>
</tr>
<tr>
<td>Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has</td>
<td></td>
</tr>
</tbody>
</table>
 Previously been issued either document in Illinois................................. 10
 Restricted driving permit................................. 8
 Monitoring device driving permit.......................... 8
 Duplicate or corrected driver's license or permit.............................. 5
 Duplicate or corrected restricted driving permit.............................. 5
 Duplicate or corrected monitoring device driving permit...................... 5
 Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or the dependent children living with the member............................... 0
 Original or renewal M or L endorsement.......................... 5

**SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE**

The fees for commercial driver licenses and permits under Article V shall be as follows:

Commercial driver's license:
- $6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
  (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund);
- $20 for the Motor Carrier Safety Inspection Fund;
- $10 for the driver's license;
- and $24 for the CDL:............................. $60

Renewal commercial driver's license:
- $6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
- $20 for the Motor Carrier Safety Inspection Fund;
- $10 for the driver's license; and
- $24 for the CDL:................................. $60

Commercial driver instruction permit issued to any person holding a valid Illinois driver's license for the purpose of changing to a CDL classification: $6 for the

New matter indicated by italics - deletions by strikeout
CDLIS/AAMVAnet/NMVTIS Trust Fund;
$20 for the Motor Carrier
Safety Inspection Fund; and
$24 for the CDL classification...............                      $50

Commercial driver instruction permit
issued to any person holding a valid
Illinois CDL for the purpose of
making a change in a classification,
endorsement or restriction..................                      $5

CDL duplicate or corrected license...............                      $5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707.......................                      $100
Summary suspension under Section 11-501.1..........                      $250
Summary revocation under Section 11-501.1..........                      $500
Other suspension...............................................                      $70
Revocation..........................................................                      $500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense

New matter indicated by italics - deletions by strikeout
or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

- Summary suspension under Section 11-501.1 ........... $500
- Summary revocation under Section 11-501.1 .......... $500
- Revocation........................................... $500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:
   - (A) $16 of the $20 fee for an original driver's instruction permit;
   - (B) $5 of the $30 fee for an original driver's license;
   - (C) $5 of the $30 fee for a 4 year renewal driver's license;
   - (D) $4 of the $8 fee for a restricted driving permit;
   - (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. $190 of the $500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of such original or renewal fee for a commercial driver's license and $6 of the commercial driver instruction permit fee when such permit is issued to any person holding a valid...
Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1231, eff. 7-23-10; 96-1344, eff. 7-1-11; 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 5, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-201, 6-306.6, 7-214, 7-303, and 7-316.1 as follows:

(625 ILCS 5/6-201)

Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or

2. failed to give the required or correct information in his application; or

3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or

4. committed any fraud in the making of such application; or

5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or

6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or

7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation,
the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain

New matter indicated by italics - deletions by strikeout
cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or

11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued or to present documentation for verification of identity; or

12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or

13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or

14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or:

15. has submitted acceptable documentation indicating out-of-state residency to the Secretary of State to be released from the requirement of showing proof of financial responsibility in this State.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.

(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12.)

(625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)

Sec. 6-306.6. Failure to pay traffic fines, penalties, or court costs.

(a) Whenever any resident of this State fails to pay any traffic fine, penalty, or cost imposed for a violation of this Code, or similar provision of local ordinance, the clerk may notify the Secretary of State, on a report prescribed by the Secretary, and the Secretary shall prohibit the renewal, reissue or reinstatement of such resident's driving privileges until such

New matter indicated by italics - deletions by strikeout
fine, penalty, or cost has been paid in full. The clerk shall provide notice to the driver, at the driver's last known address as shown on the court's records, stating that such action will be effective on the 46th day following the date of the above notice if payment is not received in full by the court of venue.

(a-1) Whenever any resident of this State who has made a partial payment on any traffic fine, penalty, or cost that was imposed under a conviction entered on or after the effective date of this amendatory Act of the 93rd General Assembly, for a violation of this Code or a similar provision of a local ordinance, fails to pay the remainder of the outstanding fine, penalty, or cost within the time limit set by the court, the clerk may notify the Secretary of State, on a report prescribed by the Secretary, and the Secretary shall prohibit the renewal, reissue, or reinstatement of the resident's driving privileges until the fine, penalty, or cost has been paid in full. The clerk shall provide notice to the driver, at the driver's last known address as shown on the court's records, stating that the action will be effective on the 46th day following the date of the notice if payment is not received in full by the court of venue.

(b) Except as provided in subsection (b-1), following receipt of the report from the clerk, the Secretary of State shall make the proper notation to the driver's file to prohibit the renewal, reissue or reinstatement of such driver's driving privileges. Except as provided in paragraph (2) of subsection (d) of this Section, such notation shall not be removed from the driver's record until the driver satisfies the outstanding fine, penalty, or cost and an appropriate notice on a form prescribed by the Secretary is received by the Secretary from the court of venue, stating that such fine, penalty, or cost has been paid in full. Upon payment in full of a traffic fine, penalty, or court cost which has previously been reported under this Section as unpaid, the clerk of the court shall present the driver with a signed receipt containing the seal of the court indicating that such fine, penalty, or cost has been paid in full, and shall forward forthwith to the Secretary of State a notice stating that the fine, penalty, or cost has been paid in full.

(b-1) In a county with a population of 3,000,000 or more, following receipt of the report from the clerk, the Secretary of State shall make the proper notation to the driver's file to prohibit the renewal, reissue or reinstatement of such driver's driving privileges. Such notation shall not be removed from the driver's record until the driver satisfies the outstanding fine, penalty, or cost and an appropriate notice on a form

New matter indicated by italics - deletions by strikeout
prescribed by the Secretary is received by the Secretary directly from the court of venue, stating that such fine, penalty, or cost has been paid in full. Upon payment in full of a traffic fine, penalty, or court cost which has previously been reported under this Section as unpaid, the clerk of the court shall forward forthwith directly to the Secretary of State a notice stating that the fine, penalty, or cost has been paid in full and shall provide the driver with a signed receipt containing the seal of the court, indicating that the fine, penalty, and cost have been paid in full. The receipt may not be used by the driver to clear the driver's record.

(c) The provisions of this Section shall be limited to a single action per arrest and as a post conviction measure only. Fines, penalty, or costs to be collected subsequent to orders of court supervision, or other available court diversions are not applicable to this Section.

(d) (1) Notwithstanding the receipt of a report from the clerk as prescribed in subsections (a) and (e), nothing in this Section is intended to place any responsibility upon the Secretary of State to provide independent notice to the driver of any potential action to disallow the renewal, reissue or reinstatement of such driver's driving privileges.

(2) Except as provided in subsection (b-1), the Secretary of State shall renew, reissue or reinstate a driver's driving privileges which were previously refused pursuant to this Section upon presentation of an original receipt which is signed by the clerk of the court and contains the seal of the court indicating that the fine, penalty, or cost has been paid in full. The Secretary of State shall retain such receipt for his records.

(e) Upon receipt of notification from another state that is a member of the Nonresident Violator Compact of 1977, stating a resident of this State failed to pay a traffic fine, penalty, or cost imposed for a violation that occurs in another state, the Secretary shall make the proper notation to the driver's license file to prohibit the renewal, reissue, or reinstatement of the resident's driving privileges until the fine, penalty, or cost has been paid in full. The Secretary of State shall renew, reissue, or reinstate the driver's driving privileges that were previously refused under this Section upon receipt of notification from the other state that indicates that the fine, penalty, or cost has been paid in full. The Secretary of State shall retain the out-of-state receipt for his or her records.

(Source: P.A. 94-618, eff. 1-1-06; 95-382, eff. 8-23-07.)

(625 ILCS 5/7-214) (from Ch. 95 1/2, par. 7-214)
Sec. 7-214. Disposition of Security. Such security shall be applicable only to the payment of a judgment or judgments, rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question, in an action at law, begun not later than two years after the later of (i) the date the driver's license and registration were suspended following the accident or (ii) the date of any default in any payment under an installment agreement for payment of damages, and such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the Secretary of State has been filed with him:

1. that there has been a release from liability, or a final adjudication of non-liability; or
2. a duly acknowledged written agreement in accordance with Section 7-208 of this Act; or
3. whenever after the expiration of two years after the later of (i) the date the driver's license and registration were suspended following the accident or (ii) the date of any default in any payment under an installment agreement for payment of damages, the Secretary of State shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

If, after releasing security to a judgment debtor or claimant, the balance of the security posted with the Secretary is $5 or less, the balance shall be transferred to the General Revenue Fund. The Secretary shall compile a list of all security amounts of $5 or less annually in July and shall certify that amount to the State Comptroller. As soon as possible after receiving the certification, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount certified to the General Revenue Fund.

(Source: P.A. 90-774, eff. 8-14-98.)

(625 ILCS 5/7-303) (from Ch. 95 1/2, par. 7-303)

Sec. 7-303. Suspension of driver's licenses, registration certificates, license plates and registration stickers for failure to satisfy judgment. (a) The Secretary of State shall, except as provided in paragraph (d), suspend the driver's license issued to any person upon receiving an authenticated report as hereinafter provided for in Section 7-307 that the such person has failed for a period of 30 days to satisfy any final judgment in amounts as hereinafter stated, and shall also suspend the all registration certificate certificates, license plates and registration sticker stickers of the judgment

New matter indicated by italics - deletions by strikeout
debtor's motor vehicle involved in the crash as indicated issued to the person named as the judgment debtor in the any such authenticated report.

(b) The term "judgment" shall mean: A final judgment of any court of competent jurisdiction of any State, against a person as defendant for damages on account of bodily injury to or death of any person or damages to property resulting from the operation, on and after July 12, 1938, of any motor vehicle.

(c) The term "State" shall mean: Any State, Territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

(d) The Secretary of State shall not suspend the driver's license, registration certificates, registration stickers or license plates of the judgment debtor, nor shall such judgment debtor be subject to the suspension provisions of Sections 7-308 and 7-309 if all the following conditions are met:

1. At the time of the motor vehicle accident which gave rise to the unsatisfied judgment the judgment debtor was covered by a motor vehicle liability policy or bond meeting the requirements of this Chapter;
2. The insurance company which issued the policy or bond has failed and has suspended operations by order of a court;
3. The judgment debtor had no knowledge of the insurance company's failure prior to the motor vehicle accident;
4. Within 30 days after learning of the insurance company's failure the judgment debtor secured another liability policy or bond meeting the requirements of this Article relating to future occurrences or accidents;
5. The insurance company which issued the motor vehicle liability policy or bond that covered the judgment debtor at the time of the motor vehicle accident is unable to satisfy the judgment in the amounts specified in Section 7-311;
6. The judgment debtor presents to the Secretary of State such certified documents or other proofs as the Secretary of State may require that all of the conditions set forth in this Section have been met.

(Source: P.A. 85-321.)

(625 ILCS 5/7-316.1)

Sec. 7-316.1. Nonresidents and former residents; when proof not required.

(a) Any nonresident or former Illinois resident who (i) has met all requirements for reinstatement of his or her driving or registration privileges under this Chapter except for filing proof of financial

New matter indicated by italics - deletions by strikeout
responsibility, (ii) resides outside of Illinois, and (iii) has applied for a driver's license in another state, shall be released from the requirement of showing proof of financial responsibility in this State if he or she presents to the Secretary of State, in a manner satisfactory to the Secretary, notice of his or her out-of-state residency.

(b) Any nonresident or former Illinois resident whose driver's license was revoked and who (i) has met all requirements for applying for driving privileges except for filing proof of financial responsibility under this Chapter, (ii) resides outside of Illinois, and (iii) has applied for a driver's license in another state, shall be released from the requirement of showing proof of financial responsibility in this State if he or she presents to the Secretary of State, in a manner satisfactory to the Secretary, notice of his or her out-of-state residency.

(b-5) Any nonresident or former Illinois resident who has submitted satisfactory documentation to the Secretary of State to be released of showing proof of financial responsibility in this State shall have his or her Illinois license cancelled 60 days after acceptance of notice of cancellation, as provided in Section 6-201 of this Code.

(c) If a nonresident or former Illinois resident released from the requirement of showing proof of financial responsibility in this State under subsection (a) or subsection (b) of this Section moves or returns to this State within 3 years of the date of release, that person must present to the Secretary of State, in a manner satisfactory to the Secretary, proof of insurance coverage during the period in which the person lived outside of Illinois. A person who fails to present the required proof may not be issued a driver's license until he or she presents proof of financial responsibility that is satisfactory under this Chapter. The proof of financial responsibility required under this subsection (c) must be shown or maintained for the period of time required under this Chapter.

(d) The Secretary shall adopt rules for implementing this Section.

(Source: P.A. 94-224, eff. 1-1-06.)

Passed in the General Assembly May 9, 2013.
Approved August 5, 2013.
Effective January 1, 2014.
AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Secretary of State Act is amended by changing
Section 12 as follows:
(15 ILCS 305/12) (from Ch. 124, par. 10.2)
Sec. 12. Parking fees; leases.
(a) The Secretary of State shall impose a fee of $20 per month
payable by all persons parking vehicles in the underground parking facility
located south of the William G. Stratton State Office Building in
Springfield and the parking ramp located at 401 South College Street
located west of the William G. Stratton State Office Building in
Springfield. State officers and employees who make application for and
are allotted parking places in such parking facilities shall authorize the
Comptroller to deduct the required fees from their payroll checks under the
State Salary and Annuity Withholding Act and the amounts so withheld
shall be deposited as provided in Section 8 of that Act. Persons who are
not subject to the State Salary and Annuity Withholding Act and who are
allotted parking places under this Section shall pay the required fees
directly to the Office of the Secretary of State and the amounts so collected
shall be deposited as follows: 80% in the Capital Development Bond
Retirement and Interest Fund in the State Treasury and 20% in the State
Parking Facility Maintenance Fund in the State Treasury.
(b) The Secretary of State may enter into agreements with public or
private entities or individuals to lease to those entities or individuals
parking spaces at State-owned Secretary of State facilities. Such
agreements may be executed only upon a determination by the Secretary
that leasing the parking spaces will not adversely impact the delivery of
services to the public. The fee to be charged to the entity or individual
leasing the parking spaces shall be established by rule. All funds collected
by the Secretary pursuant to such leases shall be deposited in the State
Parking Facility Maintenance Fund and shall be used for the maintenance
and repair of parking lots at State-owned Secretary of State facilities.
(Source: P.A. 88-161.)
Section 99. Effective date. This Act takes effect upon becoming
law.

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

Section 5. The Wildlife Code is amended by changing Sections 2.11 and 2.26 as follows:

(520 ILCS 5/2.11) (from Ch. 61, par. 2.11)

Sec. 2.11. Before any person may lawfully hunt wild turkey, he shall first obtain a "Wild Turkey Hunting Permit" in accordance with the prescribed regulations set forth in an administrative rule of the Department. The fee for a Resident Wild Turkey Hunting Permit shall not exceed $15.

Upon submitting suitable evidence of legal residence in any other state, non-residents shall be charged a fee not to exceed $125 for wild turkey hunting permits, except as provided below for non-resident land owners.

Permits shall be issued without charge to:

(a) Illinois landowners residing in Illinois who own at least 40 acres of Illinois land and wish to hunt on their land only,
(b) resident tenants of at least 40 acres of commercial agricultural land, and
(c) bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any

New matter indicated by italics - deletions by strikeout
county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

The turkey hunting permit issued without fee shall be valid on all lands upon which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued without charge to a shareholder of a corporation, the permit shall be valid on all lands owned by the corporation in the county.

The Department may by administrative rule allocate and issue non-resident Wild Turkey Permits and establish fees for such permits.

It shall be unlawful to take wild turkey except by use of a bow and arrow or a shotgun of not larger than 10 nor smaller than 20 gauge with shot size not larger than No. 4, and no person while attempting to so take wild turkey may have in his possession any other gun.

It shall be unlawful to take, or attempt to take wild turkey except during the time from 1/2 hour before sunrise to 1/2 hour after sunset or during such lesser period of time as may be specified by administrative rule, during those days for which an open season is established.

It shall be unlawful for any person to take, or attempt to take, wild turkey by use of dogs, horses, automobiles, aircraft or other vehicles, or conveyances, or by the use or aid of bait or baiting of any kind. For the purposes of this Section, "bait" means any material, whether liquid or solid, including food, salt, minerals, and other products, except pure water, that can be ingested, placed, or scattered in such a manner as to attract or lure wild turkeys. "Baiting" means the placement or scattering of bait to attract wild turkeys. An area is considered as baited during the presence of and for 10 consecutive days following the removal of the bait.

It is unlawful for any person to take in Illinois or have in his possession more than one wild turkey per valid permit.

For purposes of this Section "bona fide equity shareholder", "bona fide equity member", and "bona fide equity partner" shall have the same meaning as provided in Section 2.26 of this Act.

For the purposes of calculating acreage under this Section, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre.

For the purposes of taking wild turkey, nothing in this Section shall be construed to prevent the manipulation, including mowing or cutting, of standing crops as a normal agricultural or soil stabilization practice, food plots, or normal agricultural practices, including planting, harvesting, and

New matter indicated by italics - deletions by strikeout
maintenance such as cultivating. Such manipulation for the purpose of taking wild turkey may be further modified by administrative rule.

(Source: P.A. 96-162, eff. 1-1-10; 97-564, eff. 8-25-11.)

(520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

Sec. 2.26. Deer hunting permits. In this Section, "bona fide equity shareholder" means an individual who (1) purchased, for market price, publicly sold stock shares in a corporation, purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation, or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership and (2) intends to retain the ownership of the shares of stock for at least 5 years.

In this Section, "bona fide equity member" means an individual who (1) (i) became a member upon the formation of the limited liability company or (ii) has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the LLC assets represented by the distributional interest in the LLC and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act and who (2) intends to retain the membership for at least 5 years.

In this Section, "bona fide equity partner" means an individual who (1) (i) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or (ii) has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership, (2) intends to retain ownership of the partnership interest for at least 5 years, and (3) is a resident of Illinois.

Any person attempting to take deer shall first obtain a "Deer Hunting Permit" issued by the Department in accordance with its administrative rules. Those rules must provide for the issuance of the following types of resident deer archery permits: (i) a combination permit, consisting of one either-sex permit and one antlerless-only permit, (ii) a single antlerless-only permit, and (iii) a single either-sex permit. The fee for a Deer Hunting Permit to take deer with either bow and arrow or gun shall not exceed $25.00 for residents of the State. The Department may by administrative rule provide for non-resident deer hunting permits for which the fee will not exceed $300 in 2005, $350 in 2006, and $400 in 2007 and thereafter except as provided below for non-resident landowners.
and non-resident archery hunters. The Department may by administrative rule provide for a non-resident archery deer permit consisting of not more than 2 harvest tags at a total cost not to exceed $325 in 2005, $375 in 2006, and $425 in 2007 and thereafter. Permits shall be issued without charge to:

(a) Illinois landowners residing in Illinois who own at least 40 acres of Illinois land and wish to hunt their land only,
(b) resident tenants of at least 40 acres of commercial agricultural land where they will hunt, and
(c) Bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

Bona fide landowners or tenants who do not wish to hunt only on the land they own, rent, or lease or bona fide equity shareholders, bona fide equity members, or bona fide equity partners who do not wish to hunt only on the land owned by the corporation, limited liability company, or partnership shall be charged the same fee as the applicant who is not a landowner, tenant, bona fide equity shareholder, bona fide equity member, or bona fide equity partner. Nonresidents of Illinois who own at least 40 acres of land and wish to hunt on their land only shall be charged a fee set by administrative rule. The method for obtaining these permits shall be prescribed by administrative rule.

The deer hunting permit issued without fee shall be valid on all farm lands which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued to a bona fide equity shareholder, bona fide equity member, or bona fide equity partner, the permit shall be valid on all lands owned by the corporation, limited liability company, or partnership in the county.
The standards and specifications for use of guns and bow and arrow for deer hunting shall be established by administrative rule.

No person may have in his possession any firearm not authorized by administrative rule for a specific hunting season when taking deer.

Persons having a firearm deer hunting permit shall be permitted to take deer only during the period from 1/2 hour before sunrise to 1/2 hour after sunset, and only during those days for which an open season is established for the taking of deer by use of shotgun, handgun, or muzzle loading rifle.

Persons having an archery deer hunting permit shall be permitted to take deer only during the period from 1/2 hour before sunrise to 1/2 hour after sunset, and only during those days for which an open season is established for the taking of deer by use of bow and arrow.

It shall be unlawful for any person to take deer by use of dogs, horses, automobiles, aircraft or other vehicles, or by the use or aid of bait or baiting of any kind. For the purposes of this Section, "bait" means any material, whether liquid or solid, including food, salt, minerals, and other products, except pure water, that can be ingested, placed, or scattered in such a manner as to attract or lure white-tailed deer. "Baiting" means the placement or scattering of bait to attract deer. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait. Nothing in this Section shall prohibit the use of a dog to track wounded deer. Any person using a dog for tracking wounded deer must maintain physical control of the dog at all times by means of a maximum 50 foot lead attached to the dog's collar or harness. Tracking wounded deer is permissible at night, but at no time outside of legal deer hunting hours or seasons shall any person handling or accompanying a dog being used for tracking wounded deer be in possession of any firearm or archery device. Persons tracking wounded deer with a dog during the firearm deer seasons shall wear blaze orange as required. Dog handlers tracking wounded deer with a dog are exempt from hunting license and deer permit requirements so long as they are accompanied by the licensed deer hunter who wounded the deer.

It shall be unlawful to possess or transport any wild deer which has been injured or killed in any manner upon a public highway or public right-of-way of this State unless exempted by administrative rule.

Persons hunting deer must have gun unloaded and no bow and arrow device shall be carried with the arrow in the nocked position during hours when deer hunting is unlawful.
It shall be unlawful for any person, having taken the legal limit of deer by gun, to further participate with gun in any deer hunting party.

It shall be unlawful for any person, having taken the legal limit of deer by bow and arrow, to further participate with bow and arrow in any deer hunting party.

The Department may prohibit upland game hunting during the gun deer season by administrative rule.

The Department shall not limit the number of non-resident either sex archery deer hunting permits to less than 20,000.

Any person who violates any of the provisions of this Section, including administrative rules, shall be guilty of a Class B misdemeanor.

For the purposes of calculating acreage under this Section, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre.

For the purposes of taking white-tailed deer, nothing in this Section shall be construed to prevent the manipulation, including mowing or cutting, of standing crops as a normal agricultural or soil stabilization practice, food plots, or normal agricultural practices, including planting, harvesting, and maintenance such as cultivating or the use of products designed for scent only and not capable of ingestion, solid or liquid, placed or scattered, in such a manner as to attract or lure deer. Such manipulation for the purpose of taking white-tailed deer may be further modified by administrative rule.

(Source: P.A. 96-162, eff. 1-1-10; 96-831, eff. 1-1-10; 96-1042, eff. 1-1-11; 97-564, eff. 8-25-11; 97-907, eff. 8-7-12.)

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

Passed in the General Assembly May 9, 2013.
Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0181
(House Bill No. 1651)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)
Sec. 2.33. Prohibitions.
(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.
(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.
(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.
(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.
(e) (Blank).
(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.
(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.
(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.
(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.
(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

New matter indicated by italics - deletions by strikeout
(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer and fur-bearing mammals, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.
(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to trap or hunt, or intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or tenant. It shall be prima facie evidence that a person does not have permission of the owner or tenant if the person is unable to demonstrate to the law enforcement officer in the field that permission had been obtained. Before enforcing this Section the law enforcement officer must have received notice from the owner or tenant of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before
sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is
defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a daily bag limit without making a reasonable effort to retrieve such species and include such in the daily bag limit.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(Source: P.A. 96-390, eff. 8-13-09; 97-645, eff. 12-30-11; 97-907, eff. 8-7-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 5, 2013.
Effective August 5, 2013.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0182  
(Senate Bill No. 1538)

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

Section 5. The Fish and Aquatic Life Code is amended by changing Section 10-110 as follows:

(515 ILCS 5/10-110) (from Ch. 56, par. 10-110)
Sec. 10-110. Taking carp, buffalo, suckers, gar, bowfin, shad, and drum. Carp, buffalo, suckers, gar, bowfin, shad, and drum may be taken by means of a pitchfork, underwater spear gun, bow and arrow or bow and arrow device, including a sling shot bow, spear, or gig. Each person taking fish by these means shall possess a valid sport fishing license. Fish taken by these means shall not be sold or bartered. No other fish may be taken in this State by these means.
(Source: P.A. 96-433, eff. 8-13-09.)

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

Approved August 5, 2013.
Effective August 5, 2013.

PUBLIC ACT 98-0183  
(Senate Bill No. 1620)

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

Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)
Sec. 2.33. Prohibitions.
(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.
(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing

New matter indicated by italics - deletions by strikeout
mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

New matter indicated by italics - deletions by strikeout
(l) It is unlawful to take any species of wild game, except white-tailed deer, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to trap or hunt, or intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or tenant. It shall be prima facie evidence that a person does not have permission of the owner or tenant if the person is unable to demonstrate to the law enforcement officer in the
field that permission had been obtained. This provision may only be rebutted by testimony of the owner or tenant that permission had been given. Before enforcing this Section the law enforcement officer must have received notice from the owner or tenant of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the
migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a daily bag limit without making a reasonable effort to retrieve such species and include such in the daily bag limit. It shall be unlawful for any person having control over harvested game mammals, game birds, or migratory game birds for which there is a bag limit to wantonly waste or destroy the usable meat of the game, except this shall not apply to wildlife taken under Sections 2.37 or 3.22 of this Code.

New matter indicated by italics - deletions by strikeout
For purposes of this subsection, "usable meat" means the breast meat of a game bird or migratory game bird and the hind ham and front shoulders of a game mammal. It shall be unlawful for any person to place, leave, dump, or abandon a wildlife carcass or parts of it along or upon a public right-of-way or highway or on public or private property, including a waterway or stream, without the permission of the owner or tenant. It shall not be unlawful to discard game meat that is determined to be unfit for human consumption.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(Source: P.A. 96-390, eff. 8-13-09; 97-645, eff. 12-30-11; 97-907, eff. 8-7-12.)

Approved August 5, 2013.
Effective January 1, 2014.
AN ACT concerning health.

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

Section 5. The Pertussis Vaccine Act is amended by changing Section 4 as follows:

(410 ILCS 235/4) (from Ch. 111 1/2, par. 7504)

Sec. 4. Every hospital in this State licensed under the Hospital Licensing Act or an Act in relation to the founding and operation of the University of Illinois Hospital, shall provide the parents or guardians of each newborn child the pamphlet pursuant to Section 3 of this Act. Parents or guardians of a newborn child in a neonatal intensive care unit shall be informed about the importance of parents, guardians, and immediate family members being immunized against pertussis to minimize the chances that the disease will be communicated to the newborn child and shall also be informed about where they may obtain the appropriate vaccine.

(Source: P.A. 85-898.)

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


Approved August 5, 2013.

Effective August 5, 2013.

PUBLIC ACT 98-0185
(Senate Bill No. 1876)

AN ACT concerning regulation.

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

Section 5. The Illinois Clinical Laboratory and Blood Bank Act is amended by changing Sections 2-127.5, 7-101, and 7-102 as follows:

(210 ILCS 25/2-127.5)

Sec. 2-127.5. Optometrist Therapeutic optometrist. "Optometrist" means a person who is licensed in Illinois to practice optometry and who is therapeutically certified.

(Source: P.A. 90-322, eff. 1-1-98.)

New matter indicated by italics - deletions by strikeout
Sec. 7-101. Examination of specimens. A clinical laboratory shall examine specimens only at the request of (i) a licensed physician, (ii) a licensed dentist, (iii) a licensed podiatrist, (iv) a licensed therapeutic optometrist for diagnostic or therapeutic purposes related to the use of diagnostic topical or therapeutic ocular pharmaceutical agents, as defined in subsections (c) and (d) of Section 15.1 of the Illinois Optometric Practice Act of 1987, (v) a licensed physician assistant in accordance with the written guidelines required under subdivision (3) of Section 4 and under Section 7.5 of the Physician Assistant Practice Act of 1987, (v-A) an advanced practice nurse in accordance with the written collaborative agreement required under Section 65-35 of the Nurse Practice Act, (vi) an authorized law enforcement agency or, in the case of blood alcohol, at the request of the individual for whom the test is to be performed in compliance with Sections 11-501 and 11-501.1 of the Illinois Vehicle Code, or (vii) a genetic counselor with the specific authority from a referral to order a test or tests pursuant to subsection (b) of Section 20 of the Genetic Counselor Licensing Act. If the request to a laboratory is oral, the physician or other authorized person shall submit a written request to the laboratory within 48 hours. If the laboratory does not receive the written request within that period, it shall note that fact in its records. For purposes of this Section, a request made by electronic mail or fax constitutes a written request.

(Source: P.A. 96-1313, eff. 7-27-10; 97-333, eff. 8-12-11.)

Sec. 7-102. Reports of test results. The result of a test shall be reported directly to the licensed physician or other authorized person who requested it. No interpretation, diagnosis or prognosis or suggested treatment shall appear on the laboratory report form except that a report made by a physician licensed to practice medicine in Illinois, a dentist licensed in Illinois, or an a therapeutic optometrist licensed in Illinois may include such information. Nothing in this Act prohibits the sharing of information as authorized in Section 2.1 of the Department of Public Health Act.

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

Passed in the General Assembly May 16, 2013.
Approved August 5, 2013.
Effective January 1, 2014.
AN ACT concerning regulation.

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

Section 5. The Illinois Optometric Practice Act of 1987 is amended by changing Sections 3 and 9 as follows:

(225 ILCS 80/3) (from Ch. 111, par. 3903)
(Section scheduled to be repealed on January 1, 2017)

Sec. 3. Practice of optometry defined; referrals; manufacture of lenses and prisms.

(a) The practice of optometry is defined as the employment of any and all means for the examination, diagnosis, and treatment of the human visual system, the human eye, and its appendages without the use of surgery, including but not limited to: the appropriate use of ocular pharmaceutical agents; refraction and other determinants of visual function; prescribing corrective lenses or prisms; prescribing, dispensing, or management of contact lenses; vision therapy; visual rehabilitation; or any other procedures taught in schools and colleges of optometry approved by the Department, and not specifically restricted in this Act, subject to demonstrated competency and training as required by the Board, and pursuant to rule or regulation approved by the Board and adopted by the Department.

A person shall be deemed to be practicing optometry within the meaning of this Act who:

(1) In any way presents himself or herself to be qualified to practice optometry.

(2) Performs refractions or employs any other determinants of visual function.

(3) Employs any means for the adaptation of lenses or prisms.

(4) Prescribes corrective lenses, prisms, vision therapy, visual rehabilitation, or ocular pharmaceutical agents.

(5) Prescribes or manages contact lenses for refractive, cosmetic, or therapeutic purposes.

(6) Evaluates the need for, or prescribes, low vision aids to partially sighted persons.
(7) Diagnoses or treats any ocular abnormality, disease, or visual or muscular anomaly of the human eye or visual system.

(8) Practices, or offers or attempts to practice, optometry as defined in this Act either on his or her own behalf or as an employee of a person, firm, or corporation, whether under the supervision of his or her employer or not.

Nothing in this Section shall be interpreted (i) to prevent a person from functioning as an assistant under the direct supervision of a person licensed by the State of Illinois to practice optometry or medicine in all of its branches or (ii) to prohibit visual screening programs that are conducted without a fee (other than voluntary donations), by charitable organizations acting in the public welfare under the supervision of a committee composed of persons licensed by the State of Illinois to practice optometry or persons licensed by the State of Illinois to practice medicine in all of its branches.

(b) When, in the course of providing optometric services to any person, an optometrist licensed under this Act finds an indication of a disease or condition of the eye which in his or her professional judgment requires professional service outside the scope of practice as defined in this Act, he or she shall refer such person to a physician licensed to practice medicine in all of its branches, or other appropriate health care practitioner. Nothing in this Act shall preclude an optometrist from rendering appropriate nonsurgical emergency care.

(c) Nothing contained in this Section shall prohibit a person from manufacturing ophthalmic lenses and prisms or the fabrication of contact lenses according to the specifications prescribed by an optometrist or a physician licensed to practice medicine in all of its branches, but shall specifically prohibit (1) the sale or delivery of ophthalmic lenses, prisms, and contact lenses without a prescription signed by an optometrist or a physician licensed to practice medicine in all of its branches and (2) the dispensing of contact lenses by anyone other than a licensed optometrist, licensed pharmacist, or a physician licensed to practice medicine in all of its branches. For the purposes of this Act, "contact lenses" include, but are not limited to, contact lenses with prescriptive power and decorative and plano power contact lenses. Nothing in this Section shall prohibit the sale of contact lenses by an optical firm or corporation primarily engaged in manufacturing or dealing in eyeglasses or contact lenses with an affiliated optometrist who practices and is licensed or has an ancillary registration for the location where the sale occurs.

New matter indicated by italics - deletions by strikeout
(d) Nothing in this Act shall restrict the filling of a prescription by a pharmacist licensed under the Pharmacy Practice Act.

(e) Nothing in this Act shall be construed to restrict the dispensing and sale by an optometrist of ocular devices, such as contact lenses, that contain and deliver ocular pharmaceutical agents permitted for use or prescription under this Act.

(Source: P.A. 95-689, eff. 10-29-07; 96-461, eff. 1-1-10.)

Sec. 9. Definitions. In this Act:

1. "Department" means the Department of Financial and Professional Regulation.

2. "Secretary" means the Secretary of Financial and Professional Regulation.

3. "Board" means the Illinois Optometric Licensing and Disciplinary Board appointed by the Secretary.

4. "License" means the document issued by the Department authorizing the person named thereon to practice optometry.

5. (Blank).

6. "Direct supervision" means supervision of any person assisting an optometrist, requiring that the optometrist authorize the procedure, remain in the facility while the procedure is performed, approve the work performed by the person assisting before dismissal of the patient, but does not mean that the optometrist must be present with the patient, during the procedure. For the dispensing of contact lenses, "direct supervision" means that the optometrist is responsible for training the person assisting the optometrist in the dispensing or sale of contact lenses, but does not mean that the optometrist must be present in the facility where he or she practices under a license or ancillary registration at the time the contacts are dispensed or sold.

(225 ILCS 80/9) (from Ch. 111, par. 3909)

(Section scheduled to be repealed on January 1, 2017)

Passed in the General Assembly May 21, 2013.

Approved August 5, 2013.

Effective August 5, 2013.
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 12-3.2 as follows:

(720 ILCS 5/12-3.2) (from Ch. 38, par. 12-3.2)

Sec. 12-3.2. Domestic battery.

(a) A person commits domestic battery if he or she knowingly without legal justification by any means:

(1) Causes bodily harm to any family or household member;

(2) Makes physical contact of an insulting or provoking nature with any family or household member.

(b) Sentence. Domestic battery is a Class A misdemeanor. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for domestic battery (Section 12-3.2) or violation of an order of protection (Section 12-3.4 or 12-30), or any prior conviction under the law of another jurisdiction for an offense which is substantially similar. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for first degree murder (Section 9-1), attempt to commit first degree murder (Section 8-4), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-3.05 or 12-4), heinous battery (Section 12-4.1), aggravated battery with a firearm (Section 12-4.2), aggravated battery with a machine gun or a firearm equipped with a silencer (Section 12-4.2-5), aggravated battery of a child (Section 12-4.3), aggravated battery of an unborn child (subsection (a-5) of Section 12-3.1, or Section 12-4.4), aggravated battery of a senior citizen (Section 12-4.6), stalking (Section 12-7.3), aggravated stalking (Section 12-7.4), criminal sexual assault (Section 11-1.20 or 12-13), aggravated criminal sexual assault (Section 11-1.30 or 12-14), kidnapping (Section 10-1), aggravated kidnapping (Section 10-2), predatory criminal sexual assault of a child (Section 11-1.40 or 12-14.1), aggravated criminal sexual abuse (Section 11-1.60 or 12-16), unlawful restraint (Section 10-3), aggravated unlawful restraint (Section 10-3.1), aggravated arson (Section 20-1.1), or aggravated discharge of a firearm (Section 24-1.2), or any prior conviction under the law of another jurisdiction for any offense that is

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substantially similar to the offenses listed in this Section, when any of these offenses have been committed against a family or household member. **Domestic battery is a Class 4 felony if the defendant has one or 2 prior convictions under this Code for domestic battery (Section 12-3.2).**

**Domestic battery is a Class 3 felony if the defendant had 3 prior convictions under this Code for domestic battery (Section 12-3.2).**

**Domestic battery is a Class 2 felony if the defendant had 4 or more prior convictions under this Code for domestic battery (Section 12-3.2).**

In addition to any other sentencing alternatives, for any second or subsequent conviction of violating this Section, the offender shall be mandatorily sentenced to a minimum of 72 consecutive hours of imprisonment. The imprisonment shall not be subject to suspension, nor shall the person be eligible for probation in order to reduce the sentence.

(c) Domestic battery committed in the presence of a child. In addition to any other sentencing alternatives, a defendant who commits, in the presence of a child, a felony domestic battery (enhanced under subsection (b)), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-3.05 or 12-4), unlawful restraint (Section 10-3), or aggravated unlawful restraint (Section 10-3.1) against a family or household member shall be required to serve a mandatory minimum imprisonment of 10 days or perform 300 hours of community service, or both. The defendant shall further be liable for the cost of any counseling required for the child at the discretion of the court in accordance with subsection (b) of Section 5-5-6 of the Unified Code of Corrections. For purposes of this Section, "child" means a person under 18 years of age who is the defendant's or victim's child or step-child or who is a minor child residing within or visiting the household of the defendant or victim.

(d) Upon conviction of domestic battery, the court shall advise the defendant orally or in writing, substantially as follows: "An individual convicted of domestic battery may be subject to federal criminal penalties for possessing, transporting, shipping, or receiving any firearm or ammunition in violation of the federal Gun Control Act of 1968 (18 U.S.C. 922(g)(8) and (9))." A notation shall be made in the court file that the admonition was given.

(Source: P.A. 96-287, eff. 8-11-09; 96-1551, Article 1, Section 5, eff. 7-1-11; 96-1551, Article 2, Section 1035, eff. 7-1-11; 97-1109, eff. 1-1-13.)

Passed in the General Assembly May 9, 2013.

Approved August 6, 2013.

Effective January 1, 2014.
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 22-75 as follows:
(105 ILCS 5/22-75)
Sec. 22-75. The Eradicate Domestic Violence Task Force.
(a) There is hereby created the Eradicate Domestic Violence Task Force. The Eradicate Domestic Violence Task Force shall develop a statewide effective and feasible prevention course for high school students designed to prevent interpersonal, adolescent violence based on the Step Back Program for boys and girls. The Clerk of the Circuit Court in the First Judicial District shall provide administrative staff and support to the task force.
(b) The Eradicate Domestic Violence Task Force shall do the following:
(1) Conduct meetings to evaluate the effectiveness and feasibility of statewide implementation of the curricula of the Step Back Program at Oak Park and River Forest High School, located in Cook County, Illinois, for the prevention of domestic violence.
(2) Invite the testimony of and confer with experts on relevant topics as needed.
(3) Propose content for integration into school curricula aimed at preventing domestic violence.
(4) Propose a method of training facilitators on the school curricula aimed at preventing domestic violence.
(5) Propose partnerships with anti-violence agencies to assist with the facilitator roles and the nature of the partnerships.
(6) Evaluate the approximate cost per school or school district to implement and maintain school curricula aimed at preventing domestic violence.
(7) Propose a funding source or sources to support school curricula aimed at preventing domestic violence and agencies that provide training to the facilitators, such as a fee to be charged in domestic violence, sexual assault, and related cases to be collected by the clerk of the court for deposit into a special fund in the State
(8) Propose an evaluation structure to ensure that the school curricula aimed at preventing domestic violence is effectively taught by trained facilitators.

(9) Propose a method of evaluation for the purpose of modifying the content of the curriculum over time, including whether studies of the program should be conducted by the University of Illinois' Interpersonal Violence Prevention Information Center.

(10) Recommend legislation developed by the task force, such as amending Sections 27-5 through 27-13.3 and 27-23.4 of this Code, and legislation to create a fee to be charged in domestic violence, sexual assault, and related cases to be collected by the clerk of court for deposit into a special fund in the State treasury and to be used to fund a proposed eradicate domestic violence program in the schools of this State.

(11) Produce a report of the task force's findings on best practices and policies, which shall include a plan with a phased and prioritized implementation timetable for implementation of school curricula aimed at preventing domestic violence in schools. The task force shall submit a report to the General Assembly on or before April 1, 2013 on its findings, recommendations, and implementation plan. Any task force reports must be published on the State Board of Education's Internet website on the date the report is delivered to the General Assembly.

(c) The President of the Senate and the Speaker of the House of Representatives shall each appoint one co-chairperson of the Eradicate Domestic Violence Task Force. The Minority Leader of the Senate and the Minority Leader of the House of Representatives shall each appoint one member to the task force. In addition, the task force shall be comprised of the following members appointed by the State Board of Education and shall be representative of the geographic, racial, and ethnic diversity of this State:

(1) Four representatives involved with a program for high school students at a high school that is located in a municipality with a population of 2,000,000 or more and the program is a daily, 6-week to 9-week, 45-session, gender-specific, primary prevention course designed to raise awareness of topics such as dating and

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domestic violence, any systematic conduct that causes measurable physical harm or emotional distress, sexual assault, digital abuse, self-defense, and suicide.

(2) A representative of an interpersonal violence prevention program within a State university.

(3) A representative of a statewide nonprofit, nongovernmental, domestic violence organization.

(4) A representative of a different nonprofit, nongovernmental domestic violence organization that is located in a municipality with a population of 2,000,000 or more.

(5) A representative of a statewide nonprofit, nongovernmental, sexual assault organization.

(6) A representative of a different nonprofit, nongovernmental, sexual assault organization based in a county with a population of 3,000,000 or more.

(7) The State Superintendent of Education or his or her designee.

(8) The Chief Executive Officer of City of Chicago School District 299 or his or her designee or the President of the Chicago Board of Education or his or her designee.

(9) A representative of the Department of Human Services.

(10) A representative of a statewide, nonprofit professional organization representing law enforcement executives.

(11) A representative of the Chicago Police Department, Youth Services Division.

(12) The Clerk of the Circuit Court in the First Judicial District or his or her designee.

(13) A representative of a statewide professional teachers organization.

(14) A representative of a different statewide professional teachers organization.

(15) A representative of a professional teachers organization in a city having a population exceeding 500,000.

(16) A representative of an organization representing principals.

(17) A representative of an organization representing school administrators.

(18) A representative of an organization representing school boards.

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(19) A representative of an organization representing school business officials.

(20) A representative of an organization representing large unit school districts.

(d) The following underlying purposes should be liberally construed by the task force convened under this Section:

(1) Recognize that, according to the Centers for Disease Control and Prevention, National Intimate Partner and Sexual Violence Survey, December 2010 Summary Report, on average 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States, equaling more than 12 million women and men.

(2) Recognize that abused children and children exposed to domestic violence in their homes may have short and long-term physical, emotional, and learning problems, including increased aggression, decreased responsiveness to adults, failure to thrive, posttraumatic stress disorder, depression, anxiety, hypervigilance and hyperactivity, eating and sleeping problems, and developmental delays, according to the Journal of Interpersonal Violence and the Futures Without Violence organization.

(3) Recognize that the Illinois Violence Prevention Authority has found that children exposed to violence in the media may become numb to the horror of violence, may gradually accept violence as a way to solve problems, may imitate the violence they see, and may identify with certain characters, victims, or victimizers.

(4) Recognize that crimes and the incarceration of youth are often associated with a history of child abuse and exposure to domestic violence, according to Futures Without Violence.

(5) Recognize that the cost of prosecuting crime in this State is unnecessarily high due to a lack of prevention programs designed to eradicate domestic violence.

(6) Recognize that sexual violence, stalking, and intimate partner violence are serious and widespread public health problems for children and adults in this State.

(7) Recognize that intervention programs aimed at preventing domestic violence may yield better results than programs aimed at treating the victims of domestic violence, because treatment programs may reduce the likelihood that a
particular woman will be re-victimized, but might not otherwise reduce the overall amount of domestic violence.

(8) Recognize that uniform, effective, feasible, and widespread prevention of sexual violence and intimate partner violence is a high priority in this State.

(9) Recognize that the Step Back Program at Oak Park and River Forest High School in Cook County, Illinois, is a daily, 6 to 9 week, 45-session, gender-specific, primary prevention course for high school students designed to raise awareness of topics, including dating and domestic violence, bullying and harassment, sexual assault, digital abuse, self-defense, and suicide. The Step Back Program is co-facilitated by the high school and a nonprofit, nongovernmental domestic violence prevention specialist and service provider.

(10) Develop a statewide effective prevention course for high school students based on the Step Back Program for boys and girls designed to prevent interpersonal, adolescent violence.

(e) Members of the Eradicate Domestic Violence Task Force shall receive no compensation for their participation, but may be reimbursed by the State Board of Education for expenses in connection with their participation, including travel, if funds are available.

(f) Nothing in this Section or in the prevention course is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 or 4 of Article 1 of the Illinois Constitution.

(Source: P.A. 97-1037, eff. 8-20-12.)

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

Passed in the General Assembly May 23, 2013.
Approved August 6, 2013.
Effective August 6, 2013.

PUBLIC ACT 98-0189
(House Bill No. 3300)

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

New matter indicated by italics - deletions by strikeout
Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)
Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, and 356z.17 and 356z.19 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, and 356z.19 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; 96-639, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)
Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, and 356z.15 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 356z.19 of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.
Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1000, eff. 7-2-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)
Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, and 356z.15 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 356z.19 of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1000, eff. 7-2-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)
Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12,

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1000, eff. 7-2-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 25. The Illinois Insurance Code is amended by adding Sections 355b and 356z.16 as follows:

(215 ILCS 5/355b new)
Sec. 355b. Claim-related information; alternative means of communication.

(a) For the purposes of this Section, "claim-related information" means all claim or billing information relating specifically to an insured, subscriber, or person covered by an individual or group policy of accident and health insurance issued, delivered, amended, or renewed by a company doing business in this State.

(b) A company that issues, delivers, amends, or renews an individual or group policy of accident and health insurance on or after the effective date of this amendatory Act of the 98th General Assembly shall accommodate a reasonable request by a person covered by a policy issued by the company to receive communications of claim-related information from the company by alternative means or at alternative locations if the person clearly states that disclosure of all or part of the information could endanger the person.

(c) If a child is covered by a policy issued by a company, then the child's parent or guardian may make a request to the company pursuant to subsection (b) of this Section.

(d) A company may require (1) a person making a request pursuant to subsection (b) of this Section to do so in writing, (2) the request to contain a statement that disclosure of all or part of the claim-related information to which the request pertains could endanger the person or child, and (3) the specification of an alternative address, telephone number, or other method of contact.

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(e) Except with the express consent of the person making a request pursuant to subsection (b) of this Section, a company may not disclose to the policyholder (1) the address, telephone number, or any other personally identifying information of the person who made the request or child for whose benefit a request was made, (2) the nature of the health care services provided, or (3) the name or address of the provider of the health care services.

(f) A company that makes reasonable and good faith efforts to comply with this Section shall not be subject to civil or criminal liability on the grounds of noncompliance with this Section.

(g) The Director shall adopt rules to guide companies in guarding against the disclosure of the information protected pursuant to this Section.

(h) Nothing in this Section shall prevent, hinder, or otherwise affect the entry of an appropriate order made in the best interests of a child by a court of competent jurisdiction adjudicating disputed issues of child welfare or custody.

(215 ILCS 5/356z.16)

Sec. 356z.16. Applicability of mandated benefits to supplemental policies. Unless specified otherwise, the following Sections of the Illinois Insurance Code do not apply to short-term travel, disability income, long-term care, accident only, or limited or specified disease policies: 355b, 356b, 356c, 356d, 356g, 356k, 356m, 356n, 356p, 356q, 356r, 356t, 356u, 356w, 356x, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.12, 356z.14, 356z.19, 356z.21, 364.01, 367.2-5, and 367e.

(Source: P.A. 96-180, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1034, eff. 1-1-11; 97-91, eff. 1-1-12; 97-282, eff. 8-9-11; 97-592, eff. 1-1-12; 97-813, eff. 7-13-12; 97-972, eff. 1-1-13.)

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 355.2, 355.3, 355b, 356g.5-1, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.21, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1,
401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;
(2) a corporation organized under the laws of this State; or
(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;
(2) (i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;
(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;
(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial

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statements reflecting projected combined operation for a period of 2 years;
(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and
(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing

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expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-328, eff. 8-11-09; 96-639, eff. 1-1-10; 96-833, eff. 6-1-10; 96-1000, eff. 7-2-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-437, eff. 8-18-11; 97-486, eff. 1-1-12; 97-592, eff. 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12.)

Section 35. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 355.2, 355b, 356v, 356z.10, 356z.21, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1

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and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

1. a corporation under the laws of this State; or
2. a corporation organized under the laws of another state, 30% of more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 97-486, eff. 1-1-12; 97-592, 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12.)

Section 40. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-328, eff. 8-11-09; 96-833, eff. 6-1-10; 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-486, eff. 1-1-12; 97-592, eff. 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12.)

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Statutes amended in order of appearance

5 ILCS 375/6.11
55 ILCS 5/5-1069.3
65 ILCS 5/10-4.2.3
105 ILCS 5/10-22.3f
215 ILCS 5/355b new
215 ILCS 125/5-3 from Ch. 111 1/2, par. 1411.2
215 ILCS 130/4003 from Ch. 73, par. 1504-3

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3 and by adding Section 3.10 as follows:

(105 ILCS 110/3)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, sexual abstinence until marriage, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. Notwithstanding the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), heart disease, diabetes, stroke, the prevention of child abuse, neglect, and suicide, and teen dating violence in grades 7 through 12.
The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with standards and requirements established by the American Red Cross or another qualified certifying agency. Subject to appropriation, the State Board of Education shall establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel who express an interest in becoming qualified to administer cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) or in learning how to use an automated external defibrillator. A school district that applies for a grant must demonstrate that it has funds to pay half of the cost of the training for which matching grant money is sought. The State Board of Education shall award the grants on a first-come, first-serve basis.

No pupil shall be required to take or participate in any class or course on AIDS or family life instruction if his parent or guardian submits written objection thereto, and refusal to take or participate in the course or program shall not be reason for suspension or expulsion of the pupil.
Curricula developed under programs established in accordance with this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 96-128, eff. 1-1-10; 96-328, eff. 8-11-09; 96-383, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-1147, eff. 1-24-13.)

(105 ILCS 110/3.10 new)

Sec. 3.10. Policy on teen dating violence.

(a) As used in this Section:

"Dating" or "dating relationship" means an ongoing social relationship of a romantic or intimate nature between 2 persons. "Dating" or "dating relationship" does not include a casual relationship or ordinary fraternization between 2 persons in a business or social context.

"Teen dating violence" means either of the following:

(1) A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(2) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(b) The school board of each public school district in this State shall adopt a policy that does all of the following:

(1) States that teen dating violence is unacceptable and is prohibited and that each student has the right to a safe learning environment.

(2) Incorporates age-appropriate education about teen dating violence into new or existing training programs for students in grades 7 through 12 and school employees, as recommended by

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the school officials identified under subdivision (4) of this subsection (b).

(3) Establishes procedures for the manner in which employees of a school are to respond to incidents of teen dating violence that take place at the school, on school grounds, at school-sponsored activities, or in vehicles used for school-provided transportation.

(4) Identifies by job title the school officials who are responsible for receiving reports related to teen dating violence.

(5) Notifies students and parents of the teen dating violence policy adopted by the board.

Section 99. Effective date. This Act takes effect July 1, 2013.
Passed in the General Assembly May 23, 2013.
Approved August 6, 2013.
Effective August 6, 2013.

PUBLIC ACT 98-0191
(House Bill No. 0576)

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

Section 5. The Public Utilities Act is amended by changing Section 9-201 as follows:

(220 ILCS 5/9-201) (from Ch. 111 2/3, par. 9-201)

Sec. 9-201. (a) Unless the Commission otherwise orders, and except as otherwise provided in this Section, no change shall be made by any public utility in any rate or other charge or classification, or in any rule, regulation, practice or contract relating to or affecting any rate or other charge, classification or service, or in any privilege or facility, except after 45 days' notice to the Commission and to the public as herein provided. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules or supplements stating plainly the change or changes to be made in the schedule or schedules then in force, and the time when the change or changes will go into effect, and by publication in a newspaper of general circulation or such other notice to persons affected by such change as may be prescribed by rule of the Commission. The Commission, for good cause shown, may allow changes without requiring the 45 days' notice herein provided for, by an order

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specifying the changes so to be made and the time when they shall take effect and the manner in which they shall be filed and published.

When any change is proposed in any rate or other charge, or classification, or in any rule, regulation, practice, or contract relating to or affecting any rate or other charge, classification or service, or in any privilege or facility, such proposed change shall be plainly indicated on the new schedule filed with the Commission, by some character to be designated by the Commission, immediately preceding or following the item.

When any public utility providing water or sewer service proposes any change in any rate or other charge, or classification, or in any rule, regulation, practice, or contract relating to or affecting any rate or other charge, classification or service, or in any privilege or facility, such utility shall, in addition to the other notice requirements of this Act, provide notice of such change to all customers potentially affected by including a notice and description of such change, and of Commission procedures for intervention, in the first bill sent to each such customer after the filing of the proposed change.

For water or sewer utilities with greater than 15,000 total customers, the following notice requirements are applicable, in addition to the other notice requirements of this Act:

(1) As a separate bill insert, an initial notice in the first bill sent to all customers potentially affected by the proposed change after the filing of the proposed change shall include:

(A) the approximate date when the change or changes shall go into effect assuming the Commission utilizes the 11-month process as described in this Section;

(B) a statement indicating that the estimated bill impact may vary based on multiple factors, including, but not limited to, meter size, usage volume, and the fire protection district;

(C) the water or sewer utility's customer service number or other number as may be appropriate where an authorized agent of the water or sewer utility can explain how the proposed increase might impact an individual customer's bill;

(D) if the proposed change involves a change from a flat to a volumetric rate, an explanation of volumetric rate;

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(E) a reference to the water or sewer utility's website where customers can find tips on water conservation; and

(F) for customers receiving both water and sewer service from a utility and if the customer has an option to install a separate meter for irrigation to mitigate sewer charges, an explanation of the water and sewer utility's and the customer's responsibilities for installation of a separate meter if such a change is approved.

(2) A second notice to all customers shall be included on the first bill after the Commission suspends the tariffs initiating the rate case.

(3) Final notice of such change shall be sent to all customers potentially affected by the proposed change by including information required under this paragraph (3) with the first bill after the effective date of the rates approved by the Final Order of the Commission in a rate case. The notice shall include the following:

(A) the date when the change or changes went into effect;

(B) the water or sewer utility's customer service number or other number as may be appropriate where an authorized agent of the water or sewer utility can explain how the proposed increase might impact an individual customer's bill;

(C) an explanation that usage shall now be charged at a volumetric rate rather than a flat rate, if applicable;

(D) a reference to the water or sewer utility's website where the customer can find tips on water conservation; and

(E) for customers receiving both water and sewer service from a utility and if the customer has an option to install a separate meter for irrigation to mitigate sewer charges, an explanation of the water and sewer utility's and the customer's responsibilities for installation of a separate meter if such a change is approved.

(b) Whenever there shall be filed with the Commission any schedule stating an individual or joint rate or other charge, classification, contract, practice, rule or regulation, the Commission shall have power,
and it is hereby given authority, either upon complaint or upon its own 
initiative without complaint, at once, and if it so orders, without answer or 
other formal pleadings by the interested public utility or utilities, but upon 
reasonable notice, to enter upon a hearing concerning the propriety of such 
rate or other charge, classification, contract, practice, rule or regulation, 
and pending the hearing and decision thereon, such rate or other charge, 
classification, contract, practice, rule or regulation shall not go into effect. 
The period of suspension of such rate or other charge, classification, 
contract, practice, rule or regulation shall not extend more than 105 days 
beyond the time when such rate or other charge, classification, contract, 
practice, rule or regulation would otherwise go into effect unless the 
Commission, in its discretion, extends the period of suspension for a 
further period not exceeding 6 months.

All rates or other charges, classifications, contracts, practices, rules 
or regulations not so suspended shall, on the expiration of 45 days from 
the time of filing the same with the Commission, or of such lesser time as 
the Commission may grant, go into effect and be the established and 
effective rates or other charges, classifications, contracts, practices, rules 
and regulations, subject to the power of the Commission, after a hearing 
had on its own motion or upon complaint, as herein provided, to alter or 
modify the same.

Within 30 days after such changes have been authorized by the 
Commission, copies of the new or revised schedules shall be posted or 
filed in accordance with the terms of Section 9-103 of this Act, in such a 
manner that all changes shall be plainly indicated. The Commission shall 
incorporate into the period of suspension a review period of 4 business 
days during which the Commission may review and determine whether the 
new or revised schedules comply with the Commission's decision 
approving a change to the public utility's rates. Such review period shall 
not extend the suspension period by more than 2 days. Absent notification 
to the contrary within the 4 business day period, the new or revised 
schedules shall be deemed approved.

(c) If the Commission enters upon a hearing concerning the 
propriety of any proposed rate or other charge, classification, contract, 
practice, rule or regulation, the Commission shall establish the rates or 
other charges, classifications, contracts, practices, rules or regulations 
proposed, in whole or in part, or others in lieu thereof, which it shall find 
to be just and reasonable. In such hearing, the burden of proof to establish 
the justness and reasonableness of the proposed rates or other charges,

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classifications, contracts, practices, rules or regulations, in whole and in part, shall be upon the utility. The utility, the staff of the Commission, the Attorney General, or any party to a proceeding initiated under this Section who has been granted intervenor status and submitted a post-hearing brief must be given the opportunity to present oral argument, if requested no later than the date for filing exceptions, on the propriety of any proposed rate or other charge, classification, contract, practice, rule, or regulation. No rate or other charge, classification, contract, practice, rule or regulation shall be found just and reasonable unless it is consistent with Sections of this Article.

(d) Except where compliance with Section 8-401 of this Act is of urgent and immediate concern, no representative of a public utility may discuss with a commissioner, commissioner's assistant, or hearing examiner in a non-public setting a planned filing for a general rate increase. If a public utility makes a filing under this Section, then no substantive communication by any such person with a commissioner, commissioner's assistant or hearing examiner concerning the filing is permitted until a notice of hearing has been issued. After the notice of hearing has been issued, the only communications by any such person with a commissioner, commissioner's assistant, or hearing examiner concerning the filing permitted are communications permitted under Section 10-103 of this Act. If any such communication does occur, then within 5 days of the docket being initiated all details relating to the communication shall be placed on the public record of the proceeding. The record shall include any materials, whether written, recorded, filmed, or graphic in nature, produced or reproduced on any media, used in connection with the communication. The record shall reflect the names of all persons who transmitted, received, or were otherwise involved in the communication, the duration of the communication, and whether the communication occurred in person or by other means. In the case of an oral communication, the record shall also reflect the location or locations of all persons involved in the communication and, if the communication occurred by telephone, the telephone numbers for the callers and recipients of the communication. A commissioner, commissioner's assistant, or hearing examiner who is involved in any such communication shall be recused from the affected proceeding. The Commission, or any commissioner or hearing examiner presiding over the proceeding shall, in the event of a violation of this Section, take action necessary to ensure that such violation does not prejudice any party or adversely affect the fairness

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of the proceedings including dismissing the affected proceeding. Nothing in this subsection (d) is intended to preclude otherwise allowable updates on issues that may be indirectly related to a general rate case filing because cost recovery for the underlying activity may be requested. Such updates may include, without limitation, issues related to outages and restoration, credit ratings, security issuances, reliability, Federal Energy Regulatory Commission matters, Federal Communications Commission matters, regional reliability organizations, consumer education, or labor matters, provided that such updates may not include cost recovery in a planned rate case.

(Source: P.A. 96-33, eff. 7-10-09.)

Passed in the General Assembly May 9, 2013.

Approved August 6, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0192
(House Bill No. 1052)

AN ACT concerning regulation.

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

Section 5. The Medical Practice Act of 1987 is amended by changing Section 54.5 as follows:

(225 ILCS 60/54.5)

(Section scheduled to be repealed on December 31, 2013)

Sec. 54.5. Physician delegation of authority to physician assistants and advanced practice nurses.

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into supervising physician agreements with no more than 5 physician assistants as set forth in subsection (a) of Section 7 of the Physician Assistant Practice Act of 1987.

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration is for the purpose of providing medical consultation, and no employment relationship is required. A written collaborative agreement shall conform

New matter indicated by italics - deletions by strikeout
to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services the collaborating physician generally provides or may provide in to his or her patients in the normal course of clinical medical practice. A written collaborative agreement shall be adequate with respect to collaboration with advanced practice nurses if all of the following apply:

   (1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom, but must specify those procedures that require a physician's presence as the procedures are being performed.

   (2) Practice guidelines and orders are developed and approved jointly by the advanced practice nurse and collaborating physician, as needed, based on the practice of the practitioner. Such guidelines and orders and the patient services provided thereunder are periodically reviewed by the collaborating physician.

   (3) The advanced practice nurse provides services the collaborating physician generally provides or may provide in to his or her patients in the normal course of clinical medical practice, except as set forth in subsection (b-5) of this Section. With respect to labor and delivery, the collaborating physician must provide delivery services in order to participate with a certified nurse midwife.

   (4) The collaborating physician and advanced practice nurse consult at least once a month to provide collaboration and consultation.

   (5) Methods of communication are available with the collaborating physician in person or through telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

   (6) The agreement contains provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

   (b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered
nurse anesthetist in accordance with Section 65-35 of the Nurse Practice Act for the provision of anesthesia services. With respect to the provision of anesthesia services, the collaborating anesthesiologist or physician shall have training and experience in the delivery of anesthesia services consistent with Department rules. Collaboration shall be adequate if:

1. an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and

2. for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The supervising physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) (Blank).

(e) A physician shall not be liable for the acts or omissions of a physician assistant or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a physician assistant or advanced practice nurse to perform acts, unless the physician has reason to believe the physician assistant or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct.

(f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(g) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written

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supervision agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(h) For the purposes of this Section, "generally provides or may provide in his or her clinical medical practice" means categories of care or treatment, not specific tasks or duties, that the physician provides individually or through delegation to other persons so that the physician has the experience and ability to provide collaboration and consultation. This definition shall not be construed to prohibit an advanced practice nurse from providing primary health treatment or care within the scope of his or her training and experience, including, but not limited to, health screenings, patient histories, physical examinations, women's health examinations, or school physicals that may be provided as part of the routine practice of an advanced practice nurse or on a volunteer basis.

(Source: P.A. 96-618, eff. 1-1-10; 97-358, eff. 8-12-11; 97-1071, eff. 8-24-12.)

Section 10. The Nurse Practice Act is amended by changing Section 65-35 as follows:

(225 ILCS 65/65-35) (was 225 ILCS 65/15-15)

(Sec. 65-35. Written collaborative agreements.

(a) A written collaborative agreement is required for all advanced practice nurses engaged in clinical practice, except for advanced practice nurses who are authorized to practice in a hospital or ambulatory surgical treatment center.

(a-5) If an advanced practice nurse engages in clinical practice outside of a hospital or ambulatory surgical treatment center in which he or she is authorized to practice, the advanced practice nurse must have a written collaborative agreement.

(b) A written collaborative agreement shall describe the working relationship of the advanced practice nurse with the collaborating physician or podiatrist and shall authorize the categories of care, treatment, or procedures to be performed by the advanced practice nurse. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this Section. Collaboration does not require an employment relationship between the collaborating physician and advanced practice nurse. Absent an employment relationship, an agreement may not restrict the categories of patients or third-party payment sources accepted by the advanced practice nurse. Collaboration

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means the relationship under which an advanced practice nurse works with a collaborating physician or podiatrist in an active clinical practice to deliver health care services in accordance with (i) the advanced practice nurse's training, education, and experience and (ii) collaboration and consultation as documented in a jointly developed written collaborative agreement.

The agreement shall promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The services to be provided by the advanced practice nurse shall be services that the collaborating physician or podiatrist is authorized to and generally provides or may provide to his or her patients in the normal course of his or her clinical medical or podiatric practice, except as set forth in subsections (b-5) or subsection (c-5) of this Section. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating physician or podiatrist as the procedures are being performed. The collaborative relationship under an agreement shall not be construed to require the personal presence of a physician or podiatrist at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician or podiatrist in person or by telecommunications in accordance with established written guidelines as set forth in the written agreement.

(b-5) Absent an employment relationship, a written collaborative agreement may not (1) restrict the categories of patients of an advanced practice nurse within the scope of the advanced practice nurses training and experience, (2) limit third party payors or government health programs, such as the medical assistance program or Medicare with which the advanced practice nurse contracts, or (3) limit the geographic area or practice location of the advanced practice nurse in this State.

(c) Collaboration and consultation under all collaboration agreements shall be adequate if a collaborating physician or podiatrist does each of the following:

(1) Participates in the joint formulation and joint approval of orders or guidelines with the advanced practice nurse and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice or podiatric practice and advanced practice nursing practice.
(2) Provides collaboration and consultation with the advanced practice nurse at least once a month. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, physician, dentist, or podiatrist must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

(3) Is available through telecommunications for consultation on medical problems, complications, or emergencies or patient referral. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, physician, dentist, or podiatrist must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

The agreement must contain provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(c-5) A certified registered nurse anesthetist, who provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatrist performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatrist is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or the operating physician or operating podiatrist.

(c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse anesthetist and dentist and shall authorize the
categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice nurse and the collaborating physician or podiatrist.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(f) An advanced practice nurse shall inform each collaborating physician, dentist, or podiatrist of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician, dentist, or podiatrist upon request.

(g) For the purposes of this Act, "generally provides or may provide in to his or her patients in the normal course of his or her clinical medical practice" means categories of care or treatment services, not specific tasks or duties, the physician or podiatrist routinely provides individually or through delegation to other persons so that the physician or podiatrist has the experience and ability to provide collaboration and consultation. This definition shall not be construed to prohibit an advanced practice nurse from providing primary health treatment or care within the scope of his or her training and experience, including, but not limited to, health screenings, patient histories, physical examinations, women's health examinations, or school physicals that may be provided as

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part of the routine practice of an advanced practice nurse or on a volunteer basis.

For the purposes of this Act, "generally provides to his or her patients in the normal course of his or her clinical podiatric practice" means services, not specific tasks or duties, that the podiatrist routinely provides individually or through delegation to other persons so that the podiatrist has the experience and ability to provide collaboration and consultation.

(Source: P.A. 96-618, eff. 1-1-10; 97-358, eff. 8-12-11.)

Passed in the General Assembly May 9, 2012.
Approved August 6, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0193
(House Bill No. 1192)

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-20-16 as follows:

(65 ILCS 5/11-20-16)

Sec. 11-20-16. Retail food establishments.

(a) A municipality in a county having a population of 2,000,000 or more inhabitants must regulate and inspect retail food establishments in the municipality. A municipality must regulate and inspect retail food establishments in accordance with applicable federal and State laws pertaining to the operation of retail food establishments including but not limited to the Illinois Food Handling Regulation Enforcement Act, the Illinois Food, Drug and Cosmetic Act, the Sanitary Food Preparation Act, the regulations of the Illinois Department of Public Health, and local ordinances and regulations. This subsection shall not apply to a municipality that is served by a certified local health department other than a county certified local health department.

A home rule unit may not regulate retail food establishments in a less restrictive manner than as provided in this Section. This Section is a limitation of home rule powers under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

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(b) A municipality may enter into an intergovernmental agreement with a county that provides for the county's certified local health department to perform any or all inspection functions for the municipality. The municipality must pay the county's reasonable costs. *A municipality may enter into an intergovernmental agreement with a local health district, as defined in Section 11 of the Public Health District Act and that serves the entire municipality, to regulate and inspect retail food establishments for the municipality.* An intergovernmental agreement shall not preclude a municipality or local health district from continuing to license retail food establishments within its jurisdiction.

(c) For the purpose of this Section, "retail food establishment" includes a food service establishment, a temporary food service establishment, and a retail food store as defined in the Food Service Sanitation Code, 77 Ill. Adm. Code Part 750, and the Retail Food Store Sanitation Code, 77 Ill. Adm. Code Part 760.

(Source: P.A. 96-749, eff. 1-1-10; 96-1000, eff. 7-2-10.)

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

Passed in the General Assembly May 9, 2013.
Approved August 6, 2013.
Effective August 6, 2013.

PUBLIC ACT 98-0194
(House Bill No. 2879)

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

Section 1. Short title. This Act may be cited as the Violence Prevention Task Force Act.

Section 5. Violence Prevention Task Force; members.
(a) There is created the Violence Prevention Task Force (hereinafter referred to as the Task Force) consisting of 6 members appointed as follows:

(1) one member of the Senate appointed by the President of the Senate;

(2) one member of the Senate appointed by the Minority Leader of the Senate;

New matter indicated by italics - deletions by strikeout
(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;
(4) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; and
(5) 2 members appointed by the Governor one of whom shall be designated the chairperson by the Governor.
(b) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose.
(c) The Task Force may employ skilled experts with the approval of the chairperson, and shall receive the cooperation of those State agencies it deems appropriate to assist the Task Force in carrying out its duties.
(d) The Illinois African American Family Commission, the Illinois Department of Public Health, and the Illinois Latino Family Commission shall provide administrative and other support to the Task Force.

Section 10. Violence Prevention Task Force; duties. The Task Force shall have the following duties:
(1) to increase awareness of resources, jobs, and opportunities to prevent violence in this State;
(2) to assist violence prevention groups, religious institutions, social lodges, community groups, block clubs, and other groups in providing safe havens for children, youth, young adults, and seniors;
(3) to create, develop, and implement recreational, social, and educational initiatives for at-risk youth;
(4) to organize community mental health providers in at-risk communities;
(5) to provide State resources to public schools to assist with behavioral health; and
(6) to assist in providing jobs, resources, and opportunities for at-risk youth so as to prevent them from committing crimes.

Section 15. Report to the Governor and General Assembly. The Task Force shall report to the Governor and the General Assembly, by December 1 of each year, its activities for the previous year.

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

Approved August 7, 2013.
Effective August 7, 2013.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0195
(House Bill No. 1538)

AN ACT concerning health.

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

Section 1. Short title. This Act may be cited as the Illinois Mental Health First Aid Training Act.

Section 5. Purpose. Through the use of innovative strategies, Mental Health First Aid training shall be implemented throughout the State. Mental Health First Aid training is designed to train individuals to assist someone who is developing a mental health disorder or an alcohol or substance abuse disorder, or who is experiencing a mental health or substance abuse crisis and it can be reasonably assumed that a mental health disorder or an alcohol or substance abuse disorder is a contributing or precipitating factor.

Section 10. Definitions.
"Illinois Mental Health First Aid training program" means the Mental Health First Aid training program administered by the Department of Human Services.

"Certified trainers" means individuals who obtain certification in Mental Health First Aid training by successfully completing (i) the Instructor Training Program offered by the Illinois Mental Health First Aid training program or (ii) the Instructor Training Program offered by the National Authorities of Mental Health First Aid.

Section 15. Illinois Mental Health First Aid training program. The Department of Human Services shall administer the Illinois Mental Health First Aid training program so that certified trainers can provide Illinois residents, professionals, and members of the public with training on how to identify and assist someone who is believed to be developing or has developed a mental health disorder or an alcohol or substance abuse disorder or who is believed to be experiencing a mental health or substance abuse crisis.

Section 20. Mental health first aid training grants. Subject to appropriations made to the Department of Human Services and other State agencies, the Department of Human Services and other State agencies shall support training grants for Illinois Mental Health First Aid training. These training grants may support hardship subsidies for Illinois Mental Health First Aid training fees.

New matter indicated by italics - deletions by strikeout
Section 25. Objectives of the training program. The Illinois Mental Health First Aid training program shall be designed to train individuals to accomplish the following objectives as deemed appropriate for the individuals to be trained, taking into consideration the individual's age:

(1) Build mental health, alcohol abuse, and substance abuse literacy designed to help the public identify, understand, and respond to the signs of mental illness, alcohol abuse, and substance abuse.

(2) Assist someone who is believed to be developing or has developed a mental health disorder or an alcohol or substance abuse disorder or who is believed to be experiencing a mental health disorder or an alcohol or substance abuse crisis. Such assistance shall include the following:

(A) Knowing how to recognize the symptoms of a mental health disorder or an alcohol or substance abuse disorder.

(B) Knowing how to provide initial help.

(C) Knowing how to guide individuals requiring assistance toward appropriate professional help, including help for individuals who may be in crisis.

(D) Knowing how to provide comfort to the person experiencing a mental health disorder or an alcohol or substance abuse disorder.

(E) Knowing how to prevent a mental health disorder or an alcohol or substance abuse disorder from deteriorating into a more serious condition which may lead to more costly interventions and treatments.

(F) Knowing how to promote healing, recovery, and good mental health.

Section 30. Distribution of training grants. When awarding training grants under this Act, the Department or other appropriate State agency shall distribute training grants equitably among the geographical regions of the State paying particular attention to the training needs of rural areas and areas with underserved populations or professional shortages.

Section 35. Evaluation. The Department of Human Services, as the Illinois Mental Health First Aid training authority, shall ensure that evaluative criteria are established which measure the distribution of the training grants and the fidelity of the training processes to the objective of building mental health, alcohol abuse, and substance abuse literacy.
designed to help the public identify, understand, and respond to the signs of mental illness, alcohol abuse, and substance abuse.

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

Passed in the General Assembly May 14, 2013.
Approved August 7, 2013.
Effective August 7, 2013.

PUBLIC ACT 98-0196
(House Bill No. 0125)

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

Section 5. The Counties Code is amended by adding Section 5-14008 as follows:

(55 ILCS 5/5-14008 new)
Sec. 5-14008. Powers of commission; real property. The joint regional planning commission may acquire, by purchase, gift, or legacy, and hold real property for the purposes of the joint regional planning commission, and may sell and convey that property. The value of the real property shall be determined by an appraisal performed by an appraiser licensed under the Real Estate Appraiser Licensing Act of 2002 and who is certified to appraise the type or types of property to be valued. The appraisal report of the appraiser shall be available for public inspection. The joint regional planning commission may purchase the real property under contracts providing for payment in installments over a period of time of not more than 20 years and may finance the purchase of the real property under finance contracts providing for payment in installments over a period of time of not more than 20 years. This Section applies only to a joint regional planning commission if it consists of 3 or fewer counties that border the Illinois River, where at least one of those counties has a population of 180,000 or more.

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

Passed in the General Assembly May 21, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-12001.2 as follows:

(55 ILCS 5/5-12001.2 new)

Sec. 5-12001.2. Regulation of telecommunications facilities; Lake County pilot project.

In addition to any other requirements under this Division concerning the regulation of telecommunications facilities, the following applies to any new telecommunications facilities in Lake County that are not AM telecommunications towers or facilities:

(a) For every new wireless telecommunications facility requiring a new tower structure, a telecommunications carrier shall provide the county with documentation consisting of the proposed location, a site plan, and an elevation that sufficiently describes a proposed wireless facility location.

(b) The county shall have 7 days to review the facility proposal and contact the telecommunications carrier in writing via e-mail or other written means as specified by the telecommunications carrier. This written communication shall either approve the proposed location or request a meeting to review other possible alternative locations. If requested, the meeting shall take place within 7 days after the date of the written communication.

(c) At the meeting, the telecommunications carrier shall provide the county documentation consisting of radio frequency engineering criteria and a corresponding telecommunications facility search ring map, together with documentation of the carrier’s efforts to site the proposed facility within the telecommunications facility search ring.

(d) Within 21 days after receipt of the carrier’s documentation, the county shall propose either an alternative site within the telecommunications facility search ring, or an alternative site outside of the telecommunications search ring that meets the radio frequency engineering criteria provided by the telecommunications carrier and that will not materially increase the construction budget beyond what was estimated on the original carrier proposed site.

New matter indicated by italics - deletions by strikeout
(e) If the county's proposed alternative site meets the radio frequency engineering criteria provided by the telecommunications carrier, and will not materially increase the construction budget beyond what was estimated on the original carrier proposed site, then the telecommunications carrier shall agree to build the facility at the alternative location, subject to the negotiation of a lease with commercially reasonable terms and the obtainment of the customary building permits.

(f) If the telecommunications carrier can demonstrate that: (i) the county's proposed alternative site does not meet the radio frequency engineering criteria, (ii) the county's proposed alternative site will materially increase the construction budget beyond what was estimated on the original carrier proposed site, (iii) the county has failed to provide an alternate site, or (iv) after a period of 90 days after receipt of the alternative site the telecommunications carrier has failed, after acting in good faith and with due diligence, to obtain a lease or at a minimum, a letter of intent to lease the alternative site at lease rates not materially greater than the lease rate for the original proposed site; then the carrier can proceed to permit and construct the site under the provisions and standards of Section 5-12001.1 of this Code.

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0198
(House Bill No. 0194)

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

Section 1. Short title. This Act may be cited as the Lincoln Promise Zone Act.
Section 5. Definitions.
"Authority" means a Lincoln Promise Zone Authority created under this Act.
"Board" means the Board of an Authority.

New matter indicated by italics - deletions by strikeout
"Eligible entity" means the City of Rockford, the City of Aurora, or the City of East St. Louis.

"Governing body" means the city council of the applicable eligible entity.

"Promise of financial assistance" means a commitment by an eligible entity to provide financial resources for a community college education for the 2015-2016 and 2016-2017 academic years to eligible students living in a promise zone who have graduated from a public high school located within that promise zone.

"Promise zone" means an area designated as a promise zone by a governing body.

Section 10. Designation of a promise zone.

(a) If a governing body determines that it is necessary for the best interests of the public to promote access to a community college education, the governing body may, by ordinance or resolution, declare its intention to establish a promise zone.

(b) The governing body shall set a date for a public hearing on the adoption of a proposed resolution establishing the promise zone. Notice of the public hearing shall be published twice in a newspaper of general circulation in the eligible entity, not less than 20 or more than 40 days before the date of the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the eligible entity not less than 20 days before the hearing. The notice shall state the date, time, and place of the hearing and shall describe the proposed promise zone, the details of the promise of financial assistance, and the criteria for eligibility to receive that financial assistance.

(c) If the governing body of the eligible entity intends to proceed with the establishment of the promise zone, the governing body shall, by ordinance or resolution, establish a promise zone.

Section 15. Promise Zone Authority; creation.

(a) If the governing body, by ordinance or resolution, establishes the promise zone, the governing body shall, by ordinance or resolution, create a Lincoln Promise Zone Authority.

(b) For the City of Rockford and the City of Aurora, an Authority shall be under the supervision and control of a Board consisting of the mayor and 6 members appointed by the mayor, with the advice and consent of the governing body, with 2 of the 6 members being educators and 2 of the 6 members being community business leaders. With respect to the City of East St. Louis, an Authority shall be under the supervision and

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control of a Board consisting of the mayor and (i) 2 members who are educators appointed by the State Senator from the 57th Legislative District, with the advice and consent of the governing body; (ii) 2 members who are community business leaders appointed by the State Senator from the 57th Legislative District, with the advice and consent of the governing body; and (iii) 2 members appointed by the mayor, with the advice and consent of the governing body. Each member of an Authority shall serve until the Authority is abolished under Section 90 of this Act. An appointment to fill a vacancy shall be made by the person who made the original appointment, with the advice and consent of the governing body. Members of the Board shall serve without compensation, but may be reimbursed for actual and necessary expenses from funds the Authority receives. The Chairperson of the Board shall be elected by the Board.

Section 20. Powers of the Authority.

(a) An Authority is a public body corporate that may sue and be sued in any court of this State. An Authority possesses all of the powers necessary to carry out its purpose. The enumeration of a power in this Act shall not be construed as a limitation upon the general powers of the Authority.

(b) The Board may employ and fix the compensation of a Director. The Director shall serve at the pleasure of the Board. A member of the Board is not eligible to hold the position of Director. Before beginning his or her duties, the Director shall furnish bond by posting a bond in the sum determined in the ordinance or resolution establishing the Authority payable to the Authority for use and benefit of the Authority, approved by the Board, and filed with the clerk of the eligible entity. The premium on the bond shall be considered an operating expense of the Authority, payable from funds available to the Authority for expenses of operation. The Director shall be the chief executive officer of the Authority.

(c) Subject to the approval of the Board, the Director shall supervise and be responsible for implementing the promise zone development plan established under Section 25 of this Act and the performance of the functions of the Authority in the manner authorized by this Act. The Director shall attend the meetings of the Board and shall provide to the Board, the governing body, and the chief executive officer of the eligible entity a regular report covering the activities and financial condition of the Authority. If the Director is absent or disabled, the Board may designate a qualified person as Acting Director to perform the duties of the office.
(d) The Board may employ and fix the compensation of a Treasurer, who shall keep the financial records of the Authority and who, together with the Director, shall approve all vouchers for the expenditure of funds of the Authority. The Treasurer shall perform all duties delegated to him or her by the Board and shall furnish a bond in an amount prescribed by the Board.

(e) The Board may employ and fix the compensation of a Secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the Treasurer. The Secretary shall attend meetings of the Board and keep a record of its proceedings and shall perform other duties delegated by the Board.

(f) The Board may retain legal counsel to advise the Board in the proper performance of its duties.

(g) The Board may employ other personnel considered necessary by the Board.

(h) The Board may do any of the following:

1. prepare an analysis of the community college educational opportunities for the residents of the promise zone;
2. study and analyze the need for financial resources to provide community college educational opportunities for residents of the promise zone;
3. acquire, by purchase or otherwise, on terms and conditions and in a manner the Authority considers proper, own, convey, or otherwise dispose of, or lease as lessor or lessee land and other property, real or personal, or rights or interests in the property that the Authority determines is reasonably necessary to achieve the purposes of this Act and grant or acquire licenses, easements, and options;
4. fix, charge, and collect fees, rents, and charges for the use of any facility, building, or property under its control or any part of the facility, building, or property;
5. lease, in whole or in part, any facility, building, or property under its control; or
6. solicit and accept grants and donations of money, property, labor, or other things of value from a private source, except as otherwise prohibited by law.

Section 25. Promise zone development plan. A Lincoln Promise Zone Authority created under Section 15 of this Act shall prepare and
adopt a promise zone development plan, which shall include all of the following:

(1) A complete description of the proposed promise of financial assistance. The proposed promise of financial assistance shall include, without limitation, a promise of financial assistance for the 2015-2016 and 2016-2017 academic years to all students residing within the promise zone who graduate from a public high school located within that promise zone to attend community college in the public community college district where the eligible entity is located. The proposed promise of financial assistance shall, at a minimum, provide funding sufficient to provide an eligible student the tuition necessary to obtain an associate degree or its equivalent at the local community college during the 2015-2016 and 2016-2017 academic years, subject to any limitations authorized under this Section. The proposed promise of financial assistance may also authorize the expenditure of funds for educational improvement activities designed to increase readiness for postsecondary education at public schools located in the promise zone.

(2) A complete description of any limitation on the promise of financial assistance, including, but not limited to, the following:

   (A) whether the promise of financial assistance will be prorated based on the number of years the student has resided within the promise zone;

   (B) whether the promise of financial assistance will be restricted to students who have resided within or attended a public high school within the promise zone for a minimum number of years;

   (C) whether the promise of financial assistance is predicated on the student maintaining a minimum college grade point average and carrying a minimum college credit hour classload.

(3) A requirement that graduates of a public high school exhaust all other known and available grants for tuition and fees for postsecondary education provided by a federal, State, or local governmental entity, as determined by the Board.

(4) A description of how the funds necessary to accomplish the promise of financial assistance will be raised. The promise
zone development plan shall be financed from one or more of the following sources:

(A) private donations;
(B) money obtained from other private sources approved by the governing body or otherwise authorized by law; or
(C) interest or other investment income, earnings, or proceeds from item (A) or (B) of this subdivision (4).

(5) An actuarial model of how much the proposed plan is estimated to cost.

The Board shall submit the promise zone development plan to the review committee established under Section 35 of this Act promptly after the plan's adoption. The promise zone development plan shall be published on the Internet website of the eligible entity that established the promise zone.

Section 30. Deposit and expenditure of moneys received by the Authority. Moneys received by the Authority shall immediately be deposited to the credit of the Authority, subject to disbursement under this Act. The Authority shall not expend more than 15% of its proposed annual budget for administrative costs.

Section 35. Review committee.
(a) There is created a review committee consisting of the following members:

(1) The Chairperson of the Senate's Higher Education Committee.
(2) The Minority Spokesperson of the Senate's Higher Education Committee.
(3) The Chairperson of the Senate's Education Committee.
(4) The Chairperson of the House of Representative's Higher Education Committee.
(7) One representative of the Illinois Student Assistance Commission, appointed by the Chairman of the Illinois Student Assistance Commission.
(8) One representative of the Board of Higher Education, appointed by the Chairman of the Board of Higher Education.
(9) One representative of the Illinois Community College Board, appointed by the Chairman of the Illinois Community College Board.

(b) The review committee shall review each promise zone development plan submitted under Section 25 of this Act, as well as the plan's implementation. An Authority must submit such information as the review committee may request from time to time.

(c) The review committee shall report to the General Assembly on all aspects of this Act's implementation on or before December 31, 2017.

Section 90. Abolishment of Authority; expiration of Act.

(a) An Authority created under this Act is abolished on January 31, 2018.

(b) This Act is repealed on January 31, 2018.

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0199
(House Bill No. 0438)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-1028 as follows:

(55 ILCS 5/5-1028) (from Ch. 34, par. 5-1028)
Sec. 5-1028. Tax for emergency ambulance service; referendum. In any county which is not a home rule county, a county board may levy and collect, annually, a tax of not to exceed .25% of the value, as equalized or assessed by the Department of Revenue, of all the taxable property in the county not included within the territory of a fire protection district which levies a tax for ambulance service, for the payment of expenses not paid for from general funds which are incurred in providing emergency ambulance service under the provisions of Section 5-1053. Such tax shall not be included within any statutory limitation of rate or amount for other county purposes, but shall be excluded therefrom and be in addition thereto and in excess thereof.

New matter indicated by italics - deletions by strikeout
This tax shall not be levied in any county until the question of its adoption is submitted to the electors of the county not residing within the territory of a fire protection district which levies a tax for ambulance service and approved by a majority of those voting on the question. Upon the adoption of a resolution by the county board providing for the submission of the question of the adoption to the electors of the county the board shall certify the resolution and the proposition to the proper election officials who shall submit the proposition at an election in accordance with the general election law. If a majority of the votes cast on the question is in favor of the levy of such tax, it may thereafter be levied in such county for each succeeding year.

Notwithstanding any other provision of this Section, the county board of a county that has more than 8,400 but less than 9,000 inhabitants, according to the 2010 federal decennial census, may also use funds collected under this Section to provide 9-1-1 service, but only if the question of using those funds for that purpose has been submitted to the electors of the county not residing within the territory of the fire protection district that levies the tax for ambulance service and if that question is approved by a majority of those electors voting on the question. Upon the adoption of a resolution by the county board providing for the submission of that question to those electors, the board shall certify the resolution and the proposition to the proper election officials, who shall submit the proposition at an election in accordance with the Election Code. The election authority must submit the question in substantially the following form:

-------------------------------------------------------------
May moneys collected by the county to provide emergency ambulance service YES
also be used for the purpose of providing 9-1-1 service? NO
-------------------------------------------------------------

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, the county may thereafter use funds that it collects under this Section to provide 9-1-1 service or emergency ambulance service.

(Source: P.A. 86-962.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 9, 2013.

New matter indicated by italics - deletions by strikeout
Effective January 1, 2014.

PUBLIC ACT 98-0200
(House Bill No. 0962)

AN ACT concerning State government.

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

Section 5. The Illinois Global Partnership Act is amended by adding Sections 65 and 70 as follows:

(20 ILCS 3948/65 new)

Sec. 65. Conflicts of interests.

(a) None of the following shall have or acquire a grant from IGP, a contract for goods or services with IGP, or a direct interest in an IGP grant or IGP contract for goods or services: (i) a member of the IGP board of directors; (ii) the IGP executive director; (iii) an IGP employee; or (iv) the spouse of or immediate family residing with a person described in item (i), (ii), or (iii).

For the purposes of this subsection, a "direct interest" is the right or potential right to receive (1) more than 5% of the distributive income or ownership share of an IGP grantee or contractor or (2) in combination with a person described in items (i) through (iv) of this subsection, more than 7% of the distributive income or ownership share of an IGP grantee or contractor.

(b) None of the following shall solicit or accept a gift from a person or entity that has an IGP grant or that has a contract for goods or services with IGP: (i) a member of the IGP board of directors; (ii) the IGP executive director; (iii) an IGP employee; or (iv) the spouse of or immediate family residing with a person described in item (i), (ii), or (iii).

For the purposes of this subsection, "gift" has the same meaning as in Section 1-5 of the State Officials and Employees Ethics Act.

(c) Expenses related to travel in connection with IGP business by any of the following may not be paid or reimbursed by a person or entity that has an IGP grant or that has a contract for goods or services with IGP: (i) a member of the IGP board of directors; (ii) the IGP executive director; (iii) an IGP employee; or (iv) the spouse of or immediate family residing with a person described in item (i), (ii), or (iii).

(20 ILCS 3948/70 new)

New matter indicated by italics - deletions by strikeout
Sec. 70. Mission statement; strategic plan. Every 2 years, IGP shall develop a plan that states its mission and goals for the next 2 years and its strategy for their accomplishment. IGP shall revise and update the plan as necessary.

Beginning July 1, 2013, and annually thereafter, IGP shall file a copy of its current 2-year plan with the Governor and General Assembly, together with a report of IGP’s progress in carrying out its plan.

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0201
(House Bill No. 0973)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:

(235 ILCS 5/6-15) (from Ch. 43, par. 130)

Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic

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liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention

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type activities take place belonging to or under control of any State
university or public community college district, provided that with respect
to a facility for conference and convention type activities alcoholic liquors
shall be limited to the use of the convention or conference participants or
participants in cultural, political or educational activities held in such
facilities, and provided further that the faculty or staff of the State
university or a public community college district, or members of an
organization of students, alumni, faculty or staff of the State university or
a public community college district are active participants in the
conference or convention, or in Memorial Stadium on the campus of the
University of Illinois at Urbana-Champaign during games in which the
Chicago Bears professional football team is playing in that stadium during
the renovation of Soldier Field, not more than one and a half hours before
the start of the game and not after the end of the third quarter of the game,
or in the Pavilion Facility on the campus of the University of Illinois at
Chicago during games in which the Chicago Storm professional soccer
team is playing in that facility, not more than one and a half hours before
the start of the game and not after the end of the third quarter of the game,
or in the Pavilion Facility on the campus of the University of Illinois at
Chicago during games in which the WNBA professional women's
basketball team is playing in that facility, not more than one and a half
hours before the start of the game and not after the 10-minute mark of the
second half of the game, or by a catering establishment which has rented
facilities from a board of trustees of a public community college district, or
in a restaurant that is operated by a commercial tenant in the North
Campus Parking Deck building that (1) is located at 1201 West University
Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the
University of Illinois, or, if approved by the District board, on land owned
by the Metropolitan Sanitary District of Greater Chicago and leased to
others for a term of at least 20 years. Nothing in this Section precludes the
sale or delivery of alcoholic liquor in the form of original packaged goods
in premises located at 500 S. Racine in Chicago belonging to the
University of Illinois and used primarily as a grocery store by a
commercial tenant during the term of a lease that predates the University's
acquisition of the premises; but the University shall have no power or
authority to renew, transfer, or extend the lease with terms allowing the
sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to
all local laws and regulations. After the acquisition by Winnebago County
of the property located at 404 Elm Street in Rockford, a commercial tenant

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who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities or Illinois State University in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year. However, the limitation to fundraising events and to a maximum of 6 events per year does not apply to the delivery, sale, or manufacture of alcoholic liquors at the building located at 59 Main Street in Oswego, Illinois, owned by the Oswego Fire Protection District if the alcoholic liquor is sold or dispensed as approved by the Oswego Fire Protection District and the property is no longer being utilized for fire protection purposes.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of the University of Illinois for events that the Board may determine are public events and not related student activities. The Board of Trustees shall issue a written policy within 6 months of the effective date of this amendatory Act of the 95th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, among other factors it considers relevant and important, give consideration to the

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following: (i) whether the event is a student activity or student related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the
ability of the venue operator to prevent the sale or distribution of alcoholic liquor to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons; and

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons;

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and

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(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

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Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by
Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

d. no such sale shall be made during normal working hours of the State of Illinois; and

e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the
controlling government authority, or by (2) a not-for-profit organization, provided that such organization:
   a. Obtains written consent from the controlling government authority;
   b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
   c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
   d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization provided that such individual or organization:
   a. Obtains written consent from the controlling government authority;
   b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;

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c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or organization in the facility, property or building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. obtains written consent from the Department of Central Management Services;

b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building;

New matter indicated by italics - deletions by strikeout
d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.
establishment for the selling or dispensing of alcoholic liquors at functions
authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by
the Illinois Sports Facilities Authority provided that dram shop liability
insurance has been made available in a form, with such coverage and in
such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the
Rockford State Office Building by (1) an agency of the State, whether
legislative, judicial or executive, provided that such agency first obtains
written permission to sell or dispense alcoholic liquors from the
Department of Central Management Services, or by (2) a not-for-profit
organization, provided that such organization:

a. Obtains written consent from the Department of Central
Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that
does not impair normal operations of State offices located in the
building;

c. Sells or dispenses alcoholic liquors only in connection
with an official activity in the building;

d. Provides, or its catering service provides, dram shop
liability insurance in maximum coverage limits and in which the
carrier agrees to defend, save harmless and indemnify the State of
Illinois from all financial loss, damage or harm arising out of the
selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or
agency of the State from employing the services of a catering
establishment for the selling or dispensing of alcoholic liquors at functions
authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is
owned by McLean County, situated on land owned by the county in the
City of Bloomington, and used by the McLean County Historical Society if
the sale or delivery is approved by an ordinance adopted by the county
board, and the municipality in which the building is located may not
prohibit that sale or delivery, notwithstanding any other provision of this
Section. The regulation of the sale and delivery of alcoholic liquor in a
building that is owned by McLean County, situated on land owned by the
county, and used by the McLean County Historical Society as provided in
this paragraph is an exclusive power and function of the State and is a
denial and limitation under Article VII, Section 6, subsection (h) of the
Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the Community Building Complex Committee of Boone County, Illinois if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance with coverage and in amounts that the Committee reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet Renaissance Center, City Center Campus, located at 214 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts Department facilities, Main Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at Triton College, Illinois Community College District No. 504.

Alcoholic liquors may be delivered to and sold at the College of DuPage, Illinois Community College District No. 502.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne

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Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508. (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51, eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11; 97-395, eff. 8-16-11; 97-813, eff. 7-13-12.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0202
(House Bill No. 0981)

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

Section 5. The Illinois Insurance Code is amended by changing Section 536 as follows:

(215 ILCS 5/536) (from Ch. 73, par. 1065.86)
Sec. 536. Board of Directors.
(a) The board of directors of the Fund shall consist of not less than 5 nor more than 10 persons, with one public member appointed by the Director, serving terms as established in the plan of operation. The public member shall be a resident of this State, and he or she shall either (1) be a licensed and certified public accountant under the laws of this State or (2) have earned, and maintain in good standing, the Chartered Property and Casualty Underwriter (CPCU) designation from the American Institute for Chartered Property Casualty Underwriters. The plan of operation shall provide that the board of directors be elected on the basis of one vote for each member company of the Fund. If more than one company of a group of wholly owned or controlled companies is a member company of the Fund only one vote will be allowed for the entire group. The members of the board of directors shall be elected by member companies subject to the approval of the Director. Vacancies on the board of directors shall be filled for the remaining period of the term by the board of directors, subject to the approval of the Director.

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(b) In approving elections to the board of directors, the Director shall consider among other things whether all member companies are fairly represented.

(c) Members of the board of directors shall receive no compensation, but may be reimbursed from the assets of the Fund for expenses incurred by them as members of the board of directors.

(Source: P.A. 85-576.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0203
(House Bill No. 0983)

AN ACT concerning local government.

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

Section 5. The Local Government Debt Reform Act is amended by changing Section 15 as follows:

(30 ILCS 350/15) (from Ch. 17, par. 6915)

Sec. 15. Double-barrelled bonds. Whenever revenue bonds have been authorized to be issued pursuant to applicable law or whenever there exists for a governmental unit a revenue source, the procedures set forth in this Section may be used by a governing body. General obligation bonds may be issued in lieu of such revenue bonds as authorized, and general obligation bonds may be issued payable from any revenue source. Such general obligation bonds may be referred to as "alternate bonds". Alternate bonds may be issued without any referendum or backdoor referendum except as provided in this Section, upon the terms provided in Section 10 of this Act without reference to other provisions of law, but only upon the conditions provided in this Section. Alternate bonds shall not be regarded as or included in any computation of indebtedness for the purpose of any statutory provision or limitation except as expressly provided in this Section.

Such conditions are:

(a) Alternate bonds shall be issued for a lawful corporate purpose. If issued in lieu of revenue bonds, alternate bonds shall be issued for the purposes for which such revenue bonds shall have been authorized. If issued payable from a revenue source in the manner hereinafter provided,
which revenue source is limited in its purposes or applications, then the alternate bonds shall be issued only for such limited purposes or applications. Alternate bonds may be issued payable from either enterprise revenues or revenue sources, or both.

(b) Alternate bonds shall be subject to backdoor referendum. The provisions of Section 5 of this Act shall apply to such backdoor referendum, together with the provisions hereof. The authorizing ordinance shall be published in a newspaper of general circulation in the governmental unit. Along with or as part of the authorizing ordinance, there shall be published a notice of (1) the specific number of voters required to sign a petition requesting that the issuance of the alternate bonds be submitted to referendum, (2) the time when such petition must be filed, (3) the date of the prospective referendum, and (4), with respect to authorizing ordinances adopted on or after January 1, 1991, a statement that identifies any revenue source that will be used to pay debt service on the alternate bonds. The clerk or secretary of the governmental unit shall make a petition form available to anyone requesting one.

*Except as provided in the following paragraph, if* no petition is filed with the clerk or secretary within 30 days of publication of the authorizing ordinance and notice, the alternate bonds shall be authorized to be issued. But if within this 30 days period, a petition is filed with such clerk or secretary signed by electors numbering the greater of (i) 7.5% of the registered voters in the governmental unit or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the issuance of such alternate bonds be submitted to referendum, the clerk or secretary shall certify such question for submission at an election held in accordance with the general election law.

*Notwithstanding the previous paragraph, in governmental units with fewer than 500,000 inhabitants that propose to issue alternate bonds payable solely from enterprise revenues as defined under Section 3 of this Act, except for such alternate bonds that finance or refinance projects concerning public utilities, public streets and roads or public safety facilities, and related infrastructure and equipment, if no petition is filed with the clerk or secretary within 45 days of publication of the authorizing ordinance and notice, the alternate bonds shall be authorized to be issued. But if, within this 45-day period, a petition is filed with such clerk or secretary signed by the necessary number of electors, asking that the issuance of such alternate bonds be submitted to referendum, the clerk or secretary shall certify such question for submission at an election held in*
accordance with the general election law. For purposes of this paragraph, the necessary number of electors for a governmental unit with more than 4,000 registered voters is the lesser of (i) 5% of the registered voters or (ii) 5,000 registered voters; and the necessary number of electors for a governmental unit with 4,000 or fewer registered voters is the lesser of (i) 15% of the registered voters or (ii) 200 registered voters.

The question on the ballot shall include a statement of any revenue source that will be used to pay debt service on the alternate bonds. The alternate bonds shall be authorized to be issued if a majority of the votes cast on the question at such election are in favor thereof provided that notice of the bond referendum, if held before July 1, 1999, has been given in accordance with the provisions of Section 12-5 of the Election Code in effect at the time of the bond referendum, at least 10 and not more than 45 days before the date of the election, notwithstanding the time for publication otherwise imposed by Section 12-5. Notices required in connection with the submission of public questions on or after July 1, 1999 shall be as set forth in Section 12-5 of the Election Code. Backdoor referendum proceedings for bonds and alternate bonds to be issued in lieu of such bonds may be conducted at the same time.

(c) To the extent payable from enterprise revenues, such revenues shall have been determined by the governing body to be sufficient to provide for or pay in each year to final maturity of such alternate bonds all of the following: (1) costs of operation and maintenance of the utility or enterprise, but not including depreciation, (2) debt service on all outstanding revenue bonds payable from such enterprise revenues, (3) all amounts required to meet any fund or account requirements with respect to such outstanding revenue bonds, (4) other contractual or tort liability obligations, if any, payable from such enterprise revenues, and (5) in each year, an amount not less than 1.25 times debt service of all (i) alternate bonds payable from such enterprise revenues previously issued and outstanding and (ii) alternate bonds proposed to be issued. To the extent payable from one or more revenue sources, such sources shall have been determined by the governing body to provide in each year, an amount not less than 1.25 times debt service of all alternate bonds payable from such revenue sources previously issued and outstanding and alternate bonds proposed to be issued. The 1.25 figure in the preceding sentence shall be reduced to 1.10 if the revenue source is a governmental revenue source. The conditions enumerated in this subsection (c) need not be met for that
amount of debt service provided for by the setting aside of proceeds of bonds or other moneys at the time of the delivery of such bonds.

(c-1) In the case of alternate bonds issued as variable rate bonds (including refunding bonds), debt service shall be projected based on the rate for the most recent date shown in the 20 G.O. Bond Index of average municipal bond yields as published in the most recent edition of The Bond Buyer published in New York, New York (or any successor publication or index, or if such publication or index is no longer published, then any index of long-term municipal tax-exempt bond yields selected by the governmental unit), as of the date of determination referred to in subsection (c) of this Section. Any interest or fees that may be payable to the provider of a letter of credit, line of credit, surety bond, bond insurance, or other credit enhancement relating to such alternate bonds and any fees that may be payable to any remarketing agent need not be taken into account for purposes of such projection. If the governmental unit enters into an agreement in connection with such alternate bonds at the time of issuance thereof pursuant to which the governmental unit agrees for a specified period of time to pay an amount calculated at an agreed-upon rate or index based on a notional amount and the other party agrees to pay the governmental unit an amount calculated at an agreed-upon rate or index based on such notional amount, interest shall be projected for such specified period of time on the basis of the agreed-upon rate payable by the governmental unit.

(d) The determination of the sufficiency of enterprise revenues or a revenue source, as applicable, shall be supported by reference to the most recent audit of the governmental unit, which shall be for a fiscal year ending not earlier than 18 months previous to the time of issuance of the alternate bonds. If such audit does not adequately show such enterprise revenues or revenue source, as applicable, or if such enterprise revenues or revenue source, as applicable, are shown to be insufficient, then the determination of sufficiency shall be supported by the report of an independent accountant or feasibility analyst, the latter having a national reputation for expertise in such matters, who is not otherwise involved in the project being financed or refinanced with the proceeds of the alternate bonds, demonstrating the sufficiency of such revenues and explaining, if appropriate, by what means the revenues will be greater than as shown in the audit. Whenever such sufficiency is demonstrated by reference to a schedule of higher rates or charges for enterprise revenues or a higher tax imposition for a revenue source, such higher rates, charges or taxes shall

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have been properly imposed by an ordinance adopted prior to the time of
delivery of alternate bonds. The reference to and acceptance of an audit or
report, as the case may be, and the determination of the governing body as
to sufficiency of enterprise revenues or a revenue source shall be
conclusive evidence that the conditions of this Section have been met and
that the alternate bonds are valid.

(e) The enterprise revenues or revenue source, as applicable, shall
be in fact pledged to the payment of the alternate bonds; and the governing
body shall covenant, to the extent it is empowered to do so, to provide for,
collect and apply such enterprise revenues or revenue source, as
applicable, to the payment of the alternate bonds and the provision of not
less than an additional .25 (or .10 for governmental revenue sources) times
debt service. The pledge and establishment of rates or charges for
enterprise revenues, or the imposition of taxes in a given rate or amount,
as provided in this Section for alternate bonds, shall constitute a
continuing obligation of the governmental unit with respect to such
establishment or imposition and a continuing appropriation of the amounts
received. All covenants relating to alternate bonds and the conditions and
obligations imposed by this Section are enforceable by any bondholder of
alternate bonds affected, any taxpayer of the governmental unit, and the
People of the State of Illinois acting through the Attorney General or any
designee, and in the event that any such action results in an order finding
that the governmental unit has not properly set rates or charges or imposed
taxes to the extent it is empowered to do so or collected and applied
taxes to the extent it is empowered to do so or collected and applied
enterprise revenues or any revenue source, as applicable, as required by
this Act, the plaintiff in any such action shall be awarded reasonable
attorney's fees. The intent is that such enterprise revenues or revenue
source, as applicable, shall be sufficient and shall be applied to the
payment of debt service on such alternate bonds so that taxes need not be
levied, or if levied need not be extended, for such payment. Nothing in this
Section shall inhibit or restrict the authority of a governing body to
determine the lien priority of any bonds, including alternate bonds, which
may be issued with respect to any enterprise revenues or revenue source.

In the event that alternate bonds shall have been issued and taxes,
other than a designated revenue source, shall have been extended pursuant
to the general obligation, full faith and credit promise supporting such
alternate bonds, then the amount of such alternate bonds then outstanding
shall be included in the computation of indebtedness of the governmental
unit for purposes of all statutory provisions or limitations until such time

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as an audit of the governmental unit shall show that the alternate bonds have been paid from the enterprise revenues or revenue source, as applicable, pledged thereto for a complete fiscal year.

Alternate bonds may be issued to refund or advance refund alternate bonds without meeting any of the conditions set forth in this Section, except that the term of the refunding bonds shall not be longer than the term of the refunded bonds and that the debt service payable in any year on the refunding bonds shall not exceed the debt service payable in such year on the refunded bonds.

Once issued, alternate bonds shall be and forever remain until paid or defeased the general obligation of the governmental unit, for the payment of which its full faith and credit are pledged, and shall be payable from the levy of taxes as is provided in this Act for general obligation bonds.

The changes made by this amendatory Act of 1990 do not affect the validity of bonds authorized before September 1, 1990.

(Source: P.A. 97-542, eff. 8-23-11.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0204
(House Bill No. 1201)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Municipal Code is amended by adding Section 11-42-15 as follows:
(65 ILCS 5/11-42-15 new)

Sec. 11-42-15. Wind energy systems. For electric generating wind devices other than those with a nameplate generating capacity of less than 100 kilowatts that are used primarily by an end user, a municipality may prohibit any electric generating wind device from locating within its corporate limits, provided that the regulation is not inconsistent with another municipality's zoning regulation. This Section shall apply only to electric generating wind devices permitted after the effective date of this amendatory Act of the 98th General Assembly.

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0205
(House Bill No. 1203)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-12014 as follows:

(55 ILCS 5/5-12014) (from Ch. 34, par. 5-12014)

Sec. 5-12014. Amendment of regulations and districts.

(a) For purposes of this Section, the term "text amendment" means an amendment to the text of a zoning ordinance, which affects the whole county, and the term "map amendment" means an amendment to the map of a zoning ordinance, which affects an individual parcel or parcels of land.

(b) The regulations imposed and the districts created under the authority of this Division may be amended from time to time by ordinance or resolution, after the ordinance or resolution establishing same has gone into effect, but no such amendments shall be made without a hearing before the board of appeals. At least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation published in such county. Hearings on text amendments shall be held in the court house of the county or other county building with more adequate facilities for such hearings. Hearings on map amendments shall be held in the township or road district affected by the terms of such proposed amendment or in the court house, or other county building with more adequate facilities for such hearings, of the county in which the affected township or road district is located. Provided, that if the owner of any property affected by such proposed map amendment so requests in writing, such hearing shall be held in the township or road district affected by the terms of such proposed amendment. Except as provided in subsection (c), text amendments may be passed at a county board meeting by a simple majority of the elected county board members, unless written protests

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against the proposed text amendment are signed by 5% of the land owners of the county, in which case such amendment shall not be passed except by the favorable vote of 3/4 of all the members of the county board. Except as provided in subsection (c), map amendments may be passed at a county board meeting by a simple majority of the elected county board members, except that in case of written protest against any proposed map amendment that is either: (A) signed by the owner or owners of at least 20% of the land to be rezoned, or (B) signed by the owner or owners of land immediately touching, or immediately across a street, alley, or public right-of-way from, at least 20% of the perimeter of the land to be rezoned, or in cases where the land affected lies within 1 1/2 miles of the limits of a zoned municipality, or in the case of a proposed text amendment to the Zoning Ordinance, by resolution of the corporate authorities of the zoned municipality with limits nearest adjacent, filed with the county clerk, such amendment shall not be passed except by the favorable vote of 3/4 of all the members of the county board, but in counties in which the county board consists of 3 members only a 2/3 vote is required. In such cases, a copy of the written protest shall be served by the protestor or protestors on the applicant for the proposed amendment and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment. Notwithstanding any other provision of this Section, if a map amendment is proposed solely to correct an error made by the county as a result of a comprehensive rezoning by the county, the map amendments may be passed at a county board meeting by a simple majority of the elected board.

Any notice required by this Section need not include a metes and bounds legal description, provided that the notice includes: (i) the common street address or addresses and (ii) the property index number ("PIN") or numbers of all the parcels of real property contained in the area for which the variation is requested.

(c) If a township located within a county with a population of less than 600,000 has a plan commission and the plan commission objects to a text amendment or a map amendment affecting an unincorporated area of the township, then the township board of trustees may submit its written objections to the county board within 30 days after the hearing before the board of appeals, in which case the county board may not adopt the text amendment or the map amendment affecting an unincorporated area of the

New matter indicated by italics - deletions by strikeout
township except by the favorable vote of at least three-fourths of all the members of the county board.
(Source: P.A. 89-272, eff. 8-10-95.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0206
(House Bill No. 1206)

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

Section 5. The Property Tax Code is amended by changing Section 15-60 as follows:

(35 ILCS 200/15-60)
Sec. 15-60. Taxing district property. All property belonging to any county or municipality used exclusively for the maintenance of the poor is exempt, as is all property owned by a taxing district that is being held for future expansion or development, except if leased by the taxing district to lessees for use for other than public purposes.

Also exempt are:
(a) all swamp or overflowed lands belonging to any county;
(b) all public buildings belonging to any county, township, or municipality, with the ground on which the buildings are erected;
(c) all property owned by any municipality located within its incorporated limits. Any such property leased by a municipality shall remain exempt, and the leasehold interest of the lessee shall be assessed under Section 9-195 of this Act, (i) for a lease entered into on or after January 1, 1994, unless the lease expressly provides that this exemption shall not apply; (ii) for a lease entered into on or after the effective date of Public Act 87-1280 and before January 1, 1994, unless the lease expressly provides that this exemption shall not apply or unless evidence other than the lease itself substantiates the intent of the parties to the lease that this exemption shall not apply; and (iii) for a lease entered into before

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the effective date of Public Act 87-1280, if the terms of the lease
do not bind the lessee to pay the taxes on the leased property or if,
notwithstanding the terms of the lease, the municipality has filed or
hereafter files a timely exemption petition or complaint with
respect to property consisting of or including the leased property
for an assessment year which includes part or all of the first 12
months of the lease period. The foregoing clause (iii) added by
Public Act 87-1280 shall not operate to exempt property for any
assessment year as to which no timely exemption petition or
complaint has been filed by the municipality or as to which an
administrative or court decision denying exemption has become
final and nonappealable. For each assessment year or portion
thereof that property is made exempt by operation of the foregoing
clause (iii), whether such year or portion is before or after the
effective date of Public Act 87-1280, the leasehold interest of the
lessee shall, if necessary, be considered omitted property for
purposes of this Act;

(c-5) Notwithstanding clause (i) of subsection (c), all
property owned by a municipality with a population of over
500,000 that is used for toll road or toll bridge purposes and that is
leased for those purposes to another entity whose property is not
exempt shall remain exempt, and any leasehold interest in the
property shall not be subject to taxation under Section 9-195 of this
Act;

(d) all property owned by any municipality located outside
its incorporated limits but within the same county when used as a
tuberculosis sanitarium, farm colony in connection with a house of
correction, or nursery, garden, or farm, or for the growing of
shrubs, trees, flowers, vegetables, and plants for use in beautifying,
maintaining, and operating playgrounds, parks, parkways, public
grounds, buildings, and institutions owned or controlled by the
municipality; and

(e) all property owned by a township and operated as senior
citizen housing under Sections 35-50 through 35-50.6 of the
Township Code; and

(f) all property owned by the Executive Board of the Mutual
Aid Box Alarm System (MABAS), a unit of intergovernmental
cooperation, that is used for the public purpose of disaster
preparedness and response for units of local government and the

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All property owned by any municipality outside of its corporate limits is exempt if used exclusively for municipal or public purposes.

For purposes of this Section, "municipality" means a municipality, as defined in Section 1-1-2 of the Illinois Municipal Code.

(Source: P.A. 92-844, eff. 8-23-02; 92-846, eff. 8-23-02.)

Passed in the General Assembly May 16, 2013.

Approved August 9, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0207
(House Bill No. 1233)

AN ACT concerning regulation.

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

Section 5. The Hospice Program Licensing Act is amended by changing Section 9 as follows:

(210 ILCS 60/9) (from Ch. 111 1/2, par. 6109)

Sec. 9. Standards. The Department shall prescribe, by regulation, minimum standards for licensed hospice programs.

(a) The standards for all hospice programs shall include, but not be limited to, the following:

(1) (Blank).

(2) The number and qualifications of persons providing direct hospice services.

(3) The qualifications of those persons contracted with to provide indirect hospice services.

(4) The palliative and supportive care and bereavement counseling provided to a hospice patient and his family.

(5) Hospice services provided on an inpatient basis.

(6) Utilization review of patient care.

(7) The quality of care provided to patients.

(8) Procedures for the accurate and centralized maintenance of records on hospice services provided to patients and their families.

(9) The use of volunteers in the hospice program, and the training of those volunteers.

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(10) The rights of the patient and the patient's family.
(b) (Blank).
(c) The standards for hospices owning or operating hospice residences shall address the following:

(1) The safety, cleanliness, and general adequacy of the premises, including provision for maintenance of fire and health standards that conform to State laws and municipal codes, to provide for the physical comfort, well-being, care, and protection of the residents.

(2) Provisions and criteria for admission, discharge, and transfer of residents.

(3) Fee and other contractual agreements with residents.

(4) Medical and supportive services for residents.

(5) Maintenance of records and residents' right of access of those records.

(6) Procedures for reporting abuse or neglect of residents.

(7) The number of persons who may be served in a residence, which shall not exceed 16 persons per location.

(8) The ownership, operation, and maintenance of buildings containing a hospice residence.

(9) The number of licensed hospice residences shall not exceed 6 before December 31, 1996 and shall not exceed 12 before December 31, 1997. The Department shall conduct a study of the benefits of hospice residences and make a recommendation to the General Assembly as to the need to limit the number of hospice residences after June 30, 1997.

On and after the effective date of this amendatory Act of the 98th General Assembly, the number of licensed hospice residences shall not exceed the following:

(A) Five hospice residences located in counties with a population of 700,000 or more.

(B) Five hospice residences located in counties with a population of 200,000 or more but less than 700,000.

(C) Five hospice residences located in counties with a population of less than 200,000.

(d) In developing the standards for hospices, the Department shall take into consideration the category of the hospice programs.

(Source: P.A. 94-570, eff. 8-12-05.)
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0208
(House Bill No. 1311)

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

Section 5. The Methamphetamine Precursor Tracking Act is amended by changing Section 10 as follows:

(720 ILCS 649/10)

Sec. 10. Definitions. In this Act:
"Administer" or "administration" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Agent" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Authorized representative" means an employee or agent of a qualified outside entity who has been authorized in writing by his or her agency or office to receive confidential information from the central repository.
"Central Repository" means the entity chosen by the Illinois State Police to handle electronic transaction records as described in this Act.
"Convenience package" means any package that contains 360 milligrams or less of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in liquid or liquid filled capsule form.
"Covered pharmacy" means any pharmacy that distributes any amount of targeted methamphetamine precursor that is physically located in Illinois.
"Deliver" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Dispense" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Distribute" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

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"Electronic transaction record" means, with respect to the distribution of a targeted methamphetamine precursor by a pharmacy to a recipient under Section 25 of the Methamphetamine Precursor Control Act, an electronic record that includes: the name and address of the recipient; date and time of the transaction; brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers; identification type and identification number of the identification presented by the recipient; and the name and address of the pharmacy.

"Identification information" means identification type and identification number.

"Identification number" means the number that appears on the identification furnished by the recipient of a targeted methamphetamine precursor.

"Identification type" means the type of identification furnished by the recipient of a targeted methamphetamine precursor such as, by way of example only, an Illinois driver's license or United States passport.

"List I chemical" has the meaning provided in 21 U.S.C. 802.

"Methamphetamine precursor" has the meaning provided in Section 10 of the Methamphetamine Control and Community Protection Act.

"Package" means an item packaged and marked for retail sale that is not designed to be further broken down or subdivided for the purpose of retail sale.

"Pharmacist" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Pharmacy" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Practitioner" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescriber" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescription" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Qualified outside entity" means:

(I) a law enforcement agency or prosecutor's office with authority to identify, investigate, or prosecute violations of this Act or any other State or federal law or rule involving a

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methamphetamine precursor, methamphetamine, or any other controlled substance;

(2) any probation and court services department authorized by the Probation and Probation Officers Act;

(3) the Department of Corrections;

(4) the Department of Juvenile Justice;

(5) the U.S. Probation and Pretrial Services System; or

(6) the U.S. Parole Commission.

"Readily retrievable" has the meaning provided in 21 C.F.R. part 1300.

"Recipient" means a person purchasing, receiving, or otherwise acquiring a targeted methamphetamine precursor from a pharmacy in Illinois, as described in Section 25 of the Methamphetamine Precursor Control Act.

"Retail distributor" means a grocery store, general merchandise store, drug store, other merchandise store, or other entity or person whose activities as a distributor relating to drug products containing targeted methamphetamine precursor are limited exclusively or almost exclusively to sales for personal use by an ultimate user, both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales.

"Sales employee" means any employee or agent, other than a pharmacist or pharmacy technician who at any time (1) operates a cash register at which convenience packages may be sold, (2) stocks shelves containing convenience packages, or (3) trains or supervises any other employee or agent who engages in any of the preceding activities.

"Single retail transaction" means a sale by a retail distributor to a recipient at a specific time.

"Targeted methamphetamine precursor" means any compound, mixture, or preparation that contains any detectable quantity of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

"Targeted package" means a package, including a convenience package, containing any amount of targeted methamphetamine precursor.

"Ultimate user" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

(Source: P.A. 97-670, eff. 1-19-12.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Payday Loan Reform Act is amended by changing Section 4-10 as follows:

(815 ILCS 122/4-10)
Sec. 4-10. Enforcement and remedies.
 (a) The remedies provided in this Act are cumulative and apply to persons or entities subject to this Act.
 (b) Any material violation of this Act, including the commission of an act prohibited under Section 4-5, constitutes a violation of the Consumer Fraud and Deceptive Business Practices Act.
 (c) If any provision of the written agreement described in subsection (b) of Section 2-20 violates this Act, then that provision is unenforceable against the consumer.
 (d) Subject to the Illinois Administrative Procedure Act, the Secretary may hold hearings, make findings of fact, conclusions of law, issue cease and desist orders, have the power to issue fines of up to $10,000 per violation, refer the matter to the appropriate law enforcement agency for prosecution under this Act, and suspend or revoke a license granted under this Act. All proceedings shall be open to the public.
 (e) The Secretary may issue a cease and desist order to any licensee or other person doing business without the required license, when in the opinion of the Secretary the licensee or other person is violating or is about to violate any provision of this Act or any rule or requirement imposed in writing by the Department as a condition of granting any authorization permitted by this Act. The cease and desist order permitted by this subsection (e) may be issued prior to a hearing.

The Secretary shall serve notice of his or her action, including, but not limited to, a statement of the reasons for the action, either personally or by certified mail, return receipt requested. Service by certified mail shall be deemed completed when the notice is deposited in the U.S. Mail.

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Within 10 days of service of the cease and desist order, the licensee or other person may request a hearing in writing. The Secretary shall schedule a hearing within 30 days after the request for a hearing unless otherwise agreed to by the parties.

If it is determined that the Secretary had the authority to issue the cease and desist order, he or she may issue such orders as may be reasonably necessary to correct, eliminate, or remedy the conduct.

The powers vested in the Secretary by this subsection (e) are additional to any and all other powers and remedies vested in the Secretary by law, and nothing in this subsection (e) shall be construed as requiring that the Secretary shall employ the power conferred in this subsection instead of or as a condition precedent to the exercise of any other power or remedy vested in the Secretary.

(f) The Secretary may, after 10 days notice by registered mail to the licensee at the address set forth in the license stating the contemplated action and in general the grounds therefore, fine the licensee an amount not exceeding $10,000 per violation, or revoke or suspend any license issued hereunder if he or she finds that:

(1) the licensee has failed to comply with any provision of this Act or any order, decision, finding, rule, regulation, or direction of the Secretary lawfully made pursuant to the authority of this Act; or

(2) any fact or condition exists which, if it had existed at the time of the original application for the license, clearly would have warranted the Secretary in refusing to issue the license.

The Secretary may fine, suspend, or revoke only the particular license with respect to which grounds for the fine, revocation, or suspension occur or exist, but if the Secretary finds that grounds for revocation are of general application to all offices or to more than one office of the licensee, the Secretary shall fine, suspend, or revoke every license to which the grounds apply.

The Department shall establish by rule and publish a schedule of fines that are reasonably tailored to ensure compliance with the provisions of this Act and which include remedial measures intended to improve licensee compliance. Such rules shall set forth the standards and procedures to be used in imposing any such fines and remedies.

No revocation, suspension, or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any obligor.

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The Secretary may issue a new license to a licensee whose license has been revoked when facts or conditions which clearly would have warranted the Secretary in refusing originally to issue the license no longer exist.

In every case in which a license is suspended or revoked or an application for a license or renewal of a license is denied, the Secretary shall serve the licensee with notice of his or her action, including a statement of the reasons for his or her actions, either personally, or by certified mail, return receipt requested. Service by certified mail shall be deemed completed when the notice is deposited in the U.S. Mail.

An order assessing a fine, an order revoking or suspending a license, or an order denying renewal of a license shall take effect upon service of the order unless the licensee requests a hearing, in writing, within 10 days after the date of service. In the event a hearing is requested, the order shall be stayed until a final administrative order is entered.

If the licensee requests a hearing, the Secretary shall schedule a hearing within 30 days after the request for a hearing unless otherwise agreed to by the parties.

The hearing shall be held at the time and place designated by the Secretary. The Secretary and any administrative law judge designated by him or her shall have the power to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of books, papers, correspondence, and other records or information that he or she considers relevant or material to the inquiry.

(g) The costs of administrative hearings conducted pursuant to this Section shall be paid by the licensee.

(h) Notwithstanding any other provision of this Section, if a lender who does not have a license issued under this Act makes a loan pursuant to this Act to an Illinois consumer, then the loan shall be null and void and the lender who made the loan shall have no right to collect, receive, or retain any principal, interest, or charges related to the loan.

(Source: P.A. 97-1039, eff. 1-1-13.)

Section 10. The Consumer Installment Loan Act is amended by changing Section 9 as follows:

(205 ILCS 670/9) (from Ch. 17, par. 5409)
Sec. 9. Fines, Suspension or Revocation of license.
(a) The Director may, after 10 days notice by registered mail to the licensee at the address set forth in the license, stating the contemplated action and in general the grounds therefor, fine such licensee an amount

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not exceeding $10,000 per violation, or revoke or suspend any license issued hereunder if he or she finds that:

(1) The licensee has failed to comply with any provision of this Act or any order, decision, finding, rule, regulation or direction of the Director lawfully made pursuant to the authority of this Act; or

(2) Any fact or condition exists which, if it had existed at the time of the original application for the license, clearly would have warranted the Director in refusing to issue the license.

(b) The Director may fine, suspend, or revoke only the particular license with respect to which grounds for the fine, revocation or suspension occur or exist, but if the Director shall find that grounds for revocation are of general application to all offices or to more than one office of the licensee, the Director shall fine, suspend, or revoke every license to which such grounds apply.

(c) (Blank).

(d) No revocation, suspension, or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any obligor.

(e) The Director may issue a new license to a licensee whose license has been revoked when facts or conditions which clearly would have warranted the Director in refusing originally to issue the license no longer exist.

(f) (Blank).

(g) In every case in which a license is suspended or revoked or an application for a license or renewal of a license is denied, the Director shall serve the licensee with notice of his or her action, including a statement of the reasons for his or her actions, either personally, or by certified mail, return receipt requested. Service by certified mail shall be deemed completed when the notice is deposited in the U.S. Mail.

(h) An order assessing a fine, an order revoking or suspending a license or, an order denying renewal of a license shall take effect upon service of the order unless the licensee requests, in writing, within 10 days after the date of service, a hearing. In the event a hearing is requested, the order shall be stayed until a final administrative order is entered.

(i) If the licensee requests a hearing, the Director shall schedule a hearing within 30 days after the request for a hearing unless otherwise agreed to by the parties.
(j) The hearing shall be held at the time and place designated by the Director. The Director and any administrative law judge designated by him or her shall have the power to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of books, papers, correspondence, and other records or information that he or she considers relevant or material to the inquiry.

(k) The costs for the administrative hearing shall be set by rule.

(l) The Director shall have the authority to prescribe rules for the administration of this Section.

(m) The Department shall establish by rule and publish a schedule of fines that are reasonably tailored to ensure compliance with the provisions of this Act and which include remedial measures intended to improve licensee compliance. Such rules shall set forth the standards and procedures to be used in imposing any such fines and remedies.

(Source: P.A. 90-437, eff. 1-1-98.)

Passed in the General Assembly May 14, 2013.

Approved August 9, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0210

(House Bill No. 1327)

AN ACT concerning regulation.

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

Section 5. The Patients' Right to Know Act is amended by changing Section 10 as follows:

(225 ILCS 61/10)

Sec. 10. Physician profiles. The Department shall make available to the public a profile of each physician. The Department shall make this information available through an Internet website and, if requested, in writing. The physician profile shall contain the following information:

(1) the full name of the physician;

(2) a description of any criminal convictions for felonies and Class A misdemeanors, as determined by the Department, within the most recent 10 years. For the purposes of this Section, a person shall be deemed to be convicted of a crime if he or she pleaded guilty or if he was found or adjudged guilty by a court of competent jurisdiction;

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(3) a description of any final Department disciplinary actions within the most recent 10 years;
(4) a description of any final disciplinary actions by licensing boards in other states within the most recent 10 years;
(5) a description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character that have been taken by the hospital's governing body or any other official of the hospital after procedural due process has been afforded, or the resignation from or nonrenewal of medical staff membership or the restriction of privileges at a hospital taken in lieu of or in settlement of a pending disciplinary case related to competence or character in that hospital. Only cases which have occurred within the most recent 10 years shall be disclosed by the Department to the public;
(6) all medical malpractice court judgments and all medical malpractice arbitration awards in which a payment was awarded to a complaining party during the most recent 10 years and all settlements of medical malpractice claims in which a payment was made to a complaining party within the most recent 10 years. A medical malpractice judgment or award that has been appealed shall be identified prominently as "Under Appeal" on the profile within 20 days of formal written notice to the Department. Information concerning all settlements shall be accompanied by the following statement: "Settlement of a claim may occur for a variety of reasons which do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred." Nothing in this subdivision (6) shall be construed to limit or prevent the Disciplinary Board from providing further explanatory information regarding the significance of categories in which settlements are reported. Pending malpractice claims shall not be disclosed by the Department to the public. Nothing in this subdivision (6) shall be construed to prevent the Disciplinary Board from investigating and the Department from disciplining a physician on the basis of medical malpractice claims that are pending;
(7) names of medical schools attended, dates of attendance, and date of graduation;

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(8) graduate medical education;
(9) specialty board certification. The toll-free number of the American Board of Medical Specialties shall be included to verify current board certification status;
(10) number of years in practice and locations;
(11) names of the hospitals where the physician has privileges;
(12) appointments to medical school faculties and indication as to whether a physician has a responsibility for graduate medical education within the most recent 10 years;
(13) information regarding publications in peer-reviewed medical literature within the most recent 10 years;
(14) information regarding professional or community service activities and awards;
(15) the location of the physician's primary practice setting;
(16) identification of any translating services that may be available at the physician's primary practice location; and
(17) an indication of whether the physician participates in the Medicaid program.
(Source: P.A. 97-280, eff. 8-9-11.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0211
(House Bill No. 1338)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-45 as follows:

(20 ILCS 2105/2105-45 new)
Sec. 2105-45. Licenses and certificates for display. Starting on the effective date of this amendatory Act of the 98th General Assembly, whenever the Department issues a license or certificate and the holder of the license or certificate is required to display it in his or her place of business, the Department shall provide a license or certificate that is

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printed without including the address of the licensee or certificate holder on the face of the license. Nothing in this Section affects any duty to display licenses or certificates in the place of business.

Section 99. Effective date. This Act takes effect January 1, 2014.
Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0212
(House Bill No. 1370)

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

Section 5. The Illinois Human Rights Act is amended by changing Section 2-102 as follows:

(775 ILCS 5/2-102) (from Ch. 68, par. 2-102)
Sec. 2-102. Civil Rights Violations - Employment. It is a civil rights violation:
(A) Employers. For any employer to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment on the basis of unlawful discrimination or citizenship status.

(A-5) Language. For an employer to impose a restriction that has the effect of prohibiting a language from being spoken by an employee in communications that are unrelated to the employee's duties.

For the purposes of this subdivision (A-5), "language" means a person's native tongue, such as Polish, Spanish, or Chinese. "Language" does not include such things as slang, jargon, profanity, or vulgarity.

(B) Employment Agency. For any employment agency to fail or refuse to classify properly, accept applications and register for employment referral or apprenticeship referral, refer for employment, or refer for apprenticeship on the basis of unlawful discrimination or citizenship status or to accept from any person any job order, requisition or request for referral of applicants for employment or apprenticeship which makes or has the effect of making unlawful discrimination or discrimination on the basis of citizenship status a condition of referral.

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(C) Labor Organization. For any labor organization to limit, segregate or classify its membership, or to limit employment opportunities, selection and training for apprenticeship in any trade or craft, or otherwise to take, or fail to take, any action which affects adversely any person's status as an employee or as an applicant for employment or as an apprentice, or as an applicant for apprenticeships, or wages, tenure, hours of employment or apprenticeship conditions on the basis of unlawful discrimination or citizenship status.

(D) Sexual Harassment. For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by nonemployees or nonmanagerial and nonsupervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

(E) Public Employers. For any public employer to refuse to permit a public employee under its jurisdiction who takes time off from work in order to practice his or her religious beliefs to engage in work, during hours other than such employee's regular working hours, consistent with the operational needs of the employer and in order to compensate for work time lost for such religious reasons. Any employee who elects such deferred work shall be compensated at the wage rate which he or she would have earned during the originally scheduled work period. The employer may require that an employee who plans to take time off from work in order to practice his or her religious beliefs provide the employer with a notice of his or her intention to be absent from work not exceeding 5 days prior to the date of absence.

(F) Training and Apprenticeship Programs. For any employer, employment agency or labor organization to discriminate against a person on the basis of age in the selection, referral for or conduct of apprenticeship or training programs.

(G) Immigration-Related Practices.

(1) for an employer to request for purposes of satisfying the requirements of Section 1324a(b) of Title 8 of the United States Code, as now or hereafter amended, more or different documents than are required under such Section or to refuse to honor documents tendered that on their face reasonably appear to be genuine; or

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(2) for an employer participating in the *E-Verify Basic Pilot* Program, as authorized by 8 U.S.C. 1324a, Notes, Pilot Programs for Employment Eligibility Confirmation (enacted by PL 104-208, div. C title IV, subtitle A) to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment without following the procedures under the *E-Verify Basic Pilot* Program.

(H) Pregnancy; peace officers and fire fighters. For a public employer to refuse to temporarily transfer a pregnant female peace officer or pregnant female fire fighter to a less strenuous or hazardous position for the duration of her pregnancy if she so requests, with the advice of her physician, where that transfer can be reasonably accommodated. For the purposes of this subdivision (H), "peace officer" and "fire fighter" have the meanings ascribed to those terms in Section 3 of the Illinois Public Labor Relations Act.

It is not a civil rights violation for an employer to take any action that is required by Section 1324a of Title 8 of the United States Code, as now or hereafter amended.

(I) Pregnancy. For an employer to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment on the basis of pregnancy, childbirth, or related medical conditions. Women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work.

(Source: P.A. 97-596, eff. 8-26-11.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Public Utilities Act is amended by adding Section
9-210.5 as follows:
(220 ILCS 5/9-210.5 new)
Sec. 9-210.5. Valuation of water and sewer utilities.
(a) In this Section:
"Disinterested" means that the person directly involved (1) is not a director, officer, or an employee of the large public utility or the water or sewer utility or its direct affiliates or subsidiaries for at least 12 months before becoming engaged under this Section; (2) shall not derive a material financial benefit from the sale of the water or sewer utility other than fees for services rendered, and (3) shall not have a member of the person's immediate family, including a spouse, parents or spouse's parents, children or spouses of children, or siblings and their spouses or children, be a director, officer, or employee of either the large public utility or water or sewer utility or the water or sewer utility or its direct affiliates or subsidiaries for at least 12 months before becoming engaged under this Section or receive a material financial benefit from the sale of the water or sewer utility other than fees for services rendered.
"District" means a service area of a large public utility whose customers are subject to the same rate tariff.
"Large public utility" means an investor-owned public utility that:
(1) is subject to regulation by the Illinois Commerce Commission under this Act;
(2) regularly provides water or sewer service to more than 30,000 customer connections;
(3) provides safe and adequate service; and
(4) is not a water or sewer utility as defined in this subsection (a).
"Next rate case" means a large public utility's first general rate case after the date the large public utility acquires the water
or sewer utility where the acquired water or sewer utility's cost of service is considered as part of determining the large public utility's resulting rates.

"Prior rate case" means a large public utility's general rate case resulting in the rates in effect for the large public utility at the time it acquires the water or sewer utility.

"Utility service source" means the water or sewer utility or large public utility from which the customer receives its utility service type.

"Utility service type" means water utility service or sewer utility service or water and sewer utility service.

"Water or sewer utility" means any of the following:

(1) a public utility that regularly provides water or sewer service to 6,000 or fewer customer connections;

(2) a water district, including, but not limited to, a public water district, water service district, or surface water protection district, or a sewer district of any kind established as a special district under the laws of this State that regularly provides water or sewer service to 7,500 or fewer customer connections;

(3) a waterworks system or sewerage system established under the Township Code that regularly provides water or sewer service to 7,500 or fewer customer connections; or

(4) a water system or sewer system owned by a municipality that regularly provides water or sewer service to 7,500 or fewer customer connections; and

(5) any other entity that regularly provides water or sewer service to 7,500 or fewer customer connections.

(b) Notwithstanding any other provision of this Act, a large public utility that acquires a water or sewer utility may request that the Commission use, and, if so requested, the Commission shall use, the procedures set forth under this Section to establish the ratemaking rate base of that water or sewer utility at the time when it is acquired by the large public utility.

(c) If a large public utility elects the procedures under this Section to establish the rate base of a water or sewer utility that it is acquiring, then 3 appraisals shall be performed. The average of these 3 appraisals shall represent the fair market value of the water or sewer utility that is

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being acquired. The appraisals shall be performed by 3 appraisers selected by the Commission's water department manager and engaged by either the water or sewer utility being acquired or by the large public utility. The Commission's water department manager shall select the appraisers within 30 days after the water department manager is officially notified. Each appraiser shall be engaged on reasonable terms approved by the Commission. Each appraiser shall be a disinterested person licensed as a State certified general real estate appraiser under the Real Estate Appraiser Licensing Act of 2002.

Each appraiser shall:

(1) be sworn to determine the fair market value of the water or sewer utility by establishing the amount for which the water or sewer utility would be sold in a voluntary transaction between a willing buyer and willing seller under no obligation to buy or sell;

(2) determine fair market value in compliance with the Uniform Standards of Professional Appraisal Practice;

(3) engage one disinterested engineer who is licensed in this State to prepare an assessment of the tangible assets of the water or sewer utility, which is to be incorporated into the appraisal under the cost approach;

(4) if the water or sewer utility is a public utility that is regulated by the Commission, request from the manager of the Accounting Department a list of investments made by the water or sewer utility that had been disallowed previously and that shall be excluded from the calculation of the large public utility's rate base in its next rate case; and

(5) return their appraisal, in writing, to the water or sewer utility and large public utility in a reasonable and timely manner.

If the appraiser cannot engage an engineer, as described in paragraph (3) of this subsection (c), within 30 days after the appraiser is engaged, then the Commission's water department manager shall recommend the engineer the appraiser should engage. The Commission's water department manager shall provide his or her recommendation within 30 days after he or she is officially notified of the appraiser’s failure to engage an engineer and the appraiser shall promptly work to engage the recommended engineer. If the appraiser is unable to negotiate reasonable engagement terms with the recommended engineer within 15 days after the recommendation by the Commission's water department manager, then the appraiser shall notify the Commission's water

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department manager and the process shall be repeated until an engineer is successfully engaged.

(d) The lesser of (i) the purchase price or (ii) the fair market value determined under subsection (c) of this Section shall constitute the rate base associated with the water or sewer utility as acquired by and incorporated into the rate base of the district designated by the acquiring large public utility under this Section, subject to any adjustments that the Commission deems necessary to ensure such rate base reflects prudent and useful investments in the provision of public utility service. The reasonable transaction and closing costs incurred by the large public utility shall be treated consistent with the applicable accounting standards under this Act. The amount of the appraiser's fees to be included in the transaction and closing costs shall not exceed the greater of $15,000 or 5% of the appraised value of the water or sewer utility being acquired. This rate base treatment shall not be deemed to violate this Act, including, but not limited to, any Sections in Articles VIII and IX of this Act that might be affected by this Section. Any acquisition of a water or sewer utility that affects the cumulative base rates of the large public utility's existing ratepayers in the tariff group into which the water or sewer utility is to be combined by less than (1) 2.5% at the time of the acquisition for any single acquisition completed under this Section or (2) 5% for all acquisitions completed under this Section before the Commission's final order in the next rate case shall not be deemed to violate Section 7-204 or any other provision of this Act.

In the Commission's order that approves the large public utility's acquisition of the water or sewer utility, the Commission shall issue its decision establishing (1) the ratemaking rate base of the water or sewer utility and (2) the district or tariff group with which the water or sewer utility shall be combined for ratemaking purposes.

(e) If the water or sewer utility being acquired is owned by the State or any political subdivision thereof, then the water or sewer utility must inform the public of the terms of its acquisition by the large public utility by (1) holding a public meeting prior to the acquisition and (2) causing to be published, in a newspaper of general circulation in the area that the water or sewer utility operates, a notice setting forth the terms of its acquisition by the large public utility and options that shall be available to assist customers to pay their bills after the acquisition.

(f) The large public utility shall recommend the district or tariff group of which the water or sewer utility shall, for ratemaking purposes,
become a part after the acquisition. The Commission's recommended district or tariff group shall be consistent with the large public utility's recommendation, unless such recommendation can be shown to be contrary to the public interest.

(g) From the date of acquisition until the date that new rates are effective in the acquiring large public utility's next rate case, the customers of the acquired water or sewer utility shall pay the then-existing rates of the district or tariff group ordered by the Commission; provided, that, if the application of such then-existing rates of the large public utility to customers of the acquired water or sewer utility using 54,000 gallons annually results in an increase to the total annual bill of customers of the acquired water or sewer utility, exclusive of fire service or related charges, then the large public utility's rates charged to the customers of the acquired water or sewer utility shall be uniformly reduced, if any reduction is required, by the percent that results in the total annual bill, exclusive of fire services or related charges, for the customers of the acquired water or sewer utility using 54,000 gallons being equal to 1.5% of the latest median household income as reported by the United States Census Bureau for the most applicable community or county. For each customer of the water or sewer utility with potable water usage values that cannot be reasonably obtained, a value of 4,500 gallons per month shall be assigned. These rates shall not be deemed to violate this Act including, but not limited to, Section 9-101 and any other applicable Sections in Articles VIII and IX of this Act. The Commission shall issue its decision establishing the rates effective for the water or sewer utility immediately following an acquisition in its order approving the acquisition.

(h) In the acquiring large public utility's next rate case, the water or sewer utility and the district or tariff group ordered by the Commission and their costs of service shall be combined under the same rate tariff. This rate tariff shall be based on allocation of costs of service of the acquired water or sewer utility and the large public utility's district or tariff group ordered by the Commission and utilizing a rate design that does not distinguish among customers on the basis of utility service source or type. This rate tariff shall not be deemed to violate this Act including, but not limited to, Section 9-101 of this Act.

(i) Any post-acquisition improvements made by the large public utility in the water or sewer utility shall accrue a cost for financing set at the large public utility's determined rate for allowance for funds used during construction, inclusive of the debt, equity, and income tax gross up
components, after the date on which the expenditure was incurred by the large public utility until the investment has been in service for a 4-year period or, if sooner, until the time the rates are implemented in the large public utility's next rate case.

Any post-acquisition improvements made by the large public utility in the water or sewer utility shall not be depreciated for ratemaking purposes from the date on which the expenditure was incurred by the large public utility until the investment has been in service for a 4-year period or, if sooner, until the time the rates are implemented in the large public utility's next rate case.

(j) This Section shall be exclusively applied to large public utilities in the voluntary and mutually agreeable acquisition of water or sewer utilities. Any petitions filed with the Commission related to the acquisitions described in this Section, including petitions seeking approvals or certificates required by this Act, shall be deemed approved unless the Commission issues its final order within 11 months after the date the large public utility filed its initial petition. This Section shall only apply to utilities providing water or sewer service and shall not be construed in any manner to apply to electric corporations, natural gas corporations, or any other utility subject to this Act.

(k) Nothing in this Section shall prohibit a party from declining to proceed with an acquisition or be deemed as establishing the final purchase price of an acquisition.

(l) In the Commission's order that approves the large utility's acquisition of the water or sewer utility, the Commission shall address each aspect of the acquisition transaction for which approval is required under the Act.

(m) Any contractor or subcontractor that performs work on a water or sewer utility acquired by a large public utility under this Section shall be a responsible bidder as described in Section 30-22 of the Illinois Procurement Code. The contractor or subcontractor shall submit evidence of meeting the requirements to be a responsible bidder as described in Section 30-22 to the water or sewer utility. Any new water or sewer facility built as a result of the acquisition shall require the contractor to enter into a project labor agreement. The large public utility acquiring the water or sewer utility shall offer employee positions to qualified employees of the acquired water or sewer utility.

(n) This Section is repealed on June 1, 2018.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0214
(House Bill No. 1388)

AN ACT concerning regulation.

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

Section 5. The Illinois Pension Code is amended by changing Section 24-102 as follows:

(40 ILCS 5/24-102) (from Ch. 108 1/2, par. 24-102)

Sec. 24-102. As used in this Article, "employee" means any person, including a person elected, appointed or under contract, receiving compensation from the State or a unit of local government or school district for personal services rendered, including salaried persons. A health care provider who elects to participate in the State Employees Deferred Compensation Plan established under Section 24-104 of this Code shall, for purposes of that participation, be deemed an "employee" as defined in this Section.

As used in this Article, "health care provider" means a dentist, physician, optometrist, pharmacist, or podiatric physician that participates and receives compensation as a provider under the Illinois Public Aid Code, the Children's Health Insurance Act, or the Covering ALL KIDS Health Insurance Act.

As used in this Article, "compensation" includes compensation received in a lump sum for accumulated unused vacation, personal leave or sick leave, with the exception of health care providers. "Compensation" with respect to health care providers is defined under the Illinois Public Aid Code, the Children's Health Insurance Act, or the Covering ALL KIDS Health Insurance Act.

Where applicable, in no event shall the total of the amount of deferred compensation of an employee set aside in relation to a particular year under the Illinois State Employees Deferred Compensation Plan and the employee's nondeferred compensation for that year exceed the total annual salary or compensation under the existing salary schedule or

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classification plan applicable to such employee in such year; except that any compensation received in a lump sum for accumulated unused vacation, personal leave or sick leave shall not be included in the calculation of such totals.
(Source: P.A. 96-806, eff. 7-1-10.)

Section 8. The Podiatric Scholarship and Residency Act is amended by changing Sections 5 and 15 as follows:
(Source: P.A. 87-1195.)

(110 ILCS 978/5)

Sec. 5. Purposes. The purpose of this Act is to establish a program in the Illinois Department of Public Health to upgrade primary health care services for all citizens of the State by providing grants to podiatric medicine residency programs, scholarships to podiatry students, and a loan repayment program for podiatric physicians who will agree to practice in areas of the State demonstrating the greatest need for more professional medical care. The program shall encourage podiatric physicians to locate in areas where health manpower shortages exist and to increase the total number of podiatric physicians in the State. Minority students shall be given preference in selection for scholarships.
(Source: P.A. 87-1195.)

(110 ILCS 978/15)

Sec. 15. Powers and duties. The Department shall have the following powers and duties:
(a) To allocate funds to podiatric practice residency programs according to the following priorities:
   (1) to increase the number of podiatric physicians in designated shortage areas;
   (2) to increase the number of accredited podiatric practice residencies within the State;
   (3) to increase the percentage of podiatric practice physicians establishing practice within the State upon completion of residency; and
   (4) to provide funds for rental of office space, purchase of equipment, and other uses necessary to enable podiatric physicians to locate their practices in communities located in designated shortage areas.
(b) To determine the procedures for the distribution of the funds to podiatric practice residency programs, including the establishment of eligibility criteria in accordance with the following guidelines:

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(1) preference for programs that are to be established at locations which exhibit potential for extending podiatric practice physician availability to designated shortage areas;
(2) preference for programs that are located away from communities in which medical schools are located; and
(3) preference for programs located in hospitals having affiliation agreements with medical schools located within the State.

(c) To establish a program of podiatry student scholarships and to award scholarships to eligible podiatry students.

(d) To determine criteria and standards of financial need in the awarding of scholarships under this Act.

(e) To receive and disburse any federal funds available for carrying out the purpose of this Act.

(f) To enter into contracts or agreements with any agency or department of the State of Illinois or the United States to carry out the provisions of this Act.

(g) To coordinate the podiatry residency grants program established under this Act with the program administered by the Illinois Board of Higher Education under the Health Services Education Grants Act.

(Source: P.A. 87-1195.)

Section 10. The Ambulatory Surgical Treatment Center Act is amended by changing Sections 3, 6, 6.5, 6.7, and 14 as follows:

(210 ILCS 5/3) (from Ch. 111 1/2, par. 157-8.3)

Sec. 3. As used in this Act, unless the context otherwise requires, the following words and phrases shall have the meanings ascribed to them:

(A) "Ambulatory surgical treatment center" means any institution, place or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures or any facility in which a medical or surgical procedure is utilized to terminate a pregnancy, irrespective of whether the facility is devoted primarily to this purpose. Such facility shall not provide beds or other accommodations for the overnight stay of patients; however, facilities devoted exclusively to the treatment of children may provide accommodations and beds for their patients for up to 23 hours following admission. Individual patients shall be discharged in an ambulatory condition without danger to the continued well being of the patients or shall be transferred to a hospital.

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The term "ambulatory surgical treatment center" does not include any of the following:

1. Any institution, building or agency required to be licensed pursuant to the "Hospital Licensing Act", approved July 1, 1953, as amended.

2. Any person or institution required to be licensed pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act.

3. Hospitals or ambulatory surgical treatment centers maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitals or ambulatory surgical treatment centers under its management and control.

4. Hospitals or ambulatory surgical treatment centers maintained by the Federal Government or agencies thereof.

5. Any place, agency, clinic, or practice, public or private, whether organized for profit or not, devoted exclusively to the performance of dental or oral surgical procedures.

(B) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, or the legal successor thereof.

(C) "Department" means the Department of Public Health of the State of Illinois.

(D) "Director" means the Director of the Department of Public Health of the State of Illinois.

(E) "Physician" means a person licensed to practice medicine in all of its branches in the State of Illinois.

(F) "Dentist" means a person licensed to practice dentistry under the Illinois Dental Practice Act.

(G) "Podiatric physician" means a person licensed to practice podiatry under the Podiatric Medical Practice Act of 1987.

(210 ILCS 5/6) (from Ch. 111 1/2, par. 157-8.6)

Sec. 6. Upon receipt of an application for a license, the Director may deny the application for any of the following reasons:

1. Conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if a corporation, of any of its officers or directors, or of the person

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designated to manage or supervise the facility, of a felony, or of 2 or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or, in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence, if the Director determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable;

(2) The licensure status or record of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if a corporation, of any of its officers or directors, or of the person designated to manage or supervise the facility, from any other state where the applicant has done business in a similar capacity indicates that granting a license to the applicant would be detrimental to the interests of the public; or

(3) The applicant has insufficient financial or other resources to operate and conduct the facility in accordance with the requirements of this Act and the minimum standards, rules and regulations promulgated thereunder.

The Director shall only issue a license if he finds that the applicant facility complies with this Act and the rules, regulations and standards promulgated pursuant thereto and:

(a) is under the medical supervision of one or more physicians;

(b) permits a surgical procedure to be performed only by a physician, podiatric physician, podiatrist or dentist who at the time is privileged to have his patients admitted by himself or an associated physician and is himself privileged to perform surgical procedures in at least one Illinois hospital; and

(c) maintains adequate medical records for each patient.

A license, unless sooner suspended or revoked, shall be renewable annually upon approval by the Department and payment of a license fee of $300. Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable. The licenses shall be posted in a conspicuous place on the licensed premises. A placard or registry of all physicians on staff in the facility shall be centrally located and available for inspection to any interested person. The Department may, either before or after the issuance of a license, request

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the cooperation of the State Fire Marshal. The report and recommendations of this agency shall be in writing and shall state with particularity its findings with respect to compliance or noncompliance with such minimum standards, rules and regulations.

The Director may issue a provisional license to any ambulatory surgical treatment center which does not substantially comply with the provisions of this Act and the standards, rules and regulations promulgated by virtue thereof provided that he finds that such ambulatory surgical treatment center will undertake changes and corrections which upon completion will render the ambulatory surgical treatment center in substantial compliance with the provisions of this Act, and the standards, rules and regulations adopted hereunder, and provided that the health and safety of the patients of the ambulatory surgical treatment center will be protected during the period for which such provisional license is issued. The Director shall advise the licensee of the conditions under which such provisional license is issued, including the manner in which the facilities fail to comply with the provisions of the Act, standards, rules and regulations, and the time within which the changes and corrections necessary for such ambulatory surgical treatment center to substantially comply with this Act, and the standards, rules and regulations of the Department relating thereto shall be completed.

A person or facility not licensed under this Act or the Hospital Licensing Act shall not hold itself out to the public as a "surgery center" or as a "center for surgery".

(Source: P.A. 88-490.)

(210 ILCS 5/6.5)

Sec. 6.5. Clinical privileges; advanced practice nurses. All ambulatory surgical treatment centers (ASTC) licensed under this Act shall comply with the following requirements:

(1) No ASTC policy, rule, regulation, or practice shall be inconsistent with the provision of adequate collaboration and consultation in accordance with Section 54.5 of the Medical Practice Act of 1987.

(2) Operative surgical procedures shall be performed only by a physician licensed to practice medicine in all its branches under the Medical Practice Act of 1987, a dentist licensed under the Illinois Dental Practice Act, or a podiatric physician podiatrist licensed under the Podiatric Medical Practice Act of 1987, with medical staff membership and surgical clinical privileges granted by the consulting committee of the ASTC. A licensed physician, dentist, or podiatric physician podiatrist may

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be assisted by a physician licensed to practice medicine in all its branches, dentist, dental assistant, podiatric physician podiatrist, licensed advanced practice nurse, licensed physician assistant, licensed registered nurse, licensed practical nurse, surgical assistant, surgical technician, or other individuals granted clinical privileges to assist in surgery by the consulting committee of the ASTC. Payment for services rendered by an assistant in surgery who is not an ambulatory surgical treatment center employee shall be paid at the appropriate non-physician modifier rate if the payor would have made payment had the same services been provided by a physician.

(2.5) A registered nurse licensed under the Nurse Practice Act and qualified by training and experience in operating room nursing shall be present in the operating room and function as the circulating nurse during all invasive or operative procedures. For purposes of this paragraph (2.5), "circulating nurse" means a registered nurse who is responsible for coordinating all nursing care, patient safety needs, and the needs of the surgical team in the operating room during an invasive or operative procedure.

(3) An advanced practice nurse is not required to possess prescriptive authority or a written collaborative agreement meeting the requirements of the Nurse Practice Act to provide advanced practice nursing services in an ambulatory surgical treatment center. An advanced practice nurse must possess clinical privileges granted by the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. Individual advanced practice nurses may also be granted clinical privileges to order, select, and administer medications, including controlled substances, to provide delineated care. The attending physician must determine the advance practice nurse's role in providing care for his or her patients, except as otherwise provided in the consulting staff policies. The consulting medical staff committee shall periodically review the services of advanced practice nurses granted privileges.

(4) The anesthesia service shall be under the direction of a physician licensed to practice medicine in all its branches who has had specialized preparation or experience in the area or who has completed a residency in anesthesiology. An anesthesiologist, Board certified or Board eligible, is recommended. Anesthesia services may only be administered pursuant to the order of a physician licensed to practice medicine in all its branches, licensed dentist, or licensed podiatric physician podiatrist.

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(A) The individuals who, with clinical privileges granted by the medical staff and ASTC, may administer anesthesia services are limited to the following:

(i) an anesthesiologist; or

(ii) a physician licensed to practice medicine in all its branches; or

(iii) a dentist with authority to administer anesthesia under Section 8.1 of the Illinois Dental Practice Act; or

(iv) a licensed certified registered nurse anesthetist; or

(v) a podiatric physician podiatrist licensed under the Podiatric Medical Practice Act of 1987.

(B) For anesthesia services, an anesthesiologist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. In the absence of 24-hour availability of anesthesiologists with clinical privileges, an alternate policy (requiring participation, presence, and availability of a physician licensed to practice medicine in all its branches) shall be developed by the medical staff consulting committee in consultation with the anesthesia service and included in the medical staff consulting committee policies.

(C) A certified registered nurse anesthetist is not required to possess prescriptive authority or a written collaborative agreement meeting the requirements of Section 65-35 of the Nurse Practice Act to provide anesthesia services ordered by a licensed physician, dentist, or podiatric physician podiatrist. Licensed certified registered nurse anesthetists are authorized to select, order, and administer drugs and apply the appropriate medical devices in the provision of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or, in the absence of an available anesthesiologist with clinical privileges, agreed with by the operating physician, operating dentist, or operating podiatric physician podiatrist in accordance with the medical staff consulting committee policies of a licensed ambulatory surgical treatment center.
Sec. 6.7. Registered nurse administration of limited levels of sedation or analgesia.

(a) Nothing in this Act precludes a registered nurse from administering medications for the delivery of local or minimal sedation ordered by a physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist.

(b) If the ASTC policy allows the registered nurse to deliver moderate sedation ordered by a physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist, the following are required:

(1) The registered nurse must be under the supervision of a physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist during the delivery or monitoring of moderate sedation and have no other responsibilities during the procedure.

(2) The registered nurse must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(3) The supervising physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist must have training and experience in delivering and monitoring moderate sedation and possess clinical privileges at the ASTC to administer moderate sedation or analgesia.

(4) The supervising physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist must remain physically present and available on the premises during the delivery of moderate sedation for diagnosis, consultation, and treatment of emergency medical conditions.

(5) The supervising physician licensed to practice medicine in all its branches, podiatric physician, podiatrist, or dentist must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(c) Local, minimal, and moderate sedation shall be defined by the Division of Professional Regulation of the Department of Financial and Professional Regulation. Registered nurses shall be limited to...
administering medications for moderate sedation at doses rapidly reversible pharmacologically as determined by rule by the Division of Professional Regulation of the Department of Financial and Professional Regulation.

(Source: P.A. 94-861, eff. 6-16-06.)

(210 ILCS 5/14) (from Ch. 111 1/2, par. 157-8.14)

Sec. 14. The Governor shall appoint an Ambulatory Surgical Treatment Center Licensing Board composed of 12 persons. Four members shall be practicing physicians; one member shall be a practicing podiatric physician; one member shall be a dentist who has been licensed to perform oral surgery; one member shall be an Illinois registered professional nurse who is employed in an ambulatory surgical treatment center; one member shall be a person actively engaged in the supervision or administration of a health facility; and 4 members shall represent the general public and shall have no personal economic interest in any institution, place or building licensed pursuant to this Act. In making Board appointments, the Governor shall give consideration to recommendations made through the Director by appropriate professional organizations.

Each member shall hold office for a term of 3 years and the terms of office of the members first taking office shall expire, as designated at the time of appointment, 3 at the end of the first year, 3 at the end of the second year, and 6 at the end of the third year, after the date of appointment. The term of office of each original appointee shall commence October 1, 1973; and the term of office of each successor shall commence on October 1 of the year in which his predecessor's term expires. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Board members, while serving on business of the Board shall receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Board shall meet as frequently as the Director deems necessary, but not less than once a year. Upon request of 3 or more members, the Director shall call a meeting of the Board.

The Board shall advise and consult with the Department in the administration of this Act, provided that no rule shall be adopted by the Department concerning the operation of ambulatory surgical treatment centers licensed under this Act which has not had prior approval of the Ambulatory Surgical Treatment Center Licensing Board. The Department
shall submit a final draft of all rules to the Board for review and approval. The final draft rules shall be placed upon the agenda of a scheduled Board meeting which shall be called within 90 days of the submission of such rules. If the Board takes no action on the final draft rules within the 90-day period, the rules shall be considered approved and the Department may proceed with their promulgation in conformance with the Illinois Administrative Procedure Act. If the final draft rules are approved by virtue of the Board's failure to act, the Department shall afford any member of the Board 10 days within which to comment upon such rules. In the event of a rule promulgation without approval of the Board, the Department shall allow the Board an ex post facto opportunity to discuss such rule following its adoption.
(Source: P.A. 86-1292.)

Section 15. The Illinois Clinical Laboratory and Blood Bank Act is amended by changing Sections 2-127, 7-101, 7-108, and 7-112 as follows:
(210 ILCS 25/2-127) (from Ch. 111 1/2, par. 622-127)
Sec. 2-127. "Podiatric physician Podiatrist" means a person licensed in Illinois to practice podiatry.
(Source: P.A. 87-1269.)
(210 ILCS 25/7-101) (from Ch. 111 1/2, par. 627-101)
Sec. 7-101. Examination of specimens. A clinical laboratory shall examine specimens only at the request of (i) a licensed physician, (ii) a licensed dentist, (iii) a licensed podiatrist, (iv) a therapeutic optometrist for diagnostic or therapeutic purposes related to the use of diagnostic topical or therapeutic ocular pharmaceutical agents, as defined in subsections (c) and (d) of Section 15.1 of the Illinois Optometric Practice Act of 1987, (v) a licensed physician assistant in accordance with the written guidelines required under subdivision (3) of Section 4 and under Section 7.5 of the Physician Assistant Practice Act of 1987, (v-A) an advanced practice nurse in accordance with the written collaborative agreement required under Section 65-35 of the Nurse Practice Act, (vi) an authorized law enforcement agency or, in the case of blood alcohol, at the request of the individual for whom the test is to be performed in compliance with Sections 11-501 and 11-501.1 of the Illinois Vehicle Code, or (vii) a genetic counselor with the specific authority from a referral to order a test or tests pursuant to subsection (b) of Section 20 of the Genetic Counselor Licensing Act. If the request to a laboratory is oral, the physician or other authorized person shall submit a written request to the laboratory within 48 hours. If the laboratory does not receive the
written request within that period, it shall note that fact in its records. For purposes of this Section, a request made by electronic mail or fax constitutes a written request.
(Source: P.A. 96-1313, eff. 7-27-10; 97-333, eff. 8-12-11.)

Sec. 7-108. Duties of blood banks. A blood bank shall:
(a) Collect, process, and provide for use blood or blood components from a blood donor only upon the consent of that donor and under the direction or delegated direction of the blood bank Medical Director.

(b) Transfuse blood or blood components upon the request of a physician licensed to practice medicine in all its branches, a dentist, or a podiatric physician podiatrist who is on the medical staff of a hospital and has permission from the medical staff to make such a request. If the request is oral, the physician or other authorized person shall submit a written request to the blood bank within 48 hours. If the blood bank does not receive the written request within that period, it shall note that fact in its records.
(Source: P.A. 87-1269.)

Sec. 7-112. Blood from paid donor; transfusions. No blood initially acquired from a paid donor may be administered by transfusion in Illinois unless the physician licensed to practice medicine in all its branches, the dentist, or the podiatric physician podiatrist who is on the medical staff of a hospital and has permission from the medical staff to request a transfusion, who is in charge of the treatment of the patient to whom the blood is to be administered, has directed that blood acquired from a paid donor be administered to that patient and has specified in the patient's medical record his reason for this action.

Blood acquired from a paid donor shall be transferred for transfusion purposes in this State only as expressly permitted by rules promulgated by the Illinois Department of Public Health.
(Source: P.A. 87-1269.)

Section 20. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 4 as follows:

Sec. 4. Any long term care facility administrator, agent or employee or any physician, hospital, surgeon, dentist, osteopath, chiropractor, podiatric physician podiatrist, accredited religious
practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church, coroner, social worker, social services administrator, registered nurse, law enforcement officer, field personnel of the Department of Healthcare and Family Services, field personnel of the Illinois Department of Public Health and County or Municipal Health Departments, personnel of the Department of Human Services (acting as the successor to the Department of Mental Health and Developmental Disabilities or the Department of Public Aid), personnel of the Guardianship and Advocacy Commission, personnel of the State Fire Marshal, local fire department inspectors or other personnel, or personnel of the Illinois Department on Aging, or its subsidiary Agencies on Aging, or employee of a facility licensed under the Assisted Living and Shared Housing Act, having reasonable cause to believe any resident with whom they have direct contact has been subjected to abuse or neglect shall immediately report or cause a report to be made to the Department. Persons required to make reports or cause reports to be made under this Section include all employees of the State of Illinois who are involved in providing services to residents, including professionals providing medical or rehabilitation services and all other persons having direct contact with residents; and further include all employees of community service agencies who provide services to a resident of a public or private long term care facility outside of that facility. Any long term care surveyor of the Illinois Department of Public Health who has reasonable cause to believe in the course of a survey that a resident has been abused or neglected and initiates an investigation while on site at the facility shall be exempt from making a report under this Section but the results of any such investigation shall be forwarded to the central register in a manner and form described by the Department.

The requirement of this Act shall not relieve any long term care facility administrator, agent or employee of responsibility to report the abuse or neglect of a resident under Section 3-610 of the Nursing Home Care Act or under Section 3-610 of the ID/DD Community Care Act or under Section 3-610 of the Specialized Mental Health Rehabilitation Act.

In addition to the above persons required to report suspected resident abuse and neglect, any other person may make a report to the Department, or to any law enforcement officer, if such person has reasonable cause to suspect a resident has been abused or neglected.
This Section also applies to residents whose death occurs from suspected abuse or neglect before being found or brought to a hospital.

A person required to make reports or cause reports to be made under this Section who fails to comply with the requirements of this Section is guilty of a Class A misdemeanor.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 25. The Hospital Licensing Act is amended by changing Sections 10 and 10.7 as follows:

(210 ILCS 85/10) (from Ch. 111 1/2, par. 151)

Sec. 10. Board creation; Department rules.

(a) The Governor shall appoint a Hospital Licensing Board composed of 14 persons, which shall advise and consult with the Director in the administration of this Act. The Secretary of Human Services (or his or her designee) shall serve on the Board, along with one additional representative of the Department of Human Services to be designated by the Secretary. Four appointive members shall represent the general public and 2 of these shall be members of hospital governing boards; one appointive member shall be a registered professional nurse or advanced practice, nurse as defined in the Nurse Practice Act, who is employed in a hospital; 3 appointive members shall be hospital administrators actively engaged in the supervision or administration of hospitals; 2 appointive members shall be practicing physicians, licensed in Illinois to practice medicine in all of its branches; and one appointive member shall be a physician licensed to practice podiatric medicine under the Podiatric Medical Practice Act of 1987; and one appointive member shall be a dentist licensed to practice dentistry under the Illinois Dental Practice Act. In making Board appointments, the Governor shall give consideration to recommendations made through the Director by professional organizations concerned with hospital administration for the hospital administrative and governing board appointments, registered professional nurse organizations for the registered professional nurse appointment, professional medical organizations for the physician appointments, and professional dental organizations for the dentist appointment.

(b) Each appointive member shall hold office for a term of 3 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire, as designated at the time of
appointment, 2 at the end of the first year, 2 at the end of the second year, and 3 at the end of the third year, after the date of appointment. The initial terms of office of the 2 additional members representing the general public provided for in this Section shall expire at the end of the third year after the date of appointment. The term of office of each original appointee shall commence July 1, 1953; the term of office of the original registered professional nurse appointee shall commence July 1, 1969; the term of office of the original licensed podiatric physician appointee shall commence July 1, 1981; the term of office of the original dentist appointee shall commence July 1, 1987; and the term of office of each successor shall commence on July 1 of the year in which his predecessor's term expires. Board members, while serving on business of the Board, shall receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Board shall meet as frequently as the Director deems necessary, but not less than once a year. Upon request of 5 or more members, the Director shall call a meeting of the Board.

(c) The Director shall prescribe rules, regulations, standards, and statements of policy needed to implement, interpret, or make specific the provisions and purposes of this Act. The Department shall adopt rules which set forth standards for determining when the public interest, safety or welfare requires emergency action in relation to termination of a research program or experimental procedure conducted by a hospital licensed under this Act. No rule, regulation, or standard shall be adopted by the Department concerning the operation of hospitals licensed under this Act which has not had prior approval of the Hospital Licensing Board, nor shall the Department adopt any rule, regulation or standard relating to the establishment of a hospital without consultation with the Hospital Licensing Board.

(d) Within one year after the effective date of this amendatory Act of 1984, all hospitals licensed under this Act and providing perinatal care shall comply with standards of perinatal care promulgated by the Department. The Director shall promulgate rules or regulations under this Act which are consistent with "An Act relating to the prevention of developmental disabilities", approved September 6, 1973, as amended.

(Source: P.A. 95-639, eff. 10-5-07.)

(210 ILCS 85/10.7)
Sec. 10.7. Clinical privileges; advanced practice nurses. All
hospitals licensed under this Act shall comply with the following
requirements:

(1) No hospital policy, rule, regulation, or practice shall be
inconsistent with the provision of adequate collaboration and consultation
in accordance with Section 54.5 of the Medical Practice Act of 1987.

(2) Operative surgical procedures shall be performed only by a
physician licensed to practice medicine in all its branches under the
Medical Practice Act of 1987, a dentist licensed under the Illinois Dental
Practice Act, or a podiatric physician licensed under the
Podiatric Medical Practice Act of 1987, with medical staff membership
and surgical clinical privileges granted at the hospital. A licensed
physician, dentist, or podiatric physician may be assisted by a
physician licensed to practice medicine in all its branches, dentist, dental
assistant, podiatric physician, licensed advanced practice nurse,
licensed physician assistant, licensed registered nurse, licensed practical
nurse, surgical assistant, surgical technician, or other individuals granted
clinical privileges to assist in surgery at the hospital. Payment for services
rendered by an assistant in surgery who is not a hospital employee shall be
paid at the appropriate non-physician modifier rate if the payor would have
made payment had the same services been provided by a physician.

(2.5) A registered nurse licensed under the Nurse Practice Act and
qualified by training and experience in operating room nursing shall be
present in the operating room and function as the circulating nurse during
all invasive or operative procedures. For purposes of this paragraph (2.5),
"circulating nurse" means a registered nurse who is responsible for
coordinating all nursing care, patient safety needs, and the needs of the
surgical team in the operating room during an invasive or operative
procedure.

(3) An advanced practice nurse is not required to possess
prescriptive authority or a written collaborative agreement meeting the
requirements of the Nurse Practice Act to provide advanced practice
nursing services in a hospital. An advanced practice nurse must possess
clinical privileges recommended by the medical staff and granted by the
hospital in order to provide services. Individual advanced practice nurses
may also be granted clinical privileges to order, select, and administer
medications, including controlled substances, to provide delineated care.
The attending physician must determine the advance practice nurse's role
in providing care for his or her patients, except as otherwise provided in

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medical staff bylaws. The medical staff shall periodically review the services of advanced practice nurses granted privileges. This review shall be conducted in accordance with item (2) of subsection (a) of Section 10.8 of this Act for advanced practice nurses employed by the hospital.

(4) The anesthesia service shall be under the direction of a physician licensed to practice medicine in all its branches who has had specialized preparation or experience in the area or who has completed a residency in anesthesiology. An anesthesiologist, Board certified or Board eligible, is recommended. Anesthesia services may only be administered pursuant to the order of a physician licensed to practice medicine in all its branches, licensed dentist, or licensed podiatric physician podiatrist.

(A) The individuals who, with clinical privileges granted at the hospital, may administer anesthesia services are limited to the following:

(i) an anesthesiologist; or
(ii) a physician licensed to practice medicine in all its branches; or
(iii) a dentist with authority to administer anesthesia under Section 8.1 of the Illinois Dental Practice Act; or
(iv) a licensed certified registered nurse anesthetist; or
(v) a podiatric physician podiatrist licensed under the Podiatric Medical Practice Act of 1987.

(B) For anesthesia services, an anesthesiologist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. In the absence of 24-hour availability of anesthesiologists with medical staff privileges, an alternate policy (requiring participation, presence, and availability of a physician licensed to practice medicine in all its branches) shall be developed by the medical staff and licensed hospital in consultation with the anesthesia service.

(C) A certified registered nurse anesthetist is not required to possess prescriptive authority or a written collaborative agreement meeting the requirements of Section 65-35 of the Nurse Practice Act to provide anesthesia services ordered by a licensed physician, dentist, or podiatric physician podiatrist. Licensed certified
registered nurse anesthetists are authorized to select, order, and administer drugs and apply the appropriate medical devices in the provision of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or, in the absence of an available anesthesiologist with clinical privileges, agreed with by the operating physician, operating dentist, or operating podiatric physician in accordance with the hospital's alternative policy.

(Source: P.A. 94-915, eff. 1-1-07; 95-639, eff. 10-5-07; 95-911, eff. 8-26-08.)

Section 30. The Voluntary Health Services Plans Act is amended by changing Sections 2, 7, and 17 as follows:

(215 ILCS 165/2) (from Ch. 32, par. 596)

Sec. 2. For the purposes of this Act, the following terms have the respective meanings set forth in this section, unless different meanings are plainly indicated by the context:

(a) "Health Services Plan Corporation" means a corporation organized under the terms of this Act for the purpose of establishing and operating a voluntary health services plan and providing other medically related services.

(b) "Voluntary health services plan" means either a plan or system under which medical, hospital, nursing and relating health services may be rendered to a subscriber or beneficiary at the expense of a health services plan corporation, or any contractual arrangement to provide, either directly or through arrangements with others, dental care services to subscribers and beneficiaries.

(c) "Subscriber" means a natural person to whom a subscription certificate has been issued by a health services plan corporation. Persons eligible under Section 5-2 of the Illinois Public Aid Code may be subscribers if a written agreement exists, as specified in Section 25 of this Act, between the Health Services Plan Corporation and the Department of Healthcare and Family Services. A subscription certificate may be issued to such persons at no cost.

(d) "Beneficiary" means a person designated in a subscription certificate as one entitled to receive health services.

(e) "Health services" means those services ordinarily rendered by physicians licensed in Illinois to practice medicine in all of its branches, by podiatric physicians licensed in Illinois to practice podiatric medicine, by dentists and dental surgeons licensed to practice in Illinois,

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by nurses registered in Illinois, by dental hygienists licensed to practice in Illinois, and by assistants and technicians acting under professional supervision; it likewise means hospital services as usually and customarily rendered in Illinois, and the compounding and dispensing of drugs and medicines by pharmacists and assistant pharmacists registered in Illinois.

(f) "Subscription certificate" means a certificate issued to a subscriber by a health services plan corporation, setting forth the terms and conditions upon which health services shall be rendered to a subscriber or a beneficiary.

(g) "Physician rendering service for a plan" means a physician licensed in Illinois to practice medicine in all of its branches who has undertaken or agreed, upon terms and conditions acceptable both to himself and to the health services plan corporation involved, to furnish medical service to the plan's subscribers and beneficiaries.

(h) "Dentist or dental surgeon rendering service for a plan" means a dentist or dental surgeon licensed in Illinois to practice dentistry or dental surgery who has undertaken or agreed, upon terms and conditions acceptable both to himself and to the health services plan corporation involved, to furnish dental or dental surgical services to the plan's subscribers and beneficiaries.

(i) "Director" means the Director of Insurance of the State of Illinois.

(j) "Person" means any of the following: a natural person, corporation, partnership or unincorporated association.

(k) "Podiatric physician rendering service for a plan" means any podiatrist or podiatric surgeon licensed in Illinois to practice podiatry, who has undertaken or agreed, upon terms and conditions acceptable both to himself and to the health services plan corporation involved, to furnish podiatric or podiatric surgical services to the plan's subscribers and beneficiaries.

(Source: P.A. 95-331, eff. 8-21-07.)

Section 7. Every physician licensed in Illinois to practice medicine in all of its branches, every podiatric physician or podiatric surgeon licensed to practice podiatric medicine in Illinois, and every dentist and dental surgeon licensed to practice in Illinois may be eligible to render medical, podiatric or dental services respectively, upon such terms and conditions as may be mutually acceptable to such physician, podiatric physician, dentist or dental surgeon and to the health services plan corporation

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involved. Such a corporation shall impose no restrictions on the physicians, *podiatric physicians* podiatrists, dentists or dental surgeons who treat its subscribers as to methods of diagnosis or treatment. The private physician-patient relationship shall be maintained, and subscribers shall at all times have free choice of any physician, *podiatric physicians* podiatrists, dentist or dental surgeon who is rendering service on behalf of the corporation. All of the records, charts, files and other data of a health services plan corporation pertaining to the condition of health of its subscribers and beneficiaries shall be and remain confidential, and no disclosure of the contents thereof shall be made by the corporation to any person, except upon the prior written authorization of the particular subscriber or beneficiary concerned.

(Source: P.A. 81-1456.)

(215 ILCS 165/17) (from Ch. 32, par. 611)

Sec. 17. A health services plan corporation may enter into agreements with qualified physicians, *podiatric physicians* podiatrists, dentists, dental surgeons, pharmacists, hospitals, nurses, registered optometrists, dental hygienists and assistants or technicians acting under professional supervision, and with other organizations, state and Federal agencies, and corporations in the field of voluntary health care.

(Source: P.A. 81-1456.)

Section 35. The Illinois Athletic Trainers Practice Act is amended by changing Section 16 as follows:

(225 ILCS 5/16) (from Ch. 111, par. 7616)

(Section scheduled to be repealed on January 1, 2016)

Sec. 16. Refusal to issue, suspension, or revocation of license. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department may deem proper, including fines not to exceed $5,000 for each violation, with regard to any licensee for any one or combination of the following:

(A) Material misstatement in furnishing information to the Department;

(B) Negligent or intentional disregard of this Act, or of the rules or regulations promulgated hereunder;

(C) Conviction of any crime under the laws of the United States or any state or territory thereof that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii)
of any crime that is directly related to the practice of the profession;

(D) Making any misrepresentation for the purpose of obtaining registration, or violating any provision of this Act;

(E) Professional incompetence;

(F) Malpractice;

(G) Aiding or assisting another person in violating any provision of this Act or rules;

(H) Failing, within 60 days, to provide information in response to a written request made by the Department;

(I) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public;

(J) Habitual intoxication or addiction to the use of drugs;

(K) Discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(L) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. Nothing in this subparagraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this subparagraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(M) A finding that the licensee after having his or her license placed on probationary status has violated the terms of probation;

(N) Abandonment of an athlete;

(O) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with State agencies or departments;

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(P) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;

(Q) Physical illness, including but not limited to deterioration through the aging process, or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety;

(R) Solicitation of professional services other than by permitted institutional policy;

(S) The use of any words, abbreviations, figures or letters with the intention of indicating practice as an athletic trainer without a valid license as an athletic trainer under this Act;

(T) The evaluation or treatment of ailments of human beings other than by the practice of athletic training as defined in this Act or the treatment of injuries of athletes by a licensed athletic trainer except by the referral of a physician, podiatric physician podiatrist, or dentist;

(U) Willfully violating or knowingly assisting in the violation of any law of this State relating to the use of habit-forming drugs;

(V) Willfully violating or knowingly assisting in the violation of any law of this State relating to the practice of abortion;

(W) Continued practice by a person knowingly having an infectious communicable or contagious disease;

(X) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;

(Y) Failure to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied; or

(Z) Failure to fulfill continuing education requirements as prescribed in Section 10 of this Act.

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The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension will end only upon a finding by a court that the athletic trainer is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the athlete; and upon the recommendation of the Board to the Director that the licensee be allowed to resume his or her practice.

(Source: P.A. 96-1482, eff. 11-29-10.)

Section 36. The Health Care Worker Self-Referral Act is amended by changing Section 15 as follows:

(225 ILCS 47/15)

Sec. 15. Definitions. In this Act:

(a) "Board" means the Health Facilities and Services Review Board.

(b) "Entity" means any individual, partnership, firm, corporation, or other business that provides health services but does not include an individual who is a health care worker who provides professional services to an individual.

(c) "Group practice" means a group of 2 or more health care workers legally organized as a partnership, professional corporation, not-for-profit corporation, faculty practice plan or a similar association in which:

(1) each health care worker who is a member or employee or an independent contractor of the group provides substantially the full range of services that the health care worker routinely provides, including consultation, diagnosis, or treatment, through the use of office space, facilities, equipment, or personnel of the group;

(2) the services of the health care workers are provided through the group, and payments received for health services are treated as receipts of the group; and

(3) the overhead expenses and the income from the practice are distributed by methods previously determined by the group.

(d) "Health care worker" means any individual licensed under the laws of this State to provide health services, including but not limited to: dentists licensed under the Illinois Dental Practice Act; dental hygienists licensed under the Illinois Dental Practice Act; nurses and advanced practice nurses licensed under the Nurse Practice Act; occupational health services.
therapists licensed under the Illinois Occupational Therapy Practice Act; optometrists licensed under the Illinois Optometric Practice Act of 1987; pharmacists licensed under the Pharmacy Practice Act; physical therapists licensed under the Illinois Physical Therapy Act; physicians licensed under the Medical Practice Act of 1987; physician assistants licensed under the Physician Assistant Practice Act of 1987; podiatric physicians licensed under the Podiatric Medical Practice Act of 1987; clinical psychologists licensed under the Clinical Psychologist Licensing Act; clinical social workers licensed under the Clinical Social Work and Social Work Practice Act; speech-language pathologists and audiologists licensed under the Illinois Speech-Language Pathology and Audiology Practice Act; or hearing instrument dispensers licensed under the Hearing Instrument Consumer Protection Act, or any of their successor Acts.

(e) "Health services" means health care procedures and services provided by or through a health care worker.

(f) " Immediate family member" means a health care worker's spouse, child, child's spouse, or a parent.

(g) "Investment interest" means an equity or debt security issued by an entity, including, without limitation, shares of stock in a corporation, units or other interests in a partnership, bonds, debentures, notes, or other equity interests or debt instruments except that investment interest for purposes of Section 20 does not include interest in a hospital licensed under the laws of the State of Illinois.

(h) "Investor" means an individual or entity directly or indirectly owning a legal or beneficial ownership or investment interest, (such as through an immediate family member, trust, or another entity related to the investor).

(i) "Office practice" includes the facility or facilities at which a health care worker, on an ongoing basis, provides or supervises the provision of professional health services to individuals.

(j) "Referral" means any referral of a patient for health services, including, without limitation:

(1) The forwarding of a patient by one health care worker to another health care worker or to an entity outside the health care worker's office practice or group practice that provides health services.

(2) The request or establishment by a health care worker of a plan of care outside the health care worker's office practice or group practice that includes the provision of any health services.
Section 38. The Home Medical Equipment and Services Provider License Act is amended by changing Section 15 as follows:

Sec. 15. Licensure requirement; exempt activities.

(a) No entity shall provide home medical equipment and services, or use the title "home medical equipment and services provider" in connection with his or her profession or business, without a license issued by the Department under this Act.

(b) Nothing in this Act shall be construed as preventing or restricting the practices, services, or activities of the following, unless those practices, services, or activities include providing home medical equipment and services through a separate legal entity:

(1) a person licensed or registered in this State by any other law engaging in the profession or occupation for which he or she is licensed or registered;

(2) a home medical services provider entity that is accredited under home care standards by a recognized accrediting body;

(3) home health agencies that do not have a Part B Medicare supplier number or that do not engage in the provision of home medical equipment and services;

(4) hospitals, excluding hospital-owned and hospital-related providers of home medical equipment and services;

(5) manufacturers and wholesale distributors of home medical equipment who do not sell directly to a patient;

(6) health care practitioners who lawfully prescribe or order home medical equipment and services, or who use home medical equipment and services to treat their patients, including but not limited to physicians, nurses, physical therapists, respiratory therapists, occupational therapists, speech-language pathologists, optometrists, chiropractors, and podiatric physicians;

(7) pharmacists, pharmacies, and home infusion pharmacies that are not engaged in the sale or rental of home medical equipment and services;

(8) hospice programs that do not involve the sale or rental of home medical equipment and services;

New matter indicated by italics - deletions by strikeout
(9) nursing homes;
(10) veterinarians;
(11) dentists; and
(12) emergency medical service providers.

(Source: P.A. 90-532, eff. 11-14-97.)

Section 39. The Massage Licensing Act is amended by changing
Section 25 as follows:

(225 ILCS 57/25)
(Section scheduled to be repealed on January 1, 2022)

Sec. 25. Exemptions.

(a) This Act does not prohibit a person licensed under any other
Act in this State from engaging in the practice for which he or she is
licensed.

(b) Persons exempted under this Section include, but are not
limited to, physicians, podiatric physicians podiatrists, naprapaths, and
physical therapists.

(c) Nothing in this Act prohibits qualified members of other
professional groups, including but not limited to nurses, occupational
therapists, cosmetologists, and estheticians, from performing massage in a
manner consistent with their training and the code of ethics of their
respective professions.

(d) Nothing in this Act prohibits a student of an approved massage
school or program from performing massage, provided that the student
does not hold himself or herself out as a licensed massage therapist and
does not receive compensation, including tips, for massage therapy
services.

(e) Nothing in this Act prohibits practitioners that do not involve
intentional soft tissue manipulation, including but not limited to Alexander
Technique, Feldenkrais, Reike, and Therapeutic Touch, from practicing.

(f) Practitioners of certain service marked bodywork approaches
that do involve intentional soft tissue manipulation, including but not
limited to Rolfing, Trager Approach, Polarity Therapy, and Orthobionomy,
are exempt from this Act if they are approved by their governing body
based on a minimum level of training, demonstration of competency, and
adherence to ethical standards.

(g) Practitioners of Asian bodywork approaches are exempt from
this Act if they are members of the American Organization of Bodywork
Therapies of Asia as certified practitioners or if they are approved by an
Asian bodywork organization based on a minimum level of training,
demonstration of competency, and adherence to ethical standards set by their governing body.

(h) Practitioners of other forms of bodywork who restrict manipulation of soft tissue to the feet, hands, and ears, and who do not have the client disrobe, such as reflexology, are exempt from this Act.

(i) Nothing in this Act applies to massage therapists from other states or countries when providing educational programs or services for a period not exceeding 30 days within a calendar year.

(j) Nothing in this Act prohibits a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(k) Nothing in this Act applies to the practice of massage therapy by a person either actively licensed as a massage therapist in another state or currently certified by the National Certification Board of Therapeutic Massage and Bodywork or other national certifying body if said person's state does not license massage therapists, if he or she is performing his or her duties for a non-Illinois based team or organization, or for a national athletic event held in this State, so long as he or she restricts his or her practice to his or her team or organization or to event participants during the course of his or her team's or organization's stay in this State or for the duration of the event.

(Source: P.A. 96-7, eff. 4-3-09; 97-514, eff. 8-23-11.)

Section 40. The Naprapathic Practice Act is amended by changing Sections 10, 15, and 110 as follows:

(225 ILCS 63/10)

(Section scheduled to be repealed on January 1, 2023)

Sec. 10. Definitions. In this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Naprapath" means a person who practices Naprapathy and who has met all requirements as provided in the Act.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

New matter indicated by italics - deletions by strikeout
"Referral" means the following of guidance or direction to the naprapath given by the licensed physician, dentist, or podiatric physician podiatrist who maintains supervision of the patient.

"Documented current and relevant diagnosis" means a diagnosis, substantiated by signature or oral verification of a licensed physician, dentist, or podiatric physician podiatrist, that a patient's condition is such that it may be treated by naprapathy as defined in this Act, which diagnosis shall remain in effect until changed by the licensed physician, dentist, or podiatric physician podiatrist.

(Source: P.A. 97-778, eff. 7-13-12.)

(225 ILCS 63/15)

(Section scheduled to be repealed on January 1, 2023)

Sec. 15. Practice of naprapathy defined; referrals. Napraphathic practice means the evaluation of persons with connective tissue disorders through the use of napraphathic case history and palpation or treatment of persons by the use of connective tissue manipulation, therapeutic and rehabilitative exercise, postural counseling, nutritional counseling, and the use of the effective properties of physical measures of heat, cold, light, water, radiant energy, electricity, sound and air, and assistive devices for the purpose of preventing, correcting, or alleviating a physical disability.

Napraphathic practice includes, but is not limited to, the treatment of contractures, muscle spasms, inflammation, scar tissue formation, adhesions, lesions, laxity, hypotonicity, rigidity, structural imbalance, bruising, contusions, muscular atrophy, and partial separation of connective tissue fibers.

Napraphathic practice also includes: (a) performance of specialized tests and measurements, (b) administration of specialized treatment procedures, (c) interpretation of referrals from licensed physicians, dentists, and podiatric physicians podiatrists, (d) establishment and modification of napraphathic treatment programs, and (e) supervision or teaching of napraphathy.

Napraphathic practice does not include radiology, surgery, pharmacology, invasive diagnostic testing, or determination of a differential diagnosis; provided, however, the limitation on determining a differential diagnosis shall not in any manner limit a napraphath licensed under this Act from performing an evaluation authorized under this Act. A napraphath licensed under this Act who is not also licensed as a physical therapist under the Illinois Physical Therapy Act shall not hold himself or herself out as qualified to provide physical therapy or physiotherapy.

New matter indicated by italics - deletions by strikeout
services. Nothing in this Section shall limit a naprapath from employing appropriate naprapathic techniques that he or she is educated and licensed to perform. A naprapath shall refer to a licensed physician, dentist, or podiatrist any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the naprapath.

(Source: P.A. 87-1231.)

(225 ILCS 63/110)

(Section scheduled to be repealed on January 1, 2023)

Sec. 110. Grounds for disciplinary action; refusal, revocation, suspension.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any licensee or license for any one or combination of the following causes:

(1) Violations of this Act or of rules adopted under this Act.

(2) Material misstatement in furnishing information to the Department.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment, or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(5) Professional incompetence or gross negligence.

(6) Malpractice.

(7) Aiding or assisting another person in violating any provision of this Act or its rules.

(8) Failing to provide information within 60 days in response to a written request made by the Department.
(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(10) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance which results in the inability to practice with reasonable judgment, skill, or safety.

(11) Discipline by another U.S. jurisdiction or foreign nation if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. This shall not be deemed to include rent or other remunerations paid to an individual, partnership, or corporation by a naprapath for the lease, rental, or use of space, owned or controlled by the individual, partnership, corporation, or association. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) Using the title "Doctor" or its abbreviation without further clarifying that title or abbreviation with the word "naprapath" or "naprapathy" or the designation "D.N.".

(14) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(15) Abandonment of a patient without cause.

(16) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to, false records filed with State agencies or departments.
(17) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(18) Physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by means other than permitted advertising.

(20) Failure to provide a patient with a copy of his or her record upon the written request of the patient.

(21) Cheating on or attempting to subvert the licensing examination administered under this Act.

(22) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(23) (Blank).

(24) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or a neglected child as defined in the Abused and Neglected Child Reporting Act.

(25) Practicing under a false or, except as provided by law, an assumed name.

(26) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(27) Maintaining a professional relationship with any person, firm, or corporation when the naprapath knows, or should know, that the person, firm, or corporation is violating this Act.

(28) Promotion of the sale of food supplements, devices, appliances, or goods provided for a client or patient in such manner as to exploit the patient or client for financial gain of the licensee.

(29) Having treated ailments of human beings other than by the practice of naprapathy as defined in this Act, or having treated ailments of human beings as a licensed naprapath independent of a documented referral or documented current and relevant diagnosis from a physician, dentist, or podiatric physician or podiatrist, or having failed to notify the physician, dentist, or podiatric physician

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(36) (Blank).

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend without hearing, as provided for in the Department of Professional Regulation Law of the Civil Administrative Code, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or

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scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(f) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to
complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records including business records that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning the examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents in any way related to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order

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the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-1482, eff. 11-29-10; 97-778, eff. 7-13-12; revised 8-3-12.)

Section 45. The Nurse Practice Act is amended by changing Sections 50-10, 50-15, 55-30, 65-35, 65-40, 65-45, 65-55, and 70-5 as follows:

(225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

Sec. 50-10. Definitions. Each of the following terms, when used in this Act, shall have the meaning ascribed to it in this Section, except where the context clearly indicates otherwise:

"Academic year" means the customary annual schedule of courses at a college, university, or approved school, customarily regarded as the school year as distinguished from the calendar year.

"Advanced practice nurse" or "APN" means a person who has met the qualifications for a (i) certified nurse midwife (CNM); (ii) certified nurse practitioner (CNP); (iii) certified registered nurse anesthetist (CRNA); or (iv) clinical nurse specialist (CNS) and has been licensed by the Department. All advanced practice nurses licensed and practicing in the State of Illinois shall use the title APN and may use specialty credentials after their name.

"Approved program of professional nursing education" and "approved program of practical nursing education" are programs of professional or practical nursing, respectively, approved by the Department under the provisions of this Act.

New matter indicated by italics - deletions by strikeout
"Board" means the Board of Nursing appointed by the Secretary.

"Collaboration" means a process involving 2 or more health care professionals working together, each contributing one's respective area of expertise to provide more comprehensive patient care.

"Consultation" means the process whereby an advanced practice nurse seeks the advice or opinion of another health care professional.

"Credentialed" means the process of assessing and validating the qualifications of a health care professional.

"Current nursing practice update course" means a planned nursing education curriculum approved by the Department consisting of activities that have educational objectives, instructional methods, content or subject matter, clinical practice, and evaluation methods, related to basic review and updating content and specifically planned for those nurses previously licensed in the United States or its territories and preparing for reentry into nursing practice.

"Dentist" means a person licensed to practice dentistry under the Illinois Dental Practice Act.

"Department" means the Department of Financial and Professional Regulation.

"Impaired nurse" means a nurse licensed under this Act who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish his or her ability to deliver competent patient care.

"License-pending advanced practice nurse" means a registered professional nurse who has completed all requirements for licensure as an advanced practice nurse except the certification examination and has applied to take the next available certification exam and received a temporary license from the Department.

"License-pending registered nurse" means a person who has passed the Department-approved registered nurse licensure exam and has applied for a license from the Department. A license-pending registered nurse shall use the title "RN lic pend" on all documentation related to nursing practice.

"Physician" means a person licensed to practice medicine in all its branches under the Medical Practice Act of 1987.

"Podiatric physician" or "Podiatrist" means a person licensed to practice podiatry under the Podiatric Medical Practice Act of 1987.

New matter indicated by italics - deletions by strikeout
"Practical nurse" or "licensed practical nurse" means a person who is licensed as a practical nurse under this Act and practices practical nursing as defined in this Act. Only a practical nurse licensed under this Act is entitled to use the title "licensed practical nurse" and the abbreviation "L.P.N."

"Practical nursing" means the performance of nursing acts requiring the basic nursing knowledge, judgement, and skill acquired by means of completion of an approved practical nursing education program. Practical nursing includes assisting in the nursing process as delegated by a registered professional nurse or an advanced practice nurse. The practical nurse may work under the direction of a licensed physician, dentist, podiatric physician podiatrist, or other health care professional determined by the Department.

"Privileged" means the authorization granted by the governing body of a healthcare facility, agency, or organization to provide specific patient care services within well-defined limits, based on qualifications reviewed in the credentialing process.

"Registered Nurse" or "Registered Professional Nurse" means a person who is licensed as a professional nurse under this Act and practices nursing as defined in this Act. Only a registered nurse licensed under this Act is entitled to use the titles "registered nurse" and "registered professional nurse" and the abbreviation, "R.N.".

"Registered professional nursing practice" is a scientific process founded on a professional body of knowledge; it is a learned profession based on the understanding of the human condition across the life span and environment and includes all nursing specialties and means the performance of any nursing act based upon professional knowledge, judgment, and skills acquired by means of completion of an approved professional nursing education program. A registered professional nurse provides holistic nursing care through the nursing process to individuals, groups, families, or communities, that includes but is not limited to: (1) the assessment of healthcare needs, nursing diagnosis, planning, implementation, and nursing evaluation; (2) the promotion, maintenance, and restoration of health; (3) counseling, patient education, health education, and patient advocacy; (4) the administration of medications and treatments as prescribed by a physician licensed to practice medicine in all of its branches, a licensed dentist, a licensed podiatric physician podiatrist, or a licensed optometrist or as prescribed by a physician assistant in accordance with written guidelines required under the Physician Assistant Act.
Practice Act of 1987 or by an advanced practice nurse in accordance with Article 65 of this Act; (5) the coordination and management of the nursing plan of care; (6) the delegation to and supervision of individuals who assist the registered professional nurse implementing the plan of care; and (7) teaching nursing students. The foregoing shall not be deemed to include those acts of medical diagnosis or prescription of therapeutic or corrective measures.

"Professional assistance program for nurses" means a professional assistance program that meets criteria established by the Board of Nursing and approved by the Secretary, which provides a non-disciplinary treatment approach for nurses licensed under this Act whose ability to practice is compromised by alcohol or chemical substance addiction.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Unencumbered license" means a license issued in good standing.

"Written collaborative agreement" means a written agreement between an advanced practice nurse and a collaborating physician, dentist, or podiatrist pursuant to Section 65-35.

(Source: P.A. 97-813, eff. 7-13-12.)

(225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

(Sec. 50-15. Policy; application of Act.

(a) For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice advanced, professional, or practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice advanced, professional, or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

(b) This Act does not prohibit the following:

(1) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 50-50, 55-10, 60-10, and 70-5 of this Act.
(2) Nursing that is included in the program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(3) The furnishing of nursing assistance in an emergency.

(4) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(5) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(6) Persons from being employed as unlicensed assistive personnel in private homes, long term care facilities, nurseries, hospitals or other institutions.

(7) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(8) The practice of advanced practice nursing by one who is an advanced practice nurse under the laws of another state, territory of the United States, or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an advanced practice nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(9) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 55-10, until (1) the expiration of 6 months after the filing of such written

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application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(10) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs.

(11) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(12) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act consistent with the policies of the Department.

(13) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(14) County correctional personnel from delivering prepackaged medication for self-administration to an individual detainee in a correctional facility.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician, dentist, or podiatric physician podiatrist to a licensed practical nurse, a registered professional nurse, or other persons.

(Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08; 96-7, eff. 4-3-09; 96-516, eff. 8-14-09; 96-1000, eff. 7-2-10.)

(225 ILCS 65/55-30)

(Section scheduled to be repealed on January 1, 2018)

Sec. 55-30. LPN scope of practice.

(a) Practice as a licensed practical nurse means a scope of basic nursing practice, with or without compensation, as delegated by a registered professional nurse or an advanced practice nurse or as directed by a physician assistant, physician, dentist, or podiatric physician podiatrist, and includes, but is not limited to, all of the following:

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(1) Collecting data and collaborating in the assessment of the health status of a patient.

(2) Collaborating in the development and modification of the registered professional nurse's or advanced practice nurse's comprehensive nursing plan of care for all types of patients.

(3) Implementing aspects of the plan of care as delegated.

(4) Participating in health teaching and counseling to promote, attain, and maintain the optimum health level of patients, as delegated.

(5) Serving as an advocate for the patient by communicating and collaborating with other health service personnel, as delegated.

(6) Participating in the evaluation of patient responses to interventions.

(7) Communicating and collaborating with other health care professionals as delegated.

(8) Providing input into the development of policies and procedures to support patient safety.

(Source: P.A. 95-639, eff. 10-5-07.)

Sec. 65-35. Written collaborative agreements.

(a) A written collaborative agreement is required for all advanced practice nurses engaged in clinical practice, except for advanced practice nurses who are authorized to practice in a hospital or ambulatory surgical treatment center.

(a-5) If an advanced practice nurse engages in clinical practice outside of a hospital or ambulatory surgical treatment center in which he or she is authorized to practice, the advanced practice nurse must have a written collaborative agreement.

(b) A written collaborative agreement shall describe the working relationship of the advanced practice nurse with the collaborating physician or pediatric physician podiatrist and shall authorize the categories of care, treatment, or procedures to be performed by the advanced practice nurse. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this Section. Collaboration does not require an employment relationship between the collaborating physician and advanced practice nurse. Absent an employment relationship, an agreement may not restrict the categories of patients or

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third-party payment sources accepted by the advanced practice nurse. Collaboration means the relationship under which an advanced practice nurse works with a collaborating physician or podiatric physician in an active clinical practice to deliver health care services in accordance with (i) the advanced practice nurse's training, education, and experience and (ii) collaboration and consultation as documented in a jointly developed written collaborative agreement.

The agreement shall promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The services to be provided by the advanced practice nurse shall be services that the collaborating physician or podiatric physician is authorized to and generally provides to his or her patients in the normal course of his or her clinical medical practice, except as set forth in subsection (c-5) of this Section. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating physician or podiatric physician as the procedures are being performed. The collaborative relationship under an agreement shall not be construed to require the personal presence of a physician or podiatric physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician or podiatric physician in person or by telecommunications in accordance with established written guidelines as set forth in the written agreement.

(c) Collaboration and consultation under all collaboration agreements shall be adequate if a collaborating physician or podiatric physician does each of the following:

(1) Participates in the joint formulation and joint approval of orders or guidelines with the advanced practice nurse and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice or podiatric practice and advanced practice nursing practice.

(2) Provides collaboration and consultation with the advanced practice nurse at least once a month. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, physician, dentist, or podiatric physician podiatrist must participate through discussion of and

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agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

(3) Is available through telecommunications for consultation on medical problems, complications, or emergencies or patient referral. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, physician, dentist, or podiatric physician must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

The agreement must contain provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(c-5) A certified registered nurse anesthetist, who provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatric physician performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatric physician is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or the operating podiatric physician.

(c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse anesthetist and dentist and shall authorize the categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that
the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice nurse and the collaborating physician or podiatric physician.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(f) An advanced practice nurse shall inform each collaborating physician, dentist, or podiatric physician of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician, dentist, or podiatric physician upon request.

(g) For the purposes of this Act, "generally provides to his or her patients in the normal course of his or her clinical medical practice" means services, not specific tasks or duties, the physician or podiatric physician routinely provides individually or through delegation to other persons so that the physician or podiatric physician has the experience and ability to provide collaboration and consultation.

(Source: P.A. 96-618, eff. 1-1-10; 97-358, eff. 8-12-11.)

(225 ILCS 65/65-40) (was 225 ILCS 65/15-20)

Sec. 65-40. Written collaborative agreement; prescriptive authority.

(a) A collaborating physician or podiatric physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement. This authority

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may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs, medical gases, and controlled substances categorized as any Schedule III through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies. The collaborating physician or podiatric physician must have a valid current Illinois controlled substance license and federal registration to delegate authority to prescribe delegated controlled substances.

(b) To prescribe controlled substances under this Section, an advanced practice nurse must obtain a mid-level practitioner controlled substance license. Medication orders shall be reviewed periodically by the collaborating physician or podiatric physician.

(c) The collaborating physician or podiatric physician shall file with the Department notice of delegation of prescriptive authority and termination of such delegation, in accordance with rules of the Department. Upon receipt of this notice delegating authority to prescribe any Schedule III through V controlled substances, the licensed advanced practice nurse shall be eligible to register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.

(d) In addition to the requirements of subsections (a), (b), and (c) of this Section, a collaborating physician or podiatric physician may, but is not required to, delegate authority to an advanced practice nurse to prescribe any Schedule II controlled substances, if all of the following conditions apply:

(1) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or podiatric physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated.

(2) Any delegation must be controlled substances that the collaborating physician podiatric physician prescribes.

(3) Any prescription must be limited to no more than a 30-day supply, with any continuation authorized only after prior

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approval of the collaborating physician or podiatric physician podiatrist.

(4) The advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician.

(5) The advanced practice nurse meets the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(f) Nothing in this Section shall be construed to apply to any medication authority including Schedule II controlled substances of an advanced practice nurse for care provided in a hospital, hospital affiliate, or ambulatory surgical treatment center pursuant to Section 65-45.

(g) Any advanced practice nurse who writes a prescription for a controlled substance without having a valid appropriate authority may be fined by the Department not more than $50 per prescription, and the Department may take any other disciplinary action provided for in this Act.

(h) Nothing in this Section shall be construed to prohibit generic substitution.

(Source: P.A. 96-189, eff. 8-10-09; 97-358, eff. 8-12-11.)

(225 ILCS 65/65-45) (was 225 ILCS 65/15-25)

(Section scheduled to be repealed on January 1, 2018)

Sec. 65-45. Advanced practice nursing in hospitals, hospital affiliates, or ambulatory surgical treatment centers.

(a) An advanced practice nurse may provide services in a hospital or a hospital affiliate as those terms are defined in the Hospital Licensing Act or the University of Illinois Hospital Act or a licensed ambulatory surgical treatment center without a written collaborative agreement pursuant to Section 65-35 of this Act. An advanced practice nurse must possess clinical privileges recommended by the hospital medical staff and granted by the hospital or the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. The medical staff or consulting medical staff committee shall periodically

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review the services of advanced practice nurses granted clinical privileges, including any care provided in a hospital affiliate. Authority may also be granted when recommended by the hospital medical staff and granted by the hospital or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual advanced practice nurses to select, order, and administer medications, including controlled substances, to provide delineated care. In a hospital, hospital affiliate, or ambulatory surgical treatment center, the attending physician shall determine an advanced practice nurse's role in providing care for his or her patients, except as otherwise provided in the medical staff bylaws or consulting committee policies.

(a-2) An advanced practice nurse granted authority to order medications including controlled substances may complete discharge prescriptions provided the prescription is in the name of the advanced practice nurse and the attending or discharging physician.

(a-3) Advanced practice nurses practicing in a hospital or an ambulatory surgical treatment center are not required to obtain a mid-level controlled substance license to order controlled substances under Section 303.05 of the Illinois Controlled Substances Act.

(a-5) For anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, physician, dentist, or podiatric physician shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions, unless hospital policy adopted pursuant to clause (B) of subdivision (3) of Section 10.7 of the Hospital Licensing Act or ambulatory surgical treatment center policy adopted pursuant to clause (B) of subdivision (3) of Section 6.5 of the Ambulatory Surgical Treatment Center Act provides otherwise. A certified registered nurse anesthetist may select, order, and administer medication for anesthesia services under the anesthesia plan agreed to by the anesthesiologist or the physician, in accordance with hospital alternative policy or the medical staff consulting committee policies of a licensed ambulatory surgical treatment center.

(b) An advanced practice nurse who provides services in a hospital shall do so in accordance with Section 10.7 of the Hospital Licensing Act and, in an ambulatory surgical treatment center, in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.
(Source: P.A. 97-358, eff. 8-12-11.)
Sec. 65-55. Advertising as an APN.

(a) A person licensed under this Act as an advanced practice nurse may advertise the availability of professional services in the public media or on the premises where the professional services are rendered. The advertising shall be limited to the following information:

1. publication of the person's name, title, office hours, address, and telephone number;
2. information pertaining to the person's areas of specialization, including but not limited to appropriate board certification or limitation of professional practice;
3. publication of the person's collaborating physician's, dentist's, or podiatric physician's name, title, and areas of specialization;
4. information on usual and customary fees for routine professional services offered, which shall include notification that fees may be adjusted due to complications or unforeseen circumstances;
5. announcements of the opening of, change of, absence from, or return to business;
6. announcement of additions to or deletions from professional licensed staff; and
7. the issuance of business or appointment cards.

(b) It is unlawful for a person licensed under this Act as an advanced practice nurse to use testimonials or claims of superior quality of care to entice the public. It shall be unlawful to advertise fee comparisons of available services with those of other licensed persons.

(c) This Article does not authorize the advertising of professional services that the offeror of the services is not licensed or authorized to render. Nor shall the advertiser use statements that contain false, fraudulent, deceptive, or misleading material or guarantees of success, statements that play upon the vanity or fears of the public, or statements that promote or produce unfair competition.

(d) It is unlawful and punishable under the penalty provisions of this Act for a person licensed under this Article to knowingly advertise that the licensee will accept as payment for services rendered by assignment from any third party payor the amount the third party payor covers as payment in full, if the effect is to give the impression of

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eliminating the need of payment by the patient of any required deductible or copayment applicable in the patient's health benefit plan.

(e) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

(f) As used in this Section, "advertise" means solicitation by the licensee or through another person or entity by means of handbills, posters, circulars, motion pictures, radio, newspapers, or television or any other manner.

(Source: P.A. 95-639, eff. 10-5-07.)

(225 ILCS 65/70-5) (was 225 ILCS 65/10-45)

(Section scheduled to be repealed on January 1, 2018)

Sec. 70-5. Grounds for disciplinary action.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including fines not to exceed $10,000 per violation, with regard to a license for any one or combination of the causes set forth in subsection (b) below. All fines collected under this Section shall be deposited in the Nursing Dedicated and Professional Fund.

(b) Grounds for disciplinary action include the following:

(1) Material deception in furnishing information to the Department.

(2) Material violations of any provision of this Act or violation of the rules of or final administrative action of the Secretary, after consideration of the recommendation of the Board.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony; or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act.

(5) Knowingly aiding or assisting another person in violating any provision of this Act or rules.
(6) Failing, within 90 days, to provide a response to a request for information in response to a written request made by the Department by certified mail.

(7) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public, as defined by rule.

(8) Unlawful taking, theft, selling, distributing, or manufacturing of any drug, narcotic, or prescription device.

(9) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that could result in a licensee's inability to practice with reasonable judgment, skill or safety.

(10) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(11) A finding that the licensee, after having her or his license placed on probationary status or subject to conditions or restrictions, has violated the terms of probation or failed to comply with such terms or conditions.

(12) Being named as a perpetrator in an indicated report by the Department of Children and Family Services and under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(13) Willful omission to file or record, or willfully impeding the filing or recording or inducing another person to omit to file or record medical reports as required by law or willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(14) Gross negligence in the practice of practical, professional, or advanced practice nursing.

(15) Holding oneself out to be practicing nursing under any name other than one's own.

(16) Failure of a licensee to report to the Department any adverse final action taken against him or her by another licensing jurisdiction of the United States or any foreign state or country, any peer review body, any health care institution, any professional or nursing society or association, any governmental agency, any law

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enforcement agency, or any court or a nursing liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this Section.

(17) Failure of a licensee to report to the Department surrender by the licensee of a license or authorization to practice nursing or advanced practice nursing in another state or jurisdiction or current surrender by the licensee of membership on any nursing staff or in any nursing or advanced practice nursing or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined by this Section.

(18) Failing, within 60 days, to provide information in response to a written request made by the Department.

(19) Failure to establish and maintain records of patient care and treatment as required by law.

(20) Fraud, deceit or misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(21) Allowing another person or organization to use the licensees' license to deceive the public.

(22) Willfully making or filing false records or reports in the licensee's practice, including but not limited to false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(23) Attempting to subvert or cheat on a licensing examination administered under this Act.

(24) Immoral conduct in the commission of an act, including, but not limited to, sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(25) Willfully or negligently violating the confidentiality between nurse and patient except as required by law.

(26) Practicing under a false or assumed name, except as provided by law.

(27) The use of any false, fraudulent, or deceptive statement in any document connected with the licensee's practice.

(28) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee,
commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (28) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (28) shall be construed to require an employment arrangement to receive professional fees for services rendered.


(30) Physical illness, including but not limited to deterioration through the aging process or loss of motor skill, mental illness, or disability that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(31) Exceeding the terms of a collaborative agreement or the prescriptive authority delegated to a licensee by his or her collaborating physician or podiatric physician in guidelines established under a written collaborative agreement.

(32) Making a false or misleading statement regarding a licensee's skill or the efficacy or value of the medicine, treatment, or remedy prescribed by him or her in the course of treatment.

(33) Prescribing, selling, administering, distributing, giving, or self-administering a drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(34) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in a manner to exploit the patient for financial gain.

(35) Violating State or federal laws, rules, or regulations relating to controlled substances.

(36) Willfully or negligently violating the confidentiality between an advanced practice nurse, collaborating physician, dentist, or podiatric physician and a patient, except as required by law.

(37) A violation of any provision of this Act or any rules promulgated under this Act.

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(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) The Department may refuse to issue or may suspend or otherwise discipline the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(e) In enforcing this Act, the Department or Board, upon a showing of a possible violation, may compel an individual licensed to practice under this Act or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

All substance-related violations shall mandate an automatic substance abuse assessment. Failure to submit to an assessment by a licensed physician who is certified as an addictionist or an advanced practice nurse with specialty certification in addictions may be grounds for an automatic suspension, as defined by rule.

If the Department or Board finds an individual unable to practice or unfit for duty because of the reasons set forth in this Section, the Department or Board may require that individual to submit to a substance abuse evaluation or treatment by individuals or programs approved or designated by the Department or Board, as a condition, term, or restriction.
for continued, reinstated, or renewed licensure to practice; or, in lieu of evaluation or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with nursing standards under the provisions of his or her license.

(Source: P.A. 95-331, eff. 8-21-07; 95-639, eff. 10-5-07; 96-1482, eff. 11-29-10.)

Section 50. The Illinois Occupational Therapy Practice Act is amended by changing Sections 3.1 and 19 as follows:

(225 ILCS 75/3.1)

Sec. 3.1. Referrals. A licensed occupational therapist or licensed occupational therapy assistant may consult with, educate, evaluate, and monitor services for clients concerning non-medical occupational therapy needs. Implementation of direct occupational therapy to individuals for their specific health care conditions shall be based upon a referral from a licensed physician, dentist, podiatric physician podiatrist, or advanced practice nurse who has a written collaborative agreement with a collaborating physician to provide or accept referrals from licensed occupational therapists, physician assistant who has been delegated authority to provide or accept referrals from or to licensed occupational therapists, or optometrist.

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An occupational therapist shall refer to a licensed physician, dentist, optometrist, advanced practice nurse, physician assistant, or podiatric physician any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the occupational therapist.

(Source: P.A. 92-297, eff. 1-1-02; 93-461, eff. 8-8-03; 93-962, eff. 8-20-04.)

(225 ILCS 75/19) (from Ch. 111, par. 3719)

(Section scheduled to be repealed on January 1, 2014)

Sec. 19. (a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper, including fines not to exceed $2,500 for each violation, with regard to any license for any one or combination of the following:

1. Material misstatement in furnishing information to the Department;
2. Wilfully violating this Act, or of the rules promulgated thereunder;
3. Conviction of any crime under the laws of the United States or any state or territory thereof which is a felony or which is a misdemeanor, an essential element of which is dishonesty, or of any crime which is directly related to the practice of occupational therapy;
4. Making any misrepresentation for the purpose of obtaining certification, or violating any provision of this Act or the rules promulgated thereunder pertaining to advertising;
5. Having demonstrated unworthiness, or incompetency to act as an occupational therapist or occupational therapy assistant in such manner as to safeguard the interest of the public;
6. Wilfully aiding or assisting another person, firm, partnership or corporation in violating any provision of this Act or rules;
7. Failing, within 60 days, to provide information in response to a written request made by the Department;
8. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;
9. Habitual intoxication or addiction to the use of drugs;

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(10) Discipline by another state, the District of Columbia, a territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (11) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(12) A finding by the Department that the license holder, after having his license disciplined, has violated the terms of the discipline;

(13) Wilfully making or filing false records or reports in the practice of occupational therapy, including but not limited to false records filed with the State agencies or departments;

(14) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgment, skill or safety;

(15) Solicitation of professional services other than by permitted advertising;

(16) Wilfully exceeding the scope of practice customarily undertaken by persons licensed under this Act, which conduct results in, or may result in, harm to the public;

(17) Holding one's self out to practice occupational therapy under any name other than his own or impersonation of any other occupational therapy licensee;

(18) Gross negligence;

(19) Malpractice;

(20) Obtaining a fee in money or gift in kind of any other items of value or in the form of financial profit or benefit as

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personal compensation, or as compensation, or charge, profit or gain for an employer or for any other person or persons, on the fraudulent misrepresentation that a manifestly incurable condition of sickness, disease or injury to any person can be cured;

(21) Accepting commissions or rebates or other forms of remuneration for referring persons to other professionals;

(22) Failure to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied;

(23) Violating the Health Care Worker Self-Referral Act;

and

(24) Having treated patients other than by the practice of occupational therapy as defined in this Act, or having treated patients as a licensed occupational therapist independent of a referral from a physician, advanced practice nurse or physician assistant in accordance with Section 3.1, dentist, podiatric physician, podiatrist, or optometrist, or having failed to notify the physician, advanced practice nurse, physician assistant, dentist, podiatric physician, podiatrist, or optometrist who established a diagnosis that the patient is receiving occupational therapy pursuant to that diagnosis.

(b) The determination by a circuit court that a license holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, an order by the court so finding and discharging the patient, and the recommendation of the Board to the Director that the license holder be allowed to resume his practice.

(c) The Department may refuse to issue or take disciplinary action concerning the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Department of Revenue.
(d) In enforcing this Section, the Board, upon a showing of a possible violation, may compel a licensee or applicant to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order (i) the examining physician to present testimony concerning the mental or physical examination of a licensee or applicant or (ii) the examining clinical psychologist to present testimony concerning the mental examination of a licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between a licensee or applicant and the examining physician or clinical psychologist. An individual to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of an individual to submit to a mental or physical examination, when directed, is grounds for suspension of his or her license. The license must remain suspended until the person submits to the examination or the Board finds, after notice and hearing, that the refusal to submit to the examination was with reasonable cause.

If the Board finds an individual unable to practice because of the reasons set forth in this Section, the Board must require the individual to submit to care, counseling, or treatment by a physician or clinical psychologist approved by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. In lieu of care, counseling, or treatment, the Board may recommend that the Department file a complaint to immediately suspend or revoke the license of the individual or otherwise discipline the licensee.

Any individual whose license was granted, continued, reinstated, or renewed subject to conditions, terms, or restrictions, as provided for in this Section, or any individual who was disciplined or placed on supervision pursuant to this Section must be referred to the Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

(Source: P.A. 96-1482, eff. 11-29-10.)

Section 55. The Orthotics, Prosthetics, and Pedorthics Practice Act is amended by changing Sections 10 and 57 as follows:

(225 ILCS 84/10)

(Section scheduled to be repealed on January 1, 2020)

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

New matter indicated by italics - deletions by strikeout
"Accredited facility" means a facility which has been accredited by the Center for Medicare Medicaid Services to practice prosthetics, orthotics or pedorthics and which represents itself to the public by title or description of services that includes the term "prosthetic", "prosthetist", "artificial limb", "orthotic", "orthotist", "brace", "pedorthic", "pedorthist" or a similar title or description of services.

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department.

"Assistant" means a person who is educated and trained to participate in comprehensive orthotic or prosthetic care while under the supervision, as defined by rule, of a licensed orthotist or licensed prosthetist. Assistants may perform orthotic or prosthetic procedures and related tasks in the management of patient care. Assistants may also fabricate, repair, and maintain orthoses and prostheses.

"Board" means the Board of Orthotics, Prosthetics, and Pedorthics.

"Custom fabricated device" means an orthosis, prosthesis, or pedorthic device fabricated to comprehensive measurements or a mold or patient model for use by a patient in accordance with a prescription and which requires clinical and technical judgment in its design, fabrication, and fitting.

"Custom fitted device" means an orthosis, prosthesis, or pedorthic device made to patient measurements sized or modified for use by the patient in accordance with a prescription and which requires clinical and technical judgment and substantive alteration in its design.

"Department" means the Department of Financial and Professional Regulation.

"Facility" means the business location where orthotic, prosthetic, or pedorthic care is provided and, in the case of an orthotic/prosthetic facility, has the appropriate clinical and laboratory space and equipment to provide comprehensive orthotic or prosthetic care and, in the case of a pedorthic facility, has the appropriate clinical space and equipment to provide pedorthic care. Licensed orthotists, prosthetists, and pedorthists must be available to either provide care or supervise the provision of care by unlicensed staff.
"Licensed orthotist" or "LO" means a person licensed under this Act to practice orthotics and who represents himself or herself to the public by title or description of services that includes the term "orthotic", "orthotist", "brace", or a similar title or description of services.

"Licensed pedorthist" or "LPed" means a person licensed under this Act to practice pedorthics and who represents himself or herself to the public by the title or description of services that include the term "pedorthic", "pedorthist", or a similar title or description of services.

"Licensed physician" means a person licensed under the Medical Practice Act of 1987.

"Licensed podiatric physician" or "podiatrist" means a person licensed under the Podiatric Medical Practice Act of 1987.

"Licensed prosthetist" or "LP" means a person licensed under this Act to practice prosthetics and who represents himself or herself to the public by title or description of services that includes the term "prosthetic", "prosthetist", "artificial limb", or a similar title or description of services.

"Off-the-shelf device" means a prefabricated orthosis, prosthesis, or pedorthic device sized or modified for use by the patient in accordance with a prescription and that does not require substantial clinical judgment and substantive alteration for appropriate use.

"Orthosis" means a custom-fabricated or custom-fitted brace or support designed to provide for alignment, correction, or prevention of neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity. "Orthosis" does not include fabric or elastic supports, corsets, arch supports, low-temperature plastic splints, trusses, elastic hoses, canes, crutches, soft cervical collars, dental appliances, or other similar devices carried in stock and sold as "over-the-counter" items by a drug store, department store, corset shop, or surgical supply facility.

"Orthotic and Prosthetic Education Program" means a course of instruction accredited by the Commission on Accreditation of Allied Health Education Programs, consisting of (i) a basic curriculum of college level instruction in math, physics, biology, chemistry, and psychology and (ii) a specific curriculum in orthotic or prosthetic courses, including: (A) lectures covering pertinent anatomy, biomechanics, pathomechanics, prosthetic-orthotic components and materials, training and functional capabilities, prosthetic or orthotic performance evaluation, prescription considerations, etiology of amputations and disease processes necessitating prosthetic or orthotic use, and medical management; (B) subject matter related to pediatric and geriatric problems; (C) instruction in
acute care techniques, such as immediate and early post-surgical prosthetics and fracture bracing techniques; and (D) lectures, demonstrations, and laboratory experiences related to the entire process of measuring, casting, fitting, fabricating, aligning, and completing prostheses or orthoses.

"Orthotic and prosthetic scope of practice" means a list of tasks, with relative weight given to such factors as importance, criticality, and frequency, based on internationally accepted standards of orthotic and prosthetic care as outlined by the International Society of Prosthetics and Orthotics' professional profile for Category I and Category III orthotic and prosthetic personnel.

"Orthotics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing an orthosis under an order from a licensed physician or podiatric physician podiatrist for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.

"Orthotist" means a health care professional, specifically educated and trained in orthotic patient care, who measures, designs, fabricates, fits, or services orthoses and may assist in the formulation of the order and treatment plan of orthoses for the support or correction of disabilities caused by neuro-musculoskeletal diseases, injuries, or deformities.

"Over-the-counter" means a prefabricated, mass-produced device that is prepackaged and requires no professional advice or judgement in either size selection or use, including fabric or elastic supports, corsets, generic arch supports, elastic hoses.

"Pedorthic device" means therapeutic shoes (e.g. diabetic shoes and inserts), shoe modifications made for therapeutic purposes, below the ankle partial foot prostheses, and foot orthoses for use at the ankle or below. It also includes subtalar-control foot orthoses designed to manage the function of the anatomy by controlling the range of motion of the subtalar joint. Excluding footwear, the proximal height of a custom pedorthic device does not extend beyond the junction of the gastrocnemius and the Achilles tendon. Pedorthic devices do not include non-therapeutic inlays or footwear regardless of method of manufacture; unmodified, non-therapeutic over-the-counter shoes; or prefabricated foot care products.

"Therapeutic" devices address a medical condition, diagnosed by a prescribing medical professional, while "non-therapeutic" devices do not address a medical condition.
"Pedorthic education program" means an educational program accredited by the National Commission on Orthotic and Prosthetic Education consisting of (i) a basic curriculum of instruction in foot-related pathology of diseases, anatomy, and biomechanics and (ii) a specific curriculum in pedorthic courses, including lectures covering shoes, foot orthoses, and shoe modifications, pedorthic components and materials, training and functional capabilities, pedorthic performance evaluation, prescription considerations, etiology of disease processes necessitating use of pedorthic devices, medical management, subject matter related to pediatric and geriatric problems, and lectures, demonstrations, and laboratory experiences related to the entire process of measuring and casting, fitting, fabricating, aligning, and completing pedorthic devices.

"Pedorthic scope of practice" means a list of tasks with relative weight given to such factors as importance, criticality, and frequency based on nationally accepted standards of pedorthic care as outlined by the National Commission on Orthotic and Prosthetic Education comprehensive analysis with an empirical validation study of the profession performed by an independent testing company.

"Pedorthics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a pedorthic device under an order from a licensed physician or podiatric physician podiatrist for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.

"Pedorthist" means a health care professional, specifically educated and trained in pedorthic patient care, who measures, designs, fabricates, fits, or services pedorthic devices and may assist in the formulation of the order and treatment plan of pedorthic devices for the support or correction of disabilities caused by neuro-musculoskeletal diseases, injuries, or deformities.

"Person" means a natural person.

"Prosthesis" means an artificial medical device that is not surgically implanted and that is used to replace a missing limb, appendage, or any other external human body part including an artificial limb, hand, or foot. "Prosthesis" does not include artificial eyes, ears, fingers, or toes, dental appliances, cosmetic devices such as artificial breasts, eyelashes, or wigs, or other devices that do not have a significant impact on the musculoskeletal functions of the body.

New matter indicated by italics - deletions by strikeout
"Prosthetics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a prosthesis under an order from a licensed physician.

"Prosthetist" means a health care professional, specifically educated and trained in prosthetic patient care, who measures, designs, fabricates, fits, or services prostheses and may assist in the formulation of the order and treatment plan of prostheses for the replacement of external parts of the human body lost due to amputation or congenital deformities or absences.

"Prosthetist/orthotist" means a person who practices both disciplines of prosthetics and orthotics and who represents himself or herself to the public by title or by description of services. A person who is currently licensed by the State as both a licensed prosthetist and a licensed orthotist may use the title "Licensed Prosthetist Orthotist" or "LPO".

"Resident" means a person who has completed an education program in either orthotics or prosthetics and is continuing his or her clinical education in a residency accredited by the National Commission on Orthotic and Prosthetic Education.

"Residency" means a minimum of a one-year approved supervised program to acquire practical clinical training in orthotics or prosthetics in a patient care setting.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Technician" means a person who assists an orthotist, prosthetist, prosthetist/orthotist, or pedorthist with fabrication of orthoses, prostheses, or pedorthic devices but does not provide direct patient care.

(Source: P.A. 96-682, eff. 8-25-09.)

(225 ILCS 84/57)

(Section scheduled to be repealed on January 1, 2020)

Sec. 57. Limitation on provision of care and services. A licensed orthotist, prosthetist, or pedorthist may provide care or services only if the care or services are provided pursuant to an order from (i) a licensed physician, (ii) a podiatric physician podiatrist, (iii) an advanced practice nurse who has a written collaborative agreement with a collaborating physician or podiatric physician podiatrist that specifically authorizes ordering the services of an orthotist, prosthetist or pedorthist, (iv) an advanced practice nurse who practices in a hospital or ambulatory surgical treatment center and possesses clinical privileges to order services of an orthotist, prosthetist, or pedorthist, or (v) a physician assistant who has

New matter indicated by italics - deletions by strikeout
been delegated the authority to order the services of an orthotist, prosthetist, or pedorthist by his or her supervising physician. A licensed podiatric physician or advanced practice nurse collaborating with a podiatric physician may only order care or services concerning the foot from a licensed prosthetist. (Source: P.A. 96-682, eff. 8-25-09.)

Section 60. The Pharmacy Practice Act is amended by changing Sections 3, 4, and 22 as follows:

(225 ILCS 85/3)

(Section scheduled to be repealed on January 1, 2018)

Sec. 3. Definitions. For the purpose of this Act, except where otherwise limited therein:

(a) "Pharmacy" or "drugstore" means and includes every store, shop, pharmacy department, or other place where pharmacist care is provided by a pharmacist (1) where drugs, medicines, or poisons are dispensed, sold or offered for sale at retail, or displayed for sale at retail; or (2) where prescriptions of physicians, dentists, advanced practice nurses, physician assistants, veterinarians, podiatric physicians, or optometrists, within the limits of their licenses, are compounded, filled, or dispensed; or (3) which has upon it or displayed within it, or affixed to or used in connection with it, a sign bearing the word or words "Pharmacist", "Druggist", "Pharmacy", "Pharmaceutical Care", "Apothecary", "Drugstore", "Medicine Store", "Prescriptions", "Drugs", "Dispensary", "Medicines", or any word or words of similar or like import, either in the English language or any other language; or (4) where the characteristic prescription sign (Rx) or similar design is exhibited; or (5) any store, or shop, or other place with respect to which any of the above words, objects, signs or designs are used in any advertisement.

(b) "Drugs" means and includes (1) articles recognized in the official United States Pharmacopoeia/National Formulary (USP/NF), or any supplement thereto and being intended for and having for their main use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals, as approved by the United States Food and Drug Administration, but does not include devices or their components, parts, or accessories; and (2) all other articles intended for and having for their main use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals, as approved by the United States Food and Drug Administration, but does not include devices or their components, parts, or accessories; and (3) articles (other than food) having for their main use and

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intended to affect the structure or any function of the body of man or other animals; and (4) articles having for their main use and intended for use as a component or any articles specified in clause (1), (2) or (3); but does not include devices or their components, parts or accessories.

(c) "Medicines" means and includes all drugs intended for human or veterinary use approved by the United States Food and Drug Administration.

(d) "Practice of pharmacy" means (1) the interpretation and the provision of assistance in the monitoring, evaluation, and implementation of prescription drug orders; (2) the dispensing of prescription drug orders; (3) participation in drug and device selection; (4) drug administration limited to the administration of oral, topical, injectable, and inhalation as follows: in the context of patient education on the proper use or delivery of medications; vaccination of patients 14 years of age and older pursuant to a valid prescription or standing order, by a physician licensed to practice medicine in all its branches, upon completion of appropriate training, including how to address contraindications and adverse reactions set forth by rule, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures; (5) vaccination of patients ages 10 through 13 limited to the Influenza (inactivated influenza vaccine and live attenuated influenza intranasal vaccine) and Tdap (defined as tetanus, diphtheria, acellular pertussis) vaccines, pursuant to a valid prescription or standing order, by a physician licensed to practice medicine in all its branches, upon completion of appropriate training, including how to address contraindications and adverse reactions set forth by rule, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures; (6) drug regimen review; (7) drug or drug-related research; (8) the provision of patient counseling; (9) the practice of telepharmacy; (10) the provision of those acts or services necessary to provide pharmacist care; (11) medication therapy management; and (12) the responsibility for compounding and labeling of drugs and devices (except labeling by a manufacturer, repackager, or distributor of non-prescription drugs and commercially packaged legend drugs and devices), proper and safe storage of drugs and devices, and maintenance of required records. A pharmacist who performs any of the acts defined as the practice of pharmacy in this State must be actively licensed as a pharmacist under this Act.
(e) "Prescription" means and includes any written, oral, facsimile, or electronically transmitted order for drugs or medical devices, issued by a physician licensed to practice medicine in all its branches, dentist, veterinarian, or podiatric physician, or optometrist, within the limits of their licenses, by a physician assistant in accordance with subsection (f) of Section 4, or by an advanced practice nurse in accordance with subsection (g) of Section 4, containing the following: (1) name of the patient; (2) date when prescription was issued; (3) name and strength of drug or description of the medical device prescribed; and (4) quantity; (5) directions for use; (6) prescriber's name, address, and signature; and (7) DEA number where required, for controlled substances. The prescription may, but is not required to, list the illness, disease, or condition for which the drug or device is being prescribed. DEA numbers shall not be required on inpatient drug orders.

(f) "Person" means and includes a natural person, copartnership, association, corporation, government entity, or any other legal entity.

(g) "Department" means the Department of Financial and Professional Regulation.

(h) "Board of Pharmacy" or "Board" means the State Board of Pharmacy of the Department of Financial and Professional Regulation.

(i) "Secretary" means the Secretary of Financial and Professional Regulation.

(j) "Drug product selection" means the interchange for a prescribed pharmaceutical product in accordance with Section 25 of this Act and Section 3.14 of the Illinois Food, Drug and Cosmetic Act.

(k) "Inpatient drug order" means an order issued by an authorized prescriber for a resident or patient of a facility licensed under the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act, or the Hospital Licensing Act, or "An Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs", approved July 3, 1931, as amended, or a facility which is operated by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or the Department of Corrections.

(k-5) "Pharmacist" means an individual health care professional and provider currently licensed by this State to engage in the practice of pharmacy.
(l) "Pharmacist in charge" means the licensed pharmacist whose name appears on a pharmacy license and who is responsible for all aspects of the operation related to the practice of pharmacy.

(m) "Dispense" or "dispensing" means the interpretation, evaluation, and implementation of a prescription drug order, including the preparation and delivery of a drug or device to a patient or patient's agent in a suitable container appropriately labeled for subsequent administration to or use by a patient in accordance with applicable State and federal laws and regulations. "Dispense" or "dispensing" does not mean the physical delivery to a patient or a patient's representative in a home or institution by a designee of a pharmacist or by common carrier. "Dispense" or "dispensing" also does not mean the physical delivery of a drug or medical device to a patient or patient's representative by a pharmacist's designee within a pharmacy or drugstore while the pharmacist is on duty and the pharmacy is open.

(n) "Nonresident pharmacy" means a pharmacy that is located in a state, commonwealth, or territory of the United States, other than Illinois, that delivers, dispenses, or distributes, through the United States Postal Service, commercially acceptable parcel delivery service, or other common carrier, to Illinois residents, any substance which requires a prescription.

(o) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if all of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(p) (Blank).

(q) (Blank).

(r) "Patient counseling" means the communication between a pharmacist or a student pharmacist under the supervision of a pharmacist and a patient or the patient's representative about the patient's medication
or device for the purpose of optimizing proper use of prescription medications or devices. "Patient counseling" may include without limitation (1) obtaining a medication history; (2) acquiring a patient's allergies and health conditions; (3) facilitation of the patient's understanding of the intended use of the medication; (4) proper directions for use; (5) significant potential adverse events; (6) potential food-drug interactions; and (7) the need to be compliant with the medication therapy. A pharmacy technician may only participate in the following aspects of patient counseling under the supervision of a pharmacist: (1) obtaining medication history; (2) providing the offer for counseling by a pharmacist or student pharmacist; and (3) acquiring a patient's allergies and health conditions.

(s) "Patient profiles" or "patient drug therapy record" means the obtaining, recording, and maintenance of patient prescription information, including prescriptions for controlled substances, and personal information.

(t) (Blank).

(u) "Medical device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component part or accessory, required under federal law to bear the label "Caution: Federal law requires dispensing by or on the order of a physician". A seller of goods and services who, only for the purpose of retail sales, compounds, sells, rents, or leases medical devices shall not, by reasons thereof, be required to be a licensed pharmacy.

(v) "Unique identifier" means an electronic signature, handwritten signature or initials, thumb print, or other acceptable biometric or electronic identification process as approved by the Department.

(w) "Current usual and customary retail price" means the price that a pharmacy charges to a non-third-party payor.

(x) "Automated pharmacy system" means a mechanical system located within the confines of the pharmacy or remote location that performs operations or activities, other than compounding or administration, relative to storage, packaging, dispensing, or distribution of medication, and which collects, controls, and maintains all transaction information.

(y) "Drug regimen review" means and includes the evaluation of prescription drug orders and patient records for (1) known allergies; (2) drug or potential therapy contraindications; (3) reasonable dose, duration of use, and route of administration, taking into consideration factors such
as age, gender, and contraindications; (4) reasonable directions for use; (5) potential or actual adverse drug reactions; (6) drug-drug interactions; (7) drug-food interactions; (8) drug-disease contraindications; (9) therapeutic duplication; (10) patient laboratory values when authorized and available; (11) proper utilization (including over or under utilization) and optimum therapeutic outcomes; and (12) abuse and misuse.

(z) "Electronic transmission prescription" means any prescription order for which a facsimile or electronic image of the order is electronically transmitted from a licensed prescriber to a pharmacy. "Electronic transmission prescription" includes both data and image prescriptions.

(aa) "Medication therapy management services" means a distinct service or group of services offered by licensed pharmacists, physicians licensed to practice medicine in all its branches, advanced practice nurses authorized in a written agreement with a physician licensed to practice medicine in all its branches, or physician assistants authorized in guidelines by a supervising physician that optimize therapeutic outcomes for individual patients through improved medication use. In a retail or other non-hospital pharmacy, medication therapy management services shall consist of the evaluation of prescription drug orders and patient medication records to resolve conflicts with the following:

(1) known allergies;
(2) drug or potential therapy contraindications;
(3) reasonable dose, duration of use, and route of administration, taking into consideration factors such as age, gender, and contraindications;
(4) reasonable directions for use;
(5) potential or actual adverse drug reactions;
(6) drug-drug interactions;
(7) drug-food interactions;
(8) drug-disease contraindications;
(9) identification of therapeutic duplication;
(10) patient laboratory values when authorized and available;
(11) proper utilization (including over or under utilization) and optimum therapeutic outcomes; and
(12) drug abuse and misuse.

"Medication therapy management services" includes the following:
(1) documenting the services delivered and communicating the information provided to patients' prescribers within an appropriate time frame, not to exceed 48 hours;
(2) providing patient counseling designed to enhance a patient's understanding and the appropriate use of his or her medications; and
(3) providing information, support services, and resources designed to enhance a patient's adherence with his or her prescribed therapeutic regimens.

"Medication therapy management services" may also include patient care functions authorized by a physician licensed to practice medicine in all its branches for his or her identified patient or groups of patients under specified conditions or limitations in a standing order from the physician.

"Medication therapy management services" in a licensed hospital may also include the following:
(1) reviewing assessments of the patient's health status; and
(2) following protocols of a hospital pharmacy and therapeutics committee with respect to the fulfillment of medication orders.

(bb) "Pharmacist care" means the provision by a pharmacist of medication therapy management services, with or without the dispensing of drugs or devices, intended to achieve outcomes that improve patient health, quality of life, and comfort and enhance patient safety.

(cc) "Protected health information" means individually identifiable health information that, except as otherwise provided, is:
(1) transmitted by electronic media;
(2) maintained in any medium set forth in the definition of "electronic media" in the federal Health Insurance Portability and Accountability Act; or
(3) transmitted or maintained in any other form or medium.
"Protected health information" does not include individually identifiable health information found in:
(1) education records covered by the federal Family Educational Right and Privacy Act; or
(2) employment records held by a licensee in its role as an employer.
(dd) "Standing order" means a specific order for a patient or group of patients issued by a physician licensed to practice medicine in all its branches in Illinois.

(ee) "Address of record" means the address recorded by the Department in the applicant's or licensee's application file or license file, as maintained by the Department's licensure maintenance unit.

(ff) "Home pharmacy" means the location of a pharmacy's primary operations.

(Source: P.A. 96-339, eff. 7-1-10; 96-673, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1353, eff. 7-28-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1043, eff. 8-21-12.)

(225 ILCS 85/4) (from Ch. 111, par. 4124)

(Section scheduled to be repealed on January 1, 2018)

Sec. 4. Exemptions. Nothing contained in any Section of this Act shall apply to, or in any manner interfere with:

(a) the lawful practice of any physician licensed to practice medicine in all of its branches, dentist, podiatric physician podiatrist, veterinarian, or therapeutically or diagnostically certified optometrist within the limits of his or her license, or prevent him or her from supplying to his or her bona fide patients such drugs, medicines, or poisons as may seem to him appropriate;

(b) the sale of compressed gases;

(c) the sale of patent or proprietary medicines and household remedies when sold in original and unbroken packages only, if such patent or proprietary medicines and household remedies be properly and adequately labeled as to content and usage and generally considered and accepted as harmless and nonpoisonous when used according to the directions on the label, and also do not contain opium or coca leaves, or any compound, salt or derivative thereof, or any drug which, according to the latest editions of the following authoritative pharmaceutical treatises and standards, namely, The United States Pharmacopoeia/National Formulary (USP/NF), the United States Dispensatory, and the Accepted Dental Remedies of the Council of Dental Therapeutics of the American Dental Association or any or either of them, in use on the effective date of this Act, or according to the existing provisions of the Federal Food, Drug, and Cosmetic Act and Regulations of the Department of Health and Human Services, Food and Drug Administration, promulgated thereunder now in effect, is designated, described or considered as a narcotic, hypnotic, habit forming, dangerous, or poisonous drug;

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(d) the sale of poultry and livestock remedies in original and unbroken packages only, labeled for poultry and livestock medication;

(e) the sale of poisonous substances or mixture of poisonous substances, in unbroken packages, for nonmedicinal use in the arts or industries or for insecticide purposes; provided, they are properly and adequately labeled as to content and such nonmedicinal usage, in conformity with the provisions of all applicable federal, state and local laws and regulations promulgated thereunder now in effect relating thereto and governing the same, and those which are required under such applicable laws and regulations to be labeled with the word "Poison", are also labeled with the word "Poison" printed thereon in prominent type and the name of a readily obtainable antidote with directions for its administration;

(f) the delegation of limited prescriptive authority by a physician licensed to practice medicine in all its branches to a physician assistant under Section 7.5 of the Physician Assistant Practice Act of 1987. This delegated authority under Section 7.5 of the Physician Assistant Practice Act of 1987 may, but is not required to, include prescription of controlled substances, as defined in Article II of the Illinois Controlled Substances Act, in accordance with a written supervision agreement; and

(g) the delegation of prescriptive authority by a physician licensed to practice medicine in all its branches or a licensed pediatric physician podiatrist to an advanced practice nurse in accordance with a written collaborative agreement under Sections 65-35 and 65-40 of the Nurse Practice Act.

(225 ILCS 85/22) (from Ch. 111, par. 4142)

Sec. 22. Except only in the case of a drug, medicine or poison which is lawfully sold or dispensed, at retail, in the original and unbroken package of the manufacturer, packer, or distributor thereof, and which package bears the original label thereon showing the name and address of the manufacturer, packer, or distributor thereof, and the name of the drug, medicine, or poison therein contained, and the directions for its use, no person shall sell or dispense, at retail, any drug, medicine, or poison, without affixing to the box, bottle, vessel, or package containing the same, a label bearing the name of the article distinctly shown, and the directions for its use, with the name and address of the pharmacy wherein the same is

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sold or dispensed. However, in the case of a drug, medicine, or poison which is sold or dispensed pursuant to a prescription of a physician licensed to practice medicine in all of its branches, licensed dentist, licensed veterinarian, licensed podiatric physician, or therapeutically or diagnostically certified optometrist authorized by law to prescribe drugs or medicines or poisons, the label affixed to the box, bottle, vessel, or package containing the same shall show: (a) the name and address of the pharmacy wherein the same is sold or dispensed; (b) the name or initials of the person, authorized to practice pharmacy under the provisions of this Act, selling or dispensing the same, (c) the date on which such prescription was filled; (d) the name of the patient; (e) the serial number of such prescription as filed in the prescription files; (f) the last name of the practitioner who prescribed such prescriptions; (g) the directions for use thereof as contained in such prescription; and (h) the proprietary name or names or the established name or names of the drugs, the dosage and quantity, except as otherwise authorized by regulation of the Department.

(Source: P.A. 95-689, eff. 10-29-07.)

Section 65. The Illinois Physical Therapy Act is amended by changing Sections 1 and 17 as follows:

(225 ILCS 90/1) (from Ch. 111, par. 4251)
(Section scheduled to be repealed on January 1, 2016)
Sec. 1. Definitions. As used in this Act:
(1) "Physical therapy" means all of the following:

(A) Examining, evaluating, and testing individuals who may have mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other health and movement-related conditions, classifying these disorders, determining a rehabilitation prognosis and plan of therapeutic intervention, and assessing the on-going effects of the interventions.

(B) Alleviating impairments, functional limitations, or disabilities by designing, implementing, and modifying therapeutic interventions that may include, but are not limited to, the evaluation or treatment of a person through the use of the effective properties of physical measures and heat, cold, light, water, radiant energy, electricity, sound, and air and use of therapeutic massage, therapeutic exercise, mobilization, and rehabilitative procedures, with or without assistive devices, for the purposes of preventing,
correcting, or alleviating a physical or mental impairment, functional limitation, or disability.

(C) Reducing the risk of injury, impairment, functional limitation, or disability, including the promotion and maintenance of fitness, health, and wellness.

(D) Engaging in administration, consultation, education, and research.

Physical therapy includes, but is not limited to: (a) performance of specialized tests and measurements, (b) administration of specialized treatment procedures, (c) interpretation of referrals from physicians, dentists, advanced practice nurses, physician assistants, and podiatric physicians podiatrists, (d) establishment, and modification of physical therapy treatment programs, (e) administration of topical medication used in generally accepted physical therapy procedures when such medication is prescribed by the patient's physician, licensed to practice medicine in all its branches, the patient's physician licensed to practice podiatric medicine, the patient's advanced practice nurse, the patient's physician assistant, or the patient's dentist, and (f) supervision or teaching of physical therapy. Physical therapy does not include radiology, electrosurgery, chiropractic technique or determination of a differential diagnosis; provided, however, the limitation on determining a differential diagnosis shall not in any manner limit a physical therapist licensed under this Act from performing an evaluation pursuant to such license. Nothing in this Section shall limit a physical therapist from employing appropriate physical therapy techniques that he or she is educated and licensed to perform. A physical therapist shall refer to a licensed physician, advanced practice nurse, physician assistant, dentist, or podiatric physician podiatrist any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the physical therapist.

(2) "Physical therapist" means a person who practices physical therapy and who has met all requirements as provided in this Act.

(3) "Department" means the Department of Professional Regulation.

(4) "Director" means the Director of Professional Regulation.

(5) "Board" means the Physical Therapy Licensing and Disciplinary Board approved by the Director.

(6) "Referral" means a written or oral authorization for physical therapy services for a patient by a physician, dentist, advanced practice nurse, physician assistant, or podiatric physician podiatrist who maintains

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medical supervision of the patient and makes a diagnosis or verifies that the patient's condition is such that it may be treated by a physical therapist.

(7) "Documented current and relevant diagnosis" for the purpose of this Act means a diagnosis, substantiated by signature or oral verification of a physician, dentist, advanced practice nurse, physician assistant, or podiatric physician, that a patient's condition is such that it may be treated by physical therapy as defined in this Act, which diagnosis shall remain in effect until changed by the physician, dentist, advanced practice nurse, physician assistant, or podiatric physician.

(8) "State" includes:
(a) the states of the United States of America;
(b) the District of Columbia; and
(c) the Commonwealth of Puerto Rico.

(9) "Physical therapist assistant" means a person licensed to assist a physical therapist and who has met all requirements as provided in this Act and who works under the supervision of a licensed physical therapist to assist in implementing the physical therapy treatment program as established by the licensed physical therapist. The patient care activities provided by the physical therapist assistant shall not include the interpretation of referrals, evaluation procedures, or the planning or major modification of patient programs.

(10) "Physical therapy aide" means a person who has received on the job training, specific to the facility in which he is employed, but who has not completed an approved physical therapist assistant program.

(11) "Advanced practice nurse" means a person licensed under the Nurse Practice Act who has a collaborative agreement with a collaborating physician that authorizes referrals to physical therapists.

(12) "Physician assistant" means a person licensed under the Physician Assistant Practice Act of 1987 who has been delegated authority to make referrals to physical therapists.

(Source: P.A. 94-651, eff. 1-1-06; 95-639, eff. 10-5-07.)
(225 ILCS 90/17) (from Ch. 111, par. 4267)
(Section scheduled to be repealed on January 1, 2016)
Sec. 17. (1) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed $5000, with regard to a license for any one or a combination of the following:

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A. Material misstatement in furnishing information to the Department or otherwise making misleading, deceptive, untrue, or fraudulent representations in violation of this Act or otherwise in the practice of the profession;

B. Violations of this Act, or of the rules or regulations promulgated hereunder;

C. Conviction of any crime under the laws of the United States or any state or territory thereof which is a felony or which is a misdemeanor, an essential element of which is dishonesty, or of any crime which is directly related to the practice of the profession; conviction, as used in this paragraph, shall include a finding or verdict of guilty, an admission of guilt or a plea of nolo contendere;

D. Making any misrepresentation for the purpose of obtaining licenses, or violating any provision of this Act or the rules promulgated thereunder pertaining to advertising;

E. A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act;

F. Aiding or assisting another person in violating any provision of this Act or Rules;

G. Failing, within 60 days, to provide information in response to a written request made by the Department;

H. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. Unprofessional conduct shall include any departure from or the failure to conform to the minimal standards of acceptable and prevailing physical therapy practice, in which proceeding actual injury to a patient need not be established;

I. Unlawful distribution of any drug or narcotic, or unlawful conversion of any drug or narcotic not belonging to the person for such person's own use or benefit or for other than medically accepted therapeutic purposes;

J. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in a physical therapist's or physical therapist assistant's inability to practice with reasonable judgment, skill or safety;

K. Revocation or suspension of a license to practice physical therapy as a physical therapist or physical therapist assistant.

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assistant or the taking of other disciplinary action by the proper licensing authority of another state, territory or country;

L. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing contained in this paragraph prohibits persons holding valid and current licenses under this Act from practicing physical therapy in partnership under a partnership agreement, including a limited liability partnership, a limited liability company, or a corporation under the Professional Service Corporation Act or from pooling, sharing, dividing, or apportioning the fees and monies received by them or by the partnership, company, or corporation in accordance with the partnership agreement or the policies of the company or professional corporation. Nothing in this paragraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;

M. A finding by the Board that the licensee after having his or her license placed on probationary status has violated the terms of probation;

N. Abandonment of a patient;

O. Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;

P. Willfully failing to report an instance of suspected elder abuse or neglect as required by the Elder Abuse Reporting Act;

Q. Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgement, skill or safety;

R. The use of any words (such as physical therapy, physical therapist physiotherapy or physiotherapist), abbreviations, figures

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or letters with the intention of indicating practice as a licensed physical therapist without a valid license as a physical therapist issued under this Act;

S. The use of the term physical therapist assistant, or abbreviations, figures, or letters with the intention of indicating practice as a physical therapist assistant without a valid license as a physical therapist assistant issued under this Act;

T. Willfully violating or knowingly assisting in the violation of any law of this State relating to the practice of abortion;

U. Continued practice by a person knowingly having an infectious, communicable or contagious disease;

V. Having treated ailments of human beings otherwise than by the practice of physical therapy as defined in this Act, or having treated ailments of human beings as a licensed physical therapist independent of a documented referral or a documented current and relevant diagnosis from a physician, dentist, advanced practice nurse, physician assistant, or podiatric physician podiatrist, or having failed to notify the physician, dentist, advanced practice nurse, physician assistant, or podiatric physician podiatrist who established a documented current and relevant diagnosis that the patient is receiving physical therapy pursuant to that diagnosis;

W. Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;

X. Interpretation of referrals, performance of evaluation procedures, planning or making major modifications of patient programs by a physical therapist assistant;

Y. Failure by a physical therapist assistant and supervising physical therapist to maintain continued contact, including periodic personal supervision and instruction, to insure safety and welfare of patients;

Z. Violation of the Health Care Worker Self-Referral Act.

(2) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic

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suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient; and upon the recommendation of the Board to the Director that the licensee be allowed to resume his practice.

3) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 96-1482, eff. 11-29-10.)

Section 70. The Podiatric Medical Practice Act of 1987 is amended by changing Sections 11, 20.5, and 24.2 as follows:

(225 ILCS 100/11) (from Ch. 111, par. 4811)
(Section scheduled to be repealed on January 1, 2018)

Sec. 11. Practice without a license forbidden and exceptions. A. It shall be deemed prima facie evidence of the practice of podiatric medicine or of holding one's self out as a podiatric physician within the meaning of this Act, for any person to diagnose the ailments of, or to treat in any manner the human foot by medical, physical or surgical methods, or to use the title "podiatric physician" or "podiatrist" or any words or letters which indicate or tend to indicate to the public that the person so treating or so holding himself or herself out is a podiatric physician.

B. No person, except as provided in Section 3 of this Act, shall provide any type of diagnostic and therapeutic medical care services of the human foot unless under the supervision of a licensed podiatric physician.

C. Persons suitably trained and qualified may render, only under the direction of a podiatric physician licensed under this Act, such patient tests and services as diagnostic imaging procedures, laboratory studies and other appropriate patient services connected with comprehensive foot care which may be consistent with the diagnosis and treatment selected by the podiatric physician. This Section shall apply to podiatric medical care provided in all settings, including, but not limited to: long term facilities, mental health facilities, hospitals, medical offices and public health clinics.

(Source: P.A. 85-918.)

(225 ILCS 100/20.5)
(Section scheduled to be repealed on January 1, 2018)
Sec. 20.5. Delegation of authority to advanced practice nurses.

(a) A podiatric physician podiatrist in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration shall be for the purpose of providing podiatric consultation and no employment relationship shall be required. A written collaborative agreement shall conform to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services the collaborating podiatric physician podiatrist generally provides to his or her patients in the normal course of clinical podiatric practice, except as set forth in item (3) of this subsection (a). A written collaborative agreement and podiatric physician podiatric collaboration and consultation shall be adequate with respect to advanced practice nurses if all of the following apply:

(1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom, but must specify which procedures require a podiatric physician podiatrist's presence as the procedures are being performed.

(2) Practice guidelines and orders are developed and approved jointly by the advanced practice nurse and collaborating podiatric physician podiatrist, as needed, based on the practice of the practitioners. Such guidelines and orders and the patient services provided thereunder are periodically reviewed by the collaborating podiatric physician podiatrist.

(3) The advance practice nurse provides services that the collaborating podiatric physician podiatrist generally provides to his or her patients in the normal course of clinical practice. With respect to the provision of anesthesia services by a certified registered nurse anesthetist, the collaborating podiatric physician podiatrist must have training and experience in the delivery of anesthesia consistent with Department rules.

(4) The collaborating podiatric physician podiatrist and the advanced practice nurse consult at least once a month to provide collaboration and consultation.

(5) Methods of communication are available with the collaborating podiatric physician podiatrist in person or through

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telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

(6) With respect to the provision of anesthesia services by a certified registered nurse anesthetist, an anesthesiologist, physician, or podiatric physician pilotist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. The anesthesiologist or operating podiatric physician podiatrist must agree with the anesthesia plan prior to the delivery of services.

(7) The agreement contains provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(b) The collaborating podiatric physician podiatrist shall have access to the records of all patients attended to by an advanced practice nurse.

(c) Nothing in this Section shall be construed to limit the delegation of tasks or duties by a podiatric physician podiatrist to a licensed practical nurse, a registered professional nurse, or other appropriately trained persons.

(d) A podiatric physician podiatrist shall not be liable for the acts or omissions of an advanced practice nurse solely on the basis of having signed guidelines or a collaborative agreement, an order, a standing order, a standing delegation order, or other order or guideline authorizing an advanced practice nurse to perform acts, unless the podiatric physician podiatrist has reason to believe the advanced practice nurse lacked the competency to perform the act or acts or commits willful or wanton misconduct.

(e) A podiatric physician podiatrist, may, but is not required to delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(Source: P.A. 96-618, eff. 1-1-10; 97-358, eff. 8-12-11; 97-813, eff. 7-13-12.)

(225 ILCS 100/24.2)
(Section scheduled to be repealed on January 1, 2018)
Sec. 24.2. Prohibition against fee splitting.

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(a) A licensee under this Act may not directly or indirectly divide, share, or split any professional fee or other form of compensation for professional services with anyone in exchange for a referral or otherwise, other than as provided in this Section 24.2.

(b) Nothing contained in this Section abrogates the right of 2 or more licensed health care workers as defined in the Health Care Worker Self-Referral Act to each receive adequate compensation for concurrently rendering services to a patient and to divide the fee for such service, whether or not the worker is employed, provided that the patient has full knowledge of the division and the division is made in proportion to the actual services personally performed and responsibility assumed by each licensee consistent with his or her license, except as prohibited by law.

(c) Nothing contained in this Section prohibits a licensee under this Act from practicing podiatry through or within any form of legal entity authorized to conduct business in this State or from pooling, sharing, dividing, or apportioning the professional fees and other revenues in accordance with the agreements and policies of the entity provided:

(1) each owner of the entity is licensed under this Act; or
(2) the entity is organized under the Professional Services Corporation Act, the Professional Association Act, or the Limited Liability Company Act; or
(3) the entity is allowed by Illinois law to provide podiatry services or employ podiatric physicians such as a licensed hospital or hospital affiliate or licensed ambulatory surgical treatment center owned in full or in part by Illinois-licensed physicians; or
(4) the entity is a combination or joint venture of the entities authorized under this subsection (c).

(d) Nothing contained in this Section prohibits a licensee under this Act from paying a fair market value fee to any person or entity whose purpose is to perform billing, administrative preparation, or collection services based upon a percentage of professional service fees billed or collected, a flat fee, or any other arrangement that directly or indirectly divides professional fees, for the administrative preparation of the licensee's claims or the collection of the licensee's charges for professional services, provided that:

(1) the licensee or the licensee's practice under subsection (c) of this Section at all times controls the amount of fees charged and collected; and

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(2) all charges collected are paid directly to the licensee or the licensee's practice or are deposited directly into an account in the name of and under the sole control of the licensee or the licensee's practice or deposited into a "Trust Account" by a licensed collection agency in accordance with the requirements of Section 8(c) of the Illinois Collection Agency Act.

(e) Nothing contained in this Section prohibits the granting of a security interest in the accounts receivable or fees of a licensee under this Act or the licensee's practice for bona fide advances made to the licensee or licensee's practice provided the licensee retains control and responsibility for the collection of the accounts receivable and fees.

(f) Excluding payments that may be made to the owners of or licensees in the licensee's practice under subsection (c) of this Section, a licensee under this Act may not divide, share or split a professional service fee with, or otherwise directly or indirectly pay a percentage of the licensee's professional service fees, revenues or profits to anyone for: (i) the marketing or management of the licensee's practice, (ii) including the licensee or the licensee's practice on any preferred provider list, (iii) allowing the licensee to participate in any network of health care providers, (iv) negotiating fees, charges or terms of service or payment on behalf of the licensee, or (v) including the licensee in a program whereby patients or beneficiaries are provided an incentive to use the services of the licensee.

(g) Nothing contained in this Section prohibits the payment of rent or other remunerations paid to an individual, partnership, or corporation by a licensee for the lease, rental, or use of space, owned or controlled by the individual, partnership, corporation, or association.

(h) Nothing contained in this Section prohibits the payment, at no more than fair market value, to an individual, partnership, or corporation by a licensee for the use of staff, administrative services, franchise agreements, marketing required by franchise agreements, or equipment owned or controlled by the individual, partnership, or corporation, or the receipt thereof by a licensee.

(i) Nothing in this Section affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the

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licensee's practice under this Act. Nothing in this Section shall be construed to require an employment arrangement to receive professional fees for services rendered.
(Source: P.A. 96-1158, eff. 1-1-11; incorporates P.A. 96-1482, eff. 11-29-11; 97-813, eff. 7-13-12.)

Section 75. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by changing Section 10 as follows:

(225 ILCS 130/10)
(Section scheduled to be repealed on January 1, 2014)
Sec. 10. Definitions. As used in this Act:
"Department" means the Department of Professional Regulation.
"Direct supervision" means supervision by an operating physician, licensed podiatric physician podiatrist, or licensed dentist who is physically present and who personally directs delegated acts and remains available to personally respond to an emergency until the patient is released from the operating room. A registered professional nurse may also provide direct supervision within the scope of his or her license. A registered surgical assistant or registered surgical technologist shall perform duties as assigned.
"Director" means the Director of Professional Regulation.
"Physician" or "operating physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Registered surgical assistant" means a person who (i) is not licensed to practice medicine in all of its branches, (ii) is certified by the National Surgical Assistant Association on the Certification of Surgical Assistants, the Liaison Council on Certification for the Surgical Technologist as a certified first assistant, or the American Board of Surgical Assisting, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.

"Registered surgical technologist" means a person who (i) is not a physician licensed to practice medicine in all of its branches, (ii) is certified by the Liaison Council on Certification for the Surgical Technologist, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office
of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.
(Source: P.A. 93-280, eff. 7-1-04.)

Section 80. The Illinois Public Aid Code is amended by changing Section 12-4.25 as follows:
(305 ILCS 5/12-4.25) (from Ch. 23, par. 12-4.25)
Sec. 12-4.25. Medical assistance program; vendor participation.

(A) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, and may deny, suspend, or recover payments, if after reasonable notice and opportunity for a hearing the Illinois Department finds:

(a) Such vendor is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its vendor agreement, which document shall be developed by the Department as a result of negotiations with each vendor category, including physicians, hospitals, long term care facilities, pharmacists, optometrists, podiatric physicians podiatrists and dentists setting forth the terms and conditions applicable to the participation of each vendor group in the program; or

(b) Such vendor has failed to keep or make available for inspection, audit or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed for providing services. This section does not require vendors to make available patient records of patients for whom services are not reimbursed under this Code; or

(c) Such vendor has failed to furnish any information requested by the Department regarding payments for providing goods or services; or

(d) Such vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or

(e) Such vendor has furnished goods or services to a recipient which are (1) in excess of need, (2) harmful, or (3) of
grossly inferior quality, all of such determinations to be based upon competent medical judgment and evaluations; or

(f) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

1) was previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or was terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program; or

2) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

4) was an owner of a sole proprietorship or partner of a partnership previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or
(f-1) Such vendor has a delinquent debt owed to the Illinois Department; or

(g) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

   (1) has engaged in practices prohibited by applicable federal or State law or regulation; or

   (2) was a person with management responsibility for a vendor at the time that such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

   (3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

   (4) was an owner of a sole proprietorship or partner of a partnership which was a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

(h) The direct or indirect ownership of the vendor (including the ownership of a vendor that is a sole proprietorship, a partner's interest in a vendor that is a partnership, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(A-5) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that the vendor; a person with management

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responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship that is a vendor; or a partner in a partnership that is a vendor has been convicted of an offense based on fraud or willful misrepresentation related to any of the following:

1. The medical assistance program under Article V of this Code.
2. A medical assistance or health care program in another state.
3. The Medicare program under Title XVIII of the Social Security Act.
4. The provision of health care services.
5. A violation of this Code, as provided in Article VIIIA, or another state or federal medical assistance program or health care program.

(A-10) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of an offense related to any of the following:

1. Murder.
3. Sexual misconduct that may subject recipients to an undue risk of harm.
4. A criminal offense that may subject recipients to an undue risk of harm.
5. A crime of fraud or dishonesty.
6. A crime involving a controlled substance.
7. A misdemeanor relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct related to a health care program.

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(A-15) The Illinois Department may deny the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V if, after reasonable notice and opportunity for a hearing, the Illinois Department finds:

1. The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership applicant; or a technical or other advisor to an applicant has a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by the applicant.

2. The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership vendor applicant; or a technical or other advisor to an applicant was (i) a person with management responsibility, (ii) an officer or member of the board of directors of an applicant, (iii) an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship, (v) a partner in a partnership vendor, (vi) a technical or other advisor to a vendor, during a period of time where the conduct of that vendor resulted in a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor.

3. There is a credible allegation of the use, transfer, or lease of assets of any kind to an applicant from a current or prior vendor who has a debt owed to the Illinois Department, no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

4. There is a credible allegation of a transfer of management responsibilities, or direct or indirect ownership, to an applicant from a current or prior vendor who has a debt owed to...
the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

(5) There is a credible allegation of the use, transfer, or lease of assets of any kind to an applicant who is a spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, relative by marriage, nephew, cousin, or relative of a current or prior vendor who has a debt owed to the Illinois Department and no payment arrangements acceptable to the Illinois Department have been made.

(6) There is a credible allegation that the applicant's previous affiliations with a provider of medical services that has an uncollected debt, a provider that has been or is subject to a payment suspension under a federal health care program, or a provider that has been previously excluded from participation in the medical assistance program, poses a risk of fraud, waste, or abuse to the Illinois Department.

As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability.

(B) The Illinois Department shall deny, suspend or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor:

(1) immediately, if such vendor is not properly licensed, certified, or authorized;

(2) within 30 days of the date when such vendor's professional license, certification or other authorization has been refused renewal, restricted, revoked, suspended, or otherwise terminated; or

(3) if such vendor has been convicted of a violation of this Code, as provided in Article VIIIA.

(C) Upon termination, suspension, or exclusion of a vendor of goods or services from participation in the medical assistance program

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authorized by this Article, a person with management responsibility for such vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion is barred from participation in the medical assistance program.

Upon termination, suspension, or exclusion of a corporate vendor, the officers and persons owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in the vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a terminated, suspended, or excluded vendor may not transfer his or her ownership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Upon termination, suspension, or exclusion of a sole proprietorship or partnership, the owner or partners during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. The owner of a terminated, suspended, or excluded vendor that is a sole proprietorship, and a partner in a terminated, suspended, or excluded vendor that is a partnership, may not transfer his or her ownership or partnership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor who owes a debt to the Department, if that vendor has not made payment arrangements acceptable to the Department, shall not transfer his or her ownership interest in that vendor, or vendor assets of any kind, to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Rules adopted by the Illinois Department to implement these provisions shall specifically include a definition of the term "management responsibility" as used in this Section. Such definition shall include, but not be limited to, typical job titles, and duties and descriptions which will be considered as within the definition of individuals with management responsibility for a provider.
A vendor or a prior vendor who has been terminated, excluded, or suspended from the medical assistance program, or from another state or federal medical assistance or health care program, and any individual currently or previously barred from the medical assistance program, or from another state or federal medical assistance or health care program, as a result of being an officer or a person owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion, may be required to post a surety bond as part of a condition of enrollment or participation in the medical assistance program. The Illinois Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

A vendor or a prior vendor who has a debt owed to the Illinois Department and any individual currently or previously barred from the medical assistance program, or from another state or federal medical assistance or health care program, as a result of being an officer or a person owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in that corporate or limited liability company vendor during the time of any conduct which served as the basis for the debt, may be required to post a surety bond as part of a condition of enrollment or participation in the medical assistance program. The Illinois Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

(D) If a vendor has been suspended from the medical assistance program under Article V of the Code, the Director may require that such vendor correct any deficiencies which served as the basis for the suspension. The Director shall specify in the suspension order a specific period of time, which shall not exceed one year from the date of the order, during which a suspended vendor shall not be eligible to participate. At the conclusion of the period of suspension the Director shall reinstate such vendor, unless he finds that such vendor has not corrected deficiencies upon which the suspension was based.

If a vendor has been terminated, suspended, or excluded from the medical assistance program under Article V, such vendor shall be barred from participation for at least one year, except that if a vendor has been terminated, suspended, or excluded based on a conviction of a violation of Article VIII A or a conviction of a felony based on fraud or a willful

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misrepresentation related to (i) the medical assistance program under Article V, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services, then the vendor shall be barred from participation for 5 years or for the length of the vendor's sentence for that conviction, whichever is longer. At the end of one year a vendor who has been terminated, suspended, or excluded may apply for reinstatement to the program. Upon proper application to be reinstated such vendor may be deemed eligible by the Director providing that such vendor meets the requirements for eligibility under this Code. If such vendor is deemed not eligible for reinstatement, he shall be barred from again applying for reinstatement for one year from the date his application for reinstatement is denied.

A vendor whose termination, suspension, or exclusion from participation in the Illinois medical assistance program under Article V was based solely on an action by a governmental entity other than the Illinois Department may, upon reinstatement by that governmental entity or upon reversal of the termination, suspension, or exclusion, apply for rescission of the termination, suspension, or exclusion from participation in the Illinois medical assistance program. Upon proper application for rescission, the vendor may be deemed eligible by the Director if the vendor meets the requirements for eligibility under this Code.

If a vendor has been terminated, suspended, or excluded and reinstated to the medical assistance program under Article V and the vendor is terminated, suspended, or excluded a second or subsequent time from the medical assistance program, the vendor shall be barred from participation for at least 2 years, except that if a vendor has been terminated, suspended, or excluded a second time based on a conviction of a violation of Article VIIIA or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services, then the vendor shall be barred from participation for life. At the end of 2 years, a vendor who has been terminated, suspended, or excluded may apply for reinstatement to the program. Upon application to be reinstated, the vendor may be deemed eligible if the vendor meets the requirements for eligibility under this Code. If the vendor is deemed not eligible for reinstatement, the vendor shall be barred from again applying for reinstatement for 2 years from the date the vendor's application for reinstatement is denied.
(E) The Illinois Department may recover money improperly or erroneously paid, or overpayments, either by setoff, crediting against future billings or by requiring direct repayment to the Illinois Department. The Illinois Department may suspend or deny payment, in whole or in part, if such payment would be improper or erroneous or would otherwise result in overpayment.

(1) Payments may be suspended, denied, or recovered from a vendor or alternate payee: (i) for services rendered in violation of the Illinois Department's provider notices, statutes, rules, and regulations; (ii) for services rendered in violation of the terms and conditions prescribed by the Illinois Department in its vendor agreement; (iii) for any vendor who fails to grant the Office of Inspector General timely access to full and complete records, including, but not limited to, records relating to recipients under the medical assistance program for the most recent 6 years, in accordance with Section 140.28 of Title 89 of the Illinois Administrative Code, and other information for the purpose of audits, investigations, or other program integrity functions, after reasonable written request by the Inspector General; this subsection (E) does not require vendors to make available the medical records of patients for whom services are not reimbursed under this Code or to provide access to medical records more than 6 years old; (iv) when the vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or (v) when the vendor previously rendered services while terminated, suspended, or excluded from participation in the medical assistance program or while terminated or excluded from participation in another state or federal medical assistance or health care program.

(2) Notwithstanding any other provision of law, if a vendor has the same taxpayer identification number (assigned under Section 6109 of the Internal Revenue Code of 1986) as is assigned to a vendor with past-due financial obligations to the Illinois Department, the Illinois Department may make any necessary adjustments to payments to that vendor in order to satisfy any past-due obligations, regardless of whether the vendor is assigned a different billing number under the medical assistance program. If the Illinois Department establishes through an administrative hearing that the overpayments resulted from the vendor or alternate payee.

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knowingly making, using, or causing to be made or used, a false record or statement to obtain payment or other benefit from the medical assistance program under Article V, the Department may recover interest on the amount of the payment or other benefit at the rate of 5% per annum. In addition to any other penalties that may be prescribed by law, such a vendor or alternate payee shall be subject to civil penalties consisting of an amount not to exceed 3 times the amount of payment or other benefit resulting from each such false record or statement, and the sum of $2,000 for each such false record or statement for payment or other benefit. For purposes of this paragraph, "knowingly" means that a vendor or alternate payee with respect to information: (i) has actual knowledge of the information, (ii) acts in deliberate ignorance of the truth or falsity of the information, or (iii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

(F) The Illinois Department may withhold payments to any vendor or alternate payee prior to or during the pendency of any audit or proceeding under this Section, and through the pendency of any administrative appeal or administrative review by any court proceeding. The Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be withheld under this Section. Payments may be denied for bills submitted with service dates occurring during the pendency of a proceeding, after a final decision has been rendered, or after the conclusion of any administrative appeal, where the final administrative decision is to terminate, exclude, or suspend eligibility to participate in the medical assistance program. The Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be denied for such bills. The Illinois Department shall state by rule a process and criteria by which a vendor or alternate payee may request full or partial release of payments withheld under this subsection. The Department must complete a proceeding under this Section in a timely manner.

Notwithstanding recovery allowed under subsection (E) or this subsection (F), the Illinois Department may withhold payments to any vendor or alternate payee who is not properly licensed, certified, or in compliance with State or federal agency regulations. Payments may be denied for bills submitted with service dates occurring during the period of time that a vendor is not properly licensed, certified, or in compliance with State or federal regulations. Facilities licensed under the Nursing Home

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Care Act shall have payments denied or withheld pursuant to subsection (I) of this Section.

(F-5) The Illinois Department may temporarily withhold payments to a vendor or alternate payee if any of the following individuals have been indicted or otherwise charged under a law of the United States or this or any other state with an offense that is based on alleged fraud or willful misrepresentation on the part of the individual related to (i) the medical assistance program under Article V of this Code, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services:

(1) If the vendor or alternate payee is a corporation: an officer of the corporation or an individual who owns, either directly or indirectly, 5% or more of the shares of stock or other evidence of ownership of the corporation.

(2) If the vendor is a sole proprietorship: the owner of the sole proprietorship.

(3) If the vendor or alternate payee is a partnership: a partner in the partnership.

(4) If the vendor or alternate payee is any other business entity authorized by law to transact business in this State: an officer of the entity or an individual who owns, either directly or indirectly, 5% or more of the evidences of ownership of the entity.

If the Illinois Department withholds payments to a vendor or alternate payee under this subsection, the Department shall not release those payments to the vendor or alternate payee while any criminal proceeding related to the indictment or charge is pending unless the Department determines that there is good cause to release the payments before completion of the proceeding. If the indictment or charge results in the individual's conviction, the Illinois Department shall retain all withheld payments, which shall be considered forfeited to the Department. If the indictment or charge does not result in the individual's conviction, the Illinois Department shall release to the vendor or alternate payee all withheld payments.

(F-10) If the Illinois Department establishes that the vendor or alternate payee owes a debt to the Illinois Department, and the vendor or alternate payee subsequently fails to pay or make satisfactory payment arrangements with the Illinois Department for the debt owed, the Illinois Department may seek all remedies available under the law of this State to
recover the debt, including, but not limited to, wage garnishment or the filing of claims or liens against the vendor or alternate payee.

(F-15) Enforcement of judgment.

(1) Any fine, recovery amount, other sanction, or costs imposed, or part of any fine, recovery amount, other sanction, or cost imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law is a debt due and owing the State and may be collected using all remedies available under the law.

(2) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final administrative decision, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Director may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(3) In any case in which any person or entity has failed to comply with a judgment ordering or imposing any fine or other sanction, any expenses incurred by the Illinois Department to enforce the judgment, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or the Director, shall be a debt due and owing the State and may be collected in accordance with applicable law. Prior to any expenses being fixed by a final administrative decision pursuant to this subsection (F-15), the Illinois Department shall provide notice to the individual or entity that states that the individual or entity shall appear at a hearing before the administrative hearing officer to determine whether the individual or entity has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than 7 days from the date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

(4) Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the individual or entity in the amount of any debt due and owing the State under this Section. The lien may be enforced in the same manner as a judgment of a court of competent jurisdiction. A lien shall attach to all property and assets of such
person, firm, corporation, association, agency, institution, or other legal entity until the judgment is satisfied.

(5) The Director may set aside any judgment entered by default and set a new hearing date upon a petition filed at any time (i) if the petitioner's failure to appear at the hearing was for good cause, or (ii) if the petitioner established that the Department did not provide proper service of process. If any judgment is set aside pursuant to this paragraph (5), the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the Illinois Department as a result of the vacated default judgment.

(G) The provisions of the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Illinois Department under this Section. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(G-5) Vendors who pose a risk of fraud, waste, abuse, or harm.

(1) Notwithstanding any other provision in this Section, the Department may terminate, suspend, or exclude vendors who pose a risk of fraud, waste, abuse, or harm from participation in the medical assistance program prior to an evidentiary hearing but after reasonable notice and opportunity to respond as established by the Department by rule.

(2) Vendors who pose a risk of fraud, waste, abuse, or harm shall submit to a fingerprint-based criminal background check on current and future information available in the State system and current information available through the Federal Bureau of Investigation's system by submitting all necessary fees and information in the form and manner prescribed by the Department of State Police. The following individuals shall be subject to the check:

(A) In the case of a vendor that is a corporation, every shareholder who owns, directly or indirectly, 5% or more of the outstanding shares of the corporation.

(B) In the case of a vendor that is a partnership, every partner.

(C) In the case of a vendor that is a sole proprietorship, the sole proprietor.

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(D) Each officer or manager of the vendor.

Each such vendor shall be responsible for payment of the cost of the criminal background check.

(3) Vendors who pose a risk of fraud, waste, abuse, or harm may be required to post a surety bond. The Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

(4) The Department, or its agents, may refuse to accept requests for authorization from specific vendors who pose a risk of fraud, waste, abuse, or harm, including prior-approval and post-approval requests, if:

(A) the Department has initiated a notice of termination, suspension, or exclusion of the vendor from participation in the medical assistance program; or

(B) the Department has issued notification of its withholding of payments pursuant to subsection (F-5) of this Section; or

(C) the Department has issued a notification of its withholding of payments due to reliable evidence of fraud or willful misrepresentation pending investigation.

(5) As used in this subsection, the following terms are defined as follows:

(A) "Fraud" means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or herself or some other person. It includes any act that constitutes fraud under applicable federal or State law.

(B) "Abuse" means provider practices that are inconsistent with sound fiscal, business, or medical practices and that result in an unnecessary cost to the medical assistance program or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the medical assistance program. Abuse does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

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(C) "Waste" means the unintentional misuse of medical assistance resources, resulting in unnecessary cost to the medical assistance program. Waste does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

(D) "Harm" means physical, mental, or monetary damage to recipients or to the medical assistance program.

(G-6) The Illinois Department, upon making a determination based upon information in the possession of the Illinois Department that continuation of participation in the medical assistance program by a vendor would constitute an immediate danger to the public, may immediately suspend such vendor's participation in the medical assistance program without a hearing. In instances in which the Illinois Department immediately suspends the medical assistance program participation of a vendor under this Section, a hearing upon the vendor's participation must be convened by the Illinois Department within 15 days after such suspension and completed without appreciable delay. Such hearing shall be held to determine whether to recommend to the Director that the vendor's medical assistance program participation be denied, terminated, suspended, placed on provisional status, or reinstated. In the hearing, any evidence relevant to the vendor constituting an immediate danger to the public may be introduced against such vendor; provided, however, that the vendor, or his or her counsel, shall have the opportunity to discredit, impeach, and submit evidence rebutting such evidence.

(H) Nothing contained in this Code shall in any way limit or otherwise impair the authority or power of any State agency responsible for licensing of vendors.

(I) Based on a finding of noncompliance on the part of a nursing home with any requirement for certification under Title XVIII or XIX of the Social Security Act (42 U.S.C. Sec. 1395 et seq. or 42 U.S.C. Sec. 1396 et seq.), the Illinois Department may impose one or more of the following remedies after notice to the facility:

1. Termination of the provider agreement.
2. Temporary management.
3. Denial of payment for new admissions.
4. Civil money penalties.
5. Closure of the facility in emergency situations or transfer of residents, or both.

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(7) Denial of all payments when the U.S. Department of Health and Human Services has imposed this sanction.

The Illinois Department shall by rule establish criteria governing continued payments to a nursing facility subsequent to termination of the facility's provider agreement if, in the sole discretion of the Illinois Department, circumstances affecting the health, safety, and welfare of the facility's residents require those continued payments. The Illinois Department may condition those continued payments on the appointment of temporary management, sale of the facility to new owners or operators, or other arrangements that the Illinois Department determines best serve the needs of the facility's residents.

Except in the case of a facility that has a right to a hearing on the finding of noncompliance before an agency of the federal government, a facility may request a hearing before a State agency on any finding of noncompliance within 60 days after the notice of the intent to impose a remedy. Except in the case of civil money penalties, a request for a hearing shall not delay imposition of the penalty. The choice of remedies is not appealable at a hearing. The level of noncompliance may be challenged only in the case of a civil money penalty. The Illinois Department shall provide by rule for the State agency that will conduct the evidentiary hearings.

The Illinois Department may collect interest on unpaid civil money penalties.

The Illinois Department may adopt all rules necessary to implement this subsection (I).

(J) The Illinois Department, by rule, may permit individual practitioners to designate that Department payments that may be due the practitioner be made to an alternate payee or alternate payees.

(a) Such alternate payee or alternate payees shall be required to register as an alternate payee in the Medical Assistance Program with the Illinois Department.

(b) If a practitioner designates an alternate payee, the alternate payee and practitioner shall be jointly and severally liable to the Department for payments made to the alternate payee. Pursuant to subsection (E) of this Section, any Department action to suspend or deny payment or recover money or overpayments from an alternate payee shall be subject to an administrative hearing.

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(c) Registration as an alternate payee or alternate payees in the Illinois Medical Assistance Program shall be conditional. At any time, the Illinois Department may deny or cancel any alternate payee's registration in the Illinois Medical Assistance Program without cause. Any such denial or cancellation is not subject to an administrative hearing.

(d) The Illinois Department may seek a revocation of any alternate payee, and all owners, officers, and individuals with management responsibility for such alternate payee shall be permanently prohibited from participating as an owner, an officer, or an individual with management responsibility with an alternate payee in the Illinois Medical Assistance Program, if after reasonable notice and opportunity for a hearing the Illinois Department finds that:

(1) the alternate payee is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its alternate payee registration agreement; or

(2) the alternate payee has failed to keep or make available for inspection, audit, or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed as an alternate payee; or

(3) the alternate payee has failed to furnish any information requested by the Illinois Department regarding payments claimed as an alternate payee; or

(4) the alternate payee has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the Illinois Medical Assistance Program; or

(5) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) was previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the
Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code; or

(b) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(d) was an owner of a sole proprietorship or partner in a partnership previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program,
or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(6) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) has engaged in conduct prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(b) was a person with management responsibility for a vendor or alternate payee at the time that the vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(d) was an owner of a sole proprietorship or partner in a partnership which was a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

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(7) the direct or indirect ownership of the vendor or alternate payee (including the ownership of a vendor or alternate payee that is a partner's interest in a vendor or alternate payee, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor or alternate payee) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor or is prohibited or revoked as an alternate payee to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(K) The Illinois Department of Healthcare and Family Services may withhold payments, in whole or in part, to a provider or alternate payee where there is credible evidence, received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit, that the circumstances giving rise to the need for a withholding of payments may involve fraud or willful misrepresentation under the Illinois Medical Assistance program. The Department shall by rule define what constitutes "credible" evidence for purposes of this subsection. The Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a reconsideration of payment withholding, and the Department must grant such a request. The Department shall state by rule a process and criteria by which a provider or alternate payee may request full or partial release of payments withheld under this subsection. This request may be made at any time after the Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action. The notice must set forth the general allegations as to the nature of the withholding action, but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

(1) State that payments are being withheld in accordance with this subsection.

(2) State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.

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(3) Specify, when appropriate, which type or types of Medicaid claims withholding is effective.

(4) Inform the provider or alternate payee of the right to submit written evidence for reconsideration of the withholding by the Illinois Department.

(5) Inform the provider or alternate payee that a written request may be made to the Illinois Department for full or partial release of withheld payments and that such requests may be made at any time after the Department first withholds such payments.

(b) All withholding-of-payment actions under this subsection shall be temporary and shall not continue after any of the following:

(1) The Illinois Department or the prosecuting authorities determine that there is insufficient evidence of fraud or willful misrepresentation by the provider or alternate payee.

(2) Legal proceedings related to the provider's or alternate payee's alleged fraud, willful misrepresentation, violations of this Act, or violations of the Illinois Department's administrative rules are completed.

(3) The withholding of payments for a period of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K).

(K-5) The Illinois Department may withhold payments, in whole or in part, to a provider or alternate payee upon initiation of an audit, quality of care review, investigation when there is a credible allegation of fraud, or the provider or alternate payee demonstrating a clear failure to cooperate with the Illinois Department such that the circumstances give rise to the need for a withholding of payments. As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability. The Illinois Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a hearing or a reconsideration of

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payment withholding, and the Illinois Department must grant such a request. The Illinois Department shall state by rule a process and criteria by which a provider or alternate payee may request a hearing or a reconsideration for the full or partial release of payments withheld under this subsection. This request may be made at any time after the Illinois Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action. The notice must set forth the general allegations as to the nature of the withholding action but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

1. State that payments are being withheld in accordance with this subsection.
2. State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.
3. Specify, when appropriate, which type or types of claims are withheld.
4. Inform the provider or alternate payee of the right to request a hearing or a reconsideration of the withholding by the Illinois Department, including the ability to submit written evidence.
5. Inform the provider or alternate payee that a written request may be made to the Illinois Department for a hearing or a reconsideration for the full or partial release of withheld payments and that such requests may be made at any time after the Illinois Department first withholds such payments.

(b) All withholding of payment actions under this subsection shall be temporary and shall not continue after any of the following:

1. The Illinois Department determines that there is insufficient evidence of fraud, or the provider or alternate payee demonstrates clear cooperation with the Illinois Department, as determined by the Illinois Department, such that the circumstances do not give rise to the need for withholding of payments; or

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(2) The withholding of payments has lasted for a period in excess of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K-5).

(L) The Illinois Department shall establish a protocol to enable health care providers to disclose an actual or potential violation of this Section pursuant to a self-referral disclosure protocol, referred to in this subsection as "the protocol". The protocol shall include direction for health care providers on a specific person, official, or office to whom such disclosures shall be made. The Illinois Department shall post information on the protocol on the Illinois Department's public website. The Illinois Department may adopt rules necessary to implement this subsection (L). In addition to other factors that the Illinois Department finds appropriate, the Illinois Department may consider a health care provider's timely use or failure to use the protocol in considering the provider's failure to comply with this Code.

(M) Notwithstanding any other provision of this Code, the Illinois Department, at its discretion, may exempt an entity licensed under the Nursing Home Care Act and the ID/DD Community Care Act from the provisions of subsections (A-15), (B), and (C) of this Section if the licensed entity is in receivership.

(Source: P.A. 97-689, eff. 6-14-12; revised 8-3-12.)

Section 85. The Abused and Neglected Child Reporting Act is amended by changing Section 4 as follows:

(325 ILCS 5/4) (from Ch. 23, par. 2054)

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatric physician podiatrist, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), personnel of institutions of higher education, educational advocate assigned to a child pursuant to the School Code, member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child
abuse), truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational or athletic program or facility personnel, early intervention provider as defined in the Early Intervention Services System Act, law enforcement officer, licensed professional counselor, licensed clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, animal control officer or Illinois Department of Agriculture Bureau of Animal Health and Welfare field investigator, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.  

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.  

Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.  

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or
other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

Notwithstanding any other provision of this Act, if an employee of a school district has made a report or caused a report to be made to the Department under this Act involving the conduct of a current or former employee of the school district and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department, as required under this Act. Only the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department may be disclosed by the general superintendent of the school district to which the request for information concerning the applicant is made, and this fact may be disclosed only in cases where the employee and the general superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district must be informed by that school district that if he or she applies for employment with another school district, the general superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting school district that the employee is or was the subject of such a report.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge

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of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required by this Act or constitute grounds for failure to share information or documents with the Department during the course of a child abuse or neglect investigation. If requested by the professional, the Department shall confirm in writing that the information or documents disclosed by the professional were gathered in the course of a child abuse or neglect investigation.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

Any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives shall provide to all office personnel copies of written information and training materials about abuse and neglect and the requirements of this Act that are provided to employees of the office, clinic, or physical location who are required to make reports to the Department under this Act, and instruct such office personnel to bring to the attention of an employee of the office, clinic, or physical location who is required to make reports to the Department under this Act any reasonable suspicion that a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child. In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.
The Department shall provide copies of this Act, upon request, to all employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the "Criminal Code of 1961". A violation of this provision is a Class 4 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

Nothing in this Act prohibits a mandated reporter who reasonably believes that an animal is being abused or neglected in violation of the Humane Care for Animals Act from reporting animal abuse or neglect to the Department of Agriculture's Bureau of Animal Health and Welfare.

A home rule unit may not regulate the reporting of child abuse or neglect in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.
Section 90. The AIDS Confidentiality Act is amended by changing Section 3 as follows:

(410 ILCS 305/3) (from Ch. 111 1/2, par. 7303)
Sec. 3. When used in this Act:
(a) "Department" means the Illinois Department of Public Health.
(b) "AIDS" means acquired immunodeficiency syndrome.
(c) "HIV" means the Human Immunodeficiency Virus or any other identified causative agent of AIDS.
(d) "Informed consent" means a written or verbal agreement by the subject of a test or the subject's legally authorized representative without undue inducement or any element of force, fraud, deceit, duress or other form of constraint or coercion, which entails at least the following pre-test information:

(1) a fair explanation of the test, including its purpose, potential uses, limitations and the meaning of its results; and
(2) a fair explanation of the procedures to be followed, including the voluntary nature of the test, the right to withdraw consent to the testing process at any time, the right to anonymity to the extent provided by law with respect to participation in the test and disclosure of test results, and the right to confidential treatment of information identifying the subject of the test and the results of the test, to the extent provided by law.

Pre-test information may be provided in writing, verbally, or by video, electronic, or other means. The subject must be offered an opportunity to ask questions about the HIV test and decline testing. Nothing in this Act shall prohibit a health care provider from combining a form used to obtain informed consent for HIV testing with forms used to obtain written consent for general medical care or any other medical test or procedure provided that the forms make it clear that the subject may consent to general medical care, tests, or medical procedures without being required to consent to HIV testing and clearly explain how the subject may opt-out of HIV testing.

(e) "Health facility" means a hospital, nursing home, blood bank, blood center, sperm bank, or other health care institution, including any "health facility" as that term is defined in the Illinois Finance Authority Act.

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(f) "Health care provider" means any health care professional, nurse, paramedic, psychologist or other person providing medical, nursing, psychological, or other health care services of any kind.

(f-5) "Health care professional" means (i) a licensed physician, (ii) a physician assistant to whom the physician assistant's supervising physician has delegated the provision of AIDS and HIV-related health services, (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician which authorizes the provision of AIDS and HIV-related health services, (iv) a licensed dentist, (v) a licensed podiatric physician, or (vi) an individual certified to provide HIV testing and counseling by a state or local public health department.

(g) "Test" or "HIV test" means a test to determine the presence of the antibody or antigen to HIV, or of HIV infection.

(h) "Person" includes any natural person, partnership, association, joint venture, trust, governmental entity, public or private corporation, health facility or other legal entity.

(Source: P.A. 95-7, eff. 6-1-08; 95-331, eff. 8-21-07.)

Section 95. The Illinois Sexually Transmissible Disease Control Act is amended by changing Section 5.5 as follows:

(410 ILCS 325/5.5) (from Ch. 111 1/2, par. 7405.5)

Sec. 5.5. Risk assessment.

(a) Whenever the Department receives a report of HIV infection or AIDS pursuant to this Act and the Department determines that the subject of the report may present or may have presented a possible risk of HIV transmission, the Department shall, when medically appropriate, investigate the subject of the report and that person's contacts as defined in subsection (c), to assess the potential risks of transmission. Any investigation and action shall be conducted in a timely fashion. All contacts other than those defined in subsection (c) shall be investigated in accordance with Section 5 of this Act.

(b) If the Department determines that there is or may have been potential risks of HIV transmission from the subject of the report to other persons, the Department shall afford the subject the opportunity to submit any information and comment on proposed actions the Department intends to take with respect to the subject's contacts who are at potential risk of transmission of HIV prior to notification of the subject's contacts. The Department shall also afford the subject of the report the opportunity to notify the subject's contacts in a timely fashion who are at potential risk of

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transmission of HIV prior to the Department taking any steps to notify such contacts. If the subject declines to notify such contacts or if the Department determines the notices to be inadequate or incomplete, the Department shall endeavor to notify such other persons of the potential risk, and offer testing and counseling services to these individuals. When the contacts are notified, they shall be informed of the disclosure provisions of the AIDS Confidentiality Act and the penalties therein and this Section.

(c) Contacts investigated under this Section shall in the case of HIV infection include (i) individuals who have undergone invasive procedures performed by an HIV infected health care provider and (ii) health care providers who have performed invasive procedures for persons infected with HIV, provided the Department has determined that there is or may have been potential risk of HIV transmission from the health care provider to those individuals or from infected persons to health care providers. The Department shall have access to the subject's records to review for the identity of contacts. The subject's records shall not be copied or seized by the Department.

For purposes of this subsection, the term "invasive procedures" means those procedures termed invasive by the Centers for Disease Control in current guidelines or recommendations for the prevention of HIV transmission in health care settings, and the term "health care provider" means any physician, dentist, podiatric physician, podiatrist, advanced practice nurse, physician assistant, nurse, or other person providing health care services of any kind.

(d) All information and records held by the Department and local health authorities pertaining to activities conducted pursuant to this Section shall be strictly confidential and exempt from copying and inspection under the Freedom of Information Act. Such information and records shall not be released or made public by the Department or local health authorities, and shall not be admissible as evidence, nor discoverable in any action of any kind in any court or before any tribunal, board, agency or person and shall be treated in the same manner as the information and those records subject to the provisions of Part 21 of the Code of Civil Procedure except under the following circumstances:

(1) When made with the written consent of all persons to whom this information pertains;
(2) When authorized under Section 8 to be released under court order or subpoena pursuant to Section 12-5.01 or 12-16.2 of the Criminal Code of 1961; or

(3) When made by the Department for the purpose of seeking a warrant authorized by Sections 6 and 7 of this Act. Such disclosure shall conform to the requirements of subsection (a) of Section 8 of this Act.

(e) Any person who knowingly or maliciously disseminates any information or report concerning the existence of any disease under this Section is guilty of a Class A misdemeanor.

(Source: P.A. 96-1551, eff. 7-1-11.)

Section 100. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 2.36 as follows:

(410 ILCS 620/2.36) (from Ch. 56 1/2, par. 502.36)

Sec. 2.36. "Prescription" means and includes any order for drugs or medical devices, written, facsimile, or verbal by a physician licensed to practice medicine in all its branches, dentist, veterinarian, or podiatric physician containing the following: (1) name of the patient; (2) date when prescription was given; (3) name and strength of drug or description of the medical device prescribed; (4) quantity, (5) directions for use, (6) prescriber's name, address and signature, and (7) DEA number where required, for controlled substances.

(Source: P.A. 89-202, eff. 7-21-95.)

Section 105. The Illinois Controlled Substances Act is amended by changing Sections 102 and 303.05 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:
(1) a practitioner (or, in his or her presence, by his or her authorized agent),
(2) the patient or research subject pursuant to an order, or
(3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.
(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or practitioner. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.
(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes:
(i) 3[beta],17-dihydroxy-5a-androstane,
(ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,
(iii) 5[alpha]-androstan-3,17-dione,
(iv) 1-androstenediol (3[beta],
 17[beta]-dihydroxy-5[alpha]-androst-1-ene),
(v) 1-androstenediol (3[alpha],
 17[beta]-dihydroxy-5[alpha]-androst-1-ene),
(vi) 4-androstenediol
  (3[beta],17[beta]-dihydroxy-androst-4-ene),
(vii) 5-androstenediol
  (3[beta],17[beta]-dihydroxy-androst-5-ene),
(viii) 1-androstenedione
  ([5alpha]-androst-1-en-3,17-dione),
(ix) 4-androstenedione
  (androsta-4-en-3,17-dione),
(x) 5-androstenedione
  (androsta-5-en-3,17-dione),
(xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
  hydroxyandrost-4-en-3-one),
(xii) boldenone (17[beta]-hydroxyandrost-
  1,4,-diene-3-one),
(xiii) boldione (androsta-1,4-
  diene-3,17-dione),
(xiv) calusterone (7[beta],17[alpha]-dimethyl-17
  [beta]-hydroxyandrost-4-en-3-one),
(xv) clostebol (4-chloro-17[beta]-

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hydroxyandrost-4-en-3-one),
(xvi) dehydrochloromethyltestosterone (4-chloro-
17[beta]-hydroxy-17[alpha]-methyl-
androst-1,4-dien-3-one),
(xvii) desoxymethyltestosterone
(17[alpha]-methyl-5[alpha]
-androst-2-en-17[beta]-ol)(a.k.a., madol),
(xviii) (delta)1-dihydrotestosterone (a.k.a. '
1-testosterone') (17[beta]-hydroxy-
5[alpha]-androst-1-en-3-one),
(xix) 4-dihydrotestosterone (17[beta]-hydroxy-
androstan-3-one),
(xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-
5[alpha]-androst-3-one),
(xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-
hydroxyestr-4-ene),
(xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-
1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
(xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],
17[beta]-dihydroxyandrost-1,4-dien-3-one),
(xxiv) furazabol (17[alpha]-methyl-17[beta]-
hydroxyandrostano[2,3-c]-furan),
(xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one
(xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-
androst-4-en-3-one),
(xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-
dihydroxy-estr-4-en-3-one),
(xxviii) mesticanolone (1amethyl-17[beta]-hydroxy-
[5a]-androstan-3-one),
(xxix) mesterolone (1amethyl-17[beta]-hydroxy-
[5a]-androstan-3-one),
(xxx) methandienone (17[alpha]-methyl-17[beta]-
hydroxyandrost-1,4-dien-3-one),
(xxxi) methandriol (17[alpha]-methyl-3[beta],17[beta]-
dihydroxyandrost-5-ene),
(xxxii) methenolone (1-methyl-17[beta]-hydroxy-
5[alpha]-androst-1-en-3-one),
(xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-
dihydroxy-5a-androstane),

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(xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5a-androstane,
(xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene),
(xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
(xxxvii) methylidenolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one),
(xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one),
(xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one),
(xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-hydroxyestr-4-en-3-one),
(xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-1-testosterone'),
(xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
(xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-dihydroxyestr-4-ene),
(xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-dihydroxyestr-4-ene),
(xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-dihydroxyestr-5-ene),
(xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-dihydroxyestr-5-ene),
(xlvii) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione),
(xlviii) 19-nor-4-androstenedione (estr-4-en-3,17-dione),
(xlix) 19-nor-5-androstenedione (estr-5-en-3,17-dione),
(l) norbolethone (13[beta], 17a-diethyl-17[beta]-hydroxygon-4-en-3-one),
(li) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one),
(lii) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one),

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(liii) normethandrolone (17[alpha]-methyl-17[beta]-
hydroxyestr-4-en-3-one),
(liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
2-oxa-5[alpha]-androstan-3-one),
(lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
dihydroxyandrost-4-en-3-one),
(lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-
17[beta]-hydroxy-(5[alpha]-androstan-3-one),
(lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
(5[alpha]-androst-2-eno[3,2-c]-pyrazole),
(lviii) stenbolone (17[beta]-hydroxy-2-methyl-
(5[alpha]-androst-1-en-3-one),
(ix) testolactone (13-hydroxy-3-oxo-13,17-
secoandrosta-1,4-dien-17-oic
acid lactone),
(lx) testosterone (17[beta]-hydroxyandrost-
4-en-3-one),
(lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
diethyl-17[beta]-hydroxyggon-
4,9,11-trien-3-one),
(lxii) trenbolone (17[beta]-hydroxyestr-4,9,
11-trien-3-one).

Any person who is otherwise lawfully in possession of an anabolic
steroid, or who otherwise lawfully manufactures, distributes, dispenses,
delivers, or possesses with intent to deliver an anabolic steroid, which
anabolic steroid is expressly intended for and lawfully allowed to be
administered through implants to livestock or other nonhuman species,
and which is approved by the Secretary of Health and Human Services for
such administration, and which the person intends to administer or have
administered through such implants, shall not be considered to be in
unauthorized possession or to unlawfully manufacture, distribute,
dispense, deliver, or possess with intent to deliver such anabolic steroid for
purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration,
United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means
a Department of Human Services administrative employee licensed to
either prescribe or dispense controlled substances who shall run the

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clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, or immediate precursor in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act and the Tobacco Products Tax Act.

(f-5) "Controlled substance analog" means a substance:

1. the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;

2. which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or

3. with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or
hallucinogenic effect on the central nervous system of a controlled
substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which,
or the container or labeling of which, without authorization bears the
trademark, trade name, or other identifying mark, imprint, number or
device, or any likeness thereof, of a manufacturer, distributor, or dispenser
other than the person who in fact manufactured, distributed, or dispensed
the substance.

(h) "Deliver" or "delivery" means the actual, constructive or
attempted transfer of possession of a controlled substance, with or without
consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services
(as successor to the Department of Alcoholism and Substance Abuse) or
its successor agency.

(j) (Blank).

(k) "Department of Corrections" means the Department of
Corrections of the State of Illinois or its successor agency.

(l) "Department of Financial and Professional Regulation" means
the Department of Financial and Professional Regulation of the State of
Illinois or its successor agency.

(m) "Depressant" means any drug that (i) causes an overall
depression of central nervous system functions, (ii) causes impaired
consciousness and awareness, and (iii) can be habit-forming or lead to a
substance abuse problem, including but not limited to alcohol, cannabis
and its active principles and their analogs, benzodiazepines and their
analogs, barbiturates and their analogs, opioids (natural and synthetic) and
their analogs, and chloral hydrate and similar sedative hypnotics.

(n) (Blank).

(o) "Director" means the Director of the Illinois State Police or his
or her designated agents.

(p) "Dispense" means to deliver a controlled substance to an
ultimate user or research subject by or pursuant to the lawful order of a
prescriber, including the prescribing, administering, packaging, labeling,
or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or
dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.
(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

(1) lack of consistency of prescriber-patient relationship,
(2) frequency of prescriptions for same drug by one prescriber for large numbers of patients,
(3) quantities beyond those normally prescribed,
(4) unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),
(5) unusual geographic distances between patient, pharmacist and prescriber,

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(6) consistent prescribing of habit-forming drugs.

(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:

1. which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;
2. which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
3. the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

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(a) statements made by the owner or person in control of the substance concerning its nature, use or effect;

(b) statements made to the buyer or recipient that the substance may be resold for profit;

(c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;

(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or

New matter indicated by italics - deletions by strikeout
(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:
   (a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or
   (b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in accordance with Section 65-40 of the Nurse Practice Act, or (iii) an animal euthanasia agency.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

   (1) opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;
   (2) (blank);
   (3) opium poppy and poppy straw;
   (4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecgonine, and their isomers, derivatives and salts, have been removed;
   (5) cocaine, its salts, optical and geometric isomers, and salts of isomers;
   (6) ecgonine, its derivatives, their salts, isomers, and salts of isomers;

New matter indicated by italics - deletions by strikeout
(7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).

(bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.

(ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.

(ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, podiatrist, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to
distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(II) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatrist or veterinarian who issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act.

(nn) "Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian for any controlled substance, of an optometrist for a Schedule III, IV, or V controlled substance in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act when required by law.

(nn-5) "Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.

(nn-10) "Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

New matter indicated by italics - deletions by strikeout
(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(qq-5) "Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

(rr) "State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(rr-5) "Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(Source: P.A. 96-189, eff. 8-10-09; 96-268, eff. 8-11-09; 97-334, eff. 1-1-12.)

(720 ILCS 570/303.05)
Sec. 303.05. Mid-level practitioner registration.
(a) The Department of Financial and Professional Regulation shall register licensed physician assistants and licensed advanced practice nurses to prescribe and dispense controlled substances under Section 303 and euthanasia agencies to purchase, store, or administer animal euthanasia drugs under the following circumstances:

(1) with respect to physician assistants,
   (A) the physician assistant has been delegated written authority to prescribe any Schedule III through V controlled substances by a physician licensed to practice medicine in all its branches in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987; and the physician assistant has completed the appropriate
application forms and has paid the required fees as set by rule; or

(B) the physician assistant has been delegated authority by a supervising physician licensed to practice medicine in all its branches to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

(i) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the supervising physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

(ii) any delegation must be of controlled substances prescribed by the supervising physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the supervising physician;

(iv) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician;

(v) the physician assistant must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the physician assistant must provide evidence of satisfactory completion of 45 contact hours in pharmacology from any physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA), or its predecessor agency, for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

New matter indicated by italics - deletions by strikeout
(vii) the physician assistant must annually complete at least 5 hours of continuing education in pharmacology.

(2) with respect to advanced practice nurses,

(A) the advanced practice nurse has been delegated authority to prescribe any Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches or a collaborating podiatric physician in accordance with Section 65-40 of the Nurse Practice Act. The advanced practice nurse has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the advanced practice nurse has been delegated authority by a collaborating physician licensed to practice medicine in all its branches or collaborating podiatric physician to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

   (i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or podiatric physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

   (ii) any delegation must be of controlled substances prescribed by the collaborating physician or podiatric physician;

   (iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician or podiatric physician;

   (iv) the advanced practice nurse must discuss the condition of any patients for whom a
controlled substance is prescribed monthly with the delegating physician or podiatric physician podiatrist or in the course of review as required by Section 65-40 of the Nurse Practice Act;

(v) the advanced practice nurse must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the advanced practice nurse must provide evidence of satisfactory completion of at least 45 graduate contact hours in pharmacology for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

(vii) the advanced practice nurse must annually complete 5 hours of continuing education in pharmacology; or

(3) with respect to animal euthanasia agencies, the euthanasia agency has obtained a license from the Department of Financial and Professional Regulation and obtained a registration number from the Department.

(b) The mid-level practitioner shall only be licensed to prescribe those schedules of controlled substances for which a licensed physician or licensed podiatric physician podiatrist has delegated prescriptive authority, except that an animal euthanasia agency does not have any prescriptive authority. A physician assistant and an advanced practice nurse are prohibited from prescribing medications and controlled substances not set forth in the required written delegation of authority.

(c) Upon completion of all registration requirements, physician assistants, advanced practice nurses, and animal euthanasia agencies may be issued a mid-level practitioner controlled substances license for Illinois.

(d) A collaborating physician or podiatric physician podiatrist may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(e) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement, and the delegation of prescriptive authority shall
conform to the requirements of Section 7.5 of the Physician Assistant

(f) Nothing in this Section shall be construed to prohibit generic
substitution.
(Source: P.A. 96-189, eff. 8-10-09; 96-268, eff. 8-11-09; 96-1000, eff. 7-2-
10; 97-334, eff. 1-1-12; 97-358, eff. 8-12-11; 97-813, eff. 7-13-12.)

Section 110. The Code of Civil Procedure is amended by changing
Sections 2-622 and 8-2001 as follows:

(735 ILCS 5/2-622) (from Ch. 110, par. 2-622)
Sec. 2-622. Healing art malpractice.

(a) In any action, whether in tort, contract or otherwise, in which
the plaintiff seeks damages for injuries or death by reason of medical,
hospital, or other healing art malpractice, the plaintiff’s attorney or the
plaintiff, if the plaintiff is proceeding pro se, shall file an affidavit,
attached to the original and all copies of the complaint, declaring one of
the following:

1. That the affiant has consulted and reviewed the facts of
the case with a health professional who the affiant reasonably
believes: (i) is knowledgeable in the relevant issues involved in the
particular action; (ii) practices or has practiced within the last 6
years or teaches or has taught within the last 6 years in the same
area of health care or medicine that is at issue in the particular
action; and (iii) is qualified by experience or demonstrated
competence in the subject of the case; that the reviewing health
professional has determined in a written report, after a review of
the medical record and other relevant material involved in the
particular action that there is a reasonable and meritorious cause
for the filing of such action; and that the affiant has concluded on
the basis of the reviewing health professional's review and
consultation that there is a reasonable and meritorious cause for
filing of such action. If the affidavit is filed as to a defendant who
is a physician licensed to treat human ailments without the use of
drugs or medicines and without operative surgery, a dentist, a
podiatric physician, a psychologist, or a naprapath, the
written report must be from a health professional licensed in the
same profession, with the same class of license, as the defendant.
For affidavits filed as to all other defendants, the written report
must be from a physician licensed to practice medicine in all its
branches. In either event, the affidavit must identify the profession

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of the reviewing health professional. A copy of the written report, clearly identifying the plaintiff and the reasons for the reviewing health professional's determination that a reasonable and meritorious cause for the filing of the action exists, must be attached to the affidavit, but information which would identify the reviewing health professional may be deleted from the copy so attached.

2. That the affiant was unable to obtain a consultation required by paragraph 1 because a statute of limitations would impair the action and the consultation required could not be obtained before the expiration of the statute of limitations. If an affidavit is executed pursuant to this paragraph, the certificate and written report required by paragraph 1 shall be filed within 90 days after the filing of the complaint. The defendant shall be excused from answering or otherwise pleading until 30 days after being served with a certificate required by paragraph 1.

3. That a request has been made by the plaintiff or his attorney for examination and copying of records pursuant to Part 20 of Article VIII of this Code and the party required to comply under those Sections has failed to produce such records within 60 days of the receipt of the request. If an affidavit is executed pursuant to this paragraph, the certificate and written report required by paragraph 1 shall be filed within 90 days following receipt of the requested records. All defendants except those whose failure to comply with Part 20 of Article VIII of this Code is the basis for an affidavit under this paragraph shall be excused from answering or otherwise pleading until 30 days after being served with the certificate required by paragraph 1.

(b) Where a certificate and written report are required pursuant to this Section a separate certificate and written report shall be filed as to each defendant who has been named in the complaint and shall be filed as to each defendant named at a later time.

(c) Where the plaintiff intends to rely on the doctrine of "res ipsa loquitur", as defined by Section 2-1113 of this Code, the certificate and written report must state that, in the opinion of the reviewing health professional, negligence has occurred in the course of medical treatment. The affiant shall certify upon filing of the complaint that he is relying on the doctrine of "res ipsa loquitur".

New matter indicated by italics - deletions by strikeout
(d) When the attorney intends to rely on the doctrine of failure to inform of the consequences of the procedure, the attorney shall certify upon the filing of the complaint that the reviewing health professional has, after reviewing the medical record and other relevant materials involved in the particular action, concluded that a reasonable health professional would have informed the patient of the consequences of the procedure.

(e) Allegations and denials in the affidavit, made without reasonable cause and found to be untrue, shall subject the party pleading them or his attorney, or both, to the payment of reasonable expenses, actually incurred by the other party by reason of the untrue pleading, together with reasonable attorneys' fees to be summarily taxed by the court upon motion made within 30 days of the judgment or dismissal. In no event shall the award for attorneys' fees and expenses exceed those actually paid by the moving party, including the insurer, if any. In proceedings under this paragraph (e), the moving party shall have the right to depose and examine any and all reviewing health professionals who prepared reports used in conjunction with an affidavit required by this Section.

(f) A reviewing health professional who in good faith prepares a report used in conjunction with an affidavit required by this Section shall have civil immunity from liability which otherwise might result from the preparation of such report.

(g) The failure to file a certificate required by this Section shall be grounds for dismissal under Section 2-619.

(h) (Blank).

(i) (Blank).

(Source: P.A. 97-1145, eff. 1-18-13.)

(735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)

Sec. 8-2001. Examination of health care records.

(a) In this Section:

"Health care facility" or "facility" means a public or private hospital, ambulatory surgical treatment center, nursing home, independent practice association, or physician hospital organization, or any other entity where health care services are provided to any person. The term does not include a health care practitioner.

"Health care practitioner" means any health care practitioner, including a physician, dentist, podiatric physician, podiatrist, advanced practice nurse, physician assistant, clinical psychologist, or clinical social worker. The term includes a medical office, health care clinic, health

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department, group practice, and any other organizational structure for a licensed professional to provide health care services. The term does not include a health care facility.

(b) Every private and public health care facility shall, upon the request of any patient who has been treated in such health care facility, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, or as authorized by Section 8-2001.5, permit the patient, his or her health care practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative to examine the health care facility patient care records, including but not limited to the history, bedside notes, charts, pictures and plates, kept in connection with the treatment of such patient, and permit copies of such records to be made by him or her or his or her health care practitioner or authorized attorney.

(c) Every health care practitioner shall, upon the request of any patient who has been treated by the health care practitioner, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, permit the patient and the patient's health care practitioner or authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, to examine and copy the patient's records, including but not limited to those relating to the diagnosis, treatment, prognosis, history, charts, pictures and plates, kept in connection with the treatment of such patient.

(d) A request for copies of the records shall be in writing and shall be delivered to the administrator or manager of such health care facility or to the health care practitioner. The person (including patients, health care practitioners and attorneys) requesting copies of records shall reimburse the facility or the health care practitioner at the time of such copying for all reasonable expenses, including the costs of independent copy service companies, incurred in connection with such copying not to exceed a $20 handling charge for processing the request and the actual postage or shipping charge, if any, plus: (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed $1.25 per page for any copies made from microfiche or

New matter indicated by italics - deletions by strikeout
microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in a electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the facility or practitioner shall inform the requester in writing of the reason the records can not be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The facility or health care practitioner may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or pictures.

(d-5) The handling fee shall not be collected from the patient or the patient's personal representative who obtains copies of records under Section 8-2001.5.

(e) The requirements of this Section shall be satisfied within 30 days of the receipt of a written request by a patient or by his or her legally authorized representative, health care practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative. If the facility or health care practitioner needs more time to comply with the request, then within 30 days after receiving the request, the facility or health care practitioner must provide the requesting party with a written statement of the reasons for the delay and the date by which the requested information will be provided. In any event, the facility or health care practitioner must provide the requested information no later than 60 days after receiving the request.

(f) A health care facility or health care practitioner must provide the public with at least 30 days prior notice of the closure of the facility or the health care practitioner's practice. The notice must include an explanation of how copies of the facility's records may be accessed by patients. The notice may be given by publication in a newspaper of general

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circulation in the area in which the health care facility or health care practitioner is located.

(g) Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees incurred in connection with any court ordered enforcement of the provisions of this Section.

(Source: P.A. 97-623, eff. 11-23-11; 97-867, eff. 7-30-12.)

Section 115. The Good Samaritan Act is amended by changing Sections 30, 50, and 68 as follows:

(745 ILCS 49/30)

(Text of Section WITH the changes made by P.A. 94-677, which has been held unconstitutional)

Sec. 30. Free medical clinic; exemption from civil liability for services performed without compensation.

(a) A person licensed under the Medical Practice Act of 1987, a person licensed to practice the treatment of human ailments in any other state or territory of the United States, or a health care professional, including but not limited to an advanced practice nurse, retired physician, physician assistant, nurse, pharmacist, physical therapist, podiatrist, or social worker licensed in this State or any other state or territory of the United States, who, in good faith, provides medical treatment, diagnosis, or advice as a part of the services of an established free medical clinic providing care, including but not limited to home visits, without charge to patients which is limited to care that does not require the services of a licensed hospital or ambulatory surgical treatment center and who receives no fee or compensation from that source shall not be liable for civil damages as a result of his or her acts or omissions in providing that medical treatment, except for willful or wanton misconduct.

(b) For purposes of this Section, a "free medical clinic" is an organized community based program providing medical care without charge to individuals, at which the care provided does not include an overnight stay in a health-care facility.

(c) The provisions of subsection (a) of this Section do not apply to a particular case unless the free medical clinic has posted in a conspicuous place on its premises an explanation of the exemption from civil liability provided herein.

(d) The immunity from civil damages provided under subsection (a) also applies to physicians, retired physicians, hospitals, and other health care providers that provide further medical treatment, diagnosis, or
advice, including but not limited to hospitalization, office visits, and home visits, to a patient upon referral from an established free medical clinic without fee or compensation.

(d-5) A free medical clinic may receive reimbursement from the Illinois Department of Public Aid, provided any reimbursements shall be used only to pay overhead expenses of operating the free medical clinic and may not be used, in whole or in part, to provide a fee or other compensation to any person licensed under the Medical Practice Act of 1987 or any other health care professional who is receiving an exemption under this Section. Any health care professional receiving an exemption under this Section may not receive any fee or other compensation in connection with any services provided to, or any ownership interest in, the clinic. Medical care shall not include an overnight stay in a health care facility.

(e) Nothing in this Section prohibits a free medical clinic from accepting voluntary contributions for medical services provided to a patient who has acknowledged his or her ability and willingness to pay a portion of the value of the medical services provided.

(f) Any voluntary contribution collected for providing care at a free medical clinic shall be used only to pay overhead expenses of operating the clinic. No portion of any moneys collected shall be used to provide a fee or other compensation to any person licensed under Medical Practice Act of 1987.

(g) The changes to this Section made by this amendatory Act of the 94th General Assembly apply to causes of action accruing on or after its effective date.

(Source: P.A. 94-677, eff. 8-25-05.)

(Text of Section WITHOUT the changes made by P.A. 94-677, which has been held unconstitutional)

Sec. 30. Free medical clinic; exemption from civil liability for services performed without compensation.

(a) A person licensed under the Medical Practice Act of 1987, a person licensed to practice the treatment of human ailments in any other state or territory of the United States, or a health care professional, including but not limited to an advanced practice nurse, physician assistant, nurse, pharmacist, physical therapist, podiatric physician, podiatrist, or social worker licensed in this State or any other state or territory of the United States, who, in good faith, provides medical treatment, diagnosis, or advice as a part of the services of an established

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free medical clinic providing care to medically indigent patients which is limited to care that does not require the services of a licensed hospital or ambulatory surgical treatment center and who receives no fee or compensation from that source shall not be liable for civil damages as a result of his or her acts or omissions in providing that medical treatment, except for willful or wanton misconduct.

(b) For purposes of this Section, a "free medical clinic" is an organized community based program providing medical care without charge to individuals unable to pay for it, at which the care provided does not include the use of general anesthesia or require an overnight stay in a health-care facility.

(c) The provisions of subsection (a) of this Section do not apply to a particular case unless the free medical clinic has posted in a conspicuous place on its premises an explanation of the exemption from civil liability provided herein.

(d) The immunity from civil damages provided under subsection (a) also applies to physicians, hospitals, and other health care providers that provide further medical treatment, diagnosis, or advice to a patient upon referral from an established free medical clinic without fee or compensation.

(e) Nothing in this Section prohibits a free medical clinic from accepting voluntary contributions for medical services provided to a patient who has acknowledged his or her ability and willingness to pay a portion of the value of the medical services provided.

Any voluntary contribution collected for providing care at a free medical clinic shall be used only to pay overhead expenses of operating the clinic. No portion of any moneys collected shall be used to provide a fee or other compensation to any person licensed under Medical Practice Act of 1987.

(Source: P.A. 89-607, eff. 1-1-97; 90-742, eff. 8-13-98.)

(745 ILCS 49/50)

Sec. 50. Podiatric physician Podiatrist; exemption from civil liability for emergency care. Any person licensed to practice podiatric medicine in Illinois, or licensed under an Act of any other state or territory of the United States, who in good faith provides emergency care without fee to a victim of an accident at the scene of an accident or in case of nuclear attack shall not, as a result of his acts or omissions, except willful or wanton misconduct on the part of the person in providing the care, be liable for civil damages.

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Sec. 68. Disaster Relief Volunteers. Any firefighter, licensed emergency medical technician (EMT) as defined by Section 3.50 of the Emergency Medical Services (EMS) Systems Act, physician, dentist, podiatric physician, optometrist, pharmacist, advanced practice nurse, physician assistant, or nurse who in good faith and without fee or compensation provides health care services as a disaster relief volunteer shall not, as a result of his or her acts or omissions, except willful and wanton misconduct on the part of the person, in providing health care services, be liable to a person to whom the health care services are provided for civil damages. This immunity applies to health care services that are provided without fee or compensation during or within 10 days following the end of a disaster or catastrophic event.

The immunity provided in this Section only applies to a disaster relief volunteer who provides health care services in relief of an earthquake, hurricane, tornado, nuclear attack, terrorist attack, epidemic, or pandemic without fee or compensation for providing the volunteer health care services.

The provisions of this Section shall not apply to any health care facility as defined in Section 8-2001 of the Code of Civil Procedure or to any practitioner, who is not a disaster relief volunteer, providing health care services in a hospital or health care facility.

(Source: P.A. 95-447, eff. 8-27-07.)

Section 999. Effective date. This Act takes effect upon becoming law.

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New matter indicated by italics - deletions by strikeout
AN ACT concerning finance.

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

Section 5. The State Finance Act is amended by changing Section 25 as follows:

(30 ILCS 105/25) (from Ch. 127, par. 161)

Sec. 25. Fiscal year limitations.

(a) All appropriations shall be available for expenditure for the fiscal year or for a lesser period if the Act making that appropriation so specifies. A deficiency or emergency appropriation shall be available for expenditure only through June 30 of the year when the Act making that appropriation is enacted unless that Act otherwise provides.

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

(b-1) However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may

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be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code as of June 30, payable from appropriations that have otherwise expired, may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-2) All outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2010, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2010.

(b-2.5) All outstanding liabilities as of June 30, 2011, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2011, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2011, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2011.

(b-2.6) All outstanding liabilities as of June 30, 2012, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2012, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2012, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2012.

(b-2.7) (b-2.6) For fiscal years 2012 and 2013, interest penalties payable under the State Prompt Payment Act associated with a voucher for which payment is issued after June 30 may be paid out of the next fiscal year's appropriation. The future year appropriation must be for the same purpose and from the same fund as the original payment. An interest penalty voucher submitted against a future year appropriation must be submitted within 60 days after the issuance of the associated voucher, and the Comptroller must issue the interest payment within 60 days after acceptance of the interest voucher.
(b-3) Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-4) Medical payments and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical and child care payments made by the Department of Human Services; and payments made at the discretion of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund and payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-5) Medical payments may be made by the Department of Human Services from its appropriations relating to substance abuse treatment services for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments made by the Department of Human Services relating to substance abuse treatment services payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-6) Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized
pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Human Services from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986 payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-7) Payments may be made in accordance with a plan authorized by paragraph (11) or (12) of Section 405-105 of the Department of Central Management Services Law from appropriations for those payments without regard to fiscal year limitations.

(b-8) Reimbursements to eligible airport sponsors for the construction or upgrading of Automated Weather Observation Systems may be made by the Department of Transportation from appropriations for those purposes for any fiscal year, without regard to the fact that the qualification or obligation may have occurred in a prior fiscal year, provided that at the time the expenditure was made the project had been approved by the Department of Transportation prior to June 1, 2012 and, as a result of recent changes in federal funding formulas, can no longer receive federal reimbursement.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Public Health and the Department of Human Services from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program payable from appropriations that have otherwise expired may be paid out of the expiring
appropriations during the 4-month period ending at the close of business on October 31.

(d) The Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(e) The Department of Healthcare and Family Services, the Department of Human Services (acting as successor to the Department of Public Aid), and the Department of Human Services making fee-for-service payments relating to substance abuse treatment services provided during a previous fiscal year shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before November 30, a report that shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for (i) services provided in prior fiscal years and (ii) services for which claims were received in prior fiscal years.

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services (other than medical care) provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(g) In addition, each annual report required to be submitted by the Department of Healthcare and Family Services under subsection (e) shall include the following information with respect to the State's Medicaid program:

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(1) Explanations of the exact causes of the variance between the previous year's estimated and actual liabilities.

(2) Factors affecting the Department of Healthcare and Family Services' liabilities, including but not limited to numbers of aid recipients, levels of medical service utilization by aid recipients, and inflation in the cost of medical services.

(3) The results of the Department's efforts to combat fraud and abuse.

(h) As provided in Section 4 of the General Assembly Compensation Act, any utility bill for service provided to a General Assembly member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

(i) An agency which administers a fund classified by the Comptroller as an internal service fund may issue rules for:

   (1) billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;

   (2) issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

   (3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued or by increasing an authorized inter-fund transfer during the current fiscal year. For the purposes of this Act, "inter-fund transfers" means transfers without the use of the voucher-warrant process, as authorized by Section 9.01 of the State Comptroller Act.

(i-1) Beginning on July 1, 2021, all outstanding liabilities, not payable during the 4-month lapse period as described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, that are made from appropriations for that purpose for any fiscal year, without regard to the

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fact that the services being compensated for by those payments may have
been rendered in a prior fiscal year, are limited to only those claims that
have been incurred but for which a proper bill or invoice as defined by the
State Prompt Payment Act has not been received by September 30th
following the end of the fiscal year in which the service was rendered.

(j) Notwithstanding any other provision of this Act, the aggregate
amount of payments to be made without regard for fiscal year limitations
as contained in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this
Section, and determined by using Generally Accepted Accounting
Principles, shall not exceed the following amounts:

(1) $6,000,000,000 for outstanding liabilities related to
fiscal year 2012;
(2) $5,300,000,000 for outstanding liabilities related to
fiscal year 2013;
(3) $4,600,000,000 for outstanding liabilities related to
fiscal year 2014;
(4) $4,000,000,000 for outstanding liabilities related to
fiscal year 2015;
(5) $3,300,000,000 for outstanding liabilities related to
fiscal year 2016;
(6) $2,600,000,000 for outstanding liabilities related to
fiscal year 2017;
(7) $2,000,000,000 for outstanding liabilities related to
fiscal year 2018;
(8) $1,300,000,000 for outstanding liabilities related to
fiscal year 2019;
(9) $600,000,000 for outstanding liabilities related to fiscal
year 2020; and
(10) $0 for outstanding liabilities related to fiscal year 2021
and fiscal years thereafter.

(k) Department of Healthcare and Family Services Medical
Assistance Payments.

(1) Definition of Medical Assistance.
For purposes of this subsection, the term "Medical
Assistance" shall include, but not necessarily be limited to,
medical programs and services authorized under Titles XIX
and XXI of the Social Security Act, the Illinois Public Aid
Code, the Children's Health Insurance Program Act, the
Covering ALL KIDS Health Insurance Act, the Long Term

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Acute Care Hospital Quality Improvement Transfer Program Act, and medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, and victims of sexual assault.

(2) Limitations on Medical Assistance payments that may be paid from future fiscal year appropriations.

(A) The maximum amounts of annual unpaid Medical Assistance bills received and recorded by the Department of Healthcare and Family Services on or before June 30th of a particular fiscal year attributable in aggregate to the General Revenue Fund, Healthcare Provider Relief Fund, Tobacco Settlement Recovery Fund, Long-Term Care Provider Fund, and the Drug Rebate Fund that may be paid in total by the Department from future fiscal year Medical Assistance appropriations to those funds are: $700,000,000 for fiscal year 2013 and $100,000,000 for fiscal year 2014 and each fiscal year thereafter.

(B) Bills for Medical Assistance services rendered in a particular fiscal year, but received and recorded by the Department of Healthcare and Family Services after June 30th of that fiscal year, may be paid from either appropriations for that fiscal year or future fiscal year appropriations for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(C) Medical Assistance bills received by the Department of Healthcare and Family Services in a particular fiscal year, but subject to payment amount adjustments in a future fiscal year may be paid from a future fiscal year's appropriation for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(D) Medical Assistance payments made by the Department of Healthcare and Family Services from funds other than those specifically referenced in subparagraph (A) may be made from appropriations for those purposes for any fiscal year without regard to the fact that the Medical Assistance services being compensated for by such payment may have been rendered in a prior fiscal year.
Such payments shall not be subject to the requirements of subparagraph (A).

(3) Extended lapse period for Department of Healthcare and Family Services Medical Assistance payments. Notwithstanding any other State law to the contrary, outstanding Department of Healthcare and Family Services Medical Assistance liabilities, as of June 30th, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 6-month period ending at the close of business on December 31st.

(l) The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall be effective for payment of Medical Assistance bills incurred in fiscal year 2013 and future fiscal years. The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall not be applied to Medical Assistance bills incurred in fiscal year 2012 or prior fiscal years.

(m) The Comptroller must issue payments against outstanding liabilities that were received prior to the lapse period deadlines set forth in this Section as soon thereafter as practical, but no payment may be issued after the 4 months following the lapse period deadline without the signed authorization of the Comptroller and the Governor.

(Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10; 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff. 8-12-11; 97-691, eff. 7-1-12; 97-732, eff. 6-30-12; 97-932, eff. 8-10-12; revised 8-23-12.)

Section 10. The Illinois Aeronautics Act is amended by changing Section 34a as follows:

(620 ILCS 5/34a) (from Ch. 15 1/2, par. 22.34a)

Sec. 34a. Financial assistance under Section 34 may also include reimbursement to eligible airport sponsors for the construction or upgrading of Automated Weather Observation Systems (AWOS) financed in whole or in part by State monies. Costs of constructing or upgrading Automated Weather Observation Systems prior to the effective date of this amendatory Act of the 98th General Assembly are eligible for State reimbursements provided that all required State procedures were followed at the time the project was approved by the Department. Financial assistance under Section 34 may also include reimbursements to eligible airport sponsors for land acquisition costs directly related to projects financed either in whole or in part by federal and State monies, and for engineering costs directly related to projects financed in whole or in part by State monies; provided, (1) such engineering or land acquisition costs

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were approved by the Department prior to the payment of these costs by the airport sponsor, (2) no State or federal monies have previously been expended for such purposes on such projects, and (3) no State monies shall be expended as reimbursement on any project for engineering or land acquisition unless construction costs for that project are funded by the State. Approval of engineering or land acquisition costs by the Department prior to the payment of such costs by an airport sponsor shall qualify those costs for State reimbursement but shall not constitute an obligation of State funds. Costs of land acquisition by airport sponsors prior to the effective date of this amendatory act of 1982 are qualified for State reimbursement provided all federal and State procedures were followed at the time of acquisition.
(Source: P.A. 82-978.)
Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0216
(House Bill No. 1404)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Construction Bond Act is amended by changing Section 1 as follows:
(30 ILCS 550/1) (from Ch. 29, par. 15)
Sec. 1. Except as otherwise provided by this Act, all officials, boards, commissions, or agents of this State, or of any political subdivision thereof, in making contracts for public work of any kind costing over $50,000 to be performed for the State, or of any political subdivision thereof, and all officials, boards, commissions, or agents of any political subdivision of this State in making contracts for public work of any kind costing over $5,000 to be performed for the political subdivision, shall require every contractor for the work to furnish, supply and deliver a bond to the State, or to the political subdivision thereof entering into the contract, as the case may be, with good and sufficient sureties. The amount of the bond shall be fixed by the officials, boards,
commissions, commissioners or agents, and the bond, among other
conditions, shall be conditioned for the completion of the contract, for the
payment of material used in the work and for all labor performed in the
work, whether by subcontractor or otherwise.

If the contract is for emergency repairs as provided in the Illinois
Procurement Code, proof of payment for all labor, materials, apparatus,
fixtures, and machinery may be furnished in lieu of the bond required by
this Section.

Each such bond is deemed to contain the following provisions
whether such provisions are inserted in such bond or not:

"The principal and sureties on this bond agree that all the
undertakings, covenants, terms, conditions and agreements of the contract
or contracts entered into between the principal and the State or any
political subdivision thereof will be performed and fulfilled and to pay all
persons, firms and corporations having contracts with the principal or with
subcontractors, all just claims due them under the provisions of such
contracts for labor performed or materials furnished in the performance of
the contract on account of which this bond is given, when such claims are
not satisfied out of the contract price of the contract on account of which
this bond is given, after final settlement between the officer, board,
commission or agent of the State or of any political subdivision thereof
and the principal has been made."

Each bond securing contracts between the Capital Development
Board or any board of a public institution of higher education and a
contractor shall contain the following provisions, whether the provisions
are inserted in the bond or not:

"Upon the default of the principal with respect to undertakings,
covenants, terms, conditions, and agreements, the termination of the
contractor's right to proceed with the work, and written notice of that
default and termination by the State or any political subdivision to the
surety ("Notice"), the surety shall promptly remedy the default by taking
one of the following actions:

(1) The surety shall complete the work pursuant to a written
takeover agreement, using a completing contractor jointly selected
by the surety and the State or any political subdivision; or

(2) The surety shall pay a sum of money to the obligee, up
to the penal sum of the bond, that represents the reasonable cost to
complete the work that exceeds the unpaid balance of the contract
sum.

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The surety shall respond to the Notice within 15 working days of receipt indicating the course of action that it intends to take or advising that it requires more time to investigate the default and select a course of action. If the surety requires more than 15 working days to investigate the default and select a course of action or if the surety elects to complete the work with a completing contractor that is not prepared to commence performance within 15 working days after receipt of Notice, and if the State or any political subdivision determines it is in the best interest of the State to maintain the progress of the work, the State or any political subdivision may continue to work until the completing contractor is prepared to commence performance. Unless otherwise agreed to by the procuring agency, in no case may the surety take longer than 30 working days to advise the State or political subdivision on the course of action it intends to take. The surety shall be liable for reasonable costs incurred by the State or any political subdivision to maintain the progress to the extent the costs exceed the unpaid balance of the contract sum, subject to the penal sum of the bond."

The surety bond required by this Section may be acquired from the company, agent or broker of the contractor's choice. The bond and sureties shall be subject to the right of reasonable approval or disapproval, including suspension, by the State or political subdivision thereof concerned. In the case of State construction contracts, a contractor shall not be required to post a cash bond or letter of credit in addition to or as a substitute for the surety bond required by this Section.

When other than motor fuel tax funds, federal-aid funds, or other funds received from the State are used, a political subdivision may allow the contractor to provide a non-diminishing irrevocable bank letter of credit, in lieu of the bond required by this Section, on contracts under $100,000 to comply with the requirements of this Section. Any such bank letter of credit shall contain all provisions required for bonds by this Section.

(Source: P.A. 95-1011, eff. 12-15-08; 96-1000, eff. 7-2-10.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 3-5018 as follows:

(55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

Sec. 3-5018. Fees. The recorder elected as provided for in this Division shall receive such fees as are or may be provided for him or her by law, in case of provision therefor: otherwise he or she shall receive the same fees as are or may be provided in this Section, except when increased by county ordinance pursuant to the provisions of this Section, to be paid to the county clerk for his or her services in the office of recorder for like services.

For recording deeds or other instruments, $12 for the first 4 pages thereof, plus $1 for each additional page thereof, plus $1 for each additional document number therein noted. The aggregate minimum fee for recording any one instrument shall not be less than $12.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description, a fee of $1 in addition to that hereinabove referred to for each document number therein noted.

For recording assignments of mortgages, leases or liens, $12 for the first 4 pages thereof, plus $1 for each additional page thereof. However, except for leases and liens pertaining to oil, gas and other minerals, whenever a mortgage, lease or lien assignment assigns more than one mortgage, lease or lien document, a $7 fee shall be charged for the recording of each such mortgage, lease or lien document after the first one.

For recording maps or plats of additions or subdivisions approved by the county or municipality (including the spreading of the same of record in map case or other proper books) or plats of condominiums, $50 for the first page, plus $1 for each additional page thereof except that in the case of recording a single page, legal size 8 1/2 x 14, plat of survey in which there are no more than two lots or parcels of land, the fee shall be $12. In each county where such maps or plats are to be recorded, the recorder may require the same to be accompanied by such number of
exact, true and legible copies thereof as the recorder deems necessary for
the efficient conduct and operation of his or her office.

For non-certified copies of records, an amount not to exceed one-
half of the amount provided in this Section for certified copies, according
to a standard scale of fees, established by county ordinance and made
public. The provisions of this paragraph shall not be applicable to any
person or entity who obtains non-certified copies of records in the
following manner: (i) in bulk for all documents recorded on any given day
in an electronic or paper format for a negotiated amount less than the
amount provided for in this paragraph for non-certified copies, (ii) under a
contractual relationship with the recorder for a negotiated amount less than
the amount provided for in this paragraph for non-certified copies, or (iii)
by means of Internet access pursuant to Section 5-1106.1.

For certified copies of records, the same fees as for recording, but
in no case shall the fee for a certified copy of a map or plat of an addition,
subdivision or otherwise exceed $10.

Each certificate of such recorder of the recording of the deed or
other writing and of the date of recording the same signed by such
recorder, shall be sufficient evidence of the recording thereof, and such
certificate including the indexing of record, shall be furnished upon the
payment of the fee for recording the instrument, and no additional fee shall
be allowed for the certificate or indexing.

The recorder shall charge an additional fee, in an amount equal to
the fee otherwise provided by law, for recording a document (other than a
document filed under the Plat Act or the Uniform Commercial Code) that
does not conform to the following standards:

(1) The document shall consist of one or more individual
sheets measuring 8.5 inches by 11 inches, not permanently bound
and not a continuous form. Graphic displays accompanying a
document to be recorded that measure up to 11 inches by 17 inches
shall be recorded without charging an additional fee.

(2) The document shall be legibly printed in black ink, by
hand, type, or computer. Signatures and dates may be in
contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than
20-pound weight and shall have a clean margin of at least one-half
inch on the top, the bottom, and each side. Margins may be used
for non-essential notations that will not affect the validity of the
document, including but not limited to form numbers, page numbers, and customer notations.

(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph.

This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The county board of any county may provide for an additional charge of $3 for filing every instrument, paper, or notice for record, (1) in order to defray the cost of converting the county recorder's document storage system to computers or micrographics and (2) in order to defray the cost of providing access to records through the global information system known as the Internet.

A special fund shall be set up by the treasurer of the county and such funds collected pursuant to Public Act 83-1321 shall be used (1) for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the costs of implementing and maintaining such a document records system and (2) for a system to provide electronic access to those records.

The county board of any county that provides and maintains a countywide map through a Geographic Information System (GIS) may provide for an additional charge of $3 for filing every instrument, paper, or notice for record (1) in order to defray the cost of implementing or maintaining the county's Geographic Information System and (2) in order to defray the cost of providing electronic or automated access to the county's Geographic Information System or property records. Of that amount, $2 must be deposited into a special fund set up by the treasurer of the county, and any moneys collected pursuant to this amendatory Act of the 91st General Assembly and deposited into that fund must be used solely for the equipment, materials, and necessary expenses incurred in implementing and maintaining a Geographic Information System and in order to defray the cost of providing electronic access to the county's Geographic Information System records. The remaining $1 must be deposited into the recorder's special funds created under Section 3-5005.4. The recorder may, in his or her discretion, use moneys in the funds created

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under Section 3-5005.4 to defray the cost of implementing or maintaining the county's Geographic Information System and to defray the cost of providing electronic access to the county's Geographic Information System records.

The recorder shall collect a $10 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

The recorder shall not collect the Rental Housing Support Program State surcharge from any State agency, any unit of local government or any school district.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited into the county's general revenue fund. Fifty cents of that amount shall be used for the costs of administering the Rental Housing Support Program State surcharge and any other lawful expenditures for the operation of the office of the recorder and may not be appropriated or expended for any other purpose. The amounts available to the recorder for expenditure from the surcharge shall not offset or reduce any other county appropriations or funding for the office of the recorder.

On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the Rental Housing Support Program State surcharge was collected. Each recorder shall submit $9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The foregoing fees allowed by this Section are the maximum fees that may be collected from any officer, agency, department or other instrumentality of the State. The county board may, however, by ordinance, increase the fees allowed by this Section and collect such

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increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $1.

A statement of the costs of providing each service, program and activity shall be prepared by the county board. All supporting documents shall be public record and subject to public examination and audit. All direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87, may be included in the determination of the costs of each service, program and activity. (Source: P.A. 96-1356, eff. 7-28-10.)

Section 10. The Tuberculosis Sanitarium District Act is amended by changing Section 5.4 as follows:

(70 ILCS 920/5.4)
Sec. 5.4. Dissolution of Suburban Cook County Tuberculosis Sanitarium District; disposition of land and real estate; continuation of District levy.

(a) Notwithstanding any provision of law to the contrary, the Suburban Cook County Tuberculosis Sanitarium District is dissolved by operation of law one year after the effective date of this amendatory Act of the 94th General Assembly.

(b) On or before the day 2 months after the effective date of this amendatory Act of the 94th General Assembly, the Board of Directors shall forward to the Cook County Department of Public Health all transition plans relating to the consolidation of all of the existing programs, personnel, and infrastructure of the District into the Cook County Bureau of Health Services to be administered by the Cook County Department of Public Health. Beginning on the effective date of this amendatory Act of the 94th General Assembly, the District shall not make any enhancements to pensions.
(c) Upon dissolution of the District: (i) all assets and liabilities of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly shall be transferred to the Cook County Board and the monetary assets shall be deposited into a special purpose fund for the prevention, care, treatment, and control of tuberculosis and other communicable airborne diseases in or associated with suburban Cook County; (ii) the Cook County Department of Public Health shall assume all responsibility for the prevention, care, treatment, and control of tuberculosis within the area of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly, including the provision of tuberculosis care and treatment for units of local government with State-certified local public health departments; and (iii) employees of the Suburban Cook County Tuberculosis Sanitarium District become employees of Cook County.

(d) The Cook County Board may transfer to the Cook County Forest Preserve District appropriate unimproved real estate owned by the Suburban Cook County Tuberculosis Sanitarium District at the time of its dissolution. After the dissolution of the District, any land owned by the District at the time of its dissolution remains subject to any leases and encumbrances that existed upon the dissolution of the District and, if the land is subject to a lease, the land may not be taken by any unit of government during the term of the lease.

(e) Upon the dissolution of the Suburban Cook County Tuberculosis Sanitarium District, any levy imposed by the dissolved District is abolished. In accordance with subsection (b) of Section 12 of the State Revenue Sharing Act, the tax base of the dissolved Suburban Cook County Tuberculosis Sanitarium District shall be added to the tax base of Cook County.

(Source: P.A. 94-1050, eff. 7-24-06.)

Section 15. The Animal Control Act is amended by changing Section 7 as follows:

Sec. 7. All registration fees collected shall be remitted to the County Treasurer, who shall place the monies in an Animal Control Fund. This fund shall be set up by him for the purpose of paying costs of the Animal Control Program.

In any county with a population under 3,000,000, all fees collected shall be used for the purpose of paying claims for loss of

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livestock or poultry as set forth in Section 19 of this Act and for the following purposes as established by ordinance of the County Board: funds may be utilized by local health departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions of this Act or any county or municipal ordinance concurred in by the Department relating to animal control, except as set forth in Section 19. Counties of 100,000 inhabitants or more may assume self-insurance liability to pay claims for the loss of livestock or poultry.

In any county with a population of 3,000,000 or more, all fees collected shall be used for the purpose of paying claims for loss of livestock or poultry, as set forth in Section 19 of this Act, and for the following purposes, as established by ordinance of the County Board: funds may be utilized by local health departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions and enforcement of this Act or any county or municipal ordinance relating to animal control, or animal-related public health or public nuisances, except as set forth in Section 19 of this Act.

(Source: P.A. 87-151.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
Sec. 7-135. Authorized agents.
(a) Each participating municipality and participating instrumentality shall appoint an authorized agent who shall have the powers and duties set forth in this section. In absence of such appointment, the duties of the authorized agent shall devolve upon the clerk or secretary of the municipality or instrumentality, the township supervisor in the case of a township, and in the case of township school trustees upon the township school treasurer. In townships the Authorized Agent shall be the township supervisor:
(b) The authorized agent shall have the following powers and duties:

1. To certify to the fund whether or not a given person is authorized to participate in the fund;
2. To certify to the fund when a participating employee is on a leave of absence authorized by the municipality;
3. To request the proper officer to cause employee contributions to be withheld from earnings and transmitted to the fund;
4. To request the proper officer to cause municipality contributions to be forwarded to the fund promptly;
5. To forward promptly to all participating employees any communications from the fund for such employees;
6. To forward promptly to the fund all applications, claims, reports and other communications delivered to him by participating employees;
7. To perform all duties related to the administration of this retirement system as requested by the fund and the governing body of his municipality.
(c) The governing body of each participating municipality and participating instrumentality may delegate any or all of the following powers and duties to its authorized agent:
1. To file a petition for nomination of an executive trustee of the fund.
2. To cast the ballot for election of an executive trustee of the fund.
If a governing body does not authorize its agent to perform the powers and duties set forth in this paragraph (c), they shall be performed by the governing body itself, unless the governing body by resolution duly certified to the fund delegates them to some other officer or employee.
(d) The delivery of any communication or document by an employee or a participating municipality or participating instrumentality to its authorized agent shall not constitute delivery to the fund.
(Source: P.A. 97-328, eff. 8-12-11; 97-609, eff. 1-1-12.)

(40 ILCS 5/7-146) (from Ch. 108 1/2, par. 7-146)

Sec. 7-146. Temporary disability benefits - Eligibility. Temporary disability benefits shall be payable to participating employees as hereinafter provided.

(a) The participating employee shall be considered temporarily disabled if:

1. He is unable to perform the duties of any position which might reasonably be assigned to him by his employing municipality or instrumentality thereof or participating instrumentality due to mental or physical disability caused by bodily injury or disease, other than as a result of self-inflicted injury or addiction to narcotic drugs;

2. The Board has received written certifications from at least one licensed and practicing physician and the governing body of the employing municipality or instrumentality thereof or participating instrumentality stating that the employee meets the conditions set forth in subparagraph 1 of this paragraph (a).

(b) A temporary disability benefit shall be payable to a temporarily disabled employee provided:

1. He:

   (i) has at least one year of service immediately preceding at the date the temporary disability was incurred and has made contributions to the fund for at least the number of months of service normally required in his position during a 12-month period, or has at least 5 years of service credit, the last year of which immediately precedes such date; or

   (ii) had qualified under clause (i) above, but had an interruption in service with the same participating municipality or participating instrumentality of not more than 3 months in the 12 months preceding the date the temporary disability was incurred and was not paid a separation benefit; or

   (iii) had qualified under clause (i) above, but had an interruption after 20 or more years of creditable service,
was not paid a separation benefit, and returned to service prior to the date the disability was incurred.

Item (iii) of this subdivision shall apply to all employees whose disabilities were incurred on or after July 1, 1985, and any such employee who becomes eligible for a disability benefit under item (iii) shall be entitled to receive a lump sum payment of any accumulated disability benefits which may accrue from the date the disability was incurred until the effective date of this amendatory Act of 1987.

Periods of qualified leave granted in compliance with the federal Family and Medical Leave Act shall be ignored for purposes of determining the number of consecutive months of employment under this subdivision (b).

2. He has been temporarily disabled for at least 30 days, except where a former temporary or permanent and total disability has reoccurred within 6 months after the employee has returned to service.

3. He is receiving no earnings from a participating municipality or instrumentality thereof or participating instrumentality, except as allowed under subsection (f) of Section 7-152.

4. He has not refused to submit to a reasonable physical examination by a physician appointed by the Board.

5. His disability is not the result of a mental or physical condition which existed on the earliest date of service from which he has uninterrupted service, including prior service, at the date of his disability, provided that this limitation is not applicable if the date of disability is after December 31, 2001, nor is it applicable to a participating employee who: (i) on the date of disability has 5 years of credited service, exclusive of credited service for periods of disability; or (ii) received no medical treatment for the condition for the 3 years immediately prior to such earliest date of service.

6. He is not separated from the service of the participating municipality or instrumentality thereof or participating instrumentality which employed him on the date his temporary disability was incurred; for the purposes of payment of temporary disability benefits, a participating employee, whose employment relationship is terminated by his employing municipality, shall be

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deemed not to be separated from the service of his employing municipality or participating instrumentality if he continues disabled by the same condition and so long as he is otherwise entitled to such disability benefit.

7. He has not failed or refused to consent to and sign an authorization allowing the Board to receive copies of or to examine his medical and hospital records.

8. He has not failed or refused to provide complete information regarding any other employment for compensation he has received since becoming disabled.

(Source: P.A. 97-415, eff. 8-16-11.)

(40 ILCS 5/7-172) (from Ch. 108 1/2, par. 7-172)

Sec. 7-172. Contributions by participating municipalities and participating instrumentalities.

(a) Each participating municipality and each participating instrumentality shall make payment to the fund as follows:

1. municipality contributions in an amount determined by applying the municipality contribution rate to each payment of earnings paid to each of its participating employees;

2. an amount equal to the employee contributions provided by paragraph (a) of Section 7-173, whether or not the employee contributions are withheld as permitted by that Section;

3. all accounts receivable, together with interest charged thereon, as provided in Section 7-209;

4. if it has no participating employees with current earnings, an amount payable which, over a closed period of 20 years for participating municipalities and 10 years for participating instrumentalities, will amortize, at the effective rate for that year, any unfunded obligation. The unfunded obligation shall be computed as provided in paragraph 2 of subsection (b);

5. if it has fewer than 7 participating employees or a negative balance in its municipality reserve, the greater of (A) an amount payable that, over a period of 20 years, will amortize at the effective rate for that year any unfunded obligation, computed as provided in paragraph 2 of subsection (b) or (B) the amount required by paragraph 1 of this subsection (a).

(b) A separate municipality contribution rate shall be determined for each calendar year for all participating municipalities together with all instrumentalities thereof. The municipality contribution rate shall be
determined for participating instrumentalities as if they were participating municipalities. The municipality contribution rate shall be the sum of the following percentages:

1. The percentage of earnings of all the participating employees of all participating municipalities and participating instrumentalities which, if paid over the entire period of their service, will be sufficient when combined with all employee contributions available for the payment of benefits, to provide all annuities for participating employees, and the $3,000 death benefit payable under Sections 7-158 and 7-164, such percentage to be known as the normal cost rate.

2. The percentage of earnings of the participating employees of each participating municipality and participating instrumentalities necessary to adjust for the difference between the present value of all benefits, excluding temporary and total and permanent disability and death benefits, to be provided for its participating employees and the sum of its accumulated municipality contributions and the accumulated employee contributions and the present value of expected future employee and municipality contributions pursuant to subparagraph 1 of this paragraph (b). This adjustment shall be spread over a period determined by the Board, not to exceed 30 years for participating municipalities or 10 years for participating instrumentalities the remainder of the period that is allowable under generally accepted accounting principles.

3. The percentage of earnings of the participating employees of all municipalities and participating instrumentalities necessary to provide the present value of all temporary and total and permanent disability benefits granted during the most recent year for which information is available.

4. The percentage of earnings of the participating employees of all participating municipalities and participating instrumentalities necessary to provide the present value of the net single sum death benefits expected to become payable from the reserve established under Section 7-206 during the year for which this rate is fixed.

5. The percentage of earnings necessary to meet any deficiency arising in the Terminated Municipality Reserve.

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(c) A separate municipality contribution rate shall be computed for each participating municipality or participating instrumentality for its sheriff's law enforcement employees.

A separate municipality contribution rate shall be computed for the sheriff's law enforcement employees of each forest preserve district that elects to have such employees. For the period from January 1, 1986 to December 31, 1986, such rate shall be the forest preserve district's regular rate plus 2%.

In the event that the Board determines that there is an actuarial deficiency in the account of any municipality with respect to a person who has elected to participate in the Fund under Section 3-109.1 of this Code, the Board may adjust the municipality's contribution rate so as to make up that deficiency over such reasonable period of time as the Board may determine.

(d) The Board may establish a separate municipality contribution rate for all employees who are program participants employed under the federal Comprehensive Employment Training Act by all of the participating municipalities and instrumentalities. The Board may also provide that, in lieu of a separate municipality rate for these employees, a portion of the municipality contributions for such program participants shall be refunded or an extra charge assessed so that the amount of municipality contributions retained or received by the fund for all CETA program participants shall be an amount equal to that which would be provided by the separate municipality contribution rate for all such program participants. Refunds shall be made to prime sponsors of programs upon submission of a claim therefor and extra charges shall be assessed to participating municipalities and instrumentalities. In establishing the municipality contribution rate as provided in paragraph (b) of this Section, the use of a separate municipality contribution rate for program participants or the refund of a portion of the municipality contributions, as the case may be, may be considered.

(e) Computations of municipality contribution rates for the following calendar year shall be made prior to the beginning of each year, from the information available at the time the computations are made, and on the assumption that the employees in each participating municipality or participating instrumentality at such time will continue in service until the end of such calendar year at their respective rates of earnings at such time.

(f) Any municipality which is the recipient of State allocations representing that municipality's contributions for retirement annuity

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purposes on behalf of its employees as provided in Section 12-21.16 of the Illinois Public Aid Code shall pay the allocations so received to the Board for such purpose. Estimates of State allocations to be received during any taxable year shall be considered in the determination of the municipality's tax rate for that year under Section 7-171. If a special tax is levied under Section 7-171, none of the proceeds may be used to reimburse the municipality for the amount of State allocations received and paid to the Board. Any multiple-county or consolidated health department which receives contributions from a county under Section 11.2 of "An Act in relation to establishment and maintenance of county and multiple-county health departments", approved July 9, 1943, as amended, or distributions under Section 3 of the Department of Public Health Act, shall use these only for municipality contributions by the health department.

(g) Municipality contributions for the several purposes specified shall, for township treasurers and employees in the offices of the township treasurers who meet the qualifying conditions for coverage hereunder, be allocated among the several school districts and parts of school districts serviced by such treasurers and employees in the proportion which the amount of school funds of each district or part of a district handled by the treasurer bears to the total amount of all school funds handled by the treasurer.

From the funds subject to allocation among districts and parts of districts pursuant to the School Code, the trustees shall withhold the proportionate share of the liability for municipality contributions imposed upon such districts by this Section, in respect to such township treasurers and employees and remit the same to the Board.

The municipality contribution rate for an educational service center shall initially be the same rate for each year as the regional office of education or school district which serves as its administrative agent. When actuarial data become available, a separate rate shall be established as provided in subparagraph (i) of this Section.

The municipality contribution rate for a public agency, other than a vocational education cooperative, formed under the Intergovernmental Cooperation Act shall initially be the average rate for the municipalities which are parties to the intergovernmental agreement. When actuarial data become available, a separate rate shall be established as provided in subparagraph (i) of this Section.

(h) Each participating municipality and participating instrumentality shall make the contributions in the amounts provided in
this Section in the manner prescribed from time to time by the Board and all such contributions shall be obligations of the respective participating municipalities and participating instrumentalities to this fund. The failure to deduct any employee contributions shall not relieve the participating municipality or participating instrumentality of its obligation to this fund. Delinquent payments of contributions due under this Section may, with interest, be recovered by civil action against the participating municipalities or participating instrumentalities. Municipality contributions, other than the amount necessary for employee contributions, for periods of service by employees from whose earnings no deductions were made for employee contributions to the fund, may be charged to the municipality reserve for the municipality or participating instrumentality.

(i) Contributions by participating instrumentalities shall be determined as provided herein except that the percentage derived under subparagraph 2 of paragraph (b) of this Section, and the amount payable under subparagraph 4 of paragraph (a) of this Section, shall be based on an amortization period of 10 years.

(j) Notwithstanding the other provisions of this Section, the additional unfunded liability accruing as a result of this amendatory Act of the 94th General Assembly shall be amortized over a period of 30 years beginning on January 1 of the second calendar year following the calendar year in which this amendatory Act takes effect, except that the employer may provide for a longer amortization period by adopting a resolution or ordinance specifying a 35-year or 40-year period and submitting a certified copy of the ordinance or resolution to the fund no later than June 1 of the calendar year following the calendar year in which this amendatory Act takes effect.

(k) If the amount of a participating employee's reported earnings for any of the 12-month periods used to determine the final rate of earnings exceeds the employee's 12 month reported earnings with the same employer for the previous year by the greater of 6% or 1.5 times the annual increase in the Consumer Price Index-U, as established by the United States Department of Labor for the preceding September, the participating municipality or participating instrumentality that paid those earnings shall pay to the Fund, in addition to any other contributions required under this Article, the present value of the increase in the pension resulting from the portion of the increase in salary that is in excess of the greater of 6% or 1.5 times the annual increase in the Consumer Price Index-U, as determined by the Fund. This present value shall be computed on the basis of the

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actuarial assumptions and tables used in the most recent actuarial valuation of the Fund that is available at the time of the computation.

Whenever it determines that a payment is or may be required under this subsection (k), the fund shall calculate the amount of the payment and bill the participating municipality or participating instrumentality for that amount. The bill shall specify the calculations used to determine the amount due. If the participating municipality or participating instrumentality disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the fund in writing for a recalculation. The application must specify in detail the grounds of the dispute. Upon receiving a timely application for recalculation, the fund shall review the application and, if appropriate, recalculate the amount due. The participating municipality and participating instrumentality contributions required under this subsection (k) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the participating municipality and participating instrumentality contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the fund's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after receipt of the bill by the participating municipality or participating instrumentality.

When assessing payment for any amount due under this subsection (k), the fund shall exclude earnings increases resulting from overload or overtime earnings.

When assessing payment for any amount due under this subsection (k), the fund shall also exclude earnings increases attributable to standard employment promotions resulting in increased responsibility and workload.

This subsection (k) does not apply to earnings increases paid to individuals under contracts or collective bargaining agreements entered into, amended, or renewed before January 1, 2012 (the effective date of Public Act 97-609), earnings increases paid to members who are 10 years or more from retirement eligibility, or earnings increases resulting from an increase in the number of hours required to be worked.

When assessing payment for any amount due under this subsection (k), the fund shall also exclude earnings attributable to personnel policies adopted before January 1, 2012 (the effective date of Public Act 97-609) as long as those policies are not applicable to employees who begin
service on or after January 1, 2012 (the effective date of Public Act 97-609).

(Source: P.A. 96-1084, eff. 7-16-10; 96-1140, eff. 7-21-10; 97-333, eff. 8-12-11; 97-609, eff. 1-1-12; 97-933, eff. 8-10-12.)

(40 ILCS 5/7-173) (from Ch. 108 1/2, par. 7-173)
Sec. 7-173. Contributions by employees.
(a) Each participating employee shall make contributions to the fund as follows:

1. For retirement annuity purposes, normal contributions of 3 3/4% of earnings.
2. Additional contributions of such percentages of each payment of earnings, as shall be elected by the employee for retirement annuity purposes, but not in excess of 10%. The selected rate shall be applicable to all earnings paid following receipt by the Board of written notice of election to make such contributions. Additional contributions at the selected rate shall be made concurrently with normal contributions.
3. Survivor contributions, by each participating employee, of 3/4% of each payment of earnings.
(b) (Blank).
(c) Contributions shall be deducted from each corresponding payment of earnings paid to each employee and shall be remitted to the board by the participating municipality or participating instrumentality making such payment. The remittance, together with a report of the earnings and contributions shall be made as directed by the board. For township treasurers and employees of township treasurers qualifying as employees hereunder, the contributions herein required as deductions from salary shall be withheld by the school township trustees from funds available for the payment of the compensation of such treasurers and employees as provided in the School Code and remitted to the board.
(d) An employee who has made additional contributions under paragraph (a)2 of this Section may upon retirement or at any time prior thereto, elect to withdraw the total of such additional contributions including interest credited thereon to the end of the preceding calendar year, to the extent permitted by the federal Internal Revenue Code of 1986, as now or hereafter amended.
(e) Failure to make the deductions for employee contributions provided in paragraph (c) of this Section shall not relieve the employee from liability for such contributions. The amount of such liability may be

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deducted, with interest charged under Section 7-209, from any annuities or
benefits payable hereunder to the employee or any other person receiving
an annuity or benefit by reason of such employee's participation.

(f) A participating employee who has at least 40 years of creditable
service in the Fund may elect to cease making the contributions required
under this Section. The status of the employee under this Article shall be
unaffected by this election, except that the employee shall not receive any
additional creditable service for the periods of employment following the
election. An election under this subsection relieves the employer from
making additional employer contributions in relation to that employee.
(Source: P.A. 96-1084, eff. 7-16-10; 96-1258, eff. 7-23-10; 97-333, eff. 8-
12-11; 97-933, eff. 8-10-12.)

(40 ILCS 5/7-177) (from Ch. 108 1/2, par. 7-177)
Sec. 7-177. Board meetings.
The board shall hold regular monthly meetings at least 4 times in each year
and such special meetings at such other times as may be called
by the executive director upon written notice of at least 3 trustees. At least
5 days' notice of each meeting shall be given to each trustee. All meetings
of the board shall be open to the public and shall be held in the offices of
the board or in any other place specifically designated in the notice of any
meeting.
(Source: Laws 1963, p. 161.)
Section 90. The State Mandates Act is amended by adding Section
8.37 as follows:
(30 ILCS 805/8.37 new)
Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of
this Act, no reimbursement by the State is required for the implementation
of any mandate created by this amendatory Act of the 98th General
Assembly.
Section 99. Effective date. This Act takes effect upon becoming
law.
Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 14-6.01 and 14-8.02 as follows:

(105 ILCS 5/14-6.01) (from Ch. 122, par. 14-6.01)
Sec. 14-6.01. Powers and duties of school boards. School boards of one or more school districts establishing and maintaining any of the educational facilities described in this Article shall, in connection therewith, exercise similar powers and duties as are prescribed by law for the establishment, maintenance and management of other recognized educational facilities. Such school boards shall include only eligible children in the program and shall comply with all the requirements of this Article and all rules and regulations established by the State Board of Education. Such school boards shall accept in part-time attendance children with disabilities of the types described in Sections 14-1.02 through 14-1.07 who are enrolled in nonpublic schools. A request for part-time attendance must be submitted by a parent or guardian of the disabled child and may be made only to those public schools located in the district where the child attending the nonpublic school resides; however, nothing in this Section shall be construed as prohibiting an agreement between the district where the child resides and another public school district to provide special educational services if such an arrangement is deemed more convenient and economical. Special education and related services must be provided in accordance with the student's IEP no later than 10 school attendance days after notice is provided to the parents pursuant to Section 300.503 of Title 34 of the Code of Federal Regulations and implementing rules adopted by the State Board of Education. Special educational services shall be provided to such students as soon as possible after the identification, evaluation and placement procedures provided in Section 14-8.02, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for students in part time attendance shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

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A school board shall publish a public notice in its newsletter of general circulation or in the newsletter of another governmental entity of general circulation in the district or if neither is available in the district, then in a newspaper of general circulation in the district, the right of all children with disabilities to a free appropriate public education as provided under this Code. Such notice shall identify the location and phone number of the office or agent of the school district to whom inquiries should be directed regarding the identification, assessment and placement of such children.

School boards shall immediately provide upon request by any person written materials and other information that indicates the specific policies, procedures, rules and regulations regarding the identification, evaluation or educational placement of children with disabilities under Section 14-8.02 of the School Code. Such information shall include information regarding all rights and entitlements of such children under this Code, and of the opportunity to present complaints with respect to any matter relating to educational placement of the student, or the provision of a free appropriate public education and to have an impartial due process hearing on the complaint. The notice shall inform the parents or guardian in the parents' or guardian's native language, unless it is clearly not feasible to do so, of their rights and all procedures available pursuant to this Act and federal Public Law 94-142; it shall be the responsibility of the State Superintendent to develop uniform notices setting forth the procedures available under this Act and federal Public Law 94-142, as amended, to be used by all school boards. The notice shall also inform the parents or guardian of the availability upon request of a list of free or low-cost legal and other relevant services available locally to assist parents or guardians in exercising rights or entitlements under this Code.

Any parent or guardian who is deaf, or does not normally communicate using spoken English, who participates in a meeting with a representative of a local educational agency for the purposes of developing an individualized educational program shall be entitled to the services of an interpreter.

No disabled student may be denied promotion, graduation or a general diploma on the basis of failing a minimal competency test when such failure can be directly related to the disabling condition of the student. For the purpose of this Act, "minimal competency testing" is defined as tests which are constructed to measure the acquisition of skills to or beyond a certain defined standard.
Effective July 1, 1966, high school districts are financially responsible for the education of pupils with disabilities who are residents in their districts when such pupils have reached age 15 but may admit children with disabilities into special educational facilities without regard to graduation from the eighth grade after such pupils have reached the age of 14 1/2 years. Upon a disabled pupil's attaining the age of 14 1/2 years, it shall be the duty of the elementary school district in which the pupil resides to notify the high school district in which the pupil resides of the pupil's current eligibility for special education services, of the pupil's current program, and of all evaluation data upon which the current program is based. After an examination of that information the high school district may accept the current placement and all subsequent timelines shall be governed by the current individualized educational program; or the high school district may elect to conduct its own evaluation and multidisciplinary staff conference and formulate its own individualized educational program, in which case the procedures and timelines contained in Section 14-8.02 shall apply.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/14-8.02) (from Ch. 122, par. 14-8.02)


(a) The State Board of Education shall make rules under which local school boards shall determine the eligibility of children to receive special education. Such rules shall ensure that a free appropriate public education be available to all children with disabilities as defined in Section 14-1.02. The State Board of Education shall require local school districts to administer non-discriminatory procedures or tests to limited English proficiency students coming from homes in which a language other than English is used to determine their eligibility to receive special education. The placement of low English proficiency students in special education programs and facilities shall be made in accordance with the test results reflecting the student's linguistic, cultural and special education needs. For purposes of determining the eligibility of children the State Board of Education shall include in the rules definitions of "case study", "staff conference", "individualized educational program", and "qualified specialist" appropriate to each category of children with disabilities as defined in this Article. For purposes of determining the eligibility of children from homes in which a language other than English is used, the State Board of Education shall include in the rules definitions for "qualified bilingual specialists" and "linguistically and culturally

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appropriate individualized educational programs". For purposes of this Section, as well as Sections 14-8.02a, 14-8.02b, and 14-8.02c of this Code, "parent" means a parent as defined in the federal Individuals with Disabilities Education Act (20 U.S.C. 1401(23)).

(b) No child shall be eligible for special education facilities except with a carefully completed case study fully reviewed by professional personnel in a multidisciplinary staff conference and only upon the recommendation of qualified specialists or a qualified bilingual specialist, if available. At the conclusion of the multidisciplinary staff conference, the parent of the child shall be given a copy of the multidisciplinary conference summary report and recommendations, which includes options considered, and be informed of their right to obtain an independent educational evaluation if they disagree with the evaluation findings conducted or obtained by the school district. If the school district's evaluation is shown to be inappropriate, the school district shall reimburse the parent for the cost of the independent evaluation. The State Board of Education shall, with advice from the State Advisory Council on Education of Children with Disabilities on the inclusion of specific independent educational evaluators, prepare a list of suggested independent educational evaluators. The State Board of Education shall include on the list clinical psychologists licensed pursuant to the Clinical Psychologist Licensing Act. Such psychologists shall not be paid fees in excess of the amount that would be received by a school psychologist for performing the same services. The State Board of Education shall supply school districts with such list and make the list available to parents at their request. School districts shall make the list available to parents at the time they are informed of their right to obtain an independent educational evaluation. However, the school district may initiate an impartial due process hearing under this Section within 5 days of any written parent request for an independent educational evaluation to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has a right to an independent educational evaluation, but not at public expense. An independent educational evaluation at public expense must be completed within 30 days of a parent written request unless the school district initiates an impartial due process hearing or the parent or school district offers reasonable grounds to show that such 30 day time period should be extended. If the due process hearing decision indicates that the parent is entitled to an independent educational evaluation, it must be completed within 30 days of the
decision unless the parent or the school district offers reasonable grounds to show that such 30 day period should be extended. If a parent disagrees with the summary report or recommendations of the multidisciplinary conference or the findings of any educational evaluation which results therefrom, the school district shall not proceed with a placement based upon such evaluation and the child shall remain in his or her regular classroom setting. No child shall be eligible for admission to a special class for the educable mentally disabled or for the trainable mentally disabled except with a psychological evaluation and recommendation by a school psychologist. Consent shall be obtained from the parent of a child before any evaluation is conducted. If consent is not given by the parent or if the parent disagrees with the findings of the evaluation, then the school district may initiate an impartial due process hearing under this Section. The school district may evaluate the child if that is the decision resulting from the impartial due process hearing and the decision is not appealed or if the decision is affirmed on appeal. The determination of eligibility shall be made and the IEP meeting shall be completed within 60 school days from the date of written parental consent. In those instances when written parental consent is obtained with fewer than 60 pupil attendance days left in the school year, the eligibility determination shall be made and the IEP meeting shall be completed prior to the first day of the following school year. Special education and related services must be provided in accordance with the student's IEP no later than 10 school attendance days after notice is provided to the parents pursuant to Section 300.503 of Title 34 of the Code of Federal Regulations and implementing rules adopted by the State Board of Education. After a child has been determined to be eligible for a special education class, such child must be placed in the appropriate program pursuant to the individualized educational program by or no later than the beginning of the next school semester. The appropriate program pursuant to the individualized educational program of students whose native tongue is a language other than English shall reflect the special education, cultural and linguistic needs. No later than September 1, 1993, the State Board of Education shall establish standards for the development, implementation and monitoring of appropriate bilingual special individualized educational programs. The State Board of Education shall further incorporate appropriate monitoring procedures to verify implementation of these standards. The district shall indicate to the parent and the State Board of Education the nature of the services the child

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will receive for the regular school term while waiting placement in the appropriate special education class.

If the child is deaf, hard of hearing, blind, or visually impaired and he or she might be eligible to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, the school district shall notify the parents, in writing, of the existence of these schools and the services they provide and shall make a reasonable effort to inform the parents of the existence of other, local schools that provide similar services and the services that these other schools provide. This notification shall include without limitation information on school services, school admissions criteria, and school contact information.

In the development of the individualized education program for a student who has a disability on the autism spectrum (which includes autistic disorder, Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rett Syndrome, as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000)), the IEP team shall consider all of the following factors:

(1) The verbal and nonverbal communication needs of the child.
(2) The need to develop social interaction skills and proficiencies.
(3) The needs resulting from the child's unusual responses to sensory experiences.
(4) The needs resulting from resistance to environmental change or change in daily routines.
(5) The needs resulting from engagement in repetitive activities and stereotyped movements.
(6) The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder.
(7) Other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development.

Public Act 95-257 does not create any new entitlement to a service, program, or benefit, but must not affect any entitlement to a service, program, or benefit created by any other law.

If the student may be eligible to participate in the Home-Based Support Services Program for Mentally Disabled Adults authorized under
the Developmental Disability and Mental Disability Services Act upon becoming an adult, the student's individualized education program shall include plans for (i) determining the student's eligibility for those home-based services, (ii) enrolling the student in the program of home-based services, and (iii) developing a plan for the student's most effective use of the home-based services after the student becomes an adult and no longer receives special educational services under this Article. The plans developed under this paragraph shall include specific actions to be taken by specified individuals, agencies, or officials.

(c) In the development of the individualized education program for a student who is functionally blind, it shall be presumed that proficiency in Braille reading and writing is essential for the student's satisfactory educational progress. For purposes of this subsection, the State Board of Education shall determine the criteria for a student to be classified as functionally blind. Students who are not currently identified as functionally blind who are also entitled to Braille instruction include: (i) those whose vision loss is so severe that they are unable to read and write at a level comparable to their peers solely through the use of vision, and (ii) those who show evidence of progressive vision loss that may result in functional blindness. Each student who is functionally blind shall be entitled to Braille reading and writing instruction that is sufficient to enable the student to communicate with the same level of proficiency as other students of comparable ability. Instruction should be provided to the extent that the student is physically and cognitively able to use Braille. Braille instruction may be used in combination with other special education services appropriate to the student's educational needs. The assessment of each student who is functionally blind for the purpose of developing the student's individualized education program shall include documentation of the student's strengths and weaknesses in Braille skills. Each person assisting in the development of the individualized education program for a student who is functionally blind shall receive information describing the benefits of Braille instruction. The individualized education program for each student who is functionally blind shall specify the appropriate learning medium or media based on the assessment report.

(d) To the maximum extent appropriate, the placement shall provide the child with the opportunity to be educated with children who are not disabled; provided that children with disabilities who are recommended to be placed into regular education classrooms are provided with supplementary services to assist the children with disabilities to
benefit from the regular classroom instruction and are included on the
teacher's regular education class register. Subject to the limitation of the
preceding sentence, placement in special classes, separate schools or other
removal of the disabled child from the regular educational environment
shall occur only when the nature of the severity of the disability is such
that education in the regular classes with the use of supplementary aids
and services cannot be achieved satisfactorily. The placement of limited
English proficiency students with disabilities shall be in non-restrictive
environments which provide for integration with non-disabled peers in
bilingual classrooms. Annually, each January, school districts shall report
data on students from non-English speaking backgrounds receiving special
education and related services in public and private facilities as prescribed
in Section 2-3.30. If there is a disagreement between parties involved
regarding the special education placement of any child, either in-state or
out-of-state, the placement is subject to impartial due process procedures
described in Article 10 of the Rules and Regulations to Govern the
Administration and Operation of Special Education.

(e) No child who comes from a home in which a language other
than English is the principal language used may be assigned to any class or
program under this Article until he has been given, in the principal
language used by the child and used in his home, tests reasonably related
to his cultural environment. All testing and evaluation materials and
procedures utilized for evaluation and placement shall not be
linguistically, racially or culturally discriminatory.

(f) Nothing in this Article shall be construed to require any child to
undergo any physical examination or medical treatment whose parents
object thereto on the grounds that such examination or treatment conflicts
with his religious beliefs.

(g) School boards or their designee shall provide to the parents of a
child prior written notice of any decision (a) proposing to initiate or
change, or (b) refusing to initiate or change, the identification, evaluation,
or educational placement of the child or the provision of a free appropriate
public education to their child, and the reasons therefor. Such written
notification shall also inform the parent of the opportunity to present
complaints with respect to any matter relating to the educational placement
of the student, or the provision of a free appropriate public education and
to have an impartial due process hearing on the complaint. The notice shall
inform the parents in the parents' native language, unless it is clearly not
feasible to do so, of their rights and all procedures available pursuant to

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this Act and the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446); it shall be the responsibility of the State Superintendent to develop uniform notices setting forth the procedures available under this Act and the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) to be used by all school boards. The notice shall also inform the parents of the availability upon request of a list of free or low-cost legal and other relevant services available locally to assist parents in initiating an impartial due process hearing. Any parent who is deaf, or does not normally communicate using spoken English, who participates in a meeting with a representative of a local educational agency for the purposes of developing an individualized educational program shall be entitled to the services of an interpreter.

(g-5) For purposes of this subsection (g-5), "qualified professional" means an individual who holds credentials to evaluate the child in the domain or domains for which an evaluation is sought or an intern working under the direct supervision of a qualified professional, including a master's or doctoral degree candidate.

To ensure that a parent can participate fully and effectively with school personnel in the development of appropriate educational and related services for his or her child, the parent, an independent educational evaluator, or a qualified professional retained by or on behalf of a parent or child must be afforded reasonable access to educational facilities, personnel, classrooms, and buildings and to the child as provided in this subsection (g-5). The requirements of this subsection (g-5) apply to any public school facility, building, or program and to any facility, building, or program supported in whole or in part by public funds. Prior to visiting a school, school building, or school facility, the parent, independent educational evaluator, or qualified professional may be required by the school district to inform the building principal or supervisor in writing of the proposed visit, the purpose of the visit, and the approximate duration of the visit. The visitor and the school district shall arrange the visit or visits at times that are mutually agreeable. Visitors shall comply with school safety, security, and visitation policies at all times. School district visitation policies must not conflict with this subsection (g-5). Visitors shall be required to comply with the requirements of applicable privacy laws, including those laws protecting the confidentiality of education records such as the federal Family Educational Rights and Privacy Act and

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the Illinois School Student Records Act. The visitor shall not disrupt the educational process.

(1) A parent must be afforded reasonable access of sufficient duration and scope for the purpose of observing his or her child in the child's current educational placement, services, or program or for the purpose of visiting an educational placement or program proposed for the child.

(2) An independent educational evaluator or a qualified professional retained by or on behalf of a parent or child must be afforded reasonable access of sufficient duration and scope for the purpose of conducting an evaluation of the child, the child's performance, the child's current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for the child, including interviews of educational personnel, child observations, assessments, tests or assessments of the child's educational program, services, or placement or of any proposed educational program, services, or placement. If one or more interviews of school personnel are part of the evaluation, the interviews must be conducted at a mutually agreed upon time, date, and place that do not interfere with the school employee's school duties. The school district may limit interviews to personnel having information relevant to the child's current educational services, program, or placement or to a proposed educational service, program, or placement.

(h) (Blank).
(i) (Blank).
(j) (Blank).
(k) (Blank).
(l) (Blank).
(m) (Blank).
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(o) (Blank).

(Source: P.A. 95-257, eff. 1-1-08; 95-876, eff. 8-21-08; 96-657, eff. 8-25-09.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
 Effective August 9, 2013.

PUBLIC ACT 98-0220
(House Bill No. 1455)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
   Section 5. The State Commemorative Dates Act is amended by
adding Section 175 as follows:
   (5 ILCS 490/175 new)
   Sec. 175. Chronic Obstructive Pulmonary Disease (COPD) Month.
The month of November in each year is designated as Chronic Obstructive
Pulmonary Disease (COPD) Month to be observed throughout the State as
a month for the people of Illinois to support efforts to decrease the
prevalence of COPD, develop better treatments, and work toward an
eventual cure through increased research, treatment, and prevention.
   Section 99. Effective date. This Act takes effect upon becoming
law.
   Passed in the General Assembly May 14, 2013.
   Approved August 9, 2013.
   Effective August 9, 2013.

PUBLIC ACT 98-0221
(House Bill No. 1458)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
   Section 5. The Mental Health and Developmental Disabilities Code
is amended by changing Section 3-812 as follows:
   (405 ILCS 5/3-812) (from Ch. 91 1/2, par. 3-812)
   Sec. 3-812. Court ordered admission on an outpatient basis;
modification; revocation.
   (a) If a respondent is found subject to involuntary admission on an
outpatient basis, the court may issue an order: (i) placing the respondent in
the care and custody of a relative or other person willing and able to
properly care for him or her; or (ii) committing the respondent to
alternative treatment at a community mental health provider.

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(b) An order placing the respondent in the care and custody of a relative or other person shall specify the powers and duties of the custodian. An order of care and custody entered pursuant to this Section may grant the custodian the authority to admit a respondent to a hospital if the respondent fails to comply with the conditions of the order. If necessary in order to obtain the hospitalization of the respondent, the custodian may apply to the court for an order authorizing an officer of the peace to take the respondent into custody and transport the respondent to a mental health facility the hospital specified in the agreed order. The provisions of Section 3-605 shall govern the transportation of the respondent to a mental health facility, except to the extent that those provisions are inconsistent with this Section. No person admitted to a hospital pursuant to this subsection shall be detained for longer than 24 hours, excluding Saturdays, Sundays, and holidays, unless, within that period, a petition for involuntary admission on an inpatient basis and a certificate supporting such petition have been filed as provided in Section 3-611.

(c) Alternative treatment shall not be ordered unless the program being considered is capable of providing adequate and humane treatment in the least restrictive setting which is appropriate to the respondent's condition. The court shall have continuing authority to modify an order for alternative treatment if the recipient fails to comply with the order or is otherwise found unsuitable for alternative treatment. Prior to modifying such an order, the court shall receive a report from the facility director of the program specifying why the alternative treatment is unsuitable. The recipient shall be notified and given an opportunity to respond when modification of the order for alternative treatment is considered. If the court determines that the respondent has violated the order for alternative treatment in the community or that alternative treatment in the community will no longer provide adequate assurances for the safety of the respondent or others, the court may revoke the order for alternative treatment in the community and may order a peace officer to take the recipient into custody and transport him to an inpatient mental health facility. The provisions of Section 3-605 shall govern the transportation of the respondent to a mental health facility, except to the extent that those provisions are inconsistent with this Section. No person admitted to a hospital pursuant to this subsection shall be detained for longer than 24 hours, excluding Saturdays, Sundays, and holidays, unless, within that period, a petition for

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involuntary admission on an inpatient basis and a certificate supporting such petition have been filed as provided in Section 3-611.

(Source: P.A. 96-1399, eff. 7-29-10; 96-1453, eff. 8-20-10.)

Section 10. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 10 as follows:

(740 ILCS 110/10) (from Ch. 91 1/2, par. 810)

Sec. 10. (a) Except as provided herein, in any civil, criminal, administrative, or legislative proceeding, or in any proceeding preliminary thereto, a recipient, and a therapist on behalf and in the interest of a recipient, has the privilege to refuse to disclose and to prevent the disclosure of the recipient's record or communications.

(1) Records and communications may be disclosed in a civil, criminal or administrative proceeding in which the recipient introduces his mental condition or any aspect of his services received for such condition as an element of his claim or defense, if and only to the extent the court in which the proceedings have been brought, or, in the case of an administrative proceeding, the court to which an appeal or other action for review of an administrative determination may be taken, finds, after in camera examination of testimony or other evidence, that it is relevant, probative, not unduly prejudicial or inflammatory, and otherwise clearly admissible; that other satisfactory evidence is demonstrably unsatisfactory as evidence of the facts sought to be established by such evidence; and that disclosure is more important to the interests of substantial justice than protection from injury to the therapist-recipient relationship or to the recipient or other whom disclosure is likely to harm. Except in a criminal proceeding in which the recipient, who is accused in that proceeding, raises the defense of insanity, no record or communication between a therapist and a recipient shall be deemed relevant for purposes of this subsection, except the fact of treatment, the cost of services and the ultimate diagnosis unless the party seeking disclosure of the communication clearly establishes in the trial court a compelling need for its production. However, for purposes of this Act, in any action brought or defended under the Illinois Marriage and Dissolution of Marriage Act, or in any action in which pain and suffering is an element of the claim, mental condition shall not be deemed to be introduced merely by making such claim and shall
be deemed to be introduced only if the recipient or a witness on his behalf first testifies concerning the record or communication.

(2) Records or communications may be disclosed in a civil proceeding after the recipient's death when the recipient's physical or mental condition has been introduced as an element of a claim or defense by any party claiming or defending through or as a beneficiary of the recipient, provided the court finds, after in camera examination of the evidence, that it is relevant, probative, and otherwise clearly admissible; that other satisfactory evidence is not available regarding the facts sought to be established by such evidence; and that disclosure is more important to the interests of substantial justice than protection from any injury which disclosure is likely to cause.

(3) In the event of a claim made or an action filed by a recipient, or, following the recipient's death, by any party claiming as a beneficiary of the recipient for injury caused in the course of providing services to such recipient, the therapist and other persons whose actions are alleged to have been the cause of injury may disclose pertinent records and communications to an attorney or attorneys engaged to render advice about and to provide representation in connection with such matter and to persons working under the supervision of such attorney or attorneys, and may testify as to such records or communication in any administrative, judicial or discovery proceeding for the purpose of preparing and presenting a defense against such claim or action.

(4) Records and communications made to or by a therapist in the course of examination ordered by a court for good cause shown may, if otherwise relevant and admissible, be disclosed in a civil, criminal, or administrative proceeding in which the recipient is a party or in appropriate pretrial proceedings, provided such court has found that the recipient has been as adequately and as effectively as possible informed before submitting to such examination that such records and communications would not be considered confidential or privileged. Such records and communications shall be admissible only as to issues involving the recipient's physical or mental condition and only to the extent that these are germane to such proceedings.

(5) Records and communications may be disclosed in a proceeding under the Probate Act of 1975, to determine a
recipient's competency or need for guardianship, provided that the disclosure is made only with respect to that issue.

(6) Records and communications may be disclosed to a court-appointed therapist, psychologist, or psychiatrist for use in determining a person's fitness to stand trial if the records were made within the 180-day period immediately preceding the date of the therapist's, psychologist's or psychiatrist's court appointment. These records and communications shall be admissible only as to the issue of the person's fitness to stand trial. Records and communications may be disclosed when such are made during treatment which the recipient is ordered to undergo to render him fit to stand trial on a criminal charge, provided that the disclosure is made only with respect to the issue of fitness to stand trial.

(7) Records and communications of the recipient may be disclosed in any civil or administrative proceeding involving the validity of or benefits under a life, accident, health or disability insurance policy or certificate, or Health Care Service Plan Contract, insuring the recipient, but only if and to the extent that the recipient's mental condition, or treatment or services in connection therewith, is a material element of any claim or defense of any party, provided that information sought or disclosed shall not be redisclosed except in connection with the proceeding in which disclosure is made.

(8) Records or communications may be disclosed when such are relevant to a matter in issue in any action brought under this Act and proceedings preliminary thereto, provided that any information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with such action or preliminary proceedings.

(9) Records and communications of the recipient may be disclosed in investigations of and trials for homicide when the disclosure relates directly to the fact or immediate circumstances of the homicide.

(10) Records and communications of a deceased recipient may be disclosed to a coroner conducting a preliminary investigation into the recipient's death under Section 3-3013 of the Counties Code. However, records and communications of the deceased recipient disclosed in an investigation shall be limited solely to the deceased recipient's records and communications

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relating to the factual circumstances of the incident being investigated in a mental health facility.

(11) Records and communications of a recipient shall be disclosed in a proceeding where a petition or motion is filed under the Juvenile Court Act of 1987 and the recipient is named as a parent, guardian, or legal custodian of a minor who is the subject of a petition for wardship as described in Section 2-3 of that Act or a minor who is the subject of a petition for wardship as described in Section 2-4 of that Act alleging the minor is abused, neglected, or dependent or the recipient is named as a parent of a child who is the subject of a petition, supplemental petition, or motion to appoint a guardian with the power to consent to adoption under Section 2-29 of the Juvenile Court Act of 1987.

(12) Records and communications of a recipient may be disclosed when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed may not be used for any other purposes nor may it be redisclosed except in connection with collection activities. Whenever records are disclosed pursuant to this subdivision (12), the recipient of the records shall be advised in writing that any person who discloses mental health records and communications in violation of this Act may be subject to civil liability pursuant to Section 15 of this Act or to criminal penalties pursuant to Section 16 of this Act or both.

(b) Before a disclosure is made under subsection (a), any party to the proceeding or any other interested person may request an in camera review of the record or communications to be disclosed. The court or agency conducting the proceeding may hold an in camera review on its own motion. When, contrary to the express wish of the recipient, the therapist asserts a privilege on behalf and in the interest of a recipient, the court may require that the therapist, in an in camera hearing, establish that disclosure is not in the best interest of the recipient. The court or agency may prevent disclosure or limit disclosure to the extent that other admissible evidence is sufficient to establish the facts in issue. The court or agency may enter such orders as may be necessary in order to protect the confidentiality, privacy, and safety of the recipient or of other persons.

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Any order to disclose or to not disclose shall be considered a final order for purposes of appeal and shall be subject to interlocutory appeal.

(c) A recipient's records and communications may be disclosed to a duly authorized committee, commission or subcommittee of the General Assembly which possesses subpoena and hearing powers, upon a written request approved by a majority vote of the committee, commission or subcommittee members. The committee, commission or subcommittee may request records only for the purposes of investigating or studying possible violations of recipient rights. The request shall state the purpose for which disclosure is sought.

The facility shall notify the recipient, or his guardian, and therapist in writing of any disclosure request under this subsection within 5 business days after such request. Such notification shall also inform the recipient, or guardian, and therapist of their right to object to the disclosure within 10 business days after receipt of the notification and shall include the name, address and telephone number of the committee, commission or subcommittee member or staff person with whom an objection shall be filed. If no objection has been filed within 15 business days after the request for disclosure, the facility shall disclose the records and communications to the committee, commission or subcommittee. If an objection has been filed within 15 business days after the request for disclosure, the facility shall disclose the records and communications only after the committee, commission or subcommittee has permitted the recipient, guardian or therapist to present his objection in person before it and has renewed its request for disclosure by a majority vote of its members.

Disclosure under this subsection shall not occur until all personally identifiable data of the recipient and provider are removed from the records and communications. Disclosure under this subsection shall not occur in any public proceeding.

(d) No party to any proceeding described under paragraphs (1), (2), (3), (4), (7), or (8) of subsection (a) of this Section, nor his or her attorney, shall serve a subpoena seeking to obtain access to records or communications under this Act unless the subpoena is accompanied by a written order issued by a judge or by the written consent under Section 5 of this Act of the person whose records are being sought, authorizing the disclosure of the records or the issuance of the subpoena. No such written order shall be issued without written notice of the motion to the recipient and the treatment provider. Prior to issuance of the order, each party or

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other person entitled to notice shall be permitted an opportunity to be heard pursuant to subsection (b) of this Section. In the absence of the written consent under Section 5 of this Act of the person whose records are being sought, no person shall comply with a subpoena for records or communications under this Act, unless the subpoena is accompanied by a written order authorizing the issuance of the subpoena or the disclosure of the records. Each subpoena issued by a court or administrative agency or served on any person pursuant to this subsection (d) shall include the following language: "No person shall comply with a subpoena for mental health records or communications pursuant to Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/10, unless the subpoena is accompanied by a written order that authorizes the issuance of the subpoena and the disclosure of records or communications or by the written consent under Section 5 of that Act of the person whose records are being sought."

(e) When a person has been transported by a peace officer to a mental health facility, then upon the request of a peace officer, if the person is allowed to leave the mental health facility within 48 hours of arrival, excluding Saturdays, Sundays, and holidays, the facility director shall notify the local law enforcement authority prior to the release of the person. The local law enforcement authority may re-disclose the information as necessary to alert the appropriate enforcement or prosecuting authority.

(f) A recipient's records and communications shall be disclosed to the Inspector General of the Department of Human Services within 10 business days of a request by the Inspector General (i) in the course of an investigation authorized by the Department of Human Services Act and applicable rule or (ii) during the course of an assessment authorized by the Abuse of Adults with Disabilities Intervention Act and applicable rule. The request shall be in writing and signed by the Inspector General or his or her designee. The request shall state the purpose for which disclosure is sought. Any person who knowingly and willfully refuses to comply with such a request is guilty of a Class A misdemeanor. A recipient's records and communications shall also be disclosed pursuant to subsection (g-5) of Section 1-17 of the Department of Human Services Act in testimony at health care worker registry hearings or preliminary proceedings when such are relevant to the matter in issue, provided that any information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with such action or preliminary proceedings.

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AN ACT concerning insurance.

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

Section 5. The Service Contract Act is amended by changing Section 5 as follows:

(215 ILCS 152/5)
Sec. 5. Definitions.
"Department" means the Department of Insurance.
"Director" means the Director of Insurance.
"Road hazard" means a hazard that is encountered while driving a motor vehicle, including, but not limited to, potholes, rocks, wood debris, metal parts, glass, plastic, curbs, and composite scraps.
"Service Contract" means a contract or agreement whereby a service contract provider undertakes for a specified period of time, for separate and identifiable consideration, to perform the repair, replacement, or maintenance, or indemnification for such services, of any automobile, system, or consumer product in connection with the operational or structural failure due to a defect in materials or workmanship, or normal wear and tear, with or without additional provision for incidental payment or indemnity under limited circumstances, for related expenses, including, but not limited to, towing, rental, and emergency road service. Service contracts may provide for:

(1) the repair, replacement, or maintenance of such property for damage resulting from power surges and accidental damage from handling;:

(2) the repair or replacement of tires or wheels, or both, on a motor vehicle damaged as the result of coming into contact with road hazards;

(3) the removal of dents, dings, or creases on a motor vehicle that can be repaired using the process of paintless dent

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removal without affecting the existing paint finish and without replacing vehicle body panels, sanding, bonding, or painting;

(4) the repair of chips or cracks in or the replacement of motor vehicle windshields as a result of damage caused by road hazards;

(5) the replacement of a motor vehicle key or key-fob in the event that the key or key-fob becomes inoperable or is lost or stolen;

(6) a protective chemical, substance, device, or system that (A) is installed on or applied to a motor vehicle, (B) is designed to prevent loss or damage to a motor vehicle from a specific cause, and (C) includes a written product warranty providing for payment to or on behalf of the warranty holder's incidental costs in the event that the product fails to prevent loss or damage as specified; the reimbursement of incidental costs under the warranty must be tied to the purchase of a physical product that is formulated or designed to make the specified loss or damage less likely to occur; or

(7) other services that may be approved by the Director, if not inconsistent with other provisions of this Act.

Service contracts shall not include:

(i) contracts of limited duration that provide for scheduled maintenance only;

(ii) fuel additives, oil additives, or other chemical products applied to the engine, transmission, or fuel system of a motor vehicle;

(iii) coverage for the repair or replacement, or both, of damage to the interior surfaces of a vehicle, or for repair or replacement, or both, of damage to the exterior paint or finish of a vehicle; however, such coverage may be offered in connection with the sale of a protective chemical, device, or system described in item (6) of this definition.

"Service contract holder" means the person who purchases a service contract or a permitted transferee.

"Service contract provider" means a person who is contractually obligated to the service contract holder under the terms of the service contract. A service contract provider does not include an insurer.

"Service contract reimbursement insurance policy" means a policy of insurance that is issued to the service contract provider to provide

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reimbursement to the service contract provider or to pay on behalf of the service contract provider all covered contractual obligations incurred by the service contract provider under the terms and conditions of the insured service contracts issued or sold by the service contract provider.

"System" means the heating, cooling, plumbing, electrical, ventilation, or any other similar system of a home.

(Source: P.A. 90-711, eff. 8-7-98.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0223
(House Bill No. 1461)

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

Section 5. The Illinois Vehicle Code is amended by changing Section 3-606.1 as follows:

(625 ILCS 5/3-606.1) (from Ch. 95 1/2, par. 3-606.1)

Sec. 3-606.1. Retired members of the General Assembly. Upon receipt of a request from a retired member of the General Assembly, accompanied by the appropriate application and fee, the Secretary of State shall issue to such retired member plates bearing appropriate wording or abbreviations indicating that the holder is a retired member of the General Assembly. Such plates may be issued for a 2 year period beginning January 1st of each odd-numbered year and ending December 31st of the subsequent even-numbered year. Upon the death of a retired member who has been issued a retired member of the General Assembly plate, that member's surviving spouse shall be entitled to retain the plate so long as the surviving spouse is a resident of Illinois and transfers the registration to his or her name within 90 days of the death of the retired member.

"Retired member" means any individual who (a) has served as a member of the General Assembly for a minimum of 6 years, or (b) is 62 or older, has served as a member of the General Assembly for a minimum of 4 years, and retired prior to the convening of the 83rd General Assembly.

The fees and procedures relating to such plates for retired members of the General Assembly shall be the same as the fees and procedures applicable to personalized plates issued under this Code.

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AN ACT concerning health.

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

Section 5. The Environmental Barriers Act is amended by changing Section 4 as follows:

Sec. 4. Standards. The Capital Development Board shall adopt and publish accessibility standards. Accessibility standards for public facilities shall dictate minimum design, construction and alteration requirements to facilitate access to and use of the public facility by environmentally limited persons. Accessibility standards for multi-story housing units shall dictate minimum design and construction requirements to facilitate access to and use of the common areas by environmentally limited persons and create a number of adaptable dwelling units in accordance with Section 5. With respect to areas within public facilities or multi-story housing units which areas are restricted to use by the employees of businesses or concerns occupying such restricted areas, the Capital Development Board shall promulgate standards designed to ensure that such areas will be accessible to those environmentally limited persons who can reasonably be expected to perform the duties of a job therein.

The standards shall be adopted and revised in accordance with The Illinois Administrative Procedure Act. Beginning on the effective date of this amendatory Act of the 98th General Assembly, the Capital Development Board shall begin the process of updating the 1997 Illinois Accessibility Code and shall model the updates on the 2010 ADA Standards for Accessible Design. By no later than January 1, 2016, the Capital Development Board shall adopt and publish the updated Illinois Accessibility Code. The updated Illinois Accessibility Code may be more stringent than the 2010 ADA Standards for Accessible Design and may
identify specific standards. Beginning on January 1, 2016, if the ADA Standards for Accessible Design are updated, then the Capital Development Board shall update its accessibility standards, in keeping with the ADA Standards for Accessible Design, within 2 years after the ADA Standards for Accessible Design updates and shall adopt and publish an updated Illinois Accessibility Code.

The Capital Development Board may issue written interpretation of the standards adopted under Section 4 of this Act. The Capital Development Board shall issue an interpretation within 30 calendar days of receipt of a request by certified mail unless a longer period is agreed to by the parties. Interpretations issued under this Section are project specific and do not constitute precedent for future or different circumstances.

(Source: P.A. 87-393.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0225
(House Bill No. 1534)

AN ACT concerning utilities.

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

Section 5. The Public Utilities Act is amended by changing Section 8-104 as follows:

(220 ILCS 5/8-104)
Sec. 8-104. Natural gas energy efficiency programs.

(a) It is the policy of the State that natural gas utilities and the Department of Commerce and Economic Opportunity are required to use cost-effective energy efficiency to reduce direct and indirect costs to consumers. It serves the public interest to allow natural gas utilities to recover costs for reasonably and prudently incurred expenses for cost-effective energy efficiency measures.

(b) For purposes of this Section, "energy efficiency" means measures that reduce the amount of energy required to achieve a given end use and "cost-effective" means that the measures satisfy the total resource cost test which, for purposes of this Section, means a standard that is met if, for an investment in energy efficiency, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the
total benefits of the measures to the net present value of the total costs as calculated over the lifetime of the measures. The total resource cost test compares the sum of avoided natural gas utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided electric utility costs, to the sum of all incremental costs of end use measures (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side measure, to quantify the net savings obtained by substituting demand-side measures for supply resources. In calculating avoided costs, reasonable estimates shall be included for financial costs likely to be imposed by future regulation of emissions of greenhouse gases. The low-income programs described in item (4) of subsection (f) of this Section shall not be required to meet the total resource cost test.

(c) Natural gas utilities shall implement cost-effective energy efficiency measures to meet at least the following natural gas savings requirements, which shall be based upon the total amount of gas delivered to retail customers, other than the customers described in subsection (m) of this Section, during calendar year 2009 multiplied by the applicable percentage. Natural gas utilities may comply with this Section by meeting the annual incremental savings goal in the applicable year or by showing that total savings associated with measures implemented after May 31, 2011 were equal to the sum of each annual incremental savings requirement from May 31, 2011 through the end of the applicable year:

1. 0.2% by May 31, 2012;
2. an additional 0.4% by May 31, 2013, increasing total savings to 0.6%;
3. an additional 0.6% by May 31, 2014, increasing total savings to 1.2%;
4. an additional 0.8% by May 31, 2015, increasing total savings to 2.0%;
5. an additional 1% by May 31, 2016, increasing total savings to 3.0%;
6. an additional 1.2% by May 31, 2017, increasing total savings to 4.2%;
7. an additional 1.4% by May 31, 2018, increasing total savings to 5.6%;
8. an additional 1.5% by May 31, 2019, increasing total savings to 7.1%; and

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(9) an additional 1.5% in each 12-month period thereafter.

(d) Notwithstanding the requirements of subsection (c) of this Section, a natural gas utility shall limit the amount of energy efficiency implemented in any 3-year reporting period established by subsection (f) of Section 8-104 of this Act, by an amount necessary to limit the estimated average increase in the amounts paid by retail customers in connection with natural gas service to no more than 2% in the applicable 3-year reporting period. The energy savings requirements in subsection (c) of this Section may be reduced by the Commission for the subject plan, if the utility demonstrates by substantial evidence that it is highly unlikely that the requirements could be achieved without exceeding the applicable spending limits in any 3-year reporting period. No later than September 1, 2013, the Commission shall review the limitation on the amount of energy efficiency measures implemented pursuant to this Section and report to the General Assembly, in the report required by subsection (k) of this Section, its findings as to whether that limitation unduly constrains the procurement of energy efficiency measures.

(e) Natural gas utilities shall be responsible for overseeing the design, development, and filing of their efficiency plans with the Commission. The utility shall utilize 75% of the available funding associated with energy efficiency programs approved by the Commission, and may outsource various aspects of program development and implementation. The remaining 25% of available funding shall be used by the Department of Commerce and Economic Opportunity to implement energy efficiency measures that achieve no less than 20% of the requirements of subsection (c) of this Section. Such measures shall be designed in conjunction with the utility and approved by the Commission. The Department may outsource development and implementation of energy efficiency measures. A minimum of 10% of the entire portfolio of cost-effective energy efficiency measures shall be procured from local government, municipal corporations, school districts, and community college districts. Five percent of the entire portfolio of cost-effective energy efficiency measures may be granted to local government and municipal corporations for market transformation initiatives. The Department shall coordinate the implementation of these measures and shall integrate delivery of natural gas efficiency programs with electric efficiency programs delivered pursuant to Section 8-103 of this Act, unless the Department can show that integration is not feasible.
The apportionment of the dollars to cover the costs to implement the Department's share of the portfolio of energy efficiency measures shall be made to the Department once the Department has executed rebate agreements, grants, or contracts for energy efficiency measures and provided supporting documentation for those rebate agreements, grants, and contracts to the utility. The Department is authorized to adopt any rules necessary and prescribe procedures in order to ensure compliance by applicants in carrying out the purposes of rebate agreements for energy efficiency measures implemented by the Department made under this Section.

The details of the measures implemented by the Department shall be submitted by the Department to the Commission in connection with the utility's filing regarding the energy efficiency measures that the utility implements.

A utility providing approved energy efficiency measures in this State shall be permitted to recover costs of those measures through an automatic adjustment clause tariff filed with and approved by the Commission. The tariff shall be established outside the context of a general rate case and shall be applicable to the utility's customers other than the customers described in subsection (m) of this Section. Each year the Commission shall initiate a review to reconcile any amounts collected with the actual costs and to determine the required adjustment to the annual tariff factor to match annual expenditures.

Each utility shall include, in its recovery of costs, the costs estimated for both the utility's and the Department's implementation of energy efficiency measures. Costs collected by the utility for measures implemented by the Department shall be submitted to the Department pursuant to Section 605-323 of the Civil Administrative Code of Illinois, shall be deposited into the Energy Efficiency Portfolio Standards Fund, and shall be used by the Department solely for the purpose of implementing these measures. A utility shall not be required to advance any moneys to the Department but only to forward such funds as it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

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The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual energy savings requirements set forth in subsection (c) of this Section, as modified by subsection (d) of this Section.

The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the Department.

No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet performance requirements for the portion of the portfolio implemented by the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (8) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

(f) No later than October 1, 2010, each gas utility shall file an energy efficiency plan with the Commission to meet the energy efficiency standards through May 31, 2014. Every 3 years thereafter, each utility shall file, no later than October 1, an energy efficiency plan with the Commission. If a utility does not file such a plan by October 1 of the applicable year, then it shall face a penalty of $100,000 per day until the plan is filed. Each utility's plan shall set forth the utility's proposals to meet the utility's portion of the energy efficiency standards identified in subsection (c) of this Section, as modified by subsection (d) of this Section, taking into account the unique circumstances of the utility's service territory. The Commission shall seek public comment on the utility's plan and shall issue an order approving or disapproving each plan. If the Commission disapproves a plan, the Commission shall, within 30 days, describe in detail the reasons for the disapproval and describe a path

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by which the utility may file a revised draft of the plan to address the Commission's concerns satisfactorily. If the utility does not refile with the Commission within 60 days after the disapproval, the utility shall be subject to penalties at a rate of $100,000 per day until the plan is filed. This process shall continue, and penalties shall accrue, until the utility has successfully filed a portfolio of energy efficiency measures. Penalties shall be deposited into the Energy Efficiency Trust Fund and the cost of any such penalties may not be recovered from ratepayers. In submitting proposed energy efficiency plans and funding levels to meet the savings goals adopted by this Act the utility shall:

(1) Demonstrate that its proposed energy efficiency measures will achieve the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(2) Present specific proposals to implement new building and appliance standards that have been placed into effect.

(3) Present estimates of the total amount paid for gas service expressed on a per therm basis associated with the proposed portfolio of measures designed to meet the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(4) Coordinate with the Department to present a portfolio of energy efficiency measures proportionate to the share of total annual utility revenues in Illinois from households at or below 150% of the poverty level. Such programs shall be targeted to households with incomes at or below 80% of area median income.

(5) Demonstrate that its overall portfolio of energy efficiency measures, not including programs covered by item (4) of this subsection (f), are cost-effective using the total resource cost test and represent a diverse cross section of opportunities for customers of all rate classes to participate in the programs.

(6) Demonstrate that a gas utility affiliated with an electric utility that is required to comply with Section 8-103 of this Act has integrated gas and electric efficiency measures into a single program that reduces program or participant costs and appropriately allocates costs to gas and electric ratepayers. The Department shall integrate all gas and electric programs it delivers in any such utilities' service territories, unless the Department can show that integration is not feasible or appropriate.

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(7) Include a proposed cost recovery tariff mechanism to fund the proposed energy efficiency measures and to ensure the recovery of the prudently and reasonably incurred costs of Commission-approved programs.

(8) Provide for quarterly status reports tracking implementation of and expenditures for the utility's portfolio of measures and the Department's portfolio of measures, an annual independent review, and a full independent evaluation of the 3-year results of the performance and the cost-effectiveness of the utility's and Department's portfolios of measures and broader net program impacts and, to the extent practical, for adjustment of the measures on a going forward basis as a result of the evaluations. The resources dedicated to evaluation shall not exceed 3% of portfolio resources in any given 3-year period.

(g) No more than 3% of expenditures on energy efficiency measures may be allocated for demonstration of breakthrough equipment and devices.

(h) Illinois natural gas utilities that are affiliated by virtue of a common parent company may, at the utilities' request, be considered a single natural gas utility for purposes of complying with this Section.

(i) If, after 3 years, a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section as modified by subsection (d), then it shall make a contribution to the Low-Income Home Energy Assistance Program. The total liability for failure to meet the goal shall be assessed as follows:

1. a large gas utility shall pay $600,000;
2. a medium gas utility shall pay $400,000; and
3. a small gas utility shall pay $200,000.

For purposes of this Section, (i) a "large gas utility" is a gas utility that on December 31, 2008, served more than 1,500,000 gas customers in Illinois; (ii) a "medium gas utility" is a gas utility that on December 31, 2008, served fewer than 1,500,000, but more than 500,000 gas customers in Illinois; and (iii) a "small gas utility" is a gas utility that on December 31, 2008, served fewer than 500,000 and more than 100,000 gas customers in Illinois. The costs of this contribution may not be recovered from ratepayers.

If a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, in any 2 consecutive 3-year planning periods, then the
responsibility for implementing the utility's energy efficiency measures shall be transferred to an independent program administrator selected by the Commission. Reasonable and prudent costs incurred by the independent program administrator to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, may be recovered from the customers of the affected gas utilities, other than customers described in subsection (m) of this Section. The utility shall provide the independent program administrator with all information and assistance necessary to perform the program administrator's duties including but not limited to customer, account, and energy usage data, and shall allow the program administrator to include inserts in customer bills. The utility may recover reasonable costs associated with any such assistance.

(j) No utility shall be deemed to have failed to meet the energy efficiency standards to the extent any such failure is due to a failure of the Department.

(k) Not later than January 1, 2012, the Commission shall develop and solicit public comment on a plan to foster statewide coordination and consistency between statutorily mandated natural gas and electric energy efficiency programs to reduce program or participant costs or to improve program performance. Not later than September 1, 2013, the Commission shall issue a report to the General Assembly containing its findings and recommendations.

(l) This Section does not apply to a gas utility that on January 1, 2009, provided gas service to fewer than 100,000 customers in Illinois.

(m) Subsections (a) through (k) of this Section do not apply to customers of a natural gas utility that have a North American Industry Classification System code number that is 22111 or any such code number beginning with the digits 31, 32, or 33 and (i) annual usage in the aggregate of 4 million therms or more within the service territory of the affected gas utility or with aggregate usage of 8 million therms or more in this State and complying with the provisions of item (l) of this subsection (m); or (ii) using natural gas as feedstock and meeting the usage requirements described in item (i) of this subsection (m), to the extent such annual feedstock usage is greater than 60% of the customer's total annual usage of natural gas.

(1) Customers described in this subsection (m) of this Section shall apply, on a form approved on or before October 1, 2009 by the Department, to the Department to be designated as a
self-directing customer ("SDC") or as an exempt customer using natural gas as a feedstock from which other products are made, including, but not limited to, feedstock for a hydrogen plant, on or before the 1st day of February, 2010. Thereafter, application may be made not less than 6 months before the filing date of the gas utility energy efficiency plan described in subsection (f) of this Section; however, a new customer that commences taking service from a natural gas utility after February 1, 2010 may apply to become a SDC or exempt customer up to 30 days after beginning service. Customers described in this subsection (m) that have not already been approved by the Department may apply to be designated a self-directing customer or exempt customer, on a form approved by the Department, between September 1, 2013 and September 30, 2013. Customer applications that are approved by the Department under this amendatory Act of the 98th General Assembly shall be considered to be a self-directing customer or exempt customer, as applicable, for the current 3-year planning period effective December 1, 2013. Such application shall contain the following:

(A) the customer's certification that, at the time of its application, it qualifies to be a SDC or exempt customer described in this subsection (m) of this Section;

(B) in the case of a SDC, the customer's certification that it has established or will establish by the beginning of the utility's 3-year planning period commencing subsequent to the application, and will maintain for accounting purposes, an energy efficiency reserve account and that the customer will accrue funds in said account to be held for the purpose of funding, in whole or in part, energy efficiency measures of the customer's choosing, which may include, but are not limited to, projects involving combined heat and power systems that use the same energy source both for the generation of electrical or mechanical power and the production of steam or another form of useful thermal energy or the use of combustible gas produced from biomass, or both;

(C) in the case of a SDC, the customer's certification that annual funding levels for the energy efficiency reserve account will be equal to 2% of the...
customer's cost of natural gas, composed of the customer's commodity cost and the delivery service charges paid to the gas utility, or $150,000, whichever is less;

(D) in the case of a SDC, the customer's certification that the required reserve account balance will be capped at 3 years' worth of accruals and that the customer may, at its option, make further deposits to the account to the extent such deposit would increase the reserve account balance above the designated cap level;

(E) in the case of a SDC, the customer's certification that by October 1 of each year, beginning no sooner than October 1, 2012, the customer will report to the Department information, for the 12-month period ending May 31 of the same year, on all deposits and reductions, if any, to the reserve account during the reporting year, and to the extent deposits to the reserve account in any year are in an amount less than $150,000, the basis for such reduced deposits; reserve account balances by month; a description of energy efficiency measures undertaken by the customer and paid for in whole or in part with funds from the reserve account; an estimate of the energy saved, or to be saved, by the measure; and that the report shall include a verification by an officer or plant manager of the customer or by a registered professional engineer or certified energy efficiency trade professional that the funds withdrawn from the reserve account were used for the energy efficiency measures;

(F) in the case of an exempt customer, the customer's certification of the level of gas usage as feedstock in the customer's operation in a typical year and that it will provide information establishing this level, upon request of the Department;

(G) in the case of either an exempt customer or a SDC, the customer's certification that it has provided the gas utility or utilities serving the customer with a copy of the application as filed with the Department;

(H) in the case of either an exempt customer or a SDC, certification of the natural gas utility or utilities

New matter indicated by italics - deletions by strikeout
serving the customer in Illinois including the natural gas utility accounts that are the subject of the application; and

(I) in the case of either an exempt customer or a SDC, a verification signed by a plant manager or an authorized corporate officer attesting to the truthfulness and accuracy of the information contained in the application.

(2) The Department shall review the application to determine that it contains the information described in provisions (A) through (I) of item (1) of this subsection (m), as applicable. The review shall be completed within 30 days after the date the application is filed with the Department. Absent a determination by the Department within the 30-day period, the applicant shall be considered to be a SDC or exempt customer, as applicable, for all subsequent 3-year planning periods, as of the date of filing the application described in this subsection (m). If the Department determines that the application does not contain the applicable information described in provisions (A) through (I) of item (1) of this subsection (m), it shall notify the customer, in writing, of its determination that the application does not contain the required information and identify the information that is missing, and the customer shall provide the missing information within 15 working days after the date of receipt of the Department's notification.

(3) The Department shall have the right to audit the information provided in the customer's application and annual reports to ensure continued compliance with the requirements of this subsection. Based on the audit, if the Department determines the customer is no longer in compliance with the requirements of items (A) through (I) of item (1) of this subsection (m), as applicable, the Department shall notify the customer in writing of the noncompliance. The customer shall have 30 days to establish its compliance, and failing to do so, may have its status as a SDC or exempt customer revoked by the Department. The Department shall treat all information provided by any customer seeking SDC status or exemption from the provisions of this Section as strictly confidential.

(4) Upon request, or on its own motion, the Commission may open an investigation, no more than once every 3 years and not before October 1, 2014, to evaluate the effectiveness of the self-directing program described in this subsection (m).

New matter indicated by italics - deletions by strikeout
(n) The applicability of this Section to customers described in subsection (m) of this Section is conditioned on the existence of the SDC program. In no event will any provision of this Section apply to such customers after January 1, 2020.

(Source: P.A. 96-33, eff. 7-10-09; 97-813, eff. 7-13-12; 97-841, eff. 7-20-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

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AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 143, 356z.12, and 1202 as follows:

(215 ILCS 5/143) (from Ch. 73, par. 755)
Sec. 143. Policy forms.
(1) Life, accident and health. No company transacting the kind or kinds of business enumerated in Classes 1 (a), 1 (b) and 2 (a) of Section 4 shall issue or deliver in this State a policy or certificate of insurance or evidence of coverage, attach an endorsement or rider thereto, incorporate by reference bylaws or other matter therein or use an application blank in this State until the form and content of such policy, certificate, evidence of coverage, endorsement, rider, bylaw or other matter incorporated by reference or application blank has been filed electronically with the Director, either through the System for Electronic Rate and Form Filing (SERFF) or as otherwise prescribed by the Director, and approved by the Director. The Department shall mail a quarterly invoice to the company for the appropriate filing fees required under Section 408. Any such endorsement or rider that unilaterally reduces benefits and is to be attached to a policy subsequent to the date the policy is issued must be filed with, reviewed, and formally approved by the Director prior to the date it is attached to a policy issued or delivered in this State. It shall be the duty of the Director to withhold approval of any such policy, certificate,
endorsement, rider, bylaw or other matter incorporated by reference or application blank filed with him if it contains provisions which encourage misrepresentation or are unjust, unfair, inequitable, ambiguous, misleading, inconsistent, deceptive, contrary to law or to the public policy of this State, or contains exceptions and conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy. In all cases the Director shall approve or disapprove any such form within 60 days after submission unless the Director extends by not more than an additional 30 days the period within which he shall approve or disapprove any such form by giving written notice to the insurer of such extension before expiration of the initial 60 days period. The Director shall withdraw his approval of a policy, certificate, evidence of coverage, endorsement, rider, bylaw, or other matter incorporated by reference or application blank if he subsequently determines that such policy, certificate, evidence of coverage, endorsement, rider, bylaw, other matter, or application blank is misrepresentative, unjust, unfair, inequitable, ambiguous, misleading, inconsistent, deceptive, contrary to law or public policy of this State, or contains exceptions or conditions which unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy or evidence of coverage.

If a previously approved policy, certificate, evidence of coverage, endorsement, rider, bylaw or other matter incorporated by reference or application blank is withdrawn for use, the Director shall serve upon the company an order of withdrawal of use, either personally or by mail, and if by mail, such service shall be completed if such notice be deposited in the post office, postage prepaid, addressed to the company's last known address specified in the records of the Department of Insurance. The order of withdrawal of use shall take effect 30 days from the date of mailing but shall be stayed if within the 30-day period a written request for hearing is filed with the Director. Such hearing shall be held at such time and place as designated in the order given by the Director. The hearing may be held either in the City of Springfield, the City of Chicago or in the county where the principal business address of the company is located. The action of the Director in disapproving or withdrawing such form shall be subject to judicial review under the Administrative Review Law.

This subsection shall not apply to riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under his life insurance policy.
(2) Casualty, fire, and marine. The Director shall require the filing of all policy forms issued or delivered by any company transacting the kind or kinds of business enumerated in Classes 2 (except Class 2 (a)) and 3 of Section 4 in an electronic format either through the System for Electronic Rate and Form Filing (SERFF) or as otherwise prescribed and approved by the Director. In addition, he may require the filing of any generally used riders, endorsements, certificates, application blanks, and other matter incorporated by reference in any such policy or contract of insurance. The Department shall mail a quarterly invoice to the company for the appropriate filing fees required under Section 408. Companies that are members of an organization, bureau, or association may have the same filed for them by the organization, bureau, or association. If the Director shall find from an examination of any such policy form, rider, endorsement, certificate, application blank, or other matter incorporated by reference in any such policy so filed that it (i) violates any provision of this Code, (ii) contains inconsistent, ambiguous, or misleading clauses, or (iii) contains exceptions and conditions that will unreasonably or deceptively affect the risks that are purported to be assumed by the policy, he shall order the company or companies issuing these forms to discontinue their use. Nothing in this subsection shall require a company transacting the kind or kinds of business enumerated in Classes 2 (except Class 2 (a)) and 3 of Section 4 to obtain approval of these forms before they are issued nor in any way affect the legality of any policy that has been issued and found to be in conflict with this subsection, but such policies shall be subject to the provisions of Section 442.

(3) This Section shall not apply (i) to surety contracts or fidelity bonds, (ii) to policies issued to an industrial insured as defined in Section 121-2.08 except for workers' compensation policies, nor (iii) to riders or endorsements prepared to meet special, unusual, peculiar, or extraordinary conditions applying to an individual risk.

(Source: P.A. 97-486, eff. 1-1-12.)

(215 ILCS 5/356z.12)

Sec. 356z.12. Dependent coverage.

(a) A group or individual policy of accident and health insurance or managed care plan that provides coverage for dependents and that is amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly shall not terminate coverage or deny the election of coverage for an unmarried dependent by reason of the dependent's age before the dependent's 26th birthday.

New matter indicated by italics - deletions by strikeout
(b) A policy or plan subject to this Section shall, upon amendment, delivery, issuance, or renewal, establish an initial enrollment period of not less than 90 days during which an insured may make a written election for coverage of an unmarried person as a dependent under this Section. After the initial enrollment period, enrollment by a dependent pursuant to this Section shall be consistent with the enrollment terms of the plan or policy.

(c) A policy or plan subject to this Section shall allow for dependent coverage during the annual open enrollment date or the annual renewal date if the dependent, as of the date on which the insured elects dependent coverage under this subsection, has:

1. a period of continuous creditable coverage of 90 days or more; and
2. not been without creditable coverage for more than 63 days.

An insured may elect coverage for a dependent who does not meet the continuous creditable coverage requirements of this subsection (c) and that dependent shall not be denied coverage due to age.

For purposes of this subsection (c), "creditable coverage" shall have the meaning provided under subsection (C)(1) of Section 20 of the Illinois Health Insurance Portability and Accountability Act.

(d) Military personnel. A group or individual policy of accident and health insurance or managed care plan that provides coverage for dependents and that is amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly shall not terminate coverage or deny the election of coverage for an unmarried dependent by reason of the dependent's age before the dependent's 30th birthday if the dependent (i) is an Illinois resident, (ii) served as a member of the active or reserve components of any of the branches of the Armed Forces of the United States, and (iii) has received a release or discharge other than a dishonorable discharge. To be eligible for coverage under this subsection (d), the eligible dependent shall submit to the insurer a form approved by the Illinois Department of Veterans' Affairs stating the date on which the dependent was released from service.

(e) Calculation of the cost of coverage provided to an unmarried dependent under this Section shall be identical.

(f) Nothing in this Section shall prohibit an employer from requiring an employee to pay all or part of the cost of coverage provided under this Section.
(g) No exclusions or limitations may be applied to coverage elected pursuant to this Section that do not apply to all dependents covered under the policy.

(h) A policy or plan subject to this Section shall not condition eligibility for dependent coverage provided pursuant to this Section on enrollment in any educational institution.

(i) Notice regarding coverage for a dependent as provided pursuant to this Section shall be provided to an insured by the insurer:

1. upon application or enrollment;
2. in the certificate of coverage or equivalent document prepared for an insured and delivered on or about the date on which the coverage commences; and
3. in a notice delivered to an insured on a semi-annual basis.

(Source: P.A. 95-958, eff. 6-1-09.)

(215 ILCS 5/1202) (from Ch. 73, par. 1065.902)
Sec. 1202. Duties. The Director shall:

(a) determine the relationship of insurance premiums and related income as compared to insurance costs and expenses and provide such information to the General Assembly and the general public;

(b) study the insurance system in the State of Illinois, and recommend to the General Assembly what it deems to be the most appropriate and comprehensive cost containment system for the State;

(c) respond to the requests by agencies of government and the General Assembly for special studies and analysis of data collected pursuant to this Article. Such reports shall be made available in a form prescribed by the Director. The Director may also determine a fee to be charged to the requesting agency to cover the direct and indirect costs for producing such a report, and shall permit affected insurers the right to review the accuracy of the report before it is released. The fees shall be deposited into the Statistical Services Revolving Fund and credited to the account of the Department of Insurance;

(d) make an interim report to the General Assembly no later than August 15, 1987, and a annual report to the General Assembly no later than July 1 every year thereafter which shall include the Director's findings and recommendations regarding its duties as provided under subsections (a), (b), and (c) of this Section.

(Source: P.A. 91-357, eff. 7-29-99.)

Passed in the General Assembly May 16, 2013.
AN ACT concerning transportation.

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

Section 5. The Kankakee River Dam Transfer Act is amended by changing Sections 5 and 10 as follows:

(615 ILCS 110/5)

Sec. 5. Authorization to acquire. The Department of Natural Resources, on behalf of the State of Illinois, is authorized to acquire by donation from the City of Wilmington in Will County, Illinois and other owners the existing Kankakee River dam and its abutments, millrace, millrace structures, and all other improvements constructed in connection with the dam; the sites on which the dam, abutments, millrace, millrace structures, and other improvements are constructed; and all water, flowage easements, and other privileges at law or in equity that the present owners or their predecessors acquired in and to the property.

(Source: P.A. 87-1219.)

(615 ILCS 110/10)

Sec. 10. Powers of Department of Natural Resources. After the real estate and structures described in Section 5 have been acquired, the Department of Natural Resources may reconstruct, repair, restore, rehabilitate, demolish, lease for a period not to exceed 20 years, sell, transfer or convey, exchange, develop or otherwise utilize these lands with their appurtenances acquired under this Act in the best interest of the State of Illinois. (Source: P.A. 87-1219.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning finance.

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

Section 5. The State Finance Act is amended by adding Section 9.08 as follows:

(30 ILCS 105/9.08 new)

Sec. 9.08. State agency reports; bills held by the agency.

(a) On October 1, 2013 and by October 1 of each fiscal year thereafter, each State agency shall report the aggregate dollar amount of any bills held at the State agency on the previous June 30 to the Office of the State Comptroller.

(b) As soon as possible after receiving a report from a State agency under subsection (a) of this Section, the State Comptroller shall post on his or her public-facing website the amount reported by the State agency.

(c) For purposes of this Section, "State agency" means: all executive branch officers, boards, commissions and agencies created by the Constitution; all officers, departments, boards, commissions, agencies, institutions, authorities, universities, bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government and their officers, school districts and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor. "State agency" does not include any officer, department, board, commission, agency, unit, or authority of the legislative or judicial branch.

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

Passed in the General Assembly May 14, 2013.

Approved August 9, 2013.

Effective August 9, 2013.
AN ACT concerning civil law.

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

Section 5. The Eminent Domain Act is amended by adding Section 25-5-45 as follows:

(735 ILCS 30/25-5-45 new)

Sec. 25-5-45. Quick-take; McHenry County. Quick-take proceedings under Article 20 may be used for a period of no longer than one year from the effective date of this amendatory Act of the 98th General Assembly by McHenry County for the acquisition of the following described property for the purpose of public improvements to serve McHenry County:

Route: F.A.U. 168 (Johnsburg Road)
Section: 05-00314-00-WR
County: McHenry Job No.: R-91-005-06
Parcel: 1HK0045
Sta. 58+07.09 To Sta. 58+31.89
Sta. 176+10.72 To Sta. 177+36.15
Owner: JNL-Johnsburg Properties, Inc.
Index No. 09-13-277-001
09-13-277-002

That part of Sub Lot 2 of Lot 28 in Plat Number 3 McHenry, County Clerk's Plat of Section 13, Township 45 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded May 6, 1902 as document number 14079, in McHenry County, Illinois, described as follows:

Commencing at the southeast corner of the Northeast Quarter of said Section 13; thence on an assumed bearing of South 89 degrees 15 minutes 13 seconds West along the south line of the Northeast Quarter of said Section 13, as monumented and occupied, a distance of 824.94 feet (825.2 feet, recorded) (826.0 feet, recorded) to a point of intersection with the Southerly extension of the east line of the grantor; thence North 1 degree 20 minutes 53 seconds East along the said Southerly extension of the east line of the grantor, a distance of 132.49 feet to the northeasterly right of way line of Chapel Hill Road recorded January 26, 1932 as document number 100422, being also the southeast corner of the grantor; thence
North 46 degrees 56 minutes 58 seconds West along the said northeasterly right of way line of Chapel Hill Road and along the northeasterly right of way line of Chapel Hill Road recorded January 26, 1932 as document number 100421, a distance of 261.08 feet to the point of beginning; thence continuing North 46 degrees 56 minutes 58 seconds West along the northeasterly right of way line of Chapel Hill Road recorded as document number 100420; thence North 2 degrees 09 minutes 50 seconds East along the said east right of way line of Chapel Hill Road and the Northerly extension thereof, a distance of 64.92 feet (64.91 feet, more or less, recorded) to the center line of Johnsb urg Road; thence North 87 degrees 42 minutes 53 seconds East along the said center line of Johnsb urg Road, a distance of 123.08 feet; thence South 2 degrees 17 minutes 07 seconds East, a distance of 30.00 feet to the south right of way line of Johnsb urg Road according to a Plat of Survey by the County Surveyor dated October 21, 1952 in Surveyor Book Number 5, page 204; thence South 70 degrees 14 minutes 11 seconds West, a distance of 47.08 feet; thence South 22 degrees 40 minutes 19 seconds West, a distance of 30.69 feet to the point of beginning.

Said parcel containing 0.117 acre, more or less, of which 0.086 acre, more or less, was previously dedicated or used for highway purposes.

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

New matter indicated by italics - deletions by strikeout
(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;

New matter indicated by italics - deletions by strikeout
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;

New matter indicated by italics - deletions by strikeout
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;

New matter indicated by italics - deletions by strikeout
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;

New matter indicated by italics - deletions by strikeout
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
   (70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
   (71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
   (72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
   (73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
   (74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;  
   (75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;  
   (76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
   (77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;  
   (78) if the ordinance was adopted on December 29, 1986 by the City of Morris;  
   (79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
   (80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);  
   (81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);  
   (82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;  
   (83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;  
   (84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;  
   (85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;  
   (86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
   (87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;

New matter indicated by italics - deletions by strikeout
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline; or
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;

(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria; or
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle; or
(105) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the

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State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 96-127, eff. 8-4-09; 96-182, eff. 8-10-09; 96-208, eff. 8-10-09; 96-209, eff. 1-1-10; 96-213, eff. 8-10-09; 96-264, eff. 8-11-09; 96-328, eff. 8-11-09; 96-439, eff. 8-14-09; 96-454, eff. 8-14-09; 96-722, eff. 8-25-
AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 10-2.1-8 as follows:

(65 ILCS 5/10-2.1-8) (from Ch. 24, par. 10-2.1-8)

Sec. 10-2.1-8. Veteran's and educational preference. Persons who have successfully obtained an associate's degree in the field of law enforcement, criminal justice, fire service, or emergency medical services, or a bachelor's degree from an accredited college or university; persons who have been awarded a certificate attesting to the successful completion of the Minimum Standards Basic Law Enforcement Training Course as provided in the Illinois Police Training Act and are currently serving as a law enforcement officer on a part-time or full-time basis within the State of Illinois; and persons who were engaged in the active military or naval service of the United States for a period of at least one year and who were honorably discharged therefrom, or who are now or may hereafter be on inactive or reserve duty in such military or naval service (not including, however, in the case of offices, positions and places of employment in the police department, persons who were convicted by court-martial of disobedience of orders, where such disobedience consisted in the refusal to perform military service on the ground of religious or conscientious objections against war) shall be preferred for appointments to offices, positions, and places of employment in the fire and police departments of the municipality coming under the provisions of this Division 2.1. For
purposes of this Section, if a person has been deployed, then "active duty military or naval service of the United States" includes training and service school attendance, as defined in 10 U.S.C. 101(d), which is ordered pursuant to 10 U.S.C. 12301(d). The preference points awarded under this Section shall not be cumulative.

This amendatory Act of 1973 does not apply to any municipality which is a home rule unit.

Persons who have participated in that municipality's police explorer or cadet program may be preferred, for a maximum of 2 points, for appointments to offices, positions, and places of employment in municipal police departments under the provisions of this Division.

(Source: P.A. 96-83, eff. 1-1-10.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0232
(House Bill No. 1773)

AN ACT concerning civil law.

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

Section 5. The Common Interest Community Association Act is amended by changing Section 1-30 as follows:

(765 ILCS 160/1-30)
Sec. 1-30. Board duties and obligations; records.
(a) The board shall meet at least 4 times annually.
(b) A member of the board of the common interest community association may not enter into a contract with a current board member, or with a corporation or partnership in which a board member or a member of his or her immediate family has 25% or more interest, unless notice of intent to enter into the contract is given to members within 20 days after a decision is made to enter into the contract and the members are afforded an opportunity by filing a petition, signed by 20% of the membership, for an election to approve or disapprove the contract; such petition shall be filed within 20 days after such notice and such election shall be held within 30 days after filing the petition. For purposes of this subsection, a

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board member’s immediate family means the board member's spouse, parents, and children.

(c) The bylaws shall provide for the maintenance, repair, and replacement of the common areas and payments therefor, including the method of approving payment vouchers.

(d) (Blank).

(e) The association may engage the services of a manager or management company.

(f) The association shall have one class of membership unless the declaration or bylaws provide otherwise; however, this subsection (f) shall not be construed to limit the operation of subsection (c) of Section 1-20 of this Act.

(g) The board shall have the power, after notice and an opportunity to be heard, to levy and collect reasonable fines from members or unit owners for violations of the declaration, bylaws, and rules and regulations of the common interest community association.

(h) Other than attorney's fees and court or arbitration costs, no fees pertaining to the collection of a member's or unit owner's financial obligation to the association, including fees charged by a manager or managing agent, shall be added to and deemed a part of a member's or unit owner's respective share of the common expenses unless: (i) the managing agent fees relate to the costs to collect common expenses for the association; (ii) the fees are set forth in a contract between the managing agent and the association; and (iii) the authority to add the management fees to a member's or unit owner's respective share of the common expenses is specifically stated in the declaration or bylaws of the association.

(i) Board records.

(1) The board shall maintain the following records of the association and make them available for examination and copying at convenient hours of weekdays by any member or unit owner in a common interest community subject to the authority of the board, their mortgagees, and their duly authorized agents or attorneys:

(i) Copies of the recorded declaration, other community instruments, other duly recorded covenants and bylaws and any amendments, articles of incorporation, annual reports, and any rules and regulations adopted by the board shall be available. Prior to the organization of the board, the developer shall maintain and make available the

New matter indicated by italics - deletions by strikeout
records set forth in this paragraph (i) for examination and copying.

(ii) Detailed and accurate records in chronological order of the receipts and expenditures affecting the common areas, specifying and itemizing the maintenance and repair expenses of the common areas and any other expenses incurred, and copies of all contracts, leases, or other agreements entered into by the board shall be maintained.

(iii) The minutes of all meetings of the board which shall be maintained for not less than 7 years.

(iv) With a written statement of a proper purpose, ballots and proxies related thereto, if any, for any election held for the board and for any other matters voted on by the members, which shall be maintained for not less than one year.

(v) With a written statement of a proper purpose, such other records of the board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the General Not For Profit Corporation Act of 1986 shall be maintained.

(vi) With respect to units owned by a land trust, a living trust, or other legal entity, the trustee, officer, or manager of the entity may designate, in writing, a person to cast votes on behalf of the member or unit owner and a designation shall remain in effect until a subsequent document is filed with the association.

(2) Where a request for records under this subsection is made in writing to the board or its agent, failure to provide the requested record or to respond within 30 days shall be deemed a denial by the board.

(3) A reasonable fee may be charged by the board for the cost of retrieving and copying records properly requested.

(4) If the board fails to provide records properly requested under paragraph (1) of this subsection (i) within the time period provided in that paragraph (1), the member may seek appropriate relief and shall be entitled to an award of reasonable attorney's fees and costs if the member prevails and the court finds that such
failure is due to the acts or omissions of the board of managers or the board of directors.

(j) The board shall have standing and capacity to act in a representative capacity in relation to matters involving the common areas or more than one unit, on behalf of the members or unit owners as their interests may appear.

(Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0233
(House Bill No. 1817)

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

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Illinois Police Benevolent and Protective Association Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)
Sec. 3-699. Illinois Police Benevolent and Protective Association license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Police Benevolent and Protective Association license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code.

New matter indicated by italics - deletions by strikeout
The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Illinois Police Benevolent and Protective Association Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois Police Benevolent and Protective Association Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Police Benevolent and Protective Association Fund is created as a special fund in the State treasury. All money in the Illinois Police Benevolent and Protective Association Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Police Benevolent and Protective Association for the purposes of providing death benefits for the families of police officers killed in the line of duty, providing scholarships for undergraduate study to children and spouses of police officers killed in the line of duty, and educating the public and police officers regarding policing and public safety.

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0234
(House Bill No. 1854)

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

Section 5. The Flag Display Act is amended by changing Section 10 as follows:

(5 ILCS 465/10)

New matter indicated by italics - deletions by strikeout
Sec. 10. Death of resident military member, law enforcement officer, or firefighter, or members of EMS crews.

(a) The Governor shall issue an official notice to fly the following flags at half-staff upon the death of a resident of this State killed (i) by hostile fire as a member of the United States armed forces, (ii) in the line of duty as a law enforcement officer, or (iii) in the line of duty as a firefighter, or (iv) in the line of duty as a member of an Emergency Medical Services (EMS) crew: the United States national flag, the State flag of Illinois, and, in the case of the death of the member of the United States armed forces, the appropriate military flag as defined in subsection (b) of Section 18.6 of the Condominium Property Act. Upon the Governor's notice, each person or entity required by this Act to ensure the display of the United States national flag on a flagstaff shall ensure that the flags described in the notice are displayed at half-staff on the day designated for the resident's funeral and the 2 days preceding that day.

(b) The Department of Veterans' Affairs shall notify the Governor of the death by hostile fire of an Illinois resident member of the United States armed forces. The Department of State Police shall notify the Governor of the death in the line of duty of an Illinois resident law enforcement officer. The Office of the State Fire Marshal shall notify the Governor of the death in the line of duty of an Illinois resident firefighter. The Department of Public Health shall notify the Governor of the death in the line of duty of an Illinois resident member of an Emergency Medical Services (EMS) crew. Notice to the Governor shall include at least the resident's name and Illinois address, the date designated for the funeral, and the circumstances of the death.

(c) For the purpose of this Section, the United States armed forces includes: (i) the United States Army, Navy, Marine Corps, Air Force, and Coast Guard; (ii) any reserve component of each of the forces listed in item (i); and (iii) the National Guard.

(d) Nothing in this Section requires the removal or relocation of any existing flags currently displayed in the State. This Section does not apply to a State facility if the requirements of this Section cannot be satisfied without a physical modification to that facility.

(Source: P.A. 95-596, eff. 9-11-07; 96-436, eff. 8-14-09.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.
AN ACT concerning State government.

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

Section 5. The State Comptroller Act is amended by adding Section 9.03a as follows:

(15 ILCS 405/9.03a new)

Sec. 9.03a. Direct deposit earnings statements.

(a) For the purposes of this Section:

"Retirement system" means a retirement system that (i) is established under Article 2, 14, 16, or 18 of the Illinois Pension Code and (ii) processes retirement annuities through the Illinois Comptroller's Office.

"State agency" means any executive branch State agency, board, or commission that (i) has 50 or more employees and (ii) processes payrolls through the Illinois Comptroller's Office.

(b) Beginning with State fiscal year 2015 payrolls, each State agency must implement a secure website for its employees to access an electronic version of their earnings statements issued for service on or after July 1, 2014. Before implementing a secure website, each State agency must notify its employees of the website and instruct them on how to access the website. In addition, each State agency must provide its employees with an option to continue receiving a paper version of their earnings statements. If a State agency is unable to establish a secure website before July 1, 2014, it must submit documentation to the Illinois Comptroller's Office stating the reasons it is unable to comply with that requirement by that date, together with a schedule for implementing a secure website. The Comptroller may extend the time for complying with the requirements of this subsection (a) by up to 12 months. Beginning with State fiscal year 2015 payrolls, the Illinois Comptroller's Office shall discontinue printing paper versions of earnings statements for employees who use direct deposit. If an employee notifies his or her employing State agency that he or she wants to continue receiving a paper version of earnings statements or if the State agency is granted an extension under this subsection (b), then, beginning with State fiscal year 2015 payrolls, the State agency shall still be responsible for producing and distributing a paper version of earning statements for its employees. Upon request, the

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Illinois Comptroller's Office shall continue to print a paper version of earning statements for executive branch State agencies, boards, and commissions with less than 50 employees.

(c) Beginning with retirement annuity payments for State fiscal year 2015, each retirement system must implement a secure website for its annuitants to access an electronic version of their earnings statements issued for annuity payments payable for State fiscal year 2015 or thereafter. Before implementing a secure website, each retirement system must notify its annuitants of the website and instruct them on how to access the website. In addition, each retirement system must provide its annuitants with an option to continue receiving a paper version of their earnings statements. If a retirement system is unable to establish a secure website before July 1, 2014, it must submit documentation to the Illinois Comptroller's Office stating the reasons it is unable to comply with that requirement by that date, together with a schedule for implementing a secure website. The Comptroller may extend the time for complying with the requirements of this Section by up to 12 months. Beginning with State fiscal year 2015, the Illinois Comptroller's Office shall discontinue printing paper versions of earnings statements for annuitants using direct deposit. If an annuitant notifies his or her retirement system that he or she want to continue receiving a paper version of earnings statements or if the retirement system is granted an extension under this subsection (c), then, beginning with retirement annuity payments for State fiscal year 2015, the retirement system shall still be responsible for producing and distributing a paper version of earning statements for its annuitants.

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-665 as follows:

(20 ILCS 2310/2310-665 new)

Sec. 2310-665. Educational materials on streptococcal infection. The Department, in conjunction with the Illinois State Board of Education, shall develop educational material on streptococcal infection for distribution in elementary and secondary schools. The material shall include, but not be limited to:

(1) a process to notify parents or guardians of an outbreak in the school;
(2) a process to provide information on all of the symptoms of streptococcal to teachers, parents, and students; and
(3) guidelines for schools to control the spread of streptococcal infections.

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0237
(House Bill No. 2036)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Environmental Protection Act is amended by adding Section 7.6 as follows:

(415 ILCS 5/7.6 new)

Sec. 7.6. Electronic posting of permit information. Beginning January 1, 2014, the Agency shall maintain the following information on its website:

(1) a description of each type of permit it issues and the persons subject to each type of permit;
(2) a description of the process for obtaining each type of permit, including but not limited to any statutory or regulatory deadlines and whether public notices or hearings are required prior to permit issuance; and

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(3) no later than February 1 of each year, a report that contains the following information for the previous calendar year, with respect to each type of permit, based on information available to the Agency in a format the Agency can compile and publish electronically:

(A) the number of permit applications received by the Agency;

(B) the number of permits issued by the Agency; and

(C) the average number of days from the date the Agency receives all information necessary for the issuance of a permit until the date the Agency issues the permit.

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0238
(House Bill No. 2210)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by changing Sections 1-4, 2A-7, and 3B-10 as follows:
(225 ILCS 410/1-4)
(Section scheduled to be repealed on January 1, 2016)
Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:
"Board" means the Barber, Cosmetology, Esthetics, and Nail Technology Board.
"Department" means the Department of Financial and Professional Regulation.
"Licensed barber" means an individual licensed by the Department to practice barbering as defined in this Act and whose license is in good standing.
"Licensed barber clinic teacher" means an individual licensed by the Department to practice barbering, as defined in this Act, and to provide

New matter indicated by italics - deletions by strikeout
clinical instruction in the practice of barbering in an approved school of barbering.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means any individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering as defined in this Act and to provide instruction in the theory and practice of barbering to students in an approved barber school.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, and nail technology to students in an approved cosmetology, esthetics, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide clinical instruction in the practice of cosmetology, esthetics, and nail technology in an approved school of cosmetology, esthetics, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in an approved cosmetology or esthetics school.

"Licensed esthetics clinic teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide clinical instruction in the practice of esthetics in an approved school of cosmetology or an approved school of esthetics.

"Licensed hair braider" means any individual licensed by the Department to practice hair braiding as defined in Section 3E-1 and whose license is in good standing.

"Licensed hair braiding teacher" means an individual licensed by the Department to practice hair braiding and to provide instruction in the
theory and practice of hair braiding to students in an approved cosmetology school.

"Licensed nail technology teacher" means an individual licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in an approved nail technology school or cosmetology school.

"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

"Enrollment" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

"School" means an institution of higher education that meets the requirements of 34 CFR 600.9.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"Threading" means any technique that results in the removal of superfluous hair from the body by twisting thread around unwanted hair and then pulling it from the skin; and may also include the incidental trimming of eyebrow hair.

(Source: P.A. 96-1076, eff. 7-16-10; 96-1246, eff. 1-1-11; 97-333, eff. 8-12-11; 97-777, eff. 7-13-12.)

(225 ILCS 410/2A-7)

(Section scheduled to be repealed on January 1, 2016)

Sec. 2A-7. Requirements for licensure as barber school. No person, firm, or corporation may own, operate, or conduct a school or college of barbering for the purpose of teaching barbering for compensation unless licensed by the Department. A licensed school is a postsecondary

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educational institution authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act. An applicant shall apply to the Department without filing an application with the Department on forms provided by the Department, paying the required fees, and complying with the following requirements:

1. The applicant must submit to the Department for approval:
   a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and
   b. A lease commitment or proof of ownership for the location of the proposed school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease must be for a period of at least one year.
   c. (Blank).

2. An application to own or operate a school shall include the following:
   a. If the owner is a corporation, a copy of the Articles of Incorporation;
   b. If the owner is a partnership, a listing of all partners and their current addresses;
   c. If the applicant is an owner, a completed financial statement showing the owner's ability to operate the school for at least 3 months;
   d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act;
   e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;
   f. A copy of the curricula that will be followed;
   g. The names, addresses, and current status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;
   h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or...
owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;

i. A copy of the school's official transcript; and
j. The required fee.

3. Each application for a license to operate a school shall also contain the following commitments:

a. To conduct the school in accordance with this Act and the standards and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the federal Higher Education Act of 1965.

b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school required for the administration of this Act and the standards and rules adopted under this Act;

c. To utilize only advertising and solicitation that is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;

d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening; if the course of instruction is offered in a language other than English, the screening shall also be performed in that language;

e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act.

4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required.
5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school.

6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department.

7. A final inspection of the barber school shall be made by the Department before the school may commence classes.

8. A written inspection report must be made by a local fire authority or the State Fire Marshal approving the use of the proposed premises as a barber school.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3B-10)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3B-10. Requisites for ownership or operation of school. No person, firm, or corporation may own, operate, or conduct a school of cosmetology, esthetics, hair braiding, or nail technology for the purpose of teaching cosmetology, esthetics, hair braiding, or nail technology for compensation unless licensed by the Department. A licensed school is a postsecondary educational institution authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act. An applicant shall apply to the Department without applying on forms provided by the Department, pay the required fees, and comply with the following requirements:

1. The applicant must submit to the Department for approval:

   a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and

   b. A lease commitment or proof of ownership for the location of the proposed school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease must be for a period of at least one year.

   c. (Blank).

2. An application to own or operate a school shall include the following:

   a. If the owner is a corporation, a copy of the Articles of Incorporation;
b. If the owner is a partnership, a listing of all partners and their current addresses;

c. If the applicant is an owner, a completed financial statement showing the owner's ability to operate the school for at least 3 months;

d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act;

e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;

f. A copy of the curricula that will be followed;

g. The names, addresses, and current status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;

h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;

i. A copy of the school's official transcript; and

j. The required fee.

3. Each application for a license to operate a school shall also contain the following commitments:

a. To conduct the school in accordance with this Act and the standards, and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the Federal Higher Education Act of 1965.

b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school

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required for the administration of this Act and the standards and rules adopted under this Act;

c. To utilize only advertising and solicitation which is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;

d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening. If the course of instruction is offered in a language other than English, the screening shall also be performed in that language;

e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act.

4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required.

5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school.

6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department.

7. A final inspection of the cosmetology, esthetics, hair braiding, or nail technology school shall be made by the Department before the school may commence classes.

8. A written inspection report must be made by the State Fire Marshal or a local fire authority approving the use of the proposed premises as a cosmetology, esthetics, hair braiding, or nail technology school.

(Source: P.A. 96-1246, eff. 1-1-11.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.
AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Sections 3.330, 21, 22.33, and 22.34 as follows:

(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)
Sec. 3.330. Pollution control facility.

(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:

(1) (blank);
(2) waste storage sites regulated under 40 CFR, Part 761.42;
(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;
(6) sites or facilities used by any person to specifically conduct a landscape composting operation;
(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

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(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

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(13) the portion of a site or facility that (i) accepts exclusively general construction or demolition debris, (ii) is located in a county with a population over 3,000,000 as of January 1, 2000 or in a county that is contiguous to such a county, and (iii) is operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;
(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) Except in municipalities with more than 1,000,000 inhabitants, the portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or

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immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for child care licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

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(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887); and

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(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of this Act.

(b) A new pollution control facility is:

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or

(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 96-418, eff. 1-1-10; 96-611, eff. 8-24-09; 96-887, eff. 4-9-10; 96-1000, eff. 7-2-10; 96-1068, eff. 7-16-10; 96-1314, eff. 7-27-10; 97-333, eff. 8-12-11; 97-545, eff. 1-1-12.)

(415 ILCS 5/21) (from Ch. 111 1/2, par. 1021)

Sec. 21. Prohibited acts. No person shall:

(a) Cause or allow the open dumping of any waste.

(b) Abandon, dump, or deposit any waste upon the public highways or other public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.

(c) Abandon any vehicle in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code", as enacted by the 76th General Assembly.

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

(1) without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; provided, however, that, except for municipal solid waste landfill units that receive waste on or after October 9, 1993, no permit shall be required for (i) any person conducting a waste-storage, waste-treatment, or waste-disposal operation for wastes generated by such person's own activities which are stored, treated, or disposed within the site where such wastes are generated, or (ii) a facility located in a county with a population over 700,000 as of January 1, 2000, operated and located in accordance with Section 22.38 of this Act,

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and used exclusively for the transfer, storage, or treatment of general construction or demolition debris, provided that the facility was receiving construction or demolition debris on the effective date of this amendatory Act of the 96th General Assembly;

(2) in violation of any regulations or standards adopted by the Board under this Act; or

(3) which receives waste after August 31, 1988, does not have a permit issued by the Agency, and is (i) a landfill used exclusively for the disposal of waste generated at the site, (ii) a surface impoundment receiving special waste not listed in an NPDES permit, (iii) a waste pile in which the total volume of waste is greater than 100 cubic yards or the waste is stored for over one year, or (iv) a land treatment facility receiving special waste generated at the site; without giving notice of the operation to the Agency by January 1, 1989, or 30 days after the date on which the operation commences, whichever is later, and every 3 years thereafter. The form for such notification shall be specified by the Agency, and shall be limited to information regarding: the name and address of the location of the operation; the type of operation; the types and amounts of waste stored, treated or disposed of on an annual basis; the remaining capacity of the operation; and the remaining expected life of the operation.

Item (3) of this subsection (d) shall not apply to any person engaged in agricultural activity who is disposing of a substance that constitutes solid waste, if the substance was acquired for use by that person on his own property, and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

This subsection (d) shall not apply to hazardous waste.

(e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

(f) Conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:

(1) without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance
with this Act and with regulations and standards adopted thereunder; or

(2) in violation of any regulations or standards adopted by the Board under this Act; or

(3) in violation of any RCRA permit filing requirement established under standards adopted by the Board under this Act; or

(4) in violation of any order adopted by the Board under this Act.

Notwithstanding the above, no RCRA permit shall be required under this subsection or subsection (d) of Section 39 of this Act for any person engaged in agricultural activity who is disposing of a substance which has been identified as a hazardous waste, and which has been designated by Board regulations as being subject to this exception, if the substance was acquired for use by that person on his own property and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

(g) Conduct any hazardous waste-transportation operation:

(1) without registering with and obtaining a special waste hauling permit from the Agency in accordance with the regulations adopted by the Board under this Act; or

(2) in violation of any regulations or standards adopted by the Board under this Act.

(h) Conduct any hazardous waste-recycling or hazardous waste-reclamation or hazardous waste-reuse operation in violation of any regulations, standards or permit requirements adopted by the Board under this Act.

(i) Conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsections (a) and (c) of Section 22.4 of this Act.

(j) Conduct any special waste transportation operation in violation of any regulations, standards or permit requirements adopted by the Board under this Act. However, sludge from a water or sewage treatment plant owned and operated by a unit of local government which (1) is subject to a sludge management plan approved by the Agency or a permit granted by the Agency, and (2) has been tested and determined not to be a hazardous waste as required by applicable State and federal laws and regulations, may be transported in this State without a special waste hauling permit, and the preparation and carrying of a manifest shall not be required for

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such sludge under the rules of the Pollution Control Board. The unit of local government which operates the treatment plant producing such sludge shall file a semiannual report with the Agency identifying the volume of such sludge transported during the reporting period, the hauler of the sludge, and the disposal sites to which it was transported. This subsection (j) shall not apply to hazardous waste.

(k) Fail or refuse to pay any fee imposed under this Act.

(l) Locate a hazardous waste disposal site above an active or inactive shaft or tunneled mine or within 2 miles of an active fault in the earth's crust. In counties of population less than 225,000 no hazardous waste disposal site shall be located (1) within 1 1/2 miles of the corporate limits as defined on June 30, 1978, of any municipality without the approval of the governing body of the municipality in an official action; or (2) within 1000 feet of an existing private well or the existing source of a public water supply measured from the boundary of the actual active permitted site and excluding existing private wells on the property of the permit applicant. The provisions of this subsection do not apply to publicly-owned sewage works or the disposal or utilization of sludge from publicly-owned sewage works.

(m) Transfer interest in any land which has been used as a hazardous waste disposal site without written notification to the Agency of the transfer and to the transferee of the conditions imposed by the Agency upon its use under subsection (g) of Section 39.

(n) Use any land which has been used as a hazardous waste disposal site except in compliance with conditions imposed by the Agency under subsection (g) of Section 39.

(o) Conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in any of the following conditions:

(1) refuse in standing or flowing waters;

(2) leachate flows entering waters of the State;

(3) leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency);

(4) open burning of refuse in violation of Section 9 of this Act;

(5) uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit;

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(6) failure to provide final cover within time limits established by Board regulations;
(7) acceptance of wastes without necessary permits;
(8) scavenging as defined by Board regulations;
(9) deposition of refuse in any unpermitted portion of the landfill;
(10) acceptance of a special waste without a required manifest;
(11) failure to submit reports required by permits or Board regulations;
(12) failure to collect and contain litter from the site by the end of each operating day;
(13) failure to submit any cost estimate for the site or any performance bond or other security for the site as required by this Act or Board rules.

The prohibitions specified in this subsection (o) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to sanitary landfills.

(p) In violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:

(1) litter;
(2) scavenging;
(3) open burning;
(4) deposition of waste in standing or flowing waters;
(5) proliferation of disease vectors;
(6) standing or flowing liquid discharge from the dump site;
(7) deposition of:
   (i) general construction or demolition debris as defined in Section 3.160(a) of this Act; or
   (ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.
(q) Conduct a landscape waste composting operation without an Agency permit, provided, however, that no permit shall be required for any person:

(1) conducting a landscape waste composting operation for landscape wastes generated by such person's own activities which are stored, treated, or disposed of within the site where such wastes are generated; or

(1.5) conducting a landscape waste composting operation that (i) has no more than 25 cubic yards of landscape waste, composting additives, composting material, or end-product compost on-site at any one time and (ii) is not engaging in commercial activity; or

(2) applying landscape waste or composted landscape waste at agronomic rates; or

(2.5) operating a landscape waste composting facility at a site having 10 or more occupied non-farm residences within 1/2 mile of its boundaries, if the facility meets all of the following criteria:

(A) the composting facility is operated by the farmer on property on which the composting material is utilized, and the composting facility constitutes no more than 2% of the site's total acreage;

(A-5) any composting additives that the composting facility accepts and uses at the facility are necessary to provide proper conditions for composting and do not exceed 10% of the total composting material at the facility at any one time;

(B) the property on which the composting facility is located, and any associated property on which the compost is used, is principally and diligently devoted to the production of agricultural crops and is not owned, leased, or otherwise controlled by any waste hauler or generator of nonagricultural compost materials, and the operator of the composting facility is not an employee, partner, shareholder, or in any way connected with or controlled by any such waste hauler or generator;

(C) all compost generated by the composting facility is applied at agronomic rates and used as mulch, fertilizer, or soil conditioner on land actually farmed by the person.

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operating the composting facility, and the finished compost is not stored at the composting site for a period longer than 18 months prior to its application as mulch, fertilizer, or soil conditioner;

(D) no fee is charged for the acceptance of materials to be composted at the facility; and

(E) the owner or operator, by January 1, 2014 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, registers the site with the Agency, (ii) reports to the Agency on the volume of composting material received and used at the site; (iii) certifies to the Agency that the site complies with the requirements set forth in subparagraphs (A), (A-5), (B), (C), and (D) of this paragraph (2.5); and (iv) certifies to the Agency that all composting material was placed more than 200 feet from the nearest potable water supply well, was placed outside the boundary of the 10-year floodplain or on a part of the site that is floodproofed, was placed at least 1/4 mile from the nearest residence (other than a residence located on the same property as the facility) or a lesser distance from the nearest residence (other than a residence located on the same property as the facility) if the municipality in which the facility is located has by ordinance approved a lesser distance than 1/4 mile, and was placed more than 5 feet above the water table; any ordinance approving a residential setback of less than 1/4 mile that is used to meet the requirements of this subparagraph (E) of paragraph (2.5) of this subsection must specifically reference this paragraph; or

(3) operating a landscape waste composting facility on a farm, if the facility meets all of the following criteria:

(A) the composting facility is operated by the farmer on property on which the composting material is utilized, and the composting facility constitutes no more than 2% of the property's total acreage, except that the Board may allow a higher percentage for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate;
(B) the property on which the composting facility is located, and any associated property on which the compost is used, is principally and diligently devoted to the production of agricultural crops and is not owned, leased or otherwise controlled by any waste hauler or generator of nonagricultural compost materials, and the operator of the composting facility is not an employee, partner, shareholder, or in any way connected with or controlled by any such waste hauler or generator;

(C) all compost generated by the composting facility is applied at agronomic rates and used as mulch, fertilizer or soil conditioner on land actually farmed by the person operating the composting facility, and the finished compost is not stored at the composting site for a period longer than 18 months prior to its application as mulch, fertilizer, or soil conditioner;

(D) the owner or operator, by January 1, 1990 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, (i) registers the site with the Agency, (ii) reports to the Agency on the volume of composting material received and used at the site, (iii) certifies to the Agency that the site complies with the requirements set forth in subparagraphs (A), (B) and (C) of this paragraph (q)(3), and (iv) certifies to the Agency that all composting material was placed more than 200 feet from the nearest potable water supply well, was placed outside the boundary of the 10-year floodplain or on a part of the site that is floodproofed, was placed at least 1/4 mile from the nearest residence (other than a residence located on the same property as the facility) and there are not more than 10 occupied non-farm residences within 1/2 mile of the boundaries of the site on the date of application, and was placed more than 5 feet above the water table.

For the purposes of this subsection (q), "agronomic rates" means the application of not more than 20 tons per acre per year, except that the Board may allow a higher rate for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate.
(r) Cause or allow the storage or disposal of coal combustion waste unless:

(1) such waste is stored or disposed of at a site or facility for which a permit has been obtained or is not otherwise required under subsection (d) of this Section; or

(2) such waste is stored or disposed of as a part of the design and reclamation of a site or facility which is an abandoned mine site in accordance with the Abandoned Mined Lands and Water Reclamation Act; or

(3) such waste is stored or disposed of at a site or facility which is operating under NPDES and Subtitle D permits issued by the Agency pursuant to regulations adopted by the Board for mine-related water pollution and permits issued pursuant to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the rules and regulations thereunder or any law or rule or regulation adopted by the State of Illinois pursuant thereto, and the owner or operator of the facility agrees to accept the waste; and either

(i) such waste is stored or disposed of in accordance with requirements applicable to refuse disposal under regulations adopted by the Board for mine-related water pollution and pursuant to NPDES and Subtitle D permits issued by the Agency under such regulations; or

(ii) the owner or operator of the facility demonstrates all of the following to the Agency, and the facility is operated in accordance with the demonstration as approved by the Agency: (1) the disposal area will be covered in a manner that will support continuous vegetation, (2) the facility will be adequately protected from wind and water erosion, (3) the pH will be maintained so as to prevent excessive leaching of metal ions, and (4) adequate containment or other measures will be provided to protect surface water and groundwater from contamination at levels prohibited by this Act, the Illinois Groundwater Protection Act, or regulations adopted pursuant thereto.

Notwithstanding any other provision of this Title, the disposal of coal combustion waste pursuant to item (2) or (3) of this subdivision (r) shall be exempt from the other provisions of this Title V, and notwithstanding the provisions of Title X of this Act, the Agency is
authorized to grant experimental permits which include provision for the
disposal of wastes from the combustion of coal and other materials
pursuant to items (2) and (3) of this subdivision (r).

(s) After April 1, 1989, offer for transportation, transport, deliver,
receive or accept special waste for which a manifest is required, unless the
manifest indicates that the fee required under Section 22.8 of this Act has
been paid.

(t) Cause or allow a lateral expansion of a municipal solid waste
landfill unit on or after October 9, 1993, without a permit modification,
granted by the Agency, that authorizes the lateral expansion.

(u) Conduct any vegetable by-product treatment, storage, disposal
or transportation operation in violation of any regulation, standards or
permit requirements adopted by the Board under this Act. However, no
permit shall be required under this Title V for the land application of
vegetable by-products conducted pursuant to Agency permit issued under
Title III of this Act to the generator of the vegetable by-products. In
addition, vegetable by-products may be transported in this State without a
special waste hauling permit, and without the preparation and carrying of a
manifest.

(v) (Blank).

(w) Conduct any generation, transportation, or recycling of
construction or demolition debris, clean or general, or uncontaminated soil
generated during construction, remodeling, repair, and demolition of
utilities, structures, and roads that is not commingled with any waste,
without the maintenance of documentation identifying the hauler,
generator, place of origin of the debris or soil, the weight or volume of the
debris or soil, and the location, owner, and operator of the facility where
the debris or soil was transferred, disposed, recycled, or treated. This
documentation must be maintained by the generator, transporter, or
recycler for 3 years. This subsection (w) shall not apply to (1) a permitted
pollution control facility that transfers or accepts construction or
demolition debris, clean or general, or uncontaminated soil for final
disposal, recycling, or treatment, (2) a public utility (as that term is defined
in the Public Utilities Act) or a municipal utility, (3) the Illinois
Department of Transportation, or (4) a municipality or a county highway
department, with the exception of any municipality or county highway
department located within a county having a population of over 3,000,000
inhabitants or located in a county that is contiguous to a county having a
population of over 3,000,000 inhabitants; but it shall apply to an entity that

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contracts with a public utility, a municipal utility, the Illinois Department of Transportation, or a municipality or a county highway department. The terms "generation" and "recycling" as used in this subsection do not apply to clean construction or demolition debris when (i) used as fill material below grade outside of a setback zone if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, (ii) solely broken concrete without protruding metal bars is used for erosion control, or (iii) milled asphalt or crushed concrete is used as aggregate in construction of the shoulder of a roadway. The terms "generation" and "recycling", as used in this subsection, do not apply to uncontaminated soil that is not commingled with any waste when (i) used as fill material below grade or contoured to grade, or (ii) used at the site of generation.

(Source: P.A. 96-611, eff. 8-24-09; 97-220, eff. 7-28-11.)

(415 ILCS 5/22.33)
Sec. 22.33. Compost quality standards.
(a) By January 1, 1994, the Agency shall develop and make recommendations to the Board concerning (i) performance standards for landscape waste compost facilities and (ii) testing procedures and standards for the end-product compost produced by landscape waste compost facilities.

Performance standards for landscape waste compost facilities shall at a minimum include:

(1) the management of odor;
(2) the management of surface water;
(3) contingency planning for handling end-product compost material that does not meet requirements of subsection (b);
(4) plans for intended purposes of end-use product; and
(5) a financial assurance plan necessary to restore the site as specified in Agency permit.

(b) By December 1, 1997, the Board shall adopt:

(1) performance standards for landscape waste compost facilities; and
(2) testing procedures and standards for the end-product compost produced by landscape waste compost facilities.

The Board shall evaluate the merits of different standards for end-product compost applications.

(c) On-site composting that is used solely for the purpose of composting landscape waste generated on-site and that will not be offered

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for off-site sale or use is exempt from any standards promulgated under subsections (a) and (b). Subsection (b)(2) shall not apply to end-product compost used as daily cover or vegetative amendment in the final layer. Subsection (b) applies to any end-product compost offered for sale or use in Illinois.

(d) Standards adopted under this Section do not apply to compost operations exempt from permitting under paragraph (1.5) of subsection (q) of Section 21 of this Act.

(Source: P.A. 92-574, eff. 6-26-02.)

(415 ILCS 5/22.34)

Sec. 22.34. Organic waste compost quality standards.

(a) The Agency may develop and make recommendations to the Board concerning (i) performance standards for organic waste compost facilities and (ii) testing procedures and standards for the end-product compost produced by organic waste compost facilities.

The Agency, in cooperation with the Department, shall appoint a Technical Advisory Committee for the purpose of developing these recommendations. Among other things, the Committee shall evaluate environmental and safety considerations, compliance costs, and regulations adopted in other states and countries. The Committee shall have balanced representation and shall include members representing academia, the composting industry, the Department of Agriculture, the landscaping industry, environmental organizations, municipalities, and counties.

Performance standards for organic waste compost facilities may include, but are not limited to:

(1) the management of potential exposures for human disease vectors and odor;
(2) the management of surface water;
(3) contingency planning for handling end-product compost material that does not meet end-product compost standards adopted by the Board;
(4) plans for intended purposes of end-use product; and
(5) a financial assurance plan necessary to restore the site as specified in Agency permit. The financial assurance plan may include, but is not limited to, posting with the Agency a performance bond or other security for the purpose of ensuring site restoration.

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(b) No later than one year after the Agency makes recommendations to the Board under subsection (a) of this Section, the Board shall adopt, as applicable:

(1) performance standards for organic waste compost facilities; and

(2) testing procedures and standards for the end-product compost produced by organic waste compost facilities.

The Board shall evaluate the merits of different standards for end-product compost applications.

(c) On-site residential composting that is used solely for the purpose of composting organic waste generated on-site and that will not be offered for off-site sale or use is exempt from any standards promulgated under subsections (a) and (b). Subsection (b)(2) shall not apply to end-product compost used as daily cover or vegetative amendment in the final layer. Subsection (b) applies to any end-product compost offered for sale or use in Illinois.

(d) For the purposes of this Section, "organic waste" means food scrap, landscape waste, wood waste, livestock waste, crop residue, paper waste, or other non-hazardous carbonaceous waste that is collected and processed separately from the rest of the municipal waste stream.

(e) Except as otherwise provided in Board rules, solid waste permits for organic waste composting facilities shall be issued under the Board's Solid Waste rules at 35 Ill. Adm. Code 807. The permits must include, but shall not be limited to, measures designed to reduce pathogens in the compost.

(f) Standards adopted under this Section do not apply to compost operations exempt from permitting under paragraph (1.5) of subsection (q) of Section 21 of this Act.

(Source: P.A. 96-418, eff. 1-1-10.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
PUBLIC ACT 98-0240
(House Bill No. 2369)

AN ACT concerning State government.

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

Section 5. The State Comptroller Act is amended by changing Sections 19 and 19.5 as follows:

(15 ILCS 405/19) (from Ch. 15, par. 219)

Sec. 19. Financial records - monthly reports - forms.

(a) The Comptroller shall maintain complete, accurate and current financial records relating to State funds and to other public funds and assets available to, encumbered or expended by each State agency, including trust funds or other moneys not subject to appropriation, setting out all revenues, charges against all funds, fund and appropriation balances, interfund transfers, warrants outstanding and assets and encumbrances, in a manner consistent with the uniform State accounting system prescribed by the Comptroller. Such records shall be public records open to public inspection.

(b) The Governor, Treasurer, Director of the Governor's Office of Management and Budget, Director of Central Management Services, Auditor General, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate shall have access to all records and reports received by the Comptroller from State agencies and to all data and accounts maintained by the Comptroller except as otherwise specifically provided by law. All other State executive officers and heads of State agencies shall have access to reports and accounts relating to their agency or office.

(c) The Comptroller shall make a report to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Chairman and Minority Spokesman of each of the appropriations committees of the House of Representatives and the Senate giving notice within 10 days of the establishment of each fund or account consisting of funds not subject to appropriation by the General Assembly.

Each month the Comptroller shall prepare a report summarizing by State agency and appropriation the above information in such form as will most clearly and accurately set out the current fiscal condition of the State.

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In addition, each month the Comptroller shall prepare a report by detail object account in such form as will most clearly present the status of such accounts.

(d) The Comptroller shall prescribe forms for the periodic reporting of financial accounts, transactions and other matters by State agencies, compatible with the reports required of the Comptroller under this Section.

(e) The reports required of the Comptroller under subsection (c) of this Section shall be posted on the website of the Office of the Comptroller.

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

Sec. 19.5. Comprehensive Annual Financial Report (CAFR); procedures and reporting.

(a) On or before October 31, 2012, and on or before each October 31 thereafter, State agencies shall report to the Comptroller all financial information deemed necessary by the Comptroller to compile and publish a comprehensive annual financial report using generally accepted accounting principles for the fiscal year ending June 30 of that year. The Comptroller may require certain State agencies to submit the required information before October 31 under a schedule established by the Comptroller. If a State agency has submitted no or insufficient financial information by October 31, the Comptroller shall serve a written notice to each respective State agency director or secretary about the delinquency or inadequacy of the financial information.

(b) If the financial information required in subsection (a) is submitted to the Comptroller on or before October 31, the lapse period is not extended past August 31 for the given fiscal year, and the Office of the Auditor General has completed an audit of the comprehensive annual financial report and that information has been audited by the Auditor General, then the Comptroller shall publish a comprehensive annual financial report using generally accepted accounting principles for the fiscal year ending June 30 of that year by December 31. If the information as required by subsection (a) is not provided to the Comptroller in time to publish the report by December 31, then upon notice from the Comptroller of the delay, each respective State agency director or secretary shall report his or her State agency's delinquency and provide an action plan to bring his or her State agency into compliance to the Comptroller, the Auditor General, the Office of the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of

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the Senate. Upon receiving that report from a State agency director or secretary, the Comptroller shall post that report with the action plan on his or her official website.

(c) If a comprehensive annual financial report using generally accepted accounting principles cannot be published by December 31 due to insufficient or inadequate reporting to the Comptroller, the lapse period is extended past August 31 for the given fiscal year, or if the Office of the Auditor General has not completed an audit of the comprehensive annual financial report, then the Comptroller may issue interim reports containing financial information made available by reporting State agencies until an audit opinion is issued by the Auditor General on the comprehensive annual financial report.

(Source: P.A. 97-408, eff. 8-16-11.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Common Interest Community Association Act is amended by changing Section 1-30 as follows:

(765 ILCS 160/1-30)
Sec. 1-30. Board duties and obligations; records.
(a) The board shall meet at least 4 times annually.
(b) A member of the board of the common interest community association may not enter into a contract with a current board member, or with a corporation or partnership in which a board member or a member of his or her immediate family has 25% or more interest, unless notice of intent to enter into the contract is given to members within 20 days after a decision is made to enter into the contract and the members are afforded an opportunity by filing a petition, signed by 20% of the membership, for an election to approve or disapprove the contract; such petition shall be filed within 20 days after such notice and such election shall be held

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within 30 days after filing the petition. For purposes of this subsection, a board member's immediate family means the board member's spouse, parents, siblings, and children.

(c) The bylaws shall provide for the maintenance, repair, and replacement of the common areas and payments therefor, including the method of approving payment vouchers.

(d) (Blank).

(e) The association may engage the services of a manager or management company.

(f) The association shall have one class of membership unless the declaration or bylaws provide otherwise; however, this subsection (f) shall not be construed to limit the operation of subsection (c) of Section 1-20 of this Act.

(g) The board shall have the power, after notice and an opportunity to be heard, to levy and collect reasonable fines from members or unit owners for violations of the declaration, bylaws, and rules and regulations of the common interest community association.

(h) Other than attorney's fees and court or arbitration costs, no fees pertaining to the collection of a member's or unit owner's financial obligation to the association, including fees charged by a manager or managing agent, shall be added to and deemed a part of a member's or unit owner's respective share of the common expenses unless: (i) the managing agent fees relate to the costs to collect common expenses for the association; (ii) the fees are set forth in a contract between the managing agent and the association; and (iii) the authority to add the management fees to a member's or unit owner's respective share of the common expenses is specifically stated in the declaration or bylaws of the association.

(i) Board records.

(1) The board shall maintain the following records of the association and make them available for examination and copying at convenient hours of weekdays by any member or unit owner in a common interest community subject to the authority of the board, their mortgagees, and their duly authorized agents or attorneys:

   (i) Copies of the recorded declaration, other community instruments, other duly recorded covenants and bylaws and any amendments, articles of incorporation, annual reports, and any rules and regulations adopted by the board shall be available. Prior to the organization of the
board, the developer shall maintain and make available the records set forth in this paragraph (i) for examination and copying.

(ii) Detailed and accurate records in chronological order of the receipts and expenditures affecting the common areas, specifying and itemizing the maintenance and repair expenses of the common areas and any other expenses incurred, and copies of all contracts, leases, or other agreements entered into by the board shall be maintained.

(iii) The minutes of all meetings of the board which shall be maintained for not less than 7 years.

(iv) With a written statement of a proper purpose, ballots and proxies related thereto, if any, for any election held for the board and for any other matters voted on by the members, which shall be maintained for not less than one year.

(v) With a written statement of a proper purpose, such other records of the board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the General Not For Profit Corporation Act of 1986 shall be maintained.

(vi) With respect to units owned by a land trust, a living trust, or other legal entity, the trustee, officer, or manager of the entity may designate, in writing, a person to cast votes on behalf of the member or unit owner and a designation shall remain in effect until a subsequent document is filed with the association.

(2) Where a request for records under this subsection is made in writing to the board or its agent, failure to provide the requested record or to respond within 30 days shall be deemed a denial by the board.

(3) A reasonable fee may be charged by the board for the cost of retrieving and copying records properly requested.

(4) If the board fails to provide records properly requested under paragraph (1) of this subsection (i) within the time period provided in that paragraph (1), the member may seek appropriate relief and shall be entitled to an award of reasonable attorney's fees and costs if the member prevails and the court finds that such
failure is due to the acts or omissions of the board of managers or the board of directors.

(j) The board shall have standing and capacity to act in a representative capacity in relation to matters involving the common areas or more than one unit, on behalf of the members or unit owners as their interests may appear.

(Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0242
(House Bill No. 2393)

AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Section 143a as follows:

Sec. 143a. Uninsured and hit and run motor vehicle coverage.

(1) No policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle that is designed for use on public highways and that is either required to be registered in this State or is principally garaged in this State shall be renewed, delivered, or issued for delivery in this State unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in Section 7-203 of the Illinois Vehicle Code for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of bodily injury, sickness or disease, including death, resulting therefrom. Uninsured motor vehicle coverage does not apply to bodily injury, sickness, disease, or death resulting therefrom, of an insured while occupying a motor vehicle owned by, or furnished or available for the regular use of the insured, a resident spouse or resident relative, if that

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motor vehicle is not described in the policy under which a claim is made or is not a newly acquired or replacement motor vehicle covered under the terms of the policy. The limits for any coverage for any vehicle under the policy may not be aggregated with the limits for any similar coverage, whether provided by the same insurer or another insurer, applying to other motor vehicles, for purposes of determining the total limit of insurance coverage available for bodily injury or death suffered by a person in any one accident. No policy shall be renewed, delivered, or issued for delivery in this State unless it is provided therein that any dispute with respect to the coverage and the amount of damages shall be submitted for arbitration to the American Arbitration Association and be subject to its rules for the conduct of arbitration hearings as to all matters except medical opinions. As to medical opinions, if the amount of damages being sought is equal to or less than the amount provided for in Section 7-203 of the Illinois Vehicle Code, then the current American Arbitration Association Rules shall apply. If the amount being sought in an American Arbitration Association case exceeds that amount as set forth in Section 7-203 of the Illinois Vehicle Code, then the Rules of Evidence that apply in the circuit court for placing medical opinions into evidence shall govern. Alternatively, disputes with respect to damages and the coverage shall be determined in the following manner: Upon the insured requesting arbitration, each party to the dispute shall select an arbitrator and the 2 arbitrators so named shall select a third arbitrator. If such arbitrators are not selected within 45 days from such request, either party may request that the arbitration be submitted to the American Arbitration Association. Any decision made by the arbitrators shall be binding for the amount of damages not exceeding $50,000 for bodily injury to or death of any one person, $100,000 for bodily injury to or death of 2 or more persons in any one motor vehicle accident, or the corresponding policy limits for bodily injury or death, whichever is less. All 3-person arbitration cases proceeding in accordance with any uninsured motorist coverage conducted in this State in which the claimant is only seeking monetary damages up to the limits set forth in Section 7-203 of the Illinois Vehicle Code shall be subject to the following rules:

(A) If at least 60 days' written notice of the intention to offer the following documents in evidence is given to every other party, accompanied by a copy of the document, a party may offer in evidence, without foundation or other proof:

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(1) bills, records, and reports of hospitals, doctors, dentists, registered nurses, licensed practical nurses, physical therapists, and other healthcare providers;

(2) bills for drugs, medical appliances, and prostheses;

(3) property repair bills or estimates, when identified and itemized setting forth the charges for labor and material used or proposed for use in the repair of the property;

(4) a report of the rate of earnings and time lost from work or lost compensation prepared by an employer;

(5) the written opinion of an opinion witness, the deposition of a witness, and the statement of a witness that the witness would be allowed to express if testifying in person, if the opinion or statement is made by affidavit or by certification as provided in Section 1-109 of the Code of Civil Procedure;

(6) any other document not specifically covered by any of the foregoing provisions that is otherwise admissible under the rules of evidence.

Any party receiving a notice under this paragraph (A) may apply to the arbitrator or panel of arbitrators, as the case may be, for the issuance of a subpoena directed to the author or maker or custodian of the document that is the subject of the notice, requiring the person subpoenaed to produce copies of any additional documents as may be related to the subject matter of the document that is the subject of the notice. Any such subpoena shall be issued in substantially similar form and served by notice as provided by Illinois Supreme Court Rule 204(a)(4). Any such subpoena shall be returnable not less than 5 days before the arbitration hearing.

(B) Notwithstanding the provisions of Supreme Court Rule 213(g), a party who proposes to use a written opinion of an expert or opinion witness or the testimony of an expert or opinion witness at the hearing may do so provided a written notice of that intention is given to every other party not less than 60 days prior to the date of hearing, accompanied by a statement containing the identity of the witness, his or her qualifications, the subject matter, the basis of the witness's conclusions, and his or her opinion.

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(C) Any other party may subpoena the author or maker of a document admissible under this subsection, at that party's expense, and examine the author or maker as if under cross-examination. The provisions of Section 2-1101 of the Code of Civil Procedure shall be applicable to arbitration hearings, and it shall be the duty of a party requesting the subpoena to modify the form to show that the appearance is set before an arbitration panel and to give the time and place set for the hearing.

(D) The provisions of Section 2-1102 of the Code of Civil Procedure shall be applicable to arbitration hearings under this subsection.

(2) No policy insuring against loss resulting from liability imposed by law for property damage arising out of the ownership, maintenance, or use of a motor vehicle shall be renewed, delivered, or issued for delivery in this State with respect to any private passenger or recreational motor vehicle that is designed for use on public highways and that is either required to be registered in this State or is principally garaged in this State and is not covered by collision insurance under the provisions of such policy, unless coverage is made available in the amount of the actual cash value of the motor vehicle described in the policy or $15,000 whichever is less, subject to a $250 deductible, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of property damage to the motor vehicle described in the policy.

There shall be no liability imposed under the uninsured motorist property damage coverage required by this subsection if the owner or operator of the at-fault uninsured motor vehicle or hit-and-run motor vehicle cannot be identified. This subsection shall not apply to any policy which does not provide primary motor vehicle liability insurance for liabilities arising from the maintenance, operation, or use of a specifically insured motor vehicle.

Each insurance company providing motor vehicle property damage liability insurance shall advise applicants of the availability of uninsured motor vehicle property damage coverage, the premium therefor, and provide a brief description of the coverage. Each insurer, with respect to the initial renewal, reinstatement, or reissuance of a policy of motor vehicle property damage liability insurance shall provide present policyholders with the same information in writing. That information need be given only once and shall not be required in any subsequent renewal,
reinstatement or reissuance, substitute, amended, replacement or supplementary policy. No written rejection shall be required, and the absence of a premium payment for uninsured motor vehicle property damage shall constitute conclusive proof that the applicant or policyholder has elected not to accept uninsured motorist property damage coverage.

An insurance company issuing uninsured motor vehicle property damage coverage may provide that:

(i) Property damage losses recoverable thereunder shall be limited to damages caused by the actual physical contact of an uninsured motor vehicle with the insured motor vehicle.

(ii) There shall be no coverage for loss of use of the insured motor vehicle and no coverage for loss or damage to personal property located in the insured motor vehicle.

(iii) Any claim submitted shall include the name and address of the owner of the at-fault uninsured motor vehicle, or a registration number and description of the vehicle, or any other available information to establish that there is no applicable motor vehicle property damage liability insurance.

Any dispute with respect to the coverage and the amount of damages shall be submitted for arbitration to the American Arbitration Association and be subject to its rules for the conduct of arbitration hearings or for determination in the following manner: Upon the insured requesting arbitration, each party to the dispute shall select an arbitrator and the 2 arbitrators so named shall select a third arbitrator. If such arbitrators are not selected within 45 days from such request, either party may request that the arbitration be submitted to the American Arbitration Association. Any arbitration proceeding under this subsection seeking recovery for property damages shall be subject to the following rules:

(A) If at least 60 days' written notice of the intention to offer the following documents in evidence is given to every other party, accompanied by a copy of the document, a party may offer in evidence, without foundation or other proof:

(1) property repair bills or estimates, when identified and itemized setting forth the charges for labor and material used or proposed for use in the repair of the property;

(2) the written opinion of an opinion witness, the deposition of a witness, and the statement of a witness that the witness would be allowed to express if testifying in

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person, if the opinion or statement is made by affidavit or by certification as provided in Section 1-109 of the Code of Civil Procedure;

(3) any other document not specifically covered by any of the foregoing provisions that is otherwise admissible under the rules of evidence.

Any party receiving a notice under this paragraph (A) may apply to the arbitrator or panel of arbitrators, as the case may be, for the issuance of a subpoena directed to the author or maker or custodian of the document that is the subject of the notice, requiring the person subpoenaed to produce copies of any additional documents as may be related to the subject matter of the document that is the subject of the notice. Any such subpoena shall be issued in substantially similar form and served by notice as provided by Illinois Supreme Court Rule 204(a)(4). Any such subpoena shall be returnable not less than 5 days before the arbitration hearing.

(B) Notwithstanding the provisions of Supreme Court Rule 213(g), a party who proposes to use a written opinion of an expert or opinion witness or the testimony of an expert or opinion witness at the hearing may do so provided a written notice of that intention is given to every other party not less than 60 days prior to the date of hearing, accompanied by a statement containing the identity of the witness, his or her qualifications, the subject matter, the basis of the witness's conclusions, and his or her opinion.

(C) Any other party may subpoena the author or maker of a document admissible under this subsection, at that party's expense, and examine the author or maker as if under cross-examination. The provisions of Section 2-1101 of the Code of Civil Procedure shall be applicable to arbitration hearings, and it shall be the duty of a party requesting the subpoena to modify the form to show that the appearance is set before an arbitration panel and to give the time and place set for the hearing.

(D) The provisions of Section 2-1102 of the Code of Civil Procedure shall be applicable to arbitration hearings under this subsection.

(3) For the purpose of the coverage the term "uninsured motor vehicle" includes, subject to the terms and conditions of the coverage, a motor vehicle where on, before or after the accident date the liability

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insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified in the policy because of the entry by a court of competent jurisdiction of an order of rehabilitation or liquidation by reason of insolvency on or after the accident date. An insurer's extension of coverage, as provided in this subsection, shall be applicable to all accidents occurring after July 1, 1967 during a policy period in which its insured's uninsured motor vehicle coverage is in effect. Nothing in this Section may be construed to prevent any insurer from extending coverage under terms and conditions more favorable to its insureds than is required by this Section.

(4) In the event of payment to any person under the coverage required by this Section and subject to the terms and conditions of the coverage, the insurer making the payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of the person against any person or organization legally responsible for the property damage, bodily injury or death for which the payment is made, including the proceeds recoverable from the assets of the insolvent insurer. With respect to payments made by reason of the coverage described in subsection (3), the insurer making such payment shall not be entitled to any right of recovery against the tort-feasor in excess of the proceeds recovered from the assets of the insolvent insurer of the tort-feasor.

(5) This amendatory Act of 1967 shall not be construed to terminate or reduce any insurance coverage or any right of any party under this Code in effect before July 1, 1967. This amendatory Act of 1990 shall not be construed to terminate or reduce any insurance coverage or any right of any party under this Code in effect before its effective date.

(6) Failure of the motorist from whom the claimant is legally entitled to recover damages to file the appropriate forms with the Safety Responsibility Section of the Department of Transportation within 120 days of the accident date shall create a rebuttable presumption that the motorist was uninsured at the time of the injurious occurrence.

(7) An insurance carrier may upon good cause require the insured to commence a legal action against the owner or operator of an uninsured motor vehicle before good faith negotiation with the carrier. If the action is commenced at the request of the insurance carrier, the carrier shall pay to the insured, before the action is commenced, all court costs, jury fees and sheriff's fees arising from the action.
The changes made by this amendatory Act of 1997 apply to all policies of insurance amended, delivered, issued, or renewed on and after the effective date of this amendatory Act of 1997.
(Source: P.A. 93-485, eff. 1-1-04.)

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0243
(House Bill No. 2452)

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

Section 5. The Medical Patient Rights Act is amended by changing Section 6 as follows:

(410 ILCS 50/6)
Sec. 6. Identification badges. A health care facility that provides treatment or care to a patient licensed in this State shall require each employee of or volunteer for the facility, including a student, who examines or treats a patient or resident of the facility to wear an identification badge that readily discloses the first name, licensure status, if any, and staff position of the person examining or treating the patient or resident.
(Source: P.A. 90-331, eff. 1-1-98.)

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0244
(House Bill No. 2489)

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

Section 5. The Illinois Highway Code is amended by changing Section 6-906 as follows:

(605 ILCS 5/6-906) (from Ch. 121, par. 6-906)

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Sec. 6-906. So much of the amount apportioned to a county under Section 6-901 that is obligated under Sections 6-902 through 6-904 and for which local funds have been committed under Section 6-905, within 4 two years from the date the apportionment is made, shall, upon certification by the Department, be paid to the county treasurer, who shall apply those funds to the payment of such obligations. Any funds allocated to a county under Section 6-901 that are not obligated within 48 24 months under Sections 6-902 through 6-904 shall revert to the Road Fund.
(Source: P.A. 84-1308.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0245
(House Bill No. 2613)

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

Section 5. The General Obligation Bond Act is amended by changing Section 15 as follows:
(30 ILCS 330/15) (from Ch. 127, par. 665)
Sec. 15. Computation of Principal and Interest; transfers.
(a) Upon each delivery of Bonds authorized to be issued under this Act, the Comptroller shall compute and certify to the Treasurer the total amount of principal of, interest on, and premium, if any, on Bonds issued that will be payable in order to retire such Bonds, the amount of principal of, interest on and premium, if any, on such Bonds that will be payable on each payment date according to the tenor of such Bonds during the then current and each succeeding fiscal year, and the amount of sinking fund payments needed to be deposited in connection with Qualified School Construction Bonds authorized by subsection (e) of Section 9. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of

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Section 14 of this Act. With respect to the interest payable, such certifications shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act.

On or before the last day of each month the State Treasurer and Comptroller shall transfer from (1) the Road Fund with respect to Bonds issued under paragraph (a) of Section 4 of this Act or Bonds issued for the purpose of refunding such bonds, and from (2) the General Revenue Fund, with respect to all other Bonds issued under this Act, to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on Bonds payable, by their terms on the next payment date divided by the number of full calendar months between the date of such Bonds and the first such payment date, and thereafter, divided by the number of months between each succeeding payment date after the first. Such computations and transfers shall be made for each series of Bonds issued and delivered. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of Section 14 of this Act. Computations of interest shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection. Notwithstanding any other provision in this Section, the transfer provisions provided in this paragraph shall not apply to transfers made in fiscal year 2010 or fiscal year 2011 with respect to Bonds issued in fiscal year 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act. In the case of transfers made in fiscal year 2010 or fiscal year 2011 with respect to the Bonds issued in fiscal year 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act, on or before the 15th day of the month prior to the required debt service payment, the State Treasurer and Comptroller shall transfer from the General Revenue Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the Bonds payable in that next month.

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The transfer of monies herein and above directed is not required if monies in the General Obligation Bond Retirement and Interest Fund are more than the amount otherwise to be transferred as herein above provided, and if the Governor or his authorized representative notifies the State Treasurer and Comptroller of such fact in writing.

(b) After the effective date of this Act, the balance of, and monies directed to be included in the Capital Development Bond Retirement and Interest Fund, Anti-Pollution Bond Retirement and Interest Fund, Transportation Bond, Series A Retirement and Interest Fund, Transportation Bond, Series B Retirement and Interest Fund, and Coal Development Bond Retirement and Interest Fund shall be transferred to and deposited in the General Obligation Bond Retirement and Interest Fund. This Fund shall be used to make debt service payments on the State's general obligation Bonds heretofore issued which are now outstanding and payable from the Funds herein listed as well as on Bonds issued under this Act.

(c) The unused portion of federal funds received for a capital facilities project, as authorized by Section 3 of this Act, for which monies from the Capital Development Fund have been expended shall remain in the Capital Development Board Contributory Trust Fund and shall be used for capital projects and for no other purpose, subject to appropriation and as directed by the Capital Development Board be deposited upon completion of the project in the General Obligation Bond Retirement and Interest Fund. Any federal funds received as reimbursement for the completed construction of a capital facilities project, as authorized by Section 3 of this Act, for which monies from the Capital Development Fund have been expended shall be deposited in the General Obligation Bond Retirement and Interest Fund.

(Source: P.A. 96-43, eff. 7-15-09; 96-828, eff. 12-2-09; 96-1497, eff. 1-14-11.)

Section 10. The Capital Development Bond Act of 1972 is amended by changing Section 9a as follows:

(30 ILCS 420/9a) (from Ch. 127, par. 759a)

Sec. 9a. The unused portion of federal funds received for a capital improvement project for which moneys from the Capital Development Fund have been expended shall remain in the Capital Development Board Contributory Trust Fund and shall be used for capital projects and for no other purpose, subject to appropriation and as directed by the Capital Development Board be deposited upon completion of the project in the General Obligation Bond Retirement and Interest Fund.

New matter indicated by italics - deletions by strikeout
Capital Development Bond Retirement and Interest Fund. Any federal funds received as reimbursement for the completed construction of a capital improvement project for which moneys from the Capital Development Fund have been expended shall be deposited in the Capital Development Bond Retirement and Interest Fund.

(Source: P.A. 80-1171.)

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0246
(House Bill No. 2624)

AN ACT concerning local government.

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

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-335 as follows:

(20 ILCS 405/405-335)

Sec. 405-335. Illinois Transparency and Accountability Portal (ITAP).

(a) The Department, within 12 months after the effective date of this amendatory Act of the 96th General Assembly, shall establish and maintain a website, known as the Illinois Transparency and Accountability Portal (ITAP), with a full-time webmaster tasked with compiling and updating the ITAP database with information received from all State agencies as defined in this Section. Subject to appropriation, the full-time webmaster must also compile and update the ITAP database with information received from all counties, townships, library districts, and municipalities.

(b) For purposes of this Section:

"State agency" means the offices of the constitutional officers identified in Article V of the Illinois Constitution, executive agencies, and departments, boards, commissions, and Authorities under the Governor.

"Contracts" means payment obligations with vendors on file with the Office of the Comptroller to purchase goods and services exceeding $10,000 in value (or, in the case of professional or artistic services, exceeding $5,000 in value).

New matter indicated by italics - deletions by strikeout
"Appropriation" means line-item detail of spending approved by the General Assembly and Governor, categorized by object of expenditure. "Individual consultants" means temporary workers eligible to receive State benefits paid on a State payroll.

"Recipients" means State agencies receiving appropriations.

(c) The ITAP shall provide direct access to each of the following:

1. A database of all current State employees and individual consultants, except sworn law enforcement officers, sorted separately by:
   - Name.
   - Employing State agency.
   - Employing State division.
   - Employment position title.
   - Current pay rate and year-to-date pay.

2. A database of all current State expenditures, sorted separately by agency, category, recipient, and Representative District.

3. A database of all development assistance reportable pursuant to the Corporate Accountability for Tax Expenditures Act, sorted separately by tax credit category, taxpayer, and Representative District.

4. A database of all revocations and suspensions of State occupation and use tax certificates of registration and all revocations and suspensions of State professional licenses, sorted separately by name, geographic location, and certificate of registration number or license number, as applicable. Professional license revocations and suspensions shall be posted only if resulting from a failure to pay taxes, license fees, or child support.

5. A database of all current State contracts, sorted separately by contractor name, awarding officer or agency, contract value, and goods or services provided.

6. A database of all employees hired after the effective date of this amendatory Act of 2010, sorted searchably by each of the following at the time of employment:
   - Name.
   - Employing State agency.
   - Employing State division.
   - Employment position title.
   - Current pay rate and year-to-date pay.

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(vi) County of employment location.
(vii) Rutan status.
(viii) Status of position as subject to collective bargaining, subject to merit compensation, or exempt under Section 4d of the Personnel Code.
(ix) Employment status as probationary, trainee, intern, certified, or exempt from certification.
(x) Status as a military veteran.

(7) A searchable database of all current county, township, library district, and municipal employees sorted separately by:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(8) A searchable database of all county, township, and municipal employees hired on or after the effective date of this amendatory Act of the 97th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(9) A searchable database of all library district employees hired on or after the effective date of this amendatory Act of the 98th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(d) The ITAP shall include all information required to be published by subsection (c) of this Section that is available to the Department in a format the Department can compile and publish on the ITAP. The Department shall update the ITAP as additional information becomes available in a format that can be compiled and published on the ITAP by the Department.

(e) Each State agency, county, township, library district, and municipality shall cooperate with the Department in furnishing the information necessary for the implementation of this Section within a timeframe specified by the Department.

(f) Each county, township, library district, or municipality submitting information to be displayed on the Illinois Transparency and

New matter indicated by italics - deletions by strikeout
Accountability Portal (ITAP) is responsible for the accuracy of the information provided.  
(Source: P.A. 96-225, eff. 1-1-10; 96-1387, eff. 1-1-11; 97-744, eff. 1-1-13.)

Section 10. The Public Library District Act of 1991 is amended by adding Section 1-55 as follows:

(75 ILCS 16/1-55 new)

Sec. 1-55. Compliance with ITAP requirements. A library district must comply with the requirements of Section 405-335 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois concerning the Illinois Transparency and Accountability Portal (ITAP). A library district may not submit employment information for the ITAP in a manner that is inconsistent with the requirements of Section 405-335 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

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

Passed in the General Assembly May 16, 2013.  
Approved August 9, 2013.  
Effective August 9, 2013.

PUBLIC ACT 98-0247  
(House Bill No. 2638)

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

Section 5. The Nurse Practice Act is amended by changing Section 75-15 as follows:

(225 ILCS 65/75-15) (was 225 ILCS 65/17-15)  
(Section scheduled to be repealed on January 1, 2018)  
Sec. 75-15. Center for Nursing Advisory Board.  
(a) There is created the Center for Nursing Advisory Board, which shall consist of 11 members appointed by the Governor, with 6 members of the Advisory Board being nurses representative of various nursing specialty areas. The other 5 members may include representatives of associations, health care providers, nursing educators, and consumers. The Advisory Board shall be chaired by the Nursing Act Coordinator, who shall be a voting member of the Advisory Board.

New matter indicated by italics - deletions by strikeout
(b) The membership of the Advisory Board shall reasonably reflect representation from the geographic areas in this State.

(c) Members of the Advisory Board appointed by the Governor shall serve for terms of 4 years, with no member serving more than 10 successive years, except that, initially, 4 members shall be appointed to the Advisory Board for terms that expire on June 30, 2009, 4 members shall be appointed to the Advisory Board for terms that expire on June 30, 2008, and 3 members shall be appointed to the Advisory Board for terms that expire on June 30, 2007. A member shall serve until his or her successor is appointed and has qualified. Vacancies shall be filled in the same manner as original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred.

(d) A quorum of the Advisory Board shall consist of a majority of Advisory Board members currently serving. A majority vote of the quorum is required for Advisory Board decisions. A vacancy in the membership of the Advisory Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Advisory Board.

(e) The Governor may remove any appointed member of the Advisory Board for misconduct, incapacity, or neglect of duty and shall be the sole judge of the sufficiency of the cause for removal.

(f) Members of the Advisory Board are immune from suit in any action based upon any activities performed in good faith as members of the Advisory Board.

(g) Members of the Advisory Board shall not receive compensation, but shall be reimbursed for actual traveling, incidentals, and expenses necessarily incurred in carrying out their duties as members of the Advisory Board, as approved by the Department.

(h) The Advisory Board shall meet annually to elect a chairperson and vice chairperson.

(Source: P.A. 97-813, eff. 7-13-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning State government.

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

Section 5. The Military Code of Illinois is amended by changing Section 13.5 as follows:

(20 ILCS 1805/13.5)

Sec. 13.5. Illinois Patriot Law.

(a) Short title. This Section may be cited as the Illinois Patriot Law.

(b) The Department of Military Affairs shall establish by rule a recognition program to allow the Governor or the Adjutant General to recognize individuals or organizations who have contributed to the advancement of the Illinois National Guard. Governor's Regiment. There is created within the Department of Military Affairs an honorary regiment of Colonels to be known as the Governor's Regiment. The Governor, from time to time as necessary, may appoint individuals to the Regiment with the honorary title of Colonel whose accomplishments, achievements, or service have contributed to the fellowship and goodwill of the State of Illinois.

(Source: P.A. 94-581, eff. 8-12-05.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

AN ACT concerning courts.

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

Section 5. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)
Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

(B) remediing, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

New matter indicated by italics - deletions by strikeout
(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or

(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or

(iii) who are female children who are pregnant, pregnant and parenting or parenting, or

(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the expenditure of public funds for the purpose of performing abortions.

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(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including but not limited to:

(1) adoption;
(2) foster care;
(3) family counseling;
(4) protective services;
(5) (blank);
(6) homemaker service;
(7) return of runaway children;
(8) (blank);
(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
(10) interstate services.

New matter indicated by italics - deletions by strikeout
Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

1. case management;
2. homemakers;
3. counseling;
4. parent education;
5. day care; and
6. emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

1. comprehensive family-based services;
2. assessments;
3. respite care; and
4. in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior

New matter indicated by italics - deletions by strikeout
adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of

New matter indicated by italics - deletions by strikeout
1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. A minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated

New matter indicated by italics - deletions by strikeout
delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

As soon as is possible after August 7, 2009 (the effective date of Public Act 96-134), the Department shall develop and implement a special program of family preservation services to support intact, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(l-1) The legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the legislature directs the Department of Children and Family Services to conduct
concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

(1) the likelihood of prompt reunification;
(2) the past history of the family;
(3) the barriers to reunification being addressed by the family;
(4) the level of cooperation of the family;
(5) the foster parents' willingness to work with the family to reunite;
(6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;
(7) the age of the child;

New matter indicated by italics - deletions by strikeout
(8) placement of siblings.

(m) The Department may assume temporary custody of any child if:

1. it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

2. the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, custodian or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody of the Department who would have custody of the child if he were not in

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the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional

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disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that

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any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current foster home placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former foster parent, involving a change of placement decision.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed $500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous

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payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's "Guardianship Administrator" or his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and

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Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and
(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents or in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;
(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and
(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act

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and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Department of State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Department of State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Department of State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-
being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a ward turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on the effective date of this amendatory Act of the 96th General Assembly, a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(Source: P.A. 96-134, eff. 8-7-09; 96-581, eff. 1-1-10; 96-600, eff. 8-21-09; 96-619, eff. 1-1-10; 96-760, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1189, eff. 7-22-10; 97-1150, eff. 1-25-13.)

Section 10. The Juvenile Court Act of 1987 is amended by changing Sections 1-3 and 1-5 as follows:

(705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

Sec. 1-3. Definitions. Terms used in this Act, unless the context otherwise requires, have the following meanings ascribed to them:

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(1) "Adjudicatory hearing" means a hearing to determine whether the allegations of a petition under Section 2-13, 3-15 or 4-12 that a minor under 18 years of age is abused, neglected or dependent, or requires authoritative intervention, or addicted, respectively, are supported by a preponderance of the evidence or whether the allegations of a petition under Section 5-520 that a minor is delinquent are proved beyond a reasonable doubt.

(2) "Adult" means a person 21 years of age or older.

(3) "Agency" means a public or private child care facility legally authorized or licensed by this State for placement or institutional care or for both placement and institutional care.

(4) "Association" means any organization, public or private, engaged in welfare functions which include services to or on behalf of children but does not include "agency" as herein defined.

(4.05) Whenever a "best interest" determination is required, the following factors shall be considered in the context of the child's age and developmental needs:

(a) the physical safety and welfare of the child, including food, shelter, health, and clothing;
(b) the development of the child's identity;
(c) the child's background and ties, including familial, cultural, and religious;
(d) the child's sense of attachments, including:
   (i) where the child actually feels love, attachment, and a sense of being valued (as opposed to where adults believe the child should feel such love, attachment, and a sense of being valued);
   (ii) the child's sense of security;
   (iii) the child's sense of familiarity;
   (iv) continuity of affection for the child;
   (v) the least disruptive placement alternative for the child;
(e) the child's wishes and long-term goals;
(f) the child's community ties, including church, school, and friends;
(g) the child's need for permanence which includes the child's need for stability and continuity of relationships with parent figures and with siblings and other relatives;
(h) the uniqueness of every family and child;

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(i) the risks attendant to entering and being in substitute care; and
(j) the preferences of the persons available to care for the child.

(4.1) "Chronic truant" shall have the definition ascribed to it in Section 26-2a of the School Code.

(5) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act.

(6) "Dispositional hearing" means a hearing to determine whether a minor should be adjudged to be a ward of the court, and to determine what order of disposition should be made in respect to a minor adjudged to be a ward of the court.

(7) "Emancipated minor" means any minor 16 years of age or over who has been completely or partially emancipated under the Emancipation of Minors Act or under this Act.

(7.05) "Foster parent" includes a relative caregiver selected by the Department of Children and Family Services to provide care for the minor.

(8) "Guardianship of the person" of a minor means the duty and authority to act in the best interests of the minor, subject to residual parental rights and responsibilities, to make important decisions in matters having a permanent effect on the life and development of the minor and to be concerned with his or her general welfare. It includes but is not necessarily limited to:

(a) the authority to consent to marriage, to enlistment in the armed forces of the United States, or to a major medical, psychiatric, and surgical treatment; to represent the minor in legal actions; and to make other decisions of substantial legal significance concerning the minor;

(b) the authority and duty of reasonable visitation, except to the extent that these have been limited in the best interests of the minor by court order;

(c) the rights and responsibilities of legal custody except where legal custody has been vested in another person or agency; and

(d) the power to consent to the adoption of the minor, but only if expressly conferred on the guardian in accordance with Section 2-29, 3-30, or 4-27.

(9) "Legal custody" means the relationship created by an order of court in the best interests of the minor which imposes on the custodian the
responsibility of physical possession of a minor and the duty to protect, train and discipline him and to provide him with food, shelter, education and ordinary medical care, except as these are limited by residual parental rights and responsibilities and the rights and responsibilities of the guardian of the person, if any.

(9.1) "Mentally capable adult relative" means a person 21 years of age or older who is not suffering from a mental illness that prevents him or her from providing the care necessary to safeguard the physical safety and welfare of a minor who is left in that person's care by the parent or parents or other person responsible for the minor's welfare.

(10) "Minor" means a person under the age of 21 years subject to this Act.

(11) "Parent" means the father or mother of a child and includes any adoptive parent. It also includes a man (i) whose paternity is presumed or has been established under the law of this or another jurisdiction or (ii) who has registered with the Putative Father Registry in accordance with Section 12.1 of the Adoption Act and whose paternity has not been ruled out under the law of this or another jurisdiction. It does not include a parent whose rights in respect to the minor have been terminated in any manner provided by law. It does not include a person who has been or could be determined to be a parent under the Illinois Parentage Act of 1984, or similar parentage law in any other state, if that person has been convicted of or pled nolo contendere to a crime that resulted in the conception of the child under Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13, 12-14, 12-14.1, subsection (a) or (b) (but not subsection (c)) of Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e), or (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, or similar statute in another jurisdiction unless upon motion of any party, other than the offender, to the juvenile court proceedings the court finds it is in the child's best interest to deem the offender a parent for purposes of the juvenile court proceedings.

(11.1) "Permanency goal" means a goal set by the court as defined in subdivision (2) of Section 2-28.

(11.2) "Permanency hearing" means a hearing to set the permanency goal and to review and determine (i) the appropriateness of the services contained in the plan and whether those services have been provided, (ii) whether reasonable efforts have been made by all the parties to the service plan to achieve the goal, and (iii) whether the plan and goal have been achieved.

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(12) "Petition" means the petition provided for in Section 2-13, 3-15, 4-12 or 5-520, including any supplemental petitions thereunder in Section 3-15, 4-12 or 5-520.

(12.1) "Physically capable adult relative" means a person 21 years of age or older who does not have a severe physical disability or medical condition, or is not suffering from alcoholism or drug addiction, that prevents him or her from providing the care necessary to safeguard the physical safety and welfare of a minor who is left in that person's care by the parent or parents or other person responsible for the minor's welfare.

(12.2) "Post Permanency Sibling Contact Agreement" has the meaning ascribed to the term in Section 7.4 of the Children and Family Services Act.

(13) "Residual parental rights and responsibilities" means those rights and responsibilities remaining with the parent after the transfer of legal custody or guardianship of the person, including, but not necessarily limited to, the right to reasonable visitation (which may be limited by the court in the best interests of the minor as provided in subsection (8)(b) of this Section), the right to consent to adoption, the right to determine the minor's religious affiliation, and the responsibility for his support.

(14) "Shelter" means the temporary care of a minor in physically unrestricting facilities pending court disposition or execution of court order for placement.

(14.1) "Sibling Contact Support Plan" has the meaning ascribed to the term in Section 7.4 of the Children and Family Services Act.

(15) "Station adjustment" means the informal handling of an alleged offender by a juvenile police officer.

(16) "Ward of the court" means a minor who is so adjudged under Section 2-22, 3-23, 4-20 or 5-705, after a finding of the requisite jurisdictional facts, and thus is subject to the dispositional powers of the court under this Act.

(17) "Juvenile police officer" means a sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of the Department of State Police.

(18) "Secure child care facility" means any child care facility licensed by the Department of Children and Family Services to provide

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secure living arrangements for children under 18 years of age who are subject to placement in facilities under the Children and Family Services Act and who are not subject to placement in facilities for whom standards are established by the Department of Corrections under Section 3-15-2 of the Unified Code of Corrections. "Secure child care facility" also means a facility that is designed and operated to ensure that all entrances and exits from the facility, a building, or a distinct part of the building are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. (Source: P.A. 96-168, eff. 8-10-09; 97-568, eff. 8-25-11; 97-1076, eff. 8-24-12; 97-1150, eff. 1-25-13.)

(705 ILCS 405/1-5) (from Ch. 37, par. 801-5)

Sec. 1-5. Rights of parties to proceedings.

(1) Except as provided in this Section and paragraph (2) of Sections 2-22, 3-23, 4-20, 5-610 or 5-705, the minor who is the subject of the proceeding and his parents, guardian, legal custodian or responsible relative who are parties respondent have the right to be present, to be heard, to present evidence material to the proceedings, to cross-examine witnesses, to examine pertinent court files and records and also, although proceedings under this Act are not intended to be adversary in character, the right to be represented by counsel. At the request of any party financially unable to employ counsel, with the exception of a foster parent permitted to intervene under this Section, the court shall appoint the Public Defender or such other counsel as the case may require. Counsel appointed for the minor and any indigent party shall appear at all stages of the trial court proceeding, and such appointment shall continue through the permanency hearings and termination of parental rights proceedings subject to withdrawal or substitution pursuant to Supreme Court Rules or the Code of Civil Procedure. Following the dispositional hearing, the court may require appointed counsel, other than counsel for the minor or counsel for the guardian ad litem, to withdraw his or her appearance upon failure of the party for whom counsel was appointed under this Section to attend any subsequent proceedings.

No hearing on any petition or motion filed under this Act may be commenced unless the minor who is the subject of the proceeding is represented by counsel. Notwithstanding the preceding sentence, if a guardian ad litem has been appointed for the minor under Section 2-17 of this Act and the guardian ad litem is a licensed attorney at law of this state.

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State, or in the event that a court appointed special advocate has been appointed as guardian ad litem and counsel has been appointed to represent the court appointed special advocate, the court may not require the appointment of counsel to represent the minor unless the court finds that the minor's interests are in conflict with what the guardian ad litem determines to be in the best interest of the minor. Each adult respondent shall be furnished a written "Notice of Rights" at or before the first hearing at which he or she appears.

(1.5) The Department shall maintain a system of response to inquiry made by parents or putative parents as to whether their child is under the custody or guardianship of the Department; and if so, the Department shall direct the parents or putative parents to the appropriate court of jurisdiction, including where inquiry may be made of the clerk of the court regarding the case number and the next scheduled court date of the minor's case. Effective notice and the means of accessing information shall be given to the public on a continuing basis by the Department.

(2) (a) Though not appointed guardian or legal custodian or otherwise made a party to the proceeding, any current or previously appointed foster parent or relative caregiver, or representative of an agency or association interested in the minor has the right to be heard by the court, but does not thereby become a party to the proceeding.

In addition to the foregoing right to be heard by the court, any current foster parent or relative caregiver of a minor and the agency designated by the court or the Department of Children and Family Services as custodian of the minor who is alleged to be or has been adjudicated an abused or neglected minor under Section 2-3 or a dependent minor under Section 2-4 of this Act has the right to and shall be given adequate notice at all stages of any hearing or proceeding under this Act.

Any foster parent or relative caregiver who is denied his or her right to be heard under this Section may bring a mandamus action under Article XIV of the Code of Civil Procedure against the court or any public agency to enforce that right. The mandamus action may be brought immediately upon the denial of those rights but in no event later than 30 days after the foster parent has been denied the right to be heard.

(b) If after an adjudication that a minor is abused or neglected as provided under Section 2-21 of this Act and a motion has been made to restore the minor to any parent, guardian, or legal custodian found by the court to have caused the neglect or to have inflicted the abuse on the minor, a foster parent may file a motion to intervene in the proceeding for

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the sole purpose of requesting that the minor be placed with the foster parent, provided that the foster parent (i) is the current foster parent of the minor or (ii) has previously been a foster parent for the minor for one year or more, has a foster care license or is eligible for a license or is not required to have a license, and is not the subject of any findings of abuse or neglect of any child. The juvenile court may only enter orders placing a minor with a specific foster parent under this subsection (2)(b) and nothing in this Section shall be construed to confer any jurisdiction or authority on the juvenile court to issue any other orders requiring the appointed guardian or custodian of a minor to place the minor in a designated foster home or facility. This Section is not intended to encompass any matters that are within the scope or determinable under the administrative and appeal process established by rules of the Department of Children and Family Services under Section 5(o) of the Children and Family Services Act. Nothing in this Section shall relieve the court of its responsibility, under Section 2-14(a) of this Act to act in a just and speedy manner to reunify families where it is the best interests of the minor and the child can be cared for at home without endangering the child's health or safety and, if reunification is not in the best interests of the minor, to find another permanent home for the minor. Nothing in this Section, or in any order issued by the court with respect to the placement of a minor with a foster parent, shall impair the ability of the Department of Children and Family Services, or anyone else authorized under Section 5 of the Abused and Neglected Child Reporting Act, to remove a minor from the home of a foster parent if the Department of Children and Family Services or the person removing the minor has reason to believe that the circumstances or conditions of the minor are such that continuing in the residence or care of the foster parent will jeopardize the child's health and safety or present an imminent risk of harm to that minor's life.

(c) If a foster parent has had the minor who is the subject of the proceeding under Article II in his or her home for more than one year on or after July 3, 1994 and if the minor's placement is being terminated from that foster parent's home, that foster parent shall have standing and intervenor status except in those circumstances where the Department of Children and Family Services or anyone else authorized under Section 5 of the Abused and Neglected Child Reporting Act has removed the minor from the foster parent because of a reasonable belief that the circumstances or conditions of the minor are such that continuing in the residence or care
of the foster parent will jeopardize the child's health or safety or presents an imminent risk of harm to the minor's life.

(d) The court may grant standing to any foster parent if the court finds that it is in the best interest of the child for the foster parent to have standing and intervenor status.

(3) Parties respondent are entitled to notice in compliance with Sections 2-15 and 2-16, 3-17 and 3-18, 4-14 and 4-15 or 5-525 and 5-530, as appropriate. At the first appearance before the court by the minor, his parents, guardian, custodian or responsible relative, the court shall explain the nature of the proceedings and inform the parties of their rights under the first 2 paragraphs of this Section.

If the child is alleged to be abused, neglected or dependent, the court shall admonish the parents that if the court declares the child to be a ward of the court and awards custody or guardianship to the Department of Children and Family Services, the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions that require the child to be in care, or risk termination of their parental rights.

Upon an adjudication of wardship of the court under Sections 2-22, 3-23, 4-20 or 5-705, the court shall inform the parties of their right to appeal therefrom as well as from any other final judgment of the court.

When the court finds that a child is an abused, neglected, or dependent minor under Section 2-21, the court shall admonish the parents that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions that require the child to be in care, or risk termination of their parental rights.

When the court declares a child to be a ward of the court and awards guardianship to the Department of Children and Family Services under Section 2-22, the court shall admonish the parents, guardian, custodian, or responsible relative that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions that require the child to be in care, or risk termination of their parental rights.

(4) No sanction may be applied against the minor who is the subject of the proceedings by reason of his refusal or failure to testify in the course of any hearing held prior to final adjudication under Section 2-22, 3-23, 4-20 or 5-705.
(5) In the discretion of the court, the minor may be excluded from any part or parts of a dispositional hearing and, with the consent of the parent or parents, guardian, counsel or a guardian ad litem, from any part or parts of an adjudicatory hearing.

(6) The general public except for the news media and the crime victim, as defined in Section 3 of the Rights of Crime Victims and Witnesses Act, shall be excluded from any hearing and, except for the persons specified in this Section only persons, including representatives of agencies and associations, who in the opinion of the court have a direct interest in the case or in the work of the court shall be admitted to the hearing. However, the court may, for the minor's safety and protection and for good cause shown, prohibit any person or agency present in court from further disclosing the minor's identity. Nothing in this subsection (6) prevents the court from allowing other juveniles to be present or to participate in a court session being held under the Juvenile Drug Court Treatment Act.

(7) A party shall not be entitled to exercise the right to a substitution of a judge without cause under subdivision (a)(2) of Section 2-1001 of the Code of Civil Procedure in a proceeding under this Act if the judge is currently assigned to a proceeding involving the alleged abuse, neglect, or dependency of the minor's sibling or half sibling and that judge has made a substantive ruling in the proceeding involving the minor's sibling or half sibling.

(Source: P.A. 93-539, eff. 8-18-03; 94-271, eff. 1-1-06.)

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0250
(House Bill No. 2664)

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

Section 5. The Counties Code is amended by changing Section 3-6019 as follows:

(55 ILCS 5/3-6019) (from Ch. 34, par. 3-6019)

Sec. 3-6019. Duties of sheriff; office quarters and hours. Sheriffs shall serve and execute, within their respective counties, and return all

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warrants, process, orders and judgments of every description that may be legally directed or delivered to them. A sheriff of a county with a population of less than 1,000,000 may employ civilian personnel to serve process in civil matters. *If an arrest warrant upon complaint under Section 107-9 of the Code of Criminal Procedure of 1963, or a warrant of arrest due to failure to appear under Section 107-12 of the Code, originated from a law enforcement agency other than the county sheriff's office, then the county sheriff of a county with a population of more than 600,000 may require that law enforcement agency to store and maintain the warrant. That law enforcement agency is responsible for entering the warrant into the Illinois Law Enforcement Agencies Data System (LEADS) and the National Crime Information Center Database (NCIC). The county sheriff may require the originating law enforcement agency to arrange for transportation of the wanted person to the county jail. Originating agencies may contract with the county sheriff or another law enforcement agency to store, maintain, and provide transportation of the wanted person to the county jail. Any law enforcement agency or regional dispatch center may act as holder of the warrant for an originating agency that has no telecommunications equipment.*

Each sheriff shall keep and maintain his or her office at the county seat of the county for which he or she is the sheriff, and shall in counties having a population of less than 500,000 keep his or her office open and attend to the duties thereof from 8 o'clock in the forenoon to 5 o'clock in the afternoon of each working day, excepting such days and half days as, under any law, are or may be legal holidays, or half holidays. The hours of opening and closing of the office of the sheriff may be changed and otherwise fixed and determined by the county board of such county. Such action taken by the county board shall be by an appropriate resolution passed at a regular meeting.

(Source: P.A. 86-962; 86-1028.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0251
(House Bill No. 2674)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
(110 ILCS 947/75 rep.)
Section 5. The Higher Education Student Assistance Act is amended by repealing Section 75.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0252
(House Bill No. 2687)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-705 and 605-707 as follows:
(20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)
Sec. 605-705. Grants to local tourism and convention bureaus.
(a) To establish a grant program for local tourism and convention bureaus. The Department will develop and implement a program for the use of funds, as authorized under this Act, by local tourism and convention bureaus. For the purposes of this Act, bureaus eligible to receive funds are those local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations; (ii) in legal existence for a minimum of 2 years before July 1, 2001; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv) affiliated with one or more municipalities or counties that support the bureau with local hotel-motel taxes. After July 1, 2001, bureaus requesting certification in order to receive funds for the first time must be local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations;

New matter indicated by italics - deletions by strikeout
(ii) in legal existence for a minimum of 2 years before the request for certification; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv) affiliated with multiple municipalities or counties that support the bureau with local hotel-motel taxes. Each bureau receiving funds under this Act will be certified by the Department as the designated recipient to serve an area of the State. Notwithstanding the criteria set forth in this subsection (a), or any rule adopted under this subsection (a), the Director of the Department may provide for the award of grant funds to one or more entities if in the Department's judgment that action is necessary in order to prevent a loss of funding critical to promoting tourism in a designated geographic area of the State.

(b) To distribute grants to local tourism and convention bureaus from appropriations made from the Local Tourism Fund for that purpose. Of the amounts appropriated annually to the Department for expenditure under this Section prior to July 1, 2011, one-third of those monies shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. The remaining two-thirds of the annual appropriation prior to July 1, 2011 shall be used for grants to convention and tourism bureaus in the remainder of the State, in accordance with a formula based upon the population served. Of the amounts appropriated annually to the Department for expenditure under this Section beginning July 1, 2011, 18% of such moneys shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. Of the amounts appropriated annually to the Department for expenditure under this Section beginning July 1, 2011, 82% of such moneys shall be used for grants to convention bureaus in the remainder of the State, in accordance with a formula based upon the population served. The Department may reserve up to 10% of total local tourism funds available for costs of administering the program to conduct audits of grants, to provide incentive funds to those bureaus that will conduct promotional activities designed to further the Department's statewide advertising campaign, to fund special statewide promotional activities, and to fund promotional activities that support an increased use of the State's parks or historic sites. The Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 50% of the grant amount. During fiscal year 2013, the Department shall reserve $2,000,000 of the available local tourism funds.
for appropriation to the Historic Preservation Agency for the operation of the Abraham Lincoln Presidential Library and Museum and State historic sites.

(Source: P.A. 97-617, eff. 10-26-11; 97-732, eff. 6-30-12.)

(20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

Sec. 605-707. International Tourism Program.

(a) The Department of Commerce and Economic Opportunity must establish a program for international tourism. The Department shall develop and implement the program on January 1, 2000 by rule. As part of the program, the Department may work in cooperation with local convention and tourism bureaus in Illinois in the coordination of international tourism efforts at the State and local level. The Department may (i) work in cooperation with local convention and tourism bureaus for efficient use of their international tourism marketing resources, (ii) promote Illinois in international meetings and tourism markets, (iii) work with convention and tourism bureaus throughout the State to increase the number of international tourists to Illinois, (iv) provide training, research, technical support, and grants to certified convention and tourism bureaus, (v) provide staff, administration, and related support required to manage the programs under this Section, and (vi) provide grants for the development of or the enhancement of international tourism attractions.

(b) The Department shall make grants for expenses related to international tourism and pay for the staffing, administration, and related support from the International Tourism Fund, a special fund created in the State Treasury. Of the amounts deposited into the Fund in fiscal year 2000 after January 1, 2000 through fiscal year 2011, 55% shall be used for grants to convention and tourism bureaus in Chicago (other than the City of Chicago's Office of Tourism) and 45% shall be used for development of international tourism in areas outside of Chicago. Of the amounts deposited into the Fund in fiscal year 2001 and thereafter, 55% shall be used for grants to convention and tourism bureaus in Chicago, and of that amount not less than 27.5% shall be used for grants to convention and tourism bureaus in Chicago other than the City of Chicago's Office of Tourism, and 45% shall be used for administrative expenses and grants authorized under this Section and development of international tourism in areas outside of Chicago, of which not less than $1,000,000 shall be used annually to make grants to convention and tourism bureaus in cities other than Chicago that demonstrate their international tourism appeal and request to develop or expand their international tourism marketing.
program, and may also be used to provide grants under item (vi) of subsection (a) of this Section. All of the amounts deposited into the Fund in fiscal year 2012 and thereafter shall be used for administrative expenses and grants authorized under this Section and development of international tourism in areas outside of Chicago, of which not less than $1,000,000 shall be used annually to make grants to convention and tourism bureaus in cities other than Chicago that demonstrate their international tourism appeal and request to develop or expand their international tourism marketing program, and may also be used to provide grants under item (vi) of subsection (a) of this Section. Amounts appropriated to the State Comptroller for administrative expenses and grants authorized by the Illinois Global Partnership Act are payable from the International Tourism Fund.

(c) A convention and tourism bureau is eligible to receive grant moneys under this Section if the bureau is certified to receive funds under Title 14 of the Illinois Administrative Code, Section 550.35. To be eligible for a grant, a convention and tourism bureau must provide matching funds equal to the grant amount. The Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 50% of the grant amount. In certain circumstances as determined by the Director of Commerce and Economic Opportunity, however, the City of Chicago's Office of Tourism or any other convention and tourism bureau may provide matching funds equal to no less than 50% of the grant amount to be eligible to receive the grant. One-half of this 50% may be provided through in-kind contributions. Grants received by the City of Chicago's Office of Tourism and by convention and tourism bureaus in Chicago may be expended for the general purposes of promoting conventions and tourism.

(Source: P.A. 97-617, eff. 10-26-11; 97-732, eff. 6-30-12.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Regulatory Sunset Act is amended by changing
Section 4.24 and by adding Section 4.34 as follows:
(5 ILCS 80/4.24)
Sec. 4.24. Acts and Section repealed on January 1, 2014. The
following Acts and Section of an Act are repealed on January 1, 2014:
The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Private Detective, Private Alarm, Private Security, Fingerprint
The Registered Surgical Assistant and Registered Surgical
Technologist Title Protection Act.
Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)
(5 ILCS 80/4.34 new)
Sec. 4.34. Act repealed on January 1, 2024. The following Act is
repealed on January 1, 2024:
The Private Detective, Private Alarm, Private Security,
Section 10. The Private Detective, Private Alarm, Private Security,
Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing
Sections 5-10, 5-15, 10-25, 10-30, 15-5, 15-10, 15-15, 20-10, 20-15, 25-
10, 25-15, 25-20, 25-30, 30-5, 30-10, 30-15, 30-30, 31-15, 35-10, 35-20,
40, 40-45, 45-10, 45-15, 45-20, 45-25, 45-30, 45-45, 45-50, 45-55, 45-60,
50-5, 50-10, and 50-15 and by adding Section 50-50 as follows:
(225 ILCS 447/5-10)
(Section scheduled to be repealed on January 1, 2014)
Sec. 5-10. Definitions. As used in this Act:

New matter indicated by italics - deletions by strikeout
"Address of record" means the designated address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Advertisement" means any public media, including printed or electronic material, that is published or displayed in a phone book, newspaper, magazine, pamphlet, newsletter, website, or other similar type of publication or electronic format that is intended to either attract business or merely provide contact information to the public for an agency or licensee. Advertisement shall include any material disseminated by printed or electronic means or media, but shall not include a licensee's or an agency's letterhead, business cards, or other stationery used in routine business correspondence or customary name, address, and number type listings in a telephone directory.

"Alarm system" means any system, including an electronic access control system, a surveillance video system, a security video system, a burglar alarm system, a fire alarm system, an emergency communication system, a mass notification system, or any other electronic system that activates an audible, visible, remote, or recorded signal that is designed for the protection or detection of intrusion, entry, theft, fire, vandalism, escape, or trespass, or other electronic systems designed for the protection of life by indicating the existence of an emergency situation. "Alarm system" also includes an emergency communication system and a mass notification system.

"Applicant" means a person or business applying for licensure, registration, or authorization under this Act as a fingerprint vendor, fingerprint vendor agency, locksmith, locksmith agency, private alarm contractor, private alarm contractor agency, private detective, private detective agency, private security contractor, or private security contractor agency. Any applicant or person who holds himself or herself out as an applicant is considered a licensee or registrant for the purposes of enforcement, investigation, hearings, and the Illinois Administrative Procedure Act.

"Armed employee" means a licensee or registered person who is employed by an agency licensed or an armed proprietary security force registered under this Act who carries a weapon while engaged in the performance of official duties within the course and scope of his or her employment during the hours and times the employee is scheduled to work or is commuting between his or her home or place of employment.

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provided that commuting is accomplished within one hour from departure from home or place of employment.

"Armed proprietary security force" means a security force made up of one or more armed individuals employed by a private, commercial, or industrial operation or one or more armed individuals employed by a financial institution as security officers for the protection of persons or property.

"Board" means the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board.

"Branch office" means a business location removed from the place of business for which an agency license has been issued, including, but not limited to, locations where active employee records that are required to be maintained under this Act are kept, where prospective new employees are processed, or where members of the public are invited in to transact business. A branch office does not include an office or other facility located on the property of an existing client that is utilized solely for the benefit of that client and is not owned or leased by the agency.

"Canine handler" means a person who uses or handles a trained dog to protect persons or property or to conduct investigations.

"Canine handler authorization card" means a card issued by the Department that authorizes the holder to use or handle a trained dog to protect persons or property or to conduct investigations during the performance of his or her duties as specified in this Act.

"Canine trainer" means a person who acts as a dog trainer for the purpose of training dogs to protect persons or property or to conduct investigations.

"Canine trainer authorization card" means a card issued by the Department that authorizes the holder to train a dog to protect persons or property or to conduct investigations during the performance of his or her duties as specified in this Act.

"Canine training facility" means a facility operated by a licensed private detective agency or private security contractor agency wherein dogs are trained for the purposes of protecting persons or property or to conduct investigations.

"Corporation" means an artificial person or legal entity created by or under the authority of the laws of a state, including without limitation a corporation, limited liability company, or any other legal entity.

"Department" means the Department of Financial and Professional Regulation.
"Emergency communication system" means any system that communicates information about emergencies, including but not limited to fire, terrorist activities, shootings, other dangerous situations, accidents, and natural disasters.

"Employee" means a person who works for a person or agency that has the right to control the details of the work performed and is not dependent upon whether or not federal or state payroll taxes are withheld.

"Fingerprint vendor" means a person that offers, advertises, or provides services to fingerprint individuals, through electronic or other means, for the purpose of providing fingerprint images and associated demographic data to the Department of State Police for processing fingerprint based criminal history record information inquiries.

"Fingerprint vendor agency" means a person, firm, corporation, or other legal entity that engages in the fingerprint vendor business and employs, in addition to the fingerprint vendor licensee-in-charge, at least one other person in conducting that business.

"Fingerprint vendor licensee-in-charge" means a person who has been designated by a fingerprint vendor agency to be the licensee-in-charge of an agency who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Fire alarm system" means any system that is activated by an automatic or manual device in the detection of smoke, heat, or fire that activates an audible, visible, or remote signal requiring a response.

"Firearm control card" means a card issued by the Department that authorizes the holder, who has complied with the training and other requirements of this Act, to carry a weapon during the performance of his or her duties as specified in this Act.

"Firm" means an unincorporated business entity, including but not limited to proprietorships and partnerships.

"Licensee" means a person or business licensed under this Act as a fingerprint vendor, fingerprint vendor agency, locksmith, locksmith agency, private alarm contractor, private alarm contractor agency, private detective, private detective agency, private security contractor, or private security contractor agency. Anyone who holds himself or herself out as a licensee or who is accused of unlicensed practice is considered a licensee.

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for purposes of enforcement, investigation, hearings, and the Illinois Administrative Procedure Act.

"Locksmith" means a person who engages in a business or holds himself out to the public as providing a service that includes, but is not limited to, the servicing, installing, originating first keys, re-coding, repairing, maintaining, manipulating, or bypassing of a mechanical or electronic locking device, access control or video surveillance system at premises, vehicles, safes, vaults, safe deposit boxes, or automatic teller machines.

"Locksmith agency" means a person, firm, corporation, or other legal entity that engages in the locksmith business and employs, in addition to the locksmith licensee-in-charge, at least one other person in conducting such business.

"Locksmith licensee-in-charge" means a person who has been designated by agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Mass notification system" means any system that is used to provide information and instructions to people in a building or other space using voice communications, including visible signals, text, graphics, tactile, or other communication methods.

"Peace officer" or "police officer" means a person who, by virtue of office or public employment, is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses. Officers, agents, or employees of the federal government commissioned by federal statute to make arrests for violations of federal laws are considered peace officers.

"Permanent employee registration card" means a card issued by the Department to an individual who has applied to the Department and meets the requirements for employment by a licensed agency under this Act.

"Person" means a natural person.

"Private alarm contractor" means a person who engages in a business that individually or through others undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to sell, install, design, monitor, maintain, alter, repair, replace, or service alarm and other security-related systems or parts thereof, including fire

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alarm systems, at protected premises or premises to be protected or responds to alarm systems at a protected premises on an emergency basis and not as a full-time security officer. "Private alarm contractor" does not include a person, firm, or corporation that manufactures or sells alarm systems only from its place of business and does not sell, install, monitor, maintain, alter, repair, replace, service, or respond to alarm systems at protected premises or premises to be protected.

"Private alarm contractor agency" means a person, corporation, or other entity that engages in the private alarm contracting business and employs, in addition to the private alarm contractor-in-charge, at least one other person in conducting such business.

"Private alarm contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private detective" means any person who, by any means, including, but not limited to, manual, canine odor detection, or electronic methods, engages in the business of, accepts employment to furnish, or agrees to make or makes investigations for a fee or other consideration to obtain information relating to:

(1) Crimes or wrongs done or threatened against the United States, any state or territory of the United States, or any local government of a state or territory.

(2) The identity, habits, conduct, business occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movements, whereabouts, affiliations, associations, transactions, acts, reputation, or character of any person, firm, or other entity by any means, manual or electronic.

(3) The location, disposition, or recovery of lost or stolen property.

(4) The cause, origin, or responsibility for fires, accidents, or injuries to individuals or real or personal property.

(5) The truth or falsity of any statement or representation.

(6) Securing evidence to be used before any court, board, or investigating body.

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(7) The protection of individuals from bodily harm or death (bodyguard functions).

(8) Service of process in criminal and civil proceedings without court order.

"Private detective agency" means a person, firm, corporation, or other legal entity that engages in the private detective business and employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private detective licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private security contractor" means a person who engages in the business of providing a private security officer, watchman, patrol, guard dog, canine odor detection, or a similar service by any other title or name on a contractual basis for another person, firm, corporation, or other entity for a fee or other consideration and performing one or more of the following functions:

(1) The prevention or detection of intrusion, entry, theft, vandalism, abuse, fire, or trespass on private or governmental property.

(2) The prevention, observation, or detection of any unauthorized activity on private or governmental property.

(3) The protection of persons authorized to be on the premises of the person, firm, or other entity for which the security contractor contractually provides security services.

(4) The prevention of the misappropriation or concealment of goods, money, bonds, stocks, notes, documents, or papers.

(5) The control, regulation, or direction of the movement of the public for the time specifically required for the protection of property owned or controlled by the client.

(6) The protection of individuals from bodily harm or death (bodyguard functions).

"Private security contractor agency" means a person, firm, corporation, or other legal entity that engages in the private security
contractor business and that employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private security contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Public member" means a person who is not a licensee or related to a licensee, or who is not an employer or employee of a licensee. The term "related to" shall be determined by the rules of the Department.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

(Source: P.A. 95-613, eff. 9-11-07; 96-847, eff. 6-1-10; 96-1445, eff. 8-20-10.)

(225 ILCS 447/5-15)

(Section scheduled to be repealed on January 1, 2014)
Sec. 5-15. Legislative intent. The intent of the General Assembly in enacting this statute is to regulate persons, corporations, and firms licensed under this Act for the protection of the public. These practices are declared to affect the public health, safety, and welfare and are subject to exclusive State regulation and licensure. This Act shall be construed to carry out these purposes.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/10-25)

(Section scheduled to be repealed on January 1, 2014)
Sec. 10-25. Issuance of license; renewal; fees.

(a) The Department shall, upon the applicant's satisfactory completion of the requirements set forth in this Act and upon receipt of the fee, issue the license indicating the name and business location of the licensee and the date of expiration.

(b) An applicant may, upon satisfactory completion of the requirements set forth in this Act and upon receipt of fees related to the application and testing for licensure, elect to defer the issuance of the applicant's initial license for a period not longer than 36 years. An applicant who fails to request issuance of his or her initial license or agency license and to remit the fees required for that license within 36
years shall be required to resubmit an application together with all required fees.

(c) The expiration date, renewal period, and conditions for renewal and restoration of each license, permanent employee registration card, canine handler authorization card, canine trainer authorization card, and firearm control card shall be set by rule. The holder may renew the license, permanent employee registration card, canine handler authorization card, canine trainer authorization card, or firearm control card during the 30 days preceding its expiration by paying the required fee and by meeting conditions that the Department may specify. Any license holder who notifies the Department on forms prescribed by the Department may place his or her license on inactive status for a period of not longer than 36 years and shall, subject to the rules of the Department, be excused from payment of renewal fees until the license holder notifies the Department, in writing, of an intention to resume active status. Practice while on inactive status constitutes unlicensed practice. A non-renewed license that has lapsed for less than 36 years may be restored upon payment of the restoration fee and all lapsed renewal fees. A license that has lapsed for more than 36 years may be restored by paying the required restoration fee and all lapsed renewal fees and by providing evidence of competence to resume practice satisfactory to the Department and the Board, which may include passing a written examination. All restoration fees and lapsed renewal fees shall be waived for an applicant whose license lapsed while on active duty in the armed forces of the United States if application for restoration is made within 12 months after discharge from the service.

Any person seeking renewal or restoration under this subsection (c) shall be subject to the continuing education requirements established pursuant to Section 10-27 of this Act.

(d) Any permanent employee registration card expired for less than one year may be restored upon payment of lapsed renewal fees. Any permanent employee registration card expired for one year or more may be restored by making application to the Department and filing proof acceptable to the Department of the licensee's fitness to have the permanent employee registration card restored, including verification of fingerprint processing through the Department of State Police and Federal Bureau of Investigation and paying the restoration fee.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/10-30)

(Section scheduled to be repealed on January 1, 2014)
Sec. 10-30. Unlawful acts. It is unlawful for a licensee or an employee of a licensed agency:

(1) Upon termination of employment by the agency, to fail to return upon demand or within 72 hours of termination of employment any firearm issued by the employer together with the employee's firearm control card.

(2) (Blank). Upon termination of employment by the agency, to fail to return within 72 hours of termination of employment any uniform, badge, identification card, or equipment issued, but not sold, to the employee by the agency.

(3) To falsify the employee's statement required by this Act.

(4) To have a badge, shoulder patch, or any other identification that contains the words "law enforcement". In addition, no license holder or employee of a licensed agency shall in any manner imply that the person is an employee or agent of a governmental agency or display a badge or identification card, emblem, or uniform citing the words "police", "sheriff", "highway patrol trooper", or "law enforcement".

A person who violates any provision of this Section shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/15-5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 15-5. Exemptions; private detective. The provisions of this Act relating to the licensure of private detectives do not apply to any of the following:

(1) An employee of the United States, Illinois, or a political subdivision of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a private detective or uses a similar title when these services are performed for compensation or other consideration, whether received directly or indirectly, is subject to this Act.

(2) A person, firm, or other entity engaged exclusively in tracing and compiling lineage or ancestry who does not hold himself or herself out to be a private detective.

(3) A person engaged exclusively in obtaining and furnishing information, including providing reports, as to the

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financial rating or creditworthiness of persons or a person who provides reports in connection with (i) consumer credit transactions, (ii) information for employment purposes, or (iii) information for the underwriting of consumer insurance.

(4) Insurance adjusters employed or under contract as adjusters who engage in no other investigative activities other than those directly connected with adjustment of claims against an insurance company or a self-insured entity by which they are employed or with which they have a contract. No insurance adjuster or company may use the term "investigation" or any derivative thereof, in its name or in its advertising.

(5) A person, firm, or other entity engaged in providing computer forensics services so long as the person, firm, or other entity does not hold himself or herself out to be a private detective. For the purposes of this item (5), "computer forensics services" means a branch of forensic science pertaining to the recovery and analysis of electronically stored information.

(6) A person employed as an investigator exclusively by only one employer in connection with the exclusive activities of that employer and who does not hold himself or herself out to be a private detective.

(7) A person appointed by the circuit court pursuant to the Code of Civil Procedure to make service of process in a specific case, provided that such person is not otherwise engaged in the business of serving process.

(8) A person appointed by the circuit court pursuant to the Code of Civil Procedure who is an honorably discharged veteran of the armed forces of the United States and is self-employed as a process server.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/15-10)
(Section scheduled to be repealed January 1, 2014)
Sec. 15-10. Qualifications for licensure as a private detective.
(a) A person is qualified for licensure as a private detective if he or she meets all of the following requirements:

(1) Is at least 21 years of age.

(2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.

New matter indicated by italics - deletions by strikeout
(3) Is of good moral character. Good character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except where the applicant is a registered sex offender.

(4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.

(6) Has a minimum of 3 years experience of the 5 years immediately preceding application working full-time for a licensed private detective agency as a registered private detective agency employee or with 3 years experience of the 5 years immediately preceding his or her application employed as a full-time investigator for a licensed attorney, for an in-house investigative unit for a corporation having 100 or more employees, for any of the armed forces of the United States, or in a law enforcement agency of the federal government, a state, or a state political subdivision, which shall include a state's attorney's office or a public defender's office. The Board and the Department shall approve such full-time investigator experience and may accept, in lieu of the experience requirement in this item (6), alternative experience working full-time for a private detective agency licensed in another state or for a private detective agency in a state that does not license such agencies if the experience is substantially equivalent to that gained working for an Illinois licensed private detective agency. An applicant who has a baccalaureate degree, or higher, in law enforcement or a related field or a business degree from an accredited college or university shall be given credit for 2 of the 3 years of the required experience.

An applicant who has an associate degree in law enforcement or in a related field or in business from an accredited college or university shall be given credit for one of the 3 years of the required experience. An applicant who has completed a non-degree military training program in law enforcement or a related field shall be given credit for one of the 3 years of the required experience if the Board and the Department determine that such
training is substantially equivalent to that received in an associate degree program.

(7) Has not been dishonorably discharged from the armed forces of the United States or has not been discharged from a law enforcement agency of the United States or of any state or of any political subdivision thereof, which shall include a state's attorney's office, for reasons relating to his or her conduct as an employee of that law enforcement agency.

(8) Has passed an examination authorized by the Department.

(9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.

(10) Has not violated Section 10-5 of this Act.

(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license without hearing.

(c) Any person who has been providing canine odor detection services for hire prior to January 1, 2005 is exempt from the requirements of item (6) of subsection (a) of this Section and may be granted a private detective license if (i) he or she meets the requirements of items (1) through (5) and items (7) through (10) of subsection (a) of this Section, (ii) pays all applicable fees, and (iii) presents satisfactory evidence to the Department of the provision of canine odor detection services for hire since January 1, 2005.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/15-15)

(Section scheduled to be repealed on January 1, 2014)

Sec. 15-15. Qualifications for licensure as a private detective agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private detective licensee-in-charge, which is a continuing requirement for agency licensure, the Department shall issue a license as a private detective agency to any of the following:

New matter indicated by italics - deletions by strikeout
(1) An individual who submits an application and is a licensed private detective under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed private detectives under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized to engage in the business of conducting a private detective agency, provided at least one full-time executive employee is licensed as a private detective under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) No private detective may be the licensee-in-charge for more than one private detective agency. Upon written request by a representative of an agency, within 10 days after the loss of a licensee-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for a loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

(c) Upon issuance of the temporary certificate of authority as provided for in subsection (b) of this Section, and at any time thereafter while the temporary certificate of authority is in effect, the Department may request in writing additional information from the agency regarding the loss of its licensee-in-charge, the selection of a new licensee-in-charge, and the management of the agency. Failure of the agency to respond or respond to the satisfaction of the Department shall cause the Department to deny any extension of the temporary certificate of authority. While the temporary certificate of authority is in effect, the Department may disapprove the selection of a new licensee-in-charge by the agency if the person's license is not operative or the Department has good cause to believe that the person selected will not fully exercise the responsibilities of a licensee-in-charge. If the Department has disapproved the selection of a new licensee-in-charge and the temporary certificate of authority expires or is about to expire without the agency selecting
another new licensee-in-charge, the Department shall grant an extension of the temporary certificate of authority for an additional 90 days, except as otherwise prohibited in subsection (b) or this subsection (c).

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/20-10)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20-10. Qualifications for licensure as a private alarm contractor.

(a) A person is qualified for licensure as a private alarm contractor if he or she meets all of the following requirements:

1. Is at least 21 years of age.
2. Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.
3. Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except where the applicant is a registered sex offender.
4. Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.
5. Is not suffering from dependence on alcohol or from narcotic addiction or dependence.
6. Has a minimum of 3 years experience during the 5 years immediately preceding the application (i) working as a full-time manager for a licensed private alarm contractor agency or (ii) working for a government, one of the armed forces of the United States, or private entity that inspects, reviews, designs, sells, installs, operates, services, or monitors alarm systems that, in the judgment of the Board, satisfies the standards of alarm industry competence. The Board and the Department may accept, in lieu of the experience requirement in this item (6), alternative experience working as a full-time manager for a private alarm contractor agency licensed in another state or for a private alarm contractor agency in a state that does not license such agencies, if the experience is substantially equivalent to that gained working for an Illinois licensed private alarm contractor agency. An applicant

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who has received a 4-year degree or higher in electrical engineering or a related field from a program approved by the Board shall be given credit for 2 years of the required experience. An applicant who has successfully completed a national certification program approved by the Board shall be given credit for one year of the required experience.

(7) Has not been dishonorably discharged from the armed forces of the United States.
(8) Has passed an examination authorized by the Department.
(9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (c), and the required license fee.
(10) Has not violated Section 10-5 of this Act.
(b) (Blank).
(c) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license without hearing.
(Source: P.A. 95-613, eff. 9-11-07; 96-847, eff. 6-1-10.)
(225 ILCS 447/20-15)
(Section scheduled to be repealed on January 1, 2014)
Sec. 20-15. Qualifications for licensure as a private alarm contractor agency.
(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private alarm contractor licensee-in-charge, which is a continuing requirement for agency licensure, the Department shall issue a license as a private alarm contractor agency to any of the following:
(1) An individual who submits an application and is a licensed private alarm contractor under this Act.
(2) A firm that submits an application and all of the members of the firm are licensed private alarm contractors under this Act.
(3) A corporation or limited liability company doing business in Illinois that is authorized by its articles of incorporation

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or organization to engage in the business of conducting a private
alarm contractor agency if at least one executive employee is
licensed as a private alarm contractor under this Act and all
unlicensed officers and directors of the corporation or limited
liability company are determined by the Department to be persons
of good moral character.

(b) No private alarm contractor may be the licensee-in-charge
private alarm contractor-in-charge for more than one private alarm
contractor agency. Upon written request by a representative of an agency,
within 10 days after the loss of a licensee-in-charge licensed private alarm
contractor-in-charge of an agency because of the death of that individual or
because of the termination of the employment of that individual, the
Department shall issue a temporary certificate of authority allowing the
continuing operation of the licensed agency. No temporary certificate of
authority shall be valid for more than 90 days. An extension of an
additional 90 days may be granted upon written request by the
representative of the agency. Not more than 2 extensions may be granted
to any agency. No temporary permit shall be issued for loss of the
licensee-in-charge because of disciplinary action by the Department
related to his or her conduct on behalf of the agency.

(c) No private alarm contractor, private alarm contractor agency, or
person may install or connect an alarm system or fire alarm system that
connects automatically and directly to a governmentally operated police or
fire dispatch system in a manner that violates subsection (a) of Section
15.2 of the Emergency Telephone System Act. In addition to the penalties
provided by the Emergency Telephone System Act, a private alarm
contractor agency that violates this Section shall pay the Department an
additional penalty of $250 per occurrence.

(d) Upon issuance of the temporary certificate of authority as
provided for in subsection (b) of this Section and at any time thereafter
while the temporary certificate of authority is in effect, the Department
may request in writing additional information from the agency regarding
the loss of its licensee-in-charge, the selection of a new licensee-in-
charge, and the management of the agency. Failure of the agency to
respond or respond to the satisfaction of the Department shall cause the
Department to deny any extension of the temporary certificate of
authority. While the temporary certificate of authority is in effect, the
Department may disapprove the selection of a new licensee-in-charge by
the agency if the person's license is not operative or the Department has

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good cause to believe that the person selected will not fully exercise the responsibilities of a licensee-in-charge. If the Department has disapproved the selection of another new licensee-in-charge and the temporary certificate of authority expires or is about to expire without the agency selecting a new licensee-in-charge, the Department shall grant an extension of the temporary certificate of authority for an additional 90 days, except as otherwise prohibited in subsection (b) or this subsection (d).

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/25-10)

(Section scheduled to be repealed on January 1, 2014)

Sec. 25-10. Qualifications for licensure as a private security contractor.

(a) A person is qualified for licensure as a private security contractor if he or she meets all of the following requirements:

(1) Is at least 21 years of age.

(2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.

(3) Is of good moral character. Good character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except where the applicant is a registered sex offender.

(4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.

(6) Has a minimum of 3 years experience of the 5 years immediately preceding application working as a full-time manager for a licensed private security contractor agency or a manager of a proprietary security force of 30 or more persons registered with the Department or with 3 years experience of the 5 years immediately preceding his or her application employed as a full-time supervisor for an in-house security unit for a corporation having 100 or more employees, for a military police or related security unit in any of the armed forces of the United States, or in a law enforcement

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agency of the federal government, a state, or a state political subdivision, which shall include a state's attorney's office or public defender's office. The Board and the Department shall approve such full-time supervisory experience and may accept, in lieu of the experience requirement in this subsection, alternative experience working as a full-time manager for a private security contractor agency licensed in another state or for a private security contractor agency in a state that does not license such agencies if the experience is substantially equivalent to that gained working for an Illinois licensed private security contractor agency. An applicant who has a baccalaureate degree or higher in police science or a related field or a business degree from an accredited college or university shall be given credit for 2 of the 3 years of the required experience. An applicant who has completed a non-degree military training program in police science or a related field shall be given credit for one of the 3 years of the required experience if the Board and the Department determine that such training is substantially equivalent to that received in an associate degree program. An applicant who has an associate degree in police science or in a related field or in business from an accredited college or university shall be given credit for one of the 3 years of the required experience.

(7) Has not been dishonorably discharged from the armed forces of the United States.

(8) Has passed an examination authorized by the Department.

(9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.

(10) Has not violated Section 10-5 of this Act.

(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license without hearing.

(c) Any person who has been providing canine odor detection services for hire prior to January 1, 2005 is exempt from the requirements
of item (6) of subsection (a) of this Section and may be granted a private security contractor license if (i) he or she meets the requirements of items (1) through (5) and items (7) through (10) of subsections (a) of this Section, (ii) pays all applicable fees, and (iii) presents satisfactory evidence to the Department of the provision of canine odor detection services for hire since January 1, 2005.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/25-15)

(Section scheduled to be repealed on January 1, 2014)

Sec. 25-15. Qualifications for licensure as a private security contractor agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private security licensee-in-charge, which is a continuing requirement for agency licensure, the Department shall issue a license as a private security contractor agency to any of the following:

(1) An individual who submits an application and is a licensed private security contractor under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed private security contractors under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized to engage in the business of conducting a private security contractor agency if at least one officer or executive employee is licensed as a private security contractor under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) No private security contractor may be the private security contractor licensee-in-charge for more than one private security contractor agency. Upon written request by a representative of the agency, within 10 days after the loss of a private security contractor licensee-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit

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shall be issued for loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

(c) Upon issuance of the temporary certificate of authority as provided for in subsection (b) of this Section and at any time thereafter while the temporary certificate of authority is in effect, the Department may request in writing additional information from the agency regarding the loss of its licensee-in-charge, the selection of a new licensee-in-charge, and the management of the agency. Failure of the agency to respond or respond to the satisfaction of the Department shall cause the Department to deny any extension of the temporary certificate of authority. While the temporary certificate of authority is in effect, the Department may disapprove the selection of a new licensee-in-charge by the agency if the person's license is not operative or the Department has good cause to believe that the person selected will not fully exercise the responsibilities of a licensee-in-charge. If the Department has disapproved the selection of a new licensee-in-charge and the temporary certificate of authority expires or is about to expire without the agency selecting another new licensee-in-charge, the Department shall grant an extension of the temporary certificate of authority for an additional 90 days, except as otherwise prohibited in subsection (b) or this subsection (c).

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/25-20)
(Section scheduled to be repealed on January 1, 2014)
Sec. 25-20. Training; private security contractor and employees.
(a) Registered employees of the private security contractor agency who provide traditional guarding or other private security related functions or who respond to alarm systems shall complete, within 30 days of their employment, a minimum of 20 hours of classroom basic training provided by a qualified instructor, which shall include the following subjects:

1. The law regarding arrest and search and seizure as it applies to private security.
2. Civil and criminal liability for acts related to private security.
3. The use of force, including but not limited to the use of nonlethal force (i.e., disabling spray, baton, stungun or similar weapon).
4. Arrest and control techniques.

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(5) The offenses under the Criminal Code of 1961 that are directly related to the protection of persons and property.

(6) The law on private security forces and on reporting to law enforcement agencies.

(7) Fire prevention, fire equipment, and fire safety.

(8) The procedures for service of process and for report writing.

(9) Civil rights and public relations.

(10) The identification of terrorists, acts of terrorism, and terrorist organizations, as defined by federal and State statutes.

(b) All other employees of a private security contractor agency shall complete a minimum of 20 hours of training provided by the qualified instructor within 30 days of their employment. The substance of the training shall be related to the work performed by the registered employee.

(c) Registered employees of the private security contractor agency who provide guarding or other private security related functions, in addition to the classroom training required under subsection (a), within 6 months of their employment, shall complete an additional 8 hours of training on subjects to be determined by the employer, which training may be site-specific and may be conducted on the job.

(d) In addition to the basic training provided for in subsections (a) and (c), registered employees of the private security contractor agency who provide guarding or other private security related functions shall complete an additional 8 hours of refresher training on subjects to be determined by the employer each calendar year commencing with the calendar year following the employee's first employment anniversary date, which refresher training may be site-specific and may be conducted on the job.

(e) It is the responsibility of the employer to certify, on a form provided by the Department, that the employee has successfully completed the basic and refresher training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the period the employee remains with the employer. An agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The original form shall be given to the employee when his or her employment is terminated. Failure to return the original form to the employee is grounds for disciplinary action. The employee shall not be
required to repeat the required training once the employee has been issued
the form. An employer may provide or require additional training.

(f) Any certification of completion of the 20-hour basic training
issued under the Private Detective, Private Alarm, Private Security and
Locksmith Act of 1993 or any prior Act shall be accepted as proof of
training under this Act.
(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/25-30)
(Section scheduled to be repealed on January 1, 2014)
Sec. 25-30. Uniforms.

(a) No licensee under this Act or any employee of a licensed
agency shall wear or display a badge, shoulder patch or other identification
that contains the words "law" or "enforcement". No
license holder or employee of a licensed agency shall imply in any manner
that the person is an employee or agent of a governmental entity, display a
badge or identification card, emblem, or uniform using the words "police",
"sheriff", "highway patrol", "trooper", "law enforcement" or any similar
term.

(b) All military-style uniforms, if worn by employees of a licensed
private security contractor agency, must bear the name of the private
security contractor agency, which shall be plainly visible on a patch,
badge, or other insignia.

(c) All uniforms, if worn by employees of a licensed private
security contractor agency, may only be worn in the performance of their
duties or while commuting directly to or from the employee's place or
places of employment, provided this is accomplished within one hour from
departure from home or place of employment.

(d) Employees shall return any uniform, badge, identification card,
or equipment issued, but not sold, to the employee by the agency within 72
hours of termination of employment.

(e) Licensees under this Act of any employee of a licensed agency
are prohibited from using the Illinois State Seal on badges, company
logos, identification cards, patches, or other insignia.
(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/30-5)
(Section scheduled to be repealed on January 1, 2014)
Sec. 30-5. Exemptions; locksmith. The provisions of this Act do
not apply to any of the following if the person performing the service does
not hold himself or herself out as a locksmith:

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(1) Automobile service dealers who service, install, repair, or rebuild automobile locks.

(2) Police officers, firefighters, or municipal employees who open a lock in an emergency situation.

(3) A retail merchant selling locks or similar security accessories, duplicating keys, or installing, programming, repairing, maintaining, reprogramming, rebuilding, or servicing electronic garage door devices.

(4) A member of the building trades who installs or removes complete locks or locking devices in the course of residential or commercial new construction or remodeling.

(5) An employee of a towing service, repossessor, roadside assistance service, or automobile club opening automotive locks in the normal course of his or her duties. Additionally, this Act shall not prohibit an employee of a towing service or roadside assistance service from opening motor vehicles to enable a vehicle to be moved without towing, provided the towing service or roadside assistance service does not hold itself out to the public, by directory advertisement, through a sign at the facilities of the towing service or roadside assistance service, or by any other form of advertisement, as a locksmith.

(6) A student in the course of study in locksmith programs approved by the Department.

(7) Warranty service by a lock manufacturer or its employees on the manufacturer's own products.

(8) A maintenance employee of a property management company at a multi-family residential building who services, installs, repairs, or opens locks for tenants.

(9) A person employed exclusively by only one employer in connection with the exclusive activities of that employer, providing that person does not hold himself or herself out to the public as a locksmith.

(10) Persons who have no access to confidential or security information and who otherwise do not provide traditional locksmith services, as defined in this Act, are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of key cutters, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files,

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scheduling, client contracts, master key charts, access codes, or technical security and alarm data.
(Source: P.A. 93-438, eff. 8-5-03.)
(225 ILCS 447/30-10)
(Section scheduled to be repealed on January 1, 2014)
Sec. 30-10. Qualifications for licensure as a locksmith.
(a) A person is qualified for licensure as a locksmith if he or she meets all of the following requirements:
   (1) Is at least 18 years of age.
   (2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.
   (3) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except where the applicant is a registered sex offender.
   (4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.
   (5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.
   (6) Has not been dishonorably discharged from the armed forces of the United States.
   (7) Has passed an examination authorized by the Department.
   (8) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.
   (9) Has not violated Section 10-5 of this Act.
(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license without hearing. A locksmith employed by a licensed locksmith agency or

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employed by a private concern may provide proof that his or her actions as a locksmith are covered by the liability insurance of his or her employer.
(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/30-15)
(Section scheduled to be repealed on January 1, 2014)

Sec. 30-15. Qualifications for licensure as a locksmith agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time is an Illinois licensed locksmith licensee-in-charge who shall assume responsibility for the operation of the agency and the directed actions of the agency's employees, which is a continuing requirement for agency licensure, the Department shall issue a license as a locksmith agency to any of the following:

(1) An individual who submits an application and is a licensed locksmith under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed locksmiths under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized to engage in the business of conducting a locksmith agency if at least one officer or executive employee is a licensed locksmith under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) An individual licensed as a locksmith operating under a business name other than the licensed locksmith's own name shall not be required to obtain a locksmith agency license if that licensed locksmith does not employ any persons to engage in the practice of locksmithing and registers under the Assumed Business Name Act.

(c) No locksmith may be the locksmith licensee in-charge for more than one locksmith agency. Upon written request by a representative of the agency, within 10 days after the loss of a licensee-in-charge locksmith-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for loss of the licensee-in-charge because of disciplinary

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action by the Department related to his or her conduct on behalf of the agency.

(c-1) Upon issuance of the temporary certificate of authority as provided for in subsection (c) of this Section and at any time thereafter while the temporary certificate of authority is in effect, the Department may request in writing additional information from the agency regarding the loss of its licensee-in-charge, the selection of a new licensee-in-charge, and the management of the agency. Failure of the agency to respond to the satisfaction of the Department shall cause the Department to deny any extension of the temporary certificate of authority. While the temporary certificate of authority is in effect, the Department may disapprove the selection of a new licensee-in-charge by the agency if the person's license is not operative or the Department has good cause to believe that the person selected will not fully exercise the responsibilities of a licensee-in-charge. If the Department has disapproved the selection of a new licensee-in-charge and the temporary certificate of authority expires or is about to expire without the agency selecting another new licensee-in-charge, the Department shall grant an extension of the temporary certificate of authority for an additional 90 days, except as otherwise prohibited in subsection (c) or this subsection (c-1).

(d) The Department shall require without limitation all of the following information from each applicant for licensure as a locksmith agency under this Act:

(1) The name, full business address, and telephone number of the locksmith agency. The business address for the locksmith agency shall be a complete street address from which business is actually conducted, shall be located within the State, and may not be a P.O. Box. The applicant shall submit proof that the business location is or will be used to conduct the locksmith agency's business. The Department may approve of an out-of-state business location if it is not over 50 miles in distance from the borders of this State.

(2) All trade or business names used by the licensee.

(3) The type of ownership or operation, such as a partnership, corporation, or sole proprietorship.

(4) The name of the owner or operator of the locksmith agency, including:

(A) if a person, then the name and address of record of the person;

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(B) if a partnership, then the name and address of record of each partner and the name of the partnership;
(C) if a corporation, then the name, address of record, and title of each corporate officer and director, the corporate names, and the name of the state of incorporation; and
(D) if a sole proprietorship, then the full name and address of record of the sole proprietor and the name of the business entity.

(5) The name and license number of the licensee-in-charge for the locksmith agency.

(6) Any additional information required by the Department by rule.

(e) A licensed locksmith agency may operate under a "doing business as" or assumed name certification without having to obtain a separate locksmith agency license if the "doing business as" or assumed name is first registered with the Department. A licensed locksmith agency may register no more than one assumed name.

(Source: P.A. 95-613, eff. 9-11-07; 96-1445, eff. 8-20-10.)
(225 ILCS 447/30-30)
(Section scheduled to be repealed on January 1, 2014)
Sec. 30-30. Consumer protection; required information for consumers.

(a) A licensee providing any locksmith services shall document on a work order, invoice, or receipt the name, address, and telephone number of the person requesting the work to be done.

(b) The locksmith who performs the services shall include on the work order, invoice, or receipt his or her name and license number.

(c) If the locksmith who performs the services is employed by a locksmith agency, then the name, address, and license number of the locksmith agency and the name and license or registration number of the locksmith who performed the services shall be included on the work order, invoice, or receipt.

(d) A copy of the work order, invoice, or receipt shall be provided to the customer at the time of service and the original copy of the work order, invoice, or receipt shall be kept by the licensed locksmith or locksmith agency for a period of 2 years.

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(e) The name, address, and license number of the locksmith or locksmith agency, if applicable, shall be pre-printed on the work order, invoice, or receipt required under this Section.

(f) A locksmith may be disciplined by the Department pursuant to this Act for gross or willful, and continued overcharging for professional locksmith services, including filing false statements for the collection of fees for services not rendered.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/31-15)

(Section scheduled to be repealed on January 1, 2014)

Sec. 31-15. Qualifications for licensure as a fingerprint vendor agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time is an Illinois licensed fingerprint vendor licensee-in-charge who shall assume responsibility for the operation of the agency and the directed actions of the agency's employees, which is a continuing requirement for agency licensure, the Department may issue a license as a fingerprint vendor agency to any of the following:

(1) An individual who submits an application and is a licensed fingerprint vendor under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed fingerprint vendors under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized to engage in the business of conducting a fingerprint vendor agency if at least one officer or executive employee is a licensed fingerprint vendor under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) An individual licensed as a fingerprint vendor operating under a business name other than the licensed fingerprint vendor's own name shall not be required to obtain a fingerprint vendor agency license if that licensed fingerprint vendor does not employ any persons to provide fingerprinting services.

(c) No fingerprint vendor may be the fingerprint vendor licensee-in-charge for more than one fingerprint vendor agency. Upon written request by a representative of the agency, within 10 days after the loss of a fingerprint vendor licensee-in-charge of an agency because of the death of
that individual or because of the termination of the employment of that
individual, the Department shall issue a temporary certificate of authority
allowing the continuing operation of the licensed agency. No temporary
certificate of authority shall be valid for more than 90 days. An extension
of an additional 90 days may be granted upon written request by the
representative of the agency. Not more than two extensions one extension
may be granted to any agency. No temporary permit shall be issued for
loss of the licensee-in-charge because of disciplinary action by the
Department related to his or her conduct on behalf of the agency.

(d) Upon issuance of the temporary certificate of authority as
provided for in subsection (c) of this Section and at any time thereafter
while the temporary certificate of authority is in effect, the Department
may request in writing additional information from the agency regarding
the loss of its licensee-in-charge, the selection of a new licensee-in-
charge, and the management of the agency. Failure of the agency to
respond or respond to the satisfaction of the Department shall cause the
Department to deny any extension of the temporary certificate of
authority. While the temporary certificate of authority is in effect, the
Department may disapprove the selection of a new licensee-in-charge by
the agency if the person's license is not operative or the Department has
good cause to believe that the person selected will not fully exercise the
responsibilities of a licensee-in-charge. If the Department has disapproved
the selection of a new licensee-in-charge and the temporary certificate of
authority expires or is about to expire without the agency selecting
another new licensee-in-charge, the Department shall grant an extension
of the temporary certificate of authority for an additional 90 days, except
as otherwise prohibited in subsection (c) or this subsection (d).
(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/35-10)
(Section scheduled to be repealed on January 1, 2014)
Sec. 35-10. Inspection of facilities. Each licensee shall permit his
or her office facilities, canine training facilities, and registered employee
files to be audited or inspected at reasonable times and in a reasonable
manner upon at least 24 hours notice by the Department.
(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/35-20)
(Section scheduled to be repealed on January 1, 2014)
Sec. 35-20. Renewal provisions. (a) As a condition of renewal of a
license, each licensee shall report to the Department information

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pertenating to the licensee's business location, status as active or inactive, proof of continued general liability insurance coverage, and any other data as determined by rule to be reasonably related to the administration of this Act. Licensees shall report this information as a condition of renewal, except that a change in home or office address or a change of the licensee-in-charge shall be reported within 10 days of when it occurs.

(b) Upon renewal, every licensee shall report to the Department every instance during the licensure period in which the quality of his or her professional services in the State of Illinois was the subject of legal action that resulted in a settlement or a verdict in excess of $10,000.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/35-30)

(Section scheduled to be repealed on January 1, 2014)

Sec. 35-30. Employee requirements. All employees of a licensed agency, other than those exempted, shall apply for a permanent employee registration card. The holder of an agency license issued under this Act, known in this Section as "employer", may employ in the conduct of his or her business employees under the following provisions:

(a) No person shall be issued a permanent employee registration card who:

(1) Is younger than 18 years of age.

(2) Is younger than 21 years of age if the services will include being armed.

(3) Has been determined by the Department to be unfit by reason of conviction of an offense in this or another state, including registration as a sex offender, but not including other than a traffic offense. Persons convicted of felonies involving bodily harm, weapons, violence, or theft within the previous 10 years shall be presumed to be unfit for registration. The Department shall adopt rules for making those determinations that shall afford the applicant due process of law.

(4) Has had a license or permanent employee registration card denied, suspended, or revoked under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of

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Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(5) Has been declared incompetent by any court of competent jurisdiction by reason of mental disease or defect and has not been restored.

(6) Has been dishonorably discharged from the armed services of the United States.

(b) No person may be employed by a private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as "Employee's Statement" setting forth:

(1) The person's full name, age, and residence address.

(2) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of employers, if any.

(3) That the person has not had a license or employee registration denied, revoked, or suspended under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(4) Any conviction of a felony or misdemeanor.

(5) Any declaration of incompetence by a court of competent jurisdiction that has not been restored.

(6) Any dishonorable discharge from the armed services of the United States.

(7) Any other information as may be required by any rule of the Department to show the good character, competency, and integrity of the person executing the statement.
(c) Each applicant for a permanent employee registration card shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or directly to the vendor. The Department, in its discretion, may allow an applicant who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Department, in its discretion, may also use other procedures in performing or obtaining criminal background checks of applicants. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also, an individual who has retired as a peace officer within 12 months of application may submit verification, on forms provided by the Department and signed by his or her employer, of his or her previous full-time employment as a peace officer.

(d) The Department shall issue a permanent employee registration card, in a form the Department prescribes, to all qualified applicants. The holder of a permanent employee registration card shall carry the card at all times while actually engaged in the performance of the duties of his or her employment. Expiration and requirements for renewal of permanent employee registration cards shall be established by rule of the Department. Possession of a permanent employee registration card does not in any way imply that the holder of the card is employed by an agency unless the permanent employee registration card is accompanied by the employee identification card required by subsection (f) of this Section.

(e) Each employer shall maintain a record of each employee that is accessible to the duly authorized representatives of the Department. The record shall contain the following information:

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(1) A photograph taken within 10 days of the date that the employee begins employment with the employer. The photograph shall be replaced with a current photograph every 3 calendar years.

(2) The Employee's Statement specified in subsection (b) of this Section.

(3) All correspondence or documents relating to the character and integrity of the employee received by the employer from any official source or law enforcement agency.

(4) In the case of former employees, the employee identification card of that person issued under subsection (f) of this Section. Each employee record shall duly note if the employee is employed in an armed capacity. Armed employee files shall contain a copy of an active firearm owner's identification card and a copy of an active firearm control card. Each employer shall maintain a record for each armed employee of each instance in which the employee's weapon was discharged during the course of his or her professional duties or activities. The record shall be maintained on forms provided by the Department, a copy of which must be filed with the Department within 15 days of an instance. The record shall include the date and time of the occurrence, the circumstances involved in the occurrence, and any other information as the Department may require. Failure to provide this information to the Department or failure to maintain the record as a part of each armed employee's permanent file is grounds for disciplinary action. The Department, upon receipt of a report, shall have the authority to make any investigation it considers appropriate into any occurrence in which an employee's weapon was discharged and to take disciplinary action as may be appropriate.

(5) A copy of the employee's permanent employee registration card or a copy of the Department's "License Lookup" Webpage showing that the employee has been issued a valid permanent employee registration card by the Department.

(f) Every employer shall furnish an employee identification card to each of his or her employees. This employee identification card shall contain a recent photograph of the employee, the employee's name, the name and agency license number of the employer, the employee's personal

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description, the signature of the employer, the signature of that employee, the date of issuance, and an employee identification card number.

(g) No employer may issue an employee identification card to any person who is not employed by the employer in accordance with this Section or falsely state or represent that a person is or has been in his or her employ. It is unlawful for an applicant for registered employment to file with the Department the fingerprints of a person other than himself or herself.

(h) Every employer shall obtain the identification card of every employee who terminates employment with him or her.

(i) Every employer shall maintain a separate roster of the names of all employees currently working in an armed capacity and submit the roster to the Department on request.

(j) No agency may employ any person to perform a licensed activity under this Act unless the person possesses a valid permanent employee registration card or a valid license under this Act, or is exempt pursuant to subsection (n).

(k) Notwithstanding the provisions of subsection (j), an agency may employ a person in a temporary capacity if all of the following conditions are met:

(1) The agency completes in its entirety and submits to the Department an application for a permanent employee registration card, including the required fingerprint receipt and fees.

(2) The agency has verification from the Department that the applicant has no record of any criminal conviction pursuant to the criminal history check conducted by the Department of State Police. The agency shall maintain the verification of the results of the Department of State Police criminal history check as part of the employee record as required under subsection (e) of this Section.

(3) The agency exercises due diligence to ensure that the person is qualified under the requirements of the Act to be issued a permanent employee registration card.

(4) The agency maintains a separate roster of the names of all employees whose applications are currently pending with the Department and submits the roster to the Department on a monthly basis. Rosters are to be maintained by the agency for a period of at least 24 months.

An agency may employ only a permanent employee applicant for which it either submitted a permanent employee application and all

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required forms and fees or it confirms with the Department that a
permanent employee application and all required forms and fees have been
submitted by another agency, licensee or the permanent employee and all
other requirements of this Section are met.

The Department shall have the authority to revoke, without a
hearing, the temporary authority of an individual to work upon receipt of
Federal Bureau of Investigation fingerprint data or a report of another
official authority indicating a criminal conviction. If the Department has
not received a temporary employee's Federal Bureau of Investigation
fingerprint data within 120 days of the date the Department received the
Department of State Police fingerprint data, the Department may, at its
discretion, revoke the employee's temporary authority to work with 15
days written notice to the individual and the employing agency.

An agency may not employ a person in a temporary capacity if it
knows or reasonably should have known that the person has been
convicted of a crime under the laws of this State, has been convicted in
another state of any crime that is a crime under the laws of this State, has
been convicted of any crime in a federal court, or has been posted as an
unapproved applicant by the Department. Notice by the Department to the
agency, via certified mail, personal delivery, electronic mail, or posting on
the Department's Internet site accessible to the agency that the person has
been convicted of a crime shall be deemed constructive knowledge of the
conviction on the part of the agency. The Department may adopt rules to
implement this subsection (k).

(l) No person may be employed under this Section in any capacity
if:

(1) the person, while so employed, is being paid by the
United States or any political subdivision for the time so employed
in addition to any payments he or she may receive from the
employer; or

(2) the person wears any portion of his or her official
uniform, emblem of authority, or equipment while so employed.

(m) If information is discovered affecting the registration of a
person whose fingerprints were submitted under this Section, the
Department shall so notify the agency that submitted the fingerprints on
behalf of that person.

(n) Peace officers shall be exempt from the requirements of this
Section relating to permanent employee registration cards. The agency
shall remain responsible for any peace officer employed under this

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exemption, regardless of whether the peace officer is compensated as an employee or as an independent contractor and as further defined by rule.

(o) Persons who have no access to confidential or security information, who do not go to a client's or prospective client's residence or place of business, and who otherwise do not provide traditional security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, directors, ticket takers, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, or technical security and alarm data.

(Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 96-847, eff. 6-1-10.)

(225 ILCS 447/35-32)
Section scheduled to be repealed on January 1, 2014
Sec. 35-32. Employment requirement.
(a) The holder of a permanent employee registration card is prohibited from performing the activities of a fingerprint vendor, locksmith, private alarm contractor, private detective, or private security contractor without being employed by an agency licensed under this Act.

(b) An agency licensed under this Act is prohibited from evading or attempting to evade the requirements for employee registration under this Act by engaging a contractor or independent contractor to perform the activities of a fingerprint vendor, locksmith, private alarm contractor, private detective, or private security contractor, unless that person is licensed under this Act.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/35-35)
Section scheduled to be repealed on January 1, 2014
Sec. 35-35. Requirement of a firearm control card.
(a) No person shall perform duties that include the use, carrying, or possession of a firearm in the performance of those duties without complying with the provisions of this Section and having been issued a valid firearm control card by the Department.

(b) No employer shall employ any person to perform the duties for which licensure or employee registration is required and allow that person to carry a firearm unless that person has complied with all the firearm training requirements of this Section and has been issued a firearm control card. This Act permits only the following to carry firearms while actually

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engaged in the performance of their duties or while commuting directly to 
or from their places of employment: persons licensed as private detectives 
and their registered employees; persons licensed as private security 
contractors and their registered employees; persons licensed as private 
alarm contractors and their registered employees; and employees of a 
registered armed proprietary security force.

(c) Possession of a valid firearm control card allows a licensee or 
an employee to carry a firearm not otherwise prohibited by law while the 
licensee or employee is engaged in the performance of his or her duties or 
while the licensee or employee is commuting directly to or from the 
licensee's or employee's place or places of employment, provided that this 
is accomplished within one hour from departure from home or place of 
employment.

(d) The Department shall issue a firearm control card to a person 
who has passed an approved firearm training course, who is currently 
licensed or employed by an agency licensed by this Act and has met all the 
requirements of this Act, and who possesses a valid firearm owner 
identification card. Application for the firearm control card shall be made 
by the employer to the Department on forms provided by the Department. 
The Department shall forward the card to the employer who shall be 
responsible for its issuance to the licensee or employee. The firearm 
control card shall be issued by the Department and shall identify the 
person holding it and the name of the course where the licensee or 
employee received firearm instruction and shall specify the type of weapon 
or weapons the person is authorized by the Department to carry and for 
which the person has been trained.

(e) Expiration and requirements for renewal of firearm control 
cards shall be determined by rule.

(f) The Department may, in addition to any other disciplinary 
action permitted by this Act, refuse to issue, suspend, or revoke a firearm 
control card if the applicant or holder has been convicted of any felony or 
crime involving the illegal use, carrying, or possession of a deadly weapon 
or for a violation of this Act or rules promulgated under this Act. The 
Department shall refuse to issue or shall revoke a firearm control card if 
the applicant or holder fails to possess a valid firearm owners 
identification card without hearing. The Secretary Director shall 
summarily suspend a firearm control card if the Secretary Director finds 
that its continued use would constitute an imminent danger to the public.
A hearing shall be held before the Board within 30 days if the Secretary Director summarily suspends a firearm control card.

(g) Notwithstanding any other provision of this Act to the contrary, all requirements relating to firearms control cards do not apply to a peace officer.

(h) The Department may issue a temporary firearm control card pending issuance of a new firearm control card upon an agency's acquiring of an established armed account. An agency that has acquired armed employees as a result of acquiring an established armed account may, on forms supplied by the Department, request the issuance of a temporary firearm control card for each acquired employee who held a valid firearm control card under his or her employment with the newly acquired established armed account immediately preceding the acquiring of the account and who continues to meet all of the qualifications for issuance of a firearm control card set forth in this Act and any rules adopted under this Act. The Department shall, by rule, set the fee for issuance of a temporary firearm control card.

(i) The Department shall may not issue a firearm control card to a licensed fingerprint vendor or a licensed locksmith or employees of a licensed fingerprint vendor agency or a licensed locksmith agency.

(225 ILCS 447/35-40)

(Source: P.A. 95-613, eff. 9-11-07.)

Sec. 35-40. Firearm control; training requirements.

(a) The Department shall, pursuant to rule, approve or disapprove training programs for the firearm training course, which shall be taught by a qualified instructor. Qualifications for instructors shall be set by rule. The firearm training course shall be conducted by entities, by a licensee, or by an agency licensed by this Act, provided the course is approved by the Department. The firearm course shall consist of the following minimum requirements:

(1) 40 hours of training, 20 hours of which shall be as described in Sections 15-20, 20-20, or 25-20, as applicable, and 20 hours of which shall include all of the following:
   (A) Instruction in the dangers of and misuse of firearms, their storage, safety rules, and care and cleaning of firearms.
   (B) Practice firing on a range with live ammunition.
   (C) Instruction in the legal use of firearms.

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(D) A presentation of the ethical and moral considerations necessary for any person who possesses a firearm.

(E) A review of the laws regarding arrest, search, and seizure.

(F) Liability for acts that may be performed in the course of employment.

(2) An examination shall be given at the completion of the course. The examination shall consist of a firearms qualification course and a written examination. Successful completion shall be determined by the Department.

(b) The firearm training requirement may be waived for a licensee or an employee who has completed training provided by the Illinois Law Enforcement Training Standards Board or the equivalent public body of another state or is a qualified retired law enforcement officer as defined in the federal Law Enforcement Officers Safety Act of 2004 and is in compliance with all of the requirements of that Act, provided documentation showing requalification with the weapon on the firing range is submitted to the Department.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/35-45)

Sec. 35-45. Armed proprietary security force.

(a) All financial institutions that employ one or more armed employees and all commercial or industrial operations that employ 5 or more persons as armed employees shall register their security forces with the Department on forms provided by the Department. For the purposes of this Section, "financial institution" includes a bank, savings and loan association, credit union, currency exchange, or company providing armored car services.

(a-1) Commercial or industrial operations that employ less than 5 persons as armed employees may register their security forces with the Department on forms provided by the Department. Registration subjects the security force to all of the requirements of this Section.

(b) All armed employees of the registered proprietary security force must complete a 20-hour basic training course and 20-hour firearm training.

(c) Every proprietary security force is required to apply to the Department, on forms supplied by the Department, for a firearm control

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Each armed employee shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases. The Department of State Police shall charge the armed employee a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require armed employees to pay a separate fingerprinting fee, either to the Department or directly to the vendor. The Department, in its discretion, may allow an armed employee who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Department, in its discretion, may also use other procedures in performing or obtaining criminal background checks of armed employees. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also, an individual who has retired as a peace officer within 12 months before application may submit verification, on forms provided by the Department and signed by his or her employer, of his or her previous full-time employment as a peace officer.

(d) The Department may provide rules for the administration of this Section.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/40-5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 40-5. Injunctive relief.

(a) The practice of a private detective, private security contractor, private alarm contractor, fingerprint vendor, locksmith, private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency by any person, firm, corporation, or other legal entity that has not been issued a license by the Department or whose license has been suspended, revoked, or not renewed is hereby declared to be inimical to the public safety and welfare and to constitute a public nuisance. The Secretary may, in the name of the

New matter indicated by italics - deletions by strikeout
People of the State of Illinois Director, through the Attorney General of the State of Illinois or the State's Attorney of any county in which the violation is alleged to have occurred in the State of Illinois, petition for an order enjoining the violation or for an order enforcing compliance with this Act; any resident of the State, or any legal entity within the State may apply for injunctive relief in any court to enjoin any person, firm, or other entity that has not been issued a license or whose license has been suspended, revoked, or not renewed from conducting a licensed activity. Upon the filing of a verified petition in court, if satisfied by affidavit or otherwise that the person, firm, corporation, or other legal entity is or has been conducting activities in violation of this Act, the court may enter a temporary restraining order or preliminary injunction, without bond, enjoining the defendant from further activity. A copy of the verified complaint shall be served upon the defendant and the proceedings shall be conducted as in civil cases. If it is established the defendant has been or is conducting activities in violation of this Act, the court may enter a judgment enjoining the defendant from that activity. In case of violation of any injunctive order or judgment entered under this Section, the court may punish the offender for contempt of court. Injunctive proceedings shall be in addition to all other penalties under this Act.

(b) If any person practices as a private detective, private security contractor, private alarm contractor, fingerprint vendor, locksmith, private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency or holds himself or herself out as such without having a valid license under this Act, then any licensee, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(Source: P.A. 95-613, eff. 9-1-07.)
(225 ILCS 447/40-10)
Sec. 40-10. Disciplinary sanctions.
(a) The Department may deny issuance, refuse to renew, or restore or may reprimand, place on probation, suspend, revoke, or take other disciplinary or non-disciplinary action against any license, registration, permanent employee registration card, canine handler authorization card, canine trainer authorization card, or firearm control card, and may impose a fine not to exceed $10,000 for each violation, and may assess costs as provided for under Section 45-60, for any of the following:

New matter indicated by italics - deletions by strikeout
(1) Fraud, or deception, or misrepresentation in obtaining or renewing of a license or registration.

(2) Professional incompetence as manifested by poor standards of service.

(3) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(4) Conviction by entry of a plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony in Illinois; another state, or other jurisdiction of any crime that is a felony under the laws of Illinois; a felony in a federal court; or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(5) Performing any services in a grossly negligent manner or permitting any of a licensee's employees to perform services in a grossly negligent manner, regardless of whether actual damage to the public is established.

(6) Continued practice, although the person has become unfit to practice due to any of the following:

   (A) Physical illness, mental illness, or other impairment, including, but not limited to, deterioration through the aging process or loss of motor skills that results in the inability to serve the public with reasonable judgment, skill, or safety.

   (B) (Blank). Mental disability demonstrated by the entry of an order or judgment by a court that a person is in need of mental treatment or is incompetent.

   (C) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety. Addiction to or dependency on alcohol or drugs that is likely to endanger the public. If the Department has reasonable cause to believe that a person is addicted to or dependent on alcohol or drugs that may endanger the public, the Department may

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require the person to undergo an examination to determine the extent of the addiction or dependency.

(7) Receiving, directly or indirectly, compensation for any services not rendered.

(8) Willfully deceiving or defrauding the public on a material matter.

(9) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.

(10) Discipline by another United States jurisdiction, or foreign nation, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(11) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, religion, or national origin.

(12) Engaging in false or misleading advertising.

(13) Aiding, assisting, or willingly permitting another person to violate this Act or rules promulgated under it.

(14) Performing and charging for services without authorization to do so from the person or entity serviced.

(15) Directly or indirectly offering or accepting any benefit to or from any employee, agent, or fiduciary without the consent of the latter's employer or principal with intent to or the understanding that this action will influence his or her conduct in relation to his or her employer's or principal's affairs.

(16) Violation of any disciplinary order imposed on a licensee by the Department.

(17) Performing any act or practice that is a violation of this Act or the rules for the administration of this Act, or having a conviction or administrative finding of guilty as a result of violating any federal or State laws, rules, or regulations that apply exclusively to the practices of private detectives, private alarm contractors, private security contractors, fingerprint vendors, or locksmiths.

(18) Conducting an agency without a valid license.

(19) Revealing confidential information, except as required by law, including but not limited to information available under Section 2-123 of the Illinois Vehicle Code.
(20) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.

(21) Failing, within 30 days, to respond to a written request for information from the Department.

(22) Failing to provide employment information or experience information required by the Department regarding an applicant for licensure.

(23) Failing to make available to the Department at the time of the request any indicia of licensure or registration issued under this Act.

(24) Purporting to be a licensee-in-charge of an agency without active participation in the agency.

(25) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(26) Violating subsection (f) of Section 30-30.

(27) A firearm control card holder having more firearms in his or her immediate possession than he or she can reasonably exercise control over.

(28) Failure to report in writing to the Department, within 60 days of an entry of a settlement or a verdict in excess of $10,000, any legal action in which the quality of the licensee's or registrant's professional services was the subject of the legal action.

(b) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine. The Department shall seek to be consistent in the application of disciplinary sanctions:

(c) The Department shall adopt rules that set forth standards of service for the following: (i) acceptable error rate in the transmission of fingerprint images and other data to the Department of State Police; (ii) acceptable error rate in the collection and documentation of information used to generate fingerprint work orders; and (iii) any other standard of service that affects fingerprinting services as determined by the Department.

The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that
the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(Source: P.A. 95-613, eff. 9-11-07; 96-1445, eff. 8-20-10.)

(225 ILCS 447/40-25)

(Section scheduled to be repealed on January 1, 2014)

Sec. 40-25. Submission to physical or mental examination.

(a) The Department or Board upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department. The Department or Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination, evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Department or the Board may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department or the Board may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining

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physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, or both, when directed, shall result in automatic be grounds for the immediate suspension without hearing, until such time as of his or her license until the individual submits to the examination if the Department finds that the refusal to submit to the examination was without reasonable cause as defined by rule.

(b) In instances in which the Secretary immediately suspends a person's license for his or her failure to submit to a mental or physical examination when directed, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

(c) In instances in which the Secretary otherwise suspends a person's license pursuant to the results of a compelled mental or physical examination, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

(d) An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/40-30)

New matter indicated by italics - deletions by strikeout
Sec. 40-30. Insufficient funds; checks. A person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it was drawn shall pay to the Department, in addition to the amount already owed, a penalty of $50. The Department shall notify the person by first class mail that his or her check or payment was returned and that the person shall pay to the Department by certified check or money order the amount of the returned check plus a $50 penalty within 30 calendar days after the date of the notification. If, after the expiration of 30 calendar days of the notification, the person has failed to remit the necessary funds and penalty, the Department shall automatically terminate the license or deny the application without a hearing. If the returned check or other payment was for issuance of a license under this Act and that person practices as a licensee, that person may be subject to discipline for unlicensed practice as provided in this Act. If, after termination or denial, the person seeks a license, he or she shall petition the Department for restoration and he or she may be subject to additional discipline or fines. The Secretary Director may waive the penalties or fines due under this Section in individual cases where the Secretary Director finds that the penalties or fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 93-438, eff. 8-5-03.)

Sec. 40-35. Disciplinary action for educational loan defaults. The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois. The Department may issue a license or renewal if the person has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other appropriate governmental agency of this State. Additionally, a license issued by the Department may be suspended or revoked if the Director, after the opportunity for a hearing under this Act, finds that the licensee has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or defaulted loan.

(Source: P.A. 93-438, eff. 8-5-03.)
Sec. 40-40. Nonpayment of child support. In cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) or any circuit court has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois. (formerly Department of Public Aid) or a circuit court. Redetermination of the delinquency by the Department shall not be required. In cases regarding the renewal of a license, the Department shall not renew any license if the Department of Healthcare and Family Services (formerly Department of Public Aid) or a circuit court has certified the licensee to be more than 30 days delinquent in the payment of child support, unless the licensee has arranged for payment of past and current child support obligations in a manner satisfactory to the Department of Healthcare and Family Services (formerly Department of Public Aid) or circuit court. The Department may impose conditions, restrictions or disciplinary action upon that renewal in accordance with Section 40-10 of this Act.

(Source: P.A. 95-331, eff. 8-21-07.)

Sec. 40-45. Failure to file a tax return. The Department may refuse to issue or may suspend, without a hearing as provided for in the Civil Administrative Code of Illinois, the license of any person, firm, or other entity that fails to file a tax return, or to pay a tax, penalty, or interest shown in a filed return, or to pay any final assessment of a tax, penalty, or interest, as required by any law administered by the Department of Revenue until the requirements of the law are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois or a repayment agreement with the Department of Revenue has been entered into.

(Source: P.A. 93-438, eff. 8-5-03.)

New matter indicated by italics - deletions by strikeout
Sec. 45-10. Complaints; investigations; hearings investigated by the Department.

(a) The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license or registration under this Act all complaints concerning violations regarding licensees or unlicensed activity.

(b) The Following an investigation, the Department shall, before disciplining a licensee under Section 40-10 or refusing to issue or license, at least 30 days before the date set for the hearing, (i) notify the accused in writing of the charges made and the time and place for the hearing on the charges, (ii) direct him or her to file a written answer to the charges under oath within 20 days after service, and (iii) inform the applicant or licensee that failure to answer will result in a default being entered against the applicant or licensee. The formal charges shall inform the licensee of the facts that are the basis of the charges with enough specificity to enable the licensee to prepare an intelligent defense.

(c) At the time and place fixed in the notice, the Board or the hearing officer appointed by the Secretary shall proceed to hear the charges, and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Board or hearing officer may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Secretary, having first received the recommendation of the Board, be suspended, revoked, or placed on probationary status, or be subject to whatever disciplinary action the Secretary considers proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without hearing, if the act or acts charged constitute sufficient grounds for that action under this Act. Each licensee whose conduct is the subject of a formal charge that seeks to impose disciplinary action against the licensee shall be served notice of that charge at least 30 days before the date of the hearing. The hearing shall be presided over by a Board member or by a hearing officer authorized by the Department. Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was mailed by certified mail, return receipt requested, to the licensee at the licensee's address on file with the Department.

New matter indicated by italics - deletions by strikeout
(d) The written notice and any notice in the subsequent proceeding may be served by regular or certified mail to the licensee's address of record. The notice of formal charges shall consist of the following information:

(e) The Secretary has the authority to appoint any attorney licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue, restore, or renew a license or to discipline a licensee. The hearing officer has full authority to conduct the hearing.

(1) The time, place, and date of the hearing;
(2) That the licensee shall appear personally at the hearing and may be represented by counsel;
(3) That the licensee may produce witnesses and evidence on his or her behalf and has the right to cross-examine witnesses and evidence produced against him or her;
(4) That the hearing could result in disciplinary action;
(5) That rules for the conduct of hearings are available from the Department;
(6) That a hearing officer authorized by the Department shall conduct the hearing and, following the conclusion of that hearing, shall make findings of fact, conclusions of law, and recommendations, separately stated, to the Board as to what disciplinary action, if any, should be imposed on the licensee;
(7) That the licensee shall file a written answer to the Board under oath within 20 days after the service of the notice, and that if the licensee fails to file an answer default will be taken and the license or certificate may be suspended, revoked, or placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Director may consider proper.

In case the licensee, after receiving notice, fails to file an answer, that person's license or certificate may, in the discretion of the Director, having received first the recommendation of the Board, be suspended, revoked, or placed on probationary status, or the Director may take whatever disciplinary action is considered under this Act, including limiting the scope, nature, or extent of the person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for the action under this Act.

(Source: P.A. 93-438, eff. 8-5-03.)

New matter indicated by italics - deletions by strikeout
Sec. 45-15. Hearing; rehearing; public record.

(a) The Board or the hearing officer authorized by the Department shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations and submit them to the Director and to all parties to the proceeding. The report shall contain a finding of whether the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply and shall make its recommendation to the Secretary.

(b) At the conclusion of the hearing, a copy of the Board or hearing officer's report shall be served upon the applicant or licensee by the Department, either personally or as provided in this Act for the service of a notice of hearing. Within 20 calendar days after service, the applicant or licensee may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 calendar days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendations of the Board or hearing officer. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee. The Board's findings of fact, conclusions of law, and recommendations shall be served on the licensee in the same manner as was the service of the notice of formal charges. Within 20 days after the service, any party to the proceeding may present to the Director a motion, in writing, specifying the grounds for a rehearing or reconsideration of the decision or sanctions.

(c) If the Secretary disagrees in any regard with the report of the Board, the Secretary may issue an order contrary to the report. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution for the violation of this Act. The Director, following the time allowed for filing a motion for rehearing, shall render a decision in writing specifying the grounds for a rehearing or reconsideration of the decision or sanctions.
rehearing or reconsideration, shall review the Board's findings of fact, conclusions of law and recommendations and any subsequently filed motions. After review of the information, the Director may hear oral arguments and thereafter shall issue an order. The report of findings of fact, conclusions of law and recommendations of the Board shall be the basis for the Department's order. If

(d) Whenever the Secretary is not satisfied, finds that substantial justice has been not done, the Secretary may issue an order a rehearing by the same or another hearing officer in contravention of the Board's recommendations. The Director shall provide the Board with a written explanation of any deviation and shall specify the reasons for the action. The findings of the Board and the Director are not admissible as evidence against the person in a criminal prosecution brought for the violation of this Act.

(e) All proceedings under this Section are matters of public record and shall be preserved.

(f) Upon the suspension or revocation of a license, the licensee shall surrender the license to the Department and, upon failure to do so, the Department shall seize the same.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/45-20)

(Section scheduled to be repealed on January 1, 2014)

Sec. 45-20. Summary Temporary suspension of a license. The Secretary may summarily suspend a license without a hearing, simultaneously with the initiation of the procedure for a hearing provided for in this Act, if the Secretary finds that the public interest, safety, or welfare requires such emergency action evidence indicates that a licensee's continuation in business would constitute an imminent danger to the public. If the Secretary summarily suspends a license without a hearing, a hearing by the Department shall be held within 30 days after the suspension has occurred. The suspended licensee may seek a continuance of the hearing, during which time the suspension shall remain in effect. The proceeding shall be concluded without appreciable delay. If the Department does not hold a hearing within 30 days after the date of suspension and the suspended licensee did not seek a continuance, the licensee's license shall be automatically reinstated.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/45-25)
Sec. 45-25. Disposition by consent order. At any point in any investigation or disciplinary proceeding provided for in the Act, both parties may agree to a negotiated consent order. Disposition may be made of any charge by consent order between the Department and the licensee. The Board shall be apprised of the consent order at its next meeting. The consent order shall be final upon signature of the Secretary.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/45-30)

Sec. 45-30. Restoration of license after disciplinary proceedings. At any time after the successful completion of a term of indefinite probation, indefinite suspension, or revocation of a license, the Department may restore it to the licensee, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person or entity whose license, registration, or authority has been revoked as authorized in this Act may apply for restoration of that license, registration, or authority until such time as provided for in the Civil Administrative Code of Illinois upon the written recommendation of the Board unless the Board determines after an investigation and a hearing that restoration is not in the public interest.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/45-45)

Sec. 45-45. Prima facie proof. An order of revocation or suspension or placing a license on probationary status or other disciplinary action as the Department may consider proper or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, is prima facie proof that:

1. the signature is that of the Secretary; and
2. the Secretary is qualified to act; and
3. the members of the Board are qualified to act.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/45-50)

Sec. 45-50. Unlicensed practice; fraud in obtaining a license. (a) A person who violates any of the following provisions shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony:

New matter indicated by italics - deletions by strikeout
(1) The practice of or attempted practice of or holding out as available to practice as a private detective, private security contractor, private alarm contractor, fingerprint vendor, or locksmith without a license.

(2) Operation of or attempt to operate a private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency without ever having been issued a valid agency license.

(3) The obtaining of or the attempt to obtain any license or authorization issued under this Act by fraudulent misrepresentation.

(b) Whenever a licensee is convicted of a felony related to the violations set forth in this Section, the clerk of the court in any jurisdiction shall promptly report the conviction to the Department and the Department shall immediately revoke any license as a private detective, private security contractor, private alarm contractor, fingerprint vendor, or locksmith held by that licensee. The individual shall not be eligible for licensure under this Act until at least 10 years have elapsed since the time of full discharge from any sentence imposed for a felony conviction. If any person in making any oath or affidavit required by this Act swears falsely, the person is guilty of perjury and may be punished accordingly.

(c) In addition to any other penalty provided by law, a person, licensed or unlicensed, who violates any provision of this Section shall pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense, as determined by the Department. The civil penalty shall be imposed in accordance with this Act. The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order constitutes a judgment and may be filed and executed in the same manner as any judgment from any court of record.

(225 ILCS 447/45-55)

Sec. 45-55. Subpoenas.

(a) The Department, with the approval of a member of the Board, may subpoena and bring before it any person to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any such investigation or hearing conducted by the Department.

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with the same fees and in the same manner as prescribed in civil cases in the courts of this State.

(b) Any circuit court, upon the application of the applicant, licensee, or the Department, the designated hearing officer, or the Board, may order the attendance and testimony of witnesses and the production of relevant documents, files, records, books and papers in connection with any hearing or investigation. The circuit court may compel obedience to its order by proceedings for contempt.

(c) The Secretary, the hearing officer, any member of the Board, or a certified shorthand court reporter may administer oaths at any hearing the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents or records shall be in accordance with this Act.

(Source: P.A. 95-613, eff. 9-11-07; 96-1445, eff. 8-20-10.)

(225 ILCS 447/45-60)

(Section scheduled to be repealed on January 1, 2014)

Sec. 45-60. Stenographers. The Department, at its expense, shall provide a stenographer to preserve a record of all formal hearing and pre-hearing proceedings if a license may be revoked, suspended, or placed on probationary status or other disciplinary action is taken. Any registrant or licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. The Secretary may waive payment of costs by a registrant or licensee in whole or in part where there is an undue financial hardship. The notice of hearing, the complaint, all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board, and the orders of the Department shall constitute the record of the proceedings. The Department shall furnish a transcript of the record upon payment of the costs of copying and transmitting the record.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/50-5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 50-5. Personnel; investigators. The Secretary Director shall employ, pursuant to the Personnel Code, personnel, on a full-time or part-time basis, for the enforcement of this Act. Each investigator shall have a minimum of 2 years investigative experience out of the immediately

New matter indicated by italics - deletions by strikeout
preceding 5 years. No investigator may hold an active license issued pursuant to this Act, nor may an investigator have a financial interest in a business licensed under this Act. This prohibition, however, does not apply to an investigator holding stock in a business licensed under this Act, provided the investigator does not hold more than 5% of the stock in the business. Any person licensed under this Act who is employed by the Department shall surrender his or her license to the Department for the duration of that employment. The licensee shall be exempt from all renewal fees while employed. While employed by the Department, the licensee is not required to maintain the general liability insurance coverage required by this Act.

(Source: P.A. 93-438, eff. 8-5-03.)

(225 ILCS 447/50-10)

(Section scheduled to be repealed on January 1, 2014)

Sec. 50-10. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board.

(a) The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board shall consist of 13 members appointed by the Secretary Director and comprised of 2 licensed private detectives, 3 licensed private security contractors, one licensed private detective or licensed private security contractor who provides canine odor detection services, 2 licensed private alarm contractors, one licensed fingerprint vendor except for the initial appointment who shall be required to have experience in the fingerprint vendor industry that is acceptable to the Department, 2 licensed locksmiths, one public member who is not licensed or registered under this Act and who has no connection with a business licensed under this Act, and one member representing the employees registered under this Act. Each member shall be a resident of Illinois. Except for the initial appointment of a licensed fingerprint vendor after the effective date of this amendatory Act of the 95th General Assembly, each licensed member shall have at least 5 years experience as a licensee in the professional area in which the person is licensed and be in good standing and actively engaged in that profession. In making appointments, the Secretary Director shall consider the recommendations of the professionals and the professional organizations representing the licensees. The membership shall reasonably reflect the different geographic areas in Illinois.

(b) Members shall serve 4 year terms and may serve until their successors are appointed. No member shall serve for more than 2

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successive terms. Appointments to fill vacancies shall be made in the same manner as the original appointments for the unexpired portion of the vacated term. Members of the Board in office on the effective date of this Act pursuant to the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 shall serve for the duration of their terms and may be appointed for one additional term.

(c) A member of the Board may be removed for cause. A member subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(d) Members shall receive compensation as set by law. Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member.

(e) A majority of Board members constitutes a quorum. A majority vote of the quorum is required for a decision.

(f) The Board shall elect a chairperson and vice chairperson.

(g) Board members are not liable for their acts, omissions, decisions, or other conduct in connection with their duties on the Board, except those determined to be willful, wanton, or intentional misconduct.

(h) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

(Source: P.A. 95-613, eff. 9-11-07; 96-1445, eff. 8-20-10.)

(225 ILCS 447/50-15)

(Section scheduled to be repealed on January 1, 2014)

Sec. 50-15. Powers and duties of the Department. Subject to the provisions of this Act, the Department may exercise the following powers and duties:

(1) Prescribe forms to be issued for the administration and enforcement of this Act.

(2) Authorize examinations to ascertain the qualifications and fitness of applicants for licensing as a licensed fingerprint vendor, locksmith, private alarm contractor, private detective, or private security contractor and pass upon the qualifications of applicants for licensure.

(3) Examine the records of licensees or investigate any other aspect of fingerprint vending, locksmithing, private alarm contracting, private security contracting, or practicing as a private

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detective that is relevant to the Department's investigation or hearing.

(4) Conduct hearings on proceedings to refuse to issue or renew licenses or to revoke, suspend, place on probation, reprimand, or otherwise discipline a license under this Act or take other non-disciplinary action.

(5) Adopt rules required for the administration of this Act.

(6) Maintain rosters of the names and addresses of all licensees and all persons whose licenses have been suspended, revoked, denied renewal, or otherwise disciplined within the previous calendar year. These rosters shall be available upon written request and payment of the required fee as established by rule.

(Source: P.A. 96-1445, eff. 8-20-10.)

(225 ILCS 447/50-50 new)

Sec. 50-50. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 447/10-40 rep.)


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

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Statutes amended in order of appearance

5 ILCS 80/4.24

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5 ILCS 80/4.34 new
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New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
   Section 5. The Regulatory Sunset Act is amended by changing
Section 4.24, and by adding Section 4.34 as follows:
(5 ILCS 80/4.24)
Sec. 4.24. Acts and Section repealed on January 1, 2014. The
following Acts and Section of an Act are repealed on January 1, 2014:
   The Electrologist Licensing Act.
   The Illinois Occupational Therapy Practice Act.
   The Illinois Public Accounting Act.
   The Registered Surgical Assistant and Registered Surgical
Technologist Title Protection Act.
   Section 2.5 of the Illinois Plumbing License Law.
   The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)
(5 ILCS 80/4.34 new)
Sec. 4.34. Act repealed on January 1, 2024. The following Act is
repealed on January 1, 2024:
   The Illinois Public Accounting Act.

New matter indicated by italics - deletions by strikeout
Section 10. The Illinois Public Accounting Act is amended by changing Sections 0.02, 0.03, 1, 2, 2.05, 2.1, 4, 5.2, 7, 8, 9, 9.2, 9.3, 13, 14, 14.1, 14.2, 16, 17, 17.1, 17.2, 20.01, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 21, 27, 28, 30, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 31, and 32 and by adding Sections 8.05, 14.4, 17.3, 20.7, 20.8, and 30.8 as follows:

(225 ILCS 450/0.02) (from Ch. 111, par. 5500.02)

(Section scheduled to be repealed on January 1, 2014)

Sec. 0.02. Declaration of public policy. It is the policy of this State and the purpose of this Act:

(a) To promote the dependability of information which is used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental; and

(b) To protect the public interest by requiring that persons engaged in the practice of public accounting be qualified; that a public authority competent to prescribe and assess the qualifications of public accountants be established; and that

(c) Preparing, auditing or examining financial statements and issuing a report expressing or disclaiming an opinion on such statements or expressing assurance on such statements be reserved to persons who demonstrate their ability and fitness to observe and apply the standards of the accounting profession; and that the use of accounting titles likely to confuse the public be prohibited.

(Source: P.A. 85-1209.)

(225 ILCS 450/0.03) (from Ch. 111, par. 5500.03)

(Section scheduled to be repealed on January 1, 2014)

Sec. 0.03. Definitions. As used in this Act, unless the context otherwise requires:

"Accountancy activities" means the services as set forth in Section 8.05 of the Act.

"Address of record" means the designated address recorded by the Department in the applicant's, licensee's, or registrant's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant, licensee, or registrant to inform the Department of any change of address, and those changes must be made either through the Department's website or by directly contacting the Department.

"Certificate" means a certificate issued by the Board or University or similar jurisdictions specifying an individual has successfully passed
all sections and requirements of the Uniform Certified Public Accountant Examination. A certificate issued by the Board or University or similar jurisdiction does not confer the ability to use the CPA title and is not equivalent to a registration or license under this Act.

"Compilation" means providing a service to be performed in accordance with Statements on Standards for Accounting and Review Services that is presented in the form of financial statements or information that is the representation of management or owners without undertaking to express any assurance on the statements.

"CPA" or "C.P.A." means a certified public accountant who holds a license or registration issued by the Department or an individual authorized to use the CPA title under Section 5.2 of this Act.

"CPA firm" means a sole proprietorship, a corporation, registered limited liability partnership, limited liability company, partnership, professional service corporation, or any other form of organization issued a license in accordance with this Act.

"CPA (inactive)" means a licensed certified public accountant who elects to have the Department place his or her license on inactive status pursuant to Section 17.2 of this Act.

"Financial statement" means a structured presentation of historical financial information, including, but not limited to, related notes intended to communicate an entity's economic resources and obligations at a point in time or the changes therein for a period of time in accordance with generally accepted accounting principles (GAAP) or other comprehensive basis of accounting (OCBOA).

"Other attestation engagements" means an engagement performed in accordance with the Statements on Standards for Attestation Engagements.

(++) "Registered Certified Public Accountant" or "registered CPA" means any person who has been issued a registration under this Act as a Registered Certified Public Accountant.

"Report", when used with reference to financial statements, means an opinion, report, or other form of language that states or implies assurance as to the reliability of any financial statements and that also includes or is accompanied by any statement or implication that the person or firm issuing it has special knowledge or competence in accounting or auditing. Such a statement or implication of special knowledge or competence may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or

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auditor, or from the language of the report itself. "Report" includes any form of language that disclaims an opinion when the form of language is conventionally understood to imply any positive assurance as to the reliability of the financial statements referred to or special competence on the part of the person or firm issuing such language; it includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competence.

(b) "Licensed Certified Public Accountant" or "licensed CPA" means any person licensed under this Act as a Licensed Certified Public Accountant.

c) "Committee" means the Public Accountant Registration and Licensure Committee appointed by the Secretary Director.

d) "Department" means the Department of Financial and Professional Regulation.

e) "Director" means the Director of Professional Regulation.

(f) "License", "licensee" and "licensure" refers to the authorization to practice under the provisions of this Act.

g) "Peer review program" means a study, appraisal, or review of one or more aspects of a CPA firm's or sole practitioner's compliance with applicable accounting, auditing, and other attestation standards adopted by generally recognized standard-setting bodies the professional work of a firm or sole practitioner in the practice of public accounting to determine the degree of compliance by the firm or sole practitioner with professional standards and practices, conducted by persons who hold current licenses to practice public accounting under the laws of this or another state and who are not affiliated with the firm or sole practitioner being reviewed.

"Principal place of business" means the office location designated by the licensee from which the person directs, controls, and coordinates his or her professional services.

(h) "Review committee" means any person or persons conducting, reviewing, administering, or supervising a peer review program.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

(i) "University" means the University of Illinois.

(j) "Board" means the Board of Examiners established under Section 2.

(k) "Registration", "registrant", and "registered" refer to the authorization to hold oneself out as or use the title "Registered Certified
Public Accountant" or "Certified Public Accountant", unless the context otherwise requires.

(1) "Peer Review Administrator" means an organization designated by the Department that meets the requirements of subsection (f) of Section 16 of this Act and other rules that the Department may adopt.

(Source: P.A. 93-683, eff. 7-2-04; 94-779, eff. 5-19-06.)

(225 ILCS 450/1) (from Ch. 111, par. 5501)

(Section scheduled to be repealed on January 1, 2014)

Sec. 1. No person shall hold himself or herself out to the public in this State in any manner by using the title "Certified Public Accountant", "Licensed Certified Public Accountant", "Registered Certified Public Accountant", "Public Accountant", or the abbreviation "C.P.A.", "CPA", "LCPA", "RCPA", "PA", or any words or letters to indicate that the person using the same is a licensed CPA or registered CPA certified public accountant, unless he or she has been issued a license or registration by the Department under this Act or is exercising the practice privilege afforded under Section 5.2 of this Act.

(Source: P.A. 95-386, eff. 1-1-08.)

(225 ILCS 450/2) (from Ch. 111, par. 5502)

(Section scheduled to be repealed on January 1, 2014)

Sec. 2. Board of Examiners. The Governor shall appoint a Board of Examiners that shall determine the qualifications of persons applying for certificates and shall make rules for and conduct examinations for determining the qualifications. The Board shall consist of 11 examiners, including 2 public members. The remainder shall be certified public accountants in this State who have been residents of this State for at least 5 years immediately preceding their appointment, except that one shall be either a certified public accountant of the grade herein described or an attorney licensed and residing in this State and one shall be a certified public accountant who is an active or retired educator residing in this State. The term of office of each examiner shall be 3 years, except that upon the enactment of this amendatory Act of the 93rd General Assembly, those members currently serving on the Board shall continue to serve the duration of their terms, one additional examiner shall be appointed for a term of one year, and one additional examiner for a term of 2 years. As the term of each examiner expires, the appointment shall be filled for a term of 3 years from the date of expiration. Any Board member who has served as a member for 6 consecutive years shall not be eligible for reappointment until 2 years after the end of the term in which the sixth

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The Board shall adopt and prescribe rules and regulations for a fair and impartial method of determining the qualifications of applicants for examination and for a fair and impartial method of examination of persons under Section 2 and may establish rules for subjects conditioned and for the transfer of credits from other jurisdictions with respect to subjects passed.

The Board shall make an annual report of its activities to the Governor and the Secretary. This report shall include a complete operating and financial statement covering its operations during the year, the number of examinations given, the pass/fail ratio for examinations, and any other information deemed appropriate. The Board shall have an audit of its books and accounts every 2 years by the Auditor General.

(Source: P.A. 92-457, eff. 7-1-04; 93-629, eff. 12-23-03; 93-683, eff. 7-2-04.)

(225 ILCS 450/2.05)

New matter indicated by italics - deletions by strikeout
Sec. 2.05. Public Accountant Registration and Licensure Committee. The Secretary Director shall appoint a Public Accountant Registration and Licensure Committee consisting of 7 persons, who shall be appointed by and shall serve in an advisory capacity to the Secretary Director. A majority of the Six members must be licensed CPAs public accountants or Licensed Certified Public Accountants in good standing and must be actively engaged in the practice of public accounting in this State. The remaining members must include registered CPAs in good standing in this State and one member must be a member of the public who is not licensed or registered under this Act or a similar Act of another jurisdiction and who has no connection with the accounting or public accounting profession. Four members of the Committee shall constitute a quorum. A quorum is required for all Committee decisions. Members shall serve 4-year terms and until their successors are appointed and qualified. No member shall be reappointed to the Committee for more than 2 full consecutive terms. Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term. The membership of the Committee shall reasonably reflect representation from the geographic areas in this State. The members of the Committee appointed by the Secretary Director shall receive reasonable compensation, as determined by the Department, for the necessary, legitimate, and authorized expenses approved by the Department. All expenses shall be paid from the Registered Certified Public Accountants' Administration and Disciplinary Fund. The Secretary Director may terminate the appointment of any member for cause. The Secretary Director shall consider the advice and recommendations of the Committee on questions involving standards of professional conduct, discipline, and qualifications of applicants candidates and licensees under this Act.

(Section scheduled to be repealed on January 1, 2014)
For the purposes of this Act the notice required under Section 10-25 of the Administrative Procedure Act is deemed sufficient when mailed to the licensee's address of record last known address of a party.
(Source: P.A. 88-45.)

(225 ILCS 450/4) (from Ch. 111, par. 5505)
(Sec. 4. Transitional language.

(a) The provisions of this Act shall not be construed to invalidate any certificates as certified public accountants issued by the University under "An Act to regulate the profession of public accountants", approved May 15, 1903, as amended, or any certificates as Certified Public Accountants issued by the University or the Board under Section 4 of "An Act to regulate the practice of public accounting and to repeal certain acts therein named", approved July 22, 1943, as amended, which certificates shall be valid and in force as though issued under the provisions of this Act.

(b) Before July 1, 2012, persons who have received a Certified Public Accountant (CPA) Certificate issued by the Board or University of Examiners or holding similar certifications from other jurisdictions with equivalent educational requirements and examination standards may apply to the Department on forms supplied by the Department for and may be granted a registration as a registered CPA from the Department upon payment of the required fee.

(c) Beginning with the 2006 renewal, the Department shall cease to issue a license as a Public Accountant. Any person holding a valid license as a Public Accountant prior to September 30, 2006 who meets the conditions for renewal of a license under this Act, shall be issued a license as a licensed CPA under this Act and shall be subject to continued regulation by the Department under this Act. The Department may adopt rules to implement this Section.

(d) The Department shall not issue any new registrations as a registered CPA after July 1, 2012. After that date, any applicant for licensure under this Act shall apply for a license as a licensed CPA and shall meet the requirements set forth in this Act. Any person issued a Certified Public Accountant certificate who has been issued a registration as a registered CPA may renew the registration under the provisions of this Act and that person may continue to renew or restore the registration during his or her lifetime,
subject only to the renewal or restoration requirements for the registration under this Act. Such registration shall be subject to the disciplinary provisions of this Act.

(e) (Blank). On and after October 1, 2006, no person shall hold himself or herself out to the public in this State in any manner by using the title "certified public accountant" or use the abbreviation "C.P.A." or "CPA" or any words or letters to indicate that the person using the same is a certified public accountant unless he or she maintains a current registration or license issued by the Department or is exercising the practice privilege afforded under Section 5.2 of this Act. It shall be a violation of this Act for an individual to assume or use the title "certified public accountant" or use the abbreviation "C.P.A." or "CPA" or any words or letters to indicate that the person using the same is a certified public accountant in this State unless he or she maintains a current registration or license issued by the Department or is exercising the practice privilege afforded under Section 5.2 of this Act.

(Source: P.A. 95-386, eff. 1-1-08; 96-945, eff. 6-25-10.)

(225 ILCS 450/5.2)

(Section scheduled to be repealed on January 1, 2014)

Sec. 5.2. Substantial equivalency.

(a) An individual whose principal place of business is not in this State shall have all the privileges of a person licensed under this Act as a licensed certified public accountant or registration without the need to obtain a license or registration from the Department or to file notice with the Department, if the individual:

(1) holds a valid license as a certified public accountant issued by another state that the National Qualification Appraisal Service of the National Association of State Boards of Accountancy has verified to be in substantial equivalence with the CPA licensure requirements of the Uniform Accountancy Act of the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy; or

(2) holds a valid license as a certified public accountant issued by another state and obtains from the National Qualification Appraisal Service of the National Association of State Boards of Accountancy verification that the individual's CPA qualifications are substantially equivalent to the CPA licensure requirements of the Uniform Accountancy Act of the American Institute of Certified Public Accountants and the National Association of State

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Boards of Accountancy; however, any individual who has passed the Uniform CPA Examination and holds a valid license issued by any other state prior to January 1, 2012 shall be exempt from the education requirements of Section 3 of this Act for the purposes of this item (2).

(b) Notwithstanding any other provision of law, an individual who offers or renders professional services under this Section, whether in person or by mail, telephone, or electronic means, shall be granted practice privileges in this State and no notice or other submission must be provided by any such individual.

(c) An individual licensee of another state who is exercising the privilege afforded under this Section and the CPA firm that employs such individual, if any, as a condition of the grant of this privilege, hereby simultaneously consents:

(1) to the personal and subject matter jurisdiction and disciplinary authority of the Department;

(2) to comply with this Act and the Department's rules adopted under this Act;

(3) that in the event that the license from the state of the individual's principal place of business is no longer valid, the individual shall cease offering or rendering accountancy activities as outlined in paragraphs (1) and (2) of Section 8.05 professional services in this State individually or on behalf of a CPA firm; and

(4) to the appointment of the state board that issued the individual's or the CPA firm's license as the agent upon which process may be served in any action or proceeding by the Department against the individual.

(d) An individual licensee who qualifies for practice privileges under this Section who, for any entity headquartered in this State, performs (i) a financial statement audit or other engagement in accordance with Statements on Auditing Standards; (ii) an examination of prospective financial information in accordance with Statements on Standards for Attestation Engagements; or (iii) an engagement in accordance with Public Company Accounting Oversight Board Auditing Standards may only do so through a CPA firm licensed under this Act.

(Source: P.A. 95-386, eff. 1-1-08.)

(225 ILCS 450/7) (from Ch. 111, par. 5508)

(Section scheduled to be repealed on January 1, 2014)
Sec. 7. Licensure. A holder of a certificate or registration as a certified public accountant issued by the Board or Department shall not be entitled to practice public accounting, as defined in Section 8, in this State until the person has been licensed as a licensed CPA certified public accountant by the Department.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/8) (from Ch. 111, par. 5509)

(Section scheduled to be repealed on January 1, 2014)

Sec. 8. Practicing as a licensed CPA public accountant or licensed certified public accountant. Persons, either individually, as members of a partnership or limited liability company, or as officers of a corporation, who sign, affix or associate their names or any trade or assumed names used by them in a profession or business to any report expressing or disclaiming an opinion on a financial statement based on an audit or examination of that statement, or expressing assurance on a financial statement, shall be deemed to be in practice as licensed CPAs and are performing accountancy activities as outlined in paragraph (1) of subsection (a) of Section 8.05 licensed public accountants or licensed certified public accountants within the meaning and intent of this Act.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/8.05 new)

Sec. 8.05. Accountancy activities.

(a) Accountancy activities are services performed by a CPA, including:

(1) signing, affixing, or associating the names used by a person or CPA firm to any report expressing an assurance on a financial statement or disclaiming an opinion on a financial statement based on an audit or examination of that statement or to express assurance on a financial statement;

(2) other attestation engagements not otherwise defined in paragraph (1); or

(3) offering to perform or performing one or more types of the following services involving the use of professional skills or

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competencies: accounting, management, financial or consulting services, compilations, internal audit, preparation of tax returns, furnishing advice on tax matters, bookkeeping, or representations of taxpayers; this includes the teaching of any of these areas at the college or university level.

(b) If offering or performing accountancy activities using the CPA title set forth in paragraphs (1), (2), and (3) of subsection (a) of this Section, then:

(1) the activities identified in paragraph (1) of subsection (a) may only be performed by licensed CPAs;
(2) the activities identified in paragraph (2) of subsection (a) may only be performed by licensed or registered CPAs; and
(3) the activities identified in paragraph (3) of subsection (a) are not restricted to licensed or registered CPAs, subject to the provisions of Section 9.02 of this Act.

(225 ILCS 450/9) (from Ch. 111, par. 5510)
(Section scheduled to be repealed on January 1, 2014)

Sec. 9. Unlicensed practice; violation; civil penalty.

(a) Offering, attempting, or holding oneself out to practice as a licensed CPA or a registered CPA in this State without being licensed or registered under this Act or qualifying for the practice privilege set forth in Section 5.2 of this Act is prohibited. No person shall practice in this State or hold himself or herself out as being able to practice in this State as a licensed certified public accountant, unless he or she is licensed in accordance with the provisions of this Act or is exercising the practice privilege afforded under Section 5.2 of this Act. Any person who is the holder of a license as a public accountant heretofore issued, under any prior Act licensing or registering public accountants in this State, valid on the effective date of this amendatory Act shall be deemed to be licensed under this Act shall be subject to the same rights and obligations as persons originally licensed under this Act.

(b) The use of the title "certified public accountant", "Licensed Certified Public Accountant", "Registered Certified Public Accountant", "public accountant", or abbreviation "C.P.A." or any similar terms that may be misleading to the public indicating that an individual or the members of a firm are licensed or registered CPAs is prohibited unless (1) the individual or members are holders of an effective unrevoked license or registration or qualify for the practice privilege under Section 5.2 of this Act.

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Act and (2) the firm is licensed as a CPA firm by the Department and is performing accounting activities as outlined in Section 8.05.

(c) In addition to any other penalty provided by law, any individual or person violating subsection (a) or (b) of this Section shall pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(d) The Department has the authority and power to investigate any and all alleged improper use of the certified public accountant title or CPA designation and any unlicensed activity.

(e) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Section scheduled to be repealed on January 1, 2014)

Sec. 9.2. Powers and duties of the Department.

(a) The Department shall exercise the powers and duties prescribed by "The Civil Administrative Code of Illinois" for the administration of licensing acts and shall exercise such other powers and duties invested by this Act.

(b) The Secretary Director may promulgate rules consistent with the provisions of this Act for the administration and enforcement of the provisions of this Act for which the Department is responsible and for the payment of fees connected therewith and may prescribe forms which shall be issued in connection therewith. The rules shall include standards and criteria for licensure and professional conduct and discipline.

(c) The Department may solicit the advice and expert knowledge of the Committee or the Board on any matter relating to the administration and enforcement of this Act.

The Department may, in its discretion, employ or use the legal services of outside counsel and the investigative services of outside personnel to assist the Department, and the Department is authorized to pay for such services from the Registered Certified Public Accountants' Administration and Disciplinary Fund.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)
Sec. 9.3. Sharing of information. Notwithstanding any other provision of this Act, for the purpose of carrying out their respective duties and responsibilities under this Act and to effectuate the purpose of this Act, both the Board of Examiners and the Department of Financial and Professional Regulation are authorized and directed to share information with each other regarding those individuals and entities licensed or certified or applying for licensure or certification under this Act.

(Source: P.A. 94-779, eff. 5-19-06.)

Sec. 13. Application for licensure.

(a) A person or CPA firm that wishes to perform accountancy activities, partnership, limited liability company, or corporation desiring to practice public accounting in this State, as defined in paragraph (1) of subsection (a) of Section 8.05 of this Act, or use the CPA title shall make application to the Department for licensure as a licensed certified public accountant and shall pay the fee required by rule.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(b) Any CPA firm, whether organized as a partnership, limited liability company, corporation, or other entity, that (i) has an office in this State that uses the title "CPA" or "CPA firm"; (ii) has an office in this State that performs accountancy activities or public accounting services, as defined in paragraph (1) of subsection (a) of Section 8.05 of this Act; or (iii) does not have an office in this State, but performs attest services, as set forth in subsection (d) of Section 5.2 of this Act, for a client that is headquartered in this State must hold a license as a CPA firm issued under this Act.

(c) A CPA firm that does not have an office in this State may perform a review of a financial statement in accordance with the Statements on Standards for Accounting and Review Services for a client with its headquarters in this State and may use the title "CPA" or "CPA firm" without obtaining a license as a CPA firm under this Act, only if the firm (i) performs such services through individuals with practice privileges under Section 5.2 of this Act; (ii) satisfies any peer review requirement; and (iii) complies with any other requirements.

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review requirements in those states in which the individuals with practice privileges under Section 5.2 have their principal place of business; and (iii) meets the qualifications set forth in paragraph (1) of Section 14.4 item (2) of subsection (b) of Section 14 of this Act.

(d) A CPA firm that is not subject to the requirements of subsection (b) or (c) of this Section may perform professional services that are not regulated under subsection (b) or (c) of this Section while using the title "CPA" or "CPA firm" in this State without obtaining a license as a CPA firm under this Act if the firm (i) performs such services through individuals with practice privileges under Section 5.2 of this Act and (ii) may lawfully perform such services in the state where those individuals with practice privileges under Section 5.2 of this Act have their principal place of business.

(Source: P.A. 95-386, eff. 1-1-08.)

(225 ILCS 450/14) (from Ch. 111, par. 5515)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14. Qualifications for licensure as a licensed CPA. The Department may license as licensed CPAs individuals meeting the following requirements:

(a) All persons who have received certificates as certified public accountants from the Board or who hereafter received registrations as registered CPA certified public accountants from the Department who have had at least one year of full-time experience, or its equivalent, providing any type of service or advice involving the use of accounting, audit attest, management advisory, financial advisory, tax, or consulting skills, or other attestation engagements which may be gained through employment in government, industry, academia, or public practice.

(a-5) If the applicant's certificate as a certified public accountant from the Board or the applicant's registration as a registered CPA certified public accountant from the Department was issued more than 4 years prior to the application for a license as a licensed CPA under this Section, the applicant shall submit any evidence the Department may require showing the applicant has completed not less than 90 hours of continuing professional education acceptable to the Department within the 3 years immediately preceding the date of application.

(b) (Blank). All partnerships, limited liability companies, or corporations, or other entities engaged in the practice of public accounting in this State and meeting the following requirements:

(1) (Blank):

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(2) A majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, shareholders, members, or managers, belongs to persons licensed in some state, and the partners, officers, shareholders, members, or managers whose principal place of business is in this State and who practice public accounting in this State, as defined in Section 8 of this Act, hold a valid license issued by this State. An individual exercising the practice privilege afforded under Section 5.2 who performs services for which a firm license is required under subsection (d) of Section 5.2 shall not be required to obtain an individual license under this Act.

(3) It shall be lawful for a nonprofit cooperative association engaged in rendering an auditing and accounting service to its members only, to continue to render that service provided that the rendering of auditing and accounting service by the cooperative association shall at all times be under the control and supervision of licensed certified public accountants.

(4) The Department may adopt rules and regulations as necessary to provide for the practice of public accounting by business entities that may be otherwise authorized by law to conduct business in Illinois.

(Source: P.A. 95-386, eff. 1-1-08.)

(225 ILCS 450/14.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14.1. Foreign accountants. The Department may issue a license as a licensed CPA to a holder of a foreign designation, granted in a foreign country entitling the holder thereof to engage in the practice of public accounting, provided that:

(a) the applicant is the holder of a certificate as a certified public accountant from the Board or a registration as a registered CPA certified public accountant from the Department issued under this Act;

(b) the foreign authority that granted the designation makes similar provision to allow a person who holds a valid license issued by this State to obtain a foreign authority's comparable designation;

(c) the foreign designation (i) was duly issued by a foreign authority that regulates the practice of public accounting and the foreign designation has not expired or been revoked or suspended;

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(ii) entitles the holder to issue reports upon financial statements; and (iii) was issued upon the basis of educational, examination, and experience requirements established by the foreign authority or by law; and

(d) the applicant (i) received the designation based on standards substantially equivalent to those in effect in this State at the time the foreign designation was granted; and (ii) completed an experience requirement, substantially equivalent to the requirement set out in Section 14, in the jurisdiction that granted the foreign designation or has completed 5 years of experience in the practice of public accounting in this State, or meets equivalent requirements prescribed by the Department by rule, within the 10 years immediately preceding the application.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 95-331, eff. 8-21-07.)

(225 ILCS 450/14.2)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14.2. Licensure by endorsement.

(a) The Department shall issue a license as a licensed CPA certified public accountant to any applicant who holds a current, valid, and unrevoked license certificate as a certified public accountant issued from another state by the Board of Examiners or similar certification from another jurisdiction with equivalent educational requirements and examination standards, applies to the Department on forms supplied by the Department, and pays the required fee, provided:

(1) the individual applicant is determined by the Department to possess qualifications substantially equivalent to this State's current licensing requirements;

(2) at the time the applicant received his or her current, valid and unrevoked license or permit, the applicant possessed qualifications substantially equivalent to the qualifications for licensure then in effect in this State; or

(3) the applicant has, after passing the examination upon which his or her license or other permit to practice was based, not less than 4 years of experience as outlined in Section 14 of this Act.

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in the practice of public accounting within the 10 years immediately before the application.

(b) In determining the substantial equivalency of any state's requirements to Illinois' requirements, the Department may rely on the determinations of the National Qualification Appraisal Service of the National Association of State Boards of Accountancy or such other qualification appraisal service as it deems appropriate.

(c) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/14.4 new)

Sec. 14.4. Qualifications for licensure as a CPA firm. The Department may license as licensed CPA firms individuals or entities meeting the following requirements:

(1) A majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, shareholders, members, or belongs to persons licensed or registered in some state. All partners, officers, shareholders, or members, whose principal place of business is in this State and who have overall responsibility for accountancy activities in this State, as defined in paragraph (1) of subsection (a) of Section 8.05 of this Act, must hold a valid license as a licensed CPA issued by this State. An individual exercising the practice privilege afforded under Section 5.2 who performs services for which a firm license is required under subsection (d) of Section 5.2 shall not be required to obtain an individual license under this Act.

(2) All owners of the CPA firm, whether licensed as a licensed CPA or not, shall be active participants in the CPA firm or its affiliated entities and shall comply with the rules adopted under this Act.

(3) It shall be lawful for a nonprofit cooperative association engaged in rendering an auditing and accounting service to its members only to continue to render that service provided that the rendering of auditing and accounting service by the cooperative association shall at all times be under the control and supervision of licensed CPAs.
(4) An individual who supervises services for which a license is required under paragraph (1) of subsection (a) of Section 8.05 of this Act, who signs or authorizes another to sign any report for which a license is required under paragraph (1) of subsection (a) of Section 8.05 of this Act, or who supervises services for which a CPA firm license is required under subsection (d) of Section 5.2 of this Act shall hold a valid, active licensed CPA license from this State or another state considered to be substantially equivalent under paragraph (1) of subsection (a) of Section 5.2.

(5) The CPA firm shall designate to the Department in writing an individual licensed as a licensed CPA under this Act or, in the case of a firm that must have a CPA firm license pursuant to subsection (b) of Section 13 of this Act, a licensee of another state who meets the requirements set out in paragraph (1) or (2) of subsection (a) of Section 5.2 of this Act, who shall be responsible for the proper licensure of the CPA firm.

(225 ILCS 450/16) (from Ch. 111, par. 5517)

(Section scheduled to be repealed on January 1, 2014)

Sec. 16. Expiration and renewal of licenses; renewal of registration; continuing education.

(a) The expiration date and renewal period for each license or registration issued under this Act shall be set by rule.

(b) Every holder of a license or registration under this Act may renew such license or registration before the expiration date upon payment of the required renewal fee as set by rule.

(c) Every application for renewal of a license by a licensed CPA who has been licensed under this Act for 3 years or more shall be accompanied or supported by any evidence the Department shall prescribe, in satisfaction of completing, each 3 years, not less than 120 hours of continuing professional education as prescribed by Department rules programs in subjects given by continuing education sponsors registered by the Department upon recommendation of the Committee. Of the 120 hours, not less than 4 hours shall be courses covering the subject of professional ethics. All continuing education sponsors applying to the Department for registration shall be required to submit an initial nonrefundable application fee set by Department rule. Each registered continuing education sponsor shall be required to pay an annual renewal fee set by Department rule. Publicly supported colleges, universities, and governmental agencies located in Illinois are exempt.
from payment of any fees required for continuing education sponsor registration. Failure by a continuing education sponsor to be licensed or pay the fees prescribed in this Act, or to comply with the rules and regulations established by the Department under this Section regarding requirements for continuing education courses or sponsors, shall constitute grounds for revocation or denial of renewal of the sponsor's registration.

(d) Licensed CPAs Certified Public Accountants are exempt from the continuing professional education requirement for the first renewal period following the original issuance of the license.

Notwithstanding the provisions of subsection (c), the Department may accept courses and sponsors approved by other states, by the American Institute of Certified Public Accountants, by other state CPA societies, or by national accrediting organizations such as the National Association of State Boards of Accountancy.

Failure by an applicant for renewal of a license as a licensed CPA certified public accountant to furnish the evidence shall constitute grounds for disciplinary action, unless the Department in its discretion shall determine the failure to have been due to reasonable cause. The Department, in its discretion, may renew a license despite failure to furnish evidence of satisfaction of requirements of continuing education upon condition that the applicant follow a particular program or schedule of continuing education. In issuing rules and individual orders in respect of requirements of continuing education, the Department in its discretion may, among other things, use and rely upon guidelines and pronouncements of recognized educational and professional associations; may prescribe rules for the content, duration, and organization of courses; shall take into account the accessibility to applicants of such continuing education as it may require, and any impediments to interstate practice of public accounting that may result from differences in requirements in other states; and may provide for relaxation or suspension of requirements in regard to applicants who certify that they do not intend to engage in the performance of accountancy activities practice of public accounting, and for instances of individual hardship.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by licensees; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

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The Department may establish, by rule, guidelines for acceptance of continuing education on behalf of licensed CPAs certified public accountants taking continuing education courses in other jurisdictions.

(e) For renewals on and after July 1, 2012, as a condition for granting a renewal license to CPA firms and sole practitioners who perform accountancy activities outlined in paragraph (1) of subsection (a) of Section 8.05 provide services requiring a license under this Act, the Department shall require that the CPA firm or sole practitioner satisfactorily complete a peer review during the immediately preceding 3-year period, accepted by a Peer Review Administrator in accordance with established standards for performing and reporting on peer reviews, unless the CPA firm or sole practitioner is exempted under the provisions of subsection (i) of this Section. A CPA firm or sole practitioner shall, at the request of the Department, submit to the Department a letter from the Peer Review Administrator stating the date on which the peer review was satisfactorily completed.

A new CPA firm or sole practitioner not subject to subsection (l) of this Section shall not be required to comply with the peer review requirements for the first license renewal. A CPA firm or sole practitioner shall undergo its first peer review during the first full renewal cycle after it is granted its initial license.

The requirements of this subsection (e) shall not apply to any person providing services requiring a license under this Act to the extent that such services are provided in the capacity of an employee of the Office of the Auditor General or to a nonprofit cooperative association engaged in the rendering of licensed service to its members only under paragraph (3) of Section 14.4 subsection (b) of Section 14 of this Act or any of its employees to the extent that such services are provided in the capacity of an employee of the association.

(f) The Department shall approve only Peer Review Administrators that the Department finds comply with established standards for performing and reporting on peer reviews. The Department may adopt rules establishing guidelines for peer reviews, which shall do all of the following:

(1) Require that a peer review be conducted by a reviewer that is independent of the CPA firm reviewed and approved by the Peer Review Administrator under established standards.
(2) Other than in the peer review process, prohibit the use or public disclosure of information obtained by the reviewer, the

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Peer Review Administrator, or the Department during or in connection with the peer review process. The requirement that information not be publicly disclosed shall not apply to a hearing before the Department that the CPA firm or sole practitioner requests be public or to the information described in paragraph (3) of subsection (i) of this Section.

(g) If a CPA firm or sole practitioner fails to satisfactorily complete a peer review as required by subsection (e) of this Section or does not comply with any remedial actions determined necessary by the Peer Review Administrator, the Peer Review Administrator shall notify the Department of the failure and shall submit a record with specific references to the rule, statutory provision, professional standards, or other applicable authority upon which the Peer Review Administrator made its determination and the specific actions taken or failed to be taken by the licensee that in the opinion of the Peer Review Administrator constitutes a failure to comply. The Department may at its discretion or shall upon submission of a written application by the CPA firm or sole practitioner hold a hearing under Section 20.1 of this Act to determine whether the CPA firm or sole practitioner has complied with subsection (e) of this Section. The hearing shall be confidential and shall not be open to the public unless requested by the CPA firm or sole practitioner.

(h) The CPA firm or sole practitioner reviewed shall pay for any peer review performed. The Peer Review Administrator may charge a fee to each firm and sole practitioner sufficient to cover costs of administering the peer review program.

(i) A CPA firm or sole practitioner shall not be required to comply with the peer review requirements if:

(1) Within 3 years before the date of application for renewal licensure, the sole practitioner or CPA firm has undergone a peer review conducted in another state or foreign jurisdiction that meets the requirements of paragraphs (1) and (2) of subsection (f) of this Section. The sole practitioner or CPA firm shall, at the request of the Department, submit to the Department a letter from the organization administering the most recent peer review stating the date on which the peer review was completed; or

(2) Within 2 years before the date of application for renewal licensure, the sole practitioner or CPA firm satisfies all of the following conditions:

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(A) has not accepted or performed any accountancy activities outlined in paragraph (1) of subsection (a) of Section 8.05 of this Act; and during the preceding 2 years, the firm or sole practitioner has not accepted or performed any services requiring a license under this Act;

(B) the firm or sole practitioner agrees to notify the Peer Review Administrator Department within 30 days of accepting an engagement for services requiring a license under this Act and to undergo a peer review within 18 months after the end of the period covered by the engagement; or

(3) For reasons of personal health, military service, or other good cause, the Department determines that the sole practitioner or firm is entitled to an exemption, which may be granted for a period of time not to exceed 12 months.

(j) If a peer review report indicates that a CPA firm or sole practitioner complies with the appropriate professional standards and practices set forth in the rules of the Department and no further remedial action is required, the Peer Review Administrator shall, after issuance of the final letter of acceptance, destroy all working papers and documents related to the peer review, other than report-related documents and documents evidencing completion of remedial actions, if any, in accordance with rules established by the Department.

(k) (Blank).

(Source: P.A. 96-945, eff. 6-25-10.)

(225 ILCS 450/17) (from Ch. 111, par. 5518)

(Section scheduled to be repealed on January 1, 2014)

Sec. 17. Fees; returned checks; fines. The fees for the administration and enforcement of this Act, including, but not limited to, original licensure, registration, renewal, and restoration fees, shall be set by the Department by rule. The fees shall be nonrefundable. Each person, partnership, limited liability company, and corporation, to which a license or registration is issued, shall pay a fee to be established by the Department which allows the Department to pay all costs and expenses incident to the administration of this Act. Interim licenses shall be at full rates:

The Department, by rule, shall establish fees to be paid for certification of records, and copies of this Act and the rules issued for administration of this Act.

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Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license or registration. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or registration or deny the application, without hearing. If, after termination or denial, the person seeks a license or registration, he or she shall apply to the Department for restoration or issuance of the license or registration and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or registration to pay all expenses of processing this application. The Department may waive the fines due under this Section in individual cases where the Department finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 92-146, eff. 1-1-02; 92-457, eff. 7-1-04; 92-651, eff. 7-11-02; 93-683, eff. 7-2-04.)

(225 ILCS 450/17.1) (from Ch. 111, par. 5518.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 17.1. Restoration.

(a) Any registered CPA certified public accountant who has permitted his or her registration to expire or who has had his or her registration on inactive status may have his or her registration restored by making application to the Department and filing proof acceptable to the Department as defined by rule of his or her fitness to have his or her registration restored, which may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

(b) Any licensed CPA certified public accountant who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department as defined by rule of his or her fitness to have his or her license restored, including sworn evidence certifying to active practice in another jurisdiction
satisfactory to the Department and by paying the required restoration fee and by submitting proof of the required continuing education.

(c) If the licensed CPA certified public accountant or registered CPA certified public accountant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, fitness to resume active status and may require the applicant to complete a period of supervised experience.

Any licensed CPA However, any licensed certified public accountant or registered CPA certified public accountant whose license or registration expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license or registration renewed reinstated or restored without paying any lapsed renewal and restoration fees if within 2 years after honorable termination of such service, training or education except under conditions other than honorable, he or she furnished the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/17.2) (from Ch. 111, par. 5518.2)

Sec. 17.2. Inactive status.

(a) Any licensed or registered CPA with an active, unencumbered license or registration licensed certified public accountant or Registered Certified Public Accountant who notifies the Department in writing on forms prescribed by the Department, may elect to place his or her license or registration on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees and completion of continuing education hours until he or she notifies the Department in writing of his or her desire to resume active status.

(b) Any licensed CPA licensed certified public accountant requesting restoration from inactive status shall be required to pay the current renewal fee, shall be required to submit proof of the required continuing education, and shall be required to comply with any requirements established by rule restore his license, as provided in this Act.

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(c) Any registered CPA requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to comply with any requirements established by rule.

(d) Any licensed CPA or registered CPA whose license is in an inactive status shall not perform accountancy activities outlined in Section 8.05 of this Act.

(e) Any licensed CPA or registered CPA whose license or registration is in an inactive status shall not in any manner hold himself or herself out to the public as a CPA, except in accordance with subsection (f) of this Section.

(f) Any licensed CPA whose license is in inactive status may use the title "CPA (inactive)" if:

1. he or she is not performing accountancy activities outlined in Section 8.05; or
2. he or she is performing governance functions on a non-profit volunteer board using his or her accountancy skills and competencies and complies with the following requirements:
   (A) he or she discloses to the non-profit volunteer board and respective committees that his or her license is on inactive status; and
   (B) he or she is not serving as an audit committee financial expert as defined in Section 407 of the federal Sarbanes-Oxley Act of 2002.

The Department may, in its discretion, license as a licensed certified public accountant, on payment of the required fee, an applicant who is a licensed certified public accountant licensed under the laws of another jurisdiction if the requirements for licensure of licensed certified public accountants in the jurisdiction in which the applicant was licensed were, at the date of his licensure, substantially equivalent to the requirements in force in this State on that date.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/17.3 new)
Sec. 17.3. Restoration of license from discipline. At any time after the successful completion of a term of indefinite probation, suspension, or revocation of a license or registration, the Department may restore the license or registration to active status, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person or entity whose license, certificate, or authority has been revoked as authorized in this Act may apply for restoration of that license, certification, or authority until such time as provided for in the Civil Administrative Code of Illinois.

(225 ILCS 450/20.01) (from Ch. 111, par. 5521.01)
(Section scheduled to be repealed on January 1, 2014)
Sec. 20.01. Grounds for discipline; license or registration.
(a) The Department may refuse to issue or renew, or may revoke, suspend, or reprimand any registration or registrant, any license or licensee, place a licensee or registrant on probation for a period of time subject to any conditions the Department may specify including requiring the licensee or registrant to attend continuing education courses or to work under the supervision of another licensee or registrant, impose a fine not to exceed $10,000 $5,000 for each violation, restrict the authorized scope of practice, or require a licensee or registrant to undergo a peer review program, assess costs as provided for under Section 20.4, or take other disciplinary or non-disciplinary action for any one or more of the following:

1. Violation of any provision of this Act or rule adopted by the Department under this Act or violation of professional standards.

2. Dishonesty, fraud, or deceit in obtaining, reinstating, or restoring a license or registration. Attempting to procure a license or registration to practice under this Act by bribery or fraudulent misrepresentations.

3. Cancellation, revocation, suspension, denial of licensure or registration, or refusal to renew a license or privileges under Section 5.2 for disciplinary reasons in any other U.S. jurisdiction, unit of government, or government agency for any cause Having a license to practice public accounting or registration revoked, suspended, or otherwise acted against, including the denial of licensure or registration, by the licensing or registering authority of another state, territory, or country, including but not limited to the District of Columbia, or any United

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States territory. No disciplinary action shall be taken in Illinois if the action taken in another jurisdiction was based upon failure to meet the continuing professional education requirements of that jurisdiction and the applicable Illinois continuing professional education requirements are met.

(4) Failure, on the part of a licensee under Section 13 or registrant under Section 16, to maintain compliance with the requirements for issuance or renewal of a license or registration or to report changes to the Department Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of public accounting or the ability to practice public accounting or as a Registered Certified Public Accountant.

(5) Revocation or suspension of the right to practice by or before any state or federal regulatory authority or by the Public Company Accounting Oversight Board Making or filing a report or record which the registrant or licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing the filing, or inducing another person to impede or obstruct the filing. The reports or records shall include only those that are signed in the capacity of a licensed certified public accountant or a registered certified public accountant.

(6) Dishonesty, fraud, deceit, or gross negligence in the performance of services as a licensee or registrant or individual granted privileges under Section 5.2 Conviction in this or another State or the District of Columbia, or any United States Territory, of any crime that is punishable by one year or more in prison or conviction of a crime in a federal court that is punishable by one year or more in prison.

(7) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of public accounting Proof that the licensee or registrant is guilty of fraud or deceit, or of gross

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negligence, incompetency, or misconduct, in the practice of public accounting.

(8) Performance of any fraudulent act while holding a license or privilege issued under this Act or prior law, or violation of any rule adopted under this Act.

(9) Practicing on a revoked, suspended, or inactive license or registration.

(10) Making or filing a report or record that the registrant or licensee knows to be false, willfully failing to file a report or record required by State or federal law, willfully impeding or obstructing the filing or inducing another person to impede or obstruct only those that are signed in the capacity of a licensed CPA or a registered CPA.

Suspension or revocation of the right to practice before any state or federal agency.

(11) Conviction of any crime under the laws of the United States or any state or territory of the United States that is a felony or misdemeanor and has dishonesty as an essential element, or of any crime that is directly related to the practice of the profession.

(12) Making any misrepresentation for the purpose of obtaining a license, or registration or material misstatement in furnishing information to the Department.

(13) Aiding or assisting another person in violating any provision of this Act or rules promulgated hereunder.

(14) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(15) Habitual or excessive use or abuse of drugs, addiction to alcohol, narcotics, stimulants, or any other substance chemical agent or drug that results in the inability to practice with reasonable skill, judgment, or safety.

(16) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered.

(17) Physical illness or mental disability, including, but not limited to, deterioration through the aging process or loss of motor skill abilities and skills that results in the licensee or registrant's inability to practice under this Act with reasonable judgment, skill, or safety.

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(16) Solicitation of professional services by using false or misleading advertising.

(17) Any conduct reflecting adversely upon the licensee's fitness to perform services while a licensee or individual granted privileges under Section 5.2

(19) Failure to file a return, or pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.

(18) Practicing or attempting to practice under a name other than the full name as shown on the license or registration or any other legally authorized name.

(19) A finding by the Department that a licensee or registrant has not complied with a provision of any lawful order issued by the Department.

(20) Making a false statement to the Department regarding compliance with continuing professional education or peer review requirements.

(21) Failing to make a substantive response to a request for information by the Department within 30 days of the request.

(b) (Blank).

(b-5) All fines or costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or costs or in accordance with the terms set forth in the order imposing the fine or cost.

(c) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary or non-disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. In rendering an order, the Department shall take into consideration the facts and

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circumstances involving the type of acts or omissions in subsection (a) including, but not limited to:

(1) the extent to which public confidence in the public accounting profession was, might have been, or may be injured;
(2) the degree of trust and dependence among the involved parties;
(3) the character and degree of financial or economic harm which did or might have resulted; and
(4) the intent or mental state of the person charged at the time of the acts or omissions.

(d) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license or registration of any person who fails to file a return, to pay a tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. The Department shall reissue the license or registration upon a showing that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order.

(e) The Department shall deny any application for a license, registration, or renewal, without hearing, to any person who has defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission; however, the Department may issue a license, registration, or renewal if the person in default has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission.

(f) The determination by a court that a licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in the automatic suspension of his or her license or registration. The licensee or registrant shall be responsible for notifying the Department of the determination by the court that the licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the filing of a petition for restoration demonstrating fitness to practice. The licensee or registrant
shall also notify the Department upon discharge so that a determination may be made under item (17) of subsection (a) whether the licensee or registrant may resume practice.

(g) In enforcing this Section, the Department, upon a showing of a possible violation, may compel, any licensee or registrant or any individual who has applied for licensure under this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation under this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, registrant, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee, registrant, or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the individual ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to
provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation.

The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Department finds a licensee, registrant, or applicant unable to practice because of the reasons set forth in this Section, the Department shall require such licensee, registrant, or applicant to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition for continued, reinstated, or renewed licensure to practice.

When the Secretary immediately suspends a license or registration under this Section, a hearing upon such person's license or registration must be convened by the Department within 15 days after such suspension and completed without appreciable delay. The Department shall have the authority to review the subject's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals licensed or registered under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license or registration.

(Source: P.A. 93-629, eff. 12-23-03; 93-683, eff. 7-2-04; 94-779, eff. 5-19-06.)

(225 ILCS 450/20.1) (from Ch. 111, par. 5522)

Sec. 20.1. Investigations; notice; hearing.

(a) The Department may, upon its own motion, and shall, upon the verified complaint in writing of any person setting forth facts which, if proved, would constitute grounds for disciplinary action as set forth in Section 20.01, investigate the actions of an applicant, any person, or entity holding or claiming to hold a license.

(b) The Department shall, before revoking, suspending, placing on probation, reprimanding, or taking any other disciplinary or non-disciplinary action under Section 20.01 of this Act, at least 30 days before
the date set for the hearing, (i) notify the accused in writing of the charges made and the time and place for the hearing on the charges, (ii) direct him or her to file a written answer to the charges with the Department under oath within 20 days after the service on him or her of the notice, and (iii) inform the accused that, if he or she fails to answer, default shall be taken against him or her or that his or her license or registration may be suspended, revoked, placed on probationary status, or other disciplinary action taken with regard to the licensee, including limiting the scope, nature, or extent of his or her practice, as the Department may consider proper. The Department may refer complaints and investigations to a disciplinary body of the accounting profession for technical assistance. The results of an investigation and recommendations of the disciplinary body may be considered by the Department, but shall not be considered determinative and the Department shall not in any way be obligated to take any action or be bound by the results of the accounting profession's disciplinary proceedings. The Department, before taking disciplinary action, shall afford the concerned party or parties an opportunity to request a hearing and if so requested shall set a time and place for a hearing of the complaint.

(c) With respect to determinations by a Peer Review Administrator duly appointed by the Department under subsection (f) of Section 16 of this Act that a licensee has failed to satisfactorily complete a peer review as required under subsection (e) of Section 16, the Department may consider the Peer Review Administrator's findings of fact as prima facie evidence, and upon request by a licensee for a hearing the Department shall review the record presented and hear arguments by the licensee or the licensee's counsel but need not conduct a trial or hearing de novo or accept additional evidence.

(d) At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time.

(e) In case the person, after receiving the notice, fails to file an answer, his or her license or registration may, in the discretion of the Department, be suspended, revoked, placed on probationary status, or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged

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constitute sufficient grounds for that action under this Act. The written notice may be served by registered or certified mail to the licensee or registrant's address of record. The Department shall notify the applicant or the licensee or registrant that failure to file an answer will result in default being taken against the applicant or licensee or registrant and that the license or registration may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Director may deem proper. In case the person fails to file an answer after receiving notice, his or her license or registration may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. The Department shall afford the accused person or entity an opportunity to be heard in person or by counsel at the hearing. At the conclusion of the hearing the Committee shall present to the Director a written report setting forth its finding of facts, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. If the Director disagrees in any regard with the report, he or she may issue an order in contravention of the report. The Director shall provide a written explanation to the Committee of any such deviations and shall specify with particularity the reasons for the deviations.

The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 93-683, eff. 7-2-04; 94-779, eff. 5-19-06.)
Sec. 20.2. Subpoenas; depositions; oaths.

(a) The Department may subpoena and bring before it at any hearing any person to in this State and take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any investigation or hearing conducted by the Department either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State and in the same manner as prescribed by this Act and its rules.

(b) The Secretary Director, any member of the Committee designated by the Secretary Director, a certified shorthand reporter, or any hearing officer appointed may administer oaths to witnesses at any hearing which the Department conducts. Notwithstanding any statute or Department rule to the contrary, all requests for testimony, production of documents, or records shall be in accordance with this Act is authorized by law to conduct or any other oaths required or authorized in any Act administered by the Department.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

Sec. 20.3. Required testimony. Any circuit court in the State of Illinois, upon the application of the licensee, registrant accused person, partnership or corporation, of the complainant or of the Department, may, by order duly entered, require the attendance and testimony of witnesses and the production of relevant documents, books, files, records, and papers before the Department at any hearing relative to a disciplinary action and the court may compel obedience to the order by proceedings for contempt.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

Sec. 20.4. Record of proceedings.

(a) The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at formal disciplinary hearings. The Department shall furnish a transcript of that record to any person interested in that hearing upon payment of the reasonable cost established by the Department.

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(b) Any registrant or licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a license may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/20.5) (from Ch. 111, par. 5526)

Sec. 20.5. Rehearing; surrender of license.

(a) In any hearing to refuse to issue, restore, or renew a license or to discipline a licensee or registrant disciplinary proceeding, a copy of the Committee's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion or rehearing is denied, then upon such denial the Secretary Director may enter an order in accordance with recommendations of the Committee except as provided in Section 20.7. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(b) Whenever the Secretary believes Director is satisfied that substantial justice has not been done in the disciplinary proceeding, the Secretary Director may order a rehearing by the same or different Committee or designated hearing officer. The Director shall provide a written explanation to the Committee of any deviation from the recommendations of the Committee and shall specify with particularity the reasons for the deviation.

(c) Upon the suspension or revocation of a registration or license of a registrant or licensee, the registrant or licensee shall be required to surrender to the Department the registration or license issued by the Department, and upon failure or refusal so to do, the Department may seize it.

New matter indicated by italics - deletions by strikeout
The Department may exchange information relating to proceedings resulting in disciplinary action against licensees or registrants with the regulatory bodies of other states, or with other public authorities or private organizations or with federal authorities having regulatory interest in such matter.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/20.6) (from Ch. 111, par. 5526.6)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20.6. Hearing officer. Notwithstanding the provisions of Section 20.2 of this Act, the Secretary Director shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any disciplinary action. The Director shall notify the Committee of such appointment.

The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his findings of fact, conclusions of law and recommendations to the Committee and the Secretary. The Committee shall have 60 days after receiving the report to review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Director. If the Committee fails to present its report within the 60-day period, the Director shall issue an order based on the report of the hearing officer. If the Director disagrees in any regard with the report of the Committee or hearing officer, he or she may issue an order in contravention thereof. The Director shall provide a written explanation to the Committee of any such deviations and shall specify with particularity the reasons for said action in the final order.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/20.7 new)

Sec. 20.7. Findings and recommendations.

(a) The Committee shall review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Secretary. The report of the findings and recommendations of the Committee shall be the basis for the Secretary's order for refusing to issue, restore, or renew a license or registration, or otherwise discipline a licensee or registrant.

(b) If the Secretary disagrees in any regard with the report of the Committee or hearing officer, he or she may issue an order contrary to the report.

(c) The findings are not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the
hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(225 ILCS 450/20.8 new)

Sec. 20.8. Summary suspension. The Secretary may summarily suspend the license or registration without a hearing, simultaneously with the institution of proceedings for a hearing under Section 20.1 of this Act, if the Secretary finds the evidence indicates that continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily suspends a license without a hearing, a hearing by the Department shall be held within 30 days after the suspension has occurred and shall be concluded as expeditiously as possible.

(225 ILCS 450/21) (from Ch. 111, par. 5527)

Sec. 21. Administrative Judicial review; certification cost of record; order as prima facie proof.

(a) All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Proceedings for judicial review shall be commenced in the Circuit Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon, Champaign, or Cook County.

(b) The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff there is filed in the court with the complaint a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be established by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file such receipt in court shall be grounds for dismissal of the action.

(c) An order of disciplinary action or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director or authorized agent of the Secretary Director, shall be prima facie proof, subject to being rebutted, that:

(1) the signature is the genuine signature of the Secretary Director or authorized agent of the Secretary Director;

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(2) the Secretary Director or authorized agent of the Secretary Director is duly appointed and qualified; and

(3) the Committee and the members thereof are qualified to act.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/27) (from Ch. 111, par. 5533)

(Section scheduled to be repealed on January 1, 2014)

Sec. 27. Confidentiality of licensee's and registrant's records. A licensed or registered CPA certified public accountant shall not be required by any court to divulge information or evidence which has been obtained by him in his confidential capacity as a licensed or registered CPA certified public accountant. This Section shall not apply to any investigation or hearing undertaken pursuant to this Act.

(Source: P.A. 94-779, eff. 5-19-06.)

(225 ILCS 450/28) (from Ch. 111, par. 5534)

(Section scheduled to be repealed on January 1, 2014)

Sec. 28. Criminal penalties. Each of the following acts perpetrated in the State of Illinois is a Class A misdemeanor.

(a) The practice of accountancy activities as defined in paragraph (1) of subsection (a) of Section 8.05 without an active CPA license public accounting insofar as it consists in rendering service as described in Section 8, without licensure, in violation of the provisions of this Act;

(b) The obtaining or attempting to obtain licensure as a licensed CPA certified public accountant or registration as a registered CPA certified public accountant by fraud;

(c) The use of the title "Certified Public Accountant", "public accountant", or the abbreviation "C.P.A.", "RCPA", "LCPA", "PA" or use of any similar words or letters indicating the user is a certified public accountant, or the title "Registered Certified Public Accountant", the abbreviation "R.C.P.A.", any similar words or letters indicating the user is a certified public accountant or a registered certified public accountant by any person in contravention of this Act;

(c-5) (Blank); The use of the title "Certified Public Accountant" or "Licensed Certified Public Accountant" or the abbreviation "C.P.A." or "L.C.P.A." or any similar words or letters indicating the user is a certified public accountant by any person in contravention with this Act;

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(d) The use of the title "Certified Public Accountant", "public accountant", or the abbreviation "C.P.A.", "RCPA", "LCPA", "PA" or any similar words or letters indicating that the members are certified public accountants, by any partnership, limited liability company, corporation, or other entity in violation of this Act unless all members thereof personally engaged in the practice of public accounting in this State are licensed as licensed certified public accountants by the Department, and are holders of an effective unrevoked license; and the partnership, limited liability company, corporation, or other entity is licensed as licensed certified public accountants by the Board with an effective unrevoked license;

(e) The unauthorized practice in the performance of accountancy activities as defined in Section 8.05 and in violation of this Act. The use of the title "Licensed Certified Public Accountant", or the abbreviation "L.C.P.A." or any similar words or letters indicating such person is a licensed certified public accountant, by any person not licensed as a licensed certified public accountant by the Department, and holding an effective unrevoked license; provided nothing in this Act shall prohibit the use of the title "Accountant" or "Bookkeeper" by any person;

(f) (Blank). The use of the title "Licensed Certified Public Accountants", "Public Accountants" or the abbreviation "P.A.'s" or any similar words or letters indicating that the members are public accountants by any partnership, limited liability company, corporation, or other entity unless all members thereof personally engaged in the practice of public accounting in this State are licensed as licensed certified public accountants by the Department and are holders of effective unrevoked licenses, and the partnership is licensed as a public accounting firm by the Department with an effective unrevoked license;

(g) Making false statements to the Department regarding compliance with continuing professional education or peer review requirements;

(h) (Blank). The use of the title "Certified Public Accountant" or the abbreviation "C.P.A." or any similar words or letters indicating that the members are certified public accountants, by any partnership unless all members thereof personally engaged in the practice of public accounting in this State have received

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certificates as certified public accountants from the Board, are licensed as public accountants by the Department, and are holders of an effective unrevoked license; and the partnership is licensed as public accountants by the Department with an effective unrevoked license.

This Section does not prohibit a firm partnership, limited liability company, corporation, or other entity who does not practice public accounting as set forth in Section 8 of this Act and whose members residing in Illinois are registered with the Department from using the title "Certified Public Accountant", or the abbreviation "C.P.A." or "CPA" or similar words or letters indicating that the members are certified public accountants.

(Source: P.A. 95-331, eff. 8-21-07.)

(225 ILCS 450/30) (from Ch. 111, par. 5535)

(Sec. 30. Injunctions; cease and desist.

(a) If any person or entity violates any provision of this Act, the Secretary may, in the name of the people of the State of Illinois by the Attorney General of the State of Illinois or by the State's Attorney of any county in which the violation is alleged to have occurred, petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the court may punish the offender for contempt of court action is brought, by the Department or by any resident citizen. The injunction proceeding shall be in addition to and not in lieu of any penalties or other remedies provided by this Act. No injunction shall issue under this section against any person for any act exempted under Section 11 of this Act.

(b) If any person shall practice as a licensed CPA certified public accountant or a registered CPA certified public accountant or hold himself or herself out as a licensed CPA certified public accountant or registered CPA certified public accountant without being licensed or registered under the provision of this Act then any licensed CPA certified public accountant
or registered *CPA* certified public accountant, any interested party, or any person injured thereby may, in addition to the Department, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/30.1) (from Ch. 111, par. 5535.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 30.1. Liability. No person, partnership, corporation, or other entity licensed or authorized to practice under this Act or any of its employees, partners, members, officers or shareholders shall be liable to persons not in privity of contract with such person, partnership, corporation, or other entity for civil damages resulting from acts, omissions, decisions or other conduct in connection with professional services performed by such person, partnership, corporation, or other entity, except for:

(1) such acts, omissions, decisions or conduct that constitute fraud or intentional misrepresentations, or

(2) such other acts, omissions, decisions or conduct, if such person, partnership or corporation was aware that a primary intent of the client was for the professional services to benefit or influence the particular person bringing the action; provided, however, for the purposes of this subparagraph (2), if such person, partnership, corporation, or other entity (i) identifies in writing to the client those persons who are intended to rely on the services, and (ii) sends a copy of such writing or similar statement to those persons identified in the writing or statement, then such person, partnership, corporation, or other entity or any of its employees, partners, members, officers or shareholders may be held liable only to such persons intended to so rely, in addition to those persons in privity of contract with such person, partnership, corporation, or other entity.

(Source: P.A. 92-457, eff. 7-1-04.)

(225 ILCS 450/30.2) (from Ch. 111, par. 5535.2)

(Section scheduled to be repealed on January 1, 2014)

New matter indicated by italics - deletions by strikeout
Sec. 30.2. Contributory fault. Except in causes of action based on actual fraud or intentional misrepresentation, the principles of liability set forth in Sections 2-1115.05, 2-1116, and 2-1117 of the Code of Civil Procedure shall apply to all claims for civil damages brought against any person, partnership, corporation, or any other entity registered certified, licensed, or practicing under this Act, or any of its employees, partners, members, officers, or shareholders that are alleged to result from acts, omissions, decisions, or other conduct in connection with professional services.

This Section applies to causes of action accruing on or after the effective date of this amendatory Act of 1992. This amendatory Act of 1995 applies to causes of action accruing on or after its effective date. (Source: P.A. 95-386, eff. 1-1-08.)

(225 ILCS 450/30.3)

(Section scheduled to be repealed on January 1, 2014)

Sec. 30.3. Confidentiality of peer review records.

(a) The proceedings, records, and work papers of a review committee shall be privileged and shall not be subject to discovery, subpoena, or other means of legal process or introduction into evidence in any civil action, arbitration, or administrative proceeding and no member of a review committee or person involved in a peer review program shall be required or permitted to testify in any civil action, arbitration, or administrative proceeding regarding any matters produced, presented, disclosed, or discussed during or in connection with the peer review process, or regarding any findings, recommendations, evaluations, opinions, or other actions of those committees, or any member of a committee.

(b) Information, documents, or records that are otherwise publicly available are not to be construed as immune from discovery or use in any civil action, arbitration, or administrative proceeding merely because they were presented or considered in connection with a peer review. Subsection (a) shall not be construed to protect materials prepared in connection with a particular engagement merely because they happen to subsequently be presented or considered as part of a peer review; nor does the privilege apply to disputes between review committees and persons or CPA firms subject to a peer review arising from the performance of a review. (Source: P.A. 88-36.)

(225 ILCS 450/30.4)

(Section scheduled to be repealed on January 1, 2014)

New matter indicated by italics - deletions by strikeout
Sec. 30.4. Prohibited practice.

(a) No licensed CPA public accountant, licensed certified public accountant, or CPA public accounting firm may provide contemporaneously with an audit those non-auditing services referenced in subsection (g) of Section 10A of the federal Securities Exchange Act of 1934, as amended, to a company, excluding a not-for-profit organization, that (1) is not required to file periodic information, documents, and reports pursuant to the Securities Exchange Act of 1934 and (2) during the previous fiscal year, had annual revenues exceeding $50,000,000 or more than 500 employees.

(b) (1) A licensed CPA public accountant, licensed certified public accountant; or CPA public accounting firm is exempted from the prohibition in subsection (a) of this Section 30.4 if:

   (A) the licensed CPA public accountant, licensed certified public accountant; or CPA public accounting firm presents written notice of the contemporaneous provision of auditing and non-auditing services to the company prior to the commencement of the contemporaneous provision of the services; and
   
   (B) the president or chief executive officer of the company to which the contemporaneous auditing and non-auditing services are to be provided subsequently signs an acknowledgement that the company is aware of and agrees to the contemporaneous provision of the auditing and non-auditing services.

   (2) A licensed CPA public accountant, licensed certified public accountant; or CPA public accounting firm waives the exemption provided for in paragraph (1) of this subsection (b) if the licensed CPA public accountant, certified public accountant; or CPA public accounting firm engages in criminal activity or willful or wanton negligence regarding the provision of contemporaneous auditing and non-auditing services to the company.

(c) A violation of this Section shall subject a licensed CPA public accountant, licensed certified public accountant; or CPA public accounting firm to the provisions of Section 20.01 of this Act.

(d) Nothing in this Section shall be construed to authorize or permit the provision of any services by a licensed CPA public accountant, licensed certified public accountant; or CPA public accounting firm that
would result in a lack of independence under applicable ethics standards of
the accounting profession.
(Source: P.A. 93-683, eff. 7-2-04.)
(225 ILCS 450/30.5)
(Section scheduled to be repealed on January 1, 2014)
Sec. 30.5. Improper influence on the conduct of audits.
(a) It shall be unlawful for any officer or director of a company that
is not required to file periodic information, documents, and reports
pursuant to the federal Securities Exchange Act of 1934, or any other
person acting under the direction thereof, to take any action to fraudulently
influence, coerce, manipulate, or mislead any licensed CPA licensed
public accountant or licensed certified public accountant engaged in the
performance of an audit of the financial statements of that company for the
purpose of rendering the financial statements being audited materially
misleading.
(b) A person who, with the intent to deceive, violates this Section
is guilty of a Class 4 felony.
(Source: P.A. 93-683, eff. 7-2-04.)
(225 ILCS 450/30.6)
(Section scheduled to be repealed on January 1, 2014)
Sec. 30.6. Misleading behavior by licensees certified public
accountants.
(a) It shall be unlawful for any licensee licensed public accountant
or licensed certified public accountant to intentionally mislead a company
that is not required to file periodic information, documents, and reports
pursuant to the federal Securities Exchange Act of 1934 by falsifying
records it creates as part of an audit of the company.
(b) A person who knowingly violates this Section is guilty of a
Class 4 felony.
(Source: P.A. 93-683, eff. 7-2-04.)
(225 ILCS 450/30.8 new)
Sec. 30.8. Confidentiality. All information collected by the
Department in the course of an examination or investigation of a licensee,
registrant, or applicant, including, but not limited to, any complaint
against a licensee or registrant filed with the Department and information
collected to investigate any such complaint, shall be maintained for the
confidential use of the Department and shall not be disclosed. The
Department shall not disclose the information to anyone other than law
enforcement officials, regulatory agencies that have an appropriate

New matter indicated by italics - deletions by strikeout
regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee or registrant by the Department or any other issued by the Department against a licensee, registrant, or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 450/31) (from Ch. 111, par. 5536)
(Section scheduled to be repealed on January 1, 2014)

Sec. 31. Home rule. Public Policy. The regulation, licensing, and registration of accountants and CPA firms are exclusive powers and functions of the State. A home rule may not regulate or license accountants or CPA firms. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power of function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.
(Source: P.A. 78-1219.)

(225 ILCS 450/32) (from Ch. 111, par. 5537)
(Section scheduled to be repealed on January 1, 2014)

Sec. 32. Fund. All moneys received by the Department of Professional Regulation under this Act shall be deposited into the Registered Certified Public Accountants' Administration and Disciplinary Fund, which is hereby created as a special fund in the State Treasury. The funds in the account shall be used by the Department, as appropriated, exclusively for expenses of the Department of Professional Regulation, or the Public Accountants' Registration Committee, in the administration of this Act.

Moneys in the Registered Certified Public Accountants' Administration and Disciplinary Fund may be invested and reinvested, with all earnings received from the investments to be deposited into the Registered Certified Public Accountants' Administration and Disciplinary Fund.

Moneys from the Fund may also be used for direct and allocable indirect costs related to the public purposes of the Department of

New matter indicated by italics - deletions by strikeout
Professional Regulation. Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized by Section 2105-300 of the Department of Professional Regulation Law (20 ILCS 2105/2105-300).
(Source: P.A. 92-457, eff. 8-21-01; 93-683, eff. 7-2-04.)
(225 ILCS 450/5 rep.)
(225 ILCS 450/9.01 rep.)
(225 ILCS 450/9.02 rep.)
(225 ILCS 450/14.3 rep.)
(225 ILCS 450/19 rep.)
Section 15. The Illinois Public Accounting Act is amended by repealing Sections 5, 9.01, 9.02, 14.3, and 19.
Section 99. Effective date. This Act takes effect upon becoming law.

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New matter indicated by italics - deletions by strikeout
AN ACT concerning public aid.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Act on the Aging is amended by changing Section 4.03 as follows:

(20 ILCS 105/4.03) (from Ch. 23, par. 6104.03)
Sec. 4.03. The Department on Aging, in cooperation with the Department of Human Services and any other appropriate State, local or federal agency, shall, without regard to income guidelines, establish a nursing home prescreening program to determine whether Alzheimer's Disease and related disorders victims, and persons who are deemed as blind or disabled as defined by the Social Security Act and who are in need of long term care, may be satisfactorily cared for in their homes through the use of home and community based services. Responsibility for prescreening shall be vested with case coordination units. Prescreening shall occur: (i) when hospital discharge planners have advised the case coordination unit of the imminent risk of nursing home placement of a patient who meets the above criteria and in advance of discharge of the patient; or (ii) when a case coordination unit has been advised of the imminent risk of nursing home placement of an individual in the community. The individual who is prescreened shall be informed of all appropriate options, including placement in a nursing home and the availability of in-home and community-based services and shall be advised of her or his right to refuse nursing home, in-home, community-based, or all services. In addition, the individual being prescreened shall be informed of spousal impoverishment requirements, the need to submit financial information to access services, and the consequences for failure to do so in a form and manner developed jointly by the Department on Aging, the Department of Human Services, and the Department of Healthcare and Family Services. Case coordination units under contract with the Department may charge a fee for the prescreening provided under this Section and the fee shall be no greater than the cost of such services to the case coordination unit. At the time of each prescreening, case coordination units shall provide information regarding the Office of State Long Term Care Ombudsman's Residents Right to Know database as authorized in subsection (c-5) of Section 4.04.

(Source: P.A. 95-80, eff. 8-13-07; 95-823, eff. 1-1-09; 96-328, eff. 8-11-09.)

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

Approved August 9, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Public Aid Code is amended by adding Section 12-4.45 as follows:
(305 ILCS 5/12-4.45 new)
Sec. 12-4.45. Change in legal guardianship; notification. Whenever there is a change in legal guardianship of a minor child who receives benefits under this Code, the appropriate State agency shall immediately inform the Department of Human Services of the change in legal guardianship to ensure such benefits are sent directly to the minor child's legal guardian.
For purposes of this Section, "legal guardian" means a person appointed guardian, or given custody, of a minor by a circuit court of the State, but does not include a person appointed guardian, or given custody, of a minor under the Juvenile Court Act or the Juvenile Court Act of 1987.
Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 9, 2013.
Effective August 9, 2013.

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Health Facilities Planning Act is amended by adding Section 3.5 as follows:
(20 ILCS 3960/3.5 new)
Sec. 3.5. Facilities maintained or operated by a State agency.
(a) Except for the requirements set forth in subsection (b), any construction, modification, establishment, or change in categories of

New matter indicated by italics - deletions by strikeout
service of a health care facility funded through an appropriation from the General Assembly and maintained or operated by a State agency is exempt from the requirements of this Act. A State agency is not exempt from this Act when that State agency discontinues a health care facility or category of service.

(b) A State agency must notify the Board in writing of any appropriation by the General Assembly for the construction, modification, establishment or change in categories of service, excluding discontinuations of a health care facility or categories of service, maintained or operated by the State. The State agency must include with the written notification the following information: (i) the estimated service capacity of the health care facility, (ii) the location of the project or the intended location if not identified by law, and (iii) the date the health care facility is estimated to be opened. The State agency must also notify the Board in writing when the facility has been licensed by the Department of Public Health or any other licensing body. The State agency shall submit to the Board, on behalf of the health care facility, any annual facility questionnaires as defined in Section 13 of this Act or any requests for information by the Board.

(c) This Section is repealed 5 years after the effective date of this amendatory Act of the 98th General Assembly.

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0258
(House Bill No. 2820)

AN ACT concerning local government.

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

Section 5. The Public Building Commission Act is amended by changing Section 14 as follows:

(50 ILCS 20/14) (from Ch. 85, par. 1044)

Sec. 14. A Public Building Commission is a municipal corporation and constitutes a body both corporate and politic separate and apart from any other municipal corporation or any other public or governmental

New matter indicated by italics - deletions by strikeout
agency. It may sue and be sued, plead and be impleaded, and have a seal and alter such at pleasure, have perpetual succession, make and execute contracts, leases, deeds and other instruments necessary or convenient to the exercise of its powers, and make and from time to time amend and repeal its by-laws, rules and regulations not inconsistent with this Act. In addition, it has and shall exercise the following public and essential governmental powers and functions and all other powers incidental or necessary, to carry out and effectuate such express powers:

(a) To select, locate and designate, at any time and from time to time, one or more areas lying wholly within the territorial limits of the municipality or of the county seat of the county in which the Commission is organized, or within the territorial limits of the county if the site is to be used for county purposes, or (in the case of a county having a population of at least 20,000 but not more than 21,000 as determined by the 1980 federal census) within the territorial limits of the county if the site is to be used for municipal purposes, as the site or sites to be acquired for the erection, alteration or improvement of a building or buildings, public improvement or other facilities for the purposes set forth in this Section. The site or sites selected shall be conveniently located within such county, municipality or county seat and of an area in size sufficiently large to accomplish and effectuate the purpose of this Act and sufficient to provide for proper architectural setting and adequate landscaping for such building or buildings, public improvement or other facilities.

(1) Where the governing body of the county seat or the governing body of any municipality with 3,000 or more inhabitants has adopted the original resolution for the creation of the Commission, the site or sites selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are subject to approval by a majority of the members of the governing body of the county seat or by a majority of the members of the governing body of the municipality. However, where the site is for a county project and is outside the limits of a municipality, the approval of the site shall be by the county board.

(2) Where the original resolution for the creation of the Commission has been adopted by the governing body of the county, the site or sites selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are subject to approval by a majority of the members of the governing body of the county and to approval by 3/4 of the members of the governing body of the county seat, except that approval of 3/4 of the members of the governing
body of the county seat is not required where the site is for a county or (in the case of a county having a population of at least 20,000 but not more than 21,000 as determined by the 1980 federal census) a municipal project and is outside the limits of the county seat, in which case approval by 3/4 of the members of the governing body of any municipality where the site or sites will be located is required; and, if such site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are not approved by 3/4 of the members of the governing body of the county seat the Commission may by resolution request that the approval of the site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, be submitted to a referendum at the next general election in accordance with the general election law, and shall present such resolution to the county clerk. Upon receipt of such resolution the county clerk shall immediately notify the board of election commissioners, if any; however, referenda pursuant to such resolution shall not be called more frequently than once in 4 years. The proposition shall be in substantially the following form:

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Shall ......... be acquired for the erection, alteration or improvement of a building or buildings pursuant to the Public Building Commission Act, approved July 5, 1955, which project it is estimated will cost $........, including the cost of the site acquisition and for the payment of which revenue bonds in the amount of $...., maturing .... and bearing interest at the rate of ......% per annum, may be issued?

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If a majority of the electors voting on the proposition vote in favor of the proposition, the site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, shall be approved. Except where approval of the site or sites has been obtained by referendum, the area or areas may be enlarged by the Board of Commissioners, from time to time, as the need therefor arises.

New matter indicated by italics - deletions by strikeout
The selection, location and designation of more than one area may, but need not, be made at one time but may be made from time to time.

(b) To acquire the fee simple title to or any lesser interest in the real property located within such area or areas, including easements and reversionary interests in the streets, alleys and other public places and personal property required for its purposes, by purchase, gift, legacy, or by the exercise of the power of eminent domain, and title thereto shall be taken in the corporate name of the Commission. Eminent domain proceedings shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act. All land and appurtenances thereto, acquired or owned by the Commission are to be deemed acquired or owned for a public use or public purpose.

Any municipal corporation which owns fee simple title to or any lesser interest in real property located within such an area, may convey such real property, or any part thereof or interest therein, to the Commission with a provision in such conveyance for the reverter of such real property or interest therein to the transferor municipal corporation at such time as all revenue bonds and other obligations of the Commission incident to the real property or interest therein so conveyed, have been paid in full, and such Commission is hereby authorized to accept such a conveyance.

(c) To demolish, repair, alter or improve any building or buildings within the area or areas and to erect a new building or buildings, improvement and other facilities within the area or areas to provide space for the conduct of the executive, legislative and judicial functions of government, its various branches, departments and agencies thereof and to provide buildings, improvements and other facilities for use by local government in the furnishing of essential governmental, health, safety and welfare services to its citizens; to furnish and equip such building or buildings, improvements and other facilities, and maintain and operate them so as to effectuate the purposes of this Act.

(d) To pave and improve streets within such area or areas, and to construct, repair and install sidewalks, sewers, waterpipes and other similar facilities and site improvements within such area or areas and to provide for adequate landscaping essential to the preparation of such site or sites in accordance with the purposes of this Act.

(e) To make provisions for offstreet parking facilities.

(f) To operate, maintain, manage and to make and enter into contracts for the operation, maintenance and management of such

New matter indicated by italics - deletions by strikeout
buildings and other facilities and to provide rules and regulations for the operation, maintenance and management thereof.

(g) To employ and discharge without regard to any Civil Services Act, engineering, architectural, construction, design-build, legal and financial experts and such other employees as may be necessary in its judgment to carry out the purposes of this Act and to fix compensation for such employees, and enter into contracts for the employment of any person, firm, or corporation, and for professional services necessary or desirable for the accomplishment of the objects and purposes of the Commission and the proper administration, management, protection and control of its property.

(h) To rent all or any part or parts of such building, buildings, or other facilities to any municipal corporation that organized or joined in the organization of the Public Building Commission or to any branch, department, or agency thereof, or to any branch, department, or agency of the State or Federal government, or to any other state or any agency or political subdivision of another state with which the Commission has entered into an intergovernmental agreement or contract under the Intergovernmental Cooperation Act, or to any municipal corporation with which the Commission has entered into an intergovernmental agreement or contract under the Intergovernmental Cooperation Act, or to any other municipal corporation, quasi municipal corporation, political subdivision or body politic, or agency thereof, doing business, maintaining an office, or rendering a public service in such county for any period of time, or to any not for profit corporation or any non-profit organization or association. For this Section, "not for profit corporation" means an Illinois corporation organized and existing under the General Not For Profit Corporation Act of 1986 in good standing with the State and having been granted status as an exempt organization under Section 501(c) of the Internal Revenue Code, or any successor or similar provision of the Internal Revenue Code. "Non-profit organization or association" means any organization or association where no part of the net earnings enures to the lawful benefit of any person.

(i) To rent such space in such building or buildings as from time to time may not be needed by any governmental agency for such other purposes as the Board of Commissioners may determine will best serve the comfort and convenience of the occupants of such building or buildings, and upon such terms and in such manner as the Board of Commissioners may determine.
(j) To execute written leases evidencing the rental agreements authorized in paragraphs (h) and (i) of this Section.

(k) To procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the Public Building Commission in the performance of the duties of his office or employment or any other insurable risk, as the Board of Commissioners in its discretion may deem necessary.

(l) To accept donations, contributions, capital grants or gifts from any individuals, associations, municipal and private corporations and the United States of America, or any agency or instrumentality thereof, for or in aid of any of the purposes of this Act and to enter into agreements in connection therewith.

(m) To borrow money from time to time and in evidence thereof to issue and sell revenue bonds in such amount or amounts as the Board of Commissioners may determine to provide funds for the purpose of acquiring, erecting, demolishing, improving, altering, equipping, repairing, maintaining and operating buildings and other facilities and to acquire sites necessary and convenient therefor and to pay all costs and expenses incident thereto, including, but without in any way limiting the generality of the foregoing, architectural, engineering, legal and financing expense, which may include an amount sufficient to meet the interest charges on such revenue bonds during such period or periods as may elapse prior to the time when the project or projects may become revenue producing and for one year in addition thereto; and to refund and refinance, from time to time, revenue bonds so issued and sold, as often as may be deemed to be advantageous by the Board of Commissioners.

(n) To enter into any agreement or contract with any lessee, who, pursuant to the terms of this Act, is renting or is about to rent from the Commission all or part of any building or buildings or facilities, whereby under such agreement or contract such lessee obligates itself to pay all or part of the cost of maintaining and operating the premises so leased. Such agreement may be included as a provision of any lease entered into pursuant to the terms of this Act or may be made the subject of a separate agreement or contract between the Commission and such lessee.

(Source: P.A. 95-614, eff. 9-11-07; 96-352, eff. 8-13-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0259
(House Bill No. 2822)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The State Finance Act is amended by adding Section
5.826 as follows:
(30 ILCS 105/5.826 new)
Sec. 5.826. The Alzheimer's Awareness Fund.
Section 10. The Illinois Vehicle Code is amended by adding
Section 3-699 as follows:
(625 ILCS 5/3-699 new)
Sec. 3-699. Alzheimer's Awareness license plates.
(a) The Secretary, upon receipt of an application made in the form
prescribed by the Secretary, may issue special registration plates
designated as Alzheimer's Awareness license plates. The special plates
issued under this Section shall be affixed only to passenger vehicles of the
first division and motor vehicles of the second division weighing not more
than 8,000 pounds. Plates issued under this Section shall expire according
to the multi-year procedure established by Section 3-414.1 of this Code.
(b) The design and color of the plates is wholly within the
discretion of the Secretary. The Secretary may allow the plates to be
issued as vanity plates or personalized under Section 3-405.1 of this Code.
The Secretary shall prescribe stickers or decals as provided under Section
3-412 of this Code.
(c) An applicant for the special plate shall be charged a $25 fee for
original issuance in addition to the appropriate registration fee. Of this
fee, $10 shall be deposited into the Alzheimer's Awareness Fund and $15
shall be deposited into the Secretary of State Special License Plate Fund,
to be used by the Secretary to help defray administrative processing costs.
For each registration renewal period, a $25 fee, in addition to the
appropriate registration fee, shall be charged. Of this fee, $23 shall be
deposited into the Alzheimer's Awareness Fund and $2 shall be deposited
into the Secretary of State Special License Plate Fund.

New matter indicated by italics - deletions by strikeout
(d) The Alzheimer's Awareness Fund is created as a special fund in the State treasury. All money in the Alzheimer's Awareness Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Alzheimer's Disease and Related Disorders Association, Greater Illinois Chapter, for Alzheimer's care, support, education, and awareness programs.

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0260
(House Bill No. 2830)

AN ACT concerning State government.

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

Section 5. The Illinois Housing Development Act is amended by changing Sections 2, 8, and 10 as follows:

(20 ILCS 3805/2) (from Ch. 67 1/2, par. 302)
Sec. 2. As used in this Act:
(a) "Authority" means the Illinois Housing Development Authority created in this Act.
(b) "Development costs" means the costs approved by the Authority as appropriate expenditures which may be incurred prior to commitment and initial closing of assisted mortgage financing or of housing related commercial facilities, including but not limited to: (1) payments for options to purchase properties for the proposed development or facilities, deposits on contracts of purchase, or, with the prior approval of the Authority, payments for the purchases of such properties; (2) legal, organizational and consultants' expenses; (3) payment of fees for preliminary feasibility studies and engineering and architectural work; (4) necessary application and other fees to federal, State and local government agencies; and (5) such other expenses as the Authority may deem appropriate to effectuate the purposes of this Act.
(c) "Assisted mortgage financing" means a below market interest rate mortgage insured or purchased, or a loan made, by the Secretary of the United States Department of Housing and Urban Development or by any other federal agency or governmental corporation or by any political subdivision of the State of Illinois or by any Illinois public corporation; a

New matter indicated by italics - deletions by strikeout
market interest rate mortgage insured or purchased, or a loan made in combination with, or as augmented by, a program of rent supplements, interest subsidies, leasing, contributions or grants, or other programs as are now or hereafter authorized by federal law to serve low or moderate income persons; a mortgage or loan made pursuant to this Act; or a mortgage or loan from any private or public source with an interest rate and terms satisfactory to the Authority and which will meet the requirements and purposes of this Act.

(d) "Lending institution" means any bank, trust company, savings bank, savings and loan association, credit union, national banking association, mortgage banking association, federal savings and loan association or federal credit unit maintaining an office in the State, any insurance company or any other entity or organization which makes or acquires loans secured by real property.

(e) "Residential mortgage" means a loan owed to a lending institution, to the Authority or to a trustee for holders of bonds or notes of the Authority or to a trustee for owners of pools of mortgages, and secured by a lien on real property located in the State and improved by a residential structure or a mixed residential and commercial structure, or unimproved if the proceeds of such loan shall be used for the erection of a residential structure or a mixed residential and commercial structure thereon, whether or not such loan is insured or guaranteed by the United States of America or any agency or corporation thereof.

(f) "Development" means a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are a part of a planned large-scale project or new community.

(g) "Persons and families of low and moderate income" and "Low income or moderate income persons" means families and persons who cannot afford to pay the amounts at which private enterprise, without assisted mortgage financing, is providing a substantial supply of decent, safe and sanitary housing. The income limits for the admission of such families and persons to developments shall be those established pursuant to the rules applicable to the assisted mortgage financing program under which such developments are financed.

(h) "Moderate rentals" means rent charges less than those rents generally charged for new dwelling units of comparable size and location.
built by the unassisted efforts of private enterprise and financed at then current market interest rates.

(i) "Low rentals" means rent charges at least 10% lower than moderate rentals.

(j) "Rents" or "Rentals" shall mean fees or charges paid for use of a development under this Act, whether the development is operated on a landlord-tenant basis or as a condominium or cooperative.

(k) "Limited-profit entity" means any individual, joint venture, partnership, limited partnership, trust or corporation organized or existing under the laws of the State of Illinois or authorized to do business in this State and having articles of incorporation or comparable documents of organization or a written agreement with the Authority which, in addition to other requirements of law, provide that if the limited-profit entity receives any loan from the Authority as provided for in this Act, it shall be authorized to enter into an agreement with the Authority providing for regulations with respect to rents, profits, dividends and disposition of property or franchises:

(1) that if the limited-profit entity receives any loan from the Authority as provided for in this Act, it shall be authorized to enter into an agreement with the Authority providing for regulations with respect to rents, profits, dividends and disposition of property or franchises; and

(2) that if the limited-profit entity receives a loan, as provided for in this Act, the Chairman of the Authority, acting with the prior approval of the Authority, shall have the power, if he determines that any such loan is in jeopardy of not being repaid, or that the proposed development for which such loan was made is in jeopardy of not being constructed, or the limited-profit entity is otherwise in violation of rules and regulations promulgated by the Authority, to appoint to the board of directors or other comparable controlling body of such limited-profit entity a number of new directors or persons, which number shall be sufficient to constitute a voting majority of such board or controlling body, notwithstanding any other provisions of the limited-profit entity's articles of incorporation or other documents of organization, or of any other provisions of law, provided that this requirement set forth in this paragraph (2) is not mandatory in the case of loans made solely with monies from the Authority's administrative fund.

New matter indicated by italics - deletions by strikeout
(l) "Land development" means the process of clearing and grading land, making, installing, or constructing waterlines and water supply installations, sewerlines and sewage disposal installations, steam, gas, and electric lines and installations, roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, whether on or off the site, necessary or desirable to prepare land for residential, commercial, industrial, or other uses, or to provide facilities for public or common use.

(m) "Nonprofit corporation" means a nonprofit corporation incorporated pursuant to the provisions of the Illinois General Not For Profit Corporation Act or the State Housing Act of 1933 and having articles of incorporation which, in addition to other requirements of law, provide:

1. that the corporation has been organized to provide housing facilities for persons of low and moderate income;
2. that all income and earnings of the corporation shall be used exclusively for corporation purposes and that no part of the net income or net earnings of the corporation shall inure to the benefit or profit of any private individual, firm, corporation, partnership, or association;
3. that the corporation is in no manner controlled or under the direction or acting in the substantial interest of private individuals, firms, corporations, partnerships, or associations seeking to derive profit or gain therefrom or seeking to eliminate or minimize losses in any dealings or transactions therewith;
4. that if the corporation receives any loan or advance from the Authority as provided for in this Act, it shall be authorized to enter into an agreement with the Authority providing for regulation with respect to rents, profits, dividends, and disposition of property or franchises;
5. that if the corporation receives a loan or advance, as provided for in this Act, the chairman of the Authority, acting with the prior approval of the majority of the members of the Authority, shall have the power if he determines that any such loan or advance is in jeopardy of not being repaid, or that the proposed development for which such loan or advance was made is in jeopardy of not being constructed, or that some part of the net income or net earnings of the corporation is inuring to the benefit of any private individual, firm, corporation, partnership, or association, or that the corporation is in some manner controlled or
under the direction of or acting in the substantial interest of any private individual, firm, corporation, partnership, or association seeking to derive benefit or gain therefrom or seeking to eliminate or minimize losses in any dealings or transactions therewith, or is in violation of rules and regulations promulgated by the Authority to appoint to the board of directors of such corporation a number of new directors, which number shall be sufficient to constitute a majority of such board, notwithstanding any other provisions of such articles of incorporation or of any other provisions of law; and

(6) that each development of such corporation shall be operated exclusively for the benefit of the persons who are housed in such development which shall include families or persons of low or moderate income as required by this Act, and that such development shall reserve for families or persons of low or moderate income the number and types of dwelling units required by applicable federal or State law.

The requirements contained in paragraphs (2), (3), (5) and (6) are not mandatory in the case of loans made solely from the Authority's administrative fund.

(n) "State" means the State of Illinois.

(o) "Community facilities" means the land, buildings, improvements and equipment for land development, for health, welfare, recreational, social, educational and commercial activities, and for public, common or municipal services.

(p) "Sinking fund payment" means the amount of money specified in the resolution or resolutions authorizing term bonds as payable into a sinking fund during a particular period for the retirement of term bonds at maturity after such period, but shall not include any amount payable by reason only of the maturity of a bond.

(q) "Housing related commercial facilities" means commercial facilities which are or are to be related to a development. Commercial facilities are related to a development if they are, in the sole judgment of the Authority, located in the same area as the development and (i) necessary or desirable in order to provide services for residents of that area in which the development is located; or (ii) a portion of the revenues of the commercial facilities are to be used to provide funds for paying costs of construction, acquisition, rehabilitation, operation, maintenance of or payment of debt service on the development or (iii) necessary or desirable in order to make the development successful, such as, without limitation,

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eliminating or preventing slum or blighted conditions, preserving historic structures or ensuring that facilities are not inconsistent with the development. For purposes of this Section, "commercial facilities" includes land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement homes, hotels, financial institutions, service health care, education, recreation or research establishments or any other commercial purpose.

(r) "Rate protection contract" means interest rate exchange agreements; currency exchange agreements; forward payment conversion agreements; contracts providing for payment or receipt of funds based on levels of, or changes in, interest rates, currency exchange rates, stock or other indices; contracts to exchange cash flows or a series of payments; contracts, including without limitation, interest rate caps; interest rate floors; interest rate locks; interest rate collars; rate of return guarantees or assurances, to manage payment, currency, rate, spread or similar exposure; the obligation, right, or option to issue, put, lend, sell, grant a security interest in, buy, borrow or otherwise acquire, a bond, note or other security or interest therein as an investment, as collateral, as a hedge, or otherwise as a source or assurance of payment to or by the Authority or as a reduction of the Authority's or an obligor's risk exposure; repurchase agreements; securities lending agreements; and other agreements or arrangements similar to the foregoing.

(s) "Affordable Housing Program Trust Fund Bonds or Notes" means bonds or notes issued by the Authority pursuant to the provisions of this Act for the purposes of providing affordable housing to low and very low income persons as provided in the Illinois Affordable Housing Act through the use or pledge, in whole or in part, of Trust Fund Moneys dedicated or otherwise made available to the Authority.

(t) "Trust Fund Moneys" has the meaning given to that term in Section 3 of the Illinois Affordable Housing Act.

(Source: P.A. 87-250; 88-93.)

(20 ILCS 3805/8) (from Ch. 67 1/2, par. 308)

Sec. 8. The Authority may, pursuant to its rules or regulations, or pursuant to agreements with persons to whom it makes mortgage or other loans, provide for methods of limiting profits or cash flow or other distributions available to limited-profit entities to whom it has made or will make such loans. A limited-profit entity which receives loans from the Authority may not make distributions in any one year with respect to a development financed by the Authority in excess of 6% of its equity in

New matter indicated by italics - deletions by strikeout
such development, except that the right to such distribution shall be cumulative. This distribution limitation may not be increased above 6% during the life of the Authority's loan, whether the loan is outstanding on or is made after the effective date of this amendatory Act of 1991, unless, by resolution of the members, the Authority determines that an increase is necessary to preserve the development as affordable to low and moderate income persons and families or that an increase provides for the creation of additional units of housing affordable to low or moderate income persons and families in the development or otherwise in this State. The equity in a development shall consist of the difference between the amount of the mortgage loan and the total cost of the development. The total cost of the development shall include construction or rehabilitation costs including job overhead and a builder's and sponsor's profit and risk fee, architectural, engineering, legal and accounting costs, organizational expenses, land value, interest and financing charges paid during construction, the cost of landscaping and off-site improvements, whether or not such costs have been paid in cash or in a form other than cash. With respect to every development the Authority shall, by resolution, establish the entity's equity at the time of making of the final mortgage advance and, for purposes of this paragraph, that figure shall remain constant during the life of the Authority's loan with respect to such development, unless adjusted pursuant to a resolution of the members based on criteria set forth in the Authority's rules or regulations. The Authority may, pursuant to its rules or regulations, or pursuant to agreements with persons to whom it makes mortgage or other loans, provide for methods of limiting profits or cash flow or other distributions available to the person. Such alternative methods may include, without limitation, a limitation which may vary from period to period based on changes in the costs of borrowing money and may be changed from time to time. Such alternative methods may be in lieu of the 6% limitation as provided in this Section. With respect to mortgage loans to limited profit entities, the alternative method shall be such as shall, in the sole judgment of the Authority, result in the lowest rents consistent with attracting private enterprise to acquire, construct, rehabilitate, operate and maintain the development. The equity in a development shall consist of the difference between the amount of the mortgage loan and the total cost of the development. The total cost of the development shall include construction or rehabilitation costs including job overhead and a builder's and sponsor's profit and risk fee, architectural, engineering, legal, and accounting costs, organizational expenses, land value, interest and financing charges paid during construction, the cost of landscaping and off-site improvements, whether or not such costs have been paid in cash or in a form other than cash. With respect to every development the Authority shall, by resolution, establish the entity's equity at the time of making of the final mortgage advance and, for purposes of this paragraph, that figure shall remain constant during the life of the Authority's loan with respect to such development, unless adjusted pursuant to a resolution of the members based on criteria set forth in the Authority's rules or regulations. 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The total cost of the development shall include construction or rehabilitation costs including job overhead and a builder's and sponsor's profit and risk fee, architectural, engineering, legal, and accounting costs, organizational expenses, land value, interest and financing charges paid during construction, the cost of landscaping and off-site improvements, whether or not such costs have been paid in cash or in a form other than cash. With respect to every development the Authority shall, by resolution, establish the entity's equity at the time of making of the final mortgage advance and, for purposes of this paragraph, that figure shall remain constant during the life of the Authority's loan with respect to such development, unless adjusted pursuant to a resolution of the members based on criteria set forth in the Authority's rules or regulations. The Authority may, pursuant to its rules or regulations, or pursuant to agreements with persons to whom it makes mortgage or other loans, provide for methods of limiting profits or cash flow or other distributions available to the person. Such alternative methods may include, without limitation, a limitation which may vary from period to period based on changes in the costs of borrowing money and may be changed from time to time. Such alternative methods may be in lieu of the 6% limitation as provided in this Section. With respect to mortgage loans to limited profit entities, the alternative method shall be such as shall, in the sole judgment of the Authority, result in the lowest rents consistent with attracting private enterprise to acquire, construct, rehabilitate, operate and maintain the development.
expenses, land value, interest and financing charges paid during construction, and the cost of landscaping and off-site improvements, whether or not such costs have been paid in cash or in a form other than cash.

(Source: P.A. 87-250.)

(20 ILCS 3805/10) (from Ch. 67 1/2, par. 310)

Sec. 10. Prior to making a loan commitment for a development under this Act, the Authority shall approve a tenant selection plan submitted by the applicant for the loan prior to disbursing any funds in connection with the acquisition, rehabilitation, or construction of a development. The Authority shall formulate regulations from time to time setting forth the criteria for tenant selection plans. These criteria shall include income limits, which may vary with the size and circumstances of the family unit of tenants. The income limits shall be sufficiently flexible to avoid undue economic homogeneity among the tenants of a development. The Authority may formulate regulations from time to time for the alteration of occupancies of tenants who exceed established income limits. The tenant selection plan shall specify how many units in the development shall be held available for rentals to persons of low or moderate income, as defined in this Act.

In determining the number of units which shall be so held available for rental to persons of low or moderate income, the Authority shall require that the number of dwelling units so held reserved for them in each development shall not be less than the number required by applicable federal and State law.

In connection with any mortgage loan for a development, the Authority may enter into an agreement with the owner of the development as a part of the loan providing that as long as the loan remains outstanding or such longer period as is set forth in the agreement, the development shall be held available for such rentals. Any such agreement shall, upon being recorded in the manner provided for recording of deeds or registered in the manner specified for registration of titles, be binding upon any subsequent owners of the development as provided by its terms.

(Source: P.A. 87-250.)

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

Approved August 9, 2013.
Effective August 9, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Home Health, Home Services, and Home Nursing Agency Licensing Act is amended by changing Section 2.05 as follows:

(210 ILCS 55/2.05) (from Ch. 111 1/2, par. 2802.05)

Sec. 2.05. "Home health services" means services provided to a person at his residence according to a plan of treatment for illness or infirmity prescribed by a physician licensed to practice medicine in all its branches, a physician assistant who has been delegated the authority to prescribe home health services by his or her supervising physician, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that delegates the authority to prescribe home health services. Such services include part time and intermittent nursing services and other therapeutic services such as physical therapy, occupational therapy, speech therapy, medical social services, or services provided by a home health aide.

(Source: P.A. 80-804.)

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


Approved August 9, 2013.

Effective August 9, 2013.

AN ACT concerning property.

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

Section 5. "An Act to authorize the Department of Mental Health to convey certain State-owned lands in Kane County", approved August 10, 1965, as amended by "An Act to amend Section 3 of "An Act to authorize the Department of Mental Health to convey certain State-owned lands in Kane County", approved August 10, 1965", approved March 2,
1967 and "An Act concerning property", approved August 16, 2005 (Public Act 94-610) is amended by changing Section 3 as follows: 

(Laws 1965, p. 2927, Sec. 3; Laws 1967, p. 28, Sec. 1; P.A. 94-610, Sec. 5)

Sec. 3. (a) Except as provided in subsections (b) and (c), the purchaser shall agree that the land described in Section 1 shall be used for public educational and recreational purposes, but may convey any part of that land to the board of a public junior college district which includes any part of Kane County in its territory at a purchase price computed on the basis of a price per acre which does not exceed that authorized by this Act for the conveyance to the City of Elgin. Such an agreement does not prevent the City of Elgin from selling or leasing, under the conditions and in the manner provided in Division 76 of Article 11 of the Illinois Municipal Code, any part of that land not so conveyed.

(b) The provisions of subsection (a) do not apply to the following described land, which is a part of the land described in Section 1:

SOUTHWEST QUARTER OF SAID SECTION 21 ALSO BEING THE SOUTH LINE OF PROPERTY PREVIOUSLY OWNED BY THE STATE OF ILLINOIS BY DOCUMENT NUMBER 498148, A DISTANCE OF 783.03 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 00 DEGREES 56 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21 ALSO BEING THE MOST WESTERLY LINE OF PROPERTY PREVIOUSLY OWNED BY THE STATE OF ILLINOIS BY DOCUMENT NUMBER 498148, A DISTANCE OF 624.62 FEET TO THE INTERSECTION WITH A LINE THAT IS 30.00 FEET, AS MEASURED PERPENDICULAR, SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF PROPERTY PREVIOUSLY OWNED BY THE STATE OF ILLINOIS BY DOCUMENT NUMBER 498148; THENCE NORTH 88 DEGREES 01 MINUTES 35 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 518.58 FEET TO THE POINT OF BEGINNING. BEING SITUATED IN THE CITY OF ELGIN, KANE COUNTY, ILLINOIS AND CONTAINING 8.59 ACRES MORE OR LESS.

(c) The provisions of subsection (a) do not apply to the following described land, which is a part of the land described in Section 1:
That part of the Southwest Quarter of Section 22, Township 41 North, Range 8 East of the Third Principal Meridian described as follows:
Commencing at the Southwest corner of said Southwest Quarter; thence North 88 degrees 32 minutes 57 seconds East along the South line thereof, 286.24 feet to the point of beginning; thence North 01 degree 27 minutes 03 seconds West 576.18 feet to the Southerly line of Spartan Drive per dedication by Document No. 1104835 recorded December 27, 1967; thence Northeasterly along said Southerly line being on a curve to the left having a radius of 780.0 feet an arc distance of 88.55 feet, (the chord of the last described curve bearing North 55 degrees 26 minutes 21 seconds East, 88.50 feet); thence North 52 degrees 11 minutes 13 seconds East along said Southerly line being on a curve to the right having a radius of 470.0 feet an arc distance of 381.57 feet, (the chord of the last described curve bearing North 75 degrees 26 minutes 40 seconds East, 371.17 feet); thence South 81 degrees 17 minutes 53 seconds East along said Southerly line 253.03 feet to the Westerly line of McLean Boulevard per Document
No. 1081166 recorded December 5, 1966 (said line being 100.0 feet Westerly of the centerline of said road); thence Southerly along said Westerly line being on a curve to the left having a radius of 4293.46 feet an arc distance of 353.04 feet, (the chord of the last described curve bearing South 07 degrees 54 minutes 49 seconds West, 352.94 feet); thence South 05 degrees 33 minutes 29 seconds West along said Westerly line 769.94 feet; thence Southerly along said Westerly line being on a curve to the left having a radius of 34,603.68 feet an arc distance of 316.52 feet, (the chord of the last described curve bearing South 05 degrees 17 minutes 45 seconds West, 316.52 feet) to the South line of the Southwest Quarter of Section 22 aforesaid; thence South 88 degrees 32 minutes 57 seconds West along said South line 1532.02 feet to the point of beginning, in Kane County, Illinois.

(41.9964 ACRES ABUTTING MCLEAN BLVD)
(Source: P.A. 94-610, eff. 8-16-05.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0263
(House Bill No. 2893)

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

Section 5. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by adding Section 2605-595 as follows:

(20 ILCS 2605/2605-595 new)
Sec. 2605-595. Crimes Against Police Officers Advisory.
(a) For purposes of this Section:
"Attempt" has the meaning ascribed to that term in Section 8-4 of the Criminal Code of 2012.
"Concealment of homicidal death" has the meaning ascribed to that term in Section 9-3.4 of the Criminal Code of 2012.

New matter indicated by italics - deletions by strikeout
"First degree murder" has the meaning ascribed to that term in Section 9-1 of the Criminal Code of 2012.
"Involuntary manslaughter" and "reckless homicide" have the meanings ascribed to those terms in Section 9-3 of the Criminal Code of 2012.
"Second degree murder" has the meaning ascribed to that term in Section 9-2 of the Criminal Code of 2012.
(b) A coordinated program known as the Crimes Against Police Officers Advisory is established within the Department of State Police. The purpose of the Crimes Against Police Officers Advisory is to provide a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit any of the offenses described in subsection (c).
(c) The Department of State Police shall develop an advisory to assist law enforcement agencies when the commission or attempted commission of the following offenses against a peace officer occur:
(1) first degree murder;
(2) second degree murder;
(3) involuntary manslaughter;
(4) reckless homicide; and
(5) concealment of homicidal death.
(d) Law enforcement agencies participating in the advisory may request assistance when:
(1) the agency believes that a suspect has not been apprehended;
(2) the agency believes that the suspect may be a serious threat to the public; and
(3) sufficient information is available to disseminate to the public that could assist in locating the suspect.
(e) The Department of State Police shall reserve the authority to determine if dissemination of the information will pose a significant risk to the public or jeopardize the investigation.
(f) The Department of State Police may partner with media and may request a media broadcast concerning details of the suspect in order to obtain the public's assistance in locating the suspect or vehicle used in the offense, or both.
Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 and by adding Section 4.34 as follows:

 Sec. 4.24. Acts and Section repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:
 The Electrologist Licensing Act.
 The Illinois Occupational Therapy Practice Act.
 The Illinois Public Accounting Act.
 The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.
 Section 2.5 of the Illinois Plumbing License Law.
 The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)

Sec. 4.34. Act repealed on January 1, 2024. The following Act is repealed on January 1, 2024:
 The Illinois Occupational Therapy Practice Act.

Section 10. The Illinois Occupational Therapy Practice Act is amended by changing Sections 2, 3, 3.1, 3.3, 3.5, 4, 5, 6, 7, 8, 11, 11.1, 12, 15, 16, 16.5, 18, 19, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19.15, 19.16, 20, and 21 and by adding Section 19.2a as follows:

(225 ILCS 75/2) (from Ch. 111, par. 3702)
(Section scheduled to be repealed on January 1, 2014)

Sec. 2. Definitions. In this Act:
(1) "Department" means the Department of Financial and Professional Regulation.
(2) "Secretary" means the Secretary of the Department of Financial and Professional Regulation. "Director" means the Director of Professional Regulation.

New matter indicated by italics - deletions by strikeout
(3) "Board" means the Illinois Occupational Therapy Licensure Board appointed by the Secretary.

(4) "Occupational therapist" means a person initially registered and licensed to practice occupational therapy as defined in this Act, and whose license is in good standing.

(5) "Occupational therapy assistant" means a person initially registered and licensed to assist in the practice of occupational therapy under the supervision of a licensed occupational therapist, and to implement the occupational therapy treatment program as established by the licensed occupational therapist. Such program may include training in activities of daily living, the use of therapeutic activity including task oriented activity to enhance functional performance, and guidance in the selection and use of adaptive equipment.

(6) "Occupational therapy" means the therapeutic use of purposeful and meaningful occupations or goal-directed activities to evaluate and provide interventions for individuals, groups, and populations who have a disease or disorder, an impairment, an activity limitation, or a participation restriction that interferes with their ability to function independently in their daily life roles, including activities of daily living (ADLs) and instrumental activities of daily living (IADLs). Occupational therapy services are provided for the purpose of habilitation, rehabilitation, and to promote health and wellness. Occupational therapy may be provided via technology or telecommunication methods, also known as telehealth, however the standard of care shall be the same whether a patient is seen in person, through telehealth, or other method of electronically enabled health care.

Intervention means may include any of the following:

(a) remediation or restoration of performance abilities that are limited due to impairment in biological, physiological, psychological, or neurological processes;

(b) modification or adaptation of task, process, or the environment or the teaching of compensatory techniques in order to enhance performance;

(c) disability prevention methods and techniques that facilitate the development or safe application of performance skills; and

(d) health and wellness promotion strategies, including self-management strategies, and practices that enhance performance abilities.

New matter indicated by italics - deletions by strikeout
The licensed occupational therapist or licensed occupational therapy assistant may assume a variety of roles in his or her career including, but not limited to, practitioner, supervisor of professional students and volunteers, researcher, scholar, consultant, administrator, faculty, clinical instructor, fieldwork educator, and educator of consumers, peers, and family.

(7) "Occupational therapy services" means services that may be provided to individuals, groups, and populations, when provided to treat an occupational therapy need, including; without limitation; the following:

(a) evaluating, developing, improving, sustaining, or restoring skills in activities of daily living, work, or productive activities, including instrumental activities of daily living and play and leisure activities;

(b) evaluating, developing, remediating, or restoring sensorimotor, cognitive, or psychosocial components of performance with considerations for cultural context and activity demands that affect performance;

(c) designing, fabricating, applying, or training in the use of assistive technology, adaptive devices, seating and positioning, or temporary, orthoses and training in the use of orthoses and prostheses;

(d) adapting environments and processes, including the application of ergonomic principles, to enhance performance and safety in daily life roles;

(e) for the occupational therapist or occupational therapy assistant possessing advanced training, skill, and competency as demonstrated through criteria examinations that shall be determined by the Department, applying physical agent modalities as an adjunct to or in preparation for engagement in occupations;

(f) evaluating and providing intervention in collaboration with the client, family, caregiver, or others;

(g) educating the client, family, caregiver, or others in carrying out appropriate nonskilled interventions; and

(h) consulting with groups, programs, organizations, or communities to provide population-based services;

(i) assessing, recommending, and training in techniques to enhance functional mobility, including wheelchair management;

(j) driver rehabilitation and community mobility;

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(k) management of feeding, eating, and swallowing to enable or enhance performance of these tasks;
(l) low vision rehabilitation;
(m) lymphedema and wound care management;
(n) pain management; and
(o) care coordination, case management, and transition services.

(8) "An aide in occupational therapy" means an individual who provides supportive services to occupational therapists or occupational therapy assistants but who is not certified by a nationally recognized occupational therapy certifying or licensing body.

(9) "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.

(Source: P.A. 92-297, eff. 1-1-02; 92-366, eff. 1-1-02; 92-651, eff. 7-11-02; 93-461, eff. 8-8-03.)

(225 ILCS 75/3) (from Ch. 111, par. 3703)

(Section scheduled to be repealed on January 1, 2014)

Sec. 3. Licensure requirement; exempt activities. After the effective date of this Act, no person shall practice occupational therapy or hold himself out as an occupational therapist or an occupational therapy assistant, or as being able to practice occupational therapy or to render services designated as occupational therapy in this State, unless he is licensed in accordance with the provisions of this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed in this State by any other law from engaging in the profession or occupation for which he is licensed; or

(2) Any person employed as an occupational therapist or occupational therapy assistant by the Government of the United States, if such person provides occupational therapy solely under the direction or control of the organization by which he or she is employed; or

(3) Any person pursuing a course of study leading to a degree or certificate in occupational therapy at an accredited or approved educational program if such activities and services constitute a part of a supervised

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course of study, and if such person is designated by a title which clearly indicates his or her status as a student or trainee; or

(4) Any person fulfilling the supervised work experience requirements of Sections 8 and 9 of this Act, if such activities and services constitute a part of the experience necessary to meet the requirement of those Sections; or

(5) Any person performing occupational therapy services in the State, if such a person is not a resident of this State and is not licensed under this Act, and if such services are performed for no more than 60 days a calendar year in association with an occupational therapist licensed under this Act and if such person meets the qualifications for license under this Act and:

   (i) such person is licensed under the law of another state which has licensure requirements at least as restrictive as the requirements of this Act, or
   (ii) such person meets the requirements for certification as an Occupational Therapist Registered (O.T.R.) or a Certified Occupational Therapy Assistant (C.O.T.A.) established by the National Board for Certification of Occupational Therapy or another nationally recognized credentialing body approved by the Board; or

(6) The practice of occupational therapy by one who has applied in writing to the Department for a license, in form and substance satisfactory to the Department, and has complied with all the provisions of either Section 8 or 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 6 months, except as follows:

   (i) if the date on which a person can take the next available examination authorized by the Department extends beyond 6 months from the date the person completes the occupational therapy program as required under Section 8 or 9, the Department shall extend the exemption until the results of that examination become available to the Department; or
   (ii) if the Department is unable to complete its evaluation and processing of a person's application for a license within 6 months after the date on which the application is submitted to the Department in proper form, the Department shall extend the exemption until the Department has completed its evaluation and processing of the application.

New matter indicated by italics - deletions by strikeout
In the event such applicant fails the examination, the applicant shall cease work immediately until such time as the applicant is licensed to practice occupational therapy in this State.

(7) The practice of occupational therapy by one who has applied to the Department, in form and substance satisfactory to the Department, and who is licensed to practice occupational therapy under the laws of another state, territory of the United States or country and who is qualified to receive a license under the provisions of either Section 8 or 9 of this Act. In no event shall this exemption extend to any person for longer than 6 months.

(8) (Blank). The practice of occupational therapy by one who has applied to the Department, in form and substance satisfactory to the Department, and who is licensed to practice occupational therapy under the laws of another state, territory of the United States or country and who is qualified to receive a license under the provisions of either Section 8 or 9 of this Act. In no event shall this exemption extend to any person for longer than 6 months.

(Source: P.A. 93-461, eff. 8-8-03.)

(225 ILCS 75/3.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 3.1. Referrals.

(a) A licensed occupational therapist or licensed occupational therapy assistant may consult with, educate, evaluate, and monitor services for individuals, groups, and populations concerning non-medical occupational therapy needs. Except as indicated in subsections (b) and (c) of this Section, implementation of direct occupational therapy treatment to individuals for their specific health care conditions shall be based upon a referral from a licensed physician, dentist, podiatrist, advanced practice nurse who has a written collaborative agreement with a collaborating physician to provide or accept referrals from licensed occupational therapists, physician assistant who has been delegated authority to provide or accept referrals from or to licensed occupational therapists, or optometrist.

(b) A referral is not required for the purpose of providing consultation, habilitation, screening, education, wellness, prevention, environmental assessments, and work-related ergonomic services to individuals, groups, or populations.

(c) Referral from a physician or other health care provider is not required for evaluation or intervention for children and youths if an occupational therapist or occupational therapy assistant provides services in a school-based or educational environment, including the child’s home.

New matter indicated by italics - deletions by strikeout
(d) An occupational therapist shall refer to a licensed physician, dentist, optometrist, advanced practice nurse, physician assistant, or podiatrist any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the occupational therapist.

(Source: P.A. 92-297, eff. 1-1-02; 93-461, eff. 8-8-03; 93-962, eff. 8-20-04.)

(225 ILCS 75/3.3)
(Section scheduled to be repealed on January 1, 2014)
Sec. 3.3. Rules. The Department shall promulgate rules to define and regulate the activities of *an aide in occupational therapy aides.*

(Source: P.A. 92-297, eff. 1-1-02.)

(225 ILCS 75/3.5)
(Section scheduled to be repealed on January 1, 2014)
Sec. 3.5. Unlicensed practice; violation; civil penalty.
(a) *In addition to any other penalty provided by law,* any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as an occupational therapist or assistant without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 \( \leq \$5,000 \) for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.
(b) The Department has the authority and power to investigate any and all unlicensed activity.
(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 89-474, eff. 6-18-96.)

(225 ILCS 75/4) (from Ch. 111, par. 3704)
(Section scheduled to be repealed on January 1, 2014)
Sec. 4. Administration of Act; rules and forms.
(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing Acts and shall exercise such other powers and duties necessary for effectuating the purposes of this Act.
(b) The Secretary may Director shall promulgate rules consistent with the provisions of this Act for the administration and enforcement thereof, and for the payment of fees connected therewith, and may prescribe forms which shall be issued in connection therewith. The rules may shall include but not be limited to the standards and criteria for licensure and professional conduct and discipline; the standards and criteria used in determining when oral interviews will be conducted; the standards and criteria used when determining fitness to practice therapy; and the procedures followed in oral interviews. The Department may shall consult with the Board in promulgating rules. Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the Board's response and any recommendations made therein. The Department shall notify the Board in writing with proper explanation of deviations from the Board's recommendations and responses.

(c) The Department may at any time seek the advice and the expert knowledge of the Board on any matter relating to the administration of this Act.

(d) The Department shall issue quarterly a report to the Board of the status of all complaints related to the profession filed with the Department.

(225 ILCS 75/5) (from Ch. 111, par. 3705)

Sec. 5. Board. The Secretary Director shall appoint an Illinois Occupational Therapy Licensure Board as follows: 7 persons who shall be appointed by and shall serve in an advisory capacity to the Secretary. Director. Four One member must be a physician licensed to practice medicine in all of its branches; 3 members must be licensed occupational therapists in good standing, and actively engaged in the practice of occupational therapy in this State; 2 members must be licensed occupational therapy assistants in good standing and actively engaged in the practice of occupational therapy in this State; and 1 member must be a public member who is not licensed under this Act, or a similar Act of another jurisdiction, and is not a provider of health care service.

Members shall serve 4 year terms and until their successors are appointed and qualified. No member shall be appointed under this or any prior Act to the Board for service which would constitute more than 2 full consecutive terms. Appointments to fill vacancies shall be made in the...
same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act.

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

The Secretary shall have the authority to remove or suspend any member of the Board for cause at any time before the expiration of his or her term. The Secretary shall be the sole arbiter of cause. Director may terminate the appointment of any member for cause which in the opinion of the Director reasonably justifies such termination.

The Director shall consider the recommendations of the Board on questions involving standards of professional conduct, discipline and qualifications of candidates and license holders under this Act.

Four members of the Board shall constitute a quorum. A quorum is required for all Board decisions.

Members of the Board have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board.

Members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses incurred in attending the meetings of the Board.

(Source: P.A. 93-461, eff. 8-8-03.)

(225 ILCS 75/6) (from Ch. 111, par. 3706)

Sec. 6. Applications for original licensure. Applications for original licensure shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which shall not be returnable. Any such application shall require such information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for licensure. Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 83-696.)

(225 ILCS 75/7) (from Ch. 111, par. 3707)

Sec. 7. Examinations. The Department shall authorize examinations of applicants for a license under this Act at the times at least annually and at such time and place as it may designate. The examination

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shall be of a character to give a fair test of the qualifications of the applicant to practice occupational therapy.

Applications for examination as occupational therapists and occupational therapy assistants shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

If an applicant neglects, fails or refuses to take the examination within 90 days after the date the Confirmation of Examination and Eligibility to Examine Notice is issued or fails to pass an examination for certification under this Act, the application shall be denied. If an applicant fails to pass an examination for registration under this Act within 3 years after filing his application, the application shall be denied. The applicant may thereafter make a new application accompanied by the required fee, however, the applicant shall meet all requirements in effect at the time of subsequent application before obtaining licensure.

The Department may employ consultants for the purposes of preparing and conducting examinations.

(Source: P.A. 93-461, eff. 8-8-03.)

(225 ILCS 75/8) (from Ch. 111, par. 3708)
(Section scheduled to be repealed on January 1, 2014)
Sec. 8. A person shall be qualified for licensure as an occupational therapist if that person:
   (1) has applied in writing in form and substance to the Department;
   (2) (blank);
   (3) has completed an occupational therapy program of at least 4 years in length, leading to a Masters or doctoral baccalaureate degree, or its equivalent, approved by the Department; and
   (4) has successfully completed the examination authorized by the Department within the past 5 years.

(Source: P.A. 93-461, eff. 8-8-03.)
(225 ILCS 75/11) (from Ch. 111, par. 3711)
(Section scheduled to be repealed on January 1, 2014)
Sec. 11. Expiration and renewal; restoration; military service.

New matter indicated by italics - deletions by strikeout
(a) The expiration date and renewal period for each certificate issued under this Act shall be set by rule.

(b) Any occupational therapist or occupational therapy assistant who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department, by and filing proof acceptable to the Department of his fitness to have his license restored, by paying the required fee, and by showing proof of compliance with any continuing education requirements. Proof The Department may consider a certificate expired less than 5 years as prima facie evidence that the applicant is fit. If the applicant's license has expired or been placed on inactive status, proof of fitness may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

If the occupational therapist or occupational therapy assistant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his fitness to resume active status and shall establish procedures and requirements for restoration. may require the occupational therapist or occupational therapy assistant to successfully complete a practice examination.

(c) However, any occupational therapist or occupational therapy assistant whose license expired while he was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license certificate renewed or restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training or education except under conditions other than honorable, he or she furnishes furnished the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(225 ILCS 75/11.1)  
(Section scheduled to be repealed on January 1, 2014)  
Sec. 11.1. Continuing education requirement. As a condition for renewal of a license, licensees shall be required to complete continuing education in occupational therapy in accordance with rules established by the Department. All renewal applicants shall provide proof of having met
the continuing competency requirements set forth in the rules of the Department. The Department shall provide by rule for an orderly process for the reinstatement of licenses that have not been renewed for failure to meet the continuing competency requirements. The continuing competency requirements may be waived in cases of extreme hardship as defined by rule.

The Department shall establish by rule a means for verifying the completion of the continuing competency required by this Section. This verification may be accomplished through audits of records maintained by licensees, by requiring the filing of continuing competency certificates with the Department, or by any other means established by the Department:

(Section scheduled to be repealed on January 1, 2014)

Sec. 12. Inactive status; restoration. Any occupational therapist or occupational therapy assistant who notifies the Department in writing on forms prescribed by the Department, may elect to place his license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he notifies the Department in writing of his desire to resume active status.

Any occupational therapist or occupational therapy assistant requesting restoration from inactive or expired status shall be required to pay the current renewal fee, demonstrate compliance with continuing education requirements, if any, and shall be required to restore his license as provided in Section 11.

Any occupational therapist or occupational therapy assistant whose license is in expired or an inactive status shall not practice occupational therapy in the State of Illinois.

(Section scheduled to be repealed on January 1, 2014)

Sec. 15. Any person who is issued a license as an occupational therapist registered under the terms of this Act may use the words "occupational therapist" or "licensed occupational therapist", or may use the letters "O.T.", "OT/L", or "OTR/L", or "O.T.", in connection with his or her name or place of business to denote his or her licensure under this Act.

Any person who is issued a license as an occupational therapy assistant under the terms of this Act may use the words, "occupational

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therapy assistant" or "licensed occupational therapy assistant", or he or she may use the letters "O.T.A.", "OTA/L", or "COTA/L" in connection with his or her name or place of business to denote his or her licensure under this Act.

(Source: P.A. 93-461, eff. 8-8-03.)

(225 ILCS 75/16) (from Ch. 111, par. 3716)

(Sec. 16. Fees; returned checks. The fees for the administration and enforcement of this Act, including but not limited to, original certification, renewal, and restoration of a license issued under this Act, shall be set by rule. The fees shall be non-refundable.

Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.

However, any person whose license has expired while he has been engaged (1) in federal or state service active duty, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license renewed, reinstated or restored without paying any lapsed renewal and restoration fees, if within 2 years after termination of such service, training or education other than by dishonorable discharge, he furnishes the

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Department with satisfactory proof that he has been so engaged and that his service, training or education has been so terminated.
(Source: P.A. 92-146, eff. 1-1-02.)

(225 ILCS 75/16.5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 16.5. Deposit of fees and fines. All Beginning July 1, 1995, all of the fees, penalties, and fines collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.
(Source: P.A. 88-683, eff. 1-24-95.)

(225 ILCS 75/18) (from Ch. 111, par. 3718)

(Section scheduled to be repealed on January 1, 2014)

Sec. 18. Advertising.

(a) Any person licensed under this Act may advertise the availability of professional services in the public media or on the premises where such professional services are rendered as permitted by law, on the condition that such advertising is truthful and not misleading and is in conformity with rules promulgated by the Department. Advertisements shall not include false, fraudulent, deceptive, or misleading material or guarantees of success.

(b) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.
(Source: P.A. 91-310, eff. 1-1-00.)

(225 ILCS 75/19) (from Ch. 111, par. 3719)

(Section scheduled to be repealed on January 1, 2014)

Sec. 19. Grounds for discipline.

(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including imposing fines not to exceed $10,000 $2,500 for each violation and the assessment of costs as provided under Section 19.3 of this Act, with regard to any license for any one or combination of the following:

(1) Material misstatement in furnishing information to the Department;

(2) Violations of wilfully violating this Act, or of the rules promulgated thereunder;

New matter indicated by italics - deletions by strikeout
(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession; or any crime under the laws of the United States or any state or territory thereof which is a felony or which is a misdemeanor, an essential element of which is dishonesty, or of any crime which is directly related to the practice of occupational therapy;

(4) Fraud or Making any misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act; for the purpose of obtaining certification, or violating any provision of this Act or the rules promulgated thereunder pertaining to advertising;

(5) Professional incompetence; Having demonstrated unworthiness, or incompetency to act as an occupational therapist or occupational therapy assistant in such manner as to safeguard the interest of the public;

(6) Aiding Wilfully aiding or assisting another person, firm, partnership or corporation in violating any provision of this Act or rules;

(7) Failing, within 60 days, to provide information in response to a written request made by the Department;

(8) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;

(9) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety; intoxication or addiction to the use of drugs;

(10) Discipline by another state, unit of government, government agency, the District of Columbia, a territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee,
commission, rebate or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (11) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(12) A finding by the Department that the license holder, after having his license disciplined, has violated the terms of the discipline;

(13) Wilfully making or filing false records or reports in the practice of occupational therapy, including but not limited to false records filed with the State agencies or departments;

(14) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice under this Act the profession with reasonable judgment, skill, or safety;

(15) Solicitation of professional services other than by permitted advertising;

(16) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act; Wilfully exceeding the scope of practice customarily undertaken by persons licensed under this Act, which conduct results in, or may result in, harm to the public;

(17) Practicing under a false or, except as provided by law, assumed name; Holding one's self out to practice occupational therapy under any name other than his own or impersonation of any other occupational therapy licensee;

(18) Professional incompetence or gross negligence;

(19) Malpractice;

(20) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in any manner to exploit the client for financial gain of the licensee; Obtaining a fee in money or gift in kind of any other items of value or in the form of financial profit or benefit as personal compensation, or as compensation, or charge,

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profit or gain for an employer or for any other person or persons; on the fraudulent misrepresentation that a manifestly incurable condition of sickness, disease or injury to any person can be cured;

(21) Gross, willful, or continued overcharging for professional services; Accepting commissions or rebates or other forms of remuneration for referring persons to other professionals;

(22) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety; Failure to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied;

(23) Violating the Health Care Worker Self-Referral Act; and

(24) Having treated patients other than by the practice of occupational therapy as defined in this Act, or having treated patients as a licensed occupational therapist independent of a referral from a physician, advanced practice nurse or physician assistant in accordance with Section 3.1, dentist, podiatrist, or optometrist, or having failed to notify the physician, advanced practice nurse, physician assistant, dentist, podiatrist, or optometrist who established a diagnosis that the patient is receiving occupational therapy pursuant to that diagnosis.

(25) Cheating on or attempting to subvert the licensing examination administered under this Act; and

(26) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(b) The determination by a circuit court that a license holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission; and an order by the court so finding and discharging the patient. **In any case where a license is**
suspended under this provision, the licensee shall file a petition for restoration and shall include evidence acceptable to the Department that the licensee can resume practice in compliance with acceptable and prevailing standards of their profession. and the recommendation of the Board to the Director that the license holder be allowed to resume his practice.

(c) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, take disciplinary action concerning the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. as determined by the Department of Revenue.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is licensed under this Act or any individual who has applied for licensure to submit to a mental or physical examination or evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination

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and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination or evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination. If the Department finds a licensee unable to practice because of the reasons set forth in this Section, the Department shall require the licensee to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed licensure.

When the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the licensee's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals licensed under this Act that are affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license. In enforcing this Section, the Board, upon a showing of a possible violation, may compel a licensee or applicant to submit to a mental or physical examination, or both, as required by and at the expense of the Department.

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The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order (i) the examining physician to present testimony concerning the mental or physical examination of a licensee or applicant or (ii) the examining clinical psychologist to present testimony concerning the mental examination of a licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between a licensee or applicant and the examining physician or clinical psychologist. An individual to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of an individual to submit to a mental or physical examination, when directed, is grounds for suspension of his or her license. The license must remain suspended until the person submits to the examination or the Board finds, after notice and hearing, that the refusal to submit to the examination was with reasonable cause.

If the Board finds an individual unable to practice because of the reasons set forth in this Section, the Board must require the individual to submit to care, counseling, or treatment by a physician or clinical psychologist approved by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. In lieu of care, counseling, or treatment, the Board may recommend that the Department file a complaint to immediately suspend or revoke the license of the individual or otherwise discipline the licensee.

Any individual whose license was granted, continued, reinstated, or renewed subject to conditions, terms, or restrictions, as provided for in this Section, or any individual who was disciplined or placed on supervision pursuant to this Section must be referred to the Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has
subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person’s license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 96-1482, eff. 11-29-10.)

(225 ILCS 75/19.1) (from Ch. 111, par. 3720)
(Section scheduled to be repealed on January 1, 2014)
Sec. 19.1. Injunctive relief; order to cease and desist.

(a) If any person violates the provisions of this Act, the Secretary Director may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of the county in which the violation is alleged to have occurred, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation. If it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person practices as an occupational therapist or an occupational therapy assistant or holds himself or herself out as such without being licensed under the provisions of this Act then any person licensed under this Act, any interested party or any person injured thereby may, in addition to the Secretary Director, petition for relief as provided in subsection (a).

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him or her. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 83-696.)

(225 ILCS 75/19.2) (from Ch. 111, par. 3721)

New matter indicated by italics - deletions by strikeout
Sec. 19.2. Investigations; notice and hearing. The Department may investigate the actions of any applicant or of any person or person holding or claiming to hold a license. The Department shall, before refusing to issue, renew, or discipline taking action under Section 19 against a licensee or applicant, at least 30 days prior to the date set for the hearing, notify the applicant or licensee in writing the applicant for, or holder of, a license of the nature of the charges and the time and place for that a hearing on the charges will be held on the date designated, and The Department shall direct the applicant or licensee to file a written answer to the charges with the Board under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Department, be revoked, suspended, placed on probationary status, or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under the Act. The written notice and any notice in the subsequent proceeding may be served by registered or certified mail to the licensee's address of record, applicant or licensee and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Director may deem proper. Written notice may be served by personal delivery or certified or registered mail to the respondent at the address of his last notification to the Department. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hear...
the charges and the parties or their counsel shall be accorded ample opportunity to represent such statements, testimony, evidence and argument as may be pertinent to the charges or to their defense. The Board may continue the hearing from time to time.

(Source: P.A. 87-1031; 88-424.)

(225 ILCS 75/19.2a new)

Sec. 19.2a. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or to a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 75/19.3) (from Ch. 111, par. 3722)

(Section scheduled to be repealed on January 1, 2014)

Sec. 19.3. Record of proceedings. The department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue or renew, or the taking of disciplinary action against, a license. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and orders of the Department, shall be the record of such proceedings. Any licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(Source: P.A. 83-696.)

(225 ILCS 75/19.4) (from Ch. 111, par. 3723)

New matter indicated by italics - deletions by strikeout
Sec. 19.4. Subpoenas; oaths. The Department may have the power to subpoena and bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to an investigation or hearing conducted by the Department either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, the designated hearing officer, any and every member of the Board, or a certified shorthand court reporter may have power to administer oaths to witnesses at any hearing which the Department conducts, is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony or production of documents or records shall be in accordance with this Act.

(Source: P.A. 83-696.)

(225 ILCS 75/19.5) (from Ch. 111, par. 3724)

Sec. 19.5. Attendance of witnesses; contempt. Any circuit court may, upon application of the Department or its designee, or the applicant or licensee, may against whom proceedings under Section 19 are pending, enter an order requiring the attendance and testimony of witnesses and their testimony, and the production of relevant documents, papers, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 83-696.)

(225 ILCS 75/19.6) (from Ch. 111, par. 3725)

Sec. 19.6. Findings of Board. At the conclusion of the hearing the Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary. The report of findings of fact, conclusions of law and recommendations of the Board may be the basis for the Department's order for refusing to issue, restore,
or renew a license or otherwise disciplining a licensee. action regarding a
certificate. If the Secretary Director disagrees in any regard with the report
of the Board he may issue an order in contravention thereof. The Director
shall provide to the Board a written explanation for any deviation and shall
specify with particularity the reasons for such action in the final order. The
finding is not admissible in evidence against the person in a criminal
prosecution brought for the violation of this Act, but the hearing and
findings are not a bar to a criminal prosecution brought for the violation
of this Act.
(Source: P.A. 88-424.)

(225 ILCS 75/19.7) (from Ch. 111, par. 3726)
Sec. 19.7. Report of Board; motion for rehearing. In any case
involving the refusal to issue or renew, or the taking of disciplinary action
against, a license, a copy of the Board's report shall be served upon the
respondent by the Department as provided in this Act for the service of the
notice of hearing. Within 20 days after such service, the respondent may
present to the Department a motion in writing for a rehearing, which
motion shall specify the particular grounds therefor. If no motion for
rehearing is filed, then upon the expiration of the time specified for filing
such a motion, or if a motion for rehearing is denied, then upon such
denial the Secretary Director may enter an order in accordance with
recommendations of the Board except as provided in Section 19.6. If the
respondent shall order from the reporting service, and pays for a
transcript of the record within the time for filing a motion for rehearing,
the 20 day period within which such a motion may be filed shall
commence upon the delivery of the transcript to the respondent.
(Source: P.A. 83-696.)

(225 ILCS 75/19.8) (from Ch. 111, par. 3727)
Sec. 19.8. Rehearing. Whenever the Secretary Director is satisfied
that substantial justice has not been done in the revocation or suspension
of, or the refusal to issue or renew, a license, the Secretary Director may
order a rehearing by the Board or a designated hearing officer.
(Source: P.A. 83-696.)

(225 ILCS 75/19.9) (from Ch. 111, par. 3728)
Sec. 19.9. Appointment of hearing officer. The Secretary
Notwithstanding the provisions of Section 19.2, the Director shall have the

New matter indicated by italics - deletions by strikeout
authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action involving a refusal to issue or renew, or the taking of disciplinary action against a license. The Director shall notify the Board of such appointment. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law and recommendations to the Board and the Secretary Director. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusion of law and recommendations to the Secretary Director. If the Board fails to present its report within the 60 day period, the Secretary Director may issue an order based on the report of the hearing officer. If the Secretary Director disagrees in any regard with the report of the Board or hearing officer, then the Secretary he may issue an order in contravention thereof. The Director shall provide to the Board a written explanation for any deviation, and shall specify with particularity the reasons for such action in the final order.

(225 ILCS 75/19.10) (from Ch. 111, par. 3729)
Sec. 19.10. Order or certified copy; prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, shall be prima facie proof that:

(1) the signature is the genuine signature of the Secretary Director; and

(2) the Secretary Director is duly appointed and qualified; and

(3) the Board and the members thereof are qualified to act.

(225 ILCS 75/19.11) (from Ch. 111, par. 3730)
Sec. 19.11. Restoration of license from discipline. At any time after successful completion of a term of indefinite probation, suspension, or revocation of a license, the Department may restore the license to the licensee, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest or that the licensee has not been sufficiently rehabilitated to warrant the public trust. No person or entity whose license, certificate, or authority has been revoked as authorized in this Act may apply for restoration of that license, certification, or authority until such time as provided for in the Civil

New matter indicated by italics - deletions by strikeout
Administrative Code of Illinois. the suspension or revocation of any license, the Department may restore it to the accused person, upon the written recommendation of the Board, unless after an investigation and a hearing, the Department determines that restoration is not in the public interest.
(Source: P.A. 83-696.)

(225 ILCS 75/19.13) (from Ch. 111, par. 3732)
(Section scheduled to be repealed on January 1, 2014)

Sec. 19.13. Summary suspension pending hearing. The Secretary Director may summarily temporarily suspend a license issued under this Act without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 19.2 of this Act, if the Secretary Director finds that the evidence in his possession indicates that an occupational therapist's or occupational therapy assistant's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary Director summarily temporarily suspends a license without a hearing, a hearing by the Board must be commenced held within 30 days after such suspension has occurred and shall be concluded as expeditiously as possible.
(Source: P.A. 83-696.)

(225 ILCS 75/19.15) (from Ch. 111, par. 3734)
(Section scheduled to be repealed on January 1, 2014)

Sec. 19.15. Certification of record. The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.
(Source: P.A. 87-1031.)

(225 ILCS 75/19.16) (from Ch. 111, par. 3735)
(Section scheduled to be repealed on January 1, 2014)

Sec. 19.16. Criminal penalties. Any person who is found to have violated knowingly violates any provision of this Act is guilty of a Class A misdemeanor for the first offense. On conviction of a second or subsequent offense the violator shall be guilty of a Class 4 felony.
(Source: P.A. 83-696.)

New matter indicated by italics - deletions by strikeout
Sec. 20. Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the certificate holder has the right to show compliance with all lawful requirements for retention, continuation or renewal of certification is specifically excluded. For the purpose of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of record of a party. (Source: P.A. 88-45.)

Sec. 21. Home rule. The regulation and licensing as an occupational therapist are exclusive powers and functions of the State. A home rule unit may not regulate or license an occupational therapist or the practice of occupational therapy. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act. (Source: P.A. 83-696.)
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 3-5 as follows:
(720 ILCS 5/3-5) (from Ch. 38, par. 3-5)
Sec. 3-5. General Limitations.
(a) A prosecution for: (1) first degree murder, attempt to commit first degree murder, second degree murder, involuntary manslaughter, reckless homicide, leaving the scene of a motor vehicle accident involving death or personal injuries under Section 11-401 of the Illinois Vehicle Code, failing to give information and render aid under Section 11-403 of the Illinois Vehicle Code, concealment of homicidal death, treason, arson, residential arson, aggravated arson, forgery, child pornography under paragraph (1) of subsection (a) of Section 11-20.1, aggravated child pornography under paragraph (1) of subsection (a) of Section 11-20.1B, or (2) any offense involving sexual conduct or sexual penetration, as defined by Section 11-0.1 of this Code in which the DNA profile of the offender is obtained and entered into a DNA database within 10 years after the commission of the offense, may be commenced at any time. Clause (2) of this subsection (a) applies if either: (i) the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense unless a longer period for reporting the offense to law enforcement authorities is provided in Section 3-6 or (ii) the victim is murdered during the course of the offense or within 2 years after the commission of the offense.
(b) Unless the statute describing the offense provides otherwise, or the period of limitation is extended by Section 3-6, a prosecution for any offense not designated in Subsection (a) must be commenced within 3 years after the commission of the offense if it is a felony, or within one year and 6 months after its commission if it is a misdemeanor.
(Source: P.A. 95-899, eff. 1-1-09; 96-292, eff. 1-1-10; 96-1551, eff. 7-1-11.)

Approved August 9, 2013.
Effective January 1, 2014.
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 11-9.3 as follows:

(720 ILCS 5/11-9.3)

Sec. 11-9.3. Presence within school zone by child sex offenders prohibited; approaching, contacting, residing with, or communicating with a child within certain places by child sex offenders prohibited.

(a) It is unlawful for a child sex offender to knowingly be present in any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity when persons under the age of 18 are present in the building, on the grounds or in the conveyance, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or unless the offender has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official.

(a-5) It is unlawful for a child sex offender to knowingly be present within 100 feet of a site posted as a pick-up or discharge stop for a conveyance owned, leased, or contracted by a school to transport students
to or from school or a school related activity when one or more persons under the age of 18 are present at the site.

(a-10) It is unlawful for a child sex offender to knowingly be present in any public park building, a playground or recreation area within any publicly accessible privately owned building, or on real property comprising any public park when persons under the age of 18 are present in the building or on the grounds and to approach, contact, or communicate with a child under 18 years of age, unless the offender is a parent or guardian of a person under 18 years of age present in the building or on the grounds.

(b) It is unlawful for a child sex offender to knowingly loiter within 500 feet of a school building or real property comprising any school while persons under the age of 18 are present in the building or on the grounds, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official.

(b-2) It is unlawful for a child sex offender to knowingly loiter on a public way within 500 feet of a public park building or real property comprising any public park while persons under the age of 18 are present in the building or on the grounds and to approach, contact, or communicate with a child under 18 years of age, unless the offender is a parent or guardian of a person under 18 years of age present in the building or on the grounds.

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(b-5) It is unlawful for a child sex offender to knowingly reside within 500 feet of a school building or the real property comprising any school that persons under the age of 18 attend. Nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a school building or the real property comprising any school that persons under 18 attend if the property is owned by the child sex offender and was purchased before July 7, 2000 (the effective date of Public Act 91-911).

(b-10) It is unlawful for a child sex offender to knowingly reside within 500 feet of a playground, child care institution, day care center, part day child care facility, day care home, group day care home, or a facility providing programs or services exclusively directed toward persons under 18 years of age. Nothing in this subsection (b-10) prohibits a child sex offender from residing within 500 feet of a playground or a facility providing programs or services exclusively directed toward persons under 18 years of age if the property is owned by the child sex offender and was purchased before July 7, 2000. Nothing in this subsection (b-10) prohibits a child sex offender from residing within 500 feet of a child care institution, day care center, or part day child care facility if the property is owned by the child sex offender and was purchased before June 26, 2006. Nothing in this subsection (b-10) prohibits a child sex offender from residing within 500 feet of a day care home or group day care home if the property is owned by the child sex offender and was purchased before August 14, 2008 (the effective date of Public Act 95-821).

(b-15) It is unlawful for a child sex offender to knowingly reside within 500 feet of the victim of the sex offense. Nothing in this subsection (b-15) prohibits a child sex offender from residing within 500 feet of the victim if the property in which the child sex offender resides is owned by the child sex offender and was purchased before August 22, 2002.

This subsection (b-15) does not apply if the victim of the sex offense is 21 years of age or older.

(b-20) It is unlawful for a child sex offender to knowingly communicate, other than for a lawful purpose under Illinois law, using the Internet or any other digital media, with a person under 18 years of age or with a person whom he or she believes to be a person under 18 years of age, unless the offender is a parent or guardian of the person under 18 years of age.

(c) It is unlawful for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at any: (i) facility providing programs or services exclusively
directed toward persons under the age of 18; (ii) day care center; (iii) part
day child care facility; (iv) child care institution; (v) school providing
before and after school programs for children under 18 years of age; (vi)
day care home; or (vii) group day care home. This does not prohibit a child
sex offender from owning the real property upon which the programs or
services are offered or upon which the day care center, part day child care
facility, child care institution, or school providing before and after school
programs for children under 18 years of age is located, provided the child
sex offender refrains from being present on the premises for the hours
during which: (1) the programs or services are being offered or (2) the day
care center, part day child care facility, child care institution, or school
providing before and after school programs for children under 18 years of
age, day care home, or group day care home is operated.

(c-2) It is unlawful for a child sex offender to participate in a
holiday event involving children under 18 years of age, including but not
limited to distributing candy or other items to children on Halloween,
wearing a Santa Claus costume on or preceding Christmas, being
employed as a department store Santa Claus, or wearing an Easter Bunny
costume on or preceding Easter. For the purposes of this subsection, child
sex offender has the meaning as defined in this Section, but does not
include as a sex offense under paragraph (2) of subsection (d) of this
Section, the offense under subsection (c) of Section 11-1.50 of this Code.
This subsection does not apply to a child sex offender who is a parent or
guardian of children under 18 years of age that are present in the home and
other non-familial minors are not present.

(c-5) It is unlawful for a child sex offender to knowingly operate,
manage, be employed by, or be associated with any county fair when
persons under the age of 18 are present.

(c-6) It is unlawful for a child sex offender who owns and resides
at residential real estate to knowingly rent any residential unit within the
same building in which he or she resides to a person who is the parent or
guardian of a child or children under 18 years of age. This subsection shall
apply only to leases or other rental arrangements entered into after January
1, 2009 (the effective date of Public Act 95-820).

(c-7) It is unlawful for a child sex offender to knowingly offer or
provide any programs or services to persons under 18 years of age in his or
her residence or the residence of another or in any facility for the purpose
of offering or providing such programs or services, whether such programs

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or services are offered or provided by contract, agreement, arrangement, or on a volunteer basis.

(c-8) It is unlawful for a child sex offender to knowingly operate, whether authorized to do so or not, any of the following vehicles: (1) a vehicle which is specifically designed, constructed or modified and equipped to be used for the retail sale of food or beverages, including but not limited to an ice cream truck; (2) an authorized emergency vehicle; or (3) a rescue vehicle.

(d) Definitions. In this Section:

(1) "Child sex offender" means any person who:

   (i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (d) or the attempt to commit an included sex offense, and the victim is a person under 18 years of age at the time of the offense; and:

      (A) is convicted of such offense or an attempt to commit such offense; or

      (B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

      (C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

      (D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

      (E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

      (F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a
federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act. Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012: 10-4 (forcible detention), 10-7 (aiding or abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-1.40 (predatory criminal sexual assault of a child), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9.1 (sexual exploitation of a child), 11-9.2 (custodial sexual misconduct), 11-9.5 (sexual misconduct with a person with a disability), 11-11 (sexual relations within families), 11-14.3(a)(1) (promoting prostitution by advancing prostitution), 11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute), 11-14.3(a)(2)(C) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and (B) of paragraph (2) of subsection (a) of Section 11-14.3), 11-14.4 (promoting juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-20.1 (child pornography), 11-20.1B (aggravated child

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pornography), 11-21 (harmful material), 11-25 (grooming), 11-26 (traveling to meet a minor), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park), 11-30 (public indecency) (when committed in a school, on real property comprising a school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age: 11-1.20 (criminal sexual assault), 11-1.30 (aggravated criminal sexual assault), 11-1.50 (criminal sexual abuse), 11-1.60 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint),
11-9.1(A) (permitting sexual abuse of a child).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) or (2)(ii) of subsection (d) of this Section.

(2.5) For the purposes of subsections (b-5) and (b-10) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:

10-5(b)(10) (child luring), 10-7 (aiding or abetting child abduction under Section 10-5(b)(10)), 11-1.40 (predatory criminal sexual assault of a child), 11-6
(indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9.2 (custodial sexual misconduct), 11-9.5 (sexual misconduct with a person with a disability), 11-11 (sexual relations within families), 11-14.3(a)(1) (promoting prostitution by advancing prostitution), 11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute), 11-14.3(a)(2)(C) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and (B) of paragraph (2) of subsection (a) of Section 11-14.3), 11-14.4 (promoting juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-20.1 (child pornography), 11-20.1B (aggravated child pornography), 11-25 (grooming), 11-26 (traveling to meet a minor), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age: 11-1.20 (criminal sexual assault), 11-1.30 (aggravated criminal sexual assault), 11-1.60 (aggravated criminal sexual abuse), and subsection (a) of Section 11-1.50 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:
- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint),
- 11-9.1(A) (permitting sexual abuse of a child).
An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (d) of this Section shall constitute a
conviction for the purpose of this Section. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "Authorized emergency vehicle", "rescue vehicle", and "vehicle" have the meanings ascribed to them in Sections 1-105, 1-171.8 and 1-217, respectively, of the Illinois Vehicle Code.

(5) "Child care institution" has the meaning ascribed to it in Section 2.06 of the Child Care Act of 1969.

(6) "Day care center" has the meaning ascribed to it in Section 2.09 of the Child Care Act of 1969.

(7) "Day care home" has the meaning ascribed to it in Section 2.18 of the Child Care Act of 1969.

(8) "Facility providing programs or services directed towards persons under the age of 18" means any facility providing programs or services exclusively directed towards persons under the age of 18.

(9) "Group day care home" has the meaning ascribed to it in Section 2.20 of the Child Care Act of 1969.

(10) "Internet" has the meaning set forth in Section 16-0.1 of this Code.

(11) "Loiter" means:

    (i) Standing, sitting idly, whether or not the person
        is in a vehicle, or remaining in or around school or public
        park property.

    (ii) Standing, sitting idly, whether or not the person
        is in a vehicle, or remaining in or around school or public
        park property, for the purpose of committing or attempting
        to commit a sex offense.

    (iii) Entering or remaining in a building in or around
        school property, other than the offender's residence.

(12) "Part day child care facility" has the meaning ascribed to it in Section 2.10 of the Child Care Act of 1969.

(13) "Playground" means a piece of land owned or controlled by a unit of local government that is designated by the unit of local government for use solely or primarily for children's recreation.

New matter indicated by italics - deletions by strikeout
(14) "Public park" includes a park, forest preserve, bikeway, trail, or conservation area under the jurisdiction of the State or a unit of local government.

(15) "School" means a public or private preschool or elementary or secondary school.

(16) "School official" means the principal, a teacher, or any other certified employee of the school, the superintendent of schools or a member of the school board.

(e) For the purposes of this Section, the 500 feet distance shall be measured from: (1) the edge of the property of the school building or the real property comprising the school that is closest to the edge of the property of the child sex offender's residence or where he or she is loitering, and (2) the edge of the property comprising the public park building or the real property comprising the public park, playground, child care institution, day care center, part day child care facility, or facility providing programs or services exclusively directed toward persons under 18 years of age, or a victim of the sex offense who is under 21 years of age, to the edge of the child sex offender's place of residence or place where he or she is loitering.

(f) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(Source: P.A. 96-328, eff. 8-11-09; 96-710, eff. 1-1-10; 96-1551, eff. 7-1-11; 97-698, eff. 1-1-13; 97-699, eff. 1-1-13; 97-1150, eff. 1-25-13.)


Approved August 9, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0267
(House Bill No. 3029)

AN ACT concerning criminal law.

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

Section 5. The Unified Code of Corrections is amended by changing Section 3-14-1 as follows:

(730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)
Sec. 3-14-1. Release from the Institution.
(a) Upon release of a person on parole, mandatory release, final discharge or pardon the Department shall return all property held for him,

New matter indicated by italics - deletions by strikeout
provide him with suitable clothing and procure necessary transportation for him to his designated place of residence and employment. It may provide such person with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(a-1) The Department shall, before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, provide him or her with any documents necessary after discharge, including an identification card under subsection (e) of this Section.

(a-2) The Department of Corrections may establish and maintain, in any institution it administers, revolving funds to be known as "Travel and Allowances Revolving Funds". These revolving funds shall be used for advancing travel and expense allowances to committed, paroled, and discharged prisoners. The moneys paid into such revolving funds shall be from appropriations to the Department for Committed, Paroled, and Discharged Prisoners.

(b) (Blank).

c) Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification of any release of any person who has been convicted of a felony to the State's Attorney and sheriff of the county from which the offender was committed, and the State's Attorney and sheriff of the county into which the offender is to be paroled or released. Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification to the proper law enforcement agency for any municipality of any release of any person who has been convicted of a felony if the arrest of the offender or the commission of the offense took place in the municipality, if the offender is to be paroled or released into the municipality, or if the offender resided in the municipality at the time of the commission of the offense. If a person convicted of a felony who is in the custody of the Department of Corrections or on parole or mandatory supervised release informs the Department that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by a public housing agency, the Department must send written notification of that information to the public housing agency that owns, manages, operates, or leases the housing facility. The written notification shall, when possible, be given at least 14 days before release of the person from custody, or as soon thereafter as possible. The written notification shall be
New matter indicated by italics - deletions by strikeout

provided electronically if the State's Attorney, sheriff, proper law enforcement agency, or public housing agency has provided the Department with an accurate and up to date email address.

(c-1) (Blank).

(c-2) The Department shall establish procedures to provide notice to the Department of State Police of the release or discharge of persons convicted of violations of the Methamphetamine Control and Community Protection Act or a violation of the Methamphetamine Precursor Control Act. The Department of State Police shall make this information available to local, State, or federal law enforcement agencies upon request.

(c-5) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide copies of the following information to the appropriate licensing or regulating Department and the licensed or regulated facility where the person becomes a resident:

1. The mittimus and any pre-sentence investigation reports.
2. The social evaluation prepared pursuant to Section 3-8-2.
3. Any pre-release evaluation conducted pursuant to subsection (j) of Section 3-6-2.
4. Reports of disciplinary infractions and dispositions.
5. Any parole plan, including orders issued by the Prisoner Review Board, and any violation reports and dispositions.
6. The name and contact information for the assigned parole agent and parole supervisor.

This information shall be provided within 3 days of the person becoming a resident of the facility.

(c-10) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide written notification of such residence to the following:

1. The Prisoner Review Board.
2. The chief of police and sheriff in the municipality and county in which the licensed facility is located.
The notification shall be provided within 3 days of the person becoming a resident of the facility.

(d) Upon the release of a committed person on parole, mandatory supervised release, final discharge or pardon, the Department shall provide such person with information concerning programs and services of the Illinois Department of Public Health to ascertain whether such person has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a committed person on parole, mandatory supervised release, final discharge, pardon, or who has been wrongfully imprisoned, the Department shall provide the person who has met the criteria established by the Department with an identification card identifying the person as being on parole, mandatory supervised release, final discharge, pardon, or wrongfully imprisoned, as the case may be. The Department, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. The Department shall inform the committed person that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. The Department shall require the committed person to pay a $1 fee for the identification card.

For purposes of a committed person receiving an identification card issued by the Department under this subsection, the Department shall establish criteria that the committed person must meet before the card is issued. It is the sole responsibility of the committed person requesting the identification card issued by the Department to meet the established criteria. The person's failure to meet the criteria is sufficient reason to deny the committed person the identification card. An identification card issued by the Department under this subsection shall be valid for a period of time not to exceed 30 calendar days from the date the card is issued. The Department shall not be held civilly or criminally liable to anyone because of any act of any person utilizing a card issued by the Department under this subsection.

The Department shall adopt rules governing the issuance of identification cards to committed persons being released on parole, mandatory supervised release, final discharge, or pardon.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 14-6 as follows:

Sec. 14-6. Civil remedies to injured parties. (1) Any or all parties to any conversation or electronic communication upon which eavesdropping is practiced contrary to this Article shall be entitled to the following remedies:

(a) To an injunction by the circuit court prohibiting further eavesdropping by the eavesdropper and by or on behalf of his principal, or either;

(b) To all actual damages against the eavesdropper or his principal or both;

(c) To any punitive damages which may be awarded by the court or by a jury;

(d) To all actual damages against any landlord, owner or building operator, or any common carrier by wire who aids, abets, or knowingly permits the eavesdropping concerned;

(e) To any punitive damages which may be awarded by the court or by a jury against any landlord, owner or building operator, or common carrier by wire who aids, abets, or knowingly permits the eavesdropping concerned.

(2) No cause of action shall lie in any court against any common carrier by wire or its officers, agents or employees for providing information, assistance or facilities in accordance with the terms of a court order entered under Article 108A of the Code of Criminal Procedure of 1963.
(3) No civil claim, cause of action, or remedy shall lie against a parent, step-parent, guardian, or grandparent for eavesdropping of electronic communications through access to their minor's electronic accounts during that parent, step-parent, guardian, or grandparent's exercise of his or her parental rights to supervise, monitor, and control the activities of a minor in his or her care, custody, or control. This provision does not diminish the protections given to electronic accounts of a minor under any existing law other than this Article.

(Source: P.A. 85-868.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0269
(House Bill No. 3067)

AN ACT concerning education.

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

Section 5. The Public Community College Act is amended by changing Section 3-27.1 as follows:

(110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

Sec. 3-27.1. Contracts. To award all contracts for purchase of supplies, materials or work involving an expenditure in excess of $25,000 or a lower amount as required by board policy to the lowest responsible bidder considering conformity with specifications, terms of delivery, quality, and serviceability; after due advertisement, except the following: (a) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part; (b) contracts for the printing of finance committee reports and departmental reports; (c) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness; (d) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price; (e) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best

New matter indicated by italics - deletions by strikeout
be performed by the manufacturer or authorized service agent; (f) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and inter-connect equipment, software, and services; (g) contracts for duplicating machines and supplies; (h) contracts for the purchase of natural gas when the cost is less than that offered by a public utility; (i) purchases of equipment previously owned by some entity other than the district itself; (j) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed $50,000 and not involving a change or increase in the size, type, or extent of an existing facility; (k) contracts for goods or services procured from another governmental agency; (l) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph; and (m) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board; and (n) contracts for the purchase of perishable foods and perishable beverages.

All competitive bids for contracts involving an expenditure in excess of $25,000 or a lower amount as required by board policy must be sealed by the bidder and must be opened by a member or employee of the board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of such bid opening. For purposes of this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district. Electronic bid submissions shall be considered a sealed document for competitive bid requests if they are received at the designated office by the time and date set for receipt for bids. However, bids for construction purposes are prohibited from being submitted electronically. Electronic bid submissions must be authorized by specific language in the bid documents in order to be considered and must be opened in accordance with electronic security measures in effect at the community college at the time of opening. Unless the electronic submission procedures provide for a secure receipt, the vendor assumes the risk of premature disclosure due to submission in an unsealed form.

The provisions of this Section do not apply to guaranteed energy savings contracts entered into under Article V-A. The provisions of this
Section do not prevent a community college from complying with the terms and conditions of a grant, gift, or bequest that calls for the procurement of a particular good or service, provided that the grant, gift, or bequest provides all funding for the contract, complies with all applicable laws, and does not interfere with or otherwise impair any collective bargaining agreements the community college may have with labor organizations.

(Source: P.A. 96-380, eff. 8-13-09; 97-1031, eff. 8-17-12.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0270
(House Bill No. 3122)

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

Section 5. The State Finance Act is amended by changing Section 6z-27 as follows:

(30 ILCS 105/6z-27)

Sec. 6z-27. All moneys in the Audit Expense Fund shall be transferred, appropriated and used only for the purposes authorized by, and subject to the limitations and conditions prescribed by, the State Auditing Act.

Within 30 days after the effective date of this amendatory Act of the 98th General Assembly 2012, the State Comptroller shall order transferred and the State Treasurer shall transfer from the following funds moneys in the specified amounts for deposit into the Audit Expense Fund:

Adeline Jay Geo-Karis Illinois

Beach Marina Fund.................................. 4,825
Aggregate Operations Regulatory Fund........................... 507
Agricultural Premium Fund.............................. 127,127 17,505
Alternate Fuels Fund........................................ 644
Appraisal Administration Fund............................ 2,555
Asbestos Abatement Fund................................. 3,563
Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund................ 9,010
Attorney General Whistleblower Reward and

New matter indicated by italics - deletions by strikeout
Protection Fund.....................................                                    7,878
Bank and Trust Company Fund.......................                                    114,670
Brownfields Redevelopment Fund.....................                                    504 2,874
Build Illinois Capital Revolving Loan Fund.........                                    966
Capital Development Board Revolving Fund.........                                    1,759 3,163
Care Provider Fund for Persons with Developmental Disability.................................                                    13,886 2,939
CDLIS/AAMVA Net Trust Fund..........................                                    532
Child Support Administrative Fund..................                                    5,256
Clean Air Act (CAA) Permit Fund....................                                    1,480 9,789
Coal Mining Regulatory Fund.......................                                    609 8,334
Coal Technology Development Assistance Fund........                                    10,321
Common School Fund........................................ 137,473 250,850
The Communications Revolving Fund..................                                    102,681 32,809
Community Mental Health Medicaid Trust Fund.......                                    25,891 7,539
Corporate Franchise Tax Refund Fund.................                                    795 532
Corporate Headquarters Relocation Assistance Fund......                                    2,093
Credit Union Fund........................................                                    17,110
Cycle Rider Safety Training Fund.....................                                    546
DCFS Children's Services Fund..........................                                    186,660
Department of Business Services Special Operations Fund........................................ 3,980 4,983
Department of Corrections Reimbursement and Education Fund................................ 29,617
Design Professionals Administration and Investigation Fund................................... 6,241
Digital Divide Elimination Fund.....................                                    2,314
The Downstate Public Transportation Fund...........                                    6,535 19,258
Drivers Education Fund...................................                                    1,494
Drug Rebate Fund.........................................                                    17,775
Drug Treatment Fund......................................                                    1,005
The Education Assistance Fund..........................                                    1,780,814 40,564
Electronic Health Record Incentive Fund.............                                    2,136
Energy Efficiency Trust Fund..........................                                    1,946
Environmental Protection Permit and Inspection Fund............................................. 736 4,620
Estate Tax Collection Distributive Fund.............                                    810
Facilities Management Revolving Fund.................                                    152,269 59,124
Fair and Exposition Fund...............................                                    5,367,789

New matter indicated by italics - deletions by strikeout
### Federal High Speed Rail Trust Fund
- 4,292

### Federal Workforce Training Fund
- 141,336

### Feed Control Fund
- 8,381
- 4,133

### Fertilizer Control Fund
- 2,870

### The Fire Prevention Fund
- 2,666
- 216,465

### General Professions Dedicated Fund
- 3,161
- 28,444

### The General Revenue Fund
- 17,491
- 225,043
- 536

### Grade Crossing Protection Fund
- 1,273
- 4,345

### Hazardous Waste Fund
- 874
- 5,183

#### Health and Human Services

- **Medicaid Trust Fund**
  - 10,660
  - 5,758

- **Healthcare Provider Relief Fund**
  - 38,819
  - 26,311

- **Hospital Provider Fund**
  - 44,660

### Home Inspector Administration Fund
- 876

### Illinois Affordable Housing Trust Fund
- 620
- 763

### Illinois Charity Bureau Fund
- 2,011

### Illinois Clean Water Fund
- 1,438
- 8,592

### Illinois Department of Agriculture Laboratory Services Revolving Fund
- 5,536
- 665

### Illinois Fire Fighters' Memorial Fund
- 1,814

### Illinois Forestry Development Fund
- 2,642

### Illinois Gaming Law Enforcement Fund
- 1,674

### Illinois Habitat Fund
- 4,192

### Illinois Power Agency Operations Fund
- 8,996
- 410,654

### Illinois Standardbred Breeders Fund
- 7,806
- 1,132

### Illinois State Dental Disciplinary Fund
- 6,888

### Illinois State Fair Fund
- 29,614
- 4,673

### Illinois State Medical Disciplinary Fund
- 27,524

### Illinois State Pharmacy Disciplinary Fund
- 8,373

### Illinois Tax Increment Fund
- 570
- 4,390

### Illinois Thoroughbred Breeders Fund
- 12,274
- 1,808

### Illinois Veterans Rehabilitation Fund
- 1,435

### Illinois Wildlife Preservation Fund
- 1,282

### Illinois Workers' Compensation Commission Operations Fund
- 105,103
- 2,212

### IMSA Income Fund
- 5,478
- 5,326

### Income Tax Refund Fund
- 58,552
- 109,482

### Insurance Financial Regulation Fund
- 96,074

### Insurance Premium Tax Refund Fund
- 7,589

New matter indicated by italics - deletions by strikeout
Insurance Producer Administration Fund................................. 75,222
International Tourism Fund........................................ 2,814
Live and Learn Fund............................................... 16,348 9,516
Lobbyist Registration Administration Fund.............................. 749
The Local Government Distributive Fund............................. 33,802 81,356
Local Tourism Fund.................................................. 7,095
Long Term Care Provider Fund..................................... 19,337
Low Level Radioactive Waste Facility
   Development and Operation Fund................................... 3,023
Mandatory Arbitration Fund......................................... 3,272
Medical Interagency Program Fund................................ 928
Mental Health Fund.................................................. 8,872 2,806
Monitoring Device Driving Permit
   Administration Fee Fund........................................... 1,255
The Motor Fuel Tax Fund............................................ 25,396 80,083
Motor Vehicle License Plate Fund................................ 7,672 4,763
Motor Vehicle Theft Prevention Trust Fund.......................... 68,152
Natural Areas Acquisition Fund................................... 1,110 +6,004
Nuclear Safety Emergency Preparedness Fund....................... 112,087
Nursing Dedicated and Professional Fund............................ 10,167
Off-Highway Vehicle Trails Fund.................................. 794
Open Space Lands Acquisition and
   Development Fund.................................................. 2,772 58,827
Optometric Licensing and Disciplinary Board Fund............... 1,408
Park and Conservation Fund....................................... 2,736 47,464
Partners for Conservation Fund.................................. 29,715 +14,904
Pawnbroker Regulation Fund........................................ 757
The Personal Property Tax Replacement Fund.................... 35,064 +42,488
Pesticide Control Fund.............................................. 24,615 2,903
Prisoner Review Board Vehicle and Equipment Fund............. 2,621
Professional Services Fund........................................ 6,874 2,029
Professions Indirect Cost Fund.................................. 191,548
Public Pension Regulation Fund.................................. 7,519
The Public Transportation Fund.................................. 17,891 52,905
Radiation Protection Fund.......................................... 40,062
Real Estate License Administration Fund.......................... 26,119
Registered Certified Public Accountants' Administration
   and Disciplinary Fund............................................. 1,547
Renewable Energy Resources Trust Fund......................... 1,604

New matter indicated by italics - deletions by strikeout
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<td>The Road Fund</td>
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</tr>
<tr>
<td>The Vehicle Inspection Fund</td>
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<td>4,474,14,322</td>
</tr>
<tr>
<td>Violent Crime Victims Assistance Fund</td>
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<td>10,629</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td></td>
<td>26,165,3,408</td>
</tr>
<tr>
<td>Wildlife and Fish Fund</td>
<td></td>
<td>10,784,164,990</td>
</tr>
<tr>
<td>The Working Capital Revolving Fund</td>
<td></td>
<td>14,944,281,376</td>
</tr>
</tbody>
</table>

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Notwithstanding any provision of the law to the contrary, the General Assembly hereby authorizes the use of such funds for the purposes set forth in this Section.

These provisions do not apply to funds classified by the Comptroller as federal trust funds or State trust funds. The Audit Expense Fund may receive transfers from those trust funds only as directed herein, except where prohibited by the terms of the trust fund agreement. The Auditor General shall notify the trustees of those funds of the estimated cost of the audit to be incurred under the Illinois State Auditing Act for the fund. The trustees of those funds shall direct the State Comptroller and Treasurer to transfer the estimated amount to the Audit Expense Fund.

The Auditor General may bill entities that are not subject to the above transfer provisions, including private entities, related organizations and entities whose funds are locally-held, for the cost of audits, studies, and investigations incurred on their behalf. Any revenues received under this provision shall be deposited into the Audit Expense Fund.

In the event that moneys on deposit in any fund are unavailable, by reason of deficiency or any other reason preventing their lawful transfer, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount deficient or otherwise unavailable from the General Revenue Fund for deposit into the Audit Expense Fund.

On or before December 1, 1992, and each December 1 thereafter, the Auditor General shall notify the Governor's Office of Management and Budget (formerly Bureau of the Budget) of the amount estimated to be necessary to pay for audits, studies, and investigations in accordance with the Illinois State Auditing Act during the next succeeding fiscal year for each State fund for which a transfer or reimbursement is anticipated.

Beginning with fiscal year 1994 and during each fiscal year thereafter, the Auditor General may direct the State Comptroller and Treasurer to transfer moneys from funds authorized by the General Assembly for that fund. In the event funds, including federal and State trust funds but excluding the General Revenue Fund, are transferred, during fiscal year 1994 and during each fiscal year thereafter, in excess of the amount to pay actual costs attributable to audits, studies, and investigations as permitted or required by the Illinois State Auditing Act or specific action of the General Assembly, the Auditor General shall, on September 30, or as soon thereafter as is practicable, direct the State Comptroller and Treasurer to transfer the excess amount back to the fund from which it was originally transferred.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
  Section 5. The University of Illinois Hospital Act is amended by changing Section 8 as follows:

  (110 ILCS 330/8)
  Sec. 8. Immunization against influenza virus and pneumococcal disease. The University of Illinois Hospital shall adopt an influenza and pneumococcal immunization policy that includes, but need not be limited to, the following:

  (1) Procedures for identifying patients age 65 or older and, at the discretion of the facility, other patients at risk.

  (2) Procedures for offering immunization against influenza virus when available between September 1 and April 1, and against pneumococcal disease upon admission or discharge, to patients in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination age 65 or older, unless contraindicated.

  (3) Procedures for ensuring that patients offered immunization, or their guardians, receive information regarding the risks and benefits of vaccination.

  The hospital shall provide a copy of its influenza and pneumococcal immunization policy to the Illinois Department of Public Health upon request.

  (Source: P.A. 96-343, eff. 8-11-09; 96-1000, eff. 7-2-10.)

  Section 10. The Nursing Home Care Act is amended by changing Section 2-213 as follows:

  New matter indicated by italics - deletions by strikeout
(210 ILCS 45/2-213)
Sec. 2-213. Vaccinations.
(a) A facility shall annually administer or arrange for administration of a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 and over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention determines that dates of administration other than those stated in this Act are optimal to protect the health of residents, the Department is authorized to develop rules to mandate vaccinations at those times rather than the times stated in this Act. A facility shall document in the resident's medical record that an annual vaccination against influenza was administered, arranged, refused or medically contraindicated.

(b) A facility shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 and over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the facility, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. A facility shall document in each resident's medical record that a vaccination against pneumococcal pneumonia was offered and administered, arranged, refused, or medically contraindicated.

(c) All persons seeking admission to a nursing facility shall be verbally screened for risk factors associated with hepatitis B, hepatitis C, and the Human Immunodeficiency Virus (HIV) according to guidelines established by the U.S. Centers for Disease Control and Prevention. Persons who are identified as being at high risk for hepatitis B, hepatitis C, or HIV shall be offered an opportunity to undergo laboratory testing in

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order to determine infection status if they will be admitted to the nursing facility for at least 7 days and are not known to be infected with any of the listed viruses. All HIV testing shall be conducted in compliance with the AIDS Confidentiality Act. All persons determined to be susceptible to the hepatitis B virus shall be offered immunization within 10 days of admission to any nursing facility. A facility shall document in the resident's medical record that he or she was verbally screened for risk factors associated with hepatitis B, hepatitis C, and HIV, and whether or not the resident was immunized against hepatitis B. Nothing in this subsection (c) shall apply to a nursing facility licensed or regulated by the Illinois Department of Veterans' Affairs.

(d) A skilled nursing facility shall designate a person or persons as Infection Prevention and Control Professionals to develop and implement policies governing control of infections and communicable diseases. The Infection Prevention and Control Professionals shall be qualified through education, training, experience, or certification or a combination of such qualifications. The Infection Prevention and Control Professional's qualifications shall be documented and shall be made available for inspection by the Department.

(Source: P.A. 96-1259, eff. 1-1-11; 97-107, eff. 1-1-12.)

Section 15. The ID/DD Community Care Act is amended by changing Section 2-213 as follows:

(210 ILCS 47/2-213)
Sec. 2-213. Vaccinations.

(a) A facility shall annually administer or arrange for administration of a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 and over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and

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Prevention determines that dates of administration other than those stated in this Act are optimal to protect the health of residents, the Department is authorized to develop rules to mandate vaccinations at those times rather than the times stated in this Act. A facility shall document in the resident's medical record that an annual vaccination against influenza was administered, arranged, refused or medically contraindicated.

(b) A facility shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 and over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the facility, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. A facility shall document in each resident's medical record that a vaccination against pneumococcal pneumonia was offered and administered, arranged, refused, or medically contraindicated.

(Source: P.A. 96-339, eff. 7-1-10.)

Section 20. The Specialized Mental Health Rehabilitation Act is amended by changing Section 2-213 as follows:

(210 ILCS 48/2-213)

Sec. 2-213. Vaccinations.

(a) A facility shall annually administer or arrange for administration of a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 and over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention determines that dates of administration other than those stated in this Act are optimal to protect the health of residents, the Department is authorized to develop rules to mandate vaccinations at those times rather

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than the times stated in this Act. A facility shall document in the resident's medical record that an annual vaccination against influenza was administered, arranged, refused or medically contraindicated.

(b) A facility shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 and over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the facility, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. A facility shall document in each resident's medical record that a vaccination against pneumococcal pneumonia was offered and administered, arranged, refused, or medically contraindicated.

(c) All persons seeking admission to a nursing facility shall be verbally screened for risk factors associated with hepatitis B, hepatitis C, and the Human Immunodeficiency Virus (HIV) according to guidelines established by the U.S. Centers for Disease Control and Prevention. Persons who are identified as being at high risk for hepatitis B, hepatitis C, or HIV shall be offered an opportunity to undergo laboratory testing in order to determine infection status if they will be admitted to the nursing facility for at least 7 days and are not known to be infected with any of the listed viruses. All HIV testing shall be conducted in compliance with the AIDS Confidentiality Act. All persons determined to be susceptible to the hepatitis B virus shall be offered immunization within 10 days of admission to any nursing facility. A facility shall document in the resident's medical record that he or she was verbally screened for risk factors associated with hepatitis B, hepatitis C, and HIV, and whether or not the resident was immunized against hepatitis B. Nothing in this subsection (c) shall apply to a nursing facility licensed or regulated by the Illinois Department of Veterans' Affairs.

(Source: P.A. 97-38, eff. 6-28-11.)

Section 25. The Hospital Licensing Act is amended by changing Section 6.26 as follows:

(210 ILCS 85/6.26)
Sec. 6.26. Immunization against influenza virus and pneumococcal disease.

(a) Every hospital shall adopt an influenza and pneumococcal immunization policy that includes, but need not be limited to, the following:

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(1) Procedures for identifying patients age 65 or older and, at the discretion of the facility, other patients at risk.

(2) Procedures for offering immunization against influenza virus when available between September 1 and April 1, and against pneumococcal disease upon admission or discharge, to patients in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination age 65 or older, unless contraindicated.

(3) Procedures for ensuring that patients offered immunization, or their guardians, receive information regarding the risks and benefits of vaccination.

The hospital shall provide a copy of its influenza and pneumococcal immunization policy to the Department upon request.

(b) A home rule unit may not regulate immunization against influenza virus and pneumococcal disease in a manner inconsistent with the regulation of such immunizations under this Section. This subsection is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 96-343, eff. 8-11-09; 96-1000, eff. 7-2-10.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0272
(Senate Bill No. 0205)

AN ACT concerning State government.

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

Section 5. The State Comptroller Act is amended by changing Section 10.05d as follows:

(15 ILCS 405/10.05d)
Sec. 10.05d. Deductions for delinquent obligations owed to units of local government, school districts, public institutions of higher education, and clerks of the circuit courts. Pursuant to Section 10.05 and this Section, the Comptroller may enter into intergovernmental agreements with a unit of local government, a school district, a public institution of

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higher education, or the clerk of a circuit court, in order to provide for (i) the use of the Comptroller's offset system to collect delinquent obligations owed to that entity and (ii) the payment to the Comptroller of a processing charge of up to $15 per transaction for offsets processed without the assistance of a third-party vendor and a processing charge of up to $20 per transaction for offsets processed with the assistance of a third-party vendor. A third-party vendor may be selected by the Comptroller, pursuant to lawful procurement practices, in order to provide enhanced identification services to the State. The Comptroller shall deduct, from a warrant or other payment described in Section 10.05, in accordance with the procedures provided therein, its processing charge and the amount certified as necessary to satisfy, in whole or in part, the delinquent obligation owed to the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable. The Comptroller shall provide the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable, with the address to which the warrant or other payment was to be mailed and any other information pertaining to each person from whom a deduction is made pursuant to this Section. All deductions ordered under this Section and processing charges imposed under this Section shall be deposited into the Comptroller Debt Recovery Trust Fund, a special fund that the Comptroller shall use for the collection of deductions and processing charges, as provided by law, and the payment of deductions and administrative expenses, as provided by law.

Upon processing a deduction, the Comptroller shall give written notice to the person subject to the offset. The notice shall inform the person that he or she may make a written protest to the Comptroller within 60 days after the Comptroller has given notice. The protest shall include the reason for contesting the deduction and any other information that will enable the Comptroller to determine the amount due and payable. The intergovernmental agreement entered into under Section 10.05 and this Section shall establish procedures through which the Comptroller shall determine the validity of the protest and shall make a final disposition concerning the deduction. If the person subject to the offset has not made a written protest within 60 days after the Comptroller has given notice or if a final disposition is made concerning the deduction, the Comptroller shall pay the deduction to the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable, from the Comptroller Debt Recovery Trust Fund.

New matter indicated by italics - deletions by strikeout
For the purposes of this Section, "clerk of a circuit court" means a clerk of the circuit court in any county in the State.

*For purposes of this Section, "third-party vendor" means the vendor selected by the Comptroller to provide enhanced identification services to the State.*

(Source: P.A. 97-632, eff. 12-16-11; 97-970, eff. 8-16-12.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

**PUBLIC ACT 98-0273**  
(*Senate Bill No. 0338*)

AN ACT concerning revenue.

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

Section 5. The Cigarette Tax Act is amended by changing Sections 1 and 2 as follows:

(35 ILCS 130/1) (from Ch. 120, par. 453.1)

Sec. 1. For the purposes of this Act:

"Brand Style" means a variety of cigarettes distinguished by the tobacco used, tar and nicotine content, flavoring used, size of the cigarette, filtration on the cigarette or packaging.

Until July 1, 2012, and beginning July 1, 2013, "cigarette", means any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, and the wrapper or cover of which is made of paper or any other substance or material except tobacco.

"Cigarette", beginning on and after July 1, 2012, and through June 30, 2013, means any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored, adulterated, or mixed with any other ingredient, and the wrapper or cover of which is made of paper.

"Cigarette", beginning on and after July 1, 2012, and through June 30, 2013, also shall mean: Any roll for smoking made wholly or in part of tobacco labeled as anything other than a cigarette or not bearing a label, if it meets two or more of the following criteria:

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(a) the product is sold in packs similar to cigarettes;
(b) the product is available for sale in cartons of ten packs;
(c) the product is sold in soft packs, hard packs, flip-top boxes, clam shells, or other cigarette-type boxes;
(d) the product is of a length and diameter similar to commercially manufactured cigarettes;
(e) the product has a cellulose acetate or other integrated filter;
(f) the product is marketed or advertised to consumers as a cigarette or cigarette substitute; or
(g) other evidence that the product fits within the definition of cigarette.

"Contraband cigarettes" means:
(a) cigarettes that do not bear a required tax stamp under this Act;
(b) cigarettes for which any required federal taxes have not been paid;
(c) cigarettes that bear a counterfeit tax stamp;
(d) cigarettes that are manufactured, fabricated, assembled, processed, packaged, or labeled by any person other than (i) the owner of the trademark rights in the cigarette brand or (ii) a person that is directly or indirectly authorized by such owner;
(e) cigarettes imported into the United States, or otherwise distributed, in violation of the federal Imported Cigarette Compliance Act of 2000 (Title IV of Public Law 106-476);
(f) cigarettes that have false manufacturing labels;
(g) cigarettes identified in Section 3-10(a)(1) of this Act;
(h) cigarettes that are improperly tax stamped, including cigarettes that bear a tax stamp of another state or taxing jurisdiction; or
(i) cigarettes made or fabricated by a person holding a cigarette machine operator license under Section 1-20 of the Cigarette Machine Operators' Occupation Tax Act in the possession of manufacturers, distributors, secondary distributors, manufacturer representatives or other retailers for the purpose of resale, regardless of whether the tax has been paid on such cigarettes.

"Little cigar" has the meaning ascribed to that term in the Tobacco Products Tax Act of 1995.

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"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, however formed, limited liability company, or a receiver, executor, administrator, trustee, guardian or other representative appointed by order of any court.

"Prior Continuous Compliance Taxpayer" means any person who is licensed under this Act and who, having been a licensee for a continuous period of 5 years, is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period or otherwise in violation of this Act. Also, any taxpayer who has, as verified by the Department, continuously complied with the condition of his bond or other security under provisions of this Act for a period of 5 consecutive years shall be considered to be a "Prior continuous compliance taxpayer". In calculating the consecutive period of time described herein for qualification as a "prior continuous compliance taxpayer", a consecutive period of time of qualifying compliance immediately prior to the effective date of this amendatory Act of 1987 shall be credited to any licensee who became licensed on or before the effective date of this amendatory Act of 1987.

"Department" means the Department of Revenue.

"Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration, and includes and means all sales made by any person.

"Original Package" means the individual packet, box or other container whatsoever used to contain and to convey cigarettes to the consumer.

"Distributor" means any and each of the following:

(1) Any person engaged in the business of selling cigarettes in this State who brings or causes to be brought into this State from without this State any original packages of cigarettes, on which original packages there is no authorized evidence underneath a sealed transparent wrapper showing that the tax liability imposed by this Act has been paid or assumed by the out-of-State seller of such cigarettes, for sale or other disposition in the course of such business.

(2) Any person who makes, manufactures or fabricates cigarettes in this State for sale in this State, except a person who makes, manufactures or fabricates cigarettes as a part of a correctional industries program for sale to residents incarcerated in

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penal institutions or resident patients of a State-operated mental health facility.

(3) Any person who makes, manufactures or fabricates cigarettes outside this State, which cigarettes are placed in original packages contained in sealed transparent wrappers, for delivery or shipment into this State, and who elects to qualify and is accepted by the Department as a distributor under Section 4b of this Act.

"Place of business" shall mean and include any place where cigarettes are sold or where cigarettes are manufactured, stored or kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, train or vending machine.

"Manufacturer representative" means a director, officer, or employee of a manufacturer who has obtained authority from the Department under Section 4f to maintain representatives in Illinois that provide or sell original packages of cigarettes made, manufactured, or fabricated by the manufacturer to retailers in compliance with Section 4f of this Act to promote cigarettes made, manufactured, or fabricated by the manufacturer.

"Business" means any trade, occupation, activity or enterprise engaged in for the purpose of selling cigarettes in this State.

"Retailer" means any person who engages in the making of transfers of the ownership of, or title to, cigarettes to a purchaser for use or consumption and not for resale in any form, for a valuable consideration. "Retailer" does not include a person:

(1) who transfers to residents incarcerated in penal institutions or resident patients of a State-operated mental health facility ownership of cigarettes made, manufactured, or fabricated as part of a correctional industries program; or

(2) who transfers cigarettes to a not-for-profit research institution that conducts tests concerning the health effects of tobacco products and who does not offer the cigarettes for resale.

"Retailer" shall be construed to include any person who engages in the making of transfers of the ownership of, or title to, cigarettes to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the cigarettes without a valuable consideration, except a person who transfers to residents incarcerated in penal institutions or resident patients of a State-operated mental health facility ownership of cigarettes made, manufactured or fabricated as part of a correctional industries program.
"Secondary distributor" means any person engaged in the business of selling cigarettes who purchases stamped original packages of cigarettes from a licensed distributor under this Act or the Cigarette Use Tax Act, sells 75% or more of those cigarettes to retailers for resale, and maintains an established business where a substantial stock of cigarettes is available to retailers for resale.

"Stamp" or "stamps" mean the indicia required to be affixed on a pack of cigarettes that evidence payment of the tax on cigarettes under Section 2 of this Act.

"Related party" means any person that is associated with any other person because he or she:

(a) is an officer or director of a business; or
(b) is legally recognized as a partner in business.

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11; 97-688, eff. 6-14-12.)

(35 ILCS 130/2) (from Ch. 120, par. 453.2)

Sec. 2. Tax imposed; rate; collection, payment, and distribution; discount.

(a) A tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at the rate of 5 1/2 mills per cigarette sold, or otherwise disposed of in the course of such business in this State. In addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 1/2 mill per cigarette sold or otherwise disposed of in the course of such business in this State on and after January 1, 1947, and shall be paid into the Metropolitan Fair and Exposition Authority Reconstruction Fund or as otherwise provided in Section 29. On and after December 1, 1985, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 4 mills per cigarette sold or otherwise disposed of in the course of such business in this State. Of the additional tax imposed by this amendatory Act of 1985, $9,000,000 of the moneys received by the Department of Revenue pursuant to this Act shall be paid each month into the Common School Fund. On and after the effective date of this amendatory Act of 1989, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 5 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after the effective date of this amendatory Act of 1993, in addition to any other tax imposed by this Act, a tax is
imposed upon any person engaged in business as a retailer of cigarettes at
the rate of 7 mills per cigarette sold or otherwise disposed of in the course
of such business in this State. On and after December 15, 1997, in addition
to any other tax imposed by this Act, a tax is imposed upon any person
engaged in business as a retailer of cigarettes at the rate of 7 mills per
cigarette sold or otherwise disposed of in the course of such business of
this State. All of the moneys received by the Department of Revenue
pursuant to this Act and the Cigarette Use Tax Act from the additional
taxes imposed by this amendatory Act of 1997, shall be paid each month
into the Common School Fund. On and after July 1, 2002, in addition to
any other tax imposed by this Act, a tax is imposed upon any person
engaged in business as a retailer of cigarettes at the rate of 20.0 mills per
cigarette sold or otherwise disposed of in the course of such business in
this State. Beginning on June 24, 2012, in addition to any other tax
imposed by this Act, a tax is imposed upon any person engaged in
business as a retailer of cigarettes at the rate of 50 mills per cigarette sold
or otherwise disposed of in the course of such business in this State. All
moneys received by the Department of Revenue under this Act and the
Cigarette Use Tax Act from the additional taxes imposed by this
amendatory Act of the 97th General Assembly shall be paid each month
into the Healthcare Provider Relief Fund. The payment of such taxes shall
be evidenced by a stamp affixed to each original package of cigarettes, or
an authorized substitute for such stamp imprinted on each original package
of such cigarettes underneath the sealed transparent outside wrapper of
such original package, as hereinafter provided. However, such taxes are
not imposed upon any activity in such business in interstate commerce or
otherwise, which activity may not under the Constitution and statutes of
the United States be made the subject of taxation by this State.

Beginning on the effective date of this amendatory Act of the 92nd
General Assembly and through June 30, 2006, all of the moneys received
by the Department of Revenue pursuant to this Act and the Cigarette Use
Tax Act, other than the moneys that are dedicated to the Common School
Fund, shall be distributed each month as follows: first, there shall be paid
into the General Revenue Fund an amount which, when added to the
amount paid into the Common School Fund for that month, equals
$33,300,000, except that in the month of August of 2004, this amount
shall equal $83,300,000; then, from the moneys remaining, if any amounts
required to be paid into the General Revenue Fund in previous months
remain unpaid, those amounts shall be paid into the General Revenue

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Fund; then, beginning on April 1, 2003, from the moneys remaining, $5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund. To the extent that more than $25,000,000 has been paid into the General Revenue Fund and Common School Fund per month for the period of July 1, 1993 through the effective date of this amendatory Act of 1994 from combined receipts of the Cigarette Tax Act and the Cigarette Use Tax Act, notwithstanding the distribution provided in this Section, the Department of Revenue is hereby directed to adjust the distribution provided in this Section to increase the next monthly payments to the Long Term Care Provider Fund by the amount paid to the General Revenue Fund and Common School Fund in excess of $25,000,000 per month and to decrease the next monthly payments to the General Revenue Fund and Common School Fund by that same excess amount.

Beginning on July 1, 2006, all of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act, other than the moneys that are dedicated to the Common School Fund and, beginning on the effective date of this amendatory Act of the 97th General Assembly, other than the moneys from the additional taxes imposed by this amendatory Act of the 97th General Assembly that must be paid each month into the Healthcare Provider Relief Fund, shall be distributed each month as follows: first, there shall be paid into the General Revenue Fund an amount that, when added to the amount paid into the Common School Fund for that month, equals $29,200,000; then, from the moneys remaining, if any amounts required to be paid into the General Revenue Fund in previous months remain unpaid, those amounts shall be paid into the General Revenue Fund; then from the moneys remaining, $5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund.

Moneys collected from the tax imposed on little cigars under Section 10-10 of the Tobacco Products Tax Act of 1995 shall be included with the moneys collected under the Cigarette Tax Act and the Cigarette Use Tax Act when making distributions to the Common School Fund, the

New matter indicated by italics - deletions by strikeout
Healthcare Provider Relief Fund, the General Revenue Fund, the School Infrastructure Fund, and the Long-Term Care Provider Fund under this Section.

When any tax imposed herein terminates or has terminated, distributors who have bought stamps while such tax was in effect and who therefore paid such tax, but who can show, to the Department's satisfaction, that they sold the cigarettes to which they affixed such stamps after such tax had terminated and did not recover the tax or its equivalent from purchasers, shall be allowed by the Department to take credit for such absorbed tax against subsequent tax stamp purchases from the Department by such distributor.

The impact of the tax levied by this Act is imposed upon the retailer and shall be prepaid or pre-collected by the distributor for the purpose of convenience and facility only, and the amount of the tax shall be added to the price of the cigarettes sold by such distributor. Collection of the tax shall be evidenced by a stamp or stamps affixed to each original package of cigarettes, as hereinafter provided.

Each distributor shall collect the tax from the retailer at or before the time of the sale, shall affix the stamps as hereinafter required, and shall remit the tax collected from retailers to the Department, as hereinafter provided. Any distributor who fails to properly collect and pay the tax imposed by this Act shall be liable for the tax. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on the effective date of this amendatory Act of 1989 shall not be required to pay the additional tax imposed by this amendatory Act of 1989 on such stamped cigarettes. Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale at 12:01 a.m. on the effective date of this amendatory Act of 1993, is required to pay the additional tax imposed by this amendatory Act of 1993 on such stamped cigarettes. This payment, less the discount provided in subsection (b), shall be due when the distributor first makes a purchase of cigarette tax stamps after the effective date of this amendatory Act of 1993, or on the first due date of a return under this Act after the effective date of this amendatory Act of 1993, whichever occurs first. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on December 15, 1997 shall not be required to pay the additional tax imposed by this amendatory Act of 1997 on such stamped cigarettes.

Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale on July 1, 2002 shall not be
required to pay the additional tax imposed by this amendatory Act of the 92nd General Assembly on those stamped cigarettes.

Any retailer having cigarettes in his or her possession on June 24, 2012 to which tax stamps have been affixed is not required to pay the additional tax that begins on June 24, 2012 imposed by this amendatory Act of the 97th General Assembly on those stamped cigarettes. Any distributor having cigarettes in his or her possession on June 24, 2012 to which tax stamps have been affixed, and any distributor having stamps in his or her possession on June 24, 2012 that have not been affixed to packages of cigarettes before June 24, 2012, is required to pay the additional tax that begins on June 24, 2012 imposed by this amendatory Act of the 97th General Assembly to the extent the calendar year 2012 average monthly volume of cigarette stamps in the distributor's possession exceeds the average monthly volume of cigarette stamps purchased by the distributor in calendar year 2011. This payment, less the discount provided in subsection (b), is due when the distributor first makes a purchase of cigarette stamps on or after June 24, 2012 or on the first due date of a return under this Act occurring on or after June 24, 2012, whichever occurs first. Those distributors may elect to pay the additional tax on packages of cigarettes to which stamps have been affixed and on any stamps in the distributor's possession that have not been affixed to packages of cigarettes over a period not to exceed 12 months from the due date of the additional tax by notifying the Department in writing. The first payment for distributors making such election is due when the distributor first makes a purchase of cigarette stamps on or after June 24, 2012 or on the first due date of a return under this Act occurring on or after June 24, 2012, whichever occurs first. Distributors making such an election are not entitled to take the discount provided in subsection (b) on such payments.

Distributors making sales of cigarettes to secondary distributors shall add the amount of the tax to the price of the cigarettes sold by the distributors. Secondary distributors making sales of cigarettes to retailers shall include the amount of the tax in the price of the cigarettes sold to retailers. The amount of tax shall not be less than the amount of taxes imposed by the State and all local jurisdictions. The amount of local taxes shall be calculated based on the location of the retailer's place of business shown on the retailer's certificate of registration or sub-registration issued to the retailer pursuant to Section 2a of the Retailers' Occupation Tax Act. The original packages of cigarettes sold to the retailer shall bear all the

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required stamps, or other indicia, for the taxes included in the price of cigarettes.

The amount of the Cigarette Tax imposed by this Act shall be separately stated, apart from the price of the goods, by distributors, manufacturer representatives, secondary distributors, and retailers, in all bills and sales invoices.

(b) The distributor shall be required to collect the taxes provided under paragraph (a) hereof, and, to cover the costs of such collection, shall be allowed a discount during any year commencing July 1st and ending the following June 30th in accordance with the schedule set out hereinbelow, which discount shall be allowed at the time of purchase of the stamps when purchase is required by this Act, or at the time when the tax is remitted to the Department without the purchase of stamps from the Department when that method of paying the tax is required or authorized by this Act. Prior to December 1, 1985, a discount equal to 1 2/3% of the amount of the tax up to and including the first $700,000 paid hereunder by such distributor to the Department during any such year; 1 1/3% of the next $700,000 of tax or any part thereof, paid hereunder by such distributor to the Department during any such year; 1% of the next $700,000 of tax, or any part thereof, paid hereunder by such distributor to the Department during any such year, and 2/3 of 1% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply. On and after December 1, 1985, a discount equal to 1.75% of the amount of the tax payable under this Act up to and including the first $3,000,000 paid hereunder by such distributor to the Department during any such year and 1.5% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply.

Two or more distributors that use a common means of affixing revenue tax stamps or that are owned or controlled by the same interests shall be treated as a single distributor for the purpose of computing the discount.

(c) The taxes herein imposed are in addition to all other occupation or privilege taxes imposed by the State of Illinois, or by any political subdivision thereof, or by any municipal corporation.
(Source: P.A. 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11; 97-688, eff. 6-14-12.)

Section 10. The Cigarette Use Tax Act is amended by changing Section 1 as follows:

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(35 ILCS 135/1) (from Ch. 120, par. 453.31)

Sec. 1. For the purpose of this Act, unless otherwise required by the context:

"Use" means the exercise by any person of any right or power over cigarettes incident to the ownership or possession thereof, other than the making of a sale thereof in the course of engaging in a business of selling cigarettes and shall include the keeping or retention of cigarettes for use, except that "use" does not include the use of cigarettes by a not-for-profit research institution conducting tests concerning the health effects of tobacco products, provided the cigarettes are not offered for resale.

"Brand Style" means a variety of cigarettes distinguished by the tobacco used, tar and nicotine content, flavoring used, size of the cigarette, filtration on the cigarette or packaging.

Until July 1, 2012, and beginning July 1, 2013, "cigarette" means any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, and the wrapper or cover of which is made of paper or any other substance or material except tobacco.

"Cigarette", beginning on and after July 1, 2012, and through June 30, 2013, means any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, and the wrapper or cover of which is made of paper.

"Cigarette", beginning on and after July 1, 2012, and through June 30, 2013, also shall mean: Any roll for smoking made wholly or in part of tobacco labeled as anything other than a cigarette or not bearing a label, if it meets two or more of the following criteria:

(a) the product is sold in packs similar to cigarettes;
(b) the product is available for sale in cartons of ten packs;
(c) the product is sold in soft packs, hard packs, flip-top boxes, clam shells, or other cigarette-type boxes;
(d) the product is of a length and diameter similar to commercially manufactured cigarettes;
(e) the product has a cellulose acetate or other integrated filter;
(f) the product is marketed or advertised to consumers as a cigarette or cigarette substitute; or
(g) other evidence that the product fits within the definition of cigarette.
"Contraband cigarettes" means:
   (a) cigarettes that do not bear a required tax stamp under this Act;
   (b) cigarettes for which any required federal taxes have not been paid;
   (c) cigarettes that bear a counterfeit tax stamp;
   (d) cigarettes that are manufactured, fabricated, assembled, processed, packaged, or labeled by any person other than (i) the owner of the trademark rights in the cigarette brand or (ii) a person that is directly or indirectly authorized by such owner;
   (e) cigarettes imported into the United States, or otherwise distributed, in violation of the federal Imported Cigarette Compliance Act of 2000 (Title IV of Public Law 106-476);
   (f) cigarettes that have false manufacturing labels;
   (g) cigarettes identified in Section 3-10(a)(1) of this Act;
   (h) cigarettes that are improperly tax stamped, including cigarettes that bear a tax stamp of another state or taxing jurisdiction; or
   (i) cigarettes made or fabricated by a person holding a cigarette machine operator license under Section 1-20 of the Cigarette Machine Operators' Occupation Tax Act in the possession of manufacturers, distributors, secondary distributors, manufacturer representatives or other retailers for the purpose of resale, regardless of whether the tax has been paid on such cigarettes.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, however formed, limited liability company, or a receiver, executor, administrator, trustee, guardian or other representative appointed by order of any court.

"Department" means the Department of Revenue.

"Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration, and includes and means all sales made by any person.

"Original Package" means the individual packet, box or other container whatsoever used to contain and to convey cigarettes to the consumer.

"Distributor" means any and each of the following:

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a. Any person engaged in the business of selling cigarettes in this State who brings or causes to be brought into this State from without this State any original packages of cigarettes, on which original packages there is no authorized evidence underneath a sealed transparent wrapper showing that the tax liability imposed by this Act has been paid or assumed by the out-of-State seller of such cigarettes, for sale in the course of such business.

b. Any person who makes, manufactures or fabricates cigarettes in this State for sale, except a person who makes, manufactures or fabricates cigarettes for sale to residents incarcerated in penal institutions or resident patients or a State-operated mental health facility.

c. Any person who makes, manufactures or fabricates cigarettes outside this State, which cigarettes are placed in original packages contained in sealed transparent wrappers, for delivery or shipment into this State, and who elects to qualify and is accepted by the Department as a distributor under Section 7 of this Act.

"Distributor" does not include any person who transfers cigarettes to a not-for-profit research institution that conducts tests concerning the health effects of tobacco products and who does not offer the cigarettes for resale.

"Distributor maintaining a place of business in this State", or any like term, means any distributor having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent operating within this State under the authority of the distributor or its subsidiary, irrespective of whether such place of business or agent is located here permanently or temporarily, or whether such distributor or subsidiary is licensed to transact business within this State.

"Business" means any trade, occupation, activity or enterprise engaged in or conducted in this State for the purpose of selling cigarettes.

"Prior Continuous Compliance Taxpayer" means any person who is licensed under this Act and who, having been a licensee for a continuous period of 5 years, is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period or otherwise in violation of this Act. Also, any taxpayer who has, as verified by the Department, continuously complied with the condition of his bond or other security under provisions of this Act of a period of 5 consecutive years shall be considered to be a "prior continuous compliance taxpayer".

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In calculating the consecutive period of time described herein for qualification as a "prior continuous compliance taxpayer", a consecutive period of time of qualifying compliance immediately prior to the effective date of this amendatory Act of 1987 shall be credited to any licensee who became licensed on or before the effective date of this amendatory Act of 1987.

"Secondary distributor" means any person engaged in the business of selling cigarettes who purchases stamped original packages of cigarettes from a licensed distributor under this Act or the Cigarette Tax Act, sells 75% or more of those cigarettes to retailers for resale, and maintains an established business where a substantial stock of cigarettes is available to retailers for resale.

"Secondary distributor maintaining a place of business in this State", or any like term, means any secondary distributor having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse, or other place of business, or any agent operating within this State under the authority of the secondary distributor or its subsidiary, irrespective of whether such place of business or agent is located here permanently or temporarily, or whether such secondary distributor or subsidiary is licensed to transact business within this State.

"Stamp" or "stamps" mean the indicia required to be affixed on a pack of cigarettes that evidence payment of the tax on cigarettes under Section 2 of this Act.

"Related party" means any person that is associated with any other person because he or she:

(a) is an officer or director of a business; or
(b) is legally recognized as a partner in business.

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10; 97-688, eff. 6-14-12.)

Section 15. The Tobacco Products Tax Act of 1995 is amended by changing Sections 10-5, 10-10, 10-15, 10-30, and 10-45 and by adding Sections 10-26, 10-27, 10-28, 10-29, and 10-36 as follows:

(35 ILCS 143/10-5)
Sec. 10-5. Definitions. For purposes of this Act:
"Business" means any trade, occupation, activity, or enterprise engaged in, at any location whatsoever, for the purpose of selling tobacco products.

New matter indicated by italics - deletions by strikeout
"Cigarette" has the meaning ascribed to the term in Section 1 of the Cigarette Tax Act.

"Contraband little cigar" means:

(1) packages of little cigars containing 20 or 25 little cigars that do not bear a required tax stamp under this Act;

(2) packages of little cigars containing 20 or 25 little cigars that bear a fraudulent, imitation, or counterfeit tax stamp;

(3) packages of little cigars containing 20 or 25 little cigars that are improperly tax stamped, including packages of little cigars that bear only a tax stamp of another state or taxing jurisdiction; or

(4) packages of little cigars containing other than 20 or 25 little cigars in the possession of a distributor, retailer or wholesaler, unless the distributor, retailer, or wholesaler possesses, or produces within the time frame provided in Section 10-27 or 10-28 of this Act, an invoice from a stamping distributor, distributor, or wholesaler showing that the tax on the packages has been or will be paid.

"Correctional Industries program" means a program run by a State penal institution in which residents of the penal institution produce tobacco products for sale to persons incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Department" means the Illinois Department of Revenue.

"Distributor" means any of the following:

(1) Any manufacturer or wholesaler in this State engaged in the business of selling tobacco products who sells, exchanges, or distributes tobacco products to retailers or consumers in this State.

(2) Any manufacturer or wholesaler engaged in the business of selling tobacco products from without this State who sells, exchanges, distributes, ships, or transports tobacco products to retailers or consumers located in this State, so long as that manufacturer or wholesaler has or maintains within this State, directly or by subsidiary, an office, sales house, or other place of business, or any agent or other representative operating within this State under the authority of the person or subsidiary, irrespective of whether the place of business or agent or other representative is located here permanently or temporarily.

(3) Any retailer who receives tobacco products on which the tax has not been or will not be paid by another distributor.
"Distributor" does not include any person, wherever resident or located, who makes, manufactures, or fabricates tobacco products as part of a Correctional Industries program for sale to residents incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Little cigar" means and includes any roll, made wholly or in part of tobacco, where such roll has an integrated cellulose acetate filter and weighs less than 4 pounds per thousand and the wrapper or cover of which is made in whole or in part of tobacco.

"Manufacturer" means any person, wherever resident or located, who manufactures and sells tobacco products, except a person who makes, manufactures, or fabricates tobacco products as a part of a Correctional Industries program for sale to persons incarcerated in penal institutions or resident patients of a State operated mental health facility.

Beginning on January 1, 2013, "moist snuff" means any finely cut, ground, or powdered tobacco that is not intended to be smoked, but shall not include any finely cut, ground, or powdered tobacco that is intended to be placed in the nasal cavity.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, limited liability company, or public or private corporation, however formed, or a receiver, executor, administrator, trustee, conservator, or other representative appointed by order of any court.

"Place of business" means and includes any place where tobacco products are sold or where tobacco products are manufactured, stored, or kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, train, or vending machine.

"Retailer" means any person in this State engaged in the business of selling tobacco products to consumers in this State, regardless of quantity or number of sales.

"Sale" means any transfer, exchange, or barter in any manner or by any means whatsoever for a consideration and includes all sales made by persons.

"Stamp" or "stamps" mean the indicia required to be affixed on a package of little cigars that evidence payment of the tax on packages of little cigars containing 20 or 25 little cigars under Section 10-10 of this Act. These stamps shall be the same stamps used for cigarettes under the Cigarette Tax Act.

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"Stamping distributor" means a distributor licensed under this Act and also licensed as a distributor under the Cigarette Tax Act or Cigarette Use Tax Act.

"Tobacco products" means any cigars, including little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff (including moist snuff) or snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweeping of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but does not include cigarettes or tobacco purchased for the manufacture of cigarettes by cigarette distributors and manufacturers defined in the Cigarette Tax Act and persons who make, manufacture, or fabricate cigarettes as a part of a Correctional Industries program for sale to residents incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Wholesale price" means the established list price for which a manufacturer sells tobacco products to a distributor, before the allowance of any discount, trade allowance, rebate, or other reduction. In the absence of such an established list price, the manufacturer's invoice price at which the manufacturer sells the tobacco product to unaffiliated distributors, before any discounts, trade allowances, rebates, or other reductions, shall be presumed to be the wholesale price.

"Wholesaler" means any person, wherever resident or located, engaged in the business of selling tobacco products to others for the purpose of resale. "Wholesaler", when used in this Act, does not include a person licensed as a distributor under Section 10-20 of this Act unless expressly stated in this Act.

(Source: P.A. 97-688, eff. 6-14-12.)

(35 ILCS 143/10-10)

Sec. 10-10. Tax imposed.

(a) Except as otherwise provided in this Section with respect to little cigars, on the first day of the third month after the month in which this Act becomes law, a tax is imposed on any person engaged in business as a distributor of tobacco products, as defined in Section 10-5, at the rate of (i) 18% of the wholesale price of tobacco products sold or otherwise disposed of to retailers or consumers located in this State prior to July 1, 2012 and (ii) 36% of the wholesale price of tobacco products sold or otherwise disposed of to retailers or consumers located in this State.
Public Act 98-0273

Beginning on July 1, 2012; except that, beginning on January 1, 2013, the tax on moist snuff shall be imposed at a rate of $0.30 per ounce, and a proportionate tax at the like rate on all fractional parts of an ounce, sold or otherwise disposed of to retailers or consumers located in this State. The tax is in addition to all other occupation or privilege taxes imposed by the State of Illinois, by any political subdivision thereof, or by any municipal corporation. However, the tax is not imposed upon any activity in that business in interstate commerce or otherwise, to the extent to which that activity may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State, and except that, beginning July 1, 2013, the tax on little cigars shall be imposed at the same rate, and the proceeds shall be distributed in the same manner, as the tax imposed on cigarettes under the Cigarette Tax Act. The tax is also not imposed on sales made to the United States or any entity thereof.

(b) Notwithstanding subsection (a) of this Section, stamping distributors of packages of little cigars containing 20 or 25 little cigars sold or otherwise disposed of in this State shall remit the tax by purchasing tax stamps from the Department and affixing them to packages of little cigars in the same manner as stamps are purchased and affixed to cigarettes under the Cigarette Tax Act, unless the stamping distributor sells or otherwise disposes of those packages of little cigars to another stamping distributor. Only persons meeting the definition of "stamping distributor" contained in Section 10-5 of this Act may affix stamps to packages of little cigars containing 20 or 25 little cigars. Stamping distributors may not sell or dispose of little cigars at retail to consumers or users at locations where stamping distributors affix stamps to packages of little cigars containing 20 or 25 little cigars.

(c) The impact of the tax levied by this Act is imposed upon distributors engaged in the business of selling tobacco products to retailers or consumers in this State. Whenever a stamping distributor brings or causes to be brought into this State from without this State, or purchases from without or within this State, any packages of little cigars containing 20 or 25 little cigars upon which there are no tax stamps affixed as required by this Act, for purposes of resale or disposal in this State to a person not a stamping distributor, then such stamping distributor shall pay the tax to the Department and add the amount of the tax to the price of such packages sold by such stamping distributor. Payment of the tax shall be evidenced by a stamp or stamps affixed to each package of little cigars containing 20 or 25 little cigars.

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Stamping distributors paying the tax to the Department on packages of little cigars containing 20 or 25 little cigars sold to other distributors, wholesalers or retailers shall add the amount of the tax to the price of the packages of little cigars containing 20 or 25 little cigars sold by such stamping distributors.

(d) Beginning on January 1, 2013, the tax rate imposed per ounce of moist snuff may not exceed 15% of the tax imposed upon a package of 20 cigarettes pursuant to the Cigarette Tax Act.

(e) All moneys received by the Department under this Act from sales occurring prior to July 1, 2012 shall be paid into the Long-Term Care Provider Fund of the State Treasury. Of the moneys received by the Department from sales occurring on or after July 1, 2012, except for moneys received from the tax imposed on the sale of little cigars, 50% shall be paid into the Long-Term Care Provider Fund and 50% shall be paid into the Healthcare Provider Relief Fund. Beginning July 1, 2013, all moneys received by the Department under this Act from the tax imposed on little cigars shall be distributed as provided in subsection (a) of Section 2 of the Cigarette Tax Act.

(Source: P.A. 97-688, eff. 6-14-12.)

(35 ILCS 143/10-15)

Sec. 10-15. Exempt sales. Purchases of tobacco products other than little cigars by wholesalers who will not sell the product at retail are exempt from the tax imposed by this Act. Purchases of tobacco products other than little cigars by wholesalers and retailers for delivery of the product outside Illinois are exempt from the tax imposed by this Act. The wholesaler or retailer making the exempt sale of tobacco products other than little cigars shall document this exemption by obtaining a certification from the purchaser containing the seller's name and address, the purchaser's name and address, the date of purchase, the purchaser's signature, the purchaser's tobacco products tax license number, if applicable, and a statement that the purchaser is purchasing for resale other than for sale to consumers or is purchasing for delivery outside of Illinois.

(Source: P.A. 89-21, eff. 6-6-95.)

(35 ILCS 143/10-26 new)

Sec. 10-26. Manufacturers; sale of little cigars. Manufacturers that are not stamping distributors may not sell little cigars to consumers in this State or to distributors, wholesalers or retailers, unless the distributors, wholesalers or retailers are stamping distributors. Manufacturers that are

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not stamping distributors may sell little cigars only to stamping distributors. Manufacturers that are not stamping distributors are prohibited from delivering little cigars to locations where sales of little cigars to consumers or users take place.

(35 ILCS 143/10-27 new)

Sec. 10-27. Retailers; purchase and possession of little cigars.

(a) Retailers are prohibited from possessing unstamped packages of little cigars containing 20 or 25 little cigars at locations where retailers make sales of little cigars to consumers or users. Retailers that are also stamping distributors are prohibited from possessing unstamped little cigars at locations where those retailers make sales of packages of little cigars containing 20 or 25 little cigars to consumers or users. Retailers that are not stamping distributors shall purchase stamped packages of little cigars containing 20 or 25 little cigars for resale only from stamping distributors, distributors, or wholesalers. Retailers who are not stamping distributors may not purchase or possess unstamped packages of little cigars containing 20 or 25 little cigars. A retailer must be a stamping distributor to make tax exempt sales of packages of little cigars containing 20 or 25 little cigars for use outside of this State. A retailer who is a stamping distributor making sales of stamped packages of little cigars for use outside of this State may file a claim for credit for such sales with the Department on forms and in the manner provided by the Department.

(b) For purchases of packages of little cigars containing other than 20 or 25 little cigars, retailers who are not stamping distributors may not purchase or possess such packages of little cigars, unless the retailer receives an invoice from a stamping distributor, distributor, or wholesaler stating the tax on the packages has been or will be paid. Retailers shall retain such invoices for inspection by the Department. If a retailer maintaining multiple retail locations notifies the Department in writing that it maintains its invoices at a centralized business location, the Department shall have the authority to inspect invoices at the centralized business location at all times during the usual business hours of the day and the Department may grant the retailer 3 business days to produce the invoices at the retail location at which the request was made. A retailer must be a stamping distributor to make tax exempt sales of packages of little cigars containing other than 20 or 25 little cigars for use outside of this State. A retailer who is a stamping distributor making sales of packages of little cigars containing other than 20 or 25 little cigars for use outside of this State on which the tax has been or will be paid by another
stamping distributor or was paid by the retailer may file a claim for credit for such sales with the Department on forms and in the manner provided by the Department.

(c) Notwithstanding anything to the contrary in this Act, a retailer unknowingly possessing contraband little cigars obtained from a stamping distributor, distributor, or wholesaler or other person engaged in the business of selling tobacco products or knowingly possessing contraband little cigars obtained from a stamping distributor is not subject to penalties for such purchase or possession if the retailer, within 48 hours after discovering that the little cigars are contraband little cigars, excluding Saturdays, Sundays, and holidays: (i) notifies the Department and the person from whom the little cigars were obtained, orally and in writing, that he or she possesses contraband little cigars; (ii) places the contraband little cigars in one or more containers and seals those containers; and (iii) places on the containers the following or similar language: "Contraband Little Cigars. Not For Sale." All contraband little cigars in the possession of a retailer remain subject to forfeiture under the provisions of this Act.

(35 ILCS 143/10-28 new)
Sec. 10-28. Wholesalers.

(a) Wholesalers are prohibited from possessing unstamped packages of little cigars containing 20 or 25 little cigars unless the wholesaler is a stamping distributor. A wholesaler must be a stamping distributor to make tax exempt sales of packages of little cigars containing 20 or 25 little cigars for use outside of this State. A wholesaler who is a stamping distributor making sales of stamped packages of little cigars for use outside of this State may file a claim for credit for such sales with the Department on forms and in the manner provided by the Department.

(b) For purchases of packages of little cigars containing other than 20 or 25 little cigars, wholesalers who are not stamping distributors may not purchase or possess such packages of little cigars, unless the wholesalers receive an invoice from a stamping distributor, distributor, or wholesaler stating the tax on the packages has been or will be paid. Wholesalers shall retain such invoices for inspection by the Department. Every sales invoice for packages of little cigars containing other than 20 or 25 little cigars issued by a wholesaler to a person who is not a stamping distributor shall state that the tax imposed by the Act has been or will be paid. If a wholesaler maintaining multiple wholesale locations notifies the Department in writing that it maintains its invoices at a

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centralized business location, the Department shall have the authority to inspect invoices at the centralized business location at all times during the usual business hours of the day and the Department may grant the wholesaler 3 business days to produce the invoices at the wholesale location at which the request was made. A wholesaler must be a stamping distributor to make tax exempt sales of packages of little cigars containing other than 20 or 25 little cigars for use outside of this State. A wholesaler who is a stamping distributor making sales of packages of little cigars containing other than 20 or 25 little cigars for use outside of this State on which the tax has been or will be paid by another stamping distributor or was paid by the wholesaler may file a claim for credit for such sales with the Department on forms and in the manner provided by the Department.

(35 ILCS 143/10-29 new)
Sec. 10-29. Invoices; packages of little cigars.
(a) Every sales invoice for packages of little cigars containing other than 20 or 25 little cigars issued by a stamping distributor to a person who is not a stamping distributor shall contain both the stamping distributor's Tobacco Products License number and Cigarette Tax Distributor's License number or Cigarette Use Tax Distributor's License number and state that the tax imposed by the Act has been or will be paid or that the sale is exempt in whole or in part and the exemption which is claimed.

(b) Any stamping distributor, distributor or wholesaler who knowingly falsely states on the invoice that the tax imposed by this Act has been or will be paid, or any officer or employee of a corporation, member or employee of a partnership, or manager, member or employee of a limited liability company that is a stamping distributor, distributor, or wholesaler, who, as such officer, employee, manager, or member, knowingly causes to be issued an invoice on behalf of such entity, that such person knows falsely states that the tax imposed by the Act has been or will be paid, is guilty of a Class 4 felony.

(c) Whenever any sales invoice issued by a stamping distributor, distributor or wholesaler for the sale of packages of little cigars containing other than 20 or 25 little cigars does not comply with subsection (b) of Section 10-28 or subsection (a) of this Section by indicating that the tax has been or will be paid or that the sale is exempt in whole or in part, a prima facie presumption shall arise that the tax imposed by Section 10-10 of this Act has not been paid on the little cigars listed on the sales invoice. A person who is not a stamping distributor and

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is unable to rebut this presumption is in violation of this Act and is subject to the penalties provided in this Act.

(35 ILCS 143/10-30)

Sec. 10-30. Returns.

(a) Every distributor shall, on or before the 15th day of each month, file a return with the Department covering the preceding calendar month. The return shall disclose the wholesale price for all tobacco products other than moist snuff and the quantity in ounces of moist snuff sold or otherwise disposed of and other information that the Department may reasonably require. The return shall be filed upon a form prescribed and furnished by the Department.

(b) In addition to the information required under subsection (a), on or before the 15th day of each month, covering the preceding calendar month, each stamping distributor shall, on forms prescribed and furnished by the Department, report the quantity of little cigars sold or otherwise disposed of, including the number of packages of little cigars sold or disposed of during the month containing 20 or 25 little cigars.

(c) At the time when any return of any distributor is due to be filed with the Department, the distributor shall also remit to the Department the tax liability that the distributor has incurred for transactions occurring in the preceding calendar month.

(d) The Department may adopt rules to require the electronic filing of any return or document required to be filed under this Act. Those rules may provide for exceptions from the filing requirement set forth in this paragraph for persons who demonstrate that they do not have access to the Internet and petition the Department to waive the electronic filing requirement.

(Source: P.A. 97-688, eff. 6-14-12.)

(35 ILCS 143/10-36 new)

Sec. 10-36. Recordkeeping by retailers. Every retailer shall keep complete and accurate records of tobacco products held and purchased, and tobacco products sold or otherwise disposed of, and shall preserve and keep all invoices, bills of lading, sales records, and copies of bills of sale. Books, records, papers, and documents that are required by this Act to be kept shall, at all times during the usual business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees. The books, records, papers, and documents for any period with respect to which the Department is authorized to issue a notice of tax liability shall be preserved until the expiration of that period.

New matter indicated by italics - deletions by strikeout
(35 ILCS 143/10-45)

Sec. 10-45. Incorporation by reference. All of the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11, 11a, and 12 of the Retailers' Occupation Tax Act, and all applicable provisions of the Uniform Penalty and Interest Act that are not inconsistent with this Act, apply to distributors of tobacco products to the same extent as if those provisions were included in this Act. References in the incorporated Sections of the Retailers' Occupation Tax Act to retailers, to sellers, or to persons engaged in the business of selling tangible personal property mean distributors when used in this Act. References in the incorporated Sections to sales of tangible personal property mean sales of tobacco products when used in this Act.

All of the provisions of Sections 7, 8, 8a, 16, 18a, 18b, 18c, 22, 23, 24, 26, 27, and 28a of the Cigarette Tax Act which are not inconsistent with this Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if those provisions were included in this Act. References in the incorporated Sections to sales of cigarettes mean sales of little cigars in packages of 20 or 25 little cigars.

(Source: P.A. 89-21, eff. 6-6-95.)

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

Passed in the General Assembly May 14, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0274
(Senate Bill No. 0723)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:

(235 ILCS 5/6-11)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station,
provided, that this prohibition shall not apply to hotels offering restaurant
service, regularly organized clubs, or to restaurants, food shops or other
places where sale of alcoholic liquors is not the principal business carried
on if the place of business so exempted is not located in a municipality of
more than 500,000 persons, unless required by local ordinance; nor to the
renewal of a license for the sale at retail of alcoholic liquor on premises
within 100 feet of any church or school where the church or school has
been established within such 100 feet since the issuance of the original
license. In the case of a church, the distance of 100 feet shall be measured
to the nearest part of any building used for worship services or educational
programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail
license authorizing the sale of alcoholic liquor to a restaurant, the primary
business of which is the sale of goods baked on the premises if (i) the
restaurant is newly constructed and located on a lot of not less than 10,000
square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii)
the licensee is the titleholder to the premises and resides on the premises,
and (iv) the construction of the restaurant is completed within 18 months
of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail
license authorizing the sale of alcoholic liquor incidental to a restaurant if
(1) the primary business of the restaurant consists of the sale of food where
the sale of liquor is incidental to the sale of food and the applicant is a
completely new owner of the restaurant, (2) the immediately prior owner
or operator of the premises where the restaurant is located operated the
premises as a restaurant and held a valid retail license authorizing the sale
of alcoholic liquor at the restaurant for at least part of the 24 months
before the change of ownership, and (3) the restaurant is located 75 or
more feet from a school.

(d) In the interest of further developing Illinois' economy in the
area of commerce, tourism, convention, and banquet business, nothing in
this Section shall prohibit issuance of a retail license authorizing the sale
of alcoholic beverages to a restaurant, banquet facility, grocery store, or
hotel having not fewer than 150 guest room accommodations located in a
municipality of more than 500,000 persons, notwithstanding the proximity
of such hotel, restaurant, banquet facility, or grocery store to any church or
school, if the licensed premises described on the license are located within
an enclosed mall or building of a height of at least 6 stories, or 60 feet in
the case of a building that has been registered as a national landmark, or in

New matter indicated by italics - deletions by strikeout
a grocery store having a minimum of 56,010 square feet of floor space in a
single story building in an open mall of at least 3.96 acres that is adjacent
to a public school that opened as a boys technical high school in 1934, or
in a grocery store having a minimum of 31,000 square feet of floor space
in a single story building located a distance of more than 90 feet but less
than 100 feet from a high school that opened in 1928 as a junior high
school and became a senior high school in 1933, and in each of these cases
if the sale of alcoholic liquors is not the principal business carried on by
the licensee.

For purposes of this Section, a "banquet facility" is any part of a
building that caters to private parties and where the sale of alcoholic
liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license
to a church or private school to sell at retail alcoholic liquor if any such
sales are limited to periods when groups are assembled on the premises
solely for the promotion of some common object other than the sale or
consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church
affiliated school located in a home rule municipality or in a municipality
with 75,000 or more inhabitants from locating within 100 feet of a
property for which there is a preexisting license to sell alcoholic liquor at
retail. In these instances, the local zoning authority may, by ordinance
adopted simultaneously with the granting of an initial special use zoning
permit for the church or church affiliated school, provide that the 100-foot
restriction in this Section shall not apply to that church or church affiliated
school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail
license authorizing the sale of alcoholic liquor at premises within 100 feet,
but not less than 90 feet, of a public school if (1) the premises have been
continuously licensed to sell alcoholic liquor for a period of at least 50
years, (2) the premises are located in a municipality having a population of
over 500,000 inhabitants, (3) the licensee is an individual who is a
member of a family that has held the previous 3 licenses for that location
for more than 25 years, (4) the principal of the school and the alderman of
the ward in which the school is located have delivered a written statement
to the local liquor control commissioner stating that they do not object to
the issuance of a license under this subsection (g), and (5) the local liquor
control commissioner has received the written consent of a majority of the
registered voters who live within 200 feet of the premises.
(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and
(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within
a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;
(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(1) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and

New matter indicated by italics - deletions by strikeout
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;

(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;

(3) the church was established at the current location in 1916 and the present structure was erected in 1925;

(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;

(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and

(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the school is a City of Chicago School District 299 school;

(2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;

(3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
(5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

   (1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
   (2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
   (3) the premises is located on a street that runs perpendicular to the street on which the church is located;
   (4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
   (5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
   (6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
   (7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

   (1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
   (2) the church was established at the current location in 1889; and
   (3) liquor has been sold on the premises since at least 1985.

(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in
a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

(1) the premises is located within a larger building operated as a grocery store;

(2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;

(3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;

(4) the sale of liquor is not the principal business carried on within the larger building;

(5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;

(6) the larger building is separated from the church-owned property and church-affiliated school by an alley;

(7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and

(8) (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;

(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

New matter indicated by italics - deletions by strikeout
(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

(1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;

(2) the area of the premises does not exceed 31,050 square feet;

(3) the area of the restaurant does not exceed 5,800 square feet;

(4) the building has no less than 78 condominium units;

(5) the construction of the building in which the restaurant is located was completed in 2006;

(6) the building has 10 storefront properties, 3 of which are used for the restaurant;

(7) the restaurant will open for business in 2010;

(8) the building is north of the school and separated by an alley; and

(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the
local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the premises operates as a restaurant and has been in operation since February 2008;
(2) the applicant is the owner of the premises;
(3) the sale of alcoholic liquor is incidental to the sale of food;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;
(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;
(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;
(9) the school is a City of Chicago School District 299 school;
(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and
(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;

New matter indicated by italics - deletions by strikeout
(2) the premises for which the license or renewal is sought has more than 600 parking stalls;

(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;

(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;

(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;

(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;

(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;

(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;

(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;

(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and

(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the church has been operating in its current location since 1973;

(3) the premises has been operating in its current location since 1988;

(4) the church and the premises are owned by the same parish;

(5) the premises is used for cultural and educational purposes;

(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;

(7) the principal religious leader of the church has indicated his support of the issuance of the license;

(8) the premises is a 2-story building of approximately 23,000 square feet; and

(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;

(4) the school is a City of Chicago School District 299 school;

(5) the school has been operating since 1959;

(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;

(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;

(8) the premises is a single-story building of approximately 2,900 square feet; and

New matter indicated by italics - deletions by strikeout
(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is a free-standing building that has "drive-through" pharmacy service;
(8) the premises has approximately 14,490 square feet of retail space;
(9) the premises has approximately 799 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;

New matter indicated by italics - deletions by strikeout
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(4) the premises is across the street from the church;
(5) the street on which the premises and the church are located is a major arterial street that runs east-west;
(6) the church is an elder-led and Bible-based Assyrian church;
(7) the premises and the church are both single-story buildings;
(8) the storefront directly west of the church is being used as a restaurant; and
(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license
authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain;
(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;
(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;
(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and
(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;
(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;
(7) the principal of the school has given written approval for the license;
(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;
(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and
(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;
(2) the premises is located on land that has undergone environmental remediation;
(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;
(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;
(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;
(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and
(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises is a one and one-half-story building of approximately 10,000 square feet;

New matter indicated by italics - deletions by strikeout
(4) the school is a City of Chicago School District 299 school;

(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;

(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and

(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;

(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;

(4) the building in which the church is located is at least 120 years old;

(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

New matter indicated by italics - deletions by strikeout
(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and
(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;
(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and
(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;
(2) the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;
(3) the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;
(4) the primary entrance to the restaurant and the primary entrance to the church are located on the same street;
(5) the street on which the restaurant and the church are located is a major east-west street;

New matter indicated by italics - deletions by strikeout
(6) the restaurant and the church are separated by a one-way northbound street;

(7) the church is located to the west of and no more than 65 feet from the restaurant; and

(8) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is incidental to the sale of food;

(3) the premises are located east of the church, on perpendicular streets, and separated by an alley;

(4) the distance between the primary entrance of the premises and the primary entrance of the church is at least 175 feet;

(5) the distance between the property line of the premises and the property line of the church is at least 40 feet;

(6) the licensee has been operating at the premises since 2012;

(7) the church was constructed in 1904;

(8) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license; and

(9) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (jj).

(Source: P.A. 96-283, eff. 8-11-09; 96-744, eff. 8-25-09; 96-851, eff. 12-23-09; 96-871, eff. 1-21-10; 96-1051, eff. 7-14-10; 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13.)

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

Passed in the General Assembly May 14, 2013.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 3-691 as follows:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Fraternal Order of Police license plates to residents of Illinois who are members in good standing of the Fraternal Order of Police-Illinois State Lodge and meet other eligibility requirements prescribed by the Secretary of State. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles, as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary, except that the Illinois Fraternal Order of Police emblem shall appear on the plates. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code. The plates are not required to designate "Land of Lincoln" as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Fraternal Order of Police Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund,
to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Fraternal Order of Police Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Fraternal Order of Police Fund is created as a special fund in the State treasury. All money in the Fraternal Order of Police Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Fraternal Order of Police to increase the efficiency and professionalism of law enforcement officers in Illinois, to educate the public about law enforcement issues, to more firmly establish the public confidence in law enforcement, to create partnerships with the public, and to honor the service of law enforcement officers dedicated to the protection of life and property.

(Source: P.A. 96-1240, eff. 7-23-10; 97-333, eff. 8-12-11.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0276
(Senate Bill No. 1399)

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by changing Section 13-202.2 as follows:

Sec. 13-202.2. Childhood sexual abuse.
(a) In this Section:
"Childhood sexual abuse" means an act of sexual abuse that occurs when the person abused is under 18 years of age.
"Sexual abuse" includes but is not limited to sexual conduct and sexual penetration as defined in Section 11-0.1 of the Criminal Code of 2012.

(b) Notwithstanding any other provision of law, an action for damages for personal injury based on childhood sexual abuse must be commenced within 20 years of the date the limitation period begins to run

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under subsection (d) or within 20 years of the date the person abused discovers or through the use of reasonable diligence should discover both (i) that the act of childhood sexual abuse occurred and (ii) that the injury was caused by the childhood sexual abuse. The fact that the person abused discovers or through the use of reasonable diligence should discover that the act of childhood sexual abuse occurred is not, by itself, sufficient to start the discovery period under this subsection (b). Knowledge of the abuse does not constitute discovery of the injury or the causal relationship between any later-discovered injury and the abuse.

(c) If the injury is caused by 2 or more acts of childhood sexual abuse that are part of a continuing series of acts of childhood sexual abuse by the same abuser, then the discovery period under subsection (b) shall be computed from the date the person abused discovers or through the use of reasonable diligence should discover both (i) that the last act of childhood sexual abuse in the continuing series occurred and (ii) that the injury was caused by any act of childhood sexual abuse in the continuing series. The fact that the person abused discovers or through the use of reasonable diligence should discover that the last act of childhood sexual abuse in the continuing series occurred is not, by itself, sufficient to start the discovery period under subsection (b). Knowledge of the abuse does not constitute discovery of the injury or the causal relationship between any later-discovered injury and the abuse.

(d) The limitation periods under subsection (b) do not begin to run before the person abused attains the age of 18 years; and, if at the time the person abused attains the age of 18 years he or she is under other legal disability, the limitation periods under subsection (b) do not begin to run until the removal of the disability.

(d-1) The limitation periods in subsection (b) do not run during a time period when the person abused is subject to threats, intimidation, manipulation, or fraud perpetrated by the abuser or by any person acting in the interest of the abuser.

(e) This Section applies to actions pending on the effective date of this amendatory Act of 1990 as well as to actions commenced on or after that date. The changes made by this amendatory Act of 1993 shall apply only to actions commenced on or after the effective date of this amendatory Act of 1993. The changes made by this amendatory Act of the 93rd General Assembly apply to actions pending on the effective date of this amendatory Act of the 93rd General Assembly as well as actions commenced on or after that date. The changes made by this amendatory
Act of the 96th General Assembly apply to actions commenced on or after the effective date of this amendatory Act of the 96th General Assembly if the action would not have been time barred under any statute of limitations or statute of repose prior to the effective date of this amendatory Act of the 96th General Assembly.

(f) Notwithstanding any other provision of law, an action for damages based on childhood sexual abuse may be commenced at any time; provided, however, that the changes made by this amendatory Act of the 98th General Assembly apply to actions commenced on or after the effective date of this amendatory Act of the 98th General Assembly if the action would not have been time barred under any statute of limitations or statute of repose prior to the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 96-1093, eff. 1-1-11; 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0277
(Senate Bill No. 1404)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Section 21-145 as follows:

(35 ILCS 200/21-145)
Sec. 21-145. Scavenger sale. At the same time the County Collector annually publishes the collector's annual sale advertisement under Sections 21-110, 21-115 and 21-120, it is mandatory for the collector in counties with 3,000,000 or more inhabitants, and in other counties if the county board so orders by resolution, to publish an advertisement giving notice of the intended application for judgment and sale of all properties upon which all or a part of the general taxes for each of 3 or more years, including the current tax year, are delinquent as of the date of the advertisement. In no event may there be more than 2 consecutive years without a sale under this Section. The term delinquent also includes forfeitures. The County Collector shall include in the

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advertisement and in the application for judgment and sale under this Section and Section 21-260 the total amount of all general taxes upon those properties which are delinquent as of the date of the advertisement.

In lieu of a single annual advertisement and application for judgment and sale under this Section and Section 21-260, the County Collector may, from time to time, beginning on the date of the publication of the annual sale advertisement and before August 1 of the next year, publish separate advertisements and make separate applications on eligible properties described in one or more volumes of the delinquent list. The separate advertisements and applications shall, in the aggregate, include all the properties which otherwise would have been included in the single annual advertisement and application for judgment and sale under this Section. Upon the written request of the taxing district which levied the same, the County Collector shall also include in the advertisement the special taxes and special assessments, together with interest, penalties and costs thereon upon those properties which are delinquent as of the date of the advertisement. The advertisement and application for judgment and sale shall be in the manner prescribed by this Code relating to the annual advertisement and application for judgment and sale of delinquent properties. (Source: P.A. 88-455; 89-695, eff. 12-31-96.)

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

Approved August 9, 2013.
Effective August 9, 2013.
appropriation ordinance, by which ordinance the board may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such Park District, and in such annual budget and appropriation ordinance shall specify the objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose.

The budget included in such ordinance shall contain a statement of the cash on hand at the beginning of the fiscal year, an estimate of the cash expected to be received during such fiscal year from all sources, an estimate of the expenditures contemplated for such fiscal year, and a statement of the estimated cash expected to be on hand at the end of such year. The estimate of taxes to be received may be based upon the amount of actual cash receipts that may reasonably be expected by the Park District during such fiscal year, estimated from the experience of the Park District in prior years and with due regard for other circumstances that may substantially affect such receipts. However, nothing in this Act shall be construed as requiring any Park District to change or preventing any Park District from changing from a cash basis of financing to a surplus or deficit basis of financing; or as requiring any Park District to change or preventing any Park District from changing its system of accounting.

The governing body of each Park District shall fix a fiscal year therefor.

Such budget and appropriation ordinance shall be prepared in tentative form by some person or persons designated by the governing body, and in such tentative form shall be made conveniently available to public inspection for at least 30 days prior to final action thereon. At least one public hearing shall be held as to such budget and appropriation ordinance prior to final action thereon, notice of which shall be given by publication in a newspaper published in such Park District, at least one week prior to the time of such hearing. If there is no newspaper published in such Park District, notice of such public hearing shall be given by posting notices thereof in 5 of the most public places in such Park District. It shall be the duty of the secretary of such Park District to make such tentative budget and appropriation ordinance available to public inspection, and to arrange for such public hearing or hearings. Except as hereinafter provided otherwise provided by law, no further appropriations shall be made at any other time within such fiscal year, provided that the board of such Park District may from time to time make transfers between the various items in any fund in such appropriation ordinance not
exceeding in the aggregate 10% of the total amount appropriated in such fund by such ordinance, and may amend such budget and appropriation ordinance from time to time by the same procedure as is herein provided for the original adoption of a budget and appropriation ordinance; provided that nothing in this Section shall be construed to permit transfers between funds required by law to be kept separate. However, during any fiscal year, the governing body of any Park District may adopt a supplemental appropriation ordinance subsequent to the adoption of the annual appropriation ordinance for that fiscal year in an amount not to exceed the aggregate of any additional revenue available to the Park District or estimated to be received by the Park District. The provisions of this Section regarding publication, notice, and public hearing shall not apply to the supplemental ordinance or to the budget document forming the basis of the ordinance.

After the first 6 months of any fiscal year have elapsed the board may by two-thirds vote transfer from any appropriation item its anticipated unexpended funds to any other item of appropriation, theretofore made, and the item to which said transfer is made may be increased to the extent of the amount so transferred.

The provisions of "The Illinois Municipal Budget Law", approved July 12, 1937, as now or hereinafter amended, are not applicable to Park Districts organized under this Act.

The failure of the governing body of any park district to adopt an annual budget and appropriation ordinance, or to comply in any respect with the provisions of this Section, shall not affect the validity of any tax levy of any such park district, otherwise in conformity with the law. The budget and appropriation ordinance for any fiscal year is not intended or required to be in support of or in relation to any tax levy made during that fiscal year.

(Source: P.A. 78-1132.)

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

Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning local government.

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

Section 5. The Fire Protection District Act is amended by changing Section 8.20 as follows:

(70 ILCS 705/8.20)

Sec. 8.20. Open burning.

(a) The board of trustees of any fire protection district incorporated under this Act may, by ordinance, require that the district be notified of open burning within the district before it takes place, but shall not require that a permit for open burning be obtained from the district. The district may not enforce an ordinance adopted under this Section within the corporate limits of a county with a population of 3,000,000 or more or a municipality with a population of 1,000,000 or more.

(b) The fire department of a fire protection district may extinguish any open burn that presents a clear, present, and unreasonable danger to persons or adjacent property or that presents an unreasonable risk because of wind, weather, or the types of combustibles. The unreasonable risk may include the height of flames, windblown embers, the creation of hazardous fumes, or an unattended fire. Fire departments may not unreasonably interfere with permitted and legal open burning.

(c) The fire protection district may provide that persons setting open burns on any agricultural land with an area of 50 acres or more may voluntarily comply with the provisions of an ordinance adopted under this Section.

(d) The fire chief or any other designated officer of a fire department of any fire protection district incorporated under this Act may, with the authorization of the board of trustees of the fire protection district, prohibit open burning within the district on an emergency basis, for a limited period of time, if (i) the atmospheric conditions or other circumstances create an unreasonable risk of fire because of wind, weather, or the types of combustibles and (ii) the resources of the fire department are not sufficient to control and suppress a fire resulting from one or more of the conditions or circumstances described in clause (i) of this subsection. For the purposes of this subsection, "open burning"
includes, but is not limited to, the burning of landscape waste, agricultural waste, household trash, and garbage.

(e) The fire chief or any other designated officer of a fire department of any fire protection district incorporated under this Act may fix, charge, and collect fees associated with the fire department extinguishing an open burning that is prohibited under subsection (d) of this Section. The fee may be imposed against any person causing or engaging in the prohibited activity. The total amount collected for compensation of the fire protection district shall be assessed in accordance with both the rates provided in Section 11f(c) of this Act and the fire chief's determination of the cost of personnel and equipment utilized to extinguish the fire.

This Section does not authorize the open burning of any waste. The open burning of waste is subject to the restrictions and prohibitions of the Environmental Protection Act and the rules and regulations adopted under its authority.

(Source: P.A. 97-488, eff. 1-1-12.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0280
(Senate Bill No. 1475)

AN ACT concerning local government.

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

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Section 11.15 as follows:

(70 ILCS 2605/11.15) (from Ch. 42, par. 331.15)

Sec. 11.15. No person shall be employed upon contracts for work to be done by any such sanitary district unless he is a citizen of the United States, a national of the United States under Section 1401 of Title 8 of the United States Code, an alien lawfully admitted for permanent residence under Section 1101 of Title 8 of the United States Code, or an individual who has been granted asylum under Section 1158 of Title 8 of the United States Code or has in good faith declared his intention to become such a

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citizen. In all cases where an alien after filing his declaration of intention to become a citizen of the United States, shall for the space of three months after he could lawfully do so, fail to take out his final papers and obtain his citizenship such failure shall be prima facie evidence that his declaration of intention was not made in good faith.

(Source: Laws 1963, p. 2498.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0281
(Senate Bill No. 1499)

AN ACT concerning local government.

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

Section 5. The Cook County Forest Preserve District Act is amended by changing Sections 7, 8, and 8.1 as follows:

(70 ILCS 810/7) (from Ch. 96 1/2, par. 6410)

Sec. 7. Any forest preserve district shall have the power to create forest preserves, and for that purpose shall have the power to acquire in fee simple or by easements in land, in the manner hereinafter provided, and hold lands containing one or more natural forests or parts thereof or land or lands connecting such forests or parts thereof, or lands capable of being forested, for the purpose of protecting and preserving the flora, fauna, and scenic beauties within such district, and to restore, restock, protect and preserve the natural forests and such lands together with their flora and fauna, as nearly as may be, in their natural state and condition, for the purpose of the education, pleasure, and recreation of the public. Lands may be acquired in fee simple or by easements in land for the consolidation of such preserves into unit areas of size and form convenient and desirable for public use and economical maintenance and improvement and when in the judgment of the Board the public access, use, and enjoyment of such preserves and other purposes of this Act will be served by connecting any such preserves with forested ways or links, lands for connecting links of such width, length, and location as the Board deem necessary or desirable may be acquired in fee simple or by easements in land and held for such

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purposes and improved by forestation, roads, and pathways. Any such district may also acquire lands in fee simple or by easements in land along or enclosing water courses, drainage ways, lakes, ponds, planned impoundments or elsewhere which, in the judgment of its Board are required to store flood waters, or control other drainage and water conditions, or to recycle secondary treated sewage effluents or wastewater through the production and sale of agricultural, silvicultural or aquacultural products, necessary for the preservation and management of the water resources of the district, provided no debris, tree, tree limbs, logs, shrubbery, or related growths and trimmings therefrom shall be deposited in, along, or upon the bank of any waters and water courses within the State of Illinois or any tributary thereto where the same shall be liable to be washed into or deposited along waters and water courses, either by normal or flood flows, as a result of storms or otherwise, which may in any manner impede or obstruct the natural flow of such waters and water courses. Unforested lands adjacent to forest preserves may also be acquired in fee simple or by easements in land to provide for extension of roads and forested ways around and by such preserves and for parking space for automobiles and other facilities not requiring forested areas but incidental to the use and protection thereof. All work done in or along any water course shall be done in accordance with the provisions of "An Act in relation to the regulation of the rivers, lakes, and streams of the State of Illinois," approved June 10, 1911, as heretofore and hereafter amended, insofar as such Act may be applicable. (Source: P.A. 80-320.)

(70 ILCS 810/8) (from Ch. 96 1/2, par. 6411)

Sec. 8. Any forest preserve district shall have power to acquire easements in land, lands in fee simple and grounds within such district for the aforesaid purposes by gift, grant, legacy, purchase or condemnation and to construct, lay out, improve and maintain wells, power plants, comfort stations, shelter houses, paths, driveways, roadways and other improvements and facilities in and through such forest preserves as it shall deem necessary or desirable for the use of such forest preserves by the public. Such forest preserve districts shall also have power to lease not to exceed 40 acres of the lands and grounds acquired by it, for a term of not more than 99 years to veterans' organizations as grounds for convalescing sick and disabled veterans, and as a place upon which to construct rehabilitation quarters, or to a county as grounds for a county nursing home or convalescent home. Any such forest preserve district shall also have power to grant licenses, easements and rights-of-way for the
construction, operation and maintenance upon, under or across any property of such district of facilities for water, sewage, telephone, telegraph, electric, gas or other public service, subject to such terms and conditions as may be determined by such district.

Whenever the board determines that the public interest will be subserved by vacating any street, roadway, or driveway, or part thereof, located within a forest preserve, it may vacate that street, roadway, or driveway, or part thereof, by an ordinance passed by the affirmative vote of at least 3/4 of all the members of the board.

The determination of the board that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of any street, roadway, or driveway, or part thereof, is conclusive, and the passage of such an ordinance is sufficient evidence of that determination, whether so recited in the ordinance or not. The relief to the public from further burden and responsibility of maintaining any street, roadway or driveway, or part thereof, constitutes a public use or public interest authorizing the vacation.

Nothing contained in this Section shall be construed to authorize the board to vacate any street, roadway, or driveway, or part thereof, that is part of any State or county highway.

When property is damaged by the vacation or closing of any street, roadway, or driveway, or part thereof, damage shall be ascertained and paid as provided by law.

Except in cases where the deed, or other instrument dedicating a street, roadway, or driveway, or part thereof, has expressly provided for a specific devolution of the title thereto upon the abandonment or vacation thereof, whenever any street, roadway, or driveway, or part thereof is vacated under or by virtue of any ordinance of any forest preserve district, the title to the land in fee simple included within the street, roadway, or driveway, or part thereof, so vacated vests in the forest preserve district.

The board of any forest preserve district is authorized to sell at fair market price, gravel, sand, earth and any other material obtained from the lands and waters owned by the district.

(Source: P.A. 83-388.)

(70 ILCS 810/8.1) (from Ch. 96 1/2, par. 6411.1)

Sec. 8.1. Property owned by a forest preserve district and property in which a forest preserve district is the grantee of a conservation easement or grantee of a conservation right as defined in Section 1(a) of

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the Real Property Conservation Rights Act shall not be subject to eminent domain or condemnation proceedings. (Source: P.A. 80-1443.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0282
(Senate Bill No. 1606)

AN ACT concerning civil law.

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

Section 5. The Condominium Property Act is amended by changing Section 27 as follows:

(765 ILCS 605/27) (from Ch. 30, par. 327)
Sec. 27. (a) If there is any unit owner other than the developer, and unless otherwise provided in this Act, the condominium instruments shall be amended only as follows:

(i) upon the affirmative vote of 2/3 of those voting or upon the majority specified by the condominium instruments, provided that in no event shall the condominium instruments require more than a three-quarters vote of all unit owners; and

(ii) with the approval of any mortgagees required under the provisions of the condominium instruments.

Except in cases where this Act provides different methods of amendment or with respect to property whose declaration is recorded on or after July 1, 1984, no condominium instrument shall require more than a three-quarters vote of unit owners to amend the bylaws. Except to the extent authorized by other provisions of this Act, no amendment to the condominium instrument shall change the boundaries of any unit or the undivided interest in the common elements, the number of votes in the unit owners' association, or the liability for common expenses appertaining to a unit.

(b)(1) If there is an omission or error in the declaration, bylaws or other condominium instrument, the association may correct the error or omission by an amendment to the declaration, bylaws, or other condominium instrument in such respects as may be required to conform to this Act, and any other applicable statute or to the declaration by vote of

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two-thirds of the members of the Board of Managers or by a majority vote of the unit owners at a meeting called for this purpose, unless the Act or the condominium instruments specifically provide for greater percentages or different procedures.

(2) If through a scrivener's error, a unit has not been designated as owning an appropriate undivided share of the common elements or does not bear an appropriate share of the common expenses or that all the common expenses or all of the common elements in the condominium have not been distributed in the declaration, so that the sum total of the shares of common elements which have been distributed or the sum total of the shares of the common expenses fail to equal 100%, or if it appears that more than 100% of the common elements or common expenses have been distributed, the error may be corrected by operation of law by filing an amendment to the declaration approved by vote of two-thirds of the members of the Board of Managers or a majority vote of the unit owners at a meeting called for this purpose which proportionately adjusts all percentage interests so that the total is equal to 100% unless the condominium instruments specifically provide for a different procedure or different percentage vote by the owners of the units and the owners of mortgages thereon affected by modification being made in the undivided interest in the common elements, the number of votes in the unit owners association or the liability for common expenses appertaining to the unit.

(3) If an omission or error or a scrivener's error in the declaration, bylaws or other condominium instrument is corrected by vote of two-thirds of the members of the Board of Managers pursuant to the authority established in subsections (b)(1) or (b)(2) of Section 27 of this Act, the Board upon written petition by unit owners with 20 percent of the votes of the association filed within 30 days of the Board action shall call a meeting of the unit owners within 30 days of the filing of the petition to consider the Board action. Unless a majority of the votes of the unit owners of the association are cast at the meeting to reject the action, it is ratified whether or not a quorum is present.

(4) The procedures for amendments set forth in this subsection (b) cannot be used if such an amendment would materially or adversely affect property rights of the unit owners unless the affected unit owners consent in writing. This Section does not restrict the powers of the association to otherwise amend the declaration, bylaws, or other condominium instruments, but authorizes a simple process of amendment requiring a lesser vote for the purpose of correcting defects, errors, or omissions when

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the property rights of the unit owners are not materially or adversely affected.

(5) If there is an omission or error in the declaration, bylaws, or other condominium instruments, which may not be corrected by an amendment procedure set forth in paragraphs (1) and (2) of subsection (b) of Section 27 in the declaration then the Circuit Court in the County in which the condominium is located shall have jurisdiction to hear a petition of one or more of the unit owners thereon or of the association, to correct the error or omission, and the action may be a class action. The court may require that one or more methods of correcting the error or omission be submitted to the unit owners to determine the most acceptable correction. All unit owners in the association must be joined as parties to the action. Service of process on owners may be by publication, but the plaintiff shall furnish all unit owners not personally served with process with copies of the petition and final judgment of the court by certified mail return receipt requested, at their last known address.

(6) Nothing contained in this Section shall be construed to invalidate any provision of a condominium instrument authorizing the developer to amend a condominium instrument prior to the latest date on which the initial membership meeting of the unit owners must be held, whether or nor it has actually been held, to bring the instrument into compliance with the legal requirements of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration, the United States Veterans Administration or their respective successors and assigns.

(Source: P.A. 94-886, eff. 6-20-06.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0283
(Senate Bill No. 1670)

AN ACT concerning State government.

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

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-335 as follows:

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Sec. 405-335. Illinois Transparency and Accountability Portal (ITAP).

(a) The Department, within 12 months after the effective date of this amendatory Act of the 96th General Assembly, shall establish and maintain a website, known as the Illinois Transparency and Accountability Portal (ITAP), with a full-time webmaster tasked with compiling and updating the ITAP database with information received from all State agencies as defined in this Section. Subject to appropriation, the full-time webmaster must also compile and update the ITAP database with information received from all counties, townships, and municipalities.

(b) For purposes of this Section:

"State agency" means the offices of the constitutional officers identified in Article V of the Illinois Constitution, executive agencies, and departments, boards, commissions, and Authorities under the Governor.

"Contracts" means payment obligations with vendors on file with the Office of the Comptroller to purchase goods and services exceeding $10,000 in value (or, in the case of professional or artistic services, exceeding $5,000 in value).

"Appropriation" means line-item detail of spending approved by the General Assembly and Governor, categorized by object of expenditure.

"Individual consultants" means temporary workers eligible to receive State benefits paid on a State payroll.

"Recipients" means State agencies receiving appropriations.

(c) The ITAP shall provide direct access to each of the following:

1. A database of all current State employees and individual consultants, except sworn law enforcement officers, sorted separately by:

   (i) Name.
   (ii) Employing State agency.
   (iii) Employing State division.
   (iv) Employment position title.
   (v) Current pay rate and year-to-date pay.

2. A database of all current State expenditures, sorted separately by agency, category, recipient, and Representative District.

3. A database of all development assistance reportable pursuant to the Corporate Accountability for Tax Expenditures...
Act, sorted separately by tax credit category, taxpayer, and Representative District.

(4) A database of all revocations and suspensions of State occupation and use tax certificates of registration and all revocations and suspensions of State professional licenses, sorted separately by name, geographic location, and certificate of registration number or license number, as applicable. Professional license revocations and suspensions shall be posted only if resulting from a failure to pay taxes, license fees, or child support.

(5) A database of all current State contracts, sorted separately by contractor name, awarding officer or agency, contract value, and goods or services provided.

(6) A database of all employees hired after the effective date of this amendatory Act of 2010, sorted searchably by each of the following at the time of employment:
   (i) Name.
   (ii) Employing State agency.
   (iii) Employing State division.
   (iv) Employment position title.
   (v) Current pay rate and year-to-date pay.
   (vi) County of employment location.
   (vii) Rutan status.
   (viii) Status of position as subject to collective bargaining, subject to merit compensation, or exempt under Section 4d of the Personnel Code.
   (ix) Employment status as probationary, trainee, intern, certified, or exempt from certification.
   (x) Status as a military veteran.

(7) A searchable database of all current county, township, and municipal employees sorted separately by:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(8) A searchable database of all county, township, and municipal employees hired on or after the effective date of this amendatory Act of the 97th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.

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(iii) Current pay rate and year-to-date pay.

(d) The ITAP shall include all information required to be published by subsection (c) of this Section that is available to the Department in a format the Department can compile and publish on the ITAP. The Department shall update the ITAP as additional information becomes available in a format that can be compiled and published on the ITAP by the Department.

(e) Each State agency, county, township, and municipality shall cooperate with the Department in furnishing the information necessary for the implementation of this Section within a timeframe specified by the Department.

(f) Each county, township, or municipality submitting information to be displayed on the Illinois Transparency and Accountability Portal (ITAP) is responsible for the accuracy of the information provided.

(g) The Department, within 6 months after the effective date of this amendatory Act of the 98th General Assembly, shall distribute a spreadsheet or otherwise make data entry available to each State agency to facilitate the collection of data on the State’s annual workforce characteristics, workforce compensation, and employee mobility. The Department shall determine the data to be collected by each State agency. Each State agency shall cooperate with the Department in furnishing the data necessary for the implementation of this subsection within the timeframe specified by the Department. The Department shall publish the data received from each State agency on the ITAP or another open data site annually.

(Source: P.A. 96-225, eff. 1-1-10; 96-1387, eff. 1-1-13.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0284
(Senate Bill No. 1704)

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

Section 5. The Environmental Protection Act is amended by changing Sections 9.1 and 39 as follows:

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Sec. 9.1. (a) The General Assembly finds that the federal Clean Air Act, as amended, and regulations adopted pursuant thereto establish complex and detailed provisions for State-federal cooperation in the field of air pollution control, provide for a Prevention of Significant Deterioration program to regulate the issuance of preconstruction permits to insure that economic growth will occur in a manner consistent with the preservation of existing clean air resources, and also provide for plan requirements for nonattainment areas to regulate the construction, modification and operation of sources of air pollution to insure that economic growth will occur in a manner consistent with the goal of achieving the national ambient air quality standards, and that the General Assembly cannot conveniently or advantageously set forth in this Act all the requirements of such federal Act or all regulations which may be established thereunder.

It is the purpose of this Section to avoid the existence of duplicative, overlapping or conflicting State and federal regulatory systems.

(b) The provisions of Section 111 of the federal Clean Air Act (42 USC 7411), as amended, relating to standards of performance for new stationary sources, and Section 112 of the federal Clean Air Act (42 USC 7412), as amended, relating to the establishment of national emission standards for hazardous air pollutants are applicable in this State and are enforceable under this Act. Any such enforcement shall be stayed consistent with any stay granted in any federal judicial action to review such standards. Enforcement shall be consistent with the results of any such judicial review.

(c) The Board may adopt regulations establishing permit programs meeting the requirements of Sections 165 and 173 of the Clean Air Act (42 USC 7475 and 42 USC 7503) as amended. The Agency may adopt procedures for the administration of such programs.

(d) No person shall:

1. violate any provisions of Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, or federal regulations adopted pursuant thereto; or

2. construct, install, modify or operate any equipment, building, facility, source or installation which is subject to regulation under Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, except in compliance with the
requirements of such Sections and federal regulations adopted pursuant thereto, and no such action shall be undertaken (A) without a permit granted by the Agency whenever a permit is required pursuant to (i) this Act or Board regulations or (ii) Section 111, 112, 165, or 173 of the Clean Air Act or federal regulations adopted pursuant thereto or (B) in violation of any conditions imposed by such permit. Any denial of such a permit or any conditions imposed in such a permit shall be reviewable by the Board in accordance with Section 40 of this Act.

(e) The Board shall exempt from regulation under the State Implementation Plan for ozone the volatile organic compounds which have been determined by the U.S. Environmental Protection Agency to be exempt from regulation under state implementation plans for ozone due to negligible photochemical reactivity. In accordance with subsection (b) of Section 7.2, the Board shall adopt regulations identical in substance to the U.S. Environmental Protection Agency exemptions or deletion of exemptions published in policy statements on the control of volatile organic compounds in the Federal Register by amending the list of exemptions to the Board's definition of volatile organic material found at 35 Ill. Adm. Code Part 211. The provisions and requirements of Title VII of this Act shall not apply to regulations adopted under this subsection. Section 5-35 of the Illinois Administrative Procedure Act, relating to procedures for rulemaking, does not apply to regulations adopted under this subsection. However, the Board shall provide for notice, a hearing if required by the U.S. Environmental Protection Agency, and public comment before adopted rules are filed with the Secretary of State. The Board may consolidate into a single rulemaking under this subsection all such federal policy statements published in the Federal Register within a period of time not to exceed 6 months.

(f) (Blank). If a complete application for a permit renewal is submitted to the Agency at least 90 days prior to expiration of the permit, all of the terms and conditions of the permit shall remain in effect until final administrative action has been taken on the application.

(Source: P.A. 97-95, eff. 7-12-11.)

(415 ILCS 5/39) (from Ch. 111 1/2, par. 1039)
Sec. 39. Issuance of permits; procedures.
(a) When the Board has by regulation required a permit for the construction, installation, or operation of any type of facility, equipment, vehicle, vessel, or aircraft, the applicant shall apply to the Agency for such

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permit and it shall be the duty of the Agency to issue such a permit upon proof by the applicant that the facility, equipment, vehicle, vessel, or aircraft will not cause a violation of this Act or of regulations hereunder. The Agency shall adopt such procedures as are necessary to carry out its duties under this Section. In making its determinations on permit applications under this Section the Agency may consider prior adjudications of noncompliance with this Act by the applicant that involved a release of a contaminant into the environment. In granting permits, the Agency may impose reasonable conditions specifically related to the applicant's past compliance history with this Act as necessary to correct, detect, or prevent noncompliance. The Agency may impose such other conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with the regulations promulgated by the Board hereunder. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit under this Section, the Agency shall transmit to the applicant within the time limitations of this Section specific, detailed statements as to the reasons the permit application was denied. Such statements shall include, but not be limited to the following:

(i) the Sections of this Act which may be violated if the permit were granted;
(ii) the provision of the regulations, promulgated under this Act, which may be violated if the permit were granted;
(iii) the specific type of information, if any, which the Agency deems the applicant did not provide the Agency; and
(iv) a statement of specific reasons why the Act and the regulations might not be met if the permit were granted.

If there is no final action by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued; except that this time period shall be extended to 180 days when (1) notice and opportunity for public hearing are required by State or federal law or regulation, (2) the application which was filed is for any permit to develop a landfill subject to issuance pursuant to this subsection, or (3) the application that was filed is for a MSWLF unit required to issue public notice under subsection (p) of Section 39. The 90-day and 180-day time periods for the Agency to take final action do not apply to NPDES permit applications under subsection (b) of this Section, to RCRA permit applications under subsection (d) of this Section, or to UIC permit applications under subsection (e) of this Section.

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The Agency shall publish notice of all final permit determinations for development permits for MSWLF units and for significant permit modifications for lateral expansions for existing MSWLF units one time in a newspaper of general circulation in the county in which the unit is or is proposed to be located.

After January 1, 1994 and until July 1, 1998, operating permits issued under this Section by the Agency for sources of air pollution permitted to emit less than 25 tons per year of any combination of regulated air pollutants, as defined in Section 39.5 of this Act, shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and regulations promulgated hereunder. Such operating permits shall expire 180 days after the date of such a request. The Board shall revise its regulations for the existing State air pollution operating permit program consistent with this provision by January 1, 1994.

After June 30, 1998, operating permits issued under this Section by the Agency for sources of air pollution that are not subject to Section 39.5 of this Act and are not required to have a federally enforceable State operating permit shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and its rules. Such operating permits shall expire 180 days after the date of such a request. Before July 1, 1998, the Board shall revise its rules for the existing State air pollution operating permit program consistent with this paragraph and shall adopt rules that require a source to demonstrate that it qualifies for a permit under this paragraph.

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act.

The Agency may issue general NPDES permits for discharges from categories of point sources which are subject to the same permit limitations and conditions. Such general permits may be issued without individual applications and shall conform to regulations promulgated under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended.

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The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of NPDES permits, and which are consistent with the Act or regulations adopted by the Board, and with the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

The Agency, subject to any conditions which may be prescribed by Board regulations, may issue NPDES permits to allow discharges beyond deadlines established by this Act or by regulations of the Board without the requirement of a variance, subject to the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

(c) Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, no permit for the development or construction of a new pollution control facility may be granted by the Agency unless the applicant submits proof to the Agency that the location of the facility has been approved by the County Board of the county if in an unincorporated area, or the governing body of the municipality when in an incorporated area, in which the facility is to be located in accordance with Section 39.2 of this Act. For purposes of this subsection (c), and for purposes of Section 39.2 of this Act, the appropriate county board or governing body of the municipality shall be the county board of the county or the governing body of the municipality in which the facility is to be located as of the date when the application for siting approval is filed.

In the event that siting approval granted pursuant to Section 39.2 has been transferred to a subsequent owner or operator, that subsequent owner or operator may apply to the Agency for, and the Agency may grant, a development or construction permit for the facility for which local siting approval was granted. Upon application to the Agency for a development or construction permit by that subsequent owner or operator, the permit applicant shall cause written notice of the permit application to be served upon the appropriate county board or governing body of the municipality that granted siting approval for that facility and upon any party to the siting proceeding pursuant to which siting approval was granted. In that event,

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the Agency shall conduct an evaluation of the subsequent owner or operator's prior experience in waste management operations in the manner conducted under subsection (i) of Section 39 of this Act.

Beginning August 20, 1993, if the pollution control facility consists of a hazardous or solid waste disposal facility for which the proposed site is located in an unincorporated area of a county with a population of less than 100,000 and includes all or a portion of a parcel of land that was, on April 1, 1993, adjacent to a municipality having a population of less than 5,000, then the local siting review required under this subsection (c) in conjunction with any permit applied for after that date shall be performed by the governing body of that adjacent municipality rather than the county board of the county in which the proposed site is located; and for the purposes of that local siting review, any references in this Act to the county board shall be deemed to mean the governing body of that adjacent municipality; provided, however, that the provisions of this paragraph shall not apply to any proposed site which was, on April 1, 1993, owned in whole or in part by another municipality.

In the case of a pollution control facility for which a development permit was issued before November 12, 1981, if an operating permit has not been issued by the Agency prior to August 31, 1989 for any portion of the facility, then the Agency may not issue or renew any development permit nor issue an original operating permit for any portion of such facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved by the appropriate county board or municipal governing body pursuant to Section 39.2 of this Act.

After January 1, 1994, if a solid waste disposal facility, any portion for which an operating permit has been issued by the Agency, has not accepted waste disposal for 5 or more consecutive calendars years, before that facility may accept any new or additional waste for disposal, the owner and operator must obtain a new operating permit under this Act for that facility unless the applicant has submitted proof to the Agency for a permit authorizing the temporary suspension of waste acceptance. The Agency may not issue a new operation permit under this Act for the facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved or re-approved by the appropriate county board or municipal governing body under Section 39.2 of this Act after the facility ceased accepting waste.

Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, and

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except for new pollution control facilities governed by Section 39.2, and except for fossil fuel mining facilities, the granting of a permit under this Act shall not relieve the applicant from meeting and securing all necessary zoning approvals from the unit of government having zoning jurisdiction over the proposed facility.

Before beginning construction on any new sewage treatment plant or sludge drying site to be owned or operated by a sanitary district organized under the Metropolitan Water Reclamation District Act for which a new permit (rather than the renewal or amendment of an existing permit) is required, such sanitary district shall hold a public hearing within the municipality within which the proposed facility is to be located, or within the nearest community if the proposed facility is to be located within an unincorporated area, at which information concerning the proposed facility shall be made available to the public, and members of the public shall be given the opportunity to express their views concerning the proposed facility.

The Agency may issue a permit for a municipal waste transfer station without requiring approval pursuant to Section 39.2 provided that the following demonstration is made:

1. the municipal waste transfer station was in existence on or before January 1, 1979 and was in continuous operation from January 1, 1979 to January 1, 1993;
2. the operator submitted a permit application to the Agency to develop and operate the municipal waste transfer station during April of 1994;
3. the operator can demonstrate that the county board of the county, if the municipal waste transfer station is in an unincorporated area, or the governing body of the municipality, if the station is in an incorporated area, does not object to resumption of the operation of the station; and
4. the site has local zoning approval.

(d) The Agency may issue RCRA permits exclusively under this subsection to persons owning or operating a facility for the treatment, storage, or disposal of hazardous waste as defined under this Act.

All RCRA permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Resource
Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a RCRA permit.

In the case of a permit to operate a hazardous waste or PCB incinerator as defined in subsection (k) of Section 44, the Agency shall require, as a condition of the permit, that the operator of the facility perform such analyses of the waste to be incinerated as may be necessary and appropriate to ensure the safe operation of the incinerator.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of RCRA permits, and which are consistent with the Act or regulations adopted by the Board, and with the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(e) The Agency may issue UIC permits exclusively under this subsection to persons owning or operating a facility for the underground injection of contaminants as defined under this Act.

All UIC permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a UIC permit.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of UIC permits, and which are consistent with the Act or regulations adopted by the Board, and with
the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection, all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(f) In making any determination pursuant to Section 9.1 of this Act:

(1) The Agency shall have authority to make the determination of any question required to be determined by the Clean Air Act, as now or hereafter amended, this Act, or the regulations of the Board, including the determination of the Lowest Achievable Emission Rate, Maximum Achievable Control Technology, or Best Available Control Technology, consistent with the Board's regulations, if any.

(2) The Agency shall, after conferring with the applicant, give written notice to the applicant of its proposed decision on the application including the terms and conditions of the permit to be issued and the facts, conduct or other basis upon which the Agency will rely to support its proposed action.

(3) Following such notice, the Agency shall give the applicant an opportunity for a hearing in accordance with the provisions of Sections 10-25 through 10-60 of the Illinois Administrative Procedure Act.

(g) The Agency shall include as conditions upon all permits issued for hazardous waste disposal sites such restrictions upon the future use of such sites as are reasonably necessary to protect public health and the environment, including permanent prohibition of the use of such sites for purposes which may create an unreasonable risk of injury to human health or to the environment. After administrative and judicial challenges to such restrictions have been exhausted, the Agency shall file such restrictions of record in the Office of the Recorder of the county in which the hazardous waste disposal site is located.

(h) A hazardous waste stream may not be deposited in a permitted hazardous waste site unless specific authorization is obtained from the Agency by the generator and disposal site owner and operator for the
deposit of that specific hazardous waste stream. The Agency may grant specific authorization for disposal of hazardous waste streams only after the generator has reasonably demonstrated that, considering technological feasibility and economic reasonableness, the hazardous waste cannot be reasonably recycled for reuse, nor incinerated or chemically, physically or biologically treated so as to neutralize the hazardous waste and render it nonhazardous. In granting authorization under this Section, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and are consistent with this Act and regulations promulgated by the Board hereunder. If the Agency refuses to grant authorization under this Section, the applicant may appeal as if the Agency refused to grant a permit, pursuant to the provisions of subsection (a) of Section 40 of this Act. For purposes of this subsection (h), the term "generator" has the meaning given in Section 3.205 of this Act, unless: (1) the hazardous waste is treated, incinerated, or partially recycled for reuse prior to disposal, in which case the last person who treats, incinerates, or partially recycles the hazardous waste prior to disposal is the generator; or (2) the hazardous waste is from a response action, in which case the person performing the response action is the generator. This subsection (h) does not apply to any hazardous waste that is restricted from land disposal under 35 Ill. Adm. Code 728.

(i) Before issuing any RCRA permit, any permit for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incinerator, or any waste-transportation operation, or any permit or interim authorization for a clean construction or demolition debris fill operation, the Agency shall conduct an evaluation of the prospective owner's or operator's prior experience in waste management operations and clean construction or demolition debris fill operations. The Agency may deny such a permit, or deny or revoke interim authorization, if the prospective owner or operator or any employee or officer of the prospective owner or operator has a history of:

   (1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites or clean construction or demolition debris fill operation facilities or sites; or

   (2) conviction in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this or another state or federal court of any of the following crimes: forgery, official misconduct,

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bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) proof of gross carelessness or incompetence in handling, storing, processing, transporting or disposing of waste or clean construction or demolition debris, or proof of gross carelessness or incompetence in using clean construction or demolition debris as fill.

(i-5) Before issuing any permit or approving any interim authorization for a clean construction or demolition debris fill operation in which any ownership interest is transferred between January 1, 2005, and the effective date of the prohibition set forth in Section 22.52 of this Act, the Agency shall conduct an evaluation of the operation if any previous activities at the site or facility may have caused or allowed contamination of the site. It shall be the responsibility of the owner or operator seeking the permit or interim authorization to provide to the Agency all of the information necessary for the Agency to conduct its evaluation. The Agency may deny a permit or interim authorization if previous activities at the site may have caused or allowed contamination at the site, unless such contamination is authorized under any permit issued by the Agency.

(j) The issuance under this Act of a permit to engage in the surface mining of any resources other than fossil fuels shall not relieve the permittee from its duty to comply with any applicable local law regulating the commencement, location or operation of surface mining facilities.

(k) A development permit issued under subsection (a) of Section 39 for any facility or site which is required to have a permit under subsection (d) of Section 21 shall expire at the end of 2 calendar years from the date upon which it was issued, unless within that period the applicant has taken action to develop the facility or the site. In the event that review of the conditions of the development permit is sought pursuant to Section 40 or 41, or permittee is prevented from commencing development of the facility or site by any other litigation beyond the permittee's control, such two-year period shall be deemed to begin on the date upon which such review process or litigation is concluded.

(l) No permit shall be issued by the Agency under this Act for construction or operation of any facility or site located within the boundaries of any setback zone established pursuant to this Act, where such construction or operation is prohibited.

(m) The Agency may issue permits to persons owning or operating a facility for composting landscape waste. In granting such permits, the
Agency may impose such conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with applicable regulations promulgated by the Board. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit pursuant to this subsection, the Agency shall transmit to the applicant within the time limitations of this subsection specific, detailed statements as to the reasons the permit application was denied. Such statements shall include but not be limited to the following:

1. the Sections of this Act that may be violated if the permit were granted;
2. the specific regulations promulgated pursuant to this Act that may be violated if the permit were granted;
3. the specific information, if any, the Agency deems the applicant did not provide in its application to the Agency; and
4. a statement of specific reasons why the Act and the regulations might be violated if the permit were granted.

If no final action is taken by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued. Any applicant for a permit may waive the 90 day limitation by filing a written statement with the Agency.

The Agency shall issue permits for such facilities upon receipt of an application that includes a legal description of the site, a topographic map of the site drawn to the scale of 200 feet to the inch or larger, a description of the operation, including the area served, an estimate of the volume of materials to be processed, and documentation that:

1. the facility includes a setback of at least 200 feet from the nearest potable water supply well;
2. the facility is located outside the boundary of the 10-year floodplain or the site will be floodproofed;
3. the facility is located so as to minimize incompatibility with the character of the surrounding area, including at least a 200 foot setback from any residence, and in the case of a facility that is developed or the permitted composting area of which is expanded after November 17, 1991, the composting area is located at least 1/8 mile from the nearest residence (other than a residence located on the same property as the facility);
4. the design of the facility will prevent any compost material from being placed within 5 feet of the water table, will
adequately control runoff from the site, and will collect and manage any leachate that is generated on the site;

(5) the operation of the facility will include appropriate dust and odor control measures, limitations on operating hours, appropriate noise control measures for shredding, chipping and similar equipment, management procedures for composting, containment and disposal of non-compostable wastes, procedures to be used for terminating operations at the site, and recordkeeping sufficient to document the amount of materials received, composted and otherwise disposed of; and

(6) the operation will be conducted in accordance with any applicable rules adopted by the Board.

The Agency shall issue renewable permits of not longer than 10 years in duration for the composting of landscape wastes, as defined in Section 3.155 of this Act, based on the above requirements.

The operator of any facility permitted under this subsection (m) must submit a written annual statement to the Agency on or before April 1 of each year that includes an estimate of the amount of material, in tons, received for composting.

(n) The Agency shall issue permits jointly with the Department of Transportation for the dredging or deposit of material in Lake Michigan in accordance with Section 18 of the Rivers, Lakes, and Streams Act.

(o) (Blank.)

(p) (1) Any person submitting an application for a permit for a new MSWLF unit or for a lateral expansion under subsection (t) of Section 21 of this Act for an existing MSWLF unit that has not received and is not subject to local siting approval under Section 39.2 of this Act shall publish notice of the application in a newspaper of general circulation in the county in which the MSWLF unit is or is proposed to be located. The notice must be published at least 15 days before submission of the permit application to the Agency. The notice shall state the name and address of the applicant, the location of the MSWLF unit or proposed MSWLF unit, the nature and size of the MSWLF unit or proposed MSWLF unit, the nature of the activity proposed, the probable life of the proposed activity, the date the permit application will be submitted, and a statement that persons may file written comments with the Agency concerning the permit application within 30 days after the filing of the permit application unless the time period to submit comments is extended by the Agency.

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When a permit applicant submits information to the Agency to supplement a permit application being reviewed by the Agency, the applicant shall not be required to reissue the notice under this subsection.

(2) The Agency shall accept written comments concerning the permit application that are postmarked no later than 30 days after the filing of the permit application, unless the time period to accept comments is extended by the Agency.

(3) Each applicant for a permit described in part (1) of this subsection shall file a copy of the permit application with the county board or governing body of the municipality in which the MSWLF unit is or is proposed to be located at the same time the application is submitted to the Agency. The permit application filed with the county board or governing body of the municipality shall include all documents submitted to or to be submitted to the Agency, except trade secrets as determined under Section 7.1 of this Act. The permit application and other documents on file with the county board or governing body of the municipality shall be made available for public inspection during regular business hours at the office of the county board or the governing body of the municipality and may be copied upon payment of the actual cost of reproduction.

(q) Within 6 months after the effective date of this amendatory Act of the 97th General Assembly, the Agency, in consultation with the regulated community, shall develop a web portal to be posted on its website for the purpose of enhancing review and promoting timely issuance of permits required by this Act. At a minimum, the Agency shall make the following information available on the web portal:

(1) Checklists and guidance relating to the completion of permit applications, developed pursuant to subsection (s) of this Section, which may include, but are not limited to, existing instructions for completing the applications and examples of complete applications. As the Agency develops new checklists and develops guidance, it shall supplement the web portal with those materials.

(2) Within 2 years after the effective date of this amendatory Act of the 97th General Assembly, permit application forms or portions of permit applications that can be completed and saved electronically, and submitted to the Agency electronically with digital signatures.

(3) Within 2 years after the effective date of this amendatory Act of the 97th General Assembly, an online tracking
system where an applicant may review the status of its pending application, including the name and contact information of the permit analyst assigned to the application. Until the online tracking system has been developed, the Agency shall post on its website semi-annual permitting efficiency tracking reports that include statistics on the timeframes for Agency action on the following types of permits received after the effective date of this amendatory Act of the 97th General Assembly: air construction permits, new NPDES permits and associated water construction permits, and modifications of major NPDES permits and associated water construction permits. The reports must be posted by February 1 and August 1 each year and shall include:

(A) the number of applications received for each type of permit, the number of applications on which the Agency has taken action, and the number of applications still pending; and

(B) for those applications where the Agency has not taken action in accordance with the timeframes set forth in this Act, the date the application was received and the reasons for any delays, which may include, but shall not be limited to, (i) the application being inadequate or incomplete, (ii) scientific or technical disagreements with the applicant, USEPA, or other local, state, or federal agencies involved in the permitting approval process, (iii) public opposition to the permit, or (iv) Agency staffing shortages. To the extent practicable, the tracking report shall provide approximate dates when cause for delay was identified by the Agency, when the Agency informed the applicant of the problem leading to the delay, and when the applicant remedied the reason for the delay.

(r) Upon the request of the applicant, the Agency shall notify the applicant of the permit analyst assigned to the application upon its receipt.

(s) The Agency is authorized to prepare and distribute guidance documents relating to its administration of this Section and procedural rules implementing this Section. Guidance documents prepared under this subsection shall not be considered rules and shall not be subject to the Illinois Administrative Procedure Act. Such guidance shall not be binding on any party.
(t) Except as otherwise prohibited by federal law or regulation, any person submitting an application for a permit may include with the application suggested permit language for Agency consideration. The Agency is not obligated to use the suggested language or any portion thereof in its permitting decision. If requested by the permit applicant, the Agency shall meet with the applicant to discuss the suggested language.

(u) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the draft permit prior to any public review period.

(v) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the final permit prior to its issuance.

(w) An air pollution permit shall not be required due to emissions of greenhouse gases, as specified by Section 9.15 of this Act.

(x) If, before the expiration of a State operating permit that is issued pursuant to subsection (a) of this Section and contains federally enforceable conditions limiting the potential to emit of the source to a level below the major source threshold for that source so as to exclude the source from the Clean Air Act Permit Program, the Agency receives a complete application for the renewal of that permit, then all of the terms and conditions of the permit shall remain in effect until final administrative action has been taken on the application for the renewal of the permit.

(Source: P.A. 97-95, eff. 7-12-11.)

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

Approved August 9, 2013.
Effective August 9, 2013.
Sec. 6-303. Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked.

(a) Except as otherwise provided in subsection (a-5), any person who drives or is in actual physical control of a motor vehicle on any highway of this State at a time when such person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended as provided by this Code or the law of another state, except as may be specifically allowed by a judicial driving permit issued prior to January 1, 2009, monitoring device driving permit, family financial responsibility driving permit, probationary license to drive, or a restricted driving permit issued pursuant to this Code or under the law of another state, shall be guilty of a Class A misdemeanor.

(a-3) A second or subsequent violation of subsection (a) of this Section is a Class 4 felony if committed by a person whose driving or operation of a motor vehicle is the proximate cause of a motor vehicle accident that causes personal injury or death to another. For purposes of this subsection, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(a-5) Any person who violates this Section as provided in subsection (a) while his or her driver's license, permit or privilege is revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide or a similar provision of a law of another state, is guilty of a Class 4 felony. The person shall be required to undergo a professional evaluation, as provided in Section 11-501 of this Code, to determine if an alcohol, drug, or intoxicating compound problem exists and the extent of the problem, and to undergo the imposition of treatment as appropriate.

(b) (Blank).

(b-1) Upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle during the time when the person's driver's license, permit or privilege was suspended by the Secretary of State or the driver's licensing administrator of another state, except as specifically allowed by a probationary license, judicial driving permit, restricted driving permit or monitoring device driving permit the Secretary shall extend the suspension for the same period of time as the
originally imposed suspension unless the suspension has already expired, in which case the Secretary shall be authorized to suspend the person's driving privileges for the same period of time as the originally imposed suspension.

(b-2) Except as provided in subsection (b-6), upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle when the person's driver's license, permit or privilege was revoked by the Secretary of State or the driver's license administrator of any other state, except as specifically allowed by a restricted driving permit issued pursuant to this Code or the law of another state, the Secretary shall not issue a driver's license for an additional period of one year from the date of such conviction indicating such person was operating a vehicle during such period of revocation.

(b-3) (Blank).

(b-4) When the Secretary of State receives a report of a conviction of any violation indicating a person was operating a motor vehicle that was not equipped with an ignition interlock device during a time when the person was prohibited from operating a motor vehicle not equipped with such a device, the Secretary shall not issue a driver's license to that person for an additional period of one year from the date of the conviction.

(b-5) Any person convicted of violating this Section shall serve a minimum term of imprisonment of 30 consecutive days or 300 hours of community service when the person's driving privilege was revoked or suspended as a result of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(b-6) Upon receiving a report of a first conviction of operating a motor vehicle while the person's driver's license, permit or privilege was revoked where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense, the Secretary shall not issue a driver's license for an additional period of three years from the date of such conviction.

(c) Except as provided in subsections (c-3) and (c-4), any person convicted of violating this Section shall serve a minimum term of imprisonment of 10 consecutive days or 30 days of community service when the person's driving privilege was revoked or suspended as a result of:

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(1) a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof; or

(2) a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance relating to the offense of leaving the scene of a motor vehicle accident involving personal injury or death; or

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code.

Such sentence of imprisonment or community service shall not be subject to suspension in order to reduce such sentence.

(c-1) Except as provided in subsections (c-5) and (d), any person convicted of a second violation of this Section shall be ordered by the court to serve a minimum of 100 hours of community service.

(c-2) In addition to other penalties imposed under this Section, the court may impose on any person convicted a fourth time of violating this Section any of the following:

(1) Seizure of the license plates of the person's vehicle.

(2) Immobilization of the person's vehicle for a period of time to be determined by the court.

(c-3) Any person convicted of a violation of this Section during a period of summary suspension imposed pursuant to Section 11-501.1 when the person was eligible for a MDDP shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-4) Any person who has been issued a MDDP and who is convicted of a violation of this Section as a result of operating or being in actual physical control of a motor vehicle not equipped with an ignition interlock device at the time of the offense shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-5) Any person convicted of a second violation of this Section is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and shall serve a mandatory term of imprisonment, if the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d) Any person convicted of a second violation of this Section shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as

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determined by the court, if the original revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-1) Except as provided in subsections (d-2), (d-2.5), and (d-3), any person convicted of a third or subsequent violation of this Section shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court.

(d-2) Any person convicted of a third violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 30 days if the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-2.5) Any person convicted of a third violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment if the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense. The person's driving privileges shall be revoked for the remainder of the person's life.

(d-3) Any person convicted of a fourth, fifth, sixth, seventh, eighth, or ninth violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 180 days if the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-3.5) Any person convicted of a fourth or subsequent violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, and is eligible for an extended term, if the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-4) Any person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth violation of this Section is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code,
or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-5) Any person convicted of a fifteenth or subsequent violation of this Section is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(e) Any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements, in addition to other penalties imposed under this Section, shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(f) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(g) The motor vehicle used in a violation of this Section is subject to seizure and forfeiture as provided in Sections 36-1 and 36-2 of the Criminal Code of 2012 if the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(2) a violation of paragraph (b) of Section 11-401 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code or a similar provision of a law of another state; or

(4) a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar provision of a law of another state.

(Source: P.A. 96-502, eff. 1-1-10; 96-607, eff. 8-24-09; 96-1000, eff. 7-2-10; 96-1344, eff. 7-1-11; 97-984, eff. 1-1-13; 97-1150, eff. 1-25-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Sections 14-41, 21-15, 21-20, and 21-25 as follows:

(35 ILCS 200/14-41)

Sec. 14-41. Notice and collection of arrearages of property taxes. If a taxpayer owes arrearages of taxes due to an administrative error, the county may not bill, collect, claim a lien for, or sell the arrearages of taxes for tax years earlier than the 2 most recent tax years, including the current tax year. If a taxpayer owes arrearages of taxes due to an administrative error, the county collector shall send the taxpayer, by certified mail, a notice that the arrearages of taxes are owed by the taxpayer. If the notice is mailed to the taxpayer on or before October 1 in any year, then (i) the county collector may send a separate bill for the arrearages of taxes, which may be due no sooner than 30 days after the due date for the next installment of taxes or (ii) the arrearages of taxes may be added to the tax bill for the following year, in which case the taxes are due in 2 equal installments on June 1 and September 1 in the following year unless the county has adopted an accelerated method of billing in which case the arrearages of taxes may be billed separately and shall be due in equal installments on the dates on which each installment of taxes is due in the following year. If the notice is mailed after October 1 in any year, then the arrearages of taxes are to be added to the tax bill for the second year after the notice and are due in 2 equal installments on June 1 and September 1 in the second year after the notice unless the county has adopted an accelerated method of billing in which case the arrearages of taxes may be billed separately and shall be due in equal installments on the dates on which each installment of taxes is due in the second year after the notice. In no event shall the due dates on the arrearages of taxes be in more than one tax year. The arrearages of taxes added to a tax bill under this Section are to be listed separately on the tax bill. "Administrative error" includes but is not limited to failure to include an extension for a taxing district on
the tax bill, an error in the calculations of tax rates or extensions or any other mathematical error by the county clerk, or a defective coding by the county, but does not include a failure by the county to send a tax bill to the taxpayer, the failure by the taxpayer to notify the assessor of a change in the tax-exempt status of property, or any error concerning the assessment of the property.

(Source: P.A. 89-617, eff. 9-1-96.)

(35 ILCS 200/21-15)

Sec. 21-15. General tax due dates; default by mortgage lender. Except as otherwise provided in this Section or Section 21-40, all property upon which the first installment of taxes remains unpaid on the later of (i) June 1 or (ii) the day after the date specified on the real estate tax bill as the first installment due date annually shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof. Except as otherwise provided in this Section or Section 21-40, all property upon which the second installment of taxes remains due and unpaid on the later of (i) September 1 or (ii) the day after the date specified on the real estate tax bill as the second installment due date, annually, shall be deemed delinquent and shall bear interest after that date at the same interest rate. Notwithstanding any other provision of law, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof. All interest collected shall be paid into the general fund of the county. Payment received by mail and postmarked on or before the required due date is not delinquent.

Property not subject to the interest charge in Section 9-260 or Section 9-265 shall also not be subject to the interest charge imposed by this Section until such time as the owner of the property receives actual notice of and is billed for the principal amount of back taxes due and owing.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment.
and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

Notwithstanding any other provision of law, when any unpaid taxes become delinquent under this Section through the fault of the mortgage lender, (i) the interest assessed under this Section for delinquent taxes shall be charged against the mortgage lender and not the mortgagor and (ii) the mortgage lender shall pay the taxes, redeem the property and take all necessary steps to remove any liens accruing against the property because of the delinquency. In the event that more than one entity meets the definition of mortgage lender with respect to any mortgage, the interest shall be assessed against the mortgage lender responsible for servicing the mortgage. Unpaid taxes shall be deemed delinquent through the fault of the mortgage lender only if: (a) the mortgage lender has received all payments due the mortgage lender for the property being taxed under the written terms of the mortgage or promissory note secured by the mortgage, (b) the mortgage lender holds funds in escrow to pay the taxes, and (c) the funds are sufficient to pay the taxes after deducting all amounts reasonably anticipated to become due for all hazard insurance premiums and mortgage insurance premiums and any other assessments to be paid from the escrow under the terms of the mortgage. For purposes of this Section, an amount is reasonably anticipated to become due if it is payable within 12 months from the time of determining the sufficiency of funds held in escrow. Unpaid taxes shall not be deemed delinquent through the fault of the mortgage lender if the mortgage lender was directed in writing by the mortgagor not to pay the property taxes, or if the failure to pay the taxes when due resulted from inadequate or inaccurate parcel information provided by the mortgagor, a title or abstract company, or by the agency or unit of government assessing the tax.

(Source: P.A. 97-944, eff. 8-10-12.)

New matter indicated by italics - deletions by strikeout
Sec. 21-20. Due dates; accelerated billing in counties of less than 3,000,000. Except as otherwise provided in Section 21-40, in counties with less than 3,000,000 inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after a date not later than June 1 annually as provided for in the ordinance or resolution of the county board adopting the accelerated method, at the rate of 1 1/2% per month or portion thereof until paid or forfeited. The second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited. Payment received by mail and postmarked on or before the required due date is not delinquent.

Notwithstanding any other provision of law, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

(Source: P.A. 94-312, eff. 7-25-05.)

New matter indicated by italics - deletions by strikeout
Sec. 21-25. Due dates; accelerated billing in counties of 3,000,000 or more. Except as hereinafter provided and as provided in Section 21-40, in counties with 3,000,000 or more inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after March 1 at the rate of 1 1/2% per month or portion thereof until paid or forfeited. For tax year 2010, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after April 1 at the rate of 1.5% per month or portion thereof until paid or forfeited. For all tax years, the second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited.

Notwithstanding any other provision of law, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof.

If the county board elects by ordinance adopted prior to July 1 of a levy year to provide for taxes to be paid in 4 installments, each installment for that levy year and each subsequent year shall be deemed delinquent and shall begin to bear interest 30 days after the date specified by the ordinance for mailing bills, at the rate of 1 1/2% per month or portion thereof, until paid or forfeited.

Payment received by mail and postmarked on or before the required due date is not delinquent.

Taxes levied on homestead property in which a member of the National Guard or reserves of the armed forces of the United States who was called to active duty on or after August 1, 1990, and who has an ownership interest, shall not be deemed delinquent and no interest shall accrue or be charged as a penalty on such taxes due and payable in 1991 or 1992 until one year after that member returns to civilian status.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act,
he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns to civilian status. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

(Source: P.A. 96-1297, eff. 7-26-10.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0287
(Senate Bill No. 1790)

AN ACT concerning housing.

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

Section 5. The Affordable Housing Planning and Appeal Act is amended by changing Sections 15, 20, 25, 30, and 50 as follows:

(310 ILCS 67/15)

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

"Affordable housing" means housing that has a value or cost sales price or rental amount that is within the means of a household that may occupy moderate-income or low-income housing. In the case of owner-occupied dwelling units for sale, housing that is affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit. In the case of dwelling units for rent, housing that is affordable means housing for which the rent and utilities constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit.

New matter indicated by italics - deletions by strikeout
"Affordable housing developer" means a nonprofit entity, limited equity cooperative or public agency, or private individual, firm, corporation, or other entity seeking to build an affordable housing development.

"Affordable housing development" means (i) any housing that is subsidized by the federal or State government or (ii) any housing in which at least 20% of the dwelling units are subject to covenants or restrictions that require that the dwelling units be sold or rented at prices that preserve them as affordable housing for a period of at least 15 years, in the case of owner-occupied for-sale housing, and at least 30 years, in the case of rental housing.

"Approving authority" means the governing body of the county or municipality.

"Area median household income" means the median household income adjusted for family size for applicable income limit areas as determined annually by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937.

"Community land trust" means a private, not-for-profit corporation organized exclusively for charitable, cultural, and other purposes and created to acquire and own land for the benefit of the local government, including the creation and preservation of affordable housing.

"Development" means any building, construction, renovation, or excavation or any material change in any structure or land, or change in the use of such structure or land, that results in a net increase in the number of dwelling units in a structure or on a parcel of land by more than one dwelling unit.

"Exempt local government" means any local government in which at least 10% of its total year-round housing units are affordable, as determined by the Illinois Housing Development Authority pursuant to Section 20 of this Act; or any municipality under 1,000 population.

"Household" means the person or persons occupying a dwelling unit.

"Housing trust fund" means a separate fund, either within a local government or between local governments pursuant to intergovernmental agreement, established solely for the purposes authorized in subsection (d) of Section 25, including, without limitation, the holding and disbursing of financial resources to address the affordable housing needs of individuals or households that may occupy low-income or moderate-income housing.

"Local government" means a county or municipality.

New matter indicated by italics - deletions by strikeout
"Low-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that does not exceed 50% of the area median household income.

"Moderate-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than 50% but does not exceed 80% of the area median household income.

"Non-appealable local government requirements" means all essential requirements that protect the public health and safety, including any local building, electrical, fire, or plumbing code requirements or those requirements that are critical to the protection or preservation of the environment.

(Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04; 94-303, eff. 7-21-05.)

(310 ILCS 67/20)
Sec. 20. Determination of exempt local governments.
(a) Beginning October 1, 2004, the Illinois Housing Development Authority shall determine which local governments are exempt and not exempt from the operation of this Act based on an identification of the total number of year-round housing units in the most recent data from the U.S. Census Bureau decennial census for each local government within the State and by an inventory of owner-occupied for-sale and rental affordable housing units, as defined in this Act, for each local government from the U.S. Census Bureau decennial census and other relevant sources.
(b) The Illinois Housing Development Authority shall make this determination by:
   (i) totaling the number of owner-occupied for-sale housing units in each local government that are affordable to households with a gross household income that is less than 80% of the median household income within the county or primary metropolitan statistical area;
   (ii) totaling the number of rental units in each local government that are affordable to households with a gross household income that is less than 60% of the median household income within the county or primary metropolitan statistical area;
(iii) adding the number of owner-occupied for-sale and rental units for each local government from items (i) and (ii); and

(iv) dividing the sum of (iii) above by the total number of year-round housing units in the local government as contained in the latest U.S. Census Bureau decennial census and multiplying the result by 100 to determine the percentage of affordable housing units within the jurisdiction of the local government.

(c) Beginning on the effective date of this amendatory Act of the 98th General Assembly October 1, 2004, the Illinois Housing Development Authority shall publish on an annual basis a list of exempt and non-exempt local governments and the data that it used to calculate its determination at least once every 5 years. The data shall be shown for each local government in the State and for the State as a whole. Upon publishing a list of exempt and non-exempt local governments, the Illinois Housing Development Authority shall notify a local government that it is not exempt from the operation of this Act and provide to it the data used to calculate its determination.

(d) A local government or developer of affordable housing may appeal the determination of the Illinois Housing Development Authority as to whether the local government is exempt or non-exempt under this Act in connection with an appeal under Section 30 of this Act.

(Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)

(310 ILCS 67/25)

Sec. 25. Affordable housing plan.

(a) Prior to April 1, 2005, all non-exempt local governments must approve an affordable housing plan. Any local government that is determined by the Illinois Housing Development Authority under Section 20 to be non-exempt for the first time based on the recalculation of U.S. Census Bureau decennial census data after 2010 shall have 18 months from the date of notification of its non-exempt status to approve an affordable housing plan under this Act.

(b) For the purposes of this Act, the affordable housing plan shall consist of at least the following:

(i) a statement of the total number of affordable housing units that are necessary to exempt the local government from the operation of this Act as defined in Section 15 and Section 20;

(ii) an identification of lands within the jurisdiction that are most appropriate for the construction of affordable housing and of existing structures most appropriate for conversion to, or

New matter indicated by italics - deletions by strikeout
rehabilitation for, affordable housing, including a consideration of lands and structures of developers who have expressed a commitment to provide affordable housing and lands and structures that are publicly or semi-publicly owned;

(iii) incentives that local governments may provide for the purpose of attracting affordable housing to their jurisdiction; and

(iv) a goal of a minimum of 15% of all new development or redevelopment within the local government that would be defined as affordable housing in this Act; or a minimum of a 3 percentage point increase in the overall percentage of affordable housing within its jurisdiction, as described in subsection (b) of Section 20 of this Act; or a minimum of a total of 10% affordable housing within its jurisdiction as described in subsection (b) of Section 20 of this Act. These goals may be met, in whole or in part, through the creation of affordable housing units under intergovernmental agreements as described in subsection (e) of this Section.

(c) Within 60 days after the adoption of an affordable housing plan or revisions to its affordable housing plan, the local government must submit a copy of that plan to the Illinois Housing Development Authority.

(d) In order to promote the goals of this Act and to maximize the creation, establishment, or preservation of affordable housing throughout the State of Illinois, a local government, whether exempt or non-exempt under this Act, may adopt the following measures to address the need for affordable housing:

(1) Local governments may individually or jointly create or participate in a housing trust fund or otherwise provide funding or support for the purpose of supporting affordable housing, including, without limitation, to support the following affordable housing activities:

(A) Housing production, including, without limitation, new construction, rehabilitation, and adaptive re-use.

(B) Acquisition, including, without limitation, land, single-family homes, multi-unit buildings, and other existing structures that may be used in whole or in part for residential use.

(C) Rental payment assistance.

(D) Home-ownership purchase assistance.

(E) Preservation of existing affordable housing.

New matter indicated by italics - deletions by strikeout
(F) Weatherization.
(G) Emergency repairs.
(H) Housing related support services, including homeownership education and financial counseling.
(I) Grants or loans to not-for-profit organizations engaged in addressing the affordable housing needs of low-income and moderate-income households.

Local governments may authorize housing trust funds to accept and utilize funds, property, and other resources from all proper and lawful public and private sources so long as those funds are used solely for addressing the affordable housing needs of individuals or households that may occupy low-income or moderate-income housing.

(2) A local government may create a community land trust, which may: acquire developed or undeveloped interests in real property and hold them for affordable housing purposes; convey such interests under long-term leases, including ground leases; convey such interests for affordable housing purposes; and retain an option to reacquire any such real property interests at a price determined by a formula ensuring that such interests may be utilized for affordable housing purposes.

(3) A local government may use its zoning powers to require the creation and preservation of affordable housing as authorized under Section 5-12001 of the Counties Code and Section 11-13-1 of the Illinois Municipal Code.

(4) A local government may accept donations of money or land for the purpose of addressing the affordable housing needs of individuals or households that may occupy low-income or moderate-income housing. These donations may include, without limitation, donations of money or land from persons in lieu of building affordable housing.

(e) In order to encourage regional cooperation and the maximum creation of affordable housing in areas lacking such housing in the State of Illinois, any non-exempt local government may enter into intergovernmental agreements under subsection (e) of Section 25 with local governments within 10 miles of its corporate boundaries in order to create affordable housing units to meet the goals of this Act. A non-exempt local government may not enter into an intergovernmental agreement, however, with any local government that contains more than
25% affordable housing as determined under Section 20 of this Act. All intergovernmental agreements entered into to create affordable housing units to meet the goals of this Act must also specify the basis for determining how many of the affordable housing units created will be credited to each local government participating in the agreement for purposes of complying with this Act. All intergovernmental agreements entered into to create affordable housing units to meet the goals of this Act must also specify the anticipated number of newly created affordable housing units that are to be credited to each local government participating in the agreement for purposes of complying with this Act. In specifying how many affordable housing units will be credited to each local government, the same affordable housing unit may not be counted by more than one local government.

(Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04; 94-303, eff. 7-21-05.)

(310 ILCS 67/30)
Sec. 30. Appeal to State Housing Appeals Board.
(a) (Blank).
(b) Beginning January 1, 2009, an affordable housing developer whose application is either denied or approved with conditions that in his or her judgment render the provision of affordable housing infeasible may, within 45 days after the decision, appeal to the State Housing Appeals Board challenging that decision unless the municipality or county that rendered the decision is exempt under Section 15 of this Act. The developer must submit information regarding why the developer believes he or she was unfairly denied or unreasonable conditions were placed upon the tentative approval of the development. In the case of local governments that are determined by the Illinois Housing Development Authority under Section 20 to be non-exempt for the first time based on the recalculation of U.S. Census Bureau decennial census data after the effective date of this amendatory Act of the 98th General Assembly 2010, no developer may appeal to the State Housing Appeals Board until 60 months after a local government has been notified of its non-exempt status.
(c) Beginning on the effective date of this amendatory Act of the 98th General Assembly January 1, 2009, the Board shall, whenever possible, render a decision on the appeal within 120 days after the appeal is filed. The Board may extend the time by which it will render a decision where circumstances outside the Board’s control make it infeasible for the
Board to render a decision within 120 days. In any proceeding before the Board, the affordable housing developer bears the burden of demonstrating that the proposed affordable housing development (i) has been unfairly denied or (ii) has had unreasonable conditions placed upon it by the decision of the local government.

(d) The Board shall dismiss any appeal if:
   (i) the local government has adopted an affordable housing plan as defined in Section 25 of this Act and submitted that plan to the Illinois Housing Development Authority within the time frame required by this Act; and
   (ii) the local government has implemented its affordable housing plan and has met its goal as established in its affordable housing plan as defined in Section 25 of this Act.

(e) The Board shall dismiss any appeal if the reason for denying the application or placing conditions upon the approval is a non-appealable local government requirement under Section 15 of this Act.

(f) The Board may affirm, reverse, or modify the conditions of, or add conditions to, a decision made by the approving authority. The decision of the Board constitutes an order directed to the approving authority and is binding on the local government.

(g) The appellate court has the exclusive jurisdiction to review decisions of the Board. Any appeal to the Appellate Court of a final ruling by the State Housing Appeals Board may be heard only in the Appellate Court for the District in which the local government involved in the appeal is located. The appellate court shall apply the "clearly erroneous" standard when reviewing such appeals. An appeal of a final ruling of the Board shall be filed within 35 days after the Board's decision and in all respects shall be in accordance with Section 3-113 of the Code of Civil Procedure.

(Source: P.A. 93-595, eff. 1-1-04; 94-303, eff. 7-21-05.)

(310 ILCS 67/50)

Sec. 50. Housing Appeals Board.

(a) Prior to January 1, 2008, a Housing Appeals Board shall be created consisting of 7 members appointed by the Governor as follows:
   (1) a retired circuit judge or retired appellate judge, who shall act as chairperson;
   (2) a zoning board of appeals member;
   (3) a planning board member;
   (4) a mayor or municipal council or board member;

New matter indicated by italics - deletions by strikeout
(5) a county board member;
(6) an affordable housing developer; and
(7) an affordable housing advocate.

In addition, the Chairman of the Illinois Housing Development Authority, ex officio, shall serve as a non-voting member. No more than 4 of the appointed members may be from the same political party. Appointments under items (2), (3), and (4) shall be from local governments that are not exempt under this Act.

(b) Initial terms of 4 members designated by the Governor shall be for 2 years. Initial terms of 3 members designated by the Governor shall be for one year. Thereafter, members shall be appointed for terms of 2 years. After a member's term expires, the member shall continue to serve until a successor is appointed. There shall be no limit to the number of terms an appointee may serve. A member shall receive no compensation for his or her services, but shall be reimbursed by the State for all reasonable expenses actually and necessarily incurred in the performance of his or her official duties. The board shall hear all petitions for review filed under this Act and shall conduct all hearings in accordance with the rules and regulations established by the chairperson. The Illinois Housing Development Authority shall provide space and clerical and other assistance that the Board may require.

(c) (Blank).

(Section scheduled to be repealed on January 1, 2020)
Sec. 13. Qualifications of applicants. Any person who is of good moral character may apply for licensure if he or she is a graduate with a first professional degree in architecture from a program accredited by the National Architectural Accrediting Board, has completed the examination requirements set forth under Section 12 of this Act, and has completed such diversified professional training, including academic training, as is required by rules of the Department. Until January 1, 2014, in lieu of the requirement of graduation with a first professional degree in architecture from a program accredited by the National Architectural Accrediting Board, the Department may admit an applicant who is a graduate with a pre-professional 4 year baccalaureate degree accepted for direct entry into a first professional master of architecture degree program, and who has completed such additional diversified professional training, including academic training, as is required by rules of the Department. The Department may adopt, as its own rules relating to diversified professional training, those guidelines published from time to time by the National Council of Architectural Registration Boards.

Good moral character means such character as will enable a person to discharge the fiduciary duties of an architect to that person's client and to the public in a manner which protects health, safety and welfare. Evidence of inability to discharge such duties may include the commission of an offense justifying discipline under Section 22. In addition, the Department may take into consideration whether the applicant has engaged in conduct or actions that would constitute grounds for discipline under this Act.

(Source: P.A. 96-610, eff. 8-24-09.)

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

Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0289
(Senate Bill No. 1826)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Electronic Commerce Security Act is amended by changing Section 5-120 as follows:

(5 ILCS 175/5-120)
Sec. 5-120. Electronic signatures.
(a) Where a rule of law requires a signature, or provides for certain consequences if a document is not signed, an electronic signature satisfies that rule of law.

(a-5) In the course of exercising any permitting, licensing, or other regulatory function, a municipality may accept, but shall not require, documents with an electronic signature, including, but not limited to, the technical submissions of a design professional with an electronic signature.

(b) An electronic signature may be proved in any manner, including by showing that a procedure existed by which a party must of necessity have executed a symbol or security procedure for the purpose of verifying that an electronic record is that of such party in order to proceed further with a transaction.

(c) The provisions of this Section shall not apply:
(1) when its application would involve a construction of a rule of law that is clearly inconsistent with the manifest intent of the lawmaking body or repugnant to the context of the same rule of law, provided that the mere requirement of a "signature" or that a record be "signed" shall not by itself be sufficient to establish such intent;
(2) to any rule of law governing the creation or execution of a will or trust, living will, or healthcare power of attorney; and
(3) to any record that serves as a unique and transferable instrument of rights and obligations including, without limitation, negotiable instruments and other instruments of title wherein possession of the instrument is deemed to confer title, unless an electronic version of such record is created, stored, and transferred in a manner that allows for the existence of only one unique, identifiable, and unalterable original with the functional attributes of an equivalent physical instrument, that can be possessed by only one person, and which cannot be copied except in a form that is readily identifiable as a copy.
(Source: P.A. 90-759, eff. 7-1-99.)

Section 10. The Illinois Architecture Practice Act of 1989 is amended by changing Section 14 as follows:

New matter indicated by italics - deletions by strikeout
(225 ILCS 305/14) (from Ch. 111, par. 1314)
(Section scheduled to be repealed on January 1, 2020)

Sec. 14. Display of license; Seal. Every holder of a license as a licensed architect shall display it in a conspicuous place in the principal office of the architect.

Every licensed architect shall have a reproducible seal, or facsimile, the print of which shall contain the name of the architect, the license number, and the words "Licensed Architect, State of Illinois". The licensed architect shall affix the signature, current date, date of license expiration and seal to the first sheet of any bound set or loose sheets of technical submissions utilized as contract documents between the parties to the contract or prepared for the review and approval of any governmental or public authority having jurisdiction by that licensed architect or under that licensed architect's responsible control. The sheet of technical submissions in which the seal is affixed shall indicate those documents or parts thereof for which the seal shall apply. The seal and dates may be electronically affixed. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer. The signature must be in the original handwriting of the licensee. Signatures generated by computer shall not be permitted. All technical submissions issued by any corporation, partnership, professional service corporation, or professional design firm as registered under this Act shall contain the corporate or assumed business name and design firm registration number, in addition to any other seal requirements as set forth in this Section.

"Responsible control" means that amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by architects applying the required professional standard of care. Merely reviewing or reviewing and correcting the technical submissions or any portion thereof prepared by those not in the regular employment of the office where the architect is resident without control over the content of such work throughout its preparation does not constitute responsible control.

An architect licensed under the laws of this jurisdiction shall not sign and seal technical submissions that were not prepared by or under the responsible control of the architect except that:

1) the architect may sign and seal those portions of the technical submissions that were prepared by or under the
responsible control of persons who hold a license under this Act, and who shall have signed and sealed the documents, if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his or her work;

(2) the architect may sign and seal portions of the professional work that are not required by this Act to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his or her work; and

(3) a partner or corporate officer of a professional design firm registered in Illinois who is licensed under the architecture licensing laws of this State, and who has professional knowledge of the content of the technical submissions and intends to be responsible for the adequacy of the technical submissions, may sign and seal technical submissions that are prepared by or under the responsible control of architects who are licensed in this State and who are in the regular employment of the professional design firm.

The architect exercising responsible control under which the documents or portions of the documents were prepared shall be identified on the documents or portions of the documents by name and Illinois license number.

Any licensed architect who signs and seals technical submissions not prepared by that architect but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident shall maintain and make available to the board upon request for at least 5 years following such signing and sealing, adequate and complete records demonstrating the nature and extent of the architect's control over and detailed professional knowledge of such technical submissions throughout their preparation.

(Source: P.A. 91-133, eff. 1-1-00; 92-360, eff. 1-1-02.)

Section 15. The Professional Engineering Practice Act of 1989 is amended by changing Section 14 as follows:

(225 ILCS 325/14) (from Ch. 111, par. 5214)

(Section scheduled to be repealed on January 1, 2020)

Sec. 14. Seal. Every professional engineer shall have a seal or stamp, the print of which shall be reproducible and contain the name of the professional engineer, the professional engineer's license number, and the

New matter indicated by italics - deletions by strikeout
words "Licensed Professional Engineer of Illinois". Any reproducible stamp heretofore authorized under the laws of this state for use by a professional engineer, including those with the words "Registered Professional Engineer of Illinois", shall serve the same purpose as the seal provided for by this Act. The engineer shall be responsible for his seal and signature as defined by rule. When technical submissions are prepared utilizing a computer or other electronic means, the seal may be generated by the computer. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the technical submission bearing an original signature, or a signature generated by a computer. Signatures generated by computer shall not be permitted.

The use of a professional engineer's seal on technical submissions constitutes a representation by the professional engineer that the work has been prepared by or under the personal supervision of the professional engineer or developed in conjunction with the use of accepted engineering standards. The use of the seal further represents that the work has been prepared and administered in accordance with the standards of reasonable professional skill and diligence.

It is unlawful to affix one's seal to technical submissions if it masks the true identity of the person who actually exercised direction, control and supervision of the preparation of such work. A professional engineer who seals and signs technical submissions is not responsible for damage caused by subsequent changes to or uses of those technical submissions, where the subsequent changes or uses, including changes or uses made by State or local governmental agencies, are not authorized or approved by the professional engineer who originally sealed and signed the technical submissions.

(Source: P.A. 96-626, eff. 8-24-09.)

Section 20. The Illinois Professional Land Surveyor Act of 1989 is amended by changing Section 15 as follows:

(225 ILCS 330/15) (from Ch. 111, par. 3265)

(Section scheduled to be repealed on January 1, 2020)

Sec. 15. Seal. Every Professional Land Surveyor shall have a reproducible seal or facsimile, which may be computer generated, the impression of which shall contain the name of the land surveyor, his or her place of business, the license number, of the Professional Land Surveyor, and the words "Professional Land Surveyor, State of Illinois". Signatures generated by computer or rubber stamp shall not be permitted. A
Professional Land Surveyor shall seal all documents prepared by or under the direct supervision and control of the Professional Land Surveyor. Any seal authorized or approved by the Department under the Illinois Land Surveyors Act shall serve the same purpose as the seal provided for by this Act. The licensee's written signature and date of signing along with the date of license expiration shall be placed adjacent to the seal. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

It is unlawful to affix one's seal to documents if it masks the true identity of the person who actually exercised direction, control, and supervision of the preparation of that work. A Professional Land Surveyor who seals and signs documents is not responsible for damage caused by subsequent changes to or uses of those documents where the subsequent changes or uses, including changes or uses made by State or local governmental agencies, are not authorized or approved by the Professional Land Surveyor who originally sealed and signed the documents.

(Source: P.A. 93-467, eff. 1-1-04.)

Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0290
(Senate Bill No. 1831)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)
Sec. 2.33. Prohibitions.
(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.
(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing

New matter indicated by italics - deletions by strikeout
mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.
(l) It is unlawful to take any species of wild game, except white-tailed deer, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to take trap or attempt to take any species of wildlife or parts thereof, hunt, or intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, or to knowingly shoot a gun or bow and arrow device at any wildlife physically on or flying over the property of another without first obtaining permission from the owner.
or the owner's designee. For the purposes of this Section, the owner's designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for such authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of wildlife or parts thereof, and (iii) the owner's notarized signature.

It shall be prima facie evidence that a person does not have permission of the owner or tenant if the person is unable to demonstrate to the law enforcement officer in the field that permission had been obtained. This provision may only be rebutted by testimony of the owner or tenant that permission had been given. Before enforcing this Section the law enforcement officer must have received notice from the owner or the owner's designee tenant of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that

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hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is
defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a daily bag limit without making a reasonable effort to retrieve such species and include such in the daily bag limit.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(Source: P.A. 96-390, eff. 8-13-09; 97-645, eff. 12-30-11; 97-907, eff. 8-7-12.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning workers.

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

Section 5. The Workers' Compensation Act is amended by changing Section 6 as follows:

(820 ILCS 305/6) (from Ch. 48, par. 138.6)

Sec. 6. (a) Every employer within the provisions of this Act, shall, under the rules and regulations prescribed by the Commission, post printed notices in their respective places of employment in such number and at such places as may be determined by the Commission, containing such information relative to this Act as in the judgment of the Commission may be necessary to aid employees to safeguard their rights under this Act in event of injury.

In addition thereto, the employer shall post in a conspicuous place on the place of the employment a printed or typewritten notice stating whether he is insured or whether he has qualified and is operating as a self-insured employer. In the event the employer is insured, the notice shall state the name and address of his insurance carrier, the number of the insurance policy, its effective date and the date of termination. In the event of the termination of the policy for any reason prior to the termination date stated, the posted notice shall promptly be corrected accordingly. In the event the employer is operating as a self-insured employer the notice shall state the name and address of the company, if any, servicing the compensation payments of the employer, and the name and address of the person in charge of making compensation payments.

(b) Every employer subject to this Act shall maintain accurate records of work-related deaths, injuries and illness other than minor injuries requiring only first aid treatment and which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job and file with the Commission, in writing, a report of all accidental deaths, injuries and illnesses arising out of and in the course of the employment resulting in the loss of more than 3 scheduled work days. In the case of death such report shall be made no later than 2 working days following the accidental death. In all other cases such report shall be made between the 15th and 25th of each month unless required to be made sooner by rule of the Commission. In case the injury results in
permanent disability, a further report shall be made as soon as it is
determined that such permanent disability has resulted or will result from
the injury. All reports shall state the date of the injury, including the time
of day or night, the nature of the employer's business, the name, address,
age, sex, conjugal condition of the injured person, the specific occupation
of the injured person, the direct cause of the injury and the nature of the
accident, the character of the injury, the length of disability, and in case of
death the length of disability before death, the wages of the injured person,
whether compensation has been paid to the injured person, or to his or her
legal representative or his heirs or next of kin, the amount of compensation
paid, the amount paid for physicians', surgeons' and hospital bills, and by
whom paid, and the amount paid for funeral or burial expenses if known.
The reports shall be made on forms and in the manner as prescribed by the
Commission and shall contain such further information as the Commission
shall deem necessary and require. The making of these reports releases the
employer from making such reports to any other officer of the State and
shall satisfy the reporting provisions as contained in the "Health and Safety
Act" and "An Act in relation to safety inspections and education in
industrial and commercial establishments and to repeal an Act therein
named", approved July 18, 1955, as now or hereafter amended. The reports
filed with the Commission pursuant to this Section shall be made available
by the Commission to the Director of Labor or his representatives and to
all other departments of the State of Illinois which shall require such
information for the proper discharge of their official duties. Failure to file
with the Commission any of the reports required in this Section is a petty
offense.

Except as provided in this paragraph, all reports filed hereunder
shall be confidential and any person having access to such records filed
with the Illinois Workers' Compensation Commission as herein required,
who shall release any information therein contained including the names
or otherwise identify any persons sustaining injuries or disabilities, or give
access to such information to any unauthorized person, shall be subject to
discipline or discharge, and in addition shall be guilty of a Class B
misdemeanor. The Commission shall compile and distribute to interested
persons aggregate statistics, taken from the reports filed hereunder. The
aggregate statistics shall not give the names or otherwise identify persons
sustaining injuries or disabilities or the employer of any injured or disabled
person.

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(c) Notice of the accident shall be given to the employer as soon as practicable, but not later than 45 days after the accident. Provided:

(1) In case of the legal disability of the employee or any dependent of a deceased employee who may be entitled to compensation under the provisions of this Act, the limitations of time by this Act provided do not begin to run against such person under legal disability until a guardian has been appointed.

(2) In cases of injuries sustained by exposure to radiological materials or equipment, notice shall be given to the employer within 90 days subsequent to the time that the employee knows or suspects that he has received an excessive dose of radiation.

No defect or inaccuracy of such notice shall be a bar to the maintenance of proceedings on arbitration or otherwise by the employee unless the employer proves that he is unduly prejudiced in such proceedings by such defect or inaccuracy.

Notice of the accident shall give the approximate date and place of the accident, if known, and may be given orally or in writing.

(d) Every employer shall notify each injured employee who has been granted compensation under the provisions of Section 8 of this Act of his rights to rehabilitation services and advise him of the locations of available public rehabilitation centers and any other such services of which the employer has knowledge.

In any case, other than one where the injury was caused by exposure to radiological materials or equipment or asbestos unless the application for compensation is filed with the Commission within 3 years after the date of the accident, where no compensation has been paid, or within 2 years after the date of the last payment of compensation, where any has been paid, whichever shall be later, the right to file such application shall be barred.

In any case of injury caused by exposure to radiological materials or equipment or asbestos, unless application for compensation is filed with the Commission within 25 years after the last day that the employee was employed in an environment of hazardous radiological activity or asbestos, the right to file such application shall be barred.

If in any case except one where the injury was caused by exposure to radiological materials or equipment or asbestos, the accidental injury results in death application for compensation for death may be filed with the Commission within 3 years after the date of death where no compensation has been paid or within 2 years after the date of the last

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payment of compensation where any has been paid, whichever shall be later, but not thereafter.

If an accidental injury caused by exposure to radiological material or equipment or asbestos results in death within 25 years after the last day that the employee was so exposed application for compensation for death may be filed with the Commission within 3 years after the date of death, where no compensation has been paid, or within 2 years after the date of the last payment of compensation where any has been paid, whichever shall be later, but not thereafter.

(e) Any contract or agreement made by any employer or his agent or attorney with any employee or any other beneficiary of any claim under the provisions of this Act within 7 days after the injury shall be presumed to be fraudulent.

(f) Any condition or impairment of health of an employee employed as a firefighter, emergency medical technician (EMT), or paramedic which results directly or indirectly from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial) to the employee shall be rebuttably presumed to arise out of and in the course of the employee's firefighting, EMT, or paramedic employment and, further, shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment. This presumption shall also apply to any hernia or hearing loss suffered by an employee employed as a firefighter, EMT, or paramedic. However, this presumption shall not apply to any employee who has been employed as a firefighter, EMT, or paramedic for less than 5 years at the time he or she files an Application for Adjustment of Claim concerning this condition or impairment with the Illinois Workers' Compensation Commission. The rebuttable presumption established under this subsection, however, does not apply to an emergency medical technician (EMT) or paramedic employed by a private employer if the employee spends the preponderance of his or her work time for that employer engaged in medical transfers between medical care facilities or non-emergency medical transfers to or from medical care facilities. The changes made to this subsection by this amendatory Act of the 98th General Assembly shall be narrowly construed. The Finding and Decision of the Illinois Workers' Compensation Commission under only the rebuttable presumption provision of this subsection shall not be admissible or be deemed res judicata in any disability claim under the Illinois Pension

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Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.
(Source: P.A. 95-316, eff. 1-1-08.)

Section 10. The Workers' Occupational Diseases Act is amended by changing Section 1 as follows:

(820 ILCS 310/1) (from Ch. 48, par. 172.36)
Sec. 1. This Act shall be known and may be cited as the "Workers' Occupational Diseases Act".
(a) The term "employer" as used in this Act shall be construed to be:

1. The State and each county, city, town, township, incorporated village, school district, body politic, or municipal corporation therein.
2. Every person, firm, public or private corporation, including hospitals, public service, eleemosynary, religious or charitable corporations or associations, who has any person in service or under any contract for hire, express or implied, oral or written.
3. Where an employer operating under and subject to the provisions of this Act loans an employee to another such employer and such loaned employee sustains a compensable occupational disease in the employment of such borrowing employer and where such borrowing employer does not provide or pay the benefits or payments due such employee, such loaning employer shall be liable to provide or pay all benefits or payments due such employee under this Act and as to such employee the liability of such loaning and borrowing employers shall be joint and several, provided that such loaning employer shall in the absence of agreement to the contrary be entitled to receive from such borrowing employer full reimbursement for all sums paid or incurred pursuant to this paragraph together with reasonable attorneys' fees and expenses in any hearings before the Illinois Workers' Compensation Commission or in any action to secure such reimbursement. Where any benefit is provided or paid by such loaning employer, the employee shall have the duty of rendering reasonable co-operation in any hearings, trials or proceedings in the case, including such proceedings for reimbursement.
Where an employee files an Application for Adjustment of Claim with the Illinois Workers' Compensation Commission alleging that his or her claim is covered by the provisions of the preceding paragraph, and joining both the alleged loaning and borrowing employers, they and each of them, upon written demand by the employee and within 7 days after receipt of such demand, shall have the duty of filing with the Illinois Workers' Compensation Commission a written admission or denial of the allegation that the claim is covered by the provisions of the preceding paragraph and in default of such filing or if any such denial be ultimately determined not to have been bona fide then the provisions of Paragraph K of Section 19 of this Act shall apply.

An employer whose business or enterprise or a substantial part thereof consists of hiring, procuring or furnishing employees to or for other employers operating under and subject to the provisions of this Act for the performance of the work of such other employers and who pays such employees their salary or wage notwithstanding that they are doing the work of such other employers shall be deemed a loaning employer within the meaning and provisions of this Section.

(b) The term "employee" as used in this Act, shall be construed to mean:

1. Every person in the service of the State, county, city, town, township, incorporated village or school district, body politic or municipal corporation therein, whether by election, appointment or contract of hire, express or implied, oral or written, including any official of the State, or of any county, city, town, township, incorporated village, school district, body politic or municipal corporation therein and except any duly appointed member of the fire department in any city whose population exceeds 500,000 according to the last Federal or State census, and except any member of a fire insurance patrol maintained by a board of underwriters in this State. One employed by a contractor who has contracted with the State, or a county, city, town, township, incorporated village, school district, body politic or municipal corporation therein, through its representatives, shall not be considered as an employee of the State, county, city, town, township, incorporated village, school district, body politic or municipal corporation which made the contract.

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2. Every person in the service of another under any contract of hire, express or implied, oral or written, who contracts an occupational disease while working in the State of Illinois, or who contracts an occupational disease while working outside of the State of Illinois but where the contract of hire is made within the State of Illinois, and any person whose employment is principally localized within the State of Illinois, regardless of the place where the disease was contracted or place where the contract of hire was made, including aliens, and minors who, for the purpose of this Act, except Section 3 hereof, shall be considered the same and have the same power to contract, receive payments and give quittances therefor, as adult employees. An employee or his or her dependents under this Act who shall have a cause of action by reason of an occupational disease, disablement or death arising out of and in the course of his or her employment may elect or pursue his or her remedy in the State where the disease was contracted, or in the State where the contract of hire is made, or in the State where the employment is principally localized.

(c) "Commission" means the Illinois Workers' Compensation Commission created by the Workers' Compensation Act, approved July 9, 1951, as amended.

(d) In this Act the term "Occupational Disease" means a disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment. Such aggravation shall arise out of a risk peculiar to or increased by the employment and not common to the general public.

A disease shall be deemed to arise out of the employment if there is apparent to the rational mind, upon consideration of all the circumstances, a causal connection between the conditions under which the work is performed and the occupational disease. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin or aggravation in a risk connected with the employment and to have flowed from that source as a rational consequence.

An employee shall be conclusively deemed to have been exposed to the hazards of an occupational disease when, for any length of time however short, he or she is employed in an occupation or process in which the hazard of the disease exists; provided however, that in a claim of exposure to atomic radiation, the fact of such exposure must be verified by
the records of the central registry of radiation exposure maintained by the Department of Public Health or by some other recognized governmental agency maintaining records of such exposures whenever and to the extent that the records are on file with the Department of Public Health or the agency.

Any injury to or disease or death of an employee arising from the administration of a vaccine, including without limitation smallpox vaccine, to prepare for, or as a response to, a threatened or potential bioterrorist incident to the employee as part of a voluntary inoculation program in connection with the person's employment or in connection with any governmental program or recommendation for the inoculation of workers in the employee's occupation, geographical area, or other category that includes the employee is deemed to arise out of and in the course of the employment for all purposes under this Act. This paragraph added by Public Act 93-829 is declarative of existing law and is not a new enactment.

The employer liable for the compensation in this Act provided shall be the employer in whose employment the employee was last exposed to the hazard of the occupational disease claimed upon regardless of the length of time of such last exposure, except, in cases of silicosis or asbestosis, the only employer liable shall be the last employer in whose employment the employee was last exposed during a period of 60 days or more after the effective date of this Act, to the hazard of such occupational disease, and, in such cases, an exposure during a period of less than 60 days, after the effective date of this Act, shall not be deemed a last exposure. If a miner who is suffering or suffered from pneumoconiosis was employed for 10 years or more in one or more coal mines there shall, effective July 1, 1973 be a rebuttable presumption that his or her pneumoconiosis arose out of such employment.

If a deceased miner was employed for 10 years or more in one or more coal mines and died from a respirable disease there shall, effective July 1, 1973, be a rebuttable presumption that his or her death was due to pneumoconiosis.

Any condition or impairment of health of an employee employed as a firefighter, emergency medical technician (EMT), or paramedic which results directly or indirectly from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial) to the employee shall be rebuttably presumed

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to arise out of and in the course of the employee's firefighting, EMT, or paramedic employment and, further, shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment. This presumption shall also apply to any hernia or hearing loss suffered by an employee employed as a firefighter, EMT, or paramedic. However, this presumption shall not apply to any employee who has been employed as a firefighter, EMT, or paramedic for less than 5 years at the time he or she files an Application for Adjustment of Claim concerning this condition or impairment with the Illinois Workers' Compensation Commission. The rebuttable presumption established under this subsection, however, does not apply to an emergency medical technician (EMT) or paramedic employed by a private employer if the employee spends the preponderance of his or her work time for that employer engaged in medical transfers between medical care facilities or non-emergency medical transfers to or from medical care facilities. The changes made to this subsection by this amendatory Act of the 98th General Assembly shall be narrowly construed. The Finding and Decision of the Illinois Workers' Compensation Commission under only the rebuttable presumption provision of this paragraph shall not be admissible or be deemed res judicata in any disability claim under the Illinois Pension Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.

The insurance carrier liable shall be the carrier whose policy was in effect covering the employer liable on the last day of the exposure rendering such employer liable in accordance with the provisions of this Act.

(e) "Disablement" means an impairment or partial impairment, temporary or permanent, in the function of the body or any of the members of the body, or the event of becoming disabled from earning full wages at the work in which the employee was engaged when last exposed to the hazards of the occupational disease by the employer from whom he or she claims compensation, or equal wages in other suitable employment; and "disability" means the state of being so incapacitated.

(f) No compensation shall be payable for or on account of any occupational disease unless disablement, as herein defined, occurs within two years after the last day of the last exposure to the hazards of the disease, except in cases of occupational disease caused by berylliosis or by the inhalation of silica dust or asbestos dust and, in such cases, within 3 years after the last day of the last exposure to the hazards of such disease.
and except in the case of occupational disease caused by exposure to radiological materials or equipment, and in such case, within 25 years after the last day of last exposure to the hazards of such disease.
(Source: P.A. 95-316, eff. 1-1-08; 95-331, eff. 8-21-07.)
Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0292
(Senate Bill No. 1849)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 11-501.01 as follows:
(625 ILCS 5/11-501.01)
Sec. 11-501.01. Additional administrative sanctions.
(a) After a finding of guilt and prior to any final sentencing or an order for supervision, for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.
(b) Any person who is found guilty of or pleads guilty to violating Section 11-501, including any person receiving a disposition of court supervision for violating that Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a county State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.
(c) Every person found guilty of violating Section 11-501, whose operation of a motor vehicle while in violation of that Section proximately

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caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided in subsection (i) of this Section.

(d) The Secretary of State shall revoke the driving privileges of any person convicted under Section 11-501 or a similar provision of a local ordinance.

(e) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by a person who has been convicted of a second or subsequent offense of Section 11-501 or a similar provision of a local ordinance. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees.

(f) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating Section 11-501, including any person placed on court supervision for violating Section 11-501, shall be assessed $750, payable to the circuit clerk, who shall distribute the money as follows: $350 to the law enforcement agency that made the arrest, and $400 shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating Section 11-501 or a similar provision of a local ordinance, the fine shall be $1,000, and the circuit clerk shall distribute $200 to the law enforcement agency that made the arrest and $800 to the State Treasurer for deposit into the General Revenue Fund. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (f) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Any moneys received by the Department of State Police under this subsection (f) shall be deposited into the State Police DUI Fund and shall

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be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State.

(g) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (f) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(h) Whenever an individual is sentenced for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(i) In addition to any other fine or penalty required by law, an individual convicted of a violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the
costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (i), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance. With respect to funds designated for the Department of State Police, the moneys shall be remitted by the circuit court clerk to the State Police within one month after receipt for deposit into the State Police DUI Fund. With respect to funds designated for the Department of Natural Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund.

(j) A person that is subject to a chemical test or tests of blood under subsection (a) of Section 11-501.1 or subdivision (c)(2) of Section 11-501.2 of this Code, whether or not that person consents to testing, shall be liable for the expense up to $500 for blood withdrawal by a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist, a certified paramedic, or a qualified person other than a police officer approved by the Department of State Police to withdraw blood, who responds, whether at a law enforcement facility or a health care facility, to a police department request for the drawing of blood based upon refusal of the person to submit to a lawfully requested breath test or probable cause exists to believe the test would disclose the ingestion, consumption, or use of drugs or intoxicating compounds if:

(1) the person is found guilty of violating Section 11-501 of this Code or a similar provision of a local ordinance; or
(2) the person pleads guilty to or stipulates to facts supporting a violation of Section 11-503 of this Code or a similar provision of a local ordinance when the plea or stipulation was the result of a plea agreement in which the person was originally charged with violating Section 11-501 of this Code or a similar local ordinance.

(Source: P.A. 96-1342, eff. 1-1-11; 97-931, eff. 1-1-13; 97-1050, eff. 1-1-13; revised 8-23-12.)

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 3-6 as follows:

(720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses under Section 10-9 of this Code may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the
time period for prosecution expire sooner than 3 years after the commission of the offense.

(c) (Blank).

(d) A prosecution for child pornography, aggravated child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping, exploitation of a child, or promoting juvenile prostitution except for keeping a place of juvenile prostitution may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense. When the victim is under 18 years of age, a prosecution for criminal sexual abuse may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the "Environmental Protection Act", approved June 29, 1970, as amended, may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense.
Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse, or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age. When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(k) A prosecution for theft involving real property exceeding $100,000 in value under Section 16-1, identity theft under subsection (a) of Section 16-30, aggravated identity theft under subsection (b) of Section 16-30, or any offense set forth in Article 16H or Section 17-10.6 may be commenced within 7 years of the last act committed in furtherance of the crime.

(l) A prosecution for any offense set forth in Section 26-4 of this Code may be commenced within one year after the discovery of the offense by the victim of that offense.

(Source: P.A. 96-233, eff. 1-1-10; 96-1551, Article 2, Section 1035, eff. 7-1-11; 96-1551, Article 10, Section 10-140, eff. 7-1-11; 97-597, eff. 1-1-12; 97-897, eff. 1-1-13.)

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective January 1, 2014.
Section 5. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing Section 31-5 as follows:

(225 ILCS 447/31-5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 31-5. Exemptions. The provisions of this Act regarding fingerprint vendors do not apply to any of the following, if the person performing the service does not hold himself or herself out as a fingerprint vendor or fingerprint vendor agency:

(1) An employee of the United States, Illinois, or a political subdivision, including public school districts, of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a fingerprint vendor or uses a similar title when these services are performed for compensation or other consideration, whether received directly or indirectly, is subject to this Act.

(2) A person employed exclusively by only one employer in connection with the exclusive activities of that employer, provided that person does not hold himself or herself out to the public as a fingerprint vendor.

(3) Notwithstanding any other provisions of this Act, any member of local law enforcement in the performance of his or her duties. Nothing in this Act shall prohibit local law enforcement agencies from charging a reasonable fee related to the cost of offering fingerprinting services.

(Source: P.A. 95-613, eff. 9-11-07.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0295
(Senate Bill No. 1900)

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

New matter indicated by italics - deletions by strikeout
Section 1. Short title. This Act may be cited as the Open Access to Research Articles Act.

Section 5. Purpose. The General Assembly finds and declares the following:

(1) to maximize the social and economic benefits of research to the public, the published research articles produced by faculty at public universities should be made as widely available as possible, wide availability referring both to the depth of availability of a given research article (including immediate availability where practicable, long-term preservation and free public access, and broad accessibility for reuse and further research) and the breadth of research articles made available;

(2) the public support these employees receive and the increased impact that broad public dissemination of research has is an important public purpose;

(3) many public universities have developed, or are developing, the capacity to provide free access over the Internet to such research through institutional repositories or otherwise; and

(4) a substantial portion of the research currently is not freely available over the Internet because the faculty have entered into publication agreements with terms that restrict public access to the fruits of unclassified research conducted by these State employees.

Section 10. Definitions. In this Act, "public university" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, or any other public university or college now or hereafter established or authorized by the General Assembly.

Section 15. Task forces.

(a) By January 1, 2014, each public university shall establish an Open Access to Research Task Force. Each task force shall be appointed by the chairperson of the board of trustees for the public university, with the advice and consent of that board. Each task force shall be comprised of voting members and non-voting members. The voting members shall include, without limitation, members representing the university's library, members representing faculty, including, where applicable, a labor organization that represents faculty at the public university, and members
representing university administration. The non-voting members shall include, without limitation, a member representing publishers who publish scholarly journals. In the instance of public universities that have multiple campuses, each campus shall have representation on the task force. The task force shall review current practices and design a proposed policy regarding open access to research articles, based on criteria that are specific to each public university's needs.

(b) Each task force shall (i) consider how the public university can best further the open access goals laid out in this Act, whether by creation of an open access policy for the public university, creation of an open access policy for the State, or some other mechanism; (ii) review how peer institutions and the federal government are addressing issues related to open access and ensure that any institutional or statewide policies are consistent with steps taken by federal grant-making agencies; and (iii) consider academic, legal, ethical, and fiscal ramifications of and questions regarding an open access policy, including but not limited to the following:

(1) the question of how to preserve the academic freedom of scholars to publish as they wish while still providing public access to research;
(2) the design of a copyright policy that meets the needs of the public as well as of authors and publishers;
(3) the design of reporting, oversight, and enforcement mechanisms;
(4) the cost of maintaining and, where applicable, creating institutional repositories;
(5) the potential for collaboration between public universities regarding the use and maintenance of repositories;
(6) the potential use of existing scholarly repositories;
(7) the fiscal feasibility and benefits and drawbacks to researchers of institutional support for Gold open access fees (where publication costs are covered by author fees rather than by subscription or advertising fees);
(8) the differences between academic and publishing practices in different fields and the manner in which these differences should be reflected in an open access policy;
(9) the determination of which version of a research article should be made publicly accessible; and

New matter indicated by italics - deletions by strikeout
(10) the determination of which researchers and which research ought to be covered by an open access policy, including, but not limited to, the question of whether a policy should cover theses and dissertations written by students at public institutions; research conducted by employees of State agencies; research supported by State grants, but not conducted by employees of public institutions or State agencies; research materials digitized using State funding; data collected by covered researchers; research conducted by faculty at institutions that receive Monetary Award Program grants under Section 35 of the Higher Education Student Assistance Act; research conducted by part-time, adjunct, or other non-permanent faculty; research at least one of whose co-authors is covered by the policy; research progress reports presented at professional meetings or conferences; laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts; or classified research, research resulting in works that generate revenue or royalties for authors (such as books), or patentable discoveries.

(c) Each task force shall conduct open meetings with advance notice and shall allow individuals to address the task force regarding open access issues. Notwithstanding any provisions of the Open Meetings Act and subject to feasibility, members of the task force and interested parties may participate by phone or video conference.

(d) On or before January 1, 2015, each task force shall adopt a report setting forth its findings and recommendations. These recommendations shall include a detailed description of any open access policy the task force recommends that the public university or State adopt, as well as, in the case of the public university, a plan for implementation. This report must be approved by a majority of the appointed task force voting members. A task force shall also issue minority reports at the request of any member, including a non-voting member. Each report shall be submitted to the board of trustees of the respective public university, the Board of Higher Education, both chambers of the General Assembly, and the Governor. The Board of Higher Education shall publish, on its Internet website, a list of all public universities subject to this Act. The list shall indicate which public universities have submitted the report required pursuant to this subsection (d).

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

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

Section 5. The Environmental Protection Act is amended by changing Section 22.54 as follows:

Sec. 22.54. Beneficial Use Determinations. The purpose of this Section is to allow the Agency to determine that a material otherwise required to be managed as waste may be managed as non-waste if that material is used beneficially and in a manner that is protective of human health and the environment.

(a) To the extent allowed by federal law, the Agency may, upon the request of an applicant, make a written determination that a material is used beneficially (rather than discarded) and, therefore, not a waste if the applicant demonstrates all of the following:

(1) The chemical and physical properties of the material are comparable to similar commercially available materials.

(2) The market demand for the material is such that all of the following requirements are met:
   (A) The material will be used within a reasonable time.
   (B) The material's storage prior to use will be minimized.
   (C) The material will not be abandoned.

(3) The material is legitimately beneficially used. For the purposes of this item (3) of subsection (a) of this Section, a material is "legitimately beneficially used" if the applicant demonstrates all of the following:
   (A) The material is managed separately from waste, as a valuable material, and in a manner that maintains its beneficial usefulness, including, but not limited to, storing...
in a manner that minimizes the material's loss and maintains its beneficial usefulness.

(B) The material is used as an effective substitute for a similar commercially available material. For the purposes of this paragraph (B) of item (3) of subsection (a) of this Section, a material is "used as an effective substitute for a commercially available material" if the applicant demonstrates one or more of the following:

(i) The material is used as a valuable raw material or ingredient to produce a legitimate end product.

(ii) The material is used directly as a legitimate end product in place of a similar commercially available product.

(iii) The material replaces a catalyst or carrier to produce a legitimate end product.

The applicant's demonstration under this paragraph (B) of item (3) of subsection (a) of this Section must include, but is not limited to, a description of the use of the material, a description of the use of the legitimate end product, and a demonstration that the use of the material is comparable to the use of similar commercially available products.

(C) The applicant demonstrates all of the following:

(i) The material is used under paragraph (B) of item (3) of subsection (a) of this Section within a reasonable time.

(ii) The material's storage prior to use is minimized.

(iii) The material is not abandoned.

(4) The management and use of the material will not cause, threaten, or allow the release of any contaminant into the environment, except as authorized by law.

(5) The management and use of the material otherwise protects human health and safety and the environment.

(b) Applications for beneficial use determinations must be submitted on forms and in a format prescribed by the Agency. Agency approval, approval with conditions, or disapproval of an application for a beneficial use determination must be in writing. Approvals with conditions
and disapprovals of applications for a beneficial use determination must include the Agency's reasons for the conditions or disapproval, and they are subject to review under Section 40 of this Act.

(c) Beneficial use determinations shall be effective for a period approved by the Agency, but that period may not exceed 5 years. Material that is beneficially used (i) in accordance with a beneficial use determination, (ii) during the effective period of the beneficial use determination, and (iii) by the recipient of a beneficial use determination shall maintain its non-waste status after the effective period of the beneficial use determination unless its use no longer complies with the terms of the beneficial use determination or the material otherwise becomes waste.

(d) No recipient of a beneficial use determination shall manage or use the material that is the subject of the determination in violation of the determination or any conditions in the determination, unless the material is managed as waste.

(e) A beneficial use determination shall terminate by operation of law if, due to a change in law, it conflicts with the law; however, the recipient of the determination may apply for a new beneficial use determination that is consistent with the law as amended.

(f) This Section does not apply to hazardous waste, coal combustion waste, coal combustion by-product, sludge applied to the land, potentially infectious medical waste, or used oil.

(g) This Section does not apply to material that is burned for energy recovery, that is used to produce a fuel, or that is otherwise contained in a fuel.

(h) This Section does not apply to waste from the steel and foundry industries that is (i) classified as beneficially usable waste under Board rules and (ii) beneficially used in accordance with Board rules governing the management of beneficially usable waste from the steel and foundry industries. This Section does apply to other beneficial uses of waste from the steel and foundry industries, including, but not limited to, waste that is classified as beneficially usable waste but not used in accordance with the Board's rules governing the management of beneficially usable waste from the steel and foundry industries. No person shall use iron slags, steelmaking slags, or foundry sands for land reclamation purposes unless they have obtained a beneficial use determination for such use under this Section.
(i) For purposes of this Section, the term "commercially available material" means virgin material that (i) meets industry standards for a specific use and (ii) is normally sold for such use. For purposes of this Section, the term "commercially available product" means a product made of virgin material that (i) meets industry standards for a specific use and (ii) is normally sold for such use.

(j) Before issuing a beneficial use determination for the beneficial use of asphalt shingles, the Agency shall conduct an evaluation of the applicant's prior experience in asphalt shingle recycling operations. The Agency may deny such a beneficial use determination if the applicant, or any employee or officer of the applicant, has a history of any one or more of the following related to the operation of asphalt shingle recycling operation facilities or sites:

1. repeated violations of federal, State, or local laws, rules, regulations, standards, or ordinances;
2. conviction in a court of this State or another state of any crime that is a felony under the laws of this State;
3. conviction in a federal court of any crime that is a felony under federal law;
4. conviction in a court of this State or another state, or in a federal court, of forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, rule, regulation, or permit term or condition; or
5. gross carelessness or incompetence in the handling, storing, processing, transporting, disposing, or recycling of asphalt shingles.

(Source: P.A. 96-489, eff. 8-14-09.)

Passed in the General Assembly May 17, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0297
(Senate Bill No. 1950)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Funds Investment Act is amended by changing Sections 1 and 2 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 1. The words "public funds", as used in this Act, mean current operating funds, special funds, interest and sinking funds, and funds of any kind or character belonging to or in the custody of any public agency.

The words "public agency", as used in this Act, mean the State of Illinois, the various counties, townships, cities, towns, villages, school districts, educational service regions, special road districts, public water supply districts, fire protection districts, drainage districts, levee districts, sewer districts, housing authorities, the Illinois Bank Examiners' Education Foundation, the Chicago Park District, and all other political corporations or subdivisions of the State of Illinois, now or hereafter created, whether herein specifically mentioned or not. This Act does not apply to the Illinois Prepaid Tuition Trust Fund, private funds collected by the Illinois Conservation Foundation, or pension funds or retirement systems established under the Illinois Pension Code, except as otherwise provided in that Code.

The words "governmental unit", as used in this Act, have the same meaning as in the Local Government Debt Reform Act.

Sec. 2. Authorized investments.

(a) Any public agency may invest any public funds as follows:

   (1) in bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;

   (2) in bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities;

   (3) in interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;

   (4) in short term obligations of corporations organized in the United States with assets exceeding $500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature not later than 270 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding

New matter indicated by italics - deletions by strikeout
obligations and (iii) no more than one-third of the public agency’s funds may be invested in short term obligations of corporations; or

(5) in money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.

(a-1) In addition to any other investments authorized under this Act, a municipality, or a county, or other governmental unit may invest its public funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality, or county, or other governmental unit, or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

(b) Investments may be made only in banks which are insured by the Federal Deposit Insurance Corporation. Any public agency may invest any public funds in short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of such governing authority, the public funds so invested will be required for expenditure by such public agency or its governing authority. The expressed judgment of any such governing authority as to the time when any public funds will be required for expenditure or be redeemable is final and conclusive. Any public agency may invest any public funds in dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of
any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

(c) For purposes of this Section, the term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.

(d) Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a public agency may do any of the following:

(1) have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.

(2) have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.

(3) receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

(e) Any public agency may also invest any public funds in a Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

(f) To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and

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except where by specific statutory provisions such earnings are directed to be credited to and paid to a particular fund.

(g) A public agency may purchase or invest in repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued thereunder. The government securities, unless registered or inscribed in the name of the public agency, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

(h) Except for repurchase agreements of government securities which are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, no public agency may purchase or invest in instruments which constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of any public agency unless the instrument and the transaction meet the following requirements:

1. The securities, unless registered or inscribed in the name of the public agency, are purchased through banks or trust companies authorized to do business in the State of Illinois.
2. An authorized public officer after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, which acts for the public agency in connection with repurchase agreements involving the investment of funds by the public agency. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements. To the extent the Treasurer acts in this capacity, he is hereby authorized to pass through to such public agencies any charges assessed by the Federal Reserve Bank.
3. A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the public agency on the records of the custodial bank and the transaction must be confirmed in writing to the public agency by the custodial bank.

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(4) Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.

(5) The security interest must be perfected.

(6) The public agency enters into a written master repurchase agreement which outlines the basic responsibilities and liabilities of both buyer and seller.

(7) Agreements shall be for periods of 330 days or less.

(8) The authorized public officer of the public agency informs the custodial bank in writing of the maturity details of the repurchase agreement.

(9) The custodial bank must take delivery of and maintain the securities in its custody for the account of the public agency and confirm the transaction in writing to the public agency. The Custodial Undertaking shall provide that the custodian takes possession of the securities exclusively for the public agency; that the securities are free of any claims against the trading partner; and any claims by the custodian are subordinate to the public agency's claims to rights to those securities.

(10) The obligations purchased by a public agency may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the public agency or officer authorized to make such investments.

(11) The custodial bank shall be liable to the public agency for any monetary loss suffered by the public agency due to the failure of the custodial bank to take and maintain possession of such securities.

(i) Notwithstanding the foregoing restrictions on investment in instruments constituting repurchase agreements the Illinois Housing Development Authority may invest in, and any financial institution with capital of at least $250,000,000 may act as custodian for, instruments that constitute repurchase agreements, provided that the Illinois Housing Development Authority, in making each such investment, complies with the safety and soundness guidelines for engaging in repurchase transactions applicable to federally insured banks, savings banks, savings and loan associations or other depository institutions as set forth in the Federal Financial Institutions Examination Council Policy Statement Regarding Repurchase Agreements and any regulations issued, or which

New matter indicated by italics - deletions by strikeout
may be issued by the supervisory federal authority pertaining thereto and any amendments thereto; provided further that the securities shall be either (i) direct general obligations of, or obligations the payment of the principal of and/or interest on which are unconditionally guaranteed by, the United States of America or (ii) any obligations of any agency, corporation or subsidiary thereof controlled or supervised by and acting as an instrumentality of the United States Government pursuant to authority granted by the Congress of the United States and provided further that the security interest must be perfected by either the Illinois Housing Development Authority, its custodian or its agent receiving possession of the securities either physically or transferred through a nationally recognized book entry system.

(j) In addition to all other investments authorized under this Section, a community college district may invest public funds in any mutual funds that invest primarily in corporate investment grade or global government short term bonds. Purchases of mutual funds that invest primarily in global government short term bonds shall be limited to funds with assets of at least $100 million and that are rated at the time of purchase as one of the 10 highest classifications established by a recognized rating service. The investments shall be subject to approval by the local community college board of trustees. Each community college board of trustees shall develop a policy regarding the percentage of the college's investment portfolio that can be invested in such funds.

Nothing in this Section shall be construed to authorize an intergovernmental risk management entity to accept the deposit of public funds except for risk management purposes.

(Source: P.A. 96-741, eff. 8-25-09; 97-129, eff. 7-14-11.)

Section 10. The Illinois Municipal Code is amended by changing Section 3.1-35-50 as follows:

(65 ILCS 5/3.1-35-50) (from Ch. 24, par. 3.1-35-50)
Sec. 3.1-35-50. Treasurer; deposit of funds.

(a) The municipal treasurer may be required to keep all funds and money in the treasurer's custody belonging to the municipality in places of deposit designated by ordinance. When requested by the municipal treasurer, the corporate authorities shall designate one or more banks or savings and loan associations in which may be kept the funds and money of the municipality in the custody of the treasurer. When a bank or savings and loan association has been designated as a depository, it shall continue as a depository until 10 days have elapsed after a new depository is

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designated and has qualified by furnishing the statements of resources and liabilities as required by this Section. When a new depository is designated, the corporate authorities shall notify the sureties of the municipal treasurer of that fact in writing at least 5 days before the transfer of funds. The treasurer shall be discharged from responsibility for all funds or money that the treasurer deposits in a designated bank or savings and loan association while the funds and money are so deposited.

(b) The municipal treasurer may require any bank or savings and loan association to deposit with the treasurer securities or mortgages that have a market value at least equal to the amount of the funds or moneys of the municipality deposited with the bank or savings and loan association that exceeds the insurance limitation provided by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(c) The municipal treasurer may enter into agreements of any definite or indefinite term regarding the deposit, redeposit, investment, reinvestment, or withdrawal of municipal funds.

(d) Notwithstanding any other provision of this Act or any other law, each official custodian of municipal funds, including, without limitation, each municipal treasurer or finance director or each person properly designated as the official custodian for municipal funds, including, without limitation, each person properly designated as official custodian for funds held by an intergovernmental risk management entity, self-insurance pool, waste management agency, or other intergovernmental entity composed solely of participating municipalities, is permitted to:

(i) combine moneys from more than one fund of a single municipality, risk management entity, self-insurance pool, or other intergovernmental entity composed solely of participating municipalities for the purpose of investing such moneys;

(ii) join with any other official custodians or treasurers of municipal, intergovernmental risk management entity, self-insurance pool, waste management agency, or other intergovernmental entity composed solely of participating municipalities for the purpose of jointly investing the funds of which the official custodians or treasurers have custody; and

(iii) enter into agreements of any definite or indefinite term regarding the redeposit, investment, or withdrawal of municipal, risk management entity, self-insurance agency, waste management agency, or other intergovernmental entity funds.

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When funds are combined for investment purposes as authorized in this Section, the moneys combined for those purposes shall be accounted for separately in all respects, and the earnings from such investment shall be separately and individually computed, recorded, and credited to the fund, municipality, intergovernmental risk management entity, self-insurance pool, waste management agency, or other intergovernmental entity, as the case may be, for which the investment was acquired.

Joint investments shall be made only in investments authorized by law for investment of municipal funds. The grant of authority contained in this subsection is cumulative, supplemental, and in addition to all other power or authority granted by any other law and shall not be construed as a limitation of any power and authority otherwise granted.

(e) No bank or savings and loan association shall receive public funds as permitted by this Section unless it has complied with the requirements established by Section 6 of the Public Funds Investment Act.

(f) In addition to any other investments or deposits authorized under this Code, municipalities are authorized to invest the funds and public moneys in the custody of the municipal treasurer in accordance with the Public Funds Investment Act.

(Source: P.A. 89-592, eff. 8-1-96.)

Passed in the General Assembly May 17, 2013.
Approved August 9, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0298
(Senate Bill No. 1951)

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

Section 5. The Service Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the

New matter indicated by italics - deletions by strikeout
serviceman for expenses incurred in collecting the tax, preparing and filing returns, remitting the tax and supplying data to the Department on request. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a

New matter indicated by italics - deletions by strikeout
taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

New matter indicated by italics - deletions by strikeout
If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such

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registered businesses, but shall file separate returns for each such
registered business.

Beginning January 1, 1990, each month the Department shall pay
into the State and Local Tax Reform Fund, a special fund in the State
Treasury, the net revenue realized for the preceding month from the 1%
tax on sales of food for human consumption which is to be consumed off
the premises where it is sold (other than alcoholic beverages, soft drinks
and food which has been prepared for immediate consumption) and
prescription and nonprescription medicines, drugs, medical appliances and
insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay
into the State and Local Tax Reform Fund 20% of the net revenue
realized for the preceding month from the 6.25% general rate on transfers
of tangible personal property, other than tangible personal property which
is purchased outside Illinois at retail from a retailer and which is titled or
registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay
into the State and Local Tax Reform Fund 100% of the net revenue
realized for the preceding month from the 1.25% rate on the selling price
of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay
into the Capital Projects Fund an amount that is equal to an amount
estimated by the Department to represent 80% of the net revenue realized
for the preceding month from the sale of candy, grooming and hygiene
products, and soft drinks that had been taxed at a rate of 1% prior to
September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department
pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois
Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989,
3.8% thereof shall be paid into the Build Illinois Fund; provided, however,
that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as
the case may be, of the moneys received by the Department and required to
be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers'
Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the
Service Use Tax Act, and Section 9 of the Service Occupation Tax Act,
such Acts being hereinafter called the "Tax Acts" and such aggregate of
2.2% or 3.8%, as the case may be, of moneys being hereinafter called the
"Tax Act Amount", and (2) the amount transferred to the Build Illinois
Fund from the State and Local Sales Tax Reform Fund shall be less than

New matter indicated by italics - deletions by strikeout
the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant
to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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<tr>
<td>2015</td>
<td>179,000,000</td>
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New matter indicated by italics - deletions by strikeout
2016    189,000,000
2017    199,000,000
2018    210,000,000
2019    221,000,000
2020    233,000,000
2021    246,000,000
2022    260,000,000
2023    275,000,000
2024    275,000,000
2025    275,000,000
2026    279,000,000
2027    292,000,000
2028    307,000,000
2029    322,000,000
2030    338,000,000
2031    350,000,000
2032    350,000,000
and
each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July

New matter indicated by italics - deletions by strikeout
1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 10. The Service Occupation Tax Act is amended by changing Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax is due.

New matter indicated by italics - deletions by strikeout
tax was collectible, less a discount of 2.1% prior to January 1, 1990, and
1.75% on and after January 1, 1990, or $5 per calendar year, whichever is
greater, which is allowed to reimburse the serviceman for expenses
incurred in collecting the tax, keeping records, preparing and filing returns,
remitting the tax and supplying data to the Department on request.

Where such tangible personal property is sold under a conditional
sales contract, or under any other form of sale wherein the payment of the
principal sum, or a part thereof, is extended beyond the close of the period
for which the return is filed, the serviceman, in collecting the tax may
collect, for each tax return period, only the tax applicable to the part of the
selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the
twentieth day of each calendar month, such serviceman shall file a return
for the preceding calendar month in accordance with reasonable rules and
regulations to be promulgated by the Department of Revenue. Such return
shall be filed on a form prescribed by the Department and shall contain
such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly
basis. If so required, a return for each calendar quarter shall be filed on or
before the twentieth day of the calendar month following the end of such
calendar quarter. The taxpayer shall also file a return with the Department
for each of the first two months of each calendar quarter, on or before the
twentieth day of the following calendar month, stating:
1. The name of the seller;
2. The address of the principal place of business from
   which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him
during the preceding calendar month, including receipts from
   charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department
   may require.

If a taxpayer fails to sign a return within 30 days after the proper
notice and demand for signature by the Department, the return shall be
considered valid and any amount shown to be due on the return shall be
deemed assessed.

New matter indicated by italics - deletions by strikeout
Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

New matter indicated by italics - deletions by strikeout
Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman

New matter indicated by italics - deletions by strikeout
refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the
Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailer's Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailer's Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any
fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

New matter indicated by italics - deletions by strikeout
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2030 338,000,000
2031 350,000,000
2032 350,000,000

and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to

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Of the remainder of the Remaining moneys received by the Department pursuant to this Act, 75% shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

New matter indicated by italics - deletions by strikeout
The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 15. The Local Mass Transit District Act is amended by changing Section 5.01 as follows:

(70 ILCS 3610/5.01) (from Ch. 111 2/3, par. 355.01)

Sec. 5.01. Metro East Mass Transit District; use and occupation taxes.

(a) The Board of Trustees of any Metro East Mass Transit District may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District any or all of the taxes and fees provided in this Section. All taxes and fees imposed under this Section shall be used only for public mass transportation systems, and the amount

New matter indicated by italics - deletions by strikeout
used to provide mass transit service to unserved areas of the District shall be in the same proportion to the total proceeds as the number of persons residing in the unserved areas is to the total population of the District. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The Board may impose a Metro East Mass Transit District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the district at a rate of 1/4 of 1%, or as authorized under subsection (d-5) of this Section, of the gross receipts from the sales made in the course of such business within the district. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and 14 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum,
the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (h) of this Section.

If a tax is imposed under this subsection (b), a tax shall also be imposed under subsections (c) and (d) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale, by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the Metro East Mass Transit District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Service Occupation Tax shall also be imposed upon all persons engaged, in the district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax rate shall be 1/4%, or as authorized under subsection (d-5) of this Section, of the selling price of tangible personal property so transferred within the district. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities,
powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, definitions and employ the same modes of procedure as are prescribed in Sections 1a-1, 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the Authority), 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the District), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the District), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (h) of this Section.

Nothing in this paragraph shall be construed to authorize the District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Use Tax shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is purchased outside the district at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4%, or

New matter indicated by italics - deletions by strikeout
as authorized under subsection (d-5) of this Section, of the selling price of the tangible personal property within the District, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the District. The tax shall be collected by the Department of Revenue for the Metro East Mass Transit District. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall
be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (h) of this Section.

(d-5) (A) The county board of any county participating in the Metro East Mass Transit District may authorize, by ordinance, a referendum on the question of whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to 0.75%. Upon adopting the ordinance, the county board shall certify the proposition to the proper election officials who shall submit the proposition to the voters of the District at the next election, in accordance with the general election law.

The proposition shall be in substantially the following form:

Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

(B) Two thousand five hundred electors of any Metro East Mass Transit District may petition the Chief Judge of the Circuit Court, or any judge of that Circuit designated by the Chief Judge, in which that District is located to cause to be submitted to a vote of the electors the question whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to 0.75%.

Upon submission of such petition the court shall set a date not less than 10 nor more than 30 days thereafter for a hearing on the sufficiency thereof. Notice of the filing of such petition and of such date shall be given in writing to the District and the County Clerk at least 7 days before the date of such hearing.

If such petition is found sufficient, the court shall enter an order to submit that proposition at the next election, in accordance with general election law.

The form of the petition shall be in substantially the following form: To the Circuit Court of the County of (name of county):

We, the undersigned electors of the (name of transit district), respectfully petition your honor to submit to a vote of the electors of (name of transit district) the following proposition:

New matter indicated by italics - deletions by strikeout
Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

Name Address, with Street and Number.

........................................ ........................................

(C) The votes shall be recorded as "YES" or "NO". If a majority of all votes cast on the proposition are for the increase in the tax rates, the Metro East Mass Transit District shall begin imposing the increased rates in the District, and the Department of Revenue shall begin collecting the increased amounts, as provided under this Section. An ordinance imposing or discontinuing a tax hereunder or effecting a change in the rate thereof shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing, or on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing.

(D) If the voters have approved a referendum under this subsection, before November 1, 1994, to increase the tax rate under this subsection, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance at any time before January 1, 1995 that excludes from the rate increase tangible personal property that is titled or registered with an agency of this State's government. The ordinance excluding titled or registered tangible personal property from the rate increase must be filed with the Department at least 15 days before its effective date. At any time after adopting an ordinance excluding from the rate increase tangible personal property that is titled or registered with an agency of this State's government, the Metro East Mass Transit District Board of Trustees may adopt an ordinance applying the rate increase to that tangible personal property. The ordinance shall be adopted, and a certified copy of that ordinance shall be filed with the Department, on or before October 1, whereupon the Department shall proceed to administer and enforce the rate increase against tangible personal property titled or registered with an agency of this State's government as of the following January 1. After December 31, 1995, any reimposed rate increase in effect under this subsection shall no longer apply to tangible personal property

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titled or registered with an agency of this State's government. Beginning January 1, 1996, the Board of Trustees of any Metro East Mass Transit District may never reimpose a previously excluded tax rate increase on tangible personal property titled or registered with an agency of this State's government. After July 1, 2004, if the voters have approved a referendum under this subsection to increase the tax rate under this subsection, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance that excludes from the rate increase tangible personal property that is titled or registered with an agency of this State's government. The ordinance excluding titled or registered tangible personal property from the rate increase shall be adopted, and a certified copy of that ordinance shall be filed with the Department on or before October 1, whereupon the Department shall administer and enforce this exclusion from the rate increase as of the following January 1, or on or before April 1, whereupon the Department shall administer and enforce this exclusion from the rate increase as of the following July 1. The Board of Trustees of any Metro East Mass Transit District may never reimpose a previously excluded tax rate increase on tangible personal property titled or registered with an agency of this State's government.

(d-6) If the Board of Trustees of any Metro East Mass Transit District has imposed a rate increase under subsection (d-5) and filed an ordinance with the Department of Revenue excluding titled property from the higher rate, then that Board may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District a fee. The fee on the excluded property shall not exceed $20 per retail transaction or an amount equal to the amount of tax excluded, whichever is less, on tangible personal property that is titled or registered with an agency of this State's government. Beginning July 1, 2004, the fee shall apply only to titled property that is subject to either the Metro East Mass Transit District Retailers' Occupation Tax or the Metro East Mass Transit District Service Occupation Tax. No fee shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

(d-7) Until June 30, 2004, if a fee has been imposed under subsection (d-6), a fee shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is titled or registered with any agency of this State's government, in an amount equal to the amount of the fee imposed under subsection (d-6).

New matter indicated by italics - deletions by strikeout
(d-7.1) Beginning July 1, 2004, any fee imposed by the Board of Trustees of any Metro East Mass Transit District under subsection (d-6) and all civil penalties that may be assessed as an incident of the fees shall be collected and enforced by the State Department of Revenue. Reference to "taxes" in this Section shall be construed to apply to the administration, payment, and remittance of all fees under this Section. For purposes of any fee imposed under subsection (d-6), 4% of the fee, penalty, and interest received by the Department in the first 12 months that the fee is collected and enforced by the Department and 2% of the fee, penalty, and interest following the first 12 months shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department. No retailers' discount shall apply to any fee imposed under subsection (d-6).

(d-8) No item of titled property shall be subject to both the higher rate approved by referendum, as authorized under subsection (d-5), and any fee imposed under subsection (d-6) or (d-7).

(d-9) (Blank).

(d-10) (Blank).

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) (Blank).

(g) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Metro East Mass Transit District as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, except as provided in subsection (d-5) of this Section, an ordinance or resolution imposing or discontinuing the

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tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing, or, beginning January 1, 2004, on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing.

(h) Except as provided in subsection (d-7.1), the State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the District. The taxes shall be held in a trust fund outside the State Treasury.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district. The Department shall make this certification only if the local mass transit district imposes a tax on real property as provided in the definition of "local sales taxes" under the Innovation Development and Economy Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the District, which shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including any amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the District, and not including any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the District, then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds, and less any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the District, the Comptroller shall cause an

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order to be drawn for payment for the amount in accordance with the direction in the certification.
(Source: P.A. 95-331, eff. 8-21-07; 96-328, eff. 8-11-09; 96-939, eff. 6-24-10.)

Section 20. The Water Commission Act of 1985 is amended by changing Section 4 as follows:
(70 ILCS 3720/4) (from Ch. 111 2/3, par. 254)
Sec. 4. Taxes.
(a) The board of commissioners of any county water commission may, by ordinance, impose throughout the territory of the commission any or all of the taxes provided in this Section for its corporate purposes. However, no county water commission may impose any such tax unless the commission certifies the proposition of imposing the tax to the proper election officials, who shall submit the proposition to the voters residing in the territory at an election in accordance with the general election law, and the proposition has been approved by a majority of those voting on the proposition.

The proposition shall be in the form provided in Section 5 or shall be substantially in the following form:

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Shall the (insert corporate name of county water commission) YES
impose (state type of tax or taxes to be imposed) at the NO
rate of 1/4%?
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Taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The board of commissioners may impose a County Water Commission Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the territory of the commission at a rate of 1/4% of the gross receipts from the sales made in the course of such business within the territory. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce

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this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicine, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act and under subsection (e) of Section 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

For the purpose of determining whether a tax authorized under this paragraph is applicable, a retail sale by a producer of coal or other mineral mined in Illinois is a sale at retail at the place where the coal or other

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mineral mined in Illinois is extracted from the earth. This paragraph does
not apply to coal or other mineral when it is delivered or shipped by the
seller to the purchaser at a point outside Illinois so that the sale is exempt
under the Federal Constitution as a sale in interstate or foreign commerce.

If a tax is imposed under this subsection (b) a tax shall also be
imposed under subsections (c) and (d) of this Section.

No tax shall be imposed or collected under this subsection on the
sale of a motor vehicle in this State to a resident of another state if that
motor vehicle will not be titled in this State.

Nothing in this paragraph shall be construed to authorize a county
water commission to impose a tax upon the privilege of engaging in any
business which under the Constitution of the United States may not be
made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a County Water
Commission Service Occupation Tax shall also be imposed upon all
persons engaged, in the territory of the commission, in the business of
making sales of service, who, as an incident to making the sales of service,
transfer tangible personal property within the territory. The tax rate shall
be 1/4% of the selling price of tangible personal property so transferred
within the territory. The tax imposed under this paragraph and all civil
penalties that may be assessed as an incident thereof shall be collected and
enforced by the State Department of Revenue. The Department shall have
full power to administer and enforce this paragraph; to collect all taxes and
penalties due hereunder; to dispose of taxes and penalties so collected in
the manner hereinafter provided; and to determine all rights to credit
memoranda arising on account of the erroneous payment of tax or penalty
hereunder. In the administration of, and compliance with, this paragraph,
the Department and persons who are subject to this paragraph shall have
the same rights, remedies, privileges, immunities, powers and duties, and
be subject to the same conditions, restrictions, limitations, penalties,
exclusions, exemptions and definitions of terms, and employ the same
modes of procedure, as are prescribed in Sections 1a-1, 2 (except that the
reference to State in the definition of supplier maintaining a place of
business in this State shall mean the territory of the commission), 2a, 3
through 3-50 (in respect to all provisions therein other than the State rate
of tax except that food for human consumption that is to be consumed off
the premises where it is sold (other than alcoholic beverages, soft drinks,
and food that has been prepared for immediate consumption) and

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insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4 (except that the reference to the State shall be to the territory of the commission), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the commission), 9 (except as to the disposition of taxes and penalties collected and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the territory of the commission), the first paragraph of Section 15, 15.5, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, and any tax for which servicemen may be liable under subsection (f) of Sec. 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize a county water commission to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a tax shall also imposed upon the privilege of using, in the territory of the commission, any item of tangible personal property that is purchased outside the territory at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4% of the selling price of the tangible personal property within the territory, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the

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territory. The tax shall be collected by the Department of Revenue for a county water commission. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers, and except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the

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person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the county water commission as of September 1 next following the adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(g) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the commission. The taxes shall be held in a trust fund outside the State Treasury.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.
After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the commission, which shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including any amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the commission, and not including any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the commission. Then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds, and less any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the commission, the Comptroller shall cause an order to be drawn for the payment for the amount in accordance with the direction in the certification.

(h) Beginning June 1, 2016, any tax imposed pursuant to this Section may no longer be imposed or collected, unless a continuation of the tax is approved by the voters at a referendum as set forth in this Section.

(Source: P.A. 96-939, eff. 6-24-10; 96-1389, eff. 7-29-10; 97-333, eff. 8-12-11.)

Section 25. The Senior Citizens Real Estate Tax Deferral Act is amended by changing Section 5 as follows:

(320 ILCS 30/5) (from Ch. 67 1/2, par. 455)
Sec. 5. The county collector shall note on his books each claim for deferral of real estate taxes which meets the requirements of Section 3 and, when taxes are extended, shall send to the Department the tax bills, including special assessment bills forwarded to the county collector under Section 3, on all tax deferred property in that collector's county. Unless there is a shortfall in the appropriation or the Senior Citizens Real Estate Tax Revolving Fund balance, at which time the payments shall be made within 14 days of there being sufficient appropriation authority or sufficient fund balance, the Department shall then pay by June 1 or within 30 days of the receipt of these tax bills, whichever is later, to the county collector, for distribution to the taxing bodies in his county, the

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total amount of taxes so deferred. The Department shall make these payments from the Senior Citizens Real Estate Deferred Tax Revolving Fund. 

(Source: P.A. 84-807.)

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

Passed in the General Assembly May 17, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

**PUBLIC ACT 98-0299**

*(Senate Bill No. 2233)*

AN ACT concerning local government.

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

Section 5. The Public Building Commission Act is amended by changing Sections 2.5, 3, 20, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 as follows:

(50 ILCS 20/2.5)

(Section scheduled to be repealed on June 1, 2013)

Sec. 2.5. Legislative policy; conditions for use of design-build. It is the intent of the General Assembly that a commission be allowed to use the design-build delivery method for public projects if it is shown to be in the commission's best interest for that particular project.

It shall be the policy of the commission in the procurement of design-build services to publicly announce all requirements for design-build services and to procure these services on the basis of demonstrated competence and qualifications and with due regard for the principles of competitive selection.

The commission shall, prior to issuing requests for proposals, promulgate and publish procedures for the solicitation and award of contracts pursuant to this Act.

The commission shall, for each public project or projects permitted under this Act, make a written determination, including a description as to the particular advantages of the design-build procurement method, that it is in the best interests of the commission to enter into a design-build contract for the project or projects.
In making that determination, the following factors shall be considered:

(1) The probability that the design-build procurement method will be in the best interests of the commission by providing a material savings of time or cost over the design-bid-build or other delivery system.

(2) The type and size of the project and its suitability to the design-build procurement method.

(3) The ability of the design-build entity to define and provide comprehensive scope and performance criteria for the project.

The commission shall require the design-build entity to comply with the utilization goals established by the corporate authorities of the commission for minority and women business enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/3) (from Ch. 85, par. 1033)

Sec. 3. The following terms, wherever used, or referred to in this Act, mean unless the context clearly requires a different meaning:

(a) "Commission" means a Public Building Commission created pursuant to this Act.

(b) "Commissioner" or "Commissioners" means a Commissioner or Commissioners of a Public Building Commission.

(c) "County seat" means a city, village or town which is the county seat of a county.

(d) "Municipality" means any city, village or incorporated town of the State of Illinois.

(e) "Municipal corporation" includes a county, city, village, town, (including a county seat), park district, school district in a county of 3,000,000 or more population, board of education of a school district in a county of 3,000,000 or more population, sanitary district, airport authority contiguous with the County Seat as of July 1, 1969 and any other municipal body or governmental agency of the State, and until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located...
in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, but does not include a school district in a county of less than 3,000,000 population, a board of education of a school district in a county of less than 3,000,000 population, or a community college district in a county of less than 3,000,000 population, except that until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, are included.

(f) "Governing body" includes a city council, county board, or any other body or board, by whatever name it may be known, charged with the governing of a municipal corporation.

(g) "Presiding officer" includes the mayor or president of a city, village or town, the presiding officer of a county board, or the presiding officer of any other board or commission, as the case may be.

(h) "Oath" means oath or affirmation.

(i) "Building" means an improvement to real estate to be made available for use by a municipal corporation for the furnishing of governmental services to its citizens, together with any land or interest in land necessary or useful in connection with the improvement.

(j) "Delivery system" means the design and construction approach used to develop and construct a project.

(k) "Design-bid-build" means the traditional delivery system used on public projects that incorporates the Local Government Professional Services Selection Act (50 ILCS 510/) and the principles of competitive selection.

(l) "Design-build" means a delivery system that provides responsibility within a single contract for the furnishing of architecture, engineering, land surveying and related services as required, and the labor, materials, equipment, and other construction services for the project.

(m) "Design-build contract" means a contract for a public project under this Act between the Commission and a design-build entity to furnish architecture, engineering, land surveying, and related services as required, and to furnish the labor, materials, equipment, and other construction services for the project. The design-build contract may be conditioned upon subsequent refinements in scope and price and may allow the Commission to make modifications in the project scope without invalidating the design-build contract.
(n) "Design-build entity" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that proposes to design and construct any public project under this Act. A design-build entity and associated design-build professionals shall conduct themselves in accordance with the laws of this State and the related provisions of the Illinois Administrative Code, as referenced by the licensed design professionals Acts of this State.


(p) "Evaluation criteria" means the requirements for the separate phases of the selection process for design-build proposals as defined in this Act and may include the specialized experience, technical qualifications and competence, capacity to perform, past performance, experience with similar projects, assignment of personnel to the project, and other appropriate factors. Price may not be used as a factor in the evaluation of Phase I proposals.

(q) "Proposal" means the offer to enter into a design-build contract as submitted by a design-build entity in accordance with this Act.

(r) "Request for proposal" means the document used by the Commission to solicit proposals for a design-build contract.

(s) "Scope and performance criteria" means the requirements for the public project, including but not limited to, the intended usage, capacity, size, scope, quality and performance standards, life-cycle costs, and other programmatic criteria that are expressed in performance-oriented and quantifiable specifications and drawings that can be reasonably inferred and are suited to allow a design-build entity to develop a proposal.

(t) "Guaranteed maximum price" means a form of contract in which compensation may vary according to the scope of work involved but in any case may not exceed an agreed total amount.

Definitions in this Section with respect to design-build shall have no effect beginning on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting
from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.
(Source: P.A. 94-1071, eff. 1-1-07; 95-595, eff. 6-1-08.)

(50 ILCS 20/20) (from Ch. 85, par. 1050)

Sec. 20. Contracts let to lowest responsible bidder; competitive bidding; advertisement for bids; design-build contracts.

(a) All contracts to be let for the construction, alteration, improvement, repair, enlargement, demolition or removal of any buildings or other facilities, or for materials or supplies to be furnished, where the amount thereof is in excess of $20,000, shall be awarded as a design-build contract in accordance with Sections 20.3 through 20.20 or shall be let to the lowest responsible bidder, or bidders, on open competitive bidding.

(b) A contract awarded on the basis of competitive bidding shall be awarded after public advertisement published at least once in each week for three consecutive weeks prior to the opening of bids, in a daily newspaper of general circulation in the county where the commission is located, except in the case of an emergency situation, as determined by the chief executive officer. If a contract is awarded in an emergency situation, (i) the contract accepted must be based on the lowest responsible proposal after the commission has made a diligent effort to solicit multiple proposals by telephone, facsimile, or other efficient means and (ii) the chief executive officer must submit a report at the next regular meeting of the Board, to be ratified by the Board and entered into the official record, that states the chief executive officer's reason for declaring an emergency situation, the names of all parties solicited for proposals, and their proposals and that includes a copy of the contract awarded. Nothing contained in this Section shall be construed to prohibit the Board of Commissioners from placing additional advertisements in recognized trade journals. Advertisements for bids shall describe the character of the proposed contract in sufficient detail to enable the bidders thereon to know what their obligation will be, either in the advertisement itself, or by reference to detailed plans and specifications on file in the office of the Public Building Commission at the time of the publication of the first announcement. Such advertisement shall also state the date, time, and place assigned for the opening of bids. No bids shall be received at any time subsequent to the time indicated in said advertisement.

(c) In addition to the requirements of Section 20.3, the Commission shall advertise a design-build solicitation at least once in a daily newspaper of general circulation in the county where the
Commission is located. The date that Phase I submissions by design-build entities are due must be at least 14 calendar days after the date the newspaper advertisement for design-build proposals is first published. The advertisement shall identify the design-build project, the due date, the place and time for Phase I submissions, and the place where proposers can obtain a complete copy of the request for design-build proposals, including the criteria for evaluation and the scope and performance criteria. The Commission is not precluded from using other media or from placing advertisements in addition to the one required under this subsection.

(d) The Board of Commissioners may reject any and all bids and proposals received and may readvertise for bids or issue a new request for design-build proposals.

(e) All bids shall be open to public inspection in the office of the Public Building Commission after an award or final selection has been made. The successful bidder for such work shall enter into contracts furnished and prescribed by the Board of Commissioners and in addition to any other bonds required under this Act the successful bidder shall execute and give bond, payable to and to be approved by the Commission, with a corporate surety authorized to do business under the laws of the State of Illinois, in an amount to be determined by the Board of Commissioners, conditioned upon the payment of all labor furnished and materials supplied in the prosecution of the contracted work. If the bidder whose bid has been accepted shall neglect or refuse to accept the contract within five (5) days after written notice that the same has been awarded to him, or if he accepts but does not execute the contract and give the proper security, the Commission may accept the next lowest bidder, or readvertise and relet in manner above provided.

(f) In case any work shall be abandoned by any contractor or design-build entity, the Commission may, if the best interests of the Commission be thereby served, adopt on behalf of the Commission all subcontracts made by such contractor or design-build entity for such work and all such sub-contractors shall be bound by such adoption if made; and the Commission shall, in the manner provided in this Act, readvertise and relet, or request proposals and award design-build contracts for, the work specified in the original contract exclusive of so much thereof as shall be accepted. Every contract when made and entered into, as provided in this Section or Section 20.20, shall be executed, held by the Commission, and filed in its records, and one copy of which shall be given to the contractor or design-build entity.

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(g) The provisions of this Section with respect to design-build shall have no effect beginning on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after June 1, 2008 (the effective date of Public Act 95-595).
(Source: P.A. 95-595, eff. 6-1-08; 95-614, eff. 9-11-07; 95-876, eff. 8-21-08.)

(50 ILCS 20/20.3)
Section scheduled to be repealed on June 1, 2013

Sec. 20.3. Solicitation of design-build proposals.
(a) When the Commission elects to use the design-build delivery method, it must issue a notice of intent to receive proposals for the project at least 14 days before issuing the request for the proposal. The Commission must publish the advance notice in a daily newspaper of general circulation in the county where the Commission is located. The Commission is encouraged to use publication of the notice in related construction industry service publications. A brief description of the proposed procurement must be included in the notice. The Commission must provide a copy of the request for proposal to any party requesting a copy.

(b) The request for proposal shall be prepared for each project and must contain, without limitation, the following information:

1. The name of the Commission.
2. A preliminary schedule for the completion of the contract.
3. The proposed budget for the project, the source of funds, and the currently available funds at the time the request for proposal is submitted.
4. Prequalification criteria for design-build entities wishing to submit proposals. The Commission shall include, at a minimum, its normal prequalification, licensing, registration, and other requirements, but nothing contained herein precludes the use of additional prequalification criteria by the Commission.
5. Material requirements of the contract, including but not limited to, the proposed terms and conditions, required performance and payment bonds, insurance, and the entity's plan to comply with the utilization goals established by the corporate authorities of the Commission for minority and women business

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enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

(6) The performance criteria.

(7) The evaluation criteria for each phase of the solicitation.

(8) The number of entities that will be considered for the technical and cost evaluation phase.

(c) The Commission may include any other relevant information that it chooses to supply. The design-build entity shall be entitled to rely upon the accuracy of this documentation in the development of its proposal.

(d) The date that proposals are due must be at least 21 calendar days after the date of the issuance of the request for proposal. In the event the cost of the project is estimated to exceed $12,000,000, then the proposal due date must be at least 28 calendar days after the date of the issuance of the request for proposal. The Commission shall include in the request for proposal a minimum of 30 days to develop the Phase II submissions after the selection of entities from the Phase I evaluation is completed.

(e) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.4)

(Section scheduled to be repealed on June 1, 2013)

Sec. 20.4. Development of design-build scope and performance criteria.

(a) The Commission shall develop, with the assistance of a licensed design professional, a request for proposal, which shall include scope and performance criteria. The scope and performance criteria must be in sufficient detail and contain adequate information to reasonably apprise the qualified design-build entities of the Commission's overall programmatic needs and goals, including criteria and preliminary design plans, general budget parameters, schedule, and delivery requirements.

(b) Each request for proposal shall also include a description of the level of design to be provided in the proposals. This description must include the scope and type of renderings, drawings, and specifications that,
at a minimum, will be required by the Commission to be produced by the design-build entities.

(c) The scope and performance criteria shall be prepared by a design professional who is an employee of the Commission, or the Commission may contract with an independent design professional selected under the Local Government Professional Services Selection Act (50 ILCS 510/) to provide these services.

(d) The design professional that prepares the scope and performance criteria is prohibited from participating in any design-build entity proposal for the project.

(e) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.5)

Sec. 20.5. Procedures for design-build selection.

(a) The Commission must use a two-phase procedure for the selection of the successful design-build entity. Phase I of the procedure will evaluate and shortlist the design-build entities based on qualifications, and Phase II will evaluate the technical and cost proposals.

(b) The Commission shall include in the request for proposal the evaluating factors to be used in Phase I. These factors are in addition to any prequalification requirements of design-build entities that the Commission has set forth. Each request for proposal shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the Commission. The Commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The Commission shall include the following criteria in every Phase I evaluation of design-build entities: (1) experience of personnel; (2) successful experience with similar project types; (3) financial capability; (4) timeliness of past performance; (5) experience with similarly sized projects; (6) successful reference checks of the firm; (7) commitment to assign personnel for the duration of the project and qualifications of the entity's consultants; and (8) ability or past performance in meeting or exhausting good faith efforts to meet the utilization goals for minority and

New matter indicated by italics - deletions by strikeout
women business enterprises established by the corporate authorities of the Commission and in complying with Section 2-105 of the Illinois Human Rights Act. The Commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review. The Commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review.

The Commission may not consider any design-build entity for evaluation or award if the entity has any pecuniary interest in the project or has other relationships or circumstances, including but not limited to, long-term leasehold, mutual performance, or development contracts with the Commission, that may give the design-build entity a financial or tangible advantage over other design-build entities in the preparation, evaluation, or performance of the design-build contract or that create the appearance of impropriety. No design-build proposal shall be considered that does not include an entity's plan to comply with the requirements established in the minority and women business enterprises and economically disadvantaged firms established by the corporate authorities of the Commission and with Section 2-105 of the Illinois Human Rights Act.

Upon completion of the qualifications evaluation, the Commission shall create a shortlist of the most highly qualified design-build entities. The Commission, in its discretion, is not required to shortlist the maximum number of entities as identified for Phase II evaluation, provided however, no less than 2 design-build entities nor more than 6 are selected to submit Phase II proposals.

The Commission shall notify the entities selected for the shortlist in writing. This notification shall commence the period for the preparation of the Phase II technical and cost evaluations. The Commission must allow sufficient time for the shortlist entities to prepare their Phase II submittals considering the scope and detail requested by the Commission.

(c) The Commission shall include in the request for proposal the evaluating factors to be used in the technical and cost submission components of Phase II. Each request for proposal shall establish, for both the technical and cost submission components of Phase II, the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the Commission. The Commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

New matter indicated by italics - deletions by strikeout
The Commission shall include the following criteria in every Phase II technical evaluation of design-build entities: (1) compliance with objectives of the project; (2) compliance of proposed services to the request for proposal requirements; (3) quality of products or materials proposed; (4) quality of design parameters; (5) design concepts; (6) innovation in meeting the scope and performance criteria; and (7) constructability of the proposed project. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection.

The Commission shall include the following criteria in every Phase II cost evaluation: the guaranteed maximum project cost and the time of completion. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection. The guaranteed maximum project cost criteria weighing factor shall not exceed 30%.

The Commission shall directly employ or retain a licensed design professional to evaluate the technical and cost submissions to determine if the technical submissions are in accordance with generally accepted industry standards.

Upon completion of the technical submissions and cost submissions evaluation, the Commission may award the design-build contract to the highest overall ranked entity.

(d) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.10)

(Section scheduled to be repealed on June 1, 2013)

Sec. 20.10. Small design-build projects. In any case where the total overall cost of the project is estimated to be less than $12,000,000, the Commission may combine the two-phase procedure for design-build selection described in Section 20.5 into one combined step, provided that all the requirements of evaluation are performed in accordance with Section 20.5.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.
resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.
(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.15)

(Section scheduled to be repealed on June 1, 2013)

Sec. 20.15. Submission of design-build proposals. Design-build proposals must be properly identified and sealed. Proposals may not be reviewed until after the deadline for submission has passed as set forth in the request for proposals. All design-build entities submitting proposals shall be disclosed after the deadline for submission, and all design-build entities who are selected for Phase II evaluation shall also be disclosed at the time of that determination.

Phase II design-build proposals shall include a bid bond in the form and security as designated in the request for proposals. Proposals shall also contain a separate sealed envelope with the cost information within the overall proposal submission. Proposals shall include a list of all design professionals and other entities to which any work identified in Section 30-30 of the Illinois Procurement Code as a subdivision of construction work may be subcontracted during the performance of the contract.

Proposals must meet all material requirements of the request for proposal or they may be rejected as non-responsive. The Commission shall have the right to reject any and all proposals.

The drawings and specifications of any unsuccessful design-build proposal shall remain the property of the design-build entity.

The Commission shall review the proposals for compliance with the performance criteria and evaluation factors.

Proposals may be withdrawn prior to the due date and time for submissions for any cause. After evaluation begins by the Commission, clear and convincing evidence of error is required for withdrawal.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.
(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.20)

(Section scheduled to be repealed on June 1, 2013)
Sec. 20.20. Design-build award. The Commission may award a design-build contract to the highest overall ranked entity. Notice of award shall be made in writing. Unsuccessful entities shall also be notified in writing. The Commission may not request a best and final offer after the receipt of proposals. The Commission may negotiate with the selected design-build entity after award but prior to contract execution for the purpose of securing better terms than originally proposed, provided that the salient features of the request for proposal are not diminished.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

(50 ILCS 20/20.25)

(Section scheduled to be repealed on June 1, 2013)

Sec. 20.25. Minority and female owned enterprises; total construction budget.

(a) Each year, within 60 days following the end of a commission's fiscal year, the commission shall provide a report to the General Assembly addressing the utilization of minority and female owned business enterprises on design-build projects.

(b) The payments for design-build projects by any commission in one fiscal year shall not exceed 50% 25% of the moneys spent on construction projects during the same fiscal year.

(c) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective 5 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-595, eff. 6-1-08.)

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

Approved August 9, 2013.
Effective August 9, 2013.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Prince Hall Freemasonry plates.

(a) The Secretary, upon receipt of all applicable fees and
applications made in the form prescribed by the Secretary, may issue
special registration plates designated as Prince Hall Freemasonry license
plates.

The special plates issued under this Section shall be affixed only to
passenger vehicles of the first division or motor vehicles of the second
division weighing not more than 8,000 pounds.

Plates issued under this Section shall expire according to the
multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly
within the discretion of the Secretary. Appropriate documentation, as
determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a $25 fee for
original issuance in addition to the appropriate registration fee. Of this
fee, $10 shall be deposited into the Master Mason Fund and $15 shall be
deposited into the Secretary of State Special License Plate Fund, to be
used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the
appropriate registration fee, shall be charged. Of this fee, $23 shall be
deposited into the Master Mason Fund and $2 shall be deposited into the
Secretary of State Special License Plate Fund.

Approved August 9, 2013.
Effective January 1, 2014.
AN ACT concerning education.

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

Section 5. The School Code is amended by adding Section 2-3.157 as follows:

(105 ILCS 5/2-3.157 new)

(Section scheduled to be repealed on May 31, 2015)

Sec. 2-3.157. Task Force on Civic Education.

(a) The State Board of Education shall establish the Task Force on Civic Education, to be comprised of all of the following members, with an emphasis on bipartisan legislative representation and diverse non-legislative stakeholder representation:

(1) One member appointed by the Speaker of the House of Representatives.

(2) One member appointed by the President of the Senate.

(3) One member appointed by the Minority Leader of the House of Representatives.

(4) One member appointed by the Minority Leader of the Senate.

(5) One member appointed by the head of an association representing a teachers union.

(6) One member appointed by the head of an association representing the Chicago Teachers Union.

(7) One member appointed by the head of an association representing social studies teachers.

(8) One member appointed by the head of an association representing school boards.

(9) One member appointed by the head of an association representing the media.

(10) One member appointed by the head of an association representing the non-profit sector that promotes civic education as a core mission.

(11) One member appointed by the head of an association representing the non-profit sector that promotes civic engagement among the general public.
(12) One member appointed by the president of an institution of higher education who teaches college or graduate-level government courses or facilitates a program dedicated to cultivating civic leaders.

(13) One member appointed by the head of an association representing principals or district superintendents.

(b) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated to the State Board of Education for that purpose. The members of the Task Force shall be reimbursed for their travel expenses from appropriations to the State Board of Education available for that purpose and subject to the rules of the appropriate travel control board.

(c) The members of the Task Force shall be considered members with voting rights. A quorum of the Task Force shall consist of a simple majority of the members of the Task Force. All actions and recommendations of the Task Force must be approved by a simple majority vote of the members.

(d) The Task Force shall meet initially at the call of the State Superintendent of Education, shall elect one member as chairperson at its initial meeting through a simple majority vote of the Task Force, and shall thereafter meet at the call of the chairperson.

(e) The State Board of Education shall provide administrative and other support to the Task Force.

(f) The Task Force is charged with all of the following tasks:

(1) To analyze the current state of civic education in this State.

(2) To analyze current civic education laws in other jurisdictions, both mandated and permissive.

(3) To identify best practices in civic education in other jurisdictions.

(4) To make recommendations to the General Assembly focused on substantially increasing civic literacy and the capacity of youth to obtain the requisite knowledge, skills, and practices to be civically informed members of the public.

(5) To make funding recommendations if the Task Force's recommendations to the General Assembly would require a fiscal commitment.

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(g) No later than May 31, 2014, the Task Force shall summarize its findings and recommendations in a report to the General Assembly, filed as provided in Section 3.1 of the General Assembly Organization Act. Upon filing its report, the Task Force is dissolved.

(h) This Section is repealed on May 31, 2015.

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0302
(House Bill No. 2527)

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

Section 5. The General Not For Profit Corporation Act of 1986 is amended by changing Sections 107.10 and 112.10 and by adding Section 112.12 as follows:

(805 ILCS 105/107.10) (from Ch. 32, par. 107.10)
Sec. 107.10. Informal action by members entitled to vote.
(a) Unless otherwise provided in the articles of incorporation or the bylaws, except for the dissolution of a not-for-profit corporation organized for the purpose of ownership or administration of residential property on a cooperative basis, any action required by this Act to be taken at any annual or special meeting of the members entitled to vote, or any other action which may be taken at a meeting of the members entitled to vote, may be taken by ballot without a meeting in writing by mail, e-mail, or any other electronic means pursuant to which the members entitled to vote thereon are given the opportunity to vote for or against the proposed action, and the action receives approval by a majority of the members casting votes, or such larger number as may be required by the Act, the articles of incorporation, or the bylaws, provided that the number of members casting votes would constitute a quorum if such action had been taken at a meeting. Voting must remain open for not less than 5 days from the date the ballot is delivered; provided, however, in the case of a removal of one or more directors, a merger, consolidation, dissolution or

New matter indicated by italics - deletions by strikeout
sale, lease or exchange of assets, the voting must remain open for not less than 20 days from the date the ballot is delivered.

(b) Such informal action by members shall become effective only if, at least 5 days prior to the effective date of such informal action, a notice in writing of the proposed action is delivered to all of the members entitled to vote with respect to the subject matter thereof.

(c) In the event that the action which is approved is such as would have required the filing of a certificate under any other Section of this Act if such action had been voted on by the members at a meeting thereof, the certificate filed under such other Section shall state, in lieu of any statement required by such Section concerning any vote of members, that an informal vote has been conducted in accordance with the provisions of this Section and that written notice has been delivered as provided in this Section.

(d) In addition, unless otherwise provided in the articles of incorporation or the bylaws, any action required by this Act to be taken at any annual or special meeting of the members entitled to vote, or any other action which may be taken at a meeting of members entitled to vote, may also be taken without a meeting and without a vote if a consent in writing, setting forth the action so taken, shall be approved by all the members entitled to vote with respect to the subject matter thereof.

(Source: P.A. 96-649, eff. 1-1-10; 96-994, eff. 7-2-10.)

(805 ILCS 105/112.10) (from Ch. 32, par. 112.10)

Sec. 112.10. Voluntary dissolution by written consent of members entitled to vote. Except for the dissolution of a not-for-profit corporation organized for the purpose of ownership or administration of residential property on a cooperative basis. When Where a corporation has members entitled to vote on dissolution, the dissolution of a corporation may be authorized pursuant to Section 107.10 of this Act. Dissolution pursuant to the Section does not require any vote of the directors of the corporation.

(Source: P.A. 84-1423.)

(805 ILCS 105/112.12 new)

Sec. 112.12. Dissolution of residential cooperative housing corporations. When a not-for-profit corporation organized for the purpose of ownership or administration of residential property on a cooperative basis has members entitled to vote on dissolution, there must be an open meeting and vote of those members before a dissolution may be authorized.

Passed in the General Assembly May 16, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use

New matter indicated by italics - deletions by strikeout
of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

New matter indicated by italics - deletions by strikeout
(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

New matter indicated by italics - deletions by strikeout
(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site
shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.
The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

(1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

(2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

(3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified
optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

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The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps;

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payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be

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retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more
transparent adjudication process through the utilization of: (i) provider
data verification and provider screening technology; and (ii) clinical code
editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling
with an integrated case management system with link analysis. Such a
request for information shall not be considered as a request for proposal or
as an obligation on the part of the Illinois Department to take any action or
acquire any products or services.

The Illinois Department shall establish policies, procedures,
standards and criteria by rule for the acquisition, repair and replacement of
orthotic and prosthetic devices and durable medical equipment. Such rules
shall provide, but not be limited to, the following services: (1) immediate
repair or replacement of such devices by recipients; and (2) rental, lease,
purchase or lease-purchase of durable medical equipment in a cost-
effective manner, taking into consideration the recipient's medical
prognosis, the extent of the recipient's needs, and the requirements and
costs for maintaining such equipment. Subject to prior approval, such rules
shall enable a recipient to temporarily acquire and use alternative or
substitute devices or equipment pending repairs or replacements of any
device or equipment previously authorized for such recipient by the
Department.

The Department shall execute, relative to the nursing home
prescreening project, written inter-agency agreements with the Department
of Human Services and the Department on Aging, to effect the following:
(i) intake procedures and common eligibility criteria for those persons who
are receiving non-institutional services; and (ii) the establishment and
development of non-institutional services in areas of the State where they
are not currently available or are undeveloped; and (iii) notwithstanding
any other provision of law, subject to federal approval, on and after July 1,
2012, an increase in the determination of need (DON) scores from 29 to 37
for applicants for institutional and home and community-based long term
care; if and only if federal approval is not granted, the Department may, in
conjunction with other affected agencies, implement utilization controls or
changes in benefit packages to effectuate a similar savings amount for this
population; and (iv) no later than July 1, 2013, minimum level of care
eligibility criteria for institutional and home and community-based long
term care; and (v) no later than October 1, 2013, establish procedures to
permit long term care providers access to eligibility scores for individuals
with an admission date who are seeking or receiving services from the
long term care provider. In order to select the minimum level of care

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eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

New matter indicated by italics - deletions by strikeout
On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; 96-926, eff. 1-1-11; 96-1000, eff. 7-2-10; 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; revised 9-20-12.)

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

Passed in the General Assembly May 16, 2013.
Approved August 9, 2013.
Effective August 9, 2013.

PUBLIC ACT 98-0304
(House Bill No. 0129)

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

Section 5. The School Code is amended by adding Sections 10-20.55 and 34-18.48 as follows:

(105 ILCS 5/10-20.55 new)

Sec. 10-20.55. Bring Your Parents to School Day. A school board may designate the first Monday in October of each year "Bring Your Parents to School Day" to promote parental involvement and student success. On this day, the school board may permit the parents or guardians of students to attend class with their children and meet with teachers and administrators during the school day.

(105 ILCS 5/34-18.48 new)

Sec. 34-18.48. Bring Your Parents to School Day. The board may designate the first Monday in October of each year "Bring Your Parents to School Day" to promote parental involvement and student success. On this day, the board may permit the parents or guardians of students to attend class with their children and meet with teachers and administrators during the school day.

Approved August 12, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The Interscholastic Athletic Organization Act is amended by adding Section 1.10 as follows:

(105 ILCS 25/1.10 new)

Sec. 1.10. CPR training video.

(a) The Illinois High School Association shall post a training video on hands-only cardiopulmonary resuscitation and automated external defibrillators on the association’s Internet website, but only if it is provided to the association free of charge and is no more than 15 minutes in length.

(b) School districts shall notify parents and staff in newsletters, bulletins, calendars, or other correspondence currently published by the school district of the video posted under subsection (a) of this Section and encourage parents and staff to view it.

Passed in the General Assembly May 29, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

AN ACT concerning education.

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

Section 5. The University of Illinois Act is amended by changing Section 7e-5 as follows:

(110 ILCS 305/7e-5)

Sec. 7e-5. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board of Trustees shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board of Trustees shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board of Trustees shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 10. The Southern Illinois University Management Act is amended by changing Section 8d-5 as follows:

(110 ILCS 520/8d-5)
Sec. 8d-5. In-state tuition charge.

New matter indicated by italics - deletions by strikeout
(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

New matter indicated by italics - deletions by strikeout
Section 15. The Chicago State University Law is amended by changing Section 5-88 as follows:

(110 ILCS 660/5-88)

Sec. 5-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

1. The individual resided with his or her parent or guardian while attending a public or private high school in this State.
2. The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
3. The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
4. The individual registers as an entering student in the University not earlier than the 2003 fall semester.
5. In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational...
Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. 
(Source: P.A. 95-888, eff. 1-1-09.)

Section 20. The Eastern Illinois University Law is amended by changing Section 10-88 as follows:

(110 ILCS 665/10-88)

Sec. 10-88. In-state tuition charge. 

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.
(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.
(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty.
military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 25. The Governors State University Law is amended by changing Section 15-88 as follows:

(110 ILCS 670/15-88)

Sec. 15-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall...
deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 30. The Illinois State University Law is amended by changing Section 20-88 as follows:

(110 ILCS 675/20-88)

Sec. 20-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

1. The individual resided with his or her parent or guardian while attending a public or private high school in this State.
2. The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
3. The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
4. The individual registers as an entering student in the University not earlier than the 2003 fall semester.
5. In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010
academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 35. The Northeastern Illinois University Law is amended by changing Section 25-88 as follows:

(110 ILCS 680/25-88)
Sec. 25-88. In-state tuition charge.
(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.
(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.
(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

New matter indicated by italics - deletions by strikeout
(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned out of the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 40. The Northern Illinois University Law is amended by changing Section 30-88 as follows:

(110 ILCS 685/30-88)

Sec. 30-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

New matter indicated by italics - deletions by strikeout
This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 95-888, eff. 1-1-09.)

Section 45. The Western Illinois University Law is amended by changing Section 35-88 as follows:

(110 ILCS 690/35-88)
Sec. 35-88. In-state tuition charge.
(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

1. The individual resided with his or her parent or guardian while attending a public or private high school in this State.
2. The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
3. The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
4. The individual registers as an entering student in the University not earlier than the 2003 fall semester.
5. In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the

New matter indicated by italics - deletions by strikeout
University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7). Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. \textit{Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes.} (Source: P.A. 95-888, eff. 1-1-09.)

Section 50. The Public Community College Act is amended by changing Sections 6-4 and 6-4a as follows:

(110 ILCS 805/6-4) (from Ch. 122, par. 106-4)

Sec. 6-4. Variable rates and fees. Any community college district, by resolution of the board, may establish variable tuition rates and fees for students attending its college in an amount not to exceed $1/3$ of the per capita cost as defined in Section 6-2, provided that voluntary contributions, as defined in Section 65 of the Higher Education Student Assistance Act, shall not be included in any calculation of community college tuition and fee rates for the purpose of this Section. \textit{Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the board shall deem that person an in-district resident for tuition purposes.} (Source: P.A. 90-14, eff. 7-1-97.)

(110 ILCS 805/6-4a)

Sec. 6-4a. In-state tuition charge.

New matter indicated by italics - deletions by strikeout
(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, a board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.
(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.
(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.
(4) The individual registers as an entering student in the community college not earlier than the 2003 fall semester.
(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the community college with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly.

c) Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the board shall deem that person an Illinois resident for tuition purposes.

(Source: P.A. 93-7, eff. 5-20-03.)

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

Passed in the General Assembly May 14, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0307

(House Bill No. 2408)

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

New matter indicated by italics - deletions by strikeout
Section 5. The State Finance Act is amended by changing Section 6z-64 as follows:

(30 ILCS 105/6z-64)

Sec. 6z-64. The Workers' Compensation Revolving Fund.

(a) The Workers' Compensation Revolving Fund is created as a revolving fund, not subject to fiscal year limitations, in the State treasury. The following moneys shall be deposited into the Fund:

1. amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;

2. federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;

3. interest earned on moneys in the Fund;

4. receipts or inter-fund transfers resulting from billings issued to State agencies and universities for the cost of workers' compensation services that are not compensated through the specific fund transfers authorized by this Section, if any;

5. amounts received from a State agency or university for workers' compensation payments for temporary total disability, as provided in Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois; and

6. amounts recovered through subrogation in workers' compensation and workers' occupational disease cases.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

1. providing workers' compensation services to State agencies and State universities; or

2. providing for payment of administrative and other expenses (and, beginning January 1, 2013, fees and charges made pursuant to a contract with a private vendor) incurred in providing workers' compensation services. The Department, or any successor agency designated to enter into contracts with one or more private vendors for the administration of the workers' compensation program for State employees pursuant to subsection 10b of Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois, is authorized to

New matter indicated by italics - deletions by strikeout
establish one or more special funds, as separate accounts provided by any bank or banks as defined by the Illinois Banking Act, any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985, or any credit union as defined by the Illinois Credit Union Act, to be held by the Director outside of the State treasury, for the purpose of receiving the transfer of moneys from the Workers' Compensation Revolving Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall be deposited into the Workers' Compensation Revolving Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to contracted private vendors or their financial institutions for payments to workers' compensation claimants and providers for workers' compensation services, claims, and benefits pursuant to this Section and subsection 9 of Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement or payment of administrative fees due the contracted vendor pursuant to its contract or contracts with the Department.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Workers' Compensation Revolving Fund in satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for workers' compensation services provided by the Department and attributable to the State agency and relevant fund on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(d-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and until June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer
amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

- **Mental Health Fund**: $17,694,000
- **Statistical Services Revolving Fund**: $1,252,600
- **Department of Corrections Reimbursement and Education Fund**: $1,198,600
- **Communications Revolving Fund**: $535,400
- **Child Support Administrative Fund**: $441,900
- **Health Insurance Reserve Fund**: $238,900
- **Fire Prevention Fund**: $234,100
- **Park and Conservation Fund**: $142,000
- **Motor Fuel Tax Fund**: $132,800
- **Illinois Workers' Compensation Commission Operations Fund**: $123,900
- **State Boating Act Fund**: $112,300
- **Public Utility Fund**: $106,500
- **State Lottery Fund**: $101,300
- **Traffic and Criminal Conviction Surcharge Fund**: $88,500
- **State Surplus Property Revolving Fund**: $82,700
- **Natural Areas Acquisition Fund**: $65,600
- **Securities Audit and Enforcement Fund**: $65,200
- **Agricultural Premium Fund**: $63,400
- **Capital Development Fund**: $57,500
- **State Gaming Fund**: $54,300
- **Underground Storage Tank Fund**: $53,700
- **Illinois State Medical Disciplinary Fund**: $53,000
- **Personal Property Tax Replacement Fund**: $53,000
- **General Professions Dedicated Fund**: $51,900
- **Total**: $23,003,100

(d-10) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund amounts equal to one-fourth of each of the following totals:

- **General Revenue Fund**: $34,000,000
- **Road Fund**: $25,987,000

New matter indicated by italics - deletions by strikeout
(d-12) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 94th General Assembly, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

- General Revenue Fund: $10,000,000
- Road Fund: $5,000,000
- Total: $15,000,000

(d-15) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

- General Revenue Fund: $44,028,200
- Road Fund: $28,084,000
- Total: $72,112,200

(d-20) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and until June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

- Mental Health Fund: $19,121,800
- Statistical Services Revolving Fund: $1,353,700
- Department of Corrections Reimbursement and Education Fund: $1,295,300
- Communications Revolving Fund: $578,600
- Child Support Administrative Fund: $477,600
- Health Insurance Reserve Fund: $258,200
- Fire Prevention Fund: $253,000
- Park and Conservation Fund: $153,500
- Motor Fuel Tax Fund: $143,500
- Illinois Workers' Compensation Commission Operations Fund: $133,900

New matter indicated by italics - deletions by strikeout
State Boating Act Fund........................... $121,400
Public Utility Fund............................... $115,100
State Lottery Fund............................... $109,500
Traffic and Criminal Conviction Surcharge Fund... $95,700
State Surplus Property Revolving Fund............ $89,400
Natural Areas Acquisition Fund.................. $70,800
Securities Audit and Enforcement Fund........... $70,400
Agricultural Premium Fund....................... $68,500
State Gaming Fund............................... $58,600
Underground Storage Tank Fund................... $58,000
Illinois State Medical Disciplinary Fund........ $57,200
Personal Property Tax Replacement Fund......... $57,200
General Professions Dedicated Fund.............. $56,100
Total $24,797,000

(d-25) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2009, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

General Revenue Fund............................ $55,000,000
Road Fund....................................... $34,803,000
Total $89,803,000

(d-30) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2009 and until June 30, 2010, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund....................... $13,900
Teacher Certificate Fee Revolving Fund........... $6,500
Transportation Regulatory Fund................... $14,500
Financial Institution Fund...................... $25,200
General Professions Dedicated Fund............. $25,300
Illinois Veterans' Rehabilitation Fund.......... $64,600
State Boating Act Fund......................... $177,100
State Parks Fund............................... $104,300
Lobbyist Registration Administration Fund...... $14,400

New matter indicated by italics - deletions by strikeout
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New matter indicated by italics - deletions by strikeout
Open Space Lands Acquisition and Development Fund.............. $28,400
Working Capital Revolving Fund..................... $489,100
State Garage Revolving Fund...................... $791,900
Statistical Services Revolving Fund.............. $3,984,700
Communications Revolving Fund.................. $1,432,800
Facilities Management Revolving Fund......... $1,911,600
Professional Services Fund...................... $483,600
Motor Vehicle Review Board Fund............... $15,000
Environmental Laboratory Certification Fund...... $3,000
Public Health Laboratory Services
   Revolving Fund................................... $2,500
Lead Poisoning Screening, Prevention, and Abatement Fund........ $28,200
Securities Audit and Enforcement Fund............ $258,400
Department of Business Services
   Special Operations Fund.................. $111,900
   Feed Control Fund........................... $20,800
   Tanning Facility Permit Fund.............. $5,400
   Plumbing Licensure and Program Fund........ $24,400
   Tax Compliance and Administration Fund..... $27,200
   Appraisal Administration Fund............... $2,400
   Small Business Environmental Assistance Fund $2,200
   Illinois State Fair Fund.................... $31,400
   Secretary of State Special Services Fund..... $317,600
Department of Corrections Reimbursement and Education Fund........ $324,500
   Health Facility Plan Review Fund........... $31,200
   Illinois Historic Sites Fund................ $11,500
   Attorney General Court Ordered and Voluntary
      Compliance Payment Projects Fund........ $18,500
Public Pension Regulation Fund.................... $5,600
   Illinois Charity Bureau Fund................ $11,400
   Renewable Energy Resources Trust Fund........ $6,700
   Energy Efficiency Trust Fund.............. $3,600
   Pesticide Control Fund....................... $56,800
   Attorney General Whistleblower Reward and Protection Fund........ $14,200
   Partners for Conservation Fund............. $36,900

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<td>Public Infrastructure Construction</td>
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New matter indicated by italics - deletions by strikeout
Public Act 98-0307

Loan Revolving Fund............................ $1,700
Insurance Financial Regulation Fund.............. $69,200
Total $24,197,800

(d-35) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2010, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

General Revenue Fund........................ $55,000,000
Road Fund.................................. $50,955,300
Total $105,955,300

(d-40) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010 and until June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund.................. $8,700
Financial Institution Fund................. $44,500
General Professions Dedicated Fund........ $51,400
Live and Learn Fund....................... $10,900
Illinois Veterans' Rehabilitation Fund..... $106,000
State Boating Act Fund..................... $288,200
State Parks Fund......................... $185,900
Wildlife and Fish Fund.................... $1,550,300
Lobbyist Registration Administration Fund $18,100
Agricultural Premium Fund............... $176,100
Mental Health Fund....................... $291,900
Firearm Owner's Notification Fund........ $2,300
Illinois Gaming Law Enforcement Fund..... $11,300
Illinois State Medical Disciplinary Fund.... $42,300
Facility Licensing Fund.................. $14,200
Plugging and Restoration Fund............ $15,600
Explosives Regulatory Fund............... $4,800
Aggregate Operations Regulatory Fund...... $6,000
Coal Mining Regulatory Fund............... $7,200

New matter indicated by italics - deletions by strikeout
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New matter indicated by italics - deletions by strikeout
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New matter indicated by italics - deletions by strikeout
(d-45) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2011, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $45,000,000 from the General Revenue Fund into the Workers' Compensation Revolving Fund.

(e) The term "workers' compensation services" means services, claims expenses, and related administrative costs incurred in performing the duties under Sections 405-105 and 405-411 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(Source: P.A. 96-45, eff. 7-15-09; 96-959, eff. 7-1-10; 97-641, eff. 12-19-11; 97-895, eff. 8-3-12.)

Section 10. The Illinois Procurement Code is amended by changing Section 45-57 as follows:

(30 ILCS 500/45-57)

Sec. 45-57. Veterans.

(a) Set-aside goal. It is the goal of the State to promote and encourage the continued economic development of small businesses owned and controlled by qualified veterans and that qualified service-disabled veteran-owned small businesses (referred to as SDVOSB) and veteran-owned small businesses (referred to as VOSB) participate in the State's procurement process as both prime contractors and subcontractors. Not less than 3% of the total dollar amount of State contracts, as defined by the Director of Central Management Services, shall be established as a goal to be awarded to SDVOSB and VOSB. That portion of a contract under which the contractor subcontracts with a SDVOSB or VOSB may be counted toward the goal of this subsection. The Department of Central Management Services shall adopt rules to implement compliance with this subsection by all State agencies.

(b) Fiscal year reports. By each September 1, each chief procurement officer shall report to the Department of Central Management Services on all of the following for the immediately preceding fiscal year, and by each March 1 the Department of Central Management Services shall compile and report that information to the General Assembly:

(1) The total number of VOSB, and the number of SDVOSB, who submitted bids for contracts under this Code.
(2) The total number of VOSB, and the number of SDVOSB, who entered into contracts with the State under this Code and the total value of those contracts.

(c) Yearly review and recommendations. Each year, each chief procurement officer shall review the progress of all State agencies under its jurisdiction in meeting the goal described in subsection (a), with input from statewide veterans' service organizations and from the business community, including businesses owned by qualified veterans, and shall make recommendations to be included in the Department of Central Management Services' report to the General Assembly regarding continuation, increases, or decreases of the percentage goal. The recommendations shall be based upon the number of businesses that are owned by qualified veterans and on the continued need to encourage and promote businesses owned by qualified veterans.

(d) Governor's recommendations. To assist the State in reaching the goal described in subsection (a), the Governor shall recommend to the General Assembly changes in programs to assist businesses owned by qualified veterans.

(e) Definitions. As used in this Section:

"Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or service in active duty as defined under 38 U.S.C. Section 101. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Act 95-202 shall also be considered service in the armed forces for purposes of this Section.

"Certification" means a determination made by the Illinois Department of Veterans' Affairs and the Department of Central Management Services that a business entity is a qualified service-disabled veteran-owned small business or a qualified veteran-owned small business for whatever purpose. A SDVOSB or VOSB owned and controlled by females, minorities, or persons with disabilities, as those terms are defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, may also select and designate whether that business is to be certified as a "female-owned business", "minority-owned business", or "business owned by a person with a disability", as defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, or as a qualified SDVOSB or qualified VOSB under this Section.
"Control" means the exclusive, ultimate, majority, or sole control of the business, including but not limited to capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operation responsibilities, cost-control matters, income and dividend matters, financial transactions, and rights of other shareholders or joint partners. Control shall be real, substantial, and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management, and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business, and control shall not include simple majority or absentee ownership.

"Qualified service-disabled veteran" means a veteran who has been found to have 10% or more service-connected disability by the United States Department of Veterans Affairs or the United States Department of Defense.

"Qualified service-disabled veteran-owned small business" or "SDVOSB" means a small business (i) that is at least 51% owned by one or more qualified service-disabled veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified service-disabled veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Department of Central Management Services.

"Qualified veteran-owned small business" or "VOSB" means a small business (i) that is at least 51% owned by one or more qualified veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Department of Central Management Services.

"Service-connected disability" means a disability incurred in the line of duty in the active military, naval, or air service as described in 38 U.S.C. 101(16).

"Small business" means a business that has annual gross sales of less than $75,000,000 as evidenced by the federal income tax return of the business. A firm with gross sales in excess of this cap may apply to the Department of Central Management Services for certification for a particular contract if the firm can demonstrate that the contract would have
significant impact on SDVOSB or VOSB as suppliers or subcontractors or in employment of veterans or service-disabled veterans.

"State agency" has the same meaning as in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

"Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

"Veteran" means a person who (i) has been a member of the armed forces of the United States or, while a citizen of the United States, was a member of the armed forces of allies of the United States in time of hostilities with a foreign country and (ii) has served under one or more of the following conditions: (a) the veteran served a total of at least 6 months; (b) the veteran served for the duration of hostilities regardless of the length of the engagement; (c) the veteran was discharged on the basis of hardship; or (d) the veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.

(f) Certification program. The Illinois Department of Veterans' Affairs and the Department of Central Management Services shall work together to devise a certification procedure to assure that businesses taking advantage of this Section are legitimately classified as qualified service-disabled veteran-owned small businesses or qualified veteran-owned small businesses.

(g) Penalties.

(1) Administrative penalties. The Department of Central Management Services shall suspend any person who commits a violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section from bidding on, or participating as a contractor, subcontractor, or supplier in, any State contract or project for a period of not less than 3 years, and, if the person is certified as a service-disabled veteran-owned small business or a veteran-owned small business, then the Department shall revoke the business's certification for a period of not less than 3 years. An additional or
subsequent violation shall extend the periods of suspension and revocation for a period of not less than 5 years. The suspension and revocation shall apply to the principals of the business and any subsequent business formed or financed by, or affiliated with, those principals.

(2) Reports of violations. Each State agency shall report any alleged violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section to the Department of Central Management Services. The Department of Central Management Services shall subsequently report all such alleged violations to the Attorney General, who shall determine whether to bring a civil action against any person for the violation.

(3) List of suspended persons. The Department of Central Management Services shall monitor the status of all reported violations of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section and shall maintain and make available to all State agencies a central listing of all persons that committed violations resulting in suspension.

(4) Use of suspended persons. During the period of a person's suspension under paragraph (1) of this subsection, a State agency shall not enter into any contract with that person or with any contractor using the services of that person as a subcontractor.

(5) Duty to check list. Each State agency shall check the central listing provided by the Department of Central Management Services under paragraph (3) of this subsection to verify that a person being awarded a contract by that State agency, or to be used as a subcontractor or supplier on a contract being awarded by that State agency, is not under suspension pursuant to paragraph (1) of this subsection.

(Source: P.A. 96-96, eff. 1-1-10; 97-260, eff. 8-5-11; 97-1150, eff. 1-25-13.)

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

Approved August 12, 2013.
Effective August 12, 2013.
AN ACT concerning local government.

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

Section 5. The Civic Center Code is amended by adding Section 2-160 as follows:

Sec. 2-160. Buildings available for emergency purposes. The Authority shall make buildings of a civic center organized under this Code available for emergency purposes upon the request of the Illinois Emergency Management Agency, a State-accredited emergency management agency with jurisdiction, or the American Red Cross. The Authority shall cooperate in all matters with the Illinois Emergency Management Agency, local emergency management agencies, a State-accredited emergency management agency with jurisdiction, local public health departments, the American Red Cross, and federal agencies concerned with emergency preparedness and response.

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

Passed in the General Assembly May 14, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

AN ACT concerning local government.

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

Section 1. Short title. This Act may be cited as the Interstate Mutual Emergency Aid Act.

Section 5. Definitions. As used in this Act:

(a) "Emergency responder" includes emergency medical services personnel and firefighters, including firefighters trained in the areas of hazardous materials, specialized rescue, extrication, water rescue, and other specialized areas.

New matter indicated by italics - deletions by strikeout
(b) "Mutual aid emergency" or "emergency" means an occurrence or condition resulting in a situation that poses an immediate risk to health, life, property, or the environment, where the governmental entity having jurisdiction over the situation determines (i) that the situation exceeds its ability to render appropriate aid and (ii) that it is in the public's best interest to request mutual aid from an out-of-state entity with whom the governmental entity has a written mutual aid agreement. "Mutual aid emergency" or "emergency" does not include a situation that initially rises to the level of disaster or emergency requiring a state or local declaration of a state of emergency, unless that declaration occurs after the initial request for mutual aid has been made.

(c) "Training exercises" means necessary advance actions taken by emergency responders pursuant to a mutual aid agreement in order to prepare to more adequately address a potential mutual aid emergency.

Section 10. Mutual aid agreements. In order to more adequately address emergencies that extend or exceed a jurisdiction's emergency response capabilities, either without rising to the level of a state or local declaration of a state of emergency, or in the initial stages of an event which may later become a declared emergency, a political subdivision of this State, including a county, city, village, township, or other unit of local government, or any combination thereof, may enter into a mutual aid agreement with one or more units of government from another state. The mutual aid agreement may provide for coordination of communications, staging, training, and response to planned and unplanned events which a local jurisdiction has determined exceed, or are likely to exceed, its emergency response capabilities. When engaged in training, staging, and emergency response in accordance with the mutual aid agreements, emergency responders from outside of this State are permitted to provide services within this State in accordance with this Act and the terms of the mutual aid agreement.

Section 15. Licenses, certifications, and permits. An emergency responder from outside this State who holds a license, certificate, or other permit recognized or issued by another state shall be deemed licensed, certified, and permitted to render mutual aid during a mutual aid emergency within this State pursuant to a mutual aid agreement authorized by this Act, if the emergency responder is (i) acting within the scope of his or her license, certificate, or permit and within the scope of what an equivalent license, certificate, or permit from or recognized by this State
would authorize and (ii) acting pursuant to a request for mutual aid made pursuant to a mutual aid agreement authorized by this Act.

Section 20. Governmental functions; liability; emergency responders. Any function performed by an emergency responder that is (i) acting within the scope of his or her license, certificate, or permit and within the scope of what an equivalent license, certificate, or permit recognized by this State would authorize and (ii) pursuant to a mutual aid agreement authorized by this Act shall be deemed to have been for public and governmental purposes, and all liabilities and immunities from liability applicable to this State's political subdivisions and their officers and employees shall extend to the emergency responders from another state while providing mutual aid during a mutual aid emergency or while engaged in training exercises pursuant to a written mutual aid agreement authorized by this Act. This Section shall not provide greater immunities to emergency responders from outside of this State than those immunities provided to emergency responders with the equivalent license, certificate, or permit in this State. This Section shall only apply to causes of action accruing on or after the effective date of this Act.

Section 25. Employee benefits. Emergency responders from outside this State, while rendering mutual aid within this State pursuant to a mutual aid agreement authorized by this Act, remain employees and agents of their respective employers and jurisdictions. Nothing in this Act, or any mutual aid agreement entered into pursuant to this Act, creates an employment relationship between the jurisdiction requesting aid and the employees and agents of the jurisdiction rendering aid. All pension, relief, disability, death benefits, workers' compensation, and other benefits enjoyed by emergency responders rendering emergency mutual aid shall extend to the services they perform outside their respective jurisdictions as if those services had been rendered in their own jurisdiction.

Section 30. Limitations. This Act does not limit, modify, or abridge the emergency management compact entered into under the Emergency Management Assistance Compact Act.

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

Approved August 12, 2013.
Effective August 12, 2013.
AN ACT concerning military service.

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

Section 5. The Department of Veterans Affairs Act is amended by changing Section 20 as follows:

(20 ILCS 2805/20)

Sec. 20. Illinois Discharged Servicemember Task Force. The Illinois Discharged Servicemember Task Force is hereby created within the Department of Veterans Affairs. The Task Force shall investigate the re-entry process for service members who return to civilian life after being engaged in an active theater. The investigation shall include the effects of post-traumatic stress disorder, homelessness, disabilities, and other issues the Task Force finds relevant to the re-entry process. For fiscal year 2012, the Task Force shall include the availability of prosthetics in its investigation. For fiscal year 2014, the Task Force shall include the needs of women veterans with respect to issues including, but not limited to, compensation, rehabilitation, outreach, health care, and issues facing women veterans in the community, and to offer recommendations on how best to alleviate these needs which shall be included in the Task Force Annual Report for 2014. The Task Force shall include the following members:

(a) a representative of the Department of Veterans Affairs, who shall chair the committee;
(b) a representative from the Department of Military Affairs;
(c) a representative from the Office of the Illinois Attorney General;
(d) a member of the General Assembly appointed by the Speaker of the House;
(e) a member of the General Assembly appointed by the House Minority Leader;
(f) a member of the General Assembly appointed by the President of the Senate;
(g) a member of the General Assembly appointed by the Senate Minority Leader;

New matter indicated by italics - deletions by strikeout
(h) 4 members chosen by the Department of Veterans Affairs, who shall represent statewide veterans' organizations or veterans' homeless shelters;

(i) one member appointed by the Lieutenant Governor; and

(j) a representative of the United States Department of Veterans Affairs shall be invited to participate.

Vacancies in the Task Force shall be filled by the initial appointing authority. Task Force members shall serve without compensation, but may be reimbursed for necessary expenses incurred in performing duties associated with the Task Force.

By July 1, 2008 and by July 1 of each year thereafter, the Task Force shall present an annual report of its findings to the Governor, the Attorney General, the Director of Veterans' Affairs, the Lieutenant Governor, and the Secretary of the United States Department of Veterans Affairs.

If the Task Force becomes inactive because active theaters cease, the Director of Veterans Affairs may reactivate the Task Force if active theaters are reestablished.

(Source: P.A. 97-414, eff. 1-1-12.)

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

Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0311
(House Bill No. 3388)

AN ACT concerning local government.

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

Section 5. The Illinois Police Training Act is amended by adding Section 10.14 as follows:

(50 ILCS 705/10.14 new)

Sec. 10.14. Training; animal fighting awareness and humane response. The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in animal fighting awareness and humane response for law enforcement officers of local government agencies. The purpose of that training shall be to equip law enforcement

New matter indicated by italics - deletions by strikeout
officers of local government agencies to identify animal fighting operations and respond appropriately. This training shall also include a humane response component that will provide guidelines for appropriate law enforcement response to animal abuse, cruelty, and neglect, or similar condition, as well as training on canine behavior and nonlethal ways to subdue a canine.

Approved August 12, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0312
(Senate Bill No. 1824)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Counties Code is amended by changing Section 5-26005 as follows:

(55 ILCS 5/5-26005) (from Ch. 34, par. 5-26005)
Sec. 5-26005. Maintenance. Whenever any memorial building is erected through private subscriptions, as herein provided, or any veterans' memorial is erected, it shall be lawful for the county board or board of county commissioners, as the case may be, to appropriate such sums of money from year to year as it may deem reasonable and proper to cover any deficiency in the cost of the maintenance thereof.
(Source: P.A. 86-962.)

Section 10. The Township Code is amended by changing Section 160-5 as follows:

(60 ILCS 1/160-5)
Sec. 160-5. Township monuments; petition and referendum.
(a) Upon the petition of 100 or more legal voters of a township being filed with the township clerk praying that the proposition of erecting or completing a monument or memorial in honor of its soldiers and sailors or other notable persons buried in the township be submitted to the voters of the township at an election, the township clerk shall certify the proposition to the proper election officials, who shall submit the proposition to the voters of the township at an election in accordance with the general election law.

(b) The form of the proposition shall be substantially as follows:

New matter indicated by italics - deletions by strikeout
Shall a monument or memorial be erected in honor of (the soldiers and sailors of the township or other notable person)?
The votes shall be recorded as "Yes" or "No".

(c) If a majority of all the votes cast upon the proposition are in favor of it, the township supervisor, township clerk, and township treasurer, within one year after the election, shall purchase or procure a site and erect the monument or memorial.

(d) Provisions for the payment and maintenance for the monument or memorial shall be made by the proper taxing and financial officers in the same manner as for other township expenditures.
(Source: P.A. 81-1489; 88-62.)

Section 15. The Illinois Municipal Code is amended by changing Section 11-116-2 as follows:

Sec. 11-116-2. When the petition specified in this Division 116 is filed with the municipal clerk of a municipality specified in this Division 116, the question of erecting a monument or memorial shall be certified by the clerk and submitted to the electors of the municipality. The question shall be in substantially the following form:

Shall a monument (or memorial) be erected in honor of YES

....... (insert for whom to be --------------------------
erected) by .......... (insert
name of the municipality) at a NO
cost not to exceed $....?

If a majority of those voting on the question vote yes, the corporate authorities shall have the monument or memorial erected and, if necessary, shall levy and collect, in the same manner as other general taxes are levied and collected, a tax sufficient to raise the amount specified in the petition, and to provide for the maintenance of the memorial.
(Source: P.A. 81-1489.)

Section 20. The Park District Code is amended by changing Section 10-4 as follows:

Sec. 10-4. Any park district shall have the power to acquire by gift, grant or purchase, real estate and lands for use as a site for an armory and to convey, sell, donate, lease or rent real estate or lands so acquired and

New matter indicated by italics - deletions by strikeout
any real estate or lands now owned by such park district to the State of
Illinois or to any proper agency thereof for use as a site for an armory, but
the park district shall have no power to divert any gift, grant or legacy
from the specific purpose designated by the donor.

Such district shall have power to acquire by lease or permit the
right to occupy and use real estate, land and riparian estates for park and
playground purposes and to improve, maintain and equip the same as a
park or playground, and to place permanent buildings and structures
thereon.

Such district may by ordinance lease, for any period not exceeding
99 years, any tract or parcel of land of the park district to any organization
incorporated under the laws of this State as a corporation not for pecuniary
profit, as a site for a memorial to the military and naval forces of this State
and of the United States, provided that such organization shall be
responsible for the maintenance of the memorial.

(Source: P.A. 83-388.)

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

Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0313
(Senate Bill No. 1859)

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

Section 5. The Counties Code is amended by changing Section 5-1030 and adding Section 5-1134 as follows:

(55 ILCS 5/5-1030) (from Ch. 34, par. 5-1030)
Sec. 5-1030. Hotel rooms, tax on gross rental receipts.
(a) The corporate authorities of any county may by ordinance
impose a tax upon all persons engaged in such county in the business of
renting, leasing or letting rooms in a hotel which is not located within a
city, village, or incorporated town that imposes a tax under Section 8-3-14
of the Illinois Municipal Code, as defined in "The Hotel Operators' Occupation Tax Act", at a rate not to exceed 5% of the gross rental
receipts from such renting, leasing or letting, excluding, however, from

New matter indicated by italics - deletions by strikeout
gross rental receipts, the proceeds of such renting, leasing or letting to permanent residents of that hotel, and may provide for the administration and enforcement of the tax, and for the collection thereof from the persons subject to the tax, as the corporate authorities determine to be necessary or practicable for the effective administration of the tax.

(b) With the consent of municipalities representing at least 67% of the population of Winnebago County, as determined by the 2010 federal decennial census and as expressed by resolution of the corporate authorities of those municipalities, the county board of Winnebago County may, by ordinance, impose a tax upon all persons engaged in the county in the business of renting, leasing, or letting rooms in a hotel that imposes a tax under Section 8-3-14 of the Illinois Municipal Code, as defined in "The Hotel Operators' Occupation Tax Act", at a rate not to exceed 2% of the gross rental receipts from renting, leasing, or letting, excluding, however, from gross rental receipts, the proceeds of the renting, leasing, or letting to permanent residents of that hotel, and may provide for the administration and enforcement of the tax, and for the collection thereof from the persons subject to the tax, as the county board determines to be necessary or practicable for the effective administration of the tax. The tax shall be instituted on a county-wide basis and shall be in addition to any tax imposed by this or any other provision of law. The revenue generated under this subsection shall be accounted for and segregated from all other funds of the county and shall be utilized solely for either: (1) encouraging, supporting, marketing, constructing, or operating, either directly by the county or through other taxing bodies within the county, sports, arts, or other entertainment or tourism facilities or programs for the purpose of promoting tourism, competitiveness, job growth, and for the general health and well-being of the citizens of the county; or (2) payment towards debt services on bonds issued for the purposes set forth in this subsection.

(c) A Tourism Facility Board shall be established, comprised of a representative from the county and from each municipality that has approved the imposition of the tax under subsection (b) of this Section.

(1) A Board member's vote is weighted based on the municipality's population relative to the population of the county, with the county representing the population within unincorporated areas of the county. Representatives from the Rockford Park District and Rockford Area Convention and Visitors Bureau shall serve as ex-officio members with no voting rights.

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(2) The Board must meet not less frequently than once per year to direct the use of revenues collected from the tax imposed under subsection (b) of this Section that are not already directed for use pursuant to an intergovernmental agreement between the county and another entity represented on the Board, including the ex-officio members, and for any other reason the Board deems necessary. Affirmative actions of the Board shall require a weighted vote of Board members representing not less than 67% of the population of the county.

(3) The Board shall not be a separate unit of local government, shall have no paid staff, and members of the Board shall receive no compensation or reimbursement of expenses from proceeds of the tax imposed under subsection (b) of this Section.

(d) Persons subject to any tax imposed pursuant to authority granted by this Section may reimburse themselves for their tax liability for such tax by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax imposed under "The Hotel Operators' Occupation Tax Act".

Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

An ordinance or resolution imposing a tax hereunder or effecting a change in the rate thereof shall be effective on the first day of the calendar month next following its passage and required publication.

The amounts collected by any county pursuant to this Section shall be expended to promote tourism; conventions; expositions; theatrical, sports and cultural activities within that county or otherwise to attract nonresident overnight visitors to the county.

Any county may agree with any unit of local government, including any authority defined as a metropolitan exposition, auditorium and office building authority, fair and exposition authority, exposition and auditorium authority, or civic center authority created pursuant to provisions of Illinois law and the territory of which unit of local government or authority is co-extensive with or wholly within such county, to impose and collect for a period not to exceed 40 years, any portion or all of the tax authorized pursuant to this Section and to transmit such tax so collected to such unit of local government or authority. The amount so paid shall be expended by any such unit of local government or

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authority for the purposes for which such tax is authorized. Any such agreement must be authorized by resolution or ordinance, as the case may be, of such county and unit of local government or authority, and such agreement may provide for the irrevocable imposition and collection of said tax at such rate, or amount as limited by a given rate, as may be agreed upon for the full period of time set forth in such agreement; and such agreement may further provide for any other terms as deemed necessary or advisable by such county and such unit of local government or authority. Any such agreement shall be binding and enforceable by either party to such agreement. Such agreement entered into pursuant to this Section shall not in any event constitute an indebtedness of such county subject to any limitation imposed by statute or otherwise.

(55 ILCS 5/5-1134 new)

Sec. 5-1134. Project labor agreements.
(a) Any sports, arts, or entertainment facilities that receive revenue from a tax imposed under subsection (b) of Section 5-1030 of this Code shall be considered to be public works within the meaning of the Prevailing Wage Act. The county authorities responsible for the construction, renovation, modification, or alteration of the sports, arts, or entertainment facilities shall enter into project labor agreements with labor organizations as defined in the National Labor Relations Act to assure that no labor dispute interrupts or interferes with the construction, renovation, modification, or alteration of the projects.

(b) The project labor agreements must include the following:
(1) provisions establishing the minimum hourly wage for each class of labor organization employees;
(2) provisions establishing the benefits and other compensation for such class of labor organization; and
(3) provisions establishing that no strike or disputes will be engaged in by the labor organization employees.

The county, taxing bodies, municipalities, and the labor organizations shall have the authority to include other terms and conditions as they deem necessary.

(c) The project labor agreement shall be filed with the Director of the Illinois Department of Labor in accordance with procedures established by the Department. At a minimum, the project labor agreement must provide the names, addresses, and occupations of the owner of the facilities and the individuals representing the labor organization

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employees participating in the project labor agreement. The agreement must also specify the terms and conditions required in subsection (b) of this Section.

(d) In any agreement for the construction or rehabilitation of a facility using revenue generated under subsection (b) of Section 5-1030 of this Code, in connection with the prequalification of general contractors for construction or rehabilitation of the facility, it shall be required that a commitment will be submitted detailing how the general contractor will expend 15% or more of the aggregate dollar value of the project as a whole with one or more minority-owned businesses, female-owned businesses, or businesses owned by a person with a disability, as these terms are defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

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

Passed in the General Assembly May 16, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0314
(Senate Bill No. 2229)

AN ACT concerning higher education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Higher Education Student Assistance Act is amended by changing Section 45 as follows:

(110 ILCS 947/45)
Sec. 45. Illinois National Guard and Naval Militia grant program.
(a) As used in this Section:
"State controlled university or community college" means those institutions under the administration of the Chicago State University Board of Trustees, the Eastern Illinois University Board of Trustees, the Governors State University Board of Trustees, the Illinois State University Board of Trustees, the Northeastern Illinois University Board of Trustees, the Northern Illinois University Board of Trustees, the Western Illinois University Board of Trustees, Southern Illinois University Board of Trustees, University of Illinois Board of Trustees, or the Illinois Community College Board.

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"Tuition and fees" shall not include expenses for any sectarian or denominational instruction, the construction or maintenance of sectarian or denominational facilities, or any other sectarian or denominational purposes or activity.

"Fees" means matriculation, graduation, activity, term, or incidental fees. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, and union building fees, hospital and medical insurance fees, and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.

(b) Any person who has served at least one year in the Illinois National Guard or the Illinois Naval Militia and who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a grant to the State-controlled university or community college of his or her choice, consisting of exemption from tuition and fees for not more than the equivalent of 4 years of full-time enrollment, including summer terms, in relation to his or her course of study at that State controlled university or community college while he or she is a member of the Illinois National Guard or the Illinois Naval Militia. Beginning with the 2013-2014 academic year, any person who has served over 10 years in the Illinois National Guard shall be awarded an additional grant to the State-controlled university or community college of his or her choice, consisting of an exemption from tuition and fees for not more than the equivalent of an additional 2 years of full-time enrollment, including summer terms. Except as otherwise provided in this Section, if the recipient of any grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant, the grant shall be terminated as of the date membership in the Illinois National Guard or the Illinois Naval Militia ended, and the recipient shall be permitted to complete the school term in which he or she is then enrolled only upon payment of tuition and other fees allocable to the part of the term then remaining. If the recipient of a grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant but (i) has served in the Illinois National Guard or the Illinois Naval Militia for at least 5 years and (ii) has served a cumulative total of at least 6 months of active duty, then that recipient shall continue to be eligible for a grant for one year after membership in
the Illinois National Guard or the Illinois Naval Militia ended, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of 4 years of full-time enrollment, including summer terms, under this Section. If the recipient of the grant fails to complete his or her military service obligations or requirements for satisfactory participation, the Department of Military Affairs shall require the recipient to repay the amount of the grant received, prorated according to the fraction of the service obligation not completed, and, if applicable, reasonable collection fees. The Department of Military Affairs may adopt rules relating to its collection activities for repayment of the grant under this Section. Unsatisfactory participation shall be defined by rules adopted by the Department of Military Affairs. Repayments shall be deposited in the National Guard and Naval Militia Grant Fund. The National Guard and Naval Militia Grant Fund is created as a special fund in the State treasury. All money in the National Guard and Naval Militia Grant Fund shall be used, subject to appropriation, by the Illinois Student Assistance Commission for the purposes of this Section.

A grant awarded under this Section shall be considered an entitlement which the State-controlled university or community college in which the holder is enrolled shall honor without any condition other than the holder's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(c) Subject to a separate appropriation for such purposes, the Commission may reimburse the State-controlled university or community college for grants authorized by this Section. (Source: P.A. 93-838, eff. 7-30-04; 93-856, eff. 8-3-04; 94-583, eff. 8-15-05; 94-1020, eff. 7-11-06.)

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

Passed in the General Assembly May 21, 2013.
Approved August 12, 2013.
Effective August 12, 2013.
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Sections 21-1 and 21-1.3 as follows:

(720 ILCS 5/21-1) (from Ch. 38, par. 21-1)
Sec. 21-1. Criminal damage to property.
(a) A person commits criminal damage to property when he or she:
   (1) knowingly damages any property of another;
   (2) recklessly by means of fire or explosive damages property of another;
   (3) knowingly starts a fire on the land of another;
   (4) knowingly injures a domestic animal of another without his or her consent;
   (5) knowingly deposits on the land or in the building of another any stink bomb or any offensive smelling compound and thereby intends to interfere with the use by another of the land or building;
   (6) knowingly damages any property, other than as described in paragraph (2) of subsection (a) of Section 20-1, with intent to defraud an insurer;
   (7) knowingly shoots a firearm at any portion of a railroad train;
   (8) knowingly, without proper authorization, cuts, injures, damages, defaces, destroys, or tampers with any fire hydrant or any public or private fire fighting equipment, or any apparatus appertaining to fire fighting equipment; or
   (9) intentionally, without proper authorization, opens any fire hydrant.
(b) When the charge of criminal damage to property exceeding a specified value is brought, the extent of the damage is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding the specified value.
(c) It is an affirmative defense to a violation of paragraph (1), (3), or (5) of subsection (a) of this Section that the owner of the property or land damaged consented to the damage.

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(d) Sentence.

(1) A violation of subsection (a) shall have the following penalties:

   (A) A violation of paragraph (8) or (9) is a Class B misdemeanor.

   (B) A violation of paragraph (1), (2), (3), (5), or (6) is a Class A misdemeanor when the damage to property does not exceed $300.

   (C) A violation of paragraph (1), (2), (3), (5), or (6) is a Class 4 felony when the damage to property does not exceed $300 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans.

   (D) A violation of paragraph (4) is a Class 4 felony when the damage to property does not exceed $10,000.

   (E) A violation of paragraph (7) is a Class 4 felony.

   (F) A violation of paragraph (1), (2), (3), (5) or (6) is a Class 4 felony when the damage to property exceeds $300 but does not exceed $10,000.

   (G) A violation of paragraphs (1) through (6) is a Class 3 felony when the damage to property exceeds $300 but does not exceed $10,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans.

   (H) A violation of paragraphs (1) through (6) is a Class 3 felony when the damage to property exceeds $10,000 but does not exceed $100,000.

   (I) A violation of paragraphs (1) through (6) is a Class 2 felony when the damage to property exceeds $10,000 but does not exceed $100,000 and the damage
occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans.

(J) A violation of paragraphs (1) through (6) is a Class 2 felony when the damage to property exceeds $100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds $100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans.

(2) When the damage to property exceeds $10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property.

(3) In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service.

The community service requirement does not apply when the court imposes a sentence of incarceration.

(4) In addition to any criminal penalties imposed for a violation of this Section, if a person is convicted of or placed on supervision for knowingly damaging or destroying crops of another, including crops intended for personal, commercial, research, or developmental purposes, the person is liable in a civil action to the owner of any crops damaged or destroyed for money

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damages up to twice the market value of the crops damaged or destroyed.

(5) For the purposes of this subsection (d), "farm equipment" means machinery or other equipment used in farming.

(Source: P.A. 96-529, eff. 8-14-09; 97-1108, eff. 1-1-13.)

(720 ILCS 5/21-1.3)
Sec. 21-1.3. Criminal defacement of property.

(a) A person commits criminal defacement of property when the person knowingly damages the property of another by defacing, deforming, or otherwise damaging the property by the use of paint or any other similar substance, or by the use of a writing instrument, etching tool, or any other similar device. It is an affirmative defense to a violation of this Section that the owner of the property damaged consented to such damage.

(b) Sentence.

(1) Criminal defacement of property is a Class A misdemeanor for a first offense when the aggregate value of the damage to the property does not exceed $300. Criminal defacement of property is a Class 4 felony when the aggregate value of the damage to property does not exceed $300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. Criminal defacement of property is a Class 4 felony for a second or subsequent conviction or when the aggregate value of the damage to the property exceeds $300. Criminal defacement of property is a Class 3 felony when the aggregate value of the damage to property exceeds $300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans.

(2) In addition to any other sentence that may be imposed for a violation of this Section that is chargeable as a Class 3 or Class 4 felony, a person convicted of criminal defacement of property shall be subject to a mandatory minimum fine of $500 plus the actual costs incurred by the property owner or the unit of government to abate, remediate, repair, or remove the effect of the damage to the property. To the extent permitted by law, reimbursement for the costs of abatement, remediation, repair, or removal shall be payable to the person who incurred the costs.
(3) In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal defacement of property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage to property that was caused by the offense, or similar damage to property located in the municipality or county in which the offense occurred. When the property damaged is a school building, the community service may include cleanup, removal, or painting over the defacement. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service.

(4) For the purposes of this subsection (b), aggregate value shall be determined by adding the value of the damage to one or more properties if the offenses were committed as part of a single course of conduct.

(Source: P.A. 96-499, eff. 8-14-09; 97-1108, eff. 1-1-13.)

Passed in the General Assembly May 21, 2013.

Approved August 12, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0316
(Senate Bill No. 2245)

AN ACT concerning education.

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

Section 5. The University of Illinois Act is amended by adding Section 85 as follows:

(110 ILCS 305/85 new)

Sec. 85. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

New matter indicated by italics - deletions by strikeout
(b) The Board of Trustees shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student’s eligibility to receive benefits has been verified by the University.

Section 10. The Southern Illinois University Management Act is amended by adding Section 70 as follows:

(110 ILCS 520/70 new)

Sec. 70. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 15. The Chicago State University Law is amended by adding Section 5-180 as follows:

(110 ILCS 660/5-180 new)

Sec. 5-180. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

New matter indicated by italics - deletions by strikeout
(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 20. The Eastern Illinois University Law is amended by adding Section 10-180 as follows:

(110 ILCS 665/10-180 new)
Sec. 10-180. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 25. The Governors State University Law is amended by adding Section 15-180 as follows:

(110 ILCS 670/15-180 new)
Sec. 15-180. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.
(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.
(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 30. The Illinois State University Law is amended by adding Section 20-185 as follows:

(110 ILCS 675/20-185 new)
Sec. 20-185. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.
"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.
(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.
(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 35. The Northeastern Illinois University Law is amended by adding Section 25-180 as follows:

(110 ILCS 680/25-180 new)
Sec. 25-180. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.
"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.
(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 40. The Northern Illinois University Law is amended by adding Section 30-190 as follows:

(110 ILCS 685/30-190 new)
Sec. 30-190. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
" Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 45. The Western Illinois University Law is amended by adding Section 35-185 as follows:

(110 ILCS 690/35-185 new)
Sec. 35-185. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

New matter indicated by italics - deletions by strikeout
(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 50. The Public Community College Act is amended by adding Section 3-29.10 as follows:

(110 ILCS 805/3-29.10 new)
Sec. 3-29.10. Priority enrollment; service member or veteran.
(a) For the purposes of this Section:
"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) A board shall give the earliest possible enrollment opportunity that a community college offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by a community college after the student's eligibility to receive benefits has been verified by the community college.

Passed in the General Assembly May 21, 2013.
Approved August 12, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0317
(House Bill No. 1070)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The General Not For Profit Corporation Act of 1986 is amended by changing Section 103.05 as follows:

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

New matter indicated by italics - deletions by strikeout
Sec. 103.05. Purposes and authority of corporations; particular purposes; exemptions.

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

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

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

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

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

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

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

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

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

(34) Ownership and operation of agriculture-based biogas (anaerobic digester) systems on a cooperative basis including the marketing and sale of products produced from these, including but not limited to methane gas, electricity, and compost.

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

(Source: P.A. 94-738, eff. 5-4-06.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning support.

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

Section 5. The Illinois Horse Racing Act of 1975 is amended by adding Sections 27.2 and 34.2 as follows:

(230 ILCS 5/27.2 new)

Sec. 27.2. Withholding of delinquent child support.

(a) From winnings required to be reported to the Internal Revenue Service and subject to withholding on Form W-2G, organization licensees and advance deposit wagering licensees licensed under this Act shall withhold up to the full amount of winnings necessary to pay the winner's past due child support amount as certified by the Department of Healthcare and Family Services under Section 10-17.15 of the Illinois Public Aid Code. Amounts withheld shall be paid to the Department of Healthcare and Family Services by the organization licensee or the advance deposit wagering licensee, as applicable.

(b) For withholding of winnings, the organization licensee or advance deposit wagering licensee shall be entitled to an administrative fee not to exceed the lesser of 4% of the total amount of cash winnings paid to the gambling winner or $150.

(c) In no event may the total amount withheld from the cash payout, including the administrative fee, exceed the total cash winnings claimed by the obligor. If the cash payout claimed is greater than the amount sufficient to satisfy the obligor's delinquent child support payments, the organization licensee or advance deposit wagering licensee shall pay the obligor the remaining balance of the payout, less the administrative fee authorized by subsection (b) of this Section, at the time it is claimed.
(d) An organization licensee or an advance deposit wagering licensee that in good faith complies with the requirements of this Section shall not be liable to the gaming winner or any other individual or entity.

(e) For an organization licensee under this Act, an agent of the Board (such as an employee of the Board) shall be responsible for notifying the person identified as being delinquent in child support payments that the organization licensee is required by law to withhold all or a portion of his or her winnings. This notification must be provided at the time the winnings are withheld.

(f) The provisions of this Section shall be operative on and after the date that rules are adopted by the Department of Healthcare and Family Services pursuant to Section 10-17.15 of the Illinois Public Aid Code.

(g) The delinquent child support required to be withheld under this Section and the administrative fee under subsection (b) of this Section have priority over any secured or unsecured claim on cash winnings, except claims for federal or State taxes that are required to be withheld under federal or State law.

(230 ILCS 5/34.2 new)
Sec. 34.2. Withholding of delinquent child support; signs; statement.

(a) Each organization licensee shall post signs with a statement regarding withholding of delinquent child support, the text of which shall be determined by rule by the Department of Healthcare and Family Services, at the following locations in each race track at which horse race meetings are conducted by the organization licensee and in each inter-track wagering facility and inter-track wagering location operated by the organization licensee:

(1) Each entrance and exit.

(2) Near each credit location.

The signs shall be provided by the Department of Healthcare and Family Services.

(b) Each organization licensee shall print a statement regarding withholding of delinquent child support, the text of which shall be determined by rule by the Department of Healthcare and Family Services, on all official racing programs that the organization licensee provides to the general public.

Section 10. The Riverboat Gambling Act is amended by adding Sections 13.05 and 13.2 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 13.05. Withholding of delinquent child support.

(a) From winnings required to be reported to the Internal Revenue Service on Form W-2G, an owners licensee or a licensee that operates one or more facilities or gaming locations at which lawful gambling is authorized as provided in this Act shall withhold up to the full amount of winnings necessary to pay the winner's past due child support amount as certified by the Department of Healthcare and Family Services under Section 10-17.15 of the Illinois Public Aid Code. Amounts withheld shall be paid to the Department of Healthcare and Family Services by the owners licensee or casino operator licensee, as applicable.

(b) For withholding of winnings, the licensee shall be entitled to an administrative fee not to exceed the lesser of 4% of the total amount of cash winnings paid to the gambling winner or $150.

(c) In no event may the total amount withheld from the cash payout, including the administrative fee, exceed the total cash winnings claimed by the obligor. If the cash payout claimed is greater than the amount sufficient to satisfy the obligor's delinquent child support payments, the licensee shall pay the obligor the remaining balance of the payout, less the administrative fee authorized by subsection (b) of this Section, at the time it is claimed.

(d) A licensee who in good faith complies with the requirements of this Section shall not be liable to the gaming winner or any other individual or entity.

(e) Upon request of a licensed owner under this Act, an agent of the Board (such as a gaming special agent employed by the Board, a State police officer, or a revenue agent) shall be responsible for notifying the person identified as being delinquent in child support payments that the licensed owner is required by law to withhold all or a portion of his or her winnings. If given, this notification must be provided at the time the winnings are withheld.

(f) The provisions of this Section shall be operative on and after the date that rules are adopted by the Department of Healthcare and Family Services pursuant to Section 10-17.15 of the Illinois Public Aid Code.

(g) The delinquent child support required to be withheld under this Section and the administrative fee under subsection (b) of this Section have priority over any secured or unsecured claim on cash winnings.

New matter indicated by italics - deletions by strikeout
except claims for federal or State taxes that are required to be withheld under federal or State law.

Sec. 13.2. Withholding of delinquent child support; signs; statement.

(a) Each licensed owner may post signs with a statement regarding withholding of delinquent child support, the text of which shall be determined by rule by the Department of Healthcare and Family Services, at the following locations in each facility at which gambling is conducted by the licensed owner:

1. Each entrance and exit.
2. Near each credit location.
3. At each cashier's cage.

The signs shall be provided by the Department of Healthcare and Family Services.

(b) Each licensed owner may print a statement regarding withholding of delinquent child support, the text of which shall be determined by rule by the Department of Healthcare and Family Services, on all paper stock that the license owner provides to the general public.

Section 15. The Illinois Public Aid Code is amended by adding Section 10-17.15 as follows:

Sec. 10-17.15. Certification of information to State gaming licensees.

(a) For purposes of this Section, "State gaming licensee" means, as applicable, an organization licensee or advance deposit wagering licensee licensed under the Illinois Horse Racing Act of 1975, an owners licensee licensed under the Riverboat Gambling Act, or a licensee that operates, under any law of this State, one or more facilities or gaming locations at which lawful gambling is authorized and licensed as provided in the Riverboat Gambling Act.

(b) The Department may provide, by rule, for certification to any State gaming licensee of past due child support owed by a responsible relative under a support order entered by a court or administrative body of this or any other State on behalf of a resident or non-resident receiving child support services under this Article in accordance with the requirements of Title IV-D, Part D, of the Social Security Act. The State gaming licensee shall have the ability to withhold from winnings required to be reported to the Internal Revenue Service on Form W-2G, up to the...
full amount of winnings necessary to pay the winner's past due child support. The rule shall provide for notice to and an opportunity to be heard by each responsible relative affected and any final administrative decision rendered by the Department shall be reviewed only under and in accordance with the Administrative Review Law.

(c) For withholding of winnings, the State gaming licensee shall be entitled to an administrative fee not to exceed the lesser of 4% of the total amount of cash winnings paid to the gambling winner or $150.

(d) In no event may the total amount withheld from the cash payout, including the administrative fee, exceed the total cash winnings claimed by the obligor. If the cash payout claimed is greater than the amount sufficient to satisfy the obligor's delinquent child support payments, the State gaming licensee shall pay the obligor the remaining balance of the payout, less the administrative fee authorized by subsection (c) of this Section, at the time it is claimed.

(e) A State gaming licensee who in good faith complies with the requirements of this Section shall not be liable to the gaming winner or any other individual or entity.

Section 99. Effective date. This Act takes effect July 1, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0319
(House Bill No. 3233)

AN ACT concerning local government.

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

Section 5. The Fire Protection District Act is amended by changing Section 22 as follows:

(70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)
Sec. 22. The Board of Trustees of any fire protection district incorporated under this Act is authorized under the terms and conditions hereinafter set out, to provide emergency ambulance service to or from points within or without the district; to contract with providers of ambulance service; to combine with other units of governments for the purpose of providing ambulance service; to levy a tax for the provision of

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such service and to adopt rules and regulations relating to ambulance service within their jurisdiction.

(a) It is declared as a matter of public policy:

(1) That, in order to preserve, protect and promote the public health, safety and general welfare, adequate and continuing emergency ambulance service should be available to every citizen of Illinois;

(2) That, insofar as it is economically feasible, emergency ambulance service should be provided by private enterprise; and

(3) That, in the event adequate and continuing emergency ambulance services do not exist, fire protection districts should be authorized to provide, and shall cause to be provided, ambulance service as a public responsibility.

(b) Whenever the Board of Trustees of a fire protection district desires to levy a special tax to provide an ambulance service, it shall certify the question to the proper election officials, who shall submit that question at an election to the voters of the district. The result of such referendum shall be entered upon the records of the district. If a majority of the votes on the proposition are in favor of such proposition, the Board of Trustees may thereafter levy a special tax at a rate not to exceed .30% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue. The proposition shall be in substantially the following form:

Shall the .... Fire Protection District levy a special tax at a rate not to exceed .30% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue for the purpose of providing an ambulance service?

(b-5) On and after the effective date of this amendatory Act of the 98th General Assembly, whenever the Board of Trustees of a fire protection district desires to levy a special tax to provide an ambulance service, it shall certify the question to the proper election officials, who shall submit that question at an election to the voters of the district. The result of such referendum shall be entered upon the records of the district. If a majority of the votes on the proposition are in favor of such

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proposition, the Board of Trustees may thereafter levy a special tax at a rate not to exceed .40% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue. The proposition shall be in substantially the following form:

Shall the .... Fire Protection District levy a special tax at a rate not to exceed .40% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue for the purpose of providing an ambulance service?

(c) If it appears that a majority of all valid votes cast on the proposition are in favor of levying a special tax to pay for an ambulance, the Board of Trustees may levy and collect an annual tax for the purpose of providing ambulance service under this Act to be extended at a rate not to exceed .40% of the full fair cash value of the taxable property within the governmental unit as assessed or equalized by the Department of Revenue. Such annual tax shall be in addition to the other taxes a fire protection district may levy for its corporate purposes.

(d) Any Board of trustees may:

1. Provide or operate an emergency ambulance service;
2. Contract with a private person, hospital, corporation or another governmental unit for the provision and operation of emergency ambulance service or subsidize the service thereof;
3. Limit the number of ambulance services;
4. Within its jurisdiction, fix, charge and collect fees for emergency ambulance service within or outside of the fire protection district not exceeding the reasonable cost of the service;
5. Establish necessary regulations not inconsistent with the statutes or regulations of the Department of Public Health relating to ambulance service;
6. The trustees shall have the power identified in paragraphs 3 and 5 only if the district shall have passed the referendum provided for herein.

(e) When any Board of Trustees is authorized prior to January 1, 1978 to levy and collect an annual tax, for the purpose of providing ambulance service, at any rate not exceeding .25% of the full fair cash value of the taxable property within the governmental unit as equalized or
assessed by the Department of Revenue, such Board of Trustees may by
resolution increase its authority to tax for ambulance purposes to a rate not
to exceed .30%. Such resolution shall be effective 30 days after its
adoption. Notice of such resolution shall be published twice in a
newspaper having a general circulation within the district at least 20 days
and again at least 10 days prior to the effective date of the resolution. Such
notice shall state that the voters of that fire protection district, which
district shall be described in the notice, have until 30 days after the
adoption of the resolution to file a petition with the Board of Trustees
praying that the question of the adoption of the resolution be submitted to
a vote of the electors of such territory, and that, if no such petition is filed,
the resolution shall become effective 30 days after its adoption. The notice
also shall state the specific number of voters required to sign the petition
and the date of the prospective referendum. The district secretary shall
provide a petition form to any individual requesting one. If such a petition,
signed by the voters of the district equal to 10% or more of the registered
voters of the district, is so filed with the Board of Trustees, then the
question of the adoption of the resolution shall be certified to the proper
election officials, who shall submit the question to a vote of the electors of
the district at an election in accordance with the general election law. If
such a petition is filed, the resolution does not take effect unless a majority
of the votes cast upon the question of the adoption of the resolution is in
favor of adoption. However, if such a petition is determined to be invalid,
the resolution shall take effect.

The result of the election shall be entered upon the records of the
district. If a majority of the voters vote in favor of such resolution, the
resolution shall be effective immediately. The proposition shall be in
substantially the following form:

Shall the Board of Trustees of
the .... Fire Protection District       YES
be authorized to increase the
special tax for ambulance service
to a rate not to exceed .30% of
the value of all taxable property
within the district as equalized or
assessed by the Department of Revenue
for the purpose of providing such service?   NO
In this Section, "ambulance service" includes, without limitation, pre-hospital medical services. "Pre-hospital medical services" includes emergency services performed by a paramedic or other on-board emergency personnel that are within the scope of the provider's license. This amendatory Act of the 95th General Assembly is declarative of existing law.

(Source: P.A. 95-497, eff. 1-1-08.)

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

Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0320
(House Bill No. 3255)

AN ACT concerning safety.

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

Section 5. The Illinois Public Demonstrations Law is amended by changing Sections 3, 4, 5, and 6 as follows:

(430 ILCS 70/3) (from Ch. 38, par. 85-3)
Sec. 3. Unlawful action-Parade permit.

It is unlawful for any person, group or organization to conduct or participate in any march, assembly, meeting, parade, or gathering on roadways in more than one specific area of or location in, any municipality or the unincorporated area of a county, on any given day, unless it is acting under authority of a duly issued municipal or county parade or demonstration permit if local ordinance or regulation requires such permit, or, if not, with permission of the principal law enforcement officer for the such area. Only the person, group, or organization responsible for organizing the march, assembly, meeting, parade, or gathering is required to obtain a permit or the permission of the principal law enforcement officer, which shall be sufficient to encompass all participants. If a march, assembly, meeting, parade, or gathering on roadways involves the act of crossing or traversing over or upon active railroad tracks, the municipal or county authority or principal law enforcement officer, as part of its permit or permission process, may prohibit any portion of the route that

New matter indicated by italics - deletions by strikeout
involves the act of crossing or traversing over or upon active railroad tracks.

(Source: Laws 1967, p. 3613.)

(430 ILCS 70/4) (from Ch. 38, par. 85-4)

Sec. 4. Acting with other groups - Size of assemblage. It is unlawful for any group or organization or any individual acting with the such group or organization, to conduct or participate in any march, assembly, meeting, parade, or gathering on roadways unless the such march, assembly, meeting, parade, or gathering is limited to such numbers that as, in the opinion of the principal law enforcement officer, will not obstruct pedestrian or vehicular traffic in an unreasonable manner. The principal law enforcement officer shall, within 12 hours of receiving the notice required by Section 5, inform the group or organization as to the limitation on number of persons allowed to participate.

(Source: Laws 1967, p. 3613.)

(430 ILCS 70/5) (from Ch. 38, par. 85-5)

Sec. 5. Notice of assemblage in writing-Contents.

It is unlawful for any group or organization to conduct or participate in any march, assembly, meeting, parade, or gathering on roadways unless the principal law enforcement officer has been given notice in writing of the location, the maximum number of persons participating, and the names and addresses of the organizers of the any such march, assembly, meeting, parade, or gathering, its route, and its time of inception and duration at least 24 hours before such inception.

(Source: Laws 1967, p. 3613.)

(430 ILCS 70/6) (from Ch. 38, par. 85-6)

Sec. 6. Time of holding.

It is unlawful for any group, organization, or any individual to conduct or participate in any march, assembly, meeting, parade, or gathering on roadways during peak traffic periods unless authorized by the principal law enforcement officer for the area in which the march, assembly, meeting, parade, or gathering is to be held. Peak traffic periods, unless otherwise set by municipal or county authority, are for the purposes of this Act declared to be 7:30 a.m. o'clock to 9:00 a.m. o'clock in the forenoon, and from 4:30 p.m. o'clock to 6:00 p.m. o'clock in the afternoon, Monday through Friday except for State and National holidays.

(Source: Laws 1967, p. 3613.)

Section 99. Effective date. This Act takes effect upon becoming law.
AN ACT concerning regulation.

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

Section 5. The Public Utilities Act is amended by changing Section 9-222.1 as follows:

(220 ILCS 5/9-222.1) (from Ch. 111 2/3, par. 9-222.1)

Sec. 9-222.1. A business enterprise which is located within an area designated by a county or municipality as an enterprise zone pursuant to the Illinois Enterprise Zone Act or located in a federally designated Foreign Trade Zone or Sub-Zone shall be exempt from the additional charges added to the business enterprise's utility bills as a pass-on of municipal and State utility taxes under Sections 9-221 and 9-222 of this Act, to the extent such charges are exempted by ordinance adopted in accordance with paragraph (e) of Section 8-11-2 of the Illinois Municipal Code in the case of municipal utility taxes, and to the extent such charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity in the case of State utility taxes, provided such business enterprise meets the following criteria:

(1) it (i) makes investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois; (ii) makes investments of at least $175,000,000 which cause the creation of a minimum of 150 full-time equivalent jobs in Illinois; (iii) makes investments that cause the retention of a minimum of 300 full-time equivalent jobs in the manufacturing sector, as defined by the North American Industry Classification System, in an area in Illinois in which the unemployment rate is above 9% and makes an application to the Department within 3 months after the effective date of this amendatory Act of the 96th General Assembly and certifies relocation of the 300 full-time equivalent jobs within 48 months after the application; (iv) makes investments which cause the retention of a minimum of 1,000 full-time jobs in Illinois; or (v) makes an application to the Department within 2 months after
the effective date of this amendatory Act of the 96th General Assembly and makes investments that cause the retention of a minimum of 500 full-time equivalent jobs in 2009 and 2010, 675 full-time jobs in Illinois in 2011, 850 full-time jobs in 2012, and 750 full-time jobs per year in 2013 through 2017, in the manufacturing sector as defined by the North American Industry Classification System; and

(2) it is either (i) located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act or (ii) located in a federally designated Foreign Trade Zone or Sub-Zone and is designated a High Impact Business by the Department of Commerce and Economic Opportunity; and

(3) it is certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity shall determine the period during which such exemption from the charges imposed under Section 9-222 is in effect which shall not exceed 30 years or the certified term of the enterprise zone, whichever period is shorter, except that the exemption period for a business enterprise qualifying under item (iii) of clause (1) of this Section shall not exceed 30 years.

The Department of Commerce and Economic Opportunity shall have the power to promulgate rules and regulations to carry out the provisions of this Section including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments which business enterprises must make in order to receive State utility tax exemptions pursuant to Sections 9-222 and 9-222.1 of this Act; to approve such utility tax exemptions for business enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions repay the exempted tax should the business enterprise fail to comply with the terms and conditions of the certification. However, no business enterprise shall be required, as a condition for certification under clause (3) of this Section, to attest that its decision to invest under clause (1) of this Section and to locate under clause (2) of this Section is predicated upon the availability of the exemptions authorized by this Section.

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A business enterprise shall be exempt, in whole or in part, from the pass-on charges of municipal utility taxes imposed under Section 9-221, only if it meets the criteria specified in clauses (1) through (3) of this Section and the municipality has adopted an ordinance authorizing the exemption under paragraph (e) of Section 8-11-2 of the Illinois Municipal Code. Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity, the Department of Commerce and Economic Opportunity shall notify the Department of Revenue of such certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the pass-on charges of State and municipal utility taxes. Such exemption status shall be effective within 3 months after certification of the business enterprise.
(Source: P.A. 96-716, eff. 8-25-09; 96-865, eff. 1-21-10; 97-818, eff. 7-16-12.)

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

Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0322
(Senate Bill No. 1657)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Sections 6-15, 9-5, and 16-55 as follows:

(35 ILCS 200/6-15)
Sec. 6-15. Political makeup and compensation. The board of review appointed under Section 6-5 shall consist of 3 2 members, 2 of whom are affiliated with the political party polling the highest vote for any county office in the county, and one member of the party polling the second highest vote for the same county office at the last general election prior to any appointment made under this Section. The third member shall not be affiliated with that same party. Each member of the board of review shall receive an annual salary to be fixed by the county board and paid out of the county treasury.
(Source: P.A. 86-905; 87-1189; 88-455.)

New matter indicated by italics - deletions by strikeout
Sec. 9-5. Rules. Each county assessor, board of appeals, and board of review shall make and publish reasonable rules for the guidance of persons doing business with them and for the orderly dispatch of business. In counties with fewer than 3,000,000 inhabitants, these rules shall not require specific proof to be offered nor limit the nature of evidence which may be offered as a condition of filing an assessment complaint under Section 16-55.

In counties with 3,000,000 or more inhabitants, the county assessor and board of appeals (ending the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter), jointly shall make and prescribe rules for the assessment of property and the preparation of the assessment books by the township assessors in their respective townships and for the return of those books to the county assessor.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

Sec. 16-55. Complaints.

(a) On written complaint that any property is overassessed or underassessed, the board shall review the assessment, and correct it, as appears to be just, but in no case shall the property be assessed at a higher percentage of fair cash value than other property in the assessment district prior to equalization by the board or the Department.

(b) The board shall include compulsory sales in reviewing and correcting assessments, including, but not limited to, those compulsory sales submitted by the taxpayer, if the board determines that those sales reflect the same property characteristics and condition as those originally used to make the assessment. The board shall also consider whether the compulsory sale would otherwise be considered an arm's length transaction.

(c) If a complaint is filed by an attorney on behalf of a taxpayer, all notices and correspondence from the board relating to the appeal shall be directed to the attorney. The board may require proof of the attorney's authority to represent the taxpayer. If the attorney fails to provide proof of authority within the compliance period granted by the board pursuant to subsection (d), the board may dismiss the complaint. The Board shall send, electronically or by mail, notice of the dismissal to the attorney and taxpayer.

New matter indicated by italics - deletions by strikeout
(d) A complaint to affect the assessment for the current year shall be filed on or before 30 calendar days after the date of publication of the assessment list under Section 12-10. Upon receipt of a written complaint that is timely filed under this Section, the board of review shall docket the complaint. If the complaint does not comply with the board of review rules adopted under Section 9-5 entitling the complainant to a hearing, the board shall send, electronically or by mail, notification acknowledging receipt of the complaint. The notification must identify which rules have not been complied with and provide the complainant with not less than 10 business days to bring the complaint into compliance with those rules. If the complainant complies with the board of review rules either upon the initial filing of a complaint or within the time as extended by the board of review for compliance, then the board of review shall send, electronically or by mail, a notice of hearing and the board shall hear the complaint and shall issue and send, electronically or by mail, a decision upon resolution. Except as otherwise provided in subsection (c), if the complainant has not complied with the rules within the time as extended by the board of review, the board shall nonetheless issue and send a decision. The board of review may adopt rules allowing any party to attend and participate in a hearing by telephone or electronically.

(e) The board may also, at any time before its revision of the assessments is completed in every year, increase, reduce or otherwise adjust the assessment of any property, making changes in the valuation as may be just, and shall have full power over the assessment of any person and may do anything in regard thereto that it may deem necessary to make a just assessment, but the property shall not be assessed at a higher percentage of fair cash value than the assessed valuation of other property in the assessment district prior to equalization by the board or the Department.

(f) No assessment shall be increased until the person to be affected has been notified and given an opportunity to be heard, except as provided below.

(g) Before making any reduction in assessments of its own motion, the board of review shall give notice to the assessor or chief county assessment officer who certified the assessment, and give the assessor or chief county assessment officer an opportunity to be heard thereon.

(h) All complaints of errors in assessments of property shall be in writing, and shall be filed by the complaining party with the board of review, in duplicate. The duplicate shall be filed by the board of review
with the assessor or chief county assessment officer who certified the assessment.

(i) In all cases where a change in assessed valuation of $100,000 or more is sought, the board of review shall also serve a copy of the petition on all taxing districts as shown on the last available tax bill at least 14 days prior to the hearing on the complaint. All taxing districts shall have an opportunity to be heard on the complaint.

(j) Complaints shall be classified by townships or taxing districts by the clerk of the board of review. All classes of complaints shall be docketed numerically, each in its own class, in the order in which they are presented, in books kept for that purpose, which books shall be open to public inspection. Complaints shall be considered by townships or taxing districts until all complaints have been heard and passed upon by the board.

(Source: P.A. 96-1083, eff. 7-16-10; 97-812, eff. 7-13-12.)

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

Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0323
(Senate Bill No. 1693)

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

Section 5. The Illinois Identification Card Act is amended by changing Sections 4 and 5 as follows:

(15 ILCS 335/4) (from Ch. 124, par. 24)
Sec. 4. Identification Card.
(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof, or who applies for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, final discharge, or pardon from the Department of Corrections by submitting an identification card issued by the Department of Corrections under Section 3-14-1 of the Unified Code of Corrections, together with the prescribed fees. No identification card

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shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision. For the purposes of this subsection (a-10), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall

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charge no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Disabled Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, a determination of disability from an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination, or any other documentation of disability whenever any State law requires that a disabled person provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a disabled person or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

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An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21; shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Disabled Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.
(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification Card or Illinois Person with a Disability Identification Card.

(Source: P.A. 96-146, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

(15 ILCS 335/5) (from Ch. 124, par. 25)

Sec. 5. Applications.

(a) Any natural person who is a resident of the State of Illinois; may file an application for an identification card, or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the legal name, residence address and zip code, social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed, unless the Secretary of State has provided by rule for the issuance of identification cards without photographs and the applicant is deemed eligible for an identification card without a photograph under the terms and conditions imposed by the Secretary of State, and he or she shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address in lieu of the applicant's residence or mailing address. An applicant for an Illinois Person with a Disability Identification Card must

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also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "person with a disability" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act. For the purposes of this subsection (a), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b) Beginning on or before July 1, 2015, for each original or renewal identification card application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing an identification card with a veteran designation under subsection (c-5) of Section 4 of this Act. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214. The Secretary shall determine by rule what other forms of proof of a person's status as a veteran are acceptable.

The Illinois Department of Veterans' Affairs shall confirm the status of the applicant as an honorably discharged veteran before the Secretary may issue the identification card.

For purposes of this subsection (b):
"Active duty" means active duty under an executive order of the President of the United States, an Act of the Congress of the United States, or an order of the Governor.
"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit called to active duty.
"Veteran" means a person who has served on active duty in the armed forces and was discharged or separated under honorable conditions.

(126x665)Section 10. The Illinois Vehicle Code is amended by changing Sections 6-106 and 6-110 as follows:

Sec. 6-106. Application for license or instruction permit.

(a) Every application for any permit or license authorized to be issued under this Act shall be made upon a form furnished by the Secretary of State. Every application shall be accompanied by the proper fee and
payment of such fee shall entitle the applicant to not more than 3 attempts to pass the examination within a period of 1 year after the date of application.

(b) Every application shall state the legal name, social security number, zip code, date of birth, sex, and residence address of the applicant; briefly describe the applicant; state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been cancelled, suspended, revoked or refused, and, if so, the date and reason for such cancellation, suspension, revocation or refusal; shall include an affirmation by the applicant that all information set forth is true and correct; and shall bear the applicant's signature. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. In the case of an applicant who is a judicial officer or peace officer, the Secretary may allow the applicant to provide an office or work address in lieu of a residence or mailing address. The application form may also require the statement of such additional relevant information as the Secretary of State shall deem necessary to determine the applicant's competency and eligibility. The Secretary of State may, in his discretion, by rule or regulation, provide that an application for a driver's license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each driver's license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a driver's license and to prevent substitution of another photo thereon. For the purposes of this subsection (b), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(c) The application form shall include a notice to the applicant of the registration obligations of sex offenders under the Sex Offender Registration Act. The notice shall be provided in a form and manner prescribed by the Secretary of State. For purposes of this subsection (c), "sex offender" has the meaning ascribed to it in Section 2 of the Sex Offender Registration Act.

(d) Any male United States citizen or immigrant who applies for any permit or license authorized to be issued under this Act or for a renewal of any permit or license, and who is at least 18 years of age but
less than 26 years of age, must be registered in compliance with the requirements of the federal Military Selective Service Act. The Secretary of State must forward in an electronic format the necessary personal information regarding the applicants identified in this subsection (d) to the Selective Service System. The applicant's signature on the application serves as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the Secretary to forward to the Selective Service System the necessary information for registration. The Secretary must notify the applicant at the time of application that his signature constitutes consent to registration with the Selective Service System, if he is not already registered.

(e) Beginning on or before July 1, 2015, for each original or renewal driver's license application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing a driver's license with a veteran designation under subsection (e-5) of Section 6-110 of this Chapter. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214. The Secretary shall determine by rule what other forms of proof of a person's status as a veteran are acceptable.

The Illinois Department of Veterans' Affairs shall confirm the status of the applicant as an honorably discharged veteran before the Secretary may issue the driver's license.

For purposes of this subsection (e):

"Active duty" means active duty under an executive order of the President of the United States, an Act of the Congress of the United States, or an order of the Governor.

"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit called to active duty.

"Veteran" means a person who has served on active duty in the armed forces and was discharged or separated under honorable conditions.

(Source: P.A. 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

Sec. 6-110. Licenses issued to drivers.

(a) The Secretary of State shall issue to every qualifying applicant a driver's license as applied for, which license shall bear a distinguishing number assigned to the licensee, the legal name, signature, zip code, date of birth, residence address, and a brief description of the licensee.

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Licenses issued shall also indicate the classification and the restrictions under Section 6-104 of this Code. The Secretary may adopt rules to establish informational restrictions that can be placed on the driver's license regarding specific conditions of the licensee.

A driver's license issued may, in the discretion of the Secretary, include a suitable photograph of a type prescribed by the Secretary.

(a-1) If the licensee is less than 18 years of age, unless one of the exceptions in subsection (a-2) apply, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

(A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;
(B) Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday;
and
(C) Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(a-2) The driver's license of a person under the age of 18 shall not be invalid as described in subsection (a-1) of this Section if the licensee under the age of 18 was:

(1) accompanied by the licensee's parent or guardian or other person in custody or control of the minor;
(2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;
(3) in a motor vehicle involved in interstate travel;
(4) going to or returning home from an employment activity, without any detour or stop;
(5) involved in an emergency;
(6) going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;
(7) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
(8) married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(a-2.5) The driver's license of a person who is 17 years of age and has been licensed for at least 12 months is not invalid as described in
subsection (a-1) of this Section while the licensee is participating as an assigned driver in a Safe Rides program that meets the following criteria:

(1) the program is sponsored by the Boy Scouts of America or another national public service organization; and

(2) the sponsoring organization carries liability insurance covering the program.

(a-3) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the offense, the provisions of subsection (a-1) shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or Section 6-107 or Section 12-603.1 of this Code.

(a-4) If an applicant for a driver's license or instruction permit has a current identification card issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-5) If an applicant for a driver's license is a judicial officer or a peace officer, the applicant may elect to have his or her office or work address listed on the license instead of the applicant's residence or mailing address. The Secretary of State shall adopt rules to implement this subsection (a-5). For the purposes of this subsection (a-5), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b) Until the Secretary of State establishes a First Person Consent organ and tissue donor registry under Section 6-117 of this Code, the Secretary of State shall provide a format on the reverse of each driver's license issued which the licensee may use to execute a document of gift conforming to the provisions of the Illinois Anatomical Gift Act. The format shall allow the licensee to indicate the gift intended, whether specific organs, any organ, or the entire body, and shall accommodate the signatures of the donor and 2 witnesses. The Secretary shall also inform

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each applicant or licensee of this format, describe the procedure for its execution, and may offer the necessary witnesses; provided that in so doing, the Secretary shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift. A brochure explaining this method of executing an anatomical gift document shall be given to each applicant or licensee. The brochure shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift, and that he or she may wish to consult with family, friends or clergy before doing so. The Secretary of State may undertake additional efforts, including education and awareness activities, to promote organ and tissue donation.

(c) The Secretary of State shall designate on each driver's license issued a space where the licensee may place a sticker or decal of the uniform size as the Secretary may specify, which sticker or decal may indicate in appropriate language that the owner of the license carries an Emergency Medical Information Card.

The sticker may be provided by any person, hospital, school, medical group, or association interested in assisting in implementing the Emergency Medical Information Card, but shall meet the specifications as the Secretary may by rule or regulation require.

(d) The Secretary of State shall designate on each driver's license issued a space where the licensee may indicate his blood type and RH factor.

(e) The Secretary of State shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall be of a distinct nature from those driver's licenses issued to individuals 21 years of age and older. The color designated for driver's licenses for licensees under 21 years of age shall be at the discretion of the Secretary of State.

(e-1) The Secretary shall provide that each driver's license issued to a person under the age of 21 displays the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(e-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue drivers' licenses

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with the word "veteran" appearing on the face of the licenses. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other driver's license which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the license holder which is unrelated to the purpose of the driver's license.

(e-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal driver's license where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (e) of Section paragraph 6-106 of this Code Chapter who was discharged or separated under honorable conditions.

(f) The Secretary of State shall inform all Illinois licensed commercial motor vehicle operators of the requirements of the Uniform Commercial Driver License Act, Article V of this Chapter, and shall make provisions to insure that all drivers, seeking to obtain a commercial driver's license, be afforded an opportunity prior to April 1, 1992, to obtain the license. The Secretary is authorized to extend driver's license expiration dates, and assign specific times, dates and locations where these commercial driver's tests shall be conducted. Any applicant, regardless of the current expiration date of the applicant's driver's license, may be subject to any assignment by the Secretary. Failure to comply with the Secretary's assignment may result in the applicant's forfeiture of an opportunity to receive a commercial driver's license prior to April 1, 1992.

(g) The Secretary of State shall designate on a driver's license issued, a space where the licensee may indicate that he or she has drafted a living will in accordance with the Illinois Living Will Act or a durable power of attorney for health care in accordance with the Illinois Power of Attorney Act.

(g-1) The Secretary of State, in his or her discretion, may designate on each driver's license issued a space where the licensee may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the owner of the license has renewed his or her driver's license.

(h) A person who acts in good faith in accordance with the terms of this Section is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act.

(Source: P.A. 96-607, eff. 8-24-09; 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; revised 8-3-12.)

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Approved August 12, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0324
(Senate Bill No. 1768)

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

Section 5. The State Finance Act is amended by adding Section
5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Supreme Court Special Purposes Fund.

Section 10. The Appellate Court Act is amended by changing
Section 3 as follows:

(705 ILCS 25/3) (from Ch. 37, par. 27)
Sec. 3. Clerk's salary - destruction of records.

(a) The ordinary and contingent expenses of operating the offices
of the clerks of the branches of the Appellate Court, including salaries,
shall be determined by the Supreme Court and paid from the State
Treasury on the warrant of the Comptroller out of appropriations made for
that purpose by the General Assembly. The clerk of each branch of the
appellate court shall perform the duties usually devolving upon clerks of
courts in this State, and shall provide books, stationery and seals for the
appellate courts, and shall be entitled to receive the same fees for services
in each branch of the appellate court as are allowed for like services in the
Supreme Court. All fees paid to or received by any such clerk shall be paid
into the Supreme Court Special Purposes Fund State treasury as required
by Section 2 of "An Act in relation to the payment and disposition of
moneys received by officers and employees of the State of Illinois by
virtue of their office or employment", approved June 9, 1911, as amended,
except that any filing fees designated by Supreme Court Rule for
alternative dispute resolution programs in the reviewing courts as provided
in the Reviewing Court Alternative Dispute Resolution Act shall, within
one month after receipt, be remitted to the State Treasurer for deposit in
the Mandatory Arbitration Fund.

(b) The clerks shall, on the order and under the direction of the
court, destroy any or all the records certified by the clerk (or a judge) of a

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trial court in cases finally decided more than 21 years prior to the entry of the order.
(Source: P.A. 96-302, eff. 1-1-10.)

Section 15. The Clerks of Courts Act is amended by changing Sections 28 and 29 as follows:

(705 ILCS 105/28)

Sec. 28. Supreme Court Clerk; fees. At the time of filing a petition or record, the petitioner or appellant shall pay to the Clerk of the Supreme Court the sum of $25. That sum shall be in full payment of all services of the clerk on behalf of the petitioner or appellant, except the making of a complete record, or copies of records, papers, or orders. The respondent or appellee, before entering an appearance or filing any paper, shall pay to the Clerk of the Supreme Court the sum of $15, which sum shall be in full payment of all services of the clerk on behalf of the respondent or appellee, except the making of a complete record, or copies of records, papers, or orders.

The fee for each official certificate and seal is $1.

The fee for making a complete record, copy of a record, or other papers in this office is a reasonable fee per page as established by the Supreme Court, except that the clerk shall furnish without cost, to parties in interest or their attorneys of record, copies of opinions or orders. In furtherance of the public interest, the clerk may furnish copies of opinions or orders without cost to other individuals or entities.

The fee for preparing a law license, certifying it with the seal, administering the oath, and transcribing the name on the roll of attorneys is $5.

In no event shall the clerk charge or receive any other or different fees than those specified in this Section, except as otherwise authorized by statute:

After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees collected under this Section shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

There is created the Supreme Court Special Purposes Fund, a special fund in the State treasury. Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund, to be used by the Supreme Court for:

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(1) costs associated with electronic filing and case management systems in the reviewing courts; and 
(2) the operation of committees and commissions established by the Supreme Court.

(Source: P.A. 88-691; 89-233, eff. 1-1-96; 89-626, eff. 8-9-96; 89-686, eff. 12-31-96.)

(705 ILCS 105/29)
Sec. 29. Salary; disposition of fees; expenditures. The ordinary and contingent expenses of operating the Office of the Clerk of the Supreme Court, including salaries, shall be determined by the Supreme Court and paid from the State treasury on the warrant of the Comptroller out of appropriations made for that purpose by the General Assembly.

Except as specified under Section 28 of this Act, Section 12 of the Professional Service Corporation Act, Section 50-45 of the Limited Liability Company Act, and Section 10 of the Professional Association Act, all fees and costs paid to or received by the Clerk of the Supreme Court shall be paid into the State Treasury.

(Source: P.A. 89-233, eff. 1-1-96.)

Section 20. The Professional Service Corporation Act is amended by changing Section 12 as follows:

(805 ILCS 10/12) (from Ch. 32, par. 415-12)
Sec. 12. (a) No corporation shall open, operate or maintain an establishment for any of the purposes for which a corporation may be organized under this Act without a certificate of registration from the regulating authority authorized by law to license individuals to engage in the profession or related professions concerned. Application for such registration shall be made in writing, and shall contain the name and address of the corporation, and such other information as may be required by the regulating authority. Upon receipt of such application, the regulating authority, or some administrative agency of government designated by it, shall make an investigation of the corporation. If the regulating authority is the Supreme Court it may designate the bar or legal association which investigates and prefers charges against lawyers to it for disciplining. If such authority finds that the incorporators, officers, directors and shareholders are each licensed pursuant to the laws of Illinois to engage in the particular profession or related professions involved (except that the secretary of the corporation need not be so licensed), and if no disciplinary action is pending before it against any of them, and if it appears that the corporation will be conducted in compliance with the law

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and the regulations and rules of the regulating authority, such authority, shall issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the holder, the regulating authority which originally issued the certificate of registration shall renew the certificate if it finds that the corporation has complied with its regulations and the provisions of this Act.

The fee for the renewal of a certificate of registration shall be calculated at the rate of $40 per year.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the professional corporation shall have only those offices which are designated by street address in the articles of incorporation, or as changed by amendment of such articles. No certificate of registration shall be assignable.

(b) Moneys collected under this Section from a professional corporation organized to practice law shall be deposited into the Supreme Court Special Purposes Fund.

(c) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section from a professional corporation organized to practice law may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 83-863.)

Section 25. The Limited Liability Company Act is amended by changing Section 50-45 as follows:

(805 ILCS 180/50-45)

Sec. 50-45. Certificate of registration; attorneys at law.

(a) A limited liability company that is organized to practice law may not engage in the practice of law without a certificate of registration from the Supreme Court of Illinois. Application for registration shall be made in writing and shall contain the name and address of the limited liability company and such other information as may be required by the Supreme Court. Upon receipt of the application, if the Supreme Court finds that the organizers, members, and managers are each licensed to practice law, no disciplinary action is pending against any of them, and it appears that the limited liability company will be conducted in compliance with the law and the rules of the Supreme Court, the Supreme Court may
issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the certificate holder and upon completion of a form prescribed by the Supreme Court, the Supreme Court may renew the certificate if it finds that the limited liability company has complied with the Supreme Court's rules and the provisions of this Act. The fee for the renewal of a certificate of registration is $40 per year.

The applications submitted and fees payable to the Supreme Court shall be in addition to the documents, amendments, and reports filed with and the fees and penalties charged by the Secretary of State.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the limited liability company may have only those offices that are designated by street address in the articles of organization or as changed by amendment of those articles. A certificate of registration is not assignable.

(b) Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund.

(c) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 89-686, eff. 12-31-96.)

Section 30. The Professional Association Act is amended by changing Section 10 as follows:

(805 ILCS 305/10) (from Ch. 106 1/2, par. 110)

Sec. 10. Regulation of practice of law.

(a) The manner in which lawyers practice law under this Act is subject to the powers of the Supreme Court to regulate the practice of law.

(b) A professional association that is organized to practice law may not engage in the practice of law without a certificate of registration from the Supreme Court of Illinois. Application for registration shall be made in writing and shall contain the name and address of the professional association and such other information as may be required by the Supreme Court. Upon receipt of the application, if the Supreme Court finds that the members and shareholders are each licensed to practice law, no disciplinary action is pending against any of them, and it appears that the professional association will be conducted in compliance with the law and

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the rules of the Supreme Court, the Supreme Court may issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the certificate holder and upon completion of a form prescribed by the Supreme Court, the Supreme Court may renew the certificate if it finds that the professional association has complied with the Supreme Court's rules and the provisions of this Act. The fee for the renewal of a certificate of registration is $40 per year.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the professional association may have only those offices that are designated by street address in the articles of association or as changed by amendment of those articles. A certificate of registration is not assignable.

(c) Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund.

(d) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 89-686, eff. 12-31-96.)

Section 99. Effective date. This Act takes effect October 1, 2013.
Passed in the General Assembly May 17, 2013.
Approved August 12, 2013.
Effective October 1, 2013.

PUBLIC ACT 98-0325
(House Bill No. 2232)

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

Section 5. The Park District Code is amended by changing Section 8-1 as follows:

(70 ILCS 1205/8-1) (from Ch. 105, par. 8-1)
Sec. 8-1. General corporate powers. Every park district shall, from the time of its organization, be a body corporate and politic by such name as set forth in the petition for its organization or such name as it may adopt under Section 8-8 hereof and shall have and exercise the following powers:

New matter indicated by italics - deletions by strikeout
(a) To adopt a corporate seal and alter the same at pleasure; to sue and be sued; and to contract in furtherance of any of its corporate purposes.

(b) (1) To acquire by gift, legacy, grant or purchase, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act, any and all real estate, or rights therein necessary for building, laying out, extending, adorning and maintaining any such parks, boulevards and driveways, or for effecting any of the powers or purposes granted under this Code as its board may deem proper, whether such lands be located within or without such district; but no park district, except as provided in paragraph (2) of this subsection, shall have any power of condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act or otherwise as to any real estate, lands, riparian rights or estate, or other property situated outside of such district, but shall only have power to acquire the same by gift, legacy, grant or purchase, and such district shall have the same control of and power over lands so acquired without the district as over parks, boulevards and driveways within such district.

(2) In addition to the powers granted in paragraph (1) of subsection (b), a park district located in more than one county, the majority of its territory located in a county over 450,000 in population and none of its territory located in a county over 1,000,000 in population, shall have condemnation power in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act or as otherwise granted by law as to any and all real estate situated up to one mile outside of such district which is not within the boundaries of another park district.

(c) To acquire by gift, legacy or purchase any personal property necessary for its corporate purposes provided that all contracts for supplies, materials or work involving an expenditure in excess of $20,000 shall be let to the lowest responsible bidder after due advertisement. No district shall be required to accept a bid that does not meet the district's established specifications, terms of delivery, quality, and serviceability requirements. Contracts which, by their nature, are not adapted to award by competitive bidding, such as contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part, contracts for the printing of finance committee reports and departmental reports, contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness, contracts for utility services such as water, light, heat,
telephone or telegraph, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by some entity other than the district itself, and contracts for the purchase of magazines, books, periodicals, pamphlets and reports are not subject to competitive bidding. Contracts for emergency expenditures are also exempt from competitive bidding when the emergency expenditure is approved by 3/4 of the members of the board.

All competitive bids for contracts involving an expenditure in excess of $20,000 must be sealed by the bidder and must be opened by a member or employee of the park board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days notice of the time and place of the bid opening.

For purposes of this subsection, "due advertisement" includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district or, if no newspaper is published in the district, in a newspaper of general circulation in the area of the district.

(d) To pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction, and to effect the objects for which such districts are formed.

(e) To prescribe such fines and penalties for the violation of ordinances as it shall deem proper not exceeding $1,000 for any one offense, which fines and penalties may be recovered by an action in the name of such district in the circuit court for the county in which such violation occurred. The park district may also seek in the action, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations, and the court shall grant such relief where appropriate. The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs.

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in the same manner as in such cities. All fines when collected shall be paid into the treasury of such district.

(f) To manage and control all officers and property of such districts and to provide for joint ownership with one or more cities, villages or incorporated towns of real and personal property used for park purposes by one or more park districts. In case of joint ownership, the terms of the agreement shall be fair, just and equitable to all parties and shall be set forth in a written agreement entered into by the corporate authorities of each participating district, city, village or incorporated town.

(g) To secure grants and loans, or either, from the United States Government, or any agency or agencies thereof, for financing the acquisition or purchase of any and all real estate, or rights therein, or for effecting any of the powers or purposes granted under this Code as its Board may deem proper.

(h) To establish fees for the use of facilities and recreational programs of the districts and to derive revenue from non-resident fees from their operations. Fees charged non-residents of such district need not be the same as fees charged to residents of the district. Charging fees or deriving revenue from the facilities and recreational programs shall not affect the right to assert or utilize any defense or immunity, common law or statutory, available to the districts or their employees.

(i) To make contracts for a term exceeding one year, but not to exceed 3 years, notwithstanding any provision of this Code to the contrary, relating to: (1) the employment of a park director, superintendent, administrator, engineer, health officer, land planner, finance director, attorney, police chief, or other officer who requires technical training or knowledge; (2) the employment of outside professional consultants such as engineers, doctors, land planners, auditors, attorneys, or other professional consultants who require technical training or knowledge; and (3) the provision of data processing equipment and services; and (4) the purchase of energy from a utility or an alternative retail electric supplier. With respect to any contract made under this subsection (i), the corporate authorities shall include in the annual appropriation ordinance for each fiscal year an appropriation of a sum of money sufficient to pay the amount which, by the terms of the contract, is to become due and payable during that fiscal year.

(j) To enter into licensing or management agreements with not-for-profit corporations organized under the laws of this State to operate park
district facilities if the corporation covenants to use the facilities to provide public park or recreational programs for youth.
(Source: P.A. 94-1055, eff. 1-1-07; 95-67, eff. 1-1-08.)

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

Passed in the General Assembly May 16, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0326
(Senate Bill No. 1637)

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

Section 5. The Open Space Lands Acquisition and Development Act is amended by changing Section 3 as follows:
(525 ILCS 35/3) (from Ch. 85, par. 2103)
Sec. 3. From appropriations made from the Capital Development Fund, Build Illinois Bond Fund or other available or designated funds for such purposes, the Department shall make grants to local governments as financial assistance, on a reimbursement basis, for the capital development and improvement of park, recreation or conservation areas, marinas and shorelines, including planning and engineering costs, and for the acquisition of open space lands, including acquisition of easements and other property interests less than fee simple ownership if the Department determines that such property interests are sufficient to carry out the purposes of this Act, subject to the conditions and limitations set forth in this Act.

No more than 10% of the amount so appropriated for any fiscal year may be committed or expended on any one project described in an application under this Act.

Any grant under this Act to a local government shall be conditioned upon the state providing assistance on a 50/50 matching basis for the acquisition of open space lands and for capital development and improvement proposals.

A minimum of 50% of any grant made to a unit of local government under this Act must be paid to the unit of local government at the time the Department awards the grant. The remainder of the grant

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shall be distributed to the local government quarterly on a reimbursement basis.
(Source: P.A. 94-91, eff. 7-1-05.)

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

Passed in the General Assembly May 16, 2013.
Approved August 12, 2013.
Effective August 12, 2013.

PUBLIC ACT 98-0327
(House Bill No. 3349)

AN ACT concerning safety.

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

Section 1. Legislative findings. In 1997, Public Act 90-502 established the Drycleaner Environmental Response Trust Fund (Trust Fund) in response to requests by operators of retail drycleaning facilities to have financial resources available to pay for the cleanup of spills and leaks from drycleaning machines and solvent storage units.

The purpose of the Trust Fund is to pay for the remediation of soil and groundwater contamination at both inactive and active drycleaner sites, as well as prevent future spills and leaks of drycleaning solvent.

The Trust Fund consists of three primary programs: a licensing program, an insurance program, and a remedial program.

The Trust Fund is financed by an annual license fee on active drycleaning facilities; a solvent fee tax charged on each gallon of drycleaning solvent purchased; and insurance premiums for pollution liability insurance coverage.

A private company currently provides third-party administrative services for the Trust Fund, including, but not limited to: receiving and processing license applications, receiving and processing applications for insurance coverage, receiving and processing claims, and furnishing other accounting and record-keeping services.

Over the course of its operation, the Trust Fund has paid over $31 million for remedial action and insurance claims.

The Trust Fund currently has a backlog of unpaid claims totaling $27 million.
There are approximately 230 sites that still need to be remediated using moneys in the Trust Fund.

Under the current system, the Trust Fund's existing funding sources will not be sufficient to keep up with projected costs and remedial action and insurance claims; thereby increasing the potential for drycleaning solvent releases to impact a larger number of drinking water supplies and threatening many others across the State.

The most recent estimate of reimbursement fund balance reveals the Trust Fund is projected to have a deficit of $14 million by its sunset date of January 1, 2020.

Most drycleaners are small, independently-owned businesses, and if the Trust Fund is not solvent, drycleaners may not be able to remediate solvent releases in a responsible manner.

The General Assembly finds that it is necessary to form a Task Force to study the resource challenges and implementation issues that the Trust Fund currently faces.

Section 5. The Drycleaner Environmental Response Trust Fund Act is amended by changing Section 45 and by adding Section 27 as follows:

(415 ILCS 135/27 new)

Sec. 27. Drycleaner Environmental Response Trust Fund Task Force.

(a) There is created the Drycleaner Environmental Response Trust Fund Task Force ("Task Force"). The Task Force shall study the resource challenges and implementation issues that the Fund faces and make recommendations for adequately funding the Fund and for refining and improving the goals and implementation of the Trust Fund program. In conducting the study of the Trust Fund program, the Task Force shall consider appropriate changes to the existing program, including, but not limited to, the following: administration of the program, program eligibility, program goals, fee structures, administrative expenses, licensing requirements, benefits for participation, compliance assurance and continuing education standards, and sunset date.

(b) The Council shall be composed of the following members:

(1) Two members appointed by the Speaker of the House, one of whom shall be designated as co-chairperson of the Task Force;

(2) Two members appointed by the Minority Leader of the House;

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(3) Two members appointed by the President of the Senate, one of whom shall be designated as co-chairperson of the Task Force;

(4) Two members appointed by the Minority Leader of the Senate;

(5) Seven members appointed by the Governor to represent the dry cleaning industry, including two members who represent a statewide dry cleaners' organization, three members who represent regional or major metropolitan dry cleaning associations, and two members representing an in-state wholesale distributor of dry cleaning agents;

(6) One person appointed by the Governor to represent the Drycleaner Environmental Response Trust Fund Council; and

(7) The Director of the Illinois Environmental Protection Agency, or his or her designee.

(c) The members of the Task Force shall serve without compensation.

(d) The Illinois Environmental Protection Agency shall provide administrative support to the Task Force.

(e) In making its determinations, the Task Force must hold at least 3 public meetings in 3 separate metropolitan areas of the State.

(f) The Task Force shall submit a report of its findings and recommendations, which shall include proposed legislation, to the Governor and to the General Assembly by no later than December 31, 2014.

(g) This Section is repealed on January 1, 2016.

(415 ILCS 135/45)
Sec. 45. Insurance account.

(a) The insurance account shall offer financial assurance for a qualified owner or operator of a drycleaning facility under the terms and conditions provided for under this Section. Coverage may be provided to either the owner or the operator of a drycleaning facility. The Council is not required to resolve whether the owner or operator, or both, are responsible for a release under the terms of an agreement between the owner and operator.

(b) The source of funds for the insurance account shall be as follows:

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(1) Moneys appropriated to the Council or moneys allocated to the insurance account by the Council according to the Fund budget approved by the Council.
(2) Moneys collected as an insurance premium, including service fees, if any.
(3) Investment income attributed to the insurance account by the Council.

(c) An owner or operator may purchase coverage of up to $500,000 per drycleaning facility subject to the terms and conditions under this Section and those adopted by the Council. Coverage shall be limited to remedial action costs associated with soil and groundwater contamination resulting from a release of drycleaning solvent at an insured drycleaning facility, including third-party liability for soil and groundwater contamination. Coverage is not provided for a release that occurred before the date of coverage.

(d) An owner or operator, subject to underwriting requirements and terms and conditions deemed necessary and convenient by the Council, may purchase insurance coverage from the insurance account provided that the drycleaning facility to be insured meets the following conditions:

(1) a site investigation designed to identify soil and groundwater contamination resulting from the release of a drycleaning solvent has been completed. The Council shall determine if the site investigation is adequate. This investigation must be completed by June 30, 2006. For drycleaning facilities that apply for insurance coverage after June 30, 2006, the site investigation must be completed prior to issuance of insurance coverage; and

(2) the drycleaning facility is participating in and meets all requirements of a dry cleaning compliance program approved by the Council.

(e) The annual premium for insurance coverage shall be:

(1) For the year July 1, 1999 through June 30, 2000, $250 per drycleaning facility.

(2) For the year July 1, 2000 through June 30, 2001, $375 per drycleaning facility.

(3) For the year July 1, 2001 through June 30, 2002, $500 per drycleaning facility.

(4) For the year July 1, 2002 through June 30, 2003, $625 per drycleaning facility.
(5) For subsequent years, an owner or operator applying for coverage shall pay an annual actuarially-sound insurance premium for coverage by the insurance account. The Council may approve Fund coverage through the payment of a premium established on an actuarially-sound basis, taking into consideration the risk to the insurance account presented by the insured. Risk factor adjustments utilized to determine actuarially-sound insurance premiums should reflect the range of risk presented by the variety of drycleaning systems, monitoring systems, drycleaning volume, risk management practices, and other factors as determined by the Council. As used in this item, "actuarially sound" is not limited to Fund premium revenue equaling or exceeding Fund expenditures for the general drycleaning facility population. Actuarially-determined premiums shall be published at least 180 days prior to the premiums becoming effective.

(e-5) If an insurer sends a second notice to an owner or operator demanding immediate payment of a past-due premium for insurance services provided pursuant to this Act, the demand for payment must offer a grace period of not less than 30 days during which the owner or operator shall be allowed to pay any premiums due. If payment is made during that period, coverage under this Act shall not be terminated for non-payment by the insurer.

(e-6) If an insurer terminates an owner or operator's coverage under this Act, the insurer must send a written notice to the owner or operator to inform him or her of the termination of that coverage, and that notice must include instructions on how to seek reinstatement of coverage, as well as information concerning any premiums or penalties that might be due.

(f) If coverage is purchased for any part of a year, the purchaser shall pay the full annual premium. The insurance premium is fully earned upon issuance of the insurance policy.

(g) The insurance coverage shall be provided with a $10,000 deductible policy.

(h) A future repeal of this Section shall not terminate the obligations under this Section or authority necessary to administer the obligations until the obligations are satisfied, including but not limited to the payment of claims filed prior to the effective date of any future repeal against the insurance account until moneys in the account are exhausted. Upon exhaustion of the moneys in the account, any remaining claims shall

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be invalid. If moneys remain in the account following satisfaction of the obligations under this Section, the remaining moneys and moneys due the account shall be used to assist current insureds to obtain a viable insuring mechanism as determined by the Council after public notice and opportunity for comment.
(Source: P.A. 93-201, eff. 1-1-04.)

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

Approved August 13, 2013.
Effective August 13, 2013.

PUBLIC ACT 98-0328
(House Bill No. 0922)

AN ACT concerning employment.

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

Section 5. The Prevailing Wage Act is amended by changing Sections 5 and 11 as follows:

(820 ILCS 130/5) (from Ch. 48, par. 39s-5)

Sec. 5. Certified payroll.
(a) Any contractor and each subcontractor who participates in public works shall:

(1) make and keep, for a period of not less than 3 years from the date of the last payment made before the effective date of this amendatory Act of the 98th General Assembly and for a period of 5 years from the date of the last payment made on or after the effective date of this amendatory Act of the 98th General Assembly on a contract or subcontract for public works, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include each worker's name, address, telephone number when available, social security number, classification or classifications, the hourly wages paid in each pay period, the number of hours worked each day, and the starting and ending times of work each day; and

(2) no later than the tenth day of each calendar month file a certified payroll for the immediately preceding month with the public body in charge of the project. A certified payroll must be

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filed for only those calendar months during which construction on a public works project has occurred. The certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (a), but may exclude the starting and ending times of work each day. The certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that: (i) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by this Act; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor. A general contractor is not prohibited from relying on the certification of a lower tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification. Any contractor or subcontractor subject to this Act and any officer, employee, or agent of such contractor or subcontractor whose duty as such officer, employee, or agent it is to file such certified payroll who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor. The public body in charge of the project shall keep the records submitted in accordance with this paragraph (2) of subsection (a) before the effective date of this amendatory Act of the 98th General Assembly for a period of not less than 3 years, and the records submitted in accordance with this paragraph (2) of subsection (a) on or after the effective date of this amendatory Act of the 98th General Assembly for a period of 5 years, from the date of the last payment for work on a contract or subcontract for public works. The records submitted in accordance with this paragraph (2) of subsection (a) shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The public body shall accept any reasonable submissions by the contractor that meet the requirements of this Section.

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A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(b) Upon 7 business days' notice, the contractor and each subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in paragraph (1) of subsection (a) of this Section to the public body in charge of the project, its officers and agents, the Director of Labor and his deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(Source: P.A. 97-571, eff. 1-1-12.)

(820 ILCS 130/11) (from Ch. 48, par. 39s-11)

Sec. 11. No public works project shall be instituted unless the provisions of this Act have been complied with. The provisions of this Act shall not be applicable to Federal construction projects which require a prevailing wage determination by the United States Secretary of Labor. The Illinois Department of Labor represented by the Attorney General is empowered to sue for injunctive relief against the awarding of any contract or the continuation of work under any contract for public works at a time when the prevailing wage prerequisites have not been met. Any contract for public works awarded at a time when the prevailing wage prerequisites had not been met shall be void as against public policy and the contractor is prohibited from recovering any damages for the voiding of the contract or pursuant to the terms of the contract. The contractor is limited to a claim for amounts actually paid for labor and materials supplied to the public body. Where objections to a determination of the prevailing rate of wages or a court action relative thereto is pending, the public body shall not continue work on the project unless sufficient funds are available to pay increased wages if such are finally determined or unless the Department of Labor certifies such determination of the prevailing rate of wages as correct.

Any laborer, worker or mechanic employed by the contractor or by any sub-contractor under him who is paid for his services in a sum less than the stipulated rates for work done under such contract, shall have a right of action for whatever difference there may be between the amount so paid, and the rates provided by the contract together with costs and such reasonable attorney's fees as shall be allowed by the court. Such contractor or subcontractor shall also be liable to the Department of Labor for 20% of such underpayments and shall be additionally liable to the laborer, worker or mechanic for punitive damages in the amount of 2% of the amount of

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any such penalty to the State for underpayments for each month following the date of payment during which such underpayments remain unpaid. Where a second or subsequent action to recover underpayments is brought against a contractor or subcontractor and the contractor or subcontractor is found liable for underpayments to any laborer, worker, or mechanic, the contractor or subcontractor shall also be liable to the Department of Labor for 50% of the underpayments payable as a result of the second or subsequent action, and shall be additionally liable for 5% of the amount of any such penalty to the State for underpayments for each month following the date of payment during which the underpayments remain unpaid. The Department shall also have a right of action on behalf of any individual who has a right of action under this Section. An action brought to recover same shall be deemed to be a suit for wages, and any and all judgments entered therein shall have the same force and effect as other judgments for wages. The action shall be brought within 5 years from the date of the failure to pay the wages or compensation. At the request of any laborer, workman or mechanic employed by the contractor or by any subcontractor under him who is paid less than the prevailing wage rate required by this Act, the Department of Labor may take an assignment of such wage claim in trust for the assigning laborer, workman or mechanic and may bring any legal action necessary to collect such claim, and the contractor or subcontractor shall be required to pay the costs incurred in collecting such claim.

(Source: P.A. 94-488, eff. 1-1-06.)

Approved August 13, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0329
(House Bill No. 3270)

AN ACT concerning State government.

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

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Sections 405-120 and 405-121 as follows:

(20 ILCS 405/405-120) (was 20 ILCS 405/67.29)

New matter indicated by italics - deletions by strikeout
Sec. 405-120. Hispanic and bilingual employees. The Department shall develop and implement plans to increase the number of Hispanics employed by State government and the number of bilingual persons employed in State government at supervisory, technical, professional, and managerial levels.

The Department shall prepare and revise annually a State Hispanic Employment Plan and a State Asian-American Employment Plan in consultation with individuals and organizations informed on these subjects, including the Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council. The Department shall report to the General Assembly by February 1 of each year each State agency's activities in implementing the State Hispanic Employment Plan and the State Asian-American Employment Plan.

(Source: P.A. 97-856, eff. 7-27-12.)

(20 ILCS 405/405-121)

Sec. 405-121. Hispanic and Asian-American Employment Plan Advisory Councils. The Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council are hereby created to examine, as applicable:

(1) the prevalence and impact of Hispanics and Asian-Americans employed by State government;

(2) the barriers faced by Hispanics and Asian-Americans who seek employment or promotional opportunities in State government; and

(3) possible incentives that could be offered to foster the employment of and the promotion of Hispanics and Asian-Americans in State government.

The Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council shall each meet quarterly and independently to provide consultation to State agencies and the Department.

All members of the Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council shall serve without compensation, but shall be reimbursed for their reasonable and necessary expenses from funds available for that purpose.

The Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council shall each consist of 11 members, each of whom shall be a Latino or an Asian-American subject matter expert, respectively, and shall be appointed by the Governor.

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The Hispanic Employment Plan Advisory Council shall have an ex-officio liaison member appointed by the Director or Secretary of each of the following agencies: the Department on Aging, Department of Children and Family Services, Department of Commerce and Economic Opportunity, Department of Corrections, Department of Employment Security, Department of Human Services, Department of Human Rights, Department of Healthcare and Family Services, Department of Public Health, and the Department of Transportation.

(Source: P.A. 97-856, eff. 7-27-12.)

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0330
(Senate Bill No. 1869)

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-110-1 as follows:

(65 ILCS 5/11-110-1) (from Ch. 24, par. 11-110-1)

Sec. 11-110-1. The corporate authorities of cities and villages for drainage purposes may lay out, establish, construct, and maintain drains, storm sewers, detention basins, retention basins and other "green infrastructure" facilities, such as green roofs, rain gardens, bioswales, tree boxes, porous pavement, porous pipe systems, native plantings, constructed wetlands, and cisterns, ditches, levees, dykes, pumping works, and machinery, and may acquire the necessary land and machinery therefor, and in this manner may provide for draining or otherwise managing the runoff, such as by infiltration, evapotranspiration, or collection, on any portion of the land within their corporate limits, by special assessment upon the property benefited thereby, or by general taxation, or a combination both. No lot, block, tract, or parcel of land, however, shall be assessed more than once in any one year by a municipality for maintenance.

(Source: P.A. 87-1197.)

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0330

Effective January 1, 2014.

PUBLIC ACT 98-0331
(House Bill No. 2690)

AN ACT concerning government.

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

Section 5. The Counties Code is amended by changing Section 5-1101 as follows:

Sec. 5-1101. Additional fees to finance court system. A county board may enact by ordinance or resolution the following fees:

(a) A $5 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of the Illinois Vehicle Code other than Section 11-501 or violations of similar provisions contained in county or municipal ordinances committed in the county, and up to a $30 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of Section 11-501 of the Illinois Vehicle Code or a violation of a similar provision contained in county or municipal ordinances committed in the county.

(b) In the case of a county having a population of 1,000,000 or less, a $5 fee to be collected in all civil cases by the clerk of the circuit court.

(c) A fee to be paid by the defendant on a judgment of guilty or a grant of supervision, as follows:

(1) for a felony, $50;
(2) for a class A misdemeanor, $25;
(3) for a class B or class C misdemeanor, $15;
(4) for a petty offense, $10;
(5) for a business offense, $10.

(d) A $100 fee for the second and subsequent violations of Section 11-501 of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county. The proceeds of this fee shall be placed in the county general fund and used to finance education programs related to driving under the influence of alcohol or drugs.

(d-5) A $10 fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections to be placed in the county general fund and used to finance the...
county mental health court, the county drug court, the Veterans and Servicemembers Court, or any or all of the above.

(e) In each county in which a teen court, peer court, peer jury, youth court, or other youth diversion program has been created, a county may adopt a mandatory fee of up to $5 to be assessed as provided in this subsection. Assessments collected by the clerk of the circuit court pursuant to this subsection must be deposited into an account specifically for the operation and administration of a teen court, peer court, peer jury, youth court, or other youth diversion program. The clerk of the circuit court shall collect the fees established in this subsection and must remit the fees to the teen court, peer court, peer jury, youth court, or other youth diversion program monthly, less 5%, which is to be retained as fee income to the office of the clerk of the circuit court. The fees are to be paid as follows:

(1) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision for violation of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county;

(2) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense.

(f) In each county in which a drug court has been created, the county may adopt a mandatory fee of up to $5 to be assessed as provided in this subsection. Assessments collected by the clerk of the circuit court pursuant to this subsection must be deposited into an account specifically for the operation and administration of the drug court. The clerk of the circuit court shall collect the fees established in this subsection and must remit the fees to the drug court, less 5%, which is to be retained as fee income to the office of the clerk of the circuit court. The fees are to be paid as follows:

(1) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision for a violation of the Illinois Vehicle Code or a violation of a similar provision contained in a county or municipal ordinance committed in the county; or

(2) a fee of up to $5 paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense.
The clerk of the circuit court shall deposit the 5% retained under this subsection into the Circuit Court Clerk Operation and Administrative Fund to be used to defray the costs of collection and disbursement of the drug court fee.

(f-5) In each county in which a Children's Advocacy Center provides services, the county board may adopt a mandatory fee of between $5 and $30 to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense. Assessments shall be collected by the clerk of the circuit court and must be deposited into an account specifically for the operation and administration of the Children's Advocacy Center. The clerk of the circuit court shall collect the fees as provided in this subsection, and must remit the fees to the Children's Advocacy Center.

(f-10) In each county in which the Court Appointed Special Advocates provide services, the county board may, in addition to any fine imposed under Section 5-9-1 of the Unified Code of Corrections, adopt a mandatory fee of between $10 and $30 to be paid by the defendant on a judgment of guilty or a grant of supervision for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense; where a court appearance is required. Assessments shall be collected by the clerk of the circuit court and must be deposited into an account specifically for the operations of the Court Appointed Special Advocates. The clerk of the circuit court shall collect the fees as provided in this subsection and must remit the fees to the Court Appointed Special Advocates Fund that the county board shall create for the receipt of funds collected under this subsection, and from which the county board shall make grants to support the activities and services of the Court Appointed Special Advocates within that county. The term "Court Appointed Special Advocates" is copyrighted and is used with permission of the holder of the copyright.

(g) The proceeds of all fees enacted under this Section must, except as provided in subsections (d), (d-5), (e), and (f), and (f-10) be placed in the county general fund and used to finance the court system in the county, unless the fee is subject to disbursement by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(Source: P.A. 95-103, eff. 1-1-08; 95-331, eff. 8-21-07; 96-328, eff. 8-11-09; 96-924, eff. 6-14-10.)

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

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective August 13, 2013.

PUBLIC ACT 98-0332
(House Bill No. 2856)

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

Section 5. The Emergency Telephone System Act is amended by adding Section 17 as follows:

(50 ILCS 750/17 new)
Sec. 17. 9-1-1 call transfer, forward, or relay.
(a) The General Assembly finds the following:

(1) Some 9-1-1 systems throughout this State do not have a procedure in place to manually transfer, forward, or relay 9-1-1 calls originating within one 9-1-1 system's jurisdiction, but which should properly be answered and dispatched by another 9-1-1 system, to the appropriate 9-1-1 system for answering and dispatch of first responders.

(2) On September 25, 1975, the General Assembly gave oversight authority to 9-1-1 systems in the State to the Illinois Commerce Commission.

(3) Since that date, the Illinois Commerce Commission has authorized individual 9-1-1 systems in counties and municipalities to implement and upgrade enhanced 9-1-1 systems throughout the State.

(b) The Commission shall prepare a directory of all authorized 9-1-1 systems in the State of Illinois. The directory shall include an emergency 10-digit telephone number for a Primary Public Safety Answering Point located in each 9-1-1 system to which 9-1-1 calls from another jurisdiction can be transferred. This directory shall be made available to each 9-1-1 authority for its use in establishing standard operating procedures regarding calls outside its 9-1-1 jurisdiction.

(c) Each 9-1-1 system shall provide the Manager of the Commission's 9-1-1 Program with the following information:

New matter indicated by italics - deletions by strikeout
(1) A 10-digit emergency telephone number to which 9-1-1 calls originating in another 9-1-1 jurisdiction can be transferred. Each 9-1-1 system shall provide the Commission with any changes to this number immediately upon the change occurring. Each 9-1-1 system shall provide this 10-digit emergency telephone number to the Manager of the Commission's 9-1-1 Program within 30 days of the effective date of this amendatory Act of the 98th General Assembly.

(2) Its standard operating procedure describing the manner in which the 9-1-1 system will transfer, forward, or relay 9-1-1 calls originating within its jurisdiction, but which should properly be answered and dispatched by another 9-1-1 system, to the appropriate 9-1-1 system. Each 9-1-1 system shall provide the standard operating procedures to the Manager of the Commission's 9-1-1 Program within 180 days of the effective date of this amendatory Act of the 98th General Assembly.

(d) This Section is repealed on December 31, 2015.

Section 99. Effective date. This Act takes effect January 1, 2014.


Approved August 13, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0333
(Senate Bill No. 1930)

AN ACT concerning local government.

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

Section 5. The Park Commissioners Land Sale Act is amended by changing Section 5 as follows:

(70 ILCS 1235/5)
(Section scheduled to be repealed on December 31, 2013)
Sec. 5. Sale of golf course land.

(a) Any board of park commissioners having the control or supervision of any parcel of land that is used for golf course purposes or parcel of land that is adjacent to such land used for golf course purposes or separated from it by a river in a non-home rule county with a population greater than 500,000 but less than 1,000,000, and having any piece or parcel of that land not exceeding 8 acres in area that is no longer needed or

New matter indicated by italics - deletions by strikeout
deemed necessary or useful for the purpose of that golf course, may apply to the circuit court of the county in which the piece or parcel of land is situated by petition in writing for leave to sell that parcel. Notice of such application shall be given by the board of park commissioners in some newspaper published in the county at least 10 days before the day named therein stating when the application will be made. All persons interested may appear before the circuit court either in person or by attorney when the application is made and object to the granting of the application. After hearing all persons interested, if the court deems the granting of the application to be for the public interest, it shall direct that the property mentioned in the application, or any part thereof, be sold and conveyed by the board of park commissioners upon such terms and conditions as the court may think proper.

(b) This Section is repealed on December 31, 2018. (Source: P.A. 95-930, eff. 8-26-08.)

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

Approved August 13, 2013.
Effective August 13, 2013.

PUBLIC ACT 98-0334
(House Bill No. 1345)

AN ACT concerning transportation, which may be referred to as Adam's Law.

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

Section 5. The Roadside Memorial Act is amended by adding Section 23.1 as follows:

(605 ILCS 125/23.1 new)

Sec. 23.1. Fatal accident memorial marker program.

(a) The fatal accident memorial marker program is intended to raise public awareness of reckless driving by emphasizing the dangers while affording families an opportunity to remember the victims of crashes involving reckless drivers.

(b) As used in this Section, "fatal accident memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver who

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committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 or who otherwise caused the death of one or more persons through the operation of a motor vehicle.

(c) For purposes of the fatal accident memorial marker program in this Section, the provisions of Section 15 of this Act applicable to DUI memorial markers shall apply the same to fatal accident memorial markers.

(d) A fatal accident memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

(e) A fatal accident memorial marker may memorialize more than one victim who died as a result of the same crash. If one or more additional deaths subsequently occur in close proximity to an existing fatal accident memorial marker, the supporting jurisdiction may use the same marker to memorialize the subsequent death or deaths, by adding the names of the additional persons.

(f) A fatal accident memorial marker shall be maintained for at least 2 years from the date the last person was memorialized on the marker.

(g) The supporting jurisdiction has the right to install a marker at a location other than the location of the crash or to relocate a marker due to restricted room, property owner complaints, interference with essential traffic control devices, safety concerns, or other restrictions. In these cases, the sponsoring jurisdiction may select an alternate location.

(h) The Department shall secure the consent of any municipality before placing a fatal accident memorial marker within the corporate limits of the municipality.

(i) A fee in an amount to be determined by the supporting jurisdiction shall be charged to the qualified relative. The fee shall not exceed the costs associated with the fabrication, installation, and maintenance of the fatal accident memorial marker.

(j) The provisions of this Section shall apply to any fatal accident marker constructed on or after January 1, 2013.

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Counties Code is amended by adding Section 5-1062.3 as follows:
(55 ILCS 5/5-1062.3 new)
Sec. 5-1062.3. Stormwater management; DuPage and Peoria Counties.
(a) The purpose of this Section is to allow management and mitigation of the effects of urbanization on stormwater drainage in the metropolitan counties of DuPage and Peoria, and references to "county" in this Section apply only to those counties. This Section does not apply to a municipality that only partially lies within one of these counties and, on the effective date of this amendatory Act of the 98th General Assembly, is served by an existing Section in the Counties Code regarding stormwater management. The purpose of this Section shall be achieved by:
(1) consolidating the existing stormwater management framework into a united, countywide structure;
(2) setting minimum standards for floodplain and stormwater management; and
(3) preparing a countywide plan for the management of stormwater runoff, including the management of natural and man-made drainageways. The countywide plan may incorporate watershed plans.
(b) A stormwater management planning committee may be established by county board resolution, with its membership consisting of equal numbers of county board and municipal representatives from each county board district, and such other members as may be determined by the county and municipal members. If the county has more than 6 county board districts, however, the county board may by ordinance divide the county into not less than 6 areas of approximately equal population, to be
used instead of county board districts for the purpose of determining representation on the stormwater management planning committee.

The county board members shall be appointed by the chairman of the county board. Municipal members from each county board district or other represented area shall be appointed by a majority vote of the mayors of those municipalities that have the greatest percentage of their respective populations residing in that county board district or other represented area. All municipal and county board representatives shall be entitled to a vote; the other members shall be nonvoting members, unless authorized to vote by the unanimous consent of the municipal and county board representatives. A municipality that is located in more than one county may choose, at the time of formation of the stormwater management planning committee and based on watershed boundaries, to participate in the stormwater management planning program of either county. Subcommittees of the stormwater management planning committee may be established to serve a portion of the county or a particular drainage basin that has similar stormwater management needs. The stormwater management planning committee shall adopt bylaws, by a majority vote of the county and municipal members, to govern the functions of the committee and its subcommittees. Officers of the committee shall include a chair and vice chair, one of whom shall be a county representative and one a municipal representative.

The principal duties of the committee shall be to develop a stormwater management plan for presentation to and approval by the county board, and to direct the plan's implementation and revision. The committee may retain engineering, legal, and financial advisors and inspection personnel. The committee shall meet at least quarterly and shall hold at least one public meeting during the preparation of the plan and prior to its submittal to the county board. The committee may make grants to units of local government that have adopted an ordinance requiring actions consistent with the stormwater management plan and to landowners for the purposes of stormwater management, including special projects; use of the grant money must be consistent with the stormwater management plan.

The committee shall not have or exercise any power of eminent domain.

(c) In the preparation of a stormwater management plan, a county stormwater management planning committee shall coordinate the planning process with each adjoining county to ensure that recommended
stormwater projects will have no significant impact on the levels or flows of stormwaters in inter-county watersheds or on the capacity of existing and planned stormwater retention facilities. An adopted stormwater management plan shall identify steps taken by the county to coordinate the development of plan recommendations with adjoining counties.

(d) The stormwater management committee may not enforce any rules or regulations that would interfere with (i) any power granted by the Illinois Drainage Code (70 ILCS 605/) to operate, construct, maintain, or improve drainage systems or (ii) the ability to operate, maintain, or improve the drainage systems used on or by land or a facility used for production agriculture purposes, as defined in the Use Tax Act (35 ILCS 105/), except newly constructed buildings and newly installed impervious paved surfaces. Disputes regarding an exception shall be determined by a mutually agreed upon arbitrator paid by the disputing party or parties.

(e) Before the stormwater management planning committee recommends to the county board a stormwater management plan for the county or a portion thereof, it shall submit the plan to the Office of Water Resources of the Department of Natural Resources for review and recommendations. The Office, in reviewing the plan, shall consider such factors as impacts on the levels or flows in rivers and streams and the cumulative effects of stormwater discharges on flood levels. The Office of Water Resources shall determine whether the plan or ordinances enacted to implement the plan complies with the requirements of subsection (f). Within a period not to exceed 60 days, the review comments and recommendations shall be submitted to the stormwater management planning committee for consideration. Any amendments to the plan shall be submitted to the Office for review.

(f) Prior to recommending the plan to the county board, the stormwater management planning committee shall hold at least one public hearing thereon and shall afford interested persons an opportunity to be heard. The hearing shall be held in the county seat. Notice of the hearing shall be published at least once and no less than 15 days in advance of the hearing in a newspaper of general circulation published in the county. The notice shall state the time and place of the hearing and the place where copies of the proposed plan will be accessible for examination by interested parties. If an affected municipality having a stormwater management plan adopted by ordinance wishes to protest the proposed county plan provisions, it shall appear at the hearing and submit in writing specific proposals to the stormwater management planning committee.
committee. After consideration of the matters raised at the hearing, the committee may amend or approve the plan and recommend it to the county board for adoption.

The county board may enact the proposed plan by ordinance. If the proposals for modification of the plan made by an affected municipality having a stormwater management plan are not included in the proposed county plan, and the municipality affected by the plan opposes adoption of the county plan by resolution of its corporate authorities, approval of the county plan shall require an affirmative vote of at least two-thirds of the county board members present and voting. If the county board wishes to amend the county plan, it shall submit in writing specific proposals to the stormwater management planning committee. If the proposals are not approved by the committee, or are opposed by resolution of the corporate authorities of an affected municipality having a municipal stormwater management plan, amendment of the plan shall require an affirmative vote of at least two-thirds of the county board members present and voting.

(g) The county board may prescribe by ordinance reasonable rules and regulations for floodplain management and for governing the location, width, course, and release rate of all stormwater runoff channels, streams, and basins in the county, in accordance with the adopted stormwater management plan. Land, facilities, and drainage district facilities used for production agriculture as defined in subsection (d) shall not be subjected to regulation by the county board or stormwater management committee under this Section for floodplain management and for governing location, width, course, maintenance, and release rate of stormwater runoff channels, streams and basins, or water discharged from a drainage district. These rules and regulations shall, at a minimum, meet the standards for floodplain management established by the Office of Water Resources and the requirements of the Federal Emergency Management Agency for participation in the National Flood Insurance Program. With respect to DuPage County only, the Chicago Metropolitan Agency for Planning may not impose more stringent regulations regarding water quality on entities discharging in accordance with a valid National Pollution Discharge Elimination System permit issued under the Environmental Protection Act.

(h) For the purpose of implementing this Section and for the development, design, planning, construction, operation, and maintenance of stormwater facilities provided for in the adopted stormwater management plan, a county board that has established a stormwater

New matter indicated by italics - deletions by strikeout
management planning committee pursuant to this Section or has participated in a stormwater management planning process may adopt a schedule of fees applicable to all real property within the county which benefits from the county's stormwater management facilities and activities, and as may be necessary to mitigate the effects of increased stormwater runoff resulting from development. The total amount of the fees assessed must be specifically and uniquely attributable to the actual costs of the county in the preparation, administration, and implementation of the adopted stormwater management plan, construction and maintenance of stormwater facilities, and other activities related to the management of the runoff from the property. The individual fees must be specifically and uniquely attributable to the portion of the actual cost to the county of managing the runoff from the property. The fees shall be used to finance activities undertaken by the county or its included municipalities to mitigate the effects of urban stormwater runoff by providing and maintaining stormwater collection, retention, detention, and particulate treatment facilities, and improving water bodies impacted by stormwater runoff, as identified in the county plan. In establishing, maintaining, or replacing such facilities, the county shall not duplicate facilities operated by other governmental bodies within its corporate boundaries. The schedule of fees established by the county board shall include a procedure for a full or partial fee waiver for property owners who have taken actions or put in place facilities that reduce or eliminate the cost to the county of providing stormwater management services to their property. The county board may also offer tax or fee rebates or incentive payments to property owners who construct, maintain, and use approved green infrastructure stormwater management devices or any other methods that reduce or eliminate the cost to the county of providing stormwater management services to the property, including but not limited to facilities that reduce the volume, temperature, velocity, and pollutant load of the stormwater managed by the county, such as systems that infiltrate, evapotranspirate, or harvest stormwater for reuse, known as "green infrastructure". In exercising this authority, the county shall provide notice to the municipalities within their jurisdictions of any fees proposed under this Section and seek the input of each municipality with respect to the calculation of the fees. The county shall also give property owners at least 2 years' notice of the fee, during which time the county shall provide education on green infrastructure practices and an opportunity to take action to reduce or eliminate the fee. All these fees collected by the county
shall be held in a separate fund, and shall be expended only in the watershed within which they were collected. The county may enter into intergovernmental agreements with other government bodies for the joint administration of stormwater management and the collection of the fees authorized in this Section.

A fee schedule authorized by this subsection must have the same limit as the authorized stormwater tax. In Peoria County only, the fee schedule shall not be adopted unless (i) a referendum has been passed approving a stormwater tax as provided in subsection (i) of this Section; or (ii) the question of the adoption of a fee schedule with the same limit as the authorized stormwater tax has been approved in a referendum by a majority of those voting on the question.

(i) In the alternative to a fee imposed under subsection (h), the county board may cause an annual tax of not to exceed 0.20% of the value, as equalized or assessed by the Department of Revenue, of all taxable property in the county to be levied upon all the taxable property in the county. The property tax shall be in addition to all other taxes authorized by law to be levied and collected in the county and shall be in addition to the maximum tax rate authorized by law for general county purposes. The 0.20% limitation provided in this Section may be increased or decreased by referendum in accordance with the provisions of Sections 18-120, 18-125, and 18-130 of the Property Tax Code (35 ILCS 200).

Any revenues generated as a result of ownership or operation of facilities or land acquired with the tax funds collected pursuant to this subsection shall be held in a separate fund and be used either to abate such property tax or for implementing this Section.

If at least part of the county has been declared by a presidential proclamation after July 1, 1986 and before December 31, 1987, to be a disaster area as a result of flooding, the tax authorized by this subsection does not require approval by referendum. However, in Peoria County, the tax authorized by this subsection shall not be levied until the question of its adoption, either for a specified period or indefinitely, has been submitted to the electors thereof and approved by a majority of those voting on the question. This question may be submitted at any election held in the county after the adoption of a resolution by the county board providing for the submission of the question to the electors of the county. The county board shall certify the resolution and proposition to the proper election officials, who shall submit the proposition at an election in accordance with the general election law. If a majority of the votes cast on
the question is in favor of the levy of the tax, it may thereafter be levied in
the county for the specified period or indefinitely, as provided in the
proposition. The question shall be put in substantially the following form:

Shall an annual tax be levied for stormwater management
purposes (for a period of not more than ..... years) at a rate not
exceeding .....% of the equalized assessed value of the taxable
property of ..... County?
Votes shall be recorded as Yes or No.

The following question may be submitted at any election held in
the county after the adoption of a resolution by the county board providing
for the submission of the question to the electors of the county to authorize
adoption of a schedule of fees applicable to all real property within the
county:

Shall the county board be authorized to adopt a schedule of
fees, at a rate not exceeding that of the stormwater management
tax, applicable to all real property for preparation, administration,
and implementation of an adopted stormwater management plan,
construction and maintenance of related facilities, and
management of the runoff from the property?
Votes shall be recorded as Yes or No.

If these questions have been approved by a majority of those voting
prior to the effective date of this amendatory Act of the 98th General
Assembly, this subsection does not apply.

(j) For those counties that adopt a property tax in accordance with
the provisions in this Section, the stormwater management committee shall
offer property tax abatements or incentive payments to property owners
who construct, maintain, and use approved stormwater management
devices. The stormwater management committee is authorized to offer
credits to the property tax, if applicable, based on authorized practices
consistent with the stormwater management plan and approved by the
committee. Expenses of staff of a stormwater management committee that
are expended on regulatory project review may be no more than 20% of
the annual budget of the committee, including funds raised under
subsections (h) and (i).

(k) Upon the creation and implementation of a county stormwater
management plan, the county may petition the circuit court to dissolve any
or all drainage districts created pursuant to the Illinois Drainage Code or
predecessor Acts which are located entirely within the area of the county
covered by the plan.

New matter indicated by italics - deletions by strikeout
However, any active drainage district implementing a plan that is consistent with and at least as stringent as the county stormwater management plan may petition the stormwater management planning committee for exception from dissolution. Upon filing of the petition, the committee shall set a date for hearing not less than 2 weeks, nor more than 4 weeks, from the filing thereof, and the committee shall give at least one week's notice of the hearing in one or more newspapers of general circulation within the district, and in addition shall cause a copy of the notice to be personally served upon each of the trustees of the district. At the hearing, the committee shall hear the district's petition and allow the district trustees and any interested parties an opportunity to present oral and written evidence. The committee shall render its decision upon the petition for exception from dissolution based upon the best interests of the residents of the district. In the event that the exception is not allowed, the district may file a petition within 30 days of the decision with the circuit court. In that case, the notice and hearing requirements for the court shall be the same as herein provided for the committee. The court shall likewise render its decision of whether to dissolve the district based upon the best interests of residents of the district.

The dissolution of any drainage district shall not affect the obligation of any bonds issued or contracts entered into by the district nor invalidate the levy, extension or collection of any taxes or special assessments upon the property in the former drainage district. All property and obligations of the former drainage district shall be assumed and managed by the county, and the debts of the former drainage district shall be discharged as soon as practicable.

If a drainage district lies only partly within a county that adopts a county stormwater management plan, the county may petition the circuit court to disconnect from the drainage district that portion of the district that lies within that county. The property of the drainage district within the disconnected area shall be assumed and managed by the county. The county shall also assume a portion of the drainage district's debt at the time of disconnection, based on the portion of the value of the taxable property of the drainage district which is located within the area being disconnected.

The operations of any drainage district that continues to exist in a county that has adopted a stormwater management plan in accordance with this Section shall be in accordance with the adopted plan.

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(l) Any county that has adopted a county stormwater management plan under this Section may, after 10 days written notice receiving consent of the owner or occupant, enter upon any lands or waters within the county for the purpose of inspecting stormwater facilities or causing the removal of any obstruction to an affected watercourse. If consent is denied or cannot be reasonably obtained, the county ordinance shall provide a process or procedure for an administrative warrant to be obtained. The county shall be responsible for any damages occasioned thereby.

(m) Except as otherwise provided in subsection (a) of this Section, upon petition of the municipality, and based on a finding of the stormwater management planning committee, the county shall not enforce rules and regulations adopted by the county in any municipality located wholly or partly within the county that has a municipal stormwater management ordinance that is consistent with and at least as stringent as the county plan and ordinance, and is being enforced by the municipal authorities. On issues that the county ordinance is more stringent as deemed by the committee, the county shall only enforce rules and regulations adopted by the county on the more stringent issues and accept municipal permits. The county shall have no more than 60 days to review permits or the permits shall be deemed approved.

(n) A county may issue general obligation bonds for implementing any stormwater plan adopted under this Section in the manner prescribed in Section 5-1012; except that the referendum requirement of Section 5-1012 does not apply to bonds issued pursuant to this Section on which the principal and interest are to be paid entirely out of funds generated by the taxes and fees authorized by this Section.

(o) A county that has adopted a fee schedule pursuant to this Section may not thereafter issue any bond extensions related to implementing a stormwater management plan.

(p) The powers authorized by this Section may be implemented by the county board for a portion of the county subject to similar stormwater management needs.

(q) The powers and taxes authorized by this Section are in addition to the powers and taxes authorized by Division 5-15; in exercising its powers under this Section, a county shall not be subject to the restrictions and requirements of that Division.

(r) Stormwater management projects and actions related to stormwater management in a county that has adopted a fee schedule or tax pursuant to this Section prior to the effective date of this amendatory
Act of the 98th General Assembly are not altered by this amendatory Act of the 98th General Assembly.

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

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective August 13, 2013.

AN ACT concerning fish.

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

Section 5. The Fish and Aquatic Life Code is amended by changing Sections 15-5 and 15-15 and by adding Section 15-155 as follows:

(515 ILCS 5/15-5) (from Ch. 56, par. 15-5)

Sec. 15-5. Commercial fisherman; license requirement.

(a) A "commercial fisherman" is defined as any individual who uses any of the commercial fishing devices as defined by this Code for the taking of any aquatic life, except mussels, protected by the terms of this Code.

(b) All commercial fishermen shall have a commercial fishing license. In addition to a commercial fishing license, a commercial fisherman shall also obtain a sport fishing license. All individuals assisting a licensed commercial fisherman in taking aquatic life, except mussels, from any waters of the State must have a commercial fishing license unless these individuals are under the direct supervision of and aboard the same watercraft as the licensed commercial fisherman. An individual assisting a licensed commercial fisherman must first obtain a sport fishing license.

(c) A "Lake Michigan commercial fisherman" is defined as an individual who resides in this State or an Illinois corporation who uses any of the commercial fishing devices as defined by this Code for the taking of aquatic life, except mussels, protected by the terms of this Code.

(d) For purposes of this Section, an act or omission that constitutes a violation committed by an officer, employee, or agent of a corporation shall be deemed the act or omission of the corporation.

(Source: P.A. 87-833.)

New matter indicated by italics - deletions by strikeout
Sec. 15-15. Commercial fishing devices. "Commercial fishing devices" for the purposes of this Code are defined as follows: buoyed gangings, set gangings, bank pole and line, throw line or trot line having more than 50 hooks, seine, pocket seine, otter trawl, dip net, throw net, gill net, trammel net, basket trap, hoop net, wing net, pound net, trap net, any watercraft used as a primary collection device, and any and all other devices considered as commercial devices by the Department when used in the taking of any aquatic life, except mussels, protected by the terms of this Code.
(Source: P.A. 87-833.)

Sec. 15-155. Watercraft used as a primary collection device for commercial fishes. Any person licensed as a commercial fisherman who wishes to use their watercraft as a primary collection device for commercial fishes must first obtain a commercial watercraft device tag. All watercraft used as a primary collection device must be legally licensed by the State and be in compliance with all Coast Guard boating regulations. This Section does not apply to any person taking Asian Carp by the aid of a boat for non-commercial purposes.
Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0337
(House Bill No. 1814)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 11-605.1 as follows:
(625 ILCS 5/11-605.1)
Sec. 11-605.1. Special limit while traveling through a highway construction or maintenance speed zone.
(a) A person may not operate a motor vehicle in a construction or maintenance speed zone at a speed in excess of the posted speed limit when workers are present.

New matter indicated by italics - deletions by strikeout
(a-5) A person may not operate a motor vehicle in a construction or maintenance speed zone at a speed in excess of the posted speed limit when workers are not present.

(b) Nothing in this Chapter prohibits the use of electronic speed-detecting devices within 500 feet of signs within a construction or maintenance speed zone indicating the zone, as defined in this Section, nor shall evidence obtained by use of those devices be inadmissible in any prosecution for speeding, provided the use of the device shall apply only to the enforcement of the speed limit in the construction or maintenance speed zone.

(c) As used in this Section, a "construction or maintenance speed zone" is an area in which the Department, Toll Highway Authority, or local agency has posted signage advising drivers that a construction or maintenance speed zone is being approached, or in which the Department, Authority, or local agency has posted a lower speed limit with a highway construction or maintenance speed zone special speed limit sign after determining that the preexisting established speed limit through a highway construction or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance speed zone.

If it is determined that the preexisting established speed limit is safe with respect to the conditions expected to exist in the construction or maintenance speed zone, additional speed limit signs which conform to the requirements of this subsection (c) shall be posted.

Highway construction or maintenance speed zone special speed limit signs shall be of a design approved by the Department. The signs must give proper due warning that a construction or maintenance speed zone is being approached and must indicate the maximum speed limit in effect. The signs also must state the amount of the minimum fine for a violation.

(d) A first violation of this Section is a petty offense with a minimum fine of $250. A second or subsequent violation of this Section is a petty offense with a minimum fine of $750.

(e) If a fine for a violation of this Section is $250 or greater, the person who violated this Section shall be charged an additional $125, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless (i) the violation occurred on a highway other than an interstate highway and (ii) a county police officer wrote the ticket for the violation, in which case the $125 shall be deposited
into that county's Transportation Safety Highway Hire-back Fund. In the case of a second or subsequent violation of this Section, if the fine is $750 or greater, the person who violated this Section shall be charged an additional $250, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless (i) the violation occurred on a highway other than an interstate highway and (ii) a county police officer wrote the ticket for the violation, in which case the $250 shall be deposited into that county's Transportation Safety Highway Hire-back Fund.

(e-5) The Department of State Police and the local county police department have concurrent jurisdiction over any violation of this Section that occurs on an interstate highway.

(f) The Transportation Safety Highway Hire-back Fund, which was created by Public Act 92-619, shall continue to be a special fund in the State treasury. Subject to appropriation by the General Assembly and approval by the Secretary, the Secretary of Transportation shall use all moneys in the Transportation Safety Highway Hire-back Fund to hire off-duty Department of State Police officers to monitor construction or maintenance zones.

(f-5) Each county shall create a Transportation Safety Highway Hire-back Fund. The county shall use all moneys in its Transportation Safety Highway Hire-back Fund to hire off-duty county police officers to monitor construction or maintenance zones in that county on highways other than interstate highways.

(g) For a second or subsequent violation of this Section within 2 years of the date of the previous violation, the Secretary of State shall suspend the driver's license of the violator for a period of 90 days. This suspension shall only be imposed if the current violation of this Section and at least one prior violation of this Section occurred during a period when workers were present in the construction or maintenance zone.

(1) Passed in the General Assembly May 16, 2013.
(2) Approved August 13, 2013.
(3) Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 14-1.09.2 as follows:

(105 ILCS 5/14-1.09.2)

Sec. 14-1.09.2. School Social Work Services. In the public schools, social work services may be provided by qualified specialists who hold Type 73 School Service Personnel Certificates endorsed for school social work issued by the State Teacher Certification Board or who hold a Professional Educator License with a school support personnel endorsement in the area of school social worker under Section 21B-25 of this Code.

School social work services may include, but are not limited to:

(1) Identifying students in need of special education services by conducting a social-developmental study in a case study evaluation;

(2) Developing and implementing comprehensive interventions with students, parents, and teachers that will enhance student adjustment to, and performance in, the school setting;

(3) Consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of special education students in regular classroom settings;

(4) Counseling with students, parents, and teachers in accordance with the rules and regulations governing provision of related services, provided that parent permission must be obtained in writing before a student participates in a group counseling session;

(5) Acting as a liaison between the public schools and community resources;

(6) Developing and implementing school-based prevention programs, including mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

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(7) Providing crisis intervention within the school setting;

(8) Supervising school social work interns enrolled in school social work programs that meet the standards established by the State Board of Education;

(9) Providing parent education and counseling as appropriate in relation to the child's educational assessment; and

(10) Assisting in completing a functional behavioral assessment, as well as assisting in the development of nonaversive behavioral intervention strategies; and:

(11) Evaluating program effectiveness.

Nothing in this Section prohibits other certified professionals from providing any of the services listed in this Section for which they are appropriately trained.

(Source: P.A. 92-362, eff. 8-15-01; 92-651, eff. 7-11-02.)

Section 10. The Children's Mental Health Act of 2003 is amended by changing Section 15 as follows:

(405 ILCS 49/15)

Sec. 15. Mental health and schools.

(a) The Illinois State Board of Education shall develop and implement a plan to incorporate social and emotional development standards as part of the Illinois Learning Standards for the purpose of enhancing and measuring children's school readiness and ability to achieve academic success. The plan shall be submitted to the Governor, the General Assembly, and the Partnership by December 31, 2004.

(b) Every Illinois school district shall develop a policy for incorporating social and emotional development into the district's educational program. The policy shall address teaching and assessing social and emotional skills and protocols for responding to children with social, emotional, or mental health problems, or a combination of such problems, that impact learning ability. School social workers may implement a continuum of social and emotional education programs and services in accordance with students' needs. Each district must submit this policy to the Illinois State Board of Education by August 31, 2004.

(Source: P.A. 93-495, eff. 8-8-03.)

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

Passed in the General Assembly May 16, 2013.

Approved August 13, 2013.

Effective August 13, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 and by adding Section 4.34 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. Acts and Section repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:

The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.

Section 2.5 of the Illinois Plumbing License Law.

The Veterinary Medicine and Surgery Practice Act of 2004.

(Source: P.A. 97-1139, eff. 12-28-12.)

(5 ILCS 80/4.34 new)

Sec. 4.34. Act repealed on January 1, 2024. The following Act is repealed on January 1, 2024:

The Veterinary Medicine and Surgery Practice Act of 2004.

Section 10. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by changing the title of the Act and Sections 3, 4, 5, 6, 7, 12, 13, 14, 16, 24, 25, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 25.10, 25.11, 25.13, 25.14, 25.15, 25.16, 25.18, 26, and 27 and by adding Sections 19.1 and 25.2a as follows:

(225 ILCS 115/3) (from Ch. 111, par. 7003)

(Section scheduled to be repealed on January 1, 2014)

Sec. 3. Definitions. The following terms have the meanings indicated, unless the context requires otherwise:

"Accredited college of veterinary medicine" means a veterinary college, school, or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent and that is accredited

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by the Council on Education of the American Veterinary Medical Association (AVMA).

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.

"Accredited program in veterinary technology" means any post-secondary educational program that is accredited by the AVMA's Committee on Veterinary Technician Education and Activities or any veterinary technician program that is recognized as its equivalent by the AVMA's Committee on Veterinary Technician Education and Activities.

"Animal" means any animal, vertebrate or invertebrate, other than a human.

"Board" means the Veterinary Licensing and Disciplinary Board.

"Certified veterinary technician" means a person who is validly and currently licensed to practice veterinary technology in this State.

"Client" means an entity, person, group, or corporation that has entered into an agreement with a veterinarian for the purposes of obtaining veterinary medical services.

"Complementary, alternative, and integrative therapies" means a heterogeneous group of diagnostic and therapeutic philosophies and practices, which at the time they are performed may differ from current scientific knowledge, or whose theoretical basis and techniques may diverge from veterinary medicine routinely taught in accredited veterinary medical colleges, or both. "Complementary, alternative, and integrative therapies" include, but are not limited to, veterinary acupuncture, acutherapy, and acupressure; veterinary homeopathy; veterinary manual or manipulative therapy or therapy based on techniques practiced in osteopathy, chiropractic medicine, or physical medicine and therapy; veterinary nutraceutical therapy; veterinary phytotherapy; and other therapies as defined by rule.

"Consultation" means when a veterinarian receives advice in person, telephonically, electronically, or by any other method of communication from a veterinarian licensed in this or any other state or other person whose expertise, in the opinion of the veterinarian, would benefit a patient. Under any circumstance, the responsibility for the welfare of the patient remains with the veterinarian receiving consultation.

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"Department" means the Department of Financial and Professional Regulation.

"Direct supervision" means the supervising veterinarian is readily available on the premises where the animal is being treated.

"Immediate supervision" means the supervising veterinarian is in the immediate area, within audible and visual range of the animal patient and the person treating the patient.

"Impaired veterinarian" means a veterinarian who is unable to practice veterinary medicine with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, or abuse of drugs or alcohol of sufficient degree to diminish a person's ability to deliver competent patient care.

"Indirect supervision" means the supervising veterinarian need not be on the premises, but has given either written or oral instructions for the treatment of the animal and is available by telephone or other form of communication.

"Licensed veterinarian" means a person who is validly and currently licensed to practice veterinary medicine in this State.

"Patient" means an animal that is examined or treated by a veterinarian.

"Person" means an individual, firm, partnership (general, limited, or limited liability), association, joint venture, cooperative, corporation, limited liability company, or any other group or combination acting in concert, whether or not acting as a principal, partner, member, trustee, fiduciary, receiver, or any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of such person.

"Practice of veterinary medicine" means to diagnose, prognose, treat, correct, change, alleviate, or prevent animal disease, illness, pain, deformity, defect, injury, or other physical, dental, or mental conditions by any method or mode; including the performance of one or more of the following:

(1) Prescribing, dispensing, administering, applying, or ordering the administration of any drug, medicine, biologic, apparatus, anesthetic, or other therapeutic or diagnostic substance, or medical or surgical technique.

(2) (Blank).

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(3) Performing upon an animal a surgical or dental operation.

(3.5) Performing upon an animal complementary, alternative, or integrative therapy.

(4) Performing upon an animal any manual or mechanical procedure for reproductive management, including the diagnosis or treatment of pregnancy, sterility, or infertility.

(4.5) The rendering of advice or recommendation by any means, including telephonic and other electronic communications, with regard to the performing upon an animal any manual or mechanical procedure for reproductive management, including the diagnosis or treatment of pregnancy, sterility, or infertility.

(5) Determining the health and fitness of an animal.

(6) Representing oneself, directly or indirectly, as engaging in the practice of veterinary medicine.

(7) Using any word, letters, or title under such circumstances as to induce the belief that the person using them is qualified to engage in the practice of veterinary medicine or any of its branches. Such use shall be prima facie evidence of the intention to represent oneself as engaging in the practice of veterinary medicine.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Supervising veterinarian" means a veterinarian who assumes responsibility for the professional care given to an animal by a person working under his or her direction in either an immediate, direct, or indirect supervision arrangement. The supervising veterinarian must have examined the animal at such time as acceptable veterinary medical practices requires, consistent with the particular delegated animal health care task.

"Therapeutic" means the treatment, control, and prevention of disease.

"Veterinarian" means a person who is validly and currently licensed to practice veterinary medicine in this State.

"Veterinarian-client-patient relationship" means that all of the following conditions have been met:

(1) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of an animal and

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the need for medical treatment and the client, owner, or other caretaker has agreed to follow the instructions of the veterinarian;

(2) There is sufficient knowledge of an animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept, or the veterinarian has access to the animal patient's records and has been designated by the veterinarian with the prior relationship to provide reasonable and appropriate medical care if he or she is unavailable; and

(3) The practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the treatment regimen or, if unavailable, has designated another available veterinarian who has access to the animal patient's records to provide reasonable and appropriate medical care.

"Veterinarian-client-patient relationship" does not mean a relationship solely based on telephonic or other electronic communications.

"Veterinary medicine" means all branches and specialties included within the practice of veterinary medicine.

"Veterinary premises" means any premises or facility where the practice of veterinary medicine occurs, including, but not limited to, a mobile clinic, outpatient clinic, satellite clinic, or veterinary hospital or clinic. "Veterinary premises" does not mean the premises of a veterinary client, research facility, a federal military base, or an accredited college of veterinary medicine.

"Veterinary prescription drugs" means those drugs restricted to use by or on the order of a licensed veterinarian in accordance with Section 503(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353).

"Veterinary specialist" means that a veterinarian is a diplomate within an AVMA-recognized veterinary specialty organization.

"Veterinary technology" means the performance of services within the field of veterinary medicine by a person who, for compensation or personal profit, is employed by a licensed veterinarian to perform duties that require an understanding of veterinary medicine necessary to carry out the orders of the veterinarian. Those services, however, shall not include diagnosing, prognosing, writing prescriptions, or surgery.

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Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

(1) Veterinarians employed by the federal or State government while engaged in their official duties.

(2) Licensed veterinarians from other states who are invited to Illinois for consultation by a veterinarian licensed in Illinois.

(3) Veterinarians employed by colleges or universities while engaged in the performance of their official duties, or faculty engaged in animal husbandry or animal management programs of colleges or universities.

(3.5) A veterinarian or veterinary technician from another state or country who (A) is not licensed under this Act; (B) is currently licensed as a veterinarian or veterinary technician in another state or country, or otherwise exempt from licensure in the other state; (C) is an invited guest of a professional veterinary association, veterinary training program, or continuing education provider approved by the Department; and (D) engages in professional education through lectures, clinics, or demonstrations.

(4) A veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in Illinois, acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(5) Veterinary students in an accredited college of veterinary medicine, university, department of a university, or other institution of veterinary medicine and surgery engaged in duties assigned by their instructors or working under the immediate or direct supervision of a licensed veterinarian.

(5.5) Students of an accredited program in veterinary technology performing veterinary technology duties or actions assigned by instructors or working under the immediate or direct supervision of a licensed veterinarian.
(6) Any person engaged in bona fide scientific research which requires the use of animals.

(7) An owner of livestock and any of the owner's employees or the owner and employees of a service and care provider of livestock caring for and treating livestock belonging to the owner or under a provider's care, including but not limited to, the performance of husbandry and livestock management practices such as dehorning, castration, emasculation, or docking of cattle, horses, sheep, goats, and swine, artificial insemination, and drawing of semen. Nor shall this Act be construed to prohibit any person from administering in a humane manner medicinal or surgical treatment to any livestock in the care of such person. However, any such services shall comply with the Humane Care for Animals Act.

(8) An owner of an animal, or an agent of the owner acting with the owner's approval, in caring for, training, or treating an animal belonging to the owner, so long as that individual or agent does not represent himself or herself as a veterinarian or use any title associated with the practice of veterinary medicine or surgery or diagnose, prescribe drugs, or perform surgery. The agent shall provide the owner with a written statement summarizing the nature of the services provided and obtain a signed acknowledgment from the owner that they accept the services provided. The services shall comply with the Humane Care for Animals Act. The provisions of this item (8) do not apply to a person who is exempt under item (7).

(9) A member in good standing of another licensed or regulated profession within any state or a member of an organization or group approved by the Department by rule providing assistance that is requested in writing by a veterinarian licensed in this State acting within a veterinarian-client-patient relationship and with informed consent from the client and the member is acting under the immediate, direct, or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient, as defined by rule. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship, but shall be immune from liability, except for willful and wanton conduct, in any civil or criminal
action if a member providing assistance does not meet the requirements of this item (9).

(10) A graduate of a non-accredited college of veterinary medicine who is in the process of obtaining a certificate of educational equivalence and is performing duties or actions assigned by instructors in an approved college of veterinary medicine.

(10.5) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine performing duties or actions assigned by instructors or working under the immediate or direct supervision of a licensed veterinarian or a faculty member of the College of Veterinary Medicine at the University of Illinois.

(11) A certified euthanasia technician who is authorized to perform euthanasia in the course and scope of his or her employment only as permitted by the Humane Euthanasia in Animal Shelters Act.

(12) A person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation so long as he or she does not represent himself or herself as a veterinarian or use a title or degree pertaining to the practice of veterinary medicine and surgery.

(13) Any certified veterinary technician or other employee of a licensed veterinarian performing permitted duties other than diagnosis, prognosis, prescription, or surgery under the appropriate direction and supervision of the veterinarian, who shall be responsible for the performance of the employee.

(13.5) Any pharmacist licensed in the State, merchant, or manufacturer selling at his or her regular place of business medicines, feed, appliances, or other products used in the prevention or treatment of animal diseases as permitted by law and provided that the services he or she provides do not include diagnosing, prognosing, writing prescriptions, or surgery.

(14) An approved humane investigator regulated under the Humane Care for Animals Act or employee of a shelter licensed under the Animal Welfare Act, working under the indirect supervision of a licensed veterinarian.

(15) An individual providing equine dentistry services requested by a veterinarian licensed to practice in this State, an

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owner, or an owner's agent. For the purposes of this item (15), "equine dentistry services" means floating teeth without the use of drugs or extraction.

(15.5) In the event of an emergency or disaster, a veterinarian or veterinary technician not licensed in this State who (A) is responding to a request for assistance from the Illinois Department of Agriculture, the Illinois Department of Public Health, the Illinois Emergency Management Agency, or other State agency as determined by the Department; (B) is licensed and in good standing in another state; and (C) has been granted a temporary waiver from licensure by the Department.

(16) Private treaty sale of animals unless otherwise provided by law.

(17) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 96-7, eff. 4-3-09; 96-1322, eff. 7-27-10.)

(225 ILCS 115/5) (from Ch. 111, par. 7005)

(Section scheduled to be repealed on January 1, 2014)

Sec. 5. Restrictions and limitations. No person shall practice veterinary medicine and surgery in any of its branches without a valid license to do so. Any person not licensed under this Act who performs any of the functions described as the practice of veterinary medicine or surgery as defined in this Act, who announces to the public in any way an intention to practice veterinary medicine and surgery, who uses the title Doctor of Veterinary Medicine or the initials D.V.M. or V.M.D., or who opens an office, hospital, or clinic for such purposes is considered to have violated this Act and may be subject to all the penalties provided for such violations.

It shall be unlawful for any person who is not licensed in this State to provide veterinary medical services from any state to a client or patient in this State through telephonic, electronic, or other means, except where a bonafide veterinarian-client-patient relationship exists.

Nothing in this Act shall be construed to prevent members of other professions from performing functions for which they are duly licensed,
subject to the requirements of Section 4 of this Act. Other professionals may not, however, hold themselves out or refer to themselves by any title or descriptions stating or implying that they are engaged in the practice of veterinary medicine or that they are licensed to engage in the practice of veterinary medicine.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/6) (from Ch. 111, par. 7006)
(Section scheduled to be repealed on January 1, 2014)

Sec. 6. Administration of Act.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing Acts and shall exercise any other powers and duties necessary for effectuating the purpose of this Act.

(b) The Secretary may adopt rules consistent with the provisions of this Act for the administration and enforcement thereof, and for the payment of fees connected therewith, and may prescribe forms that shall be issued in connection therewith. The rules may include standards and criteria for licensure, certification, and professional conduct and discipline. The Department may consult with the Board in promulgating rules. Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the Board's response and any recommendations made therein. The Department shall notify the Board in writing with an explanation of the deviations in the Board's recommendations and responses.

(c) The Department may solicit the advice and expert knowledge of the Board on any matter relating to the administration and enforcement of this Act.

(d) The Department shall issue quarterly to the Board a report of the status of all complaints related to the profession received by the Department.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/7) (from Ch. 111, par. 7007)
(Section scheduled to be repealed on January 1, 2014)

Sec. 7. Veterinarian Licensing and Disciplinary Board. The Secretary shall appoint a Veterinarian Licensing and Disciplinary Board as follows: 7 persons shall be appointed by and shall serve in an advisory capacity to the Secretary, 6 members must be licensed, in good standing, veterinarians in this State, and must be actively engaged in the practice of veterinary medicine and surgery in this State, and one member must be a

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member of the public who is not licensed under this Act, or a similar Act of another jurisdiction and who has no connection with the veterinary profession.

Members shall serve 4-year terms and until their successors are appointed and qualified, except that of the initial appointments, one member shall be appointed to serve for one year, 2 shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years, and the remaining, one of which shall be a public member, shall be appointed to serve for 4 years and until their successors are appointed and qualified. No member shall be reappointed to the Board for more than 2 full, consecutive terms. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act.

The membership of the Board should reasonably reflect representation from the geographic areas in this State. The Secretary shall consider the recommendations made by the State Veterinary Medical Association in making appointments.

Four members of the Board shall constitute a quorum. A quorum is required for all Board decisions.

The Secretary shall have the authority to remove or suspend any member of the Board for cause at any time before the expiration of his or her term. may terminate the appointment of any member for cause which in the opinion of the Secretary reasonably justifies such termination.

The Board shall annually elect a Chairman who shall be a Veterinarian.

The Secretary shall consider the advice and recommendations of the Board on questions involving standards of professional conduct, discipline and qualifications of candidates and licensees under this Act.

Members of the Board shall be entitled to receive a per diem at a rate set by the Secretary and shall be reimbursed for all legitimate, necessary, and authorized expenses incurred in the exercise of their duties.

Members of the Board have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/12) (from Ch. 111, par. 7012)

(Section scheduled to be repealed on January 1, 2014)
Sec. 12. Renewal and inactive status; restoration; military service.

Inactive status:

(a) The expiration date and renewal period for each license or certificate shall be set by rule.

(b) A licensee who has permitted his or her license to expire or who has had his or her license on inactive status may have the license restored by making application to the Department by filing proof acceptable to the Department of his or her fitness to have the license restored and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction. If the licensee has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the license and shall establish procedures and requirements for restoration.

(c) A licensee whose license expired while he or she was (1) in federal service on active duty with the Armed Forces of the United States or the State Militia called into service or training or (2) in training or education under the supervision of the United States before induction into the military service, may have the license restored without paying any lapsed renewal fees if within 2 years after honorable termination of the service, training, or education he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(d) Any licensee veterinarian or certified veterinary technician who notifies the Department in writing on the prescribed form may place his or her license or certification on an inactive status and shall, subject to rule, be exempt from payment of the renewal fee and compliance with the continuing education requirements until he or she notifies the Department in writing of his or her intention to resume active status.

(e) Any veterinarian or certified veterinary technician requesting restoration from inactive or expired status shall be required to complete the continuing education requirements for a single license or certificate renewal period, pursuant to rule, and pay the current renewal fee to restore his or her license or certification as provided in this Act.

(f) Any licensee veterinarian whose license is in inactive, expired, or suspended status shall not practice veterinary medicine and surgery in this State.

New matter indicated by italics - deletions by strikeout
A graduate of a non-approved veterinary school who was issued a work permit by the Department before the effective date of this amendatory Act of the 93rd General Assembly may continue to work under the direct supervision of a licensed veterinarian until the expiration of his or her permit.

(Source: P.A. 93-281, eff. 12-31-03.)

(225 ILCS 115/13) (from Ch. 111, par. 7013)

(Section scheduled to be repealed on January 1, 2014)

Sec. 13. Licensure without examination; endorsement. The Department may license register as a licensed veterinarian or certified veterinary technician, without examination, but upon payment of the required fee, an applicant who has a license or certificate in good standing to practice in another jurisdiction. However, the requirements for licensure of veterinarians and certified veterinary technicians in the jurisdiction in which the applicant was licensed must have been, at the date of licensure, substantially equivalent to the requirements in force in this State on that date.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 88-424.)

(225 ILCS 115/14) (from Ch. 111, par. 7014)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14. Fees. The Department shall provide by rule for a schedule of fees for the administration and enforcement of this Act, including but not limited to original licensure, renewal, and restoration of a license issued under this Act. The fees shall be nonrefundable.

All fees, fines, and penalties collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.

(Source: P.A. 91-454, eff. 1-1-00.)

(225 ILCS 115/16) (from Ch. 111, par. 7016)

(Section scheduled to be repealed on January 1, 2014)

Sec. 16. Continuing education. As a condition for renewal of a license, licensees shall be required to complete continuing education in veterinary medicine in accordance with rules established by the Department. Proof of having met the minimum requirements of continuing education is required to be submitted to the Department.

New matter indicated by italics - deletions by strikeout
education as determined by the Board shall be required of all license and certificate renewals and restorations. Pursuant to rule, the continuing education requirements may upon petition be waived in whole or in part if the veterinarian or veterinary technician can demonstrate that he or she had served in the Coast Guard or Armed Forces, had an extreme hardship or obtained such license or certification by examination or endorsement within the preceding renewal period:

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by registrants; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

(Source: P.A. 92-84, eff. 7-1-02.)

(225 ILCS 115/19.1 new)

Sec. 19.1. Authority to dispense drugs in emergency situations.

(a) A veterinarian licensed under this Act, in the absence of a traditional veterinarian-client-patient relationship, may dispense up to 5 days worth of non-controlled substance medication or up to 3 days worth of controlled substance medication in an emergency situation if:

(1) the pet has a medical condition that has been diagnosed by another licensed veterinarian, who then prescribed medication that, if ceased or skipped, could result in a decline of the pet's condition or could be deleterious to the pet's health;

(2) the current veterinarian who prescribed the medication is unavailable to issue a refill within a timely manner or the client is not in reasonable proximity to the initial prescriber to obtain a refill within a timely manner; and

(3) the client has evidence and can produce evidence of the ongoing medical need for the prescription, either in the form of the medical records or most recent prescription vial or a phone number or other means in which to reach the current prescriber.

(b) The second veterinarian must keep a record containing:

(1) the name, address, and contact or phone number of the owner and initial prescriber;

(2) the name, age, sex, and breed of the pet in question;

(3) the name, strength, and quantity of medication dispensed, along with use instructions; and

(4) the medical condition and reason medication is being dispensed.

New matter indicated by italics - deletions by strikeout
(c) A maximum of 5 days of medication may be dispensed per patient per year. All dispensed medication must be properly labeled and dispensed to the owner. Notification of the dispensing shall be communicated to the initial prescriber by the dispensing veterinarian.

(d) A veterinarian shall not be required to dispense medication under this provision.

(225 ILCS 115/24) (from Ch. 111, par. 7024)
(Section scheduled to be repealed on January 1, 2014)

Sec. 24. Any person licensed under this Act may advertise the availability of professional services in the public media or on the premises where such professional services are rendered as permitted by law; provided that such advertising is truthful and not misleading and is in conformity with rules promulgated by the Department. Advertisements shall not include false, fraudulent, deceptive, or misleading material or guarantees of success.

(Source: P.A. 83-1016.)

(225 ILCS 115/25) (from Ch. 111, par. 7025)
(Section scheduled to be repealed on January 1, 2014)

Sec. 25. Disciplinary actions.

1. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation and the assessment of costs as provided for in Section 25.3 of this Act, with regard to any license or certificate for any one or combination of the following:

A. Material misstatement in furnishing information to the Department.

B. Violations of this Act, or of the rules adopted pursuant to this Act.

C. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

New matter indicated by italics - deletions by strikeout
misdemeanor, an essential element of which is dishonesty, or of any crime that is directly related to the practice of the profession.

D. Fraud or Making any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act, for the purpose of obtaining licensure or certification, or violating any provision of this Act or the rules adopted pursuant to this Act pertaining to advertising:

E. Professional incompetence.

F. Malpractice. Gross malpractice.

G. Aiding or assisting another person in violating any provision of this Act or rules.

H. Failing, within 60 days, to provide information in response to a written request made by the Department.

I. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

J. Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol addiction to alcohol, narcotics, stimulants, or any other substance chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.

K. Discipline by another state, unit of government, government agency, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

L. Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered.

M. A finding by the Board that the licensee or certificate holder, after having his license or certificate placed on probationary status, has violated the terms of probation.

N. Willfully making or filing false records or reports in his practice, including but not limited to false records filed with State agencies or departments.
O. Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice under this Act the profession with reasonable judgment, skill, or safety.

P. Solicitation of professional services other than permitted advertising.

Q. Allowing one's license under this Act to be used by an unlicensed person in violation of this Act. Having professional connection with or lending one's name, directly or indirectly, to any illegal practitioner of veterinary medicine and surgery and the various branches thereof.

R. Conviction of or cash compromise of a charge or violation of the Harrison Act or the Illinois Controlled Substances Act, regulating narcotics.

S. Fraud or dishonesty in applying, treating, or reporting on tuberculin or other biological tests.

T. Failing to report, as required by law, or making false report of any contagious or infectious diseases.

U. Fraudulent use or misuse of any health certificate, shipping certificate, brand inspection certificate, or other blank forms used in practice that might lead to the dissemination of disease or the transportation of diseased animals dead or alive; or dilatory methods, willful neglect, or misrepresentation in the inspection of milk, meat, poultry, and the by-products thereof.

V. Conviction on a charge of cruelty to animals.

W. Failure to keep one's premises and all equipment therein in a clean and sanitary condition.

X. Failure to provide satisfactory proof of having participated in approved continuing education programs.

Y. Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety. Failure to (i) file a return; (ii) pay the tax, penalty, or interest shown in a filed return, or (iii) pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until the requirements of that tax Act are satisfied.

Z. Conviction by any court of competent jurisdiction, either within or outside this State, of any violation of any law governing the practice of veterinary medicine, if the Department determines,

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after investigation, that the person has not been sufficiently rehabilitated to warrant the public trust.

AA. Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in any manner to exploit the client for financial gain of the veterinarian.

BB. Gross, willful, or continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered.

CC. Practicing under a false or, except as provided by law, an assumed name.

DD. Violating state or federal laws or regulations relating to controlled substances or legend drugs. Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

EE. Cheating on or attempting to subvert the licensing examination administered under this Act.

FF. Using, prescribing, or selling a prescription drug or the extra-label use of a prescription drug by any means in the absence of a valid veterinarian-client-patient relationship.

GG. Failing to report a case of suspected aggravated cruelty, torture, or animal fighting pursuant to Section 3.07 or 4.01 of the Humane Care for Animals Act or Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

2. The determination by a circuit court that a licensee or certificate holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient. In any case where a license is suspended under this provision, the licensee shall file a petition for restoration and shall include evidence acceptable to the Department that the licensee can resume practice in compliance with acceptable and prevailing standards of their profession. And upon the recommendation of the Board to the
Secretary that the licensee or certificate holder be allowed to resume his practice:

3. All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license or certificate on any of the foregoing grounds, must be commenced within 5 years after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described in this Section. Except for proceedings brought for violations of items (CC), (DD), or (EE), no action shall be commenced more than 5 years after the date of the incident or act alleged to have violated this Section. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, the claim, cause of action, or civil action being grounded on the allegation that a person licensed or certified under this Act was negligent in providing care, the Department shall have an additional period of one year from the date of the settlement or final judgment in which to investigate and begin formal disciplinary proceedings under Section 25.2 of this Act, except as otherwise provided by law. The time during which the holder of the license or certificate was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

4. The Department may refuse to issue or may suspend without hearing, as provided for in the Illinois Code of Civil Procedure, take disciplinary action concerning the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois, as determined by the Department of Revenue.

5. In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is registered under this Act or any individual who has applied for registration to submit to a mental or physical examination or evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation. The multidisciplinary team shall be
led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the registrant or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the registrant or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination or evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination. If the Department finds a registrant unable to practice because of the reasons set forth in this Section, the Department shall require such registrant to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed registration.

New matter indicated by italics - deletions by strikeout
In instances in which the Secretary immediately suspends a registration under this Section, a hearing upon such person's registration must be convened by the Department within 15 days after such suspension and completed without appreciable delay. The Department shall have the authority to review the registrant's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals registered under this Act that are affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their registration. The Board, upon a showing of a possible violation, may compel a licensee or applicant to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order (i) the examining physician to present testimony concerning the mental or physical examination of a licensee or applicant or (ii) the examining clinical psychologist to present testimony concerning the mental examination of a licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between a licensee or applicant and the examining physician or clinical psychologist. An individual to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of an individual to submit to a mental or physical examination, when directed, is grounds for suspension of his or her license. The license must remain suspended until the person submits to the examination or the Board finds, after notice and hearing, that the refusal to submit to the examination was with reasonable cause.

If the Board finds an individual unable to practice because of the reasons set forth in this Section, the Board must require the individual to submit to care, counseling, or treatment by a physician or clinical psychologist approved by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. In lieu of care, counseling, or treatment, the Board may recommend that the Department file a complaint to immediately suspend or revoke the license of the individual or otherwise discipline the licensee.
Any individual whose license was granted, continued, reinstated, or renewed subject to conditions, terms, or restrictions, as provided for in this Section, or any individual who was disciplined or placed on supervision pursuant to this Section must be referred to the Secretary for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

6. The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

7. In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 1205-15 of the Civil Administrative Code of Illinois.

(Source: P.A. 96-1322, eff. 7-27-10; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(225 ILCS 115/25.1) (from Ch. 111, par. 7025.1)

(Sec. 25.1. Injunctive actions; orders to cease and desist.

(a) If any person violates a provision of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of the county in which the violation is alleged to have occurred, petition, for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

New matter indicated by italics - deletions by strikeout
(b) If any person shall practice as a veterinarian or hold himself or herself out as a veterinarian without being licensed under the provision of this Act then any licensed veterinarian, any interested party or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him or her. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.2) (from Ch. 111, par. 7025.2)

Sec. 25.2. Investigation; notice and hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license or certificate. The Department shall, before refusing to issue, to renew or discipline a license or certificate under Section 25, at least 30 days prior to the date set for the hearing, notify the applicant or licensee in writing of the nature of the charges and the time and place for that a hearing will be held on the charges date designated. The Department shall direct the applicant, certificate holder, or licensee to file a written answer to the charges with the Board under oath within 20 days after the service of the notice and inform the applicant, certificate holder, or licensee that failure to file an answer will result in default being taken against the applicant, certificate holder, or licensee. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Department, be revoked, suspended, placed on probationary status, or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under the

New matter indicated by italics - deletions by strikeout
Act. The written notice and any notice in the subsequent proceeding may be served by registered or certified mail to the licensee’s address of record, and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary may deem proper. Written notice may be served by personal delivery or certified or registered mail to the respondent at the address of his last notification to the Department. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person’s practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any statements, testimony, evidence, and argument pertinent to the charges or to their defense. The Board may continue a hearing from time to time.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.2a new)

Sec. 25.2a. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or to a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 115/25.3) (from Ch. 111, par. 7025.3)

(Section scheduled to be repealed on January 1, 2014)
Sec. 25.3. Records of proceedings. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue, renew or discipline of a license or certificate. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and orders of the Department shall be the record of such proceeding. Any registrant who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(Source: P.A. 88-424.)

(225 ILCS 115/25.4) (from Ch. 111, par. 7025.4)

Sec. 25.4. The Department may have the power to subpoena and bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to an investigation or hearing conducted by the Department either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, the designated hearing officer, any and every member of the Board, or a certified shorthand court reporter may have power to administer oaths to witnesses at any hearing which the Department conducts is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents or records shall be in accordance with this Act.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.5) (from Ch. 111, par. 7025.5)

Sec. 25.5. Any circuit court may, upon application of the Department or designee of the applicant or licensee against whom proceedings upon Section 25 of this Act are pending, may enter an order...
requiring the attendance and testimony of witnesses and their testimony, and the production of relevant documents, papers, files, books and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 83-1016.)

(225 ILCS 115/25.6) (from Ch. 111, par. 7025.6)

Sec. 25.6. Board Written report. At the conclusion of the hearing the Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary.

The report of findings of fact, conclusions of law and recommendation of the Board shall be the basis for the Department's order for refusing to issue, restore, or renew a license, or otherwise disciplining a licensee, or refusal or for the granting of a license, certificate, or permit. If the Secretary disagrees in any regard with the report of the Board, then the Secretary may issue an order in contravention thereof. The Secretary shall provide a written report to the Board on any deviation, and shall specify with particularity the reasons for the action in the final order. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.7) (from Ch. 111, par. 7025.7)

Sec. 25.7. Motion for rehearing; procedure Procedure upon refusal to license or issue certificate. In any hearing case under Section 25 involving the refusal to issue, renew, or discipline a license or certificate, a copy of the Board's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after service, the respondent may present to the Department a motion in writing for a rehearing. The motion shall specify the particular grounds for the rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing a motion, or if a motion for rehearing is denied, then upon the denial, then

New matter indicated by italics - deletions by strikeout
the Secretary may enter an order in accordance with recommendations of the Board except as provided in Section 25.6 of this Act. If the respondent orders from the reporting service, and pays for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.8) (from Ch. 111, par. 7025.8)

Sec. 25.8. Rehearing ordered by Secretary. Whenever the Secretary is not satisfied that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license or certificate, the Secretary may order a rehearing by the Board or a designated hearing officer.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.9) (from Ch. 111, par. 7025.9)

Sec. 25.9. Hearing officers; reports; review. The Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue, renew, or discipline of a license, certificate, or permit. The Secretary shall notify the Board of any appointment. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board and the Secretary. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Secretary. If the Board fails to present its report within the 60 day period, then the Secretary may issue an order based on the report of the hearing officer. If the Secretary disagrees in any regard with the recommendation of the Board or hearing officer, then the Secretary may issue an order in contravention of the report. The Secretary shall provide a written explanation to the Board on any deviation, and shall specify with particularity the reasons for the action in the final order. At least 2 licensed veterinarian members of the Board should be present at all formal hearings on the merits of complaints brought under the provisions of this Act.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/25.10) (from Ch. 111, par. 7025.10)
Sec. 25.10. Order or certified copy; prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof that:

(a) the signature is the genuine signature of the Secretary; and

(b) the Secretary is duly appointed and qualified; and

c) the Board and the members thereof are qualified to act.

(Section scheduled to be repealed on January 1, 2014)

Sec. 25.11. Restoration of license or certificate from discipline. At any time after successful completion of a term of indefinite probation, suspension, or revocation of a license, the Department may restore the license, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest or that the licensee has not been sufficiently rehabilitated to warrant the public trust. No person or entity whose license, certificate, or authority has been revoked as authorized in this Act may apply for restoration of that license, certification, or authority until such time as provided for in the Civil Administrative Code of Illinois. The suspension or revocation of any license or certificate, the Department may restore it to the accused person, upon the written recommendation of the Board unless after an investigation and a hearing, the Department determines that restoration is not in the public interest.

(Section scheduled to be repealed on January 1, 2014)

Sec. 25.13. Summary suspension. The Secretary may summarily temporarily suspend the license of a licensee veterinarian without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 25.2 of this Act, if the Secretary finds that the evidence in his possession indicates that a licensee's veterinarian's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily suspends, temporarily, the license of a veterinarian without a hearing, a hearing shall be commenced by the Board must be held within 30 days after such suspension has occurred and shall be concluded as expeditiously as possible.

New matter indicated by italics - deletions by strikeout
Sec. 25.14. All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of the Administrative Review Law, as now or hereafter amended, and all rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of this State, venue shall be Sangamon County.

Sec. 25.15. Certification of record. The Department shall not be required to certify any record to the Court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in Court shall be grounds for dismissal of the action.

Sec. 25.16. Any person who is found to have violated any provision of this Act is guilty of a Class A misdemeanor for the first offense. On conviction of a second or subsequent offense, the violator shall be guilty of a Class 4 felony. All criminal fines, monies, or other property collected or received by the Department under this Section or any other State or federal statute, including, but not limited to, property forfeited to the Department under Section 505 of The Illinois Controlled Substances Act or Section 85 of the Methamphetamine Control and Community Protection Act, shall be deposited into the Professional Regulation Evidence Fund.
Sec. 25.18. Civil penalties for unlicensed practice.

(a) In addition to any other penalty provided by law, any person who violates Section 5 of this Act or any other provision of this Act shall, in addition to any other penalty provided by law, forfeit and pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense as determined by the Department and the assessment of costs as provided for in Section 25.3. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act Section 25.3 through Section 25.10 and Section 25.14.

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

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(d) All monies collected under this Section shall be deposited into the Professional Regulation Evidence Fund.

(Source: P.A. 96-1322, eff. 7-27-10.)

(225 ILCS 115/26) (from Ch. 111, par. 7026)

Sec. 26. Home rule. The regulation and licensing as a veterinarian are exclusive powers and functions of the State. A home rule unit may not regulate or license a veterinarian or the practice of veterinary medicine. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 90-655, eff. 7-30-98.)

(225 ILCS 115/27) (from Ch. 111, par. 7027)

Sec. 27. Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated into this Act as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois

New matter indicated by italics - deletions by strikeout
Administrative Procedure Act that provides that at hearings the licensee or certificate holder has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the license or certificate is specifically excluded. For the purpose of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is considered sufficient when mailed to the last known address of record of a party.

(Source: P.A. 88-45; 88-424; 88-670, eff. 12-2-94.)

(225 ILCS 115/14.2 rep.)
(225 ILCS 115/15 rep.)
(225 ILCS 115/19 rep.)
(225 ILCS 115/20 rep.)

Section 15. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by repealing Sections 14.2, 15, 19, and 20.

Section 99. Effective date. This Act takes effect December 31, 2013.

INDEX
Statutes amended in order of appearance

5 ILCS 80/4.24
5 ILCS 80/4.34 new
225 ILCS 115/3 from Ch. 111, par. 7003
225 ILCS 115/4 from Ch. 111, par. 7004
225 ILCS 115/5 from Ch. 111, par. 7005
225 ILCS 115/6 from Ch. 111, par. 7006
225 ILCS 115/7 from Ch. 111, par. 7007
225 ILCS 115/12 from Ch. 111, par. 7012
225 ILCS 115/13 from Ch. 111, par. 7013
225 ILCS 115/14 from Ch. 111, par. 7014
225 ILCS 115/16 from Ch. 111, par. 7016
225 ILCS 115/19.1 new
225 ILCS 115/24 from Ch. 111, par. 7024
225 ILCS 115/25 from Ch. 111, par. 7025
225 ILCS 115/25.1 from Ch. 111, par. 7025.1
225 ILCS 115/25.2 from Ch. 111, par. 7025.2
225 ILCS 115/25.2a new
225 ILCS 115/25.3 from Ch. 111, par. 7025.3
225 ILCS 115/25.4 from Ch. 111, par. 7025.4
225 ILCS 115/25.5 from Ch. 111, par. 7025.5
225 ILCS 115/25.6 from Ch. 111, par. 7025.6

New matter indicated by italics - deletions by strikeout
AN ACT concerning health.

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

Section 1. Short title. This Act may be referred to as the Danny
Stanton Act.

Section 5. The Counties Code is amended by adding Section 3-
3016.5 as follows:

(55 ILCS 5/3-3016.5 new)
Sec. 3-3016.5. Sudden, unexpected death in epilepsy (SUDEP).
(a) All autopsies conducted in this State shall include an inquiry to
determine whether the death was a direct result of a seizure or epilepsy. If
the findings in an autopsy of a medical examiner, examining physician, or
coroner are consistent with known or suspected sudden, unexpected death
in epilepsy (SUDEP), then the medical examiner, examining physician, or
coroner shall:

New matter indicated by italics - deletions by strikeout
(1) cause to be indicated on the death certificate that SUDEP is the cause or suspected cause of death; and
(2) forward a copy of the death certificate to the North American SUDEP Registry at the Langone Medical Center at New York University within 30 days.

(b) For the purposes of this Section, "sudden unexpected death in epilepsy" refers to a death in a patient previously diagnosed with epilepsy that is not due to trauma, drowning, status epilepticus, or other known causes, but for which there is often evidence of an associated seizure. A finding of sudden, unexpected death in epilepsy is definite when clinical criteria are met and autopsy reveals no alternative cause of death, such as stroke, myocardial infarction, or drug intoxication, although there may be evidence of a seizure.

Section 99. Effective date. This Act takes effect January 1, 2014.
Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0341
(House Bill No. 1272)

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

Section 5. The State Commemorative Dates Act is amended by adding Section 175 as follows:

(5 ILCS 490/175 new)
Sec. 175. Eat Local, Buy Illinois Products Day. The first Saturday of each month is designated as Eat Local, Buy Illinois Products Day to promote local food initiatives, Illinois agribusiness, and to encourage residents to re-invest in the local economy. The Department of Agriculture's Illinois Product Logo Program shall assist in increasing awareness and sales of Illinois food and agribusiness products.

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

Passed in the General Assembly May 21, 2013.
Approved August 13, 2013.
Effective August 13, 2013.
AN ACT concerning regulation.

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

Section 5. The Weights and Measures Act is amended by changing Sections 8, 30, and 36 as follows:

(225 ILCS 470/8) (from Ch. 147, par. 108)

Sec. 8. Regulations; issuance; contents. The Director shall from time to time issue reasonable regulations for enforcement of this Act that shall have the force and effect of law. In determining these regulations, he shall appoint, consult with, and be advised by committees representative of industries to be affected by the regulations. These regulations may include (1) standards of net weight, measure or count, and reasonable standards of fill, for any commodity in package form, (2) rules governing the technical and reporting procedures to be followed and the report and record forms and marks of approval and rejection to be used by inspectors of weights and measures in the discharge of their official duties, and (3) exemptions from the sealing or marking requirements of Section 14 of this Act with respect to weights and measures of such character or size that such sealing or marking would be inappropriate, impracticable, or damaging to the apparatus in question. These regulations shall include specifications, tolerances, and regulations for weights and measures, of the character of those specified in Section 10 of this Act, designed to eliminate from use (without prejudice to apparatus that conforms as closely as practicable to the official standards) such weights and measures as are (1) inaccurate, (2) of faulty construction (that is, not reasonably permanent in their adjustment or not capable of correct repetition of their indications), or (3) conducive to the perpetration of fraud. Specifications, tolerances, and regulations for commercial weighing and measuring devices recommended by the National Institute of Standards and Technology and published in National Institute of Standards and Technology Handbook 44 and supplements thereto or in any publication revising or superseding Handbook 44, shall be the specifications, tolerances, and regulations for commercial weighing and measuring devices of this State, except insofar as specifically modified, amended, or rejected by a regulation issued by the Director.
The National Institute of Standards and Technology Handbook 133 and its supplements, or any publication revising or superseding Handbook 133, shall be the method for checking the net contents of commodities in package form. The National Institute of Standards and Technology Handbooks 105-1, 105-2, 105-3, 105-4, 105-8, and their supplements, or any publication revising or superseding Handbooks 105-1, 105-2, 105-3, 105-4, and 105-8 shall be specifications and tolerances for reference standards and field standards weights and measures.

For purposes of this Act, apparatus shall be deemed "correct" when it conforms to all applicable requirements promulgated as specified in this Section. Apparatus that does not conform to all applicable requirements shall be deemed "incorrect".

The Director is authorized to prescribe by regulation, after public hearings, container sizes for fluid dairy products and container sizes for ice cream, frozen desserts, and similar items.

For the purposes of this Act, any apparatus certified by the Department or city sealer as of July 1, 2012 satisfies construction and installation requirements.

The Uniform Packaging and Labeling Regulation and the Uniform Regulation for the Method of Sale of Commodities in the National Institute of Standards and Technology Handbook 130, and any of its subsequent supplements or revisions, shall be the requirements and standards governing the packaging, labeling, and method of sale of commodities for this State, except insofar as specifically modified, amended, or rejected by regulation issued by the Director.

(Source: P.A. 96-1333, eff. 7-27-10.)

(225 ILCS 470/30) (from Ch. 147, par. 130)

Sec. 30. National Institute of Standards and Technology requirements and specifications. Each type of new weight and measure or weighing and measuring device manufactured, offered, or exposed for sale or sold or given away for the use in trade or commerce, or used in trade and commerce in this State, shall conform with the requirements and specifications in the National Institute of Standards and Technology Handbook 44, 105-1, 105-2, 105-3, 105-4, or 105-8 and any of their revisions or supplements. Such weights and measures or weighing and measuring devices used for commercial or law enforcement purposes must have a Certificate of Conformance, unless such devices were certified by the Department or the city sealer on or before July 1, 2012. This Section applies to all such devices, including repaired devices and devices

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removed from service and installed at a different location in this State must be issued prior to the use of such new weight and measure or weighing and measuring device for commercial or law enforcement purposes. Pending the issuance of a Certificate of Conformance, the Department may permit such new weight and measure or weighing and measuring device to be used, provided it meets the specifications and tolerances for that particular weight and measure or weighing and measuring device as set forth in the National Institute of Standards and Technology Handbook 44, 105-1, 105-2, 105-3, 105-4, or 105-8.
(Source: P.A. 96-1333, eff. 7-27-10.)

(225 ILCS 470/36) (from Ch. 147, par. 136)

Sec. 36. It is unlawful to manufacture, offer or expose for sale, or sell or give away, for use in trade or commerce, or to use in trade or commerce, any weight or measure or weighing or measuring device which does not have cast, stamped, etched or otherwise marked thereon the name of the manufacturer and the serial number of the approved type to which it belongs. Whenever it appears to the satisfaction of the Department that any type of weight or measure or weighing or measuring device is such as to render it impracticable to mark, it as required by this Section, the such Department shall furnish an identification plate for registration and tracking purposes. a certificate to that effect to any manufacturer applying therefor and such weight or measure or weighing or measuring device need not be marked as required by the provisions of this Section.
(Source: Laws 1963, p. 3433.)

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

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective August 13, 2013.

PUBLIC ACT 98-0343
(House Bill No. 2709)

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

Section 5. The Wheat Development Act is amended by changing Sections 25, 30, 70, and 75 as follows:

(505 ILCS 145/25)

New matter indicated by italics - deletions by strikeout
Sec. 25. Temporary program committee; proposals; procedures. After the effective date of this Act if there are sponsors willing and able to meet the requirements of Section 35, the Director shall appoint a temporary wheat development program committee consisting of 7 members who are wheat producers nominated by an association representing wheat producers to develop a wheat development program proposal. The proposal shall be considered at a public hearing. After the close of the public hearing, the Director and temporary wheat development program committee shall send copies of their findings to all parties of record appearing at the hearing. If the proposal is approved by the temporary wheat development program committee, a referendum shall be held on the proposal in accordance with Section 30 of this Act.

The Director, upon recommendation of the temporary wheat development program committee, shall establish procedures for the qualifications of producers for wheat development programs, the participation of producers in hearings and referenda, and other procedures necessary in the development and adoption of a wheat development program. These procedures shall not be subject to the provisions of the Illinois Administrative Procedure Act; however, the Director shall take any necessary steps to inform affected persons of the procedures, including publication of the procedures in the Illinois Register.

(Source: P.A. 90-377, eff. 8-14-97.)

(505 ILCS 145/30)

Sec. 30. Referenda; petitions. Within 90 days after final approval of any proposed wheat development program by the temporary wheat development program committee, the Director shall determine by referendum whether the affected producers assent to the proposed wheat development program. The proposed wheat development program is approved when a majority of those voting in the referendum vote in favor of the proposed wheat development program. Following approval of the program, the Department shall file the program with the Secretary of State as provided in Section 5-65 of the Illinois Administrative Procedure Act.

If a proposed wheat development program is not approved by referendum, no additional referendum on a wheat development program may be held for 2 years from the date of the close of the referendum period. An additional referendum shall be called by the Director upon request by petition of 500 producers of wheat from across the State. Before holding an additional referendum, the Director shall appoint a temporary wheat development program committee consisting of 7 members who are

New matter indicated by italics - deletions by strikeout
wheat producers *nominated by an association representing wheat producers*. The temporary wheat development program committee shall follow the procedures set forth in Section 25.

(Source: P.A. 90-377, eff. 8-14-97.)

(505 ILCS 145/70)

Sec. 70. Assessments. A properly qualified wheat development program shall provide for assessments against producers of the affected commodity to defray the costs of the activities provided for in the wheat development program. Assessments authorized in a wheat development program shall be based on the quantity of commodity marketed and shall be equitably assessed against all affected producers.

The total assessment levied on the commodity of any affected producer may be up to 1.5 cents per bushel of wheat produced and sold by that producer as established by the temporary program committee. After the first 5 years a program is in operation, the wheat development board may request the Director to hold a referendum to increase the assessment rate.

A referendum to increase the assessment rate shall be considered approved if a majority of those producers voting in the referendum vote in favor of the increase. The wheat development board shall increase the rate as set in the referendum.

The wheat development board shall require the first purchaser of wheat to withhold and remit the assessments to the wheat development board. A first purchaser remitting the assessments for any producer shall deduct the proper amount of assessment from any amount that he owes to the producer. The wheat development board shall have the power to cause any duly authorized agent or representative to enter upon the premises of any purchaser of wheat and examine or cause to be examined only books, papers, and records that deal in any way with respect to the payment of the assessment or enforcement of this Act.

(Source: P.A. 90-377, eff. 8-14-97.)

(505 ILCS 145/75)

Sec. 75. Refunds. A producer who has sold wheat and has an assessment deducted from the sale price may, by application in writing to the board, secure a refund in the amount deducted. The refund shall be payable only if the application has been made to the board within 90 days after the deduction. Interest shall be allowed and paid at the rate of 6% per annum upon the total amount of the assessment imposed by this Act, except that if any assessment is refunded within 90 days after an

New matter indicated by italics - deletions by strikeout
application for refund has been made within the required 60 days after deduction or within 90 days after the first purchaser of wheat remits the assessments withheld and deducted to the wheat development board, whichever is later, no interest shall be allowed on such assessment. An application for refund by a producer shall provide proof of assessment deducted. 
(Source: P.A. 90-377, eff. 8-14-97.)

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

Passed in the General Assembly May 16, 2013.
Approved August 13, 2013.
Effective August 13, 2013.

PUBLIC ACT 98-0344
(House Bill No. 2748)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Finance Authority Act is amended by changing Section 801-15 as follows:
(20 ILCS 3501/801-15)
Sec. 801-15. There is hereby created a body politic and corporate to be known as the Illinois Finance Authority. The exercise of the powers conferred by law shall be an essential public function. The Authority shall consist of 15 members, who shall be appointed by the Governor, with the advice and consent of the Senate. Upon the appointment of the Board and every 2 years thereafter, the chairperson of the Authority shall be selected by the Governor to serve as chairperson for two years. Appointments to the Authority shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, housing, health facilities financing, local government financing, community development, venture finance, construction, and labor relations, agribusiness, and production agriculture. At the time of appointment, the Governor shall designate 5 members to serve until the third Monday in July 2005, 5 members to serve until the third Monday in July 2006 and 5 members to serve until the third Monday in July 2007. Thereafter, appointments shall be for 3-year terms. At any point in time,
the Authority must include no fewer than 2 members who have expertise in agribusiness or production agriculture. A member shall serve until his or her successor shall be appointed and have qualified for office by filing the oath and bond. Members of the Authority shall not be entitled to compensation for their services as members, but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members. The Governor may remove any member of the Authority in case of incompetence, neglect of duty, or malfeasance in office, after service on him of a copy of the written charges against him and an opportunity to be publicly heard in person or by counsel in his own defense upon not less than 10 days' notice. From nominations received from the Governor, the members of the Authority shall appoint an Executive Director who shall be a person knowledgeable in the areas of financial markets and instruments, to hold office for a one-year term. The Executive Director shall be the chief administrative and operational officer of the Authority and shall direct and supervise its administrative affairs and general management and perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director or any committee of the members may carry out such responsibilities of the members as the members by resolution may delegate. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation. The Authority may appoint Advisory Councils to (1) assist in the formulation of policy goals and objectives, (2) assist in the coordination of the delivery of services, (3) assist in establishment of funding priorities for the various activities of the Authority, and (4) target the activities of the Authority to specific geographic regions. There may be an Advisory Council on Economic Development. The Advisory Council shall consist of no more than 12 members, who shall serve at the pleasure of the Authority. Members of the Advisory Council shall receive no compensation for their services, but may be reimbursed for expenses incurred with their service on the Advisory Council.
(Source: P.A. 93-205, eff. 1-1-04.)
Section 5. The Illinois Egg and Egg Products Act is amended by changing Sections 9, 16.5, and 16.7 and by adding Sections 16.6 and 16.9 as follows:

(410 ILCS 615/9) (from Ch. 56 1/2, par. 55-9)
Sec. 9. Licenses; fees. The Department shall issue a license to any person upon receipt and approval of a proper application and the required nonrefundable fee. The license fee and classification of the license shall be established by rule.

A license must be obtained for each separate business location and this license shall be posted in a conspicuous place at the location for which it was purchased. Licenses are non-transferable.

The application for an initial license may be filed at any time prior to beginning business as an egg handler. The licensing year for an egg license shall be July 1 through June 30. The egg license shall expire at the end of the licensing year.

A penalty of $50 shall be assessed for any renewal license not renewed by July 1 of the year in which the license renewal is due. This penalty shall be assessed in addition to the license fee.
(Source: P.A. 96-1310, eff. 7-27-10.)
(410 ILCS 615/16.5)
Sec. 16.5. Violations; administrative monetary penalties. The Director is authorized to hold administrative hearings to determine violations of this Act or the Department's rules and regulations adopted under this Act. After finding that a violation has occurred, the Director may impose administrative monetary penalties as follows:

(1) Against a licensee who sells or offers for sale non-inspected frozen, liquid, or dried egg products:
(A) $500 for a first violation.
(B) $1,000 for a second violation within 2 years after the first violation.
(C) $2,000 for a third or subsequent violation within 2 years after the immediately preceding violation.

(2) Against a licensee who makes a false, deceptive, or misleading statement, representation, or assertion concerning the quality, size, weight, or condition of, or any other matter relating to advertising and selling, eggs and egg products:
(A) $200 for a first violation.
(B) $500 for a second violation within 2 years after the first violation.
(C) $1,000 for a third or subsequent violation within 2 years after the immediately preceding violation.

(3) Against a licensee who furnishes an invoice, statement, or bill showing a standard of size, standard of quality, representation of freshness, or any other description of eggs or egg products that is false, deceptive, or misleading in any particular:
(A) $200 for a first violation.
(B) $500 for a second violation within 2 years after the first violation.
(C) $1,000 for a third or subsequent violation within 2 years after the immediately preceding violation.

(4) Against any person who resists, hinders, obstructs, or in any way interferes with any officer, inspector, or employee of the Department in the discharge of his or her duties under the provisions of this Act, $300.

(5) Against any person who buys, sells, trades, or barter eggs in this State without having obtained a license, $300.

(6) For all other violations:
(A) $200 for a first violation.
(B) $400 for a second violation within 2 years after the first violation.
(C) $600 for a third or subsequent violation within 2 years after the immediately preceding violation.

(7) Against any person who sells or wholesales eggs, who has been notified pursuant to the notification provision in this Section, to any person or business not licensed by the Department who buys, sells, trades, or traffics in eggs in this State:

New matter indicated by italics - deletions by strikeout
(A) $200 for a first violation.

(B) $500 for a second violation within 2 years after the first.

(C) $1,000 for a third or subsequent violation within 2 years after the immediately preceding violation.

The Department shall notify any person who sells or wholesales eggs to any person or business not licensed by the Department who buys, sells, trades, or traffics eggs in this State that he or she may not sell, trade, or traffic eggs with the non-licensed person or business. A copy of the notice shall be either served personally or served by registered or certified mail on the person who sells or wholesales eggs. Proof of service of the notice shall be made by affidavit of the person making personal service or by the registered or certified mail receipt.

A penalty not paid within 60 days after it is due may be submitted to the Attorney General's office or an approved private collection agency for collection.

(Source: P.A. 96-1310, eff. 7-27-10.)

(410 ILCS 615/16.6 new)

Sec. 16.6. Violations; penalties. Any person knowingly violating this Act or any rule or order of the Department issued pursuant to this Act shall be guilty of a Class C misdemeanor. Each day of violation constitutes a separate offense. In the event the person violating this Act or any rule or order issued pursuant to the Act is a corporation or partnership, any officer, director, manager, or managerial agent of the corporation or partnership who violates this Act or causes the corporation or partnership to violate this Act is guilty of a Class C misdemeanor.

(410 ILCS 615/16.7)

Sec. 16.7. Suspension and revocation of license.

(a) The Director may suspend a license if the Department has reason to believe that any one or more of the following has occurred:

(1) A licensee has made a material misstatement in an application for an original or renewal license under this Act.

(2) A licensee has violated this Act or any rules adopted under this Act, and the violation or pattern of violations indicates a danger to public health.

(3) A licensee has aided or abetted another in the violation of this Act or any rule adopted under this Act, and the violation or pattern of violations indicates a danger to public health.
(4) A licensee has allowed his or her license to be used by an unlicensed person.

(5) A licensee has been convicted of a felony violation of this Act or any crime an essential element of which is misstatement, fraud, or dishonesty.

(6) A licensee has made a false, deceptive, or misleading statement, representation, or assertion concerning the quality, size, weight, or condition of, or any other matter relating to advertising and selling of, eggs and egg products.

(7) A licensee has failed to possess the necessary qualifications or to meet the requirements of this Act for the issuance or holding of a license.

(8) Failure to pay any fine or fee assessed by the Department within 60 days after the date the fine or fee was levied or otherwise due.

(b) Within 10 days after suspending a person's license, the Department must commence an administrative hearing to determine whether to reinstate or revoke the license. After the Department schedules the administrative hearing, but no later than 5 days before the scheduled hearing date, the Department shall serve on the licensee written notice of the date, place, and time of the hearing. The Department may serve this notice by personal service on the licensee or by registered or certified mail, return receipt requested, to the licensee's place of business. After the hearing, the Director shall issue an order either reinstating or revoking the license.

(Source: P.A. 96-1310, eff. 7-27-10.)

(410 ILCS 615/16.9 new)

Sec. 16.9. Termination of application; forfeiture of license fee. Failure of any applicant to meet all of the requirements for compliance within 60 days after receipt of a license application shall result in termination of the application and forfeiture of the license fee.

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

AN ACT concerning conservation.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-515 as follows:

(20 ILCS 605/605-515) (was 20 ILCS 605/46.13a)
Sec. 605-515. Environmental Regulatory Assistance Program.

(a) In this Section, except where the context clearly requires otherwise, "small business stationary source" means a business that is owned or operated by a person that employs 100 or fewer individuals; is a small business; is not a major stationary source as defined in Titles I and III of the federal 1990 Clean Air Act Amendments; does not emit 50 tons or more per year of any regulated pollutant (as defined under the federal Clean Air Act); and emits less than 75 tons per year of all regulated pollutants.

(b) The Department may:

(1) Provide access to technical and compliance information for Illinois firms, including small and middle market companies, to facilitate local business compliance with the federal, State, and local environmental regulations.

(2) Coordinate and enter into cooperative agreements with a State ombudsman office, which shall be established in accordance with the federal 1990 Clean Air Act Amendments to provide direct oversight to the program established under that Act.

(3) Enter into contracts, cooperative agreements, and financing agreements and establish and collect charges and fees necessary or incidental to the performance of duties and the execution of powers under this Section.

(4) Accept and expend, subject to appropriation, gifts, grants, awards, funds, contributions, charges, fees, and other financial or nonfinancial aid from federal, State, and local governmental agencies, businesses, educational agencies, not-for-profit organizations, and other entities, for the purposes of this Section.

New matter indicated by italics - deletions by strikeout
(5) Establish, staff, and administer programs and services and adopt such rules and regulations necessary to carry out the intent of this Section and Section 507, "Small Business Stationary Source Technical and Environmental Compliance Assistance Program", of the federal 1990 Clean Air Act Amendments.

(c) The Department's environmental compliance programs and services for businesses may include, but need not be limited to, the following:

(1) Communication and outreach services to or on behalf of individual companies, including collection and compilation of appropriate information on regulatory compliance issues and control technologies, and dissemination of that information through publications, direct mailings, electronic communications, conferences, workshops, one-on-one counseling, and other means of technical assistance.

(2) Provision of referrals and access to technical assistance, pollution prevention and facility audits, and otherwise serving as an information clearinghouse on pollution prevention through the coordination of the Illinois Sustainable Technology Waste Management and Research Center of the University of Illinois. In addition, environmental and regulatory compliance issues and techniques, which may include business rights and responsibilities, applicable permitting and compliance requirements, compliance methods and acceptable control technologies, release detection, and other applicable information may be provided.

(3) Coordination with and provision of administrative and logistical support to the State Compliance Advisory Panel.

(d) There is hereby created a special fund in the State Treasury to be known as the Small Business Environmental Assistance Fund. Monies received under subdivision (b)(4) of this Section shall be deposited into the Fund.

Monies in the Small Business Environmental Assistance Fund may be used, subject to appropriation, only for the purposes authorized by this Section.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 10. The Business Assistance and Regulatory Reform Act is amended by changing Section 15 as follows:

(20 ILCS 608/15)
Sec. 15. Providing Information and Expediting Permit Reviews.

New matter indicated by italics - deletions by strikeout
(a) The office shall provide an information system using a toll-free business assistance number. The number shall be advertised throughout the State. If requested, the caller will be sent a basic business kit, describing the basic requirements and procedures for doing business in Illinois. If requested, the caller shall be directed to one or more of the additional services provided by the office. All persons providing advice to callers on behalf of the office and all persons responsible for directly providing services to persons visiting the office or one of its branches shall be persons with small business experience in an administrative or managerial capacity.

(b) (Blank).

(c) Any applicant for permits required for a business activity may confer with the office to obtain assistance in the prompt and efficient processing and review of applications. The office may designate an employee of the office to act as a permit assistance manager to:

(1) facilitate contacts for the applicant with responsible agencies;

(2) arrange conferences to clarify the requirements of interested agencies;

(3) consider with State agencies the feasibility of consolidating hearings and data required of the applicant;

(4) assist the applicant in resolution of outstanding issues identified by State agencies; and

(5) coordinate federal, State and local regulatory procedures and permit review actions to the extent possible.

(d) The office shall publish a directory of State business permits and State programs to assist small businesses.

(e) The office shall attempt to establish agreements with local governments to allow the office to provide assistance to applicants for permits required by these local governments.

(f) Interested State agencies shall, to the maximum extent feasible, establish procedures to expedite applications for infrastructure projects. Applications for permits for infrastructure projects shall be approved or disapproved within 45 days of submission, unless law or regulations specify a different period. If the interested agency is unable to act within that period, the agency shall provide a written notification to the office specifying reasons for its inability to act and the date by which approval or disapproval shall be determined. The office may require any interested
State agency to designate an employee who will coordinate the handling of permits in that area.

(g) In addition to its responsibilities in connection with permit assistance, the office shall provide general regulatory information by directing businesses to appropriate officers in State agencies to supply the information requested.

(h) The office shall help businesses to locate and apply to training programs available to train current employees in particular skills, techniques or areas of knowledge relevant to the employees' present or anticipated job duties. In pursuit of this objective, the office shall provide businesses with pertinent information about training programs offered by State agencies, units of local government, public universities and colleges, community colleges, and school districts in Illinois.

(i) The office shall help businesses to locate and apply to State programs offering to businesses grants, loans, loan or bond guarantees, investment partnerships, technology or productivity consultation, or other forms of business assistance.

(j) To the extent authorized by federal law, the office shall assist businesses in ascertaining and complying with the requirements of the federal Americans with Disabilities Act.

(k) The office shall provide confidential on-site assistance in identifying problems and solutions in compliance with requirements of State and federal environmental regulations. The office shall work through and contract with the Illinois Sustainable Technology Waste Management and Research Center to provide confidential on-site consultation audits that (i) assist regulatory compliance and (ii) identify pollution prevention opportunities.

(k-5) Until July 1, 2012, the office shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration. On and after July 1, 2012, the Department of Labor shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration.

(l) The office shall provide information on existing loan and business assistance programs provided by the State.

(m) Each State agency having jurisdiction to approve or deny a permit shall have the continuing power heretofore or hereafter vested in it
to make such determinations. The provisions of this Act shall not lessen or reduce such powers and shall modify the procedures followed in carrying out such powers only to the extent provided in this Act.

(n) (1) Each State agency shall fully cooperate with the office in providing information, documentation, personnel or facilities requested by the office.

(2) Each State agency having jurisdiction of any permit to which the master application procedure is applicable shall designate an employee to act as permit liaison office with the office in carrying out the provisions of this Act.

(o) (1) The office has authority, but is not required, to keep and analyze appropriate statistical data regarding the number of permits issued by State agencies, the amount of time necessary for the permits to be issued, the cost of obtaining such permits, the types of projects for which specific permits are issued, a geographic distribution of permits, and other pertinent data the office deems appropriate.

The office shall make such data and any analysis of the data available to the public.

(2) The office has authority, but is not required, to conduct or cause to be conducted a thorough review of any agency's permit requirements and the need by the State to require such permits. The office shall draw on the review, on its direct experience, and on its statistical analyses to prepare recommendations regarding how to:

(i) eliminate unnecessary or antiquated permit requirements;
(ii) consolidate duplicative or overlapping permit requirements;
(iii) simplify overly complex or lengthy application procedures;
(iv) expedite time-consuming agency review and approval procedures; or
(v) otherwise improve the permitting processes in the State.

The office shall submit copies of all recommendations within 5 days of issuance to the affected agency, the Governor, the General Assembly, and the Joint Committee on Administrative Rules.

(p) The office has authority to review State forms on its own initiative or upon the request of another State agency to ascertain the burden, if any, of complying with those forms. If the office determines that a form is unduly burdensome to business, it may recommend to the agency

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issuing the form either that the form be eliminated or that specific changes be made in the form.

(q) Not later than March 1 of each year, beginning March 1, 1995, the office shall submit an annual report of its activities during the preceding year to the Governor and General Assembly. The report shall describe the activities of the office during the preceding year and shall contain statistical information on the permit assistance activities of the office.

(Source: P.A. 97-787, eff. 7-13-12.)

Section 15. The Hazardous Waste Technology Exchange Service Act is amended by changing Sections 3, 4, and 6 as follows:

(20 ILCS 1130/3) (from Ch. 111 1/2, par. 6803)

Sec. 3. For the purposes of this Act, unless the context otherwise requires:

(a) "Board" means the Board of Trustees of the University of Illinois.

(b) "Center" means the Illinois Sustainable Technology Waste Management and Research Center of the University of Illinois.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(20 ILCS 1130/4) (from Ch. 111 1/2, par. 6804)

Sec. 4. Illinois Sustainable Technology Waste Management and Research Center. The Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) is transferred to the University of Illinois.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(20 ILCS 1130/6) (from Ch. 111 1/2, par. 6806)

Sec. 6. Appropriations. For the purpose of maintaining the Illinois Sustainable Technology Waste Management and Research Center, paying the expenses and providing the facilities and structures incident thereto, appropriations shall be made to the University of Illinois, payable from the Hazardous Waste Research Fund and other funds in the State Treasury.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 20. The Green Governments Illinois Act is amended by changing Section 15 as follows:

(20 ILCS 3954/15)

Sec. 15. Composition of the Council membership and administrative support. Representatives The Council shall be composed of representatives from various State agencies and State universities with specific fiscal, procurement, educational, and environmental policy

New matter indicated by italics - deletions by strikeout
expertise shall comprise the Council. Until the effective date of this amendatory Act of the 97th General Assembly, the Lieutenant Governor is the chair of the Council. On and after the effective date of this amendatory Act of the 97th General Assembly, the Governor is the chair of the Council, and the Lieutenant Governor, or his or her designee, shall be a member of the council. The director or President, respectively, of each of the following State agencies and State universities, or his or her designee, is a member of the Council: the Department of Commerce and Economic Opportunity, the Environmental Protection Agency, the University of Illinois, the Department of Natural Resources, the Department of Central Management Services, the Governor's Office of Management and Budget, the Department of Agriculture, the Department of Transportation, the Department of Corrections, the Department of Human Services, the Department of Public Health, the State Board of Education, the Board of Higher Education, and the Capital Development Board.

The Office of the Governor shall provide administrative support to the Council. A minimum of one staff position in the Office of the Governor shall be dedicated to the Green Governments Illinois program.

(Source: P.A. 96-74, eff. 7-24-09; 97-573, eff. 8-25-11.)

Section 25. The University of Illinois Exercise of Functions and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 3000-5 as follows:

(110 ILCS 355/3000-5) (was 110 ILCS 355/62)

Sec. 3000-5. Retention of duties by University of Illinois. Unless otherwise provided by law, the functions and duties formerly exercised by the State entomologist, the Illinois Natural History Survey State laboratory of natural history, the Illinois State Water Survey water survey, and the Illinois State Geological Survey geological survey and the functions and duties of the Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) and its Hazardous Materials Laboratory as authorized by the Hazardous Waste Technology Exchange Service Act shall continue to be exercised at the University of Illinois in buildings and places provided by the trustees of the University.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 30. The University of Illinois Scientific Surveys Act is amended by changing Sections 5, 10, 15, 20, and 55 as follows:

(110 ILCS 425/5)

Sec. 5. Purposes. The purposes of this Act are to establish at the University of Illinois the Prairie Research Institute an institute for natural

New matter indicated by italics - deletions by strikeout
resources sustainability and to transfer to it all rights, powers, duties, property, and functions currently vested in the Department of Natural Resources pertaining to its Illinois Natural History Survey division, Illinois State Water Survey division, Illinois State Geological Survey division, and Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) division (which may also be referred to as the Illinois Sustainable Technology Center).

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/10)

Sec. 10. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Board of Trustees" means the Board of Trustees of the University of Illinois.

"Scientific Surveys" means, collectively, the Illinois State Natural History Survey division, the Illinois State Water Survey division, the Illinois State Geological Survey division, and the Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) division transferred by this Act from the Department of Natural Resources to the Board of Trustees.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/15)

Sec. 15. Organization. The Board of Trustees shall establish and operate the Prairie Research Institute as an institute for natural sciences and sustainability. The Institute shall contain within it the Illinois State Natural History Survey division, the Illinois State Water Survey division, the Illinois State Geological Survey division, the Illinois Sustainable Technology Center division, the Illinois State Archaeological Survey, and such other related entities, research functions, and responsibilities as may be appropriate. The Institute shall be under the governance and control of the Board of Trustees.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/20)

Sec. 20. General powers and duties. In addition to its other powers and duties, the Board of Trustees shall have the power to provide for the management and operation of the Prairie Research Institute Scientific Surveys including, but not limited to, the following powers and duties which shall be performed by the Scientific Surveys:

New matter indicated by italics - deletions by strikeout
(1) To investigate and study the natural and cultural resources of the State and to prepare reports and furnish information fundamental to the conservation and development of natural and cultural resources, and, for that purpose, the officers and employees thereof shall have the authority to enter and cross all lands in this State, doing no damage to private property.

(2) To collaborate with and advise departments having administrative powers and duties relating to the natural resources of the State, and to collaborate with similar departments in other states and with the United States Government.

(3) To conduct a natural history survey of the State, giving preference to subjects of educational and economical importance. *The Illinois State Biologist shall be an employee of the Illinois Natural History Survey.*

(4) To investigate the entomology of the State. *The Illinois State Entomologist shall be an employee of the Illinois Natural History Survey.*

(5) To investigate all insects dangerous or injurious to agricultural or horticultural plants and crops, to livestock, to nursery trees and plants, to the products of the truck farm and vegetable garden, to shade trees and other ornamental vegetation of cities and villages, and to the products of the mills and the contents of warehouses, and all insects injurious or dangerous to the public health.

(6) To study the geological formation of the State with reference to its resources of coal, ores, clays, building stones, cement, materials suitable for use in the construction of the roads, gas, oil, mineral and artesian water, aquifers and aquitards, and other resources and products. *The Illinois State Geologist shall be an employee of the Illinois State Geological Survey.*

(7) To cooperate with United States federal agencies in the preparation of geological and land surface maps and completion of a contour topographic map and the collection, recording, and printing of water and atmospheric resource data, including stream flow measurements; and to collect facts and data concerning the volumes and flow of underground, surface, and atmospheric waters of the State; and to determine the mineral and chemical qualities of water from different geological formations and surface and atmospheric waters for the various sections of the State.

New matter indicated by italics - deletions by strikeout
(8) To act as the central data repository and research coordinator for the State in matters related to water and atmospheric resources. The *Illinois* State Water Survey of the University of Illinois may monitor and evaluate all weather modification operations in Illinois. *The Illinois State Climatologist and the Illinois State Hydrologist shall be employees of the Illinois State Water Survey.*

(9) *To provide* To collaborate with the Illinois State Academy of Science and to publish the results of the investigations and research in the field of natural science to the end that the same may be distributed to the interested public.

(10) To perform all other duties and assume all obligations of the Department of Natural Resources pertaining to the *Illinois* State Water Survey, the *Illinois* State Geological Survey, the *Illinois* State Natural History Survey, *and the Illinois Sustainable Technology Waste Management and Research Center,* and the *Illinois State Archaeological Survey.*


(12) To participate in federal and State geologic mapping programs.

(13) To conduct educational programs to further the exchange of information to reduce the generation of hazardous wastes or to treat or dispose of such wastes so as to make them nonhazardous.

(14) To provide a technical information service for industries involved in the generation, treatment, or disposal of hazardous wastes.

(15) To disseminate information regarding advances in hazardous waste management technology *and sustainability practices* that could both protect the environment and further industrial productivity.

(16) To provide research in areas related to reduction of the generation of hazardous wastes; treatment, recycling and reuse; *toxic pollution prevention;* and other issues that the Board may
suggest. The Illinois Pollution Prevention Scientist shall be an employee of the Illinois Sustainable Technology Center.

(17) To investigate, preserve, and interpret the archaeological heritage of this State within the contexts of public needs and sustainable economic development through scientific research, public service, education, and outreach activities. The Illinois State Archaeologist shall be an employee of the Illinois State Archeological Survey.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/55)

Sec. 55. Successor agency. For purposes of the Successor Agency Act and Section 9b of the State Finance Act, the Board of Trustees is the successor to the Department of Natural Resources and the Illinois Board of Natural Resources and Conservation with respect to the rights, powers, duties, property, functions, and other matters transferred by this Act.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 35. The Well Abandonment Act is amended by changing Section 1 as follows:

(225 ILCS 730/1) (from Ch. 96 1/2, par. 5201)

Sec. 1. It is the duty of the permittee of any well drilled or deepened for oil or gas, to file all geophysical logs and a well drilling report of said well in the office of the State Geological Survey of the University of Illinois within 90 days after drilling ceases.

The well drilling report: (1) shall show the character and depth of the formations passed through or encountered in the drilling of the well, particularly showing the depth and thickness of oil-bearing strata, and gas-bearing strata, (2) shall show the position and thickness of coal beds and deposits of mineral materials of economic value, and (3) shall give the location of the hole.

The Department of Natural Resources shall supply to the Illinois State Geological Survey a copy of each permit, showing the location of the well.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 40. The Toxic Pollution Prevention Act is amended by changing Sections 3 and 5 as follows:

(415 ILCS 85/3) (from Ch. 111 1/2, par. 7953)

Sec. 3. Definitions. As used in this Act:
"Agency" means the Illinois Environmental Protection Agency.

New matter indicated by italics - deletions by strikeout
"Center" means the Illinois Sustainable Technology Waste Management and Research Center.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, political subdivision, State agency, or any other legal entity, or its legal representative, agent or assigns.

"Release" means emission to the air, discharge to surface waters or off-site wastewater treatment facilities, or on-site release to the land, including but not limited to landfills, surface impoundments and injection wells.

"Toxic substance" means any substance listed by the Agency pursuant to Section 4 of this Act.

"Toxic pollution prevention" means in-plant practices that reduce, avoid or eliminate: (i) the use of toxic substances, (ii) the generation of toxic constituents in wastes, (iii) the disposal or release of toxic substances into the environment, or (iv) the development or manufacture of products with toxic constituents, through the application of any of the following techniques:

1. input substitution, which refers to replacing a toxic substance or raw material used in a production process with a nontoxic or less toxic substance;
2. product reformulation, which refers to substituting for an existing end product an end product which is nontoxic or less toxic upon use, release or disposal;
3. production process redesign or modification, which refers to developing and using production processes of a different design than those currently used;
4. production process modernization, which refers to upgrading or replacing existing production process equipment or methods with other equipment or methods based on the same production process;
5. improved operation and maintenance of existing production process equipment and methods, which refers to modifying or adding to existing equipment or methods, including but not limited to such techniques as improved housekeeping practices, system adjustments, product and process inspections, and production process control equipment or methods;
6. recycling, reuse or extended use of toxic substances by using equipment or methods which become an integral part of the...
production process, including but not limited to filtration and other closed loop methods.
However, "toxic pollution prevention" shall not include or in any way be inferred to promote or require incineration, transfer from one medium of release to another, off-site or out of process waste recycling, or end of pipe treatment of toxic substances.
"Trade secret" means any information concerning production processes employed or substances manufactured, processed or otherwise used within a facility which the Agency determines to satisfy the criteria established under Section 3.490 of the Environmental Protection Act, and to which specific trade secret status has been granted by the Agency.
(Source: P.A. 92-574, eff. 6-26-02.)
(415 ILCS 85/5) (from Ch. 111 1/2, par. 7955)
Sec. 5. Toxic Pollution Prevention Assistance Program. There is hereby established a Toxic Pollution Prevention Assistance Program at the Illinois Sustainable Technology Waste Management and Research Center. The Center may establish cooperative programs with public and private colleges and universities designed to augment the implementation of this Section. The Center may establish fees, tuition, or other financial charges for participation in the Assistance Program. These monies shall be deposited in the Toxic Pollution Prevention Fund established in Section 7 of this Act. Through the Assistance Program, the Center:
(1) Shall provide general information about and actively publicize the advantages of and developments in toxic pollution prevention and sustainability practices.
(2) May establish courses, seminars, conferences and other events, and reports, updates, guides and other publications and other means of providing technical information for industries, local governments and citizens concerning toxic pollution prevention strategies, and may, as appropriate, work in cooperation with the Agency.
(3) Shall engage in research on toxic pollution prevention methods. Such research shall include assessments of the impact of adopting toxic pollution prevention methods on the environment, the public health, and worker exposure, and assessments of the impact on profitability and employment within affected industries.
(4) Shall provide on-site technical consulting, to the extent practicable, to help facilities to identify opportunities for toxic pollution prevention, and to develop comprehensive toxic pollution prevention plans that would include water, energy, and solid waste. To be eligible for such
consulting, the owner or operator of a facility must agree to allow information regarding the results of such consulting to be shared with the public, provided that the identity of the facility shall be made available only with its consent, and trade secret information shall remain protected.

(5) May sponsor pilot projects in cooperation with the Agency, or an institute of higher education to develop and demonstrate innovative technologies and methods for toxic pollution prevention and sustainable development. The results of all such projects shall be available for use by the public, but trade secret information shall remain protected.

(6) May award grants for activities that further the purposes of this Act, including but not limited to the following:

(A) grants to not-for-profit organizations to establish free or low-cost technical assistance or educational programs to supplement the toxic pollution prevention activities of the Center;

(B) grants to assist trade associations, business organizations, labor organizations and educational institutions in developing training materials to foster toxic pollution prevention; and

(C) grants to assist industry, business organizations, labor organizations, education institutions and industrial hygienists to identify, evaluate and implement toxic pollution prevention measures and alternatives through audits, plans and programs.

The Center may establish criteria and terms for such grants, including a requirement that a grantee provide matching funds. Grant money awarded under this Section may not be spent for capital improvements or equipment.

In determining whether to award a grant, the Center shall consider at least the following:

(i) the potential of the project to prevent pollution;

(ii) the likelihood that the project will develop techniques or processes that will minimize the transfer of pollution from one environmental medium to another;

(iii) the extent to which information to be developed through the project will be applicable to other persons in the State; and

(iv) the willingness of the grant applicant to assist the Center in disseminating information about the pollution prevention methods to be developed through the project.

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(7) Shall establish and operate a State information clearinghouse that assembles, catalogues and disseminates information about toxic pollution prevention and available consultant services. Such clearinghouse shall include a computer database containing information on managerial, technical and operational approaches to achieving toxic pollution prevention. The computer database must be maintained on a system designed to enable businesses, governmental agencies and the general public readily to obtain information specific to production technologies, materials, operations and products. A business shall not be required to submit to the clearinghouse any information that is a trade secret.

(8) May contract with an established institution of higher education to assist the Center in carrying out the provisions of this Section. The assistance provided by such an institution may include, but need not be limited to:

   (A) engineering field internships to assist industries in identifying toxic pollution prevention opportunities;
   (B) development of a toxic pollution prevention curriculum for students and faculty; and
   (C) applied toxic pollution prevention and recycling research.

(9) Shall emphasize assistance to businesses that have inadequate technical and financial resources to obtain information and to assess and implement toxic pollution prevention methods.

(10) Shall publish a biannual report on its toxic pollution prevention and sustainable development activities, achievements, identified problems and future goals.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 45. The Illinois Low-Level Radioactive Waste Management Act is amended by changing Section 3 as follows:

(420 ILCS 20/3) (from Ch. 111 1/2, par. 241-3)
Sec. 3. Definitions.
"Broker" means any person who takes possession of low-level waste for purposes of consolidation and shipment.
"Compact" means the Central Midwest Interstate Low-Level Radioactive Waste Compact.
"Decommissioning" means the measures taken at the end of a facility's operating life to assure the continued protection of the public
from any residual radioactivity or other potential hazards present at a facility.

"Director" means the Director of the Illinois Emergency Management Agency.

"Disposal" means the isolation of waste from the biosphere in a permanent facility designed for that purpose.

"Facility" means a parcel of land or site, together with structures, equipment and improvements on or appurtenant to the land or site, which is used or is being developed for the treatment, storage or disposal of low-level radioactive waste. "Facility" does not include lands, sites, structures or equipment used by a generator in the generation of low-level radioactive wastes.

"Generator" means any person who produces or possesses low-level radioactive waste in the course of or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, education or other activity.

"Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous under Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580 or under regulations of the Pollution Control Board.

"High-level radioactive waste" means:

1. the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from the liquid waste that contains fission products in sufficient concentrations; and

2. the highly radioactive material that the Nuclear Regulatory Commission has determined, on the effective date of this Amendatory Act of 1988, to be high-level radioactive waste requiring permanent isolation.

"Low-level radioactive waste" or "waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent
nuclear fuel or byproduct material as defined in Section 11e(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

"Mixed waste" means waste that is both "hazardous waste" and "low-level radioactive waste" as defined in this Act.

"Person" means an individual, corporation, business enterprise or other legal entity either public or private and any legal successor, representative, agent or agency of that individual, corporation, business enterprise, or legal entity.

"Post-closure care" means the continued monitoring of the regional disposal facility after closure for the purposes of detecting a need for maintenance, ensuring environmental safety, and determining compliance with applicable licensure and regulatory requirements, and includes undertaking any remedial actions necessary to protect public health and the environment from radioactive releases from the facility.

"Regional disposal facility" or "disposal facility" means the facility established by the State of Illinois under this Act for disposal away from the point of generation of waste generated in the region of the Compact.

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment of low-level radioactive waste.

"Remedial action" means those actions taken in the event of a release or threatened release of low-level radioactive waste into the environment, to prevent or minimize the release of the waste so that it does not migrate to cause substantial danger to present or future public health or welfare or the environment. The term includes, but is not limited to, actions at the location of the release such as storage, confinement, perimeter protection using dikes, trenches or ditches, clay cover, neutralization, cleanup of released low-level radioactive wastes, recycling or reuse, dredging or excavations, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternative water supplies and any monitoring reasonably required to assure that these actions protect human health and the environment.


"Shallow land burial" means a land disposal facility in which radioactive waste is disposed of in or within the upper 30 meters of the earth's surface. However, this definition shall not include an enclosed,
engineered, structurally re-enforced and solidified bunker that extends below the earth's surface.

"Storage" means the temporary holding of waste for treatment or disposal for a period determined by Agency regulations.

"Treatment" means any method, technique or process, including storage for radioactive decay, designed to change the physical, chemical or biological characteristics or composition of any waste in order to render the waste safer for transport, storage or disposal, amenable to recovery, convertible to another usable material or reduced in volume.

"Waste management" means the storage, transportation, treatment or disposal of waste.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999; 95-777, eff. 8-4-08; 96-328, eff. 8-11-09.)

Section 50. The Wildlife Code is amended by changing Section 1.3 as follows:

(520 ILCS 5/1.3)

Sec. 1.3. The Department shall have the authority to manage wildlife and regulate the taking of wildlife for the purposes of providing public recreation and controlling wildlife populations. The seasons during which wildlife may be taken, the methods for taking wildlife, the daily bag limits, and the possession limits shall be established by the Department through administrative rule, but the Department may not provide for a longer season, a larger daily bag limit, or a larger possession limit than is provided in this Code.

The Natural Resources Advisory Board may also recommend to the Director of Natural Resources any reductions or increases of seasons and bag or possession limits or the closure of any season when research and inventory data indicate the need for such changes.

The Department is authorized to establish seasons for the taking of migratory birds within the dates established annually by Proclamation of the Secretary, United States Department of the Interior, known as the "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 et seq.). When the biological balance of any species is affected, the Director may with the approval of the Conservation Advisory Board, by administrative rule, lengthen, shorten or close the season during which waterfowl may be taken within the federal limitations prescribed. If the Department does not adopt an administrative rule establishing a season, then the season shall be as set forth in the current "Rules and Regulations for Migratory Bird
Hunting”. The Department shall advise the public by reasonable means of the dates of the various seasons.

The Department may utilize the services of the staff of the Illinois Natural History Survey of the University of Illinois for making investigations as to the population status of the various species of wildlife.

Employees or agents of any state, federal, or municipal government or body when engaged in investigational work and law enforcement, may with prior approval of the Director, be exempted from the provisions of this Act.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(30 ILCS 105/8.24 rep.)

Section 55. The State Finance Act is amended by repealing Section 8.24.

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

INDEX

Statutes amended in order of appearance

20 ILCS 605/605-515 was 20 ILCS 605/46.13a
20 ILCS 608/15
20 ILCS 1130/3 from Ch. 111 1/2, par. 6803
20 ILCS 1130/4 from Ch. 111 1/2, par. 6804
20 ILCS 1130/6 from Ch. 111 1/2, par. 6806
20 ILCS 3954/15
110 ILCS 355/3000-5 was 110 ILCS 355/62
110 ILCS 425/5
110 ILCS 425/10
110 ILCS 425/15
110 ILCS 425/20
110 ILCS 425/55
225 ILCS 730/1 from Ch. 96 1/2, par. 5201
415 ILCS 85/3 from Ch. 111 1/2, par. 7953
415 ILCS 85/5 from Ch. 111 1/2, par. 7955
420 ILCS 20/3 from Ch. 111 1/2, par. 241-3
520 ILCS 5/1.3
30 ILCS 105/8.24 rep.

Passed in the General Assembly May 21, 2013.
Approved August 14, 2013.
Effective August 14, 2013,
AN ACT concerning government.

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

Section 5. The Military Leave of Absence Act is amended by changing Section 1 as follows:

(5 ILCS 325/1) (from Ch. 129, par. 501)

Sec. 1. Leave of absence.

(a) Any full-time employee of the State of Illinois, a unit of local government, a public institution of higher education (as defined in Section 1 of the Board of Higher Education Act), or a school district, other than an independent contractor, who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia, shall be granted leave from his or her public employment for any period actively spent in military service, including:

(1) basic training;
(2) special or advanced training, whether or not within the State, and whether or not voluntary;
(3) annual training; and
(4) any other training or duty required by the United States Armed Forces.

During these leaves, the employee's seniority and other benefits shall continue to accrue.

During leaves for annual training, the employee shall continue to receive his or her regular compensation as a public employee. During leaves for basic training, for up to 60 days of special or advanced training, and for any other training or duty required by the United States Armed Forces, if the employee's daily rate of compensation for military activities is less than his or her daily rate of compensation as a public employee, he or she shall receive his or her regular compensation as a public employee minus the amount of his or her base pay for military activities.

(b) Any full-time employee of the State of Illinois or a public institution of higher education (as defined in Section 1 of the Board of Higher Education Act), other than an independent contractor, who is a member of the Illinois National Guard or a reserve component of the United States Armed Forces or the Illinois State Militia and who is mobilized to active duty shall continue during the period of active duty to

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receive his or her benefits and regular compensation as a State employee, minus an amount equal to his or her military active duty base pay.

(c) In making the calculations required under this Section, the applicable governmental unit shall:

(1) determine the employee's daily rate of compensation as a public employee by dividing the employee's regular compensation as a public employee during the pay period by the number of work days in the pay period;

(2) determine the employee's daily rate of compensation for military activities by dividing the employee's base pay for the applicable military activities by the number of calendar days in the month; and

(3) provide for an offset from the employee's gross compensation of the lesser of (i) the amount determined under paragraph (1) of this subsection (c) multiplied by the number of days that the public employee would have otherwise been required to work for the applicable governmental unit during the pay period or (ii) the amount determined under paragraph (2) of this subsection multiplied by the number of days that the public employee would have otherwise been required to work for the applicable governmental unit during the pay period.

(d) The Department of Central Management Services and the State Comptroller shall coordinate in the development of procedures for the implementation of this Section.

(Source: P.A. 95-331, eff. 8-21-07; 96-346, eff. 1-1-10.)

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

Passed in the General Assembly May 20, 2013.
Approved August 14, 2013.
Effective August 14, 2013.
Section 5. Legislative purpose. It is the purpose of this Act and the policy of this State to provide the structure and criteria necessary to ensure that the State processes for procuring freight, small package delivery, and other forms of cargo transport and shipping services take into consideration not only cost and quality, but also vendors' commitment to, and execution of, best environmental practices.

Section 10. Contracts for the procurement of freight, small package delivery, and other cargo shipping and transportation services.

(a) The State's Chief Procurement Officers shall, in consultation with the Illinois Environmental Protection Agency, develop a sustainability program for the State's procurement of shipping and transportation services for freight, small package delivery, and other forms of cargo.

(b) State contracts for the procurement of freight, small package delivery, and other cargo shipping and transportation services shall require providers to report, using generally accepted reporting protocols adopted by the Agency for that purpose:

1. the amount of energy the service provider consumed to provide those services to the State and the amount of associated greenhouse gas emissions, including energy use and greenhouse gases emitted as a result of the provider's use of electricity in its facilities;

2. the energy use and greenhouse gas emissions by the service provider's subcontractors in the performance of those services.

(c) The State's solicitation for the procurement of freight, small package delivery, and other cargo shipping and transportation services shall be subject to the Illinois Procurement Code and shall:

1. specify how the bidder will report its energy use and associated greenhouse gas emissions under the contract; and

2. call for bidders to disclose in their responses to the solicitation:

   (A) measures they use to reduce vehicle engine idling;

   (B) their use of multi-modal transportation, such as rail, trucks, or air transport, and how the use of those types of transportation is anticipated to reduce costs for the State;

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(C) the extent of their use of (i) cleaner, less expensive fuels as an alternative to petroleum or (ii) more efficient vehicle propulsion systems;
(D) the level of transparency of the provider's reporting under subsection (b), and what independent verification and assurance measures exist for this reporting;
(E) their use of speed governors on heavy trucks;
(F) their use of recyclable packaging;
(G) measures of their network efficiency, including the in-vehicle use of telematics or other related technologies that provide for improved vehicle and network optimization and efficiencies;
(H) their energy intensity per unit of output delivered;
(I) how they will advance the environmental goals of the State; and
(J) opportunities to effectively neutralize the greenhouse gas emissions reported under subsection (b).

(d) In selecting providers for such services, the State, as part of a best value analysis of the responses to the State's solicitation:
(1) shall give appropriate weight to the disclosures in subdivision (c)(2) of this Section;
(2) shall give appropriate weight to the price and quality of the services being offered; and
(3) may accept from the service provider an optional offer at a reasonable cost of carbon neutral shipping in which the provider calculates the direct and indirect greenhouse gas emissions of the provider that are specified under subsection (b) above, and obtains independently verified carbon credits to offset those emissions and then retires the carbon credits.

(e) The Chief Procurement Officer identified under item (5) of Section 1-15.15 of the Illinois Procurement Code shall adopt rules to encourage all State agencies to use the least costly level of service or mode of transport (while distinguishing between express or air versus ground delivery) that can achieve on-time delivery for the product being transported and delivered.

Section 90. The Illinois Procurement Code is amended by adding Section 20-165 as follows:

(30 ILCS 500/20-165 new)
Sec. 20-165. Compliance with Transportation Sustainability Procurement Program Act. When procuring freight, small package delivery, and other forms of cargo shipping and transportation services, appropriate weight shall be given to the requirements of the Transportation Sustainability Procurement Program Act.

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

Passed in the General Assembly May 20, 2013.
Approved August 14, 2013.
Effective August 14, 2013.

PUBLIC ACT 98-0349
(House Bill No. 0188)

AN ACT concerning regulation.

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

Section 5. The Tanning Facility Permit Act is amended by changing Section 25 as follows:

(210 ILCS 145/25) (from Ch. 111 1/2, par. 8351-25)

Sec. 25. Operating requirements.

(1) Each tanning facility shall have on hand at all times an operator adequately trained in the correct operation of the facility so as to be able to inform and assist the public in its proper use. Each operator shall perform the following functions as a precondition to the public having access to the tanning facility being made to the public:

(a) The operator shall require each person desiring to use the facility to fill out a form specifying any and all prescription medicines and over-the-counter medications they are presently taking. The form shall be kept as a permanent record of the individual's attendance and progress.

(b) The operator shall require each person desiring to use a tanning facility to use protective eyewear.

(c) The operator shall instruct the user in the proper position to maintain in relation to the tanning lamps within the facility; the position of the safety railing, if applicable; the manual switching device to terminate the radiation in case of emergency; and a recommended time of exposure.

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(d) The operator shall monitor the use of the facility to ensure that the interior temperature does not exceed 100 degrees fahrenheit or 34 degrees centigrade.

(e) The operator shall inspect the facility to ensure that the floors are dry. The floors are to be made dry prior to each individual's use.

(f) The operator shall give each person using the facility a written copy of the warning required under subsection (h) of Section 20 of this Act prior to each person's use of the facility. The operator shall post signs warning consumers of the potential effects of radiation on persons taking medication and the relationship of radiation to skin cancer.

(g) The operator shall be responsible for proper sanitizing procedures for all sunlamp equipment and protective eyewear between every user.

(2) A tanning facility may not permit any person less than 18 years of age, regardless of whether the person has the permission of a parent or guardian, to use tanning equipment or a device defined as equipment that emits ultraviolet (UV) radiation used for tanning of the skin, such as a sunlamp, tanning booth, or tanning bed that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers. For the purposes of this Section, "tanning equipment" includes any accompanying equipment, such as protective eyewear, timers, and handrails. "Tanning equipment" does not include any of the following:

(a) Phototherapy devices utilized by appropriate health care professionals under the direct supervision of a physician who is trained in the use of phototherapy devices.

(b) Devices used for personal use in a private residence.

(c) Devices intended for purposes other than the irradiation of human skin.

(d) Devices used to apply chemicals to the skin to achieve a bronze color, commonly referred to as spray-on, mist-on, or sunless tans.

(Source: P.A. 87-636.)

Passed in the General Assembly May 20, 2013.
Approved August 15, 2013.
Effective January 1, 2014.
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act is amended by changing Section 2 and adding Section 1.5 as follows:
(720 ILCS 675/1.5 new)
Sec. 1.5. Distribution of alternative nicotine products to persons under 18 years of age prohibited.
(a) For the purposes of this Section, "alternative nicotine product" means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. "Alternative nicotine product" excludes cigarettes, smokeless tobacco, or other tobacco products as these terms are defined in Section 1 of this Act and any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.
(b) A person, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person’s establishment, may not sell, offer for sale, give, or furnish any alternative nicotine product, or any cartridge or component of an alternative nicotine product, to a person under 18 years of age.
(c) Before selling, offering for sale, giving, or furnishing an alternative nicotine product, or any cartridge or component of an alternative nicotine product, to another person, the person selling, offering for sale, giving, or furnishing the alternative nicotine product shall verify that the person is at least 18 years of age by:
(1) examining from any person that appears to be under 27 years of age a government-issued photographic identification that establishes the person is at least 18 years of age or
(2) for sales made through the Internet or other remote sales methods, performing an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered

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by the person during the ordering process that establishes the person is 18 years of age or older.
(720 ILCS 675/2) (from Ch. 23, par. 2358)
Sec. 2. Penalties.
(a) Any person who violates subsection (a), (a-5), or (a-6) of Section 1 or Section 1.5 of this Act is guilty of a petty offense and for the first offense shall be fined $200, $400 for the second offense in a 12-month period, and $600 for the third or any subsequent offense in a 12-month period.
(b) If a minor violates subsection (a-7) of Section 1 he or she is guilty of a petty offense and the court may impose a sentence of 15 hours of community service or a fine of $25 for a first violation.
(c) A second violation by a minor of subsection (a-7) of Section 1 that occurs within 12 months after the first violation is punishable by a fine of $50 and 25 hours of community service.
(d) A third or subsequent violation by a minor of subsection (a-7) of Section 1 that occurs within 12 months after the first violation is punishable by a $100 fine and 30 hours of community service.
(e) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.
(f) If a minor is convicted of or placed on supervision for a violation of subsection (a-7) of Section 1, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1, the court, upon request by the State's Attorney, may in its discretion require the offender to remit a fee for his or her attendance at a smoker's education or youth diversion program.
(g) For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of smoking tobacco products and the health consequences of smoking tobacco products that can be conducted with a locality's youth diversion program.

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(h) All moneys collected as fines for violations of subsection (a), (a-5), (a-6), or (a-7) of Section 1 shall be distributed in the following manner:

(1) one-half of each fine shall be distributed to the unit of local government or other entity that successfully prosecuted the offender; and

(2) one-half shall be remitted to the State to be used for enforcing this Act.

(Source: P.A. 96-179, eff. 8-10-09.)

Approved August 15, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0351
(House Bill No. 3111)

AN ACT concerning legal assistance.

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

Section 1. Short title. This Act may be cited as the Access to Justice Act.

Section 5. Findings.

(a) The justice system in this State can only function fairly and effectively when there is meaningful access to legal information, resources, and assistance for all litigants, regardless of their income or circumstances.

(b) Increasing numbers of people throughout this State are coming into the courts without legal representation for cases involving important legal matters impacting the basics of life such as health, safety, and shelter. In order for the courts to provide fair and efficient administration of justice in these cases, it is critical that people have better access to varying levels of legal assistance appropriate for their individual circumstances.

(c) An increasing number of active duty service members and veterans in this State have a need for legal information and assistance in a variety of matters that are often critical to their safety and independence, yet they are often unable to access that assistance.

Section 10. Pilot programs.

(a) The General Assembly encourages the Supreme Court to develop: (i) a pilot program to create a statewide military personnel and

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veterans' legal assistance hotline and coordinated network of legal support resources; and (ii) a pilot program to provide court-based legal assistance within a circuit court in each appellate district of this State.

(b) The General Assembly recommends that the rules developing the pilot programs:

(1) provide intake, screening, and varying levels of legal assistance to ensure that the parties served by these programs have meaningful access to justice;

(2) gather information on the outcomes associated with providing the services described in paragraph (1) of this subsection; and

(3) guard against the involuntary waiver of rights or disposition by default.

Section 15. Access to Justice Fund. The Access to Justice Fund is created as a special fund in the State treasury. The Fund shall consist of fees collected under Section 27.3g of the Clerks of Courts Act. Subject to appropriation, moneys in the Access to Justice Fund shall be used by the Supreme Court for the administration of the pilot programs created under this Act.

No moneys distributed from the Access to Justice Fund may be directly or indirectly used for lobbying activities, as defined in Section 2 of the Lobbyist Registration Act or as defined in any ordinance or resolution of a municipality, county, or other unit of local government in Illinois.

Section 20. Evaluation. The Supreme Court shall study the effectiveness of the pilot programs implemented under this Act and submit a report to the General Assembly by June 1, 2017. The report shall include the number of people served in each pilot program and data on the impact of varying levels of legal assistance on access to justice, the effect on fair and efficient court administration, and the impact on government programs and community resources. This report shall describe the benefits of providing legal assistance to those who were previously unrepresented, both for the clients and the courts, and shall describe strategies and recommendations for maximizing the benefit of that representation in the future. The report shall include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs.

Section 25. Statutory Court Fee Task Force.

(a) There is hereby created the Statutory Court Fee Task Force. The purpose of the Task Force is to conduct a thorough review of the various

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statutory fees imposed or assessed on criminal defendants and civil litigants.

(b) The Task Force shall consist of 15 members, appointed as follows: one each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate; 2 by the association representing circuit court clerks; 2 by the Governor, and 7 by the Supreme Court.

(c) At the direction of the Supreme Court, the Administrative Office of the Illinois Courts shall provide administrative support to the Task Force.

(d) The Task Force shall submit a report containing its findings and any recommendations to the Supreme Court and the General Assembly by June 1, 2014.

Section 30. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Access to Justice Fund.

Section 35. The Counties Code is amended by changing Section 5-39001 as follows:

(55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)
Sec. 5-39001. Establishment and use; fee. The county board of any county may establish and maintain a county law library, to be located in any county building or privately or publicly owned building at the county seat of government. The term "county building" includes premises leased by the county from a public building commission created under the Public Building Commission Act. After August 2, 1976, the county board of any county may establish and maintain a county law library at the county seat of government and, in addition, branch law libraries in other locations within that county as the county board deems necessary.

The facilities of those libraries shall be freely available to all licensed Illinois attorneys, judges, other public officers of the county, and all members of the public, whenever the court house is open, and may include self-help centers and other legal assistance programs for the public as part of the services it provides on-site and online.

The expense of establishing and maintaining those libraries shall be borne by the county. To defray that expense, including the expense of any attendant self-help centers and legal assistance programs, in any county having established a county law library or libraries, the clerk of all

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trial courts located at the county seat of government shall charge and collect a county law library fee of $2, and the county board may authorize a county law library fee of not to exceed (i) $18 in 2009, (ii) $19 in 2010, and (iii) $21 in 2011 and thereafter, to be charged and collected by the clerks of all trial courts located in the county. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance.

Each clerk shall commence those charges and collections upon receipt of written notice from the chairman of the county board that the board has acted under this Division to establish and maintain a law library.

The fees shall be in addition to all other fees and charges of the clerks, assessable as costs, remitted by the clerks monthly to the county treasurer, and retained by the county treasurer in a special fund designated as the County Law Library Fund. Except as otherwise provided in this paragraph, disbursements from the fund shall be by the county treasurer, on order of a majority of the resident circuit judges of the circuit court of the county. In any county with more than 2,000,000 inhabitants, the county board shall order disbursements from the fund and the presiding officer of the county board, with the advice and consent of the county board, may appoint a library committee of not less than 9 members, who, by majority vote, may recommend to the county board as to disbursements of the fund and the operation of the library. In single county circuits with 2,000,000 or fewer inhabitants, disbursements from the County Law Library Fund shall be made by the county treasurer on the order of the chief judge of the circuit court of the county. In those single county circuits, the number of personnel necessary to operate and maintain the county law library shall be set by and those personnel shall be appointed by the chief judge. The county law library personnel shall serve at the pleasure of the appointing authority. The salaries of those personnel shall be fixed by the county board of the county. Orders shall be pre-audited, funds shall be audited by the county auditor, and a report of the orders and funds shall be rendered to the county board and to the judges.

Fees shall not be charged in any criminal or quasi-criminal case, in any matter coming to the clerk on change of venue, or in any proceeding to review the decision of any administrative officer, agency, or body.

No money distributed from the County Law Library Fund may be directly or indirectly used for lobbying activities, as defined in Section 2 of
the Lobbyist Registration Act or as defined in any ordinance or resolution of a municipality, county, or other unit of local government in Illinois.
(Source: P.A. 96-227, eff. 8-11-09.)

Section 40. The Clerks of Courts Act is amended by adding Section 27.3g as follows:

(705 ILCS 105/27.3g new)

Sec. 27.3g. Pilot program; Access to Justice Act.

(a) If the Supreme Court develops a pilot program to provide court-based legal assistance in accordance with Section 10 of the Access to Justice Act, all clerks of the circuit court shall charge and collect at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, in addition to any other fees, a fee of $10, but no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance. Fees received by the clerk of the circuit court under this Section shall be remitted, within one month after receipt, to the Supreme Court for deposit into the Access to Justice Fund created under Section 15 of the Access to Justice Act.

(b) This Section is repealed 5 years after the effective date of this amendatory Act of the 98th General Assembly.

Section 45. The Code of Civil Procedure is amended by changing Section 5-105.5 as follows:

(735 ILCS 5/5-105.5)

Sec. 5-105.5. Representation by civil legal services provider.

(a) As used in this Section:

"Civil legal services" means legal services in noncriminal matters provided without charge to indigent persons who have been found eligible under financial eligibility guidelines established by the civil legal services provider.

"Civil legal services provider" means a not-for-profit corporation that (i) employs one or more attorneys who are licensed to practice law in the State of Illinois and who directly provide free civil legal services or (ii) is established for the purpose of providing free civil legal services by an organized panel of pro bono attorneys.

"Court-sponsored pro bono program" means a pro bono program established by or in partnership with a court in this State for the purpose of providing free civil legal services by an organized panel of pro bono attorneys.

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"Eligible client" means an indigent person who has been found eligible for civil legal services by a civil legal services provider or court-sponsored pro bono program.

"Indigent person" means a person whose income is 125% or less of the current official federal poverty income guidelines or who is otherwise eligible to receive civil legal services under the eligibility guidelines of the civil legal services provider or court-sponsored pro bono program.

(b) When a party is represented in a civil action by a civil legal services provider or attorney in a court-sponsored pro bono program, all fees and costs relating to filing, appearing, transcripts on appeal, and service of process shall be waived without the necessity of a motion for that purpose, and the case shall be given an index number or other appropriate filing number, provided that (i) a determination has been made by the civil legal services provider or attorney in a court-sponsored pro bono program that the party is an indigent person and (ii) an attorney's certification that that determination has been made is filed with the clerk of the court along with the complaint, the appearance, or any other paper that would otherwise require payment of a fee.

(c) The changes made to this Section by this amendatory Act of the 98th General Assembly apply to all actions commenced on or after July 1, 2013. The changes made to this Section by this amendatory Act of the 98th General Assembly also apply to all actions pending on or after the effective date of this amendatory Act of the 98th General Assembly, but only with respect to fees and costs that become due in those actions after July 1, 2013.

(Source: P.A. 88-41.)

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

Approved August 15, 2013.
Effective August 15, 2013.
Section 5. The Use Tax Act is amended by changing Section 14 as follows:

(35 ILCS 105/14) (from Ch. 120, par. 439.14)

Sec. 14. When the amount due is under $300, any person subject to
the provisions hereof who fails to file a return, or who violates any other
 provision of Section 9 or Section 10 hereof, or who fails to keep books and
records as required herein, or who files a fraudulent return, or who wilfully
violates any rule or regulation of the Department for the administration
and enforcement of the provisions hereof, or any officer or agent of a
corporation or manager, member, or agent of a limited liability company
subject hereto who signs a fraudulent return filed on behalf of such
corporation or limited liability company, or any accountant or other agent
who knowingly enters false information on the return of any taxpayer
under this Act, or any person who violates any of the provisions of
Sections 3, 5 or 7 hereof, or any purchaser who obtains a registration
number or resale number from the Department through misrepresentation,
or who represents to a seller that such purchaser has a registration
number or a resale number from the Department when he knows that he does not,
or who uses his registration number or resale number to make a seller
believe that he is buying tangible personal property for resale when such
purchaser in fact knows that this is not the case, is guilty of a Class 4
felony.

Any person who engages in the business of selling tangible personal property at retail after
his Certificate of Registration under this Act has been revoked in accordance with Section 12 of this Act, is guilty of a Class 4 felony. Each
day any such person is engaged in business in violation of Section 6, or
after his Certificate of Registration under this Act has been revoked,
constitutes a separate offense.

When the amount due is under $300, any person who accepts
money that is due to the Department under this Act from a taxpayer for the
purpose of acting as the taxpayer's agent to make the payment to the
Department, but who fails to remit such payment to the Department when
due is guilty of a Class 4 felony. Any such person who purports to make
such payment by issuing or delivering a check or other order upon a real or
fictitious depository for the payment of money, knowing that it will not be
paid by the depository, shall be guilty of a deceptive practice in violation
of Section 17-1 of the Criminal Code of 2012.

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When the amount due is $300 or more any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit such payment to the Department when due is guilty of a Class 3 felony. Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

Any seller who collects or attempts to collect use tax measured by receipts which such seller knows are not subject to use tax, or any seller who knowingly over-collects or attempts to over-collect use tax in a transaction which is subject to the tax that is imposed by this Act, shall be guilty of a Class 4 felony for each such offense. This paragraph does not apply to an amount collected by the seller as use tax on receipts which are subject to tax under this Act as long as such collection is made in compliance with the tax collection brackets prescribed by the Department in its Rules and Regulations.

Any taxpayer or agent of a taxpayer who with the intent to defraud purports to make a payment due to the Department by issuing or delivering a check or other order upon a real or fictitious depository for the payment
of money, knowing that it will not be paid by the depository, shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

Any person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses any automated sales suppression device, zapper, or phantom-ware in this State is guilty of a Class 3 felony.

For the purposes of this Section:

"Automated sales suppression device" or "zapper" means a software program that falsifies the electronic records of an electronic cash register or other point-of-sale system, including, but not limited to, transaction data and transaction reports. The term includes the software program, any device that carries the software program, or an Internet link to the software program.

"Phantom-ware" means a hidden programming option embedded in the operating system of an electronic cash register or hardwired into an electronic cash register that can be used to create a second set of records or that can eliminate or manipulate transaction records in an electronic cash register.

"Electronic cash register" means a device that keeps a register or supporting documents through the use of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner.

"Transaction data" includes: items purchased by a customer; the price of each item; a taxability determination for each item; a segregated tax amount for each taxed item; the amount of cash or credit tendered; the net amount returned to the customer in change; the date and time of the purchase; the name, address, and identification number of the vendor; and the receipt or invoice number of the transaction.

"Transaction report" means a report that documents, without limitation, the sales, taxes, or fees collected, media totals, and discount voids at an electronic cash register and that is printed on a cash register tape at the end of a day or shift, or a report that documents every action at an electronic cash register and is stored electronically.

A prosecution for any act in violation of this Section may be commenced at any time within 3 years of the commission of that Act.

This Section does not apply if the violation in a particular case also constitutes a criminal violation of the Retailers' Occupation Tax Act.

(Source: P.A. 97-1150, eff. 1-25-13.)

Section 10. The Service Use Tax Act is amended by changing

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Section 15 as follows:

(35 ILCS 110/15) (from Ch. 120, par. 439.45)

Sec. 15. When the amount due is under $300, any person subject to the provisions hereof who fails to file a return, or who violates any other provision of Section 9 or Section 10 hereof, or who fails to keep books and records as required herein, or who files a fraudulent return, or who wilfully violates any Rule or Regulation of the Department for the administration and enforcement of the provisions hereof, or any officer or agent of a corporation, or manager, member, or agent of a limited liability company, subject hereto who signs a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, or any person who violates any of the provisions of Sections 3 and 5 hereof, or any purchaser who obtains a registration number or resale number from the Department through misrepresentation, or who represents to a seller that such purchaser has a registration number or a resale number from the Department when he knows that he does not, or who uses his registration number or resale number to make a seller believe that he is buying tangible personal property for resale when such purchaser in fact knows that this is not the case, is guilty of a Class 4 felony.

Any person who violates any provision of Section 6 hereof, or who engages in the business of making sales of service after his Certificate of Registration under this Act has been revoked in accordance with Section 12 of this Act, is guilty of a Class 4 felony. Each day any such person is engaged in business in violation of Section 6, or after his Certificate of Registration under this Act has been revoked, constitutes a separate offense.

When the amount due is under $300, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit such payment to the Department when due is guilty of a Class 4 felony. Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

When the amount due is $300 or more, any person subject to the provisions hereof who fails to file a return, or who violates any other

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provision of Section 9 or Section 10 hereof, or who fails to keep books and records as required herein or who files a fraudulent return, or who willfully violates any rule or regulation of the Department for the administration and enforcement of the provisions hereof, or any officer or agent of a corporation, or manager, member, or agent of a limited liability company, subject hereto who signs a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, or any person who violates any of the provisions of Sections 3 and 5 hereof, or any purchaser who obtains a registration number or resale number from the Department through misrepresentation, or who represents to a seller that such purchaser has a registration number or a resale number from the Department when he knows that he does not, or who uses his registration number or resale number to make a seller believe that he is buying tangible personal property for resale when such purchaser in fact knows that this is not the case, is guilty of a Class 3 felony.

When the amount due is $300 or more, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit such payment to the Department when due is guilty of a Class 3 felony. Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

Any serviceman who collects or attempts to collect Service Use Tax measured by receipts or selling prices which such serviceman knows are not subject to Service Use Tax, or any serviceman who knowingly over-collects or attempts to over-collect Service Use Tax in a transaction which is subject to the tax that is imposed by this Act, shall be guilty of a Class 4 felony for each offense. This paragraph does not apply to an amount collected by the serviceman as Service Use Tax on receipts or selling prices which are subject to tax under this Act as long as such collection is made in compliance with the tax collection brackets prescribed by the Department in its Rules and Regulations.

Any taxpayer or agent of a taxpayer who with the intent to defraud purports to make a payment due to the Department by issuing or delivering a check or other order upon a real or fictitious depository for the payment

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of money, knowing that it will not be paid by the depository, shall be
guilty of a deceptive practice in violation of Section 17-1 of the Criminal
Code of 2012.

Any person who knowingly sells, purchases, installs, transfers,
possesses, uses, or accesses any automated sales suppression device,
zapper, or phantom-ware in this State is guilty of a Class 3 felony.

For the purposes of this Section:
"Automated sales suppression device" or "zapper" means a
software program that falsifies the electronic records of an electronic cash
register or other point-of-sale system, including, but not limited to,
transaction data and transaction reports. The term includes the software
program, any device that carries the software program, or an Internet link
to the software program.

"Phantom-ware" means a hidden programming option embedded
in the operating system of an electronic cash register or hardwired into an
electronic cash register that can be used to create a second set of records
or that can eliminate or manipulate transaction records in an electronic
cash register.

"Electronic cash register" means a device that keeps a register or
supporting documents through the use of an electronic device or computer
system designed to record transaction data for the purpose of computing,
compiling, or processing retail sales transaction data in any manner.

"Transaction data" includes: items purchased by a customer; the
price of each item; a taxability determination for each item; a segregated
tax amount for each taxed item; the amount of cash or credit tendered; the
net amount returned to the customer in change; the date and time of the
purchase; the name, address, and identification number of the vendor; and
the receipt or invoice number of the transaction.

"Transaction report" means a report that documents, without
limitation, the sales, taxes, or fees collected, media totals, and discount
voids at an electronic cash register and that is printed on a cash register
tape at the end of a day or shift, or a report that documents every action at
an electronic cash register and is stored electronically.

A prosecution for any Act in violation of this Section may be
commenced at any time within 3 years of the commission of that Act.

This Section does not apply if the violation in a particular case also
constitutes a criminal violation of the Retailers' Occupation Tax Act, the
Use Tax Act or the Service Occupation Tax Act.

(Source: P.A. 97-1150, eff. 1-25-13.)
Section 15. The Service Occupation Tax Act is amended by changing Section 15 as follows:

Sec. 15. When the amount due is under $300, any person subject to the provisions hereof who fails to file a return, or who violates any other provision of Section 9 or Section 10 hereof, or who fails to keep books and records as required herein, or who files a fraudulent return, or who wilfully violates any Rule or Regulation of the Department for the administration and enforcement of the provisions hereof, or any officer or agent of a corporation, or manager, member, or agent of a limited liability company, subject hereto who signs a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, or any person who violates any of the provisions of Sections 3, 5 or 7 hereof, or any purchaser who obtains a registration number or resale number from the Department through misrepresentation, or who represents to a seller that such purchaser has a registration number or a resale number from the Department when he knows that he does not, or who uses his registration number or resale number to make a seller believe that he is buying tangible personal property for resale when such purchaser in fact knows that this is not the case, is guilty of a Class 4 felony.

Any person who violates any provision of Section 6 hereof, or who engages in the business of making sales of service after his Certificate of Registration under this Act has been revoked in accordance with Section 12 of this Act, is guilty of a Class 4 felony. Each day any such person is engaged in business in violation of Section 6, or after his Certificate of Registration under this Act has been revoked, constitutes a separate offense.

When the amount due is under $300, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit such payment to the Department when due is guilty of a Class 4 felony. Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

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When the amount due is $300 or more, any person subject to the provisions hereof who fails to file a return, or who violates any other provision of Section 9 or Section 10 hereof, or who fails to keep books and records as required herein, or who files a fraudulent return, or who willfully violates any rule or regulation of the Department for the administration and enforcement of the provisions hereof, or any officer or agent of a corporation, or manager, member, or agent of a limited liability company, subject hereto who signs a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, or any person who violates any of the provisions of Sections 3, 5 or 7 hereof, or any purchaser who obtains a registration number or resale number from the Department through misrepresentation, or who represents to a seller that such purchaser has a registration number or a resale number from the Department when he knows that he does not, or who uses his registration number or resale number to make a seller believe that he is buying tangible personal property for resale when such purchaser in fact knows that this is not the case, is guilty of a Class 3 felony.

When the amount due is $300 or more, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department but who fails to remit such payment to the Department when due is guilty of a Class 3 felony. Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

Any serviceman who collects or attempts to collect Service Occupation Tax, measured by receipts which such serviceman knows are not subject to Service Occupation Tax, or any serviceman who collects or attempts to collect an amount (however designated) which purports to reimburse such serviceman for Service Occupation Tax liability measured by receipts or selling prices which such serviceman knows are not subject to Service Occupation Tax, or any serviceman who knowingly over-collects or attempts to over-collect Service Occupation Tax or an amount purporting to be reimbursement for Service Occupation Tax liability in a transaction which is subject to the tax that is imposed by this Act, shall be guilty of a Class 4 felony for each such offense. This paragraph does not

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apply to an amount collected by the serviceman as reimbursement for the serviceman's Service Occupation Tax liability on receipts or selling prices which are subject to tax under this Act, as long as such collection is made in compliance with the tax collection brackets prescribed by the Department in its Rules and Regulations.

Any person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses any automated sales suppression device, zapper, or phantom-ware in this State is guilty of a Class 3 felony.

For the purposes of this Section:
"Automated sales suppression device" or "zapper" means a software program that falsifies the electronic records of an electronic cash register or other point-of-sale system, including, but not limited to, transaction data and transaction reports. The term includes the software program, any device that carries the software program, or an Internet link to the software program.

"Phantom-ware" means a hidden programming option embedded in the operating system of an electronic cash register or hardwired into an electronic cash register that can be used to create a second set of records or that can eliminate or manipulate transaction records in an electronic cash register.

"Electronic cash register" means a device that keeps a register or supporting documents through the use of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner.

"Transaction data" includes: items purchased by a customer; the price of each item; a taxability determination for each item; a segregated tax amount for each taxed item; the amount of cash or credit tendered; the net amount returned to the customer in change; the date and time of the purchase; the name, address, and identification number of the vendor; and the receipt or invoice number of the transaction.

"Transaction report" means a report that documents, without limitation, the sales, taxes, or fees collected, media totals, and discount voids at an electronic cash register and that is printed on a cash register tape at the end of a day or shift, or a report that documents every action at an electronic cash register and is stored electronically.

A prosecution for any act in violation of this Section may be commenced at any time within 3 years of the commission of that act.
This Section does not apply if the violation in a particular case also constitutes a criminal violation of the Retailers' Occupation Tax Act or the Use Tax Act.
(Source: P.A. 97-1150, eff. 1-25-13.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 13 as follows:
(35 ILCS 120/13) (from Ch. 120, par. 452)
Sec. 13. Criminal penalties.
(a) When the amount due is under $300, any person engaged in the business of selling tangible personal property at retail in this State who fails to file a return, or who files a fraudulent return, or any officer, employee or agent of a corporation, member, employee or agent of a partnership, or manager, member, agent, or employee of a limited liability company engaged in the business of selling tangible personal property at retail in this State who, as such officer, employee, agent, manager, or member is under a duty to file a return, or any officer, agent or employee of a corporation, member, agent, or employee of a partnership, or manager, member, agent, or employee of a limited liability company engaged in the business of selling tangible personal property at retail in this State who files or causes to be filed or signs or causes to be signed a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, is guilty of a Class 4 felony.

Any person who or any officer or director of any corporation, partner or member of any partnership, or manager or member of a limited liability company that: (a) violates Section 2a of this Act or (b) fails to keep books and records, or fails to produce books and records as required by Section 7 or (c) willfully violates a rule or regulation of the Department for the administration and enforcement of this Act is guilty of a Class A misdemeanor. Any person, manager or member of a limited liability company, or officer or director of any corporation who engages in the business of selling tangible personal property at retail after the certificate of registration of that person, corporation, limited liability company, or partnership has been revoked is guilty of a Class A misdemeanor. Each day such person, corporation, or partnership is engaged in business without a certificate of registration or after the certificate of registration of that person, corporation, or partnership has been revoked constitutes a separate offense.

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Any purchaser who obtains a registration number or resale number from the Department through misrepresentation, or who represents to a seller that such purchaser has a registration number or a resale number from the Department when he knows that he does not, or who uses his registration number or resale number to make a seller believe that he is buying tangible personal property for resale when such purchaser in fact knows that this is not the case is guilty of a Class 4 felony.

Any distributor, supplier or other reseller of motor fuel registered pursuant to Section 2a or 2c of this Act who fails to collect the prepaid tax on invoiced gallons of motor fuel sold or who fails to deliver a statement of tax paid to the purchaser or to the Department as required by Sections 2d and 2e of this Act, respectively, shall be guilty of a Class A misdemeanor if the amount due is under $300, and a Class 4 felony if the amount due is $300 or more.

When the amount due is under $300, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit such payment to the Department when due is guilty of a Class 4 felony.

Any seller who collects or attempts to collect an amount (however designated) which purports to reimburse such seller for retailers' occupation tax liability measured by receipts which such seller knows are not subject to retailers' occupation tax, or any seller who knowingly overcollects or attempts to over-collect an amount purporting to reimburse such seller for retailers' occupation tax liability in a transaction which is subject to the tax that is imposed by this Act, shall be guilty of a Class 4 felony for each such offense. This paragraph does not apply to an amount collected by the seller as reimbursement for the seller's retailers' occupation tax liability on receipts which are subject to tax under this Act as long as such collection is made in compliance with the tax collection brackets prescribed by the Department in its Rules and Regulations.

When the amount due is $300 or more, any person engaged in the business of selling tangible personal property at retail in this State who fails to file a return, or who files a fraudulent return, or any officer, employee or agent of a corporation, member, employee or agent of a partnership, or manager, member, agent, or employee of a limited liability company engaged in the business of selling tangible personal property at retail in this State who, as such officer, employee, agent, manager, or member is under a duty to file a return and who fails to file such return or

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any officer, agent, or employee of a corporation, member, agent or employee of a partnership, or manager, member, agent, or employee of a limited liability company engaged in the business of selling tangible personal property at retail in this State who files or causes to be filed or signs or causes to be signed a fraudulent return filed on behalf of such corporation or limited liability company, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act is guilty of a Class 3 felony.

When the amount due is $300 or more, any person engaged in the business of selling tangible personal property at retail in this State who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make payment to the Department but fails to remit such payment to the Department when due, is guilty of a Class 3 felony.

Any person whose principal place of business is in this State and who is charged with a violation under this Section shall be tried in the county where his principal place of business is located unless he asserts a right to be tried in another venue.

Any taxpayer or agent of a taxpayer who with the intent to defraud purports to make a payment due to the Department by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, shall be guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

(b) A person commits the offense of sales tax evasion under this Act when he knowingly attempts in any manner to evade or defeat the tax imposed on him or on any other person, or the payment thereof, and he commits an affirmative act in furtherance of the evasion. For purposes of this Section, an "affirmative act in furtherance of the evasion" means an act designed in whole or in part to (i) conceal, misrepresent, falsify, or manipulate any material fact or (ii) tamper with or destroy documents or materials related to a person's tax liability under this Act. Two or more acts of sales tax evasion may be charged as a single count in any indictment, information, or complaint and the amount of tax deficiency may be aggregated for purposes of determining the amount of tax which is attempted to be or is evaded and the period between the first and last acts may be alleged as the date of the offense.

New matter indicated by italics - deletions by strikeout
(1) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is less than $500 a person is guilty of a Class 4 felony.

(2) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $500 or more but less than $10,000, a person is guilty of a Class 3 felony.

(3) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $10,000 or more but less than $100,000, a person is guilty of a Class 2 felony.

(4) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $100,000 or more, a person is guilty of a Class 1 felony.

Any person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses any automated sales suppression device, zapper, or phantom-ware in this State is guilty of a Class 3 felony.

For the purposes of this Section:

"Automated sales suppression device" or "zapper" means a software program that falsifies the electronic records of an electronic cash register or other point-of-sale system, including, but not limited to, transaction data and transaction reports. The term includes the software program, any device that carries the software program, or an Internet link to the software program.

"Phantom-ware" means a hidden programming option embedded in the operating system of an electronic cash register or hardwired into an electronic cash register that can be used to create a second set of records or that can eliminate or manipulate transaction records in an electronic cash register.

"Electronic cash register" means a device that keeps a register of supporting documents through the use of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner.

"Transaction data" includes: items purchased by a customer; the price of each item; a taxability determination for each item; a segregated tax amount for each taxed item; the amount of cash or credit tendered; the net amount returned to the customer in change; the date and time of the purchase; the name, address, and identification number of the vendor; and the receipt or invoice number of the transaction.

"Transaction report" means a report that documents, without limitation, the sales, taxes, or fees collected, media totals, and discount
voids at an electronic cash register and that is printed on a cash register tape at the end of a day or shift, or a report that documents every action at an electronic cash register and is stored electronically.

(c) A prosecution for any act in violation of this Section may be commenced at any time within 5 years of the commission of that act.

(Source: P.A. 97-1074, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0353
(House Bill No. 0061)

AN ACT concerning public health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
(410 ILCS 315/2a rep.)
Section 5. The Communicable Disease Prevention Act is amended by repealing Section 2a.
Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0354
(House Bill No. 0071)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Public Aid Code is amended by changing Sections 8A-2.5, 8A-13, and 8A-15 as follows:
(305 ILCS 5/8A-2.5)
Sec. 8A-2.5. Unauthorized use of medical assistance.
(a) Any person who knowingly uses, acquires, possesses, or transfers a medical card in any manner not authorized by law or by rules and regulations of the Illinois Department, or who knowingly alters a medical card, or who knowingly uses, acquires, possesses, or transfers an altered medical card, is guilty of a violation of this Article and shall be punished as provided in Section 8A-6.

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(b) Any person who knowingly obtains unauthorized medical benefits or causes to be obtained unauthorized medical benefits with or without use of a medical card is guilty of a violation of this Article and shall be punished as provided in Section 8A-6.

(b-5) Any vendor that knowingly assists a person in committing a violation under subsection (a) or (b) of this Section is guilty of a violation of this Article and shall be punished as provided in Section 8A-6.

(b-6) Any person (including a vendor, organization, agency, or other entity) that, in any matter related to the medical assistance program, knowingly or willfully falsifies, conceals, or omits by any trick, scheme, artifice, or device a material fact, or makes any false, fictitious, or fraudulent statement or representation, or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry in connection with the provision of health care or related services, is guilty of a violation of this Article and shall be punished as provided in Section 8A-6.

(c) The Department may seek to recover any and all State and federal monies for which it has improperly and erroneously paid benefits as a result of a fraudulent action and any civil penalties authorized in this Section. Pursuant to Section 11-14.5 of this Code, the Department may determine the monetary value of benefits improperly and erroneously received. The Department may recover the monies paid for such benefits and interest on that amount at the rate of 5% per annum for the period from which payment was made to the date upon which repayment is made to the State. Prior to the recovery of any amount paid for benefits allegedly obtained by fraudulent means, the recipient or payee of such benefits shall be afforded an opportunity for a hearing after reasonable notice. The notice shall be served personally or by certified or registered mail or as otherwise provided by law upon the parties or their agents appointed to receive service of process and shall include the following:

(1) A statement of the time, place and nature of the hearing.
(2) A statement of the legal authority and jurisdiction under which the hearing is to be held.
(3) A reference to the particular Sections of the substantive and procedural statutes and rules involved.
(4) Except where a more detailed statement is otherwise provided for by law, a short and plain statement of the matters asserted, the consequences of a failure to respond, and the official file or other reference number.

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(5) A statement of the monetary value of the benefits fraudulently received by the person accused.

(6) A statement that, in addition to any other penalties provided by law, a civil penalty in an amount not to exceed $2,000 may be imposed for each fraudulent claim for benefits or payments.

(7) A statement providing that the determination of the monetary value may be contested by petitioning the Department for an administrative hearing within 30 days from the date of mailing the notice.

(8) The names and mailing addresses of the administrative law judge, all parties, and all other persons to whom the agency gives notice of the hearing unless otherwise confidential by law. An opportunity shall be afforded all parties to be represented by legal counsel and to respond and present evidence and argument.

Unless precluded by law, disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

Any final order, decision, or other determination made, issued or executed by the Director under the provisions of this Article whereby any person is aggrieved shall be subject to review in accordance with the provisions of the Administrative Review Law, and the rules adopted pursuant thereto, which shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Director.

Upon entry of a final administrative decision for repayment of any benefits obtained by fraudulent means, or for any civil penalties assessed, a lien shall attach to all property and assets of such person, firm, corporation, association, agency, institution, vendor, or other legal entity until the judgment is satisfied.

Within 18 months of the effective date of this amendatory Act of the 96th General Assembly, the Department of Healthcare and Family Services will report to the General Assembly on the number of fraud cases identified and pursued, and the fines assessed and collected. The report will also include the Department's analysis as to the use of private sector resources to bring action, investigate, and collect monies owed.

(d) In subsections (a),(b),(b-5) and (b-6), "knowledge" has the meaning ascribed to that term in Section 4-5 of the Criminal Code of 2012. For any administrative action brought under subsection (c) pursuant to a violation of this Section, the Department shall define "knowing" by rule.

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Sec. 8A-13. Managed health care fraud.

(a) As used in this Section, "health plan" means any of the following:

(1) Any health care reimbursement plan sponsored wholly or partially by the State.

(2) Any private insurance carrier, health care cooperative or alliance, health maintenance organization, insurer, organization, entity, association, affiliation, or person that contracts to provide or provides goods or services that are reimbursed by or are a required benefit of a health benefits program funded wholly or partially by the State.

(3) Anyone who provides or contracts to provide goods and services to an entity described in paragraph (1) or (2) of this subsection.

For purposes of item (2) in subsection (b), "representation" and "statement" include, but are not limited to, reports, claims, certifications, acknowledgments and ratifications of financial information, enrollment claims, demographic statistics, encounter data, health services available or rendered, and the qualifications of person rendering health care and ancillary services.

(b) Any person, firm, corporation, association, agency, institution, or other legal entity that, with the intent to obtain benefits or payments under this Code to which the person or entity is not entitled or in a greater amount than that to which the person or entity is entitled, knowingly or willfully:

executes or conspires to execute a scheme or artifice

(1) executes or conspires to execute a scheme or artifice to defraud any State or federally funded or mandated health plan in connection with the delivery of or payment for health care benefits, items, or services; or

(2) executes or conspires to execute a scheme or artifice to obtain by means of false or fraudulent pretense, representation, statement, or promise money or anything of value in connection with the delivery of or payment for health care benefits, items, or services that are in whole or in part paid for, reimbursed, or subsidized by, or are a required benefit of, a State or federally funded or mandated health plan;

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(3) falsifies, conceals, or covers up by any trick, scheme, or
device a material fact in connection with the delivery of or
payment for health care benefits, items, or services that are in
whole or in part paid for or reimbursed by a State or federal
health plan;

(4) makes any materially false, fictitious, or fraudulent
statements or representations, or makes or uses any materially
false writing or document knowing the same to contain any
materially false, fictitious, or fraudulent statement or entry, in
connection with the delivery of or payment for health care benefits,
items, or services that are in whole or in part paid for or
reimbursed by a State or federal health plan; or

(5) makes or uses any false writing or document knowing
the same to contain any materially false, fictitious, or fraudulent
statement or entry in connection with the delivery of or payment
for health care benefits, items, or services that are in whole or in
part paid for or reimbursed by a State or federal health plan;
is guilty of a violation of this Article and shall be punished as provided in
Section 8A-6.

(Source: P.A. 90-538, eff. 12-1-97.)

(305 ILCS 5/8A-15)

Sec. 8A-15. False statements relating to health care delivery. Any
person, firm, corporation, association, agency, institution, or other legal
entity that, in any matter related to a State or federally funded or mandated
health plan, knowingly and wilfully falsifies, conceals, or omits by any
trick, scheme, artifice, or device a material fact, or makes any false,
fictitious, or fraudulent statement or representation, or makes or uses any
false writing or document, knowing the same to contain any false,
fictitious, or fraudulent statement or entry in connection with the provision
of health care or related services, is guilty of a Class 4 felony.

(Source: P.A. 90-538, eff. 12-1-97.)

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning public health.

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

Section 5. The Wholesale Drug Distribution Licensing Act is amended by adding Section 200 as follows:

(225 ILCS 120/200 new)

Sec. 200. Drugs in shortage.

(a) For the purpose of this Section, "drug in shortage" means a drug, as defined in Section 356c of the Federal Food, Drug, and Cosmetic Act, listed on the drug shortage list maintained by the U.S. Food and Drug Administration in accordance with Section 356e of the Federal Food, Drug, and Cosmetic Act.

(b) Any person engaged in the wholesale distribution of a drug in shortage in this State must be licensed by the Department.

(c) It is unlawful for any person, other than a manufacturer, a manufacturer's exclusive distributor, a third party logistics provider, or an authorized distributor of record, to purchase or receive a drug in shortage from any person not licensed by the Department. This subsection (c) does not apply to the return of drugs or the purchase or receipt of drugs pursuant to any of the distributions that are specifically excluded from the definition of "wholesale distribution" in Section 15 of the Wholesale Drug Distribution Licensing Act.

(d) A person found to have violated a provision of this Section shall be subject to administrative fines, orders for restitution, and orders for disgorgement.

(e) The Department shall create a centralized, searchable database of those entities licensed to engage in wholesale distribution, including manufacturers, wholesale distributors, and pharmacy distributors, to enable purchasers of a drug in shortage to easily verify the licensing status of an entity offering such drugs.

(f) The Department shall establish a system for reporting the reasonable suspicion that a violation of this Act has been committed by a distributor of a drug in shortage. Reports made through this system shall be referred to the Office of the Attorney General and the appropriate State's Attorney's office for further investigation and prosecution.

New matter indicated by italics - deletions by strikeout
(g) The Department shall adopt rules to carry out the provisions of this Section.

(h) Nothing in this Section prohibits one hospital pharmacy from purchasing or receiving a drug in shortage from another hospital pharmacy in the event of a medical emergency.

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

Approved August 16, 2013.
Effective August 16, 2013.

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

Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 14 as follows:

(20 ILCS 1705/14) (from Ch. 91 1/2, par. 100-14)
Sec. 14. Chester Mental Health Center. To maintain and operate a facility for the care, custody, and treatment of persons with mental illness or habilitation of persons with developmental disabilities hereinafter designated, to be known as the Chester Mental Health Center.

Within the Chester Mental Health Center there shall be confined the following classes of persons, whose history, in the opinion of the Department, discloses dangerous or violent tendencies and who, upon examination under the direction of the Department, have been found a fit subject for confinement in that facility:

(a) Any male person who is charged with the commission of a crime but has been acquitted by reason of insanity as provided in Section 5-2-4 of the Unified Code of Corrections.

(b) Any male person who is charged with the commission of a crime but has been found unfit under Article 104 of the Code of Criminal Procedure of 1963.

(c) Any male person with mental illness or developmental disabilities or person in need of mental treatment now confined under the supervision of the Department or hereafter admitted to
any facility thereof or committed thereto by any court of competent jurisdiction.

If and when it shall appear to the facility director of the Chester Mental Health Center that it is necessary to confine persons in order to maintain security or provide for the protection and safety of recipients and staff, the Chester Mental Health Center may confine all persons on a unit to their rooms. This period of confinement shall not exceed 10 hours in a 24 hour period, including the recipient's scheduled hours of sleep, unless approved by the Secretary of the Department. During the period of confinement, the persons confined shall be observed at least every 15 minutes. A record shall be kept of the observations. This confinement shall not be considered seclusion as defined in the Mental Health and Developmental Disabilities Code.

The facility director of the Chester Mental Health Center may authorize the temporary use of handcuffs on a recipient for a period not to exceed 10 minutes when necessary in the course of transport of the recipient within the facility to maintain custody or security. Use of handcuffs is subject to the provisions of Section 2-108 of the Mental Health and Developmental Disabilities Code. The facility shall keep a monthly record listing each instance in which handcuffs are used, circumstances indicating the need for use of handcuffs, and time of application of handcuffs and time of release therefrom. The facility director shall allow the Illinois Guardianship and Advocacy Commission, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act, and the Department to examine and copy such record upon request.

The facility director of the Chester Mental Health Center may authorize the temporary use of transport devices on a civil recipient when necessary in the course of transport of the civil recipient outside the facility to maintain custody or security. The decision whether to use any transport devices shall be reviewed and approved on an individualized basis by a physician based upon a determination of the civil recipient's: (1) history of violence, (2) history of violence during transports, (3) history of escapes and escape attempts, (4) history of trauma, (5) history of incidents of restraint or seclusion and use of involuntary medication, (6) current functioning level and medical status, (7) prior experience during similar transports, and (8) the length, duration, and purpose of the transport. The least restrictive transport device consistent with the individual’s need shall be used. Staff transporting the individual shall be
trained in the use of the transport devices, recognizing and responding to a person in distress, and shall observe and monitor the individual while being transported. The facility shall keep a monthly record listing all transports, including those transports for which use of transport devices were not sought, those for which use of transport devices were sought but denied, and each instance in which transport devices are used, circumstances indicating the need for use of transport devices, time of application of transport devices, time of release from those devices, and any adverse events. The facility director shall allow the Illinois Guardianship and Advocacy Commission, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act, and the Department to examine and copy the record upon request. This use of transport devices shall not be considered restraint as defined in the Mental Health and Developmental Disabilities Code. For the purpose of this Section "transport device" means ankle cuffs, handcuffs, waist chains or wrist-waist devices designed to restrict an individual's range of motion while being transported. These devices must be approved by the Division of Mental Health, used in accordance with the manufacturer's instructions, and used only by qualified staff members who have completed all training required to be eligible to transport patients and all other required training relating to the safe use and application of transport devices, including recognizing and responding to signs of distress in an individual whose movement is being restricted by a transport device.

If and when it shall appear to the satisfaction of the Department that any person confined in the Chester Mental Health Center is not or has ceased to be such a source of danger to the public as to require his subjection to the regimen of the center, the Department is hereby authorized to transfer such person to any State facility for treatment of persons with mental illness or habilitation of persons with developmental disabilities, as the nature of the individual case may require.

Subject to the provisions of this Section, the Department, except where otherwise provided by law, shall, with respect to the management, conduct and control of the Chester Mental Health Center and the discipline, custody and treatment of the persons confined therein, have and exercise the same rights and powers as are vested by law in the Department with respect to any and all of the State facilities for treatment of persons with mental illness or habilitation of persons with developmental disabilities, and the recipients thereof, and shall be subject

New matter indicated by italics - deletions by strikeout
to the same duties as are imposed by law upon the Department with respect to such facilities and the recipients thereof.
(Source: P.A. 91-559, eff. 1-1-00.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0357
(House Bill No. 0101)

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

Section 5. The Pawnbroker Regulation Act is amended by changing Sections 0.05 and 4 as follows:

(205 ILCS 510/0.05)
Sec. 0.05. Administration of Act.
(a) This Act shall be administered by the Secretary of Financial and Professional Regulation, and, beginning on July 28, 2010 (the effective date of Public Act 96-1365), all references in this Act to the Commissioner of Banks and Real Estate are deemed, in appropriate contexts, to be references to the Secretary of Financial and Professional Regulation, who shall have all of the following powers and duties in administering this Act:

(1) To promulgate reasonable rules for the purpose of administering the provisions of this Act.

(2) To issue orders for the purpose of administering the provisions of this Act and any rule promulgated in accordance with this Act.

(2.5) To order restitution to consumers suffering damages resulting from violations of this Act, rules promulgated in accordance with this Act, or other laws or regulations related to the operation of a pawnshop.

(3) To appoint hearing officers and to hire employees or to contract with appropriate persons to execute any of the powers granted to the Secretary under this Section for the purpose of administering this Act and any rule promulgated in accordance with this Act.

New matter indicated by italics - deletions by strikeout
(4) To subpoena witnesses, to compel their attendance, to administer an oath, to examine any person under oath, and to require the production of any relevant books, papers, accounts, and documents in the course of and pursuant to any investigation being conducted, or any action being taken, by the Secretary in respect of any matter relating to the duties imposed upon, or the powers vested in, the Secretary under the provisions of this Act or any rule promulgated in accordance with this Act.

(5) To conduct hearings.

(6) To impose civil penalties graduated up to $10,000 against any person for each day that person violates any provision of this Act, any rule promulgated in accordance with this Act, any State or federal law affecting pawnbrokers, or any order of the Secretary based upon the seriousness of the violation.

(6.5) To initiate, through the Attorney General, injunction proceedings whenever it appears to the Secretary that any person, whether licensed under this Act or not, is engaged or about to engage in an act or practice that constitutes or will constitute a violation of this Act or any rule prescribed under the authority of this Act. The Secretary may, in his or her discretion, through the Attorney General, apply for an injunction, and upon a proper showing, any circuit court may enter a permanent or preliminary injunction or a temporary restraining order without bond to enforce this Act in addition to the penalties and other remedies provided for in this Act.

(7) To issue a cease and desist order and, for violations of this Act, any order issued by the Secretary pursuant to this Act, any rule promulgated in accordance with this Act, or any other applicable law in connection with the operation of a pawnshop, to suspend a license issued under this Act for up to 30 days.

(8) To determine compliance with applicable law and rules related to the operation of pawnshops and to verify the accuracy of reports filed with the Secretary, the Secretary, not more than one time every 2 years, may, but is not required to, conduct a routine examination of a pawnshop, and in addition, the Secretary may examine the affairs of any pawnshop at any time if the Secretary has reasonable cause to believe that unlawful or fraudulent activity is occurring, or has occurred, therein.

New matter indicated by italics - deletions by strikeout
In response to a complaint, to address any inquiries to any pawnshop in relation to its affairs, and it shall be the duty of the pawnshop to promptly reply in writing to such inquiries. The Secretary may also require reports or information from any pawnshop at any time the Secretary may deem desirable.

To revoke a license issued under this Act if the Secretary determines that (a) a licensee has been convicted of a felony in connection with the operations of a pawnshop; (b) a licensee knowingly, recklessly, or continuously violated this Act or State or federal law or regulation, a rule promulgated in accordance with this Act, or any order of the Secretary; (c) a fact or condition exists that, if it had existed or had been known at the time of the original application, would have justified license refusal; (d) the licensee knowingly submits materially false or misleading documents with the intent to deceive the Secretary or any other party; or (e) the licensee is unable or ceases to continue to operate the pawnshop.

To remove or prohibit the employment of any officer, director, employee, or agent of the pawnshop who engages in or has engaged in unlawful activities that relate to the operation of a pawnshop.

To prohibit the hiring of employees who have been convicted of a financial crime or any crime involving breach of trust who do not meet exceptions as established by rule of the Secretary.

Following license revocation, to take possession and control of a pawnshop for the purpose of examination, reorganization, or liquidation through receivership and to appoint a receiver, which may be the Secretary, a pawnshop, or another suitable person.

After consultation with local law enforcement officers, the Attorney General, and the industry, the Secretary may by rule require that pawnbrokers operate video camera surveillance systems to record photographic representations of customers and retain the tapes produced for up to 30 days.

Pursuant to rule, the Secretary shall issue licenses on an annual or multi-year basis for operating a pawnshop. Any person currently operating or who has operated a pawnshop in this State during the 2 years preceding the effective date of this amendatory Act of 1997 shall be issued

New matter indicated by italics - deletions by strikeout
a license upon payment of the fee required under this Act. New applicants shall meet standards for a license as established by the Secretary. Except with the prior written consent of the Secretary, no individual, either a new applicant or a person currently operating a pawnshop, may be issued a license to operate a pawnshop if the individual has been convicted of a felony or of any criminal offense relating to dishonesty or breach of trust in connection with the operations of a pawnshop. The Secretary shall establish license fees. The fees shall not exceed the amount reasonably required for administration of this Act. It shall be unlawful to operate a pawnshop without a license issued by the Secretary.

(d) In addition to license fees, the Secretary may, by rule, establish fees in connection with a review, approval, or provision of a service, and levy a reasonable charge to recover the cost of the review, approval, or service (such as a change in control, change in location, or renewal of a license). The Secretary may also levy a reasonable charge to recover the cost of an examination if the Secretary determines that unlawful or fraudulent activity has occurred. The Secretary may require payment of the fees and charges provided in this Act by certified check, money order, an electronic transfer of funds, or an automatic debit of an account.

(e) The Pawnbroker Regulation Fund is established as a special fund in the State treasury. Moneys collected under this Act shall be deposited into the Fund and used for the administration of this Act. In the event that General Revenue Funds are appropriated to the Department of Financial and Professional Regulation for the initial implementation of this Act, the Governor may direct the repayment from the Pawnbroker Regulation Fund to the General Revenue Fund of such advance in an amount not to exceed $30,000. The Governor may direct this interfund transfer at such time as he deems appropriate by giving appropriate written notice. Moneys in the Pawnbroker Regulation Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) The Secretary may, by rule, require all pawnshops to provide for the expenses that would arise from the administration of the receivership of a pawnshop under this Act through the assessment of fees, the requirement to pledge surety bonds, or such other methods as determined by the Secretary.

(g) All final administrative decisions of the Secretary under this Act shall be subject to judicial review pursuant to the provisions of the
Administrative Review Law. For matters involving administrative review, venue shall be in either Sangamon County or Cook County.
(Source: P.A. 96-1038, eff. 7-14-10; 96-1365, eff. 7-28-10; 97-333, eff. 8-12-11.)

(205 ILCS 510/4) (from Ch. 17, par. 4654)

Sec. 4. Every pawnbroker shall, at the time of making any advancement or loan, deliver to the person pawning or pledging any property, a memorandum, contract, or note signed by him or her containing an accurate account and description, in the English language, of all the goods, articles or other things pawned or pledged, the amount of money, value of things loaned thereon, the time of pledging the same, the rate of interest to be paid on the loan, the name and residence of the person making the pawn or pledge, and the amount of any fees as specified in Section 2 of this Act. (Source: P.A. 87-802.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0358
(House Bill No. 0131)

AN ACT concerning reports of stun gun and taser use by law enforcement officers.

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

Section 5. The Illinois Police Training Act is amended by changing Section 7 and adding Section 10.14 as follows:

(50 ILCS 705/7) (from Ch. 85, par. 507)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include but not be limited to the following:

a. The curriculum for probationary police officers which shall be offered by all certified schools shall include but not be limited to courses of arrest, search and seizure, civil rights, human relations, cultural diversity, including racial and ethnic sensitivity, criminal law, law of criminal procedure, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control

New matter indicated by italics - deletions by strikeout
and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, *training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans*, first-aid (including cardiopulmonary resuscitation), handling of juvenile offenders, recognition of mental conditions which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of elder abuse and neglect, as defined in Section 2 of the Elder Abuse and Neglect Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum for permanent police officers shall include but not be limited to (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. *The training in the use of electronic control devices shall be conducted for probationary police officers, including University police officers.*

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary police officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).
e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to his or her successful completion of the training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of the effective date of this amendatory Act of 1996. Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after the effective date of this amendatory Act of 1996 shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

(Source: P.A. 97-815, eff. 1-1-13; 97-862, eff. 1-1-13; revised 8-3-12.) (50 ILCS 705/10.14 new)

Sec. 10.14. Electronic control devices used by local law enforcement agencies; inspections.

New matter indicated by italics - deletions by strikeout
(a) For the purposes of this Section, "electronic control device" means:

   (1) any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render the person incapable of normal functioning; or

   (2) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out current capable of disrupting the person's nervous system in such a manner as to render the person incapable of normal functioning.

(b) Beginning January 1, 2014 and ending December 31, 2015, the Board shall randomly inspect police departments of units of local government and university police departments concerning the use of electronic control devices by law enforcement officers of the departments to determine whether the officers received appropriate training in their use. The Board shall compile the information from the random inspections and analyze the results.

(c) Based on the analysis required in subsection (b), the Board shall issue a report and present its report and findings to the Governor and General Assembly on or before June 30, 2016. The Board in its report may recommend legislation concerning the use of electronic control devices by law enforcement officers and the training of law enforcement officers in the use of those devices.

(d) This Section is repealed on July 1, 2016.

Section 99. Effective date. This Act takes effect January 1, 2014.
Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0359
(House Bill No. 0181)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Unified Code of Corrections is amended by changing Section 5-9-1.14 as follows:

(730 ILCS 5/5-9-1.14)

Sec. 5-9-1.14. Additional child pornography fines. In addition to any other penalty imposed, a fine of $500 shall be imposed upon a person convicted of child pornography under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012. The additional fine shall be assessed by the court imposing sentence and shall be collected by the circuit clerk. Of this fee, $5 shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the circuit clerk to be used to offset the costs incurred by the circuit clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law. Each additional fine shall be remitted by the circuit clerk within one month after receipt to the unit of local or State government whose law enforcement officers investigated the case that gave rise to the conviction of the defendant for child pornography. When Department of State Police officers investigated the case that gave rise to the conviction of the defendant for child pornography, the additional fine shall be remitted by the circuit clerk within one month after receipt to the Department of State Police for deposit into the State Crime Laboratory Fund. When the Department of State Police provides digital or electronic forensic examination assistance, or both, to another law enforcement agency which investigated the case that gave rise to the conviction of the defendant for child pornography, $100 of the additional fine shall be remitted by the circuit clerk within one month after receipt to the Department of State Police for deposit into the State Crime Laboratory Fund.

(Source: P.A. 95-191, eff. 1-1-08; 95-876, eff. 8-21-08.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0360
(House Bill No. 0198)

AN ACT concerning transportation.

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

New matter indicated by italics - deletions by strikeout
Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Illinois Police K-9 Memorial Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Illinois Police K-9 Memorial Plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Police K-9 Memorial license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant shall be charged a $40 fee for original issuance in addition to the applicable registration fee. Of this additional fee, $15 shall be deposited into the Secretary of State Special License Plate Fund and $25 shall be deposited into the Illinois Police K-9 Memorial Fund. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this additional fee, $2 shall be deposited into the Secretary of State Special License Plate Fund and $25 shall be deposited into the Illinois Police K-9 Memorial Fund.

(d) The Illinois Police K-9 Memorial Fund is created as a special fund in the State treasury. All moneys in the Illinois Police K-9 Memorial Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Northern Illinois Police K-9 Memorial for the creation, operation, and maintenance of a police K-9 memorial monument.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0361
(House Bill No. 0490)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 21B-30 as follows:
(105 ILCS 5/21B-30)
Sec. 21B-30. Educator testing.
(a) This Section applies beginning on July 1, 2012.
(b) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall design and implement a system of examinations, which shall be required prior to the issuance of educator licenses. These examinations and indicators must be based on national and State professional teaching standards, as determined by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The State Board of Education may adopt such rules as may be necessary to implement and administer this Section. No score on a test required under this Section, other than a test of basic skills, shall be more than 5 years old at the time that an individual makes application for an educator license or endorsement.
(c) Applicants seeking a Professional Educator License or an Educator License with Stipulations shall be required to pass a test of basic skills before the license is issued, unless the endorsement the individual is seeking does not require passage of the test. All applicants completing Illinois-approved, teacher education or school service personnel preparation programs shall be required to pass the State Board of Education's recognized test of basic skills prior to starting their student teaching or starting the final semester of their internship, unless required earlier at the discretion of the recognized, Illinois institution in which they are completing their approved program. No candidate may be fully admitted into an educator preparation program at a recognized Illinois institution until he or she has passed a test of basic skills. An individual who passes a test of basic skills does not need to do so again for subsequent endorsements or other educator licenses.
(d) All applicants seeking a State license shall be required to pass a test of content area knowledge for each area of endorsement for which there is an applicable test. There shall be no exception to this requirement.

New matter indicated by italics - deletions by strikeout
No candidate shall be allowed to student teach, serve as the teacher of record, or begin an internship or residency required for licensure until he or she has passed the applicable content area test.

(e) All applicants seeking a State license endorsed in a teaching field shall pass the assessment of professional teaching (APT). Passage of the APT is required for completion of an approved Illinois educator preparation program.

(f) Beginning on September 1, 2015, all candidates completing teacher preparation programs in this State are required to pass an evidence-based assessment of teacher effectiveness approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. All recognized institutions offering approved teacher preparation programs must begin phasing in the approved teacher performance assessment no later than July 1, 2013.

(g) Tests of basic skills and content area knowledge and the assessment of professional teaching shall be the tests that from time to time are designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and may be tests prepared by an educational testing organization or tests designed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The areas to be covered by a test of basic skills shall include reading, language arts, and mathematics. The test of content area knowledge shall assess content knowledge in a specific subject field. The tests must be designed to be racially neutral to ensure that no person taking the tests is discriminated against on the basis of race, color, national origin, or other factors unrelated to the person's ability to perform as a licensed employee. The score required to pass the tests shall be fixed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The tests shall be administered not fewer than 3 times a year at such time and place as may be designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The State Board shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for an endorsement or a license issued under subdivision (G) of paragraph (2) of Section 21B-20 of this Code in the English language and in the language of the transitional bilingual education program requested by the applicant.
(h) Except as provided in Section 34-6 of this Code, the provisions of this Section shall apply equally in any school district subject to Article 34 of this Code.

(i) The rules developed to implement and enforce the testing requirements under this Section shall include provisions governing test selection, test validation and determination of a passing score, administration of the tests, frequency of administration, applicant fees, frequency of applicants taking the tests, the years for which a score is valid, and appropriate special accommodations. The State Board of Education shall develop such rules as may be needed to ensure uniformity from year to year in the level of difficulty for each form of an assessment.

(Source: P.A. 97-607, eff. 8-26-11.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0362
(House Bill No. 0530)

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

Section 5. The Hearing Instrument Consumer Protection Act is amended by changing Sections 3 and 6 as follows:

(225 ILCS 50/3) (from Ch. 111, par. 7403)
(Section scheduled to be repealed on January 1, 2016)

Sec. 3. Definitions. As used in this Act, except as the context requires otherwise:
"Department" means the Department of Public Health.
"Director" means the Director of the Department of Public Health.
"License" means a license issued by the State under this Act to a hearing instrument dispenser.
"Licensed Audiologist" means a person licensed as an audiologist under the Illinois Speech-Language Pathology and Audiology Practice Act.
"National Board Certified Hearing Instrument Specialist" means a person who has had at least 2 years in practice as a licensed hearing instrument dispenser and has been certified after qualification by

New matter indicated by italics - deletions by strikeout
examination by the National Board for Certification in Hearing Instruments Sciences.

"Licensed physician" or "physician" means a physician licensed in Illinois to practice medicine in all of its branches.

"Trainee" means a person who is licensed to perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State.

"Board" means the Hearing Instrument Consumer Protection Board.

"Hearing instrument" or "hearing aid" means any wearable instrument or device designed for or offered for the purpose of aiding or compensating for impaired human hearing and that can provide more than 15 dB full on gain via a 2cc coupler at any single frequency from 200 through 6000 cycles per second, and any parts, attachments, or accessories, including ear molds. "Hearing instrument" or "hearing aid" do not include batteries, cords, instrument or device designed, intended, or offered for the purpose of improving a person's hearing and any parts, attachments, or accessories, including earmold. Batteries, cords, and individual or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services are excluded.

"Practice of fitting, dispensing, or servicing of hearing instruments" means the measurement of human hearing with an audiometer, calibrated to the current American National Standard Institute standards, for the purpose of making selections, recommendations, adaptations, services, or sales of hearing instruments including the making of earmolds as a part of the hearing instrument.

"Sell" or "sale" means any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or dealers.

"Hearing instrument dispenser" means a person who is a hearing care professional that engages in the selling, practice of fitting, selecting, recommending, dispensing, or servicing of hearing instruments or the testing for means of hearing instrument selection or who advertises or displays a sign or represents himself or herself as a person who practices the testing, fitting, selecting, servicing, dispensing, or selling of hearing instruments.

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"Fund" means the Hearing Instrument Dispenser Examining and Disciplinary Fund.
"Hearing Care Professional" means a person who is a licensed audiologist, a licensed hearing instrument dispenser, or a licensed physician.
(Source: P.A. 96-846, eff. 6-1-10.)
(225 ILCS 50/6) (from Ch. 111, par. 7406)
(Section scheduled to be repealed on January 1, 2016)
Sec. 6. Mail order and Internet sales. Nothing in this Act shall prohibit a corporation, partnership, trust, association, or other organization, maintaining an established business address, from engaging in the business of selling or offering for sale hearing instruments at retail by mail or by Internet to persons 18 years of age or older who have not been examined by a licensed physician or tested by a licensed hearing instrument dispenser provided that:
(a) The organization is registered by the Department prior to engaging in business in this State and has paid the fee set forth in this Act.
(b) The organization files with the Department, prior to registration and annually thereafter, a Disclosure Statement containing the following:
   (1) the name under which the organization is doing or intends to do business and the name of any affiliated company which the organization recommends or will recommend to persons as a supplier of goods or services or in connection with other business transactions of the organization;
   (2) the organization's principal business address and the name and address of its agent in this State authorized to receive service of process;
   (3) the business form of the organization, whether corporate, partnership, or otherwise and the state or other sovereign power under which the organization is organized;
   (4) the names of the directors or persons performing similar functions and names and addresses of the chief executive officer, and the financial, accounting, sales, and other principal executive officers, if the organization is a corporation, association, or other similar entity; of all general partners, if the organization is a partnership; and of the owner, if the organization is a sole proprietorship, together with a statement of the business background during the past 5 years for each such person;

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(5) a statement as to whether the organization or any person identified in the disclosure statement:

(i) has during the 5 year period immediately preceding the date of the disclosure statement been convicted of a felony, pleaded nolo contendere to a felony charge, or been held liable in a civil action by final judgment, if such felony or civil action involved fraud, embezzlement, or misappropriation of property, and a description thereof; or

(ii) is subject to any currently effective injunctive or restrictive order as a result of a proceeding or pending action brought by any government agency or department, and a description thereof; or

(iii) is a defendant in any pending criminal or material civil action relating to fraud, embezzlement, misappropriation of property or violations of the antitrust or trade regulation laws of the United States or any state, and a description thereof; or

(iv) has during the 5 year period immediately preceding the date of the disclosure statement had entered against such person or organization a final judgment in any material civil proceeding, and a description thereof; or

(v) has during the 5 year period immediately preceding the date of the disclosure statement been adjudicated a bankrupt or reorganized due to insolvency or was a principal executive officer or general partner of any company that has been adjudicated a bankrupt or reorganized due to insolvency during such 5 year period, and a description thereof;

(6) the length of time the organization and any predecessor of the organization has conducted a business dealing with hearing instrument goods or services;

(7) a financial statement of the organization as of the close of the most recent fiscal year of the organization. If the financial statement is filed later than 120 days following the close of the fiscal year of the organization it must be accompanied by a statement of the organization of any material changes in the financial condition of the organization;
(8) a general description of the business, including without limitation a description of the goods, training programs, supervision, advertising, promotion and other services provided by the organization;

(9) a statement of any compensation or other benefit given or promised to a public figure arising, in whole or in part, from (i) the use of the public figure in the name or symbol of the organization or (ii) the endorsement or recommendation of the organization by the public figure in advertisements;

(10) a statement setting forth such additional information and such comments and explanations relative to the information contained in the disclosure statement as the organization may desire to present.

(b-5) If a device being sold does not meet the definition of a hearing instrument or hearing device as stated in this Act, the organization shall include a disclaimer in all written or electronic promotions. The disclaimer shall include the following language:

"This is not a hearing instrument or hearing aid as defined in the Hearing Instrument Consumer Protection Act, but a personal amplifier and not intended to replace a properly fitted and calibrated hearing instrument."

(c) The organization files with the Department prior to registration and annually thereafter a statement that it complies with the Act, the rules issued pursuant to it, and the regulations of the Federal Food and Drug Administration and the Federal Trade Commission insofar as they are applicable.

(d) The organization files with the Department at the time of registration an irrevocable consent to service of process authorizing the Department and any of its successors to be served any notice, process, or pleading in any action or proceeding against the organization arising out of or in connection with any violation of this Act. Such service shall have the effect of conferring personal jurisdiction over such organization in any court of competent jurisdiction.

(e) Before dispensing a hearing instrument to a resident of this State, the organization informs the prospective users that they may need the following for proper fitting of a hearing instrument:

(1) the results of an audiogram performed within the past 6 months by a licensed audiologist or a licensed hearing instrument dispenser; and
(2) an earmold impression obtained from the prospective user and taken by a licensed hearing instrument dispenser.

(f) The prospective user receives a medical evaluation or the organization affords the prospective user an opportunity to waive the medical evaluation requirement of Section 4 of this Act and the testing requirement of subsection (z) of Section 18, provided that the organization:

(1) informs the prospective user that the exercise of the waiver is not in the user's best health interest;
(2) does not in any way actively encourage the prospective user to waive the medical evaluation or test; and
(3) affords the prospective user the option to sign the following statement:

"I have been advised by .......... (hearing instrument dispenser's name) that the Food and Drug Administration and the State of Illinois have determined that my best interest would be served if I had a medical evaluation by a licensed physician, preferably a physician who specialized in diseases of the ear, before purchasing a hearing instrument; or a test by a licensed audiologist or licensed hearing instrument dispenser utilizing established procedures and instrumentation in the fitting of hearing instruments. I do not wish either a medical evaluation or test before purchasing a hearing instrument."

(g) Where a sale, lease, or rental of hearing instruments is sold or contracted to be sold to a consumer by mail order, the consumer may void the contract or sale by notifying the seller within 45 business days following that day on which the hearing instruments were mailed by the seller to the consumer and by returning to the seller in its original condition any hearing instrument delivered to the consumer under the contract or sale. At the time the hearing instrument is mailed, the seller shall furnish the consumer with a fully completed receipt or copy of any contract pertaining to the sale that contains a "Notice of Cancellation" informing the consumer that he or she may cancel the sale at any time within 45 business days and disclosing the date of the mailing and the name, address, and telephone number of the seller. In immediate proximity to the space reserved in the contract for the signature of the consumer, or on the front page of the receipt if a contract is not used, and in bold face

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type of a minimum size of 10 points, there shall be a statement in substantially the following form:

"You, the buyer, may cancel this transaction at any time prior to midnight of the 45th business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right."

Attached to the receipt or contract shall be a completed form in duplicate, captioned "NOTICE OF CANCELLATION" which shall be easily detachable and which shall contain in at least 10 point bold face type the following information and statements in the same language as that used in the contract:

"NOTICE OF CANCELLATION

enter date of transaction

........................

(DATE)

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN 45 BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE LESS ANY NONREFUNDABLE RE-STOCKING FEE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE AND ALL MERCHANDISE PERTAINING TO THIS TRANSACTION, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST RETURN TO THE SELLER, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM, TO (name of seller), AT (address of seller's place of business) AND (seller's telephone number) NO LATER THAN MIDNIGHT OF ..........(date).

I HEREBY CANCEL THIS TRANSACTION.

(Date)............

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The written "Notice of Cancellation" may be sent by the consumer to the seller to cancel the contract. The 45-day period does not commence until the consumer is furnished the Notice of Cancellation and the address and phone number at which such notice to the seller can be given.

If the conditions of this Section are met, the seller must return to the consumer the amount of any payment made or consideration given under the contract or for the merchandise less a nonrefundable restocking fee.

It is an unlawful practice for a seller to: (1) hold a consumer responsible for any liability or obligation under any mail order transaction if the consumer claims not to have received the merchandise unless the merchandise was sent by certified mail or other delivery method by which the seller is provided with proof of delivery; (2) fail, before furnishing copies of the "Notice of Cancellation" to the consumer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the seller's telephone number, the date of the mailing, and the date, not earlier than the 45th business day following the date of the mailing, by which the consumer may give notice of cancellation; (3) include in any contract or receipt any confession of judgment or any waiver of any of the rights to which the consumer is entitled under this Section including specifically his right to cancel the sale in accordance with the provisions of this Section; (4) misrepresent in any manner the consumer's right to cancel; (5) use any undue influence, coercion, or any other willful act or representation to interfere with the consumer's exercise of his rights under this Section; (6) fail or refuse to honor any valid notice of cancellation and return of merchandise by a consumer and, within 10 business days after the receipt of such notice and merchandise pertaining to such transaction, to (i) refund payments made under the contract or sale, (ii) return any goods or property traded in, in substantially as good condition as when received by the person, (iii) cancel and return any negotiable instrument executed by the consumer in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction; (7) negotiate, transfer, sell, or assign any note or other evidence of indebtedness to a finance company or other third party prior to the 50th business day following the day of the mailing; or (8) fail to provide the consumer of a hearing instrument with written information stating the name, address, and
telephone number of the Department and informing the consumer that complaints regarding hearing instrument goods or services may be made to the Department.

(h) The organization employs only licensed hearing instrument dispensers in the dispensing of hearing instruments and files with the Department, by January 1 of each year, a list of all licensed hearing instrument dispensers employed by it.

(Source: P.A. 89-72, eff. 12-31-95.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0363
(House Bill No. 0532)

AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 and by adding Section 4.34 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. Acts and Section repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:
The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.

Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.

(Source: P.A. 97-1139, eff. 12-28-12.)

(5 ILCS 80/4.34 new)

Sec. 4.34. Act repealed on January 1, 2024. The following Act is repealed on January 1, 2024:

New matter indicated by italics - deletions by strikeout
The Electrologist Licensing Act.

Section 10. The Electrologist Licensing Act is amended by changing Sections 10, 25, 32, 40, 55, 60, 65, 70, 75, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 145, 155, and 162 and by adding Section 157 as follows:

(225 ILCS 412/10)

Sec. 10. Definitions. In this Act:

"Address of Record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director of Professional Regulation.

"Electrologist" means an individual licensed to practice electrology pursuant to the provisions of this Act.

"Electrology" means the practice or teaching of services for permanent hair removal utilizing only solid probe electrode type epilation, which may include thermolysis (shortwave, high frequency), electrolysis (galvanic), or a combination of both (superimposed or sequential blend).

"Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/25)

Sec. 25. Application. Applications for original licenses shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which is not refundable. The application shall require any information as, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant for a license. The application shall include evidence of passage of an examination recognized by the Department.

Applicants have 3 years after the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant

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must reapply and meet the requirements in effect at the time of reapplication.
(Source: P.A. 92-750, eff. 1-1-03.)
(225 ILCS 412/32)
(Section scheduled to be repealed on January 1, 2014)
Sec. 32. Social Security number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's social security number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewed, reinstated, renewal or restored license shall require the applicant's customer identification number.
(Source: P.A. 97-400, eff. 1-1-12.)
(225 ILCS 412/40)
(Section scheduled to be repealed on January 1, 2014)
Sec. 40. Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated in this Act as if all of the provisions of the Illinois Administrative Procedure Act where included in this Act, except that the provision of paragraph (d) (e) of Section 10-65 of the Illinois Administrative Procedure Act, which provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the license, is specifically excluded. For the purposes of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is considered to be sufficient when mailed to the licensee's address of record or last known address of the party.
(Source: P.A. 92-750, eff. 1-1-03.)
(225 ILCS 412/55)
(Section scheduled to be repealed on January 1, 2014)
Sec. 55. Endorsement. Pursuant to the rules of the Department, upon payment of the required fee, an applicant who has been licensed in another state that has substantially the same requirements as those required for licensure under the provisions of this Act may be granted a license as an electrologist.

Applicants for licensure by endorsement have 3 years after the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee

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forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.
(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/60)

(Section scheduled to be repealed on January 1, 2014)

Sec. 60. Renewal; armed service duty. The expiration date and renewal period for each license issued under this Act shall be set by rule. Renewal shall be conditioned on paying the required fee and meeting other requirements as may be established by rule. All renewal applicants shall provide proof of having met the continuing education requirements in accordance with rules established by the Department, approved by the Department consisting of the equivalent of 30 hours of continuing education every 24 months. The continuing education requirement may be waived in part or in whole for such good cause, including but not limited to illness or hardship, as may be determined by rule.

Any electrologist who has permitted a license to expire or who has a license on inactive status may have the license restored by submitting an application to the Department, filing proof acceptable to the Department of fitness to have the license restored, and paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction.

The Department shall determine, by an evaluation process established by rule, a person's fitness for restoration of a license and shall establish procedures and requirements for restoration.

Any electrologist whose license expired while (i) on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (ii) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license restored without paying any lapsed renewal fees if, within 2 years after honorable termination of service, training or education, the licensee furnishes the Department with satisfactory evidence to the effect that the licensee has been so engaged and that the service, training, or education has been so terminated.
(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/65)

(Section scheduled to be repealed on January 1, 2014)

Sec. 65. Inactive status; restoration.

(a) Any electrologist who notifies the Department in writing on forms prescribed by the Department may elect to place a license on

New matter indicated by italics - deletions by strikeout
inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until the Department is notified in writing of the intention to restore the license.

(b) Any electrologist who has permitted a license to expire or who has a license on inactive status may have the license restored by submitting an application to the Department, filing proof acceptable to the Department of fitness to have the license restored, and paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction. The Department shall determine, by an evaluation process established by rule, a person's fitness for restoration of a license and shall establish procedures and requirements for restoration.

(c) Any electrologist whose license expired while (i) on active duty with the Armed Forces of the United States or the State Militia called into service or training, or (ii) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license restored without paying any lapsed renewal fees if, within 2 years after honorable termination of service, training, or education, the licensee furnishes the Department with satisfactory evidence that the licensee has been so engaged and that the service, training, or education has been so terminated.

(d) An electrologist requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to follow procedures to restore the license as provided in this Section Section 60 of this Act.

(e) An electrologist whose license is on inactive or non-renewed status shall not practice in the State of Illinois.

A licensee who engages in practice with an inactive or non-renewed, a lapsed license or a license on inactive status shall be considered to be practicing without a license, which shall be grounds for discipline under Section 75 of this Act.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/70)

Sec. 70. Fees; returned checks.

(a) The Department shall provide by rule for a schedule of fees for the administration and enforcement of this Act, including but not limited to original licensure, renewal, and restoration. The fees shall be nonrefundable.
(b) All fees collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.

(c) A person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or deny the application without a hearing. If the person seeks a license after termination or denial, he or she shall apply to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to defray the expenses of processing the application. The Secretary Director may waive the fines due under this Section in individual cases if the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/75)

(Section scheduled to be repealed on January 1, 2014)

Sec. 75. Grounds for discipline.

(a) The Department may refuse to issue or renew and may revoke or suspend a license under this Act, and may place on probation, censure, reprimand, or take other disciplinary or non-disciplinary action with regard to any licensee under this Act, as the Department may consider appropriate, including imposing the issuance of fines not to exceed $10,000 for each violation and assess costs as provided for under Section 95 of this Act, for one or any combination of the following causes:

1. Material misstatement in furnishing information to the Department.

2. Violation of this Act or its rules adopted under this Act.

3. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including,
but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of electrology of any felony under the laws of any U.S. jurisdiction, any misdemeanor an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession.

(4) Fraud or Making any misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act for the purpose of obtaining a license.

(5) Aiding or assisting another person in violating any provision of this Act or its rules.

(6) Failing to provide information within 60 days in response to a written request made by the Department.

(7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(8) Habitual or excessive use or abuse of drugs defined in law as controlled substances, addiction to alcohol, narcotics, stimulants, or any other substance chemical agent or drug that results in an electrologist's inability to practice with reasonable judgment, skill, or safety.

(9) Discipline by another governmental agency, unit of government, U.S. jurisdiction, or foreign nation if at least one of the grounds for discipline is the same as or substantially equivalent to any of those set forth in this Act.

(10) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. Nothing in this paragraph (10) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements with health care providers may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice.
under this Act. Nothing in this paragraph (10) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(11) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(12) Abandonment of a patient.

(13) Willfully making or filing false records or reports in the licensee's practice, including, but not limited to, false records filed with State agencies or departments.

(14) **Mental or physical illness or disability**, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(15) **Negligence** in his or her practice under this Act.

(16) Use of fraud, deception, or any unlawful means in applying for and securing a license as an electrologist.

(17) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(18) Failure to comply with standards of sterilization and sanitation as defined in the rules of the Department.

(19) *Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.*

(20) *Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.*

(b) The Department may refuse to issue or renew or may suspend *without hearing* the license of any person who fails to file a return, to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue until the requirements of the tax Act are satisfied *in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.*

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic

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suspension. The suspension will end only upon a finding by a court that
the patient is no longer subject to involuntary admission or judicial
admission, the issuance of an order so finding and discharging the patient,
and the filing of a petition for restoration demonstrating fitness to practice
the recommendation of the Committee to the Director that the licensee be
allowed to resume his or her practice.

(d) In enforcing this Section, the Department, upon a showing of a
possible violation, may compel any individual who is licensed to practice
under this Act or any individual who has applied for licensure to submit to
a mental or physical examination and evaluation, or both, that may
include a substance abuse or sexual offender evaluation, at the expense of
the Department. The Department shall specifically designate the
examining physician licensed to practice medicine in all of its branches
or, if applicable, the multidisciplinary team involved in providing the
mental or physical examination and evaluation, or both. The
multidisciplinary team shall be led by a physician licensed to practice
medicine in all of its branches and may consist of one or more or a
combination of physicians licensed to practice medicine in all of its
branches, licensed chiropractic physicians, licensed clinical psychologists,
licensed clinical social workers, licensed clinical professional counselors,
and other professional and administrative staff. Any examining physician
or member of the multidisciplinary team may require any person ordered
to submit to an examination and evaluation pursuant to this Section to
submit to any additional supplemental testing deemed necessary to
complete any examination or evaluation process, including, but not
limited to, blood testing, urinalysis, psychological testing, or
neuropsychological testing person licensed to practice under this Act or
who has applied for licensure or certification pursuant to this Act to
submit to a mental or physical examination, or both, as required by and at
the expense of the Department. The examining physicians shall be those
specifically designated by the Department. The Department may order the
examining physician to present testimony concerning this mental or
physical examination of the licensee or applicant. No information shall be
excluded by reason of any common law or statutory privilege relating to
communications between the licensee or applicant and the examining
physician. The person to be examined may have, at his or her own
expense, another physician of his or her choice present during all aspects
of the examination. Failure of any person to submit to a mental or physical
examination, when directed, shall be grounds for suspension of a license
until the person submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination. If the Department finds a licensee unable to practice because of the reasons set forth in this Section, the Department shall require the licensee to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed licensure to practice.

When the Secretary immediately suspends a license under this Section, a hearing upon the person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the licensee's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.
Individuals licensed under this Act affected under this Section shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person’s license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(g) All fines or costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or costs or in accordance with the terms set forth in the order imposing the fine.

If the Department finds an individual unable to practice because of the reasons set forth in this Section, the Department may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual.

Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions or restrictions, shall be referred to the Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Department.
In instances in which the Director immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-1482, eff. 11-29-10.)

(225 ILCS 412/85)

(Sec. 85. Violations; injunctions.

(a) If any person violates any provision of this Act, the Secretary Director may, in the name of the People of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which the violation is alleged to have occurred action is brought, petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If a person practices as an electrologist or holds himself or herself out as an electrologist without being licensed under the provisions of this Act, then any licensed electrologist, any interested party, or any person injured thereby may, in addition to the Secretary Director, petition for relief as provided in subsection (a) of this Section.

(c) Whenever, in the opinion of the Department, a person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days after the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the

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satisfaction of the Department shall cause an order to cease and desist to be issued immediately.
(Source: P.A. 92-750, eff. 1-1-03.)
(225 ILCS 412/90)
(Section scheduled to be repealed on January 1, 2014)
Sec. 90. Investigations; notice and hearing.
(a) The Department may investigate the actions of an applicant or a person holding or claiming to hold a license.

(b) Before refusing to issue or renew a license or take any disciplinary or non-disciplinary action against disciplining a licensed electrologist pursuant to Section 75 of this Act, the Department shall notify in writing the applicant or the licensee of the nature of the charges and that a hearing will be held on the date designated, which shall be at least 30 days after the date of the notice. The Department shall direct the applicant or licensee to file a written answer to the Department under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license may be suspended, revoked, placed on probationary status, or other disciplinary or non-disciplinary action may be taken, including limiting the scope, nature, or extent of business as the Secretary Director may deem proper. Written notice may be served by personal delivery or certified or registered mail sent to the licensee's address of record respondent at the most recent address on record with the Department.

If the applicant or licensee fails to file an answer after receiving notice, the license may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action considered it deems proper including limiting the scope, nature, or extent of the person's practice or the imposition of a fine imposing a civil penalty, without a hearing if the act or acts charged constitute sufficient grounds ground for such action under this Act.

At the time and place fixed in the notice, the Department shall proceed to hear the charges, and the parties or their counsel shall be accorded ample opportunity to present any pertinent such statements, testimony, evidence, and argument as may be pertinent to the charges or to their defense. The Department may continue a hearing from time to time.
(Source: P.A. 92-750, eff. 1-1-03.)
(225 ILCS 412/95)
(Section scheduled to be repealed on January 1, 2014)
Sec. 95. Record of proceedings. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue or renew a license or the discipline of a licensed electrologist. Any licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine. The notice of hearing, complaint, and all other documents in the nature of pleadings, written motions filed in the proceedings, the transcript of testimony, the report of the hearing officer, and the order of the Department shall be the record of the proceeding.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/100)

(Section scheduled to be repealed on January 1, 2014)

Sec. 100. Required testimony. Upon application of the Department or its designee, or of the person against whom proceedings pursuant to Section 75 of this Act are pending, any circuit court may enter an order requiring the attendance and testimony of witnesses and their testimony, and the production of relevant documents, paper, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/105)

(Section scheduled to be repealed on January 1, 2014)

Sec. 105. Subpoena power; oaths. The Department may have power to subpoena and bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any investigation or hearing conducted by the Department either orally, by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

The Secretary, the shorthand court reporter, Director and hearing officers may administer oaths to witnesses at any hearing that the Department conducts is authorized to conduct under this Act and any other oaths required or authorized to be administered by the Department.

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Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents, or records shall be in accordance with this Act.

(Source: P.A. 92-750, eff. 1-1-03.)

Sec. 110. Findings and recommendations. At the conclusion of the hearing, the hearing officer shall present to the Secretary Director a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding of whether or not the accused applicant or licensee violated this Act or failed to comply with the conditions required in this Act. The hearing officer shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary Director.

The report of the findings and recommendations of the hearing officer shall be the basis for the Department's order for refusing to issue, restore, or renew a license, or otherwise disciplining a licensee if of refusal or for the granting of licensure unless the Secretary Director determines that the hearing officer's report is contrary to the manifest weight of the evidence, in which case the Secretary Director may issue an order in contravention of the hearing officer's report. The finding is not admissible in evidence against the applicant or licensee in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 92-750, eff. 1-1-03.)

Sec. 115. Hearing officer. The Secretary Director has the authority to appoint an attorney duly licensed to practice law in this State to serve as the hearing officer in an action for refusal to issue or renew a license or for the discipline of a licensed electrologist. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings and recommendations to the Secretary Director.

(Source: P.A. 92-750, eff. 1-1-03.)

Sec. 120. Motion for rehearing. In any case involving the refusal to issue or renew a license, or the discipline of a licensee, a copy of the
hearing officer's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after service, the respondent may present to the Department a motion in writing for a rehearing which shall specify the particular grounds for rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing a motion, or if a motion for rehearing is denied, then upon denial, the Secretary Director may enter an order in accordance with the recommendation of the hearing officer. If the respondent orders from the reporting service, and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/125)
Sec. 125. Order for rehearing. Rehearing on order of Director. Whenever the Secretary Director is not satisfied that substantial justice has been done in the revocation, suspension, or refusal to issue or renew a license, the Secretary Director may order a rehearing.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/130)
Sec. 130. Order or certified copy as prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, shall be prima facie proof:

(1) that the signature is the genuine signature of the Secretary Director; and

(2) that the Secretary Director is duly appointed and qualified.

This proof may be rebutted.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/135)
Sec. 135. Restoration of license from discipline. License restoration. At any time after the successful completion of a term of indefinite probation, suspension, or revocation of a license, the Department may restore the license to active status, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person whose license has been revoked as

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authorized in this Act may apply for restoration of that license until such
time as provided for in the Civil Administrative Code of Illinois. At any
time after the suspension or revocation of a license the Department may
restore it to the accused person, unless after an investigation and a hearing
the Department determines that restoration is not in the public interest.
(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/145)
(Section scheduled to be repealed on January 1, 2014)

Sec. 145. Summary Temporary suspension. The Secretary Director
may summarily temporarily suspend the license of an electrologist without
a hearing, simultaneously with the institution of proceedings for a hearing
under Section 90 of this Act, if the Secretary Director finds that the evidence in his or her possession indicates that continuation in practice
would constitute an imminent danger to the public. In the event that the Secretary summarily temporarily suspends a license without a
hearing, a hearing by the Department shall must be held within 30 days
after the suspension has occurred; and shall be concluded as expeditiously
as possible concluded without appreciable delay.
(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/155)
(Section scheduled to be repealed on January 1, 2014)

Sec. 155. Certification of record. The Department shall not be
required to certify any record to the court, file any answer in court, or
otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff there is filed in the
court, with the complaint, a receipt from the Department acknowledging
the payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Failure on the part of the plaintiff
to file a receipt in court is grounds for dismissal of the action.
(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/157 new)

Sec. 157. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the

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Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee or registrant by the Department or any order issued by the Department against a licensee, registrant, or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 412/162)

(Section scheduled to be repealed on January 1, 2014)
Sec. 162. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice electrology without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provisions of a hearing for the discipline of a licensee.

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

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 92-750, eff. 1-1-03.)

(225 ILCS 412/33 rep.)

Section 15. The Electrologist Licensing Act is amended by repealing Section 33.

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 and by adding Section 4.34 as follows:
(5 ILCS 80/4.24)
Sec. 4.24. Acts and Section repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:
The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act:
Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)
(5 ILCS 80/4.34 new)
Sec. 4.34. Act repealed on January 1, 2024. The following Act is repealed on January 1, 2024:
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.
Section 10. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by changing Sections 10, 20, 30, 40, 45, 50, 55, 65, 70, 75, 77, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 145, 150, and 165 and by adding Section 87 as follows:
(225 ILCS 130/10)
(Section scheduled to be repealed on January 1, 2014)
Sec. 10. Definitions. As used in this Act:
"Address of record" means the designated address recorded by the Department in the applicant's or registrant's application file or registration file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or registrant to inform the Department

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of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Direct supervision" means supervision by a licensed operating physician, licensed podiatrist, or licensed dentist who is physically present and who personally directs delegated acts and remains available to personally respond to an emergency until the patient is released from the operating room. A registered professional nurse may also provide direct supervision within the scope of his or her license. A registered surgical assistant or registered surgical technologist shall perform duties as assigned.

"Director" means the Director of Professional Regulation.

"Physician" or "operating physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Registered surgical assistant" means a person who (i) is not licensed to practice medicine in all of its branches, (ii) is certified by the National Surgical Assistant Association as a Certified Surgical Assistant on the Certification of Surgical Assistants, the National Board of Surgical Technology and Surgical Assisting Liaison Council on Certification for the Surgical Technologist as a Certified Surgical First Assistant certified first assistant, or the American Board of Surgical Assistants as a Surgical Assistant-Certified Assisting, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.

"Registered surgical technologist" means a person who (i) is not a physician licensed to practice medicine in all of its branches, (ii) is certified by the National Board for Surgical Technology and Surgical Assisting Liaison Council on Certification for the Surgical Technologist, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.

"Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/20)
Sec. 20. Illinois Administrative Procedure Act—rules. (a) The Illinois Administrative Procedure Act is expressly adopted and incorporated in this Act as if all of the provisions of the Illinois Administrative Procedure Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the registrant has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the registration is specifically excluded. For purposes of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the registrant's address of record last known address of a party.

(b) The Director may promulgate rules for the administration and enforcement of this Act and may prescribe forms to be issued in connection with this Act.

(225 ILCS 130/30)

Sec. 30. Social Security Number on registration application. In addition to any other information required to be contained in the application, every application for an original certificate of registration under this Act shall include the applicant's Social Security Number, which shall be retained in the agency's records pertaining to the registration license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a registration license.

Every application for a renewed, reinstated, renewal or restored registration license shall require the applicant's customer identification number.

(225 ILCS 130/40)

Sec. 40. Application of Act. This Act shall not be construed to prohibit the following:

(1) A person licensed in this State under any other Act from engaging in the practice for which he or she is licensed, including but not limited to a physician licensed to practice medicine in all its branches, physician assistant, advanced practice registered nurse, or nurse performing surgery-related tasks within the scope of practice.

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his or her license, nor are these individuals required to be registered under this Act.

(2) A person from engaging in practice as a surgical assistant or surgical technologist in the discharge of his or her official duties as an employee of the United States government.

(3) One or more registered surgical assistants or surgical technologists from forming a professional service corporation in accordance with the Professional Service Corporation Act and applying for licensure as a corporation providing surgical assistant or surgical technologist services.

(4) A student engaging in practice as a surgical assistant or surgical technologist under the direct supervision of a physician licensed to practice medicine in all of its branches as part of his or her program of study at a school approved by the Department or in preparation to qualify for the examination as prescribed under Sections 45 and 50 of this Act.

(5) A person from assisting in surgery at a physician's discretion, including but not limited to medical students and residents, nor are medical students and residents required to be registered under this Act.

(6) A hospital, health system or network, ambulatory surgical treatment center, physician licensed to practice medicine in all its branches, physician medical group, or other entity that provides surgery-related services from employing individuals that the entity considers competent to assist in surgery. These entities are not required to utilize registered surgical assistants or registered surgical technologists when providing surgery-related services to patients. Nothing in this subsection shall be construed to limit the ability of an employer to utilize the services of any person to assist in surgery within the employment setting consistent with the individual's skill and training.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/45)
(Section scheduled to be repealed on January 1, 2014)
Sec. 45. Registration requirements; surgical assistant. A person shall qualify for registration as a surgical assistant if he or she has applied in writing on the prescribed form, has paid the required fees, and meets all of the following requirements:

(1) Is at least 21 years of age.

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(2) Has not violated a provision of Section 75-95 of this Act. In addition the Department may take into consideration any felony conviction of the applicant, but a conviction shall not operate as an absolute bar to registration unless otherwise provided by law.

(3) Has completed a medical education program approved by the Department or has graduated from a United States Military Program that emphasizes surgical assisting.

(4) Has successfully completed a national certifying examination approved by the Department.

(5) Is currently certified by the National Surgical Assistant Association as a Certified Surgical Assistant on the Certification of Surgical Assistants, the National Board of Surgical Technology and Surgical Assisting Liaison Council on Certification for the Surgical Technologist as a Certified Surgical First Assistant, or the American Board of Surgical Assistants as a Surgical Assistant-Certified Assisting.

(Source: P.A. 93-280, eff. 7-1-04.)

Sec. 50. Registration requirements; surgical technologist. A person shall qualify for registration as a surgical technologist if he or she has applied in writing on the prescribed form, has paid the required fees, and meets all of the following requirements:

(1) Is at least 18 years of age.

(2) Has not violated a provision of Section 75-95 of this Act. In addition the Department may take into consideration any felony conviction of the applicant, but a conviction shall not operate as an absolute bar to registration unless otherwise provided by law.

(3) Has completed a nationally accredited surgical technology program approved by the Department or has graduated from a United States Military Program that emphasizes surgical technology.

(4) Has successfully completed the surgical technologist national certification examination provided by the National Board of Surgical Technology and Surgical Assisting Liaison Council on Certification for the Surgical Technologist or its successor agency.

(5) (Blank).

New matter indicated by italics - deletions by strikeout
(6) Is currently certified by the National Board of Surgical Technology and Surgical Assisting Liaison Council on Certification for the Surgical Technologist or its successor agency and has met the requirements set forth for certification.

(Source: P.A. 97-813, eff. 7-13-12.)

(225 ILCS 130/55)

Sec. 55. Supervision requirement. A person registered under this Act shall practice as a surgical assistant only under direct supervision.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/65)

Sec. 65. Inactive status. A registrant who notifies the Department in writing on forms prescribed by the Department may elect to place his or her registration on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of his or her intention to restore the registration. A registrant requesting restoration from inactive status shall pay the current renewal fee and shall restore his or her registration in accordance with Section 60 of this Act. A registrant whose registration is on inactive or non-renewed status shall not hold himself or herself out as a registered surgical assistant or registered surgical technologist. To do so shall be grounds for discipline under Section 75 of this Act.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/70)

Sec. 70. Fees; returned checks.

(a) The Department shall set by rule fees for the administration of this Act, including but not limited to fees for initial and renewal registration and restoration of a certificate of registration.

(b) A person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act. The Department shall notify the person that fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from...
the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the registration or deny the application without a hearing. If the person seeks a registration license after termination or denial, he or she shall apply to the Department for restoration or issuance of the registration license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a registration license to defray the expenses of processing the application. The Secretary Director may waive the fines due under this Section in individual cases if the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.

(c) All of the fees and fines collected under this Act shall be deposited into the General Professions Dedicated Fund. All moneys in the Fund shall be used by the Department, as appropriated, for the ordinary and contingent expenses of the Department.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/75)

(Section scheduled to be repealed on January 1, 2014)

Sec. 75. Grounds for disciplinary action.

(a) The Department may refuse to issue, renew, or restore a registration, may revoke or suspend a registration, or may place on probation, censure, reprimand, or take other disciplinary or non-disciplinary action with regard to a person registered under this Act, including but not limited to the imposition of fines not to exceed $10,000 $5,000 for each violation and the assessment of costs as provided for in Section 90, for any one or combination of the following causes:

(1) Making a material misstatement in furnishing information to the Department.

(2) Violating a provision of this Act or its rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession. Conviction under the laws of any United States jurisdiction of a crime that is a felony or a misdemeanor, an
essential element of which is dishonesty, or of a crime that is directly related to the practice as a surgical assistant or surgical technologist:

(4) *Fraud or Making a misrepresentation in applying for, renewing, restoring, reinstating, or procuring a registration under this Act for the purpose of obtaining, renewing, or restoring a registration.*

(5) *Aiding Wilfully aiding or assisting another person in violating a provision of this Act or its rules.*

(6) Failing to provide information within 60 days in response to a written request made by the Department.

(7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, as defined by rule of the Department.

(8) Discipline by another United States jurisdiction, governmental agency, unit of government, or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(9) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (9) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the registrant's licensee's practice under this Act. Nothing in this paragraph (9) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(10) A finding by the Department that the registrant, after having his or her registration placed on probationary status, has violated the terms of probation.

(11) *Willfully Willfully* making or filing false records or reports in his or her practice, including but not limited to false records or reports filed with State agencies.

(12) *Willfully Willfully* making or signing a false statement, certificate, or affidavit to induce payment.

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(13) **Willfully** failing to report an instance of suspected child abuse or neglect as required under the Abused and Neglected Child Reporting Act.

(14) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the registrant has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(15) (Blank). Employment of fraud, deception, or any unlawful means in applying for or securing a license as a surgical assistant.

(16) Failure to report to the Department (A) any adverse final action taken against the registrant by another registering or licensing jurisdiction, government agency, law enforcement agency, or any court or (B) liability for conduct that would constitute grounds for action as set forth in this Section.

(17) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(18) Physical or mental illness, including but not limited to deterioration through the aging process or loss of motor skills, which results in the inability to practice the profession for which he or she is registered with reasonable judgment, skill, or safety.

(19) Gross malpractice resulting in permanent injury or death of a patient.

(20) Immoral conduct in the commission of an act related to the registrant's practice, including but not limited to sexual abuse, sexual misconduct, or sexual exploitation.

(21) Violation of the Health Care Worker Self-Referral Act.

(b) The Department may refuse to issue or may suspend without hearing the registration of a person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay a final assessment of the tax, penalty, or interest as required by a tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Regulation Law of the Civil Administrative Code of Illinois.

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(c) The determination by a circuit court that a registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon (1) a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, (2) issuance of an order so finding and discharging the patient, and (3) filing of a petition for restoration demonstrating fitness to practice the recommendation of the Department to the Director that the registrant be allowed to resume his or her practice.

(d) The Department shall deny a registration or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Regulation Law of the Civil Administrative Code of Illinois.

(e) In cases where the Department of Healthcare and Family Services has previously determined a registrant or a potential registrant is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person’s registration or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual registered under this Act or any individual who has applied for registration to submit to a mental or physical examination and evaluation, or both, that may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional
and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the registrant or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the registrant or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the registrant or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension without a hearing until such time as the individual submits to the examination. If the Department finds a registrant unable to practice because of the reasons set forth in this Section, the Department shall require such registrant to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed registration.

When the Secretary immediately suspends a registration under this Section, a hearing upon such person's registration must be convened by the Department within 15 days after such suspension and completed without appreciable delay. The Department shall have the authority to review the registrant's record of treatment and counseling regarding the
impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals registered under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their registration.

(g) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 96-1482, eff. 11-29-10.)

(225 ILCS 130/77)

(Section scheduled to be repealed on January 1, 2014)

Sec. 77. Suspension of registration for failure to pay restitution. The Department, without further process or hearing, shall suspend the registration license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 17-10.5 or 46-1 of the Criminal Code of 1961 or the Criminal Code of 2012. A person whose registration license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(225 ILCS 130/80)

(Section scheduled to be repealed on January 1, 2014)

Sec. 80. Cease and desist order; injunctions.

(a) If a person violates a provision of this Act, the Secretary in the name of the People of the State of Illinois through the Attorney General of the State of Illinois, or the State's Attorney of a county in which the violation is alleged to have occurred, may petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order without notice or bond and may preliminarily and permanently enjoin the violation. If it is established that the registrant has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If a person holds himself or herself out as a surgical assistant or surgical technologist without being registered under this Act, then any

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registrant under this Act, interested party, or person injured thereby, in addition to the Secretary Director or State's Attorney, may petition for relief as provided in subsection (a) of this Section.

c) If the Department determines that a person violated a provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him or her. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/85)

(Section scheduled to be repealed on January 1, 2014)

Sec. 85. Investigation; notice; hearing. Certificates of registration may be refused, revoked, suspended, or otherwise disciplined in the manner provided by this Act and not otherwise. The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts that if proven would constitute grounds for refusal to issue or for suspension or revocation under this Act, investigate the actions of a person applying for, holding, or claiming to hold a certificate of registration. The Department shall, before refusing to issue or renew a registration; suspending, or revoking a certificate of registration or taking other disciplinary or non-disciplinary action discipline pursuant to Section 75 of this Act, and at least 30 days prior to the date set for the hearing, (i) notify in writing the applicant or registrant of the any charges made and the time and place for a hearing of the charges, shall afford the applicant or registrant an opportunity to be heard in person or by counsel in reference to the charges, and (ii) direct the applicant or registrant to file a written answer to the Department under oath within 20 days after the service of the notice, and (iii) inform the applicant or registrant that failure to file an answer will result in default being taken against the applicant or registrant and that the certificate of registration may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Director may deem proper.

Written notice and any notice in the subsequent proceeding may be served by personal delivery to the applicant or registrant or by mailing the notice by registered or certified mail to the applicant's or registrant's

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address of record his or her last known place of residence or to the place
of business last specified by the applicant or registrant in his or her last
notification to the Department. If the person fails to file an answer after
receiving notice, his or her certificate of registration may, in the discretion
of the Department, be suspended, revoked, or placed on probationary
status or the Department may take whatever disciplinary or non-
disciplinary action deemed proper, including limiting the delegated tasks
or the imposition of a fine, without a hearing, if the act or acts charged
constitute sufficient grounds for such action under this Act. At the time
and place fixed in the notice, the Department shall proceed to hearing of
the charges and the parties and their counsel both the applicant or
registrant and the complainant shall be afforded ample opportunity to
present, in person or by counsel, any pertinent statements, testimony,
evidence, and arguments that may be pertinent to the charges or to their
defense. The Department may continue a hearing from time to time. The
Department may continue a hearing for a period not to exceed 30 days.
(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/87 new)

Sec. 87. Confidentiality. All information collected by the
Department in the course of an examination or investigation of a
registrant or applicant, including, but not limited to, any complaint
against a registrant filed with the Department and information collected
to investigate any such complaint shall be maintained for the confidential
use of the Department and shall not be disclosed. The Department shall
not disclose the information to anyone other than law enforcement
officials, regulatory agencies that have an appropriate regulatory interest
as determined by the Secretary, or a party presenting a lawful subpoena to
the Department. Information and documents disclosed to a federal, State,
county, or local law enforcement agency shall not be disclosed by the
agency for any purpose to any other agency or person. A formal complaint
filed against a registrant by the Department or any order issued by the
Department against a registrant or applicant shall be a public record,
except as otherwise prohibited by law.

(225 ILCS 130/90)

(Section scheduled to be repealed on January 1, 2014)

Sec. 90. Record of proceedings. The Department, at its expense,
shall preserve a record of all proceedings at a formal hearing conducted
pursuant to Section 85 of this Act. Any registrant who is found to have
violated this Act or who fails to appear for a hearing to refuse to issue,
restore, or renew a registration or to discipline a registrant may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Department or hearing officer, and orders of the Department shall be the record of the proceeding. The Department shall supply a transcript of the record to a person interested in the hearing on payment of the fee required under Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/95)

Sec. 95. Order for production of documents. A circuit court may, upon application of the Department, or its designee, or of the applicant or registration against whom proceedings pursuant to Section 85 of this Act are pending, enter an order requiring the attendance and testimony of witnesses and their testimony and the production of relevant documents, papers, files, books, and records in connection with a hearing or investigation authorized by this Act. The court may compel obedience to its order through contempt proceedings.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/100)

Sec. 100. Subpoena power.

(a) The Department may have the power to subpoena and bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any investigation or hearing conducted by the Department orally or by deposition, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

(b) The Secretary, the hearing officer, or a certified shorthand court reporter may have the authority to administer oaths; at any hearing that the Department conducts is authorized to conduct under
this Act, oaths to witnesses and any other oaths authorized to be administered by the Department under this Act. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents, or records shall be in accordance with this Act.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/105)

(Section scheduled to be repealed on January 1, 2014)

Sec. 105. Disciplinary report. At the conclusion of the hearing, the hearing officer Department shall present to the Secretary Director a written report of his or her findings of fact, conclusions of law, and recommendations. In the report, the hearing officer Department shall make a finding of whether or not the charged registrant or applicant violated a provision of this Act or its rules and shall specify the nature of the violation. In making its recommendations for discipline, the Department may take into consideration all facts and circumstances bearing upon the reasonableness of the conduct of the respondent and the potential for future harm to the public, including but not limited to previous discipline of that respondent by the Department, intent, degree of harm to the public and likelihood of harm in the future, any restitution made, and whether the incident or incidents complained of appear to be isolated or a pattern of conduct. In making its recommendations for discipline, the Department shall seek to ensure that the severity of the discipline recommended bears some reasonable relationship to the severity of the violation.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/110)

(Section scheduled to be repealed on January 1, 2014)

Sec. 110. Motion for rehearing. In a case involving the refusal to issue or renew a registration or the discipline of a registrant, a copy of the hearing officer's Department's report shall be served upon the respondent by the Department, either personally or as provided under Section 20 of this Act for the service of the notice of hearing. Within 20 days after the service, the respondent may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for a rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing the motion, or if a motion for rehearing is denied, then upon the denial the Secretary Director may enter an order in accordance with recommendations of the Department, except as provided in Section 115 or 120 of this Act. If the respondent orders a transcript of the record from the reporting service and pays for the transcript within the time for

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filing a motion for rehearing, the 20-day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/115)

(Section scheduled to be repealed on January 1, 2014)

Sec. 115. Order of Secretary Director.

(a) The Director shall issue an order concerning the disposition of the charges (i) following the expiration of the filing period granted under Section 110 of this Act if no motion for rehearing is filed or (ii) following a denial of a timely motion for rehearing.

(b) The Secretary's Director's order shall be based on the recommendations contained in the Department report unless, after giving due consideration to the Department's report, the Secretary Director disagrees in any regard with the report of the Department, in which case he or she may issue an order in contravention of the report. The Secretary shall provide a written report to the Department on any deviation from the Department's report and shall specify with particularity the reasons for his or her deviation in the final order. The hearing officer's, Department's report and Secretary's Director's order are not admissible in evidence against the person in a criminal prosecution brought for a violation of this Act, but the hearing, report, and order are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/120)

(Section scheduled to be repealed on January 1, 2014)

Sec. 120. Hearing officer. The Secretary Director shall have the authority to appoint an attorney licensed to practice law in this State to serve as the hearing officer in a hearing authorized under Section 90 of this Act. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Department. If the Secretary Director disagrees in any regard with the report of the Department, he or she may issue an order in contravention of the report. The Secretary Director shall provide a written explanation to the Department on a deviation from the Department's report and shall specify with particularity the reasons for his or her deviation in the final order.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/125)
Sec. 125. Rehearing on order of Secretary Director. Whenever the Secretary Director is not satisfied that substantial justice has been achieved in the discipline of a registrant, the Secretary Director may order a rehearing by the same or another hearing officer.
(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/130)

Sec. 130. Order; prima facie proof. An order or a certified copy of an order, over the seal of the Department and purporting to be signed by the Secretary Director, shall be prima facie proof that:

(1) the signature is the genuine signature of the Secretary Director; and

(2) the Secretary Director is duly appointed and qualified.
(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/135)

Sec. 135. Restoration of registration from discipline. At any time after the successful completion of a term of indefinite probation, suspension, or revocation of a registration, the Department may restore the registration to active status unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person whose registration has been revoked as authorized in this Act may apply for restoration of that registration until such time as provided for in the Civil Administrative Code of Illinois. suspension or revocation of a certificate of registration, the Department may restore it to the registrant unless, after an investigation and a hearing, the Department determines that restoration is not in the public interest. Where circumstances of suspension or revocation so indicate, the Department may require an examination of the registrant before restoring his or her certificate of registration.
(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/145)

Sec. 145. Summary Temporary suspension. The Secretary Director may summarily temporarily suspend the registration of a surgical assistant or surgical technologist without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 85 of this Act, if the Secretary Director finds that evidence in his or her possession
indicates that continuation in practice would constitute an imminent danger to the public. If the Secretary Director summarily temporarily suspends a registration license without a hearing, a hearing by the Department shall be commenced held within 30 days after the suspension has occurred and shall be concluded as expeditiously as possible without appreciable delay.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/150)

Sec. 150. Certificate of record. The Department shall not be required to certify any record to a court or file an answer in court or otherwise appear in a court in a judicial review proceeding unless and until the Department has received from the plaintiff there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

(Source: P.A. 93-280, eff. 7-1-04.)

(225 ILCS 130/165)

Sec. 165. Civil penalties.

(a) In addition to any other penalty provided by law, a person who violates Section 35 of this Act shall pay a civil penalty to the Department in an amount not to exceed $10,000 $5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unregistered activity.

(c) The civil penalty assessed under this Act shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had on the judgment in the same manner as a judgment from a court of record.

(Source: P.A. 93-280, eff. 7-1-04.)

Section 99. Effective date. This Act takes effect December 31, 2013.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.

New matter indicated by italics - deletions by strikeout
Effective December 31, 2013.

PUBLIC ACT 98-0365
(House Bill No. 0595)

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

Section 5. The Community Association Manager Licensing and Disciplinary Act is amended by changing Sections 5, 10, 15, 20, 25, 27, 32, 40, 50, 55, 60, 65, 70, 75, 85, 87, 92, 135, 155, and 165 and by adding Section 42 as follows:

(225 ILCS 427/5)
(Section scheduled to be repealed on January 1, 2020)

Sec. 5. Legislative intent. It is the intent of the General Assembly that this Act provide for the licensing and regulation of managers of community association managers and community association management firms, ensure that those who hold themselves out as possessing professional qualifications to engage in the provision of community association management services are, in fact, qualified to render management services of a professional nature, and provide for the maintenance of high standards of professional conduct by those licensed to provide as community association management services.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/10)
(Section scheduled to be repealed on January 1, 2020)

Sec. 10. Definitions. As used in this Act:
"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.
"Advertise" means, but is not limited to, issuing or causing to be distributed any card, sign or device to any person; or causing, permitting or allowing any sign or marking on or in any building, structure, newspaper, magazine or directory, or on radio or television; or advertising by any other means designed to secure public attention.
"Board" means the Illinois Community Association Manager Licensing and Disciplinary Board.

"Community association" means an association in which membership is a condition of ownership or shareholder interest of a unit in a condominium, cooperative, townhouse, villa, or other residential unit which is part of a residential development plan and that is authorized to impose an assessment, rents, or other costs that may become a lien on the unit or lot.

"Community association funds" means any assessments, fees, fines, or other funds collected by the community association manager from the community association, or its members, other than the compensation paid to the community association manager for performance of community association management services.

"Community association management firm" means a company, corporation, limited liability company, or other entity that engages in community association management services.

"Community association management services" means those services listed in the definition of community association manager in this Section.

"Community Association Management Agency" means a company, firm, corporation, limited liability company, or other entity that engages in the community association management business and employs, in addition to the licensee in charge, at least one other person in conducting such business.

"Community association manager" means an individual who administers for remuneration the financial, administrative, maintenance, or other duties for the community association, including the following services: (A) collecting, controlling or disbursing funds of the community association or having the authority to do so; (B) preparing budgets or other financial documents for the community association; (C) assisting in the conduct of community association meetings; (D) maintaining association records; and (E) administrating association contracts, as stated in the declaration, bylaws, proprietary lease, declaration of covenants, or other governing document of the community association. "Community association manager" does not mean support staff, including, but not limited to bookkeepers, administrative assistants, secretaries, property inspectors, or customer service representatives.

"Department" means the Department of Financial and Professional Regulation.
"License" means the license issued to a person, corporation, partnership, limited liability company, or other legal entity to act as a community association manager under this Act to provide community association management services or other authority to practice issued under this Act.

"Person" means any individual, firm, corporation, partnership, limited liability company, or other legal entity organization, or body politic.

"Licensee-in-charge" means a person licensed as a community association manager who has been designated by a Community Association Management Agency as the full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in the Act.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Supervising community association manager" means an individual licensed as a community association manager who manages and supervises a firm.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/15)

(Section scheduled to be repealed on January 1, 2020)

Sec. 15. License required. It Beginning 12 months after the adoption of rules providing for the licensure of a community association manager in Illinois under this Act, it shall be unlawful for any person, corporation, partnership, limited liability company, or other entity, or other business to provide community association management services, or provide services as a community association manager, or hold himself, herself, or itself out as a community association manager or community association management firm to any community association in this State, unless he, or she, or it holds a current and valid license issued licensed by the Department or is otherwise exempt from licensure under this Act.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/20)

(Section scheduled to be repealed on January 1, 2020)

Sec. 20. Exemptions.

(a) The requirement for holding a license under this Act shall not apply to any of the following:

New matter indicated by italics - deletions by strikeout
(1) Any director, officer, or member of a community association providing one or more of the services of a community association manager to a community association without compensation for such services to the association.

(2) Any person, corporation, partnership, or limited liability company providing one or more of the services of a community association manager to a community association of 10 units or less.

(3) A licensed attorney acting solely as an incident to the practice of law.

(4) A person acting as a receiver, trustee in bankruptcy, administrator, executor, or guardian acting under a court order or under the authority of a will or of a trust instrument.

(5) A person licensed in this State under any other Act from engaging the practice for which he or she is licensed.

(b) A licensed community association manager may not perform or engage in any activities for which a real estate managing broker or real estate broker's salesperson's license is required under the Real Estate License Act of 2000, unless he or she also possesses a current and valid license under the Real Estate License Act of 2000 and is providing those services as provided for in the Real Estate License Act of 2000 and the applicable rules.

(c) A person may temporarily act as, or provide services as, a community association manager without being licensed under this Act if the person (i) is a community association manager regulated under the laws of another state or territory of the United States or another country and (ii) has applied in writing to the Department, on forms prepared and furnished by the Department, for licensure under this Act. This temporary right to act as a community association manager shall expire; but only until the expiration of 6 months after the filing of his or her written application to the Department; or upon the withdrawal of the application for licensure under this Act; or upon delivery of a notice of intent to deny the application from the Department; or upon the denial of the application by the Department, whichever occurs first.

(Source: P.A. 96-726, eff. 7-1-10.)
Sec. 25. Community Association Manager Licensing and Disciplinary Board.

(a) There is hereby created the Community Association Manager Licensing and Disciplinary Board, which shall consist of 7 members appointed by the Secretary. All members must be residents of the State and must have resided in the State for at least 5 years immediately preceding the date of appointment. Five members of the Board must be licensees under this Act, at least two members of which shall be supervising community association managers except that, initially, these members must meet the qualifications for licensure and have obtained a license within 6 months after the effective date of this Act. Two members of the Board shall be owners of, or hold a shareholder’s interest in, shareholders of a unit in a community association at the time of appointment who are not licensees under this Act and have no direct affiliation or work experience with the community association's community association manager. This Board shall act in an advisory capacity to the Department.

(b) Board members shall serve for terms of 5 years, except that, initially, 4 members shall serve for 5 years and 3 members shall serve for 4 years. All members shall serve until his or her successor is appointed and qualified. All vacancies shall be filled in like manner for the unexpired term. No member shall serve for more than 2 successive terms. The Secretary shall remove from the Board any member whose license has become void or has been revoked or suspended and may remove any member of the Board for neglect of duty, misconduct, or incompetence. A member who is subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(c) Four Board members shall constitute a quorum. A quorum is required for all Board decisions.

(d) The Board may elect annually a chairperson and vice chairperson.

(e) Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member. The Board shall be compensated as determined by the Secretary.

(f) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

(Source: P.A. 96-726, eff. 7-1-10.)

New matter indicated by italics - deletions by strikeout
Sec. 27. Immunity from Liability. Any member of the Board, any attorney providing advice to the Board or Department, any person acting as a consultant to the Board or Department, and any witness testifying in a proceeding authorized under this Act, excluding the party making the complaint, shall be immune from liability in any civil action brought against him or her for acts occurring while acting in his or her capacity as a Board member, attorney, consultant, or witness, respectively, unless the conduct that gave rise to the action was willful or wanton misconduct.

(Source: P.A. 96-726, eff. 7-1-10.)

Sec. 32. Social Security Number or Federal Tax Identification Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number or Federal Tax Identification Number, which shall be retained in the Department's agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or restored license shall require the applicant's customer identification number.

(Source: P.A. 96-726, eff. 7-1-10; 97-400, eff. 1-1-12.)

Sec. 40. Qualifications for licensure as a community association manager.

(a) No person shall be qualified for licensure as a community association manager under this Act, unless he or she has applied in writing on the prescribed forms and has paid the required, nonrefundable fees and meets all of the following qualifications:

(1) He or she is at least 21 years of age.

(2) He or she provides satisfactory evidence of having completed at least 20 classroom hours in community association management courses approved by the Board.

(3) He or she has passed an examination authorized by the Department.
(4) He or she has not committed an act or acts, in this or any other jurisdiction, that would be a violation of this Act.

(5) He or she is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or activities that would constitute grounds for discipline under this Act. Good moral character is a continuing requirement of licensure. Conviction of crimes may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(6) He or she has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(7) He or she complies with any additional qualifications for licensure as determined by rule of the Department.

(b) The education requirement set forth in item (2) of subsection (a) of this Section shall not apply to persons holding a real estate managing broker or real estate broker salesperson license in good standing issued under the Real Estate License Act of 2000.

(c) The examination and initial education requirement of items (2) and (3) of subsection (a) of this Section shall not apply to any person who within 6 months from the effective date of the requirement for licensure, as set forth in Section 170 of this Act, applies for a license by providing satisfactory evidence to the Department of qualifying experience or education, as may be set forth by rule, including without limitation evidence that he or she has (i) practiced community association management for a period of 5 years or (ii) achieved a designation awarded by recognized community association management organizations in the State.

(d) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of re-application.

(Source: P.A. 96-726, eff. 7-1-10; 96-993, eff. 7-2-10.)

(225 ILCS 427/42 new)

(Section scheduled to be repealed on January 1, 2020)

Sec. 42. Qualifications for licensure as a supervising community association manager.

New matter indicated by italics - deletions by strikeout
(a) No person shall be qualified for licensure as a supervising community association manager under this Act unless he or she has applied in writing on the prescribed forms, has paid the required nonrefundable fees, and meets all of the following qualifications:

(1) He or she is at least 21 years of age.
(2) He or she has been licensed at least one out of the last 2 preceding years as a community association manager.
(3) He or she provides satisfactory evidence of having completed at least 30 classroom hours in community association management courses approved by the Board, 20 hours of which shall be those pre-license hours required to obtain a community association manager license, and 10 additional hours completed the year immediately preceding the filing of the application for a supervising community association manager license, which shall focus on community association administration, management, and supervision.
(4) He or she has passed an examination authorized by the Department.
(5) He or she has not committed an act or acts, in this or any other jurisdiction, that would be a violation of this Act.
(6) He or she is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or activities that would constitute grounds for discipline under this Act. Good moral character is a continuing requirement of licensure. Conviction of crimes may be used in determining moral character, but shall not constitute an absolute bar to licensure.
(7) He or she has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.
(8) He or she complies with any additional qualifications for licensure as determined by rule of the Department.

(b) The initial 20-hour education requirement set forth in item (3) of subsection (a) of this Section shall not apply to persons holding a real estate managing broker or real estate broker license in good standing issued under the Real Estate License Act of 2000. The 10 additional hours required for licensure under this Section shall not apply to persons

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Public Act 98-0365

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holding a real estate managing broker license in good standing issued under the Real Estate License Act of 2000.

(c) The examination and initial education requirement of items (3) and (4) of subsection (a) of this Section shall not apply to any person who, within 6 months after the effective date of the requirement for licensure, as set forth in Section 170 of this Act, applies for a license by providing satisfactory evidence to the Department of qualifying experience or education, as may be set forth by rule, including without limitation, evidence that he or she has practiced community association management for a period of 7 years.

(d) Applicants have 3 years after the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of re-application.

(225 ILCS 427/50)

(Section scheduled to be repealed on January 1, 2020)

Sec. 50. Community association management firm.

(a) No firm, corporation, partnership, limited liability company, or other legal entity shall provide or offer to provide community association management services, unless it has applied in writing on the prescribed forms and has paid the required nonrefundable fees and provided evidence to the Department that the firm has designated a licensed supervising community association manager to supervise and manage the firm. A designated supervising community association manager shall be a continuing requirement of firm licensure. No supervising community association manager may be the supervising community association manager for more than one firm. Such services are provided through:

(1) an employee or independent contractor who is licensed under this Act;

(2) a natural person who is acting under the direct supervision of an employee of such firm, corporation, limited liability company, or other legal entity that is licensed under this Act; or

(3) a natural person who is legally authorized to provide such services.

(b) Any firm, corporation, partnership, limited liability company, or other legal entity that is providing, or offering to provide, community
association management services and is not in compliance with Section 50 and other the provisions of this Act shall be subject to the fines, injunctions, cease and desist provisions, and penalties provided for in Sections 90, 92, and 155 of this Act.

(c) No community association manager may be the licensee-in-charge for more than one firm, corporation, limited liability company, or other legal entity.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/55)

Section scheduled to be repealed on January 1, 2020

Sec. 55. Fidelity insurance; segregation of accounts.

(a) The supervising community association manager or the community association management firm A community association manager or the Community Association Management Agency with which he or she is employed shall not have access to and disburse community association funds of a community association unless each of the following conditions occur:

(1) There is fidelity insurance in place to insure against loss for theft of community association funds.

(2) The fidelity insurance is not less than all moneys under the control of the supervising community association manager or the employing community association management firm Community Association Management Agency for the association.

(3) The fidelity insurance covers the community association manager, supervising community association manager, and all partners, officers, and employees of the community association management firm Community Association Management Agency with whom he or she is employed during the term of the insurance coverage, which shall be at least for the same term as the service agreement between the community association management firm or supervising community association manager as well as the community association officers, directors, and employees.

(4) The insurance company issuing the fidelity insurance may not cancel or refuse to renew the bond without giving at least 10 days' prior written notice.

(5) Unless an agreement between the community association and the supervising community association manager or the community association management firm Community

New matter indicated by italics - deletions by strikeout
The supervising community association manager or the community association management firm community association manager and the Community Association Management Agency must be named as additional insured parties on the community association policy.

(b) A community association management firm manager or Community Association Management Agency that provides community association management services for more than one community association shall maintain separate, segregated accounts for each community association or, with the consent of the community association, combine the accounts of one or more community associations, but in that event, separately account for the funds of each community association. The funds shall not, in any event, be commingled with the supervising community association manager's or community association management firm's Community Association Management Agency's funds. The maintenance of such accounts shall be custodial, and such accounts shall be in the name of the respective community association or community association manager or Community Association Management Agency as the agent for the association.

(c) The supervising community association manager or community association management firm Community Association Management Agency shall obtain the appropriate general liability and errors and omissions insurance, as determined by the Department, to cover any losses or claims against the supervising community association manager or the community association management firm's community association clients.

(d) The Department shall have authority to promulgate additional rules regarding insurance, fidelity insurance and all accounts maintained and to be maintained by a supervising community association manager or community association management firm Community Association Management Agency.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/60)

(Section scheduled to be repealed on January 1, 2020)

Sec. 60. Licenses; renewals; restoration; person in military service.

(a) The expiration date and renewal period for each license issued under this Act shall be by rule. The Department may promulgate rules requiring continuing education and set all necessary requirements for such,

New matter indicated by italics - deletions by strikeout
including but not limited to fees, approved coursework, number of hours, 
and waivers of continuing education.

(b) Any licensee who has permitted his, or her, or its license to expire may have the license restored by making application to the Department and filing proof acceptable to the Department of fitness to have his, or her, or its license restored, by which may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, complying with any continuing education requirements, and paying the required restoration fee.

(c) If the person has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, the person's fitness to resume active status and may require the person to complete a period of evaluated clinical experience and successful completion of a practical examination. However, any person whose license expired while (i) in federal service on active duty with the Armed Forces of the United States or called into service or training with the State Militia or (ii) in training or education under the supervision of the United States preliminary to induction into the military service may have his or her license renewed or restored without paying any lapsed renewal fees if, within 2 years after honorable termination of the service, training or education, except under condition other than honorable, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that the service, training, or education has been so terminated.

(d) A community association manager, community association management firm or supervising community association manager who notifies the Department, in writing on forms prescribed by the Department, may place his, or her, or its license on inactive status and shall be excused from the payment of renewal fees until the person notifies the Department in writing of the intention to resume active practice.

(e) A community association manager, community association management firm, or supervising community association manager requesting his, or her, or its license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.

(f) Any licensee with a license nonrenewed or on inactive license status shall not provide community association management services or
provide services as community association manager as set forth in this Act.

(g) Any person violating subsection (f) of this Section shall be considered to be practicing without a license and will be subject to the disciplinary provisions of this Act.
(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/65)

(Section scheduled to be repealed on January 1, 2020)

Sec. 65. Fees; Community Association Manager Licensing and Disciplinary Fund.

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

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

(c) To support the costs of administering this Act, all community associations that (i) are subject to this Act by having 10 or more units, (ii) retain an individual to provide services as a community association manager for compensation, (iii) are not master associations under Section 18.5 of the Condominium Property Act or the Common Interest Community Association Act, and (iv) are registered in this State as not-for-profit corporations shall pay to the Department an annual fee of $50 plus an additional $1 per unit, but shall not exceed an annual fee of $1,000 for any community association. The Department may establish forms and promulgate any rules for the effective collection of such fees under this subsection (c).

Any not-for-profit corporation in this State that fails to pay in full to the Department all fees owed under this subsection (c) shall be subject to the penalties and procedures provided for under Section 92 of this Act.

(c) (d) All fees, fines, penalties, or other monies received or collected pursuant to this Act shall be deposited in the Community Association Manager Licensing and Disciplinary Fund.
(Source: P.A. 96-726, eff. 7-1-10; 97-1021, eff. 8-17-12.)

New matter indicated by italics - deletions by strikeout
Sec. 70. Penal ty for insufficient funds; payments. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days after notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or deny the application, without hearing. If, after termination or denial, the person seeks a license, he, or she, or it shall apply to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 96-726, eff. 7-1-10.)

Sec. 75. Endorsement. The Department may issue a license as a licensed community association manager or supervising community association manager license, without the required examination, to an applicant licensed under the laws of another state if the requirements for licensure in that state are, on the date of licensure, substantially equal to the requirements of this Act or to a person who, at the time of his or her application for licensure, possessed individual qualifications that were substantially equivalent to the requirements then in force in this State. An applicant under this Section shall pay all of the required fees.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 96-726, eff. 7-1-10.)
Sec. 85. Grounds for discipline; refusal, revocation, or suspension.
(a) The Department may refuse to issue or renew a license, or may revoke a license, or may suspend, place on probation, reprimand, suspend, or revoke any license fine, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine; including fines not to exceed $10,000 for each violation upon, with regard to any licensee or applicant under this Act or any person or entity who holds himself, herself, or itself out as an applicant or licensee for any one or combination of the following causes:

1. Material misstatement in furnishing information to the Department.
2. Violations of this Act or its rules.
3. Conviction of or entry of a plea of guilty or plea of nolo contendere to any crime that is a felony or a misdemeanor under the laws of the United States, or any state, or any other jurisdiction thereof or entry of an administrative sanction by a government agency in this State or any other jurisdiction. Action taken under this paragraph (3) for a misdemeanor or an administrative sanction is limited to a misdemeanor or administrative sanction that has as an essential element is dishonesty or fraud, that involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game, or that is directly related to the practice of the profession.
4. Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.
5. Professional incompetence.
7. Aiding or assisting another person in violating any provision of this Act or its rules.
8. Failing, within 30 days, to provide information in response to a request made by the Department.
9. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department.
(10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.

(11) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline on a licensee if at least one of the grounds for the discipline is the same or substantially equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof to those set forth in this Act.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered.

(13) A finding by the Department that the licensee, after having his, or her, or its license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to false records filed with any State or federal agencies or departments.

(15) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(16) Physical illness or mental illness or impairment, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(17) Solicitation of professional services by using false or misleading advertising.

(18) A finding that licensure has been applied for or obtained by fraudulent means.

(19) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name.
(20) Gross overcharging for professional services including, but not limited to, (i) collection of fees or moneys for services that are not rendered; and (ii) charging for services that are not in accordance with the contract between the licensee and the community association.

(21) Improper commingling of personal and client funds in violation of this Act or any rules promulgated thereto.

(22) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.

(23) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, religion, or national origin.

(24) Performing and charging for services without reasonable authorization to do so from the person or entity for whom service is being provided.

(25) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.

(26) Purporting to be a supervising community association manager or a firm licensee-in-charge of an agency without active participation in the firm agency.

(27) Failing to make available to the Department at the time of the request any indicia of licensure or registration issued under this Act.

(28) Failing to maintain and deposit funds belonging to a community association in accordance with subsection (b) of Section 55 of this Act.

(29) Violating the terms of a disciplinary order issued by the Department.

(b) In accordance with subdivision (a)(5) of Section 15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will terminate only upon a finding by a court

New matter indicated by italics - deletions by strikeout
that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice as a licensed community association manager.

(d) In accordance with subsection (g) of Section 15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied.

(e) In accordance with subdivision (a)(5) of Section 15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15) and in cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services.

(f) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel a licensee or an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of his or her license or denial of his or her license.
application or renewal until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, deny, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-726, eff. 7-1-10; 97-333, eff. 8-12-11.)

(225 ILCS 427/87)

(Section scheduled to be repealed on January 1, 2020)

Sec. 87. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 17-10.5 or 46-1 of the Criminal Code of 1961 or the Criminal Code of 2012. A person whose license or other authorization to practice is suspended

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under this Section is prohibited from engaging in the practice of community association management practising until the restitution is made in full.

(Source: P.A. 96-726, eff. 7-1-10; 97-1150, eff. 1-25-13.)

(225 ILCS 427/92)

(Section scheduled to be repealed on January 1, 2020)

Sec. 92. Unlicensed practice; violation; civil penalty.

(a) Any person, entity or other business who practices, offers to practice, attempts to practice, or holds himself, herself or itself out to practice as a community association manager or community association management firm or provide services as a community association manager or community association management firm to any community association in this State without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department may investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/135)

(Section scheduled to be repealed on January 1, 2020)

Sec. 135. License surrender. Upon the revocation or suspension of any license authorized under this Act, the licensee shall immediately surrender the license or licenses to the Department. If the licensee fails to do so, the Department has the right to seize the license or licenses.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/155)

(Section scheduled to be repealed on January 1, 2020)

Sec. 155. Violations; penalties.

(a) A person who violates any of the following provisions shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony:

New matter indicated by italics - deletions by strikeout
(1) The practice of or attempted practice of or holding out as available to practice as a community association manager, or supervising community association manager without a license.

(2) Operation of or attempt to operate a community association management firm Community Association Management Agency without a firm an agency license or a designated supervising community association manager.

(3) The obtaining of or the attempt to obtain any license or authorization issued under this Act by fraudulent misrepresentation.

(b) Whenever a licensee is convicted of a felony related to the violations set forth in this Section, the clerk of the court in any jurisdiction shall promptly report the conviction to the Department and the Department shall immediately revoke any license authorized under this Act as a community association manager held by that licensee. The licensee individual shall not be eligible for licensure under this Act until at least 10 years have elapsed since the time of full discharge from any sentence imposed for a felony conviction. If any person in making any oath or affidavit required by this Act swears falsely, the person is guilty of perjury and may be punished accordingly.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/165)

(Section scheduled to be repealed on January 1, 2020)

Sec. 165. Home rule. The regulation and licensing of community association managers, supervising community association managers, and community association management firms Community Association Management Agencies are exclusive powers and functions of the State. A home rule unit may not regulate or license community association managers, supervising community association managers, or community association management firms Community Association Management Agencies. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 96-726, eff. 7-1-10.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by changing Section 3.360 as follows:

(415 ILCS 5/3.360) (was 415 ILCS 5/3.84)
Sec. 3.360. Potentially infectious medical waste.
(a) "Potentially infectious medical waste" means the following types of waste generated in connection with the diagnosis, treatment (i.e., provision of medical services), or immunization of human beings or animals; research pertaining to the provision of medical services; or the production or testing of biologicals:

(1) Cultures and stocks. This waste shall include but not be limited to cultures and stocks of agents infectious to humans, and associated biologicals; cultures from medical or pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live or attenuated vaccines; or culture dishes and devices used to transfer, inoculate, or mix cultures.

(2) Human pathological wastes. This waste shall include tissue, organs, and body parts (except teeth and the contiguous structures of bone and gum); body fluids that are removed during surgery, autopsy, or other medical procedures; or specimens of body fluids and their containers.

(3) Human blood and blood products. This waste shall include discarded human blood, blood components (e.g., serum and plasma), or saturated material containing free flowing blood or blood components.

(4) Used sharps. This waste shall include but not be limited to discarded sharps used in animal or human patient care, medical research, or clinical or pharmaceutical laboratories; hypodermic, intravenous, or other medical needles; hypodermic or intravenous syringes; Pasteur pipettes; scalpels blades; or blood vials. This waste shall also include but not be limited to other types of broken or unbroken glass (including slides and cover slips) in contact with infectious agents.

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(5) Animal waste. Animal waste means discarded materials, including carcasses, body parts, body fluids, blood, or bedding originating from animals inoculated during research, production of biologicals, or pharmaceutical testing with agents infectious to humans.

(6) Isolation waste. This waste shall include discarded materials contaminated with blood, excretions, exudates, and secretions from humans that are isolated to protect others from highly communicable diseases. "Highly communicable diseases" means those diseases identified by the Board in rules adopted under subsection (e) of Section 56.2 of this Act.

(7) Unused sharps. This waste shall include but not be limited to the following unused, discarded sharps: hypodermic, intravenous, or other needles; hypodermic or intravenous syringes; or scalpel blades.

(b) Potentially infectious medical waste does not include:

(1) waste generated as general household waste;
(2) waste (except for sharps) for which the infectious potential has been eliminated by treatment; or
(3) sharps that meet both of the following conditions:
   (A) the infectious potential has been eliminated from the sharps by treatment; and
   (B) the sharps are rendered unrecognizable by treatment; or
(4) sharps that are managed in accordance with the following requirements:

   (A) the infectious potential is eliminated from the sharps by treatment at a facility that is permitted by the Agency for the treatment of potentially infectious medical waste;

   (B) the sharps are certified by the treatment facility as non-special waste in accordance with Section 22.48 of this Act;

   (C) the sharps are packaged at the treatment facility the same as required under Board rules for potentially infectious medical waste;

   (D) the sharps are transported under the custody of the treatment facility to a landfill permitted by the Agency.

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under Section 21 of this Act to accept municipal waste for disposal; and

(E) the activities in subparagraphs (A) through (D) of this paragraph (4) are authorized in, and conducted in accordance with, a permit issued by the Agency to the treatment facility.

(Source: P.A. 92-574, eff. 6-26-02.)
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0367
(House Bill No. 0733)

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

Section 5. The Illinois Domestic Animals Running At Large Act is amended by changing Sections 1.1, 1.2, and 3.1 as follows:

(510 ILCS 55/1.1) (from Ch. 8, par. 1.1)
Sec. 1.1. Definitions. As used in this Act, unless the context otherwise requires:

"Livestock", for the purposes of this Act only, means bison, cattle, swine, sheep, goats, equidae, camelids, ratites, or fowl or geese.

"Owner" means any person who (a) has a right of property in an animal, (b) keeps or harbors an animal, (c) has an animal in his care, or (d) acts as custodian of an animal.

"Person" means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the State of Illinois, or any municipal corporation or political subdivision of the State.

"Running at large" or "run at large" means livestock that strays from confinement or restraint and from the limits of the owner.

(Source: P.A. 84-28.)

(510 ILCS 55/1.2) (from Ch. 8, par. 1.2)
Sec. 1.2. A notice of a violation of this Act shall be given to the person or owner of livestock running at large if known and a maximum of 24 hours may be granted in which to make the necessary corrections if the violation is an accidental occurrence and an investigation reveals no
identifiable individual at fault. Any livestock allowed to run at large may be impounded at a facility capable of restraining such livestock. A notice of impoundment shall be delivered to the owner of such livestock in person or by certified mail.

Law enforcement officials such as State Police, County Sheriffs, or municipal police officers, animal control administrators, animal control officers, or authorized agents of the Illinois Department of Agriculture, or authorized agents of the Illinois Department of Natural Resources, or the owner or occupier of land may give notice and cause stray animals which trespass to be impounded.

The person or persons having stray livestock impounded shall make every reasonable effort to notify the owner or keeper of the impounded livestock where such livestock is impounded.

The person or persons requesting impoundment shall be held harmless of any liability for injury to or for any financial responsibility for such animals.

Stray animals may be impounded at any public stockyards, livestock auction markets or any other facilities willing to accept such animals for impoundment. The impounding facility and its owner or owners shall not be held liable for any injury or accrue any financial responsibility for such impounded animals.

Any expense incurred in such impoundment shall become a lien on the livestock impounded and must be discharged before the livestock are released from the facility. The livestock may be released to the owner prior to the expiration of the impoundment period if impoundment costs are satisfied and the owner provides evidence that he is capable of restraining the livestock from running at large. If the owner refuses or fails to provide such restraints, or the impounded animals are not claimed and incurred costs paid within the period of impoundment, such animals shall be sold either at a public auction, or through a public stockyard or a livestock auction market, offered for adoption, or humanely euthanized in accordance with this Section. Before any livestock can be sold, offered for adoption, or humanely euthanized as herein provided, the person or court requesting the impoundment shall have published notice of the intended sale, adoption, or euthanization thereof in a newspaper of general circulation in the area where the impounded animals were found to be running at large. If the impounded livestock is not claimed within 10 days after the date of publication of such notice, the livestock may be sold, offered for adoption, or humanely euthanized in accordance with this

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Section. The proceeds of the sale shall be applied first to discharge the lien and costs associated with the sale of the livestock, and any balance shall be paid to the owner. If any court of competent jurisdiction issues any order concerning any impounded animal, such animal shall immediately pass to the jurisdiction and possession of the court bailiff of the jurisdiction in which the order was issued.

If the lien and costs of the associated sale of the livestock is determined to exceed the expected value of the animal, then the animal may be deemed adoptable by the animal control facility and may be offered for adoption. If no such placement is available, then the animal may be humanely euthanized.

(Source: P.A. 89-445, eff. 2-7-96.)

(510 ILCS 55/3.1) (from Ch. 8, par. 3.1)

Sec. 3.1. Any person who violates this Act shall be guilty of a Class C misdemeanor, except a 10th or subsequent violation of this Act is a Class 4 felony and the court may order the livestock impounded. Each day of violation shall constitute a separate offense.

In the event the person who violates this Act is a corporation or partnership, any officer, director, manager or managerial agent of the partnership or corporation who violates this Section or causes the partnership or corporation to violate this Section shall be guilty of a Class C misdemeanor.

(Source: P.A. 84-28.)

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

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0368
(House Bill No. 0743)

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

Section 5. The Wildlife Code is amended by changing Section 2.25 as follows:

(520 ILCS 5/2.25) (from Ch. 61, par. 2.25)
Sec. 2.25. It shall be unlawful for any person to take deer except (i) with a shotgun, handgun, or muzzleloading rifle or (ii) as provided by administrative rule, with a bow and arrow, during the open season of not more than 14 days which will be set annually by the Director between the dates of November 1st and December 31st, both inclusive, or a special 3-day, youth-only season between the dates of September 1 and October 31. For the purposes of this Section, legal handguns include any centerfire handguns of .30 caliber or larger with a minimum barrel length of 4 inches. The only legal ammunition for a centerfire handgun is a cartridge of .30 caliber or larger with a capability of at least 500 foot pounds of energy at the muzzle. Full metal jacket bullets may not be used to harvest deer.

The Department shall make administrative rules concerning management restrictions applicable to the firearm and bow and arrow season.

It shall be unlawful for any person to take deer except with a bow and arrow during the open season for bow and arrow set annually by the Director between the dates of September 1st and January 31st, both inclusive.

It shall be unlawful for any person to take deer except with (i) a muzzleloading rifle or (ii) bow and arrow during the open season for muzzleloading rifles set annually by the Director.

The Director shall cause an administrative rule setting forth the prescribed rules and regulations, including bag and possession limits and those counties of the State where open seasons are established, to be published in accordance with Sections 1.3 and 1.13 of this Act.

The Department may establish separate harvest periods for the purpose of managing or eradicating disease that has been found in the deer herd. This season shall be restricted to gun or bow and arrow hunting only. The Department shall publicly announce, via statewide news release, the season dates and shooting hours, the counties and sites open to hunting, permit requirements, application dates, hunting rules, legal weapons, and reporting requirements.

The Department is authorized to establish a separate harvest period at specific sites within the State for the purpose of harvesting surplus deer that cannot be taken during the regular season provided for the taking of deer. This season shall be restricted to gun or bow and arrow hunting only and shall be established during the period of September 1st to February 15th, both inclusive. The Department shall publish suitable prescribed
rules and regulations established by administrative rule pertaining to
management restrictions applicable to this special harvest program. The
Department shall allow unused gun deer permits that are left over from a
regular season for the taking of deer to be rolled over and used during any
separate harvest period held within 6 months of the season for which those
tags were issued at no additional cost to the permit holder subject to the
management restrictions applicable to the special harvest program.
(Source: P.A. 97-907, eff. 8-7-12.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0369
(House Bill No. 0801)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing
Section 12-3.05 as follows:
(720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)
Sec. 12-3.05. Aggravated battery.
(a) Offense based on injury. A person commits aggravated battery
when, in committing a battery, other than by the discharge of a firearm, he
or she knowingly does any of the following:
(1) Causes great bodily harm or permanent disability or
disfigurement.
(2) Causes severe and permanent disability, great bodily
harm, or disfigurement by means of a caustic or flammable
substance, a poisonous gas, a deadly biological or chemical
contaminant or agent, a radioactive substance, or a bomb or
explosive compound.
(3) Causes great bodily harm or permanent disability or
disfigurement to an individual whom the person knows to be a
peace officer, community policing volunteer, fireman, private
security officer, correctional institution employee, or Department

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of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.
(4) Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.
(5) Strangles another individual.
(b) Offense based on injury to a child or intellectually disabled person. A person who is at least 18 years of age commits aggravated battery when, in committing a battery, he or she knowingly and without legal justification by any means:
   (1) causes great bodily harm or permanent disability or disfigurement to any child under the age of 13 years, or to any severely or profoundly intellectually disabled person; or
   (2) causes bodily harm or disability or disfigurement to any child under the age of 13 years or to any severely or profoundly intellectually disabled person.
(c) Offense based on location of conduct. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she is or the person battered is on or about a public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter.
(d) Offense based on status of victim. A person commits aggravated battery when, in committing a battery, other than by discharge of a firearm, he or she knows the individual battered to be any of the following:
   (1) A person 60 years of age or older.
   (2) A person who is pregnant or physically handicapped.
   (3) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.
   (4) A peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
      (i) performing his or her official duties;

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(ii) battered to prevent performance of his or her official duties; or
(iii) battered in retaliation for performing his or her official duties.
(5) A judge, emergency management worker, emergency medical technician, or utility worker:
(i) performing his or her official duties;
(ii) battered to prevent performance of his or her official duties; or
(iii) battered in retaliation for performing his or her official duties.
(6) An officer or employee of the State of Illinois, a unit of local government, or a school district, while performing his or her official duties.
(7) A transit employee performing his or her official duties, or a transit passenger.
(8) A taxi driver on duty.
(9) A merchant who detains the person for an alleged commission of retail theft under Section 16-26 of this Code and the person without legal justification by any means causes bodily harm to the merchant.
(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court while that individual is in the performance of his or her duties as a process server.
(11) A nurse while in the performance of his or her duties as a nurse.
(e) Offense based on use of a firearm. A person commits aggravated battery when, in committing a battery, he or she knowingly does any of the following:
(1) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to another person.
(2) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee, or emergency management worker:

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(i) performing his or her official duties;
(ii) battered to prevent performance of his or her official duties; or
(iii) battered in retaliation for performing his or her official duties.

(3) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

(4) Discharges a firearm and causes any injury to a person he or she knows to be a teacher, a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(5) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(6) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee or emergency management worker:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

(7) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or

New matter indicated by italics - deletions by strikeout
(iii) battered in retaliation for performing his or her official duties.

(8) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a teacher, or a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(f) Offense based on use of a weapon or device. A person commits aggravated battery when, in committing a battery, he or she does any of the following:

1. Uses a deadly weapon other than by discharge of a firearm, or uses an air rifle as defined in the Air Rifle Act.
2. Wears a hood, robe, or mask to conceal his or her identity.
3. Knowingly and without lawful justification shines or flashes a laser gunsight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes upon or against the person of another.

(g) Offense based on certain conduct. A person commits aggravated battery when, other than by discharge of a firearm, he or she does any of the following:

1. Violates Section 401 of the Illinois Controlled Substances Act by unlawfully delivering a controlled substance to another and any user experiences great bodily harm or permanent disability as a result of the injection, inhalation, or ingestion of any amount of the controlled substance.
2. Knowingly administers to an individual or causes him or her to take, without his or her consent or by threat or deception, and for other than medical purposes, any intoxicating, poisonous, stupefying, narcotic, anesthetic, or controlled substance, or gives to another person any food containing any substance or object intended to cause physical injury if eaten.
3. Knowingly causes or attempts to cause a correctional institution employee or Department of Human Services employee to come into contact with blood, seminal fluid, urine, or feces by throwing, tossing, or expelling the fluid or material, and the person is an inmate of a penal institution or is a sexually dangerous person.
or sexually violent person in the custody of the Department of Human Services.

(h) Sentence. Unless otherwise provided, aggravated battery is a Class 3 felony.

Aggravated battery as defined in subdivision (a)(4), (d)(4), or (g)(3) is a Class 2 felony.

Aggravated battery as defined in subdivision (a)(3) or (g)(1) is a Class 1 felony.

Aggravated battery as defined in subdivision (a)(1) is a Class 1 felony when the aggravated battery was intentional and involved the infliction of torture, as defined in paragraph (14) of subsection (b) of Section 9-1 of this Code, as the infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the victim.

Aggravated battery under subdivision (a)(5) is a Class 1 felony if:

(A) the person used or attempted to use a dangerous instrument while committing the offense; or

(B) the person caused great bodily harm or permanent disability or disfigurement to the other person while committing the offense; or

(C) the person has been previously convicted of a violation of subdivision (a)(5) under the laws of this State or laws similar to subdivision (a)(5) of any other state.

Aggravated battery as defined in subdivision (e)(1) is a Class X felony.

Aggravated battery as defined in subdivision (a)(2) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 6 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(5) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 12 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(2), (e)(3), or (e)(4) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 15 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (e)(6), (e)(7), or (e)(8) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 20 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (b)(1) is a Class X felony, except that:

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(1) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;
(2) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;
(3) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(i) Definitions. For the purposes of this Section:
"Building or other structure used to provide shelter" has the meaning ascribed to "shelter" in Section 1 of the Domestic Violence Shelters Act.
"Domestic violence" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986.
"Domestic violence shelter" means any building or other structure used to provide shelter or other services to victims or to the dependent children of victims of domestic violence pursuant to the Illinois Domestic Violence Act of 1986 or the Domestic Violence Shelters Act, or any place within 500 feet of such a building or other structure in the case of a person who is going to or from such a building or other structure.
"Firearm" has the meaning provided under Section 1.1 of the Firearm Owners Identification Card Act, and does not include an air rifle as defined by Section 1 of the Air Rifle Act.
"Machine gun" has the meaning ascribed to it in Section 24-1 of this Code.
"Merchant" has the meaning ascribed to it in Section 16-0.1 of this Code.
"Strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

(Source: P.A. 96-201, eff. 8-10-09; 96-363, eff. 8-13-09; 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11; 97-597, eff. 1-1-12; incorporates 97-227, eff. 1-1-12, 97-313, eff. 1-1-12, and 97-467, eff. 1-1-12; 97-1109, eff. 1-1-13.)
Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 11-1.40 and by adding Section 11-9.1B as follows:

Sec. 11-1.40. Predatory criminal sexual assault of a child.
(a) A person commits predatory criminal sexual assault of a child if that person commits an act of sexual penetration or an act of contact, however slight between the sex organ or anus of one person and the part of the body of another, and the accused:

(1) the victim is under 13 years of age; or
(2) the victim is under 13 years of age and that person:
   (A) is armed with a firearm;
   (B) personally discharges a firearm during the commission of the offense;
   (C) causes great bodily harm to the victim that:
      (i) results in permanent disability; or
      (ii) is life threatening; or
   (D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.

(b) Sentence.

(1) A person convicted of a violation of subsection (a)(1) commits a Class X felony, for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years. A person convicted of a violation of subsection (a)(2)(A) commits a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(B) commits a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(C) commits a Class X felony for

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which the person shall be sentenced to a term of imprisonment of not less than 50 years or up to a term of natural life imprisonment.

(1.1) A person convicted of a violation of subsection (a)(2)(D) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

(1.2) A person convicted of predatory criminal sexual assault of a child committed against 2 or more persons regardless of whether the offenses occurred as the result of the same act or of several related or unrelated acts shall be sentenced to a term of natural life imprisonment.

(2) A person who is convicted of a second or subsequent offense of predatory criminal sexual assault of a child, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted of the offense of criminal sexual assault or the offense of aggravated criminal sexual assault, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of predatory criminal sexual assault of a child, the offense of aggravated criminal sexual assault or the offense of criminal sexual assault, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(Source: P.A. 95-640, eff. 6-1-08; 96-1551, eff. 7-1-11.)

(720 ILCS 5/11-9.1B new)

Sec. 11-9.1B. Failure to report sexual abuse of a child.
(a) For the purposes of this Section:
"Child" means any person under the age of 13.
"Sexual abuse" means any contact, however slight, between the sex organ or anus of the victim or the accused and an object or body part, including but not limited to, the sex organ, mouth, or anus of the victim or the accused, or any intrusion, however slight, of any part of the body of the victim or the accused or of any animal or object into the sex organ or anus of the victim or the accused, including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual abuse.
(b) A person over the age of 18 commits failure to report sexual abuse of a child when he or she personally observes sexual abuse, as defined by this Section, between a person who he or she knows is over the age of 18 and a person he or she knows is a child, and knowingly fails to report the sexual abuse to law enforcement.

(c) This Section does not apply to a person who makes timely and reasonable efforts to stop the sexual abuse by reporting the sexual abuse in conformance with the Abused and Neglected Child Reporting Act or by reporting the sexual abuse or causing a report to be made, to medical or law enforcement authorities or anyone who is a mandated reporter under Section 4 of the Abused and Neglected Child Reporting Act.

(d) A person may not be charged with the offense of failure to report sexual abuse of a child under this Section until the person who committed the offense is charged with criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse.

(e) It is an affirmative defense to a charge of failure to report sexual abuse of a child under this Section that the person who personally observed the sexual abuse had a reasonable apprehension that timely action to stop the abuse would result in the imminent infliction of death, great bodily harm, permanent disfigurement, or permanent disability to that person or another in retaliation for reporting.

(f) Sentence. A person who commits failure to report sexual abuse of a child is guilty of a Class A misdemeanor for the first violation and a Class 4 felony for a second or subsequent violation.

(g) Nothing in this Section shall be construed to allow prosecution of a person who personally observes the act of sexual abuse and assists with an investigation and any subsequent prosecution of the offender.

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0371
(House Bill No. 0806)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Methamphetamine Precursor Control Act is amended by changing Sections 10, 20, and 40 as follows:

(720 ILCS 648/10)
Sec. 10. Definitions. In this Act:
"Administer" or "administration" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Agent" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Authorized representative" means an employee or agent of a qualified outside entity who has been authorized in writing by his or her agency or office to receive confidential information from the Central Repository.
"Central Repository" means the entity chosen by the Illinois State Police to handle electronic transaction records as described in this Act.
"Convenience package" means any package that contains 360 milligrams or less of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in liquid or liquid-filled capsule form.
"Covered pharmacy" means any pharmacy that distributes any amount of targeted methamphetamine precursor that is physically located in Illinois.
"Deliver" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Dispense" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Distribute" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
"Electronic transaction record" means, with respect to the distribution of a targeted methamphetamine precursor by a pharmacy to a recipient under Section 25 of this Act, an electronic record that includes: the name and address of the recipient; date and time of the transaction; brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers; identification type and identification number of the identification presented by the recipient; and the name and address of the pharmacy.
"Identification information" means identification type and identification number.
"Identification number" means the number that appears on the identification furnished by the recipient of a targeted methamphetamine precursor.
"Identification type" means the type of identification furnished by the recipient of a targeted methamphetamine precursor such as, by way of example only, an Illinois driver's license or United States passport.

"List I chemical" has the meaning provided in 21 U.S.C. Section 802.

"Methamphetamine precursor" has the meaning provided in Section 10 of the Methamphetamine Control and Community Protection Act.

"Package" means an item packaged and marked for retail sale that is not designed to be further broken down or subdivided for the purpose of retail sale.

"Pharmacist" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Pharmacy" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Practitioner" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescriber" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescription" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Procure" means to purchase, steal, gather, or otherwise obtain, for oneself or another person, by legal or illegal means, or to cause another to take that action.

"Qualified outside entity" means a law enforcement agency or prosecutor's office with authority to identify, investigate, or prosecute violations of this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance.

"Readily retrievable" has the meaning provided in 21 C.F.R. part 1300.

"Recipient" means a person purchasing, receiving, or otherwise acquiring a targeted methamphetamine precursor from a pharmacy in Illinois, as described in Section 25 of this Act.

"Retail distributor" means a grocery store, general merchandise store, drug store, other merchandise store, or other entity or person whose activities as a distributor relating to drug products containing targeted methamphetamine precursor are limited exclusively or almost exclusively to sales for personal use by an ultimate user, both in number of sales and

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volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales.

"Sales employee" means any employee or agent, other than a pharmacist or pharmacy technician who at any time (a) operates a cash register at which convenience packages may be sold, (b) stocks shelves containing convenience packages, or (c) trains or supervises any other employee or agent who engages in any of the preceding activities.

"Single retail transaction" means a sale by a retail distributor to a recipient at a specific time.

"Targeted methamphetamine precursor" means any compound, mixture, or preparation that contains any detectable quantity of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

"Targeted package" means a package, including a convenience package, containing any amount of targeted methamphetamine precursor.

"Ultimate user" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

(Source: P.A. 96-50, eff. 10-21-09; 97-670, eff. 1-19-12.)

(720 ILCS 648/20)

Sec. 20. Restrictions on purchase, receipt, or acquisition.

(a) Except as provided in subsection (e) of this Section, any person 18 years of age or older wishing to purchase, receive, or otherwise acquire a targeted methamphetamine precursor shall, prior to taking possession of the targeted methamphetamine precursor:

(1) provide a driver's license or other government-issued identification showing the person's name, date of birth, and photograph; and

(2) sign a log documenting the name and address of the person, date and time of the transaction, and brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers.

(b) Except as provided in subsection (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire, within any 30-day period products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

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(c) Except as provided in subsections (d) and (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than 2 targeted packages in a single retail transaction.

(d) Except as provided in subsection (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than one convenience package from a retail location other than a pharmacy counter in a 24-hour period.

(e) This Section shall not apply to any person who purchases, receives, or otherwise acquires a targeted methamphetamine precursor for the purpose of dispensing, distributing, or administering it in a lawful manner described in subsection (e) of Section 15 of this Act.

(f) A person shall not knowingly procure a targeted methamphetamine precursor for a third party for the purpose of evading this Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act.

(Source: P.A. 94-694, eff. 1-15-06; 94-830, eff. 6-5-06.)

(720 ILCS 648/40)
Sec. 40. Penalties.
(a) Violations of subsection (b) of Section 20 of this Act.

(1) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class B misdemeanor;
(B) 15,000 or more but less than 22,500 milligrams, Class A misdemeanor;
(C) 22,500 or more but less than 30,000 milligrams, Class 4 felony;
(D) 30,000 or more but less than 37,500 milligrams, Class 3 felony;
(E) 37,500 or more but less than 45,000 milligrams, Class 2 felony;
(F) 45,000 or more milligrams, Class 1 felony.

(2) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or
pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act, and who has previously been convicted of any methamphetamine-related offense under any State or federal law, is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class A misdemeanor;
(B) 15,000 or more but less than 22,500 milligrams, Class 4 felony;
(C) 22,500 or more but less than 30,000 milligrams, Class 3 felony;
(D) 30,000 or more but less than 37,500 milligrams, Class 2 felony;
(E) 37,500 or more milligrams, Class 1 felony.

(3) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act, and who has previously been convicted 2 or more times of any methamphetamine-related offense under State or federal law, is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class 4 felony;
(B) 15,000 or more but less than 22,500 milligrams, Class 3 felony;
(C) 22,500 or more but less than 30,000 milligrams, Class 2 felony;
(D) 30,000 or more milligrams, Class 1 felony.

(b) Violations of Section 15, 20, 25, 30, or 35 of this Act, other than violations of subsection (b) or (f) of Section 20 of this Act.

(1) Any pharmacy or retail distributor that violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) or (f) of Section 20 of this Act, is guilty of a petty offense and subject to a fine of $500 for a first offense; and $1,000 for a second offense occurring at the same retail location as and within 3 years of the prior offense. A pharmacy or retail distributor that violates this Act is guilty of a business offense and subject to a fine of $5,000 for a
third or subsequent offense occurring at the same retail location as and within 3 years of the prior offenses.

(2) An employee or agent of a pharmacy or retail distributor who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) or (f) of Section 20 of this Act, is guilty of a Class A misdemeanor for a first offense, a Class 4 felony for a second offense, and a Class 1 felony for a third or subsequent offense.

(3) Any other person who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) or (f) of Section 20 of this Act, is guilty of a Class B misdemeanor for a first offense, a Class A misdemeanor for a second offense, and a Class 4 felony for a third or subsequent offense.

(c) (Blank).

(d) (Blank).

(e) Any person who, in order to acquire a targeted methamphetamine precursor, knowingly uses or provides the driver's license or government-issued identification of another person, or who knowingly uses or provides a fictitious or unlawfully altered driver's license or government-issued identification, or who otherwise knowingly provides false information, is guilty of a Class 4 felony for a first offense, a Class 3 felony for a second offense, and a Class 2 felony for a third or subsequent offense.

For purposes of this subsection (e), the terms "fictitious driver's license", "unlawfully altered driver's license", and "false information" have the meanings ascribed to them in Section 6-301.1 of the Illinois Vehicle Code.

(f) Any person who violates subsection (f) of Section 20 of this Act is guilty of a Class A misdemeanor for the first conviction, and a Class 4 felony for a second or subsequent conviction.

(Source: P.A. 96-50, eff. 10-21-09; 97-670, eff. 1-19-12.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning criminal law.

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

Section 5. The Rights of Crime Victims and Witnesses Act is amended by changing Section 4.5 as follows:

(725 ILCS 120/4.5)

Sec. 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(a-5) When law enforcement authorities re-open a closed case to resume investigating, they shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.

(b) The office of the State's Attorney:

(1) shall provide notice of the filing of information, the return of an indictment by which a prosecution for any violent crime is commenced, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;

(2) shall provide notice of the date, time, and place of trial;

(3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;

(3.5) or victim advocate personnel shall provide information about available victim services, including referrals to programs, counselors, and agencies that assist a victim to deal with trauma, loss, and grief;

(4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to

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the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;

(5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(6) shall provide information whenever possible, of a secure waiting area during court proceedings that does not require victims to be in close proximity to defendant or juveniles accused of a violent crime, and their families and friends;

(7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings and, in compliance with the federal Americans with Disabilities Act of 1990, the right to communications access through a sign language interpreter or by other means;

(8) in the case of the death of a person, which death occurred in the same transaction or occurrence in which acts occurred for which a defendant is charged with an offense, shall notify the spouse, parent, child or sibling of the decedent of the date of the trial of the person or persons allegedly responsible for the death;

(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case;

(9.5) shall inform the victim of (A) the victim's right under Section 6 of this Act to make a victim impact statement at the sentencing hearing; (B) the right of the victim's spouse, guardian, parent, grandparent and other immediate family and household members under Section 6 of this Act to present an impact statement at sentencing; and (C) if a presentence report is to be prepared, the right of the victim's spouse, guardian, parent, grandparent and other immediate family and household members to submit

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information to the preparer of the presentence report about the effect the offense has had on the victim and the person;

(10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section;

(11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law; and

(12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section.

c) At the written request of the crime victim, the office of the State's Attorney shall:

(1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an unnecessary appearance in court;

(2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;

(3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;

(4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;
(5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;

(7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

(8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.

(d) (1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority.

(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections, the victim may request to be notified by the releasing authority of the approval by the court of an on-grounds pass, a supervised off-grounds pass, an unsupervised off-grounds pass, or conditional release; the release on an off-grounds pass; the return from an
off-grounds pass; transfer to another facility; conditional release; escape; death; or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.

(3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim.

(4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 30 days prior to the parole interview and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole interview or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.

(5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified Code of Corrections.

(6) At the written request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole was prosecuted, the Prisoner Review Board shall notify the victim and the State's Attorney of the county where the person seeking parole was prosecuted of the death of the prisoner if the prisoner died while on parole or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of

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Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge, conditional release, death, or escape from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.

(f) To permit a victim of a violent crime to provide information to the Prisoner Review Board for consideration by the Board at a parole hearing of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence, the Board shall establish a toll-free number that may be accessed by the victim of a violent crime to present that information to the Board.

(Source: P.A. 96-328, eff. 8-11-09; 96-875, eff. 1-22-10; 97-457, eff. 1-1-12; 97-572, eff. 1-1-12; 97-813, eff. 7-13-12; 97-815, eff. 1-1-13.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-3-2 as follows:

(730 ILCS 5/5-3-2) (from Ch. 38, par. 1005-3-2)
Sec. 5-3-2. Presentence Report.
(a) In felony cases, the presentence report shall set forth:

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(1) the defendant's history of delinquency or criminality, physical and mental history and condition, family situation and background, economic status, education, occupation and personal habits;

(2) information about special resources within the community which might be available to assist the defendant's rehabilitation, including treatment centers, residential facilities, vocational training services, correctional manpower programs, employment opportunities, special educational programs, alcohol and drug abuse programming, psychiatric and marriage counseling, and other programs and facilities which could aid the defendant's successful reintegration into society;

(3) the effect the offense committed has had upon the victim or victims thereof, and any compensatory benefit that various sentencing alternatives would confer on such victim or victims;

(3.5) information provided by the victim's spouse, guardian, parent, grandparent, and other immediate family and household members about the effect the offense committed has had on the victim and on the person providing the information; if the victim's spouse, guardian, parent, grandparent, or other immediate family or household member has provided a written statement, the statement shall be attached to the report;

(4) information concerning the defendant's status since arrest, including his record if released on his own recognizance, or the defendant's achievement record if released on a conditional pre-trial supervision program;

(5) when appropriate, a plan, based upon the personal, economic and social adjustment needs of the defendant, utilizing public and private community resources as an alternative to institutional sentencing;

(6) any other matters that the investigatory officer deems relevant or the court directs to be included; and

(7) information concerning defendant's eligibility for a sentence to a county impact incarceration program under Section 5-8-1.2 of this Code.

(b) The investigation shall include a physical and mental examination of the defendant when so ordered by the court. If the court determines that such an examination should be made, it shall issue an

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order that the defendant submit to examination at such time and place as
designated by the court and that such examination be conducted by a
physician, psychologist or psychiatrist designated by the court. Such an
examination may be conducted in a court clinic if so ordered by the court.
The cost of such examination shall be paid by the county in which the trial
is held.

(b-5) In cases involving felony sex offenses in which the offender
is being considered for probation only or any felony offense that is
sexually motivated as defined in the Sex Offender Management Board Act
in which the offender is being considered for probation only, the
investigation shall include a sex offender evaluation by an evaluator
approved by the Board and conducted in conformance with the standards
developed under the Sex Offender Management Board Act. In cases in
which the offender is being considered for any mandatory prison sentence,
the investigation shall not include a sex offender evaluation.

(c) In misdemeanor, business offense or petty offense cases, except
as specified in subsection (d) of this Section, when a presentence report
has been ordered by the court, such presentence report shall contain
information on the defendant's history of delinquency or criminality and
shall further contain only those matters listed in any of paragraphs (1)
through (6) of subsection (a) or in subsection (b) of this Section as are
specified by the court in its order for the report.

(d) In cases under Sections 11-1.50, 12-15, and 12-3.4 or 12-30 of
the Criminal Code of 1961 or the Criminal Code of 2012, the presentence
report shall set forth information about alcohol, drug abuse, psychiatric,
and marriage counseling or other treatment programs and facilities,
information on the defendant's history of delinquency or criminality, and
shall contain those additional matters listed in any of paragraphs (1)
through (6) of subsection (a) or in subsection (b) of this Section as are
specified by the court.

(e) Nothing in this Section shall cause the defendant to be held
without bail or to have his bail revoked for the purpose of preparing the
presentence report or making an examination.

(Source: P.A. 96-322, eff. 1-1-10; 96-1551, Article 1, Section 970, eff. 7-
1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 97-1109, eff. 1-1-13;
97-1150, eff. 1-25-13.)

Approved August 16, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Unified Code of Corrections is amended by changing Section 5-9-3 as follows:

(730 ILCS 5/5-9-3) (from Ch. 38, par. 1005-9-3)
Sec. 5-9-3. Default.
(a) An offender who defaults in the payment of a fine or any installment of that fine may be held in contempt and imprisoned for nonpayment. The court may issue a summons for his appearance or a warrant of arrest.

(b) Unless the offender shows that his default was not due to his intentional refusal to pay, or not due to a failure on his part to make a good faith effort to pay, the court may order the offender imprisoned for a term not to exceed 6 months if the fine was for a felony, or 30 days if the fine was for a misdemeanor, a petty offense or a business offense. Payment of the fine at any time will entitle the offender to be released, but imprisonment under this Section shall not satisfy the payment of the fine.

(c) If it appears that the default in the payment of a fine is not intentional under paragraph (b) of this Section, the court may enter an order allowing the offender additional time for payment, reducing the amount of the fine or of each installment, or revoking the fine or the unpaid portion.

(d) When a fine is imposed on a corporation or unincorporated organization or association, it is the duty of the person or persons authorized to make disbursement of assets, and their superiors, to pay the fine from assets of the corporation or unincorporated organization or association. The failure of such persons to do so shall render them subject to proceedings under paragraphs (a) and (b) of this Section.

(e) A default in the payment of a fine, fee, cost, order of restitution, judgment of bond forfeiture, judgment order of forfeiture, or any installment thereof may be collected by any and all means authorized for the collection of money judgments. The State's Attorney of the county in which the fine, fee, cost, order of restitution, judgment of bond forfeiture, or judgment order of forfeiture was imposed may retain attorneys and private collection agents for the purpose of collecting any default in
payment of any fine, fee, cost, order of restitution, judgment of bond forfeiture, judgment order of forfeiture, or installment thereof. An additional fee of 30% of the delinquent amount and each taxable court cost including, without limitation, costs of service of process, shall be charged to the offender for any amount of the fine, fee, cost, restitution, or judgment of bond forfeiture or installment of the fine, fee, cost, restitution, or judgment of bond forfeiture that remains unpaid after the time fixed for payment of the fine, fee, cost, restitution, or judgment of bond forfeiture by the court. The additional fee shall be payable to the State's Attorney in order to compensate the State's Attorney for costs incurred in collecting the delinquent amount. The State's Attorney may enter into agreements assigning any portion of the fee to the retained attorneys or the private collection agent retained by the State's Attorney. Any agreement between the State's Attorney and the retained attorneys or collection agents shall require the approval of the Circuit Clerk of that county. A default in payment of a fine, fee, cost, restitution, or judgment of bond forfeiture shall draw interest at the rate of 9% per annum.

(SOURCE: P.A. 95-514, eff. 1-1-08; 95-606, eff. 6-1-08; 95-876, eff. 8-21-08.)

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0374
(House Bill No. 0946)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 22-77 as follows:
(105 ILCS 5/22-77 new)
(Section scheduled to be repealed on July 1, 2014)
Sec. 22-77. Young Adults Heroin Use Task Force.
(a) There is created the Young Adults Heroin Use Task Force to address the growing problem of heroin use in high schools across this State. The Task Force shall consist of all of the following members:
(1) Four members of the House of Representatives, appointed by the Speaker of the House of Representatives.

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(2) Three members of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(3) Four members of the Senate, appointed by the President of the Senate.

(4) Three members of the Senate, appointed by the Minority Leader of the Senate.

(5) One representative of a statewide association representing school boards, appointed by the Governor.

(6) One representative of a statewide association representing school principals, appointed by the Governor.

Members of the Task Force shall serve without compensation.

(b) The Department of Human Services' Division of Alcoholism and Substance Abuse shall provide administrative and other support to the Task Force.

(c) The Task Force shall conduct a study on the heroin use problem in high schools and suggest programs for high schools to use to address the problem, which programs may involve local law enforcement agencies.

(d) On or before June 30, 2014, the Task Force shall report its findings and recommendations to the General Assembly, by filing copies of its report as provided in Section 3.1 of the General Assembly Organization Act, and to the Governor.

(e) The Task Force is abolished and this Section is repealed on July 1, 2014.

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

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0375
(House Bill No. 0984)

AN ACT concerning civil law.

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

Section 5. The Clerks of Courts Act is amended by changing Section 27.3a as follows:

(705 ILCS 105/27.3a)

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Sec. 27.3a. Fees for automated record keeping, probation and court services operations, and State and Conservation Police operations.

1. The expense of establishing and maintaining automated record keeping systems in the offices of the clerks of the circuit court shall be borne by the county. To defray such expense in any county having established such an automated system or which elects to establish such a system, the county board may require the clerk of the circuit court in their county to charge and collect a court automation fee of not less than $1 nor more than $15 to be charged and collected by the clerk of the court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the county board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance. Such fee shall be collected in the manner in which all other fees or costs are collected.

1.1. Starting on July 6, 2012 (the effective date of Public Act 97-761) this amendatory Act of the 97th General Assembly and pursuant to an administrative order from the chief judge of the circuit or the presiding judge of the county authorizing such collection, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall also charge and collect an additional $10 operations fee for probation and court services department operations.

This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, local ordinance, or conservation case upon a judgment of guilty or grant of supervision, except such $10 operations fee shall not be charged and collected in cases governed by Supreme Court Rule 529 in which the bail amount is $120 or less.

1.2. With respect to the fee imposed and collected under subsection 1.1 of this Section, each clerk shall transfer all fees monthly to the county treasurer for deposit into the probation and court services fund created under Section 15.1 of the Probation and Probation Officers Act, and such monies shall be disbursed from the fund only at the direction of the chief judge of the circuit or another judge designated by the Chief Circuit Judge in accordance with the policies and guidelines approved by the Supreme Court.
1.5. Starting on the effective date of this amendatory Act of the 96th General Assembly, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section, shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, or local ordinance case upon a judgment of guilty or grant of supervision. This fee shall not be paid by the defendant for any conservation violation listed in subsection 1.6 of this Section.

1.6. Starting on July 1, 2012 (the effective date of Public Act 97-46), a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant upon a judgment of guilty or grant of supervision for a conservation violation under the State Parks Act, the Recreational Trails of Illinois Act, the Illinois Explosives Act, the Timber Buyers Licensing Act, the Forest Products Transportation Act, the Firearm Owners Identification Card Act, the Environmental Protection Act, the Fish and Aquatic Life Code, the Wildlife Code, the Cave Protection Act, the Illinois Exotic Weed Act, the Illinois Forestry Development Act, the Ginseng Harvesting Act, the Illinois Lake Management Program Act, the Illinois Natural Areas Preservation Act, the Illinois Open Land Trust Act, the Open Space Lands Acquisition and Development Act, the Illinois Prescribed Burning Act, the State Forest Act, the Water Use Act of 1983, the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Illinois Dangerous Animals Act, the Hunter and Fishermen Interference Prohibition Act, the Wrongful Tree Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427, 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of the Illinois Vehicle Code, or Section 48-3 or 48-10 of the Criminal Code of 1961.

2. With respect to the fee imposed under subsection 1 of this Section, each clerk shall commence such charges and collections upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his office.

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such
clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

4. With respect to the fee imposed under subsection 1 of this Section, such fees shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.

5. With respect to the additional fee imposed under subsection 1.5 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund.

6. With respect to the additional fees imposed under subsection 1.5 of this Section, the Director of State Police may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State Police Operations Assistance Fund into the Illinois Law Enforcement Alarm Systems (ILEAS) Fund for homeland security initiatives programs. The transferred fees shall be allocated, subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security initiatives and (ii) 33.3% shall be used for airborne operations. The ILEAS Executive Board shall annually supply the Director of State Police with a report of the use of these fees.

7. With respect to the additional fee imposed under subsection 1.6 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the Conservation Police Operations Assistance Fund.

(Source: P.A. 96-1029, eff. 7-13-10; 97-46, eff. 7-1-12; 97-453, eff. 8-19-11; 97-738, eff. 7-5-12; 97-761, eff. 7-6-12; 97-813, eff. 7-13-12; 97-1108, eff. 1-1-13; revised 9-20-12.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.

New matter indicated by italics - deletions by strikeout
Effective August 16, 2013.

PUBLIC ACT 98-0376
(House Bill No. 0989)

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

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Public Safety Diver Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Public Safety Diver license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated to be Public Safety Diver license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, shall accompany the application. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant shall be charged a $45 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, $30 shall be deposited into the Public Safety Diver Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Public Safety Diver Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.
(d) The Public Safety Diver Fund is created as a special fund in the State treasury. All moneys in the Public Safety Diver Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, to the Illinois Law Enforcement Training Standards Board for the purposes of providing grants based on need for training, standards, and equipment to public safety disciplines within the State and to units of local government involved in public safety diving and water rescue services.

(e) The Public Safety Diver Advisory Committee shall recommend grant rewards with the intent of achieving reasonably equitable distribution of funds between police, firefighting, and public safety diving services making application for grants under this Section.

(f) The administrative costs related to management of grants made from the Public Safety Diver Fund shall be paid from the Public Safety Diver Fund to the Illinois Law Enforcement Training Standards Board.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0377
(House Bill No. 0996)

AN ACT concerning gaming.

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

Section 3. The Riverboat Gambling Act is amended by changing Section 5 as follows:

(230 ILCS 10/5) (from Ch. 120, par. 2405)

Sec. 5. Gaming Board.

(a) (1) There is hereby established the Illinois Gaming Board, which shall have the powers and duties specified in this Act, and all other powers necessary and proper to fully and effectively execute this Act for the purpose of administering, regulating, and enforcing the system of riverboat gambling established by this Act. Its jurisdiction shall extend under this Act to every person, association, corporation, partnership and trust involved in riverboat gambling operations in the State of Illinois.

(2) The Board shall consist of 5 members to be appointed by the Governor with the advice and consent of the Senate, one of whom shall be designated by the Governor to be chairman. Each member shall have a

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reasonable knowledge of the practice, procedure and principles of gambling operations. Each member shall either be a resident of Illinois or shall certify that he will become a resident of Illinois before taking office. At least one member shall be experienced in law enforcement and criminal investigation, at least one member shall be a certified public accountant experienced in accounting and auditing, and at least one member shall be a lawyer licensed to practice law in Illinois.

(3) The terms of office of the Board members shall be 3 years, except that the terms of office of the initial Board members appointed pursuant to this Act will commence from the effective date of this Act and run as follows: one for a term ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for a term ending July 1, 1993. Upon the expiration of the foregoing terms, the successors of such members shall serve a term for 3 years and until their successors are appointed and qualified for like terms. Vacancies in the Board shall be filled for the unexpired term in like manner as original appointments. Each member of the Board shall be eligible for reappointment at the discretion of the Governor with the advice and consent of the Senate.

(4) Each member of the Board shall receive $300 for each day the Board meets and for each day the member conducts any hearing pursuant to this Act. Each member of the Board shall also be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of official duties.

(5) No person shall be appointed a member of the Board or continue to be a member of the Board who is, or whose spouse, child or parent is, a member of the board of directors of, or a person financially interested in, any gambling operation subject to the jurisdiction of this Board, or any race track, race meeting, racing association or the operations thereof subject to the jurisdiction of the Illinois Racing Board. No Board member shall hold any other public office. No person shall be a member of the Board who is not of good moral character or who has been convicted of, or is under indictment for, a felony under the laws of Illinois or any other state, or the United States.

(5.5) No member of the Board shall engage in any political activity. For the purposes of this Section, "political" means any activity in support of or in connection with any campaign for federal, State, or local elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the
Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties or governmental and public service functions.

(6) Any member of the Board may be removed by the Governor for neglect of duty, misfeasance, malfeasance, or nonfeasance in office or for engaging in any political activity.

(7) Before entering upon the discharge of the duties of his office, each member of the Board shall take an oath that he will faithfully execute the duties of his office according to the laws of the State and the rules and regulations adopted therewith and shall give bond to the State of Illinois, approved by the Governor, in the sum of $25,000. Every such bond, when duly executed and approved, shall be recorded in the office of the Secretary of State. Whenever the Governor determines that the bond of any member of the Board has become or is likely to become invalid or insufficient, he shall require such member forthwith to renew his bond, which is to be approved by the Governor. Any member of the Board who fails to take oath and give bond within 30 days from the date of his appointment, or who fails to renew his bond within 30 days after it is demanded by the Governor, shall be guilty of neglect of duty and may be removed by the Governor. The cost of any bond given by any member of the Board under this Section shall be taken to be a part of the necessary expenses of the Board.

(7.5) For the examination of all mechanical, electromechanical, or electronic table games, slot machines, slot accounting systems, and other electronic gaming equipment for compliance with this Act, the Board may utilize the services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the Board, are qualified to perform such examinations.

(8) The Board shall employ such personnel as may be necessary to carry out its functions and shall determine the salaries of all personnel, except those personnel whose salaries are determined under the terms of a collective bargaining agreement. No person shall be employed to serve the Board who is, or whose spouse, parent or child is, an official of, or has a financial interest in or financial relation with, any operator engaged in gambling operations within this State or any organization engaged in conducting horse racing within this State. Any employee violating these prohibitions shall be subject to termination of employment.

(9) An Administrator shall perform any and all duties that the Board shall assign him. The salary of the Administrator shall be
determined by the Board and, in addition, he shall be reimbursed for all actual and necessary expenses incurred by him in discharge of his official duties. The Administrator shall keep records of all proceedings of the Board and shall preserve all records, books, documents and other papers belonging to the Board or entrusted to its care. The Administrator shall devote his full time to the duties of the office and shall not hold any other office or employment.

(b) The Board shall have general responsibility for the implementation of this Act. Its duties include, without limitation, the following:

(1) To decide promptly and in reasonable order all license applications. Any party aggrieved by an action of the Board denying, suspending, revoking, restricting or refusing to renew a license may request a hearing before the Board. A request for a hearing must be made to the Board in writing within 5 days after service of notice of the action of the Board. Notice of the action of the Board shall be served either by personal delivery or by certified mail, postage prepaid, to the aggrieved party. Notice served by certified mail shall be deemed complete on the business day following the date of such mailing. The Board shall conduct all requested hearings promptly and in reasonable order;

(2) To conduct all hearings pertaining to civil violations of this Act or rules and regulations promulgated hereunder;

(3) To promulgate such rules and regulations as in its judgment may be necessary to protect or enhance the credibility and integrity of gambling operations authorized by this Act and the regulatory process hereunder;

(4) To provide for the establishment and collection of all license and registration fees and taxes imposed by this Act and the rules and regulations issued pursuant hereto. All such fees and taxes shall be deposited into the State Gaming Fund;

(5) To provide for the levy and collection of penalties and fines for the violation of provisions of this Act and the rules and regulations promulgated hereunder. All such fines and penalties shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois;

(6) To be present through its inspectors and agents any time gambling operations are conducted on any riverboat for the purpose of certifying the revenue thereof, receiving complaints

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from the public, and conducting such other investigations into the
court of the gambling games and the maintenance of the
equipment as from time to time the Board may deem necessary and
proper;

(7) To review and rule upon any complaint by a licensee
regarding any investigative procedures of the State which are
unnecessarily disruptive of gambling operations. The need to
inspect and investigate shall be presumed at all times. The
disruption of a licensee's operations shall be proved by clear and
convincing evidence, and establish that: (A) the procedures had no
reasonable law enforcement purposes, and (B) the procedures were
so disruptive as to unreasonably inhibit gambling operations;

(8) To hold at least one meeting each quarter of the fiscal
year. In addition, special meetings may be called by the Chairman
or any 2 Board members upon 72 hours written notice to each
member. All Board meetings shall be subject to the Open Meetings
Act. Three members of the Board shall constitute a quorum, and 3
votes shall be required for any final determination by the Board.
The Board shall keep a complete and accurate record of all its
meetings. A majority of the members of the Board shall constitute
a quorum for the transaction of any business, for the performance
of any duty, or for the exercise of any power which this Act
requires the Board members to transact, perform or exercise en
banc, except that, upon order of the Board, one of the Board
members or an administrative law judge designated by the Board
may conduct any hearing provided for under this Act or by Board
rule and may recommend findings and decisions to the Board. The
Board member or administrative law judge conducting such
hearing shall have all powers and rights granted to the Board in this
Act. The record made at the time of the hearing shall be reviewed
by the Board, or a majority thereof, and the findings and decision
of the majority of the Board shall constitute the order of the Board
in such case;

(9) To maintain records which are separate and distinct
from the records of any other State board or commission. Such
records shall be available for public inspection and shall accurately
reflect all Board proceedings;

(10) To file a written annual report with the Governor on or
before March 1 each year and such additional reports as the
Governor may request. The annual report shall include a statement of receipts and disbursements by the Board, actions taken by the Board, and any additional information and recommendations which the Board may deem valuable or which the Governor may request;

(11) (Blank);
(12) (Blank);
(13) To assume responsibility for administration and enforcement of the Video Gaming Act; and
(14) To adopt, by rule, a code of conduct governing Board members and employees that ensure, to the maximum extent possible, that persons subject to this Code avoid situations, relationships, or associations that may represent or lead to a conflict of interest.

(c) The Board shall have jurisdiction over and shall supervise all gambling operations governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all riverboat gambling operations in this State and all persons on riverboats where gambling operations are conducted.

(3) To promulgate rules and regulations for the purpose of administering the provisions of this Act and to prescribe rules, regulations and conditions under which all riverboat gambling in the State shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of riverboat gambling, including rules and regulations regarding the inspection of such riverboats and the review of any permits or licenses necessary to operate a riverboat under any laws or regulations applicable to riverboats, and to impose penalties for violations thereof.

(4) To enter the office, riverboats, facilities, or other places of business of a licensee, where evidence of the compliance or noncompliance with the provisions of this Act is likely to be found.

(5) To investigate alleged violations of this Act or the rules of the Board and to take appropriate disciplinary action against a

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licensee or a holder of an occupational license for a violation, or institute appropriate legal action for enforcement, or both.

(6) To adopt standards for the licensing of all persons under this Act, as well as for electronic or mechanical gambling games, and to establish fees for such licenses.

(7) To adopt appropriate standards for all riverboats and facilities.

(8) To require that the records, including financial or other statements of any licensee under this Act, shall be kept in such manner as prescribed by the Board and that any such licensee involved in the ownership or management of gambling operations submit to the Board an annual balance sheet and profit and loss statement, list of the stockholders or other persons having a 1% or greater beneficial interest in the gambling activities of each licensee, and any other information the Board deems necessary in order to effectively administer this Act and all rules, regulations, orders and final decisions promulgated under this Act.

(9) To conduct hearings, issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with the Illinois Administrative Procedure Act, and to administer oaths and affirmations to the witnesses, when, in the judgment of the Board, it is necessary to administer or enforce this Act or the Board rules.

(10) To prescribe a form to be used by any licensee involved in the ownership or management of gambling operations as an application for employment for their employees.

(11) To revoke or suspend licenses, as the Board may see fit and in compliance with applicable laws of the State regarding administrative procedures, and to review applications for the renewal of licenses. The Board may suspend an owner's license, without notice or hearing upon a determination that the safety or health of patrons or employees is jeopardized by continuing a riverboat's operation. The suspension may remain in effect until the Board determines that the cause for suspension has been abated. The Board may revoke the owner's license upon a determination that the owner has not made satisfactory progress toward abating the hazard.

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(12) To eject or exclude or authorize the ejection or exclusion of, any person from riverboat gambling facilities where such person is in violation of this Act, rules and regulations thereunder, or final orders of the Board, or where such person's conduct or reputation is such that his presence within the riverboat gambling facilities may, in the opinion of the Board, call into question the honesty and integrity of the gambling operations or interfere with orderly conduct thereof; provided that the propriety of such ejection or exclusion is subject to subsequent hearing by the Board.

(13) To require all licensees of gambling operations to utilize a cashless wagering system whereby all players' money is converted to tokens, electronic cards, or chips which shall be used only for wagering in the gambling establishment.

(14) (Blank).

(15) To suspend, revoke or restrict licenses, to require the removal of a licensee or an employee of a licensee for a violation of this Act or a Board rule or for engaging in a fraudulent practice, and to impose civil penalties of up to $5,000 against individuals and up to $10,000 or an amount equal to the daily gross receipts, whichever is larger, against licensees for each violation of any provision of the Act, any rules adopted by the Board, any order of the Board or any other action which, in the Board's discretion, is a detriment or impediment to riverboat gambling operations.

(16) To hire employees to gather information, conduct investigations and carry out any other tasks contemplated under this Act.

(17) To establish minimum levels of insurance to be maintained by licensees.

(18) To authorize a licensee to sell or serve alcoholic liquors, wine or beer as defined in the Liquor Control Act of 1934 on board a riverboat and to have exclusive authority to establish the hours for sale and consumption of alcoholic liquor on board a riverboat, notwithstanding any provision of the Liquor Control Act of 1934 or any local ordinance, and regardless of whether the riverboat makes excursions. The establishment of the hours for sale and consumption of alcoholic liquor on board a riverboat is an exclusive power and function of the State. A home rule unit may not establish the hours for sale and consumption of alcoholic liquor
on board a riverboat. This amendatory Act of 1991 is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(19) After consultation with the U.S. Army Corps of Engineers, to establish binding emergency orders upon the concurrence of a majority of the members of the Board regarding the navigability of water, relative to excursions, in the event of extreme weather conditions, acts of God or other extreme circumstances.

(20) To delegate the execution of any of its powers under this Act for the purpose of administering and enforcing this Act and its rules and regulations hereunder.

(20.5) To approve any contract entered into on its behalf.

(20.6) To appoint investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act, as deemed necessary by the Board. These investigators have and may exercise all of the rights and powers of peace officers, provided that these powers shall be limited to offenses or violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law.

(20.7) To contract with the Department of State Police for the use of trained and qualified State police officers and with the Department of Revenue for the use of trained and qualified Department of Revenue investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act and to exercise all of the rights and powers of peace officers, provided that the powers of Department of Revenue investigators under this subdivision (20.7) shall be limited to offenses or violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law. In the event the Department of State Police or the Department of Revenue is unable to fill contracted police or investigative positions, the Board may appoint investigators to fill those positions pursuant to subdivision (20.6).

(21) To take any other action as may be reasonable or appropriate to enforce this Act and rules and regulations hereunder.

(d) The Board may seek and shall receive the cooperation of the Department of State Police in conducting background investigations of
applicants and in fulfilling its responsibilities under this Section. Costs incurred by the Department of State Police as a result of such cooperation shall be paid by the Board in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400).

(e) The Board must authorize to each investigator and to any other employee of the Board exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Board and (ii) contains a unique identifying number. No other badge shall be authorized by the Board.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1392, eff. 1-1-11.)

Section 5. The Charitable Games Act is amended by changing Sections 3, 4, 5, 8, and 9 as follows:

(230 ILCS 30/3) (from Ch. 120, par. 1123)

Sec. 3. The Department of Revenue shall, upon application therefor on forms prescribed by the Department, and upon the payment of a nonrefundable annual fee of $400 due upon application and each renewal $200, and upon a determination by the Department that the applicant meets all of the qualifications specified in this Act, issue a charitable games license for the conducting of charitable games to any of the following:

(i) Any local fraternal mutual benefit organization chartered at least 40 years before it applies for a license under this Act.

(ii) Any qualified organization organized in Illinois which operates without profit to its members, which has been in existence in Illinois continuously for a period of 5 years immediately before making application for a license and which has had during that 5 year period a bona fide membership engaged in carrying out its objects. However, the 5 year requirement shall be reduced to 2 years, as applied to a local organization which is affiliated with and chartered by a national organization which meets the 5 year requirement. The period of existence specified above shall not apply to a qualified organization, organized for charitable purpose, created by a fraternal organization that meets the existence requirements if the charitable organization has the same officers and directors as the fraternal organization. Only one charitable organization created by a branch lodge or chapter of a fraternal organization may be licensed under this provision.

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The application shall be signed by a person listed on the application as an owner, officer, or other person in charge of the necessary day-to-day operations of the applicant organization, who shall attest under penalties of perjury that the information contained in the application is true, correct, and complete.

Each license shall be in effect for 2 years from its date of issuance unless extended, suspended, or revoked by Department action before that date. Any extension shall not exceed one year. The Department may by rule authorize the filing by electronic means of any application, license, permit, return, or registration required under this Act. A licensee may hold only one license. Each license must be applied for at least 30 days prior to the night or nights the licensee wishes to conduct such games. The Department may issue a license to a licensee that applies less than 30 days prior to the night or nights the licensee wishes to conduct the games if all other requirements of this Act are met and the Department has sufficient time and resources to issue the license in a timely manner. The Department may provide by rule for an extension of any charitable games license issued under this Act. If a licensee wishes to conduct games at a location other than the locations originally specified in the license, the licensee shall notify the Department of the proposed alternate location at least 30 days before the night on which the licensee wishes to conduct games at the alternate location. The Department may accept an applicant's change in location with less than 30 days' notice if all other requirements of this Act are met and the Department has sufficient time and resources to process the change in a timely manner.

All taxes and fees imposed by this Act, unless otherwise specified, shall be paid into the Illinois Gaming Law Enforcement Fund of the State Treasury.

(Source: P.A. 95-228, eff. 8-16-07.)

(230 ILCS 30/4) (from Ch. 120, par. 1124)

Sec. 4. Licensing Restrictions. Licensing for the conducting of charitable games is subject to the following restrictions:

(1) The license application, when submitted to the Department of Revenue, must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by a person listed on the application as an owner, officer, or other person in charge of the necessary day-to-day operations. The application shall contain the name of the person in charge of and primarily responsible for the conduct of the
charitable games. The person so designated shall be present on the premises continuously during charitable games.

(2) The license application shall be prepared by the prospective licensee organization or its duly authorized representative in accordance with the rules of the Department of Revenue.

(2.1) The organization shall maintain among its books and records a list of the names, addresses, social security numbers, and dates of birth of all persons who will participate in the management or operation of the games, along with a sworn statement made under penalties of perjury, signed by a person listed on the application as an owner, officer, or other person in charge of the necessary day-to-day operations, that the persons listed as participating in the management or operation of the games are bona fide members, volunteers as defined in Section 2, or employees of the applicant, that these persons have not participated in the management or operation of more than 12 charitable games events conducted by any licensee in the calendar year, and that these persons will receive no remuneration or compensation, directly or indirectly from any source, for participating in the management or operation of the games. Any amendments to this listing must contain an identical sworn statement.

(2.2) (Blank).

(3) Each license shall state the date, hours and at what locations the licensee is permitted to conduct charitable games.

(4) Each licensee shall file a copy of the license with each police department or, if in unincorporated areas, each sheriff's office whose jurisdiction includes the premises on which the charitable games are authorized under the license.

(5) The licensee shall prominently display the license in the area where the licensee is to conduct charitable games. The licensee shall likewise display, in the form and manner prescribed by the Department, the provisions of Section 9 of this Act.

(6) (Blank).

(7) (Blank). Each licensee shall obtain and maintain a bond for the benefit of participants in games conducted by the licensee to insure payment to the winners of such games. Such bond discretionary by the Department and shall be in an amount established by rule by the Department of Revenue. In a county with
fewer than 60,000 inhabitants, the Department may waive the bond requirement upon a showing by a licensee that it has sufficient funds on deposit to insure payment to the winners of such games.

(8) A license is not assignable or transferable.

(9) Unless the premises for conducting charitable games are provided by a municipality, the Department shall not issue a license permitting a person, firm or corporation to sponsor a charitable games night if the premises for the conduct of the charitable games has been previously used for charitable games nights during the previous 12 months.

(10) Auxiliary organizations of a licensee shall not be eligible for a license to conduct charitable games, except for auxiliary organizations of veterans organizations as authorized in Section 2.

(11) Charitable games must be conducted in accordance with local building and fire code requirements.

(12) The licensee shall consent to allowing the Department's employees to be present on the premises wherein the charitable games are conducted and to inspect or test equipment, devices and supplies used in the conduct of the game.

Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers' license in accordance with Section 5.1. The maximum number of charitable games events that may be held in any one premises is limited to one charitable games event per month calendar year.

(Source: P.A. 94-986, eff. 6-30-06; 95-228, eff. 8-16-07.)

(230 ILCS 30/5) (from Ch. 120, par. 1125)

Sec. 5. Providers' License. The Department shall issue a providers' license permitting a person, firm or corporation to provide premises for the conduct of charitable games. No person, firm or corporation may rent or otherwise provide premises without having first obtained a license. Applications for providers' licenses shall be made in writing in accordance with Department rules. The Department shall license providers of charitable games at a nonrefundable annual fee of $50, or nonrefundable triennial license fee of $150. Each providers' license is valid for one year from the date of issuance, or 3 years from date of issuance for a triennial license, unless extended, suspended, or revoked by Department action before that date. Any extension of a providers' license shall not exceed one year. A provider may receive reasonable compensation for the provision of
the premises. Reasonable expenses shall include only those expenses defined as reasonable by rules adopted by the Department. A provider, other than a municipality, may not provide the same premises for conducting more than 12 charitable games nights per year. A provider shall not have any interest in any suppliers' business, either direct or indirect. A municipality may provide the same premises for conducting 48 charitable games nights during a 12-month period. No employee, officer, or owner of a provider may participate in the management or operation of a charitable games event, even if the employee, officer, or owner is also a member, volunteer, or employee of the charitable games licensee. A provider may not promote or solicit a charitable games event on behalf of a charitable games licensee or qualified organization. Any qualified organization licensed to conduct a charitable game need not obtain a providers' license if such games are to be conducted on the organization's premises.

(Source: P.A. 94-986, eff. 6-30-06; 95-228, eff. 8-16-07.)

(230 ILCS 30/8) (from Ch. 120, par. 1128)

Sec. 8. The conducting of charitable games is subject to the following restrictions:

(1) The entire net proceeds from charitable games must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(2) No person except a bona fide member or employee of the sponsoring organization, or a volunteer recruited by the sponsoring organization, may participate in the management or operation of the game. A person participates in the management or operation of a charitable game when he or she sells admission tickets at the event; sells, redeems, or in any way assists in the selling or redeeming of chips, scrip, or play money; participates in the conducting of any of the games played during the event, or supervises, directs or instructs anyone conducting a game; or at any time during the hours of the charitable games event counts, handles, or supervises anyone counting or handling any of the proceeds or chips, scrip, or play money at the event. A person who is present to ensure that the games are being conducted in conformance with the rules established by the licensed organization or is present to insure that the equipment is working properly is considered to be participating in the management or operation of a game. Setting up, cleaning up, selling food and

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drink, or providing security for persons or property at the event does not constitute participation in the management or operation of the game.

Only bona fide members, volunteers as defined in Section 2 of this Act, and employees of the sponsoring organization may participate in the management or operation of the games. Participation in the management or operation of the games is limited to no more than 12 charitable games events, either of the sponsoring organization or any other licensed organization, during a calendar year.

(3) No person may receive any remuneration or compensation either directly or indirectly from any source for participating in the management or operation of the game.

(4) No single bet at any house-banked game may exceed $20.

(5) A bank shall be established on the premises to convert currency into chips, scrip, or other form of play money which shall then be used to play at games of chance which the participant chooses. Chips, scrip, or play money must be permanently monogrammed with the supplier license number or logo or charitable games license number of the licensed organization or of the supplier. Each participant must be issued a receipt indicating the amount of chips, scrip, or play money purchased.

(6) At the conclusion of the event or when the participant leaves, he or she may cash in his or her chips, scrip, or play money in exchange for currency not to exceed $500 in cash winnings or unlimited noncash prizes. Each participant shall sign for any receipt of prizes. The licensee shall provide the Department of Revenue with a listing of all prizes awarded, including the retail value of all prizes awarded.

(7) Each licensee shall be permitted to conduct charitable games on not more than 4 days each year. Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers' license in accordance with Section 7 of this Act.

(8) Unless the provider of the premises is a municipality, the provider of the premises may not rent or otherwise provide the premises for the conducting of more than one charitable games nights per month year.

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(9) A charitable games event is considered to be a one-day event and charitable games may not be played between the hours of 2:00 a.m. and noon.

(10) No person under the age of 18 years may play or participate in the conducting of charitable games. Any person under the age of 18 years may be within the area where charitable games are being played only when accompanied by his parent or guardian.

(11) No one other than the sponsoring organization of charitable games must have a proprietary interest in the game promoted.

(12) Raffles or other forms of gambling prohibited by law shall not be conducted on the premises where charitable games are being conducted.

(13) Such games are not expressly prohibited by county ordinance for charitable games conducted in the unincorporated areas of the county or municipal ordinance for charitable games conducted in the municipality and the ordinance is filed with the Department of Revenue. The Department shall provide each county or municipality with a list of organizations licensed or subsequently authorized by the Department to conduct charitable games in their jurisdiction.

(14) The sale of tangible personal property at charitable games is subject to all State and local taxes and obligations.

(15) Each licensee may offer or conduct only the games listed below, which must be conducted in accordance with rules posted by the organization. The organization sponsoring charitable games shall promulgate rules, and make printed copies available to participants, for the following games: (a) roulette; (b) blackjack; (c) poker; (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer; (h) big six; (i) gin rummy; (j) five card stud poker; (k) chuck-a-luck; (l) keno; (m) hold-em poker; and (n) merchandise wheel. A licensee need not offer or conduct every game permitted by law. The conducting of games not listed above is prohibited by this Act.

(16) No slot machines or coin-in-the-slot-operated devices that allow a participant to play games of chance shall be permitted to be used at the location and during the time at which the charitable games are being conducted. However, establishments that have video gaming terminals licensed under the Video Gaming
Act may operate them along with charitable games under rules adopted by the Department.

(17) No cards, dice, wheels, or other equipment may be modified or altered so as to give the licensee a greater advantage in winning, other than as provided under the normal rules of play of a particular game.

(18) No credit shall be extended to any of the participants.

(19) (Blank).

(20) A supplier may have only one representative present at the charitable games event, for the exclusive purpose of ensuring that its equipment is not damaged.

(21) No employee, owner, or officer of a consultant service hired by a licensed organization to perform services at the event including, but not limited to, security for persons or property at the event or services before the event including, but not limited to, training for volunteers or advertising may participate in the management or operation of the games.

(22) (Blank).

(Source: P.A. 94-986, eff. 6-30-06; 95-228, eff. 8-16-07.)

(230 ILCS 30/9) (from Ch. 120, par. 1129)

Sec. 9. There shall be paid to the Department of Revenue, 5% of the net gross proceeds of charitable games conducted under the provisions of this Act. Such payments shall be made within 30 days after the completion of the games. Accompanying each payment shall be a return, on forms prescribed by the Department of Revenue. Failure to submit either the payment or the return within the specified time may result in suspension or revocation of the license. Tax returns filed pursuant to this Act shall not be confidential and shall be available for public inspection.

The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and Section 3-7 of the Uniform Penalty and Interest Act, which are not inconsistent with this Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included in this Act. For the purposes of this Act, references in such incorporated Sections of the Retailers' Occupation Tax Act to retailers, sellers or persons engaged in the business of selling tangible personal property means persons engaged in conducting charitable games, and references in such incorporated Sections of the Retailers' Occupation Tax Act to sales of

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tangible personal property mean the conducting of charitable games and the making of charges for playing such games.

All payments made to the Department of Revenue under this Section shall be deposited into the Illinois Gaming Law Enforcement Fund of the State Treasury.
(Source: P.A. 95-228, eff. 8-16-07.)

Section 10. The Video Gaming Act is amended by changing Section 15 as follows:

(230 ILCS 40/15)

Sec. 15. Minimum requirements for licensing and registration.

Every video gaming terminal offered for play shall first be tested and approved pursuant to the rules of the Board, and each video gaming terminal offered in this State for play shall conform to an approved model. For the examination of video gaming machines and associated equipment as required by this Section, the Board may utilize the services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the Board, are qualified to perform such examinations. Every video gaming terminal offered in this State for play must meet minimum standards set by an independent outside testing laboratory approved by the Board. Each approved model shall, at a minimum, meet the following criteria:

(1) It must conform to all requirements of federal law and regulations, including FCC Class A Emissions Standards.
(2) It must theoretically pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which must not be less than 80%. The Board shall establish a maximum payout percentage for approved models by rule. Video gaming terminals that may be affected by skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.
(3) It must use a random selection process to determine the outcome of each play of a game. The random selection process must meet 99% confidence limits using a standard chi-squared test for (randomness) goodness of fit.
(4) It must display an accurate representation of the game outcome.

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(5) It must not automatically alter pay tables or any function of the video gaming terminal based on internal computation of hold percentage or have any means of manipulation that affects the random selection process or probabilities of winning a game.

(6) It must not be adversely affected by static discharge or other electromagnetic interference.

(7) It must be capable of detecting and displaying the following conditions during idle states or on demand: power reset; door open; and door just closed.

(8) It must have the capacity to display complete play history (outcome, intermediate play steps, credits available, bets placed, credits paid, and credits cashed out) for the most recent game played and 10 games prior thereto.

(9) The theoretical payback percentage of a video gaming terminal must not be capable of being changed without making a hardware or software change in the video gaming terminal, either on site or via the central communications system.

(10) Video gaming terminals must be designed so that replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

(11) It must have nonresettable meters housed in a locked area of the terminal that keep a permanent record of all cash inserted into the machine, all winnings made by the terminal printer, credits played in for video gaming terminals, and credits won by video gaming players. The video gaming terminal must provide the means for on-demand display of stored information as determined by the Board.

(12) Electronically stored meter information required by this Section must be preserved for a minimum of 180 days after a power loss to the service.

(13) It must have one or more mechanisms that accept cash in the form of bills. The mechanisms shall be designed to prevent obtaining credits without paying by stringing, slamming, drilling, or other means. If such attempts at physical tampering are made, the video gaming terminal shall suspend itself from operating until reset.

(14) It shall have accounting software that keeps an electronic record which includes, but is not limited to, the following: total cash inserted into the video gaming terminal; the
value of winning tickets claimed by players; the total credits
played; the total credits awarded by a video gaming terminal; and
pay back percentage credited to players of each video game.

(15) It shall be linked by a central communications system
to provide auditing program information as approved by the Board.
The central communications system shall use a standard industry
protocol, as defined by the Gaming Standards Association, and
shall have the functionality to enable the Board or its designee to
activate or deactivate individual gaming devices from the central
communications system. In no event may the communications
system approved by the Board limit participation to only one
manufacturer of video gaming terminals by either the cost in
implementing the necessary program modifications to
communicate or the inability to communicate with the central
communications system.

(16) The Board, in its discretion, may require video gaming
terminals to display Amber Alert messages if the Board makes a
finding that it would be economically and technically feasible and
pose no risk to the integrity and security of the central
communications system and video gaming terminals.

The Board may adopt rules to establish additional criteria to
preserve the integrity and security of video gaming in this State. The
central communications system vendor may not hold any license issued by
the Board under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-
10.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0378
(House Bill No. 1017)

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

Section 5. The Mental Health and Developmental Disabilities
Confidentiality Act is amended by changing Sections 2, 6, 7, 9, 9.2, 9.4,

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11, and 13 and by adding Sections 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, and 9.11 as follows:

(740 ILCS 110/2) (from Ch. 91 1/2, par. 802)

Sec. 2. The terms used in this Act, unless the context requires otherwise, have the meanings ascribed to them in this Section.

"Agent" means a person who has been legally appointed as an individual's agent under a power of attorney for health care or for property.

"Business associate" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Confidential communication" or "communication" means any communication made by a recipient or other person to a therapist or to or in the presence of other persons during or in connection with providing mental health or developmental disability services to a recipient. Communication includes information which indicates that a person is a recipient. "Communication" does not include information that has been de-identified in accordance with HIPAA, as specified in 45 CFR 164.514.

"Covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Guardian" means a legally appointed guardian or conservator of the person.

"Health information exchange" or "HIE" means a health information exchange or health information organization that oversees and governs the electronic exchange of health information that (i) is established pursuant to the Illinois Health Information Exchange and Technology Act, or any subsequent amendments thereto, and any administrative rules promulgated thereunder; or (ii) has established a data sharing arrangement with the Illinois Health Information Exchange; or (iii) as of the effective date of this amendatory Act of the 98th General Assembly, was designated by the Illinois Health Information Exchange Authority Board as a member of, or was represented on, the Authority Board's Regional Health Information Exchange Workgroup; provided that such designation shall not require the establishment of a data sharing arrangement or other participation with the Illinois Health Information Exchange or the payment of any fee.

"HIE purposes" means those uses and disclosures (as those terms are defined under HIPAA, as specified in 45 CFR 160.103) for activities of an HIE: (i) set forth in the Illinois Health Information Exchange and Technology Act or any subsequent amendments thereto and any
administrative rules promulgated thereunder; or (ii) which are permitted under federal law.

"HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any subsequent amendments thereto and any regulations promulgated thereunder, including the Security Rule, as specified in 45 CFR 164.302-18, and the Privacy Rule, as specified in 45 CFR 164.500-34.

"Integrated health system" means an organization with a system of care which incorporates physical and behavioral healthcare and includes care delivered in an inpatient and outpatient setting.

"Interdisciplinary team" means a group of persons representing different clinical disciplines, such as medicine, nursing, social work, and psychology, providing and coordinating the care and treatment for a recipient of mental health or developmental disability services. The group may be composed of individuals employed by one provider or multiple providers.

"Mental health or developmental disabilities services" or "services" includes but is not limited to examination, diagnosis, evaluation, treatment, training, pharmaceuticals, aftercare, habilitation or rehabilitation.

"Personal notes" means:

(i) information disclosed to the therapist in confidence by other persons on condition that such information would never be disclosed to the recipient or other persons;

(ii) information disclosed to the therapist by the recipient which would be injurious to the recipient's relationships to other persons, and

(iii) the therapist's speculations, impressions, hunches, and reminders.

"Parent" means a parent or, in the absence of a parent or guardian, a person in loco parentis.

"Recipient" means a person who is receiving or has received mental health or developmental disabilities services.

"Record" means any record kept by a therapist or by an agency in the course of providing mental health or developmental disabilities service to a recipient concerning the recipient and the services provided. "Records" includes all records maintained by a court that have been created in connection with, in preparation for, or as a result of the filing of any petition or certificate under Chapter II, Chapter III, or Chapter IV of

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the Mental Health and Developmental Disabilities Code and includes the
petitions, certificates, dispositional reports, treatment plans, and reports of
diagnostic evaluations and of hearings under Article VIII of Chapter III or
under Article V of Chapter IV of that Code. Record does not include the
therapist's personal notes, if such notes are kept in the therapist's sole
possession for his own personal use and are not disclosed to any other
person, except the therapist's supervisor, consulting therapist or attorney. If
at any time such notes are disclosed, they shall be considered part of the
recipient's record for purposes of this Act. "Record" does not include
information that has been de-identified in accordance with HIPAA, as
specified in 45 CFR 164.514.

"Record custodian" means a person responsible for maintaining a
recipient's record.

"Therapist" means a psychiatrist, physician, psychologist, social
worker, or nurse providing mental health or developmental disabilities
services or any other person not prohibited by law from providing such
services or from holding himself out as a therapist if the recipient
reasonably believes that such person is permitted to do so. Therapist
includes any successor of the therapist.
(Source: P.A. 89-58, eff. 1-1-96; 90-538, eff. 12-1-97.)
(740 ILCS 110/6) (from Ch. 91 1/2, par. 806)

Sec. 6. Such information from a recipient's record as is necessary to
enable him to apply for or receive benefits may be disclosed with consent
obtained pursuant to Section 5 of this Act. Disclosure may be made
without consent when despite every reasonable effort it is not possible to
obtain consent because the person entitled to give consent is not capable of
consenting or is not available to do so. The recipient shall be informed of
any disclosure made without consent. The information disclosed without
consent under this Section may include only the identity of the recipient
and therapist and a description of the nature, purpose, quantity, and date of
the services provided. Any request for additional information shall state
with particularity what further information is needed and the reasons
therefor. Refusal to consent to the disclosure of more information than is
necessary to apply for or receive direct benefits shall not be grounds for in
any way denying, limiting, or cancelling such benefits or refusing to accept
an application or renew such benefits. Such information shall not be
redisclosed except as provided in this Act with the consent of the person
entitled to give consent.
(Source: P.A. 80-1508.)
Sec. 7. Review of therapist or agency; use of recipient's record.

(a) When a therapist or agency which provides services is being reviewed for purposes of licensure, statistical compilation, research, evaluation, or other similar purpose, a recipient's record may be used by the person conducting the review to the extent that this is necessary to accomplish the purpose of the review, provided that personally identifiable data is removed from the record before use. Personally identifiable data may be disclosed only in accordance with the consent obtained under Section 5 of this Act. Licensure and the like may not be withheld or withdrawn for failure to disclose personally identifiable data if consent is not obtained.

(b) When an agency which provides services is being reviewed for purposes of funding, accreditation, reimbursement or audit by a State or federal agency or accrediting body, a recipient's record may be used by the person conducting the review and personally identifiable information may be disclosed without consent, provided that the personally identifiable information is necessary to accomplish the purpose of the review.

For the purpose of this subsection, an inspection investigation or site visit by the United States Department of Justice regarding compliance with a pending consent decree is considered an audit by a federal agency.

(c) An independent team of experts under Brian's Law shall be entitled to inspect and copy the records of any recipient whose death is being examined by such a team pursuant to the mortality review process authorized by Brian's Law. Information disclosed under this subsection may not be redisclosed without the written consent of one of the persons identified in Section 4 of this Act.

(Source: P.A. 96-1235, eff. 1-1-11.)

Sec. 9. In the course of providing services and after the conclusion of the provision of services, including for the purposes of treatment and care coordination, a therapist, integrated health system, or member of an interdisciplinary team may use, disclose, or re-disclose a record or communications without consent to:

1. the therapist's supervisor, a consulting therapist, members of a staff team participating in the provision of services, a record custodian, a business associate, an integrated health system,

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a member of an interdisciplinary team, or a person acting under the supervision and control of the therapist;

(2) persons conducting a peer review of the services being provided;

(3) the Institute for Juvenile Research and the Institute for the Study of Developmental Disabilities;

(4) an attorney or advocate consulted by a therapist or agency which provides services concerning the therapist's or agency's legal rights or duties in relation to the recipient and the services being provided; and

(5) the Inspector General of the Department of Children and Family Services when such records or communications are relevant to a pending investigation authorized by Section 35.5 of the Children and Family Services Act where:

(A) the recipient was either (i) a parent, foster parent, or caretaker who is an alleged perpetrator of abuse or neglect or the subject of a dependency investigation or (ii) a non-ward victim of alleged abuse or neglect, and

(B) available information demonstrates that the mental health of the recipient was or should have been an issue to the safety of the child.

In the course of providing services, a therapist, integrated health system, or member of an interdisciplinary team may disclose a record or communications without consent to any department, agency, institution or facility which has custody of the recipient pursuant to State statute or any court order of commitment.

Information may be disclosed under this Section only to the extent that knowledge of the record or communications is essential to the purpose for which disclosure is made and only after the recipient is informed that such disclosure may be made. A person to whom disclosure is made under this Section shall not redisclose any information except as provided in this Act.

(Source: P.A. 86-955; 90-512, eff. 8-22-97.)

(740 ILCS 110/9.2)

Sec. 9.2. Interagency disclosure of recipient information. For the purposes of continuity of care, the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), community agencies funded by the Department of Human Services in that capacity, licensed private hospitals, integrated health

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systems, members of an interdisciplinary team, federally qualified health centers, or physicians or therapists or other healthcare providers licensed or certified by or receiving payments from the Department of Human Services or the Department of Healthcare and Family Services, State correctional facilities, juvenile justice facilities, mental health facilities operated by a county, mental health court professionals as defined in Section 10 of the Mental Health Court Treatment Act, Veterans and Servicemembers Court professionals as defined in Section 10 of the Veterans and Servicemembers Court Treatment Act and jails and juvenile detention facilities operated by any county of this State may disclose a recipient's record or communications, without consent, to each other, but only for the purpose of admission, treatment, planning, coordinating care, or discharge, or governmentally mandated public health reporting. Entities shall not redisclose any personally identifiable information, unless necessary for admission, treatment, planning, coordinating care, or discharge, or governmentally mandated public health reporting of the identified recipient to another setting. No records or communications may be disclosed to a county jail or State correctional facility pursuant to this Section unless the Department has entered into a written agreement with the county jail or State correctional facility requiring that the county jail or State correctional facility adopt written policies and procedures designed to ensure that the records and communications are disclosed only to those persons employed by or under contract to the county jail or State correctional facility who are involved in the provision of mental health services to inmates and that the records and communications are protected from further disclosure.

(Source: P.A. 96-1399, eff. 7-29-10; 96-1453, eff. 8-20-10; 97-946, eff. 8-13-12.)

(740 ILCS 110/9.4)
Sec. 9.4. Disclosure for treatment and coordination of care.

(a) For recipients in a program administered or operated by the Department of Healthcare and Family Services or the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), records of a recipient may be disclosed without consent by county jails, insurance companies, integrated health systems, and State agencies, including the Department of Corrections, the Department of Children and Family Services, the Department of Healthcare and Family Services and the Department of Human Services, to hospitals, physicians, therapists, emergency medical personnel, and

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members of an interdisciplinary team treating a recipient for the purposes of treatment and coordination of care.

(b) An interdisciplinary team treating a recipient may disclose the recipient's records without the recipient's consent to other members of the team.

(c) The records that may be disclosed under this Section are services rendered, providers rendering the services, pharmaceuticals prescribed or dispensed, and diagnoses. All disclosures under this Section must be made in a manner consistent with existing federal and State laws and regulations, including the federal Health Insurance Portability and Accountability Act (HIPAA).

(d) (Blank). For the purpose of this Section only:

"Integrated health system" means an organization with a system of care which incorporates physical and behavioral healthcare and includes care delivered in an inpatient and outpatient setting.

"Interdisciplinary team" means a group of persons, representing different clinical disciplines (medicine, nursing, social work, psychology, etc.) providing and coordinating the care and treatment for a person with mental illness. The group may be composed of individuals employed by one provider or multiple providers.

(Source: P.A. 97-515, eff. 8-23-11.)

(740 ILCS 110/9.5 new)

Sec. 9.5. Use and disclosure of information to an HIE.

(a) An HIE, person, therapist, facility, agency, interdisciplinary team, integrated health system, business associate, or covered entity may, without a recipient's consent, use or disclose information from a recipient's record in connection with an HIE, including disclosure to the Illinois Health Information Exchange Authority, an HIE, or the business associate of either. An HIE and its business associate may, without a recipient's consent, use or disclose and re-disclose such information for HIE purposes or for such other purposes as are specifically allowed under this Act.

(b) As used in this Section:

(1) "Facility" means a developmental disability facility as defined in Section 1-107 of the Mental Health and Developmental Disabilities Code or a mental health facility as defined in Section

New matter indicated by italics - deletions by strikeout
Sec. 9.6. HIE opt-out. The Illinois Health Information Exchange Authority shall, through appropriate rules, standards, or contractual obligations, which shall be binding upon any HIE, as defined under Section 2, require that participants of such HIE provide each recipient whose record is accessible through the health information exchange the reasonable opportunity to expressly decline the further disclosure of the record by the health information exchange to third parties, except to the extent permitted by law such as for purposes of public health reporting. These rules, standards, or contractual obligations shall permit a recipient to revoke a prior decision to opt-out or a decision not to opt-out. These rules, standards, or contractual obligations shall provide for written notice of a recipient's right to opt-out which directs the recipient to a health information exchange website containing (i) an explanation of the purposes of the health information exchange; and (ii) audio, visual, and written instructions on how to opt-out of participation in whole or in part to the extent possible. These rules, standards, or contractual obligations shall be reviewed annually and updated as the technical options develop.

The recipient shall be provided meaningful disclosure regarding the health information exchange, and the recipient's decision whether to opt-out should be obtained without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion. To the extent that HIPAA, as specified in 45 CFR 164.508(b)(4), prohibits a covered entity from conditioning the provision of its services upon an individual's provision of an authorization, an HIE participant shall not condition the provision of its services upon a recipient's decision to opt-out of further disclosure of the record by an HIE to third parties. The Illinois Health Information Exchange Authority shall, through appropriate rules, standards, or contractual obligations, which shall be binding upon any HIE, as defined under Section 2, give consideration to the format and content of the meaningful disclosure and the availability to recipients of information regarding an HIE and the rights of recipients under this Section to expressly decline the further disclosure of the record by an HIE to third parties. The Illinois Health Information Exchange Authority shall also give annual consideration to enable a recipient to expressly decline...
the further disclosure by an HIE to third parties of selected portions of the recipient's record while permitting disclosure of the recipient's remaining patient health information. In establishing rules, standards, or contractual obligations binding upon HIEs under this Section to give effect to recipient disclosure preferences, the Illinois Health Information Exchange Authority in its discretion may consider the extent to which relevant health information technologies reasonably available to therapists and HIEs in this State reasonably enable the effective segmentation of specific information within a recipient's electronic medical record and reasonably enable the effective exclusion of specific information from disclosure by an HIE to third parties, as well as the availability of sufficient authoritative clinical guidance to enable the practical application of such technologies to effect recipient disclosure preferences. The provisions of this Section 9.6 shall not apply to the secure electronic transmission of data which is point-to-point communication directed by the data custodian. Any rules or standards promulgated under this Section which apply to HIEs shall be limited to that subject matter required by this Section and shall not include any requirement that an HIE enter a data sharing arrangement or otherwise participate with the Illinois Health Information Exchange. In connection with its annual consideration regarding the issue of segmentation of information within a medical record and prior to the adoption of any rules or standards regarding that issue, the Authority Board shall consider information provided by affected persons or organizations regarding the feasibility, availability, cost, reliability, and interoperability of any technology or process under consideration by the Board. Nothing in this Act shall be construed to limit the authority of the Illinois Health Information Exchange Authority to impose limits or conditions on consent for disclosures to or through any HIE, as defined under Section 2, which are more restrictive than the requirements under this Act or under HIPAA.

(740 ILCS 110/9.7 new)

Sec. 9.7. Other limitations on consent requirements. The consent requirements under Section 5 may not be required for the use or disclosure (as those terms are defined under HIPAA, as specified in 45 CFR 160.103) of a record or communication disclosed (as that term is defined under HIPAA, as specified in 45 CFR 160.103) to or through an HIE for HIE purposes and in accordance with this Act.

(740 ILCS 110/9.8 new)

New matter indicated by italics - deletions by strikeout
Sec. 9.8. Business associates. An HIE, person, therapist, facility, agency, interdisciplinary team, integrated health system, business associate, covered entity, the Illinois Health Information Exchange Authority, or entity facilitating the establishment or operation of an HIE may, without a recipient's consent, utilize the services of and disclose information from a recipient's record to a business associate, as defined by and in accordance with the requirements set forth under HIPAA. As used in this Section, the term "disclosure" has the meaning ascribed to it by HIPAA, as specified in 45 CFR 160.103.

(740 ILCS 110/9.9 new)

Sec. 9.9. Record locator service.
(a) An HIE, person, therapist, facility, agency, interdisciplinary team, integrated health system, business associate, covered entity, the Illinois Health Information Exchange Authority, or entity facilitating the establishment or operation of an HIE may, without a recipient's consent, disclose the existence of a recipient's record to a record locator service, master patient index, or other directory or services necessary to support and enable the establishment and operation of an HIE.

(b) As used in this Section:
(1) the term "disclosure" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103; and
(2) "facility" means a developmental disability facility as defined in Section 1-107 of the Mental Health and Developmental Disabilities Code or a mental health facility as defined in Section 1-114 of the Mental Health and Developmental Disabilities Code.

(740 ILCS 110/9.10 new)

Sec. 9.10. Interagency disclosures by HIE. Nothing in this Act shall be construed to limit the use of an HIE to facilitate the disclosure or re-disclosure of information from a recipient's record to any agency or department of this State as authorized by Sections 7.1, 9.2 and 9.4 of this Act. Notwithstanding the foregoing, nothing in this Act shall be construed to allow for the disclosure or re-disclosure of information from a recipient's record to law enforcement personnel or for law enforcement purposes.

(740 ILCS 110/9.11 new)

Sec. 9.11. Establishment and disclosure of limited data sets and de-identified information.
(a) An HIE, person, therapist, facility, agency, interdisciplinary team, integrated health system, business associate, covered entity, the
Illinois Health Information Exchange Authority, or entity facilitating the establishment or operation of an HIE may, without a recipient's consent, use information from a recipient's record to establish, or disclose such information to a business associate to establish, and further disclose information from a recipient's record as part of a limited data set as defined by and in accordance with the requirements set forth under HIPAA, as specified in 45 CFR 164.514(e). An HIE, person, therapist, facility, agency, interdisciplinary team, integrated health system, business associate, covered entity, the Illinois Health Information Exchange Authority, or entity facilitating the establishment or operation of an HIE may, without a recipient's consent, use information from a recipient's record or disclose information from a recipient's record to a business associate to de-identify the information in accordance with HIPAA, as specified in 45 CFR 164.514.

(b) As used in this Section:

(1) the terms "disclosure" and "use" shall have the meanings ascribed to them by HIPAA, as specified in 45 CFR 160.103; and

(2) "facility" means a developmental disability facility as defined in Section 1-107 of the Mental Health and Developmental Disabilities Code or a mental health facility as defined in Section 1-114 of the Mental Health and Developmental Disabilities Code.

(740 ILCS 110/11) (from Ch. 91 1/2, par. 811)

Sec. 11. Disclosure of records and communications. Records and communications may be disclosed:

(i) in accordance with the provisions of the Abused and Neglected Child Reporting Act, subsection (u) of Section 5 of the Children and Family Services Act, or Section 7.4 of the Child Care Act of 1969;

(ii) when, and to the extent, a therapist, in his or her sole discretion, determines that disclosure is necessary to initiate or continue civil commitment or involuntary treatment proceedings under the laws of this State or to otherwise protect the recipient or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the recipient or by the recipient on himself or another;

(iii) when, and to the extent disclosure is, in the sole discretion of the therapist, necessary to the provision of emergency services.
medical care to a recipient who is unable to assert or waive his or her rights hereunder;

(iv) when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient under Chapter V of the Mental Health and Developmental Disabilities Code or to transfer debts under the Uncollected State Claims Act; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed shall not be used for any other purposes nor shall it be redisclosed except in connection with collection activities;

(v) when requested by a family member, the Department of Human Services may assist in the location of the interment site of a deceased recipient who is interred in a cemetery established under Section 26 of the Mental Health and Developmental Disabilities Administrative Act;

(vi) in judicial proceedings under Article VIII of Chapter III and Article V of Chapter IV of the Mental Health and Developmental Disabilities Code and proceedings and investigations preliminary thereto, to the State's Attorney for the county or residence of a person who is the subject of such proceedings, or in which the person is found, or in which the facility is located, to the attorney representing the petitioner in the judicial proceedings, to the attorney representing the recipient in the judicial proceedings, to any person or agency providing mental health services that are the subject of the proceedings and to that person's or agency's attorney, to any court personnel, including but not limited to judges and circuit court clerks, and to a guardian ad litem if one has been appointed by the court. Information disclosed under this subsection shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings or investigations. Copies of any records provided to counsel for a petitioner shall be deleted or destroyed at the end of the proceedings and counsel for petitioner shall certify to the court in writing that he or she has done so. At the request of a recipient or his or her counsel, the court shall issue a protective order insuring the confidentiality of any records or communications provided to counsel for a petitioner;

New matter indicated by italics - deletions by strikeout
(vii) when, and to the extent disclosure is necessary to comply with the requirements of the Census Bureau in taking the federal Decennial Census;

(viii) when, and to the extent, in the therapist's sole discretion, disclosure is necessary to warn or protect a specific individual against whom a recipient has made a specific threat of violence where there exists a therapist-recipient relationship or a special recipient-individual relationship;

(ix) in accordance with the Sex Offender Registration Act;

(x) in accordance with the Rights of Crime Victims and Witnesses Act;

(xi) in accordance with Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act; and

(xii) in accordance with Section 55 of the Abuse of Adults with Disabilities Intervention Act; and:

(xiii) to an HIE as specifically allowed under this Act for HIE purposes and in accordance with any applicable requirements of the HIE.

Any person, institution, or agency, under this Act, participating in good faith in the making of a report under the Abused and Neglected Child Reporting Act or in the disclosure of records and communications under this Section, shall have immunity from any liability, civil, criminal or otherwise, that might result by reason of such action. For the purpose of any proceeding, civil or criminal, arising out of a report or disclosure under this Section, the good faith of any person, institution, or agency so reporting or disclosing shall be presumed.

(Source: P.A. 96-466, eff. 8-14-09; 97-333, eff. 8-12-11; 97-375, eff. 8-15-11.)

(740 ILCS 110/13) (from Ch. 91 1/2, par. 813)

Sec. 13. Whenever disclosure of a record or communication is made without consent pursuant to this Act, other than uses, disclosures, or redisclosures permitted under Sections 9.5, 9.8, 9.9, 9.10, and 9.11 of this Act, or other than uses, disclosures, or redisclosures permitted under Sections 9, 9.2, and 9.4 of this Act effected by electronic transmission, or whenever a record is used pursuant to Sections 7 and 8 of this Act, a notation of the information disclosed and the purpose of such disclosure or use shall be noted in the recipient's record together with the date and the name of the person to whom disclosure was made or by whom the record was used.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 3-6 as follows:

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no...
such case is the period of limitation so extended more than 3 years beyond
the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the
offense, a prosecution for involuntary servitude, involuntary sexual
servitude of a minor, or trafficking in persons and related offenses under
Section 10-9 of this Code may be commenced within one year of the
victim attaining the age of 18 years. However, in no such case shall the
time period for prosecution expire sooner than 3 years after the
commission of the offense.

c) (Blank).

d) A prosecution for child pornography, aggravated child
pornography, indecent solicitation of a child, soliciting for a juvenile
prostitute, juvenile pimping, exploitation of a child, or promoting juvenile
prostitution except for keeping a place of juvenile prostitution may be
commenced within one year of the victim attaining the age of 18 years.
However, in no such case shall the time period for prosecution expire
sooner than 3 years after the commission of the offense. When the victim
is under 18 years of age, a prosecution for criminal sexual abuse may be
commenced within one year of the victim attaining the age of 18 years.
However, in no such case shall the time period for prosecution expire
sooner than 3 years after the commission of the offense.

e) Except as otherwise provided in subdivision (j), a prosecution
for any offense involving sexual conduct or sexual penetration, as defined
in Section 11-0.1 of this Code, where the defendant was within a
professional or fiduciary relationship or a purported professional or
fiduciary relationship with the victim at the time of the commission of the
offense may be commenced within one year after the discovery of the
offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the
"Environmental Protection Act", approved June 29, 1970, as amended,
may be commenced within 5 years after the discovery of such an offense
by a person or agency having the legal duty to report the offense or in the
absence of such discovery, within 5 years after the proper prosecuting
officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of
this Code may be commenced within 5 years after the discovery of the
offense by the victim of that offense.

g) (Blank).

(h) (Blank).

New matter indicated by italics - deletions by strikeout
(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j) (1) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse may be commenced at any time when corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so.

(2) In circumstances other than as described in paragraph (1) of this subsection (j), when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse, or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

(3) When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

(4) Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(k) A prosecution for theft involving real property exceeding $100,000 in value under Section 16-1, identity theft under subsection (a) of Section 16-30, aggravated identity theft under subsection (b) of Section 16-30, or any offense set forth in Article 16H or Section 17-10.6 may be commenced within 7 years of the last act committed in furtherance of the crime.

New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

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

Section 5. The Illinois Act on the Aging is amended by changing Sections 4.01 and 4.04 as follows:

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

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

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

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

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

(5) To solicit, accept, hold, and administer in behalf of the State any grants or legacies of money, securities, or property to the State of

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Illinois for services to senior citizens and minority senior citizens or purposes related thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) name and telephone number of the patient;
(b) name and telephone number of the prescribing physician;
(c) date of prescription;
(d) name of drug prescribed;
(e) directions for patient compliance; and
(f) name and telephone number of dispensing pharmacy.

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

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

New matter indicated by italics - deletions by strikeout
(20) The reimbursement rates paid through the community care program for chore housekeeping services and home care aides shall be the same.

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

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

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

(a) types of services to be offered by volunteers;
(b) types of services to be received upon the redemption of service credits;
(c) issues of liability for the volunteers and the administering organizations;
(d) methods of tracking service credits earned and service credits redeemed;
(e) issues of time limits for redemption of service credits;
(f) methods of recruitment of volunteers;
(g) utilization of community volunteers, community service groups, and other resources for delivering services to be received by service credit program clients;
(h) accountability and assurance that services will be available to individuals who have earned service credits; and

New matter indicated by italics - deletions by strikeout
(i) volunteer screening and qualifications.

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

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

(Source: P.A. 95-298, eff. 8-20-07; 95-689, eff. 10-29-07; 95-876, eff. 8-21-08; 96-918, eff. 6-9-10.)

(20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)

Sec. 4.04. Long Term Care Ombudsman Program. The purpose of the Long Term Care Ombudsman Program is to ensure that older persons and persons with disabilities receive quality services. This is accomplished by providing advocacy services for residents of long term care facilities and participants receiving home care and community-based care. Managed care is increasingly becoming the vehicle for delivering health and long-term services and supports to seniors and persons with disabilities, including dual eligible participants. The additional ombudsman authority will allow advocacy services to be provided to Illinois participants for the first time and will produce a cost savings for the State of Illinois by supporting the rebalancing efforts of the Patient Protection and Affordable Care Act.

(a) Long Term Care Ombudsman Program. The Department shall establish a Long Term Care Ombudsman Program, through the Office of State Long Term Care Ombudsman (“the Office”), in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended. The Long Term Care Ombudsman Program is authorized, subject to sufficient appropriations, to advocate on behalf of older persons and persons with disabilities residing in their own homes or community-based settings, relating to matters which may adversely affect the health, safety, welfare, or rights of such individuals.

(b) Definitions. As used in this Section, unless the context requires otherwise:

(1) "Access" has the same meaning as in Section 1-104 of the Nursing Home Care Act, as now or hereafter amended; that is, it means the right to:

New matter indicated by italics - deletions by strikeout
(i) Enter any long term care facility or assisted living or shared housing establishment or supportive living facility;

(ii) Communicate privately and without restriction with any resident, regardless of age, who consents to the communication;

(iii) Seek consent to communicate privately and without restriction with any participant or resident, regardless of age;

(iv) Inspect the clinical and other records of a participant or resident, regardless of age, with the express written consent of the participant or resident;

(v) Observe all areas of the long term care facility or supportive living facilities, assisted living or shared housing establishment except the living area of any resident who protests the observation; and

(vi) Subject to permission of the participant or resident requesting services or his or her representative, enter a home or community-based setting.

(2) "Long Term Care Facility" means (i) any facility as defined by Section 1-113 of the Nursing Home Care Act, as now or hereafter amended; and (ii) any skilled nursing facility or a nursing facility which meets the requirements of Section 1819(a), (b), (c), and (d) or Section 1919(a), (b), (c), and (d) of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d) and 42 U.S.C. 1396r(a), (b), (c), and (d)); and any facility as defined by Section 1-113 of the MR/DD Community Care Act, as now or hereafter amended.

(2.5) "Assisted living establishment" and "shared housing establishment" have the meanings given those terms in Section 10 of the Assisted Living and Shared Housing Act.

(2.7) "Supportive living facility" means a facility established under Section 5-5.01a of the Illinois Public Aid Code.

(2.8) "Community-based setting" means any place of abode other than an individual's private home.

(3) "State Long Term Care Ombudsman" means any person employed by the Department to fulfill the requirements of the Office of State Long Term Care Ombudsman as required under the

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Older Americans Act of 1965, as now or hereafter amended, and Departmental policy.

(3.1) "Ombudsman" means any designated representative of the State Long Term Care Ombudsman Program and regional long term care ombudsman program; provided that the representative, whether he is paid for or volunteers his ombudsman services, shall be qualified and designated by the Office to perform the duties of an ombudsman as specified by the Department in rules and in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(4) "Participant" means an older person or persons with disabilities who are eligible for services under any of the following:

   (i) A medical assistance waiver administered by the State.

   (ii) A managed care organization providing care coordination and other services to seniors and persons with disabilities.

(5) "Resident" means an older individual who resides in a long-term care facility.

(c) Ombudsman; rules. The Office of State Long Term Care Ombudsman shall be composed of at least one full-time ombudsman and shall include a system of designated regional long term care ombudsman programs. Each regional program shall be designated by the State Long Term Care Ombudsman as a subdivision of the Office and any representative of a regional program shall be treated as a representative of the Office.

The Department, in consultation with the Office, shall promulgate administrative rules in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended, to establish the responsibilities of the Department and the Office of State Long Term Care Ombudsman and the designated regional Ombudsman programs. The administrative rules shall include the responsibility of the Office and designated regional programs to investigate and resolve complaints made by or on behalf of residents of long term care facilities, supportive living facilities, and assisted living and shared housing establishments, and participants residing in their own homes or community-based settings, including the option to serve residents and participants under the age of 60, relating to actions, inaction, or decisions of providers, or their

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representatives, of such long term care facilities, of supported living facilities, of assisted living and shared housing establishments, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents and participants. The Office and designated regional programs may represent all residents and participants, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law. When necessary and appropriate, representatives of the Office shall refer complaints to the appropriate regulatory State agency. The Department, in consultation with the Office, shall cooperate with the Department of Human Services and other State agencies in providing information and training to designated regional long term care ombudsman programs about the appropriate assessment and treatment (including information about appropriate supportive services, treatment options, and assessment of rehabilitation potential) of the participants residents they serve, including children, persons with mental illness (other than Alzheimer's disease and related disorders), and persons with developmental disabilities.

The State Long Term Care Ombudsman and all other ombudsmen, as defined in paragraph (3.1) of subsection (b) must submit to background checks under the Health Care Worker Background Check Act and receive training, as prescribed by the Illinois Department on Aging, before visiting facilities, private homes, or community-based settings. The training must include information specific to assisted living establishments, supportive living facilities, and shared housing establishments, private homes, and community-based settings and to the rights of residents and participants guaranteed under the corresponding Acts and administrative rules.

(c-5) Consumer Choice Information Reports. The Office shall:

(1) In collaboration with the Attorney General, create a Consumer Choice Information Report form to be completed by all licensed long term care facilities to aid Illinoisans and their families in making informed choices about long term care. The Office shall create a Consumer Choice Information Report for each type of licensed long term care facility. The Office shall collaborate with the Attorney General and the Department of Human Services to create a Consumer Choice Information Report form for facilities licensed under the MR/DD Community Care Act.

(2) Develop a database of Consumer Choice Information Reports completed by licensed long term care facilities that includes information in the following consumer categories:

New matter indicated by italics - deletions by strikeout
(A) Medical Care, Services, and Treatment.
(B) Special Services and Amenities.
(C) Staffing.
(D) Facility Statistics and Resident Demographics.
(E) Ownership and Administration.
(F) Safety and Security.
(G) Meals and Nutrition.
(H) Rooms, Furnishings, and Equipment.

(3) Make this information accessible to the public, including on the Internet by means of a hyperlink labeled "Resident's Right to Know" on the Office's World Wide Web home page. Information about facilities licensed under the MR/DD Community Care Act shall be made accessible to the public by the Department of Human Services, including on the Internet by means of a hyperlink labeled "Resident's and Families' Right to Know" on the Department of Human Services' "For Customers" website.

(4) Have the authority, with the Attorney General, to verify that information provided by a facility is accurate.

(5) Request a new report from any licensed facility whenever it deems necessary.

(6) Include in the Office's Consumer Choice Information Report for each type of licensed long term care facility additional information on each licensed long term care facility in the State of Illinois, including information regarding each facility's compliance with the relevant State and federal statutes, rules, and standards; customer satisfaction surveys; and information generated from quality measures developed by the Centers for Medicare and Medicaid Services.

(d) Access and visitation rights.

(1) In accordance with subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1819 and subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1919 of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3 (c)(3)(A) and (E) and 42 U.S.C. 1396r (c)(3)(A) and (E)), and Section 712 of the Older Americans Act of 1965, as now or hereafter amended (42 U.S.C. 3058f), a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must:

New matter indicated by italics - deletions by strikeout
(i) permit immediate access to any resident, regardless of age, by a designated ombudsman; and
(ii) permit representatives of the Office, with the permission of the resident's legal representative or legal guardian, to examine a resident's clinical and other records, regardless of the age of the resident, and if a resident is unable to consent to such review, and has no legal guardian, permit representatives of the Office appropriate access, as defined by the Department, in consultation with the Office, in administrative rules, to the resident's records.

(2) Each long term care facility, supportive living facility, assisted living establishment, and shared housing establishment shall display, in multiple, conspicuous public places within the facility accessible to both visitors and residents and in an easily readable format, the address and phone number of the Office of the Long Term Care Ombudsman, in a manner prescribed by the Office.

(e) Immunity. An ombudsman or any representative of the Office participating in the good faith performance of his or her official duties shall have immunity from any liability (civil, criminal or otherwise) in any proceedings (civil, criminal or otherwise) brought as a consequence of the performance of his official duties.

(f) Business offenses.
(1) No person shall:
   (i) Intentionally prevent, interfere with, or attempt to impede in any way any representative of the Office in the performance of his official duties under this Act and the Older Americans Act of 1965; or
   (ii) Intentionally retaliate, discriminate against, or effect reprisals against any long term care facility resident or employee for contacting or providing information to any representative of the Office.
(2) A violation of this Section is a business offense, punishable by a fine not to exceed $501.
(3) The Director of Aging, in consultation with the Office, shall notify the State's Attorney of the county in which the long term care facility, supportive living facility, or assisted living or shared housing establishment is located, or the Attorney General, of any violations of this Section.

New matter indicated by italics - deletions by strikeout
(g) Confidentiality of records and identities. The Department shall establish procedures for the disclosure by the State Ombudsman or the regional ombudsmen entities of files maintained by the program. The procedures shall provide that the files and records may be disclosed only at the discretion of the State Long Term Care Ombudsman or the person designated by the State Ombudsman to disclose the files and records, and the procedures shall prohibit the disclosure of the identity of any complainant, resident, participant, witness, or employee of a long term care provider unless:

1. the complainant, resident, participant, witness, or employee of a long term care provider or his or her legal representative consents to the disclosure and the consent is in writing;
2. the complainant, resident, participant, witness, or employee of a long term care provider gives consent orally; and the consent is documented contemporaneously in writing in accordance with such requirements as the Department shall establish; or
3. the disclosure is required by court order.

(h) Legal representation. The Attorney General shall provide legal representation to any representative of the Office against whom suit or other legal action is brought in connection with the performance of the representative's official duties, in accordance with the State Employee Indemnification Act.

(i) Treatment by prayer and spiritual means. Nothing in this Act shall be construed to authorize or require the medical supervision, regulation or control of remedial care or treatment of any resident in a long term care facility operated exclusively by and for members or adherents of any church or religious denomination the tenets and practices of which include reliance solely upon spiritual means through prayer for healing.

(j) The Long Term Care Ombudsman Fund is created as a special fund in the State treasury to receive moneys for the express purposes of this Section. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

(Source: P.A. 96-328, eff. 8-11-09; 96-758, eff. 8-25-09; 96-1372, eff. 7-29-10; 97-38, eff. 6-28-11.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Criminal Code of 2012 is amended by adding Section 21-2.5 as follows:

(720 ILCS 5/21-2.5 new)

Sec. 21-2.5. Electronic tracking devices prohibited.

(a) As used in this Section:

"Electronic tracking device" means any device attached to a vehicle that reveals its location or movement by the transmission of electronic signals.

"State agency" means all departments, officers, commissions, boards, institutions, and bodies politic and corporate of the State. The term, however, does not mean the judicial branch, including, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts, nor does it mean the legislature or its committees or commissions.

"Telematics" includes, but is not limited to, automatic airbag deployment and crash notification, remote diagnostics, navigation, stolen vehicle location, remote door unlock, transmitting emergency and vehicle location information to public safety answering points, and any other service integrating vehicle location technology and wireless communications.

"Vehicle" has the meaning ascribed to it in Section 1-217 of the Illinois Vehicle Code.

(b) A person or entity in this State may not use an electronic tracking device to determine the location or movement of a person.

(c) This Section does not apply:
(1) when the registered owner, lessor, or lessee of a vehicle has consented to the use of the electronic tracking device with respect to that vehicle;

(2) to the lawful use of an electronic tracking device by a law enforcement agency;

(3) when the vehicle is owned or leased by a business that is authorized to transact business in this State and the tracking device is used by the business for the purpose of tracking vehicles driven by employees of that business, its affiliates, or contractors of that business or its affiliates;

(4) when the vehicle is under the control of a State agency and the electronic tracking device is used by the agency, or the Inspector General appointed under the State Officials and Employees Ethics Act who has jurisdiction over that State agency, for the purpose of tracking vehicles driven by employees or contractors of that State agency; or

(5) telematic services that were installed by the manufacturer, or installed by or with the consent of the owner or lessee of the vehicle and to which the owner or lessee has subscribed. Consent by the owner or lessee of the vehicle constitutes consent for any other driver or passenger of that vehicle.

(d) Sentence. A violation of this Section is a Class A misdemeanor.

Passed in the General Assembly May 21, 2013.

Approved August 16, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0382

(An Act concerning transportation.

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

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Committed to a Cure Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 3-699. The H Foundation - Committed to a Cure for Cancer plates

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as The H Foundation - Committed to a Cure for Cancer license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the Committed to a Cure Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Committed to a Cure Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Committed to a Cure Fund is created as a special fund in the State treasury. All money in the Committed to a Cure Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Robert H. Lurie Comprehensive Cancer Center of Northwestern University for the purpose of funding scientific research on cancer.

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.
Section 5. The School Code is amended by changing Section 14-8.02a and by adding Section 14-8.02e as follows:

Sec. 14-8.02a. Impartial due process hearing; civil action.

(a) This Section shall apply to all impartial due process hearings requested on or after July 1, 2005. Impartial due process hearings requested before July 1, 2005 shall be governed by the rules described in Public Act 89-652.

(a-5) For purposes of this Section and Section 14-8.02b of this Code, days shall be computed in accordance with Section 1.11 of the Statute on Statutes.

(b) The State Board of Education shall establish an impartial due process hearing system in accordance with this Section and may, with the advice and approval of the Advisory Council on Education of Children with Disabilities, promulgate rules and regulations consistent with this Section to establish the rules and procedures for due process hearings.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(f) An impartial due process hearing shall be convened upon the request of a parent, student if at least 18 years of age or emancipated, or a school district. A school district shall make a request in writing to the State Board of Education and promptly mail a copy of the request to the parents or student (if at least 18 years of age or emancipated) at the parent's or student's last known address. A request made by the parent or student shall be made in writing to the superintendent of the school district where the student resides. The superintendent shall forward the request to the State Board of Education within 5 days after receipt of the request. The request shall be filed no more than 2 years following the date the person or school district knew or should have known of the event or events forming the basis for the request. The request shall, at a minimum, contain all of the following:

(1) The name of the student, the address of the student's residence, and the name of the school the student is attending.

(2) In the case of homeless children (as defined under the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), available contact information for the student and the name of the school the student is attending.
(3) A description of the nature of the problem relating to the actual or proposed placement, identification, services, or evaluation of the student, including facts relating to the problem.

(4) A proposed resolution of the problem to the extent known and available to the party at the time.

(f-5) Within 3 days after receipt of the hearing request, the State Board of Education shall appoint a due process hearing officer using a rotating appointment system and shall notify the hearing officer of his or her appointment.

For a school district other than a school district located in a municipality having a population exceeding 500,000, a hearing officer who is a current resident of the school district, special education cooperative, or other public entity involved in the hearing shall recuse himself or herself. A hearing officer who is a former employee of the school district, special education cooperative, or other public entity involved in the hearing shall immediately disclose the former employment to the parties and shall recuse himself or herself, unless the parties otherwise agree in writing. A hearing officer having a personal or professional interest that may conflict with his or her objectivity in the hearing shall disclose the conflict to the parties and shall recuse himself or herself unless the parties otherwise agree in writing. A hearing officer having a personal or professional interest that may conflict with his or her objectivity in the hearing shall disclose the conflict to the parties and shall recuse himself or herself unless the parties otherwise agree in writing. For purposes of this subsection an assigned hearing officer shall be considered to have a conflict of interest if, at any time prior to the issuance of his or her written decision, he or she knows or should know that he or she may receive remuneration from a party to the hearing within 3 years following the conclusion of the due process hearing.

A party to a due process hearing shall be permitted one substitution of hearing officer as a matter of right, in accordance with procedures established by the rules adopted by the State Board of Education under this Section. The State Board of Education shall randomly select and appoint another hearing officer within 3 days after receiving notice that the appointed hearing officer is ineligible to serve or upon receiving a proper request for substitution of hearing officer. If a party withdraws its request for a due process hearing after a hearing officer has been appointed, that hearing officer shall retain jurisdiction over a subsequent hearing that involves the same parties and is requested within one year from the date of withdrawal of the previous request, unless that hearing officer is unavailable.

New matter indicated by italics - deletions by strikeout
Any party may raise facts that constitute a conflict of interest for the hearing officer at any time before or during the hearing and may move for recusal.

(g) Impartial due process hearings shall be conducted pursuant to this Section and any rules and regulations promulgated by the State Board of Education consistent with this Section and other governing laws and regulations. The hearing shall address only those issues properly raised in the hearing request under subsection (f) of this Section or, if applicable, in the amended hearing request under subsection (g-15) of this Section. The hearing shall be closed to the public unless the parents request that the hearing be open to the public. The parents involved in the hearing shall have the right to have the student who is the subject of the hearing present. The hearing shall be held at a time and place which are reasonably convenient to the parties involved. Upon the request of a party, the hearing officer shall hold the hearing at a location neutral to the parties if the hearing officer determines that there is no cost for securing the use of the neutral location. Once appointed, the impartial due process hearing officer shall not communicate with the State Board of Education or its employees concerning the hearing, except that, where circumstances require, communications for administrative purposes that do not deal with substantive or procedural matters or issues on the merits are authorized, provided that the hearing officer promptly notifies all parties of the substance of the communication as a matter of record.

(g-5) Unless the school district has previously provided prior written notice to the parent or student (if at least 18 years of age or emancipated) regarding the subject matter of the hearing request, the school district shall, within 10 days after receiving a hearing request initiated by a parent or student (if at least 18 years of age or emancipated), provide a written response to the request that shall include all of the following:

1. An explanation of why the school district proposed or refused to take the action or actions described in the hearing request.
2. A description of other options the IEP team considered and the reasons why those options were rejected.
3. A description of each evaluation procedure, assessment, record, report, or other evidence the school district used as the basis for the proposed or refused action or actions.

New matter indicated by italics - deletions by strikeout
(4) A description of the factors that are or were relevant to
the school district's proposed or refused action or actions.

(g-10) When the hearing request has been initiated by a school
district, within 10 days after receiving the request, the parent or student (if
at least 18 years of age or emancipated) shall provide the school district
with a response that specifically addresses the issues raised in the school
district's hearing request. The parent's or student's response shall be
provided in writing, unless he or she is illiterate or has a disability that
prevents him or her from providing a written response. The parent's or
student's response may be provided in his or her native language, if other
than English. In the event that illiteracy or another disabling condition
prevents the parent or student from providing a written response, the
school district shall assist the parent or student in providing the written
response.

(g-15) Within 15 days after receiving notice of the hearing request,
the non-requesting party may challenge the sufficiency of the request by
submitting its challenge in writing to the hearing officer. Within 5 days
after receiving the challenge to the sufficiency of the request, the hearing
officer shall issue a determination of the challenge in writing to the parties.
In the event that the hearing officer upholds the challenge, the party who
requested the hearing may, with the consent of the non-requesting party or
hearing officer, file an amended request. Amendments are permissible for
the purpose of raising issues beyond those in the initial hearing request. In
addition, the party who requested the hearing may amend the request once
as a matter of right by filing the amended request within 5 days after filing
the initial request. An amended request, other than an amended request as
a matter of right, shall be filed by the date determined by the hearing
officer, but in no event any later than 5 days prior to the date of the
hearing. If an amended request, other than an amended request as a matter
of right, raises issues that were not part of the initial request, the applicable
timeline for a hearing, including the timeline under subsection (g-20) of
this Section, shall recommence.

(g-20) Within 15 days after receiving a request for a hearing from a
parent or student (if at least 18 years of age or emancipated) or, in the
event that the school district requests a hearing, within 15 days after
initiating the request, the school district shall convene a resolution meeting
with the parent and relevant members of the IEP team who have specific
knowledge of the facts contained in the request for the purpose of
resolving the problem that resulted in the request. The resolution meeting

New matter indicated by italics - deletions by strikeout
shall include a representative of the school district who has decision-making authority on behalf of the school district. Unless the parent is accompanied by an attorney at the resolution meeting, the school district may not include an attorney representing the school district.

The resolution meeting may not be waived unless agreed to in writing by the school district and the parent or student (if at least 18 years of age or emancipated) or the parent or student (if at least 18 years of age or emancipated) and the school district agree in writing to utilize mediation in place of the resolution meeting. If either party fails to cooperate in the scheduling or convening of the resolution meeting, the hearing officer may order an extension of the timeline for completion of the resolution meeting or, upon the motion of a party and at least 7 days after ordering the non-cooperating party to cooperate, order the dismissal of the hearing request or the granting of all relief set forth in the request, as appropriate.

In the event that the school district and the parent or student (if at least 18 years of age or emancipated) agree to a resolution of the problem that resulted in the hearing request, the terms of the resolution shall be committed to writing and signed by the parent or student (if at least 18 years of age or emancipated) and the representative of the school district with decision-making authority. The agreement shall be legally binding and shall be enforceable in any State or federal court of competent jurisdiction. In the event that the parties utilize the resolution meeting process, the process shall continue until no later than the 30th day following the receipt of the hearing request by the non-requesting party (or as properly extended by order of the hearing officer) to resolve the issues underlying the request, at which time the timeline for completion of the impartial due process hearing shall commence. The State Board of Education may, by rule, establish additional procedures for the conduct of resolution meetings.

(g-25) If mutually agreed to in writing, the parties to a hearing request may request State-sponsored mediation as a substitute for the resolution process described in subsection (g-20) of this Section or may utilize mediation at the close of the resolution process if all issues underlying the hearing request have not been resolved through the resolution process.

(g-30) If mutually agreed to in writing, the parties to a hearing request may waive the resolution process described in subsection (g-20) of this Section. Upon signing a written agreement to waive the resolution process, the parties shall be bound by the terms of the agreement as if it were part of the resolution process.
process, the parties shall be required to forward the written waiver to the hearing officer appointed to the case within 2 business days following the signing of the waiver by the parties. The timeline for the impartial due process hearing shall commence on the date of the signing of the waiver by the parties.

(g-35) The timeline for completing the impartial due process hearing, as set forth in subsection (h) of this Section, shall be initiated upon the occurrence of any one of the following events:

1. The unsuccessful completion of the resolution process as described in subsection (g-20) of this Section.
2. The mutual agreement of the parties to waive the resolution process as described in subsection (g-25) or (g-30) of this Section.

(g-40) The hearing officer shall convene a prehearing conference no later than 14 days before the scheduled date for the due process hearing for the general purpose of aiding in the fair, orderly, and expeditious conduct of the hearing. The hearing officer shall provide the parties with written notice of the prehearing conference at least 7 days in advance of the conference. The written notice shall require the parties to notify the hearing officer by a date certain whether they intend to participate in the prehearing conference. The hearing officer may conduct the prehearing conference in person or by telephone. Each party shall at the prehearing conference (1) disclose whether it is represented by legal counsel or intends to retain legal counsel; (2) clarify matters it believes to be in dispute in the case and the specific relief being sought; (3) disclose whether there are any additional evaluations for the student that it intends to introduce into the hearing record that have not been previously disclosed to the other parties; (4) disclose a list of all documents it intends to introduce into the hearing record, including the date and a brief description of each document; and (5) disclose the names of all witnesses it intends to call to testify at the hearing. The hearing officer shall specify the order of presentation to be used at the hearing. If the prehearing conference is held by telephone, the parties shall transmit the information required in this paragraph in such a manner that it is available to all parties at the time of the prehearing conference. The State Board of Education may, by rule, establish additional procedures for the conduct of prehearing conferences.

(g-45) The impartial due process hearing officer shall not initiate or participate in any ex parte communications with the parties, except to
arrange the date, time, and location of the prehearing conference, due process hearing, or other status conferences convened at the discretion of the hearing officer and to receive confirmation of whether a party intends to participate in the prehearing conference.

(g-50) The parties shall disclose and provide to each other any evidence which they intend to submit into the hearing record no later than 5 days before the hearing. Any party to a hearing has the right to prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least 5 days before the hearing. The party requesting a hearing shall not be permitted at the hearing to raise issues that were not raised in the party's initial or amended request, unless otherwise permitted in this Section.

(g-55) All reasonable efforts must be made by the parties to present their respective cases at the hearing within a cumulative period of 7 days. When scheduling hearing dates, the hearing officer shall schedule the final day of the hearing no more than 30 calendar days after the first day of the hearing unless good cause is shown. This subsection (g-55) shall not be applied in a manner that (i) denies any party to the hearing a fair and reasonable allocation of time and opportunity to present its case in its entirety or (ii) deprives any party to the hearing of the safeguards accorded under the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446), regulations promulgated under the Individuals with Disabilities Education Improvement Act of 2004, or any other applicable law. The school district shall present evidence that the special education needs of the child have been appropriately identified and that the special education program and related services proposed to meet the needs of the child are adequate, appropriate, and available. Any party to the hearing shall have the right to (1) be represented by counsel and be accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities, at the party's own expense; (2) present evidence and confront and cross-examine witnesses; (3) move for the exclusion of witnesses from the hearing until they are called to testify, provided, however, that this provision may not be invoked to exclude the individual designated by a party to assist that party or its representative in the presentation of the case; (4) obtain a written or electronic verbatim record of the proceedings within 30 days of receipt of a written request from the parents by the school district; and (5) obtain a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing. If at issue, the school district

New matter indicated by italics - deletions by strikeout
shall present evidence that it has properly identified and evaluated the nature and severity of the student's suspected or identified disability and that, if the student has been or should have been determined eligible for special education and related services, that it is providing or has offered a free appropriate public education to the student in the least restrictive environment, consistent with procedural safeguards and in accordance with an individualized educational program. At any time prior to the conclusion of the hearing, the impartial due process hearing officer shall have the authority to require additional information and order independent evaluations for the student at the expense of the school district. The State Board of Education and the school district shall share equally the costs of providing a written or electronic verbatim record of the proceedings. Any party may request that the due process hearing officer issue a subpoena to compel the testimony of witnesses or the production of documents relevant to the resolution of the hearing. Whenever a person refuses to comply with any subpoena issued under this Section, the circuit court of the county in which that hearing is pending, on application of the impartial hearing officer or the party requesting the issuance of the subpoena, may compel compliance through the contempt powers of the court in the same manner as if the requirements of a subpoena issued by the court had been disobeyed.

(h) The impartial hearing officer shall issue a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing and send by certified mail a copy of the decision to the parents or student (if the student requests the hearing), the school district, the director of special education, legal representatives of the parties, and the State Board of Education. Unless the hearing officer has granted specific extensions of time at the request of a party, a final decision, including the clarification of a decision requested under this subsection, shall be reached and mailed to the parties named above not later than 45 days after the initiation of the timeline for conducting the hearing, as described in subsection (g-35) of this Section. The decision shall specify the educational and related services that shall be provided to the student in accordance with the student's needs and the timeline for which the school district shall submit evidence to the State Board of Education to demonstrate compliance with the hearing officer's decision in the event that the decision orders the school district to undertake corrective action. The hearing officer shall retain jurisdiction for the sole purpose of considering a request for clarification of the final decision submitted in
writing by a party to the impartial hearing officer within 5 days after receipt of the decision. A copy of the request for clarification shall specify the portions of the decision for which clarification is sought and shall be mailed to all parties of record and to the State Board of Education. The request shall operate to stay implementation of those portions of the decision for which clarification is sought, pending action on the request by the hearing officer, unless the parties otherwise agree. The hearing officer shall issue a clarification of the specified portion of the decision or issue a partial or full denial of the request in writing within 10 days of receipt of the request and mail copies to all parties to whom the decision was mailed. This subsection does not permit a party to request, or authorize a hearing officer to entertain, reconsideration of the decision itself. The statute of limitations for seeking review of the decision shall be tolled from the date the request is submitted until the date the hearing officer acts upon the request. The hearing officer's decision shall be binding upon the school district and the parents unless a civil action is commenced.

(i) Any party to an impartial due process hearing aggrieved by the final written decision of the impartial due process hearing officer shall have the right to commence a civil action with respect to the issues presented in the impartial due process hearing. That civil action shall be brought in any court of competent jurisdiction within 120 days after a copy of the decision of the impartial due process hearing officer is mailed to the party as provided in subsection (h). The civil action authorized by this subsection shall not be exclusive of any rights or causes of action otherwise available. The commencement of a civil action under this subsection shall operate as a supersedeas. In any action brought under this subsection the Court shall receive the records of the impartial due process hearing, shall hear additional evidence at the request of a party, and, basing its decision on the preponderance of the evidence, shall grant such relief as the court determines is appropriate. In any instance where a school district willfully disregards applicable regulations or statutes regarding a child covered by this Article, and which disregard has been detrimental to the child, the school district shall be liable for any reasonable attorney's fees incurred by the parent in connection with proceedings under this Section.

(j) During the pendency of any administrative or judicial proceeding conducted pursuant to this Section, including mediation (if the school district or other public entity voluntarily agrees to participate in mediation), unless the school district and the parents or student (if at least
18 years of age or emancipated) otherwise agree, the student shall remain in his or her present educational placement and continue in his or her present eligibility status and special education and related services, if any. If mediation fails to resolve the dispute between the parties, the parent (or student if 18 years of age or older or emancipated) shall have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the "stay-put" provisions of this subsection (j). If the hearing officer orders a change in the eligibility status, educational placement, or special education and related services of the student, that change shall not be implemented until 30 days have elapsed following the date the hearing officer's decision is mailed to the parties in order to allow any party aggrieved by the decision to commence a civil action to stay implementation of the decision. If applying for initial admission to the school district, the student shall, with the consent of the parents (if the student is not at least 18 years of age or emancipated), be placed in the school district program until all such proceedings have been completed. The costs for any special education and related services or placement incurred following 60 school days after the initial request for evaluation shall be borne by the school district if the services or placement is in accordance with the final determination as to the special education and related services or placement that must be provided to the child, provided that during that 60 day period there have been no delays caused by the child's parent.

(k) Whenever the parents of a child of the type described in Section 14-1.02 are not known, are unavailable, or the child is a ward of the State, a person shall be assigned to serve as surrogate parent for the child in matters relating to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child. Persons shall be assigned as surrogate parents by the State Superintendent of Education. The State Board of Education shall promulgate rules and regulations establishing qualifications of those persons and their responsibilities and the procedures to be followed in making assignments of persons as surrogate parents. Surrogate parents shall not be employees of the school district, an agency created by joint agreement under Section 10-22.31, an agency involved in the education or care of the student, or the State Board of Education. Services of any person assigned as surrogate parent shall terminate if the parent becomes available unless otherwise requested by the parents. The assignment of a person as surrogate parent at no time supersedes, terminates, or suspends
the parents' legal authority relative to the child. Any person participating in good faith as surrogate parent on behalf of the child before school officials or a hearing officer shall have immunity from civil or criminal liability that otherwise might result by reason of that participation, except in cases of willful and wanton misconduct.

(l) At all stages of the hearing the hearing officer shall require that interpreters be made available by the school district for persons who are deaf or for persons whose normally spoken language is other than English.

(m) If any provision of this Section or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of the Section that can be given effect without the invalid application or provision, and to this end the provisions of this Section are severable, unless otherwise provided by this Section.

(105 ILCS 5/14-8.02e new)

Sec. 14-8.02e. State complaint procedures. The State Board of Education shall adopt State complaint procedures, consistent with Sections 300.151, 300.152, and 300.153 of Title 34 of the Code of Federal Regulations. The State Board of Education, by rule, shall establish State complaint procedures consistent with this Section. A school district or other public entity shall be required to submit a written response to a complaint within the time prescribed by the State Board of Education following receipt of the complaint. A copy of the response and all documentation submitted by the respondent to the State Board of Education must be simultaneously provided by the respondent to the complainant or to the attorney for the complainant. If the complaint was filed by an individual other than a parent of a child who is the subject of the complaint (or the child if the child has reached majority or is emancipated and has assumed responsibility for his or her own educational decisions) and the complaint is about a specific identifiable child or children, then appropriate written signed releases must be obtained prior to the release of any documentation or information to the complainant or the attorney representing the complainant.

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning local government.

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

Section 5. The Illinois Urban Development Authority Act is amended by changing Sections 2 and 3 as follows:

(70 ILCS 531/2)

Sec. 2. Findings. The General Assembly hereby determines and declares that:

(1) the economic burdens resulting from involuntary unemployment fall in part upon the State in the form of increased need for public assistance, reduced tax revenues, and increased resources devoted to crime prevention and incarceration and that the unemployed worker and his or her family may migrate outside the State to find work and such migration will reduce the tax revenues of local governments and the State of Illinois, thereby endangering their financial ability to support necessary governmental services for their remaining inhabitants;

(2) the State has a responsibility to help create a favorable climate for new and improved job opportunities for all of its citizens, especially in areas with high economic distress, by encouraging the development of commercial and service businesses and industrial and manufacturing plants and creating job opportunities;

(3) the State has a responsibility to increase and improve post-release employment opportunities for ex-offenders and reduce recidivism rates through the combined resources and expertise of providers of workforce development, supportive services, and private enterprises;

(4) a lack of decent housing contributes to urban blight, crime, anti-social behavior, disease, a higher need for public assistance, reduced tax revenues, and the migration of workers and their families away from areas that fail to offer adequate, decent, affordable housing;

(5) decent, affordable housing is a necessary ingredient of life affording each citizen basic human dignity, a sense of self

New matter indicated by italics - deletions by strikeout
worth, confidence, and a firm foundation upon which to build a family and educate children; and

(6) in order to foster civic and neighborhood pride, citizens require access to educational institutions, recreation, parks and open spaces, entertainment and sports, a reliable transportation network, cultural facilities, and theaters.

It is hereby declared to be the policy of the State of Illinois, in the interest of promoting industrial, commercial, residential, jobs, service, transportation, and facilities, thereby reducing the evils attendant upon unemployment, crime, and recidivism and enhancing the public health, safety, morals, happiness, and general welfare of this State specifically by making available through the Illinois Urban Development Authority, funds for industrial projects, commercial projects, transportation projects, and housing projects to a municipality with a municipal poverty rate greater than 3% in excess of the statewide average.

(Source: P.A. 96-234, eff. 1-1-10.)

(70 ILCS 531/3)

Sec. 3. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

"Authority" means the Illinois Urban Development Authority created by this Act.

"Board" means the Illinois Urban Development Authority Board of Directors.

"Bonds" shall include bonds, notes, or other evidence of indebtedness.

"Commercial project" means any project, including but not limited to one or more buildings and other structures, improvements, machinery, and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency, any cultural facilities of a for-profit or not-for-profit type including but not limited to educational, theatrical, recreational and entertainment, sports facilities, racetracks, stadiums, convention centers, exhibition halls, arenas, opera houses and theaters, waterfront improvements, swimming pools, boat storage, moorage, docking facilities, restaurants, coliseums, sports training facilities, parking facilities, terminals, hotels and motels, gymnasiums, medical facilities, and port facilities.

New matter indicated by italics - deletions by strikeout
"Costs incurred in connection with the development, construction, acquisition, or improvement of a project" means the cost of purchase and construction of all lands and improvements in connection with a project and equipment and other property, rights, easements, and franchises acquired that are deemed necessary for such construction; financing charges; interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter; engineering and legal expenses; the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

"Develop" or "development" means to do one or more of the following: plan, design, develop, lease, acquire, install, construct, reconstruct, rehabilitate, extend, or expand.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its revenue bonds, notes, or other evidences of indebtedness for the development, construction, acquisition, or improvement of a project.

"Governmental agency" means any federal, State or local governmental body, and any agency or instrumentality thereof, corporate or otherwise.

"Governor" means the Governor of the State of Illinois.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction, leasing, or rehabilitation of lands, buildings, and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

"Industrial project" means (1) a capital project, including one or more buildings and other structures, improvements, machinery, and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation, or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, solid waste and wastewater treatment and
disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefor whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching, and signaling equipment or related equipment and other improvements necessary or convenient thereto; or (2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Lease agreement" means an agreement whereby a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use or cause the project to be used as a project as defined in this Act upon terms providing for lease rental payments at least sufficient to pay when due all principal of and interest and premium, if any, on any bonds, notes or other evidences of indebtedness of the Authority issued with respect to such project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority, and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with such other terms as may be deemed desirable by the Authority. The Authority may, directly or indirectly, lease or otherwise transfer property the Authority owns to another and such leased property shall remain tax exempt.

"Loan agreement" means any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness issued with respect to a project to any person or corporation that will use or cause the project to be used as a project as defined in this Act upon terms providing for loan repayment installments at least sufficient to pay when due all principal and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other matters as may be deemed advisable by the Authority.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and
any other categories of maintenance that may be designated by the local, regional, or State transportation agency.

"Municipal poverty rate" is the percentage of total population of the municipality having income levels below the poverty level as determined by the Authority based upon the most recent data released by the United States Census Bureau before the beginning of such calendar year.

"Occupational license" means a license issued by the Illinois Gaming Board to a person or entity to perform an occupation which the Illinois Gaming Board has identified as requiring a license to engage in riverboat, dockside, or land-based gambling in Illinois.

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association, or joint stock association and includes any trustee, receiver, assignee, or personal representative thereof.

"Project" means an industrial, housing, residential, commercial, transportation, or service project, or any combination thereof, provided that all uses shall fall within one of those categories. Any project, of any nature whatsoever, shall automatically include all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Revenue bond" means any bond issued by the Authority under the supervision of the Illinois Finance Authority, the principal and interest of which are payable solely from revenues or income derived from any project or activity of the Authority.

"Transportation facility" means any new or existing road, highway, toll highway, bridge, tunnel, intermodal facility, intercity or high-speed passenger rail, or other transportation facility or infrastructure, excluding airports. The term "transportation facility" may refer to one or more transportation facilities that are proposed to be developed or operated as part of a single transportation project.

"Transportation project" means one or more transportation improvement projects including, but not limited to, new or existing roads or highways, new or expanded intermodal projects, and new or expanded
transit projects, transit-oriented development, intercity rail, and passenger rail. "Transportation project" does not include airport projects.
(Source: P.A. 96-234, eff. 1-1-10.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0385
(House Bill No. 1309)

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

Section 5. The Criminal Code of 2012 is amended by changing Sections 12-2 and 12-3.05 as follows:

(720 ILCS 5/12-2) (from Ch. 38, par. 12-2)
Sec. 12-2. Aggravated assault.
(a) Offense based on location of conduct. A person commits aggravated assault when he or she commits an assault against an individual who is on or about a public way, public property, a public place of accommodation or amusement, or a sports venue.

(b) Offense based on status of victim. A person commits aggravated assault when, in committing an assault, he or she knows the individual assaulted to be any of the following:

(1) A physically handicapped person or a person 60 years of age or older and the assault is without legal justification.

(2) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(3) A park district employee upon park grounds or grounds adjacent to a park or in any part of a building used for park purposes.

(4) A peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, or utility worker:

(i) performing his or her official duties;

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(ii) assaulted to prevent performance of his or her official duties; or
(iii) assaulted in retaliation for performing his or her official duties.
(5) A correctional officer or probation officer:
(i) performing his or her official duties;
(ii) assaulted to prevent performance of his or her official duties; or
(iii) assaulted in retaliation for performing his or her official duties.
(6) A correctional institution employee, a county juvenile detention center employee who provides direct and continuous supervision of residents of a juvenile detention center, including a county juvenile detention center employee who supervises recreational activity for residents of a juvenile detention center, or a Department of Human Services employee, Department of Human Services officer, or employee of a subcontractor of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons:
(i) performing his or her official duties;
(ii) assaulted to prevent performance of his or her official duties; or
(iii) assaulted in retaliation for performing his or her official duties.
(7) An employee of the State of Illinois, a municipal corporation therein, or a political subdivision thereof, performing his or her official duties.
(8) A transit employee performing his or her official duties, or a transit passenger.
(9) A sports official or coach actively participating in any level of athletic competition within a sports venue, on an indoor playing field or outdoor playing field, or within the immediate vicinity of such a facility or field.
(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court, while that individual is in the performance of his or her duties as a process server.

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(c) Offense based on use of firearm, device, or motor vehicle. A person commits aggravated assault when, in committing an assault, he or she does any of the following:

1. Uses a deadly weapon, an air rifle as defined in the Air Rifle Act, or any device manufactured and designed to be substantially similar in appearance to a firearm, other than by discharging a firearm.

2. Discharges a firearm, other than from a motor vehicle.

3. Discharges a firearm from a motor vehicle.

4. Wears a hood, robe, or mask to conceal his or her identity.

5. Knowingly and without lawful justification shines or flashes a laser gun sight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes near or in the immediate vicinity of any person.

6. Uses a firearm, other than by discharging the firearm, against a peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, employee of a police department, employee of a sheriff's department, or traffic control municipal employee:
   i. performing his or her official duties;
   ii. assaulted to prevent performance of his or her official duties; or
   iii. assaulted in retaliation for performing his or her official duties.

7. Without justification operates a motor vehicle in a manner which places a person, other than a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

8. Without justification operates a motor vehicle in a manner which places a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

9. Knowingly video or audio records the offense with the intent to disseminate the recording.

(d) Sentence. Aggravated assault as defined in subdivision (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(7), (b)(8), (b)(9), (c)(1), (c)(4), or (c)(9) is a Class A misdemeanor, except that aggravated assault as defined in

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subsection (b)(4) and (b)(7) is a Class 4 felony if a Category I, Category II, or Category III weapon is used in the commission of the assault. Aggravated assault as defined in subdivision (b)(5), (b)(6), (b)(10), (c)(2), (c)(5), (c)(6), or (c)(7) is a Class 4 felony. Aggravated assault as defined in subdivision (c)(3) or (c)(8) is a Class 3 felony.

(e) For the purposes of this Section, "Category I weapon", "Category II weapon, and "Category III weapon" have the meanings ascribed to those terms in Section 33A-1 of this Code.

(720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)
Sec. 12-3.05. Aggravated battery.
(a) Offense based on injury. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she knowingly does any of the following:

1. Causes great bodily harm or permanent disability or disfigurement.

2. Causes severe and permanent disability, great bodily harm, or disfigurement by means of a caustic or flammable substance, a poisonous gas, a deadly biological or chemical contaminant or agent, a radioactive substance, or a bomb or explosive compound.

3. Causes great bodily harm or permanent disability or disfigurement to an individual whom the person knows to be a peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

4. Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.

5. Strangles another individual.

(b) Offense based on injury to a child or intellectually disabled person. A person who is at least 18 years of age commits aggravated...
battery when, in committing a battery, he or she knowingly and without legal justification by any means:

(1) causes great bodily harm or permanent disability or disfigurement to any child under the age of 13 years, or to any severely or profoundly intellectually disabled person; or

(2) causes bodily harm or disability or disfigurement to any child under the age of 13 years or to any severely or profoundly intellectually disabled person.

(c) Offense based on location of conduct. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she is or the person battered is on or about a public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter.

(d) Offense based on status of victim. A person commits aggravated battery when, in committing a battery, other than by discharge of a firearm, he or she knows the individual battered to be any of the following:

(1) A person 60 years of age or older.
(2) A person who is pregnant or physically handicapped.
(3) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.
(4) A peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.
(5) A judge, emergency management worker, emergency medical technician, or utility worker:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

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(6) An officer or employee of the State of Illinois, a unit of local government, or a school district, while performing his or her official duties.

(7) A transit employee performing his or her official duties, or a transit passenger.

(8) A taxi driver on duty.

(9) A merchant who detains the person for an alleged commission of retail theft under Section 16-26 of this Code and the person without legal justification by any means causes bodily harm to the merchant.

(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court while that individual is in the performance of his or her duties as a process server.

(e) Offense based on use of a firearm. A person commits aggravated battery when, in committing a battery, he or she knowingly does any of the following:

(1) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(2) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee, or emergency management worker:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(3) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

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(iii) battered in retaliation for performing his or her official duties.

(4) Discharges a firearm and causes any injury to a person he or she knows to be a teacher, a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(5) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a teacher, a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(6) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee or emergency management worker:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(7) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(8) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a teacher, or a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(f) Offense based on use of a weapon or device. A person commits aggravated battery when, in committing a battery, he or she does any of the following:

(1) Uses a deadly weapon other than by discharge of a firearm, or uses an air rifle as defined in the Air Rifle Act.

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(2) Wears a hood, robe, or mask to conceal his or her identity.

(3) Knowingly and without lawful justification shines or flashes a laser gunsight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes upon or against the person of another.

(4) Knowingly video or audio records the offense with the intent to disseminate the recording.

(g) Offense based on certain conduct. A person commits aggravated battery when, other than by discharge of a firearm, he or she does any of the following:

(1) Violates Section 401 of the Illinois Controlled Substances Act by unlawfully delivering a controlled substance to another and any user experiences great bodily harm or permanent disability as a result of the injection, inhalation, or ingestion of any amount of the controlled substance.

(2) Knowingly administers to an individual or causes him or her to take, without his or her consent or by threat or deception, and for other than medical purposes, any intoxicating, poisonous, stupefying, narcotic, anesthetic, or controlled substance, or gives to another person any food containing any substance or object intended to cause physical injury if eaten.

(3) Knowingly causes or attempts to cause a correctional institution employee or Department of Human Services employee to come into contact with blood, seminal fluid, urine, or feces by throwing, tossing, or expelling the fluid or material, and the person is an inmate of a penal institution or is a sexually dangerous person or sexually violent person in the custody of the Department of Human Services.

(h) Sentence. Unless otherwise provided, aggravated battery is a Class 3 felony.

Aggravated battery as defined in subdivision (a)(4), (d)(4), or (g)(3) is a Class 2 felony.

Aggravated battery as defined in subdivision (a)(3) or (g)(1) is a Class 1 felony.

Aggravated battery as defined in subdivision (a)(1) is a Class 1 felony when the aggravated battery was intentional and involved the infliction of torture, as defined in paragraph (14) of subsection (b) of Section 9-1 of this Code, as the infliction of or subjection to extreme

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physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the victim.

Aggravated battery under subdivision (a)(5) is a Class I felony if:

(A) the person used or attempted to use a dangerous instrument while committing the offense; or

(B) the person caused great bodily harm or permanent disability or disfigurement to the other person while committing the offense; or

(C) the person has been previously convicted of a violation of subdivision (a)(5) under the laws of this State or laws similar to subdivision (a)(5) of any other state.

Aggravated battery as defined in subdivision (e)(1) is a Class X felony.

Aggravated battery as defined in subdivision (a)(2) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 6 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(5) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 12 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(2), (e)(3), or (e)(4) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 15 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (e)(6), (e)(7), or (e)(8) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 20 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (b)(1) is a Class X felony, except that:

(1) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(2) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(3) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(i) Definitions. For the purposes of this Section:

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"Building or other structure used to provide shelter" has the meaning ascribed to "shelter" in Section 1 of the Domestic Violence Shelters Act.

"Domestic violence" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986.

"Domestic violence shelter" means any building or other structure used to provide shelter or other services to victims or to the dependent children of victims of domestic violence pursuant to the Illinois Domestic Violence Act of 1986 or the Domestic Violence Shelters Act, or any place within 500 feet of such a building or other structure in the case of a person who is going to or from such a building or other structure.

"Firearm" has the meaning provided under Section 1.1 of the Firearm Owners Identification Card Act, and does not include an air rifle as defined by Section 24.8-0.1 of this Code.

"Machine gun" has the meaning ascribed to it in Section 24-1 of this Code.

"Merchant" has the meaning ascribed to it in Section 16-0.1 of this Code.

"Strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

(Source: P.A. 96-201, eff. 8-10-09; 96-363, eff. 8-13-09; 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11; 97-597, eff. 1-1-12; incorporates 97-227, eff. 1-1-12, 97-313, eff. 1-1-12, and 97-467, eff. 1-1-12; 97-1109, eff. 1-1-13.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:

(730 ILCS 5/5-5-3.2)

Sec. 5-5-3.2. Factors in Aggravation and Extended-Term Sentencing.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1 or Article 4.5 of Chapter V:

(1) the defendant's conduct caused or threatened serious harm;

(2) the defendant received compensation for committing the offense;

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(3) the defendant has a history of prior delinquency or criminal activity;
(4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
(5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
(6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
(7) the sentence is necessary to deter others from committing the same crime;
(8) the defendant committed the offense against a person 60 years of age or older or such person's property;
(9) the defendant committed the offense against a person who is physically handicapped or such person's property;
(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;
(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;
(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;

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(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;

(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 11-0.1 of the Criminal Code of 2012, teacher, scout leader, babysitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 against that victim;

(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

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4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owner's Identification Card Act and has now committed either a felony violation of the Firearm Owner's Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(22) the defendant committed the offense against a person that the defendant knew, or reasonably should have known, was a

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member of the Armed Forces of the United States serving on active duty. For purposes of this clause (22), the term "Armed Forces" means any of the Armed Forces of the United States, including a member of any reserve component thereof or National Guard unit called to active duty;

(23) the defendant committed the offense against a person who was elderly, disabled, or infirm by taking advantage of a family or fiduciary relationship with the elderly, disabled, or infirm person;

(24) the defendant committed any offense under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 and possessed 100 or more images;

(25) the defendant committed the offense while the defendant or the victim was in a train, bus, or other vehicle used for public transportation;

(26) the defendant committed the offense of child pornography or aggravated child pornography, specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context and specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or Section 11-20.3 of the Criminal Code of 1961 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context;

(27) the defendant committed the offense of first degree murder, assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person who was a veteran and the defendant knew, or reasonably should have known, that the person was a veteran performing duties as a representative of a veterans' organization. For the purposes of this paragraph (27), "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces; and "veterans' organization" means an organization comprised of members of which substantially all are individuals

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who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit; or

(28) the defendant committed the offense of assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person that the defendant knew or reasonably should have known was a letter carrier or postal worker while that person was performing his or her duties delivering mail for the United States Postal Service.

For the purposes of this Section:

"School" is defined as a public or private elementary or secondary school, community college, college, or university.

"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.

"Public transportation" means the transportation or conveyance of persons by means available to the general public, and includes paratransit services.

(b) The following factors, related to all felonies, may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;
(ii) a person 60 years of age or older at the time of the offense or such person's property; or
(iii) a person physically handicapped at the time of
the offense or such person's property; or

(4) When a defendant is convicted of any felony and the
offense involved any of the following types of specific misconduct
committed as part of a ceremony, rite, initiation, observance,
performance, practice or activity of any actual or ostensible
religious, fraternal, or social group:

   (i) the brutalizing or torturing of humans or animals;
   (ii) the theft of human corpses;
   (iii) the kidnapping of humans;
   (iv) the desecration of any cemetary, religious,
       fraternal, business, governmental, educational, or other
       building or property; or
   (v) ritualized abuse of a child; or

(5) When a defendant is convicted of a felony other than
conspiracy and the court finds that the felony was committed under
an agreement with 2 or more other persons to commit that offense
and the defendant, with respect to the other individuals, occupied a
position of organizer, supervisor, financier, or any other position of
management or leadership, and the court further finds that the
felony committed was related to or in furtherance of the criminal
activities of an organized gang or was motivated by the defendant's
leadership in an organized gang; or

(6) When a defendant is convicted of an offense committed
while using a firearm with a laser sight attached to it. For purposes
of this paragraph, "laser sight" has the meaning ascribed to it in
Section 26-7 of the Criminal Code of 2012; or

(7) When a defendant who was at least 17 years of age at
the time of the commission of the offense is convicted of a felony
and has been previously adjudicated a delinquent minor under the
Juvenile Court Act of 1987 for an act that if committed by an adult
would be a Class X or Class 1 felony when the conviction has
occurred within 10 years after the previous adjudication, excluding
time spent in custody; or

(8) When a defendant commits any felony and the
defendant used, possessed, exercised control over, or otherwise
directed an animal to assault a law enforcement officer engaged in
the execution of his or her official duties or in furtherance of the

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criminal activities of an organized gang in which the defendant is engaged; or:

(9) When a defendant commits any felony and the defendant knowingly video or audio records the offense with the intent to disseminate the recording.

(c) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

(1) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and the charges are separately brought and tried and arise out of different series of acts.

(1.5) When a defendant is convicted of first degree murder, after having been previously convicted of domestic battery (720 ILCS 5/12-3.2) or aggravated domestic battery (720 ILCS 5/12-3.3) committed on the same victim or after having been previously convicted of violation of an order of protection (720 ILCS 5/12-30) in which the same victim was the protected person.

(2) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter, or reckless homicide in which the defendant has been convicted of causing the death of more than one individual.

(3) When a defendant is convicted of aggravated criminal sexual assault or criminal sexual assault, when there is a finding that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective.

(4) If the victim was under 18 years of age at the time of the commission of the offense, when a defendant is convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 11-1.40 or

(5) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) and there is a finding that the defendant is a member of an organized gang.

(6) When a defendant was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

(7) When a defendant is convicted of an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act (720 ILCS 646/25), or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph, "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(d) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(e) The court may impose an extended term sentence under Article 4.5 of Chapter V upon an offender who has been convicted of a felony violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the offender; and

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the offender, at the time of the commission of the offense, knew or should have known that the victim had consumed alcohol.
(Source: P.A. 96-41, eff. 1-1-10; 96-292, eff. 1-1-10; 96-328, eff. 8-11-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1200, eff. 7-22-10; 96-1228, eff. 1-1-11; 96-1390, eff. 1-1-11; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 97-38, eff. 6-28-11, 97-227, eff. 1-1-12; 97-333, eff. 8-12-11; 97-693, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0386
(House Bill No. 1330)

AN ACT concerning land.

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

Section 5. Upon the payment of the sum of $17,733 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title, and interest in and to the following described parcel of land in McLean County, Illinois to Sandra K. Arnold.

Parcel No. 5X41201
A part of the Southeast Quarter of Section 32, Township 25 North, Range 2 East of the Third Principal Meridian, described as follows: Beginning at a point on the east line of said Southeast Quarter, said point being 848.5 feet north of the southeast corner thereof; thence westerly at right angles with said east line 671 feet; thence north along a line which forms an angle to the left of 93 degrees 24 minutes with the last described course 336.59 feet; thence East 638.33 feet along a line which forms an angle to the left of 86 degrees 36 minutes with the last described course to a point that is on the westerly right of way line of SBI Route 2 (Marked U.S. Route 51) as said right of way is shown in Plat Book 14 at page 35, said point being 52.67 feet west of said east line; thence southeasterly 320.4 feet along said right of way line (said right of way line being a curve of radius 1,850.7 feet and said curve being concave to the east) to a point on said east line, said point being

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20.54 feet north of the Point of Beginning; thence south along said
east line 20.54 feet to the Point of Beginning, in McLean County,
Illinois, containing 5.027 acres, more or less.
EXCEPT that part lying within the present right of way limits of
FAI Route 39 (formerly FAP 412/US 51) described as beginning at
a point on the east line of said Southeast Quarter, said point being
848.5 feet north of the southeast corner thereof; thence westerly at
right angles with said east line North 89 degrees 24 minutes 15
seconds West 149.97 feet along the south line of the above
described parcel to the existing westerly right of way line and
access control line of FAI Route 39 (formerly FAP 412); thence
North 00 degrees 22 minutes 49 seconds East 336.00 feet along
said westerly right of way and access control line being parallel
with and 120.00 feet westerly of the surveyed centerline of FAI
Route 39 (formerly FAP 412) to the north line of the above
described parcel; thence South 89 degrees 24 minutes 15 seconds
East 98.60 feet along said north line to a point on the former
westerly right of way line of SBI Route 2 (Marked U.S. Route 51),
as said right of way is shown in Plat Book 14 at page 35, said point
being 52.67 feet West of said East line; thence southeasterly 320.4
feet along said right of way line (said right of way line being a
curve of radius 1,850.7 feet and said curve being concave to the
east) to a point on said east line, said point being 20.54 feet north
of the Point of Beginning; thence south along said east line 20.54
feet to the Point of Beginning, containing 0.937 of an acre, more or
less.

The above described parcel was acquired in fee simple by
Condemnation Case No. 87 ED-20, filed February 3, 1988 in the
Circuit Clerk's Office of McLean County, Illinois. The above
described parcel's stated bearings, dimensions and areas is record
data of a previously subdivided and described parcel as shown on
Sheet 13 of the Right of Way Plans for FAP Route 412, Section
57-3, recorded as Document Number 87-22336 in the Recorder's
Office of McLean County, Illinois.
No Access is allowed to FAI Route 39 as shown on the
aforementioned recorded Right of Way Plan Sheet 13.
Section 10. Upon the payment of the sum of $14,775 to the State of
Illinois, the rights or easement of access, crossing, light, air and view from,
to and over the following described line and SBI 112 are restored subject

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to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 800XD08
That part of the East Half of Section 10, Township 5 North, Range 8 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Commencing at the East Quarter Corner of said Section 10; thence on an assumed bearing of North 89 degrees 27 minutes 39 seconds West on the east - west centerline of said Section 10, a distance of 911.33 feet to the easterly right of way line of SBI Route 112 (former Illinois Route 159) as described in the Dedication of Right of Way for Public Road Purposes, recorded October 15, 1927 in Book 597 on Page 44 of the Madison County Recorder's Office records and the Point of Beginning.

From said Point of Beginning; thence South 08 degrees 43 minutes 37 seconds East on said easterly right of way line, 46.13 feet; thence South 52 degrees 58 minutes 37 seconds East on said easterly right of way line, 23.54 feet to the northerly right of way line of FAP 785 (Illinois Route 140) as described in the Final Judgment Order filed in the Circuit Court for the Third Judicial Circuit, Madison County, on May 22, 1995 as Case Number 92 ED 10; thence on said northerly right of way line the following three (3) courses and distances: 1) South 80 degrees 58 minutes 45 seconds West, 16.45 feet; 2) thence South 82 degrees 50 minutes 25 seconds West, 80.00 feet; 3) thence South 81 degrees 19 minutes 23 seconds West, 17.61 feet to the westerly right of way line of SBI 112 (former Illinois Route 159) as described in said Book 597 on Page 44 of the Madison County Recorder's Office records; thence North 37 degrees 17 minutes 32 seconds East on said westerly right of way line, 24.47 feet; thence North 08 degrees 43 minutes 37 seconds West on said westerly right of way line, 1,217.03 feet to the southwesterly right of way line of FAP Route 604 (Illinois Route 159) as described in said Final Judgment Order filed on May 22, 1995 as Case Number 92 ED 10; thence South 22 degrees 04 minutes 25 seconds East on said southwesterly right of way line, 346.56 feet to the easterly right of way line of SBI 112 (former Illinois Route 159) as described in said Book 597 on Page 44 of the Madison County Recorder's Office records; thence South

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08 degrees 43 minutes 37 seconds East on said easterly right of way line, 835.96 feet to the Point of Beginning.
Said Parcel 800XD08 herein described contains 01.9654 acres, or 85,612 square feet, more or less.
Parcel 800XD08 is subject to any and all utility easements, and the rights existing to any and all facilities for said easements on the real estate herein above described.

Section 15. Upon the payment of the sum of $500 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by Quitclaim Deed all right, title, and interest in and to the following described land in Sangamon County, Illinois to Jim M. Boaden and Marilyn D. Boaden:
Parcel No. 675X362:
A part of the Northeast Quarter of Section 5, Township 14 North, Range 3 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:
Commencing at the northeast corner of said Section 5, thence along the north line of said Section 5, South 89 degrees 20 minutes 53 seconds West, 1031.28 feet to the proposed centerline of Illinois Route 29; thence along said centerline, South 54 degrees 08 minutes 29 seconds East, 113.38 feet to Station 77+15.89; thence South 35 degrees 51 minutes 38 seconds West, 145.00 feet to the Point of Beginning; thence South 54 degrees 08 minutes 29 seconds East, 33.09 feet, thence South 00 degrees 39 minutes 07 seconds East, 37.95 feet; thence North 54 degrees 09 minutes 28 seconds West, 96.92 feet; thence North 89 degrees 20 minutes 33 seconds East, 51.32 feet to the Point of Beginning, Containing 0.046 acre, more or less.
The Grantee, for themselves, their heirs, legal representatives, successors and assigns as a part of the consideration hereof, does hereby covenant and agree that there is no existing right of access nor will the Grantor permit access in the future to, from or over the above described premises from and to the public highway lying adjacent to said premises, said public highway being known as FA 75 (IL 29) previously a declared freeway.

Section 20. Upon the payment of the sum of $6,679 to the State of Illinois, the rights or easement of access, crossing, light, air and view from,
to and over the following described line and FAS 90 are restored subject to
permit requirements of the State of Illinois, Department of Transportation:
Parcel No. 2DOGX56
A part of the Northwest Quarter of 3, Township 23 North, Range 10 East of the Fourth Principal Meridian, Ogle County, State of Illinois, described as follows:
Commencing at a 3/4" rebar at the northeast corner of the Northeast Quarter of said Section 3; thence South 88 degrees 53 minutes 55 seconds West, 3,582.13 feet (Bearings and grid distances are referenced to the Illinois State Plane Coordinate System West Zone Datum of NAD 83 (2007)) on the north line of said Section 3, to the easterly right-of-way line of a public road designated FAS Route 90 (River Road); thence South 5 degrees 08 minutes 49 seconds East, 400.95 feet on said easterly right-of-way line, to the south line of the premises conveyed to Robert H. Ryder and Nancy J. Ryder from Frances C. Sayles by Warranty Deed recorded 1987 November 5 as Document No. 549999 in the Recorder's Office of Ogle County; thence South 88 degrees 53 minutes 55 seconds West, 82.53 feet on the south line of said premises so conveyed, to the Point of Beginning.
From the Point of Beginning thence South 15 degrees 20 minutes 39 seconds East, 387.38 feet; thence southeasterly 877.73 feet on a curve to the left, having a radius of 12,315.95 feet, a central angle of 4 degrees 05 minutes 00 seconds and the long chord of said curve bears South 17 degrees 23 minutes 09 seconds East, a chord distance of 877.55 feet; thence South 19 degrees 25 minutes 39 seconds East, 924.92 feet, to the westerly right-of-way line of said FAS Route 90 (River Road); thence South 70 degrees 34 minutes 21 seconds West, 25.85 feet on said westerly right-of-way line, to the easterly bank of the Rock River; thence northwesterly along the easterly bank of the Rock River to the south line of said premises so conveyed by Document No. 549999; thence North 88 degrees 53 minutes 55 seconds East, 6.88 feet on the south line of said premises so conveyed, to the Point of Beginning, containing 1.100 acres, more or less.
Section 25. Upon the payment of the sum of $960 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and SBI 2 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

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Parcel No. 2DOGX57
A part of the Northeast Quarter of the Southeast Quarter of Section 12, Township 22 North, Range 9 East of the Fourth Principal Meridian, Ogle County, State of Illinois, described as follows:
Commencing at an iron rod at the northwest corner of the Southwest Quarter of said Section 12; thence South 89 degrees 42 minutes 23 seconds East (Bearings based on survey control data as provided by IDOT), 4,338.50 feet on the north line of the Southwest Quarter and the Southeast Quarter of said Section 12, to the easterly right-of-way line of a public highway designated FA Route 742 (IL 2); thence South 20 degrees 34 minutes 10 seconds West, 73.11 feet along said easterly right-of-way line to the Point of Beginning.
From the Point of Beginning thence South 64 degrees 10 minutes 50 seconds East, 138.23 feet to the westerly bank of the Rock River; thence South 50 degrees 05 minutes 14 seconds West, 63.19 feet on the westerly bank of the Rock River; thence North 64 degrees 10 minutes 50 seconds West, 106.97 feet, to the southerly extension of the easterly right-of-way line of said FA Route 742 (IL 2); thence North 20 degrees 34 minutes 10 seconds East, 57.84 feet on the said easterly right-of-way line, to the Point of Beginning, containing 7,062 Square Feet, more or less.
Section 30. Upon the payment of the sum of $1,000 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and FAP 404 (IL 164) are restored subject to permit requirements of the State of Illinois, Department of Transportation:
Parcel No. 409647V
A part of the Northwest and Southwest Quarter of Section 22, Township 11 North, Range 2 West of the Fourth Principal Meridian, Warren County, State of Illinois, described in detail as follows:
Commencing at a found Mag Nail marking the northeast corner of the Northeast Quarter of said Section 22 and being recorded in the Warren County Recorder's Office as document number 2011R-1162; thence North 89 degrees 22 minutes 55 seconds West along the north line of said Section 22, 2,622.72 feet; thence South 01 degree 27 minutes 52 seconds West, 1,920.37 feet to a found pin.
set on the easterly existing right of way and access control line of IL 164, said point being the Point of Beginning.  
From the Point of Beginning; thence South 43 degrees 53 minutes 43 seconds West along said right of way and access control line, 1,325.43 feet to the end of the access control release.  
The above description lists 1,325.43 lineal feet of access control that is to be vacated.  
Section 35. Upon the payment of the sum of $28,272 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and SBI 70 are restored subject to permit requirements of the State of Illinois, Department of Transportation:  
Parcel No. 2DBUX99  
A part of Out Lot 3 as designated upon the Plat of County Clerks Subdivision, a subdivision of the Southwest Quarter of Section 28, Township 36 North, Range 1 East of the Third Principal Meridian, the Plat of said Subdivision is recorded in Book "P" on Page 47 in the Recorder's Office of LaSalle County, State of Illinois, described as follows:  
Commencing at a survey nail at the northwest corner of the Southwest Quarter of said Section 28; thence South 1 degree 36 minutes 54 seconds East, 522.41 feet (Bearings and grid distances are referenced to the Illinois State Plane Coordinate System West Zone Datum of 1983 (07)) on the west line of said Southwest Quarter, to the northwesterly extension of the northeasterly line of said Out Lot 3; thence South 43 degrees 21 minutes 46 seconds East, 44.91 feet on the northwesterly extension of the northeasterly line of said Out Lot 3, to the northwest corner of said Out Lot 3, being also on the easterly right-of-way line of a public highway designated SBI Route 70 (IL 251) and the Point of Beginning.  
From the Point of Beginning thence South 43 degrees 21 minutes 46 seconds East, 388.03 feet on the northeasterly line of said Out Lot 3, to the northeast corner of Parcel One of the premises conveyed to Financial Plus Credit Union from Richard Dewey and Monica Dewey by Warranty Deed recorded on August 15, 2008 as Document No. 2008-18617 in said Recorder's Office; thence South 73 degrees 11 minutes 30 seconds West, 10.26 feet on the north line of said premises so conveyed, to the northeast corner of Parcel Two of said premises so conveyed; thence northwesterly on the north line of said premises so conveyed, 207.70 feet on a curve to

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the left, having a radius of 253.57 feet, a central angle of 46 degrees 55 minutes 48 seconds and the long chord of said curve bears North 68 degrees 51 minutes 00 seconds West, a chord distance of 201.94 feet; thence South 39 degrees 49 minutes 32 seconds West, 90.41 feet (90.28 feet recorded) on the north line of said premises so conveyed, to the easterly right-of-way line of said public highway designated SBI Route 70 (IL 251); thence North 2 degrees 15 minutes 00 seconds West, 21.97 feet on said easterly right-of-way line; thence North 1 degree 40 minutes 38 seconds West, 100.00 feet on said easterly right-of-way line; thence North 2 degrees 15 minutes 00 seconds West, 100.00 feet on said easterly right-of-way line; thence North 2 degrees 32 minutes 29 seconds West, 59.87 feet on said easterly right-of-way line, to the Point of Beginning, containing 24,841 square feet (0.570 acre), more or less.

Section 40. Upon the payment of the sum of $2,500 to the State of Illinois, and subject to the conditions set forth on Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by Quitclaim Deed all right, title, and interest in and to the following described land in Carroll County, Illinois to Kunes Country Auto Group:

Parcel No. 2XCA093
A part of the Southeast Quarter of Section 12, Township 24 North, Range 4 East of the Fourth Principal Meridian, Carroll County, State of Illinois, described as follows:
Commencing at a 3/4" iron rod at the northwest corner of said Southeast Quarter of Section 12; thence South 0 degrees 28 minutes 11 seconds East, a distance of 1,232.15 feet (Bearings and grid distances are referenced to the Illinois State Plane Coordinate System West Zone Datum of 1983(97)), on the west line of said Southeast Quarter, to the north line of the premises conveyed to Shaw's of Milledgeville, Inc. from Lyle S. Law and Lois R. Law by Warranty Deed recorded July 13, 1990 as Document No. 413948 in Book 119 at Page 71 in the Recorder's Office of Carroll County; thence North 89 degrees 31 minutes 48 seconds East, 493.27 feet on said north line and easterly extension, to the survey line of a public highway designated FA Route 17 (US 52/IL 64); thence North 50 degrees 53 minutes 52 seconds East, 397.41 feet on said survey line; thence South 39 degrees 06 minutes 08 seconds East,
75.00 feet, to the existing southerly right-of-way line of said FA Route 17 (US 52/IL 64) and the Point of Beginning.
From the Point of Beginning thence South 39 degrees 17 minutes 52 seconds East, 177.71 feet on said existing right-of-way line; thence North 62 degrees 21 minutes 48 seconds West, 173.06 feet; thence North 0 degrees 32 minutes 22 seconds West, 23.93 feet; thence North 50 degrees 53 minutes 52 seconds East, 52.83 feet, to the Point of Beginning, containing 0.150 acre, more or less.

Section 45. Upon the payment of the sum of $4,000 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and 69 (US 52) are restored subject to permit requirements of the State of Illinois, Department of Transportation:

PARCEL 3LR0127
Part of the South Half of Section 20, Township 35 North, Range 5 East of the Third Principal Meridian, being part of US Route 52 right of way recorded in Book 707 on Page 101 in the LaSalle County Recorder's Office described as follows:
Commencing at the southeast corner of Section 20, Township 35 North, Range 5 East of the Third Principal Meridian; thence North 0 degrees 10 minutes East 0.70 feet to a point which is also Station 383+24.3 on the transit line for road survey & plans for Route 69, Section 125, LaSalle County, Illinois; thence North 89 degrees 50 minutes West 24.3 feet to a point which is also Station 383+00; thence South 89 degrees 32 minutes West 2,550 feet to a point which is also Station 357+50; thence North 0 degrees 28 minutes West 55 feet to the Point of Beginning on the north right of way line of US Route 52; thence South 89 degrees 32 minutes West 202 feet to a point; thence North 0 degrees 28 minutes West 488 feet along the existing right of way line to a point; thence South 22 degrees 57 minutes East 528.16 feet along the existing right of way line to the Point of Beginning, containing 1.131 acres, more or less, situated in the County of LaSalle and State of Illinois.

Section 50. Upon the payment of the sum of $3,800 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by Quitclaim Deed all right, title, and interest in and to the following described land in LaSalle County, Illinois to Waltham Grade School:
Parcel No. 3TJX015:

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Part of the East 12 feet of Lot 10 and Part of Lot 11 in Block 4 of the Original Town of North Utica, a subdivision in the Southeast Quarter of Section 8, Township 33 North, Range 2 East of the Third Principal Meridian, in the Village of North Utica, as recorded in Plat Book H, Page 60, in the Recorder's Office of LaSalle County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System, East Zone, (NAD 83):

Beginning at the southeast corner of said Lot 10; thence North 74 degrees 15 minutes 23 seconds West 12.00 feet along the south line of said Lot 10 to the west line of the East 12 feet of said Lot 10; thence North 15 degrees 51 minutes 57 seconds East 131.58 feet along said west line to the north line of said Lot 10; thence South 02 degrees 48 minutes 19 seconds West 22.11 feet; thence South 11 degrees 46 minutes 45 seconds East 124.06 feet to the south line of said Lot 11; thence North 74 degrees 15 minutes 23 seconds West 50.57 feet along said south line to the Point of Beginning, containing 3,771 square feet, more or less, situated in the County of LaSalle and State of Illinois.

Section 55. Upon the payment of the sum of $2,800 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by Quitclaim Deed all right, title, and interest in and to the following described land in LaSalle County, Illinois to Waltham Grade School:

Parcel No. 3TJX012:
A part of Lot 5 in Block 4 of the Original Town of North Utica, a subdivision in the Southeast Quarter of Section 8, Township 33 North, Range 2 East of the Third Principal Meridian, in the Village of North Utica, as recorded in Plat Book H, Page 60, in the Recorder's Office of LaSalle County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System, East Zone, (NAD 83):

Beginning at the southwest corner of said Lot 5; thence North 15 degrees 44 minutes 15 seconds East 104.53 feet along the west line of said Lot 5 to a non-tangent curve; thence southeasterly 91.90 feet along the arc of a curve concave to the northeast having a chord bearing and distance of South 11 degrees 10 minutes 16 seconds East 91.89 feet; thence South 11 degrees 46 minutes 45 seconds East 25.46 feet to the south line of said Lot 5; thence

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North 74 degrees 15 minutes 53 seconds West 53.35 feet along the south line of said Lot 5 to the Point of Beginning, containing 2,761 square feet, more or less, situated in the County of LaSalle and State of Illinois.

Section 60. Upon the payment of the sum of $19,726 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and US Route 251 are restored subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 200AAD7
A part of Lots 1, 2, 3, 4 and 5 as designated upon the plat of subdivision of Highway Heights, a subdivision in the Northwest Quarter of Section 21, Township 46 North, Range 2 East of the Third Principal Meridian, the plat of which subdivision is recorded in Book 22 of Plats on Page 162 in the Recorder's Office of Winnebago County, Illinois, described as follows:

Commencing at a found 3/4 inch pipe at the northwest corner of said Section 21, thence South 1 degree 13 minutes 14 seconds East, 198.71 feet (Bearings assumed for description purposes only) along the west line of said Section 21 to a point 103.45 feet normally distant westerly from the Survey Line of existing pavement in place of FA Route 188; thence North 88 degrees 57 minutes 03 seconds East, 243.45 feet to a point on the westerly right of way line of the Chicago and Northwestern Transportation Company, said point being 140.00 feet normally distant easterly from said Survey Line and the Point of Beginning.

From the Point of Beginning thence South 22 degrees 07 minutes 19 seconds East, 803.15 feet along said westerly right of way line to a point on the south line of Lot 5 of said Highway Heights Subdivision, said point being 428.78 feet normally distant easterly from said Survey Line; thence South 88 degrees 50 minutes 23 seconds West, 198.78 feet along the south line of said Lot 5 to a point 230.00 feet normally distant easterly from said Survey Line; thence North 1 degree 02 minutes 57 seconds West, 173.36 feet to a point 230.00 feet normally distant easterly from said Survey Line; thence South 89 degrees 01 minute 36 seconds West, 109.00 feet to a point 121.00 feet normally distant easterly from said Survey Line; thence North 0 degrees 50 minutes 21 seconds East, 576.63 feet to the Point of Beginning, containing 2.253 acres, more or less.

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Section 900. The Secretary of Transportation shall obtain a certified copy of the portion of this Act containing the title, the enacting clause, the effective date, and the appropriate Section containing the land description of the property to be transferred or otherwise affected under this Act within 69 days after its effective date and, upon receipt of payment required by the Section, shall record the certified document in the Recorder's Office in the county in which the land is located.

Section 999. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 24, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0387
(House Bill No. 1335)

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

Section 5. The Title Insurance Act is amended by changing Sections 3 and 26 as follows:

(215 ILCS 155/3) (from Ch. 73, par. 1403)

Sec. 3. As used in this Act, the words and phrases following shall have the following meanings unless the context requires otherwise:

(1) "Title insurance business" or "business of title insurance" means:

(A) Issuing as insurer or offering to issue as insurer title insurance; and

(B) Transacting or proposing to transact one or more of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of title insurance;

(i) soliciting or negotiating the issuance of title insurance;

(ii) guaranteeing, warranting, or otherwise insuring the correctness of title searches for all instruments affecting titles to real property, any interest in real property, cooperative units and proprietary leases, and for all liens or charges affecting the same;

(iii) handling of escrows, settlements, or closings;

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(iv) executing title insurance policies;
(v) effecting contracts of reinsurance;
(vi) abstracting, searching, or examining titles; or
(vii) issuing insured closing letters or closing
protection letters;
(C) Guaranteeing, warranting, or insuring searches or
examinations of title to real property or any interest in real
property, with the exception of preparing an attorney's opinion of
title; or
(D) Guaranteeing or warranting the status of title as to
ownership of or liens on real property and personal property by any
person other than the principals to the transaction; or
(E) Doing or proposing to do any business substantially
equivalent to any of the activities listed in this subsection, provided
that the preparation of an attorney's opinion of title pursuant to
paragraph (1)(C) is not intended to be within the definition of "title
insurance business" or "business of title insurance".

(1.5) "Title insurance" means insuring, guaranteeing, warranting,
or indemnifying owners of real or personal property or the holders of liens
or encumbrances thereon or others interested therein against loss or
damage suffered by reason of liens, encumbrances upon, defects in, or the
unmarketability of the title to the property; the invalidity or
unenforceability of any liens or encumbrances thereon; or doing any
business in substance equivalent to any of the foregoing. "Warranting" for
purposes of this provision shall not include any warranty contained in
instruments of encumbrance or conveyance. Title insurance is a single line
form of insurance, also known as monoline. An attorney's opinion of title
pursuant to paragraph (1)(C) is not intended to be within the definition of
"title insurance".

(2) "Title insurance company" means any domestic company
organized under the laws of this State for the purpose of conducting the
business of title insurance and any title insurance company organized
under the laws of another State, the District of Columbia or foreign
government and authorized to transact the business of title insurance in
this State.

(3) "Title insurance agent" means a person, firm, partnership,
association, corporation or other legal entity registered by a title insurance
company and authorized by such company to determine insurability of title
in accordance with generally acceptable underwriting rules and standards
in reliance on either the public records or a search package prepared from a title plant, or both, and authorized by such title insurance company in addition to do any of the following: act as an escrow agent pursuant to subsections (f), (g), and (h) of Section 16 of this Act, solicit title insurance, collect premiums, or issue title insurance commitments, policies, and endorsements of the title insurance company; provided, however, the term "title insurance agent" shall not include officers and salaried employees of any title insurance company.

(4) "Producer of title business" is any person, firm, partnership, association, corporation or other legal entity engaged in this State in the trade, business, occupation or profession of (i) buying or selling interests in real property, (ii) making loans secured by interests in real property, or (iii) acting as broker, agent, attorney, or representative of natural persons or other legal entities that buy or sell interests in real property or that lend money with such interests as security.

(5) "Associate" is any firm, association, partnership, corporation or other legal entity organized for profit in which a producer of title business is a director, officer, or partner thereof, or owner of a financial interest, as defined herein, in such entity; any legal entity that controls, is controlled by, or is under common control with a producer of title business; and any natural person or legal entity with whom a producer of title business has any agreement, arrangement, or understanding or pursues any course of conduct the purpose of which is to evade the provisions of this Act.

(6) "Financial interest" is any ownership interest, legal or beneficial, except ownership of publicly traded stock.

(7) "Refer" means to place or cause to be placed, or to exercise any power or influence over the placing of title business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

(8) "Escrow Agent" means any title insurance company or any title insurance agent, including independent contractors of either, acting on behalf of a title insurance company, which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrow agent until title to the real property that is the subject of the escrow is in a prescribed condition. An escrow agent conducting closings shall be subject to the provisions of paragraphs (1) through (4) of subsection (e) of Section 16 of this Act.
(9) "Independent Escrowee" means any firm, person, partnership, association, corporation or other legal entity, other than a title insurance company or a title insurance agent, which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrowee until title to the real property that is the subject of the escrow is in a prescribed condition. Federal and State chartered banks, savings and loan associations, credit unions, mortgage bankers, banks or trust companies authorized to do business under the Illinois Corporate Fiduciary Act, licensees under the Consumer Installment Loan Act, real estate brokers licensed pursuant to the Real Estate License Act of 2000, as such Acts are now or hereafter amended, and licensed attorneys when engaged in the attorney-client relationship are exempt from the escrow provisions of this Act. "Independent Escrowee" does not include employees or independent contractors of a title insurance company or title insurance agent authorized by a title insurance company to perform closing, escrow, or settlement services.

(10) "Single risk" means the insured amount of any title insurance policy, except that where 2 or more title insurance policies are issued simultaneously covering different estates in the same real property, "single risk" means the sum of the insured amounts of all such title insurance policies. Any title insurance policy insuring a mortgage interest, a claim payment under which reduces the insured amount of a fee or leasehold title insurance policy, shall be excluded in computing the amount of a single risk to the extent that the insured amount of the mortgage title insurance policy does not exceed the insured amount of the fee or leasehold title insurance policy.

(11) "Department" means the Department of Financial and Professional Regulation.

(12) "Secretary" means the Secretary of Financial and Professional Regulation.

(13) "Insured closing letter" or "closing protection letter" means an indemnification or undertaking to a party to a real property transaction, from a principal such as a title insurance company, setting forth in writing the extent of the principal's responsibility for intentional misconduct or errors in closing the real property transaction on the part of a settlement agent, such as a title insurance agent or other settlement service provider, and includes protection afforded pursuant to subsections (f), (g), and (h) of
Section 16 and Section 16.1 of this Act even if such protection is afforded by contract.

(14) "Residential real property" means a building or buildings consisting of one to 4 residential units or a residential condominium unit where at least one of the residential units or condominium units is occupied or intended to be occupied as a residence by the purchaser or borrower, or in the event that the purchaser or borrower is the trustee of a trust, by a beneficiary of that trust.

(15) "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, any credit union subject to the Illinois Credit Union Act, and any federally chartered commercial bank, savings and loan association, savings bank, or credit union organized and operated in this State pursuant to the laws of the United States.

(215 ILCS 155/26)

Sec. 26. Settlement funds.

(a) A title insurance company, title insurance agent, or independent escrowee shall not make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts unless the funds in the aggregate amount of $50,000 or greater received from any single party to the transaction are good funds as defined in paragraphs (2), (6), or (7) of subsection (c) of this Section; or are collected funds as defined in subsection (d) of this Section.

For the purposes of this subsection (a), where funds in the aggregate amount of $50,000 or greater are received from any purchaser of residential real property, as defined in paragraph (14) of Section 3 of this Act, the aggregate amount may consist of good funds of less than $50,000 per paragraph, as defined in paragraphs (3) and (5) of subsection (c) of this Section and of up to $5,000 in good funds, as defined in paragraph (4) of subsection (c) of this Section.

(a-5) In addition to the good funds disbursement authorization set forth in subsection (a) of this Section, a title insurance company, title insurance agent, or independent escrowee is authorized to make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts where the funds in the aggregate amount of $50,000 or greater are received from any single party to the transaction if:

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(1) the funds are transferred by a cashier's check, teller's check, or certified check, as defined in the Uniform Commercial Code, that is drawn on or issued by a financial institution, as defined in this Act;

(2) the title insurance company, title insurance agent, or independent escrowee and the financial institution, as defined in this Act, are known to each other and agree to the use of cashier's checks, teller's checks, or certified checks as good funds under item (3) of subsection (c) of this Section; and

(3) the cashier's check, teller's check, or certified check is delivered to the title insurance company, title insurance agent, or independent escrowee in sufficient time for the check to be deposited into the title insurance company's, title insurance agent's, or independent escrowee's fiduciary trust account prior to disbursement from the fiduciary trust account of the title insurance company, title insurance agent, or independent escrowee.

The provisions of this subsection (a-5) are inoperative on and after January 1, 2015.

(b) A title insurance company or title insurance agent shall not make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts unless the funds in the amount of less than $50,000 received from any single party to the transaction are collected funds or good funds as defined in subsection (c) of this Section.

(c) "Good funds" means funds in one of the following forms:

(1) lawful money of the United States;

(2) wired funds unconditionally held by and credited to the fiduciary trust account of the title insurance company, the title insurance agent, or independent escrowee;

(3) cashier's checks, certified checks, bank money orders, official bank checks, or teller's checks drawn on or issued by a financial institution chartered under the laws of any state or the United States and unconditionally held by the title insurance company, title insurance agent, or independent escrowee;

(4) a personal check or checks in an aggregate amount not exceeding $5,000 per closing, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for
withdrawal in the account upon which the check is drawn at the
time of disbursement;

(5) a check drawn on the trust account of any lawyer or real estate broker licensed under the laws of any state, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for withdrawal in the account upon which the check is drawn at the time of disbursement;

(6) a check issued by this State, the United States, or a political subdivision of this State or the United States; or

(7) a check drawn on the fiduciary trust account of a title insurance company or title insurance agent, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for withdrawal in the account upon which the check is drawn at the time of disbursement.

(d) "Collected funds" means funds deposited, finally settled, and credited to the title insurance company, title insurance agent, or independent escrowee's fiduciary trust account.

(e) A purchaser, a seller, or a lender is each considered a single party to the transaction for the purposes of this Section, regardless of the number of people or entities making up the purchaser, seller, or lender.

(Source: P.A. 96-645, eff. 1-1-10; 96-1457, eff. 1-1-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0388
(House Bill No. 1349)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Fire Protection District Act is amended by adding Section 11j as follows:

(70 ILCS 705/11j new)
Sec. 11j. Installation of access or key boxes. The board of trustees of any fire protection district may, by ordinance, require the installation of an access or key box if: (1) a structure is protected by an automatic fire alarm or security system or access to or within the structure or area is unduly difficult because of secured openings; and (2) immediate access is necessary for life-saving purposes. In the case of a health care facility that is secured by an electronic code box that is in good working order, if the owner of the health care facility provides the fire department with a valid access code, then that health care facility is not required to be accessible by an access or key box. For the purposes of this Section, "health care facility" means: a hospital licensed under the Hospital Licensing Act or the University of Illinois Hospital Act; a nursing home or long-term care facility licensed under the Nursing Home Care Act; an assisted living establishment, as defined in the Assisted Living and Shared Housing Act; a mental health facility, as defined in the Mental Health and Developmental Disabilities Code; a supportive living facility certified to participate in the supportive living facilities program under Section 5-5.01a of the Illinois Public Aid Code; or a facility licensed under the Specialized Mental Health Rehabilitation Act. "Access or key box" means a secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.

The access or key box shall be of an approved type listed in accordance with the most recently published version of the standard Underwriters Laboratories 1037 and shall contain keys to gain access as required by the fire chief of the fire protection district, or his or her designee.

An ordinance enacted under this Section may specify particular classes or types of structures or occupancies that are required to install an access or key box. However, an ordinance enacted under this Section shall not apply to single family residential structures or to facilities owned or operated by a public utility, as that term is defined under Section 3-105 of the Public Utilities Act.

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 7-144 as follows:

(40 ILCS 5/7-144) (from Ch. 108 1/2, par. 7-144)

Sec. 7-144. Retirement annuities-Suspended during employment.

(a) If any person receiving any annuity again becomes an employee and receives earnings from employment in a position requiring him, or entitling him to elect, to become a participating employee, then the annuity payable to such employee shall be suspended as of the 1st day of the month coincidental with or next following the date upon which such person becomes such an employee, unless the person is authorized under subsection (b) of Section 7-137.1 of this Code to continue receiving a retirement annuity during that period. Upon proper qualification of the participating employee payment of such annuity may be resumed on the 1st day of the month following such qualification and upon proper application therefor. The participating employee in such case shall be entitled to a supplemental annuity arising from service and credits earned subsequent to such re-entry as a participating employee.

Notwithstanding any other provision of this Article, an annuitant shall be considered a participating employee if he or she returns to work as an employee with a participating employer and works more than 599 hours annually (or 999 hours annually with a participating employer that has adopted a resolution pursuant to subsection (e) of Section 7-137 of this Code). Each of these annual periods shall commence on the month and day upon which the annuitant is first employed with the participating employer following the effective date of the annuity.

(b) Supplemental annuities to persons who return to service for less than 48 months shall be computed under the provisions of Sections 7-141, 7-142 and 7-143. In determining whether an employee is eligible for an annuity which requires a minimum period of service, his entire period of service shall be taken into consideration but the supplemental annuity shall be based on earnings and service in the supplemental period only. The effective date of the suspended and supplemental annuity for the purpose

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of increases after retirement shall be considered to be the effective date of the suspended annuity.

(c) Supplemental annuities to persons who return to service for 48 months or more shall be a monthly amount determined as follows:

(1) An amount shall be computed under subparagraph b of paragraph (1) of subsection (a) of Section 7-142, considering all of the service credits of the employee;

(2) The actuarial value in monthly payments for life of the annuity payments made before suspension shall be determined and subtracted from the amount determined in (1) above;

(3) The monthly amount of the suspended annuity, with any applicable increases after retirement computed from the effective date to the date of reinstatement, shall be subtracted from the amount determined in (2) above and the remainder shall be the amount of the supplemental annuity provided that this amount shall not be less than the amount computed under subsection (b) of this Section.

(4) The suspended annuity shall be reinstated at an amount including any increases after retirement from the effective date to date of reinstatement.

(5) The effective date of the combined suspended and supplemental annuities for the purposes of increases after retirement shall be considered to be the effective date of the supplemental annuity.

(Source: P.A. 97-328, eff. 8-12-11; 97-609, eff. 1-1-12.)

Section 90. The State Mandates Act is amended by adding Section 8.37 as follows:

(30 ILCS 805/8.37 new)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning finance.

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

Section 5. The Public Funds Investment Act is amended by changing Section 2 as follows:

Sec. 2. Authorized investments.

(a) Any public agency may invest any public funds as follows:

(1) in bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;

(2) in bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities;

(3) in interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;

(4) in short term obligations of corporations organized in the United States with assets exceeding $500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature not later than 270 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations and (iii) no more than one-third of the public agency's funds may be invested in short term obligations of corporations; or

(5) in money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.

(a-1) In addition to any other investments authorized under this Act, a municipality, park district, forest preserve district, conservation district, or a county may invest its public funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal...
corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality, park district, forest preserve district, conservation district, or county or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

(b) Investments may be made only in banks which are insured by the Federal Deposit Insurance Corporation. Any public agency may invest any public funds in short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of such governing authority, the public funds so invested will be required for expenditure by such public agency or its governing authority. The expressed judgment of any such governing authority as to the time when any public funds will be required for expenditure or be redeemable is final and conclusive. Any public agency may invest any public funds in dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

(c) For purposes of this Section, the term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.
(d) Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a public agency may do any of the following:

   (1) have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.
   (2) have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.
   (3) receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

(e) Any public agency may also invest any public funds in a Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

(f) To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and except where by specific statutory provisions such earnings are directed to be credited to and paid to a particular fund.

(g) A public agency may purchase or invest in repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued thereunder. The government securities, unless registered or inscribed in the name of the public agency, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

(h) Except for repurchase agreements of government securities which are subject to the Government Securities Act of 1986, as now or

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hereafter amended or succeeded, no public agency may purchase or invest in instruments which constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of any public agency unless the instrument and the transaction meet the following requirements:

(1) The securities, unless registered or inscribed in the name of the public agency, are purchased through banks or trust companies authorized to do business in the State of Illinois.

(2) An authorized public officer after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, which acts for the public agency in connection with repurchase agreements involving the investment of funds by the public agency. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements. To the extent the Treasurer acts in this capacity, he is hereby authorized to pass through to such public agencies any charges assessed by the Federal Reserve Bank.

(3) A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the public agency on the records of the custodial bank and the transaction must be confirmed in writing to the public agency by the custodial bank.

(4) Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.

(5) The security interest must be perfected.

(6) The public agency enters into a written master repurchase agreement which outlines the basic responsibilities and liabilities of both buyer and seller.

(7) Agreements shall be for periods of 330 days or less.

(8) The authorized public officer of the public agency informs the custodial bank in writing of the maturity details of the repurchase agreement.
(9) The custodial bank must take delivery of and maintain the securities in its custody for the account of the public agency and confirm the transaction in writing to the public agency. The Custodial Undertaking shall provide that the custodian takes possession of the securities exclusively for the public agency; that the securities are free of any claims against the trading partner; and any claims by the custodian are subordinate to the public agency’s claims to rights to those securities.

(10) The obligations purchased by a public agency may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the public agency or officer authorized to make such investments.

(11) The custodial bank shall be liable to the public agency for any monetary loss suffered by the public agency due to the failure of the custodial bank to take and maintain possession of such securities.

(i) Notwithstanding the foregoing restrictions on investment in instruments constituting repurchase agreements the Illinois Housing Development Authority may invest in, and any financial institution with capital of at least $250,000,000 may act as custodian for, instruments that constitute repurchase agreements, provided that the Illinois Housing Development Authority, in making each such investment, complies with the safety and soundness guidelines for engaging in repurchase transactions applicable to federally insured banks, savings banks, savings and loan associations or other depository institutions as set forth in the Federal Financial Institutions Examination Council Policy Statement Regarding Repurchase Agreements and any regulations issued, or which may be issued by the supervisory federal authority pertaining thereto and any amendments thereto; provided further that the securities shall be either (i) direct general obligations of, or obligations the payment of the principal of and/or interest on which are unconditionally guaranteed by, the United States of America or (ii) any obligations of any agency, corporation or subsidiary thereof controlled or supervised by and acting as an instrumentality of the United States Government pursuant to authority granted by the Congress of the United States and provided further that the security interest must be perfected by either the Illinois Housing Development Authority, its custodian or its agent receiving possession of
the securities either physically or transferred through a nationally
recognized book entry system.

(j) In addition to all other investments authorized under this
Section, a community college district may invest public funds in any
mutual funds that invest primarily in corporate investment grade or global
government short term bonds. Purchases of mutual funds that invest
primarily in global government short term bonds shall be limited to funds
with assets of at least $100 million and that are rated at the time of
purchase as one of the 10 highest classifications established by a
recognized rating service. The investments shall be subject to approval by
the local community college board of trustees. Each community college
board of trustees shall develop a policy regarding the percentage of the
college's investment portfolio that can be invested in such funds.

Nothing in this Section shall be construed to authorize an
intergovernmental risk management entity to accept the deposit of public
funds except for risk management purposes.

(Source: P.A. 96-741, eff. 8-25-09; 97-129, eff. 7-14-11.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0391
(House Bill No. 1375)

AN ACT concerning public employee retirement benefits.

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

Section 5. The Illinois Pension Code is amended by changing
Section 4-114 as follows:

(40 ILCS 5/4-114) (from Ch. 108 1/2, par. 4-114)

Sec. 4-114. Pension to survivors. If a firefighter who is not
receiving a disability pension under Section 4-110 or 4-110.1 dies (1) as a
result of any illness or accident, or (2) from any cause while in receipt of a
disability pension under this Article, or (3) during retirement after 20 years
service, or (4) while vested for or in receipt of a pension payable under
subsection (b) of Section 4-109, or (5) while a deferred pensioner, having
made all required contributions, a pension shall be paid to his or her

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survivors, based on the monthly salary attached to the firefighter's rank on
the last day of service in the fire department, as follows:

(a)(1) To the surviving spouse, a monthly pension of 40%
of the monthly salary, and if there is a surviving spouse, to the
guardian of any minor child or children including a child which has
been conceived but not yet born, 12% of such monthly salary for
each such child until attainment of age 18 or until the child's
marriage, whichever occurs first. Beginning July 1, 1993, the
monthly pension to the surviving spouse shall be 54% of the
monthly salary for all persons receiving a surviving spouse pension
under this Article, regardless of whether the deceased firefighter
was in service on or after the effective date of this amendatory Act
of 1993.

(2) Beginning July 1, 2004, unless the amount provided
under paragraph (1) of this subsection (a) is greater, the total
monthly pension payable under this paragraph (a), including any
amount payable on account of children, to the surviving spouse of
a firefighter who died (i) while receiving a retirement pension, (ii)
while he or she was a deferred pensioner with at least 20 years of
creditable service, or (iii) while he or she was in active service
having at least 20 years of creditable service, regardless of age,
shall be no less than 100% of the monthly retirement pension
earned by the deceased firefighter at the time of death, regardless
of whether death occurs before or after attainment of age 50,
including any increases under Section 4-109.1. This minimum
applies to all such surviving spouses who are eligible to receive a
surviving spouse pension, regardless of whether the deceased
firefighter was in service on or after the effective date of this
amendatory Act of the 93rd General Assembly, and
notwithstanding any limitation on maximum pension under
paragraph (d) or any other provision of this Article.

(3) If the pension paid on and after July 1, 2004 to the
surviving spouse of a firefighter who died on or after July 1, 2004
and before the effective date of this amendatory Act of the 93rd
General Assembly was less than the minimum pension payable
under paragraph (1) or (2) of this subsection (a), the fund shall pay
a lump sum equal to the difference within 90 days after the
effective date of this amendatory Act of the 93rd General
Assembly.

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The pension to the surviving spouse shall terminate in the event of the surviving spouse's remarriage prior to July 1, 1993; remarriage on or after that date does not affect the surviving spouse's pension, regardless of whether the deceased firefighter was in service on or after the effective date of this amendatory Act of 1993.

The surviving spouse's pension shall be subject to the minimum established in Section 4-109.2.

(b) Upon the death of the surviving spouse leaving one or more minor children, or upon the death of a firefighter leaving one or more minor children but no surviving spouse, to the duly appointed guardian of each such child, for support and maintenance of each such child until the child reaches age 18 or marries, whichever occurs first, a monthly pension of 20% of the monthly salary.

In a case where the deceased firefighter left one or more minor children but no surviving spouse and the guardian of a child is receiving a pension of 12% of the monthly salary on the effective date of this amendatory Act, the pension is increased by this amendatory Act to 20% of the monthly salary for each such child, beginning on the pension payment date occurring on or next following the effective date of this amendatory Act. The changes to this Section made by this amendatory Act of the 98th General Assembly apply without regard to whether the deceased firefighter was in service on or after the effective date of this amendatory Act.

(c) If a deceased firefighter leaves no surviving spouse or unmarried minor children under age 18, but leaves a dependent father or mother, to each dependent parent a monthly pension of 18% of the monthly salary. To qualify for the pension, a dependent parent must furnish satisfactory proof that the deceased firefighter was at the time of his or her death the sole support of the parent or that the parent was the deceased's dependent for federal income tax purposes.

(d) The total pension provided under paragraphs (a), (b) and (c) of this Section shall not exceed 75% of the monthly salary of the deceased firefighter (1) when paid to the survivor of a firefighter who has attained 20 or more years of service credit and who receives or is eligible to receive a retirement pension under this Article, or (2) when paid to the survivor of a firefighter who

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dies as a result of illness or accident, or (3) when paid to the survivor of a firefighter who dies from any cause while in receipt of a disability pension under this Article, or (4) when paid to the survivor of a deferred pensioner. For all other survivors of deceased firefighters, the total pension provided under paragraphs (a), (b) and (c) of this Section shall not exceed 50% of the retirement annuity the firefighter would have received on the date of death.

The maximum pension limitations in this paragraph (d) do not control over any contrary provision of this Article explicitly establishing a minimum amount of pension or granting a one-time or annual increase in pension.

(e) If a firefighter leaves no eligible survivors under paragraphs (a), (b) and (c), the board shall refund to the firefighter's estate the amount of his or her accumulated contributions, less the amount of pension payments, if any, made to the firefighter while living.

(f) (Blank).

(g) If a judgment of dissolution of marriage between a firefighter and spouse is judicially set aside subsequent to the firefighter's death, the surviving spouse is eligible for the pension provided in paragraph (a) only if the judicial proceedings are filed within 2 years after the date of the dissolution of marriage and within one year after the firefighter's death and the board is made a party to the proceedings. In such case the pension shall be payable only from the date of the court's order setting aside the judgment of dissolution of marriage.

(h) Benefits payable on account of a child under this Section shall not be reduced or terminated by reason of the child's attainment of age 18 if he or she is then dependent by reason of a physical or mental disability but shall continue to be paid as long as such dependency continues. Individuals over the age of 18 and adjudged as a disabled person pursuant to Article X1a of the Probate Act of 1975, except for persons receiving benefits under Article III of the Illinois Public Aid Code, shall be eligible to receive benefits under this Act.

(i) Beginning January 1, 2000, the pension of the surviving spouse of a firefighter who dies on or after January 1, 1994 as a result of sickness, accident, or injury incurred in or resulting from
the performance of an act of duty or from the cumulative effects of acts of duty shall not be less than 100% of the salary attached to the rank held by the deceased firefighter on the last day of service, notwithstanding subsection (d) or any other provision of this Article.

(j) Beginning July 1, 2004, the pension of the surviving spouse of a firefighter who dies on or after January 1, 1988 as a result of sickness, accident, or injury incurred in or resulting from the performance of an act of duty or from the cumulative effects of acts of duty shall not be less than 100% of the salary attached to the rank held by the deceased firefighter on the last day of service, notwithstanding subsection (d) or any other provision of this Article.

Notwithstanding any other provision of this Article, if a person who first becomes a firefighter under this Article on or after January 1, 2011 and who is not receiving a disability pension under Section 4-110 or 4-110.1 dies (1) as a result of any illness or accident, (2) from any cause while in receipt of a disability pension under this Article, (3) during retirement after 20 years service, (4) while vested for or in receipt of a pension payable under subsection (b) of Section 4-109, or (5) while a deferred pensioner, having made all required contributions, then a pension shall be paid to his or her survivors in the amount of 66 2/3% of the firefighter's earned pension at the date of death. Nothing in this Section shall act to diminish the survivor's benefits described in subsection (j) of this Section.

Notwithstanding any other provision of this Article, the monthly pension of a survivor of a person who first becomes a firefighter under this Article on or after January 1, 2011 shall be increased on the January 1 after attainment of age 60 by the recipient of the survivor's pension and each January 1 thereafter by 3% or one-half the annual unadjusted percentage increase in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's pension. If the annual unadjusted percentage change in the consumer price index-u for a 12-month period ending in September is zero or, when compared with the preceding period, decreases, then the survivor's pension shall not be increased.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods

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and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the pension funds.

(Source: P.A. 95-279, eff. 1-1-08; 96-1495, eff. 1-1-11.)

Section 90. The State Mandates Act is amended by adding Section 8.37 as follows:

(30 ILCS 805/8.37 new)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

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

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0392
(House Bill No. 1389)

AN ACT concerning local government.

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

Section 5. The Regional Transportation Authority Act is amended by changing Section 4.04 as follows:

(70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

Sec. 4.04. Issuance and Pledge of Bonds and Notes.

(a) The Authority shall have the continuing power to borrow money and to issue its negotiable bonds or notes as provided in this Section. Unless otherwise indicated in this Section, the term "notes" also includes bond anticipation notes, which are notes which by their terms provide for their payment from the proceeds of bonds thereafter to be issued. Bonds or notes of the Authority may be issued for any or all of the following purposes: to pay costs to the Authority or a Service Board of constructing or acquiring any public transportation facilities (including funds and rights relating thereto, as provided in Section 2.05 of this Act); to repay advances to the Authority or a Service Board made for such

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purposes; to pay other expenses of the Authority or a Service Board incident to or incurred in connection with such construction or acquisition; to provide funds for any transportation agency to pay principal of or interest or redemption premium on any bonds or notes, whether as such amounts become due or by earlier redemption, issued prior to the date of this amendatory Act by such transportation agency to construct or acquire public transportation facilities or to provide funds to purchase such bonds or notes; and to provide funds for any transportation agency to construct or acquire any public transportation facilities, to repay advances made for such purposes, and to pay other expenses incident to or incurred in connection with such construction or acquisition; and to provide funds for payment of obligations, including the funding of reserves, under any self-insurance plan or joint self-insurance pool or entity.

In addition to any other borrowing as may be authorized by this Section, the Authority may issue its notes, from time to time, in anticipation of tax receipts of the Authority or of other revenues or receipts of the Authority, in order to provide money for the Authority or the Service Boards to cover any cash flow deficit which the Authority or a Service Board anticipates incurring. Any such notes are referred to in this Section as "Working Cash Notes". No Working Cash Notes shall be issued for a term of longer than 24 months. Proceeds of Working Cash Notes may be used to pay day to day operating expenses of the Authority or the Service Boards, consisting of wages, salaries and fringe benefits, professional and technical services (including legal, audit, engineering and other consulting services), office rental, furniture, fixtures and equipment, insurance premiums, claims for self-insured amounts under insurance policies, public utility obligations for telephone, light, heat and similar items, travel expenses, office supplies, postage, dues, subscriptions, public hearings and information expenses, fuel purchases, and payments of grants and payments under purchase of service agreements for operations of transportation agencies, prior to the receipt by the Authority or a Service Board from time to time of funds for paying such expenses. In addition to any Working Cash Notes that the Board of the Authority may determine to issue, the Suburban Bus Board, the Commuter Rail Board or the Board of the Chicago Transit Authority may demand and direct that the Authority issue its Working Cash Notes in such amounts and having such maturities as the Service Board may determine.

Notwithstanding any other provision of this Act, any amounts necessary to pay principal of and interest on any Working Cash Notes...
issued at the demand and direction of a Service Board or any Working Cash Notes the proceeds of which were used for the direct benefit of a Service Board or any other Bonds or Notes of the Authority the proceeds of which were used for the direct benefit of a Service Board shall constitute a reduction of the amount of any other funds provided by the Authority to that Service Board. The Authority shall, after deducting any costs of issuance, tender the net proceeds of any Working Cash Notes issued at the demand and direction of a Service Board to such Service Board as soon as may be practicable after the proceeds are received. The Authority may also issue notes or bonds to pay, refund or redeem any of its notes and bonds, including to pay redemption premiums or accrued interest on such bonds or notes being renewed, paid or refunded, and other costs in connection therewith. The Authority may also utilize the proceeds of any such bonds or notes to pay the legal, financial, administrative and other expenses of such authorization, issuance, sale or delivery of bonds or notes or to provide or increase a debt service reserve fund with respect to any or all of its bonds or notes. The Authority may also issue and deliver its bonds or notes in exchange for any public transportation facilities, (including funds and rights relating thereto, as provided in Section 2.05 of this Act) or in exchange for outstanding bonds or notes of the Authority, including any accrued interest or redemption premium thereon, without advertising or submitting such notes or bonds for public bidding.

(b) The ordinance providing for the issuance of any such bonds or notes shall fix the date or dates of maturity, the dates on which interest is payable, any sinking fund account or reserve fund account provisions and all other details of such bonds or notes and may provide for such covenants or agreements necessary or desirable with regard to the issue, sale and security of such bonds or notes. The rate or rates of interest on its bonds or notes may be fixed or variable and the Authority shall determine or provide for the determination of the rate or rates of interest of its bonds or notes issued under this Act in an ordinance adopted by the Authority prior to the issuance thereof, none of which rates of interest shall exceed that permitted in the Bond Authorization Act. Interest may be payable at such times as are provided for by the Board. Bonds and notes issued under this Section may be issued as serial or term obligations, shall be of such denomination or denominations and form, including interest coupons to be attached thereto, be executed in such manner, shall be payable at such place or places and bear such date as the Authority shall fix by the ordinance authorizing such bond or note and shall mature at such time or

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times, within a period not to exceed forty years from the date of issue, and may be redeemable prior to maturity with or without premium, at the option of the Authority, upon such terms and conditions as the Authority shall fix by the ordinance authorizing the issuance of such bonds or notes. No bond anticipation note or any renewal thereof shall mature at any time or times exceeding 5 years from the date of the first issuance of such note. The Authority may provide for the registration of bonds or notes in the name of the owner as to the principal alone or as to both principal and interest, upon such terms and conditions as the Authority may determine. The ordinance authorizing bonds or notes may provide for the exchange of such bonds or notes which are fully registered, as to both principal and interest, with bonds or notes which are registerable as to principal only. All bonds or notes issued under this Section by the Authority other than those issued in exchange for property or for bonds or notes of the Authority shall be sold at a price which may be at a premium or discount but such that the interest cost (excluding any redemption premium) to the Authority of the proceeds of an issue of such bonds or notes, computed to stated maturity according to standard tables of bond values, shall not exceed that permitted in the Bond Authorization Act. The Authority shall notify the Governor's Office of Management and Budget and the State Comptroller at least 30 days before any bond sale and shall file with the Governor's Office of Management and Budget and the State Comptroller a certified copy of any ordinance authorizing the issuance of bonds at or before the issuance of the bonds. After December 31, 1994, any such bonds or notes shall be sold to the highest and best bidder on sealed bids as the Authority shall deem. As such bonds or notes are to be sold the Authority shall advertise for proposals to purchase the bonds or notes which advertisement shall be published at least once in a daily newspaper of general circulation published in the metropolitan region at least 10 days before the time set for the submission of bids. The Authority shall have the right to reject any or all bids. Notwithstanding any other provisions of this Section, Working Cash Notes or bonds or notes to provide funds for self-insurance or a joint self-insurance pool or entity may be sold either upon competitive bidding or by negotiated sale (without any requirement of publication of intention to negotiate the sale of such Notes), as the Board shall determine by ordinance adopted with the affirmative votes of at least 9 Directors. In case any officer whose signature appears on any bonds, notes or coupons authorized pursuant to this Section shall cease to be such officer before delivery of such bonds or notes, such signature shall

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nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery. Neither the Directors of the Authority nor any person executing any bonds or notes thereof shall be liable personally on any such bonds or notes or coupons by reason of the issuance thereof.

(c) All bonds or notes of the Authority issued pursuant to this Section shall be general obligations of the Authority to which shall be pledged the full faith and credit of the Authority, as provided in this Section. Such bonds or notes shall be secured as provided in the authorizing ordinance, which may, notwithstanding any other provision of this Act, include in addition to any other security, a specific pledge or assignment of and lien on or security interest in any or all tax receipts of the Authority and on any or all other revenues or moneys of the Authority from whatever source, which may by law be utilized for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by the ordinance of the Authority authorizing the issuance of such bonds or notes. Any such pledge, assignment, lien or security interest for the benefit of holders of bonds or notes of the Authority shall be valid and binding from the time the bonds or notes are issued without any physical delivery or further act and shall be valid and binding as against and prior to the claims of all other parties having claims of any kind against the Authority or any other person irrespective of whether such other parties have notice of such pledge, assignment, lien or security interest. The obligations of the Authority incurred pursuant to this Section shall be superior to and have priority over any other obligations of the Authority.

The Authority may provide in the ordinance authorizing the issuance of any bonds or notes issued pursuant to this Section for the creation of, deposits in, and regulation and disposition of sinking fund or reserve accounts relating to such bonds or notes. The ordinance authorizing the issuance of any bonds or notes pursuant to this Section may contain provisions as part of the contract with the holders of the bonds or notes, for the creation of a separate fund to provide for the payment of principal and interest on such bonds or notes and for the deposit in such fund from any or all the tax receipts of the Authority and from any or all such other moneys or revenues of the Authority from whatever source which may by law be utilized for debt service purposes, all as provided in such ordinance, of amounts to meet the debt service requirements on such bonds or notes, including principal and interest, and

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any sinking fund or reserve fund account requirements as may be provided
by such ordinance, and all expenses incident to or in connection with such
fund and accounts or the payment of such bonds or notes. Such ordinance
may also provide limitations on the issuance of additional bonds or notes
of the Authority. No such bonds or notes of the Authority shall constitute a
debt of the State of Illinois. Nothing in this Act shall be construed to
enable the Authority to impose any ad valorem tax on property.

(d) The ordinance of the Authority authorizing the issuance of any
bonds or notes may provide additional security for such bonds or notes by
providing for appointment of a corporate trustee (which may be any trust
company or bank having the powers of a trust company within the state)
with respect to such bonds or notes. The ordinance shall prescribe the
rights, duties and powers of the trustee to be exercised for the benefit of
the Authority and the protection of the holders of such bonds or notes. The
ordinance may provide for the trustee to hold in trust, invest and use
amounts in funds and accounts created as provided by the ordinance with
respect to the bonds or notes. The ordinance may provide for the
assignment and direct payment to the trustee of any or all amounts
produced from the sources provided in Section 4.03 and Section 4.09 of
this Act and provided in Section 6z-17 of "An Act in relation to State
finance", approved June 10, 1919, as amended. Upon receipt of notice of
any such assignment, the Department of Revenue and the Comptroller of
the State of Illinois shall thereafter, notwithstanding the provisions of
Section 4.03 and Section 4.09 of this Act and Section 6z-17 of "An Act in
relation to State finance", approved June 10, 1919, as amended, provide
for such assigned amounts to be paid directly to the trustee instead of the
Authority, all in accordance with the terms of the ordinance making the
assignment. The ordinance shall provide that amounts so paid to the
trustee which are not required to be deposited, held or invested in funds
and accounts created by the ordinance with respect to bonds or notes or
used for paying bonds or notes to be paid by the trustee to the Authority.

(e) Any bonds or notes of the Authority issued pursuant to this
Section shall constitute a contract between the Authority and the holders
from time to time of such bonds or notes. In issuing any bond or note, the
Authority may include in the ordinance authorizing such issue a covenant
as part of the contract with the holders of the bonds or notes, that as long
as such obligations are outstanding, it shall make such deposits, as
provided in paragraph (c) of this Section. It may also so covenant that it
shall impose and continue to impose taxes, as provided in Section 4.03 of
this Act and in addition thereto as subsequently authorized by law, sufficient to make such deposits and pay the principal and interest and to meet other debt service requirements of such bonds or notes as they become due. A certified copy of the ordinance authorizing the issuance of any such obligations shall be filed at or prior to the issuance of such obligations with the Comptroller of the State of Illinois and the Illinois Department of Revenue.

(f) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(g)(1) Except as provided in subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act, the Authority shall not at any time issue, sell or deliver any bonds or notes (other than Working Cash Notes) pursuant to this Section 4.04 which will cause it to have issued and outstanding at any time in excess of $800,000,000 of such bonds and notes (other than Working Cash Notes). The Authority shall not issue, sell, or deliver any Working Cash Notes pursuant to this Section that will cause it to have issued and outstanding at any time in excess of $100,000,000. However, the Authority may issue, sell, and deliver additional Working Cash Notes before July 1, 2016 that are over and above and in addition to the $100,000,000 authorization such that the outstanding amount of these additional Working Cash Notes does not exceed at any time $300,000,000. Bonds or notes which are being paid or retired by such issuance, sale or delivery of bonds or notes, and bonds or notes for which sufficient funds have been deposited with the paying agency of such bonds or notes to provide for payment of principal and interest thereon or to provide for the

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redemption thereof, all pursuant to the ordinance authorizing the issuance of such bonds or notes, shall not be considered to be outstanding for the purposes of this subsection.

(2) In addition to the authority provided by paragraphs (1) and (3), the Authority is authorized to issue, sell and deliver bonds or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$100,000,000 is authorized to be issued on or after January 1, 1990;

an additional $100,000,000 is authorized to be issued on or after January 1, 1991;

an additional $100,000,000 is authorized to be issued on or after January 1, 1992;

an additional $100,000,000 is authorized to be issued on or after January 1, 1993;

an additional $100,000,000 is authorized to be issued on or after January 1, 1994; and

the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects as of January 1, 1994, shall be $500,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement Projects under this subdivision (g)(2), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(3) In addition to the authority provided by paragraphs (1) and (2), the Authority is authorized to issue, sell, and deliver bonds or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$260,000,000 is authorized to be issued on or after January 1, 2000;

an additional $260,000,000 is authorized to be issued on or after January 1, 2001;

an additional $260,000,000 is authorized to be issued on or after January 1, 2002;

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an additional $260,000,000 is authorized to be issued on or after January 1, 2003;
an additional $260,000,000 is authorized to be issued on or after January 1, 2004; and
the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects pursuant to this paragraph (3) as of January 1, 2004 shall be $1,300,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement projects under this subdivision (g)(3), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(h) The Authority, subject to the terms of any agreements with noteholders or bond holders as may then exist, shall have power, out of any funds available therefor, to purchase notes or bonds of the Authority, which shall thereupon be cancelled.

(i) In addition to any other authority granted by law, the State Treasurer may, with the approval of the Governor, invest or reinvest, at a price not to exceed par, any State money in the State Treasury which is not needed for current expenditures due or about to become due in Working Cash Notes.

(Source: P.A. 96-906, eff. 6-7-10; 97-769, eff. 7-10-12.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by adding Section 12C-50.1 as follows:

(720 ILCS 5/12C-50.1 new)
Sec. 12C-50.1. Failure to report hazing.
(a) For purposes of this Section, "school official" includes any and all paid school administrators, teachers, counselors, support staff, and coaches and any and all volunteer coaches employed by a school, college, university, or other educational institution of this State.
(b) A school official commits failure to report hazing when:
   (1) while fulfilling his or her official responsibilities as a school official, he or she personally observes an act which is not sanctioned or authorized by that educational institution;
   (2) the act results in bodily harm to any person; and
   (3) the school official knowingly fails to report the act to supervising educational authorities or, in the event of death or great bodily harm, to law enforcement.
(c) Sentence. Failure to report hazing is a Class B misdemeanor. If the act which the person failed to report resulted in death or great bodily harm, the offense is a Class A misdemeanor.
(d) It is an affirmative defense to a charge of failure to report hazing under this Section that the person who personally observed the act had a reasonable apprehension that timely action to stop the act would result in the imminent infliction of death, great bodily harm, permanent disfigurement, or permanent disability to that person or another in retaliation for reporting.
(e) Nothing in this Section shall be construed to allow prosecution of a person who personally observes the act of hazing and assists with an investigation and any subsequent prosecution of the offender.
Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Sections 5-1 and 8-10 as follows:

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission shall be of the following classes:

(b) Distributor's license,
(c) Importing Distributor's license,
(d) Retailer's license,
(e) Special Event Retailer's license (not-for-profit),
(f) Railroad license,
(g) Boat license,
(h) Non-Beverage User's license,
(i) Wine-maker's premises license,
(j) Airplane license,
(k) Foreign importer's license,
(l) Broker's license,
(m) Non-resident dealer's license,
(n) Brew Pub license,
(o) Auction liquor license,
(p) Caterer retailer license,
(q) Special use permit license,
(r) Winery shipper's license.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to
persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors, retailers and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act.

Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

Class 5. A second class Wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 7. A second-class wine-maker's license shall allow the manufacture of between 50,000 and 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

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Class 9. A craft distiller license shall allow the manufacture of up to 30,000 gallons of spirits by distillation for one year after the effective date of this amendatory Act of the 97th General Assembly and up to 35,000 gallons of spirits by distillation per year thereafter and the storage of such spirits. If a craft distiller licensee is not affiliated with any other manufacturer, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act.

Any craft distiller licensed under this Act who on the effective date of this amendatory Act of the 96th General Assembly was licensed as a distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.

Class 10. A craft brewer's license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 465,000 gallons of beer per year. A craft brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor to licensed distributors or importing distributors and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for suspension or revocation of the registration. The State Commission shall post a list of registered agents on the Commission's website.

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(b) A distributor's license shall allow the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the preparation and bottling of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Nothing in this amendatory Act of the 95th General Assembly shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer, deliver, or ship alcoholic liquor to the purchaser for use or consumption subject to any applicable local law or ordinance. Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than $500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not

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for resale in any form and only at the location and on the specific dates
designated for the special event in the license. An applicant for a special
event retailer license must (i) furnish with the application: (A) a resale
number issued under Section 2c of the Retailers' Occupation Tax Act or
evidence that the applicant is registered under Section 2a of the Retailers' 
Occupation Tax Act, (B) a current, valid exemption identification number
issued under Section 1g of the Retailers' Occupation Tax Act, and a
certification to the Commission that the purchase of alcoholic liquors will
be a tax-exempt purchase, or (C) a statement that the applicant is not
registered under Section 2a of the Retailers' Occupation Tax Act, does not
hold a resale number under Section 2c of the Retailers' Occupation Tax
Act, and does not hold an exemption number under Section 1g of the
Retailers' Occupation Tax Act, in which event the Commission shall set
forth on the special event retailer's license a statement to that effect; (ii)
submit with the application proof satisfactory to the State Commission that
the applicant will provide dram shop liability insurance in the maximum
limits; and (iii) show proof satisfactory to the State Commission that the
applicant has obtained local authority approval.

(f) A railroad license shall permit the licensee to import alcoholic
liquors into this State from any point in the United States outside this State
and to store such alcoholic liquors in this State; to make wholesale
purchases of alcoholic liquors directly from manufacturers, foreign
importers, distributors and importing distributors from within or outside
this State; and to store such alcoholic liquors in this State; provided that
the above powers may be exercised only in connection with the
importation, purchase or storage of alcoholic liquors to be sold or
dispensed on a club, buffet, lounge or dining car operated on an electric,
gas or steam railway in this State; and provided further, that railroad
licensees exercising the above powers shall be subject to all provisions of
Article VIII of this Act as applied to importing distributors. A railroad
license shall also permit the licensee to sell or dispense alcoholic liquors
on any club, buffet, lounge or dining car operated on an electric, gas or
steam railway regularly operated by a common carrier in this State, but
shall not permit the sale for resale of any alcoholic liquors to any licensee
within this State. A license shall be obtained for each car in which such
sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in
individual drinks, on any passenger boat regularly operated as a common
carrier on navigable waters in this State or on any riverboat operated under

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the Riverboat Gambling Act, which boat or riverboat maintains a public
dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing
distributor, without the imposition of any tax upon the business of such licensed manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:

Class 1, not to exceed ......................... 500 gallons
Class 2, not to exceed ....................... 1,000 gallons
Class 3, not to exceed ....................... 5,000 gallons
Class 4, not to exceed ....................... 10,000 gallons
Class 5, not to exceed ....................... 50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

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(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

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No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits, or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the non-resident dealer shall
comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(n) A brew pub license shall allow the licensee (i) to manufacture beer only on the premises specified in the license, (ii) to make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is substantially owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) to store the beer upon the premises, and (iv) to sell and offer for sale at retail from the licensed premises, provided that a brew pub licensee shall not sell for off-premises consumption more than 50,000 gallons per year. A person who holds a brew pub license may simultaneously hold a craft brewer license if he or she otherwise qualifies for the craft brewer license and the craft brewer license is for a location separate from the brew pub's licensed premises. A brew pub license shall permit a person who has received prior approval from the Commission to annually transfer no more than a total of 50,000 gallons of beer manufactured on premises to all other licensed brew pubs that are substantially owned and operated by the same person.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12 month period. An applicant for the special use permit license must also submit with the
application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with this amendatory Act.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under

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this subsection (r) must comply with the requirements of Section 6-29 of this amendatory Act.
(Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13.)

(235 ILCS 5/8-10) (from Ch. 43, par. 164)

Sec. 8-10. It is the duty of each manufacturer, importing distributor and foreign importer to keep, at his licensed address or place of business, complete and accurate records of all sales or other dispositions of alcoholic liquor, and complete and accurate records of all alcoholic liquor produced, manufactured, compounded or imported, whether for himself or for another, together with a physical inventory made as of the close of each period for which a return is required, covering all alcoholic liquors on hand. However, the Department of Revenue may grant an importing distributor a waiver to permit such records to be kept at a central business location within the State upon written request by the importing distributor. The central business location shall be located at a licensed importing distributor's premises. The Department of Revenue may in its discretion prescribe reasonable and uniform methods for keeping such records by manufacturers and importing distributors and foreign importers.

In case of failure by manufacturers and importing distributors to keep such records or to make them available to the Department on demand, the Department shall determine the amount of tax due according to its best judgment and information, which amount so determined by the Department shall be prima facie correct, and the Department's notice of tax liability shall be given, and protest thereto and demand for a hearing may be made and final assessments arrived at, in accordance with the provisions of Section 8-5 hereof.

It is the duty of each manufacturer, importing distributor and foreign importer, who imports alcoholic liquor into the State, and each non-resident dealer who ships alcoholic liquor into the State, to mail to the Department one duplicate invoice, together with a bill of lading, covering such shipment and stating the quantity and, except in the case of alcoholic liquor imported in bulk to be bottled by an authorized licensee in this State using his own label and brand, the invoice shall also state the brand, labels and size of containers.

It is the duty of each manufacturer, importing distributor and foreign importer, who imports spirits into the State, and each non-resident dealer who ships spirits into the State, to mail to the State Commission monthly a report containing a compilation of the information required to

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be furnished to the Department by the preceding paragraph, except that information concerning spirits imported in bulk need not be included. The report shall include all information mailed to the Department during the preceding month.

All books and records, which manufacturers, importing distributors, non-resident dealers and foreign importers are required by this Section to keep, shall be preserved for a period of 3 years, unless the Department, in writing, authorizes their destruction or disposal at an earlier date.

(Source: P.A. 86-654.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLICATION ACT 98-0395
(House Bill No. 1529)

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

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Illinois Sheriffs' Association Scholarship and Training Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Retired Law Enforcement license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Retired Law Enforcement license plates to residents of Illinois who meet eligibility requirements prescribed by the Secretary of State. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this

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Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Sheriffs' Association Scholarship and Training Fund is created as a special fund in the State treasury. All money in the Illinois Sheriffs' Association Scholarship and Training Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Sheriffs' Association, for scholarships obtained in a competitive process to attend the Illinois Teen Institute or an accredited college or university, for programs designed to benefit the elderly and teens, and for law enforcement training.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.
Sec. 11-203. Obedience to police officers. No person shall wilfully fail or refuse to comply with any lawful order or direction of any police officer, fireman, person authorized by a local authority to direct traffic, or school crossing guard invested by law with authority to direct, control, or regulate traffic. Any person convicted of violating this Section is guilty of a petty offense and shall be subject to a mandatory fine of $150.
(Source: P.A. 90-749, eff. 1-1-99.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)
Sec. 11-208. Powers of local authorities.
(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:
1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;
2. Regulating traffic by means of police officers or traffic control signals;
3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
7. Restricting the use of highways as authorized in Chapter 15;
8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;
9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
10. Altering the speed limits as authorized in Section 11-604;

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11. Prohibiting U-turns;
12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;
13. Prohibiting parking during snow removal operation;
14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;
15. Adopting such other traffic regulations as are specifically authorized by this Code; or
16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution.
on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(Source: P.A. 96-478, eff. 1-1-10; 96-1256, eff. 1-1-11; 97-29, eff. 1-1-12; 97-672, eff. 7-1-12.)

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0397

(House Bill No. 1544)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-300 and 605-320 as follows:

(20 ILCS 605/605-300) (was 20 ILCS 605/46.2)
Sec. 605-300. Economic and business development plans; Illinois Business Development Council.

(a) Economic development plans. The Department shall develop a strategic economic development plan for the State by July 1, 2014. By no later than July 1, 2015, and by July 1 annually thereafter, the Department shall make modifications to the plan as modifications are warranted by changes in economic conditions or by other factors, including changes in...
policy. In addition to the annual modification, the plan shall be reviewed and redeveloped in full every 5 years. In the development of the annual economic development plan, the Department shall consult with representatives of the private sector, other State agencies, academic institutions, local economic development organizations, local governments, and not-for-profit organizations. The annual economic development plan shall set specific, measurable, attainable, relevant, and time-sensitive goals and shall include a focus on areas of high unemployment or poverty.

The term "economic development" shall be construed broadly by the Department and may include, but is not limited to, job creation, job retention, tax base enhancements, development of human capital, workforce productivity, critical infrastructure, regional competitiveness, social inclusion, standard of living, environmental sustainability, energy independence, quality of life, the effective use of financial incentives, the utilization of public private partnerships where appropriate, and other metrics determined by the Department.

The plan shall be based on relevant economic data, focus on economic development as prescribed by this Section, and emphasize strategies to retain and create jobs.

The plan shall identify and develop specific strategies for utilizing the assets of regions within the State defined as counties and municipalities or other political subdivisions in close geographical proximity that share common economic traits such as commuting zones, labor market areas, or other economically integrated characteristics.

If the plan includes strategies that have a fiscal impact on the Department or any other agency, the plan shall include a detailed description of the estimated fiscal impact of such strategies.

Prior to publishing the plan in its final form, the Department shall allow for a reasonable time for public input.

The Department shall transmit copies of the economic development plan to the Governor and the General Assembly no later than July 1, 2014, and by July 1 annually thereafter. The plan and its corresponding modifications shall be published and made available to the public in both paper and electronic media, on the Department's website, and by any other method that the Department deems appropriate.

The Department shall annually submit legislation to implement the strategic economic development plan or modifications to the strategic economic development plan to the Governor, the President and Minority

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Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives. The legislation shall be in the form of one or more substantive bills drafted by the Legislative Reference Bureau.

(b) Business development plans; Illinois Business Development Council.

(1) There is created the Illinois Business Development Council, hereinafter referred to as the Council. The Council shall consist of the Director, who shall serve as co-chairperson, and 12 voting members who shall be appointed by the Governor with the advice and consent of the Senate.

(A) The voting members of the council shall include one representative from each of the following businesses and groups: small business, coal, healthcare, large manufacturing, small or specialized manufacturing, agriculture, high technology or applied science, local economic development entities, private sector organized labor, a local or state business association or chamber of commerce.

(B) There shall be 2 at-large voting members who reside within areas of high unemployment within counties or municipalities that have had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate as reported by the Department of Employment Security for the 5 years preceding the date of appointment.

(2) All appointments shall be made in a geographically diverse manner.

(3) For the initial appointments to the Council, 6 voting members shall be appointed to serve a 2-year term and 6 voting members shall be appointed to serve a 4-year term. Thereafter, all appointments shall be for terms of 4 years. The initial term of voting members shall commence on the first Wednesday in February 2014. Thereafter, the terms of voting members shall commence on the first Wednesday in February, except in the case of an appointment to fill a vacancy. Vacancies occurring among the members shall be filled in the same manner as the original appointment for the remainder of the unexpired term. For a vacancy occurring when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the

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Senate when a person shall be nominated to fill the office, and, upon confirmation by the Senate, he or she shall hold office during the remainder of the term. A vacancy in membership does not impair the ability of a quorum to exercise all rights and perform all duties of the Council. A member is eligible for reappointment.

(4) Members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties from funds appropriated for that purpose.

(5) In addition, the following shall serve as ex officio, non-voting members of the Council in order to provide specialized advice and support to the Council: the Secretary of Transportation, or his or her designee; the Director of Employment Security, or his or her designee; the Executive Director of the Illinois Finance Authority, or his or her designee; the Director of Agriculture, or his or her designee; the Director of Revenue, or his or her designee; the Director of Labor, or his or her designee; and the Director of the Environmental Protection Agency, or his or her designee. Ex-officio members shall provide staff and technical assistance to the Council when appropriate.

(6) In addition to the Director, the voting members shall elect a co-chairperson.

(7) The Council shall meet at least twice annually and at such other times as the co-chairpersons or any 5 voting members consider necessary. Seven voting members shall constitute a quorum of the Council.

(8) The Department shall provide staff assistance to the Council.

(9) The Council shall provide the Department relevant information in a timely manner pursuant to its duties as enumerated in this Section that can be used by the Department to enhance the State’s strategic economic development plan.

(10) The Council shall:

(A) Develop an overall strategic business development plan for the State of Illinois and update the plan at least annually.

(B) Develop business marketing plans for the State of Illinois to effectively solicit new company investment and existing business expansion. Insofar as allowed under the Illinois Procurement Code, and subject to appropriations

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made by the General Assembly for such purposes, the Council may assist the Department in the procurement of outside vendors to carry out such marketing plans.

(C) Seek input from local economic development officials to develop specific strategies to effectively link State and local business development and marketing efforts focusing on areas of high unemployment or poverty.

(D) Provide the Department with advice on strategic business development and business marketing for the State of Illinois.

(E) Provide the Department research and recommend best practices for developing investment tools for business attraction and retention. To formulate plans for the economic development of the State of Illinois.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 605/605-320) (was 20 ILCS 605/46.5)

Sec. 605-320. Encouragement of existing industries. To encourage the growth and expansion of industries now existing within the State by providing comprehensive business services and promoting interdepartmental cooperation for assistance to industries.

As a condition of any financial incentives provided by the Department in the form of (1) tax credits and tax exemptions (other than given under tax increment financing) given as an incentive to a recipient business organization pursuant to an initial certification or an initial designation made by the Department under the Economic Development for a Growing Economy Tax Credit Act, River Edge Redevelopment Zone Act, and the Illinois Enterprise Zone Act, including the High Impact Business program, (2) grants or loans given to a recipient as an incentive to a business organization pursuant to the River Edge Redevelopment Zone Act, Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program, the Department shall require the recipient of such financial incentives to report at least quarterly the number of jobs to be created or retained, or both created and retained, by the recipient as a result of the financial incentives, including the number of full-time, permanent jobs, the number of part-time jobs, and the number of temporary jobs. Further, the recipient of such financial incentives shall provide the Department at least annually a detailed list of the occupation or job classifications and number of new employees or retained employees to be hired in full-time, permanent jobs,
a schedule of anticipated starting dates of the new hires and the actual average wage by occupation or job classification and total payroll to be created as a result of the financial incentives.
(Source: P.A. 91-239, eff. 1-1-00.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0398
(House Bill No. 1545)

AN ACT concerning insurance.

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

Section 5. The Title Insurance Act is amended by changing Sections 16 and 21 as follows:

(215 ILCS 155/16) (from Ch. 73, par. 1416)
Sec. 16. Title insurance agents.
(a) No person, firm, partnership, association, corporation or other legal entity shall act as or hold itself out to be a title insurance agent unless duly registered by a title insurance company with the Secretary.
(b) Each application for registration shall be made on a form specified by the Secretary and prepared in duplicate by each title insurance company which the agent represents. The title insurance company shall retain the copy of the application and forward the original to the Secretary with the appropriate fee.
(c) Every applicant for registration, except a firm, partnership, association, limited liability company, or corporation, must be 18 years or more of age. Included in every application for registration of a title insurance agent, including a firm, partnership, association, limited liability company, or corporation, shall be an affidavit of the applicant title insurance agent, signed and notarized in front of a notary public, affirming that the applicant and every owner, officer, director, principal, member, or manager of the applicant has never been convicted or pled guilty to any felony or misdemeanor involving a crime of theft or dishonesty. No person who has had a conviction or pled guilty to any felony or misdemeanor involving theft or dishonesty may be registered by

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(a) Title insurance companies shall not make a title insurance agent without a separate written notification to the Secretary disclosing the conviction or plea, and no such person may serve as an owner, officer, director, principal, or manager of any registered title insurance agent without the written permission of the Secretary.

(d) Registration shall be made annually by a filing with the Secretary; supplemental registrations for new title insurance agents to be added between annual filings shall be made from time to time in the manner provided by the Secretary; registrations shall remain in effect unless revoked or suspended by the Secretary or voluntarily withdrawn by the registrant or the title insurance company.

(e) Funds deposited in connection with any escrows, settlements, or closings shall be deposited in a separate fiduciary trust account or accounts in a bank or other financial institution insured by an agency of the federal government unless the instructions provide otherwise. The funds shall be the property of the person or persons entitled thereto under the provisions of the escrow, settlement, or closing and shall be segregated by escrow, settlement, or closing in the records of the escrow agent. The funds shall not be subject to any debts of the escrowee and shall be used only in accordance with the terms of the individual escrow, settlement, or closing under which the funds were accepted.

Interest received on funds deposited with the escrow agent in connection with any escrow, settlement, or closing shall be paid to the depositing party unless the instructions provide otherwise.

The escrow agent shall maintain separate records of all receipts and disbursements of escrow, settlement, or closing funds.

The escrow agent shall comply with any rules adopted by the Secretary pertaining to escrow, settlement, or closing transactions.

(f) A title insurance agent shall not act as an escrow agent in a nonresidential real property transaction where the amount of settlement funds on deposit with the escrow agent is less than $2,000,000 or in a residential real property transaction unless the title insurance agent, title insurance company, or another authorized title insurance agent has committed for the issuance of title insurance in that transaction and the title insurance agent is authorized to act as an escrow agent on behalf of the title insurance company for which the commitment for title insurance has been issued. The authorization under the preceding sentence shall be given either (1) by an agency contract with the title insurance company which contract, in compliance with the requirements set forth in subsection (g) of this Section, authorizes the title insurance agent to act as

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an escrow agent on behalf of the title insurance company or (2) by a closing protection letter in compliance with the requirements set forth in Section 16.1 of this Act, issued by the title insurance company to the seller, buyer, borrower, and lender. A closing protection letter shall not be issued by a title insurance agent. The provisions of this subsection (f) shall not apply to the authority of a title insurance agent to act as an escrow agent under subsection (g) of Section 17 of this Act.

(g) If an agency contract between the title insurance company and the title insurance agent is the source of the authority under subsection (f) of this Section for a title insurance agent to act as escrow agent for a real property transaction, then the agency contract shall provide for no less protection from the title insurance company to all parties to the real property transaction than the title insurance company would have provided to those parties had the title insurance company issued a closing protection letter in conformity with Section 16.1 of this Act.

(h) A title insurance company shall be liable for the acts or omissions of its title insurance agent as an escrow agent if the title insurance company has authorized the title insurance agent under subsections (f) and (g) of this Section 16 and only to the extent of the liability undertaken by the title insurance company in the agency agreement or closing protection letter. The liability, if any, of the title insurance agent to the title insurance company for acts and omissions of the title insurance agent as an escrow agent shall not be limited or otherwise modified because the title insurance company has provided closing protection to a party or parties to a real property transaction escrow, settlement, or closing. The escrow agent shall not charge a fee for protection provided by a title insurance company to parties to real property transactions under subsections (f) and (g) of this Section 16 and Section 16.1, but shall collect from the parties the fee charged by the title insurance company and shall promptly remit the fee to the title insurance company. The title insurance company may charge the parties a reasonable fee for protection provided pursuant to subsections (f) and (g) of this Section 16 and Section 16.1 and shall not pay any portion of the fee to the escrow agent. The payment of any portion of the fee to the escrow agent by the title insurance company, shall be deemed a prohibited inducement or compensation in violation of Section 24 of this Act.

(i) The Secretary shall adopt and amend such rules as may be required for the proper administration and enforcement of this Section 16
consistent with the federal Real Estate Settlement Procedures Act and Section 24 of this Act.
(Source: P.A. 96-1454, eff. 1-1-11.)
(215 ILCS 155/21) (from Ch. 73, par. 1421)
Sec. 21. Regulatory action.
(a) The Secretary may refuse to grant, and may suspend or revoke, any certificate of authority, registration, or license issued pursuant to this Act or may impose a fine for a violation of this Act if he determines that the holder of or applicant for such certificate, registration or license:
(1) has intentionally made a material misstatement or fraudulent misrepresentation in relation to a matter covered by this Act;
(2) has misappropriated or tortiously converted to its own use, or illegally withheld, monies held in a fiduciary capacity;
(3) has demonstrated untrustworthiness or incompetency in transacting the business of guaranteeing titles to real estate in such a manner as to endanger the public;
(4) has materially misrepresented the terms or conditions of contracts or agreements to which it is a party;
(5) has paid any commissions, discounts or any part of its premiums, fees or other charges to any person in violation of any State or federal law or regulations or opinion letters issued under the federal Real Estate Settlement Procedures Act of 1974;
(6) has failed to comply with the deposit and reserve requirements of this Act or any other requirements of this Act;
(7) has committed fraud or misrepresentation in applying for or procuring any certificate of authority, registration, or license issued pursuant to this Act;
(8) has a conviction or plea of guilty or plea of nolo contendere in this State or any other jurisdiction to (i) any felony or (ii) a misdemeanor, an essential element of which is dishonesty or fraud or larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game;
(9) has been disciplined by another state, the District of Columbia, a territory, foreign nation, a governmental agency, or any entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or equivalent to one of the grounds for which a title insurance company, title insurance agent, or independent escrowee may be disciplined under this Act

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or if at least one of the grounds for that discipline involves dishonesty; a certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof;

(10) has advertising that is inaccurate, misleading, or contrary to the provisions of this Act;

(11) has knowingly and willfully made any substantial misrepresentation or untruthful advertising;

(12) has made any false promises of a character likely to influence, persuade, or induce;

(13) has knowingly failed to account for or remit any money or documents coming into the possession of a title insurance company, title insurance agent, or independent escrowee that belong to others;

(14) has engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(15) has violated the terms of a disciplinary order issued by the Department;

(16) has disregarded or violated any provision of this Act or the published rules adopted by the Department to enforce this Act or has aided or abetted any individual, partnership, registered limited liability partnership, limited liability company, or corporation in disregarding any provision of this Act or the published rules; or

(17) has acted as a title insurance company, title insurance agent, or independent escrowee without a certificate of authority, registration, or license after the title insurance company, title insurance agent, or independent escrowee's certificate of authority, registration, or license was inoperative.

(b) In every case where a registration or certificate is suspended or revoked, or an application for a registration or certificate or renewal thereof is refused, the Secretary shall serve notice of his action, including a statement of the reasons for his action, as provided by this Act. When a notice of suspension or revocation of a certificate of authority is given to a title insurance company, the Secretary shall also notify all the registered agents of that title insurance company of the Secretary's action.

(c) In the case of a refusal to issue or renew a certificate or accept a registration, the applicant or registrant may request in writing, within 30 days after the date of service, a hearing. In the case of a refusal to renew,

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the expiring registration or certificate shall be deemed to continue in force until 30 days after the service of the notice of refusal to renew, or if a hearing is requested during that period, until a final order is entered pursuant to such hearing.

(d) The suspension or revocation of a registration or certificate shall take effect upon service of notice thereof. The holder of any such suspended registration or certificate may request in writing, within 30 days of such service, a hearing.

(e) In cases of suspension or revocation of registration pursuant to subsection (a), the Secretary may, in the public interest, issue an order of suspension or revocation which shall take effect upon service of notification thereof. Such order shall become final 60 days from the date of service unless the registrant requests in writing, within such 60 days, a formal hearing thereon. In the event a hearing is requested, the order shall remain temporary until a final order is entered pursuant to such hearing.

(f) Hearing shall be held at such time and place as may be designated by the Secretary either in the City of Springfield, the City of Chicago, or in the county in which the principal business office of the affected registrant or certificate holder is located.

(g) The suspension or revocation of a registration or certificate or the refusal to issue or renew a registration or certificate shall not in any way limit or terminate the responsibilities of any registrant or certificate holder arising under any policy or contract of title insurance to which it is a party. No new contract or policy of title insurance may be issued, nor may any existing policy or contract to title insurance be renewed by any registrant or certificate holder during any period of suspension or revocation of a registration or certificate.

(h) The Secretary may issue a cease and desist order to a title insurance company, agent, or other entity doing business without the required license or registration, when in the opinion of the Secretary, the company, agent, or other entity is violating or is about to violate any provision of this Act or any law or of any rule or condition imposed in writing by the Department.

The Secretary may issue the cease and desist order without notice and before a hearing.

The Secretary shall have the authority to prescribe rules for the administration of this Section.

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If it is determined that the Secretary had the authority to issue the cease and desist order, he may issue such orders as may be reasonably necessary to correct, eliminate or remedy such conduct.

Any person or company subject to an order pursuant to this Section is entitled to judicial review of the order in accordance with the provisions of the Administrative Review Law.

The powers vested in the Secretary by this Section are additional to any and all other powers and remedies vested in the Secretary by law, and nothing in this Section shall be construed as requiring that the Secretary shall employ the powers conferred in this Section instead of or as a condition precedent to the exercise of any other power or remedy vested in the Secretary.

(Source: P.A. 94-893, eff. 6-20-06.)

Section 99. Effective date. This Act takes effect January 1, 2014.

Passed in the General Assembly May 21, 2013.

Approved August 16, 2013.

Effective January 1, 2014.

AN ACT concerning criminal law.

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

Section 5. The Criminal Identification Act is amended by changing Sections 5.2 and 13 as follows:

(20 ILCS 2630/5.2)

Sec. 5.2. Expungement and sealing.

(a) General Provisions.

(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.

(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:

(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),

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(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating

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to arrests or charges, or both, ordered expunged shall be
impounded as required by subsections (d)(9)(A)(ii) and
(d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means
the sentence, order of supervision, or order of qualified
probation (as defined by subsection (a)(1)(J)), for a criminal
offense (as defined by subsection (a)(1)(D)) that terminates
last in time in any jurisdiction, regardless of whether the
petitioner has included the criminal offense for which the
sentence or order of supervision or qualified probation was
imposed in his or her petition. If multiple sentences, orders
of supervision, or orders of qualified probation terminate on
the same day and are last in time, they shall be collectively
considered the "last sentence" regardless of whether they
were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense,
business offense, or Class C misdemeanor under the Illinois
Vehicle Code or a similar provision of a municipal or local
ordinance.

(H) "Municipal ordinance violation" means an
offense defined by a municipal or local ordinance that is
criminal in nature and with which the petitioner was
charged or for which the petitioner was arrested and
released without charging.

(I) "Petitioner" means an adult or a minor
prosecuted as an adult who has applied for relief under this
Section.

(J) "Qualified probation" means an order of
probation under Section 10 of the Cannabis Control Act,
Section 410 of the Illinois Controlled Substances Act,
Section 70 of the Methamphetamine Control and
Community Protection Act, Section 5-6-3.3 of the Unified
Code of Corrections, Section 12-4.3(b)(1) and (2) of the
Criminal Code of 1961 (as those provisions existed before
their deletion by Public Act 89-313), Section 10-102 of the
Illinois Alcoholism and Other Drug Dependency Act,
Section 40-10 of the Alcoholism and Other Drug Abuse
and Dependency Act, or Section 10 of the Steroid Control
Act. For the purpose of this Section, "successful
"completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (e), and (e-5), and (e-6) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching
the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another

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charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a Class 4 felony offense listed in subsection (c)(2)(F) or the charge is amended to a Class 4 felony offense listed in subsection (c)(2)(F). Records of arrests which result in the petitioner being charged with a Class 4 felony offense listed in subsection (c)(2)(F), records of charges not initiated by arrest for Class 4 felony offenses listed in subsection (c)(2)(F), and records of charges amended to a Class 4 felony offense listed in (c)(2)(F) may be sealed, regardless of the disposition, subject to any waiting periods set forth in subsection (c)(3);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and
such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.

   (A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

   (B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

       (i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

       (i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

       (ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified...
probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the

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records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court shall enter an expungement order as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);

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(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in Class 4 felony convictions for the following offenses:

(i) Section 11-14 of the Criminal Code of 1961;
(ii) Section 4 of the Cannabis Control Act;
(iii) Section 402 of the Illinois Controlled Substances Act;
(iv) the Methamphetamine Precursor Control Act; and
(v) the Steroid Control Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).
(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), and (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days

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before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to seal felony records pursuant to clause (c)(2)(E), (c)(2)(F)(ii)-(v), or (e-5) or if he or she is petitioning to expunge felony records of a qualified probation pursuant to clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e), (e-5), or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.
   (A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.
   (B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.
   (A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).
   (B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing, and shall hear evidence on whether the petition should

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or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Effect of order.

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a
motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

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(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records the court, the Department, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act
to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. The petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the

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Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section

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16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State’s Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 96-1532, eff. 1-1-12; 96-1551, Article 1, Section 905, eff. 7-1-11; 96-1551, Article 2, Section 925, eff. 7-1-11; 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; revised 9-20-12.)

(20 ILCS 2630/13)

Sec. 13. Retention and release of sealed records.

(a) The Department of State Police shall retain records sealed under subsection (c) or (e-5) of Section 5.2 or impounded under subparagraph (B) or (B-5) of paragraph (9) of subsection (d) of Section 5.2 and shall release them only as authorized by this Act. Felony records sealed under subsection (c) or (e-5) of Section 5.2 or impounded under subparagraph (B) or (B-5) of paragraph (9) of subsection (d) of Section 5.2 shall be used and disseminated by the Department only as otherwise specifically required or authorized by a federal or State law, rule, or regulation that requires inquiry into and release of criminal records,
including, but not limited to, subsection (A) of Section 3 of this Act. However, all requests for records that have been expunged, sealed, and impounded and the use of those records are subject to the provisions of Section 2-103 of the Illinois Human Rights Act. Upon conviction for any offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual.

(b) Notwithstanding the foregoing, all sealed or impounded records are subject to inspection and use by the court and inspection and use by law enforcement agencies and State's Attorneys or other prosecutors in carrying out the duties of their offices.

(c) The sealed or impounded records maintained under subsection (a) are exempt from disclosure under the Freedom of Information Act.

(d) The Department of State Police shall commence the sealing of records of felony arrests and felony convictions pursuant to the provisions of subsection (c) of Section 5.2 of this Act no later than one year from the date that funds have been made available for purposes of establishing the technologies necessary to implement the changes made by this amendatory Act of the 93rd General Assembly.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 97-1026, eff. 1-1-13; 97-1120, eff. 1-1-13; revised 9-20-12.)

Section 10. The Unified Code of Corrections is amended by changing Section 3-3-2 as follows:

(730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

Sec. 3-3-2. Powers and Duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977, the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior
to this amendatory Act of 1977; provided that the decision to parole the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(4) hear by at least 1 member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or

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to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V; and

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged
violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961;
(ii) aggravated assault;
(iii) aggravated battery;
(iv) domestic battery;
(v) aggravated domestic battery;
(vi) violation of an order of protection;
(vii) an offense under the Criminal Code of 1961 involving a firearm;
(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;
(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; or
(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.
The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life; and:

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;

(ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012 involving a firearm; or

(iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or

(B) if the person has not served in the United States Armed Forces or National Guard of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate,
the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his parole or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the
same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 96-875, eff. 1-22-10; 97-697, eff. 6-22-12; 97-1120, eff. 1-1-13; revised 9-20-12.)

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

Passed in the General Assembly May 21, 2013
Approved August 16, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Illinois Credit Union Act is amended by changing Section 8 as follows:

Sec. 8. Secretary's powers and duties. Credit unions are regulated by the Department. The Secretary in executing the powers and discharging the duties vested by law in the Department has the following powers and duties:

(1) To exercise the rights, powers and duties set forth in this Act or any related Act. The Director shall oversee the functions of the Division and report to the Secretary, with respect to the Director's exercise of any of the rights, powers, and duties vested by law in the Secretary under this Act. All references in this Act to the Secretary shall be deemed to include the Director, as a person authorized by the Secretary or this Act to assume responsibility for the oversight of the functions of the Department relating to the regulatory supervision of credit unions under this Act.

(2) To prescribe rules and regulations for the administration of this Act. The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and incorporated herein as though a part of this Act, and shall apply to all administrative rules and procedures of the Department under this Act.

(3) To direct and supervise all the administrative and technical activities of the Department including the employment of a Credit Union Supervisor who shall have knowledge in the theory and practice of, or experience in, the operations or supervision of financial institutions, preferably credit unions, and such other persons as are necessary to carry out his functions. The Secretary shall ensure that all examiners appointed or assigned to examine the affairs of State-chartered credit unions possess the necessary training and continuing education to effectively execute their jobs.

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(4) To issue cease and desist orders when in the opinion of the Secretary, a credit union is engaged or has engaged, or the Secretary has reasonable cause to believe the credit union is about to engage, in an unsafe or unsound practice, or is violating or has violated or the Secretary has reasonable cause to believe is about to violate a law, rule or regulation or any condition imposed in writing by the Department.

(5) To suspend from office and to prohibit from further participation in any manner in the conduct of the affairs of his credit union any director, officer or committee member who has committed any violation of a law, rule, regulation or of a cease and desist order or who has engaged or participated in any unsafe or unsound practice in connection with the credit union or who has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director, officer or committee member, when the Secretary has determined that such action or actions have resulted or will result in substantial financial loss or other damage that seriously prejudices the interests of the members.

(6) To assess a civil penalty against a credit union for a violation of this Act, any rule adopted in accordance with this Act, any order of the Secretary issued under his or her authority under this Act, or any other action that in the Secretary's discretion is an unsafe or unsound practice provided that:

(A) the Secretary reasonably determines, based on objective facts and an accurate assessment of applicable legal standards, that the credit union has:

(i) committed a violation of this Act, any rule adopted in accordance with this Act, or any order of the Secretary issued pursuant to his or her authority under this Act; or

(ii) engaged or participated in any unsafe or unsound practice;

(B) before a civil penalty is assessed under this item (6), the Secretary must make the further reasonable determination, based on objective facts and an accurate assessment of applicable legal standards, that the credit union's action constituting a violation under subparagraph (i) of paragraph (A) of item (6) or an unsafe and unsound practice.

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practice under subparagraph (ii) of paragraph (A) of item (6):

(i) directly resulted in a substantial and material financial loss or created a reasonable probability that a substantial and material financial loss will directly result; or

(ii) constituted willful misconduct or a material breach of fiduciary duty of any director, officer, or committee member of the credit union;

Material financial loss, as referenced in this paragraph (B), shall be assessed in light of surrounding circumstances and the relative size and nature of the financial loss or probable financial loss. Certain benchmarks shall be used in determining whether financial loss is material, such as a percentage of total assets or total gross income for the immediately preceding 12-month period. Absent compelling and extraordinary circumstances, no civil penalty shall be assessed, unless the financial loss or probable financial loss is equal to or greater than either 1% of the credit union's total assets for the immediately preceding 12-month period, or 1% of the credit union's total gross income for the immediately preceding 12-month period, whichever is less;

(C) before a civil penalty is assessed under this item (6), the credit union must be expressly advised in writing of the:

(i) specific violation that could subject it to a penalty under this item (6); and

(ii) the specific remedial action to be taken within a specific and reasonable time frame to avoid imposition of the penalty;

(D) Civil penalties assessed under this item (6) shall be remedial, not punitive, and reasonably tailored to ensure future compliance by the credit union with the provisions of this Act and any rules adopted pursuant to this Act;

(E) a credit union's failure to take timely remedial action with respect to the specific violation may result in the issuance of an order assessing a civil penalty

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up to the following maximum amount, based upon the total assets of the credit union:

(i) Credit unions with assets of less than $10 million................................................             $1,000

(ii) Credit unions with assets of at least $10 million and less than $50 million......................      $2,500

(iii) Credit unions with assets of at least $50 million and less than $100 million....................... $5,000

(iv) Credit unions with assets of at least $100 million and less than $500 million....................... $10,000

(v) Credit unions with assets of at least $500 million and less than $1 billion......................... $25,000

(vi) Credit unions with assets of $1 billion and greater.................................................. $50,000; and

(F) an order assessing a civil penalty under this item (6) shall take effect upon service of the order, unless the credit union makes a written request for a hearing under 38 IL. Adm. Code 190.20 of the Department's rules for credit unions within 90 days after issuance of the order; in that event, the order shall be stayed until a final administrative order is entered.

(D) in the event a credit union commits a subsequent violation that is substantially similar to the initial violation for which a cure period under paragraph (A) of this item (6) was provided the credit union, no additional cure period shall be required before another order is issued assessing a civil penalty for the subsequent violation. Any such order shall take effect upon service of the order, subject to the credit union's right to request a hearing as described in paragraph (C) of this item (6). If a hearing is requested, the order shall be stayed until a final administrative order is entered.

This item (6) shall not apply to violations separately addressed in rules as authorized under item (7) of this Section.

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(7) Except for the fees established in this Act, to prescribe, by rule and regulation, fees and penalties for preparing, approving, and filing reports and other documents; furnishing transcripts; holding hearings; investigating applications for permission to organize, merge, or convert; failure to maintain accurate books and records to enable the Department to conduct an examination; and taking supervisory actions.

(8) To destroy, in his discretion, any or all books and records of any credit union in his possession or under his control after the expiration of three years from the date of cancellation of the charter of such credit unions.

(9) To make investigations and to conduct research and studies and to publish some of the problems of persons in obtaining credit at reasonable rates of interest and of the methods and benefits of cooperative saving and lending for such persons.

(10) To authorize, foster or establish experimental, developmental, demonstration or pilot projects by public or private organizations including credit unions which:

(a) promote more effective operation of credit unions so as to provide members an opportunity to use and control their own money to improve their economic and social conditions; or

(b) are in the best interests of credit unions, their members and the people of the State of Illinois.

(11) To cooperate in studies, training or other administrative activities with, but not limited to, the NCUA, other state credit union regulatory agencies and industry trade associations in order to promote more effective and efficient supervision of Illinois chartered credit unions.

(Source: P.A. 97-133, eff. 1-1-12.)

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

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Sections 1-3.38, 3-12, and 5-1 as follows:

(235 ILCS 5/1-3.38)
Sec. 1-3.38. "Craft brewer" means a licensed brewer or licensed non-resident dealer who manufactures up to 930,000 gallons of beer per year and who may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act.
(Source: P.A. 97-5, eff. 6-1-11.)

(235 ILCS 5/3-12)
Sec. 3-12. Powers and duties of State Commission.
(a) The State commission shall have the following powers, functions and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific premises where the violation occurred.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State commission's determination and
notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. The fine imposed under this paragraph may not exceed $500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed $20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to $50.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where

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the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint, and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business.
The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

(8) In the conduct of any hearing authorized to be held by the commission, to appoint, at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any Circuit Court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

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(11.1) To license persons providing education and training to alcohol beverage sellers and servers under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

(12) To develop and maintain a repository of license and regulatory information.

(13) On or before January 15, 1994, the Commission shall issue a written report to the Governor and General Assembly that is to be based on a comprehensive study of the impact on and implications for the State of Illinois of Section 1926 of the Federal ADAMHA Reorganization Act of 1992 (Public Law 102-321). This study shall address the extent to which Illinois currently complies with the provisions of P.L. 102-321 and the rules promulgated pursuant thereto.

As part of its report, the Commission shall provide the following essential information:

(i) the number of retail distributors of tobacco products, by type and geographic area, in the State;

(ii) the number of reported citations and successful convictions, categorized by type and location of retail distributor, for violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act and the Smokeless Tobacco Limitation Act;

(iii) the extent and nature of organized educational and governmental activities that are intended to promote, encourage or otherwise secure compliance with any Illinois laws that prohibit the sale or distribution of tobacco products to minors; and

(iv) the level of access and availability of tobacco products to individuals under the age of 18.

To obtain the data necessary to comply with the provisions of P.L. 102-321 and the requirements of this report, the Commission shall conduct random, unannounced inspections of a geographically and scientifically representative sample of the State's retail tobacco distributors.
The Commission shall consult with the Department of Public Health, the Department of Human Services, the Illinois State Police and any other executive branch agency, and private organizations that may have information relevant to this report.

The Commission may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.

(14) On or before April 30, 2008 and every 2 years thereafter, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of the 95th General Assembly on the business of soliciting, selling, and shipping wine from inside and outside of this State directly to residents of this State. As part of its report, the Commission shall provide all of the following information:

(A) The amount of State excise and sales tax revenues generated.
(B) The amount of licensing fees received.
(C) The number of cases of wine shipped from inside and outside of this State directly to residents of this State.
(D) The number of alcohol compliance operations conducted.
(E) The number of winery shipper's licenses issued.
(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State...
State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 21 years of age in violation of this Act.

(16) The Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this amendatory Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(17) (A) A person licensed to make wine under the laws of another state who has a winery shipper's license under this amendatory Act and annually produces less than 25,000 gallons of wine or a person who has a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license under this Act and annually produces less than 25,000 gallons of wine may make application to the Commission for a self-distribution exemption to allow the sale of not more than 5,000 gallons of the exemption holder's wine to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, such person shall state (1) the date it was established; (2) its volume of production and sales for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its wine; and (5) that it will comply with the liquor and revenue laws of the United States, this State, and any other state where it is licensed.

(C) The Commission shall approve the application for a self-distribution exemption if such person: (1) is in compliance with State revenue and liquor laws; (2) is not a member of any affiliated group that produces more than 25,000 gallons of wine per annum or produces any other alcoholic liquor; (3) will not annually produce for sale more than 25,000 gallons of wine; and (4) will not annually sell more than 5,000 gallons of its wine to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its production of wine in the previous 12 months and its anticipated production.
and sales for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or liquor law of Illinois, exceeded production of 25,000 gallons of wine in any calendar year, or become part of an affiliated group producing more than 25,000 gallons of wine or any other alcoholic liquor.

(E) Except in hearings for violations of this Act or amendatory Act or a bona fide investigation by duly sworn law enforcement officials, the Commission, or its agents, the Commission shall maintain the production and sales information of a self-distribution exemption holder as confidential and shall not release such information to any person.

(F) The Commission shall issue regulations governing self-distribution exemptions consistent with this Section and this Act.

(G) Nothing in this subsection (17) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois distributor.

(H) It is the intent of this subsection (17) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system it is necessary to create an exception for smaller makers of wine as their wines are frequently adjusted in varietals, mixes, vintages, and taste to find and create market niches sometimes too small for distributor or importing distributor business strategies. Limited self-distribution rights will afford and allow smaller makers of wine access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(18) (A) A craft brewer licensee, who must also be either a licensed brewer or licensed non-resident dealer and annually manufacture less than 930,000 gallons of beer, may make application to the Commission for a self-distribution exemption to
allow the sale of not more than 232,500 gallons of the exemption holder's beer to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the craft brewer licensee shall state (1) the date it was established; (2) its volume of beer manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the Commission's website at least 45 days prior to action by the Commission. The Commission shall approve the application for a self-distribution exemption if the craft brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufacturers more than 930,000 gallons of beer per annum or produces any other alcoholic beverages; (3) shall not annually manufacture for sale more than 930,000 gallons of beer; and (4) shall not annually sell more than 232,500 gallons of its beer to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 930,000 gallons of beer in any calendar year or became part of an affiliated group manufacturing more than 930,000 gallons of beer or any other alcoholic beverage.

(E) The Commission shall issue rules and regulations governing self-distribution exemptions consistent with this Act.
(F) Nothing in this paragraph (18) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor. If a self-distribution exemption holder enters into a distribution agreement and has assigned distribution rights to an importing distributor or distributor, then the self-distribution exemption holder's distribution rights in the assigned territories shall cease in a reasonable time not to exceed 60 days.

(G) It is the intent of this paragraph (18) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller manufacturers in order to afford and allow such smaller manufacturers of beer access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of 1998 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.

As part of its report, the Commission shall provide the following information:

(i) the amount of State excise and sales tax revenues generated as a result of this amendatory Act of 1998;

(ii) the amount of licensing fees received as a result of this amendatory Act of 1998;

(iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.

(Source: P.A. 96-179, eff. 8-10-09; 96-446, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-5, eff. 6-1-11.)

(235 ILCS 5/5-1) (from Ch. 43, par. 115)

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission shall be of the following classes:

New matter indicated by italics - deletions by strikeout

(b) Distributor's license,

(c) Importing Distributor's license,

(d) Retailer's license,

(e) Special Event Retailer's license (not-for-profit),

(f) Railroad license,

(g) Boat license,

(h) Non-Beverage User's license,

(i) Wine-maker's premises license,

(j) Airplane license,

(k) Foreign importer's license,

(l) Broker's license,

(m) Non-resident dealer's license,

(n) Brew Pub license,

(o) Auction liquor license,

(p) Caterer retailer license,

(q) Special use permit license,

(r) Winery shipper's license.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors, retailers and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act.

New matter indicated by italics - deletions by strikeout
Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

Class 5. A second class Wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 7. A second-class wine-maker's license shall allow the manufacture of between 50,000 and 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

Class 9. A craft distiller license shall allow the manufacture of up to 30,000 gallons of spirits by distillation for one year after the effective date of this amendatory Act of the 97th General Assembly and up to 35,000 gallons of spirits by distillation per year thereafter and the storage of such spirits. If a craft distiller licensee is not affiliated with any other manufacturer, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act.

Any craft distiller licensed under this Act who on the effective date of this amendatory Act of the 96th General Assembly was licensed as a
distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.

Class 10. A craft brewer's license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 930,000 gallons of beer per year. A craft brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for suspension or revocation of the registration.

(b) A distributor's license shall allow the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the

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preparation and bottling of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Nothing in this amendatory Act of the 95th General Assembly shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer, deliver, or ship alcoholic liquor to the purchaser for use or consumption subject to any applicable local law or ordinance. Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than $500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not for resale in any form and only at the location and on the specific dates designated for the special event in the license. An applicant for a special event retailer license must (i) furnish with the application: (A) a resale number issued under Section 2c of the Retailers' Occupation Tax Act or evidence that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act, and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, does not hold a resale number under Section 2c of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect; (ii)
submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance in the maximum limits; and (iii) show proof satisfactory to the State Commission that the applicant has obtained local authority approval.

(f) A railroad license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on a club, buffet, lounge or dining car operated on an electric, gas or steam railway in this State; and provided further, that railroad licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. A railroad license shall also permit the licensee to sell or dispense alcoholic liquors on any club, buffet, lounge or dining car operated on an electric, gas or steam railway regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A license shall be obtained for each car in which such sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in individual drinks, on any passenger boat regularly operated as a common carrier on navigable waters in this State or on any riverboat operated under the Riverboat Gambling Act, which boat or riverboat maintains a public dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing distributor, without the imposition of any tax upon the business of such licensed manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:
Class 1, not to exceed ....................... 500 gallons
Class 2, not to exceed ....................... 1,000 gallons
Class 3, not to exceed ....................... 5,000 gallons
Class 4, not to exceed ....................... 10,000 gallons

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Class 5, not to exceed ...................... 50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any

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licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits,
or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the non-resident dealer shall comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(n) A brew pub license shall allow the licensee (i) to manufacture beer only on the premises specified in the license, (ii) to make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is substantially owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) to store the beer upon the premises, and (iv) to sell and offer for sale at retail from the licensed premises, provided that a brew pub license shall not sell for off-premises consumption more than 50,000 gallons per year. A person who holds a brew pub license may simultaneously hold a craft brewer license if he or she otherwise qualifies for the craft brewer license and the craft brewer license is for a location separate from the brew pub's licensed premises. A brew pub license shall permit a person who has received prior approval from the Commission to annually transfer no more

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than a total of 50,000 gallons of beer manufactured on premises to all other licensed brew pubs that are substantially owned and operated by the same person.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12 month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this
State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with this amendatory Act.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under this subsection (r) must comply with the requirements of Section 6-29 of this amendatory Act.

(Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0402
(House Bill No. 1652)

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

New matter indicated by italics - deletions by strikeout
Section 2. The Fish and Aquatic Life Code is amended by changing Section 20-105 as follows:

(515 ILCS 5/20-105) (from Ch. 56, par. 20-105)
Sec. 20-105. Revocation and suspension; refusal to issue.

(a) Whenever a license or permit is issued to any person under this Code and its holder is found guilty of any misrepresentation in obtaining the license or permit or of a violation of Section 48-3 of the Criminal Code of 2012 or a violation of any of the provisions of this Code, including administrative rules, the license or permit may be revoked by the Department and the Department may refuse to issue any permit or license to that person and may suspend the person from engaging in the activity requiring the permit or license for a period of time not to exceed 5 years following the revocation. Department revocation procedure shall be established by administrative rule.

(b) Whenever any person who has not been issued a license or a permit under the provisions of this Code is found guilty of a violation of Section 48-3 of the Criminal Code of 2012 or a violation of the provisions of this Code, including administrative rules, the Department may refuse to issue any permit or license to that person, and suspend that person from engaging in the activity requiring the permit or license for a period of time not to exceed 5 years.

(c) Any person who knowingly or intentionally violates any of the provisions of this Code, including administrative rules, during the 5 years following the revocation of his or her license or permit under subsection (a) or during the time he is suspended under subsection (b), shall be guilty of a Class A misdemeanor as provided in Section 20-35. The penalties for a violation of Section 48-3 of the Criminal Code of 2012 shall be as provided in that Section.

(d) A person whose license or permit to engage in any activity regulated by this Code has been suspended or revoked may not, during the period of the suspension or revocation or until obtaining such a license or permit, (i) be in the company of any person engaging in the activity covered by the suspension or revocation or (ii) serve as a guide, outfitter, or facilitator for a person who is engaged or prepared to engage in the activity covered by the suspension or revocation.

(e) No person may be issued or obtain a license or permit or engage in any activity regulated by this Code during the time that the person's privilege to engage in the same or similar activities is suspended or revoked by another state, by a federal agency, or by a province of Canada.
Section 3. The Wildlife Code is amended by changing Section 3.36 as follows:

(a) Whenever a license or permit is issued to any person under this Act, and the holder thereof is found guilty of any misrepresentation in obtaining such license or permit or of a violation of Section 48-3 of the Criminal Code of 2012 or a violation of any of the provisions of this Act, including administrative rules, his license or permit may be revoked by the Department, and the Department may refuse to issue any permit or license to such person and may suspend the person from engaging in the activity requiring the permit or license for a period of time not to exceed 5 years following such revocation.

Department revocation procedures shall be established by Administrative rule.

(b) Whenever any person who has not been issued a license or a permit under the provisions of this Code is found guilty of a violation of Section 48-3 of the Criminal Code of 2012 or a violation of the provisions of this Code, including administrative rules, the Department may refuse to issue any permit or license to that person, and suspend that person from engaging in the activity requiring the permit or license for a period of time not to exceed 5 years.

(c) Any person who knowingly or intentionally violates any of the provisions of this Act, including administrative rules, during such period when his license or permit is revoked or denied by virtue of this Section or during the time he is suspended under subsection (b), shall be guilty of a Class A misdemeanor. The penalties for a violation of Section 48-3 of the Criminal Code of 2012 shall be as provided in that Section.

(d) Licenses and permits authorized to be issued under the provisions of this Act shall be prepared by the Department and be in such form as prescribed by the Department. The information required on each license shall be completed thereon by the issuing agent or his sub-agent at the time of issuance and each license shall be signed by the licensee, or initialed by the designated purchaser and then signed immediately upon receipt by the licensee, and countersigned by the issuing agent or his sub-agent at the time of issuance. All such licenses shall be supplied by the Department, subject to such rules and regulations as the Department may
prescribe. Any license not properly prepared, obtained and signed as required by this Act shall be void.

(e) A person whose license or permit to engage in any activity regulated by this Code has been suspended or revoked may not, during the period of the suspension or revocation or until obtaining such a license or permit, (i) be in the company of any person engaging in the activity covered by the suspension or revocation or (ii) serve as a guide, outfitter, or facilitator for a person who is engaged or prepared to engage in the activity covered by the suspension or revocation.

(f) No person may be issued or obtain a license or permit or engage in any activity regulated by this Code during the time that the person's privilege to engage in the same or similar activities is suspended or revoked by another state, by a federal agency, or by a province of Canada. (Source: P.A. 90-225, eff. 7-25-97; 91-545, eff. 8-14-99.)

Section 5. The Criminal Code of 2012 is amended by changing Section 48-3 as follows:

(720 ILCS 5/48-3)
Sec. 48-3. Hunter or fisherman interference.
(a) Definitions. As used in this Section:
"Aquatic life" means all fish, reptiles, amphibians, crayfish, and mussels the taking of which is authorized by the Fish and Aquatic Life Code.
"Interfere with" means to take any action that physically impedes, hinders, or obstructs the lawful taking of wildlife or aquatic life.
"Taking" means the capture or killing of wildlife or aquatic life and includes travel, camping, and other acts preparatory to taking which occur on lands or waters upon which the affected person has the right or privilege to take such wildlife or aquatic life.
"Wildlife" means any wildlife the taking of which is authorized by the Wildlife Code and includes those species that are lawfully released by properly licensed permittees of the Department of Natural Resources.
(b) A person commits hunter or fisherman interference when he or she intentionally or knowingly:
(1) obstructs or interferes with the lawful taking of wildlife or aquatic life by another person with the specific intent to prevent that lawful taking;

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(2) drives or disturbs wildlife or aquatic life for the purpose of disrupting a lawful taking of wildlife or aquatic life;

(3) blocks, impedes, or physically harasses another person who is engaged in the process of lawfully taking wildlife or aquatic life;

(4) uses natural or artificial visual, aural, olfactory, gustatory, or physical stimuli to affect wildlife or aquatic life behavior in order to hinder or prevent the lawful taking of wildlife or aquatic life;

(5) erects barriers with the intent to deny ingress or egress to or from areas where the lawful taking of wildlife or aquatic life may occur;

(6) intentionally interjects himself or herself into the line of fire or fishing lines of a person lawfully taking wildlife or aquatic life;

(7) affects the physical condition or placement of personal or public property intended for use in the lawful taking of wildlife or aquatic life in order to impair the usefulness of the property or prevent the use of the property;

(8) enters or remains upon or over private lands without the permission of the owner or the owner's agent, with the intent to violate this subsection; or

(9) fails to obey the order of a peace officer to desist from conduct in violation of this subsection (b) if the officer observes the conduct, or has reasonable grounds to believe that the person has engaged in the conduct that day or that the person plans or intends to engage in the conduct that day on a specific premises; or

(10) uses a drone in a way that interferes with another person's lawful taking of wildlife or aquatic life. For the purposes of this paragraph (10), "drone" means any aerial vehicle that does not carry a human operator.

(c) Exemptions; defenses.

(1) This Section does not apply to actions performed by authorized employees of the Department of Natural Resources, duly accredited officers of the U.S. Fish and Wildlife Service, sheriffs, deputy sheriffs, or other peace officers if the actions are authorized by law and are necessary for the performance of their official duties.
(2) This Section does not apply to landowners, tenants, or lease holders exercising their legal rights to the enjoyment of land, including, but not limited to, farming and restricting trespass.

(3) It is an affirmative defense to a prosecution for a violation of this Section that the defendant's conduct is protected by his or her right to freedom of speech under the constitution of this State or the United States.

(4) Any interested parties may engage in protests or other free speech activities adjacent to or on the perimeter of the location where the lawful taking of wildlife or aquatic life is taking place, provided that none of the provisions of this Section are being violated.

(d) Sentence. A first violation of paragraphs (1) through (8) of subsection (b) is a Class B misdemeanor. A second or subsequent violation of paragraphs (1) through (8) of subsection (b) is a Class A misdemeanor for which imprisonment for not less than 7 days shall be imposed. A person guilty of a second or subsequent violation of paragraphs (1) through (8) of subsection (b) is not eligible for court supervision. A violation of paragraph (9) or (10) of subsection (b) is a Class A misdemeanor. A court shall revoke, for a period of one year to 5 years, any Illinois hunting, fishing, or trapping privilege, license or permit of any person convicted of violating any provision of this Section. For purposes of this subsection, a "second or subsequent violation" means a conviction under paragraphs (1) through (8) of subsection (b) of this Section within 2 years of a prior violation arising from a separate set of circumstances.

(e) Injunctions; damages.

(1) Any court may enjoin conduct which would be in violation of paragraphs (1) through (8) or (10) of subsection (b) upon petition by a person affected or who reasonably may be affected by the conduct, upon a showing that the conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

(2) A court shall award all resulting costs and damages to any person adversely affected by a violation of paragraphs (1) through (8) or (10) of subsection (b), which may include an award for punitive damages. In addition to other items of special damage, the measure of damages may include expenditures of the affected

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person for license and permit fees, travel, guides, special
equipment and supplies, to the extent that these expenditures were
rendered futile by prevention of the taking of wildlife or aquatic
life.
(Source: P.A. 97-1108, eff. 1-1-13.)
Section 99. Effective date. This Act takes effect upon becoming
law.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0403
(House Bill No. 1683)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The State Finance Act is amended by adding Section 5i
as follows:
(30 ILCS 105/5i new)
Sec. 5i. Closure of State mental health facilities or developmental
disabilities facilities. Consistent with the provisions of Sections 4.4 and
4.5 of the Community Services Act, whenever a State mental health facility
operated by the Department of Human Services or a State developmental
disabilities facility operated by the Department of Human Services is
closed, the Department of Human Services, at the direction of the
Governor, shall transfer funds from the closed facility to the appropriate
line item providing appropriation authority for the new venue of care to
facilitate the transition of services to the new venue of care, provided that
the new venue of care is a Department of Human Services funded provider
or facility.

As used in this Section, the terms "mental health facility" and
"developmental disabilities facility" have the meanings ascribed to those
terms in the Mental Health and Developmental Disabilities Code.
Section 10. The Community Services Act is amended by changing
Section 4.6 as follows:
(405 ILCS 30/4.6)
Sec. 4.6. Closure and sale of State mental health or developmental
disabilities facility.

New matter indicated by italics - deletions by strikeout
(a) Whenever a State mental health facility operated by the Department of Human Services is closed and the real estate on which the facility is located is sold by the State, then, to the extent that net proceeds are realized from the sale of that real estate, those net proceeds must be directed toward providing other services and supports for persons with mental health needs. To that end, those net proceeds shall be deposited into the Community Mental Health Medicaid Trust Fund.

(b) Whenever a State developmental disabilities facility operated by the Department of Human Services is closed and the real estate on which the facility is located is sold by the State, then, to the extent that net proceeds are realized from the sale of that real estate, those net proceeds must be directed toward providing other services and supports for persons with developmental disabilities needs. To that end, those net proceeds shall be deposited into the Community Developmental Disability Services Medicaid Trust Fund.

(c) In determining whether any net proceeds are realized from a sale of real estate described in subsection (a) or (b), the Division of Developmental Disabilities and the Division of Mental Health of the Department of Human Services shall each determine the money, if any, that shall be made available to ensure that life, safety, and care concerns, including infrastructure, are addressed so as to provide for persons with developmental disabilities or mental illness at the remaining respective State-operated facilities that will be expected to serve the individuals previously served at the closed facility.

(d) The purposes for which the net proceeds from a sale of real estate as provided in this Section may be used include, but are not limited to, the following:

   (1) Providing for individuals with developmental disabilities and mental health needs the services and supports described in subsection (e) of Section 4.4.

   (2) In the case of the closure of a mental health facility, the construction of a new facility to serve the needs of persons with mental health needs.

   (3) In the case of the closure of a developmental disabilities facility, construction of a new facility to serve the needs of persons with developmental disabilities needs.

   (e) Whenever any net proceeds are realized from a sale of real estate as provided in this Section, the Department of Human Services shall share and discuss its plan or plans for using those net proceeds with
advocates, advocacy organizations, and advisory groups whose mission includes advocacy for persons with developmental disabilities or persons with mental illness.

(f) Consistent with the provisions of Sections 4.4 and 4.5 of this Act, whenever a State mental health facility operated by the Department of Human Services is closed, the Department of Human Services, at the direction of the Governor, shall transfer funds from the closed facility to the appropriate line item providing appropriation authority for the new venue of care to facilitate the transition of services to the new venue of care, provided that the new venue of care is a Department of Human Services funded provider or facility.

(g) As used in this Section, the term "mental health facility" has the meaning ascribed to that term in the Mental Health and Developmental Disabilities Code.

(Source: P.A. 96-660, eff. 8-25-09; 96-1000, eff. 7-2-10.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0404
(House Bill No. 1745)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Illinois Power Agency Act is amended by changing
Section 1-92 as follows:
(20 ILCS 3855/1-92)
Sec. 1-92. Aggregation of electrical load by municipalities,
townships, and counties.

(a) The corporate authorities of a municipality, township board, or
county board of a county may adopt an ordinance under which it may
aggregate in accordance with this Section residential and small
commercial retail electrical loads located, respectively, within the
municipality, the township, or the unincorporated areas of the county and,
for that purpose, may solicit bids and enter into service agreements to
facilitate for those loads the sale and purchase of electricity and related
services and equipment.

New matter indicated by italics - deletions by strikeout
The corporate authorities, township board, or county board may also exercise such authority jointly with any other municipality, township, or county. Two or more municipalities, townships, or counties, or a combination of both, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality, township, or county as required by this Section.

If the corporate authorities, township board, or the county board seek to operate the aggregation program as an opt-out program for residential and small commercial retail customers, then prior to the adoption of an ordinance with respect to aggregation of residential and small commercial retail electric loads, the corporate authorities of a municipality, the township board, or the county board of a county shall submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out program for residential and small commercial retail customers. *Any county board that seeks to submit such a referendum to its residents shall do so only in unincorporated areas of the county where no electric aggregation ordinance has been adopted.*

In addition to the notice and conduct requirements of the general election law, notice of the referendum shall state briefly the purpose of the referendum. The question of whether the corporate authorities, the township board, or the county board shall adopt an opt-out aggregation program for residential and small commercial retail customers shall be submitted to the electors of the municipality, township board, or county board at a regular election and approved by a majority of the electors voting on the question. The corporate authorities, township board, or county board must certify to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall the (municipality, township, or county in which the question is being voted upon) have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the corporate authorities, township board, or county board may implement an opt-out aggregation program for residential and small commercial retail customers.

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A referendum must pass in each particular municipality, township, or county that is engaged in the aggregation program. If the referendum fails, then the corporate authorities, township board, or county board shall operate the aggregation program as an opt-in program for residential and small commercial retail customers.

An ordinance under this Section shall specify whether the aggregation will occur only with the prior consent of each person owning, occupying, controlling, or using an electric load center proposed to be aggregated. Nothing in this Section, however, authorizes the aggregation of electric loads that are served or authorized to be served by an electric cooperative as defined by and pursuant to the Electric Supplier Act or loads served by a municipality that owns and operates its own electric distribution system. No aggregation shall take effect unless approved by a majority of the members of the corporate authority, township board, or county board voting upon the ordinance.

A governmental aggregator under this Section is not a public utility or an alternative retail electric supplier.

For purposes of this Section, "township" means the portion of a township that is an unincorporated portion of a county that is not otherwise a part of a municipality. In addition to such other limitations as are included in this Section, a township board shall only have authority to aggregate residential and small commercial customer loads in accordance with this Section if the county board of the county in which the township is located (i) is not also submitting a referendum to its residents at the same general election that the township board proposes to submit a referendum under this subsection (a), (ii) has not received authorization through passage of a referendum to operate an opt-out aggregation program for residential and small commercial retail customers under this subsection (a), and (iii) has not otherwise enacted an ordinance under this subsection (a) authorizing the operation of an opt-in aggregation program for residential and small commercial retail customers as described in this Section.

(b) Upon the applicable requisite authority under this Section, the corporate authorities, the township board, or the county board, with assistance from the Illinois Power Agency, shall develop a plan of operation and governance for the aggregation program so authorized. Before adopting a plan under this Section, the corporate authorities, township board, or county board shall hold at least 2 public hearings on the plan. Before the first hearing, the corporate authorities, township

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board, or county board shall publish notice of the hearings once a week for 2 consecutive weeks in a newspaper of general circulation in the jurisdiction. The notice shall summarize the plan and state the date, time, and location of each hearing. Any load aggregation plan established pursuant to this Section shall:

(1) provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers;

(2) describe demand management and energy efficiency services to be provided to each class of customers; and

(3) meet any requirements established by law concerning aggregated service offered pursuant to this Section.

(c) The process for soliciting bids for electricity and other related services and awarding proposed agreements for the purchase of electricity and other related services shall be conducted in the following order:

(1) The corporate authorities, township board, or county board may solicit bids for electricity and other related services.

(1.5) A township board shall request from the electric utility those residential and small commercial customers within their aggregate area either by zip code or zip codes or other means as determined by the electric utility. The electric utility shall then provide to the township board the residential and small commercial customers, including the names and addresses of residential and small commercial customers, electronically. The township board shall be responsible for authenticating the residential and small commercial customers contained in this listing and providing edits of the data to affirm, add, or delete the residential and small commercial customers located within its jurisdiction. The township board shall provide the edited list to the electric utility in an electronic format or other means selected by the electric utility and certify that the information is accurate.

(2) Notwithstanding Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, an electric utility that provides residential and small commercial retail electric service in the aggregate area must, upon request of the corporate authorities, township board, or the county board in the aggregate area, submit to the requesting party, in an electronic format, those account numbers, names, and addresses of residential and small commercial retail customers in
the aggregate area that are reflected in the electric utility's records
at the time of the request; provided, however, that any township
board has first provided an accurate customer list to the electric
utility as provided for herein.

Any corporate authority, township board, or county board receiving
customer information from an electric utility shall be subject to the
limitations on the disclosure of the information described in Section 16-
122 of the Public Utilities Act and Section 2HH of the Consumer Fraud
and Deceptive Business Practices Act, and an electric utility shall not be
held liable for any claims arising out of the provision of information
pursuant to this item (2).

(d) If the corporate authorities, township board, or county board
operate under an opt-in program for residential and small commercial
retail customers, then the corporate authorities, township board, or county
board shall comply with all of the following:

(1) Within 60 days after receiving the bids, the corporate
authorities, township board, or county board shall allow residential
and small commercial retail customers to commit to the terms and
conditions of a bid that has been selected by the corporate
authorities, township board, or county board.

(2) If (A) the corporate authorities, township board, or
county board award proposed agreements for the purchase of
electricity and other related services and (B) an agreement is
reached between the corporate authorities, township board, or
county board for those services, then customers committed to the
terms and conditions according to item (1) of this subsection (d)
shall be committed to the agreement.

(e) If the corporate authorities, township board, or county board
operate as an opt-out program for residential and small commercial retail
customers, then it shall be the duty of the aggregated entity to fully inform
residential and small commercial retail customers in advance that they
have the right to opt out of the aggregation program. The disclosure shall
prominently state all charges to be made and shall include full disclosure
of the cost to obtain service pursuant to Section 16-103 of the Public
Utilities Act, how to access it, and the fact that it is available to them
without penalty, if they are currently receiving service under that Section.
The Illinois Power Agency shall furnish, without charge, to any citizen a
list of all supply options available to them in a format that allows
comparison of prices and products.

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(f) Any person or entity retained by a municipality or county, or jointly by more than one such unit of local government, to provide input, guidance, or advice in the selection of an electricity supplier for an aggregation program shall disclose in writing to the involved units of local government the nature of any relationship through which the person or entity may receive, either directly or indirectly, commissions or other remuneration as a result of the selection of any particular electricity supplier. The written disclosure must be made prior to formal approval by the involved units of local government of any professional services agreement with the person or entity, or no later than October 1, 2012 with respect to any such professional services agreement entered into prior to the effective date of this amendatory Act of the 97th General Assembly. The disclosure shall cover all direct and indirect relationships through which commissions or remuneration may result, including the pooling of commissions or remuneration among multiple persons or entities, and shall identify all involved electricity suppliers. The disclosure requirements in this subsection (f) are to be liberally construed to ensure that the nature of financial interests are fully revealed, and these disclosure requirements shall apply regardless of whether the involved person or entity is licensed under Section 16-115C of the Public Utilities Act. Any person or entity that fails to make the disclosure required under this subsection (f) is liable to the involved units of local government in an amount equal to all compensation paid to such person or entity by the units of local government for the input, guidance, or advice in the selection of an electricity supplier, plus reasonable attorneys fees and court costs incurred by the units of local government in connection with obtaining such amount.

(g) The Illinois Power Agency shall provide assistance to municipalities, townships, counties, or associations working with municipalities to help complete the plan and bidding process.

(h) This Section does not prohibit municipalities or counties from entering into an intergovernmental agreement to aggregate residential and small commercial retail electric loads.

(Sources: P.A. 96-176, eff. 1-1-10; 97-338, eff. 8-12-11; 97-823, eff. 7-18-12; 97-1067, eff. 8-24-12; revised 9-20-12.)

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 1-159.1 as follows:

(625 ILCS 5/1-159.1) (from Ch. 95 1/2, par. 1-159.1)

Sec. 1-159.1. Person with disabilities. A natural person who, as determined by a licensed physician, by a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, or by an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination: (1) cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; (2) is restricted by lung disease to such an extent that his or her forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mm/hg on room air at rest; (3) uses portable oxygen; (4) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV, according to standards set by the American Heart Association; (5) is severely limited in the person's ability to walk due to an arthritic, neurological, oncological, or orthopedic condition; (6) cannot walk 200 feet without stopping to rest because of one of the above 5 conditions; or (7) is missing a hand or arm or has permanently lost the use of a hand or arm.

(Source: P.A. 95-186, eff. 8-16-07.)

Passed in the General Assembly May 21, 2013.

Approved August 16, 2013.

Effective January 1, 2014.
Section 5. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)

Sec. 3-699. Legion of Merit plates.

The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated as Legion of Merit license plates to recipients awarded the Legion of Merit by a branch of the armed forces of the United States who reside in Illinois. The special plates issued pursuant to this Section should be affixed only to passenger vehicles of the 1st division, including motorcycles, or motor vehicles of the 2nd division weighing not more than 8,000 pounds. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary of State must make a version of the special registration plates authorized under this Section in a form appropriate for motorcycles.

The design and color of such plates shall be wholly within the discretion of the Secretary of State. No registration fee, including the fees established under Section 3-806 of this Code, shall be charged for the issuance or renewal of any plates issued under this Section.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0407
(House Bill No. 2239)

AN ACT concerning local government.

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

Section 5. The Sanitary District Act of 1917 is amended by changing Section 3 as follows:

(70 ILCS 2405/3) (from Ch. 42, par. 301)

Sec. 3. Board of trustees; creation; term. A board of trustees shall be created, consisting of 5 members in any sanitary district which includes one or more municipalities with a population of over 90,000 but less than 500,000 according to the most recent Federal census, and consisting of 3 members in any other district. However, the board of trustees for the Fox River Water Reclamation District, the Sanitary District of Decatur, and the

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Northern Moraine Wastewater Reclamation District shall each consist of 5 members. Each board of trustees shall be created for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner:

(1) If the district is located wholly within a single county, the presiding officer of the county board, with the advice and consent of the county board, shall appoint the trustees for the district;

(2) If the district is located in more than one county, the members of the General Assembly whose legislative districts encompass any portion of the district shall appoint the trustees for the district.

In any sanitary district which shall have a 3 member board of trustees, within 60 days after the adoption of such act, the appropriate appointing authority shall appoint three trustees not more than 2 of whom shall be from one incorporated city, town or village in districts in which are included 2 or more incorporated cities, towns or villages, or parts of 2 or more incorporated cities, towns or villages, who shall hold their office respectively for 1, 2 and 3 years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

In the case of any sanitary district created after January 1, 1978 in which a 5 member board of trustees is required, the appropriate appointing authority shall appoint 5 trustees, one of whom shall hold office for one year, two of whom shall hold office for 2 years, and 2 of whom shall hold office for 3 years from the first Monday of May next after their respective appointments and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The length of the terms of the first trustees shall be determined by lot at their first meeting.

In any sanitary district created prior to January 1, 1978 in which a 5 member board of trustees is required as of January 1, 1978, the two
trustees already serving terms which do not expire on May 1, 1978 shall continue to hold office for the remainders of their respective terms, and 3 trustees shall be appointed by the appropriate appointing authority by April 10, 1978 and shall hold office for terms beginning May 1, 1978. Of the three new trustees, one shall hold office for 2 years and 2 shall hold office for 3 years from May 1, 1978 and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The lengths of the terms of the trustees who are to hold office beginning May 1, 1978 shall be determined by lot at their first meeting after May 1, 1978.

No more than 3 members of a 5 member board of trustees may be of the same political party; except that in any sanitary district which otherwise meets the requirements of this Section and which lies within 4 counties of the State of Illinois or, prior to April 30, 2008, in the Fox River Water Reclamation District; the appointments of the 5 members of the board of trustees shall be made without regard to political party. Beginning with the appointments made on April 30, 2008, all appointments to the board of trustees of the Fox River Water Reclamation District shall be made so that no more than 3 of the 5 members are from the same political party.

Within 60 days after the release of Federal census statistics showing that a sanitary district having a 3 member board of trustees contains one or more municipalities with a population over 90,000 but less than 500,000, or, for the Northern Moraine Wastewater Reclamation District, within 60 days after the effective date of this amendatory Act of the 95th General Assembly, the appropriate appointing authority shall appoint 2 additional trustees to the board of trustees, one to hold office for 2 years and one to hold office for 3 years from the first Monday of May next after their appointment and until their successors are appointed and have qualified. The lengths of the terms of these two additional members shall be determined by lot at the first meeting of the board of trustees held after the additional members take office. The three trustees already holding office in the sanitary district shall continue to hold office for the remainders of their respective terms. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5

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member board of trustees, whose terms shall be for 3 years commencing
the first Monday in May of the year in which they are respectively
appointed.

If any sanitary district having a 5 member board of trustees shall
cease to contain one or more municipalities with a population over 90,000
but less than 500,000 according to the most recent Federal census, then,
for so long as that sanitary district does not contain one or more such
municipalities, on or before the second Monday in April of each year the
appropriate appointing authority shall appoint one trustee whose term shall
be for 3 years commencing the first Monday in May of the year in which
he is appointed. In districts which include 2 or more incorporated cities,
towns, or villages, or parts of 2 or more incorporated cities, towns, or
villages, all of the trustees shall not be from one incorporated city, town or
village.

If a vacancy occurs on any board of trustees, the appropriate
appointing authority shall within 60 days appoint a trustee who shall hold
office for the remainder of the vacated term.

The appointing authority shall require each of the trustees to enter
into bond, with security to be approved by the appointing authority, in
such sum as the appointing authority may determine.

A majority of the board of trustees shall constitute a quorum but a
smaller number may adjourn from day to day. No trustee or employee of
such district shall be directly or indirectly interested in any contract, work
or business of the district, or the sale of any article, the expense, price or
consideration of which is paid by such district; nor in the purchase of any
real estate or property belonging to the district, or which shall be sold for
taxes or assessments, or by virtue of legal process at the suit of the district.
Provided, that nothing herein shall be construed as prohibiting the
appointment or selection of any person as trustee or employee whose only
interest in the district is as owner of real estate in the district or of
contributing to the payment of taxes levied by the district. The trustees
shall have the power to provide and adopt a corporate seal for the district.

Notwithstanding any other provision in this Section, in any sanitary
district created prior to the effective date of this amendatory Act of 1985,
in which a five member board of trustees has been appointed and which
currently includes one or more municipalities with a population of over
90,000 but less than 500,000, the board of trustees shall consist of five
members.

New matter indicated by italics - deletions by strikeout
Except as otherwise provided for vacancies, in the event that the appropriate appointing authority fails to appoint a trustee under this Section, the appropriate appointing authority shall reconvene and appoint a successor on or before July 1 of that year.

(Source: P.A. 95-608, eff. 9-11-07; 96-1065, eff. 7-16-10.)


Approved August 16, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0408

(An Act)

AN ACT concerning children.

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

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 4 as follows:

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatrist, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), personnel of institutions of higher education, educational advocate assigned to a child pursuant to the School Code, member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse), truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational or athletic program or facility personnel, early intervention provider as defined in the Early Intervention Services System Act, law enforcement officer, licensed professional counselor, licensed
clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, animal control officer or Illinois Department of Agriculture Bureau of Animal Health and Welfare field investigator, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.

Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

New matter indicated by italics - deletions by strikeout
Notwithstanding any other provision of this Act, if an employee of a school district has made a report or caused a report to be made to the Department under this Act involving the conduct of a current or former employee of the school district and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department, as required under this Act. Only the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department may be disclosed by the general superintendent of the school district to which the request for information concerning the applicant is made, and this fact may be disclosed only in cases where the employee and the general superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district must be informed by that school district that if he or she applies for employment with another school district, the general superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting school district that the employee is or was the subject of such a report.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

New matter indicated by italics - deletions by strikeout
The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required by this Act or constitute grounds for failure to share information or documents with the Department during the course of a child abuse or neglect investigation. If requested by the professional, the Department shall confirm in writing that the information or documents disclosed by the professional were gathered in the course of a child abuse or neglect investigation.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

Any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives shall provide to all office personnel copies of written information and training materials about abuse and neglect and the requirements of this Act that are provided to employees of the office, clinic, or physical location who are required to make reports to the Department under this Act, and instruct such office personnel to bring to the attention of an employee of the office, clinic, or physical location who is required to make reports to the Department under this Act any reasonable suspicion that a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child. In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.

Within one year of initial employment and at least every 5 years thereafter, school personnel required to report child abuse as provided under this Section must complete mandated reporter training by a provider or agency with expertise in recognizing and reporting child abuse.

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The Department shall provide copies of this Act, upon request, to all employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this provision is a Class 4 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

Nothing in this Act prohibits a mandated reporter who reasonably believes that an animal is being abused or neglected in violation of the Humane Care for Animals Act from reporting animal abuse or neglect to the Department of Agriculture's Bureau of Animal Health and Welfare.

A home rule unit may not regulate the reporting of child abuse or neglect in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

Sec. 15-111. Wheel and axle loads and gross weights.

(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: W = 500 times the sum of (LN divided by N-1) + 12N + 36, where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive

<table>
<thead>
<tr>
<th>Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles</th>
<th>Maximum weight in pounds</th>
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New matter indicated by italics - deletions by strikeout
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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.*

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.
(2) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

(3) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(4) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

(5) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96
inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2014 or first registered in Illinois after December 31, 2014 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2014, and registered in Illinois prior to January 1, 2015, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2014 may not exceed the weights allowed by the bridge formula.
(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

   (i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

   (ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

   (iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

   (iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the

New matter indicated by italics - deletions by strikeout
third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand,
and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 96-34, eff. 1-1-10; 96-37, eff. 7-13-09; 97-201, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect January 1, 2014.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0410
(House Bill No. 2361)

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

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.
(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: 

\[ W = 500 \times \left( \frac{LN}{N-1} + 12N + 36 \right) \]

where \( W \) equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, \( L \) equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and \( N \) equals the number of axles in the group under consideration.

New matter indicated by italics - deletions by strikeout
The above formula when expressed in tabular form results in allowable loads as follows:

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<th>Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles</th>
<th>Maximum weight in pounds of any group of 2 or more consecutive axles</th>
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</thead>
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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the

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maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

1. Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

2. Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

3. Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

4. Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

5. Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

6. A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

7. A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds

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on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2014 and first registered in Illinois prior to January 1, 2015, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2014 or first registered in Illinois after December 31, 2014 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights:

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20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2014, and registered in Illinois prior to January 1, 2015, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2014 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle,
semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles;

and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

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(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 96-34, eff. 1-1-10; 96-37, eff. 7-13-09; 97-201, eff. 1-1-12.)

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning State government.

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

Section 5. The State Comptroller Act is amended by changing Sections 10.10 and 20 as follows:

(15 ILCS 405/10.10) (from Ch. 15, par. 210.10)

Sec. 10.10. (a) If any Comptroller's warrant is lost, mislaid or destroyed, or becomes void after issuance, so that it cannot be presented for payment by the person entitled thereto, the Comptroller, at any time before that warrant is paid by the State Treasurer, but within 5 years of the date of issuance, may issue a replacement warrant to the person entitled thereto. If the original warrant was not cancelled or did not become void, the Comptroller, before issuing the replacement warrant, shall issue a stop payment order on the State Treasurer and receive a confirmation of the stop payment order on the original warrant from the State Treasurer.

(b) Only the person entitled to the original warrant, or his heirs or legal representatives, or a third party to whom it was properly negotiated or the heirs or legal representatives of such party, may request a replacement warrant. In the case of a warrant issued to a payee who dies before the warrant is paid by the State Treasurer and whose estate has been probated pursuant to law, the Comptroller, upon receipt of a certified copy of a judicial order establishing the person or entity entitled to payment, may issue a replacement warrant to such person or entity.

(c) Within 12 months from the date of issuance of the original warrant, if the original warrant has not been canceled for redeposit, the Comptroller may issue a replacement warrant on the original voucher drawing upon the same fund and charging the same appropriation or other expenditure authorization as the original warrant.

(d) Within 12 months from the date of issuance of the original warrant, if the original warrant has been canceled for redeposit, and if the issuance of the replacement warrant would not over-obligate the appropriation or other expenditure authority against which it is drawn, the Comptroller may issue the replacement warrant. If the original warrant was issued against an appropriation or other expenditure authority which has lapsed, the replacement warrant shall be drawn on the Warrant...
Escheat Fund. If the appropriation or other obligational authority against which the replacement warrant is drawn has not lapsed, the Comptroller shall notify the originating agency of the request for a replacement warrant and shall receive a replacement voucher from that agency before drawing the replacement warrant, which shall be drawn on the same fund and charged to the same appropriation or other expenditure authority as the original warrant.

(e) Within 12 months from the date of issuance of the original warrant, if the original warrant has been canceled for redeposit, the Comptroller may not issue a replacement warrant where such issuance would over-obligate the appropriation or other expenditure authority against which the original warrant was drawn. Whenever the Comptroller is presented with a request for a replacement warrant which may not be issued under the limitation of this subsection, if the appropriation or other expenditure authority against which the original warrant was drawn has not lapsed, the Comptroller shall immediately inform the originating agency of the request and that the request may not be honored because of the resulting over-obligation, and shall request the agency to determine whether or not that agency will take some corrective action before the applicable expenditure authorization lapses. The originating agency shall respond to the Comptroller's inquiry within 5 business days.

(f) After 12 months from the date of issuance of the original warrant, if the original warrant has not been cancelled for redeposit, the Comptroller shall issue the replacement warrant on the Warrant Escheat Fund.

(f-5) After 5 years from the date of issuance of the original warrant but no later than 10 years after that date, the Comptroller may issue a replacement warrant on the Warrant Escheat Fund to a person or entity entitled thereto, as those persons and entities are described in subsection (b) of this Section, if the following requirements are met:

(1) the person or entity verifies that they are entitled to the original warrant;

(2) in the case of a warrant that is not presented by the requestor, the paying agency certifies that the original payee is still entitled to the payment; and

(3) the Comptroller's records are available and confirm that the warrant was not replaced.
(g) Except as provided in this Section, requests for replacement warrants for more than $500 shall show entitlement to such warrant by including an affidavit, in writing, sworn before a person authorized to administer oaths and affirmations, stating the loss or destruction of the warrant, or the fact that the warrant is void. However, when the written request for a replacement warrant submitted by the person to whom the original warrant was issued is accompanied by the original warrant, no affidavit is required. Requests for replacement warrants for $500 or less shall show entitlement to such warrant by submitting a written statement of the loss or destruction of the warrant, or the fact that the warrant is void on an application form prescribed by the Comptroller. If the person requesting the replacement is in possession of the original warrant, or any part thereof, the original warrant or the part thereof must accompany the request for replacement. The Comptroller shall then draw such replacement warrant, and the treasurer shall pay the replacement warrant.

If at the time of a loss or destruction a warrant was negotiated to a third party, however (which fact shall be ascertained by the oath of the party making the application, or otherwise), before the replacement warrant is drawn by the Comptroller, the person requesting the replacement warrant must give the Comptroller a bond or bonds with sufficient sureties, to be approved by the Comptroller, payable to the People of the State of Illinois, for the refunding of the amount, together with all costs and charges, should the State afterwards be compelled to pay the original warrant.

(Source: P.A. 89-285, eff. 1-1-96.)

(15 ILCS 405/20) (from Ch. 15, par. 220)

Sec. 20. Annual report. The Comptroller shall annually, as soon as possible after the close of the fiscal year but no later than December 31, make out and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives a report, showing the amount of warrants drawn on the treasury, on other funds held by the State Treasurer and on any public funds held by State agencies, during the preceding fiscal year, and stating, particularly, on what account they were drawn, and if drawn on the contingent fund, to whom and for what they were issued. He or she shall, also, at the same time, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the
Senate, and the Minority Leader of the House of Representatives the amount of money received into the treasury, into other funds held by the State Treasurer and into any other funds held by State agencies during the preceding fiscal year, and stating particularly, the source from which the same may be derived, and also a general account of all the business of his office during the preceding fiscal year. The report shall also summarize for the previous fiscal year the information required under Section 19.

Within 60 days after the expiration of each calendar year, the Comptroller shall compile, from records maintained and available in his office, a list of all persons including those employed in the Office of the Comptroller, who have been employed by the State during the past calendar year and paid from funds in the hands of the State Treasurer.

The list shall be arranged according to counties and shall state in alphabetical order the name of each employee, the address in the county in which he votes, except as specified below, the position and the total salary paid to him or her during the past calendar year. For persons employed by the Department of Corrections, Department of Children and Family Services, Department of Juvenile Justice, Office of the State's Attorneys Appellate Prosecutor, and the Department of State Police, as well as their spouses, no address shall be listed. The list so compiled and arranged shall be kept on file in the office of the Comptroller and be open to inspection by the public at all times.

No person who utilizes the names obtained from this list for solicitation shall represent that such solicitation is authorized by any officer or agency of the State of Illinois. Violation of this provision is a Business Offense punishable by a fine not to exceed $3,000.

(Source: P.A. 86-1003.)

(15 ILCS 405/10.13 rep.)

Section 10. The State Comptroller Act is amended by repealing Section 10.13.

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

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning transportation.

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

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-605 as follows:

(20 ILCS 2705/2705-605)
Sec. 2705-605. Construction projects; notification of the public.
(a) The Department shall develop and publish a policy for the notification of members of the public prior to the commencement of construction projects which impact their communities. The policy shall include procedures for ensuring that the public is informed of construction projects, excluding emergency projects, which are estimated to require the closure of a street or lane of traffic for a period longer than 5 consecutive business days. The policy shall include procedures for the notification of local public officials and affected businesses of affected communities and shall provide the local public officials the opportunity to request a meeting with the Department prior to the initiation of the closure.

(b) The policy shall be completed and published on the Department's Internet website by January 1, 2013.

(c) The Department shall work with affected stakeholders, including residents, businesses, and other community members before and during construction by considering various methods to mitigate and reduce project impacts to better serve those directly impacted by the improvement. Those methods could include, but need not be limited to, detour routing and temporary signage.
(Source: P.A. 97-992, eff. 1-1-13.)

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Sections 21-25 and 21B-25 as follows:
(105 ILCS 5/21-25) (from Ch. 122, par. 21-25)
(Section scheduled to be repealed on June 30, 2013)
Sec. 21-25. School service personnel certificate.
(a) For purposes of this Section, "school service personnel" means persons employed and performing appropriate services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the Charter Schools Law in a position requiring a school service personnel certificate.
Subject to the provisions of Section 21-1a, a school service personnel certificate shall be issued to those applicants of good character, good health, a citizen of the United States and at least 19 years of age who have a Bachelor's degree with not fewer than 120 semester hours from a regionally accredited institution of higher learning and who meets the requirements established by the State Superintendent of Education in consultation with the State Teacher Certification Board. A school service personnel certificate with a school nurse endorsement may be issued to a person who holds a bachelor of science degree from an institution of higher learning accredited by the North Central Association or other comparable regional accrediting association. Persons seeking any other endorsement on the school service personnel certificate shall be recommended for the endorsement by a recognized teacher education institution as having completed a program of preparation approved by the State Superintendent of Education in consultation with the State Teacher Certification Board.
(b) Until August 30, 2002, a school service personnel certificate endorsed for school social work may be issued to a student who has completed a school social work program that has not been approved by the State Superintendent of Education, provided that each of the following conditions is met:

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(1) The program was offered by a recognized, public teacher education institution that first enrolled students in its master's degree program in social work in 1998;

(2) The student applying for the school service personnel certificate was enrolled in the institution's master's degree program in social work on or after May 11, 1998;

(3) The State Superintendent verifies that the student has completed coursework that is substantially similar to that required in approved school social work programs, including (i) not fewer than 600 clock hours of a supervised internship in a school setting or (ii) if the student has completed part of a supervised internship in a school setting prior to the effective date of this amendatory Act of the 92nd General Assembly and receives the prior approval of the State Superintendent, not fewer than 300 additional clock hours of supervised work in a public school setting under the supervision of a certified school social worker who certifies that the supervised work was completed in a satisfactory manner; and

(4) The student has passed a test of basic skills and the test of subject matter knowledge required by Section 21-1a.

This subsection (b) does not apply after August 29, 2002.

(c) A school service personnel certificate shall be endorsed with the area of Service as determined by the State Superintendent of Education in consultation with the State Teacher Certification Board.

The holder of such certificate shall be entitled to all of the rights and privileges granted holders of a valid teaching certificate, including teacher benefits, compensation and working conditions.

When the holder of such certificate has earned a master's degree, including 8 semester hours of graduate professional education from a recognized institution of higher learning, and has at least 2 years of successful school experience while holding such certificate, the certificate may be endorsed for supervision.

(d) Persons who have successfully achieved National Board certification through the National Board for Professional Teaching Standards shall be issued a Master School Service Personnel Certificate, valid for 10 years and renewable thereafter every 10 years through compliance with requirements set forth by the State Board of Education, in consultation with the State Teacher Certification Board. However, each holder of a Master School Service Personnel Certificate shall be eligible for a corresponding position in this State in the areas for which he or she

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holds a Master Certificate without satisfying any other requirements of this Code, except for those requirements pertaining to criminal background checks.

(e) School service personnel certificates are renewable every 5 years and may be renewed as provided in this Section. Requests for renewals must be submitted, in a format prescribed by the State Board of Education, to the regional office of education responsible for the school where the holder is employed.

Upon completion of at least 80 hours of continuing professional development as provided in this subsection (e), a person who holds a valid school service personnel certificate shall have his or her certificate renewed for a period of 5 years. A person who (i) holds an active license issued by the State as a clinical professional counselor, a professional counselor, a marriage and family therapist, a clinical social worker, a social worker, or a speech-language pathologist; (ii) holds national certification as a Nationally Certified School Psychologist from the National School Psychology Certification Board; (iii) is nationally certified as a National Certified School Nurse from the National Board for Certification of School Nurses; (iv) is nationally certified as a National Certified Counselor or National Certified School Counselor from the National Board for Certified Counselors; or (v) holds a Certificate of Clinical Competence from the American Speech-Language-Hearing Association shall be deemed to have satisfied the continuing professional development requirements established by the State Board of Education and the State Teacher Certification Board to renew a school service personnel certificate.

School service personnel certificates may be renewed by the State Teacher Certification Board based upon proof of continuing professional development. The State Board of Education shall (i) establish a procedure for renewing school service personnel certificates, which shall include without limitation annual timelines for the renewal process and the components set forth in this Section; (ii) approve or disapprove the providers of continuing professional development activities; and (iii) provide, on a timely basis to all school service personnel certificate holders, regional superintendents of schools, school districts, and others with an interest in continuing professional development, information about the standards and requirements established pursuant to this subsection (e).

Any school service personnel certificate held by an individual employed and performing services in an Illinois public or State-operated
elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated school service personnel position or in a charter school in compliance with the Charter Schools Law must be maintained Valid and Active through certificate renewal activities specified in the certificate renewal procedure established pursuant to this Section, provided that a holder of a Valid and Active certificate who is only employed on either a part-time basis or day-to-day basis as a substitute shall pay only the required registration fee to renew his or her certificate and maintain it as Valid and Active. All other school service personnel certificates held may be maintained as Valid and Exempt through the registration process provided for in the certificate renewal procedure established pursuant to Section 21-14 of this Code. A Valid and Exempt certificate must be immediately activated, through procedures developed by the State Board of Education upon the certificate holder becoming employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated school service personnel position or in a charter school operating in compliance with the Charter Schools Law. A holder of a Valid and Exempt certificate may activate his or her certificate through procedures provided for in the certificate renewal procedure established pursuant to this Section.

A school service personnel certificate that has been maintained as Valid and Active for the 5 years of the certificate's validity shall be renewed as Valid and Active upon the certificate holder (i) completing the National Board for Professional Teaching Standards process in an area of concentration comparable to the holder's school service personnel certificate of endorsement or (ii) earning 80 continuing professional development units as described in this Section. If, however, the certificate holder has maintained the certificate as Valid and Exempt for a portion of the 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active must be proportionately reduced by the amount of time the certificate was Valid and Exempt. If a certificate holder is employed and performs services requiring the holder's school service personnel certificate on a part-time basis for all or a portion of the certificate's 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active shall be reduced by 50% for the amount of time the certificate holder has been employed and
performing such services on a part-time basis. "Part-time" means less than 50% of the school day or school term.

Beginning July 1, 2008, in order to satisfy the requirements for continuing professional development provided for in this Section, each Valid and Active school service personnel certificate holder shall complete professional development activities that address the certificate or those certificates that are required of his or her certificated position, if the certificate holder is employed and performing services in an Illinois public or State operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, or that certificate or those certificates most closely related to his or her teaching position, if the certificate holder is employed in a charter school. Except as otherwise provided in this subsection (e), the certificate holder's activities must address and must reflect the following continuing professional development purposes:

(1) Advance both the certificate holder's knowledge and skills consistent with the Illinois Standards for the service area in which the certificate is endorsed in order to keep the certificate holder current in that area.

(2) Develop the certificate holder's knowledge and skills in areas determined by the State Board of Education to be critical for all school service personnel.

(3) Address the knowledge, skills, and goals of the certificate holder's local school improvement plan, if the certificate holder is employed in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control.

(4) Address the needs of serving students with disabilities, including adapting and modifying clinical or professional practices to meet the needs of students with disabilities and serving such students in the least restrictive environment.

(5) Address the needs of serving students who are the children of immigrants, including, if the certificate holder is employed as a counselor in an Illinois public or State-operated secondary school, opportunities for higher education for students who are undocumented immigrants.

The coursework or continuing professional development units ("CPDU") required under this subsection (e) must total 80 CPDUs or the equivalent and must address 4 of the 5 purposes described in items (1)
through (5) of this subsection (e). Holders of school service personnel certificates may fulfill this obligation with any combination of semester hours or CPDUs as follows:

(A) Collaboration and partnership activities related to improving the school service personnel certificate holder's knowledge and skills, including (i) participating on collaborative planning and professional improvement teams and committees; (ii) peer review and coaching; (iii) mentoring in a formal mentoring program, including service as a consulting teacher participating in a remediation process formulated under Section 24A-5 of this Code; (iv) participating in site-based management or decision-making teams, relevant committees, boards, or task forces directly related to school improvement plans; (v) coordinating community resources in schools, if the project is a specific goal of the school improvement plan; (vi) facilitating parent education programs for a school, school district, or regional office of education directly related to student achievement or school improvement plans; (vii) participating in business, school, or community partnerships directly related to student achievement or school improvement plans; or (viii) supervising a student teacher (student services personnel) or teacher education candidate in clinical supervision, provided that the supervision may be counted only once during the course of 5 years.

(B) Coursework from a regionally accredited institution of higher learning related to one of the purposes listed in items (1) through (4) of this subsection (e), which shall apply at the rate of 15 continuing professional development units per semester hour of credit earned during the previous 5-year period when the status of the holder's school service personnel certificate was Valid and Active. Proportionate reductions shall apply when the holder's status was Valid and Active for less than the 5-year period preceding the renewal.

(C) Teaching college or university courses in areas relevant to the certificate area being renewed, provided that the teaching may be counted only once during the course of 5 years.

(D) Conferences, workshops, institutes, seminars, or symposiums designed to improve the certificate holder's knowledge and skills in the service area and applicable to the purposes listed in items (1) through (5) of this subsection (e). One
CPDU shall be awarded for each hour of attendance. No one shall receive credit for conferences, workshops, institutes, seminars, or symposiums that are designed for entertainment, promotional, or commercial purposes or that are solely inspirational or motivational. The State Superintendent of Education and regional superintendents of schools are authorized to review the activities and events provided or to be provided under this subdivision (D) and to investigate complaints regarding those activities and events. Either the State Superintendent of Education or a regional superintendent of schools may recommend that the State Board of Education disapprove those activities and events considered to be inconsistent with this subdivision (D).

(E) Completing non-university credit directly related to student achievement, school improvement plans, or State priorities.

(F) Participating in or presenting at workshops, seminars, conferences, institutes, or symposiums.

(G) Training as external reviewers for quality assurance.

(H) Training as reviewers of university teacher preparation programs.

(I) Other educational experiences related to improving the school service personnel's knowledge and skills as a teacher, including (i) participating in action research and inquiry projects; (ii) traveling related to one's assignment and directly related to school service personnel achievement or school improvement plans and approved by the regional superintendent of schools or his or her designee at least 30 days prior to the travel experience, provided that the traveling shall not include time spent commuting to destinations where the learning experience will occur; (iii) participating in study groups related to student achievement or school improvement plans; (iv) serving on a statewide education-related committee, including without limitation the State Teacher Certification Board, State Board of Education strategic agenda teams, or the State Advisory Council on Education of Children with Disabilities; (v) participating in work/learn programs or internships; or (vi) developing a portfolio of student and teacher work.

(J) Professional leadership experiences related to improving the teacher's knowledge and skills as a teacher, including (i) participating in curriculum development or assessment activities at

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the school, school district, regional office of education, State, or national level; (ii) participating in team or department leadership in a school or school district; (iii) participating on external or internal school or school district review teams; (iv) publishing educational articles, columns, or books relevant to the certificate area being renewed; or (v) participating in non-strike-related professional association or labor organization service or activities related to professional development. 

(f) This Section is repealed on June 30, 2013. 

(Source: P.A. 97-233, eff. 8-1-11; 97-607, eff. 8-26-11; 97-813, eff. 7-13-12.)

Sec. 21B-25. Endorsement on licenses. All licenses issued under paragraph (1) of Section 21B-20 of this Code shall be specifically endorsed by the State Board of Education for each content area, school support area, and administrative area for which the holder of the license is qualified. Recognized institutions approved to offer educator preparation programs shall be trained to add endorsements to licenses issued to applicants who meet all of the requirements for the endorsement or endorsements, including passing any required tests. The State Superintendent of Education shall randomly audit institutions to ensure that all rules and standards are being followed for entitlement or when endorsements are being recommended.

(1) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall establish, by rule, the grade level and subject area endorsements to be added to the Professional Educator License. These rules shall outline the requirements for obtaining each endorsement.

(2) In addition to any and all grade level and content area endorsements developed by rule, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall develop the requirements for the following endorsements:

(A) General administrative endorsement. A general administrative endorsement shall be added to a Professional Educator License, provided that an approved program has been completed. An individual holding a general administrative endorsement may work only as a principal or assistant principal or in a related or similar position, as
determined by the State Superintendent of Education, in consultation with the State Educator Preparation and Licensure Board.

Beginning on September 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement issued under Section 21-7.1 of this Code or a Professional Educator License with a general administrative endorsement issued prior to September 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement on the Professional Educator License. Candidates shall not be admitted to an approved general administrative preparation program after September 1, 2012.

All other individuals holding a valid and registered administrative certificate with a general administrative endorsement issued pursuant to Section 21-7.1 of this Code or a general administrative endorsement on a Professional Educator License issued prior to September 1, 2014 shall have the general administrative endorsement converted to a principal endorsement on a Professional Educator License upon request to the State Board of Education and by completing one of the following pathways:

(i) Passage of the State principal assessment developed by the State Board of Education.

(ii) Through July 1, 2019, completion of an Illinois Educators' Academy course designated by the State Superintendent of Education.

(iii) Completion of a principal preparation program established and approved pursuant to Section 21B-60 of this Code and applicable rules.

Individuals who do not choose to convert the general administrative endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or
on the Professional Educator License shall continue to be able to serve in any position previously allowed under paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

The general administrative endorsement on the Professional Educator License is available only to individuals who, prior to September 1, 2014, had such an endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or who already have a Professional Educator License and have completed a general administrative program and who do not choose to convert the general administrative endorsement to a principal endorsement pursuant to the options in this Section.

(B) Principal endorsement. A principal endorsement shall be affixed to a Professional Educator License of any holder who qualifies by having all of the following:

(i) Successful completion of a principal preparation program approved in accordance with Section 21B-60 of this Code and any applicable rules.

(ii) Four years of teaching in a public school or nonpublic school recognized by the State Board of Education; however, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of performance evaluations or other evidence of demonstrated qualifications.

(iii) A master's degree or higher from a regionally accredited college or university.

(C) Chief school business official endorsement. A chief school business official endorsement shall be affixed to the Professional Educator License of any holder who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical
experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests. The chief school business official endorsement may also be affixed to the Professional Educator License of any holder who qualifies by having a master's degree in business administration, finance, or accounting and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests. This endorsement shall be required for any individual employed as a chief school business official.

(D) Superintendent endorsement. A superintendent endorsement shall be affixed to the Professional Educator License of any holder who has completed a program approved by the State Board of Education for the preparation of superintendents of schools, has had at least 2 years of experience employed as a full-time principal, director of special education, or chief school business official in the public schools or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and where a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, and has passed the required State tests; or of any holder who has completed a program from out-of-state that has a program with recognition standards comparable to those approved by the State Superintendent of Education and holds the general administrative, principal, or chief school business official endorsement and who has had 2 years of experience as a principal, director of special education, or chief school business official while holding a valid educator license or certificate comparable in validity and educational and experience requirements and has passed the appropriate State tests, as provided in Section 21B-30 of this Code. The superintendent endorsement shall allow individuals to serve only as a superintendent or assistant superintendent.

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(E) Teacher leader endorsement. It shall be the policy of this State to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles, but not as principals. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may issue a teacher leader endorsement under this subdivision (E). Persons who meet and successfully complete the requirements of the endorsement shall be issued a teacher leader endorsement on the Professional Educator License for serving in schools in this State. Teacher leaders may qualify to serve in such positions as department chairs, coaches, mentors, curriculum and instruction leaders, or other leadership positions as defined by the district. The endorsement shall be available to those teachers who (i) hold a Professional Educator License, (ii) hold a master's degree or higher from a regionally accredited institution, (iii) have completed a program of study that has been approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and (iv) have taken coursework in all of the following areas:

(I) Leadership.

(II) Designing professional development to meet teaching and learning needs.

(III) Building school culture that focuses on student learning.

(IV) Using assessments to improve student learning and foster school improvement.

(V) Building collaboration with teachers and stakeholders.

A teacher who meets the requirements set forth in this Section and holds a teacher leader endorsement may evaluate teachers pursuant to Section 24A-5 of this Code, provided that the individual has completed the evaluation component required by Section 24A-3 of this Code and a teacher leader is allowed to evaluate personnel under the respective school district's collective bargaining agreement.
The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the teacher leader endorsement program and to specify the positions for which this endorsement shall be required.

(F) Special education endorsement. A special education endorsement in one or more areas shall be affixed to a Professional Educator License for any individual that meets those requirements established by the State Board of Education in rules. Special education endorsement areas shall include without limitation the following:

(i) Learning Behavior Specialist I;
(ii) Learning Behavior Specialist II;
(iii) Speech Language Pathologist;
(iv) Blind or Visually Impaired;
(v) Deaf-Hard of Hearing; and
(vi) Early Childhood Special Education.

Notwithstanding anything in this Code to the contrary, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may add additional areas of special education by rule.

(G) School support personnel endorsement. School support personnel endorsement areas shall include, but are not limited to, school counselor, marriage and family therapist, school psychologist, school speech and language pathologist, school nurse, and school social worker. This endorsement is for individuals who are not teachers or administrators, but still require licensure to work in an instructional support position in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the Charter Schools Law. The school support personnel endorsement shall be affixed to the Professional Educator License and shall meet all of the requirements established in any rules adopted to implement this subdivision (G). The holder of such an endorsement is entitled to all of the rights.

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and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions.

(Source: P.A. 97-607, eff. 8-26-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0414
(House Bill No. 2423)

AN ACT concerning State government.

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

Section 5. The Illinois Health Facilities Planning Act is amended by changing Sections 3, 5, and 12 as follows:

(20 ILCS 3960/3) (from Ch. 111 1/2, par. 1153)

(Section scheduled to be repealed on December 31, 2019)

Sec. 3. Definitions. As used in this Act:
"Health care facilities" means and includes the following facilities, and organizations, and related persons:

1. An ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act;

2. An institution, place, building, or agency required to be licensed pursuant to the Hospital Licensing Act;

3. Skilled and intermediate long term care facilities licensed under the Nursing Home Care Act;

3.5. Skilled and intermediate care facilities licensed under the ID/DD Community Care Act;

3.7. Facilities licensed under the Specialized Mental Health Rehabilitation Act;

4. Hospitals, nursing homes, ambulatory surgical treatment centers, or kidney disease treatment centers maintained by the State or any department or agency thereof;

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5. Kidney disease treatment centers, including a free-standing hemodialysis unit required to be licensed under the End Stage Renal Disease Facility Act;

6. An institution, place, building, or room used for the performance of outpatient surgical procedures that is leased, owned, or operated by or on behalf of an out-of-state facility;

7. An institution, place, building, or room used for provision of a health care category of service as defined by the Board, including, but not limited to, cardiac catheterization and open heart surgery; and

8. An institution, place, building, or room used for provision of major medical equipment used in the direct clinical diagnosis or treatment of patients, and whose project cost is in excess of the capital expenditure minimum.

This Act shall not apply to the construction of any new facility or the renovation of any existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

No federally owned facility shall be subject to the provisions of this Act, nor facilities used solely for healing by prayer or spiritual means.

No facility licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act shall be subject to the provisions of this Act.

No facility established and operating under the Alternative Health Care Delivery Act as a children's respite care center alternative health care model demonstration program or as an Alzheimer's Disease Management Center alternative health care model demonstration program shall be subject to the provisions of this Act.

A facility designated as a supportive living facility that is in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code shall not be subject to the provisions of this Act.

This Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. However, if a demonstration project under that Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage

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renal disease who have elected to receive home dialysis. This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. The Board, however, may require these dialysis facilities and licensed nursing homes to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers.

This Act shall not apply to the closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, that elects to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act.

This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

With the exception of those health care facilities specifically included in this Section, nothing in this Act shall be intended to include facilities operated as a part of the practice of a physician or other licensed health care professional, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional group. Further, this Act shall not apply to physicians or other licensed health care professional's practices where such practices are carried out in a portion of a health care facility under contract with such health care facility by a physician or by other licensed health care professionals, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional groups, unless the entity constructs, modifies, or establishes a health care facility as specifically defined in this Section. This Act shall apply to construction or modification and to establishment by such health care facility of such contracted portion which is subject to facility

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licensing requirements, irrespective of the party responsible for such action or attendant financial obligation.

No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. However, if a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

"Person" means any one or more natural persons, legal entities, governmental bodies other than federal, or any combination thereof.

"Consumer" means any person other than a person (a) whose major occupation currently involves or whose official capacity within the last 12 months has involved the providing, administering or financing of any type of health care facility, (b) who is engaged in health research or the teaching of health, (c) who has a material financial interest in any activity which involves the providing, administering or financing of any type of health care facility, or (d) who is or ever has been a member of the immediate family of the person defined by (a), (b), or (c).

"State Board" or "Board" means the Health Facilities and Services Review Board.

"Construction or modification" means the establishment, erection, building, alteration, reconstruction, modernization, improvement, extension, discontinuation, change of ownership, of or by a health care facility, or the purchase or acquisition by or through a health care facility of equipment or service for diagnostic or therapeutic purposes or for facility administration or operation, or any capital expenditure made by or on behalf of a health care facility which exceeds the capital expenditure minimum; however, any capital expenditure made by or on behalf of a health care facility for (i) the construction or modification of a facility licensed under the Assisted Living and Shared Housing Act or (ii) a conversion project undertaken in accordance with Section 30 of the Older Adult Services Act shall be excluded from any obligations under this Act.

"Establish" means the construction of a health care facility or the replacement of an existing facility on another site or the initiation of a category of service as defined by the Board.

"Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of the capital expenditure minimum, except that such term does
not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of Section 1861(s) of such Act. In determining whether medical equipment has a value in excess of the capital expenditure minimum, the value of studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition of such equipment shall be included.

"Capital Expenditure" means an expenditure: (A) made by or on behalf of a health care facility (as such a facility is defined in this Act); and (B) which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance, or is made to obtain by lease or comparable arrangement any facility or part thereof or any equipment for a facility or part; and which exceeds the capital expenditure minimum.

For the purpose of this paragraph, the cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made shall be included in determining if such expenditure exceeds the capital expenditures minimum. Unless otherwise interdependent, or submitted as one project by the applicant, components of construction or modification undertaken by means of a single construction contract or financed through the issuance of a single debt instrument shall not be grouped together as one project. Donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to review under this Act shall be considered capital expenditures, and a transfer of equipment or facilities for less than fair market value shall be considered a capital expenditure for purposes of this Act if a transfer of the equipment or facilities at fair market value would be subject to review.

"Capital expenditure minimum" means $11,500,000 for projects by hospital applicants, $6,500,000 for applicants for projects related to skilled and intermediate care long-term care facilities licensed under the Nursing Home Care Act, and $3,000,000 for projects by all other applicants, which shall be annually adjusted to reflect the increase in construction costs due to inflation, for major medical equipment and for all other capital expenditures.
"Non-clinical service area" means an area (i) for the benefit of the patients, visitors, staff, or employees of a health care facility and (ii) not directly related to the diagnosis, treatment, or rehabilitation of persons receiving services from the health care facility. "Non-clinical service areas" include, but are not limited to, chapels; gift shops; news stands; computer systems; tunnels, walkways, and elevators; telephone systems; projects to comply with life safety codes; educational facilities; student housing; patient, employee, staff, and visitor dining areas; administration and volunteer offices; modernization of structural components (such as roof replacement and masonry work); boiler repair or replacement; vehicle maintenance and storage facilities; parking facilities; mechanical systems for heating, ventilation, and air conditioning; loading docks; and repair or replacement of carpeting, tile, wall coverings, window coverings or treatments, or furniture. Solely for the purpose of this definition, "non-clinical service area" does not include health and fitness centers.

"Areawide" means a major area of the State delineated on a geographic, demographic, and functional basis for health planning and for health service and having within it one or more local areas for health planning and health service. The term "region", as contrasted with the term "subregion", and the word "area" may be used synonymously with the term "areawide".

"Local" means a subarea of a delineated major area that on a geographic, demographic, and functional basis may be considered to be part of such major area. The term "subregion" may be used synonymously with the term "local".

"Physician" means a person licensed to practice in accordance with the Medical Practice Act of 1987, as amended.

"Licensed health care professional" means a person licensed to practice a health profession under pertinent licensing statutes of the State of Illinois.

"Director" means the Director of the Illinois Department of Public Health.

"Agency" means the Illinois Department of Public Health.

"Alternative health care model" means a facility or program authorized under the Alternative Health Care Delivery Act.

"Out-of-state facility" means a person that is both (i) licensed as a hospital or as an ambulatory surgery center under the laws of another state or that qualifies as a hospital or an ambulatory surgery center under regulations adopted pursuant to the Social Security Act and (ii) not

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licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, or the Nursing Home Care Act. Affiliates of out-of-state facilities shall be considered out-of-state facilities. Affiliates of Illinois licensed health care facilities 100% owned by an Illinois licensed health care facility, its parent, or Illinois physicians licensed to practice medicine in all its branches shall not be considered out-of-state facilities. Nothing in this definition shall be construed to include an office or any part of an office of a physician licensed to practice medicine in all its branches in Illinois that is not required to be licensed under the Ambulatory Surgical Treatment Center Act.

"Change of ownership of a health care facility" means a change in the person who has ownership or control of a health care facility's physical plant and capital assets. A change in ownership is indicated by the following transactions: sale, transfer, acquisition, lease, change of sponsorship, or other means of transferring control.

"Related person" means any person that: (i) is at least 50% owned, directly or indirectly, by either the health care facility or a person owning, directly or indirectly, at least 50% of the health care facility; or (ii) owns, directly or indirectly, at least 50% of the health care facility.

"Charity care" means care provided by a health care facility for which the provider does not expect to receive payment from the patient or a third-party payer.

"Freestanding emergency center" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Category of service" means a grouping by generic class of various types or levels of support functions, equipment, care, or treatment provided to patients or residents, including, but not limited to, classes such as medical-surgical, pediatrics, or cardiac catheterization. A category of service may include subcategories or levels of care that identify a particular degree or type of care within the category of service. Nothing in this definition shall be construed to include the practice of a physician or other licensed health care professional while functioning in an office providing for the care, diagnosis, or treatment of patients. A category of service that is subject to the Board's jurisdiction must be designated in rules adopted by the Board.

(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-277, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12.)

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Sec. 5. Construction, modification, or establishment of health care facilities or acquisition of major medical equipment; permits or exemptions. No person shall construct, modify or establish a health care facility or acquire major medical equipment without first obtaining a permit or exemption from the State Board. The State Board shall not delegate to the staff of the State Board or any other person or entity the authority to grant permits or exemptions whenever the staff or other person or entity would be required to exercise any discretion affecting the decision to grant a permit or exemption. The State Board may, by rule, delegate authority to the Chairman to grant permits or exemptions when applications meet all of the State Board's review criteria and are unopposed.

A permit or exemption shall be obtained prior to the acquisition of major medical equipment or to the construction or modification of a health care facility which:

   (a) requires a total capital expenditure in excess of the capital expenditure minimum; or
   (b) substantially changes the scope or changes the functional operation of the facility; or
   (c) changes the bed capacity of a health care facility by increasing the total number of beds or by distributing beds among various categories of service or by relocating beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity as defined by the State Board, whichever is less, over a 2 year period.

A permit shall be valid only for the defined construction or modifications, site, amount and person named in the application for such permit and shall not be transferable or assignable. A permit shall be valid until such time as the project has been completed, provided that the project commences and proceeds to completion with due diligence by the completion date or extension date approved by the Board.

A permit holder must do the following: (i) submit the final completion and cost report for the project within 90 days after the approved project completion date or extension date and (ii) submit annual progress reports no earlier than 30 days before and no later than 30 days after each anniversary date of the Board's approval of the permit until the project is completed. To maintain a valid permit and to monitor progress
toward project commencement and completion, routine post-permit reports shall be limited to annual progress reports and the final completion and cost report. Annual progress reports shall include information regarding the committed funds expended toward the approved project. If the project is not completed in one year, then, by the second annual report, the permit holder shall expend 33% or more of the total project cost or shall make a commitment to expend 33% or more of the total project cost by signed contracts or other legal means, and the report shall contain information regarding those expenditures or commitments. If the project is to be completed in one year, then the first annual report shall contain the expenditure commitment information for the total project cost. The State Board may extend the expenditure commitment period after considering a permit holder's showing of good cause and request for additional time to complete the project.

The Certificate of Need process required under this Act is designed to restrain rising health care costs by preventing unnecessary construction or modification of health care facilities. The Board must assure that the establishment, construction, or modification of a health care facility or the acquisition of major medical equipment is consistent with the public interest and that the proposed project is consistent with the orderly and economic development or acquisition of those facilities and equipment and is in accord with the standards, criteria, or plans of need adopted and approved by the Board. Board decisions regarding the construction of health care facilities must consider capacity, quality, value, and equity. Projects may deviate from the costs, fees, and expenses provided in their project cost information for the project's cost components, provided that the final total project cost does not exceed the approved permit amount. Project alterations shall not increase the total approved permit amount by more than the limit set forth under the Board's rules.

Major construction projects, for the purposes of this Act, shall include but are not limited to: projects for the construction of new buildings; additions to existing facilities; modernization projects whose cost is in excess of $1,000,000 or 10% of the facilities' operating revenue, whichever is less; and such other projects as the State Board shall define and prescribe pursuant to this Act.

Permits for projects that have not been obligated within the prescribed obligation period shall expire on the last day of that period.

The acquisition by any person of major medical equipment that will not be owned by or located in a health care facility and that will not be

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used to provide services to inpatients of a health care facility shall be exempt from review provided that a notice is filed in accordance with exemption requirements.

Notwithstanding any other provision of this Act, no permit or exemption is required for the construction or modification of a non-clinical service area of a health care facility.

(Source: P.A. 96-31, eff. 6-30-09; 97-1115, eff. 8-27-12.)

(20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)

(Section scheduled to be repealed on December 31, 2019)

Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:

(1) Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act. Policies and procedures of the State Board shall take into consideration the priorities and needs of medically underserved areas and other health care services identified through the comprehensive health planning process, giving special consideration to the impact of projects on access to safety net services.

(2) Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

(3) (Blank).

(4) Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Board's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Board with pertinent State Plans. Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act, skilled or intermediate care facilities licensed under the ID/DD Community Care Act, facilities licensed under the Specialized Mental Health Rehabilitation Act, or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information

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requested a list of all services provided by a facility to its residents and to the community at large and differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider, but shall not be limited to, the following:

(a) The size, composition and growth of the population of the area to be served;
(b) The number of existing and planned facilities offering similar programs;
(c) The extent of utilization of existing facilities;
(d) The availability of facilities which may serve as alternatives or substitutes;
(e) The availability of personnel necessary to the operation of the facility;
(f) Multi-institutional planning and the establishment of multi-institutional systems where feasible;
(g) The financial and economic feasibility of proposed construction or modification; and
(h) In the case of health care facilities established by a religious body or denomination, the needs of the members of such religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in accordance with this Section shall form the basis for the plan of the State to deal most effectively with statewide health needs in regard to health care facilities.

(5) Coordinate with the Center for Comprehensive Health Planning and other state agencies having responsibilities affecting health care facilities, including those of licensure and cost reporting. Beginning no later than January 1, 2013, the Department of Public Health shall produce a written annual report to the Governor and the General Assembly regarding the development of the Center for Comprehensive Health Planning. The Chairman of the State Board and the State Board Administrator shall also receive a copy of the annual report.

(6) Solicit, accept, hold and administer on behalf of the State any grants or bequests of money, securities or property for use by the State Board or Center for Comprehensive Health Planning in the administration of this Act; and enter into contracts consistent with the appropriations for purposes enumerated in this Act.
(7) The State Board shall prescribe procedures for review, standards, and criteria which shall be utilized to make periodic reviews and determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the Board in making its determinations.

(8) Prescribe, in consultation with the Center for Comprehensive Health Planning, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of construction or modification of a health care facility, which projects are classified as emergency, substantive, or non-substantive in nature.

Six months after June 30, 2009 (the effective date of Public Act 96-31), substantive projects shall include no more than the following:

(a) Projects to construct (1) a new or replacement facility located on a new site or (2) a replacement facility located on the same site as the original facility and the cost of the replacement facility exceeds the capital expenditure minimum, which shall be reviewed by the Board within 120 days;

(b) Projects proposing a (1) new service within an existing healthcare facility or (2) discontinuation of a service within an existing healthcare facility, which shall be reviewed by the Board within 60 days; or

(c) Projects proposing a change in the bed capacity of a health care facility by an increase in the total number of beds or by a redistribution of beds among various categories of service or by a relocation of beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity, as defined by the State Board, whichever is less, over a 2-year period.

The Chairman may approve applications for exemption that meet the criteria set forth in rules or refer them to the full Board. The Chairman may approve any unopposed application that meets all of the review criteria or refer them to the full Board.

Such rules shall not abridge the right of the Center for Comprehensive Health Planning to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party. Such reviews shall not exceed 60 days from the date the application is declared to be complete.
(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.

(11) Issue written decisions upon request of the applicant or an adversely affected party to the Board within 30 days of the meeting in which a final decision has been made. Requests for a written decision shall be made within 15 days after the Board meeting in which a final decision has been made. A "final decision" for purposes of this Act is the decision to approve or deny an application, or take other actions permitted under this Act, at the time and date of the meeting that such action is scheduled by the Board. The staff of the State Board shall prepare a written copy of the final decision and the State Board shall approve a final copy for inclusion in the formal record. The Board shall consider, for approval, the written draft of the final decision no later than the next scheduled Board meeting. The written decision shall identify the applicable criteria and factors listed in this Act and the Board's regulations that were taken into consideration by the Board when coming to a final decision. If the State Board denies or fails to approve an application for permit or exemption certificate, the State Board shall include in the final decision a detailed explanation as to why the application was denied and identify what specific criteria or standards the applicant did not fulfill.

(12) Require at least one of its members to participate in any public hearing, after the appointment of a majority of the members to the Board.

(13) Provide a mechanism for the public to comment on, and request changes to, draft rules and standards.

(14) Implement public information campaigns to regularly inform the general public about the opportunity for public hearings and public hearing procedures.

(15) Establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and

New matter indicated by italics - deletions by strikeout
service model from other regulated facilities. An open and transparent process shall be developed that considers the following: how skilled nursing fits in the continuum of care with other care providers, modernization of nursing homes, establishment of more private rooms, development of alternative services, and current trends in long-term care services. The Chairman of the Board shall appoint a permanent Health Services Review Board Long-term Care Facility Advisory Subcommittee that shall develop and recommend to the Board the rules to be established by the Board under this paragraph (15). The Subcommittee shall also provide continuous review and commentary on policies and procedures relative to long-term care and the review of related projects. In consultation with other experts from the health field of long-term care, the Board and the Subcommittee shall study new approaches to the current bed need formula and Health Service Area boundaries to encourage flexibility and innovation in design models reflective of the changing long-term care marketplace and consumer preferences. The Subcommittee shall evaluate, and make recommendations to the State Board regarding, the buying, selling, and exchange of beds between long-term care facilities within a specified geographic area or drive time. The Board shall file the proposed related administrative rules for the separate rules and guidelines for long-term care required by this paragraph (15) by no later than September 30, 2011. The Subcommittee shall be provided a reasonable and timely opportunity to review and comment on any review, revision, or updating of the criteria, standards, procedures, and rules used to evaluate project applications as provided under Section 12.3 of this Act.

(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1045, eff. 8-21-13; 97-1115, eff. 8-27-12; revised 10-11-12.)


Approved August 16, 2013.

Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Electronic Fund Transfer Act is amended by changing Section 50 as follows:

(205 ILCS 616/50)

Sec. 50. Terminal requirements.

(a) To assure maximum safety and security against malfunction, fraud, theft, and other accidents or abuses and to assure that all access devices will have the capability of activating all terminals established in this State, no terminal shall accept an access device that does not conform to specifications that are generally accepted. In the case of a dispute concerning the specifications, the Commissioner, in accordance with the provisions of Section 20 of this Act, shall have the authority to determine the specifications.

(b) No terminal that does not accept an access device that conforms with those specifications shall be established or operated.

(c) A terminal shall bear a logotype or other identification symbol designed to advise customers which access devices may activate the terminal.

(d) When used to perform an interchange transaction, a terminal shall not bear any form of proprietary advertising of products and services not offered at the terminal; provided, however, that a terminal screen may bear proprietary advertising of products or services offered by a financial institution when a person uses an access device issued by that financial institution.

(e) No person operating a terminal in this State shall impose any surcharge on a consumer for the usage of that terminal, whether or not the consumer is using an access device issued by that person, unless that surcharge is clearly disclosed to the consumer both (i) by a sign that is clearly visible to the consumer on or at the terminal being used and (ii) electronically on the terminal screen. Following presentation of the electronic disclosure on the terminal screen, the consumer shall be provided an opportunity to cancel that transaction without incurring any surcharge or other obligation. If a surcharge is imposed on a consumer using an access device not issued by the person operating the terminal, that...
person shall disclose on the sign and on the terminal screen that the surcharge is in addition to any fee that may be assessed by the consumer's own institution. As used in this subsection, "surcharge" means any charge imposed by the person operating the terminal solely for the use of the terminal.

(f) A receipt given at a terminal to a person who initiates an electronic fund transfer shall include a number or code that identifies the consumer initiating the transfer, the consumer's account or accounts, or the access device used to initiate the transfer. If the number or code shown on the receipt is a number that identifies the access device, the number must be truncated as printed on the receipt so that fewer than all of the digits of the number or code are printed on the receipt. The Commissioner may, however, modify or waive the requirements imposed by this subsection (f) if the Commissioner determines that the modifications or waivers are necessary to alleviate any undue compliance burden.

(g) No terminal shall operate in this State unless, with respect to each interchange transaction initiated at the terminal, the access code entered by the consumer to authorize the transaction is encrypted by the device into which the access code is manually entered by the consumer and is transmitted from the terminal only in encrypted form. Any terminal that cannot meet the foregoing encryption requirements shall immediately cease forwarding information with respect to any interchange transaction or attempted interchange transaction.

(h) No person that directly or indirectly provides data processing support to any terminal in this State shall authorize or forward for authorization any interchange transaction unless the access code intended to authorize the interchange transaction is encrypted when received by that person and is encrypted when forwarded to any other person.

(i) A terminal operated in this State may be designed and programmed so that when a consumer enters his or her personal identification number in reverse order, the terminal automatically sends an alarm to the local law enforcement agency having jurisdiction over the terminal location. The Commissioner shall promulgate rules necessary for the implementation of this subsection (i). The provisions of this subsection (i) shall not be construed to require an owner or operator of a terminal to design and program the terminal to accept a personal identification number in reverse order.

(j) A person operating a terminal in this State may not impose a fee upon a consumer for usage of the terminal if the consumer is using a Link
Card or other access device issued by a government agency for use in obtaining financial aid under the Illinois Public Aid Code.

For the purpose of this subsection (j), the term "person operating a terminal" means the person who has control over and is responsible for a terminal. The term "person operating a terminal" does not mean the person who owns or controls the property or building in which a terminal is located, unless he or she also has control over and is responsible for the terminal.

(Source: P.A. 93-136, eff. 1-1-04; 93-273, eff. 1-1-04; 93-583, eff. 1-1-04; 93-898, eff. 8-10-04.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0416
(House Bill No. 2471)

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

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 111-3 as follows:

(725 ILCS 5/111-3) (from Ch. 38, par. 111-3)
Sec. 111-3. Form of charge.
(a) A charge shall be in writing and allege the commission of an offense by:

    (1) Stating the name of the offense;
    (2) Citing the statutory provision alleged to have been violated;
    (3) Setting forth the nature and elements of the offense charged;
    (4) Stating the date and county of the offense as definitely as can be done; and
    (5) Stating the name of the accused, if known, and if not known, designate the accused by any name or description by which he can be identified with reasonable certainty.

New matter indicated by italics - deletions by strikeout
(a-5) If the victim is alleged to have been subjected to an offense involving an illegal sexual act including, but not limited to, a sexual offense defined in Article 11 or Section 10-9 of the Criminal Code of 2012, the charge shall state the identity of the victim by name, initials, or description.

(b) An indictment shall be signed by the foreman of the Grand Jury and an information shall be signed by the State's Attorney and sworn to by him or another. A complaint shall be sworn to and signed by the complainant; provided, that when a peace officer observes the commission of a misdemeanor and is the complaining witness, the signing of the complaint by the peace officer is sufficient to charge the defendant with the commission of the offense, and the complaint need not be sworn to if the officer signing the complaint certifies that the statements set forth in the complaint are true and correct and are subject to the penalties provided by law for false certification under Section 1-109 of the Code of Civil Procedure and perjury under Section 32-2 of the Criminal Code of 2012; and further provided, however, that when a citation is issued on a Uniform Traffic Ticket or Uniform Conservation Ticket (in a form prescribed by the Conference of Chief Circuit Judges and filed with the Supreme Court), the copy of such Uniform Ticket which is filed with the circuit court constitutes a complaint to which the defendant may plead, unless he specifically requests that a verified complaint be filed.

(c) When the State seeks an enhanced sentence because of a prior conviction, the charge shall also state the intention to seek an enhanced sentence and shall state such prior conviction so as to give notice to the defendant. However, the fact of such prior conviction and the State's intention to seek an enhanced sentence are not elements of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during such trial. For the purposes of this Section, "enhanced sentence" means a sentence which is increased by a prior conviction from one classification of offense to another higher level classification of offense set forth in Section 5-4.5-10 of the Unified Code of Corrections (730 ILCS 5/5-4.5-10); it does not include an increase in the sentence applied within the same level of classification of offense.

(c-5) Notwithstanding any other provision of law, in all cases in which the imposition of the death penalty is not a possibility, if an alleged fact (other than the fact of a prior conviction) is not an element of an offense but is sought to be used to increase the range of penalties for the offense beyond the statutory maximum that could otherwise be imposed
for the offense, the alleged fact must be included in the charging instrument or otherwise provided to the defendant through a written notification before trial, submitted to a trier of fact as an aggravating factor, and proved beyond a reasonable doubt. Failure to prove the fact beyond a reasonable doubt is not a bar to a conviction for commission of the offense, but is a bar to increasing, based on that fact, the range of penalties for the offense beyond the statutory maximum that could otherwise be imposed for that offense. Nothing in this subsection (c-5) requires the imposition of a sentence that increases the range of penalties for the offense beyond the statutory maximum that could otherwise be imposed for the offense if the imposition of that sentence is not required by law.

(d) At any time prior to trial, the State on motion shall be permitted to amend the charge, whether brought by indictment, information or complaint, to make the charge comply with subsection (c) or (c-5) of this Section. Nothing in Section 103-5 of this Code precludes such an amendment or a written notification made in accordance with subsection (c-5) of this Section.

(e) The provisions of subsection (a) of Section 5-4.5-95 of the Unified Code of Corrections (730 ILCS 5/5-4.5-95) shall not be affected by this Section.

(Source: P.A. 96-1206, eff. 1-1-11; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect January 1, 2014.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0417
(House Bill No. 2473)

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by changing Section 12-107.5 as follows:

(735 ILCS 5/12-107.5)
Sec. 12-107.5. Body attachment order.
(a) No order of body attachment or other civil order for the incarceration or detention of a natural person respondent to answer for a

New matter indicated by italics - deletions by strikeout
charge of indirect civil contempt shall issue unless the respondent has first had an opportunity, after personal service or abode service of notice as provided in Supreme Court Rule 105, to appear in court to show cause why the respondent should not be held in contempt.

(b) The notice shall be an order to show cause.

(c) Any order issued pursuant to subsection (a) shall expire one year after the date of issue.

(d) The first order issued pursuant to subsection (a) and directed to a respondent may be in the nature of a recognizance bond in the sum of no more than $1,000.

(e) Upon discharge of any bond secured by the posting of funds, the funds shall be returned to the respondent or other party posting the bond, less applicable fees, unless the court after inquiry determines that: (1) the judgment debtor willfully has refused to comply with a payment order entered in accordance with Section 2-1402 or an otherwise validly entered order; (2) the bond money belongs to the debtor as opposed to a third party; and (3) that any part of the funds constitute non-exempt funds of the judgment debtor, in which case the court may cause the non-exempt portion of the funds to be paid over to the judgment creditor.

(f) The requirements or limitations of this Section do not apply to the enforcement of any order or judgment for child support, any order or judgment resulting from an adjudication of a municipal ordinance violation that is subject to Supreme Court Rules 570 through 579, or from an administrative adjudication of such an ordinance violation.

(Source: P.A. 97-848, eff. 7-25-12.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0418
(House Bill No. 2477)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 6-303 as follows:
(625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

New matter indicated by italics - deletions by strikeout
Sec. 6-303. Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked.

(a) Except as otherwise provided in subsection (a-5), any person who drives or is in actual physical control of a motor vehicle on any highway of this State at a time when such person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended as provided by this Code or the law of another state, except as may be specifically allowed by a judicial driving permit issued prior to January 1, 2009, monitoring device driving permit, family financial responsibility driving permit, probationary license to drive, or a restricted driving permit issued pursuant to this Code or under the law of another state, shall be guilty of a Class A misdemeanor.

(a-5) Any person who violates this Section as provided in subsection (a) while his or her driver's license, permit or privilege is revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide or a similar provision of a law of another state, is guilty of a Class 4 felony. The person shall be required to undergo a professional evaluation, as provided in Section 11-501 of this Code, to determine if an alcohol, drug, or intoxicating compound problem exists and the extent of the problem, and to undergo the imposition of treatment as appropriate.

(a-10) A person's driver's license, permit, or privilege to obtain a driver's license or permit may be subject to multiple revocations, multiple suspensions, or any combination of both simultaneously. No revocation or suspension shall serve to negate, invalidate, cancel, postpone, or in any way lessen the effect of any other revocation or suspension entered prior or subsequent to any other revocation or suspension.

(b) (Blank).

(b-1) Upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle during the time when the person's driver's license, permit or privilege was suspended by the Secretary of State or the driver's licensing administrator of another state, except as specifically allowed by a probationary license, judicial driving permit, restricted driving permit or monitoring device driving permit the Secretary shall extend the suspension for the same period of time as the originally imposed suspension unless the suspension has already expired, in which case the Secretary shall be authorized to suspend the person's driving privileges for the same period of time as the originally imposed suspension.

New matter indicated by italics - deletions by strikeout
(b-2) Except as provided in subsection (b-6), upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle when the person's driver's license, permit or privilege was revoked by the Secretary of State or the driver's license administrator of any other state, except as specifically allowed by a restricted driving permit issued pursuant to this Code or the law of another state, the Secretary shall not issue a driver's license for an additional period of one year from the date of such conviction indicating such person was operating a vehicle during such period of revocation.

(b-3) (Blank).

(b-4) When the Secretary of State receives a report of a conviction of any violation indicating a person was operating a motor vehicle that was not equipped with an ignition interlock device during a time when the person was prohibited from operating a motor vehicle not equipped with such a device, the Secretary shall not issue a driver's license to that person for an additional period of one year from the date of the conviction.

(b-5) Any person convicted of violating this Section shall serve a minimum term of imprisonment of 30 consecutive days or 300 hours of community service when the person's driving privilege was revoked or suspended as a result of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(b-6) Upon receiving a report of a first conviction of operating a motor vehicle while the person's driver's license, permit or privilege was revoked where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense, the Secretary shall not issue a driver's license for an additional period of three years from the date of such conviction.

(c) Except as provided in subsections (c-3) and (c-4), any person convicted of violating this Section shall serve a minimum term of imprisonment of 10 consecutive days or 30 days of community service when the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof; or

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(2) a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance relating to the offense of leaving the scene of a motor vehicle accident involving personal injury or death; or

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code.

Such sentence of imprisonment or community service shall not be subject to suspension in order to reduce such sentence.

(c-1) Except as provided in subsections (c-5) and (d), any person convicted of a second violation of this Section shall be ordered by the court to serve a minimum of 100 hours of community service.

(c-2) In addition to other penalties imposed under this Section, the court may impose on any person convicted a fourth time of violating this Section any of the following:

(1) Seizure of the license plates of the person's vehicle.

(2) Immobilization of the person's vehicle for a period of time to be determined by the court.

(c-3) Any person convicted of a violation of this Section during a period of summary suspension imposed pursuant to Section 11-501.1 when the person was eligible for a MDDP shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-4) Any person who has been issued a MDDP and who is convicted of a violation of this Section as a result of operating or being in actual physical control of a motor vehicle not equipped with an ignition interlock device at the time of the offense shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-5) Any person convicted of a second violation of this Section is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and shall serve a mandatory term of imprisonment, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a

New matter indicated by italics - deletions by strikeout
violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d) Any person convicted of a second violation of this Section shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the original revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-1) Except as provided in subsections (d-2), (d-2.5), and (d-3), any person convicted of a third or subsequent violation of this Section shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court.

(d-2) Any person convicted of a third violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 30 days, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a
statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-2.5) Any person convicted of a third violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, if:

(1) the current violation occurred while the person’s driver’s license was suspended or revoked the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense. The person’s driving privileges shall be revoked for the remainder of the person’s life; and

(2) the prior convictions under this Section occurred while the person’s driver’s license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-3) Any person convicted of a fourth, fifth, sixth, seventh, eighth, or ninth violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 180 days, if:

(1) the current violation occurred when the person’s driver’s license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person’s driver’s license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal
Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-3.5) Any person convicted of a fourth or subsequent violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, and is eligible for an extended term, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-4) Any person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth violation of this Section is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.
(d-5) Any person convicted of a fifteenth or subsequent violation of this Section is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if:

1. the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

2. the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(e) Any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements, in addition to other penalties imposed under this Section, shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(f) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(g) The motor vehicle used in a violation of this Section is subject to seizure and forfeiture as provided in Sections 36-1 and 36-2 of the Criminal Code of 2012 if the person's driving privilege was revoked or suspended as a result of:

1. a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

2. a violation of paragraph (b) of Section 11-401 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;
(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code or a similar provision of a law of another state; or

(4) a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar provision of a law of another state.

(Source: P.A. 96-502, eff. 1-1-10; 96-607, eff. 8-24-09; 96-1000, eff. 7-2-10; 96-1344, eff. 7-1-11; 97-984, eff. 1-1-13; 97-1150, eff. 1-25-13.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0419
(House Bill No. 2482)

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

Section 5. The Counties Code is amended by changing Section 6-1002 as follows:

(55 ILCS 5/6-1002) (from Ch. 34, par. 6-1002)

Sec. 6-1002. Contents of annual budget. The annual budget shall contain: (a) A statement of the receipts and payments and a statement of the revenues and expenditures of the fiscal year last ended.

(b) A statement of all moneys in the county treasury or in any funds thereof, unexpended at the termination of the fiscal year last ended, of all amounts due or accruing to such county, and of all outstanding obligations or liabilities of the county incurred in any preceding fiscal year.

(c) Estimates of all probable income for the current fiscal year and for the ensuing fiscal year covered by the budget, specifying separately for each of said years the estimated income from taxes, from fees, and from all other sources. The estimated income from fees shall indicate both the estimated total receipts from fees by county fee officers and the estimated net receipts from fees to be paid into the county treasury.

(d) A detailed statement showing estimates of expenditures for the current fiscal year, revised to the date of such estimate, and, separately, the proposed expenditures for the ensuing fiscal year for which the budget is

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prepared. Said revised estimates and proposed expenditures shall show the
amounts for current expenses and capital outlay, shall specify the several
objects and purposes of each item of current expenses, and shall include
for each of said years all floating indebtedness as of the beginning of the
year, the amount of funded debt maturing during the year, the interest
accruing on both floating and funded debt, and all charges fixed or
imposed upon counties by law.

(e) A schedule of proposed appropriations itemized as provided for
proposed expenditures included in the schedule prepared in accordance
with the provisions of paragraph (d) hereof, as approved by the county
board or the board of county commissioners. Said schedule, when adopted
in the manner set forth herein, shall be known as the annual appropriation
ordinance. An amount not exceeding five per cent. of the total may be
appropriated for contingent, incidental, miscellaneous, or general county
purposes, but no part of the amounts so appropriated shall be used for
purposes for which other appropriations are made in such budget unless a
transfer of funds is made as authorized by this Division.

(f) A detailed statement showing any bonuses or increase in any
salary, wage, stipend, or other form of compensation that is not subject to
a collective bargaining agreement for every agency, department, or any
other entity receiving an appropriation from the county, regardless of
whether the employee receiving them is part of a collective bargaining
unit.

The provisions of paragraphs (a) and (b) of this Section shall not
apply to the first budget prepared under the provisions of this Division.

The schedules of proposed appropriations for debt financing shall
indicate all funded or unfunded or floating indebtedness, the steps taken, if
any, to incur additional indebtedness, and the means and amounts
employed or to be employed for the reduction or payment of existing or
proposed indebtedness or for interest thereon.

The budget shall classify all estimated receipts and proposed
expenditures, and all amounts in the treasury of the county, under the
several county funds now provided by law.

At any point following the adoption of the annual budget, if the
county board determines by a 2/3 vote of all members constituting such
board, that revenue received, or to be received, by the county during the
then present fiscal year totals an amount substantially less than that
projected at the time of adoption of the annual budget for that fiscal year,
such board, by like vote, may adopt an amended budget for the remainder

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of the then present fiscal year. The authority of the county board to amend the annual appropriation ordinance at any point during the fiscal year shall be the same as its authority to determine and adopt the original annual budget; such amended budget shall be prepared as otherwise provided in this Section.
(Source: P.A. 86-962.)

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

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0420
(House Bill No. 2488)

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

Section 5. The Local Government Professional Services Selection Act is amended by changing Section 4 as follows:

(50 ILCS 510/4) (from Ch. 85, par. 6404)

Sec. 4. Public notice. Present provisions of law notwithstanding, in the procurement of architectural, engineering or land surveying services, each political subdivision which utilizes architectural, engineering or land surveying services shall permit firms engaged in the lawful practice of their professions to annually file a statement of qualifications and performance data with the political subdivision. Whenever a project requiring architectural, engineering or land surveying services is proposed for a political subdivision, the political subdivision shall, unless it has a satisfactory relationship for services with one or more firms:

1 mail or e-mail a notice requesting a statement of interest in the specific project to all firms who have a current statement of qualifications and performance data on file with the political subdivision;

or

2 place an advertisement in a secular English language daily newspaper of general circulation throughout such political subdivision, requesting a statement of interest in the specific project and further requesting statements of qualifications and performance data from those firms which do not have such a statement on file with the political subdivision.

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subdivision. Such advertisement shall state the day, hour and place the statement of interest and the statements of qualifications and performance data shall be due; or

(3) place an advertisement for professional services on the political subdivision's website requesting a statement of interest in the specific project. The professional services advertisement shall include a description of each project and state the time and place for interested firms to submit its letter of interest, statement of qualifications, and performance data, as required.
(Source: P.A. 85-854.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0421
(House Bill No. 2498)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Comptroller Act is amended by changing Section 9 as follows:

(15 ILCS 405/9) (from Ch. 15, par. 209)
Sec. 9. Warrants; vouchers; preaudit.
(a) No payment may be made from public funds held by the State Treasurer in or outside of the State treasury, except by warrant drawn by the Comptroller and presented by him to the treasurer to be countersigned except for payments made pursuant to Section 9.03 or 9.05 of this Act.
(b) No warrant for the payment of money by the State Treasurer may be drawn by the Comptroller without the presentation of itemized vouchers indicating that the obligation or expenditure is pursuant to law and authorized, and authorizing the Comptroller to order payment.
(b-1) An itemized voucher for under $5 that is presented to the Comptroller for payment shall not be paid except through electronic funds transfer. This subsection (b-1) does not apply to (i) vouchers presented by the legislative branch of State government, or (ii) vouchers presented by the State Treasurer's Office for the payment of unclaimed property claims

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authorized under the Uniform Disposition of Unclaimed Property Act, or
(iii) vouchers presented by the Department of Revenue for the payment of
refunds of taxes administered by the Department.

(c) The Comptroller shall examine each voucher required by law to
be filed with him and determine whether unencumbered appropriations or
unencumbered obligational or expenditure authority other than by
appropriation are legally available to incur the obligation or to make the
expenditure of public funds. If he determines that unencumbered
appropriations or other obligational or expenditure authority are not
available from which to incur the obligation or make the expenditure, the
Comptroller shall refuse to draw a warrant.

(d) The Comptroller shall examine each voucher and all other
documentation required to accompany the voucher, and shall ascertain
whether the voucher and documentation meet all requirements established
by or pursuant to law. If the Comptroller determines that the voucher and
documentation do not meet applicable requirements established by or
pursuant to law, he shall refuse to draw a warrant. As used in this Section,
"requirements established by or pursuant to law" includes statutory
enactments and requirements established by rules and regulations adopted
pursuant to this Act.

(e) Prior to drawing a warrant, the Comptroller may review the
voucher, any documentation accompanying the voucher, and any other
documentation related to the transaction on file with him, and determine if
the transaction is in accordance with the law. If based on his review the
Comptroller has reason to believe that such transaction is not in
accordance with the law, he shall refuse to draw a warrant.

(f) Where the Comptroller refuses to draw a warrant pursuant to
this Section, he shall maintain separate records of such transactions.

(g) State agencies shall have the principal responsibility for the
preaudit of their encumbrances, expenditures, and other transactions as
otherwise required by law.

(Source: P.A. 97-969, eff. 8-16-12; 97-1142, eff. 12-28-12.)

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning revenue.

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

Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5)
Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

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age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and
including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.
(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines,
tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act,
to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined
by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use,
when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessee. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessee. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.
Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution,
latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(35 ILCS 110/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code.
Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold
mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing
and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (14) is exempt from the provisions of Section 3-75, and the exemption provided for under this item (14) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 95th General Assembly for such taxes paid during the period beginning May 30, 2000 and ending on the effective date of this amendatory Act of the 95th General Assembly.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case
may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and
sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement
parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.
(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

(27) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration,

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(ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(28) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or

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services. These organizations include, but are not limited to, music and
dramatic arts organizations such as symphony orchestras and theatrical
groups, arts and cultural service organizations, local arts councils, visual
arts organizations, and media arts organizations. On and after the effective
date of this amendatory Act of the 92nd General Assembly, however, an
entity otherwise eligible for this exemption shall not make tax-free
purchases unless it has an active identification number issued by the
Department.

(4) Legal tender, currency, medallions, or gold or silver coinage
issued by the State of Illinois, the government of the United States of
America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004
through August 30, 2014, graphic arts machinery and equipment,
including repair and replacement parts, both new and used, and including
that manufactured on special order or purchased for lease, certified by the
purchaser to be used primarily for graphic arts production. Equipment
includes chemicals or chemicals acting as catalysts but only if the
chemicals or chemicals acting as catalysts effect a direct and immediate
change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student
organization affiliated with an elementary or secondary school located in
Illinois.

(7) Farm machinery and equipment, both new and used, including
that manufactured on special order, certified by the purchaser to be used
primarily for production agriculture or State or federal agricultural
programs, including individual replacement parts for the machinery and
equipment, including machinery and equipment purchased for lease, and
including implements of husbandry defined in Section 1-130 of the Illinois
Vehicle Code, farm machinery and agricultural chemical and fertilizer
spreaders, and nurse wagons required to be registered under Section 3-809
of the Illinois Vehicle Code, but excluding other motor vehicles required
to be registered under the Illinois Vehicle Code. Horticultural polyhouses
or hoop houses used for propagating, growing, or overwintering plants
shall be considered farm machinery and equipment under this item (7).
Agricultural chemical tender tanks and dry boxes shall include units sold
separately from a motor vehicle required to be licensed and units sold
mounted on a motor vehicle required to be licensed if the selling price of
the tender is separately stated.

New matter indicated by italics - deletions by strikeout
Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(9) Proceeds of mandatory service charges separately stated on customers’ bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment
purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Beginning January 1, 1992 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (15) is exempt from the provisions of Section 3-55, and the exemption provided for under this item (15) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or
treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic

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instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the
property, under a lease of one year or longer executed or in effect at the
time of the purchase, to a governmental body that has been issued an
active tax exemption identification number by the Department under
Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt
from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2016,
tangible personal property purchased from an Illinois retailer by a taxpayer
engaged in centralized purchasing activities in Illinois who will, upon
receipt of the property in Illinois, temporarily store the property in Illinois
(i) for the purpose of subsequently transporting it outside this State for use
or consumption thereafter solely outside this State or (ii) for the purpose of
being processed, fabricated, or manufactured into, attached to, or
incorporated into other tangible personal property to be transported outside
this State and thereafter used or consumed solely outside this State. The
Director of Revenue shall, pursuant to rules adopted in accordance with
the Illinois Administrative Procedure Act, issue a permit to any taxpayer in
good standing with the Department who is eligible for the exemption
under this paragraph (26). The permit issued under this paragraph (26)
shall authorize the holder, to the extent and in the manner specified in the
rules adopted under this Act, to purchase tangible personal property from a
retailer exempt from the taxes imposed by this Act. Taxpayers shall
maintain all necessary books and records to substantiate the use and
consumption of all such tangible personal property outside of the State of
Illinois.

(27) Beginning January 1, 2008, tangible personal property used in
the construction or maintenance of a community water supply, as defined
under Section 3.145 of the Environmental Protection Act, that is operated
by a not-for-profit corporation that holds a valid water supply permit
issued under Title IV of the Environmental Protection Act. This paragraph
is exempt from the provisions of Section 3-55.

(28) Tangible personal property sold to a public-facilities
corporation, as described in Section 11-65-10 of the Illinois Municipal
Code, for purposes of constructing or furnishing a municipal convention
hall, but only if the legal title to the municipal convention hall is
transferred to the municipality without any further consideration by or on
behalf of the municipality at the time of the completion of the municipal
convention hall or upon the retirement or redemption of any bonds or other
debt instruments issued by the public-facilities corporation in connection
with the development of the municipal convention hall. This exemption

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includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-55.

(29) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois

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Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational,
camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is

New matter indicated by italics - deletions by strikeout
organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease,
whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal
and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Until June 30, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal
exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

(1) the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

(2) the aircraft is not based or registered in this State after the sale of the aircraft; and

(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of the primary physical location of the

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aircraft, and other information that the Department may reasonably require.

For purposes of this item (25-7):

"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31,
2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents.
and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department

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under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those
organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0423
(House Bill No. 2506)

AN ACT concerning gaming.

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

Section 5. The Illinois Horse Racing Act of 1975 is amended by adding Section 31.2 as follows:

(230 ILCS 5/31.2 new)

New matter indicated by italics - deletions by strikeout
Sec. 31.2. Automated external defibrillators. Organization licensees shall make available no less than 2 automated external defibrillators (AEDs) that are operational and accessible when backstretch workers are present at their racing facilities. At least one AED shall be placed in the paddock of their racing facilities. At least one AED shall be placed on the backstretch of their racing facilities.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0424
(House Bill No. 2508)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Motor Vehicle Franchise Act is amended by changing Section 10.1 as follows:
(815 ILCS 710/10.1) (from Ch. 121 1/2, par. 760.1)
Sec. 10.1. (a) As used in this Section, "motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel with 3 or less wheels in contact with the ground, excluding farm, garden, and lawn equipment, and including off-highway vehicles.

(b) It shall be deemed a violation for a manufacturer, a distributor, a wholesaler, a distributor branch or division, or officer, agent or other representative thereof:

(1) To require a motorcycle franchisee to participate in a retail financing plan or retail leasing plan or to participate in any retail consumer insurance plan.

(2) To own, to operate or to control any motorcycle dealership in this State for a period longer than 2 years.

(3) Whenever any motorcycle dealer enters into a franchise agreement, evidenced by a contract, with a wholesaler, manufacturer or distributor wherein the franchisee agrees to maintain an inventory and the contract is terminated by the wholesaler, manufacturer, distributor, or franchisee, then the franchisee may require the repurchase of the inventory as provided for in this Act. If the franchisee has any outstanding debts to the wholesaler, manufacturer or distributor then the repurchase amount

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may be credited to the franchisee's account. The franchise agreement shall either expressly or by operation of law have as part of its terms a security agreement whereby the wholesaler, manufacturer, or distributor agrees to and does grant a security interest to the motorcycle dealer in the repurchased inventory to secure payment of the repurchase amount to the dealer. The perfection, priority, and other matters relating to the security interest shall be governed by Article 9 of the Uniform Commercial Code. The provisions of this Section shall not be construed to affect in any way any security interest that any financial institution, person, wholesaler, manufacturer, or distributor may have in the inventory of the motorcycle dealer.

(4) To require a motorcycle dealer to utilize manufacturer approved floor fixtures for the display of any product that is not a product of the manufacturer.

(5) To require a motorcycle dealer to purchase lighting fixtures that are to be installed in the dealership only from the manufacturer's approved vendors.

(6) To require a motorcycle dealer to relocate to a new or alternate facility.

(c) The provisions of this Section 10.1 are applicable to all new or existing motorcycle franchisees and franchisors and are in addition to the other rights and remedies provided in this Act, and, in the case of a conflict with other provisions contained in this Act, with respect to motorcycle franchises, this Section shall be controlling.

(d) The filing of a timely protest by a motorcycle franchise before the Motor Vehicle Review Board as prescribed by Sections 12 and 29 of this Act, shall stay the effective date of a proposed additional franchise or selling agreement, or the effective date of a proposed motorcycle dealership relocation, or the effective date of a cancellation, termination or modification, or extend the expiration date of a franchise or selling agreement by refusal to honor succession to ownership or refusal to approve a sale or transfer pending a final determination of the issues in the hearing.

(Source: P.A. 91-142, eff. 7-16-99.)


Approved August 16, 2013.

Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning revenue.

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

Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-310 and by adding Section 2505-255 as follows:

(20 ILCS 2505/2505-255 new)

Sec. 2505-255. Payment by credit card. The Department may adopt rules and regulations for payment by credit card of any amount due under any Act administered by the Department only when the Department is not required to pay a discount fee charged by the credit card issuer.

(20 ILCS 2505/2505-310) (was 20 ILCS 2505/39b15.2)

Sec. 2505-310. Obtaining evidence. The Department has the power to expend sums that the Director deems necessary from contractual services appropriations for the purchase of evidence and for the employment of persons to obtain evidence. The sums shall be advanced to investigators authorized by the Director to expend funds, on vouchers signed by the Director.

In addition, the Director is authorized to maintain one or more commercial checking accounts with any State banking corporation or corporations organized under or subject to the Illinois Banking Act for the deposit and withdrawal of moneys to be used solely for the purchase of evidence and for the employment of persons to obtain evidence. No check may be written on nor any withdrawal made from such an account except on the written signature of 2 persons designated by the Director to write those checks and make those withdrawals. The balance of moneys on deposit in any such account shall not exceed $25,000 at any time, nor shall any one check written on or single withdrawal made from any such account exceed $25,000.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 15. The Uniform Penalty and Interest Act is amended by changing Sections 3-2 and 3-3 as follows:

(35 ILCS 735/3-2) (from Ch. 120, par. 2603-2)

Sec. 3-2. Interest.

(a) Interest paid by the Department to taxpayers and interest charged to taxpayers by the Department shall be paid at the annual rate

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determined by the Department. For periods prior to January 1, 2004, and after December 31, 2013, that rate shall be the underpayment rate established under Section 6621 of the Internal Revenue Code. For periods after December 31, 2003, and prior to January 1, 2014, that rate shall be:

(1) for the one-year period beginning with the date of underpayment or overpayment, the short-term federal rate established under Section 6621 of the Internal Revenue Code.

(2) for any period beginning the day after the one-year period described in paragraph (1) of this subsection (a), the underpayment rate established under Section 6621 of the Internal Revenue Code.

(b) The interest rate shall be adjusted on a semiannual basis, on January 1 and July 1, based upon the underpayment rate or short-term federal rate going into effect on that January 1 or July 1 under Section 6621 of the Internal Revenue Code.

(c) This subsection (c) is applicable to returns due on and before December 31, 2000. Interest shall be simple interest calculated on a daily basis. Interest shall accrue upon tax and penalty due. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of such notice and demand, interest under this Section on the amount so paid shall not be imposed for the period after the date of the notice and demand.

(c-5) This subsection (c-5) is applicable to returns due on and after January 1, 2001. Interest shall be simple interest calculated on a daily basis. Interest shall accrue upon tax due. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of the notice and demand, interest under this Section on the amount so paid shall not be imposed for the period after the date of the notice and demand.

(d) No interest shall be paid upon any overpayment of tax if the overpayment is refunded or a credit approved within 90 days after the last date prescribed for filing the original return, or within 90 days of the receipt of the processable return, or within 90 days after the date of overpayment, whichever date is latest, as determined without regard to processing time by the Comptroller or without regard to the date on which the credit is applied to the taxpayer's account. In order for an original return to be processable for purposes of this Section, it must be in the form prescribed or approved by the Department, signed by the person authorized by law, and contain all information, schedules, and support

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documents necessary to determine the tax due and to make allocations of
tax as prescribed by law. For the purposes of computing interest, a return
shall be deemed to be processable unless the Department notifies the
taxpayer that the return is not processable within 90 days after the receipt
of the return; however, interest shall not accumulate for the period
following this date of notice. Interest on amounts refunded or credited
pursuant to the filing of an amended return or claim for refund shall be
determined from the due date of the original return or the date of
overpayment, whichever is later, to the date of payment by the Department
without regard to processing time by the Comptroller or the date of credit
by the Department or without regard to the date on which the credit is
applied to the taxpayer's account. If a claim for refund relates to an
overpayment attributable to a net loss carryback as provided by Section
207 of the Illinois Income Tax Act, the date of overpayment shall be the
last day of the taxable year in which the loss was incurred.

(e) Interest on erroneous refunds. Any portion of the tax imposed
by an Act to which this Act is applicable or any interest or penalty which
has been erroneously refunded and which is recoverable by the
Department shall bear interest from the date of payment of the refund.
However, no interest will be charged if the erroneous refund is for an
amount less than $500 and is due to a mistake of the Department.

(f) If a taxpayer has a tax liability for the taxable period ending
after June 30, 1983 and prior to July 1, 2002 that is eligible for amnesty
under the Tax Delinquency Amnesty Act and the taxpayer fails to satisfy
the tax liability during the amnesty period provided for in that Act for that
taxable period, then the interest charged by the Department under this
Section shall be imposed at a rate that is 200% of the rate that would
otherwise be imposed under this Section.

(g) If a taxpayer has a tax liability for the taxable period ending
after June 30, 2002 and prior to July 1, 2009 that is eligible for amnesty
under the Tax Delinquency Amnesty Act, except for any tax liability
reported pursuant to Section 506(b) of the Illinois Income Tax Act (35
ILCS 5/506(b)) that is not final, and the taxpayer fails to satisfy the tax
liability during the amnesty period provided for in that Act for that taxable
period, then the interest charged by the Department under this Section
shall be imposed in an amount that is 200% of the amount that would
otherwise be imposed under this Section.

(h) No interest shall be paid to a taxpayer on any refund allowed
under the Tax Delinquency Amnesty Act.

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Sec. 3-3. Penalty for failure to file or pay.

(a) This subsection (a) is applicable before January 1, 1996. A penalty of 5% of the tax required to be shown due on a return shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 21 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. Beginning on the effective date of this amendatory Act of 1995, in the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a) shall be abated.

(a-5) This subsection (a-5) is applicable to returns due on and after January 1, 1996 and on or before December 31, 2000. A penalty equal to 2% of the tax required to be shown due on a return, up to a maximum amount of $250, determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed, shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing. However, if any return is not filed within 30 days after notice of nonfiling mailed by the Department to the last known address of the taxpayer contained in Department records, an additional penalty amount shall be imposed equal to the greater of $250 or 2% of the tax shown on the return. However, the additional penalty amount may not exceed $5,000 and is determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 30 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. In New matter indicated by italics - deletions by strikeout
the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a-5) shall be abated.

(a-10) This subsection (a-10) is applicable to returns due on and after January 1, 2001. A penalty equal to 2% of the tax required to be shown due on a return, up to a maximum amount of $250, reduced by any tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed, shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing. However, if any return is not filed within 30 days after notice of nonfiling mailed by the Department to the last known address of the taxpayer contained in Department records, an additional penalty amount shall be imposed equal to the greater of $250 or 2% of the tax shown on the return. However, the additional penalty amount may not exceed $5,000 and is determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 30 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. In the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a-10) shall be abated.

(a-15) In addition to any other penalties imposed by law for the failure to file a return, a penalty of $100 shall be imposed for failure to file a transaction reporting return required by Section 3 of the Retailers' Occupation Tax Act and Section 9 of the Use Tax Act on or before the date a return is required to be filed. This penalty shall be imposed regardless of whether the return when properly prepared and filed would result in the imposition of a tax.
(b) This subsection is applicable before January 1, 1998. A penalty of 15% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:

(1) the tax shown due on the return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or

(2) the full amount of any tax required to be shown due on a return and which is not shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this paragraph (2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-5) This subsection is applicable to returns due on and after January 1, 1998 and on or before December 31, 2000. A penalty of 20% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:

(1) the tax shown due on the return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or

(2) the full amount of any tax required to be shown due on a return and which is not shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising

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following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this paragraph (2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-10) This subsection (b-10) is applicable to returns due on and after January 1, 2001 and on or before December 31, 2003. A penalty shall be imposed for failure to pay:

(1) the tax shown due on a return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability). The amount of penalty imposed under this subsection (b-10)(1) shall be 2% of any amount that is paid no later than 30 days after the due date, 5% of any amount that is paid later than 30 days after the due date and not later than 90 days after the due date, 10% of any amount that is paid later than 90 days after the due date and not later than 180 days after the due date, and 15% of any amount that is paid later than 180 days after the due date. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of the notice and demand, then the penalty for late payment or nonpayment of admitted liability under this subsection (b-10)(1) on the amount so paid shall not accrue for the period after the date of the notice and demand.

(2) the full amount of any tax required to be shown due on a return and that is not shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. The amount of penalty imposed under this subsection (b-10)(2) shall be
20% of any amount that is not paid within the 30-day period. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this subsection (b-10)(2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-15) This subsection (b-15) is applicable to returns due on and after January 1, 2004 and on or before December 31, 2004. A penalty shall be imposed for failure to pay the tax shown due or required to be shown due on a return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability). The amount of penalty imposed under this subsection (b-15)(1) shall be 2% of any amount that is paid no later than 30 days after the due date, 10% of any amount that is paid later than 30 days after the due date and not later than 90 days after the due date, 15% of any amount that is paid later than 90 days after the due date and not later than 180 days after the due date, and 20% of any amount that is paid later than 180 days after the due date. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of this notice and demand, then the penalty for late payment or nonpayment of admitted liability under this subsection (b-15)(1) on the amount so paid shall not accrue for the period after the date of the notice and demand.

(b-20) This subsection (b-20) is applicable to returns due on and after January 1, 2005.

(1) A penalty shall be imposed for failure to pay, prior to the due date for payment, any amount of tax the payment of which is required to be made prior to the filing of a return or without a return (penalty for late payment or nonpayment of estimated or accelerated tax). The amount of penalty imposed under this paragraph (1) shall be 2% of any amount that is paid no later than 30 days after the due date and 10% of any amount that is paid later than 30 days after the due date.

(2) A penalty shall be imposed for failure to pay the tax shown due or required to be shown due on a return on or before the due date prescribed for payment of that tax or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability).
Income Tax Act (penalty for late payment or nonpayment of tax).

The amount of penalty imposed under this paragraph (2) shall be 2% of any amount that is paid no later than 30 days after the due date, 10% of any amount that is paid later than 30 days after the due date and prior to the date the Department has initiated an audit or investigation of the taxpayer, and 20% of any amount that is paid after the date the Department has initiated an audit or investigation of the taxpayer; provided that the penalty shall be reduced to 15% if the entire amount due is paid not later than 30 days after the Department has provided the taxpayer with an amended return (following completion of an occupation, use, or excise tax audit) or a form for waiver of restrictions on assessment (following completion of an income tax audit); provided further that the reduction to 15% shall be rescinded if the taxpayer makes any claim for refund or credit of the tax, penalties, or interest determined to be due upon audit, except in the case of a claim filed pursuant to subsection (b) of Section 506 of the Illinois Income Tax Act or to claim a carryover of a loss or credit, the availability of which was not determined in the audit. For purposes of this paragraph (2), any overpayment reported on an original return that has been allowed as a refund or credit to the taxpayer shall be deemed to have not been paid on or before the due date for payment and any amount paid under protest pursuant to the provisions of the State Officers and Employees Money Disposition Act shall be deemed to have been paid after the Department has initiated an audit and more than 30 days after the Department has provided the taxpayer with an amended return (following completion of an occupation, use, or excise tax audit) or a form for waiver of restrictions on assessment (following completion of an income tax audit).

(3) The penalty imposed under this subsection (b-20) shall be deemed assessed at the time the tax upon which the penalty is computed is assessed, except that, if the reduction of the penalty imposed under paragraph (2) of this subsection (b-20) to 15% is rescinded because a claim for refund or credit has been filed, the increase in penalty shall be deemed assessed at the time the claim for refund or credit is filed.

(c) For purposes of the late payment penalties, the basis of the penalty shall be the tax shown or required to be shown on a return,
whichever is applicable, reduced by any part of the tax which is paid on
time and by any credit which was properly allowable on the date the return
was required to be filed.

(d) A penalty shall be applied to the tax required to be shown even
if that amount is less than the tax shown on the return.

(e) This subsection (e) is applicable to returns due before January
1, 2001. If both a subsection (b)(1) or (b-5)(1) penalty and a subsection
(b)(2) or (b-5)(2) penalty are assessed against the same return, the
subsection (b)(2) or (b-5)(2) penalty shall be assessed against only the
additional tax found to be due.

(e-5) This subsection (e-5) is applicable to returns due on and after
January 1, 2001. If both a subsection (b-10)(1) penalty and a subsection (b-
10)(2) penalty are assessed against the same return, the subsection (b-
10)(2) penalty shall be assessed against only the additional tax found to be
due.

(f) If the taxpayer has failed to file the return, the Department shall
determine the correct tax according to its best judgment and information,
which amount shall be prima facie evidence of the correctness of the tax
due.

(g) The time within which to file a return or pay an amount of tax
due without imposition of a penalty does not extend the time within which
to file a protest to a notice of tax liability or a notice of deficiency.

(h) No return shall be determined to be unprocessable because of
the omission of any information requested on the return pursuant to
Section 2505-575 of the Department of Revenue Law (20 ILCS
2505/2505-575).

(i) If a taxpayer has a tax liability for the taxable period ending
after June 30, 1983 and prior to July 1, 2002 that is eligible for amnesty
under the Tax Delinquency Amnesty Act and the taxpayer fails to satisfy
the tax liability during the amnesty period provided for in that Act for that
taxable period, then the penalty imposed by the Department under this
Section shall be imposed in an amount that is 200% of the amount that
would otherwise be imposed under this Section.

(j) If a taxpayer has a tax liability for the taxable period ending
after June 30, 2002 and prior to July 1, 2009 that is eligible for amnesty
under the Tax Delinquency Amnesty Act, except for any tax liability
reported pursuant to Section 506(b) of the Illinois Income Tax Act (35
ILCS 5/506(b)) that is not final, and the taxpayer fails to satisfy the tax
liability during the amnesty period provided for in that Act for that taxable
period, then the penalty imposed by the Department under this Section shall be imposed in an amount that is 200% of the amount that would otherwise be imposed under this Section.

(Source: P.A. 96-1435, eff. 8-16-10.)

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

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0426
(House Bill No. 2520)

AN ACT concerning gaming.

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

Section 5. The Charitable Games Act is amended by changing Section 2 as follows:

(230 ILCS 30/2) (from Ch. 120, par. 1122)

Sec. 2. Definitions. For purposes of this Act, the following definitions apply:

"Charitable games" means the 14 games of chance involving cards, dice, wheels, random selection of numbers, and gambling tickets which may be conducted at charitable games events listed as follows: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big six, gin rummy, five card stud poker, chuck-a-luck, keno, hold-em poker, and merchandise wheel.

"Charitable games event" or "event" means the type of fundraising event authorized by the Act at which participants pay to play charitable games for the chance of winning cash or noncash prizes. "Charitable games event" or "event" includes a poker run.

"Charitable organization" means an organization or institution organized and operated to benefit an indefinite number of the public.

"Chips" means scrip, play money, poker or casino chips, or any other representations of money, used to make wagers on the outcome of any charitable game.

"Department" means the Department of Revenue.

"Educational organization" means an organization or institution organized and operated to provide systematic instruction in useful

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branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

"Fraternal organization" means an organization of persons having a common interest that is organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis, including but not limited to ethnic organizations.

"Labor organization" means an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

"Licensed organization" means a qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of this Act.

"Non-profit organization" means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

"Organization": A corporation, agency, partnership, association, firm, business, or other entity consisting of 2 or more persons joined by a common interest or purpose.

"Person" means any natural individual, corporation, partnership, limited liability company, organization as defined in this Section, qualified organization, licensed organization, licensee under this Act, or volunteer.

"Poker run" means an event organized by a sponsoring organization in which participants travel to 5 or more predetermined locations, drawing a playing card or equivalent item at each location, in order to assemble a facsimile of a poker hand or other numeric score. "Poker run" includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item at each location.

"Premises" means a distinct parcel of land and the buildings thereon.

"Provider" means the person or organization owning, leasing, or controlling premises upon which any charitable games event is to be conducted.

"Qualified organization" means:

(a) a charitable, religious, fraternal, veterans, labor, or educational organization, or other institution organized and conducted on a not-for-profit basis with no personal profit inuring
to anyone as a result of the operation and which is exempt from federal income taxation under Sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or 501(c)(19) of the Internal Revenue Code;

(b) a veterans organization as defined in Section 1.1 of the "Bingo License and Tax Act" organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation; or

(c) An auxiliary organization of a veterans organization.

"Religious organization" means any church, congregation, society, or organization founded for the purpose of religious worship.

"Sponsoring organization" means a qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of this Act.

"Supplier" means any person, firm, or corporation that sells, leases, lends, distributes, or otherwise provides to any organization licensed to conduct charitable games events in Illinois any charitable games equipment.

"Veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

"Volunteer" means a person recruited by a licensed organization who voluntarily performs services at a charitable games event, including participation in the management or operation of a game, as defined in Section 8.

(Source: P.A. 94-986, eff. 6-30-06; 95-228, eff. 8-16-07.)

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Sections 17-106 and 17-132 as follows:

(40 ILCS 5/17-106) (from Ch. 108 1/2, par. 17-106)
Sec. 17-106. Contributor, member or teacher. "Contributor", "member" or "teacher": All members of the teaching force of the city, including principals, assistant principals, the general superintendent of schools, deputy superintendents of schools, associate superintendents of schools, assistant and district superintendents of schools, members of the Board of Examiners, all other persons whose employment requires a teaching certificate issued under the laws governing the certification of teachers, any educational, administrative, professional, or other staff employed in a charter school operating in compliance with the Charter Schools Law who is certified under the law governing the certification of teachers, and employees of the Board, but excluding persons contributing concurrently to any other public employee pension system in Illinois for the same employment or receiving retirement pensions under another Article of this Code for that same employment, persons employed on an hourly basis (provided that an Employer may not reclassify a non-hourly employee as an hourly employee for the purpose of evading or avoiding its obligations under this Article), and persons receiving pensions from the Fund who are employed temporarily by an Employer and not on an annual basis.

All teachers or staff regardless of their position shall presumptively be participants in the Fund, unless the Employer establishes to the satisfaction of the Board that an individual certified teacher or staff member is not working as a teacher or administrator directly or indirectly with the Charter School. Any certified teacher or staff employed by a corporate or non-profit entity engaged in the administration of a charter school shall presumptively be a participant in the Fund, unless the organization establishes to the satisfaction of the Board that an individual certified teacher or staff member is not working as a teacher or administrator directly or indirectly with the Charter School.

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In the case of a person who has been making contributions and otherwise participating in this Fund prior to the effective date of this amendatory Act of the 91st General Assembly, and whose right to participate in the Fund is established or confirmed by this amendatory Act, such prior participation in the Fund, including all contributions previously made and service credits previously earned by the person, are hereby validated.

The changes made to this Section and Section 17-149 by this amendatory Act of the 92nd General Assembly apply without regard to whether the person was in service on or after the effective date of this amendatory Act, notwithstanding Sections 1-103.1 and 17-157.

(Source: P.A. 91-887, eff. 7-6-00; 92-416, eff. 8-17-01; 92-599, eff. 6-28-02.)

(40 ILCS 5/17-132) (from Ch. 108 1/2, par. 17-132)

Sec. 17-132. Payments and certification of salary deductions.

(a) An Employer shall cause the Fund to receive all members' payroll records and pension contributions within 30 calendar days after each predesignated payday. For purposes of this Section, the predesignated payday shall be determined in accordance with each Employer's payroll schedule for contributions to the Fund.

(b) An Employer that fails to timely certify and submit payroll records to the Fund is subject to a statutory penalty in the amount of $100 per day for each day that a required certification and submission is late.

Amounts not received by the 30th calendar day after the predesignated payday shall be deemed delinquent and subject to a penalty consisting of interest, which shall accrue on a monthly basis at the Fund's then effective actuarial rate of return, and liquidated damages in the amount of $100 per day, not to exceed 20% of the principal contributions due, which shall be mandatory except for good cause shown and in the discretion of the Board (calculated at the average short-term rate of interest earned by the Fund for the calendar month preceding the calendar month in which the delinquency occurs) starting from the predesignated payday and ending on the date payment is received.

An Employer in possession of member contributions deducted from payroll checks is holding Fund assets, and thus becomes a fiduciary over those assets.

(c) The payroll records shall report (1) all pensionable salary earned in that pay period, exclusive of salaries for overtime, special services, or any employment on an optional basis, such as in summer
school; (2) adjustments to pensionable salary, exclusive of salaries for overtime, special services, or any employment on an optional basis, such as in summer school, made in a pay period for any prior pay periods; (3) pension contributions attributable to pensionable salary earned in the reported pay period or the adjusted pay period as required by subsection (b) of Section 17-131.

(d) The appropriate officers of the Employer shall certify and submit the payroll records no later than 30 calendar days after each predesignated payday. The certification shall constitute a confirmation of the accuracy of such deductions according to the provisions of this Article.

Each Charter School shall designate an administrator as a "Pension Officer". The Pension Officer shall be responsible for certifying payroll information and contributions due and assuring resolution of reported payroll and contribution deficiencies.

(e) The Board has the authority to conduct payroll audits of a charter school to determine the existence of any delinquencies in contributions to the Fund, and such charter school shall be required to provide such books and records and contribution information as the Board or its authorized representative may require. The Board is also authorized to collect delinquent contributions from charter schools and develop procedures for the collection of such delinquencies. Collection procedures may include legal proceedings in the courts of the State of Illinois. Expenses, including reasonable attorneys' fees, incurred in the collection of delinquent contributions may be assessed by the Board against the charter school.

(Source: P.A. 97-30, eff. 7-1-11.)

Section 90. The State Mandates Act is amended by adding Section 8.37 as follows:

(30 ILCS 805/8.37 new)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

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

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning vehicles.

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

Section 5. The Renter's Financial Responsibility and Protection Act is amended by changing Section 15 as follows:

(625 ILCS 27/15)
Sec. 15. Prohibited practices.
(a) A rental company may not sell a damage waiver unless the renter agrees to the damage waiver in writing at or prior to the time the rental agreement is executed.
(b) A rental company may not void a damage waiver except for one or more of the following reasons:
   (1) Damage or loss while the rental vehicle is used to carry persons or property for a charge or fee.
   (2) Damage or loss during an organized or agreed upon racing or speed contest or demonstration or pushing or pulling activity in which the rental vehicle is actively involved.
   (3) Damage or loss that could reasonably be expected from an intentional or criminal act of the driver other than a traffic infraction.
   (4) Damage or loss to any rental vehicle resulting from any auto business operation, including but not limited to repairing, servicing, testing, washing, parking, storing, or selling of automobiles.
   (5) Damage or loss occurring to a rental vehicle if the rental contract is based on fraudulent or material misrepresentation by the renter.
   (6) Damage or loss arising out of the use of the rental vehicle outside the continental United States when such use is specifically prohibited in the rental agreement.
   (7) Damage or loss occurring while the rental vehicle is operated by a driver not permitted under the rental agreement.
   (8) Damage or loss occurring while the rental vehicle is operated by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination

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thereof and convicted of violating subsection (a) of Section 11-501 of the Illinois Vehicle Code.

(c) A rental company shall not charge more than $12.50 per full or partial 24 hour rental day for a collision damage waiver prior to January 1, 2014. Beginning January 1, 2014, a rental company shall not charge more than $13.50 per full or partial 24 hour rental day for a collision damage waiver.

(Source: P.A. 94-332, eff. 1-1-06; 95-249, eff. 1-1-08.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0429
(House Bill No. 2586)

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

Section 5. The Energy Assistance Act is amended by changing Section 13 as follows:

(305 ILCS 20/13)

(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations from individuals, foundations, corporations, and other sources, moneys received pursuant to Section 17, and, by statutory deposit, the moneys collected pursuant to this Section. The Fund is also authorized to receive voluntary donations from individuals, foundations, corporations, and other sources, as well as contributions made in accordance with Section 507MM of the Illinois Income Tax Act. Subject to appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program authorized by Sections 4 and 18 of this Act, for the provision of

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weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 10% of the amount collected during that year pursuant to this Section.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) $0.48 per month on each account for residential electric service;
(2) $0.48 per month on each account for residential gas service;
(3) $4.80 per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;
(4) $4.80 per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;
(5) $360 per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and
(6) $360 per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

The incremental change to such charges imposed by this amendatory Act of the 96th General Assembly shall not (i) be used for any purpose other than to directly assist customers and (ii) be applicable to utilities serving less than 100,000 customers in Illinois on January 1, 2009.
In addition, electric and gas utilities have committed, and shall contribute, a one-time payment of $22 million to the Fund, within 10 days after the effective date of the tariffs established pursuant to Sections 16-111.8 and 19-145 of the Public Utilities Act to be used for the Department's cost of implementing the programs described in Section 18 of this amendatory Act of the 96th General Assembly, the Arrearage Reduction Program described in Section 18, and the programs described in Section 8-105 of the Public Utilities Act. If a utility elects not to file a rider within 90 days after the effective date of this amendatory Act of the 96th General Assembly, then the contribution from such utility shall be made no later than February 1, 2010.

(c) For purposes of this Section:

(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(3) "non-residential electric service" means electric utility service which is not residential electric service; and

(4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs, which shall become effective no later than the beginning of the first billing cycle following such filing.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of
Revenue all moneys received as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require; provided, however, that a utility offering an Arrearage Reduction Program pursuant to Section 18 of this Act shall be entitled to net those amounts necessary to fund and recover the costs of such Program as authorized by that Section that is no more than the incremental change in such Energy Assistance Charge authorized by this amendatory Act of the 96th General Assembly. If a customer makes a partial payment, a public utility, municipal utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section; provided, however, that the amounts remitted by each utility shall be used to provide assistance to that utility's customers. The utilities shall coordinate with the Department to establish an equitable and practical methodology for implementing this subsection (g) beginning with the 2010 program year.

(h) On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.

(j) The Department of Commerce and Economic Opportunity may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas
cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed effective December 31, 2013 unless renewed by action of the General Assembly. The General Assembly shall consider the results of the evaluations described in Section 8 in its deliberations.

Approved August 16, 2013.
Effective August 16, 2013.

AN ACT concerning civil law.

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

Section 1. Short title. This Act may be cited as the Workplace Violence Prevention Act.

Section 5. Purpose. This Act is intended to assist employers in protecting its workforce, customers, guests and property by limiting access to workplace venues by potentially violent individuals.

Section 10. Definitions. As used in this Act:

"Credible threat of violence" means a statement or course of conduct that does not serve a legitimate purpose and that causes a reasonable person to fear for the person's safety or for the safety of the person's immediate family.

"Employee" means:

1. a person employed or permitted to work or perform a service for remuneration;
2. a member of a board of directors of any organization;

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(3) an elected or appointed public officer; and
(4) a volunteer, independent contractor, agency worker, or any other person who performs services for an employer at the employer's place of work.

"Employer" means an individual, partnership, association, limited liability company, corporation, business trust, the State, a governmental agency, or a political subdivision that has at least 5 employees during any work week.

"Unlawful violence" means any act of violence, harassment, or stalking as defined by the laws of this State.

Section 15. Employer's right to order of protection. An employer may seek an order of protection to prohibit further violence or threats of violence by a person if:

(1) the employee has suffered unlawful violence or a credible threat of violence from the person; and
(2) the unlawful violence has been carried out at the employee's place of work or the credible threat of violence can reasonably be constructed to be carried out at the employee's place of work by the person.

Section 20. Irreparable harm. An employer may obtain an order of protection under the Illinois Domestic Violence Act of 1986 if the employer:

(1) files an affidavit that shows, to the satisfaction of the court, reasonable proof that an employee has suffered either unlawful violence or a credible threat of violence by the defendant; and
(2) demonstrates that great or irreparable harm has been suffered, will be suffered, or is likely to be suffered by the employee.

Section 25. Remedies. Employer remedies under this Act are limited to an order of protection. Nothing in this Act, however, waives, reduces, or diminishes any other remedy available to an employer under any other mechanism.


Section 35. Law enforcement responsibilities. Law enforcement personnel shall have the same responsibilities under this Act as are provided in Article 3 of the Illinois Domestic Violence Act of 1986.

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AN ACT concerning finance.

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

Section 5. The Illinois Procurement Code is amended by changing Section 30-30 as follows:

(30 ILCS 500/30-30)

Sec. 30-30. Contracts in excess of $250,000. For building construction contracts in excess of $250,000, separate specifications shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;
(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;
(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;
(4) electric wiring; and
(5) general contract work.

The specifications must be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof shall award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract. A contract may be let for one or more buildings in any project to the same contractor. The specifications shall require, however, that unless the buildings are identical, a separate price shall be submitted for each building. The contract may be awarded to the

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lowest responsible bidder for each or all of the buildings included in the specifications.

Until a date 4 years after July 1, 2011, the requirements of this Section do not apply to a construction project for which the Capital Development Board is the construction agency if: (i) the project budget is at least $15,000,000; (ii) the Capital Development Board has submitted to the Procurement Policy Board a written request for a public hearing on waiver of the application of the requirements of this Section to that project, including its reasons for seeking the waiver and why the waiver is in the best interest of the State; (iii) the Capital Development Board has posted notice of the waiver hearing on its procurement web page and on the online Procurement Bulletin at least 15 working days before the hearing; (iv) the Procurement Policy Board, after conducting the public hearing on the waiver request, reviews and approves the request in writing before the award of the contract; (v) the successful low bidder has prequalified with the Capital Development Board; (vi) the bid of the successful low bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section; and (vii) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board. With respect to any construction project described in this paragraph, the Capital Development Board shall: (i) provide to the Auditor General an affidavit that the waiver of the application of the requirements of this Section is in the best interest of the State; (ii) specify in writing as a public record that the project shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (iii) report annually to the Governor and the General Assembly on the bidding, award, and performance. On and after January 1, 2009 (the effective date of Public Act 95-758), the Capital Development Board may award in each year contracts with an aggregate total value of no more than $200,000,000 with respect to construction projects described in this paragraph.

Until a date 11 years after November 29, 2005 (the effective date of Public Act 94-699), the requirements of this Section do not apply to the Capitol Building HVAC upgrade project if (i) the bid of the successful bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this

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Section, and (ii) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board.

(Source: P.A. 96-1204, eff. 7-22-10; 96-1486, eff. 12-30-10; 97-182, eff. 7-22-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0432
(House Bill No. 2616)

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

Section 5. The Funeral Directors and Embalmers Licensing Code is amended by changing Section 1-15 as follows:

(225 ILCS 41/1-15)
(Section scheduled to be repealed on January 1, 2023)
Sec. 1-15. Funeral directing; definition. Conducting or engaging in or representing or holding oneself as conducting or engaged in any one or any combination of the following practices constitutes the practice of funeral directing:

(a) The practice of preparing, otherwise than by embalming, for the burial, cremation, or disposition and directing and supervising the burial or disposition of deceased human remains or performing any act or service in connection with the preparing of dead human bodies. Preparation, direction, and supervision shall not be construed to mean those functions normally performed by cemetery and crematory personnel.

(b) The practice of operating a place for preparing for the disposition of deceased human bodies or for caring for deceased human bodies before their disposition. Nothing in this Code shall prohibit the ownership and management of such a place by an unlicensed owner if the place is operated in accordance with this Code and the unlicensed owner does not engage in any form of funeral directing. An unlicensed owner may interact with

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consumers while a licensed funeral director is present in accordance with this Section.

(c) The removal of a deceased human body from its place of death, institution, or other location. A licensed funeral director and embalmer intern may remove a deceased human body from its place of death, institution, or other location without another licensee being present. The licensed funeral director may engage others who are not licensed funeral directors, licensed funeral director and embalmers, or licensed funeral director and embalmer interns to assist in the removal if the funeral director directs and instructs them in handling and precautionary procedures and accompanies them on all calls. The transportation of deceased human remains to a cemetery, crematory or other place of final disposition shall be under the immediate direct supervision of a licensee unless otherwise permitted by this Section. The transportation of deceased human remains that are embalmed or otherwise prepared and enclosed in an appropriate container to some other place that is not the place of final disposition, such as another funeral home or common carrier, or to a facility that shares common ownership with the transporting funeral home may be performed under the general supervision of a licensee, but the supervision need not be immediate or direct.

(d) The administering and conducting of, or assuming responsibility for administering and conducting of, at need funeral arrangements.

(e) The assuming custody of, transportation, providing shelter, protection and care and disposition of deceased human remains and the furnishing of necessary funeral services, facilities and equipment.

(f) Using in connection with a name or practice the word "funeral director", "undertaker", "mortician", "funeral home", "funeral parlor", "funeral chapel", or any other title implying that the person is engaged in the practice of funeral directing. Within the existing scope of the practice of funeral directing or funeral directing and embalming, only a licensed funeral director, a licensed funeral director and embalmer, or a licensed funeral director and embalmer intern under the restrictions provided for in this Code, and not any other person employed or contracted by the licensee, may engage in the following activities at-need: (1) have direct contact with consumers
and explain funeral or burial merchandise or services or (2) negotiate, develop, or finalize contracts with consumers. This paragraph shall not be construed or enforced in such a manner as to limit the functions of persons regulated under the Illinois Funeral or Burial Funds Act, the Illinois Pre-Need Cemetery Sales Act, the Cemetery Oversight Act, the Cemetery Care Act, the Cemetery Association Act, the Illinois Insurance Code, or any other related professional regulatory Act.

The practice of funeral directing shall not include the phoning in of obituary notices, ordering of flowers for the funeral, or reporting of prices on the firm's general price list as required by the Federal Trade Commission Funeral Rule by nonlicensed persons, or like clerical tasks incidental to the act of making funeral arrangements.

The making of funeral arrangements, at need, shall be done only by licensed funeral directors or licensed funeral directors and embalmers. Licensed funeral director and embalmer interns may, however, assist or participate in the arrangements under the direct supervision of a licensed funeral director or licensed funeral director and embalmer.

(Source: P.A. 96-1463, eff. 1-1-11; 97-1130, eff. 8-28-12.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0433
(House Bill No. 2620)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Pension Code is amended by changing Section 1-113.14 as follows:
(40 ILCS 5/1-113.14)
(a) For the purposes of this Section, "investment services" means services provided by an investment adviser or a consultant other than qualified fund-of-fund management services as defined in Section 1-113.15.

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(b) The selection and appointment of an investment adviser or consultant for investment services by the board of a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2, shall be made and awarded in accordance with this Section. All contracts for investment services shall be awarded by the board using a competitive process that is substantially similar to the process required for the procurement of professional and artistic services under Article 35 of the Illinois Procurement Code. Each board of trustees shall adopt a policy in accordance with this subsection (b) within 60 days after the effective date of this amendatory Act of the 96th General Assembly. The policy shall be posted on its web site and filed with the Illinois Procurement Policy Board. Exceptions to this Section are allowed for (i) sole source procurements, (ii) emergency procurements, and (iii) at the discretion of the pension fund, retirement system, or board of investment, contracts that are nonrenewable and one year or less in duration, so long as the contract has a value of less than $20,000, and (iv) in the discretion of the pension fund, retirement system, or investment board, contracts for follow-on funds with the same fund sponsor through closed-end funds. All exceptions granted under this Section must be published on the system's, fund's, or board's web site, shall name the person authorizing the procurement, and shall include a brief explanation of the reason for the exception.

A person, other than a trustee or an employee of a retirement system, pension fund, or investment board, may not act as a consultant or investment adviser under this Section unless that person is registered as an investment adviser under the federal Investment Advisers Act of 1940 (15 U.S.C. 80b-1, et seq.) or a bank, as defined in the federal Investment Advisers Act of 1940 (15 U.S.C. 80b-1, et seq.).

(c) Investment services provided by an investment adviser or a consultant appointed under this Section shall be rendered pursuant to a written contract between the investment adviser or consultant and the board.

The contract shall include all of the following:

1. Acknowledgement in writing by the investment adviser or consultant that he or she is a fiduciary with respect to the pension fund or retirement system.

2. The description of the board's investment policy and notice that the policy is subject to change.

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(3) (i) Full disclosure of direct and indirect fees, commissions, penalties, and other compensation, including reimbursement for expenses, that may be paid by or on behalf of the consultant in connection with the provision of services to the pension fund or retirement system and (ii) a requirement that the consultant update the disclosure promptly after a modification of those payments or an additional payment.

(4) A requirement that the investment adviser or consultant, in conjunction with the board's staff, submit periodic written reports, on at least a quarterly basis, for the board's review at its regularly scheduled meetings. All returns on investment shall be reported as net returns after payment of all fees, commissions, and any other compensation.

(5) Disclosure of the names and addresses of (i) the consultant or investment adviser; (ii) any entity that is a parent of, or owns a controlling interest in, the consultant or investment adviser; (iii) any entity that is a subsidiary of, or in which a controlling interest is owned by, the consultant or investment adviser; (iv) any persons who have an ownership or distributive income share in the consultant or investment adviser that is in excess of 7.5%; or (v) serves as an executive officer of the consultant or investment adviser.

(6) A disclosure of the names and addresses of all subcontractors, if applicable, and the expected amount of money each will receive under the contract, including an acknowledgment that the contractor must promptly make notification, in writing, if at any time during the term of the contract a contractor adds or changes any subcontractors. For purposes of this subparagraph (6), "subcontractor" does not include non-investment related professionals or professionals offering services that are not directly related to the investment of assets, such as legal counsel, actuary, proxy-voting services, services used to track compliance with legal standards, and investment fund of funds where the board has no direct contractual relationship with the investment advisers or partnerships.

(7) A description of service to be performed.

(8) A description of the need for the service.

(9) A description of the plan for post-performance review.

(10) A description of the qualifications necessary.

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(11) The duration of the contract.

(12) The method for charging and measuring cost.

(d) Notwithstanding any other provision of law, a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall not enter into a contract with a consultant that exceeds 5 years in duration. No contract to provide consulting services may be renewed or extended. At the end of the term of a contract, however, the consultant is eligible to compete for a new contract as provided in this Section. No retirement system, pension fund, or investment board shall attempt to avoid or contravene the restrictions of this subsection (d) by any means.

(e) Within 60 days after the effective date of this amendatory Act of the 96th General Assembly, each investment adviser or consultant currently providing services or subject to an existing contract for the provision of services must disclose to the board of trustees all direct and indirect fees, commissions, penalties, and other compensation paid by or on behalf of the investment adviser or consultant in connection with the provision of those services and shall update that disclosure promptly after a modification of those payments or an additional payment. The person shall update the disclosure promptly after a modification of those payments or an additional payment. The disclosures required by this subsection (e) shall be in writing and shall include the date and amount of each payment and the name and address of each recipient of a payment.

(f) The retirement system, pension fund, or board of investment shall develop uniform documents that shall be used for the solicitation, review, and acceptance of all investment services. The form shall include the terms contained in subsection (c) of this Section. All such uniform documents shall be posted on the retirement system's, pension fund's, or investment board's web site.

(g) A description of every contract for investment services shall be posted in a conspicuous manner on the web site of the retirement system, pension fund, or investment board. The description must include the name of the person or entity awarded a contract, the total amount applicable to the contract, the total fees paid or to be paid, and a disclosure approved by the board describing the factors that contributed to the selection of an investment adviser or consultant.

(Source: P.A. 96-6, eff. 4-3-09; 96-1554, eff. 3-18-11.)

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

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AN ACT concerning regulation.

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

Section 5. The Illinois Power Agency Act is amended by changing Section 1-92 as follows:

(20 ILCS 3855/1-92)

Sec. 1-92. Aggregation of electrical load by municipalities, townships, and counties.

(a) The corporate authorities of a municipality, township board, or county board of a county may adopt an ordinance under which it may aggregate in accordance with this Section residential and small commercial retail electrical loads located, respectively, within the municipality, the township, or the unincorporated areas of the county and, for that purpose, may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

The corporate authorities, township board, or county board may also exercise such authority jointly with any other municipality, township, or county. Two or more municipalities, townships, or counties, or a combination of both, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality, township, or county as required by this Section.

If the corporate authorities, township board, or the county board seek to operate the aggregation program as an opt-out program for residential and small commercial retail customers, then prior to the adoption of an ordinance with respect to aggregation of residential and small commercial retail electric loads, the corporate authorities of a municipality, the township board, or the county board of a county shall submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out program for residential and small commercial retail customers.
In addition to the notice and conduct requirements of the general election law, notice of the referendum shall state briefly the purpose of the referendum. The question of whether the corporate authorities, the township board, or the county board shall adopt an opt-out aggregation program for residential and small commercial retail customers shall be submitted to the electors of the municipality, township board, or county board at a regular election and approved by a majority of the electors voting on the question. The corporate authorities, township board, or county board must certify to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall the (municipality, township, or county in which the question is being voted upon) have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the corporate authorities, township board, or county board may implement an opt-out aggregation program for residential and small commercial retail customers.

A referendum must pass in each particular municipality, township, or county that is engaged in the aggregation program. If the referendum fails, then the corporate authorities, township board, or county board shall operate the aggregation program as an opt-in program for residential and small commercial retail customers.

An ordinance under this Section shall specify whether the aggregation will occur only with the prior consent of each person owning, occupying, controlling, or using an electric load center proposed to be aggregated. Nothing in this Section, however, authorizes the aggregation of electric loads that are served or authorized to be served by an electric cooperative as defined by and pursuant to the Electric Supplier Act or loads served by a municipality that owns and operates its own electric distribution system. No aggregation shall take effect unless approved by a majority of the members of the corporate authority, township board, or county board voting upon the ordinance.

A governmental aggregator under this Section is not a public utility or an alternative retail electric supplier.
For purposes of this Section, "township" means the portion of a township that is an unincorporated portion of a county that is not otherwise a part of a municipality. In addition to such other limitations as are included in this Section, a township board shall only have authority to aggregate residential and small commercial customer loads in accordance with this Section if the county board of the county in which the township is located (i) is not also submitting a referendum to its residents at the same general election that the township board proposes to submit a referendum under this subsection (a), (ii) has not received authorization through passage of a referendum to operate an opt-out aggregation program for residential and small commercial retail customers under this subsection (a), and (iii) has not otherwise enacted an ordinance under this subsection (a) authorizing the operation of an opt-in aggregation program for residential and small commercial retail customers as described in this Section.

(b) Upon the applicable requisite authority under this Section, the corporate authorities, the township board, or the county board, with assistance from the Illinois Power Agency, shall develop a plan of operation and governance for the aggregation program so authorized. Before adopting a plan under this Section, the corporate authorities, township board, or county board shall hold at least 2 public hearings on the plan. Before the first hearing, the corporate authorities, township board, or county board shall publish notice of the hearings once a week for 2 consecutive weeks in a newspaper of general circulation in the jurisdiction. The notice shall summarize the plan and state the date, time, and location of each hearing. Any load aggregation plan established pursuant to this Section shall:

(1) provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers;
(2) describe demand management and energy efficiency services to be provided to each class of customers; and
(3) meet any requirements established by law concerning aggregated service offered pursuant to this Section.

(c) The process for soliciting bids for electricity and other related services and awarding proposed agreements for the purchase of electricity and other related services shall be conducted in the following order:

(1) The corporate authorities, township board, or county board may solicit bids for electricity and other related services. The

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bid specifications may include a provision requiring the bidder to disclose the fuel type of electricity to be procured or generated on behalf of the aggregation program customers. The corporate authorities, township board, or county board may consider the proposed source of electricity to be procured or generated to be put into the grid on behalf of aggregation program customers in the competitive bidding process. The Agency and Commission may collaborate to issue joint guidance on voluntary uniform standards for bidder disclosures of the source of electricity to be procured or generated to be put into the grid on behalf of aggregation program customers.

(1.5) A township board shall request from the electric utility those residential and small commercial customers within their aggregate area either by zip code or zip codes or other means as determined by the electric utility. The electric utility shall then provide to the township board the residential and small commercial customers, including the names and addresses of residential and small commercial customers, electronically. The township board shall be responsible for authenticating the residential and small commercial customers contained in this listing and providing edits of the data to affirm, add, or delete the residential and small commercial customers located within its jurisdiction. The township board shall provide the edited list to the electric utility in an electronic format or other means selected by the electric utility and certify that the information is accurate.

(2) Notwithstanding Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, an electric utility that provides residential and small commercial retail electric service in the aggregate area must, upon request of the corporate authorities, township board, or the county board in the aggregate area, submit to the requesting party, in an electronic format, those account numbers, names, and addresses of residential and small commercial retail customers in the aggregate area that are reflected in the electric utility's records at the time of the request; provided, however, that any township board has first provided an accurate customer list to the electric utility as provided for herein.

Any corporate authority, township board, or county board receiving customer information from an electric utility shall be subject to the

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limitations on the disclosure of the information described in Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, and an electric utility shall not be held liable for any claims arising out of the provision of information pursuant to this item (2).

(d) If the corporate authorities, township board, or county board operate under an opt-in program for residential and small commercial retail customers, then the corporate authorities, township board, or county board shall comply with all of the following:

(1) Within 60 days after receiving the bids, the corporate authorities, township board, or county board shall allow residential and small commercial retail customers to commit to the terms and conditions of a bid that has been selected by the corporate authorities, township board, or county board.

(2) If (A) the corporate authorities, township board, or county board award proposed agreements for the purchase of electricity and other related services and (B) an agreement is reached between the corporate authorities, township board, or county board for those services, then customers committed to the terms and conditions according to item (1) of this subsection (d) shall be committed to the agreement.

(e) If the corporate authorities, township board, or county board operate as an opt-out program for residential and small commercial retail customers, then it shall be the duty of the aggregated entity to fully inform residential and small commercial retail customers in advance that they have the right to opt out of the aggregation program. The disclosure shall prominently state all charges to be made and shall include full disclosure of the cost to obtain service pursuant to Section 16-103 of the Public Utilities Act, how to access it, and the fact that it is available to them without penalty, if they are currently receiving service under that Section. The Illinois Power Agency shall furnish, without charge, to any citizen a list of all supply options available to them in a format that allows comparison of prices and products.

(f) Any person or entity retained by a municipality or county, or jointly by more than one such unit of local government, to provide input, guidance, or advice in the selection of an electricity supplier for an aggregation program shall disclose in writing to the involved units of local government the nature of any relationship through which the person or entity may receive, either directly or indirectly, commissions or other

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remuneration as a result of the selection of any particular electricity supplier. The written disclosure must be made prior to formal approval by the involved units of local government of any professional services agreement with the person or entity, or no later than October 1, 2012 with respect to any such professional services agreement entered into prior to the effective date of this amendatory Act of the 97th General Assembly. The disclosure shall cover all direct and indirect relationships through which commissions or remuneration may result, including the pooling of commissions or remuneration among multiple persons or entities, and shall identify all involved electricity suppliers. The disclosure requirements in this subsection (f) are to be liberally construed to ensure that the nature of financial interests are fully revealed, and these disclosure requirements shall apply regardless of whether the involved person or entity is licensed under Section 16-115C of the Public Utilities Act. Any person or entity that fails to make the disclosure required under this subsection (f) is liable to the involved units of local government in an amount equal to all compensation paid to such person or entity by the units of local government for the input, guidance, or advice in the selection of an electricity supplier, plus reasonable attorneys fees and court costs incurred by the units of local government in connection with obtaining such amount.

(g) The Illinois Power Agency shall provide assistance to municipalities, townships, counties, or associations working with municipalities to help complete the plan and bidding process.

(h) This Section does not prohibit municipalities or counties from entering into an intergovernmental agreement to aggregate residential and small commercial retail electric loads.

(Source: P.A. 96-176, eff. 1-1-10; 97-338, eff. 8-12-11; 97-823, eff. 7-18-12; 97-1067, eff. 8-24-12; revised 9-20-12.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0435
(House Bill No. 2640)

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

New matter indicated by italics - deletions by strikeout
Section 5. The Crime Victims Compensation Act is amended by changing Sections 2 and 6.1 as follows:

(740 ILCS 45/2) (from Ch. 70, par. 72)
Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Applicant" means any person who applies for compensation under this Act or any person the Court of Claims finds is entitled to compensation, including the guardian of a minor or of a person under legal disability. It includes any person who was a dependent of a deceased victim of a crime of violence for his or her support at the time of the death of that victim.

(b) "Court of Claims" means the Court of Claims created by the Court of Claims Act.

(c) "Crime of violence" means and includes any offense defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-9, 11-1.2, 11-1.40, 11-1.50, 11-1.60, 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), or subdivision (a)(4) of Section 11-4.4, of the Criminal Code of 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of the Cemetery Protection Act, Section 125 of the Stalking No Contact Order Act, Section 219 of the Civil No Contact Order Act, driving under the influence as defined in Section 11-501 of the Illinois Vehicle Code, a violation of Section 11-401 of the Illinois Vehicle Code, provided the victim was a pedestrian or was operating a vehicle moved solely by human power or a mobility device at the time of contact, and a violation of Section 11-204.1 of the Illinois Vehicle Code; so long as the offense did not occur during a civil riot, insurrection or rebellion. "Crime of violence" does not include any other offense or accident involving a motor vehicle except those vehicle offenses specifically provided for in this paragraph. "Crime of violence" does include all of the offenses specifically provided for in this paragraph that occur within this State but are subject to federal jurisdiction and crimes involving terrorism as defined in 18 U.S.C. 2331.

(d) "Victim" means (1) a person killed or injured in this State as a result of a crime of violence perpetrated or attempted against him or her, (2) the spouse or parent of a person killed or injured in this State as a result of a crime of violence perpetrated or attempted against the person, (3) a person killed or injured in this State while attempting to assist a
person against whom a crime of violence is being perpetrated or attempted, if that attempt of assistance would be expected of a reasonable person under the circumstances, (4) a person killed or injured in this State while assisting a law enforcement official apprehend a person who has perpetrated a crime of violence or prevent the perpetration of any such crime if that assistance was in response to the express request of the law enforcement official, (5) a person who personally witnessed a violent crime, (5.1) solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime, any other person under the age of 18 who is the brother, sister, half brother, half sister, child, or stepchild of a person killed or injured in this State as a result of a crime of violence, (6) an Illinois resident who is a victim of a "crime of violence" as defined in this Act except, if the crime occurred outside this State, the resident has the same rights under this Act as if the crime had occurred in this State upon a showing that the state, territory, country, or political subdivision of a country in which the crime occurred does not have a compensation of victims of crimes law for which that Illinois resident is eligible, (7) a deceased person whose body is dismembered or whose remains are desecrated as the result of a crime of violence, or (8) solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime, any parent, spouse, or child under the age of 18 of a deceased person whose body is dismembered or whose remains are desecrated as the result of a crime of violence.

(e) "Dependent" means a relative of a deceased victim who was wholly or partially dependent upon the victim's income at the time of his or her death and shall include the child of a victim born after his or her death.

(f) "Relative" means a spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, brother-in-law, sister, sister-in-law, half brother, half sister, spouse's parent, nephew, niece, uncle or aunt.

(g) "Child" means an unmarried son or daughter who is under 18 years of age and includes a stepchild, an adopted child or a child born out of wedlock.

(h) "Pecuniary loss" means, in the case of injury, appropriate medical expenses and hospital expenses including expenses of medical examinations, rehabilitation, medically required nursing care expenses, appropriate psychiatric care or psychiatric counseling expenses, expenses
for care or counseling by a licensed clinical psychologist, licensed social worker, licensed professional counselor, or licensed clinical professional counselor and expenses for treatment by Christian Science practitioners and nursing care appropriate thereto; transportation expenses to and from medical and counseling treatment facilities; prosthetic appliances, eyeglasses, and hearing aids necessary or damaged as a result of the crime; costs associated with trafficking tattoo removal by a person authorized or licensed to perform the specific removal procedure; replacement costs for clothing and bedding used as evidence; costs associated with temporary lodging or relocation necessary as a result of the crime, including, but not limited to, the first month's rent and security deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the violent crime; locks or windows necessary or damaged as a result of the crime; the purchase, lease, or rental of equipment necessary to create usability of and accessibility to the victim's real and personal property, or the real and personal property which is used by the victim, necessary as a result of the crime; the costs of appropriate crime scene clean-up; replacement services loss, to a maximum of $1,250 per month; dependents replacement services loss, to a maximum of $1,250 per month; loss of tuition paid to attend grammar school or high school when the victim had been enrolled as a student prior to the injury, or college or graduate school when the victim had been enrolled as a day or night student prior to the injury when the victim becomes unable to continue attendance at school as a result of the crime of violence perpetrated against him or her; loss of earnings, loss of future earnings because of disability resulting from the injury, and, in addition, in the case of death, expenses for funeral, burial, and travel and transport for survivors of homicide victims to secure bodies of deceased victims and to transport bodies for burial all of which may not exceed a maximum of $7,500 and loss of support of the dependents of the victim; in the case of dismemberment or desecration of a body, expenses for funeral and burial, all of which may not exceed a maximum of $7,500. Loss of future earnings shall be reduced by any income from substitute work actually performed by the victim or by income he or she would have earned in available appropriate substitute work he or she was capable of performing but unreasonably failed to undertake. Loss of earnings, loss of future earnings and loss of support shall be determined on the basis of the victim's average net monthly earnings for the 6 months immediately preceding the date of the injury or on $1,250 per month, whichever is less
or, in cases where the absences commenced more than 3 years from the date of the crime, on the basis of the net monthly earnings for the 6 months immediately preceding the date of the first absence, not to exceed $1,250 per month. If a divorced or legally separated applicant is claiming loss of support for a minor child of the deceased, the amount of support for each child shall be based either on the amount of support pursuant to the judgment prior to the date of the deceased victim's injury or death, or, if the subject of pending litigation filed by or on behalf of the divorced or legally separated applicant prior to the injury or death, on the result of that litigation. Real and personal property includes, but is not limited to, vehicles, houses, apartments, town houses, or condominiums. Pecuniary loss does not include pain and suffering or property loss or damage.

(i) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income, but for the benefit of himself or herself or his or her family, if he or she had not been injured.

(j) "Dependents replacement services loss" means loss reasonably incurred by dependents or private legal guardians of minor dependents after a victim's death in obtaining ordinary and necessary services in lieu of those the victim would have performed, not for income, but for their benefit, if he or she had not been fatally injured.

(k) "Survivor" means immediate family including a parent, step-father, step-mother, child, brother, sister, or spouse.

(l) "Parent" means a natural parent, adopted parent, step-parent, or permanent legal guardian of another person.

(m) "Trafficking tattoo" is a tattoo which is applied to a victim in connection with the commission of a violation of Section 10-9 of the Criminal Code of 2012.

(Source: P.A. 96-267, eff. 8-11-09; 96-863, eff. 3-1-10; 96-1551, Article 1, Section 980, eff. 7-1-11; 96-1551, Article 2, Section 1090, eff. 7-1-11; 97-817, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Sec. 6.1. Right to compensation. A person is entitled to compensation under this Act if:

(a) Within 2 years of the occurrence of the crime, or within one year after a criminal charge of a person for an offense, upon which the claim is based, he files an application, under oath, with the Court of Claims and on a form prescribed in accordance with Section 7.1 furnished by the Attorney General. If the person

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entitled to compensation is under 18 years of age or under other legal disability at the time of the occurrence or becomes legally disabled as a result of the occurrence, he may file the application required by this subsection within 2 years after he attains the age of 18 years or the disability is removed, as the case may be. Legal disability includes a diagnosis of posttraumatic stress disorder.

(b) For all crimes of violence, except those listed in subsection (b-1) of this Section, the appropriate law enforcement officials were notified within 72 hours of the perpetration of the crime allegedly causing the death or injury to the victim or, in the event such notification was made more than 72 hours after the perpetration of the crime, the applicant establishes that such notice was timely under the circumstances.

(b-1) For victims of offenses defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the appropriate law enforcement officials were notified within 7 days of the perpetration of the crime allegedly causing death or injury to the victim or, in the event that the notification was made more than 7 days after the perpetration of the crime, the applicant establishes that such notice was timely under the circumstances. If the applicant or victim has obtained an order of protection, a civil no contact order, or a stalking no contact order, or has presented himself or herself to a hospital for sexual assault evidence collection and medical care, such action shall constitute appropriate notification under this subsection (b-1) or subsection (b) of this Section.

(c) The applicant has cooperated with law enforcement officials in the apprehension and prosecution of the assailant. If the applicant or victim has obtained an order of protection, a civil no contact order, or a stalking no contact order or has presented himself or herself to a hospital for sexual assault evidence collection and medical care, such action shall constitute cooperation under this subsection (c).

(d) The applicant is not the offender or an accomplice of the offender and the award would not unjustly benefit the offender or his accomplice.
(e) The injury to or death of the victim was not substantially attributable to his own wrongful act and was not substantially provoked by the victim.

(f) For victims of offenses defined in Section 10-9 of the Criminal Code of 2012, the victim submits a statement under oath on a form prescribed by the Attorney General attesting that the removed tattoo was applied in connection with the commission of the offense.

(Source: P.A. 96-1551, eff. 7-1-11; 97-817, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0436
(House Bill No. 2641)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 3-808.1 as follows:

Sec. 3-808.1. (a) Permanent vehicle registration plates shall be issued, at no charge, to the following:
1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;
2. Special disability plates issued to vehicles owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly.

(b) Permanent vehicle registration plates shall be issued, for a one time fee of $8.00, to the following:
1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation.
2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.
3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated...
deputy sheriffs. These registration plates shall contain the specific county code and unit number.

4. All-terrain vehicles owned by counties, townships, or municipal corporations and used for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.

5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.

6. Beginning with the 2014 registration year, municipally owned, fire district owned, or Mutual Aid Box Alarm System (MABAS) owned vehicles operated by or for any fire department, fire protection district, or MABAS. These registration plates shall display the designation "Fire Department" and shall display the specific fire department, fire district, fire unit, or MABAS division number or letter.

(c) Beginning with the 2012 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each county sheriff shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle operated by or for any county sheriff and designated deputy sheriffs. The Secretary of State shall adopt rules to implement this subsection (c).

(c-5) Beginning with the 2014 registration year, municipally owned, fire district owned, or Mutual Aid Box Alarm System (MABAS) owned vehicles operated by or for any fire department, fire protection district, or MABAS that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each fire department, fire protection district, of MABAS shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle.
operated by or for any fire department, fire protection district, or MABAS. The Secretary of State shall adopt rules to implement this subsection.

(d) Beginning with the 2013 registration year, municipally-owned vehicles operated by or for any police department that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each municipal police department shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle operated by or for any municipal police department. The Secretary of State shall adopt rules to implement this subsection (d).
(Source: P.A. 96-1000, eff. 7-2-10; 97-430, eff. 1-1-12; 97-794, eff. 1-1-13.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0437
(House Bill No. 2647)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 11-20.1 as follows:

Sec. 11-20.1. Child pornography.
(a) A person commits child pornography who:

(1) films, videotapes, photographs, or otherwise depicts or portrays by means of any similar visual medium or reproduction or depicts by computer any child whom he or she knows or reasonably should know to be under the age of 18 or any severely or profoundly intellectually disabled person where such child or severely or profoundly intellectually disabled person is:

(i) actually or by simulation engaged in any act of sexual penetration or sexual conduct with any person or animal; or

(ii) actually or by simulation engaged in any act of sexual penetration or sexual conduct involving the sex organs of the child or severely or profoundly intellectually

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disabled person and the mouth, anus, or sex organs of another person or animal; or which involves the mouth, anus or sex organs of the child or severely or profoundly intellectually disabled person and the sex organs of another person or animal; or

(iii) actually or by simulation engaged in any act of masturbation; or

(iv) actually or by simulation portrayed as being the object of, or otherwise engaged in, any act of lewd fondling, touching, or caressing involving another person or animal; or

(v) actually or by simulation engaged in any act of excretion or urination within a sexual context; or

(vi) actually or by simulation portrayed or depicted as bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in any sexual context; or

(vii) depicted or portrayed in any pose, posture or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the child or other person; or

(2) with the knowledge of the nature or content thereof, reproduces, disseminates, offers to disseminate, exhibits or possesses with intent to disseminate any film, videotape, photograph or other similar visual reproduction or depiction by computer or any child or severely or profoundly intellectually disabled person whom the person knows or reasonably should know to be under the age of 18 or to be a severely or profoundly intellectually disabled person, engaged in any activity described in subparagraphs (i) through (vii) of paragraph (1) of this subsection; or

(3) with knowledge of the subject matter or theme thereof, produces any stage play, live performance, film, videotape or other similar visual portrayal or depiction by computer which includes a child whom the person knows or reasonably should know to be under the age of 18 or a severely or profoundly intellectually disabled person engaged in any activity described in subparagraphs (i) through (vii) of paragraph (1) of this subsection; or
(4) solicits, uses, persuades, induces, entices, or coerces any child whom he or she knows or reasonably should know to be under the age of 18 or a severely or profoundly intellectually disabled person to appear in any stage play, live presentation, film, videotape, photograph or other similar visual reproduction or depiction by computer in which the child or severely or profoundly intellectually disabled person is or will be depicted, actually or by simulation, in any act, pose or setting described in subparagraphs (i) through (vii) of paragraph (1) of this subsection; or

(5) is a parent, step-parent, legal guardian or other person having care or custody of a child whom the person knows or reasonably should know to be under the age of 18 or a severely or profoundly intellectually disabled person and who knowingly permits, induces, promotes, or arranges for such child or severely or profoundly intellectually disabled person to appear in any stage play, live performance, film, videotape, photograph or other similar visual presentation, portrayal or simulation or depiction by computer of any act or activity described in subparagraphs (i) through (vii) of paragraph (1) of this subsection; or

(6) with knowledge of the nature or content thereof, possesses any film, videotape, photograph or other similar visual reproduction or depiction by computer of any child or severely or profoundly intellectually disabled person whom the person knows or reasonably should know to be under the age of 18 or to be a severely or profoundly intellectually disabled person, engaged in any activity described in subparagraphs (i) through (vii) of paragraph (1) of this subsection; or

(7) solicits, or knowingly uses, persuades, induces, entices, or coerces, a person to provide a child under the age of 18 or a severely or profoundly intellectually disabled person to appear in any videotape, photograph, film, stage play, live presentation, or other similar visual reproduction or depiction by computer in which the child or severely or profoundly intellectually disabled person will be depicted, actually or by simulation, in any act, pose, or setting described in subparagraphs (i) through (vii) of paragraph (1) of this subsection.

(a-5) The possession of each individual film, videotape, photograph, or other similar visual reproduction or depiction by computer in violation of this Section constitutes a single and separate violation. This

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subsection (a-5) does not apply to multiple copies of the same film, videotape, photograph, or other similar visual reproduction or depiction by computer that are identical to each other.

(b) (1) It shall be an affirmative defense to a charge of child pornography that the defendant reasonably believed, under all of the circumstances, that the child was 18 years of age or older or that the person was not a severely or profoundly intellectually disabled person but only where, prior to the act or acts giving rise to a prosecution under this Section, he or she took some affirmative action or made a bonafide inquiry designed to ascertain whether the child was 18 years of age or older or that the person was not a severely or profoundly intellectually disabled person and his or her reliance upon the information so obtained was clearly reasonable.

(1.5) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

(2) (Blank).

(3) The charge of child pornography shall not apply to the performance of official duties by law enforcement or prosecuting officers or persons employed by law enforcement or prosecuting agencies, court personnel or attorneys, nor to bonafide treatment or professional education programs conducted by licensed physicians, psychologists or social workers.

(4) If the defendant possessed more than one of the same film, videotape or visual reproduction or depiction by computer in which child pornography is depicted, then the trier of fact may infer that the defendant possessed such materials with the intent to disseminate them.

(5) The charge of child pornography does not apply to a person who does not voluntarily possess a film, videotape, or visual reproduction or depiction by computer in which child pornography is depicted. Possession is voluntary if the defendant knowingly procures or receives a film, videotape, or visual

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reproduction or depiction for a sufficient time to be able to terminate his or her possession.

(6) Any violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) that includes a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context shall be deemed a crime of violence.

(c) If the violation does not involve a film, videotape, or other moving depiction, a violation of paragraph (1), (4), (5), or (7) of subsection (a) is a Class 1 felony with a mandatory minimum fine of $2,000 and a maximum fine of $100,000. If the violation involves a film, videotape, or other moving depiction, a violation of paragraph (1), (4), (5), or (7) of subsection (a) is a Class X felony with a mandatory minimum fine of $2,000 and a maximum fine of $100,000. If the violation does not involve a film, videotape, or other moving depiction, a violation of paragraph (3) of subsection (a) is a Class 1 felony with a mandatory minimum fine of $1500 and a maximum fine of $100,000. If the violation involves a film, videotape, or other moving depiction, a violation of paragraph (3) of subsection (a) is a Class X felony with a mandatory minimum fine of $1500 and a maximum fine of $100,000. If the violation does not involve a film, videotape, or other moving depiction, a violation of paragraph (2) of subsection (a) is a Class 1 felony with a mandatory minimum fine of $1000 and a maximum fine of $100,000. If the violation involves a film, videotape, or other moving depiction, a violation of paragraph (2) of subsection (a) is a Class X felony with a mandatory minimum fine of $1000 and a maximum fine of $100,000. If the violation does not involve a film, videotape, or other moving depiction, a violation of paragraph (6) of subsection (a) is a Class 3 felony with a mandatory minimum fine of $1000 and a maximum fine of $100,000. If the violation involves a film, videotape, or other moving depiction, a violation of paragraph (6) of subsection (a) is a Class 2 felony with a mandatory minimum fine of $1000 and a maximum fine of $100,000.

(c-5) Where the child depicted is under the age of 13, a violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) is a Class X felony with a mandatory minimum fine of $2,000 and a maximum fine of $100,000. Where the child depicted is under the age of 13, a violation of paragraph (6) of subsection (a) is a Class 2 felony with a mandatory minimum fine of $1,000 and a maximum fine of $100,000. Where the child depicted is under the age of 13, a person who commits a violation of

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paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) where the defendant has previously been convicted under the laws of this State or any other state of the offense of child pornography, aggravated child pornography, aggravated criminal sexual abuse, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or any of the offenses formerly known as rape, deviate sexual assault, indecent liberties with a child, or aggravated indecent liberties with a child where the victim was under the age of 18 years or an offense that is substantially equivalent to those offenses, is guilty of a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 9 years with a mandatory minimum fine of $2,000 and a maximum fine of $100,000.

Where the child depicted is under the age of 13, a person who commits a violation of paragraph (6) of subsection (a) where the defendant has previously been convicted under the laws of this State or any other state of the offense of child pornography, aggravated child pornography, aggravated criminal sexual abuse, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or any of the offenses formerly known as rape, deviate sexual assault, indecent liberties with a child, or aggravated indecent liberties with a child where the victim was under the age of 18 years or an offense that is substantially equivalent to those offenses, is guilty of a Class 1 felony with a mandatory minimum fine of $1,000 and a maximum fine of $100,000. The issue of whether the child depicted is under the age of 13 is an element of the offense to be resolved by the trier of fact.

(d) If a person is convicted of a second or subsequent violation of this Section within 10 years of a prior conviction, the court shall order a presentence psychiatric examination of the person. The examiner shall report to the court whether treatment of the person is necessary.

(e) Any film, videotape, photograph or other similar visual reproduction or depiction by computer which includes a child under the age of 18 or a severely or profoundly intellectually disabled person engaged in any activity described in subparagraphs (i) through (vii) or paragraph 1 of subsection (a), and any material or equipment used or intended for use in photographing, filming, printing, producing, reproducing, manufacturing, projecting, exhibiting, depiction by computer, or disseminating such material shall be seized and forfeited in the manner, method and procedure provided by Section 36-1 of this Code for the seizure and forfeiture of vessels, vehicles and aircraft.
In addition, any person convicted under this Section is subject to the property forfeiture provisions set forth in Article 124B of the Code of Criminal Procedure of 1963.

(e-5) Upon the conclusion of a case brought under this Section, the court shall seal all evidence depicting a victim or witness that is sexually explicit. The evidence may be unsealed and viewed, on a motion of the party seeking to unseal and view the evidence, only for good cause shown and in the discretion of the court. The motion must expressly set forth the purpose for viewing the material. The State's attorney and the victim, if possible, shall be provided reasonable notice of the hearing on the motion to unseal the evidence. Any person entitled to notice of a hearing under this subsection (e-5) may object to the motion.

(f) Definitions. For the purposes of this Section:

(1) "Disseminate" means (i) to sell, distribute, exchange or transfer possession, whether with or without consideration or (ii) to make a depiction by computer available for distribution or downloading through the facilities of any telecommunications network or through any other means of transferring computer programs or data to a computer.

(2) "Produce" means to direct, promote, advertise, publish, manufacture, issue, present or show.

(3) "Reproduce" means to make a duplication or copy.

(4) "Depict by computer" means to generate or create, or cause to be created or generated, a computer program or data that, after being processed by a computer either alone or in conjunction with one or more computer programs, results in a visual depiction on a computer monitor, screen, or display.

(5) "Depiction by computer" means a computer program or data that, after being processed by a computer either alone or in conjunction with one or more computer programs, results in a visual depiction on a computer monitor, screen, or display.

(6) "Computer", "computer program", and "data" have the meanings ascribed to them in Section 16D-2 of this Code.

(7) For the purposes of this Section, "child pornography" includes a film, videotape, photograph, or other similar visual medium or reproduction or depiction by computer that is, or appears to be, that of a person, either in part, or in total, under the age of 18 or a severely or profoundly intellectually disabled person, regardless of the method by which the film, videotape, photograph,
or other similar visual medium or reproduction or depiction by computer is created, adopted, or modified to appear as such. "Child pornography" also includes a film, videotape, photograph, or other similar visual medium or reproduction or depiction by computer that is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the film, videotape, photograph, or other similar visual medium or reproduction or depiction by computer is of a person under the age of 18 or a severely or profoundly intellectually disabled person.

(g) Re-enactment; findings; purposes.

(1) The General Assembly finds and declares that:


(ii) In addition, Public Act 88-680 was entitled "AN ACT to create a Safe Neighborhoods Law". (A) Article 5 was entitled JUVENILE JUSTICE and amended the Juvenile Court Act of 1987. (B) Article 15 was entitled GANGS and amended various provisions of the Criminal Code of 1961 and the Unified Code of Corrections. (C) Article 20 was entitled ALCOHOL ABUSE and amended various provisions of the Illinois Vehicle Code. (D) Article 25 was entitled DRUG ABUSE and amended the Cannabis Control Act and the Illinois Controlled Substances Act. (E) Article 30 was entitled FIREARMS and amended the Criminal Code of 1961 and the Code of Criminal Procedure of 1963. (F) Article 35 amended the Criminal Code of 1961, the Rights of Crime Victims and Witnesses Act, and the Unified Code of Corrections. (G) Article 40 amended the Criminal Code of 1961 to increase the penalty for compelling organization membership of persons. (H) Article 45 created the Secure Residential Youth Care Facility Licensing Act and amended the State Finance Act, the Juvenile Court Act of 1987, the Unified Code of Corrections, and the Private Correctional Facility Moratorium Act. (I) Article 50 amended the WIC Vendor Management Act, the Firearm Owners Identification Card Act, the Juvenile Court Act of 1987, the Criminal Code of
1961, the Wrongs to Children Act, and the Unified Code of Corrections.

(iii) On September 22, 1998, the Third District Appellate Court in People v. Dainty, 701 N.E. 2d 118, ruled that Public Act 88-680 violates the single subject clause of the Illinois Constitution (Article IV, Section 8 (d)) and was unconstitutional in its entirety. As of the time this amendatory Act of 1999 was prepared, People v. Dainty was still subject to appeal.

(iv) Child pornography is a vital concern to the people of this State and the validity of future prosecutions under the child pornography statute of the Criminal Code of 1961 is in grave doubt.

(2) It is the purpose of this amendatory Act of 1999 to prevent or minimize any problems relating to prosecutions for child pornography that may result from challenges to the constitutional validity of Public Act 88-680 by re-enacting the Section relating to child pornography that was included in Public Act 88-680.

(3) This amendatory Act of 1999 re-enacts Section 11-20.1 of the Criminal Code of 1961, as it has been amended. This re-enactment is intended to remove any question as to the validity or content of that Section; it is not intended to supersede any other Public Act that amends the text of the Section as set forth in this amendatory Act of 1999. The material is shown as existing text (i.e., without underscoring) because, as of the time this amendatory Act of 1999 was prepared, People v. Dainty was subject to appeal to the Illinois Supreme Court.

(4) The re-enactment by this amendatory Act of 1999 of Section 11-20.1 of the Criminal Code of 1961 relating to child pornography that was amended by Public Act 88-680 is not intended, and shall not be construed, to imply that Public Act 88-680 is invalid or to limit or impair any legal argument concerning whether those provisions were substantially re-enacted by other Public Acts.

(Source: P.A. 96-292, eff. 1-1-10; 96-712, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11; 97-157, eff. 1-1-12; 97-227, eff. 1-1-12; 97-995, eff. 1-1-13; 97-1109, eff. 1-1-13.)

New matter indicated by italics - deletions by strikeout
Section 10. The Unified Code of Corrections is amended by changing Section 5-8-4 as follows:
(730 ILCS 5/5-8-4) (from Ch. 38, par. 1005-8-4)
Sec. 5-8-4. Concurrent and consecutive terms of imprisonment.
(a) Concurrent terms; multiple or additional sentences. When an
Illinois court (i) imposes multiple sentences of imprisonment on a
defendant at the same time or (ii) imposes a sentence of imprisonment on a
defendant who is already subject to a sentence of imprisonment imposed
by an Illinois court, a court of another state, or a federal court, then the
sentences shall run concurrently unless otherwise determined by the
Illinois court under this Section.
(b) Concurrent terms; misdemeanor and felony. A defendant
serving a sentence for a misdemeanor who is convicted of a felony and
sentenced to imprisonment shall be transferred to the Department of
Corrections, and the misdemeanor sentence shall be merged in and run
concurrently with the felony sentence.
(c) Consecutive terms; permissive. The court may impose
consecutive sentences in any of the following circumstances:
(1) If, having regard to the nature and circumstances of the
offense and the history and character of the defendant, it is the
opinion of the court that consecutive sentences are required to
protect the public from further criminal conduct by the defendant,
the basis for which the court shall set forth in the record.
(2) If one of the offenses for which a defendant was
convicted was a violation of Section 32-5.2 (aggravated false
personation of a peace officer) of the Criminal Code of 1961 (720
ILCS 5/32-5.2) or a violation of subdivision (b)(5) or (b)(6) of
Section 17-2 of the Criminal Code of 1961 or the Criminal Code of
2012 (720 ILCS 5/17-2) and the offense was committed in
attempting or committing a forcible felony.
(d) Consecutive terms; mandatory. The court shall impose
consecutive sentences in each of the following circumstances:
(1) One of the offenses for which the defendant was
convicted was first degree murder or a Class X or Class 1 felony
and the defendant inflicted severe bodily injury.
(2) The defendant was convicted of a violation of Section
11-20.1 (child pornography), 11-20.1B or 11-20.3 (aggravated
child pornography), 11-1.20 or 12-13 (criminal sexual assault), 11-
1.30 or 12-14 (aggravated criminal sexual assault), or 11-1.40 or

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(2.5) The defendant was convicted of a violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 (child pornography) or of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or 11-20.3 (aggravated child pornography) of the Criminal Code of 1961 or the Criminal Code of 2012; or the defendant was convicted of a violation of paragraph (6) of subsection (a) of Section 11-20.1 (child pornography) or of paragraph (6) of subsection (a) of Section 11-20.1B or 11-20.3 (aggravated child pornography) of the Criminal Code of 1961 or the Criminal Code of 2012, when the child depicted is under the age of 13.

(3) The defendant was convicted of armed violence based upon the predicate offense of any of the following: solicitation of murder, solicitation of murder for hire, heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05, aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05, criminal sexual assault, a violation of subsection (g) of Section 5 of the Cannabis Control Act (720 ILCS 550/5), cannabis trafficking, a violation of subsection (a) of Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), controlled substance trafficking involving a Class X felony amount of controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), a violation of the Methamphetamine Control and Community Protection Act (720 ILCS 646/), calculated criminal drug conspiracy, or streetgang criminal drug conspiracy.

(4) The defendant was convicted of the offense of leaving the scene of a motor vehicle accident involving death or personal injuries under Section 11-401 of the Illinois Vehicle Code (625 ILCS 5/11-401) and either: (A) aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof under Section 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501), (B) reckless homicide under Section 9-3 of the Criminal Code of 1961 or the

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Criminal Code of 2012 (720 ILCS 5/9-3), or (C) both an offense described in item (A) and an offense described in item (B).

(5) The defendant was convicted of a violation of Section 9-3.1 or Section 9-3.4 (concealment of homicidal death) or Section 12-20.5 (dismembering a human body) of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-3.1 or 5/12-20.5).

(5.5) The defendant was convicted of a violation of Section 24-3.7 (use of a stolen firearm in the commission of an offense) of the Criminal Code of 1961 or the Criminal Code of 2012.

(6) If the defendant was in the custody of the Department of Corrections at the time of the commission of the offense, the sentence shall be served consecutive to the sentence under which the defendant is held by the Department of Corrections. If, however, the defendant is sentenced to punishment by death, the sentence shall be executed at such time as the court may fix without regard to the sentence under which the defendant may be held by the Department.

(7) A sentence under Section 3-6-4 (730 ILCS 5/3-6-4) for escape or attempted escape shall be served consecutive to the terms under which the offender is held by the Department of Corrections.

(8) If a person charged with a felony commits a separate felony while on pretrial release or in pretrial detention in a county jail facility or county detention facility, then the sentences imposed upon conviction of these felonies shall be served consecutively regardless of the order in which the judgments of conviction are entered.

(8.5) If a person commits a battery against a county correctional officer or sheriff’s employee while serving a sentence or in pretrial detention in a county jail facility, then the sentence imposed upon conviction of the battery shall be served consecutively with the sentence imposed upon conviction of the earlier misdemeanor or felony, regardless of the order in which the judgments of conviction are entered.

(9) If a person admitted to bail following conviction of a felony commits a separate felony while free on bond or if a person detained in a county jail facility or county detention facility following conviction of a felony commits a separate felony while in detention, then any sentence following conviction of the separate

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felony shall be consecutive to that of the original sentence for which the defendant was on bond or detained.

(10) If a person is found to be in possession of an item of contraband, as defined in Section 31A-0.1 of the Criminal Code of 2012, while serving a sentence in a county jail or while in pre-trial detention in a county jail, the sentence imposed upon conviction for the offense of possessing contraband in a penal institution shall be served consecutively to the sentence imposed for the offense in which the person is serving sentence in the county jail or serving pretrial detention, regardless of the order in which the judgments of conviction are entered.

(11) If a person is sentenced for a violation of bail bond under Section 32-10 of the Criminal Code of 1961 or the Criminal Code of 2012, any sentence imposed for that violation shall be served consecutive to the sentence imposed for the charge for which bail had been granted and with respect to which the defendant has been convicted.

(e) Consecutive terms; subsequent non-Illinois term. If an Illinois court has imposed a sentence of imprisonment on a defendant and the defendant is subsequently sentenced to a term of imprisonment by a court of another state or a federal court, then the Illinois sentence shall run consecutively to the sentence imposed by the court of the other state or the federal court. That same Illinois court, however, may order that the Illinois sentence run concurrently with the sentence imposed by the court of the other state or the federal court, but only if the defendant applies to that same Illinois court within 30 days after the sentence imposed by the court of the other state or the federal court is finalized.

(f) Consecutive terms; aggregate maximums and minimums. The aggregate maximum and aggregate minimum of consecutive sentences shall be determined as follows:

(1) For sentences imposed under law in effect prior to February 1, 1978, the aggregate maximum of consecutive sentences shall not exceed the maximum term authorized under Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of Chapter V for the 2 most serious felonies involved. The aggregate minimum period of consecutive sentences shall not exceed the highest minimum term authorized under Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of Chapter V for the 2 most serious felonies involved. When sentenced only for misdemeanors, a defendant

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shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(2) For sentences imposed under the law in effect on or after February 1, 1978, the aggregate of consecutive sentences for offenses that were committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective shall not exceed the sum of the maximum terms authorized under Article 4.5 of Chapter V for the 2 most serious felonies involved, but no such limitation shall apply for offenses that were not committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective. When sentenced only for misdemeanors, a defendant shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(g) Consecutive terms; manner served. In determining the manner in which consecutive sentences of imprisonment, one or more of which is for a felony, will be served, the Department of Corrections shall treat the defendant as though he or she had been committed for a single term subject to each of the following:

(1) The maximum period of a term of imprisonment shall consist of the aggregate of the maximums of the imposed indeterminate terms, if any, plus the aggregate of the imposed determinate sentences for felonies, plus the aggregate of the imposed determinate sentences for misdemeanors, subject to subsection (f) of this Section.

(2) The parole or mandatory supervised release term shall be as provided in paragraph (e) of Section 5-4.5-50 (730 ILCS 5/5-4.5-50) for the most serious of the offenses involved.

(3) The minimum period of imprisonment shall be the aggregate of the minimum and determinate periods of imprisonment imposed by the court, subject to subsection (f) of this Section.

(4) The defendant shall be awarded credit against the aggregate maximum term and the aggregate minimum term of imprisonment for all time served in an institution since the commission of the offense or offenses and as a consequence thereof at the rate specified in Section 3-6-3 (730 ILCS 5/3-6-3).

(Source: P.A. 96-190, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1200, eff. 7-22-10; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551, Article 2,
Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-475, eff. 8-22-11; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0438
(House Bill No. 2654)

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

Section 5. The Hospital Basic Services Preservation Act is amended by changing Section 10 and by adding Section 30 as follows:

(20 ILCS 4050/10)

Sec. 10. Hospital Basic Services Preservation Fund.
(a) There is created in the State treasury the Hospital Basic Services Preservation Fund. The Fund shall be administered by the State Treasurer to collateralize loans from financial institutions for capital projects necessary to maintain certain basic services required for the efficient and effective operation of essential community hospital providers who otherwise may not be able to meet financial institution credit standards for issuance of a standard commercial loan. The Fund shall consist of all public and private moneys donated or transferred to the Fund for the purpose of enabling essential community hospitals to continue to provide basic quality health care services that are subject to and meet standards of need under the Health Facilities Planning Act. All public funds deposited into the Fund shall be subject to appropriation by the General Assembly.

(b) If the State Treasurer determines that any public moneys in the Hospital Basic Services Preservation Fund are no longer necessary to collateralize loans from financial institutions under this Section, the Treasurer may transfer any unobligated and unexpended moneys from the Hospital Basic Services Preservation Fund into the General Revenue Fund. If all amounts from every collateralization of basic service loans from eligible expenses related to completing, attaining, or upgrading basic services under existing agreements have been returned to the Hospital Basic Services Preservation Fund and have been transferred by

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the State Treasurer into the General Revenue Fund, the Treasurer shall file with the Index Department of the Office of the Secretary of State a declaration to that effect and shall notify the Clerk of the House of Representatives, the Secretary of the Senate, and the Legislative Reference Bureau of the filing of the declaration. Upon such filing and notification, this Act is repealed as provided in Section 30 of this Act.

(Source: P.A. 94-648, eff. 1-1-06.)

(20 ILCS 4050/30 new)

Sec. 30. Repealer. This Act is repealed upon the occurrence of the conditions set forth in subsection (b) of Section 10 of this Act.

(30 ILCS 105/5.659 rep.)

Section 15. The State Finance Act is amended by repealing Section 5.659 upon the repeal of the Hospital Basic Services Preservation Fund Act as set forth in Section 30 of that Act.

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0439
(House Bill No. 2656)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 7-139 as follows:

(40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

Sec. 7-139. Credits and creditable service to employees.

(a) Each participating employee shall be granted credits and creditable service, for purposes of determining the amount of any annuity or benefit to which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an employee of a participating municipality or participating instrumentality on the effective date shall be granted creditable service, but no credits under paragraph 2 of this subsection (a), for periods of prior service for which credit has not been received

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under any other pension fund or retirement system established under this Code, as follows:

If the effective date of participation for the participating municipality or participating instrumentality is on or before January 1, 1998, creditable service shall be granted for the entire period of prior service with that employer without any employee contribution.

If the effective date of participation for the participating municipality or participating instrumentality is after January 1, 1998, creditable service shall be granted for the last 20% of the period of prior service with that employer, but no more than 5 years, without any employee contribution. A participating employee may establish creditable service for the remainder of the period of prior service with that employer by making an application in writing, accompanied by payment of an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service may be made at any time while the employee is still in service.

A municipality that (i) has at least 35 employees; (ii) is located in a county with at least 2,000,000 inhabitants; and (iii) maintains an independent defined benefit pension plan for the benefit of its eligible employees may restrict creditable service in whole or in part for periods of prior service with the employer if the governing body of the municipality adopts an irrevocable resolution to restrict that creditable service and files the resolution with the board before the municipality's effective date of participation.

Any person who has withdrawn from the service of a participating municipality or participating instrumentality prior to the effective date, who reenters the service of the same municipality or participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service

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must be made while in a participating status. The salary rate to be used in the calculation of the required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:

   a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.

   b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).

   c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.

   d. Survivor credits equal to each payment of survivor contributions received from the participating employee as of the date the corresponding payment of earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service for periods of authorized leave of absence without pay under the following conditions:
a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment.

b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.

c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.

d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.

e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.

5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary
to the computation of any benefit, the board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal

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to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts).

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.
Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who is applying for a retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:

a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a participating municipality or participating instrumentality which is available to all employees or a class of employees.

b. Except as provided in item b-1, only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.

b-1. If the employee was in the service of more than one employer as defined in item (2) of paragraph (a) of subsection (A) of Section 7-132, then the sick leave days from all such employers shall be credited, as long as the creditable service attributed to those sick leave days does
not exceed the limitation in item f of this paragraph 8. In calculating the creditable service under this item b-1, the sick leave days from the last employer shall be considered first, then the remaining sick leave days shall be considered until there are no more days or the maximum creditable sick leave threshold under item f of this paragraph 8 has been reached.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 3, 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 3-110.3, 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

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10. For service transferred from an Article 3 system under Section 3-110.8: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.8, to any active member of this Fund upon transfer of such credits pursuant to Section 3-110.8. If the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund, then the amount of creditable service established under this paragraph 10 shall be reduced by a corresponding amount in accordance with the rules and procedures established under this paragraph 10.

The board shall establish by rule the manner of making the calculation required under this paragraph 10, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history; the level of funding of the employer; and any other factors that the board determines to be relevant.

Until January 1, 2010, members who transferred service from an Article 3 system under the provisions of Public Act 94-356 may establish additional credit in this Fund, but only up to the amount of the service credit reduction in that transfer, as calculated under the actuarial assumptions. This credit may be established upon payment by the member of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all the service been as an employee under this Article, plus interest thereon compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 3 system, plus (3) interest on the difference at the effective rate for each year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly notwithstanding the provisions of Article 3 terminating all transferred credits on the date of transfer.

11. For service transferred from an Article 3 system under Section 3-110.3: Credits and creditable service shall be granted

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for service under Article 3 of this Act as provided in Section 3-110.3, to any active member of this Fund, upon transfer of such credits pursuant to Section 3-110.3. If the board determines that the amount transferred is less than the true cost to the Fund of allowing that creditable service to be established, then in order to establish that creditable service, the member must pay to the Fund an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under this paragraph. If the member does not make the full additional payment as required by this paragraph prior to termination of his participation with that employer, then his or her creditable service shall be reduced by an amount equal to the difference between the amount transferred under Section 3-110.3, including any payments made by the member under this paragraph prior to termination, and the true cost to the Fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under this paragraph.

The board shall establish by rule the manner of making the calculation required under this paragraph 11, taking into account the appropriate actuarial assumptions; the member’s service, age, and salary history, and any other factors that the board determines to be relevant.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar year. A calendar month means a nominal month beginning on the first day thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.
3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

   (c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule.

   (d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article.

(Source: P.A. 96-299, eff. 8-11-09; 97-415, eff. 8-16-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

AN ACT concerning health facilities.

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

Section 5. The Newborn Metabolic Screening Act is amended by changing Sections 1, 1.5, and 2 and by adding Sections 1.10, 3.1, 3.2, and 3.3 as follows:

   (410 ILCS 240/1) (from Ch. 111 1/2, par. 4903)

Sec. 1. The Illinois Department of Public Health shall promulgate and enforce rules and regulations requiring that every newborn be

New matter indicated by italics - deletions by strikeout
subjected to tests for genetic, phenylketonuria, hypothyroidism, galactosemia and such other metabolic, and congenital anomalies diseases as the Department may deem necessary from time to time. The Department is empowered to promulgate such additional rules and regulations as are found necessary for the administration of this Act, including mandatory reporting of the results of all tests for these conditions to the Illinois Department of Public Health.

(Source: P.A. 83-87.)

(410 ILCS 240/1.5)
Sec. 1.5. Definitions. In this Act:
"Accredited laboratory" means any laboratory that holds a valid certificate issued under the Clinical Laboratory Improvement Amendments of 1988, 102 Stat. 2903, 42 U.S.C. 263a, as amended, and that reports its screening results by using normal pediatric reference ranges.

"Department" means the Department of Public Health.

"Expanded screening" means screening for genetic and metabolic disorders, including but not limited to amino acid disorders, organic acid disorders, fatty acid oxidation disorders, and other abnormal profiles, in newborn infants that can be detected through the use of a tandem mass spectrometer.

"Tandem mass spectrometer" means an analytical instrument used to detect numerous genetic and metabolic disorders at one time.

(Source: P.A. 92-701, eff. 7-19-02.)

(410 ILCS 240/1.10 new)
Sec. 1.10. Critical congenital heart disease.
(a) The General Assembly finds as follows:

(1) According to the United States Secretary of Health and Human Services Advisory Committee on Heritable Disorders in Newborns and Children, congenital heart disease affects approximately 7 to 9 of every 1,000 live births in the United States and Europe. The federal Centers for Disease Control and Prevention state that critical congenital heart disease is the leading cause of infant death due to birth defects.

(2) Many newborn lives could potentially be saved by earlier detection and treatment of critical congenital heart disease if health care facilities in the State were required to perform a simple, non-invasive newborn screening in conjunction with current screening methods.

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(b) The Department shall require that screening tests for critical congenital heart defects be performed at birthing hospitals and birth centers in accordance with a testing protocol adopted by the Department, by rule, in line with current standards of care, such as pulse oximetry screening, and may authorize screening tests for additional congenital anomalies to be performed at birthing hospitals and birth centers in accordance with a testing protocol adopted by the Department, by rule.

(c) The Department may authorize health care facilities to report screening test results and follow-up information.

(410 ILCS 240/2) (from Ch. 111 1/2, par. 4904)

Sec. 2. General provisions. The Department of Public Health shall administer the provisions of this Act and shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning disorders included in newborn screening the diseases phenylketonuria, hypothyroidism, galactosemia and other metabolic diseases. This educational program shall include information about the nature of the diseases and examinations for the detection of the diseases in early infancy in order that measures may be taken to prevent the intellectual disabilities resulting from the diseases.

(a-5) Require that Beginning July 1, 2002, provide all newborns be screened with expanded screening tests for the presence of certain genetic, metabolic, and congenital anomalies as determined by the Department, by rule.

(a-5.1) Require that all blood and biological specimens collected pursuant to this Act or the rules adopted under this Act be submitted for testing to the nearest Department laboratory designated to perform such tests. The following provisions shall apply concerning testing:

1. The Department may develop a reasonable fee structure and may levy fees according to such structure to cover the cost of providing this testing service and for the follow-up of infants with an abnormal screening test. Fees collected from the provision of this testing service shall be placed in the Metabolic Screening and Treatment Fund. Other State and federal funds for expenses related to metabolic screening, follow-up, and treatment programs may also be placed in the Fund.

2. Moneys shall be appropriated from the Fund to the Department solely for the purposes of providing newborn screening, follow-up, and treatment programs. Nothing in this Act
shall be construed to prohibit any licensed medical facility from collecting additional specimens for testing for metabolic or neonatal diseases or any other diseases or conditions, as it deems fit. Any person violating the provisions of this subsection (a-5.1) is guilty of a petty offense. endocrine, or other metabolic disorders, including phenylketonuria, galactosemia, hypothyroidism, congenital adrenal hyperplasia, biotinidase deficiency, and sickling disorders, as well as other amino acid disorders, organic acid disorders, fatty acid oxidation disorders, and other abnormalities detectable through the use of a tandem mass spectrometer.

(3) If by July 1, 2002, the Department is unable to provide the expanded screening using the State Laboratory, it shall temporarily provide such screening through an accredited laboratory selected by the Department until the Department has the capacity to provide screening through the State Laboratory. If expanded screening is provided on a temporary basis through an accredited laboratory, the Department shall substitute the fee charged by the accredited laboratory, plus a 5% surcharge for documentation and handling, for the fee authorized in this subsection (a-5.1) (e) of this Section.

(a-5.2) Maintain a registry of cases, including information of importance for the purpose of follow-up services to assess long-term outcomes.

(a-5.3) Supply the necessary metabolic treatment formulas where practicable for diagnosed cases of amino acid metabolism disorders, including phenylketonuria, organic acid disorders, and fatty acid oxidation disorders for as long as medically indicated, when the product is not available through other State agencies.

(a-5.4) Arrange for or provide public health nursing, nutrition, and social services and clinical consultation as indicated.

(a-5.5) The Department shall utilize the Genetic and Metabolic Diseases Advisory Committee established under the Genetic and Metabolic Diseases Advisory Committee Act to provide guidance and recommendations to the Department's newborn screening program. The Genetic and Metabolic Diseases Advisory Committee shall review the feasibility and advisability of including additional metabolic, genetic, and congenital disorders in the newborn screening panel, according to a review protocol applied to each suggested addition to the screening panel. The Department shall consider the recommendations of the Genetic and
Metabolic Diseases Advisory Committee in determining whether to include an additional disorder in the screening panel prior to proposing an administrative rule concerning inclusion of an additional disorder in the newborn screening panel. Notwithstanding any other provision of law, no new screening may begin prior to the occurrence of all the following:

(1) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for U.S. Food and Drug Administration-cleared or in-house developed methods, performed under an institutional review board-approved protocol, if required;

(2) the availability of quality assurance testing methodology for the processes set forth in item (1) of this subsection (a-5.5);

(3) the acquisition and installment by the Department of the equipment necessary to implement the screening tests;

(4) the establishment of precise threshold values ensuring defined disorder identification for each screening test;

(5) the authentication of pilot testing achieving each milestone described in items (1) through (4) of this subsection (a-5.5) for each disorder screening test; and

(6) the authentication of achieving the potential of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (1) through (4) of this subsection (a-5.5).

(a-6) (Blank). In accordance with the timetable specified in this subsection, provide all newborns with expanded screening tests for the presence of certain Lysosomal Storage Disorders known as Krabbe, Pompe, Gaucher, Fabry, and Niemann-Pick. The testing shall begin within 6 months following the occurrence of all of the following:

(i) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol, if required;

(ii) the availability of quality assurance testing methodology for these processes;

New matter indicated by italics - deletions by strikeout
(iii) the acquisition and installment by the Department of the equipment necessary to implement the expanded screening tests;

(iv) establishment of precise threshold values ensuring defined disorder identification for each screening test;

(v) authentication of pilot testing achieving each milestone described in items (i) through (iv) of this subsection (a-6) for each disorder screening test; and

(vi) authentication achieving potentiality of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (i) through (iv) of this subsection (a-6).

It is the goal of Public Act 97-532 that the expanded screening for the specified Lysosomal Storage Disorders begins within 2 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for start-up and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for the specified Lysosomal Storage Disorders.

(a-7) (Blank). In accordance with the timetable specified in this subsection (a-7), provide all newborns with expanded screening tests for the presence of Severe Combined Immunodeficiency Disease (SCID). The testing shall begin within 12 months following the occurrence of all of the following:

(i) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol; if required;

(ii) the availability of quality assurance testing and comparative threshold values for SCID;

(iii) the acquisition and installment by the Department of the equipment necessary to implement the initial pilot and expanded statewide volume of screening tests for SCID;

(iv) establishment of precise threshold values ensuring defined disorder identification for SCID;

New matter indicated by italics - deletions by strikeout
(v) authentication of pilot testing achieving each milestone described in items (i) through (iv) of this subsection (a-7) for SCID; and

(vi) authentication achieving potentiality of high throughput standards for statewide volume of the SCID screening test concomitant with each milestone described in items (i) through (iv) of this subsection (a-7).

It is the goal of Public Act 97-532 that the expanded screening for Severe Combined Immunodeficiency Disease begins within 2 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for startup and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for Severe Combined Immunodeficiency Disease:

(a-8) (Blank). In accordance with the timetable specified in this subsection (a-8), provide all newborns with expanded screening tests for the presence of certain Lysosomal Storage Disorders known as Mucopolysaccharidosis I (Hurlers) and Mucopolysaccharidosis II (Hunters). The testing shall begin within 12 months following the occurrence of all of the following:

(i) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol, if required;

(ii) the availability of quality assurance testing and comparative threshold values for each screening test and accompanying disorder;

(iii) the acquisition and installment by the Department of the equipment necessary to implement the initial pilot and expanded statewide volume of screening tests for each disorder;

(iv) establishment of precise threshold values ensuring defined disorder identification for each screening test;

(v) authentication of pilot testing achieving each milestone described in items (i) through (iv) of this subsection (a-8) for each disorder screening test; and

New matter indicated by italics - deletions by strikeout
(vi) authentication achieving potentiality of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (i) through (iv) of this subsection (a-8).

It is the goal of Public Act 97-532 that the expanded screening for the specified Lysosomal Storage Disorders begins within 3 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for start-up and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for the specified Lysosomal Storage Disorders:

(b) (Blank). Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disabilities.

(c) (Blank). Supply the necessary metabolic treatment formulas where practicable for diagnosed cases of amino acid metabolism disorders, including phenylketonuria, organic acid disorders, and fatty acid oxidation disorders for as long as medically indicated, when the product is not available through other State agencies.

(d) (Blank). Arrange for or provide public health nursing, nutrition and social services and clinical consultation as indicated.

(e) (Blank). Require that all specimens collected pursuant to this Act or the rules and regulations promulgated hereunder be submitted for testing to the nearest Department of Public Health laboratory designated to perform such tests. The Department may develop a reasonable fee structure and may levy fees according to such structure to cover the cost of providing this testing service. Fees collected from the provision of this testing service shall be placed in a special fund in the State Treasury, hereafter known as the Metabolic Screening and Treatment Fund. Other State and federal funds for expenses related to metabolic screening, follow-up and treatment programs may also be placed in such Fund. Moneys shall be appropriated from such Fund to the Department of Public Health solely for the purposes of providing metabolic screening, follow-up and treatment programs. Nothing in this Act shall be construed to prohibit any licensed medical facility from collecting additional specimens for testing for metabolic or neonatal diseases or any other diseases or conditions, as it deems fit. Any person violating the provisions of this subsection (e) is guilty of a petty offense.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 97-227, eff. 1-1-12; 97-532, eff. 8-23-11; 97-813, eff. 7-13-12.)

(410 ILCS 240/3.1 new)

Sec. 3.1. Lysosomal storage disorders. In accordance with the timetable specified in this Section, the Department shall provide all newborns with screening tests for the presence of certain lysosomal storage disorders known as Krabbe, Pompe, Gaucher, Fabry, and Niemann-Pick. The testing shall begin within 6 months following the occurrence of all of the following:

(1) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol, if required;

(2) the availability of quality assurance testing methodology for these processes;

(3) the acquisition and installment by the Department of the equipment necessary to implement the screening tests;

(4) the establishment of precise threshold values ensuring defined disorder identification for each screening test;

(5) the authentication of pilot testing achieving each milestone described in items (1) through (4) of this Section for each disorder screening test; and

(6) the authentication of achieving the potential of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (1) through (4) of this Section.

It was the goal of Public Act 97-532 that the screening for the specified lysosomal storage disorders begins within 2 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for start-up and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for the specified lysosomal storage disorders.

(410 ILCS 240/3.2 new)

Sec. 3.2. Severe combined immunodeficiency disease. In accordance with the timetable specified in this Section, the Department
shall provide all newborns with screening tests for the presence of severe combined immunodeficiency disease (SCID). The testing shall begin within 12 months following the occurrence of all of the following:

(1) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol, if required;

(2) the availability of quality assurance testing and comparative threshold values for SCID;

(3) the acquisition and installment by the Department of the equipment necessary to implement the initial pilot and statewide volume of screening tests for SCID;

(4) the establishment of precise threshold values ensuring defined disorder identification for SCID;

(5) the authentication of pilot testing achieving each milestone described in items (1) through (4) of this Section for SCID; and

(6) the authentication of achieving the potential of high throughput standards for statewide volume of the SCID screening test concomitant with each milestone described in items (1) through (4) of this Section.

It was the goal of Public Act 97-532 that the screening for severe combined immunodeficiency disease begins within 2 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for start-up and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for severe combined immunodeficiency disease.

(410 ILCS 240/3.3 new)

Sec. 3.3. Mucopolysaccharidosis disorders. In accordance with the timetable specified in this Section, the Department shall provide all newborns with screening tests for the presence of certain lysosomal storage disorders known as mucopolysaccharidosis I (Hurlers) and mucopolysaccharidosis II (Hunters). The testing shall begin within 12 months following the occurrence of all of the following:

New matter indicated by italics - deletions by strikeout
(1) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for Federal Drug Administration-cleared or in-house developed methods, performed under an institutional review board approved protocol, if required;

(2) the availability of quality assurance testing and comparative threshold values for each screening test and accompanying disorder;

(3) the acquisition and installment by the Department of the equipment necessary to implement the initial pilot and statewide volume of screening tests for each disorder;

(4) the establishment of precise threshold values ensuring defined disorder identification for each screening test;

(5) the authentication of pilot testing achieving each milestone described in items (1) through (4) of this Section for each disorder screening test; and

(6) the authentication of achieving the potential of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (1) through (4) of this Section.

It was the goal of Public Act 97-532 that the screening for the specified lysosomal storage disorders begins within 3 years after August 23, 2011 (the effective date of Public Act 97-532). The Department is authorized to implement an additional fee for the screening prior to beginning the testing in order to accumulate the resources for start-up and other costs associated with implementation of the screening and thereafter to support the costs associated with screening and follow-up programs for the specified lysosomal storage disorders.

Section 10. The Genetic and Metabolic Diseases Advisory Committee Act is amended by changing Section 5 as follows:

(410 ILCS 265/5)

Sec. 5. Genetic and Metabolic Diseases Advisory Committee.

(a) The Director of Public Health shall create the Genetic and Metabolic Diseases Advisory Committee to advise the Department of Public Health regarding issues relevant to newborn screenings of metabolic diseases.

(b) The purposes of Metabolic Diseases Advisory Committee are all of the following:

New matter indicated by italics - deletions by strikeout
(1) Advise the Department regarding issues relevant to its Genetics Program.

(2) Advise the Department regarding optimal laboratory methodologies for screening of the targeted conditions.

(3) Recommend to the Department consultants who are qualified to diagnose a condition detected by screening, provide management of care, and genetic counseling for the family.

(4) Monitor the incidence of each condition for which newborn screening is done, evaluate the effects of treatment and genetic counseling, and provide advice on disorders to be included in newborn screening panel.

(5) Advise the Department on educational programs for professionals and the general public.

(6) Advise the Department on new developments and areas of interest in relation to the Genetics Program.

(7) Any other matter deemed appropriate by the Committee and the Director.

(c) The Committee shall consist of 20 members appointed by the Director of Public Health. Membership shall include physicians, geneticists, nurses, nutritionists, and other allied health professionals, as well as patients and parents. Ex-officio members may be appointed, but shall not have voting privileges.

(d) Members of the Committee may receive compensation for necessary expenses incurred in the performance of their duties.

(Source: P.A. 95-695, eff. 11-5-07.)

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

Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0441
(House Bill No. 2675)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 27-9.1 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 27-9.1. Sex Education.

(a) In this Section:
"Adapt" means to modify an evidence-based program model for use with a particular demographic, ethnic, linguistic, or cultural group.
"Age appropriate" means suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.
"Evidence-based program" means a program for which systematic, empirical research or evaluation has provided evidence of effectiveness.
"Medically accurate" means verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, if applicable, or comprising information recognized as accurate, objective, and complete.

(a-5) No pupil shall be required to take or participate in any class or course in comprehensive sex education if his parent or guardian submits written objection thereto, and refusal to take or participate in such course or program shall not be reason for suspension or expulsion of such pupil. Each class or course in comprehensive sex education offered in any of grades 6 through 12 shall include instruction on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases, including HIV/AIDS the prevention, transmission and spread of AIDS. Nothing in this Section prohibits instruction in sanitation, hygiene or traditional courses in biology.

(b) All public elementary, junior high, and senior high school classes that teach sex education and discuss sexual intercourse in grades 6 through 12 shall emphasize that abstinence is the expected norm in that abstinence from sexual intercourse is a responsible and positive decision and is the only protection that is 100% effective against unwanted teenage pregnancy, sexually transmitted diseases, and acquired immune deficiency syndrome (AIDS) when transmitted sexually.

(c) All classes that teach sex education and courses that discuss sexual intercourse in grades 6 through 12 shall satisfy the following criteria:

(1) Course material and instruction shall be developmentally and age appropriate, medically accurate, and complete.
(1.5) Course material and instruction shall replicate evidence-based programs or substantially incorporate elements of evidence-based programs.

(2) Course material and instruction shall teach honor and respect for monogamous heterosexual marriage.

(3) Course material and instruction shall place substantial emphasis on both abstinence, including abstinence until marriage, and contraception for the prevention of pregnancy and sexually transmitted diseases among youth and shall stress that abstinence is the ensured method of avoiding unintended pregnancy, sexually transmitted diseases, and HIV/AIDS. Pupils should abstain from sexual intercourse until they are ready for marriage.

(4) Course material and instruction shall include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual intercourse outside of marriage and the consequences of unwanted adolescent pregnancy.

(5) Course material and instruction shall stress that sexually transmitted diseases are serious possible hazards of sexual intercourse. Pupils shall be provided with statistics based on the latest medical information citing the failure and success rates of condoms in preventing AIDS and other sexually transmitted diseases.

(6) Course material and instruction shall advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock.

(7) Course material and instruction shall advise pupils of the circumstances under which it is unlawful for males to have sexual relations with females under the age of 18 to whom they are not married pursuant to Article 11 of the Criminal Code of 2012.

(8) Course material and instruction shall teach pupils to not make unwanted physical and verbal sexual advances and how to say no to unwanted sexual advances. Pupils shall be taught that it is wrong to take advantage of or to exploit another person. The material and instruction shall also encourage youth to resist negative peer pressure.

(9) (Blank).

New matter indicated by italics - deletions by strikeout
(10) Course material and instruction shall teach pupils about the dangers associated with drug and alcohol consumption during pregnancy.

(d) An opportunity shall be afforded to individuals, including parents or guardians, to examine the instructional materials to be used in such class or course.

(e) The State Board of Education shall make available resource materials, with the cooperation and input of the agency that administers grant programs consistent with criteria (1) and (1.5) of subsection (c) of this Section, for educating children regarding sex education and may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by education experts and other groups that work on sex education issues. Materials may include without limitation model sex education curriculums and sexual health education programs. The State Board of Education shall make these resource materials available on its Internet website. School districts that do not currently provide sex education are not required to teach sex education. If a sex education class or course is offered in any of grades 6 through 12, the school district may choose and adapt the developmentally and age-appropriate, medically accurate, evidence-based, and complete sex education curriculum that meets the specific needs of its community.

(Source: P.A. 96-1082, eff. 7-16-10; 97-1150, eff. 1-25-13.)

Section 10. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3 as follows:

(105 ILCS 110/3)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, evidence-based and

New matter indicated by italics - deletions by strikeout
medically accurate information regarding sexual abstinence until marriage, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. Notwithstanding the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), heart disease, diabetes, stroke, the prevention of child abuse, neglect, and suicide, and teen dating violence in grades 8 through 12.

The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with standards and requirements established by the American Red Cross or another qualified certifying agency. Subject to appropriation, the State Board of Education shall establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel.
school personnel who express an interest in becoming qualified to adminster cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) or in learning how to use an automated external defibrillator. A school district that applies for a grant must demonstrate that it has funds to pay half of the cost of the training for which matching grant money is sought. The State Board of Education shall award the grants on a first-come, first-serve basis.

No pupil shall be required to take or participate in any class or course on AIDS or family life instruction if his parent or guardian submits written objection thereto, and refusal to take or participate in the course or program shall not be reason for suspension or expulsion of the pupil.

Curricula developed under programs established in accordance with this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 96-128, eff. 1-1-10; 96-328, eff. 8-11-09; 96-383, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-1147, eff. 1-24-13.)

INDEX

Statutes amended in order of appearance
105 ILCS 5/27-9.1 from Ch. 122, par. 27-9.1
105 ILCS 110/3

Approved August 16, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Procurement Code is amended by changing Section 25-75 as follows:

(30 ILCS 500/25-75)

Sec. 25-75. Purchase of motor vehicles.

(a) Beginning on the effective date of this amendatory Act of the 94th General Assembly, all gasoline-powered vehicles purchased from State funds must be flexible fuel vehicles. Beginning July 1, 2007, all gasoline-powered vehicles purchased from State funds must be flexible fuel or fuel efficient hybrid vehicles. For purposes of this Section, "flexible fuel vehicles" are automobiles or light trucks that operate on either gasoline or E-85 (85% ethanol, 15% gasoline) fuel and "Fuel efficient hybrid vehicles" are automobiles or light trucks that use a gasoline or diesel engine and an electric motor to provide power and gain at least a 20% increase in combined US-EPA city-highway fuel economy over the equivalent or most-similar conventionally-powered model.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly, any vehicle purchased from State funds that is fueled by diesel fuel shall be certified by the manufacturer to run on 5% biodiesel (B5) fuel.

(b-5) On and after January 1, 2016, 25% of vehicles, other than Department of Corrections vehicles and Department of State Police patrol vehicles, purchased with State funds shall be vehicles fueled by electricity, compressed natural gas, liquid petroleum gas, or liquid natural gas.

(c) The Chief Procurement Officer may determine that certain vehicle procurements are exempt from this Section based on intended use or other reasonable considerations such as health and safety of Illinois citizens.

(Source: P.A. 94-1079, eff. 6-1-07.)

Section 10. The Illinois Highway Code is amended by adding Section 223 as follows:

(605 ILCS 5/223 new)

Sec. 223. Electric vehicle charging stations.

New matter indicated by italics - deletions by strikeout
By January 1, 2016 or as soon thereafter as possible, the Department may provide for at least one electric vehicle charging station at each Interstate highway rest area where electrical service will reasonably permit and if these stations and charging user fees at these stations are allowed by federal regulations.

The Department may adopt and publish specifications detailing the kind and type of electric vehicle charging station to be provided and may adopt rules governing the place of erection, user fees, and maintenance of electric vehicle charging stations.

Section 15. The Toll Highway Act is amended by changing Section 11 as follows:

(605 ILCS 10/11) (from Ch. 121, par. 100-11)

Sec. 11. The Authority shall have power:

(a) To enter upon lands, waters and premises in the State for the purpose of making surveys, soundings, drillings and examinations as may be necessary, expedient or convenient for the purposes of this Act, and such entry shall not be deemed to be a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which may be then pending; provided, however, that the Authority shall make reimbursement for any actual damage resulting to such lands, waters and premises as the result of such activities.

(b) To construct, maintain and operate stations for the collection of tolls or charges upon and along any toll highways.

(c) To provide for the collection of tolls and charges for the privilege of using the said toll highways. Before it adopts an increase in the rates for toll, the Authority shall hold a public hearing at which any person may appear, express opinions, suggestions, or objections, or direct inquiries relating to the proposed increase. Any person may submit a written statement to the Authority at the hearing, whether appearing in person or not. The hearing shall be held in the county in which the proposed increase of the rates is to take place. The Authority shall give notice of the hearing by advertisement on 3 successive days at least 15 days prior to the date of the hearing in a daily newspaper of general circulation within the county within which the hearing is held. The notice shall state the date, time, and place of the hearing, shall contain a description of the proposed increase, and shall specify how interested persons may obtain copies of any reports, resolutions, or certificates describing the basis on which the proposed change, alteration, or modification was calculated. After consideration of any statements filed or

New matter indicated by italics - deletions by strikeout
oral opinions, suggestions, objections, or inquiries made at the hearing, the Authority may proceed to adopt the proposed increase of the rates for toll. No change or alteration in or modification of the rates for toll shall be effective unless at least 30 days prior to the effective date of such rates notice thereof shall be given to the public by publication in a newspaper of general circulation, and such notice, or notices, thereof shall be posted and publicly displayed at each and every toll station upon or along said toll highways.

(d) To construct, at the Authority's discretion, grade separations at intersections with any railroads, waterways, street railways, streets, thoroughfares, public roads or highways intersected by the said toll highways, and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation and to construct interchange improvements. The Authority is authorized to provide such grade separations or interchange improvements at its own cost or to enter into contracts or agreements with reference to division of cost therefor with any municipality or political subdivision of the State of Illinois, or with the Federal Government, or any agency thereof, or with any corporation, individual, firm, person or association. Where such structures have been built by the Authority and a local highway agency did not enter into an agreement to the contrary, the Authority shall maintain the entire structure, including the road surface, at the Authority's expense.

(e) To contract with and grant concessions to or lease or license to any person, partnership, firm, association or corporation so desiring the use of any part of any toll highways, excluding the paved portion thereof, but including the right of way adjoining, under, or over said paved portion for the placing of telephone, telegraph, electric, power lines and other utilities, and for the placing of pipe lines, and to enter into operating agreements with or to contract with and grant concessions to or to lease to any person, partnership, firm, association or corporation so desiring the use of any part of the toll highways, excluding the paved portion thereof, but including the right of way adjoining, or over said paved portion for motor fuel service stations and facilities, garages, stores and restaurants, or for any other lawful purpose, and to fix the terms, conditions, rents, rates and charges for such use.

By January 1, 2016, the Authority shall construct and maintain at least one electric vehicle charging station at any location where the Authority has entered into an agreement with any entity pursuant to this subsection (e) for the purposes of providing motor fuel service stations

New matter indicated by italics - deletions by strikeout
and facilities, garages, stores, or restaurants. The Authority shall charge a fee for the use of these charging stations to offset the costs of constructing and maintaining these charging stations. The Authority shall adopt rules to implement the erection, user fees, and maintenance of electric vehicle charging stations pursuant to this subsection (e).

The Authority shall also have power to establish reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances (herein called public utilities) of any public utility as defined in the Public Utilities Act along, over or under any toll road project. Whenever the Authority shall determine that it is necessary that any such public utility facilities which now are located in, on, along, over or under any project or projects be relocated or removed entirely from any such project or projects, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the Authority. All costs and expenses of such relocation or removal, including the cost of installing such facilities in a new location or locations, and the cost of any land or lands, or interest in land, or any other rights required to accomplish such relocation or removal shall be ascertained and paid by the Authority as a part of the cost of any such project or projects, and further, there shall be no rent, fee or other charge of any kind imposed upon the public utility owning or operating any facilities ordered relocated on the properties of the said Authority and the said Authority shall grant to the said public utility owning or operating said facilities and its successors and assigns the right to operate the same in the new location or locations for as long a period and upon the same terms and conditions as it had the right to maintain and operate such facilities in their former location or locations.

(f) To enter into an intergovernmental agreement or contract with a unit of local government or other public or private entity for the collection, enforcement, and administration of tolls, fees, revenue, and violations.

The General Assembly finds that electronic toll collection systems in Illinois should be standardized to promote safety, efficiency, and traveler convenience. The Authority shall cooperate with other public and private entities to further the goal of standardized toll collection in Illinois and is authorized to provide toll collection and toll violation enforcement services to such entities when doing so is in the best interest of the Authority and consistent with its obligations under Section 23 of this Act.

(Source: P.A. 97-252, eff. 8-4-11.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Township Code is amended by changing Section 45-10 as follows:

(60 ILCS 1/45-10)

Sec. 45-10. Political party caucus in township; notice.

(a) On the first Tuesday in December preceding the date of the regular township election, a caucus shall be held by the voters of each established political party in a township to nominate its candidates for the various offices to be filled at the election. Notice of the caucus shall be given at least 10 days before it is held by publication in some newspaper having a general circulation in the township. Not less than 30 days before the caucus, the township clerk shall notify the chairman or membership of each township central committee by first-class mail of the chairman's or membership's obligation to report the time and location of the political party's caucus. Not less than 20 days before the caucus, each chairman of the township central committee shall notify the township clerk by first-class mail of the time and location of the political party's caucus. If the time and location of 2 or more political party caucuses conflict, the township clerk shall establish, by a fair and impartial public lottery, the time and location for each caucus.

If the chairperson of the township central committee fails to meet the requirements of this Section, the chairperson's political party shall not be permitted to nominate a candidate, either by caucus as provided for in this Section or as otherwise authorized by the Election Code, in the next upcoming consolidated election for any office for which a nomination could have been made at the caucus should the chairperson of the township central committee have met the requirements of this Section.

(b) Except as provided in this Section, the township board shall cause notices of the caucuses to be published. The notice shall state the time and place where the caucus for each political party will be held. The
board shall fix a place within the township for holding the caucus for each established political party. When a new township has been established under Section 10-25, the county board shall cause notice of the caucuses to be published as required by this Section and shall fix the place within the new township for holding the caucuses.

(Source: P.A. 97-81, eff. 7-5-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0444
(House Bill No. 2720)

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

Section 5. The Real Estate Appraiser Licensing Act of 2002 is amended by changing Section 5-5 as follows:

(225 ILCS 458/5-5)

(Section scheduled to be repealed on January 1, 2022)
Sec. 5-5. Necessity of license; use of title; exemptions.
(a) It is unlawful for a person to (i) act, offer services, or advertise services as a State certified general real estate appraiser, State certified residential real estate appraiser, or associate real estate trainee appraiser, (ii) develop a real estate appraisal, (iii) practice as a real estate appraiser, or (iv) advertise or hold himself or herself out to be a real estate appraiser without a license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(a-5) It is unlawful for a person, unless registered as an appraisal management company, to solicit clients or enter into an appraisal engagement with clients without either a certified residential real estate appraiser license or a certified general real estate appraiser license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.
(b) It is unlawful for a person, other than a person who holds a valid license issued pursuant to this Act as a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser to use these titles or any other title, designation, or abbreviation likely to create the impression that the person is licensed as a real estate appraiser pursuant to this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(c) The licensing requirements of this Act do not require a person who holds a valid license pursuant to the Real Estate License Act of 2000, to be licensed as a real estate appraiser under this Act, unless that person is providing or attempting to provide an appraisal report, as defined in Section 1-10 of this Act, in connection with a federally-related transaction. Nothing in this Act shall prohibit a person who holds a valid license under the Real Estate License Act of 2000 from performing a comparative market analysis or broker price opinion for compensation, provided that the person does not hold himself out as being a licensed real estate appraiser.

(d) Nothing in this Act shall preclude a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser from rendering appraisals for or on behalf of a partnership, association, corporation, firm, or group. However, no State appraisal license or certification shall be issued under this Act to a partnership, association, corporation, firm, or group.

(e) This Act does not apply to a county assessor, township assessor, multi-township assessor, county supervisor of assessments, or any deputy or employee of any county assessor, township assessor, multi-township assessor, or county supervisor of assessments who is performing his or her respective duties in accordance with the provisions of the Property Tax Code.

(e-5) For the purposes of this Act, valuation waivers may be prepared by a licensed appraiser notwithstanding any other provision of this Act, and the following types of valuations are not appraisals and may not be represented to be appraisals, and a license is not required under this Act to perform such valuations if the valuations are performed by (1) an employee of the Illinois Department of Transportation who has completed a minimum of 45 hours of course work in real estate appraisal, including the principals of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal

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for federal aid highway programs, and appraisal review for federal aid highway programs and has at least 2 years' experience in a field closely related to real estate or (2) an employee of a county engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989, under the following circumstances:

(A) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by an employee of the Illinois Department of Transportation and co-signed, with a license number affixed, by another employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989; and

(B) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by a county engineer who is employed by a county and is a registered professional engineer under the Professional Engineering Practice Act of 1989. In addition to his or her signature, the county engineer shall affix his or her license number to the valuation.

(1) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; or

(2) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations.

Nothing in this subsection (e-5) shall be construed to allow the State of Illinois, a political subdivision thereof, or any public body to acquire real estate by eminent domain in any manner other than provided for in the Eminent Domain Act.

(f) A State real estate appraisal certification or license is not required under this Act for any of the following:

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(1) A person, partnership, association, or corporation that performs appraisals of property owned by that person, partnership, association, or corporation for the sole use of that person, partnership, association, or corporation.

(2) A court-appointed commissioner who conducts an appraisal pursuant to a judicially ordered evaluation of property. However, any person who is certified or licensed under this Act and who performs any of the activities set forth in this subsection (f) must comply with the provisions of this Act. A person who violates this subsection (f) is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(g) This Act does not apply to an employee, officer, director, or member of a credit or loan committee of a financial institution or any other person engaged by a financial institution when performing an evaluation of real property for the sole use of the financial institution in a transaction for which the financial institution would not be required to use the services of a State licensed or State certified appraiser pursuant to federal regulations adopted under Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, nor does this Act apply to the procurement of an automated valuation model.

"Automated valuation model" means an automated system that is used to derive a property value through the use of publicly available property records and various analytic methodologies such as comparable sales prices, home characteristics, and historical home price appreciations.

(Source: P.A. 96-844, eff. 12-23-09; 97-602, eff. 8-26-11.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0445
(House Bill No. 2721)

AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Sections 4.24 and by adding 4.34 as follows:

New matter indicated by italics - deletions by strikeout
(5 ILCS 80/4.24)
Sec. 4.24. Acts and Section repealed on January 1, 2014. The following Acts and Section of an Act are repealed on January 1, 2014:
The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.
Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 97-1139, eff. 12-28-12.)
(5 ILCS 80/4.34 new)
Sec. 4.34. Act repealed on January 1, 2024. The following Act is repealed on January 1, 2024:
Section 10. The Illinois Certified Shorthand Reporters Act of 1984 is amended by changing Sections 3, 3.5, 4, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 23, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 23.10, 23.11, 23.12, 23.13, 23.14, 23.15, 23.16, 24, 25, 26.1, and 27 and by adding Sections 12.1 and 23.2a as follows:
(225 ILCS 415/3) (from Ch. 111, par. 6203)
(Sec. scheduled to be repealed on January 1, 2014)
Sec. 3. License required. No person may practice shorthand reporting on a temporary or permanent basis in this State without being certified under this Act. This Act does not prohibit any non-resident practicing shorthand reporter from practicing shorthand reporting in this State as on a purely temporary basis with reference to one single proceeding.
(Source: P.A. 87-481; 87-576.)
(225 ILCS 415/3.5)
(Sec. scheduled to be repealed on January 1, 2014)
Sec. 3.5. Uncertified practice; violation; civil penalty.
(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a shorthand reporter without being certified under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to
exceed $10,000 for each offense as determined by the Department
and the assessment of costs as provided under Section 23.3 of this Act.
The civil penalty shall be assessed by the Department after a hearing is
held in accordance with the provisions set forth in this Act regarding the
provision of a hearing for the discipline of a licensee.
(b) The Department has the authority and power to investigate any
and all unlicensed activity.
(c) The civil penalty shall be paid within 60 days after the effective
date of the order imposing the civil penalty. The order shall constitute a
judgment and may be filed and execution had thereon in the same manner
as any judgment from any court of record.
(d) All moneys collected under this Section shall be deposited into
the General Professions Dedicated Fund.
(Source: P.A. 89-474, eff. 6-18-96.)
(225 ILCS 415/4) (from Ch. 111, par. 6204)
Sec. 4. In this Act:
(1) "Department" means the Department of Financial and
Professional Regulation.
(2) "Secretary" means the Secretary of Financial and Professional Regulation.
(3) "Board" means the Certified Shorthand Reporters Board
appointed by the Secretary.
(4) "The practice of shorthand reporting" means reporting, by the
use of any system of manual or mechanical shorthand writing, of Grand
Jury proceedings, court proceedings, court related proceedings, pretrial
examinations, depositions, motions and related proceedings of like
character, or proceedings of an administrative agency when the final
decision of the agency with reference thereto is likely to be subject to
judicial review under the provisions of the Administrative Review Law.
(5) "Shorthand reporter" means a person who is technically
qualified and certified under this Act to practice shorthand reporting.
(6) "Stenographic notes" means the original notes by manual or
mechanical shorthand or shorthand writing taken by a shorthand reporter
of a proceeding while in attendance at such proceeding for the purpose of
reporting the same.
(7) "Address of record" means the designated address recorded by
the Department in the applicant's or licensee's application file or license
file as maintained by the Department's licensure maintenance unit. It is
the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's Internet website or by contacting the Department.
(Source: P.A. 87-481; 87-576.)

(225 ILCS 415/6) (from Ch. 111, par. 6206)
(Section scheduled to be repealed on January 1, 2014)

Sec. 6. Restricted certificate. Upon receipt of a written request from the Chief Judge of the reporter's circuit, the Department shall, upon payment of the required fee, issue to any reporter who has been appointed in counties of less than 1,000,000 in population, has been and examined under the Court Reporters Act, and has except those who have achieved an "A" proficiency rating, a restricted certificate by which such official court reporter may then lawfully engage in reporting only court proceedings to which he may be assigned by the Chief Judge of his circuit.

The Department may refuse to issue or may suspend the certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.
(Source: P.A. 95-146, eff. 1-1-08.)

(225 ILCS 415/7) (from Ch. 111, par. 6207)
(Section scheduled to be repealed on January 1, 2014)

Sec. 7. Administration of Act.
(a) The Department shall exercise the powers and duties prescribed by The Civil Administrative Code of Illinois for the administration of licensing Acts and shall exercise such other powers and duties necessary for effectuating the purposes of this Act.

(b) The Secretary Director may promulgate rules consistent with the provisions of this Act for the administration and enforcement thereof, and for the payment of fees connected therewith, and may prescribe forms which shall be issued in connection therewith. The rules may shall include standards and criteria for licensure and professional conduct and discipline. The Department may shall consult with the Board in promulgating rules. Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the Board's response and any recommendations made therein. The Department shall notify the Board in writing with proper explanation of deviations from the Board's recommendations and responses.

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(c) The Department may at any time seek the advice and the expert knowledge of the Board on any matter relating to the administration of this Act.

(d) (Blank). The Department shall issue quarterly a report to the Board of the status of all complaints related to the profession filed with the Department.

(Source: P.A. 83-73.)

(225 ILCS 415/8) (from Ch. 111, par. 6208)

(Scene scheduled to be repealed on January 1, 2014)

Sec. 8. Certified Shorthand Reporters Board. The Secretary Director shall appoint a certified Shorthand Reporters Board as follows: 7 persons who shall be appointed by and shall serve in an advisory capacity to the Secretary Director. Six members must be certified shorthand reporters, in good standing, and actively engaged in the practice of shorthand reporting in this State for ten years, and one member must be a member of the public who is not certified under this Act, or a similar Act of another jurisdiction.

Members shall serve 4 year terms and until their successors are appointed and qualified, except that of the initial appointments, one member shall be appointed to serve for one year, 2 shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years, and the remaining one, who shall be the public member, shall be appointed to serve for 4 years, until their successors are appointed and qualified. No member shall be reappointed to the Board for a term that would cause his continuous service on the Board to be longer than 2 full consecutive terms. 8 successive years. Service prior to the effective date of this amendatory Act of 1991 shall be considered. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act.

The membership of the Board should reasonably reflect representation from the geographic areas in this State. In making appointments to the Board, the Secretary Director shall give consideration to recommendations by national and State organizations of the shorthand reporter profession and shall promptly give notice to such organizations of any vacancy in the membership of the Board.

Four members of the Board shall constitute a quorum. A quorum is required for all Board decisions.
The Secretary may remove or suspend any member of the Board for cause at any time before the expiration of his or her term. The Secretary shall be the sole arbiter of cause. The Director may terminate the appointment of any member for cause which in the opinion of the Director reasonably justifies such termination.

The Secretary shall consider the recommendations of the Board on questions involving standards of professional conduct, discipline and qualifications of candidates and certificate holders under this Act.

Members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses incurred in attending the meetings of the Board.

Members of the Board have no liability in any action based upon any disciplinary proceedings or other activity performed in good faith as members of the Board.

The Director may remove any member who fails to attend 3 consecutive meetings unless the member has a medical excuse.

(Source: P.A. 91-827, eff. 6-13-00.)

(225 ILCS 415/9) (from Ch. 111, par. 6209)
(Section scheduled to be repealed on January 1, 2014)

Sec. 9. Qualifications. Applications for original certificates shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which shall not be returnable. Any such application shall require such information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for certification.

In determining competency, the Department shall require proof that the applicant has a good understanding of the English language, including reading, spelling and vocabulary, and that the applicant has sufficient ability to accurately report any of the matters comprising the practice of shorthand reporting as herein defined, by the use of any system of manual or mechanical shorthand or shorthand writing, and a clear understanding of obligations between a shorthand reporter and the parties to any proceedings reported, as well as the provisions of this Act.

(Source: P.A. 83-73.)

(225 ILCS 415/10) (from Ch. 111, par. 6210)
(Section scheduled to be repealed on January 1, 2014)

Sec. 10. The Department shall authorize examinations at least annually and at such time and place as it may designate. The examination

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shall be of a character to give a fair test of the qualifications of the applicant to practice shorthand reporting.

Applicants for examination as certified shorthand reporters shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

If an applicant neglects, fails or refuses to take the next available examination offered or fails to pass an examination for certification under this Act, the application shall be denied. If an applicant for examination for certification under this Act fails to pass the examination within 3 years after filing his application, the application shall be denied. However, such applicant may thereafter make a new application accompanied by the required fee.

The Department may employ consultants for the purpose of preparing and conducting examinations.

An applicant has one year from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within one year, the applicant shall be required to take and pass the examination again unless licensed in another jurisdiction of the United States within one year of passing the examination.

(Source: P.A. 86-615.)

(225 ILCS 415/11) (from Ch. 111, par. 6211)

Sec. 11. Qualifications; application. A person shall be qualified for certification as a certified shorthand reporter if:

A. That person has applied in writing in form and substance to the Department; and

(1) (Blank);

(2) Is of good moral character, the determination of which shall take into account but not be totally based upon any felony conviction of the applicant; and

(3) Has graduated from a high school or secondary school or its equivalent; and

B. That person has successfully completed the examination authorized by the Department.
Sec. 12.1. Social Security Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number, which shall be retained in the Department's records pertaining to the license. As soon as practicable, the Department shall assign a customer's identification number to each applicant for a license. Every application for a renewal or restored license shall require the applicant's customer identification number.

Sec. 14. Expiration, renewal, and military service. The expiration date and renewal period for each certificate issued under this Act shall be set by rule.

Any certified shorthand reporter who has permitted his certificate to expire or who has had his certificate on inactive status may have his certificate restored by making application to the Department, filing proof acceptable to the Department of his fitness to have his certificate restored and paying the required restoration fee. The Department may consider a certificate expired less than 5 years as prima facie evidence that the applicant is fit. If a certificate has expired or has been placed on inactive status and the applicant has practiced in another jurisdiction during such period, satisfactory proof of fitness may include sworn evidence certifying to active practice in another jurisdiction.

If the certified shorthand reporter has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his fitness to resume active status and shall, by rule, establish procedures and requirements for restoration may require the certified shorthand reporter to successfully complete a practical examination.

However, any certified shorthand reporter whose certificate expired while he was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate renewed or restored without paying any lapsed renewal fees if within 2 years after termination of such service, training or education except under conditions other than honorable, he furnished the Department with

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satisfactory evidence to the effect that he has been so engaged and that his service, training or education has been so terminated.

(Source: P.A. 84-427.)

(225 ILCS 415/15) (from Ch. 111, par. 6215)

(Sec. 15. **Inactive status.** Any certified shorthand reporter who notifies the Department in writing on forms prescribed by the Department, may elect to place his certificate on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he notifies the Department in writing of his desire to resume active status.

Any certified shorthand reporter requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to restore his certificate, as provided in Section 14.

Any certified shorthand reporter whose certificate is in an inactive status shall not practice shorthand reporting in the State of Illinois.

(Source: P.A. 83-73.)

(225 ILCS 415/16) (from Ch. 111, par. 6216)

(Sec. 16. **Endorsement; licensure without examination.** The Department **may certify** shall register as a certified shorthand reporter, without examination, on payment of the required fee, an applicant who is a certified shorthand reporter registered under the laws of another jurisdiction, if the requirements for certification of certified shorthand reporters in that jurisdiction were, at the date of his certification, substantially equivalent to the requirements in force in this State on that date.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 86-615; 87-481; 87-576.)

(225 ILCS 415/17) (from Ch. 111, par. 6217)

(Sec. 17. **Fees; returned checks; expiration while in military.**

(a) The fees for the administration and enforcement of this Act, including but not limited to, original certification, renewal and restoration of a license issued under this Act, shall be set by rule. **The fees shall be nonrefundable.**

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(b) All fees, fines, and penalties Beginning July 1, 2003, all of the fees and fines collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.

(c) Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act prohibiting unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.

However, any person whose license has expired while he has been engaged (1) in federal or state service active duty, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license renewed, reinstated or restored without paying any lapsed renewal and restoration fees, if within 2 years after termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with satisfactory proof that he has been so engaged and that his service, training or education has been so terminated.

(Source: P.A. 92-146, eff. 1-1-02; 93-32, eff. 7-1-03; 93-460, eff. 8-8-03.)

(225 ILCS 415/18) (from Ch. 111, par. 6218)

(Section scheduled to be repealed on January 1, 2014)

Sec. 18. Roster. The Department shall maintain a roster of the names and addresses of all certificate holders and of all persons whose

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certificates have been suspended, revoked or placed on inactive or nonrenewed status within the previous year. This roster shall be available upon written request and payment of the required fee.
(Source: P.A. 83-73.)

(225 ILCS 415/19) (from Ch. 111, par. 6219)
(Section scheduled to be repealed on January 1, 2014)

Sec. 19. Advertising. Any person certified under this Act may advertise the availability of professional services in the public media or on the premises where such professional services are rendered as permitted by law, on the condition that such advertising is truthful and not misleading and is in conformity with rules promulgated by the Department. Advertisements shall not include false, fraudulent, deceptive, or misleading material or guarantees of success. Advertisements shall also not include any offers of any gift or item of value to attorneys or their staff or any other persons or entities associated with any litigation.
(Source: P.A. 83-73.)

(225 ILCS 415/20) (from Ch. 111, par. 6220)
(Section scheduled to be repealed on January 1, 2014)

Sec. 20. Professional service corporations. Nothing in this Act shall restrict certificate holders from forming professional service corporations under the provisions of the Professional Service Corporation Act.
(Source: P.A. 83-73.)

(225 ILCS 415/23) (from Ch. 111, par. 6223)
(Section scheduled to be repealed on January 1, 2014)

Sec. 23. Grounds for disciplinary action.
(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation and the assessment of costs as provided for in Section 23.3 of this Act, with regard to any license for any one or combination of the following:
(1) Material misstatement in furnishing information to the Department;
(2) Violations of this Act, or of the rules promulgated thereunder;
(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding

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sentences of supervision, conditional discharge, or first offender probation under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession; of any crime under the laws of the United States or any state or territory thereof which is a felony or which is a misdemeanor, an essential element of which is dishonesty, or of any crime which is directly related to the practice of shorthand reporting;

(4) Fraud or Making any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act; for the purpose of obtaining certification, or violating any provision of this Act or the rules promulgated thereunder pertaining to advertising;

(5) Professional incompetence: Having demonstrated unworthiness, or incompetency to act as a certified shorthand reporter in such manner as to safeguard the interest of the public;

(6) Aiding or assisting another person, firm, partnership or corporation in violating any provision of this Act or rules;

(7) Failing, within 60 days, to provide information in response to a written request made by the Department;

(8) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;

(9) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substances that results in the inability to practice with reasonable judgment, skill, or safety; intoxication or addiction to the use of drugs;

(10) Discipline by another state, unit of government, government agency, the District of Columbia, a territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(11) Charging for professional services not rendered, including filing false statements for the collection of fees for which services were not rendered, or giving, directly or indirectly, any gift or anything of value to attorneys or their staff or any other persons or entities associated with any litigation, that exceeds $100 total per year; for the purposes of this Section, pro bono services, as defined by State law, are permissible in any amount;

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Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate or other form of compensation for professional services not actually or personally rendered;

(12) A finding by the Board that the certificate holder, after having his certificate placed on probationary status, has violated the terms of probation;

(13) Willfully making or filing false records or reports in the practice of shorthand reporting, including but not limited to false records filed with State agencies or departments;

(14) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice under this Act the profession with reasonable judgment, skill or safety;

(15) Solicitation of professional services other than by permitted advertising;

(16) Willful failure to take full and accurate stenographic notes of any proceeding;

(17) Willful alteration of any stenographic notes taken at any proceeding;

(18) Willful failure to accurately transcribe verbatim any stenographic notes taken at any proceeding;

(19) Willful alteration of a transcript of stenographic notes taken at any proceeding;

(20) Affixing one's signature to any transcript of his stenographic notes or certifying to its correctness unless the transcript has been prepared by him or under his immediate supervision;

(21) Willful failure to systematically retain stenographic notes or transcripts on paper or any electronic media for 10 5 years from the date that the notes or transcripts were taken or for 5 years from the end of litigation;

(22) Failure to deliver transcripts in a timely manner or in accordance with contractual agreements;

(23) Establishing contingent fees as a basis of compensation;

(24) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety;

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(25) Practicing under a false or assumed name, except as provided by law;

(26) Cheating on or attempting to subvert the licensing examination administered under this Act;

(27) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(b) The determination by a circuit court that a certificate holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, an order by the court so finding and discharging the patient. In any case where a license is suspended under this Section, the licensee may file a petition for restoration and shall include evidence acceptable to the Department that the licensee can resume practice in compliance with acceptable and prevailing standards of the profession, and the recommendation of the Board to the Director that the certificate holder be allowed to resume his practice.

(c) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (g) of Section 1205-15 of the Civil Administrative Code of Illinois.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is certified under this Act or any individual who has applied for certification under this Act to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The

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multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the certified shorthand reporter or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the certified shorthand reporter or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Department finds a certified shorthand reporter unable to practice because of the reasons set forth in this Section, the Department shall require the certified shorthand reporter to submit to care, counseling, or treatment by physicians approved or designated by
the Department, as a condition for continued, reinstated, or renewed certification.

When the Secretary immediately suspends a certificate under this Section, a hearing upon the person's certificate must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the certified shorthand reporter's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals certified under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their certification.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(f) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(Source: P.A. 91-558, eff. 8-14-99.)

(225 ILCS 415/23.1) (from Ch. 111, par. 6224)
Sec. 23.1. Injunctive actions; order to cease and desist.

(a) If any person violates the provisions of this Act, the Secretary Director may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of the county in which the violation is alleged to have occurred, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may

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preliminarily and permanently enjoin such violation. If it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person *practices shall practice* as a certified shorthand reporter or *holds hold* himself or herself out as a certified shorthand reporter without being licensed under the provisions of this Act then any certified shorthand reporter, any interested party or any person injured thereby may, in addition to the Secretary Director, petition for relief as provided in subsection (a).

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against *that individual him*. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 83-73.)

(225 ILCS 415/23.2) (from Ch. 111, par. 6225)

(Section scheduled to be repealed on January 1, 2014)

Sec. 23.2. Investigations; notice and hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a certificate. The Department shall, before refusing to issue or renew, or taking disciplinary action against, a certificate, at least 30 days prior to the date set for the hearing, notify in writing the applicant for, or holder of, a certificate of the nature of the charges and the time and place for that a hearing will be held on the charges date designated. The Department shall direct the applicant or licensee to file a written answer to the charges with the Board under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Department, be revoked,
suspended, or placed on probationary status or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under this Act. The written notice and any notice in the subsequent proceeding may be served by registered or certified mail to the licensee's address of record.

and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken; including limiting the scope, nature or extent of practice, as the Director may deem proper. Written notice may be served by personal delivery or certified or registered mail to the respondent at the address of his last notification to the Department. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

At the time and place fixed in the notice, the Board shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any statements, testimony, evidence and argument as may be pertinent to the charges or to their defense. The Board may continue a hearing from time to time.

(Source: P.A. 87-1031.)

(225 ILCS 415/23.2a new)

Sec. 23.2a. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or to a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the
Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 415/23.3) (from Ch. 111, par. 6226)

(Section scheduled to be repealed on January 1, 2014)

Sec. 23.3. Records of proceedings. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue or renew, or the taking of disciplinary action against, a certificate. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and orders of the Department, shall be the record of such proceeding. Any certified shorthand reporter who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(Source: P.A. 83-73.)

(225 ILCS 415/23.4) (from Ch. 111, par. 6227)

(Section scheduled to be repealed on January 1, 2014)

Sec. 23.4. Subpoenas; oaths. The Department may have the power to subpoena and bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to an investigation or hearing conducted by the Department either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, the designated hearing officer, any and every member of the Board, or a certified shorthand court reporter may have power to administer oaths to witnesses at any hearing which the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony and production of documents or records shall be in accordance with this Act. is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department.

(Source: P.A. 83-73.)

(225 ILCS 415/23.5) (from Ch. 111, par. 6228)

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Sec. 23.5. Compelling testimony; contempt. Any circuit court may, upon application of the Department or its designee, or the applicant or certificate holder, may order against whom proceedings under Section 23 are pending, enter an order requiring the attendance and testimony of witnesses and their testimony; and the production of relevant documents, papers, files, books and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 83-73.)

(225 ILCS 415/23.6) (from Ch. 111, par. 6229)

Sec. 23.6. Board report. At the conclusion of the hearing the Board shall present to the Secretary Director a written report of its findings of fact, conclusions of law and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary Director. The report of findings of fact, conclusions of law and recommendations of the Board shall be the basis for the Department's action regarding a certificate. If the Secretary Director disagrees in any regard with the report of the Board he may issue an order in contravention thereof. The Director shall provide to the Board a written explanation for any deviation and shall specify with particularity the reasons for such action in the final order. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 83-73.)

(225 ILCS 415/23.7) (from Ch. 111, par. 6230)

Sec. 23.7. Motion for rehearing. In any hearing case involving the refusal to issue or renew, or the taking of disciplinary action against, a certificate, a copy of the Board's report shall be served upon the respondent by the Department as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing
such a motion, or if a motion for rehearing is denied, then upon such denial the Secretary Director may enter an order in accordance with recommendations of the Board except as provided in Section 23.6. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 83-73.)

(225 ILCS 415/23.8) (from Ch. 111, par. 6231)
Sec. 23.8. Rehearing ordered by Secretary. Whenever the Secretary Director is satisfied that substantial justice has not been done in the revocation, or suspension of, or the refusal to issue or renew; a certificate, the Secretary Director may order a rehearing by the Board or a designated hearing officer.

(Source: P.A. 83-73.)

(225 ILCS 415/23.9) (from Ch. 111, par. 6232)
Sec. 23.9. Hearing officers, reports, and review. The Secretary Notwithstanding the provisions of Section 23.2, the Director shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action involving a refusal to issue or renew, or the taking of disciplinary action against a certificate. The Director shall notify the Board of such appointment. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law and recommendations to the Board and the Secretary Director. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law and recommendations to the Secretary Director. If the Board fails to present its report within the 60 day period, the Secretary Director shall issue an order based on the report of the hearing officer. If the Secretary Director disagrees in any regard with the report of the Board or hearing officer, he may issue an order in contravention thereof. The Director shall provide to the Board a written explanation for any deviation, and shall specify with particularity the reasons for such action in the final order.

(Source: P.A. 83-73.)

(225 ILCS 415/23.10) (from Ch. 111, par. 6233)
(Section scheduled to be repealed on January 1, 2014)

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Sec. 23.10. Order or certified copy; prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof that:

(1) the signature is the genuine signature of the Secretary;

and

(2) the Secretary is duly appointed and qualified;

and

(3) the Board and the members thereof are qualified to act.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 23.11. Restoration of license from discipline. At any time after successful completion of a term of indefinite probation, suspension, or revocation of a license, the Department may restore the license to the licensee, unless, after an investigation and hearing, the Secretary determines that restoration is not in the public interest or that the licensee has not been sufficiently rehabilitated to warrant the public trust. No person or entity whose license, certificate, or authority has been revoked as authorized in this Act may apply for restoration of that license, certification, or authority until such time as provided for in the Civil Administrative Code of Illinois. The Department may restore a certificate, the certificate holder shall forthwith surrender the certificate or certificates to the Department. If the certificate holder fails to do so, the Department shall have the right to seize the certificate.

(Source: P.A. 83-73.)

Sec. 23.12. Surrender of license or certificate. Upon the revocation or suspension of any certificate, the certificate holder shall forthwith surrender the certificate or certificates to the Department. If the certificate holder fails to do so, the Department shall have the right to seize the certificate.

(Source: P.A. 83-73.)

Sec. 23.13. Summary suspension. The Secretary may summarily temporarily suspend the certificate of a certified shorthand reporter without a hearing, simultaneously with the institution of

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proceedings for a hearing provided for in Section 23.2 of this Act, if the Secretary Director finds that the evidence in his possession indicates that a certified shorthand reporter's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily Director temporarily suspends the certificate of a certified shorthand reporter without a hearing, a hearing shall be commenced by the Board must be held within 30 days after such suspension has occurred and shall be concluded as expeditiously as possible.

(Source: P.A. 83-73.)
(225 ILCS 415/23.14) (from Ch. 111, par. 6237)
(Section scheduled to be repealed on January 1, 2014)
Sec. 23.14. Administrative Review Law. All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of the Administrative Review Law and all rules adopted pursuant thereto. The term "administrative decision" is defined in Section 3-101 of the Code of Civil Procedure.

Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides, except that if the party is not a resident of this State, the venue shall be Sangamon County.

(Source: P.A. 83-73.)
(225 ILCS 415/23.15) (from Ch. 111, par. 6238)
(Section scheduled to be repealed on January 1, 2014)
Sec. 23.15. Certification of record; receipt. The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

(Source: P.A. 87-1031.)
(225 ILCS 415/23.16) (from Ch. 111, par. 6239)
(Section scheduled to be repealed on January 1, 2014)
Sec. 23.16. Penalties. Any person who is found to have violated any provision of this Act is guilty of a Class A misdemeanor for the first offense. On conviction of a second or subsequent offense the violator shall be guilty of a Class 4 felony. All criminal fines, moneys, or other property

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collected or received by the Department under this Section, or any other State or federal statute, shall be deposited into the General Professions Dedicated Fund.
(Source: P.A. 83-73.)

(225 ILCS 415/24) (from Ch. 111, par. 6240)
(Section scheduled to be repealed on January 1, 2014)
Sec. 24. Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the certificate holder has the right to show compliance with all lawful requirements for retention, continuation or renewal of certification is specifically excluded. For the purpose of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of record a party.
(Source: P.A. 88-45.)

(225 ILCS 415/25) (from Ch. 111, par. 6241)
(Section scheduled to be repealed on January 1, 2014)
Sec. 25. Home rule. The regulation and licensing of a shorthand reporter are exclusive powers and functions of the State. A home rule unit may not regulate or license a shorthand reporter or the practice of shorthand reporting. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.
(Source: P.A. 83-73.)

(225 ILCS 415/26.1)
(Section scheduled to be repealed on January 1, 2014)
Sec. 26.1. Responsibility for notes. It is the licensee's responsibility to preserve his or her shorthand notes for a period of no less than 10 years from the date that the notes or transcripts were taken, except as otherwise prescribed by law, through storage of the original paper notes or an electronic copy of either the shorthand notes or New matter indicated by italics - deletions by strikeout
the English transcript of the notes on computer disks, cassettes, backup tape systems, or optical or laser disk systems, or other retrieval systems available at the time that the notes or transcripts were taken.

(Source: P.A. 91-558, eff. 8-14-99.)

(225 ILCS 415/27) (from Ch. 111, par. 6243)

(Section scheduled to be repealed on January 1, 2014)

Sec. 27. As a condition for renewal of a license, licensees shall be required to complete continuing education in accordance with rules established on a specified date determined by the Department and established in its rules and regulations, every person certified under this Act shall be required to complete 10 hours of continuing education over a 2 year period in a manner as determined by the rules and regulations of the Department promulgated in consultation with the Board.

Persons employed as full time court reporters under the Court Reporters Act may apply for a waiver from the continuing education requirements. The waiver shall be granted upon the submission of evidence satisfactory to the Department that the certified shorthand reporter is employed as a full time court reporter under the Court Reporters Act.

(Source: P.A. 87-481; 87-576; 88-475.)

(225 ILCS 415/12 rep.)

Section 15. The Illinois Certified Shorthand Reporters Act of 1984 is amended by repealing Section 12.

Section 99. Effective date. This Act takes effect December 31, 2013.

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5 ILCS 80/4.34 new
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225 ILCS 415/3.5
225 ILCS 415/4 from Ch. 111, par. 6204
225 ILCS 415/6 from Ch. 111, par. 6206
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225 ILCS 415/27 from Ch. 111, par. 6243
225 ILCS 415/12 rep.
Approved August 16, 2013.
Effective December 31, 2013.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0446
(House Bill No. 2752)

AN ACT concerning State government.

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

Section 5. The Illinois Income Tax Act is amended by changing Section 1101 as follows:

(35 ILCS 5/1101) (from Ch. 120, par. 11-1101)
Sec. 1101. Lien for Tax.

(a) If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount (including any interest, additional amount, addition to tax, or assessable penalty, together with any costs that may accrue in addition thereto) shall be a lien in favor of the State of Illinois upon all property and rights to property, whether real or personal, belonging to such person.

(b) Unless another date is specifically fixed by law, the lien imposed by subsection (a) of this Section shall arise at the time the assessment is made and shall continue until the liability for the amount so assessed (or a judgment against the taxpayer arising out of such liability) is satisfied or becomes unenforceable by reason of lapse of time.

(c) Deficiency procedure. If the lien arises from an assessment pursuant to a notice of deficiency, such lien shall not attach and the notice referred to in this section shall not be filed until all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

(d) Notice of lien. The lien created by assessment shall terminate unless a notice of lien is filed, as provided in section 1103 hereof, within 3 years from the date all proceedings in court for the review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. Where the lien results from the filing of a return without payment of the tax or penalty shown therein to be due, the lien shall terminate unless a notice of lien is filed within 3 years from the date such return was filed with the Department. For the purposes of this subsection (d), a tax return filed before the last day prescribed by law, including any extension thereof, shall be deemed to have been filed on such last day. The time limitation period on the Department's right to file a notice of lien shall not run (1) during any period of time in which the order of any court has the effect of enjoining or restraining the Department...
from filing such notice of lien, or (2) during the term of a repayment plan that taxpayer has entered into with the Department, as long as taxpayer remains in compliance with the terms of the repayment plan.
(Source: P.A. 97-507, eff. 8-23-11.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 5a as follows:

(35 ILCS 120/5a) (from Ch. 120, par. 444a)

Sec. 5a. The Department shall have a lien for the tax herein imposed or any portion thereof, or for any penalty provided for in this Act, or for any amount of interest which may be due as provided for in Section 5 of this Act, upon all the real and personal property of any person to whom a final assessment or revised final assessment has been issued as provided in this Act, or whenever a return is filed without payment of the tax or penalty shown therein to be due, including all such property of such persons acquired after receipt of such assessment or filing of such return. The taxpayer is liable for the filing fee incurred by the Department for filing the lien and the filing fee incurred by the Department to file the release of that lien. The filing fees shall be paid to the Department in addition to payment of the tax, penalty, and interest included in the amount of the lien.

However, where the lien arises because of the issuance of a final assessment or revised final assessment by the Department, such lien shall not attach and the notice hereinafter referred to in this Section shall not be filed until all proceedings in court for review of such final assessment or revised final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

Upon the granting of a rehearing or departmental review pursuant to Section 4 or Section 5 of this Act after a lien has attached, such lien shall remain in full force except to the extent to which the final assessment may be reduced by a revised final assessment following such rehearing or review.

The lien created by the issuance of a final assessment shall terminate unless a notice of lien is filed, as provided in Section 5b hereof, within 3 years from the date all proceedings in court for the review of such final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted, or (in the case of a revised final assessment issued pursuant to a rehearing or departmental review) within 3 years from the date all proceedings in court for the review of such revised final assessment have terminated or the time for the taking

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thereof has expired without such proceedings being instituted; and where
the lien results from the filing of a return without payment of the tax or
penalty shown therein to be due, the lien shall terminate unless a notice of
lien is filed, as provided in Section 5b hereof, within 3 years from the date
when such return is filed with the Department: Provided that the time
limitation period on the Department's right to file a notice of lien shall not
run (1) during any period of time in which the order of any court has the
effect of enjoining or restraining the Department from filing such notice of
lien, or (2) during the term of a repayment plan that taxpayer has entered
into with the Department, as long as taxpayer remains in compliance with
the terms of the repayment plan.

If the Department finds that a taxpayer is about to depart from the
State, or to conceal himself or his property, or to do any other act tending
to prejudice or to render wholly or partly ineffectual proceedings to collect
such tax unless such proceedings are brought without delay, or if the
Department finds that the collection of the amount due from any taxpayer
will be jeopardized by delay, the Department shall give the taxpayer notice
of such findings and shall make demand for immediate return and payment
of such tax, whereupon such tax shall become immediately due and
payable. If the taxpayer, within 5 days after such notice (or within such
extension of time as the Department may grant), does not comply with
such notice or show to the Department that the findings in such notice are
erroneous, the Department may file a notice of jeopardy assessment lien in
the office of the recorder of the county in which any property of the
taxpayer may be located and shall notify the taxpayer of such filing. Such
jeopardy assessment lien shall have the same scope and effect as the
statutory lien hereinbefore provided for in this Section.

If the taxpayer believes that he does not owe some or all of the tax
for which the jeopardy assessment lien against him has been filed, or that
no jeopardy to the revenue in fact exists, he may protest within 20 days
after being notified by the Department of the filing of such jeopardy
assessment lien and request a hearing, whereupon the Department shall
hold a hearing in conformity with the provisions of this Act and, pursuant
thereto, shall notify the taxpayer of its findings as to whether or not such
jeopardy assessment lien will be released. If not, and if the taxpayer is
aggrieved by this decision, he may file an action for judicial review of
such final determination of the Department in accordance with Section 12
of this Act and the Administrative Review Law.

New matter indicated by italics - deletions by strikeout
On and after July 1, 2013, protests concerning matters that are subject to the jurisdiction of the Illinois Independent Tax Tribunal shall be filed with the Tribunal, and hearings on those matters shall be held before the Tribunal in accordance with the Illinois Independent Tax Tribunal Act of 2012. The Tribunal shall notify the taxpayer of its findings as to whether or not such jeopardy assessment lien will be released. If not, and if the taxpayer is aggrieved by this decision, he may file an action for judicial review of such final determination of the Department in accordance with Section 12 of this Act and the Illinois Independent Tax Tribunal Act of 2012.

With respect to protests filed with the Department prior to July 1, 2013 that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the taxpayer may elect to be subject to the provisions of the Illinois Independent Tax Tribunal Act of 2012 at any time on or after July 1, 2013, but not later than 30 days after the date on which the protest was filed. If made, the election shall be irrevocable.

If, pursuant to such hearing (or after an independent determination of the facts by the Department without a hearing), the Department or the Tribunal determines that some or all of the tax covered by the jeopardy assessment lien is not owed by the taxpayer, or that no jeopardy to the revenue exists, or if on judicial review the final judgment of the court is that the taxpayer does not owe some or all of the tax covered by the jeopardy assessment lien against him, or that no jeopardy to the revenue exists, the Department shall release its jeopardy assessment lien to the extent of such finding of nonliability for the tax, or to the extent of such finding of no jeopardy to the revenue.

The Department shall also release its jeopardy assessment lien against the taxpayer whenever the tax and penalty covered by such lien, plus any interest which may be due, are paid and the taxpayer has paid the Department in cash or by guaranteed remittance an amount representing the filing fee for the lien and the filing fee for the release of that lien. The Department shall file that release of lien with the recorder of the county where that lien was filed.

Nothing in this Section shall be construed to give the Department a preference over the rights of any bona fide purchaser, holder of a security interest, mechanics lienholder, mortgagee, or judgment lien creditor arising prior to the filing of a regular notice of lien or a notice of jeopardy assessment lien in the office of the recorder in the county in which the property subject to the lien is located: Provided, however, that the word...
"bona fide", as used in this Section shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagor or the holder of the security acting as trustee for unsecured creditors of the taxpayer mentioned in the notice of lien who executed such chattel or real property mortgage or the document evidencing such credit transaction. Such lien shall be inferior to the lien of general taxes, special assessments and special taxes heretofore or hereafter levied by any political subdivision of this State.

In case title to land to be affected by the notice of lien or notice of jeopardy assessment lien is registered under the provisions of "An Act concerning land titles", approved May 1, 1897, as amended, such notice shall be filed in the office of the Registrar of Titles of the county within which the property subject to the lien is situated and shall be entered upon the register of titles as a memorial or charge upon each folium of the register of titles affected by such notice, and the Department shall not have a preference over the rights of any bona fide purchaser, mortgagor, judgment creditor or other lien holder arising prior to the registration of such notice: Provided, however, that the word "bona fide" shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagor or the holder of the security acting as trustee for unsecured creditors of the taxpayer mentioned in the notice of lien who executed such chattel or real property mortgage or the document evidencing such credit transaction.

Such regular lien or jeopardy assessment lien shall not be effective against any purchaser with respect to any item in a retailer's stock in trade purchased from the retailer in the usual course of such retailer's business. (Source: P.A. 97-1129, eff. 8-28-12.)

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

Approved August 16, 2013.
Effective August 16, 2013.
Section 1. Short title. This Act may be cited as the Lake Michigan Wind Energy Act.

Section 5. Legislative findings. The General Assembly finds:

(1) that Lake Michigan is a unique and treasured public asset that supports numerous activities for the benefit of the people, wildlife, and flora of the State of Illinois;

(2) that the bed of Lake Michigan is public land held in trust for the people of the State of Illinois and cannot be alienated to a private use or person;

(3) that federal and State policy, as well as the national security, energy, and environmental needs of the United States and the people of the State of Illinois, support exploration and development of renewable energy resources;

(4) that the State of Illinois is a signatory to a federal and multistate memorandum of understanding and is committed to promoting the efficient, expeditious, orderly, and responsible evaluation of offshore wind power projects in the Great Lakes;

(5) that wind above the Illinois public trust lands of Lake Michigan is a unique and significant renewable energy resource;

(6) that the development of that resource does not involve mining or other extraction of resources from the public trust lands of Lake Michigan;

(7) that so long as all affected public trust lands and waters of Lake Michigan remain under public ownership and control, the environmentally sustainable provision of renewable energy from offshore wind above Lake Michigan, in accordance with standards set by State and federal law and regulated by the State agency charged with protecting public trust lands and the public interest, would serve a public purpose and can be consistent with the public trust;

(8) that the State's Lake Michigan Offshore Wind Energy Advisory Council recommended clarifying and confirming the State's authority to permit such development and has made other recommendations to further the sustainable and responsible development of the State's wind energy resources above Lake Michigan; and

(9) that the State of Illinois should consider the recommendations, criteria, and lessons learned from the Advisory Council's Final Report, as well as new data, technologies, and scientific understandings, as it formulates rules to regulate offshore wind energy development in a
manner that preserves public trust resources, produces public benefits, and protects the environment and public health, safety, and welfare.

Section 10. Definitions. As used in this Act:
"Public trust lands" means the bed of Lake Michigan.
"Department" means the Department of Natural Resources.

Section 15. Wind energy siting matrix. The Department shall develop a detailed offshore wind energy siting matrix for the public trust lands of Lake Michigan, which shall, at a minimum, identify areas that are unsuitable for wind energy development ("prohibited areas"), areas that are most appropriate for wind energy development ("preferred areas"), and areas that are neither prohibited nor preferred for wind energy development but that may be considered for development upon application ("possible areas"). The Department, in developing the wind energy siting matrix, shall take into consideration existing environmental, marine, public infrastructure, transportation, and security uses and factors, and may also consider other factors it identifies as appropriate.


(a) The Governor shall convene an Offshore Wind Energy Economic Development Policy Task Force, to be chaired by the Director of Commerce and Economic Opportunity, or his or her designee, to analyze and evaluate policy and economic options to facilitate the development of offshore wind energy, and to propose an appropriate Illinois mechanism for purchasing and selling power from possible offshore wind energy projects. The Task Force shall examine mechanisms used in other states and jurisdictions, including, without limitation, feed-in-tariffs, renewable energy certificates, renewable energy certificate carve-outs, power purchase agreements, and pilot projects. The Task Force shall report its findings and recommendations to the Governor and General Assembly by December 31, 2013.

(b) The Director of the Illinois Power Agency (or his or her designee), the Executive Director of the Illinois Commerce Commission (or his or her designee), the Director of Natural Resources (or his or her designee), and the Attorney General (or his or her designee) shall serve as ex officio members of the Task Force.

(c) The Governor shall appoint the following public members to serve on the Task Force:

New matter indicated by italics - deletions by strikeout
(1) one individual from an institution of higher education in Illinois representing the discipline of economics with experience in the study of renewable energy;
(2) one individual representing an energy industry with experience in renewable energy markets;
(3) one individual representing a Statewide consumer or electric ratepayer organization;
(4) one individual representing the offshore wind energy industry;
(5) one individual representing the wind energy supply chain industry;
(6) one individual representing an Illinois electrical cooperative, municipal electrical utility, or association of such cooperatives or utilities;
(7) one individual representing an Illinois industrial union involved in the construction, maintenance, or transportation of electrical generation, distribution, or transmission equipment or components;
(8) one individual representing an Illinois commercial or industrial electrical consumer;
(9) one individual representing an Illinois public education electrical consumer;
(10) one individual representing an independent transmission company;
(11) one individual from the Illinois legal community with experience in contracts, utility law, municipal law, and constitutional law;
(12) one individual representing a Great Lakes regional organization with experience assessing or studying wind energy;
(13) one individual representing a Statewide environmental organization;
(14) one resident of the State representing an organization advocating for persons of low or limited incomes;
(15) one individual representing Argonne National Laboratory; and
(16) one individual representing a local community that has aggregated the purchase of electricity.
(d) The Governor may appoint additional public members to the Task Force.

New matter indicated by italics - deletions by strikeout
(e) The Speaker of the House of Representatives, Minority Leader of the House of Representatives, Senate President, and Minority Leader of the Senate shall each appoint one member of the General Assembly to serve on the Task Force.

(f) Members of the Task Force shall serve without compensation.

Section 25. Assessment permits. After finalizing the wind energy siting matrix required under Section 15, the Department may, in accordance with rules adopted by the Department pursuant to Section 5-40 of the Illinois Administrative Procedure Act and with the written approval of the Governor, grant in the name of the State of Illinois permits and site leases with respect to public trust lands of Lake Michigan for the assessment of sites for offshore wind energy development.

Section 30. Permits for wind park construction and operation. The Department may, in accordance with rules adopted by the Department pursuant to Section 5-40 of the Illinois Administrative Procedure Act, convert site assessment leases to offshore wind park construction and operation leases, upon an appropriate showing by the applicant that the construction and operation of wind energy facilities would not be inconsistent with the public trust.

Section 35. Permit terms. The Department may insert into any permit or lease issued under this Act any terms that it deems necessary to protect the rights of the State, the public, lessees, and users of waters above the public trust lands of Lake Michigan.

Section 40. Rulemaking. The Department may adopt, in accordance with the requirements of Section 5-40 of the Illinois Administrative Procedure Act, any rule that is necessary to implement this Act. The rules adopted by the Department under this Section shall, at a minimum, specify permit fees and royalty schedules, requirements for bonding and guaranteeing, requirements for decommissioning, and any other requirements necessary for carrying out the provisions of this Act.

Prior to adopting any rule under this Act, the Department shall consult with the Illinois Environmental Protection Agency, the Illinois Commerce Commission, the Illinois Power Agency, and the Department of Commerce and Economic Opportunity.

Section 45. Regulatory toolkit. The Department shall, in consultation with the Illinois Environmental Protection Agency, the Illinois Commerce Commission, the Illinois Power Agency, and the Department of Commerce and Economic Opportunity, prepare and publish a toolkit for advising and guiding developers on the regulatory and

New matter indicated by italics - deletions by strikeout
permitting process. The toolkit shall, at a minimum, include a checklist of required State permits and an overview of estimated timelines and likely areas of concern.

Section 50. Limitation on Department Authority. Nothing contained in this Act shall be construed as requiring or permitting the Department to permanently convey any public trust lands for energy development.

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0448
(House Bill No. 2760)

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

Section 5. The Home Health, Home Services, and Home Nursing Agency Licensing Act is amended by adding Section 6.4 as follows:

(210 ILCS 55/6.4 new)

Sec. 6.4. Oversight and direction of skilled home care services. A physician licensed in another state may oversee or direct the delivery of skilled home care services provided by home health and home nursing agencies licensed in Illinois following care or treatment originally provided to the patient in the state in which the physician is licensed to practice medicine until care is transitioned to a physician licensed to practice medicine in all its branches in Illinois under the following conditions:

(1) The out-of-state physician shall ask the patient whether the patient has a primary care physician in Illinois. If the patient has a primary care physician in Illinois, the out-of-state physician shall contact the primary care physician and obtain the concurrence of that individual for ordering home health care services. The out-of-state physician shall make a notation of that contact in the patient's medical record.

New matter indicated by italics - deletions by strikeout
(2) The transition period may not exceed 90 days of skilled home care services except as provided by paragraph (3) of this Section.

(3) The transition period may be up to 180 days of skilled home care services for patients where home health services are needed to care for 2 or more medical conditions requiring intensive management by 2 or more physicians, with documentation supporting unsuccessful efforts in identifying an appropriate physician in Illinois within the initial 90-day time period.

(4) Any significant change in the patient's condition shall be communicated by the Illinois licensed agency to the out-of-state physician and the patient's Illinois licensed physician.

(5) A copy of the license or evidence of licensure by another state of the out-of-state physician must be retained in the patient's chart.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0449
(House Bill No. 2767)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Sections 14-103.10, 17-137, 17-138, and 17-139 as follows:

(a) For periods of service prior to January 1, 1978, the full rate of salary or wages payable to an employee for personal services performed if he worked the full normal working period for his position, subject to the following maximum amounts: (1) prior to July 1, 1951, $400 per month or $4,800 per year; (2) between July 1, 1951 and June 30, 1957 inclusive, $625 per month or $7,500 per year; (3) beginning July 1, 1957, no limitation.

New matter indicated by italics - deletions by strikeout
In the case of service of an employee in a position involving part-time employment, compensation shall be determined according to the employees’ earnings record.

(b) For periods of service on and after January 1, 1978, all remuneration for personal services performed defined as "wages" under the Social Security Enabling Act, including that part of such remuneration which is in excess of any maximum limitation provided in such Act, and including any benefits received by an employee under a sick pay plan in effect before January 1, 1981, but excluding lump sum salary payments:

1. for vacation,
2. for accumulated unused sick leave,
3. upon discharge or dismissal,
4. for approved holidays.

(c) For periods of service on or after December 16, 1978, compensation also includes any benefits, other than lump sum salary payments made at termination of employment, which an employee receives or is eligible to receive under a sick pay plan authorized by law.

(d) For periods of service after September 30, 1985, compensation also includes any remuneration for personal services not included as "wages" under the Social Security Enabling Act, which is deducted for purposes of participation in a program established pursuant to Section 125 of the Internal Revenue Code or its successor laws.

(e) For members for which Section 1-160 applies for periods of service on and after January 1, 2011, all remuneration for personal services performed defined as "wages" under the Social Security Enabling Act, excluding remuneration that is in excess of the annual earnings, salary, or wages of a member or participant, as provided in subsection (b-5) of Section 1-160, but including any benefits received by an employee under a sick pay plan in effect before January 1, 1981. Compensation shall exclude lump sum salary payments:

1. for vacation;
2. for accumulated unused sick leave;
3. upon discharge or dismissal; and
4. for approved holidays.

(f) Notwithstanding the other provisions of this Section, for service on or after July 1, 2013, "compensation" does not include any stipend payable to an employee for service on a board or commission.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/17-137) (from Ch. 108 1/2, par. 17-137)

New matter indicated by italics - deletions by strikeout
Sec. 17-137. Board created. There shall be elected a Board of Trustees, herein also referred to as the "Board", to administer and control the Fund created by this Article. The Board shall consist of 12 members, 2 of whom shall be members of the Board of Education, 6 of whom shall be contributors who are not administrators principals, one of whom shall be a contributor who is an administrator a principal, and 3 of whom shall be pensioners, all to be chosen as provided in this Article.

(Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

(40 ILCS 5/17-138) (from Ch. 108 1/2, par. 17-138)

Sec. 17-138. Board membership. At the first meeting of the Board of Education in November of each year, the Board of Education shall appoint one of its members to serve, while a member of the Board of Education, on the Board of Trustees for a term of 2 years.

During the first week of November, on the last school day of the 4th week of October of each year there shall be elected 2 members of the Board from the teachers other than administrators principals, who shall hold office for terms of 3 years, provided the trustee retains his or her status as a teacher teachers other than an administrator principals, and other members to fill any unexpired terms. In the event that schools are not in session on or during the week prior to the last Friday in October, this election shall be held on the Friday of the first subsequent full week of school. The election shall be by secret ballot conducted in person or by secure electronic ballot, and shall be held in such manner as the Board by bylaws or rules shall provide. Only teachers who are not administrators principals shall be eligible to vote in the election.

During the first week of November of 1995 and every third year thereafter, one contributor who is an administrator a principal shall be elected a member of the Board. This trustee shall hold office for a term of 3 years, provided the trustee retains while retaining his or her status as an administrator a principal. The election shall be by mail ballot or by secure electronic ballot, and only contributors who are administrators principals shall be eligible to vote. The election shall be held in the manner provided by the Board by rule or bylaw.

During the first week of November of each odd-numbered year there shall be elected 3 members of the Board from the pensioners, who shall hold office for a term of 2 years while retaining their status as pensioners. The election shall be by mail ballot or secure electronic ballot.

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to all service and disability pensioners, and shall be held in such manner as the Board by bylaws or rules shall provide.

All trustees, while members of the Board of Education or while administrators, principals, teachers other than administrators, principals, or pensioners, as the case may be, shall hold their offices until their successors shall have been appointed or elected and qualified by subscribing to the constitutional oath of office at the immediately succeeding regular meeting of the Board.

(Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

(40 ILCS 5/17-139) (from Ch. 108 1/2, par. 17-139)

Sec. 17-139. Board elections and vacancies.

(1) Contributors other than administrators, principals election. Every member who is not a principal or an administrator may vote at the election for as many persons as there are trustees to be elected by the contributors who are not principals or administrators, provided that the contributor obtained that voter eligibility status on or before October 1 of the election year. The name of a candidate shall not be placed on printed upon the ballot unless he or she has been assigned on a regular certificate for at least 10 years in the Chicago public schools or charter schools and nominated by a petition signed by not less than 200 contributors who are not principals or administrators.

Petitions shall be filed with the recording secretary of the Fund on or after September 15 of each year and not later than October 1st of that year. No more than one candidate may be nominated by any one petition. If the nominations do not exceed the number of candidates to be elected, the canvassing board shall declare the nominated candidates elected. Otherwise, candidates receiving the highest number of votes cast for their respective terms shall be declared elected. The location and number of polling places shall be designated by the Board. The election shall be conducted by the teachers who are not principals or administrators, and the judges of the election shall be selected from the teachers who are not principals or administrators, in such manner as the board in its bylaws or rules provides.

Elections to fill vacancies on the Board shall be held at the next annual election.

(2) Pensioners election. The name of a candidate shall not be placed printed on the ballot unless he or she has been nominated by a petition signed by not less than 100 pensioners of the Fund. Petitions shall be filed with the recording secretary of the Fund on or before October 1 of.
the odd-numbered year. If the nominations do not exceed 3, the mailing of ballots shall be eliminated and the nominated candidates shall be declared elected. Otherwise, the 3 candidates receiving the highest number of votes cast shall be declared elected. The mailing and counting of the ballots shall be conducted by the office of the Fund with volunteer assistance from pensioners at the request of the Board.

(3) Administrators Principals election. The name of a candidate shall not be placed printed on the ballot unless he or she has been nominated by a petition signed by at least 25 contributors who are principals or administrators. Petitions shall be filed with the recording secretary of the Fund on or before October 1 of the election year. Every member who is a principal or an administrator may vote at the election for one candidate who is a contributor who is an administrator, provided that the member obtained such voter eligibility status on or before October 1 of the election year a principal. If only one eligible candidate is nominated, the election shall not be held and the nominated candidate shall be declared elected. Otherwise, the candidate receiving the highest number of votes cast shall be declared elected. The mailing and counting of the ballots shall be conducted by the office of the Fund.

(4) Vacancies. The Board may fill vacancies occurring in the membership of the Board elected by the principals, administrators, teachers other than principals or administrators, or pensioners at any regular meeting of the Board. The Board of Education may fill vacancies occurring in the membership of the Board appointed by the Board of Education at any regular meeting of the Board of Education.
(Source: P.A. 94-514, eff. 8-10-05.)

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

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0450

(House Bill No. 2773)

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

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Section 5. The Illinois Vehicle Code is amended by changing Sections 5-101, 5-102, and 5-102.7 as follows:

(625 ILCS 5/5-101) (from Ch. 95 1/2, par. 5-101)
Sec. 5-101. New vehicle dealers must be licensed.

(a) No person shall engage in this State in the business of selling or dealing in, on consignment or otherwise, new vehicles of any make, or act as an intermediary or agent or broker for any licensed dealer or vehicle purchaser other than as a salesperson, or represent or advertise that he is so engaged or intends to so engage in such business unless licensed to do so in writing by the Secretary of State under the provisions of this Section.

(b) An application for a new vehicle dealer's license shall be filed with the Secretary of State, duly verified by oath, on such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization of the applicant and his established and additional places of business, if any, in this State.

2. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the name and residence address of the proprietor or of each partner, member, officer, director, trustee, or manager.

3. The make or makes of new vehicles which the applicant will offer for sale at retail in this State.

4. The name of each manufacturer or franchised distributor, if any, of new vehicles with whom the applicant has contracted for the sale of such new vehicles. As evidence of this fact, the application shall be accompanied by a signed statement from each such manufacturer or franchised distributor. If the applicant is in the business of offering for sale new conversion vehicles, trucks or vans, except for trucks modified to serve a special purpose which includes but is not limited to the following vehicles: street sweepers, fertilizer spreaders, emergency vehicles, implements of husbandry or maintenance type vehicles, he must furnish evidence of a sales and service agreement from both the chassis manufacturer and second stage manufacturer.
5. A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue: Provided that this requirement does not apply to a dealer who is already licensed hereunder with the Secretary of State, and who is merely applying for a renewal of his license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that that Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

6. A statement that the applicant has complied with the appropriate liability insurance requirement. A Certificate of Insurance in a solvent company authorized to do business in the State of Illinois shall be included with each application covering each location at which he proposes to act as a new vehicle dealer. The policy must provide liability coverage in the minimum amounts of $100,000 for bodily injury to, or death of, any person, $300,000 for bodily injury to, or death of, two or more persons in any one accident, and $50,000 for damage to property. Such policy shall expire not sooner than December 31 of the year for which the license was issued or renewed. The expiration of the insurance policy shall not terminate the liability under the policy arising during the period for which the policy was filed. Trailer and mobile home dealers are exempt from this requirement.

If the permitted user has a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, then the permitted user's insurer shall be the primary insurer and the dealer's insurer shall be the secondary insurer. If the permitted user does not have a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, or does not have any insurance at all, then the dealer's insurer shall be the primary insurer and the permitted user's insurer shall be the secondary insurer.
When a permitted user is "test driving" a new vehicle dealer's automobile, the new vehicle dealer's insurance shall be primary and the permitted user's insurance shall be secondary.

As used in this paragraph 6, a "permitted user" is a person who, with the permission of the new vehicle dealer or an employee of the new vehicle dealer, drives a vehicle owned and held for sale or lease by the new vehicle dealer which the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle. The term "permitted user" also includes a person who, with the permission of the new vehicle dealer, drives a vehicle owned or held for sale or lease by the new vehicle dealer for loaner purposes while the user's vehicle is being repaired or evaluated.

As used in this paragraph 6, "test driving" occurs when a permitted user who, with the permission of the new vehicle dealer or an employee of the new vehicle dealer, drives a vehicle owned and held for sale or lease by a new vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle.

As used in this paragraph 6, "loaner purposes" means when a person who, with the permission of the new vehicle dealer, drives a vehicle owned or held for sale or lease by the new vehicle dealer while the user's vehicle is being repaired or evaluated.

7. (A) An application for a new motor vehicle dealer's license shall be accompanied by the following license fees:

(i) $1,000 for applicant's established place of business, and $100 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. All moneys received by the Secretary of State as license fees under this subparagraph (i) prior to applications for the 2004 licensing year shall be deposited into the Motor Vehicle Review Board Fund and shall be used to administer the Motor Vehicle Review Board under the Motor Vehicle Franchise Act. Of the money received by the

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Secretary of State as license fees under this subparagraph (i) for the 2004 licensing year and thereafter, 10% shall be deposited into the Motor Vehicle Review Board Fund and shall be used to administer the Motor Vehicle Review Board under the Motor Vehicle Franchise Act and 90% shall be deposited into the General Revenue Fund.

(ii) Except for dealers selling 25 or fewer automobiles or as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. For a license renewal application, the fee shall be based on the amount of automobiles sold in the past year according to the following formula:

1. $0 for dealers selling 25 or less automobiles;
2. $150 for dealers selling more than 25 but less than 200 automobiles;
3. $300 for dealers selling 200 or more automobiles but less than 300 automobiles; and
4. $500 for dealers selling 300 or more automobiles.

License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (ii) shall be deposited into the Dealer Recovery Trust Fund.

(B) An application for a new vehicle dealer's license, other than for a new motor vehicle dealer's license, shall be accompanied by the following license fees:

1. $1,000 for applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $25 for each additional place of business, if any, to which the

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application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Of the money received by the Secretary of State as license fees under this subparagraph (i) for the 2004 licensing year and thereafter, 95% shall be deposited into the General Revenue Fund.

(ii) Except as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (ii) shall be deposited into the Dealer Recovery Trust Fund.

8. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, a partner, member, officer, director, trustee, manager or other principals in the business have not committed in the past 3 years any one violation as determined in any civil, criminal or administrative proceedings of any one of the following Acts:
   (A) The Anti Theft Laws of the Illinois Vehicle Code;
   (B) The Certificate of Title Laws of the Illinois Vehicle Code;
   (C) The Offenses against Registration and Certificates of Title Laws of the Illinois Vehicle Code;
   (E) Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles;
   or

9. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein,

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proprietary, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil, criminal or administrative proceedings, of any one or more of the following Acts:

(A) The Consumer Finance Act;
(B) The Consumer Installment Loan Act;
(C) The Retail Installment Sales Act;
(D) The Motor Vehicle Retail Installment Sales Act;
(E) The Interest Act;
(F) The Illinois Wage Assignment Act;
(G) Part 8 of Article XII of the Code of Civil Procedure; or
(H) The Consumer Fraud Act.

10. A bond or certificate of deposit in the amount of $20,000 for each location at which the applicant intends to act as a new vehicle dealer. The bond shall be for the term of the license, or its renewal, for which application is made, and shall expire not sooner than December 31 of the year for which the license was issued or renewed. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a new vehicle dealer.

11. Such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe.

12. A statement that the applicant understands Chapter One through Chapter Five of this Code.

(c) Any change which renders no longer accurate any information contained in any application for a new vehicle dealer's license shall be amended within 30 days after the occurrence of such change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this Chapter 5 to the contrary notwithstanding no person shall be licensed as a new vehicle dealer unless:

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1. He is authorized by contract in writing between himself and the manufacturer or franchised distributor of such make of vehicle to so sell the same in this State, and

2. Such person shall maintain an established place of business as defined in this Act.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him under this Section and unless he makes a determination that the application submitted to him does not conform with the requirements of this Section or that grounds exist for a denial of the application, under Section 5-501 of this Chapter, grant the applicant an original new vehicle dealer's license in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. In the case of an original license, the established place of business of the licensee;

4. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains;

5. The make or makes of new vehicles which the licensee is licensed to sell.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State, shall be kept posted conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee.

(g) Except as provided in subsection (h) hereof, all new vehicle dealer's licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under the provisions of Section 5-501 of this Chapter.

(h) A new vehicle dealer's license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage under an approved bond under the "Retailers'
Occupation Tax Act" or proof that applicant is not subject to such bonding requirements, as in the case of an original license, but in case an application for the renewal of an effective license is made during the month of December, the effective license shall remain in force until the application is granted or denied by the Secretary of State.

(i) All persons licensed as a new vehicle dealer are required to furnish each purchaser of a motor vehicle:

1. In the case of a new vehicle a manufacturer's statement of origin and in the case of a used motor vehicle a certificate of title, in either case properly assigned to the purchaser;
2. A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title or manufacturer's statement of origin;
3. A bill of sale properly executed on behalf of such person;
4. A copy of the Uniform Invoice-trans action reporting return referred to in Section 5-402 hereof;
5. In the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status; and
6. In the case of a vehicle for which the warranty has been reinstated, a copy of the warranty.

(j) Except at the time of sale or repossession of the vehicle, no person licensed as a new vehicle dealer may issue any other person a newly created key to a vehicle unless the new vehicle dealer makes a copy of the driver's license or State identification card of the person requesting or obtaining the newly created key. The new vehicle dealer must retain the copy for 30 days.

A new vehicle dealer who violates this subsection (j) is guilty of a petty offense. Violation of this subsection (j) is not cause to suspend, revoke, cancel, or deny renewal of the new vehicle dealer's license.

This amendatory Act of 1983 shall be applicable to the 1984 registration year and thereafter.

(Source: P.A. 97-480, eff. 10-1-11; 97-1150, eff. 1-25-13.)
(625 ILCS 5/5-102) (from Ch. 95 1/2, par. 5-102)
Sec. 5-102. Used vehicle dealers must be licensed.
(a) No person, other than a licensed new vehicle dealer, shall engage in the business of selling or dealing in, on consignment or otherwise, 5 or more used vehicles of any make during the year (except house trailers as authorized by paragraph (j) of this Section and rebuilt salvage vehicles sold by their rebuilders to persons licensed under this

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Chapter), or act as an intermediary, agent or broker for any licensed dealer or vehicle purchaser (other than as a salesperson) or represent or advertise that he is so engaged or intends to so engage in such business unless licensed to do so by the Secretary of State under the provisions of this Section.

(b) An application for a used vehicle dealer's license shall be filed with the Secretary of State, duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization established and additional places of business, if any, in this State.

2. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee or manager.

3. A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue. However, this requirement does not apply to a dealer who is already licensed hereunder with the Secretary of State, and who is merely applying for a renewal of his license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

4. A statement that the applicant has complied with the appropriate liability insurance requirement. A Certificate of Insurance in a solvent company authorized to do business in the State of Illinois shall be included with each application covering each location at which he proposes to act as a used vehicle dealer. The policy must provide liability coverage in the minimum amounts of $100,000 for bodily injury to, or death of, any person, $300,000 for bodily injury to, or death of, two or more persons in any one accident, and $50,000 for damage to property. Such policy shall expire not sooner than December 31 of the year for which the license was issued or renewed. The expiration of the insurance policy shall not terminate the liability under the policy arising from
during the period for which the policy was filed. Trailer and mobile home dealers are exempt from this requirement.

If the permitted user has a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, then the permitted user's insurer shall be the primary insurer and the dealer's insurer shall be the secondary insurer. If the permitted user does not have a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, or does not have any insurance at all, then the dealer's insurer shall be the primary insurer and the permitted user's insurer shall be the secondary insurer.

When a permitted user is "test driving" a used vehicle dealer's automobile, the used vehicle dealer's insurance shall be primary and the permitted user's insurance shall be secondary.

As used in this paragraph 4, a "permitted user" is a person who, with the permission of the used vehicle dealer or an employee of the used vehicle dealer, drives a vehicle owned and held for sale or lease by the used vehicle dealer which the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle. The term "permitted user" also includes a person who, with the permission of the used vehicle dealer, drives a vehicle owned or held for sale or lease by the used vehicle dealer for loaner purposes while the user's vehicle is being repaired or evaluated.

As used in this paragraph 4, "test driving" occurs when a permitted user who, with the permission of the used vehicle dealer or an employee of the used vehicle dealer, drives a vehicle owned and held for sale or lease by a used vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle.

As used in this paragraph 4, "loaner purposes" means when a person who, with the permission of the used vehicle dealer, drives a vehicle owned or held for sale or lease by the used vehicle dealer while the user's vehicle is being repaired or evaluated.

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5. An application for a used vehicle dealer's license shall be accompanied by the following license fees:

   (A) $1,000 for applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; however, if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Of the money received by the Secretary of State as license fees under this subparagraph (A) for the 2004 licensing year and thereafter, 95% shall be deposited into the General Revenue Fund.

   (B) Except for dealers selling 25 or fewer automobiles or as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. For a license renewal application, the fee shall be based on the amount of automobiles sold in the past year according to the following formula:

   (1) $0 for dealers selling 25 or less automobiles;
   (2) $150 for dealers selling more than 25 but less than 200 automobiles;
   (3) $300 for dealers selling 200 or more automobiles but less than 300 automobiles; and
   (4) $500 for dealers selling 300 or more automobiles.

   License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (B) shall be deposited into the Dealer Recovery Trust Fund.

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6. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in the past 3 years any one violation as determined in any civil, criminal or administrative proceedings of any one of the following Acts:
   (A) The Anti Theft Laws of the Illinois Vehicle Code;
   (B) The Certificate of Title Laws of the Illinois Vehicle Code;
   (C) The Offenses against Registration and Certificates of Title Laws of the Illinois Vehicle Code;
   (E) Section 21-2 of the Illinois Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

7. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil or criminal or administrative proceedings, of any one or more of the following Acts:
   (A) The Consumer Finance Act;
   (B) The Consumer Installment Loan Act;
   (C) The Retail Installment Sales Act;
   (D) The Motor Vehicle Retail Installment Sales Act;
   (E) The Interest Act;
   (F) The Illinois Wage Assignment Act;
   (G) Part 8 of Article XII of the Code of Civil Procedure; or
   (H) The Consumer Fraud Act.

8. A bond or Certificate of Deposit in the amount of $20,000 for each location at which the applicant intends to act as a used vehicle dealer. The bond shall be for the term of the license, or its renewal, for which application is made, and shall expire not sooner than December 31 of the year for which the license was

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issued or renewed. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a used vehicle dealer.

9. Such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe.

10. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

11. A copy of the certification from the prelicensing education program.

(c) Any change which renders no longer accurate any information contained in any application for a used vehicle dealer's license shall be amended within 30 days after the occurrence of each change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this Chapter to the contrary notwithstanding, no person shall be licensed as a used vehicle dealer unless such person maintains an established place of business as defined in this Chapter.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him under this Section. Unless the Secretary makes a determination that the application submitted to him does not conform to this Section or that grounds exist for a denial of the application under Section 5-501 of this Chapter, he must grant the applicant an original used vehicle dealer's license in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. In case of an original license, the established place of business of the licensee;

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4. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept posted, conspicuously, in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee.

(g) Except as provided in subsection (h) of this Section, all used vehicle dealer's licenses granted under this Section expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under Section 5-501 of this Chapter.

(h) A used vehicle dealer's license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage by an approved bond under the "Retailers' Occupation Tax Act" or proof that applicant is not subject to such bonding requirements, as in the case of an original license, but in case an application for the renewal of an effective license is made during the month of December, the effective license shall remain in force until the application for renewal is granted or denied by the Secretary of State.

(i) All persons licensed as a used vehicle dealer are required to furnish each purchaser of a motor vehicle:

1. A certificate of title properly assigned to the purchaser;
2. A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title;
3. A bill of sale properly executed on behalf of such person;
4. A copy of the Uniform Invoice-transaction reporting return referred to in Section 5-402 of this Chapter;
5. In the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status; and
6. In the case of a vehicle for which the warranty has been reinstated, a copy of the warranty.

(j) A real estate broker holding a valid certificate of registration issued pursuant to "The Real Estate Brokers and Salesmen License Act" may engage in the business of selling or dealing in house trailers not his own without being licensed as a used vehicle dealer under this Section; however such broker shall maintain a record of the transaction including the following:

1. the name and address of the buyer and seller,
2. the date of sale,
(3) a description of the mobile home, including the vehicle identification number, make, model, and year, and
(4) the Illinois certificate of title number.

The foregoing records shall be available for inspection by any officer of the Secretary of State's Office at any reasonable hour.

(k) Except at the time of sale or repossession of the vehicle, no person licensed as a used vehicle dealer may issue any other person a newly created key to a vehicle unless the used vehicle dealer makes a copy of the driver's license or State identification card of the person requesting or obtaining the newly created key. The used vehicle dealer must retain the copy for 30 days.

A used vehicle dealer who violates this subsection (k) is guilty of a petty offense. Violation of this subsection (k) is not cause to suspend, revoke, cancel, or deny renewal of the used vehicle dealer's license.

(l) Used vehicle dealers licensed under this Section shall provide the Secretary of State a register for the sale at auction of each salvage or junk certificate vehicle. Each register shall include the following information:

1. The year, make, model, style and color of the vehicle;
2. The vehicle's manufacturer's identification number or, if applicable, the Secretary of State or Illinois Department of State Police identification number;
3. The date of acquisition of the vehicle;
4. The name and address of the person from whom the vehicle was acquired;
5. The name and address of the person to whom any vehicle was disposed, the person's Illinois license number or if the person is an out-of-state salvage vehicle buyer, the license number from the state or jurisdiction where the buyer is licensed; and
6. The purchase price of the vehicle.

The register shall be submitted to the Secretary of State via written or electronic means within 10 calendar days from the date of the auction.

(Source: P.A. 96-678, eff. 8-25-09; 97-480, eff. 10-1-11; 97-1150, eff. 1-25-13.)

(625 ILCS 5/5-102.7)
Sec. 5-102.7. Dealer Recovery Trust Fund.

(a) The General Assembly finds that motor vehicle dealers that go out of business without fulfilling agreements to pay off the balance of their customers' liens on traded-in vehicles cause financial harm to those

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customers by leaving those customers liable for multiple vehicle loans and cause harm to the integrity of the motor vehicle retailing industry. It is the intent of the General Assembly to protect vehicle purchasers by creating a Dealer Recovery Trust Fund to reimburse these consumers.

(b) The Dealer Recovery Trust Fund shall be used solely for the limited purpose of helping victims of dealership closings. Any interest accrued by moneys in the Fund shall be deposited and become part of the Dealer Recovery Trust Fund and its purpose. The sole beneficiaries of the Dealer Recovery Trust Fund are victims of dealership closings.

(c) Except where the context otherwise requires, the following words and phrases, when used in this Section, have the meanings ascribed to them in this subsection (c):

"Applicant" means a person who applies for reimbursement from the Dealer Recovery Trust Fund Board.

"Board" means the Dealer Recovery Trust Fund Board created under this Section.

"Dealer" means a new vehicle dealer licensed under Section 5-101 or a used vehicle dealer licensed under Section 5-102, excepting a dealer who primarily sells mobile homes, recreational vehicles, or trailers or any dealer who sells 25 vehicles or fewer per calendar year.

"Fund" means the Dealer Recovery Trust Fund created under this Section.

"Fund Administrator" means the private entity, which shall be appointed by the Board, that administers the Dealer Recovery Trust Fund.

(d) Beginning October 1, 2011, each application or renewal for a new vehicle dealer's license and each application or renewal for a used vehicle dealer's license shall be accompanied by the applicable Annual Dealer Recovery Fund Fee under Section 5-101 or 5-102 of this Code. The fee shall be in addition to any other fees imposed under this Article, shall be submitted at the same time an application or renewal for a new vehicle dealer's license or used vehicle dealer's license is submitted, and shall be made payable to and remitted directly to the Dealer Recovery Trust Fund, a trust fund outside of the State Treasury which is hereby created. In addition, the Dealer Recovery Trust Fund may accept any federal, State, or private moneys for deposit into the Fund.

(e) The Fund Administrator shall maintain a list of all dealers who have paid the fee under subsection (d) of this Section for the current year, which shall be available to the Secretary of State and the Board. The Secretary of State shall revoke the dealer license of any dealer who does
not pay the fee imposed under subsection (d) of this Section. The Secretary of State and the Fund Administrator may enter into information sharing agreements as needed to implement this Section.

(f) The Fund shall be audited annually by an independent auditor who is a certified public accountant and who has been selected by the Board. The independent auditor shall compile an annual report, which shall be filed with the Board and shall be a public record. The auditor shall be paid by the Fund, pursuant to an order of the Board.

(g) The Fund shall be maintained by the Fund Administrator, who shall keep current records of the amounts deposited into the Fund and the amounts paid out of the Fund pursuant to an order of the Board. These records shall be made available to all members of the Board upon reasonable request during normal business hours. The Fund Administrator shall report the balance in the Fund to the Board monthly, by the 15th day of each month. For purposes of determining the amount available to pay claims under this Section at any meeting of the Board, the Board shall use the Fund Administrator's most recent monthly report. The Fund Administrator shall purchase liability insurance to cover management of the Fund at a cost not to exceed 2% of the balance in the Fund as of January 15th of that year.

(h) In any year for which the balance in the Fund as of August 31st is greater than $3,500,000, the Fund Administrator shall notify the Secretary of State and the Secretary of State shall suspend collection of the fee for the following year for any dealer who has not had a claim paid from the Fund, has not had his or her license suspended or revoked, and has not been assessed any civil penalties under this Code during the 3 previous years.

(i) Moneys in the Dealer Recovery Trust Fund may be paid from the Fund only as directed by a written order of the Board and used only for the following purposes:

(i) to pay claims under a written order of the Board as provided in this Section; or

(ii) to reimburse the Fund Administrator for its expenses related to the administration of the Fund, provided that the reimbursement to the Fund Administrator in any year shall not exceed 2% of the balance in the Fund as of January 15th of that year.

(j) The Dealer Recovery Trust Fund Board is hereby created. The Board shall consist of the Secretary of State, or his or her designee, who

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shall serve as chair, the Attorney General, or his or her designee, who shall serve as secretary, and one person alternatively representing new and independent Illinois automobile dealers, selected collectively by the Attorney General, or his or her designee, and the Secretary of State, or his or her designee. The Secretary of State may propose procedures and employ personnel as necessary to implement this Section. The Board shall meet quarterly, and as needed, as directed by the chair. The Board may not pay out any claims before the balance deposited into the Fund exceeds $500,000. Board meetings shall be open to the public. The Board has the authority to take any action by at least a two-thirds majority vote.

(k) The following persons may apply to the Board for reimbursement from the Dealer Recovery Trust Fund:

(i) A retail customer who, on or after October 1, 2011, purchases a vehicle from a dealer who subsequently files for bankruptcy or whose vehicle dealer's license is subsequently revoked by the Secretary of State or otherwise terminated and, as part of the purchase transaction, trades in a vehicle with an outstanding lien to the dealer if lien satisfaction was a condition of the purchase agreement and the retail customer determines that the lien has not been satisfied;

(ii) A retail customer who, on or after October 1, 2011, purchases a vehicle with an undisclosed lien from a dealer who subsequently files for bankruptcy or whose vehicle dealer's license is subsequently revoked by the Secretary of State or otherwise terminated;

(iii) A dealer who, on or after October 1, 2011, purchases a vehicle with an undisclosed lien from another dealer who subsequently files for bankruptcy or whose vehicle dealer's license is subsequently revoked by the Secretary of State or otherwise terminated.

(l) To be considered by the Board, an applicant must submit his or her claim to the Board within 2 years 9 months after the date of the transaction that gave rise to the claim.

(m) At each meeting of the Board, it shall consider all claims that are properly submitted to it on forms prescribed by the Secretary of State at least 30 days before the date of the Board's meeting. Before the Board may consider a claim against a dealer, it must make a written determination that the dealer has filed for bankruptcy under the provisions of 11 U.S.C. Chapter 7; that the Secretary of State has revoked his or her
dealer's license; or that the license has been otherwise terminated. Once the Board has made this determination, it may consider the applicant's claim against the dealer. If a two-thirds majority of the Board determines that the dealer has committed a violation under subsection (k), it shall grant the applicant's claim. Except as otherwise provided in this Section, the maximum amount of any award for a claim under paragraph (i) of subsection (k) of this Section shall be equal to the amount of the unpaid balance of the lien that the dealer agreed to pay off on behalf of the applicant as shown on the bill of sale or the retail installment sales contract. The maximum amount of any claim under paragraph (ii) or (iii) of subsection (k) of this Section shall be equal to the amount of the undisclosed lien. However, no award for a claim under subsection (k) of this Section shall exceed $35,000.

(n) If the balance in the Fund at the time of any Board meeting is less than the amount of the total amount of all claims awarded at that meeting, then all awards made at that meeting shall be reduced, pro rata, so that the amount of claims does not exceed the balance in the Fund. Before it reviews new claims, the Board shall issue written orders to pay the remaining portion of any claims that were so reduced, provided that the balance in the Fund is sufficient to pay those claims.

(o) Whenever the balance of the Fund falls below $500,000, the Board may charge dealers an additional assessment of up to $50 to bring the balance to at least $500,000. Not more than one additional assessment may be made against a dealer in any 12-month period.

(p) If the total amount of claims awarded against any dealer exceeds 33% of the balance in the Fund, the Board may permanently reduce the amount of those claims, pro rata, so that those claims do not exceed 33% of the balance in the Fund.

(q) The Board shall issue a written order directing the Fund Administrator to pay an applicant's claim to a secured party where the Board has received a signed agreement between the applicant and the secured party holding the lien. The agreement must (i) state that the applicant and the secured party agree to accept payment from the Fund to the secured party as settlement in full of all claims against the dealer; and (ii) release the lien and the title, if applicable, to the vehicle that was the subject of the claim. The written order shall state the amount of the claim and the name and address of the secured party to whom the claim shall be paid. The Fund Administrator shall pay the claim within 30 days after it receives the Board's order.
(r) No dealer or principal associated with a dealer's license is eligible for licensure, renewal or relicensure until the full amount of reimbursement for an unpaid claim, plus interest as determined by the Board, is paid to the Fund. Nothing in this Section shall limit the authority of the Secretary of State to suspend, revoke, or levy civil penalties against a dealer, nor shall full repayment of the amount owed to the Fund nullify or modify the effect of any action by the Secretary.

(s) Nothing in this Section shall limit the right of any person to seek relief though civil action against any other person as an alternative to seeking reimbursement from the Fund.

(Source: P.A. 97-480, eff. 10-1-11.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0451
(House Bill No. 2776)

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

Section 5. The Illinois Vehicle Code is amended by changing Section 12-603.1 as follows:

(625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

Sec. 12-603.1. Driver and passenger required to use safety belts, exceptions and penalty.

(a) Each driver and passenger of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt. A child less than 8 years of age shall be protected as required pursuant to the Child Passenger Protection Act. Each driver of a motor vehicle transporting a child 8 years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened seat safety belt as required under the Child Passenger Protection Act. Each driver of a motor vehicle transporting a passenger who is unable, due to infirmity, illness, or age, to properly adjust and fasten a seat safety belt and is not exempted from wearing a seat safety belt under subsection (b) shall secure the passenger in a properly adjusted and fastened seat safety belt as required under this Section.

(b) Paragraph (a) shall not apply to any of the following:

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1. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour.
2. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.
3. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt.
4. A driver operating a motor vehicle in reverse.
5. A motor vehicle with a model year prior to 1965.
6. A motorcycle or motor driven cycle.
7. A moped.
8. A motor vehicle which is not required to be equipped with seat safety belts under federal law.
9. A motor vehicle operated by a rural letter carrier of the United States postal service while performing duties as a rural letter carrier.
10. A driver or passenger of an authorized emergency vehicle, except this exception does not apply to vehicles of the fire department; vehicles of the Office of the State Fire Marshal; or ambulances, unless the delivery of life-saving measures prohibits the use of a seat safety belt.
11. A back seat passenger of a taxicab.

(c) Failure to wear a seat safety belt in violation of this Section shall not be considered evidence of negligence, shall not limit the liability of an insurer, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle.

(d) A violation of this Section shall be a petty offense and subject to a fine not to exceed $25.

(e) (Blank).

(f) A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this Section.

(Source: P.A. 96-554, eff. 1-1-10; 96-991, eff. 1-1-11; 97-16, eff. 1-1-12; 97-333, eff. 8-12-11.)

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

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AN ACT concerning regulation.

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

Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.85 as follows:

(210 ILCS 50/3.85)

Sec. 3.85. Vehicle Service Providers.

(a) "Vehicle Service Provider" means an entity licensed by the Department to provide emergency or non-emergency medical services in compliance with this Act, the rules promulgated by the Department pursuant to this Act, and an operational plan approved by its EMS System(s), utilizing at least ambulances or specialized emergency medical service vehicles (SEMSV).

(1) "Ambulance" means any publicly or privately owned on-road vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or the non-emergency medical transportation of persons who require the presence of medical personnel to monitor the individual's condition or medical apparatus being used on such individuals.

(2) "Specialized Emergency Medical Services Vehicle" or "SEMSV" means a vehicle or conveyance, other than those owned or operated by the federal government, that is primarily intended for use in transporting the sick or injured by means of air, water, or ground transportation, that is not an ambulance as defined in this Act. The term includes watercraft, aircraft and special purpose ground transport vehicles or conveyances not intended for use on public roads.

(3) An ambulance or SEMSV may also be designated as a Limited Operation Vehicle or Special-Use Vehicle:

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(A) "Limited Operation Vehicle" means a vehicle which is licensed by the Department to provide basic, intermediate or advanced life support emergency or non-emergency medical services that are exclusively limited to specific events or locales.

(B) "Special-Use Vehicle" means any publicly or privately owned vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated solely for the emergency or non-emergency transportation of a specific medical class or category of persons who are sick, injured, wounded or otherwise incapacitated or helpless (e.g. high-risk obstetrical patients, neonatal patients).

(C) "Reserve Ambulance" means a vehicle that meets all criteria set forth in this Section and all Department rules, except for the required inventory of medical supplies and durable medical equipment, which may be rapidly transferred from a fully functional ambulance to a reserve ambulance without the use of tools or special mechanical expertise.

(b) The Department shall have the authority and responsibility to:

(1) Require all Vehicle Service Providers, both publicly and privately owned, to function within an EMS System.

(2) Require a Vehicle Service Provider utilizing ambulances to have a primary affiliation with an EMS System within the EMS Region in which its Primary Service Area is located, which is the geographic areas in which the provider renders the majority of its emergency responses. This requirement shall not apply to Vehicle Service Providers which exclusively utilize Limited Operation Vehicles.

(3) Establish licensing standards and requirements for Vehicle Service Providers, through rules adopted pursuant to this Act, including but not limited to:

(A) Vehicle design, specification, operation and maintenance standards, including standards for the use of reserve ambulances;

(B) Equipment requirements;

(C) Staffing requirements; and

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(D) License renewal at intervals determined by the Department, which shall be not less than every 4 years Annual license renewal.

The Department's standards and requirements with respect to vehicle staffing must allow for an alternative rural staffing model for those vehicle service providers that serve a rural or semi-rural population of 10,000 or fewer inhabitants and exclusively uses volunteers, paid-on-call, or a combination thereof.

(4) License all Vehicle Service Providers that have met the Department's requirements for licensure, unless such Provider is owned or licensed by the federal government. All Provider licenses issued by the Department shall specify the level and type of each vehicle covered by the license (BLS, ILS, ALS, ambulance, SEMSV, limited operation vehicle, special use vehicle, reserve ambulance).

(5) Annually inspect all licensed vehicles operated by Vehicle Service Providers, and relicense such Providers that have met the Department's requirements for license renewal.

(6) Suspend, revoke, refuse to issue or refuse to renew the license of any Vehicle Service Provider, or that portion of a license pertaining to a specific vehicle operated by the Provider, after an opportunity for a hearing, when findings show that the Provider or one or more of its vehicles has failed to comply with the standards and requirements of this Act or rules adopted by the Department pursuant to this Act.

(7) Issue an Emergency Suspension Order for any Provider or vehicle licensed under this Act, when the Director or his designee has determined that an immediate and serious danger to the public health, safety and welfare exists. Suspension or revocation proceedings which offer an opportunity for hearing shall be promptly initiated after the Emergency Suspension Order has been issued.

(8) Exempt any licensed vehicle from subsequent vehicle design standards or specifications required by the Department, as long as said vehicle is continuously in compliance with the vehicle design standards and specifications originally applicable to that vehicle, or until said vehicle's title of ownership is transferred.

(9) Exempt any vehicle (except an SEMSV) which was being used as an ambulance on or before December 15, 1980, from

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vehicle design standards and specifications required by the Department, until said vehicle's title of ownership is transferred. Such vehicles shall not be exempt from all other licensing standards and requirements prescribed by the Department.

(10) Prohibit any Vehicle Service Provider from advertising, identifying its vehicles, or disseminating information in a false or misleading manner concerning the Provider's type and level of vehicles, location, primary service area, response times, level of personnel, licensure status or System participation.

(10.5) Prohibit any Vehicle Service Provider, whether municipal, private, or hospital-owned, from advertising itself as a critical care transport provider unless it participates in a Department-approved EMS System critical care transport plan.

(11) Charge each Vehicle Service Provider a fee per transport vehicle, due annually at time of inspection to be submitted with each application for licensure and license renewal. The fee per transport vehicle shall be set by administrative rule by the Department and shall not exceed 100 vehicles per provider.

(Source: P.A. 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-1014, eff. 1-1-13.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0453
(House Bill No. 2787)

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

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Sections 7.7, 7.14, 7.16, and 7.21 and by adding Section 7.22 as follows:

(325 ILCS 5/7.7) (from Ch. 23, par. 2057.7)

Sec. 7.7. There shall be a central register of all cases of suspected child abuse or neglect reported and maintained by the Department under this Act. Through the recording of initial, preliminary, and final reports, the central register shall be operated in such a manner as to enable the Department to: (1) immediately identify and locate prior reports of child

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abuse or neglect; (2) continuously monitor the current status of all reports of child abuse or neglect being provided services under this Act; and (3) regularly evaluate the effectiveness of existing laws and programs through the development and analysis of statistical and other information.

The Department shall maintain in the central register a listing of unfounded reports where the subject of the unfounded report requests that the record not be expunged because the subject alleges an intentional false report was made. Such a request must be made by the subject in writing to the Department, within 10 days of the investigation. By January 1, 2014, the Department shall promulgate rules establishing criteria and standards for labeling an unfounded report as an intentional false report in the central register. The rules shall permit the reporter to submit a statement regarding the report unless the reporter has been convicted of knowingly transmitting a false report to the Department under paragraph (7) of subsection (a) of Section 26-1 of the Criminal Code of 2012.

The Department shall also maintain in the central register a listing of unfounded reports where the report was classified as a priority one or priority two report in accordance with the Department's rules or the report was made by a person mandated to report suspected abuse or neglect under this Act.

The Department shall maintain in the central register for 3 years a listing of unfounded reports involving the death of a child, the sexual abuse of a child, or serious physical injury to a child as defined by the Department in rules.

If an individual is the subject of a subsequent investigation that is pending, the Department shall maintain all prior unfounded reports pertaining to that individual until the pending investigation has been completed or for 12 months, whichever time period ends later.

The Department shall maintain all other unfounded reports for 12 months following the date of the final finding.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(Source: P.A. 96-1164, eff. 7-21-10; 96-1446, eff. 8-20-10; 97-333, eff. 8-12-11; 97-1089, eff. 8-24-12.)

(325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)

Sec. 7.14. All reports in the central register shall be classified in one of three categories: "indicated", "unfounded" or "undetermined", as the case may be. After the report is classified, the person making the classification shall determine whether the child named in the report is the

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subject of an action under Article II of the Juvenile Court Act of 1987. If the child is the subject of an action under Article II of the Juvenile Court Act, the Department shall, \emph{within 45 days of classification of the report}, transmit a copy of the report to the guardian ad litem appointed for the child under Section 2-17 of the Juvenile Court Act. All information identifying the subjects of an unfounded report shall be expunged from the register forthwith, except as provided in Section 7.7. Unfounded reports may only be made available to the Child Protective Service Unit when investigating a subsequent report of suspected abuse or maltreatment involving a child named in the unfounded report; and to the subject of the report, provided the Department has not expunged the file in accordance with Section 7.7. The Child Protective Service Unit shall not indicate the subsequent report solely based upon the existence of the prior unfounded report or reports. Notwithstanding any other provision of law to the contrary, an unfounded report shall not be admissible in any judicial or administrative proceeding or action. Identifying information on all other records shall be removed from the register no later than 5 years after the report is indicated. However, if another report is received involving the same child, his sibling or offspring, or a child in the care of the persons responsible for the child's welfare, or involving the same alleged offender, the identifying information may be maintained in the register until 5 years after the subsequent case or report is closed.

Notwithstanding any other provision of this Section, identifying information in indicated reports involving serious physical injury to a child as defined by the Department in rules, may be retained longer than 5 years after the report is indicated or after the subsequent case or report is closed, and may not be removed from the register except as provided by the Department in rules. Identifying information in indicated reports involving sexual penetration of a child, sexual molestation of a child, sexual exploitation of a child, torture of a child, or the death of a child, as defined by the Department in rules, shall be retained for a period of not less than 50 years after the report is indicated or after the subsequent case or report is closed.

For purposes of this Section "child" includes an adult resident as defined in this Act.
(Source: P.A. 96-1164, eff. 7-21-10; 96-1446, eff. 8-20-10; 97-333, eff. 8-12-11.)

(325 ILCS 5/7.16) (from Ch. 23, par. 2057.16)
Sec. 7.16. For any investigation or appeal initiated on or after, or pending on July 1, 1998, the following time frames shall apply. Within 60 days after the notification of the completion of the Child Protective Service Unit investigation, determined by the date of the notification sent by the Department, a subject of a report may request the Department to amend the record or remove the record of the report from the register. Such request shall be in writing and directed to such person as the Department designates in the notification. If the Department disregards any request to do so or does not act within 10 days, the subject shall have the right to a hearing within the Department to determine whether the record of the report should be amended or removed on the grounds that it is inaccurate or it is being maintained in a manner inconsistent with this Act, except that there shall be no such right to a hearing on the ground of the report's inaccuracy if there has been a court finding of child abuse or neglect, the report's accuracy being conclusively presumed on such finding. Such hearing shall be held within a reasonable time after the subject's request and at a reasonable place and hour. The appropriate Child Protective Service Unit shall be given notice of the hearing. If the minor, who is the victim named in the report sought to be amended or removed from the State Central Register, is the subject of a pending action under Article II of the Juvenile Court Act of 1987, and the report was made while a guardian ad litem was appointed for the minor under Section 2-17 of the Juvenile Court Act of 1987, then the minor shall, through the minor's attorney or guardian ad litem appointed under Section 2-17 of the Juvenile Court Act of 1987, have the right to participate and be heard in such hearing as defined under the Department's rules. In such hearings, the burden of proving the accuracy and consistency of the record shall be on the Department and the appropriate Child Protective Service Unit. The hearing shall be conducted by the Director or his designee, who is hereby authorized and empowered to order the amendment or removal of the record to make it accurate and consistent with this Act. The decision shall be made, in writing, at the close of the hearing, or within 45 days thereof, and shall state the reasons upon which it is based. Decisions of the Department under this Section are administrative decisions subject to judicial review under the Administrative Review Law.

Should the Department grant the request of the subject of the report pursuant to this Section either on administrative review or after administrative hearing to amend an indicated report to an unfounded

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report, the report shall be released and expunged in accordance with the standards set forth in Section 7.14 of this Act.
(Source: P.A. 90-15, eff. 6-13-97; 90-608, eff. 6-30-98.)

Sec. 7.21. Multidisciplinary Review Committee.
(a) The Department may establish multidisciplinary review committees in each region of the State to assure that mandated reporters have the ability to have a review conducted on any situation where a child abuse or neglect report made by them was "unfounded", and they have concerns about the adequacy of the investigation. These committees shall draw upon the expertise of the Child Death Review Teams as necessary and practicable. Each committee will be composed of the following: a health care professional, a Department employee, a law enforcement official, a licensed social worker, and a representative of the State's attorney's office. In appointing members of a committee, primary consideration shall be given to a prospective member's prior experience in dealing with cases of suspected child abuse or neglect.

(b) Whenever the Department determines that a reported incident of child abuse or neglect from a mandated reporter is "unfounded", the mandated reporter may request a review of the investigation within 10 days of the notification of the final finding. Whenever the Department determines that a reported incident of child abuse or neglect from a mandated reporter or any other reporter is "unfounded", the minor's guardian ad litem appointed under the Juvenile Court Act of 1987 may request a review of the investigation within 10 days of the notification of the final finding if the subject of the report is also the minor for whom the guardian ad litem has been appointed. The review of the investigation requested by the guardian ad litem may be conducted by the Regional Child Protection Manager.

A review under this subsection will be conducted by the committee, except those requests for review that are made by the guardian ad litem, which shall be conducted by the Regional Child Protection Manager. The Department shall make available to the committee all information in the Department's possession concerning the case. The committee shall make recommendations to the Department as to the adequacy of the investigation and of the accuracy of the final finding determination. These findings shall be forwarded to the Regional Child Protection Manager.
(c) The Department shall provide complete records of these investigations to the committee. Records provided to the committee and recommendation reports generated by the committee shall not be public record.

(c-5) On or before October 1 of each year, the Department shall prepare a report setting forth (i) the number of investigations reviewed by each committee during the previous fiscal year and (ii) the number of those investigations that the committee found to be inadequate. The report shall also include a summary of the committee's comments and a summary of the corrective action, if any, that was taken in response to the committee's recommendations. The report shall be a public record. The Department shall submit the report to the General Assembly and shall make the report available to the public upon request.

(d) The Department shall adopt rules to implement this Section.

(Source: P.A. 90-239, eff. 7-28-97; 91-812, eff. 6-13-00.)

(325 ILCS 5/7.22 new)

Sec. 7.22. Reviews of unfounded reports.

(a) Whenever the Department determines that a reported incident of child abuse or neglect is "unfounded", the minor's attorney or guardian ad litem appointed under the Juvenile Court Act of 1987 may request a review of the investigation within 10 days of the notification of the final finding and receipt of the report, as provided in Section 7.14 of this Act, if the subject of the report is also the minor for whom the attorney or guardian ad litem has been appointed.

(b) Reviews requested under subsection (a) may be requested by sending a request via U.S. Mail, postmarked within 10 days after notice of the final finding, or by faxing a request within 10 days after notice of the final finding. The date of notification of the final finding is the date the attorney or guardian ad litem received a copy of the report from the Department.

(c) By January 1, 2014, the Department shall promulgate rules addressing reviews requested under subsection (a). The rules shall provide that a review requested under subsection (a) must occur before the report is classified and a final finding is entered in the central register and that the review must be conducted by a Department employee outside the supervisory chain of the assigned investigator.

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


New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Highway Code is amended by changing Section 6-602 as follows:

(605 ILCS 5/6-602) (from Ch. 121, par. 6-602)

Sec. 6-602. If a majority of all the ballots cast at such election on such proposition are in favor of such special tax, then the township board of trustees or highway board of trustees, as the case may be, or the highway commissioner in a county not under township organization of the road district shall levy an annual tax in accordance with such vote and certify the same to the county clerk. This certification may occur at any time after the election. That board of trustees or commissioner shall also cause a copy of such certificate of levy to be filed in the office of the district clerk as provided in Section 6-502 of this Code. The county clerk shall cause such levy, thus certified to him to be extended on the tax books for the current year and for each succeeding year as other taxes are extended. The highway commissioner of the road district may also receive donations in money, labor, materials or other valuable things to aid in such road construction.

Such special tax levy shall remain in effect until repealed by the legal voters of the road district, as provided in Section 6-617 of this Code. (Source: P.A. 82-783.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Adoption Act is amended by changing Sections 1, 2.1, 4.1, and 6 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

(a) Abandonment of the child.

(a-1) Abandonment of a newborn infant in a hospital.

(a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.

(b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.
(c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.

(d) Substantial neglect of the child if continuous or repeated.

(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.

(e) Extreme or repeated cruelty to the child.

(f) There is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if:

   (1) Two or more findings of physical abuse have been entered regarding any children under Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; or

   (2) The parent has been convicted or found not guilty by reason of insanity and the conviction or finding resulted from the death of any child by physical abuse; or

   (3) There is a finding of physical child abuse resulting from the death of any child under Section 2-21 of the Juvenile Court Act of 1987.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (f).

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first
degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 or the Criminal Code of 2012 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (5) predatory criminal sexual assault of a child in violation of Section 11-1.40 or 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012; (6) heinous battery of any child in violation of the Criminal Code of 1961; or (7) aggravated battery of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012.

There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of 1961 or the Criminal Code of 2012 within 10 years of the filing date of the petition or motion to terminate parental rights.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (i).

(j) Open and notorious adultery or fornication.
(j-1) (Blank).
(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

New matter indicated by italics - deletions by strikeout
There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a newborn child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent, or (ii) to make reasonable progress toward the return of the child to the parent within 9 months after an adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (iii) to make reasonable progress toward the return of the child to the parent during any 9-month period after the end of the initial 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes (I) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care within 9 months after the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987 and (II) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period after the end of the initial 9-month period following...
the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987. Notwithstanding any other provision, when a petition or motion seeks to terminate parental rights on the basis of item (iii) of this subsection (m), the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on. The pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were
unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or an intellectual disability as defined in Section 1-116 of

New matter indicated by italics - deletions by strikeout
the Mental Health and Developmental Disabilities Code, or
developmental disability as defined in Section 1-106 of that Code,
and there is sufficient justification to believe that the inability to
discharge parental responsibilities shall extend beyond a reasonable
time period. However, this subdivision (p) shall not be construed
so as to permit a licensed clinical social worker to conduct any
medical diagnosis to determine mental illness or mental
impairment.

(q) (Blank).

(r) The child is in the temporary custody or guardianship of
the Department of Children and Family Services, the parent is
incarcerated as a result of criminal conviction at the time the
petition or motion for termination of parental rights is filed, prior
to incarceration the parent had little or no contact with the child or
provided little or no support for the child, and the parent's
incarceration will prevent the parent from discharging his or her
parental responsibilities for the child for a period in excess of 2
years after the filing of the petition or motion for termination of
parental rights.

(s) The child is in the temporary custody or guardianship of
the Department of Children and Family Services, the parent is
incarcerated at the time the petition or motion for termination of
parental rights is filed, the parent has been repeatedly incarcerated
as a result of criminal convictions, and the parent's repeated
incarceration has prevented the parent from discharging his or her
parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or
meconium contained any amount of a controlled substance as
deefined in subsection (f) of Section 102 of the Illinois Controlled
Substances Act, or a metabolite of a controlled substance, with the
exception of controlled substances or metabolites of such
substances, the presence of which in the newborn infant was the
result of medical treatment administered to the mother or the
newborn infant, and that the biological mother of this child is the
biological mother of at least one other child who was adjudicated a
neglected minor under subsection (c) of Section 2-3 of the Juvenile
Court Act of 1987, after which the biological mother had the
opportunity to enroll in and participate in a clinically appropriate
substance abuse counseling, treatment, and rehabilitation program.

New matter indicated by italics - deletions by strikeout
E. "Parent" means the father or mother of a lawful child of the parties or child born out of wedlock. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:
   (a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;
   (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
   (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
   (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
   (d) an adult who meets the conditions set forth in Section 3 of this Act; or
   (e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Habitual residence" has the meaning ascribed to it in the federal Intercountry Adoption Act of 2000 and regulations promulgated thereunder. "Foreign placing agency" is an agency or individual operating in a country or territory outside the United States that is authorized by its country to place children for adoption either directly with families in the United States or through United States based international agencies.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted by persons who are
habitual residents of the United States, or the child is a habitual resident of the United States who is adopted by persons who are habitual residents of a country other than the United States.

L. "Intercountry Adoption Coordinator" means is a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services related to an intercountry adoption.

M. "Interstate Compact on the Placement of Children" is a law enacted by all most states and certain territories for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. (Blank) "Non-Compact state" means a state that has not enacted the Interstate Compact on the Placement of Children.

O. "Preadoption requirements" means any conditions or standards established by the laws or administrative rules of this State or any conditions established by the laws or regulations of the Federal Government or of each state that must be met by a prospective adoptive parent prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 2012 and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture upon the child; or

(e) inflicts excessive corporal punishment.
Q. "Neglected child" means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child due to a waiver on religious or medical grounds as permitted by law.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 11 of the Criminal Code of 2012.

S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

U. "Interstate adoption" means the placement of a minor child with a prospective adoptive parent for the purpose of pursuing an adoption for that child that is subject to the provisions of the Interstate Compact on Placement of Children.

New matter indicated by italics - deletions by strikeout
V. "Endorsement letter" means the letter issued by the Department of Children and Family Services to document that a prospective adoptive parent has met preadoption requirements and has been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

W. "Denial letter" means the letter issued by the Department of Children and Family Services to document that a prospective adoptive parent has not met preadoption requirements and has not been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

(Source: P.A. 96-1551, eff. 7-1-11; 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(750 ILCS 50/2.1) (from Ch. 40, par. 1503)

Sec. 2.1. This Act shall be construed in concert with the Juvenile Court Act of 1987, the Child Care Act of 1969, and the Interstate Compact on the Placement of Children, and the Intercountry Adoption Act of 2000.

(Source: P.A. 85-1209.)

(750 ILCS 50/4.1) (from Ch. 40, par. 1506)

Sec. 4.1. Adoption between multiple jurisdictions.

(a) The Department of Children and Family Services shall promulgate rules regarding the approval and regulation of agencies providing, in this State, adoption services, as defined in Section 2.24 of the Child Care Act of 1969, which shall include, but not be limited to, a requirement that any agency shall be licensed in this State as a child welfare agency as defined in Section 2.08 of the Child Care Act of 1969. Any out-of-state agency, if not licensed in this State as a child welfare agency, must obtain the approval of the Department in order to act as a sending agency, as defined in Section 1 of the Interstate Compact on Placement of Children Act, seeking to place a child into this State through a placement subject to the Interstate Compact on the Placement of Children. An out-of-state agency, if not licensed in this State as a child welfare agency, is prohibited from providing in this State adoption services, as defined by Section 2.24 of the Child Care Act of 1969; shall comply with Section 12C-70 of the Criminal Code of 2012; and shall provide all of the following to the Department:

(1) A copy of the agency's current license or other form of authorization from the approving authority in the agency's state. If no license or authorization is issued, the agency must provide a

New matter indicated by italics - deletions by strikeout
reference statement, from the approving authority, stating that the agency is authorized to place children in foster care or adoption or both in its jurisdiction.

(2) A description of the program, including home studies, placements, and supervisions, that the child placing agency conducts within its geographical area, and, if applicable, adoptive placements and the finalization of adoptions. The child placing agency must accept continued responsibility for placement planning and replacement if the placement fails.

(3) Notification to the Department of any significant child placing agency changes after approval.

(4) Any other information the Department may require.

Except for children placed with relatives by the Department of Children and Family Services pursuant to subsection (b) of Section 7 of the Children and Family Services Act, placements under this Act shall comply with the Child Care Act of 1969 and the Interstate Compact on the Placement of Children. Placements of children born outside the United States or a territory thereof shall comply with rules promulgated by the United States Department of Immigration and Naturalization.

Rules promulgated by the Department of Children and Family Services shall include but not be limited to the following:

(a) Any agency providing adoption services as defined in Section 2.24 of the Child Care Act of 1969 in this State:

(i) Shall be licensed in this State as a child welfare agency as defined in Section 2.08 of the Child Care Act of 1969; or

(ii) Shall be licensed as a child placement agency in a state which is a party to the Interstate Compact on the Placement of Children and shall be approved by the Department to place children into Illinois in accordance with subsection (a-5) of this Section; or

(iii) Shall be licensed as a child placement agency in a country other than the United States or, if located in such a country but not so licensed, shall provide information such as a license or court document which authorizes that agency to place children for adoption and to establish that such agency has legal authority to place children for adoption; or

(iv) Shall be a child placement agency which is so licensed in a non-compact state and shall be approved by the Department to place children into Illinois in accordance with subsection (a-5) of
this Section, if such agency first files with the Department of Children and Family Services a bond with surety in the amount of $5,000 for each such child to ensure that such child shall not become a public charge upon this State. Such bond shall remain in effect until a judgment for adoption is entered with respect to such child pursuant to this Act. The Department of Children and Family Services may accept, in lieu of such bond, a written agreement with such agency which provides that such agency shall be liable for all costs associated with the placement of such child in the event a judgment of adoption is not entered, upon such terms and conditions as the Department deems appropriate.

The rules shall also provide that any agency that places children for adoption in this State may not, in any policy or practice relating to the placement of children for adoption, discriminate against any child or prospective adoptive parent on the basis of race.

(a-5) (Blank). Out-of-state private placing agencies that seek to place children into Illinois for the purpose of foster care or adoption shall provide all of the following to the Department:

(i) A copy of the agency's current license or other form of authorization from the approving authority in the agency's state. If no such license or authorization is issued, the agency must provide a reference statement from the approving authority stating the agency is authorized to place children in foster care or adoption or both in its jurisdiction.

(ii) A description of the program, including home studies, placements, and supervisions that the child placing agency conducts within its geographical area, and, if applicable, adoptive placements and the finalization of adoptions. The child placing agency must accept continued responsibility for placement planning and replacement if the placement fails.

(iii) Notification to the Department of any significant child placing agency changes after approval.

(iv) Any other information the Department may require. If the adoption is finalized prior to bringing or sending the child to Illinois, Department approval of the out-of-state child placing agency involved is not required under this Section, nor is compliance with the Interstate Compact on the Placement of Children.

(b) Interstate Adoptions.

New matter indicated by italics - deletions by strikeout
(1) All interstate adoption placements under this Act shall comply with the Child Care Act of 1969 and the Interstate Compact on the Placement of Children. The placement of children with relatives by the Department of Children and Family Services shall also comply with subsection (b) of Section 7 of the Children and Family Services Act.

(2) If an adoption is finalized prior to bringing or sending a child to this State, compliance with the Interstate Compact on the Placement of Children is not required.

As an alternative to requiring the bond provided for in paragraph (a)(iv) of this Section, the Department of Children and Family Services may require the filing of such a bond by the individual or individuals seeking to adopt such a child through placement of such child by a child placement agency located in a state which is not a party to the Interstate Compact on the Placement of Children:

(c) Intercountry Adoptions.

(1) The adoption of a child, if the child is a habitual resident of a country other than the United States and the petitioner is a habitual resident of the United States, or, if the child is a habitual resident of the United States and the petitioner is a habitual resident of a country other than the United States, shall comply with the Intercountry Adoption Act of 2000, as amended, and the Immigration and Nationality Act, as amended.

(2) The Department of Children and Family Services shall maintain the office of Intercountry Adoption Coordinator in order to maintain and protect the rights of prospective adoptive parents and children participating in an intercountry adoption and shall develop ongoing programs of support and services to such prospective adoptive parents and children.

(3) In the case of an intercountry adoption of a child by an Illinois resident, the Department shall promulgate rules concerning preadoption requirements, which shall include, but not be limited to, requirements relating to home studies conducted by licensed child welfare agencies and requirements relating to supporting documentation concerning the prospective adoptive parent's suitability to adopt a child.

(4) The Intercountry Adoption Coordinator shall determine whether all preadoption requirements have been met by a prospective adoptive parent. The Intercountry Adoption
Coordinator shall also determine whether the prospective adoptive parent is suitable as the adoptive parent. In determining suitability to adopt, the Intercountry Adoption coordinator shall give considerable weight to the home study, but is not bound by it. Even if the home study is favorable, the Intercountry Adoption Coordinator must issue a denial letter if, on the basis of all the information provided, the Intercountry Adoption Coordinator finds, for a specific and articulable reason, that the prospective adoptive parent has failed to establish that he or she is suitable as the adoptive parent.

(5) The Intercountry Adoption Coordinator shall issue an endorsement letter, indicating that all preadoption requirements have been met, or a denial letter, indicating the specific preadoption requirements that have not been met, no later than 21 days from receipt of the home study from the child welfare agency. If, upon receipt of the home study, the Intercountry Adoption Coordinator determines that more information is required before any determination can be made with respect to compliance with the preadoption requirements, the Intercountry Adoption Coordinator shall, within 7 days of receipt of the home study, provide notice describing the additional information, via facsimile or through electronic communication, to the licensed child welfare agency and the adoptive parent. Within 21 days of receipt of the additional information, the Intercountry Adoption Coordinator shall provide the child welfare agency with an endorsement letter or a denial letter. The Intercountry Adoption Coordinator shall mail a copy of the endorsement letter or denial letter to the prospective adoptive parent at the same time that the Intercountry Adoption Coordinator provides the letter to the child welfare agency.

(6) If the Intercountry Adoption Coordinator issues a denial letter, a prospective adoptive parent shall have the right to a review. The Intercountry Adoption Coordinator shall include in its denial letter notification advising the prospective adoptive parent of the right to seek a review, by the Director of the Department, of the determination, if requested in writing within 30 days of receipt of the denial letter. Failure to submit such a request within 30 days waives the prospective parent's right to a review.
(i) The review by the Director shall include, but is not limited to, a review of documentation submitted by the prospective adoptive parent and, if requested by the prospective adoptive parent, a telephone conference or a mutually convenient in-person meeting with the Director, or the Director's designated representative, to allow the prospective adoptive parent to present the facts and circumstances supporting the request for the endorsement letter.

(ii) The Director shall issue a decision within 30 days of receipt of the request for review.

(iii) If the Director concurs with the original denial letter of the Intercountry Adoption Coordinator, the Director's decision shall be considered a final decision and the prospective adoptive parent shall have all rights and remedies to which he or she is entitled under applicable law, including a mandamus action under Article XIV of the Code of Civil Procedure and an action under the federal Civil Rights Act, 42 U.S.C. 1983.

(7) In the case of an intercountry adoption finalized in another country, where a complete and valid Order of Adoption is issued from that country to an Illinois resident, as determined by the United States Department of State, this State shall not impose any additional preadoption requirements.

(8) The Department of Children and Family Services shall provide a report to the General Assembly, on an annual basis for the preceding year, beginning on September 1 of each year after the effective date of this amendatory Act of the 98th General Assembly. The report shall provide non-identifying statistical data on the endorsement and denial letters and the requests for review of denial letters and shall contain, but not limited to, the following:

(i) the number of endorsement letters issued by the Intercountry Adoption Coordinator;
(ii) the number of denial letters issued by the Intercountry Adoption Coordinator;
(iii) the number of requests for review of denial letters;

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(iv) the number of denial letter reviews which resulted in a reversal by the Director and an endorsement letter being issued; and
(v) the basis of each denial letter and the basis of each reversal of the denial letter in a particular case.

In the case of any foreign-born child brought to the United States for adoption in this State, the following preadoption requirements shall be met:

(1) Documentation that the child is legally free for adoption prior to entry into the United States shall be submitted.
(2) A medical report on the child, by authorized medical personnel in the country of the child's origin, shall be provided when such personnel are available;
(3) Verification that the adoptive family has been licensed as a foster family home pursuant to the Child Care Act of 1969, as now or hereafter amended, shall be provided;
(4) A valid home study conducted by a licensed child welfare agency that complies with guidelines established by the United States Immigration and Naturalization Service at 8 CFR 204.4(d)(2)(i), as now or hereafter amended, shall be submitted. A home study is considered valid if it contains:
   (i) A factual evaluation of the financial, physical, mental and moral capabilities of the prospective parent or parents to rear and educate the child properly;
   (ii) A detailed description of the living accommodations where the prospective parent or parents currently reside;
   (iii) A detailed description of the living accommodations in the United States where the child will reside, if known;
   (iv) A statement or attachment recommending the proposed adoption signed by an official of the child welfare agency which has conducted the home study;
(5) The placing agency located in a non-compact state or a family desiring to adopt through an authorized placement party in a non-compact state or a foreign country shall file with the Department of Children and Family Services a bond with surety in the amount of $5,000 as protection that a foreign-born child

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accepted for care or supervision not become a public charge upon the State of Illinois:

(6) In lieu of the $5,000 bond, the placement agency may sign a binding agreement with the Department of Children and Family Services to assume full liability for all placements should, for any reason, the adoption be disrupted or not be completed, including financial and planning responsibility until the child is either returned to the country of its origin or placed with a new adoptive family in the United States and that adoption is finalized.

(7) Compliance with the requirements of the Interstate Compact on the Placement of Children, when applicable, shall be demonstrated:

(8) When a child is adopted in a foreign country and a final, complete and valid Order of Adoption is issued in that country, as determined by both the United States Department of State and the United States Department of Justice, this State shall not impose any additional preadoption requirements. The adoptive family, however, must comply with applicable requirements of the United States Department of Immigration and Naturalization as provided in 8 CFR 204.4 (d)(2)(ii), as now or hereafter amended:

(d) (Blank). The Department of Children and Family Services shall maintain the office of Intercountry Adoption Coordinator, shall maintain and protect the rights of families and children participating in adoption of foreign-born children, and shall develop ongoing programs of support and services to such families and children. The Intercountry Adoption Coordinator shall determine that all preadoption requirements have been met and report such information to the Department of Immigration and Naturalization:

(Source: P.A. 94-586, eff. 8-15-05.)

(750 ILCS 50/6) (from Ch. 40, par. 1508)

Sec. 6. A. Investigation; all cases. Within 10 days after the filing of a petition for the adoption or standby adoption of a child other than a related child, the court shall appoint a child welfare agency approved by the Department of Children and Family Services, or a person deemed competent by the court, or in Cook County the Court Services Division of the Cook County Department of Public Aid, or the Department of Children and Family Services if the court determines that no child welfare agency is available or that the petitioner is financially unable to pay for the investigation, to investigate accurately, fully and promptly, the allegations

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contained in the petition; the character, reputation, health and general
standing in the community of the petitioners; the religious faith of the
petitioners and, if ascertainable, of the child sought to be adopted; and
whether the petitioners are proper persons to adopt the child and whether
the child is a proper subject of adoption. The investigation required under
this Section shall include a fingerprint based criminal background check
with a review of fingerprints by the Illinois State Police and Federal
Bureau of Investigation. Each petitioner subject to this investigation, shall
submit his or her fingerprints to the Department of State Police in the form
and manner prescribed by the Department of State Police. These
fingerprints shall be checked against the fingerprint records now and
hereafter filed in the Department of State Police and Federal Bureau of
Investigation criminal history records databases. The Department of State
Police shall charge a fee for conducting the criminal history records check,
which shall be deposited into the State Police Services Fund and shall not
exceed the actual cost of the records check. The criminal background
check required by this Section shall include a listing of when, where and
by whom the criminal background check was prepared. The criminal
background check required by this Section shall not be more than two
years old.

Neither a clerk of the circuit court nor a judge may require that a
criminal background check or fingerprint review be filed with, or at the
same time as, an initial petition for adoption.

B. Investigation; foreign-born child. In the case of a child born
outside the United States or a territory thereof, in addition to the
investigation required under subsection (A) of this Section, a post-
placement investigation shall be conducted in accordance with the
requirements of the Child Care Act of 1969, the Interstate Compact on the
Placement of Children, and the Intercountry Adoption Act of 2000
regulations of the foreign placing agency and the supervising agency.

The requirements of a post-placement investigation shall be
deemed to have been satisfied if a valid final order or judgment of
adoption has been entered by a court of competent jurisdiction in a country
other than the United States or a territory thereof with respect to such child
and the petitioners.

C. Report of investigation. The court shall determine whether the
costs of the investigation shall be charged to the petitioners. The
information obtained as a result of such investigation shall be presented to
the court in a written report. The results of the criminal background check

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required under subsection (A) shall be provided to the court for its review. The court may, in its discretion, weigh the significance of the results of the criminal background check against the entirety of the background of the petitioners. The Court, in its discretion, may accept the report of the investigation previously made by a licensed child welfare agency, if made within one year prior to the entry of the judgment. Such report shall be treated as confidential and withheld from inspection unless findings adverse to the petitioners or to the child sought to be adopted are contained therein, and in that event the court shall inform the petitioners of the relevant portions pertaining to the adverse findings. In no event shall any facts set forth in the report be considered at the hearing of the proceeding, unless established by competent evidence. The report shall be filed with the record of the proceeding. If the file relating to the proceeding is not impounded, the report shall be impounded by the clerk of the court and shall be made available for inspection only upon order of the court.

D. Related adoption. Such investigation shall not be made when the petition seeks to adopt a related child or an adult unless the court, in its discretion, shall so order. In such an event the court may appoint a person deemed competent by the court.

(Source: P.A. 93-418, eff. 1-1-04.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0456
(House Bill No. 2918)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5)
Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:
(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal

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property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or

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chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but

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is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Coal Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding
motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on the effective date of this amendatory Act of the 98th General Assembly.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the
time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales
tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the fundraising event.
events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the
case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the

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transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.
Section 10. The Service Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 110/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the

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chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

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(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on the effective date of this amendatory Act of the 98th General Assembly.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (14) is exempt from the provisions of Section 3-75, and the exemption provided for under this
item (14) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 95th General Assembly for such taxes paid during the period beginning May 30, 2000 and ending on the effective date of this amendatory Act of the 95th General Assembly.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.
not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

New matter indicated by italics - deletions by strikeout
(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption
identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

New matter indicated by italics - deletions by strikeout
(27) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(28) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

New matter indicated by italics - deletions by strikeout
(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural...
programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable
tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on the effective date of this amendatory Act of the 98th General Assembly.

(13) Beginning January 1, 1992 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for
purposes of breeding or racing for prizes. This item (15) is exempt from the provisions of Section 3-55, and the exemption provided for under this item (15) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.
(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

New matter indicated by italics - deletions by strikeout
(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(27) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit
issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-55.

(28) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-55.

(29) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

New matter indicated by italics - deletions by strikeout
(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.
(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial

New matter indicated by italics - deletions by strikeout
purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and

New matter indicated by italics - deletions by strikeout
flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Coal Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on the effective date of this amendatory Act of the 98th General Assembly.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser’s donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser’s barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the

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nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

1. the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

2. the aircraft is not based or registered in this State after the sale of the aircraft; and

New matter indicated by italics - deletions by strikeout
(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of the primary physical location of the aircraft, and other information that the Department may reasonably require.

For purposes of this item (25-7):

"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

New matter indicated by italics - deletions by strikeout
(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to

New matter indicated by italics - deletions by strikeout
prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an
active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair,
and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.
PUBLIC ACT 98-0457
(House Bill No. 2925)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Officials and Employees Ethics Act is amended by adding Section 70-20 as follows:
(5 ILCS 430/70-20 new)
Sec. 70-20. Members appointed by a county. In addition to any other applicable requirement of law, any member of a governmental entity appointed by the president or chairperson of the county board, with or without the advice and consent of the county board, shall abide by the ethics laws applicable to, and the ethics policies of, that county and, if applicable, shall be subject to the jurisdiction of that county's ethics officer or inspector general.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0458
(House Bill No. 2934)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by renumbering and changing Section 2MMM as added by Public Act 97-1056 as follows:
(815 ILCS 505/2PPP)
Sec. 2PPP 2MMM. Internet dating, child care, senior care, and home care safety. It is an unlawful practice under this Act for an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service to fail to provide notice or falsely indicate that it has performed criminal background screenings in accordance with the Internet Dating, Internet Child Care, Internet Senior Care, and Internet Home Care Safety Act.

New matter indicated by italics - deletions by strikeout
Section 10. The Internet Dating Safety Act is amended by changing Sections 1, 2, 5, 10, 15, and 20 and by adding Section 7 as follows:

(815 ILCS 518/1)
Sec. 1. Short title. This Act may be cited as the Internet Dating, Internet Child Care, Internet Senior Care, and Internet Home Care Safety Act.

(815 ILCS 518/2)
Sec. 2. Findings, declarations. The Legislature finds and declares that residents of this State need to be informed of the potential risks of participating in Internet dating services, Internet child care services, Internet senior care services, and Internet home care services. There is a public safety need to disclose whether criminal history background screenings have been performed and to increase public awareness of the possible risks associated with Internet dating, Internet child care, Internet senior care, and Internet home care activities. The primary purpose of this Act is to enhance the safety of individuals who use an Internet service to facilitate dating, child care, senior care, or home care.

The offer of Internet dating services, child care services, senior care services, and home care services to residents of this State, and the acceptance of membership fees from residents of this State means that an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service is conducting business in this State and is subject to regulation by this State and the jurisdiction of the State's courts.

(815 ILCS 518/5)
Sec. 5. Definitions. As used in this Act:
"Criminal background screening" means a name search for a person's criminal convictions initiated by an Internet online dating service provider, an Internet child care service provider, an Internet senior care service provider, or an Internet home care provider and conducted by:

(1) searching available and regularly updated government public record databases for criminal convictions so long as such databases, in the aggregate, provide substantial national coverage; or

(2) searching a database maintained by a private vendor that is regularly updated and is maintained in the United States with

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substantial national coverage of criminal history records and sexual offender registries.

"Internet dating service" means a person or entity in the business, for a fee, of providing dating, romantic relationship, or matrimonial services principally on or through the Internet.

"Internet child care service" means a person or entity in the business, for a fee, of providing access to a database, principally on or through the Internet, of seekers and providers of child care services.

"Internet senior care service" means a person or entity in the business, for a fee, of providing access to a database, principally on or through the Internet, of seekers and providers of senior care services.

"Internet home care service" means a person or entity in the business, for a fee, of providing access to a database, principally on or through the Internet, of seekers and providers of domestic home care services including, dog walkers, pet sitters, housekeepers, house cleaners, house sitters, and tutors.

"Member" means a customer, client, or participant who submits to an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service information required to access the service for the purpose of engaging in dating, relationship, compatibility, matrimonial, or social, child care, senior care, or home care referral.

"Illinois member" means a member who provides an Illinois billing address or zip code when registering with the service.

"Criminal conviction" means a conviction for any crime including but not limited to any sex offense that would qualify the offender for registration pursuant to the Sex Offender Registration Act or under another jurisdiction's equivalent statute.

(Source: P.A. 97-1056, eff. 8-24-12.)

(815 ILCS 518/7 new)

Sec. 7. Exceptions. This Act does not apply to:

(1) an individual who is considered an "employee" as defined in the Health Care Worker Background Check Act; or

(2) an individual or service provider who is considered a "health care employer" as defined in the Health Care Worker Background Check Act.

(815 ILCS 518/10)

Sec. 10. Requirements for Internet dating services, Internet child care services, Internet senior care services, and Internet home care services.

New matter indicated by italics - deletions by strikeout
(a) An Internet dating service, Internet child care service, Internet senior care service, or Internet home care service offering services to Illinois members shall provide a safety awareness notification to all Illinois members that includes, at a minimum, a list and description of safety measures reasonably designed to increase awareness of safer dating, child care, senior care, and home care practices as determined by the service.

Examples of such notifications include, but are not limited to:

1. "Anyone who is able to commit identity theft can also falsify a dating profile, a child care profile, a senior care profile, or a home care profile."

2. "There is no substitute for acting with caution when communicating with any stranger who wants to meet you."

3. "Never include your last name, e-mail address, home address, phone number, place of work, or any other identifying information in your Internet profile or initial e-mail messages. Stop communicating with anyone who pressures you for personal or financial information or attempts in any way to trick you into revealing it."

4. "If you choose to have a face-to-face meeting with another member, always tell someone in your family or a friend where you are going and when you will return. Never agree to be picked up at your home. Always provide your own transportation to and from your date and meet in a public place with many people around."

(b) If an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service does not conduct criminal background screenings on its members, the service shall disclose, clearly and conspicuously, to all Illinois members that the Internet dating service does not conduct criminal background screenings. The disclosure shall be provided in two or more of the following forms: when an electronic mail message is sent or received by an Illinois member, in a "click-through" or other similar presentation requiring a member from this State to acknowledge that they have received the information required by this Act, on the profile describing a member to an Illinois member, and on the website pages or homepage of the Internet dating service, Internet child care service, Internet senior care service, or Internet home care service used when an Illinois member signs up. A disclosure under this subsection shall be in bold, capital letters in at least 12-point type.

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(c) If an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service conducts criminal background screenings on all of its communicating members, then the service shall disclose, clearly and conspicuously, to all Illinois members that the Internet dating service, Internet child care service, Internet senior care service, or Internet home care service conducts a criminal background screening on each member prior to permitting an Illinois member to communicate with another member. The disclosure shall be provided on the website pages used when an Illinois member signs up. A disclosure under this subsection shall be in bold, capital letters in at least 12-point type.

(d) If an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service conducts criminal background screenings, then the service shall disclose whether it has a policy allowing a member who has been identified as having a criminal conviction to have access to its service to communicate with any Illinois member; shall state that criminal background screenings are not foolproof; that they may give members a false sense of security; that they are not a perfect safety solution; that criminals may circumvent even the most sophisticated search technology; that not all criminal records are public in all states and not all databases are up to date; that only publicly available convictions are included in the screening; and that screenings do not cover other types of convictions or arrests or any convictions from foreign countries.

(Source: P.A. 97-1056, eff. 8-24-12.)

(815 ILCS 518/15)

Sec. 15. Unlawful practices for Internet dating services, Internet child care services, Internet senior care services, and Internet home care services. It is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act for an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service to fail to provide notice or falsely indicate that it has performed criminal background screenings in accordance with this Act.

(Source: P.A. 97-1056, eff. 8-24-12.)

(815 ILCS 518/20)

Sec. 20. No violation to serve as intermediary. An Internet service provider or website hosting service does not violate this Act as a result of serving as an intermediary for the transmission of electronic messages
between members of an Internet dating service, Internet child care service, Internet senior care service, or Internet home care service.
(Source: P.A. 97-1056, eff. 8-24-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0459
(House Bill No. 2943)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Lobbyist Registration Act is amended by changing
Sections 2, 5, and 6 as follows:

Sec. 2. Definitions. As used in this Act, unless the context
otherwise requires:

(a) "Person" means any individual, firm, partnership, committee,
association, corporation, or any other organization or group of persons.

(b) "Expenditure" means a payment, distribution, loan, advance,
deposit, or gift of money or anything of value, and includes a contract,
promise, or agreement, whether or not legally enforceable, to make an
expenditure, for the ultimate purpose of influencing executive, legislative,
or administrative action, other than compensation as defined in subsection
(d).

(c) "Official" means:

(1) the Governor, Lieutenant Governor, Secretary of State,
Attorney General, State Treasurer, and State Comptroller;
(2) Chiefs of Staff for officials described in item (1);
(3) Cabinet members of any elected constitutional officer,
including Directors, Assistant Directors and Chief Legal Counsel
or General Counsel;
(4) Members of the General Assembly; and
(5) Members of any board, commission, authority, or task
force of the State authorized or created by State law or by
executive order of the Governor.

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(d) "Compensation" means any money, thing of value or financial benefits received or to be received in return for services rendered or to be rendered, for lobbying as defined in subsection (e).

Monies paid to members of the General Assembly by the State as remuneration for performance of their Constitutional and statutory duties as members of the General Assembly shall not constitute compensation as defined by this Act.

(e) "Lobby" and "lobbying" means any communication with an official of the executive or legislative branch of State government as defined in subsection (c) for the ultimate purpose of influencing any executive, legislative, or administrative action.

(f) "Influencing" means any communication, action, reportable expenditure as prescribed in Section 6 or other means used to promote, support, affect, modify, oppose or delay any executive, legislative or administrative action or to promote goodwill with officials as defined in subsection (c).

(g) "Executive action" means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by a State entity of a rule, regulation, order, decision, determination, contractual arrangement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding.

(h) "Legislative action" means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment, or passage or defeat of any bill, amendment, resolution, report, nomination, administrative rule or other matter by either house of the General Assembly or a committee thereof, or by a legislator. Legislative action also means the action of the Governor in approving or vetoing any bill or portion thereof, and the action of the Governor or any agency in the development of a proposal for introduction in the legislature.

(i) "Administrative action" means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual arrangement, purchasing agreement or other delegated legislative or quasi-legislative action to be taken or withheld by any executive agency, department, board or commission of the State.

(j) "Lobbyist" means any natural person who undertakes to lobby State government as provided in subsection (e).
(k) "Lobbying entity" means any entity that hires, retains, employs, or compensates a natural person to lobby State government as provided in subsection (e).

(l) "Authorized agent" means the person designated by an entity or lobbyist registered under this Act as the person responsible for submission and retention of reports required under this Act.

(m) "Client" means any person or entity that provides compensation to a lobbyist to lobby State government as provided in subsection (e) of this Section.

(n) "Client registrant" means a client who is required to register under this Act.

(Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)

(25 ILCS 170/5)

Sec. 5. Lobbyist registration and disclosure. Every natural person and every entity required to register under this Act shall before any service is performed which requires the natural person or entity to register, but in any event not later than 2 business days after being employed or retained, file in the Office of the Secretary of State a statement in a format prescribed by the Secretary of State containing the following information with respect to each person or entity employing, or retaining, or benefitting from the services of the natural person or entity required to register:

(a) The registrant's name, permanent address, e-mail address, if any, fax number, if any, business telephone number, and temporary address, if the registrant has a temporary address while lobbying.

(a-5) If the registrant is an entity, the information required under subsection (a) for each natural person associated with the registrant who will be lobbying, regardless of whether lobbying is a significant part of his or her duties.

(b) The name and address of the client or clients employing or retaining the registrant to perform such services or on whose behalf the registrant appears. If the client employing or retaining the registrant is a client registrant, the statement shall also include the name and address of the client or clients of the client registrant on whose behalf the registrant will be or anticipates performing services.

(c) A brief description of the executive, legislative, or administrative action in reference to which such service is to be rendered.

New matter indicated by italics - deletions by strikeout
(c-5) Each executive and legislative branch agency the registrant expects to lobby during the registration period.
(c-6) The nature of the client's business, by indicating all of the following categories that apply: (1) banking and financial services, (2) manufacturing, (3) education, (4) environment, (5) healthcare, (6) insurance, (7) community interests, (8) labor, (9) public relations or advertising, (10) marketing or sales, (11) hospitality, (12) engineering, (13) information or technology products or services, (14) social services, (15) public utilities, (16) racing or wagering, (17) real estate or construction, (18) telecommunications, (19) trade or professional association, (20) travel or tourism, (21) transportation, (22) agriculture, and (23) other (setting forth the nature of that other business).

Every natural person and every entity required to register under this Act shall annually submit the registration required by this Section on or before each January 31. The registrant has a continuing duty to report any substantial change or addition to the information contained in the registration.

The Secretary of State shall make all filed statements and amendments to statements publicly available by means of a searchable database that is accessible through the World Wide Web. The Secretary of State shall provide all software necessary to comply with this provision to all natural persons and entities required to file. The Secretary of State shall implement a plan to provide computer access and assistance to natural persons and entities required to file electronically.

All natural persons and entities required to register under this Act shall remit a single, annual, and nonrefundable $300 registration fee. Each natural person required to register under this Act shall submit, on an annual basis, a picture of the registrant. A registrant may, in lieu of submitting a picture on an annual basis, authorize the Secretary of State to use any photo identification available in any database maintained by the Secretary of State for other purposes. Each registration fee collected for registrations on or after January 1, 2010 shall be deposited into the Lobbyist Registration Administration Fund for administration and enforcement of this Act.

(Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)
(25 ILCS 170/6) (from Ch. 63, par. 176)
Sec. 6. Reports.
(a) Lobbyist reports. Except as otherwise provided in this Section, every lobbyist registered under this Act who is solely employed by a lobbying entity shall file an affirmation, verified under oath pursuant to Section 1-109 of the Code of Civil Procedure, with the Secretary of State attesting to the accuracy of any reports filed pursuant to subsection (b) as those reports pertain to work performed by the lobbyist. Any lobbyist registered under this Act who is not solely employed by a lobbying entity shall personally file reports required of lobbying entities pursuant to subsection (b). A lobbyist may, if authorized so to do by a lobbying entity by whom he or she is employed or retained, file lobbying entity reports pursuant to subsection (b) provided that the lobbying entity may delegate the filing of the lobbying entity report to only one lobbyist in any reporting period.

(b) Lobbying entity reports. Every lobbying entity registered under this Act shall report expenditures related to lobbying. The report shall itemize each individual expenditure or transaction and shall include the name of the official on whose behalf the expenditure was made, the name of the client if the expenditure was made on behalf of a client, the total amount of the expenditure, a description of the expenditure, the vendor or purveyor to whom the expenditure was made (including the address or location of the expenditure), the date on which the expenditure occurred and the subject matter of the lobbying activity, if any. For those expenditures made on behalf of a client, if the client is a client registrant, the report shall also include the name and address of the client or clients of the client registrant or the official or officials on whose behalf the expenditure ultimately was made. Each expenditure required to be reported shall include all expenses made for or on behalf of an official or his or her immediate family member living with the official.

(b-1) The report shall include any change or addition to the client list information, required in Section 5 for registration, since the last report, including the names and addresses of all clients who retained the lobbying entity together with an itemized description for each client of the following: (1) lobbying regarding executive action, including the name of any executive agency lobbied and the subject matter; (2) lobbying regarding legislative action, including the General Assembly and any other agencies lobbied and the subject matter; and (3) lobbying regarding administrative action, including the agency lobbied and the subject matter. Registrants who made no reportable expenditures during a reporting period shall file a report stating that no expenditures were incurred.

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(b-2) Expenditures attributable to lobbying officials shall be listed and reported according to the following categories:

1. travel and lodging on behalf of others, including, but not limited to, all travel and living accommodations made for or on behalf of State officials during sessions of the General Assembly.

2. meals, beverages and other entertainment.

3. gifts (indicating which, if any, are on the basis of personal friendship).

4. honoraria.

5. any other thing or service of value not listed under categories (1) through (4), setting forth a description of the expenditure. The category travel and lodging includes, but is not limited to, all travel and living accommodations made for or on behalf of State officials in the State capital during sessions of the General Assembly.

(b-3) Expenditures incurred for hosting receptions, benefits and other large gatherings held for purposes of goodwill or otherwise to influence executive, legislative or administrative action to which there are 25 or more State officials invited shall be reported listing only the total amount of the expenditure, the date of the event, and the estimated number of officials in attendance.

(b-7) Matters excluded from reports. The following items need not be included in the report:

1. Reasonable and bona fide expenditures made by the registrant who is a member of a legislative or State study commission or committee while attending and participating in meetings and hearings of such commission or committee.

2. Reasonable and bona fide expenditures made by the registrant for personal sustenance, lodging, travel, office expenses and clerical or support staff.

3. Salaries, fees, and other compensation paid to the registrant for the purposes of lobbying.

4. Any contributions required to be reported under Article 9 of the Election Code.

5. Expenditures made by a registrant on behalf of an official that are returned or reimbursed prior to the deadline for submission of the report.

(c) A registrant who terminates employment or duties which required him to register under this Act shall give the Secretary of State,
within 30 days after the date of such termination, written notice of such termination and shall include therewith a report of the expenditures described herein, covering the period of time since the filing of his last report to the date of termination of employment. Such notice and report shall be final and relieve such registrant of further reporting under this Act, unless and until he later takes employment or assumes duties requiring him to again register under this Act.

(d) Failure to file any such report within the time designated or the reporting of incomplete information shall constitute a violation of this Act.

A registrant shall preserve for a period of 2 years all receipts and records used in preparing reports under this Act.

(e) Within 30 days after a filing deadline or as provided by rule, the lobbyist shall notify each official on whose behalf an expenditure has been reported. Notification shall include the name of the registrant, the total amount of the expenditure, a description of the expenditure, the date on which the expenditure occurred, and the subject matter of the lobbying activity.

(f) A report for the period beginning January 1, 2010 and ending on June 30, 2010 shall be filed no later than July 15, 2010, and a report for the period beginning July 1, 2010 and ending on December 31, 2010 shall be filed no later than January 15, 2011. Beginning January 1, 2011, reports shall be filed semi-monthly as follows: (i) for the period beginning the first day of the month through the 15th day of the month, the report shall be filed no later than the 20th day of the month and (ii) for the period beginning on the 16th day of the month through the last day of the month, the report shall be filed no later than the 5th day of the following month. A report filed under this Act is due in the Office of the Secretary of State no later than the close of business on the date on which it is required to be filed.

(g) All reports filed under this Act shall be filed in a format or on forms prescribed by the Secretary of State.

(Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)

Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-10 as follows:

(15 ILCS 20/50-10) (was 15 ILCS 20/38.1)

Sec. 50-10. Budget contents. The budget shall be submitted by the Governor with line item and program data. The budget shall also contain performance data presenting an estimate for the current fiscal year, projections for the budget year, and information for the 3 prior fiscal years comparing department objectives with actual accomplishments, formulated according to the various functions and activities, and, wherever the nature of the work admits, according to the work units, for which the respective departments, offices, and institutions of the State government (including the elective officers in the executive department and including the University of Illinois and the judicial department) are responsible.

For the fiscal year beginning July 1, 1992 and for each fiscal year thereafter, the budget shall include the performance measures of each department's accountability report.

For the fiscal year beginning July 1, 1997 and for each fiscal year thereafter, the budget shall include one or more line items appropriating moneys to the Department of Human Services to fund participation in the Home-Based Support Services Program for Mentally Disabled Adults under the Developmental Disability and Mental Disability Services Act by persons described in Section 2-17 of that Act.

The budget shall contain a capital development section in which the Governor will present (1) information on the capital projects and capital programs for which appropriations are requested, (2) the capital spending plans, which shall document the first and subsequent years cash requirements by fund for the proposed bonded program, and (3) a statement that shall identify by year the principal and interest costs until retirement of the State's general obligation debt. In addition, the principal and interest costs of the budget year program shall be presented separately, to indicate the marginal cost of principal and interest payments necessary to retire the additional bonds needed to finance the budget year's capital program. In 2004 only, the capital development section of the State budget

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shall be submitted by the Governor not later than the fourth Tuesday of March (March 23, 2004).

The budget shall contain a section indicating whether there is a projected budget surplus or a projected budget deficit for general funds in the current fiscal year, or whether the current fiscal year's general funds budget is projected to be balanced, based on estimates prepared by the Governor's Office of Management and Budget using actual figures available on the date the budget is submitted. That section shall present this information in both a numerical table format and by way of a narrative description, and shall include information for the proposed upcoming fiscal year, the current fiscal year, and the 2 years prior to the current fiscal year. These estimates must specifically and separately identify any non-recurring revenues, including, but not limited to, borrowed money, money derived by borrowing or transferring from other funds, or any non-operating financial source. None of these specifically and separately identified non-recurring revenues may include any revenue that cannot be realized without a change to law. The table shall show accounts payable at the end of each fiscal year in a manner that specifically and separately identifies any general funds liabilities accrued during the current and prior fiscal years that may be paid from future fiscal years' appropriations, including, but not limited to, costs that may be paid beyond the end of the lapse period as set forth in Section 25 of the State Finance Act and costs incurred by the Department on Aging. The section shall also include an estimate of individual and corporate income tax overpayments that will not be refunded before the close of the fiscal year.

For the budget year, the current year, and 3 prior fiscal years, the Governor shall also include in the budget estimates of or actual values for the assets and liabilities for General Assembly Retirement System, State Employees' Retirement System of Illinois, State Universities Retirement System, Teachers' Retirement System of the State of Illinois, and Judges Retirement System of Illinois.

The budget submitted by the Governor shall contain, in addition, in a separate book, a tabulation of all position and employment titles in each such department, office, and institution, the number of each, and the salaries for each, formulated according to divisions, bureaus, sections, offices, departments, boards, and similar subdivisions, which shall correspond as nearly as practicable to the functions and activities for which the department, office, or institution is responsible.
Together with the budget, the Governor shall transmit the estimates of receipts and expenditures, as received by the Director of the Governor's Office of Management and Budget, of the elective officers in the executive and judicial departments and of the University of Illinois.

An applicable appropriations committee of each chamber of the General Assembly, for fiscal year 2012 and thereafter, must review individual line item appropriations and the total budget for each State agency, as defined in the Illinois State Auditing Act.

(Source: P.A. 96-958, eff. 7-1-10.)


Approved August 16, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0461
(House Bill No. 2955)

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by adding Section 50-35 as follows:

(15 ILCS 20/50-35 new)

Sec. 50-35. Online publication; budget. Within 60 days of its enactment into law, the Governor's Office of Management and Budget shall publish to its website the budget of the State of Illinois for the coming fiscal year in its entirety in comma-separated value format (.csv), Xtree for Windows Script format (.xcl), or another comparable format.


Approved August 16, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0462
(House Bill No. 2992)

AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by adding Section 602.3 as follows:

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Sec. 602.3. Care of minor children; right of first refusal.

(a) If the court awards joint custody under Section 602.1 or visitation rights under Section 607, the court may consider, consistent with the best interest of the child as defined in Section 602, whether to award to one or both of the parties the right of first refusal to provide child care for the minor child or children during the other parent's normal parenting time, unless the need for child care is attributable to an emergency.

(b) As used in this Section, "right of first refusal" means that if a party intends to leave the minor child or children with a substitute child-care provider for a significant period of time, that party must first offer the other party an opportunity to personally care for the minor child or children. The parties may agree to a right of first refusal that is consistent with the best interest of the minor child or children. If there is no agreement and the court determines that a right of first refusal is in the best interest of the minor child or children, the court shall consider and make provisions in its order for:

(1) the length and kind of child-care requirements invoking the right of first refusal;

(2) notification to the other parent and for his or her response;

(3) transportation requirements; and

(4) any other action necessary to protect and promote the best interest of the minor child or children.

(c) The right of first refusal may be enforced under Section 607.1 of this Act.

(d) The right of first refusal is terminated upon the termination of custody or visitation rights.

Approved August 16, 2013.
Effective January 1, 2014.
Section 1. Nature of this Act.
(a) This Act may be cited as the First 2013 General Revisory Act.
(b) This Act is not intended to make any substantive change in the
law. It reconciles conflicts that have arisen from multiple amendments and
enactments and makes technical corrections and revisions in the law.
This Act revises and, where appropriate, renumbers certain
Sections that have been added or amended by more than one Public Act. In
certain cases in which a repealed Act or Section has been replaced with a
successor law, this Act may incorporate amendments to the repealed Act
or Section into the successor law. This Act also corrects errors, revises
cross-references, and deletes obsolete text.
(c) In this Act, the reference at the end of each amended Section
indicates the sources in the Session Laws of Illinois that were used in the
preparation of the text of that Section. The text of the Section included in
this Act is intended to include the different versions of the Section found
in the Public Acts included in the list of sources, but may not include other
versions of the Section to be found in Public Acts not included in the list
of sources. The list of sources is not a part of the text of the Section.
(d) Public Acts 97-626 through 97-1144 were considered in the
preparation of the combining revisories included in this Act. Many of
those combining revisories contain no striking or underscoring because no
additional changes are being made in the material that is being combined.

Section 5. The Illinois Constitutional Amendment Act is amended
by changing Sections 1 and 2 as follows:
(5 ILCS 20/1) (from Ch. 1, par. 101)
Sec. 1. Amendments to the Constitution of this State may be
proposed by joint resolution in either house of the General Assembly, and
if the same shall be voted for by 3/5 of all the members elected to each of
the 2 houses in the manner provided by Section 2 of Article XIV of the
Constitution, the amendment or amendments proposed shall be submitted
to the electors of this State for adoption or rejection in the manner
hereinafter provided.
(Source: P.A. 77-2790; revised 10-10-12.)
(5 ILCS 20/2) (from Ch. 1, par. 103)
Sec. 2. The General Assembly in submitting an amendment to the
Constitution to the electors, or the proponents of an amendment to Article
IV of the Constitution submitted by petition, shall prepare a brief
explanation of such amendment, a brief argument in favor of the same, and
the form in which such amendment will appear on the separate ballot as

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provided by Section 16-6 of the Election Code "An Act concerning elections", approved May 11, 1943, as amended. The minority of the General Assembly, or if there is no minority, anyone designated by the General Assembly shall prepare a brief argument against such amendment. In the case of an amendment to Article IV of the Constitution initiated pursuant to Section 3 of Article XIV of the Constitution, the proponents shall be those persons so designated at the time of the filing of the petition as provided in Section 10-8 of the Election Code, and the opponents shall be those members of the General Assembly opposing such amendment, or if there are none, anyone designated by the General Assembly and such opponents shall prepare a brief argument against such amendment. The proponent's explanation and argument in favor of and the opponents argument against an amendment to Article IV initiated by petition must be submitted to the Attorney General, who may rewrite them for accuracy and fairness. The explanation, the arguments for and against each constitutional amendment, and the form in which the amendment will appear on the separate ballot; shall be filed in the office of the Secretary of State with the proposed amendment. At least one month before the next election of members of the General Assembly, following the passage of the proposed amendment, the Secretary of State shall publish the amendment, in full in 8 point type, or the equivalent thereto, in at least one secular newspaper of general circulation in every county in this State in which a newspaper is published. In counties in which 2 or more newspapers are published, the Secretary of State shall cause such amendment to be published in 2 newspapers. In counties having a population of 500,000 or more, such amendment shall be published in not less than 6 newspapers of general circulation. After the first publication, the publication of such amendment shall be repeated once each week for 2 consecutive weeks. In selecting newspapers in which to publish such amendment the Secretary of State shall have regard solely to the circulation of such newspapers, selecting secular newspapers in every case having the largest circulation. The proposed amendment shall have a notice prefixed thereto in said publications, that at such election the proposed amendment will be submitted to the electors for adoption or rejection, and at the end of the official publication, he shall also publish the form in which the proposed amendment will appear on the separate ballot. The Secretary of State shall fix the publication fees to be paid newspapers for making such publication, but in no case shall such publication fee exceed the amount charged by such newspapers to private

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individuals for a like publication. In addition to the notice hereby required to be published, the Secretary of State shall also cause the existing form of the constitutional provision proposed to be amended, the proposed amendment, the explanation of the same, the arguments for and against the same, and the form in which such amendment will appear on the separate ballot, to be published in pamphlet form in 8 point type or the equivalent thereto; and the Secretary of State shall mail such pamphlet to every mailing address in the State, addressed to the attention of the Postal Patron. He shall also maintain a reasonable supply of such pamphlets so as to make them available to any person requesting one.
(Source: P.A. 86-795; revised 10-10-12.)

Section 10. The Regulatory Sunset Act is amended by changing Section 4.23 as follows:

(5 ILCS 80/4.23)

Sec. 4.23. Act Section repealed on January 1, 2013 and December 31, 2013. (a) The following Section of an Act is repealed on January 1, 2013:

(b) The following Act is repealed on December 31, 2013:

(Source: P.A. 96-1499, eff. 1-18-11; 97-706, eff. 6-25-12; 97-778, eff. 7-13-12; 97-804, eff. 1-1-13; 97-979, eff. 8-17-12; 97-1048, eff. 8-22-12; 97-1130, eff. 8-28-12; 97-1139, eff. 12-28-12; 97-1140, eff. 12-28-12; 97-1141, eff. 12-28-12.)

Section 15. The Illinois Administrative Procedure Act is amended by changing Sections 1-5 and 5-45 as follows:

(5 ILCS 100/1-5) (from Ch. 127, par. 1001-5)
Sec. 1-5. Applicability.

(a) This Act applies to every agency as defined in this Act. Beginning January 1, 1978, in case of conflict between the provisions of this Act and the Act creating or conferring power on an agency, this Act shall control. If, however, an agency (or its predecessor in the case of an agency that has been consolidated or reorganized) has existing procedures on July 1, 1977, specifically for contested cases or licensing, those existing provisions control, except that this exception respecting contested cases and licensing does not apply if the Act creating or conferring power on the agency adopts by express reference the provisions of this Act. Where the Act creating or conferring power on an agency establishes administrative procedures not covered by this Act, those procedures shall remain in effect.
(b) The provisions of this Act do not apply to (i) preliminary hearings, investigations, or practices where no final determinations affecting State funding are made by the State Board of Education, (ii) legal opinions issued under Section 2-3.7 of the School Code, (iii) as to State colleges and universities, their disciplinary and grievance proceedings, academic irregularity and capricious grading proceedings, and admission standards and procedures, and (iv) the class specifications for positions and individual position descriptions prepared and maintained under the Personnel Code. Those class specifications shall, however, be made reasonably available to the public for inspection and copying. The provisions of this Act do not apply to hearings under Section 20 of the Uniform Disposition of Unclaimed Property Act.

(c) Section 5-35 of this Act relating to procedures for rulemaking does not apply to the following:

(1) Rules adopted by the Pollution Control Board that, in accordance with Section 7.2 of the Environmental Protection Act, are identical in substance to federal regulations or amendments to those regulations implementing the following: Sections 3001, 3002, 3003, 3004, 3005, and 9003 of the Solid Waste Disposal Act; Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; Sections 307(b), 307(c), 307(d), 402(b)(8), and 402(b)(9) of the Federal Water Pollution Control Act; Sections 1412(b), 1414(c), 1417(a), 1421, and 1445(a) of the Safe Drinking Water Act; and Section 109 of the Clean Air Act.

(2) Rules adopted by the Pollution Control Board that establish or amend standards for the emission of hydrocarbons and carbon monoxide from gasoline powered motor vehicles subject to inspection under the Vehicle Emissions Inspection Law of 2005 or its predecessor laws.

(3) Procedural rules adopted by the Pollution Control Board governing requests for exceptions under Section 14.2 of the Environmental Protection Act.

(4) The Pollution Control Board's grant, pursuant to an adjudicatory determination, of an adjusted standard for persons who can justify an adjustment consistent with subsection (a) of Section 27 of the Environmental Protection Act.

(5) Rules adopted by the Pollution Control Board that are identical in substance to the regulations adopted by the Office of
the State Fire Marshal under clause (ii) of paragraph (b) of subsection (3) of Section 2 of the Gasoline Storage Act.

d) Pay rates established under Section 8a of the Personnel Code shall be amended or repealed pursuant to the process set forth in Section 5-50 within 30 days after it becomes necessary to do so due to a conflict between the rates and the terms of a collective bargaining agreement covering the compensation of an employee subject to that Code.

e) Section 10-45 of this Act shall not apply to any hearing, proceeding, or investigation conducted under Section 13-515 of the Public Utilities Act.

(f) Article 10 of this Act does not apply to any hearing, proceeding, or investigation conducted by the State Council for the State of Illinois created under Section 3-3-11.05 of the Unified Code of Corrections or by the Interstate Commission for Adult Offender Supervision created under the Interstate Compact for Adult Offender Supervision or by the Interstate Commission for Juveniles created under the Interstate Compact for Juveniles.

(g) This Act is subject to the provisions of Article XXI of the Public Utilities Act. To the extent that any provision of this Act conflicts with the provisions of that Article XXI, the provisions of that Article XXI control.

(Source: P.A. 97-95, eff. 7-12-11; 97-945, eff. 8-10-12; 97-1081, eff. 8-24-12; revised 9-20-12.)

(5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

Sec. 5-45. Emergency rulemaking.

(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a
statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24 month period, except that this limitation on the number of emergency rules that may be adopted in a 24 month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health, (iv) emergency rules adopted pursuant to subsection (n) of this Section, (v) emergency rules adopted pursuant to subsection (o) of this Section, or (vi) emergency rules adopted pursuant to subsection (c-5) of this Section. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(c-5) To facilitate the maintenance of the program of group health benefits provided to annuitants, survivors, and retired employees under the State Employees Group Insurance Act of 1971, rules to alter the contributions to be paid by the State, annuitants, survivors, retired employees, or any combination of those entities, for that program of group health benefits, shall be adopted as emergency rules. The adoption of those rules shall be considered an emergency and necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of

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emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

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adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of this amendatory Act of the 93rd General Assembly or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to implement any provision of this amendatory Act of the 94th General Assembly or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k).
subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.

(m) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2008 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2008, including rules effective July 1, 2008, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (m) shall be deemed to be necessary for the public interest, safety, and welfare.

(n) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2010 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (n) shall be deemed to be necessary for the public interest,
safety, and welfare. The rulemaking authority granted in this subsection (n) shall apply only to rules promulgated during Fiscal Year 2010.

(o) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2011 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2011 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (o) is deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (o) applies only to rules promulgated on or after the effective date of this amendatory Act of the 96th General Assembly through June 30, 2011.

(p) In order to provide for the expeditious and timely implementation of the provisions of Public Act 97-689 this amendatory Act of the 97th General Assembly, emergency rules to implement any provision of Public Act 97-689 this amendatory Act of the 97th General Assembly may be adopted in accordance with this subsection (p) by the agency charged with administering that provision or initiative. The 150-day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection (p), and the effective period may continue through June 30, 2013. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (p). The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety, and welfare.

(5 ILCS 140/7) (from Ch. 116, par. 207)

Sec. 7. Exemptions.

(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

New matter indicated by italics - deletions by strikeout
(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.

(b-5) Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects.

(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

   (i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;
   
   (ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;
   
   (iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;
   
   (iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative,
law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

(vi) endanger the life or physical safety of law enforcement personnel or any other person; or

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

(d-5) A law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(e-5) Records requested by persons committed to the Department of Corrections if those materials are available in the library of the correctional facility where the inmate is confined.

(e-6) Records requested by persons committed to the Department of Corrections if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information.

(e-7) Records requested by persons committed to the Department of Corrections if those materials are available through an administrative request to the Department of Corrections.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant

New matter indicated by italics - deletions by strikeout
portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.

The information included under this exemption includes all trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer
geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) The following information pertaining to educational matters:

(i) test questions, scoring keys and other examination data used to administer an academic examination;

(ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;

(iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and

(iv) course materials or research materials used by faculty members.

(k) Architect's plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

(l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney

New matter indicated by italics - deletions by strikeout
advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

(o) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.

(r) The records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

New matter indicated by italics - deletions by strikeout
(t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(w) (Blank).

(x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.

(y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

(z) Information about students exempted from disclosure under Sections 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009.

(aa) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009.
(bb) Records and information provided to a mortality review team and records maintained by a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(cc) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable.

(dd) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(ee) The names, addresses, or other personal information of persons who are minors and are also participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations.

(ff) The names, addresses, or other personal information of participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations where such programs are targeted primarily to minors.

(gg) Confidential information described in Section 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

(1.5) Any information exempt from disclosure under the Judicial Privacy Act shall be redacted from public records prior to disclosure under this Act.

(2) A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

(3) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 96-261, eff. 1-1-10; 96-328, eff. 8-11-09; 96-542, eff. 1-1-10; 96-558, eff. 1-1-10; 96-736, eff. 7-1-10; 96-863, eff. 3-1-10; 96-1378, eff. 7-29-10; 97-333, eff. 8-12-11; 97-385, eff. 8-15-11; 97-452, eff. 8-19-11; 97-783, eff. 7-13-12; 97-813, eff. 7-13-12; 97-847, eff. 9-22-12; 97-1065, eff. 8-24-12; 97-1129, eff. 8-28-12; revised 9-20-12.)

New matter indicated by italics - deletions by strikeout
Section 25. The Election Code is amended by changing Sections 7-43, 10-10.5, and 17-21 as follows:

(10 ILCS 5/7-43) (from Ch. 46, par. 7-43)
Sec. 7-43. Every person having resided in this State 6 months and in the precinct 30 days next preceding any primary therein who shall be a citizen of the United States of the age of 18 or more years; shall be entitled to vote at such primary.

The following regulations shall be applicable to primaries:
No person shall be entitled to vote at a primary:
(a) Unless he declares his party affiliations as required by this Article.
(b) (Blank:).
(c) (Blank:).
(e.5) If that person has participated in the town political party caucus, under Section 45-50 of the Township Code, of another political party by signing an affidavit of voters attending the caucus within 45 days before the first day of the calendar month in which the primary is held.
(d) (Blank:).
(e) In cities, villages and incorporated towns having a board of election commissioners only voters registered as provided by Article 6 of this Act shall be entitled to vote at such primary.
(f) No person shall be entitled to vote at a primary unless he is registered under the provisions of Articles 4, 5 or 6 of this Act, when his registration is required by any of said Articles to entitle him to vote at the election with reference to which the primary is held.

A person (i) who filed a statement of candidacy for a partisan office as a qualified primary voter of an established political party or (ii) who voted the ballot of an established political party at a general primary election may not file a statement of candidacy as a candidate of a different established political party or as an independent candidate for a partisan office to be filled at the general election immediately following the general primary for which the person filed the statement or voted the ballot. A person may file a statement of candidacy for a partisan office as a qualified primary voter of an established political party regardless of any prior filing of candidacy for a partisan office or voting the ballot of an established political party at any prior election.
(Source: P.A. 97-681, eff. 3-30-12; revised 8-3-12.)

New matter indicated by italics - deletions by strikeout
(10 ILCS 5/10-10.5)
Sec. 10-10.5. Removal of judicial officer's address information from the certificate of nomination or nomination papers.

(a) Upon expiration of the period for filing an objection to a judicial candidate's certificate of nomination or nomination papers, a judicial officer who is a judicial candidate may file a written request with the State Board of Elections for redaction of the judicial officer's home address information from his or her certificate of nomination or nomination papers. After receipt of the judicial officer's written request, the State Board of Elections shall redact or cause redaction of the judicial officer's home address from his or her certificate of nomination or nomination papers within 5 business days.

(b) Prior to expiration of the period for filing an objection to a judicial candidate's certificate of nomination or nomination papers, the home address information from the certificate of nomination or nomination papers of a judicial officer who is a judicial candidate is available for public inspection. After redaction of a judicial officer's home address information under paragraph (a) of this Section, the home address information is only available for an in camera inspection by the court reviewing an objection to the judicial officer's certificate of nomination or nomination papers.

(c) For the purposes of this Section, "home address" has the meaning as defined in Section 1-10 of the Judicial Privacy Act.
(Source: P.A. 97-847, eff. 9-22-12; revised 8-3-12.)

(10 ILCS 5/17-21) (from Ch. 46, par. 17-21)
Sec. 17-21. When the votes shall have been examined and counted, the judges shall set down on a sheet or return form to be supplied to them, the name of every person voted for, written or printed at full length, the office for which such person received such votes, and the number he did receive and such additional information as is necessary to complete, as nearly as circumstances will admit, the following form, to-wit:

TALLY SHEET AND CERTIFICATE OF RESULTS

We do hereby certify that at the .... election held in the precinct hereinafter (general or special) specified on (insert date) the .... day of ...., in the year of our Lord, one thousand nine hundred and ...., a total of .... voters requested and received ballots and we do further certify:
Number of blank ballots delivered to us ....
Number of absentee ballots delivered to us ....

New matter indicated by italics - deletions by strikeout
Total number of ballots delivered to us ....
Number of blank and spoiled ballots returned.
(1) Total number of ballots cast (in box)....
.... Defective and Objected To ballots sealed in envelope
(2) .... Total number of ballots cast (in box)
   Line (2) equals line (1)

We further certify that each of the candidates for representative in
the General Assembly received the number of votes ascribed to him on the
separate tally sheet.

We further certify that each candidate received the number of votes
set forth opposite his name or in the box containing his name on the tally
sheet contained in the page or pages immediately following our signatures.

The undersigned actually served as judges and counted the ballots
at the election on the .... day of .... in the .... precinct of the (1) *township
of ...., or (2) *City of ...., or (3) *.... ward in the city of .... and the polls
were opened at 6:00 A.M. and closed at 7:00 P.M. Certified by us.
*Fill in either (1), (2) or (3)

A B, ....(Address)
C D, ....(Address)
E F, ....(Address)
G H, ....(Address)
I J, ....(Address)

Each tally sheet shall be in substantially one of the following
forms:

<table>
<thead>
<tr>
<th>Name of office</th>
<th>Candidates</th>
<th>Candidate's Names</th>
<th>Total Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>---</td>
<td>United</td>
<td>John Smith</td>
<td>77</td>
</tr>
<tr>
<td>States</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Senator</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Names of candidates

Name of office and total vote for each

For United

John Smith

New matter indicated by italics - deletions by strikeout
Section 30. The Illinois Identification Card Act is amended by changing Sections 4, 5, and 11 as follows:

(15 ILCS 335/4) (from Ch. 124, par. 24)

Sec. 4. Identification Card.

(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof, or who applies for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, final discharge, or pardon from the Department of Corrections by submitting an identification card issued by the Department of Corrections under Section 3-14-1 of the Unified Code of Corrections, together with the prescribed fees. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act, the applicant may elect to have his or her
office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Disabled Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, a determination of disability from an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination, or any other documentation of disability whenever any State law requires that a disabled person provide such

New matter indicated by italics - deletions by strikeout
documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a disabled person or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Disabled Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans.

New matter indicated by italics - deletions by strikeout
The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.

(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification Card or Illinois Person with a Disability Identification Card.

(Source: P.A. 96-146, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

(15 ILCS 335/5) (from Ch. 124, par. 25)
Sec. 5. Applications.
(a) Any natural person who is a resident of the State of Illinois; may file an application for an identification card, or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the legal name, residence address and zip code, social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed, unless the Secretary of State has provided by rule for the issuance of identification cards without photographs and the applicant is

New matter indicated by italics - deletions by strikeout
deemed eligible for an identification card without a photograph under the terms and conditions imposed by the Secretary of State, and he or she shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act, the applicant may elect to have his or her office or work address in lieu of the applicant's residence or mailing address. An applicant for an Illinois Person with a Disability Identification Card must also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "person with a disability" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act.

(b) Beginning on or before July 1, 2015, for each original or renewal identification card application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing an identification card with a veteran designation under subsection (c-5) of Section 4 of this Act. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214. The Secretary shall determine by rule what other forms of proof of a person's status as a veteran are acceptable.

The Illinois Department of Veterans' Affairs shall confirm the status of the applicant as an honorably discharged veteran before the Secretary may issue the identification card.

For purposes of this subsection (b):

"Active duty" means active duty under an executive order of the President of the United States, an Act of the Congress of the United States, or an order of the Governor.

"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit called to active duty.

"Veteran" means a person who has served on active duty in the armed forces and was discharged or separated under honorable conditions.

(Source: P.A. 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

(15 ILCS 335/11) (from Ch. 124, par. 31)

New matter indicated by italics - deletions by strikeout
Sec. 11. The Secretary may make a search of his records and furnish information as to whether a person has a current Standard Illinois Identification Card or an Illinois Person with a Disability Identification Card then on file, upon receipt of a written application therefor accompanied with the prescribed fee. However, the Secretary may not disclose medical information concerning an individual to any person, public agency, private agency, corporation or governmental body unless the individual has submitted a written request for the information or unless the individual has given prior written consent for the release of the information to a specific person or entity. This exception shall not apply to: (1) offices and employees of the Secretary who have a need to know the medical information in performance of their official duties, or (2) orders of a court of competent jurisdiction. When medical information is disclosed by the Secretary in accordance with the provisions of this Section, no liability shall rest with the Office of the Secretary of State as the information is released for informational purposes only.

The Secretary may release personally identifying information or highly restricted personal information only to:

(1) officers and employees of the Secretary who have a need to know that information;
(2) other governmental agencies for use in their official governmental functions;
(3) law enforcement agencies that need the information for a criminal or civil investigation; or
(4) any entity that the Secretary has authorized, by rule, to receive this information.

The Secretary may not disclose an individual's social security number or any associated information obtained from the Social Security Administration without the written request or consent of the individual except: (i) to officers and employees of the Secretary who have a need to know the social security number in the performance of their official duties; (ii) to law enforcement officials for a lawful civil or criminal law enforcement investigation if the head of the law enforcement agency has made a written request to the Secretary specifying the law enforcement investigation for which the social security number is being sought; (iii) under a lawful court order signed by a judge; or (iv) to the Illinois Department of Veterans' Affairs for the purpose of confirming veteran status.

(Source: P.A. 97-739, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

New matter indicated by italics - deletions by strikeout
Section 35. The State Comptroller Act is amended by changing Sections 9.03 and 10.05 as follows:

(15 ILCS 405/9.03) (from Ch. 15, par. 209.03)
Sec. 9.03. Direct deposit of State payments.

(a) The Comptroller, with the approval of the State Treasurer, may provide by rule or regulation for the direct deposit of any payment lawfully payable from the State Treasury and in accordance with federal banking regulations including but not limited to payments to (i) persons paid from personal services, (ii) persons receiving benefit payments from the Comptroller under the State pension systems, (iii) individuals who receive assistance under Articles III, IV, and VI of the Illinois Public Aid Code, (iv) providers of services under the Mental Health and Developmental Disabilities Administrative Act, (v) providers of community-based mental health services, and (vi) providers of services under programs administered by the State Board of Education, in the accounts of those persons or entities maintained at a bank, savings and loan association, or credit union, where authorized by the payee. The Comptroller also may deposit public aid payments for individuals who receive assistance under Articles III, IV, VI, and X of the Illinois Public Aid Code directly into an electronic benefits transfer account in a financial institution approved by the State Treasurer as prescribed by the Illinois Department of Human Services and in accordance with the rules and regulations of that Department and the rules and regulations adopted by the Comptroller and the State Treasurer. The Comptroller, with the approval of the State Treasurer, may provide by rule for the electronic direct deposit of payments to public agencies and any other payee of the State. The electronic direct deposits may be made to the designated account in those financial institutions specified in this Section for the direct deposit of payments. Within 6 months after the effective date of this amendatory Act of 1994, the Comptroller shall establish a pilot program for the electronic direct deposit of payments to local school districts, municipalities, and units of local government. The payments may be made without the use of the voucher-warrant system, provided that documentation of approval by the Treasurer of each group of payments made by direct deposit shall be retained by the Comptroller. The form and method of the Treasurer's approval shall be established by the rules or regulations adopted by the Comptroller under this Section.

(b) Except as provided in subsection (b-5), all State payments for an employee's payroll or an employee's expense reimbursement must be
made through direct deposit. It is the responsibility of the paying State agency to ensure compliance with this mandate. If a State agency pays an employee's payroll or an employee's expense reimbursement without using direct deposit, the Comptroller may charge that employee a processing fee of $2.50 per paper warrant. The processing fee may be withheld from the employee's payment or reimbursement. The amount collected from the fee shall be deposited into the Comptroller's Administrative Fund.

(b-5) If an employee wants his or her payments deposited into a secure check account, the employee must submit a direct deposit form to the paying State agency for his or her payroll or to the Comptroller for his or her expense reimbursements. Upon acceptance of the direct deposit form, the Comptroller shall disburse those funds to the secure check account. For the purposes of this Section, "secure check account" means an account established with a financial institution for the employee that allows the dispensing of the funds in the account through a third party who dispenses to the employee a paper check.

(c) All State payments to a vendor that exceed the allowable limit of paper warrants in a fiscal year, by the same agency, must be made through direct deposit. It is the responsibility of the paying State agency to ensure compliance with this mandate. If a State agency pays a vendor more times than the allowable limit in a single fiscal year without using direct deposit, the Comptroller may charge the vendor a processing fee of $2.50 per paper warrant. The processing fee may be withheld from the vendor's payment. The amount collected from the processing fee shall be deposited into the Comptroller's Administrative Fund. The Office of the Comptroller shall define "allowable limit" in the Comptroller's Statewide Accounting Management System (SAMS) manual, except that the allowable limit shall not be less than 30 paper warrants. The Office of the Comptroller shall also provide reasonable notice to all State agencies of the allowable limit of paper warrants.

(d) State employees covered by provisions in collective bargaining agreements that do not require direct deposit of paychecks are exempt from this mandate. No later than 60 days after the effective date of this amendatory Act of the 97th General Assembly, all State agencies must provide to the Office of the Comptroller a list of employees that are exempt under this subsection (d) from the direct deposit mandate. In addition, a State employee or vendor may file a hardship petition with the Office of the Comptroller requesting an exemption from the direct deposit mandate.
mandate under this Section. A hardship petition shall be made available for download on the Comptroller's official Internet website.

(e) Notwithstanding any provision of law to the contrary, the direct deposit of State payments under this Section for an employee's payroll, an employee's expense reimbursement, or a State vendor's payment does not authorize the State to automatically withdraw funds from those accounts.

(f) For the purposes of this Section, "vendor" means a non-governmental entity with a taxpayer identification number issued by the Social Security Administration or Internal Revenue Service that receives payments through the Comptroller's commercial system. The term does not include State agencies.

(g) The requirements of this Section do not apply to the legislative or judicial branches of State government.
(Source: P.A. 97-348, eff. 8-12-11; 97-993, eff. 9-16-12; revised 10-10-12.)

(15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

Sec. 10.05. Deductions from warrants; statement of reason for deduction. Whenever any person shall be entitled to a warrant or other payment from the treasury or other funds held by the State Treasurer, on any account, against whom there shall be any then due and payable account or claim in favor of the State, the United States upon certification by the Secretary of the Treasury of the United States, or his or her delegate, pursuant to a reciprocal offset agreement under subsection (i-1) of Section 10 of the Illinois State Collection Act of 1986, or a unit of local government, a school district, a public institution of higher education, as defined in Section 1 of the Board of Higher Education Act, or the clerk of a circuit court, upon certification by that entity, the Comptroller, upon notification thereof, shall ascertain the amount due and payable to the State, the United States, the unit of local government, the school district, the public institution of higher education, or the clerk of the circuit court, as aforesaid, and draw a warrant on the treasury or on other funds held by the State Treasurer, stating the amount for which the party was entitled to a warrant or other payment, the amount deducted therefrom, and on what account, and directing the payment of the balance; which warrant or payment as so drawn shall be entered on the books of the Treasurer, and such balance only shall be paid. The Comptroller may deduct any one or more of the following: (i) the entire amount due and payable to the State or a portion of the amount due and payable to the State in accordance with the request of the notifying agency; (ii) the entire amount due and payable

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to the United States or a portion of the amount due and payable to the United States in accordance with a reciprocal offset agreement under subsection (i-1) of Section 10 of the Illinois State Collection Act of 1986; or (iii) the entire amount due and payable to the unit of local government, school district, public institution of higher education, or clerk of the circuit court, or a portion of the amount due and payable to that entity, in accordance with an intergovernmental agreement authorized under this Section and Section 10.05d. No request from a notifying agency, the Secretary of the Treasury of the United States, a unit of local government, a school district, a public institution of higher education, or the clerk of a circuit court for an amount to be deducted under this Section from a wage or salary payment, or from a contractual payment to an individual for personal services, shall exceed 25% of the net amount of such payment. "Net amount" means that part of the earnings of an individual remaining after deduction of any amounts required by law to be withheld. For purposes of this provision, wage, salary or other payments for personal services shall not include final compensation payments for the value of accrued vacation, overtime or sick leave. Whenever the Comptroller draws a warrant or makes a payment involving a deduction ordered under this Section, the Comptroller shall notify the payee and the State agency that submitted the voucher of the reason for the deduction and he or she shall retain a record of such statement in his or her records. As used in this Section, an "account or claim in favor of the State" includes all amounts owing to "State agencies" as defined in Section 7 of this Act. However, the Comptroller shall not be required to accept accounts or claims owing to funds not held by the State Treasurer, where such accounts or claims do not exceed $50, nor shall the Comptroller deduct from funds held by the State Treasurer under the Senior Citizens and Disabled Persons Property Tax Relief Act or for payments to institutions from the Illinois Prepaid Tuition Trust Fund (unless the Trust Fund moneys are used for child support). The Comptroller shall not deduct from payments to be disbursed from the Child Support Enforcement Trust Fund as provided for under Section 12-10.2 of the Illinois Public Aid Code, except for payments representing interest on child support obligations under Section 10-16.5 of that Code. The Comptroller and the Department of Revenue shall enter into an interagency agreement to establish responsibilities, duties, and procedures relating to deductions from lottery prizes awarded under Section 20.1 of the Illinois Lottery Law. The Comptroller may enter into an intergovernmental agreement with the Department of Revenue and the

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Secretary of the Treasury of the United States, or his or her delegate, to establish responsibilities, duties, and procedures relating to reciprocal offset of delinquent State and federal obligations pursuant to subsection (i-1) of Section 10 of the Illinois State Collection Act of 1986. The Comptroller may enter into intergovernmental agreements with any unit of local government, school district, public institution of higher education, or clerk of a circuit court to establish responsibilities, duties, and procedures to provide for the offset, by the Comptroller, of obligations owed to those entities.

For the purposes of this Section, "clerk of a circuit court" means the clerk of a circuit court in any county in the State.

For the purposes of this Section, "clerk of a circuit court" means the clerk of a circuit court in any county in the State.

Section 40. The Civil Administrative Code of Illinois is amended by changing Section 5-565 and by setting forth and renumbering multiple versions of Section 5-715 as follows:

Sec. 5-565. In the Department of Public Health.
(a) The General Assembly declares it to be the public policy of this State that all citizens of Illinois are entitled to lead healthy lives. Governmental public health has a specific responsibility to ensure that a public health system is in place to allow the public health mission to be achieved. The public health system is the collection of public, private, and voluntary entities as well as individuals and informal associations that contribute to the public's health within the State. To develop a public health system requires certain core functions to be performed by government. The State Board of Health is to assume the leadership role in advising the Director in meeting the following functions:

(1) Needs assessment.
(2) Statewide health objectives.
(3) Policy development.
(4) Assurance of access to necessary services.

There shall be a State Board of Health composed of 20 persons, all of whom shall be appointed by the Governor, with the advice and consent of the Senate for those appointed by the Governor on and after June 30, 1998, and one of whom shall be a senior citizen age 60 or over. Five members shall be physicians licensed to practice medicine in all its
branches, one representing a medical school faculty, one who is board certified in preventive medicine, and one who is engaged in private practice. One member shall be a chiropractic physician. One member shall be a dentist; one an environmental health practitioner; one a local public health administrator; one a local board of health member; one a registered nurse; one a physical therapist; one an optometrist; one a veterinarian; one a public health academician; one a health care industry representative; one a representative of the business community; one a representative of the non-profit public interest community; and 2 shall be citizens at large.

The terms of Board of Health members shall be 3 years, except that members shall continue to serve on the Board of Health until a replacement is appointed. Upon the effective date of this amendatory Act of the 93rd General Assembly, in the appointment of the Board of Health members appointed to vacancies or positions with terms expiring on or before December 31, 2004, the Governor shall appoint up to 6 members to serve for terms of 3 years; up to 6 members to serve for terms of 2 years; and up to 5 members to serve for a term of one year, so that the term of no more than 6 members expire in the same year. All members shall be legal residents of the State of Illinois. The duties of the Board shall include, but not be limited to, the following:

(1) To advise the Department of ways to encourage public understanding and support of the Department's programs.

(2) To evaluate all boards, councils, committees, authorities, and bodies advisory to, or an adjunct of, the Department of Public Health or its Director for the purpose of recommending to the Director one or more of the following:

(i) The elimination of bodies whose activities are not consistent with goals and objectives of the Department.

(ii) The consolidation of bodies whose activities encompass compatible programmatic subjects.

(iii) The restructuring of the relationship between the various bodies and their integration within the organizational structure of the Department.

(iv) The establishment of new bodies deemed essential to the functioning of the Department.

(3) To serve as an advisory group to the Director for public health emergencies and control of health hazards.
(4) To advise the Director regarding public health policy, and to make health policy recommendations regarding priorities to the Governor through the Director.

(5) To present public health issues to the Director and to make recommendations for the resolution of those issues.

(6) To recommend studies to delineate public health problems.

(7) To make recommendations to the Governor through the Director regarding the coordination of State public health activities with other State and local public health agencies and organizations.

(8) To report on or before February 1 of each year on the health of the residents of Illinois to the Governor, the General Assembly, and the public.

(9) To review the final draft of all proposed administrative rules, other than emergency or preemptory rules and those rules that another advisory body must approve or review within a statutorily defined time period, of the Department after September 19, 1991 (the effective date of Public Act 87-633). The Board shall review the proposed rules within 90 days of submission by the Department. The Department shall take into consideration any comments and recommendations of the Board regarding the proposed rules prior to submission to the Secretary of State for initial publication. If the Department disagrees with the recommendations of the Board, it shall submit a written response outlining the reasons for not accepting the recommendations.

In the case of proposed administrative rules or amendments to administrative rules regarding immunization of children against preventable communicable diseases designated by the Director under the Communicable Disease Prevention Act, after the Immunization Advisory Committee has made its recommendations, the Board shall conduct 3 public hearings, geographically distributed throughout the State. At the conclusion of the hearings, the State Board of Health shall issue a report, including its recommendations, to the Director. The Director shall take into consideration any comments or recommendations made by the Board based on these hearings.

(10) To deliver to the Governor for presentation to the General Assembly a State Health Improvement Plan. The first 3 such plans shall be delivered to the Governor on January 1, 2006,
January 1, 2009, and January 1, 2016 and then every 5 years thereafter.

The Plan shall recommend priorities and strategies to improve the public health system and the health status of Illinois residents, taking into consideration national health objectives and system standards as frameworks for assessment.

The Plan shall also take into consideration priorities and strategies developed at the community level through the Illinois Project for Local Assessment of Needs (IPLAN) and any regional health improvement plans that may be developed. The Plan shall focus on prevention as a key strategy for long-term health improvement in Illinois.

The Plan shall examine and make recommendations on the contributions and strategies of the public and private sectors for improving health status and the public health system in the State. In addition to recommendations on health status improvement priorities and strategies for the population of the State as a whole, the Plan shall make recommendations regarding priorities and strategies for reducing and eliminating health disparities in Illinois; including racial, ethnic, gender, age, socio-economic and geographic disparities.

The Director of the Illinois Department of Public Health shall appoint a Planning Team that includes a range of public, private, and voluntary sector stakeholders and participants in the public health system. This Team shall include: the directors of State agencies with public health responsibilities (or their designees), including but not limited to the Illinois Departments of Public Health and Department of Human Services, representatives of local health departments, representatives of local community health partnerships, and individuals with expertise who represent an array of organizations and constituencies engaged in public health improvement and prevention.

The State Board of Health shall hold at least 3 public hearings addressing drafts of the Plan in representative geographic areas of the State. Members of the Planning Team shall receive no compensation for their services, but may be reimbursed for their necessary expenses.

Upon the delivery of each State Health Improvement Plan, the Governor shall appoint a SHIP Implementation Coordination

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Council that includes a range of public, private, and voluntary sector stakeholders and participants in the public health system. The Council shall include the directors of State agencies and entities with public health system responsibilities (or their designees), including but not limited to the Department of Public Health, Department of Human Services, Department of Healthcare and Family Services, Environmental Protection Agency, Illinois State Board of Education, Department on Aging, Illinois Violence Prevention Authority, Department of Agriculture, Department of Insurance, Department of Financial and Professional Regulation, Department of Transportation, and Department of Commerce and Economic Opportunity and the Chair of the State Board of Health. The Council shall include representatives of local health departments and individuals with expertise who represent an array of organizations and constituencies engaged in public health improvement and prevention, including non-profit public interest groups, health issue groups, faith community groups, health care providers, businesses and employers, academic institutions, and community-based organizations. The Governor shall endeavor to make the membership of the Council representative of the racial, ethnic, gender, socio-economic, and geographic diversity of the State. The Governor shall designate one State agency representative and one other non-governmental member as co-chairs of the Council. The Governor shall designate a member of the Governor's office to serve as liaison to the Council and one or more State agencies to provide or arrange for support to the Council. The members of the SHIP Implementation Coordination Council for each State Health Improvement Plan shall serve until the delivery of the subsequent State Health Improvement Plan, whereupon a new Council shall be appointed. Members of the SHIP Planning Team may serve on the SHIP Implementation Coordination Council if so appointed by the Governor.

The SHIP Implementation Coordination Council shall coordinate the efforts and engagement of the public, private, and voluntary sector stakeholders and participants in the public health system to implement each SHIP. The Council shall serve as a forum for collaborative action; coordinate existing and new initiatives; develop detailed implementation steps, with mechanisms for action; implement specific projects; identify public

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and private funding sources at the local, State and federal level; promote public awareness of the SHIP; advocate for the implementation of the SHIP; and develop an annual report to the Governor, General Assembly, and public regarding the status of implementation of the SHIP. The Council shall not, however, have the authority to direct any public or private entity to take specific action to implement the SHIP.

(11) Upon the request of the Governor, to recommend to the Governor candidates for Director of Public Health when vacancies occur in the position.

(12) To adopt bylaws for the conduct of its own business, including the authority to establish ad hoc committees to address specific public health programs requiring resolution.

(13) To review and comment upon the Comprehensive Health Plan submitted by the Center for Comprehensive Health Planning as provided under Section 2310-217 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

Upon appointment, the Board shall elect a chairperson from among its members.

Members of the Board shall receive compensation for their services at the rate of $150 per day, not to exceed $10,000 per year, as designated by the Director for each day required for transacting the business of the Board and shall be reimbursed for necessary expenses incurred in the performance of their duties. The Board shall meet from time to time at the call of the Department, at the call of the chairperson, or upon the request of 3 of its members, but shall not meet less than 4 times per year.

(b) (Blank).

(c) An Advisory Board on Necropsy Service to Coroners, which shall counsel and advise with the Director on the administration of the Autopsy Act. The Advisory Board shall consist of 11 members, including a senior citizen age 60 or over, appointed by the Governor, one of whom shall be designated as chairman by a majority of the members of the Board. In the appointment of the first Board the Governor shall appoint 3 members to serve for terms of 1 year, 3 for terms of 2 years, and 3 for terms of 3 years. The members first appointed under Public Act 83-1538 shall serve for a term of 3 years. All members appointed thereafter shall be appointed for terms of 3 years, except that when an appointment is made

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to fill a vacancy, the appointment shall be for the remaining term of the position vacant. The members of the Board shall be citizens of the State of Illinois. In the appointment of members of the Advisory Board the Governor shall appoint 3 members who shall be persons licensed to practice medicine and surgery in the State of Illinois, at least 2 of whom shall have received post-graduate training in the field of pathology; 3 members who are duly elected coroners in this State; and 5 members who shall have interest and abilities in the field of forensic medicine but who shall be neither persons licensed to practice any branch of medicine in this State nor coroners. In the appointment of medical and coroner members of the Board, the Governor shall invite nominations from recognized medical and coroners organizations in this State respectively. Board members, while serving on business of the Board, shall receive actual necessary travel and subsistence expenses while so serving away from their places of residence.

(Source: P.A. 96-31, eff. 6-30-09; 96-455, eff. 8-14-09; 96-1000, eff. 7-2-10; 96-1153, eff. 7-21-10; 97-734, eff. 1-1-13; 97-810, eff. 1-1-13; revised 7-23-12.)

(20 ILCS 5/5-715)
Sec. 5-715. Expedited licensure for service members and spouses.

(a) In this Section, "service member" means any person who, at the time of application under this Section, is an active duty member of the United States Armed Forces or any reserve component of the United States Armed Forces or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia or whose active duty service concluded within the preceding 2 years before application.

(b) Each director of a department that issues an occupational or professional license is authorized to and shall issue an expedited temporary occupational or professional license to a service member who meets the requirements under this Section. The temporary occupational or professional license shall be valid for 6 months after the date of issuance or until a license is granted or a notice to deny a license is issued in accordance with rules adopted by the department issuing the license, whichever occurs first. No temporary occupational or professional license shall be renewed. The service member shall apply to the department on forms provided by the department. An application must include proof that:

1) the applicant is a service member;
2) the applicant holds a valid license in good standing for the occupation or profession issued by another state,
commonwealth, possession, or territory of the United States, the District of Columbia, or any foreign jurisdiction and the requirements for licensure in the other jurisdiction are determined by the department to be substantially equivalent to the standards for licensure of this State;

(3) the applicant is assigned to a duty station in this State or has established legal residence in this State;

(4) a complete set of the applicant's fingerprints has been submitted to the Department of State Police for statewide and national criminal history checks, if applicable to the requirements of the department issuing the license; the applicant shall pay the fee to the Department of State Police or to the fingerprint vendor for electronic fingerprint processing; no temporary occupational or professional license shall be issued to an applicant if the statewide or national criminal history check discloses information that would cause the denial of an application for licensure under any applicable occupational or professional licensing Act;

(5) the applicant is not ineligible for licensure pursuant to Section 2105-165 of the Civil Administrative Code of Illinois;

(6) the applicant has submitted an application for full licensure; and

(7) the applicant has paid the required fee; fees shall not be refundable.

(c) Each director of a department that issues an occupational or professional license is authorized to and shall issue an expedited temporary occupational or professional license to the spouse of a service member who meets the requirements under this Section. The temporary occupational or professional license shall be valid for 6 months after the date of issuance or until a license is granted or a notice to deny a license is issued in accordance with rules adopted by the department issuing the license, whichever occurs first. No temporary occupational or professional license shall be renewed. The spouse of a service member shall apply to the department on forms provided by the department. An application must include proof that:

(1) the applicant is the spouse of a service member;

(2) the applicant holds a valid license in good standing for the occupation or profession issued by another state, commonwealth, possession, or territory of the United States, the District of Columbia, or any foreign jurisdiction and the
requirements for licensure in the other jurisdiction are determined by the department to be substantially equivalent to the standards for licensure of this State;

(3) the applicant's spouse is assigned to a duty station in this State or has established legal residence in this State;

(4) a complete set of the applicant's fingerprints has been submitted to the Department of State Police for statewide and national criminal history checks, if applicable to the requirements of the department issuing the license; the applicant shall pay the fee to the Department of State Police or to the fingerprint vendor for electronic fingerprint processing; no temporary occupational or professional license shall be issued to an applicant if the statewide or national criminal history check discloses information that would cause the denial of an application for licensure under any applicable occupational or professional licensing Act;

(5) the applicant is not ineligible for licensure pursuant to Section 2105-165 of the Civil Administrative Code of Illinois;

(6) the applicant has submitted an application for full licensure; and

(7) the applicant has paid the required fee; fees shall not be refundable.

(d) All relevant experience of a service member in the discharge of official duties, including full-time and part-time experience, shall be credited in the calculation of any years of practice in an occupation or profession as may be required under any applicable occupational or professional licensing Act. All relevant training provided by the military and completed by a service member shall be credited to that service member as meeting any training or education requirement under any applicable occupational or professional licensing Act, provided that the training or education is determined by the department to be substantially equivalent to that required under any applicable Act and is not otherwise contrary to any other licensure requirement.

(e) A department may adopt any rules necessary for the implementation and administration of this Section and shall by rule provide for fees for the administration of this Section.

(Source: P.A. 97-710, eff. 1-1-13.)

(20 ILCS 5/5-716)

Sec. 5-716 5-715. Deadline extensions for service members.

(a) In this Section:

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"Military service" means any full-time training or duty, no matter how described under federal or State law, for which a service member is ordered to report by the President, Governor of a state, commonwealth, or territory of the United States, or other appropriate military authority.

"Service member" means a resident of Illinois who is a member of any component of the U.S. Armed Forces or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States.

(b) Each director of a department is authorized to extend any deadline established by that director or department for a service member who has entered military service in excess of 29 consecutive days. The director may extend the deadline for a period not more than twice the length of the service member's required military service.

(Source: P.A. 97-913, eff. 1-1-13; revised 9-10-12.)

Section 45. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Section 50-10 as follows:

(20 ILCS 301/50-10)

Sec. 50-10. Alcoholism and Substance Abuse Fund. Monies received from the federal government, except monies received under the Block Grant for the Prevention and Treatment of Alcoholism and Substance Abuse, and other gifts or grants made by any person to the fund shall be deposited into the Alcoholism and Substance Abuse Fund which is hereby created as a special fund in the State treasury. Monies in this fund shall be appropriated to the Department and expended for the purposes and activities specified by the person, organization or federal agency making the gift or grant.

(Source: P.A. 88-80; revised 10-17-12.)

Section 50. The Children and Family Services Act is amended by changing Section 7.4 as follows:

(20 ILCS 505/7.4)

Sec. 7.4. Development and preservation of sibling relationships for children in care; placement of siblings; contact among siblings placed apart.

(a) Purpose and policy. The General Assembly recognizes that sibling relationships are unique and essential for a person, but even more so for children who are removed from the care of their families and placed in the State child welfare system. When family separation occurs through State intervention, every effort must be made to preserve, support and nurture sibling relationships when doing so is in the best interest of each

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sibling. It is in the interests of foster children who are part of a sibling group to enjoy contact with one another, as long as the contact is in each child's best interest. This is true both while the siblings are in State care and after one or all of the siblings leave State care through adoption, guardianship, or aging out.

(b) Definitions. For purposes of this Section:

(1) Whenever a best interest determination is required by this Section, the Department shall consider the factors set out in subsection (4.05) 4.05 of Section 1-3 of the Juvenile Court Act of 1987 and the Department's rules regarding Sibling Placement, 89 111. Admin. Code 301.70 and Sibling Visitation, 89 111. Admin. Code 301.220, and the Department's rules regarding Placement Selection Criteria, 89 111. Admin. Code 301.60.

(2) "Adopted child" means a child who, immediately preceding the adoption, was in the custody or guardianship of the Illinois Department of Children and Family Services under Article II of the Juvenile Court Act of 1987.

(3) "Adoptive parent" means a person who has become a parent through the legal process of adoption.

(4) "Child" means a person in the temporary custody or guardianship of the Department who is under the age of 21.

(5) "Child placed in private guardianship" means a child who, immediately preceding the guardianship, was in the custody or guardianship of the Illinois Department of Children and Family Services under Article II of the Juvenile Court Act.

(6) "Contact" may include, but is not limited to visits, telephone calls, letters, sharing of photographs or information, e-mails, video conferencing, and other form of communication or contact.

(7) "Legal guardian" means a person who has become the legal guardian of a child who, immediately prior to the guardianship, was in the custody or guardianship of the Illinois Department of Children and Family Services under Article II of the Juvenile Court Act of 1987.

(8) "Parent" means the child's mother or father who is named as the respondent in proceedings conducted under Article II of the Juvenile Court Act of 1987.

(9) "Post Permanency Sibling Contact" means contact between siblings following the entry of a Judgment Order for

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Adoption under Section 14 of the Adoption Act regarding at least one sibling or an Order for Guardianship appointing a private guardian under Section 2-27 or the Juvenile Court Act of 1987, regarding at least one sibling. Post Permanency Sibling Contact may include, but is not limited to, visits, telephone calls, letters, sharing of photographs or information, emails, video conferencing, and other form of communication or connection agreed to by the parties to a Post Permanency Sibling Contact Agreement.

(10) "Post Permanency Sibling Contact Agreement" means a written agreement between the adoptive parent or parents, the child, and the child's sibling regarding post permanency contact between the adopted child and the child's sibling, or a written agreement between the legal guardians, the child, and the child's sibling regarding post permanency contact between the child placed in guardianship and the child's sibling. The Post Permanency Sibling Contact Agreement may specify the nature and frequency of contact between the adopted child or child placed in guardianship and the child's sibling following the entry of the Judgment Order for Adoption or Order for Private Guardianship. The Post Permanency Sibling Contact Agreement may be supported by services as specified in this Section. The Post Permanency Sibling Contact Agreement is voluntary on the part of the parties to the Post Permanency Sibling Contact Agreement and is not a requirement for finalization of the child's adoption or guardianship. The Post Permanency Sibling Contract Agreement shall not be enforceable in any court of law or administrative forum and no cause of action shall be brought to enforce the Agreement. When entered into, the Post Permanency Sibling Contact Agreement shall be placed in the child's Post Adoption or Guardianship case record and in the case file of a sibling who is a party to the agreement and who remains in the Department's custody or guardianship.

(11) "Sibling Contact Support Plan" means a written document that sets forth the plan for future contact between siblings who are in the Department's care and custody and residing separately. The goal of the Support Plan is to develop or preserve and nurture the siblings' relationships. The Support Plan shall set forth the role of the foster parents, caregivers, and others in implementing the Support Plan. The Support Plan must meet the
minimum standards regarding frequency of in-person visits provided for in Department rule.

(12) "Siblings" means children who share at least one parent in common. This definition of siblings applies solely for purposes of placement and contact under this Section. For purposes of this Section, children who share at least one parent in common continue to be siblings after their parent's parental rights are terminated, if parental rights were terminated while a petition under Article II of the Juvenile Court Act of 1987 was pending. For purposes of this Section, children who share at least one parent in common continue to be siblings after a sibling is adopted or placed in private guardianship when the adopted child or child placed in private guardianship was in the Department's custody or guardianship under Article II of the Juvenile Court Act of 1987 immediately prior to the adoption or private guardianship. For children who have been in the guardianship of the Department under Article II of the Juvenile Court Act of 1987, have been adopted, and are subsequently returned to the temporary custody or guardianship of the Department under Article II of the Juvenile Court Act of 1987, "siblings" includes a person who would have been considered a sibling prior to the adoption and siblings through adoption.

(c) No later than January 1, 2013, the Department shall promulgate rules addressing the development and preservation of sibling relationships. The rules shall address, at a minimum:

(1) Recruitment, licensing, and support of foster parents willing and capable of either fostering sibling groups or supporting and being actively involved in planning and executing sibling contact for siblings placed apart. The rules shall address training for foster parents, licensing workers, placement workers, and others as deemed necessary.

(2) Placement selection for children who are separated from their siblings and how to best promote placements of children with foster parents or programs that can meet the children's needs, including the need to develop and maintain contact with siblings.

(3) State-supported guidance to siblings who have aged out of state care regarding positive engagement with siblings.

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(4) Implementation of Post Permanency Sibling Contact Agreements for children exiting State care, including services offered by the Department to encourage and assist parties in developing agreements, services offered by the Department post permanency post-permanency to support parties in implementing and maintaining agreements, and including services offered by the Department post permanency post-permanency to assist parties in amending agreements as necessary to meet the needs of the children.

(5) Services offered by the Department for children who exited foster care prior to the availability of Post Permanency Post-Permanency Sibling Contact Agreements, to invite willing parties to participate in a facilitated discussion, including, but not limited to, a mediation or joint team decision-making meeting, to explore sibling contact.

(d) The Department shall develop a form to be provided to youth entering care and exiting care explaining their rights and responsibilities related to sibling visitation while in care and post permanency.

(e) Whenever a child enters care or requires a new placement, the Department shall consider the development and preservation of sibling relationships.

(1) This subsection applies when a child entering care or requiring a change of placement has siblings who are in the custody or guardianship of the Department. When a child enters care or requires a new placement, the Department shall examine its files and other available resources and determine whether a sibling of that child is in the custody or guardianship of the Department. If the Department determines that a sibling is in its custody or guardianship, the Department shall then determine whether it is in the best interests of each of the siblings for the child needing placement to be placed with the sibling. If the Department determines that it is in the best interest of each sibling to be placed together, and the sibling's foster parent is able and willing to care for the child needing placement, the Department shall place the child needing placement with the sibling. A determination that it is not in a child's best interest to be placed with a sibling shall be made in accordance with Department rules, and documented in the file of each sibling.

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(2) This subsection applies when a child who is entering care has siblings who have been adopted or placed in private guardianship. When a child enters care, the Department shall examine its files and other available resources, including consulting with the child's parents, to determine whether a sibling of the child was adopted or placed in private guardianship from State care. The Department shall determine, in consultation with the child's parents, whether it would be in the child's best interests to explore placement with the adopted sibling or sibling in guardianship. Unless the parent objects, if the Department determines it is in the child's best interest to explore the placement, the Department shall contact the adoptive parents or guardians of the sibling, determine whether they are willing to be considered as placement resources for the child, and, if so, determine whether it is in the best interests of the child to be placed in the home with the sibling. If the Department determines that it is in the child's best interests to be placed in the home with the sibling, and the sibling's adoptive parents or guardians are willing and capable, the Department shall make the placement. A determination that it is not in a child's best interest to be placed with a sibling shall be made in accordance with Department rule, and documented in the child's file.

(3) This subsection applies when a child in Department custody or guardianship requires a change of placement, and the child has siblings who have been adopted or placed in private guardianship. When a child in care requires a new placement, the Department may consider placing the child with the adoptive parent or guardian of a sibling under the same procedures and standards set forth in paragraph (2) of this subsection.

(4) When the Department determines it is not in the best interest of one or more siblings to be placed together the Department shall ensure that the child requiring placement is placed in a home or program where the caregiver is willing and able to be actively involved in supporting the sibling relationship to the extent doing so is in the child's best interest.

(f) When siblings in care are placed in separate placements, the Department shall develop a Sibling Contact Support Plan. The Department shall convene a meeting to develop the Support Plan. The meeting shall include, at a minimum, the case managers for the siblings, the foster

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parents or other care providers if a child is in a non-foster home placement and the child, when developmentally and clinically appropriate. The Department shall make all reasonable efforts to promote the participation of the foster parents. Parents whose parental rights are intact shall be invited to the meeting. Others, such as therapists and mentors, shall be invited as appropriate. The Support Plan shall set forth future contact and visits between the siblings to develop or preserve, and nurture the siblings' relationships. The Support Plan shall set forth the role of the foster parents and caregivers and others in implementing the Support Plan. The Support Plan must meet the minimum standards regarding frequency of in-person visits provided for in Department rule. The Support Plan will be incorporated in the child's service plan and reviewed at each administrative case review. The Support Plan should be modified if one of the children moves to a new placement, or as necessary to meet the needs of the children. The Sibling Contact Support Plan for a child in care may include siblings who are not in the care of the Department, with the consent and participation of that child's parent or guardian.

(g) By January 1, 2013, the Department shall develop a registry so that placement information regarding adopted siblings and siblings in private guardianship is readily available to Department and private agency caseworkers responsible for placing children in the Department's care. When a child is adopted or placed in private guardianship from foster care, the Department shall inform the adoptive parents or guardians that they may be contacted in the future regarding placement of or contact with siblings subsequently requiring placement.

(h) When a child is in need of an adoptive placement, the Department shall examine its files and other available resources and attempt to determine whether a sibling of the child has been adopted or placed in private guardianship after being in the Department's custody or guardianship. If the Department determines that a sibling of the child has been adopted or placed in private guardianship, the Department shall make a good faith effort to locate the adoptive parents or guardians of the sibling and inform them of the availability of the child for adoption. The Department may determine not to inform the adoptive parents or guardians of a sibling of a child that the child is available for adoption only for a reason permitted under criteria adopted by the Department by rule, and documented in the child's case file. If a child available for adoption has a sibling who has been adopted or placed in guardianship, and the adoptive parents or guardians of that sibling apply to

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adopt the child, the Department shall consider them as adoptive applicants for the adoption of the child. The Department's final decision as to whether it will consent to the adoptive parents or guardians of a sibling being the adoptive parents of the child shall be based upon the welfare and best interest of the child. In arriving at its decision, the Department shall consider all relevant factors, including but not limited to:

1. the wishes of the child;
2. the interaction and interrelationship of the child with the applicant to adopt the child;
3. the child's need for stability and continuity of relationship with parent figures;
4. the child's adjustment to his or her present home, school, and community;
5. the mental and physical health of all individuals involved;
6. the family ties between the child and the child's relatives, including siblings;
7. the background, age, and living arrangements of the applicant to adopt the child;
8. a criminal background report of the applicant to adopt the child.

If placement of the child available for adoption with the adopted sibling or sibling in private guardianship is not feasible, but it is in the child's best interest to develop a relationship with his or her sibling, the Department shall invite the adoptive parents, guardian, or guardians for a mediation or joint team decision-making meeting to facilitate a discussion regarding future sibling contact.

(i) Post Permanency Sibling Contact Agreement. When a child in the Department's care has a permanency goal of adoption or private guardianship, and the Department is preparing to finalize the adoption or guardianship, the Department shall convene a meeting with the pre-adoptive parent or prospective guardian and the case manager for the child being adopted or placed in guardianship and the foster parents and case managers for the child's siblings, and others as applicable. The children should participate as is developmentally appropriate. Others, such as therapists and mentors, may participate as appropriate. At the meeting the Department shall encourage the parties to discuss sibling contact post permanency. The Department may assist the parties in drafting a Post Permanency Sibling Contact Agreement.
(1) Parties to the Agreement for Post Permanency Sibling Contact Agreement shall include:
   (A) The adoptive parent or parents or guardian.
   (B) The child's sibling or siblings, parents or guardians.
   (C) The child.
(2) Consent of child 14 and over. The written consent of a child age 14 and over to the terms and conditions of the Post Permanency Sibling Contact Agreement and subsequent modifications is required.
(3) In developing this Agreement, the Department shall encourage the parties to consider the following factors:
   (A) the physical and emotional safety and welfare of the child;
   (B) the child's wishes;
   (C) the interaction and interrelationship of the child with the child's sibling or siblings who would be visiting or communicating with the child, including:
      (i) the quality of the relationship between the child and the sibling or siblings, and
      (ii) the benefits and potential harms to the child in allowing the relationship or relationships to continue or in ending them;
   (D) the child's sense of attachments to the birth sibling or siblings and adoptive family, including:
      (i) the child's sense of being valued;
      (ii) the child's sense of familiarity; and
      (iii) continuity of affection for the child; and
   (E) other factors relevant to the best interest of the child.
(4) In considering the factors in paragraph (3) of this subsection, the Department shall encourage the parties to recognize the importance to a child of developing a relationship with siblings including siblings with whom the child does not yet have a relationship; and the value of preserving family ties between the child and the child's siblings, including:
   (A) the child's need for stability and continuity of relationships with siblings, and

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(B) the importance of sibling contact in the development of the child's identity.

(5) Modification or termination of Post Permanency Sibling Contact Agreement. The parties to the agreement may modify or terminate the Post Permanency Sibling Contact Agreement. If the parties cannot agree to modification or termination, they may request the assistance of the Department of Children and Family Services or another agency identified and agreed upon by the parties to the Post Permanency Sibling Contact Agreement. Any and all terms may be modified by agreement of the parties. Post Permanency Sibling Contact Agreements may also be modified to include contact with siblings whose whereabouts were unknown or who had not yet been born when the Judgment Order for Adoption or Order for Private Guardianship was entered.

(6) Adoptions and private guardianships finalized prior to the effective date of amendatory Act. Nothing in this Section prohibits the parties from entering into a Post Permanency Sibling Contact Agreement if the adoption or private guardianship was finalized prior to the effective date of this Section. If the Agreement is completed and signed by the parties, the Department shall include the Post Permanency Sibling Contact Agreement in the child's Post Adoption or Private Guardianship case record and in the case file of siblings who are parties to the agreement who are in the Department's custody or guardianship.

(Source: P.A. 97-1076, eff. 8-24-12; revised 10-10-12.)

Section 55. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-332 and 605-1015 as follows:

(20 ILCS 605/605-332)

Sec. 605-332. Financial assistance to energy generation facilities.

(a) As used in this Section:

"New electric generating facility" means a newly-constructed electric generation plant or a newly constructed generation capacity expansion at an existing facility, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which foundation construction commenced not sooner than July 1, 2001, which is designed to provide baseload electric generation operating on a continuous basis throughout the year and:

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(1) has an aggregate rated generating capacity of at least 400 megawatts for all new units at one site, uses coal or gases derived from coal as its primary fuel source, and supports the creation of at least 150 new Illinois coal mining jobs; or

(2) is funded through a federal Department of Energy grant before December 31, 2010 and supports the creation of Illinois coal-mining jobs; or

(3) uses coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and supports the creation of Illinois coal-mining jobs.

"New gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal.

"New facility" means a new electric generating facility or a new gasification facility. A new facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal.

"Eligible business" means an entity that proposes to construct a new facility and that has applied to the Department to receive financial assistance pursuant to this Section. With respect to use and occupation taxes, wherever there is a reference to taxes, that reference means only those taxes paid on Illinois-mined coal used in a new facility.

"Department" means the Illinois Department of Commerce and Economic Opportunity.

(b) The Department is authorized to provide financial assistance to eligible businesses for new facilities from funds appropriated by the General Assembly as further provided in this Section.

An eligible business seeking qualification for financial assistance for a new facility, for purposes of this Section only, shall apply to the Department in the manner specified by the Department. Any projections provided by an eligible business as part of the application shall be independently verified in a manner as set forth by the Department. An application shall include, but not be limited to:

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(1) the projected or actual completion date of the new facility for which financial assistance is sought;

(2) copies of documentation deemed acceptable by the Department establishing either (i) the total State occupation and use taxes paid on Illinois-mined coal used at the new facility for a minimum of 4 preceding calendar quarters or (ii) the projected amount of State occupation and use taxes paid on Illinois-mined coal used at the new facility in 4 calendar year quarters after completion of the new facility. Bond proceeds subject to this Section shall not be allocated to an eligible business until the eligible business has demonstrated the revenue stream sufficient to service the debt on the bonds; and

(3) the actual or projected amount of capital investment by the eligible business in the new facility.

The Department shall determine the maximum amount of financial assistance for eligible businesses in accordance with this paragraph. The Department shall not provide financial assistance from general obligation bond funds to any eligible business unless it receives a written certification from the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) that 80% of the State occupation and use tax receipts for a minimum of the preceding 4 calendar quarters for all eligible businesses or as included in projections on approved applications by eligible businesses equal or exceed 110% of the maximum annual debt service required with respect to general obligation bonds issued for that purpose. The Department may provide financial assistance not to exceed the amount of State general obligation debt calculated as above, the amount of actual or projected capital investment in the facility, or $100,000,000, whichever is less. Financial assistance received pursuant to this Section may be used for capital facilities consisting of buildings, structures, durable equipment, and land at the new facility. Subject to the provisions of the agreement covering the financial assistance, a portion of the financial assistance may be required to be repaid to the State if certain conditions for the governmental purpose of the assistance were not met.

An eligible business shall file a monthly report with the Illinois Department of Revenue stating the amount of Illinois-mined coal purchased during the previous month for use in the new facility, the purchase price of that coal, the amount of State occupation and use taxes paid on that purchase to the seller of the Illinois-mined coal, and such other information as that Department may reasonably require. In sales of

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Illinois-mined coal between related parties, the purchase price of the coal must have been determined in an *arm's-length* transaction. The report shall be filed with the Illinois Department of Revenue on or before the 20th day of each month on a form provided by that Department. However, no report need be filed by an eligible business in a month when it made no reportable purchases of coal in the previous month. The Illinois Department of Revenue shall provide a summary of such reports to the Governor's Office of Management and Budget.

Upon granting financial assistance to an eligible business, the Department shall certify the name of the eligible business to the Illinois Department of Revenue. Beginning with the receipt of the first report of State occupation and use taxes paid by an eligible business and continuing for a 25-year period, the Illinois Department of Revenue shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business.

(Source: P.A. 94-65, eff. 6-21-05; 94-1030, eff. 7-14-06; 95-18, eff. 7-30-07; revised 10-10-12.)

(20 ILCS 605/605-1015)

Sec. 605-1015. Farmers' markets held in convention centers. To encourage convention center boards and other public or private entities that operate convention centers throughout the State to provide convention center space at a reduced rate or without charge to local farmers' markets to use the space to hold the market when inclement weather prevents holding the market at its regular outdoor location. For purposes of this Section, "farmers' market" has the meaning set forth in the Farmers' Market Technology Improvement Program Act.

(Source: P.A. 97-1015, eff. 1-1-13; revised 10-10-12.)

Section 60. The Business Assistance and Regulatory Reform Act is amended by changing Section 10 as follows:

(20 ILCS 608/10)

Sec. 10. Executive Office. There is created an Office of Business Permits and Regulatory Assistance (hereinafter referred to as "office") within the Department of Commerce and Community Affairs (now Department of Commerce and **Economic Community** Opportunity) which shall consolidate existing programs throughout State government, provide assistance to businesses with fewer than 500 employees in meeting State requirements for doing business and perform other functions specified in this Act. By March 1, 1994, the office shall complete and file with the
Governor and the General Assembly a plan for the implementation of this Act. Thereafter, the office shall carry out the provisions of this Act, subject to funding through appropriation.

(Source: P.A. 94-793, eff. 5-19-06; revised 10-10-12.)

Section 65. The Economic Development Area Tax Increment Allocation Act is amended by changing Section 7 as follows:

(20 ILCS 620/7) (from Ch. 67 1/2, par. 1007)

Sec. 7. Creation of special tax allocation fund. If a municipality has adopted tax increment allocation financing for an economic development project area by ordinance, the county clerk has thereafter certified the "total initial equalized assessed value" of the taxable real property within such economic development project area in the manner provided in Section 6 of this Act, and the Department has approved and certified the economic development project area, each year after the date of the certification by the county clerk of the "total initial equalized assessed value" until economic development project costs and all municipal obligations financing economic development project costs have been paid, the ad valorem taxes, if any, arising from the levies upon the taxable real property in the economic development project area by taxing districts and tax rates determined in the manner provided in subsection (b) of Section 6 of this Act shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property existing at the time tax increment allocation financing was adopted, shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of those taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the economic development project area, over and above the initial equalized assessed value of each property existing at the time tax increment allocation financing was adopted, shall be allocated to and when collected shall be paid to the municipal treasurer, who shall deposit those taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying economic development project costs and obligations incurred in the payment thereof.
The municipality, by an ordinance adopting tax increment allocation financing, may pledge the funds in and to be deposited in the special tax allocation fund for the payment of obligations issued under this Act and for the payment of economic development project costs. No part of the current equalized assessed valuation of each property in the economic development project area attributable to any increase above the total initial equalized assessed value, of such properties shall be used in calculating the general State school aid formula, provided for in Section 18-8 of the School Code, until such time as all economic development projects costs have been paid as provided for in this Section.

When the economic development project costs, including without limitation all municipal obligations financing economic development project costs incurred under this Act, have been paid, all surplus funds then remaining in the special tax allocation fund shall be distributed by being paid by the municipal treasurer to the county collector, who shall immediately thereafter pay those funds to the taxing districts having taxable property in the economic development project area in the same manner and proportion as the most recent distribution by the county collector to those taxing districts of real property taxes from real property in the economic development project area.

Upon the payment of all economic development project costs, retirement of obligations and the distribution of any excess monies pursuant to this Section the municipality shall adopt an ordinance dissolving the special tax allocation fund for the economic development project area, terminating the economic development project area, and terminating the use of tax increment allocation financing for the economic development project area. Thereafter the rates of the taxing districts shall be extended and taxes levied, collected and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

Nothing in this Section shall be construed as relieving property in economic development project areas from being assessed as provided in the Property Tax Code, or as relieving owners of that property from paying a uniform rate of taxes, as required by Section 4 of Article IX of the Illinois Constitution.

(Source: P.A. 88-670, eff. 12-2-94; revised 10-10-12.)

Section 70. The Illinois Enterprise Zone Act is amended by changing Section 3 as follows:

(20 ILCS 655/3) (from Ch. 67 1/2, par. 603)

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Sec. 3. Definitions. As used in this Act, the following words shall have the meanings ascribed to them, unless the context otherwise requires:

(a) "Department" means the Department of Commerce and Economic Opportunity.

(b) "Enterprise Zone" means an area of the State certified by the Department as an Enterprise Zone pursuant to this Act.

(c) "Depressed Area" means an area in which pervasive poverty, unemployment and economic distress exist.

(d) "Designated Zone Organization" means an association or entity: (1) the members of which are substantially all residents of the Enterprise Zone; (2) the board of directors of which is elected by the members of the organization; (3) which satisfies the criteria set forth in Section 501(c) (3) or 501(c) (4) of the Internal Revenue Code; and (4) which exists primarily for the purpose of performing within such area or zone for the benefit of the residents and businesses thereof any of the functions set forth in Section 8 of this Act.

(e) "Agency" means each officer, board, commission and agency created by the Constitution, in the executive branch of State government, other than the State Board of Elections; each officer, department, board, commission, agency, institution, authority, university, body politic and corporate of the State; and each administrative unit or corporate outgrowth of the State government which is created by or pursuant to statute, other than units of local government and their officers, school districts and boards of election commissioners; each administrative unit or corporate outgrowth of the above and as may be created by executive order of the Governor. No entity shall be considered an "agency" for the purposes of this Act unless authorized by law to make rules or regulations.

(f) "Rule" means each agency statement of general applicability that implements, applies, interprets or prescribes law or policy, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the agency, (ii) intra-agency memoranda, or (iii) the prescription of standardized forms.

(g) "Board" means the Enterprise Zone Board created in Section 5.2.1.

(h) "Local labor market area" means an economically integrated area within which individuals can reside and find employment within a
reasonable distance or can readily change jobs without changing their place of residence.

(i) "Full-time equivalent job" means a job in which the new employee works for the recipient or for a corporation under contract to the recipient at a rate of at least 35 hours per week. A recipient who employs labor or services at a specific site or facility under contract with another may declare one full-time, permanent job for every 1,820 man hours worked per year under that contract. Vacations, paid holidays, and sick time are included in this computation. Overtime is not considered a part of regular hours.

(j) "Full-time retained job" means any employee defined as having a full-time or full-time equivalent job preserved at a specific facility or site, the continuance of which is threatened by a specific and demonstrable threat, which shall be specified in the application for development assistance. A recipient who employs labor or services at a specific site or facility under contract with another may declare one retained employee per year for every 1,750 man hours worked per year under that contract, even if different individuals perform on-site labor or services.

(Source: P.A. 97-905, eff. 8-7-12; revised 10-10-12.)

Section 75. The Corporate Accountability for Tax Expenditures Act is amended by changing Section 25 as follows:

(20 ILCS 715/25)
Sec. 25. Recapture.
(a) All development assistance agreements shall contain, at a minimum, the following recapture provisions:

(1) The recipient must (i) make the level of capital investment in the economic development project specified in the development assistance agreement; (ii) create or retain, or both, the requisite number of jobs, paying not less than specified wages for the created and retained jobs, within and for the duration of the time period specified in the legislation authorizing, or the administrative rules implementing, the development assistance programs and the development assistance agreement.

(2) If the recipient fails to create or retain the requisite number of jobs within and for the time period specified, in the legislation authorizing, or the administrative rules implementing, the development assistance programs and the development assistance agreement, the recipient shall be deemed to no longer
qualify for the State economic assistance and the applicable recapture provisions shall take effect.

(3) If the recipient receives State economic assistance in the form of a High Impact Business designation pursuant to Section 5.5 of the Illinois Enterprise Zone Act and the business receives the benefit of the exemption authorized under Section 51 of the Retailers' Occupation Tax Act (for the sale of building materials incorporated into a High Impact Business location) and the recipient fails to create or retain the requisite number of jobs, as determined by the legislation authorizing the development assistance programs or the administrative rules implementing such legislation, or both, within the requisite period of time, the recipient shall be required to pay to the State the full amount of the State tax exemption that it received as a result of the High Impact Business designation.

(4) If the recipient receives a grant or loan pursuant to the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program and the recipient fails to create or retain the requisite number of jobs for the requisite time period, as provided in the legislation authorizing the development assistance programs or the administrative rules implementing such legislation, or both, or in the development assistance agreement, the recipient shall be required to repay to the State a pro rata amount of the grant; that amount shall reflect the percentage of the deficiency between the requisite number of jobs to be created or retained by the recipient and the actual number of such jobs in existence as of the date the Department determines the recipient is in breach of the job creation or retention covenants contained in the development assistance agreement. If the recipient of development assistance under the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program ceases operations at the specific project site, during the 5-year period commencing on the date of assistance, the recipient shall be required to repay the entire amount of the grant or to accelerate repayment of the loan back to the State.

(5) If the recipient receives a tax credit under the Economic Development for a Growing Economy tax credit program, the development assistance agreement must provide that (i) if the
number of new or retained employees falls below the requisite number set forth in the development assistance agreement, the allowance of the credit shall be automatically suspended until the number of new and retained employees equals or exceeds the requisite number in the development assistance agreement; (ii) if the recipient discontinues operations at the specific project site during the 5-year period after the beginning of the first tax year for which the Department issues a tax credit certificate, the recipient shall forfeit all credits taken by the recipient during such 5-year period; and (iii) in the event of a revocation or suspension of the credit, the Department shall contact the Director of Revenue to initiate proceedings against the recipient to recover wrongfully exempted Illinois State income taxes and the recipient shall promptly repay to the Department of Revenue any wrongfully exempted Illinois State income taxes. The forfeited amount of credits shall be deemed assessed on the date the Department contacts the Department of Revenue and the recipient shall promptly repay to the Department of Revenue any wrongfully exempted Illinois State income taxes.

(b) The Director may elect to waive enforcement of any contractual provision arising out of the development assistance agreement required by this Act based on a finding that the waiver is necessary to avert an imminent and demonstrable hardship to the recipient that may result in such recipient's insolvency or discharge of workers. If a waiver is granted, the recipient must agree to a contractual modification, including recapture provisions, to the development assistance agreement. The existence of any waiver granted pursuant to this subsection (b) (c), the date of the granting of such waiver, and a brief summary of the reasons supporting the granting of such waiver shall be disclosed consistent with the provisions of Section 25 of this Act.

(b-5) The Department shall post, on its website, (i) the identity of each recipient from whom amounts were recaptured under this Section on or after the effective date of this amendatory Act of the 97th General Assembly, (ii) the date of the recapture, (iii) a summary of the reasons supporting the recapture, and (iv) the amount recaptured from those recipients.

(c) Beginning June 1, 2004, the Department shall annually compile a report on the outcomes and effectiveness of recapture provisions by program, including but not limited to: (i) the total number of companies

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that receive development assistance as defined in this Act; (ii) the total number of recipients in violation of development agreements with the Department; (iii) the total number of completed recapture efforts; (iv) the total number of recapture efforts initiated; and (v) the number of waivers granted. This report shall be disclosed consistent with the provisions of Section 20 of this Act.

(d) For the purposes of this Act, recapture provisions do not include the Illinois Department of Transportation Economic Development Program, any grants under the Industrial Training Program that are not given as an incentive to a recipient business organization, or any successor programs as described in the term "development assistance" in Section 5 of this Act.

(Source: P.A. 97-2, eff. 5-6-11; 97-721, eff. 6-29-12; revised 10-10-12.)

Section 80. The Department of Human Services Act is amended by changing Section 10-8 as follows:

(20 ILCS 1305/10-8)

Sec. 10-8. The Autism Research Checkoff Fund; grants; scientific review committee. The Autism Research Checkoff Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department must make grants to public or private entities in Illinois for the purpose of funding research concerning the disorder of autism. For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective in the detection, prevention, screening, and treatment of autism and may include clinical trials. No more than 20% of the grant funds may be used for institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services.

Moneys received for the purposes of this Section, including, without limitation, income tax checkoff receipts and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

Each year, grantees of the grants provided under this Section must submit a written report to the Department that sets forth the types of research that is conducted with the grant moneys and the status of that research.

The Department shall promulgate rules for the creation of a scientific review committee to review and assess applications for the

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grants authorized under this Section. The Committee shall serve without compensation.
(Source: P.A. 94-442, eff. 8-4-05; 95-331, eff. 8-21-07; revised 10-17-12.)

Section 85. The Department of Labor Law of the Civil Administrative Code of Illinois is amended by changing Section 1505-210 as follows:

(20 ILCS 1505/1505-210)
Sec. 1505-210. Funds. The Department has the authority to apply for, accept, receive, expend, and administer on behalf of the State any grants, gifts, bequests, loans, indirect cost reimbursements, funds, or anything else of value made available to the Department from any source for assistance with outreach activities related to the Department's enforcement efforts and staffing assistance for boards and commissions under the purview of the Department. Any federal funds received by the Department pursuant to this Section shall be deposited in a trust fund with the State Treasurer and held and disbursed by him or her in accordance with the Treasurer as Custodian of Funds Act, provided that such moneys shall be used only for the purposes for which they are contributed and any balance remaining shall be returned to the contributor. The Department is authorized to promulgate such rules and enter into such contracts as it may deem necessary in carrying out the provisions of this Section.
(Source: P.A. 97-745, eff. 7-6-12; revised 8-3-12.)

Section 90. The Illinois Lottery Law is amended by changing Sections 9.1 and 27 as follows:

(20 ILCS 1605/9.1)
Sec. 9.1. Private manager and management agreement.
(a) As used in this Section:
"Offeror" means a person or group of persons that responds to a request for qualifications under this Section.
"Request for qualifications" means all materials and documents prepared by the Department to solicit the following from offerors:
(1) Statements of qualifications.
(2) Proposals to enter into a management agreement, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.
"Final offer" means the last proposal submitted by an offeror in response to the request for qualifications, including the identity of any

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prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offeror" means the offeror ultimately selected by the Governor to be the private manager for the Lottery under subsection (h) of this Section.

(b) By September 15, 2010, the Governor shall select a private manager for the total management of the Lottery with integrated functions, such as lottery game design, supply of goods and services, and advertising and as specified in this Section.

(c) Pursuant to the terms of this subsection, the Department shall endeavor to expeditiously terminate the existing contracts in support of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly in connection with the selection of the private manager. As part of its obligation to terminate these contracts and select the private manager, the Department shall establish a mutually agreeable timetable to transfer the functions of existing contractors to the private manager so that existing Lottery operations are not materially diminished or impaired during the transition. To that end, the Department shall do the following:

1. where such contracts contain a provision authorizing termination upon notice, the Department shall provide notice of termination to occur upon the mutually agreed timetable for transfer of functions;

2. upon the expiration of any initial term or renewal term of the current Lottery contracts, the Department shall not renew such contract for a term extending beyond the mutually agreed timetable for transfer of functions; or

3. in the event any current contract provides for termination of that contract upon the implementation of a contract with the private manager, the Department shall perform all necessary actions to terminate the contract on the date that coincides with the mutually agreed timetable for transfer of functions.

If the contracts to support the current operation of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly are not subject to termination as provided for in this subsection (c), then the Department may include a provision in the contract with the private manager specifying a mutually agreeable methodology for incorporation.
(c-5) The Department shall include provisions in the management agreement whereby the private manager shall, for a fee, and pursuant to a contract negotiated with the Department (the "Employee Use Contract"), utilize the services of current Department employees to assist in the administration and operation of the Lottery. The Department shall be the employer of all such bargaining unit employees assigned to perform such work for the private manager, and such employees shall be State employees, as defined by the Personnel Code. Department employees shall operate under the same employment policies, rules, regulations, and procedures, as other employees of the Department. In addition, neither historical representation rights under the Illinois Public Labor Relations Act, nor existing collective bargaining agreements, shall be disturbed by the management agreement with the private manager for the management of the Lottery.

(d) The management agreement with the private manager shall include all of the following:

(1) A term not to exceed 10 years, including any renewals.
(2) A provision specifying that the Department:
    (A) shall exercise actual control over all significant business decisions;
    (A-5) has the authority to direct or countermand operating decisions by the private manager at any time;
    (B) has ready access at any time to information regarding Lottery operations;
    (C) has the right to demand and receive information from the private manager concerning any aspect of the Lottery operations at any time; and
    (D) retains ownership of all trade names, trademarks, and intellectual property associated with the Lottery.
(3) A provision imposing an affirmative duty on the private manager to provide the Department with material information and with any information the private manager reasonably believes the Department would want to know to enable the Department to conduct the Lottery.
(4) A provision requiring the private manager to provide the Department with advance notice of any operating decision that bears significantly on the public interest, including, but not limited to, decisions on the kinds of games to be offered to the public and

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decisions affecting the relative risk and reward of the games being offered, so the Department has a reasonable opportunity to evaluate and countermand that decision.

(5) A provision providing for compensation of the private manager that may consist of, among other things, a fee for services and a performance based bonus as consideration for managing the Lottery, including terms that may provide the private manager with an increase in compensation if Lottery revenues grow by a specified percentage in a given year.

(6) (Blank).

(7) A provision requiring the deposit of all Lottery proceeds to be deposited into the State Lottery Fund except as otherwise provided in Section 20 of this Act.

(8) A provision requiring the private manager to locate its principal office within the State.

(8-5) A provision encouraging that at least 20% of the cost of contracts entered into for goods and services by the private manager in connection with its management of the Lottery, other than contracts with sales agents or technical advisors, be awarded to businesses that are a minority owned business, a female owned business, or a business owned by a person with disability, as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(9) A requirement that so long as the private manager complies with all the conditions of the agreement under the oversight of the Department, the private manager shall have the following duties and obligations with respect to the management of the Lottery:

(A) The right to use equipment and other assets used in the operation of the Lottery.

(B) The rights and obligations under contracts with retailers and vendors.

(C) The implementation of a comprehensive security program by the private manager.

(D) The implementation of a comprehensive system of internal audits.

(E) The implementation of a program by the private manager to curb compulsive gambling by persons playing the Lottery.

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(F) A system for determining (i) the type of Lottery games, (ii) the method of selecting winning tickets, (iii) the manner of payment of prizes to holders of winning tickets, (iv) the frequency of drawings of winning tickets, (v) the method to be used in selling tickets, (vi) a system for verifying the validity of tickets claimed to be winning tickets, (vii) the basis upon which retailer commissions are established by the manager, and (viii) minimum payouts.

(10) A requirement that advertising and promotion must be consistent with Section 7.8a of this Act.

(11) A requirement that the private manager market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet as permitted by law.

(12) A code of ethics for the private manager's officers and employees.

(13) A requirement that the Department monitor and oversee the private manager's practices and take action that the Department considers appropriate to ensure that the private manager is in compliance with the terms of the management agreement, while allowing the manager, unless specifically prohibited by law or the management agreement, to negotiate and sign its own contracts with vendors.

(14) A provision requiring the private manager to periodically file, at least on an annual basis, appropriate financial statements in a form and manner acceptable to the Department.

(15) Cash reserves requirements.

(16) Procedural requirements for obtaining the prior approval of the Department when a management agreement or an interest in a management agreement is sold, assigned, transferred, or pledged as collateral to secure financing.

(17) Grounds for the termination of the management agreement by the Department or the private manager.

(18) Procedures for amendment of the agreement.

(19) A provision requiring the private manager to engage in an open and competitive bidding process for any procurement having a cost in excess of $50,000 that is not a part of the private manager's final offer. The process shall favor the selection of a vendor deemed to have submitted a proposal that provides the

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Lottery with the best overall value. The process shall not be subject to the provisions of the Illinois Procurement Code, unless specifically required by the management agreement.

(20) The transition of rights and obligations, including any associated equipment or other assets used in the operation of the Lottery, from the manager to any successor manager of the lottery, including the Department, following the termination of or foreclosure upon the management agreement.

(21) Right of use of copyrights, trademarks, and service marks held by the Department in the name of the State. The agreement must provide that any use of them by the manager shall only be for the purpose of fulfilling its obligations under the management agreement during the term of the agreement.

(22) The disclosure of any information requested by the Department to enable it to comply with the reporting requirements and information requests provided for under subsection (p) of this Section.

(e) Notwithstanding any other law to the contrary, the Department shall select a private manager through a competitive request for qualifications process consistent with Section 20-35 of the Illinois Procurement Code, which shall take into account:

(1) the offeror's ability to market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet;

(2) the offeror's ability to address the State's concern with the social effects of gambling on those who can least afford to do so;

(3) the offeror's ability to provide the most successful management of the Lottery for the benefit of the people of the State based on current and past business practices or plans of the offeror; and

(4) the offeror's poor or inadequate past performance in servicing, equipping, operating or managing a lottery on behalf of Illinois, another State or foreign government and attracting persons who are not currently regular players of a lottery.

(f) The Department may retain the services of an advisor or advisors with significant experience in financial services or the management, operation, and procurement of goods, services, and

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equipment for a government-run lottery to assist in the preparation of the terms of the request for qualifications and selection of the private manager. Any prospective advisor seeking to provide services under this subsection (f) shall disclose any material business or financial relationship during the past 3 years with any potential offeror, or with a contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery. The Department shall evaluate the material business or financial relationship of each prospective advisor. The Department shall not select any prospective advisor with a substantial business or financial relationship that the Department deems to impair the objectivity of the services to be provided by the prospective advisor. During the course of the advisor's engagement by the Department, and for a period of one year thereafter, the advisor shall not enter into any business or financial relationship with any offeror or any vendor identified to assist an offeror in performing its obligations under the management agreement. Any advisor retained by the Department shall be disqualified from being an offeror. The Department shall not include terms in the request for qualifications that provide a material advantage whether directly or indirectly to any potential offeror, or any contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery, including terms contained in previous responses to requests for proposals or qualifications submitted to Illinois, another State or foreign government when those terms are uniquely associated with a particular potential offeror, contractor, or subcontractor. The request for proposals offered by the Department on December 22, 2008 as "LOT08GAMESYS" and reference number "22016176" is declared void.

(g) The Department shall select at least 2 offerors as finalists to potentially serve as the private manager no later than August 9, 2010. Upon making preliminary selections, the Department shall schedule a public hearing on the finalists' proposals and provide public notice of the hearing at least 7 calendar days before the hearing. The notice must include all of the following:

1. The date, time, and place of the hearing.
2. The subject matter of the hearing.
3. A brief description of the management agreement to be awarded.
4. The identity of the offerors that have been selected as finalists to serve as the private manager.
5. The address and telephone number of the Department.

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(h) At the public hearing, the Department shall (i) provide sufficient time for each finalist to present and explain its proposal to the Department and the Governor or the Governor's designee, including an opportunity to respond to questions posed by the Department, Governor, or designee and (ii) allow the public and non-selected offerors to comment on the presentations. The Governor or a designee shall attend the public hearing. After the public hearing, the Department shall have 14 calendar days to recommend to the Governor whether a management agreement should be entered into with a particular finalist. After reviewing the Department's recommendation, the Governor may accept or reject the Department's recommendation, and shall select a final offeror as the private manager by publication of a notice in the Illinois Procurement Bulletin on or before September 15, 2010. The Governor shall include in the notice a detailed explanation and the reasons why the final offeror is superior to other offerors and will provide management services in a manner that best achieves the objectives of this Section. The Governor shall also sign the management agreement with the private manager.

(i) Any action to contest the private manager selected by the Governor under this Section must be brought within 7 calendar days after the publication of the notice of the designation of the private manager as provided in subsection (h) of this Section.

(j) The Lottery shall remain, for so long as a private manager manages the Lottery in accordance with provisions of this Act, a Lottery conducted by the State, and the State shall not be authorized to sell or transfer the Lottery to a third party.

(k) Any tangible personal property used exclusively in connection with the lottery that is owned by the Department and leased to the private manager shall be owned by the Department in the name of the State and shall be considered to be public property devoted to an essential public and governmental function.

(l) The Department may exercise any of its powers under this Section or any other law as necessary or desirable for the execution of the Department's powers under this Section.

(m) Neither this Section nor any management agreement entered into under this Section prohibits the General Assembly from authorizing forms of gambling that are not in direct competition with the Lottery.

(n) The private manager shall be subject to a complete investigation in the third, seventh, and tenth years of the agreement (if the agreement is for a 10-year term) by the Department in cooperation with the

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Auditor General to determine whether the private manager has complied with this Section and the management agreement. The private manager shall bear the cost of an investigation or reinvestigation of the private manager under this subsection.

(o) The powers conferred by this Section are in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Section, including, but not limited to, provisions of the Illinois Procurement Code, then this Section controls as to any management agreement entered into under this Section. This Section and any rules adopted under this Section contain full and complete authority for a management agreement between the Department and a private manager. No law, procedure, proceeding, publication, notice, consent, approval, order, or act by the Department or any other officer, Department, agency, or instrumentality of the State or any political subdivision is required for the Department to enter into a management agreement under this Section. This Section contains full and complete authority for the Department to approve any contracts entered into by a private manager with a vendor providing goods, services, or both goods and services to the private manager under the terms of the management agreement, including subcontractors of such vendors.

Upon receipt of a written request from the Chief Procurement Officer, the Department shall provide to the Chief Procurement Officer a complete and un-redacted copy of the management agreement or any contract that is subject to the Department's approval authority under this subsection (o). The Department shall provide a copy of the agreement or contract to the Chief Procurement Officer in the time specified by the Chief Procurement Officer in his or her written request, but no later than 5 business days after the request is received by the Department. The Chief Procurement Officer must retain any portions of the management agreement or of any contract designated by the Department as confidential, proprietary, or trade secret information in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act. The Department shall also provide the Chief Procurement Officer with reasonable advance written notice of any contract that is pending Department approval.

Notwithstanding any other provision of this Section to the contrary, the Chief Procurement Officer shall adopt administrative rules, including emergency rules, to establish a procurement process to select a successor private manager if a private management agreement has been terminated.

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The selection process shall at a minimum take into account the criteria set forth in items (1) through (4) of subsection (e) of this Section and may include provisions consistent with subsections (f), (g), (h), and (i) of this Section. The Chief Procurement Officer shall also implement and administer the adopted selection process upon the termination of a private management agreement. The Department, after the Chief Procurement Officer certifies that the procurement process has been followed in accordance with the rules adopted under this subsection (o), shall select a final offeror as the private manager and sign the management agreement with the private manager.

Except as provided in Sections 21.2, 21.5, 21.6, 21.7, and 21.8, the Department shall distribute all proceeds of lottery tickets and shares sold in the following priority and manner:

1. The payment of prizes and retailer bonuses.
2. The payment of costs incurred in the operation and administration of the Lottery, including the payment of sums due to the private manager under the management agreement with the Department.
3. On the last day of each month or as soon thereafter as possible, the State Comptroller shall direct and the State Treasurer shall transfer from the State Lottery Fund to the Common School Fund an amount that is equal to the proceeds transferred in the corresponding month of fiscal year 2009, as adjusted for inflation, to the Common School Fund.
4. On or before the last day of each fiscal year, deposit any remaining proceeds, subject to payments under items (1), (2), and (3) into the Capital Projects Fund each fiscal year.

(p) The Department shall be subject to the following reporting and information request requirements:

1. The Department shall submit written quarterly reports to the Governor and the General Assembly on the activities and actions of the private manager selected under this Section;
2. Upon request of the Chief Procurement Officer, the Department shall promptly produce information related to the procurement activities of the Department and the private manager requested by the Chief Procurement Officer; the Chief Procurement Officer must retain confidential, proprietary, or trade secret information designated by the Department in complete
confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act; and

(3) at least 30 days prior to the beginning of the Department's fiscal year, the Department shall prepare an annual written report on the activities of the private manager selected under this Section and deliver that report to the Governor and General Assembly.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-840, eff. 12-23-09; 97-464, eff. 8-19-11; revised 10-17-12.)

(20 ILCS 1605/27) (from Ch. 120, par. 1177)

Sec. 27. (a) The State Treasurer may, with the consent of the Superintendent, contract with any person or corporation, including, without limitation, a bank, banking house, trust company or investment banking firm, to perform such financial functions, activities or services in connection with operation of the lottery as the State Treasurer and the Superintendent may prescribe.

(b) All proceeds from investments made pursuant to contracts executed by the State Treasurer, with the consent of the Superintendent, to perform financial functions, activities or services in connection with operation of the lottery, shall be deposited and held by the State Treasurer as ex-officio custodian thereof, separate and apart from all public money or funds of this State in a special trust fund outside the State treasury. Such trust fund shall be known as the "Deferred Lottery Prize Winners Trust Fund", and shall be administered by the Superintendent.

The Superintendent shall, at such times and in such amounts as shall be necessary, prepare and send to the State Comptroller vouchers requesting payment from the Deferred Lottery Prize Winners Trust Fund to deferred prize winners, in a manner that will insure the timely payment of such amounts owed.

This Act shall constitute an irrevocable appropriation of all amounts necessary for that purpose, and the irrevocable and continuing authority for and direction to the Superintendent and the State Treasurer to make the necessary payments out of such trust fund for that purpose.

(c) Moneys invested pursuant to subsection (a) of this Section may be invested only in bonds, notes, certificates of indebtedness, treasury bills, or other securities constituting direct obligations of the United States of America and all securities or obligations the prompt payment of principal and interest of which is guaranteed by a pledge of the full faith and credit of the United States of America. Interest earnings on moneys in
the Deferred Lottery Prize Winners Trust Fund shall remain in such fund and be used to pay the winners of lottery prizes deferred as to payment until such obligations are discharged. Proceeds from bonds purchased and interest accumulated as a result of a grand prize multi-state game ticket that goes unclaimed will be transferred after the termination of the relevant claim period directly from the lottery's Deferred Lottery Prize Winners Trust Fund to each respective multi-state partner state according to its contribution ratio.

(c-5) If a deferred lottery prize is not claimed within the claim period established by game rule, then the securities or other instruments purchased to fund the prize shall be liquidated and the liquidated amount shall be transferred to the State Lottery Fund for disposition pursuant to Section 19 of this Act.

(c-10) The Superintendent may use a portion of the moneys in the Deferred Lottery Prize Winners Trust Fund to purchase bonds to pay a lifetime prize if the prize duration exceeds the length of available securities. If the winner of a lifetime prize exceeds his or her life expectancy as determined using actuarial assumptions and the securities or moneys set aside to pay the prize have been exhausted, moneys in the State Lottery Fund shall be used to make payments to the winner for the duration of the winner's life.

(c-15) From time to time, the Superintendent may request that the State Comptroller transfer any excess moneys in the Deferred Lottery Prize Winners Trust Fund to the State Lottery Fund.

(d) This amendatory Act of 1985 shall be construed liberally to effect the purposes of the Illinois Lottery Law.

(Source: P.A. 97-464, eff. 10-15-11; revised 10-17-12.)

Section 100. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-590 as follows:

(20 ILCS 2605/2605-590)

Sec. 2605-590. Drug Traffic Prevention Fund. Moneys deposited into the Drug Traffic Prevention Fund pursuant to subsection (e) of Section 5-9-1.1 and subsection (c) of Section 5-9-1.1-5 of the Unified Code of Corrections shall be appropriated to and administered by the Department of State Police for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act.

(Source: P.A. 96-1234, eff. 7-23-10; revised 10-17-12.)
Section 105. The Criminal Identification Act is amended by changing Section 13 as follows:

(20 ILCS 2630/13)

Sec. 13. Retention and release of sealed records.

(a) The Department of State Police shall retain records sealed under subsection (c); or (e-5) of Section 5.2 or impounded under subparagraph (B) of paragraph (9) of subsection (d) of Section 5.2 and shall release them only as authorized by this Act. Felony records sealed under subsection (c); or (e-5) of Section 5.2 or impounded under subparagraph (B) of paragraph (9) of subsection (d) of Section 5.2 shall be used and disseminated by the Department only as otherwise specifically required or authorized by a federal or State law, rule, or regulation that requires inquiry into and release of criminal records, including, but not limited to, subsection (A) of Section 3 of this Act. However, all requests for records that have been expunged, sealed, and impounded and the use of those records are subject to the provisions of Section 2-103 of the Illinois Human Rights Act. Upon conviction for any offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual.

(b) Notwithstanding the foregoing, all sealed or impounded records are subject to inspection and use by the court and inspection and use by law enforcement agencies and State's Attorneys or other prosecutors in carrying out the duties of their offices.

(c) The sealed or impounded records maintained under subsection (a) are exempt from disclosure under the Freedom of Information Act.

(d) The Department of State Police shall commence the sealing of records of felony arrests and felony convictions pursuant to the provisions of subsection (c) of Section 5.2 of this Act no later than one year from the date that funds have been made available for purposes of establishing the technologies necessary to implement the changes made by this amendatory Act of the 93rd General Assembly.

(Source: P.A. 96-409, eff. 1-1-10; 96-1401, eff. 7-29-10; 97-1026, eff. 1-1-13; 97-1120, eff. 1-1-13; revised 9-20-12.)

Section 110. The Illinois State Agency Historic Resources Preservation Act is amended by changing Section 3 as follows:

(20 ILCS 3420/3) (from Ch. 127, par. 133c23)

Sec. 3. Definitions.

(a) "Director" means the Director of Historic Preservation who shall serve as the State Historic Preservation Officer.

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(b) "Agency" shall have the same meaning as in Section 1-20 of the Illinois Administrative Procedure Act, and shall specifically include all agencies and entities made subject to such Act by any State statute.

c) "Historic resource" means any property which is either publicly or privately held and which:

(1) is listed in the National Register of Historic Places (hereafter "National Register");

(2) has been formally determined by the Director to be eligible for listing in the National Register as defined in Section 106 of Title 16 of the United States Code;

(3) has been nominated by the Director and the Illinois Historic Sites Advisory Council for listing in the National Register; or

(4) meets one or more criteria for listing in the National Register, as determined by the Director; or

(5) (blank).

(d) "Adverse effect" means:

(1) destruction or alteration of all or part of a historic resource;

(2) isolation or alteration of the surrounding environment of a historic resource;

(3) introduction of visual, audible, or atmospheric elements which are out of character with a historic resource or which alter its setting;

(4) neglect or improper utilization of a historic resource which results in its deterioration or destruction; or

(5) transfer or sale of an historic resource to any public or private entity without the inclusion of adequate conditions or restrictions regarding preservation, maintenance, or use.

(e) "Comment" means the written finding by the Director of the effect of a State undertaking on an historic resource.

(f) "Undertaking" means any project, activity, or program that can result in changes in the character or use of historic property, if any historic property is located in the area of potential effects. The project, activity or program shall be under the direct or indirect jurisdiction of a State agency or licensed or assisted by a State agency. An undertaking includes, but is not limited to, action which is:

(1) directly undertaken by a State agency;

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(2) supported in whole or in part through State contracts, grants, subsidies, loan guarantees, or any other form of direct or indirect funding assistance; or
(3) carried out pursuant to a State lease, permit, license, certificate, approval, or other form of entitlement or permission.

(g) "Committee" means the Historic Preservation Mediation Committee.

(h) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(i) "Private undertaking" means any undertaking that does not receive public funding or is not on public lands.

(j) "High probability area" means any occurrence of Cahokia Alluvium, Carmi Member of the Equality Formation, Grayslake Peat, Parkland Sand, Peyton Colluvium, the Batavia Member of the Henry Formation, or the Mackinaw Member, as mapped by Lineback et al. (1979) at a scale of 1-500,000 within permanent stream floodplains and including:

(1) 500 yards of the adjoining bluffline crest of the Fox, Illinois, Kankakee, Kaskaskia, Mississippi, Ohio, Rock and Wabash Rivers and 300 yards of the adjoining bluffline crest of all other rivers or
(2) a 500 yard wide area along the shore of Lake Michigan abutting the high water mark.

(Source: P.A. 97-785, eff. 7-13-12; revised 9-20-12.)

Section 115. The Illinois Finance Authority Act is amended by changing Section 825-80 as follows:

(20 ILCS 3501/825-80)

Sec. 825-80. Fire truck revolving loan program.

(a) This Section is a continuation and re-enactment of the fire truck revolving loan program enacted as Section 3-27 of the Rural Bond Bank Act by Public Act 93-35, effective June 24, 2003, and repealed by Public Act 93-205, effective January 1, 2004. Under the Rural Bond Bank Act, the program was administered by the Rural Bond Bank and the State Fire Marshal.

(a-5) For purposes of this Section, "brush truck" means a pickup chassis with or equipped with a flatbed or a pickup box. The truck must be rated by the manufacturer as between three-fourths of a ton and one ton and outfitted with a fire or rescue apparatus.

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(b) The Authority and the State Fire Marshal may jointly administer a fire truck revolving loan program. The program shall, in instances where sufficient loan funds exist to permit applications to be accepted, provide zero-interest and low-interest loans for the purchase of fire trucks by a fire department, a fire protection district, or a township fire department. For the purchase of brush trucks by a fire department, a fire protection district, or a township fire department, the program shall provide loans at a 2% rate of simple interest per year for a brush truck if both the chassis and the apparatus are built outside of Illinois, a 1% rate of simple interest per year for a brush truck if either the chassis or the apparatus is built in Illinois, or a 0% rate of interest for a brush truck if both the chassis and the apparatus are built in Illinois. The Authority shall make loans based on need, as determined by the State Fire Marshal.

(c) The loan funds, subject to appropriation, shall be paid out of the Fire Truck Revolving Loan Fund, a special fund in the State Treasury. The Fund shall consist of any moneys transferred or appropriated into the Fund, as well as all repayments of loans made under the program and any balance existing in the Fund on the effective date of this Section. The Fund shall be used for loans to fire departments and fire protection districts to purchase fire trucks and brush trucks and for no other purpose. All interest earned on moneys in the Fund shall be deposited into the Fund. As soon as practical after January 1, 2013 (the effective date of Public Act 97-901) this amendatory Act of the 97th General Assembly, all moneys in the Fire Truck Revolving Loan Fund shall be paid by the State Fire Marshal to the Authority, and, on and after that the effective date of this amendatory Act of the 97th General Assembly, all future moneys deposited into the Fire Truck Revolving Loan Fund under this Section shall be paid by the State Fire Marshal to the Authority under the continuing appropriation provision of subsection (c-1) of this Section; provided that the Authority and the State Fire Marshal enter into an intergovernmental agreement to use the moneys transferred to the Authority from the Fund solely for the purposes for which the moneys would otherwise be used under this Section and to set forth procedures to otherwise administer the use of the moneys.

(c-1) There is hereby appropriated, on a continuing annual basis in each fiscal year, from the Fire Truck Revolving Loan Fund, the amount, if any, of funds received into the Fire Truck Revolving Loan Fund to the State Fire Marshal for payment to the Authority for the purposes for which the moneys would otherwise be used under this Section.
(d) A loan for the purchase of fire trucks or brush trucks may not exceed $250,000 to any fire department or fire protection district. A loan for the purchase of brush trucks may not exceed $100,000 per truck. The repayment period for the loan may not exceed 20 years. The fire department or fire protection district shall repay each year at least 5% of the principal amount borrowed or the remaining balance of the loan, whichever is less. All repayments of loans shall be deposited into the Fire Truck Revolving Loan Fund.

(e) The Authority and the State Fire Marshal may adopt rules in accordance with the Illinois Administrative Procedure Act to administer the program.

(f) Notwithstanding the repeal of Section 3-27 of the Rural Bond Bank Act, all otherwise lawful actions taken on or after January 1, 2004 and before the effective date of this Section by any person under the authority originally granted by that Section 3-27, including without limitation the granting, acceptance, and repayment of loans for the purchase of fire trucks, are hereby validated, and the rights and obligations of all parties to any such loan are hereby acknowledged and confirmed.

(Source: P.A. 97-900, eff. 8-6-12; 97-901, eff. 1-1-13; revised 8-23-12.)

Section 120. The Illinois Power Agency Act is amended by changing Sections 1-75 and 1-92 as follows:

(20 ILCS 3855/1-75)

Sec. 1-75. Planning and Procurement Bureau. The Planning and Procurement Bureau has the following duties and responsibilities:

(a) The Planning and Procurement Bureau shall each year, beginning in 2008, develop procurement plans and conduct competitive procurement processes in accordance with the requirements of Section 16-111.5 of the Public Utilities Act for the eligible retail customers of electric utilities that on December 31, 2005 provided electric service to at least 100,000 customers in Illinois. The Planning and Procurement Bureau shall also develop procurement plans and conduct competitive procurement processes in accordance with the requirements of Section 16-111.5 of the Public Utilities Act for the eligible retail customers of small multi-jurisdictional electric utilities that (i) on December 31, 2005 served less than 100,000 customers in Illinois and (ii) request a procurement plan for their Illinois jurisdictional load. This Section shall not apply to a small multi-jurisdictional utility until such time as a small multi-jurisdictional utility requests the Agency to prepare a procurement plan for their Illinois jurisdictional load. For the purposes of this Section, the term "eligible
retail customers" has the same definition as found in Section 16-111.5(a) of the Public Utilities Act.

(1) The Agency shall each year, beginning in 2008, as needed, issue a request for qualifications for experts or expert consulting firms to develop the procurement plans in accordance with Section 16-111.5 of the Public Utilities Act. In order to qualify an expert or expert consulting firm must have:

(A) direct previous experience assembling large-scale power supply plans or portfolios for end-use customers;

(B) an advanced degree in economics, mathematics, engineering, risk management, or a related area of study;

(C) 10 years of experience in the electricity sector, including managing supply risk;

(D) expertise in wholesale electricity market rules, including those established by the Federal Energy Regulatory Commission and regional transmission organizations;

(E) expertise in credit protocols and familiarity with contract protocols;

(F) adequate resources to perform and fulfill the required functions and responsibilities; and

(G) the absence of a conflict of interest and inappropriate bias for or against potential bidders or the affected electric utilities.

(2) The Agency shall each year, as needed, issue a request for qualifications for a procurement administrator to conduct the competitive procurement processes in accordance with Section 16-111.5 of the Public Utilities Act. In order to qualify an expert or expert consulting firm must have:

(A) direct previous experience administering a large-scale competitive procurement process;

(B) an advanced degree in economics, mathematics, engineering, or a related area of study;

(C) 10 years of experience in the electricity sector, including risk management experience;

(D) expertise in wholesale electricity market rules, including those established by the Federal Energy Regulatory Commission and regional transmission organizations;
Regulatory Commission and regional transmission organizations;
   (E) expertise in credit and contract protocols;
   (F) adequate resources to perform and fulfill the required functions and responsibilities; and
   (G) the absence of a conflict of interest and inappropriate bias for or against potential bidders or the affected electric utilities.

(3) The Agency shall provide affected utilities and other interested parties with the lists of qualified experts or expert consulting firms identified through the request for qualifications processes that are under consideration to develop the procurement plans and to serve as the procurement administrator. The Agency shall also provide each qualified expert's or expert consulting firm's response to the request for qualifications. All information provided under this subparagraph shall also be provided to the Commission. The Agency may provide by rule for fees associated with supplying the information to utilities and other interested parties. These parties shall, within 5 business days, notify the Agency in writing if they object to any experts or expert consulting firms on the lists. Objections shall be based on:
   (A) failure to satisfy qualification criteria;
   (B) identification of a conflict of interest; or
   (C) evidence of inappropriate bias for or against potential bidders or the affected utilities.

The Agency shall remove experts or expert consulting firms from the lists within 10 days if there is a reasonable basis for an objection and provide the updated lists to the affected utilities and other interested parties. If the Agency fails to remove an expert or expert consulting firm from a list, an objecting party may seek review by the Commission within 5 days thereafter by filing a petition, and the Commission shall render a ruling on the petition within 10 days. There is no right of appeal of the Commission's ruling.

(4) The Agency shall issue requests for proposals to the qualified experts or expert consulting firms to develop a procurement plan for the affected utilities and to serve as procurement administrator.
(5) The Agency shall select an expert or expert consulting firm to develop procurement plans based on the proposals submitted and shall award contracts of up to 5 years to those selected.

(6) The Agency shall select an expert or expert consulting firm, with approval of the Commission, to serve as procurement administrator based on the proposals submitted. If the Commission rejects, within 5 days, the Agency's selection, the Agency shall submit another recommendation within 3 days based on the proposals submitted. The Agency shall award a 5-year contract to the expert or expert consulting firm so selected with Commission approval.

(b) The experts or expert consulting firms retained by the Agency shall, as appropriate, prepare procurement plans, and conduct a competitive procurement process as prescribed in Section 16-111.5 of the Public Utilities Act, to ensure adequate, reliable, affordable, efficient, and environmentally sustainable electric service at the lowest total cost over time, taking into account any benefits of price stability, for eligible retail customers of electric utilities that on December 31, 2005 provided electric service to at least 100,000 customers in the State of Illinois, and for eligible Illinois retail customers of small multi-jurisdictional electric utilities that (i) on December 31, 2005 served less than 100,000 customers in Illinois and (ii) request a procurement plan for their Illinois jurisdictional load.

(c) Renewable portfolio standard.

(1) The procurement plans shall include cost-effective renewable energy resources. A minimum percentage of each utility's total supply to serve the load of eligible retail customers, as defined in Section 16-111.5(a) of the Public Utilities Act, procured for each of the following years shall be generated from cost-effective renewable energy resources: at least 2% by June 1, 2008; at least 4% by June 1, 2009; at least 5% by June 1, 2010; at least 6% by June 1, 2011; at least 7% by June 1, 2012; at least 8% by June 1, 2013; at least 9% by June 1, 2014; at least 10% by June 1, 2015; and increasing by at least 1.5% each year thereafter to at least 25% by June 1, 2025. To the extent that it is available, at least 75% of the renewable energy resources used to meet these standards shall come from wind generation and, beginning on June 1, 2011, at least the following percentages of the renewable energy

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resources used to meet these standards shall come from photovoltaics on the following schedule: 0.5% by June 1, 2012, 1.5% by June 1, 2013; 3% by June 1, 2014; and 6% by June 1, 2015 and thereafter. Of the renewable energy resources procured pursuant to this Section, at least the following percentages shall come from distributed renewable energy generation devices: 0.5% by June 1, 2013, 0.75% by June 1, 2014, and 1% by June 1, 2015 and thereafter. To the extent available, half of the renewable energy resources procured from distributed renewable energy generation shall come from devices of less than 25 kilowatts in nameplate capacity. Renewable energy resources procured from distributed generation devices may also count towards the required percentages for wind and solar photovoltaics. Procurement of renewable energy resources from distributed renewable energy generation devices shall be done on an annual basis through multi-year contracts of no less than 5 years, and shall consist solely of renewable energy credits.

The Agency shall create credit requirements for suppliers of distributed renewable energy. In order to minimize the administrative burden on contracting entities, the Agency shall solicit the use of third-party organizations to aggregate distributed renewable energy into groups of no less than one megawatt in installed capacity. These third-party organizations shall administer contracts with individual distributed renewable energy generation device owners. An individual distributed renewable energy generation device owner shall have the ability to measure the output of his or her distributed renewable energy generation device.

For purposes of this subsection (c), "cost-effective" means that the costs of procuring renewable energy resources do not cause the limit stated in paragraph (2) of this subsection (c) to be exceeded and do not exceed benchmarks based on market prices for renewable energy resources in the region, which shall be developed by the procurement administrator, in consultation with the Commission staff, Agency staff, and the procurement monitor and shall be subject to Commission review and approval.

(2) For purposes of this subsection (c), the required procurement of cost-effective renewable energy resources for a particular year shall be measured as a percentage of the actual amount of electricity (megawatt-hours) supplied by the electric...
utility to eligible retail customers in the planning year ending immediately prior to the procurement. For purposes of this subsection (c), the amount paid per kilowatthour means the total amount paid for electric service expressed on a per kilowatthour basis. For purposes of this subsection (c), the total amount paid for electric service includes without limitation amounts paid for supply, transmission, distribution, surcharges, and add-on taxes.

Notwithstanding the requirements of this subsection (c), the total of renewable energy resources procured pursuant to the procurement plan for any single year shall be reduced by an amount necessary to limit the annual estimated average net increase due to the costs of these resources included in the amounts paid by eligible retail customers in connection with electric service to:

(A) in 2008, no more than 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;
(B) in 2009, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2008 or 1% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;
(C) in 2010, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009 or 1.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007;
(D) in 2011, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2010 or 2% of the amount paid per kilowatthour by those customers during the year ending May 31, 2007; and
(E) thereafter, the amount of renewable energy resources procured pursuant to the procurement plan for any single year shall be reduced by an amount necessary to limit the estimated average net increase due to the cost of these resources included in the amounts paid by eligible retail customers in connection with electric service to no more than the greater of 2.015% of the amount paid per

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kilowatthour by those customers during the year ending May 31, 2007 or the incremental amount per kilowatthour paid for these resources in 2011.

No later than June 30, 2011, the Commission shall review the limitation on the amount of renewable energy resources procured pursuant to this subsection (c) and report to the General Assembly its findings as to whether that limitation unduly constrains the procurement of cost-effective renewable energy resources.

(3) Through June 1, 2011, renewable energy resources shall be counted for the purpose of meeting the renewable energy standards set forth in paragraph (1) of this subsection (c) only if they are generated from facilities located in the State, provided that cost-effective renewable energy resources are available from those facilities. If those cost-effective resources are not available in Illinois, they shall be procured in states that adjoin Illinois and may be counted towards compliance. If those cost-effective resources are not available in Illinois or in states that adjoin Illinois, they shall be purchased elsewhere and shall be counted towards compliance. After June 1, 2011, cost-effective renewable energy resources located in Illinois and in states that adjoin Illinois may be counted towards compliance with the standards set forth in paragraph (1) of this subsection (c). If those cost-effective resources are not available in Illinois or in states that adjoin Illinois, they shall be purchased elsewhere and shall be counted towards compliance.

(4) The electric utility shall retire all renewable energy credits used to comply with the standard.

(5) Beginning with the year commencing June 1, 2010, an electric utility subject to this subsection (c) shall apply the lesser of the maximum alternative compliance payment rate or the most recent estimated alternative compliance payment rate for its service territory for the corresponding compliance period, established pursuant to subsection (d) of Section 16-115D of the Public Utilities Act to its retail customers that take service pursuant to the electric utility's hourly pricing tariff or tariffs. The electric utility shall retain all amounts collected as a result of the application of the alternative compliance payment rate or rates to such customers, and, beginning in 2011, the utility shall include in the information

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provided under item (1) of subsection (d) of Section 16-111.5 of the Public Utilities Act the amounts collected under the alternative compliance payment rate or rates for the prior year ending May 31. Notwithstanding any limitation on the procurement of renewable energy resources imposed by item (2) of this subsection (c), the Agency shall increase its spending on the purchase of renewable energy resources to be procured by the electric utility for the next plan year by an amount equal to the amounts collected by the utility under the alternative compliance payment rate or rates in the prior year ending May 31. Beginning April 1, 2012, and each year thereafter, the Agency shall prepare a public report for the General Assembly and Illinois Commerce Commission that shall include, but not necessarily be limited to:

(A) a comparison of the costs associated with the Agency's procurement of renewable energy resources to (1) the Agency's costs associated with electricity generated by other types of generation facilities and (2) the benefits associated with the Agency's procurement of renewable energy resources; and

(B) an analysis of the rate impacts associated with the Illinois Power Agency's procurement of renewable resources, including, but not limited to, any long-term contracts, on the eligible retail customers of electric utilities.

The analysis shall include the Agency's estimate of the total dollar impact that the Agency's procurement of renewable resources has had on the annual electricity bills of the customer classes that comprise each eligible retail customer class taking service from an electric utility. The Agency's report shall also analyze how the operation of the alternative compliance payment mechanism, any long-term contracts, or other aspects of the applicable renewable portfolio standards impacts the rates of customers of alternative retail electric suppliers.

(d) Clean coal portfolio standard.

(1) The procurement plans shall include electricity generated using clean coal. Each utility shall enter into one or more sourcing agreements with the initial clean coal facility, as provided in paragraph (3) of this subsection (d), covering electricity generated by the initial clean coal facility representing at least 5%
of each utility's total supply to serve the load of eligible retail customers in 2015 and each year thereafter, as described in paragraph (3) of this subsection (d), subject to the limits specified in paragraph (2) of this subsection (d). It is the goal of the State that by January 1, 2025, 25% of the electricity used in the State shall be generated by cost-effective clean coal facilities. For purposes of this subsection (d), "cost-effective" means that the expenditures pursuant to such sourcing agreements do not cause the limit stated in paragraph (2) of this subsection (d) to be exceeded and do not exceed cost-based benchmarks, which shall be developed to assess all expenditures pursuant to such sourcing agreements covering electricity generated by clean coal facilities, other than the initial clean coal facility, by the procurement administrator, in consultation with the Commission staff, Agency staff, and the procurement monitor and shall be subject to Commission review and approval.

A utility party to a sourcing agreement shall immediately retire any emission credits that it receives in connection with the electricity covered by such agreement.

Utilities shall maintain adequate records documenting the purchases under the sourcing agreement to comply with this subsection (d) and shall file an accounting with the load forecast that must be filed with the Agency by July 15 of each year, in accordance with subsection (d) of Section 16-111.5 of the Public Utilities Act.

A utility shall be deemed to have complied with the clean coal portfolio standard specified in this subsection (d) if the utility enters into a sourcing agreement as required by this subsection (d).

(2) For purposes of this subsection (d), the required execution of sourcing agreements with the initial clean coal facility for a particular year shall be measured as a percentage of the actual amount of electricity (megawatt-hours) supplied by the electric utility to eligible retail customers in the planning year ending immediately prior to the agreement's execution. For purposes of this subsection (d), the amount paid per kilowatthour means the total amount paid for electric service expressed on a per kilowatthour basis. For purposes of this subsection (d), the total amount paid for electric service includes without limitation

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amounts paid for supply, transmission, distribution, surcharges and add-on taxes.

Notwithstanding the requirements of this subsection (d), the total amount paid under sourcing agreements with clean coal facilities pursuant to the procurement plan for any given year shall be reduced by an amount necessary to limit the annual estimated average net increase due to the costs of these resources included in the amounts paid by eligible retail customers in connection with electric service to:

(A) in 2010, no more than 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009;

(B) in 2011, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2010 or 1% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009;

(C) in 2012, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2011 or 1.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009;

(D) in 2013, the greater of an additional 0.5% of the amount paid per kilowatthour by those customers during the year ending May 31, 2012 or 2% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009; and

(E) thereafter, the total amount paid under sourcing agreements with clean coal facilities pursuant to the procurement plan for any single year shall be reduced by an amount necessary to limit the estimated average net increase due to the cost of these resources included in the amounts paid by eligible retail customers in connection with electric service to no more than the greater of (i) 2.015% of the amount paid per kilowatthour by those customers during the year ending May 31, 2009 or (ii) the incremental amount per kilowatthour paid for these resources in 2013. These requirements may be altered only as provided by statute.
No later than June 30, 2015, the Commission shall review the limitation on the total amount paid under sourcing agreements, if any, with clean coal facilities pursuant to this subsection (d) and report to the General Assembly its findings as to whether that limitation unduly constrains the amount of electricity generated by cost-effective clean coal facilities that is covered by sourcing agreements.

(3) Initial clean coal facility. In order to promote development of clean coal facilities in Illinois, each electric utility subject to this Section shall execute a sourcing agreement to source electricity from a proposed clean coal facility in Illinois (the "initial clean coal facility") that will have a nameplate capacity of at least 500 MW when commercial operation commences, that has a final Clean Air Act permit on the effective date of this amendatory Act of the 95th General Assembly, and that will meet the definition of clean coal facility in Section 1-10 of this Act when commercial operation commences. The sourcing agreements with this initial clean coal facility shall be subject to both approval of the initial clean coal facility by the General Assembly and satisfaction of the requirements of paragraph (4) of this subsection (d) and shall be executed within 90 days after any such approval by the General Assembly. The Agency and the Commission shall have authority to inspect all books and records associated with the initial clean coal facility during the term of such a sourcing agreement. A utility's sourcing agreement for electricity produced by the initial clean coal facility shall include:

(A) a formula contractual price (the "contract price") approved pursuant to paragraph (4) of this subsection (d), which shall:

(i) be determined using a cost of service methodology employing either a level or deferred capital recovery component, based on a capital structure consisting of 45% equity and 55% debt, and a return on equity as may be approved by the Federal Energy Regulatory Commission, which in any case may not exceed the lower of 11.5% or the rate of return approved by the General Assembly pursuant to paragraph (4) of this subsection (d); and

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(ii) provide that all miscellaneous net revenue, including but not limited to net revenue from the sale of emission allowances, if any, substitute natural gas, if any, grants or other support provided by the State of Illinois or the United States Government, firm transmission rights, if any, by-products produced by the facility, energy or capacity derived from the facility and not covered by a sourcing agreement pursuant to paragraph (3) of this subsection (d) or item (5) of subsection (d) of Section 16-115 of the Public Utilities Act, whether generated from the synthesis gas derived from coal, from SNG, or from natural gas, shall be credited against the revenue requirement for this initial clean coal facility;

(B) power purchase provisions, which shall:

(i) provide that the utility party to such sourcing agreement shall pay the contract price for electricity delivered under such sourcing agreement;

(ii) require delivery of electricity to the regional transmission organization market of the utility that is party to such sourcing agreement;

(iii) require the utility party to such sourcing agreement to buy from the initial clean coal facility in each hour an amount of energy equal to all clean coal energy made available from the initial clean coal facility during such hour times a fraction, the numerator of which is such utility's retail market sales of electricity (expressed in kilowatthours sold) in the State during the prior calendar month and the denominator of which is the total retail market sales of electricity (expressed in kilowatthours sold) in the State by utilities during such prior month and the sales of electricity (expressed in kilowatthours sold) in the State by alternative retail electric suppliers during such prior month that are subject to the requirements of this subsection (d) and paragraph (5) of subsection (d) of Section 16-115 of the Public Utilities Act, provided that the amount

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purchased by the utility in any year will be limited by paragraph (2) of this subsection (d); and

   (iv) be considered pre-existing contracts in such utility's procurement plans for eligible retail customers;

(C) contract for differences provisions, which shall:

   (i) require the utility party to such sourcing agreement to contract with the initial clean coal facility in each hour with respect to an amount of energy equal to all clean coal energy made available from the initial clean coal facility during such hour times a fraction, the numerator of which is such utility's retail market sales of electricity (expressed in kilowatthours sold) in the utility's service territory in the State during the prior calendar month and the denominator of which is the total retail market sales of electricity (expressed in kilowatthours sold) in the State by utilities during such prior month and the sales of electricity (expressed in kilowatthours sold) in the State by alternative retail electric suppliers during such prior month that are subject to the requirements of this subsection (d) and paragraph (5) of subsection (d) of Section 16-115 of the Public Utilities Act, provided that the amount paid by the utility in any year will be limited by paragraph (2) of this subsection (d);

   (ii) provide that the utility's payment obligation in respect of the quantity of electricity determined pursuant to the preceding clause (i) shall be limited to an amount equal to (1) the difference between the contract price determined pursuant to subparagraph (A) of paragraph (3) of this subsection (d) and the day-ahead price for electricity delivered to the regional transmission organization market of the utility that is party to such sourcing agreement (or any successor delivery point at which such utility's supply obligations are financially settled on an hourly basis) (the "reference price") on the day preceding the day on which the electricity is
delivered to the initial clean coal facility busbar, multiplied by (2) the quantity of electricity determined pursuant to the preceding clause (i); and

(iii) not require the utility to take physical delivery of the electricity produced by the facility;

(D) general provisions, which shall:

(i) specify a term of no more than 30 years, commencing on the commercial operation date of the facility;

(ii) provide that utilities shall maintain adequate records documenting purchases under the sourcing agreements entered into to comply with this subsection (d) and shall file an accounting with the load forecast that must be filed with the Agency by July 15 of each year, in accordance with subsection (d) of Section 16-111.5 of the Public Utilities Act;

(iii) provide that all costs associated with the initial clean coal facility will be periodically reported to the Federal Energy Regulatory Commission and to purchasers in accordance with applicable laws governing cost-based wholesale power contracts;

(iv) permit the Illinois Power Agency to assume ownership of the initial clean coal facility, without monetary consideration and otherwise on reasonable terms acceptable to the Agency, if the Agency so requests no less than 3 years prior to the end of the stated contract term;

(v) require the owner of the initial clean coal facility to provide documentation to the Commission each year, starting in the facility's first year of commercial operation, accurately reporting the quantity of carbon emissions from the facility that have been captured and sequestered and report any quantities of carbon released from the site or sites at which carbon emissions were sequestered in prior years, based on continuous monitoring of such sites. If, in any year after the first year of
commercial operation, the owner of the facility fails to demonstrate that the initial clean coal facility captured and sequestered at least 50% of the total carbon emissions that the facility would otherwise emit or that sequestration of emissions from prior years has failed, resulting in the release of carbon dioxide into the atmosphere, the owner of the facility must offset excess emissions. Any such carbon offsets must be permanent, additional, verifiable, real, located within the State of Illinois, and legally and practicably enforceable. The cost of such offsets for the facility that are not recoverable shall not exceed $15 million in any given year. No costs of any such purchases of carbon offsets may be recovered from a utility or its customers. All carbon offsets purchased for this purpose and any carbon emission credits associated with sequestration of carbon from the facility must be permanently retired. The initial clean coal facility shall not forfeit its designation as a clean coal facility if the facility fails to fully comply with the applicable carbon sequestration requirements in any given year, provided the requisite offsets are purchased. However, the Attorney General, on behalf of the People of the State of Illinois, may specifically enforce the facility's sequestration requirement and the other terms of this contract provision. Compliance with the sequestration requirements and offset purchase requirements specified in paragraph (3) of this subsection (d) shall be reviewed annually by an independent expert retained by the owner of the initial clean coal facility, with the advance written approval of the Attorney General. The Commission may, in the course of the review specified in item (vii), reduce the allowable return on equity for the facility if the facility wilfully fails to comply with the carbon capture and sequestration requirements set forth in this item (v);

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(vi) include limits on, and accordingly provide for modification of, the amount the utility is required to source under the sourcing agreement consistent with paragraph (2) of this subsection (d);

(vii) require Commission review: (1) to determine the justness, reasonableness, and prudence of the inputs to the formula referenced in subparagraphs (A)(i) through (A)(iii) of paragraph (3) of this subsection (d), prior to an adjustment in those inputs including, without limitation, the capital structure and return on equity, fuel costs, and other operations and maintenance costs and (2) to approve the costs to be passed through to customers under the sourcing agreement by which the utility satisfies its statutory obligations. Commission review shall occur no less than every 3 years, regardless of whether any adjustments have been proposed, and shall be completed within 9 months;

(viii) limit the utility's obligation to such amount as the utility is allowed to recover through tariffs filed with the Commission, provided that neither the clean coal facility nor the utility waives any right to assert federal pre-emption or any other argument in response to a purported disallowance of recovery costs;

(ix) limit the utility's or alternative retail electric supplier's obligation to incur any liability until such time as the facility is in commercial operation and generating power and energy and such power and energy is being delivered to the facility busbar;

(x) provide that the owner or owners of the initial clean coal facility, which is the counterparty to such sourcing agreement, shall have the right from time to time to elect whether the obligations of the utility party thereto shall be governed by the power purchase provisions or the contract for differences provisions;

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(xi) append documentation showing that the formula rate and contract, insofar as they relate to the power purchase provisions, have been approved by the Federal Energy Regulatory Commission pursuant to Section 205 of the Federal Power Act;

(xii) provide that any changes to the terms of the contract, insofar as such changes relate to the power purchase provisions, are subject to review under the public interest standard applied by the Federal Energy Regulatory Commission pursuant to Sections 205 and 206 of the Federal Power Act; and

(xiii) conform with customary lender requirements in power purchase agreements used as the basis for financing non-utility generators.

(4) Effective date of sourcing agreements with the initial clean coal facility.

Any proposed sourcing agreement with the initial clean coal facility shall not become effective unless the following reports are prepared and submitted and authorizations and approvals obtained:

(i) Facility cost report. The owner of the initial clean coal facility shall submit to the Commission, the Agency, and the General Assembly a front-end engineering and design study, a facility cost report, method of financing (including but not limited to structure and associated costs), and an operating and maintenance cost quote for the facility (collectively "facility cost report"), which shall be prepared in accordance with the requirements of this paragraph (4) of subsection (d) of this Section, and shall provide the Commission and the Agency access to the work papers, relied upon documents, and any other backup documentation related to the facility cost report.

(ii) Commission report. Within 6 months following receipt of the facility cost report, the Commission, in consultation with the Agency, shall submit a report to the General Assembly setting forth its analysis of the facility cost report. Such report shall include, but not be limited to, a comparison of the costs associated with electricity generated by the initial clean coal facility to the costs

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associated with electricity generated by other types of generation facilities, an analysis of the rate impacts on residential and small business customers over the life of the sourcing agreements, and an analysis of the likelihood that the initial clean coal facility will commence commercial operation by and be delivering power to the facility's busbar by 2016. To assist in the preparation of its report, the Commission, in consultation with the Agency, may hire one or more experts or consultants, the costs of which shall be paid for by the owner of the initial clean coal facility. The Commission and Agency may begin the process of selecting such experts or consultants prior to receipt of the facility cost report.

(iii) General Assembly approval. The proposed sourcing agreements shall not take effect unless, based on the facility cost report and the Commission's report, the General Assembly enacts authorizing legislation approving (A) the projected price, stated in cents per kilowatthour, to be charged for electricity generated by the initial clean coal facility, (B) the projected impact on residential and small business customers' bills over the life of the sourcing agreements, and (C) the maximum allowable return on equity for the project; and

(iv) Commission review. If the General Assembly enacts authorizing legislation pursuant to subparagraph (iii) approving a sourcing agreement, the Commission shall, within 90 days of such enactment, complete a review of such sourcing agreement. During such time period, the Commission shall implement any directive of the General Assembly, resolve any disputes between the parties to the sourcing agreement concerning the terms of such agreement, approve the form of such agreement, and issue an order finding that the sourcing agreement is prudent and reasonable.

The facility cost report shall be prepared as follows:

(A) The facility cost report shall be prepared by duly licensed engineering and construction firms detailing the estimated capital costs payable to one or more contractors or suppliers for the engineering, procurement and
construction of the components comprising the initial clean coal facility and the estimated costs of operation and maintenance of the facility. The facility cost report shall include:

(i) an estimate of the capital cost of the core plant based on one or more front end engineering and design studies for the gasification island and related facilities. The core plant shall include all civil, structural, mechanical, electrical, control, and safety systems.

(ii) an estimate of the capital cost of the balance of the plant, including any capital costs associated with sequestration of carbon dioxide emissions and all interconnects and interfaces required to operate the facility, such as transmission of electricity, construction or backfeed power supply, pipelines to transport substitute natural gas or carbon dioxide, potable water supply, natural gas supply, water supply, water discharge, landfill, access roads, and coal delivery.

The quoted construction costs shall be expressed in nominal dollars as of the date that the quote is prepared and shall include capitalized financing costs during construction, taxes, insurance, and other owner's costs, and an assumed escalation in materials and labor beyond the date as of which the construction cost quote is expressed.

(B) The front end engineering and design study for the gasification island and the cost study for the balance of plant shall include sufficient design work to permit quantification of major categories of materials, commodities and labor hours, and receipt of quotes from vendors of major equipment required to construct and operate the clean coal facility.

(C) The facility cost report shall also include an operating and maintenance cost quote that will provide the estimated cost of delivered fuel, personnel, maintenance contracts, chemicals, catalysts, consumables, spares, and other fixed and variable operations and maintenance costs. The delivered fuel cost estimate will be provided by a
recognized third party expert or experts in the fuel and transportation industries. The balance of the operating and maintenance cost quote, excluding delivered fuel costs, will be developed based on the inputs provided by duly licensed engineering and construction firms performing the construction cost quote, potential vendors under long-term service agreements and plant operating agreements, or recognized third party plant operator or operators.

The operating and maintenance cost quote (including the cost of the front end engineering and design study) shall be expressed in nominal dollars as of the date that the quote is prepared and shall include taxes, insurance, and other owner's costs, and an assumed escalation in materials and labor beyond the date as of which the operating and maintenance cost quote is expressed.

(D) The facility cost report shall also include an analysis of the initial clean coal facility's ability to deliver power and energy into the applicable regional transmission organization markets and an analysis of the expected capacity factor for the initial clean coal facility.

(E) Amounts paid to third parties unrelated to the owner or owners of the initial clean coal facility to prepare the core plant construction cost quote, including the front end engineering and design study, and the operating and maintenance cost quote will be reimbursed through Coal Development Bonds.

(5) Re-powering and retrofitting coal-fired power plants previously owned by Illinois utilities to qualify as clean coal facilities. During the 2009 procurement planning process and thereafter, the Agency and the Commission shall consider sourcing agreements covering electricity generated by power plants that were previously owned by Illinois utilities and that have been or will be converted into clean coal facilities, as defined by Section 1-10 of this Act. Pursuant to such procurement planning process, the owners of such facilities may propose to the Agency sourcing agreements with utilities and alternative retail electric suppliers required to comply with subsection (d) of this Section and item (5) of subsection (d) of Section 16-115 of the Public Utilities Act, covering electricity generated by such facilities. In the case of

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sourcing agreements that are power purchase agreements, the contract price for electricity sales shall be established on a cost of service basis. In the case of sourcing agreements that are contracts for differences, the contract price from which the reference price is subtracted shall be established on a cost of service basis. The Agency and the Commission may approve any such utility sourcing agreements that do not exceed cost-based benchmarks developed by the procurement administrator, in consultation with the Commission staff, Agency staff and the procurement monitor, subject to Commission review and approval. The Commission shall have authority to inspect all books and records associated with these clean coal facilities during the term of any such contract.

(6) Costs incurred under this subsection (d) or pursuant to a contract entered into under this subsection (d) shall be deemed prudently incurred and reasonable in amount and the electric utility shall be entitled to full cost recovery pursuant to the tariffs filed with the Commission.

(e) The draft procurement plans are subject to public comment, as required by Section 16-111.5 of the Public Utilities Act.

(f) The Agency shall submit the final procurement plan to the Commission. The Agency shall revise a procurement plan if the Commission determines that it does not meet the standards set forth in Section 16-111.5 of the Public Utilities Act.

(g) The Agency shall assess fees to each affected utility to recover the costs incurred in preparation of the annual procurement plan for the utility.

(h) The Agency shall assess fees to each bidder to recover the costs incurred in connection with a competitive procurement process.

(Source: P.A. 96-159, eff. 8-10-09; 96-1437, eff. 8-17-10; 97-325, eff. 8-12-11; 97-616, eff. 10-26-11; 97-618, eff. 10-26-11; 97-658, eff. 1-13-12; 97-813, eff. 7-13-12; revised 7-25-12.)

(20 ILCS 3855/1-92)

Sec. 1-92. Aggregation of electrical load by municipalities, townships, and counties.

(a) The corporate authorities of a municipality, township board, or county board of a county may adopt an ordinance under which it may aggregate in accordance with this Section residential and small commercial retail electrical loads located, respectively, within the municipality, the township, or the unincorporated areas of the county and,
for that purpose, may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

The corporate authorities, township board, or county board may also exercise such authority jointly with any other municipality, township, or county. Two or more municipalities, townships, or counties, or a combination of both, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality, township, or county as required by this Section.

If the corporate authorities, township board, or the county board seek to operate the aggregation program as an opt-out program for residential and small commercial retail customers, then prior to the adoption of an ordinance with respect to aggregation of residential and small commercial retail electric loads, the corporate authorities of a municipality, the township board, or the county board of a county shall submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out program for residential and small commercial retail customers.

In addition to the notice and conduct requirements of the general election law, notice of the referendum shall state briefly the purpose of the referendum. The question of whether the corporate authorities, the township board, or the county board shall adopt an opt-out aggregation program for residential and small commercial retail customers shall be submitted to the electors of the municipality, township board, or county board at a regular election and approved by a majority of the electors voting on the question. The corporate authorities, township board, or county board must certify to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall the (municipality, township, or county in which the question is being voted upon) have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the corporate authorities, township board, or county board may implement an opt-out aggregation program for residential and small commercial retail customers.
A referendum must pass in each particular municipality, township, or county that is engaged in the aggregation program. If the referendum fails, then the corporate authorities, township board, or county board shall operate the aggregation program as an opt-in program for residential and small commercial retail customers.

An ordinance under this Section shall specify whether the aggregation will occur only with the prior consent of each person owning, occupying, controlling, or using an electric load center proposed to be aggregated. Nothing in this Section, however, authorizes the aggregation of electric loads that are served or authorized to be served by an electric cooperative as defined by and pursuant to the Electric Supplier Act or loads served by a municipality that owns and operates its own electric distribution system. No aggregation shall take effect unless approved by a majority of the members of the corporate authority, township board, or county board voting upon the ordinance.

A governmental aggregator under this Section is not a public utility or an alternative retail electric supplier.

For purposes of this Section, "township" means the portion of a township that is an unincorporated portion of a county that is not otherwise a part of a municipality. In addition to such other limitations as are included in this Section, a township board shall only have authority to aggregate residential and small commercial customer loads in accordance with this Section if the county board of the county in which the township is located (i) is not also submitting a referendum to its residents at the same general election that the township board proposes to submit a referendum under this subsection (a), (ii) has not received authorization through passage of a referendum to operate an opt-out aggregation program for residential and small commercial retail customers under this subsection (a), and (iii) has not otherwise enacted an ordinance under this subsection (a) authorizing the operation of an opt-in aggregation program for residential and small commercial retail customers as described in this Section.

(b) Upon the applicable requisite authority under this Section, the corporate authorities, the township board, or the county board, with assistance from the Illinois Power Agency, shall develop a plan of operation and governance for the aggregation program so authorized. Before adopting a plan under this Section, the corporate authorities, township board, or county board shall hold at least 2 public hearings on the plan. Before the first hearing, the corporate authorities, township
board, or county board shall publish notice of the hearings once a week for 2 consecutive weeks in a newspaper of general circulation in the jurisdiction. The notice shall summarize the plan and state the date, time, and location of each hearing. Any load aggregation plan established pursuant to this Section shall:

(1) provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers;

(2) describe demand management and energy efficiency services to be provided to each class of customers; and

(3) meet any requirements established by law concerning aggregated service offered pursuant to this Section.

(c) The process for soliciting bids for electricity and other related services and awarding proposed agreements for the purchase of electricity and other related services shall be conducted in the following order:

(1) The corporate authorities, township board, or county board may solicit bids for electricity and other related services.

(1.5) A township board shall request from the electric utility those residential and small commercial customers within their aggregate area either by zip code or zip codes or other means as determined by the electric utility. The electric utility shall then provide to the township board the residential and small commercial customers, including the names and addresses of residential and small commercial customers, electronically. The township board shall be responsible for authenticating the residential and small commercial customers contained in this listing and providing edits of the data to affirm, add, or delete the residential and small commercial customers located within its jurisdiction. The township board shall provide the edited list to the electric utility in an electronic format or other means selected by the electric utility and certify that the information is accurate.

(2) Notwithstanding Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, an electric utility that provides residential and small commercial retail electric service in the aggregate area must, upon request of the corporate authorities, township board, or the county board in the aggregate area, submit to the requesting party, in an electronic format, those account numbers, names, and addresses of residential and small commercial retail customers in

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the aggregate area that are reflected in the electric utility's records at the time of the request; provided, however, that any township board has first provided an accurate customer list to the electric utility as provided for herein.

Any corporate authority, township board, or county board receiving customer information from an electric utility shall be subject to the limitations on the disclosure of the information described in Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, and an electric utility shall not be held liable for any claims arising out of the provision of information pursuant to this item (2).

(d) If the corporate authorities, township board, or county board operate under an opt-in program for residential and small commercial retail customers, then the corporate authorities, township board, or county board shall comply with all of the following:

1. Within 60 days after receiving the bids, the corporate authorities, township board, or county board shall allow residential and small commercial retail customers to commit to the terms and conditions of a bid that has been selected by the corporate authorities, township board, or county board.

2. If (A) the corporate authorities, township board, or county board award proposed agreements for the purchase of electricity and other related services and (B) an agreement is reached between the corporate authorities, township board, or county board for those services, then customers committed to the terms and conditions according to item (1) of this subsection (d) shall be committed to the agreement.

(e) If the corporate authorities, township board, or county board operate as an opt-out program for residential and small commercial retail customers, then it shall be the duty of the aggregated entity to fully inform residential and small commercial retail customers in advance that they have the right to opt out of the aggregation program. The disclosure shall prominently state all charges to be made and shall include full disclosure of the cost to obtain service pursuant to Section 16-103 of the Public Utilities Act, how to access it, and the fact that it is available to them without penalty, if they are currently receiving service under that Section. The Illinois Power Agency shall furnish, without charge, to any citizen a list of all supply options available to them in a format that allows comparison of prices and products.

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(f) Any person or entity retained by a municipality or county, or jointly by more than one such unit of local government, to provide input, guidance, or advice in the selection of an electricity supplier for an aggregation program shall disclose in writing to the involved units of local government the nature of any relationship through which the person or entity may receive, either directly or indirectly, commissions or other remuneration as a result of the selection of any particular electricity supplier. The written disclosure must be made prior to formal approval by the involved units of local government of any professional services agreement with the person or entity, or no later than October 1, 2012 with respect to any such professional services agreement entered into prior to the effective date of this amendatory Act of the 97th General Assembly. The disclosure shall cover all direct and indirect relationships through which commissions or remuneration may result, including the pooling of commissions or remuneration among multiple persons or entities, and shall identify all involved electricity suppliers. The disclosure requirements in this subsection (f) are to be liberally construed to ensure that the nature of financial interests are fully revealed, and these disclosure requirements shall apply regardless of whether the involved person or entity is licensed under Section 16-115C of the Public Utilities Act. Any person or entity that fails to make the disclosure required under this subsection (f) is liable to the involved units of local government in an amount equal to all compensation paid to such person or entity by the units of local government for the input, guidance, or advice in the selection of an electricity supplier, plus reasonable attorneys fees and court costs incurred by the units of local government in connection with obtaining such amount.

(g) The Illinois Power Agency shall provide assistance to municipalities, townships, counties, or associations working with municipalities to help complete the plan and bidding process.

(h) This Section does not prohibit municipalities or counties from entering into an intergovernmental agreement to aggregate residential and small commercial retail electric loads.

(20 ILCS 3960/12) (From Ch. 111 1/2, par. 1162)

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Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:

1. Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act. Policies and procedures of the State Board shall take into consideration the priorities and needs of medically underserved areas and other health care services identified through the comprehensive health planning process, giving special consideration to the impact of projects on access to safety net services.

2. Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

3. (Blank).

4. Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Board's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Board with pertinent State Plans. Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act, skilled or intermediate care facilities licensed under the ID/DD Community Care Act, facilities licensed under the Specialized Mental Health Rehabilitation Act, or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information requested a list of all services provided by a facility to its residents and to the community at large and differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider, but shall not be limited to, the following:

(a) The size, composition and growth of the population of the area to be served;
(b) The number of existing and planned facilities offering similar programs;
(c) The extent of utilization of existing facilities;
(d) The availability of facilities which may serve as alternatives or substitutes;
(e) The availability of personnel necessary to the operation of the facility;
(f) Multi-institutional planning and the establishment of multi-institutional systems where feasible;
(g) The financial and economic feasibility of proposed construction or modification; and
(h) In the case of health care facilities established by a religious body or denomination, the needs of the members of such religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in accordance with this Section shall form the basis for the plan of the State to deal most effectively with statewide health needs in regard to health care facilities.

(5) Coordinate with the Center for Comprehensive Health Planning and other state agencies having responsibilities affecting health care facilities, including those of licensure and cost reporting. Beginning no later than January 1, 2013, the Department of Public Health shall produce a written annual report to the Governor and the General Assembly regarding the development of the Center for Comprehensive Health Planning. The Chairman of the State Board and the State Board Administrator shall also receive a copy of the annual report.

(6) Solicit, accept, hold and administer on behalf of the State any grants or bequests of money, securities or property for use by the State Board or Center for Comprehensive Health Planning in the administration of this Act; and enter into contracts consistent with the appropriations for purposes enumerated in this Act.

(7) The State Board shall prescribe procedures for review, standards, and criteria which shall be utilized to make periodic reviews and determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the Board in making its determinations.

(8) Prescribe, in consultation with the Center for Comprehensive Health Planning, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of
construction or modification of a health care facility, which projects are classified as emergency, substantive, or non-substantive in nature.

Six months after June 30, 2009 (the effective date of Public Act 96-31), substantive projects shall include no more than the following:

(a) Projects to construct (1) a new or replacement facility located on a new site or (2) a replacement facility located on the same site as the original facility and the cost of the replacement facility exceeds the capital expenditure minimum, which shall be reviewed by the Board within 120 days;

(b) Projects proposing a (1) new service within an existing healthcare facility or (2) discontinuation of a service within an existing healthcare facility, which shall be reviewed by the Board within 60 days; or

(c) Projects proposing a change in the bed capacity of a health care facility by an increase in the total number of beds or by a redistribution of beds among various categories of service or by a relocation of beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity, as defined by the State Board, whichever is less, over a 2-year period.

The Chairman may approve applications for exemption that meet the criteria set forth in rules or refer them to the full Board. The Chairman may approve any unopposed application that meets all of the review criteria or refer them to the full Board.

Such rules shall not abridge the right of the Center for Comprehensive Health Planning to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party. Such reviews shall not exceed 60 days from the date the application is declared to be complete.

(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which

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are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.

(11) Issue written decisions upon request of the applicant or an adversely affected party to the Board within 30 days of the meeting in which a final decision has been made. A "final decision" for purposes of this Act is the decision to approve or deny an application, or take other actions permitted under this Act, at the time and date of the meeting that such action is scheduled by the Board. The staff of the State Board shall prepare a written copy of the final decision and the State Board shall approve a final copy for inclusion in the formal record. The written decision shall identify the applicable criteria and factors listed in this Act and the Board's regulations that were taken into consideration by the Board when coming to a final decision. If the State Board denies or fails to approve an application for permit or certificate, the State Board shall include in the final decision a detailed explanation as to why the application was denied and identify what specific criteria or standards the applicant did not fulfill.

(12) Require at least one of its members to participate in any public hearing, after the appointment of a majority of the members to the Board.

(13) Provide a mechanism for the public to comment on, and request changes to, draft rules and standards.

(14) Implement public information campaigns to regularly inform the general public about the opportunity for public hearings and public hearing procedures.

(15) Establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and service model from other regulated facilities. An open and transparent process shall be developed that considers the following: how skilled nursing fits in the continuum of care with other care providers, modernization of nursing homes, establishment of more private rooms, development of alternative services, and current trends in long-term care services. The Chairman of the Board shall appoint a permanent Health Services Review Board Long-term Care Facility Advisory Subcommittee that shall develop and recommend to the Board the rules to be established by the Board under this paragraph (15). The Subcommittee shall also provide continuous review and commentary on policies and procedures relative to long-term care and the review of related projects. In consultation with other experts from the health field of long-term care, the Board and the Subcommittee shall study new approaches to the current...
bed need formula and Health Service Area boundaries to encourage flexibility and innovation in design models reflective of the changing long-term care marketplace and consumer preferences. The Board shall file the proposed related administrative rules for the separate rules and guidelines for long-term care required by this paragraph (15) by no later than September 30, 2011. The Subcommittee shall be provided a reasonable and timely opportunity to review and comment on any review, revision, or updating of the criteria, standards, procedures, and rules used to evaluate project applications as provided under Section 12.3 of this Act.
(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, 7-13-12; 97-1115, eff. 8-27-12.)

(Text of Section after amendment by P.A. 97-1045)
(Section scheduled to be repealed on December 31, 2019)
Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:

(1) Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act. Policies and procedures of the State Board shall take into consideration the priorities and needs of medically underserved areas and other health care services identified through the comprehensive health planning process, giving special consideration to the impact of projects on access to safety net services.

(2) Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

(3) (Blank).

(4) Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Board's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Board with pertinent State Plans. Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act, skilled or intermediate care facilities licensed

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under the ID/DD Community Care Act, facilities licensed under the Specialized Mental Health Rehabilitation Act, or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information requested a list of all services provided by a facility to its residents and to the community at large and differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider, but shall not be limited to, the following:

(a) The size, composition and growth of the population of the area to be served;

(b) The number of existing and planned facilities offering similar programs;

(c) The extent of utilization of existing facilities;

(d) The availability of facilities which may serve as alternatives or substitutes;

(e) The availability of personnel necessary to the operation of the facility;

(f) Multi-institutional planning and the establishment of multi-institutional systems where feasible;

(g) The financial and economic feasibility of proposed construction or modification; and

(h) In the case of health care facilities established by a religious body or denomination, the needs of the members of such religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in accordance with this Section shall form the basis for the plan of the State to deal most effectively with statewide health needs in regard to health care facilities.

(5) Coordinate with the Center for Comprehensive Health Planning and other state agencies having responsibilities affecting health care facilities, including those of licensure and cost reporting. Beginning no later than January 1, 2013, the Department of Public Health shall produce a written annual report to the Governor and the General Assembly regarding the development of the Center for Comprehensive Health Planning. The Chairman of the State Board and the State Board Administrator shall also receive a copy of the annual report.

(6) Solicit, accept, hold and administer on behalf of the State any grants or bequests of money, securities or property for use by the State

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Board or Center for Comprehensive Health Planning in the administration of this Act; and enter into contracts consistent with the appropriations for purposes enumerated in this Act.

(7) The State Board shall prescribe procedures for review, standards, and criteria which shall be utilized to make periodic reviews and determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the Board in making its determinations.

(8) Prescribe, in consultation with the Center for Comprehensive Health Planning, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of construction or modification of a health care facility, which projects are classified as emergency, substantive, or non-substantive in nature.

Six months after June 30, 2009 (the effective date of Public Act 96-31), substantive projects shall include no more than the following:

(a) Projects to construct (1) a new or replacement facility located on a new site or (2) a replacement facility located on the same site as the original facility and the cost of the replacement facility exceeds the capital expenditure minimum, which shall be reviewed by the Board within 120 days;

(b) Projects proposing a (1) new service within an existing healthcare facility or (2) discontinuation of a service within an existing healthcare facility, which shall be reviewed by the Board within 60 days; or

(c) Projects proposing a change in the bed capacity of a health care facility by an increase in the total number of beds or by a redistribution of beds among various categories of service or by a relocation of beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity, as defined by the State Board, whichever is less, over a 2-year period.

The Chairman may approve applications for exemption that meet the criteria set forth in rules or refer them to the full Board. The Chairman may approve any unopposed application that meets all of the review criteria or refer them to the full Board.

Such rules shall not abridge the right of the Center for Comprehensive Health Planning to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party.
Such reviews shall not exceed 60 days from the date the application is declared to be complete.

(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.

(11) Issue written decisions upon request of the applicant or an adversely affected party to the Board within 30 days of the meeting in which a final decision has been made. A "final decision" for purposes of this Act is the decision to approve or deny an application, or take other actions permitted under this Act, at the time and date of the meeting that such action is scheduled by the Board. The staff of the State Board shall prepare a written copy of the final decision and the State Board shall approve a final copy for inclusion in the formal record. The written decision shall identify the applicable criteria and factors listed in this Act and the Board's regulations that were taken into consideration by the Board when coming to a final decision. If the State Board denies or fails to approve an application for permit or certificate, the State Board shall include in the final decision a detailed explanation as to why the application was denied and identify what specific criteria or standards the applicant did not fulfill.

(12) Require at least one of its members to participate in any public hearing, after the appointment of a majority of the members to the Board.

(13) Provide a mechanism for the public to comment on, and request changes to, draft rules and standards.

(14) Implement public information campaigns to regularly inform the general public about the opportunity for public hearings and public hearing procedures.

(15) Establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and service model from other regulated facilities. An open and transparent

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process shall be developed that considers the following: how skilled nursing fits in the continuum of care with other care providers, modernization of nursing homes, establishment of more private rooms, development of alternative services, and current trends in long-term care services. The Chairman of the Board shall appoint a permanent Health Services Review Board Long-term Care Facility Advisory Subcommittee that shall develop and recommend to the Board the rules to be established by the Board under this paragraph (15). The Subcommittee shall also provide continuous review and commentary on policies and procedures relative to long-term care and the review of related projects. In consultation with other experts from the health field of long-term care, the Board and the Subcommittee shall study new approaches to the current bed need formula and Health Service Area boundaries to encourage flexibility and innovation in design models reflective of the changing long-term care marketplace and consumer preferences. The Subcommittee shall evaluate, and make recommendations to the State Board regarding, the buying, selling, and exchange of beds between long-term care facilities within a specified geographic area or drive time. The Board shall file the proposed related administrative rules for the separate rules and guidelines for long-term care required by this paragraph (15) by no later than September 30, 2011. The Subcommittee shall be provided a reasonable and timely opportunity to review and comment on any review, revision, or updating of the criteria, standards, procedures, and rules used to evaluate project applications as provided under Section 12.3 of this Act.  
(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1045, eff. 8-21-13; 97-1115, eff. 8-27-12; revised 10-11-12.)

(20 ILCS 3960/14.1)
Sec. 14.1. Denial of permit; other sanctions.
(a) The State Board may deny an application for a permit or may revoke or take other action as permitted by this Act with regard to a permit as the State Board deems appropriate, including the imposition of fines as set forth in this Section, for any one or a combination of the following:

(1) The acquisition of major medical equipment without a permit or in violation of the terms of a permit.

(2) The establishment, construction, or modification of a health care facility without a permit or in violation of the terms of a permit.

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(3) The violation of any provision of this Act or any rule adopted under this Act.

(4) The failure, by any person subject to this Act, to provide information requested by the State Board or Agency within 30 days after a formal written request for the information.

(5) The failure to pay any fine imposed under this Section within 30 days of its imposition.

(a-5) For facilities licensed under the ID/DD Community Care Act, no permit shall be denied on the basis of prior operator history, other than for actions specified under item (2), (4), or (5) of Section 3-117 of the ID/DD Community Care Act. For facilities licensed under the Specialized Mental Health Rehabilitation Act, no permit shall be denied on the basis of prior operator history, other than for actions specified under item (2), (4), or (5) of Section 3-117 of the Specialized Mental Health Rehabilitation Act. For facilities licensed under the Nursing Home Care Act, no permit shall be denied on the basis of prior operator history, other than for: (i) actions specified under item (2), (3), (4), (5), or (6) of Section 3-117 of the Nursing Home Care Act; (ii) actions specified under item (a)(6) of Section 3-119 of the Nursing Home Care Act; or (iii) actions within the preceding 5 years constituting a substantial and repeated failure to comply with the Nursing Home Care Act or the rules and regulations adopted by the Department under that Act. The State Board shall not deny a permit on account of any action described in this subsection (a-5) without also considering all such actions in the light of all relevant information available to the State Board, including whether the permit is sought to substantially comply with a mandatory or voluntary plan of correction associated with any action described in this subsection (a-5).

(b) Persons shall be subject to fines as follows:

(1) A permit holder who fails to comply with the requirements of maintaining a valid permit shall be fined an amount not to exceed 1% of the approved permit amount plus an additional 1% of the approved permit amount for each 30-day period, or fraction thereof, that the violation continues.

(2) A permit holder who alters the scope of an approved project or whose project costs exceed the allowable permit amount without first obtaining approval from the State Board shall be fined an amount not to exceed the sum of (i) the lesser of $25,000 or 2% of the approved permit amount and (ii) in those cases where the approved permit amount is exceeded by more than $1,000,000, an
additional $20,000 for each $1,000,000, or fraction thereof, in excess of the approved permit amount.

(2.5) A permit holder who fails to comply with the post-permit and reporting requirements set forth in Section 5 shall be fined an amount not to exceed $10,000 plus an additional $10,000 for each 30-day period, or fraction thereof, that the violation continues. This fine shall continue to accrue until the date that (i) the post-permit requirements are met and the post-permit reports are received by the State Board or (ii) the matter is referred by the State Board to the State Board's legal counsel. The accrued fine is not waived by the permit holder submitting the required information and reports. Prior to any fine beginning to accrue, the Board shall notify, in writing, a permit holder of the due date for the post-permit and reporting requirements no later than 30 days before the due date for the requirements. This paragraph (2.5) takes effect 6 months after August 27, 2012 (the effective date of Public Act 97-1115) this amendatory Act of the 97th General Assembly.

(3) A person who acquires major medical equipment or who establishes a category of service without first obtaining a permit or exemption, as the case may be, shall be fined an amount not to exceed $10,000 for each such acquisition or category of service established plus an additional $10,000 for each 30-day period, or fraction thereof, that the violation continues.

(4) A person who constructs, modifies, or establishes a health care facility without first obtaining a permit shall be fined an amount not to exceed $25,000 plus an additional $25,000 for each 30-day period, or fraction thereof, that the violation continues.

(5) A person who discontinues a health care facility or a category of service without first obtaining a permit shall be fined an amount not to exceed $10,000 plus an additional $10,000 for each 30-day period, or fraction thereof, that the violation continues. For purposes of this subparagraph (5), facilities licensed under the Nursing Home Care Act or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, are exempt from this permit requirement. However, facilities licensed under the Nursing Home Care Act or the ID/DD Community Care Act must comply with Section 3-423 of the Nursing Home Care Act or Section 3-423 of the ID/DD Community Care Act and must provide the Board and the

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Department of Human Services with 30 days' written notice of its intent to close. Facilities licensed under the ID/DD Community Care Act also must provide the Board and the Department of Human Services with 30 days' written notice of its intent to reduce the number of beds for a facility.

(6) A person subject to this Act who fails to provide information requested by the State Board or Agency within 30 days of a formal written request shall be fined an amount not to exceed $1,000 plus an additional $1,000 for each 30-day period, or fraction thereof, that the information is not received by the State Board or Agency.

(c) Before imposing any fine authorized under this Section, the State Board shall afford the person or permit holder, as the case may be, an appearance before the State Board and an opportunity for a hearing before a hearing officer appointed by the State Board. The hearing shall be conducted in accordance with Section 10.

(d) All fines collected under this Act shall be transmitted to the State Treasurer, who shall deposit them into the Illinois Health Facilities Planning Fund.

Section 130. The State Finance Act is amended by changing Sections 5.491, 6z-81, 8.12, and 25 and by setting forth and renumbering multiple versions of Sections 5.811, 5.812, 5.813, and 6z-93 as follows:

(30 ILCS 105/5.491)
Sec. 5.491. The Illinois Racing Quarter Horse Breeders Fund.

(30 ILCS 105/5.811)
Sec. 5.811. The Home Services Medicaid Trust Fund.

(30 ILCS 105/5.812)
Sec. 5.812. The Estate Tax Refund Fund.

(30 ILCS 105/5.813)
Sec. 5.813. The FY13 Backlog Payment Fund.

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Sec. 5.814 5.84. The Municipal Wireless Service Emergency Fund.
(Source: P.A. 97-748, eff. 7-6-12; revised 9-25-12.)
(30 ILCS 105/5.815)
Sec. 5.815 5.85. The Illinois State Police Federal Projects Fund.
(Source: P.A. 97-826, eff. 7-18-12; revised 9-25-12.)
(30 ILCS 105/5.816)
Sec. 5.816 5.86. The Energy Efficiency Portfolio Standards Fund.
(Source: P.A. 97-841, eff. 7-20-12; revised 9-25-12.)
(30 ILCS 105/5.817)
Sec. 5.817 5.87. The Public-Private Partnerships for Transportation Fund.
(Source: P.A. 97-858, eff. 7-27-12; revised 9-25-12.)
(30 ILCS 105/5.818)
Sec. 5.818 5.88. The Food and Agricultural Research Fund.
(Source: P.A. 97-879, eff. 8-2-12; revised 9-25-12.)
(30 ILCS 105/5.819)
Sec. 5.819 5.89. The Sexual Assault Services and Prevention Fund.
(Source: P.A. 97-1035, eff. 1-1-13; revised 9-25-12.)
(30 ILCS 105/5.820)
Sec. 5.820 5.90. The State Police Merit Board Public Safety Fund.
(Source: P.A. 97-1051, eff. 1-1-13; revised 9-25-12.)
(30 ILCS 105/5.821)
Sec. 5.821 5.91. The Childhood Cancer Research Fund.
(Source: P.A. 97-1117, eff. 8-27-12; revised 9-25-12.)
(30 ILCS 105/5.822)
Sec. 5.822 5.92. The Illinois Independent Tax Tribunal Fund.
(Source: P.A. 97-1129, eff. 8-28-12; revised 9-25-12.)
(30 ILCS 105/5.823)
Sec. 5.823 5.93. The State Police Motor Vehicle Theft Prevention Trust Fund.
(Source: P.A. 97-826, eff. 7-18-12; revised 9-25-12.)
(30 ILCS 105/5.824)
Sec. 5.824 5.94. The Children's Wellness Charities Fund.
(Source: P.A. 97-1117, eff. 8-27-12; revised 9-25-12.)
(30 ILCS 105/5.825)
Sec. 5.825 5.95. The Housing for Families Fund.

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Sec. 5.827. The Illinois State Museum Fund.

(Source: P.A. 97-1117, eff. 8-27-12; revised 9-25-12.)

Sec. 5.828. The Illinois Fisheries Management Fund.

(Source: P.A. 97-1136, eff. 1-1-13; revised 1-15-13.)

Sec. 6z-81. Healthcare Provider Relief Fund.

(a) There is created in the State treasury a special fund to be known as the Healthcare Provider Relief Fund.

(b) The Fund is created for the purpose of receiving and disbursing moneys in accordance with this Section. Disbursements from the Fund shall be made only as follows:

(1) Subject to appropriation, for payment by the Department of Healthcare and Family Services or by the Department of Human Services of medical bills and related expenses, including administrative expenses, for which the State is responsible under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(2) For repayment of funds borrowed from other State funds or from outside sources, including interest thereon.

(c) The Fund shall consist of the following:

(1) Moneys received by the State from short-term borrowing pursuant to the Short Term Borrowing Act on or after the effective date of this amendatory Act of the 96th General Assembly.

(2) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of expenditures made by the Department that are attributable to moneys deposited in the Fund.

(3) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of federal approval of Title XIX State plan amendment transmittal number 07-09.

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(4) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) In addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 97th General Assembly, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $365,000,000 from the General Revenue Fund into the Healthcare Provider Relief Fund.

(e) In addition to any other transfers that may be provided for by law, on July 1, 2011, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $160,000,000 from the General Revenue Fund to the Healthcare Provider Relief Fund.

(f) Notwithstanding any other State law to the contrary, and in addition to any other transfers that may be provided for by law, the State Comptroller shall order transferred and the State Treasurer shall transfer $500,000,000 to the Healthcare Provider Relief Fund from the General Revenue Fund in equal monthly installments of $100,000,000, with the first transfer to be made on July 1, 2012, or as soon thereafter as practical, and with each of the remaining transfers to be made on August 1, 2012, September 1, 2012, October 1, 2012, and November 1, 2012, or as soon thereafter as practical. This transfer may assist the Department of Healthcare and Family Services in improving Medical Assistance bill processing timeframes or in meeting the possible requirements of Senate Bill 3397, or other similar legislation, of the 97th General Assembly should it become law.

(Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11; 97-44, eff. 6-28-11; 97-641, eff. 12-19-11; 97-689, eff. 6-14-12; 97-732, eff. 6-30-12; revised 7-10-12.)

(30 ILCS 105/6z-93)

Sec. 6z-93. FY 13 Backlog Payment Fund. The FY 13 Backlog Payment Fund is created as a special fund in the State treasury. Beginning July 1, 2012 and on or before December 31, 2012, the State Comptroller shall direct and the State Treasurer shall transfer funds from the FY 13 Backlog Payment Fund to the General Revenue Fund as needed for the payment of vouchers and transfers to other State funds obligated in State fiscal year 2012, other than costs incurred for claims under the Medical Assistance Program.

(Source: P.A. 97-732, eff. 6-30-12.)

(30 ILCS 105/6z-96)
Sec. 6z-96 6z-93. Energy Efficiency Portfolio Standards Fund.
(a) The Energy Efficiency Portfolio Standards Fund is created as a special fund in the State treasury. All moneys received by the Department of Commerce and Economic Opportunity under Sections 8-103 and 8-104 of the Public Utilities Act shall be deposited into the Energy Efficiency Portfolio Standards Fund. Subject to appropriation, moneys in the Energy Efficiency Portfolio Standards Fund may be used only for the purposes authorized by Sections 8-103 and 8-104 of the Public Utilities Act.
(b) As soon as possible after June 1, 2012, and in no event later than July 31, 2012, the Director of Commerce and Economic Opportunity shall certify the balance in the DCEO Energy Projects Fund, less any federal moneys and less any amounts obligated, and the State Comptroller shall transfer such amount from the DCEO Energy Projects Fund to the Energy Efficiency Portfolio Standards Fund.
(Source: P.A. 97-841, eff. 7-20-12; revised 9-26-12.)
(30 ILCS 105/6z-97)

Sec. 6z-97 6z-93. Childhood Cancer Research Fund; creation. The Childhood Cancer Research Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used by the Department of Public Health to make grants to public or private not-for-profit entities for the purpose of conducting childhood cancer research. For the purposes of this Section, "research" includes, but is not limited to, expenditures to develop and advance the understanding, techniques, and modalities effective in early detection, prevention, cure, screening, and treatment of childhood cancer and may include clinical trials. The grant funds may not be used for institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services.
(Source: P.A. 97-1117, eff. 8-27-12; revised 9-26-12.)
(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

(a) The moneys in the State Pensions Fund shall be used exclusively for the administration of the Uniform Disposition of Unclaimed Property Act and for the expenses incurred by the Auditor General for administering the provisions of Section 2-8.1 of the Illinois State Auditing Act and for the funding of the unfunded liabilities of the designated retirement systems. Beginning in State fiscal year 2014, payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under the Illinois Pension Code.

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"Designated retirement systems" means:

1. the State Employees' Retirement System of Illinois;
2. the Teachers' Retirement System of the State of Illinois;
3. the State Universities Retirement System;
4. the Judges Retirement System of Illinois; and
5. the General Assembly Retirement System.

(b) Each year the General Assembly may make appropriations from the State Pensions Fund for the administration of the Uniform Disposition of Unclaimed Property Act.

Each month, the Commissioner of the Office of Banks and Real Estate shall certify to the State Treasurer the actual expenditures that the Office of Banks and Real Estate incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Bank and Trust Company Fund and the Savings and Residential Finance Regulatory Fund an amount equal to the expenditures incurred by each Fund for that month.

Each month, the Director of Financial Institutions shall certify to the State Treasurer the actual expenditures that the Department of Financial Institutions incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Financial Institutions Fund and the Credit Union Fund an amount equal to the expenditures incurred by each Fund for that month.

(c) As soon as possible after the effective date of this amendatory Act of the 93rd General Assembly, the General Assembly shall appropriate from the State Pensions Fund (1) to the State Universities Retirement System the amount certified under Section 15-165 during the prior year, (2) to the Judges Retirement System of Illinois the amount certified under Section 18-140 during the prior year, and (3) to the General Assembly Retirement System the amount certified under Section 2-134 during the prior year as part of the required State contributions to each of those designated retirement systems; except that amounts appropriated under this subsection (c) in State fiscal year 2005 shall not reduce the amount in
the State Pensions Fund below $5,000,000. If the amount in the State Pensions Fund does not exceed the sum of the amounts certified in Sections 15-165, 18-140, and 2-134 by at least $5,000,000, the amount paid to each designated retirement system under this subsection shall be reduced in proportion to the amount certified by each of those designated retirement systems.

(c-5) For fiscal years 2006 through 2013, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement System the amount estimated to be available during the fiscal year in the State Pensions Fund; provided, however, that the amounts appropriated under this subsection (c-5) shall not reduce the amount in the State Pensions Fund below $5,000,000.

(c-6) For fiscal year 2014 and each fiscal year thereafter, as soon as may be practical after any money is deposited into the State Pensions Fund from the Unclaimed Property Trust Fund, the State Treasurer shall apportion the deposited amount among the designated retirement systems as defined in subsection (a) to reduce their actuarial reserve deficiencies. The State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems to fund the unfunded liabilities of the designated retirement systems. The amount apportioned to each designated retirement system shall constitute a portion of the amount estimated to be available for appropriation from the State Pensions Fund that is the same as that retirement system's portion of the total actual reserve deficiency of the systems, as determined annually by the Governor's Office of Management and Budget at the request of the State Treasurer. The amounts apportioned under this subsection shall not reduce the amount in the State Pensions Fund below $5,000,000.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) As soon as practicable after the effective date of this amendatory Act of the 93rd General Assembly, the Comptroller shall direct and the Treasurer shall transfer from the State Pensions Fund to the General Revenue Fund, as funds become available, a sum equal to the amounts that would have been paid from the State Pensions Fund to the

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Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, the General Assembly Retirement System, and the State Employees' Retirement System of Illinois after the effective date of this amendatory Act during the remainder of fiscal year 2004 to the designated retirement systems from the appropriations provided for in this Section if the transfers provided in Section 6z-61 had not occurred. The transfers described in this subsection (d-1) are to partially repay the General Revenue Fund for the costs associated with the bonds used to fund the moneys transferred to the designated retirement systems under Section 6z-61.

(e) The changes to this Section made by this amendatory Act of 1994 shall first apply to distributions from the Fund for State fiscal year 1996.

(Source: P.A. 96-959, eff. 7-1-10; 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; revised 10-17-12.)

(30 ILCS 105/25) (from Ch. 127, par. 161)

Sec. 25. Fiscal year limitations.

(a) All appropriations shall be available for expenditure for the fiscal year or for a lesser period if the Act making that appropriation so specifies. A deficiency or emergency appropriation shall be available for expenditure only through June 30 of the year when the Act making that appropriation is enacted unless that Act otherwise provides.

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

(b-1) However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payment of tuition reimbursement claims under Section 18-3 of the School Code may be made by the State Board of Education from its appropriations for that purpose for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section.

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14-7.03 or 18-3 of the School Code as of June 30, payable from appropriations that have otherwise expired, may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-2) All outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2010, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2010.

(b-2.5) All outstanding liabilities as of June 30, 2011, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2011, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2011, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2011.

(b-2.6) All outstanding liabilities as of June 30, 2012, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2012, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2012, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2012.

(b-2.7) (b-2.6) For fiscal years 2012 and 2013, interest penalties payable under the State Prompt Payment Act associated with a voucher for which payment is issued after June 30 may be paid out of the next fiscal year's appropriation. The future year appropriation must be for the same purpose and from the same fund as the original payment. An interest penalty voucher submitted against a future year appropriation must be submitted within 60 days after the issuance of the associated voucher, and the Comptroller must issue the interest payment within 60 days after acceptance of the interest voucher.

(b-3) Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on

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June 30, 2021, medical payments payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-4) Medical payments and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical and child care payments made by the Department of Human Services; and payments made at the discretion of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund and payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-5) Medical payments may be made by the Department of Human Services from its appropriations relating to substance abuse treatment services for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments made by the Department of Human Services relating to substance abuse treatment services payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-6) Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Human Services from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and
Control Act of 1986 payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-7) Payments may be made in accordance with a plan authorized by paragraph (11) or (12) of Section 405-105 of the Department of Central Management Services Law from appropriations for those payments without regard to fiscal year limitations.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Public Health and the Department of Human Services from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program payable from appropriations that have otherwise expired may be paid out of the expiring appropriations during the 4-month period ending at the close of business on October 31.

(d) The Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(e) The Department of Healthcare and Family Services, the Department of Human Services (acting as successor to the Department of

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Public Aid), and the Department of Human Services making fee-for-service payments relating to substance abuse treatment services provided during a previous fiscal year shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before November 30, a report that shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for (i) services provided in prior fiscal years and (ii) services for which claims were received in prior fiscal years.

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services (other than medical care) provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(g) In addition, each annual report required to be submitted by the Department of Healthcare and Family Services under subsection (e) shall include the following information with respect to the State's Medicaid program:

1. Explanations of the exact causes of the variance between the previous year's estimated and actual liabilities.
2. Factors affecting the Department of Healthcare and Family Services' liabilities, including but not limited to numbers of aid recipients, levels of medical service utilization by aid recipients, and inflation in the cost of medical services.
3. The results of the Department's efforts to combat fraud and abuse.

(h) As provided in Section 4 of the General Assembly Compensation Act, any utility bill for service provided to a General Assembly member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

(i) An agency which administers a fund classified by the Comptroller as an internal service fund may issue rules for:

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(1) billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;

(2) issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

(3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued or by increasing an authorized inter-fund transfer during the current fiscal year. For the purposes of this Act, "inter-fund transfers" means transfers without the use of the voucher-warrant process, as authorized by Section 9.01 of the State Comptroller Act.

(i-1) Beginning on July 1, 2021, all outstanding liabilities, not payable during the 4-month lapse period as described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, that are made from appropriations for that purpose for any fiscal year, without regard to the fact that the services being compensated for by those payments may have been rendered in a prior fiscal year, are limited to only those claims that have been incurred but for which a proper bill or invoice as defined by the State Prompt Payment Act has not been received by September 30th following the end of the fiscal year in which the service was rendered.

(j) Notwithstanding any other provision of this Act, the aggregate amount of payments to be made without regard for fiscal year limitations as contained in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and determined by using Generally Accepted Accounting Principles, shall not exceed the following amounts:

(1) $6,000,000,000 for outstanding liabilities related to fiscal year 2012;

(2) $5,300,000,000 for outstanding liabilities related to fiscal year 2013;
(3) $4,600,000,000 for outstanding liabilities related to fiscal year 2014;
(4) $4,000,000,000 for outstanding liabilities related to fiscal year 2015;
(5) $3,300,000,000 for outstanding liabilities related to fiscal year 2016;
(6) $2,600,000,000 for outstanding liabilities related to fiscal year 2017;
(7) $2,000,000,000 for outstanding liabilities related to fiscal year 2018;
(8) $1,300,000,000 for outstanding liabilities related to fiscal year 2019;
(9) $600,000,000 for outstanding liabilities related to fiscal year 2020; and
(10) $0 for outstanding liabilities related to fiscal year 2021 and fiscal years thereafter.

(k) Department of Healthcare and Family Services Medical Assistance Payments.

(1) Definition of Medical Assistance.
For purposes of this subsection, the term "Medical Assistance" shall include, but not necessarily be limited to, medical programs and services authorized under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, the Long Term Acute Care Hospital Quality Improvement Transfer Program Act, and medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, and victims of sexual assault.

(2) Limitations on Medical Assistance payments that may be paid from future fiscal year appropriations.

(A) The maximum amounts of annual unpaid Medical Assistance bills received and recorded by the Department of Healthcare and Family Services on or before June 30th of a particular fiscal year attributable in aggregate to the General Revenue Fund, Healthcare Provider Relief Fund, Tobacco Settlement Recovery Fund, Long-Term Care Provider Fund, and the Drug Rebate Fund that may be paid in total by the Department from future fiscal year
Medical Assistance appropriations to those funds are: $700,000,000 for fiscal year 2013 and $100,000,000 for fiscal year 2014 and each fiscal year thereafter.

(B) Bills for Medical Assistance services rendered in a particular fiscal year, but received and recorded by the Department of Healthcare and Family Services after June 30th of that fiscal year, may be paid from either appropriations for that fiscal year or future fiscal year appropriations for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(C) Medical Assistance bills received by the Department of Healthcare and Family Services in a particular fiscal year, but subject to payment amount adjustments in a future fiscal year may be paid from a future fiscal year's appropriation for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(D) Medical Assistance payments made by the Department of Healthcare and Family Services from funds other than those specifically referenced in subparagraph (A) may be made from appropriations for those purposes for any fiscal year without regard to the fact that the Medical Assistance services being compensated for by such payment may have been rendered in a prior fiscal year. Such payments shall not be subject to the requirements of subparagraph (A).

(3) Extended lapse period for Department of Healthcare and Family Services Medical Assistance payments. Notwithstanding any other State law to the contrary, outstanding Department of Healthcare and Family Services Medical Assistance liabilities, as of June 30th, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 6-month period ending at the close of business on December 31st.

(l) The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall be effective for payment of Medical Assistance bills incurred in fiscal year 2013 and future fiscal years. The changes to this Section made by Public Act 97-691 this amendatory Act of the 97th General Assembly shall not be applied to Medical Assistance bills incurred in fiscal year 2012 or prior fiscal years.

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The Comptroller must issue payments against outstanding liabilities that were received prior to the lapse period deadlines set forth in this Section as soon thereafter as practical, but no payment may be issued after the 4 months following the lapse period deadline without the signed authorization of the Comptroller and the Governor.

(Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10; 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff. 8-12-11; 97-691, eff. 7-1-12; 97-732, eff. 6-30-12; 97-932, eff. 8-10-12; revised 8-23-12.)

Section 131. The State Finance Act is amended by repealing Section 5.604.

Section 135. The General Obligation Bond Act is amended by changing Section 2 as follows:

Sec. 2. Authorization for Bonds. The State of Illinois is authorized to issue, sell and provide for the retirement of General Obligation Bonds of the State of Illinois for the categories and specific purposes expressed in Sections 2 through 8 of this Act, in the total amount of $47,092,925,743.

The bonds authorized in this Section 2 and in Section 16 of this Act are herein called "Bonds".

Of the total amount of Bonds authorized in this Act, up to $2,200,000,000 in aggregate original principal amount may be issued and sold in accordance with the Baccalaureate Savings Act in the form of General Obligation College Savings Bonds.

Of the total amount of Bonds authorized in this Act, up to $300,000,000 in aggregate original principal amount may be issued and sold in accordance with the Retirement Savings Act in the form of General Obligation Retirement Savings Bonds.

Of the total amount of Bonds authorized in this Act, the additional $10,000,000,000 authorized by Public Act 93-2, the $3,466,000,000 authorized by Public Act 96-43, and the $4,096,348,300 authorized by Public Act 96-1497 shall be used solely as provided in Section 7.2.

The issuance and sale of Bonds pursuant to the General Obligation Bond Act is an economical and efficient method of financing the long-term capital needs of the State. This Act will permit the issuance of a multi-purpose General Obligation Bond with uniform terms and features. This will not only lower the cost of registration but also reduce the overall
cost of issuing debt by improving the marketability of Illinois General Obligation Bonds.
(Source: P.A. 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-43, eff. 7-15-09; 96-885, eff. 3-11-10; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1554, eff. 3-18-11; 97-333, eff. 8-12-11; 97-771, eff. 7-10-12; 97-813, eff. 7-13-12; revised 7-23-12.)

Section 140. The Illinois Procurement Code is amended by changing Section 1-10 as follows:

(30 ILCS 500/1-10)
Sec. 1-10. Application.
(a) This Code applies only to procurements for which contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including but not limited to any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies except as specifically provided in this Code.
(2) Grants, except for the filing requirements of Section 20-80.
(3) Purchase of care.
(4) Hiring of an individual as employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.
(5) Collective bargaining contracts.
(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 7 days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.
(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts, donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration

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costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(Source: P.A. 96-840, eff. 12-23-09; 96-1331, eff. 7-27-10; 97-96, eff. 7-13-11; 97-239, eff. 8-2-11; 97-502, eff. 8-23-11; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; 97-895, eff. 8-3-12; revised 8-23-12.)

Section 145. The Procurement of Domestic Products Act is amended by changing Section 5 as follows:

(30 ILCS 517/5)
Sec. 5. Definitions. As used in this Act:
"Manufactured in the United States" means, in the case of assembled articles, materials, or supplies, that design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurs in the United States.
"Procured products" means assembled articles, materials, or supplies purchased by a State agency.
"Purchasing agency" means a State agency.
"State agency" means each agency, department, authority, board, or commission of the executive branch of State government, including each

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university, whether created by statute or by executive order of the Governor.

"United States" means the United States and any place subject to the jurisdiction of the United States.
(Source: P.A. 93-954, eff. 1-1-05; 94-540, eff. 1-1-06; revised 8-3-12.)

Section 150. The Downstate Public Transportation Act is amended by changing Section 1-2 as follows:

Sec. 1-2. (1) The General Assembly finds:
(a) that the predominant part of the State's population is located in its rapidly expanding metropolitan and urban areas;
(b) that the welfare and vitality of urban areas and the satisfactory movement of people and goods within such areas are being jeopardized by the deterioration or inadequate provision of urban transportation facilities and services and the intensification of traffic congestion; and
(c) that State financial assistance for the development of efficient and coordinated mass transportation systems is essential to the solution of these urban problems.
(2) The purposes of this Act are:
(a) to assist in the development of improved mass transportation systems; and
(b) to provide assistance to participants in financing such systems as provided in Section 7 of Article XIII 13 of the Constitution.
(Source: P.A. 82-783; revised 10-10-12.)

Section 155. The State Mandates Act is amended by changing Section 8.36 as follows:

Sec. 8.36. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by Public Act 97-716, 97-854, 97-894, 97-912, 97-933, or 97-976 this amendatory Act of the 97th General Assembly.
(Source: P.A. 97-716, eff. 6-29-12; 97-854, eff. 7-26-12; 97-894, eff. 8-3-12; 97-912, eff. 8-8-12; 97-933, eff. 8-10-12; 97-976, eff. 1-1-13; revised 9-11-12.)

Section 160. The Illinois Income Tax Act is amended by changing Sections 507JJ, 909, 1201, 1202, and 1408 as follows:

(35 ILCS 5/507JJ)

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Sec. 507JJ. The Autism Research Checkoff Fund checkoff. For taxable years ending on or after December 31, 2005, the Department must print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Autism Research Checkoff Fund, as authorized by Public Act 94-442, he or she may do so by stating the amount of the contribution (not less than $1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section does not apply to any amended return.

(Source: P.A. 94-442, eff. 8-4-05; 95-331, eff. 8-21-07; revised 10-17-12.)

(35 ILCS 5/909) (from Ch. 120, par. 9-09)

Sec. 909. Credits and Refunds.

(a) In general. In the case of any overpayment, the Department, within the applicable period of limitations for a claim for refund, may credit the amount of such overpayment, including any interest allowed thereon, against any liability in respect of the tax imposed by this Act, regardless of whether other collection remedies are closed to the Department on the part of the person who made the overpayment and shall refund any balance to such person.

(b) Credits against estimated tax. The Department may prescribe regulations providing for the crediting against the estimated tax for any taxable year of the amount determined by the taxpayer or the Department to be an overpayment of the tax imposed by this Act for a preceding taxable year.

(c) Interest on overpayment. Interest shall be allowed and paid at the rate and in the manner prescribed in Section 3-2 of the Uniform Penalty and Interest Act upon any overpayment in respect of the tax imposed by this Act. For purposes of this subsection, no amount of tax, for any taxable year, shall be treated as having been paid before the date on which the tax return for such year was due under Section 505, without regard to any extension of the time for filing such return.

(d) Refund claim. Every claim for refund shall be filed with the Department in writing in such form as the Department may by regulations prescribe, and shall state the specific grounds upon which it is founded.

(e) Notice of denial. As soon as practicable after a claim for refund is filed, the Department shall examine it and either issue a notice of refund, abatement or credit to the claimant or issue a notice of denial. If the Department has failed to approve or deny the claim before the

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expiration of 6 months from the date the claim was filed, the claimant may nevertheless thereafter file with the Department a written protest in such form as the Department may by regulation prescribe, provided that, on or after July 1, 2013, protests concerning matters that are subject to the jurisdiction of the Illinois Independent Tax Tribunal shall be filed with the Illinois Independent Tax Tribunal and not with the Department. If the protest is subject to the jurisdiction of the Department, the Department shall consider the claim and, if the taxpayer has so requested, shall grant the taxpayer or the taxpayer's authorized representative a hearing within 6 months after the date such request is filed.

On and after July 1, 2013, if the protest would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the claimant may elect to treat the Department's non-action as a denial of the claim by filing a petition to review the Department's administrative decision with the Illinois Independent Tax Tribunal, as provided by Section 910.

(f) Effect of denial. A denial of a claim for refund becomes final 60 days after the date of issuance of the notice of such denial except for such amounts denied as to which the claimant has filed a protest with the Department or a petition with the Illinois Independent Tax Tribunal, as provided by Section 910.

(g) An overpayment of tax shown on the face of an unsigned return shall be considered forfeited to the State if after notice and demand for signature by the Department the taxpayer fails to provide a signature and 3 years have passed from the date the return was filed. An overpayment of tax refunded to a taxpayer whose return was filed electronically shall be considered an erroneous refund under Section 912 of this Act if, after proper notice and demand by the Department, the taxpayer fails to provide a required signature document. A notice and demand for signature in the case of a return reflecting an overpayment may be made by first class mail. This subsection (g) shall apply to all returns filed pursuant to this Act since 1969.

(h) This amendatory Act of 1983 applies to returns and claims for refunds filed with the Department on and after July 1, 1983.

(35 ILCS 5/1201) (from Ch. 120, par. 12-1201)


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proceedings for the judicial review of final actions of the Department referred to in Sections 908 (d) and 910 (d). Such final actions shall constitute "administrative decisions" as defined in Section 3-101 of the Code of Civil Procedure.

Notwithstanding any other provision of law, on and after July 1, 2013, the provisions of the Illinois Independent Tax Tribunal Act of 2012, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department that are subject to that Act, as defined in Section 1-70 of the Illinois Independent Tax Tribunal Act of 2012.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 5/1202) (from Ch. 120, par. 12-1202)

Sec. 1202. Venue. Except as otherwise provided in the Illinois Independent Tax Tribunal Act of 2012, the Circuit Court of the county wherein the taxpayer has his residence or commercial domicile, or of Cook County in those cases where the taxpayer does not have his residence or commercial domicile in this State, shall have power to review all final administrative decisions of the Department in administering the provisions of this Act.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 5/1408) (from Ch. 120, par. 14-1408)

Sec. 1408. Except as otherwise provided in the Illinois Independent Tax Tribunal Act of 2012, the Illinois Administrative Procedure Act is hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Revenue under this Act, except that (1) paragraph (b) of Section 5-10 of the Illinois Administrative Procedure Act does not apply to final orders, decisions and opinions of the Department, (2) subparagraph (a)2 of Section 5-10 of the Illinois Administrative Procedure Act does not apply to forms established by the Department for use under this Act, and (3) the provisions of Section 10-45 of the Illinois Administrative Procedure Act regarding proposals for decision are excluded and not applicable to the Department under this Act.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 165. The Use Tax Act is amended by changing Section 3-8 as follows:

(35 ILCS 105/3-8)

Sec. 3-8. Hospital exemption.

(a) Tangible personal property sold to or used by a hospital owner that owns one or more hospitals licensed under the Hospital Licensing Act

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or operated under the University of Illinois Hospital Act, or a hospital affiliate that is not already exempt under another provision of this Act and meets the criteria for an exemption under this Section, is exempt from taxation under this Act.

(b) A hospital owner or hospital affiliate satisfies the conditions for an exemption under this Section if the value of qualified services or activities listed in subsection (c) of this Section for the hospital year equals or exceeds the relevant hospital entity's estimated property tax liability, without regard to any property tax exemption granted under Section 15-86 of the Property Tax Code, for the calendar year in which exemption or renewal of exemption is sought. For purposes of making the calculations required by this subsection (b), if the relevant hospital entity is a hospital owner that owns more than one hospital, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities relating to the hospital that includes the subject property, and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to the properties comprising that hospital. In the case of a multi-state hospital system or hospital affiliate, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities that occur in Illinois and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to its property located in Illinois.

(c) The following services and activities shall be considered for purposes of making the calculations required by subsection (b):

(1) Charity care. Free or discounted services provided pursuant to the relevant hospital entity's financial assistance policy, measured at cost, including discounts provided under the Hospital Uninsured Patient Discount Act.

(2) Health services to low-income and underserved individuals. Other unreimbursed costs of the relevant hospital entity for providing without charge, paying for, or subsidizing goods, activities, or services for the purpose of addressing the health of low-income or underserved individuals. Those activities or services may include, but are not limited to: financial or in-kind support to affiliated or unaffiliated hospitals, hospital affiliates, community clinics, or programs that treat low-income or underserved individuals; paying for or subsidizing health care professionals who care for low-income or underserved individuals; providing or subsidizing outreach or educational services to low-

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income or underserved individuals for disease management and prevention; free or subsidized goods, supplies, or services needed by low-income or underserved individuals because of their medical condition; and prenatal or childbirth outreach to low-income or underserved persons.

(3) Subsidy of State or local governments. Direct or indirect financial or in-kind subsidies of State or local governments by the relevant hospital entity that pay for or subsidize activities or programs related to health care for low-income or underserved individuals.

(4) Support for State health care programs for low-income individuals. At the election of the hospital applicant for each applicable year, either (A) 10% of payments to the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) under Medicaid or other means-tested programs, including, but not limited to, General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program or (B) the amount of subsidy provided by the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) to State or local government in treating Medicaid recipients and recipients of means-tested programs, including but not limited to General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program. The amount of subsidy for purpose of this item (4) is calculated in the same manner as unreimbursed costs are calculated for Medicaid and other means-tested government programs in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly.

(5) Dual-eligible subsidy. The amount of subsidy provided to government by treating dual-eligible Medicare/Medicaid patients. The amount of subsidy for purposes of this item (5) is calculated by multiplying the relevant hospital entity's unreimbursed costs for Medicare, calculated in the same manner as
determined in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly, by the relevant hospital entity's ratio of dual-eligible patients to total Medicare patients.

(6) Relief of the burden of government related to health care. Except to the extent otherwise taken into account in this subsection, the portion of unreimbursed costs of the relevant hospital entity attributable to providing, paying for, or subsidizing goods, activities, or services that relieve the burden of government related to health care for low-income individuals. Such activities or services shall include, but are not limited to, providing emergency, trauma, burn, neonatal, psychiatric, rehabilitation, or other special services; providing medical education; and conducting medical research or training of health care professionals. The portion of those unreimbursed costs attributable to benefiting low-income individuals shall be determined using the ratio calculated by adding the relevant hospital entity's costs attributable to charity care, Medicaid, other means-tested government programs, disabled Medicare patients under age 65, and dual-eligible Medicare/Medicaid patients and dividing that total by the relevant hospital entity's total costs. Such costs for the numerator and denominator shall be determined by multiplying gross charges by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I). In the case of emergency services, the ratio shall be calculated using costs (gross charges multiplied by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I)) of patients treated in the relevant hospital entity's emergency department.

(7) Any other activity by the relevant hospital entity that the Department determines relieves the burden of government or addresses the health of low-income or underserved individuals.

(d) The hospital applicant shall include information in its exemption application establishing that it satisfies the requirements of subsection (b). For purposes of making the calculations required by subsection (b), the hospital applicant may for each year elect to use either (1) the value of the services or activities listed in subsection (e) for the hospital year or (2) the average value of those services or activities for the 3 fiscal years ending with the hospital year. If the relevant hospital entity

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has been in operation for less than 3 completed fiscal years, then the latter calculation, if elected, shall be performed on a pro rata basis.

(e) For purposes of making the calculations required by this Section:

(1) particular services or activities eligible for consideration under any of the paragraphs (1) through (7) of subsection (c) may not be counted under more than one of those paragraphs; and

(2) the amount of unreimbursed costs and the amount of subsidy shall not be reduced by restricted or unrestricted payments received by the relevant hospital entity as contributions deductible under Section 170(a) of the Internal Revenue Code.

(f) (Blank).

(g) Estimation of Exempt Property Tax Liability. The estimated property tax liability used for the determination in subsection (b) shall be calculated as follows:

(1) "Estimated property tax liability" means the estimated dollar amount of property tax that would be owed, with respect to the exempt portion of each of the relevant hospital entity's properties that are already fully or partially exempt, or for which an exemption in whole or in part is currently being sought, and then aggregated as applicable, as if the exempt portion of those properties were subject to tax, calculated with respect to each such property by multiplying:

(A) the lesser of (i) the actual assessed value, if any, of the portion of the property for which an exemption is sought or (ii) an estimated assessed value of the exempt portion of such property as determined in item (2) of this subsection (g), by

(B) the applicable State equalization rate (yielding the equalized assessed value), by

(C) the applicable tax rate.

(2) The estimated assessed value of the exempt portion of the property equals the sum of (i) the estimated fair market value of buildings on the property, as determined in accordance with subparagraphs (A) and (B) of this item (2), multiplied by the applicable assessment factor, and (ii) the estimated assessed value of the land portion of the property, as determined in accordance with subparagraph (C).
(A) The "estimated fair market value of buildings on the property" means the replacement value of any exempt portion of buildings on the property, minus depreciation, determined utilizing the cost replacement method whereby the exempt square footage of all such buildings is multiplied by the replacement cost per square foot for Class A Average building found in the most recent edition of the Marshall & Swift Valuation Services Manual, adjusted by any appropriate current cost and local multipliers.

(B) Depreciation, for purposes of calculating the estimated fair market value of buildings on the property, is applied by utilizing a weighted mean life for the buildings based on original construction and assuming a 40-year life for hospital buildings and the applicable life for other types of buildings as specified in the American Hospital Association publication "Estimated Useful Lives of Depreciable Hospital Assets". In the case of hospital buildings, the remaining life is divided by 40 and this ratio is multiplied by the replacement cost of the buildings to obtain an estimated fair market value of buildings. If a hospital building is older than 35 years, a remaining life of 5 years for residual value is assumed; and if a building is less than 8 years old, a remaining life of 32 years is assumed.

(C) The estimated assessed value of the land portion of the property shall be determined by multiplying (i) the per square foot average of the assessed values of three parcels of land (not including farm land, and excluding the assessed value of the improvements thereon) reasonably comparable to the property, by (ii) the number of square feet comprising the exempt portion of the property's land square footage.

(3) The assessment factor, State equalization rate, and tax rate (including any special factors such as Enterprise Zones) used in calculating the estimated property tax liability shall be for the most recent year that is publicly available from the applicable chief county assessment officer or officers at least 90 days before the end of the hospital year.

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(4) The method utilized to calculate estimated property tax liability for purposes of this Section 15-86 shall not be utilized for the actual valuation, assessment, or taxation of property pursuant to the Property Tax Code.

(h) For the purpose of this Section, the following terms shall have the meanings set forth below:

(1) "Hospital" means any institution, place, building, buildings on a campus, or other health care facility located in Illinois that is licensed under the Hospital Licensing Act and has a hospital owner.

(2) "Hospital owner" means a not-for-profit corporation that is the titleholder of a hospital, or the owner of the beneficial interest in an Illinois land trust that is the titleholder of a hospital.

(3) "Hospital affiliate" means any corporation, partnership, limited partnership, joint venture, limited liability company, association or other organization, other than a hospital owner, that directly or indirectly controls, is controlled by, or is under common control with one or more hospital owners and that supports, is supported by, or acts in furtherance of the exempt health care purposes of at least one of those hospital owners' hospitals.

(4) "Hospital system" means a hospital and one or more other hospitals or hospital affiliates related by common control or ownership.

(5) "Control" relating to hospital owners, hospital affiliates, or hospital systems means possession, direct or indirect, of the power to direct or cause the direction of the management and policies of the entity, whether through ownership of assets, membership interest, other voting or governance rights, by contract or otherwise.

(6) "Hospital applicant" means a hospital owner or hospital affiliate that files an application for an exemption or renewal of exemption under this Section.

(7) "Relevant hospital entity" means (A) the hospital owner, in the case of a hospital applicant that is a hospital owner, and (B) at the election of a hospital applicant that is a hospital affiliate, either (i) the hospital affiliate or (ii) the hospital system to which the hospital applicant belongs, including any hospitals or hospital affiliates that are related by common control or ownership.
(8) "Subject property" means property used for the calculation under subsection (b) of this Section.

(9) "Hospital year" means the fiscal year of the relevant hospital entity, or the fiscal year of one of the hospital owners in the hospital system if the relevant hospital entity is a hospital system with members with different fiscal years, that ends in the year for which the exemption is sought.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

Section 170. The Service Use Tax Act is amended by changing Section 3-8 as follows:

(35 ILCS 110/3-8)

Sec. 3-8. Hospital exemption.

(a) Tangible personal property sold to or used by a hospital owner that owns one or more hospitals licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act, or a hospital affiliate that is not already exempt under another provision of this Act and meets the criteria for an exemption under this Section, is exempt from taxation under this Act.

(b) A hospital owner or hospital affiliate satisfies the conditions for an exemption under this Section if the value of qualified services or activities listed in subsection (c) of this Section for the hospital year equals or exceeds the relevant hospital entity's estimated property tax liability, without regard to any property tax exemption granted under Section 15-86 of the Property Tax Code, for the calendar year in which exemption or renewal of exemption is sought. For purposes of making the calculations required by this subsection (b), if the relevant hospital entity is a hospital owner that owns more than one hospital, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities relating to the hospital that includes the subject property, and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to the properties comprising that hospital. In the case of a multi-state hospital system or hospital affiliate, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities that occur in Illinois and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to its property located in Illinois.

(c) The following services and activities shall be considered for purposes of making the calculations required by subsection (b):

New matter indicated by italics - deletions by strikeout
(1) Charity care. Free or discounted services provided pursuant to the relevant hospital entity's financial assistance policy, measured at cost, including discounts provided under the Hospital Uninsured Patient Discount Act.

(2) Health services to low-income and underserved individuals. Other unreimbursed costs of the relevant hospital entity for providing without charge, paying for, or subsidizing goods, activities, or services for the purpose of addressing the health of low-income or underserved individuals. Those activities or services may include, but are not limited to: financial or in-kind support to affiliated or unaffiliated hospitals, hospital affiliates, community clinics, or programs that treat low-income or underserved individuals; paying for or subsidizing health care professionals who care for low-income or underserved individuals; providing or subsidizing outreach or educational services to low-income or underserved individuals for disease management and prevention; free or subsidized goods, supplies, or services needed by low-income or underserved individuals because of their medical condition; and prenatal or childbirth outreach to low-income or underserved persons.

(3) Subsidy of State or local governments. Direct or indirect financial or in-kind subsidies of State or local governments by the relevant hospital entity that pay for or subsidize activities or programs related to health care for low-income or underserved individuals.

(4) Support for State health care programs for low-income individuals. At the election of the hospital applicant for each applicable year, either (A) 10% of payments to the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) under Medicaid or other means-tested programs, including, but not limited to, General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program or (B) the amount of subsidy provided by the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or

New matter indicated by italics - deletions by strikeout
operational support from the relevant hospital entity) to State or local government in treating Medicaid recipients and recipients of means-tested programs, including but not limited to General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program. The amount of subsidy for purposes of this item (4) is calculated in the same manner as unreimbursed costs are calculated for Medicaid and other means-tested government programs in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly.

(5) Dual-eligible subsidy. The amount of subsidy provided to government by treating dual-eligible Medicare/Medicaid patients. The amount of subsidy for purposes of this item (5) is calculated by multiplying the relevant hospital entity's unreimbursed costs for Medicare, calculated in the same manner as determined in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly, by the relevant hospital entity's ratio of dual-eligible patients to total Medicare patients.

(6) Relief of the burden of government related to health care. Except to the extent otherwise taken into account in this subsection, the portion of unreimbursed costs of the relevant hospital entity attributable to providing, paying for, or subsidizing goods, activities, or services that relieve the burden of government related to health care for low-income individuals. Such activities or services shall include, but are not limited to, providing emergency, trauma, burn, neonatal, psychiatric, rehabilitation, or other special services; providing medical education; and conducting medical research or training of health care professionals. The portion of those unreimbursed costs attributable to benefiting low-income individuals shall be determined using the ratio calculated by adding the relevant hospital entity's costs attributable to charity care, Medicaid, other means-tested government programs, disabled Medicare patients under age 65, and dual-eligible Medicare/Medicaid patients and dividing that total by the relevant hospital entity's total costs. Such costs for the numerator and denominator shall be determined by multiplying gross charges by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I). In the case

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of emergency services, the ratio shall be calculated using costs (gross charges multiplied by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I)) of patients treated in the relevant hospital entity's emergency department.

(7) Any other activity by the relevant hospital entity that the Department determines relieves the burden of government or addresses the health of low-income or underserved individuals.

(d) The hospital applicant shall include information in its exemption application establishing that it satisfies the requirements of subsection (b). For purposes of making the calculations required by subsection (b), the hospital applicant may for each year elect to use either (1) the value of the services or activities listed in subsection (e) for the hospital year or (2) the average value of those services or activities for the 3 fiscal years ending with the hospital year. If the relevant hospital entity has been in operation for less than 3 completed fiscal years, then the latter calculation, if elected, shall be performed on a pro rata basis.

(e) For purposes of making the calculations required by this Section:

(1) particular services or activities eligible for consideration under any of the paragraphs (1) through (7) of subsection (c) may not be counted under more than one of those paragraphs; and

(2) the amount of unreimbursed costs and the amount of subsidy shall not be reduced by restricted or unrestricted payments received by the relevant hospital entity as contributions deductible under Section 170(a) of the Internal Revenue Code.

(f) (Blank).

(g) Estimation of Exempt Property Tax Liability. The estimated property tax liability used for the determination in subsection (b) shall be calculated as follows:

(1) "Estimated property tax liability" means the estimated dollar amount of property tax that would be owed, with respect to the exempt portion of each of the relevant hospital entity's properties that are already fully or partially exempt, or for which an exemption in whole or in part is currently being sought, and then aggregated as applicable, as if the exempt portion of those properties were subject to tax, calculated with respect to each such property by multiplying:
(A) the lesser of (i) the actual assessed value, if any, of the portion of the property for which an exemption is sought or (ii) an estimated assessed value of the exempt portion of such property as determined in item (2) of this subsection (g), by

(B) the applicable State equalization rate (yielding the equalized assessed value), by

(C) the applicable tax rate.

(2) The estimated assessed value of the exempt portion of the property equals the sum of (i) the estimated fair market value of buildings on the property, as determined in accordance with subparagraphs (A) and (B) of this item (2), multiplied by the applicable assessment factor, and (ii) the estimated assessed value of the land portion of the property, as determined in accordance with subparagraph (C).

(A) The "estimated fair market value of buildings on the property" means the replacement value of any exempt portion of buildings on the property, minus depreciation, determined utilizing the cost replacement method whereby the exempt square footage of all such buildings is multiplied by the replacement cost per square foot for Class A Average building found in the most recent edition of the Marshall & Swift Valuation Services Manual, adjusted by any appropriate current cost and local multipliers.

(B) Depreciation, for purposes of calculating the estimated fair market value of buildings on the property, is applied by utilizing a weighted mean life for the buildings based on original construction and assuming a 40-year life for hospital buildings and the applicable life for other types of buildings as specified in the American Hospital Association publication "Estimated Useful Lives of Depreciable Hospital Assets". In the case of hospital buildings, the remaining life is divided by 40 and this ratio is multiplied by the replacement cost of the buildings to obtain an estimated fair market value of buildings. If a hospital building is older than 35 years, a remaining life of 5 years for residual value is assumed; and if a building is
less than 8 years old, a remaining life of 32 years is assumed.

(C) The estimated assessed value of the land portion of the property shall be determined by multiplying (i) the per square foot average of the assessed values of three parcels of land (not including farm land, and excluding the assessed value of the improvements thereon) reasonably comparable to the property, by (ii) the number of square feet comprising the exempt portion of the property's land square footage.

(3) The assessment factor, State equalization rate, and tax rate (including any special factors such as Enterprise Zones) used in calculating the estimated property tax liability shall be for the most recent year that is publicly available from the applicable chief county assessment officer or officers at least 90 days before the end of the hospital year.

(4) The method utilized to calculate estimated property tax liability for purposes of this Section 15-86 shall not be utilized for the actual valuation, assessment, or taxation of property pursuant to the Property Tax Code.

(h) For the purpose of this Section, the following terms shall have the meanings set forth below:

(1) "Hospital" means any institution, place, building, buildings on a campus, or other health care facility located in Illinois that is licensed under the Hospital Licensing Act and has a hospital owner.

(2) "Hospital owner" means a not-for-profit corporation that is the titleholder of a hospital, or the owner of the beneficial interest in an Illinois land trust that is the titleholder of a hospital.

(3) "Hospital affiliate" means any corporation, partnership, limited partnership, joint venture, limited liability company, association or other organization, other than a hospital owner, that directly or indirectly controls, is controlled by, or is under common control with one or more hospital owners and that supports, is supported by, or acts in furtherance of the exempt health care purposes of at least one of those hospital owners' hospitals.

(4) "Hospital system" means a hospital and one or more other hospitals or hospital affiliates related by common control or ownership.
(5) "Control" relating to hospital owners, hospital affiliates, or hospital systems means possession, direct or indirect, of the power to direct or cause the direction of the management and policies of the entity, whether through ownership of assets, membership interest, other voting or governance rights, by contract or otherwise.

(6) "Hospital applicant" means a hospital owner or hospital affiliate that files an application for an exemption or renewal of exemption under this Section.

(7) "Relevant hospital entity" means (A) the hospital owner, in the case of a hospital applicant that is a hospital owner, and (B) at the election of a hospital applicant that is a hospital affiliate, either (i) the hospital affiliate or (ii) the hospital system to which the hospital applicant belongs, including any hospitals or hospital affiliates that are related by common control or ownership.

(8) "Subject property" means property used for the calculation under subsection (b) of this Section.

(9) "Hospital year" means the fiscal year of the relevant hospital entity, or the fiscal year of one of the hospital owners in the hospital system if the relevant hospital entity is a hospital system with members with different fiscal years, that ends in the year for which the exemption is sought.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

Section 175. The Service Occupation Tax Act is amended by changing Section 3-8 as follows:

Sec. 3-8. Hospital exemption.

(a) Tangible personal property sold to or used by a hospital owner that owns one or more hospitals licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act, or a hospital affiliate that is not already exempt under another provision of this Act and meets the criteria for an exemption under this Section, is exempt from taxation under this Act.

(b) A hospital owner or hospital affiliate satisfies the conditions for an exemption under this Section if the value of qualified services or activities listed in subsection (c) of this Section for the hospital year equals or exceeds the relevant hospital entity's estimated property tax liability, without regard to any property tax exemption granted under Section 15-86 of the Property Tax Code, for the calendar year in which exemption or
renewal of exemption is sought. For purposes of making the calculations required by this subsection (b), if the relevant hospital entity is a hospital owner that owns more than one hospital, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities relating to the hospital that includes the subject property, and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to the properties comprising that hospital. In the case of a multi-state hospital system or hospital affiliate, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities that occur in Illinois and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to its property located in Illinois.

(c) The following services and activities shall be considered for purposes of making the calculations required by subsection (b):

(1) Charity care. Free or discounted services provided pursuant to the relevant hospital entity's financial assistance policy, measured at cost, including discounts provided under the Hospital Uninsured Patient Discount Act.

(2) Health services to low-income and underserved individuals. Other unreimbursed costs of the relevant hospital entity for providing without charge, paying for, or subsidizing goods, activities, or services for the purpose of addressing the health of low-income or underserved individuals. Those activities or services may include, but are not limited to: financial or in-kind support to affiliated or unaffiliated hospitals, hospital affiliates, community clinics, or programs that treat low-income or underserved individuals; paying for or subsidizing health care professionals who care for low-income or underserved individuals; providing or subsidizing outreach or educational services to low-income or underserved individuals for disease management and prevention; free or subsidized goods, supplies, or services needed by low-income or underserved individuals because of their medical condition; and prenatal or childbirth outreach to low-income or underserved persons.

(3) Subsidy of State or local governments. Direct or indirect financial or in-kind subsidies of State or local governments by the relevant hospital entity that pay for or subsidize activities or programs related to health care for low-income or underserved individuals.

New matter indicated by italics - deletions by strikeout
(4) Support for State health care programs for low-income individuals. At the election of the hospital applicant for each applicable year, either (A) 10% of payments to the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) under Medicaid or other means-tested programs, including, but not limited to, General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program or (B) the amount of subsidy provided by the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) to State or local government in treating Medicaid recipients and recipients of means-tested programs, including but not limited to General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program. The amount of subsidy for purposes of this item (4) is calculated in the same manner as unreimbursed costs are calculated for Medicaid and other means-tested government programs in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly.

(5) Dual-eligible subsidy. The amount of subsidy provided to government by treating dual-eligible Medicare/Medicaid patients. The amount of subsidy for purposes of this item (5) is calculated by multiplying the relevant hospital entity's unreimbursed costs for Medicare, calculated in the same manner as determined in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly, by the relevant hospital entity's ratio of dual-eligible patients to total Medicare patients.

(6) Relief of the burden of government related to health care. Except to the extent otherwise taken into account in this subsection, the portion of unreimbursed costs of the relevant hospital entity attributable to providing, paying for, or subsidizing goods, activities, or services that relieve the burden of government related to health care for low-income individuals. Such activities or

New matter indicated by italics - deletions by strikeout
services shall include, but are not limited to, providing emergency, trauma, burn, neonatal, psychiatric, rehabilitation, or other special services; providing medical education; and conducting medical research or training of health care professionals. The portion of those unreimbursed costs attributable to benefiting low-income individuals shall be determined using the ratio calculated by adding the relevant hospital entity's costs attributable to charity care, Medicaid, other means-tested government programs, disabled Medicare patients under age 65, and dual-eligible Medicare/Medicaid patients and dividing that total by the relevant hospital entity's total costs. Such costs for the numerator and denominator shall be determined by multiplying gross charges by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I). In the case of emergency services, the ratio shall be calculated using costs (gross charges multiplied by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I)) of patients treated in the relevant hospital entity's emergency department.

(7) Any other activity by the relevant hospital entity that the Department determines relieves the burden of government or addresses the health of low-income or underserved individuals.

(d) The hospital applicant shall include information in its exemption application establishing that it satisfies the requirements of subsection (b). For purposes of making the calculations required by subsection (b), the hospital applicant may for each year elect to use either (1) the value of the services or activities listed in subsection (e) for the hospital year or (2) the average value of those services or activities for the 3 fiscal years ending with the hospital year. If the relevant hospital entity has been in operation for less than 3 completed fiscal years, then the latter calculation, if elected, shall be performed on a pro rata basis.

(e) For purposes of making the calculations required by this Section:

(1) particular services or activities eligible for consideration under any of the paragraphs (1) through (7) of subsection (c) may not be counted under more than one of those paragraphs; and

(2) the amount of unreimbursed costs and the amount of subsidy shall not be reduced by restricted or unrestricted payments.

New matter indicated by italics - deletions by strikeout
received by the relevant hospital entity as contributions deductible under Section 170(a) of the Internal Revenue Code.

(f) (Blank).

(g) Estimation of Exempt Property Tax Liability. The estimated property tax liability used for the determination in subsection (b) shall be calculated as follows:

(1) "Estimated property tax liability" means the estimated dollar amount of property tax that would be owed, with respect to the exempt portion of each of the relevant hospital entity's properties that are already fully or partially exempt, or for which an exemption in whole or in part is currently being sought, and then aggregated as applicable, as if the exempt portion of those properties were subject to tax, calculated with respect to each such property by multiplying:

(A) the lesser of (i) the actual assessed value, if any, of the portion of the property for which an exemption is sought or (ii) an estimated assessed value of the exempt portion of such property as determined in item (2) of this subsection (g), by

(B) the applicable State equalization rate (yielding the equalized assessed value), by

(C) the applicable tax rate.

(2) The estimated assessed value of the exempt portion of the property equals the sum of (i) the estimated fair market value of buildings on the property, as determined in accordance with subparagraphs (A) and (B) of this item (2), multiplied by the applicable assessment factor, and (ii) the estimated assessed value of the land portion of the property, as determined in accordance with subparagraph (C).

(A) The "estimated fair market value of buildings on the property" means the replacement value of any exempt portion of buildings on the property, minus depreciation, determined utilizing the cost replacement method whereby the exempt square footage of all such buildings is multiplied by the replacement cost per square foot for Class A Average building found in the most recent edition of the Marshall & Swift Valuation Services Manual, adjusted by any appropriate current cost and local multipliers.
(B) Depreciation, for purposes of calculating the estimated fair market value of buildings on the property, is applied by utilizing a weighted mean life for the buildings based on original construction and assuming a 40-year life for hospital buildings and the applicable life for other types of buildings as specified in the American Hospital Association publication "Estimated Useful Lives of Depreciable Hospital Assets". In the case of hospital buildings, the remaining life is divided by 40 and this ratio is multiplied by the replacement cost of the buildings to obtain an estimated fair market value of buildings. If a hospital building is older than 35 years, a remaining life of 5 years for residual value is assumed; and if a building is less than 8 years old, a remaining life of 32 years is assumed.

(C) The estimated assessed value of the land portion of the property shall be determined by multiplying (i) the per square foot average of the assessed values of three parcels of land (not including farm land, and excluding the assessed value of the improvements thereon) reasonably comparable to the property, by (ii) the number of square feet comprising the exempt portion of the property's land square footage.

(3) The assessment factor, State equalization rate, and tax rate (including any special factors such as Enterprise Zones) used in calculating the estimated property tax liability shall be for the most recent year that is publicly available from the applicable chief county assessment officer or officers at least 90 days before the end of the hospital year.

(4) The method utilized to calculate estimated property tax liability for purposes of this Section 15-86 shall not be utilized for the actual valuation, assessment, or taxation of property pursuant to the Property Tax Code.

(h) For the purpose of this Section, the following terms shall have the meanings set forth below:

(1) "Hospital" means any institution, place, building, buildings on a campus, or other health care facility located in Illinois that is licensed under the Hospital Licensing Act and has a hospital owner.

New matter indicated by italics - deletions by strikeout
(2) "Hospital owner" means a not-for-profit corporation that is the titleholder of a hospital, or the owner of the beneficial interest in an Illinois land trust that is the titleholder of a hospital.

(3) "Hospital affiliate" means any corporation, partnership, limited partnership, joint venture, limited liability company, association or other organization, other than a hospital owner, that directly or indirectly controls, is controlled by, or is under common control with one or more hospital owners and that supports, is supported by, or acts in furtherance of the exempt health care purposes of at least one of those hospital owners' hospitals.

(4) "Hospital system" means a hospital and one or more other hospitals or hospital affiliates related by common control or ownership.

(5) "Control" relating to hospital owners, hospital affiliates, or hospital systems means possession, direct or indirect, of the power to direct or cause the direction of the management and policies of the entity, whether through ownership of assets, membership interest, other voting or governance rights, by contract or otherwise.

(6) "Hospital applicant" means a hospital owner or hospital affiliate that files an application for an exemption or renewal of exemption under this Section.

(7) "Relevant hospital entity" means (A) the hospital owner, in the case of a hospital applicant that is a hospital owner, and (B) at the election of a hospital applicant that is a hospital affiliate, either (i) the hospital affiliate or (ii) the hospital system to which the hospital applicant belongs, including any hospitals or hospital affiliates that are related by common control or ownership.

(8) "Subject property" means property used for the calculation under subsection (b) of this Section.

(9) "Hospital year" means the fiscal year of the relevant hospital entity, or the fiscal year of one of the hospital owners in the hospital system if the relevant hospital entity is a hospital system with members with different fiscal years, that ends in the year for which the exemption is sought.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

Section 180. The Retailers' Occupation Tax Act is amended by changing Sections 1f, 2-9, 5, and 12 as follows:
(35 ILCS 120/1f) (from Ch. 120, par. 440f)

New matter indicated by italics - deletions by strikeout
Sec. 1f. Except for High Impact Businesses, the exemption stated in Sections 1d and 1e of this Act shall only apply to business enterprises which:

(1) either (i) make investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois or (ii) make investments which cause the retention of a minimum of 2000 full-time jobs in Illinois or (iii) make investments of a minimum of $40,000,000 and retain at least 90% of the jobs in place on the date on which the exemption is granted and for the duration of the exemption; and

(2) are located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act; and

(3) are certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2) and (3).

Any business enterprise seeking to avail itself of the exemptions stated in Sections 1d or 1e, or both, shall make application to the Department of Commerce and Economic Opportunity in such form and providing such information as may be prescribed by the Department of Commerce and Economic Opportunity. However, no business enterprise shall be required, as a condition for certification under clause (4) of this Section, to attest that its decision to invest under clause (1) of this Section and to locate under clause (2) of this Section is predicated upon the availability of the exemptions authorized by Sections 1d or 1e.

The Department of Commerce and Economic Opportunity shall determine whether the business enterprise meets the criteria prescribed in this Section. If the Department of Commerce and Economic Opportunity determines that such business enterprise meets the criteria, it shall issue a certificate of eligibility for exemption to the business enterprise in such form as is prescribed by the Department of Revenue. The Department of Commerce and Economic Opportunity shall act upon such certification requests within 60 days after receipt of the application, and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity shall have the power to promulgate rules and regulations to carry out the provisions of this Section including the power to define the amounts and types of eligible investments not specified in this Section which business enterprises must make in order to receive the exemptions stated in

New matter indicated by italics - deletions by strikeout
Sections 1d and 1e of this Act; and to require that any business enterprise that is granted a tax exemption repay the exempted tax if the business enterprise fails to comply with the terms and conditions of the certification.

Such certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of tangible personal property for which an exemption is granted by Section 1d or Section 1e, or both, together with a certification by the business enterprise that such tangible personal property is exempt from taxation under Section 1d or Section 1e and by indicating the exempt status of each subsequent purchase on the face of the purchase order.

The Department of Commerce and Economic Opportunity shall determine the period during which such exemption from the taxes imposed under this Act is in effect which shall not exceed 20 years.

(Source: P.A. 94-793, eff. 5-19-06; revised 10-10-12.)

(35 ILCS 120/2-9)

Sec. 2-9. Hospital exemption.

(a) Tangible personal property sold to or used by a hospital owner that owns one or more hospitals licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act, or a hospital affiliate that is not already exempt under another provision of this Act and meets the criteria for an exemption under this Section, is exempt from taxation under this Act.

(b) A hospital owner or hospital affiliate satisfies the conditions for an exemption under this Section if the value of qualified services or activities listed in subsection (c) of this Section for the hospital year equals or exceeds the relevant hospital entity's estimated property tax liability, without regard to any property tax exemption granted under Section 15-86 of the Property Tax Code, for the calendar year in which exemption or renewal of exemption is sought. For purposes of making the calculations required by this subsection (b), if the relevant hospital entity is a hospital owner that owns more than one hospital, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities relating to the hospital that includes the subject property, and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to the properties comprising that hospital. In the case of a multi-state hospital system or hospital affiliate, the value of the services or activities listed in subsection (c) shall be calculated on the basis of only those services and activities that occur in
Illinois and the relevant hospital entity's estimated property tax liability shall be calculated only with respect to its property located in Illinois.

(c) The following services and activities shall be considered for purposes of making the calculations required by subsection (b):

(1) Charity care. Free or discounted services provided pursuant to the relevant hospital entity's financial assistance policy, measured at cost, including discounts provided under the Hospital Uninsured Patient Discount Act.

(2) Health services to low-income and underserved individuals. Other unreimbursed costs of the relevant hospital entity for providing without charge, paying for, or subsidizing goods, activities, or services for the purpose of addressing the health of low-income or underserved individuals. Those activities or services may include, but are not limited to: financial or in-kind support to affiliated or unaffiliated hospitals, hospital affiliates, community clinics, or programs that treat low-income or underserved individuals; paying for or subsidizing health care professionals who care for low-income or underserved individuals; providing or subsidizing outreach or educational services to low-income or underserved individuals for disease management and prevention; free or subsidized goods, supplies, or services needed by low-income or underserved individuals because of their medical condition; and prenatal or childbirth outreach to low-income or underserved persons.

(3) Subsidy of State or local governments. Direct or indirect financial or in-kind subsidies of State or local governments by the relevant hospital entity that pay for or subsidize activities or programs related to health care for low-income or underserved individuals.

(4) Support for State health care programs for low-income individuals. At the election of the hospital applicant for each applicable year, either (A) 10% of payments to the relevant hospital entity and any hospital affiliate designated by the relevant hospital entity (provided that such hospital affiliate's operations provide financial or operational support for or receive financial or operational support from the relevant hospital entity) under Medicaid or other means-tested programs, including, but not limited to, General Assistance, the Covering ALL KIDS Health Insurance Act, and the State Children's Health Insurance Program.
(5) Dual-eligible subsidy. The amount of subsidy provided to government by treating dual-eligible Medicare/Medicaid patients. The amount of subsidy for purposes of this item (5) is calculated by multiplying the relevant hospital entity's unreimbursed costs for Medicare, calculated in the same manner as determined in the Schedule H of IRS Form 990 in effect on the effective date of this amendatory Act of the 97th General Assembly, by the relevant hospital entity's ratio of dual-eligible Medicare patients to total Medicare patients.

(6) Relief of the burden of government related to health care. Except to the extent otherwise taken into account in this subsection, the portion of unreimbursed costs of the relevant hospital entity attributable to providing, paying for, or subsidizing goods, activities, or services that relieve the burden of government related to health care for low-income individuals. Such activities or services shall include, but are not limited to, providing emergency, trauma, burn, neonatal, psychiatric, rehabilitation, or other special services; providing medical education; and conducting medical research or training of health care professionals. The portion of those unreimbursed costs attributable to benefiting low-income individuals shall be determined using the ratio calculated by adding the relevant hospital entity's costs attributable to charity care, Medicaid, other means-tested government programs, disabled Medicare patients under age 65, and dual-eligible Medicare/Medicaid patients and dividing that total by the relevant

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hospital entity's total costs. Such costs for the numerator and denominator shall be determined by multiplying gross charges by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I). In the case of emergency services, the ratio shall be calculated using costs (gross charges multiplied by the cost to charge ratio taken from the hospital's most recently filed Medicare cost report (CMS 2252-10 Worksheet, Part I)) of patients treated in the relevant hospital entity's emergency department.

(7) Any other activity by the relevant hospital entity that the Department determines relieves the burden of government or addresses the health of low-income or underserved individuals.

(d) The hospital applicant shall include information in its exemption application establishing that it satisfies the requirements of subsection (b). For purposes of making the calculations required by subsection (b), the hospital applicant may for each year elect to use either (1) the value of the services or activities listed in subsection (e) for the hospital year or (2) the average value of those services or activities for the 3 fiscal years ending with the hospital year. If the relevant hospital entity has been in operation for less than 3 completed fiscal years, then the latter calculation, if elected, shall be performed on a pro rata basis.

(e) For purposes of making the calculations required by this Section:

(1) particular services or activities eligible for consideration under any of the paragraphs (1) through (7) of subsection (c) may not be counted under more than one of those paragraphs; and

(2) the amount of unreimbursed costs and the amount of subsidy shall not be reduced by restricted or unrestricted payments received by the relevant hospital entity as contributions deductible under Section 170(a) of the Internal Revenue Code.

(f) (Blank).

(g) Estimation of Exempt Property Tax Liability. The estimated property tax liability used for the determination in subsection (b) shall be calculated as follows:

(1) "Estimated property tax liability" means the estimated dollar amount of property tax that would be owed, with respect to the exempt portion of each of the relevant hospital entity's properties that are already fully or partially exempt, or for which an exemption in whole or in part is currently being sought, and then

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aggregated as applicable, as if the exempt portion of those properties were subject to tax, calculated with respect to each such property by multiplying:

(A) the lesser of (i) the actual assessed value, if any, of the portion of the property for which an exemption is sought or (ii) an estimated assessed value of the exempt portion of such property as determined in item (2) of this subsection (g), by

(B) the applicable State equalization rate (yielding the equalized assessed value), by

(C) the applicable tax rate.

(2) The estimated assessed value of the exempt portion of the property equals the sum of (i) the estimated fair market value of buildings on the property, as determined in accordance with subparagraphs (A) and (B) of this item (2), multiplied by the applicable assessment factor, and (ii) the estimated assessed value of the land portion of the property, as determined in accordance with subparagraph (C).

(A) The "estimated fair market value of buildings on the property" means the replacement value of any exempt portion of buildings on the property, minus depreciation, determined utilizing the cost replacement method whereby the exempt square footage of all such buildings is multiplied by the replacement cost per square foot for Class A Average building found in the most recent edition of the Marshall & Swift Valuation Services Manual, adjusted by any appropriate current cost and local multipliers.

(B) Depreciation, for purposes of calculating the estimated fair market value of buildings on the property, is applied by utilizing a weighted mean life for the buildings based on original construction and assuming a 40-year life for hospital buildings and the applicable life for other types of buildings as specified in the American Hospital Association publication "Estimated Useful Lives of Depreciable Hospital Assets". In the case of hospital buildings, the remaining life is divided by 40 and this ratio is multiplied by the replacement cost of the buildings to obtain an estimated fair market value of buildings. If a
hospital building is older than 35 years, a remaining life of 5 years for residual value is assumed; and if a building is less than 8 years old, a remaining life of 32 years is assumed.

(C) The estimated assessed value of the land portion of the property shall be determined by multiplying (i) the per square foot average of the assessed values of three parcels of land (not including farm land, and excluding the assessed value of the improvements thereon) reasonably comparable to the property, by (ii) the number of square feet comprising the exempt portion of the property's land square footage.

(3) The assessment factor, State equalization rate, and tax rate (including any special factors such as Enterprise Zones) used in calculating the estimated property tax liability shall be for the most recent year that is publicly available from the applicable chief county assessment officer or officers at least 90 days before the end of the hospital year.

(4) The method utilized to calculate estimated property tax liability for purposes of this Section 15-86 shall not be utilized for the actual valuation, assessment, or taxation of property pursuant to the Property Tax Code.

(h) For the purpose of this Section, the following terms shall have the meanings set forth below:

(1) "Hospital" means any institution, place, building, buildings on a campus, or other health care facility located in Illinois that is licensed under the Hospital Licensing Act and has a hospital owner.

(2) "Hospital owner" means a not-for-profit corporation that is the titleholder of a hospital, or the owner of the beneficial interest in an Illinois land trust that is the titleholder of a hospital.

(3) "Hospital affiliate" means any corporation, partnership, limited partnership, joint venture, limited liability company, association or other organization, other than a hospital owner, that directly or indirectly controls, is controlled by, or is under common control with one or more hospital owners and that supports, is supported by, or acts in furtherance of the exempt health care purposes of at least one of those hospital owners' hospitals.
(4) "Hospital system" means a hospital and one or more other hospitals or hospital affiliates related by common control or ownership.

(5) "Control" relating to hospital owners, hospital affiliates, or hospital systems means possession, direct or indirect, of the power to direct or cause the direction of the management and policies of the entity, whether through ownership of assets, membership interest, other voting or governance rights, by contract or otherwise.

(6) "Hospital applicant" means a hospital owner or hospital affiliate that files an application for an exemption or renewal of exemption under this Section.

(7) "Relevant hospital entity" means (A) the hospital owner, in the case of a hospital applicant that is a hospital owner, and (B) at the election of a hospital applicant that is a hospital affiliate, either (i) the hospital affiliate or (ii) the hospital system to which the hospital applicant belongs, including any hospitals or hospital affiliates that are related by common control or ownership.

(8) "Subject property" means property used for the calculation under subsection (b) of this Section.

(9) "Hospital year" means the fiscal year of the relevant hospital entity, or the fiscal year of one of the hospital owners in the hospital system if the relevant hospital entity is a hospital system with members with different fiscal years, that ends in the year for which the exemption is sought.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

(35 ILCS 120/5) (from Ch. 120, par. 444)

Sec. 5. In case any person engaged in the business of selling tangible personal property at retail fails to file a return when and as herein required, but thereafter, prior to the Department's issuance of a notice of tax liability under this Section, files a return and pays the tax, he shall also pay a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act.

In case any person engaged in the business of selling tangible personal property at retail files the return at the time required by this Act but fails to pay the tax, or any part thereof, when due, a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act shall be added thereto.

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In case any person engaged in the business of selling tangible personal property at retail fails to file a return when and as herein required, but thereafter, prior to the Department's issuance of a notice of tax liability under this Section, files a return but fails to pay the entire tax, a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act shall be added thereto.

In case any person engaged in the business of selling tangible personal property at retail fails to file a return, the Department shall determine the amount of tax due from him according to its best judgment and information, which amount so fixed by the Department shall be prima facie correct and shall be prima facie evidence of the correctness of the amount of tax due, as shown in such determination. In making any such determination of tax due, it shall be permissible for the Department to show a figure that represents the tax due for any given period of 6 months instead of showing the amount of tax due for each month separately. Proof of such determination by the Department may be made at any hearing before the Department or in any legal proceeding by a reproduced copy or computer print-out of the Department's record relating thereto in the name of the Department under the certificate of the Director of Revenue. If reproduced copies of the Department's records are offered as proof of such determination, the Director must certify that those copies are true and exact copies of records on file with the Department. If computer print-outs of the Department's records are offered as proof of such determination, the Director must certify that those computer print-outs are true and exact representations of records properly entered into standard electronic computing equipment, in the regular course of the Department's business, at or reasonably near the time of the occurrence of the facts recorded, from trustworthy and reliable information. Such certified reproduced copy or certified computer print-out shall, without further proof, be admitted into evidence before the Department or in any legal proceeding and shall be prima facie proof of the correctness of the amount of tax due, as shown therein. The Department shall issue the taxpayer a notice of tax liability for the amount of tax claimed by the Department to be due, together with a penalty of 30% thereof.

However, where the failure to file any tax return required under this Act on the date prescribed therefor (including any extensions thereof), is shown to be unintentional and nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed date or

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is due to other reasonable cause the penalties imposed by this Act shall not apply.

The taxpayer or the taxpayer's legal representative may, within 60 days after such notice, file a protest to such notice of tax liability with the Department and request a hearing thereon. The Department shall give notice to such person or the legal representative of such person of the time and place fixed for such hearing, and shall hold a hearing in conformity with the provisions of this Act, and pursuant thereto shall issue a final assessment to such person or to the legal representative of such person for the amount found to be due as a result of such hearing. On and after July 1, 2013, protests concerning matters that are under the jurisdiction of the Illinois Independent Tax Tribunal shall be filed with the Illinois Independent Tax Tribunal in accordance with the Illinois Independent Tax Tribunal Act of 2012, and hearings concerning those matters shall be held before the Tribunal in accordance with that Act. With respect to protests filed with the Illinois Independent Tax Tribunal, the Tribunal shall give notice to that person or the legal representative of that person of the time and place fixed for a hearing, and shall hold a hearing in conformity with the provisions of this Act and the Illinois Independent Tax Tribunal Act of 2012; and pursuant thereto the Department shall issue a final assessment to such person or to the legal representative of such person for the amount found to be due as a result of the hearing. With respect to protests filed with the Department prior to July 1, 2013 that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the taxpayer may elect to be subject to the provisions of the Illinois Independent Tax Tribunal Act of 2012 at any time on or after July 1, 2013, but not later than 30 days after the date on which the protest was filed. If made, the election shall be irrevocable.

If a protest to the notice of tax liability and a request for a hearing thereon is not filed within 60 days after such notice, such notice of tax liability shall become final without the necessity of a final assessment being issued and shall be deemed to be a final assessment.

After the issuance of a final assessment, or a notice of tax liability which becomes final without the necessity of actually issuing a final assessment as hereinbefore provided, the Department, at any time before such assessment is reduced to judgment, may (subject to rules of the Department) grant a rehearing (or grant departmental review and hold an original hearing if no previous hearing in the matter has been held) upon the application of the person aggrieved. Pursuant to such hearing or

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rehearing, the Department shall issue a revised final assessment to such person or his legal representative for the amount found to be due as a result of such hearing or rehearing.

Except in case of failure to file a return, or with the consent of the person to whom the notice of tax liability is to be issued, no notice of tax liability shall be issued on and after each July 1 and January 1 covering gross receipts received during any month or period of time more than 3 years prior to such July 1 and January 1, respectively, except that if a return is not filed at the required time, a notice of tax liability may be issued not later than 3 years after the time the return is filed. The foregoing limitations upon the issuance of a notice of tax liability shall not apply to the issuance of any such notice with respect to any period of time prior thereto in cases where the Department has, within the period of limitation then provided, notified a person of the amount of tax computed even though the Department had not determined the amount of tax due from such person in the manner required herein prior to the issuance of such notice, but in no case shall the amount of any such notice of tax liability for any period otherwise barred by this Act exceed for such period the amount shown in the notice theretofore issued.

If, when a tax or penalty under this Act becomes due and payable, the person alleged to be liable therefor is out of the State, the notice of tax liability may be issued within the times herein limited after his or her coming into or return to the State; and if, after the tax or penalty under this Act becomes due and payable, the person alleged to be liable therefor departs from and remains out of the State, the time of his or her absence is no part of the time limited for the issuance of the notice of tax liability; but the foregoing provisions concerning absence from the State shall not apply to any case in which, at the time when a tax or penalty becomes due under this Act, the person allegedly liable therefor is not a resident of this State.

The time limitation period on the Department's right to issue a notice of tax liability shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from issuing the notice of tax liability.

In case of failure to pay the tax, or any portion thereof, or any penalty provided for in this Act, or interest, when due, the Department may bring suit to recover the amount of such tax, or portion thereof, or penalty or interest; or, if the taxpayer has died or become a person under legal disability, may file a claim therefor against his estate; provided that no such suit with respect to any tax, or portion thereof, or penalty, or

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interest shall be instituted more than 6 years after the date any proceedings in court for review thereof have terminated or the time for the taking thereof has expired without such proceedings being instituted, except with the consent of the person from whom such tax or penalty or interest is due; nor, except with such consent, shall such suit be instituted more than 6 years after the date any return is filed with the Department in cases where the return constitutes the basis for the suit for unpaid tax, or portion thereof, or penalty provided for in this Act, or interest: Provided that the time limitation period on the Department's right to bring any such suit shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from bringing such suit.

After the expiration of the period within which the person assessed may file an action for judicial review under the Administrative Review Law or the Illinois Independent Tax Tribunal Act of 2012, as applicable, without such an action being filed, a certified copy of the final assessment or revised final assessment of the Department may be filed with the Circuit Court of the county in which the taxpayer has his principal place of business, or of Sangamon County in those cases in which the taxpayer does not have his principal place of business in this State. The certified copy of the final assessment or revised final assessment shall be accompanied by a certification which recites facts that are sufficient to show that the Department complied with the jurisdictional requirements of the Act in arriving at its final assessment or its revised final assessment and that the taxpayer had his opportunity for an administrative hearing and for judicial review, whether he availed himself or herself of either or both of these opportunities or not. If the court is satisfied that the Department complied with the jurisdictional requirements of the Act in arriving at its final assessment or its revised final assessment and that the taxpayer had his opportunity for an administrative hearing and for judicial review, whether he availed himself of either or both of these opportunities or not, the court shall render judgment in favor of the Department and against the taxpayer for the amount shown to be due by the final assessment or the revised final assessment, plus any interest which may be due, and such judgment shall be entered in the judgment docket of the court. Such judgment shall bear the rate of interest as set by the Uniform Penalty and Interest Act, but otherwise shall have the same effect as other judgments. The judgment may be enforced, and all laws applicable to sales for the enforcement of a judgment shall be applicable to sales made under such

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judgments. The Department shall file the certified copy of its assessment, as herein provided, with the Circuit Court within 6 years after such assessment becomes final except when the taxpayer consents in writing to an extension of such filing period, and except that the time limitation period on the Department's right to file the certified copy of its assessment with the Circuit Court shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from filing such certified copy of its assessment with the Circuit Court.

If, when the cause of action for a proceeding in court accrues against a person, he or she is out of the State, the action may be commenced within the times herein limited, after his or her coming into or return to the State; and if, after the cause of action accrues, he or she departs from and remains out of the State, the time of his or her absence is no part of the time limited for the commencement of the action; but the foregoing provisions concerning absence from the State shall not apply to any case in which, at the time the cause of action accrues, the party against whom the cause of action accrues is not a resident of this State. The time within which a court action is to be commenced by the Department hereunder shall not run from the date the taxpayer files a petition in bankruptcy under the Federal Bankruptcy Act until 30 days after notice of termination or expiration of the automatic stay imposed by the Federal Bankruptcy Act.

No claim shall be filed against the estate of any deceased person or any person under legal disability for any tax or penalty or part of either, or interest, except in the manner prescribed and within the time limited by the Probate Act of 1975, as amended.

The collection of tax or penalty or interest by any means provided for herein shall not be a bar to any prosecution under this Act.

In addition to any penalty provided for in this Act, any amount of tax which is not paid when due shall bear interest at the rate and in the manner specified in Sections 3-2 and 3-9 of the Uniform Penalty and Interest Act from the date when such tax becomes past due until such tax is paid or a judgment therefor is obtained by the Department. If the time for making or completing an audit of a taxpayer's books and records is extended with the taxpayer's consent, at the request of and for the convenience of the Department, beyond the date on which the statute of limitations upon the issuance of a notice of tax liability by the Department otherwise would run, no interest shall accrue during the period of such
extension or until a Notice of Tax Liability is issued, whichever occurs first.

In addition to any other remedy provided by this Act, and regardless of whether the Department is making or intends to make use of such other remedy, where a corporation or limited liability company registered under this Act violates the provisions of this Act or of any rule or regulation promulgated thereunder, the Department may give notice to the Attorney General of the identity of such a corporation or limited liability company and of the violations committed by such a corporation or limited liability company, for such action as is not already provided for by this Act and as the Attorney General may deem appropriate.

If the Department determines that an amount of tax or penalty or interest was incorrectly assessed, whether as the result of a mistake of fact or an error of law, the Department shall waive the amount of tax or penalty or interest that accrued due to the incorrect assessment.

(Source: P.A. 96-1383, eff. 1-1-11; 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 120/12) (from Ch. 120, par. 451)

Sec. 12. The Department is authorized to make, promulgate and enforce such reasonable rules and regulations relating to the administration and enforcement of the provisions of this Act as may be deemed expedient.

Whenever notice is required by this Act, such notice may be given by United States registered or certified mail, addressed to the person concerned at his last known address, and proof of such mailing shall be sufficient for the purposes of this Act. Notice of any hearing provided for by this Act shall be so given not less than 7 days prior to the day fixed for the hearing. Following the initial contact of a person represented by an attorney, the Department shall not contact the person concerned but shall only contact the attorney representing the person concerned.

All hearings provided for in this Act with respect to or concerning a taxpayer having his or her principal place of business in this State other than in Cook County shall be held at the Department's office nearest to the location of the taxpayer's principal place of business: Provided that if the taxpayer has his or her principal place of business in Cook County, such hearing shall be held in Cook County; and provided, further, that if the taxpayer does not have his or her principal place of business in this State, such hearing shall be held in Sangamon County.

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The Circuit Court of the County wherein the taxpayer has his or her principal place of business, or of Sangamon County in those cases where the taxpayer does not have his or her principal place of business in this State, shall have power to review all final administrative decisions of the Department in administering the provisions of this Act: Provided that if the administrative proceeding which is to be reviewed judicially is a claim for refund proceeding commenced in accordance with Section 6 of this Act and Section 2a of "An Act in relation to the payment and disposition of moneys received by officers and employees of the State of Illinois by virtue of their office or employment", approved June 9, 1911, as amended, the Circuit Court having jurisdiction of the action for judicial review under this Section and under the Administrative Review Law, as amended, shall be the same court that entered the temporary restraining order or preliminary injunction which is provided for in Section 2a of "An Act in relation to the payment and disposition of moneys received by officers and employees of the State of Illinois by virtue of their office or employment", and which enables such claim proceeding to be processed and disposed of as a claim for refund proceeding rather than as a claim for credit proceeding.

The provisions of the Administrative Review Law, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder, except with respect to protests and hearings held before the Illinois Independent Tax Tribunal. The provisions of the Illinois Independent Tax Tribunal Act of 2012, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of administrative decisions of the Department that are subject to the jurisdiction of the Illinois Independent Tax Tribunal. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Except with respect to decisions that are subject to the jurisdiction of the Illinois Independent Tax Tribunal, any person filing an action under the Administrative Review Law to review a final assessment or revised final assessment issued by the Department under this Act shall, within 20 days after filing the complaint, file a bond with good and sufficient surety or sureties residing in this State or licensed to do business in this State or, instead of the bond, obtain an order from the court imposing a lien upon the plaintiff's property as hereinafter provided. If the person filing the complaint fails to comply with this bonding requirement within 20 days

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after filing the complaint, the Department shall file a motion to dismiss and the court shall dismiss the action unless the person filing the action complies with the bonding requirement set out in this provision within 30 days after the filing of the Department's motion to dismiss. Upon dismissal of any complaint for failure to comply with the jurisdictional prerequisites herein set forth, the court is empowered to and shall enter judgment against the taxpayer and in favor of the Department in the amount of the final assessment or revised final assessment, together with any interest which may have accrued since the Department issued the final assessment or revised final assessment, and for costs, which judgment is enforceable as other judgments for the payment of money. The lien provided for in this Section shall not be applicable to the real property of a corporate surety duly licensed to do business in this State. The amount of such bond shall be fixed and approved by the court, but shall not be less than the amount of the tax and penalty claimed to be due by the Department in its final assessment or revised final assessment to the person filing such bond, plus the amount of interest due from such person to the Department at the time when the Department issued its final assessment to such person. Such bond shall be executed to the Department of Revenue and shall be conditioned on the taxpayer's payment within 30 days after termination of the proceedings for judicial review of the amount of tax and penalty and interest found by the court to be due in such proceedings for judicial review. Such bond, when filed and approved, shall, from such time until 2 years after termination of the proceedings for judicial review in which the bond is filed, be a lien against the real estate situated in the county in which the bond is filed, of the person filing such bond, and of the surety or sureties on such bond, until the condition of the bond has been complied with or until the bond has been canceled as hereinafter provided. If the person filing any such bond fails to keep the condition thereof, such bond shall thereupon be forfeited, and the Department may institute an action upon such bond in its own name for the entire amount of the bond and costs. Such action upon the bond shall be in addition to any other remedy provided for herein. If the person filing such bond complies with the condition thereof, or if, in the proceedings for judicial review in which such bond is filed, the court determines that no amount of tax or penalty or interest is due, such bond shall be canceled.

If the court finds in a particular case that the plaintiff cannot procure and furnish a satisfactory surety or sureties for the kind of bond required herein, the court may relieve the plaintiff of the obligation of

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filing such bond, if, upon the timely application for a lien in lieu thereof and accompanying proof therein submitted, the court is satisfied that any such lien imposed would operate to secure the assessment in the manner and to the degree as would a bond. Upon a finding that such lien applied for would secure the assessment at issue, the court shall enter an order, in lieu of such bond, subjecting the plaintiff's real and personal property (including subsequently acquired property), situated in the county in which such order is entered, to a lien in favor of the Department. Such lien shall be for the amount of the tax and penalty claimed to be due by the Department in its final assessment or revised final assessment, plus the amount of interest due from such person to the Department at the time when the Department issued its final assessment to such person, and shall continue in full force and effect until the termination of the proceedings for judicial review, or until the plaintiff pays, to the Department, the tax and penalty and interest to secure which the lien is given, whichever happens first. In the exercise of its discretion, the court may impose a lien regardless of the ratio of the taxpayer's assets to the final assessment or revised final assessment plus the amount of the interest and penalty. Nothing in this Section shall be construed to give the Department a preference over the rights of any bona fide purchaser, mortgagee, judgment creditor or other lien holder arising prior to the entry of the order creating such lien in favor of the Department: Provided, however, that the word "bona fide", as used in this Section, shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagee or the holder of the security acting as trustee for unsecured creditors of the taxpayer mentioned in the order for lien who executed such chattel or real property mortgage or the document evidencing such credit transaction. Such lien shall be inferior to the lien of general taxes, special assessments and special taxes heretofore or hereafter levied by any political subdivision of this State. Such lien shall not be effective against any purchaser with respect to any item in a retailer's stock in trade purchased from the retailer in the usual course of such retailer's business, and such lien shall not be enforced against the household effects, wearing apparel, or the books, tools or implements of a trade or profession kept for use by any person. Such lien shall not be effective against real property whose title is registered under the provisions of "An Act concerning land titles", approved May 1, 1897, as amended, until the provisions of Section 85 of that Act are complied with.
Service upon the Director of Revenue or the Assistant Director of Revenue of the Department of Revenue of summons issued in an action to review a final administrative decision of the Department shall be service upon the Department. The Department shall certify the record of its proceedings if the taxpayer pays to it the sum of 75¢ per page of testimony taken before the Department and 25¢ per page of all other matters contained in such record, except that these charges may be waived where the Department is satisfied that the aggrieved party is a poor person who cannot afford to pay such charges. If payment for such record is not made by the taxpayer within 30 days after notice from the Department or the Attorney General of the cost thereof, the court in which the proceeding is pending, on motion of the Department, shall dismiss the complaint and (where the administrative decision as to which the action for judicial review was filed is a final assessment or revised final assessment) shall enter judgment against the taxpayer and in favor of the Department for the amount of tax and penalty shown by the Department's final assessment or revised final assessment to be due, plus interest as provided for in Section 5 of this Act from the date when the liability upon which such interest accrued became delinquent until the entry of the judgment in the action for judicial review under the Administrative Review Law, and also for costs.

Whenever any proceeding provided by this Act is begun before the Department, either by the Department or by a person subject to this Act, and such person thereafter dies or becomes a person under legal disability before such proceeding is concluded, the legal representative of the deceased or person under legal disability shall notify the Department of such death or legal disability. Such legal representative, as such, shall then be substituted by the Department for such person. If the legal representative fails to notify the Department of his or her appointment as such legal representative, the Department may, upon its own motion, substitute such legal representative in the proceeding pending before the Department for the person who died or became a person under legal disability.

The changes made by this amendatory Act of 1995 apply to all actions pending on and after the effective date of this amendatory Act of 1995 to review a final assessment or revised final assessment issued by the Department.
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 185. The Cigarette Machine Operators' Occupation Tax Act is amended by changing Section 1-100 as follows:

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Sec. 1-100. Arrest and seizure. Any duly authorized employee of the Department: may arrest without warrant any person committing in his presence a violation of any of the provisions of this Act; may without a search warrant inspect all cigarettes and cigarette machines located in any place of business; and may seize any contraband cigarettes and any cigarette machines in which such contraband cigarettes may be found or may be made, and such packages or cigarette machines so seized shall be subject to confiscation and forfeiture as provided in Section 1-105 of this Act.

(Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

Section 190. The Cigarette Tax Act is amended by changing Sections 3, 9a, and 9b as follows:

Sec. 3. Affixing tax stamp; remitting tax to the Department. Payment of the taxes imposed by Section 2 of this Act shall (except as hereinafter provided) be evidenced by revenue tax stamps affixed to each original package of cigarettes. Each distributor of cigarettes, before delivering or causing to be delivered any original package of cigarettes in this State to a purchaser, shall firmly affix a proper stamp or stamps to each such package, or (in case of manufacturers of cigarettes in original packages which are contained inside a sealed transparent wrapper) shall imprint the required language on the original package of cigarettes beneath such outside wrapper, as hereinafter provided.

No stamp or imprint may be affixed to, or made upon, any package of cigarettes unless that package complies with all requirements of the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1331 and following, for the placement of labels, warnings, or any other information upon a package of cigarettes that is sold within the United States. Under the authority of Section 6, the Department shall revoke the license of any distributor that is determined to have violated this paragraph. A person may not affix a stamp on a package of cigarettes, cigarette papers, wrappers, or tubes if that individual package has been marked for export outside the United States with a label or notice in compliance with Section 290.185 of Title 27 of the Code of Federal Regulations. It is not a defense to a proceeding for violation of this paragraph that the label or notice has been removed, mutilated, obliterated, or altered in any manner.

Only distributors licensed under this Act and transporters, as defined in Section 9c of this Act, may possess unstamped original
packages of cigarettes. Prior to shipment to a secondary distributor or an Illinois retailer, a stamp shall be applied to each original package of cigarettes sold to the secondary distributor or retailer. A distributor may apply tax stamps only to original packages of cigarettes purchased or obtained directly from an in-state maker, manufacturer, or fabricator licensed as a distributor under Section 4 of this Act or an out-of-state maker, manufacturer, or fabricator holding a permit under Section 4b of this Act. A licensed distributor may ship or otherwise cause to be delivered unstamped original packages of cigarettes in, into, or from this State. A licensed distributor may transport unstamped original packages of cigarettes to a facility, wherever located, owned or controlled by such distributor; however, a distributor may not transport unstamped original packages of cigarettes to a facility where retail sales of cigarettes take place or to a facility where a secondary distributor makes sales for resale. Any licensed distributor that ships or otherwise causes to be delivered unstamped original packages of cigarettes into, within, or from this State shall ensure that the invoice or equivalent documentation and the bill of lading or freight bill for the shipment identifies the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity by brand style of the cigarettes so transported, provided that this Section shall not be construed as to impose any requirement or liability upon any common or contract carrier.

The Department, or any person authorized by the Department, shall sell such stamps only to persons holding valid licenses as distributors under this Act. On and after July 1, 2003, payment for such stamps must be made by means of electronic funds transfer. The Department may refuse to sell stamps to any person who does not comply with the provisions of this Act. Beginning on the effective date of this amendatory Act of the 92nd General Assembly and through June 30, 2002, persons holding valid licenses as distributors may purchase cigarette tax stamps up to an amount equal to 115% of the distributor's average monthly cigarette tax stamp purchases over the 12 calendar months prior to the effective date of this amendatory Act of the 92nd General Assembly.

Prior to December 1, 1985, the Department shall allow a distributor 21 days in which to make final payment of the amount to be paid for such stamps, by allowing the distributor to make payment for the stamps at the time of purchasing them with a draft which shall be in such form as the Department prescribes, and which shall be payable within 21 days thereafter: Provided that such distributor has filed with the
Department, and has received the Department's approval of, a bond, which is in addition to the bond required under Section 4 of this Act, payable to the Department in an amount equal to 80% of such distributor's average monthly tax liability to the Department under this Act during the preceding calendar year or $500,000, whichever is less. The Bond shall be joint and several and shall be in the form of a surety company bond in such form as the Department prescribes, or it may be in the form of a bank certificate of deposit or bank letter of credit. The bond shall be conditioned upon the distributor's payment of amount of any 21-day draft which the Department accepts from that distributor for the delivery of stamps to that distributor under this Act. The distributor's failure to pay any such draft, when due, shall also make such distributor automatically liable to the Department for a penalty equal to 25% of the amount of such draft.

On and after December 1, 1985 and until July 1, 2003, the Department shall allow a distributor 30 days in which to make final payment of the amount to be paid for such stamps, by allowing the distributor to make payment for the stamps at the time of purchasing them with a draft which shall be in such form as the Department prescribes, and which shall be payable within 30 days thereafter, and beginning on January 1, 2003 and thereafter, the draft shall be payable by means of electronic funds transfer: Provided that such distributor has filed with the Department, and has received the Department's approval of, a bond, which is in addition to the bond required under Section 4 of this Act, payable to the Department in an amount equal to 150% of such distributor's average monthly tax liability to the Department under this Act during the preceding calendar year or $750,000, whichever is less, except that as to bonds filed on or after January 1, 1987, such additional bond shall be in an amount equal to 100% of such distributor's average monthly tax liability under this Act during the preceding calendar year or $750,000, whichever is less. The bond shall be joint and several and shall be in the form of a surety company bond in such form as the Department prescribes, or it may be in the form of a bank certificate of deposit or bank letter of credit. The bond shall be conditioned upon the distributor's payment of the amount of any 30-day draft which the Department accepts from that distributor for the delivery of stamps to that distributor under this Act. The distributor's failure to pay any such draft, when due, shall also make such distributor automatically liable to the Department for a penalty equal to 25% of the amount of such draft.
Every prior continuous compliance taxpayer shall be exempt from all requirements under this Section concerning the furnishing of such bond, as defined in this Section, as a condition precedent to his being authorized to engage in the business licensed under this Act. This exemption shall continue for each such taxpayer until such time as he may be determined by the Department to be delinquent in the filing of any returns, or is determined by the Department (either through the Department's issuance of a final assessment which has become final under the Act, or by the taxpayer's filing of a return which admits tax to be due that is not paid) to be delinquent or deficient in the paying of any tax under this Act, at which time that taxpayer shall become subject to the bond requirements of this Section and, as a condition of being allowed to continue to engage in the business licensed under this Act, shall be required to furnish bond to the Department in such form as provided in this Section. Such taxpayer shall furnish such bond for a period of 2 years, after which, if the taxpayer has not been delinquent in the filing of any returns, or delinquent or deficient in the paying of any tax under this Act, the Department may reinstate such person as a prior continuance compliance taxpayer. Any taxpayer who fails to pay an admitted or established liability under this Act may also be required to post bond or other acceptable security with the Department guaranteeing the payment of such admitted or established liability.

Except as otherwise provided in this Section, any person aggrieved by any decision of the Department under this Section may, within the time allowed by law, protest and request a hearing, whereupon the Department shall give notice and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. On and after July 1, 2013, protests concerning matters that are subject to the jurisdiction of the Illinois Independent Tax Tribunal shall be filed with the Tribunal in accordance with the Illinois Independent Tax Tribunal Act of 2012, and hearings on those matters shall be held before the Tribunal in accordance with that Act. With respect to protests filed with the Department prior to July 1, 2013 that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the taxpayer may elect to be subject to the provisions of the Illinois Independent Tax Tribunal Act of 2012 at any time on or after July 1, 2013, but not later than 30 days after the date on which the protest was filed. If made, the election shall be irrevocable. In the absence of such a protest filed within the time allowed by law, the Department's decision shall

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become final without any further determination being made or notice given.

The Department shall discharge any surety and shall release and return any bond or security deposited, assigned, pledged, or otherwise provided to it by a taxpayer under this Section within 30 days after:

(1) Such taxpayer becomes a prior continuous compliance taxpayer; or

(2) Such taxpayer has ceased to collect receipts on which he is required to remit tax to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability as determined by the Department under this Act. The Department shall make a final determination of the taxpayer's outstanding tax liability as expeditiously as possible after his final tax return has been filed. If the Department cannot make such final determination within 45 days after receiving the final tax return, within such period it shall so notify the taxpayer, stating its reasons therefor.

The Department may authorize distributors to affix revenue tax stamps by imprinting tax meter stamps upon original packages of cigarettes. The Department shall adopt rules and regulations relating to the imprinting of such tax meter stamps as will result in payment of the proper taxes as herein imposed. No distributor may affix revenue tax stamps to original packages of cigarettes by imprinting tax meter stamps thereon unless such distributor has first obtained permission from the Department to employ this method of affixation. The Department shall regulate the use of tax meters and may, to assure the proper collection of the taxes imposed by this Act, revoke or suspend the privilege, theretofore granted by the Department to any distributor, to imprint tax meter stamps upon original packages of cigarettes.

Illinois cigarette manufacturers who place their cigarettes in original packages which are contained inside a sealed transparent wrapper, and similar out-of-State cigarette manufacturers who elect to qualify and are accepted by the Department as distributors under Section 4b(a) of this Act, shall pay the taxes imposed by this Act by remitting the amount thereof to the Department by the 5th day of each month covering cigarettes shipped or otherwise delivered in Illinois to purchasers during the preceding calendar month. Such manufacturers of cigarettes in original packages which are contained inside a sealed transparent wrapper, before delivering such cigarettes or causing such cigarettes to be delivered in this

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State to purchasers, shall evidence their obligation to remit the taxes due with respect to such cigarettes by imprinting language to be prescribed by the Department on each original package of such cigarettes underneath the sealed transparent outside wrapper of such original package, in such place thereon and in such manner as the Department may designate. Such imprinted language shall acknowledge the manufacturer's payment of or liability for the tax imposed by this Act with respect to the distribution of such cigarettes.

A distributor shall not affix, or cause to be affixed, any stamp or imprint to a package of cigarettes, as provided for in this Section, if the tobacco product manufacturer, as defined in Section 10 of the Tobacco Product Manufacturers' Escrow Act, that made or sold the cigarettes has failed to become a participating manufacturer, as defined in subdivision (a)(1) of Section 15 of the Tobacco Product Manufacturers' Escrow Act, or has failed to create a qualified escrow fund for any cigarettes manufactured by the tobacco product manufacturer and sold in this State or otherwise failed to bring itself into compliance with subdivision (a)(2) of Section 15 of the Tobacco Product Manufacturers' Escrow Act.

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10; 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 130/9a) (from Ch. 120, par. 453.9a)

Sec. 9a. Examination and correction of returns.

(1) As soon as practicable after any return is filed, the Department shall examine such return and shall correct such return according to its best judgment and information, which return so corrected by the Department shall be prima facie correct and shall be prima facie evidence of the correctness of the amount of tax due, as shown therein. Instead of requiring the distributor to file an amended return, the Department may simply notify the distributor of the correction or corrections it has made. Proof of such correction by the Department may be made at any hearing before the Department or in any legal proceeding by a reproduced copy of the Department's record relating thereto in the name of the Department under the certificate of the Director of Revenue. Such reproduced copy shall, without further proof, be admitted into evidence before the Department or in any legal proceeding and shall be prima facie proof of the correctness of the amount of tax due, as shown therein. If the Department finds that any amount of tax is due from the distributor, the Department shall issue the distributor a notice of tax liability for the amount of tax claimed by the Department to be due, together with a

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penalty in an amount determined in accordance with Sections 3-3, 3-5 and 3-6 of the Uniform Penalty and Interest Act. If, in administering the provisions of this Act, comparison of a return or returns of a distributor with the books, records and inventories of such distributor discloses a deficiency which cannot be allocated by the Department to a particular month or months, the Department shall issue the distributor a notice of tax liability for the amount of tax claimed by the Department to be due for a given period, but without any obligation upon the Department to allocate such deficiency to any particular month or months, together with a penalty in an amount determined in accordance with Sections 3-3, 3-5 and 3-6 of the Uniform Penalty and Interest Act, under which circumstances the aforesaid notice of tax liability shall be prima facie correct and shall be prima facie evidence of the correctness of the amount of tax due, as shown therein; and proof of such correctness may be made in accordance with, and the admissibility of a reproduced copy of such notice of tax liability shall be governed by, all the provisions of this Act applicable to corrected returns. If any distributor filing any return dies or becomes a person under legal disability at any time before the Department issues its notice of tax liability, such notice shall be issued to the administrator, executor or other legal representative, as such, of such distributor.

(2) Except as otherwise provided in this Section, if, within 60 days after such notice of tax liability, the distributor or his or her legal representative files a protest to such notice of tax liability and requests a hearing thereon, the Department shall give notice to such distributor or legal representative of the time and place fixed for such hearing, and shall hold a hearing in conformity with the provisions of this Act, and pursuant thereto shall issue a final assessment to such distributor or legal representative for the amount found to be due as a result of such hearing. On or after July 1, 2013, protests concerning matters that are subject to the jurisdiction of the Illinois Independent Tax Tribunal shall be filed in accordance with the Illinois Independent Tax Tribunal Act of 2012, and hearings concerning those matters shall be held before the Tribunal in accordance with that Act. With respect to protests filed with the Department prior to July 1, 2013 that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the taxpayer may elect to be subject to the provisions of the Illinois Independent Tax Tribunal Act of 2012 at any time on or after July 1, 2013, but not later than 30 days after the date on which the protest was filed. If made, the election shall be irrevocable. If a protest to the notice of tax liability and a request

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for a hearing thereon is not filed within the time allowed by law, such notice of tax liability shall become final without the necessity of a final assessment being issued and shall be deemed to be a final assessment.

(3) In case of failure to pay the tax, or any portion thereof, or any penalty provided for in this Act, when due, the Department may bring suit to recover the amount of such tax, or portion thereof, or penalty; or, if the taxpayer dies or becomes incompetent, by filing claim therefor against his estate; provided that no such action with respect to any tax, or portion thereof, or penalty, shall be instituted more than 2 years after the cause of action accrues, except with the consent of the person from whom such tax or penalty is due.

After the expiration of the period within which the person assessed may file an action for judicial review under the Administrative Review Law without such an action being filed, a certified copy of the final assessment or revised final assessment of the Department may be filed with the Circuit Court of the county in which the taxpayer has his or her principal place of business, or of Sangamon County in those cases in which the taxpayer does not have his principal place of business in this State. The certified copy of the final assessment or revised final assessment shall be accompanied by a certification which recites facts that are sufficient to show that the Department complied with the jurisdictional requirements of the Law in arriving at its final assessment or its revised final assessment and that the taxpayer had his or her opportunity for an administrative hearing and for judicial review, whether he availed himself or herself of either or both of these opportunities or not. If the court is satisfied that the Department complied with the jurisdictional requirements of the Law in arriving at its final assessment or its revised final assessment and that the taxpayer had his or her opportunity for an administrative hearing and for judicial review, whether he or she availed himself or herself of either or both of these opportunities or not, the court shall enter judgment in favor of the Department and against the taxpayer for the amount shown to be due by the final assessment or the revised final assessment, and such judgment shall be filed of record in the court. Such judgment shall bear the rate of interest set in the Uniform Penalty and Interest Act, but otherwise shall have the same effect as other judgments. The judgment may be enforced, and all laws applicable to sales for the enforcement of a judgment shall be applicable to sales made under such judgments. The Department shall file the certified copy of its assessment, as herein provided, with the Circuit Court within 2 years after such
assessment becomes final except when the taxpayer consents in writing to an extension of such filing period.

If, when the cause of action for a proceeding in court accrues against a person, he or she is out of the State, the action may be commenced within the times herein limited, after his or her coming into or return to the State; and if, after the cause of action accrues, he or she departs from and remains out of the State, the time of his or her absence is no part of the time limited for the commencement of the action; but the foregoing provisions concerning absence from the State shall not apply to any case in which, at the time the cause of action accrues, the party against whom the cause of action accrues is not a resident of this State. The time within which a court action is to be commenced by the Department hereunder shall not run while the taxpayer is a debtor in any proceeding under the Federal Bankruptcy Act nor thereafter until 90 days after the Department is notified by such debtor of being discharged in bankruptcy.

No claim shall be filed against the estate of any deceased person or a person under legal disability for any tax or penalty or part of either except in the manner prescribed and within the time limited by the Probate Act of 1975, as amended.

The remedies provided for herein shall not be exclusive, but all remedies available to creditors for the collection of debts shall be available for the collection of any tax or penalty due hereunder.

The collection of tax or penalty by any means provided for herein shall not be a bar to any prosecution under this Act.

The certificate of the Director of the Department to the effect that a tax or amount required to be paid by this Act has not been paid, that a return has not been filed, or that information has not been supplied pursuant to the provisions of this Act, shall be prima facie evidence thereof.

All of the provisions of Sections 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i and 5j of the Retailers' Occupation Tax Act, which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein. References in such incorporated Sections of the "Retailers' Occupation Tax Act" to retailers, to sellers or to persons engaged in the business of selling tangible personal property shall mean distributors when used in this Act.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 130/9b) (from Ch. 120, par. 453.9b)
Sec. 9b. Failure to file return; penalty; protest. In case any person who is required to file a return under this Act fails to file such return, the Department shall determine the amount of tax due from him according to its best judgment and information, which amount so fixed by the Department shall be prima facie correct and shall be prima facie evidence of the correctness of the amount of tax due, as shown in such determination. Proof of such determination by the Department may be made at any hearing before the Department or in any legal proceeding by a reproduced copy of the Department's record relating thereto in the name of the Department under the certificate of the Director of Revenue. Such reproduced copy shall, without further proof, be admitted into evidence before the Department or in any legal proceeding and shall be prima facie proof of the correctness of the amount of tax due, as shown therein. The Department shall issue such person a notice of tax liability for the amount of tax claimed by the Department to be due, together with a penalty in an amount determined in accordance with Sections 3-3, 3-5 and 3-6 of the Uniform Penalty and Interest Act. If such person or the legal representative of such person, within 60 days after such notice, files a protest to such notice of tax liability and requests a hearing thereon, the Department shall give notice to such person or the legal representative of such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act, and pursuant thereto shall issue a final assessment to such person or to the legal representative of such person for the amount found to be due as a result of such hearing. Hearings to protest a notice of tax liability issued pursuant to this Section that are conducted as a result of a protest filed with the Illinois Independent Tax Tribunal on or after July 1, 2013 shall be conducted pursuant to the Illinois Independent Tax Tribunal Act of 2012. If a protest to the notice of tax liability and a request for a hearing thereon is not filed within 60 days after such notice of tax liability, such notice of tax liability shall become final without the necessity of a final assessment being issued and shall be deemed to be a final assessment.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 195. The Property Tax Code is amended by changing Sections 10-380 and 15-175 as follows:

(35 ILCS 200/10-380)

Sec. 10-380. For the taxable years 2006 and thereafter, the chief county assessment officer in the county in which property subject to a PPV Lease is located shall apply the provisions of Sections 10-370(b)(i) and 10-
Sec. 15-175. General homestead exemption.

(a) Except as provided in Sections 15-176 and 15-177, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.

(b) Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be $4,500 in counties with 3,000,000 or more inhabitants and $3,500 in all other counties. Except as provided in Sections 15-176 and 15-177, for taxable years 2004 through 2007, the maximum reduction shall be $5,000, for taxable year 2008, the maximum reduction is $5,500, and, for taxable years 2009 and thereafter, the maximum reduction is $6,000 in all counties. If a county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that Section, then, for the first taxable year only after the provisions of Section 15-176 no longer apply, for owners who, for the taxable year, have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 or a long-time occupant homestead exemption under Section 15-177, there shall be an additional exemption of $5,000 for owners with a household income of $30,000 or less.

(c) In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

(d) If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180
resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.

(e) The chief county assessment officer may, when considering whether to grant a leasehold exemption under this Section, require the following conditions to be met:

(1) that a notarized application for the exemption, signed by both the owner and the lessee of the property, must be submitted each year during the application period in effect for the county in which the property is located;

(2) that a copy of the lease must be filed with the chief county assessment officer by the owner of the property at the time the notarized application is submitted;

(3) that the lease must expressly state that the lessee is liable for the payment of property taxes; and

(4) that the lease must include the following language in substantially the following form:

"Lessee shall be liable for the payment of real estate taxes with respect to the residence in accordance with the terms and conditions of Section 15-175 of the Property Tax Code (35 ILCS 200/15-175). The permanent real estate index number for the premises is (insert number), and, according to the most recent property tax bill, the current amount of real estate taxes associated with the premises is (insert amount) per year. The parties agree that the monthly rent set forth above shall be increased or decreased pro rata (effective January 1 of each calendar year) to reflect any increase or decrease in real estate taxes. Lessee shall be deemed to be satisfying Lessee's liability for the above mentioned real estate taxes with the monthly rent payments as set forth above (or increased or decreased as set forth herein).".
In addition, if there is a change in lessee, or if the lessee vacates the property, then the chief county assessment officer may require the owner of the property to notify the chief county assessment officer of that change.

This subsection (e) does not apply to leasehold interests in property owned by a municipality.

(f) "Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on which the person is liable for the payment of property taxes. For land improved with an apartment building owned and operated as a cooperative or a building which is a life care facility as defined in Section 15-170 and considered to be a cooperative under Section 15-170, the maximum reduction from the equalized assessed value shall be limited to the increase in the value above the equalized assessed value of the property for 1977, up to the maximum reduction set forth above, multiplied by the number of apartments or units occupied by a person or persons who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For purposes of this Section, the term "life care facility" has the meaning stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse of the owner, and all persons using the residence of the owner as their principal place of residence.

"Household income", as used in this Section, means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income", as used in this Section, has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief Act, except that "income" does not include veteran's benefits.

(g) In a cooperative where a homestead exemption has been granted, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who

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willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor.

(h) Where married persons maintain and reside in separate residences qualifying as homestead property, each residence shall receive 50% of the total reduction in equalized assessed valuation provided by this Section.

(i) In all counties, the assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption and the amount of the exemption by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department, provided that the taxpayer applying for an additional general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

(j) In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

(k) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 97-689, eff. 6-14-12; 97-1125, eff. 8-28-12; revised 9-20-12.)

Section 200. The Mobile Home Local Services Tax Act is amended by changing Section 7 as follows:

(35 ILCS 515/7) (from Ch. 120, par. 1207)

Sec. 7. The local services tax for owners of mobile homes who (a) are actually residing in such mobile homes, (b) hold title to such mobile home as provided in the Illinois Vehicle Code, and (c) are 65 years of age or older or are disabled persons within the meaning of Section 3.14 of the "Senior Citizens and Disabled Persons Property Tax Relief Act" on the
annual billing date shall be reduced to 80 percent of the tax provided for in Section 3 of this Act. Proof that a claimant has been issued an Illinois Person with a Disability Identification Card stating that the claimant is under a Class 2 disability, as provided in Section 4A of the Illinois Identification Card Act, shall constitute proof that the person thereon named is a disabled person within the meaning of this Act. An application for reduction of the tax shall be filed with the county clerk by the individuals who are entitled to the reduction. If the application is filed after May 1, the reduction in tax shall begin with the next annual bill. Application for the reduction in tax shall be done by submitting proof that the applicant has been issued an Illinois Person with a Disability Identification Card designating the applicant's disability as a Class 2 disability, or by affidavit in substantially the following form:

APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

I hereby make application for a reduction to 80% of the total tax imposed under "An Act to provide for a local services tax on mobile homes".

(1) Senior Citizens
   (a) I actually reside in the mobile home ....
   (b) I hold title to the mobile home as provided in the Illinois Vehicle Code ....
   (c) I reached the age of 65 on or before either January 1 (or July 1) of the year in which this statement is filed. My date of birth is: ...

(2) Disabled Persons
   (a) I actually reside in the mobile home...
   (b) I hold title to the mobile home as provided in the Illinois Vehicle Code ....
   (c) I was totally disabled on ... and have remained disabled until the date of this application. My Social Security, Veterans, Railroad or Civil Service Total Disability Claim Number is ... The undersigned declares under the penalty of perjury that the above statements are true and correct. Dated (insert date).


Signature of owner

(Address)

(City) (State) (Zip)

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This application shall be accompanied by a copy of the applicant's most recent application filed with the Illinois Department on Aging under the Senior Citizens and Disabled Persons Property Tax Relief Act.

(Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12; 97-1064, eff. 1-1-13; revised 9-20-12.)

Section 205. The Telecommunications Infrastructure Maintenance Fee Act is amended by changing Sections 27.30 and 27.40 as follows:

(35 ILCS 635/27.30)

Sec. 27.30. Review under Administrative Review Law. The Circuit Court of the county wherein a hearing is held shall have power to review all final administrative decisions of the Department in administering the provisions of this Act: Provided that if the administrative proceeding that is to be reviewed judicially is a claim for refund proceeding commenced in accordance with this Act and Section 2a of the State Officers and Employees Money Disposition Act, the Circuit Court having jurisdiction of the action for judicial review under this Section and under the Administrative Review Law shall be the same court that entered the temporary restraining order or preliminary injunction that is provided for in Section 2a of the State Officers and Employees Money Disposition Act and that enables such claim proceeding to be processed and disposed of as a claim for refund proceeding rather than as a claim for credit proceeding.

Except as otherwise provided in this Section with respect to the Illinois Independent Tax Tribunal, the provisions of the Administrative Review Law, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

The provisions of the Illinois Independent Tax Tribunal Act of 2012, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department that are subject to the jurisdiction of the Illinois Independent Tax Tribunal.

Service upon the Director or Assistant Director of the Department of Revenue of summons issued in any action to review a final administrative decision shall be service upon the Department. The Department shall certify the record of its proceedings if the
telecommunications retailer shall pay to it the sum of 75¢ per page of testimony taken before the Department and 25¢ per page of all other matters contained in such record, except that these charges may be waived where the Department is satisfied that the aggrieved party is a poor person who cannot afford to pay such charges.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 635/27.40)

Sec. 27.40. Application of Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Revenue under this Act, except that (i) paragraph (b) of Section 5-10 of the Administrative Procedure Act does not apply to final orders, decisions, and opinions of the Department, (ii) subparagraph (a)(ii) of Section 5-10 of the Administrative Procedure Act does not apply to forms established by the Department for use under this Act, and (iii) the provisions of Section 10-45 of the Administrative Procedure Act regarding proposals for decision are excluded and not applicable to the Department under this Act to the extent Section 10-45 applies to hearings not otherwise subject to the Illinois Independent Tax Tribunal Act of 2012.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 210. The Electricity Excise Tax Law is amended by changing Section 2-14 as follows:

(35 ILCS 640/2-14)

Sec. 2-14. Rules and regulations; hearing; review under Administrative Review Law; death or incompetency of party. The Department may make, promulgate and enforce such reasonable rules and regulations relating to the administration and enforcement of this Law as may be deemed expedient.

Whenever notice to a purchaser or to a delivering supplier is required by this Law, such notice may be personally served or given by United States certified or registered mail, addressed to the purchaser or delivering supplier concerned at his or her last known address, and proof of such mailing shall be sufficient for the purposes of this Law. In the case of a notice of hearing, the notice shall be mailed not less than 21 days prior to the date fixed for the hearing.

All hearings provided for in this Law with respect to a purchaser or to a delivering supplier having its principal address or principal place of business in any of the several counties of this State shall be held in the county wherein the purchaser or delivering supplier has its principal

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address or principal place of business. If the purchaser or delivering supplier does not have its principal address or principal place of business in this State, such hearings shall be held in Sangamon County. Except as otherwise provided in this Section with respect to the Illinois Independent Tax Tribunal, the Circuit Court of any county wherein a hearing is held shall have power to review all final administrative decisions of the Department in administering the provisions of this Law. If, however, the administrative proceeding which is to be reviewed judicially is a claim for refund proceeding commenced in accordance with this Law and Section 2a of the State Officers and Employees Money Disposition Act, the Circuit Court having jurisdiction of the action for judicial review under this Section and under the Administrative Review Law shall be the same court that entered the temporary restraining order or preliminary injunction which is provided for in Section 2a of the State Officers and Employees Money Disposition Act and which enables such claim proceeding to be processed and disposed of as a claim for refund proceeding rather than as a claim for credit proceeding.

Except as otherwise provided with respect to the Illinois Independent Tax Tribunal, the provisions of the Administrative Review Law, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

The provisions of the Illinois Independent Tax Tribunal Act of 2012, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department that are subject to the jurisdiction of the Illinois Independent Tax Tribunal.

Service upon the Director or Assistant Director of the Department of Revenue of summons issued in any action to review a final administrative decision is service upon the Department. The Department shall certify the record of its proceedings if the person commencing such action shall pay to it the sum of 75 cents per page of testimony taken before the Department and 25 cents per page of all other matters contained in such record, except that these charges may be waived where the Department is satisfied that the aggrieved party is a poor person who cannot afford to pay such charges.

Whenever any proceeding provided by this Law has been begun by the Department or by a person subject thereto and such person thereafter

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dies or becomes a person under legal disability before the proceeding has been concluded, the legal representative of the deceased person or a person under legal disability shall notify the Department of such death or legal disability. The legal representative, as such, shall then be substituted by the Department in place of and for the person.

Within 20 days after notice to the legal representative of the time fixed for that purpose, the proceeding may proceed in all respects and with like effect as though the person had not died or become a person under legal disability.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 215. The Illinois Independent Tax Tribunal Act of 2012 is amended by changing the heading of Article 1 and Sections 1-15, 1-45, 1-55, 1-75, and 1-85 as follows:

(35 ILCS 1010/Art. 1 heading)
ARTICLE 1. ILLINOIS INDEPENDENT TAX TRIBUNAL ACT OF 2012

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 1010/1-15)
Sec. 1-15. Independent Tax Tribunal; establishment.

(a) For the purpose of effectuating the policy declared in Section 1-5 of this Act, a State agency known as the Illinois Independent Tax Tribunal is created. The Tax Tribunal shall have the powers and duties enumerated in this Act, together with such others conferred upon it by law. The Tax Tribunal shall operate as an independent agency, and shall be separate from the authority of the Director of Revenue and the Department of Revenue.

(b) Except as otherwise limited by this Act, the Tax Tribunal has all of the powers necessary or convenient to carry out the purposes and provisions of this Act, including, without limitation, each of the following:

(1) To have a seal, and to alter that seal at pleasure, and to use it by causing it or a facsimile to be affixed or impressed or reproduced in any other manner.

(2) To accept and expend appropriations.

(3) To obtain and employ personnel as required in this Act, including any additional personnel necessary to fulfill the Tax Tribunal's purposes, and to make expenditures for personnel within the appropriations for that purpose.

(4) To maintain offices at such places as required under this Act, and elsewhere as the Tax Tribunal may determine.

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(5) To engage in any activity or operation that is incidental to and in furtherance of efficient operation to accomplish the Tax Tribunal's purposes.

(c) Unless otherwise stated, the Tax Tribunal is subject to the provisions of all applicable laws, including, but not limited to, each of the following:

(1) The State Records Act.

(2) The Illinois Procurement Code, except that the Illinois Procurement Code does not apply to the hiring of the chief administrative law judge or other administrative law judges pursuant to Section 1-25 of this Act.

(3) The Freedom of Information Act, except as otherwise provided in Section 7 of that Act.

(4) The State Property Control Act.

(5) The State Officials and Employees Ethics Act.

(6) The Illinois Administrative Procedure Act, to the extent not inconsistent with the provisions of this Act.

(7) The Illinois State Auditing Act. For purposes of the Illinois State Auditing Act, the Tax Tribunal is a "State agency" within the meaning of the Act and is subject to the jurisdiction of the Auditor General.

(d) The Tax Tribunal shall exercise its jurisdiction on and after July 1, 2013, but the administrative law judges of the Tax Tribunal may be appointed prior to that date and may take any action prior to that date that is necessary to enable the Tax Tribunal to properly exercise its jurisdiction on or after that date. Any administrative proceeding commenced prior to July 1, 2013, that would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal may be conducted according to the procedures set forth in this Act if the taxpayer so elects. Such an election shall be irrevocable and may be made on or after July 1, 2013, but no later than 30 days after the date on which the taxpayer's protest was filed.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

(35 ILCS 1010/1-45)

Sec. 1-45. Jurisdiction of the Tax Tribunal.

(a) Except as provided by the Constitution of the United States, the Constitution of the State of Illinois, or any statutes of this State, including, but not limited to, the State Officers and Employees Money Disposition Act, the Tax Tribunal shall have original jurisdiction over all determinations of the Department reflected on a Notice of Deficiency,
Notice of Tax Liability, Notice of Claim Denial, or Notice of Penalty Liability issued under the Illinois Income Tax Act, the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, the Cigarette Tax Act, the Cigarette Use Tax Act, the Tobacco Products Tax Act of 1995, the Hotel Operators' Occupation Tax Act, the Motor Fuel Tax Law, the Automobile Renting Occupation and Use Tax Act, the Coin-Operated Amusement Device and Redemption Machine Tax Act, the Gas Revenue Tax Act, the Water Company Invested Capital Tax Act, the Telecommunications Excise Tax Act, the Telecommunications Infrastructure Maintenance Fee Act, the Public Utilities Revenue Act, the Electricity Excise Tax Law, the Aircraft Use Tax Law, the Watercraft Use Tax Law, the Gas Use Tax Law, or the Uniform Penalty and Interest Act. Jurisdiction of the Tax Tribunal is limited to Notices of Tax Liability, Notices of Deficiency, Notices of Claim Denial, and Notices of Penalty Liability where the amount at issue in a notice, or the aggregate amount at issue in multiple notices issued for the same tax year or audit period, exceeds $15,000, exclusive of penalties and interest. In notices solely asserting either an interest or penalty assessment, or both, the Tax Tribunal shall have jurisdiction over cases where the combined total of all penalties or interest assessed exceeds $15,000.

(b) Except as otherwise permitted by this Act and by the Constitution of the State of Illinois or otherwise by State law, including, but not limited to, the State Officers and Employees Money Disposition Act, no person shall contest any matter within the jurisdiction of the Tax Tribunal in any action, suit, or proceeding in the circuit court or any other court of the State. If a person attempts to do so, then such action, suit, or proceeding shall be dismissed without prejudice. The improper commencement of any action, suit, or proceeding does not extend the time period for commencing a proceeding in the Tax Tribunal.

(c) The Tax Tribunal may require the taxpayer to post a bond equal to 25% of the liability at issue (1) upon motion of the Department and a showing that (A) the taxpayer's action is frivolous or legally insufficient or (B) the taxpayer is acting primarily for the purpose of delaying the collection of tax or prejudicing the ability ultimately to collect the tax, or (2) if, at any time during the proceedings, it is determined by the Tax Tribunal that the taxpayer is not pursuing the resolution of the case with due diligence. If the Tax Tribunal finds in a particular case that the taxpayer cannot procure and furnish a satisfactory surety or sureties for the
kind of bond required herein, the Tax Tribunal may relieve the taxpayer of the obligation of filing such bond, if, upon the timely application for a lien in lieu thereof and accompanying proof therein submitted, the Tax Tribunal is satisfied that any such lien imposed would operate to secure the assessment in the manner and to the degree as would a bond. The Tax Tribunal shall adopt rules for the procedures to be used in securing a bond or lien under this Section.

(d) If, with or after the filing of a timely petition, the taxpayer pays all or part of the tax or other amount in issue before the Tax Tribunal has rendered a decision, the Tax Tribunal shall treat the taxpayer's petition as a protest of a denial of claim for refund of the amount so paid upon a written motion filed by the taxpayer.

(e) The Tax Tribunal shall not have jurisdiction to review:
   (1) any assessment made under the Property Tax Code;
   (2) any decisions relating to the issuance or denial of an exemption ruling for any entity claiming exemption from any tax imposed under the Property Tax Code or any State tax administered by the Department;
   (3) a notice of proposed tax liability, notice of proposed deficiency, or any other notice of proposed assessment or notice of intent to take some action;
   (4) any action or determination of the Department regarding tax liabilities that have become finalized by law, including but not limited to the issuance of liens, levies, and revocations, suspensions, or denials of licenses or certificates of registration or any other collection activities;
   (5) any proceedings of the Department's informal administrative appeals function; and
   (6) any challenge to an administrative subpoena issued by the Department.

(f) The Tax Tribunal shall decide questions regarding the constitutionality of statutes and rules adopted by the Department as applied to the taxpayer, but shall not have the power to declare a statute or rule unconstitutional or otherwise invalid on its face. A taxpayer challenging the constitutionality of a statute or rule on its face may present such challenge to the Tax Tribunal for the sole purpose of making a record for review by the Illinois Appellate Court. Failure to raise a constitutional issue regarding the application of a statute or regulations to the taxpayer

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shall not preclude the taxpayer or the Department from raising those issues
at the appellate court level.
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Sec. 1-55. Fees.
(a) The Tax Tribunal shall impose a fee of $500 for the filing of petitions.
(b) The Tax Tribunal may fix a fee, not in excess of the fees charged and
collected by the clerk of the circuit courts, for comparing, or for
preparing and comparing, a transcript of the record, or for copying any
record, entry, or other paper and the comparison and certification thereof.
(c) Fees collected under this Section shall be deposited into the Illinois
Independent Tax Tribunal Fund, a special fund created in the State
treasury. Moneys deposited into the Fund shall be appropriated to the
Tax Tribunal to reimburse the Tax Tribunal for costs associated with
administering and enforcing the provisions of this Act.
(d) The Tax Tribunal shall not assign any costs or attorney's fees incurred by one party against another party. Claims for expenses and
attorney's fees under Section 10-55 of the Illinois Administrative
Procedure Act shall first be made to the Department of Revenue. If the
claimant is dissatisfied because of the Department's failure to make any
award or because of the insufficiency of the award, the claimant may
petition the Court of Claims for the amount deemed owed.
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Sec. 1-75. Appeals.
(a) The taxpayer and the Department are entitled to judicial review
of a final decision of the Tax Tribunal in the Illinois Appellate Court, in
accordance with Section 3-113 of the Administrative Review Law.
(b) The record on judicial review shall include the decision of the
Tax Tribunal, the stenographic transcript of the hearing before the Tax
Tribunal, the pleadings and all exhibits and documents admitted into
evidence.
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Sec. 1-85. Publication of decisions and electronic submission of
documents.
(a) The Tax Tribunal shall, within 180 days of the issuance of a
decision, index and publish its final decision in such print or electronic

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form as it deems best adapted for public convenience. Such publications shall be made permanently available and constitute the official reports of the Tax Tribunal.

(b) All published decisions shall be edited by the Tax Tribunal so that the identification number of the taxpayer and any related entities or employees, and any trade secrets or other intellectual property, are not disclosed or identified.

(c) Within 30 days following the issuance of any hearing decision, the taxpayer affected by the decision may also request that the Tax Tribunal omit specifically identified trade secrets or other confidential or proprietary information prior to publication of the decision. The Tax Tribunal shall approve those requests if it determines that the requests are reasonable and that the disclosure of such information would potentially cause economic or other injury to the taxpayer.

(d) The Tax Tribunal shall provide, by rule, reasonable requirements for the electronic submission of documents and records and the method and type of symbol or security procedure it will accept to authenticate electronic submissions or as a legal signature.

(e) Each year, no later than October 1, the Tax Tribunal shall report to the General Assembly regarding the Tax Tribunal's operations during the prior fiscal year. Such report shall include the number of cases opened and closed, the size of its docket, the average age of cases, the dollar amount of cases by tax type, the number of cases decided in favor of the Department, the number of cases decided in favor of the taxpayer, the number of cases resolved through mediation or settlement, and such other statistics so as to apprise the General Assembly of whether the Tax Tribunal has successfully accomplished its mission to fairly and efficiently adjudicate tax disputes.

(Source: P.A. 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 220. The Illinois Pension Code is amended by changing Sections 15-155, 16-106, and 16-133.4 and the heading of Article 22A as follows:

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)
Sec. 15-155. Employer contributions.

(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet
the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).

(a-1) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $252,064,100.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $702,514,000 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount

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recertified by the System on or before April 1, 2011 pursuant to Section 15-165 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service.
payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

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(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings, determined on a full-time equivalent basis, exceeds the amount of his or her earnings with the same employer for the previous academic year, determined on a full-time equivalent basis, by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection (g), the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (h) or (i) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of subsection (h) or (i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.
The employer contributions required under this subsection (g) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(h) This subsection (h) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that: (i) in the case of overloads (A) the overload work is for the sole purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid and (B) the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant's current salary rate and work schedule; and (ii) in the case of overtime, the overtime was necessary for the educational mission.

When assessing payment for any amount due under subsection (g), the System shall exclude any earnings increase resulting from (i) a promotion for which the employee moves from one classification to a higher classification under the State Universities Civil Service System, (ii) a promotion in academic rank for a tenured or tenure-track faculty position, or (iii) a promotion that the Illinois Community College Board has recommended in accordance with subsection (k) of this Section. These earnings increases shall be excluded only if the promotion is to a position

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that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions.

(i) When assessing payment for any amount due under subsection (g), the System shall exclude any salary increase described in subsection (h) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (g) of this Section.

(j) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

1. The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

2. The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

3. The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

4. The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(k) The Illinois Community College Board shall adopt rules for recommending lists of promotional positions submitted to the Board by community colleges and for reviewing the promotional lists on an annual basis. When recommending promotional lists, the Board shall consider the similarity of the positions submitted to those positions recognized for State universities by the State Universities Civil Service System. The Illinois Community College Board shall file a copy of its findings with the System. The System shall consider the findings of the Illinois Community College Board when making determinations under this Section. The System shall not exclude any earnings increases resulting from a promotion when the promotion was not submitted by a community college. Nothing in this subsection (k) shall require any community college to submit any information to the Community College Board.
(l) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(m) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-813, eff. 7-13-12; revised 10-17-12.)

40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

Sec. 16-106. Teacher. "Teacher": The following individuals, provided that, for employment prior to July 1, 1990, they are employed on a full-time basis, or if not full-time, on a permanent and continuous basis in a position in which services are expected to be rendered for at least one school term:

(1) Any educational, administrative, professional or other staff employed in the public common schools included within this system in a position requiring certification under the law governing the certification of teachers;

(2) Any educational, administrative, professional or other staff employed in any facility of the Department of Children and Family Services or the Department of Human Services, in a position requiring certification under the law governing the certification of teachers, and any person who (i) works in such a position for the Department of Corrections, (ii) was a member of this System on May 31, 1987, and (iii) did not elect to become a member of the State Employees' Retirement System pursuant to Section 14-108.2 of this Code; except that "teacher" does not include any person who (A) becomes a security employee of the Department of Human Services, as defined in Section 14-110, after June 28, 2001 (the effective date of Public Act 92-14), or (B) becomes a member of the State Employees' Retirement System pursuant to Section 14-108.2c of this Code;

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(3) Any regional superintendent of schools, assistant regional superintendent of schools, State Superintendent of Education; any person employed by the State Board of Education as an executive; any executive of the boards engaged in the service of public common school education in school districts covered under this system of which the State Superintendent of Education is an ex-officio member;

(4) Any employee of a school board association operating in compliance with Article 23 of the School Code who is certificated under the law governing the certification of teachers;

(5) Any person employed by the retirement system who:
   (i) was an employee of and a participant in the system on August 17, 2001 (the effective date of Public Act 92-416), or
   (ii) becomes an employee of the system on or after August 17, 2001;

(6) Any educational, administrative, professional or other staff employed by and under the supervision and control of a regional superintendent of schools, provided such employment position requires the person to be certificated under the law governing the certification of teachers and is in an educational program serving 2 or more districts in accordance with a joint agreement authorized by the School Code or by federal legislation;

(7) Any educational, administrative, professional or other staff employed in an educational program serving 2 or more school districts in accordance with a joint agreement authorized by the School Code or by federal legislation and in a position requiring certification under the laws governing the certification of teachers;

(8) Any officer or employee of a statewide teacher organization or officer of a national teacher organization who is certified under the law governing certification of teachers, provided: (i) the individual had previously established creditable service under this Article, (ii) the individual files with the system an irrevocable election to become a member before the effective date of this amendatory Act of the 97th General Assembly, (iii) the individual does not receive credit for such service under any other Article of this Code, and (iv) the individual first became an officer or employee of the teacher organization and becomes a member

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before the effective date of this amendatory Act of the 97th General Assembly;

(9) Any educational, administrative, professional, or other staff employed in a charter school operating in compliance with the Charter Schools Law who is certificated under the law governing the certification of teachers;

(10) Any person employed, on the effective date of this amendatory Act of the 94th General Assembly, by the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code who is required by the Macon-Piatt Regional Office of Education to hold a teaching certificate, provided that the Macon-Piatt Regional Office of Education makes an election, within 6 months after the effective date of this amendatory Act of the 94th General Assembly, to have the person participate in the system. Any service established prior to the effective date of this amendatory Act of the 94th General Assembly for service as an employee of the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code shall be considered service as a teacher if employee and employer contributions have been received by the system and the system has not refunded those contributions.

An annuitant receiving a retirement annuity under this Article or under Article 17 of this Code who is employed by a board of education or other employer as permitted under Section 16-118 or 16-150.1 is not a "teacher" for purposes of this Article. A person who has received a single-sum retirement benefit under Section 16-136.4 of this Article is not a "teacher" for purposes of this Article.

(Source: P.A. 97-651, eff. 1-5-12; revised 8-3-12.)

(40 ILCS 5/16-133.4) (from Ch. 108 1/2, par. 16-133.4)

Sec. 16-133.4. Early retirement incentives for teachers.

(a) To be eligible for the benefits provided in this Section, a member must:

(1) be a member of this System who, on or after May 1, 1993, is (i) in active payroll status as a full-time teacher employed by an employer under this Article, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) on disability or a leave of absence from such a position, but only if the member has not been receiving benefits under Section 16-149

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or 16-149.1 for a continuous period of 2 years or more as of the date of application;

(2) have never previously received a retirement annuity under this Article, except that receipt of a disability retirement annuity does not disqualify a member if the annuity has been terminated and the member has returned to full-time employment under this Article before the effective date of this Section;

(3) file with the Board before March 1, 1993, an application requesting the benefits provided in this Section;

(4) in the case of an employee of an employer that is not a State agency, be eligible to receive a retirement annuity under this Article (for which purpose any age enhancement or creditable service received under this Section may be used), and elect to receive the retirement annuity beginning not earlier than June 1, 1993 and not later than September 1, 1993 (September 1, 1994 if retirement is delayed under subsection (e) of this Section);

(5) in the case of an employee of an employer that is a State agency, be eligible to receive a retirement annuity under this Article (for which purpose any age enhancement or creditable service received under this Section may be used), and elect to receive the retirement annuity beginning not earlier than July 1, 1993 and not later than March 1, 1994 (March 1, 1995 if retirement is delayed under subsection (e) of this Section);

(6) have attained age 50 (without the use of any age enhancement received under this Section) by the effective date of the retirement annuity;

(7) have at least 5 years of creditable service under this System or any of the participating systems under the Retirement Systems Reciprocal Act (without the use of any creditable service received under this Section) by the effective date of the retirement annuity.

(b) An eligible person may establish up to 5 years of creditable service under this Section. In addition, for each period of creditable service established under this Section, a person shall have his or her age at retirement deemed enhanced by an equivalent period.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average salary, the determination of salary or compensation under this or any other Article of the Code, or

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the determination of eligibility for and the computation of benefits under Section 16-133.2 of this Article.

The age enhancement established under this Section may be used for all purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of a reversionary annuity under Section 16-136, the retirement annuity under Section 16-133(a)(A), the required distributions under Section 16-142.3, and the determination of eligibility for and the computation of benefits under Section 16-133.2 of this Article. However, age enhancement established under this Section shall not be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section by an employee of an employer that is not a State agency, the employer must pay to the System an employer contribution consisting of 20% of the member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes for each year of creditable service granted under this Section. No employer contribution is required under this Section from any employer that is a State agency.

The employer contribution shall be paid to the System in one of the following ways: (i) in a single sum at the time of the member's retirement, (ii) in equal quarterly installments over a period of 5 years from the date of retirement, or (iii) subject to the approval of the Board of the System, in unequal installments over a period of no more than 5 years from the date of retirement, as provided in a payment plan designed by the System to accommodate the needs of the employer. The employer's failure to make the required contributions in a timely manner shall not affect the payment of the retirement annuity.

For all creditable service established under this Section, the employee must pay to the System an employee contribution consisting of 4% of the member's highest annual salary rate used in the determination of the retirement annuity for each year of creditable service granted under this Section. The employee may elect either to pay the employee contribution in full before the retirement annuity commences, or to have it deducted from the retirement annuity in 24 monthly installments.

(d) An annuitant who has received any age enhancement or creditable service under this Section and who re-enters contributing service under this Article shall thereby forfeit the age enhancement and creditable service, and upon re-retirement the annuity shall be recomputed.

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The forfeiture of creditable service under this subsection shall not entitle the employer to a refund of the employer contribution paid under this Section, nor to forgiveness of any part of that contribution that remains unpaid. The forfeiture of creditable service under this subsection shall not entitle the employee to a refund of the employee contribution paid under this Section.

(e) If the number of employees of an employer that actually apply for early retirement under this Section exceeds 30% of those eligible, the employer may require that, for the number of applicants in excess of that 30%, the starting date of the retirement annuity enhanced under this Section may not be earlier than June 1, 1994. The right to have the retirement annuity begin before that date shall be allocated among the applicants on the basis of seniority in the service of that employer.

This delay applies only to persons who are applying for early retirement incentives under this Section, and does not prevent a person whose application for early retirement incentives has been withdrawn from receiving a retirement annuity on the earliest date upon which the person is otherwise eligible under this Article.

(f) For a member who is notified after February 15, 1993, but before September 15, 1993, that he or she will be laid off in the 1993-1994 school year: (1) the March 1 application deadline in subdivision (a)(3) of this Section is extended to a date 15 days after the date of issuance of the layoff notice, and (2) the member shall not be included in the calculation of the 30% under subsection (e) and is not subject to delay in retirement under that subsection.

(g) A member who receives any early retirement incentive under Section 16-133.5 may not receive any early retirement incentive under this Section.

(Source: P.A. 87-1265; revised 8-3-12.)

(40 ILCS 5/Art. 22A heading)

ARTICLE 22A. INVESTMENT BOARD

(Source: P.A. 76-1829; revised 8-3-12.)

Section 225. The Illinois Police Training Act is amended by changing Section 7 as follows:

(50 ILCS 705/7) (from Ch. 85, par. 507)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include but not be limited to the following:

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a. The curriculum for probationary police officers which shall be offered by all certified schools shall include but not be limited to courses of arrest, search and seizure, civil rights, human relations, cultural diversity, including racial and ethnic sensitivity, criminal law, law of criminal procedure, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, first-aid (including cardiopulmonary resuscitation), handling of juvenile offenders, recognition of mental conditions which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of elder abuse and neglect, as defined in Section 2 of the Elder Abuse and Neglect Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum for permanent police officers shall include but not be limited to (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary police officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a

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participating local governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to his or her successful completion of the training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of the effective date of this amendatory Act of 1996. Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after the effective date of this amendatory Act of 1996 shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

(Source: P.A. 97-815, eff. 1-1-13; 97-862, eff. 1-1-13; revised 8-3-12.)
Section 230. The Counties Code is amended by changing Section 5-1014.3 as follows:

(55 ILCS 5/5-1014.3)
Sec. 5-1014.3. Agreements to share or rebate occupation taxes.
(a) On and after June 1, 2004, a county board shall not enter into any agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property if: (1) the tax on those retail sales, absent the agreement, would have been paid to another unit of local government; and (2) the retailer maintains, within that other unit of local government, a retail location from which the tangible personal property is delivered to purchasers, or a warehouse from which the tangible personal property is delivered to purchasers. Any unit of local government denied retailers' occupation tax revenue because of an agreement that violates this Section may file an action in circuit court against only the county. Any agreement entered into prior to June 1, 2004 is not affected by this amendatory Act of the 93rd General Assembly. Any unit of local government that prevails in the circuit court action is entitled to damages in the amount of the tax revenue it was denied as a result of the agreement, statutory interest, costs, reasonable attorney's fees, and an amount equal to 50% of the tax.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly, a home rule unit shall not enter into any agreement prohibited by this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(c) Any county that enters into an agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property must complete and submit a report by electronic filing to the Department of Revenue within 30 days after the execution of the agreement. Any county that has entered into such an agreement before the effective date of this amendatory Act of the 97th General Assembly that has not been terminated or expired as of the effective date of this amendatory Act of the 97th General Assembly shall submit a report with respect to the agreements within 90 days after the effective date of this amendatory Act of the 97th General Assembly.

(d) The report described in this Section shall be made on a form to be supplied by the Department of Revenue and shall contain the following:

(1) the names of the county and the business entering into the agreement;

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(2) the location or locations of the business within the county;

(3) the form shall also contain a statement, to be answered in the affirmative or negative, as to whether or not the company maintains additional places of business in the State other than those described pursuant to paragraph (2);

(4) the terms of the agreement, including (i) the manner in which the amount of any retailers' occupation tax to be shared, rebated, or refunded is to be determined each year for the duration of the agreement, (ii) the duration of the agreement, and (iii) the name of any business who is not a party to the agreement but who directly or indirectly receives a share, refund, or rebate of the retailers' occupation tax; and

(5) a copy of the agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property.

An updated report must be filed by the county within 30 days after the execution of any amendment made to an agreement.

Reports filed with the Department pursuant to this Section shall not constitute tax returns.

(e) The Department and the county shall redact the sales figures, the amount of sales tax collected, and the amount of sales tax rebated prior to disclosure of information contained in a report required by this Section or the Freedom of Information Act. The information redacted shall be exempt from the provisions of the Freedom of Information Act.

(f) All reports, except the copy of the agreement, required to be filed with the Department of Revenue pursuant to this Section shall be posted on the Department's website within 6 months after the effective date of this amendatory Act of the 97th General Assembly. The website shall be updated on a monthly basis to include newly received reports.

(Source: P.A. 97-976, eff. 1-1-13; revised 10-17-12.)

Section 235. The County Economic Development Project Area Property Tax Allocation Act is amended by changing Section 7 as follows:

Sec. 7. Creation of special tax allocation fund. If a county has adopted property tax allocation financing by ordinance for an economic development project area, the Department has approved and certified the economic development project area, and the county clerk has thereafter certified the "total initial equalized value" of the taxable real property

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within such economic development project area in the manner provided in subsection (b) of Section 6 of this Act, each year after the date of the certification by the county clerk of the "initial equalized assessed value" until economic development project costs and all county obligations financing economic development project costs have been paid, the ad valorem taxes, if any, arising from the levies upon the taxable real property in the economic development project area by taxing districts and tax rates determined in the manner provided in subsection (b) of Section 6 of this Act shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property existing at the time property tax allocation financing was adopted shall be allocated and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by the law in the absence of the adoption of property tax allocation financing.

(2) That portion, if any, of those taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the economic development project area, over and above the initial equalized assessed value of each property existing at the time property tax allocation financing was adopted shall be allocated to and when collected shall be paid to the county treasurer, who shall deposit those taxes into a special fund called the special tax allocation fund of the county for the purpose of paying economic development project costs and obligations incurred in the payment thereof.

The county, by an ordinance adopting property tax allocation financing, may pledge the funds in and to be deposited in the special tax allocation fund for the payment of obligations issued under this Act and for the payment of economic development project costs. No part of the current equalized assessed valuation of each property in the economic development project area attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general State school aid formula, provided for in Section 18-8 of the School Code, until such time as all economic development projects costs have been paid as provided for in this Section.
Whenever a county issues bonds for the purpose of financing economic development project costs, the county may provide by ordinance for the appointment of a trustee, which may be any trust company within the State, and for the establishment of the funds or accounts to be maintained by such trustee as the county shall deem necessary to provide for the security and payment of the bonds. If the county provides for the appointment of a trustee, the trustee shall be considered the assignee of any payments assigned by the county pursuant to the ordinance and this Section. Any amounts paid to the trustee as assignee shall be deposited in the funds or accounts established pursuant to the trust agreement, and shall be held by the trustee in trust for the benefit of the holders of the bonds, and the holders shall have a lien on and a security interest in those bonds or accounts so long as the bonds remain outstanding and unpaid. Upon retirement of the bonds, the trustee shall pay over any excess amounts held to the county for deposit in the special tax allocation fund.

When the economic development project costs, including without limitation all county obligations financing economic development project costs incurred under this Act, have been paid, all surplus funds then remaining in the special tax allocation funds shall be distributed by being paid by the county treasurer to the county collector, who shall immediately thereafter pay those funds to the taxing districts having taxable property in the economic development project area in the same manner and proportion as the most recent distribution by the county collector to those taxing districts of real property taxes from real property in the economic development project area.

Upon the payment of all economic development project costs, retirement of obligations and the distribution of any excess monies pursuant to this Section and not later than 23 years from the date of adoption of the ordinance adopting property tax allocation financing, the county shall adopt an ordinance dissolving the special tax allocation fund for the economic development project area and terminating the designation of the economic development project area as an economic development project area. Thereafter the rates of the taxing districts shall be extended and taxes levied, collected and distributed in the manner applicable in the absence of the adoption of property tax allocation financing.

Nothing in this Section shall be construed as relieving property in economic development project areas from being assessed as provided in the Property Tax Code or as relieving owners of that property from paying
a uniform rate of taxes, as required by Section 4 of Article IX of the Illinois Constitution of 1970.
(Source: P.A. 88-670, eff. 12-2-94; revised 10-17-12.)

Section 240. The County Economic Development Project Area Tax Increment Allocation Act of 1991 is amended by changing Section 50 as follows:

(55 ILCS 90/50) (from Ch. 34, par. 8050)
Sec. 50. Special tax allocation fund.
(a) If a county clerk has certified the "total initial equalized assessed value" of the taxable real property within an economic development project area in the manner provided in Section 45, each year after the date of the certification by the county clerk of the "total initial equalized assessed value", until economic development project costs and all county obligations financing economic development project costs have been paid, the ad valorem taxes, if any, arising from the levies upon the taxable real property in the economic development project area by taxing districts and tax rates determined in the manner provided in subsection (b) of Section 45 shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract, or parcel of real property that is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each taxable lot, block, tract, or parcel of real property existing at the time tax increment financing was adopted shall be allocated to (and when collected shall be paid by the county collector to) the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of the taxes that is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the economic development project area, over and above the initial equalized assessed value of each property existing at the time tax increment financing was adopted, shall be allocated to (and when collected shall be paid to) the county treasurer, who shall deposit the taxes into a special fund (called the special tax allocation fund of the county) for the purpose of paying economic development project costs and obligations incurred in the payment of those costs.

(b) The county, by an ordinance adopting tax increment allocation financing, may pledge the monies in and to be deposited into the special

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tax allocation fund for the payment of obligations issued under this Act and for the payment of economic development project costs. No part of the current equalized assessed valuation of each property in the economic development project area attributable to any increase above the total initial equalized assessed value of those properties shall be used in calculating the general State school aid formula under Section 18-8 of the School Code until all economic development projects costs have been paid as provided for in this Section.

(c) When the economic development projects costs, including without limitation all county obligations financing economic development project costs incurred under this Act, have been paid, all surplus monies then remaining in the special tax allocation fund shall be distributed by being paid by the county treasurer to the county collector, who shall immediately pay the monies to the taxing districts having taxable property in the economic development project area in the same manner and proportion as the most recent distribution by the county collector to those taxing districts of real property taxes from real property in the economic development project area.

(d) Upon the payment of all economic development project costs, retirement of obligations, and distribution of any excess monies under this Section, the county shall adopt an ordinance dissolving the special tax allocation fund for the economic development project area and terminating the designation of the economic development project area as an economic development project area. Thereafter, the rates of the taxing districts shall be extended and taxes shall be levied, collected, and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

(e) Nothing in this Section shall be construed as relieving property in the economic development project areas from being assessed as provided in the Property Tax Code or as relieving owners of that property from paying a uniform rate of taxes as required by Section 4 of Article IX of the Illinois Constitution.

(Source: P.A. 87-1; 88-670, eff. 12-2-94; revised 10-17-12.)

Section 245. The Illinois Municipal Code is amended by changing Sections 8-11-21, 11-74.4-3.5, and 11-74.4-8 as follows:

(65 ILCS 5/8-11-21)
Sec. 8-11-21. Agreements to share or rebate occupation taxes.
(a) On and after June 1, 2004, the corporate authorities of a municipality shall not enter into any agreement to share or rebate any
portion of retailers' occupation taxes generated by retail sales of tangible personal property if: (1) the tax on those retail sales, absent the agreement, would have been paid to another unit of local government; and (2) the retailer maintains, within that other unit of local government, a retail location from which the tangible personal property is delivered to purchasers, or a warehouse from which the tangible personal property is delivered to purchasers. Any unit of local government denied retailers' occupation tax revenue because of an agreement that violates this Section may file an action in circuit court against only the municipality. Any agreement entered into prior to June 1, 2004 is not affected by this amendatory Act of the 93rd General Assembly. Any unit of local government that prevails in the circuit court action is entitled to damages in the amount of the tax revenue it was denied as a result of the agreement, statutory interest, costs, reasonable attorney's fees, and an amount equal to 50% of the tax.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly, a home rule unit shall not enter into any agreement prohibited by this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(c) Any municipality that enters into an agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property must complete and submit a report by electronic filing to the Department of Revenue within 30 days after the execution of the agreement. Any municipality that has entered into such an agreement before the effective date of this amendatory Act of the 97th General Assembly that has not been terminated or expired as of the effective date of this amendatory Act of the 97th General Assembly shall submit a report with respect to the agreements within 90 days after the effective date of this amendatory Act of the 97th General Assembly.

(d) The report described in this Section shall be made on a form to be supplied by the Department of Revenue and shall contain the following:

(1) the names of the municipality and the business entering into the agreement;

(2) the location or locations of the business within the municipality;

(3) the form shall also contain a statement, to be answered in the affirmative or negative, as to whether or not the company

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maintains additional places of business in the State other than those described pursuant to paragraph (2);

(4) the terms of the agreement, including (i) the manner in which the amount of any retailers' occupation tax to be shared, rebated, or refunded is to be determined each year for the duration of the agreement, (ii) the duration of the agreement, and (iii) the name of any business who is not a party to the agreement but who directly or indirectly receives a share, refund, or rebate of the retailers' occupation tax; and

(5) a copy of the agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property.

An updated report must be filed by the municipality within 30 days after the execution of any amendment made to an agreement.

Reports filed with the Department pursuant to this Section shall not constitute tax returns.

(e) The Department and the municipality shall redact the sales figures, the amount of sales tax collected, and the amount of sales tax rebated prior to disclosure of information contained in a report required by this Section or the Freedom of Information Act. The information redacted shall be exempt from the provisions of the Freedom of Information Act.

(f) All reports, except the copy of the agreement, required to be filed with the Department of Revenue pursuant to this Section shall be posted on the Department's website within 6 months after the effective date of this amendatory Act of the 97th General Assembly. The website shall be updated on a monthly basis to include newly received reports.

(Source: P.A. 97-976, eff. 1-1-13; revised 10-17-12.)

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.
(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted; if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;

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(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;

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(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;

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(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;

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(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;

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(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;

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(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline; or
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood; or
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria; or
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle.
(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.
(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the

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redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

Sec. 11-74.4-8. Tax increment allocation financing. A municipality may not adopt tax increment financing in a redevelopment project area after the effective date of this amendatory Act of 1997 that will encompass an area that is currently included in an enterprise zone created under the Illinois Enterprise Zone Act unless that municipality, pursuant to Section 5.4 of the Illinois Enterprise Zone Act, amends the enterprise zone designating ordinance to limit the eligibility for tax abatements as provided in Section 5.4.1 of the Illinois Enterprise Zone Act. A
municipality, at the time a redevelopment project area is designated, may adopt tax increment allocation financing by passing an ordinance providing that the ad valorem taxes, if any, arising from the levies upon taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 each year after the effective date of the ordinance until redevelopment project costs and all municipal obligations financing redevelopment project costs incurred under this Division have been paid shall be divided as follows:

(a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(b) Except from a tax levied by a township to retire bonds issued to satisfy court-ordered damages, that portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the project area shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof. In any county with a population of 3,000,000 or more that has adopted a procedure for collecting taxes that provides for one or more of the installments of the taxes to be billed and collected on an estimated basis, the municipal treasurer shall be paid for deposit in the special tax allocation fund of the municipality, from the taxes collected from estimated bills issued for property in the redevelopment project area, the difference between the amount actually collected from each taxable lot, block, tract, or parcel of real property within the redevelopment project area and an amount determined by multiplying the rate at which taxes were last extended against the taxable lot, block, tract, or parcel of real property in the manner provided in subsection (c) of Section 11-74.4-9 by the initial equalized assessed value of the property divided by the number of
installments in which real estate taxes are billed and collected within the county; provided that the payments on or before December 31, 1999 to a municipal treasurer shall be made only if each of the following conditions are met:

(1) The total equalized assessed value of the redevelopment project area as last determined was not less than 175% of the total initial equalized assessed value.

(2) Not more than 50% of the total equalized assessed value of the redevelopment project area as last determined is attributable to a piece of property assigned a single real estate index number.

(3) The municipal clerk has certified to the county clerk that the municipality has issued its obligations to which there has been pledged the incremental property taxes of the redevelopment project area or taxes levied and collected on any or all property in the municipality or the full faith and credit of the municipality to pay or secure payment for all or a portion of the redevelopment project costs. The certification shall be filed annually no later than September 1 for the estimated taxes to be distributed in the following year; however, for the year 1992 the certification shall be made at any time on or before March 31, 1992.

(4) The municipality has not requested that the total initial equalized assessed value of real property be adjusted as provided in subsection (b) of Section 11-74.4-9.

The conditions of paragraphs (1) through (4) do not apply after December 31, 1999 to payments to a municipal treasurer made by a county with 3,000,000 or more inhabitants that has adopted an estimated billing procedure for collecting taxes. If a county that has adopted the estimated billing procedure makes an erroneous overpayment of tax revenue to the municipal treasurer, then the county may seek a refund of that overpayment. The county shall send the municipal treasurer a notice of liability for the overpayment on or before the mailing date of the next real estate tax bill within the county. The refund shall be limited to the amount of the overpayment.

It is the intent of this Division that after the effective date of this amendatory Act of 1988 a municipality's own ad valorem tax arising from levies on taxable real property be included in the determination of incremental revenue in the manner provided in paragraph (c) of Section 11-74.4-9. If the municipality does not extend such a tax, it shall annually deposit in the municipality's Special Tax Increment Fund an amount equal
to 10% of the total contributions to the fund from all other taxing districts in that year. The annual 10% deposit required by this paragraph shall be limited to the actual amount of municipally produced incremental tax revenues available to the municipality from taxpayers located in the redevelopment project area in that year if: (a) the plan for the area restricts the use of the property primarily to industrial purposes, (b) the municipality establishing the redevelopment project area is a home-rule community with a 1990 population of between 25,000 and 50,000, (c) the municipality is wholly located within a county with a 1990 population of over 750,000 and (d) the redevelopment project area was established by the municipality prior to June 1, 1990. This payment shall be in lieu of a contribution of ad valorem taxes on real property. If no such payment is made, any redevelopment project area of the municipality shall be dissolved.

If a municipality has adopted tax increment allocation financing by ordinance and the County Clerk thereafter certifies the "total initial equalized assessed value as adjusted" of the taxable real property within such redevelopment project area in the manner provided in paragraph (b) of Section 11-74.4-9, each year after the date of the certification of the total initial equalized assessed value as adjusted until redevelopment project costs and all municipal obligations financing redevelopment project costs have been paid the ad valorem taxes, if any, arising from the levies upon the taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or "current equalized assessed value as adjusted" or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property existing at the time tax increment financing was adopted, minus the total current homestead exemptions under Article 15 of the Property Tax Code in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each

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taxable lot, block, tract, or parcel of real property in the redevelopment project area, over and above the initial equalized assessed value of each property existing at the time tax increment financing was adopted, minus the total current homestead exemptions pertaining to each piece of property provided by Article 15 of the Property Tax Code in the redevelopment project area, shall be allocated to and when collected shall be paid to the municipal Treasurer, who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof.

The municipality may pledge in the ordinance the funds in and to be deposited in the special tax allocation fund for the payment of such costs and obligations. No part of the current equalized assessed valuation of each property in the redevelopment project area attributable to any increase above the total initial equalized assessed value, or the total initial equalized assessed value as adjusted, of such properties shall be used in calculating the general State school aid formula, provided for in Section 18-8 of the School Code, until such time as all redevelopment project costs have been paid as provided for in this Section.

Whenever a municipality issues bonds for the purpose of financing redevelopment project costs, such municipality may provide by ordinance for the appointment of a trustee, which may be any trust company within the State, and for the establishment of such funds or accounts to be maintained by such trustee as the municipality shall deem necessary to provide for the security and payment of the bonds. If such municipality provides for the appointment of a trustee, such trustee shall be considered the assignee of any payments assigned by the municipality pursuant to such ordinance and this Section. Any amounts paid to such trustee as assignee shall be deposited in the funds or accounts established pursuant to such trust agreement, and shall be held by such trustee in trust for the benefit of the holders of the bonds, and such holders shall have a lien on and a security interest in such funds or accounts so long as the bonds remain outstanding and unpaid. Upon retirement of the bonds, the trustee shall pay over any excess amounts held to the municipality for deposit in the special tax allocation fund.

When such redevelopment projects costs, including without limitation all municipal obligations financing redevelopment project costs incurred under this Division, have been paid, all surplus funds then

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remaining in the special tax allocation fund shall be distributed by being paid by the municipal treasurer to the Department of Revenue, the municipality and the county collector; first to the Department of Revenue and the municipality in direct proportion to the tax incremental revenue received from the State and the municipality, but not to exceed the total incremental revenue received from the State or the municipality less any annual surplus distribution of incremental revenue previously made; with any remaining funds to be paid to the County Collector who shall immediately thereafter pay said funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Upon the payment of all redevelopment project costs, the retirement of obligations, the distribution of any excess monies pursuant to this Section, and final closing of the books and records of the redevelopment project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the redevelopment project area and terminating the designation of the redevelopment project area as a redevelopment project area. Title to real or personal property and public improvements acquired by or for the municipality as a result of the redevelopment project and plan shall vest in the municipality when acquired and shall continue to be held by the municipality after the redevelopment project area has been terminated. Municipalities shall notify affected taxing districts prior to November 1 if the redevelopment project area is to be terminated by December 31 of that same year. If a municipality extends estimated dates of completion of a redevelopment project and retirement of obligations to finance a redevelopment project, as allowed by this amendatory Act of 1993, that extension shall not extend the property tax increment allocation financing authorized by this Section. Thereafter the rates of the taxing districts shall be extended and taxes levied, collected and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

Nothing in this Section shall be construed as relieving property in such redevelopment project areas from being assessed as provided in the Property Tax Code or as relieving owners of such property from paying a uniform rate of taxes, as required by Section 4 of Article IX of the Illinois Constitution.

(Source: P.A. 95-644, eff. 10-12-07; revised 10-17-12.)
Section 250. The Economic Development Project Area Tax Increment Allocation Act of 1995 is amended by changing Section 50 as follows:

(65 ILCS 110/50)

Sec. 50. Special tax allocation fund.

(a) If a county clerk has certified the "total initial equalized assessed value" of the taxable real property within an economic development project area in the manner provided in Section 45, each year after the date of the certification by the county clerk of the "total initial equalized assessed value", until economic development project costs and all municipal obligations financing economic development project costs have been paid, the ad valorem taxes, if any, arising from the levies upon the taxable real property in the economic development project area by taxing districts and tax rates determined in the manner provided in subsection (b) of Section 45 shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract, or parcel of real property that is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each taxable lot, block, tract, or parcel of real property existing at the time tax increment financing was adopted shall be allocated to (and when collected shall be paid by the county collector to) the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of the taxes that is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the economic development project area, over and above the initial equalized assessed value of each property existing at the time tax increment financing was adopted, shall be allocated to (and when collected shall be paid to) the municipal treasurer, who shall deposit the taxes into a special fund (called the special tax allocation fund of the municipality) for the purpose of paying economic development project costs and obligations incurred in the payment of those costs.

(b) The municipality, by an ordinance adopting tax increment allocation financing, may pledge the monies in and to be deposited into the special tax allocation fund for the payment of obligations issued under this Act and for the payment of economic development project costs. No part

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of the current equalized assessed valuation of each property in the economic development project area attributable to any increase above the total initial equalized assessed value of those properties shall be used in calculating the general State school aid formula under Section 18-8 of the School Code until all economic development projects costs have been paid as provided for in this Section.

(c) When the economic development projects costs, including without limitation all municipal obligations financing economic development project costs incurred under this Act, have been paid, all surplus monies then remaining in the special tax allocation fund shall be distributed by being paid by the municipal treasurer to the county collector, who shall immediately pay the monies to the taxing districts having taxable property in the economic development project area in the same manner and proportion as the most recent distribution by the county collector to those taxing districts of real property taxes from real property in the economic development project area.

(d) Upon the payment of all economic development project costs, retirement of obligations, and distribution of any excess monies under this Section and not later than 23 years from the date of the adoption of the ordinance establishing the economic development project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the economic development project area and terminating the designation of the economic development project area as an economic development project area. Thereafter, the rates of the taxing districts shall be extended and taxes shall be levied, collected, and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

(e) Nothing in this Section shall be construed as relieving property in the economic development project areas from being assessed as provided in the Property Tax Code or as relieving owners or lessees of that property from paying a uniform rate of taxes as required by Section 4 of Article IX of the Illinois Constitution.

(Source: P.A. 89-176, eff. 1-1-96; revised 10-17-12.)

Section 255. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 13 as follows:

(70 ILCS 210/13) (from Ch. 85, par. 1233)

Sec. 13. (a) The Authority shall not have power to levy taxes for any purpose, except as provided in subsections (b), (c), (d), (e), and (f).

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(b) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a Metropolitan Pier and Exposition Authority Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail within the territory described in this subsection at the rate of 1.0% of the gross receipts (i) from the sale of food, alcoholic beverages, and soft drinks sold for consumption on the premises where sold and (ii) from the sale of food, alcoholic beverages, and soft drinks sold for consumption off the premises where sold by a retailer whose principal source of gross receipts is from the sale of food, alcoholic beverages, and soft drinks prepared for immediate consumption.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the Illinois Department of Revenue. The Department shall have full power to administer and enforce this subsection, to collect all taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, shall be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and shall employ the same modes of procedure applicable to this Retailers' Occupation Tax as are prescribed in Sections 1, 2 through 2-65 (in respect to all provisions of those Sections other than the State rate of taxes), 2c, 2h, 2i, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and, and until January 1, 1994, 13.5 of the Retailers' Occupation Tax Act, and, on and after January 1, 1994, all applicable provisions of the Uniform Penalty and Interest Act that are not inconsistent with this Act, as fully as if provisions contained in those Sections of the Retailers' Occupation Tax Act were set forth in this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their seller's tax liability under this subsection by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, pursuant to bracket schedules as the Department may prescribe. The retailer filing the
return shall, at the time of filing the return, pay to the Department the amount of tax imposed under this subsection, less a discount of 1.75%, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax, and supplying data to the Department on request.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause a warrant to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

Nothing in this subsection authorizes the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee for the Authority, all taxes and penalties collected under this subsection for deposit into a trust fund held outside of the State Treasury.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the amounts to be paid under subsection (g) of this Section, which shall be the amounts, not including credit memoranda, collected under this subsection during the second preceding calendar month by the Department, less any amounts determined by the Department to be necessary for the payment of refunds, less 2% of such balance, which sum shall be deposited by the State Treasurer into the Tax Compliance and Administration Fund in the State Treasury from which it shall be appropriated to the Department to cover the costs of the Department in administering and enforcing the provisions of this subsection, and less any amounts that are transferred to the STAR Bonds Revenue Fund.
Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the certification, the Comptroller shall cause the orders to be drawn for the remaining amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certificate of registration issued by the Illinois Department of Revenue to a retailer under the Retailers' Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under this subsection, and no additional registration shall be required under the ordinance imposing the tax or under this subsection.

A certified copy of any ordinance imposing or discontinuing any tax under this subsection or effecting a change in the rate of that tax shall be filed with the Department, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

The tax authorized to be levied under this subsection may be levied within all or any part of the following described portions of the metropolitan area:

(1) that portion of the City of Chicago located within the following area: Beginning at the point of intersection of the Cook County - DuPage County line and York Road, then North along York Road to its intersection with Touhy Avenue, then east along Touhy Avenue to its intersection with the Northwest Tollway, then southeast along the Northwest Tollway to its intersection with Lee Street, then south along Lee Street to Higgins Road, then south and east along Higgins Road to its intersection with Mannheim Road, then south along Mannheim Road to its intersection with Irving Park Road, then west along Irving Park Road to its intersection with the Cook County - DuPage County line, then north and west along the county line to the point of beginning; and

(2) that portion of the City of Chicago located within the following area: Beginning at the intersection of West 55th Street with Central Avenue, then east along West 55th Street to its intersection with South Cicero Avenue, then south along South Cicero Avenue to its intersection with West 63rd Street, then west along West 63rd Street to its intersection with South Central Avenue, then north along South Central Avenue to the point of beginning; and

(3) that portion of the City of Chicago located within the following area: Beginning at the point 150 feet west of the
intersection of the west line of North Ashland Avenue and the
north line of West Diversey Avenue, then north 150 feet, then east
along a line 150 feet north of the north line of West Diversey
Avenue extended to the shoreline of Lake Michigan, then
following the shoreline of Lake Michigan (including Navy Pier and
all other improvements fixed to land, docks, or piers) to the point
where the shoreline of Lake Michigan and the Adlai E. Stevenson
Expressway extended east to that shoreline intersect, then west
along the Adlai E. Stevenson Expressway to a point 150 feet west
of the west line of South Ashland Avenue, then north along a line
150 feet west of the west line of South and North Ashland Avenue
to the point of beginning.

The tax authorized to be levied under this subsection may also be
levied on food, alcoholic beverages, and soft drinks sold on boats and
other watercraft departing from and returning to the shoreline of Lake
Michigan (including Navy Pier and all other improvements fixed to land,
docks, or piers) described in item (3).

(c) By ordinance the Authority shall, as soon as practicable after
the effective date of this amendatory Act of 1991, impose an occupation
tax upon all persons engaged in the corporate limits of the City of Chicago
in the business of renting, leasing, or letting rooms in a hotel, as defined in
the Hotel Operators' Occupation Tax Act, at a rate of 2.5% of the gross
rental receipts from the renting, leasing, or letting of hotel rooms within
the City of Chicago, excluding, however, from gross rental receipts the
proceeds of renting, leasing, or letting to permanent residents of a hotel, as
defined in that Act. Gross rental receipts shall not include charges that are
added on account of the liability arising from any tax imposed by the State
or any governmental agency on the occupation of renting, leasing, or
letting rooms in a hotel.

The tax imposed by the Authority under this subsection and all
civil penalties that may be assessed as an incident to that tax shall be
collected and enforced by the Illinois Department of Revenue. The
certificate of registration that is issued by the Department to a lessor under
the Hotel Operators' Occupation Tax Act shall permit that registrant to
engage in a business that is taxable under any ordinance enacted under this
subsection without registering separately with the Department under that
ordinance or under this subsection. The Department shall have full power
to administer and enforce this subsection, to collect all taxes and penalties
due under this subsection, to dispose of taxes and penalties so collected in

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the manner provided in this subsection, and to determine all rights to credit
memoranda arising on account of the erroneous payment of tax or penalty
under this subsection. In the administration of and compliance with this
subsection, the Department and persons who are subject to this subsection
shall have the same rights, remedies, privileges, immunities, powers, and
duties, shall be subject to the same conditions, restrictions, limitations,
penalties, and definitions of terms, and shall employ the same modes of
procedure as are prescribed in the Hotel Operators' Occupation Tax Act
(except where that Act is inconsistent with this subsection), as fully as if
the provisions contained in the Hotel Operators' Occupation Tax Act were
set out in this subsection.

Whenever the Department determines that a refund should be made
under this subsection to a claimant instead of issuing a credit
memorandum, the Department shall notify the State Comptroller, who
shall cause a warrant to be drawn for the amount specified and to the
person named in the notification from the Department. The refund shall be
paid by the State Treasurer out of the Metropolitan Pier and Exposition
Authority trust fund held by the State Treasurer as trustee for the
Authority.

Persons subject to any tax imposed under the authority granted in
this subsection may reimburse themselves for their tax liability for that tax
by separately stating that tax as an additional charge, which charge may be
stated in combination, in a single amount, with State taxes imposed under
the Hotel Operators' Occupation Tax Act, the municipal tax imposed under
Section 8-3-13 of the Illinois Municipal Code, and the tax imposed under

The person filing the return shall, at the time of filing the return,
pay to the Department the amount of tax, less a discount of 2.1% or $25
per calendar year, whichever is greater, which is allowed to reimburse the
operator for the expenses incurred in keeping records, preparing and filing
returns, remitting the tax, and supplying data to the Department on request.

The Department shall forthwith pay over to the State Treasurer, ex
officio, as trustee for the Authority, all taxes and penalties collected under
this subsection for deposit into a trust fund held outside the State Treasury.
On or before the 25th day of each calendar month, the Department shall
certify to the Comptroller the amounts to be paid under subsection (g) of
this Section, which shall be the amounts (not including credit memoranda)
collected under this subsection during the second preceding calendar

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month by the Department, less any amounts determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certified copy of any ordinance imposing or discontinuing a tax under this subsection or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

(d) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a tax upon all persons engaged in the business of renting automobiles in the metropolitan area at the rate of 6% of the gross receipts from that business, except that no tax shall be imposed on the business of renting automobiles for use as taxicabs or in livery service. The tax imposed under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the Illinois Department of Revenue. The certificate of registration issued by the Department to a retailer under the Retailers' Occupation Tax Act or under the Automobile Renting Occupation and Use Tax Act shall permit that person to engage in a business that is taxable under any ordinance enacted under this subsection without registering separately with the Department under that ordinance or under this subsection. The Department shall have full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 and 3 (in respect to all provisions of those Sections other than the State rate of tax; and in respect to the provisions of the Retailers' Occupation Tax Act referred to in those Sections, except as to the disposition of taxes and penalties collected, except for the provision allowing retailers a deduction from the tax to

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cover certain costs, and except that credit memoranda issued under this subsection may not be used to discharge any State tax liability) of the Automobile Renting Occupation and Use Tax Act, as fully as if provisions contained in those Sections of that Act were set forth in this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their tax liability under this subsection by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that sellers are required to collect under the Automobile Renting Occupation and Use Tax Act, pursuant to bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause a warrant to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

The Department shall forthwith pay over to the State Treasurer, ex officio, all taxes and penalties collected under this subsection for deposit into a trust fund held outside the State Treasury. On or before the 25th day of each calendar month, the Department shall certify to the Comptroller the amounts to be paid under subsection (g) of this Section (not including credit memorandum) collected under this subsection during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

Nothing in this subsection authorizes the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

A certified copy of any ordinance imposing or discontinuing a tax under this subsection or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the
Authority as of the first day of the third calendar month following the date of filing.

(e) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a tax upon the privilege of using in the metropolitan area an automobile that is rented from a rentor outside Illinois and is titled or registered with an agency of this State's government at a rate of 6% of the rental price of that automobile, except that no tax shall be imposed on the privilege of using automobiles rented for use as taxicabs or in livery service. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan area. The tax shall be collected by the Department of Revenue for the Authority. The tax must be paid to the State or an exemption determination must be obtained from the Department of Revenue before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which or State officer with whom the tangible personal property must be titled or registered if the Department and that agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this subsection, to collect all taxes, penalties, and interest due under this subsection, to dispose of taxes, penalties, and interest so collected in the manner provided in this subsection, and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty, or interest under this subsection. In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 and 4 (except provisions pertaining to the State rate of tax; and in respect to the provisions of the Use Tax Act referred to in that Section, except provisions concerning collection or refunding of the tax by retailers, except the provisions of Section 19 pertaining to claims by retailers, except the last paragraph concerning refunds, and except that credit memoranda issued under this subsection may not be used to discharge any State tax liability) of the Automobile Renting Occupation and Use Tax Act, as fully as if provisions contained in those Sections of that Act were set forth in this subsection.
Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause a warrant to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes, penalties, and interest collected under this subsection for deposit into a trust fund held outside the State Treasury. On or before the 25th day of each calendar month, the Department shall certify to the State Comptroller the amounts to be paid under subsection (g) of this Section, which shall be the amounts (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less any amounts determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the State Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certified copy of any ordinance imposing or discontinuing a tax or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

(f) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose an occupation tax on all persons, other than a governmental agency, engaged in the business of providing ground transportation for hire to passengers in the metropolitan area at a rate of (i) $4 per taxi or livery vehicle departure with passengers for hire from commercial service airports in the metropolitan area, (ii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person other than a person described in item (iii): $18 per bus or van with a capacity of 1-12 passengers, $36 per bus or van with a capacity of 13-24 passengers, and $54 per bus or van with a capacity of over 24 passengers, and (iii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person regulated by the Interstate Commerce Commission or
Illinois Commerce Commission, operating scheduled service from the airport, and charging fares on a per passenger basis: $2 per passenger for hire in each bus or van. The term "commercial service airports" means those airports receiving scheduled passenger service and enplaning more than 100,000 passengers per year.

In the ordinance imposing the tax, the Authority may provide for the administration and enforcement of the tax and the collection of the tax from persons subject to the tax as the Authority determines to be necessary or practicable for the effective administration of the tax. The Authority may enter into agreements as it deems appropriate with any governmental agency providing for that agency to act as the Authority's agent to collect the tax.

In the ordinance imposing the tax, the Authority may designate a method or methods for persons subject to the tax to reimburse themselves for the tax liability arising under the ordinance (i) by separately stating the full amount of the tax liability as an additional charge to passengers departing the airports, (ii) by separately stating one-half of the tax liability as an additional charge to both passengers departing from and to passengers arriving at the airports, or (iii) by some other method determined by the Authority.

All taxes, penalties, and interest collected under any ordinance adopted under this subsection, less any amounts determined to be necessary for the payment of refunds and less the taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898, shall be paid forthwith to the State Treasurer, ex officio, for deposit into a trust fund held outside the State Treasury and shall be administered by the State Treasurer as provided in subsection (g) of this Section. All taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898 shall be paid by the State Treasurer as follows: 25% for deposit into the Convention Center Support Fund, to be used by the Village of Rosemont for the repair, maintenance, and improvement of the Donald E. Stephens Convention Center and for debt service on debt instruments issued for those purposes by the village and 75% to the Authority to be used for grants to an organization meeting the qualifications set out in Section 5.6 of this Act, provided the Metropolitan Pier and Exposition Authority has entered into a marketing agreement with such an organization.

(g) Amounts deposited from the proceeds of taxes imposed by the Authority under subsections (b), (c), (d), (e), and (f) of this Section and

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amounts deposited under Section 19 of the Illinois Sports Facilities Authority Act shall be held in a trust fund outside the State Treasury and shall be administered by the Treasurer as follows:

(1) An amount necessary for the payment of refunds with respect to those taxes shall be retained in the trust fund and used for those payments.

(2) On July 20 and on the 20th of each month thereafter, provided that the amount requested in the annual certificate of the Chairman of the Authority filed under Section 8.25f of the State Finance Act has been appropriated for payment to the Authority, 1/8 of the local tax transfer amount, together with any cumulative deficiencies in the amounts transferred into the McCormick Place Expansion Project Fund under this subparagraph (2) during the fiscal year for which the certificate has been filed, shall be transferred from the trust fund into the McCormick Place Expansion Project Fund in the State treasury until 100% of the local tax transfer amount has been so transferred. "Local tax transfer amount" shall mean the amount requested in the annual certificate, minus the reduction amount. "Reduction amount" shall mean $41.7 million in fiscal year 2011, $36.7 million in fiscal year 2012, $36.7 million in fiscal year 2013, $36.7 million in fiscal year 2014, and $31.7 million in each fiscal year thereafter until 2032, provided that the reduction amount shall be reduced by (i) the amount certified by the Authority to the State Comptroller and State Treasurer under Section 8.25 of the State Finance Act, as amended, with respect to that fiscal year and (ii) in any fiscal year in which the amounts deposited in the trust fund under this Section exceed $318.3 million, exclusive of amounts set aside for refunds and for the reserve account, one dollar for each dollar of the deposits in the trust fund above $318.3 million with respect to that year, exclusive of amounts set aside for refunds and for the reserve account.

(3) On July 20, 2010, the Comptroller shall certify to the Governor, the Treasurer, and the Chairman of the Authority the 2010 deficiency amount, which means the cumulative amount of transfers that were due from the trust fund to the McCormick Place Expansion Project Fund in fiscal years 2008, 2009, and 2010 under Section 13(g) of this Act, as it existed prior to May 27, 2010 (the effective date of Public Act 96-898), but not made. On July 20,
2011 and on July 20 of each year through July 20, 2014, the Treasurer shall calculate for the previous fiscal year the surplus revenues in the trust fund and pay that amount to the Authority. On July 20, 2015 and on July 20 of each year thereafter, as long as bonds and notes issued under Section 13.2 or bonds and notes issued to refund those bonds and notes are outstanding, the Treasurer shall calculate for the previous fiscal year the surplus revenues in the trust fund and pay one-half of that amount to the State Treasurer for deposit into the General Revenue Fund until the 2010 deficiency amount has been paid and shall pay the balance of the surplus revenues to the Authority. "Surplus revenues" means the amounts remaining in the trust fund on June 30 of the previous fiscal year (A) after the State Treasurer has set aside in the trust fund (i) amounts retained for refunds under subparagraph (1) and (ii) any amounts necessary to meet the reserve account amount and (B) after the State Treasurer has transferred from the trust fund to the General Revenue Fund 100% of any post-2010 deficiency amount. "Reserve account amount" means $15 million in fiscal year 2011 and $30 million in each fiscal year thereafter. The reserve account amount shall be set aside in the trust fund and used as a reserve to be transferred to the McCormick Place Expansion Project Fund in the event the proceeds of taxes imposed under this Section 13 are not sufficient to fund the transfer required in subparagraph (2). "Post-2010 deficiency amount" means any deficiency in transfers from the trust fund to the McCormick Place Expansion Project Fund with respect to fiscal years 2011 and thereafter. It is the intention of this subparagraph (3) that no surplus revenues shall be paid to the Authority with respect to any year in which a post-2010 deficiency amount has not been satisfied by the Authority.

Moneys received by the Authority as surplus revenues may be used (i) for the purposes of paying debt service on the bonds and notes issued by the Authority, including early redemption of those bonds or notes, (ii) for the purposes of repair, replacement, and improvement of the grounds, buildings, and facilities of the Authority, and (iii) for the corporate purposes of the Authority in fiscal years 2011 through 2015 in an amount not to exceed $20,000,000 annually or $80,000,000 total, which amount shall be reduced $0.75 for each dollar of the receipts of the Authority in that year from any contract entered into with respect to naming rights at McCormick Place.
McCormick Place under Section 5(m) of this Act. When bonds and notes issued under Section 13.2, or bonds or notes issued to refund those bonds and notes, are no longer outstanding, the balance in the trust fund shall be paid to the Authority.

(h) The ordinances imposing the taxes authorized by this Section shall be repealed when bonds and notes issued under Section 13.2 or bonds and notes issued to refund those bonds and notes are no longer outstanding.
(Source: P.A. 96-898, eff. 5-27-10; 96-939, eff. 6-24-10; 97-333, eff. 8-12-11; revised 8-3-12.)

Section 260. The Quad Cities Regional Economic Development Authority Act, approved September 22, 1987 is amended by changing Section 4 as follows:

(70 ILCS 510/4) (from Ch. 85, par. 6204)

Sec. 4. (a) There is hereby created a political subdivision, body politic and municipal corporation named the Quad Cities Regional Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Jo Daviess County, Carroll, Whiteside, Stephenson, Lee, Rock Island, Henry, Knox, and Mercer counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 16 members including, as an ex officio member, the Director of Commerce and Economic Opportunity, or his or her designee. The other members of the Authority shall be designated "public members", 6 of whom shall be appointed by the Governor with the advice and consent of the Senate. Of the 6 members appointed by the Governor, one shall be from a city within the Authority's territory with a population of 25,000 or more and the remainder shall be appointed at large. Of the 6 members appointed by the Governor, 2 members shall have business or finance experience. One member shall be appointed by each of the county board chairmen of Rock Island, Henry, Knox, and Mercer Counties with the advice and consent of the respective county board. Within 60 days after the effective date of this amendatory Act of the 97th General Assembly, one additional public member shall be appointed by each of the county board chairpersons of Jo Daviess County, Carroll, Whiteside, Stephenson, and Lee counties with the advice and consent of the respective county board. Of the public members added by this amendatory Act of the 97th General Assembly, one shall serve for a one-
year term, 2 shall serve for 2-year terms, and 2 shall serve for 3-year terms, to be determined by lot. Their successors shall serve for 3-year terms. All public members shall reside within the territorial jurisdiction of this Act. Nine members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be a public member elected by the affirmative vote of not fewer than 6 members of the Authority, except that any chairperson elected on or after the effective date of this amendatory Act of the 97th General Assembly shall be elected by the affirmative vote of not fewer than 9 members. The term of the Chairman shall be one year.

(c) The terms of the initial members of the Authority shall begin 30 days after the effective date of this Act, except (i) the terms of those members added by this amendatory Act of 1989 shall begin 30 days after the effective date of this amendatory Act of 1989 and (ii) the terms of those members added by this amendatory Act of the 92nd General Assembly shall begin 30 days after the effective date of this amendatory Act of the 92nd General Assembly. Of the 10 public members appointed pursuant to this Act, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1989, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1990, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1991, 2 (both of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1992, and 2 (one of whom shall be appointed by the Governor and one of whom shall be appointed by the county board chairman of Knox County) shall serve until the third Monday in January, 2004. The initial terms of the members appointed by the county board chairman (other than the county board chairman of Knox County) shall be determined by lot. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate.
when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority appointed by the Governor in case of incompetency, neglect of duty, or malfeasance in office. The Chairman of a county board may remove any public member of the Authority appointed by such Chairman in the case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 97-278, eff. 8-8-11; revised 10-17-12.)

Section 265. The Downstate Forest Preserve District Act is amended by changing Section 8 as follows:

(70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

Sec. 8. Powers and duties of corporate authority and officers; contracts; salaries.

(a) The board shall be the corporate authority of such forest preserve district and shall have power to pass and enforce all necessary
ordinances, rules and regulations for the management of the property and conduct of the business of such district. The president of such board shall have power to appoint such employees as may be necessary. In counties with population of less than 3,000,000, within 60 days after their selection the commissioners appointed under the provisions of Section 3a of this Act shall organize by selecting from their members a president, secretary, treasurer and such other officers as are deemed necessary who shall hold office for the fiscal year in which elected and until their successors are selected and qualify. In the one district in existence on July 1, 1977, that is managed by an appointed board of commissioners, the incumbent president and the other officers appointed in the manner as originally prescribed in this Act shall hold such offices until the completion of their respective terms or in the case of the officers other than president until their successors are appointed by said president, but in all cases not to extend beyond January 1, 1980 and until their successors are selected and qualify. Thereafter, the officers shall be selected in the manner as prescribed in this Section except that their first term of office shall not expire until June 30, 1981 and until their successors are selected and qualify.

(b) In any county, city, village, incorporated town or sanitary district where the corporate authorities act as the governing body of a forest preserve district, the person exercising the powers of the president of the board shall have power to appoint a secretary and an assistant secretary and treasurer and an assistant treasurer and such other officers and such employees as may be necessary. The assistant secretary and assistant treasurer shall perform the duties of the secretary and treasurer, respectively in case of death of such officers or when such officers are unable to perform the duties of their respective offices. All contracts for supplies, material or work involving an expenditure in excess of $20,000 shall be let to the lowest responsible bidder, after advertising at least once in one or more newspapers of general circulation within the district, excepting work requiring personal confidence or necessary supplies under the control of monopolies, where competitive bidding is impossible. Contracts for supplies, material or work involving an expenditure of $20,000 or less may be let without advertising for bids, but whenever practicable, at least 3 competitive bids shall be obtained before letting such contract. All contracts for supplies, material or work shall be signed by the president of the board of commissioners or by any such other officer as the board in its discretion may designate.

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(c) The president of any board of commissioners appointed under the provisions of Section 3a of this Act shall receive a salary not to exceed the sum of $2500 per annum and the salary of other members of the board so appointed shall not exceed $1500 per annum. Salaries of the commissioners, officers and employees shall be fixed by ordinance.

(d) Whenever a forest preserve district owns any personal property that, in the opinion of three-fifths of the members of the board of commissioners, is no longer necessary, useful to, or for the best interests of the forest preserve district, then three-fifths of the members of the board, at any regular meeting or any special meeting called for that purpose by an ordinance or resolution that includes a general description of the personal property, may authorize the conveyance or sale of that personal property in any manner that they may designate, with or without advertising the sale.

(Source: P.A. 97-851, eff. 7-26-12; revised 10-17-12.)

Section 270. The Metropolitan Water Reclamation District Act is amended by changing Section 4 as follows:

(70 ILCS 2605/4) (from Ch. 42, par. 323)

Sec. 4. The commissioners elected under this Act constitute a board of commissioners for the district by which they are elected, which board of commissioners is the corporate authority of the sanitary district, and, in addition to all other powers specified in this Act, shall establish the policies and goals of the sanitary district. The executive director, in addition to all other powers specified in this Act, shall manage and control all the affairs and property of the sanitary district and shall regularly report to the Board of Commissioners on the activities of the sanitary district in executing the policies and goals established by the board. At the regularly scheduled meeting of odd numbered years following the induction of new commissioners the board of commissioners shall elect from its own number a president and a vice-president to serve in the absence of the president, and the chairman of the committee on finance. The board shall provide by rule when a vacancy occurs in the office of the president, vice-president, or the chairman of the committee on finance and the manner of filling such vacancy.

The board shall appoint from outside its own number the executive director and treasurer for the district.

The executive director must be a resident of the sanitary district and a citizen of the United States. He must be selected solely upon his administrative and technical qualifications and without regard to his political affiliations.

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In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of the executive director, or treasurer, the board of commissioners may appoint an acting officer from outside its own number, to perform the duties and responsibilities of the office during the term of the absence or vacancy.

The executive director, with the advice and consent of the board of commissioners, shall appoint the director of engineering, director of maintenance and operations, director of human resources, director of procurement and materials management, clerk, general counsel, director of monitoring and research, and director of information technology. These constitute the heads of the Department of Engineering, Maintenance and Operations, Human Resources, Procurement and Materials Management, Finance, Law, Monitoring and Research, and Information Technology, respectively. No other departments or heads of departments may be created without subsequent amendment to this Act. All such department heads are under the direct supervision of the executive director.

The executive director, with the advice and consent of the board of commissioners, shall appoint a public and intergovernmental affairs officer. The public and intergovernmental affairs officer shall serve under the direct supervision of the executive director.

The director of human resources must be qualified under Section 4.2a of this Act.

The director of procurement and materials management must be selected in accordance with Section 11.16 of this Act.

In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of director of engineering, director of maintenance and operations, director of human resources, director of procurement and materials management, clerk, general counsel, director of monitoring and research, public and intergovernmental affairs officer, or director of information technology, the executive director shall appoint an acting officer to perform the duties and responsibilities of the office during the term of the absence or vacancy. Any such officers appointed in an acting capacity are under the direct supervision of the executive director.

All appointive officers and acting officers shall give bond as may be required by the board.

The executive director, treasurer, acting executive director, and acting treasurer hold their offices at the pleasure of the board of commissioners.
The acting director of engineering, acting director of maintenance and operations, acting director of human resources, acting director of procurement and materials management, acting clerk, acting general counsel, acting director of monitoring and research, acting public and intergovernmental affairs officer, and acting director of information technology hold their offices at the pleasure of the executive director.

The director of engineering, director of maintenance and operations, director of human resources, director of procurement and materials management, clerk, general counsel, director of monitoring and research, public and intergovernmental affairs officer, and director of information technology may be removed from office for cause by the executive director. Prior to removal, such officers are entitled to a public hearing before the executive director at which hearing they may be represented by counsel. Before the hearing, the executive director shall notify the board of commissioners of the date, time, place and nature of the hearing.

In addition to the general counsel appointed by the executive director, the board of commissioners may appoint from outside its own number an attorney, or retain counsel, to advise the board of commissioners with respect to its powers and duties and with respect to legal questions and matters of policy for which the board of commissioners is responsible.

The executive director is the chief administrative officer of the district, has supervision over and is responsible for all administrative and operational matters of the sanitary district including the duties of all employees which are not otherwise designated by law, and is the appointing authority as specified in Section 4.11 of this Act.

The board, through the budget process, shall set the compensation of all the officers and employees of the sanitary district. Any incumbent of the office of president may appoint an administrative aide which appointment remains in force during his incumbency unless revoked by the president.

Effective upon the election in January, 1985 of the president and vice-president of the board of commissioners and the chairman of the committee on finance, the annual salary of the president shall be $37,500 and shall be increased to $39,500 in January, 1987, $41,500 in January, 1989, $50,000 in January, 1991, and $60,000 in January, 2001; the annual salary of the vice-president shall be $35,000 and shall be increased to $37,000 in January, 1987, $39,000 in January, 1989, $45,000 in January,

The annual salaries of the other members of the Board shall be as follows:

For the three members elected in November, 1980, $26,500 per annum for the first two years of the term; $28,000 per annum for the next two years of the term and $30,000 per annum for the last two years.

For the three members elected in November, 1982, $28,000 per annum for the first two years of the term and $30,000 per annum thereafter.

For members elected in November, 1984, $30,000 per annum.

For the three members elected in November, 1986, $32,000 for each of the first two years of the term, $34,000 for each of the next two years and $36,000 for the last two years;

For three members elected in November, 1988, $34,000 for each of the first two years of the term and $36,000 for each year thereafter.


For members elected in November, 2000 and thereafter, $50,000.

Notwithstanding the other provisions of this Section, the board, prior to January 1, 2007 and with a two-thirds vote, may increase the annual rate of compensation at a separate flat amount for each of the following: the president, the vice-president, the chairman of the committee on finance, and the other members; the increased annual rate of compensation shall apply to all such officers and members whose terms as members of the board commence after the increase in compensation is adopted by the board.

The board of commissioners has full power to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of the board of commissioners and the corporation and for carrying into effect the object for which the sanitary district is formed. All ordinances, orders, rules, resolutions and regulations passed by the board of commissioners must, before they take effect, be approved by the president of the board of commissioners. If he approves thereof, he shall sign them, and such as he does not approve he shall return to the board of commissioners with his objections in writing at the next regular meeting of the board of commissioners occurring after the...
passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance. If the veto extends to a part of such ordinance, the residue takes effect. If the president of such board of commissioners fails to return any ordinance, order, rule, resolution or regulation with his objections thereto in the time required, he is deemed to have approved it, and it takes effect accordingly. Upon the return of any ordinance, order, rule, resolution, or regulation by the president, the vote by which it was passed must be reconsidered by the board of commissioners, and if upon such reconsideration two-thirds of all the members agree by yea and nay to pass it, it takes effect notwithstanding the president's refusal to approve thereof.

It is the policy of this State that all powers granted, either expressly or by necessary implication, by this Act or any other Illinois statute to the District may be exercised by the District notwithstanding effects on competition. It is the intention of the General Assembly that the "State action exemption" to the application of federal antitrust statutes be fully available to the District to the extent its activities are authorized by law as stated herein.

(Source: P.A. 97-893, eff. 8-3-12; revised 10-17-12.)

Section 275. The School Code is amended by changing Sections 1H-115, 10-17a, and 22-45 and by setting forth and renumbering multiple versions of Sections 22-75 and 34-18.45 as follows:

(105 ILCS 5/1H-115)

Sec. 1H-115. Abolition of Panel.

(a) Except as provided in subsections (b), (c), and (d) of this Section, the Panel shall be abolished 10 years after its creation.

(b) The State Board, upon recommendation of the Panel or petition of the school board, may abolish the Panel at any time after the Panel has been in existence for 3 years if no obligations of the Panel are outstanding or remain undefeased and upon investigation and finding that:

(1) none of the factors specified in Section 1A-8 of this Code remain applicable to the district; and

(2) there has been substantial achievement of the goals and objectives established pursuant to the financial plan and required under Section 1H-15 of this Code.

(c) The Panel of a district that otherwise meets all of the requirements for abolition of a Panel under subsection (b) of this Section, except for the fact that there are outstanding financial obligations of the
Panel, may petition the State Board for reinstatement of all of the school board's powers and duties assumed by the Panel; and if approved by the State Board, then:

(1) the Panel shall continue in operation, but its powers and duties shall be limited to those necessary to manage and administer its outstanding obligations;
(2) the school board shall once again begin exercising all of the powers and duties otherwise allowed by statute; and
(3) the Panel shall be abolished as provided in subsection (a) of this Section.

(d) If the Panel of a district that otherwise meets all of the requirements for abolition of a Panel under subsection (b) of this Section, except for outstanding obligations of the Panel, then the district may petition the State Board for abolition of the Panel if the district:

(1) establishes an irrevocable trust fund, the purpose of which is to provide moneys to defease the outstanding obligations of the Panel; and
(2) issues funding bonds pursuant to the provisions of Sections 19-8 and 19-9 of this Code. A district with a Panel that falls under this subsection (d) these provisions shall be abolished as provided in subsection (a) of this Section.

(Source: P.A. 97-429, eff. 8-16-11; revised 8-3-12.)

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)
Sec. 10-17a. State, school district, and school report cards.
(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economic means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data possessed by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as limited

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English proficiency; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the percentage of students who annually transferred in or out of the school district; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students meeting as well as exceeding State standards on assessments, the percentage of students in the eighth grade who pass Algebra, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college ready, the percentage of students graduating from high school who are career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a remedial course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness; and

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(E) the school environment, including, where applicable, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, 2 or more indicators from any school climate survey developed by the State and administered pursuant to Section 2-3.153 of this Code, and the combined percentage of teachers rated as proficient or excellent in their most recent evaluation.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income, special education, and limited English proficiency students.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection subsections (2) of this Section.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall

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be sent home to parents without request. If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card. (Source: P.A. 97-671, eff. 1-24-12; revised 8-3-12.)

(105 ILCS 5/22-45)

Sec. 22-45. Illinois P-20 Council.

(a) The General Assembly finds that preparing Illinoisans for success in school and the workplace requires a continuum of quality education from preschool through graduate school. This State needs a framework to guide education policy and integrate education at every level. A statewide coordinating council to study and make recommendations concerning education at all levels can avoid fragmentation of policies, promote improved teaching and learning, and continue to cultivate and demonstrate strong accountability and efficiency. Establishing an Illinois P-20 Council will develop a statewide agenda that will move the State towards the common goals of improving academic achievement, increasing college access and success, improving use of existing data and measurements, developing improved accountability, fostering innovative approaches to education, promoting lifelong learning, easing the transition to college, and reducing remediation. A pre-kindergarten through grade 20 agenda will strengthen this State's economic competitiveness by producing a highly-skilled workforce. In addition, lifelong learning plans will enhance this State's ability to leverage funding.

(b) There is created the Illinois P-20 Council. The Illinois P-20 Council shall include all of the following members:

1. The Governor or his or her designee, to serve as chairperson.
2. Four members of the General Assembly, one appointed by the Speaker of the House of Representatives, one appointed by the Minority Leader of the House of Representatives, one appointed by the President of the Senate, and one appointed by the Minority Leader of the Senate.
3. Six at-large members appointed by the Governor as follows, with 2 members being from the City of Chicago, 2 members being from Lake County, McHenry County, Kane County, DuPage County, Will County, or that part of Cook County

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outside of the City of Chicago, and 2 members being from the remainder of the State:

(A) one representative of civic leaders;
(B) one representative of local government;
(C) one representative of trade unions;
(D) one representative of nonprofit organizations or foundations;
(E) one representative of parents' organizations; and
(F) one education research expert.

(4) Five members appointed by statewide business organizations and business trade associations.

(5) Six members appointed by statewide professional organizations and associations representing pre-kindergarten through grade 20 teachers, community college faculty, and public university faculty.

(6) Two members appointed by associations representing local school administrators and school board members. One of these members must be a special education administrator.

(7) One member representing community colleges, appointed by the Illinois Council of Community College Presidents.

(8) One member representing 4-year independent colleges and universities, appointed by a statewide organization representing private institutions of higher learning.

(9) One member representing public 4-year universities, appointed jointly by the university presidents and chancellors.

(10) Ex-officio members as follows:

(A) The State Superintendent of Education or his or her designee.
(B) The Executive Director of the Board of Higher Education or his or her designee.
(C) The President and Chief Executive Officer of the Illinois Community College Board or his or her designee.
(D) The Executive Director of the Illinois Student Assistance Commission or his or her designee.
(E) The Co-chairpersons of the Illinois Workforce Investment Board or their designee.

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(F) The Director of Commerce and Economic Opportunity or his or her designee.

(G) The Chairperson of the Illinois Early Learning Council or his or her designee.

(H) The President of the Illinois Mathematics and Science Academy or his or her designee.

(I) The president of an association representing educators of adult learners or his or her designee.

Ex-officio members shall have no vote on the Illinois P-20 Council.

Appointed members shall serve for staggered terms expiring on July 1 of the first, second, or third calendar year following their appointments or until their successors are appointed and have qualified. Staggered terms shall be determined by lot at the organizing meeting of the Illinois P-20 Council.

Vacancies shall be filled in the same manner as original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred.

(c) The Illinois P-20 Council shall be funded through State appropriations to support staff activities, research, data-collection, and dissemination. The Illinois P-20 Council shall be staffed by the Office of the Governor, in coordination with relevant State agencies, boards, and commissions. The Illinois Education Research Council shall provide research and coordinate research collection activities for the Illinois P-20 Council.

(d) The Illinois P-20 Council shall have all of the following duties:

1. To make recommendations to do all of the following:

   A. Coordinate pre-kindergarten through grade 20 (graduate school) education in this State through working at the intersections of educational systems to promote collaborative infrastructure.

   B. Coordinate and leverage strategies, actions, legislation, policies, and resources of all stakeholders to support fundamental and lasting improvement in this State's public schools, community colleges, and universities.

   C. Better align the high school curriculum with postsecondary expectations.

   D. Better align assessments across all levels of education.

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(E) Reduce the need for students entering institutions of higher education to take remedial courses.

(F) Smooth the transition from high school to college.

(G) Improve high school and college graduation rates.

(H) Improve the rigor and relevance of academic standards for college and workforce readiness.

(I) Better align college and university teaching programs with the needs of Illinois schools.

(2) To advise the Governor, the General Assembly, the State's education and higher education agencies, and the State's workforce and economic development boards and agencies on policies related to lifelong learning for Illinois students and families.

(3) To articulate a framework for systemic educational improvement and innovation that will enable every student to meet or exceed Illinois learning standards and be well-prepared to succeed in the workforce and community.

(4) To provide an estimated fiscal impact for implementation of all Council recommendations.

(e) The chairperson of the Illinois P-20 Council may authorize the creation of working groups focusing on areas of interest to Illinois educational and workforce development, including without limitation the following areas:

(1) Preparation, recruitment, and certification of highly qualified teachers.

(2) Mentoring and induction of highly qualified teachers.

(3) The diversity of highly qualified teachers.

(4) Funding for highly qualified teachers, including developing a strategic and collaborative plan to seek federal and private grants to support initiatives targeting teacher preparation and its impact on student achievement.

(5) Highly effective administrators.

(6) Illinois birth through age 3 education, pre-kindergarten, and early childhood education.

(7) The assessment, alignment, outreach, and network of college and workforce readiness efforts.

(8) Alternative routes to college access.

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(9) Research data and accountability.

(10) Community schools, community participation, and other innovative approaches to education that foster community partnerships.

The chairperson of the Illinois P-20 Council may designate Council members to serve as working group chairpersons. Working groups may invite organizations and individuals representing pre-kindergarten through grade 20 interests to participate in discussions, data collection, and dissemination.

(Source: P.A. 95-626, eff. 6-1-08; 95-996, eff. 10-3-08; 96-746, eff. 8-25-09; revised 8-3-12.)

(105 ILCS 5/22-75)
Sec. 22-75. The Eradicate Domestic Violence Task Force.

(a) There is hereby created the Eradicate Domestic Violence Task Force. The Eradicate Domestic Violence Task Force shall develop a statewide effective and feasible prevention course for high school students designed to prevent interpersonal, adolescent violence based on the Step Back Program for boys and girls. The Clerk of the Circuit Court in the First Judicial District shall provide administrative staff and support to the task force.

(b) The Eradicate Domestic Violence Task Force shall do the following:

1. Conduct meetings to evaluate the effectiveness and feasibility of statewide implementation of the curricula of the Step Back Program at Oak Park and River Forest High School, located in Cook County, Illinois, for the prevention of domestic violence.

2. Invite the testimony of and confer with experts on relevant topics as needed.

3. Propose content for integration into school curricula aimed at preventing domestic violence.


5. Propose partnerships with anti-violence agencies to assist with the facilitator roles and the nature of the partnerships.

6. Evaluate the approximate cost per school or school district to implement and maintain school curricula aimed at preventing domestic violence.

7. Propose a funding source or sources to support school curricula aimed at preventing domestic violence and agencies that

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provide training to the facilitators, such as a fee to be charged in domestic violence, sexual assault, and related cases to be collected by the clerk of the court for deposit into a special fund in the State treasury and to be used to fund a proposed eradicate domestic violence program in the schools of this State.

(8) Propose an evaluation structure to ensure that the school curricula aimed at preventing domestic violence is effectively taught by trained facilitators.

(9) Propose a method of evaluation for the purpose of modifying the content of the curriculum over time, including whether studies of the program should be conducted by the University of Illinois' Interpersonal Violence Prevention Information Center.

(10) Recommend legislation developed by the task force, such as amending Sections 27-5 through 27-13.3 and 27-23.4 of this Code, and legislation to create a fee to be charged in domestic violence, sexual assault, and related cases to be collected by the clerk of court for deposit into a special fund in the State treasury and to be used to fund a proposed eradicate domestic violence program in the schools of this State.

(11) Produce a report of the task force's findings on best practices and policies, which shall include a plan with a phased and prioritized implementation timetable for implementation of school curricula aimed at preventing domestic violence in schools. The task force shall submit a report to the General Assembly on or before April 1, 2013 on its findings, recommendations, and implementation plan. Any task force reports must be published on the State Board of Education's Internet website on the date the report is delivered to the General Assembly.

(c) The President of the Senate and the Speaker of the House of Representatives shall each appoint one co-chairperson of the Eradicate Domestic Violence Task Force. The Minority Leader of the Senate and the Minority Leader of the House of Representatives shall each appoint one member to the task force. In addition, the task force shall be comprised of the following members appointed by the State Board of Education and shall be representative of the geographic, racial, and ethnic diversity of this State:

(1) Four representatives involved with a program for high school students at a high school that is located in a municipality.
with a population of 2,000,000 or more and the program is a daily, 6-week to 9-week, 45-session, gender-specific, primary prevention course designed to raise awareness of topics such as dating and domestic violence, any systematic conduct that causes measurable physical harm or emotional distress, sexual assault, digital abuse, self-defense, and suicide.

(2) A representative of an interpersonal violence prevention program within a State university.

(3) A representative of a statewide nonprofit, nongovernmental, domestic violence organization.

(4) A representative of a different nonprofit, nongovernmental domestic violence organization that is located in a municipality with a population of 2,000,000 or more.

(5) A representative of a statewide nonprofit, nongovernmental, sexual assault organization.

(6) A representative of a different nonprofit, nongovernmental, sexual assault organization based in a county with a population of 3,000,000 or more.

(7) The State Superintendent of Education or his or her designee.

(8) The Chief Executive Officer of City of Chicago School District 299 or his or her designee or the President of the Chicago Board of Education or his or her designee.

(9) A representative of the Department of Human Services.

(10) A representative of a statewide, nonprofit professional organization representing law enforcement executives.

(11) A representative of the Chicago Police Department, Youth Services Division.

(12) The Clerk of the Circuit Court in the First Judicial District or his or her designee.

(13) A representative of a statewide professional teachers organization.

(14) A representative of a different statewide professional teachers organization.

(15) A representative of a professional teachers organization in a city having a population exceeding 500,000.

(16) A representative of an organization representing principals.
(17) A representative of an organization representing school administrators.
(18) A representative of an organization representing school boards.
(19) A representative of an organization representing school business officials.
(20) A representative of an organization representing large unit school districts.
(d) The following underlying purposes should be liberally construed by the task force convened under this Section:

(1) Recognize that, according to the Centers for Disease Control and Prevention, National Intimate Partner and Sexual Violence Survey, December 2010 Summary Report, on average 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States, equaling more than 12 million women and men.
(2) Recognize that abused children and children exposed to domestic violence in their homes may have short and long-term physical, emotional, and learning problems, including increased aggression, decreased responsiveness to adults, failure to thrive, posttraumatic stress disorder, depression, anxiety, hypervigilance and hyperactivity, eating and sleeping problems, and developmental delays, according to the Journal of Interpersonal Violence and the Futures Without Violence organization.
(3) Recognize that the Illinois Violence Prevention Authority has found that children exposed to violence in the media may become numb to the horror of violence, may gradually accept violence as a way to solve problems, may imitate the violence they see, and may identify with certain characters, victims, or victimizers.
(4) Recognize that crimes and the incarceration of youth are often associated with a history of child abuse and exposure to domestic violence, according to Futures Without Violence.
(5) Recognize that the cost of prosecuting crime in this State is unnecessarily high due to a lack of prevention programs designed to eradicate domestic violence.
(6) Recognize that sexual violence, stalking, and intimate partner violence are serious and widespread public health problems for children and adults in this State.

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(7) Recognize that intervention programs aimed at preventing domestic violence may yield better results than programs aimed at treating the victims of domestic violence, because treatment programs may reduce the likelihood that a particular woman will be re-victimized, but might not otherwise reduce the overall amount of domestic violence.

(8) Recognize that uniform, effective, feasible, and widespread prevention of sexual violence and intimate partner violence is a high priority in this State.

(9) Recognize that the Step Back Program at Oak Park and River Forest High School in Cook County, Illinois, is a daily, 6 to 9 week, 45-session, gender-specific, primary prevention course for high school students designed to raise awareness of topics, including dating and domestic violence, bullying and harassment, sexual assault, digital abuse, self-defense, and suicide. The Step Back Program is co-facilitated by the high school and a nonprofit, nongovernmental domestic violence prevention specialist and service provider.

(10) Develop a statewide effective prevention course for high school students based on the Step Back Program for boys and girls designed to prevent interpersonal, adolescent violence.

(e) Members of the Eradicate Domestic Violence Task Force shall receive no compensation for their participation, but may be reimbursed by the State Board of Education for expenses in connection with their participation, including travel, if funds are available.

(f) Nothing in this Section or in the prevention course is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 or 4 of Article 1 of the Illinois Constitution.

(Source: P.A. 97-1037, eff. 8-20-12.)

(105 ILCS 5/22-75)

(Section scheduled to be repealed on September 1, 2013)

Sec. 22-75. Enhance Physical Education Task Force.

(a) The Enhance Physical Education Task Force is established. The task force shall consist of the following voting members:

(1) a member of the General Assembly, appointed by the Speaker of the House of Representatives;

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(2) a member of the General Assembly, appointed by the Minority Leader of the House of Representatives;
(3) a member of the General Assembly, appointed by the President of the Senate;
(4) a member of the General Assembly, appointed by the Minority Leader of the Senate;
(5) the Lieutenant Governor or his or her designee;
(6) the State Superintendent of Education or his or her designee, who shall serve as a co-chairperson of the task force;
(7) the Director of Public Health or his or her designee, who shall serve as a co-chairperson of the task force;
(8) the chief executive officer of City of Chicago School District 299 or his or her designee;
(9) 2 representatives from a statewide organization representing health, physical education, recreation, and dance, appointed by the head of that organization;
(10) a representative of City of Chicago School District 299, appointed by the Chicago Board of Education;
(11) 2 representatives of a statewide professional teachers' organization, appointed by the head of that organization;
(12) 2 representatives of a different statewide professional teachers' organization, appointed by the head of that organization;
(13) a representative of an organization representing professional teachers in a city having a population exceeding 500,000, appointed by the head of that organization;
(14) a representative of a statewide organization representing principals, appointed by the head of that organization;
(15) a representative of a statewide organization representing school administrators, appointed by the head of that organization;
(16) a representative of a statewide organization representing school boards, appointed by the head of that organization;
(17) a representative of a statewide organization representing school business officials, appointed by the head of that organization;
(18) a representative of a statewide organization representing parents, appointed by the head of that organization;

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(19) a representative of a national research and advocacy organization focused on cardiovascular health and wellness, appointed by the head of that organization;

(20) a representative of an organization that advocates for healthy school environments, appointed by the head of that organization;

(21) a representative of a not-for-profit organization serving children and youth, appointed by the head of that organization; and

(22) a representative of a not-for-profit organization that partners to promote prevention and improve public health systems that maximize the health and quality of life of the people of this State, appointed by the head of that organization.

Additional members may be appointed to the task force with the approval of the task force's co-chairpersons.

(b) The task force shall meet at the call of the co-chairpersons, with the initial meeting of the task force being held as soon as possible after the effective date of this amendatory Act of the 97th General Assembly.

(c) The State Board of Education and the Department of Public Health shall provide assistance and necessary staff support services to the task force.

(d) The purpose of the task force is to promote and recommend enhanced physical education programs that can be integrated with a broader wellness strategy and health curriculum in elementary and secondary schools in this State, including educating and promoting leadership on enhanced physical education among school district and school officials; developing and utilizing metrics to assess the impact of enhanced physical education; promoting training and professional development in enhanced physical education for teachers and other school and community stakeholders; identifying and seeking local, State, and national resources to support enhanced physical education; and such other strategies as may be identified by the task force.

(e) The task force shall make recommendations to the Governor and the General Assembly on Goals 19, 20, 21, 22, 23, and 24 of the Illinois Learning Standards for Physical Development and Health. The task force shall focus on updating the standards based on research in neuroscience that impacts the relationship between physical activity and learning.
(f) On or before August 31, 2013, the task force must make recommendations and file a report with the Governor and the General Assembly.

(g) This Section is repealed on September 1, 2013.

(105 ILCS 5/34-18.45)
Sec. 34-18.45. Minimum reading instruction. The board shall promote 60 minutes of minimum reading opportunities daily for students in kindergarten through 3rd grade whose reading level is one grade level or lower than their current grade level according to current learning standards and the school district.

(105 ILCS 5/34-18.47)
Sec. 34-18.47. Youth program. The board may develop a plan for implementing a program that seeks to establish common bonds between youth of various backgrounds and ethnicities, which may be similar to that of the Challenge Day organization.

(205 ILCS 405/14.1)
Sec. 14.1. All moneys received by the Department under this Act shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.

(205 ILCS 635/3-2) (from Ch. 17, par. 2323-2)
Sec. 3-2. Annual audit.

(a) At the licensee's fiscal year-end, but in no case more than 12 months after the last audit conducted pursuant to this Section, except as otherwise provided in this Section, it shall be mandatory for each residential mortgage licensee to cause its books and accounts to be audited by a certified public accountant not connected with such licensee. The books and records of all licensees under this Act shall be maintained on an accrual basis. The audit must be sufficiently comprehensive in scope to permit the expression of an opinion on the financial statements, which must be prepared in accordance with generally accepted accounting principles, and must be performed in accordance with generally accepted accounting principles.

New matter indicated by italics - deletions by strikeout
auditing standards. Notwithstanding the requirements of this subsection, a licensee that is a first tier subsidiary may submit audited consolidated financial statements of its parent as long as the consolidated statements are supported by consolidating statements. The licensee's chief financial officer shall attest to the licensee's financial statements disclosed in the consolidating statements.

(b) As used herein, the term "expression of opinion" includes either (1) an unqualified opinion, (2) a qualified opinion, (3) a disclaimer of opinion, or (4) an adverse opinion.

(c) If a qualified or adverse opinion is expressed or if an opinion is disclaimed, the reasons therefore must be fully explained. An opinion, qualified as to a scope limitation, shall not be acceptable.

(d) The most recent audit report shall be filed with the Commissioner within 90 days after the end of the licensee's fiscal year, or with the Nationwide Mortgage Licensing System and Registry, if applicable, pursuant to Mortgage Call Report requirements. The report filed with the Commissioner shall be certified by the certified public accountant conducting the audit. The Commissioner may promulgate rules regarding late audit reports.

(e) If any licensee required to make an audit shall fail to cause an audit to be made, the Commissioner shall cause the same to be made by a certified public accountant at the licensee's expense. The Commissioner shall select such certified public accountant by advertising for bids or by such other fair and impartial means as he or she establishes by regulation.

(f) In lieu of the audit or compilation financial statement required by this Section, a licensee shall submit and the Commissioner may accept any audit made in conformance with the audit requirements of the U.S. Department of Housing and Urban Development.

(g) With respect to licensees who solely broker residential mortgage loans as defined in subsection (o) of Section 1-4, instead of the audit required by this Section, the Commissioner may accept compilation financial statements prepared at least every 12 months, and the compilation financial statement must be submitted within 90 days after the end of the licensee's fiscal year, or with the Nationwide Mortgage Licensing System and Registry, if applicable, pursuant to Mortgage Call Report requirements. If a licensee under this Section fails to file a compilation as required, the Commissioner shall cause an audit of the licensee's books and accounts to be made by a certified public accountant at the licensee's expense. The Commissioner shall select the
certified public accountant by advertising for bids or by such other fair and impartial means as he or she establishes by rule. A licensee who files false or misleading compilation financial statements is guilty of a business offense and shall be fined not less than $5,000.

(h) The workpapers of the certified public accountants employed by each licensee for purposes of this Section are to be made available to the Commissioner or the Commissioner's designee upon request and may be reproduced by the Commissioner or the Commissioner's designee to enable to the Commissioner to carry out the purposes of this Act.

(i) Notwithstanding any other provision of this Section, if a licensee relying on subsection (g) of this Section causes its books to be audited at any other time or causes its financial statements to be reviewed, a complete copy of the audited or reviewed financial statements shall be delivered to the Commissioner at the time of the annual license renewal payment following receipt by the licensee of the audited or reviewed financial statements. All workpapers shall be made available to the Commissioner upon request. The financial statements and workpapers may be reproduced by the Commissioner or the Commissioner's designee to carry out the purposes of this Act.

(Source: P.A. 96-112, eff. 7-31-09; 97-813, eff. 7-13-12; 97-891, eff. 8-3-12; revised 9-20-12.)

Section 290. The Transmitters of Money Act is amended by changing Section 45 as follows:

(205 ILCS 657/45)
Sec. 45. Fees.

(a) The Director shall charge and collect fees, which shall be nonrefundable unless otherwise indicated, in accordance with the provisions of this Act as follows:

(1) For applying for a license, an application fee of $100 and a license fee, which shall be refunded if the application is denied or withdrawn, of $100 plus $10 for each location at which the applicant and its authorized sellers are conducting business or propose to conduct business excepting the applicant's principal place of business.

(2) For renewal of a license, a fee of $100 plus $10 for each location at which the licensee and its authorized sellers are conducting business, except the licensee's principal place of business.

New matter indicated by italics - deletions by strikeout
(3) For an application to add an authorized seller location, $10 for each authorized seller location.

(4) For service of process or other notice upon the Director as provided by Section 100, a fee of $10.

(5) For an application for renewal of a license received by the Department after December 1, a penalty fee of $10 per day for each day after December 1 in addition to any other fees required under this Act unless an extension of time has been granted by the Director.

(6) For failure to submit financial statements as required by Section 40, a penalty fee of $10 per day for each day the statement is late unless an extension of time has been granted by the Director.

(b) Beginning one year after the effective date of this Act, the Director may, by rule, amend the fees set forth in this Section.

(c) All moneys received by the Department under this Act shall be deposited into the Financial Institutions Fund.

(Source: P.A. 92-400, eff. 1-1-02; revised 10-17-12.)

Section 295. The Sales Finance Agency Act is amended by changing Section 6.1 as follows:

(205 ILCS 660/6.1)

Sec. 6.1. All moneys received by the Department of Financial Institutions under this Act shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.

(Source: P.A. 88-13; revised 10-17-12.)

Section 300. The Debt Management Service Act is amended by changing Section 12.1 as follows:

(205 ILCS 665/12.1)

Sec. 12.1. All moneys received by the Department of Financial Institutions under this Act, except moneys received for the Debt Management Service Consumer Protection Fund, shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.

(Source: P.A. 96-1420, eff. 8-3-10; revised 10-17-12.)

Section 305. The Consumer Installment Loan Act is amended by changing Section 8.1 as follows:

(205 ILCS 670/8.1)

Sec. 8.1. All moneys received by the Department of Financial Institutions under this Act shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.

New matter indicated by italics - deletions by strikeout
Section 310. The Nursing Home Care Act is amended by changing Section 2-204 as follows:

Sec. 2-204. The Director shall appoint a Long-Term Care Facility Advisory Board to consult with the Department and the residents' advisory councils created under Section 2-203.

(a) The Board shall be comprised of the following persons:

(1) The Director who shall serve as chairman, ex officio and nonvoting; and

(2) One representative each of the Department of Healthcare and Family Services, the Department of Human Services, the Department on Aging, and the Office of the State Fire Marshal, all nonvoting members;

(3) One member who shall be a physician licensed to practice medicine in all its branches;

(4) One member who shall be a registered nurse selected from the recommendations of professional nursing associations;

(5) Four members who shall be selected from the recommendations by organizations whose membership consists of facilities;

(6) Two members who shall represent the general public who are not members of a residents' advisory council established under Section 2-203 and who have no responsibility for management or formation of policy or financial interest in a facility;

(7) One member who is a member of a residents' advisory council established under Section 2-203 and is capable of actively participating on the Board; and

(8) One member who shall be selected from the recommendations of consumer organizations which engage solely in advocacy or legal representation on behalf of residents and their immediate families.

(b) The terms of those members of the Board appointed prior to the effective date of this amendatory Act of 1988 shall expire on December 31, 1988. Members of the Board created by this amendatory Act of 1988 shall be appointed to serve for terms as follows: 3 for 2 years, 3 for 3 years and 3 for 4 years. The member of the Board added by this amendatory Act of 1989 shall be appointed to serve for a term of 4 years. Each successor
member shall be appointed for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Board shall meet as frequently as the chairman deems necessary, but not less than 4 times each year. Upon request by 4 or more members the chairman shall call a meeting of the Board. The affirmative vote of 6 members of the Board shall be necessary for Board action. A member of the Board can designate a replacement to serve at the Board meeting and vote in place of the member by submitting a letter of designation to the chairman prior to or at the Board meeting. The Board members shall be reimbursed for their actual expenses incurred in the performance of their duties.

(c) The Advisory Board shall advise the Department of Public Health on all aspects of its responsibilities under this Act and the Specialized Mental Health Rehabilitation Facilities Act, including the format and content of any rules promulgated by the Department of Public Health. Any such rules, except emergency rules promulgated pursuant to Section 5-45 of the Illinois Administrative Procedure Act, promulgated without obtaining the advice of the Advisory Board are null and void. In the event that the Department fails to follow the advice of the Board, the Department shall, prior to the promulgation of such rules, transmit a written explanation of the reason thereof to the Board. During its review of rules, the Board shall analyze the economic and regulatory impact of those rules. If the Advisory Board, having been asked for its advice, fails to advise the Department within 90 days, the rules shall be considered acted upon.

(Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)

Section 315. The ID/DD Community Care Act is amended by changing Section 3-310 as follows:

(210 ILCS 47/3-310)

Sec. 3-310. Collection of penalties. All penalties shall be paid to the Department within 10 days of receipt of notice of assessment or, if the penalty is contested under Section 3-309, within 10 days of receipt of the final decision, unless the decision is appealed and the order is stayed by court order under Section 3-713. A facility choosing to waive the right to a hearing under Section 3-309 shall submit a payment totaling 65% of the original fine amount along with the written waiver. A penalty assessed under this Act shall be collected by the Department and shall be deposited with the State Treasurer into the Long Term Care Monitor/Receiver Fund.

New matter indicated by italics - deletions by strikeout
If the person or facility against whom a penalty has been assessed does not comply with a written demand for payment within 30 days, the Director shall issue an order to do any of the following:

1. Direct the State Treasurer or Comptroller to deduct the amount of the fine from amounts otherwise due from the State for the penalty, including any payments to be made from the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability established under Section 5C-7 of the Illinois Public Aid Code, and remit that amount to the Department;
2. Add the amount of the penalty to the facility’s licensing fee; if the licensee refuses to make the payment at the time of application for renewal of its license, the license shall not be renewed; or
3. Bring an action in circuit court to recover the amount of the penalty.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-333, eff. 8-12-11; 97-813, eff. 7-13-12; revised 10-18-12.)

Section 320. The Specialized Mental Health Rehabilitation Act is amended by changing Sections 1-101.01, 3-207, and 4-101 as follows:

(210 ILCS 48/1-101.01)

Sec. 1-101.01. Legislative findings. Illinois is committed to providing behavioral health services in the most community-integrated settings possible, based on the needs of residents who qualify for State support. This goal is consistent with federal law and regulations and recent court decrees. A variety of services and settings are necessary to ensure that people with serious mental illness receive high quality care that is oriented towards their safety, rehabilitation, and recovery.

Residential settings are an important component of the system of behavioral health care that Illinois is developing. When residential treatment is necessary these facilities must offer high quality rehabilitation and recover care, help residents achieve and maintain their highest level of independent functioning, and prepare them to live in permanent supportive housing and other community-integrated settings. Facilities licensed under the Specialized Mental Health Rehabilitation Act will be models of such residential care, demonstrating the elements essential to help people with serious mental illness transition to more independent living and return to healthy, productive lives.

(Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)

(210 ILCS 48/3-207)
Sec. 3-207. Statement of ownership.
(a) As a condition of the issuance or renewal of the license of any facility, the applicant shall file a statement of ownership. The applicant shall update the information required in the statement of ownership within 10 days of any change.
(b) The statement of ownership shall include the following:
   (1) The name, address, telephone number, occupation or business activity, business address and business telephone number of the person who is the owner of the facility and every person who owns the building in which the facility is located, if other than the owner of the facility, which is the subject of the application or license; and if the owner is a partnership or corporation, the name of every partner and stockholder of the owner;
   (2) The name and address of any facility, wherever located, any financial interest in which is owned by the applicant, if the facility were required to be licensed if it were located in this State;
   (3) Other information necessary to determine the identity and qualifications of an applicant or licensee to operate a facility in accordance with this Act as required by the Department in regulations.
(c) The information in the statement of ownership shall be public information and shall be available from the Department.
(Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)
(210 ILCS 48/4-101)
Sec. 4-101. Payments. For facilities licensed by the Department of Public Health under this Act, the payment methodology in effect on June 30, 2011, shall be $1 less than the rate that would have been paid pursuant to Article V of the Illinois Public Aid Code for that same facility, had the facility been licensed under a different Act and been participating in the Demonstration Program pursuant to Department rules. Any adjustment in the support component or the capital component for facilities licensed by the Department of Public Health under the Nursing Home Care Act shall apply equally to facilities licensed by the Department of Public Health under this Act. Any change in rate methodology shall be made in statute.
(Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)

New matter indicated by italics - deletions by strikeout
Section 325. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.50 and 3.190 as follows:

(210 ILCS 50/3.50)

Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

(a) "Emergency Medical Technician-Basic" or "EMT-B" means a person who has successfully completed a course of instruction in basic life support as prescribed by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an EMS System.

(b) "Emergency Medical Technician-Intermediate" or "EMT-I" means a person who has successfully completed a course of instruction in intermediate life support as prescribed by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Intermediate or Advanced Life Support EMS System.

(c) "Emergency Medical Technician-Paramedic" or "EMT-P" means a person who has successfully completed a course of instruction in advanced life support care as prescribed by the Department, is licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Advanced Life Support EMS System.

(d) The Department shall have the authority and responsibility to:

(1) Prescribe education and training requirements, which includes training in the use of epinephrine, for all levels of EMT, based on the respective national curricula of the United States Department of Transportation and any modifications to such curricula specified by the Department through rules adopted pursuant to this Act.

(2) Prescribe licensure testing requirements for all levels of EMT, which shall include a requirement that all phases of instruction, training, and field experience be completed before taking the EMT licensure examination. Candidates may elect to take the National Registry of Emergency Medical Technicians examination in lieu of the Department's examination, but are responsible for making their own arrangements for taking the National Registry examination.

(2.5) Review applications for EMT licensure from honorably discharged members of the armed forces of the United States.
States with military emergency medical training. Applications shall be filed with the Department within one year after military discharge and shall contain: (i) proof of successful completion of military emergency medical training; (ii) a detailed description of the emergency medical curriculum completed; and (iii) a detailed description of the applicant's clinical experience. The Department may request additional and clarifying information. The Department shall evaluate the application, including the applicant's training and experience, consistent with the standards set forth under subsections (a), (b), (c), and (d) of Section 3.10. If the application clearly demonstrates that the training and experience meets such standards, the Department shall offer the applicant the opportunity to successfully complete a Department-approved EMT examination for which the applicant is qualified. Upon passage of an examination, the Department shall issue a license, which shall be subject to all provisions of this Act that are otherwise applicable to the class of EMT license issued.

(3) License individuals as an EMT-B, EMT-I, or EMT-P who have met the Department's education, training and examination requirements.

(4) Prescribe annual continuing education and relicensure requirements for all levels of EMT.

(5) Relicense individuals as an EMT-B, EMT-I, or EMT-P every 4 years, based on their compliance with continuing education and relicensure requirements. An Illinois licensed Emergency Medical Technician whose license has been expired for less than 36 months may apply for reinstatement by the Department. Reinstatement shall require that the applicant (i) submit satisfactory proof of completion of continuing medical education and clinical requirements to be prescribed by the Department in an administrative rule; (ii) submit a positive recommendation from an Illinois EMS Medical Director attesting to the applicant's qualifications for retesting; and (iii) pass a Department approved test for the level of EMT license sought to be reinstated.

(6) Grant inactive status to any EMT who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act.

(7) Charge a fee for EMT examination, licensure, and license renewal.
(8) Suspend, revoke, or refuse to issue or renew the license of any licensee, after an opportunity for an impartial hearing before a neutral administrative law judge appointed by the Director, where the preponderance of the evidence shows one or more of the following:

(A) The licensee has not met continuing education or relicensure requirements as prescribed by the Department;

(B) The licensee has failed to maintain proficiency in the level of skills for which he or she is licensed;

(C) The licensee, during the provision of medical services, engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(D) The licensee has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in rules adopted pursuant to this Act or his or her EMS System's Program Plan;

(E) The licensee is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(F) The licensee is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(G) The licensee has violated this Act or any rule adopted by the Department pursuant to this Act; or

(H) The licensee has been convicted (or entered a plea of guilty or nolo-contendere) by a court of competent jurisdiction of a Class X, Class 1, or Class 2 felony in this State or an out-of-state equivalent offense.

(9) An EMT who is a member of the Illinois National Guard or an Illinois State Trooper or who exclusively serves as a volunteer for units of local government with a population base of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the
Department for a waiver of the fees described under paragraph (7) on a form prescribed by the Department.

The education requirements prescribed by the Department under this subsection must allow for the suspension of those requirements in the case of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard who is on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor at the time that the member would otherwise be required to fulfill a particular education requirement. Such a person must fulfill the education requirement within 6 months after his or her release from active duty.

(e) In the event that any rule of the Department or an EMS Medical Director that requires testing for drug use as a condition for EMT licensure conflicts with or duplicates a provision of a collective bargaining agreement that requires testing for drug use, that rule shall not apply to any person covered by the collective bargaining agreement.

(Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10; 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff. 8-23-11; 97-813, eff. 7-13-12; 97-1014, eff. 1-1-13; revised 10-17-12.)

(210 ILCS 50/3.190)

Sec. 3.190. Emergency Department Classifications. The Department shall have the authority and responsibility to:

(a) Establish criteria for classifying the emergency departments of all hospitals within the State as Comprehensive, Basic, or Standby. In establishing such criteria, the Department may consult with the Illinois Hospital Licensing Board and incorporate by reference all or part of existing standards adopted as rules pursuant to the Hospital Licensing Act or Emergency Medical Treatment Act;

(b) Classify the emergency departments of all hospitals within the State in accordance with this Section;

(c) Annually publish, and distribute to all EMS Systems, a list reflecting the classification of all emergency departments.

(For the purposes of paragraphs (a) and (b) of this Section, long-term acute care hospitals, as defined under the Hospital Emergency Service Act, are not required to provide hospital emergency services and shall be classified as not available.

(Source: P.A. 97-667, eff. 1-13-12; revised 8-3-12.)
Section 330. The Hospital Licensing Act is amended by changing Section 6.14a as follows:

(210 ILCS 85/6.14a)

Sec. 6.14a. Public disclosure of information. The following information is subject to disclosure to the public from the Department:

1. Information submitted under Section 5 of this Act;
2. Final records of license and certification inspections, surveys, and evaluations of hospitals; and
3. Investigated complaints filed against a hospital and complaint investigation reports, except that a complaint or complaint investigation report shall not be disclosed to a person other than the complainant or complainant's representative before it is disclosed to a hospital, and except that a complainant or patient's name shall not be disclosed.

The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act.

However, the disclosure of information described in subsection (1) shall not be restricted by any provision of the Freedom of Information Act.

Notwithstanding any other provision of law, under no circumstances shall the Department disclose information obtained from a hospital that is confidential under Part 21 of Article VIII of the Code of Civil Procedure.

Any records or reports of inspections, surveys, or evaluations of hospitals may be disclosed only after the acceptance of a plan of correction by the Health Care Financing Administration of the U.S. Department of Health and Human Services or the Department, as appropriate, or at the conclusion of any administrative review of the Department's decision, or at the conclusion of any judicial review of such administrative decision. Whenever any record or report is subject to disclosure under this Section, the Department shall permit the hospital to provide a written statement pertaining to such report which shall be included as part of the information to be disclosed. The Department shall not divulge or disclose any record or report in a manner that identifies or would permit the identification of any natural person.

(Source: P.A. 91-242, eff. 1-1-00; revised 10-17-12.)

Section 335. The Hospital Report Card Act is amended by changing Section 25 as follows:

(210 ILCS 86/25)

New matter indicated by italics - deletions by strikeout
Sec. 25. Hospital reports.
(a) Individual hospitals shall prepare a quarterly report including all of the following:

(1) Nursing hours per patient day, average daily census, and average daily hours worked for each clinical service area.

(2) Infection-related measures for the facility for the specific clinical procedures and devices determined by the Department by rule under 2 or more of the following categories:
   (A) Surgical procedure outcome measures.
   (B) Surgical procedure infection control process measures.
   (C) Outcome or process measures related to ventilator-associated pneumonia.
   (D) Central vascular catheter-related bloodstream infection rates in designated critical care units.

(3) Information required under paragraph (4) of Section 2310-312 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

The infection-related measures developed by the Department shall be based upon measures and methods developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality, the Joint Commission on Accreditation of Healthcare Organizations, or the National Quality Forum.

The Department shall include interpretive guidelines for infection-related indicators and, when available, shall include relevant benchmark information published by national organizations.

(b) Individual hospitals shall prepare annual reports including vacancy and turnover rates for licensed nurses per clinical service area.

(c) None of the information the Department discloses to the public may be made available in any form or fashion unless the information has been reviewed, adjusted, and validated according to the following process:

(1) The Department shall organize an advisory committee, including representatives from the Department, public and private hospitals, direct care nursing staff, physicians, academic researchers, consumers, health insurance companies, organized labor, and organizations representing hospitals and physicians. The advisory committee must be meaningfully involved in the development of all aspects of the Department's methodology for

New matter indicated by italics - deletions by strikeout
collecting, analyzing, and disclosing the information collected under this Act, including collection methods, formatting, and methods and means for release and dissemination.

(2) The entire methodology for collecting and analyzing the data shall be disclosed to all relevant organizations and to all hospitals that are the subject of any information to be made available to the public before any public disclosure of such information.

(3) Data collection and analytical methodologies shall be used that meet accepted standards of validity and reliability before any information is made available to the public.

(4) The limitations of the data sources and analytic methodologies used to develop comparative hospital information shall be clearly identified and acknowledged, including but not limited to the appropriate and inappropriate uses of the data.

(5) To the greatest extent possible, comparative hospital information initiatives shall use standard-based norms derived from widely accepted provider-developed practice guidelines.

(6) Comparative hospital information and other information that the Department has compiled regarding hospitals shall be shared with the hospitals under review prior to public dissemination of such information and these hospitals have 30 days to make corrections and to add helpful explanatory comments about the information before the publication.

(7) Comparisons among hospitals shall adjust for patient case mix and other relevant risk factors and control for provider peer groups, when appropriate.

(8) Effective safeguards to protect against the unauthorized use or disclosure of hospital information shall be developed and implemented.

(9) Effective safeguards to protect against the dissemination of inconsistent, incomplete, invalid, inaccurate, or subjective hospital data shall be developed and implemented.

(10) The quality and accuracy of hospital information reported under this Act and its data collection, analysis, and dissemination methodologies shall be evaluated regularly.

(11) Only the most basic identifying information from mandatory reports shall be used, and information identifying a patient, employee, or licensed professional shall not be released.

New matter indicated by italics - deletions by strikeout
None of the information the Department discloses to the public under this Act may be used to establish a standard of care in a private civil action.

(d) Quarterly reports shall be submitted, in a format set forth in rules adopted by the Department, to the Department by April 30, July 31, October 31, and January 31 each year for the previous quarter. Data in quarterly reports must cover a period ending not earlier than one month prior to submission of the report. Annual reports shall be submitted by December 31 in a format set forth in rules adopted by the Department to the Department. All reports shall be made available to the public on-site and through the Department.

(e) If the hospital is a division or subsidiary of another entity that owns or operates other hospitals or related organizations, the annual public disclosure report shall be for the specific division or subsidiary and not for the other entity.

(f) The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act provided that such information satisfies the provisions of subsection (c) of this Section.

(g) Notwithstanding any other provision of law, under no circumstances shall the Department disclose information obtained from a hospital that is confidential under Part 21 of Article VIII of the Code of Civil Procedure.

(h) No hospital report or Department disclosure may contain information identifying a patient, employee, or licensed professional.

(Source: P.A. 94-275, eff. 7-19-05; 95-282, eff. 8-20-07; revised 10-17-12.)

Section 340. The Community-Integrated Living Arrangements Licensure and Certification Act is amended by changing Section 10 as follows:

(210 ILCS 135/10) (from Ch. 91 1/2, par. 1710)
Sec. 10. State plan.
(a) Community-integrated living arrangements shall be located so as to enable residents to participate in and be integrated into their community or neighborhood. The location of such arrangements shall promote community integration of persons with mental disabilities. The Department shall adopt a plan ("State plan") for the distribution of community living arrangements throughout the State, considering the need for such arrangements in the various locations in

New matter indicated by italics - deletions by strikeout
which they are to be used. Each agency licensed under this Act must define the process of obtaining community acceptance of community living arrangements. The State plan shall include guidelines regarding the location of community-integrated living arrangements within the geographic areas to be served by the agencies, and the availability of support services within those areas for residents under such arrangements. The Department shall promulgate such guidelines as rules pursuant to the Illinois Administrative Procedure Act.

The Department shall require any agency licensed under this Act to establish procedures for assuring compliance with such criteria, including annual review and comment by representatives of local governmental authorities, community mental health and developmental disabilities planning and service agencies, and other interested civil organizations, regarding the impact on their community areas of any living arrangements, programs or services to be certified by such agency. The Department shall give consideration to the comments of such community representatives in determinations of compliance with the State plan under this Section, and the Department may modify, suspend or withhold funding of such programs and services subject to this Act until such times as assurance is achieved.

(b) Beginning January 1, 1990, no Department of State government, as defined in the Civil Administrative Code of Illinois, shall place any person in or utilize any services of a community-integrated living arrangement which is not certified by an agency under this Act. (Source: P.A. 86-922; revised 10-17-12.)

Section 345. The Illinois Insurance Code is amended by changing Sections 408, 511.111, and 513a5 as follows:

(215 ILCS 5/408) (from Ch. 73, par. 1020)
Sec. 408. Fees and charges.
(1) The Director shall charge, collect and give proper acquittances for the payment of the following fees and charges:
(a) For filing all documents submitted for the incorporation or organization or certification of a domestic company, except for a fraternal benefit society, $2,000.
(b) For filing all documents submitted for the incorporation or organization of a fraternal benefit society, $500.
(c) For filing amendments to articles of incorporation and amendments to declaration of organization, except for a fraternal

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benefit society, a mutual benefit association, a burial society or a farm mutual, $200.

(d) For filing amendments to articles of incorporation of a fraternal benefit society, a mutual benefit association or a burial society, $100.

(e) For filing amendments to articles of incorporation of a farm mutual, $50.

(f) For filing bylaws or amendments thereto, $50.

(g) For filing agreement of merger or consolidation:
   (i) for a domestic company, except for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $2,000.
   (ii) for a foreign or alien company, except for a fraternal benefit society, $600.
   (iii) for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $200.

(h) For filing agreements of reinsurance by a domestic company, $200.

(i) For filing all documents submitted by a foreign or alien company to be admitted to transact business or accredited as a reinsurer in this State, except for a fraternal benefit society, $5,000.

(j) For filing all documents submitted by a foreign or alien fraternal benefit society to be admitted to transact business in this State, $500.

(k) For filing declaration of withdrawal of a foreign or alien company, $50.

(l) For filing annual statement by a domestic company, except a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $200.

(m) For filing annual statement by a domestic fraternal benefit society, $100.

(n) For filing annual statement by a farm mutual, a mutual benefit association, or a burial society, $50.

(o) For issuing a certificate of authority or renewal thereof except to a foreign fraternal benefit society, $400.

(p) For issuing a certificate of authority or renewal thereof to a foreign fraternal benefit society, $200.

(q) For issuing an amended certificate of authority, $50.

(r) For each certified copy of certificate of authority, $20.

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(s) For each certificate of deposit, or valuation, or compliance or surety certificate, $20.
(t) For copies of papers or records per page, $1.
(u) For each certification to copies of papers or records, $10.
(v) For multiple copies of documents or certificates listed in subparagraphs (r), (s), and (u) of paragraph (1) of this Section, $10 for the first copy of a certificate of any type and $5 for each additional copy of the same certificate requested at the same time, unless, pursuant to paragraph (2) of this Section, the Director finds these additional fees excessive.
(w) For issuing a permit to sell shares or increase paid-up capital:
   (i) in connection with a public stock offering, $300;
   (ii) in any other case, $100.
(x) For issuing any other certificate required or permissible under the law, $50.
(y) For filing a plan of exchange of the stock of a domestic stock insurance company, a plan of demutualization of a domestic mutual company, or a plan of reorganization under Article XII, $2,000.
(z) For filing a statement of acquisition of a domestic company as defined in Section 131.4 of this Code, $2,000.
(aa) For filing an agreement to purchase the business of an organization authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act or of a health maintenance organization or a limited health service organization, $2,000.
(bb) For filing a statement of acquisition of a foreign or alien insurance company as defined in Section 131.12a of this Code, $1,000.
(cc) For filing a registration statement as required in Sections 131.13 and 131.14, the notification as required by Sections 131.16, 131.20a, or 141.4, or an agreement or transaction required by Sections 124.2(2), 141, 141a, or 141.1, $200.
(dd) For filing an application for licensing of:
   (i) a religious or charitable risk pooling trust or a workers' compensation pool, $1,000;
   (ii) a workers' compensation service company, $500;

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(iii) a self-insured automobile fleet, $200; or
(iv) a renewal of or amendment of any license issued pursuant to (i), (ii), or (iii) above, $100.

(ee) For filing articles of incorporation for a syndicate to engage in the business of insurance through the Illinois Insurance Exchange, $2,000.

(ff) For filing amended articles of incorporation for a syndicate engaged in the business of insurance through the Illinois Insurance Exchange, $100.

(gg) For filing articles of incorporation for a limited syndicate to join with other subscribers or limited syndicates to do business through the Illinois Insurance Exchange, $1,000.

(hh) For filing amended articles of incorporation for a limited syndicate to do business through the Illinois Insurance Exchange, $100.

(ii) For a permit to solicit subscriptions to a syndicate or limited syndicate, $100.

(jj) For the filing of each form as required in Section 143 of this Code, $50 per form. The fee for advisory and rating organizations shall be $200 per form.

(i) For the purposes of the form filing fee, filings made on insert page basis will be considered one form at the time of its original submission. Changes made to a form subsequent to its approval shall be considered a new filing.

(ii) Only one fee shall be charged for a form, regardless of the number of other forms or policies with which it will be used.

(iii) Fees charged for a policy filed as it will be issued regardless of the number of forms comprising that policy shall not exceed $1,500. For advisory or rating organizations, fees charged for a policy filed as it will be issued regardless of the number of forms comprising that policy shall not exceed $2,500.

(iv) The Director may by rule exempt forms from such fees.

(kk) For filing an application for licensing of a reinsurance intermediary, $500.

(ll) For filing an application for renewal of a license of a reinsurance intermediary, $200.
(2) When printed copies or numerous copies of the same paper or records are furnished or certified, the Director may reduce such fees for copies if he finds them excessive. He may, when he considers it in the public interest, furnish without charge to state insurance departments and persons other than companies, copies or certified copies of reports of examinations and of other papers and records.

(3) The expenses incurred in any performance examination authorized by law shall be paid by the company or person being examined. The charge shall be reasonably related to the cost of the examination including but not limited to compensation of examiners, electronic data processing costs, supervision and preparation of an examination report and lodging and travel expenses. All lodging and travel expenses shall be in accord with the applicable travel regulations as published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Section 132 shall be in accordance with travel rates prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon authorization of the Director. With the exception of the direct reimbursements authorized by the Director, all performance examination charges collected by the Department shall be paid to the Insurance Producer Administration Fund, however, the electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company being examined for payment to the Statistical Services Revolving Fund.

(4) At the time of any service of process on the Director as attorney for such service, the Director shall charge and collect the sum of $20, which may be recovered as taxable costs by the party to the suit or action causing such service to be made if he prevails in such suit or action.

(5) (a) The costs incurred by the Department of Insurance in conducting any hearing authorized by law shall be assessed against the parties to the hearing in such proportion as the Director of Insurance may determine upon consideration of all relevant circumstances including: (1) the nature of the hearing; (2) whether the hearing was instigated by, or for the benefit of a particular party or parties; (3) whether there is a successful party on the merits of the proceeding; and (4) the relative levels of participation by the parties.

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(b) For purposes of this subsection (5) costs incurred shall mean
the hearing officer fees, court reporter fees, and travel expenses of
Department of Insurance officers and employees; provided however, that
costs incurred shall not include hearing officer fees or court reporter fees
unless the Department has retained the services of independent contractors
or outside experts to perform such functions.

(c) The Director shall make the assessment of costs incurred as part
of the final order or decision arising out of the proceeding; provided,
however, that such order or decision shall include findings and
conclusions in support of the assessment of costs. This subsection (5) shall
not be construed as permitting the payment of travel expenses unless
calculated in accordance with the applicable travel regulations of the
Department of Central Management Services, as approved by the
Governor's Travel Control Board. The Director as part of such order or
decision shall require all assessments for hearing officer fees and court
reporter fees, if any, to be paid directly to the hearing officer or court
reporter by the party(s) assessed for such costs. The assessments for travel
expenses of Department officers and employees shall be reimbursable to
the Director of Insurance for deposit to the fund out of which those
expenses had been paid.

(d) The provisions of this subsection (5) shall apply in the case of
any hearing conducted by the Director of Insurance not otherwise
specifically provided for by law.

(6) The Director shall charge and collect an annual financial
regulation fee from every domestic company for examination and analysis
of its financial condition and to fund the internal costs and expenses of the
Interstate Insurance Receivership Commission as may be allocated to the
State of Illinois and companies doing an insurance business in this State
pursuant to Article X of the Interstate Insurance Receivership Compact.
The fee shall be the greater fixed amount based upon the combination of
nationwide direct premium income and nationwide reinsurance assumed
premium income or upon admitted assets calculated under this subsection
as follows:

(a) Combination of nationwide direct premium income and
nationwide reinsurance assumed premium.

(i) $150, if the premium is less than $500,000 and
there is no reinsurance assumed premium;
(ii) $750, if the premium is $500,000 or more, but
less than $5,000,000 and there is no reinsurance assumed

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premium; or if the premium is less than $5,000,000 and the reinsurance assumed premium is less than $10,000,000;
  (iii) $3,750, if the premium is less than $5,000,000 and the reinsurance assumed premium is $10,000,000 or more;
  (iv) $7,500, if the premium is $5,000,000 or more, but less than $10,000,000;
  (v) $18,000, if the premium is $10,000,000 or more, but less than $25,000,000;
  (vi) $22,500, if the premium is $25,000,000 or more, but less than $50,000,000;
  (vii) $30,000, if the premium is $50,000,000 or more, but less than $100,000,000;
  (viii) $37,500, if the premium is $100,000,000 or more.
(b) Admitted assets.
  (i) $150, if admitted assets are less than $1,000,000;
  (ii) $750, if admitted assets are $1,000,000 or more, but less than $5,000,000;
  (iii) $3,750, if admitted assets are $5,000,000 or more, but less than $25,000,000;
  (iv) $7,500, if admitted assets are $25,000,000 or more, but less than $50,000,000;
  (v) $18,000, if admitted assets are $50,000,000 or more, but less than $100,000,000;
  (vi) $22,500, if admitted assets are $100,000,000 or more, but less than $500,000,000;
  (vii) $30,000, if admitted assets are $500,000,000 or more, but less than $1,000,000,000;
  (viii) $37,500, if admitted assets are $1,000,000,000 or more.
(c) The sum of financial regulation fees charged to the domestic companies of the same affiliated group shall not exceed $250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.
(7) The Director shall charge and collect an annual financial regulation fee from every foreign or alien company, except fraternal benefit societies, for the examination and analysis of its financial condition and to fund the internal costs and expenses of the Interstate Insurance

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Receivership Commission as may be allocated to the State of Illinois and companies doing an insurance business in this State pursuant to Article X of the Interstate Insurance Receivership Compact. The fee shall be a fixed amount based upon Illinois direct premium income and nationwide reinsurance assumed premium income in accordance with the following schedule:

(a) $150, if the premium is less than $500,000 and there is no reinsurance assumed premium;
(b) $750, if the premium is $500,000 or more, but less than $5,000,000 and there is no reinsurance assumed premium; or if the premium is less than $5,000,000 and the reinsurance assumed premium is less than $10,000,000;
(c) $3,750, if the premium is less than $5,000,000 and the reinsurance assumed premium is $10,000,000 or more;
(d) $7,500, if the premium is $5,000,000 or more, but less than $10,000,000;
(e) $18,000, if the premium is $10,000,000 or more, but less than $25,000,000;
(f) $22,500, if the premium is $25,000,000 or more, but less than $50,000,000;
(g) $30,000, if the premium is $50,000,000 or more, but less than $100,000,000;
(h) $37,500, if the premium is $100,000,000 or more.

The sum of financial regulation fees under this subsection (7) charged to the foreign or alien companies within the same affiliated group shall not exceed $250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.

(8) Beginning January 1, 1992, the financial regulation fees imposed under subsections (6) and (7) of this Section shall be paid by each company or domestic affiliated group annually. After January 1, 1994, the fee shall be billed by Department invoice based upon the company's premium income or admitted assets as shown in its annual statement for the preceding calendar year. The invoice is due upon receipt and must be paid no later than June 30 of each calendar year. All financial regulation fees collected by the Department shall be paid to the Insurance Financial Regulation Fund. The Department may not collect financial examiner per diem charges from companies subject to subsections (6) and (7) of this Section undergoing financial examination after June 30, 1992.
(9) In addition to the financial regulation fee required by this Section, a company undergoing any financial examination authorized by law shall pay the following costs and expenses incurred by the Department: electronic data processing costs, the expenses authorized under Section 131.21 and subsection (d) of Section 132.4 of this Code, and lodging and travel expenses. Electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company undergoing examination for payment to the Statistical Services Revolving Fund. Except for direct reimbursements authorized by the Director or direct payments made under Section 131.21 or subsection (d) of Section 132.4 of this Code, all financial regulation fees and all financial examination charges collected by the Department shall be paid to the Insurance Financial Regulation Fund.

All lodging and travel expenses shall be in accordance with applicable travel regulations published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Sections 132.1 through 132.7 shall be in accordance with travel rates prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon the authorization of the Director.

In the case of an organization or person not subject to the financial regulation fee, the expenses incurred in any financial examination authorized by law shall be paid by the organization or person being examined. The charge shall be reasonably related to the cost of the examination including, but not limited to, compensation of examiners and other costs described in this subsection.

(10) Any company, person, or entity failing to make any payment of $150 or more as required under this Section shall be subject to the penalty and interest provisions provided for in subsections (4) and (7) of Section 412.

(11) Unless otherwise specified, all of the fees collected under this Section shall be paid into the Insurance Financial Regulation Fund.

(12) For purposes of this Section:

(a) "Domestic company" means a company as defined in Section 2 of this Code which is incorporated or organized under
the laws of this State, and in addition includes a not-for-profit corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act, a health maintenance organization, and a limited health service organization.

(b) "Foreign company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any state of the United States other than this State and in addition includes a health maintenance organization and a limited health service organization which is incorporated or organized under the laws of any state of the United States other than this State.

(c) "Alien company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any country other than the United States.

(d) "Fraternal benefit society" means a corporation, society, order, lodge or voluntary association as defined in Section 282.1 of this Code.

(e) "Mutual benefit association" means a company, association or corporation authorized by the Director to do business in this State under the provisions of Article XVIII of this Code.

(f) "Burial society" means a person, firm, corporation, society or association of individuals authorized by the Director to do business in this State under the provisions of Article XIX of this Code.

(g) "Farm mutual" means a district, county and township mutual insurance company authorized by the Director to do business in this State under the provisions of the Farm Mutual Insurance Company Act of 1986.

(Source: P.A. 97-486, eff. 1-1-12; 97-603, eff. 8-26-11; 97-813, eff. 7-13-12; revised 10-18-12.)

(215 ILCS 5/511.111) (from Ch. 73, par. 1065.58-111)

Sec. 511.111. Insurance Producer Administration Fund. All fees and fines paid to and collected by the Director under this Article shall be paid promptly after receipt thereof, together with a detailed statement of such fees, into a special fund in the State Treasury to be known as the Insurance Producer Administration Fund. The monies deposited into the Insurance Producer Administration Fund shall be used only for payment of

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the expenses of the Department and shall be appropriated as otherwise
provided by law for the payment of such expenses. Moneys in the
Insurance Producer Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300
of the Department of Professional Regulation Law of the Civil
Administrative Code of Illinois.
(Source: P.A. 94-91, eff. 7-1-05; revised 10-18-12.)

(215 ILCS 5/513a5) (from Ch. 73, par. 1065.60a5)
Sec. 513a5. Insurance Producer Administration Fund. All fees and
penalties paid to and collected by the Director under this Article shall be
paid promptly after receipt, together with a detailed statement of the fees,
into the Insurance Producer Administration Fund.
(Source: P.A. 87-811; revised 10-18-12.)

Section 350. The Title Insurance Act is amended by changing
Section 14.1 as follows:
(215 ILCS 155/14.1)
Sec. 14.1. Financial Fund. All moneys
received by the Department of Financial and Professional Regulation
under this Act shall be deposited in the Financial Fund created under Section 6z-26 of the State Finance Act.
(Source: P.A. 94-893, eff. 6-20-06; revised 10-18-12.)

Section 355. The Public Utilities Act is amended by changing
Section 9-220 as follows:
(220 ILCS 5/9-220) (from Ch. 111 2/3, par. 9-220)
Sec. 9-220. Rate changes based on changes in fuel costs.
(a) Notwithstanding the provisions of Section 9-201, the
Commission may authorize the increase or decrease of rates and charges
based upon changes in the cost of fuel used in the generation or production
of electric power, changes in the cost of purchased power, or changes in
the cost of purchased gas through the application of fuel adjustment
clauses or purchased gas adjustment clauses. The Commission may also
authorize the increase or decrease of rates and charges based upon
expenditures or revenues resulting from the purchase or sale of emission
allowances created under the federal Clean Air Act Amendments of 1990,
through such fuel adjustment clauses, as a cost of fuel. For the purposes
of this paragraph, cost of fuel used in the generation or production of electric
power shall include the amount of any fees paid by the utility for the
implementation and operation of a process for the desulfurization of the
flue gas when burning high sulfur coal at any location within the State of

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Illinois irrespective of the attainment status designation of such location; but shall not include transportation costs of coal (i) except to the extent that for contracts entered into on and after the effective date of this amendatory Act of 1997, the cost of the coal, including transportation costs, constitutes the lowest cost for adequate and reliable fuel supply reasonably available to the public utility in comparison to the cost, including transportation costs, of other adequate and reliable sources of fuel supply reasonably available to the public utility, or (ii) except as otherwise provided in the next 3 sentences of this paragraph. Such costs of fuel shall, when requested by a utility or at the conclusion of the utility's next general electric rate proceeding, whichever shall first occur, include transportation costs of coal purchased under existing coal purchase contracts. For purposes of this paragraph "existing coal purchase contracts" means contracts for the purchase of coal in effect on the effective date of this amendatory Act of 1991, as such contracts may thereafter be amended, but only to the extent that any such amendment does not increase the aggregate quantity of coal to be purchased under such contract. Nothing herein shall authorize an electric utility to recover through its fuel adjustment clause any amounts of transportation costs of coal that were included in the revenue requirement used to set base rates in its most recent general rate proceeding. Cost shall be based upon uniformly applied accounting principles. Annually, the Commission shall initiate public hearings to determine whether the clauses reflect actual costs of fuel, gas, power, or coal transportation purchased to determine whether such purchases were prudent, and to reconcile any amounts collected with the actual costs of fuel, power, gas, or coal transportation prudently purchased. In each such proceeding, the burden of proof shall be upon the utility to establish the prudence of its cost of fuel, power, gas, or coal transportation purchases and costs. The Commission shall issue its final order in each such annual proceeding for an electric utility by December 31 of the year immediately following the year to which the proceeding pertains, provided, that the Commission shall issue its final order with respect to such annual proceeding for the years 1996 and earlier by December 31, 1998.

(b) A public utility providing electric service, other than a public utility described in subsections (e) or (f) of this Section, may at any time during the mandatory transition period file with the Commission proposed tariff sheets that eliminate the public utility's fuel adjustment clause and adjust the public utility's base rate tariffs by the amount necessary for the
base fuel component of the base rates to recover the public utility's average fuel and power supply costs per kilowatt-hour for the 2 most recent years for which the Commission has issued final orders in annual proceedings pursuant to subsection (a), where the average fuel and power supply costs per kilowatt-hour shall be calculated as the sum of the public utility's prudent and allowable fuel and power supply costs as found by the Commission in the 2 proceedings divided by the public utility's actual jurisdictional kilowatt-hour sales for those 2 years. Notwithstanding any contrary or inconsistent provisions in Section 9-201 of this Act, in subsection (a) of this Section or in any rules or regulations promulgated by the Commission pursuant to subsection (g) of this Section, the Commission shall review and shall by order approve, or approve as modified, the proposed tariff sheets within 60 days after the date of the public utility's filing. The Commission may modify the public utility's proposed tariff sheets only to the extent the Commission finds necessary to achieve conformance to the requirements of this subsection (b). During the 5 years following the date of the Commission's order, but in any event no earlier than January 1, 2007, a public utility whose fuel adjustment clause has been eliminated pursuant to this subsection shall not file proposed tariff sheets seeking, or otherwise petition the Commission for, reinstatement of a fuel adjustment clause.

(c) Notwithstanding any contrary or inconsistent provisions in Section 9-201 of this Act, in subsection (a) of this Section or in any rules or regulations promulgated by the Commission pursuant to subsection (g) of this Section, a public utility providing electric service, other than a public utility described in subsection (e) or (f) of this Section, may at any time during the mandatory transition period file with the Commission proposed tariff sheets that establish the rate per kilowatt-hour to be applied pursuant to the public utility's fuel adjustment clause at the average value for such rate during the preceding 24 months, provided that such average rate results in a credit to customers' bills, without making any revisions to the public utility's base rate tariffs. The proposed tariff sheets shall establish the fuel adjustment rate for a specific time period of at least 3 years but not more than 5 years, provided that the terms and conditions for any reinstatement earlier than 5 years shall be set forth in the proposed tariff sheets and subject to modification or approval by the Commission. The Commission shall review and shall by order approve the proposed tariff sheets if it finds that the requirements of this subsection are met. The Commission shall not conduct the annual hearings specified in the last 3
sentences of subsection (a) of this Section for the utility for the period that the factor established pursuant to this subsection is in effect.

(d) A public utility providing electric service, or a public utility providing gas service may file with the Commission proposed tariff sheets that eliminate the public utility's fuel or purchased gas adjustment clause and adjust the public utility's base rate tariffs to provide for recovery of power supply costs or gas supply costs that would have been recovered through such clause; provided, that the provisions of this subsection (d) shall not be available to a public utility described in subsections (e) or (f) of this Section to eliminate its fuel adjustment clause. Notwithstanding any contrary or inconsistent provisions in Section 9-201 of this Act, in subsection (a) of this Section, or in any rules or regulations promulgated by the Commission pursuant to subsection (g) of this Section, the Commission shall review and shall by order approve, or approve as modified in the Commission's order, the proposed tariff sheets within 240 days after the date of the public utility's filing. The Commission's order shall approve rates and charges that the Commission, based on information in the public utility's filing or on the record if a hearing is held by the Commission, finds will recover the reasonable, prudent and necessary jurisdictional power supply costs or gas supply costs incurred or to be incurred by the public utility during a 12 month period found by the Commission to be appropriate for these purposes, provided, that such period shall be either (i) a 12 month historical period occurring during the 15 months ending on the date of the public utility's filing, or (ii) a 12 month future period ending no later than 15 months following the date of the public utility's filing. The public utility shall include with its tariff filing information showing both (1) its actual jurisdictional power supply costs or gas supply costs for a 12 month historical period conforming to (i) above and (2) its projected jurisdictional power supply costs or gas supply costs for a future 12 month period conforming to (ii) above. If the Commission's order requires modifications in the tariff sheets filed by the public utility, the public utility shall have 7 days following the date of the order to notify the Commission whether the public utility will implement the modified tariffs or elect to continue its fuel or purchased gas adjustment clause in force as though no order had been entered. The Commission's order shall provide for any reconciliation of power supply costs or gas supply costs, as the case may be, and associated revenues through the date that the public utility's fuel or purchased gas adjustment clause is eliminated. During the 5 years following the date of the

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Commission's order, a public utility whose fuel or purchased gas adjustment clause has been eliminated pursuant to this subsection shall not file proposed tariff sheets seeking, or otherwise petition the Commission for, reinstatement or adoption of a fuel or purchased gas adjustment clause. Nothing in this subsection (d) shall be construed as limiting the Commission's authority to eliminate a public utility's fuel adjustment clause or purchased gas adjustment clause in accordance with any other applicable provisions of this Act.

(e) Notwithstanding any contrary or inconsistent provisions in Section 9-201 of this Act, in subsection (a) of this Section, or in any rules promulgated by the Commission pursuant to subsection (g) of this Section, a public utility providing electric service to more than 1,000,000 customers in this State may, within the first 6 months after the effective date of this amendatory Act of 1997, file with the Commission proposed tariff sheets that eliminate, effective January 1, 1997, the public utility's fuel adjustment clause without adjusting its base rates, and such tariff sheets shall be effective upon filing. To the extent the application of the fuel adjustment clause had resulted in net charges to customers after January 1, 1997, the utility shall also file a tariff sheet that provides for a refund stated on a per kilowatt-hour basis of such charges over a period not to exceed 6 months; provided however, that such refund shall not include the proportional amounts of taxes paid under the Use Tax Act, Service Use Tax Act, Service Occupation Tax Act, and Retailers' Occupation Tax Act on fuel used in generation. The Commission shall issue an order within 45 days after the date of the public utility's filing approving or approving as modified such tariff sheet. If the fuel adjustment clause is eliminated pursuant to this subsection, the Commission shall not conduct the annual hearings specified in the last 3 sentences of subsection (a) of this Section for the utility for any period after December 31, 1996 and prior to any reinstatement of such clause. A public utility whose fuel adjustment clause has been eliminated pursuant to this subsection shall not file a proposed tariff sheet seeking, or otherwise petition the Commission for, reinstatement of the fuel adjustment clause prior to January 1, 2007.

(f) Notwithstanding any contrary or inconsistent provisions in Section 9-201 of this Act, in subsection (a) of this Section, or in any rules or regulations promulgated by the Commission pursuant to subsection (g) of this Section, a public utility providing electric service to more than 500,000 customers but fewer than 1,000,000 customers in this State may,
within the first 6 months after the effective date of this amendatory Act of 1997, file with the Commission proposed tariff sheets that eliminate, effective January 1, 1997, the public utility's fuel adjustment clause and adjust its base rates by the amount necessary for the base fuel component of the base rates to recover 91% of the public utility's average fuel and power supply costs for the 2 most recent years for which the Commission, as of January 1, 1997, has issued final orders in annual proceedings pursuant to subsection (a), where the average fuel and power supply costs per kilowatt-hour shall be calculated as the sum of the public utility's prudent and allowable fuel and power supply costs as found by the Commission in the 2 proceedings divided by the public utility's actual jurisdictional kilowatt-hour sales for those 2 years, provided, that such tariff sheets shall be effective upon filing. To the extent the application of the fuel adjustment clause had resulted in net charges to customers after January 1, 1997, the utility shall also file a tariff sheet that provides for a refund stated on a per kilowatt-hour basis of such charges over a period not to exceed 6 months. Provided however, that such refund shall not include the proportional amounts of taxes paid under the Use Tax Act, Service Use Tax Act, Service Occupation Tax Act, and Retailers' Occupation Tax Act on fuel used in generation. The Commission shall issue an order within 45 days after the date of the public utility's filing approving or approving as modified such tariff sheet. If the fuel adjustment clause is eliminated pursuant to this subsection, the Commission shall not conduct the annual hearings specified in the last 3 sentences of subsection (a) of this Section for the utility for any period after December 31, 1996 and prior to any reinstatement of such clause. A public utility whose fuel adjustment clause has been eliminated pursuant to this subsection shall not file a proposed tariff sheet seeking, or otherwise petition the Commission for, reinstatement of the fuel adjustment clause prior to January 1, 2007.

(g) The Commission shall have authority to promulgate rules and regulations to carry out the provisions of this Section.

(h) Any Illinois gas utility may enter into a contract on or before September 30, 2011 for up to 10 years of supply with any company for the purchase of substitute natural gas (SNG) produced from coal through the gasification process if the company has commenced construction of a clean coal SNG facility by July 1, 2012 and commencement of construction shall mean that material physical site work has occurred, such as site clearing and excavation, water runoff prevention, water retention
reservoir preparation, or foundation development. The contract shall
contain the following provisions: (i) at least 90% of feedstock to be used
in the gasification process shall be coal with a high volatile bituminous
rank and greater than 1.7 pounds of sulfur per million Btu content; (ii) at
the time the contract term commences, the price per million Btu may not
exceed $7.95 in 2008 dollars, adjusted annually based on the change in the
Annual Consumer Price Index for All Urban Consumers for the Midwest
Region as published in April by the United States Department of Labor,
Bureau of Labor Statistics (or a suitable Consumer Price Index calculation
if this Consumer Price Index is not available) for the previous calendar
year; provided that the price per million Btu shall not exceed $9.95 at any
time during the contract; (iii) the utility's supply contract for the purchase
of SNG does not exceed 15% of the annual system supply requirements of
the utility as of 2008; and (iv) the contract costs pursuant to subsection (h-
10) of this Section shall not include any lobbying expenses, charitable
contributions, advertising, organizational memberships, carbon dioxide
pipeline or sequestration expenses, or marketing expenses.

Any gas utility that is providing service to more than 150,000
customers on August 2, 2011 (the effective date of Public Act 97-239)
shall either elect to enter into a contract on or before September 30, 2011
for 10 years of SNG supply with the owner of a clean coal SNG facility or
to file biennial rate proceedings before the Commission in the years 2012,
2014, and 2016, with such filings made after August 2, 2011 and no later
than September 30 of the years 2012, 2014, and 2016 consistent with all
requirements of 83 Ill. Adm. Code 255 and 285 as though the gas utility
were filing for an increase in its rates, without regard to whether such
filing would produce an increase, a decrease, or no change in the gas
utility's rates, and the Commission shall review the gas utility's filing and
shall issue its order in accordance with the provisions of Section 9-201 of
this Act.

Within 7 days after August 2, 2011, the owner of the clean coal
SNG facility shall submit to the Illinois Power Agency and each gas utility
that is providing service to more than 150,000 customers on August 2,
2011 a copy of a draft contract. Within 30 days after the receipt of the draft
contract, each such gas utility shall provide the Illinois Power Agency and
the owner of the clean coal SNG facility with its comments and
recommended revisions to the draft contract. Within 7 days after the
receipt of the gas utility's comments and recommended revisions, the
owner of the facility shall submit its responsive comments and a further

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revised draft of the contract to the Illinois Power Agency. The Illinois Power Agency shall review the draft contract and comments.

During its review of the draft contract, the Illinois Power Agency shall:

1. review and confirm in writing that the terms stated in this subsection (h) are incorporated in the SNG contract;
2. review the SNG pricing formula included in the contract and approve that formula if the Illinois Power Agency determines that the formula, at the time the contract term commences: (A) starts with a price of $6.50 per MMBtu adjusted by the adjusted final capitalized plant cost; (B) takes into account budgeted miscellaneous net revenue after cost allowance, including sale of SNG produced by the clean coal SNG facility above the nameplate capacity of the facility and other by-products produced by the facility, as approved by the Illinois Power Agency; (C) does not include carbon dioxide transportation or sequestration expenses; and (D) includes all provisions required under this subsection (h); if the Illinois Power Agency does not approve of the SNG pricing formula, then the Illinois Power Agency shall modify the formula to ensure that it meets the requirements of this subsection (h);
3. review and approve the amount of budgeted miscellaneous net revenue after cost allowance, including sale of SNG produced by the clean coal SNG facility above the nameplate capacity of the facility and other by-products produced by the facility, to be included in the pricing formula; the Illinois Power Agency shall approve the amount of budgeted miscellaneous net revenue to be included in the pricing formula if it determines the budgeted amount to be reasonable and accurate;
4. review and confirm in writing that using the EIA Annual Energy Outlook-2011 Henry Hub Spot Price, the contract terms set out in subsection (h), the reconciliation account terms as set out in subsection (h-15), and an estimated inflation rate of 2.5% for each corresponding year, that there will be no cumulative estimated increase for residential customers; and
5. allocate the nameplate capacity of the clean coal SNG by total therms sold to ultimate customers by each gas utility in 2008; provided, however, no utility shall be required to purchase more than 42% of the projected annual output of the facility; additionally, the Illinois Power Agency shall further adjust the

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allocation only as required to take into account (A) adverse consolidation, derivative, or lease impacts to the balance sheet or income statement of any gas utility or (B) the physical capacity of the gas utility to accept SNG.

If the parties to the contract do not agree on the terms therein, then the Illinois Power Agency shall retain an independent mediator to mediate the dispute between the parties. If the parties are in agreement on the terms of the contract, then the Illinois Power Agency shall approve the contract. If after mediation the parties have failed to come to agreement, then the Illinois Power Agency shall revise the draft contract as necessary to confirm that the contract contains only terms that are reasonable and equitable. The Illinois Power Agency may, in its discretion, retain an independent, qualified, and experienced expert to assist in its obligations under this subsection (h). The Illinois Power Agency shall adopt and make public policies detailing the processes for retaining a mediator and an expert under this subsection (h). Any mediator or expert retained under this subsection (h) shall be retained no later than 60 days after August 2, 2011.

The Illinois Power Agency shall complete all of its responsibilities under this subsection (h) within 60 days after August 2, 2011. The clean coal SNG facility shall pay a reasonable fee as required by the Illinois Power Agency for its services under this subsection (h) and shall pay the mediator's and expert's reasonable fees, if any. A gas utility and its customers shall have no obligation to reimburse the clean coal SNG facility or the Illinois Power Agency of any such costs.

Within 30 days after commercial production of SNG has begun, the Commission shall initiate a review to determine whether the final capitalized plant cost of the clean coal SNG facility reflects actual incurred costs and whether the incurred costs were reasonable. In determining the actual incurred costs included in the final capitalized plant cost and the reasonableness of those costs, the Commission may in its discretion retain independent, qualified, and experienced experts to assist in its determination. The expert shall not own or control any direct or indirect interest in the clean coal SNG facility and shall have no contractual relationship with the clean coal SNG facility. If an expert is retained by the Commission, then the clean coal SNG facility shall pay the expert's reasonable fees. The fees shall not be passed on to a utility or its customers. The Commission shall adopt and make public a policy detailing the process for retaining experts under this subsection (h).

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Within 30 days after completion of its review, the Commission shall initiate a formal proceeding on the final capitalized plant cost of the clean coal SNG facility at which comments and testimony may be submitted by any interested parties and the public. If the Commission finds that the final capitalized plant cost includes costs that were not actually incurred or costs that were unreasonably incurred, then the Commission shall disallow the amount of non-incurred or unreasonable costs from the SNG price under contracts entered into under this subsection (h). If the Commission disallows any costs, then the Commission shall adjust the SNG price using the price formula in the contract approved by the Illinois Power Agency under this subsection (h) to reflect the disallowed costs and shall enter an order specifying the revised price. In addition, the Commission's order shall direct the clean coal SNG facility to issue refunds of such sums as shall represent the difference between actual gross revenues and the gross revenue that would have been obtained based upon the same volume, from the price revised by the Commission. Any refund shall include interest calculated at a rate determined by the Commission and shall be returned according to procedures prescribed by the Commission.

Nothing in this subsection (h) shall preclude any party affected by a decision of the Commission under this subsection (h) from seeking judicial review of the Commission's decision.

(h-1) Any Illinois gas utility may enter into a sourcing agreement for up to 30 years of supply with the clean coal SNG brownfield facility if the clean coal SNG brownfield facility has commenced construction. Any gas utility that is providing service to more than 150,000 customers on July 13, 2011 (the effective date of Public Act 97-096) shall either elect to file biennial rate proceedings before the Commission in the years 2012, 2014, and 2016 or enter into a sourcing agreement or sourcing agreements with a clean coal SNG brownfield facility with an initial term of 30 years for either (i) a percentage of 43,500,000,000 cubic feet per year, such that the utilities entering into sourcing agreements with the clean coal SNG brownfield facility purchase 100%, allocated by total therms sold to ultimate customers by each gas utility in 2008 or (ii) such lesser amount as may be available from the clean coal SNG brownfield facility; provided that no utility shall be required to purchase more than 42% of the projected annual output of the clean coal SNG brownfield facility, with the remainder of such utility's obligation to be divided proportionately between the other utilities, and provided that the Illinois Power Agency
shall further adjust the allocation only as required to take into account adverse consolidation, derivative, or lease impacts to the balance sheet or income statement of any gas utility.

A gas utility electing to file biennial rate proceedings before the Commission must file a notice of its election with the Commission within 60 days after July 13, 2011 or its right to make the election is irrevocably waived. A gas utility electing to file biennial rate proceedings shall make such filings no later than August 1 of the years 2012, 2014, and 2016, consistent with all requirements of 83 Ill. Adm. Code 255 and 285 as though the gas utility were filing for an increase in its rates, without regard to whether such filing would produce an increase, a decrease, or no change in the gas utility's rates, and notwithstanding any other provisions of this Act, the Commission shall fully review the gas utility's filing and shall issue its order in accordance with the provisions of Section 9-201 of this Act, regardless of whether the Commission has approved a formula rate for the gas utility.

Within 15 days after July 13, 2011, the owner of the clean coal SNG brownfield facility shall submit to the Illinois Power Agency and each gas utility that is providing service to more than 150,000 customers on July 13, 2011 a copy of a draft sourcing agreement. Within 45 days after receipt of the draft sourcing agreement, each such gas utility shall provide the Illinois Power Agency and the owner of a clean coal SNG brownfield facility with its comments and recommended revisions to the draft sourcing agreement. Within 15 days after the receipt of the gas utility's comments and recommended revisions, the owner of the clean coal SNG brownfield facility shall submit its responsive comments and a further revised draft of the sourcing agreement to the Illinois Power Agency. The Illinois Power Agency shall review the draft sourcing agreement and comments.

If the parties to the sourcing agreement do not agree on the terms therein, then the Illinois Power Agency shall retain an independent mediator to mediate the dispute between the parties. If the parties are in agreement on the terms of the sourcing agreement, the Illinois Power Agency shall approve the final draft sourcing agreement. If after mediation the parties have failed to come to agreement, then the Illinois Power Agency shall revise the draft sourcing agreement as necessary to confirm that the final draft sourcing agreement contains only terms that are reasonable and equitable. The Illinois Power Agency shall adopt and make public a policy detailing the process for retaining a mediator under this

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subsection (h-1). Any mediator retained to assist with mediating disputes between the parties regarding the sourcing agreement shall be retained no later than 60 days after July 13, 2011.

Upon approval of a final draft agreement, the Illinois Power Agency shall submit the final draft agreement to the Capital Development Board and the Commission no later than 90 days after July 13, 2011. The gas utility and the clean coal SNG brownfield facility shall pay a reasonable fee as required by the Illinois Power Agency for its services under this subsection (h-1) and shall pay the mediator's reasonable fees, if any. The Illinois Power Agency shall adopt and make public a policy detailing the process for retaining a mediator under this Section.

The sourcing agreement between a gas utility and the clean coal SNG brownfield facility shall contain the following provisions:

(1) Any and all coal used in the gasification process must be coal that has high volatile bituminous rank and greater than 1.7 pounds of sulfur per million Btu content.

(2) Coal and petroleum coke are feedstocks for the gasification process, with coal comprising at least 50% of the total feedstock over the term of the sourcing agreement unless the facility reasonably determines that it is necessary to use additional petroleum coke to deliver net consumer savings, in which case the facility shall use coal for at least 35% of the total feedstock over the term of any sourcing agreement and with the feedstocks to be procured in accordance with requirements of Section 1-78 of the Illinois Power Agency Act.

(3) The sourcing agreement has an initial term that once entered into terminates no more than 30 years after the commencement of the commercial production of SNG at the clean coal SNG brownfield facility.

(4) The clean coal SNG brownfield facility guarantees a minimum of $100,000,000 in consumer savings to customers of the utilities that have entered into sourcing agreements with the clean coal SNG brownfield facility, calculated in real 2010 dollars at the conclusion of the term of the sourcing agreement by comparing the delivered SNG price to the Chicago City-gate price on a weighted daily basis for each day over the entire term of the sourcing agreement, to be provided in accordance with subsection (h-2) of this Section.
(5) Prior to the clean coal SNG brownfield facility issuing a notice to proceed to construction, the clean coal SNG brownfield facility shall establish a consumer protection reserve account for the benefit of the customers of the utilities that have entered into sourcing agreements with the clean coal SNG brownfield facility pursuant to this subsection (h-1), with cash principal in the amount of $150,000,000. This cash principal shall only be recoverable through the consumer protection reserve account and not as a cost to be recovered in the delivered SNG price pursuant to subsection (h-3) of this Section. The consumer protection reserve account shall be maintained and administered by an independent trustee that is mutually agreed upon by the clean coal SNG brownfield facility, the utilities, and the Commission in an interest-bearing account in accordance with subsection (h-2) of this Section.

"Consumer protection reserve account principal maximum amount" shall mean the maximum amount of principal to be maintained in the consumer protection reserve account. During the first 2 years of operation of the facility, there shall be no consumer protection reserve account maximum amount. After the first 2 years of operation of the facility, the consumer protection reserve account maximum amount shall be $150,000,000. After 5 years of operation, and every 5 years thereafter, the trustee shall calculate the 5-year average balance of the consumer protection reserve account. If the trustee determines that during the prior 5 years the consumer protection reserve account has had an average account balance of less than $75,000,000, then the consumer protection reserve account principal maximum amount shall be increased by $5,000,000. If the trustee determines that during the prior 5 years the consumer protection reserve account has had an average account balance of more than $75,000,000, then the consumer protection reserve account principal maximum amount shall be decreased by $5,000,000.

(6) The clean coal SNG brownfield facility shall identify and sell economically viable by-products produced by the facility.

(7) Fifty percent of all additional net revenue, defined as miscellaneous net revenue from products produced by the facility and delivered during the month after cost allowance for costs associated with additional net revenue that are not otherwise recoverable pursuant to subsection (h-3) of this Section, including
net revenue from sales of substitute natural gas derived from the facility above the nameplate capacity of the facility and other by-products produced by the facility, shall be credited to the consumer protection reserve account pursuant to subsection (h-2) of this Section.

(8) The delivered SNG price per million btu to be paid monthly by the utility to the clean coal SNG brownfield facility, which shall be based only upon the following: (A) a capital recovery charge, operations and maintenance costs, and sequestration costs, only to the extent approved by the Commission pursuant to paragraphs (1), (2), and (3) of subsection (h-3) of this Section; (B) the actual delivered and processed fuel costs pursuant to paragraph (4) of subsection (h-3) of this Section; (C) actual costs of SNG transportation pursuant to paragraph (6) of subsection (h-3) of this Section; (D) certain taxes and fees imposed by the federal government, the State, or any unit of local government as provided in paragraph (6) of subsection (h-3) of this Section; and (E) the credit, if any, from the consumer protection reserve account pursuant to subsection (h-2) of this Section. The delivered SNG price per million Btu shall proportionately reflect these elements over the term of the sourcing agreement.

(9) A formula to translate the recoverable costs and charges under subsection (h-3) of this Section into the delivered SNG price per million btu.

(10) Title to the SNG shall pass at a mutually agreeable point in Illinois, and may provide that, rather than the utility taking title to the SNG, a mutually agreed upon third-party gas marketer pursuant to a contract approved by the Illinois Power Agency or its designee may take title to the SNG pursuant to an agreement between the utility, the owner of the clean coal SNG brownfield facility, and the third-party gas marketer.

(11) A utility may exit the sourcing agreement without penalty if the clean coal SNG brownfield facility does not commence construction by July 1, 2015.

(12) A utility is responsible to pay only the Commission determined unit price cost of SNG that is purchased by the utility. Nothing in the sourcing agreement will obligate a utility to invest capital in a clean coal SNG brownfield facility.
(13) The quality of SNG must, at a minimum, be equivalent to the quality required for interstate pipeline gas before a utility is required to accept and pay for SNG gas.

(14) Nothing in the sourcing agreement will require a utility to construct any facilities to accept delivery of SNG. Provided, however, if a utility is required by law or otherwise elects to connect the clean coal SNG brownfield facility to an interstate pipeline, then the utility shall be entitled to recover pursuant to its tariffs all just and reasonable costs that are prudently incurred. Any costs incurred by the utility to receive, deliver, manage, or otherwise accommodate purchases under the SNG sourcing agreement will be fully recoverable through a utility's purchased gas adjustment clause rider mechanism in conjunction with a SNG brownfield facility rider mechanism. The SNG brownfield facility rider mechanism (A) shall be applicable to all customers who receive transportation service from the utility, (B) shall be designed to have an equal percent impact on the transportation services rates of each class of the utility's customers, and (C) shall accurately reflect the net consumer savings, if any, and above-market costs, if any, associated with the utility receiving, delivering, managing, or otherwise accommodating purchases under the SNG sourcing agreement.

(15) Remedies for the clean coal SNG brownfield facility's failure to deliver a designated amount for a designated period.

(16) The clean coal SNG brownfield facility shall make a good faith effort to ensure that an amount equal to not less than 15% of the value of its prime construction contract for the facility shall be established as a goal to be awarded to minority owned businesses, female owned businesses, and businesses owned by a person with a disability; provided that at least 75% of the amount of such total goal shall be for minority owned businesses. "Minority owned business", "female owned business", and "business owned by a person with a disability" shall have the meanings ascribed to them in Section 2 of the Business Enterprise for Minorities, Females and Persons with Disabilities Act.

(17) Prior to the clean coal SNG brownfield facility issuing a notice to proceed to construction, the clean coal SNG brownfield facility shall file with the Commission a certificate from an independent engineer that the clean coal SNG brownfield facility...
has (A) obtained all applicable State and federal environmental permits required for construction; (B) obtained approval from the Commission of a carbon capture and sequestration plan; and (C) obtained all necessary permits required for construction for the transportation and sequestration of carbon dioxide as set forth in the Commission-approved carbon capture and sequestration plan.

(h-2) Consumer protection reserve account. The clean coal SNG brownfield facility shall guarantee a minimum of $100,000,000 in consumer savings to customers of the utilities that have entered into sourcing agreements with the clean coal SNG brownfield facility, calculated in real 2010 dollars at the conclusion of the term of the sourcing agreement by comparing the delivered SNG price to the Chicago City-gate price on a weighted daily basis for each day over the entire term of the sourcing agreement. Prior to the clean coal SNG brownfield facility issuing a notice to proceed to construction, the clean coal SNG brownfield facility shall establish a consumer protection reserve account for the benefit of the retail customers of the utilities that have entered into sourcing agreements with the clean coal SNG brownfield facility pursuant to subsection (h-1), with cash principal in the amount of $150,000,000. Such cash principal shall only be recovered through the consumer protection reserve account and not as a cost to be recovered in the delivered SNG price pursuant to subsection (h-3) of this Section. The consumer protection reserve account shall be maintained and administered by an independent trustee that is mutually agreed upon by the clean coal SNG brownfield facility, the utilities, and the Commission in an interest-bearing account in accordance with the following:

(1) The clean coal SNG brownfield facility monthly shall calculate (A) the difference between the monthly delivered SNG price and the Chicago City-gate price, by comparing the delivered SNG price, which shall include the cost of transportation to the delivery point, if any, to the Chicago City-gate price on a weighted daily basis for each day of the prior month based upon a mutually agreed upon published index and (B) the overage amount, if any, by calculating the annualized incremental additional cost, if any, of the delivered SNG in excess of 2.015% of the average annual inflation-adjusted amounts paid by all gas distribution customers in connection with natural gas service during the 5 years ending May 31, 2010.

(2) During the first 2 years of operation of the facility:

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(A) to the extent there is an overage amount, the consumer protection reserve account shall be used to provide a credit to reduce the SNG price by an amount equal to the overage amount; and

(B) to the extent the monthly delivered SNG price is less than or equal to the Chicago City-gate price, the utility shall credit the difference between the monthly delivered SNG price and the monthly Chicago City-gate price, if any, to the consumer protection reserve account. Such credit issued pursuant to this paragraph (B) shall be deemed prudent and reasonable and not subject to a Commission prudence review;

(3) After 2 years of operation of the facility, and monthly, on an on-going basis, thereafter:

(A) to the extent that the monthly delivered SNG price is less than or equal to the Chicago City-gate price, calculated using the weighted average of the daily Chicago City-gate price on a daily basis over the entire month, the utility shall credit the difference, if any, to the consumer protection reserve account. Such credit issued pursuant to this subparagraph (A) shall be deemed prudent and reasonable and not subject to a Commission prudence review;

(B) any amounts in the consumer protection reserve account in excess of the consumer protection reserve account principal maximum amount shall be distributed as follows: (i) if retail customers have not realized net consumer savings, calculated by comparing the delivered SNG price to the weighted average of the daily Chicago City-gate price on a daily basis over the entire term of the sourcing agreement to date, then 50% of any amounts in the consumer protection reserve account in excess of the consumer protection reserve account principal maximum shall be distributed to the clean coal SNG brownfield facility, with the remaining 50% of any such additional amounts being credited to retail customers, and (ii) if retail customers have realized net consumer savings, then 100% of any amounts in the consumer protection reserve account in excess of the consumer protection reserve account principal maximum shall be distributed...
principal maximum shall be distributed to the clean coal SNG brownfield facility; provided, however, that under no circumstances shall the total cumulative amount distributed to the clean coal SNG brownfield facility under this subparagraph (B) exceed $150,000,000;

(C) to the extent there is an overage amount, after distributing the amounts pursuant to subparagraph (B) of this paragraph (3), if any, the consumer protection reserve account shall be used to provide a credit to reduce the SNG price by an amount equal to the overage amount;

(D) if retail customers have realized net consumer savings, calculated by comparing the delivered SNG price to the weighted average of the daily Chicago City-gate price on a daily basis over the entire term of the sourcing agreement to date, then after distributing the amounts pursuant to subparagraphs (B) and (C) of this paragraph (3), 50% of any additional amounts in the consumer protection reserve account in excess of the consumer protection reserve account principal maximum shall be distributed to the clean coal SNG brownfield facility, with the remaining 50% of any such additional amounts being credited to retail customers; provided, however, that if retail customers have not realized such net consumer savings, no such distribution shall be made to the clean coal SNG brownfield facility, and 100% of such additional amounts shall be credited to the retail customers to the extent the consumer protection reserve account exceeds the consumer protection reserve account principal maximum amount.

(4) Fifty percent of all additional net revenue, defined as miscellaneous net revenue after cost allowance for costs associated with additional net revenue that are not otherwise recoverable pursuant to subsection (h-3) of this Section, including net revenue from sales of substitute natural gas derived from the facility above the nameplate capacity of the facility and other by-products produced by the facility, shall be credited to the consumer protection reserve account.

(5) At the conclusion of the term of the sourcing agreement, to the extent retail customers have not saved the minimum of $100,000,000 in consumer savings as guaranteed in this subsection

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(h-2), amounts in the consumer protection reserve account shall be credited to retail customers to the extent the retail customers have saved the minimum of $100,000,000; 50% of any additional amounts in the consumer protection reserve account shall be distributed to the company, and the remaining 50% shall be distributed to retail customers.

(6) If, at the conclusion of the term of the sourcing agreement, the customers have not saved the minimum $100,000,000 in savings as guaranteed in this subsection (h-2) and the consumer protection reserve account has been depleted, then the clean coal SNG brownfield facility shall be liable for any remaining amount owed to the retail customers to the extent that the customers are provided with the $100,000,000 in savings as guaranteed in this subsection (h-2). The retail customers shall have first priority in recovering that debt above any creditors, except the original senior secured lender to the extent that the original senior secured lender has any senior secured debt outstanding, including any clean coal SNG brownfield facility parent companies or affiliates.

(7) The clean coal SNG brownfield facility, the utilities, and the trustee shall work together to take commercially reasonable steps to minimize the tax impact of these transactions, while preserving the consumer benefits.

(8) The clean coal SNG brownfield facility shall each month, starting in the facility's first year of commercial operation, file with the Commission, in such form as the Commission shall require, a report as to the consumer protection reserve account. The monthly report must contain the following information:

(A) the extent the monthly delivered SNG price is greater than, less than, or equal to the Chicago City-gate price;

(B) the amount credited or debited to the consumer protection reserve account during the month;

(C) the amounts credited to consumers and distributed to the clean coal SNG brownfield facility during the month;

(D) the total amount of the consumer protection reserve account at the beginning and end of the month;

(E) the total amount of consumer savings to date;

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(F) a confidential summary of the inputs used to calculate the additional net revenue; and
(G) any other additional information the Commission shall require.

When any report is erroneous or defective or appears to the Commission to be erroneous or defective, the Commission may notify the clean coal SNG brownfield facility to amend the report within 30 days, and, before or after the termination of the 30-day period, the Commission may examine the trustee of the consumer protection reserve account or the officers, agents, employees, books, records, or accounts of the clean coal SNG brownfield facility and correct such items in the report as upon such examination the Commission may find defective or erroneous. All reports shall be under oath.

All reports made to the Commission by the clean coal SNG brownfield facility and the contents of the reports shall be open to public inspection and shall be deemed a public record under the Freedom of Information Act. Such reports shall be preserved in the office of the Commission. The Commission shall publish an annual summary of the reports prior to February 1 of the following year. The annual summary shall be made available to the public on the Commission's website and shall be submitted to the General Assembly.

Any facility that fails to file a report required under this paragraph (8) to the Commission within the time specified or to make specific answer to any question propounded by the Commission within 30 days from the time it is lawfully required to do so, or within such further time not to exceed 90 days as may in its discretion be allowed by the Commission, shall pay a penalty of $500 to the Commission for each day it is in default.

Any person who willfully makes any false report to the Commission or to any member, officer, or employee thereof, any person who willfully in a report withholds or fails to provide material information to which the Commission is entitled under this paragraph (8) and which information is either required to be filed by statute, rule, regulation, order, or decision of the Commission or has been requested by the Commission, and any person who willfully aids or abets such person shall be guilty of a Class A misdemeanor.

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(h-3) Recoverable costs and revenue by the clean coal SNG brownfield facility.

(1) A capital recovery charge approved by the Commission shall be recoverable by the clean coal SNG brownfield facility under a sourcing agreement. The capital recovery charge shall be comprised of capital costs and a reasonable rate of return. "Capital costs" means costs to be incurred in connection with the construction and development of a facility, as defined in Section 1-10 of the Illinois Power Agency Act, and such other costs as the Capital Development Board deems appropriate to be recovered in the capital recovery charge.

(A) Capital costs. The Capital Development Board shall calculate a range of capital costs that it believes would be reasonable for the clean coal SNG brownfield facility to recover under the sourcing agreement. In making this determination, the Capital Development Board shall review the facility cost report, if any, of the clean coal SNG brownfield facility, adjusting the results based on the change in the Annual Consumer Price Index for All Urban Consumers for the Midwest Region as published in April by the United States Department of Labor, Bureau of Labor Statistics, the final draft of the sourcing agreement, and the rate of return approved by the Commission. In addition, the Capital Development Board may consult as much as it deems necessary with the clean coal SNG brownfield facility and conduct whatever research and investigation it deems necessary.

The Capital Development Board shall retain an engineering expert to assist in determining both the range of capital costs and the range of operations and maintenance costs that it believes would be reasonable for the clean coal SNG brownfield facility to recover under the sourcing agreement. Provided, however, that such expert shall: (i) not have been involved in the clean coal SNG brownfield facility's facility cost report, if any, (ii) not own or control any direct or indirect interest in the initial clean coal facility, and (iii) have no contractual relationship with the clean coal SNG brownfield facility. In order to qualify as an independent expert, a person or company must have:

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(i) direct previous experience conducting front-end engineering and design studies for large-scale energy facilities and administering large-scale energy operations and maintenance contracts, which may be particularized to the specific type of financing associated with the clean coal SNG brownfield facility;

(ii) an advanced degree in economics, mathematics, engineering, or a related area of study;

(iii) ten years of experience in the energy sector, including construction and risk management experience;

(iv) expertise in assisting companies with obtaining financing for large-scale energy projects, which may be particularized to the specific type of financing associated with the clean coal SNG brownfield facility;

(v) expertise in operations and maintenance which may be particularized to the specific type of operations and maintenance associated with the clean coal SNG brownfield facility;

(vi) expertise in credit and contract protocols;

(vii) adequate resources to perform and fulfill the required functions and responsibilities; and

(viii) the absence of a conflict of interest and inappropriate bias for or against an affected gas utility or the clean coal SNG brownfield facility.

The clean coal SNG brownfield facility and the Illinois Power Agency shall cooperate with the Capital Development Board in any investigation it deems necessary. The Capital Development Board shall make its final determination of the range of capital costs confidentially and shall submit that range to the Commission in a confidential filing within 120 days after July 13, 2011 (the effective date of Public Act 97-096). The clean coal SNG brownfield facility shall submit to the Commission its estimate of the capital costs to be recovered.
under the sourcing agreement. Only after the clean coal SNG brownfield facility has submitted this estimate shall the Commission publicly announce the range of capital costs submitted by the Capital Development Board.

In the event that the estimate submitted by the clean coal SNG brownfield facility is within or below the range submitted by the Capital Development Board, the clean coal SNG brownfield facility's estimate shall be approved by the Commission as the amount of capital costs to be recovered under the sourcing agreement. In the event that the estimate submitted by the clean coal SNG brownfield facility is above the range submitted by the Capital Development Board, the amount of capital costs at the lowest end of the range submitted by the Capital Development Board shall be approved by the Commission as the amount of capital costs to be recovered under the sourcing agreement. Within 15 days after the Capital Development Board has submitted its range and the clean coal SNG brownfield facility has submitted its estimate, the Commission shall approve the capital costs for the clean coal SNG brownfield facility.

The Capital Development Board shall monitor the construction of the clean coal SNG brownfield facility for the full duration of construction to assess potential cost overruns. The Capital Development Board, in its discretion, may retain an expert to facilitate such monitoring. The clean coal SNG brownfield facility shall pay a reasonable fee as required by the Capital Development Board for the Capital Development Board's services under this subsection (h-3) to be deposited into the Capital Development Board Revolving Fund, and such fee shall not be passed through to a utility or its customers. If an expert is retained by the Capital Development Board for monitoring of construction, then the clean coal SNG brownfield facility must pay for the expert's reasonable fees and such costs shall not be passed through to a utility or its customers.

(B) Rate of Return. No later than 30 days after the date on which the Illinois Power Agency submits a final draft sourcing agreement, the Commission shall hold a
public hearing to determine the rate of return to be recovered under the sourcing agreement. Rate of return shall be comprised of the clean coal SNG brownfield facility's actual cost of debt, including mortgage-style amortization, and a reasonable return on equity. The Commission shall post notice of the hearing on its website no later than 10 days prior to the date of the hearing. The Commission shall provide the public and all interested parties, including the gas utilities, the Attorney General, and the Illinois Power Agency, an opportunity to be heard.

In determining the return on equity, the Commission shall select a commercially reasonable return on equity taking into account the return on equity being received by developers of similar facilities in or outside of Illinois, the need to balance an incentive for clean-coal technology with the need to protect ratepayers from high gas prices, the risks being borne by the clean coal SNG brownfield facility in the final draft sourcing agreement, and any other information that the Commission may deem relevant. The Commission may establish a return on equity that varies with the amount of savings, if any, to customers during the term of the sourcing agreement, comparing the delivered SNG price to a daily weighted average price of natural gas, based upon an index. The Illinois Power Agency shall recommend a return on equity to the Commission using the same criteria. Within 60 days after receiving the final draft sourcing agreement from the Illinois Power Agency, the Commission shall approve the rate of return for the clean coal brownfield facility. Within 30 days after obtaining debt financing for the clean coal SNG brownfield facility, the clean coal SNG brownfield facility shall file a notice with the Commission identifying the actual cost of debt.

(2) Operations and maintenance costs approved by the Commission shall be recoverable by the clean coal SNG brownfield facility under the sourcing agreement. The operations and maintenance costs mean costs that have been incurred for the administration, supervision, operation, maintenance, preservation, and protection of the clean coal SNG brownfield facility's physical plant.

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The Capital Development Board shall calculate a range of operations and maintenance costs that it believes would be reasonable for the clean coal SNG brownfield facility to recover under the sourcing agreement, incorporating an inflation index or combination of inflation indices to most accurately reflect the actual costs of operating the clean coal SNG brownfield facility. In making this determination, the Capital Development Board shall review the facility cost report, if any, of the clean coal SNG brownfield facility, adjusting the results for inflation based on the change in the Annual Consumer Price Index for All Urban Consumers for the Midwest Region as published in April by the United States Department of Labor, Bureau of Labor Statistics, the final draft of the sourcing agreement, and the rate of return approved by the Commission. In addition, the Capital Development Board may consult as much as it deems necessary with the clean coal SNG brownfield facility and conduct whatever research and investigation it deems necessary. As set forth in subparagraph (A) of paragraph (1) of this subsection (h-3), the Capital Development Board shall retain an independent engineering expert to assist in determining both the range of operations and maintenance costs that it believes would be reasonable for the clean coal SNG brownfield facility to recover under the sourcing agreement. The clean coal SNG brownfield facility and the Illinois Power Agency shall cooperate with the Capital Development Board in any investigation it deems necessary. The Capital Development Board shall make its final determination of the range of operations and maintenance costs confidentially and shall submit that range to the Commission in a confidential filing within 120 days after July 13, 2011.

The clean coal SNG brownfield facility shall submit to the Commission its estimate of the operations and maintenance costs to be recovered under the sourcing agreement. Only after the clean coal SNG brownfield facility has submitted this estimate shall the Commission publicly announce the range of operations and maintenance costs submitted by the Capital Development Board. In the event that the estimate submitted by the clean coal SNG brownfield facility is within or below the range submitted by the Capital Development Board, the clean coal SNG brownfield facility's estimate shall be approved by the Commission as the

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amount of operations and maintenance costs to be recovered under the sourcing agreement. In the event that the estimate submitted by the clean coal SNG brownfield facility is above the range submitted by the Capital Development Board, the amount of operations and maintenance costs at the lowest end of the range submitted by the Capital Development Board shall be approved by the Commission as the amount of operations and maintenance costs to be recovered under the sourcing agreement. Within 15 days after the Capital Development Board has submitted its range and the clean coal SNG brownfield facility has submitted its estimate, the Commission shall approve the operations and maintenance costs for the clean coal SNG brownfield facility.

The clean coal SNG brownfield facility shall pay for the independent engineering expert's reasonable fees and such costs shall not be passed through to a utility or its customers. The clean coal SNG brownfield facility shall pay a reasonable fee as required by the Capital Development Board for the Capital Development Board's services under this subsection (h-3) to be deposited into the Capital Development Board Revolving Fund, and such fee shall not be passed through to a utility or its customers.

(3) Sequestration costs approved by the Commission shall be recoverable by the clean coal SNG brownfield facility. "Sequestration costs" means costs to be incurred by the clean coal SNG brownfield facility in accordance with its Commission-approved carbon capture and sequestration plan to:

(A) capture carbon dioxide;
(B) build, operate, and maintain a sequestration site in which carbon dioxide may be injected;
(C) build, operate, and maintain a carbon dioxide pipeline; and
(D) transport the carbon dioxide to the sequestration site or a pipeline.

The Commission shall assess the prudency of the sequestration costs for the clean coal SNG brownfield facility before construction commences at the sequestration site or pipeline. Any revenues the clean coal SNG brownfield facility receives as a result of the capture, transportation, or sequestration of carbon dioxide shall be first credited against all sequestration...
costs, with the positive balance, if any, treated as additional net revenue.

The Commission may, in its discretion, retain an expert to assist in its review of sequestration costs. The clean coal SNG brownfield facility shall pay for the expert's reasonable fees if an expert is retained by the Commission, and such costs shall not be passed through to a utility or its customers. Once made, the Commission's determination of the amount of recoverable sequestration costs shall not be increased unless the clean coal SNG brownfield facility can show by clear and convincing evidence that (i) the costs were not reasonably foreseeable; (ii) the costs were due to circumstances beyond the clean coal SNG brownfield facility's control; and (iii) the clean coal SNG brownfield facility took all reasonable steps to mitigate the costs. If the Commission determines that sequestration costs may be increased, the Commission shall provide for notice and a public hearing for approval of the increased sequestration costs.

(4) Actual delivered and processed fuel costs shall be set by the Illinois Power Agency through a SNG feedstock procurement, pursuant to Sections 1-20, 1-77, and 1-78 of the Illinois Power Agency Act, to be performed at least every 5 years and purchased by the clean coal SNG brownfield facility pursuant to feedstock procurement contracts developed by the Illinois Power Agency, with coal comprising at least 50% of the total feedstock over the term of the sourcing agreement and petroleum coke comprising the remainder of the SNG feedstock. If the Commission fails to approve a feedstock procurement plan or fails to approve the results of a feedstock procurement event, then the fuel shall be purchased by the company month-by-month on the spot market and those actual delivered and processed fuel costs shall be recoverable under the sourcing agreement. If a supplier defaults under the terms of a procurement contract, then the Illinois Power Agency shall immediately initiate a feedstock procurement process to obtain a replacement supply, and, prior to the conclusion of that process, fuel shall be purchased by the company month-by-month on the spot market and those actual delivered and processed fuel costs shall be recoverable under the sourcing agreement.

(5) Taxes and fees imposed by the federal government, the State, or any unit of local government applicable to the clean coal

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SNG brownfield facility, excluding income tax, shall be recoverable by the clean coal SNG brownfield facility under the sourcing agreement to the extent such taxes and fees were not applicable to the facility on July 13, 2011.

(6) The actual transportation costs, in accordance with the applicable utility's tariffs, and third-party marketer costs incurred by the company, if any, associated with transporting the SNG from the clean coal SNG brownfield facility to the Chicago City-gate to sell such SNG into the natural gas markets shall be recoverable under the sourcing agreement.

(7) Unless otherwise provided, within 30 days after a decision of the Commission on recoverable costs under this Section, any interested party to the Commission's decision may apply for a rehearing with respect to the decision. The Commission shall receive and consider the application for rehearing and shall grant or deny the application in whole or in part within 20 days after the date of the receipt of the application by the Commission. If no rehearing is applied for within the required 30 days or an application for rehearing is denied, then the Commission decision shall be final. If an application for rehearing is granted, then the Commission shall hold a rehearing within 30 days after granting the application. The decision of the Commission upon rehearing shall be final.

Any person affected by a decision of the Commission under this subsection (h-3) may have the decision reviewed only under and in accordance with the Administrative Review Law. Unless otherwise provided, the provisions of the Administrative Review Law, all amendments and modifications to that Law, and the rules adopted pursuant to that Law shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Commission under this subsection (h-3). The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(8) The Capital Development Board shall adopt and make public a policy detailing the process for retaining experts under this Section. Any experts retained to assist with calculating the range of capital costs or operations and maintenance costs shall be retained no later than 45 days after July 13, 2011.
(h-4) No later than 90 days after the Illinois Power Agency submits the final draft sourcing agreement pursuant to subsection (h-1), the Commission shall approve a sourcing agreement containing (i) the capital costs, rate of return, and operations and maintenance costs established pursuant to subsection (h-3) and (ii) all other terms and conditions, rights, provisions, exceptions, and limitations contained in the final draft sourcing agreement; provided, however, the Commission shall correct typographical and scrivener's errors and modify the contract only as necessary to provide that the gas utility does not have the right to terminate the sourcing agreement due to any future events that may occur other than the clean coal SNG brownfield facility's failure to timely meet milestones, uncured default, extended force majeure, or abandonment. Once the sourcing agreement is approved, then the gas utility subject to that sourcing agreement shall have 45 days after the date of the Commission's approval to enter into the sourcing agreement.

(h-5) Sequestration enforcement.

(A) All contracts entered into under subsection (h) of this Section and all sourcing agreements under subsection (h-1) of this Section, regardless of duration, shall require the owner of any facility supplying SNG under the contract or sourcing agreement to provide certified documentation to the Commission each year, starting in the facility's first year of commercial operation, accurately reporting the quantity of carbon dioxide emissions from the facility that have been captured and sequestered and reporting any quantities of carbon dioxide released from the site or sites at which carbon dioxide emissions were sequestered in prior years, based on continuous monitoring of those sites.

(B) If, in any year, the owner of the clean coal SNG facility fails to demonstrate that the SNG facility captured and sequestered at least 90% of the total carbon dioxide emissions that the facility would otherwise emit or that sequestration of emissions from prior years has failed, resulting in the release of carbon dioxide into the atmosphere, then the owner of the clean coal SNG facility must pay a penalty of $20 per ton of excess carbon dioxide emissions not to exceed $40,000,000, in any given year which shall be deposited into the Energy Efficiency Trust Fund and distributed pursuant to subsection (b) of Section 6-6 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997. On or before the 5-year anniversary of the execution of the contract and

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every 5 years thereafter, an expert hired by the owner of the facility with the approval of the Attorney General shall conduct an analysis to determine the cost of sequestration of at least 90% of the total carbon dioxide emissions the plant would otherwise emit. If the analysis shows that the actual annual cost is greater than the penalty, then the penalty shall be increased to equal the actual cost. Provided, however, to the extent that the owner of the facility described in subsection (h) of this Section can demonstrate that the failure was as a result of acts of God (including fire, flood, earthquake, tornado, lightning, hurricane, or other natural disaster); any amendment, modification, or abrogation of any applicable law or regulation that would prevent performance; war; invasion; act of foreign enemies; hostilities (regardless of whether war is declared); civil war; rebellion; revolution; insurrection; military or usurped power or confiscation; terrorist activities; civil disturbance; riots; nationalization; sabotage; blockage; or embargo, the owner of the facility described in subsection (h) of this Section shall not be subject to a penalty if and only if (i) it promptly provides notice of its failure to the Commission; (ii) as soon as practicable and consistent with any order or direction from the Commission, it submits to the Commission proposed modifications to its carbon capture and sequestration plan; and (iii) it carries out its proposed modifications in the manner and time directed by the Commission.

If the Commission finds that the facility has not satisfied each of these requirements, then the facility shall be subject to the penalty. If the owner of the clean coal SNG facility captured and sequestered more than 90% of the total carbon dioxide emissions that the facility would otherwise emit, then the owner of the facility may credit such additional amounts to reduce the amount of any future penalty to be paid. The penalty resulting from the failure to capture and sequester at least the minimum amount of carbon dioxide shall not be passed on to a utility or its customers.

If the clean coal SNG facility fails to meet the requirements specified in this subsection (h-5), then the Attorney General, on behalf of the People of the State of Illinois, shall bring an action to enforce the obligations related to the facility set forth in this subsection (h-5), including any penalty payments owed, but not including the physical obligation to capture and sequester at least 90% of the total carbon dioxide emissions that the facility would
otherwise emit. Such action may be filed in any circuit court in Illinois. By entering into a contract pursuant to subsection (h) of this Section, the clean coal SNG facility agrees to waive any objections to venue or to the jurisdiction of the court with regard to the Attorney General's action under this subsection (h-5).

Compliance with the sequestration requirements and any penalty requirements specified in this subsection (h-5) for the clean coal SNG facility shall be assessed annually by the Commission, which may in its discretion retain an expert to facilitate its assessment. If any expert is retained by the Commission, then the clean coal SNG facility shall pay for the expert's reasonable fees, and such costs shall not be passed through to the utility or its customers.

In addition, carbon dioxide emission credits received by the clean coal SNG facility in connection with sequestration of carbon dioxide from the facility must be sold in a timely fashion with any revenue, less applicable fees and expenses and any expenses required to be paid by facility for carbon dioxide transportation or sequestration, deposited into the reconciliation account within 30 days after receipt of such funds by the owner of the clean coal SNG facility.

The clean coal SNG facility is prohibited from transporting or sequestering carbon dioxide unless the owner of the carbon dioxide pipeline that transfers the carbon dioxide from the facility and the owner of the sequestration site where the carbon dioxide captured by the facility is stored has acquired all applicable permits under applicable State and federal laws, statutes, rules, or regulations prior to the transfer or sequestration of carbon dioxide. The responsibility for compliance with the sequestration requirements specified in this subsection (h-5) for the clean coal SNG facility shall reside solely with the clean coal SNG facility, regardless of whether the facility has contracted with another party to capture, transport, or sequester carbon dioxide.

(C) If, in any year, the owner of a clean coal SNG brownfield facility fails to demonstrate that the clean coal SNG brownfield facility captured and sequestered at least 85% of the total carbon dioxide emissions that the facility would otherwise emit, then the owner of the clean coal SNG brownfield facility must pay a penalty of $20 per ton of excess carbon emissions up to

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$20,000,000, which shall be deposited into the Energy Efficiency Trust Fund and distributed pursuant to subsection (b) of Section 6-6 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997. Provided, however, to the extent that the owner of the clean coal SNG brownfield facility can demonstrate that the failure was as a result of acts of God (including fire, flood, earthquake, tornado, lightning, hurricane, or other natural disaster); any amendment, modification, or abrogation of any applicable law or regulation that would prevent performance; war; invasion; act of foreign enemies; hostilities (regardless of whether war is declared); civil war; rebellion; revolution; insurrection; military or usurped power or confiscation; terrorist activities; civil disturbances; riots; nationalization; sabotage; blockage; or embargo, the owner of the clean coal SNG brownfield facility shall not be subject to a penalty if and only if (i) it promptly provides notice of its failure to the Commission; (ii) as soon as practicable and consistent with any order or direction from the Commission, it submits to the Commission proposed modifications to its carbon capture and sequestration plan; and (iii) it carries out its proposed modifications in the manner and time directed by the Commission. If the Commission finds that the facility has not satisfied each of these requirements, then the facility shall be subject to the penalty. If the owner of a clean coal SNG brownfield facility demonstrates that the clean coal SNG brownfield facility captured and sequestered more than 85% of the total carbon emissions that the facility would otherwise emit, the owner of the clean coal SNG brownfield facility may credit such additional amounts to reduce the amount of any future penalty to be paid. The penalty resulting from the failure to capture and sequester at least the minimum amount of carbon dioxide shall not be passed on to a utility or its customers.

In addition to any penalty for the clean coal SNG brownfield facility's failure to capture and sequester at least its minimum sequestration requirement, the Attorney General, on behalf of the People of the State of Illinois, shall bring an action for specific performance of this subsection (h-5). Such action may be filed in any circuit court in Illinois. By entering into a sourcing agreement pursuant to subsection (h-1) of this Section, the clean coal SNG brownfield facility agrees to waive any objections to

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venue or to the jurisdiction of the court with regard to the Attorney General's action for specific performance under this subsection (h-5).

Compliance with the sequestration requirements and penalty requirements specified in this subsection (h-5) for the clean coal SNG brownfield facility shall be assessed annually by the Commission, which may in its discretion retain an expert to facilitate its assessment. If an expert is retained by the Commission, then the clean coal SNG brownfield facility shall pay for the expert's reasonable fees, and such costs shall not be passed through to a utility or its customers. A SNG facility operating pursuant to this subsection (h-5) shall not forfeit its designation as a clean coal SNG facility or a clean coal SNG brownfield facility if the facility fails to fully comply with the applicable carbon sequestration requirements in any given year, provided the requisite offsets are purchased or requisite penalties are paid.

Responsibility for compliance with the sequestration requirements specified in this subsection (h-5) for the clean coal SNG brownfield facility shall reside solely with the clean coal SNG brownfield facility regardless of whether the facility has contracted with another party to capture, transport, or sequester carbon dioxide.

(h-7) Sequestration permitting, oversight, and investigations.

(1) No clean coal facility or clean coal SNG brownfield facility may transport or sequester carbon dioxide unless the Commission approves the method of carbon dioxide transportation or sequestration. Such approval shall be required regardless of whether the facility has contracted with another to transport or sequester the carbon dioxide. Nothing in this subsection (h-7) shall release the owner or operator of a carbon dioxide sequestration site or carbon dioxide pipeline from any other permitting requirements under applicable State and federal laws, statutes, rules, or regulations.

(2) The Commission shall review carbon dioxide transportation and sequestration methods proposed by a clean coal facility or a clean coal SNG brownfield facility and shall approve those methods it deems reasonable and cost-effective. For purposes of this review, "cost-effective" means a commercially reasonable price for similar carbon dioxide transportation or sequestration

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techniques. In determining whether sequestration is reasonable and cost-effective, the Commission may consult with the Illinois State Geological Survey and retain third parties to assist in its determination, provided that such third parties shall not own or control any direct or indirect interest in the facility that is proposing the carbon dioxide transportation or the carbon dioxide sequestration method and shall have no contractual relationship with that facility. If a third party is retained by the Commission, then the facility proposing the carbon dioxide transportation or sequestration method shall pay for the expert's reasonable fees, and these costs shall not be passed through to a utility or its customers.

No later than 6 months prior to the date upon which the owner intends to commence construction of a clean coal facility or the clean coal SNG brownfield facility, the owner of the facility shall file with the Commission a carbon dioxide transportation or sequestration plan. The Commission shall hold a public hearing within 30 days after receipt of the facility's carbon dioxide transportation or sequestration plan. The Commission shall post notice of the review on its website upon submission of a carbon dioxide transportation or sequestration method and shall accept written public comments. The Commission shall take the comments into account when making its decision.

The Commission may not approve a carbon dioxide sequestration method if the owner or operator of the sequestration site has not received (i) an Underground Injection Control permit from the United States Environmental Protection Agency, or from the Illinois Environmental Protection Agency pursuant to the Environmental Protection Act; (ii) an Underground Injection Control permit from the Illinois Department of Natural Resources pursuant to the Illinois Oil and Gas Act; or (iii) an Underground Injection Control permit from the United States Environmental Protection Agency or a permit similar to items (i) or (ii) from the state in which the sequestration site is located if the sequestration will take place outside of Illinois. The Commission shall approve or deny the carbon dioxide transportation or sequestration method within 90 days after the receipt of all required information.

(3) At least annually, the Illinois Environmental Protection Agency shall inspect all carbon dioxide sequestration sites in Illinois. The Illinois Environmental Protection Agency may, as

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often as deemed necessary, monitor and conduct investigations of those sites. The owner or operator of the sequestration site must cooperate with the Illinois Environmental Protection Agency investigations of carbon dioxide sequestration sites.

If the Illinois Environmental Protection Agency determines at any time a site creates conditions that warrant the issuance of a seal order under Section 34 of the Environmental Protection Act, then the Illinois Environmental Protection Agency shall seal the site pursuant to the Environmental Protection Act. If the Illinois Environmental Protection Agency determines at any time a carbon dioxide sequestration site creates conditions that warrant the institution of a civil action for an injunction under Section 43 of the Environmental Protection Act, then the Illinois Environmental Protection Agency shall request the State's Attorney or the Attorney General institute such action. The Illinois Environmental Protection Agency shall provide notice of any such actions as soon as possible on its website. The SNG facility shall incur all reasonable costs associated with any such inspection or monitoring of the sequestration sites, and these costs shall not be recoverable from utilities or their customers.

(4) (Blank).

(h-9) The clean coal SNG brownfield facility shall have the right to recover prudently incurred increased costs or reduced revenue resulting from any new or amendatory legislation or other action. The State of Illinois pledges that the State will not enact any law or take any action to:

(1) break, or repeal the authority for, sourcing agreements approved by the Commission and entered into between public utilities and the clean coal SNG brownfield facility;

(2) deny public utilities full cost recovery for their costs incurred under those sourcing agreements; or

(3) deny the clean coal SNG brownfield facility full cost and revenue recovery as provided under those sourcing agreements that are recoverable pursuant to subsection (h-3) of this Section.

These pledges are for the benefit of the parties to those sourcing agreements and the issuers and holders of bonds or other obligations issued or incurred to finance or refinance the clean coal SNG brownfield facility. The clean coal SNG brownfield facility is authorized to include and refer to these pledges in any financing agreement into which it may enter in regard to those sourcing agreements.
The State of Illinois retains and reserves all other rights to enact new or amendatory legislation or take any other action, without impairment of the right of the clean coal SNG brownfield facility to recover prudently incurred increased costs or reduced revenue resulting from the new or amendatory legislation or other action, including, but not limited to, such legislation or other action that would (i) directly or indirectly raise the costs the clean coal SNG brownfield facility must incur; (ii) directly or indirectly place additional restrictions, regulations, or requirements on the clean coal SNG brownfield facility; (iii) prohibit sequestration in general or prohibit a specific sequestration method or project; or (iv) increase minimum sequestration requirements for the clean coal SNG brownfield facility to the extent technically feasible. The clean coal SNG brownfield facility shall have the right to recover prudently incurred increased costs or reduced revenue resulting from the new or amendatory legislation or other action as described in this subsection (h-9).

(h-10) Contract costs for SNG incurred by an Illinois gas utility are reasonable and prudent and recoverable through the purchased gas adjustment clause and are not subject to review or disallowance by the Commission. Contract costs are costs incurred by the utility under the terms of a contract that incorporates the terms stated in subsection (h) of this Section as confirmed in writing by the Illinois Power Agency as set forth in subsection (h) of this Section, which confirmation shall be deemed conclusive, or as a consequence of or condition to its performance under the contract, including (i) amounts paid for SNG under the SNG contract and (ii) costs of transportation and storage services of SNG purchased from interstate pipelines under federally approved tariffs. The Illinois gas utility shall initiate a clean coal SNG facility rider mechanism that (A) shall be applicable to all customers who receive transportation service from the utility, (B) shall be designed to have an equal percentage impact on the transportation services rates of each class of the utility's total customers, and (C) shall accurately reflect the net customer savings, if any, and above market costs, if any, under the SNG contract. Any contract, the terms of which have been confirmed in writing by the Illinois Power Agency as set forth in subsection (h) of this Section and the performance of the parties under such contract cannot be grounds for challenging prudence or cost recovery by the utility through the purchased gas adjustment clause, and in such cases, the Commission is directed not to consider, and has no authority to consider, any attempted challenges.
The contracts entered into by Illinois gas utilities pursuant to subsection (h) of this Section shall provide that the utility retains the right to terminate the contract without further obligation or liability to any party if the contract has been impaired as a result of any legislative, administrative, judicial, or other governmental action that is taken that eliminates all or part of the prudence protection of this subsection (h-10) or denies the recoverability of all or part of the contract costs through the purchased gas adjustment clause. Should any Illinois gas utility exercise its right under this subsection (h-10) to terminate the contract, all contract costs incurred prior to termination are and will be deemed reasonable, prudent, and recoverable as and when incurred and not subject to review or disallowance by the Commission. Any order, issued by the State requiring or authorizing the discontinuation of the merchant function, defined as the purchase and sale of natural gas by an Illinois gas utility for the ultimate consumer in its service territory shall include provisions necessary to prevent the impairment of the value of any contract hereunder over its full term.

(h-11) All costs incurred by an Illinois gas utility in procuring SNG from a clean coal SNG brownfield facility pursuant to subsection (h-1) or a third-party marketer pursuant to subsection (h-1) are reasonable and prudent and recoverable through the purchased gas adjustment clause in conjunction with a SNG brownfield facility rider mechanism and are not subject to review or disallowance by the Commission; provided that if a utility is required by law or otherwise elects to connect the clean coal SNG brownfield facility to an interstate pipeline, then the utility shall be entitled to recover pursuant to its tariffs all just and reasonable costs that are prudently incurred. Sourcing agreement costs are costs incurred by the utility under the terms of a sourcing agreement that incorporates the terms stated in subsection (h-1) of this Section as approved by the Commission as set forth in subsection (h-4) of this Section, which approval shall be deemed conclusive, or as a consequence of or condition to its performance under the contract, including (i) amounts paid for SNG under the SNG contract and (ii) costs of transportation and storage services of SNG purchased from interstate pipelines under federally approved tariffs. Any sourcing agreement, the terms of which have been approved by the Commission as set forth in subsection (h-4) of this Section, and the performance of the parties under the sourcing agreement cannot be grounds for challenging prudence or cost recovery by the utility, and in
these cases, the Commission is directed not to consider, and has no authority to consider, any attempted challenges.

(h-15) Reconciliation account. The clean coal SNG facility shall establish a reconciliation account for the benefit of the retail customers of the utilities that have entered into contracts with the clean coal SNG facility pursuant to subsection (h). The reconciliation account shall be maintained and administered by an independent trustee that is mutually agreed upon by the owners of the clean coal SNG facility, the utilities, and the Commission in an interest-bearing account in accordance with the following:

(1) The clean coal SNG facility shall conduct an analysis annually within 60 days after receiving the necessary cost information, which shall be provided by the gas utility within 6 months after the end of the preceding calendar year, to determine (i) the average annual contract SNG cost, which shall be calculated as the total amount paid for SNG purchased from the clean coal SNG facility over the preceding 12 months, plus the cost to the utility of the required transportation and storage services of SNG, divided by the total number of MMBtus of SNG actually purchased from the clean coal SNG facility in the preceding 12 months under the utility contract; (ii) the average annual natural gas purchase cost, which shall be calculated as the total annual supply costs paid for baseload natural gas (excluding any SNG) purchased by such utility over the preceding 12 months plus the costs of transportation and storage services of such natural gas (excluding such costs for SNG), divided by the total number of MMbtus of baseload natural gas (excluding SNG) actually purchased by the utility during the year; (iii) the cost differential, which shall be the difference between the average annual contract SNG cost and the average annual natural gas purchase cost; and (iv) the revenue share target which shall be the cost differential multiplied by the total amount of SNG purchased over the preceding 12 months under such utility contract.

(A) To the extent the annual average contract SNG cost is less than the annual average natural gas purchase cost, the utility shall credit an amount equal to the revenue share target to the reconciliation account. Such credit payment shall be made monthly starting within 30 days after the completed analysis in this subsection (h-15) and

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based on collections from all customers via a line item charge in all customer bills designed to have an equal percentage impact on the transportation services of each class of customers. Credit payments made pursuant to this subparagraph (A) shall be deemed prudent and reasonable and not subject to Commission prudence review.

(B) To the extent the annual average contract SNG cost is greater than the annual average natural gas purchase cost, the reconciliation account shall be used to provide a credit equal to the revenue share target to the utilities to be used to reduce the utility's natural gas costs through the purchased gas adjustment clause. Such payment shall be made within 30 days after the completed analysis pursuant to this subsection (h-15), but only to the extent that the reconciliation account has a positive balance.

(2) At the conclusion of the term of the SNG contracts pursuant to subsection (h) and the completion of the final annual analysis pursuant to this subsection (h-15), to the extent the facility owes any amount to retail customers, amounts in the account shall be credited to retail customers to the extent the owed amount is repaid; 50% of any additional amount in the reconciliation account shall be distributed to the utilities to be used to reduce the utilities' natural gas costs through the purchase gas adjustment clause with the remaining amount distributed to the clean coal SNG facility. Such payment shall be made within 30 days after the last completed analysis pursuant to this subsection (h-15). If the facility has repaid all owed amounts, if any, to retail customers and has distributed 50% of any additional amount in the account to the utilities, then the owners of the clean coal SNG facility shall have no further obligation to the utility or the retail customers.

If, at the conclusion of the term of the contracts pursuant to subsection (h) and the completion of the final annual analysis pursuant to this subsection (h-15), the facility owes any amount to retail customers and the account has been depleted, then the clean coal SNG facility shall be liable for any remaining amount owed to the retail customers. The clean coal SNG facility shall market the daily production of SNG and distribute on a monthly basis 5% of the amounts collected with respect to such future sales to the utilities in proportion to each utility's SNG contract to be used to

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reduce the utility's natural gas costs through the purchase gas adjustment clause; such payments to the utility shall continue until either 15 years after the conclusion of the contract or such time as the sum of such payments equals the remaining amount owed to the retail customers at the end of the contract, whichever is earlier. If the debt to the retail customers is not repaid within 15 years after the conclusion of the contract, then the owner of the clean coal SNG facility must sell the facility, and all proceeds from that sale must be used to repay any amount owed to the retail customers under this subsection (h-15).

The retail customers shall have first priority in recovering that debt above any creditors, except the secured lenders to the extent that the secured lenders have any secured debt outstanding, including any parent companies or affiliates of the clean coal SNG facility.

(3) 50% of all additional net revenue, defined as miscellaneous net revenue after cost allowance and above the budgeted estimate established for revenue pursuant to subsection (h), including sale of substitute natural gas derived from the clean coal SNG facility above the nameplate capacity of the facility and other by-products produced by the facility, shall be credited to the reconciliation account on an annual basis with such payment made within 30 days after the end of each calendar year during the term of the contract.

(4) The clean coal SNG facility shall each year, starting in the facility's first year of commercial operation, file with the Commission, in such form as the Commission shall require, a report as to the reconciliation account. The annual report must contain the following information:

(A) the revenue share target amount;

(B) the amount credited or debited to the reconciliation account during the year;

(C) the amount credited to the utilities to be used to reduce the utilities natural gas costs though the purchase gas adjustment clause;

(D) the total amount of reconciliation account at the beginning and end of the year;

(E) the total amount of consumer savings to date;

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(F) any additional information the Commission may require.

When any report is erroneous or defective or appears to the Commission to be erroneous or defective, the Commission may notify the clean coal SNG facility to amend the report within 30 days; before or after the termination of the 30-day period, the Commission may examine the trustee of the reconciliation account or the officers, agents, employees, books, records, or accounts of the clean coal SNG facility and correct such items in the report as upon such examination the Commission may find defective or erroneous. All reports shall be under oath.

All reports made to the Commission by the clean coal SNG facility and the contents of the reports shall be open to public inspection and shall be deemed a public record under the Freedom of Information Act. Such reports shall be preserved in the office of the Commission. The Commission shall publish an annual summary of the reports prior to February 1 of the following year. The annual summary shall be made available to the public on the Commission's website and shall be submitted to the General Assembly.

Any facility that fails to file the report required under this paragraph (4) to the Commission within the time specified or to make specific answer to any question propounded by the Commission within 30 days after the time it is lawfully required to do so, or within such further time not to exceed 90 days as may be allowed by the Commission in its discretion, shall pay a penalty of $500 to the Commission for each day it is in default.

Any person who willfully makes any false report to the Commission or to any member, officer, or employee thereof, any person who willfully in a report withholds or fails to provide material information to which the Commission is entitled under this paragraph (4) and which information is either required to be filed by statute, rule, regulation, order, or decision of the Commission or has been requested by the Commission, and any person who willfully aids or abets such person shall be guilty of a Class A misdemeanor.

(h-20) The General Assembly authorizes the Illinois Finance Authority to issue bonds to the maximum extent permitted to finance coal gasification facilities described in this Section, which constitute both "industrial projects" under Article 801 of the Illinois Finance Authority Act and "clean coal and energy projects" under Sections 825-65 through 825-75 of the Illinois Finance Authority Act.

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Administrative costs incurred by the Illinois Finance Authority in performance of this subsection (h-20) shall be subject to reimbursement by the clean coal SNG facility on terms as the Illinois Finance Authority and the clean coal SNG facility may agree. The utility and its customers shall have no obligation to reimburse the clean coal SNG facility or the Illinois Finance Authority for any such costs.

(h-25) The State of Illinois pledges that the State may not enact any law or take any action to (1) break or repeal the authority for SNG purchase contracts entered into between public gas utilities and the clean coal SNG facility pursuant to subsection (h) of this Section or (2) deny public gas utilities their full cost recovery for contract costs, as defined in subsection (h-10), that are incurred under such SNG purchase contracts. These pledges are for the benefit of the parties to such SNG purchase contracts and the issuers and holders of bonds or other obligations issued or incurred to finance or refinance the clean coal SNG facility. The beneficiaries are authorized to include and refer to these pledges in any finance agreement into which they may enter in regard to such contracts.

(h-30) The State of Illinois retains and reserves all other rights to enact new or amendatory legislation or take any other action, including, but not limited to, such legislation or other action that would (1) directly or indirectly raise the costs that the clean coal SNG facility must incur; (2) directly or indirectly place additional restrictions, regulations, or requirements on the clean coal SNG facility; (3) prohibit sequestration in general or prohibit a specific sequestration method or project; or (4) increase minimum sequestration requirements.

(i) If a gas utility or an affiliate of a gas utility has an ownership interest in any entity that produces or sells synthetic natural gas, Article VII of this Act shall apply.
(Source: P.A. 96-1364, eff. 7-28-10; 97-96, eff. 7-13-11; 97-239, eff. 8-2-11; 97-630, eff. 12-8-11; 97-906, eff. 8-7-12; 97-1081, eff. 8-24-12; revised 1-24-13.)

Section 360. The Child Care Act of 1969 is amended by changing Section 3.5 as follows:

(225 ILCS 10/3.5)
Sec. 3.5. Group homes for adolescents diagnosed with autism.
(a) Subject to appropriation, the Department of Human Services, Developmental Disabilities Division, shall provide for the establishment of 3 children's group homes for adolescents who have been diagnosed with autism and who are at least 15 years of age and not more than 18 years of
age. The homes shall be located in 3 separate geographical areas of the State. The homes shall operate 7 days per week and shall be staffed 24 hours per day. The homes shall feature maximum family involvement based on a service and support agreement signed by the adolescent's family and the provider. An eligible service provider: (i) must have a minimum of 5 years experience serving individuals with autism residentially and have successfully supported individuals with challenging behaviors; (ii) must demonstrate that staff have equal experience in this regard; and (iii) must have a full-time Board-Certified Behavior Analyst on staff.

(b) The provider shall ensure that the staff at each home receives appropriate training in matters that include, but need not be limited to, the following: behavior analysis, skill training, and other methodologies of teaching such as discrete trial and picture exchange communication system.

(c) The homes shall provide therapeutic and other support services to the adolescents being served there. The therapeutic curriculum shall be based on the principles of applied behavior analysis.

(d) An agreeable rate shall be established by the Department of Children and Family Services and the Department of Human Services, Developmental Disabilities Division.

(Source: P.A. 95-411, eff. 8-24-07; revised 8-3-12.)

Section 365. The Illinois Dental Practice Act is amended by changing Section 17 as follows:

(225 ILCS 25/17) (from Ch. 111, par. 2317)
(Section scheduled to be repealed on January 1, 2016)
Sec. 17. Acts Constituting the Practice of Dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums or jaw; or

(2) Who is a manager, proprietor, operator or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

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(6) Who offers or undertakes, by any means or method, to diagnose, treat or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated tissues by means of a filling, crown, a bridge, a denture or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce or repair, or who furnishes, supplies, constructs, reproduces or repairs, prosthetic dentures, bridges or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials.

A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed
as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

   (i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

   (ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. Dental service, however, shall not include:

   (1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury or
physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, or restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations by dental assistants who have had additional formal education and certification as determined by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for application of topical anesthetics and monitoring of nitrous oxide. Monitoring of nitrous oxide may be performed after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

(h) The practice of dentistry by an individual who:

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(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e), of Section 9, of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c), of Section 11, of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 96-617, eff. 8-24-09; 97-526, eff. 1-1-12; 97-886, eff. 8-2-12; 97-1013, eff. 8-17-12; revised 8-23-12.)

Section 370. The Naprapathic Practice Act is amended by changing Section 110 as follows:

(225 ILCS 63/110)

(Section scheduled to be repealed on January 1, 2023)

Sec. 110. Grounds for disciplinary action; refusal, revocation, suspension.

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(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any licensee or license for any one or combination of the following causes:

1. Violations of this Act or of rules adopted under this Act.
2. Material misstatement in furnishing information to the Department.
3. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment, or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.
4. Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.
5. Professional incompetence or gross negligence.
6. Malpractice.
7. Aiding or assisting another person in violating any provision of this Act or its rules.
8. Failing to provide information within 60 days in response to a written request made by the Department.
9. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
10. Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance which results in the inability to practice with reasonable judgment, skill, or safety.
11. Discipline by another U.S. jurisdiction or foreign nation if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
12. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any

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professional services not actually or personally rendered. This shall not be deemed to include rent or other remunerations paid to an individual, partnership, or corporation by a naprapath for the lease, rental, or use of space, owned or controlled by the individual, partnership, corporation, or association. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) Using the title "Doctor" or its abbreviation without further clarifying that title or abbreviation with the word "naprapath" or "naprapathy" or the designation "D.N.".

(14) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(15) Abandonment of a patient without cause.

(16) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to, false records filed with State agencies or departments.

(17) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(18) Physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by means other than permitted advertising.

(20) Failure to provide a patient with a copy of his or her record upon the written request of the patient.

(21) Cheating on or attempting to subvert the licensing examination administered under this Act.

(22) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

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(23) (Blank).

(24) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or a neglected child as defined in the Abused and Neglected Child Reporting Act.

(25) Practicing under a false or, except as provided by law, an assumed name.

(26) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(27) Maintaining a professional relationship with any person, firm, or corporation when the naprapath knows, or should know, that the person, firm, or corporation is violating this Act.

(28) Promotion of the sale of food supplements, devices, appliances, or goods provided for a client or patient in such manner as to exploit the patient or client for financial gain of the licensee.

(29) Having treated ailments of human beings other than by the practice of naprapathy as defined in this Act, or having treated ailments of human beings as a licensed naprapath independent of a documented referral or documented current and relevant diagnosis from a physician, dentist, or podiatrist, or having failed to notify the physician, dentist, or podiatrist who established a documented current and relevant diagnosis that the patient is receiving naprapathic treatment pursuant to that diagnosis.

(30) Use by a registered naprapath of the word "infirmary", "hospital", "school", "university", in English or any other language, in connection with the place where naprapathy may be practiced or demonstrated.

(31) Continuance of a naprapath in the employ of any person, firm, or corporation, or as an assistant to any naprapath or naprapaths, directly or indirectly, after his or her employer or superior has been found guilty of violating or has been enjoined from violating the laws of the State of Illinois relating to the practice of naprapathy when the employer or superior persists in that violation.

(32) The performance of naprapathic service in conjunction with a scheme or plan with another person, firm, or corporation

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known to be advertising in a manner contrary to this Act or otherwise violating the laws of the State of Illinois concerning the practice of naprapathy.

(33) Failure to provide satisfactory proof of having participated in approved continuing education programs as determined by and approved by the Secretary. Exceptions for extreme hardships are to be defined by the rules of the Department.

(34) (Blank).

(35) Gross or willful overcharging for professional services.

(36) (Blank).

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend without hearing, as provided for in the Department of Professional Regulation Law of the Civil Administrative Code, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental
Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(f) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records including business records that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning the examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents in any way related to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization
is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.
Section 375. The Wholesale Drug Distribution Licensing Act is amended by changing Section 55 as follows:

(225 ILCS 120/55) (from Ch. 111, par. 8301-55)
(Section scheduled to be repealed on January 1, 2023)
Sec. 55. Discipline; grounds.

(a) The Department may refuse to issue, restore, or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any applicant or licensee or any officer, director, manager, or shareholder who owns 5% or more interest in the business that holds the license for any one or a combination of the following reasons:

1) Violation of this Act or of the rules adopted under this Act.
2) Aiding or assisting another person in violating any provision of this Act or the rules adopted under this Act.
3) Failing, within 60 days, to provide information in response to a written requirement made by the Department.
4) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public. This includes violations of "good faith" as defined by the Illinois Controlled Substances Act and applies to all prescription drugs.
5) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
6) Selling or engaging in the sale of drug samples provided at no cost by drug manufacturers.
7) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States (i) that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty or that is directly related to the practice of this profession.
(8) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug by the designated representative, as provided for in item (7) of subsection (b) of Section 25 of this Act, any officer, or director that results in the inability to function with reasonable judgment, skill, or safety.

(9) Material misstatement in furnishing information to the Department.

(10) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(11) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(12) Willfully making or filing false records or reports.

(13) A finding of a substantial discrepancy in a Department audit of a prescription drug, including a controlled substance as that term is defined in this Act or in the Illinois Controlled Substances Act.

(14) Falsifying a pedigree or selling, distributing, transferring, manufacturing, repackaging, handling, or holding a counterfeit prescription drug intended for human use.

(15) Interfering with a Department investigation.

(16) Failing to adequately secure controlled substances or other prescription drugs from diversion.

(17) Acquiring or distributing prescription drugs not obtained from a source licensed by the Department.

(18) Failing to properly store drugs.

(19) Failing to maintain the licensed premises with proper storage and security controls.

(b) The Department may refuse to issue or may suspend the license or registration of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until the time the requirements of the tax Act are satisfied.

(c) The Department shall revoke the license or certificate of registration issued under this Act or any prior Act of this State of any person who has been convicted a second time of committing any felony

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under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or certificate of registration issued under this Act or any prior Act of this State is revoked under this subsection (c) (b) shall be prohibited from engaging in the practice of pharmacy in this State.

(Source: P.A. 97-804, eff. 1-1-13; 97-813, eff. 7-13-12; revised 7-25-12.)

Section 380. The Detection of Deception Examiners Act is amended by changing Section 14 as follows:

(225 ILCS 430/14) (from Ch. 111, par. 2415)

(Section scheduled to be repealed on January 1, 2022)

Sec. 14. (a) The Department may refuse to issue or renew or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any license for any one or a combination of the following:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act, or of the rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining licensure or violating any provision of this Act or the rules adopted under this Act pertaining to advertising.

(5) Professional incompetence.

(6) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(7) Aiding or assisting another person in violating this Act or any rule adopted under this Act.

(8) Where the license holder has been adjudged mentally ill, mentally deficient or subject to involuntary admission as

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provided in the Mental Health and Developmental Disabilities Code.

(9) Failing, within 60 days, to provide information in response to a written request made by the Department.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(12) Discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(13) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(15) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(16) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(17) Practicing under a false or, except as provided by law, an assumed name.

(18) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(19) Cheating on or attempting to subvert the licensing examination administered under this Act.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown

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in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (g) of Section 1205-15 of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(f) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this
examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-168, eff. 7-22-11; revised 8-3-12.)

Section 385. The Real Estate Appraiser Licensing Act of 2002 is amended by changing Section 30-10 as follows:

(225 ILCS 458/30-10)
(Section scheduled to be repealed on January 1, 2022)
Sec. 30-10. Appraisal Administration Fund.

New matter indicated by italics - deletions by strikeout
(a) The Appraisal Administration Fund, created under the Real Estate License Act of 1983 and continued under Section 40 of the Real Estate Appraiser Licensing Act, is continued under this Act. All fees collected under this Act shall be deposited into the Appraisal Administration Fund, created in the State Treasury under the Real Estate License Act of 1983.

(b) Appropriations to the Department from the Appraisal Administration Fund for the purpose of administering the Real Estate Appraiser Licensing Act may be used by the Department for the purpose of administering and enforcing the provisions of this Act.

(Source: P.A. 96-844, eff. 12-23-09; revised 10-18-12.)

Section 390. The Illinois Horse Racing Act of 1975 is amended by changing Section 30.5 as follows:

(230 ILCS 5/30.5)
Sec. 30.5. Illinois Racing Quarter Horse Breeders Fund.
(a) The General Assembly declares that it is the policy of this State to encourage the breeding of racing quarter horses in this State and the ownership of such horses by residents of this State in order to provide for sufficient numbers of high quality racing quarter horses in this State and to establish and preserve the agricultural and commercial benefits of such breeding and racing industries to the State of Illinois. It is the intent of the General Assembly to further this policy by the provisions of this Act.

(b) There is hereby created a special fund in the State Treasury to be known as the Illinois Racing Quarter Horse Breeders Fund. Except as provided in subsection (g) of Section 27 of this Act, 8.5% of all the moneys received by the State as pari-mutuel taxes on quarter horse racing shall be paid into the Illinois Racing Quarter Horse Breeders Fund.

(c) The Illinois Racing Quarter Horse Breeders Fund shall be administered by the Department of Agriculture with the advice and assistance of the Advisory Board created in subsection (d) of this Section.

(d) The Illinois Racing Quarter Horse Breeders Fund Advisory Board shall consist of the Director of the Department of Agriculture, who shall serve as Chairman; a member of the Illinois Racing Board, designated by it; one representative of the organization licensees conducting pari-mutuel quarter horse racing meetings, recommended by them; 2 representatives of the Illinois Running Quarter Horse Association, recommended by it; and the Superintendent of Fairs and Promotions from the Department of Agriculture. Advisory Board members shall serve for 2 years commencing January 1 of each odd numbered year. If representatives

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have not been recommended by January 1 of each odd numbered year, the Director of the Department of Agriculture may make an appointment for the organization failing to so recommend a member of the Advisory Board. Advisory Board members shall receive no compensation for their services as members but may be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of their official duties.

(e) No moneys shall be expended from the Illinois Racing Quarter Horse Breeders Fund except as appropriated by the General Assembly. Moneys appropriated from the Illinois Racing Quarter Horse Breeders Fund shall be expended by the Department of Agriculture, with the advice and assistance of the Illinois Racing Quarter Horse Breeders Fund Advisory Board, for the following purposes only:

(1) To provide stakes and awards to be paid to the owners of the winning horses in certain races. This provision is limited to Illinois conceived and foaled horses.

(2) To provide an award to the owner or owners of an Illinois conceived and foaled horse that wins a race when pari-mutuel wagering is conducted; providing the race is not restricted to Illinois conceived and foaled horses.

(3) To provide purse money for an Illinois stallion stakes program.

(4) To provide for purses to be distributed for the running of races during the Illinois State Fair and the DuQuoin State Fair exclusively for quarter horses conceived and foaled in Illinois.

(5) To provide for purses to be distributed for the running of races at Illinois county fairs exclusively for quarter horses conceived and foaled in Illinois.

(6) To provide for purses to be distributed for running races exclusively for quarter horses conceived and foaled in Illinois at locations in Illinois determined by the Department of Agriculture with advice and consent of the Illinois Racing Quarter Horse Breeders Fund Advisory Board.

(7) No less than 90% of all moneys appropriated from the Illinois Racing Quarter Horse Breeders Fund shall be expended for the purposes in items (1), (2), (3), (4), and (5) of this subsection (e).

(8) To provide for research programs concerning the health, development, and care of racing quarter horses.

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(9) To provide for dissemination of public information designed to promote the breeding of racing quarter horses in Illinois.

(10) To provide for expenses incurred in the administration of the Illinois Racing Quarter Horse Breeders Fund.

(f) The Department of Agriculture shall, by rule, with the advice and assistance of the Illinois Racing Quarter Horse Breeders Fund Advisory Board:

(1) Qualify stallions for Illinois breeding; such stallions to stand for service within the State of Illinois, at the time of a foal's conception. Such stallion must not stand for service at any place outside the State of Illinois during the calendar year in which the foal is conceived. The Department of Agriculture may assess and collect application fees for the registration of Illinois-eligible stallions. All fees collected are to be paid into the Illinois Racing Quarter Horse Breeders Fund.

(2) Provide for the registration of Illinois conceived and foaled horses. No such horse shall compete in the races limited to Illinois conceived and foaled horses unless it is registered with the Department of Agriculture. The Department of Agriculture may prescribe such forms as are necessary to determine the eligibility of such horses. The Department of Agriculture may assess and collect application fees for the registration of Illinois-eligible foals. All fees collected are to be paid into the Illinois Racing Quarter Horse Breeders Fund. No person shall knowingly prepare or cause preparation of an application for registration of such foals that contains false information.

(g) The Department of Agriculture, with the advice and assistance of the Illinois Racing Quarter Horse Breeders Fund Advisory Board, shall provide that certain races limited to Illinois conceived and foaled be stakes races and determine the total amount of stakes and awards to be paid to the owners of the winning horses in such races.

(Source: P.A. 91-40, eff. 6-25-99; revised 10-18-12.)

Section 395. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:

(235 ILCS 5/6-11)
Sec. 6-11. Sale near churches, schools, and hospitals.
(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of

New matter indicated by italics - deletions by strikeout
higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within
an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor

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control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and
(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

New matter indicated by italics - deletions by strikeout
(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;
(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;
(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;
(3) the church was established at the current location in 1916 and the present structure was erected in 1925;
(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the school is a City of Chicago School District 299 school;
(2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
(5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises is located on a street that runs perpendicular to the street on which the church is located;
(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
(5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
(6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
(7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
(2) the church was established at the current location in 1889; and
(3) liquor has been sold on the premises since at least 1985.

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(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

1. the premises is located within a larger building operated as a grocery store;
2. the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;
3. the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;
4. the sale of liquor is not the principal business carried on within the larger building;
5. the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;
6. the larger building is separated from the church-owned property and church-affiliated school by an alley;
7. the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and
8. (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;
2. the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;
3. the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

New matter indicated by italics - deletions by strikeout
(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

    (1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

    (2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

    (3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

    (1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;

    (2) the area of the premises does not exceed 31,050 square feet;

    (3) the area of the restaurant does not exceed 5,800 square feet;

    (4) the building has no less than 78 condominium units;

    (5) the construction of the building in which the restaurant is located was completed in 2006;

    (6) the building has 10 storefront properties, 3 of which are used for the restaurant;

    (7) the restaurant will open for business in 2010;

    (8) the building is north of the school and separated by an alley; and

New matter indicated by italics - deletions by strikeout
(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the premises operates as a restaurant and has been in operation since February 2008;
(2) the applicant is the owner of the premises;
(3) the sale of alcoholic liquor is incidental to the sale of food;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;
(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;
(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;
(9) the school is a City of Chicago School District 299 school;
(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and
(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

New matter indicated by italics - deletions by strikeout
(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;
(2) the premises for which the license or renewal is sought has more than 600 parking stalls;
(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;
(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;
(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;
(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;
(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;
(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;
(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;
(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and
(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within

New matter indicated by italics - deletions by strikeout
a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the church has been operating in its current location since 1973;
(3) the premises has been operating in its current location since 1988;
(4) the church and the premises are owned by the same parish;
(5) the premises is used for cultural and educational purposes;
(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(7) the principal religious leader of the church has indicated his support of the issuance of the license;
(8) the premises is a 2-story building of approximately 23,000 square feet; and
(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;
(4) the school is a City of Chicago School District 299 school;
(5) the school has been operating since 1959;
(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;
(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;

New matter indicated by italics - deletions by strikeout
(8) the premises is a single-story building of approximately 2,900 square feet; and
(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:
   (1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
   (2) the licensee shall only sell packaged liquors at the premises;
   (3) the licensee is a national retail chain having over 100 locations within the municipality;
   (4) the licensee has over 8,000 locations nationwide;
   (5) the licensee has locations in all 50 states;
   (6) the premises is located in the North-East quadrant of the municipality;
   (7) the premises is a free-standing building that has "drive-through" pharmacy service;
   (8) the premises has approximately 14,490 square feet of retail space;
   (9) the premises has approximately 799 square feet of pharmacy space;
   (10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
   (11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
   (1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
   (2) the licensee shall only sell packaged liquors at the premises;

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(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(4) the premises is across the street from the church;
(5) the street on which the premises and the church are located is a major arterial street that runs east-west;
(6) the church is an elder-led and Bible-based Assyrian church;
(7) the premises and the church are both single-story buildings;
(8) the storefront directly west of the church is being used as a restaurant; and
(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain;
(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;
(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;
(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and
(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;
(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;

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(7) the principal of the school has given written approval for the license;

(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;

(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and

(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 hundred feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;

(2) the premises is located on land that has undergone environmental remediation;

(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;

(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;

(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;

(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and

(8) the principal of the school has given written consent to the issuance of the license.

(ff) (dd) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

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(1) the sale of alcoholic liquor is not the principal business
carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental
to the operation of a theater;
(3) the premises is a one and one-half-story building of
approximately 10,000 square feet;
(4) the school is a City of Chicago School District 299
school;
(5) the primary entrance of the premises and the primary
entrance of the school are at least 300 feet apart and no more than
400 feet apart;
(6) the alderman of the ward in which the premises is
located has expressed, in writing, his support for the issuance of
the license; and
(7) the principal of the school has expressed, in writing,
that there is no objection to the issuance of a license under this
subsection (ff) (ff).

(Source: P.A. 96-283, eff. 8-11-09; 96-744, eff. 8-25-09; 96-851, eff. 12-
23-09; 96-871, eff. 1-21-10; 96-1051, eff. 7-14-10; 97-9, eff. 6-14-11; 97-
12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff.
7-13-12; 97-806, eff. 7-13-12; revised 7-23-12.)

Section 400. The Safety Deposit License Act is amended by
changing Section 22.1 as follows:

(240 ILCS 5/22.1)
Sec. 22.1. All moneys received by the Department of Financial
Institutions under this Act shall be deposited in the Financial Institution
Institutions Fund created under Section 6z-26 of the State Finance Act.
(Source: P.A. 88-13; revised 10-18-12.)

Section 405. The Illinois Public Aid Code is amended by changing
Sections 5-2, 5-4.2, 5-5, 5-5.12, 5A-5, 5A-8, 5A-10, 5A-12.4, 5C-1, 5C-5,
5C-7, 11-26, 12-5, and 14-8 as follows:
(305 ILCS 5/5-2) (from Ch. 23, par. 5-2)
Sec. 5-2. Classes of Persons Eligible. Medical assistance under this
Article shall be available to any of the following classes of persons in
respect to whom a plan for coverage has been submitted to the Governor
by the Illinois Department and approved by him:
1. Recipients of basic maintenance grants under Articles III
and IV.
2. Persons otherwise eligible for basic maintenance under Articles III and IV, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, but who fail to qualify thereunder on the basis of need or who qualify but are not receiving basic maintenance under Article IV, and who have insufficient income and resources to meet the costs of necessary medical care, including but not limited to the following:

(a) All persons otherwise eligible for basic maintenance under Article III but who fail to qualify under that Article on the basis of need and who meet either of the following requirements:

(i) their income, as determined by the Illinois Department in accordance with any federal requirements, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size; or

(ii) their income, after the deduction of costs incurred for medical care and for other types of remedial care, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined in item (i) of this subparagraph (a).

(b) All persons who, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, would be determined eligible
for such basic maintenance under Article IV by disregarding the maximum earned income permitted by federal law.

3. Persons who would otherwise qualify for Aid to the Medically Indigent under Article VII.

4. Persons not eligible under any of the preceding paragraphs who fall sick, are injured, or die, not having sufficient money, property or other resources to meet the costs of necessary medical care or funeral and burial expenses.

5.(a) Women during pregnancy, after the fact of pregnancy has been determined by medical diagnosis, and during the 60-day period beginning on the last day of the pregnancy, together with their infants and children born after September 30, 1983, whose income and resources are insufficient to meet the costs of necessary medical care to the maximum extent possible under Title XIX of the Federal Social Security Act.

(b) The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 5(a) by April 1, 1990. Such plan shall provide ambulatory prenatal care to pregnant women during a presumptive eligibility period and establish an income eligibility standard that is equal to 133% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size, provided that costs incurred for medical care are not taken into account in determining such income eligibility.

(c) The Illinois Department may conduct a demonstration in at least one county that will provide medical assistance to pregnant women, together with their infants and children up to one year of age, where the income eligibility standard is set up to 185% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget. The Illinois Department shall seek and obtain necessary authorization provided under federal law to implement such a demonstration. Such demonstration may establish resource standards that are not more restrictive than those established under Article IV of this Code.

6. Persons under the age of 18 who fail to qualify as dependent under Article IV and who have insufficient income and
resources to meet the costs of necessary medical care to the maximum extent permitted under Title XIX of the Federal Social Security Act.

7. (Blank).

8. Persons who become ineligible for basic maintenance assistance under Article IV of this Code in programs administered by the Illinois Department due to employment earnings and persons in assistance units comprised of adults and children who become ineligible for basic maintenance assistance under Article VI of this Code due to employment earnings. The plan for coverage for this class of persons shall:

(a) extend the medical assistance coverage for up to 12 months following termination of basic maintenance assistance; and

(b) offer persons who have initially received 6 months of the coverage provided in paragraph (a) above, the option of receiving an additional 6 months of coverage, subject to the following:

(i) such coverage shall be pursuant to provisions of the federal Social Security Act;

(ii) such coverage shall include all services covered while the person was eligible for basic maintenance assistance;

(iii) no premium shall be charged for such coverage; and

(iv) such coverage shall be suspended in the event of a person's failure without good cause to file in a timely fashion reports required for this coverage under the Social Security Act and coverage shall be reinstated upon the filing of such reports if the person remains otherwise eligible.

9. Persons with acquired immunodeficiency syndrome (AIDS) or with AIDS-related conditions with respect to whom there has been a determination that but for home or community-based services such individuals would require the level of care provided in an inpatient hospital, skilled nursing facility or intermediate care facility the cost of which is reimbursed under this Article. Assistance shall be provided to such persons to the

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maximum extent permitted under Title XIX of the Federal Social Security Act.

10. Participants in the long-term care insurance partnership program established under the Illinois Long-Term Care Partnership Program Act who meet the qualifications for protection of resources described in Section 15 of that Act.

11. Persons with disabilities who are employed and eligible for Medicaid, pursuant to Section 1902(a)(10)(A)(ii)(xv) of the Social Security Act, and, subject to federal approval, persons with a medically improved disability who are employed and eligible for Medicaid pursuant to Section 1902(a)(10)(A)(ii)(xvi) of the Social Security Act, as provided by the Illinois Department by rule. In establishing eligibility standards under this paragraph 11, the Department shall, subject to federal approval:

   (a) set the income eligibility standard at not lower than 350% of the federal poverty level;
   (b) exempt retirement accounts that the person cannot access without penalty before the age of 59 1/2, and medical savings accounts established pursuant to 26 U.S.C. 220;
   (c) allow non-exempt assets up to $25,000 as to those assets accumulated during periods of eligibility under this paragraph 11; and
   (d) continue to apply subparagraphs (b) and (c) in determining the eligibility of the person under this Article even if the person loses eligibility under this paragraph 11.

12. Subject to federal approval, persons who are eligible for medical assistance coverage under applicable provisions of the federal Social Security Act and the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000. Those eligible persons are defined to include, but not be limited to, the following persons:

   (1) persons who have been screened for breast or cervical cancer under the U.S. Centers for Disease Control and Prevention Breast and Cervical Cancer Program established under Title XV of the federal Public Health Services Act in accordance with the requirements of Section 1504 of that Act as administered by the Illinois Department of Public Health; and

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(2) persons whose screenings under the above program were funded in whole or in part by funds appropriated to the Illinois Department of Public Health for breast or cervical cancer screening.

"Medical assistance" under this paragraph 12 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. The Department must request federal approval of the coverage under this paragraph 12 within 30 days after the effective date of this amendatory Act of the 92nd General Assembly.

In addition to the persons who are eligible for medical assistance pursuant to subparagraphs (1) and (2) of this paragraph 12, and to be paid from funds appropriated to the Department for its medical programs, any uninsured person as defined by the Department in rules residing in Illinois who is younger than 65 years of age, who has been screened for breast and cervical cancer in accordance with standards and procedures adopted by the Department of Public Health for screening, and who is referred to the Department by the Department of Public Health as being in need of treatment for breast or cervical cancer is eligible for medical assistance benefits that are consistent with the benefits provided to those persons described in subparagraphs (1) and (2). Medical assistance coverage for the persons who are eligible under the preceding sentence is not dependent on federal approval, but federal moneys may be used to pay for services provided under that coverage upon federal approval.

13. Subject to appropriation and to federal approval, persons living with HIV/AIDS who are not otherwise eligible under this Article and who qualify for services covered under Section 5-5.04 as provided by the Illinois Department by rule.

14. Subject to the availability of funds for this purpose, the Department may provide coverage under this Article to persons who reside in Illinois who are not eligible under any of the preceding paragraphs and who meet the income guidelines of paragraph 2(a) of this Section and (i) have an application for asylum pending before the federal Department of Homeland Security or on appeal before a court of competent jurisdiction and are represented either by counsel or by an advocate accredited by the federal Department of Homeland Security and employed by a

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not-for-profit organization in regard to that application or appeal, or (ii) are receiving services through a federally funded torture treatment center. Medical coverage under this paragraph 14 may be provided for up to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of this paragraph 14. If an individual has an appeal pending regarding an application for asylum before the Department of Homeland Security, eligibility under this paragraph 14 may be extended until a final decision is rendered on the appeal. The Department may adopt rules governing the implementation of this paragraph 14.

15. Family Care Eligibility.
   (a) On and after July 1, 2012, a caretaker relative who is 19 years of age or older when countable income is at or below 133% of the Federal Poverty Level Guidelines, as published annually in the Federal Register, for the appropriate family size. A person may not spend down to become eligible under this paragraph 15.
   (b) Eligibility shall be reviewed annually.
   (c) (Blank).
   (d) (Blank).
   (e) (Blank).
   (f) (Blank).
   (g) (Blank).
   (h) (Blank).
   (i) Following termination of an individual's coverage under this paragraph 15, the individual must be determined eligible before the person can be re-enrolled.

16. Subject to appropriation, uninsured persons who are not otherwise eligible under this Section who have been certified and referred by the Department of Public Health as having been screened and found to need diagnostic evaluation or treatment, or both diagnostic evaluation and treatment, for prostate or testicular cancer. For the purposes of this paragraph 16, uninsured persons are those who do not have creditable coverage, as defined under the Health Insurance Portability and Accountability Act, or have otherwise exhausted any insurance benefits they may have had, for prostate or testicular cancer diagnostic evaluation or treatment, or both diagnostic evaluation and treatment. To be eligible, a person must furnish a Social Security number. A person's assets are

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exempt from consideration in determining eligibility under this paragraph 16. Such persons shall be eligible for medical assistance under this paragraph 16 for so long as they need treatment for the cancer. A person shall be considered to need treatment if, in the opinion of the person's treating physician, the person requires therapy directed toward cure or palliation of prostate or testicular cancer, including recurrent metastatic cancer that is a known or presumed complication of prostate or testicular cancer and complications resulting from the treatment modalities themselves. Persons who require only routine monitoring services are not considered to need treatment. "Medical assistance" under this paragraph 16 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. Notwithstanding any other provision of law, the Department (i) does not have a claim against the estate of a deceased recipient of services under this paragraph 16 and (ii) does not have a lien against any homestead property or other legal or equitable real property interest owned by a recipient of services under this paragraph 16.

17. Persons who, pursuant to a waiver approved by the Secretary of the U.S. Department of Health and Human Services, are eligible for medical assistance under Title XIX or XXI of the federal Social Security Act. Notwithstanding any other provision of this Code and consistent with the terms of the approved waiver, the Illinois Department, may by rule:

(a) Limit the geographic areas in which the waiver program operates.

(b) Determine the scope, quantity, duration, and quality, and the rate and method of reimbursement, of the medical services to be provided, which may differ from those for other classes of persons eligible for assistance under this Article.

(c) Restrict the persons' freedom in choice of providers.

In implementing the provisions of Public Act 96-20, the Department is authorized to adopt only those rules necessary, including emergency rules. Nothing in Public Act 96-20 permits the Department to adopt rules or issue a decision that expands eligibility for the FamilyCare Program to a person whose income exceeds 185% of the Federal Poverty
Level as determined from time to time by the U.S. Department of Health and Human Services, unless the Department is provided with express statutory authority.

The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 7 as soon as possible after July 1, 1984.

The eligibility of any such person for medical assistance under this Article is not affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The Department shall by rule establish the amounts of assets to be disregarded in determining eligibility for medical assistance, which shall at a minimum equal the amounts to be disregarded under the Federal Supplemental Security Income Program. The amount of assets of a single person to be disregarded shall not be less than $2,000, and the amount of assets of a married couple to be disregarded shall not be less than $3,000.

To the extent permitted under federal law, any person found guilty of a second violation of Article VIIA shall be ineligible for medical assistance under this Article, as provided in Section 8A-8.

The eligibility of any person for medical assistance under this Article shall not be affected by the receipt by the person of donations or benefits from fundraisers held for the person in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.

Notwithstanding any other provision of this Code, if the United States Supreme Court holds Title II, Subtitle A, Section 2001(a) of Public Law 111-148 to be unconstitutional, or if a holding of Public Law 111-148 makes Medicaid eligibility allowed under Section 2001(a) inoperable, the State or a unit of local government shall be prohibited from enrolling individuals in the Medical Assistance Program as the result of federal approval of a State Medicaid waiver on or after the effective date of this amendatory Act of the 97th General Assembly, and any individuals enrolled in the Medical Assistance Program pursuant to eligibility permitted as a result of such a State Medicaid waiver shall become immediately ineligible.

Notwithstanding any other provision of this Code, if an Act of Congress that becomes a Public Law eliminates Section 2001(a) of Public
Law 111-148, the State or a unit of local government shall be prohibited from enrolling individuals in the Medical Assistance Program as the result of federal approval of a State Medicaid waiver on or after the effective date of this amendatory Act of the 97th General Assembly, and any individuals enrolled in the Medical Assistance Program pursuant to eligibility permitted as a result of such a State Medicaid waiver shall become immediately ineligible.

(Source: P.A. 96-20, eff. 6-30-09; 96-181, eff. 8-10-09; 96-328, eff. 8-11-09; 96-567, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1123, eff. 1-1-11; 96-1270, eff. 7-26-10; 97-48, eff. 6-28-11; 97-74, eff. 6-30-11; 97-333, eff. 8-12-11; 97-687, eff. 6-14-12; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; revised 7-23-12.)

(305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

Sec. 5-4.2. Ambulance services payments.

(a) For ambulance services provided to a recipient of aid under this Article on or after January 1, 1993, the Illinois Department shall reimburse ambulance service providers at rates calculated in accordance with this Section. It is the intent of the General Assembly to provide adequate reimbursement for ambulance services so as to ensure adequate access to services for recipients of aid under this Article and to provide appropriate incentives to ambulance service providers to provide services in an efficient and cost-effective manner. Thus, it is the intent of the General Assembly that the Illinois Department implement a reimbursement system for ambulance services that, to the extent practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, is consistent with the payment principles of Medicare. To ensure uniformity between the payment principles of Medicare and Medicaid, the Illinois Department shall follow, to the extent necessary and practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, the statutes, laws, regulations, policies, procedures, principles, definitions, guidelines, and manuals used to determine the amounts paid to ambulance service providers under Title XVIII of the Social Security Act (Medicare).

(b) For ambulance services provided to a recipient of aid under this Article on or after January 1, 1996, the Illinois Department shall reimburse ambulance service providers based upon the actual distance traveled if a natural disaster, weather conditions, road repairs, or traffic congestion necessitates the use of a route other than the most direct route.

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(c) For purposes of this Section, "ambulance services" includes medical transportation services provided by means of an ambulance, medi-car, service car, or taxi.

(c-1) For purposes of this Section, "ground ambulance service" means medical transportation services that are described as ground ambulance services by the Centers for Medicare and Medicaid Services and provided in a vehicle that is licensed as an ambulance by the Illinois Department of Public Health pursuant to the Emergency Medical Services (EMS) Systems Act.

(c-2) For purposes of this Section, "ground ambulance service provider" means a vehicle service provider as described in the Emergency Medical Services (EMS) Systems Act that operates licensed ambulances for the purpose of providing emergency ambulance services, or non-emergency ambulance services, or both. For purposes of this Section, this includes both ambulance providers and ambulance suppliers as described by the Centers for Medicare and Medicaid Services.

(d) This Section does not prohibit separate billing by ambulance service providers for oxygen furnished while providing advanced life support services.

(e) Beginning with services rendered on or after July 1, 2008, all providers of non-emergency medi-car and service car transportation must certify that the driver and employee attendant, as applicable, have completed a safety program approved by the Department to protect both the patient and the driver, prior to transporting a patient. The provider must maintain this certification in its records. The provider shall produce such documentation upon demand by the Department or its representative. Failure to produce documentation of such training shall result in recovery of any payments made by the Department for services rendered by a non-certified driver or employee attendant. Medi-car and service car providers must maintain legible documentation in their records of the driver and, as applicable, employee attendant that actually transported the patient. Providers must recertify all drivers and employee attendants every 3 years.

Notwithstanding the requirements above, any public transportation provider of medi-car and service car transportation that receives federal funding under 49 U.S.C. 5307 and 5311 need not certify its drivers and employee attendants under this Section, since safety training is already federally mandated.

(f) With respect to any policy or program administered by the Department or its agent regarding approval of non-emergency medical
transportation by ground ambulance service providers, including, but not limited to, the Non-Emergency Transportation Services Prior Approval Program (NETSPAP), the Department shall establish by rule a process by which ground ambulance service providers of non-emergency medical transportation may appeal any decision by the Department or its agent for which no denial was received prior to the time of transport that either (i) denies a request for approval for payment of non-emergency transportation by means of ground ambulance service or (ii) grants a request for approval of non-emergency transportation by means of ground ambulance service at a level of service that entitles the ground ambulance service provider to a lower level of compensation from the Department than the ground ambulance service provider would have received as compensation for the level of service requested. The rule shall be filed by December 15, 2012 and shall provide that, for any decision rendered by the Department or its agent on or after the date the rule takes effect, the ground ambulance service provider shall have 60 days from the date the decision is received to file an appeal. The rule established by the Department shall be, insofar as is practical, consistent with the Illinois Administrative Procedure Act. The Director's decision on an appeal under this Section shall be a final administrative decision subject to review under the Administrative Review Law.

(f-5) (g) Beginning 90 days after July 20, 2012 (the effective date of this amendatory Act of the 97th General Assembly), (i) no denial of a request for approval for payment of non-emergency transportation by means of ground ambulance service, and (ii) no approval of non-emergency transportation by means of ground ambulance service at a level of service that entitles the ground ambulance service provider to a lower level of compensation from the Department than would have been received at the level of service submitted by the ground ambulance service provider, may be issued by the Department or its agent unless the Department has submitted the criteria for determining the appropriateness of the transport for first notice publication in the Illinois Register pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

(g) Whenever a patient covered by a medical assistance program under this Code or by another medical program administered by the Department is being discharged from a facility, a physician discharge order as described in this Section shall be required for each patient whose discharge requires medically supervised ground ambulance services. Facilities shall develop procedures for a physician with medical staff

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privileges to provide a written and signed physician discharge order. The physician discharge order shall specify the level of ground ambulance services needed and complete a medical certification establishing the criteria for approval of non-emergency ambulance transportation, as published by the Department of Healthcare and Family Services, that is met by the patient. This order and the medical certification shall be completed prior to ordering an ambulance service and prior to patient discharge.

Pursuant to subsection (E) of Section 12-4.25 of this Code, the Department is entitled to recover overpayments paid to a provider or vendor, including, but not limited to, from the discharging physician, the discharging facility, and the ground ambulance service provider, in instances where a non-emergency ground ambulance service is rendered as the result of improper or false certification.

(h) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-584, eff. 8-26-11; 97-689, eff. 6-14-12; 97-842, eff. 7-20-12; revised 8-3-12.)

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and

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eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.
Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the
presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not
received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent

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programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

(1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

(2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
(3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the

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dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of
eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

1. In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

2. In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.
(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in

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cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and

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development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy

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with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; 96-926, eff. 1-1-11; 96-1000, eff. 7-2-10; 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; revised 9-20-12.)

(305 ILCS 5/5-5.12) (from Ch. 23, par. 5-5.12)

Sec. 5-5.12. Pharmacy payments.

(a) Every request submitted by a pharmacy for reimbursement under this Article for prescription drugs provided to a recipient of aid under this Article shall include the name of the prescriber or an acceptable identification number as established by the Department.

(b) Pharmacies providing prescription drugs under this Article shall be reimbursed at a rate which shall include a professional dispensing fee as determined by the Illinois Department, plus the current acquisition cost of the prescription drug dispensed. The Illinois Department shall update its information on the acquisition costs of all prescription drugs no less frequently than every 30 days. However, the Illinois Department may set the rate of reimbursement for the acquisition cost, by rule, at a percentage of the current average wholesale acquisition cost.

(c) (Blank).

(d) The Department shall review utilization of narcotic medications in the medical assistance program and impose utilization controls that protect against abuse.

(e) When making determinations as to which drugs shall be on a prior approval list, the Department shall include as part of the analysis for this determination, the degree to which a drug may affect individuals in

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different ways based on factors including the gender of the person taking the medication.

(f) The Department shall cooperate with the Department of Public Health and the Department of Human Services Division of Mental Health in identifying psychotropic medications that, when given in a particular form, manner, duration, or frequency (including "as needed") in a dosage, or in conjunction with other psychotropic medications to a nursing home resident or to a resident of a facility licensed under the ID/DD Community Care Act, may constitute a chemical restraint or an "unnecessary drug" as defined by the Nursing Home Care Act or Titles XVIII and XIX of the Social Security Act and the implementing rules and regulations. The Department shall require prior approval for any such medication prescribed for a nursing home resident or to a resident of a facility licensed under the ID/DD Community Care Act, that appears to be a chemical restraint or an unnecessary drug. The Department shall consult with the Department of Human Services Division of Mental Health in developing a protocol and criteria for deciding whether to grant such prior approval.

(g) The Department may by rule provide for reimbursement of the dispensing of a 90-day supply of a generic or brand name, non-narcotic maintenance medication in circumstances where it is cost effective.

(g-5) On and after July 1, 2012, the Department may require the dispensing of drugs to nursing home residents be in a 7-day supply or other amount less than a 31-day supply. The Department shall pay only one dispensing fee per 31-day supply.

(h) Effective July 1, 2011, the Department shall discontinue coverage of select over-the-counter drugs, including analgesics and cough and cold and allergy medications.

(h-5) On and after July 1, 2012, the Department shall impose utilization controls, including, but not limited to, prior approval on specialty drugs, oncolytic drugs, drugs for the treatment of HIV or AIDS, immunosuppressant drugs, and biological products in order to maximize savings on these drugs. The Department may adjust payment methodologies for non-pharmacy billed drugs in order to incentivize the selection of lower-cost drugs. For drugs for the treatment of AIDS, the Department shall take into consideration the potential for non-adherence by certain populations, and shall develop protocols with organizations or providers primarily serving those with HIV/AIDS, as long as such measures intend to maintain cost neutrality with other utilization management controls such as prior approval. For hemophilia, the
Department shall develop a program of utilization review and control which may include, in the discretion of the Department, prior approvals. The Department may impose special standards on providers that dispense blood factors which shall include, in the discretion of the Department, staff training and education; patient outreach and education; case management; in-home patient assessments; assay management; maintenance of stock; emergency dispensing timeframes; data collection and reporting; dispensing of supplies related to blood factor infusions; cold chain management and packaging practices; care coordination; product recalls; and emergency clinical consultation. The Department may require patients to receive a comprehensive examination annually at an appropriate provider in order to be eligible to continue to receive blood factor.

(i) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(i)(Blank):

(j) On and after July 1, 2012, the Department shall impose limitations on prescription drugs such that the Department shall not provide reimbursement for more than 4 prescriptions, including 3 brand name prescriptions, for distinct drugs in a 30-day period, unless prior approval is received for all prescriptions in excess of the 4-prescription limit. Drugs in the following therapeutic classes shall not be subject to prior approval as a result of the 4-prescription limit: immunosuppressant drugs, oncolytic drugs, and anti-retroviral drugs.

(k) No medication therapy management program implemented by the Department shall be contrary to the provisions of the Pharmacy Practice Act.

(l) Any provider enrolled with the Department that bills the Department for outpatient drugs and is eligible to enroll in the federal Drug Pricing Program under Section 340B of the federal Public Health Services Act shall enroll in that program. No entity participating in the federal Drug Pricing Program under Section 340B of the federal Public Health Services Act may exclude Medicaid from their participation in that program, although the Department may exclude entities defined in Section 1905(l)(2)(B) of the Social Security Act from this requirement.

(Source: P.A. 96-1269, eff. 7-26-10; 96-1372, eff. 7-29-10; 96-1501, eff. 1-25-11; 97-38, eff. 6-28-11; 97-74, eff. 6-30-11; 97-333, eff. 8-12-11; 97-

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Sec. 5A-5. Notice; penalty; maintenance of records.

(a) The Illinois Department shall send a notice of assessment to every hospital provider subject to assessment under this Article. The notice of assessment shall notify the hospital of its assessment and shall be sent after receipt by the Department of notification from the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services that the payment methodologies required under this Article and, if necessary, the waiver granted under 42 CFR 433.68 have been approved. The notice shall be on a form prepared by the Illinois Department and shall state the following:

1. The name of the hospital provider.

2. The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.

3. The occupied bed days, occupied bed days less Medicare days, adjusted gross hospital revenue, or outpatient gross revenue of the hospital provider (whichever is applicable), the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice is sent, and the amount of each installment to be paid during the State fiscal year.

4. (Blank).

5. Other reasonable information as determined by the Illinois Department.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider shall pay the assessment for each hospital separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who cease to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon

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ceasing to conduct, operate, or maintain a hospital, the person shall pay the
assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider
who commences conducting, operating, or maintaining a hospital, upon
notice by the Illinois Department, shall pay the assessment computed
under Section 5A-2 and subsection (e) in installments on the due dates
stated in the notice and on the regular installment due dates for the State
fiscal year occurring after the due dates of the initial notice.

(e) Notwithstanding any other provision in this Article, for State
fiscal years 2009 through 2014, in the case of a hospital provider that
did not conduct, operate, or maintain a hospital in 2005, the assessment for
that State fiscal year shall be computed on the basis of hypothetical
occupied bed days for the full calendar year as determined by the Illinois
Department. Notwithstanding any other provision in this Article, for State
fiscal years 2013 through 2014, and for July 1, 2014 through December
31, 2014, in the case of a hospital provider that did not conduct, operate,
or maintain a hospital in 2009, the assessment under subsection (b-5) of
Section 5A-2 for that State fiscal year shall be computed on the basis of
hypothetical gross outpatient revenue for the full calendar year as
determined by the Illinois Department.

(f) Every hospital provider subject to assessment under this Article
shall keep sufficient records to permit the determination of adjusted gross
hospital revenue for the hospital's fiscal year. All such records shall be
kept in the English language and shall, at all times during regular business
hours of the day, be subject to inspection by the Illinois Department or its
duly authorized agents and employees.

(g) The Illinois Department may, by rule, provide a hospital
provider a reasonable opportunity to request a clarification or correction of
any clerical or computational errors contained in the calculation of its
assessment, but such corrections shall not extend to updating the cost
report information used to calculate the assessment.

(h) (Blank).

(Source: P.A. 96-1530, eff. 2-16-11; 97-688, eff. 6-14-12; 97-689, eff. 6-
14-12; revised 10-17-12.)

(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)
Sec. 5A-8. Hospital Provider Fund.
(a) There is created in the State Treasury the Hospital Provider
Fund. Interest earned by the Fund shall be credited to the Fund. The Fund
shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law:

(1) For making payments to hospitals as required under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Code.

(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing activities under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Hospital Provider Fund plus any interest that would have been earned by that fund on the monies that had been transferred.

(6.5) For making transfers to the Healthcare Provider Relief Fund, except that transfers made under this paragraph (6.5) shall not exceed $60,000,000 in the aggregate.

(7) For making transfers not exceeding the following amounts, in State fiscal years 2013 and 2014: $75,000,000 in each State fiscal
year during which an assessment is imposed pursuant to Section 5A-2, to the following designated funds:

- Health and Human Services Medicaid Trust Fund.......................... $20,000,000
- Long-Term Care Provider Fund........ $30,000,000
- General Revenue Fund............... $80,000,000.

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.1) For making transfers not exceeding the following amounts, in State fiscal year 2015, to the following designated funds:

- Health and Human Services Medicaid Trust Fund.......................... $10,000,000
- Long-Term Care Provider Fund........ $15,000,000
- General Revenue Fund............... $40,000,000.

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.5) (Blank).
(7.8) (Blank).
(7.9) (Blank).

(7.10) For State fiscal years 2013 and 2014, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

- Health Care Provider Relief Fund...... $50,000,000

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.11) For State fiscal year 2015, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

- Health Care Provider Relief Fund...... $25,000,000

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Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(8) For making refunds to hospital providers pursuant to Section 5A-10.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank).

(Source: P.A. 96-3, eff. 2-27-09; 96-45, eff. 7-15-09; 96-821, eff. 11-20-09; 96-1530, eff. 2-16-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; revised 10-17-12.)

(305 ILCS 5/5A-10) (from Ch. 23, par. 5A-10)

Sec. 5A-10. Applicability.

(a) The assessment imposed by subsection (a) of Section 5A-2 shall cease to be imposed and the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if:

(1) The payments to hospitals required under this Article are not eligible for federal matching funds under Title XIX or XXI of the Social Security Act;

(2) For State fiscal years 2009 through 2014, and July 1, 2014 through December 31, 2014, the Department of Healthcare and Family Services adopts any administrative rule change to

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reduce payment rates or alters any payment methodology that reduces any payment rates made to operating hospitals under the approved Title XIX or Title XXI State plan in effect January 1, 2008 except for:

(A) any changes for hospitals described in subsection (b) of Section 5A-3;
(B) any rates for payments made under this Article V-A;
(C) any changes proposed in State plan amendment transmittal numbers 08-01, 08-02, 08-04, 08-06, and 08-07;
(D) in relation to any admissions on or after January 1, 2011, a modification in the methodology for calculating outlier payments to hospitals for exceptionally costly stays, for hospitals reimbursed under the diagnosis-related grouping methodology in effect on July 1, 2011 January 1, 2011 provided that the Department shall be limited to one such modification during the 36-month period after the effective date of this amendatory Act of the 96th General Assembly; or
(E) any changes affecting hospitals authorized by  
Public Act 97-689 this amendatory Act of the 97th General Assembly.

(b) The assessment imposed by Section 5A-2 shall not take effect or shall cease to be imposed, and the Department's obligation to make payments shall immediately cease, if the assessment is determined to be an impermissible tax under Title XIX of the Social Security Act. Moneys in the Hospital Provider Fund derived from assessments imposed prior thereto shall be disbursed in accordance with Section 5A-8 to the extent federal financial participation is not reduced due to the impermissibility of the assessments, and any remaining moneys shall be refunded to hospital providers in proportion to the amounts paid by them.

(c) The assessments imposed by subsection (b-5) of Section 5A-2 shall not take effect or shall cease to be imposed, the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if the payments to hospitals required under Section 5A-12.4 are not eligible for federal matching funds under Title XIX of the Social Security Act.
(d) The assessments imposed by Section 5A-2 shall not take effect or shall cease to be imposed, the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if:

(1) for State fiscal years 2013 through 2014, and July 1, 2014 through December 31, 2014, the Department reduces any payment rates to hospitals as in effect on May 1, 2012, or alters any payment methodology as in effect on May 1, 2012, that has the effect of reducing payment rates to hospitals, except for any changes affecting hospitals authorized in Public Act 97-689 Senate Bill 2840 of the 97th General Assembly in the form in which it becomes law, and except for any changes authorized under Section 5A-15; or

(2) for State fiscal years 2013 through 2014, and July 1, 2014 through December 31, 2014, the Department reduces any supplemental payments made to hospitals below the amounts paid for services provided in State fiscal year 2011 as implemented by administrative rules adopted and in effect on or prior to June 30, 2011, except for any changes affecting hospitals authorized in Public Act 97-689 Senate Bill 2840 of the 97th General Assembly in the form in which it becomes law, and except for any changes authorized under Section 5A-15.

(Source: P.A. 96-8, eff. 4-28-09; 96-1530, eff. 2-16-11; 97-72, eff. 7-1-11; 97-74, eff. 6-30-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; revised 10-17-12.)

(305 ILCS 5/5A-12.4)
(Section scheduled to be repealed on January 1, 2015)
Sec. 5A-12.4. Hospital access improvement payments on or after July 1, 2012.

(a) Hospital access improvement payments. To preserve and improve access to hospital services, for hospital and physician services rendered on or after July 1, 2012, the Illinois Department shall, except for hospitals described in subsection (b) of Section 5A-3, make payments to hospitals as set forth in this Section. These payments shall be paid in 12 equal installments on or before the 7th State business day of each month, except that no payment shall be due within 100 days after the later of the date of notification of federal approval of the payment methodologies required under this Section or any waiver required under 42 CFR 433.68.

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at which time the sum of amounts required under this Section prior to the
date of notification is due and payable. Payments under this Section are
not due and payable, however, until (i) the methodologies described in this
Section are approved by the federal government in an appropriate State
Plan amendment and (ii) the assessment imposed under subsection (b-5) of
Section 5A-2 of this Article is determined to be a permissible tax under
Title XIX of the Social Security Act. The Illinois Department shall take all
actions necessary to implement the payments under this Section effective
July 1, 2012, including but not limited to providing public notice pursuant
to federal requirements, the filing of a State Plan amendment, and the
adoption of administrative rules.

(a-5) Accelerated schedule. The Illinois Department may, when
practicable, accelerate the schedule upon which payments authorized
under this Section are made.

(b) Magnet and perinatal hospital adjustment. In addition to rates
paid for inpatient hospital services, the Department shall pay to each
Illinois general acute care hospital that, as of August 25, 2011, was
recognized as a Magnet hospital by the American Nurses Credentialing
Center and that, as of September 14, 2011, was designated as a level III
perinatal center amounts as follows:

(1) For hospitals with a case mix index equal to or greater
than the 80th percentile of case mix indices for all Illinois
hospitals, $470 for each Medicaid general acute care inpatient day
of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general
acute care inpatient day of care provided by the hospital during
State fiscal year 2009.

(c) Trauma level II adjustment. In addition to rates paid for
inpatient hospital services, the Department shall pay to each Illinois
general acute care hospital that, as of July 1, 2011, was designated as a
level II trauma center amounts as follows:

(1) For hospitals with a case mix index equal to or greater
than the 50th percentile of case mix indices for all Illinois
hospitals, $470 for each Medicaid general acute care inpatient day
of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general
acute care inpatient day of care provided by the hospital during
State fiscal year 2009.

New matter indicated by italics - deletions by strikeout
(3) For the purposes of this adjustment, hospitals located in the same city that alternate their trauma center designation as defined in 89 Ill. Adm. Code 148.295(a)(2) shall have the adjustment provided under this Section divided between the 2 hospitals.

(d) Dual-eligible adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois general acute care hospital that had a ratio of crossover days to total inpatient days for programs under Title XIX of the Social Security Act administered by the Department (utilizing information from 2009 paid claims) greater than 50%, and a case mix index equal to or greater than the 75th percentile of case mix indices for all Illinois hospitals, a rate of $400 for each Medicaid inpatient day during State fiscal year 2009 including crossover days.

(e) Medicaid volume adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that provided more than 10,000 Medicaid inpatient days of care in State fiscal year 2009, has a Medicaid inpatient utilization rate of at least 29.05% as calculated by the Department for the Rate Year 2011 Disproportionate Share determination, and is not eligible for Medicaid Percentage Adjustment payments in rate year 2011 an amount equal to $135 for each Medicaid inpatient day of care provided during State fiscal year 2009.

(f) Outpatient service adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital an amount at least equal to $100 multiplied by the hospital's outpatient ambulatory procedure listing services (excluding categories 3B and 3C) and by the hospital's end stage renal disease treatment services provided for State fiscal year 2009.

(g) Ambulatory service adjustment.

(1) In addition to the rates paid for outpatient hospital services provided in the emergency department, the Department shall pay each Illinois hospital an amount equal to $105 multiplied by the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

(2) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois freestanding psychiatric hospital an amount equal to $200 multiplied by the hospital's ambulatory procedure listing services for category 5A for State fiscal year 2009.

New matter indicated by italics - deletions by strikeout
(h) Specialty hospital adjustment. In addition to the rates paid for 
outpatient hospital services, the Department shall pay each Illinois long 
term acute care hospital and each Illinois hospital devoted exclusively to 
the treatment of cancer, an amount equal to $700 multiplied by the 
hospital's outpatient ambulatory procedure listing services and by the 
hospital's end stage renal disease treatment services (including services 
provided to individuals eligible for both Medicaid and Medicare) provided 
for State fiscal year 2009.

(h-1) ER Safety Net Payments. In addition to rates paid for 
outpatient services, the Department shall pay to each Illinois general acute 
care hospital with an emergency room ratio equal to or greater than 55%, 
that is not eligible for Medicaid percentage adjustments payments in rate 
year 2011, with a case mix index equal to or greater than the 20th 
percentile, and that is not designated as a trauma center by the Illinois 
Department of Public Health on July 1, 2011, as follows:

1. Each hospital with an emergency room ratio equal to or 
greater than 74% shall receive a rate of $225 for each outpatient 
ambulatory procedure listing and end-stage renal disease treatment 
service provided for State fiscal year 2009.

2. For all other hospitals, $65 shall be paid for each 
outpatient ambulatory procedure listing and end-stage renal disease 
treatment service provided for State fiscal year 2009.

(i) Physician supplemental adjustment. In addition to the rates paid 
for physician services, the Department shall make an adjustment payment 
for services provided by physicians as follows:

1. Physician services eligible for the adjustment payment 
are those provided by physicians employed by or who have a 
contract to provide services to patients of the following hospitals: 
(i) Illinois general acute care hospitals that provided at least 17,000 
Medicaid inpatient days of care in State fiscal year 2009 and are 
eligible for Medicaid Percentage Adjustment Payments in rate year 
2011; and (ii) Illinois freestanding children's hospitals, as defined 
in 89 Ill. Adm. Code 149.50(c)(3)(A).

2. The amount of the adjustment for each eligible hospital 
under this subsection (i) shall be determined by rule by the 
Department to spend a total pool of at least $6,960,000 annually. 
This pool shall be allocated among the eligible hospitals based on 
the difference between the upper payment limit for what could 
have been paid under Medicaid for physician services provided 

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during State fiscal year 2009 by physicians employed by or who had a contract with the hospital and the amount that was paid under Medicaid for such services, provided however, that in no event shall physicians at any individual hospital collectively receive an annual, aggregate adjustment in excess of $435,000, except that any amount that is not distributed to a hospital because of the upper payment limit shall be reallocated among the remaining eligible hospitals that are below the upper payment limitation, on a proportionate basis.

(i-5) For any children's hospital which did not charge for its services during the base period, the Department shall use data supplied by the hospital to determine payments using similar methodologies for freestanding children's hospitals under this Section or Section 5A-12.2.

(j) For purposes of this Section, a hospital that is enrolled to provide Medicaid services during State fiscal year 2009 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this Section.

(k) For purposes of this Section, the terms "Medicaid days", "ambulatory procedure listing services", and "ambulatory procedure listing payments" do not include any days, charges, or services for which Medicare or a managed care organization reimbursed on a capitated basis was liable for payment, except where explicitly stated otherwise in this Section.

(l) Definitions. Unless the context requires otherwise or unless provided otherwise in this Section, the terms used in this Section for qualifying criteria and payment calculations shall have the same meanings as those terms have been given in the Illinois Department's administrative rules as in effect on October 1, 2011. Other terms shall be defined by the Illinois Department by rule.

As used in this Section, unless the context requires otherwise:
"Case mix index" means, for a given hospital, the sum of the per admission (DRG) relative weighting factors in effect on January 1, 2005, for all general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82, divided by the total number of general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82.
"Emergency room ratio" means, for a given hospital, a fraction, the denominator of which is the number of the hospital's outpatient ambulatory procedure listing and end-stage renal disease treatment services provided for State fiscal year 2009 and the numerator of which is the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

"Medicaid inpatient day" means, for a given hospital, the sum of days of inpatient hospital days provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring during State fiscal year 2009 that was adjudicated by the Department through June 30, 2010.

"Outpatient ambulatory procedure listing services" means, for a given hospital, ambulatory procedure listing services, as described in 89 Ill. Adm. Code 148.140(b), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding services for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

"Outpatient end-stage renal disease treatment services" means, for a given hospital, the services, as described in 89 Ill. Adm. Code 148.140(c), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding payments for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

(m) The Department may adjust payments made under this Section 5A-12.4 to comply with federal law or regulations regarding hospital-specific payment limitations on government-owned or government-operated hospitals.

(n) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules that change the hospital access improvement payments specified in this Section, but only to the extent necessary to conform to any federally approved amendment to the Title XIX State plan. Any such rules shall be adopted by the Department as authorized by Section 5-50 of the Illinois Administrative Procedure Act.

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Notwithstanding any other provision of law, any changes implemented as a result of this subsection (n) shall be given retroactive effect so that they shall be deemed to have taken effect as of the effective date of this Section.

(o) The Department of Healthcare and Family Services must submit a State Medicaid Plan Amendment to the Centers of Medicare and Medicaid Services to implement the payments under this Section within 30 days of June 14, 2012 (the effective date of Public Act 97-688) this Act. (Source: P.A. 97-688, eff. 6-14-12; revised 8-3-12.)

(305 ILCS 5/5C-1) (from Ch. 23, par. 5C-1)
Sec. 5C-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability.

"Developmentally disabled care facility" means an intermediate care facility for the intellectually disabled within the meaning of Title XIX of the Social Security Act, whether public or private and whether organized for profit or not-for-profit, but shall not include any facility operated by the State.

"Developmentally disabled care provider" means a person conducting, operating, or maintaining a developmentally disabled care facility. For this purpose, "person" means any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Adjusted gross developmentally disabled care revenue" shall be computed separately for each developmentally disabled care facility conducted, operated, or maintained by a developmentally disabled care provider, and means the developmentally disabled care provider's total revenue for inpatient residential services less contractual allowances and discounts on patients' accounts, but does not include non-patient revenue from sources such as contributions, donations or bequests, investments, day training services, television and telephone service, and rental of facility space. (Source: P.A. 97-227, eff. 1-1-12; revised 10-18-12.)

(305 ILCS 5/5C-5) (from Ch. 23, par. 5C-5)
Sec. 5C-5. Disposition of proceeds. The Illinois Department shall pay all moneys received from developmentally disabled care providers

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under this Article into the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability. Upon certification by the Illinois Department to the State Comptroller of its intent to withhold from a provider under Section 5C-6(b), the State Comptroller shall draw a warrant on the treasury or other fund held by the State Treasurer, as appropriate. The warrant shall state the amount for which the provider is entitled to a warrant, the amount of the deduction, and the reason therefor and shall direct the State Treasurer to pay the balance to the provider, all in accordance with Section 10.05 of the State Comptroller Act. The warrant also shall direct the State Treasurer to transfer the amount of the deduction so ordered from the treasury or other fund into the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability.

(Source: P.A. 87-861; revised 10-18-12.)

(305 ILCS 5/5C-7) (from Ch. 23, par. 5C-7)

Sec. 5C-7. Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability.

(a) There is created in the State Treasury the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving and disbursing assessment moneys in accordance with this Article. Disbursements from the Fund shall be made only as follows:

(1) For payments to intermediate care facilities for the developmentally disabled under Title XIX of the Social Security Act and Article V of this Code.

(2) For the reimbursement of moneys collected by the Illinois Department through error or mistake, and to make required payments under Section 5-4.28(a)(1) of this Code if there are no moneys available for such payments in the Medicaid Developmentally Disabled Provider Participation Fee Trust Fund.

(3) For payment of administrative expenses incurred by the Department of Human Services or its agent or the Illinois Department or its agent in performing the activities authorized by this Article.

New matter indicated by italics - deletions by strikeout
(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers to the General Obligation Bond Retirement and Interest Fund as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

Disbursements from the Fund, other than transfers to the General Obligation Bond Retirement and Interest Fund, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the developmentally disabled care provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Any balance in the Medicaid Developmentally Disabled Care Provider Participation Fee Trust Fund in the State Treasury. The balance shall be transferred to the Fund upon certification by the Illinois Department to the State Comptroller that all of the disbursements required by Section 5-4.21(b) of this Code have been made.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(Source: P.A. 89-21, eff. 7-1-95; 89-507, eff. 7-1-97; revised 10-18-12.)

(305 ILCS 5/11-26) (from Ch. 23, par. 11-26)

Sec. 11-26. Recipient's abuse of medical care; restrictions on access to medical care.

(a) When the Department determines, on the basis of statistical norms and medical judgment, that a medical care recipient has received medical services in excess of need and with such frequency or in such a manner as to constitute an abuse of the recipient's medical care privileges, the recipient's access to medical care may be restricted.

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(b) When the Department has determined that a recipient is abusing his or her medical care privileges as described in this Section, it may require that the recipient designate a primary provider type of the recipient's own choosing to assume responsibility for the recipient's care. For the purposes of this subsection, "primary provider type" means a provider type as determined by the Department. Instead of requiring a recipient to make a designation as provided in this subsection, the Department, pursuant to rules adopted by the Department and without regard to any choice of an entity that the recipient might otherwise make, may initially designate a primary provider type provided that the primary provider type is willing to provide that care.

(c) When the Department has requested that a recipient designate a primary provider type and the recipient fails or refuses to do so, the Department may, after a reasonable period of time, assign the recipient to a primary provider type of its own choice and determination, provided such primary provider type is willing to provide such care.

(d) When a recipient has been restricted to a designated primary provider type, the recipient may change the primary provider type:

1. when the designated source becomes unavailable, as the Department shall determine by rule; or
2. when the designated primary provider type notifies the Department that it wishes to withdraw from any obligation as primary provider type; or
3. in other situations, as the Department shall provide by rule.

The Department shall, by rule, establish procedures for providing medical or pharmaceutical services when the designated source becomes unavailable or wishes to withdraw from any obligation as primary provider type, shall, by rule, take into consideration the need for emergency or temporary medical assistance and shall ensure that the recipient has continuous and unrestricted access to medical care from the date on which such unavailability or withdrawal becomes effective until such time as the recipient designates a primary provider type or a primary provider type willing to provide such care is designated by the Department consistent with subsections (b) and (c) and such restriction becomes effective.

(e) Prior to initiating any action to restrict a recipient's access to medical or pharmaceutical care, the Department shall notify the recipient of its intended action. Such notification shall be in writing and shall set
forth the reasons for and nature of the proposed action. In addition, the notification shall:

(1) inform the recipient that (i) the recipient has a right to designate a primary provider type of the recipient's own choosing willing to accept such designation and that the recipient's failure to do so within a reasonable time may result in such designation being made by the Department or (ii) the Department has designated a primary provider type to assume responsibility for the recipient's care; and

(2) inform the recipient that the recipient has a right to appeal the Department's determination to restrict the recipient's access to medical care and provide the recipient with an explanation of how such appeal is to be made. The notification shall also inform the recipient of the circumstances under which unrestricted medical eligibility shall continue until a decision is made on appeal and that if the recipient chooses to appeal, the recipient will be able to review the medical payment data that was utilized by the Department to decide that the recipient's access to medical care should be restricted.

(f) The Department shall, by rule or regulation, establish procedures for appealing a determination to restrict a recipient's access to medical care, which procedures shall, at a minimum, provide for a reasonable opportunity to be heard and, where the appeal is denied, for a written statement of the reason or reasons for such denial.

(g) Except as otherwise provided in this subsection, when a recipient has had his or her medical card restricted for 4 full quarters (without regard to any period of ineligibility for medical assistance under this Code, or any period for which the recipient voluntarily terminates his or her receipt of medical assistance, that may occur before the expiration of those 4 full quarters), the Department shall reevaluate the recipient's medical usage to determine whether it is still in excess of need and with such frequency or in such a manner as to constitute an abuse of the receipt of medical assistance. If it is still in excess of need, the restriction shall be continued for another 4 full quarters. If it is no longer in excess of need, the restriction shall be discontinued. If a recipient's access to medical care has been restricted under this Section and the Department then determines, either at reevaluation or after the restriction has been discontinued, to restrict the recipient's access to medical care a second or subsequent time, the second or subsequent restriction may be imposed for a period of more

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than 4 full quarters. If the Department restricts a recipient's access to medical care for a period of more than 4 full quarters, as determined by rule, the Department shall reevaluate the recipient's medical usage after the end of the restriction period rather than after the end of 4 full quarters. The Department shall notify the recipient, in writing, of any decision to continue the restriction and the reason or reasons therefor. A "quarter", for purposes of this Section, shall be defined as one of the following 3-month periods of time: January-March, April-June, July-September or October-December.

(h) In addition to any other recipient whose acquisition of medical care is determined to be in excess of need, the Department may restrict the medical care privileges of the following persons:

   (1) recipients found to have loaned or altered their cards or misused or falsely represented medical coverage;

   (2) recipients found in possession of blank or forged prescription pads;

   (3) recipients who knowingly assist providers in rendering excessive services or defrauding the medical assistance program.

The procedural safeguards in this Section shall apply to the above individuals.

(i) Restrictions under this Section shall be in addition to and shall not in any way be limited by or limit any actions taken under Article VIII-A of this Code.

(Source: P.A. 96-1501, eff. 1-25-11; 97-689, eff. 6-14-12; revised 8-3-12.)

Sec. 12-5. Appropriations; uses; federal grants; report to General Assembly. From the sums appropriated by the General Assembly, the Illinois Department shall order for payment by warrant from the State Treasury grants for public aid under Articles III, IV, and V, including grants for funeral and burial expenses, and all costs of administration of the Illinois Department and the County Departments relating thereto. Moneys appropriated to the Illinois Department for public aid under Article VI may be used, with the consent of the Governor, to co-operate with federal, State, and local agencies in the development of work projects designed to provide suitable employment for persons receiving public aid under Article VI. The Illinois Department, with the consent of the Governor, may be the agent of the State for the receipt and disbursement of federal funds or commodities for public aid purposes under Article VI and for related purposes in which the co-operation of the Illinois
Department is sought by the federal government, and, in connection therewith, may make necessary expenditures from moneys appropriated for public aid under any Article of this Code and for administration. The Illinois Department, with the consent of the Governor, may be the agent of the State for the receipt and disbursement of federal funds pursuant to the Immigration Reform and Control Act of 1986 and may make necessary expenditures from monies appropriated to it for operations, administration, and grants, including payment to the Health Insurance Reserve Fund for group insurance costs at the rate certified by the Department of Central Management Services. All amounts received by the Illinois Department pursuant to the Immigration Reform and Control Act of 1986 shall be deposited in the Immigration Reform and Control Fund. All amounts received into the Immigration Reform and Control Fund as reimbursement for expenditures from the General Revenue Fund shall be transferred to the General Revenue Fund.

All grants received by the Illinois Department for programs funded by the Federal Social Services Block Grant shall be deposited in the Social Services Block Grant Fund. All funds received into the Social Services Block Grant Fund as reimbursement for expenditures from the General Revenue Fund shall be transferred to the General Revenue Fund. All funds received into the Social Services Block Grant Fund for reimbursement for expenditure out of the Local Initiative Fund shall be transferred into the Local Initiative Fund. Any other federal funds received into the Social Services Block Grant Fund shall be transferred to the Special Purposes Trust Fund. All federal funds received by the Illinois Department as reimbursement for Employment and Training Programs for expenditures made by the Illinois Department from grants, gifts, or legacies as provided in Section 12-4.18 or made by an entity other than the Illinois Department shall be deposited into the Employment and Training Fund, except that federal funds received as reimbursement as a result of the appropriation made for the costs of providing adult education to public assistance recipients under the "Adult Education, Public Assistance Fund" shall be deposited into the General Revenue Fund; provided, however, that all funds, except those that are specified in an interagency agreement between the Illinois Community College Board and the Illinois Department, that are received by the Illinois Department as reimbursement under Title IV-A of the Social Security Act for expenditures that are made by the Illinois Community College Board or any public community college of this State shall be credited to a special account that the State Treasurer shall
establish and maintain within the Employment and Training Fund for the purpose of segregating the reimbursements received for expenditures made by those entities. As reimbursements are deposited into the Employment and Training Fund, the Illinois Department shall certify to the State Comptroller and State Treasurer the amount that is to be credited to the special account established within that Fund as a reimbursement for expenditures under Title IV-A of the Social Security Act made by the Illinois Community College Board or any of the public community colleges. All amounts credited to the special account established and maintained within the Employment and Training Fund as provided in this Section shall be held for transfer to the TANF Opportunities Fund as provided in subsection (d) of Section 12-10.3, and shall not be transferred to any other fund or used for any other purpose.

Eighty percent of the federal financial participation funds received by the Illinois Department under the Title IV-A Emergency Assistance program as reimbursement for expenditures made from the Illinois Department of Children and Family Services appropriations for the costs of providing services in behalf of Department of Children and Family Services clients shall be deposited into the DCFS Children's Services Fund.

All federal funds, except those covered by the foregoing 3 paragraphs, received as reimbursement for expenditures from the General Revenue Fund shall be deposited in the General Revenue Fund for administrative and distributive expenditures properly chargeable by federal law or regulation to aid programs established under Articles III through XII and Titles IV, XVI, XIX and XX of the Federal Social Security Act. Any other federal funds received by the Illinois Department under Sections 12-4.6, 12-4.18 and 12-4.19 that are required by Section 12-10 of this Code to be paid into the Special Purposes Trust Fund shall be deposited into the Special Purposes Trust Fund. Any other federal funds received by the Illinois Department pursuant to the Child Support Enforcement Program established by Title IV-D of the Social Security Act shall be deposited in the Child Support Enforcement Trust Fund as required under Section 12-10.2 or in the Child Support Administrative Fund as required under Section 12-10.2a of this Code. Any other federal funds received by the Illinois Department for medical assistance program expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 5-4.21 of this Code to be paid into the Medicaid Developmentally Disabled Provider Participation Fee Trust Fund shall be
deposited into the Medicaid Developmentally Disabled Provider Participation Fee Trust Fund. Any other federal funds received by the Illinois Department for medical assistance program expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 5-4.31 of this Code to be paid into the Medicaid Long Term Care Provider Participation Fee Trust Fund shall be deposited into the Medicaid Long Term Care Provider Participation Fee Trust Fund. Any other federal funds received by the Illinois Department for hospital inpatient, hospital ambulatory care, and disproportionate share hospital expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 14-2 of this Code to be paid into the Hospital Services Trust Fund shall be deposited into the Hospital Services Trust Fund. Any other federal funds received by the Illinois Department for hospital inpatient, hospital ambulatory care, and disproportionate share hospital expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 5A-8 of this Code to be paid into the Hospital Provider Fund shall be deposited into the Hospital Provider Fund. Any other federal funds received by the Illinois Department for medical assistance program expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 5B-8 of this Code to be paid into the Long-Term Care Provider Fund shall be deposited into the Long-Term Care Provider Fund. Any other federal funds received by the Illinois Department for medical assistance program expenditures made under Title XIX of the Social Security Act and Article V of this Code that are required by Section 5C-7 of this Code to be paid into the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability shall be deposited into the Developmentally Disabled Care Provider Fund for Persons with a Developmental Disability. Any other federal funds received by the Illinois Department for trauma center adjustment payments that are required by Section 5-5.03 of this Code and made under Title XIX of the Social Security Act and Article V of this Code shall be deposited into the Trauma Center Fund. Any other federal funds received by the Illinois Department as reimbursement for

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expenses for early intervention services paid from the Early Intervention Services Revolving Fund shall be deposited into that Fund.

The Illinois Department shall report to the General Assembly at the end of each fiscal quarter the amount of all funds received and paid into the Social Service Block Grant Fund and the Local Initiative Fund and the expenditures and transfers of such funds for services, programs and other purposes authorized by law. Such report shall be filed with the Speaker, Minority Leader and Clerk of the House, with the President, Minority Leader and Secretary of the Senate, with the Chairmen of the House and Senate Appropriations Committees, the House Human Resources Committee and the Senate Public Health, Welfare and Corrections Committee, or the successor standing Committees of each as provided by the rules of the House and Senate, respectively, with the Legislative Research Unit and with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

(Source: P.A. 96-1100, eff. 1-1-11; revised 10-18-12.)

(305 ILCS 5/14-8) (from Ch. 23, par. 14-8)
Sec. 14-8. Disbursements to Hospitals.

(a) For inpatient hospital services rendered on and after September 1, 1991, the Illinois Department shall reimburse hospitals for inpatient services at an inpatient payment rate calculated for each hospital based upon the Medicare Prospective Payment System as set forth in Sections 1886(b), (d), (g), and (h) of the federal Social Security Act, and the regulations, policies, and procedures promulgated thereunder, except as modified by this Section. Payment rates for inpatient hospital services rendered on or after September 1, 1991 and on or before September 30, 1992 shall be calculated using the Medicare Prospective Payment rates in effect on September 1, 1991. Payment rates for inpatient hospital services rendered on or after October 1, 1992 and on or before March 31, 1994 shall be calculated using the Medicare Prospective Payment rates in effect on September 1, 1992. Payment rates for inpatient hospital services rendered on or after April 1, 1994 shall be calculated using the Medicare Prospective Payment rates (including the Medicare grouping methodology and weighting factors as adjusted pursuant to paragraph (1) of this subsection) in effect 90 days prior to the date of admission. For services rendered on or after July 1, 1995, the reimbursement methodology implemented under this subsection shall not include those costs referred to
in Sections 1886(d)(5)(B) and 1886(h) of the Social Security Act. The additional payment amounts required under Section 1886(d)(5)(F) of the Social Security Act, for hospitals serving a disproportionate share of low-income or indigent patients, are not required under this Section. For hospital inpatient services rendered on or after July 1, 1995, the Illinois Department shall reimburse hospitals using the relative weighting factors and the base payment rates calculated for each hospital that were in effect on June 30, 1995, less the portion of such rates attributed by the Illinois Department to the cost of medical education.

(1) The weighting factors established under Section 1886(d)(4) of the Social Security Act shall not be used in the reimbursement system established under this Section. Rather, the Illinois Department shall establish by rule Medicaid weighting factors to be used in the reimbursement system established under this Section.

(2) The Illinois Department shall define by rule those hospitals or distinct parts of hospitals that shall be exempt from the reimbursement system established under this Section. In defining such hospitals, the Illinois Department shall take into consideration those hospitals exempt from the Medicare Prospective Payment System as of September 1, 1991. For hospitals defined as exempt under this subsection, the Illinois Department shall by rule establish a reimbursement system for payment of inpatient hospital services rendered on and after September 1, 1991. For all hospitals that are children's hospitals as defined in Section 5-5.02 of this Code, the reimbursement methodology shall, through June 30, 1992, net of all applicable fees, at least equal each children's hospital 1990 ICARE payment rates, indexed to the current year by application of the DRI hospital cost index from 1989 to the year in which payments are made. Excepting county providers as defined in Article XV of this Code, hospitals licensed under the University of Illinois Hospital Act, and facilities operated by the Department of Mental Health and Developmental Disabilities (or its successor, the Department of Human Services) for hospital inpatient services rendered on or after July 1, 1995, the Illinois Department shall reimburse children's hospitals, as defined in 89 Illinois Administrative Code Section 149.50(c)(3), at the rates in effect on June 30, 1995, and shall reimburse all other hospitals at the rates in effect on June 30, 1995, less the portion of such rates attributed by

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the Illinois Department to the cost of medical education. For inpatient hospital services provided on or after August 1, 1998, the Illinois Department may establish by rule a means of adjusting the rates of children's hospitals, as defined in 89 Illinois Administrative Code Section 149.50(c)(3), that did not meet that definition on June 30, 1995, in order for the inpatient hospital rates of such hospitals to take into account the average inpatient hospital rates of those children's hospitals that did meet the definition of children's hospitals on June 30, 1995.

(3) (Blank).

(4) Notwithstanding any other provision of this Section, hospitals that on August 31, 1991, have a contract with the Illinois Department under Section 3-4 of the Illinois Health Finance Reform Act may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care.

(5) In addition to any payments made under this subsection (a), the Illinois Department shall make the adjustment payments required by Section 5-5.02 of this Code; provided, that in the case of any hospital reimbursed under a per case methodology, the Illinois Department shall add an amount equal to the product of the hospital's average length of stay, less one day, multiplied by 20, for inpatient hospital services rendered on or after September 1, 1991 and on or before September 30, 1992.

(b) (Blank).

(b-5) Excepting county providers as defined in Article XV of this Code, hospitals licensed under the University of Illinois Hospital Act, and facilities operated by the Illinois Department of Mental Health and Developmental Disabilities (or its successor, the Department of Human Services), for outpatient services rendered on or after July 1, 1995 and before July 1, 1998 the Illinois Department shall reimburse children's hospitals, as defined in the Illinois Administrative Code Section 149.50(c)(3), at the rates in effect on June 30, 1995, less that portion of such rates attributed by the Illinois Department to the outpatient indigent volume adjustment and shall reimburse all other hospitals at the rates in effect on June 30, 1995, less the portions of such rates attributed by the Illinois Department to the cost of medical education and attributed by the Illinois Department to the outpatient indigent volume adjustment. For outpatient services provided on or after July 1, 1998, reimbursement rates shall be established by rule.
(c) In addition to any other payments under this Code, the Illinois Department shall develop a hospital disproportionate share reimbursement methodology that, effective July 1, 1991, through September 30, 1992, shall reimburse hospitals sufficiently to expend the fee monies described in subsection (b) of Section 14-3 of this Code and the federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department as required by this subsection (c) and Section 14-2 that are attributable to fee monies deposited in the Fund, less amounts applied to adjustment payments under Section 5-5.02.

(d) Critical Care Access Payments.

(1) In addition to any other payments made under this Code, the Illinois Department shall develop a reimbursement methodology that shall reimburse Critical Care Access Hospitals for the specialized services that qualify them as Critical Care Access Hospitals. No adjustment payments shall be made under this subsection on or after July 1, 1995.

(2) "Critical Care Access Hospitals" includes, but is not limited to, hospitals that meet at least one of the following criteria:

(A) Hospitals located outside of a metropolitan statistical area that are designated as Level II Perinatal Centers and that provide a disproportionate share of perinatal services to recipients; or

(B) Hospitals that are designated as Level I Trauma Centers (adult or pediatric) and certain Level II Trauma Centers as determined by the Illinois Department; or

(C) Hospitals located outside of a metropolitan statistical area and that provide a disproportionate share of obstetrical services to recipients.

(e) Inpatient high volume adjustment. For hospital inpatient services, effective with rate periods beginning on or after October 1, 1993, in addition to rates paid for inpatient services by the Illinois Department, the Illinois Department shall make adjustment payments for inpatient services furnished by Medicaid high volume hospitals. The Illinois Department shall establish by rule criteria for qualifying as a Medicaid high volume hospital and shall establish by rule a reimbursement methodology for calculating these adjustment payments to Medicaid high volume hospitals. No adjustment payment shall be made under this subsection for services rendered on or after July 1, 1995.
(f) The Illinois Department shall modify its current rules governing adjustment payments for targeted access, critical care access, and uncompensated care to classify those adjustment payments as not being payments to disproportionate share hospitals under Title XIX of the federal Social Security Act. Rules adopted under this subsection shall not be effective with respect to services rendered on or after July 1, 1995. The Illinois Department has no obligation to adopt or implement any rules or make any payments under this subsection for services rendered on or after July 1, 1995.

(f-5) The State recognizes that adjustment payments to hospitals providing certain services or incurring certain costs may be necessary to assure that recipients of medical assistance have adequate access to necessary medical services. These adjustments include payments for teaching costs and uncompensated care, trauma center payments, rehabilitation hospital payments, perinatal center payments, obstetrical care payments, targeted access payments, Medicaid high volume payments, and outpatient indigent volume payments. On or before April 1, 1995, the Illinois Department shall issue recommendations regarding (i) reimbursement mechanisms or adjustment payments to reflect these costs and services, including methods by which the payments may be calculated and the method by which the payments may be financed, and (ii) reimbursement mechanisms or adjustment payments to reflect costs and services of federally qualified health centers with respect to recipients of medical assistance.

(g) If one or more hospitals file suit in any court challenging any part of this Article XIV, payments to hospitals under this Article XIV shall be made only to the extent that sufficient monies are available in the Fund and only to the extent that any monies in the Fund are not prohibited from disbursement under any order of the court.

(h) Payments under the disbursement methodology described in this Section are subject to approval by the federal government in an appropriate State plan amendment.

(i) The Illinois Department may by rule establish criteria for and develop methodologies for adjustment payments to hospitals participating under this Article.

(j) Hospital Residing Long Term Care Services. In addition to any other payments made under this Code, the Illinois Department may by rule establish criteria and develop methodologies for payments to hospitals for Hospital Residing Long Term Care Services.
(k) Critical Access Hospital outpatient payments. In addition to any other payments authorized under this Code, the Illinois Department shall reimburse critical access hospitals, as designated by the Illinois Department of Public Health in accordance with 42 CFR 485, Subpart F, for outpatient services at an amount that is no less than the cost of providing such services, based on Medicare cost principles. Payments under this subsection shall be subject to appropriation.

(l) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 96-1382, eff. 1-1-11; 97-689, eff. 6-14-12; revised 8-3-12.)

Section 410. The Mental Health and Developmental Disabilities Code is amended by changing Section 4-701 as follows:

(405 ILCS 5/4-701) (from Ch. 91 1/2, par. 4-701)

Sec. 4-701. (a) Any client admitted to a developmental disabilities facility under this Chapter may be discharged whenever the facility director determines that he is suitable for discharge.

(b) Any client admitted to a facility or program of nonresidential services upon court order under Article V of this Chapter or admitted upon court order as intellectually disabled or mentally deficient under any prior statute shall be discharged whenever the facility director determines that he no longer meets the standard for judicial admission. When the facility director believes that continued residence is advisable for such a client, he shall inform the client and his guardian, if any, that the client may remain at the facility on administrative admission status. When a facility director discharges or changes the status of such client, he shall promptly notify the clerk of the court who shall note the action in the court record.

(c) When the facility director discharges a client pursuant to subsection (b) of this Section, he shall promptly notify the State's Attorney of the county in which the client resided immediately prior to his admission to a developmental disabilities facility. Upon receipt of such notice, the State's Attorney may notify such peace officers that he deems appropriate.

(d) The facility director may grant a temporary release to any client when such release is appropriate and consistent with the habilitation needs of the client.

(Source: P.A. 97-227, eff. 1-1-12; revised 8-3-12.)
Section 415. The Crematory Regulation Act is amended by changing Sections 10 and 88 as follows:

(410 ILCS 18/10)
(Section scheduled to be repealed on January 1, 2021)

Sec. 10. Establishment of crematory and licensing of crematory authority.

(a) Any person doing business in this State, or any cemetery, funeral establishment, corporation, partnership, joint venture, voluntary organization or any other entity, may erect, maintain, and operate a crematory in this State and provide the necessary appliances and facilities for the cremation of human remains in accordance with this Act.

(b) A crematory shall be subject to all local, State, and federal health and environmental protection requirements and shall obtain all necessary licenses and permits from the Department of Financial and Professional Regulation, the Department of Public Health, the federal Department of Health and Human Services, and the Illinois and federal Environmental Protection Agencies, or such other appropriate local, State, or federal agencies.

(c) A crematory may be constructed on or adjacent to any cemetery, on or adjacent to any funeral establishment, or at any other location consistent with local zoning regulations.

(d) An application for licensure as a crematory authority shall be in writing on forms furnished by the Comptroller. Applications shall be accompanied by a fee of $50 and shall contain all of the following:

(1) The full name and address, both residence and business, of the applicant if the applicant is an individual; the full name and address of every member if the applicant is a partnership; the full name and address of every member of the board of directors if the applicant is an association; and the name and address of every officer, director, and shareholder holding more than 25% of the corporate stock if the applicant is a corporation.

(2) The address and location of the crematory.

(3) A description of the type of structure and equipment to be used in the operation of the crematory, including the operating permit number issued to the cremation device by the Illinois Environmental Protection Agency.

(4) Any further information that the Comptroller reasonably may require.

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(e) Each crematory authority shall file an annual report with the Comptroller, accompanied with a $25 fee, providing (i) an affidavit signed by the owner of the crematory authority that at the time of the report the cremation device was in proper operating condition, (ii) the total number of all cremations performed at the crematory during the past year, (iii) attestation by the licensee that all applicable permits and certifications are valid, (iv) either (A) any changes required in the information provided under subsection (d) or (B) an indication that no changes have occurred, and (v) any other information that the Comptroller Department may require. The annual report shall be filed by a crematory authority on or before March 15 of each calendar year. If the fiscal year of a crematory authority is other than on a calendar year basis, then the crematory authority shall file the report required by this Section within 75 days after the end of its fiscal year. If a crematory authority fails to submit an annual report to the Comptroller within the time specified in this Section, the Comptroller shall impose upon the crematory authority a penalty of $5 for each and every day the crematory authority remains delinquent in submitting the annual report. The Comptroller may abate all or part of the $5 daily penalty for good cause shown.

(f) All records required to be maintained under this Act, including but not limited to those relating to the license and annual report of the crematory authority required to be filed under this Section, shall be subject to inspection by the Comptroller upon reasonable notice.

(g) The Comptroller may inspect crematory records at the crematory authority's place of business to review the licensee's compliance with this Act. The inspection must include verification that:

1. the crematory authority has complied with record-keeping requirements of this Act;
2. a crematory device operator's certification of training is conspicuously displayed at the crematory;
3. the cremation device has a current operating permit issued by the Illinois Environmental Protection Agency and the permit is conspicuously displayed in the crematory;
4. the crematory authority is in compliance with local zoning requirements;
5. the crematory authority license issued by the Comptroller is conspicuously displayed at the crematory; and
6. other details as determined by rule.

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(h) The Comptroller shall issue licenses under this Act to the crematories that are registered with the Comptroller as of on March 1, 2012 without requiring the previously registered crematories to complete license applications.

(Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12; 97-813, eff. 7-13-12; revised 7-25-12.)

(410 ILCS 18/88)

(Section scheduled to be repealed on January 1, 2021)

Sec. 88. Rehearing. At the conclusion of the hearing, a copy of the hearing officer's report shall be served upon the applicant or licensee by the Comptroller, either personally or as provided in this Act. Within 20 days after service, the applicant or licensee may present to the Comptroller a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. The Comptroller may respond to the motion for rehearing within 20 days after its service on the Comptroller. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon denial, the Comptroller may enter an order in accordance with recommendations of the hearing officer except as provided in Section 89 of this Act.

If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee.

(Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12; revised 7-27-12.)

Section 420. The Sexual Assault Survivors Emergency Treatment Act is amended by changing Section 7 as follows:

(410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

Sec. 7. Reimbursement.

(a) When any ambulance provider furnishes transportation, hospital provides hospital emergency services and forensic services, hospital or health care professional or laboratory provides follow-up healthcare, or pharmacy dispenses prescribed medications to any sexual assault survivor, as defined by the Department of Healthcare and Family Services, who is neither eligible to receive such services under the Illinois Public Aid Code nor covered as to such services by a policy of insurance, the ambulance provider, hospital, health care professional, pharmacy, or laboratory shall furnish such services to that person without charge and shall be entitled to be reimbursed for providing such services by the Illinois Sexual Assault Survivors Emergency Treatment Act.
Emergency Treatment Program under the Department of Healthcare and Family Services and at the Department of Healthcare and Family Services' allowable rates under the Illinois Public Aid Code.

(b) The hospital is responsible for submitting the request for reimbursement for ambulance services, hospital emergency services, and forensic services to the Illinois Sexual Assault Emergency Treatment Program. Nothing in this Section precludes hospitals from providing follow-up healthcare and receiving reimbursement under this Section.

(c) The health care professional who provides follow-up healthcare and the pharmacy that dispenses prescribed medications to a sexual assault survivor are responsible for submitting the request for reimbursement for follow-up healthcare or pharmacy services to the Illinois Sexual Assault Emergency Treatment Program.

(d) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Act or the Illinois Public Aid Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e of the Illinois Public Aid Code.

(e) The Department of Healthcare and Family Services shall establish standards, rules, and regulations to implement this Section.

(Source: P.A. 97-689, eff. 6-14-12; revised 8-3-12.)

Section 425. The Illinois Solid Waste Management Act is amended by renumbering Section 10 as follows:

(415 ILCS 20/7.4)

Sec. 7.4 Task Force on the Advancement of Materials Recycling.

(a) The Task Force on the Advancement of Materials Recycling is hereby created to review the status of recycling and solid waste management planning in Illinois. The goal of the Task Force is to investigate and provide recommendations for expanding waste reduction, recycling, reuse, and composting in Illinois in a manner that protects the environment, as well as public health and safety, and promotes economic development.

The Task Force's review shall include, but not be limited to, the following topics: county recycling and waste management planning; current and potential policies and initiatives in Illinois for waste reduction, recycling, composting, and reuse; funding for State and local oversight and regulation of solid waste activities; funding for State and local support of projects that advance solid waste reduction, recycling, reuse, and composting; and the impact of solid waste activities on public health and safety.

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composting efforts; and the proper management of household hazardous waste. The review shall also evaluate the extent to which materials with economic value are lost to landfilling, and it shall also recommend ways to maximize the productive use of waste materials through efforts such as materials recycling and composting.

(b) The Task Force on the Advancement of Materials Recycling shall consist of the following 21 members appointed as follows:

(1) four legislators, appointed one each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives;

(2) the Director of the Illinois Environmental Protection Agency, or his or her representative;

(3) the Director of Commerce and Economic Opportunity, or his or her representative;

(4) two persons appointed by the Director of Commerce and Economic Opportunity to represent local governments;

(5) two persons appointed by the Director of the Illinois Environmental Protection Agency to represent a local solid waste management agency;

(6) two persons appointed by the Director of the Illinois Environmental Protection Agency to represent the solid waste management industry;

(7) one person appointed by the Director of Commerce and Economic Opportunity to represent non-profit organizations that provide recycling services;

(8) one person appointed by the Director of Commerce and Economic Opportunity to represent recycling collection and processing services;

(9) one person appointed by the Director of Commerce and Economic Opportunity to represent construction and demolition debris recycling services;

(10) one person appointed by the Director of Commerce and Economic Opportunity to represent organic composting services;

(11) one person appointed by the Director of Commerce and Economic Opportunity to represent general recycling interests;
(12) one person appointed by the Director of the Illinois Environmental Protection Agency to represent environmental interest groups;
(13) one person appointed by the Director of Commerce and Economic Opportunity to represent environmental interest groups;
(14) one person appointed by the Director of the Illinois Environmental Protection Agency to represent a statewide manufacturing trade association; and
(15) one person appointed by the Director of the Illinois Environmental Protection Agency to represent a statewide business association.

(c) The Directors of Commerce and Economic Opportunity and the Illinois Environmental Protection Agency, or their representatives, shall co-chair and facilitate the Task Force.

(d) The members of the Task Force shall be appointed no later than 90 days after the effective date of this amendatory Act of the 97th General Assembly. The members of the Task Force shall not receive compensation for serving as members of the Task Force.

(e) The Task Force shall seek assistance from the Illinois Department of Central Management Services, the Illinois Green Economy Network, and the Illinois Green Governments Coordinating Council to help facilitate the Task Force, using technology, such as video conferencing and meeting space, with the goal of reducing costs and greenhouse gas emissions associated with travel.

(f) The Task Force shall prepare a report that summarizes its work and makes recommendations resulting from its study, and it shall submit a report of its findings and recommendations to the Governor and the General Assembly no later than 2 years after the effective date of this amendatory Act of the 97th General Assembly.

(g) The Task Force, upon issuing the report described in subsection (f) of this Section, is dissolved and this Section is repealed.

(Source: P.A. 97-853, eff. 1-1-13; revised 9-11-12.)

Section 430. The Wildlife Code is amended by changing Section 2.30 as follows:

(520 ILCS 5/2.30) (from Ch. 61, par. 2.30)

Sec. 2.30. It shall be unlawful for any person to trap or to hunt with gun, dog, dog and gun, or bow and arrow, gray fox, red fox, raccoon, weasel, mink, muskrat, badger, and opossum except during the open

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season which will be set annually by the Director between 12:01 a.m., November 1 to 12:00 midnight, February 15, both inclusive.

It is unlawful for any person to take bobcat in this State at any time.

It is unlawful to pursue any fur-bearing mammal with a dog or dogs between the hours of sunset and sunrise during the 10 day period preceding the opening date of the raccoon hunting season and the 10 day period following the closing date of the raccoon hunting season except that the Department may issue field trial permits in accordance with Section 2.34 of this Act. A non-resident from a state with more restrictive fur-bearer pursuit regulations for any particular species than provided for that species in this Act may not pursue that species in Illinois except during the period of time that Illinois residents are allowed to pursue that species in the non-resident's state of residence. Hound running areas approved by the Department shall be exempt from the provisions of this Section.

It shall be unlawful to take beaver, river otter, weasel, mink or muskrat except during the open season set annually by the Director, and then, only with traps.

It shall be unlawful for any person to trap beaver or river otter with traps except during the open season which will be set annually by the Director between 12:01 a.m., November 1st and 12:00 midnight, March 31, both inclusive.

Coyote may be taken by trapping methods only during the period from September 1 to March 1, both inclusive, and by hunting methods at any time.

Striped skunk may be taken by trapping methods only during the period from September 1 to March 1, both inclusive, and by hunting methods at any time.

Muskrat may be taken by trapping methods during an open season set annually by the Director.

For the purpose of taking fur-bearing mammals, the State may be divided into management zones by administrative rule.

The provisions of this Section are subject to modification by administrative rule.

It shall be unlawful to take or possess more than the season limit or possession limit of fur-bearing mammals that shall be set annually by the Director. The season limit for river otter shall not exceed 5 river otters per person per season. Possession limits shall not apply to fur buyers, tanners,
manufacturers, and taxidermists, as defined by this Act, who possess fur-bearing mammals in accordance with laws governing such activities.

Nothing in this Section shall prohibit the taking or possessing of fur-bearing mammals found dead or unintentionally killed by a vehicle along a roadway during the open season provided the person who possesses such fur-bearing mammals has all appropriate licenses, stamps, or permits; the season for which the species possessed is open; and that such possession and disposal of such fur-bearing mammals is otherwise subject to the provisions of this Section.

The provisions of this Section are subject to modification by administrative rule.

(Source: P.A. 97-19, eff. 6-28-11; 97-31, eff. 6-28-11; 97-628, eff. 11-10-11; revised 12-16-11.)

Section 435. The Illinois Veteran, Youth, and Young Adult Conservation Jobs Act is amended by changing the title of the Act and Sections 4, 5, and 9 as follows:

(525 ILCS 50/Act title)
An Act in relation to conservation and recreation children.

(525 ILCS 50/4) (from Ch. 48, par. 2554)
Sec. 4. Definition of Terms. For the purposes of this Act:
(a) "Department" means the Department of Natural Resources.
(b) "Director" means the Director of Natural Resources.
(c) "Local sponsor" means any unit of local government or not-for-profit entity that can make available for a summer conservation or recreation program park lands, conservation or recreational lands or facilities, equipment, materials, administration, supervisory personnel, etc.
(d) "Managing supervisor" means an enrollee in the Illinois Veteran Recreation Corps or the Illinois Youth Recreation Corps who is selected by the local sponsor to supervise the activities of the veterans or youth employee enrollees working on the conservation or recreation project. A managing supervisor in the Illinois Youth Recreation Corps may be 19 years of age or older.
(e) "Veteran" means an Illinois resident who has served or is currently serving as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of a Reserve Component of the United States Armed Forces.
(Source: P.A. 97-738, eff. 7-5-12; revised 8-3-12.)

(525 ILCS 50/5) (from Ch. 48, par. 2555)
Sec. 5. Cooperation. The Department of Natural Resources shall have the full cooperation of the Illinois Department of Veterans' Affairs, the Department of Commerce and Economic Opportunity, the Illinois State Job Coordinating Council created by the Federal Job Training Partnership Act (Public Law 97-300), and the Department of Employment Security to carry out the purposes of this Act.

(Source: P.A. 97-738, eff. 7-5-12; revised 8-3-12.)

(525 ILCS 50/9)

Sec. 9. Illinois Veteran Recreation Corps. With respect to the Illinois Veteran Recreation Corps:

(a) Purpose. The Illinois Veteran Recreation Corps is established for the purpose of making grants to local sponsors to provide wages to veterans of any age operating and instructing in conservation or recreational programs. Such programs shall provide conservation or recreational opportunities and shall include, but are not limited to, the coordination and teaching of natural resource conservation and management, physical activities, or learning activities directly related to natural resource conservation management or recreation. Such programs may charge user fees, but such fees shall be designed to promote as much community involvement as possible, as determined by the Department.

(b) Application. Local sponsors who can provide necessary facilities, materials, and management for summer conservation or recreational activities within the community and who desire a grant under this Act for the purpose of hiring managing supervisors as necessary and eligible veterans for such conservation or recreational programs may make application to the Department. Applications shall be evaluated on the basis of program content, location, need, local commitment of resources, and consistency with the purposes of this Act.

(c) Enrollment. The Illinois Veteran Recreation Corps shall be limited to citizens of this State who at the time of enrollment are veterans of any age and are unemployed and who have skills that can be utilized in the summer conservation or recreational program. Preference may be given to veterans with a disability.

The ratio of veterans employee enrollees to a managing supervisor must not be less than 10 to 1 for any local sponsor with a total number of veterans employee enrollees of 10 or more. Any local sponsor program with a total number of veteran employee enrollees of less than 10 must be limited to one managing supervisor. Veterans who are unemployed shall be given preference for employment as managing supervisors.

New matter indicated by italics - deletions by strikeout
The local sponsors shall make public notification of the availability of jobs for eligible veterans in the Illinois Veteran Recreation Corps by the means of newspapers, electronic media, educational facilities, units of local government, and Department of Employment Security offices. Application for employment shall be made directly to the local sponsor.

The Department shall adopt reasonable rules pertaining to the administration of the Illinois Veteran Recreation Corps.

(d) Terms of employment. The enrollment period for any successful applicant of the program shall not be longer than 6 total months. Once enrolled in the program, each enrollee shall receive a reasonable wage as set by the Department and shall work hours as required by the conservation or recreation program but not in excess of a maximum number of hours as determined by the Department, except that an enrollee working as a managing supervisor shall receive a higher wage than an enrollee working in any other capacity on the conservation or recreation program. Enrollees shall be employees of the local sponsor and not contractual hires for the purpose of employment taxes, except that enrollees shall not be classified as employees of the State or the local sponsor for purposes of contributions to the State Employees' Retirement System of Illinois or any other public employee retirement system.

(Source: P.A. 97-738, eff. 7-5-12; revised 8-3-12.)

Section 440. The Illinois Vehicle Code is amended by changing Sections 2-123, 3-400, 3-609, 3-658, 3-806, 3-815, 3-902, 6-106, 6-110, 6-500, 11-208.6, 11-208.8, 11-501.01, 11-1301.1, 11-1301.2, 11-1301.3, 11-1301.5, 11-1302, and 12-610.1 as follows:

(625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)
Sec. 2-123. Sale and Distribution of Information.

(a) Except as otherwise provided in this Section, the Secretary may make the driver's license, vehicle and title registration lists, in part or in whole, and any statistical information derived from these lists available to local governments, elected state officials, state educational institutions, and all other governmental units of the State and Federal Government requesting them for governmental purposes. The Secretary shall require any such applicant for services to pay for the costs of furnishing such services and the use of the equipment involved, and in addition is empowered to establish prices and charges for the services so furnished and for the use of the electronic equipment utilized.

New matter indicated by italics - deletions by strikeout
(b) The Secretary is further empowered to and he may, in his
discretion, furnish to any applicant, other than listed in subsection (a) of
this Section, vehicle or driver data on a computer tape, disk, other
electronic format or computer processable medium, or printout at a fixed
fee of $250 for orders received before October 1, 2003 and $500 for orders
received on or after October 1, 2003, in advance, and require in addition a
further sufficient deposit based upon the Secretary of State's estimate of
the total cost of the information requested and a charge of $25 for orders
received before October 1, 2003 and $50 for orders received on or after
October 1, 2003, per 1,000 units or part thereof identified or the actual
cost, whichever is greater. The Secretary is authorized to refund any
difference between the additional deposit and the actual cost of the
request. This service shall not be in lieu of an abstract of a driver's record
nor of a title or registration search. This service may be limited to entities
purchasing a minimum number of records as required by administrative
rule. The information sold pursuant to this subsection shall be the entire
vehicle or driver data list, or part thereof. The information sold pursuant to
this subsection shall not contain personally identifying information unless
the information is to be used for one of the purposes identified in
subsection (f-5) of this Section. Commercial purchasers of driver and
vehicle record databases shall enter into a written agreement with the
Secretary of State that includes disclosure of the commercial use of the
information to be purchased.

(b-1) The Secretary is further empowered to and may, in his or her
discretion, furnish vehicle or driver data on a computer tape, disk, or other
electronic format or computer processible medium, at no fee, to any State
or local governmental agency that uses the information provided by the
Secretary to transmit data back to the Secretary that enables the Secretary
to maintain accurate driving records, including dispositions of traffic
cases. This information may be provided without fee not more often than
once every 6 months.

(c) Secretary of State may issue registration lists. The Secretary of
State may compile a list of all registered vehicles. Each list of registered
vehicles shall be arranged serially according to the registration numbers
assigned to registered vehicles and may contain in addition the names and
addresses of registered owners and a brief description of each vehicle
including the serial or other identifying number thereof. Such compilation
may be in such form as in the discretion of the Secretary of State may
seem best for the purposes intended.

New matter indicated by italics - deletions by strikeout
(d) The Secretary of State shall furnish no more than 2 current available lists of such registrations to the sheriffs of all counties and to the chiefs of police of all cities and villages and towns of 2,000 population and over in this State at no cost. Additional copies may be purchased by the sheriffs or chiefs of police at the fee of $500 each or at the cost of producing the list as determined by the Secretary of State. Such lists are to be used for governmental purposes only.

(e) (Blank).

(e-1) (Blank).

(f) The Secretary of State shall make a title or registration search of the records of his office and a written report on the same for any person, upon written application of such person, accompanied by a fee of $5 for each registration or title search. The written application shall set forth the intended use of the requested information. No fee shall be charged for a title or registration search, or for the certification thereof requested by a government agency. The report of the title or registration search shall not contain personally identifying information unless the request for a search was made for one of the purposes identified in subsection (f-5) of this Section. The report of the title or registration search shall not contain highly restricted personal information unless specifically authorized by this Code.

The Secretary of State shall certify a title or registration record upon written request. The fee for certification shall be $5 in addition to the fee required for a title or registration search. Certification shall be made under the signature of the Secretary of State and shall be authenticated by Seal of the Secretary of State.

The Secretary of State may notify the vehicle owner or registrant of the request for purchase of his title or registration information as the Secretary deems appropriate.

No information shall be released to the requestor until expiration of a 10 day period. This 10 day period shall not apply to requests for information made by law enforcement officials, government agencies, financial institutions, attorneys, insurers, employers, automobile associated businesses, persons licensed as a private detective or firms licensed as a private detective agency under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, who are employed by or are acting on behalf of law enforcement officials, government agencies, financial institutions, attorneys, insurers, employers, automobile associated businesses, and other business entities for purposes
consistent with the Illinois Vehicle Code, the vehicle owner or registrant or other entities as the Secretary may exempt by rule and regulation.

Any misrepresentation made by a requestor of title or vehicle information shall be punishable as a petty offense, except in the case of persons licensed as a private detective or firms licensed as a private detective agency which shall be subject to disciplinary sanctions under Section 40-10 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

(f-5) The Secretary of State shall not disclose or otherwise make available to any person or entity any personally identifying information obtained by the Secretary of State in connection with a driver's license, vehicle, or title registration record unless the information is disclosed for one of the following purposes:

(1) For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, State, or local agency in carrying out its functions.

(2) For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; and removal of non-owner records from the original owner records of motor vehicle manufacturers.

(3) For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:

(A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and

(B) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

(4) For use in research activities and for use in producing statistical reports, if the personally identifying information is not published, redisclosed, or used to contact individuals.

(5) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, State, or local court or agency or before any self-regulatory body, including the

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service of process, investigation in anticipation of litigation, and
the execution or enforcement of judgments and orders, or pursuant
to an order of a federal, State, or local court.

(6) For use by any insurer or insurance support organization
or by a self-insured entity or its agents, employees, or contractors
in connection with claims investigation activities, antifraud
activities, rating, or underwriting.

(7) For use in providing notice to the owners of towed or
impounded vehicles.

(8) For use by any person licensed as a private detective or
firm licensed as a private detective agency under the Private
Detective, Private Alarm, Private Security, Fingerprint Vendor, and
Locksmith Act of 2004, private investigative agency or security
service licensed in Illinois for any purpose permitted under this
subsection.

(9) For use by an employer or its agent or insurer to obtain
or verify information relating to a holder of a commercial driver's
license that is required under chapter 313 of title 49 of the United
States Code.

(10) For use in connection with the operation of private toll
transportation facilities.

(11) For use by any requester, if the requester demonstrates
it has obtained the written consent of the individual to whom the
information pertains.

(12) For use by members of the news media, as defined in
Section 1-148.5, for the purpose of newsgathering when the
request relates to the operation of a motor vehicle or public safety.

(13) For any other use specifically authorized by law, if that
use is related to the operation of a motor vehicle or public safety.

(f-6) The Secretary of State shall not disclose or otherwise make
available to any person or entity any highly restricted personal information
obtained by the Secretary of State in connection with a driver's license,
vehicle, or title registration record unless specifically authorized by this
Code.

(g) 1. The Secretary of State may, upon receipt of a written request
and a fee of $6 before October 1, 2003 and a fee of $12 on and
after October 1, 2003, furnish to the person or agency so requesting
a driver's record. Such document may include a record of: current
driver's license issuance information, except that the information
on judicial driving permits shall be available only as otherwise provided by this Code; convictions; orders entered revoking, suspending or cancelling a driver's license or privilege; and notations of accident involvement. All other information, unless otherwise permitted by this Code, shall remain confidential. Information released pursuant to a request for a driver's record shall not contain personally identifying information, unless the request for the driver's record was made for one of the purposes set forth in subsection (f-5) of this Section. The Secretary of State may, without fee, allow a parent or guardian of a person under the age of 18 years, who holds an instruction permit or graduated driver's license, to view that person's driving record online, through a computer connection. The parent or guardian's online access to the driving record will terminate when the instruction permit or graduated driver's license holder reaches the age of 18.

2. The Secretary of State shall not disclose or otherwise make available to any person or entity any highly restricted personal information obtained by the Secretary of State in connection with a driver's license, vehicle, or title registration record unless specifically authorized by this Code. The Secretary of State may certify an abstract of a driver's record upon written request therefor. Such certification shall be made under the signature of the Secretary of State and shall be authenticated by the Seal of his office.

3. All requests for driving record information shall be made in a manner prescribed by the Secretary and shall set forth the intended use of the requested information.

The Secretary of State may notify the affected driver of the request for purchase of his driver's record as the Secretary deems appropriate.

No information shall be released to the requester until expiration of a 10 day period. This 10 day period shall not apply to requests for information made by law enforcement officials, government agencies, financial institutions, attorneys, insurers, employers, automobile associated businesses, persons licensed as a private detective or firms licensed as a private detective agency under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, who are employed by or are acting on behalf of law enforcement officials,
government agencies, financial institutions, attorneys, insurers, employers, automobile associated businesses, and other business entities for purposes consistent with the Illinois Vehicle Code, the affected driver or other entities as the Secretary may exempt by rule and regulation.

Any misrepresentation made by a requestor of driver information shall be punishable as a petty offense, except in the case of persons licensed as a private detective or firms licensed as a private detective agency which shall be subject to disciplinary sanctions under Section 40-10 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

4. The Secretary of State may furnish without fee, upon the written request of a law enforcement agency, any information from a driver's record on file with the Secretary of State when such information is required in the enforcement of this Code or any other law relating to the operation of motor vehicles, including records of dispositions; documented information involving the use of a motor vehicle; whether such individual has, or previously had, a driver's license; and the address and personal description as reflected on said driver's record.

5. Except as otherwise provided in this Section, the Secretary of State may furnish, without fee, information from an individual driver's record on file, if a written request therefor is submitted by any public transit system or authority, public defender, law enforcement agency, a state or federal agency, or an Illinois local intergovernmental association, if the request is for the purpose of a background check of applicants for employment with the requesting agency, or for the purpose of an official investigation conducted by the agency, or to determine a current address for the driver so public funds can be recovered or paid to the driver, or for any other purpose set forth in subsection (f-5) of this Section.

The Secretary may also furnish the courts a copy of an abstract of a driver's record, without fee, subsequent to an arrest for a violation of Section 11-501 or a similar provision of a local ordinance. Such abstract may include records of dispositions; documented information involving the use of a motor vehicle as contained in the current file; whether such individual has, or

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previously had, a driver's license; and the address and personal
description as reflected on said driver's record.

6. Any certified abstract issued by the Secretary of State or
transmitted electronically by the Secretary of State pursuant to this
Section, to a court or on request of a law enforcement agency, for
the record of a named person as to the status of the person's driver's
license shall be prima facie evidence of the facts therein stated and
if the name appearing in such abstract is the same as that of a
person named in an information or warrant, such abstract shall be
prima facie evidence that the person named in such information or
warrant is the same person as the person named in such abstract
and shall be admissible for any prosecution under this Code and be
admitted as proof of any prior conviction or proof of records,
notices, or orders recorded on individual driving records
maintained by the Secretary of State.

7. Subject to any restrictions contained in the Juvenile
Court Act of 1987, and upon receipt of a proper request and a fee
of $6 before October 1, 2003 and a fee of $12 on or after October
1, 2003, the Secretary of State shall provide a driver's record to the
affected driver, or the affected driver's attorney, upon verification.
Such record shall contain all the information referred to in
paragraph 1 of this subsection (g) plus: any recorded accident
involvement as a driver; information recorded pursuant to
subsection (e) of Section 6-117 and paragraph (4) of subsection (a)
of Section 6-204 of this Code. All other information, unless
otherwise permitted by this Code, shall remain confidential.

(h) The Secretary shall not disclose social security numbers or any
associated information obtained from the Social Security Administration
except pursuant to a written request by, or with the prior written consent
of, the individual except: (1) to officers and employees of the Secretary
who have a need to know the social security numbers in performance of
their official duties, (2) to law enforcement officials for a lawful, civil or
criminal law enforcement investigation, and if the head of the law
enforcement agency has made a written request to the Secretary specifying
the law enforcement investigation for which the social security numbers
are being sought, (3) to the United States Department of Transportation, or
any other State, pursuant to the administration and enforcement of the
Commercial Motor Vehicle Safety Act of 1986, (4) pursuant to the order
of a court of competent jurisdiction, (5) to the Department of Healthcare

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and Family Services (formerly Department of Public Aid) for utilization in the child support enforcement duties assigned to that Department under provisions of the Illinois Public Aid Code after the individual has received advanced meaningful notification of what redisclosure is sought by the Secretary in accordance with the federal Privacy Act, (5.5) to the Department of Healthcare and Family Services and the Department of Human Services solely for the purpose of verifying Illinois residency where such residency is an eligibility requirement for benefits under the Illinois Public Aid Code or any other health benefit program administered by the Department of Healthcare and Family Services or the Department of Human Services, or (6) to the Illinois Department of Revenue solely for use by the Department in the collection of any tax or debt that the Department of Revenue is authorized or required by law to collect, provided that the Department shall not disclose the social security number to any person or entity outside of the Department, or (7) to the Illinois Department of Veterans' Affairs for the purpose of confirming veteran status.

(i) (Blank).

(j) Medical statements or medical reports received in the Secretary of State's Office shall be confidential. Except as provided in this Section, no confidential information may be open to public inspection or the contents disclosed to anyone, except officers and employees of the Secretary who have a need to know the information contained in the medical reports and the Driver License Medical Advisory Board, unless so directed by an order of a court of competent jurisdiction. If the Secretary receives a medical report regarding a driver that does not address a medical condition contained in a previous medical report, the Secretary may disclose the unaddressed medical condition to the driver or his or her physician, or both, solely for the purpose of submission of a medical report that addresses the condition.

(k) All fees collected under this Section shall be paid into the Road Fund of the State Treasury, except that (i) for fees collected before October 1, 2003, $3 of the $6 fee for a driver's record shall be paid into the Secretary of State Special Services Fund, (ii) for fees collected on and after October 1, 2003, of the $12 fee for a driver's record, $3 shall be paid into the Secretary of State Special Services Fund and $6 shall be paid into the General Revenue Fund, and (iii) for fees collected on and after October 1, 2003, 50% of the amounts collected pursuant to subsection (b) shall be paid into the General Revenue Fund.

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(l) (Blank).

(m) Notations of accident involvement that may be disclosed under this Section shall not include notations relating to damage to a vehicle or other property being transported by a tow truck. This information shall remain confidential, provided that nothing in this subsection (m) shall limit disclosure of any notification of accident involvement to any law enforcement agency or official.

(n) Requests made by the news media for driver's license, vehicle, or title registration information may be furnished without charge or at a reduced charge, as determined by the Secretary, when the specific purpose for requesting the documents is deemed to be in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of gaining a personal or commercial benefit. The information provided pursuant to this subsection shall not contain personally identifying information unless the information is to be used for one of the purposes identified in subsection (f-5) of this Section.

(o) The redisclosure of personally identifying information obtained pursuant to this Section is prohibited, except to the extent necessary to effectuate the purpose for which the original disclosure of the information was permitted.

(p) The Secretary of State is empowered to adopt rules to effectuate this Section.

(Source: P.A. 96-1383, eff. 1-1-11; 96-1501, eff. 1-25-11; 97-229, eff. 7-28-11; 97-739, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

Sec. 3-400. Definitions

Definition. Notwithstanding the definition set forth in Chapter 1 of this Act, for the purposes of this Article, the following words shall have the meaning ascribed to them as follows:

"Apportionable Fee" means any periodic recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license or weight fees.

"Apportionable Vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government owned vehicles that are used or intended for use in 2 or more member jurisdictions that allocate or proportionally register vehicles, in a fleet which is used for the transportation of persons for hire or the

New matter indicated by italics - deletions by strikeout
transportation of property and which has a gross vehicle weight in excess of 26,000 pounds; or has three or more axles regardless of weight; or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight. Vehicles, or combinations having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered at the option of such owner.

"Base Jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where operational records of the fleet are maintained and where mileage is accrued by the fleet. In case a registrant operates more than one fleet, and maintains records for each fleet in different places, the "base jurisdiction" for a fleet shall be the jurisdiction where an established place of business is maintained, where records of the operation of that fleet are maintained and where mileage is accrued by that fleet.

"Operational Records" means documents supporting miles traveled in each jurisdiction and total miles traveled, such as fuel reports, trip leases, and logs.

Owner. A person who holds legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee with right of purchase, or in the event a mortgagor of such motor vehicle is entitled to possession, or in the event a lessee of such motor vehicle is entitled to possession or control, then such conditional vendee or lessee with right of purchase or mortgagor or lessee is considered to be the owner for the purpose of this Act.

"Registration plate cover" means any tinted, colored, painted, marked, clear, or illuminated object that is designed to (i) cover any of the characters of a motor vehicle's registration plate; or (ii) distort a recorded image of any of the characters of a motor vehicle's registration plate recorded by an automated enforcement system as defined in Section 11-208.6, 11-208.8, or 11-1201.1 of this Code or recorded by an automated traffic control system as defined in Section 15 of the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act.

"Rental Owner" means an owner principally engaged, with respect to one or more rental fleets, in renting to others or offering for rental the vehicles of such fleets, without drivers.

New matter indicated by italics - deletions by strikeout
"Restricted Plates" shall include but are not limited to dealer, manufacturer, transporter, farm, repossessor, and permanently mounted type plates. Vehicles displaying any of these type plates from a foreign jurisdiction that is a member of the International Registration Plan shall be granted reciprocity but shall be subject to the same limitations as similar plated Illinois registered vehicles.

(Source: P.A. 97-743, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

Sec. 3-609. Disabled Veterans' Plates.
(a) Any veteran who holds proof of a service-connected disability from the United States Department of Veterans Affairs, and who has obtained certification from a licensed physician, physician assistant, or advanced practice nurse that the service-connected disability qualifies the veteran for issuance of registration plates or decals to a person with disabilities in accordance with Section 3-616, may, without the payment of any registration fee, make application to the Secretary of State for disabled veterans license plates displaying the international symbol of access, for the registration of one motor vehicle of the first division or one motor vehicle of the second division weighing not more than 8,000 pounds.

(b) Any veteran who holds proof of a service-connected disability from the United States Department of Veterans Affairs, and whose degree of disability has been declared to be 50% or more, but whose disability does not qualify the veteran for a plate or decal for persons with disabilities under Section 3-616, may, without the payment of any registration fee, make application to the Secretary for a special registration plate without the international symbol of access for the registration of one motor vehicle of the first division or one motor vehicle of the second division weighing not more than 8,000 pounds.

(c) Renewal of such registration must be accompanied with documentation for eligibility of registration without fee unless the applicant has a permanent qualifying disability, and such registration plates may not be issued to any person not eligible therefor. The Illinois Department of Veterans' Affairs may assist in providing the documentation of disability.

(d) The design and color of the plates shall be within the discretion of the Secretary, except that the plates issued under subsection (b) of this Section shall not contain the international symbol of access. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

New matter indicated by italics - deletions by strikeout
Registration shall be for a multi-year period and may be issued staggered registration.

(e) Any person eligible to receive license plates under this Section who has been approved for benefits under the Senior Citizens and Disabled Persons Property Tax Relief Act, or who has claimed and received a grant under that Act, shall pay a fee of $24 instead of the fee otherwise provided in this Code for passenger cars displaying standard multi-year registration plates issued under Section 3-414.1, for motor vehicles registered at 8,000 pounds or less under Section 3-815(a), or for recreational vehicles registered at 8,000 pounds or less under Section 3-815(b), for a second set of plates under this Section.

(Source: P.A. 96-79, eff. 1-1-10; 97-689, eff. 6-14-12; 97-918, eff. 1-1-13; revised 8-23-12.)

(625 ILCS 5/3-658)

Sec. 3-658. Professional Sports Teams license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Professional Sports Teams license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motorcycles, and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary, except that the plates shall, subject to the permission of the applicable team owner, display the logo of the Chicago Bears, the Chicago Bulls, the Chicago Blackhawks, the Chicago Cubs, the Chicago White Sox, the St. Louis Rams, or the St. Louis Cardinals, at the applicant's option. The Secretary may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the Professional Sports Teams Education Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

New matter indicated by italics - deletions by strikeout
For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Professional Sports Teams Education Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Professional Sports Teams Education Fund is created as a special fund in the State treasury. The Comptroller shall order transferred and the Treasurer shall transfer all moneys in the Professional Sports Teams Education Fund to the Common School Fund every 6 months.

(Source: P.A. 97-409, eff. 1-1-12; 97-914, eff. 1-1-13; revised 10-18-12.)

(625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)

Sec. 3-806. Registration Fees; Motor Vehicles of the First Division. Every owner of any other motor vehicle of the first division, except as provided in Sections 3-804, 3-804.01, 3-804.3, 3-805, 3-806.3, 3-806.7, and 3-808, and every second division vehicle weighing 8,000 pounds or less, shall pay the Secretary of State an annual registration fee at the following rates:

**SCHEDULE OF REGISTRATION FEES REQUIRED BY LAW**

**Beginning with the 2010 registration year**

<table>
<thead>
<tr>
<th>Annual Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor vehicles of the first division other than</td>
</tr>
<tr>
<td>Motorcycles, Motor Driven Cycles and Pedalcycles</td>
</tr>
<tr>
<td>Motorcycles, Motor Driven Cycles and Pedalcycles</td>
</tr>
</tbody>
</table>

Beginning with the 2010 registration year a $1 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, motorcycles, motor driven cycles, and pedalcycles to be deposited into the State Police Vehicle Fund.

All of the proceeds of the additional fees imposed by Public Act 96-34 shall be deposited into the Capital Projects Fund.

Beginning with the 2014 registration year, a $2 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, motorcycles, motor driven cycles, and pedalcycles to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited

New matter indicated by italics - deletions by strikeout
into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-747, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-412, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; revised 1-2-13.)

(625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Flat weight tax; vehicles of the second division.

(a) Except as provided in Section 3-806.3 and 3-804.3, every owner of a vehicle of the second division registered under Section 3-813, and not registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the $10 registration fee:

**SCHEDULE OF FLAT WEIGHT TAX REQUIRED BY LAW**

<table>
<thead>
<tr>
<th>Gross Weight in Lbs.</th>
<th>Total Fees each Fiscal year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Including Vehicle and Maximum Load</td>
<td>Class</td>
</tr>
<tr>
<td>8,000 lbs. and less</td>
<td>B $98</td>
</tr>
<tr>
<td>8,001 lbs. to 12,000 lbs.</td>
<td>D 138</td>
</tr>
<tr>
<td>12,001 lbs. to 16,000 lbs.</td>
<td>F 242</td>
</tr>
<tr>
<td>16,001 lbs. to 26,000 lbs.</td>
<td>H 490</td>
</tr>
<tr>
<td>26,001 lbs. to 28,000 lbs.</td>
<td>J 630</td>
</tr>
<tr>
<td>28,001 lbs. to 32,000 lbs.</td>
<td>K 842</td>
</tr>
<tr>
<td>32,001 lbs. to 36,000 lbs.</td>
<td>L 982</td>
</tr>
<tr>
<td>36,001 lbs. to 40,000 lbs.</td>
<td>N 1,202</td>
</tr>
<tr>
<td>40,001 lbs. to 45,000 lbs.</td>
<td>P 1,390</td>
</tr>
<tr>
<td>45,001 lbs. to 50,000 lbs.</td>
<td>Q 1,538</td>
</tr>
<tr>
<td>50,001 lbs. to 54,999 lbs.</td>
<td>R 1,698</td>
</tr>
<tr>
<td>55,000 lbs. to 59,500 lbs.</td>
<td>S 1,830</td>
</tr>
<tr>
<td>59,501 lbs. to 64,000 lbs.</td>
<td>T 1,970</td>
</tr>
<tr>
<td>64,001 lbs. to 73,280 lbs.</td>
<td>V 2,294</td>
</tr>
<tr>
<td>73,281 lbs. to 77,000 lbs.</td>
<td>X 2,622</td>
</tr>
<tr>
<td>77,001 lbs. to 80,000 lbs.</td>
<td>Z 2,790</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Beginning with the 2010 registration year a $1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

Beginning with the 2014 registration year, a $2 surcharge shall be collected in addition to the above fees for vehicles registered in the 8,000 lb. and less flat weight plate category as described in this subsection (a) to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (a) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), $125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

<table>
<thead>
<tr>
<th>Gross Weight in Lbs.</th>
<th>Total Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Including Vehicle and Maximum Load</td>
<td>Each Calendar Year</td>
</tr>
<tr>
<td>8,000 lbs and less</td>
<td>$78</td>
</tr>
<tr>
<td>8,001 Lbs. to 10,000 Lbs</td>
<td>90</td>
</tr>
<tr>
<td>10,001 Lbs. and Over</td>
<td>102</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
CAMPING TRAILER OR TRAVEL TRAILER

Gross Weight in Lbs.

<table>
<thead>
<tr>
<th>Maximum Load</th>
<th>Including Vehicle and Each Maximum Load Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,000 Lbs. and Less</td>
<td>$18</td>
</tr>
<tr>
<td>3,001 Lbs. to 8,000 Lbs.</td>
<td>30</td>
</tr>
<tr>
<td>8,001 Lbs. to 10,000 Lbs.</td>
<td>38</td>
</tr>
<tr>
<td>10,001 Lbs. and Over</td>
<td>50</td>
</tr>
</tbody>
</table>

Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the $10 registration fee and the highway use tax herein specified as follows:

SCHEDULE OF FEES AND TAXES

Gross Weight in Lbs.

<table>
<thead>
<tr>
<th>Maximum Load</th>
<th>Including Truck and each Maximum Load Class Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>16,000 lbs. or less</td>
<td>VF $150</td>
</tr>
<tr>
<td>16,001 to 20,000 lbs.</td>
<td>VG 226</td>
</tr>
<tr>
<td>20,001 to 24,000 lbs.</td>
<td>VH 290</td>
</tr>
<tr>
<td>24,001 to 28,000 lbs.</td>
<td>VJ 378</td>
</tr>
<tr>
<td>28,001 to 32,000 lbs.</td>
<td>VK 506</td>
</tr>
<tr>
<td>32,001 to 36,000 lbs.</td>
<td>VL 610</td>
</tr>
<tr>
<td>36,001 to 45,000 lbs.</td>
<td>VP 810</td>
</tr>
<tr>
<td>45,001 to 54,999 lbs.</td>
<td>VR 1,026</td>
</tr>
<tr>
<td>55,000 to 64,000 lbs.</td>
<td>VT 1,202</td>
</tr>
<tr>
<td>64,001 to 73,280 lbs.</td>
<td>VV 1,290</td>
</tr>
<tr>
<td>73,281 to 77,000 lbs.</td>
<td>VX 1,350</td>
</tr>
<tr>
<td>77,001 to 80,000 lbs.</td>
<td>VZ 1,490</td>
</tr>
</tbody>
</table>

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

New matter indicated by italics - deletions by strikeout
Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection (c), $125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.

(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401.

(Source: P.A. 96-34, eff. 7-13-09; 97-201, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; revised 1-2-13.)

(625 ILCS 5/3-902) (from Ch. 95 1/2, par. 3-902)

Sec. 3-902. Application of Article. This Article shall not apply to any person who, in connection with the issuance of a license to him to conduct a business in this State other than a remitter's license, shall have filed, pursuant to a statutory requirement, a surety bond covering the proper discharge of any liability incurred by him in connection with the acceptance for remittance of money for the purposes designated in the Article pursuant to which he or she is licensed.

(Source: P.A. 97-832, eff. 7-20-12; revised 8-3-12.)

(625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

Sec. 6-106. Application for license or instruction permit.

(a) Every application for any permit or license authorized to be issued under this Act shall be made upon a form furnished by the Secretary of State. Every application shall be accompanied by the proper fee and payment of such fee shall entitle the applicant to not more than 3 attempts to pass the examination within a period of 1 year after the date of application.

(b) Every application shall state the legal name, social security number, zip code, date of birth, sex, and residence address of the applicant; briefly describe the applicant; state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been cancelled, suspended, revoked or refused, and, if so, the date and reason for such cancellation,
suspension, revocation or refusal; shall include an affirmation by the applicant that all information set forth is true and correct; and shall bear the applicant's signature. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. In the case of an applicant who is a judicial officer, the Secretary may allow the applicant to provide an office or work address in lieu of a residence or mailing address. The application form may also require the statement of such additional relevant information as the Secretary of State shall deem necessary to determine the applicant's competency and eligibility. The Secretary of State may, in his discretion, by rule or regulation, provide that an application for a drivers license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each drivers license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a drivers license and to prevent substitution of another photo thereon.

(c) The application form shall include a notice to the applicant of the registration obligations of sex offenders under the Sex Offender Registration Act. The notice shall be provided in a form and manner prescribed by the Secretary of State. For purposes of this subsection (c), "sex offender" has the meaning ascribed to it in Section 2 of the Sex Offender Registration Act.

(d) Any male United States citizen or immigrant who applies for any permit or license authorized to be issued under this Act or for a renewal of any permit or license, and who is at least 18 years of age but less than 26 years of age, must be registered in compliance with the requirements of the federal Military Selective Service Act. The Secretary of State must forward in an electronic format the necessary personal information regarding the applicants identified in this subsection (d) to the Selective Service System. The applicant's signature on the application serves as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the Secretary to forward to the Selective Service System the necessary information for registration. The Secretary must notify the applicant at the time of application that his signature constitutes consent to registration with the Selective Service System, if he is not already registered.

(e) Beginning on or before July 1, 2015, for each original or renewal driver's license application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing a

New matter indicated by italics - deletions by strikeout
driver's license with a veteran designation under subsection (e-5) of Section 6-110 of this Chapter. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214. The Secretary shall determine by rule what other forms of proof of a person's status as a veteran are acceptable.

The Illinois Department of Veterans' Affairs shall confirm the status of the applicant as an honorably discharged veteran before the Secretary may issue the driver's license.

For purposes of this subsection (e):
"Active duty" means active duty under an executive order of the President of the United States, an Act of the Congress of the United States, or an order of the Governor.
"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit called to active duty.
"Veteran" means a person who has served on active duty in the armed forces and was discharged or separated under honorable conditions.
(Source: P.A. 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; revised 8-3-12.)
(625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)
Sec. 6-110. Licenses issued to drivers.

(a) The Secretary of State shall issue to every qualifying applicant a driver's license as applied for, which license shall bear a distinguishing number assigned to the licensee, the legal name, signature, zip code, date of birth, residence address, and a brief description of the licensee.

Licenses issued shall also indicate the classification and the restrictions under Section 6-104 of this Code. The Secretary may adopt rules to establish informational restrictions that can be placed on the driver's license regarding specific conditions of the licensee.

A driver's license issued may, in the discretion of the Secretary, include a suitable photograph of a type prescribed by the Secretary.

(a-1) If the licensee is less than 18 years of age, unless one of the exceptions in subsection (a-2) apply, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

(A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;
(B) Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday;

and

New matter indicated by italics - deletions by strikeout
(C) Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(a-2) The driver's license of a person under the age of 18 shall not be invalid as described in subsection (a-1) of this Section if the licensee under the age of 18 was:

1. accompanied by the licensee's parent or guardian or other person in custody or control of the minor;
2. on an errand at the direction of the minor's parent or guardian, without any detour or stop;
3. in a motor vehicle involved in interstate travel;
4. going to or returning home from an employment activity, without any detour or stop;
5. involved in an emergency;
6. going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;
7. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
8. married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(a-2.5) The driver's license of a person who is 17 years of age and has been licensed for at least 12 months is not invalid as described in subsection (a-1) of this Section while the licensee is participating as an assigned driver in a Safe Rides program that meets the following criteria:

1. the program is sponsored by the Boy Scouts of America or another national public service organization; and
2. the sponsoring organization carries liability insurance covering the program.

(a-3) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the offense, the provisions of subsection (a-1) shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and...
subsequent conviction of an offense against traffic regulations governing
the movement of vehicles or Section 6-107 or Section 12-603.1 of this
Code.

(a-4) If an applicant for a driver's license or instruction permit has a
current identification card issued by the Secretary of State, the Secretary
may require the applicant to utilize the same residence address and name
on the identification card, driver's license, and instruction permit records
maintained by the Secretary. The Secretary may promulgate rules to
implement this provision.

(a-5) If an applicant for a driver's license is a judicial officer, the
applicant may elect to have his or her office or work address listed on the
license instead of the applicant's residence or mailing address. The
Secretary of State shall adopt rules to implement this subsection (a-5).

(b) Until the Secretary of State establishes a First Person Consent
organ and tissue donor registry under Section 6-117 of this Code, the
Secretary of State shall provide a format on the reverse of each driver's
license issued which the licensee may use to execute a document of gift
conforming to the provisions of the Illinois Anatomical Gift Act. The
format shall allow the licensee to indicate the gift intended, whether
specific organs, any organ, or the entire body, and shall accommodate the
signatures of the donor and 2 witnesses. The Secretary shall also inform
each applicant or licensee of this format, describe the procedure for its
execution, and may offer the necessary witnesses; provided that in so
doing, the Secretary shall advise the applicant or licensee that he or she is
under no compulsion to execute a document of gift. A brochure explaining
this method of executing an anatomical gift document shall be given to
each applicant or licensee. The brochure shall advise the applicant or
licensee that he or she is under no compulsion to execute a document of
gift, and that he or she may wish to consult with family, friends or clergy
before doing so. The Secretary of State may undertake additional efforts,
including education and awareness activities, to promote organ and tissue
donation.

(c) The Secretary of State shall designate on each driver's license
issued a space where the licensee may place a sticker or decal of the
uniform size as the Secretary may specify, which sticker or decal may
indicate in appropriate language that the owner of the license carries an
Emergency Medical Information Card.

The sticker may be provided by any person, hospital, school,
medical group, or association interested in assisting in implementing the

New matter indicated by italics - deletions by strikeout
Emergency Medical Information Card, but shall meet the specifications as the Secretary may by rule or regulation require.

(d) The Secretary of State shall designate on each driver's license issued a space where the licensee may indicate his blood type and RH factor.

(e) The Secretary of State shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall be of a distinct nature from those driver's licenses issued to individuals 21 years of age and older. The color designated for driver's licenses for licensees under 21 years of age shall be at the discretion of the Secretary of State.

(e-1) The Secretary shall provide that each driver's license issued to a person under the age of 21 displays the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(e-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue drivers' licenses with the word "veteran" appearing on the face of the licenses. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other driver's license which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the license holder which is unrelated to the purpose of the driver's license.

(e-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal driver's license where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (e) of Section paragraph 6-106 of this Code who was discharged or separated under honorable conditions.

(f) The Secretary of State shall inform all Illinois licensed commercial motor vehicle operators of the requirements of the Uniform Commercial Driver License Act, Article V of this Chapter, and shall make provisions to insure that all drivers, seeking to obtain a commercial driver's license, be afforded an opportunity prior to April 1, 1992, to obtain the license. The Secretary is authorized to extend driver's license expiration dates, and assign specific times, dates and locations where these
commercial driver's tests shall be conducted. Any applicant, regardless of the current expiration date of the applicant's driver's license, may be subject to any assignment by the Secretary. Failure to comply with the Secretary's assignment may result in the applicant's forfeiture of an opportunity to receive a commercial driver's license prior to April 1, 1992.

(g) The Secretary of State shall designate on a driver's license issued, a space where the licensee may indicate that he or she has drafted a living will in accordance with the Illinois Living Will Act or a durable power of attorney for health care in accordance with the Illinois Power of Attorney Act.

(g-1) The Secretary of State, in his or her discretion, may designate on each driver's license issued a space where the licensee may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the owner of the license has renewed his or her driver's license.

(h) A person who acts in good faith in accordance with the terms of this Section is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act.

(Source: P.A. 96-607, eff. 8-24-09; 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

Sec. 6-500. Definitions of words and phrases. Notwithstanding the definitions set forth elsewhere in this Code, for purposes of the Uniform Commercial Driver's License Act (UCDLA), the words and phrases listed below have the meanings ascribed to them as follows:

(1) Alcohol. "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) Alcohol concentration. "Alcohol concentration" means:

(A) the number of grams of alcohol per 210 liters of breath; or

(B) the number of grams of alcohol per 100 milliliters of blood; or

(C) the number of grams of alcohol per 67 milliliters of urine.

Alcohol tests administered within 2 hours of the driver being "stopped or detained" shall be considered that driver's "alcohol concentration" for the purposes of enforcing this UCDLA.

New matter indicated by italics - deletions by strikeout
(3) (Blank).
(4) (Blank).
(5) (Blank).

(5.3) CDLIS driver record. "CDLIS driver record" means the electronic record of the individual CDL driver's status and history stored by the State-of-Record as part of the Commercial Driver's License Information System, or CDLIS, established under 49 U.S.C. 31309.

(5.5) CDLIS motor vehicle record. "CDLIS motor vehicle record" or "CDLIS MVR" means a report generated from the CDLIS driver record meeting the requirements for access to CDLIS information and provided by states to users authorized in 49 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721–2725.

(5.7) Commercial driver's license downgrade. "Commercial driver's license downgrade" or "CDL downgrade" means either:

(A) a state allows the driver to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

(B) a state allows the driver to change his or her self-certification to intrastate only, if the driver qualifies under that state's physical qualification requirements for intrastate only;

(C) a state allows the driver to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(D) a state removes the CDL privilege from the driver license.

(6) Commercial Motor Vehicle.

(A) "Commercial motor vehicle" or "CMV" means a motor vehicle used in commerce, except those referred to in subdivision (B), designed to transport passengers or property if:

(i) the vehicle has a GVWR of 26,001 pounds or more or such a lesser GVWR as subsequently determined by federal regulations or the Secretary of State; or any combination of vehicles with a GCWR of 26,001 pounds or more, provided the GVWR of any vehicle or vehicles being towed is 10,001 pounds or more; or

(ii) the vehicle is designed to transport 16 or more persons; or
(iii) the vehicle is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, subpart F.

(B) Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986 by the Federal Highway Administration, the definition of "commercial motor vehicle" does not include:

(i) recreational vehicles, when operated primarily for personal use;

(ii) vehicles owned by or operated under the direction of the United States Department of Defense or the United States Coast Guard only when operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard; personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or

(iii) firefighting, police, and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code), with audible and visual signals, owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency governmental functions which are normally not subject to general traffic rules and regulations.

(7) Controlled Substance. "Controlled substance" shall have the same meaning as defined in Section 102 of the Illinois Controlled Substances Act, and shall also include cannabis as defined in Section 3 of the Cannabis Control Act and methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act.

(8) Conviction. "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; a plea of guilty or nolo contendere accepted by the court; the payment of a fine or court cost regardless of whether the imposition of sentence is deferred and ultimately
a judgment dismissing the underlying charge is entered; or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated.

(8.5) Day. "Day" means calendar day.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) (Blank).

(13) Driver. "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle, any person who is required to hold a CDL, or any person who is a holder of a CDL while operating a non-commercial motor vehicle.

(13.5) Driver applicant. "Driver applicant" means an individual who applies to a state to obtain, transfer, upgrade, or renew a CDL.

(13.8) Electronic device. "Electronic device" includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer, or any other device used to input, write, send, receive, or read text.

(14) Employee. "Employee" means a person who is employed as a commercial motor vehicle driver. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA pertaining to employees. An owner-operator on a long-term lease shall be considered an employee.

(15) Employer. "Employer" means a person (including the United States, a State or a local authority) who owns or leases a commercial motor vehicle or assigns employees to operate such a vehicle. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA.

(15.3) Excepted interstate. "Excepted interstate" means a person who operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3 from all or part of the qualification requirements of 49 C.F.R. Part 391 and is not required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(15.5) Excepted intrastate. "Excepted intrastate" means a person who operates in intrastate commerce but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(16) (Blank).
(16.5) Fatality. "Fatality" means the death of a person as a result of a motor vehicle accident.

(17) Foreign jurisdiction. "Foreign jurisdiction" means a sovereign jurisdiction that does not fall within the definition of "State".

(18) (Blank).

(19) (Blank).

(20) Hazardous materials. "Hazardous Material" means any material that has been designated under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.

(20.5) Imminent Hazard. "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment.

(21) Long-term lease. "Long-term lease" means a lease of a commercial motor vehicle by the owner-lesser to a lessee, for a period of more than 29 days.

(21.1) Medical examiner. "Medical examiner" means a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

(21.2) Medical examiner's certificate. "Medical examiner's certificate" means a document prescribed or approved by the Secretary of State that is issued by a medical examiner to a driver to medically qualify him or her to drive.

(21.5) Medical variance. "Medical variance" means a driver has received one of the following from the Federal Motor Carrier Safety Administration which allows the driver to be issued a medical certificate: (1) an exemption letter permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a skill performance evaluation (SPE) certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(21.7) Mobile telephone. "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications
Commission, 47 CFR 20.3. It does not include two-way or citizens band radio services.

(22) Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails, except vehicles moved solely by human power and motorized wheel chairs.

(22.2) Motor vehicle record. "Motor vehicle record" means a report of the driving status and history of a driver generated from the driver record provided to users, such as drivers or employers, and is subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(22.5) Non-CMV. "Non-CMV" means a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" or "CMV" in this Section.

(22.7) Non-excepted interstate. "Non-excepted interstate" means a person who operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements under 49 C.F.R. Part 391, and is required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(22.8) Non-excepted intrastate. "Non-excepted intrastate" means a person who operates only in intrastate commerce and is subject to State driver qualification requirements.

(23) Non-resident CDL. "Non-resident CDL" means a commercial driver's license issued by a state under either of the following two conditions:

(i) to an individual domiciled in a foreign country meeting the requirements of Part 383.23(b)(1) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(ii) to an individual domiciled in another state meeting the requirements of Part 383.23(b)(2) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(24) (Blank).

(25) (Blank).

(25.5) Railroad-Highway Grade Crossing Violation. "Railroad-highway grade crossing violation" means a violation, while operating a commercial motor vehicle, of any of the following:

(A) Section 11-1201, 11-1202, or 11-1425 of this Code.

(B) Any other similar law or local ordinance of any state relating to railroad-highway grade crossing.

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(25.7) School Bus. "School bus" means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. "School bus" does not include a bus used as a common carrier.

(26) Serious Traffic Violation. "Serious traffic violation" means:
   (A) a conviction when operating a commercial motor vehicle, or when operating a non-CMV while holding a CDL, of:
      (i) a violation relating to excessive speeding, involving a single speeding charge of 15 miles per hour or more above the legal speed limit; or
      (ii) a violation relating to reckless driving; or
      (iii) a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; or
      (iv) a violation of Section 6-501, relating to having multiple driver's licenses; or
      (v) a violation of paragraph (a) of Section 6-507, relating to the requirement to have a valid CDL; or
      (vi) a violation relating to improper or erratic traffic lane changes; or
      (vii) a violation relating to following another vehicle too closely; or
      (viii) a violation relating to texting while driving; or
      (ix) a violation relating to the use of a hand-held mobile telephone while driving; or
   (B) any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines by administrative rule to be serious.

(27) State. "State" means a state of the United States, the District of Columbia and any province or territory of Canada.

(28) (Blank).

(29) (Blank).

(30) (Blank).

(31) (Blank).

(32) Texting. "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device.
(1) Texting includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access a World Wide Web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry for present or future communication.

(2) Texting does not include:

   (i) inputting, selecting, or reading information on a global positioning system or navigation system; or
   (ii) pressing a single button to initiate or terminate a voice communication using a mobile telephone; or
   (iii) using a device capable of performing multiple functions (for example, a fleet management system, dispatching device, smart phone, citizens band radio, or music player) for a purpose that is not otherwise prohibited by Part 392 of the Federal Motor Carrier Safety Regulations.

(3) Use a hand-held mobile telephone. "Use a hand-held mobile telephone" means:

   (1) using at least one hand to hold a mobile telephone to conduct a voice communication;
   (2) dialing or answering a mobile telephone by pressing more than a single button; or
   (3) reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt that is installed in accordance with 49 CFR 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/11-208.6)
Sec. 11-208.6. Automated traffic law enforcement system.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with a red light signal to produce recorded images of motor vehicles entering an intersection against a red signal indication in violation of Section 11-306 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a
recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

1. 2 or more photographs;
2. 2 or more microphotographs;
3. 2 or more electronic images; or
4. a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle.

(b-5) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(c) Except as provided under Section 11-208.8 of this Code, a county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed. Except as provided under Section 11-208.8 of this Code, the regulation of the use of automated traffic law enforcement systems to record vehicle speeds is an exclusive power and function of the State. This subsection (c) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(c-5) A county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where the motor vehicle comes to a complete stop and does not enter the intersection, as defined by Section 1-132 of this Code, during the cycle of the red signal indication unless one or more pedestrians or bicyclists are present, even if the motor vehicle stops at a point past a stop line or crosswalk where a driver is required to stop, as specified in subsection (c) of Section 11-306 of this Code or a similar provision of a local ordinance.

(c-6) A county, or a municipality with less than 2,000,000 inhabitants, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where a motorcyclist enters an intersection against a red signal indication.
when the red signal fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle due to the motorcycle's size or weight.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automatic traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

The notice shall include:

1. the name and address of the registered owner of the vehicle;
2. the registration number of the motor vehicle involved in the violation;
3. the violation charged;
4. the location where the violation occurred;
5. the date and time of the violation;
6. a copy of the recorded images;
7. the amount of the civil penalty imposed and the requirements of any traffic education program imposed and the date by which the civil penalty should be paid and the traffic education program should be completed;
8. a statement that recorded images are evidence of a violation of a red light signal;
9. a warning that failure to pay the civil penalty, to complete a required traffic education program, or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle;
10. a statement that the person may elect to proceed by:
   A) paying the fine, completing a required traffic education program, or both; or
   B) challenging the charge in court, by mail, or by administrative hearing; and
11. a website address, accessible through the Internet, where the person may view the recorded images of the violation.

New matter indicated by italics - deletions by strikeout
(e) If a person charged with a traffic violation, as a result of an automated traffic law enforcement system, does not pay the fine or complete a required traffic education program, or both, or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to complete a required traffic education program or to pay any fine or penalty due and owing, or both, as a result of a combination of 5 violations of the automated traffic law enforcement system or the automated speed enforcement system under Section 11-208.8 of this Code.

(f) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(g) Recorded images made by an automatic traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(h) The court or hearing officer may consider in defense of a violation:

1. that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner at the time of the violation;
2. that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession; and
3. any other evidence or issues provided by municipal or county ordinance.

(i) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

New matter indicated by italics - deletions by strikeout
(j) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $100 or the completion of a traffic education program, or both, plus an additional penalty of not more than $100 for failure to pay the original penalty or to complete a required traffic education program, or both, in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle.

(j-3) A registered owner who is a holder of a valid commercial driver's license is not required to complete a traffic education program.

(j-5) For purposes of the required traffic education program only, a registered owner may submit an affidavit to the court or hearing officer swearing that at the time of the alleged violation, the vehicle was in the custody and control of another person. The affidavit must identify the person in custody and control of the vehicle, including the person's name and current address. The person in custody and control of the vehicle at the time of the violation is required to complete the required traffic education program. If the person in custody and control of the vehicle at the time of the violation completes the required traffic education program, the registered owner of the vehicle is not required to complete a traffic education program.

(k) An intersection equipped with an automated traffic law enforcement system must be posted with a sign visible to approaching traffic indicating that the intersection is being monitored by an automated traffic law enforcement system.

(k-3) A municipality or county that has one or more intersections equipped with an automated traffic law enforcement system must provide notice to drivers by posting the locations of automated traffic law systems on the municipality or county website.

(k-5) An intersection equipped with an automated traffic law enforcement system must have a yellow change interval that conforms with the Illinois Manual on Uniform Traffic Control Devices (IMUTCD) published by the Illinois Department of Transportation.

(k-7) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact of each automated traffic law enforcement system at an intersection.

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following installation of the system. The statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. The statistical analysis shall be consistent with professional judgment and acceptable industry practice. The statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. The statistical analysis required by this subsection (k-7) shall be made available to the public and shall be published on the website of the municipality or county. If the statistical analysis for the 36 month period following installation of the system indicates that there has been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents at that intersection.

(l) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(m) This Section applies only to the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and to municipalities located within those counties.

(n) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(o) A municipality or county shall make a certified report to the Secretary of State pursuant to Section 6-306.5 of this Code whenever a registered owner of a vehicle has failed to pay any fine or penalty due and owing as a result of a combination of 5 offenses for automated traffic law or speed enforcement system violations.
(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The drivers license number of a lessee may be subsequently individually requested by the appropriate authority if needed for enforcement of this Section.

Upon the provision of information by the lessor pursuant to this subsection, the county or municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(Source: P.A. 96-288, eff. 8-11-09; 96-1016, eff. 1-1-11; 97-29, eff. 1-1-12; 97-627, eff. 1-1-12; 97-672, eff. 7-1-12; 97-762, eff. 7-6-12; revised 7-16-12.)

(625 ILCS 5/11-208.8)
Sec. 11-208.8. Automated speed enforcement systems in safety zones.

(a) As used in this Section:
"Automated speed enforcement system" means a photographic device, radar device, laser device, or other electrical or mechanical device or devices installed or utilized in a safety zone and designed to record the speed of a vehicle and obtain a clear photograph or other recorded image of the vehicle and the vehicle's registration plate while the driver is violating Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

An automated speed enforcement system is a system, located in a safety zone which is under the jurisdiction of a municipality, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

"Owner" means the person or entity to whom the vehicle is registered.

"Recorded image" means images recorded by an automated speed enforcement system on:

(1) 2 or more photographs;

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(2) 2 or more microphotographs;
(3) 2 or more electronic images; or
(4) a video recording showing the motor vehicle and, on at
least one image or portion of the recording, clearly identifying the
registration plate number of the motor vehicle.

"Safety zone" means an area that is within one-eighth of a mile
from the nearest property line of any public or private elementary or
secondary school, or from the nearest property line of any facility, area, or
land owned by a school district that is used for educational purposes
approved by the Illinois State Board of Education, not including school
district headquarters or administrative buildings. A safety zone also
includes an area that is within one-eighth of a mile from the nearest
property line of any facility, area, or land owned by a park district used for
recreational purposes. However, if any portion of a roadway is within
either one-eighth mile radius, the safety zone also shall include the
roadway extended to the furthest portion of the next furthest intersection.
The term "safety zone" does not include any portion of the roadway known
as Lake Shore Drive or any controlled access highway with 8 or more
lanes of traffic.

(a-5) The automated speed enforcement system shall be operational
and violations shall be recorded only at the following times:

(i) if the safety zone is based upon the property line of any
facility, area, or land owned by a school district, only on school
days and no earlier than 6 a.m. and no later than 8:30 p.m. if the
school day is during the period of Monday through Thursday, or 9
p.m. if the school day is a Friday; and

(ii) if the safety zone is based upon the property line of any
facility, area, or land owned by a park district, no earlier than one
hour prior to the time that the facility, area, or land is open to the
public or other patrons, and no later than one hour after the facility,
area, or land is closed to the public or other patrons.

(b) A municipality that produces a recorded image of a motor
vehicle's violation of a provision of this Code or a local ordinance must
make the recorded images of a violation accessible to the alleged violator
by providing the alleged violator with a website address, accessible
through the Internet.

(c) Notwithstanding any penalties for any other violations of this
Code, the owner of a motor vehicle used in a traffic violation recorded by

New matter indicated by italics - deletions by strikeout
an automated speed enforcement system shall be subject to the following penalties:

(1) if the recorded speed is no less than 6 miles per hour and no more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $50, plus an additional penalty of not more than $50 for failure to pay the original penalty in a timely manner; or

(2) if the recorded speed is more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $100, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner.

A penalty may not be imposed under this Section if the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle. A law enforcement officer is not required to be present or to witness the violation. No penalty may be imposed under this Section if the recorded speed of a vehicle is 5 miles per hour or less over the legal speed limit. The municipality may send, in the same manner that notices are sent under this Section, a speed violation warning notice where the violation involves a speed of 5 miles per hour or less above the legal speed limit.

(d) The net proceeds that a municipality receives from civil penalties imposed under an automated speed enforcement system, after deducting all non-personnel and personnel costs associated with the operation and maintenance of such system, shall be expended or obligated by the municipality for the following purposes:

(i) public safety initiatives to ensure safe passage around schools, and to provide police protection and surveillance around schools and parks, including but not limited to: (1) personnel costs; and (2) non-personnel costs such as construction and maintenance of public safety infrastructure and equipment;

(ii) initiatives to improve pedestrian and traffic safety; and

(iii) construction and maintenance of infrastructure within the municipality, including but not limited to roads and bridges; and

(iv) after school programs.

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(e) For each violation of a provision of this Code or a local ordinance recorded by an automated speed enforcement system, the municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(f) The notice required under subsection (e) of this Section shall include:

1. the name and address of the registered owner of the vehicle;
2. the registration number of the motor vehicle involved in the violation;
3. the violation charged;
4. the date, time, and location where the violation occurred;
5. a copy of the recorded image or images;
6. the amount of the civil penalty imposed and the date by which the civil penalty should be paid;
7. a statement that recorded images are evidence of a violation of a speed restriction;
8. a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle;
9. a statement that the person may elect to proceed by:
   (A) paying the fine; or
   (B) challenging the charge in court, by mail, or by administrative hearing; and
10. a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(g) If a person charged with a traffic violation, as a result of an automated speed enforcement system, does not pay the fine or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to pay any fine or penalty due and owing, or both, as a result of a combination of 5 violations.
of the automated speed enforcement system or the automated traffic law under Section 11-208.6 of this Code.

(h) Based on inspection of recorded images produced by an automated speed enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(i) Recorded images made by an automated speed enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(j) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control or in the possession of the owner at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system; and

(3) any other evidence or issues provided by municipal ordinance.

(k) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(l) A roadway equipped with an automated speed enforcement system shall be posted with a sign conforming to the national Manual on Uniform Traffic Control Devices that is visible to approaching traffic stating that vehicle speeds are being photo-enforced and indicating the speed limit. The municipality shall install such additional signage as it determines is necessary to give reasonable notice to drivers as to where automated speed enforcement systems are installed.
(m) A roadway where a new automated speed enforcement system is installed shall be posted with signs providing 30 days notice of the use of a new automated speed enforcement system prior to the issuance of any citations through the automated speed enforcement system.

(n) The compensation paid for an automated speed enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(o) A municipality shall make a certified report to the Secretary of State pursuant to Section 6-306.5 of this Code whenever a registered owner of a vehicle has failed to pay any fine or penalty due and owing as a result of a combination of 5 offenses for automated speed or traffic law enforcement system violations.

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The drivers license number of a lessee may be subsequently individually requested by the appropriate authority if needed for enforcement of this Section.

Upon the provision of information by the lessor pursuant to this subsection, the municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) A municipality using an automated speed enforcement system must provide notice to drivers by publishing the locations of all safety zones where system equipment is installed on the website of the municipality.

(r) A municipality operating an automated speed enforcement system shall conduct a statistical analysis to assess the safety impact of the system. The statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. The statistical analysis shall be consistent with professional judgment and acceptable industry practice. The statistical analysis also shall be consistent with the data required for valid

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comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. The statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality.

(s) This Section applies only to municipalities with a population of 1,000,000 or more inhabitants.

(Source: P.A. 97-672, eff. 7-1-12; 97-674, eff. 7-1-12; revised 8-3-12.)

(625 ILCS 5/11-501.01)

Sec. 11-501.01. Additional administrative sanctions.

(a) After a finding of guilt and prior to any final sentencing or an order for supervision, for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(b) Any person who is found guilty of or pleads guilty to violating Section 11-501, including any person receiving a disposition of court supervision for violating that Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a county State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(c) Every person found guilty of violating Section 11-501, whose operation of a motor vehicle while in violation of that Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided in subsection (i) of this Section.

(d) The Secretary of State shall revoke the driving privileges of any person convicted under Section 11-501 or a similar provision of a local ordinance.

(e) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by a person who has been convicted of a
second or subsequent offense of Section 11-501 or a similar provision of a local ordinance. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees.

(f) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating Section 11-501, including any person placed on court supervision for violating Section 11-501, shall be assessed $750, payable to the circuit clerk, who shall distribute the money as follows: $350 to the law enforcement agency that made the arrest, and $400 shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating Section 11-501 or a similar provision of a local ordinance, the fine shall be $1,000, and the circuit clerk shall distribute $200 to the law enforcement agency that made the arrest and $800 to the State Treasurer for deposit into the General Revenue Fund. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (f) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Any moneys received by the Department of State Police under this subsection (f) shall be deposited into the State Police DUI Fund and shall be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State.

(g) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (f) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or

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any combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(h) Whenever an individual is sentenced for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(i) In addition to any other fine or penalty required by law, an individual convicted of a violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (i), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance. With respect to funds designated for the Department of State Police, the moneys shall be remitted by the circuit court clerk to the State Police within one month after receipt for deposit into the State Police DUI Fund. With respect to funds designated for the

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Department of Natural Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund.

(Source: P.A. 96-1342, eff. 1-1-11; 97-931, eff. 1-1-13; 97-1050, eff. 1-1-13; revised 8-23-12.)

(625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

Sec. 11-1301.1. Persons with disabilities - Parking privileges - Exemptions.

(a) A motor vehicle bearing registration plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 or to a disabled veteran pursuant to subsection (a) of Section 3-609 or a special decal or device issued pursuant to Section 3-616 or pursuant to Section 11-1301.2 of this Code or a motor vehicle registered in another jurisdiction, state, district, territory or foreign country upon which is displayed a registration plate, special decal or device issued by the other jurisdiction designating the vehicle is operated by or for a person with disabilities shall be exempt from the payment of parking meter fees until January 1, 2014, and exempt from any statute or ordinance imposing time limitations on parking, except limitations of one-half hour or less, on any street or highway zone, a parking area subject to regulation under subsection (a) of Section 11-209 of this Code, or any parking lot or parking place which are owned, leased or owned and leased by a municipality or a municipal parking utility; and shall be recognized by state and local authorities as a valid license plate or parking device and shall receive the same parking privileges as residents of this State; but, such vehicle shall be subject to the laws which prohibit parking in "no stopping" and "no standing" zones in front of or near fire hydrants, driveways, public building entrances and exits, bus stops and loading areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, whereby such motor vehicle shall be moved at the instruction and request of a law enforcement officer to a location designated by the officer.

(b) Any motor vehicle bearing registration plates or a special decal or device specified in this Section or in Section 3-616 of this Code or such parking device as specifically authorized in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or bearing registration plates issued to a disabled veteran under subsection (a) of Section 3-609 may park, in addition to any other lawful place, in any parking place specifically reserved for such vehicles by the posting of an
official sign as provided under Section 11-301. Parking privileges granted by this Section are strictly limited to the person to whom the special registration plates, special decal or device were issued and to qualified operators acting under his or her express direction while the person with disabilities is present. A person to whom privileges were granted shall, at the request of a police officer or any other person invested by law with authority to direct, control, or regulate traffic, present an identification card with a picture as verification that the person is the person to whom the special registration plates, special decal or device was issued.

(c) Such parking privileges granted by this Section are also extended to motor vehicles of not-for-profit organizations used for the transportation of persons with disabilities when such motor vehicles display the decal or device issued pursuant to Section 11-1301.2 of this Code.

(d) No person shall use any area for the parking of any motor vehicle pursuant to Section 11-1303 of this Code or where an official sign controlling such area expressly prohibits parking at any time or during certain hours.

(e) Beginning January 1, 2014, a vehicle displaying a decal or device issued under subsection (c-5) of Section 11-1301.2 of this Code shall be exempt from the payment of fees generated by parking in a metered space or in a publicly owned parking structure or area.

(Source: P.A. 96-79, eff. 1-1-10; 97-845, eff. 1-1-13; 97-918, eff. 1-1-13; revised 8-23-12.)

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)
Sec. 11-1301.2. Special decals for parking; persons with disabilities.

(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number. This decal or device may be used by the authorized holder to designate and identify a vehicle not owned or

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displaying a registration plate as provided in Sections 3-609 and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a temporary disability as defined in Section 1-159.1 of this Code.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities as defined by Section 1-159.1. Any person with disabilities parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person's address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(c-5) Beginning January 1, 2014, the Secretary shall provide by administrative rule for the issuance of a separate and distinct parking decal or device for persons with disabilities as defined by Section 1-159.1 of this Code. The authorized holder of a decal or device issued under this subsection (c-5) shall be exempt from the payment of fees generated by parking in a metered space, a parking area subject to paragraph (10) of subsection (a) of Section 11-209 of this Code, or a publicly owned parking structure or area.

The Secretary shall issue a meter-exempt decal or device to a person with disabilities who: (i) has been issued registration plates under Section 3-609 or 3-616 of this Code or a special decal or device under this Section, (ii) holds a valid Illinois driver's license; and (iii) is unable to do one or more of the following:

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(1) manage, manipulate, or insert coins, or obtain tickets or tokens in parking meters or ticket machines in parking lots or parking structures, due to the lack of fine motor control of both hands;

(2) reach above his or her head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility;

(3) approach a parking meter due to his or her use of a wheelchair or other device for mobility; or

(4) walk more than 20 feet due to an orthopedic, neurological, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the ability to walk.

The application for a meter-exempt parking decal or device shall contain a statement certified by a licensed physician, physician assistant, or advanced practice nurse attesting to the nature and estimated duration of the applicant's condition and verifying that the applicant meets the physical qualifications specified in this subsection (c-5).

Notwithstanding the requirements of this subsection (c-5), the Secretary shall issue a meter-exempt decal or device to a person who has been issued registration plates under Section 3-616 of this Code or a special decal or device under this Section, if the applicant is the parent or guardian of a person with disabilities who is under 18 years of age and incapable of driving.

(d) Replacement decals or devices may be issued for lost, stolen, or destroyed decals upon application and payment of a $10 fee. The replacement fee may be waived for individuals that have claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief Act.

(Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12; 97-845, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

Sec. 11-1301.3. Unauthorized use of parking places reserved for persons with disabilities.

(a) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 of this Act, as evidence that the vehicle is operated by or for a person with

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disabilities or disabled veteran, in any parking place, including any private or public offstreet parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Disability license plates and parking decals and devices are not transferable from person to person. Proper usage of the disability license plate or parking decal or device requires the authorized holder to be present and enter or exit the vehicle at the time the parking privileges are being used. It is a violation of this Section to park in a space reserved for a person with disabilities if the authorized holder of the disability license plate or parking decal or device does not enter or exit the vehicle at the time the parking privileges are being used. Any motor vehicle properly displaying a disability license plate or a parking decal or device containing the International Symbol of Access issued to persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by State and local authorities as a valid license plate or device and receive the same parking privileges as residents of this State.

(a-1) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under Section 3-609 is in violation of this Section if (i) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and (ii) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this Code.

(a-2) A driver of a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under Section 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under

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Section 3-609 is in violation of this Section if (i) the person to whom the disability license plate or parking decal or device was issued is deceased and (ii) the driver uses the disability license plate or parking decal or device to exercise any privileges granted through a disability license plate or parking decal or device under this Code.

(b) Any person or local authority owning or operating any public or private offstreet parking facility may, after notifying the police or sheriff's department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with disabilities which does not display person with disabilities registration plates or a special decal or device as required under this Section.

(c) Any person found guilty of violating the provisions of subsection (a) shall be fined $250 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section; but municipalities by ordinance may impose a fine up to $350 and shall display signs indicating the fine imposed. If the amount of the fine is subsequently changed, the municipality shall change the sign to indicate the current amount of the fine. It shall not be a defense to a charge under this Section that either the sign posted pursuant to this Section or the intended accessible parking place does not comply with the technical requirements of Section 11-301, Department regulations, or local ordinance if a reasonable person would be made aware by the sign or notice on or near the parking place that the place is reserved for a person with disabilities.

(c-1) Any person found guilty of violating the provisions of subsection (a-1) a first time shall be fined $600. Any person found guilty of violating subsection (a-1) a second or subsequent time shall be fined $1,000. Any person who violates subsection (a-2) is guilty of a Class A misdemeanor and shall be fined $2,500. The circuit clerk shall distribute 50% of the fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the 50% of the fine imposed shall be shared equally. If an officer of the Secretary of State Department of Police arrested a person for a violation of this Section, 50% of the fine imposed shall be deposited into the Secretary of State Police Services Fund.

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(d) Local authorities shall impose fines as established in subsections (c) and (c-1) for violations of this Section.

(e) As used in this Section, "authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code, an individual issued a parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 of this Code.

(f) Any person who commits a violation of subsection (a-1) or a similar provision of a local ordinance may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. Any person who commits a violation of subsection (a-2) or a similar provision of a local ordinance shall have his or her driving privileges revoked by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State.

(g) Any police officer may seize the parking decal or device from any person who commits a violation of this Section. Any police officer may seize the disability license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-844, eff. 1-1-13; 97-845, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/11-1301.5)
Sec. 11-1301.5. Fictitious or unlawfully altered disability license plate or parking decal or device.

(a) As used in this Section:
"Fictitious disability license plate or parking decal or device" means any issued disability license plate or parking decal or device, or any license plate issued to a disabled veteran under Section 3-609 of this Code, that has been issued by the Secretary of State or an authorized unit of local government that was issued based upon false information contained on the required application.
"False information" means any incorrect or inaccurate information concerning the name, date of birth, social security number, driver's license number, physician certification, or any other information required on the Persons with Disabilities Certification for Plate or Parking Placard, on the
Application for Replacement Disability Parking Placard, or on the application for license plates issued to disabled veterans under Section 3-609 of this Code, that falsifies the content of the application.

"Unlawfully altered disability license plate or parking permit or device" means any disability license plate or parking permit or device, or any license plate issued to a disabled veteran under Section 3-609 of this Code, issued by the Secretary of State or an authorized unit of local government that has been physically altered or changed in such manner that false information appears on the license plate or parking decal or device.

"Authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code or an individual issued a parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 of this Code.

(b) It is a violation of this Section for any person:

(1) to knowingly possess any fictitious or unlawfully altered disability license plate or parking decal or device;

(2) to knowingly issue or assist in the issuance of, by the Secretary of State or unit of local government, any fictitious disability license plate or parking decal or device;

(3) to knowingly alter any disability license plate or parking decal or device;

(4) to knowingly manufacture, possess, transfer, or provide any documentation used in the application process whether real or fictitious, for the purpose of obtaining a fictitious disability license plate or parking decal or device;

(5) to knowingly provide any false information to the Secretary of State or a unit of local government in order to obtain a disability license plate or parking decal or device;

(6) to knowingly transfer a disability license plate or parking decal or device for the purpose of exercising the privileges granted to an authorized holder of a disability license plate or parking decal or device under this Code in the absence of the authorized holder; or

(7) who is for a physician, physician assistant, or advanced practice nurse to knowingly falsify a certification that a person is a person with disabilities as defined by Section 1-159.1 of this Code.

(c) Sentence.

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(1) Any person convicted of a violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (b) of this Section shall be guilty of a Class A misdemeanor and fined not less than $1,000 for a first offense and shall be guilty of a Class 4 felony and fined not less than $2,000 for a second or subsequent offense. Any person convicted of a violation of subdivision (b)(6) of this Section is guilty of a Class A misdemeanor and shall be fined not less than $1,000 for a first offense and not less than $2,000 for a second or subsequent offense. The circuit clerk shall distribute one-half of any fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, one-half of the fine imposed shall be shared equally.

(2) Any person who commits a violation of this Section or a similar provision of a local ordinance may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may suspend or revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(3) Any police officer may seize the parking decal or device from any person who commits a violation of this Section. Any police officer may seize the disability license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(Source: P.A. 96-79, eff. 1-1-10; 97-844, eff. 1-1-13; 97-845, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/11-1302) (from Ch. 95 1/2, par. 11-1302)
Sec. 11-1302. Officers authorized to remove vehicles.

(a) Whenever any police officer finds a vehicle in violation of any of the provisions of Section 11-1301 such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the roadway.

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(b) Any police officer is hereby authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway, or in a tunnel, in such a position or under such circumstances as to obstruct the normal movement of traffic.

Whenever the Department finds an abandoned or disabled vehicle standing upon the paved or main-traveled part of a highway, which vehicle is or may be expected to interrupt the free flow of traffic on the highway or interfere with the maintenance of the highway, the Department is authorized to move the vehicle to a position off the paved or improved or main-traveled part of the highway.

(c) Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:

1. report has been made that such vehicle has been stolen or taken without the consent of its owner, or
2. the person or persons in charge of such vehicle are unable to provide for its custody or removal, or
3. the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay, or
4. the registration of the vehicle has been suspended, cancelled, or revoked.

(Source: P.A. 97-743, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/12-610.1)
Sec. 12-610.1. Wireless telephones.

(a) As used in this Section, "wireless telephone" means a device that is capable of transmitting or receiving telephonic communications without a wire connecting the device to the telephone network.

(b) A person under the age of 19 years who holds an instruction permit issued under Section 6-105 or 6-107.1, or a person under the age of 19 years who holds a graduated license issued under Section 6-107, may not drive a vehicle on a roadway while using a wireless phone.

(c) This Section does not apply to a person under the age of 19 years using a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity.
(d) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the violation, the provisions of paragraph (b) shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code.

(e) A person, regardless of age, may not use a wireless telephone at any time while operating a motor vehicle on a roadway in a school speed zone established under Section 11-605, on a highway in a construction or maintenance speed zone established under Section 11-605.1, or within 500 feet of an emergency scene. As used in this Section, "emergency scene" means a location where an authorized emergency vehicle as defined by Section 1-105 of this Code is present and has activated its oscillating, rotating, or flashing lights. This subsection (e) does not apply to (i) a person engaged in a highway construction or maintenance project for which a construction or maintenance speed zone has been established under Section 11-605.1, (ii) a person using a wireless telephone for emergency purposes, including, but not limited to, law enforcement agency, health care provider, fire department, or other emergency services agency or entity, (iii) a law enforcement officer or operator of an emergency vehicle when performing the officer's or operator's official duties, (iv) a person using a wireless telephone in voice-operated mode, which may include the use of a headset, or (v) a person using a wireless telephone by pressing a single button to initiate or terminate a voice communication, or (vi) a person using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation.

(705 ILCS 90/4-99)
Sec. 4-99. Effective date. This Act and this Section take effect 60 days after becoming law, except that Sections 4-18 and 4-20 take effect January 1, 2013.
(Source: P.A. 97-847, eff. 9-22-12; revised 8-3-12.)

Section 450. The Criminal Code of 2012 is amended by changing Sections 4-8, 14-3, 24-2, 33G-4, 33G-5, 33G-7, and 36.5-5 as follows:
(720 ILCS 5/4-8) (from Ch. 38, par. 4-8)
Sec. 4-8. Ignorance or mistake.
(a) A person's ignorance or mistake as to a matter of either fact or law, except as provided in Section 4-3(c) above, is a defense if it negates the existence of the mental state which the statute prescribes with respect to an element of the offense.
(b) A person's reasonable belief that his conduct does not constitute an offense is a defense if:
(1) the offense is defined by an administrative regulation or order which is not known to him and has not been published or otherwise made reasonably available to him, and he could not have acquired such knowledge by the exercise of due diligence pursuant to facts known to him; or
(2) he acts in reliance upon a statute which later is determined to be invalid; or
(3) he acts in reliance upon an order or opinion of an Illinois Appellate or Supreme Court, or a United States appellate court later overruled or reversed; or
(4) he acts in reliance upon an official interpretation of the statute, regulation or order defining the offense, made by a public officer or agency legally authorized to interpret such statute.
(c) Although a person's ignorance or mistake of fact or law, or reasonable belief, described in this Section 4-8 is a defense to the offense charged, he may be convicted of an included offense of which he would be guilty if the fact or law were as he believed it to be.
(d) A defense based upon this Section 4-8 is an affirmative defense.
(Source: Laws 1961, p. 1983; revised 8-3-12.)
(720 ILCS 5/14-3)
Sec. 14-3. Exemptions. The following activities shall be exempt from the provisions of this Article:
(a) Listening to radio, wireless and television communications of any sort where the same are publicly made;

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(b) Hearing conversation when heard by employees of any common carrier by wire incidental to the normal course of their employment in the operation, maintenance or repair of the equipment of such common carrier by wire so long as no information obtained thereby is used or divulged by the hearer;

(c) Any broadcast by radio, television or otherwise whether it be a broadcast or recorded for the purpose of later broadcasts of any function where the public is in attendance and the conversations are overheard incidental to the main purpose for which such broadcasts are then being made;

(d) Recording or listening with the aid of any device to any emergency communication made in the normal course of operations by any federal, state or local law enforcement agency or institutions dealing in emergency services, including, but not limited to, hospitals, clinics, ambulance services, fire fighting agencies, any public utility, emergency repair facility, civilian defense establishment or military installation;

(e) Recording the proceedings of any meeting required to be open by the Open Meetings Act, as amended;

(f) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as consumer "hotlines" by manufacturers or retailers of food and drug products. Such recordings must be destroyed, erased or turned over to local law enforcement authorities within 24 hours from the time of such recording and shall not be otherwise disseminated. Failure on the part of the individual or business operating any such recording or listening device to comply with the requirements of this subsection shall eliminate any civil or criminal immunity conferred upon that individual or business by the operation of this Section;

(g) With prior notification to the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded under circumstances where the use of the device is necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement, in the course of an investigation of a forcible felony, a felony offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under Section 10-9 of this Code, an offense involving prostitution, solicitation of a sexual act, or pandering, a felony

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violation of the Illinois Controlled Substances Act, a felony violation of
the Cannabis Control Act, a felony violation of the Methamphetamine
Control and Community Protection Act, any "streetgang related" or "gang-
related" felony as those terms are defined in the Illinois Streetgang
Terrorism Omnibus Prevention Act, or any felony offense involving any
weapon listed in paragraphs (1) through (11) of subsection (a) of Section
24-1 of this Code. Any recording or evidence derived as the result of this
exemption shall be inadmissible in any proceeding, criminal, civil or
administrative, except (i) where a party to the conversation suffers great
bodily injury or is killed during such conversation, or (ii) when used as
direct impeachment of a witness concerning matters contained in the
interception or recording. The Director of the Department of State Police
shall issue regulations as are necessary concerning the use of devices,
retention of tape recordings, and reports regarding their use;

(g-5) With approval of the State's Attorney of the county in which
it is to occur, recording or listening with the aid of any device to any
conversation where a law enforcement officer, or any person acting at the
direction of law enforcement, is a party to the conversation and has
consented to it being intercepted or recorded in the course of an
investigation of any offense defined in Article 29D of this Code. In all
such cases, an application for an order approving the previous or
continuing use of an eavesdropping device must be made within 48 hours
of the commencement of such use. In the absence of such an order, or
upon its denial, any continuing use shall immediately terminate. The
Director of State Police shall issue rules as are necessary concerning the
use of devices, retention of tape recordings, and reports regarding their
use.

Any recording or evidence obtained or derived in the course of an
investigation of any offense defined in Article 29D of this Code shall,
upon motion of the State's Attorney or Attorney General prosecuting any
violation of Article 29D, be reviewed in camera with notice to all parties
present by the court presiding over the criminal case, and, if ruled by the
court to be relevant and otherwise admissible, it shall be admissible at the
trial of the criminal case.

This subsection (g-5) is inoperative on and after January 1, 2005.
No conversations recorded or monitored pursuant to this subsection (g-5)
shall be inadmissible in a court of law by virtue of the repeal of this
subsection (g-5) on January 1, 2005;
(g-6) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of recordings, and reports regarding their use. Any recording or evidence obtained or derived in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of
age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case. Absent such a ruling, any such recording or evidence shall not be admissible at the trial of the criminal case;

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

For the purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance;

(h-5) Recordings of utterances made by a person while in the presence of a uniformed peace officer and while an occupant of a police vehicle including, but not limited to, (i) recordings made simultaneously with the use of an in-car video camera and (ii) recordings made in the presence of the peace officer utilizing video or audio systems, or both, authorized by the law enforcement agency;

(h-10) Recordings made simultaneously with a video camera recording during the use of a taser or similar weapon or device by a peace officer if the weapon or device is equipped with such camera;

(h-15) Recordings made under subsection (h), (h-5), or (h-10) shall be retained by the law enforcement agency that employs the peace officer who made the recordings for a storage period of 90 days, unless the recordings are made as a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court. Under no circumstances shall any recording be altered or erased prior to the expiration of the designated storage period. Upon

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completion of the storage period, the recording medium may be erased and reissued for operational use;

(i) Recording of a conversation made by or at the request of a person, not a law enforcement officer or agent of a law enforcement officer, who is a party to the conversation, under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person or a member of his or her immediate household, and there is reason to believe that evidence of the criminal offense may be obtained by the recording;

(j) The use of a telephone monitoring device by either (1) a corporation or other business entity engaged in marketing or opinion research or (2) a corporation or other business entity engaged in telephone solicitation, as defined in this subsection, to record or listen to oral telephone solicitation conversations or marketing or opinion research conversations by an employee of the corporation or other business entity when:

(i) the monitoring is used for the purpose of service quality control of marketing or opinion research or telephone solicitation, the education or training of employees or contractors engaged in marketing or opinion research or telephone solicitation, or internal research related to marketing or opinion research or telephone solicitation; and

(ii) the monitoring is used with the consent of at least one person who is an active party to the marketing or opinion research conversation or telephone solicitation conversation being monitored.

No communication or conversation or any part, portion, or aspect of the communication or conversation made, acquired, or obtained, directly or indirectly, under this exemption (j), may be, directly or indirectly, furnished to any law enforcement officer, agency, or official for any purpose or used in any inquiry or investigation, or used, directly or indirectly, in any administrative, judicial, or other proceeding, or divulged to any third party.

When recording or listening authorized by this subsection (j) on telephone lines used for marketing or opinion research or telephone solicitation purposes results in recording or listening to a conversation that does not relate to marketing or opinion research or telephone solicitation; the person recording or listening shall, immediately upon determining that the conversation does not relate to marketing or opinion research or

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telephone solicitation, terminate the recording or listening and destroy any such recording as soon as is practicable.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide current and prospective employees with notice that the monitoring or recordings may occur during the course of their employment. The notice shall include prominent signage notification within the workplace.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide their employees or agents with access to personal-only telephone lines which may be pay telephones, that are not subject to telephone monitoring or telephone recording.

For the purposes of this subsection (j), "telephone solicitation" means a communication through the use of a telephone by live operators:

(i) soliciting the sale of goods or services;
(ii) receiving orders for the sale of goods or services;
(iii) assisting in the use of goods or services; or
(iv) engaging in the solicitation, administration, or collection of bank or retail credit accounts.

For the purposes of this subsection (j), "marketing or opinion research" means a marketing or opinion research interview conducted by a live telephone interviewer engaged by a corporation or other business entity whose principal business is the design, conduct, and analysis of polls and surveys measuring the opinions, attitudes, and responses of respondents toward products and services, or social or political issues, or both;

(k) Electronic recordings, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of a custodial interrogation of an individual at a police station or other place of detention by a law enforcement officer under Section 5-401.5 of the Juvenile Court Act of 1987 or Section 103-2.1 of the Code of Criminal Procedure of 1963;

(l) Recording the interview or statement of any person when the person knows that the interview is being conducted by a law enforcement officer or prosecutor and the interview takes place at a police station that is currently participating in the Custodial Interview Pilot Program established under the Illinois Criminal Justice Information Act;

(m) An electronic recording, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of the

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interior of a school bus while the school bus is being used in the transportation of students to and from school and school-sponsored activities, when the school board has adopted a policy authorizing such recording, notice of such recording policy is included in student handbooks and other documents including the policies of the school, notice of the policy regarding recording is provided to parents of students, and notice of such recording is clearly posted on the door of and inside the school bus.

Recordings made pursuant to this subsection (m) shall be confidential records and may only be used by school officials (or their designees) and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act of 1987, and criminal prosecutions, related to incidents occurring in or around the school bus;

(n) Recording or listening to an audio transmission from a microphone placed by a person under the authority of a law enforcement agency inside a bait car surveillance vehicle while simultaneously capturing a photographic or video image;

(o) The use of an eavesdropping camera or audio device during an ongoing hostage or barricade situation by a law enforcement officer or individual acting on behalf of a law enforcement officer when the use of such device is necessary to protect the safety of the general public, hostages, or law enforcement officers or anyone acting on their behalf;

(p) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as the "CPS Violence Prevention Hotline", but only where the notice of recording is given at the beginning of each call as required by Section 34-21.8 of the School Code. The recordings may be retained only by the Chicago Police Department or other law enforcement authorities, and shall not be otherwise retained or disseminated; and

(q)(1) With prior request to and verbal approval of the State's Attorney of the county in which the conversation is anticipated to occur, recording or listening with the aid of an eavesdropping device to a conversation in which a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party to the conversation and has consented to the conversation being intercepted or recorded in the course of an investigation of a drug offense. The State's Attorney may grant this verbal approval only after determining that reasonable cause

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exists to believe that a drug offense will be committed by a specified individual or individuals within a designated period of time.

(2) Request for approval. To invoke the exception contained in this subsection (q), a law enforcement officer shall make a written or verbal request for approval to the appropriate State's Attorney. This request for approval shall include whatever information is deemed necessary by the State's Attorney but shall include, at a minimum, the following information about each specified individual whom the law enforcement officer believes will commit a drug offense:

(A) his or her full or partial name, nickname or alias;
(B) a physical description; or
(C) failing either (A) or (B) of this paragraph (2), any other supporting information known to the law enforcement officer at the time of the request that gives rise to reasonable cause to believe the individual will commit a drug offense.

(3) Limitations on verbal approval. Each verbal approval by the State's Attorney under this subsection (q) shall be limited to:

(A) a recording or interception conducted by a specified law enforcement officer or person acting at the direction of a law enforcement officer;
(B) recording or intercepting conversations with the individuals specified in the request for approval, provided that the verbal approval shall be deemed to include the recording or intercepting of conversations with other individuals, unknown to the law enforcement officer at the time of the request for approval, who are acting in conjunction with or as co-conspirators with the individuals specified in the request for approval in the commission of a drug offense;
(C) a reasonable period of time but in no event longer than 24 consecutive hours.

(4) Admissibility of evidence. No part of the contents of any wire, electronic, or oral communication that has been recorded or intercepted as a result of this exception may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, other than in a prosecution of:

(A) a drug offense;
(B) a forcible felony committed directly in the course of the investigation of a drug offense for which verbal approval was
given to record or intercept a conversation under this subsection (q); or

(C) any other forcible felony committed while the recording or interception was approved in accordance with this Section (q), but for this specific category of prosecutions, only if the law enforcement officer or person acting at the direction of a law enforcement officer who has consented to the conversation being intercepted or recorded suffers great bodily injury or is killed during the commission of the charged forcible felony.

(5) Compliance with the provisions of this subsection is a prerequisite to the admissibility in evidence of any part of the contents of any wire, electronic or oral communication that has been intercepted as a result of this exception, but nothing in this subsection shall be deemed to prevent a court from otherwise excluding the evidence on any other ground, nor shall anything in this subsection be deemed to prevent a court from independently reviewing the admissibility of the evidence for compliance with the Fourth Amendment to the U.S. Constitution or with Article I, Section 6 of the Illinois Constitution.

(6) Use of recordings or intercepts unrelated to drug offenses. Whenever any wire, electronic, or oral communication has been recorded or intercepted as a result of this exception that is not related to a drug offense or a forcible felony committed in the course of a drug offense, no part of the contents of the communication and evidence derived from the communication may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, nor may it be publicly disclosed in any way.

(7) Definitions. For the purposes of this subsection (q) only:

"Drug offense" includes and is limited to a felony violation of one of the following: (A) the Illinois Controlled Substances Act, (B) the Cannabis Control Act, and (C) the Methamphetamine Control and Community Protection Act.

"Forcible felony" includes and is limited to those offenses contained in Section 2-8 of the Criminal Code of 1961 as of the effective date of this amendatory Act of the 97th General Assembly, and only as those offenses have been defined by law or judicial interpretation as of that date.

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"State's Attorney" includes and is limited to the State's Attorney or an assistant State's Attorney designated by the State's Attorney to provide verbal approval to record or intercept conversations under this subsection (q).

(8) Sunset. This subsection (q) is inoperative on and after January 1, 2015. No conversations intercepted pursuant to this subsection (q), while operative, shall be inadmissible in a court of law by virtue of the inoperability of this subsection (q) on January 1, 2015.

(Source: P.A. 96-425, eff. 8-13-09; 96-547, eff. 1-1-10; 96-643, eff. 1-1-10; 96-670, eff. 8-25-09; 96-1000, eff. 7-2-10; 96-1425, eff. 1-1-11; 96-1464, eff. 8-20-10; 97-333, eff. 8-12-11; 97-846, eff. 1-1-13; 97-897, eff. 1-1-13; revised 8-23-12.)

(720 ILCS 5/24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Financial and Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private

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Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a private security contractor, private detective, or private alarm contractor, or employee of a licensed agency and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the private security contractor, private detective, or private alarm contractor, or employee of the licensed agency at all times when he or she is in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Financial and Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private
Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the
Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) Carrying or possessing any pistol, revolver, stun gun or taser or other firearm on the land or in the legal dwelling of another person as an invitee with that person's permission.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

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(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or
subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(7) A person possessing a rifle with a barrel or barrels less than 16 inches in length if: (A) the person has been issued a Curios and Relics license from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B) the person is an active member of a bona fide, nationally recognized military re-enacting group and the modification is required and necessary to accurately portray the weapon for historical re-enactment purposes; the re-enactor is in possession of a valid and current re-enacting group membership credential; and the overall length of the weapon as modified is not less than 26 inches.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the
federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, these devices shall be detached from any weapon or not immediately accessible.

(g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any parole agent or parole supervisor who meets the qualifications and conditions prescribed in Section 3-14-1.5 of the Unified Code of Corrections.

(g-7) Subsection 24-1(a)(6) does not apply to a peace officer while serving as a member of a tactical response team or special operations team. A peace officer may not personally own or apply for ownership of a device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm. These devices shall be owned and maintained by lawfully recognized units of government whose duties include the investigation of criminal acts.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions.
at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

(Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11; 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13; revised 8-23-12.)

(720 ILCS 5/33G-4)

(Section scheduled to be repealed on June 11, 2017)

Sec. 33G-4. Prohibited activities.

(a) It is unlawful for any person, who intentionally participates in the operation or management of an enterprise, directly or indirectly, to:

1. knowingly do so, directly or indirectly, through a pattern of predicate activity;
2. knowingly cause another to violate this Article; or
3. knowingly conspire to violate this Article.

Notwithstanding any other provision of law, in any prosecution for a conspiracy to violate this Article, no person may be convicted of that conspiracy unless an overt act in furtherance of the agreement is alleged and proved to have been committed by him, her, or by a coconspirator, but the commission of the overt act need not itself constitute predicate activity underlying the specific violation of this Article.

(b) It is unlawful for any person knowingly to acquire or maintain, directly or indirectly, through a pattern of predicate activity any interest in,
or control of, to any degree, of any enterprise, real property, or personal property of any character, including money.

(c) Nothing in this Article shall be construed as to make unlawful any activity which is arguably protected or prohibited by the National Labor Relations Act, the Illinois Educational Labor Relations Act, the Illinois Public Labor Relations Act, or the Railway Labor Act.

(d) The following organizations, and any officer or agent of those organizations acting in his or her official capacity as an officer or agent, may not be sued in civil actions under this Article:

(1) a labor organization; or
(2) any business defined in Division D, E, F, G, H, or I of the Standard Industrial Classification as established by the Occupational Safety and Health Administration, U.S. Department of Labor.

(e) Any person prosecuted under this Article may be convicted and sentenced either:

(1) for the offense of conspiring to violate this Article, and for any other particular offense or offenses that may be one of the objects of a conspiracy to violate this Article; or
(2) for the offense of violating this Article, and for any other particular offense or offenses that may constitute predicate activity underlying a violation of this Article.

(f) The State's Attorney, or a person designated by law to act for him or her and to perform his or her duties during his or her absence or disability, may authorize a criminal prosecution under this Article. Prior to any State's Attorney authorizing a criminal prosecution under this Article, the State's Attorney shall adopt rules and procedures governing the investigation and prosecution of any offense enumerated in this Article. These rules and procedures shall set forth guidelines which require that any potential prosecution under this Article be subject to an internal approval process in which it is determined, in a written prosecution memorandum prepared by the State's Attorney's Office, that (1) a prosecution under this Article is necessary to ensure that the indictment adequately reflects the nature and extent of the criminal conduct involved in a way that prosecution only on the underlying predicate activity would not, and (2) a prosecution under this Article would provide the basis for an appropriate sentence under all the circumstances of the case in a way that a prosecution only on the underlying predicate activity would not. No State's Attorney, or person designated by law to act for him or her and to perform
his or her duties during his or her absence or disability, may authorize a
criminal prosecution under this Article prior to reviewing the prepared
written prosecution memorandum. However, any internal memorandum
shall remain protected from disclosure under the attorney-client privilege,
and this provision does not create any enforceable right on behalf of any
defendant or party, nor does it subject the exercise of prosecutorial
discretion to judicial review.

(g) A labor organization and any officer or agent of that
organization acting in his or her capacity as an officer or agent of the labor
organization are exempt from prosecution under this Article.
(Source: P.A. 97-686, eff. 6-11-12; revised 8-3-12.)

(720 ILCS 5/33G-5)
(Section scheduled to be repealed on June 11, 2017)
Sec. 33G-5. Penalties. Under this Article, notwithstanding any
other provision of law:

(a) Any violation of subsection (a) of Section 33G-4 of this Article
shall be sentenced as a Class X felony with a term of imprisonment of not
less than 7 years and not more than 30 years, or the sentence applicable to
the underlying predicate activity, whichever is higher, and the sentence
imposed shall also include restitution, and/or and/or a criminal fine, jointly
and severally, up to $250,000 or twice the gross amount of any intended
proceeds of the violation, if any, whichever is higher.

(b) Any violation of subsection (b) of Section 33G-4 of this Article
shall be sentenced as a Class X felony, and the sentence imposed shall also
include restitution, and/or and/or a criminal fine, jointly and severally, up
to $250,000 or twice the gross amount of any intended proceeds of the
violation, if any, whichever is higher.

(c) Wherever the unlawful death of any person or persons results as
a necessary or natural consequence of any violation of this Article, the
sentence imposed on the defendant shall include an enhanced term of
imprisonment of at least 25 years up to natural life, in addition to any other
penalty imposed by the court, provided:

(1) the death or deaths were reasonably foreseeable to the
defendant to be sentenced; and

(2) the death or deaths occurred when the defendant was
otherwise engaged in the violation of this Article as a whole.

(d) A sentence of probation, periodic imprisonment, conditional
discharge, impact incarceration or county impact incarceration, court
supervision, withheld adjudication, or any pretrial diversionary sentence or suspended sentence, is not authorized for a violation of this Article.
(Source: P.A. 97-686, eff. 6-11-12; revised 8-3-12.)
(720 ILCS 5/33G-7)
(Section scheduled to be repealed on June 11, 2017)
Sec. 33G-7. Construction. In interpreting the provisions of this Article, the court shall construe them in light of the applicable model jury instructions set forth in the Federal Criminal Jury Instructions for the Seventh Circuit (1999) for Title IX of Public Law; 91-452, 84 Stat. 922 (as amended in Title 18, United States Code, Sections 1961 through 1968), except to the extent that they are inconsistent with the plain language of this Article.
(Source: P.A. 97-686, eff. 6-11-12; revised 8-3-12.)
(720 ILCS 5/36.5-5)
Sec. 36.5-5. Vehicle impoundment.
(a) In addition to any other penalty provided by law, a peace officer who arrests a person for a violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-18, or 11-18.1 of this Code, may tow and impound any vehicle used by the person in the commission of the offense. The person arrested for one or more such violations shall be charged a $1,000 fee, to be paid to the unit of government that made the arrest. The person may recover the vehicle from the impound after a minimum of 2 hours after arrest upon payment of the fee.
(b) $500 of the fee shall be distributed to the unit of government whose peace officers made the arrest, for the costs incurred by the unit of government to tow and impound the vehicle. Upon the defendant's conviction of one or more of the offenses in connection with which the vehicle was impounded and the fee imposed under this Section, the remaining $500 of the fee shall be deposited into the DHS State Projects Violent Crime Victims Assistance Fund and shall be used by the Department of Human Services to make grants to non-governmental organizations to provide services for persons encountered during the course of an investigation into any violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, or 11-19.2 of this Code, provided such persons constitute prostituted persons or other victims of human trafficking.
(c) Upon the presentation by the defendant of a signed court order showing that the defendant has been acquitted of all of the offenses in connection with which a vehicle was impounded and a fee imposed under

New matter indicated by italics - deletions by strikeout
this Section, or that the charges against the defendant for those offenses have been dismissed, the unit of government shall refund the $1,000 fee to the defendant.

(Source: P.A. 96-1551, eff. 7-1-11; incorporates 96-1503, eff. 1-27-11, and 97-333, eff. 8-12-11; revised 9-14-11.)

Section 455. The Sexually Violent Persons Commitment Act is amended by changing Sections 55, 60, and 65 as follows:

(725 ILCS 207/55)

Sec. 55. Periodic reexamination; report.

(a) If a person has been committed under Section 40 of this Act and has not been discharged under Section 65 of this Act, the Department shall submit a written report to the court on his or her mental condition at least once every 12 months after an initial commitment under Section 40 for the purpose of determining whether: (1) the person has made sufficient progress in treatment to be conditionally released and (2) whether the person's condition has so changed since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination) that he or she is no longer a sexually violent person. At the time of a reexamination under this Section, the person who has been committed may retain or, if he or she is indigent and so requests, the court may appoint a qualified expert or a professional person to examine him or her.

(b) Any examiner conducting an examination under this Section shall prepare a written report of the examination no later than 30 days after the date of the examination. The examiner shall place a copy of the report in the person's health care records and shall provide a copy of the report to the court that committed the person under Section 40. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator approved by the Board.

(c) Notwithstanding subsection (a) of this Section, the court that committed a person under Section 40 may order a reexamination of the person at any time during the period in which the person is subject to the commitment order. Any examiner conducting an examination under this Section shall prepare a written report of the examination no later than 30 days after the date of the examination.

(d) Petitions for discharge after reexamination must follow the procedure outlined in Section 65 of this Act.
Sec. 55. Periodic reexamination; report.

(a) If a person has been committed under Section 40 of this Act and has not been discharged under Section 65 of this Act, the Department shall submit a written report to the court on his or her mental condition at least once every 12 months after an initial commitment under Section 40 for the purpose of determining whether: (1) the person has made sufficient progress in treatment to be conditionally released and (2) whether the person's condition has so changed since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination) that he or she is no longer a sexually violent person. At the time of a reexamination under this Section, the person who has been committed may retain or, if he or she is indigent and so requests, the court may appoint a qualified expert or a professional person to examine him or her.

(b) Any examiner conducting an examination under this Section shall prepare a written report of the examination no later than 30 days after the date of the examination. The examiner shall place a copy of the report in the person's health care records and shall provide a copy of the report to the court that committed the person under Section 40. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act.

(c) Notwithstanding subsection (a) of this Section, the court that committed a person under Section 40 may order a reexamination of the person at any time during the period in which the person is subject to the commitment order. Any examiner conducting an examination under this Section shall prepare a written report of the examination no later than 30 days after the date of the examination.

(d) Petitions for discharge after reexamination must follow the procedure outlined in Section 65 of this Act.

Sec. 60. Petition for conditional release.

(a) Any person who is committed for institutional care in a secure facility or other facility under Section 40 of this Act may petition the court...
committing court to modify its order by authorizing conditional release if at least 12 months have elapsed since the initial commitment order was entered, an order continuing commitment was entered pursuant to Section 65, the most recent release petition was denied or the most recent order for conditional release was revoked. The director of the facility at which the person is placed may file a petition under this Section on the person's behalf at any time. If the evaluator on behalf of the Department recommends that the committed person is appropriate for conditional release, then the director or designee shall, within 30 days of receipt of the evaluator's report, file with the committing court notice of his or her intention whether or not to petition for conditional release on the committed person's behalf.

(b) If the person files a timely petition without counsel, the court shall serve a copy of the petition on the Attorney General or State's Attorney, whichever is applicable and, subject to paragraph (c)(1) of Section 25 of this Act, appoint counsel. If the person petitions through counsel, his or her attorney shall serve the Attorney General or State's Attorney, whichever is applicable.

(c) Within 20 days after receipt of the petition, upon the request of the committed person or on the court's own motion, the court may appoint an examiner having the specialized knowledge determined by the court to be appropriate, who shall examine the mental condition of the person and furnish a written report of the examination to the court within 30 days after appointment. The examiners shall have reasonable access to the person for purposes of examination and to the person's past and present treatment records and patient health care records. If any such examiner believes that the person is appropriate for conditional release, the examiner shall report on the type of treatment and services that the person may need while in the community on conditional release. The State has the right to have the person evaluated by experts chosen by the State. Any examination or evaluation conducted under this Section shall be in conformance with the standards developed under the Sex Offender Management Board Act and conducted by an evaluator approved by the Board. The court shall set a probable cause hearing as soon as practical after the examiners' reports are filed. The probable cause hearing shall consist of a review of the examining evaluators' reports and arguments on behalf of the parties. If the court finds probable cause to believe the person has made sufficient progress in treatment to the point where he or she is no longer substantially
probable to engage in acts of sexual violence if on conditional release, the court shall set a hearing on the issue.

(d) The court, without a jury, shall hear the petition as soon as practical after the reports of all examiners are filed with the court. The court shall grant the petition unless the State proves by clear and convincing evidence that the person has not made sufficient progress in treatment to the point where he or she is no longer substantially probable to engage in acts of sexual violence if on conditional release. In making a decision under this subsection, the court must consider the nature and circumstances of the behavior that was the basis of the allegation in the petition under paragraph (b)(1) of Section 15 of this Act, the person's mental history and present mental condition, and what arrangements are available to ensure that the person has access to and will participate in necessary treatment.

(e) Before the court may enter an order directing conditional release to a less restrictive alternative it must find the following: (1) the person will be treated by a Department approved treatment provider, (2) the treatment provider has presented a specific course of treatment and has agreed to assume responsibility for the treatment and will report progress to the Department on a regular basis, and will report violations immediately to the Department, consistent with treatment and supervision needs of the respondent, (3) housing exists that is sufficiently secure to protect the community, and the person or agency providing housing to the conditionally released person has agreed in writing to accept the person, to provide the level of security required by the court, and immediately to report to the Department if the person leaves the housing to which he or she has been assigned without authorization, (4) the person is willing to or has agreed to comply with the treatment provider, the Department, and the court, and (5) the person has agreed or is willing to agree to comply with the behavioral monitoring requirements imposed by the court and the Department.

(f) If the court finds that the person is appropriate for conditional release, the court shall notify the Department. The Department shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. The plan shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. The Department may contract with a county health department, with another public agency or with a private agency to provide

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the treatment and services identified in the plan. The plan shall specify who will be responsible for providing the treatment and services identified in the plan. The plan shall be presented to the court for its approval within 60 days after the court finding that the person is appropriate for conditional release, unless the Department and the person to be released request additional time to develop the plan.

(g) The provisions of paragraphs (b)(4), (b)(5), and (b)(6) of Section 40 of this Act apply to an order for conditional release issued under this Section.

(Source: P.A. 96-1128, eff. 1-1-11; 97-1075, eff. 8-24-12.)

(Text of Section after amendment by P.A. 97-1098)

Sec. 60. Petition for conditional release.

(a) Any person who is committed for institutional care in a secure facility or other facility under Section 40 of this Act may petition the committing court to modify its order by authorizing conditional release if at least 12 months have elapsed since the initial commitment order was entered, an order continuing commitment was entered pursuant to Section 65, the most recent release petition was denied or the most recent order for conditional release was revoked. The director of the facility at which the person is placed may file a petition under this Section on the person's behalf at any time. If the evaluator on behalf of the Department recommends that the committed person is appropriate for conditional release, then the director or designee shall, within 30 days of receipt of the evaluator's report, file with the committing court notice of his or her intention whether or not to petition for conditional release on the committed person's behalf.

(b) If the person files a timely petition without counsel, the court shall serve a copy of the petition on the Attorney General or State's Attorney, whichever is applicable and, subject to paragraph (c)(1) of Section 25 of this Act, appoint counsel. If the person petitions through counsel, his or her attorney shall serve the Attorney General or State's Attorney, whichever is applicable.

(c) Within 20 days after receipt of the petition, upon the request of the committed person or on the court's own motion, the court may appoint an examiner having the specialized knowledge determined by the court to be appropriate, who shall examine the mental condition of the person and furnish a written report of the examination to the court within 30 days after appointment. The examiners shall have reasonable access to the person for purposes of examination and to the person's past and present treatment.
records and patient health care records. If any such examiner believes that the person is appropriate for conditional release, the examiner shall report on the type of treatment and services that the person may need while in the community on conditional release. The State has the right to have the person evaluated by experts chosen by the State. Any examination or evaluation conducted under this Section shall be in conformance with the standards developed under the Sex Offender Management Board Act and conducted by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act. The court shall set a probable cause hearing as soon as practical after the examiners' reports are filed. The probable cause hearing shall consist of a review of the examining evaluators' reports and arguments on behalf of the parties. If the court finds probable cause to believe the person has made sufficient progress in treatment to the point where he or she is no longer substantially probable to engage in acts of sexual violence if on conditional release, the court shall set a hearing on the issue.

(d) The court, without a jury, shall hear the petition as soon as practical after the reports of all examiners are filed with the court. The court shall grant the petition unless the State proves by clear and convincing evidence that the person has not made sufficient progress in treatment to the point where he or she is no longer substantially probable to engage in acts of sexual violence if on conditional release. In making a decision under this subsection, the court must consider the nature and circumstances of the behavior that was the basis of the allegation in the petition under paragraph (b)(1) of Section 15 of this Act, the person's mental history and present mental condition, and what arrangements are available to ensure that the person has access to and will participate in necessary treatment.

(e) Before the court may enter an order directing conditional release to a less restrictive alternative it must find the following: (1) the person will be treated by a Department approved treatment provider, (2) the treatment provider has presented a specific course of treatment and has agreed to assume responsibility for the treatment and will report progress to the Department on a regular basis, and will report violations immediately to the Department, consistent with treatment and supervision needs of the respondent, (3) housing exists that is sufficiently secure to protect the community, and the person or agency providing housing to the conditionally released person has agreed in writing to accept the person, to provide the level of security required by the court, and immediately to
report to the Department if the person leaves the housing to which he or she has been assigned without authorization, (4) the person is willing to or has agreed to comply with the treatment provider, the Department, and the court, and (5) the person has agreed or is willing to agree to comply with the behavioral monitoring requirements imposed by the court and the Department.

(f) If the court finds that the person is appropriate for conditional release, the court shall notify the Department. The Department shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. The plan shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. The Department may contract with a county health department, with another public agency or with a private agency to provide the treatment and services identified in the plan. The plan shall specify who will be responsible for providing the treatment and services identified in the plan. The plan shall be presented to the court for its approval within 60 days after the court finding that the person is appropriate for conditional release, unless the Department and the person to be released request additional time to develop the plan.

(g) The provisions of paragraphs (b)(4), (b)(5), and (b)(6) of Section 40 of this Act apply to an order for conditional release issued under this Section.

(Source: P.A. 96-1128, eff. 1-1-11; 97-1075, eff. 8-24-12; 97-1098, eff. 1-1-14; revised 9-28-12.)

(725 ILCS 207/65)

Sec. 65. Petition for discharge; procedure.

(a)(1) If the Secretary determines at any time that a person committed under this Act is no longer a sexually violent person, the Secretary shall authorize the person to petition the committing court for discharge. If the evaluator on behalf of the Department recommends that the committed person is no longer a sexually violent person, then the Secretary or designee shall, within 30 days of receipt of the evaluator's report, file with the committing court notice of his or her determination whether or not to authorize the committed person to petition the committing court for discharge. The person shall file the petition with the court and serve a copy upon the Attorney General or the State's Attorney's office that filed the petition under subsection (a) of Section 15 of this Act,
whichever is applicable. The court, upon receipt of the petition for discharge, shall order a hearing to be held as soon as practical after the date of receipt of the petition.

(2) At a hearing under this subsection, the Attorney General or State's Attorney, whichever filed the original petition, shall represent the State. The State has the right to have the person evaluated by experts chosen by the State. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator approved by the Board. The committed person or the State may elect to have the hearing before a jury. The State has the burden of proving by clear and convincing evidence that the petitioner is still a sexually violent person.

(3) If the court or jury is satisfied that the State has not met its burden of proof under paragraph (a)(2) of this Section, the petitioner shall be discharged from the custody or supervision of the Department. If the court is satisfied that the State has met its burden of proof under paragraph (a)(2), the court may proceed under Section 40 of this Act to determine whether to modify the petitioner's existing commitment order.

(b)(1) A person may petition the committing court for discharge from custody or supervision without the Secretary's approval. At the time of an examination under subsection (a) of Section 55 of this Act, the Secretary shall provide the committed person with a written notice of the person's right to petition the court for discharge over the Secretary's objection. The notice shall contain a waiver of rights. The Secretary shall forward the notice and waiver form to the court with the report of the Department's examination under Section 55 of this Act. If the person does not affirmatively waive the right to petition, the court shall set a probable cause hearing to determine whether facts exist to believe that since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination), the condition of the committed person has so changed that he or she is no longer a sexually violent person. However, if a person has previously filed a petition for discharge without the Secretary's approval and the court determined, either upon review of the petition or following a hearing, that the person's petition was frivolous or that the person was still a sexually violent person, then the court shall deny any subsequent petition under this Section without a hearing unless the petition contains facts upon which a court could reasonably find that the condition of the person had so changed that a hearing was warranted. If a person does not file a petition for discharge, yet fails to waive the right to
petition under this Section, then the probable cause hearing consists only of a review of the reexamination reports and arguments on behalf of the parties. The committed person has a right to have an attorney represent him or her at the probable cause hearing, but the person is not entitled to be present at the probable cause hearing. The probable cause hearing under this Section must be held as soon as practical after the filing of the reexamination report under Section 55 of this Act.

(2) If the court determines at the probable cause hearing under paragraph (b)(1) of this Section that probable cause exists to believe that since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination), the condition of the committed person has so changed that he or she is no longer a sexually violent person, then the court shall set a hearing on the issue. At a hearing under this Section, the committed person is entitled to be present and to the benefit of the protections afforded to the person under Section 25 of this Act. The committed person or the State may elect to have a hearing under this Section before a jury. A verdict of a jury under this Section is not valid unless it is unanimous. The Attorney General or State's Attorney, whichever filed the original petition, shall represent the State at a hearing under this Section. The State has the right to have the committed person evaluated by experts chosen by the State. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator approved by the Board. At the hearing, the State has the burden of proving by clear and convincing evidence that the committed person is still a sexually violent person.

(3) If the court or jury is satisfied that the State has not met its burden of proof under paragraph (b)(2) of this Section, the person shall be discharged from the custody or supervision of the Department. If the court or jury is satisfied that the State has met its burden of proof under paragraph (b)(2) of this Section, the court may proceed under Section 40 of this Act to determine whether to modify the person's existing commitment order.

(c) This Section applies to petitions pending on the effective date of this amendatory Act of the 97th General Assembly and to petitions filed on or after that date. This provision is severable from the other provisions of this Section under Section 1.31 of the Statute on Statutes. (Source: P.A. 96-1128, eff. 1-1-11; 97-1075, eff. 8-24-12.) (Text of Section after amendment by P.A. 97-1098)

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Sec. 65. Petition for discharge; procedure.

(a)(1) If the Secretary determines at any time that a person committed under this Act is no longer a sexually violent person, the Secretary shall authorize the person to petition the committing court for discharge. If the evaluator on behalf of the Department recommends that the committed person is no longer a sexually violent person, then the Secretary or designee shall, within 30 days of receipt of the evaluator's report, file with the committing court notice of his or her determination whether or not to authorize the committed person to petition the committing court for discharge. The person shall file the petition with the court and serve a copy upon the Attorney General or the State's Attorney's office that filed the petition under subsection (a) of Section 15 of this Act, whichever is applicable. The court, upon receipt of the petition for discharge, shall order a hearing to be held as soon as practical after the date of receipt of the petition.

(2) At a hearing under this subsection, the Attorney General or State's Attorney, whichever filed the original petition, shall represent the State. The State has the right to have the person evaluated by experts chosen by the State. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act. The committed person or the State may elect to have the hearing before a jury. The State has the burden of proving by clear and convincing evidence that the petitioner is still a sexually violent person.

(3) If the court or jury is satisfied that the State has not met its burden of proof under paragraph (a)(2) of this Section, the petitioner shall be discharged from the custody or supervision of the Department. If the court is satisfied that the State has met its burden of proof under paragraph (a)(2), the court may proceed under Section 40 of this Act to determine whether to modify the petitioner's existing commitment order.

(b)(1) A person may petition the committing court for discharge from custody or supervision without the Secretary's approval. At the time of an examination under subsection (a) of Section 55 of this Act, the Secretary shall provide the committed person with a written notice of the person's right to petition the court for discharge over the Secretary's objection. The notice shall contain a waiver of rights. The Secretary shall forward the notice and waiver form to the court with the report of the Department's examination under Section 55 of this Act. If the person does

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not affirmatively waive the right to petition, the court shall set a probable cause hearing to determine whether facts exist to believe that since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination), the condition of the committed person has so changed that he or she is no longer a sexually violent person. However, if a person has previously filed a petition for discharge without the Secretary's approval and the court determined, either upon review of the petition or following a hearing, that the person's petition was frivolous or that the person was still a sexually violent person, then the court shall deny any subsequent petition under this Section without a hearing unless the petition contains facts upon which a court could reasonably find that the condition of the person had so changed that a hearing was warranted. If a person does not file a petition for discharge, yet fails to waive the right to petition under this Section, then the probable cause hearing consists only of a review of the reexamination reports and arguments on behalf of the parties. The committed person has a right to have an attorney represent him or her at the probable cause hearing, but the person is not entitled to be present at the probable cause hearing. The probable cause hearing under this Section must be held as soon as practical after the filing of the reexamination report under Section 55 of this Act.

(2) If the court determines at the probable cause hearing under paragraph (b)(1) of this Section that probable cause exists to believe that since the most recent periodic reexamination (or initial commitment, if there has not yet been a periodic reexamination), the condition of the committed person has so changed that he or she is no longer a sexually violent person, then the court shall set a hearing on the issue. At a hearing under this Section, the committed person is entitled to be present and to the benefit of the protections afforded to the person under Section 25 of this Act. The committed person or the State may elect to have a hearing under this Section before a jury. A verdict of a jury under this Section is not valid unless it is unanimous. The Attorney General or State's Attorney, whichever filed the original petition, shall represent the State at a hearing under this Section. The State has the right to have the committed person evaluated by experts chosen by the State. The examination shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act. At the hearing, the State has the burden of proving by clear and convincing evidence that the committed person is still a sexually violent person.

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(3) If the court or jury is satisfied that the State has not met its burden of proof under paragraph (b)(2) of this Section, the person shall be discharged from the custody or supervision of the Department. If the court or jury is satisfied that the State has met its burden of proof under paragraph (b)(2) of this Section, the court may proceed under Section 40 of this Act to determine whether to modify the person’s existing commitment order.

(c) This Section applies to petitions pending on the effective date of this amendatory Act of the 97th General Assembly and to petitions filed on or after that date. This provision is severable from the other provisions of this Section under Section 1.31 of the Statute on Statutes.

(Source: P.A. 96-1128, eff. 1-1-11; 97-1075, eff. 8-24-12; 97-1098, eff. 1-1-14; revised 9-28-12.)

Section 460. The Unified Code of Corrections is amended by changing Sections 3-2-2, 3-2-5, 3-3-4, 3-3-9, and 5-5-3.1 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

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(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

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Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree

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murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those

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purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

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(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:
   (A) provide restitution to victims in accordance with any court order;
   (B) provide financial support to his dependents; and
   (C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

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(i) are members of a criminal streetgang;
(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and
(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she...
is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(Source: P.A. 96-1265, eff. 7-26-10; 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; revised 7-23-12.)

(730 ILCS 5/3-2-5) (from Ch. 38, par. 1003-2-5)
Sec. 3-2-5. Organization of the Department of Corrections and the Department of Juvenile Justice.

(a) There shall be a Department of Corrections which shall be administered by a Director and an Assistant Director appointed by the Governor under the Civil Administrative Code of Illinois. The Assistant Director shall be under the direction of the Director. The Department of Corrections shall be responsible for all persons committed or transferred to the Department under Sections 3-10-7 or 5-8-6 of this Code.

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(b) There shall be a Department of Juvenile Justice which shall be administered by a Director appointed by the Governor under the Civil Administrative Code of Illinois. The Department of Juvenile Justice shall be responsible for all persons under 17 years of age when sentenced to imprisonment and committed to the Department under subsection (c) of Section 5-8-6 of this Code, Section 5-10 of the Juvenile Court Act, or Section 5-750 of the Juvenile Court Act of 1987. Persons under 17 years of age committed to the Department of Juvenile Justice pursuant to this Code shall be sight and sound separate from adult offenders committed to the Department of Corrections.

(c) The Department shall create a gang intelligence unit under the supervision of the Director. The unit shall be specifically designed to gather information regarding the inmate gang population, monitor the activities of gangs, and prevent the furtherance of gang activities through the development and implementation of policies aimed at deterring gang activity. The Director shall appoint a Corrections Intelligence Coordinator.

All information collected and maintained by the unit shall be highly confidential, and access to that information shall be restricted by the Department. The information shall be used to control and limit the activities of gangs within correctional institutions under the jurisdiction of the Illinois Department of Corrections and may be shared with other law enforcement agencies in order to curb gang activities outside of correctional institutions under the jurisdiction of the Department and to assist in the investigations and prosecutions of gang activity. The Department shall establish and promulgate rules governing the release of information to outside law enforcement agencies. Due to the highly sensitive nature of the information, the information is exempt from requests for disclosure under the Freedom of Information Act as the information contained is highly confidential and may be harmful if disclosed.

(Source: P.A. 97-800, eff. 7-13-12; 97-1083, eff. 8-24-12; revised 9-20-12.)

(730 ILCS 5/3-3-4) (from Ch. 38, par. 1003-3-4)
Sec. 3-3-4. Preparation for Parole Hearing.

(a) The Prisoner Review Board shall consider the parole of each eligible person committed to the Department of Corrections at least 30 days prior to the date he shall first become eligible for parole, and shall consider the parole of each person committed to the Department of

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Juvenile Justice as a delinquent at least 30 days prior to the expiration of the first year of confinement.

(b) A person eligible for parole shall, no less than 15 days in advance of his parole interview, prepare a parole plan in accordance with the rules of the Prisoner Review Board. The person shall be assisted in preparing his parole plan by personnel of the Department of Corrections, or the Department of Juvenile Justice in the case of a person committed to that Department, and may, for this purpose, be released on furlough under Article 11 or on authorized absence under Section 3-9-4. The appropriate Department shall also provide assistance in obtaining information and records helpful to the individual for his parole hearing. If the person eligible for parole has a petition or any written submissions prepared on his or her behalf by an attorney or other representative, the attorney or representative for the person eligible for parole must serve by certified mail the State's Attorney of the county where he or she was prosecuted with the petition or any written submissions 15 days after his or her parole interview. The State's Attorney shall provide the attorney for the person eligible for parole with a copy of his or her letter in opposition to parole via certified mail within 5 business days of the en banc hearing.

(c) Any member of the Board shall have access at all reasonable times to any committed person and to his master record file within the Department, and the Department shall furnish such a report to the Board concerning the conduct and character of any such person prior to his or her parole interview.

(d) In making its determination of parole, the Board shall consider:
   (1) material transmitted to the Department of Juvenile Justice by the clerk of the committing court under Section 5-4-1 or Section 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile Court Act of 1987;
   (2) the report under Section 3-8-2 or 3-10-2;
   (3) a report by the Department and any report by the chief administrative officer of the institution or facility;
   (4) a parole progress report;
   (5) a medical and psychological report, if requested by the Board;
   (6) material in writing, or on film, video tape or other electronic means in the form of a recording submitted by the person whose parole is being considered;

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(7) material in writing, or on film, video tape or other electronic means in the form of a recording or testimony submitted by the State's Attorney and the victim or a concerned citizen pursuant to the Rights of Crime Victims and Witnesses Act; and

(8) the person's eligibility for commitment under the Sexually Violent Persons Commitment Act.

(e) The prosecuting State's Attorney's office shall receive from the Board reasonable written notice not less than 30 days prior to the parole interview and may submit relevant information by oral argument or testimony of victims and concerned citizens, or both, in writing, or on film, video tape or other electronic means or in the form of a recording to the Board for its consideration. Upon written request of the State's Attorney's office, the Prisoner Review Board shall hear protests to parole, except in counties of 1,500,000 or more inhabitants where there shall be standing objections to all such petitions. If a State's Attorney who represents a county of less than 1,500,000 inhabitants requests a protest hearing, the inmate's counsel or other representative shall also receive notice of such request. This hearing shall take place the month following the inmate's parole interview. If the inmate's parole interview is rescheduled then the Prisoner Review Board shall promptly notify the State's Attorney of the new date. The person eligible for parole shall be heard at the next scheduled en banc hearing date. If the case is to be continued, the State's Attorney's office and the attorney or representative for the person eligible for parole will be notified of any continuance within 5 business days. The State's Attorney may waive the written notice.

(f) The victim of the violent crime for which the prisoner has been sentenced shall receive notice of a parole hearing as provided in paragraph (4) of subsection (d) of Section 4.5 of the Rights of Crime Victims and Witnesses Act.

(g) Any recording considered under the provisions of subsection (d)(6), (d)(7) or (e) of this Section shall be in the form designated by the Board. Such recording shall be both visual and aural. Every voice on the recording and person present shall be identified and the recording shall contain either a visual or aural statement of the person submitting such recording, the date of the recording and the name of the person whose parole eligibility is being considered. Such recordings shall be retained by the Board and shall be deemed to be submitted at any subsequent parole hearing if the victim or State's Attorney submits in writing a declaration clearly identifying such recording as representing the present position of
the victim or State's Attorney regarding the issues to be considered at the parole hearing.

(b) The Board shall not release any material to the inmate, the inmate's attorney, any third party, or any other person containing any information from the victim or from a person related to the victim by blood, adoption, or marriage who has written objections, testified at any hearing, or submitted audio or visual objections to the inmate's parole, unless provided with a waiver from that objecting party.

(Source: P.A. 96-875, eff. 1-22-10; 97-523, eff. 1-1-12; 97-1075, eff. 8-24-12; 97-1083, eff. 8-24-12; revised 9-20-12.)

(730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

1. continue the existing term, with or without modifying or enlarging the conditions; or
2. parole or release the person to a half-way house; or
3. revoke the parole or mandatory supervised release and reconfine the person for a term computed in the following manner:
   i. (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommitment shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;
   (B) Except as set forth in paragraph (C), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommitment shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the sentence imposed.
by the court which was not served due to the accumulation of sentence credit;

(C) For those subject to sex offender supervision under clause (d)(4) of Section 5-8-1 of this Code, the reconfinement period for violations of clauses (a)(3) through (b-1)(15) of Section 3-3-7 shall not exceed 2 years from the date of reconfinement; 

(ii) the person shall be given credit against the term of reimprisonment or reconfinement for time spent in custody since he was paroled or released which has not been credited against another sentence or period of confinement;

(iii) persons committed under the Juvenile Court Act or the Juvenile Court Act of 1987 may be continued under the existing term of parole with or without modifying the conditions of parole, paroled or released to a group home or other residential facility, or recommitted until the age of 21 unless sooner terminated;

(iv) this Section is subject to the release under supervision and the reparole and rerelease provisions of Section 3-3-10.

(b) The Board may revoke parole or mandatory supervised release for violation of a condition for the duration of the term and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration. The issuance of a warrant of arrest for an alleged violation of the conditions of parole or mandatory supervised release shall toll the running of the term until the final determination of the charge. When parole or mandatory supervised release is not revoked that period shall be credited to the term, unless a community-based sanction is imposed as an alternative to revocation and reincarceration, including a diversion established by the Illinois Department of Corrections Parole Services Unit prior to the holding of a preliminary parole revocation hearing. Parolees who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

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(c) A person charged with violating a condition of parole or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole or mandatory supervised release charged against him.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. In consideration of persons committed to the Department of Juvenile Justice, the member hearing the matter and at least a majority of the panel shall be experienced in juvenile matters. A record of the hearing shall be made. At the hearing the offender shall be permitted to:
   (1) appear and answer the charge; and
   (2) bring witnesses on his behalf.

(f) The Board shall either revoke parole or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 96-1271, eff. 1-1-11; 97-697, eff. 6-22-12; revised 8-3-12.)

(730 ILCS 5/5-5-3.1) (from Ch. 38, par. 1005-5-3.1)

Sec. 5-5-3.1. Factors in Mitigation.

(a) The following grounds shall be accorded weight in favor of withholding or minimizing a sentence of imprisonment:
   (1) The defendant's criminal conduct neither caused nor threatened serious physical harm to another.
   (2) The defendant did not contemplate that his criminal conduct would cause or threaten serious physical harm to another.
   (3) The defendant acted under a strong provocation.

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(4) There were substantial grounds tending to excuse or justify the defendant's criminal conduct, though failing to establish a defense.

(5) The defendant's criminal conduct was induced or facilitated by someone other than the defendant.

(6) The defendant has compensated or will compensate the victim of his criminal conduct for the damage or injury that he sustained.

(7) The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present crime.

(8) The defendant's criminal conduct was the result of circumstances unlikely to recur.

(9) The character and attitudes of the defendant indicate that he is unlikely to commit another crime.

(10) The defendant is particularly likely to comply with the terms of a period of probation.

(11) The imprisonment of the defendant would entail excessive hardship to his dependents.

(12) The imprisonment of the defendant would endanger his or her medical condition.

(13) The defendant was intellectually disabled as defined in Section 5-1-13 of this Code.

(14) The defendant sought or obtained emergency medical assistance for an overdose and was convicted of a Class 3 felony or higher possession, manufacture, or delivery of a controlled, counterfeit, or look-alike substance or a controlled substance analog under the Illinois Controlled Substances Act or a Class 2 felony or higher possession, manufacture or delivery of methamphetamine under the Methamphetamine Control and Community Protection Act.

(b) If the court, having due regard for the character of the offender, the nature and circumstances of the offense and the public interest finds that a sentence of imprisonment is the most appropriate disposition of the offender, or where other provisions of this Code mandate the imprisonment of the offender, the grounds listed in paragraph (a) of this subsection shall be considered as factors in mitigation of the term imposed.

(Source: P.A. 97-227, eff. 1-1-12; 97-678, eff. 6-1-12; revised 10-16-12.)

New matter indicated by italics - deletions by strikeout
Section 470. The Stalking No Contact Order Act is amended by changing Section 115 as follows:

(740 ILCS 21/115)

Sec. 115. Notice of orders.

(a) Upon issuance of any stalking no contact order, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 95:

(1) enter the order on the record and file it in accordance with the circuit court procedures; and

(2) provide a file stamped copy of the order to the respondent, if present, and to the petitioner.

(b) The clerk of the issuing judge shall, or the petitioner may, on the same day that a stalking no contact order is issued, file a certified copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon the respondent. If the order was issued in accordance with subsection (c) of Section 95, the clerk shall, on the next court day, file a certified copy of the order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records. If the respondent, at the time of the issuance of the order, is committed to the custody of the Illinois Department of Corrections or is on parole or mandatory supervised release, the sheriff or other law enforcement officials charged with maintaining Department of State Police records shall notify the Department of Corrections within 48 hours of receipt of a copy of the stalking no contact order from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number, the respondent's date of birth, and the LEADS Record Index Number.

(c) Unless the respondent was present in court when the order was issued, the sheriff, other law enforcement official, or special process server shall promptly serve that order upon the respondent and file proof of such service in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 117 may serve the respondent with a short form notification as provided in Section 117. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.

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(d) If the person against whom the stalking no contact order is issued is arrested and the written order is issued in accordance with subsection (c) of Section 95 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for stalking no contact order or receipt of the order issued under Section 95 of this Act.

(e) Any order extending, modifying, or revoking any stalking no contact order shall be promptly recorded, issued, and served as provided in this Section.

(f) Upon the request of the petitioner, within 24 hours of the issuance of a stalking no contact order, the clerk of the issuing judge shall send written notice of the order along with a certified copy of the order to any school, daycare, college, or university at which the petitioner is enrolled.

(Source: P.A. 96-246, eff. 1-1-10; 97-904, eff. 1-1-13; 97-1017, eff. 1-1-13; revised 8-23-12.)

Section 475. The Civil No Contact Order Act is amended by changing Section 218 as follows:

(740 ILCS 22/218)
Sec. 218. Notice of orders.
(a) Upon issuance of any civil no contact order, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 214:

(1) enter the order on the record and file it in accordance with the circuit court procedures; and

(2) provide a file stamped copy of the order to the respondent, if present, and to the petitioner.

(b) The clerk of the issuing judge shall, or the petitioner may, on the same day that a civil no contact order is issued, file a certified copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon the respondent. If the order was issued in accordance with subsection (c) of Section 214, the clerk shall, on the next court day, file a certified copy of the order with the Sheriff or other law enforcement officials charged with maintaining Department of State Police records. If the respondent, at the time of the issuance of the order, is committed to the

New matter indicated by italics - deletions by strikeout
custody of the Illinois Department of Corrections or is on parole or mandatory supervised release, the sheriff or other law enforcement officials charged with maintaining Department of State Police records shall notify the Department of Corrections within 48 hours of receipt of a copy of the civil no contact order from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number, the respondent's date of birth, and the LEADS Record Index Number.

(c) Unless the respondent was present in court when the order was issued, the sheriff, other law enforcement official, or special process server shall promptly serve that order upon the respondent and file proof of such service in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 218.1 may serve the respondent with a short form notification as provided in Section 218.1. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.

(d) If the person against whom the civil no contact order is issued is arrested and the written order is issued in accordance with subsection (c) of Section 214 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for civil no contact order or receipt of the order issued under Section 214 of this Act.

(e) Any order extending, modifying, or revoking any civil no contact order shall be promptly recorded, issued, and served as provided in this Section.

(f) Upon the request of the petitioner, within 24 hours of the issuance of a civil no contact order, the clerk of the issuing judge shall send written notice of the order along with a certified copy of the order to any school, college, or university at which the petitioner is enrolled.

(Source: P.A. 97-904, eff. 1-1-13; 97-1017, eff. 1-1-13; revised 8-23-12.)

Section 480. The Crime Victims Compensation Act is amended by changing Section 7.1 as follows:

(740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

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Sec. 7.1. (a) The application shall set out:

(1) the name and address of the victim;
(2) if the victim is deceased, the name and address of the applicant and his relationship to the victim, the names and addresses of other persons dependent on the victim for their support and the extent to which each is so dependent, and other persons who may be entitled to compensation for a pecuniary loss;
(3) the date and nature of the crime on which the application for compensation is based;
(4) the date and place where and the law enforcement officials to whom notification of the crime was given;
(5) the nature and extent of the injuries sustained by the victim, and the names and addresses of those giving medical and hospitalization treatment to the victim;
(6) the pecuniary loss to the applicant and to such other persons as are specified under item (2) resulting from the injury or death;
(7) the amount of benefits, payments, or awards, if any, payable under:
   (a) the Workers’ Compensation Act,
   (b) the Dram Shop Act,
   (c) any claim, demand, or cause of action based upon the crime-related injury or death,
   (d) the Federal Medicare program,
   (e) the State Public Aid program,
   (f) Social Security Administration burial benefits,
   (g) Veterans administration burial benefits,
   (h) life, health, accident or liability insurance,
   (i) the Criminal Victims’ Escrow Account Act,
   (j) the Sexual Assault Survivors Emergency Treatment Act,
   (k) restitution, or
   (l) from any other source; : 
(8) releases authorizing the surrender to the Court of Claims or Attorney General of reports, documents and other information relating to the matters specified under this Act and rules promulgated in accordance with the Act; :
(9) such other information as the Court of Claims or the Attorney General reasonably requires.

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(b) The Attorney General may require that materials substantiating the facts stated in the application be submitted with that application.

(c) An applicant, on his own motion, may file an amended application or additional substantiating materials to correct inadvertent errors or omissions at any time before the original application has been disposed of by the Court of Claims. In either case, the filing of additional information or of an amended application shall be considered for the purpose of this Act to have been filed at the same time as the original application.

(Source: P.A. 97-817, eff. 1-1-13; revised 8-3-12.)

Section 490. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 505 as follows:

(750 ILCS 5/505) (from Ch. 40, par. 505)

Sec. 505. Child support; contempt; penalties.

(a) In a proceeding for dissolution of marriage, legal separation, declaration of invalidity of marriage, a proceeding for child support following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse, a proceeding for modification of a previous order for child support under Section 510 of this Act, or any proceeding authorized under Section 501 or 601 of this Act, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable and necessary for the support of the child, without regard to marital misconduct. The duty of support owed to a child includes the obligation to provide for the reasonable and necessary educational, physical, mental and emotional health needs of the child. For purposes of this Section, the term "child" shall include any child under age 18 and any child under age 19 who is still attending high school.

(1) The Court shall determine the minimum amount of support by using the following guidelines:

<table>
<thead>
<tr>
<th>Number of Children</th>
<th>Percent of Supporting Party's Net Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20%</td>
</tr>
<tr>
<td>2</td>
<td>28%</td>
</tr>
<tr>
<td>3</td>
<td>32%</td>
</tr>
<tr>
<td>4</td>
<td>40%</td>
</tr>
<tr>
<td>5</td>
<td>45%</td>
</tr>
<tr>
<td>6 or more</td>
<td>50%</td>
</tr>
</tbody>
</table>

(2) The above guidelines shall be applied in each case unless the court finds that a deviation from the guidelines is
appropriate after considering the best interest of the child in light of the evidence, including, but not limited to, one or more of the following relevant factors:

(a) the financial resources and needs of the child;
(b) the financial resources and needs of the custodial parent;
(c) the standard of living the child would have enjoyed had the marriage not been dissolved;
(d) the physical, mental, and emotional needs of the child;
(d-5) the educational needs of the child; and
(e) the financial resources and needs of the non-custodial parent.

If the court deviates from the guidelines, the court's finding shall state the amount of support that would have been required under the guidelines, if determinable. The court shall include the reason or reasons for the variance from the guidelines.

(2.5) The court, in its discretion, in addition to setting child support pursuant to the guidelines and factors, may order either or both parents owing a duty of support to a child of the marriage to contribute to the following expenses, if determined by the court to be reasonable:

(a) health needs not covered by insurance;
(b) child care;
(c) education; and
(d) extracurricular activities.

(3) "Net income" is defined as the total of all income from all sources, minus the following deductions:

(a) Federal income tax (properly calculated withholding or estimated payments);
(b) State income tax (properly calculated withholding or estimated payments);
(c) Social Security (FICA payments);
(d) Mandatory retirement contributions required by law or as a condition of employment;
(e) Union dues;
(f) Dependent and individual health/hospitalization insurance premiums and premiums for life insurance

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ordered by the court to reasonably secure payment of
ordered child support;
    (g) Prior obligations of support or maintenance
actually paid pursuant to a court order;
    (h) Expenditures for repayment of debts that
represent reasonable and necessary expenses for the
production of income, medical expenditures necessary to
preserve life or health, reasonable expenditures for the
benefit of the child and the other parent, exclusive of gifts.
The court shall reduce net income in determining the
minimum amount of support to be ordered only for the
period that such payments are due and shall enter an order
containing provisions for its self-executing modification
upon termination of such payment period;
    (i) Foster care payments paid by the Department of
Children and Family Services for providing licensed foster
care to a foster child.

(4) In cases where the court order provides for
health/hospitalization insurance coverage pursuant to Section 505.2
of this Act, the premiums for that insurance, or that portion of the
premiums for which the supporting party is responsible in the case
of insurance provided through an employer's health insurance plan
where the employer pays a portion of the premiums, shall be
subtracted from net income in determining the minimum amount of
support to be ordered.

(4.5) In a proceeding for child support following
dissolution of the marriage by a court that lacked personal
jurisdiction over the absent spouse, and in which the court is
requiring payment of support for the period before the date an
order for current support is entered, there is a rebuttable
presumption that the supporting party's net income for the prior
period was the same as his or her net income at the time the order
for current support is entered.

(5) If the net income cannot be determined because of
default or any other reason, the court shall order support in an
amount considered reasonable in the particular case. The final
order in all cases shall state the support level in dollar amounts.
However, if the court finds that the child support amount cannot be
expressed exclusively as a dollar amount because all or a portion of

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the payor's net income is uncertain as to source, time of payment, or amount, the court may order a percentage amount of support in addition to a specific dollar amount and enter such other orders as may be necessary to determine and enforce, on a timely basis, the applicable support ordered.

(6) If (i) the non-custodial parent was properly served with a request for discovery of financial information relating to the non-custodial parent's ability to provide child support, (ii) the non-custodial parent failed to comply with the request, despite having been ordered to do so by the court, and (iii) the non-custodial parent is not present at the hearing to determine support despite having received proper notice, then any relevant financial information concerning the non-custodial parent's ability to provide child support that was obtained pursuant to subpoena and proper notice shall be admitted into evidence without the need to establish any further foundation for its admission.

(a-5) In an action to enforce an order for support based on the respondent's failure to make support payments as required by the order, notice of proceedings to hold the respondent in contempt for that failure may be served on the respondent by personal service or by regular mail addressed to the respondent's last known address. The respondent's last known address may be determined from records of the clerk of the court, from the Federal Case Registry of Child Support Orders, or by any other reasonable means.

(b) Failure of either parent to comply with an order to pay support shall be punishable as in other cases of contempt. In addition to other penalties provided by law the Court may, after finding the parent guilty of contempt, order that the parent be:

(1) placed on probation with such conditions of probation as the Court deems advisable;

(2) sentenced to periodic imprisonment for a period not to exceed 6 months; provided, however, that the Court may permit the parent to be released for periods of time during the day or night to:

   (A) work;
   
   (B) conduct a business or other self-employed occupation.

The Court may further order any part or all of the earnings of a parent during a sentence of periodic imprisonment paid to the Clerk of the Circuit Court or to the parent having custody or to the guardian having

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custody of the children of the sentenced parent for the support of said children until further order of the Court.

If a parent who is found guilty of contempt for failure to comply with an order to pay support is a person who conducts a business or who is self-employed, the court in addition to other penalties provided by law may order that the parent do one or more of the following: (i) provide to the court monthly financial statements showing income and expenses from the business or the self-employment; (ii) seek employment and report periodically to the court with a diary, listing, or other memorandum of his or her employment search efforts; or (iii) report to the Department of Employment Security for job search services to find employment that will be subject to withholding for child support.

If there is a unity of interest and ownership sufficient to render no financial separation between a non-custodial parent and another person or persons or business entity, the court may pierce the ownership veil of the person, persons, or business entity to discover assets of the non-custodial parent held in the name of that person, those persons, or that business entity. The following circumstances are sufficient to authorize a court to order discovery of the assets of a person, persons, or business entity and to compel the application of any discovered assets toward payment on the judgment for support:

(1) the non-custodial parent and the person, persons, or business entity maintain records together.

(2) the non-custodial parent and the person, persons, or business entity fail to maintain an arm's length relationship between themselves with regard to any assets.

(3) the non-custodial parent transfers assets to the person, persons, or business entity with the intent to perpetrate a fraud on the custodial parent.

With respect to assets which are real property, no order entered under this paragraph shall affect the rights of bona fide purchasers, mortgagees, judgment creditors, or other lien holders who acquire their interests in the property prior to the time a notice of lis pendens pursuant to the Code of Civil Procedure or a copy of the order is placed of record in the office of the recorder of deeds for the county in which the real property is located.

The court may also order in cases where the parent is 90 days or more delinquent in payment of support or has been adjudicated in arrears in an amount equal to 90 days obligation or more, that the parent's Illinois

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driving privileges be suspended until the court determines that the parent is in compliance with the order of support. The court may also order that the parent be issued a family financial responsibility driving permit that would allow limited driving privileges for employment and medical purposes in accordance with Section 7-702.1 of the Illinois Vehicle Code. The clerk of the circuit court shall certify the order suspending the driving privileges of the parent or granting the issuance of a family financial responsibility driving permit to the Secretary of State on forms prescribed by the Secretary. Upon receipt of the authenticated documents, the Secretary of State shall suspend the parent's driving privileges until further order of the court and shall, if ordered by the court, subject to the provisions of Section 7-702.1 of the Illinois Vehicle Code, issue a family financial responsibility driving permit to the parent.

In addition to the penalties or punishment that may be imposed under this Section, any person whose conduct constitutes a violation of Section 15 of the Non-Support Punishment Act may be prosecuted under that Act, and a person convicted under that Act may be sentenced in accordance with that Act. The sentence may include but need not be limited to a requirement that the person perform community service under Section 50 of that Act or participate in a work alternative program under Section 50 of that Act. A person may not be required to participate in a work alternative program under Section 50 of that Act if the person is currently participating in a work program pursuant to Section 505.1 of this Act.

A support obligation, or any portion of a support obligation, which becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. An order for support entered or modified on or after January 1, 2006 shall contain a statement that a support obligation required under the order, or any portion of a support obligation required under the order, that becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. Failure to include the statement in the order for support does not affect the validity of the order or the accrual of interest as provided in this Section.

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(c) A one-time charge of 20% is imposable upon the amount of past-due child support owed on July 1, 1988 which has accrued under a support order entered by the court. The charge shall be imposed in accordance with the provisions of Section 10-21 of the Illinois Public Aid Code and shall be enforced by the court upon petition.

(d) Any new or existing support order entered by the court under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder, each such judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order. Each such judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced. Notwithstanding any other State or local law to the contrary, a lien arises by operation of law against the real and personal property of the noncustodial parent for each installment of overdue support owed by the noncustodial parent.

(e) When child support is to be paid through the clerk of the court in a county of 1,000,000 inhabitants or less, the order shall direct the obligor to pay to the clerk, in addition to the child support payments, all fees imposed by the county board under paragraph (3) of subsection (u) of Section 27.1 of the Clerks of Courts Act. Unless paid in cash or pursuant to an order for withholding, the payment of the fees shall be by a separate instrument from the support payment and shall be made to the order of the Clerk.

(f) All orders for support, when entered or modified, shall include a provision requiring the obligor to notify the court and, in cases in which a party is receiving child and spouse services under Article X of the Illinois Public Aid Code, the Department of Healthcare and Family Services, within 7 days, (i) of the name and address of any new employer of the obligor, (ii) whether the obligor has access to health insurance coverage through the employer or other group coverage and, if so, the policy name and number and the names of persons covered under the policy, and (iii) of any new residential or mailing address or telephone number of the non-custodial parent. In any subsequent action to enforce a support order, upon a sufficient showing that a diligent effort has been made to ascertain the location of the non-custodial parent, service of process or provision of notice necessary in the case may be made at the last known address of the non-custodial parent in any manner expressly provided by the Code of

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Civil Procedure or this Act, which service shall be sufficient for purposes of due process.

(g) An order for support shall include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of 18. However, if the child will not graduate from high school until after attaining the age of 18, then the termination date shall be no earlier than the earlier of the date on which the child's high school graduation will occur or the date on which the child will attain the age of 19. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. Nothing in this subsection shall be construed to prevent the court from modifying the order or terminating the order in the event the child is otherwise emancipated.

(g-5) If there is an unpaid arrearage or delinquency (as those terms are defined in the Income Withholding for Support Act) equal to at least one month's support obligation on the termination date stated in the order for support or, if there is no termination date stated in the order, on the date the child attains the age of majority or is otherwise emancipated, the periodic amount required to be paid for current support of that child immediately prior to that date shall automatically continue to be an obligation, not as current support but as periodic payment toward satisfaction of the unpaid arrearage or delinquency. That periodic payment shall be in addition to any periodic payment previously required for satisfaction of the arrearage or delinquency. The total periodic amount to be paid toward satisfaction of the arrearage or delinquency may be enforced and collected by any method provided by law for enforcement and collection of child support, including but not limited to income withholding under the Income Withholding for Support Act. Each order for support entered or modified on or after the effective date of this amendatory Act of the 93rd General Assembly must contain a statement notifying the parties of the requirements of this subsection. Failure to include the statement in the order for support does not affect the validity of the order or the operation of the provisions of this subsection with regard to the order. This subsection shall not be construed to prevent or affect the establishment or modification of an order for support of a minor child or the establishment or modification of an order for support of a non-minor child or educational expenses under Section 513 of this Act.

(h) An order entered under this Section shall include a provision requiring the obligor to report to the obligee and to the clerk of court
within 10 days each time the obligor obtains new employment, and each
time the obligor's employment is terminated for any reason. The report
shall be in writing and shall, in the case of new employment, include the
name and address of the new employer. Failure to report new employment
or the termination of current employment, if coupled with nonpayment of
support for a period in excess of 60 days, is indirect criminal contempt.
For any obligor arrested for failure to report new employment bond shall
be set in the amount of the child support that should have been paid during
the period of unreported employment. An order entered under this Section
shall also include a provision requiring the obligor and obligee parents to
advise each other of a change in residence within 5 days of the change
except when the court finds that the physical, mental, or emotional health
of a party or that of a child, or both, would be seriously endangered by
disclosure of the party's address.

(i) The court does not lose the powers of contempt, driver's license
suspension, or other child support enforcement mechanisms, including, but
not limited to, criminal prosecution as set forth in this Act, upon the
emancipation of the minor child or children.
(Source: P.A. 96-1134, eff. 7-21-10; 97-186, eff. 7-22-11; 97-608, eff. 1-1-
12; 97-813, eff. 7-13-12; 97-878, eff. 8-2-12; 97-941, eff. 1-1-13; 97-1029,
eff. 1-1-13; revised 8-23-12.)

Section 495. The Adoption Act is amended by changing Section 10
as follows:

(750 ILCS 50/10) (from Ch. 40, par. 1512)
Sec. 10. Forms of consent and surrender; execution and
acknowledgment thereof.
A. The form of consent required for the adoption of a born child
shall be substantially as follows:
FINAL AND IRREVOCABLE CONSENT TO ADOPTION
I, ...., (relationship, e.g., mother, father, relative, guardian) of ...., a
..male child, state:
That such child was born on .... at ....
That I reside at ...., County of .... and State of ....
That I am of the age of .... years.
That I hereby enter my appearance in this proceeding and waive
service of summons on me.
That I hereby acknowledge that I have been provided with a copy
of the Birth Parent Rights and Responsibilities-Private Form before
signing this Consent and that I have had time to read, or have had read to

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me, this Form. I understand that if I do not receive any of the rights as described in this Form, it shall not constitute a basis to revoke this Final and Irrevocable Consent.

That I do hereby consent and agree to the adoption of such child.

That I wish to and understand that by signing this consent I do irrevocably and permanently give up all custody and other parental rights I have to such child.

That I understand such child will be placed for adoption and that I cannot under any circumstances, after signing this document, change my mind and revoke or cancel this consent or obtain or recover custody or any other rights over such child. That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

........................

If under Section 8 the consent of more than one person is required, then each such person shall execute a separate consent.

A-1. (1) The form of the Final and Irrevocable Consent to Adoption by a Specified Person or Persons: Non-DCFS Case set forth in this subsection A-1 is to be used by legal parents only. This form is not to be used in cases in which there is a pending petition under Section 2-13 of the Juvenile Court Act of 1987.

(2) The form of the Final and Irrevocable Consent to Adoption by a Specified Person or Persons in a non-DCFS case shall have the caption of the proceeding in which it is to be filed and shall be substantially as follows:

FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

I, ...., (relationship, e.g., mother, father) of ...., a male child, state:

1. That such child was born on ...., at ......, City of ... and State of ....
2. That I reside at ...., County of .... and State of ....
3. That I am of the age of .... years.
4. That I hereby enter my appearance in this proceeding and waive service of summons on me.
5. That I hereby acknowledge that I have been provided a copy of the Birth Parent Rights and Responsibilities-Private Form before signing this Consent and that I have had time to read, or have had read to me, this Form and that I understand the Rights and Responsibilities described in this Form. I understand that if I do not receive any of my rights as
described in said Form, it shall not constitute a basis to revoke this Final and Irrevocable Consent to Adoption by a Specified Person.

6. That I do hereby consent and agree to the adoption of such child by .... (specified persons) only.

7. That I wish to and understand that upon signing this consent I do irrevocably and permanently give up all custody and other parental rights I have to such child if such child is adopted by .... (specified person or persons). I hereby transfer all of my rights to the custody, care and control of such child to ...................... (specified person or persons).

8. That I understand such child will be adopted by .................. (specified person or persons) and that I cannot under any circumstances, after signing this document, change my mind and revoke or cancel this consent or obtain or recover custody or any other rights over such child if ...................... (specified person or persons) adopt(s) such child; PROVIDED that each specified person has filed or shall file, within 60 days from the date hereof, a petition for the adoption of such child.

9. That if the specified person or persons designated herein do not file a petition for adoption within the time-frame specified above, or, if said petition for adoption is filed within the time-frame specified above but the adoption petition is dismissed with prejudice or the adoption proceeding is otherwise concluded without an order declaring the child to be the adopted child of the specified person or persons, then I understand that I will receive written notice of such circumstances within 10 business days of their occurrence. I understand that the notice will be directed to me using the contact information I have provided in this consent. I understand that I will have 10 business days from the date that the written notice is sent to me to respond, within which time I may request the Court to declare this consent voidable and return the child to me. I further understand that the Court will make the final decision of whether or not the child will be returned to me. If I do not make such request within 10 business days of the date of the notice, then I expressly waive any other notice or service of process in any legal proceeding for the adoption of the child.

10. That I expressly acknowledge that nothing in this Consent impairs the validity and absolute finality of this Consent under any circumstance other than those described in paragraph 9 of this Consent.

11. That I understand that I have a remaining duty and obligation to keep ................ (insert name and address of the attorney for the specified person or persons) informed of my current address or other preferred

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contact information until this adoption has been finalized. My failure to do so may result in the termination of my parental rights and the child being placed for adoption in another home.

12. That I do expressly waive any other notice or service of process in any of the legal proceedings for the adoption of the child as long as the adoption proceeding by the specified person or persons is pending.

13. That I have read and understand the above and I am signing it as my free and voluntary act.

14. That I acknowledge that this consent is valid even if the specified person or persons separate or divorce or one of the specified persons dies prior to the entry of the final judgment for adoption.

Dated (insert date).

.............................................
Signature of parent.

.............................................
Address of parent.

.............................................
Phone number(s) of parent.

.............................................
Personal email(s) of parent.

(3) The form of the certificate of acknowledgment for a Final and Irrevocable Consent for Adoption by a Specified Person or Persons: Non-DCFS Case shall be substantially as follows:

STATE OF ............)
) SS.
COUNTY OF ............)

I, .................... (Name of Judge or other person), .................... (official title, name, and address), certify that ............, personally known to me to be the same person whose name is subscribed to the foregoing Final and Irrevocable Consent for Adoption by a Specified Person or Persons; non-DCFS case, appeared before me this day in person and acknowledged that (she)(he) signed and delivered the consent as (her)(his) free and voluntary act, for the specified purpose. I am further satisfied that, before signing this Consent, ............ has read, or has had read to him or her, the Birth Parent Rights and Responsibilities-Private Form.

A-2. Birth Parent Rights and Responsibilities-Private Form. The Birth Parent Rights and Responsibilities-Private Form must be read by, or have been read to, any person executing a Final and Irrevocable Consent to
Adoption under subsection A, a Final and Irrevocable Consent to Adoption by a Specified Person or Persons: Non-DCFS Case under subsection A-1, or a Consent to Adoption of Unborn Child under subsection B prior to the execution of said Consent. The form of the Birth Parent Rights and Responsibilities-Private Form shall be substantially as follows:

Birth Parent Rights and Responsibilities-Private Form

As a birth parent in the State of Illinois, you have the right:

1. To have your own attorney represent you. The prospective adoptive parents may agree to pay for the cost of your attorney in a manner consistent with Illinois law, but they are not required to do so.

2. To be treated with dignity and respect at all times and to make decisions free from coercion and pressure.

3. To receive counseling before and after signing a Final and Irrevocable Consent to Adoption ("Consent"), a Final and Irrevocable Consent to Adoption by a Specified Person or Persons: Non-DCFS Case ("Specified Consent"), or a Consent to Adoption of Unborn Child ("Unborn Consent"). The prospective adoptive parents may agree to pay for the cost of counseling in a manner consistent with Illinois law, but they are not required to do so.

4. To ask to be involved in choosing your child's prospective adoptive parents and to ask to meet them.

5. To ask your child's prospective adoptive parents any questions that pertain to your decision to place your child with them.

6. To see your child before signing a Consent or Specified Consent.

7. To request contact with your child and/or the child's prospective adoptive parents, with the understanding that any promises regarding contact with your child or receipt of information about the child after signing a Consent, Specified Consent, or Unborn Consent cannot be enforced under Illinois law.

8. To receive copies of all documents that you sign and have those documents provided to you in your preferred language.

9. To request that your identifying information remain confidential, unless required otherwise by Illinois law or court order, and to register with the Illinois Adoption Registry and Medical Information Exchange.

10. To work with an adoption agency or attorney of your choice, or change said agency or attorney, provided you promptly inform all of the parties currently involved.

New matter indicated by italics - deletions by strikeout
11. To receive, upon request, a written list of any promised support, financial or otherwise, from your attorney or the attorney for your child's prospective adoptive parents.

12. To delay signing a Consent, Specified Consent, or Unborn Consent if you are not ready to do so.

13. To decline to sign a Consent, Specified Consent, or Unborn Consent even if you have received financial support from the prospective adoptive parents.

If you do not receive any of the rights described in this Form, it shall not be a basis to revoke a Consent, Specified Consent, or Unborn Consent.

As a Birth Parent in the State of Illinois, you have the responsibility:

1. To carefully consider your reasons for choosing adoption.

2. To voluntarily provide all known medical, background, and family information about yourself and your immediate family to your child's prospective adoptive parents or their attorney. For the health of your child, you are strongly encouraged, but not required, to provide all known medical, background, and family history information about yourself and your family to your child's prospective adoptive parents or their attorney.

3. (Birth mothers only) To accurately complete an Affidavit of Identification, which identifies the father of the child when known, with the understanding that a birth mother has a right to decline to identify the birth father.

4. To not accept financial support or reimbursement of pregnancy related expenses simultaneously from more than one source.

B. The form of consent required for the adoption of an unborn child shall be substantially as follows:

CONSENT TO ADOPTION OF UNBORN CHILD

I, ...., state:
That I am the father of a child expected to be born on or about .... to .... (name of mother).
That I reside at .... County of ...., and State of ..... That I am of the age of .... years.
That I hereby enter my appearance in such adoption proceeding and waive service of summons on me.
That I hereby acknowledge that I have been provided with a copy of the Birth Parent Rights and Responsibilities-Private Form before

New matter indicated by italics - deletions by strikeout
signing this Consent, and that I have had time to read, or have had read to me, this Form. I understand that if I do not receive any of the rights as described in this Form, it shall not constitute a basis to revoke this Consent to Adoption of Unborn Child.

That I do hereby consent and agree to the adoption of such child, and that I have not previously executed a consent or surrender with respect to such child.

That I wish to and do understand that by signing this consent I do irrevocably and permanently give up all custody and other parental rights I have to such child, except that I have the right to revoke this consent by giving written notice of my revocation not later than 72 hours after the birth of the child.

That I understand such child will be placed for adoption and that, except as hereinabove provided, I cannot under any circumstances, after signing this document, change my mind and revoke or cancel this consent or obtain or recover custody or any other rights over such child.

That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

B-5. (1) The parent of a child may execute a consent to standby adoption by a specified person or persons. A consent under this subsection B-5 shall be acknowledged by a parent pursuant to subsection H and subsection K of this Section. The form of consent required for the standby adoption of a born child effective at a future date when the consenting parent of the child dies or requests that a final judgment of adoption be entered shall be substantially as follows:

FINAL AND IRREVOCABLE CONSENT TO STANDBY ADOPTION

I, ..., (relationship, e.g. mother or father) of ...., a .male child, state:
That the child was born on .... at ..... 
That I reside at ...., County of ..... , and State of ..... 
That I am of the age of .... years.
That I hereby enter my appearance in this proceeding and waive service of summons on me in this action only.

That I do hereby consent and agree to the standby adoption of the child, and that I have not previously executed a consent or surrender with respect to the child.

New matter indicated by italics - deletions by strikeout
That I wish to and understand that by signing this consent I do irrevocably and permanently give up all custody and other parental rights I have to the child, effective upon (my death) (the child's other parent's death) or upon (my) (the other parent's) request for the entry of a final judgment for adoption if ..... (specified person or persons) adopt my child.

That I understand that until (I die) (the child's other parent dies), I retain all legal rights and obligations concerning the child, but at that time, I irrevocably give all custody and other parental rights to .... (specified person or persons).

I understand my child will be adopted by ...... (specified person or persons) only and that I cannot, under any circumstances, after signing this document, change my mind and revoke or cancel this consent or obtain or recover custody or any other rights over my child if ..... (specified person or persons) adopt my child.

I understand that this consent to standby adoption is valid only if the petition for standby adoption is filed and that if ...... (specified person or persons), for any reason, cannot or will not file a petition for standby adoption or if his, her, or their petition for standby adoption is denied, then this consent is void. I have the right to notice of any other proceeding that could affect my parental rights.

That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

....................

If under Section 8 the consent of more than one person is required, then each such person shall execute a separate consent. A separate consent shall be executed for each child.

(2) If the parent consents to a standby adoption by 2 specified persons, then the form shall contain 2 additional paragraphs in substantially the following form:

If .... (specified persons) obtain a judgment of dissolution of marriage before the judgment for adoption is entered, then ..... (specified person) shall adopt my child. I understand that I cannot change my mind and revoke this consent or obtain or recover custody of my child if ..... (specified persons) obtain a judgment of dissolution of marriage and ..... (specified person) adopts my child. I understand that I cannot change my mind and revoke this consent if ..... (specified persons) obtain a judgment of dissolution of marriage before the adoption is final. I understand that this consent to adoption has no effect on who will get custody of my child.
if ..... (specified persons) obtain a judgment of dissolution of marriage after the adoption is final. I understand that if either ..... (specified persons) dies before the petition to adopt my child is granted, then the surviving person may adopt my child. I understand that I cannot change my mind and revoke this consent or obtain or recover custody of my child if the surviving person adopts my child.

A consent to standby adoption by specified persons on this form shall have no effect on a court's determination of custody or visitation under the Illinois Marriage and Dissolution of Marriage Act if the marriage of the specified persons is dissolved before the adoption is final.

(3) The form of the certificate of acknowledgement for a Final and Irrevocable Consent for Standby Adoption shall be substantially as follows:

STATE OF .......
)
) SS.
COUNTY OF .......
I, ........ (name of Judge or other person) ..... (official title, name, and address), certify that ........, personally known to me to be the same person whose name is subscribed to the foregoing Final and Irrevocable Consent to Standby Adoption, appeared before me this day in person and acknowledged that (she) (he) signed and delivered the consent as (her) (his) free and voluntary act, for the specified purpose.

I have fully explained that this consent to adoption is valid only if the petition to adopt is filed, and that if the specified person or persons, for any reason, cannot or will not adopt the child or if the adoption petition is denied, then this consent will be void. I have fully explained that if the specified person or persons adopt the child, by signing this consent (she) (he) is irrevocably and permanently relinquishing all parental rights to the child, and (she) (he) has stated that such is (her) (his) intention and desire.

Dated (insert date).

Signature ................................

(4) If a consent to standby adoption is executed in this form, the consent shall be valid only if the specified person or persons adopt the child. The consent shall be void if:

(a) the specified person or persons do not file a petition for standby adoption of the child; or

(b) a court denies the standby adoption petition.
The parent shall not need to take further action to revoke the consent if the standby adoption by the specified person or persons does not occur, notwithstanding the provisions of Section 11 of this Act.

C. The form of surrender to any agency given by a parent of a born child who is to be subsequently placed for adoption shall be substantially as follows and shall contain such other facts and statements as the particular agency shall require.

**FINAL AND IRREVOCABLE SURRENDER FOR PURPOSES OF ADOPTION**

I, .... (relationship, e.g., mother, father, relative, guardian) of ...., a male child, state:

That such child was born on ...., at .....  
That I reside at ...., County of ...., and State of .....  
That I am of the age of .... years.  

That I do hereby surrender and entrust the entire custody and control of such child to the .... (the "Agency"), a (public) (licensed) child welfare agency with its principal office in the City of ...., County of .... and State of ...., for the purpose of enabling it to care for and supervise the care of such child, to place such child for adoption and to consent to the legal adoption of such child.

That I hereby grant to the Agency full power and authority to place such child with any person or persons it may in its sole discretion select to become the adopting parent or parents and to consent to the legal adoption of such child by such person or persons; and to take any and all measures which, in the judgment of the Agency, may be for the best interests of such child, including authorizing medical, surgical and dental care and treatment including inoculation and anaesthesia for such child.

That I wish to and understand that by signing this surrender I do irrevocably and permanently give up all custody and other parental rights I have to such child.

That I understand I cannot under any circumstances, after signing this surrender, change my mind and revoke or cancel this surrender or obtain or recover custody or any other rights over such child.

That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

........................

C-5. The form of a Final and Irrevocable Designated Surrender for Purposes of Adoption to any agency given by a parent of a born child who

New matter indicated by italics - deletions by strikeout
is to be subsequently placed for adoption is to be used by legal parents only. The form shall be substantially as follows and shall contain such other facts and statements as the particular agency shall require:

FINAL AND IRREVOCABLE DESIGNATED SURRENDER
FOR PURPOSES OF ADOPTION

I, .... (relationship, e.g., mother, father, relative, guardian) of ...., a ..male child, state:
1. That such child was born on ...., at .....  
2. That I reside at ...., County of ...., and State of .....  
3. That I am of the age of .... years.  
4. That I do hereby surrender and entrust the entire custody and control of such child to the .... (the "Agency"), a (public) (licensed) child welfare agency with its principal office in the City of ...., County of .... and State of ...., for the purpose of enabling it to care for and supervise the care of such child, to place such child for adoption with ..................... ........ (specified person or persons) and to consent to the legal adoption of such child and to take any and all measures which, in the judgment of the Agency, may be for the best interests of such child, including authorizing medical, surgical and dental care and treatment including inoculation and anesthesia for such child.

5. That I wish to and understand that by signing this surrender I do irrevocably and permanently give up all custody and other parental rights I have to such child.

6. That if the petition for adoption is not filed by the specified person or persons designated herein or, if the petition for adoption is filed but the adoption petition is dismissed with prejudice or the adoption proceeding is otherwise concluded without an order declaring the child to be the adopted child of each specified person, then I understand that the Agency will provide notice to me within 10 business days and that such notice will be directed to me using the contact information I have provided to the Agency. I understand that I will have 10 business days from the date that the Agency sends me its notice to respond, within which time I may choose to designate other adoptive parent(s). However, I acknowledge that the Agency has full power and authority to place the child for adoption with any person or persons it may in its sole discretion select to become the adopting parent or parents and to consent to the legal adoption of the child by such person or persons.

New matter indicated by italics - deletions by strikeout
7. That I acknowledge that this surrender is valid even if the specified persons separate or divorce or one of the specified persons dies prior to the entry of the final judgment for adoption.

8. That I expressly acknowledge that the above paragraphs 6 and 7 do not impair the validity and absolute finality of this surrender under any circumstance.

9. That I understand that I have a remaining obligation to keep the Agency informed of my current contact information until the adoption of the child has been finalized if I wish to be notified in the event the adoption by the specified person(s) cannot proceed.

10. That I understand I cannot under any circumstances, after signing this surrender, change my mind and revoke or cancel this surrender or obtain or recover custody or any other rights over such child.

11. That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

D. The form of surrender to an agency given by a parent of an unborn child who is to be subsequently placed for adoption shall be substantially as follows and shall contain such other facts and statements as the particular agency shall require.

SURRENDER OF UNBORN CHILD FOR PURPOSES OF ADOPTION

I, .... (father), state:
That I am the father of a child expected to be born on or about .... to .... (name of mother).
That I reside at ...., County of ..... and State of ..... 
That I am of the age of .... years.
That I do hereby surrender and entrust the entire custody and control of such child to the .... (the "Agency"), a (public) (licensed) child welfare agency with its principal office in the City of ..... County of ..... and State of ..... , for the purpose of enabling it to care for and supervise the care of such child, to place such child for adoption and to consent to the legal adoption of such child, and that I have not previously executed a consent or surrender with respect to such child.
That I hereby grant to the Agency full power and authority to place such child with any person or persons it may in its sole discretion select to become the adopting parent or parents and to consent to the legal adoption of such child by such person or persons; and to take any and all measures for the welfare of such child.
which, in the judgment of the Agency, may be for the best interests of such child, including authorizing medical, surgical and dental care and treatment, including inoculation and anaesthesia for such child.

That I wish to and understand that by signing this surrender I do irrevocably and permanently give up all custody and other parental rights I have to such child.

That I understand I cannot under any circumstances, after signing this surrender, change my mind and revoke or cancel this surrender or obtain or recover custody or any other rights over such child, except that I have the right to revoke this surrender by giving written notice of my revocation not later than 72 hours after the birth of such child.

That I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

........................

E. The form of consent required from the parents for the adoption of an adult, when such adult elects to obtain such consent, shall be substantially as follows:

CONSENT
I, ...., (father) (mother) of ...., an adult, state:
That I reside at ...., County of .... and State of ..... That I do hereby consent and agree to the adoption of such adult by .... and ....
Dated (insert date).

........................

F. The form of consent required for the adoption of a child of the age of 14 years or over, or of an adult, to be given by such person, shall be substantially as follows:

CONSENT
I, ...., state:
That I reside at ...., County of .... and State of ..... That I am of the age of .... years. That I hereby enter my appearance in this proceeding and waive service of summons on me. That I consent and agree to my adoption by .... and ....
Dated (insert date).

........................

G. The form of consent given by an agency to the adoption by specified persons of a child previously surrendered to it shall set forth that the agency has the authority to execute such consent. The form of consent

New matter indicated by italics - deletions by strikeout
given by a guardian of the person of a child sought to be adopted, appointed by a court of competent jurisdiction, shall set forth the facts of such appointment and the authority of the guardian to execute such consent.

H. A consent (other than that given by an agency, or guardian of the person of the child sought to be adopted who was appointed by a court of competent jurisdiction) shall be acknowledged by a parent before a judge of a court of competent jurisdiction or, except as otherwise provided in this Act, before a representative of an agency, or before a person, other than the attorney for the prospective adoptive parent or parents, designated by a court of competent jurisdiction.

I. A surrender, or any other document equivalent to a surrender, by which a child is surrendered to an agency shall be acknowledged by the person signing such surrender, or other document, before a judge of a court of competent jurisdiction, or, except as otherwise provided in this Act, before a representative of an agency, or before a person designated by a court of competent jurisdiction.

J. The form of the certificate of acknowledgment for a consent, a surrender, or any other document equivalent to a surrender, shall be substantially as follows:

STATE OF ....)
) SS.
COUNTY OF ...

I, .... (Name of judge or other person), .... (official title, name and location of court or status or position of other person), certify that ...., personally known to me to be the same person whose name is subscribed to the foregoing (consent) (surrender), appeared before me this day in person and acknowledged that (she) (he) signed and delivered such (consent) (surrender) as (her) (his) free and voluntary act, for the specified purpose.

I have fully explained that by signing such (consent) (surrender) (she) (he) is irrevocably relinquishing all parental rights to such child or adult and (she) (he) has stated that such is (her) (his) intention and desire. (Add if Consent only) I am further satisfied that, before signing this Consent, ....... has read, or has had read to him or her, the Birth Parent Rights and Responsibilities-Private Form.

Dated (insert date).
Signature ...............
K. When the execution of a consent or a surrender is acknowledged before someone other than a judge, such other person shall have his or her signature on the certificate acknowledged before a notary public, in form substantially as follows:

STATE OF ....) ) SS.
COUNTY OF ....) )

I, a Notary Public, in and for the County of ......., in the State of ......., certify that ......., personally known to me to be the same person whose name is subscribed to the foregoing certificate of acknowledgment, appeared before me in person and acknowledged that (she) (he) signed such certificate as (her) (his) free and voluntary act and that the statements made in the certificate are true.

Dated (insert date).

Signature ...................... Notary Public
(official seal)

There shall be attached a certificate of magistracy, or other comparable proof of office of the notary public satisfactory to the court, to a consent signed and acknowledged in another state.

L. A surrender or consent executed and acknowledged outside of this State, either in accordance with the law of this State or in accordance with the law of the place where executed, is valid.

M. Where a consent or a surrender is signed in a foreign country, the execution of such consent shall be acknowledged or affirmed in a manner conformable to the law and procedure of such country.

N. If the person signing a consent or surrender is in the military service of the United States, the execution of such consent or surrender may be acknowledged before a commissioned officer and the signature of such officer on such certificate shall be verified or acknowledged before a notary public or by such other procedure as is then in effect for such division or branch of the armed forces.

O. (1) The parent or parents of a child in whose interests a petition under Section 2-13 of the Juvenile Court Act of 1987 is pending may, with the approval of the designated representative of the Department of Children and Family Services ("Department" or "DCFS"), execute a consent to adoption by a specified person or persons:

(a) in whose physical custody the child has resided for at least 6 months; or

New matter indicated by italics - deletions by strikeout
(b) in whose physical custody at least one sibling of the child who is the subject of this consent has resided for at least 6 months, and the child who is the subject of this consent is currently residing in this foster home; or

c) in whose physical custody a child under one year of age has resided for at least 3 months.

The court may waive the time frames in subdivisions (a), (b), and (c) for good cause shown if the court finds it to be in the child's best interests.

A consent under this subsection O shall be acknowledged by a parent pursuant to subsection H and subsection K of this Section.

(2) The final and irrevocable consent to adoption by a specified person or persons in a Department of Children and Family Services (DCFS) case shall be substantially as follows:

FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY
A SPECIFIED PERSON OR PERSONS: DCFS CASE

I, ........................................, the .............. (mother or father) of a ....male child, state:

1. My child ......................... (name of child) was born on (insert date) at ..................... Hospital in the municipality of ..........., in .............. County, State of ...........

2. I reside at ....................., County of ............. and State of .............

3. My home telephone number is.....................

4. My cell telephone number is.....................

5. My e-mail address is.....................

6. I, ....................., am .... years old.

7. I hereby acknowledge that I have been provided a copy of the Birth Parent Rights and Responsibilities for DCFS Cases before signing this Consent and that I have had time to read this form or have it read to me and that I understand the rights and responsibilities described in this form. I understand that if I do not receive any of my rights as described in the form, it shall not
constitute a basis to revoke this Final and Irrevocable Consent to Adoption by a Specified Person or Persons.

6. I do hereby consent and agree to the adoption of such child by .......... (specified person or persons) only.

7. I wish to sign this consent and I understand that by signing this consent I irrevocably and permanently give up all my parental rights I have to my child.

8. I understand that this consent allows my child to be adopted by .......... only and that I cannot under any circumstances after signing this document change my mind and revoke or cancel this consent.

9. I understand that this consent will be void if:
   (a) the Department places my child with someone other than the specified person or persons; or
   (b) a court denies the adoption petition for the specified person or persons to adopt my child; or
   (c) the DCFS Guardianship Administrator refuses to consent to my child's adoption by the specified person or persons on the basis that the adoption is not in my child's best interests.

I understand that if this consent is void I have parental rights to my child, subject to any applicable court orders including those entered under Article II of the Juvenile Court Act of 1987, unless and until I sign a new consent or surrender or my parental rights are involuntarily terminated. I understand that if this consent is void, my child may be adopted by someone other than the specified person or persons only if I sign a new consent or surrender, or my parental rights are involuntarily terminated. I understand that if this consent is void, the Department will notify me within 30 days using the addresses and telephone numbers I provided in paragraph 2 of this form. I understand that if I receive such a notice, it is very important that I contact the Department immediately, and preferably within 30 days, to have input into the plan for my child's future.

10. I understand that if a petition for adoption of my child is filed by someone other than the specified person or persons, the Department will notify me within 14 days after the Department becomes aware of the petition. The fact that someone other than
the specified person or persons files a petition to adopt my child does not make this consent void.

11. If a person other than the specified person or persons files a petition to adopt my child or if the consent is void under paragraph 9, the Department will send written notice to me using the mailing address and email address provided by me in paragraph 2 of this form. The Department will also contact me using the telephone numbers I provided in paragraph 2 of this form. It is very important that I let the Department know if any of my contact information changes. If I do not let the Department know if any of my contact information changes, I understand that I may not receive notification from the Department if this consent is void or if someone other than the specified person or persons files a petition to adopt my child. If any of my contact information changes, I should immediately notify:

Caseworker's name and telephone number:
........................................................................;
Agency name, address, zip code, and telephone number:
........................................................................;
Supervisor's name and telephone number:
........................................................................;

12. I expressly acknowledge that paragraph 9 (and paragraphs 8a and 8b, if applicable) do not impair the validity and finality of this consent under any circumstances.

13. I have read and understand the above and I am signing it as my free and voluntary act.

Dated (insert date).

............................................
Signature of parent

(3) If the parent consents to an adoption by 2 specified persons, then the form shall contain 2 additional paragraphs in substantially the following form:

8a. If .......... (specified persons) get a divorce or are granted a dissolution of a civil union before the petition to adopt my child is granted, this consent is valid for .......... (specified person) to adopt my child. I understand that I cannot change my mind or revoke this consent or recover custody of my child on the

New matter indicated by italics - deletions by strikeout
basis that the specified persons divorce or are granted a dissolution of a civil union.

8b. I understand that if either ............... (specified persons) dies before the petition to adopt my child is granted, this consent remains valid for the surviving person to adopt my child. I understand that I cannot change my mind or revoke this consent or recover custody of my child on the basis that one of the specified persons dies.

(4) The form of the certificate of acknowledgement for a Final and Irrevocable Consent for Adoption by a Specified Person or Persons: DCFS Case shall be substantially as follows:

STATE OF ..............)
)
COUNTY OF .............)

I, .................... (Name of Judge or other person), .................... (official title, name, and address), certify that ............., personally known to me to be the same person whose name is subscribed to the foregoing Final and Irrevocable Consent for Adoption by a Specified Person or Persons: DCFS Case, appeared before me this day in person and acknowledged that (she)(he) signed and delivered the consent as (her)(his) free and voluntary act, for the specified purpose.

I have fully explained that by signing this consent this parent is irrevocably and permanently relinquishing all parental rights to the child so that the child may be adopted by a specified person or persons, and this parent has stated that such is (her)(his) intention and desire. I have fully explained that this consent is void only if:

(a) the placement is disrupted and the child is moved to a different placement; or
(b) a court denies the petition for adoption; or
(c) the Department of Children and Family Services Guardianship Administrator refuses to consent to the child's adoption by a specified person or persons on the basis that the adoption is not in the child's best interests.

Dated (insert date).

...............................
Signature

(5) If a consent to adoption by a specified person or persons is executed in this form, the following provisions shall apply. The consent
shall be valid only for the specified person or persons to adopt the child. The consent shall be void if:

(a) the placement disrupts and the child is moved to another placement; or
(b) a court denies the petition for adoption; or
(c) the Department of Children and Family Services Guardianship Administrator refuses to consent to the child's adoption by the specified person or persons on the basis that the adoption is not in the child's best interests.

If the consent is void under this Section, the parent shall not need to take further action to revoke the consent. No proceeding for termination of parental rights shall be brought unless the parent who executed the consent to adoption by a specified person or persons has been notified of the proceedings pursuant to Section 7 of this Act or subsection (4) of Section 2-13 of the Juvenile Court Act of 1987.

(6) The Department of Children and Family Services is authorized to promulgate rules necessary to implement this subsection O.

(7) (Blank).

(8) The Department of Children and Family Services shall promulgate a rule and procedures regarding Consents to Adoption by a Specified Person or Persons in DCFS cases. The rule and procedures shall provide for the development of the Birth Parent Rights and Responsibilities Form for DCFS Cases.

(9) A consent to adoption by specified persons on this consent form shall have no effect on a court's determination of custody or visitation under the Illinois Marriage and Dissolution of Marriage Act or the Illinois Religious Freedom Protection and Civil Union Act if the marriage or civil union of the specified persons is dissolved after the adoption is final.

P. If the person signing a consent is incarcerated or detained in a correctional facility, prison, jail, detention center, or other comparable institution, either in this State or any other jurisdiction, the execution of such consent may be acknowledged before social service personnel of such institution, or before a person designated by a court of competent jurisdiction.

Q. A consent may be acknowledged telephonically, via audiovisual connection, or other electronic means, provided that a court of competent jurisdiction has entered an order approving the execution of the consent in such manner and has designated an individual to be physically present
with the parent executing such consent in order to verify the identity of the
parent.

R. An agency whose representative is acknowledging a consent
pursuant to this Section shall be a public child welfare agency, or a child
welfare agency, or a child placing agency that is authorized or licensed in
the State or jurisdiction in which the consent is signed.

S. The form of waiver by a putative or legal father of a born or
unborn child shall be substantially as follows:

FINAL AND IRREVOCABLE
WAIVER OF PARENTAL RIGHTS OF PUTATIVE OR LEGAL
FATHER
I, .................... , state under oath or affirm as follows:

1. That the biological mother ................ has named me as a
possible biological or legal father of her minor child who was born,
or is expected to be born on ..........., ......, in the City/Town of........,
State of ............

2. That I understand that the biological mother ............
intends to or has placed the child for adoption.

3. That I reside at ................., in the City/Town of........,
State of .................

4. That I am ............... years of age and my date of birth is
............... ............

5. That I (select one):

..... am married to the biological mother.

..... am not married to the biological mother and
have not been married to the biological mother within 300
days before the child's birth or expected date of child's
birth.

..... am not currently married to the biological
mother, but was married to the biological mother, within
300 days before the child's birth or expected date of child's
birth.

6. That I (select one):

..... neither admit nor deny that I am the biological
father of the child.

..... deny that I am the biological father of the child.

7. That I hereby agree to the termination of my parental
rights, if any, without further notice to me of any proceeding for
the adoption of the minor child, even if I have taken any action to

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establish parental rights or take any such action in the future including registering with any putative father registry.

8. That I understand that by signing this Waiver I do irrevocably and permanently give up all custody and other parental rights I may have to such child.

9. That I understand that this Waiver is FINAL AND IRREVOCABLE and that I am permanently barred from contesting any proceeding for the adoption of the child after I sign this Waiver.

10. That I waive any further service of summons or other pleadings in any proceeding to terminate parental rights, if any to this child, or any proceeding for adoption of this child.

11. That I understand that if a final judgment or order of adoption for this child is not entered, then any parental rights or responsibilities that I may have remain intact.

12. That I have read and understand the above and that I am signing it as my free and voluntary act.

Dated: ................... , ..............

...........................................

Signature

OATH

I have been duly sworn and I state under oath that I have read and understood this Final and Irrevocable Waiver of Parental Rights of Putative or Legal Father. The facts contained in it are true and correct to the best of my knowledge. I have signed this document as my free and voluntary act in order to facilitate the adoption of the child.

...........................................

Signature

Signed and Sworn before me on

this ........... day

of ..........., 20....

Notary Public

(Source: P.A. 96-601, eff. 8-21-09; 96-1461, eff. 1-1-11; 97-493, eff. 8-22-11; 97-988, eff. 1-1-13; 97-1063, eff. 1-1-13; revised 9-20-12.)

Section 500. The Disposition of Remains Act is amended by changing Section 5 as follows:

(755 ILCS 65/5)
Sec. 5. Right to control disposition; priority. Unless a decedent has left directions in writing for the disposition or designated an agent to direct the disposition of the decedent's remains as provided in Section 65 of the Crematory Regulation Act or in subsection (a) of Section 40 of this Act, the following persons, in the priority listed, have the right to control the disposition, including cremation, of the decedent's remains and are liable for the reasonable costs of the disposition:

(1) the person designated in a written instrument that satisfies the provisions of Sections 10 and 15 of this Act;

(2) any person serving as executor or legal representative of the decedent's estate and acting according to the decedent's written instructions contained in the decedent's will;

(3) the individual who was the spouse of the decedent at the time of the decedent's death;

(4) the sole surviving competent adult child of the decedent, or if there is more than one surviving competent adult child of the decedent, the majority of the surviving competent adult children; however, less than one-half of the surviving adult children shall be vested with the rights and duties of this Section if they have used reasonable efforts to notify all other surviving competent adult children of their instructions and are not aware of any opposition to those instructions on the part of more than one-half of all surviving competent adult children;

(5) the surviving competent parents of the decedent; if one of the surviving competent parents is absent, the remaining competent parent shall be vested with the rights and duties of this Act after reasonable efforts have been unsuccessful in locating the absent surviving competent parent;

(6) the surviving competent adult person or persons respectively in the next degrees of kindred or, if there is more than one surviving competent adult person of the same degree of kindred, the majority of those persons; less than the majority of surviving competent adult persons of the same degree of kindred shall be vested with the rights and duties of this Act if those persons have used reasonable efforts to notify all other surviving competent adult persons of the same degree of kindred of their instructions and are not aware of any opposition to those instructions on the part of one-half or more of all surviving competent adult persons of the same degree of kindred;

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(7) in the case of indigents or any other individuals whose final disposition is the responsibility of the State or any of its instrumentalities, a public administrator, medical examiner, coroner, State appointed guardian, or any other public official charged with arranging the final disposition of the decedent;

(8) in the case of individuals who have donated their bodies to science, or whose death occurred in a nursing home or other private institution, who have executed cremation authorization forms under Section 65 of the Crematory Regulation Act and the institution is charged with making arrangements for the final disposition of the decedent, a representative of the institution; or

(9) any other person or organization that is willing to assume legal and financial responsibility.

As used in Section, "adult" means any individual who has reached his or her eighteenth birthday.

Notwithstanding provisions to the contrary, in the case of decedents who die while serving as members of the United States Armed Forces, the Illinois National Guard, or the United States Reserve Forces, as defined in Section 1481 of Title 10 of the United States Code, and who have executed the required U.S. Department of Defense Record of Emergency Data Form (DD Form 93), or successor form, the person designated in such form to direct disposition of the decedent's remains shall have the right to control the disposition, including cremation, of the decedent's remains.

(Source: P.A. 96-1243, eff. 7-23-10; 97-333, eff. 8-12-11; revised 8-3-12.)

Section 505. The Residential Real Property Disclosure Act is amended by changing Section 78 as follows:

(765 ILCS 77/78)

Sec. 78. Exemption. Borrowers applying for reverse mortgage financing of residential real estate including under programs regulated by the Federal Housing Administration (FHA) that require HUD-certified counseling are exempt from the program and may submit a HUD counseling certificate to comply with the program.

(Source: P.A. 95-691, eff. 6-1-08; revised 8-3-12.)

Section 510. The Land Sales Registration Act of 1999 is amended by changing Section 20-25 as follows:

(765 ILCS 86/20-25)

(Section scheduled to be repealed on January 1, 2020)
Sec. 20-25. Real Estate License Administration Fund. All fees collected for registration and for civil penalties pursuant to this Act and administrative rules adopted under this Act shall be deposited into the Real Estate License Administration Fund. The moneys deposited in the Real Estate License Administration Fund shall be appropriated to the Department for expenses for the administration and enforcement of this Act.
(Source: P.A. 96-855, eff. 12-31-09; revised 10-18-12.)

Section 515. The Condominium Property Act is amended by changing Section 22.2 as follows:
(765 ILCS 605/22.2)
Sec. 22.2. Resale approval. In the event of a sale of a condominium unit by a unit owner, no condominium association shall exercise any right of refusal, option to purchase, or right to disapprove the sale, on the basis that the purchaser's financing is guaranteed by the Federal Housing Authority.
(Source: P.A. 96-228, eff. 1-1-10; revised 8-3-12.)

Section 520. The Health Care Services Lien Act is amended by changing Section 30 as follows:
(770 ILCS 23/30)
Sec. 30. Adjudication of rights. On petition filed by the injured person or the health care professional or health care provider and on the petitioner's written notice to all interested adverse parties, the circuit court shall adjudicate the rights of all interested parties and enforce their liens. A lien created under the Crime Victims Compensation Act may be reduced only by the Court of Claims.

A petition filed under this Section may be served upon the interested adverse parties by personal service, substitute service, or registered or certified mail.
(Source: P.A. 97-817, eff. 1-1-13; 97-1042, eff. 1-1-13; revised 8-23-12.)

Section 525. The Illinois Development Credit Corporation Act is amended by changing Section 6.1 as follows:
(805 ILCS 35/6.1)
Sec. 6.1. All moneys received by the Department of Financial Institutions under this Act shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.
(Source: P.A. 88-13; revised 10-18-12.)

Section 530. The Uniform Limited Partnership Act (2001) is amended by changing Sections 117 and 1308 as follows:

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Sec. 117. Service of process.

(a) An agent for service of process appointed by a limited partnership or foreign limited partnership is an agent of the limited partnership or foreign limited partnership for service of any process, notice, or demand required or permitted by law to be served upon the limited partnership or foreign limited partnership.

(b) If a limited partnership or foreign limited partnership does not appoint or maintain an agent for service of process in this State or the agent for service of process cannot with reasonable diligence be found at the agent's address, the Secretary of State is an agent of the limited partnership or foreign limited partnership upon whom process, notice, or demand may be served.

(c) Service under subsection (b) shall be made by the person instituting the action by doing all of the following:

(1) serving upon the Secretary of State, or upon any employee having responsibility for administering this Act, a copy of the process, notice, or demand, together with any papers required by law to be delivered in connection with service and paying the fee prescribed by Section 1302 of this Act;

(2) transmitting notice of the service upon the Secretary of State and a copy of the process, notice, or demand and accompanying papers to the limited partnership being served, by registered or certified mail:

   (A) at the last address of the agent for service of process for the limited partnership or foreign limited partnership shown by the records on file in the Office of the Secretary of State; and

   (B) at the address the use of which the person instituting the action, suit, or proceeding knows or, on the basis of reasonable inquiry, has reason to believe, is most likely to result in actual notice;

(3) attaching an affidavit of compliance with this Section, in substantially the form that the Secretary of State may by rule or regulation prescribe, to the process, notice, or demand.

(d) Service is effected under subsection (c) at the earliest of:

(1) the date the limited partnership or foreign limited partnership receives the process, notice, or demand;

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(2) the date shown on the return receipt, if signed on behalf of the limited partnership or foreign limited partnership; or
(3) five days after the process, notice, or demand is deposited in the mail, if mailed postpaid and correctly addressed.
(e) The Secretary of State shall keep a record of each process, notice, and demand served pursuant to this Section and record the time of, and the action taken regarding, the service.
(f) This Section does not affect the right to serve process, notice, or demand in any other manner provided by law.
(Source: P.A. 97-839, eff. 7-20-12; revised 8-3-12.)
(805 ILCS 215/1308)
Sec. 1308. Department of Business Services Special Operations Fund.
(a) A special fund in the State Treasury is created and shall be known as the Department of Business Services Special Operations Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Department of Business Services of the Office of the Secretary of State, hereinafter "Department", to create and maintain the capability to perform expedited services in response to special requests made by the public for same day or 24 hour service. Moneys deposited into the Fund shall be used for, but not limited to, expenditures for personal services, retirement, Social Security, contractual services, equipment, electronic data processing, and telecommunications.
(b) The balance in the Fund at the end of any fiscal year shall not exceed $600,000 and any amount in excess thereof shall be transferred to the General Revenue Fund.
(c) All fees payable to the Secretary of State under this Section shall be deposited into the Fund. No other fees or charges collected under this Act shall be deposited into the Fund.
(d) "Expedited services" means services rendered within the same day, or within 24 hours from the time the request therefor is submitted by the filer, law firm, service company, or messenger physically in person or, at the Secretary of State's discretion, by electronic means, to the Department's Springfield Office or Chicago Office and includes requests for certified copies, photocopies, and certificates of existence or abstracts of computer record made to the Department's Springfield Office in person or by telephone, or requests for certificates of existence or abstracts of computer record made in person or by telephone to the Department's Chicago Office.

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(e) Fees for expedited services shall be as follows:
Merger or conversion, $200;
Certificate of limited partnership, $100;
Certificate of amendment, $100;
Reinstatement, $100;
Application for admission to transact business, $100;
Certificate of existence or abstract of computer record, $20;

All other filings, copies of documents, annual renewal reports, and copies of documents of canceled limited partnerships, $50.

(Source: P.A. 97-839, eff. 7-20-12; revised 8-3-12.)

Section 535. The Uniform Commercial Code is amended by changing Section 9-516 as follows:

(810 ILCS 5/9-516)

Sec. 9-516. What constitutes filing; effectiveness of filing.

(a) What constitutes filing. Except as otherwise provided in subsection (b), communication of a record to a filing office and tender of the filing fee or acceptance of the record by the filing office constitutes filing.

(b) Refusal to accept record; filing does not occur. Filing does not occur with respect to a record that a filing office refuses to accept because:

(1) the record is not communicated by a method or medium of communication authorized by the filing office;

(2) an amount equal to or greater than the applicable filing fee is not tendered;

(3) the filing office is unable to index the record because:

(A) in the case of an initial financing statement, the record does not provide a name for the debtor;

(B) in the case of an amendment or correction statement, the record:

(i) does not identify the initial financing statement as required by Section 9-512 or 9-518, as applicable;

(ii) identifies an initial financing statement whose effectiveness has lapsed under Section 9-515; or

New matter indicated by italics - deletions by strikeout
(iii) identifies an initial financing statement which was terminated pursuant to Section 9-501.1;

(C) in the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual which was not previously provided in the financing statement to which the record relates, the record does not identify the debtor's last name;

(D) in the case of a record filed or recorded in the filing office described in Section 9-501(a)(1), the record does not provide a sufficient description of the real property to which it relates; or

(E) in the case of a record submitted to the filing office described in Section 9-501(a)(1), the filing office has reason to believe, from information contained in the record or from the person that communicated the record to the office, that: (i) if the record indicates that the debtor is a transmitting utility, the debtor does not meet the definition of a transmitting utility as described in Section 9-102(a)(81); (ii) if the record indicates that the transaction relating to the record is a manufactured-home transaction, the transaction does not meet the definition of a manufactured-home transaction as described in Section 9-102(a)(54); or (iii) if the record indicates that the transaction relating to the record is a public-finance transaction, the transaction does not meet the definition of a public-finance transaction as described in Section 9-102(a)(67);

(3.5) in the case of an initial financing statement or an amendment, if the filing office believes in good faith that the record was communicated to the filing office in violation of Section 9-501.1(a);

(4) in the case of an initial financing statement or an amendment that adds a secured party of record, the record does not provide a name and mailing address for the secured party of record;

(5) in the case of an initial financing statement or an amendment that provides a name of a debtor which was not previously provided in the financing statement to which the amendment relates, the record does not:

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(A) provide a mailing address for the debtor;
(B) indicate whether the debtor is an individual or an organization; or
(C) if the financing statement indicates that the debtor is an organization, provide:
   (i) a type of organization for the debtor;
   (ii) a jurisdiction of organization for the debtor; or
   (iii) an organizational identification number for the debtor or indicate that the debtor has none;
(6) in the case of an assignment reflected in an initial financing statement under Section 9-514(a) or an amendment filed under Section 9-514(b), the record does not provide a name and mailing address for the assignee; or
(7) in the case of a continuation statement, the record is not filed within the six-month period prescribed by Section 9-515(d).
(c) Rules applicable to subsection (b). For purposes of subsection (b):
(1) a record does not provide information if the filing office is unable to read or decipher the information; and
(2) a record that does not indicate that it is an amendment or identify an initial financing statement to which it relates, as required by Section 9-512, 9-514, or 9-518, is an initial financing statement.
(d) Refusal to accept record; record effective as filed record. A record that is communicated to the filing office with tender of the filing fee, but which the filing office refuses to accept for a reason other than one set forth in subsection (b), is effective as a filed record except as against a purchaser of the collateral which gives value in reasonable reliance upon the absence of the record from the files.
(e) The Secretary of State may refuse to accept a record for filing under subdivision (b)(3)(E) or (b)(3.5) only if the refusal is approved by the Department of Business Services of the Secretary of State and the General Counsel to the Secretary of State.
(Source: P.A. 97-836, eff. 7-20-12.)
(Text of Section after amendment by P.A. 97-1034)
Sec. 9-516. What constitutes filing; effectiveness of filing.
(a) What constitutes filing. Except as otherwise provided in subsection (b), communication of a record to a filing office and tender of
the filing fee or acceptance of the record by the filing office constitutes filing.

(b) Refusal to accept record; filing does not occur. Filing does not occur with respect to a record that a filing office refuses to accept because:

(1) the record is not communicated by a method or medium of communication authorized by the filing office;

(2) an amount equal to or greater than the applicable filing fee is not tendered;

(3) the filing office is unable to index the record because:

(A) in the case of an initial financing statement, the record does not provide a name for the debtor;

(B) in the case of an amendment or information statement, the record:

(i) does not identify the initial financing statement as required by Section 9-512 or 9-518, as applicable;

(ii) identifies an initial financing statement whose effectiveness has lapsed under Section 9-515; or

(iii) identifies an initial financing statement which was terminated pursuant to Section 9-501.1;

(C) in the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual which was not previously provided in the financing statement to which the record relates, the record does not identify the debtor's surname;

(D) in the case of a record filed or recorded in the filing office described in Section 9-501(a)(1), the record does not provide a sufficient description of the real property to which it relates; or

(E) in the case of a record submitted to the filing office described in Section 9-501(a)(1), the filing office has reason to believe, from information contained in the record or from the person that communicated the record to the office, that: (i) if the record indicates that the debtor is a transmitting utility, the debtor does not meet the definition of a transmitting utility as described in Section 9-102(a)(81); (ii) if the record indicates that the transaction

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relating to the record is a manufactured-home transaction, 
the transaction does not meet the definition of a 
manufactured-home transaction as described in Section 9-
102(a)(54); or (iii) if the record indicates that the 
transaction relating to the record is a public-finance 
transaction, the transaction does not meet the definition of a 
public-finance transaction as described in Section 9-
102(a)(67);
(3.5) in the case of an initial financing statement or an 
amendment, if the filing office believes in good faith that the 
record was communicated to the filing office in violation of 
Section 9-501.1(a);
(4) in the case of an initial financing statement or an 
amendment that adds a secured party of record, the record does not 
provide a name and mailing address for the secured party of record;
(5) in the case of an initial financing statement or an 
amendment that provides a name of a debtor which was not 
previously provided in the financing statement to which the 
amendment relates, the record does not:
   (A) provide a mailing address for the debtor; or
   (B) indicate whether the name provided as the name 
of the debtor is the name of an individual or an 
organization;
(6) in the case of an assignment reflected in an initial 
financing statement under Section 9-514(a) or an amendment filed 
under Section 9-514(b), the record does not provide a name and 
mailing address for the assignee; or
(7) in the case of a continuation statement, the record is not 
filed within the six-month period prescribed by Section 9-515(d).
(c) Rules applicable to subsection (b). For purposes of subsection 
(b):
   (1) a record does not provide information if the filing office 
is unable to read or decipher the information; and
   (2) a record that does not indicate that it is an amendment 
or identify an initial financing statement to which it relates, as 
required by Section 9-512, 9-514, or 9-518, is an initial financing 
statement.
(d) Refusal to accept record; record effective as filed record. A 
record that is communicated to the filing office with tender of the filing

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fee, but which the filing office refuses to accept for a reason other than one set forth in subsection (b), is effective as a filed record except as against a purchaser of the collateral which gives value in reasonable reliance upon the absence of the record from the files.

(e) The Secretary of State may refuse to accept a record for filing under subdivision (b)(3)(E) or (b)(3.5) only if the refusal is approved by the Department of Business Services of the Secretary of State and the General Counsel to the Secretary of State.

(Source: P.A. 97-836, eff. 7-20-12; 97-1034, eff. 7-1-13; revised 9-11-12.)

Section 540. The Recyclable Metal Purchase Registration Law is amended by changing Section 3 as follows:

(815 ILCS 325/3) (from Ch. 121 1/2, par. 323)

Sec. 3. Records of purchases. Except as provided in Section 5 of this Act every recyclable metal dealer in this State shall enter into an electronic record-keeping system for each purchase of recyclable metal or recyclable metal containing copper the following information:

1. The name and address of the recyclable metal dealer;
2. The date and place of each purchase;
3. The name and address of the person or persons from whom the recyclable metal was purchased, which shall be verified from a valid driver's license or other government-issued photo identification. The recyclable metal dealer shall make and record a photocopy or electronic scan of the driver's license or other government-issued photo identification. If the person delivering the recyclable metal does not have a valid driver's license or other government-issued photo identification, the recyclable metal dealer shall not complete the transaction;
4. The motor vehicle license number and state of issuance of the motor vehicle license number of the vehicle or conveyance on which the recyclable metal was delivered to the recyclable metal dealer;
5. A description of the recyclable metal purchased, including the weight and whether it consists of bars, cable, ingots, rods, tubing, wire, wire scraps, clamps, connectors, other appurtenances, or some combination thereof;
6. Photographs or video, or both, of the seller and of the materials as presented on the scale; and

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7. A declaration signed and dated by the person or persons from whom the recyclable metal was purchased which states the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property."

A copy of the recorded information shall be kept in an electronic record-keeping system by the recyclable metal dealer. Purchase records shall be retained for a period of 3 years. Photographs shall be retained for a period of 3 months and video recordings shall be retained for a period of one month. The electronic record-keeping system shall be made available for inspection by any law enforcement official or the representatives of common carriers and persons, firms, corporations or municipal corporations engaged in either the generation, transmission or distribution of electric energy or engaged in telephone, telegraph or other communications, at any time.

(Source: P.A. 96-507, eff. 8-14-09; 97-923, eff. 1-1-13; 97-924, eff. 1-1-13; revised 8-23-12.)

Section 545. The Consumer Fraud and Deceptive Business Practices Act is amended by setting forth and renumbering multiple versions of Section 2MMM as follows:

(815 ILCS 505/2MMM)

Sec. 2MMM. Violations of the Private Business and Vocational Schools Act of 2012. A school subject to the Private Business and Vocational Schools Act of 2012 commits an unlawful practice within the meaning of this Act when it violates subsection (k) of Section 85 of the Private Business and Vocational Schools Act of 2012.

(Source: P.A. 97-650, eff. 2-1-12.)

(815 ILCS 505/2PPP)

Sec. 2PPP 2MMM. Internet dating safety. It is an unlawful practice under this Act for an Internet dating service to fail to provide notice or falsely indicate that it has performed criminal background screenings in accordance with the Internet Dating Safety Act.

(Source: P.A. 97-1056, eff. 8-24-12; revised 1-24-13.)

Section 550. The Day and Temporary Labor Services Act is amended by changing Section 80 as follows:

(820 ILCS 175/80)

Sec. 80. Child Labor and Day and Temporary Labor Services Enforcement Fund. All moneys received as fees and civil penalties under

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this Act shall be deposited into the Child Labor and Day and Temporary Labor Services Enforcement Fund and may be used for the purposes set forth in Section 17.3 of the Child Labor Law.

(Source: P.A. 92-783, eff. 1-1-03; revised 10-18-12.)

Section 555. The Child Labor Law is amended by changing Section 17.3 as follows:

(820 ILCS 205/17.3) (from Ch. 48, par. 31.17-3)

Sec. 17.3. Any employer who violates any of the provisions of this Act or any rule or regulation issued under the Act shall be subject to a civil penalty of not to exceed $5,000 for each such violation. In determining the amount of such penalty, the appropriateness of such penalty to the size of the business of the employer charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, may be

(1) recovered in a civil action brought by the Director of Labor in any circuit court, in which litigation the Director of Labor shall be represented by the Attorney General;

(2) ordered by the court, in an action brought for violation under Section 19, to be paid to the Director of Labor.

Any administrative determination by the Department of Labor of the amount of each penalty shall be final unless reviewed as provided in Section 17.1 of this Act.

Civil penalties recovered under this Section shall be paid into the Child Labor and Day and Temporary Labor Services Enforcement Fund, a special fund which is hereby created in the State treasury. Moneys in the Fund may be used, subject to appropriation, for exemplary programs, demonstration projects, and other activities or purposes related to the enforcement of this Act or for the activities or purposes related to the enforcement of the Day and Temporary Labor Services Act.

(Source: P.A. 92-783, eff. 1-1-03; revised 10-18-12.)

Section 560. The Unemployment Insurance Act is amended by changing Sections 1402 and 1801.1 as follows:

(820 ILCS 405/1402) (from Ch. 48, par. 552)

Sec. 1402. Penalties.

A. If any employer fails, within the time prescribed in this Act as amended and in effect on October 5, 1980, and the regulations of the Director, to file a report of wages paid to each of his workers, or to file a sufficient report of such wages after having been notified by the Director to do so, for any period which begins prior to January 1, 1982, he shall pay

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to the Department as a penalty a sum determined in accordance with the provisions of this Act as amended and in effect on October 5, 1980.

B. Except as otherwise provided in this Section, any employer who fails to file a report of wages paid to each of his workers for any period which begins on or after January 1, 1982, within the time prescribed by the provisions of this Act and the regulations of the Director, or, if the Director pursuant to such regulations extends the time for filing the report, fails to file it within the extended time, shall, in addition to any sum otherwise payable by him under the provisions of this Act, pay to the Department as a penalty a sum equal to the lesser of (1) $5 for each $10,000 or fraction thereof of the total wages for insured work paid by him during the period or (2) $2,500, for each month or part thereof of such failure to file the report. With respect to an employer who has elected to file reports of wages on an annual basis pursuant to Section 1400.2, in assessing penalties for the failure to submit all reports by the due date established pursuant to that Section, the 30-day period immediately following the due date shall be considered as one month.

If the Director deems an employer's report of wages paid to each of his workers for any period which begins on or after January 1, 1982, insufficient, he shall notify the employer to file a sufficient report. If the employer fails to file such sufficient report within 30 days after the mailing of the notice to him, he shall, in addition to any sum otherwise payable by him under the provisions of this Act, pay to the Department as a penalty a sum determined in accordance with the provisions of the first paragraph of this subsection, for each month or part thereof of such failure to file such sufficient report after the date of the notice.

For wages paid in calendar years prior to 1988, the penalty or penalties which accrue under the two foregoing paragraphs with respect to a report for any period shall not be less than $100, and shall not exceed the lesser of (1) $10 for each $10,000 or fraction thereof of the total wages for insured work paid during the period or (2) $5,000. For wages paid in calendar years after 1987, the penalty or penalties which accrue under the 2 foregoing paragraphs with respect to a report for any period shall not be less than $50, and shall not exceed the lesser of (1) $10 for each $10,000 or fraction of the total wages for insured work paid during the period or (2) $5,000. With respect to an employer who has elected to file reports of wages on an annual basis pursuant to Section 1400.2, for purposes of calculating the minimum penalty prescribed by this Section for failure to file the reports on a timely basis, a calendar year shall constitute a single

New matter indicated by italics - deletions by strikeout
period. For reports of wages paid after 1986, the Director shall not, however, impose a penalty pursuant to either of the two foregoing paragraphs on any employer who can prove within 30 working days after the mailing of a notice of his failure to file such a report, that (1) the failure to file the report is his first such failure during the previous 20 consecutive calendar quarters, and (2) the amount of the total contributions due for the calendar quarter of such report (or, in the case of an employer who is required to file the reports on a monthly basis, the amount of the total contributions due for the calendar quarter that includes the month of such report) is less than $500.

For any month which begins on or after January 1, 2013, a report of the wages paid to each of an employer's workers shall be due on or before the last day of the month next following the calendar month in which the wages were paid if the employer is required to report such wages electronically pursuant to the regulations of the Director; otherwise a report of the wages paid to each of the employer's workers shall be due on or before the last day of the month next following the calendar quarter in which the wages were paid.

Any employer who wilfully fails to pay any contribution or part thereof, based upon wages paid prior to 1987, when required by the provisions of this Act and the regulations of the Director, with intent to defraud the Director, shall in addition to such contribution or part thereof pay to the Department a penalty equal to 50 percent of the amount of such contribution or part thereof, as the case may be, provided that the penalty shall not be less than $200.

Any employer who willfully fails to pay any contribution or part thereof, based upon wages paid in 1987 and in each calendar year thereafter, when required by the provisions of this Act and the regulations of the Director, with intent to defraud the Director, shall in addition to such contribution or part thereof pay to the Department a penalty equal to 60% of the amount of such contribution or part thereof, as the case may be, provided that the penalty shall not be less than $400.

However, all or part of any penalty may be waived by the Director for good cause shown.

(Source: P.A. 97-689, eff. 6-14-12; 97-791, eff. 1-1-13; revised 7-23-12.)

(820 ILCS 405/1801.1)

Sec. 1801.1. Directory of New Hires.

A. The Director shall establish and operate an automated directory of newly hired employees which shall be known as the "Illinois Directory

New matter indicated by italics - deletions by strikeout
of New Hires" which shall contain the information required to be reported by employers to the Department under subsection B. In the administration of the Directory, the Director shall comply with any requirements concerning the Employer New Hire Reporting Program established by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The Director is authorized to use the information contained in the Directory of New Hires to administer any of the provisions of this Act.

B. Each employer in Illinois, except a department, agency, or instrumentality of the United States, shall file with the Department a report in accordance with rules adopted by the Department (but in any event not later than 20 days after the date the employer hires the employee or, in the case of an employer transmitting reports magnetically or electronically, by 2 monthly transmissions, if necessary, not less than 12 days nor more than 16 days apart) providing the following information concerning each newly hired employee: the employee's name, address, and social security number, the date services for remuneration were first performed by the employee, the employee's projected monthly wages, and the employer's name, address, Federal Employer Identification Number assigned under Section 6109 of the Internal Revenue Code of 1986, and such other information as may be required by federal law or regulation, provided that each employer may voluntarily file the address to which the employer wants income withholding orders to be mailed, if it is different from the address given on the Federal Employer Identification Number. An employer in Illinois which transmits its reports electronically or magnetically and which also has employees in another state may report all newly hired employees to a single designated state in which the employer has employees if it has so notified the Secretary of the United States Department of Health and Human Services in writing. An employer may, at its option, submit information regarding any rehired employee in the same manner as information is submitted regarding a newly hired employee. Each report required under this subsection shall, to the extent practicable, be made on an Internal Revenue Service Form W-4 or, at the option of the employer, an equivalent form, and may be transmitted by first class mail, by telefax, magnetically, or electronically.

C. An employer which knowingly fails to comply with the reporting requirements established by this Section shall be subject to a civil penalty of $15 for each individual whom it fails to report. An employer shall be considered to have knowingly failed to comply with the reporting requirements established by this Section with respect to an
individual if the employer has been notified by the Department that it has
failed to report an individual, and it fails, without reasonable cause, to
supply the required information to the Department within 21 days after the
date of mailing of the notice. Any individual who knowingly conspires
with the newly hired employee to cause the employer to fail to report the
information required by this Section or who knowingly conspires with the
newly hired employee to cause the employer to file a false or incomplete
report shall be guilty of a Class B misdemeanor with a fine not to exceed
$500 with respect to each employee with whom the individual so
conspires.

D. As used in this Section, "newly hired employee" means an
individual who (i) is an employee within the meaning of Chapter 24 of the
Internal Revenue Code of 1986 and (ii) either has not previously been
employed by the employer or was previously employed by the employer
but has been separated from that prior employment for at least 60
consecutive days; however, "newly hired employee" does not include an
employee of a federal or State agency performing intelligence or
counterintelligence functions, if the head of that agency has determined
that the filing of the report required by this Section with respect to the
employee could endanger the safety of the employee or compromise an
ongoing investigation or intelligence mission.

Notwithstanding Section 205, and for the purposes of this Section
only, the term "employer" has the meaning given by Section 3401(d) of the
Internal Revenue Code of 1986 and includes any governmental entity and
labor organization as defined by Section 2(5) of the National Labor
Relations Act, and includes any entity (also known as a hiring hall) which
is used by the organization and an employer to carry out the requirements
described in Section 8(f)(3) of that Act of an agreement between the
organization and the employer.

(Source: P.A. 97-621, eff. 11-18-11; 97-689, eff. 6-14-12; 97-791, eff. 1-1-
13; revised 7-23-12.)

Section 995. No acceleration or delay. Where this Act makes
changes in a statute that is represented in this Act by text that is not yet or
no longer in effect (for example, a Section represented by multiple
versions), the use of that text does not accelerate or delay the taking effect
of (i) the changes made by this Act or (ii) provisions derived from any
other Public Act.

Section 996. No revival or extension. This Act does not revive or
extend any Section or Act otherwise repealed.
Section 999. Effective date. This Act takes effect upon becoming law.

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New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-349 as follows:

(20 ILCS 2310/2310-349 new)

Sec. 2310-349. The Childhood Cancer Research Board.

(a) The Childhood Cancer Research Board is created as an advisory board within the Department. The Board shall consist of 11 members as follows: 2 members appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; 2 members appointed by the Speaker of the House of Representatives; one member appointed by the Minority Leader of the House of Representatives; 2 members appointed by the Governor, one of whom shall be designated as chair of the Board at the time of appointment; and 2 members appointed by the Director. The Director, or his or her designee, shall serve as an ex officio member of the Board. Members appointed under this Section shall be experts in pediatric cancer or members of the General Assembly; however, no appointing authority may appoint more than one member of the General Assembly to serve during the same term. For the purposes of this Section, an "expert in pediatric cancer" is defined as a physician or scientist who (i) holds a position of leadership in an internationally recognized program of pediatric cancer research at the time of his or her appointment, or (ii) is a fully tenured professor at an institution of higher education. In addition, an expert in pediatric cancer must possess at least one of the following qualifications:

(1) a strong track record of publication;
(2) participation in a federally-funded pediatric cancer research program;
(3) a leadership role in a national cancer research society, including the American Society of Hematology, the American
Association of Cancer Research, or the American Society of Clinical Oncology; and
(4) participation in a National Cancer Institute or American Cancer Society study section.

The Board members shall serve one 2-year term. If a vacancy occurs in the Board membership, the vacancy shall be filled in the same manner as the initial appointment.

(b) Board members shall serve without compensation and shall not be reimbursed for necessary expenses incurred in the performance of their duties unless funds become available to the Board. The Department shall provide staff and administrative support services to the Board.

(c) The Board must review grant applications, make recommendations and comments, and consult with the Department of Public Health in making grants from amounts appropriated from the Childhood Cancer Research Fund to public or private not-for-profit entities for the purpose of conducting childhood cancer research in accordance with Section 6z-93 of the State Finance Act.

(d) Grants shall be awarded to research projects that fall within the following categories:

(1) understanding the basic biology of specific pediatric cancers using cellular and animal models;

(2) pre-clinical studies that translate basic observations into novel diagnostics or therapeutic agents specific to pediatric cancer; or

(3) support of Phase I clinical trials of new agents developed at Illinois institutions.

(e) The Board shall make its recommendations to the Department no later than March 1 of the year after the application is received.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0465
(House Bill No. 3035)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Disaster Relief Act is amended by changing Section 3 as follows:

(15 ILCS 30/3) (from Ch. 127, par. 293.3)

Sec. 3. Whenever funds regularly appropriated to the State and local governmental bodies for disaster response and recovery are insufficient to provide services, and when the Governor has declared a disaster by proclamation in accordance with Section 7 of the Illinois Emergency Management Agency Act or any successor Act, the Governor may draw upon the Disaster Response and Recovery Relief Fund in order to provide services or to reimburse local governmental bodies furnishing services. The fund may be used for the payment of emergency employees, for the payment of the Illinois National Guard when called to active duty, for disaster-related expenses of State Agencies and Departments, and for the emergency purchase or renting of equipment and commodities. The fund shall be used for furnishing emergency services and relief to the disaster area as a whole and shall not be used to provide private relief to persons sustaining property damages or personal injury as a result of a disaster.

(Source: P.A. 87-168.)

Section 10. The Illinois Emergency Management Agency Act is amended by changing Sections 5, 8, and 9 as follows:

(20 ILCS 3305/5) (from Ch. 127, par. 1055)

Sec. 5. Illinois Emergency Management Agency.

(a) There is created within the executive branch of the State Government an Illinois Emergency Management Agency and a Director of the Illinois Emergency Management Agency, herein called the "Director" who shall be the head thereof. The Director shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve for a term of 2 years beginning on the third Monday in January of the odd-numbered year, and until a successor is appointed and has qualified; except that the term of the first Director appointed under this Act shall expire on the third Monday in January, 1989. The Director shall not hold any other remunerative public office. The Director shall receive an annual salary as set by the Compensation Review Board.

(b) The Illinois Emergency Management Agency shall obtain, under the provisions of the Personnel Code, technical, clerical, stenographic and other administrative personnel, and may make expenditures within the appropriation therefor as may be necessary to carry out the purpose of this Act. The agency created by this Act is
intended to be a successor to the agency created under the Illinois Emergency Services and Disaster Agency Act of 1975 and the personnel, equipment, records, and appropriations of that agency are transferred to the successor agency as of the effective date of this Act.

(c) The Director, subject to the direction and control of the Governor, shall be the executive head of the Illinois Emergency Management Agency and the State Emergency Response Commission and shall be responsible under the direction of the Governor, for carrying out the program for emergency management of this State. The Director shall also maintain liaison and cooperate with the emergency management organizations of this State and other states and of the federal government.

(d) The Illinois Emergency Management Agency shall take an integral part in the development and revision of political subdivision emergency operations plans prepared under paragraph (f) of Section 10. To this end it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to the emergency services and disaster agencies. These personnel shall consult with emergency services and disaster agencies on a regular basis and shall make field examinations of the areas, circumstances, and conditions that particular political subdivision emergency operations plans are intended to apply.

(e) The Illinois Emergency Management Agency and political subdivisions shall be encouraged to form an emergency management advisory committee composed of private and public personnel representing the emergency management phases of mitigation, preparedness, response, and recovery. The Local Emergency Planning Committee, as created under the Illinois Emergency Planning and Community Right to Know Act, shall serve as an advisory committee to the emergency services and disaster agency or agencies serving within the boundaries of that Local Emergency Planning Committee planning district for:

1. the development of emergency operations plan provisions for hazardous chemical emergencies; and
2. the assessment of emergency response capabilities related to hazardous chemical emergencies.

(f) The Illinois Emergency Management Agency shall:

1. Coordinate the overall emergency management program of the State.

New matter indicated by italics - deletions by strikeout
(2) Cooperate with local governments, the federal
government and any public or private agency or entity in achieving
any purpose of this Act and in implementing emergency
management programs for mitigation, preparedness, response, and
recovery.

(2.5) Develop a comprehensive emergency preparedness
and response plan for any nuclear accident in accordance with
Section 65 of the Department of Nuclear Safety Law of 2004 (20
ILCS 3310) and in development of the Illinois Nuclear Safety
Preparedness program in accordance with Section 8 of the Illinois

(2.6) Coordinate with the Department of Public Health with
respect to planning for and responding to public health
emergencies.

(3) Prepare, for issuance by the Governor, executive orders,
proclamations, and regulations as necessary or appropriate in
coping with disasters.

(4) Promulgate rules and requirements for political
subdivision emergency operations plans that are not inconsistent
with and are at least as stringent as applicable federal laws and
regulations.

(5) Review and approve, in accordance with Illinois
Emergency Management Agency rules, emergency operations
plans for those political subdivisions required to have an
emergency services and disaster agency pursuant to this Act.

(5.5) Promulgate rules and requirements for the political
subdivision emergency management exercises, including, but not
limited to, exercises of the emergency operations plans.

(5.10) Review, evaluate, and approve, in accordance with
Illinois Emergency Management Agency rules, political
subdivision emergency management exercises for those political
subdivisions required to have an emergency services and disaster
agency pursuant to this Act.

(6) Determine requirements of the State and its political
subdivisions for food, clothing, and other necessities in event of a
disaster.

(7) Establish a register of persons with types of emergency
management training and skills in mitigation, preparedness,
response, and recovery.

New matter indicated by italics - deletions by strikeout
(8) Establish a register of government and private response resources available for use in a disaster.

(9) Expand the Earthquake Awareness Program and its efforts to distribute earthquake preparedness materials to schools, political subdivisions, community groups, civic organizations, and the media. Emphasis will be placed on those areas of the State most at risk from an earthquake. Maintain the list of all school districts, hospitals, airports, power plants, including nuclear power plants, lakes, dams, emergency response facilities of all types, and all other major public or private structures which are at the greatest risk of damage from earthquakes under circumstances where the damage would cause subsequent harm to the surrounding communities and residents.

(10) Disseminate all information, completely and without delay, on water levels for rivers and streams and any other data pertaining to potential flooding supplied by the Division of Water Resources within the Department of Natural Resources to all political subdivisions to the maximum extent possible.

(11) Develop agreements, if feasible, with medical supply and equipment firms to supply resources as are necessary to respond to an earthquake or any other disaster as defined in this Act. These resources will be made available upon notifying the vendor of the disaster. Payment for the resources will be in accordance with Section 7 of this Act. The Illinois Department of Public Health shall determine which resources will be required and requested.

(11.5) In coordination with the Department of State Police, develop and implement a community outreach program to promote awareness among the State's parents and children of child abduction prevention and response.

(12) Out of funds appropriated for these purposes, award capital and non-capital grants to Illinois hospitals or health care facilities located outside of a city with a population in excess of 1,000,000 to be used for purposes that include, but are not limited to, preparing to respond to mass casualties and disasters, maintaining and improving patient safety and quality of care, and protecting the confidentiality of patient information. No single grant for a capital expenditure shall exceed $300,000. No single grant for a non-capital expenditure shall exceed $100,000. In
awarding such grants, preference shall be given to hospitals that
serve a significant number of Medicaid recipients, but do not
qualify for disproportionate share hospital adjustment payments
under the Illinois Public Aid Code. To receive such a grant, a
hospital or health care facility must provide funding of at least 50%
of the cost of the project for which the grant is being requested. In
awarding such grants the Illinois Emergency Management Agency
shall consider the recommendations of the Illinois Hospital
Association.

(13) Do all other things necessary, incidental or appropriate
for the implementation of this Act.

(g) The Illinois Emergency Management Agency is authorized to
make grants to various higher education institutions for safety and security
improvements. For the purpose of this subsection (g), "higher education
institution" means a public university, a public community college, or an
independent, not-for-profit or for-profit higher education institution
located in this State. Grants made under this subsection (g) shall be paid
out of moneys appropriated for that purpose from the Build Illinois Bond
Fund. The Illinois Emergency Management Agency shall adopt rules to
implement this subsection (g). These rules may specify: (i) the manner of
applying for grants; (ii) project eligibility requirements; (iii) restrictions on
the use of grant moneys; (iv) the manner in which the various higher
education institutions must account for the use of grant moneys; and (v)
any other provision that the Illinois Emergency Management Agency
determines to be necessary or useful for the administration of this
subsection (g).

(h) Except as provided in Section 17.5 of this Act, any moneys
received by the Agency from donations or sponsorships shall be deposited
in the Emergency Planning and Training Fund and used by the Agency,
subject to appropriation, to effectuate planning and training activities.
(Source: P.A. 96-800, eff. 10-30-09; 96-820, eff. 11-18-09; 96-1000, eff.
7-2-10.)

(20 ILCS 3305/8) (from Ch. 127, par. 1058)
Sec. 8. Mobile Support Teams.

(a) The Governor or Director may cause to be created Mobile
Support Teams to aid and to reinforce the Illinois Emergency Management
Agency, and emergency services and disaster agencies in areas stricken by
disaster. Each mobile support team shall have a leader, selected by the
Director who will be responsible, under the direction and control of the

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Director, for the organization, administration, and training, and operation of the mobile support team.

(b) Personnel of a mobile support team while on duty pursuant to such a call or while engaged in regularly scheduled training or exercises, whether within or without the State, shall either:

(1) If they are paid employees of the State, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment.

(2) If they are paid employees of a political subdivision or body politic of this State, and whether serving within or without that political subdivision or body politic, have the powers, duties, rights, privileges and immunities, and receive the compensation incidental to their employment.

(3) If they are not employees of the State, political subdivision or body politic, or being such employees, are not normally paid for their services, be entitled to at least one dollar per year compensation from the State.

Personnel of a mobile support team who suffer disease, injury or death arising out of or in the course of emergency duty, shall for the purposes of benefits under the Workers’ Compensation Act or Workers' Occupational Diseases Act only, be deemed to be employees of this State. If the person diseased, injured or killed is an employee described in item (3) above, the computation of benefits payable under either of those Acts shall be based on income commensurate with comparable State employees doing the same type of work or income from the person's regular employment, whichever is greater.

All personnel of mobile support teams shall, while on duty under such call, be reimbursed by this State for all actual and necessary travel and subsistence expenses.

(c) The State shall reimburse each political subdivision or body politic from the Disaster Response and Recovery Relief Fund for the compensation paid and the actual and necessary travel, subsistence and maintenance expenses of paid employees of the political subdivision or body politic while serving, outside of its geographical boundaries pursuant to such a call, as members of a mobile support team, and for all payments made for death, disease or injury of those paid employees arising out of and incurred in the course of that duty, and for all losses of or damage to supplies and equipment of the political subdivision or body politic resulting from the operations.

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(d) Whenever mobile support teams or units of another state, while the Governor has the emergency powers provided for under Section 7 of this Act, render aid to this State under the orders of the Governor of its home state and upon the request of the Governor of this State, all questions relating to reimbursement by this State to the other state and its citizens in regard to the assistance so rendered shall be determined by the mutual aid agreements or interstate compacts described in subparagraph (5) of paragraph (c) of Section 6 as are existing at the time of the assistance rendered or are entered into thereafter and under Section 303 (d) of the Federal Civil Defense Act of 1950.

(e) No personnel of mobile support teams of this State may be ordered by the Governor to operate in any other state unless a request for the same has been made by the Governor or duly authorized representative of the other state.

(Source: P.A. 92-73, eff. 1-1-02.)

(20 ILCS 3305/9) (from Ch. 127, par. 1059)

Sec. 9. Financing.

(a) It is the intent of the Legislature and declared to be the policy of the State that funds to meet disasters shall always be available.

(b) It is the legislative intent that the first recourse shall be to funds regularly appropriated to State and political subdivision departments and agencies. If the Governor finds that the demands placed upon these funds in coping with a particular disaster are unreasonably great, the Governor may make funds available from the Disaster Response and Recovery Relief Fund. If monies available from the Fund are insufficient, and if the Governor finds that other sources of money to cope with the disaster are not available or are insufficient, the Governor shall request the General Assembly to enact legislation as it may deem necessary to transfer and expend monies appropriated for other purposes or borrow, for a term not to exceed 2 years from the United States government or other public or private source. If the General Assembly is not sitting in regular session to enact such legislation for the transfer, expenditure or loan of such monies, and the President of the Senate and the Speaker of the House certify that the Senate and House are not in session, the Governor is authorized to carry out those decisions, by depositing transfers or loan proceeds into and making expenditures from the Disaster Response and Recovery Relief Fund, until such time as a quorum of the General Assembly can convene in a regular or extraordinary session. The General Assembly shall, to the
extent moneys become available, restore moneys used from other sources under this Section.

(c) Nothing contained in this Section shall be construed to limit the Governor's authority to apply for, administer and expend grants, gifts or payments in aid of disaster mitigation, preparedness, response or recovery. (Source: P.A. 92-73, eff. 1-1-02; 93-249, eff. 7-22-03.)

Section 15. The Emergency Management Assistance Compact Act is amended by adding Section 10 as follows:

(45 ILCS 151/10 new)

Sec. 10. Reimbursements and expenses. The Illinois Emergency Management Agency as the authorized representative of the State may use the Disaster Response and Recovery Fund to deposit any reimbursements received from a party state and to pay any expenses incurred relating to this Act.

Section 20. The Illinois Emergency Planning and Community Right to Know Act is amended by changing Section 18 as follows:

(430 ILCS 100/18) (from Ch. 111 1/2, par. 7718)

Sec. 18. Penalties.

(a) Any person who violates any requirement of Section 9, 10, 11, 12, or 14 of this Act shall be liable for a civil penalty in an amount not to exceed $25,000 for each violation. In the case of a second or subsequent violation of Section 10, the civil penalty shall not exceed $75,000 for each day during which the violation continues.

(b) Any person who knowingly fails to provide immediate notification of a release in violation of Section 10 of this Act, shall be guilty of a Class 4 felony, and in addition to any other penalty prescribed by law is subject to a fine not to exceed $25,000 for each day of the violation. In the case of a second or subsequent conviction, the person shall be guilty of a Class 3 felony, and in addition to any other penalty prescribed by law is subject to a fine not to exceed $50,000 for each day of the violation.

(c) All civil penalties and fines collected under this Section shall be deposited in the Emergency Planning and Training Fund, which is hereby created as a special fund in the State Treasury, and may be used by IEMA, pursuant to appropriation, for its activities arising under this Act and the Federal Act, including providing financial support for local emergency planning committees and for training initiatives authorized by IEMA. (Source: P.A. 86-449; 87-168.)

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Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0466
(House Bill No. 3043)

AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 21-1.3 as follows:

 Sec. 21-1.3. Criminal defacement of property.
 (a) A person commits criminal defacement of property when the person knowingly damages the property of another by defacing, deforming, or otherwise damaging the property by the use of paint or any other similar substance, or by the use of a writing instrument, etching tool, or any other similar device. It is an affirmative defense to a violation of this Section that the owner of the property damaged consented to such damage.

(b) Sentence.

(1) Criminal defacement of property is a Class A misdemeanor for a first offense when the aggregate value of the damage to the property does not exceed $300. Criminal defacement of property is a Class 4 felony when the aggregate value of the damage to property does not exceed $300 and the property damaged is a school building or place of worship. Criminal defacement of property is a Class 4 felony for a second or subsequent conviction or when the aggregate value of the damage to the property exceeds $300. Criminal defacement of property is a Class 3 felony when the aggregate value of the damage to property exceeds $300 and the property damaged is a school building or place of worship.

(2) In addition to any other sentence that may be imposed for a violation of this Section that is chargeable as a Class 3 or Class 4 felony, a person convicted of criminal defacement of property shall:

(A) pay a mandatory minimum fine of $500 plus the actual costs incurred by the property owner or the unit of
government to abate, remediate, repair, or remove the effect of the
damage to the property. To the extent permitted by law,
reimbursement for the costs of abatement, remediation, repair, or
removal shall be payable to the person who incurred the costs; and
(B) if convicted of criminal defacement of property that is
chargeable as a Class 3 or Class 4 felony pay a mandatory
minimum fine of $500.

(3) In addition to any other sentence that may be imposed, a court
shall order any person convicted of criminal defacement of property to
perform community service for not less than 30 and not more than 120
hours, if community service is available in the jurisdiction. The
community service shall include, but need not be limited to, the cleanup
and repair of the damage to property that was caused by the offense, or
similar damage to property located in the municipality or county in which
the offense occurred. When the property damaged is a school building, the
community service may include cleanup, removal, or painting over the
defacement. In addition, whenever any person is placed on supervision for
an alleged offense under this Section, the supervision shall be conditioned
upon the performance of the community service.

(4) For the purposes of this subsection (b), aggregate value shall be
determined by adding the value of the damage to one or more properties if
the offenses were committed as part of a single course of conduct.

(Source: P.A. 96-499, eff. 8-14-09; 97-1108, eff. 1-1-13.)

Section 99. Effective date. This Act takes effect upon becoming
law.

Approved August 16, 2013.
Effective August 16, 2013.

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 1. Short title. This Act may be cited as the Governor's
Office of New Americans Act.
Section 5. Governor's Office of New Americans. The Office of
New Americans is hereby created in the Office of the Governor. The
Office of New Americans shall maintain and continue to develop on behalf of the people of the State of Illinois a New Americans Immigrant Policy that builds upon the strengths of immigrants, their families, and their institutions, and expedites their journey towards self-sufficiency. The policy developed by the Office shall enable State government to more effectively assist immigrants in overcoming barriers to success and shall facilitate host communities' ability to capitalize on the assets of their immigrant populations.

The Governor's Office of New Americans shall identify strategic partnerships with State agencies under the jurisdiction of the Governor in an effort to implement best practices, policies, and procedures and make recommendations for statewide policy and administrative changes.

Section 10. New American Plans. Each State agency under the jurisdiction of the Governor shall develop a New American Plan that incorporates effective training and resources, ensures culturally and linguistically competent and appropriate services, and includes administrative practices that reach out to and reflect the needs of the immigrant populations and populations with limited English proficiency. Each State agency under the jurisdiction of the Governor shall consider the New Americans Immigrant Policy Council's recommendations in creating the agency's plans. Agency plans should be submitted to the Governor for approval.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0468
(House Bill No. 3054)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105 and 12-215 and by adding Section 12-215.1 as follows:

(625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a

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county board under Section 5-1127 of the Counties Code; ambulances; *vehicles of the Illinois Department of Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.*

(Source: P.A. 96-214, eff. 8-10-09; 96-986, eff. 1-1-11; 96-1190, eff. 7-22-10; 97-149, eff. 7-14-11; 97-333, eff. 7-12-11.)

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

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5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;


7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization; and

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code;

2. Motor vehicles or equipment of the State of Illinois, local authorities and contractors; furthermore, such lights shall not be

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lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

(6.1) The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

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10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, or control agency, or the Illinois Department of Corrections;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
   voluntary firefighter;
   paid firefighter;
   part-paid firefighter;
   call firefighter;
   member of the board of trustees of a fire protection district;
   paid or unpaid member of a rescue squad;
   paid or unpaid member of a voluntary ambulance unit; or
   paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary.

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at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

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8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped; furthermore, such lights shall not be lighted on vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in highway maintenance or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

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(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative from temporarily mounting such lights on a vehicle for demonstration purposes only.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10; 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12.)

(Text of Section after amendment by P.A. 97-1173)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not
be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;


7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization; and

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code;

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2. Motor vehicles or equipment of the State of Illinois, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

   (6.1) The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

   9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be

New matter indicated by italics - deletions by strikeout
lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, or control agency, or the Illinois Department of Corrections;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
   voluntary firefighter;
   paid firefighter;
   part-paid firefighter;
   call firefighter;
   member of the board of trustees of a fire protection district;
   paid or unpaid member of a rescue squad;
   paid or unpaid member of a voluntary ambulance unit; or
   paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

New matter indicated by italics - deletions by strikeout
However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a
member of the transplant team or a representative of the organ procurement organization.


8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped; furthermore, such lights shall not be lighted on vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in highway maintenance or construction operations within the limits of highway construction projects, and shall not be lighted on the

New matter indicated by italics - deletions by strikeout
vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative or authorized vendor from temporarily mounting such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(625 ILCS 5/12-215.1 new)
Sec. 12-215.1. Possession of oscillating, rotating, or flashing lights in motor vehicles; police equipment, markings, and other indicia of emergency vehicle authority.

(a) A person, except those given exceptions in Section 12-215 or 12-609 of this Code, may not possess or be in actual physical control of oscillating, rotating, or flashing lights or other indicia of emergency vehicle authority within any portion of a motor vehicle, including but not limited to wig-wags, red and blue LEDs, sirens, mounted or affixed devices or other equipment, markings or indicia of emergency vehicle authority.

(b) A person found guilty of violating this Section is guilty of a Class A misdemeanor.

(c) Oscillating, rotating, or flashing lights and any other equipment, markings, or indicia of emergency vehicle authority shall be
seized by the law enforcement officer at the time of a violation of this Section or of Section 12-215 or 12-609 of this Code upon any legal search. The officer may seize the vehicle containing the prohibited device or mechanism, and this device or mechanism shall be removed and held for evidentiary purposes. When the device or mechanism is no longer needed for evidence, the defendant may petition the court for the return of the device or mechanism. The defendant must prove to the court by a preponderance of the evidence that the device or mechanism will be used for a legitimate and lawful purpose.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0469
(House Bill No. 3057)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Illinois State Police Memorial Park Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 3-699 as follows:

(625 ILCS 5/3-699 new)
Sec. 3-699. Illinois State Police Memorial Park license plates.
(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated as Illinois State Police Memorial Park license plates. The special plates issued under this Section shall be affixed only to passenger

New matter indicated by italics - deletions by strikeout
vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant shall be charged a $25 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, $10 shall be deposited into the Illinois State Police Memorial Park Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois State Police Memorial Park Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois State Police Memorial Park Fund is created as a special fund in the State treasury. All moneys in the Illinois State Police Memorial Park Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois State Police Heritage Foundation, Inc. for building and maintaining a memorial and park, holding an annual memorial commemoration, giving scholarships to children of State police officers killed or catastrophically injured in the line of duty, and providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0470
(House Bill No. 3063)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The School Code is amended by changing Section 24A-5 as follows:

(105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

Sec. 24A-5. Content of evaluation plans. This Section does not apply to teachers assigned to schools identified in an agreement entered into between the board of a school district operating under Article 34 of this Code and the exclusive representative of the district's teachers in accordance with Section 34-85c of this Code.

Each school district to which this Article applies shall establish a teacher evaluation plan which ensures that each teacher in contractual continued service is evaluated at least once in the course of every 2 school years.

By no later than September 1, 2012, each school district shall establish a teacher evaluation plan that ensures that:

(1) each teacher not in contractual continued service is evaluated at least once every school year; and

(2) each teacher in contractual continued service is evaluated at least once in the course of every 2 school years. However, any teacher in contractual continued service whose performance is rated as either "needs improvement" or "unsatisfactory" must be evaluated at least once in the school year following the receipt of such rating.

Notwithstanding anything to the contrary in this Section or any other Section of the School Code, a principal shall not be prohibited from evaluating any teachers within a school during his or her first year as principal of such school. If a first-year principal exercises this option in a school district where the evaluation plan provides for a teacher in contractual continued service to be evaluated once in the course of every 2 school years, then a new 2-year evaluation plan must be established.

The evaluation plan shall comply with the requirements of this Section and of any rules adopted by the State Board of Education pursuant to this Section.

The plan shall include a description of each teacher's duties and responsibilities and of the standards to which that teacher is expected to conform, and shall include at least the following components:

(a) personal observation of the teacher in the classroom by the evaluator, unless the teacher has no classroom duties.

New matter indicated by italics - deletions by strikeout
(b) consideration of the teacher's attendance, planning, instructional methods, classroom management, where relevant, and competency in the subject matter taught.

(c) by no later than the applicable implementation date, consideration of student growth as a significant factor in the rating of the teacher's performance.

(d) prior to September 1, 2012, rating of the performance of teachers in contractual continued service as either:

   (i) "excellent", "satisfactory" or "unsatisfactory"; or

   (ii) "excellent", "proficient", "needs improvement" or "unsatisfactory".

(e) on and after September 1, 2012, rating of the performance of all teachers as "excellent", "proficient", "needs improvement" or "unsatisfactory".

(f) specification as to the teacher's strengths and weaknesses, with supporting reasons for the comments made.

(g) inclusion of a copy of the evaluation in the teacher's personnel file and provision of a copy to the teacher.

(h) within 30 school days after the completion of an evaluation rating a teacher in contractual continued service as "needs improvement", development by the evaluator, in consultation with the teacher, and taking into account the teacher's on-going professional responsibilities including his or her regular teaching assignments, of a professional development plan directed to the areas that need improvement and any supports that the district will provide to address the areas identified as needing improvement.

(i) within 30 school days after completion of an evaluation rating a teacher in contractual continued service as "unsatisfactory", development and commencement by the district of a remediation plan designed to correct deficiencies cited, provided the deficiencies are deemed remediable. In all school districts the remediation plan for unsatisfactory, tenured teachers shall provide for 90 school days of remediation within the classroom, unless an applicable collective bargaining agreement provides for a shorter duration. In all school districts evaluations issued pursuant to this Section shall be issued within 10 days after the conclusion of the respective remediation plan. However, the school board or other governing authority of the district shall not
lose jurisdiction to discharge a teacher in the event the evaluation is not issued within 10 days after the conclusion of the respective remediation plan.

(j) participation in the remediation plan by the teacher in contractual continued service rated "unsatisfactory", an evaluator and a consulting teacher selected by the evaluator of the teacher who was rated "unsatisfactory", which consulting teacher is an educational employee as defined in the Educational Labor Relations Act, has at least 5 years' teaching experience, and a reasonable familiarity with the assignment of the teacher being evaluated, and who received an "excellent" rating on his or her most recent evaluation. Where no teachers who meet these criteria are available within the district, the district shall request and the applicable regional office of education shall supply, to participate in the remediation process, an individual who meets these criteria.

In a district having a population of less than 500,000 with an exclusive bargaining agent, the bargaining agent may, if it so chooses, supply a roster of qualified teachers from whom the consulting teacher is to be selected. That roster shall, however, contain the names of at least 5 teachers, each of whom meets the criteria for consulting teacher with regard to the teacher being evaluated, or the names of all teachers so qualified if that number is less than 5. In the event of a dispute as to qualification, the State Board shall determine qualification.

(k) a mid-point and final evaluation by an evaluator during and at the end of the remediation period, immediately following receipt of a remediation plan provided for under subsections (i) and (j) of this Section. Each evaluation shall assess the teacher's performance during the time period since the prior evaluation; provided that the last evaluation shall also include an overall evaluation of the teacher's performance during the remediation period. A written copy of the evaluations and ratings, in which any deficiencies in performance and recommendations for correction are identified, shall be provided to and discussed with the teacher within 10 school days after the date of the evaluation, unless an applicable collective bargaining agreement provides to the contrary. These subsequent evaluations shall be conducted by an evaluator. The consulting teacher shall provide advice to the teacher rated "unsatisfactory" on how to improve teaching skills.
and to successfully complete the remediation plan. The consulting teacher shall participate in developing the remediation plan, but the final decision as to the evaluation shall be done solely by the evaluator, unless an applicable collective bargaining agreement provides to the contrary. Evaluations at the conclusion of the remediation process shall be separate and distinct from the required annual evaluations of teachers and shall not be subject to the guidelines and procedures relating to those annual evaluations. The evaluator may but is not required to use the forms provided for the annual evaluation of teachers in the district's evaluation plan.

(l) reinstatement to the evaluation schedule set forth in the district's evaluation plan for any teacher in contractual continued service who achieves a rating equal to or better than "satisfactory" or "proficient" in the school year following a rating of "needs improvement" or "unsatisfactory".

(m) dismissal in accordance with subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code of any teacher who fails to complete any applicable remediation plan with a rating equal to or better than a "satisfactory" or "proficient" rating. Districts and teachers subject to dismissal hearings are precluded from compelling the testimony of consulting teachers at such hearings under subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code, either as to the rating process or for opinions of performances by teachers under remediation.

(n) After the implementation date of an evaluation system for teachers in a district as specified in Section 24A-2.5 of this Code, if a teacher in contractual continued service successfully completes a remediation plan following a rating of "unsatisfactory" and receives a subsequent rating of "unsatisfactory" in any of the teacher's annual or biannual overall performance evaluation ratings received during the 36-month period following the teacher's completion of the remediation plan, then the school district may forego remediation and seek dismissal in accordance with subsection (d) of Section 24-12 or Section 34-85 of this Code.

Nothing in this Section or Section 24A-4 shall be construed as preventing immediate dismissal of a teacher for deficiencies which are deemed irremediable or for actions which are injurious to or endanger the health or person of students in the classroom or school, or preventing the dismissal or non-renewal of teachers not in contractual continued service.

New matter indicated by italics - deletions by strikeout
for any reason not prohibited by applicable employment, labor, and civil rights laws. Failure to strictly comply with the time requirements contained in Section 24A-5 shall not invalidate the results of the remediation plan.

(Source: P.A. 96-861, eff. 1-15-10; 96-1423, eff. 8-3-10; 97-8, eff. 6-13-11.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0471
(House Bill No. 3070)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 10-22.39 and 34-18.7 as follows:

(105 ILCS 5/10-22.39)
Sec. 10-22.39. In-service training programs.
(a) To conduct in-service training programs for teachers.
(b) In addition to other topics at in-service training programs, school guidance counselors, teachers, school social workers, and other school personnel who work with pupils in grades 7 through 12 shall be trained to identify the warning signs of mental illness and suicidal behavior in adolescents and teens and shall be taught appropriate intervention and referral techniques.
(c) School guidance counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.

New matter indicated by italics - deletions by strikeout
(d) In this subsection (d):
"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

At least once every 2 years, an in-service training program for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, and school nurses, must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.

(e) At least every 2 years, an in-service training program for school personnel who work with pupils must be conducted by persons with expertise in anaphylactic reactions and management.

(f) At least once every 2 years, a school board shall conduct in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel.

Source: P.A. 96-349, eff. 8-13-09; 96-431, eff. 8-13-09; 96-951, eff. 6-28-10; 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(105 ILCS 5/34-18.7) (from Ch. 122, par. 34-18.7)

Sec. 34-18.7. Adolescent and teen mental illness and suicide detection and intervention. School guidance counselors, teachers, school social workers, and other school personnel who work with pupils in grades
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7 through 12 shall be trained to identify the warning signs of mental illness and suicidal behavior in adolescents and teens and shall be taught various intervention techniques. Such training shall be provided within the framework of existing in-service training programs offered by the Board or as part of the professional development activities required under Section 21-14 of this Code.

(Source: P.A. 96-951, eff. 6-28-10.)
Approved August 16, 2013.
Effective January 1, 2014.

Public Act 98-0472
(House Bill No. 3081)

AN ACT concerning safety.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Litter Control Act is amended by changing Section 8 as follows:

(415 ILCS 105/8) (from Ch. 38, par. 86-8)

Sec. 8. Persons who violate any of Sections 4 through 7 are subject to the penalties set out in this Section.

(a) Any person convicted of a violation of Section 4, 5, 6 or 7 is guilty of a Class B misdemeanor. A second conviction for an offense committed after the first conviction is a Class A misdemeanor. A third or subsequent violation, committed after a second conviction is a Class 4 felony.

(b) In addition to any fine imposed under this Act, the court may order that the person convicted of such a violation remove and properly dispose of the litter, may employ special bailiffs to supervise such removal and disposal, and may tax the costs of such supervision as costs against the person so convicted.

(c) The penalties prescribed in this Section are in addition to, and not in lieu of, any penalties, rights, remedies, duties or liabilities otherwise imposed or conferred by law.

(d) An individual convicted of violating Section 4 or Section 5 of this Act by disposing of litter upon a public highway may, in addition to any other penalty, be required to maintain litter control for 30 days over a designated portion of that highway, including, at the discretion of the

New matter indicated by italics - deletions by strikeout
agency having jurisdiction over the section of highway in question, the site
where the offense occurred, as provided in Section 50 of the Illinois

(e) A mandatory minimum fine of $50 must be imposed against any
person who is convicted of violating Section 5 of this Act.
(Source: P.A. 94-1044, eff. 1-1-07.)

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0473
(House Bill No. 3104)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Public Utilities Act is amended by changing Section
5-104 as follows:

(220 ILCS 5/5-104) (from Ch. 111 2/3, par. 5-104)
Sec. 5-104. Depreciation accounts.

(a) The Commission shall have power, after hearing, to require any
or all public utilities, except electric public utilities, to keep such accounts
as will adequately reflect depreciation, obsolescence and the progress of
the arts. The Commission may, from time to time, ascertain and determine
and by order fix the proper and adequate rate of depreciation of the several
classes of property for each public utility; and each public utility shall
conform its depreciation accounts to the rates so ascertained, determined
and fixed.

(b) The Commission shall have the power, after hearing, to require
any or all electric public utilities to keep such accounts as will adequately
reflect depreciation, obsolescence, and the progress of the arts. The
Commission may, from time to time, ascertain and determine and by order
fix the proper and adequate rate of depreciation of the several classes of
property for each electric public utility; and each electric public utility
shall thereafter, absent further order of the Commission, conform its
depreciation accounts to the rates so ascertained, determined and fixed
until at least the end of the first full calendar year following the date of
such determination.

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(c) An electric public utility may from time to time alter the annual rates of depreciation, which for purposes of this subsection (c) and subsection (d) shall include amortization, that it applies to its several classes of assets so long as the rates are consistent with generally accepted accounting principles. The electric public utility shall file a statement with the Commission which shall set forth the new rates of depreciation and which shall contain a certification by an independent certified public accountant that the new rates of depreciation are consistent with generally accepted accounting principles. Upon the filing of such statement, the new rates of depreciation shall be deemed to be approved by the Commission as the rates of depreciation to be applied thereafter by the public utility as though an order had been entered pursuant to subsection (b).

(d) In any proceeding conducted pursuant to Section 9-201 or 9-202 to set an electric public utility's rates for service, the Commission may determine not to use, in determining the depreciation expense component of the public utility's rates for service, the rates of depreciation established pursuant to subsection (c), if the Commission in that proceeding finds based on the record that different rates of depreciation are required to adequately reflect depreciation, obsolescence and the progress of the arts, and fixes by order and uses for purposes of that proceeding new rates of depreciation to be thereafter employed by the electric public utility until the end of the first full calendar year following the date of the determination and thereafter until altered in accordance with subsection (b) or (c) of this Section.

(e) A gas public utility serving more than 1,600,000 customers as of January 1, 2013 may from time to time alter the annual rates of depreciation, which for purposes of this subsection (e) shall include amortization, that the gas public utility applies to its several classes of assets so long as the rates are consistent with generally accepted accounting principles. The gas public utility shall file testimony with the Commission setting forth the new rates of depreciation that shall include: (i) a summary of the causes for the change in depreciation rates; (ii) a certification by an independent certified public accountant that the new rates of depreciation are consistent with generally accepted accounting principles; (iii) the depreciation study; and (iv) the expected impact on depreciation expense from the new depreciation rates. The gas public utility shall also simultaneously submit to the Commission all work papers that support the filed depreciation study. No later than 120 days after the filing by the gas public utility under this subsection (e), the Commission
shall ascertain and determine and, by order, fix the proper and adequate rate of depreciation of the several classes of property for the gas public utility. The gas public utility shall conform its depreciation accounts to the rates so ascertained, determined, and fixed. Rates of depreciation established by the Commission pursuant to this subsection (e) shall become effective upon the date of the gas public utility's filing.

(Source: P.A. 90-561, eff. 12-16-97.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0474
(House Bill No. 3112)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 27A-4 as follows:

(105 ILCS 5/27A-4)
Sec. 27A-4. General Provisions.

(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

(b) The total number of charter schools operating under this Article at any one time shall not exceed 120. Not more than 70 charter schools shall operate at any one time in any city having a population exceeding 500,000, with at least 5 charter schools devoted exclusively to students from low-performing or overcrowded schools operating at any one time in that city; and not more than 45 charter schools shall operate at any one time in the remainder of the State, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located. In addition

New matter indicated by italics - deletions by strikeout
to these charter schools, up to but no more than 5 charter schools devoted exclusively to re-enrolled high school dropouts and/or students 16 or 15 years old at risk of dropping out may operate at any one time in any city having a population exceeding 500,000. Notwithstanding any provision to the contrary in subsection (b) of Section 27A-5 of this Code, each such dropout charter may operate up to 15 campuses within the city. Any of these dropout charters may have a maximum of 1,875 enrollment seats, any one of the campuses of the dropout charter may have a maximum of 165 enrollment seats, and each campus of the dropout charter must be operated, through a contract or payroll, by the same legal entity as that for which the charter is approved and certified.

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board, provided that the board of education in a city having a population exceeding 500,000 may designate attendance boundaries for no more than one-third of the charter schools permitted in the city if the board of education determines that attendance boundaries are needed to relieve overcrowding or to better serve low-income and at-risk students. Students residing within an attendance boundary may be given priority for enrollment, but must not be required to attend the charter school.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be
selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause, and priority may be given to pupils residing within the charter school's attendance boundary, if a boundary has been designated by the board of education in a city having a population exceeding 500,000. Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides. Notwithstanding anything to the contrary in this subsection (h):

(1) any charter school with a mission exclusive to educating high school dropouts may grant priority admission to students who are high school dropouts and/or students 16 or 15 years old at risk of dropping out and any charter school with a mission exclusive to educating students from low-performing or overcrowded schools may restrict admission to students who are from low-performing or overcrowded schools; "priority admission" for charter schools exclusively devoted to re-enrolled dropouts or students at risk of dropping out means a minimum of 90% of students enrolled shall be high school dropouts; and:

(2) any charter school located in a school district that contains all or part of a federal military base may set aside up to 33% of its current charter enrollment to students with parents assigned to the federal military base, with the remaining 67% subject to the general enrollment and lottery requirements of subsection (d) of this Section and this subsection (h); if a student with a parent assigned to the federal military base withdraws from the charter school during the course of a school year for reasons other than grade promotion, those students with parents assigned to the federal military base shall have preference in filling the vacancy.

(i) (Blank).

(j) Notwithstanding any other provision of law to the contrary, a school district in a city having a population exceeding 500,000 shall not have a duty to collectively bargain with an exclusive representative of its employees over decisions to grant or deny a charter school proposal under Section 27A-8 of this Code, decisions to renew or revoke a charter under Section 27A-9 of this Code, and the impact of these decisions, provided

New matter indicated by italics - deletions by strikeout
that nothing in this Section shall have the effect of negating, abrogating, replacing, reducing, diminishing, or limiting in any way employee rights, guarantees, or privileges granted in Sections 2, 3, 7, 8, 10, 14, and 15 of the Illinois Educational Labor Relations Act.

(k) In this Section:
   "Low-performing school" means a public school in a school district organized under Article 34 of this Code that enrolls students in any of grades kindergarten through 8 and that is ranked within the lowest 10% of schools in that district in terms of the percentage of students meeting or exceeding standards on the Illinois Standards Achievement Test.

   "Overcrowded school" means a public school in a school district organized under Article 34 of this Code that (i) enrolls students in any of grades kindergarten through 8, (ii) has a percentage of low-income students of 70% or more, as identified in the most recently available School Report Card published by the State Board of Education, and (iii) is determined by the Chicago Board of Education to be in the most severely overcrowded 5% of schools in the district. On or before November 1 of each year, the Chicago Board of Education shall file a report with the State Board of Education on which schools in the district meet the definition of "overcrowded school". "Students at risk of dropping out" means students 16 or 15 years old in a public school in a district organized under Article 34 of this Code that enrolls students in any grades 9-12 who have been absent at least 90 school attendance days of the previous 180 school attendance days.

(Sections 99. Effective date. This Act takes effect July 1, 2013.
Passed in the General Assembly May 29, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0475
(House Bill No. 3120)

AN ACT concerning real property.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to exchange certain real

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property in Cass County, Illinois, hereinafter referred to as Parcel 1, for certain real property of equal or greater value in Cass County, Illinois, hereinafter referred to as Parcel 2, the Parcels being described as follows:

PARCEL 1:
All that part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 19 North, Range 11 West of the Third Principal Meridian, Cass County, Illinois, lying South of the mean high water mark on the South bank of the new Sangamon River Cut or Channel, containing 15.0 acres, more or less.

ALSO,
All that part of the South Half of the Southwest Quarter of Section 26, Township 19 North, Range 11 West of the Third Principal Meridian, Cass County, Illinois, lying South of the mean high water mark on the South bank of the new Sangamon River Cut or Channel, containing 4.0 acres, more or less.

PARCEL 2:
Tract 1:
All that land lying North of the center line of the new Sangamon River Cut as presently located in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Twenty-seven (27), Township Nineteen (19) North, Range Eleven (11) West of the Third Principal Meridian, Cass County, Illinois, containing 6.0 acres, more or less.

ALSO,
Tract 2:
All that land lying North of the center line of the new Sangamon River Cut as presently located in the South One-Half (S1/2) of the Northeast Quarter (NE1/4) of the Southwest One-Quarter (SW1/4) of Section Twenty-seven (27), Township Nineteen (19) North, Range Eleven (11) West of the Third Principal Meridian, Cass County, Illinois, containing 14.0 acres, more or less.

Section 10. This transaction will be to the mutual advantages of both parties. Each party shall be responsible for any and all title costs associated with their respective properties.

Section 15. The conveyance of Parcel 1 as authorized by Section 5 shall be made subject to existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record.
Section 20. The Director of the Department of Natural Resources shall obtain an opinion of title from the Attorney General certifying that the State of Illinois will receive merchantable title to the real property herein referred to as Parcel 2.

Section 25. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to execute and deliver to Oquawka Township, an Illinois Unit of Local Government, of the County of Henderson, State of Illinois, for and in consideration of $1 paid to the Department, a quit claim deed to the following described real property:

The Ida E. Rust Parcel, being known as the Delabar State Park Entrance Road and being more particularly described as follows:

A strip of land 100 feet of even width, the South line of which is 1405.2 feet North 00 degrees 19 minutes East of the Southwest corner of said Section 11, where the West line of said Section 11 intersects the property line of Delabar State Park and extending Easterly for a distance of 2,640 feet, more or less, to the West right of way line of State Aid Route 3, in Section 11, Township 11 North, Range 5 West of the Fourth Principal Meridian in the County of Henderson, State of Illinois.

Section 30. The conveyance of real property authorized by Section 25 shall be made subject to: (1) existing public utilities and any and all reservations, easements, encumbrances, covenants and restrictions of record; and (2) the express condition that if the real property ceases to be used for public road purposes, it shall revert to the Department of Natural Resources of the State of Illinois.

Section 35. The Director of Natural Resources shall obtain a certified copy of the portions of this Act containing the title, the enacting clause, the effective date, the appropriate Section or Sections containing the land descriptions of the property to be conveyed, and this Section within 60 days after its effective date and, upon receipt of the payment required by the Section or Sections, if any payment is required, shall record the certified document in the Recorder's Office in the County in which the land is located.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Parentage Act of 1984 is amended by changing Section 6.5 as follows:

(750 ILCS 45/6.5)

Sec. 6.5. Custody or visitation by sex offender prohibited to men who father through sexual assault or sexual abuse.

(a) This Section applies to a person who has been found to be the father of a child under this Act and who:

(1) has been convicted of or who has pled guilty or nolo contendere to a violation of Section 11-1.20 (criminal sexual assault), Section 11-1.30 (aggravated criminal sexual assault), Section 11-1.40 (predatory criminal sexual assault of a child), Section 11-1.50 (criminal sexual abuse), Section 11-1.60 (aggravated criminal sexual abuse), Section 11-11 (sexual relations within families), Section 12-13 (criminal sexual assault), Section 12-14 (predatory criminal sexual assault), Section 12-14.1 (predatory criminal sexual assault of a child), Section 12-15 (criminal sexual abuse), or Section 12-16 (aggravated criminal sexual abuse) of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar statute in another jurisdiction, for his conduct in fathering that child; or

(2) at a fact-finding hearing, is found by clear and convincing evidence to have committed an act of non-consensual sexual penetration for his conduct in fathering that child.

(b) A person described in subsection (a) shall not be entitled to custody of or visitation with that child without the consent of the child's mother or guardian. If the person described in subsection (a) is also the guardian of the child, he does not have the authority to consent to visitation or custody under this Section. If the mother of the child is a minor, and the person described in subsection (a) is also the father or guardian of the mother, then he does not have the authority to consent to custody or visits.

(c) Notwithstanding any other provision of this Act, nothing in this Section shall be construed to relieve the father described in subsection (a)
of any support and maintenance obligations to the child under this Act. The child's mother or guardian may decline support and maintenance obligations from the father.

(d) Notwithstanding any other provision of law, the father described in subsection (a) of this Section is not entitled to any inheritance or other rights from the child without the consent of the child's mother or guardian.

(e) Notwithstanding any provision of the Illinois Marriage and Dissolution of Marriage Act, the parent, grandparent, great-grandparent, or sibling of the person described in subsection (a) of this Section does not have standing to bring an action requesting custody or visitation with the child without the consent of the child's mother or guardian.

(f) A petition under this Section may be filed by the child's mother or guardian either as an affirmative petition in circuit court or as an affirmative defense in any proceeding filed by the person described in subsection (a) of this Section regarding the child.

(Source: P.A. 96-1551, eff. 7-1-11; 97-568, eff. 8-25-11; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0477
(House Bill No. 3147)

AN ACT concerning courts.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Juvenile Court Act of 1987 is amended by changing Section 2-34 as follows:

(Section scheduled to be repealed on August 21, 2013)

Sec. 2-34. Motion to reinstate parental rights.

(1) For purposes of this subsection (1), the term "parent" refers to the person or persons whose rights were terminated as described in paragraph (a) of this subsection; and the term "minor" means a person under the age of 21 years subject to this Act for whom the Department of Children and Family Services Guardianship Administrator is appointed the temporary custodian or guardian.

New matter indicated by italics - deletions by strikeout
A motion to reinstate parental rights may be filed only by the Department of Children and Family Services or the minor regarding any minor who is presently a ward of the court under Article II of this Act when all the conditions set out in paragraphs (a), (b), (c), (d), (e), (f), and (g) of this subsection (1) are met:

(a) while the minor was under the jurisdiction of the court under Article II of this Act, the minor's parent or parents surrendered the minor for adoption to an agency legally authorized to place children for adoption, or the minor's parent or parents consented to his or her adoption, or the minor's parent or parents consented to his or her adoption by a specified person or persons, or the parent or parents' rights were terminated pursuant to a finding of unfitness pursuant to Section 2-29 of this Act and a guardian was appointed with the power to consent to adoption pursuant to Section 2-29 of this Act; and

(b) (i) since the signing of the surrender, the signing of the consent, or the unfitness finding, the minor has remained a ward of the Court under Article II of this Act; or

(ii) the minor was made a ward of the Court, the minor was placed in the private guardianship of an individual or individuals, and after the appointment of a private guardian and a new petition alleging abuse, neglect, or dependency pursuant to Section 2-3 or 2-4 is filed, and the minor is again found by the court to be abused, neglected or dependent; or a supplemental petition to reinstate wardship is filed pursuant to Section 2-33, and the court reinstates wardship; or

(iii) the minor was made a ward of the Court, wardship was terminated after the minor was adopted, after the adoption a new petition alleging abuse, neglect, or dependency pursuant to Section 2-3 or 2-4 is filed, and the minor is again found by the court to be abused, neglected, or dependent, and either (i) the adoptive parent or parents are deceased, (ii) the adoptive parent or parents signed a surrender of parental rights, or (iii) the parental rights of the adoptive parent or parents were terminated;

(c) the minor is not currently in a placement likely to achieve permanency;

(d) it is in the minor's best interest that parental rights be reinstated;
(e) the parent named in the motion wishes parental rights to be reinstated and is currently appropriate to have rights reinstated;

(f) more than 3 years have lapsed since the signing of the consent or surrender, or the entry of the order appointing a guardian with the power to consent to adoption;

(g) (i) the child is 13 years of age or older or (ii) the child is the younger sibling of such child, 13 years of age or older, for whom reinstatement of parental rights is being sought and the younger sibling independently meets the criteria set forth in paragraphs (a) through (h) of this subsection; and

(h) if the court has previously denied a motion to reinstate parental rights filed by the Department, there has been a substantial change in circumstances following the denial of the earlier motion.

(2) The motion may be filed only by the Department of Children and Family Services or by the minor. Unless excused by the court for good cause shown, the movant shall give notice of the time and place of the hearing on the motion, in person or by mail, to the parties to the juvenile court proceeding. Notice shall be provided at least 14 days in advance of the hearing date. The motion shall include the allegations required in subsection (1) of this Section.

(3) Any party may file a motion to dismiss the motion with prejudice on the basis that the parent has intentionally acted to prevent the child from being adopted, after parental rights were terminated or the parent intentionally acted to disrupt the child's adoption. If the court finds by a preponderance of the evidence that the parent has intentionally acted to prevent the child from being adopted, after parental rights were terminated or that the parent intentionally acted to disrupt the child's adoption, the court shall dismiss the petition with prejudice.

(4) The court shall not grant a motion for reinstatement of parental rights unless the court finds that the motion is supported by clear and convincing evidence. In ruling on a motion to reinstate parental rights, the court shall make findings consistent with the requirements in subsection (1) of this Section. The court shall consider the reasons why the child was initially brought to the attention of the court, the history of the child's case as it relates to the parent seeking reinstatement, and the current circumstances of the parent for whom reinstatement of rights is sought. If reinstatement is being considered subsequent to a finding of unfitness pursuant to Section 2-29 of this Act having been entered with respect to the parent whose rights are being restored, the court in determining the

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minor's best interest shall consider, in addition to the factors set forth in paragraph (4.05) of Section 1-3 of this Act, the specific grounds upon which the unfitness findings were made. Upon the entry of an order granting a motion to reinstate parental rights, parental rights of the parent named in the order shall be reinstated, any previous order appointing a guardian with the power to consent to adoption shall be void and with respect to the parent named in the order, any consent shall be void.

(5) If the case is post-disposition, the court, upon the entry of an order granting a motion to reinstate parental rights, shall schedule the matter for a permanency hearing pursuant to Section 2-28 of this Act within 45 days.

(6) Custody of the minor shall not be restored to the parent, except by order of court pursuant to subsection (4) of Section 2-28 of this Act.

(7) In any case involving a child over the age of 13 who meets the criteria established in this Section for reinstatement of parental rights, the Department of Children and Family Services shall conduct an assessment of the child's circumstances to assist in future planning for the child, including, but not limited to a determination regarding the appropriateness of filing a motion to reinstate parental rights.

(8) (Blank). This Section is repealed 4 years after the effective date of this amendatory Act of the 96th General Assembly.

(35 ILCS 5/304) (from Ch. 120, par. 3-304)

Sec. 304. Business income of persons other than residents.

AN ACT concerning revenue.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Income Tax Act is amended by changing Sections 304, 502, and 709.5 as follows:

(35 ILCS 5/304) (from Ch. 120, par. 3-304)
Sec. 304. Business income of persons other than residents.

New matter indicated by italics - deletions by strikeout
(a) In general. The business income of a person other than a resident shall be allocated to this State if such person's business income is derived solely from this State. If a person other than a resident derives business income from this State and one or more other states, then, for tax years ending on or before December 30, 1998, and except as otherwise provided by this Section, such person's business income shall be apportioned to this State by multiplying the income by a fraction, the numerator of which is the sum of the property factor (if any), the payroll factor (if any) and 200% of the sales factor (if any), and the denominator of which is 4 reduced by the number of factors other than the sales factor which have a denominator of zero and by an additional 2 if the sales factor has a denominator of zero. For tax years ending on or after December 31, 1998, and except as otherwise provided by this Section, persons other than residents who derive business income from this State and one or more other states shall compute their apportionment factor by weighting their property, payroll, and sales factors as provided in subsection (h) of this Section.

(1) Property factor.

(A) The property factor is a fraction, the numerator of which is the average value of the person's real and tangible personal property owned or rented and used in the trade or business in this State during the taxable year and the denominator of which is the average value of all the person's real and tangible personal property owned or rented and used in the trade or business during the taxable year.

(B) Property owned by the person is valued at its original cost. Property rented by the person is valued at 8 times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the person less any annual rental rate received by the person from sub-rentals.

(C) The average value of property shall be determined by averaging the values at the beginning and ending of the taxable year but the Director may require the averaging of monthly values during the taxable year if reasonably required to reflect properly the average value of the person's property.

(2) Payroll factor.

(A) The payroll factor is a fraction, the numerator of which is the total amount paid in this State during the taxable year by the
person for compensation, and the denominator of which is the total compensation paid everywhere during the taxable year.

(B) Compensation is paid in this State if:

(i) The individual's service is performed entirely within this State;

(ii) The individual's service is performed both within and without this State, but the service performed without this State is incidental to the individual's service performed within this State; or

(iii) Some of the service is performed within this State and either the base of operations, or if there is no base of operations, the place from which the service is directed or controlled is within this State, or the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this State.

(iv) Compensation paid to nonresident professional athletes.

(a) General. The Illinois source income of a nonresident individual who is a member of a professional athletic team includes the portion of the individual's total compensation for services performed as a member of a professional athletic team during the taxable year which the number of duty days spent within this State performing services for the team in any manner during the taxable year bears to the total number of duty days spent both within and without this State during the taxable year.

(b) Travel days. Travel days that do not involve either a game, practice, team meeting, or other similar team event are not considered duty days spent in this State. However, such travel days are considered in the total duty days spent both within and without this State.

(c) Definitions. For purposes of this subpart (iv):

(1) The term "professional athletic team" includes, but is not limited to, any professional baseball, basketball, football, soccer, or hockey team.

(2) The term "member of a professional athletic team" includes those employees who are
active players, players on the disabled list, and any other persons required to travel and who travel with and perform services on behalf of a professional athletic team on a regular basis. This includes, but is not limited to, coaches, managers, and trainers.

(3) Except as provided in items (C) and (D) of this subpart (3), the term "duty days" means all days during the taxable year from the beginning of the professional athletic team's official pre-season training period through the last game in which the team competes or is scheduled to compete. Duty days shall be counted for the year in which they occur, including where a team's official pre-season training period through the last game in which the team competes or is scheduled to compete, occurs during more than one tax year.

(A) Duty days shall also include days on which a member of a professional athletic team performs service for a team on a date that does not fall within the foregoing period (e.g., participation in instructional leagues, the "All Star Game", or promotional "caravans"). Performing a service for a professional athletic team includes conducting training and rehabilitation activities, when such activities are conducted at team facilities.

(B) Also included in duty days are game days, practice days, days spent at team meetings, promotional caravans, preseason training camps, and days served with the team through all post-season games in which the team competes or is scheduled to compete.

(C) Duty days for any person who joins a team during the period from the beginning of the professional athletic team's official pre-season training period through the last game in which the team competes, or
is scheduled to compete, shall begin on the day that person joins the team. Conversely, duty days for any person who leaves a team during this period shall end on the day that person leaves the team. Where a person switches teams during a taxable year, a separate duty-day calculation shall be made for the period the person was with each team.

(D) Days for which a member of a professional athletic team is not compensated and is not performing services for the team in any manner, including days when such member of a professional athletic team has been suspended without pay and prohibited from performing any services for the team, shall not be treated as duty days.

(E) Days for which a member of a professional athletic team is on the disabled list and does not conduct rehabilitation activities at facilities of the team, and is not otherwise performing services for the team in Illinois, shall not be considered duty days spent in this State. All days on the disabled list, however, are considered to be included in total duty days spent both within and without this State.

(4) The term "total compensation for services performed as a member of a professional athletic team" means the total compensation received during the taxable year for services performed:

(A) from the beginning of the official pre-season training period through the last game in which the team competes or is scheduled to compete during that taxable year; and

(B) during the taxable year on a date which does not fall within the foregoing
period (e.g., participation in instructional leagues, the "All Star Game", or promotional caravans).

This compensation shall include, but is not limited to, salaries, wages, bonuses as described in this subpart, and any other type of compensation paid during the taxable year to a member of a professional athletic team for services performed in that year. This compensation does not include strike benefits, severance pay, termination pay, contract or option year buy-out payments, expansion or relocation payments, or any other payments not related to services performed for the team.

For purposes of this subparagraph, "bonuses" included in "total compensation for services performed as a member of a professional athletic team" subject to the allocation described in Section 302(c)(1) are: bonuses earned as a result of play (i.e., performance bonuses) during the season, including bonuses paid for championship, playoff or "bowl" games played by a team, or for selection to all-star league or other honorary positions; and bonuses paid for signing a contract, unless the payment of the signing bonus is not conditional upon the signee playing any games for the team or performing any subsequent services for the team or even making the team, the signing bonus is payable separately from the salary and any other compensation, and the signing bonus is nonrefundable.

(3) Sales factor.

(A) The sales factor is a fraction, the numerator of which is the total sales of the person in this State during the taxable year, and the denominator of which is the total sales of the person everywhere during the taxable year.

(B) Sales of tangible personal property are in this State if:

(i) The property is delivered or shipped to a purchaser, other than the United States government, within
this State regardless of the f. o. b. point or other conditions of the sale; or

(ii) The property is shipped from an office, store, warehouse, factory or other place of storage in this State and either the purchaser is the United States government or the person is not taxable in the state of the purchaser; provided, however, that premises owned or leased by a person who has independently contracted with the seller for the printing of newspapers, periodicals or books shall not be deemed to be an office, store, warehouse, factory or other place of storage for purposes of this Section. Sales of tangible personal property are not in this State if the seller and purchaser would be members of the same unitary business group but for the fact that either the seller or purchaser is a person with 80% or more of total business activity outside of the United States and the property is purchased for resale.

(B-1) Patents, copyrights, trademarks, and similar items of intangible personal property.

(i) Gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property, other than gross receipts governed by paragraph (B-7) of this item (3), are in this State to the extent the item is utilized in this State during the year the gross receipts are included in gross income.

(ii) Place of utilization.

(I) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If a patent is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts of the licensee or purchaser from sales or leases of items produced, fabricated, manufactured, or processed within that state using the patent and of patented items produced within that state, divided by the total
of such gross receipts for all states in which the patent is utilized.

(II) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If a copyright is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts from sales or licenses of materials printed or published in that state divided by the total of such gross receipts for all states in which the copyright is utilized.

(III) Trademarks and other items of intangible personal property governed by this paragraph (B-1) are utilized in the state in which the commercial domicile of the licensee or purchaser is located.

(iii) If the state of utilization of an item of property governed by this paragraph (B-1) cannot be determined from the taxpayer's books and records or from the books and records of any person related to the taxpayer within the meaning of Section 267(b) of the Internal Revenue Code, 26 U.S.C. 267, the gross receipts attributable to that item shall be excluded from both the numerator and the denominator of the sales factor.

(B-2) Gross receipts from the license, sale, or other disposition of patents, copyrights, trademarks, and similar items of intangible personal property, other than gross receipts governed by paragraph (B-7) of this item (3), may be included in the numerator or denominator of the sales factor only if gross receipts from licenses, sales, or other disposition of such items comprise more than 50% of the taxpayer's total gross receipts included in gross income during the tax year and during each of the 2 immediately preceding tax years; provided that, when a taxpayer is a member of a unitary business group, such determination shall be made on the basis of the gross receipts of the entire unitary business group.

(B-5) For taxable years ending on or after December 31, 2008, except as provided in subsections (ii) through (vii), receipts from the sale of telecommunications service or mobile
telecommunications service are in this State if the customer's service address is in this State.

(i) For purposes of this subparagraph (B-5), the following terms have the following meanings:

"Ancillary services" means services that are associated with or incidental to the provision of "telecommunications services", including but not limited to "detailed telecommunications billing", "directory assistance", "vertical service", and "voice mail services".

"Air-to-Ground Radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

"Call-by-call Basis" means any method of charging for telecommunications services where the price is measured by individual calls.

"Communications Channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

"Conference bridging service" means an "ancillary service" that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the "telecommunications services" used to reach the conference bridge.

"Customer Channel Termination Point" means the location where the customer either inputs or receives the communications.

"Detailed telecommunications billing service" means an "ancillary service" of separately stating information pertaining to individual calls on a customer's billing statement.

"Directory assistance" means an "ancillary service" of providing telephone number information, and/or address information.

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"Home service provider" means the facilities based carrier or reseller with which the customer contracts for the provision of mobile telecommunications services.

"Mobile telecommunications service" means commercial mobile radio service, as defined in Section 20.3 of Title 47 of the Code of Federal Regulations as in effect on June 1, 1999.

"Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, "place of primary use" must be within the licensed service area of the home service provider.

"Post-paid telecommunication service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunication service.

"Prepaid telecommunication service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Prepaid Mobile telecommunication service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other non-telecommunication services, including but not limited to ancillary services, which must be paid for in advance that is
sold in predetermined units or dollars of which the number declines with use in a known amount.

"Private communication service" means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels.

"Service address" means:

(a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in line (a) is not known, service address means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider where the system used to transport such signals is not that of the seller; and

(c) If the locations in line (a) and line (b) are not known, the service address means the location of the customer's place of primary use.

"Telecommunications service" means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points. The term "telecommunications service" includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. "Telecommunications service" does not include:

New matter indicated by italics - deletions by strikeout
(a) Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser when such purchaser's primary purpose for the underlying transaction is the processed data or information;

(b) Installation or maintenance of wiring or equipment on a customer's premises;

(c) Tangible personal property;

(d) Advertising, including but not limited to directory advertising.

(e) Billing and collection services provided to third parties;

(f) Internet access service;

(g) Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service as defined in 47 USC 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

(h) "Ancillary services"; or

(i) Digital products "delivered electronically", including but not limited to software, music, video, reading materials or ring tones.

"Vertical service" means an "ancillary service" that is offered in connection with one or more "telecommunications services", which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including "conference bridging services".

"Voice mail service" means an "ancillary service" that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any
"vertical services" that the customer may be required to have in order to utilize the "voice mail service".

(ii) Receipts from the sale of telecommunications service sold on an individual call-by-call basis are in this State if either of the following applies:

  (a) The call both originates and terminates in this State.

  (b) The call either originates or terminates in this State and the service address is located in this State.

(iii) Receipts from the sale of postpaid telecommunications service at retail are in this State if the origination point of the telecommunication signal, as first identified by the service provider's telecommunication system or as identified by information received by the seller from its service provider if the system used to transport telecommunication signals is not the seller's, is located in this State.

(iv) Receipts from the sale of prepaid telecommunications service or prepaid mobile telecommunications service at retail are in this State if the purchaser obtains the prepaid card or similar means of conveyance at a location in this State. Receipts from recharging a prepaid telecommunications service or mobile telecommunications service is in this State if the purchaser's billing information indicates a location in this State.

(v) Receipts from the sale of private communication services are in this State as follows:

  (a) 100% of receipts from charges imposed at each channel termination point in this State.

  (b) 100% of receipts from charges for the total channel mileage between each channel termination point in this State.

  (c) 50% of the total receipts from charges for service segments when those segments are between 2 customer channel termination points, 1 of which is located in this State and the other is located
outside of this State, which segments are separately charged.

(d) The receipts from charges for service segments with a channel termination point located in this State and in two or more other states, and which segments are not separately billed, are in this State based on a percentage determined by dividing the number of customer channel termination points in this State by the total number of customer channel termination points.

(vi) Receipts from charges for ancillary services for telecommunications service sold to customers at retail are in this State if the customer's primary place of use of telecommunications services associated with those ancillary services is in this State. If the seller of those ancillary services cannot determine where the associated telecommunications are located, then the ancillary services shall be based on the location of the purchaser.

(vii) Receipts to access a carrier's network or from the sale of telecommunication services or ancillary services for resale are in this State as follows:

(a) 100% of the receipts from access fees attributable to intrastate telecommunications service that both originates and terminates in this State.

(b) 50% of the receipts from access fees attributable to interstate telecommunications service if the interstate call either originates or terminates in this State.

(c) 100% of the receipts from interstate end user access line charges, if the customer's service address is in this State. As used in this subdivision, "interstate end user access line charges" includes, but is not limited to, the surcharge approved by the federal communications commission and levied pursuant to 47 CFR 69.

(d) Gross receipts from sales of telecommunication services or from ancillary services for telecommunications services sold to other telecommunication service providers for

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resale shall be sourced to this State using the apportionment concepts used for non-resale receipts of telecommunications services if the information is readily available to make that determination. If the information is not readily available, then the taxpayer may use any other reasonable and consistent method.

(B-7) For taxable years ending on or after December 31, 2008, receipts from the sale of broadcasting services are in this State if the broadcasting services are received in this State. For purposes of this paragraph (B-7), the following terms have the following meanings:

"Advertising revenue" means consideration received by the taxpayer in exchange for broadcasting services or allowing the broadcasting of commercials or announcements in connection with the broadcasting of film or radio programming, from sponsorships of the programming, or from product placements in the programming.

"Audience factor" means the ratio that the audience or subscribers located in this State of a station, a network, or a cable system bears to the total audience or total subscribers for that station, network, or cable system. The audience factor for film or radio programming shall be determined by reference to the books and records of the taxpayer or by reference to published rating statistics provided the method used by the taxpayer is consistently used from year to year for this purpose and fairly represents the taxpayer's activity in this State.

"Broadcast" or "broadcasting" or "broadcasting services" means the transmission or provision of film or radio programming, whether through the public airwaves, by cable, by direct or indirect satellite transmission, or by any other means of communication, either through a station, a network, or a cable system.

"Film" or "film programming" means the broadcast on television of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial,
educational, or artistic works, either live or through the use of video tape, disc, or any other type of format or medium. Each episode of a series of films produced for television shall constitute separate "film" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

"Radio" or "radio programming" means the broadcast on radio of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial, educational, or artistic works, either live or through the use of an audio tape, disc, or any other format or medium. Each episode in a series of radio programming produced for radio broadcast shall constitute a separate "radio programming" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

(i) In the case of advertising revenue from broadcasting, the customer is the advertiser and the service is received in this State if the commercial domicile of the advertiser is in this State.

(ii) In the case where film or radio programming is broadcast by a station, a network, or a cable system for a fee or other remuneration received from the recipient of the broadcast, the portion of the service that is received in this State is measured by the portion of the recipients of the broadcast located in this State. Accordingly, the fee or other remuneration for such service that is included in the Illinois numerator of the sales factor is the total of those fees or other remuneration received from recipients in Illinois. For purposes of this paragraph, a taxpayer may determine the location of the recipients of its broadcast using the address of the recipient shown in its contracts with the recipient or using the billing address of the recipient in the taxpayer's records.

(iii) In the case where film or radio programming is broadcast by a station, a network,
or a cable system for a fee or other remuneration from the person providing the programming, the portion of the broadcast service that is received by such station, network, or cable system in this State is measured by the portion of recipients of the broadcast located in this State. Accordingly, the amount of revenue related to such an arrangement that is included in the Illinois numerator of the sales factor is the total fee or other total remuneration from the person providing the programming related to that broadcast multiplied by the Illinois audience factor for that broadcast.

(iv) In the case where film or radio programming is provided by a taxpayer that is a network or station to a customer for broadcast in exchange for a fee or other remuneration from that customer the broadcasting service is received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.

(v) In the case where film or radio programming is provided by a taxpayer that is not a network or station to another person for broadcasting in exchange for a fee or other remuneration from that person, the broadcasting service is received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.
(C) For taxable years ending before December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), and (B-2), are in this State if:

(i) The income-producing activity is performed in this State; or

(ii) The income-producing activity is performed both within and without this State and a greater proportion of the income-producing activity is performed within this State than without this State, based on performance costs.

(C-5) For taxable years ending on or after December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), (B-2), (B-5), and (B-7), are in this State if any of the following criteria are met:

(i) Sales from the sale or lease of real property are in this State if the property is located in this State.

(ii) Sales from the lease or rental of tangible personal property are in this State if the property is located in this State during the rental period. Sales from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are in this State to the extent that the property is used in this State.

(iii) In the case of interest, net gains (but not less than zero) and other items of income from intangible personal property, the sale is in this State if:

(a) in the case of a taxpayer who is a dealer in the item of intangible personal property within the meaning of Section 475 of the Internal Revenue Code, the income or gain is received from a customer in this State. For purposes of this subparagraph, a customer is in this State if the customer is an individual, trust or estate who is a resident of this State and, for all other customers, if the customer's commercial domicile is in this State. Unless the dealer has actual knowledge of the residence or commercial domicile of a customer during a taxable year, the customer shall be deemed to be a customer in this State if the billing address

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of the customer, as shown in the records of the dealer, is in this State; or

(b) in all other cases, if the income-producing activity of the taxpayer is performed in this State or, if the income-producing activity of the taxpayer is performed both within and without this State, if a greater proportion of the income-producing activity of the taxpayer is performed within this State than in any other state, based on performance costs.

(iv) Sales of services are in this State if the services are received in this State. For the purposes of this section, gross receipts from the performance of services provided to a corporation, partnership, or trust may only be attributed to a state where that corporation, partnership, or trust has a fixed place of business. If the state where the services are received is not readily determinable or is a state where the corporation, partnership, or trust receiving the service does not have a fixed place of business, the services shall be deemed to be received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. If the ordering office cannot be determined, the services shall be deemed to be received at the office of the customer to which the services are billed. If the taxpayer is not taxable in the state in which the services are received, the sale must be excluded from both the numerator and the denominator of the sales factor. The Department shall adopt rules prescribing where specific types of service are received, including, but not limited to, publishing, and utility service.

(D) For taxable years ending on or after December 31, 1995, the following items of income shall not be included in the numerator or denominator of the sales factor: dividends; amounts included under Section 78 of the Internal Revenue Code; and Subpart F income as defined in Section 952 of the Internal Revenue Code. No inference shall be drawn from the enactment of this paragraph (D) in construing this Section for taxable years ending before December 31, 1995.
(E) Paragraphs (B-1) and (B-2) shall apply to tax years ending on or after December 31, 1999, provided that a taxpayer may elect to apply the provisions of these paragraphs to prior tax years. Such election shall be made in the form and manner prescribed by the Department, shall be irrevocable, and shall apply to all tax years; provided that, if a taxpayer's Illinois income tax liability for any tax year, as assessed under Section 903 prior to January 1, 1999, was computed in a manner contrary to the provisions of paragraphs (B-1) or (B-2), no refund shall be payable to the taxpayer for that tax year to the extent such refund is the result of applying the provisions of paragraph (B-1) or (B-2) retroactively. In the case of a unitary business group, such election shall apply to all members of such group for every tax year such group is in existence, but shall not apply to any taxpayer for any period during which that taxpayer is not a member of such group.

(b) Insurance companies.

(1) In general. Except as otherwise provided by paragraph (2), business income of an insurance company for a taxable year shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the direct premiums written for insurance upon property or risk in this State, and the denominator of which is the direct premiums written for insurance upon property or risk everywhere. For purposes of this subsection, the term "direct premiums written" means the total amount of direct premiums written, assessments and annuity considerations as reported for the taxable year on the annual statement filed by the company with the Illinois Director of Insurance in the form approved by the National Convention of Insurance Commissioners or such other form as may be prescribed in lieu thereof.

(2) Reinsurance. If the principal source of premiums written by an insurance company consists of premiums for reinsurance accepted by it, the business income of such company shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the sum of (i) direct premiums written for insurance upon property or risk in this State, plus (ii) premiums written for reinsurance accepted in respect of property or risk in this State, and the denominator of which is the sum of (iii) direct premiums written for insurance upon property or risk everywhere, plus (iv) premiums written for reinsurance accepted in

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respect of property or risk everywhere. For purposes of this paragraph, premiums written for reinsurance accepted in respect of property or risk in this State, whether or not otherwise determinable, may, at the election of the company, be determined on the basis of the proportion which premiums written for reinsurance accepted from companies commercially domiciled in Illinois bears to premiums written for reinsurance accepted from all sources, or, alternatively, in the proportion which the sum of the direct premiums written for insurance upon property or risk in this State by each ceding company from which reinsurance is accepted bears to the sum of the total direct premiums written by each such ceding company for the taxable year. The election made by a company under this paragraph for its first taxable year ending on or after December 31, 2011, shall be binding for that company for that taxable year and for all subsequent taxable years, and may be altered only with the written permission of the Department, which shall not be unreasonably withheld.

(c) Financial organizations.

(1) In general. For taxable years ending before December 31, 2008, business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For the purposes of this subsection, the business income of a financial organization from sources within this State is the sum of the amounts referred to in subparagraphs (A) through (E) following, but excluding the adjusted income of an international banking facility as determined in paragraph (2):

(A) Fees, commissions or other compensation for financial services rendered within this State;

(B) Gross profits from trading in stocks, bonds or other securities managed within this State;

(C) Dividends, and interest from Illinois customers, which are received within this State;

(D) Interest charged to customers at places of business maintained within this State for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts; and
(E) Any other gross income resulting from the operation as a financial organization within this State. In computing the amounts referred to in paragraphs (A) through (E) of this subsection, any amount received by a member of an affiliated group (determined under Section 1504(a) of the Internal Revenue Code but without reference to whether any such corporation is an "includible corporation" under Section 1504(b) of the Internal Revenue Code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.

(2) International Banking Facility. For taxable years ending before December 31, 2008:

(A) Adjusted Income. The adjusted income of an international banking facility is its income reduced by the amount of the floor amount.

(B) Floor Amount. The floor amount shall be the amount, if any, determined by multiplying the income of the international banking facility by a fraction, not greater than one, which is determined as follows:

   (i) The numerator shall be:

   The average aggregate, determined on a quarterly basis, of the financial organization's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, as reported for its branches, agencies and offices within the state on its "Consolidated Report of Condition", Schedule A, Lines 2.c., 5.b., and 7.a., which was filed with the Federal Deposit Insurance Corporation and other regulatory authorities, for the year 1980, minus

   The average aggregate, determined on a quarterly basis, of such loans (other than loans of an international banking facility), as reported by the financial institution for its branches, agencies and offices within the state, on the corresponding Schedule and lines of the Consolidated Report of Condition for the current taxable year, provided,
however, that in no case shall the amount determined in this clause (the subtrahend) exceed the amount determined in the preceding clause (the minuend); and

(ii) the denominator shall be the average aggregate, determined on a quarterly basis, of the international banking facility's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, which were recorded in its financial accounts for the current taxable year.

(C) Change to Consolidated Report of Condition and in Qualification. In the event the Consolidated Report of Condition which is filed with the Federal Deposit Insurance Corporation and other regulatory authorities is altered so that the information required for determining the floor amount is not found on Schedule A, lines 2.c., 5.b. and 7.a., the financial institution shall notify the Department and the Department may, by regulations or otherwise, prescribe or authorize the use of an alternative source for such information. The financial institution shall also notify the Department should its international banking facility fail to qualify as such, in whole or in part, or should there be any amendment or change to the Consolidated Report of Condition, as originally filed, to the extent such amendment or change alters the information used in determining the floor amount.

(3) For taxable years ending on or after December 31, 2008, the business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its gross receipts from sources in this State or otherwise attributable to this State's marketplace and the denominator of which is its gross receipts everywhere during the taxable year. "Gross receipts" for purposes of this subparagraph (3) means gross income, including net taxable gain on disposition of assets, including securities and money market instruments, when derived from transactions and activities in the regular course of the
financial organization's trade or business. The following examples are illustrative:

(i) Receipts from the lease or rental of real or tangible personal property are in this State if the property is located in this State during the rental period. Receipts from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are from sources in this State to the extent that the property is used in this State.

(ii) Interest income, commissions, fees, gains on disposition, and other receipts from assets in the nature of loans that are secured primarily by real estate or tangible personal property are from sources in this State if the security is located in this State.

(iii) Interest income, commissions, fees, gains on disposition, and other receipts from consumer loans that are not secured by real or tangible personal property are from sources in this State if the debtor is a resident of this State.

(iv) Interest income, commissions, fees, gains on disposition, and other receipts from commercial loans and installment obligations that are not secured by real or tangible personal property are from sources in this State if the proceeds of the loan are to be applied in this State. If it cannot be determined where the funds are to be applied, the income and receipts are from sources in this State if the office of the borrower from which the loan was negotiated in the regular course of business is located in this State. If the location of this office cannot be determined, the income and receipts shall be excluded from the numerator and denominator of the sales factor.

(v) Interest income, fees, gains on disposition, service charges, merchant discount income, and other receipts from credit card receivables are from sources in this State if the card charges are regularly billed to a customer in this State.

(vi) Receipts from the performance of services, including, but not limited to, fiduciary, advisory, and brokerage services, are in this State if the services are
received in this State within the meaning of subparagraph (a)(3)(C-5)(iv) of this Section.

(vii) Receipts from the issuance of travelers checks and money orders are from sources in this State if the checks and money orders are issued from a location within this State.

(viii) Receipts from investment assets and activities and trading assets and activities are included in the receipts factor as follows:

(1) Interest, dividends, net gains (but not less than zero) and other income from investment assets and activities from trading assets and activities shall be included in the receipts factor. Investment assets and activities and trading assets and activities include but are not limited to: investment securities; trading account assets; federal funds; securities purchased and sold under agreements to resell or repurchase; options; futures contracts; forward contracts; notional principal contracts such as swaps; equities; and foreign currency transactions. With respect to the investment and trading assets and activities described in subparagraphs (A) and (B) of this paragraph, the receipts factor shall include the amounts described in such subparagraphs.

(A) The receipts factor shall include the amount by which interest from federal funds sold and securities purchased under resale agreements exceeds interest expense on federal funds purchased and securities sold under repurchase agreements.

(B) The receipts factor shall include the amount by which interest, dividends, gains and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book, and foreign currency transactions, exceed amounts paid in lieu of

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interest, amounts paid in lieu of dividends, and losses from such assets and activities.

(2) The numerator of the receipts factor includes interest, dividends, net gains (but not less than zero), and other income from investment assets and activities and from trading assets and activities described in paragraph (1) of this subsection that are attributable to this State.

(A) The amount of interest, dividends, net gains (but not less than zero), and other income from investment assets and activities in the investment account to be attributed to this State and included in the numerator is determined by multiplying all such income from such assets and activities by a fraction, the numerator of which is the gross income from such assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(B) The amount of interest from federal funds sold and purchased and from securities purchased under resale agreements and securities sold under repurchase agreements attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (A) of paragraph (1) of this subsection from such funds and such securities by a fraction, the numerator of which is the gross income from such funds and such securities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such funds and such securities.

(C) The amount of interest, dividends, gains, and other income from

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trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book and foreign currency transactions (but excluding amounts described in subparagraphs (A) or (B) of this paragraph), attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (B) of paragraph (1) of this subsection by a fraction, the numerator of which is the gross income from such trading assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(D) Properly assigned, for purposes of this paragraph (2) of this subsection, means the investment or trading asset or activity is assigned to the fixed place of business with which it has a preponderance of substantive contacts. An investment or trading asset or activity assigned by the taxpayer to a fixed place of business without the State shall be presumed to have been properly assigned if:

(i) the taxpayer has assigned, in the regular course of its business, such asset or activity on its records to a fixed place of business consistent with federal or state regulatory requirements;

(ii) such assignment on its records is based upon substantive contacts of the asset or activity to such fixed place of business; and

(iii) the taxpayer uses such records reflecting assignment of such assets or activities for the filing of all

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state and local tax returns for which an assignment of such assets or activities to a fixed place of business is required.

(E) The presumption of proper assignment of an investment or trading asset or activity provided in subparagraph (D) of paragraph (2) of this subsection may be rebutted upon a showing by the Department, supported by a preponderance of the evidence, that the preponderance of substantive contacts regarding such asset or activity did not occur at the fixed place of business to which it was assigned on the taxpayer's records. If the fixed place of business that has a preponderance of substantive contacts cannot be determined for an investment or trading asset or activity to which the presumption in subparagraph (D) of paragraph (2) of this subsection does not apply or with respect to which that presumption has been rebutted, that asset or activity is properly assigned to the state in which the taxpayer's commercial domicile is located. For purposes of this subparagraph (E), it shall be presumed, subject to rebuttal, that taxpayer's commercial domicile is in the state of the United States or the District of Columbia to which the greatest number of employees are regularly connected with the management of the investment or trading income or out of which they are working, irrespective of where the services of such employees are performed, as of the last day of the taxable year.

(4) (Blank).
(5) (Blank).

(c-1) Federally regulated exchanges. For taxable years ending on or after December 31, 2012, business income of a federally regulated exchange...
exchange shall, at the option of the federally regulated exchange, be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For purposes of this subsection, the business income within this State of a federally regulated exchange is the sum of the following:

(1) Receipts attributable to transactions executed on a physical trading floor if that physical trading floor is located in this State.

(2) Receipts attributable to all other matching, execution, or clearing transactions, including without limitation receipts from the provision of matching, execution, or clearing services to another entity, multiplied by (i) for taxable years ending on or after December 31, 2012 but before December 31, 2013, 63.77%; and (ii) for taxable years ending on or after December 31, 2013, 27.54%.

(3) All other receipts not governed by subparagraphs (1) or (2) of this subsection (c-1), to the extent the receipts would be characterized as "sales in this State" under item (3) of subsection (a) of this Section.

"Federally regulated exchange" means (i) a "registered entity" within the meaning of 7 U.S.C. Section 1a(40)(A), (B), or (C), (ii) an "exchange" or "clearing agency" within the meaning of 15 U.S.C. Section 78c (a)(1) or (23), (iii) any such entities regulated under any successor regulatory structure to the foregoing, and (iv) all taxpayers who are members of the same unitary business group as a federally regulated exchange, determined without regard to the prohibition in Section 1501(a)(27) of this Act against including in a unitary business group taxpayers who are ordinarily required to apportion business income under different subsections of this Section; provided that this subparagraph (iv) shall apply only if 50% or more of the business receipts of the unitary business group determined by application of this subparagraph (iv) for the taxable year are attributable to the matching, execution, or clearing of transactions conducted by an entity described in subparagraph (i), (ii), or (iii) of this paragraph.

In no event shall the Illinois apportionment percentage computed in accordance with this subsection (c-1) for any taxpayer for any tax year be less than the Illinois apportionment percentage computed under this subsection (c-1) for that taxpayer for the first full tax year ending on or
after December 31, 2013 for which this subsection (c-1) applied to the taxpayer.

(d) Transportation services. For taxable years ending before December 31, 2008, business income derived from furnishing transportation services shall be apportioned to this State in accordance with paragraphs (1) and (2):

(1) Such business income (other than that derived from transportation by pipeline) shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of 1 passenger or 1 net ton of freight the distance of 1 mile for a consideration. Where a person is engaged in the transportation of both passengers and freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's

(A) relative railway operating income from total passenger and total freight service, as reported to the Interstate Commerce Commission, in the case of transportation by railroad, and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(2) Such business income derived from transportation by pipeline shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For the purposes of this paragraph, a revenue mile is the transportation by pipeline of 1 barrel of oil, 1,000 cubic feet of gas, or of any specified quantity of any other substance, the distance of 1 mile for a consideration.

(3) For taxable years ending on or after December 31, 2008, business income derived from providing transportation services other than airline services shall be apportioned to this State by using a fraction, (a) the numerator of which shall be (i) all receipts from any movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline) that both originates and

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terminates in this State, plus (ii) that portion of the person's gross receipts from movements or shipments of people, goods, mail, oil, gas, or any other substance (other than by airline) that originates in one state or jurisdiction and terminates in another state or jurisdiction, that is determined by the ratio that the miles traveled in this State bears to total miles everywhere and (b) the denominator of which shall be all revenue derived from the movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline). Where a taxpayer is engaged in the transportation of both passengers and freight, the fraction above referred to shall first be determined separately for passenger miles and freight miles. Then an average of the passenger miles fraction and the freight miles fraction shall be weighted to reflect the taxpayer's:

(A) relative railway operating income from total passenger and total freight service, as reported to the Surface Transportation Board, in the case of transportation by railroad; and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(4) For taxable years ending on or after December 31, 2008, business income derived from furnishing airline transportation services shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of one passenger or one net ton of freight the distance of one mile for a consideration. If a person is engaged in the transportation of both passengers and freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's relative gross receipts from passenger and freight airline transportation.

(e) Combined apportionment. Where 2 or more persons are engaged in a unitary business as described in subsection (a)(27) of Section 1501, a part of which is conducted in this State by one or more members of the group, the business income attributable to this State by any such
member or members shall be apportioned by means of the combined
apportionment method.

(f) Alternative allocation. If the allocation and apportionment
provisions of subsections (a) through (e) and of subsection (h) do not, for
taxable years ending before December 31, 2008, fairly represent the extent
of a person's business activity in this State, or, for taxable years ending on
or after December 31, 2008, fairly represent the market for the person's
goods, services, or other sources of business income, the person may
petition for, or the Director may, without a petition, permit or require, in
respect of all or any part of the person's business activity, if reasonable:

(1) Separate accounting;
(2) The exclusion of any one or more factors;
(3) The inclusion of one or more additional factors which
will fairly represent the person's business activities or market in
this State; or
(4) The employment of any other method to effectuate an
equitable allocation and apportionment of the person's business
income.

(g) Cross reference. For allocation of business income by residents,
see Section 301(a).

(h) For tax years ending on or after December 31, 1998, the
apportionment factor of persons who apportion their business income to
this State under subsection (a) shall be equal to:

(1) for tax years ending on or after December 31, 1998 and
before December 31, 1999, 16 2/3% of the property factor plus 16
2/3% of the payroll factor plus 66 2/3% of the sales factor;
(2) for tax years ending on or after December 31, 1999 and
before December 31, 2000, 8 1/3% of the property factor plus 8
1/3% of the payroll factor plus 83 1/3% of the sales factor;
(3) for tax years ending on or after December 31, 2000, the
sales factor.

If, in any tax year ending on or after December 31, 1998 and before
December 31, 2000, the denominator of the payroll, property, or sales
factor is zero, the apportionment factor computed in paragraph (1) or (2) of
this subsection for that year shall be divided by an amount equal to 100%
minus the percentage weight given to each factor whose denominator is
equal to zero.

(Source: P.A. 96-763, eff. 8-25-09; 97-507, eff. 8-23-11; 97-636, eff. 6-1-12.)

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Sec. 502. Returns and notices.

(a) In general. A return with respect to the taxes imposed by this Act shall be made by every person for any taxable year:

(1) for which such person is liable for a tax imposed by this Act, or

(2) in the case of a resident or in the case of a corporation which is qualified to do business in this State, for which such person is required to make a federal income tax return, regardless of whether such person is liable for a tax imposed by this Act. However, this paragraph shall not require a resident to make a return if such person has an Illinois base income of the basic amount in Section 204(b) or less and is either claimed as a dependent on another person's tax return under the Internal Revenue Code, or is claimed as a dependent on another person's tax return under this Act.

Notwithstanding the provisions of paragraph (1), a nonresident (other than, for taxable years ending on or after December 31, 2011, a nonresident required to withhold tax under Section 709.5) whose Illinois income tax liability under subsections (a), (b), (c), and (d) of Section 201 of this Act is paid in full after taking into account the credits allowed under subsection (f) of this Section or allowed under Section 709.5 of this Act shall not be required to file a return under this subsection (a).

(b) Fiduciaries and receivers.

(1) Decedents. If an individual is deceased, any return or notice required of such individual under this Act shall be made by his executor, administrator, or other person charged with the property of such decedent.

(2) Individuals under a disability. If an individual is unable to make a return or notice required under this Act, the return or notice required of such individual shall be made by his duly authorized agent, guardian, fiduciary or other person charged with the care of the person or property of such individual.

(3) Estates and trusts. Returns or notices required of an estate or a trust shall be made by the fiduciary thereof.

(4) Receivers, trustees and assignees for corporations. In a case where a receiver, trustee in bankruptcy, or assignee, by order of a court of competent jurisdiction, by operation of law, or otherwise, has possession of or holds title to all or substantially all

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the property or business of a corporation, whether or not such property or business is being operated, such receiver, trustee, or assignee shall make the returns and notices required of such corporation in the same manner and form as corporations are required to make such returns and notices.

(c) Joint returns by husband and wife.

(1) Except as provided in paragraph (3):

(A) if a husband and wife file a joint federal income tax return for a taxable year ending before December 31, 2009, they shall file a joint return under this Act for such taxable year and their liabilities shall be joint and several;

(B) if a husband and wife file a joint federal income tax return for a taxable year ending on or after December 31, 2009, they may elect to file separate returns under this Act for such taxable year. The election under this paragraph must be made on or before the due date (including extensions) of the return and, once made, shall be irrevocable. If no election is timely made under this paragraph for a taxable year:

(i) the couple must file a joint return under this Act for such taxable year,

(ii) their liabilities shall be joint and several, and

(iii) any overpayment for that taxable year may be withheld under Section 909 of this Act or under Section 2505-275 of the Civil Administrative Code of Illinois and applied against a debt of either spouse without regard to the amount of the overpayment attributable to the other spouse; and

(C) if the federal income tax liability of either spouse is determined on a separate federal income tax return, they shall file separate returns under this Act.

(2) If neither spouse is required to file a federal income tax return and either or both are required to file a return under this Act, they may elect to file separate or joint returns and pursuant to such election their liabilities shall be separate or joint and several.

(3) If either husband or wife is a resident and the other is a nonresident, they shall file separate returns in this State on such forms as may be required by the Department in which event their

New matter indicated by italics - deletions by strikeout
tax liabilities shall be separate; but if they file a joint federal income tax return for a taxable year, they may elect to determine their joint net income and file a joint return for that taxable year under the provisions of paragraph (1) of this subsection as if both were residents and in such case, their liabilities shall be joint and several.

(4) Innocent spouses.

(A) However, for tax liabilities arising and paid prior to August 13, 1999, an innocent spouse shall be relieved of liability for tax (including interest and penalties) for any taxable year for which a joint return has been made, upon submission of proof that the Internal Revenue Service has made a determination under Section 6013(e) of the Internal Revenue Code, for the same taxable year, which determination relieved the spouse from liability for federal income taxes. If there is no federal income tax liability at issue for the same taxable year, the Department shall rely on the provisions of Section 6013(e) to determine whether the person requesting innocent spouse abatement of tax, penalty, and interest is entitled to that relief.

(B) For tax liabilities arising on and after August 13, 1999 or which arose prior to that date, but remain unpaid as of that date, if an individual who filed a joint return for any taxable year has made an election under this paragraph, the individual's liability for any tax shown on the joint return shall not exceed the individual's separate return amount and the individual's liability for any deficiency assessed for that taxable year shall not exceed the portion of the deficiency properly allocable to the individual. For purposes of this paragraph:

(i) An election properly made pursuant to Section 6015 of the Internal Revenue Code shall constitute an election under this paragraph, provided that the election shall not be effective until the individual has notified the Department of the election in the form and manner prescribed by the Department.

(ii) If no election has been made under Section 6015, the individual may make an election

New matter indicated by italics - deletions by strikeout
under this paragraph in the form and manner prescribed by the Department, provided that no election may be made if the Department finds that assets were transferred between individuals filing a joint return as part of a scheme by such individuals to avoid payment of Illinois income tax and the election shall not eliminate the individual's liability for any portion of a deficiency attributable to an error on the return of which the individual had actual knowledge as of the date of filing.

(iii) In determining the separate return amount or portion of any deficiency attributable to an individual, the Department shall follow the provisions in subsections (c) and (d) of Section 6015 of the Internal Revenue Code.

(iv) In determining the validity of an individual's election under subparagraph (ii) and in determining an electing individual's separate return amount or portion of any deficiency under subparagraph (iii), any determination made by the Secretary of the Treasury, by the United States Tax Court on petition for review of a determination by the Secretary of the Treasury, or on appeal from the United States Tax Court under Section 6015 of the Internal Revenue Code regarding criteria for eligibility or under subsection (d) of Section 6015 of the Internal Revenue Code regarding the allocation of any item of income, deduction, payment, or credit between an individual making the federal election and that individual's spouse shall be conclusively presumed to be correct. With respect to any item that is not the subject of a determination by the Secretary of the Treasury or the federal courts, in any proceeding involving this subsection, the individual making the election shall have the burden of proof with respect to any item except that the Department shall have the burden of proof with respect to items in subdivision (ii).
(v) Any election made by an individual under this subsection shall apply to all years for which that individual and the spouse named in the election have filed a joint return.

(vi) After receiving a notice that the federal election has been made or after receiving an election under subdivision (ii), the Department shall take no collection action against the electing individual for any liability arising from a joint return covered by the election until the Department has notified the electing individual in writing that the election is invalid or of the portion of the liability the Department has allocated to the electing individual. Within 60 days (150 days if the individual is outside the United States) after the issuance of such notification, the individual may file a written protest of the denial of the election or of the Department's determination of the liability allocated to him or her and shall be granted a hearing within the Department under the provisions of Section 908. If a protest is filed, the Department shall take no collection action against the electing individual until the decision regarding the protest has become final under subsection (d) of Section 908 or, if administrative review of the Department's decision is requested under Section 1201, until the decision of the court becomes final.

(d) Partnerships. Every partnership having any base income allocable to this State in accordance with section 305(c) shall retain information concerning all items of income, gain, loss and deduction; the names and addresses of all of the partners, or names and addresses of members of a limited liability company, or other persons who would be entitled to share in the base income of the partnership if distributed; the amount of the distributive share of each; and such other pertinent information as the Department may by forms or regulations prescribe. The partnership shall make that information available to the Department when requested by the Department.

(e) For taxable years ending on or after December 31, 1985, and before December 31, 1993, taxpayers that are corporations (other than
Subchapter S corporations) having the same taxable year and that are members of the same unitary business group may elect to be treated as one taxpayer for purposes of any original return, amended return which includes the same taxpayers of the unitary group which joined in the election to file the original return, extension, claim for refund, assessment, collection and payment and determination of the group's tax liability under this Act. This subsection (e) does not permit the election to be made for some, but not all, of the purposes enumerated above. For taxable years ending on or after December 31, 1987, corporate members (other than Subchapter S corporations) of the same unitary business group making this subsection (e) election are not required to have the same taxable year.

For taxable years ending on or after December 31, 1993, taxpayers that are corporations (other than Subchapter S corporations) and that are members of the same unitary business group shall be treated as one taxpayer for purposes of any original return, amended return which includes the same taxpayers of the unitary group which joined in filing the original return, extension, claim for refund, assessment, collection and payment and determination of the group's tax liability under this Act.

(f) For taxable years ending prior to December 31, 2014, the Department may promulgate regulations to permit nonresident individual partners of the same partnership, nonresident Subchapter S corporation shareholders of the same Subchapter S corporation, and nonresident individuals transacting an insurance business in Illinois under a Lloyds plan of operation, and nonresident individual members of the same limited liability company that is treated as a partnership under Section 1501(a)(16) of this Act, to file composite individual income tax returns reflecting the composite income of such individuals allocable to Illinois and to make composite individual income tax payments. For taxable years ending prior to December 31, 2014, the Department may by regulation also permit such composite returns to include the income tax owed by Illinois residents attributable to their income from partnerships, Subchapter S corporations, insurance businesses organized under a Lloyds plan of operation, or limited liability companies that are treated as partnership under Section 1501(a)(16) of this Act, in which case such Illinois residents will be permitted to claim credits on their individual returns for their shares of the composite tax payments. This paragraph of subsection (f) applies to taxable years ending on or after December 31, 1987 and ending prior to December 31, 2014.
For taxable years ending on or after December 31, 1999, the Department may, by regulation, also permit any persons transacting an insurance business organized under a Lloyds plan of operation to file composite returns reflecting the income of such persons allocable to Illinois and the tax rates applicable to such persons under Section 201 and to make composite tax payments and shall, by regulation, also provide that the income and apportionment factors attributable to the transaction of an insurance business organized under a Lloyds plan of operation by any person joining in the filing of a composite return shall, for purposes of allocating and apportioning income under Article 3 of this Act and computing net income under Section 202 of this Act, be excluded from any other income and apportionment factors of that person or of any unitary business group, as defined in subdivision (a)(27) of Section 1501, to which that person may belong.

For taxable years ending on or after December 31, 2008, every nonresident shall be allowed a credit against his or her liability under subsections (a) and (b) of Section 201 for any amount of tax reported on a composite return and paid on his or her behalf under this subsection (f). Residents (other than persons transacting an insurance business organized under a Lloyds plan of operation) may claim a credit for taxes reported on a composite return and paid on their behalf under this subsection (f) only as permitted by the Department by rule.

(f-5) For taxable years ending on or after December 31, 2008, the Department may adopt rules to provide that, when a partnership or Subchapter S corporation has made an error in determining the amount of any item of income, deduction, addition, subtraction, or credit required to be reported on its return that affects the liability imposed under this Act on a partner or shareholder, the partnership or Subchapter S corporation may report the changes in liabilities of its partners or shareholders and claim a refund of the resulting overpayments, or pay the resulting underpayments, on behalf of its partners and shareholders.

(g) The Department may adopt rules to authorize the electronic filing of any return required to be filed under this Section.

(Source: P.A. 96-520, eff. 8-14-09; 97-507, eff. 8-23-11.)

(35 ILCS 5/709.5)

Sec. 709.5. Withholding by partnerships, Subchapter S corporations, and trusts.

(a) In general. For each taxable year ending on or after December 31, 2008, every partnership (other than a publicly traded partnership under
Section 7704 of the Internal Revenue Code or investment partnership), Subchapter S corporation, and trust must withhold from each nonresident partner, shareholder, or beneficiary (other than a partner, shareholder, or beneficiary who is exempt from tax under Section 501(a) of the Internal Revenue Code or under Section 205 of this Act, who is included on a composite return filed by the partnership or Subchapter S corporation for the taxable year under subsection (f) of Section 502 of this Act, or who is a retired partner, to the extent that partner's distributions are exempt from tax under Section 203(a)(2)(F) of this Act) an amount equal to the sum of (i) the share of business income of the partnership, Subchapter S corporation, or trust apportionable to Illinois plus (ii) for taxable years ending on or after December 31, 2014, the share of nonbusiness income of the partnership, Subchapter S corporation, or trust allocated to Illinois under Section 303 of this Act (other than an amount allocated to the commercial domicile of the taxpayer under Section 303 of this Act) that is distributable to that partner, shareholder, or beneficiary under Sections 702 and 704 and Subchapter S of the Internal Revenue Code, whether or not distributed, (iii) multiplied by the applicable rates of tax for that partner, shareholder, or beneficiary under subsections (a) through (d) of Section 201 of this Act, and (iv) net of the share of any credit under Article 2 of this Act that is distributable by the partnership, Subchapter S corporation, or trust and allowable against the tax liability of that partner, shareholder, or beneficiary for a taxable year ending on or after December 31, 2014.

(b) Credit for taxes withheld. Any amount withheld under subsection (a) of this Section and paid to the Department shall be treated as a payment of the estimated tax liability or of the liability for withholding under this Section of the partner, shareholder, or beneficiary to whom the income is distributable for the taxable year in which that person incurred a liability under this Act with respect to that income. The Department shall adopt rules pursuant to which a partner, shareholder, or beneficiary may claim a credit against its obligation for withholding under this Section for amounts withheld under this Section with respect to income distributable to it by a partnership, Subchapter S corporation, or trust and allowing its partners, shareholders, or beneficiaries to claim a credit under this subsection (b) for those withheld amounts.

(c) Exemption from withholding.

(1) A partnership, Subchapter S corporation, or trust shall not be required to withhold tax under subsection (a) of this Section

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with respect to any nonresident partner, shareholder, or beneficiary (other than an individual) from whom the partnership, S corporation, or trust has received a certificate, completed in the form and manner prescribed by the Department, stating that such nonresident partner, shareholder, or beneficiary shall:

(A) file all returns that the partner, shareholder, or beneficiary is required to file under Section 502 of this Act and make timely payment of all taxes imposed under Section 201 of this Act or under this Section on the partner, shareholder, or beneficiary with respect to income of the partnership, S corporation, or trust; and

(B) be subject to personal jurisdiction in this State for purposes of the collection of income taxes, together with related interest and penalties, imposed on the partner, shareholder, or beneficiary with respect to the income of the partnership, S corporation, or trust.

(2) The Department may revoke the exemption provided by this subsection (c) at any time that it determines that the nonresident partner, shareholder, or beneficiary is not abiding by the terms of the certificate. The Department shall notify the partnership, S corporation, or trust that it has revoked a certificate by notice left at the usual place of business of the partnership, S corporation, or trust or by mail to the last known address of the partnership, S corporation, or trust.

(3) A partnership, S corporation, or trust that receives a certificate under this subsection (c) properly completed by a nonresident partner, shareholder, or beneficiary shall not be required to withhold any amount from that partner, shareholder, or beneficiary, the payment of which would be due under Section 711(a-5) of this Act after the receipt of the certificate and no earlier than 60 days after the Department has notified the partnership, S corporation, or trust that the certificate has been revoked.

(4) Certificates received by a the partnership, S corporation, or trust under this subsection (c) must be retained by the partnership, S corporation, or trust and a record of such certificates must be provided to the Department, in a format in which the record is available for review by the Department, upon request by the Department. The Department may, by rule, require the record

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of certificates to be maintained and provided to the Department electronically.
(Source: P.A. 97-507, eff. 8-23-11.)
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0479
(House Bill No. 3175)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Department of Public Health Powers and Duties
Law of the Civil Administrative Code of Illinois is amended by adding
Section 2310-665 as follows:
(20 ILCS 2310/2310-665 new)
(a) The General Assembly makes the following findings:
   (1) Annually, about 207,090 new cases of breast cancer are
diagnosed, according to the American Cancer Society.
   (2) Breast cancer has a disproportionate and detrimental
impact on African-American women and is the most common
cancer among Hispanic and Latina women.
   (3) African-American women under the age of 40 have a
greater incidence of breast cancer than Caucasian women of the
   same age.
   (4) Individuals undergoing surgery for breast cancer
should give due consideration to the option of breast
reconstructive surgery, either at the same time as the breast cancer
surgery or at a later date.
   (5) According to the American Cancer Society, immediate
breast reconstruction offers the advantage of combining the breast
cancer surgery with the reconstructive surgery and is cost
effective.
   (6) According to the American Cancer Society, delayed
breast reconstruction may be advantageous in women who require
post-surgical radiation or other treatments.

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(7) A woman suffering from the loss of her breast may not be a candidate for surgical breast reconstruction or may choose not to undergo additional surgery and instead choose breast prostheses.

(8) The federal Women's Health and Cancer Rights Act of 1998 requires health plans that offer breast cancer coverage to also provide for breast reconstruction.

(9) Required coverage for breast reconstruction includes all the necessary stages of reconstruction. Surgery of the opposite breast for symmetry may be required. Breast prostheses may be necessary. Other sequelae of breast cancer treatment, such as lymphedema, must be covered.

(10) Several states have enacted laws to require that women receive information on their breast cancer treatment and reconstruction options.

(b) In this Section:

"Hispanic" has the same meaning as in Section 1707 of the federal Public Health Services Act.

"Racial and ethnic minority group" has the same meaning as in Section 1707 of the federal Public Health Services Act.

(c) The Director shall provide for the planning and implementation of an education campaign to inform breast cancer patients, especially those in racial and ethnic minority groups, anticipating surgery regarding the availability and coverage of breast reconstruction, prostheses, and other options. The campaign shall include the dissemination, at a minimum, on relevant State health Internet websites, including the Department of Public Health's Internet website, of the following information:

(1) Breast reconstruction is possible at the time of breast cancer surgery or in a delayed fashion.

(2) Prostheses or breast forms may be available.

(3) Federal law mandates both public and private health plans to include coverage of breast reconstruction and prostheses.

(4) The patient has a right to choose the provider of reconstructive care, including the potential transfer of care to a surgeon that provides breast reconstructive care.

(5) The patient may opt to undergo breast reconstruction in a delayed fashion for personal reasons or after completion of all other breast cancer treatments.

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The campaign may include dissemination of such other information, whether developed by the Director or by other entities, as the Director determines relevant. The campaign shall not specify, or be designed to serve as a tool to limit, the health care providers available to patients.

(d) In developing the information to be disseminated under this Section, the Director shall consult with appropriate medical societies and patient advocates related to breast cancer, patient advocates representing racial and ethnic minority groups, with a special emphasis on African-American and Hispanic population's breast reconstructive surgery, and breast prostheses and breast forms.

(e) Beginning no later than 2 years after the effective date of this amendatory Act of the 98th General Assembly and continuing each second year thereafter, the Director shall submit to the General Assembly a report describing the activities carried out under this Section during the preceding 2 fiscal years, including evaluating the extent to which the activities have been effective in improving the health of racial and ethnic minority groups.

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0480
(House Bill No. 3190)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 10. The Communicable Disease Prevention Act is amended by adding Section 1.10 as follows:

(410 ILCS 315/1.10 new)

Sec. 1.10. Meningococcal conjugate vaccine. The Department of Public Health shall adopt a rule requiring students, upon entering the 6th and 12th grade of any public, private, or parochial school, to receive an immunization containing meningococcal conjugate vaccine that meets the standards approved by the U.S. Public Health Service for such biological products and is in accordance with the recommendations of the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. The immunization shall consist of one dose of the

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MCV4 vaccine for 6th grade entrance and 2 doses for 12th grade entrance, unless the first dose was administered to a child who was 16 years of age or older, in which case only one dose is required at 12th grade entrance. However, if the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices' recommendations for adolescents are updated, then the requirement under this Section should reflect those changes to be current. The immunization requirement shall not apply before 6 months after final rules are approved. Existing Illinois standards for parental or legal guardian objections or medical objections shall be applicable.

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0481
(House Bill No. 3207)

AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Emergency Telephone System Act is amended by changing Section 15.4 as follows:

(50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

Sec. 15.4. Emergency Telephone System Board; powers.
(a) The corporate authorities of any county or municipality that imposes a surcharge under Section 15.3 shall establish an Emergency Telephone System Board. The corporate authorities shall provide for the manner of appointment and the number of members of the Board, provided that the board shall consist of not fewer than 5 members, one of whom must be a public member who is a resident of the local exchange service territory included in the 9-1-1 coverage area, one of whom (in counties with a population less than 100,000) must be a member of the county board, and at least 3 of whom shall be representative of the 9-1-1 public safety agencies, including but not limited to police departments, fire departments, emergency medical services providers, and emergency services and disaster agencies, and appointed on the basis of their ability or experience. In counties with a population of more than 100,000 but less than 2,000,000, a member of the county board may serve on the Emergency Telephone System Board. Elected officials, including members

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of a county board, are also eligible to serve on the board. Members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses. Any 2 or more municipalities, counties, or combination thereof, that impose a surcharge under Section 15.3 may, instead of establishing individual boards, establish by intergovernmental agreement a Joint Emergency Telephone System Board pursuant to this Section. The manner of appointment of such a joint board shall be prescribed in the agreement.

Upon the effective date of this amendatory Act of the 98th General Assembly, appointed members of the Emergency Telephone System Board shall serve staggered 3-year terms if: (1) the Board serves a county with a population of 100,000 or less; and (2) appointments, on the effective date of this amendatory Act of the 98th General Assembly, are not for a stated term. The corporate authorities of the county or municipality shall assign terms to the board members serving on the effective date of this amendatory Act of the 98th General Assembly in the following manner: (1) one-third of board members' terms shall expire on January 1, 2015; (2) one-third of board members' terms shall expire on January 1, 2016; and (3) remaining board members' terms shall expire on January 1, 2017. Board members may be re-appointed upon the expiration of their terms by the corporate authorities of the county or municipality.

The corporate authorities of a county or municipality may, by a vote of the majority of the members elected, remove an Emergency Telephone System Board member for misconduct, official misconduct, or neglect of office.

(b) The powers and duties of the board shall be defined by ordinance of the municipality or county, or by intergovernmental agreement in the case of a joint board. The powers and duties shall include, but need not be limited to the following:

(1) Planning a 9-1-1 system.
(2) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems.
(3) Receiving moneys from the surcharge imposed under Section 15.3, and from any other source, for deposit into the Emergency Telephone System Fund.
(4) Authorizing all disbursements from the fund.
(5) Hiring any staff necessary for the implementation or upgrade of the system.
(6) Participating in a Regional Pilot Project to implement next generation 9-1-1, as defined in this Act, subject to the conditions set forth in this Act.

(c) All moneys received by a board pursuant to a surcharge imposed under Section 15.3 shall be deposited into a separate interest-bearing Emergency Telephone System Fund account. The treasurer of the municipality or county that has established the board or, in the case of a joint board, any municipal or county treasurer designated in the intergovernmental agreement, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the board by resolution passed by a majority of all members of the board. Expenditures may be made only to pay for the costs associated with the following:

1. The design of the Emergency Telephone System.
2. The coding of an initial Master Street Address Guide database, and update and maintenance thereof.
3. The repayment of any moneys advanced for the implementation of the system.
4. The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services.
5. The non-recurring charges related to installation of the Emergency Telephone System and the ongoing network charges.
6. The acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the emergency telephone system and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs.
7. Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs
attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.

(7.5) The purchase of real property if the purchase is made before March 16, 2006.

(8) In the case of a municipality that imposes a surcharge under subsection (h) of Section 15.3, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras as needed to deal with natural and terrorist-inspired emergency situations or events.

(9) The defraying of expenses incurred in participation in a Regional Pilot Project to implement next generation 9-1-1, subject to the conditions set forth in this Act.

(10) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.

Moneys in the fund may also be transferred to a participating fire protection district to reimburse volunteer firefighters who man remote telephone switching facilities when dedicated 9-1-1 lines are down.

(d) The board shall complete the data base before implementation of the 9-1-1 system. The error ratio of the data base shall not at any time exceed 1% of the total data base.

(Source: P.A. 96-1000, eff. 7-2-10; 96-1443, eff. 8-20-10; 97-517, eff. 8-23-11; 97-1018, eff. 8-17-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0482
(House Bill No. 3223)

AN ACT concerning wages.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Prevailing Wage Act is amended by changing Sections 2 and 5 and by adding Section 5.1 as follows:

(820 ILCS 130/2) (from Ch. 48, par. 39s-2)

Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

As used in this Act, unless the context indicates otherwise:

"Public works" means all fixed works constructed or demolished by any public body, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through the State or any of its political subdivisions, including but not limited to: bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division 74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act; loans or other funds made available pursuant to the Build Illinois Act; or funds from the Fund for Illinois' Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes (i) all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement; (ii) all work performed pursuant to a public private agreement under the Public Private Agreements for the Illiana Expressway Act; and (iii) all projects undertaken under a public-private agreement under the Public-Private Partnerships for Transportation Act. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act. "Public works" also includes the construction of a new wind power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act. "Public works" does not include work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part

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out of public funds. "Public works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence.

"Construction" means all work on public works involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

"Locality" means the county where the physical work upon public works is performed, except (1) that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be performed and from which such persons may be obtained in sufficient numbers to perform the work and (2) that, with respect to contracts for highway work with the Department of Transportation of this State, "locality" may at the discretion of the Secretary of the Department of Transportation be construed to include two or more adjacent counties from which workers may be accessible for work on such construction.

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this Act mean the hourly cash wages plus annualized fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works.

(Source: P.A. 96-28, eff. 7-1-09; 96-58, eff. 1-1-10; 96-186, eff. 1-1-10; 96-913, eff. 6-9-10; 96-1000, eff. 7-2-10; 97-502, eff. 8-23-11.)

Sec. 5. Certified payroll.

(a) Any contractor and each subcontractor who participates in public works shall:

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(1) make and keep, for a period of not less than 3 years from the date of the last payment on a contract or subcontract for public works, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include (i) the each worker's name, (ii) the worker's address, (iii) the worker's telephone number when available, (iv) the worker's social security number, (v) the worker's classification or classifications, (vi) the worker's gross and net the hourly wages paid in each pay period, (vii) the worker's number of hours worked each day, (viii) the worker's starting and ending times of work each day, (ix) the worker's hourly wage rate, (x) the worker's hourly overtime wage rate, (xi) the worker's hourly fringe benefit rates, (xii) the name and address of each fringe benefit fund, (xiii) the plan sponsor of each fringe benefit, if applicable, and (xiv) the plan administrator of each fringe benefit, if applicable and the starting and ending times of work each day; and

(2) no later than the 15th tenth day of each calendar month file a certified payroll for the immediately preceding month with the public body in charge of the project. A certified payroll must be filed for only those calendar months during which construction on a public works project has occurred. The certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (a), but may exclude the starting and ending times of work each day. The certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that: (i) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by this Act; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor. A general contractor is not prohibited from relying on the certification of a lower tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification. Any contractor or subcontractor subject to this Act and any officer, employee, or agent of such contractor or subcontractor whose duty as such officer, employee, or agent it is to file such certified payroll who willfully fails to file such a

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certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor. The public body in charge of the project shall keep the records submitted in accordance with this paragraph (2) of subsection (a) for a period of not less than 3 years from the date of the last payment for work on a contract or subcontract for public works. The records submitted in accordance with this paragraph (2) of subsection (a) shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The public body shall accept any reasonable submissions by the contractor that meet the requirements of this Section.

(b) Upon 7 business days' notice, the contractor and each subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in paragraph (1) of subsection (a) of this Section to the public body in charge of the project, its officers and agents, the Director of Labor and his deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(c) A contractor or subcontractor who remits contributions to fringe benefit funds that are jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act shall make and keep certified payroll records that include the information required under items (i) through (viii) of paragraph (1) of subsection (a) only. However, the information required under items (ix) through (xiv) of paragraph (1) of subsection (a) shall be required for any contractor or subcontractor who remits contributions to a fringe benefit fund that is not jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act.

(Source: P.A. 97-571, eff. 1-1-12.)

Sec. 5.1. Electronic database. Subject to appropriation, the Department shall develop and maintain an electronic database capable of accepting and retaining certified payrolls submitted under this Act. The
database shall accept certified payroll forms provided by the Department 
that are fillable and designed to accept electronic signatures.
Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0483
(House Bill No. 3243)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in 
the General Assembly:
Section 5. The Litter Control Act is amended by changing Section 
3 as follows:
(415 ILCS 105/3) (from Ch. 38, par. 86-3)
Sec. 3. As used in this Act, unless the context otherwise requires:
(a) "Litter" means any discarded, used or unconsumed substance or 
rockets, debris, rubbish, grass clippings or other lawn or garden 
waste, newspaper, magazines, glass, metal, plastic or paper containers or 
other packaging construction material, abandoned vehicle (as defined in 
the Illinois Vehicle Code), motor vehicle parts, furniture, oil, carcass of a 
dead animal, any nauseous or offensive matter of any kind, any object 
likely to injure any person or create a traffic hazard, potentially infectious 
medical waste as defined in Section 3.360 of the Environmental Protection 
Act, or anything else of an unsightly or unsanitary nature, which has been 
discarded, abandoned or otherwise disposed of imporperly.
(b) "Motor vehicle" has the meaning ascribed to that term in 
Section 1-146 of the Illinois Vehicle Code.
(c) "Person" means any individual, partnership, copartnership, 
firm, company, corporation, association, joint stock company, trust, estate, 
or any other legal entity, or their legal representative, agent or assigns.
(Source: P.A. 92-574, eff. 6-26-02.)
Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0484  
(House Bill No. 3319)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Environmental Protection Act is amended by changing Section 21 as follows:

Sec. 21. Prohibited acts. No person shall:
(a) Cause or allow the open dumping of any waste.
(b) Abandon, dump, or deposit any waste upon the public highways or other public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.
(c) Abandon any vehicle in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code", as enacted by the 76th General Assembly.
(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

(1) without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; provided, however, that, except for municipal solid waste landfill units that receive waste on or after October 9, 1993, no permit shall be required for (i) any person conducting a waste-storage, waste-treatment, or waste-disposal operation for wastes generated by such person's own activities which are stored, treated, or disposed within the site where such wastes are generated, or (ii) a facility located in a county with a population over 700,000 as of January 1, 2000, operated and located in accordance with Section 22.38 of this Act, and used exclusively for the transfer, storage, or treatment of general construction or demolition debris, provided that the facility was receiving construction or demolition debris on the effective date of this amendatory Act of the 96th General Assembly;
(2) in violation of any regulations or standards adopted by the Board under this Act; or

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(3) which receives waste after August 31, 1988, does not have a permit issued by the Agency, and is (i) a landfill used exclusively for the disposal of waste generated at the site, (ii) a surface impoundment receiving special waste not listed in an NPDES permit, (iii) a waste pile in which the total volume of waste is greater than 100 cubic yards or the waste is stored for over one year, or (iv) a land treatment facility receiving special waste generated at the site; without giving notice of the operation to the Agency by January 1, 1989, or 30 days after the date on which the operation commences, whichever is later, and every 3 years thereafter. The form for such notification shall be specified by the Agency, and shall be limited to information regarding: the name and address of the location of the operation; the type of operation; the types and amounts of waste stored, treated or disposed of on an annual basis; the remaining capacity of the operation; and the remaining expected life of the operation.

Item (3) of this subsection (d) shall not apply to any person engaged in agricultural activity who is disposing of a substance that constitutes solid waste, if the substance was acquired for use by that person on his own property, and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

This subsection (d) shall not apply to hazardous waste.

(e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

(f) Conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:

   (1) without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; or

   (2) in violation of any regulations or standards adopted by the Board under this Act; or
(3) in violation of any RCRA permit filing requirement established under standards adopted by the Board under this Act; or

(4) in violation of any order adopted by the Board under this Act.

Notwithstanding the above, no RCRA permit shall be required under this subsection or subsection (d) of Section 39 of this Act for any person engaged in agricultural activity who is disposing of a substance which has been identified as a hazardous waste, and which has been designated by Board regulations as being subject to this exception, if the substance was acquired for use by that person on his own property and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

(g) Conduct any hazardous waste-transportation operation:

(1) without registering with and obtaining a special waste hauling permit from the Agency in accordance with the regulations adopted by the Board under this Act; or

(2) in violation of any regulations or standards adopted by the Board under this Act.

(h) Conduct any hazardous waste-recycling or hazardous waste-reclamation or hazardous waste-reuse operation in violation of any regulations, standards or permit requirements adopted by the Board under this Act.

(i) Conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsections (a) and (c) of Section 22.4 of this Act.

(j) Conduct any special waste transportation operation in violation of any regulations, standards or permit requirements adopted by the Board under this Act. However, sludge from a water or sewage treatment plant owned and operated by a unit of local government which (1) is subject to a sludge management plan approved by the Agency or a permit granted by the Agency, and (2) has been tested and determined not to be a hazardous waste as required by applicable State and federal laws and regulations, may be transported in this State without a special waste hauling permit, and the preparation and carrying of a manifest shall not be required for such sludge under the rules of the Pollution Control Board. The unit of local government which operates the treatment plant producing such sludge shall file a semiannual report with the Agency identifying the volume of such sludge transported during the reporting period, the hauler

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of the sludge, and the disposal sites to which it was transported. This subsection (j) shall not apply to hazardous waste.

(k) Fail or refuse to pay any fee imposed under this Act.

(l) Locate a hazardous waste disposal site above an active or inactive shaft or tunneled mine or within 2 miles of an active fault in the earth's crust. In counties of population less than 225,000 no hazardous waste disposal site shall be located (1) within 1 1/2 miles of the corporate limits as defined on June 30, 1978, of any municipality without the approval of the governing body of the municipality in an official action; or (2) within 1000 feet of an existing private well or the existing source of a public water supply measured from the boundary of the actual active permitted site and excluding existing private wells on the property of the permit applicant. The provisions of this subsection do not apply to publicly-owned sewage works or the disposal or utilization of sludge from publicly-owned sewage works.

(m) Transfer interest in any land which has been used as a hazardous waste disposal site without written notification to the Agency of the transfer and to the transferee of the conditions imposed by the Agency upon its use under subsection (g) of Section 39.

(n) Use any land which has been used as a hazardous waste disposal site except in compliance with conditions imposed by the Agency under subsection (g) of Section 39.

(o) Conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in any of the following conditions:

(1) refuse in standing or flowing waters;
(2) leachate flows entering waters of the State;
(3) leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency);
(4) open burning of refuse in violation of Section 9 of this Act;
(5) uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit;
(6) failure to provide final cover within time limits established by Board regulations;
(7) acceptance of wastes without necessary permits;
(8) scavenging as defined by Board regulations;

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(9) deposition of refuse in any unpermitted portion of the landfill;

(10) acceptance of a special waste without a required manifest;

(11) failure to submit reports required by permits or Board regulations;

(12) failure to collect and contain litter from the site by the end of each operating day;

(13) failure to submit any cost estimate for the site or any performance bond or other security for the site as required by this Act or Board rules.

The prohibitions specified in this subsection (o) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to sanitary landfills.

(p) In violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:

(1) litter;

(2) scavenging;

(3) open burning;

(4) deposition of waste in standing or flowing waters;

(5) proliferation of disease vectors;

(6) standing or flowing liquid discharge from the dump site;

(7) deposition of:

(i) general construction or demolition debris as defined in Section 3.160(a) of this Act; or

(ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.

(q) Conduct a landscape waste composting operation without an Agency permit, provided, however, that no permit shall be required for any person:

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(1) conducting a landscape waste composting operation for landscape wastes generated by such person's own activities which are stored, treated or disposed of within the site where such wastes are generated; or

(2) applying landscape waste or composted landscape waste at agronomic rates; or

(3) operating a landscape waste composting facility on a farm, if the facility meets all of the following criteria:

(A) the composting facility is operated by the farmer on property on which the composting material is utilized, and the composting facility constitutes no more than 2% of the property's total acreage, except that the Board may allow a higher percentage for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate;

(A-1) the composting facility accepts from other agricultural operations for composting with landscape waste no materials other than uncontaminated and source-separated (i) crop residue and other agricultural plant residue generated from the production and harvesting of crops and other customary farm practices, including, but not limited to, stalks, leaves, seed pods, husks, bagasse, and roots and (ii) plant-derived animal bedding, such as straw or sawdust, that is free of manure and was not made from painted or treated wood;

(A-2) any composting additives that the composting facility accepts and uses at the facility are necessary to provide proper conditions for composting and do not exceed 10% of the total composting material at the facility at any one time;

(B) the property on which the composting facility is located, and any associated property on which the compost is used, is principally and diligently devoted to the production of agricultural crops and is not owned, leased or otherwise controlled by any waste hauler or generator of nonagricultural compost materials, and the operator of the composting facility is not an employee, partner, shareholder, or in any way connected with or controlled by any such waste hauler or generator;

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(C) all compost generated by the composting facility is applied at agronomic rates and used as mulch, fertilizer or soil conditioner on land actually farmed by the person operating the composting facility, and the finished compost is not stored at the composting site for a period longer than 18 months prior to its application as mulch, fertilizer, or soil conditioner;

(D) the owner or operator, by January 1, 1990 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, (i) registers the site with the Agency, (ii) reports to the Agency on the volume of composting material received and used at the site, (iii) certifies to the Agency that the site complies with the requirements set forth in subparagraphs (A), (A-1), (A-2), (B), and (C) of this paragraph (q)(3), and (iv) certifies to the Agency that all composting material:

(I) was placed more than 200 feet from the nearest potable water supply well;

(II) was placed outside the boundary of the 10-year floodplain or on a part of the site that is floodproofed;

(III) was placed either (aa) at least 1/4 mile from the nearest residence (other than a residence located on the same property as the facility) and there are not more than 10 occupied non-farm residences within 1/2 mile of the boundaries of the site on the date of application or (bb) a lesser distance from the nearest residence (other than a residence located on the same property as the facility) provided that the municipality or county in which the facility is located has by ordinance approved a lesser distance than 1/4 mile and there are not more than 10 occupied non-farm residences within 1/2 mile of the boundaries of the site on the date of application; and

(IV) was placed more than 5 feet above the water table.

Any ordinance approving a residential setback of less than 1/4 mile that is used to meet the requirements of
this subparagraph (D) must specifically reference this subparagraph.

For the purposes of this subsection (q), "agronomic rates" means the application of not more than 20 tons per acre per year, except that the Board may allow a higher rate for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate.

(r) Cause or allow the storage or disposal of coal combustion waste unless:

(1) such waste is stored or disposed of at a site or facility for which a permit has been obtained or is not otherwise required under subsection (d) of this Section; or

(2) such waste is stored or disposed of as a part of the design and reclamation of a site or facility which is an abandoned mine site in accordance with the Abandoned Mined Lands and Water Reclamation Act; or

(3) such waste is stored or disposed of at a site or facility which is operating under NPDES and Subtitle D permits issued by the Agency pursuant to regulations adopted by the Board for mine-related water pollution and permits issued pursuant to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the rules and regulations thereunder or any law or rule or regulation adopted by the State of Illinois pursuant thereto, and the owner or operator of the facility agrees to accept the waste; and either

(i) such waste is stored or disposed of in accordance with requirements applicable to refuse disposal under regulations adopted by the Board for mine-related water pollution and pursuant to NPDES and Subtitle D permits issued by the Agency under such regulations; or

(ii) the owner or operator of the facility demonstrates all of the following to the Agency, and the facility is operated in accordance with the demonstration as approved by the Agency: (1) the disposal area will be covered in a manner that will support continuous vegetation, (2) the facility will be adequately protected from wind and water erosion, (3) the pH will be maintained so as to prevent excessive leaching of metal ions, and (4) adequate containment or other measures will be provided to

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protect surface water and groundwater from contamination at levels prohibited by this Act, the Illinois Groundwater Protection Act, or regulations adopted pursuant thereto.

Notwithstanding any other provision of this Title, the disposal of coal combustion waste pursuant to item (2) or (3) of this subdivision (r) shall be exempt from the other provisions of this Title V, and notwithstanding the provisions of Title X of this Act, the Agency is authorized to grant experimental permits which include provision for the disposal of wastes from the combustion of coal and other materials pursuant to items (2) and (3) of this subdivision (r).

(s) After April 1, 1989, offer for transportation, transport, deliver, receive or accept special waste for which a manifest is required, unless the manifest indicates that the fee required under Section 22.8 of this Act has been paid.

(t) Cause or allow a lateral expansion of a municipal solid waste landfill unit on or after October 9, 1993, without a permit modification, granted by the Agency, that authorizes the lateral expansion.

(u) Conduct any vegetable by-product treatment, storage, disposal or transportation operation in violation of any regulation, standards or permit requirements adopted by the Board under this Act. However, no permit shall be required under this Title V for the land application of vegetable by-products conducted pursuant to Agency permit issued under Title III of this Act to the generator of the vegetable by-products. In addition, vegetable by-products may be transported in this State without a special waste hauling permit, and without the preparation and carrying of a manifest.

(v) (Blank).

(w) Conduct any generation, transportation, or recycling of construction or demolition debris, clean or general, or uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads that is not commingled with any waste, without the maintenance of documentation identifying the hauler, generator, place of origin of the debris or soil, the weight or volume of the debris or soil, and the location, owner, and operator of the facility where the debris or soil was transferred, disposed, recycled, or treated. This documentation must be maintained by the generator, transporter, or recycler for 3 years. This subsection (w) shall not apply to (1) a permitted pollution control facility that transfers or accepts construction or demolition debris, clean or general, or uncontaminated soil for final
disposal, recycling, or treatment, (2) a public utility (as that term is defined in the Public Utilities Act) or a municipal utility, (3) the Illinois Department of Transportation, or (4) a municipality or a county highway department, with the exception of any municipality or county highway department located within a county having a population of over 3,000,000 inhabitants or located in a county that is contiguous to a county having a population of over 3,000,000 inhabitants; but it shall apply to an entity that contracts with a public utility, a municipal utility, the Illinois Department of Transportation, or a municipality or a county highway department. The terms "generation" and "recycling" as used in this subsection do not apply to clean construction or demolition debris when (i) used as fill material below grade outside of a setback zone if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, (ii) solely broken concrete without protruding metal bars is used for erosion control, or (iii) milled asphalt or crushed concrete is used as aggregate in construction of the shoulder of a roadway. The terms "generation" and "recycling", as used in this subsection, do not apply to uncontaminated soil that is not commingled with any waste when (i) used as fill material below grade or contoured to grade, or (ii) used at the site of generation.

(Source: P.A. 96-611, eff. 8-24-09; 97-220, eff. 7-28-11.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.
1. When the vehicle overtaken is making or about to make a left turn;
2. Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
3. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for 2 or more lines of moving vehicles.

(b) The driver of a 2 wheeled vehicle may not pass upon the right of any other vehicle proceeding in the same direction unless the unobstructed pavement to the right of the vehicle being passed is of a width of not less than 8 feet. *This subsection does not apply to devices propelled by human power.*

(c) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway.

(Source: P.A. 84-873.)

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0486
(House Bill No. 3380)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2MM as follows:
(815 ILCS 505/2MM)
Sec. 2MM. Verification of accuracy of consumer reporting information used to extend consumers credit and security freeze on credit reports.

(a) A credit card issuer who mails an offer or solicitation to apply for a credit card and who receives a completed application in response to the offer or solicitation which lists an address that is not substantially the same as the address on the offer or solicitation may not issue a credit card

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based on that application until reasonable steps have been taken to verify the applicant's change of address.

(b) Any person who uses a consumer credit report in connection with the approval of credit based on the application for an extension of credit, and who has received notification of a police report filed with a consumer reporting agency that the applicant has been a victim of financial identity theft, as defined in Section 16-30 or 16G-15 of the Criminal Code of 1961 or the Criminal Code of 2012, may not lend money or extend credit without taking reasonable steps to verify the consumer's identity and confirm that the application for an extension of credit is not the result of financial identity theft.

(c) A consumer may request that a security freeze be placed on his or her credit report by sending a request in writing by certified mail to a consumer reporting agency at an address designated by the consumer reporting agency to receive such requests.

The following persons may request that a security freeze be placed on the credit report of a disabled person:

(1) a guardian of the disabled person that is the subject of the request, appointed under Article X1a of the Probate Act of 1975; and

(2) an agent of the disabled person that is the subject of the request, under a written durable power of attorney that complies with Illinois Power of Attorney Act.

The following persons may request that a security freeze be placed on the credit report of a minor:

(1) a guardian of the minor that is the subject of the request, appointed under Article XI of the Probate Act of 1975; and

(2) a parent of the minor that is the subject of the request; and

(3) a guardian appointed under the Juvenile Court Act of 1987 for a minor under the age of 18 who is the subject of the request or, with a court order authorizing the guardian consent power, for a youth who is the subject of the request who has attained the age of 18, but who is under the age of 21.

This subsection (c) does not prevent a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report.
(d) A consumer reporting agency shall place a security freeze on a consumer's credit report no later than 5 business days after receiving a written request from the consumer:

1. a written request described in subsection (c);
2. proper identification; and
3. payment of a fee, if applicable.

(e) Upon placing the security freeze on the consumer's credit report, the consumer reporting agency shall send to the consumer within 10 business days a written confirmation of the placement of the security freeze and a unique personal identification number or password or similar device, other than the consumer's Social Security number, to be used by the consumer when providing authorization for the release of his or her credit report for a specific party or period of time.

(f) If the consumer wishes to allow his or her credit report to be accessed for a specific party or period of time while a freeze is in place, he or she shall contact the consumer reporting agency using a point of contact designated by the consumer reporting agency, request that the freeze be temporarily lifted, and provide the following:

1. Proper identification;
2. The unique personal identification number or password or similar device provided by the consumer reporting agency;
3. The proper information regarding the third party or time period for which the report shall be available to users of the credit report; and
4. A fee, if applicable.

A security freeze for a minor may not be temporarily lifted. This Section does not require a consumer reporting agency to provide to a minor or a parent or guardian of a minor on behalf of the minor a unique personal identification number, password, or similar device provided by the consumer reporting agency for the minor, or parent or guardian of the minor, to use to authorize the consumer reporting agency to release information from a minor.

(g) A consumer reporting agency shall develop a contact method to receive and process a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f) in an expedited manner.

A contact method under this subsection shall include: (i) a postal address; and (ii) an electronic contact method chosen by the consumer reporting agency, which may include the use of telephone, fax, Internet, or other electronic means.

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(h) A consumer reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f), shall comply with the request no later than 3 business days after receiving the request.

(i) A consumer reporting agency shall remove or temporarily lift a freeze placed on a consumer's credit report only in the following cases:

1. upon consumer request, pursuant to subsection (f) or subsection (l) of this Section; or
2. if the consumer's credit report was frozen due to a material misrepresentation of fact by the consumer.

If a consumer reporting agency intends to remove a freeze upon a consumer's credit report pursuant to this subsection, the consumer reporting agency shall notify the consumer in writing prior to removing the freeze on the consumer's credit report.

(j) If a third party requests access to a credit report on which a security freeze is in effect, and this request is in connection with an application for credit or any other use, and the consumer does not allow his or her credit report to be accessed for that specific party or period of time, the third party may treat the application as incomplete.

(k) If a consumer requests a security freeze, the credit reporting agency shall disclose to the consumer the process of placing and temporarily lifting a security freeze, and the process for allowing access to information from the consumer's credit report for a specific party or period of time while the freeze is in place.

(l) A security freeze shall remain in place until the consumer or person authorized under subsection (c) to act on behalf of the minor or disabled person that is the subject of the security freeze requests, using a point of contact designated by the consumer reporting agency, that the security freeze be removed. A credit reporting agency shall remove a security freeze within 3 business days of receiving a request for removal from the consumer, who provides:

1. Proper identification;
2. The unique personal identification number or password or similar device provided by the consumer reporting agency; and
3. A fee, if applicable.

(m) A consumer reporting agency shall require proper identification of the person making a request to place or remove a security freeze and may require proper identification and proper authority from
the person making the request to place or remove a freeze on behalf of the disabled person or minor.

(n) The provisions of subsections (c) through (m) of this Section do not apply to the use of a consumer credit report by any of the following:

(1) A person or entity, or a subsidiary, affiliate, or agent of that person or entity, or an assignee of a financial obligation owing by the consumer to that person or entity, or a prospective assignee of a financial obligation owing by the consumer to that person or entity in conjunction with the proposed purchase of the financial obligation, with which the consumer has or had prior to assignment an account or contract, including a demand deposit account, or to whom the consumer issued a negotiable instrument, for the purposes of reviewing the account or collecting the financial obligation owing for the account, contract, or negotiable instrument. For purposes of this subsection, "reviewing the account" includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

(2) A subsidiary, affiliate, agent, assignee, or prospective assignee of a person to whom access has been granted under subsection (f) of this Section for purposes of facilitating the extension of credit or other permissible use.

(3) Any state or local agency, law enforcement agency, trial court, or private collection agency acting pursuant to a court order, warrant, or subpoena.

(4) A child support agency acting pursuant to Title IV-D of the Social Security Act.

(5) The State or its agents or assigns acting to investigate fraud.

(6) The Department of Revenue or its agents or assigns acting to investigate or collect delinquent taxes or unpaid court orders or to fulfill any of its other statutory responsibilities.

(7) The use of credit information for the purposes of prescreening as provided for by the federal Fair Credit Reporting Act.

(8) Any person or entity administering a credit file monitoring subscription or similar service to which the consumer has subscribed.

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(9) Any person or entity for the purpose of providing a consumer with a copy of his or her credit report or score upon the consumer's request.

(10) Any person using the information in connection with the underwriting of insurance.

(n-5) This Section does not prevent a consumer reporting agency from charging a fee of no more than $10 to a consumer for each freeze, removal, or temporary lift of the freeze, regarding access to a consumer credit report, except that a consumer reporting agency may not charge a fee to (i) a consumer 65 years of age or over for placement and removal of a freeze, or (ii) a victim of identity theft who has submitted to the consumer reporting agency a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person.

(o) If a security freeze is in place, a consumer reporting agency shall not change any of the following official information in a credit report without sending a written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: (i) name, (ii) date of birth, (iii) Social Security number, and (iv) address. Written confirmation is not required for technical modifications of a consumer's official information, including name and street abbreviations, complete spellings, or transposition of numbers or letters. In the case of an address change, the written confirmation shall be sent to both the new address and to the former address.

(p) The following entities are not required to place a security freeze in a consumer report, however, pursuant to paragraph (3) of this subsection, a consumer reporting agency acting as a reseller shall honor any security freeze placed on a consumer credit report by another consumer reporting agency:

(1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payment.

(2) A deposit account information service company, which issues reports regarding account closures due to fraud, substantial overdrafts, ATM abuse, or similar negative information regarding a consumer to inquiring banks or other financial institutions for use
only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution.

(3) A consumer reporting agency that:
   (A) acts only to resell credit information by assembling and merging information contained in a database of one or more consumer reporting agencies; and
   (B) does not maintain a permanent database of credit information from which new credit reports are produced.

(q) For purposes of this Section:
   "Credit report" has the same meaning as "consumer report", as ascribed to it in 15 U.S.C. Sec. 1681a(d).
   "Consumer reporting agency" has the meaning ascribed to it in 15 U.S.C. Sec. 1681a(f).
   "Security freeze" means a notice placed in a consumer's credit report, at the request of the consumer and subject to certain exceptions, that prohibits the consumer reporting agency from releasing the consumer's credit report or score relating to an extension of credit, without the express authorization of the consumer.
   "Extension of credit" does not include an increase in an existing open-end credit plan, as defined in Regulation Z of the Federal Reserve System (12 C.F.R. 226.2), or any change to or review of an existing credit account.
   "Proper authority" means documentation that shows that a parent, guardian, or agent has authority to act on behalf of a minor or disabled person. "Proper authority" includes (1) an order issued by a court of law that shows that a guardian has authority to act on behalf of a minor or disabled person, (2) a written, notarized statement signed by a parent that expressly describes the authority of the parent to act on behalf of the minor, or (3) a durable power of attorney that complies with the Illinois Power of Attorney Act.
   "Proper identification" means information generally deemed sufficient to identify a person. Only if the consumer is unable to reasonably identify himself or herself with the information described above, may a consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his or her identity.

(r) Any person who violates this Section commits an unlawful practice within the meaning of this Act.

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PUBLIC ACT 98-0487
(Senate Bill No. 1207)

AN ACT concerning children.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 7.16 as follows:

(325 ILCS 5/7.16) (from Ch. 23, par. 2057.16)

Sec. 7.16. For any investigation or appeal initiated on or after, or pending on July 1, 1998, the following time frames shall apply. Within 60 days after the notification of the completion of the Child Protective Service Unit investigation, determined by the date of the notification sent by the Department, the perpetrator named in the notification a subject of a report may request the Department to amend the record or remove the record of the report from the register, except that the 60-day deadline for filing a request to amend the record or remove the record of the report from the State Central Register shall be tolled until after the conclusion of any criminal court action in the circuit court or after adjudication in any juvenile court action concerning the circumstances that give rise to an indicated report. Such request shall be in writing and directed to such person as the Department designates in the notification letter notifying the perpetrator of the indicated finding. The perpetrator if the Department disregards any request to do so or does not act within 10 days, the subject shall have the right to a timely hearing within the Department to determine whether the record of the report should be amended or removed on the grounds that it is inaccurate or it is being maintained in a manner inconsistent with this Act, except that there shall be no such right to a hearing on the ground of the report's inaccuracy if there has been a court finding of child abuse or neglect or a criminal finding of guilt as to the perpetrator, the report's accuracy being conclusively presumed on such finding. Such hearing shall be held within a reasonable time after the perpetrator's subject's request and at a reasonable place and hour. The appropriate Child Protective Service Unit shall be given notice of the

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hearing. If the minor, who is the victim named in the report sought to be amended or removed from the State Central Register, is the subject of a pending action under Article II of the Juvenile Court Act of 1987, and the report was made while a guardian ad litem was appointed for the minor under Section 2-17 of the Juvenile Court Act, then the minor shall, through the minor's attorney or guardian ad litem appointed under Section 2-17 of the Juvenile Court Act of 1987, have the right to participate and be heard in such hearing as defined under the Department's rules. In such hearings, the burden of proving the accuracy and consistency of the record shall be on the Department and the appropriate Child Protective Service Unit. The hearing shall be conducted by the Director or his designee, who is hereby authorized and empowered to order the amendment or removal of the record to make it accurate and consistent with this Act. The decision shall be made, in writing, at the close of the hearing, or within 60 days thereof, and shall state the reasons upon which it is based. Decisions of the Department under this Section are administrative decisions subject to judicial review under the Administrative Review Law.

Should the Department grant the request of the perpetrator subject of the report pursuant to this Section either on administrative review or after an administrative hearing to amend an indicated report to an unfounded report, the report shall be released and expunged in accordance with the standards set forth in Section 7.14 of this Act.

(Source: P.A. 90-15, eff. 6-13-97; 90-608, eff. 6-30-98.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 26, 2013.
Effective January 1, 2014.
Section 5. Effect. This Act, including all of the amendatory provisions of this Act, implements and supersedes Executive Order 1 (2012).

Section 10. Revocation of Executive Order 3 (2005). On the date 6 months after the effective date of this Act, Executive Order 3 (2005) is revoked and rescinded with the exception of Section I (renaming the Department of Public Aid as the Department of Healthcare and Family Services), which remains in effect.

Section 15. Transfer back of State healthcare purchasing functions transferred by Executive Order 3 (2005).

(a) On the date 6 months after the effective date of this Act or as soon thereafter as practical, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing that were transferred from the Department of Central Management Services, the Department of Corrections, the Department of Human Services, and the Department of Veterans' Affairs to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Departments from which those powers, duties, rights, and responsibilities were transferred; however, powers, duties, rights, and responsibilities related to State healthcare purchasing that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(b) The functions associated with State healthcare purchasing that are transferred from the Department of Healthcare and Family Services under this Section include, without limitation, the following:

1. Rate development and negotiation with hospitals, physicians, and managed care providers.
2. Health care procurement development.
3. Contract implementation and fiscal monitoring.
5. Payment processing.
6. Purchasing aspects of health care plans administered by the State on behalf of the following:
   A. State employees. These healthcare purchasing functions include the following health care plans: quality care health plan; managed care health plan; vision plan; pharmacy benefits plan; dental plan; behavioral health plan; employee assistance plan; utilization management plan; and

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SHIPs and various subrogation agreements. These healthcare purchasing functions also include the purchasing and administration of flu shots, hepatitis B vaccinations, and tuberculosis tests.

(B) Persons other than State employees. These healthcare purchasing functions include the following health care plans: the retired teachers' health insurance plan under the State Employees Group Insurance Act of 1971; the local government health insurance plan under the State Employees Group Insurance Act of 1971; the community colleges health insurance plan under the State Employees Group Insurance Act of 1971; the active teacher prescription program; and the Illinois Prescription Drug Discount Program.

(C) Residents of State-operated facilities, including (i) correctional and youth facilities operated by the Department of Corrections or the Department of Juvenile Justice, (ii) mental health centers and developmental centers operated by the Department of Human Services, and (iii) veterans homes operated by the Department of Veterans' Affairs.

(c) The powers, duties, rights, and responsibilities vested in or associated with State healthcare purchasing are not affected by this Act, except that all management and staff support or other resources necessary to the operation of a State healthcare purchasing function shall be provided by the Department to which that function is transferred under this Act.

Section 20. Representation on boards or other entities. When any provision of an Executive Order or Act provides for the membership of the Director of Healthcare and Family Services on any council, commission, board, or other entity that exercises any of the State healthcare purchasing functions transferred by this Act, the Director or Secretary of the Department to which the State healthcare purchasing function is transferred under this Act, or his or her designee, shall serve in the place of the Director of Healthcare and Family Services, but only with regard to the exercise of the function transferred under this Act. If more than one such person is required by law to serve on any council, commission, board, or other entity, then an equivalent number of the representatives of the Department to which the applicable function is transferred under this Act shall so serve. In addition, any statutory mandate that provides for action

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on the part of the Director of Healthcare and Family Services relating to a State healthcare purchasing function transferred under this Act shall become the responsibility of the Director or Secretary of the Department to which that function is transferred under this Act.

Section 25. Personnel transferred.
(a) Personnel and positions within the Department of Healthcare and Family Services that are engaged in the performance of State healthcare purchasing functions transferred back to the Department of Central Management Services are transferred to and shall continue their service within the Department of Central Management Services. The status and rights of those employees under the Personnel Code are not affected by this Act.

(b) Personnel and positions of the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs were not in fact transferred under Executive Order 3 (2005) and are not affected by this Act.

Section 30. Books and records transferred. All books, records, papers, documents, property (real and personal), contracts, and pending business pertaining to the powers, duties, rights, and responsibilities related to any of the State healthcare purchasing functions transferred under this Act from the Department of Healthcare and Family Services to the Department of Central Management Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs, including, but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Department to which that State healthcare purchasing function is transferred under this Act, provided that the delivery of that information may not violate any applicable confidentiality constraints. The access by personnel of the Department of Central Management Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs to databases and electronic health information that are currently maintained by the Department of Healthcare and Family Services and that contain data and information necessary to the performance of the State healthcare purchasing functions shall continue in the same manner and level of access as before the effective date of Executive Order 1 (2012). Staff of the Department of Central Management Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs shall continue to have access to databases and electronic health information that are currently maintained by the Department of Healthcare and Family Services and that contain data and information necessary to the performance of the State healthcare purchasing functions transferred under this Act.

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Services, and the Department of Veterans' Affairs may work with staff of the Department of Healthcare and Family Services to add new information relevant to State healthcare purchasing functions.

Section 35. Unexpended moneys transferred.

(a) With respect to the State healthcare purchasing functions transferred under this Act, the Department of Central Management Services is the successor agency to the Department of Healthcare and Family Services under the Successor Agency Act and Section 9b of the State Finance Act. All unexpended appropriations and balances and other moneys available for use in connection with any of the State healthcare purchasing functions transferred from the Department of Healthcare and Family Services to the Department of Central Management Services are transferred for use by the Department of Central Management Services for the exercise of those functions pursuant to the direction of the Governor. Unexpended balances so transferred shall be expended only for the purpose for which the appropriations were originally made.

(b) Appropriations of the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs were not in fact transferred under Executive Order 3 (2005) and are not affected by this Act.

Section 40. Exercise of transferred powers; savings provisions. The powers, duties, rights, and responsibilities related to the State healthcare purchasing functions transferred under this Act are vested in and shall be exercised by the Department to which the applicable function is transferred. Each act done in the exercise of those powers, duties, rights, and responsibilities shall have the same legal effect as if done by the Department of Healthcare and Family Services or its divisions, officers, or employees.

Section 45. Rules.

(a) Any rules that (i) relate to the Illinois Prescription Drug Discount Program or to any other State healthcare purchasing function or program transferred to the Department of Central Management Services by this Act, (ii) are in full force on the effective date of Executive Order 1 (2012), and (iii) have been duly adopted by the Department of Healthcare and Family Services shall become the rules of the Department of Central Management Services. This Act shall not affect the legality of any such rules in the Illinois Administrative Code.

(b) Any proposed rule filed with the Secretary of State by the Department of Healthcare and Family Services that pertains to the Illinois

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Prescription Drug Discount Program, or to any other State healthcare purchasing function or program transferred to the Department of Central Management Services by this Act, and that is pending in the rulemaking process on the effective date of Executive Order 1 (2012) shall be deemed to have been filed by the Department of Central Management Services.

(c) On and after the effective date of Executive Order 1 (2012), the Department of Central Management Services may propose and adopt, under the Illinois Administrative Procedure Act, other rules that relate to the Illinois Prescription Drug Discount Program, or to any other State healthcare purchasing function or program transferred to the Department of Central Management Services by this Act.

Section 50. Rights, obligations, and duties unaffected by transfer. The transfer of powers, duties, rights, and responsibilities from the Department of Healthcare and Family Services under this Act does not affect any person's rights, obligations, or duties, including any civil or criminal penalties applicable thereto, arising out of those transferred powers, duties, rights, and responsibilities.

Section 55. Agency officers; penalties. Every officer of the Department of Central Management Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs is, for any offense, subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer whose powers or duties are transferred under this Act.

Section 60. Reports, notices, or papers. Whenever reports or notices are required to be made or given or papers or documents furnished or served by any person to or upon the Department of Healthcare and Family Services in connection with any State healthcare purchasing function transferred under this Act, the same shall be made, given, furnished, or served in the same manner to or upon the Department to which that State healthcare purchasing function is transferred.

Section 65. Interagency agreements. To the extent necessary or prudent to fully implement the intent of this Act, the Department of Central Management Services, the Department of Corrections, the Department of Human Services, the Department of Juvenile Justice, the Department of Veterans' Affairs, and the Department of Healthcare and Family Services may enter into one or more interagency agreements to ensure the full and appropriate transfer of all State healthcare purchasing
functions transferred from the Department of Healthcare and Family Services under this Act.

Section 70. Acts and actions unaffected by transfer. This Act does not affect any act done, ratified, or canceled, or any right occurring or established, before the effective date of Executive Order 1 (2012), in connection with any State healthcare purchasing function transferred under this Act. This Act does not affect any action or proceeding had or commenced before the effective date of Executive Order 1 (2012) in an administrative, civil, or criminal cause regarding a State healthcare purchasing function transferred from the Department of Healthcare and Family Services under this Act, but any such action or proceeding may be defended, prosecuted, or continued by the Department to which the applicable State healthcare purchasing function is transferred.

Section 900. The State Employees Group Insurance Act of 1971 is amended by adding Section 2.5 and changing Sections 3, 6.5, 6.10, 10, and 13.1 as follows:

(5 ILCS 375/2.5 new)

Sec. 2.5. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department of Central Management Services to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.

(5 ILCS 375/3) (from Ch. 127, par. 523)

Sec. 3. Definitions. Unless the context otherwise requires, the following words and phrases as used in this Act shall have the following meanings. The Department may define these and other words and phrases separately for the purpose of implementing specific programs providing benefits under this Act.

(a) "Administrative service organization" means any person, firm or corporation experienced in the handling of claims which is fully qualified, financially sound and capable of meeting the service requirements of a contract of administration executed with the Department.

(b) "Annuitant" means (1) an employee who retires, or has retired, on or after January 1, 1966 on an immediate annuity under the provisions of Articles 2, 14 (including an employee who has elected to receive an

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alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity), 15 (including an employee who has retired under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code; (2) any person who was receiving group insurance coverage under this Act as of March 31, 1978 by reason of his status as an annuitant, even though the annuity in relation to which such coverage was provided is a proportional annuity based on less than the minimum period of service required for a retirement annuity in the system involved; (3) any person not otherwise covered by this Act who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code; (4) the spouse of any person who is receiving a retirement annuity under Article 18 of the Illinois Pension Code and who is covered under a group health insurance program sponsored by a governmental employer other than the State of Illinois and who has irrevocably elected to waive his or her coverage under this Act and to have his or her spouse considered as the "annuitant" under this Act and not as a "dependent"; or (5) an employee who retires, or has retired, from a qualified position, as determined according to rules promulgated by the Director, under a qualified local government, a qualified rehabilitation facility, a qualified domestic violence shelter or service, or a qualified child advocacy center. (For definition of "retired employee", see (p) post).

(b-5) (Blank).
(b-6) (Blank).
(b-7) (Blank).

(c) "Carrier" means (1) an insurance company, a corporation organized under the Limited Health Service Organization Act or the Voluntary Health Services Plan Act, a partnership, or other nongovernmental organization, which is authorized to do group life or group health insurance business in Illinois, or (2) the State of Illinois as a self-insurer.

(d) "Compensation" means salary or wages payable on a regular payroll by the State Treasurer on a warrant of the State Comptroller out of any State, trust or federal fund, or by the Governor of the State through a disbursing officer of the State out of a trust or out of federal funds, or by any Department out of State, trust, federal or other funds held by the State Treasurer or the Department, to any person for personal services currently performed, and ordinary or accidental disability benefits under Articles 2,
14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, or benefits payable under the Workers' Compensation or Occupational Diseases Act or benefits payable under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Compensation" also means salary or wages paid to an employee of any qualified local government, qualified rehabilitation facility, qualified domestic violence shelter or service, or qualified child advocacy center.

(e) "Commission" means the State Employees Group Insurance Advisory Commission authorized by this Act. Commencing July 1, 1984, "Commission" as used in this Act means the Commission on Government Forecasting and Accountability as established by the Legislative Commission Reorganization Act of 1984.

(f) "Contributory", when referred to as contributory coverage, shall mean optional coverages or benefits elected by the member toward the cost of which such member makes contribution, or which are funded in whole or in part through the acceptance of a reduction in earnings or the foregoing of an increase in earnings by an employee, as distinguished from noncontributory coverage or benefits which are paid entirely by the State of Illinois without reduction of the member's salary.

(g) "Department" means any department, institution, board, commission, officer, court or any agency of the State government receiving appropriations and having power to certify payrolls to the Comptroller authorizing payments of salary and wages against such appropriations as are made by the General Assembly from any State fund, or against trust funds held by the State Treasurer and includes boards of trustees of the retirement systems created by Articles 2, 14, 15, 16 and 18 of the Illinois Pension Code. "Department" also includes the Illinois Comprehensive Health Insurance Board, the Board of Examiners established under the Illinois Public Accounting Act, and the Illinois Finance Authority.

(h) "Dependent", when the term is used in the context of the health and life plan, means a member's spouse and any child (1) from birth to age 26 including an adopted child, a child who lives with the member from the time of the filing of a petition for adoption until entry of an order of adoption, a stepchild or adjudicated child, or a child who lives with the member if such member is a court appointed guardian of the child or (2)
age 19 or over who is mentally or physically disabled from a cause originating prior to the age of 19 (age 26 if enrolled as an adult child dependent). For the health plan only, the term "dependent" also includes (1) any person enrolled prior to the effective date of this Section who is dependent upon the member to the extent that the member may claim such person as a dependent for income tax deduction purposes and (2) any person who has received after June 30, 2000 an organ transplant and who is financially dependent upon the member and eligible to be claimed as a dependent for income tax purposes. A member requesting to cover any dependent must provide documentation as requested by the Department of Central Management Services and file with the Department any and all forms required by the Department.

(i) "Director" means the Director of the Illinois Department of Central Management Services or of any successor agency designated to administer this Act.

(j) "Eligibility period" means the period of time a member has to elect enrollment in programs or to select benefits without regard to age, sex or health.

(k) "Employee" means and includes each officer or employee in the service of a department who (1) receives his compensation for service rendered to the department on a warrant issued pursuant to a payroll certified by a department or on a warrant or check issued and drawn by a department upon a trust, federal or other fund or on a warrant issued pursuant to a payroll certified by an elected or duly appointed officer of the State or who receives payment of the performance of personal services on a warrant issued pursuant to a payroll certified by a Department and drawn by the Comptroller upon the State Treasurer against appropriations made by the General Assembly from any fund or against trust funds held by the State Treasurer, and (2) is employed full-time or part-time in a position normally requiring actual performance of duty during not less than 1/2 of a normal work period, as established by the Director in cooperation with each department, except that persons elected by popular vote will be considered employees during the entire term for which they are elected regardless of hours devoted to the service of the State, and (3) except that "employee" does not include any person who is not eligible by reason of such person's employment to participate in one of the State retirement systems under Articles 2, 14, 15 (either the regular Article 15 system or the optional retirement program established under Section 15-158.2) or 18, or under paragraph (2), (3), or (5) of Section 16-106, of the Illinois
Pension Code, but such term does include persons who are employed during the 6 month qualifying period under Article 14 of the Illinois Pension Code. Such term also includes any person who (1) after January 1, 1966, is receiving ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, (2) receives total permanent or total temporary disability under the Workers' Compensation Act or Occupational Disease Act as a result of injuries sustained or illness contracted in the course of employment with the State of Illinois, or (3) is not otherwise covered under this Act and has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code. However, a person who satisfies the criteria of the foregoing definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code is also an "employee" for the purposes of this Act. "Employee" also includes any person receiving or eligible for benefits under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Employee" also includes (i) each officer or employee in the service of a qualified local government, including persons appointed as trustees of sanitary districts regardless of hours devoted to the service of the sanitary district, (ii) each employee in the service of a qualified rehabilitation facility, (iii) each full-time employee in the service of a qualified domestic violence shelter or service, and (iv) each full-time employee in the service of a qualified child advocacy center, as determined according to rules promulgated by the Director.

(l) "Member" means an employee, annuitant, retired employee or survivor. In the case of an annuitant or retired employee who first becomes an annuitant or retired employee on or after the effective date of this amendatory Act of the 97th General Assembly, the individual must meet the minimum vesting requirements of the applicable retirement system in order to be eligible for group insurance benefits under that system. In the case of a survivor who first becomes a survivor on or after the effective date of this amendatory Act of the 97th General Assembly, the deceased employee, annuitant, or retired employee upon whom the annuity is based must have been eligible to participate in the group insurance system under

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the applicable retirement system in order for the survivor to be eligible for group insurance benefits under that system.

(m) "Optional coverages or benefits" means those coverages or benefits available to the member on his or her voluntary election, and at his or her own expense.

(n) "Program" means the group life insurance, health benefits and other employee benefits designed and contracted for by the Director under this Act.

(o) "Health plan" means a health benefits program offered by the State of Illinois for persons eligible for the plan.

(p) "Retired employee" means any person who would be an annuitant as that term is defined herein but for the fact that such person retired prior to January 1, 1966. Such term also includes any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant but for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code.

(q) "Survivor" means a person receiving an annuity as a survivor of an employee or of an annuitant. "Survivor" also includes: (1) the surviving dependent of a person who satisfies the definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; (2) the surviving dependent of any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant except for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; and (3) the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-2) "SERS" means the State Employees' Retirement System of Illinois, created under Article 14 of the Illinois Pension Code.

(q-3) "SURS" means the State Universities Retirement System, created under Article 15 of the Illinois Pension Code.

(q-4) "TRS" means the Teachers' Retirement System of the State of Illinois, created under Article 16 of the Illinois Pension Code.

(q-5) (Blank).

(q-6) (Blank).

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(q-7) (Blank).

(r) "Medical services" means the services provided within the scope of their licenses by practitioners in all categories licensed under the Medical Practice Act of 1987.

(s) "Unit of local government" means any county, municipality, township, school district (including a combination of school districts under the Intergovernmental Cooperation Act), special district or other unit, designated as a unit of local government by law, which exercises limited governmental powers or powers in respect to limited governmental subjects, any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 85-15 of the Township Code; any not-for-profit corporation or association, with a membership consisting primarily of municipalities, that operates its own utility system, and provides research, training, dissemination of information, or other acts to promote cooperation between and among municipalities that provide utility services and for the advancement of the goals and purposes of its membership; the Southern Illinois Collegiate Common Market, which is a consortium of higher education institutions in Southern Illinois; the Illinois Association of Park Districts; and any hospital provider that is owned by a county that has 100 or fewer hospital beds and has not already joined the program. "Qualified local government" means a unit of local government approved by the Director and participating in a program created under subsection (i) of Section 10 of this Act.

(t) "Qualified rehabilitation facility" means any not-for-profit organization that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services, approved by the Director and participating in a program created under subsection (j) of Section 10 of this Act.

(u) "Qualified domestic violence shelter or service" means any Illinois domestic violence shelter or service and its administrative offices funded by the Department of Human Services (as successor to the Illinois Department of Public Aid), approved by the Director and participating in a program created under subsection (k) of Section 10.

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(v) "TRS benefit recipient" means a person who:
   (1) is not a "member" as defined in this Section; and
   (2) is receiving a monthly benefit or retirement annuity under Article 16 of the Illinois Pension Code; and
   (3) either (i) has at least 8 years of creditable service under Article 16 of the Illinois Pension Code, or (ii) was enrolled in the health insurance program offered under that Article on January 1, 1996, or (iii) is the survivor of a benefit recipient who had at least 8 years of creditable service under Article 16 of the Illinois Pension Code or was enrolled in the health insurance program offered under that Article on the effective date of this amendatory Act of 1995, or (iv) is a recipient or survivor of a recipient of a disability benefit under Article 16 of the Illinois Pension Code.

(w) "TRS dependent beneficiary" means a person who:
   (1) is not a "member" or "dependent" as defined in this Section; and
   (2) is a TRS benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the TRS benefit recipient, or (C) natural, step, adjudicated, or adopted child who is (i) under age 26, (ii) was, on January 1, 1996, participating as a dependent beneficiary in the health insurance program offered under Article 16 of the Illinois Pension Code, or (iii) age 19 or over who is mentally or physically disabled from a cause originating prior to the age of 19 (age 26 if enrolled as an adult child).

"TRS dependent beneficiary" does not include, as indicated under paragraph (2) of this subsection (w), a dependent of the survivor of a TRS benefit recipient who first becomes a dependent of a survivor of a TRS benefit recipient on or after the effective date of this amendatory Act of the 97th General Assembly unless that dependent would have been eligible for coverage as a dependent of the deceased TRS benefit recipient upon whom the survivor benefit is based.

(x) "Military leave" refers to individuals in basic training for reserves, special/advanced training, annual training, emergency call up, activation by the President of the United States, or any other training or duty in service to the United States Armed Forces.

(y) (Blank).

(z) "Community college benefit recipient" means a person who:
   (1) is not a "member" as defined in this Section; and
(2) is receiving a monthly survivor's annuity or retirement annuity under Article 15 of the Illinois Pension Code; and

(3) either (i) was a full-time employee of a community college district or an association of community college boards created under the Public Community College Act (other than an employee whose last employer under Article 15 of the Illinois Pension Code was a community college district subject to Article VII of the Public Community College Act) and was eligible to participate in a group health benefit plan as an employee during the time of employment with a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards, or (ii) is the survivor of a person described in item (i).

(aa) "Community college dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a community college benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the community college benefit recipient, or (C) natural, step, adjudicated, or adopted child who is (i) under age 26, or (ii) age 19 or over and mentally or physically disabled from a cause originating prior to the age of 19 (age 26 if enrolled as an adult child).

"Community college dependent beneficiary" does not include, as indicated under paragraph (2) of this subsection (aa), a dependent of the survivor of a community college benefit recipient who first becomes a dependent of a survivor of a community college benefit recipient on or after the effective date of this amendatory Act of the 97th General Assembly unless that dependent would have been eligible for coverage as a dependent of the deceased community college benefit recipient upon whom the survivor annuity is based.

(bb) "Qualified child advocacy center" means any Illinois child advocacy center and its administrative offices funded by the Department of Children and Family Services, as defined by the Children's Advocacy Center Act (55 ILCS 80/), approved by the Director and participating in a program created under subsection (n) of Section 10.

(Source: P.A. 96-756, eff. 1-1-10; 96-1519, eff. 2-4-11; 97-668, eff. 1-13-12; 97-695, eff. 7-1-12.)
(5 ILCS 375/6.5)

Sec. 6.5. Health benefits for TRS benefit recipients and TRS dependent beneficiaries.

(a) Purpose. It is the purpose of this amendatory Act of 1995 to transfer the administration of the program of health benefits established for benefit recipients and their dependent beneficiaries under Article 16 of the Illinois Pension Code to the Department of Central Management Services.

(b) Transition provisions. The Board of Trustees of the Teachers' Retirement System shall continue to administer the health benefit program established under Article 16 of the Illinois Pension Code through December 31, 1995. Beginning January 1, 1996, the Department of Central Management Services shall be responsible for administering a program of health benefits for TRS benefit recipients and TRS dependent beneficiaries under this Section. The Department of Central Management Services and the Teachers' Retirement System shall cooperate in this endeavor and shall coordinate their activities so as to ensure a smooth transition and uninterrupted health benefit coverage.

(c) Eligibility. All persons who were enrolled in the Article 16 program at the time of the transfer shall be eligible to participate in the program established under this Section without any interruption or delay in coverage or limitation as to pre-existing medical conditions. Eligibility to participate shall be determined by the Teachers' Retirement System. Eligibility information shall be communicated to the Department of Central Management Services in a format acceptable to the Department.

A TRS dependent beneficiary who is a child age 19 or over and mentally or physically disabled does not become ineligible to participate by reason of (i) becoming ineligible to be claimed as a dependent for Illinois or federal income tax purposes or (ii) receiving earned income, so long as those earnings are insufficient for the child to be fully self-sufficient.

(d) Coverage. The level of health benefits provided under this Section shall be similar to the level of benefits provided by the program previously established under Article 16 of the Illinois Pension Code.

Group life insurance benefits are not included in the benefits to be provided to TRS benefit recipients and TRS dependent beneficiaries under this Act.

The program of health benefits under this Section may include any or all of the benefit limitations, including but not limited to a reduction in benefits based on eligibility for federal medicare benefits, that are
provided under subsection (a) of Section 6 of this Act for other health benefit programs under this Act.

(e) Insurance rates and premiums. The Director shall determine the insurance rates and premiums for TRS benefit recipients and TRS dependent beneficiaries, and shall present to the Teachers' Retirement System of the State of Illinois, by April 15 of each calendar year, the rate-setting methodology (including but not limited to utilization levels and costs) used to determine the amount of the health care premiums.

For Fiscal Year 1996, the premium shall be equal to the premium actually charged in Fiscal Year 1995; in subsequent years, the premium shall never be lower than the premium charged in Fiscal Year 1995.

For Fiscal Year 2003, the premium shall not exceed 110% of the premium actually charged in Fiscal Year 2002.

For Fiscal Year 2004, the premium shall not exceed 112% of the premium actually charged in Fiscal Year 2003.

For Fiscal Year 2005, the premium shall not exceed a weighted average of 106.6% of the premium actually charged in Fiscal Year 2004.

For Fiscal Year 2006, the premium shall not exceed a weighted average of 109.1% of the premium actually charged in Fiscal Year 2005.

For Fiscal Year 2007, the premium shall not exceed a weighted average of 103.9% of the premium actually charged in Fiscal Year 2006.

For Fiscal Year 2008 and thereafter, the premium in each fiscal year shall not exceed 105% of the premium actually charged in the previous fiscal year.

Rates and premiums may be based in part on age and eligibility for federal medicare coverage. However, the cost of participation for a TRS dependent beneficiary who is an unmarried child age 19 or over and mentally or physically disabled shall not exceed the cost for a TRS dependent beneficiary who is an unmarried child under age 19 and participates in the same major medical or managed care program.

The cost of health benefits under the program shall be paid as follows:

(1) For a TRS benefit recipient selecting a managed care program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund. Effective with Fiscal
Year 2007 and thereafter, for a TRS benefit recipient selecting a managed care program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund.

(2) For a TRS benefit recipient selecting the major medical coverage program, up to 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Department of Central Management Services.

(3) For a TRS benefit recipient selecting the major medical coverage program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Department of Central Management Services.

(3.1) For a TRS dependent beneficiary who is Medicare primary and enrolled in a managed care plan, or the major medical coverage program if a managed care plan is not available, 25% of the total insurance rate shall be paid from the Teacher Health Security Fund as determined by the Department of Central Management Services. For the purpose of this item (3.1), the term "TRS dependent beneficiary who is Medicare primary" means a TRS dependent beneficiary who is participating in Medicare Parts A and B.

(4) Except as otherwise provided in item (3.1), the balance of the rate of insurance, including the entire premium of any coverage for TRS dependent beneficiaries that has been elected, shall be paid by deductions authorized by the TRS benefit recipient to be withheld from his or her monthly annuity or benefit payment from the Teachers' Retirement System; except that (i) if the balance of the cost of coverage exceeds the amount of the monthly annuity

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or benefit payment, the difference shall be paid directly to the Teachers' Retirement System by the TRS benefit recipient, and (ii) all or part of the balance of the cost of coverage may, at the school board's option, be paid to the Teachers' Retirement System by the school board of the school district from which the TRS benefit recipient retired, in accordance with Section 10-22.3b of the School Code. The Teachers' Retirement System shall promptly deposit all moneys withheld by or paid to it under this subdivision (e)(4) into the Teacher Health Insurance Security Fund. These moneys shall not be considered assets of the Retirement System.

(f) Financing. Beginning July 1, 1995, all revenues arising from the administration of the health benefit programs established under Article 16 of the Illinois Pension Code or this Section shall be deposited into the Teacher Health Insurance Security Fund, which is hereby created as a nonappropriated trust fund to be held outside the State Treasury, with the State Treasurer as custodian. Any interest earned on moneys in the Teacher Health Insurance Security Fund shall be deposited into the Fund.

Moneys in the Teacher Health Insurance Security Fund shall be used only to pay the costs of the health benefit program established under this Section, including associated administrative costs, and the costs associated with the health benefit program established under Article 16 of the Illinois Pension Code, as authorized in this Section. Beginning July 1, 1995, the Department of Central Management Services may make expenditures from the Teacher Health Insurance Security Fund for those costs.

After other funds authorized for the payment of the costs of the health benefit program established under Article 16 of the Illinois Pension Code are exhausted and until January 1, 1996 (or such later date as may be agreed upon by the Director of Central Management Services and the Secretary of the Teachers' Retirement System), the Secretary of the Teachers' Retirement System may make expenditures from the Teacher Health Insurance Security Fund as necessary to pay up to 75% of the cost of providing health coverage to eligible benefit recipients (as defined in Sections 16-153.1 and 16-153.3 of the Illinois Pension Code) who are enrolled in the Article 16 health benefit program and to facilitate the transfer of administration of the health benefit program to the Department of Central Management Services.

The Department of Central Management Healthcare and Family Services, or any successor agency designated to procure healthcare

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contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Teacher Health Insurance Security Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Teacher Health Insurance Security Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(g) Contract for benefits. The Director shall by contract, self-insurance, or otherwise make available the program of health benefits for TRS benefit recipients and their TRS dependent beneficiaries that is provided for in this Section. The contract or other arrangement for the provision of these health benefits shall be on terms deemed by the Director to be in the best interest of the State of Illinois and the TRS benefit recipients based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor, and the costs of the benefits.

(g-5) Committee. A Teacher Retirement Insurance Program Committee shall be established, to consist of 10 persons appointed by the Governor.

The Committee shall convene at least 4 times each year, and shall consider and make recommendations on issues affecting the program of health benefits provided under this Section. Recommendations of the Committee shall be based on a consensus of the members of the Committee.

If the Teacher Health Insurance Security Fund experiences a deficit balance based upon the contribution and subsidy rates established in this Section and Section 6.6 for Fiscal Year 2008 or thereafter, the Committee shall make recommendations for adjustments to the funding sources established under these Sections.
In addition, the Committee shall identify proposed solutions to the funding shortfalls that are affecting the Teacher Health Insurance Security Fund, and it shall report those solutions to the Governor and the General Assembly within 6 months after August 15, 2011 (the effective date of Public Act 97-386).

(h) Continuation of program. It is the intention of the General Assembly that the program of health benefits provided under this Section be maintained on an ongoing, affordable basis.

The program of health benefits provided under this Section may be amended by the State and is not intended to be a pension or retirement benefit subject to protection under Article XIII, Section 5 of the Illinois Constitution.

(i) Repeal. (Blank).

(Source: P.A. 96-1519, eff. 2-4-11; 97-386, eff. 8-15-11; 97-813, eff. 7-13-12.)

(5 ILCS 375/6.10)
Sec. 6.10. Contributions to the Community College Health Insurance Security Fund.

(a) Beginning January 1, 1999, every active contributor of the State Universities Retirement System (established under Article 15 of the Illinois Pension Code) who (1) is a full-time employee of a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards and (2) is not an employee as defined in Section 3 of this Act shall make contributions toward the cost of community college annuitant and survivor health benefits at the rate of 0.50% of salary.

These contributions shall be deducted by the employer and paid to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employees under Section 15-157 of the Illinois Pension Code. An employer may agree to pick up or pay the contributions required under this subsection on behalf of the employee; such contributions shall be deemed to have been paid by the employee.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (a) into the Community College Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes

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authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

(b) Beginning January 1, 1999, every community college district (other than a community college district subject to Article VII of the Public Community College Act) or association of community college boards that is an employer under the State Universities Retirement System shall contribute toward the cost of the community college health benefits provided under Section 6.9 of this Act an amount equal to 0.50% of the salary paid to its full-time employees who participate in the State Universities Retirement System and are not members as defined in Section 3 of this Act.

These contributions shall be paid by the employer to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employers under Section 15-155 of the Illinois Pension Code.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (b) into the Community College Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

The Department of Central Management Healthcare and Family Services, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Community College Health Insurance Security Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Community College Health Insurance Security Fund. The transferred moneys, and interest accrued

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thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.  

(c) On or before November 15 of each year, the Board of Trustees of the State Universities Retirement System shall certify to the Governor, the Director of Central Management Services, and the State Comptroller its estimate of the total amount of contributions to be paid under subsection (a) of this Section for the next fiscal year. Beginning in fiscal year 2008, the amount certified shall be decreased or increased each year by the amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for the previous fiscal year. The State Universities Retirement System shall calculate the amount of actual active employee contributions in fiscal years 1999 through 2005. Based upon this calculation, the fiscal year 2008 certification shall include an amount equal to the cumulative amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for those fiscal years. The certification shall include a detailed explanation of the methods and information that the Board relied upon in preparing its estimate. As soon as possible after the effective date of this Section, the Board shall submit its estimate for fiscal year 1999.  

(d) Beginning in fiscal year 1999, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Community College Health Insurance Security Fund 1/12 of the annual amount appropriated for that fiscal year to the State Comptroller for deposit into the Community College Health Insurance Security Fund under Section 1.4 of the State Pension Funds Continuing Appropriation Act.  

(e) Except where otherwise specified in this Section, the definitions that apply to Article 15 of the Illinois Pension Code apply to this Section.  

(Source: P.A. 94-839, eff. 6-6-06; 95-632, eff. 9-25-07.)  

(5 ILCS 375/10) (from Ch. 127, par. 530)  

Sec. 10. Contributions by the State and members.

New matter indicated by italics - deletions by strikeout
(a) The State shall pay the cost of basic non-contributory group life insurance and, subject to member paid contributions set by the Department or required by this Section and except as provided in this Section, the basic program of group health benefits on each eligible member, except a member, not otherwise covered by this Act, who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code, and part of each eligible member's and retired member's premiums for health insurance coverage for enrolled dependents as provided by Section 9. The State shall pay the cost of the basic program of group health benefits only after benefits are reduced by the amount of benefits covered by Medicare for all members and dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, except that such reduction in benefits shall apply only to those members and dependents who (1) first become eligible for such Medicare coverage on or after July 1, 1992; or (2) are Medicare-eligible members or dependents of a local government unit which began participation in the program on or after July 1, 1992; or (3) remain eligible for, but no longer receive Medicare coverage which they had been receiving on or after July 1, 1992. The Department may determine the aggregate level of the State's contribution on the basis of actual cost of medical services adjusted for age, sex or geographic or other demographic characteristics which affect the costs of such programs.

The cost of participation in the basic program of group health benefits for the dependent or survivor of a living or deceased retired employee who was formerly employed by the University of Illinois in the Cooperative Extension Service and would be an annuitant but for the fact that he or she was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code shall not be greater than the cost of participation that would otherwise apply to that dependent or survivor if he or she were the dependent or survivor of an annuitant under the State Universities Retirement System.

(a-1) (Blank).
(a-2) (Blank).
(a-3) (Blank).
(a-4) (Blank).
(a-5) (Blank).

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(a-6) (Blank).

(a-7) (Blank).

(a-8) Any annuitant, survivor, or retired employee may waive or terminate coverage in the program of group health benefits. Any such annuitant, survivor, or retired employee who has waived or terminated coverage may enroll or re-enroll in the program of group health benefits only during the annual benefit choice period, as determined by the Director; except that in the event of termination of coverage due to nonpayment of premiums, the annuitant, survivor, or retired employee may not re-enroll in the program.

(a-8.5) Beginning on the effective date of this amendatory Act of the 97th General Assembly, the Director of Central Management Services shall, on an annual basis, determine the amount that the State shall contribute toward the basic program of group health benefits on behalf of annuitants (including individuals who (i) participated in the General Assembly Retirement System, the State Employees' Retirement System of Illinois, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, or the Judges Retirement System of Illinois and (ii) qualify as annuitants under subsection (b) of Section 3 of this Act), survivors (including individuals who (i) receive an annuity as a survivor of an individual who participated in the General Assembly Retirement System, the State Employees' Retirement System of Illinois, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, or the Judges Retirement System of Illinois and (ii) qualify as survivors under subsection (q) of Section 3 of this Act), and retired employees (as defined in subsection (p) of Section 3 of this Act). The remainder of the cost of coverage for each annuitant, survivor, or retired employee, as determined by the Director of Central Management Services, shall be the responsibility of that annuitant, survivor, or retired employee.

Contributions required of annuitants, survivors, and retired employees shall be the same for all retirement systems and shall also be based on whether an individual has made an election under Section 15-135.1 of the Illinois Pension Code. Contributions may be based on annuitants', survivors', or retired employees' Medicare eligibility, but may not be based on Social Security eligibility.

(a-9) No later than May 1 of each calendar year, the Director of Central Management Services shall certify in writing to the Executive Secretary of the State Employees' Retirement System of Illinois the

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amounts of the Medicare supplement health care premiums and the amounts of the health care premiums for all other retirees who are not Medicare eligible.

A separate calculation of the premiums based upon the actual cost of each health care plan shall be so certified.

The Director of Central Management Services shall provide to the Executive Secretary of the State Employees’ Retirement System of Illinois such information, statistics, and other data as he or she may require to review the premium amounts certified by the Director of Central Management Services.

The Department of Central Management Services, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Local Government Health Insurance Reserve Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Local Government Health Insurance Reserve Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(b) State employees who become eligible for this program on or after January 1, 1980 in positions normally requiring actual performance of duty not less than 1/2 of a normal work period but not equal to that of a normal work period, shall be given the option of participating in the available program. If the employee elects coverage, the State shall contribute on behalf of such employee to the cost of the employee's benefit and any applicable dependent supplement, that sum which bears the same percentage as that percentage of time the employee regularly works when compared to normal work period.

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(c) The basic non-contributory coverage from the basic program of group health benefits shall be continued for each employee not in pay status or on active service by reason of (1) leave of absence due to illness or injury, (2) authorized educational leave of absence or sabbatical leave, or (3) military leave. This coverage shall continue until expiration of authorized leave and return to active service, but not to exceed 24 months for leaves under item (1) or (2). This 24-month limitation and the requirement of returning to active service shall not apply to persons receiving ordinary or accidental disability benefits or retirement benefits through the appropriate State retirement system or benefits under the Workers' Compensation or Occupational Disease Act.

(d) The basic group life insurance coverage shall continue, with full State contribution, where such person is (1) absent from active service by reason of disability arising from any cause other than self-inflicted, (2) on authorized educational leave of absence or sabbatical leave, or (3) on military leave.

(e) Where the person is in non-pay status for a period in excess of 30 days or on leave of absence, other than by reason of disability, educational or sabbatical leave, or military leave, such person may continue coverage only by making personal payment equal to the amount normally contributed by the State on such person's behalf. Such payments and coverage may be continued: (1) until such time as the person returns to a status eligible for coverage at State expense, but not to exceed 24 months or (2) until such person's employment or annuitant status with the State is terminated (exclusive of any additional service imposed pursuant to law).

(f) The Department shall establish by rule the extent to which other employee benefits will continue for persons in non-pay status or who are not in active service.

(g) The State shall not pay the cost of the basic non-contributory group life insurance, program of health benefits and other employee benefits for members who are survivors as defined by paragraphs (1) and (2) of subsection (q) of Section 3 of this Act. The costs of benefits for these survivors shall be paid by the survivors or by the University of Illinois Cooperative Extension Service, or any combination thereof. However, the State shall pay the amount of the reduction in the cost of participation, if any, resulting from the amendment to subsection (a) made by this amendatory Act of the 91st General Assembly.

(h) Those persons occupying positions with any department as a result of emergency appointments pursuant to Section 8b.8 of the

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Personnel Code who are not considered employees under this Act shall be given the option of participating in the programs of group life insurance, health benefits and other employee benefits. Such persons electing coverage may participate only by making payment equal to the amount normally contributed by the State for similarly situated employees. Such amounts shall be determined by the Director. Such payments and coverage may be continued until such time as the person becomes an employee pursuant to this Act or such person's appointment is terminated.

(i) Any unit of local government within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a unit of local government must agree to enroll all of its employees, who may select coverage under either the State group health benefits plan or a health maintenance organization that has contracted with the State to be available as a health care provider for employees as defined in this Act. A unit of local government must remit the entire cost of providing coverage under the State group health benefits plan or, for coverage under a health maintenance organization, an amount determined by the Director based on an analysis of the sex, age, geographic location, or other relevant demographic variables for its employees, except that the unit of local government shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the unit of local government attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 50% of the employees are enrolled and the unit of local government remits the entire cost of providing coverage to those employees, except that a participating school district must have enrolled at least 50% of its full-time employees who have not waived coverage under the district's group health plan by participating in a component of the district's cafeteria plan. A participating school district is not required to enroll a full-time employee who has waived coverage under the district's health plan, provided that an appropriate official from the participating school district attests that the full-time employee has waived coverage by participating in a component of the district's cafeteria plan. For the purposes of this subsection, "participating school district" includes a unit of local government whose primary purpose is education as defined by the Department's rules.
Employees of a participating unit of local government who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating unit of local government may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the unit of local government, its employees, or some combination of the two as determined by the unit of local government. The unit of local government shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine monthly rates of payment, subject to the following constraints:

1. In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages, or contributed by the State for basic insurance coverages on behalf of its employees, adjusted for differences between State employees and employees of the local government in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the unit of local government and their dependents.

2. In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the unit of local government.

In the case of coverage of local government employees under a health maintenance organization, the Director shall annually determine for each participating unit of local government the maximum monthly amount the unit may contribute toward that coverage, based on an analysis of (i) the age, sex, geographic location, and other relevant demographic variables of the unit's employees and (ii) the cost to cover those employees under the State group health benefits plan. The Director may similarly determine the maximum monthly amount each unit of local government may contribute toward coverage of its employees' dependents under a health maintenance organization.

Monthly payments by the unit of local government or its employees for group health benefits plan or health maintenance organization coverage shall be deposited in the Local Government Health Insurance Reserve Fund.

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The Local Government Health Insurance Reserve Fund is hereby created as a nonappropriated trust fund to be held outside the State Treasury, with the State Treasurer as custodian. The Local Government Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. The Local Government Health Insurance Reserve Fund is not subject to administrative charges or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act. All revenues arising from the administration of the health benefits program established under this Section shall be deposited into the Local Government Health Insurance Reserve Fund. Any interest earned on moneys in the Local Government Health Insurance Reserve Fund shall be deposited into the Fund. All expenditures from this Fund shall be used for payments for health care benefits for local government and rehabilitation facility employees, annuitants, and dependents, and to reimburse the Department or its administrative service organization for all expenses incurred in the administration of benefits. No other State funds may be used for these purposes.

A local government employer's participation or desire to participate in a program created under this subsection shall not limit that employer's duty to bargain with the representative of any collective bargaining unit of its employees.

(j) Any rehabilitation facility within the State of Illinois may apply to the Director to have its employees, annuitants, and their eligible dependents provided group health coverage under this Act on a non-insured basis. To participate, a rehabilitation facility must agree to enroll all of its employees and remit the entire cost of providing such coverage for its employees, except that the rehabilitation facility shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the rehabilitation facility attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 50% of the employees are enrolled and the rehabilitation facility remits the entire cost of providing coverage to those employees. Employees of a participating rehabilitation facility who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating rehabilitation facility may also elect to cover its annuitants.

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Dependent coverage shall be offered on an optional basis, with the costs paid by the rehabilitation facility, its employees, or some combination of the 2 as determined by the rehabilitation facility. The rehabilitation facility shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine quarterly rates of payment, subject to the following constraints:

1. In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the rehabilitation facility in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the rehabilitation facility and their dependents.

2. In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the rehabilitation facility.

Monthly payments by the rehabilitation facility or its employees for group health benefits shall be deposited in the Local Government Health Insurance Reserve Fund.

(k) Any domestic violence shelter or service within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a domestic violence shelter or service must agree to enroll all of its employees and pay the entire cost of providing such coverage for its employees. The domestic violence shelter shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the domestic violence shelter attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan and (2) at least 50% of the employees are enrolled and the domestic violence shelter remits the entire cost of providing coverage to those employees. Employees of a participating domestic violence shelter who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, or special circumstance as defined by the Director or during the annual

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Benefit Choice Period. A participating domestic violence shelter may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with employees, or some combination of the 2 as determined by the domestic violence shelter or service. The domestic violence shelter or service shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the domestic violence shelter or service in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the domestic violence shelter or service and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the domestic violence shelter or service.

Monthly payments by the domestic violence shelter or service or its employees for group health insurance shall be deposited in the Local Government Health Insurance Reserve Fund.

(1) A public community college or entity organized pursuant to the Public Community College Act may apply to the Director initially to have only annuitants not covered prior to July 1, 1992 by the district's health plan provided health coverage under this Act on a non-insured basis. The community college must execute a 2-year contract to participate in the Local Government Health Plan. Any annuitant may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

The Director shall annually determine monthly rates of payment subject to the following constraints: for those community colleges with annuitants only enrolled, first year rates shall be equal to the average cost to cover claims for a State member adjusted for demographics, Medicare participation, and other factors; and in the second year, a further adjustment of rates shall be made to reflect the actual first year's claims experience of the covered annuitants.

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(l-5) The provisions of subsection (l) become inoperative on July 1, 1999.

(m) The Director shall adopt any rules deemed necessary for implementation of this amendatory Act of 1989 (Public Act 86-978).

(n) Any child advocacy center within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a child advocacy center must agree to enroll all of its employees and pay the entire cost of providing coverage for its employees. The child advocacy center shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the child advocacy center attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan and (2) at least 50% of the employees are enrolled and the child advocacy center remits the entire cost of providing coverage to those employees. Employees of a participating child advocacy center who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, or special circumstance as defined by the Director or during the annual Benefit Choice Period. A participating child advocacy center may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the child advocacy center, its employees, or some combination of the 2 as determined by the child advocacy center. The child advocacy center shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the child advocacy center in age, sex, geographic location, or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the child advocacy center and their dependents.
(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the child advocacy center.

Monthly payments by the child advocacy center or its employees for group health insurance shall be deposited into the Local Government Health Insurance Reserve Fund.

(Source: P.A. 96-756, eff. 1-1-10; 96-1232, eff. 7-23-10; 96-1519, eff. 2-4-11; 97-695, eff. 7-1-12.)

(5 ILCS 375/13.1) (from Ch. 127, par. 533.1)

Sec. 13.1. (a) All contributions, appropriations, interest, and dividend payments to fund the program of health benefits and other employee benefits, and all other revenues arising from the administration of any employee health benefits program, shall be deposited in a trust fund outside the State Treasury, with the State Treasurer as ex-officio custodian, to be known as the Health Insurance Reserve Fund.

(b) Upon the adoption of a self-insurance health plan, any monies attributable to the group health insurance program shall be deposited in or transferred to the Health Insurance Reserve Fund for use by the Department. As of the effective date of this amendatory Act of 1986, the Department shall certify to the Comptroller the amount of money in the Group Insurance Premium Fund attributable to the State group health insurance program and the Comptroller shall transfer such money from the Group Insurance Premium Fund to the Health Insurance Reserve Fund. Contributions by the State to the Health Insurance Reserve Fund to meet the requirements of this Act, as established by the Director, from the General Revenue Fund and the Road Fund to the Health Insurance Reserve Fund shall be by annual appropriations, and all other contributions to meet the requirements of the programs of health benefits or other employee benefits shall be deposited in the Health Insurance Reserve Fund. The Department shall draw the appropriation from the General Revenue Fund and the Road Fund from time to time as necessary to make expenditures authorized under this Act.

The Director may employ such assistance and services and may purchase such goods as may be necessary for the proper development and administration of any of the benefit programs authorized by this Act. The Director may promulgate rules and regulations in regard to the administration of these programs.

All monies received by the Department for deposit in or transfer to the Health Insurance Reserve Fund, through appropriation or otherwise,

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shall be used to provide for the making of payments to claimants and providers and to reimburse the Department for all expenses directly incurred relating to Department development and administration of the program of health benefits and other employee benefits.

Any administrative service organization administering any self-insurance health plan and paying claims and benefits under authority of this Act may receive, pursuant to written authorization and direction of the Director, an initial transfer and periodic transfers of funds from the Health Insurance Reserve Fund in amounts determined by the Director who may consider the amount recommended by the administrative service organization. Notwithstanding any other statute, such transferred funds shall be retained by the administrative service organization in a separate account provided by any bank as defined by the Illinois Banking Act. The Department may promulgate regulations further defining the banks authorized to accept such funds and all methodology for transfer of such funds. Any interest earned by monies in such account shall inure to the Health Insurance Reserve Fund, shall remain in such account and shall be used exclusively to pay claims and benefits under this Act. Such transferred funds shall be used exclusively for administrative service organization payment of claims to claimants and providers under the self-insurance health plan by the drawing of checks against such account. The administrative service organization may not use such transferred funds, or interest accrued thereon, for any other purpose including, but not limited to, reimbursement of administrative expenses or payments of administration fees due the organization pursuant to its contract or contracts with the Department of Central Management Services.

The account of the administrative service organization established under this Section, any transfers from the Health Insurance Reserve Fund to such account and the use of such account and funds shall be subject to (1) audit by the Department or private contractor authorized by the Department to conduct audits, and (2) post audit pursuant to the Illinois State Auditing Act.

The Department of *Central Management Healthcare and Family Services*, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of
receiving the transfer of moneys from the Health Insurance Reserve Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by monies in the funds or accounts shall inure to the Health Insurance Reserve Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(c) The Director, with the advice and consent of the Commission, shall establish premiums for optional coverage for dependents of eligible members for the health plans. The eligible members shall be responsible for their portion of such optional premium. The State shall contribute an amount per month for each eligible member who has enrolled one or more dependents under the health plans. Such contribution shall be made directly to the Health Insurance Reserve Fund. Those employees described in subsection (b) of Section 9 of this Act shall be allowed to continue in the health plan by making personal payments with the premiums to be deposited in the Health Insurance Reserve Fund.

(d) The Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. All expenditures from that fund shall be at the direction of the Director and shall be only for the purpose of:

1. the payment of administrative expenses incurred by the Department for the program of health benefits or other employee benefit programs, including but not limited to the costs of audits or actuarial consultations, professional and contractual services, electronic data processing systems and services, and expenses in connection with the development and administration of such programs;
2. the payment of administrative expenses incurred by the Administrative Service Organization;
3. the payment of health benefits;
3.5 the payment of medical expenses incurred by the Department for the treatment of employees who suffer accidental injury or death within the scope of their employment;
4. refunds to employees for erroneous payments of their selected dependent coverage;

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(5) payment of premium for stop-loss or re-insurance;
(6) payment of premium to health maintenance organizations pursuant to Section 6.1 of this Act;
(7) payment of adoption program benefits; and
(8) payment of other benefits offered to members and dependents under this Act.
(Source: P.A. 94-839, eff. 6-6-06; 95-632, eff. 9-25-07; 95-744, eff. 7-18-08.)

Section 905. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by adding Section 405-520 as follows:
(20 ILCS 405/405-520 new)
Sec. 405-520. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Law that were transferred from the Department to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.

Section 910. The Department of Human Services Act is amended by changing Section 1-20 as follows:
(20 ILCS 1305/1-20)
Sec. 1-20. General powers and duties.
(a) The Department shall exercise the rights, powers, duties, and functions provided by law, including (but not limited to) the rights, powers, duties, and functions transferred to the Department under Article 80 and Article 90 of this Act.
(b) The Department may employ personnel (in accordance with the Personnel Code), provide facilities, contract for goods and services, and adopt rules as necessary to carry out its functions and purposes, all in accordance with applicable State and federal law.
(c) On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.
(Source: P.A. 89-507, eff. 7-3-96.)

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Section 915. The Department of Healthcare and Family Services Law of the Civil Administrative Code of Illinois is amended by adding Section 2205-20 as follows:

(20 ILCS 2205/2205-20 new)

Sec. 2205-20. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Law that were transferred to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Departments from which those powers, duties, rights, and responsibilities were transferred; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Law that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice shall be transferred to the Department of Juvenile Justice.

Section 920. The Department of Veterans Affairs Act is amended by adding Section 2.08 as follows:

(20 ILCS 2805/2.08 new)

Sec. 2.08. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.

Section 925. The School Employee Benefit Act is amended by adding Section 7 as follows:

(105 ILCS 55/7 new)

Sec. 7. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.
Section 930. The Illinois Prescription Drug Discount Program Act is amended by changing Sections 10 and 15 and by adding Section 2 as follows:

(320 ILCS 55/2 new)

Sec. 2. State healthcare purchasing. On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department of Central Management Services to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Central Management Services.

(320 ILCS 55/10)

Sec. 10. Purpose. The purpose of this program is to require the Department of Central Management Healthcare and Family Services to establish and administer a program that will enable eligible Illinois residents to purchase prescription drugs at discounted prices.

(Source: P.A. 93-18, eff. 7-1-03; 94-86, eff. 1-1-06.)

(320 ILCS 55/15)

Sec. 15. Definitions. As used in this Act:

"Authorized pharmacy" means any pharmacy registered in this State under the Pharmacy Practice Act or approved by the Department of Financial and Professional Regulation and approved by the Department or its program administrator.

"AWP" or "average wholesale price" means the amount determined from the latest publication of the Red Book, a universally subscribed pharmacist reference guide annually published by the Hearst Corporation. "AWP" or "average wholesale price" may also be derived electronically from the drug pricing database synonymous with the latest publication of the Red Book and furnished in the National Drug Data File (NDDF) by First Data Bank (FDB), a service of the Hearst Corporation.

"Covered medication" means any medication included in the Illinois Prescription Drug Discount Program.

"Department" means the Department of Central Management Healthcare and Family Services.

"Director" means the Director of Central Management Healthcare and Family Services.

"Drug manufacturer" means any entity (1) that is located within or outside Illinois that is engaged in (i) the production, preparation,
propagation, compounding, conversion, or processing of prescription drug products covered under the program, either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis or (ii) the packaging, repackaging, leveling, labeling, or distribution of prescription drug products covered under the program and (2) that elects to provide prescription drugs either directly or under contract with any entity providing prescription drug services on behalf of the State of Illinois. "Drug manufacturer", however, does not include a wholesale distributor of drugs or a retail pharmacy licensed under Illinois law.

"Federal Poverty Limit" or "FPL" means the Federal Poverty Income Guidelines published annually in the Federal Register.

"Prescription drug" means any prescribed drug that may be legally dispensed by an authorized pharmacy.

"Program" means the Illinois Prescription Drug Discount Program created under this Act.

"Program administrator" means the entity that is chosen by the Department to administer the program. The program administrator may, in this case, be the Director or a Pharmacy Benefits Manager (PBM) chosen to subcontract with the Director.

"Rules" includes rules adopted and forms prescribed by the Department.

(Source: P.A. 94-86, eff. 1-1-06; 95-689, eff. 10-29-07.)

Section 935. The Unified Code of Corrections is amended by changing Sections 3-2-2 and 3-2.5-20 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)
Sec. 3-2-2. Powers and Duties of the Department.
(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions

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and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and
municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as

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designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure

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compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

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The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:
   (A) provide restitution to victims in accordance with any court order;
   (B) provide financial support to his dependents; and
   (C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

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(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;
(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and
(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a

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conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.
(5) On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 96-1265, eff. 7-26-10; 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; revised 7-23-12.)

(730 ILCS 5/3-2.5-20)
Sec. 3-2.5-20. General powers and duties.
(a) In addition to the powers, duties, and responsibilities which are otherwise provided by law or transferred to the Department as a result of this Article, the Department, as determined by the Director, shall have, but are not limited to, the following rights, powers, functions and duties:

(1) To accept juveniles committed to it by the courts of this State for care, custody, treatment, and rehabilitation.

(2) To maintain and administer all State juvenile correctional institutions previously under the control of the Juvenile and Women's & Children Divisions of the Department of Corrections, and to establish and maintain institutions as needed to meet the needs of the youth committed to its care.

(3) To identify the need for and recommend the funding and implementation of an appropriate mix of programs and services within the juvenile justice continuum, including but not limited to prevention, nonresidential and residential commitment programs, day treatment, and conditional release programs and services, with the support of educational, vocational, alcohol, drug abuse, and mental health services where appropriate.

(4) To establish and provide transitional and post-release treatment programs for juveniles committed to the Department. Services shall include but are not limited to:

(i) family and individual counseling and treatment placement;

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(ii) referral services to any other State or local agencies;
  (iii) mental health services;
  (iv) educational services;
  (v) family counseling services; and
  (vi) substance abuse services.

(5) To access vital records of juveniles for the purposes of providing necessary documentation for transitional services such as obtaining identification, educational enrollment, employment, and housing.

(6) To develop staffing and workload standards and coordinate staff development and training appropriate for juvenile populations.

(7) To develop, with the approval of the Office of the Governor and the Governor's Office of Management and Budget, annual budget requests.

(8) To administer the Interstate Compact for Juveniles, with respect to all juveniles under its jurisdiction, and to cooperate with the Department of Human Services with regard to all non-offender juveniles subject to the Interstate Compact for Juveniles.

(b) The Department may employ personnel in accordance with the Personnel Code and Section 3-2.5-15 of this Code, provide facilities, contract for goods and services, and adopt rules as necessary to carry out its functions and purposes, all in accordance with applicable State and federal law.

(c) On and after the date 6 months after the effective date of this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 94-696, eff. 6-1-06; 95-937, eff. 8-26-08.)

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Section 997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 999. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0489
(Senate Bill No. 1294)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 13-111 as follows:

(625 ILCS 5/13-111) (from Ch. 95 1/2, par. 13-111)
Sec. 13-111. Operation without certificate of safety attached; Effective date of certificate.
(a) Except as provided for in Chapter 13, no person shall operate any vehicle required to be inspected by this Chapter upon the highways of this State unless there is affixed to that vehicle a certificate of safety then in effect. The Secretary of State, State Police, and other police officers shall enforce this Section. The Department shall determine the expiration date of the certificate of safety.

The certificates, all forms and records, reports of tests and retests, and the full procedure and methods of making the tests and retests, shall be in the form prescribed by the Department.

(b) Every person convicted of violating this Section is guilty of a petty offense with a minimum fine of $95 and a maximum fine of $250; unless the violation is contemporaneous with a motor vehicle accident, in which case the person is guilty of a Class C misdemeanor.
(Source: P.A. 88-415.)
Approved August 16, 2013.
Effective January 1, 2014.

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AN ACT concerning gaming.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Horse Racing Act of 1975 is amended by adding Section 12.2 as follows:

(230 ILCS 5/12.2 new)

Sec. 12.2. Business enterprise program.

(a) For the purposes of this Section, the terms "minority", "minority owned business", "female", "female owned business", "person with a disability", and "business owned by a person with a disability" have the meaning ascribed to them in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(b) The Board shall, by rule, establish goals for the award of contracts by each organization licensee or inter-track wagering licensee to businesses owned by minorities, females, and persons with disabilities, expressed as percentages of an organization licensee's or inter-track wagering licensee's total dollar amount of contracts awarded during each calendar year. Each organization licensee or inter-track wagering licensee must make every effort to meet the goals established by the Board pursuant to this Section. When setting the goals for the award of contracts, the Board shall not include contracts where: (1) licensees are purchasing goods or services from vendors or suppliers or in markets where there are no or a limited number of minority owned businesses, women owned businesses, or businesses owned by persons with disabilities that would be sufficient to satisfy the goal; (2) there are no or a limited number of suppliers licensed by the Board; (3) the licensee or its parent company owns a company that provides the goods or services; or (4) the goods or services are provided to the licensee by a publicly traded company.

(c) Each organization licensee or inter-track wagering licensee shall file with the Board an annual report of its utilization of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities during the preceding calendar year. The reports shall include a self-evaluation of the efforts of the organization licensee or inter-track wagering licensee to meet its goals under this Section.

(d) The organization licensee or inter-track wagering licensee shall have the right to request a waiver from the requirements of this

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Section. The Board shall grant the waiver where the organization licensee or inter-track wagering licensee demonstrates that there has been made a good faith effort to comply with the goals for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities.

(e) If the Board determines that its goals and policies are not being met by any organization licensee or inter-track wagering licensee, then the Board may:

(1) adopt remedies for such violations; and
(2) recommend that the organization licensee or inter-track wagering licensee provide additional opportunities for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities; such recommendations may include, but shall not be limited to:

(A) assurances of stronger and better focused solicitation efforts to obtain more minority owned businesses, female owned businesses, and businesses owned by persons with disabilities as potential sources of supply;

(B) division of job or project requirements, when economically feasible, into tasks or quantities to permit participation of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities;

(C) elimination of extended experience or capitalization requirements, when programmatically feasible, to permit participation of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities;

(D) identification of specific proposed contracts as particularly attractive or appropriate for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities, such identification to result from and be coupled with the efforts of items (A) through (C); and

(E) implementation of regulations established for the use of the sheltered market process.

(f) The Board shall file, no later than March 1 of each year, an annual report that shall detail the level of achievement toward the goals
specified in this Section over the 3 most recent fiscal years. The annual report shall include, but need not be limited to:

(1) a summary detailing expenditures subject to the goals, the actual goals specified, and the goals attained by each organization licensee or inter-track wagering licensee;

(2) a summary of the number of contracts awarded and the average contract amount by each organization licensee or inter-track wagering licensee;

(3) an analysis of the level of overall goal achievement concerning purchases from minority owned businesses, female owned businesses, and businesses owned by persons with disabilities;

(4) an analysis of the number of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities that are certified under the program as well as the number of those businesses that received State procurement contracts; and

(5) a summary of the number of contracts awarded to businesses with annual gross sales of less than $1,000,000; of $1,000,000 or more, but less than $5,000,000; of $5,000,000 or more, but less than $10,000,000; and of $10,000,000 or more.

Section 10. The Riverboat Gambling Act is amended by adding Section 7.6 as follows:

(230 ILCS 10/7.6 new)
Sec. 7.6. Business enterprise program.

(a) For the purposes of this Section, the terms "minority", "minority owned business", "female", "female owned business", "person with a disability", and "business owned by a person with a disability" have the meaning ascribed to them in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(b) The Board shall, by rule, establish goals for the award of contracts by each owners licensee to businesses owned by minorities, females, and persons with disabilities, expressed as percentages of an owners licensee's total dollar amount of contracts awarded during each calendar year. Each owners licensee must make every effort to meet the goals established by the Board pursuant to this Section. When setting the goals for the award of contracts, the Board shall not include contracts where: (1) any purchasing mandates would be dependent upon the availability of minority owned businesses, female owned businesses, and
businesses owned by persons with disabilities ready, willing, and able with capacity to provide quality goods and services to a gaming operation at reasonable prices; (2) there are no or a limited number of licensed suppliers as defined by this Act for the goods or services provided to the licensee; (3) the licensee or its parent company owns a company that provides the goods or services; or (4) the goods or services are provided to the licensee by a publicly traded company.

(c) Each owners licensee shall file with the Board an annual report of its utilization of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities during the preceding calendar year. The reports shall include a self-evaluation of the efforts of the owners licensee to meet its goals under this Section.

(d) The owners licensee shall have the right to request a waiver from the requirements of this Section. The Board shall grant the waiver where the owners licensee demonstrates that there has been made a good faith effort to comply with the goals for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities.

(e) If the Board determines that its goals and policies are not being met by any owners licensee, then the Board may:

(1) adopt remedies for such violations; and
(2) recommend that the owners licensee provide additional opportunities for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities; such recommendations may include, but shall not be limited to:

(A) assurances of stronger and better focused solicitation efforts to obtain more minority owned businesses, female owned businesses, and businesses owned by persons with disabilities as potential sources of supply;
(B) division of job or project requirements, when economically feasible, into tasks or quantities to permit participation of minority owned businesses, female owned businesses, and businesses owned by persons with disabilities;
(C) elimination of extended experience or capitalization requirements, when programmatically feasible, to permit participation of minority owned businesses.

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businesses, female owned businesses, and businesses owned by persons with disabilities;

(D) identification of specific proposed contracts as particularly attractive or appropriate for participation by minority owned businesses, female owned businesses, and businesses owned by persons with disabilities, such identification to result from and be coupled with the efforts of items (A) through (C); and

(E) implementation of regulations established for the use of the sheltered market process.

(f) The Board shall file, no later than March 1 of each year, an annual report that shall detail the level of achievement toward the goals specified in this Section over the 3 most recent fiscal years. The annual report shall include, but need not be limited to:

(1) a summary detailing expenditures subject to the goals, the actual goals specified, and the goals attained by each owner licensee; and

(2) an analysis of the level of overall goal achievement concerning purchases from minority owned businesses, female owned businesses, and businesses owned by persons with disabilities.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0491
(Senate Bill No. 1534)

AN ACT concerning public employee benefits.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 24-105.1 as follows:

(40 ILCS 5/24-105.1)
Sec. 24-105.1. Changes in federal law.
(a) To the extent that federal law or regulations which require a governmental employer to own the assets of its deferred compensation

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plan are changed to allow plans established under Section 457 of the
Internal Revenue Code to hold their assets in trust, a custodial account, an
annuity contract, an insurance contract or some other contract, the
Department of Central Management Services and units of local
government with plans established under Section 24-107 shall within a
reasonable time amend their plans accordingly.

(b) To the extent that federal law or regulations have been changed
to allow plans established under Section 457 of the Internal Revenue Code
to be amended to allow designated Roth contributions and in-plan
rollovers to designated Roth accounts, the Department of Central
Management Services and units of local government with plans
established under Section 24-107 shall within a reasonable time amend
their plans accordingly.

(Source: P.A. 89-478, eff. 6-18-96.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0492
(Senate Bill No. 1667)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Residential Mortgage License Act of 1987 is
amended by changing Sections 1-3 and 4-2 and adding Section 7-15 as
follows:

(205 ILCS 635/1-3) (from Ch. 17, par. 2321-3)
Sec. 1-3. Necessity for License; Scope of Act.
(a) No person, partnership, association, corporation or other entity
shall engage in the business of brokering, funding, originating, servicing or
purchasing of residential mortgage loans without first obtaining a license
from the Secretary in accordance with the licensing
procedure provided in this Article I and such regulations as may be
promulgated by the Secretary. The licensing provisions of
this Section shall not apply to any entity engaged solely in commercial
mortgage lending or to any person, partnership association, corporation or
other entity exempted pursuant to Section 1-4, subsection (d), of this Act
or in accordance with regulations promulgated by the Secretary

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Commissioner hereunder. No provision of this Act shall apply to an exempt person or entity as defined in items (1) and (1.5) of subsection (d) of Section 1-4 of this Act. Notwithstanding anything to the contrary in the preceding sentence, an individual acting as a mortgage loan originator who is not employed by and acting for an entity described in item (1) of subsection (tt) of Section 1-4 of this Act shall be subject to the mortgage loan originator licensing requirements of Article VII of this Act.

Effective January 1, 2011, no provision of this Act shall apply to an exempt person or entity as defined in item (1.8) of subsection (d) of Section 1-4 of this Act. Notwithstanding anything to the contrary in the preceding sentence, an individual acting as a mortgage loan originator who is not employed by and acting for an entity described in item (1) of subsection (tt) of Section 1-4 of this Act shall be subject to the mortgage loan originator licensing requirements of Article VII of this Act, and provided that an individual acting as a mortgage loan originator under item (1.8) of subsection (d) of Section 1-4 of this Act shall be further subject to a determination by the U.S. Department of Housing and Urban Development through final rulemaking or other authorized agency determination under the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008.

(a-1) A person who is exempt from licensure pursuant to paragraph (ii) of item (1) of subsection (d) of Section 1-4 of this Act as a federally chartered savings bank that is registered with the Nationwide Mortgage Licensing System and Registry may apply to the Secretary for an exempt company registration for the purpose of sponsoring one or more individuals subject to the mortgage loan originator licensing requirements of Article VII of this Act. Registration with the Division of Banking of the Department shall not affect the exempt status of the applicant.

(1) A mortgage loan originator eligible for licensure under this subsection shall (A) be covered under an exclusive written contract with, and originate residential mortgage loans solely on behalf of, that exempt person; and (B) hold a current, valid insurance producer license under Article XXXI of the Illinois Insurance Code.

(2) An exempt person shall: (A) fulfill any reporting requirements required by the Nationwide Mortgage Licensing System and Registry or the Secretary; (B) provide a blanket surety bond pursuant to Section 7-12 of this Act covering the activities of

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all its sponsored mortgage loan originators; (C) reasonably
supervise the activities of all its sponsored mortgage loan
originators; (D) comply with all rules and orders (including the
averments contained in Section 2-4 of this Act as applicable to a
non-licensed exempt entity provided for in this Section) that the
Secretary deems necessary to ensure compliance with the federal
SAFE Act; and (E) pay an annual registration fee established by
the Director.

(3) The Secretary may deny an exempt company
registration to an exempt person or fine, suspend, or revoke an
exempt company registration if the Secretary finds one of the
following:

(A) that the exempt person is not a person of
honesty, truthfulness, or good character;
(B) that the exempt person violated any applicable
law, rule, or order;
(C) that the exempt person refused or failed to
furnish, within a reasonable time, any information or make
any report that may be required by the Secretary;
(D) that the exempt person had a final judgment
entered against him or her in a civil action on grounds of
fraud, deceit, or misrepresentation, and the conduct on
which the judgment is based indicates that it would be
contrary to the interest of the public to permit the exempt
person to manage a loan originator;
(E) that the exempt person had an order entered
against him or her involving fraud, deceit, or
misrepresentation by an administrative agency of this State,
the federal government, or any other state or territory of
the United States, and the facts relating to the order
indicate that it would be contrary to the interest of the
public to permit the exempt person to manage a loan
originator;
(F) that the exempt person made a material
misstatement or suppressed or withheld information on the
application for an exempt company registration or any
document required to be filed with the Secretary; or
(G) that the exempt person violated Section 4-5 of
this Act.

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(b) No person, partnership, association, corporation, or other entity except a licensee under this Act or an entity exempt from licensing pursuant to Section 1-4, subsection (d), of this Act shall do any business under any name or title, or circulate or use any advertising or make any representation or give any information to any person, which indicates or reasonably implies activity within the scope of this Act.

(c) The Secretary Commissioner may, through the Attorney General, request the circuit court of either Cook or Sangamon County to issue an injunction to restrain any person from violating or continuing to violate any of the foregoing provisions of this Section.

(d) When the Secretary Commissioner has reasonable cause to believe that any entity which has not submitted an application for licensure is conducting any of the activities described in subsection (a) hereof, the Secretary Commissioner shall have the power to examine all books and records of the entity and any additional documentation necessary in order to determine whether such entity should become licensed under this Act.

(d-1) The Secretary Commissioner may issue orders against any person if the Secretary Commissioner has reasonable cause to believe that an unsafe, unsound, or unlawful practice has occurred, is occurring, or is about to occur, if any person has violated, is violating, or is about to violate any law, rule, or written agreement with the Secretary Commissioner, or for the purposes of administering the provisions of this Act and any rule adopted in accordance with this Act.

(e) Any person, partnership, association, corporation or other entity who violates any provision of this Section commits a business offense and shall be fined an amount not to exceed $25,000.

(f) Each person, partnership, association, corporation or other entity conducting activities regulated by this Act shall be issued one license. Each office, place of business or location at which a residential mortgage licensee conducts any part of his or her business must be recorded with the Secretary Commissioner pursuant to Section 2-8 of this Act.

(g) Licensees under this Act shall solicit, broker, fund, originate, service and purchase residential mortgage loans only in conformity with the provisions of this Act and such rules and regulations as may be promulgated by the Secretary Commissioner.

(h) This Act applies to all entities doing business in Illinois as residential mortgage bankers, as defined by "An Act to provide for the regulation of mortgage bankers", approved September 15, 1977, as

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amended, regardless of whether licensed under that or any prior Act. Any existing residential mortgage lender or residential mortgage broker in Illinois whether or not previously licensed, must operate in accordance with this Act.

(i) This Act is a successor Act to and a continuance of the regulation of residential mortgage bankers provided in, "An Act to provide for the regulation of mortgage bankers", approved September 15, 1977, as amended.

Entities and persons subject to the predecessor Act shall be subject to this Act from and after its effective date.

(Source: P.A. 96-112, eff. 7-31-09; 96-1216, eff. 1-1-11; 97-143, eff. 7-14-11.)

(205 ILCS 635/4-2) (from Ch. 17, par. 2324-2)

Sec. 4-2. Examination; prohibited activities.

(a) The business affairs of a licensee under this Act shall be examined for compliance with this Act as often as the Secretary Commissioner deems necessary and proper. The Secretary Commissioner shall promulgate rules with respect to the frequency and manner of examination. The Secretary Commissioner shall appoint a suitable person to perform such examination. The Secretary Commissioner and his appointees may examine the entire books, records, documents, and operations of each licensee and its subsidiary, affiliate, or agent, and may examine any of the licensee's or its subsidiary's, affiliate's, or agent's officers, directors, employees and agents under oath. For purposes of this Section, "agent" includes service providers such as accountants, closing services providers, providers of outsourced services such as call centers, marketing consultants, and loan processors, even if exempt from licensure under this Act. This Section does not apply to an attorney's privileged work product or communications.

(b) The Secretary Commissioner shall prepare a sufficiently detailed report of each licensee's examination, shall issue a copy of such report to each licensee's principals, officers, or directors and shall take appropriate steps to ensure correction of violations of this Act.

(c) Affiliates of a licensee shall be subject to examination by the Secretary Commissioner on the same terms as the licensee, but only when reports from, or examination of a licensee provides for documented evidence of unlawful activity between a licensee and affiliate benefiting, affecting or deriving from the activities regulated by this Act.

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(d) The expenses of any examination of the licensee and affiliates shall be borne by the licensee and assessed by the Secretary Commissioner as established by regulation.

(e) Upon completion of the examination, the Secretary Commissioner shall issue a report to the licensee. All confidential supervisory information, including the examination report and the work papers of the report, shall belong to the Secretary's Commissioner's office and may not be disclosed to anyone other than the licensee, law enforcement officials or other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary Commissioner, or to a party presenting a lawful subpoena to the Office of the Secretary Commissioner. The Secretary Commissioner may immediately appeal to the court of jurisdiction the disclosure of such confidential supervisory information and seek a stay of the subpoena pending the outcome of the appeal. Reports required of licensees by the Secretary Commissioner under this Act and results of examinations performed by the Secretary Commissioner under this Act shall be the property of only the Secretary Commissioner, but may be shared with the licensee. Access under this Act to the books and records of each licensee shall be limited to the Secretary Commissioner and his agents as provided in this Act and to the licensee and its authorized agents and designees. No other person shall have access to the books and records of a licensee under this Act. Any person upon whom a demand for production of confidential supervisory information is made, whether by subpoena, order, or other judicial or administrative process, must withhold production of the confidential supervisory information and must notify the Secretary Commissioner of the demand, at which time the Secretary Commissioner is authorized to intervene for the purpose of enforcing the limitations of this Section or seeking the withdrawal or termination of the attempt to compel production of the confidential supervisory information. The Secretary Commissioner may impose any conditions and limitations on the disclosure of confidential supervisory information that are necessary to protect the confidentiality of such information. Except as authorized by the Secretary Commissioner, no person obtaining access to confidential supervisory information may make a copy of the confidential supervisory information. The Secretary Commissioner may condition a decision to disclose confidential supervisory information on entry of a protective order by the court or administrative tribunal presiding in the particular case or on a written agreement of confidentiality. In a case in which a protective order or
agreement has already been entered between parties other than the *Secretary Commissioner*, the *Secretary Commissioner* may nevertheless condition approval for release of confidential supervisory information upon the inclusion of additional or amended provisions in the protective order. The *Secretary Commissioner* may authorize a party who obtained the records for use in one case to provide them to another party in another case, subject to any conditions that the *Secretary Commissioner* may impose on either or both parties. The requestor shall promptly notify other parties to a case the release of confidential supervisory information obtained and, upon entry of a protective order, shall provide copies of confidential supervisory information to the other parties.

(f) The *Secretary Commissioner*, deputy commissioners, and employees of the Office of Banks and Real Estate shall be subject to the restrictions provided in Section 2.5 of the Division of Banking Act including, without limitation, the restrictions on (i) owning shares of stock or holding any other equity interest in an entity regulated under this Act or in any corporation or company that owns or controls an entity regulated under this Act; (ii) being an officer, director, employee, or agent of an entity regulated under this Act; and (iii) obtaining a loan or accepting a gratuity from an entity regulated under this Act.

(g) After the initial examination for those licensees whose only mortgage activity is servicing fewer than 1,000 Illinois residential loans, the examination required in subsection (a) may be waived upon submission of a letter from the licensee's independent certified auditor that the licensee serviced fewer than 1,000 Illinois residential loans during the year in which the audit was performed.

(h) An exempt entity under subsection (a-1) of Section 1-3 of this Act shall cooperate with the Secretary in the examination and investigation of its sponsored and licensed mortgage loan originators at a frequency determined by the Secretary. The exempt entity under subsection (a-1) of Section 1-3 of this Act shall cooperate with the Secretary in providing mortgage loan originator documents and access to mortgage loan originator offices for the purposes of examination and investigation. The activities of the exempt entity shall not relieve a mortgage loan originator of his or her individual requirements under Section 7-15 of this Act. An exempt entity under subsection (a-1) of Section 1-3 of this Act shall pay to the Department any examination fees invoiced by the Secretary for examination of its sponsored mortgage loan originators. The Secretary shall have the authority to make oral or written inquiries

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regarding the management of an exempt entity under subsection (a-1) of Section 1-3 of this Act and it shall be the duty of the exempt entity to promptly reply by telephone, in writing, or other means to the inquiry.

(Source: P.A. 96-112, eff. 7-31-09; 96-1365, eff. 7-28-10.)

(205 ILCS 635/7-15 new)

Sec. 7-15. Examination and investigation of certain mortgage loan originators. The activities requiring a licensee of a mortgage loan originator that are sponsored by an exempt entity under subsection (a-1) of Section 1-3 of this Act are subject to examination and investigation by the Secretary. Mortgage loan originators sponsored by an exempt entity shall keep and maintain records of his or her loan activities for a period of 36 months and shall produce records on demand by the Secretary. The records shall include a loan log or loan production log as approved by the Secretary and any loan application entered, prepared, or created through or from the mortgage loan originator's activities. Mortgage loan originators sponsored by an exempt entity shall provide access, upon the Secretary's demand, to his or her offices for the purposes of the Department's examination and investigation. The Secretary shall determine the manner and frequency at which the Department shall conduct examinations of the mortgage loan originators. Mortgage loan originators sponsored by an exempt entity shall cooperate at all times with the Department pursuant to requirements of this Section and shall be subject to penalties under Section 7-11 of this Act for failure to comply.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 23, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0493
(Senate Bill No. 1911)

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-665 as follows:

(20 ILCS 2310/2310-665 new)

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Sec. 2310-665. Hepatitis C Task Force.

(a) The General Assembly finds and declares the following:

(1) Viral hepatitis is a contagious and life-threatening disease that has a substantial and increasing effect upon the lifespans and quality of life of at least 5,000,000 persons living in the United States and as many as 180,000,000 worldwide. According to the U.S. Department of Health and Human Services (HHS), the chronic form of the hepatitis C virus (HCV) and hepatitis B virus (HBV) account for the vast majority of hepatitis-related mortalities in the U.S., yet as many as 65% to 75% of infected Americans remain unaware that they are infected with the virus, prompting the U.S. Centers for Disease Control and Prevention (CDC) to label these viruses as the silent epidemic. HCV and HBV are major public health problems that cause chronic liver diseases, such as cirrhosis, liver failure, and liver cancer. The 5-year survival rate for primary liver cancer is less than 5%. These viruses are also the leading cause of liver transplantation in the United States. While there is a vaccine for HBV, no vaccine exists for HCV. However, there are anti-viral treatments for HCV that can improve the prognosis or actually clear the virus from the patient's system. Unfortunately, the vast majority of infected patients remain unaware that they have the virus since there are generally no symptoms. Therefore, there is a dire need to aid the public in identifying certain risk factors that would warrant testing for these viruses. Millions of infected patients remain undiagnosed and continue to be at elevated risks for developing more serious complications. More needs to be done to educate the public about this disease and the risk factors that warrant testing. In some cases, infected patients play an unknowing role in further spreading this infectious disease.

(2) The existence of HCV was definitively published and discovered by medical researchers in 1989. Prior to this date, HCV is believed to have spread unchecked. The American Association for the Study of Liver Diseases (AASLD) recommends that primary care physicians screen all patients for a history of any viral hepatitis risk factor and test those individuals with at least one identifiable risk factor for the virus. Some of the most common risk factors have been identified by AASLD, HHS, and the

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U.S. Department of Veterans Affairs, as well as other public health and medical research organizations, and include the following:

(A) anyone who has received a blood transfusion prior to 1992;
(B) anyone who is a Vietnam-era veteran;
(C) anyone who has abnormal liver function tests;
(D) anyone infected with the HIV virus;
(E) anyone who has used a needle to inject drugs;
(F) any health care, emergency medical, or public safety worker who has been stuck by a needle or exposed to any mucosal fluids of an HCV-infected person; and
(G) any children born to HCV-infected mothers.

A 1994 study determined that Caucasian Americans statistically accounted for the most number of infected persons in the United States, while the highest incidence rates were among African and Hispanic Americans.

(3) In January of 2010, the Institute of Medicine (IOM), commissioned by the CDC, issued a comprehensive report entitled *Hepatitis and Liver Cancer: A National Strategy for Prevention and Control of Hepatitis B and C*. The key findings and recommendations from the IOM's report are (A) there is a lack of knowledge and awareness about chronic viral hepatitis on the part of health care and social service providers, (B) there is a lack of knowledge and awareness about chronic viral hepatitis among at-risk populations, members of the public, and policy makers, and (C) there is insufficient understanding about the extent and seriousness of the public health problem, so inadequate public resources are being allocated to prevention, control, and surveillance programs.

(4) In this same 2010 IOM report, researchers compared the prevalence and incidences of HCV, HBV, and HIV and found that, although there are only 1,100,000 HIV/AIDS infected persons in the United States and over 4,000,000 Americans infected with viral hepatitis, the percentage of those with HIV that are unaware they have HIV is only 21% as opposed to approximately 70% of those with viral hepatitis being unaware that they have viral hepatitis. It appears that public awareness of risk factors associated with each of these diseases could be a major factor in the alarming disparity between the percentage of the population

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that is infected with one of these blood viruses, but unaware that they are infected.

(5) In light of the widely varied nature of the risk factors mentioned in this subsection (a), the previous findings by the Institute of Medicine, and the clear evidence of the disproportional public awareness between HIV and viral hepatitis, it is clearly in the public interest for this State to establish a task force to gather testimony and develop an action plan to (A) increase public awareness of the risk factors for these viruses, (B) improve access to screening for these viruses, and (C) provide those infected with information about the prognosis, treatment options, and elevated risk of developing cirrhosis and liver cancer. There is clear and increasing evidence that many adults in Illinois and in the United States have at least one of the risk factors mentioned in this subsection (a).

(6) The General Assembly also finds that it is in the public interest to bring communities of Illinois-based veterans of American military service into familiarity with the issues created by this disease, because many veterans, especially Vietnam-era veterans, have at least one of the previously enumerated risk factors and are especially prone to being affected by this disease; and because veterans of American military service should enjoy in all cases, and do enjoy in most cases, adequate access to health care services that include medical management and care for preexisting and long-term medical conditions, such as infection with the hepatitis virus.

(b) There is established the Hepatitis C Task Force within the Department of Public Health. The purpose of the Task Force shall be to:

(1) develop strategies to identify and address the unmet needs of persons with hepatitis C in order to enhance the quality of life of persons with hepatitis C by maximizing productivity and independence and addressing emotional, social, financial, and vocational challenges of persons with hepatitis C;

(2) develop strategies to provide persons with hepatitis C greater access to various treatments and other therapeutic options that may be available; and

(3) develop strategies to improve hepatitis C education and awareness.

(c) The Task Force shall consist of 17 members as follows:

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(1) the Director of Public Health, the Director of Veterans' Affairs, and the Director of Human Services, or their designees, who shall serve ex officio;

(2) ten public members who shall be appointed by the Director of Public Health from the medical, patient, and service provider communities, including, but not limited to, HCV Support, Inc.; and

(3) four members of the General Assembly, appointed one each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

Vacancies in the membership of the Task Force shall be filled in the same manner provided for in the original appointments.

(d) The Task Force shall organize within 120 days following the appointment of a majority of its members and shall select a chairperson and vice-chairperson from among the members. The chairperson shall appoint a secretary, who need not be a member of the Task Force.

(e) The public members shall serve without compensation and shall not be reimbursed for necessary expenses incurred in the performance of their duties, unless funds become available to the Task Force.

(f) The Task Force shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes.

(g) The Task Force may meet and hold hearings as it deems appropriate.

(h) The Department of Public Health shall provide staff support to the Task Force.

(i) The Task Force shall report its findings and recommendations to the Governor and to the General Assembly, along with any legislative bills that it desires to recommend for adoption by the General Assembly, no later than December 31, 2015.

(j) The Task Force is abolished and this Section is repealed on January 1, 2016.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 16, 2013.
Effective August 16, 2013.
PUBLIC ACT 98-0494
(Senate Bill No. 1953)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Sections 10-365, 10-370, and 10-380 as follows:
(35 ILCS 200/10-365)
Sec. 10-365. U.S. Military Public/Private Residential Developments. PPV Leases must be classified and valued as set forth in Sections 10-370 through 10-380 during the period beginning January 1, 2006 and ending January 1, 2016 with the earlier of the year 50 years after January 1, 2006 or the year in which a PPV Lease terminates.
(Source: P.A. 94-974, eff. 6-30-06.)
(35 ILCS 200/10-370)
Sec. 10-370. Definitions. For the purposes of this Division 14:
(a) "PPV Lease" means a leasehold interest in property that is exempt from taxation under Section 15-50 of this Code and that is leased, pursuant to authority set forth in Chapter 10 of the United States Code, to another whose property is not exempt for the purpose of, after January 1, 2006, the design, finance, construction, renovation, management, operation, and maintenance of rental housing units and associated improvements at military training facilities, military bases, and related military support facilities in the State of Illinois. All interests enjoyed pursuant to the authority set forth in Chapter 159 or Chapter 169 of Title 10 of the United States Code are considered leaseholds for the purposes of this Division. The changes to this Section made by this amendatory Act of the 97th General Assembly apply beginning on January 1, 2006.
(b) For naval training facilities, naval bases, and naval support facilities, "net operating income" means all revenues received minus the lesser of (i) 62% of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization. For all other military training facilities, military bases, and related military support facilities, "net operating income" means all revenues received minus the lesser of (i) 42% of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization.

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(c) "Tax load factor" means the level of assessment, as set forth under item (b) of Section 9-145 or under Section 9-150, multiplied by the cumulative tax rate for the current taxable year.
(Source: P.A. 97-942, eff. 8-10-12.)

(35 ILCS 200/10-380)
Sec. 10-380. For the taxable years 2006 through 2015 and thereafter, the chief county assessment officer in the county in which property subject to a PPV Lease is located shall apply the provisions of Sections 10-370(b)(i) and 10-375(c)(i) of this Division 14 in assessing and determining the value of any PPV Lease for purposes of the property tax laws of this State.
(Source: P.A. 97-942, eff. 8-10-12; revised 10-10-12.)
Passed in the General Assembly May 20, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0495
(Senate Bill No. 1988)

AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 11 as follows:

(765 ILCS 1025/11) (from Ch. 141, par. 111)
Sec. 11. Report of holder.
(a) Except as otherwise provided in subsection (c) of Section 4, every person holding funds or other property, tangible or intangible, presumed abandoned under this Act shall report and remit all abandoned property specified in the report to the State Treasurer with respect to the property as hereinafter provided. The State Treasurer may exempt any businesses from the reporting requirement if he deems such businesses unlikely to be holding unclaimed property.
(b) The information shall be obtained in one or more reports as required by the State Treasurer. The information shall be verified and shall include:

(1) the name, social security or federal tax identification number, if known, and last known address, including zip code, of each person appearing from the records of the holder to be the
owner of any property of the value of $5 or more presumed abandoned under this Act;

(2) in case of unclaimed funds of life insurance corporations the full name of the insured and any beneficiary or annuitant and the last known address according to the life insurance corporation's records;

(3) the date when the property became payable, demandable, or returnable, and the date of the last transaction with the owner with respect to the property; and

(4) other information which the State Treasurer prescribes by rule as necessary for the administration of this Act.

(c) If the person holding property presumed abandoned is a successor to other persons who previously held the property for the owner, or if the holder has changed his name while holding the property, he shall file with his report all prior known names and addresses of each holder of the property.

(d) The report and remittance of the property specified in the report shall be filed by banking organizations, financial organizations, insurance companies other than life insurance corporations, and governmental entities before November 1 of each year as of June 30 next preceding. The report and remittance of the property specified in the report shall be filed by business associations, utilities, and life insurance corporations before May 1 of each year as of December 31 next preceding. The Director may postpone the reporting date upon written request by any person required to file a report. The report and remittance of the property specified in the report for property subject to subsection (a) of Section 3a of this Act shall be filed before a date established by the State Treasurer that is on or after the later of: (i) 30 days after the effective date of this amendatory Act of the 94th General Assembly; or (ii) November 1, 2005.

(d-5) Notwithstanding the foregoing, currency exchanges shall be required to report and remit property specified in the report within 30 days after the conclusion of its annual examination by the Department of Financial Institutions. As part of the examination of a currency exchange, the Department of Financial Institutions shall instruct the currency exchange to submit a complete unclaimed property report using the State Treasurer's formatted diskette reporting program or an alternative reporting format approved by the State Treasurer. The Department of Financial Institutions shall provide the State Treasurer with an accounting of the money orders located in the course of the annual examination

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including, where available, the amount of service fees deducted and the
date of the conclusion of the examination.

(e) Before filing the annual report, the holder of property presumed
abandoned under this Act shall communicate with the owner at his last
known address if any address is known to the holder, setting forth the
provisions hereof necessary to occur in order to prevent abandonment
from being presumed. If the holder has not communicated with the owner
at his last known address at least 120 days before the deadline for filing
the annual report, the holder shall mail, at least 60 days before that
deadline, a letter by first class mail to the owner at his last known address
unless any address is shown to be inaccurate, setting forth the provisions
hereof necessary to prevent abandonment from being presumed.

(f) Verification, if made by a partnership, shall be executed by a
partner; if made by an unincorporated association or private corporation,
by an officer; and if made by a public corporation, by its chief fiscal
officer.

(g) Any person who has possession of property which he has
reason to believe will be reportable in the future as unclaimed property,
may report and deliver it prior to the date required for such reporting in
accordance with this Section and is then relieved of responsibility as
provided in Section 14.

(h) (1) Records pertaining to presumptively abandoned property
held by a trust division or trust department or by a trust company, or
affiliate of any of the foregoing that provides nondealer corporate custodial
services for securities or securities transactions, organized under the laws
of this or another state or the United States shall be retained until the
property is delivered to the State Treasurer.

As of January 1, 1998, this subdivision (h)(1) shall not be
applicable unless the Department of Financial Institutions has commenced,
but not finalized, an examination of the holder as of that date and the
property is included in a final examination report for the period covered by
the examination.

(2) In the case of all other holders commencing on the effective
date of this amendatory Act of 1993, property records for the period
required for presumptive abandonment plus the 9 years immediately
preceding the beginning of that period shall be retained for 5 years after
the property was reportable.
(i) The State Treasurer may promulgate rules establishing the format and media to be used by a holder in submitting reports required under this Act.

(j) Other than the Notice to Owners required by Section 12 and other discretionary means employed by the State Treasurer for notifying owners of the existence of abandoned property, the State Treasurer shall not disclose any information provided in reports filed with the State Treasurer or any information obtained in the course of an examination by the State Treasurer to any person other than governmental agencies for the purposes of returning abandoned property to its owners or to those individuals who appear to be the owner of the property or otherwise have a valid claim to the property, unless written consent from the person entitled to the property is obtained by the State Treasurer.

(Source: P.A. 93-531, eff. 8-14-03; 94-686, eff. 11-2-05.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 20, 2013.
Approved August 16, 2013.
Effective August 16, 2013.

PUBLIC ACT 98-0496

(Senate Bill No. 2169)

AN ACT concerning revenue.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-380 as follows:

Sec. 2505-380. Revocation of or refusal to issue a certificate of registration, permit, or license.

(a) The Department has the power to refuse to issue or, after notice and an opportunity for a hearing, to revoke a certificate of registration, permit, or license issued or authorized to be issued by the Department if the applicant for or holder of the certificate of registration, permit, or license fails to file a return, or to pay the tax, fee, penalty, or interest shown in a filed return, or to pay any final assessment of tax, fee, penalty, or interest, as required by the tax or fee Act under which the certificate of

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registration, permit, or license is required or any other tax or fee Act administered by the Department.

(b) The Department may refuse to issue a certificate of registration, permit, or license authorized to be issued by the Department if a person who is named as the owner, a partner, a corporate officer, or, in the case of a limited liability company, a manager or member, of the applicant on the application for the certificate of registration, permit or license, is or has been named as the owner, a partner, a corporate officer, or in the case of a limited liability company, a manager or member, on the application for the certificate of registration, permit, or license of a person that is in default for moneys due under the tax or fee Act upon which the certificate of registration, permit, or license is required or any other tax or fee Act administered by the Department. For purposes of this Section only, in determining whether a person is in default for moneys due, the Department shall include only amounts established as a final liability within the 20 years prior to the date of the Department's notice of refusal to issue the certificate of registration, permit, or license. For purposes of this Section, "person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

(c) When revoking or refusing to issue a certificate of registration, permit, or license issued by the Department, the procedure for notice and hearing used shall be the procedure prior to revocation shall be as provided under the Act pursuant to which the certificate of registration, permit, or license was issued.
(Source: P.A. 91-239, eff. 1-1-00.)

Section 15. The State Finance Act is amended by changing Section 13.3 as follows:

(30 ILCS 105/13.3) (from Ch. 127, par. 149.3)
Sec. 13.3. Petty cash funds; purchasing cards.
(a) Any State agency may establish and maintain petty cash funds for the purpose of making change, purchasing items of small cost, payment of postage due, and for other nominal expenditures which cannot be administered economically and efficiently through customary procurement practices.

Petty cash funds may be established and maintained from moneys which are appropriated to the agency for Contractual Services. In the case of an agency which receives a single appropriation for its ordinary and

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contingent expenses, the agency may establish a petty cash fund from the appropriated funds.

Before the establishment of any petty cash fund, the agency shall submit to the State Comptroller a survey of the need for the fund. The survey shall also establish that sufficient internal accounting controls exist. The Comptroller shall investigate such need and if he determines that it exists and that adequate accounting controls exist, shall approve the establishment of the fund. The Comptroller shall have the power to revoke any approval previously made under this Section.

Petty cash funds established under this Section shall be operated and maintained on the imprest system and no fund shall exceed $1,000, except that the Department of Revenue may maintain a fund not exceeding $2,000 for each Department of Revenue facility and the Secretary of State may maintain a fund of not exceeding $2,000 for each Chicago Motor Vehicle Facility, each Springfield Public Service Facility, and the Motor Vehicle Facilities in Champaign, Decatur, Marion, Naperville, Peoria, Rockford, Granite City, Quincy, and Carbondale, to be used solely for the purpose of making change. Except for purchases made by procurement card as provided in subsection (b) of this Section, single transactions shall be limited to amounts less than $50, and all transactions occurring in the fund shall be reported and accounted for as may be provided in the uniform accounting system developed by the State Comptroller and the rules and regulations implementing that accounting system. All amounts in any such fund of less than $1,000 but over $100 shall be kept in a checking account in a bank, or savings and loan association or trust company which is insured by the United States government or any agency of the United States government, except that in funds maintained in each Department of Revenue Facility, Chicago Motor Vehicle Facilities, each Springfield Public Service Facility, and the Motor Vehicle Facilities in Champaign, Decatur, Marion, Naperville, Peoria, Rockford, Granite City, Quincy, and Carbondale, all amounts in the fund may be retained on the premises of such facilities.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended.

An internal audit shall be performed of any petty cash fund which receives reimbursements of more than $5,000 in a fiscal year.
Upon succession in the custodianship of any petty cash fund, both the former and successor custodians shall sign a statement, in triplicate, showing the exact status of the fund at the time of the transfer. The original copy shall be kept on file in the office wherein the fund exists, and each signer shall be entitled to retain one copy.

(b) The Comptroller may provide by rule for the use of purchasing cards by State agencies to pay for purchases that otherwise may be paid out of the agency's petty cash fund. Any rule adopted hereunder shall impose a single transaction limit, which shall not be greater than $500.

The rules of the Comptroller may include but shall not be limited to:

(1) standards for the issuance of purchasing cards to State agencies based upon the best interests of the State;
(2) procedures for recording purchasing card transactions within the State accounting system, which may provide for summary reporting;
(3) procedures for auditing purchasing card transactions on a post-payment basis;
(4) standards for awarding contracts with a purchasing card vendor to acquire purchasing cards for use by State agencies; and
(5) procedures for the Comptroller to charge against State agency appropriations for payment of purchasing card expenditures without the use of the voucher and warrant system.

(c) As used in this Section, "State agency" means any department, officer, authority, public corporation, quasi-public corporation, commission, board, institution, State college or university, or other public agency created by the State, other than units of local government and school districts.

(Source: P.A. 90-33, eff. 6-27-97; 91-704, eff. 7-1-00.)

Section 20. The Illinois Income Tax Act is amended by changing Sections 303, 304, 701, 710, and 905 as follows:

(35 ILCS 5/303) (from Ch. 120, par. 3-303)

Sec. 303. (a) In general. Any item of capital gain or loss, and any item of income from rents or royalties from real or tangible personal property, interest, dividends, and patent or copyright royalties, and prizes awarded under the Illinois Lottery Law, to the extent such item constitutes nonbusiness income, together with any item of deduction directly allocable thereto, shall be allocated by any person other than a resident as provided in this Section.

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(b) Capital gains and losses.

(1) Real property. Capital gains and losses from sales or exchanges of real property are allocable to this State if the property is located in this State.

(2) Tangible personal property. Capital gains and losses from sales or exchanges of tangible personal property are allocable to this State if, at the time of such sale or exchange:
   (A) The property had its situs in this State; or
   (B) The taxpayer had its commercial domicile in this State and was not taxable in the state in which the property had its situs.

(3) Intangibles. Capital gains and losses from sales or exchanges of intangible personal property are allocable to this State if the taxpayer had its commercial domicile in this State at the time of such sale or exchange.

(c) Rents and royalties.

(1) Real property. Rents and royalties from real property are allocable to this State if the property is located in this State.

(2) Tangible personal property. Rents and royalties from tangible personal property are allocable to this State:
   (A) If and to the extent that the property is utilized in this State; or
   (B) In their entirety if, at the time such rents or royalties were paid or accrued, the taxpayer had its commercial domicile in this State and was not organized under the laws of or taxable with respect to such rents or royalties in the state in which the property was utilized. The extent of utilization of tangible personal property in a state is determined by multiplying the rents or royalties derived from such property by a fraction, the numerator of which is the number of days of physical location of the property in the state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the taxpayer, tangible personal property is utilized in the state in which the

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property was located at the time the rental or royalty payer obtained possession.

(d) Patent and copyright royalties.
(1) Allocation. Patent and copyright royalties are allocable to this State:
(A) If and to the extent that the patent or copyright is utilized by the payer in this State; or
(B) If and to the extent that the patent or copyright is utilized by the payer in a state in which the taxpayer is not taxable with respect to such royalties and, at the time such royalties were paid or accrued, the taxpayer had its commercial domicile in this State.

(2) Utilization.
(A) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing or other processing in the state or to the extent that a patented product is produced in the state. If the basis of receipts from patent royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the patent is utilized in this State if the taxpayer has its commercial domicile in this State.
(B) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If the basis of receipts from copyright royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the copyright is utilized in this State if the taxpayer has its commercial domicile in this State.

e) Illinois lottery prizes. Prizes awarded under the Illinois Lottery Law "Illinois Lottery Law", approved December 14, 1973, are allocable to this State. Payments received in taxable years ending on or after December 31, 2013, from the assignment of a prize under Section 13.1 of the Illinois Lottery Law are allocable to this State.
(e-5) Unemployment benefits. Unemployment benefits paid by the Illinois Department of Employment Security are allocable to this State.
(f) Taxability in other state. For purposes of allocation of income pursuant to this Section, a taxpayer is taxable in another state if:

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(1) In that state he is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax; or

(2) That state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

(g) Cross references.

(1) For allocation of interest and dividends by persons other than residents, see Section 301(c)(2).

(2) For allocation of nonbusiness income by residents, see Section 301(a).

(Source: P.A. 97-709, eff. 7-1-12.)

(35 ILCS 5/304) (from Ch. 120, par. 3-304)

Sec. 304. Business income of persons other than residents.

(a) In general. The business income of a person other than a resident shall be allocated to this State if such person's business income is derived solely from this State. If a person other than a resident derives business income from this State and one or more other states, then, for tax years ending on or before December 30, 1998, and except as otherwise provided by this Section, such person's business income shall be apportioned to this State by multiplying the income by a fraction, the numerator of which is the sum of the property factor (if any), the payroll factor (if any) and 200% of the sales factor (if any), and the denominator of which is 4 reduced by the number of factors other than the sales factor which have a denominator of zero and by an additional 2 if the sales factor has a denominator of zero. For tax years ending on or after December 31, 1998, and except as otherwise provided by this Section, persons other than residents who derive business income from this State and one or more other states shall compute their apportionment factor by weighting their property, payroll, and sales factors as provided in subsection (h) of this Section.

(1) Property factor.

(A) The property factor is a fraction, the numerator of which is the average value of the person's real and tangible personal property owned or rented and used in the trade or business in this State during the taxable year and the denominator of which is the average value of all the person's real and tangible personal property owned or rented and used in the trade or business during the taxable year.
(B) Property owned by the person is valued at its original cost. Property rented by the person is valued at 8 times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the person less any annual rental rate received by the person from sub-rentals.

(C) The average value of property shall be determined by averaging the values at the beginning and ending of the taxable year but the Director may require the averaging of monthly values during the taxable year if reasonably required to reflect properly the average value of the person's property.

(2) Payroll factor.

(A) The payroll factor is a fraction, the numerator of which is the total amount paid in this State during the taxable year by the person for compensation, and the denominator of which is the total compensation paid everywhere during the taxable year.

(B) Compensation is paid in this State if:

(i) The individual's service is performed entirely within this State;

(ii) The individual's service is performed both within and without this State, but the service performed without this State is incidental to the individual's service performed within this State; or

(iii) Some of the service is performed within this State and either the base of operations, or if there is no base of operations, the place from which the service is directed or controlled is within this State, or the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this State.

(iv) Compensation paid to nonresident professional athletes.

(a) General. The Illinois source income of a nonresident individual who is a member of a professional athletic team includes the portion of the individual's total compensation for services performed as a member of a professional athletic team during the taxable year which the number of duty days spent within this State performing services for the team in any manner during the taxable year.
bears to the total number of duty days spent both within and without this State during the taxable year.

(b) Travel days. Travel days that do not involve either a game, practice, team meeting, or other similar team event are not considered duty days spent in this State. However, such travel days are considered in the total duty days spent both within and without this State.

(c) Definitions. For purposes of this subpart (iv):

(1) The term "professional athletic team" includes, but is not limited to, any professional baseball, basketball, football, soccer, or hockey team.

(2) The term "member of a professional athletic team" includes those employees who are active players, players on the disabled list, and any other persons required to travel and who travel with and perform services on behalf of a professional athletic team on a regular basis. This includes, but is not limited to, coaches, managers, and trainers.

(3) Except as provided in items (C) and (D) of this subpart (3), the term "duty days" means all days during the taxable year from the beginning of the professional athletic team's official pre-season training period through the last game in which the team competes or is scheduled to compete. Duty days shall be counted for the year in which they occur, including where a team's official pre-season training period through the last game in which the team competes or is scheduled to compete, occurs during more than one tax year.

(A) Duty days shall also include days on which a member of a professional athletic team performs service for a team on a date that does not fall within the foregoing period (e.g., participation in instructional leagues, the "All Star Game", or promotional "caravans"). Performing a service for a professional athletic team includes conducting training and rehabilitation

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activities, when such activities are conducted at team facilities.

(B) Also included in duty days are game days, practice days, days spent at team meetings, promotional caravans, preseason training camps, and days served with the team through all post-season games in which the team competes or is scheduled to compete.

(C) Duty days for any person who joins a team during the period from the beginning of the professional athletic team’s official pre-season training period through the last game in which the team competes, or is scheduled to compete, shall begin on the day that person joins the team. Conversely, duty days for any person who leaves a team during this period shall end on the day that person leaves the team. Where a person switches teams during a taxable year, a separate duty-day calculation shall be made for the period the person was with each team.

(D) Days for which a member of a professional athletic team is not compensated and is not performing services for the team in any manner, including days when such member of a professional athletic team has been suspended without pay and prohibited from performing any services for the team, shall not be treated as duty days.

(E) Days for which a member of a professional athletic team is on the disabled list and does not conduct rehabilitation activities at facilities of the team, and is not otherwise performing services for the team in Illinois, shall not be considered duty days spent in this State. All days on the disabled list, however, are considered to be included
in total duty days spent both within and without this State.

(4) The term "total compensation for services performed as a member of a professional athletic team" means the total compensation received during the taxable year for services performed:

   (A) from the beginning of the official pre-season training period through the last game in which the team competes or is scheduled to compete during that taxable year; and

   (B) during the taxable year on a date which does not fall within the foregoing period (e.g., participation in instructional leagues, the "All Star Game", or promotional caravans).

This compensation shall include, but is not limited to, salaries, wages, bonuses as described in this subpart, and any other type of compensation paid during the taxable year to a member of a professional athletic team for services performed in that year. This compensation does not include strike benefits, severance pay, termination pay, contract or option year buy-out payments, expansion or relocation payments, or any other payments not related to services performed for the team.

For purposes of this subparagraph, "bonuses" included in "total compensation for services performed as a member of a professional athletic team" subject to the allocation described in Section 302(c)(1) are: bonuses earned as a result of play (i.e., performance bonuses) during the season, including bonuses paid for championship, playoff or "bowl" games played by a team, or for selection to all-star league or other honorary positions; and bonuses paid for signing a contract, unless the payment of the signing bonus is not conditional upon the signee playing any games for the team or

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performing any subsequent services for the team or even making the team, the signing bonus is payable separately from the salary and any other compensation, and the signing bonus is nonrefundable.

(3) Sales factor.

(A) The sales factor is a fraction, the numerator of which is the total sales of the person in this State during the taxable year, and the denominator of which is the total sales of the person everywhere during the taxable year.

(B) Sales of tangible personal property are in this State if:

(i) The property is delivered or shipped to a purchaser, other than the United States government, within this State regardless of the f. o. b. point or other conditions of the sale; or

(ii) The property is shipped from an office, store, warehouse, factory or other place of storage in this State and either the purchaser is the United States government or the person is not taxable in the state of the purchaser; provided, however, that premises owned or leased by a person who has independently contracted with the seller for the printing of newspapers, periodicals or books shall not be deemed to be an office, store, warehouse, factory or other place of storage for purposes of this Section. Sales of tangible personal property are not in this State if the seller and purchaser would be members of the same unitary business group but for the fact that either the seller or purchaser is a person with 80% or more of total business activity outside of the United States and the property is purchased for resale.

(B-1) Patents, copyrights, trademarks, and similar items of intangible personal property.

(i) Gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property, other than gross receipts governed by paragraph (B-7) of this item (3), are in this State to the extent the item is utilized in this State during the year the gross receipts are included in gross income.

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(ii) Place of utilization.

(I) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If a patent is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts of the licensee or purchaser from sales or leases of items produced, fabricated, manufactured, or processed within that state using the patent and of patented items produced within that state, divided by the total of such gross receipts for all states in which the patent is utilized.

(II) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If a copyright is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts from sales or licenses of materials printed or published in that state divided by the total of such gross receipts for all states in which the copyright is utilized.

(III) Trademarks and other items of intangible personal property governed by this paragraph (B-1) are utilized in the state in which the commercial domicile of the licensee or purchaser is located.

(iii) If the state of utilization of an item of property governed by this paragraph (B-1) cannot be determined from the taxpayer's books and records or from the books and records of any person related to the taxpayer within the meaning of Section 267(b) of the Internal Revenue Code, 26 U.S.C. 267, the gross receipts attributable to that item shall be excluded from both the numerator and the denominator of the sales factor.

(B-2) Gross receipts from the license, sale, or other disposition of patents, copyrights, trademarks, and similar items of intangible personal property, other than gross receipts governed by

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paragraph (B-7) of this item (3), may be included in the numerator or denominator of the sales factor only if gross receipts from licenses, sales, or other disposition of such items comprise more than 50% of the taxpayer's total gross receipts included in gross income during the tax year and during each of the 2 immediately preceding tax years; provided that, when a taxpayer is a member of a unitary business group, such determination shall be made on the basis of the gross receipts of the entire unitary business group.

(B-5) For taxable years ending on or after December 31, 2008, except as provided in subsections (ii) through (vii), receipts from the sale of telecommunications service or mobile telecommunications service are in this State if the customer's service address is in this State.

(i) For purposes of this subparagraph (B-5), the following terms have the following meanings:

"Ancillary services" means services that are associated with or incidental to the provision of "telecommunications services", including but not limited to "detailed telecommunications billing", "directory assistance", "vertical service", and "voice mail services".

"Air-to-Ground Radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

"Call-by-call Basis" means any method of charging for telecommunications services where the price is measured by individual calls.

"Communications Channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

"Conference bridging service" means an "ancillary service" that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the "telecommunications services" used to reach the conference bridge.

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"Customer Channel Termination Point" means the location where the customer either inputs or receives the communications.

"Detailed telecommunications billing service" means an "ancillary service" of separately stating information pertaining to individual calls on a customer's billing statement.

"Directory assistance" means an "ancillary service" of providing telephone number information, and/or address information.

"Home service provider" means the facilities based carrier or reseller with which the customer contracts for the provision of mobile telecommunications services.

"Mobile telecommunications service" means commercial mobile radio service, as defined in Section 20.3 of Title 47 of the Code of Federal Regulations as in effect on June 1, 1999.

"Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, "place of primary use" must be within the licensed service area of the home service provider.

"Post-paid telecommunication service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunication service.

"Prepaid telecommunication service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the

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origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Prepaid Mobile telecommunication service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other non-telecommunication services, including but not limited to ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Private communication service" means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels.

"Service address" means:

(a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in line (a) is not known, service address means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider where the system used to transport such signals is not that of the seller; and

(c) If the locations in line (a) and line (b) are not known, the service address means the location of the customer's place of primary use.

"Telecommunications service" means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points. The term "telecommunications

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"Telecommunications service" does not include:

(a) Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser when such purchaser's primary purpose for the underlying transaction is the processed data or information;

(b) Installation or maintenance of wiring or equipment on a customer's premises;

(c) Tangible personal property;

(d) Advertising, including but not limited to directory advertising.

(e) Billing and collection services provided to third parties;

(f) Internet access service;

(g) Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service as defined in 47 USC 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

(h) "Ancillary services"; or

(i) Digital products "delivered electronically", including but not limited to software, music, video, reading materials or ring tones.

"Vertical service" means an "ancillary service" that is offered in connection with one or more
"telecommunications services", which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including "conference bridging services".

"Voice mail service" means an "ancillary service" that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any "vertical services" that the customer may be required to have in order to utilize the "voice mail service".

(ii) Receipts from the sale of telecommunications service sold on an individual call-by-call basis are in this State if either of the following applies:

(a) The call both originates and terminates in this State.

(b) The call either originates or terminates in this State and the service address is located in this State.

(iii) Receipts from the sale of postpaid telecommunications service at retail are in this State if the origination point of the telecommunication signal, as first identified by the service provider's telecommunication system or as identified by information received by the seller from its service provider if the system used to transport telecommunication signals is not the seller's, is located in this State.

(iv) Receipts from the sale of prepaid telecommunications service or prepaid mobile telecommunications service at retail are in this State if the purchaser obtains the prepaid card or similar means of conveyance at a location in this State. Receipts from recharging a prepaid telecommunications service or mobile telecommunications service is in this State if the purchaser's billing information indicates a location in this State.

(v) Receipts from the sale of private communication services are in this State as follows:

(a) 100% of receipts from charges imposed at each channel termination point in this State.
(b) 100% of receipts from charges for the total channel mileage between each channel termination point in this State.

(c) 50% of the total receipts from charges for service segments when those segments are between 2 customer channel termination points, 1 of which is located in this State and the other is located outside of this State, which segments are separately charged.

(d) The receipts from charges for service segments with a channel termination point located in this State and in two or more other states, and which segments are not separately billed, are in this State based on a percentage determined by dividing the number of customer channel termination points in this State by the total number of customer channel termination points.

(vi) Receipts from charges for ancillary services for telecommunications service sold to customers at retail are in this State if the customer's primary place of use of telecommunications services associated with those ancillary services is in this State. If the seller of those ancillary services cannot determine where the associated telecommunications are located, then the ancillary services shall be based on the location of the purchaser.

(vii) Receipts to access a carrier's network or from the sale of telecommunication services or ancillary services for resale are in this State as follows:

(a) 100% of the receipts from access fees attributable to intrastate telecommunications service that both originates and terminates in this State.

(b) 50% of the receipts from access fees attributable to interstate telecommunications service if the interstate call either originates or terminates in this State.

(c) 100% of the receipts from interstate end user access line charges, if the customer's service address is in this State. As used in this subdivision, "interstate end user access line charges" includes,
but is not limited to, the surcharge approved by the federal communications commission and levied pursuant to 47 CFR 69.

(d) Gross receipts from sales of telecommunication services or from ancillary services for telecommunications services sold to other telecommunication service providers for resale shall be sourced to this State using the apportionment concepts used for non-resale receipts of telecommunications services if the information is readily available to make that determination. If the information is not readily available, then the taxpayer may use any other reasonable and consistent method.

(B-7) For taxable years ending on or after December 31, 2008, receipts from the sale of broadcasting services are in this State if the broadcasting services are received in this State. For purposes of this paragraph (B-7), the following terms have the following meanings:

"Advertising revenue" means consideration received by the taxpayer in exchange for broadcasting services or allowing the broadcasting of commercials or announcements in connection with the broadcasting of film or radio programming, from sponsorships of the programming, or from product placements in the programming.

"Audience factor" means the ratio that the audience or subscribers located in this State of a station, a network, or a cable system bears to the total audience or total subscribers for that station, network, or cable system. The audience factor for film or radio programming shall be determined by reference to the books and records of the taxpayer or by reference to published rating statistics provided the method used by the taxpayer is consistently used from year to year for this purpose and fairly represents the taxpayer's activity in this State.

"Broadcast" or "broadcasting" or "broadcasting services" means the transmission or provision of film or radio programming, whether through the public airwaves,
by cable, by direct or indirect satellite transmission, or by any other means of communication, either through a station, a network, or a cable system.

"Film" or "film programming" means the broadcast on television of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial, educational, or artistic works, either live or through the use of video tape, disc, or any other type of format or medium. Each episode of a series of films produced for television shall constitute separate "film" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

"Radio" or "radio programming" means the broadcast on radio of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial, educational, or artistic works, either live or through the use of an audio tape, disc, or any other format or medium. Each episode in a series of radio programming produced for radio broadcast shall constitute a separate "radio programming" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

(i) In the case of advertising revenue from broadcasting, the customer is the advertiser and the service is received in this State if the commercial domicile of the advertiser is in this State.

(ii) In the case where film or radio programming is broadcast by a station, a network, or a cable system for a fee or other remuneration received from the recipient of the broadcast, the portion of the service that is received in this State is measured by the portion of the recipients of the broadcast located in this State. Accordingly, the fee or other remuneration for such service that is included in the Illinois numerator of the sales factor is the total of those fees or other remuneration received from recipients in Illinois. For purposes of

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this paragraph, a taxpayer may determine the location of the recipients of its broadcast using the address of the recipient shown in its contracts with the recipient or using the billing address of the recipient in the taxpayer's records.

(iii) In the case where film or radio programming is broadcast by a station, a network, or a cable system for a fee or other remuneration from the person providing the programming, the portion of the broadcast service that is received by such station, network, or cable system in this State is measured by the portion of recipients of the broadcast located in this State. Accordingly, the amount of revenue related to such an arrangement that is included in the Illinois numerator of the sales factor is the total fee or other total remuneration from the person providing the programming related to that broadcast multiplied by the Illinois audience factor for that broadcast.

(iv) In the case where film or radio programming is provided by a taxpayer that is a network or station to a customer for broadcast in exchange for a fee or other remuneration from that customer the broadcasting service is received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.

(v) In the case where film or radio programming is provided by a taxpayer that is not a network or station to another person for broadcasting in exchange for a fee or other remuneration from that person, the broadcasting service is received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.
business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.

(B-8) Gross receipts from winnings under the Illinois Lottery Law from the assignment of a prize under Section 13-1 of the Illinois Lottery Law are received in this State. This paragraph (B-8) applies only to taxable years ending on or after December 31, 2013.

(C) For taxable years ending before December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), (B-2), and (B-8) are in this State if:

(i) The income-producing activity is performed in this State; or

(ii) The income-producing activity is performed both within and without this State and a greater proportion of the income-producing activity is performed within this State than without this State, based on performance costs.

(C-5) For taxable years ending on or after December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), (B-2), (B-5), and (B-7), are in this State if any of the following criteria are met:

(i) Sales from the sale or lease of real property are in this State if the property is located in this State.

(ii) Sales from the lease or rental of tangible personal property are in this State if the property is located in this State during the rental period. Sales from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are in this State to the extent that the property is used in this State.

(iii) In the case of interest, net gains (but not less than zero) and other items of income from intangible personal property, the sale is in this State if:

(a) in the case of a taxpayer who is a dealer in the item of intangible personal property within the meaning of Section 475 of the Internal Revenue

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Code, the income or gain is received from a customer in this State. For purposes of this subparagraph, a customer is in this State if the customer is an individual, trust or estate who is a resident of this State and, for all other customers, if the customer's commercial domicile is in this State. Unless the dealer has actual knowledge of the residence or commercial domicile of a customer during a taxable year, the customer shall be deemed to be a customer in this State if the billing address of the customer, as shown in the records of the dealer, is in this State; or

(b) in all other cases, if the income-producing activity of the taxpayer is performed in this State or, if the income-producing activity of the taxpayer is performed both within and without this State, if a greater proportion of the income-producing activity of the taxpayer is performed within this State than in any other state, based on performance costs.

(iv) Sales of services are in this State if the services are received in this State. For the purposes of this section, gross receipts from the performance of services provided to a corporation, partnership, or trust may only be attributed to a state where that corporation, partnership, or trust has a fixed place of business. If the state where the services are received is not readily determinable or is a state where the corporation, partnership, or trust receiving the service does not have a fixed place of business, the services shall be deemed to be received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. If the ordering office cannot be determined, the services shall be deemed to be received at the office of the customer to which the services are billed. If the taxpayer is not taxable in the state in which the services are received, the sale must be excluded from both the numerator and the denominator of the sales factor. The Department shall adopt rules

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prescribing where specific types of service are received, including, but not limited to, publishing, and utility service.

(D) For taxable years ending on or after December 31, 1995, the following items of income shall not be included in the numerator or denominator of the sales factor: dividends; amounts included under Section 78 of the Internal Revenue Code; and Subpart F income as defined in Section 952 of the Internal Revenue Code. No inference shall be drawn from the enactment of this paragraph (D) in construing this Section for taxable years ending before December 31, 1995.

(E) Paragraphs (B-1) and (B-2) shall apply to tax years ending on or after December 31, 1999, provided that a taxpayer may elect to apply the provisions of these paragraphs to prior tax years. Such election shall be made in the form and manner prescribed by the Department, shall be irrevocable, and shall apply to all tax years; provided that, if a taxpayer's Illinois income tax liability for any tax year, as assessed under Section 903 prior to January 1, 1999, was computed in a manner contrary to the provisions of paragraphs (B-1) or (B-2), no refund shall be payable to the taxpayer for that tax year to the extent such refund is the result of applying the provisions of paragraph (B-1) or (B-2) retroactively. In the case of a unitary business group, such election shall apply to all members of such group for every tax year such group is in existence, but shall not apply to any taxpayer for any period during which that taxpayer is not a member of such group.

(b) Insurance companies.

(1) In general. Except as otherwise provided by paragraph (2), business income of an insurance company for a taxable year shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the direct premiums written for insurance upon property or risk in this State, and the denominator of which is the direct premiums written for insurance upon property or risk everywhere. For purposes of this subsection, the term "direct premiums written" means the total amount of direct premiums written, assessments and annuity considerations as reported for the taxable year on the annual statement filed by the company with the Illinois Director of Insurance in the form approved by the National Convention of Insurance Commissioners or such other form as may be prescribed in lieu thereof.

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(2) Reinsurance. If the principal source of premiums written by an insurance company consists of premiums for reinsurance accepted by it, the business income of such company shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the sum of (i) direct premiums written for insurance upon property or risk in this State, plus (ii) premiums written for reinsurance accepted in respect of property or risk in this State, and the denominator of which is the sum of (iii) direct premiums written for insurance upon property or risk everywhere, plus (iv) premiums written for reinsurance accepted in respect of property or risk everywhere. For purposes of this paragraph, premiums written for reinsurance accepted in respect of property or risk in this State, whether or not otherwise determinable, may, at the election of the company, be determined on the basis of the proportion which premiums written for reinsurance accepted from companies commercially domiciled in Illinois bears to premiums written for reinsurance accepted from all sources, or, alternatively, in the proportion which the sum of the direct premiums written for insurance upon property or risk in this State by each ceding company from which reinsurance is accepted bears to the sum of the total direct premiums written by each such ceding company for the taxable year. The election made by a company under this paragraph for its first taxable year ending on or after December 31, 2011, shall be binding for that company for that taxable year and for all subsequent taxable years, and may be altered only with the written permission of the Department, which shall not be unreasonably withheld.

(c) Financial organizations.

(1) In general. For taxable years ending before December 31, 2008, business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For the purposes of this subsection, the business income of a financial organization from sources within this State is the sum of the amounts referred to in subparagraphs (A) through (E) following, but excluding the adjusted income of an international banking facility as determined in paragraph (2):
(A) Fees, commissions or other compensation for financial services rendered within this State;
(B) Gross profits from trading in stocks, bonds or other securities managed within this State;
(C) Dividends, and interest from Illinois customers, which are received within this State;
(D) Interest charged to customers at places of business maintained within this State for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts; and
(E) Any other gross income resulting from the operation as a financial organization within this State. In computing the amounts referred to in paragraphs (A) through (E) of this subsection, any amount received by a member of an affiliated group (determined under Section 1504(a) of the Internal Revenue Code but without reference to whether any such corporation is an "includible corporation" under Section 1504(b) of the Internal Revenue Code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.

(2) International Banking Facility. For taxable years ending before December 31, 2008:

(A) Adjusted Income. The adjusted income of an international banking facility is its income reduced by the amount of the floor amount.

(B) Floor Amount. The floor amount shall be the amount, if any, determined by multiplying the income of the international banking facility by a fraction, not greater than one, which is determined as follows:

(i) The numerator shall be:

The average aggregate, determined on a quarterly basis, of the financial organization's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, as reported for its branches, agencies and offices within the state on its "Consolidated Report of Condition", Schedule A,
Lines 2.c., 5.b., and 7.a., which was filed with the Federal Deposit Insurance Corporation and other regulatory authorities, for the year 1980, minus

The average aggregate, determined on a quarterly basis, of such loans (other than loans of an international banking facility), as reported by the financial institution for its branches, agencies and offices within the state, on the corresponding Schedule and lines of the Consolidated Report of Condition for the current taxable year, provided, however, that in no case shall the amount determined in this clause (the subtrahend) exceed the amount determined in the preceding clause (the minuend); and

(ii) the denominator shall be the average aggregate, determined on a quarterly basis, of the international banking facility's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, which were recorded in its financial accounts for the current taxable year.

(C) Change to Consolidated Report of Condition and in Qualification. In the event the Consolidated Report of Condition which is filed with the Federal Deposit Insurance Corporation and other regulatory authorities is altered so that the information required for determining the floor amount is not found on Schedule A, lines 2.c., 5.b. and 7.a., the financial institution shall notify the Department and the Department may, by regulations or otherwise, prescribe or authorize the use of an alternative source for such information. The financial institution shall also notify the Department should its international banking facility fail to qualify as such, in whole or in part, or should there be any amendment or change to the Consolidated Report of Condition, as originally filed, to the extent such amendment or change alters the information used in determining the floor amount.
(3) For taxable years ending on or after December 31, 2008, the business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its gross receipts from sources in this State or otherwise attributable to this State's marketplace and the denominator of which is its gross receipts everywhere during the taxable year. "Gross receipts" for purposes of this subparagraph (3) means gross income, including net taxable gain on disposition of assets, including securities and money market instruments, when derived from transactions and activities in the regular course of the financial organization's trade or business. The following examples are illustrative:

(i) Receipts from the lease or rental of real or tangible personal property are in this State if the property is located in this State during the rental period. Receipts from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are from sources in this State to the extent that the property is used in this State.

(ii) Interest income, commissions, fees, gains on disposition, and other receipts from assets in the nature of loans that are secured primarily by real estate or tangible personal property are from sources in this State if the security is located in this State.

(iii) Interest income, commissions, fees, gains on disposition, and other receipts from consumer loans that are not secured by real or tangible personal property are from sources in this State if the debtor is a resident of this State.

(iv) Interest income, commissions, fees, gains on disposition, and other receipts from commercial loans and installment obligations that are not secured by real or tangible personal property are from sources in this State if the proceeds of the loan are to be applied in this State. If it cannot be determined where the funds are to be applied, the income and receipts are from sources in this State if the office of the borrower from which the loan was negotiated in the regular course of business is located in this State. If the location of this office cannot be determined, the income

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and receipts shall be excluded from the numerator and denominator of the sales factor.

(v) Interest income, fees, gains on disposition, service charges, merchant discount income, and other receipts from credit card receivables are from sources in this State if the card charges are regularly billed to a customer in this State.

(vi) Receipts from the performance of services, including, but not limited to, fiduciary, advisory, and brokerage services, are in this State if the services are received in this State within the meaning of subparagraph (a)(3)(C-5)(iv) of this Section.

(vii) Receipts from the issuance of travelers checks and money orders are from sources in this State if the checks and money orders are issued from a location within this State.

(viii) Receipts from investment assets and activities and trading assets and activities are included in the receipts factor as follows:

(1) Interest, dividends, net gains (but not less than zero) and other income from investment assets and activities from trading assets and activities shall be included in the receipts factor. Investment assets and activities and trading assets and activities include but are not limited to: investment securities; trading account assets; federal funds; securities purchased and sold under agreements to resell or repurchase; options; futures contracts; forward contracts; notional principal contracts such as swaps; equities; and foreign currency transactions. With respect to the investment and trading assets and activities described in subparagraphs (A) and (B) of this paragraph, the receipts factor shall include the amounts described in such subparagraphs.

(A) The receipts factor shall include the amount by which interest from federal funds sold and securities purchased under resale agreements exceeds interest expense
on federal funds purchased and securities sold under repurchase agreements.

(B) The receipts factor shall include the amount by which interest, dividends, gains and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book, and foreign currency transactions, exceed amounts paid in lieu of interest, amounts paid in lieu of dividends, and losses from such assets and activities.

(2) The numerator of the receipts factor includes interest, dividends, net gains (but not less than zero), and other income from investment assets and activities and from trading assets and activities described in paragraph (1) of this subsection that are attributable to this State.

(A) The amount of interest, dividends, net gains (but not less than zero), and other income from investment assets and activities in the investment account to be attributed to this State and included in the numerator is determined by multiplying all such income from such assets and activities by a fraction, the numerator of which is the gross income from such assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(B) The amount of interest from federal funds sold and purchased and from securities purchased under resale agreements and securities sold under repurchase agreements attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (A) of paragraph (1) of this subsection from such funds and such
securities by a fraction, the numerator of which is the gross income from such funds and such securities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such funds and such securities.

(C) The amount of interest, dividends, gains, and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book and foreign currency transactions (but excluding amounts described in subparagraphs (A) or (B) of this paragraph), attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (B) of paragraph (1) of this subsection by a fraction, the numerator of which is the gross income from such trading assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(D) Properly assigned, for purposes of this paragraph (2) of this subsection, means the investment or trading asset or activity is assigned to the fixed place of business with which it has a preponderance of substantive contacts. An investment or trading asset or activity assigned by the taxpayer to a fixed place of business without the State shall be presumed to have been properly assigned if:

(i) the taxpayer has assigned, in the regular course of its business, such asset or activity on its records to a fixed place of business consistent
with federal or state regulatory requirements;

(ii) such assignment on its records is based upon substantive contacts of the asset or activity to such fixed place of business; and

(iii) the taxpayer uses such records reflecting assignment of such assets or activities for the filing of all state and local tax returns for which an assignment of such assets or activities to a fixed place of business is required.

(E) The presumption of proper assignment of an investment or trading asset or activity provided in subparagraph (D) of paragraph (2) of this subsection may be rebutted upon a showing by the Department, supported by a preponderance of the evidence, that the preponderance of substantive contacts regarding such asset or activity did not occur at the fixed place of business to which it was assigned on the taxpayer's records. If the fixed place of business that has a preponderance of substantive contacts cannot be determined for an investment or trading asset or activity to which the presumption in subparagraph (D) of paragraph (2) of this subsection does not apply or with respect to which that presumption has been rebutted, that asset or activity is properly assigned to the state in which the taxpayer's commercial domicile is located. For purposes of this subparagraph (E), it shall be presumed, subject to rebuttal, that taxpayer's commercial domicile is in the state of the United States or the District of Columbia to which the greatest number of employees are regularly connected with the
management of the investment or trading income or out of which they are working, irrespective of where the services of such employees are performed, as of the last day of the taxable year.

(4) (Blank).
(5) (Blank).

(c-1) Federally regulated exchanges. For taxable years ending on or after December 31, 2012, business income of a federally regulated exchange shall, at the option of the federally regulated exchange, be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For purposes of this subsection, the business income within this State of a federally regulated exchange is the sum of the following:

(1) Receipts attributable to transactions executed on a physical trading floor if that physical trading floor is located in this State.

(2) Receipts attributable to all other matching, execution, or clearing transactions, including without limitation receipts from the provision of matching, execution, or clearing services to another entity, multiplied by (i) for taxable years ending on or after December 31, 2012 but before December 31, 2013, 63.77%; and (ii) for taxable years ending on or after December 31, 2013, 27.54%.

(3) All other receipts not governed by subparagraphs (1) or (2) of this subsection (c-1), to the extent the receipts would be characterized as "sales in this State" under item (3) of subsection (a) of this Section.

"Federally regulated exchange" means (i) a "registered entity" within the meaning of 7 U.S.C. Section 1a(40)(A), (B), or (C), (ii) an "exchange" or "clearing agency" within the meaning of 15 U.S.C. Section 78c (a)(1) or (23), (iii) any such entities regulated under any successor regulatory structure to the foregoing, and (iv) all taxpayers who are members of the same unitary business group as a federally regulated exchange, determined without regard to the prohibition in Section 1501(a)(27) of this Act against including in a unitary business group taxpayers who are ordinarily required to apportion business income under different subsections of this Section; provided that this subparagraph (iv)
shall apply only if 50% or more of the business receipts of the unitary business group determined by application of this subparagraph (iv) for the taxable year are attributable to the matching, execution, or clearing of transactions conducted by an entity described in subparagraph (i), (ii), or (iii) of this paragraph.

In no event shall the Illinois apportionment percentage computed in accordance with this subsection (c-1) for any taxpayer for any tax year be less than the Illinois apportionment percentage computed under this subsection (c-1) for that taxpayer for the first full tax year ending on or after December 31, 2013 for which this subsection (c-1) applied to the taxpayer.

(d) Transportation services. For taxable years ending before December 31, 2008, business income derived from furnishing transportation services shall be apportioned to this State in accordance with paragraphs (1) and (2):

(1) Such business income (other than that derived from transportation by pipeline) shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of 1 passenger or 1 net ton of freight the distance of 1 mile for a consideration. Where a person is engaged in the transportation of both passengers and freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's

(A) relative railway operating income from total passenger and total freight service, as reported to the Interstate Commerce Commission, in the case of transportation by railroad, and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(2) Such business income derived from transportation by pipeline shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For the purposes of this
paragraph, a revenue mile is the transportation by pipeline of 1 barrel of oil, 1,000 cubic feet of gas, or of any specified quantity of any other substance, the distance of 1 mile for a consideration.

(3) For taxable years ending on or after December 31, 2008, business income derived from providing transportation services other than airline services shall be apportioned to this State by using a fraction, (a) the numerator of which shall be (i) all receipts from any movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline) that both originates and terminates in this State, plus (ii) that portion of the person's gross receipts from movements or shipments of people, goods, mail, oil, gas, or any other substance (other than by airline) that originates in one state or jurisdiction and terminates in another state or jurisdiction, that is determined by the ratio that the miles traveled in this State bears to total miles everywhere and (b) the denominator of which shall be all revenue derived from the movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline). Where a taxpayer is engaged in the transportation of both passengers and freight, the fraction above referred to shall first be determined separately for passenger miles and freight miles. Then an average of the passenger miles fraction and the freight miles fraction shall be weighted to reflect the taxpayer's:

(A) relative railway operating income from total passenger and total freight service, as reported to the Surface Transportation Board, in the case of transportation by railroad; and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(4) For taxable years ending on or after December 31, 2008, business income derived from furnishing airline transportation services shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of one passenger or one net ton of freight the distance of one mile for a consideration. If a person is engaged in the transportation of both passengers and

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freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's relative gross receipts from passenger and freight airline transportation.

(e) Combined apportionment. Where 2 or more persons are engaged in a unitary business as described in subsection (a)(27) of Section 1501, a part of which is conducted in this State by one or more members of the group, the business income attributable to this State by any such member or members shall be apportioned by means of the combined apportionment method.

(f) Alternative allocation. If the allocation and apportionment provisions of subsections (a) through (e) and of subsection (h) do not fairly represent the extent of a person's business activity in this State, the person may petition for, or the Director may, without a petition, permit or require, in respect of all or any part of the person's business activity, if reasonable:

1. Separate accounting;
2. The exclusion of any one or more factors;
3. The inclusion of one or more additional factors which will fairly represent the person's business activities in this State; or
4. The employment of any other method to effectuate an equitable allocation and apportionment of the person's business income.

(g) Cross reference. For allocation of business income by residents, see Section 301(a).

(h) For tax years ending on or after December 31, 1998, the apportionment factor of persons who apportion their business income to this State under subsection (a) shall be equal to:

1. for tax years ending on or after December 31, 1998 and before December 31, 1999, 16 2/3% of the property factor plus 16 2/3% of the payroll factor plus 66 2/3% of the sales factor;
2. for tax years ending on or after December 31, 1999 and before December 31, 2000, 8 1/3% of the property factor plus 8 1/3% of the payroll factor plus 83 1/3% of the sales factor;
3. for tax years ending on or after December 31, 2000, the sales factor.

If, in any tax year ending on or after December 31, 1998 and before December 31, 2000, the denominator of the payroll, property, or sales factor is zero, the apportionment factor computed in paragraph (1) or (2) of this subsection for that year shall be divided by an amount equal to 100%
minus the percentage weight given to each factor whose denominator is equal to zero.
(Source: P.A. 96-763, eff. 8-25-09; 97-507, eff. 8-23-11; 97-636, eff. 6-1-12.)

(35 ILCS 5/701) (from Ch. 120, par. 7-701)
Sec. 701. Requirement and Amount of Withholding.
(a) In General. Every employer maintaining an office or transacting business within this State and required under the provisions of the Internal Revenue Code to withhold a tax on:

(1) compensation paid in this State (as determined under Section 304(a)(2)(B) to an individual; or
(2) payments described in subsection (b) shall deduct and withhold from such compensation for each payroll period (as defined in Section 3401 of the Internal Revenue Code) an amount equal to the amount by which such individual's compensation exceeds the proportionate part of this withholding exemption (computed as provided in Section 702) attributable to the payroll period for which such compensation is payable multiplied by a percentage equal to the percentage tax rate for individuals provided in subsection (b) of Section 201.

(b) Payment to Residents. Any payment (including compensation, but not including a payment from which withholding is required under Section 710 of this Act) to a resident by a payor maintaining an office or transacting business within this State (including any agency, officer, or employee of this State or of any political subdivision of this State) and on which withholding of tax is required under the provisions of the Internal Revenue Code shall be deemed to be compensation paid in this State by an employer to an employee for the purposes of Article 7 and Section 601(b)(1) to the extent such payment is included in the recipient's base income and not subjected to withholding by another state. Notwithstanding any other provision to the contrary, no amount shall be withheld from unemployment insurance benefit payments made to an individual pursuant to the Unemployment Insurance Act unless the individual has voluntarily elected the withholding pursuant to rules promulgated by the Director of Employment Security.

(c) Special Definitions. Withholding shall be considered required under the provisions of the Internal Revenue Code to the extent the Internal Revenue Code either requires withholding or allows for voluntary withholding the payor and recipient have entered into such a voluntary

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withholding agreement. For the purposes of Article 7 and Section 1002(c) the term "employer" includes any payor who is required to withhold tax pursuant to this Section.

(d) Reciprocal Exemption. The Director may enter into an agreement with the taxing authorities of any state which imposes a tax on or measured by income to provide that compensation paid in such state to residents of this State shall be exempt from withholding of such tax; in such case, any compensation paid in this State to residents of such state shall be exempt from withholding. All reciprocal agreements shall be subject to the requirements of Section 2505-575 of the Department of Revenue Law (20 ILCS 2505/2505-575).

(e) Notwithstanding subsection (a)(2) of this Section, no withholding is required on payments for which withholding is required under Section 3405 or 3406 of the Internal Revenue Code.

(Source: P.A. 97-507, eff. 8-23-11.)

(35 ILCS 5/710) (from Ch. 120, par. 7-710)
Sec. 710. Withholding from lottery winnings. (a) In General.

(1) Any person making a payment to a resident or nonresident of winnings under the Illinois Lottery Law and not required to withhold Illinois income tax from such payment under Subsection (b) of Section 701 of this Act because those winnings are not subject to Federal income tax withholding, must withhold Illinois income tax from such payment at a rate equal to the percentage tax rate for individuals provided in subsection (b) of Section 201, provided that withholding is not required if such payment of winnings is less than $1,000.

(2) In the case of an assignment of a lottery prize under Section 13.1 of the Illinois Lottery Law, any person making a payment of the purchase price after December 31, 2013, shall withhold from the amount of each payment at a rate equal to the percentage tax rate for individuals provided in subsection (b) of Section 201.

(b) Credit for taxes withheld. Any amount withheld under Subsection (a) shall be a credit against the Illinois income tax liability of the person to whom the payment of winnings was made for the taxable year in which that person incurred an Illinois income tax liability with respect to those winnings.

(Source: P.A. 85-731.)

(35 ILCS 5/905) (from Ch. 120, par. 9-905)
Sec. 905. Limitations on Notices of Deficiency.
(a) In general. Except as otherwise provided in this Act:
   (1) A notice of deficiency shall be issued not later than 3 years after the date the return was filed, and
   (2) No deficiency shall be assessed or collected with respect to the year for which the return was filed unless such notice is issued within such period.
(b) Substantial omission of items.
   (1) Omission of more than 25% of income. If the taxpayer omits from base income an amount properly includible therein which is in excess of 25% of the amount of base income stated in the return, a notice of deficiency may be issued not later than 6 years after the return was filed. For purposes of this paragraph, there shall not be taken into account any amount which is omitted in the return if such amount is disclosed in the return, or in a statement attached to the return, in a manner adequate to apprise the Department of the nature and the amount of such item.
   (2) Reportable transactions. If a taxpayer fails to include on any return or statement for any taxable year any information with respect to a reportable transaction, as required under Section 501(b) of this Act, a notice of deficiency may be issued not later than 6 years after the return is filed with respect to the taxable year in which the taxpayer participated in the reportable transaction and said deficiency is limited to the non-disclosed item.
   (3) Withholding. If an employer omits from a return required under Section 704A of this Act for any period beginning on or after January 1, 2013, an amount required to be withheld and to be reported on that return which is in excess of 25% of the total amount of withholding required to be reported on that return, a notice of deficiency may be issued not later than 6 years after the return was filed.
(c) No return or fraudulent return. If no return is filed or a false and fraudulent return is filed with intent to evade the tax imposed by this Act, a notice of deficiency may be issued at any time. For purposes of this subsection (c), any taxpayer who is required to join in the filing of a return filed under the provisions of subsection (e) of Section 502 of this Act for a taxable year ending on or after December 31, 2013 and who is not included on that return and does not file its own return for that taxable year shall be deemed to have failed to file a return; provided that the
amount of any proposed assessment set forth in a notice of deficiency issued under this subsection (c) shall be limited to the amount of any increase in liability under this Act that should have reported on the return required under the provisions of subsection (e) of Section 502 of this Act for that taxable year resulting from proper inclusion of that taxpayer on that return.

(d) Failure to report federal change. If a taxpayer fails to notify the Department in any case where notification is required by Section 304(c) or 506(b), or fails to report a change or correction which is treated in the same manner as if it were a deficiency for federal income tax purposes, a notice of deficiency may be issued (i) at any time or (ii) on or after August 13, 1999, at any time for the taxable year for which the notification is required or for any taxable year to which the taxpayer may carry an Article 2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is required; provided, however, that the amount of any proposed assessment set forth in the notice shall be limited to the amount of any deficiency resulting under this Act from the recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is required after giving effect to the item or items required to be reported.

(e) Report of federal change.

(1) Before August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of any deficiency resulting under this Act from recomputation of the taxpayer's net income, net loss, or Article 2 credits for the taxable year after giving effect to the item or items reflected in the reported alteration.

(2) On and after August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given for the taxable year for which the notification is given or for any taxable year to which the taxpayer may carry an Article 2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount
of any deficiency resulting under this Act from recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is given after giving effect to the item or items reflected in the reported alteration.

(f) Extension by agreement. Where, before the expiration of the time prescribed in this Section for the issuance of a notice of deficiency, both the Department and the taxpayer shall have consented in writing to its issuance after such time, such notice may be issued at any time prior to the expiration of the period agreed upon. In the case of a taxpayer who is a partnership, Subchapter S corporation, or trust and who enters into an agreement with the Department pursuant to this subsection on or after January 1, 2003, a notice of deficiency may be issued to the partners, shareholders, or beneficiaries of the taxpayer at any time prior to the expiration of the period agreed upon. Any proposed assessment set forth in the notice, however, shall be limited to the amount of any deficiency resulting under this Act from recomputation of items of income, deduction, credits, or other amounts of the taxpayer that are taken into account by the partner, shareholder, or beneficiary in computing its liability under this Act. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(g) Erroneous refunds. In any case in which there has been an erroneous refund of tax payable under this Act, a notice of deficiency may be issued at any time within 2 years from the making of such refund, or within 5 years from the making of such refund if it appears that any part of the refund was induced by fraud or the misrepresentation of a material fact, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of such erroneous refund.

Beginning July 1, 1993, in any case in which there has been a refund of tax payable under this Act attributable to a net loss carryback as provided for in Section 207, and that refund is subsequently determined to be an erroneous refund due to a reduction in the amount of the net loss which was originally carried back, a notice of deficiency for the erroneous refund amount may be issued at any time during the same time period in which a notice of deficiency can be issued on the loss year creating the carryback amount and subsequent erroneous refund. The amount of any
proposed assessment set forth in the notice shall be limited to the amount of such erroneous refund.

(h) Time return deemed filed. For purposes of this Section a tax return filed before the last day prescribed by law (including any extension thereof) shall be deemed to have been filed on such last day.

(i) Request for prompt determination of liability. For purposes of subsection (a)(1), in the case of a tax return required under this Act in respect of a decedent, or by his estate during the period of administration, or by a corporation, the period referred to in such Subsection shall be 18 months after a written request for prompt determination of liability is filed with the Department (at such time and in such form and manner as the Department shall by regulations prescribe) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by such corporation, but not more than 3 years after the date the return was filed. This subsection shall not apply in the case of a corporation unless:

1. (A) such written request notifies the Department that the corporation contemplates dissolution at or before the expiration of such 18-month period, (B) the dissolution is begun in good faith before the expiration of such 18-month period, and (C) the dissolution is completed;
2. (A) such written request notifies the Department that a dissolution has in good faith been begun, and (B) the dissolution is completed; or
3. a dissolution has been completed at the time such written request is made.

(j) Withholding tax. In the case of returns required under Article 7 of this Act (with respect to any amounts withheld as tax or any amounts required to have been withheld as tax) a notice of deficiency shall be issued not later than 3 years after the 15th day of the 4th month following the close of the calendar year in which such withholding was required.

(k) Penalties for failure to make information reports. A notice of deficiency for the penalties provided by Subsection 1405.1(c) of this Act may not be issued more than 3 years after the due date of the reports with respect to which the penalties are asserted.

(l) Penalty for failure to file withholding returns. A notice of deficiency for penalties provided by Section 1004 of this Act for taxpayer's failure to file withholding returns may not be issued more than three years after the 15th day of the 4th month following the close of the calendar year.
in which the withholding giving rise to taxpayer's obligation to file those returns occurred.

(m) Transferee liability. A notice of deficiency may be issued to a transferee relative to a liability asserted under Section 1405 during time periods defined as follows:

1) Initial Transferee. In the case of the liability of an initial transferee, up to 2 years after the expiration of the period of limitation for assessment against the transferor, except that if a court proceeding for review of the assessment against the transferor has begun, then up to 2 years after the return of the certified copy of the judgment in the court proceeding.

2) Transferee of Transferee. In the case of the liability of a transferee, up to 2 years after the expiration of the period of limitation for assessment against the preceding transferee, but not more than 3 years after the expiration of the period of limitation for assessment against the initial transferor; except that if, before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the initial transferor or the last preceding transferee, as the case may be, then the period of limitation for assessment of the liability of the transferee shall expire 2 years after the return of the certified copy of the judgment in the court proceeding.

(n) Notice of decrease in net loss. On and after August 23, 2002, no notice of deficiency shall be issued as the result of a decrease determined by the Department in the net loss incurred by a taxpayer in any taxable year ending prior to December 31, 2002 under Section 207 of this Act unless the Department has notified the taxpayer of the proposed decrease within 3 years after the return reporting the loss was filed or within one year after an amended return reporting an increase in the loss was filed, provided that in the case of an amended return, a decrease proposed by the Department more than 3 years after the original return was filed may not exceed the increase claimed by the taxpayer on the original return.

(Source: P.A. 93-840, eff. 7-30-04; 94-836, eff. 6-6-06.)

Section 25. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer
required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

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2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due;

5-5. The signature of the taxpayer; and

6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.
Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an

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amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the

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Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the

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difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this

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Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department
by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.
Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.
Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund

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under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act and the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect
thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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</tr>
</tbody>
</table>

and

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,

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but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the
net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10; 96-1012, eff. 7-7-10; 97-95, eff. 7-12-11; 97-333, eff. 8-12-11.)

Section 26. The Service Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

New matter indicated by italics - deletions by strikeout
The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer

New matter indicated by italics - deletions by strikeout
who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarterly annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarterly annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a
final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.
Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into
the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act.

New matter indicated by italics - deletions by strikeout
Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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New matter indicated by italics - deletions by strikeout
Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the
6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

All remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 27. The Service Occupation Tax Act is amended by changing Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may
collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a

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qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of
the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to

New matter indicated by italics - deletions by strikeout
the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene...
products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect

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thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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<thead>
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<th>Fiscal Year</th>
<th>Total Deposit</th>
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</thead>
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New matter indicated by italics - deletions by strikeout
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<td>2032</td>
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</tr>
</tbody>
</table>

and
each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,

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but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax

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return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, payroll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month.

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Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10.)

Section 30. The Retailers' Occupation Tax Act is amended by changing Sections 2a and 3 as follows:

(35 ILCS 120/2a) (from Ch. 120, par. 441a)

Sec. 2a. It is unlawful for any person to engage in the business of selling tangible personal property at retail in this State without a certificate of registration from the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by it. Each such application shall be signed and verified and shall state: (1) the name and social security number of the applicant; (2) the address of his principal place of business; (3) the address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State and the addresses of all other places of business, if any (enumerating such addresses, if any, in a separate list attached to and made a part of the application), from which he engages in the business of selling tangible personal property at retail in this State; (4) the name and address of the person or persons who will be responsible for filing returns and payment of taxes due under this Act; (5) in the case of a corporation, the name, title, and social security number of each corporate officer; (6) in the case of a limited liability company, the name, social security number, and FEIN number of each manager and member; and (7) such other information as the Department may reasonably require. The application shall contain an acceptance of responsibility signed by the person or persons who will be responsible for filing returns and payment of the taxes due under this Act. If the applicant will sell tangible personal property at retail through vending machines, his application to register
shall indicate the number of vending machines to be so operated. If requested by the Department at any time, that person shall verify the total number of vending machines he or she uses in his or her business of selling tangible personal property at retail.

The Department may deny a certificate of registration to any applicant if a person who is named as the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant on the application for the certificate of registration, is or has been named as the owner, a partner, a manager or member of a limited liability company, or a corporate officer, on the application for the certificate of registration of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department. For purposes of this paragraph only, in determining whether a person is in default for moneys due, the Department shall include only amounts established as a final liability within the 20 years prior to the date of the Department's notice of denial of a certificate of registration.

The Department may require an applicant for a certificate of registration hereunder to, at the time of filing such application, furnish a bond from a surety company authorized to do business in the State of Illinois, or an irrevocable bank letter of credit or a bond signed by 2 personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least 3 times the amount of the bond to be required of such applicant, or a bond secured by an assignment of a bank account or certificate of deposit, stocks or bonds, conditioned upon the applicant paying to the State of Illinois all moneys becoming due under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution. In making a determination as to whether to require a bond or other security, the Department shall take into consideration whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department; and whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer...
of another retailer whose certificate of registration has been revoked within the previous 5 years under this Act or any other tax or fee Act administered by the Department. If a bond or other security is required, the Department shall fix the amount of the bond or other security, taking into consideration the amount of money expected to become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance, or resolution. The amount of security required by the Department shall be such as, in its opinion, will protect the State of Illinois against failure to pay the amount which may become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution, but the amount of the security required by the Department shall not exceed three times the amount of the applicant's average monthly tax liability, or $50,000.00, whichever amount is lower.

No certificate of registration under this Act shall be issued by the Department until the applicant provides the Department with satisfactory security, if required, as herein provided for.

Upon receipt of the application for certificate of registration in proper form, and upon approval by the Department of the security furnished by the applicant, if required, the Department shall issue to such applicant a certificate of registration which shall permit the person to whom it is issued to engage in the business of selling tangible personal property at retail in this State. The certificate of registration shall be conspicuously displayed at the place of business which the person so registered states in his application to be the principal place of business from which he engages in the business of selling tangible personal property at retail in this State.

No certificate of registration issued to a taxpayer who files returns required by this Act on a monthly basis shall be valid after the expiration of 5 years from the date of its issuance or last renewal. The expiration date of a sub-certificate of registration shall be that of the certificate of registration to which the sub-certificate relates. A certificate of registration shall automatically be renewed, subject to revocation as provided by this

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Act, for an additional 5 years from the date of its expiration unless otherwise notified by the Department as provided by this paragraph. Where a taxpayer to whom a certificate of registration is issued under this Act is in default to the State of Illinois for delinquent returns or for moneys due under this Act or any other State tax law or municipal or county ordinance administered or enforced by the Department, the Department shall, not less than 120 days before the expiration date of such certificate of registration, give notice to the taxpayer to whom the certificate was issued of the account period of the delinquent returns, the amount of tax, penalty and interest due and owing from the taxpayer, and that the certificate of registration shall not be automatically renewed upon its expiration date unless the taxpayer, on or before the date of expiration, has filed and paid the delinquent returns or paid the defaulted amount in full. A taxpayer to whom such a notice is issued shall be deemed an applicant for renewal. The Department shall promulgate regulations establishing procedures for taxpayers who file returns on a monthly basis but desire and qualify to change to a quarterly or yearly filing basis and will no longer be subject to renewal under this Section, and for taxpayers who file returns on a yearly or quarterly basis but who desire or are required to change to a monthly filing basis and will be subject to renewal under this Section.

The Department may in its discretion approve renewal by an applicant who is in default if, at the time of application for renewal, the applicant files all of the delinquent returns or pays to the Department such percentage of the defaulted amount as may be determined by the Department and agrees in writing to waive all limitations upon the Department for collection of the remaining defaulted amount to the Department over a period not to exceed 5 years from the date of renewal of the certificate; however, no renewal application submitted by an applicant who is in default shall be approved if the immediately preceding renewal by the applicant was conditioned upon the installment payment agreement described in this Section. The payment agreement herein provided for shall be in addition to and not in lieu of the security that may be required by this Section of a taxpayer who is no longer considered a prior continuous compliance taxpayer. The execution of the payment agreement as provided in this Act shall not toll the accrual of interest at the statutory rate.

The Department may suspend a certificate of registration if the Department finds that the person to whom the certificate of registration has been issued knowingly sold contraband cigarettes.

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A certificate of registration issued under this Act more than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the next anniversary of the date of issuance of such certificate which occurs more than 6 months after the effective date of this amendatory Act of 1989. A certificate of registration issued less than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the 5th anniversary of the issuance of the certificate.

If the person so registered states that he operates other places of business from which he engages in the business of selling tangible personal property at retail in this State, the Department shall furnish him with a sub-certificate of registration for each such place of business, and the applicant shall display the appropriate sub-certificate of registration at each such place of business. All sub-certificates of registration shall bear the same registration number as that appearing upon the certificate of registration to which such sub-certificates relate.

If the applicant will sell tangible personal property at retail through vending machines, the Department shall furnish him with a sub-certificate of registration for each such vending machine, and the applicant shall display the appropriate sub-certificate of registration on each such vending machine by attaching the sub-certificate of registration to a conspicuous part of such vending machine. If a person who is registered to sell tangible personal property at retail through vending machines adds an additional vending machine or additional vending machines to the number of vending machines he or she uses in his or her business of selling tangible personal property at retail, he or she shall notify the Department, on a form prescribed by the Department, to request an additional sub-certificate or additional sub-certificates of registration, as applicable. With each such request, the applicant shall report the number of sub-certificates of registration he or she is requesting as well as the total number of vending machines from which he or she makes retail sales.

Where the same person engages in 2 or more businesses of selling tangible personal property at retail in this State, which businesses are substantially different in character or engaged in under different trade names or engaged in under other substantially dissimilar circumstances (so that it is more practicable, from an accounting, auditing or bookkeeping standpoint, for such businesses to be separately registered), the Department may require or permit such person (subject to the same

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requirements concerning the furnishing of security as those that are provided for hereinbefore in this Section as to each application for a certificate of registration) to apply for and obtain a separate certificate of registration for each such business or for any of such businesses, under a single certificate of registration supplemented by related sub-certificates of registration.

Any person who is registered under the "Retailers' Occupation Tax Act" as of March 8, 1963, and who, during the 3-year period immediately prior to March 8, 1963, or during a continuous 3-year period part of which passed immediately before and the remainder of which passes immediately after March 8, 1963, has been so registered continuously and who is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, shall be considered to be a Prior Continuous Compliance taxpayer. Also any taxpayer who has, as verified by the Department, faithfully and continuously complied with the condition of his bond or other security under the provisions of this Act for a period of 3 consecutive years shall be considered to be a Prior Continuous Compliance taxpayer.

Every Prior Continuous Compliance taxpayer shall be exempt from all requirements under this Act concerning the furnishing of a bond or other security as a condition precedent to his being authorized to engage in the business of selling tangible personal property at retail in this State. This exemption shall continue for each such taxpayer until such time as he may be determined by the Department to be delinquent in the filing of any returns, or is determined by the Department (either through the Department's issuance of a final assessment which has become final under the Act, or by the taxpayer's filing of a return which admits tax that is not paid to be due) to be delinquent or deficient in the paying of any tax under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, at which time that taxpayer shall become subject to all the financial responsibility requirements of this Act and, as a condition of being allowed to continue to engage in the business of selling tangible personal property at retail in this State, shall be required to file a bond or other security as a condition precedent to his being authorized to engage in business.

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personal property at retail, may be required to post bond or other acceptable security with the Department covering liability which such taxpayer may thereafter incur. Any taxpayer who fails to pay an admitted or established liability under this Act may also be required to post bond or other acceptable security with this Department guaranteeing the payment of such admitted or established liability.

No certificate of registration shall be issued to any person who is in default to the State of Illinois for moneys due under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution.

Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of such decision, protest and request a hearing, whereupon the Department shall give notice to such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. In the absence of such a protest within 20 days, the Department's decision shall become final without any further determination being made or notice given.

With respect to security other than bonds (upon which the Department may sue in the event of a forfeiture), if the taxpayer fails to pay, when due, any amount whose payment such security guarantees, the Department shall, after such liability is admitted by the taxpayer or established by the Department through the issuance of a final assessment that has become final under the law, convert the security which that taxpayer has furnished into money for the State, after first giving the taxpayer at least 10 days' written notice, by registered or certified mail, to pay the liability or forfeit such security to the Department. If the security consists of stocks or bonds or other securities which are listed on a public exchange, the Department shall sell such securities through such public exchange. If the security consists of an irrevocable bank letter of credit, the Department shall convert the security in the manner provided for in the Uniform Commercial Code. If the security consists of a bank certificate of deposit, the Department shall convert the security into money by demanding and collecting the amount of such bank certificate of deposit from the bank which issued such certificate. If the security consists of a type of stocks or other securities which are not listed on a public exchange, the Department shall sell such security to the highest and best bidder after
giving at least 10 days' notice of the date, time and place of the intended sale by publication in the "State Official Newspaper". If the Department realizes more than the amount of such liability from the security, plus the expenses incurred by the Department in converting the security into money, the Department shall pay such excess to the taxpayer who furnished such security, and the balance shall be paid into the State Treasury.

The Department shall discharge any surety and shall release and return any security deposited, assigned, pledged or otherwise provided to it by a taxpayer under this Section within 30 days after:

  1. such taxpayer becomes a Prior Continuous Compliance taxpayer; or
  2. such taxpayer has ceased to collect receipts on which he is required to remit tax to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability, as determined by the Department, under this Act and under every other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration issued under this Act permits the registrant to engage in business without registering separately under such other law, ordinance or resolution. The Department shall make a final determination of the taxpayer's outstanding tax liability as expeditiously as possible after his final tax return has been filed; if the Department cannot make such final determination within 45 days after receiving the final tax return, within such period it shall so notify the taxpayer, stating its reasons therefor.

(Source: P.A. 96-1355, eff. 7-28-10; 97-335, eff. 1-1-12.)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

  1. The name of the seller;
  2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;

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3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;

4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;

5. Deductions allowed by law;

6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;

7. The amount of credit provided in Section 2d of this Act;

8. The amount of tax due;

9. The signature of the taxpayer; and

10. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit

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may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or
distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section

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2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

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Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402.
of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the

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sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

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Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th,
15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate

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that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each

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payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly

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liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State
treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that is now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as
the case may be, of the moneys received by the Department and required to
be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the
Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the
Service Occupation Tax Act, such Acts being hereinafter called the "Tax
Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys
being hereinafter called the "Tax Act Amount", and (2) the amount
transferred to the Build Illinois Fund from the State and Local Sales Tax
Reform Fund shall be less than the Annual Specified Amount (as
hereinafter defined), an amount equal to the difference shall be
immediately paid into the Build Illinois Fund from other moneys received
by the Department pursuant to the Tax Acts; the "Annual Specified
Amount" means the amounts specified below for fiscal years 1986 through
1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
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<tr>
<td>1988</td>
<td>$80,480,000</td>
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<td>1990</td>
<td>$115,330,000</td>
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<td>$145,470,000</td>
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<td>1992</td>
<td>$182,730,000</td>
</tr>
<tr>
<td>1993</td>
<td>$206,520,000</td>
</tr>
</tbody>
</table>

and means the Certified Annual Debt Service Requirement (as defined in
Section 13 of the Build Illinois Bond Act) or the Tax Act Amount,
whichever is greater, for fiscal year 1994 and each fiscal year thereafter;
and further provided, that if on the last business day of any month the sum
of (1) the Tax Act Amount required to be deposited into the Build Illinois
Bond Account in the Build Illinois Fund during such month and (2) the
amount transferred to the Build Illinois Fund from the State and Local
Sales Tax Reform Fund shall have been less than 1/12 of the Annual
Specified Amount, an amount equal to the difference shall be immediately
paid into the Build Illinois Fund from other moneys received by the
Department pursuant to the Tax Acts; and, further provided, that in no
event shall the payments required under the preceding proviso result in
aggregate payments into the Build Illinois Fund pursuant to this clause (b)
for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii)
the Annual Specified Amount for such fiscal year. The amounts payable
into the Build Illinois Fund under clause (b) of the first sentence in this
paragraph shall be payable only until such time as the aggregate amount on

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deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
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</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
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each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year
thereafter, one-eighth of the amount requested in the certificate of the
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal
year, less the amount deposited into the McCormick Place Expansion
Project Fund by the State Treasurer in the respective month under
subsection (g) of Section 13 of the Metropolitan Pier and Exposition
Authority Act, plus cumulative deficiencies in the deposits required under
this Section for previous months and years, shall be deposited into the
McCormick Place Expansion Project Fund, until the full amount requested
for the fiscal year, but not in excess of the amount specified above as
"Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the
McCormick Place Expansion Project Fund pursuant to the preceding
paragraphs or in any amendments thereto hereafter enacted, beginning July
1, 1993, the Department shall each month pay into the Illinois Tax
Increment Fund 0.27% of 80% of the net revenue realized for the
preceding month from the 6.25% general rate on the selling price of
tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the
McCormick Place Expansion Project Fund pursuant to the preceding
paragraphs or in any amendments thereto hereafter enacted, beginning
with the receipt of the first report of taxes paid by an eligible business and
continuing for a 25-year period, the Department shall each month pay into
the Energy Infrastructure Fund 80% of the net revenue realized from the
6.25% general rate on the selling price of Illinois-mined coal that was sold
to an eligible business. For purposes of this paragraph, the term "eligible
business" means a new electric generating facility certified pursuant to
Section 605-332 of the Department of Commerce and Economic

Of the remainder of the moneys received by the Department
pursuant to this Act, 75% thereof shall be paid into the State Treasury and
25% shall be reserved in a special account and used only for the transfer to

New matter indicated by italics - deletions by strikeout
the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

New matter indicated by italics - deletions by strikeout
The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of
the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09; 96-898, eff. 5-27-10; 96-1012, eff. 7-7-10; 97-95, eff. 7-12-11; 97-333, eff. 8-12-11.)

Passed in the General Assembly May 20, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0497
(Senate Bill No. 2182)

AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Comptroller Act is amended by changing Section 23.7 as follows:

(15 ILCS 405/23.7)
Sec. 23.7. Comptroller; local government and school district registry. The Comptroller shall establish and maintain a registry of all units of local government and school districts within the State. Information in the registry may include, but shall not be limited to, the name, address, and type of government unit, the names of current elected or appointed office holders, and such other information as the Comptroller may determine. Each county clerk shall notify the Comptroller upon learning of the creation or dissolution of any unit of local government or school district.

(Source: P.A. 90-104, eff. 7-11-97.)

Section 10. The Illinois Municipal Code is amended by changing Section 8-8-3.5 as follows:

(65 ILCS 5/8-8-3.5)

New matter indicated by italics - deletions by strikeout
Sec. 8-8-3.5. Tax Increment Financing Report. The reports filed under subsection (d) of Section 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and the reports filed under subsection (d) of Section 11-74.6-22 of the Industrial Jobs Recovery Law in the Illinois Municipal Code must be separate from any other annual report filed with the Comptroller. The Comptroller must, in cooperation with reporting municipalities, create a format for the reporting of information described in paragraphs (1.5) and (5) and in subparagraph (G) of paragraph (7) of subsection (d) of Section 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and the information described in paragraphs (1.5) and (5) and in subparagraph (G) of paragraph (7) of subsection (d) of Section 11-74.6-22 of the Industrial Jobs Recovery Law that facilitates consistent reporting among the reporting municipalities. The Comptroller may allow these reports to be filed electronically and may display the report, or portions of the report, electronically via the Internet. All reports filed under this Section must be made available for examination and copying by the public at all reasonable times. A Tax Increment Financing Report must be filed electronically with the Comptroller within 180 days after the close of the municipal fiscal year or as soon thereafter as the audit for the redevelopment project area for that fiscal year becomes available. If the Tax Increment Finance administrator provides the Comptroller's office with sufficient evidence that the report is in the process of being completed by an auditor, the Comptroller may grant an extension. If the required report is not filed within the time extended by the Comptroller, the Comptroller may charge a municipality a fee of $5 per day for the first 15 days past due, $10 per day for 16 through 30 days past due, $15 per day for 31 through 45 days past due, and $20 per day for the 46th day and every day thereafter. All fees collected pursuant to this Section shall be deposited into the Comptroller's Administrative Fund.

(Source: P.A. 91-478, eff. 11-1-99; 91-900, eff. 7-6-00.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 20, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning business transactions.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Uniform Commercial Code is amended by changing Section 4A-108 as follows:
(810 ILCS 5/4A-108) (from Ch. 26, par. 4A-108)
Sec. 4A-108. Exclusion of consumer transactions governed by federal law.

(a) Except as provided in subsection (b), this Article does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 (Title XX, Public Law 95-630, 92 Stat. 3728, 15 U.S.C. Section 1693 et seq.) as amended from time to time.

(b) This Article applies to a funds transfer that is a remittance transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. Sec. 1693o-1), as amended from time to time, unless the remittance transfer is an electronic fund transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. Sec. 1693a), as amended from time to time.

(c) In a funds transfer to which this Article applies, in the event of an inconsistency between an applicable provision of this Article and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency.
(Source: P.A. 86-1291.)

Passed in the General Assembly May 20, 2013.
Approved August 16, 2013.
Effective January 1, 2014.

AN ACT concerning the lottery.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Civil Administrative Code of Illinois is amended by changing Section 5-20 and by adding Section 5-372 as follows:
(20 ILCS 5/5-20) (was 20 ILCS 5/4)

New matter indicated by italics - deletions by strikeout
Sec. 5-20. Heads of departments. Each department shall have an officer as its head who shall be known as director or secretary and who shall, subject to the provisions of the Civil Administrative Code of Illinois, execute the powers and discharge the duties vested by law in his or her respective department.

The following officers are hereby created:
Director of Aging, for the Department on Aging.
Director of Agriculture, for the Department of Agriculture.
Director of Central Management Services, for the Department of Central Management Services.
Director of Children and Family Services, for the Department of Children and Family Services.
Director of Commerce and Economic Opportunity, for the Department of Commerce and Economic Opportunity.
Director of Corrections, for the Department of Corrections.
Secretary of Financial and Professional Regulation, for the Department of Financial and Professional Regulation.
Director of Healthcare and Family Services, for the Department of Healthcare and Family Services.
Director of Human Rights, for the Department of Human Rights.
Secretary of Human Services, for the Department of Human Services.
Director of Juvenile Justice, for the Department of Juvenile Justice.
Director of Labor, for the Department of Labor.
Director of the Lottery, for the Department of the Lottery.
Director of Natural Resources, for the Department of Natural Resources.
Director of Public Health, for the Department of Public Health.
Director of Revenue, for the Department of Revenue.
Director of State Police, for the Department of State Police.
Secretary of Transportation, for the Department of Transportation.
Director of Veterans' Affairs, for the Department of Veterans' Affairs.
(Source: P.A. 96-328, eff. 8-11-09; 97-464, eff. 10-15-11; 97-618, eff. 10-26-11; 97-813, eff. 7-13-12.)

New matter indicated by italics - deletions by strikeout
Sec. 5-372. In the Department of the Lottery. The Director of the Lottery shall receive the annual salary set by law for the Director of the Lottery.

Section 10. The Illinois Lottery Law is amended by changing Sections 3, 5, 6, 7.6, 7.8a, 7.12, 9, 10, 13, 14.4, 19, 20.1, 21, 21.5, 21.6, 21.7, 21.8, 27, and 29 as follows:

(20 ILCS 1605/3) (from Ch. 120, par. 1153)

Sec. 3. For the purposes of this Act:

a. "Lottery" or "State Lottery" means the lottery or lotteries established and operated pursuant to this Act.

b. "Board" means the Lottery Control Board created by this Act.

c. "Department" means the Department of the Lottery.

d. (Blank).

e. "Chairman" means the Chairman of the Lottery Control Board.

f. "Multi-state game directors" means such persons, including the Director of the Department of the Lottery, as may be designated by an agreement between the Department and one or more additional lotteries operated under the laws of another state or states.

g. (Blank).

h. "Director" means the Director Superintendent of the Department of the Lottery.

i. "Management agreement" means an agreement or contract between the Department on behalf of the State with a private manager, as an independent contractor, whereby the private manager provides management services to the Lottery in exchange for compensation that may consist of, among other things, a fee for services and a performance-based bonus of no more than 5% of Lottery profits so long as the Department continues to exercise actual control over all significant business decisions made by the private manager as set forth in Section 9.1.

j. "Person" means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, or other legal entity, group, or combination.

k. "Private manager" means a person that provides management services to the Lottery on behalf of the Department under a management agreement.

l. "Profits" means total revenues accruing from the sale of lottery tickets or shares and related proceeds minus (1) the payment of prizes and retailer bonuses and (2) the payment of costs incurred in the operation and
administration of the lottery, excluding costs of services directly rendered by a private manager.

m. "Chief Procurement Officer" means the Chief Procurement Officer provided for under paragraph (4) of subsection (a) of Section 10-20 of the Illinois Procurement Code.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-840, eff. 12-23-09; 97-464, eff. 8-19-11.)

(20 ILCS 1605/5) (from Ch. 120, par. 1155)

Sec. 5. (a) The Department shall be under the supervision and direction of a Director, who shall be a person qualified by training and experience to perform the duties required by this Act. The Director shall be appointed by the Governor, by and with the advice and consent of the Senate. The term of office of the Director shall expire on the third Monday of January in odd numbered years provided that he or she shall hold office until a successor is appointed and qualified. The annual salary of the Director is $142,000.

Any vacancy occurring in the office of the Director shall be filled in the same manner as the original appointment. In case of a vacancy during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when the Governor shall nominate some person to fill the office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until his or her successor is appointed and qualified.

During the absence or inability to act of the Director, or in the case of a vacancy in the office of Director until a successor is appointed and qualified, the Governor may designate some person as Acting Director of the Lottery to execute the powers and discharge the duties vested by law in that office. A person who is designated as an Acting Director shall not continue in office for more than 60 calendar days unless the Governor files a message with the Secretary of the Senate nominating that person to fill the office. After 60 calendar days, the office is considered vacant and shall be filled only under this Section. No person who has been appointed by the Governor to serve as Acting Director shall, except at the Senate's request, be designated again as an Acting Director at the same session of that Senate, subject to the provisions of this Section. A person appointed as an Acting Director...
Director Superintendent is not required to meet the requirements of paragraph (1) of subsection (b) of this Section. In no case may the Governor designate a person to serve as Acting Director Superintendent if that person has prior to the effective date of this amendatory Act of the 97th General Assembly exercised any of the duties and functions of the office of Director Superintendent without having been nominated by the Governor to serve as Director Superintendent.

(b) The Director Superintendent shall devote his or her entire time and attention to the duties of the office and shall not be engaged in any other profession or occupation. The Superintendent shall receive such salary as shall be provided by law.

The Director Superintendent shall:

(1) be qualified by training and experience to direct a lottery, including, at a minimum, 5 years of senior executive-level experience in the successful advertising, marketing, and selling of consumer products, 4 years of successful experience directing a lottery on behalf of a governmental entity, or 5 years of successful senior-level management experience at a lottery on behalf of a governmental entity;

(2) have significant and meaningful management and regulatory experience; and

(3) have a good reputation, particularly as a person of honesty, independence, and integrity.

The Director Superintendent shall not during his or her term of appointment: become a candidate for any elective office; hold any other elected or appointed public office; be actively involved in the affairs of any political party or political organization; advocate for the appointment of another person to an appointed or elected office or position; or actively participate in any campaign for any elective office. The Director Superintendent may be appointed to serve on a governmental advisory or board study commission or as otherwise expressly authorized by law.

(c) No person shall perform the duties and functions of the Director Superintendent, or otherwise exercise the authority of the Director Superintendent, unless the same shall have been appointed by the Governor pursuant to this Section.

(Source: P.A. 97-464, eff. 8-19-11.)

(20 ILCS 1605/6) (from Ch. 120, par. 1156)

Sec. 6. There is hereby created an independent board to be known as the Lottery Control Board, consisting of 5 members, all of whom shall

New matter indicated by italics - deletions by strikeout
be citizens of the United States and residents of this State and shall be appointed by the Governor with the advice and consent of the Senate. No more than 3 of the 5 members shall be members of the same political party. A chairman of the Board shall be chosen annually from the membership of the Board by a majority of the members of the Board at the first meeting of the Board each fiscal year.

Initial members shall be appointed to the Board by the Governor as follows: one member to serve until July 1, 1974, and until his successor is appointed and qualified; 2 members to serve until July 1, 1975, and until their successors are appointed and qualified; 2 members to serve until July 1, 1976, and until their successors are appointed and qualified. As terms of members so appointed expire, their successors shall be appointed for terms to expire the first day in July 3 years thereafter, and until their successors are appointed and qualified.

Any vacancy in the Board occurring for any reason other than expiration of term, shall be filled for the unexpired term in the same manner as the original appointment.

Any member of the Board may be removed by the Governor for neglect of duty, misfeasance, malfeasance, or nonfeasance in office.

Board members shall receive as compensation for their services $100 for each day they are in attendance at any official board meeting, but in no event shall members receive more than $1,200 per year. They shall receive no other compensation for their services, but shall be reimbursed for necessary traveling and other reasonable expenses incurred in the performance of their official duties. Each member shall make a full financial disclosure upon appointment.

The Board shall hold at least one meeting each quarter of the fiscal year. In addition, special meetings may be called by the Chairman, any 2 Board members, or the Director Superintendent of the Department, upon delivery of 72 hours' written notice to the office of each member. All Board meetings shall be open to the public pursuant to the Open Meetings Act.

Three members of the Board shall constitute a quorum, and 3 votes shall be required for any final determination by the Board. The Board shall keep a complete and accurate record of all its meetings.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/7.6) (from Ch. 120, par. 1157.6)

Sec. 7.6. The Board shall advise and make recommendations to the Director Superintendent regarding the functions and operations of the

New matter indicated by italics - deletions by strikeout
State Lottery. A copy of all such recommendations shall also be forwarded to the Governor, the Attorney General, the Speaker of the House, the President of the Senate and the minority leaders of both houses.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/7.8a) (from Ch. 120, par. 1157.8a)

Sec. 7.8a. The Board shall establish advertising policy to ensure that advertising content and practices do not target with the intent to exploit specific groups or economic classes of people, and that its content is accurate and not misleading. The Board shall review, at least quarterly, all past advertising and proposed concepts for major media campaigns to ensure that they do not target with the intent to exploit specific groups or economic classes of people, and that their content is accurate and not misleading. If the Board finds that advertising conflicts with such policy, it shall have the authority to direct the Department to cease that advertising. The Director or his or her designee shall provide a briefing on proposed major media campaigns at any regularly scheduled meeting upon written request from any Board member. Such written request must be received by the Director at least 10 days prior to the regularly scheduled meeting.

(Source: P.A. 85-183.)

(20 ILCS 1605/7.12)

Sec. 7.12. Internet pilot program.

(a) The General Assembly finds that:

1) the consumer market in Illinois has changed since the creation of the Illinois State Lottery in 1974;

2) the Internet has become an integral part of everyday life for a significant number of Illinois residents not only in regards to their professional life, but also in regards to personal business and communication; and

3) the current practices of selling lottery tickets does not appeal to the new form of market participants who prefer to make purchases on the Internet at their own convenience.

It is the intent of the General Assembly to create an Internet pilot program for the sale of lottery tickets to capture this new form of market participant.

(b) The Department shall create a pilot program that allows an individual 18 years of age or older to purchase lottery tickets or shares on the Internet without using a Lottery retailer with on-line status, as those terms are defined by rule. The Department shall restrict the sale of lottery tickets on the Internet to transactions initiated and received or otherwise

New matter indicated by italics - deletions by strikeout
made exclusively within the State of Illinois. The Department shall adopt rules necessary for the administration of this program. These rules shall include, among other things, requirements for marketing of the Lottery to infrequent players, as well as limitations on the purchases that may be made through any one individual's lottery account. The provisions of this Act and the rules adopted under this Act shall apply to the sale of lottery tickets or shares under this program.

Before beginning the pilot program, the Department of the Lottery must submit a request to the United States Department of Justice for review of the State's plan to implement a pilot program for the sale of lottery tickets on the Internet and its propriety under federal law. The Department shall implement the Internet pilot program only if the Department of Justice does not object to the implementation of the program within a reasonable period of time after its review.

The Department is obligated to implement the pilot program set forth in this Section and Sections 7.15 and 7.16 only at such time, and to such extent, that the Department of Justice does not object to the implementation of the program within a reasonable period of time after its review. While the Illinois Lottery may only offer Lotto, Mega Millions, and Powerball games through the pilot program, the Department shall request review from the federal Department of Justice for the Illinois Lottery to sell lottery tickets on the Internet on behalf of the State of Illinois that are not limited to just these games.

The Department shall authorize the private manager to implement and administer the program pursuant to the management agreement entered into under Section 9.1 and in a manner consistent with the provisions of this Section. If a private manager has not been selected pursuant to Section 9.1 at the time the Department is obligated to implement the pilot program, then the Department shall not proceed with the pilot program until after the selection of the private manager, at which time the Department shall authorize the private manager to implement and administer the program pursuant to the management agreement entered into under Section 9.1 and in a manner consistent with the provisions of this Section.

The pilot program shall last for not less than 36 months, but not more than 48 months from the date of its initial operation.

Nothing in this Section shall be construed as prohibiting the Department from implementing and operating a website portal whereby individuals who are 18 years of age or older with an Illinois mailing

New matter indicated by italics - deletions by strikeout
address may apply to purchase lottery tickets via subscription. Nothing in
this Section shall also be construed as prohibiting the sale of Lotto, Mega
Millions, and Powerball games by a lottery licensee pursuant to the
Department's rules.

(c) There is created the Internet Lottery Study Committee as an
advisory body within the Department. The Department shall conduct a
study to determine the impact of the Internet pilot program on lottery
licensees. The Department shall also determine the feasibility of the sale of
stored value cards by lottery licensees as a non-exclusive option for use by
individuals 18 years of age or older who purchase tickets for authorized
lottery games in the Internet pilot program. For the purposes of this study,
it is anticipated that the stored value cards will have, but need not be
limited to, the following characteristics: (1) the cards will be available
only to individuals 18 years of age and older; (2) the cards will be
rechargeable, closed-loop cards that can only be loaded with cash; (3) the
cards will have unique identifying numbers to be used for on-line play; (4)
the cards will have on-line play subtracted from the card's value; (5) the
cards may have on-line winnings added to them; (6) the cards will be used
at Lottery retailers to cash out winnings of up to $600; and (7) the cards
will meet all technological, programming, and security requirements
mandated by the Department and the governing bodies of both Mega
Millions and Powerball.

To the fullest extent possible, but subject to available resources,
the Department shall ensure that the study evaluates and analyzes at least
the following issues:

(1) economic benefits to the State from Internet Lottery
sales from stored value cards and from resulting sales taxes;

(2) economic benefits to local governments from sales
taxes generated from Internet Lottery sales through stored value
cards;

(3) economic benefits to Lottery retailers from Internet
Lottery sales and from ancillary retail product sales in connection
with the same;

(4) enhanced player age verification from face-to-face
interaction;

(5) enhanced control of gambling addiction from face-to-
face interaction;

(6) elimination of credit card overspending through the use
of stored value cards and resulting reduced debt issues;

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(7) the feasibility of the utilization of existing Lottery machines to dispense stored value cards;
(8) the technological, programming, and security requirements to make stored value cards an appropriate sales alternative; and
(9) the cost and project time estimates for implementation, including adaptation of existing Lottery machines, programming, and technology enhancements and impact to operations.

The Study Committee shall consist of the Director Superintendent or his or her designee; the chief executive officer of the Lottery's private manager or his or her designee; a representative appointed by the Governor's Office; 2 representatives of the lottery licensee community appointed by the Director Superintendent; one representative of a statewide association representing food retailers appointed by the Director Superintendent; and one representative of a statewide association representing retail merchants appointed by the Director Superintendent.

Members of the Study Committee shall be appointed within 30 days after the effective date of this amendatory Act of the 97th General Assembly. No later than 6 months after the effective date of this amendatory Act of the 97th General Assembly, the Department shall provide to the members of the Study Committee the proposed findings and recommendations of the study in order to solicit input from the Study Committee. Within 30 calendar days thereafter, the Study Committee shall convene a meeting of the members to discuss the proposed findings and recommendations of the study. No later than 15 calendar days after meeting, the Study Committee shall submit to the Department any written changes, additions, or corrections the Study Committee wishes the Department to make to the study. The Department shall consider the propriety of and respond to each change, addition, or correction offered by the Study Committee in the study. The Department shall also set forth any such change, addition, or correction offered by members of the Study Committee and the Department's responses thereto in the appendix to the study. No later than 15 calendar days after receiving the changes, additions, or corrections offered by the Study Committee, the Department shall deliver copies of the final study and appendices, if any, to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and each of the members of the Study Committee.

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(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-840, eff. 12-23-09; 97-464, eff. 10-15-11; 97-1121, eff. 8-27-12.)
(20 ILCS 1605/9) (from Ch. 120, par. 1159)
Sec. 9. The Director Superintendent, as administrative head of the Department, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon him elsewhere in this Act, it shall be the Director Superintendent's duty:

a. To supervise and administer the operation of the lottery in accordance with the provisions of this Act or such rules and regulations of the Department adopted thereunder.

b. To attend meetings of the Board or to appoint a designee to attend in his stead.

c. To employ and direct such personnel in accord with the Personnel Code, as may be necessary to carry out the purposes of this Act. In addition, the Director Superintendent may by agreement secure such services as he or she may deem necessary from any other department, agency, or unit of the State government, and may employ and compensate such consultants and technical assistants as may be required and is otherwise permitted by law.

d. To license, in accordance with the provisions of Sections 10 and 10.1 of this Act and the rules and regulations of the Department adopted thereunder, as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The Director Superintendent may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the Department. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the Department.

e. To suspend or revoke any license issued pursuant to this Act or the rules and regulations promulgated by the Department thereunder.

f. To confer regularly as necessary or desirable and not less than once every month with the Lottery Control Board on the operation and administration of the Lottery; to make available for inspection by the Board or any member of the Board, upon request, all books, records, files, and other information and documents of his office; to advise the Board and recommend such rules and regulations and such other matters as he deems necessary and advisable to improve the operation and administration of the lottery.

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g. To enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery on behalf of the Department with any person, firm or corporation, to perform any of the functions provided for in this Act or the rules and regulations promulgated thereunder. The Department shall not expend State funds on a contractual basis for such functions unless those functions and expenditures are expressly authorized by the General Assembly.

h. To enter into an agreement or agreements with the management of state lotteries operated pursuant to the laws of other states for the purpose of creating and operating a multi-state lottery game wherein a separate and distinct prize pool would be combined to award larger prizes to the public than could be offered by the several state lotteries, individually. No tickets or shares offered in connection with a multi-state lottery game shall be sold within the State of Illinois, except those offered by and through the Department. No such agreement shall purport to pledge the full faith and credit of the State of Illinois, nor shall the Department expend State funds on a contractual basis in connection with any such game unless such expenditures are expressly authorized by the General Assembly, provided, however, that in the event of error or omission by the Illinois State Lottery in the conduct of the game, as determined by the multi-state game directors, the Department shall be authorized to pay a prize winner or winners the lesser of a disputed prize or $1,000,000, any such payment to be made solely from funds appropriated for game prize purposes. The Department shall be authorized to share in the ordinary operating expenses of any such multi-state lottery game, from funds appropriated by the General Assembly, and in the event the multi-state game control offices are physically located within the State of Illinois, the Department is authorized to advance start-up operating costs not to exceed $150,000, subject to proportionate reimbursement of such costs by the other participating state lotteries. The Department shall be authorized to share proportionately in the costs of establishing a liability reserve fund from funds appropriated by the General Assembly. The Department is authorized to transfer prize award funds attributable to Illinois sales of multi-state lottery game tickets to the multi-state control office, or its designated depository, for deposit to such game pool account or accounts as may be established by the multi-state game directors, the records of which account or accounts shall be available at all times for inspection in an audit by the Auditor General of Illinois and any other auditors pursuant to the laws of the State of Illinois. No multi-state game prize awarded to a

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nonresident of Illinois, with respect to a ticket or share purchased in a state other than the State of Illinois, shall be deemed to be a prize awarded under this Act for the purpose of taxation under the Illinois Income Tax Act. The Department shall promulgate such rules as may be appropriate to implement the provisions of this Section.

i. To make a continuous study and investigation of (1) the operation and the administration of similar laws which may be in effect in other states or countries, (2) any literature on the subject which from time to time may be published or available, (3) any Federal laws which may affect the operation of the lottery, and (4) the reaction of Illinois citizens to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this Act.

j. To report monthly to the State Treasurer and the Lottery Control Board a full and complete statement of lottery revenues, prize disbursements and other expenses for each month and the amounts to be transferred to the Common School Fund pursuant to Section 7.2 or such other funds as are otherwise authorized by Section 21.2 of this Act, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, to the Governor and the Board. All reports required by this subsection shall be public and copies of all such reports shall be sent to the Speaker of the House, the President of the Senate, and the minority leaders of both houses.

(Source: P.A. 96-37, eff. 7-13-09; 97-464, eff. 10-15-11.)

(20 ILCS 1605/10) (from Ch. 120, par. 1160)

Sec. 10. The Department, upon application therefor on forms prescribed by the Department, and upon a determination by the Department that the applicant meets all of the qualifications specified in this Act, shall issue a license as an agent to sell lottery tickets or shares. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent.

Before issuing such license the Director Superintendent shall consider (a) the financial responsibility and security of the person and his business or activity, (b) the accessibility of his place of business or activity to the public, (c) the sufficiency of existing licenses to serve the public convenience, (d) the volume of expected sales, and (e) such other factors as he or she may deem appropriate.

Until September 1, 1987, the provisions of Sections 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 12 and 13.5 of the
Retailers' Occupation Tax Act which are not inconsistent with this Act shall apply to the subject matter of this Act to the same extent as if such provisions were included in this Act. For purposes of this Act, references in such incorporated Sections of the Retailers' Occupation Tax Act to retailers, sellers or persons engaged in the business of selling tangible personal property mean persons engaged in selling lottery tickets or shares; references in such incorporated Sections to sales of tangible personal property mean the selling of lottery tickets or shares; and references in such incorporated Sections to certificates of registration mean licenses issued under this Act. The provisions of the Retailers' Occupation Tax Act as heretofore applied to the subject matter of this Act shall not apply with respect to tickets sold by or delivered to lottery sales agents on and after September 1, 1987, but such provisions shall continue to apply with respect to transactions involving the sale and delivery of tickets prior to September 1, 1987.

All licenses issued by the Department under this Act shall be valid for a period not to exceed 2 years after issuance unless sooner revoked, canceled or suspended as in this Act provided. No license issued under this Act shall be transferable or assignable. Such license shall be conspicuously displayed in the place of business conducted by the licensee in Illinois where lottery tickets or shares are to be sold under such license.

For purposes of this Section, the term "person" shall be construed to mean and include an individual, association, partnership, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, referee, any other person acting in a fiduciary or representative capacity who is appointed by a court, or any combination of individuals. "Person" includes any department, commission, agency or instrumentality of the State, including any county, city, village, or township and any agency or instrumentality thereof.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/13) (from Ch. 120, par. 1163)

Sec. 13. Except as otherwise provided in Section 13.1, no prize, nor any portion of a prize, nor any right of any person to a prize awarded shall be assignable. Any prize, or portion thereof remaining unpaid at the death of a prize winner, may be paid to the estate of such deceased prize winner, or to the trustee under a revocable living trust established by the deceased prize winner as settlor, provided that a copy of such a trust has been filed with the Department along with a notarized letter of direction from the settlor and no written notice of revocation has been received by

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the Department prior to the settlor's death. Following such a settlor's death
and prior to any payment to such a successor trustee, the Director Superintendent shall obtain from the trustee a written agreement to indemnify and hold the Director Department and the Department harmless with respect to any claims that may be asserted against the Department arising from payment to or through the trust. Notwithstanding any other provision of this Section, any person pursuant to an appropriate judicial order may be paid the prize to which a winner is entitled, and all or part of any prize otherwise payable by State warrant under this Section shall be withheld upon certification to the State Comptroller from the Department of Healthcare and Family Services as provided in Section 10-17.5 of The Illinois Public Aid Code. The Director and the Department Superintendent shall be discharged of all further liability upon payment of a prize pursuant to this Section.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/14.4)

Sec. 14.4. Investigators.

(a) The Department has the power to appoint investigators to conduct investigations, searches, seizures, arrests, and other duties required to enforce the provisions of this Act and prevent the perpetration of fraud upon the Department or the public. These investigators have and may exercise all the powers of peace officers solely for the purpose of ensuring the integrity of the lottery games operated by the Department.

(b) The Director Superintendent must authorize to each investigator employed under this Section and to any other employee of the Department exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Department and (ii) contains a unique identifying number. No other badge shall be authorized by the Department.

(Source: P.A. 97-1121, eff. 8-27-12.)

(20 ILCS 1605/19) (from Ch. 120, par. 1169)

Sec. 19. The Department shall establish an appropriate period for the claiming of prizes for each lottery game offered. Each claim period shall be stated in game rules and written play instructions issued by the Director Superintendent in accordance with Section 7.1 of this Act. Written play instructions shall be made available to all players through sales agents licensed to sell game tickets or shares. Prizes for lottery games which involve the purchase of a physical lottery ticket may be claimed only by presentation of a valid winning lottery ticket that matches

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validation records on file with the Lottery; no claim may be honored which is based on the assertion that the ticket was lost or stolen. No lottery ticket which has been altered, mutilated, or fails to pass validation tests shall be deemed to be a winning ticket.

If no claim is made for the money within the established claim period, the prize may be included in the prize pool of such special drawing or drawings as the Department may, from time to time, designate. Unclaimed multi-state game prize money may be included in the multi-state prize pool for such special drawing or drawings as the multi-state game directors may, from time to time, designate. Any bonuses offered by the Department to sales agents who sell winning tickets or shares shall be payable to such agents regardless of whether or not the prize money on the ticket or share is claimed, provided that the agent can be identified as the vendor of the winning ticket or share, and that the winning ticket or share was sold on or after January 1, 1984. All unclaimed prize money not included in the prize pool of a special drawing shall be transferred to the Common School Fund.

(Source: P.A. 97-464, eff. 10-15-11.)
(20 ILCS 1605/20.1) (from Ch. 120, par. 1170.1)
Sec. 20.1. Department account.

(a) The Department is authorized to pay validated prizes up to $25,000 from funds held by the Department in an account separate and apart from all public moneys of the State. Moneys in this account shall be administered by the Director exclusively for the purposes of issuing payments to prize winners authorized by this Section. Moneys in this account shall be deposited by the Department into the Public Treasurers' Investment Pool established under Section 17 of the State Treasurer Act. The Department shall submit vouchers from time to time as needed for reimbursement of this account from moneys appropriated for prizes from the State Lottery Fund. Investment income earned from this account shall be deposited monthly by the Department into the Common School Fund. The Department shall file quarterly fiscal reports specifying the activity of this account as required under Section 16 of the State Comptroller Act, and shall file quarterly with the General Assembly, the Auditor General, the Comptroller, and the State Treasurer a report indicating the costs associated with this activity.

(b) The Department is authorized to enter into an interagency agreement with the Office of the Comptroller or any other State agency to establish responsibilities, duties, and procedures for complying with the
Comptroller's Offset System under Section 10.05 of the State Comptroller Act. All federal and State tax reporting and withholding requirements relating to prize winners under this Section shall be the responsibility of the Department. Moneys from this account may not be used to pay amounts to deferred prize winners. Moneys may not be transferred from the State Lottery Fund to this account for payment of prizes under this Section until procedures are implemented to comply with the Comptroller's Offset System and sufficient internal controls are in place to validate prizes.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/21) (from Ch. 120, par. 1171)

Sec. 21. All lottery sales agents or distributors shall be liable to the Lottery for any and all tickets accepted or generated by any employee or representative of that agent or distributor, and such tickets shall be deemed to have been purchased by the agent or distributor unless returned to the Lottery within the time and in the manner prescribed by the Director Superintendent. All moneys received by such agents or distributors from the sale of lottery tickets or shares, less the amount retained as compensation for the sale of the tickets or shares and the amount paid out as prizes, shall be paid over to a lottery representative or deposited in a bank or savings and loan association approved by the State Treasurer, as prescribed by the Director Superintendent.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of the Public Funds Investment Act.

Each payment or deposit shall be accompanied by a report of the agent's receipts and transactions in the sale of lottery tickets in such form and containing such information as the Director Superintendent may require. Any discrepancies in such receipts and transactions may be resolved as provided by the rules and regulations of the Department.

If any money due the Lottery by a sales agent or distributor is not paid when due or demanded, it shall immediately become delinquent and be billed on a subsequent monthly statement. If on the closing date for any monthly statement a delinquent amount previously billed of more than $50 remains unpaid, interest in such amount shall be accrued at the rate of 2% per month or fraction thereof from the date when such delinquent amount becomes past due until such delinquent amount, including interest, penalty and other costs and charges that the Department may incur in collecting such amounts, is paid. In case any agent or distributor fails to pay any

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moneys due the Lottery within 30 days after a second bill or statement is rendered to the agent or distributor, such amount shall be deemed seriously delinquent and may be referred by the Department to a collection agency or credit bureau for collection. Any contract entered into by the Department for the collection of seriously delinquent accounts with a collection agency or credit bureau may be satisfied by a commercially reasonable percentage of the delinquent account recouped, which shall be negotiated by the Department in accordance with commercially accepted standards. Any costs incurred by the Department or others authorized to act in its behalf in collecting such delinquencies may be assessed against the agent or distributor and included as a part of the delinquent account.

In case of failure of an agent or distributor to pay a seriously delinquent amount, or any portion thereof, including interest, penalty and costs, the Department may issue a Notice of Assessment. In determining amounts shown on the Notice of Assessment, the Department shall utilize the financial information available from its records. Such Notice of Assessment shall be prima facie correct and shall be prima facie evidence of delinquent sums due under this Section at any hearing before the Board, or its Hearing Officers, or at any other legal proceeding. Reproduced copies of any of the Department's records relating to an account, including, but not limited to, notices of assessment, suspension, revocation, and personal liability and any other such notice prepared in the Department's ordinary course of business and books, records, or other documents offered in the name of the Department, under certificate of the Director or any officer or employee of the Department designated in writing by the Director shall, without further proof, be admitted into evidence in any hearing before the Board or its Hearing Officers or any legal proceeding and shall be prima facie proof of the information contained therein. Reproduced copies of the Department's records relating to a delinquent account or a Notice of Assessment offered in the name of the Department, under the Certificate of the Superintendent or any officer or employee of the Department designated in writing by the Superintendent shall, without further proof, be admitted into evidence in any such hearing or any legal proceeding and shall be prima facie proof of the delinquency, including principal and any interest, penalties and costs, as shown thereon. The Attorney General may bring suit on behalf of the Department to collect all such delinquent amounts, or any portion thereof, including interest, penalty and costs, due the Lottery.
Any person who accepts money that is due to the Department from the sale of lottery tickets under this Act, but who wilfully fails to remit such payment to the Department when due or who purports to make such payment but wilfully fails to do so because his check or other remittance fails to clear the bank or savings and loan association against which it is drawn, in addition to the amount due and in addition to any other penalty provided by law, shall be assessed, and shall pay, a penalty equal to 5% of the deficiency plus any costs or charges incurred by the Department in collecting such amount.

The Director Superintendent may make such arrangements for any person(s), banks, savings and loan associations or distributors, to perform such functions, activities or services in connection with the operation of the lottery as he deems advisable pursuant to this Act, the State Comptroller Act, or the rules and regulations of the Department, and such functions, activities or services shall constitute lawful functions, activities and services of such person(s), banks, savings and loan associations or distributors.

All income arising out of any activity or purpose of the Department shall, pursuant to the State Finance Act, be paid into the State Treasury except as otherwise provided by the rules and regulations of the Department and shall be covered into a special fund to be known as the State Lottery Fund. Banks and savings and loan associations may be compensated for services rendered based upon the activity and amount of funds on deposit.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/21.5)

Sec. 21.5. Carolyn Adams Ticket For The Cure.

(a) The Department shall offer a special instant scratch-off game with the title of "Carolyn Adams Ticket For The Cure". The game shall commence on January 1, 2006 or as soon thereafter, in the discretion of the Director Superintendent, as is reasonably practical, and shall be discontinued on December 31, 2016. The operation of the game shall be governed by this Act and any rules adopted by the Department. The Department must consult with the Carolyn Adams Ticket For The Cure Board, which is established under Section 2310-347 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, regarding the design and promotion of the game. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.
(b) The Carolyn Adams Ticket For The Cure Grant Fund is created as a special fund in the State treasury. The net revenue from the Carolyn Adams Ticket For The Cure special instant scratch-off game shall be deposited into the Fund for appropriation by the General Assembly solely to the Department of Public Health for the purpose of making grants to public or private entities in Illinois for the purpose of funding breast cancer research, and supportive services for breast cancer survivors and those impacted by breast cancer and breast cancer education. In awarding grants, the Department of Public Health shall consider criteria that includes, but is not limited to, projects and initiatives that address disparities in incidence and mortality rates of breast cancer, based on data from the Illinois Cancer Registry, and populations facing barriers to care. The Department of Public Health shall, before grants are awarded, provide copies of all grant applications to the Carolyn Adams Ticket For The Cure Board, receive and review the Board's recommendations and comments, and consult with the Board regarding the grants. For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective in the detection, prevention, screening, and treatment of breast cancer and may include clinical trials. The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Ticket For The Cure game.

(c) During the time that tickets are sold for the Carolyn Adams Ticket For The Cure game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(Source: P.A. 96-1290, eff. 7-26-10; 97-92, eff. 7-11-11; 97-464, eff. 10-15-11; 97-813, eff. 7-13-12.)

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(a) The Department shall offer a special instant scratch-off game for the benefit of Illinois veterans. The game shall commence on January 1, 2006 or as soon thereafter, at the discretion of the Director, as is reasonably practical. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Illinois Veterans Assistance Fund is created as a special fund in the State treasury. The net revenue from the Illinois veterans scratch-off game shall be deposited into the Fund for appropriation by the General Assembly solely to the Department of Veterans Affairs for making grants, funding additional services, or conducting additional research projects relating to each of the following:

(i) veterans' post traumatic stress disorder;
(ii) veterans' homelessness;
(iii) the health insurance costs of veterans;
(iv) veterans' disability benefits, including but not limited to, disability benefits provided by veterans service organizations and veterans assistance commissions or centers;
(v) the long-term care of veterans; provided that, beginning with moneys appropriated for fiscal year 2008, no more than 20% of such moneys shall be used for health insurance costs; and
(vi) veteran employment and employment training.

In order to expend moneys from this special fund, beginning with moneys appropriated for fiscal year 2008, the Director of Veterans' Affairs shall appoint a 3-member funding authorization committee. The Director shall designate one of the members as chairperson. The committee shall meet on a quarterly basis, at a minimum, and shall authorize expenditure of moneys from the special fund by a two-thirds vote. Decisions of the committee shall not take effect unless and until approved by the Director of Veterans' Affairs. Each member of the committee shall serve until a replacement is named by the Director of Veterans' Affairs. One member of the committee shall be a member of the Veterans' Advisory Council.

Moneys collected from the special instant scratch-off game shall be used only as a supplemental financial resource and shall not supplant...
existing moneys that the Department of Veterans Affairs may currently expend for the purposes set forth in items (i) through (v).

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and from gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the Illinois veterans scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(Source: P.A. 97-464, eff. 10-15-11; 97-740, eff. 7-5-12.)

(20 ILCS 1605/21.7)

Sec. 21.7. Scratch-out Multiple Sclerosis scratch-off game.

(a) The Department shall offer a special instant scratch-off game for the benefit of research pertaining to multiple sclerosis. The game shall commence on July 1, 2008 or as soon thereafter, in the discretion of the Director, as is reasonably practical. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Multiple Sclerosis Research Fund is created as a special fund in the State treasury. The net revenue from the scratch-out multiple sclerosis scratch-off game created under this Section shall be deposited into the Fund for appropriation by the General Assembly to the Department of Public Health for the purpose of making grants to organizations in Illinois that conduct research pertaining to the repair and prevention of damage caused by an acquired demyelinating disease of the central nervous system.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and from gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.
For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective for maintaining function, mobility, and strength through preventive physical therapy or other treatments and to develop and advance the repair, and also the prevention, of myelin, neuron, and axon damage caused by an acquired demyelinating disease of the central nervous system and the restoration of function, including but not limited to, nervous system repair or neuroregeneration.

The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the scratch-out multiple sclerosis scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(Source: P.A. 97-464, eff. 10-15-11.)

(20 ILCS 1605/21.8)
Sec. 21.8. Quality of Life scratch-off game.

(a) The Department shall offer a special instant scratch-off game with the title of "Quality of Life". The game shall commence on July 1, 2007 or as soon thereafter, in the discretion of the Director Superintendent, as is reasonably practical, and shall be discontinued on December 31, 2017. The operation of the game is governed by this Act and by any rules adopted by the Department. The Department must consult with the Quality of Life Board, which is established under Section 2310-348 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, regarding the design and promotion of the game. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Quality of Life Endowment Fund is created as a special fund in the State treasury. The net revenue from the Quality of Life special instant scratch-off game must be deposited into the Fund for appropriation by the General Assembly solely to the Department of Public Health for the purpose of HIV/AIDS-prevention education and for making grants to

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public or private entities in Illinois for the purpose of funding organizations that serve the highest at-risk categories for contracting HIV or developing AIDS. Grants shall be targeted to serve at-risk populations in proportion to the distribution of recent reported Illinois HIV/AIDS cases among risk groups as reported by the Illinois Department of Public Health. The recipient organizations must be engaged in HIV/AIDS-prevention education and HIV/AIDS healthcare treatment. The Department must, before grants are awarded, provide copies of all grant applications to the Quality of Life Board, receive and review the Board's recommendations and comments, and consult with the Board regarding the grants. Organizational size will determine an organization's competitive slot in the "Request for Proposal" process. Organizations with an annual budget of $300,000 or less will compete with like size organizations for 50% of the Quality of Life annual fund. Organizations with an annual budget of $300,001 to $700,000 will compete with like organizations for 25% of the Quality of Life annual fund, and organizations with an annual budget of $700,001 and upward will compete with like organizations for 25% of the Quality of Life annual fund. The lottery may designate a percentage of proceeds for marketing purpose. The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Grants awarded from the Fund are intended to augment the current and future State funding for the prevention and treatment of HIV/AIDS and are not intended to replace that funding.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Quality of Life game.

(c) During the time that tickets are sold for the Quality of Life game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section in consultation with the Quality of Life Board.

New matter indicated by italics - deletions by strikeout
Sec. 27. (a) The State Treasurer may, with the consent of the Director Superintendent, contract with any person or corporation, including, without limitation, a bank, banking house, trust company or investment banking firm, to perform such financial functions, activities or services in connection with operation of the lottery as the State Treasurer and the Director Superintendent may prescribe.

(b) All proceeds from investments made pursuant to contracts executed by the State Treasurer, with the consent of the Director Superintendent, to perform financial functions, activities or services in connection with operation of the lottery, shall be deposited and held by the State Treasurer as ex-officio custodian thereof, separate and apart from all public money or funds of this State in a special trust fund outside the State treasury. Such trust fund shall be known as the "Deferred Lottery Prize Winners Trust Fund", and shall be administered by the Director Superintendent.

The Director Superintendent shall, at such times and in such amounts as shall be necessary, prepare and send to the State Comptroller vouchers requesting payment from the Deferred Lottery Prize Winners Trust Fund to deferred prize winners, in a manner that will insure the timely payment of such amounts owed.

This Act shall constitute an irrevocable appropriation of all amounts necessary for that purpose, and the irrevocable and continuing authority for and direction to the Director Superintendent and the State Treasurer to make the necessary payments out of such trust fund for that purpose.

(c) Moneys invested pursuant to subsection (a) of this Section may be invested only in bonds, notes, certificates of indebtedness, treasury bills, or other securities constituting direct obligations of the United States of America and all securities or obligations the prompt payment of principal and interest of which is guaranteed by a pledge of the full faith and credit of the United States of America. Interest earnings on moneys in the Deferred Lottery Prize Winners Trust Fund shall remain in such fund and be used to pay the winners of lottery prizes deferred as to payment until such obligations are discharged. Proceeds from bonds purchased and interest accumulated as a result of a grand prize multi-state game ticket that goes unclaimed will be transferred after the termination of the relevant claim period directly from the lottery's Deferred Lottery Prize Winners

New matter indicated by italics - deletions by strikeout
Trust Fund to each respective multi-state partner state according to its contribution ratio.

(c-5) If a deferred lottery prize is not claimed within the claim period established by game rule, then the securities or other instruments purchased to fund the prize shall be liquidated and the liquidated amount shall be transferred to the State Lottery Fund for disposition pursuant to Section 19 of this Act.

(c-10) The Director Superintendent may use a portion of the moneys in the Deferred Lottery Prize Winners Trust Fund to purchase bonds to pay a lifetime prize if the prize duration exceeds the length of available securities. If the winner of a lifetime prize exceeds his or her life expectancy as determined using actuarial assumptions and the securities or moneys set aside to pay the prize have been exhausted, moneys in the State Lottery Fund shall be used to make payments to the winner for the duration of the winner's life.

(c-15) From time to time, the Director Superintendent may request that the State Comptroller transfer any excess moneys in the Deferred Lottery Prize Winners Trust Fund to the State Lottery Fund.

(d) This amendatory Act of 1985 shall be construed liberally to effect the purposes of the Illinois Lottery Law.

(Source: P.A. 97-464, eff. 10-15-11; revised 10-17-12.)

(20 ILCS 1605/29)

Sec. 29. The Department of the Lottery.

(a) Executive Order No. 2003-09 is hereby superseded by this amendatory Act of the 97th General Assembly to the extent that Executive Order No. 2003-09 transfers the powers, duties, rights, and responsibilities of the Department of the Lottery to the Division of the Lottery within the Department of Revenue.

(b) The Division of the Lottery within the Department of Revenue is hereby abolished and the Department of the Lottery is created as an independent department. On the effective date of this amendatory Act of the 97th General Assembly, all powers, duties, rights, and responsibilities of the Division of the Lottery within the Department of Revenue shall be transferred to the Department of the Lottery.

(c) The personnel of the Division of the Lottery within the Department of Revenue shall be transferred to the Department of the Lottery. The status and rights of such employees under the Personnel Code shall not be affected by the transfer. The rights of the employees and the State of Illinois and its agencies under the Personnel Code and applicable
collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act of the 97th General Assembly. To the extent that an employee performs duties for the Division of the Lottery within the Department of Revenue and the Department of Revenue itself or any other division or agency within the Department of Revenue, that employee shall be transferred at the Governor's discretion.

(d) All books, records, papers, documents, property (real and personal), contracts, causes of action, and pending business pertaining to the powers, duties, rights, and responsibilities transferred by this amendatory Act of the 97th General Assembly from the Division of the Lottery within the Department of Revenue to the Department of the Lottery, including, but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be transferred to the Department of the Lottery.

(e) All unexpended appropriations and balances and other funds available for use by the Division of the Lottery within the Department of Revenue shall be transferred for use by the Department of the Lottery pursuant to the direction of the Governor. Unexpended balances so transferred shall be expended only for the purpose for which the appropriations were originally made.

(f) The powers, duties, rights, and responsibilities transferred from the Division of the Lottery within the Department of Revenue by this amendatory Act of the 97th General Assembly shall be vested in and shall be exercised by the Department of the Lottery.

(g) Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the Division of the Lottery within the Department of Revenue in connection with any of the powers, duties, rights, and responsibilities transferred by this amendatory Act of the 97th General Assembly, the same shall be made, given, furnished, or served in the same manner to or upon the Department of the Lottery.

(h) This amendatory Act of the 97th General Assembly does not affect any act done, ratified, or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause by the Division of the Lottery within the Department of Revenue before this amendatory Act of the 97th General Assembly takes effect; such actions or proceedings may be prosecuted and continued by the Department of the Lottery.

New matter indicated by italics - deletions by strikeout
(i) Any rules of the Division of the Lottery within the Department of Revenue, including any rules of its predecessor Department of the Lottery, that relate to its powers, duties, rights, and responsibilities and are in full force on the effective date of this amendatory Act of the 97th General Assembly shall become the rules of the recreated Department of the Lottery. This amendatory Act of the 97th General Assembly does not affect the legality of any such rules in the Illinois Administrative Code.

Any proposed rules filed with the Secretary of State by the Division of the Lottery within the Department of Revenue that are pending in the rulemaking process on the effective date of this amendatory Act of the 97th General Assembly and pertain to the powers, duties, rights, and responsibilities transferred, shall be deemed to have been filed by the Department of the Lottery. As soon as practicable hereafter, the Department of the Lottery shall revise and clarify the rules transferred to it under this amendatory Act of the 97th General Assembly to reflect the reorganization of powers, duties, rights, and responsibilities affected by this amendatory Act, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Department of the Lottery may propose and adopt under the Illinois Administrative Procedure Act such other rules of the Division of the Lottery within the Department of Revenue that will now be administered by the Department of the Lottery.

To the extent that, prior to the effective date of this amendatory Act of the 97th General Assembly, the Superintendent of the Division of the Lottery within the Department of Revenue had been empowered to prescribe rules or had other rulemaking authority jointly with the Director of the Department of Revenue with regard to the powers, duties, rights, and responsibilities of the Division of the Lottery within the Department of Revenue, such duties shall be exercised from and after the effective date of this amendatory Act of the 97th General Assembly solely by the Superintendent or Director of the Department of the Lottery.

(Source: P.A. 97-464, eff. 10-15-11; 97-813, eff. 7-13-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Forest Preserve Zoological Parks Act is amended by changing Section 1 as follows:

(70 ILCS 835/1) (from Ch. 96 1/2, par. 6801)

Sec. 1. The corporate authorities of forest preserve districts, containing a population of 140,000 or more located in counties of less than 3,000,000 inhabitants, having the control or supervision of any forest preserves, may erect and maintain within such forest preserves, under the control or supervision of such corporate authorities, edifices to be used for the collection and display of animals as customary in zoological parks, and may collect and display such animals, or permit the directors or trustees of any zoological society devoted to the purposes aforesaid to erect and maintain a zoological park and to collect and display zoological collections within any forest preserve now or hereafter under the control or supervision of such forest preserve district, out of funds belonging to such zoological society, or to contract with the directors or trustees of any zoological society on such terms and conditions as may to such corporate authorities seem best, relative to the erection, operation and maintenance of a zoological park and the collection and display of such animals within such forest preserve, out of the tax hereinafter in this Act provided.

This Act applies to any forest preserve district that maintains a zoological park that was established under this Act prior to 1964, regardless of whether the population requirements continue to be met.

A Such a forest preserve district, containing a population of 140,000 or more district, or the directors or trustees of such zoological society when so authorized by the forest preserve district, may (a) police the property of the zoological park, (b) employ, establish, maintain and equip a security force for fire and police protection of the zoological park and (c) provide that the personnel of the security force shall perform other tasks relating to the maintenance and operation of the zoological park. Members of the security force shall be conservators of the peace with all the powers of policemen in cities and of sheriffs, other than to serve or execute civil processes, but such powers may be exercised only within the area comprising the zoological park when required to protect the

New matter indicated by italics - deletions by strikeout
zoological park's property and interests, its personnel and persons using the facilities or at the specific request of appropriate federal, State or local law enforcement officials. All otherwise lawful actions taken on or after August 13, 1978 (the effective date of Public Act 80-1364) and before the effective date of this amendatory Act of the 98th General Assembly by a forest preserve district or a zoological society located in a county of 3,000,000 or more in exercising the powers provided in this paragraph are hereby validated, notwithstanding Public Act 80-1364, which was a non-substantive combining revisory Act.

A forest preserve district, containing a population of 140,000 or more located in counties of less than 3,000,000 inhabitants, may charge, or permit such zoological society to charge, an admission fee. The proceeds of such admission fee shall be devoted exclusively to the operation and maintenance of such zoological park and the collections therein. All such zoological parks shall be open to the public without charge (i) a total number of days, to be scheduled at any time during the calendar year, equivalent to at least one day for each 7 days the zoological park is open during the calendar year and (ii) to the children in actual attendance upon any of the schools in the State at all times. The managing authority of the zoological park may limit the number of school groups that may attend the zoo on any given day and may establish other rules and regulations that reasonably ensure public safety, accessibility, and convenience, including without limitation standards of conduct and supervision. Charges may be made at any time for special services and for admission to special facilities within any zoological park for the education, entertainment or convenience of visitors.

(Source: P.A. 92-548, eff. 6-24-02; 93-651, eff. 6-1-04.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning employment.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Right to Privacy in the Workplace Act is amended by changing Section 10 as follows:

(820 ILCS 55/10) (from Ch. 48, par. 2860)

Sec. 10. Prohibited inquiries.

(a) It shall be unlawful for any employer to inquire, in a written application or in any other manner, of any prospective employee or of the prospective employee's previous employers, whether that prospective employee has ever filed a claim for benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act or received benefits under these Acts.

(b)(1) Except as provided in this subsection, it shall be unlawful for any employer to request or require any employee or prospective employee to provide any password or other related account information in order to gain access to the employee's or prospective employee's account or profile on a social networking website or to demand access in any manner to an employee's or prospective employee's account or profile on a social networking website.

(2) Nothing in this subsection shall limit an employer's right to:

(A) promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and

(B) monitor usage of the employer's electronic equipment and the employer's electronic mail without requesting or requiring any employee or prospective employee to provide any password or other related account information in order to gain access to the employee's or prospective employee's account or profile on a social networking website.

(3) Nothing in this subsection shall prohibit an employer from obtaining about a prospective employee or an employee information that is in the public domain or that is otherwise obtained in compliance with this amendatory Act of the 97th General Assembly.
(3.5) Provided that the password, account information, or access sought by the employer relates to a professional account, and not a personal account, nothing in this subsection shall prohibit or restrict an employer from complying with a duty to screen employees or applicants prior to hiring or to monitor or retain employee communications as required under Illinois insurance laws or federal law or by a self-regulatory organization as defined in Section 3(A)(26) of the Securities Exchange Act of 1934, 15 U.S.C. 78(A)(26).

(4) For the purposes of this subsection, "social networking website" means an Internet-based service that allows individuals to:

   (A) construct a public or semi-public profile within a bounded system, created by the service;
   (B) create a list of other users with whom they share a connection within the system; and
   (C) view and navigate their list of connections and those made by others within the system.

"Social networking website" shall not include electronic mail.

For the purposes of paragraph (3.5) of this subsection, "professional account" means an account, service, or profile created, maintained, used, or accessed by a current or prospective employee for business purposes of the employer.

For the purposes of paragraph (3.5) of this subsection, "personal account" means an account, service, or profile on a social networking website that is used by a current or prospective employee exclusively for personal communications unrelated to any business purposes of the employer.

(Source: P.A. 97-875, eff. 1-1-13.)

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning health.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-345 as follows:

(20 ILCS 2310/2310-345) (was 20 ILCS 2310/55.49)

(a) From funds made available for this purpose, the Department shall publish, in layman's language, a standardized written summary outlining methods for the early detection and diagnosis of breast cancer. The summary shall include recommended guidelines for screening and detection of breast cancer through the use of techniques that shall include but not be limited to self-examination, clinical breast exams, and diagnostic radiology.

(b) The summary shall also suggest that women seek mammography services from facilities that are certified to perform mammography as required by the federal Mammography Quality Standards Act of 1992.

(c) The summary shall also include the medically viable alternative methods for the treatment of breast cancer, including, but not limited to, hormonal, radiological, chemotherapeutic, or surgical treatments or combinations thereof. The summary shall contain information on breast reconstructive surgery, including, but not limited to, the use of breast implants and their side effects. The summary shall inform the patient of the advantages, disadvantages, risks, and dangers of the various procedures. The summary shall include (i) a statement that mammography is the most accurate method for making an early detection of breast cancer, however, no diagnostic tool is 100% effective, (ii) the benefits of clinical breast exams, and (iii) instructions for performing breast self-examination and a statement that it is important to perform a breast self-examination monthly.

(c-5) The summary shall specifically address the benefits of early detection and review the clinical standard recommendations by the Centers
for Disease Control and Prevention and the American Cancer Society for mammography, clinical breast exams, and breast self-exams.

(c-10) The summary shall also inform individuals that public and private insurance providers shall pay for clinical breast exams as part of an exam, as indicated by guidelines of practice.

(c-15) The summary shall also inform individuals, in layman's terms, of the meaning and consequences of "dense breast tissue" under the guidelines of the Breast Imaging Reporting and Data System of the American College of Radiology.

(d) In developing the summary, the Department shall consult with the Advisory Board of Cancer Control, the Illinois State Medical Society and consumer groups. The summary shall be updated by the Department every 2 years.

(e) The summaries shall additionally be translated into Spanish, and the Department shall conduct a public information campaign to distribute the summaries to the Hispanic women of this State in order to inform them of the importance of early detection and mammograms.

(f) The Department shall distribute the summary to hospitals, public health centers, and physicians who are likely to perform or order diagnostic tests for breast disease or treat breast cancer by surgical or other medical methods. Those hospitals, public health centers, and physicians shall make the summaries available to the public. The Department shall also distribute the summaries to any person, organization, or other interested parties upon request. The summaries may be duplicated by any person, provided the copies are identical to the current summary prepared by the Department.

(g) The summary shall display, on the inside of its cover, printed in capital letters, in bold face type, the following paragraph:

"The information contained in this brochure regarding recommendations for early detection and diagnosis of breast disease and alternative breast disease treatments is only for the purpose of assisting you, the patient, in understanding the medical information and advice offered by your physician. This brochure cannot serve as a substitute for the sound professional advice of your physician. The availability of this brochure or the information contained within is not intended to alter, in any way, the existing physician-patient relationship, nor the existing professional obligations of your physician in the delivery of medical services to you, the patient."

(h) The summary shall be updated when necessary.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 1-2-11 as follows:

(65 ILCS 5/1-2-11) (from Ch. 24, par. 1-2-11)

Sec. 1-2-11. (a) A sheriff may serve any process or make any arrest in a municipality or a part of a municipality located in the county in which the sheriff was elected that any officer of that municipality is authorized to make under this Code or any ordinance passed under this Code.

(b) Police officers may serve summons for violations of ordinances occurring within their municipalities. In municipalities with a population of 1,000,000 or more, active duty or retired police officers may serve summons for violations of ordinances occurring within their municipalities.

(c) In addition to the powers stated in Section 8.1a of the Housing Authorities Act, in counties with a population of 3,000,000 or more inhabitants, members of a housing authority police force may serve process for forcible entry and detainer actions commenced by that housing authority and may execute orders of possession for that housing authority. 

(Source: P.A. 89-594, eff. 8-1-96.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 21, 2013.
Approved August 16, 2013.
Effective August 16, 2013.
AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Intergovernmental Cooperation Act is amended by changing Section 6 as follows:

(5 ILCS 220/6) (from Ch. 127, par. 746)

Sec. 6. Joint self-insurance. An intergovernmental contract may, among other undertakings, authorize public agencies to jointly self-insure and authorize each public agency member of the contract to utilize its funds to pay to a joint insurance pool its costs and reserves to protect, wholly or partially, itself or any public agency member of the contract against liability or loss in the designated insurable area.

A joint insurance pool shall have an annual audit performed by an independent certified public accountant and shall file an annual audited financial report with the Director of Insurance no later than 150 days after the end of the pool's immediately preceding fiscal year. The Director of Insurance shall issue rules necessary to implement this audit and report requirement. The rule shall establish the due date for filing the initial annual audited financial report. Within 30 days after January 1, 1991, and within 30 days after each January 1 thereafter, public agencies that are jointly self-insured to protect against liability under the Workers' Compensation Act and the Workers' Occupational Diseases Act shall file with the Illinois Workers' Compensation Commission a report indicating an election to self-insure.

The joint insurance pool shall also annually file with the Director a statement of actuarial opinion by an independent actuary who is an associate or fellow in a casualty actuarial society that the pool's reserves are in accordance with sound loss-reserving standards and adequate for the payment of claims. This opinion shall be filed no later than 150 days after the end of each fiscal year. The joint insurance pool shall be exempt from filing a statement of actuarial opinion by an independent actuary who is an associate or fellow in a casualty actuarial society that the joint insurance pool's reserves are in accordance with sound loss-reserving standards and payment of claims for the primary level of coverage if the joint insurance pool files with the Director, by the reporting deadline, a statement of actuarial opinion from the provider of the joint pool's

New matter indicated by italics - deletions by strikeout
aggregate coverage, reinsurance, or other similar excess insurance coverage.

The Director may assess penalties against a joint insurance pool that fails to comply with the auditing, statement of actuarial opinion, and examination requirements of this Section in an amount equal to $500 per day for each violation, up to a maximum of $10,000 for each violation. The Director (or his or her staff) or a Director-selected independent auditor (or actuarial firm) that is not owned or affiliated with an insurance brokerage firm, insurance company, or other insurance industry affiliated entity may examine, as often as the Director deems advisable, the affairs, transactions, accounts, records, and assets and liabilities of each joint insurance pool that fails to comply with this Section. The joint insurance pool shall cooperate fully with the Director's representatives in all evaluations and audits of the joint insurance pool and resolve issues raised in those evaluations and audits. The failure to resolve those issues may constitute a violation of this Section, and may, after notice and an opportunity to be heard, result in the imposition of penalties pursuant to this Section. No sanctions under this Section may become effective until 30 days after the date that a notice of sanctions is delivered by registered or certified mail to the joint insurance pool. The Director shall have the authority to extend the time for filing any statement by any joint insurance pool for reasons that he or she considers good and sufficient.

If a joint insurance pool requires a member to submit written notice in order for the member to withdraw from a qualified pool, then the period in which the member must provide the written notice cannot be greater than 120 days, except that this requirement applies only to joint insurance pool agreements entered into, modified, or renewed on or after the effective date of this amendatory Act of the 98th General Assembly.

For purposes of this Section, "public agency member" means any public agency defined or created under this Act, any local public entity as defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act, and any public agency, authority, instrumentality, council, board, service region, district, unit, bureau, or, commission, or any municipal corporation, college, or university, whether corporate or otherwise, and any other local governmental body or similar entity that is presently existing or created after the effective date of this amendatory Act of the 92nd General Assembly, whether or not specified in this Section. Only public agency members with tax receipts, tax revenues, taxing authority, or other resources sufficient to pay costs and to service

New matter indicated by italics - deletions by strikeout
debts related to intergovernmental activities described in this Section, or public agency members created by or as part of a public agency with these powers, may enter into contracts or otherwise associate among themselves as permitted in this Section.

No joint insurance pool or other intergovernmental cooperative offering health insurance shall interfere with the statutory obligation of any public agency member to bargain over or to reach agreement with a labor organization over a mandatory subject of collective bargaining as those terms are used in the Illinois Public Labor Relations Act. No intergovernmental contract of insurance offering health insurance shall limit the rights or obligations of public agency members to engage in collective bargaining, and it shall be unlawful for a joint insurance pool or other intergovernmental cooperative offering health insurance to discriminate against public agency members or otherwise retaliate against such members for limiting their participation in a joint insurance pool as a result of a collective bargaining agreement.

It shall not be considered a violation of this Section for an intergovernmental contract of insurance relating to health insurance coverage, life insurance coverage, or both to permit the pool or cooperative, if a member withdraws employees or officers into a union-sponsored program, to re-price the costs of benefits provided to the continuing employees or officers based upon the same underwriting criteria used by that pool or cooperative in the normal course of its business, but no member shall be expelled from a pool or cooperative if the continuing employees or officers meet the general criteria required of other members.

(Source: P.A. 93-721, eff. 1-1-05; 94-685, eff. 11-2-05.)

Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0505
(Senate Bill No. 2353)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Nursing Home Care Act is amended by changing Sections 3-208 and 3-304.1 as follows:

New matter indicated by italics - deletions by strikeout
(210 ILCS 45/3-208) (from Ch. 111 1/2, par. 4153-208)

Sec. 3-208. (a) Each licensee shall file annually, or more often as the Director shall by rule prescribe, an attested financial statement. The Director may order an audited financial statement of a particular facility by an auditor of the Director's choice, provided the cost of such audit is paid by the Department.

(b) No public funds shall be expended for the maintenance of any resident in a facility which has failed to file the financial statement required under this Section and no public funds shall be paid to or on behalf of a facility which has failed to file a statement.

(c) The Director of Public Health and the Director of Healthcare and Family Services shall promulgate under Sections 3-801 and 3-802, one set of regulations for the filing of these financial statements, and shall provide in these regulations for forms, required information, intervals and dates of filing and such other provisions as they may deem necessary.

(c-5) A facility which is owned by a chain organization as defined by the Centers for Medicare and Medicaid Services shall submit annually to the Department a copy of the Home Office Cost Statement required to be submitted by the home office of the chain to the United States Department of Health and Human Services. This Home Office Cost Statement contains proprietary, privileged, and confidential information that shall not be placed on the World Wide Web. Any request from the public received by any public agency to disclose this Home Office Cost Statement shall be subject to the provisions of the Freedom of Information Act.

(d) The Director of Public Health and the Director of Healthcare and Family Services shall seek the advice and comments of other State and federal agencies which require the submission of financial data from facilities licensed under this Act and shall incorporate the information requirements of these agencies so as to impose the least possible burden on licensees. No other State agency may require submission of financial data except as expressly authorized by law or as necessary to meet requirements of federal statutes or regulations. Information obtained under this Section shall be made available, upon request, by the Department to any other State agency or legislative commission to which such information is necessary for investigations or required for the purposes of State or federal law or regulation.

(Source: P.A. 95-331, eff. 8-21-07.)

(210 ILCS 45/3-304.1)

New matter indicated by italics - deletions by strikeout
Sec. 3-304.1. Public computer access to information.

(a) The Department must make information regarding nursing homes in the State available to the public in electronic form on the World Wide Web, including all of the following information:

(1) who regulates nursing homes;
(2) information in the possession of the Department that is listed in Sections 3-210 and 3-304;
(3) deficiencies and plans of correction;
(4) enforcement remedies;
(5) penalty letters;
(6) designation of penalty monies;
(7) the U.S. Department of Health and Human Services' Health Care Financing Administration special projects or federally required inspections;
(8) advisory standards;
(9) deficiency-free surveys;
(10) enforcement actions and enforcement summaries; and
(11) distressed facilities;
(12) a link to the most recent facility cost report filed with the Department of Healthcare and Family Services;
(13) a link to the most recent Consumer Choice Information Report filed with the Department on Aging;
(14) whether the facility is part of a chain; the facility shall be deemed part of a chain if it meets criteria established by the United States Department of Health and Human Services that identify it as owned by a chain organization;
(15) whether the facility is a for-profit or not-for-profit facility; and
(16) whether the facility is or is part of a continuing care retirement community.

(b) No fee or other charge may be imposed by the Department as a condition of accessing the information.

(c) The electronic public access provided through the World Wide Web shall be in addition to any other electronic or print distribution of the information.

(d) The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form.

(Source: P.A. 96-1372, eff. 7-29-10.)

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0506  
(House Bill No. 1247)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 12-610.2 as follows:

(625 ILCS 5/12-610.2)

Sec. 12-610.2. Electronic communication devices.

(a) As used in this Section:

"Electronic communication device" means an electronic device, including but not limited to a hand-held wireless telephone, hand-held personal digital assistant, or a portable or mobile computer while being used for the purpose of composing, reading, or sending an electronic message, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

"Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. "Electronic message" includes, but is not limited to electronic mail, a text message, an instant message, a digital photograph, a video, or a command or request to access an Internet site.

(b) A person may not operate a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message.

(c) A second or subsequent violation of this Section is an offense against traffic regulations governing the movement of vehicles. A person who violates this Section shall be fined a maximum of $75 for a first offense, $100 for a second offense, $125 for a third offense, and $150 for a fourth or subsequent offense.

(d) This Section does not apply to:

(1) a law enforcement officer or operator of an emergency vehicle while performing his or her official duties;

New matter indicated by italics - deletions by strikeout
(2) a driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation;

(3) a driver using an electronic communication device in hands-free or voice-operated mode, which may include the use of a headset;

(4) a driver of a commercial motor vehicle reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed 10 inches tall by 10 inches wide in size;

(5) a driver using an electronic communication device while parked on the shoulder of a roadway; or

(6) a driver using an electronic communication device when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park; 

(7) a driver using two-way or citizens band radio services;

(8) a driver using two-way mobile radio transmitters or receivers for licensees of the Federal Communications Commission in the amateur radio service;

(9) a driver using an electronic communication device by pressing a single button to initiate or terminate a voice communication; or

(10) a driver using an electronic communication device capable of performing multiple functions, other than a hand-held wireless telephone or hand-held personal digital assistant (for example, a fleet management system, dispatching device, citizens band radio, or music player) for a purpose that is not otherwise prohibited by this Section.

(Source: P.A. 96-130, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-828, eff. 7-20-12.)

Approved August 16, 2013.
Effective January 1, 2014.
AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 12-604.1, 12-610.1, and 12-610.2 as follows:

(625 ILCS 5/12-604.1)

Sec. 12-604.1. Video devices.

(a) A person may not operate a motor vehicle if a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications is operating and is located in the motor vehicle at any point forward of the back of the driver's seat, or is operating and visible to the driver while driving the motor vehicle.

(a-5) A person commits aggravated use of a video device when he or she violates subsection (a) and in committing the violation he or she was involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation was a proximate cause of the injury or death.

(b) This Section does not apply to the following equipment, whether or not permanently installed in a vehicle:

(1) a vehicle information display;
(2) a global positioning display;
(3) a mapping or navigation display;
(4) a visual display used to enhance or supplement the driver's view forward, behind, or to the sides of a motor vehicle for the purpose of maneuvering the vehicle;
(5) television-type receiving equipment used exclusively for safety or traffic engineering studies; or
(6) a television receiver, video monitor, television or video screen, or any other similar means of visually displaying a television broadcast or video signal, if that equipment has an interlock device that, when the motor vehicle is driven, disables the equipment for all uses except as a visual display as described in paragraphs (1) through (5) of this subsection (b).

(c) This Section does not apply to a mobile, digital terminal installed in an authorized emergency vehicle, a motor vehicle providing
emergency road service or roadside assistance, or to motor vehicles utilized for public transporta
tion.

(d) This Section does not apply to a television receiver, video monitor, television or video screen, or any other similar means of visually displaying a television broadcast or video signal if: (i) the equipment is permanently installed in the motor vehicle; and (ii) the moving entertainment images that the equipment displays are not visible to the driver while the motor vehicle is in motion.

(e) Except as provided in subsection (f) of this Section, a person convicted of violating this Section is guilty of a petty offense and shall be fined not more than $100 for a first offense, not more than $200 for a second offense within one year of a previous conviction, and not more than $250 for a third or subsequent offense within one year of 2 previous convictions.

(f) A person convicted of violating subsection (a-5) commits a Class A misdemeanor if the violation resulted in great bodily harm, permanent disability, or disfigurement to another. A person convicted of violating subsection (a-5) commits a Class 4 felony if the violation resulted in the death of another person.

(Source: P.A. 97-499, eff. 1-1-12.)

(625 ILCS 5/12-610.1)

Sec. 12-610.1. Wireless telephones.

(a) As used in this Section, "wireless telephone" means a device that is capable of transmitting or receiving telephonic communications without a wire connecting the device to the telephone network.

(b) A person under the age of 19 years who holds an instruction permit issued under Section 6-105 or 6-107.1, or a person under the age of 19 years who holds a graduated license issued under Section 6-107, may not drive a vehicle on a roadway while using a wireless phone.

(b-5) A person under the age of 19 commits aggravated use of a wireless telephone when he or she violates subsection (b) and in committing the violation he or she was involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation was a proximate cause of the injury or death.

(c) This Section does not apply to a person under the age of 19 years using a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity.

New matter indicated by italics - deletions by strikeout
(d) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the violation, the provisions of paragraph (b) shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code.

(e) A person, regardless of age, may not use a wireless telephone at any time while operating a motor vehicle on a roadway in a school speed zone established under Section 11-605, on a highway in a construction or maintenance speed zone established under Section 11-605.1, or within 500 feet of an emergency scene. As used in this Section, "emergency scene" means a location where an authorized emergency vehicle as defined by Section 1-105 of this Code is present and has activated its oscillating, rotating, or flashing lights. This subsection (e) does not apply to (i) a person engaged in a highway construction or maintenance project for which a construction or maintenance speed zone has been established under Section 11-605.1, (ii) a person using a wireless telephone for emergency purposes, including, but not limited to, law enforcement agency, health care provider, fire department, or other emergency services agency or entity, (iii) a law enforcement officer or operator of an emergency vehicle when performing the officer's or operator's official duties, (iv) a person using a wireless telephone in voice-operated mode, which may include the use of a headset, or (v) a person using a wireless telephone by pressing a single button to initiate or terminate a voice communication, or (vi) a person using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation.

(e-5) A person commits aggravated use of a wireless telephone when he or she violates subsection (e) and in committing the violation he or she was involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation was a proximate cause of the injury or death.

(f) A person convicted of violating subsection (b-5) or (e-5) commits a Class A misdemeanor if the violation resulted in great bodily harm.
harm, permanent disability, or disfigurement to another. A person convicted of violating subsection (b-5) or (e-5) commits a Class 4 felony if the violation resulted in the death of another person.

(Source: P.A. 96-131, eff. 1-1-10; 97-828, eff. 7-20-12; 97-830, eff. 1-1-13; revised 8-3-12.)

(625 ILCS 5/12-610.2)
Sec. 12-610.2. Electronic communication devices.
(a) As used in this Section:
"Electronic communication device" means an electronic device, including but not limited to a wireless telephone, personal digital assistant, or a portable or mobile computer while being used for the purpose of composing, reading, or sending an electronic message, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

"Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. "Electronic message" includes, but is not limited to electronic mail, a text message, an instant message, a digital photograph, a video, or a command or request to access an Internet site.

(b) A person may not operate a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message.

(b-5) A person commits aggravated use of an electronic communication device when he or she violates subsection (b) and in committing the violation he or she was involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation was a proximate cause of the injury or death.

(c) A violation of this Section is an offense against traffic regulations governing the movement of vehicles.

(d) This Section does not apply to:
   (1) a law enforcement officer or operator of an emergency vehicle while performing his or her official duties;
   (2) a driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation;
   (3) a driver using an electronic communication device in hands-free or voice-operated mode;

New matter indicated by italics - deletions by strikeout
(4) a driver of a commercial motor vehicle reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed 10 inches tall by 10 inches wide in size;
(5) a driver using an electronic communication device while parked on the shoulder of a roadway; or
(6) a driver using an electronic communication device when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park.

(e) A person convicted of violating subsection (b-5) commits a Class A misdemeanor if the violation resulted in great bodily harm, permanent disability, or disfigurement to another. A person convicted of violating subsection (b-5) commits a Class 4 felony if the violation resulted in the death of another person.

(Source: P.A. 96-130, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-828, eff. 7-20-12.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 16, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0508
(House Bill No. 1189)

AN ACT concerning criminal law, which may be referred to as the Gun Safety and Responsibility Act.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Firearm Owners Identification Card Act is amended by changing Sections 3, 3.3, and 8 as follows:

(430 ILCS 65/3) (from Ch. 38, par. 83-3)

Sec. 3. (a) Except as provided in Section 3a, no person may knowingly transfer, or cause to be transferred, any firearm, firearm ammunition, stun gun, or taser to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner's Identification Card which has previously been issued in his name by the Department of State Police under the provisions of this Act. In addition, all firearm, stun gun, and taser transfers by federally licensed firearm dealers are subject to Section 3.1.

New matter indicated by italics - deletions by strikeout
(a-5) Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm while that person is on the grounds of a gun show must, before selling or transferring the firearm, request the Department of State Police to conduct a background check on the prospective recipient of the firearm in accordance with Section 3.1.

(a-10) Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm to any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact the Department of State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card. This subsection shall not be effective until January 1, 2014. The Department of State Police may adopt rules concerning the implementation of this subsection. The Department of State Police shall provide the seller or transferor an approval number if the purchaser's Firearm Owner's Identification Card is valid. Approvals issued by the Department for the purchase of a firearm pursuant to this subsection are valid for 30 days from the date of issue.

(a-15) The provisions of subsection (a-10) of this Section do not apply to:

1. transfers that occur at the place of business of a federally licensed firearm dealer, if the federally licensed firearm dealer conducts a background check on the prospective recipient of the firearm in accordance with Section 3.1 of this Act and follows all other applicable federal, State, and local laws as if he or she were the seller or transferor of the firearm, although the dealer is not required to accept the firearm into his or her inventory. The purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed $10 per firearm, which the dealer may retain as compensation for performing the functions required under this paragraph, plus the applicable fees authorized by Section 3.1;

2. transfers as a bona fide gift to the transferor's husband, wife, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, nephew, niece, uncle, aunt, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

3. transfers by persons acting pursuant to operation of law or a court order;

New matter indicated by italics - deletions by strikeout
(4) transfers on the grounds of a gun show under subsection (a-5) of this Section;

(5) the delivery of a firearm by its owner to a gunsmith for service or repair, the return of the firearm to its owner by the gunsmith, or the delivery of a firearm by a gunsmith to a federally licensed firearms dealer for service or repair and the return of the firearm to the gunsmith;

(6) temporary transfers that occur while in the home of the unlicensed transferee, if the unlicensed transferee is not otherwise prohibited from possessing firearms and the unlicensed transferee reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to the unlicensed transferee;

(7) transfers to a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;

(8) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection; and

(9) transfers to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of this Act.

(a-20) The Department of State Police shall develop an Internet-based system for individuals to determine the validity of a Firearm Owner's Identification Card prior to the sale or transfer of a firearm. The Department shall have the Internet-based system completed and available for use by July 1, 2015. The Department shall adopt rules not inconsistent with this Section to implement this system.

(b) Any person within this State who transfers or causes to be transferred any firearm, stun gun, or taser shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer; the description, serial number or other information identifying the firearm, stun gun, or taser if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearms Owner's Identification Card number and any approval number or documentation provided by the Department of State Police pursuant to subsection (a-10) of this Section. On or after January 1, 2006, the record shall contain the date of application for transfer of the firearm. On demand of a peace officer such transferor shall produce for inspection

New matter indicated by italics - deletions by strikeout
such record of transfer. If the transfer or sale took place at a gun show, the record shall include the unique identification number. Failure to record the unique identification number or approval number is a petty offense.

(b-5) Any resident may purchase ammunition from a person within or outside of Illinois if shipment is by United States mail or by a private express carrier authorized by federal law to ship ammunition. Any resident purchasing ammunition within or outside the State of Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. The ammunition may be shipped only to an address on either of those 2 documents.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.
(Source: P.A. 97-1135, eff. 12-4-12.)

(430 ILCS 65/3.3)
Sec. 3.3. Report to the local law enforcement agency. The Department of State Police must report the name and address of a person to the local law enforcement agency where the person resides if the person attempting to purchase a firearm is disqualified from purchasing a firearm because of information obtained under subsection (a-10) of Section 3 or Section 3.1 that would disqualify the person from obtaining a Firearm Owner's Identification Card under any of subsections (c) through (n) of Section 8 of this Act.
(Source: P.A. 94-125, eff. 1-1-06.)

(430 ILCS 65/8) (from Ch. 38, par. 83-8)
(Text of Section before amendment by P.A. 97-1167)
Sec. 8. Grounds for denial and revocation.
The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess

New matter indicated by italics - deletions by strikeout
firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental institution within the past 5 years. An active law enforcement officer employed by a unit of government who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under this subsection (e) may obtain relief as described in subsection (c-5) of Section 10 of this Act if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and the officer seeks mental health treatment or has been adjudicated as a mental defective;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

For the purposes of this Section, "mental condition" means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is intellectually disabled;

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;

(i) An alien who is unlawfully present in the United States under the laws of the United States;

(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international
organization having its headquarters in the United States; or
(B) en route to or from another country to which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(j) (Blank);

(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (l) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking and seizing a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a
delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony; or

(q) A person who is not a resident of the State of Illinois, except as provided in subsection (a-10) of Section 4.

(Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13.)

(Text of Section after amendment by P.A. 97-1167)
Sec. 8. Grounds for denial and revocation.
The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental institution within the past 5 years. An active law enforcement officer employed by a unit of government who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under this subsection (e) may obtain relief as described in subsection (c-5) of Section 10 of this Act if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and the officer seeks mental health treatment;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

New matter indicated by italics - deletions by strikeout
For the purposes of this Section, "mental condition" means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is intellectually disabled;
(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;
(i) An alien who is unlawfully present in the United States under the laws of the United States;
(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:
   (1) admitted to the United States for lawful hunting or sporting purposes;
   (2) an official representative of a foreign government who is:
      (A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or
      (B) en route to or from another country to which that alien is accredited;
   (3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;
   (4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or
   (5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);
(j) (Blank);
(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

New matter indicated by italics - deletions by strikeout
(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (l) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking and seizing a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony;

(q) A person who is not a resident of the State of Illinois, except as provided in subsection (a-10) of Section 4; or

(r) A person who has been adjudicated as a mental defective.

(See: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13; 97-1167, eff. 6-1-13.)

Section 10. The Criminal Code of 2012 is amended by changing Section 24-3 and adding Section 24-4.1 as follows:

(720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

(Text of Section before amendment by P.A. 97-1167)

Sec. 24-3. Unlawful sale or delivery of firearms.

(A) A person commits the offense of unlawful sale or delivery of firearms when he or she knowingly does any of the following:

New matter indicated by italics - deletions by strikeout
(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age.

(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.

(c) Sells or gives any firearm to any narcotic addict.

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction.

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years.

(f) Sells or gives any firearms to any person who is intellectually disabled.

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, or a stun gun or taser, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun, or a stun gun or taser for at least 24 hours after application for its purchase has been made. However, this paragraph (g) does not apply to: (1) the sale of a firearm to a law enforcement officer if the seller of the firearm knows that the person to whom he or she is selling the firearm is a law enforcement officer or the sale of a firearm to a person who desires to purchase a firearm for use in promoting the public interest incident to his or her employment as a bank guard, armed truck guard, or other similar employment; (2) a mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; (3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; or (4) the sale of a firearm to a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). For purposes of this paragraph (g), "application" means when the buyer and seller reach an agreement to purchase a firearm.

(h) While holding any license as a dealer, importer, manufacturer or pawnbroker under the federal Gun Control Act of 1968, manufactures, sells or delivers to any unlicensed person a

New matter indicated by italics - deletions by strikeout
handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in the Firearm Owners Identification Card Act; and (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Sells or gives a firearm while engaged in the business of selling firearms at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (j):

A person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit, but does not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms.

"With the principal objective of livelihood and profit" means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection; however, proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism.

(k) Sells or transfers ownership of a firearm to a person who does not display to the seller or transferor of the firearm a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Department of State Police under the provisions of the Firearm Owners Identification Card Act. This paragraph (k) does not apply to the transfer of a firearm to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card...
Identification Card means (i) a Firearm Owner's Identification Card that has not expired or (ii) if the transferor is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923), an approval number issued in accordance with subsection (a-10) of Section 3 or Section 3.1 of the Firearm Owners Identification Card Act shall be proof that the Firearm Owner's Identification Card was valid.

(1) In addition to the other requirements of this paragraph (k), all persons who are not federally licensed firearms dealers must also have complied with subsection (a-10) of Section 3 of the Firearm Owners Identification Card Act by determining the validity of a purchaser's Firearm Owner's Identification Card.

(2) All sellers or transferors who have complied with the requirements of subparagraph (1) of this paragraph (k) shall not be liable for damages in any civil action arising from the use or misuse by the transferee of the firearm transferred, except for willful or wanton misconduct on the part of the seller or transferor.

(1) Not being entitled to the possession of a firearm, delivers the firearm, knowing it to have been stolen or converted. It may be inferred that a person who possesses a firearm with knowledge that its serial number has been removed or altered has knowledge that the firearm is stolen or converted.

(B) Paragraph (h) of subsection (A) does not include firearms sold within 6 months after enactment of Public Act 78-355 (approved August 21, 1973, effective October 1, 1973), nor is any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of Public Act 78-355 subject to confiscation or seizure under the provisions of that Public Act. Nothing in Public Act 78-355 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of that Public Act.

(C) Sentence.

(1) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (c), (e), (f), (g), or (h) of subsection (A) commits a Class 4 felony.
(2) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (b) or (i) of subsection (A) commits a Class 3 felony.

(3) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) of subsection (A) commits a Class 2 felony.

(4) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony. Any person convicted of a second or subsequent violation of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony for which the sentence shall be a term of imprisonment of no less than 5 years and no more than 15 years.

(5) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A) in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, or on any public way within 1,000 feet of the real property comprising any public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a

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scattered site or mixed-income development commits a Class 2 felony.

(6) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (j) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(7) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (k) of subsection (A) commits a Class 4 felony, except that a violation of subparagraph (l) of paragraph (k) of subsection (A) shall not be punishable as a crime or petty offense. A third or subsequent conviction for a violation of paragraph (k) of subsection (A) is a Class 1 felony.

(8) A person 18 years of age or older convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A), when the firearm that was sold or given to another person under 18 years of age was used in the commission of or attempt to commit a forcible felony, shall be fined or imprisoned, or both, not to exceed the maximum provided for the most serious forcible felony so committed or attempted by the person under 18 years of age who was sold or given the firearm.

(9) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (d) of subsection (A) commits a Class 3 felony.

(10) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 2 felony if the delivery is of one firearm. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 1 felony if the delivery is of not less than 2 and not more than 5 firearms at the same time or within a one year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 40 years if

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the delivery is of not less than 11 and not more than 20 firearms at the same time or within a 3 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 50 years if the delivery is of not less than 21 and not more than 30 firearms at the same time or within a 4 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years if the delivery is of 31 or more firearms at the same time or within a 5 year period.

(D) For purposes of this Section:
"School" means a public or private elementary or secondary school, community college, college, or university.
"School related activity" means any sporting, social, academic, or other activity for which students' attendance or participation is sponsored, organized, or funded in whole or in part by a school or school district.

(E) A prosecution for a violation of paragraph (k) of subsection (A) of this Section may be commenced within 6 years after the commission of the offense. A prosecution for a violation of this Section other than paragraph (g) of subsection (A) of this Section may be commenced within 5 years after the commission of the offense defined in the particular paragraph.

(Source: P.A. 96-190, eff. 1-1-10; 97-227, eff. 1-1-12; 97-347, eff. 1-1-12; 97-813, eff. 7-13-12.)

(Text of Section after amendment by P.A. 97-1167)
Sec. 24-3. Unlawful sale or delivery of firearms.

(A) A person commits the offense of unlawful sale or delivery of firearms when he or she knowingly does any of the following:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age.

(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.

(c) Sells or gives any firearm to any narcotic addict.

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction.

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(e) Sells or gives any firearm to any person who has been a patient in a mental institution within the past 5 years. In this subsection (e):

"Mental institution" means any hospital, institution, clinic, evaluation facility, mental health center, or part thereof, which is used primarily for the care or treatment of persons with mental illness.

"Patient in a mental institution" means the person was admitted, either voluntarily or involuntarily, to a mental institution for mental health treatment, unless the treatment was voluntary and solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness.

(f) Sells or gives any firearms to any person who is intellectually disabled.

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, or a stun gun or taser, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun, or a stun gun or taser for at least 24 hours after application for its purchase has been made. However, this paragraph (g) does not apply to: (1) the sale of a firearm to a law enforcement officer if the seller of the firearm knows that the person to whom he or she is selling the firearm is a law enforcement officer or the sale of a firearm to a person who desires to purchase a firearm for use in promoting the public interest incident to his or her employment as a bank guard, armed truck guard, or other similar employment; (2) a mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; (3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; or (4) the sale of a firearm to a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). For purposes of this paragraph (g), "application" means when the buyer and seller reach an agreement to purchase a firearm.

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(h) While holding any license as a dealer, importer, manufacturer or pawnbroker under the federal Gun Control Act of 1968, manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in the Firearm Owners Identification Card Act; and (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Sells or gives a firearm while engaged in the business of selling firearms at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (j):

A person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit, but does not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms.

"With the principal objective of livelihood and profit" means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection; however, proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism.

(k) Sells or transfers ownership of a firearm to a person who does not display to the seller or transferor of the firearm a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Department of State Police under the provisions of the Firearm Owners Identification Card Act. This paragraph (k) does not apply to the transfer of a firearm to a person who is exempt from the

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requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card means (i) a Firearm Owner's Identification Card that has not expired or (ii) if the transferor is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923), an approval number issued in accordance with subsection (a-10) of subsection 3 or Section 3.1 of the Firearm Owners Identification Card Act shall be proof that the Firearm Owner's Identification Card was valid.

(1) In addition to the other requirements of this paragraph (k), all persons who are not federally licensed firearms dealers must also have complied with subsection (a-10) of Section 3 of the Firearm Owners Identification Card Act by determining the validity of a purchaser's Firearm Owner's Identification Card.

(2) All sellers or transferors who have complied with the requirements of subparagraph (1) of this paragraph (k) shall not be liable for damages in any civil action arising from the use or misuse by the transferee of the firearm transferred, except for willful or wanton misconduct on the part of the seller or transferor.

(l) Not being entitled to the possession of a firearm, delivers the firearm, knowing it to have been stolen or converted. It may be inferred that a person who possesses a firearm with knowledge that its serial number has been removed or altered has knowledge that the firearm is stolen or converted.

(B) Paragraph (h) of subsection (A) does not include firearms sold within 6 months after enactment of Public Act 78-355 (approved August 21, 1973, effective October 1, 1973), nor is any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of Public Act 78-355 subject to confiscation or seizure under the provisions of that Public Act. Nothing in Public Act 78-355 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of that Public Act.

(C) Sentence.
(1) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (c), (e), (f), (g), or (h) of subsection (A) commits a Class 4 felony.

(2) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (b) or (i) of subsection (A) commits a Class 3 felony.

(3) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) of subsection (A) commits a Class 2 felony.

(4) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony. Any person convicted of a second or subsequent violation of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony for which the sentence shall be a term of imprisonment of no less than 5 years and no more than 15 years.

(5) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A) in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, or on any public way within 1,000 feet

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of the real property comprising any public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(6) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (j) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(7) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (k) of subsection (A) commits a Class 4 felony, except that a violation of subparagraph (1) of paragraph (k) of subsection (A) shall not be punishable as a crime or petty offense. A third or subsequent conviction for a violation of paragraph (k) of subsection (A) is a Class 1 felony.

(8) A person 18 years of age or older convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A), when the firearm that was sold or given to another person under 18 years of age was used in the commission of or attempt to commit a forcible felony, shall be fined or imprisoned, or both, not to exceed the maximum provided for the most serious forcible felony so committed or attempted by the person under 18 years of age who was sold or given the firearm.

(9) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (d) of subsection (A) commits a Class 3 felony.

(10) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 2 felony if the delivery is of one firearm. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 1 felony if the delivery is of not less than 2 and not more than 5 firearms at the same time or within a one year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 30 years if the delivery is of not less than 6 and not more than 10 firearms at the same time or within a 2 year period. Any person convicted of unlawful sale or delivery of firearms in

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violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 40 years if the delivery is of not less than 11 and not more than 20 firearms at the same time or within a 3 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 50 years if the delivery is of not less than 21 and not more than 30 firearms at the same time or within a 4 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years if the delivery is of 31 or more firearms at the same time or within a 5 year period.

(D) For purposes of this Section:

"School" means a public or private elementary or secondary school, community college, college, or university.

"School related activity" means any sporting, social, academic, or other activity for which students' attendance or participation is sponsored, organized, or funded in whole or in part by a school or school district.

(E) A prosecution for a violation of paragraph (k) of subsection (A) of this Section may be commenced within 6 years after the commission of the offense. A prosecution for a violation of this Section other than paragraph (g) of subsection (A) of this Section may be commenced within 5 years after the commission of the offense defined in the particular paragraph.

(720 ILCS 5/24-4.1 new)

Sec. 24-4.1. Report of lost or stolen firearms.

(a) If a person who possesses a valid Firearm Owner's Identification Card and who possesses or acquires a firearm thereafter loses the firearm, or if the firearm is stolen from the person, the person must report the loss or theft to the local law enforcement agency within 72 hours after obtaining knowledge of the loss or theft.

(b) A law enforcement agency having jurisdiction shall take a written report and shall, as soon as practical, enter the firearm's serial number in a database.

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number as stolen into the Law Enforcement Agencies Data System (LEADS).

(c) A person shall not be in violation of this Section if:

(1) the failure to report is due to an act of God, act of war, or inability of a law enforcement agency to receive the report;

(2) the person is hospitalized, in a coma, or is otherwise seriously physically or mentally impaired as to prevent the person from reporting; or

(3) the person’s designee makes a report if the person is unable to make the report.

(d) Sentence. A person who violates this Section is guilty of a petty offense for a first violation. A second or subsequent violation of this Section is a Class A misdemeanor.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 19, 2013.
Effective August 19, 2013.

PUBLIC ACT 98-0509
(Senate Bill No. 1639)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Animal Welfare Act is amended by changing Section 3.15 as follows:

(225 ILCS 605/3.15)
Sec. 3.15. Disclosures for dogs and cats being sold by pet shops.
(a) Prior to the time of sale, every pet shop operator must, to the best of his or her knowledge, provide to the consumer the following information on any dog or cat being offered for sale:

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(1) The retail price of the dog or cat, including any additional fees or charges.

(2) The breed, age, date of birth, sex, and color of the dog or cat.

(3) The date and description details of any inoculation or medical treatment that the dog or cat received while under the possession of the pet shop operator.

(4) The name and business address of both the dog or cat breeder and the facility where the dog or cat was born. If the dog or cat breeder is located in the State, then the breeder's license number. If the dog or cat breeder also holds a license issued by the United States Department of Agriculture, the breeder's federal license identification number.

(5) (Blank). Any known congenital or hereditary diseases of the parents of the dog or cat, or the parents' other offspring.

(6) If eligible for registration with a pedigree registry, then the name and registration numbers of the sire and dam and the address of the pedigree registry where the sire and dam are registered.

(7) If the dog or cat was returned by a customer, then the date and reason for the return.

(8) The following written statement: "A copy of the pet shop's our policy regarding warranties, refunds, or returns is available upon request." and an explanation of the remedy under subsections (f) through (m) of this Section in addition to any other remedies available at law.

(9) The pet shop operator's license number issued by the Illinois Department of Agriculture.

(b) The information required in subsection (a) shall be provided to the customer in written form by the pet shop operator and shall have an acknowledgement of disclosures form, which must be signed by the customer and the pet shop operator at the time of sale. The acknowledgement of disclosures form shall include the following:

(1) A blank space for the dated signature and printed name of the pet shop operator, which shall be immediately beneath the following statement: "I hereby attest that all of the above information is true and correct to the best of my knowledge."

(2) A blank space for the customer to sign and print his or her name and the date, which shall be immediately beneath the
following statement: "I hereby attest that this disclosure was posted on or near the cage of the dog or cat for sale and that I have read all of the disclosures. I further understand that I am entitled to keep a signed copy of this disclosure."

(c) A copy of the disclosures and the signed acknowledgement of disclosures form shall be provided to the customer at the time of sale and the original copy shall be maintained by the pet shop operator for a period of 2 years from the date of sale. A copy of the pet store operator's policy regarding warranties, refunds, or returns shall be provided to the customer.

(d) A pet shop operator shall post in a conspicuous place in writing on or near the cage of any dog or cat available for sale the information required by subsection (a) of this Section 3.15.

(e) If there is an outbreak of distemper, parvovirus, or any other contagious and potentially life-threatening disease, the pet shop operator shall notify the Department immediately upon becoming aware of the disease. If the Department issues a quarantine, the pet shop operator shall notify, in writing and within 2 business days of the quarantine, each customer who purchased a dog or cat during the 2-week period prior to the outbreak and quarantine.

(f) A customer who purchased a dog or cat from a pet shop is entitled to a remedy under this Section if:

(1) within 21 days after the date of sale, a licensed veterinarian states in writing that at the time of sale (A) the dog or cat was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or obvious signs of severe parasitism that are extreme enough to influence the general health of the animal, excluding fleas or ticks, or (B) the dog or cat has died from a disease that existed in the dog or cat on or before the date of delivery to the customer; or

(2) within one year after the date of sale, a licensed veterinarian states in writing that the dog or cat possesses a congenital or hereditary condition that adversely affects the health of the dog or cat or requires either hospitalization or a non-elective surgical procedure or has died of a congenital or hereditary condition. Internal or external parasites may not be considered to adversely affect the health of the dog unless the presence of the parasites makes the dog or cat clinically ill. The veterinarian's statement shall include:

(A) the customer's name and address;

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(B) a statement that the veterinarian examined the dog or cat;
(C) the date or dates that the dog or cat was examined;
(D) the breed and age of the dog or cat, if known;
(E) a statement that the dog or cat has or had a disease, illness, or congenital or hereditary condition that is subject to remedy; and
(F) the findings of the examination or necropsy, including any lab results or copies of the results.

(g) A customer entitled to a remedy under subsection (f) of this Section may:

(1) return the dog or cat to the pet shop for a full refund of the purchase price;
(2) exchange the dog or cat for another dog or cat of comparable value chosen by the customer;
(3) retain the dog or cat and be reimbursed for reasonable veterinary fees for diagnosis and treatment of the dog or cat, not to exceed the purchase price of the dog or cat; or
(4) if the dog or cat is deceased, be reimbursed for the full purchase price of the dog or cat plus reasonable veterinary fees associated with the diagnosis and treatment of the dog or cat, not to exceed 2 times the purchase price of the dog or cat.

For the purposes of this subsection (g), veterinary fees shall be considered reasonable if (i) the services provided are appropriate for the diagnosis and treatment of the disease, illness, or congenital or hereditary condition and (ii) the cost of the services is comparable to that charged for similar services by other licensed veterinarians located in close proximity to the treating veterinarian.

(h) Unless the pet shop contests a reimbursement required under subsection (g) of this Section, the reimbursement shall be made to the customer no later than 10 business days after the pet shop operator receives the veterinarian's statement under subsection (f) of this Section.

(i) To obtain a remedy under this Section, a customer shall:

(1) notify the pet shop as soon as reasonably possible and not to exceed 3 business days after a diagnosis by a licensed veterinarian of a disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy;

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(2) provide to the pet shop a written statement provided for under subsection (f) of this Section by a licensed veterinarian within 5 business days after a diagnosis by the veterinarian;

(3) upon request of the pet shop, take the dog or cat for an examination by a second licensed veterinarian; the customer may either choose the second licensed veterinarian or allow the pet shop to choose the second veterinarian, if the pet shop agrees to do so. The party choosing the second veterinarian shall assume the cost of the resulting examination; and

(4) if the customer requests a reimbursement of veterinary fees, provide to the pet shop an itemized bill for the disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy.

(j) A customer is not entitled to a remedy under this Section if:

(1) the illness or death resulted from: (A) maltreatment or neglect by the customer; (B) an injury sustained after the delivery of the dog or cat to the customer; or (C) an illness or disease contracted after the delivery of the dog or cat to the customer;

(2) the customer does not carry out the recommended treatment prescribed by the veterinarian who made the diagnosis; or

(3) the customer does not return to the pet shop all documents provided to register the dog or cat, unless the documents have already been sent to the registry organization.

(k) A pet shop may contest a remedy under this Section by having the dog or cat examined by a second licensed veterinarian pursuant to paragraph (3) of subsection (i) of this Section if the dog or cat is still living. If the dog or cat is deceased, the pet shop may choose to have the second veterinarian review any records provided by the veterinarian who examined or treated the dog or cat for the customer before its death.

If the customer and the pet shop have not reached an agreement within 10 business days after the examination of the medical records and the dog or cat, if alive, or the dog's or cat's medical records, if deceased, by the second veterinarian, then:

(1) the customer may bring suit in a court of competent jurisdiction to resolve the dispute; or

(2) if the customer and the pet shop agree in writing, the parties may submit the dispute to binding arbitration.

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If the court or arbiter finds that either party acted in bad faith in seeking or denying the requested remedy, then the offending party may be required to pay reasonable attorney's fees and court costs of the adverse party.

(l) This Section shall not apply to any adoption of dogs or cats, including those in which a pet shop or other organization rents or donates space to facilitate the adoption.

(m) If a pet shop offers its own warranty on a pet, a customer may choose to waive the remedies provided under subsection (f) of this Section in favor of choosing the warranty provided by the pet shop. If a customer waives the rights provided by subsection (f), the only remedies available to the customer are those provided by the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), the pet shop must provide, in writing, a statement of the remedy under subsection (f) that the customer is waiving as well as a written copy of the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), it shall be substantially similar to the following language:

"I have agreed to accept the warranty provided by the pet shop in lieu of the remedies under subsection (f) of Section 3.15 of the Animal Welfare Act. I have received a copy of the pet shop's warranty and a statement of the remedies provided under subsection (f) of Section 3.15 of the Animal Welfare Act. This is a waiver pursuant to subsection (m) of Section 3.15 of the Animal Welfare Act whereby I, the customer, relinquish any and all right to return the animal for congenital and hereditary disorders provided by subsection (f) of Section 3.15 of the Animal Welfare Act. I agree that my exclusive remedy is the warranty provided by the pet shop at the time of sale."

(Source: P.A. 96-1470, eff. 1-1-11.)
Approved August 19, 2013.
Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 10-2.1-6 as follows:

(65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)
Sec. 10-2.1-6. Examination of applicants; disqualifications.
(a) All applicants for a position in either the fire or police department of the municipality shall be under 35 years of age, shall be subject to an examination that shall be public, competitive, and open to all applicants (unless the council or board of trustees by ordinance limit applicants to electors of the municipality, county, state or nation) and shall be subject to reasonable limitations as to residence, health, habits, and moral character. The municipality may not charge or collect any fee from an applicant who has met all prequalification standards established by the municipality for any such position. With respect to a police department, a veteran shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and subsections (1), (6) and (8) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrested for any cause but not convicted on that cause shall be disqualified from taking the examination to qualify for a position in the fire department on grounds of habits or moral character.

(d) The age limitation in subsection (a) does not apply (i) to any person previously employed as a policeman or fireman in a regularly
constituted police or fire department of (I) any municipality, regardless of whether the municipality is located in Illinois or in another state, or (II) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, (ii) to any person who has served a municipality as a regularly enrolled volunteer fireman for 5 years immediately preceding the time that municipality begins to use full time firemen to provide all or part of its fire protection service, or (iii) to any person who has served as an auxiliary police officer under Section 3.1-30-20 for at least 5 years and is under 40 years of age, (iv) to any person who has served as a deputy under Section 3-6008 of the Counties Code and otherwise meets necessary training requirements, or (v) to any person who has served as a sworn officer as a member of the Illinois Department of State Police.

(e) Applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department. An applicant described in this subsection (e) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(f) Applicants who are 18 years of age and who have successfully completed 2 years of study in fire techniques, amounting to a total of 4 high school credits, within the cadet program of a municipality may be considered for appointment to active duty with the fire department of any municipality.

(g) The council or board of trustees may by ordinance provide that persons residing outside the municipality are eligible to take the examination.

(h) The examinations shall be practical in character and relate to those matters that will fairly test the capacity of the persons examined to discharge the duties of the positions to which they seek appointment. No person shall be appointed to the police or fire department if he or she does not possess a high school diploma or an equivalent high school education. A board of fire and police commissioners may, by its rules, require police applicants to have obtained an associate's degree or a bachelor's degree as a prerequisite for employment. The examinations shall include tests of physical qualifications and health. A board of fire and police commissioners may, by its rules, waive portions of the required examination for police applicants who have previously been full-time
sworn officers of a regular police department in any municipal, county, university, or State law enforcement agency, provided they are certified by the Illinois Law Enforcement Training Standards Board and have been with their respective law enforcement agency within the State for at least 2 years. No person shall be appointed to the police or fire department if he or she has suffered the amputation of any limb unless the applicant's duties will be only clerical or as a radio operator. No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the board of fire and police commissioners of the municipality as provided in this Division 2.1.

The requirement that a police applicant possess an associate's degree under this subsection may be waived if one or more of the following applies: (1) the applicant has served for 24 months of honorable active duty in the United States Armed Forces and has not been discharged dishonorably or under circumstances other than honorable or (2) the applicant has served for 180 days of active duty in the United States Armed Forces in combat duty recognized by the Department of Defense and has not been discharged dishonorably or under circumstances other than honorable.

The requirement that a police applicant possess a bachelor's degree under this subsection may be waived if one or more of the following applies: (1) the applicant has served for 36 months of honorable active duty in the United States Armed Forces and has not been discharged dishonorably or under circumstances other than honorable or (2) the applicant has served for 180 days of active duty in the United States Armed Forces in combat duty recognized by the Department of Defense and has not been discharged dishonorably or under circumstances other than honorable.

(i) No person who is classified by his local selective service draft board as a conscientious objector, or who has ever been so classified, may be appointed to the police department.

(j) No person shall be appointed to the police or fire department unless he or she is a person of good character and not an habitual drunkard, gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. No person, however, shall be disqualified from appointment to the fire department because of his or her record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1,

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-187.001, 11-601, 11-601.5, 11-602, and 11-603 as follows:

(625 ILCS 5/1-187.001)
Sec. 1-187.001. Serious traffic violation.
(a) A conviction when operating a motor vehicle for:
(1) a violation of subsection (a) of Section 11-402, relating to a motor vehicle accident involving damage to a vehicle;
(2) a violation of Section 11-403, relating to failure to stop and exchange information after a motor vehicle collision, property damage only;
(3) a violation of subsection (a) of Section 11-502, relating to illegal transportation, possession, or carrying of alcoholic liquor within the passenger area of any vehicle;
(4) a violation of Section 6-101 relating to operating a motor vehicle without a valid license or permit;
(5) a violation of Section 11-403, relating to failure to stop and exchange information or give aid after a motor vehicle collision involving personal injury or death;

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(6) a violation relating to excessive speeding, involving a single speeding charge of 26 $\geq$ miles per hour or more above the legal speed limit;

(7) a violation relating to reckless driving;

(8) a violation of subsection (d) of Section 11-707, relating to passing in a no-passing zone;

(9) a violation of subsection (b) of Section 11-1402, relating to limitations on backing upon a controlled access highway;

(10) a violation of subsection (b) of Section 11-707, relating to driving on the left side of a roadway in a no-passing zone;

(11) a violation of subsection (e) of Section 11-1002, relating to failure to yield the right-of-way to a pedestrian at an intersection;

(12) a violation of Section 11-1008, relating to failure to yield to a pedestrian on a sidewalk; or

(13) a violation of Section 11-1201, relating to failure to stop for an approaching railroad train or railroad track equipment or signals; or

(b) Any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation.

(c) A violation of any of these defined serious traffic offenses shall not preclude the defendant from being eligible to receive an order of court supervision under Section 5-6-1 of the Unified Code of Corrections.

(Source: P.A. 96-1244, eff. 1-1-11.)

(625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)

Sec. 11-601. General speed restrictions.

(a) No vehicle may be driven upon any highway of this State at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be
necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(b) No person may drive a vehicle upon any highway of this State at a speed which is greater than the applicable statutory maximum speed limit established by paragraphs (c), (d), (e), (f) or (g) of this Section, by Section 11-605 or by a regulation or ordinance made under this Chapter.

(c) Unless some other speed restriction is established under this Chapter, the maximum speed limit in an urban district for all vehicles is:
   1. 30 miles per hour; and
   2. 15 miles per hour in an alley.

(d) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 65 miles per hour (i) for all highways under the jurisdiction of the Illinois State Toll Highway Authority, unless some other speed limit is designated, and (ii) for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions and (2) 55 miles per hour for all other highways, roads, and streets.

(d-1) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 70 miles per hour on any interstate highway as defined by Section 1-133.1 of this Code; (2) 65 miles per hour for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions; and (3) 55 miles per hour for all other highways, roads, and streets. The counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will may adopt ordinances setting a maximum speed limit on highways, roads, and streets that is lower than the limits established by this Section.

(e) In the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, unless some lesser speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a second division vehicle designed or used for the carrying of a gross weight of 8,001 pounds or more (including the weight of the vehicle and maximum load) is 55 miles per hour.

(f) (Blank).

(f) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a bus is:

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1. 65 miles per hour upon any highway which has at least 4 lanes of traffic and of which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic, except that the maximum speed limit for a bus on all highways, roads, or streets not under the jurisdiction of the Department or the Illinois State Toll Highway Authority is 55 miles per hour; and

1.5. 70 miles per hour upon any interstate highway as defined by Section 1-133.1 of this Code outside the counties of Cook, DuPage, Kane, Lake, McHenry, and Will; and
2. 55 miles per hour on any other highway.

(g) (Blank).

(625 ILCS 5/11-601.5)

Sec. 11-601.5. Driving 26 ± miles per hour or more in excess of applicable limit.

(a) A person who drives a vehicle upon any highway of this State at a speed that is 26 ± miles per hour or more but less than 35 ± miles per hour in excess of the applicable maximum speed limit established under this Chapter or a local ordinance commits a Class B misdemeanor.

(b) A person who drives a vehicle upon any highway of this State at a speed that is 35 ± miles per hour or more in excess of the applicable maximum speed limit established under this Chapter or a local ordinance commits a Class A misdemeanor.

(625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

Sec. 11-602. Alteration of limits by Department. Whenever the Department determines, upon the basis of an engineering and traffic investigation concerning any highway for which the Department has maintenance responsibility, that a maximum speed limit prescribed in Section 11-601 of this Chapter is greater or less than is reasonable or safe with respect to the conditions found to exist at any intersection or other place on such highway or along any part or zone thereof, the Department shall determine and declare a reasonable and safe absolute maximum speed limit applicable to such intersection or place, or along such part or zone. However, such limit shall conform with the maximum speed limit restrictions provided for in Section 11-601 of this Code and not exceed 65 miles per hour on a highway or street which is especially designed for through traffic and to, from, or over which owners of or persons having an

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interest in abutting property or other persons have no right or easement, or
only a limited right or easement, of access, crossing, light, air, or view, and
shall not exceed 55 miles per hour on any other highway. Where a
highway under the Department's jurisdiction is contiguous to school
property, the Department may, at the school district's request, set a reduced
maximum speed limit for student safety purposes in the portion of the
highway that faces the school property and in the portions of the highway
that extend one-quarter mile in each direction from the opposite ends of
the school property. A limit determined and declared as provided in this
Section becomes effective, and suspends the applicability of the limit
prescribed in Section 11-601 of this Chapter, when appropriate signs
giving notice of the limit are erected at such intersection or other place, or
along such part or zone of the highway. Electronic speed-detecting devices
shall not be used within 500 feet beyond any such sign in the direction of
travel; if so used in violation hereof, evidence obtained thereby shall be
inadmissible in any prosecution for speeding. However, nothing in this
Section prohibits the use of such electronic speed-detecting devices within
500 feet of a sign within a special school speed zone indicating such zone,
conforming to the requirements of Section 11-605 of this Act, nor shall
evidence obtained thereby be inadmissible in any prosecution for speeding
provided the use of such device shall apply only to the enforcement of the
speed limit in such special school speed zone.
(Source: P.A. 96-524, eff. 1-1-10.)

(625 ILCS 5/11-603) (from Ch. 95 1/2, par. 11-603)

Sec. 11-603. Alteration of limits by Toll Highway Authority.
Whenever the Illinois State Toll Highway Authority determines, upon the
basis of an engineering and traffic investigation concerning a toll highway
under its jurisdiction, that a maximum speed limit prescribed in Section
11-601 of this Chapter is greater or less than is reasonable or safe with
respect to conditions found to exist at any place or along any part or zone
of such highway, the Authority shall determine and declare by regulation a
reasonable and safe absolute maximum speed limit at such place or along
such part or zone, and the speed limit shall conform with the maximum
speed limit restrictions provided for in Section 11-601 of this Code not
exceeding 65 miles per hour. A limit so determined and declared becomes
effective, and suspends the application of the limit prescribed in Section
11-601 of this Chapter, when (a) the Department concurs in writing with
the Authority's regulation, and (b) appropriate signs giving notice of the
limit are erected at such place or along such part or zone of the highway.

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Electronic speed-detecting devices shall not be used within 500 feet beyond any such sign in the direction of travel; if so used in violation hereof, evidence obtained thereby shall be inadmissible in any prosecution for speeding.

(Source: P.A. 89-444, eff. 1-25-96.)

Approved August 19, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0512
(Senate Bill No. 0925)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

(625 ILCS 5/11-1419 rep.)
Section 5. The Illinois Vehicle Code is amended by repealing Section 11-1419.
Approved August 19, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0513
(Senate Bill No. 1762)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Sections 2-3.25g, 24-11, 24-12, and 24-16.5 as follows:
(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)
Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.
(a) In this Section:
"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.
"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools
on behalf of schools and programs operated by the regional office of education.

"Implementation date" has the meaning set forth in Section 24A-2.5 of this Code.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110). Eligible on and after the applicable implementation date, eligible applicants may not seek a waiver or seek a modification of a mandate regarding the requirements for (i) student performance data to be a significant factor in teacher or principal evaluations or (ii) for teachers and principals to be rated using the 4 categories of "excellent", "proficient", "needs improvement", or "unsatisfactory". On September 1, 2014 the applicable implementation date, any previously authorized waiver or modification from such requirements shall terminate.

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis

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showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from staff directly involved in its implementation, parents, and students. The time period for such testimony shall be separate from the time period established by the eligible applicant for public comment on other matters. If the applicant is a school district or joint agreement requesting a waiver or modification of Section 27-6 of this Code, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held.

(c-5) If the applicant is a school district, then the district shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the district is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the district will request. All school districts must publish a notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. Districts requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the district will request. If the applicant is a joint agreement or regional superintendent, then the joint agreement or regional superintendent shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the joint agreement or regional superintendent is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the applicant will request. All joint agreements and regional superintendents must publish a notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region that sets forth the time, date, place, and general subject matter of the hearing, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement.

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with respect to all of the affected districts. Joint agreements or regional superintendents requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the applicant will request. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Except with respect to contracting for adaptive driver education, an eligible applicant wishing to request a modification or waiver of administrative rules of the State Board of Education regarding contracting with a commercial driver training school to provide the course of study authorized under Section 27-24.2 of this Code must provide evidence with its application that the commercial driver training school with which it will contract holds a license issued by the Secretary of State under Article IV of Chapter 6 of the Illinois Vehicle Code and that each instructor employed by the commercial driver training school to provide instruction to students served by the school district holds a valid teaching certificate or teaching license, as applicable, issued under the requirements of this Code and rules of the State Board of Education. Such evidence must include, but need not be limited to, a list of each instructor assigned to teach students served by the school district, which list shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license number. If the modification or waiver is granted, then the eligible applicant shall notify the State Board of Education of any changes in the personnel providing instruction within 15 calendar days after an instructor leaves the program or a new instructor is hired. Such notification shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license number. If
a school district maintains an Internet website, then the district shall post a copy of the final contract between the district and the commercial driver training school on the district's Internet website. If no Internet website exists, then the district shall make available the contract upon request. A record of all materials in relation to the application for contracting must be maintained by the school district and made available to parents and guardians upon request. The instructor's date of birth and driver's license number and any other personally identifying information as deemed by the federal Driver's Privacy Protection Act of 1994 must be redacted from any public materials. Following receipt of the waiver or modification request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each March 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each
house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification (except a waiver from or modification to a physical education mandate) may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

An approved waiver from or modification to a physical education mandate may remain in effect for a period not to exceed 2 school years and may be renewed no more than 2 times upon application by the eligible applicant. An approved waiver from or modification to a physical education mandate may be changed within the 2-year period by the board or regional superintendent of schools, whichever is applicable, following the procedure set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) (Blank).

(Source: P.A. 96-861, eff. 1-15-10; 96-1423, eff. 8-3-10; 97-1025, eff. 1-1-13.)

(105 ILCS 5/24-11) (from Ch. 122, par. 24-11)


(a) As used in this and the succeeding Sections of this Article:
"Teacher" means any or all school district employees regularly required to be certified under laws relating to the certification of teachers.
"Board" means board of directors, board of education, or board of school inspectors, as the case may be.
"School term" means that portion of the school year, July 1 to the following June 30, when school is in actual session.
"Program" means a program of a special education joint agreement.
"Program of a special education joint agreement" means instructional, consultative, supervisory, administrative, diagnostic, and related services that are managed by a special educational joint agreement designed to service 2 or more school districts that are members of the joint agreement.

"PERA implementation date" means the implementation date of an evaluation system for teachers as specified by Section 24A-2.5 of this Code for all schools within a school district or all programs of a special education joint agreement.

(b) This Section and Sections 24-12 through 24-16 of this Article apply only to school districts having less than 500,000 inhabitants.

(c) Any teacher who is first employed as a full-time teacher in a school district or program prior to the PERA implementation date and who is employed in that district or program for a probationary period of 4 consecutive school terms shall enter upon contractual continued service in the district or in all of the programs that the teacher is legally qualified to hold, unless the teacher is given written notice of dismissal by certified mail, return receipt requested, by the employing board at least 45 days before the end of any school term within such period.

(d) For any teacher who is first employed as a full-time teacher in a school district or program on or after the PERA implementation date, the probationary period shall be one of the following periods, based upon the teacher's school terms of service and performance, before the teacher shall enter upon contractual continued service in the district or in all of the programs that the teacher is legally qualified to hold, unless the teacher is given written notice of dismissal by certified mail, return receipt requested, by the employing board at least 45 days before the end of any school term within such period:

(1) 4 consecutive school terms of service in which the teacher receives overall annual evaluation ratings of at least "Proficient" in the last school term and at least "Proficient" in either the second or third school term;

(2) 3 consecutive school terms of service in which the teacher receives 3 overall annual evaluations of "Excellent"; or

(3) 2 consecutive school terms of service in which the teacher receives 2 overall annual evaluations of "Excellent" service, but only if the teacher (i) previously attained contractual continued service in a different school district or program in this State, (ii) voluntarily departed or was honorably dismissed from

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that school district or program in the school term immediately prior to the teacher's first school term of service applicable to the attainment of contractual continued service under this subdivision (3), and (iii) received, in his or her 2 most recent overall annual or biennial evaluations from the prior school district or program, ratings of at least "Proficient", with both such ratings occurring after the school district's or program's PERA implementation date. For a teacher to attain contractual continued service under this subdivision (3), the teacher shall provide official copies of his or her 2 most recent overall annual or biennial evaluations from the prior school district or program to the new school district or program within 60 days from the teacher's first day of service with the new school district or program. The prior school district or program must provide the teacher with official copies of his or her 2 most recent overall annual or biennial evaluations within 14 days after the teacher's request. If a teacher has requested such official copies prior to 45 days after the teacher's first day of service with the new school district or program and the teacher's prior school district or program fails to provide the teacher with the official copies required under this subdivision (3), then the time period for the teacher to submit the official copies to his or her new school district or program must be extended until 14 days after receipt of such copies from the prior school district or program. If the prior school district or program fails to provide the teacher with the official copies required under this subdivision (3) within 90 days from the teacher's first day of service with the new school district or program, then the new school district or program shall rely upon the teacher's own copies of his or her evaluations for purposes of this subdivision (3).

If the teacher does not receive overall annual evaluations of "Excellent" in the school terms necessary for eligibility to achieve accelerated contractual continued service in subdivisions (2) and (3) of this subsection (d), the teacher shall be eligible for contractual continued service pursuant to subdivision (1) of this subsection (d). If, at the conclusion of 4 consecutive school terms of service that count toward attainment of contractual continued service, the teacher's performance does not qualify the teacher for contractual continued service under subdivision (1) of this subsection (d), then the teacher shall not enter upon contractual continued service and shall be dismissed. If a performance evaluation is

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not conducted for any school term when such evaluation is required to be conducted under Section 24A-5 of this Code, then the teacher's performance evaluation rating for such school term for purposes of determining the attainment of contractual continued service shall be deemed "Proficient".

(e) For the purposes of determining contractual continued service, a school term shall be counted only toward attainment of contractual continued service if the teacher actually teaches or is otherwise present and participating in the district's or program's educational program for 120 days or more, provided that the days of leave under the federal Family Medical Leave Act that the teacher is required to take until the end of the school term shall be considered days of teaching or participation in the district's or program's educational program. A school term that is not counted toward attainment of contractual continued service shall not be considered a break in service for purposes of determining whether a teacher has been employed for 4 consecutive school terms, provided that the teacher actually teaches or is otherwise present and participating in the district's or program's educational program in the following school term.

(f) If the employing board determines to dismiss the teacher in the last year of the probationary period as provided in subsection (c) of this Section or subdivision (1) or (2) of subsection (d) of this Section, but not subdivision (3) of subsection (d) of this Section, the written notice of dismissal provided by the employing board must contain specific reasons for dismissal. Any full-time teacher who does not receive written notice from the employing board at least 45 days before the end of any school term as provided in this Section and whose performance does not require dismissal after the fourth probationary year pursuant to subsection (d) of this Section shall be re-employed for the following school term.

(g) Contractual continued service shall continue in effect the terms and provisions of the contract with the teacher during the last school term of the probationary period, subject to this Act and the lawful regulations of the employing board. This Section and succeeding Sections do not modify any existing power of the board except with respect to the procedure of the discharge of a teacher and reductions in salary as hereinafter provided. Contractual continued service status shall not restrict the power of the board to transfer a teacher to a position which the teacher is qualified to fill or to make such salary adjustments as it deems desirable, but unless reductions in salary are uniform or based upon some reasonable classification, any teacher whose salary is reduced shall be entitled to a
notice and a hearing as hereinafter provided in the case of certain dismissals or removals.

(h) If, by reason of any change in the boundaries of school districts or by reason of the creation of a new school district, the position held by any teacher having a contractual continued service status is transferred from one board to the control of a new or different board, then the contractual continued service status of the teacher is not thereby lost, and such new or different board is subject to this Code with respect to the teacher in the same manner as if the teacher were its employee and had been its employee during the time the teacher was actually employed by the board from whose control the position was transferred.

(i) The employment of any teacher in a program of a special education joint agreement established under Section 3-15.14, 10-22.31 or 10-22.31a shall be governed by this and succeeding Sections of this Article. For purposes of attaining and maintaining contractual continued service and computing length of continuing service as referred to in this Section and Section 24-12, employment in a special educational joint program shall be deemed a continuation of all previous certificated employment of such teacher for such joint agreement whether the employer of the teacher was the joint agreement, the regional superintendent, or one of the participating districts in the joint agreement.

(j) For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of a reduction in the number of programs or positions in the joint agreement in which the notice of dismissal is provided on or before the end of the 2010-2011 school term, the teacher in contractual continued service is eligible for employment in the joint agreement programs for which the teacher is legally qualified in order of greater length of continuing service in the joint agreement, unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement. For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of a reduction in the number of programs or positions in the joint agreement in which the notice of dismissal is provided during the 2011-2012 school term or a subsequent school term, the teacher shall be included on the honorable dismissal lists of all joint agreement programs for positions for

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which the teacher is qualified and is eligible for employment in such programs in accordance with subsections (b) and (c) of Section 24-12 of this Code and the applicable honorable dismissal policies of the joint agreement.

(k) For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of the dissolution of a joint agreement, in which the notice to teachers of the dissolution is provided during the 2010-2011 school term, the teacher in contractual continued service who is legally qualified shall be assigned to any comparable position in a member district currently held by a teacher who has not entered upon contractual continued service or held by a teacher who has entered upon contractual continued service with a shorter length of contractual continued service.

Any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of the dissolution of a joint agreement in which the notice to teachers of the dissolution is provided during the 2011-2012 school term or a subsequent school term, the teacher who is qualified shall be included on the order of honorable dismissal lists of each member district and shall be assigned to any comparable position in any such district in accordance with subsections (b) and (c) of Section 24-12 of this Code and the applicable honorable dismissal policies of each member district.

(l) The governing board of the joint agreement, or the administrative district, if so authorized by the articles of agreement of the joint agreement, rather than the board of education of a school district, may carry out employment and termination actions including dismissals under this Section and Section 24-12.

(m) The employment of any teacher in a special education program authorized by Section 14-1.01 through 14-14.01, or a joint educational program established under Section 10-22.31a, shall be under this and the succeeding Sections of this Article, and such employment shall be deemed a continuation of the previous employment of such teacher in any of the participating districts, regardless of the participation of other districts in the program.

(n) Any teacher employed as a full-time teacher in a special education program prior to September 23, 1987 in which 2 or more school
districts participate for a probationary period of 2 consecutive years shall enter upon contractual continued service in each of the participating districts, subject to this and the succeeding Sections of this Article, and, notwithstanding Section 24-1.5 of this Code, in the event of the termination of the program shall be eligible for any vacant position in any of such districts for which such teacher is qualified. (Source: P.A. 97-8, eff. 6-13-11.)

(105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

Sec. 24-12. Removal or dismissal of teachers in contractual continued service.

(a) This subsection (a) applies only to honorable dismissals and recalls in which the notice of dismissal is provided on or before the end of the 2010-2011 school term. If a teacher in contractual continued service is removed or dismissed as a result of a decision of the board to decrease the number of teachers employed by the board or to discontinue some particular type of teaching service, written notice shall be mailed to the teacher and also given the teacher either by certified mail, return receipt requested or personal delivery with receipt at least 60 days before the end of the school term, together with a statement of honorable dismissal and the reason therefor, and in all such cases the board shall first remove or dismiss all teachers who have not entered upon contractual continued service before removing or dismissing any teacher who has entered upon contractual continued service and who is legally qualified to hold a position currently held by a teacher who has not entered upon contractual continued service.

As between teachers who have entered upon contractual continued service, the teacher or teachers with the shorter length of continuing service with the district shall be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization and except that this provision shall not impair the operation of any affirmative action program in the district, regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board. Any teacher dismissed as a result of such decrease or discontinuance shall be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term.

If the board has any vacancies for the following school term or within one calendar year from the beginning of the following school term,
the positions thereby becoming available shall be tendered to the teachers so removed or dismissed so far as they are legally qualified to hold such positions; provided, however, that if the number of honorable dismissal notices based on economic necessity exceeds 15% of the number of full time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year, then if the board has any vacancies for the following school term or within 2 calendar years from the beginning of the following school term, the positions so becoming available shall be tendered to the teachers who were so notified and removed or dismissed whenever they are legally qualified to hold such positions. Each board shall, in consultation with any exclusive employee representatives, each year establish a list, categorized by positions, showing the length of continuing service of each teacher who is qualified to hold any such positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list shall be made in accordance with the alternative method. Copies of the list shall be distributed to the exclusive employee representative on or before February 1 of each year. Whenever the number of honorable dismissal notices based upon economic necessity exceeds 5, or 150% of the average number of teachers honorably dismissed in the preceding 3 years, whichever is more, then the board also shall hold a public hearing on the question of the dismissals. Following the hearing and board review the action to approve any such reduction shall require a majority vote of the board members.

(b) This subsection (b) applies only to honorable dismissals and recalls in which the notice of dismissal is provided during the 2011-2012 school term or a subsequent school term. If any teacher, whether or not in contractual continued service, is removed or dismissed as a result of a decision of a school board to decrease the number of teachers employed by the board, a decision of a school board to discontinue some particular type of teaching service, or a reduction in the number of programs or positions in a special education joint agreement, then written notice must be mailed to the teacher and also given to the teacher either by certified mail, return receipt requested, or personal delivery with receipt at least 45 days before the end of the school term, together with a statement of honorable dismissal and the reason therefor, and in all such cases the sequence of dismissal shall occur in accordance with this subsection (b); except that this subsection (b) shall not impair the operation of any affirmative action.
program in the school district, regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board.

Each teacher must be categorized into one or more positions for which the teacher is qualified to hold, based upon legal qualifications and any other qualifications established in a district or joint agreement job description, on or before the May 10 prior to the school year during which the sequence of dismissal is determined. Within each position and subject to agreements made by the joint committee on honorable dismissals that are authorized by subsection (c) of this Section, the school district or joint agreement must establish 4 groupings of teachers qualified to hold the position as follows:

(1) Grouping one shall consist of each teacher who is not in contractual continued service and who (i) has not received a performance evaluation rating, (ii) is employed for one school term or less to replace a teacher on leave, or (iii) is employed on a part-time basis. "Part-time basis" for the purposes of this subsection (b) means a teacher who is employed to teach less than a full-day, teacher workload or less than 5 days of the normal student attendance week, unless otherwise provided for in a collective bargaining agreement between the district and the exclusive representative of the district's teachers. For the purposes of this Section, a teacher (A) who is employed as a full-time teacher but who actually teaches or is otherwise present and participating in the district's educational program for less than a school term or (B) who, in the immediately previous school term, was employed on a full-time basis and actually taught or was otherwise present and participated in the district's educational program for 120 days or more is not considered employed on a part-time basis. Grouping one shall consist of each teacher not in contractual continued service who has not received a performance evaluation rating.

(2) Grouping 2 shall consist of each teacher with a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last 2 performance evaluation ratings.

(3) Grouping 3 shall consist of each teacher with a performance evaluation rating of at least Satisfactory or Proficient on both of the teacher's last 2 performance evaluation ratings, if 2 ratings are available, or on the teacher's last performance evaluation rating.
evaluation rating, if only one rating is available, unless the teacher qualifies for placement into grouping 4.

(4) Grouping 4 shall consist of each teacher whose last 2 performance evaluation ratings are Excellent and each teacher with 2 Excellent performance evaluation ratings out of the teacher's last 3 performance evaluation ratings with a third rating of Satisfactory or Proficient.

Among teachers qualified to hold a position, teachers must be dismissed in the order of their groupings, with teachers in grouping one dismissed first and teachers in grouping 4 dismissed last.

Within grouping one, the sequence of dismissal must be at the discretion of the school district or joint agreement. Within grouping 2, the sequence of dismissal must be based upon average performance evaluation ratings, with the teacher or teachers with the lowest average performance evaluation rating dismissed first. A teacher's average performance evaluation rating must be calculated using the average of the teacher's last 2 performance evaluation ratings, if 2 ratings are available, or the teacher's last performance evaluation rating, if only one rating is available, using the following numerical values: 4 for Excellent; 3 for Proficient or Satisfactory; 2 for Needs Improvement; and 1 for Unsatisfactory. As between or among teachers in grouping 2 with the same average performance evaluation rating and within each of groupings 3 and 4, the teacher or teachers with the shorter length of continuing service with the school district or joint agreement must be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization.

Each board, including the governing board of a joint agreement, shall, in consultation with any exclusive employee representatives, each year establish a sequence of honorable dismissal list categorized by positions and the groupings defined in this subsection (b). Copies of the list must be distributed to the exclusive bargaining representative at least 75 days before the end of the school term, provided that the school district or joint agreement may, with notice to any exclusive employee representatives, move teachers from grouping one into another grouping during the period of time from 75 days until 45 days before the end of the school term. Each year, each board shall also establish, in consultation with any exclusive employee representatives, a list showing the length of continuing service of each teacher who is qualified to hold any such

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positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list must be made in accordance with the alternative method. Copies of the list must be distributed to the exclusive employee representative at least 75 days before the end of the school term.

Any teacher dismissed as a result of such decrease or discontinuance must be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term.

If the board or joint agreement has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available must be tendered to the teachers so removed or dismissed who were in groupings 3 or 4 of the sequence of dismissal and are qualified to hold the positions, based upon legal qualifications and any other qualifications established in a district or joint agreement job description, on or before the May 10 prior to the date of the positions becoming available, provided that if the number of honorable dismissal notices based on economic necessity exceeds 15% of the number of full-time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year, then the recall period is for the following school term or within 2 calendar years from the beginning of the following school term. Among teachers eligible for recall pursuant to the preceding sentence, the order of recall must be in inverse order of dismissal, unless an alternative order of recall is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization. Whenever the number of honorable dismissal notices based upon economic necessity exceeds 5 notices or 150% of the average number of teachers honorably dismissed in the preceding 3 years, whichever is more, then the school board or governing board of a joint agreement, as applicable, shall also hold a public hearing on the question of the dismissals. Following the hearing and board review, the action to approve any such reduction shall require a majority vote of the board members.

For purposes of this subsection (b), subject to agreement on an alternative definition reached by the joint committee described in subsection (c) of this Section, a teacher's performance evaluation rating means the overall performance evaluation rating resulting from an annual or biennial performance evaluation conducted pursuant to Article

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24A of this Code by the school district or joint agreement determining the sequence of dismissal, not including any performance evaluation conducted during or at the end of a remediation period. For performance evaluation ratings determined prior to September 1, 2012, any school district or joint agreement with a performance evaluation rating system that does not use either of the rating category systems specified in subsection (d) of Section 24A-5 of this Code for all teachers must establish a basis for assigning each teacher a rating that complies with subsection (d) of Section 24A-5 of this Code for all of the performance evaluation ratings that are to be used to determine the sequence of dismissal. A teacher's grouping and ranking on a sequence of honorable dismissal shall be deemed a part of the teacher's performance evaluation, and that information may be disclosed to the exclusive bargaining representative as part of a sequence of honorable dismissal list, notwithstanding any laws prohibiting disclosure of such information. A performance evaluation rating may be used to determine the sequence of dismissal, notwithstanding the pendency of any grievance resolution or arbitration procedures relating to the performance evaluation. If a teacher has received at least one performance evaluation rating conducted by the school district or joint agreement determining the sequence of dismissal and a subsequent performance evaluation is not conducted in any school year in which such evaluation is required to be conducted under Section 24A-5 of this Code, the teacher's performance evaluation rating for that school year for purposes of determining the sequence of dismissal is deemed Proficient. If a performance evaluation rating is nullified as the result of an arbitration, administrative agency, or court determination, then the school district or joint agreement is deemed to have conducted a performance evaluation for that school year, but the performance evaluation rating may not be used in determining the sequence of dismissal.

Nothing in this subsection (b) shall be construed as limiting the right of a school board or governing board of a joint agreement to dismiss a teacher not in contractual continued service in accordance with Section 24-11 of this Code.

Any provisions regarding the sequence of honorable dismissals and recall of honorably dismissed teachers in a collective bargaining agreement entered into on or before January 1, 2011 and in effect on the effective date of this amendatory Act of the 97th General Assembly that may conflict with this amendatory Act of the 97th General Assembly shall

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remain in effect through the expiration of such agreement or June 30, 2013, whichever is earlier.

(c) Each school district and special education joint agreement must use a joint committee composed of equal representation selected by the school board and its teachers or, if applicable, the exclusive bargaining representative of its teachers, to address the matters described in paragraphs (1) through (5) of this subsection (c) pertaining to honorable dismissals under subsection (b) of this Section.

(1) The joint committee must consider and may agree to criteria for excluding from grouping 2 and placing into grouping 3 a teacher whose last 2 performance evaluations include a Needs Improvement and either a Proficient or Excellent.

(2) The joint committee must consider and may agree to an alternative definition for grouping 4, which definition must take into account prior performance evaluation ratings and may take into account other factors that relate to the school district's or program's educational objectives. An alternative definition for grouping 4 may not permit the inclusion of a teacher in the grouping with a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last 2 performance evaluation ratings.

(3) The joint committee may agree to including within the definition of a performance evaluation rating a performance evaluation rating administered by a school district or joint agreement other than the school district or joint agreement determining the sequence of dismissal.

(4) For each school district or joint agreement that administers performance evaluation ratings that are inconsistent with either of the rating category systems specified in subsection (d) of Section 24A-5 of this Code, the school district or joint agreement must consult with the joint committee on the basis for assigning a rating that complies with subsection (d) of Section 24A-5 of this Code to each performance evaluation rating that will be used in a sequence of dismissal.

(5) Upon request by a joint committee member submitted to the employing board by no later than 10 days after the distribution of the sequence of honorable dismissal list, a representative of the employing board shall, within 5 days after the request, provide to members of the joint committee a list showing the most recent and
prior performance evaluation ratings of each teacher identified only by length of continuing service in the district or joint agreement and not by name. If, after review of this list, a member of the joint committee has a good faith belief that a disproportionate number of teachers with greater length of continuing service with the district or joint agreement have received a recent performance evaluation rating lower than the prior rating, the member may request that the joint committee review the list to assess whether such a trend may exist. Following the joint committee's review, but by no later than the end of the applicable school term, the joint committee or any member or members of the joint committee may submit a report of the review to the employing board and exclusive bargaining representative, if any. Nothing in this paragraph (5) shall impact the order of honorable dismissal or a school district's or joint agreement's authority to carry out a dismissal in accordance with subsection (b) of this Section.

Agreement by the joint committee as to a matter requires the majority vote of all committee members, and if the joint committee does not reach agreement on a matter, then the otherwise applicable requirements of subsection (b) of this Section shall apply. Except as explicitly set forth in this subsection (c), a joint committee has no authority to agree to any further modifications to the requirements for honorable dismissals set forth in subsection (b) of this Section. The joint committee must be established, and the first meeting of the joint committee each school year must occur on or before December 1, 2011 or 30 days after the effective date of this amendatory Act of the 97th General Assembly, whichever is later.

The joint committee must reach agreement on a matter on or before February 1 of a school year in order for the agreement of the joint committee to apply to the sequence of dismissal determined during that school year. Subject to the February 1 deadline for agreements, the agreement of a joint committee on a matter shall apply to the sequence of dismissal until the agreement is amended or terminated by the joint committee.

(d) Notwithstanding anything to the contrary in this subsection (d), the requirements and dismissal procedures of Section 24-16.5 of this Code shall apply to any dismissal sought under Section 24-16.5 of this Code.

(1) If a dismissal of a teacher in contractual continued service is sought for any reason or cause other than an honorable

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dismissal under subsections (a) or (b) of this Section or a dismissal sought under Section 24-16.5 of this Code, including those under Section 10-22.4, the board must first approve a motion containing specific charges by a majority vote of all its members. Written notice of such charges, including a bill of particulars and the teacher's right to request a hearing, must be mailed to the teacher and also given to the teacher either by certified mail, return receipt requested, or personal delivery with receipt within 5 days of the adoption of the motion. Any written notice sent on or after July 1, 2012 shall inform the teacher of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher and the board, or a hearing before a board-selected hearing officer, with the cost of the hearing officer paid by the board.

Before setting a hearing on charges stemming from causes that are considered remediable, a board must give the teacher reasonable warning in writing, stating specifically the causes that, if not removed, may result in charges; however, no such written warning is required if the causes have been the subject of a remediation plan pursuant to Article 24A of this Code.

If, in the opinion of the board, the interests of the school require it, the board may suspend the teacher without pay, pending the hearing, but if the board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits by reason of the suspension.

(2) No hearing upon the charges is required unless the teacher within 17 days after receiving notice requests in writing of the board that a hearing be scheduled before a mutually selected hearing officer or a hearing officer selected by the board. The secretary of the school board shall forward a copy of the notice to the State Board of Education.

(3) Within 5 business days after receiving a notice of hearing in which either notice to the teacher was sent before July 1, 2012 or, if the notice was sent on or after July 1, 2012, the teacher has requested a hearing before a mutually selected hearing officer, the State Board of Education shall provide a list of 5 prospective, impartial hearing officers from the master list of qualified, impartial hearing officers maintained by the State Board of Education. Each person on the master list must (i) be accredited by
a national arbitration organization and have had a minimum of 5 years of experience directly related to labor and employment relations matters between employers and employees or their exclusive bargaining representatives and (ii) beginning September 1, 2012, have participated in training provided or approved by the State Board of Education for teacher dismissal hearing officers so that he or she is familiar with issues generally involved in evaluative and non-evaluative dismissals.

If notice to the teacher was sent before July 1, 2012 or, if the notice was sent on or after July 1, 2012, the teacher has requested a hearing before a mutually selected hearing officer, the board and the teacher or their legal representatives within 3 business days shall alternately strike one name from the list provided by the State Board of Education until only one name remains. Unless waived by the teacher, the teacher shall have the right to proceed first with the striking. Within 3 business days of receipt of the list provided by the State Board of Education, the board and the teacher or their legal representatives shall each have the right to reject all prospective hearing officers named on the list and notify the State Board of Education of such rejection. Within 3 business days after receiving this notification, the State Board of Education shall appoint a qualified person from the master list who did not appear on the list sent to the parties to serve as the hearing officer, unless the parties notify it that they have chosen to alternatively select a hearing officer under paragraph (4) of this subsection (d).

If the teacher has requested a hearing before a hearing officer selected by the board, the board shall select one name from the master list of qualified impartial hearing officers maintained by the State Board of Education within 3 business days after receipt and shall notify the State Board of Education of its selection.

A hearing officer mutually selected by the parties, selected by the board, or selected through an alternative selection process under paragraph (4) of this subsection (d) (A) must not be a resident of the school district, (B) must be available to commence the hearing within 75 days and conclude the hearing within 120 days after being selected as the hearing officer, and (C) must issue a decision as to whether the teacher must be dismissed and give a copy of that decision to both the teacher and the board within 30

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days from the conclusion of the hearing or closure of the record, whichever is later.

(4) In the alternative to selecting a hearing officer from the list received from the State Board of Education or accepting the appointment of a hearing officer by the State Board of Education or if the State Board of Education cannot provide a list or appoint a hearing officer that meets the foregoing requirements, the board and the teacher or their legal representatives may mutually agree to select an impartial hearing officer who is not on the master list either by direct appointment by the parties or by using procedures for the appointment of an arbitrator established by the Federal Mediation and Conciliation Service or the American Arbitration Association. The parties shall notify the State Board of Education of their intent to select a hearing officer using an alternative procedure within 3 business days of receipt of a list of prospective hearing officers provided by the State Board of Education, notice of appointment of a hearing officer by the State Board of Education, or receipt of notice from the State Board of Education that it cannot provide a list that meets the foregoing requirements, whichever is later.

(5) If the notice of dismissal was sent to the teacher before July 1, 2012, the fees and costs for the hearing officer must be paid by the State Board of Education. If the notice of dismissal was sent to the teacher on or after July 1, 2012, the hearing officer's fees and costs must be paid as follows in this paragraph (5). The fees and permissible costs for the hearing officer must be determined by the State Board of Education. If the board and the teacher or their legal representatives mutually agree to select an impartial hearing officer who is not on a list received from the State Board of Education, they may agree to supplement the fees determined by the State Board to the hearing officer, at a rate consistent with the hearing officer's published professional fees. If the hearing officer is mutually selected by the parties, then the board and the teacher or their legal representatives shall each pay 50% of the fees and costs and any supplemental allowance to which they agree. If the hearing officer is selected by the board, then the board shall pay 100% of the hearing officer's fees and costs. The fees and costs must be paid to the hearing officer within 14 days after the board and the teacher

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or their legal representatives receive the hearing officer's decision set forth in paragraph (7) of this subsection (d).

(6) The teacher is required to answer the bill of particulars and aver affirmative matters in his or her defense, and the time for initially doing so and the time for updating such answer and defenses after pre-hearing discovery must be set by the hearing officer. The State Board of Education shall promulgate rules so that each party has a fair opportunity to present its case and to ensure that the dismissal process proceeds in a fair and expeditious manner. These rules shall address, without limitation, discovery and hearing scheduling conferences; the teacher's initial answer and affirmative defenses to the bill of particulars and the updating of that information after pre-hearing discovery; provision for written interrogatories and requests for production of documents; the requirement that each party initially disclose to the other party and then update the disclosure no later than 10 calendar days prior to the commencement of the hearing, the names and addresses of persons who may be called as witnesses at the hearing, a summary of the facts or opinions each witness will testify to, and all other documents and materials, including information maintained electronically, relevant to its own as well as the other party's case (the hearing officer may exclude witnesses and exhibits not identified and shared, except those offered in rebuttal for which the party could not reasonably have anticipated prior to the hearing); pre-hearing discovery and preparation, including provision for written interrogatories and requests for production of documents, provided that discovery depositions are prohibited; the conduct of the hearing; the right of each party to be represented by counsel, the offer of evidence and witnesses and the cross-examination of witnesses; the authority of the hearing officer to issue subpoenas and subpoenas duces tecum, provided that the hearing officer may limit the number of witnesses to be subpoenaed on behalf of each party to no more than 7; the length of post-hearing briefs; and the form, length, and content of hearing officers' decisions. The hearing officer shall hold a hearing and render a final decision for dismissal pursuant to Article 24A of this Code or shall report to the school board findings of fact and a recommendation as to whether or not the teacher must be dismissed for conduct. The hearing officer shall commence the hearing within 75 days and conclude

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the hearing within 120 days after being selected as the hearing officer, provided that the hearing officer may modify these timelines upon the showing of good cause or mutual agreement of the parties. Good cause for the purpose of this subsection (d) shall mean the illness or otherwise unavoidable emergency of the teacher, district representative, their legal representatives, the hearing officer, or an essential witness as indicated in each party's pre-hearing submission. In a dismissal hearing pursuant to Article 24A of this Code, the hearing officer shall consider and give weight to all of the teacher's evaluations written pursuant to Article 24A that are relevant to the issues in the hearing.

Each party shall have no more than 3 days to present its case, unless extended by the hearing officer to enable a party to present adequate evidence and testimony, including due to the other party's cross-examination of the party's witnesses, for good cause or by mutual agreement of the parties. The State Board of Education shall define in rules the meaning of "day" for such purposes. All testimony at the hearing shall be taken under oath administered by the hearing officer. The hearing officer shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all the testimony. The costs of the reporter's attendance and services at the hearing shall be paid by the party or parties who are responsible for paying the fees and costs of the hearing officer. Either party desiring a transcript of the hearing shall pay for the cost thereof. Any post-hearing briefs must be submitted by the parties by no later than 21 days after a party's receipt of the transcript of the hearing, unless extended by the hearing officer for good cause or by mutual agreement of the parties.

(7) The hearing officer shall, within 30 days from the conclusion of the hearing or closure of the record, whichever is later, make a decision as to whether or not the teacher shall be dismissed pursuant to Article 24A of this Code or report to the school board findings of fact and a recommendation as to whether or not the teacher shall be dismissed for cause and shall give a copy of the decision or findings of fact and recommendation to both the teacher and the school board. If a hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a decision or findings of fact and

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recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the parties may mutually agree to select a hearing officer pursuant to the alternative procedure, as provided in this Section, to rehear the charges heard by the hearing officer who failed to render a decision or findings of fact and recommendation or to review the record and render a decision. If any hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a decision or findings of fact and recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the hearing officer shall be removed from the master list of hearing officers maintained by the State Board of Education for not more than 24 months. The parties and the State Board of Education may also take such other actions as it deems appropriate, including recovering, reducing, or withholding any fees paid or to be paid to the hearing officer. If any hearing officer repeats such failure, he or she must be permanently removed from the master list maintained by the State Board of Education and may not be selected by parties through the alternative selection process under this paragraph (7) or paragraph (4) of this subsection (d). The board shall not lose jurisdiction to discharge a teacher if the hearing officer fails to render a decision or findings of fact and recommendation within the time specified in this Section. If the decision of the hearing officer for dismissal pursuant to Article 24A of this Code or of the school board for dismissal for cause is in favor of the teacher, then the hearing officer or school board shall order reinstatement to the same or substantially equivalent position and shall determine the amount for which the school board is liable, including, but not limited to, loss of income and benefits.

(8) The school board, within 45 days after receipt of the hearing officer's findings of fact and recommendation as to whether (i) the conduct at issue occurred, (ii) the conduct that did occur was remediable, and (iii) the proposed dismissal should be sustained, shall issue a written order as to whether the teacher must be retained or dismissed for cause from its employ. The school board's written order shall incorporate the hearing officer's findings of fact, except that the school board may modify or supplement the
findings of fact if, in its opinion, the findings of fact are against the manifest weight of the evidence.

If the school board dismisses the teacher notwithstanding the hearing officer's findings of fact and recommendation, the school board shall make a conclusion in its written order, giving its reasons therefor, and such conclusion and reasons must be included in its written order. The failure of the school board to strictly adhere to the timelines contained in this Section shall not render it without jurisdiction to dismiss the teacher. The school board shall not lose jurisdiction to discharge the teacher for cause if the hearing officer fails to render a recommendation within the time specified in this Section. The decision of the school board is final, unless reviewed as provided in paragraph (9) of this subsection (d).

If the school board retains the teacher, the school board shall enter a written order stating the amount of back pay and lost benefits, less mitigation, to be paid to the teacher, within 45 days after its retention order. Should the teacher object to the amount of the back pay and lost benefits or amount mitigated, the teacher shall give written objections to the amount within 21 days. If the parties fail to reach resolution within 7 days, the dispute shall be referred to the hearing officer, who shall consider the school board's written order and teacher's written objection and determine the amount to which the school board is liable. The costs of the hearing officer's review and determination must be paid by the board.

(9) The decision of the hearing officer pursuant to Article 24A of this Code or of the school board's decision to dismiss for cause is final unless reviewed as provided in Section 24-16 of this Act. If the school board's decision to dismiss for cause is contrary to the hearing officer's recommendation, the court on review shall give consideration to the school board's decision and its supplemental findings of fact, if applicable, and the hearing officer's findings of fact and recommendation in making its decision. In the event such review is instituted, the school board shall be responsible for preparing and filing the record of proceedings, and such costs associated therewith must be divided equally between the parties.

(10) If a decision of the hearing officer for dismissal pursuant to Article 24A of this Code or of the school board for
dismissal for cause is adjudicated upon review or appeal in favor of
the teacher, then the trial court shall order reinstatement and shall
remand the matter to the school board with direction for entry of an
order setting the amount of back pay, lost benefits, and costs, less
mitigation. The teacher may challenge the school board's order
setting the amount of back pay, lost benefits, and costs, less
mitigation, through an expedited arbitration procedure, with the
costs of the arbitrator borne by the school board.

Any teacher who is reinstated by any hearing or
adjudication brought under this Section shall be assigned by the
board to a position substantially similar to the one which that
teacher held prior to that teacher's suspension or dismissal.

(11) Subject to any later effective date referenced in this
Section for a specific aspect of the dismissal process, the
changes made by this amendatory Act of the 97th General
Assembly shall apply to dismissals instituted on or after September
1, 2011 or the effective date of this amendatory Act of the 97th
General Assembly, whichever is later. Any dismissal instituted
prior to September 1, 2011 the effective date of these changes
must be carried out in accordance with the requirements of this Section
prior to amendment by this amendatory Act of 97th General
Assembly.

(Source: P.A. 97-8, eff. 6-13-11.)

(105 ILCS 5/24-16.5)
Sec. 24-16.5. Optional alternative evaluative dismissal process for
PERA evaluations.

(a) As used in this Section:
"Applicable hearing requirements" means (i) ; for any school
district having less than 500,000 inhabitants or a program of a special
education joint agreement, those procedures and requirements relating to a
teacher's request for a hearing, selection of a hearing officer, pre-hearing
and hearing procedures, and post-hearing briefs set forth in paragraphs (1)
through (6) of subsection (d) of Section 24-12 of this Code or (ii) for a
school district having 500,000 inhabitants or more, those procedures and
requirements relating to a teacher's request for a hearing, selection of a
hearing officer, pre-hearing and hearing procedures, and post-hearing
briefs set forth in paragraphs (1) through (5) of subsection (a) of Section
34-85 of this Code.
"Board" means, for a school district having less than 500,000 inhabitants or a program of a special education joint agreement, the board of directors, board of education, or board of school inspectors, as the case may be. For a school district having 500,000 inhabitants or more, "board" means the Chicago Board of Education.

"Evaluator" means an evaluator, as defined in Section 24A-2.5 of this Code, who has successfully completed the pre-qualification program described in subsection (b) of Section 24A-3 of this Code.

"Hearing procedures" means, for a school district having 500,000 inhabitants or more, those procedures and requirements relating to a teacher's request for a hearing, selection of a hearing officer, pre-hearing and hearing procedures, and post-hearing briefs set forth in paragraphs (1) through (5) of subsection (a) of Section 34-85 of this Code.

"PERA-trained board member" means a member of a board that has completed a training program on PERA evaluations either administered or approved by the State Board of Education.

"PERA evaluation" means a performance evaluation of a teacher after the implementation date of an evaluation system for teachers, as specified by Section 24A-2.5 of this Code, using a performance evaluation instrument and process that meets the minimum requirements for teacher evaluation instruments and processes set forth in rules adopted by the State Board of Education to implement Public Act 96-861.

"Remediation" means the remediation plan, mid-point and final evaluations, and related processes and requirements set forth in subdivisions (i), (j), and (k) of Section 24A-5 of this Code.

"School district" means a school district or a program of a special education joint agreement.

"Second evaluator" means an evaluator who either conducts the mid-point and final remediation evaluation or conducts an independent assessment of whether the teacher completed the remediation plan with a rating equal to or better than a "Proficient" rating, all in accordance with subdivision (c) of this Section.

"Student growth components" means the components of a performance evaluation plan described in subdivision (c) of Section 24A-5 of this Code, as may be supplemented by administrative rules adopted by the State Board of Education.

"Teacher practice components" means the components of a performance evaluation plan described in subdivisions (a) and (b) of
Section 24A-5 of this Code, as may be supplemented by administrative rules adopted by the State Board of Education.

"Teacher representatives" means the exclusive bargaining representative of a school district's teachers or, if no exclusive bargaining representatives exists, a representative committee selected by teachers.

(b) This Section applies to all school districts, including those having 500,000 or more inhabitants. The optional dismissal process set forth in this Section is an alternative to those set forth in Sections 24-12 and 34-85 of this Code. Nothing in this Section is intended to change the existing practices or precedents under Section 24-12 or 34-85 of this Code, nor shall this Section be interpreted as implying standards and procedures that should or must be used as part of a remediation that precedes a dismissal sought under Section 24-12 or 34-85 of this Code.

A board may dismiss a teacher who has entered upon contractual continued service under this Section if the following are met:

(1) the cause of dismissal is that the teacher has failed to complete a remediation plan with a rating equal to or better than a "Proficient" rating;
(2) the "Unsatisfactory" performance evaluation rating that preceded remediation resulted from a PERA evaluation; and
(3) the school district has complied with subsection (c) of this Section.

A school district may not, through agreement with a teacher or its teacher representatives, waive its right to dismiss a teacher under this Section.

(c) Each school district electing to use the dismissal process set forth in this Section must comply with the pre-remediation and remediation activities and requirements set forth in this subsection (c).

(1) Before a school district's first remediation relating to a dismissal under this Section, the school district must create and establish a list of at least 2 evaluators who will be available to serve as second evaluators under this Section. The school district shall provide its teacher representatives with an opportunity to submit additional names of teacher evaluators who will be available to serve as second evaluators and who will be added to the list created and established by the school district, provided that, unless otherwise agreed to by the school district, the teacher representatives may not submit more teacher evaluators for inclusion on the list than the number of evaluators submitted by the
school district. Each teacher evaluator must either have (i) National Board of Professional Teaching Standards certification, with no "Unsatisfactory" or "Needs Improvement" performance evaluating ratings in his or her 2 most recent performance evaluation ratings; or (ii) "Excellent" performance evaluation ratings in 2 of his or her 3 most recent performance evaluations, with no "Needs Improvement" or "Unsatisfactory" performance evaluation ratings in his or her last 3 ratings. If the teacher representatives do not submit a list of teacher evaluators within 21 days after the school district's request, the school district may proceed with a remediation using a list that includes only the school district's selections. Either the school district or the teacher representatives may revise or add to their selections for the list at any time with notice to the other party, subject to the limitations set forth in this paragraph (1).

(2) Before a school district's first remediation relating to a dismissal under this Section, the school district shall, in good faith cooperation with its teacher representatives, establish a process for the selection of a second evaluator from the list created pursuant to paragraph (1) of this subsection (c). Such process may be amended at any time in good faith cooperation with the teacher representatives. If the teacher representatives are given an opportunity to cooperate with the school district and elect not to do so, the school district may, at its discretion, establish or amend the process for selection. Before the hearing officer and as part of any judicial review of a dismissal under this Section, a teacher may not challenge a remediation or dismissal on the grounds that the process used by the school district to select a second evaluator was not established in good faith cooperation with its teacher representatives.

(3) For each remediation preceding a dismissal under this Section, the school district shall select a second evaluator from the list of second evaluators created pursuant to paragraph (1) of this subsection (c), using the selection process established pursuant to paragraph (2) of this subsection (c). The selected second evaluator may not be the same individual who determined the teacher's "Unsatisfactory" performance evaluation rating preceding remediation, and, if the second evaluator is an administrator, may not be a direct report to the individual who determined the teacher's

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"Unsatisfactory" performance evaluation rating preceding remediation. The school district's authority to select a second evaluator from the list of second evaluators must not be delegated or limited through any agreement with the teacher representatives, provided that nothing shall prohibit a school district and its teacher representatives from agreeing to a formal peer evaluation process as permitted under Article 24A of this Code that could be used to meet the requirements for the selection of second evaluators under this subsection (c).

(4) The second evaluator selected pursuant to paragraph (3) of this subsection (c) must either (i) conduct the mid-point and final evaluation during remediation or (ii) conduct an independent assessment of whether the teacher completed the remediation plan with a rating equal to or better than a "Proficient" rating, which independent assessment shall include, but is not limited to, personal or video-recorded observations of the teacher that relate to the teacher practice components of the remediation plan. Nothing in this subsection (c) shall be construed to limit or preclude the participation of the evaluator who rated a teacher as "Unsatisfactory" in remediation.

(d) To institute a dismissal proceeding under this Section, the board must first provide written notice to the teacher within 30 days after the completion of the final remediation evaluation. The notice shall comply with the applicable hearing requirements and, in addition, must specify that dismissal is sought under this Section and include a copy of each performance evaluation relating to the scope of the hearing as described in this subsection (d).

The applicable hearing requirements shall apply to the teacher's request for a hearing, the selection and qualifications of the hearing officer, and pre-hearing and hearing procedures, except that all of the following must be met:

(1) The hearing officer must, in addition to meeting the qualifications set forth in the applicable hearing requirements, have successfully completed the pre-qualification program described in subsection (b) of Section 24A-3 of this Code, unless the State Board of Education waives this requirement to provide an adequate pool of hearing officers for consideration.

(2) The scope of the hearing must be limited as follows:

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(A) The school district must demonstrate the following:

(i) that the "Unsatisfactory" performance evaluation rating that preceded remediation applied the teacher practice components and student growth components and determined an overall evaluation rating of "Unsatisfactory" in accordance with the standards and requirements of the school district's evaluation plan;

(ii) that the remediation plan complied with the requirements of Section 24A-5 of this Code;

(iii) that the teacher failed to complete the remediation plan with a performance evaluation rating equal to or better than a "Proficient" rating, based upon a final remediation evaluation meeting the applicable standards and requirements of the school district's evaluation plan; and

(iv) that if the second evaluator selected pursuant to paragraph (3) of subsection (c) of this Section does not conduct the mid-point and final evaluation and makes an independent assessment that the teacher completed the remediation plan with a rating equal to or better than a "Proficient" rating, the school district must demonstrate that the final remediation evaluation is a more valid assessment of the teacher's performance than the assessment made by the second evaluator.

(B) The teacher may only challenge the substantive and procedural aspects of (i) the "Unsatisfactory" performance evaluation rating that led to the remediation, (ii) the remediation plan, and (iii) the final remediation evaluation. To the extent the teacher challenges procedural aspects, including any in applicable collective bargaining agreement provisions, of a relevant performance evaluation rating or the remediation plan, the teacher must demonstrate how an alleged procedural defect materially affected the teacher's ability to demonstrate a level of performance necessary to avoid remediation or dismissal or successfully complete the remediation plan. Without any
such material effect, a procedural defect shall not impact the assessment by the hearing officer, board, or reviewing court of the validity of a performance evaluation or a remediation plan.

(C) The hearing officer shall only consider and give weight to performance evaluations relevant to the scope of the hearing as described in clauses (A) and (B) of this subdivision (2).

(3) Each party shall be given only 2 days to present evidence and testimony relating to the scope of the hearing, unless a longer period is mutually agreed to by the parties or deemed necessary by the hearing officer to enable a party to present adequate evidence and testimony to address the scope of the hearing, including due to the other party's cross-examination of the party's witnesses.

(e) The provisions of Sections 24-12 and 34-85 pertaining to the decision or recommendation of the hearing officer do not apply to dismissal proceedings under this Section. For any dismissal proceedings under this Section, the hearing officer shall not issue a decision, and shall issue only findings of fact and a recommendation, including the reasons therefor, to the board to either retain or dismiss the teacher and shall give a copy of the report to both the teacher and the superintendent of the school district. The hearing officer's findings of fact and recommendation must be issued within 30 days from the close of the record of the hearing.

The State Board of Education shall adopt rules regarding the length of the hearing officer's findings of fact and recommendation. If a hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the parties may mutually agree to select a hearing officer pursuant to the alternative procedure, as provided in Section 24-12 or 34-85, to rehear the charges heard by the hearing officer who failed to render a recommendation or to review the record and render a recommendation. If any hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the hearing officer shall be removed from the master list of hearing officers maintained by the State Board of Education for not more than 24 months. The parties and the
State Board of Education may also take such other actions as it deems appropriate, including recovering, reducing, or withholding any fees paid or to be paid to the hearing officer. If any hearing officer repeats such failure, he or she shall be permanently removed from the master list of hearing officers maintained by the State Board of Education.

(f) The board, within 45 days after receipt of the hearing officer's findings of fact and recommendation, shall decide, through adoption of a written order, whether the teacher must be dismissed from its employ or retained, provided that only PERA-trained board members may participate in the vote with respect to the decision.

If the board dismisses the teacher notwithstanding the hearing officer's recommendation of retention, the board shall make a conclusion, giving its reasons therefor, and such conclusion and reasons must be included in its written order. The failure of the board to strictly adhere to the timelines contained in this Section does not render it without jurisdiction to dismiss the teacher. The board shall not lose jurisdiction to discharge the teacher if the hearing officer fails to render a recommendation within the time specified in this Section. The decision of the board is final, unless reviewed as provided in subsection (g) of this Section.

If the board retains the teacher, the board shall enter a written order stating the amount of back pay and lost benefits, less mitigation, to be paid to the teacher, within 45 days of its retention order.

(g) A teacher dismissed under this Section may apply for and obtain judicial review of a decision of the board in accordance with the provisions of the Administrative Review Law, except as follows:

(1) for a teacher dismissed by a school district having 500,000 inhabitants or more, such judicial review must be taken directly to the appellate court of the judicial district in which the board maintains its primary administrative office, and any direct appeal to the appellate court must be filed within 35 days from the date that a copy of the decision sought to be reviewed was served upon the teacher;

(2) for a teacher dismissed by a school district having less than 500,000 inhabitants after the hearing officer recommended dismissal, such judicial review must be taken directly to the appellate court of the judicial district in which the board maintains its primary administrative office, and any direct appeal to the appellate court must be filed within 35 days from the date that a

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copy of the decision sought to be reviewed was served upon the teacher; and

(3) for all school districts, if the hearing officer recommended dismissal, the decision of the board may be reversed only if it is found to be arbitrary, capricious, an abuse of discretion, or not in accordance with law.

In the event judicial review is instituted by a teacher, any costs of preparing and filing the record of proceedings must be paid by the teacher. If a decision of the board is adjudicated upon judicial review in favor of the teacher, then the court shall remand the matter to the board with direction for entry of an order setting the amount of back pay, lost benefits, and costs, less mitigation. The teacher may challenge the board's order setting the amount of back pay, lost benefits, and costs, less mitigation, through an expedited arbitration procedure with the costs of the arbitrator borne by the board.

(Source: P.A. 97-8, eff. 6-13-11.)

Section 10. The Illinois Educational Labor Relations Act is amended by changing Sections 12 and 13 as follows:

(115 ILCS 5/12) (from Ch. 48, par. 1712)

Sec. 12. Impasse procedures.

(a) This subsection (a) applies only to collective bargaining between an educational employer that is not a public school district organized under Article 34 of the School Code and an exclusive representative of its employees. If the parties engaged in collective bargaining have not reached an agreement by 90 days before the scheduled start of the forthcoming school year, the parties shall notify the Illinois Educational Labor Relations Board concerning the status of negotiations. This notice shall include a statement on whether mediation has been used.

Upon demand of either party, collective bargaining between the employer and an exclusive bargaining representative must begin within 60 days of the date of certification of the representative by the Board, or in the case of an existing exclusive bargaining representative, within 60 days of the receipt by a party of a demand to bargain issued by the other party. Once commenced, collective bargaining must continue for at least a 60 day period, unless a contract is entered into.

Except as otherwise provided in subsection (b) of this Section, if after a reasonable period of negotiation and within 90 days of the scheduled start of the forthcoming school year, the parties engaged in collective bargaining have reached an impasse, either party may petition

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the Board to initiate mediation. Alternatively, the Board on its own motion may initiate mediation during this period. However, mediation shall be initiated by the Board at any time when jointly requested by the parties and the services of the mediators shall continuously be made available to the employer and to the exclusive bargaining representative for purposes of arbitration of grievances and mediation or arbitration of contract disputes. If requested by the parties, the mediator may perform fact-finding and in so doing conduct hearings and make written findings and recommendations for resolution of the dispute. Such mediation shall be provided by the Board and shall be held before qualified impartial individuals. Nothing prohibits the use of other individuals or organizations such as the Federal Mediation and Conciliation Service or the American Arbitration Association selected by both the exclusive bargaining representative and the employer.

If the parties engaged in collective bargaining fail to reach an agreement within 45 days of the scheduled start of the forthcoming school year and have not requested mediation, the Illinois Educational Labor Relations Board shall invoke mediation.

Whenever mediation is initiated or invoked under this subsection (a), the parties may stipulate to defer selection of a mediator in accordance with rules adopted by the Board.

(a-5) This subsection (a-5) applies only to collective bargaining between a public school district or a combination of public school districts, including, but not limited to, joint cooperatives, that is not organized under Article 34 of the School Code and an exclusive representative of its employees.

(1) Any time 15 days after mediation has commenced, either party may initiate the public posting process declare an impasse. The mediator may initiate the public posting process declare an impasse at any time 15 days after mediation has commenced during the mediation process. Initiation of the public posting process Notification of an impasse must be filed in writing with the Board, and copies of the notification must be submitted to the parties on the same day the initiation notification is filed with the Board.

(2) Within 7 days after the initiation of the public posting process declaration of impasse, each party shall submit to the mediator, the Board, and the other party in writing the most recent final offer of the party, including a cost summary of the offer.

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Seven days after receipt of the parties' final offers, the Board shall make public the final offers and each party's cost summary dealing with those issues on which the parties have failed to reach agreement by immediately posting the offers on its Internet website, unless otherwise notified by the mediator or jointly by the parties that agreement has been reached. On the same day of publication by the Board's mediator, at a minimum, the school district shall distribute notice of the availability of the offers on the Board's Internet website to all news media that have filed an annual request for notices from the school district pursuant to Section 2.02 of the Open Meetings Act. The parties' offers shall remain on the Board's Internet website until the parties have reached and ratified an agreement.

(a-10) This subsection (a-10) applies only to collective bargaining between a public school district organized under Article 34 of the School Code and an exclusive representative of its employees.

(1) For collective bargaining agreements between an educational employer to which this subsection (a-10) applies and an exclusive representative of its employees, if the parties fail to reach an agreement after a reasonable period of mediation, the dispute shall be submitted to fact-finding in accordance with this subsection (a-10). Either the educational employer or the exclusive representative may initiate fact-finding by submitting a written demand to the other party with a copy of the demand submitted simultaneously to the Board.

(2) Within 3 days following a party's demand for fact-finding, each party shall appoint one member of the fact-finding panel, unless the parties agree to proceed without a tri-partite panel. Following these appointments, if any, the parties shall select a qualified impartial individual to serve as the fact-finder and chairperson of the fact-finding panel, if applicable. An individual shall be considered qualified to serve as the fact-finder and chairperson of the fact-finding panel, if applicable, if he or she was not the same individual who was appointed as the mediator and if he or she satisfies the following requirements: membership in good standing with the National Academy of Arbitrators, Federal Mediation and Conciliation Service, or American Arbitration Association for a minimum of 10 years; membership on the mediation roster for the Illinois Labor Relations Board or Illinois
Educational Labor Relations Board; issuance of at least 5 interest arbitration awards arising under the Illinois Public Labor Relations Act; and participation in impasse resolution processes arising under private or public sector collective bargaining statutes in other states. If the parties are unable to agree on a fact-finder, the parties shall request a panel of fact-finders who satisfy the requirements set forth in this paragraph (2) from either the Federal Mediation and Conciliation Service or the American Arbitration Association and shall select a fact-finder from such panel in accordance with the procedures established by the organization providing the panel.

(3) The fact-finder shall have the following duties and powers:

(A) to require the parties to submit a statement of disputed issues and their positions regarding each issue either jointly or separately;
(B) to identify disputed issues that are economic in nature;
(C) to meet with the parties either separately or in executive sessions;
(D) to conduct hearings and regulate the time, place, course, and manner of the hearings;
(E) to request the Board to issue subpoenas requiring the attendance and testimony of witnesses or the production of evidence;
(F) to administer oaths and affirmations;
(G) to examine witnesses and documents;
(H) to create a full and complete written record of the hearings;
(I) to attempt mediation or remand a disputed issue to the parties for further collective bargaining;
(J) to require the parties to submit final offers for each disputed issue either individually or as a package or as a combination of both; and
(K) to employ any other measures deemed appropriate to resolve the impasse.

(4) If the dispute is not settled within 75 days after the appointment of the fact-finding panel, the fact-finding panel shall issue a private report to the parties that contains advisory findings of fact and recommended terms of settlement for all disputed

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issues and that sets forth a rationale for each recommendation. The fact-finding panel, acting by a majority of its members, shall base its findings and recommendations upon the following criteria as applicable:

(A) the lawful authority of the employer;
(B) the federal and State statutes or local ordinances and resolutions applicable to the employer;
(C) prior collective bargaining agreements and the bargaining history between the parties;
(D) stipulations of the parties;
(E) the interests and welfare of the public and the students and families served by the employer;
(F) the employer's financial ability to fund the proposals based on existing available resources, provided that such ability is not predicated on an assumption that lines of credit or reserve funds are available or that the employer may or will receive or develop new sources of revenue or increase existing sources of revenue;
(G) the impact of any economic adjustments on the employer's ability to pursue its educational mission;
(H) the present and future general economic conditions in the locality and State;
(I) a comparison of the wages, hours, and conditions of employment of the employees involved in the dispute with the wages, hours, and conditions of employment of employees performing similar services in public education in the 10 largest U.S. cities;
(J) the average consumer prices in urban areas for goods and services, which is commonly known as the cost of living;
(K) the overall compensation presently received by the employees involved in the dispute, including direct wage compensation; vacations, holidays, and other excused time; insurance and pensions; medical and hospitalization benefits; the continuity and stability of employment and all other benefits received; and how each party's proposed compensation structure supports the educational goals of the district;

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(L) changes in any of the circumstances listed in items (A) through (K) of this paragraph (4) during the fact-finding proceedings;

(M) the effect that any term the parties are at impasse on has or may have on the overall educational environment, learning conditions, and working conditions with the school district; and

(N) the effect that any term the parties are at impasse on has or may have in promoting the public policy of this State.

(5) The fact-finding panel's recommended terms of settlement shall be deemed agreed upon by the parties as the final resolution of the disputed issues and incorporated into the collective bargaining agreement executed by the parties, unless either party tenders to the other party and the chairperson of the fact-finding panel a notice of rejection of the recommended terms of settlement with a rationale for the rejection, within 15 days after the date of issuance of the fact-finding panel's report. If either party submits a notice of rejection, the chairperson of the fact-finding panel shall publish the fact-finding panel's report and the notice of rejection for public information by delivering a copy to all newspapers of general circulation in the community with simultaneous written notice to the parties.

(b) If, after a period of bargaining of at least 60 days, a dispute or impasse exists between an educational employer whose territorial boundaries are coterminal with those of a city having a population in excess of 500,000 and the exclusive bargaining representative over a subject or matter set forth in Section 4.5 of this Act, the parties shall submit the dispute or impasse to the dispute resolution procedure agreed to between the parties. The procedure shall provide for mediation of disputes by a rotating mediation panel and may, at the request of either party, include the issuance of advisory findings of fact and recommendations.

(c) The costs of fact finding and mediation shall be shared equally between the employer and the exclusive bargaining agent, provided that, for purposes of mediation under this Act, if either party requests the use of mediation services from the Federal Mediation and Conciliation Service, the other party shall either join in such request or bear the additional cost of mediation services from another source. All other costs and expenses of complying with this Section must be borne by the party incurring them.

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(c-5) If an educational employer or exclusive bargaining representative refuses to participate in mediation or fact finding when required by this Section, the refusal shall be deemed a refusal to bargain in good faith.

(d) Nothing in this Act prevents an employer and an exclusive bargaining representative from mutually submitting to final and binding impartial arbitration unresolved issues concerning the terms of a new collective bargaining agreement.

(Source: P.A. 97-7, eff. 6-13-11; 97-8, eff. 6-13-11.)

(115 ILCS 5/13) (from Ch. 48, par. 1713)

Sec. 13. Strikes.

(a) Notwithstanding the existence of any other provision in this Act or other law, educational employees employed in school districts organized under Article 34 of the School Code shall not engage in a strike at any time during the 18 month period that commences on the effective date of this amendatory Act of 1995. An educational employee employed in a school district organized under Article 34 of the School Code who participates in a strike in violation of this Section is subject to discipline by the employer. In addition, no educational employer organized under Article 34 of the School Code may pay or cause to be paid to an educational employee who participates in a strike in violation of this subsection any wages or other compensation for any period during which an educational employee participates in the strike, except for wages or compensation earned before participation in the strike. Notwithstanding the existence of any other provision in this Act or other law, during the 18-month period that strikes are prohibited under this subsection nothing in this subsection shall be construed to require an educational employer to submit to a binding dispute resolution process.

(b) Notwithstanding the existence of any other provision in this Act or any other law, educational employees other than those employed in a school district organized under Article 34 of the School Code and, after the expiration of the 18 month period that commences on the effective date of this amendatory Act of 1995, educational employees in a school district organized under Article 34 of the School Code shall not engage in a strike except under the following conditions:

(1) they are represented by an exclusive bargaining representative;

(2) mediation has been used without success and, for educational employers and exclusive bargaining representatives to
if an impasse has been declared under subsection (a-5) of Section 12 of this Act applies, at least 14 days have elapsed after the Board mediator has made public the parties' final offers;

(2.5) if fact-finding was invoked pursuant to subsection (a-10) of Section 12 of this Act, at least 30 days have elapsed after a fact-finding report has been released for public information;

(2.10) for educational employees employed in a school district organized under Article 34 of the School Code, at least three-fourths of all bargaining unit employees who are members of the exclusive bargaining representative have affirmatively voted to authorize the strike; provided, however, that all members of the exclusive bargaining representative at the time of a strike authorization vote shall be eligible to vote;

(3) at least 10 days have elapsed after a notice of intent to strike has been given by the exclusive bargaining representative to the educational employer, the regional superintendent and the Illinois Educational Labor Relations Board;

(4) the collective bargaining agreement between the educational employer and educational employees, if any, has expired or been terminated; and

(5) the employer and the exclusive bargaining representative have not mutually submitted the unresolved issues to arbitration.

If, however, in the opinion of an employer the strike is or has become a clear and present danger to the health or safety of the public, the employer may initiate in the circuit court of the county in which such danger exists an action for relief which may include, but is not limited to, injunction. The court may grant appropriate relief upon the finding that such clear and present danger exists. An unfair practice or other evidence of lack of clean hands by the educational employer is a defense to such action. Except as provided for in this paragraph, the jurisdiction of the court under this Section is limited by the Labor Dispute Act.

Approved August 20, 2013.
Effective January 1, 2014.
AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Code of Civil Procedure is amended by changing Sections 9-121, 9-205, 9-207, 15-1202.5, 15-1501, 15-1506, 15-1508, 15-1508.5, 15-1701, 15-1703, and 15-1704 and by adding Sections 9-207.5, 15-1224, and 15-1225 as follows:

(735 ILCS 5/9-121)
Sec. 9-121. Sealing of court file.
(a) Definition. As used in this Section, "court file" means the court file created when a forcible entry and detainer action is filed with the court.

(b) Discretionary sealing of court file. The court may order that a court file in a forcible entry and detainer action be placed under seal if the court finds that the plaintiff's action is sufficiently without a basis in fact or law, which may include a lack of jurisdiction, that placing the court file under seal is clearly in the interests of justice, and that those interests are not outweighed by the public's interest in knowing about the record.

(c) Mandatory sealing of court file. The court file relating to a forcible entry and detainer action brought against a tenant under Section 9-207.5 of this Code or as set forth in subdivision (h)(6) of Section 15-1701 of this Code shall be placed under seal when the tenant would have lawful possession of the premises but for the foreclosure on the property shall be sealed pursuant to Section 15-1701.

(735 ILCS 5/9-205) (from Ch. 110, par. 9-205)
Sec. 9-205. Notice to terminate tenancy from year to year. Except as provided in Section 9-206 and Section 9-207.5 of this Act, in all cases of tenancy from year to year, 60 days' notice, in writing, shall be sufficient to terminate the tenancy at the end of the year. The notice may be given at any time within 4 months preceding the last 60 days of the year.

(735 ILCS 5/9-207) (from Ch. 110, par. 9-207)
Sec. 9-207. Notice to terminate tenancy for less than a year.

(a) Except as provided in Section 9-207.5 of this Code, in all cases of tenancy from week to week, where the tenant holds over without
special agreement, the landlord may terminate the tenancy by 7 days' notice, in writing, and may maintain an action for forcible entry and detainer or ejectment.

(b) Except as provided in Section 9-207.5 of this Code, in all cases of tenancy for any term less than one year, other than tenancy from week to week, where the tenant holds over without special agreement, the landlord may terminate the tenancy by 30 days' notice, in writing, and may maintain an action for forcible entry and detainer or ejectment.

(Source: P.A. 82-280.)

(735 ILCS 5/9-207.5 new)

Sec. 9-207.5. Termination of bona fide leases in residential real estate in foreclosure.

(a) A mortgagee, receiver, holder of the certificate of sale, holder of the deed issued pursuant to that certificate, or, if no certificate or deed was issued, the purchaser at a judicial sale under Section 15-1507 of this Code, who assumes control of the residential real estate in foreclosure, as defined in Section 15-1225 of this Code, may terminate a bona fide lease, as defined in Section 15-1224 of this Code, only: (i) at the end of the term of the bona fide lease, by no less than 90 days' written notice or (ii) in the case of a bona fide lease that is for a month-to-month or week-to-week term, by no less than 90 days' written notice.

(b) Notwithstanding the provisions of subsection (a) of this Section, an individual who assumes control of residential real estate in foreclosure pursuant to a judicial sale and who will occupy a dwelling unit of the residential real estate in foreclosure as his or her primary residence may terminate the bona fide lease for the dwelling unit subject to the 90-day notice requirement of subsection (a) of this Section.

(c) Nothing in this Section or Section 15-1224 of this Code shall abrogate the rights of a mortgagee, receiver, holder of the certificate of sale, holder of the deed issued pursuant to that certificate, or, if no certificate or deed was issued, the purchaser at a judicial sale, who assumes control of the residential real estate in foreclosure to terminate a bona fide lease of a dwelling unit in residential real estate in foreclosure under Section 9-118, 9-119, 9-120, 9-201, 9-202, 9-203, 9-204, 9-209, or 9-210 of this Code.

(735 ILCS 5/15-1202.5)

Sec. 15-1202.5. Dwelling unit. For the purposes of Sections 9-207.5, 15-1224, 15-1225, 15-1506, 15-1508, 15-1508.5, 15-1701, 15-1703, and 15-1704 only, "dwelling unit" means a room or suite of rooms

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providing complete, independent living facilities for at least one person, including permanent provisions for sanitation, cooking, eating, sleeping, and other activities routinely associated with daily life.
(Source: P.A. 96-111, eff. 10-29-09; 97-575, eff. 8-26-11.)

(735 ILCS 5/15-1224 new)
Sec. 15-1224. Bona fide lease.
(a) For purposes of Sections 9-207.5, 15-1225, 15-1506, 15-1508, and 15-1701 of this Code only, the term "bona fide lease" means a lease of a dwelling unit in residential real estate in foreclosure for which:
   (1) the mortgagor or the child, spouse, or parent of the mortgagor is not the tenant;
   (2) the lease was the result of an arms-length transaction;
   (3) the lease requires the receipt of rent that is not substantially less than fair market rent for the property or the rent is reduced or subsidized pursuant to a federal, State, or local subsidy; and
   (4) either (i) the lease was entered into or renewed on or before the date of the filing of the lis pendens on the residential real estate in foreclosure pursuant to Section 2-1901 of this Code or (ii) the lease was entered into or renewed after the date of the filing of the lis pendens on the residential real estate in foreclosure and before the date of the judicial sale of the residential real estate in foreclosure, and the term of the lease is for one year or less.

(b) A written lease for a term exceeding one year that is entered into or renewed after the date of the filing of the lis pendens on the residential real estate in foreclosure pursuant to Section 2-1901 of this Code and before the date of the judicial sale of the residential real estate in foreclosure that otherwise meets the requirements of subsection (a) of this Section shall be deemed to be a bona fide lease for a term of one year.

(c) An oral lease entered into at any time before the date of the judicial sale of the residential real estate in foreclosure that otherwise meets the requirements of subsection (a) of this Section shall be deemed to be a bona fide lease for a month-to-month term, unless the lessee proves by a preponderance of evidence that the oral lease is for a longer term. In no event shall an oral lease be deemed to be a bona fide lease for a term of more than one year.

(d) A written or oral lease entered into on or after the date of the judicial sale of the residential real estate in foreclosure and before the date of the court order confirming the judicial sale that otherwise meets

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the requirements of subsection (a) of this Section shall be deemed to be a bona fide lease for a month-to-month term.

(e) Notwithstanding paragraph (1) of subsection (a) of this Section, a child, spouse, or parent of the mortgagor may prove by a preponderance of evidence that a written or oral lease that otherwise meets the requirements of subsection (a) of this Section is a bona fide lease.

(735 ILCS 5/15-1225 new)

Sec. 15-1225. Residential real estate in foreclosure. For purposes of Sections 9-207.5, 15-1224, 15-1506, 15-1508, and 15-1701 of this Code only, the term "residential real estate in foreclosure" means any real estate, except a single tract of agricultural real estate consisting of more than 40 acres, which is improved with a single family residence or residential condominium units or a multiple dwelling structure containing single family dwelling units for one or more families living independently of one another, for which an action to foreclose the real estate: (1) has commenced and is pending; (2) was pending when the bona fide lease was entered into or renewed; or (3) was commenced after the bona fide lease was entered into or renewed.

(735 ILCS 5/15-1501) (from Ch. 110, par. 15-1501)

Sec. 15-1501. Parties.

(a) Necessary Parties. For the purposes of Section 2-405 of the Code of Civil Procedure, only (i) the mortgagor and (ii) other persons (but not guarantors) who owe payment of indebtedness or the performance of other obligations secured by the mortgage and against whom personal liability is asserted shall be necessary parties defendant in a foreclosure. The court may proceed to adjudicate their respective interests, but any disposition of the mortgaged real estate shall be subject to (i) the interests of all other persons not made a party or (ii) interests in the mortgaged real estate not otherwise barred or terminated in the foreclosure.

(b) Permissible Parties. Any party may join as a party any other person, although such person is not a necessary party, including, without limitation, the following:

(1) All persons having a possessory interest in the mortgaged real estate;
(2) A mortgagor's spouse who has waived the right of homestead;
(3) A trustee holding an interest in the mortgaged real estate or a beneficiary of such trust;
(4) The owner or holder of a note secured by a trust deed;

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(5) Guarantors, provided that in a foreclosure any such guarantor also may be joined as a party in a separate count in an action on such guarantor's guaranty;

(6) The State of Illinois or any political subdivision thereof, where a foreclosure involves real estate upon which the State or such subdivision has an interest or a claim for lien, in which case "An Act in relation to immunity for the State of Illinois", approved December 10, 1971, as amended, shall not be effective;

(7) The United States of America or any agency or department thereof where a foreclosure involves real estate upon which the United States of America or such agency or department has an interest or a claim for lien;

(8) Any assignee of leases or rents relating to the mortgaged real estate;

(9) Any person who may have a lien under the Mechanic's Lien Act; and

(10) Any other mortgagee or claimant.

(c) Unknown Owners. Any unknown owner may be made a party in accordance with Section 2-413 of the Code of Civil Procedure.

(d) Right to Become Party. Any person who has or claims an interest in real estate which is the subject of a foreclosure or an interest in any debt secured by the mortgage shall have an unconditional right to appear and become a party in such foreclosure in accordance with subsection (e) of Section 15-1501, provided, that neither such appearance by a lessee whose interest in the real estate is subordinate to the interest being foreclosed, nor the act of making such lessee a party, shall result in the termination of the lessee's lease unless the termination of the lease or lessee's interest in the mortgaged real estate is specifically ordered by the court in the judgment of foreclosure.

(e) Time of Intervention.

(1) Of Right. A person not a party, other than a nonrecord claimant given notice in accordance with paragraph (2) of subsection (c) of Section 15-1502, who has or claims an interest in the mortgaged real estate may appear and become a party at any time prior to the entry of judgment of foreclosure. A nonrecord claimant given such notice may appear and become a party at any time prior to the earlier of (i) the entry of a judgment of foreclosure or (ii) 30 days after such notice is given.
(2) In Court's Discretion. After the right to intervene expires and prior to the sale in accordance with the judgment, the court may permit a person who has or claims an interest in the mortgaged real estate to appear and become a party on such terms as the court may deem just.

(3) Later Right. After the sale of the mortgaged real estate in accordance with a judgment of foreclosure and prior to the entry of an order confirming the sale, a person who has or claims an interest in the mortgaged real estate, may appear and become a party, on such terms as the court may deem just, for the sole purpose of claiming an interest in the proceeds of sale. Any such party shall be deemed a party from the commencement of the foreclosure, and the interest of such party in the real estate shall be subject to all orders and judgments entered in the foreclosure.

(4) Termination of Interest. Except as provided in Section 15-1501(d), the interest of any person who is allowed to appear and become a party shall be terminated, and the interest of such party in the real estate shall attach to the proceeds of sale.

(f) Separate Actions. Any mortgagee or claimant, other than the mortgagee who commences a foreclosure, whose interest in the mortgaged real estate is recorded prior to the filing of a notice of foreclosure in accordance with this Article but who is not made a party to such foreclosure, shall not be barred from filing a separate foreclosure (i) as an intervening defendant or counterclaimant in accordance with subsections (d) and (e) of Section 15-1501 if a judgment of foreclosure has not been entered in the original foreclosure or (ii) in a new foreclosure subsequent to the entry of a judgment of foreclosure in the original foreclosure.

(g) Service on the State of Illinois. When making the State of Illinois a party to a foreclosure, summons may be served by sending, by registered or certified mail, a copy of the summons and the complaint to the Attorney General. The complaint shall set forth with particularity the nature of the interest or lien of the State of Illinois. If such interest or lien appears in a recorded instrument, the complaint must state the document number of the instrument and the office wherein it was recorded.

(h) Special Representatives. The court is not required to appoint a special representative for a deceased mortgagor for the purpose of defending the action, if there is a living person that holds a 100% interest in the property that is the subject of the action, by virtue of being the deceased mortgagor's surviving joint tenant or surviving tenant by the

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entirety. In no event may a deficiency judgment be sought or entered in the foreclosure case pursuant to subsection (e) of Section 15-1508 against a deceased mortgagor.

(Source: P.A. 88-265.)

(735 ILCS 5/15-1506) (from Ch. 110, par. 15-1506)

Sec. 15-1506. Judgment.

(a) Evidence. In the trial of a foreclosure, the evidence to support the allegations of the complaint shall be taken in open court, except:

(1) where an allegation of fact in the complaint is not denied by a party's verified answer or verified counterclaim, or where a party pursuant to subsection (b) of Section 2-610 of the Code of Civil Procedure states, or is deemed to have stated, in its pleading that it has no knowledge of such allegation sufficient to form a belief and attaches the required affidavit, a sworn verification of the complaint or a separate affidavit setting forth such fact is sufficient evidence thereof against such party and no further evidence of such fact shall be required; and

(2) where all the allegations of fact in the complaint have been proved by verification of the complaint or affidavit, the court upon motion supported by an affidavit stating the amount which is due the mortgagee, shall enter a judgment of foreclosure as requested in the complaint.

(b) Instruments. In all cases the evidence of the indebtedness and the mortgage foreclosed shall be exhibited to the court and appropriately marked, and copies thereof shall be filed with the court.

(c) Summary and Default Judgments. Nothing in this Section 15-1506 shall prevent a party from obtaining a summary or default judgment authorized by Article II of the Code of Civil Procedure.

(d) Notice of Entry of Default. When any judgment in a foreclosure is entered by default, notice of such judgment shall be given in accordance with Section 2-1302 of the Code of Civil Procedure.

(e) Matters Required in Judgment. A judgment of foreclosure shall include the last date for redemption and all rulings of the court entered with respect to each request for relief set forth in the complaint. The omission of the date for redemption shall not extend the time for redemption or impair the validity of the judgment.

(f) Special Matters in Judgment. Without limiting the general authority and powers of the court, special matters may be included in the

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judgment of foreclosure if sought by a party in the complaint or by separate motion. Such matters may include, without limitation:

(1) a manner of sale other than public auction;
(2) a sale by sealed bid;
(3) an official or other person who shall be the officer to conduct the sale other than the one customarily designated by the court;
(4) provisions for non-exclusive broker listings or designating a duly licensed real estate broker nominated by one of the parties to exclusively list the real estate for sale;
(5) the fees or commissions to be paid out of the sale proceeds to the listing or other duly licensed broker, if any, who shall have procured the accepted bid;
(6) the fees to be paid out of the sale proceeds to an auctioneer, if any, who shall have been authorized to conduct a public auction sale;
(7) whether and in what manner and with what content signs shall be posted on the real estate;
(8) a particular time and place at which such bids shall be received;
(9) a particular newspaper or newspapers in which notice of sale shall be published;
(10) the format for the advertising of such sale, including the size, content and format of such advertising, and additional advertising of such sale;
(11) matters or exceptions to which title in the real estate may be subject at the sale;
(12) a requirement that title insurance in a specified form be provided to a purchaser at the sale, and who shall pay for such insurance;
(13) whether and to what extent bids with mortgage or other contingencies will be allowed;
(14) such other matters as approved by the court to ensure sale of the real estate for the most commercially favorable price for the type of real estate involved.

(g) Agreement of the Parties. If all of the parties agree in writing on the minimum price and that the real estate may be sold to the first person who offers in writing to purchase the real estate for such price, and on such other commercially reasonable terms and conditions as the parties may
agree, then the court shall order the real estate to be sold on such terms, subject to confirmation of the sale in accordance with Section 15-1508.

(h) Postponement of Proving Priority. With the approval of the court prior to the entry of the judgment of foreclosure, a party claiming an interest in the proceeds of the sale of the mortgaged real estate may defer proving the priority of such interest until the hearing to confirm the sale.

(i) Effect of Judgment and Lien.

(1) Upon the entry of the judgment of foreclosure, all rights of a party in the foreclosure against the mortgagor provided for in the judgment of foreclosure or this Article shall be secured by a lien on the mortgaged real estate, which lien shall have the same priority as the claim to which the judgment relates and shall be terminated upon confirmation of a judicial sale in accordance with this Article.

(2) Upon the entry of the judgment of foreclosure, the rights in the real estate subject to the judgment of foreclosure of (i) all persons made a party in the foreclosure and (ii) all nonrecord claimants given notice in accordance with paragraph (2) of subsection (c) of Section 15-1502, shall be solely as provided for in the judgment of foreclosure and in this Article.

(3) Entry of a judgment of foreclosure does not terminate or otherwise affect a bona fide lease of a dwelling unit in residential real estate in foreclosure, whether or not the lessee has been made a party in the foreclosure.

(Source: P.A. 85-907.)

(735 ILCS 5/15-1508) (from Ch. 110, par. 15-1508)
(Text of Section before amendment by P.A. 97-1164)

(a) Report. The person conducting the sale shall promptly make a report to the court, which report shall include a copy of all receipts and, if any, certificate of sale.

(b) Hearing. Upon motion and notice in accordance with court rules applicable to motions generally, which motion shall not be made prior to sale, the court shall conduct a hearing to confirm the sale. Unless the court finds that (i) a notice required in accordance with subsection (c) of Section 15-1507 was not given, (ii) the terms of sale were unconscionable, (iii) the sale was conducted fraudulently, or (iv) justice was otherwise not done, the court shall then enter an order confirming the sale. The confirmation order shall include a name, address, and telephone

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number of the holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, whom a municipality or county may contact with concerns about the real estate. The confirmation order may also:

1. Approve the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the confirmation hearing, those costs and fees to be allowable to the same extent as provided in the note and mortgage and in Section 15-1504;

2. Provide for a personal judgment against any party for a deficiency; and

3. Determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(b-5) Notice with respect to residential real estate. With respect to residential real estate, the notice required under subsection (b) of this Section shall be sent to the mortgagor even if the mortgagor has previously been held in default. In the event the mortgagor has filed an appearance, the notice shall be sent to the address indicated on the appearance. In all other cases, the notice shall be sent to the mortgagor at the common address of the foreclosed property. The notice shall be sent by first class mail. Unless the right to possession has been previously terminated by the court, the notice shall include the following language in 12-point boldface capitalized type:

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER OF POSSESSION, IN ACCORDANCE WITH SECTION 15-1701(c) OF THE ILLINOIS MORTGAGE FORECLOSURE LAW.

(b-10) Notice of confirmation order sent to municipality or county. A copy of the confirmation order required under subsection (b) shall be sent to the municipality in which the foreclosed property is located, or to the county within the boundary of which the foreclosed property is located if the foreclosed property is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which such notice shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which such notice shall be sent. In the event that a municipality or county has not complied with the publication of

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requirement in this subsection (b-10), then such notice to the municipality or county shall be provided pursuant to Section 2-211 of the Code of Civil Procedure.

(c) Failure to Give Notice. If any sale is held without compliance with subsection (c) of Section 15-1507 of this Article, any party entitled to the notice provided for in paragraph (3) of that subsection (c) who was not so notified may, by motion supported by affidavit made prior to confirmation of such sale, ask the court which entered the judgment to set aside the sale. Any such party shall guarantee or secure by bond a bid equal to the successful bid at the prior sale, unless the party seeking to set aside the sale is the mortgagor, the real estate sold at the sale is residential real estate, and the mortgagor occupies the residential real estate at the time the motion is filed. In that event, no guarantee or bond shall be required of the mortgagor. Any subsequent sale is subject to the same notice requirement as the original sale.

(d) Validity of Sale. Except as provided in subsection (c) of Section 15-1508, no sale under this Article shall be held invalid or be set aside because of any defect in the notice thereof or in the publication of the same, or in the proceedings of the officer conducting the sale, except upon good cause shown in a hearing pursuant to subsection (b) of Section 15-1508. At any time after a sale has occurred, any party entitled to notice under paragraph (3) of subsection (c) of Section 15-1507 may recover from the mortgagee any damages caused by the mortgagee's failure to comply with such paragraph (3). Any party who recovers damages in a judicial proceeding brought under this subsection may also recover from the mortgagee the reasonable expenses of litigation, including reasonable attorney's fees.

(d-5) Making Home Affordable Program. The court that entered the judgment shall set aside a sale held pursuant to Section 15-1507, upon motion of the mortgagor at any time prior to the confirmation of the sale, if the mortgagor proves by a preponderance of the evidence that (i) the mortgagor has applied for assistance under the Making Home Affordable Program established by the United States Department of the Treasury pursuant to the Emergency Economic Stabilization Act of 2008, as amended by the American Recovery and Reinvestment Act of 2009, and (ii) the mortgaged real estate was sold in material violation of the program's requirements for proceeding to a judicial sale. The provisions of this subsection (d-5), except for this sentence, shall become inoperative on January 1, 2014 for all actions filed under this Article after December 31,
2013, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, 2013.

(e) Deficiency Judgment. In any order confirming a sale pursuant to the judgment of foreclosure, the court shall also enter a personal judgment for deficiency against any party (i) if otherwise authorized and (ii) to the extent requested in the complaint and proven upon presentation of the report of sale in accordance with Section 15-1508. Except as otherwise provided in this Article, a judgment may be entered for any balance of money that may be found due to the plaintiff, over and above the proceeds of the sale or sales, and enforcement may be had for the collection of such balance, the same as when the judgment is solely for the payment of money. Such judgment may be entered, or enforcement had, only in cases where personal service has been had upon the persons personally liable for the mortgage indebtedness, unless they have entered their appearance in the foreclosure action.

(f) Satisfaction. Upon confirmation of the sale, the judgment stands satisfied to the extent of the sale price less expenses and costs. If the order confirming the sale includes a deficiency judgment, the judgment shall become a lien in the manner of any other judgment for the payment of money.

(g) The order confirming the sale shall include, notwithstanding any previous orders awarding possession during the pendency of the foreclosure, an award to the purchaser of possession of the mortgaged real estate, as of the date 30 days after the entry of the order, against the parties to the foreclosure whose interests have been terminated.

An order of possession authorizing the removal of a person from possession of the mortgaged real estate shall be entered and enforced only against those persons personally named as individuals in the complaint or the petition under subsection (h) of Section 15-1701. No order of possession issued under this Section shall be entered against a lessee with a bona fide lease of a dwelling unit in residential real estate in foreclosure, whether or not the lessee has been made a party in the foreclosure. An order of possession and shall not be entered and enforced against any person who is only generically described as an unknown owner or nonrecord claimant or by another generic designation in the complaint.

Notwithstanding the preceding paragraph, the failure to personally name, include, or seek an award of possession of the mortgaged real estate against a person in the confirmation order shall not abrogate any right that
the purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against that person for possession under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701; and possession against a person who (1) has not been personally named as a party to the foreclosure and (2) has not been provided an opportunity to be heard in the foreclosure proceeding may be sought only by maintaining a proceeding under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701.

(h) With respect to mortgaged real estate containing 5 or more dwelling units, the order confirming the sale shall also provide that (i) the mortgagor shall transfer to the purchaser the security deposits, if any, that the mortgagor received to secure payment of rent or to compensate for damage to the mortgaged real estate from any current occupant of a dwelling unit of the mortgaged real estate, as well as any statutory interest that has not been paid to the occupant, and (ii) the mortgagor shall provide an accounting of the security deposits that are transferred, including the name and address of each occupant for whom the mortgagor holds the deposit and the amount of the deposit and any statutory interest.

(Source: P.A. 96-265, eff. 8-11-09; 96-856, eff. 3-1-10; 96-1245, eff. 7-23-10; 97-333, eff. 8-12-11; 97-575, eff. 8-26-11; 97-1159, eff. 1-29-13.)


(a) Report. The person conducting the sale shall promptly make a report to the court, which report shall include a copy of all receipts and, if any, certificate of sale.

(b) Hearing. Upon motion and notice in accordance with court rules applicable to motions generally, which motion shall not be made prior to sale, the court shall conduct a hearing to confirm the sale. Unless the court finds that (i) a notice required in accordance with subsection (c) of Section 15-1507 was not given, (ii) the terms of sale were unconscionable, (iii) the sale was conducted fraudulently, or (iv) justice was otherwise not done, the court shall then enter an order confirming the sale. The confirmation order shall include a name, address, and telephone number of the holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, whom a municipality or county may contact with concerns about the real estate. The confirmation order may also:

(1) approve the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the confirmation

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hearing, those costs and fees to be allowable to the same extent as provided in the note and mortgage and in Section 15-1504;

(2) provide for a personal judgment against any party for a deficiency; and

(3) determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(b-3) Hearing to confirm sale of abandoned residential property.

Upon motion and notice by first-class mail to the last known address of the mortgagor, which motion shall be made prior to the sale and heard by the court at the earliest practicable time after conclusion of the sale, and upon the posting at the property address of the notice required by paragraph (2) of subsection (l) of Section 15-1505.8, the court shall enter an order confirming the sale of the abandoned residential property, unless the court finds that a reason set forth in items (i) through (iv) of subsection (b) of this Section exists for not approving the sale, or an order is entered pursuant to subsection (h) of Section 15-1505.8. The confirmation order also may address the matters identified in items (1) through (3) of subsection (b) of this Section. The notice required under subsection (b-5) of this Section shall not be required.

(b-5) Notice with respect to residential real estate. With respect to residential real estate, the notice required under subsection (b) of this Section shall be sent to the mortgagor even if the mortgagor has previously been held in default. In the event the mortgagor has filed an appearance, the notice shall be sent to the address indicated on the appearance. In all other cases, the notice shall be sent to the mortgagor at the common address of the foreclosed property. The notice shall be sent by first class mail. Unless the right to possession has been previously terminated by the court, the notice shall include the following language in 12-point boldface capitalized type:

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER OF POSSESSION, IN ACCORDANCE WITH SECTION 15-1701(c) OF THE ILLINOIS MORTGAGE FORECLOSURE LAW.

(b-10) Notice of confirmation order sent to municipality or county.

A copy of the confirmation order required under subsection (b) shall be sent to the municipality in which the foreclosed property is located, or to
the county within the boundary of which the foreclosed property is located if the foreclosed property is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which a copy of the order shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which a copy of the order shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b-10), then a copy of the order shall be sent by first class mail, postage prepaid, to the chairperson of the county board or county clerk in the case of a county, to the mayor or city clerk in the case of a city, to the president of the board of trustees or village clerk in the case of a village, or to the president or town clerk in the case of a town.

(b-15) Notice of confirmation order sent to known insurers. With respect to residential real estate, the party filing the complaint shall send a copy of the confirmation order required under subsection (b) by first class mail, postage prepaid, to the last known property insurer of the foreclosed property. Failure to send or receive a copy of the order shall not impair or abrogate in any way the rights of the mortgagee or purchaser or affect the status of the foreclosure proceedings.

(c) Failure to Give Notice. If any sale is held without compliance with subsection (c) of Section 15-1507 of this Article, any party entitled to the notice provided for in paragraph (3) of that subsection (c) who was not so notified may, by motion supported by affidavit made prior to confirmation of such sale, ask the court which entered the judgment to set aside the sale. Any such party shall guarantee or secure by bond a bid equal to the successful bid at the prior sale, unless the party seeking to set aside the sale is the mortgagor, the real estate sold at the sale is residential real estate, and the mortgagor occupies the residential real estate at the time the motion is filed. In that event, no guarantee or bond shall be required of the mortgagor. Any subsequent sale is subject to the same notice requirement as the original sale.

(d) Validity of Sale. Except as provided in subsection (c) of Section 15-1508, no sale under this Article shall be held invalid or be set aside because of any defect in the notice thereof or in the publication of the same, or in the proceedings of the officer conducting the sale, except upon good cause shown in a hearing pursuant to subsection (b) of Section 15-1508. At any time after a sale has occurred, any party entitled to notice under paragraph (3) of subsection (c) of Section 15-1507 may recover

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from the mortgagee any damages caused by the mortgagee's failure to comply with such paragraph (3). Any party who recovers damages in a judicial proceeding brought under this subsection may also recover from the mortgagee the reasonable expenses of litigation, including reasonable attorney's fees.

(d-5) Making Home Affordable Program. The court that entered the judgment shall set aside a sale held pursuant to Section 15-1507, upon motion of the mortgagor at any time prior to the confirmation of the sale, if the mortgagor proves by a preponderance of the evidence that (i) the mortgagor has applied for assistance under the Making Home Affordable Program established by the United States Department of the Treasury pursuant to the Emergency Economic Stabilization Act of 2008, as amended by the American Recovery and Reinvestment Act of 2009, and (ii) the mortgaged real estate was sold in material violation of the program's requirements for proceeding to a judicial sale. The provisions of this subsection (d-5), except for this sentence, shall become inoperative on January 1, 2014 for all actions filed under this Article after December 31, 2013, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, 2013.

(e) Deficiency Judgment. In any order confirming a sale pursuant to the judgment of foreclosure, the court shall also enter a personal judgment for deficiency against any party (i) if otherwise authorized and (ii) to the extent requested in the complaint and proven upon presentation of the report of sale in accordance with Section 15-1508. Except as otherwise provided in this Article, a judgment may be entered for any balance of money that may be found due to the plaintiff, over and above the proceeds of the sale or sales, and enforcement may be had for the collection of such balance, the same as when the judgment is solely for the payment of money. Such judgment may be entered, or enforcement had, only in cases where personal service has been had upon the persons personally liable for the mortgage indebtedness, unless they have entered their appearance in the foreclosure action.

(f) Satisfaction. Upon confirmation of the sale, the judgment stands satisfied to the extent of the sale price less expenses and costs. If the order confirming the sale includes a deficiency judgment, the judgment shall become a lien in the manner of any other judgment for the payment of money.

(g) The order confirming the sale shall include, notwithstanding any previous orders awarding possession during the pendency of the
foreclosure, an award to the purchaser of possession of the mortgaged real estate, as of the date 30 days after the entry of the order, against the parties to the foreclosure whose interests have been terminated.

An order of possession authorizing the removal of a person from possession of the mortgaged real estate shall be entered and enforced only against those persons personally named as individuals in the complaint or the petition under subsection (h) of Section 15-1701. No order of possession issued under this Section shall be entered against a lessee with a bona fide lease of a dwelling unit in residential real estate in foreclosure, whether or not the lessee has been made a party in the foreclosure. An order of possession and shall not be entered and enforced against any person who is only generically described as an unknown owner or nonrecord claimant or by another generic designation in the complaint.

Notwithstanding the preceding paragraph, the failure to personally name, include, or seek an award of possession of the mortgaged real estate against a person in the confirmation order shall not abrogate any right that the purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against that person for possession under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701; and possession against a person who (1) has not been personally named as a party to the foreclosure and (2) has not been provided an opportunity to be heard in the foreclosure proceeding may be sought only by maintaining a proceeding under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701.

(h) With respect to mortgaged real estate containing 5 or more dwelling units, the order confirming the sale shall also provide that (i) the mortgagor shall transfer to the purchaser the security deposits, if any, that the mortgagor received to secure payment of rent or to compensate for damage to the mortgaged real estate from any current occupant of a dwelling unit of the mortgaged real estate, as well as any statutory interest that has not been paid to the occupant, and (ii) the mortgagor shall provide an accounting of the security deposits that are transferred, including the name and address of each occupant for whom the mortgagor holds the deposit and the amount of the deposit and any statutory interest.

(Source: P.A. 96-265, eff. 8-11-09; 96-856, eff. 3-1-10; 96-1245, eff. 7-23-10; 97-333, eff. 8-12-11; 97-575, eff. 8-26-11; 97-1159, eff. 1-29-13; 97-1164, eff. 6-1-13; revised 2-22-13.)

(735 ILCS 5/15-1508.5)

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Sec. 15-1508.5. Notice by holder or purchaser to known occupants of dwelling units of mortgaged real estate.

(a) The holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, shall:

(1) following the judicial sale under Section 15-1507, but no later than 21 days after the confirmation of sale under Section 15-1508, make a good faith effort to ascertain the identities and addresses of all occupants of dwelling units of the mortgaged real estate; and

(2) following the order confirming sale under Section 15-1508, but no later than 21 days after the order confirming sale, notify all known occupants of dwelling units of the mortgaged real estate that the holder or purchaser has acquired the mortgaged real estate. The notice shall be in writing and shall:

(i) identify the occupant being served by the name known to the holder or purchaser;

(ii) inform the occupant that the mortgaged real estate at which the dwelling unit is located is the subject of a foreclosure and that control of the mortgaged real estate has changed;

(iii) provide the name, address, and telephone number of an individual or entity whom the occupants may contact with concerns about the mortgaged real estate or to request repairs of that property;

(iv) include the following language, or language that is substantially similar: "This is NOT a notice to vacate the premises. You may wish to contact a lawyer or your local legal aid or housing counseling agency to discuss any rights that you may have."; and

(v) include the name of the case, the case number, and the court where the order confirming the sale has been entered; and:

(vi) provide instructions on the method of payment of future rent, if applicable.

(b) The written notice required by subsection (a) of this Section shall be served by delivering a copy thereof to the known occupant, or by leaving the same with some person of the age of 13 years or upwards who is residing on or in possession of the premises, or by sending a copy of the

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notice to the known occupant by first-class mail, addressed to the occupant by the name known to the holder or purchaser.

(c) In the event that the holder or purchaser ascertains the identity and address of an occupant of a dwelling unit of the mortgaged real estate more than 21 days after the confirmation of sale under Section 15-1508, the holder or purchaser shall provide the notice required by subparagraph (2) of subsection (a) within 7 days of ascertaining the identity and address of the occupant.

(d)(i) A holder or purchaser who fails to comply with subsections (a), (b), and (c) may not collect any rent due and owing from a known occupant, or terminate a known occupant's tenancy for non-payment of such rent, until the holder or purchaser has served the notice described in paragraph (2) of subsection (a) of this Section upon the known occupant. After providing such notice, the holder or purchaser may collect any and all rent otherwise due and owing the holder or purchaser from the known occupant and may terminate the known occupant's tenancy for non-payment of such rent if the holder or purchaser otherwise has such right to terminate.

(ii) An occupant who previously paid rent for the current rental period to the mortgagor, or other entity with the authority to operate, manage, and conserve the mortgaged real estate at the time of payment, shall not be held liable for that rent by the holder or purchaser, and the occupant's tenancy shall not be terminated for non-payment of rent for that rental period.

(e) Within 21 days of the confirmation of sale under Section 15-1508, the holder or purchaser shall post a written notice on the primary entrance of each dwelling unit subject to the foreclosure action. This notice shall:

(i) inform occupant that the dwelling unit is the subject of a foreclosure action and that control of the mortgaged real estate has changed;

(ii) include the following language: "This is NOT a notice to vacate the premises."; and

(iii) provide the name, address, and telephone number of the individual or entity whom occupants may contact with concerns about the mortgaged real estate or to request repairs of the property; and:

(iv) provide instructions on the method of payment of future rent, if applicable.

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(f)(i) The provisions of subsection (d) of this Section shall be the exclusive remedy for the failure of a holder or purchaser to provide notice to a known occupant under this Section.

(ii) This Section shall not abrogate any right that a holder or purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against an occupant of a dwelling unit for possession under Article IX of this Code or subsection (h) of Section 15-1701.

(iii) In the event that the holder or purchaser is a mortgagee in possession of the mortgaged real estate pursuant to Section 15-1703 at the time of the confirmation of sale and has complied with requirements of subsection (a-5) of Section 15-1703, the holder or purchaser is excused from the requirements of subsections (a) and (e) of this Section.

(iv) A holder or purchaser is not required to provide the notice required by this Section to a mortgagor or party against whom an order of possession has been entered authorizing the removal of the mortgagor or party pursuant to subsection (g) of Section 15-1508.

(Source: P.A. 96-111, eff. 10-29-09.)

(735 ILCS 5/15-1701) (from Ch. 110, par. 15-1701)

Sec. 15-1701. Right to possession.

(a) General. The provisions of this Article shall govern the right to possession of the mortgaged real estate during foreclosure. Possession under this Article includes physical possession of the mortgaged real estate to the same extent to which the mortgagor, absent the foreclosure, would have been entitled to physical possession. For the purposes of Part 17, real estate is residential real estate only if it is residential real estate at the time the foreclosure is commenced.

(b) Pre-Judgment. Prior to the entry of a judgment of foreclosure:

(1) In the case of residential real estate, the mortgagor shall be entitled to possession of the real estate except if (i) the mortgagee shall object and show good cause, (ii) the mortgagee is so authorized by the terms of the mortgage or other written instrument, and (iii) the court is satisfied that there is a reasonable probability that the mortgagee will prevail on a final hearing of the cause, the court shall upon request place the mortgagee in possession. If the residential real estate consists of more than one dwelling unit, then for the purpose of this Part residential real estate shall mean only that dwelling unit or units occupied by persons described in clauses (i), (ii) and (iii) of Section 15-1219.

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(2) In all other cases, if (i) the mortgagee is so authorized by the terms of the mortgage or other written instrument, and (ii) the court is satisfied that there is a reasonable probability that the mortgagee will prevail on a final hearing of the cause, the mortgagee shall upon request be placed in possession of the real estate, except that if the mortgagor shall object and show good cause, the court shall allow the mortgagor to remain in possession.

(c) Judgment Through 30 Days After Sale Confirmation. After the entry of a judgment of foreclosure and through the 30th day after a foreclosure sale is confirmed:

(1) Subsection (b) of Section 15-1701 shall be applicable, regardless of the provisions of the mortgage or other instrument, except that after a sale pursuant to the judgment the holder of the certificate of sale (or, if none, the purchaser at the sale) shall have the mortgagee's right to be placed in possession, with all rights and duties of a mortgagee in possession under this Article.

(2) Notwithstanding paragraph (1) of subsection (b) and paragraph (1) of subsection (c) of Section 15-1701, upon request of the mortgagee, a mortgagor of residential real estate shall not be allowed to remain in possession between the expiration of the redemption period and through the 30th day after sale confirmation unless (i) the mortgagor pays to the mortgagee or such holder or purchaser, whichever is applicable, monthly the lesser of the interest due under the mortgage calculated at the mortgage rate of interest applicable as if no default had occurred or the fair rental value of the real estate, or (ii) the mortgagor otherwise shows good cause. Any amounts paid by the mortgagor pursuant to this subsection shall be credited against the amounts due from the mortgagor.

(d) After 30 Days After Sale Confirmation. The holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, except to the extent the holder or purchaser may consent otherwise, shall be entitled to possession of the mortgaged real estate, as of the date 30 days after the order confirming the sale is entered, against those parties to the foreclosure whose interests the court has ordered terminated, without further notice to any party, further order of the court, or resort to proceedings under any other statute other than this Article. This right to possession shall be limited by the provisions governing entering and enforcing orders of
possession under subsection (g) of Section 15-1508. If the holder or purchaser determines that there are occupants of the mortgaged real estate who have not been made parties to the foreclosure and had their interests terminated therein, the holder or purchaser may bring a proceeding under subsection (h) of this Section, if applicable, or under Article IX 9 of this Code to terminate the rights of possession of any such occupants. The holder or purchaser shall not be entitled to proceed against any such occupant under Article IX 9 of this Code until after 30 days after the order confirming the sale is entered.

(e) Termination of Leases. A lease of all or any part of the mortgaged real estate shall not be terminated automatically solely by virtue of the entry into possession by (i) a mortgagee or receiver prior to the entry of an order confirming the sale, (ii) the holder of the certificate of sale, (iii) the holder of the deed issued pursuant to that certificate, or (iv) if no certificate or deed was issued, the purchaser at the sale.

(f) Other Statutes; Instruments. The provisions of this Article providing for possession of mortgaged real estate shall supersede any other inconsistent statutory provisions. In particular, and without limitation, whenever a receiver is sought to be appointed in any action in which a foreclosure is also pending, a receiver shall be appointed only in accordance with this Article. Except as may be authorized by this Article, no mortgage or other instrument may modify or supersede the provisions of this Article.

(g) Certain Leases. Leases of the mortgaged real estate entered into by a mortgagee in possession or a receiver and approved by the court in a foreclosure shall be binding on all parties, including the mortgagor after redemption, the purchaser at a sale pursuant to a judgment of foreclosure and any person acquiring an interest in the mortgaged real estate after entry of a judgment of foreclosure in accordance with Sections 15-1402 and 15-1403.

(h) Proceedings Against Certain Occupants.

(1) The mortgagee-in-possession of the mortgaged real estate under Section 15-1703, a receiver appointed under Section 15-1704, a holder of the certificate of sale or deed, or the purchaser may, at any time during the pendency of the foreclosure and up to 90 days after the date of the order confirming the sale, file a supplemental petition for possession against a person not personally named as a party to the foreclosure. This subsection (h)
does not apply to any lessee with a bona fide lease of a dwelling unit in residential real estate in foreclosure.

(2) The supplemental petition for possession shall name each such occupant against whom possession is sought and state the facts upon which the claim for relief is premised.

(3) The petitioner shall serve upon each named occupant the petition, a notice of hearing on the petition, and, if any, a copy of the certificate of sale or deed. The proceeding for the termination of such occupant's possessory interest, including service of the notice of the hearing and the petition, shall in all respects comport with the requirements of Article IX of this Code, except as otherwise specified in this Section. The hearing shall be no less than 21 days from the date of service of the notice.

(4) The supplemental petition shall be heard as part of the foreclosure proceeding and without the payment of additional filing fees. An order for possession obtained under this Section shall name each occupant whose interest has been terminated, shall recite that it is only effective as to the occupant so named and those holding under them, and shall be enforceable for no more than 120 days after its entry, except that the 120-day period may be extended to the extent and in the manner provided in Section 9-117 of Article IX of Article IX and except as provided in item (5) of this subsection (h).

(5) In a case of foreclosure where the occupant is current on his or her rent, or where timely written notice of to whom and where the rent is to be paid has not been provided to the occupant, or where the occupant has made good-faith efforts to make rental payments in order to keep current, any order of possession must allow the occupant to retain possession of the property covered in his or her rental agreement (i) for 120 days following the notice of the hearing on the supplemental petition that has been properly served upon the occupant, or (ii) through the duration of his or her lease, whichever is shorter, provided that if the duration of his or her lease is less than 30 days from the date of the order, the order shall allow the occupant to retain possession for 30 days from the date of the order. A mortgagee in possession, receiver, holder of a certificate of sale or deed, or purchaser at the judicial sale, who asserts that the occupant is not current in rent, shall file an affidavit to that effect in the supplemental petition.
proceeding. If the occupant has been given timely written notice of to whom and where the rent is to be paid, this item (5) (4) shall only apply if the occupant continues to pay his or her rent in full during the 120-day period or has made good-faith efforts to pay the rent in full during that period. No mortgagee-in-possession, receiver or holder of a certificate of sale or deed, or purchaser who fails to file a supplemental petition under this subsection during the pendency of a mortgage foreclosure shall file a forcible entry and detainer action against an occupant of the mortgaged real estate until 90 days after a notice of intent to file such action has been properly served upon the occupant.

(6) (5) The court records relating to a supplemental petition for possession filed under this subsection (h) against an occupant who is entitled to notice under item (5) (4) of this subsection (h), or relating to a forcible entry and detainer action brought against an occupant who would have lawful possession of the premises but for the foreclosure of a mortgage on the property, shall be ordered sealed and shall not be disclosed to any person, other than a law enforcement officer or any other representative of a governmental entity, except upon further order of the court.

(i) Termination of bona fide leases. The holder of the certificate of sale, the holder of the deed issued pursuant to that certificate, or, if no certificate or deed was issued, the purchaser at the sale shall not terminate a bona fide lease of a dwelling unit in residential real estate in foreclosure except pursuant to Article IX of this Code.

(Source: P.A. 95-262, eff. 1-1-08; 95-933, eff. 8-26-08; 96-60, eff. 7-23-09; 96-111, eff. 10-29-09; 96-1000, eff. 7-2-10.)

(735 ILCS 5/15-1703) (from Ch. 110, par. 15-1703)
Sec. 15-1703. Mortgagee in Possession.
(a) Powers and Duties. A mortgagee placed in possession of the real estate pursuant to Section 15-1701 or Section 15-1702 shall have:

(1) such power and authority with respect to the real estate and other property subject to the mortgage, including the right to receive the rents, issues and profits thereof, as may have been conferred upon the mortgagee by the terms of the mortgage or other written instrument authorizing the taking of possession;

(2) all other rights and privileges of a mortgagee in possession under law not inconsistent herewith; and

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(3) the same powers, duties and liabilities as a receiver appointed for the real estate in accordance with this Article. If an order placing a mortgagee in possession is modified, revoked or set aside, the mortgagee shall not be liable for any damages to the extent such damages arise solely out of the fact that the mortgagor was removed from possession or that the mortgagee was placed in possession.

(a-5) Notice to occupants.

(1) Following the order placing the mortgagee in possession of the mortgaged real estate, but no later than 21 days after the entry of such order, the mortgagee in possession shall make a good faith effort to ascertain the identities and addresses of all occupants of dwelling units of the mortgaged real estate.

(2) Following the order placing the mortgagee in possession of the mortgaged real estate, but no later than 21 days after the entry of such order, the mortgagee in possession shall notify all known occupants of dwelling units of the mortgaged real estate that the mortgagee has taken possession of the mortgaged real estate. The notice shall be in writing and shall:

   (i) identify the occupant being served by the name known to the mortgagee in possession;

   (ii) inform the occupant that the mortgaged real estate at which the dwelling unit is located is the subject of a foreclosure action and that control of the mortgaged real estate has changed;

   (iii) provide the name, address, and telephone number of the individual or entity whom occupants may contact with concerns about the mortgaged real estate or to request repairs of that property;

   (iv) include the following language, or language that is substantially similar: "This is NOT a notice to vacate the premises. You may wish to contact a lawyer or your local legal aid or housing counseling agency to discuss any rights that you may have."); and

   (v) include the name of the case, the case number, and the court where the foreclosure action is pending; and:

   (vi) provide instructions on the method of payment of future rent, if applicable.

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(3) The written notice required by item (2) of this subsection (a-5) shall be served by delivering a copy thereof to the known occupant, or by leaving the same with some person of the age of 13 years or upwards, who is residing on or in possession of the premises; or by sending a copy of the notice to the known occupant by first-class mail, addressed to the occupant by the name known to the mortgagee in possession.

(4) In the event that a mortgagee in possession ascertains the identity and address of an occupant of a dwelling unit of the mortgaged real estate more than 21 days after being placed in possession of the mortgaged real estate pursuant to Section 15-1703, the mortgagee in possession shall provide the notice required by item (2) of this subsection (a-5) within 7 days of ascertaining the identity and address of the occupant.

(5)(i) A mortgagee in possession who fails to comply with items (1), (2), (3), and (4) of this subsection (a-5) may not collect any rent due and owing from a known occupant, or terminate a known occupant's tenancy for non-payment of such rent, until the mortgagee in possession has served the notice described in item (2) of this subsection (a-5) upon the known occupant. After providing such notice, the mortgagee in possession may collect any and all rent otherwise due and owing the mortgagee in possession from the known occupant and may terminate the known occupant's tenancy for non-payment of such rent if the mortgagee in possession otherwise has such right to terminate.

(ii) An occupant who previously paid rent for the current rental period to the mortgagor, or other entity with the authority to operate, manage, and conserve the mortgaged real estate at the time of payment, shall not be held liable for that rent by the mortgagee in possession, and the occupant's tenancy shall not be terminated for non-payment of rent for that rental period.

(6) Within 21 days of the order placing the mortgagee in possession of the mortgaged real estate, the mortgagee in possession shall post a written notice on the primary entrance of each dwelling unit subject to the foreclosure action that informs the occupants that the mortgagee in possession is now operating and managing the mortgaged real estate. This notice shall:

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(i) inform occupant that the dwelling unit is the subject of a foreclosure action and that control of the mortgaged real estate has changed;

(ii) include the following language: "This is NOT a notice to vacate the premises."; and

(iii) provide the name, address, and telephone number of the individual or entity whom occupants may contact with concerns about the mortgaged real estate or to request repairs of the property; and:

(iv) provide instructions on the method of payment of future rent, if applicable.

(7)(i) The provisions of item (5) of this subsection (a-5) shall be the exclusive remedy for the failure of a mortgagee in possession to provide notice to a known occupant under this Section.

(ii) This Section shall not abrogate any right that a mortgagee in possession may have to possession of the mortgaged real estate and to maintain a proceeding against an occupant of a dwelling unit for possession under Article IX of this Code or subsection (h) of Section 15-1701.

(b) Fees and Expenses. A mortgagee in possession shall not be entitled to any fees for so acting, but shall be entitled to reimbursement for reasonable costs, expenses and third party management fees incurred in connection with such possession.

(Source: P.A. 96-111, eff. 10-29-09.)

(735 ILCS 5/15-1704) (from Ch. 110, par. 15-1704)
Sec. 15-1704. Receivers.

(a) Receiver. Notwithstanding the provisions of subsections (b), (c) and (d) of Section 15-1701, and except as provided in Section 15-1702, upon request of any party and a showing of good cause, the court shall appoint a receiver for the mortgaged real estate.

(b) Powers. A receiver appointed pursuant to this Article shall have possession of the mortgaged real estate and other property subject to the mortgage during the foreclosure, shall have full power and authority to operate, manage and conserve such property, and shall have all the usual powers of receivers in like cases. Without limiting the foregoing, a receiver shall have the power and authority to:

(1) secure tenants and execute leases for the real estate, the duration and terms of which are reasonable and customary for the
type of use involved, and such leases shall have the same priority as if made by the owner of the real estate; but, unless approved by the Court, the receiver shall not execute oil, gas or other mineral leases, or (even if otherwise allowed by law) leases extending beyond the time of the receiver's possession; provided, however, with respect to residential real estate leased by the receiver, nothing in this Section shall affect the legal rights of any lessee with respect to the safety and habitability of the residential real estate;

(2) collect the rents, issues and profits from the mortgaged real estate;
(3) insure the mortgaged real estate against loss by fire or other casualty;
(4) employ counsel, custodians, janitors and other help; and
(5) pay taxes which may have been or may be levied against the mortgaged real estate.

(c) Duties. A receiver appointed pursuant to this Article must manage the mortgaged real estate as would a prudent person, taking into account the effect of the receiver's management on the interest of the mortgagor. A receiver may, without an order of the court, delegate managerial functions to a person in the business of managing real estate of the kind involved who is financially responsible, not related to the mortgagee or receiver and prudently selected. However, the receiver shall remain responsible to the mortgagor or other persons for the acts or omissions of such management agent. When fees are paid to such a management agent, the receiver's fees may be adjusted to the extent the court deems appropriate. In managing the mortgaged real estate and other property subject to the mortgage, a receiver or receiver's delegate, to the extent the receiver receives sufficient receipts from the mortgaged real estate, such other property or other sources, except to the extent ordered otherwise by the court:

(1) shall maintain the existing casualty and liability insurance required in accordance with the mortgage or applicable to the real estate and other property subject to the mortgage at the time the receiver took possession;
(2) shall use reasonable efforts to maintain the real estate and other property subject to the mortgage in at least as good condition as existed at the time the receiver took possession, excepting reasonable wear and tear and damage by any casualty;

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(2.5) shall accept all rental payments from an occupant of the mortgaged property, and any payments from a third party or any rental assistance program in support of an occupant's housing;

(3) shall apply receipts to payment of ordinary operating expenses, including royalties, rents and other expenses of management;

(4) shall pay any shared or common expense assessments due to any association of owners of interests in real estate to the extent that such assessments are or may become a lien against the mortgaged real estate;

(5) may pay the amounts due under any mortgage if the mortgagor thereof is not a party in the foreclosure;

(6) may carry such additional casualty and liability insurance as is reasonably available and reasonable as to amounts and risks covered;

(7) may make other repairs and improvements necessary to comply with building, housing, and other similar codes or with existing contractual obligations affecting the mortgaged real estate;

(8) may hold receipts as reserves reasonably required for the foregoing purposes; and

(9) may take such other actions as may be reasonably necessary to conserve the mortgaged real estate and other property subject to the mortgage, or as otherwise authorized by the court.

(d) Allocation of Receipts. Receipts received from operation of the real estate and other property subject to the mortgage by the receiver shall be applied in the following order of priority.

(1) to reimbursement of the receiver for all reasonable costs and expenses incurred by the receiver or the receiver's delegates;

(2) to payment of insurance premiums authorized in paragraph (1) of subsection (c) of Section 15-1704;

(3) to payment of the receiver's delegates of any reasonable management fees for managing real estate of the type involved;

(4) to payment of receiver's fees allowed by the court;

(5) to payment of expenses authorized in paragraphs (2), (3) and (4) of subsection (c) of Section 15-1704;

(6) to payment of amounts authorized in paragraph (5) of subsection (c) of Section 15-1704;

(7) to payment of expenses authorized in paragraphs (6) and (7) of subsection (c) of Section 15-1704; and

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(8) the balance, if any, shall be held or disbursed as ordered by the court.

(e) Non-Liability for Allocations. A receiver shall in no event be liable to any person for the allocation of, or failure to allocate, receipts to possible expenditures within the same priority category.

(f) Notice to occupants.

(1) Following an order appointing a receiver pursuant to Section 15-1704, but no later than 21 days after the entry of such order, the appointed receiver shall make a good faith effort to ascertain the identities and addresses of all occupants of dwelling units of the mortgaged real estate.

(2) Following an order appointing a receiver pursuant to Section 15-1704, but no later than 21 days after the entry of such order, the appointed receiver shall notify all known occupants of dwelling units of the mortgaged real estate that the receiver has been appointed receiver of the mortgaged real estate. Such notice shall be in writing and shall:

(i) identify the occupant being served by the name known to the receiver;

(ii) inform the occupant that the mortgaged real estate at which the dwelling unit is located is the subject of a foreclosure action and that control of the mortgaged real estate has changed;

(iii) provide the name, address, and telephone number of the individual or entity whom occupants may contact with concerns about the mortgaged real estate or to request repairs of that property;

(iv) include the following language, or language that is substantially similar: "This is NOT a notice to vacate the premises. You may wish to contact a lawyer or your local legal aid or housing counseling agency to discuss any rights that you may have."; and

(v) include the name of the case, the case number, and the court where the foreclosure action is pending; and:

(vi) provide instructions on the method of payment of future rent, if applicable.

(3) The written notice required by item (2) of this subsection (f) shall be served by delivering a copy thereof to the known occupant, or by leaving the same with some person of the

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age of 13 years or upwards, who is residing on or in possession of the premises; or by sending a copy of the notice to the known occupant by first-class mail, addressed to the occupant by the name known to the receiver.

(4) In the event that a receiver ascertains the identity and address of an occupant of a dwelling unit of the mortgaged real estate more than 21 days after appointment pursuant to Section 15-1704, the receiver shall provide the notice required by item (2) of this subsection (f) within 7 days of ascertaining the identity and address of the occupant.

(5)(i) A receiver who fails to comply with items (1), (2), (3), and (4) of this subsection (f) may not collect any rent due and owing from a known occupant, or terminate a known occupant's tenancy for non-payment of such rent, until the receiver has served the notice described in item (2) of this subsection (f) upon the known occupant. After providing such notice, the receiver may collect any and all rent otherwise due and owing the receiver from the known occupant and may terminate the known occupant's tenancy for non-payment of such rent if the receiver otherwise has such right to terminate.

(ii) An occupant who previously paid rent for the current rental period to the mortgagor, or other entity with the authority to operate, manage, and conserve the mortgaged real estate at the time of payment, shall not be held liable for that rent by the receiver, and the occupant's tenancy shall not be terminated for non-payment of rent for that rental period.

(6) Within 21 days of appointment, the receiver shall post a written notice on the primary entrance of each dwelling unit subject to the foreclosure action that informs occupants that the receiver has been appointed to operate and manage the property. This notice shall:

(i) inform occupant that the dwelling unit is the subject of a foreclosure action and that control of the mortgaged real estate has changed;

(ii) include the following language: "This is NOT a notice to vacate the premises."; and

(iii) provide the name, address, and telephone number of the individual or entity whom occupants may contact.

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contact with concerns about the mortgaged real estate or to request repairs of the property; and:

(iv) provide instructions on the method of payment of future rent, if applicable.

(7)(i) The provisions of item (5) of this subsection (f) shall be the exclusive remedy for the failure of a receiver to provide notice to a known occupant under this Section.

(ii) This Section shall not abrogate any right that a receiver may have to possession of the mortgaged real estate and to maintain a proceeding against an occupant of a dwelling unit for possession under Article IX of this Code or subsection (h) of Section 15-1701.

(g) Increase of rents. Notwithstanding any other provision of this Article, a receiver shall not charge an occupant of the mortgaged real estate a rental amount above that which the occupant had been paying for use and occupancy of the mortgaged real estate prior to the appointment of a receiver without leave of court. The court may allow an increase of rent if, upon motion by the receiver, the court finds by a preponderance of the evidence, that the increase of rent is necessary to operate, manage, and conserve the mortgaged real estate pursuant to this Section. A list of the current rents for each unit in the mortgaged real estate, and a list of the proposed rent increase for each of those units, must be attached to a motion for a rent increase under this subsection (g). All occupants of the mortgaged real estate who may be affected by the motion for a rent increase, if not otherwise entitled to notice, shall be notified in writing of the nature of the motion, the date and time of the motion, and the court where the motion will be heard. Such notice shall be by personal service or first-class mail. In the event that the receiver and an occupant of a dwelling unit agree to a rent increase for that dwelling unit, the receiver is excused from the requirements of this subsection (g) as to that dwelling unit. Nothing in this subsection (g) shall alter the terms of any lease agreement.

(h) Removal. The court may remove a receiver upon a showing of good cause, in which case a new receiver may be appointed in accordance with subsection (b) of Section 15-1702 and subsection (a) of Section 15-1704.

(Source: P.A. 96-111, eff. 10-29-09.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or

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no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect 90 days after becoming law.

Approved August 21, 2013.
Effective November 19, 2013.

PUBLIC ACT 98-0515
(Senate Bill No. 0572)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Illinois Small Business and Workforce Development Task Force Act.

Section 5. Illinois Small Business and Workforce Development Task Force. The Illinois Small Business and Workforce Development Task Force is created as a 17-member Task Force. Four members of the Task Force shall be appointed by each legislative leader. One of the appointees by each legislative leader shall be a person representing small business, one of the appointees shall be a person representing labor, and 2 of the appointees shall be members of the General Assembly. Members of the Task Force shall receive no compensation, but may be reimbursed for their expenses from appropriations available for that purpose. The Chairperson of the University of Illinois Board of Trustees or his or her designee shall be the chairperson of the Task Force. The Task Force shall meet at the call of the Chair. Each Task Force member shall have a 2-year term. A legislative leader may appoint a replacement member upon the death, disability, or resignation of any member appointed by that leader.

Section 10. Administrative support. The University of Illinois shall provide administrative support to the Task Force.

Section 15. Task Force duties. The Task Force shall identify issues of importance to small business that may be addressed by the 98th General Assembly and future General Assemblies. The Task Force shall make recommendations regarding the issues identified. The issues and recommendations shall address access to capital, State procurement

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policies, State regulatory policies, program sustainability, and workforce concerns.

Section 20. Findings and recommendations. By November 30, 2013, and by November 30 of every year thereafter, the Task Force shall submit a report to the General Assembly setting forth its findings and recommendations. The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, Minority Leader, and Clerk of the House of Representatives, the President, Minority Leader, and Secretary of the Senate, and the Legislative Research Unit as required under Section 3.1 of the General Assembly Organization Act.

Section 97. Repeal. This Act is repealed January 1, 2017.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 22, 2013.
Effective August 22, 2013.

PUBLIC ACT 98-0516
(Senate Bill No. 1210)

AN ACT in relation to homeless persons.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Bill of Rights for the Homeless Act.

Section 5. Legislative intent. It is the long-standing policy of this State that no person should suffer unnecessarily from cold or hunger, be deprived of shelter or the basic rights incident to shelter, or be subject to unfair discrimination based on his or her homeless status. At the present time, many persons have been rendered homeless as a result of economic hardship, a severe shortage of safe and affordable housing, and a shrinking social safety net. It is the intent of this Act to lessen the adverse effects and conditions caused by the lack of residence or a home.

Section 10. Bill of Rights.

(a) No person's rights, privileges, or access to public services may be denied or abridged solely because he or she is homeless. Such a person shall be granted the same rights and privileges as any other citizen of this State. A person experiencing homelessness has the following rights:

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(1) the right to use and move freely in public spaces, including but not limited to public sidewalks, public parks, public transportation, and public buildings, in the same manner as any other person and without discrimination on the basis of his or her housing status;

(2) the right to equal treatment by all State and municipal agencies, without discrimination on the basis of housing status;

(3) the right not to face discrimination while maintaining employment due to his or her lack of permanent mailing address, or his or her mailing address being that of a shelter or social service provider;

(4) the right to emergency medical care free from discrimination based on his or her housing status;

(5) the right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his or her housing status;

(6) the right to protection from disclosure of his or her records and information provided to homeless shelters and service providers to State, municipal, and private entities without appropriate legal authority; and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the federal Homeless Management Information Systems, the federal Health Insurance Portability and Accountability Act, and the federal Violence Against Women Act; and

(7) the right to a reasonable expectation of privacy in his or her personal property to the same extent as personal property in a permanent residence.

(b) As used in this Act, "housing status" means the status of having or not having a fixed or regular residence, including the status of living on the streets, in a shelter, or in a temporary residence.

Section 15. Damages and attorney's fees. In any civil action alleging a violation of this Act, the court may award appropriate injunctive and declaratory relief, actual damages, and reasonable attorney's fees and costs to a prevailing plaintiff.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 22, 2013.

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Effective August 22, 2013.

PUBLIC ACT 98-0517
(Senate Bill No. 1550)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 14-8.03 as follows:

(a) For purposes of this Section, "transition services" means a coordinated set of activities for a child with a disability that (i) is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; (ii) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (iii) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills, benefits planning, work incentives education, and the provision of a functional vocational evaluation. Transition services for a child with a disability may be special education, if provided as specially designed instruction, or a related service if required to assist a child with a disability to benefit from special education.

(a-5) Beginning no later than the first individualized education plan (IEP) in effect when the student turns age 14 1/2 (or younger if determined appropriate by the IEP Team) and updated annually thereafter, the IEP must include (i) measurable post-secondary goals based upon age-appropriate transition assessments and other information available regarding the student that are related to training, education, employment, and, where appropriate, independent living skills and (ii) the transition services needed to assist the student in reaching those goals, including courses of study.
(b) Transition planning must be conducted as part of the IEP process and must be governed by the procedures applicable to the development, review, and revision of the IEP, including notices to the parents and student, parent and student participation, and annual review. To appropriately assess and develop IEP transition goals and transition services for a child with a disability, additional participants may be necessary and may be invited by the school district, parent, or student to participate in the transition planning process. Additional participants may include without limitation a representative from the Department of Human Services or another State agency, a case coordinator, or persons representing other public or community agencies or services, such as adult service providers or public community colleges. The IEP shall identify each person responsible for coordinating and delivering transition services. If the IEP team determines that the student requires transition services from a public or private entity outside of the school district, the IEP team shall identify potential outside resources, assign one or more IEP team members to contact the appropriate outside entities, make the necessary referrals, provide any information and documents necessary to complete the referral, follow up with the entity to ensure that the student has been successfully linked to the entity, and monitor the student's progress to determine if the student's IEP transition goals and benchmarks are being met. The student's IEP shall indicate one or more specific time periods during the school year when the IEP team shall review the services provided by the outside entity and the student's progress in such activities. The public school's responsibility for delivering educational services does not extend beyond the time the student leaves school or when the student's eligibility ends due to age under this Article.

(c) A school district shall submit annually a summary of each eligible student's IEP transition goals and transition services resulting from the IEP Team meeting to the appropriate local Transition Planning Committee. If students with disabilities who are ineligible for special education services request transition services, local public school districts shall assist those students by identifying post-secondary school goals, delivering appropriate education services, and coordinating with other agencies and services for assistance.

(Source: P.A. 95-793, eff. 1-1-09; 96-187, eff. 8-10-09.)

Section 99. Effective date. This Act takes effect upon becoming law.


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AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 11-208.7 as follows:

(625 ILCS 5/11-208.7)
Sec. 11-208.7. Administrative fees and procedures for impounding vehicles for specified violations.

(a) Any municipality may, consistent with this Section, provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. The administrative fee imposed by the municipality may be in addition to any fees charged for the towing and storage of an impounded vehicle. The administrative fee shall be waived by the municipality upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.

(b) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section may impose fees for the following violations:

(1) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 1961; or

(2) driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of this Code; or

(3) operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or

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(4) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or

(5) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961; or

(6) driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of this Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or

(7) operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or

(8) operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of this Code, if the period of expiration is greater than one year; or

(9) operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of this Code, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

(10) operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code; or

(11) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961; or

(12) operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961, when so provided by local ordinance; or

(13) operation or use of a motor vehicle in violation of Section 11-503 of this Code:

(A) while the vehicle is part of a funeral procession;

or

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(B) in a manner that interferes with a funeral procession.

(c) The following shall apply to any fees imposed for administrative and processing costs pursuant to subsection (b):

(1) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.

(2) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

(3) The fees shall be uniform for all similarly situated vehicles.

(4) The fees shall be collected by and paid to the municipality imposing the fees.

(5) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle.

(d) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section shall provide for an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-208.3 of this Code, and for the release of the vehicle to the owner of record, lessee, or a lienholder of record upon payment of all administrative fees and towing and storage fees.

(e) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include the following provisions concerning notice of impoundment:

(1) Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the municipality.

(2) At the time the vehicle is towed, the municipality shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.

(3) The municipality shall also provide notice that the motor vehicle will remain impounded pending the completion of
an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the municipality a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

(f) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include a provision providing that the registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

(1) be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;

(2) be served upon interested parties within 10 days after a vehicle is impounded by the municipality; and

(3) contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(g) In addition to the requirements contained in subdivision (b)(4) of Section 11-208.3 of this Code relating to administrative hearings, any ordinance providing for the impoundment and release of vehicles under this Section shall include the following requirements concerning administrative hearings:

(1) administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in this State for a minimum of 3 years;

(2) at the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;

(3) if the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the municipality;

(4) all final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law; and

(5) unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to
the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.

(h) Vehicles not retrieved from the towing facility or storage facility within 35 days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of this Code.

(i) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(Source: P.A. 97-109, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 22, 2013.
Effective August 22, 2013.

PUBLIC ACT 98-0519
(Senate Bill No. 1898)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-164.5, 7-203, 7-311, and 7-317 as follows:

(625 ILCS 5/1-164.5)

Sec. 1-164.5. Proof of financial responsibility. Proof of ability to respond in damages for any liability thereafter incurred resulting from the ownership, maintenance, use or operation of a motor vehicle for bodily injury to or death of any person in the amount of $25,000 $20,000, and subject to this limit for any one person injured or killed, in the amount of $50,000 $40,000 for bodily injury to or death of 2 or more persons in any one accident, and for damage to property in the amount of $20,000 $15,000 resulting from any one accident. This proof in these amounts shall be furnished for each motor vehicle registered by every person required to furnish this proof. The changes to this Section made by this amendatory

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Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.
(Source: P.A. 90-89, eff. 1-1-98.)

Sec. 7-203. Requirements as to policy or bond. No such policy or bond referred to in Section 7-202 shall be effective under this Section unless issued by an insurance company or surety company authorized to do business in this State, except that if such motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company, if not authorized to do business in this State, shall execute a power of attorney authorizing the Secretary of State to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such motor vehicle accident. However, every such policy or bond is subject, if the motor vehicle accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than $25,000 because of bodily injury to or death of any one person in any one motor vehicle accident and, subject to said limit for one person, to a limit of not less than $50,000 because of bodily injury to or death of 2 or more persons in any one motor vehicle accident, and, if the motor vehicle accident has resulted in injury to or destruction of property, to a limit of not less than $20,000 because of injury to or destruction of property of others in any one motor vehicle accident. The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.

Upon receipt of a written motor vehicle accident report from the Administrator the insurance company or surety company named in such notice shall notify the Administrator within such time and in such manner as the Administrator may require, in case such policy or bond was not in effect at the time of such motor vehicle accident.
(Source: P.A. 85-730.)

Sec. 7-311. Payments sufficient to satisfy requirements. (a) Judgments herein referred to arising out of motor vehicle accidents occurring on or after the effective date of this amendatory Act of the 98th General Assembly January 1, 1956, shall for the purpose of this Chapter be deemed satisfied:

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1. When $25,000 $20,000 has been credited upon any judgment or judgments rendered in excess of that amount for bodily injury to or the death of one person as the result of any one motor vehicle accident; or

2. When, subject to said limit of $25,000 $20,000 as to any one person, the sum of $50,000 $40,000 has been credited upon any judgment or judgments rendered in excess of that amount for bodily injury to or the death of more than one person as the result of any one motor vehicle accident; or

3. When $20,000 $15,000 has been credited upon any judgment or judgments, rendered in excess of that amount for damages to property of others as a result of any one motor vehicle accident.

The changes to this subsection made by this amendatory Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.

(b) Credit for such amounts shall be deemed a satisfaction of any such judgment or judgments in excess of said amounts only for the purposes of this Chapter.

(c) Whenever payment has been made in settlement of any claim for bodily injury, death or property damage arising from a motor vehicle accident resulting in injury, death or property damage to two or more persons in such accident, any such payment shall be credited in reduction of the amounts provided for in this Section.

(Source: P.A. 85-730.)

(625 ILCS 5/7-317) (from Ch. 95 1/2, par. 7-317)

Sec. 7-317. "Motor vehicle liability policy" defined. (a) Certification. -A "motor vehicle liability policy", as that term is used in this Act, means an "owner's policy" or an "operator's policy" of liability insurance, certified as provided in Section 7-315 or Section 7-316 as proof of financial responsibility for the future, and issued, except as otherwise provided in Section 7-316, by an insurance carrier duly authorized to transact business in this State, to or for the benefit of the person named therein as insured.

(b) Owner's Policy. --Such owner's policy of liability insurance:

1. Shall designate by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is thereby intended to be granted;

2. Shall insure the person named therein and any other person using or responsible for the use of such motor vehicle or vehicles with the express or implied permission of the insured;

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3. Shall insure every named insured and any other person using or responsible for the use of any motor vehicle owned by the named insured and used by such other person with the express or implied permission of the named insured on account of the maintenance, use or operation of any motor vehicle owned by the named insured, within the continental limits of the United States or the Dominion of Canada against loss from liability imposed by law arising from such maintenance, use or operation, to the extent and aggregate amount, exclusive of interest and cost, with respect to each motor vehicle, of $25,000 $20,000 for bodily injury to or death of one person as a result of any one accident and, subject to such limit as to one person, the amount of $50,000 $40,000 for bodily injury to or death of all persons as a result of any one accident and the amount of $20,000 $15,000 for damage to property of others as a result of any one accident. The changes to this paragraph made by this amendatory Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.

(c) Operator's Policy. --When an operator's policy is required, it shall insure the person named therein as insured against the liability imposed by law upon the insured for bodily injury to or death of any person or damage to property to the amounts and limits above set forth and growing out of the use or operation by the insured within the continental limits of the United States or the Dominion of Canada of any motor vehicle not owned by him.

(d) Required Statements in Policies. --Every motor vehicle liability policy must specify the name and address of the insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement that the insurance thereunder is provided in accordance with the coverage defined in this Act, as respects bodily injury and death or property damage or both, and is subject to all the provisions of this Act.

(e) Policy Need Not Insure Workers' Compensation. --Any liability policy or policies issued hereunder need not cover any liability of the insured assumed by or imposed upon the insured under any workers' compensation law nor any liability for damage to property in charge of the insured or the insured's employees.

(f) Provisions Incorporated in Policy. --Every motor vehicle liability policy is subject to the following provisions which need not be contained therein:

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1. The liability of the insurance carrier under any such policy shall become absolute whenever loss or damage covered by the policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payment on account of such loss or damage.

2. No such policy may be cancelled or annulled as respects any loss or damage, by any agreement between the carrier and the insured after the insured has become responsible for such loss or damage, and any such cancellation or annulment shall be void.

3. The insurance carrier shall, however, have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in the policy.

4. The policy, the written application therefor, if any, and any rider or endorsement which shall not conflict with the provisions of this Act shall constitute the entire contract between the parties.

(g) Excess or Additional Coverage. --Any motor vehicle liability policy may, however, grant any lawful coverage in excess of or in addition to the coverage herein specified or contain any agreements, provisions, or stipulations not in conflict with the provisions of this Act and not otherwise contrary to law.

(h) Reimbursement Provision Permitted. --The policy may provide that the insured, or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits specified in this Act, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defense which it may be entitled to plead against the insured.

(i) Proration of Insurance Permitted. --The policy may provide for the pro-rating of the insurance thereunder with other applicable valid and collectible insurance.

(j) Binders. --Any binder pending the issuance of any policy, which binder contains or by reference includes the provisions hereunder shall be sufficient proof of ability to respond in damages.

(k) Copy of Policy to Be Filed with Department of Insurance--Approval. --A copy of the form of every motor vehicle liability policy which is to be used to meet the requirements of this Act must be filed, by the company offering such policy, with the Department of Insurance,

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which shall approve or disapprove the policy within 30 days of its filing. If
the Department approves the policy in writing within such 30 day period
or fails to take action for 30 days, the form of policy shall be deemed
approved as filed. If within the 30 days the Department disapproves the
form of policy filed upon the ground that it does not comply with the
requirements of this Act, the Department shall give written notice of its
decision and its reasons therefor to the carrier and the policy shall not be
accepted as proof of financial responsibility under this Act.

(l) Insurance Carrier Required to File Certificate. --An insurance
carrier who has issued a motor vehicle liability policy or policies or an
operator's policy meeting the requirements of this Act shall, upon the
request of the insured therein, deliver to the insured for filing, or at the
request of the insured, shall file direct, with the Secretary of State a
certificate, as required by this Act, which shows that such policy or
policies have been issued. No insurance carrier may require the payment of
any extra fee or surcharge, in addition to the insurance premium, for the
execution, delivery or filing of such certificate.

(m) Proof When Made By Endorsement. --Any motor vehicle
liability policy which by endorsement contains the provisions required
hereunder shall be sufficient proof of ability to respond in damages.
(Source: P.A. 85-730.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly May 26, 2013.
Approved August 23, 2013.
Effective January 1, 2015.

PUBLIC ACT 98-0520
(Senate Bill No. 1341)

AN ACT concerning conservation.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Open Space Lands Acquisition and Development
Act is amended by changing Section 3 as follows:

(525 ILCS 35/3) (from Ch. 85, par. 2103)

Sec. 3. From appropriations made from the Capital Development
Fund, Build Illinois Bond Fund or other available or designated funds for
such purposes, the Department shall make grants to local governments as
financial assistance, on a reimbursement basis, for the capital development

New matter indicated by italics - deletions by strikeout
and improvement of park, recreation or conservation areas, marinas and shorelines, including planning and engineering costs, and for the acquisition of open space lands, including acquisition of easements and other property interests less than fee simple ownership if the Department determines that such property interests are sufficient to carry out the purposes of this Act, subject to the conditions and limitations set forth in this Act.

No more than 10% of the amount so appropriated for any fiscal year may be committed or expended on any one project described in an application under this Act.

Any grant under this Act to a local government shall be conditioned upon the state providing assistance on a 50/50 matching basis for the acquisition of open space lands and for capital development and improvement proposals. However, a local government defined as "distressed" under criteria adopted by the Department through administrative rule shall be eligible for assistance up to 90% for the acquisition of open space lands and for capital development and improvement proposals, provided that no more than 10% of the amount appropriated under this Act in any fiscal year is made available as grants to distressed local governments.

(Source: P.A. 94-91, eff. 7-1-05.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by adding Section 143.33 as follows:

(a) Policies and endorsements used by a company for transacting insurance as classified in Class 2 and Class 3 of Section 4 of this Code

New matter indicated by italics - deletions by strikeout
that do not contain personally identifiable information may be mailed, issued, delivered, or posted on the insurer's Internet website. If the insurer elects to post the insurance policies and endorsements on its Internet website in lieu of mailing, issuing, or delivering them to the insured, then the insurer must comply with all of the following conditions:

(1) The policy and endorsements must be easily accessible to the insured and the producer of record and remain that way for as long as the policy is in force;

(2) After the expiration of the policy, the insurer must archive its expired policies and endorsements for the longer of 5 years or other period required by law, and make them available upon request;

(3) The policies and endorsements must be posted in a manner that enables the insured and the producer of record to print and save the policy and endorsements using programs or applications that are widely available on the Internet and free to use;

(4) At the time of issuance of the original policy and any renewals of that policy, the insurer provides to the insured in the manner it customarily provides declarations pages to the insured, and to the producer of record, the following information clearly displayed in or simultaneously with a declarations page:

(A) a description of the exact policy and endorsement forms purchased by the insured;

(B) a method by which the insured may obtain from the insurer, upon request and without charge, a paper copy of their policy and endorsements; and

(C) the Internet address where their policy and endorsements are posted.

(5) The insurer provides to the insured in the manner it customarily provides declarations pages to the insured, and to the producer of record, notice of any changes to the forms or endorsements; the insured's right to obtain from the insurer, upon request and without charge, a paper copy of these forms or endorsements; and the Internet address where these forms or endorsements are posted.

(b) Nothing in this Section shall prevent an insurer that posts its policies and endorsements electronically in accordance with this Section from offering a discount to an insured who elects to receive notices and
documents electronically in accordance with the provisions of the federal
Electronic Signatures in Global and National Commerce Act.
(c) Nothing in this Section affects the timing or content of any
disclosure or other document required to be provided or made available to
any insured under any statute, rule, regulation, or rule of law.

Section 10. The Illinois Vehicle Code is amended by changing
Section 7-602 as follows:
(625 ILCS 5/7-602) (from Ch. 95 1/2, par. 7-602)
Sec. 7-602. Insurance card. Every operator of a motor vehicle
subject to Section 7-601 of this Code shall carry within the vehicle
evidence of insurance. The evidence shall be legible and sufficient to
demonstrate that the motor vehicle currently is covered by a liability
insurance policy as required under Section 7-601 of this Code and may
include, but is not limited to, the following:
(a) an insurance card provided by the insurer under this
Section;
(b) the combination of proof of purchase of the motor
vehicle within the previous 60 days and a current insurance card
issued for the motor vehicle replaced by such purchase;
(c) the current declarations page of a liability insurance
policy;
(d) a liability insurance binder, certificate of liability
insurance or receipt for payment to an insurer or its authorized
representative for a liability insurance premium, provided such
document contains all information the Secretary of State by rule
and regulation may require;
(e) a current rental agreement;
(f) registration plates, registration sticker or other evidence
of registration issued by the Secretary only upon submission of
proof of liability insurance pursuant to this Code;
(g) a certificate, decal, or other document or device issued
by a governmental agency for a motor vehicle indicating the
vehicle is insured for liability pursuant to law;
(h) the display of electronic images on a cellular phone or
other type of portable electronic device. The use of a cellular
phone or other type of portable electronic device to display proof
of insurance does not constitute consent for a law enforcement
officer, court, or other officer of the court to access other contents
of the electronic device. Any law enforcement officer, court, or

New matter indicated by italics - deletions by strikeout
An insurance card shall be provided for each motor vehicle insured by the insurer issuing the liability insurance policy and may be issued in either paper or electronic format. Acceptable electronic formats shall permit display on a cellular phone or other portable electronic device and satisfy all other requirements of law and rule, including this Section, regarding form and content.

The form, contents and manner of issuance of the insurance card shall be prescribed by rules and regulations of the Secretary of State. The Secretary shall adopt rules requiring that reasonable measures be taken to prevent the fraudulent production of insurance cards. The insurance card shall display an effective date and an expiration date covering a period of time not to exceed 12 months. The insurance card shall contain the following disclaimer: "Examine policy exclusions carefully. This form does not constitute any part of your insurance policy." If the insurance policy represented by the insurance card does not cover any driver operating the motor vehicle with the owner's permission, or the owner when operating a motor vehicle other than the vehicle for which the policy is issued, the insurance card shall contain a warning of such limitations in the coverage provided by the policy.

No insurer shall issue a card, similar in appearance, form and content to the insurance card required under this Section, in connection with an insurance policy that does not provide the liability insurance coverage required under Section 7-601 of this Code.

The evidence of insurance shall be displayed upon request made by any law enforcement officer wearing a uniform or displaying a badge or other sign of authority. Any person who fails or refuses to comply with such request is in violation of Section 3-707 of this Code. Any person who displays evidence of insurance, knowing there is no valid liability insurance in effect on the motor vehicle as required under Section 7-601 of this Code or knowing the evidence of insurance is illegally altered, counterfeit or otherwise invalid, is in violation of Section 3-710 of this Code.

"Display" means the manual surrender of the evidence of insurance into the hands of the law enforcement officer, court, or officer of the court making the request for the officer's, court's, or officer of the court's inspection thereof.

(Source: P.A. 93-719, eff. 1-1-05.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0522
(Senate Bill No. 1042)

AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Recreational Use of Land and Water Areas Act is amended by changing Sections 2, 4, 6, and 7 as follows:

(745 ILCS 65/2) (from Ch. 70, par. 32)

Sec. 2. As used in this Act, unless the context otherwise requires:

(a) "Land" includes roads, land, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the realty, but does not include residential buildings or residential property.

(b) "Owner" includes the possessor of any interest in land, whether it be a tenant, lessee, occupant, the State of Illinois and its political subdivisions, or person in control of the premises.

(c) "Recreational or conservation purpose" means:

(1) entry onto the land of another to conduct hunting or recreational shooting or a combination thereof or any activity solely related to the aforesaid hunting or recreational shooting; or:

(2) entry by the general public onto the land of another for any activity undertaken for conservation, resource management, educational, or outdoor recreational use.

(d) "Charge" means an admission fee for permission to go upon the land, but does not include: the sharing of game, fish or other products of recreational use; or benefits to or arising from the recreational use; or contributions in kind, services or cash made for the purpose of properly conserving the land.

New matter indicated by italics - deletions by strikeout
(e) "Person" includes any person, regardless of age, maturity, or experience, who enters upon or uses land for recreational purposes.

(f) "Invites", for the purposes of this Act, means the words or conduct of the owner would lead a reasonable person to believe that the owner desires the particular person to enter the land to the exclusion of the general public. No economic interest on the part of the owner is required.

(g) "Permits", for the purposes of this Act, means the words or conduct of the owner would lead a reasonable person to believe that the owner is willing to allow the general public to enter the land. The words or conduct of the owner inviting (i) the general public to enter the land or (ii) particular persons to enter the land for a recreational or conservation purpose as defined in paragraph (1) of subsection (c) of this Section shall be construed as "permits" for purposes of this Act.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 94-625, eff. 8-18-05.)

(745 ILCS 65/4) (from Ch. 70, par. 34)

Sec. 4. Except as specifically recognized by or provided in Section 6 of this Act, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational or conservation purposes does not thereby:

(a) Extend any assurance that the premises are safe for any purpose.

(b) (Blank). Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.

(c) Assume responsibility for or incur liability for any injury to person or property caused by an act or omission of such person or any other person who enters upon the land.

(d) Assume responsibility for or incur liability for any injury to such person or property caused by any natural or artificial condition, structure or personal property on the premises.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 86-414.)

New matter indicated by italics - deletions by strikeout
Sec. 6. Nothing in this Act limits in any way any liability which otherwise exists:

(a) For willful and wanton failure to guard or warn against a dangerous condition, use, structure, or activity.

(b) For injury suffered in any case where the owner of land invites, as defined in subsection (f) of Section 2 of this Act, or charges the person or persons who enter or go on the land for the recreational use thereof; except that in the case of land leased to the State or a subdivision thereof, any consideration received by the owner for such lease is not a charge within the meaning of this Section.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(745 ILCS 65/6) (from Ch. 70, par. 36)

(745 ILCS 65/7) (from Ch. 70, par. 37)

Sec. 7. Nothing in this Act shall be construed to:

(a) (Blank). Create a duty of care or ground of liability for injury to persons or property.

(b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(745 ILCS 65/6) (from Ch. 70, par. 36)

(745 ILCS 65/7) (from Ch. 70, par. 37)

Sec. 7. Nothing in this Act shall be construed to:

(a) (Blank). Create a duty of care or ground of liability for injury to persons or property.

(b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(745 ILCS 65/6) (from Ch. 70, par. 36)

(745 ILCS 65/7) (from Ch. 70, par. 37)

Sec. 7. Nothing in this Act shall be construed to:

(a) (Blank). Create a duty of care or ground of liability for injury to persons or property.

(b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(745 ILCS 65/6) (from Ch. 70, par. 36)

(745 ILCS 65/7) (from Ch. 70, par. 37)

Sec. 7. Nothing in this Act shall be construed to:

(a) (Blank). Create a duty of care or ground of liability for injury to persons or property.

(b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.

The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 98th General Assembly.

(745 ILCS 65/6) (from Ch. 70, par. 36)

(745 ILCS 65/7) (from Ch. 70, par. 37)
PUBLIC ACT 98-0523
(Senate Bill No. 1197)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Nursing Home Care Act is amended by changing Section 2-201 as follows:

(210 ILCS 45/2-201) (from Ch. 111 1/2, par. 4152-201)

Sec. 2-201. To protect the residents' funds, the facility:

(1) Shall at the time of admission provide, in order of priority, each resident, or the resident's guardian, if any, or the resident's representative, if any, or the resident's immediate family member, if any, with a written statement explaining to the resident and to the resident's spouse (a) their spousal impoverishment rights, as defined at Section 5-4 of the Illinois Public Aid Code, and at Section 303 of Title III of the Medicare Catastrophic Coverage Act of 1988 (P.L. 100-360), and (b) their obligation to comply with the asset and income disclosure requirements of Title XIX of the federal Social Security Act and the regulations duly promulgated thereunder, except that this item (b) does not apply to facilities operated by the Illinois Department of Veterans' Affairs that do not participate in Medicaid, and (c) the resident's rights regarding personal funds and listing the services for which the resident will be charged. The facility shall obtain a signed acknowledgment from each resident or the resident's guardian, if any, or the resident's representative, if any, or the resident's immediate family member, if any, that such person has received the statement and understands that failure to comply with asset and income disclosure requirements may result in the denial of Medicaid eligibility.

(2) May accept funds from a resident for safekeeping and managing, if it receives written authorization from, in order of priority, the resident or the resident's guardian, if any, or the resident's representative, if any, or the resident's immediate family member, if any; such authorization shall be attested to by a witness who has no pecuniary interest in the facility or its operations, and who is not connected in any way to facility personnel or the administrator in any manner whatsoever.

(3) Shall maintain and allow, in order of priority, each resident or the resident's guardian, if any, or the resident's representative, if any, or the resident's immediate family member, if any, access to a written record of

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all financial arrangements and transactions involving the individual resident's funds.

(4) Shall provide, in order of priority, each resident, or the resident's guardian, if any, or the resident's representative, if any, or the resident's immediate family member, if any, with a written itemized statement at least quarterly, of all financial transactions involving the resident's funds.

(5) Shall purchase a surety bond, or otherwise provide assurance satisfactory to the Departments of Public Health and Insurance that all residents' personal funds deposited with the facility are secure against loss, theft, and insolvency.

(6) Shall keep any funds received from a resident for safekeeping in an account separate from the facility's funds, and shall at no time withdraw any part or all of such funds for any purpose other than to return the funds to the resident upon the request of the resident or any other person entitled to make such request, to pay the resident his allowance, or to make any other payment authorized by the resident or any other person entitled to make such authorization.

(7) Shall deposit any funds received from a resident in excess of $100 in an interest bearing account insured by agencies of, or corporations chartered by, the State or federal government. The account shall be in a form which clearly indicates that the facility has only a fiduciary interest in the funds and any interest from the account shall accrue to the resident. The facility may keep up to $100 of a resident's money in a non-interest bearing account or petty cash fund, to be readily available for the resident's current expenditures.

(8) Shall return to the resident, or the person who executed the written authorization required in subsection (2) of this Section, upon written request, all or any part of the resident's funds given the facility for safekeeping, including the interest accrued from deposits.

(9) Shall (a) place any monthly allowance to which a resident is entitled in that resident's personal account, or give it to the resident, unless the facility has written authorization from the resident or the resident's guardian or if the resident is a minor, his parent, to handle it differently, (b) take all steps necessary to ensure that a personal needs allowance that is placed in a resident's personal account is used exclusively by the resident or for the benefit of the resident, and (c) where such funds are withdrawn from the resident's personal account by any person other than the resident, require such person to whom funds constituting any part of a

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resident's personal needs allowance are released, to execute an affidavit
that such funds shall be used exclusively for the benefit of the resident.

(10) Unless otherwise provided by State law, upon the death of a
resident, shall provide the executor or administrator of the resident's estate
with a complete accounting of all the resident's personal property,
including any funds of the resident being held by the facility.

(11) If an adult resident is incapable of managing his funds and
does not have a resident's representative, guardian, or an immediate family
member, shall notify the Office of the State Guardian of the Guardianship
and Advocacy Commission.

(12) If the facility is sold, shall provide the buyer with a written
verification by a public accountant of all residents' monies and properties
being transferred, and obtain a signed receipt from the new owner.
(Source: P.A. 86-410; 86-486; 86-1028; 87-551; 87-1122.)

Section 99. Effective date. This Act takes effect upon becoming
law.

Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0524
(Senate Bill No. 1194)

AN ACT concerning insurance.

Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 1. Short title. This Act may be cited as the Navigator
Certification Act.

Section 5. Definitions. As used in this Act:
"Certified application counselor" has the same meaning as in
federal regulations and guidelines.
"Director" means the Director of Insurance.
"Exchange" means any health benefit exchange established or
operating in this State, including any exchange established or operated by
the United States Department of Health and Human Services.
"Navigator" means a person or entity selected to perform the
activities and duties identified in 42 U.S.C. 18031(i) in this State.
"Navigator" includes any person or entity who receives grant funds from
the United States Department of Health and Human Services, the State of

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Illinois, or an exchange or private funds to perform any of the activities and duties identified in 42 U.S.C. 18031(i), including, but not limited to, in-person assisters as defined by federal regulations or guidelines.

Section 10. Certificate required.

(a) No individual or entity shall perform, offer to perform, or advertise any service as a navigator in this State or receive navigator grant funding from the United States Department of Health and Human Services, the State of Illinois, or an exchange or private funds unless certified as a navigator by the Director under this Act.

(b) A navigator who complies with the requirements of this Act shall do the following:

1. conduct public education activities to raise awareness of the availability of qualified health plans;
2. distribute fair and impartial information concerning enrollment in qualified health plans offered within the exchange and the availability of the premium tax credits under Section 36B of the Internal Revenue Code of 1986, 26 U.S.C. 36B, and cost-sharing reductions under Section 1402 of the federal Patient Protection and Affordable Care Act;
3. facilitate enrollment in qualified health plans;
4. provide referrals to appropriate federal and State agencies for any enrollee with a grievance, complaint, or question regarding their health plan or coverage or a determination under such plan or coverage;
5. provide information in a manner that is culturally and linguistically appropriate to the needs of the population being served by the exchange.

(c) A navigator may not:

1. sell, solicit, or negotiate, as these terms are defined in Section 500-10 of the Illinois Insurance Code, any of the classes of insurance enumerated in Section 4 of the Illinois Insurance Code;
2. offer advice about which health plan is better or worse for a particular individual or employer;
3. recommend or endorse a particular health plan or advise consumers about which health plan to choose;
4. provide any information or services related to health benefit plans or other insurance products not offered in the exchange, except for health care providers when furnishing

New matter indicated by italics - deletions by strikeout
information or services related to a patient's existing health benefit plan or other existing health insurance coverage; or

(5) accept any compensation or consideration, directly or indirectly, from any issuer of accident and health insurance or stop-loss insurance that is dependent, in whole or in part, on whether a person enrolls in or purchases a particular private health benefit plan.

(d) Items (1), (2), (3), (4), and (5) of subsection (c) of this Section do not apply to navigators when assisting individuals with the enrollment process in the State Medicaid program or other public programs.

Section 15. Application for certificate.

(a) An entity or individual applying for a navigator certificate shall make application to the Director on a form developed by the Director and declare under penalty of refusal, suspension, or revocation of the certificate that the statements made in the application are true, correct, and complete to the best of the individual's or entity's knowledge and belief. Before approving the application, the Director shall find that the individual:

(1) is at least 18 years of age;

(2) resides in this State or maintains his or her principal place of business in this State;

(3) is not disqualified due to having committed any act that would be grounds for denial, suspension, or revocation of a navigator certification in accordance with Section 30 of this Act;

(4) has successfully completed the federal and State training provided by the exchange or equivalent State requirements as determined by the Department; and

(5) when applicable, has the written consent of the Director pursuant to 18 U.S.C. 1033, or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce.

(b) An entity that acts as a navigator, supervises the activities of individual navigators, or receives funding to perform such activities shall obtain a navigator entity certificate. An entity applying for a navigator entity certificate shall make application on a form containing the information prescribed by the Director and shall list the individuals acting as navigators under the entity certificate.
(1) The entity shall designate a certified navigator responsible for the navigator entity's compliance with the laws of this State and the exchange.

(2) The entity, under penalty of revocation, suspension, or other discipline prescribed by the Director, shall certify that each individual completes the mandatory training required by item (4) of subsection (a) of Section 15 of this Act.

(c) The Director may require any documents deemed necessary to verify the information contained in an application submitted in accordance with subsections (a) and (b) of this Section.

(d) Entities certified as navigators shall provide the Director with a list of all individual navigators that it employs, supervises, or is affiliated with at renewal.

(e) The Director may require, in a manner determined by the Director, that each entity that acts as a navigator demonstrate a level of financial responsibility capable of protecting all persons against the wrongful acts, misrepresentations, or negligence of the navigator.

(f) Prior to any exchange becoming operational in this State, the Director, in coordination with the exchange, shall prescribe the initial training and continuing education requirements for navigators.

(g) Certificate holders must inform the Director, in writing, of a change of address within 30 days after the change.

(h) In order to assist in the performance of the Director's duties, the Director may contract with the National Association of Insurance Commissioners (NAIC), or any affiliates or subsidiaries that the NAIC oversees, to perform any ministerial functions, including the collection of fees, related to certification that the Director and the nongovernmental entity may deem appropriate.


(a) An individual navigator entity certificate shall be valid for one year.

(b) A navigator may file an application for renewal of a certificate in a method prescribed by the Director. Any navigator who fails to timely file for certificate renewal shall be charged a late fee in an amount prescribed by the Director.

(c) Prior to the filing date for application for renewal of a certificate, an individual navigator shall comply with ongoing training and continuing education requirements established by the Director. The navigator shall file with the Director, by a method prescribed by the Director.
Director, satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the ongoing training and continuing education requirements shall result in the expiration of the certificate.

Section 25. Navigator referrals. On contact with a person who acknowledges having existing health insurance coverage obtained through an insurance producer, a navigator shall refer the person back to that insurance producer for information, assistance, and any other services unless:

(1) the individual is eligible for but has not obtained a federal premium subsidy and cost-sharing assistance available only through an exchange;
(2) the insurance producer is not authorized to sell health plans in an individual exchange; or
(3) the individual would prefer not to seek further assistance from the individual's insurance producer.

Section 30. Certificate denial, nonrenewal, or revocation.
(a) The Director may place on probation, suspend, revoke, or refuse to issue or renew a navigator's certificate or may levy a civil penalty as established by rule.
(b) If an action by the Director is to nonrenew, suspend, or revoke a certificate or to deny an application for a certificate, then the Director shall notify the applicant or certificate holder and advise, in writing, the applicant or certificate holder of the reason for the suspension, revocation, or denial or nonrenewal of the applicant's or certificate holder's certificate. The applicant or certificate holder may make written demand upon the Director within 30 days after the date of mailing for a hearing before the Director to determine the reasonableness of the Director's action. The hearing must be held within not fewer than 20 days nor more than 30 days after the mailing of the notice of hearing and shall be held pursuant to Part 2402 of Title 50 of the Illinois Administrative Code.
(c) A navigator entity certificate may be suspended, revoked, or refused or information turned over to the U.S. Department of Health and Human Services and applicable state agencies if the Director finds, after hearing, that a certified individual's violation was known or should have been known by one or more of the partners, officers, or managers acting on behalf of the navigator entity.

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(d) In addition to or instead of any applicable denial, suspension, or revocation of a certificate, a person may, after hearing, be subject to a civil penalty in accordance with emergency rules issued by the Director.

(e) The Director has the authority to enforce the provisions of and impose any penalty or remedy authorized by this Act against any person who is under investigation of or charged with a violation of this Act or rules, even if the person's certificate has been surrendered or has lapsed by operation of law.

(f) Upon the suspension, denial, or revocation of a certificate, the certificate holder or other person having possession or custody of the certificate shall promptly deliver it to the Director in person or by mail. The Director shall publish all suspensions, denials, or revocations after the suspensions, denials, or revocations become final in a manner designed to notify the public.

(g) A person whose certificate is revoked or whose application is denied pursuant to this Section is ineligible to apply for any certificate for 3 years after the revocation or denial. A person whose certificate as a navigator has been revoked, suspended, or denied may not be employed, contracted, or engaged in an exchange-related capacity during the time the revocation, suspension, or denial is in effect.

Section 35. Reporting to the Director.

(a) Each navigator shall report to the Director within 30 calendar days after the final disposition of a matter that violates the provisions set forth in this Act that results in any administrative action taken against him in another jurisdiction or by another governmental agency in this State. The report shall include a copy of the order, consent to order, or other relevant legal documents.

(b) Within 30 days after the initial pretrial hearing date, a navigator shall report to the Director any criminal prosecution of the navigator of a matter that violates the provisions set forth in this Act taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

(c) An entity that acts as a navigator that terminates the employment, engagement, affiliation, or other relationship with an individual navigator shall notify the Director within 30 days following the effective date of the termination, using a format prescribed by the Director, if the reason for termination is one of the reasons set forth in this Act or the entity has knowledge the navigator was found by a court or
government body to have engaged in any of the activities prohibited by this Act. Upon the written request of the Director, the entity shall provide additional information, documents, records, or other data pertaining to the termination or activity of the individual.

Section 40. Certified application counselor.
(a) A certified application counselor may not:
   (1) sell, solicit, or negotiate, as these terms are defined in Section 500-10 of the Illinois Insurance Code, any of the classes of insurance enumerated in Section 4 of the Illinois Insurance Code;
   (2) offer advice about which health plan is better or worse for a particular individual or employer;
   (3) recommend or endorse a particular health plan or advise consumers about which plan to choose;
   (4) provide any information or services related to health benefit plans or other insurance products not offered in the exchange, except for health care providers when furnishing information or services related to a patient's existing health benefit plan or other existing health insurance coverage; or
   (5) accept any compensation or consideration, directly or indirectly, from any issuer of accident and health insurance or stop-loss insurance that is dependent, in whole or in part, on whether a person enrolls in or purchases a particular health benefit plan.
(b) Items (1), (2), (3), (4) and (5) of subsection (a) of this Section do not apply to certified application counselors when assisting individuals with the enrollment process in the State Medicaid program or other public programs.
(c) The Director shall develop education and certification requirements for certified application counselors by rule.

Section 45. Other laws; rulemaking authority.
(a) The requirements of this Act shall not apply to any individual or entity licensed as an insurance producer in this State.
(b) Pursuant to the authority granted by this Act, the Director may adopt rules as may be necessary or appropriate for the administration and enforcement of this Act.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.
Section 99. Effective date. This Act takes effect upon becoming law.


New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0524

Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0525
(Senate Bill No. 1430)

AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by adding Section 5-1134 as follows:

(55 ILCS 5/5-1134 new)

Sec. 5-1134. Borrowing from financial institutions. The county board of a county may borrow money for any corporate purpose from any bank or other financial institution provided such money shall be repaid within 2 years from the time the money is borrowed. The county board chairman or county executive, as the case may be, shall execute a promissory note or similar debt instrument, but not a bond, to evidence the indebtedness incurred by the borrowing. The obligation to make the payments due under the promissory note or other debt instrument shall be a lawful direct general obligation of the county payable from the general funds of the county and such other sources of payment as are otherwise lawfully available. The promissory note or other debt instrument shall be authorized by an ordinance passed by the county board and shall be valid whether or not an appropriation with respect to that ordinance is included in any annual or supplemental appropriation adopted by the county board. The indebtedness incurred under this Section, when aggregated with the existing indebtedness of the county, may not exceed any debt limitation otherwise provided for by law. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, any credit union subject to the Illinois Credit Union Act, and any federally chartered commercial bank, savings and loan association, savings bank, or credit union organized and operated in this State pursuant to the laws of the United States.

Section 99. Effective date. This Act takes effect upon becoming law.


New matter indicated by italics - deletions by strikeout
AN ACT concerning utilities.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Gas Pipeline Safety Act is amended by adding Sections 2.08, 2.09, 2.10, 2.11, and 7.5 and by changing Section 7 as follows:

(220 ILCS 20/2.08 new)
Sec. 2.08. Notice of probable violation. "Notice of probable violation" or "NOPV" means a written notice, satisfying the criteria set forth in Section 7.5 of this Act, given by the pipeline safety manager to a person who engages in the transportation of gas or who owns or operates pipeline facilities that identifies a failure of such person to comply with the provisions of this Act, the federal Natural Gas Pipeline Safety Act of 1968, or any Commission order or rule issued under this Act and may recommend a penalty in connection therewith, subject to the terms of this Act.

(220 ILCS 20/2.09 new)
Sec. 2.09. Pipeline safety manager. "Pipeline safety manager" means the manager of the Commission's Pipeline Safety Program or other staff of the Commission assigned to gas pipeline safety issues.

Sec. 7. Penalties; action for penalties; Commission approval of penalties.

(a) Any person violating paragraph (a) of Section 6 of this Act or any rule or order issued under this Act is subject to a civil penalty not to exceed the maximum penalties established by Section 60122(a)(1) of Title 49 of the United States Code for each day the violation persists. Such civil penalties do not apply to a violation with respect to a pipeline facility in existence on the effective date of this Act unless such violation persists one year from the effective date.

(b) Any civil penalty may be compromised by the Commission or, subject to this Act, by the pipeline safety manager. In determining the amount of the penalty, or the amount agreed upon in compromise, the

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Commission or, subject to this Act, the pipeline safety manager, as the case may be, shall consider the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. The amount of the penalty when finally determined, or the amount agreed upon in compromise, shall be paid or may be deducted from any sums owing by the State of Illinois to the person charged pursuant to the terms and conditions of the NOPV or the agreed compromise or Commission order, as the case may be, or may be recovered in a civil action in accordance with paragraph (c) of this Section 7. Unless specifically stated otherwise in the terms and conditions of any compromise agreement, any compromise of a penalty recommended in an NOPV by the person charged shall not be deemed to be an admission of liability.

(c) Actions to recover penalties under this Act shall be brought in the name of the People of the State of Illinois in the circuit court in and for the county in which the cause or some part thereof, arose or in which the corporation complained of, if any, has its principal place of business or in which the person, if any, complained of, resides. All penalties recovered by the State in any action shall be paid into the general fund of the State Treasury. The action shall be commenced and prosecuted to final judgment by the Attorney General on behalf of the Commission. In all such actions, the procedure and rules of evidence shall conform with the Civil Practice Law and other rules of court governing civil trials.

(d) In addition the Commission may proceed under Section 4-202 of the Public Utilities Act, either by mandamus or injunction, to secure compliance with its rules, regulations and orders issued under this Act.

(e) Any person penalized under this Section is not subject, for the same cause, to any other penalty provided in the Public Utilities Act.

(f) In the event any penalty recommended by the pipeline safety manager is paid by the person charged in the applicable NOPV in accordance with subsection (b) of this Section or in accordance with the terms and conditions of a compromise, agreed upon by such person and the pipeline safety manager, then the pipeline safety manager shall report, and request approval of, each such payment of a recommended penalty or agreed compromise, as the case may be, to the Commission at a public meeting of the Commission and shall also post such report on the Commission's website as a public document subject to the requirements of Section 4-404 of the Public Utilities Act. Whenever such report and

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request for approval shall be made to the Commission, the Commission
shall have the power, and it is hereby given authority, either upon
complaint or upon its own motion, upon reasonable notice given within 45
days after such report and request for approval was made at a public
meeting of the Commission, to enter upon a hearing concerning the
propriety of the applicable NOPV, payment, or compromise. In the event
the Commission does not exercise this power within the 45-day period, the
payment or agreed compromise referenced in the report shall be deemed
approved by the Commission by operation of law at the expiration of the
45-day period and the NOPV and related investigation shall be deemed
closed.
(Source: P.A. 91-814, eff. 6-13-00.)

(220 ILCS 20/7.5 new)
Sec. 7.5. NOPV; Commission hearing.
(a) For the purposes of this Section, "violation" means a failure to
comply with any provision of this Act or any Commission order or rule
issued under this Act.
(b) After investigation and determination of a probable violation,
the pipeline safety manager may issue and deposit in the United States
mail an NOPV. Any NOPV so issued and mailed may also be posted on
the Commission's website as a public document, subject to the
requirements of Section 4-404 of the Public Utilities Act.
(c) An NOPV shall set forth, at a minimum, the following: (1) the
date the NOPV was issued and deposited in the United States mail; (2) a
description of the violation or violations alleged; (3) the date and location
of the safety incident, if applicable, related to each alleged violation; (4) a
detailed description of the circumstances that support the determination of
each proposed violation; (5) a detailed description of the corrective action
required with respect to each proposed violation; (6) the amount of the
penalty, if any, recommended with respect to each proposed violation; (7)
the applicable recommended deadline for payment of each proposed
penalty and for completion of each proposed corrective action (in no event
shall any recommended deadline be less than 30 days after the date of the
NOPV); (8) notification that any such recommended deadline may be
extended by mutual agreement of the parties for the purpose of facilitating
settlement or compromise; and (9) a brief description of the procedures by
which any recommended penalty or proposed corrective action may be
challenged at the Commission or approved pursuant to subsection (f) of
Section 7.

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(d) Payment in full of each of the recommended penalties and full completion of each of the proposed corrective actions, as identified in the NOPV and in accordance with the terms and conditions set forth in the NOPV, including without limitation the respective recommended deadlines set forth in the NOPV for such payment or completion, shall constitute a final resolution of the NOPV, subject to the approval by the Commission of the recommended penalty and payment in accordance with subsection (f) of Section 7.

(e) If one or more of the alleged violations set forth in an NOPV is contested, then the Commission shall have the power and it is hereby given authority, either upon complaint or upon its own motion, upon reasonable notice, to enter upon a hearing under this Act concerning the incident referenced in the NOPV, in accordance with Article X of the Public Utilities Act. If a recommended penalty is not paid prior to the deadline recommended in the NOPV or other mutually agreed upon date, or if one or more of the proposed corrective actions set forth in an NOPV is not fully and timely completed in accordance with the terms and conditions set forth in the NOPV, the NOPV shall be deemed contested.

(f) The Commission shall have the power to adopt rules to implement this Section to the extent the Commission deems such rules necessary or desirable.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 26, 2013.
Approved August 23, 2013.
Effective August 23, 2013.
penalties herein provided, and to enforce generally the provisions of this Act.

An employee may file a complaint with the Department alleging violations of the Act by submitting a signed, completed wage claim application on the form provided by the Department and by submitting copies of all supporting documentation. Complaints shall be filed within one year after the wages, final compensation, or wage supplements were due.

Applications shall be reviewed by the Department to determine whether there is cause for investigation.

The Department shall have the following powers:

(a) To investigate and attempt equitably to adjust controversies between employees and employers in respect of wage claims arising under this Act and to that end the Department through the Director of Labor or any other person in the Department of Labor designated by him or her, shall have the power to administer oaths, subpoena and examine witnesses, to issue subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry and to examine and inspect the same as may relate to the question in dispute. Service of such subpoenas shall be made by any sheriff or any person. Any court in this State, upon the application of the Department may compel attendance of witnesses, the production of books and papers, and the giving of testimony before the Department by attachment for contempt or in any other way as the production of evidence may be compelled before such court.

(b) To take assignments of wage claims in the name of the Director of Labor and his or her successors in office and prosecute actions for the collection of wages for persons financially unable to prosecute such claims when in the judgment of the Department such claims are valid and enforceable in the courts. No court costs or any fees for necessary process and proceedings shall be payable in advance by the Department for prosecuting such actions. In the event there is a judgment rendered against the defendant, the court shall assess as part of such judgment the costs of such proceeding. Upon collection of such judgments the Department shall pay from the proceeds of such judgment such costs to such person who is by law entitled to same. The Department may join in a single

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proceeding any number of wage claims against the same employer but the court shall have discretionary power to order a severance or separate trial for hearings.

(c) To make complaint in any court of competent jurisdiction of violations of this Act.

(d) In addition to the aforementioned powers, subject to appropriation, the Department may establish an administrative procedure to adjudicate claims or specific categories of claims filed with the Department for $3,000 or less per individual employee, exclusive of penalties, costs and fines, including instances where an employer fails to timely respond to a notice of claim issued by the Department; and to issue final and binding administrative decisions on such claims subject to the Administrative Review Law. To establish such a procedure, the Director of Labor or her or his authorized representative may promulgate rules and regulations. The adoption, amendment or rescission of rules and regulations for such a procedure shall be in conformity with the requirements of the Illinois Administrative Procedure Act.

Nothing herein shall be construed to prevent any employee from making complaint or prosecuting his or her own claim for wages. Any employee aggrieved by a violation of this Act or any rule adopted under this Act may file suit in circuit court of Illinois, in the county where the alleged violation occurred or where any employee who is party to the action resides, without regard to exhaustion of any alternative administrative remedies provided in this Act. Actions may be brought by one or more employees for and on behalf of themselves and other employees similarly situated.

Nothing herein shall be construed to limit the authority of the State's attorney of any county to prosecute actions for violation of this Act or to enforce the provisions thereof independently and without specific direction of the Department of Labor.

(Source: P.A. 95-209, eff. 8-16-07; 96-1407, eff. 1-1-11.)

(820 ILCS 115/14) (from Ch. 48, par. 39m-14)

Sec. 14. (a) Any employee not timely paid wages, final compensation, or wage supplements by his or her employer as required by this Act shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, the amount of any such underpayments and damages of 2% of the amount of any such underpayments for each month following the date of payment during
which such underpayments remain unpaid. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

(a-5) In addition to the remedies provided in subsections (a), (b), and (c) of this Section, any employer or any agent of an employer, who, being able to pay wages, final compensation, or wage supplements and being under a duty to pay, wilfully refuses to pay as provided in this Act, or falsely denies the amount or validity thereof or that the same is due, with intent to secure for himself or other person any underpayment of such indebtedness or with intent to annoy, harass, oppress, hinder, delay or defraud the person to whom such indebtedness is due, upon conviction, is guilty of:

(1) for unpaid wages, final compensation or wage supplements in the amount of $5,000 or less, a Class B misdemeanor; or

(2) for unpaid wages, final compensation or wage supplements in the amount of more than $5,000, a Class A misdemeanor.

Each day during which any violation of this Act continues shall constitute a separate and distinct offense.

Any employer or any agent of an employer who violates this Section of the Act a subsequent time within 2 years of a prior criminal conviction under this Section is guilty, upon conviction, of a Class 4 felony.

(b) Any employer who has been demanded or ordered by the Department or ordered by the court to pay wages, final compensation, or wage supplements due an employee shall be required to pay a non-waivable administrative fee of $250 to the Department of Labor in the amount of $250 if the amount ordered by the Department as wages owed is $3,000 or less; $500 if the amount ordered by the Department as wages owed is more than $3,000, but less than $10,000; and $1,000 if the amount ordered by the Department as wages owed is $10,000 or more. Any employer who has been so demanded or ordered by the Department or ordered by a court to pay such wages, final compensation, or wage supplements and who fails to seek timely review of such a demand or order as provided for under this Act and who fails to comply within 15 calendar days after such demand or within 35 days of an administrative or court order is entered shall also be liable to pay a penalty to the Department of Labor of 20% of the amount found owing and a penalty to the employee of 1% per calendar day of the amount found owing for each

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day of delay in paying such wages to the employee. All moneys recovered as fees and civil penalties under this Act, except those owing to the affected employee, shall be deposited into the Wage Theft Enforcement Fund, a special fund which is hereby created in the State treasury. Moneys in the Fund may be used only for enforcement of this Act.

(b-5) Penalties and fees under this Section may be assessed by the Department and recovered in a civil action brought by the Department in any circuit court or in any administrative adjudicative proceeding under this Act. In any such civil action or administrative adjudicative proceeding under this Act, the Department shall be represented by the Attorney General.

(c) Any employer, or any agent of an employer, who discharges or in any other manner discriminates against any employee because that employee has made a complaint to his employer, to the Director of Labor or his authorized representative, in a public hearing, or to a community organization that he or she has not been paid in accordance with the provisions of this Act, or because that employee has caused to be instituted any proceeding under or related to this Act, or because that employee has testified or is about to testify in an investigation or proceeding under this Act, is guilty, upon conviction, of a Class C misdemeanor. An employee who has been unlawfully retaliated against shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, all legal and equitable relief as may be appropriate. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

(Source: P.A. 95-209, eff. 8-16-07; 96-1407, eff. 1-1-11.)

Passed in the General Assembly May 26, 2013.
Approved August 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0528
(Senate Bill No. 1598)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Criminal Identification Act is amended by changing
Section 5 and by adding Section 4.5 as follows:
(20 ILCS 2630/4.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 4.5. Ethnic and racial data collection.
(a) Ethnic and racial data for every adult or juvenile arrested shall be collected at the following points of contact by the entity identified in this subsection or another entity authorized and qualified to collect and report on this data:
   (1) at arrest or booking, by the supervising law enforcement agency;
   (2) upon admittance to the Department of Corrections, by the Department of Corrections;
   (3) upon admittance to the Department of Juvenile Justice, by the Department of Juvenile Justice; and
   (4) upon transfer from the Department of Juvenile Justice to the Department of Corrections, by the Department of Juvenile Justice.
(b) Ethnic and racial data shall be collected through selection of one of the following categories:
   (1) American Indian or Alaskan Native;
   (2) Asian or Pacific Islander;
   (3) Black or African American;
   (4) White or Caucasian;
   (5) Hispanic or Latino; or
   (6) Unknown.
(c) The collecting entity shall make a good-faith effort to collect race and ethnicity information as self-reported by the adult or juvenile. If the adult or juvenile is unable or unwilling to provide race and ethnicity information, the collecting entity shall make a good-faith effort to deduce the race and ethnicity of the adult or juvenile.
(20 ILCS 2630/5) (from Ch. 38, par. 206-5)
Sec. 5. Arrest reports. All policing bodies of this State shall furnish to the Department, daily, in the form and detail the Department requires, fingerprints, and descriptions, and ethnic and racial background data as provided in Section 4.5 of this Act of all persons who are arrested on charges of violating any penal statute of this State for offenses that are classified as felonies and Class A or B misdemeanors and of all minors of the age of 10 and over who have been arrested for an offense which would be a felony if committed by an adult, and may forward such fingerprints and descriptions for minors arrested for Class A or B misdemeanors. Moving or nonmoving traffic violations under the Illinois Vehicle Code shall not be reported except for violations of Chapter 4, Section 11-204.1,
or Section 11-501 of that Code. In addition, conservation offenses, as defined in the Supreme Court Rule 501(c), that are classified as Class B misdemeanors shall not be reported. Those law enforcement records maintained by the Department for minors arrested for an offense prior to their 17th birthday, or minors arrested for a non-felony offense, if committed by an adult, prior to their 18th birthday, shall not be forwarded to the Federal Bureau of Investigation unless those records relate to an arrest in which a minor was charged as an adult under any of the transfer provisions of the Juvenile Court Act of 1987.
(Source: P.A. 95-955, eff. 1-1-09; 96-328, eff. 8-11-09; 96-409, eff. 1-1-10; 96-707, eff. 1-1-10; 96-1000, eff. 7-2-10.)

Section 10. The Illinois Uniform Conviction Information Act is amended by changing Section 3 as follows:
(20 ILCS 2635/3) (from Ch. 38, par. 1603)
Sec. 3. Definitions. Whenever used in this Act, and for the purposes of this Act, unless the context clearly indicates otherwise:
(A) "Accurate" means factually correct, containing no mistake or error of a material nature.
(B) The phrase "administer the criminal laws" includes any of the following activities: intelligence gathering, surveillance, criminal investigation, crime detection and prevention (including research), apprehension, detention, pretrial or post-trial release, prosecution, the correctional supervision or rehabilitation of accused persons or criminal offenders, criminal identification activities, or the collection, maintenance or dissemination of criminal history record information.
(C) "The Authority" means the Illinois Criminal Justice Information Authority.
(D) "Automated" means the utilization of computers, telecommunication lines, or other automatic data processing equipment for data collection or storage, analysis, processing, preservation, maintenance, dissemination, or display and is distinguished from a system in which such activities are performed manually.
(E) "Complete" means accurately reflecting all the criminal history record information about an individual that is required to be reported to the Department pursuant to Section 2.1 of the Criminal Identification Act.
(F) "Conviction information" means data reflecting a judgment of guilt or nolo contendere. The term includes all prior and subsequent criminal history events directly relating to such judgments, such as, but not limited to: (1) the notation of arrest; (2) the notation of charges filed; (3)
the sentence imposed; (4) the fine imposed; and (5) all related probation, parole, and release information. Information ceases to be "conviction information" when a judgment of guilt is reversed or vacated.

For purposes of this Act, continuances to a date certain in furtherance of an order of supervision granted under Section 5-6-1 of the Unified Code of Corrections or an order of probation granted under either Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act shall not be deemed "conviction information".

(G) "Criminal history record information" means data identifiable to an individual, including information collected under Section 4.5 of the Criminal Identification Act, and consisting of descriptions or notations of arrests, detentions, indictments, informations, pretrial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individual are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(H) "Criminal justice agency" means (1) a government agency or any subunit thereof which is authorized to administer the criminal laws and which allocates a substantial part of its annual budget for that purpose, or (2) an agency supported by public funds which is authorized as its principal function to administer the criminal laws and which is officially designated by the Department as a criminal justice agency for purposes of this Act.

(I) "The Department" means the Illinois Department of State Police.

(J) "Director" means the Director of the Illinois Department of State Police.

(K) "Disseminate" means to disclose or transmit conviction information in any form, oral, written, or otherwise.

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(L) "Exigency" means pending danger or the threat of pending danger to an individual or property.

(M) "Non-criminal justice agency" means a State agency, Federal agency, or unit of local government that is not a criminal justice agency. The term does not refer to private individuals, corporations, or non-governmental agencies or organizations.

(M-5) "Request" means the submission to the Department, in the form and manner required, the necessary data elements or fingerprints, or both, to allow the Department to initiate a search of its criminal history record information files.

(N) "Requester" means any private individual, corporation, organization, employer, employment agency, labor organization, or non-criminal justice agency that has made a request pursuant to this Act to obtain conviction information maintained in the files of the Department of State Police regarding a particular individual.

(O) "Statistical information" means data from which the identity of an individual cannot be ascertained, reconstructed, or verified and to which the identity of an individual cannot be linked by the recipient of the information.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

Section 15. The Illinois Criminal Justice Information Act is amended by changing Section 3 as follows:

Sec. 3. Definitions. Whenever used in this Act, and for the purposes of this Act unless the context clearly denotes otherwise:

(a) The term "criminal justice system" includes all activities by public agencies pertaining to the prevention or reduction of crime or enforcement of the criminal law, and particularly, but without limitation, the prevention, detection, and investigation of crime; the apprehension of offenders; the protection of victims and witnesses; the administration of juvenile justice; the prosecution and defense of criminal cases; the trial, conviction, and sentencing of offenders; as well as the correction and rehabilitation of offenders, which includes imprisonment, probation, parole and treatment.

(b) The term "Authority" means the Illinois Criminal Justice Information Authority created by this Act.

(c) The term "criminal justice information" means any and every type of information that is collected, transmitted, or maintained by the criminal justice system.
(d) The term "criminal history record information" means data identifiable to an individual, including information collected under Section 4.5 of the Criminal Identification Act, and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation, and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(e) The term "unit of general local government" means any county, municipality or other general purpose political subdivision of this State.

(Source: P.A. 85-653.)

Section 20. The Unified Code of Corrections is amended by changing Sections 3-2.5-15, 3-5-1, and 3-5-3 as follows:

(730 ILCS 5/3-2.5-15)

Sec. 3-2.5-15. Department of Juvenile Justice; assumption of duties of the Juvenile Division.

(a) The Department of Juvenile Justice shall assume the rights, powers, duties, and responsibilities of the Juvenile Division of the Department of Corrections. Personnel, books, records, property, and unencumbered appropriations pertaining to the Juvenile Division of the Department of Corrections shall be transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General Assembly. Any rights of employees or the State under the Personnel Code or any other contract or plan shall be unaffected by this transfer.

(b) Department of Juvenile Justice personnel who are hired by the Department on or after the effective date of this amendatory Act of the 94th General Assembly and who participate or assist in the rehabilitative and vocational training of delinquent youths, supervise the daily activities involving direct and continuing responsibility for the youth's security, welfare and development, or participate in the personal rehabilitation of delinquent youth by training, supervising, and assisting lower level personnel who perform these duties must be over the age of 21 and have a bachelor's or advanced degree from an accredited college or university with a specialization in criminal justice, education, psychology, social

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work, or a closely related social science. This requirement shall not apply to security, clerical, food service, and maintenance staff that do not have direct and regular contact with youth. The degree requirements specified in this subsection (b) are not required of persons who provide vocational training and who have adequate knowledge in the skill for which they are providing the vocational training.

(c) Subsection (b) of this Section does not apply to personnel transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General Assembly.

(d) The Department shall be under the direction of the Director of Juvenile Justice as provided in this Code.

(e) The Director shall organize divisions within the Department and shall assign functions, powers, duties, and personnel as required by law. The Director may create other divisions and may assign other functions, powers, duties, and personnel as may be necessary or desirable to carry out the functions and responsibilities vested by law in the Department. The Director may, with the approval of the Office of the Governor, assign to and share functions, powers, duties, and personnel with other State agencies such that administrative services and administrative facilities are provided by a shared administrative service center. Where possible, shared services which impact youth should be done with child-serving agencies. These administrative services may include, but are not limited to, all of the following functions: budgeting, accounting related functions, auditing, human resources, legal, procurement, training, data collection and analysis, information technology, internal investigations, intelligence, legislative services, emergency response capability, statewide transportation services, and general office support.

(f) The Department of Juvenile Justice may enter into intergovernmental cooperation agreements under which minors adjudicated delinquent and committed to the Department of Juvenile Justice may participate in county juvenile impact incarceration programs established under Section 3-6039 of the Counties Code.

(g) The Department of Juvenile Justice must comply with the ethnic and racial background data collection procedures provided in Section 4.5 of the Criminal Identification Act.
(Source: P.A. 96-1022, eff. 1-1-11.)

(730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)
Sec. 3-5-1. Master Record File.

New matter indicated by italics - deletions by strikeout
(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

1. all information from the committing court;
2. (1.5) ethnic and racial background data collected in accordance with Section 4.5 of the Criminal Identification Act;
3. reception summary;
4. evaluation and assignment reports and recommendations;
5. reports as to program assignment and progress;
6. reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;
7. any parole plan;
8. any parole reports;
9. the date and circumstances of final discharge;
10. criminal history;
11. current and past gang affiliations and ranks;
12. information regarding associations and family relationships;
13. any grievances filed and responses to those grievances; and

(13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person.

(b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

New matter indicated by italics - deletions by strikeout
(c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(Source: P.A. 97-696, eff. 6-22-12.)

(730 ILCS 5/3-5-3) (from Ch. 38, par. 1003-5-3)
Sec. 3-5-3. Annual and other Reports.
(a) The Director shall make an annual report to the Governor and General Assembly concerning persons committed to the Department, its institutions, facilities and programs, of all moneys expended and received, and on what accounts expended and received. The report shall include the ethnic and racial background data, not identifiable to an individual, of all persons committed to the Department, its institutions, facilities, and programs.

(b) (Blank).

(c) The Director may require such reports from division administrators, chief administrative officers and other personnel as he deems necessary for the administration of the Department.

(d) (Blank).

(Source: P.A. 97-800, eff. 7-13-12.)
Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 23, 2013.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0529
(Senate Bill No. 1609)

AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 12-9 as follows:

(720 ILCS 5/12-9) (from Ch. 38, par. 12-9)
Sec. 12-9. Threatening public officials; human service providers.
(a) A person commits threatening a public official or human service provider when:

(1) that person knowingly delivers or conveys, directly or indirectly, to a public official or human service provider by any means a communication:

(i) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or

(ii) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension that damage will occur to property in the custody, care, or control of the public official or his or her immediate family; and

(2) the threat was conveyed because of the performance or nonperformance of some public duty or duty as a human service provider, because of hostility of the person making the threat toward the status or position of the public official or the human service provider, or because of any other factor related to the official's public existence.

(a-5) For purposes of a threat to a sworn law enforcement officer, the threat must contain specific facts indicative of a unique threat to the person, family or property of the officer and not a generalized threat of harm.

(a-6) For purposes of a threat to a social worker, caseworker, or investigator, or human service provider, the threat must contain specific

New matter indicated by italics - deletions by strikeout
facts indicative of a unique threat to the person, family or property of the individual and not a generalized threat of harm.

(b) For purposes of this Section:

(1) "Public official" means a person who is elected to office in accordance with a statute or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by statute, to discharge a public duty for the State or any of its political subdivisions or in the case of an elective office any person who has filed the required documents for nomination or election to such office. "Public official" includes a duly appointed assistant State's Attorney, assistant Attorney General, or Appellate Prosecutor; a sworn law enforcement or peace officer; a social worker, caseworker, or investigator employed by the Department of Healthcare and Family Services, the Department of Human Services, or the Department of Children and Family Services.

(1.5) "Human service provider" means a social worker, case worker, or investigator employed by an agency or organization providing social work, case work, or investigative services under a contract with or a grant from the Department of Human Services, the Department of Children and Family Services, the Department of Healthcare and Family Services, or the Department on Aging.

(2) "Immediate family" means a public official's spouse or child or children.

(c) Threatening a public official or human service provider is a Class 3 felony for a first offense and a Class 2 felony for a second or subsequent offense.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1079, eff. 1-1-13.)
Approved August 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0530
(Senate Bill No. 1640)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-665 as follows:

(20 ILCS 2310/2310-665 new)

Sec. 2310-665. Multiple Sclerosis Task Force.
(a) The General Assembly finds and declares the following:

(1) Multiple sclerosis (MS) is a chronic, often disabling, disease that attacks the central nervous system, which is comprised of the brain, spinal cord, and optic nerves. MS is the number one disabling disease among young adults, striking in the prime of life. It is a disease in which the body, through its immune system, launches a defensive and damaging attack against its own tissues. MS damages the nerve-insulating myelin sheath that surrounds and protects the brain. The damage to the myelin sheath slows down or blocks messages between the brain and the body.

(2) Most people experience their first symptoms of MS between the ages of 20 and 40, but MS can appear in young children and teens as well as much older adults. MS symptoms can include visual disturbances, muscle weakness, trouble with coordination and balance, sensations such as numbness, prickling or pins and needles, and thought and memory problems. MS patients can also experience partial or complete paralysis, speech impediments, tremors, dizziness, stiffness and spasms, fatigue, paresthesias, pain, and loss of sensation.

(3) The cause of MS remains unknown; however, having a first-degree relative, such as a parent or sibling, with MS significantly increases a person's risk of developing the disease. According to the National Institute of Neurological Disorders and Stroke, it is estimated that there are approximately 250,000 to 350,000 persons in the United States who are diagnosed with MS. This estimate suggests that approximately 200 new cases are diagnosed each week. Other sources report a population of at least 400,000 in the United States. The estimate of persons with MS in Illinois is 20,000, with at least 2 areas of MS clusters identified in Illinois.

(4) Presently, there is no cure for MS. The complex and variable nature of the disease makes it very difficult to diagnose, treat, and research. The cost to the family, often with young children, can be overwhelming. Among common diagnoses, non-
stroke neurologic illnesses, such as multiple sclerosis, were associated with the highest out-of-pocket expenditures (a mean of $34,167), followed by diabetes ($26,971), injuries ($25,096), stroke ($23,380), mental illnesses ($23,178), and heart disease ($21,955). Median out-of-pocket costs for health care among people with MS, excluding insurance premiums, were almost twice as much as the general population. The costs associated with MS increase with greater disability. Costs for severely disabled individuals are more than twice those for persons with a relatively mild form of the disease. A recent study of medical bankruptcy found that 62.1% of all personal bankruptcies in the United States were related to medical costs.

(5) Therefore, it is in the public interest for the State to establish a Multiple Sclerosis Task Force in order to identify and address the unmet needs of persons with MS and develop ways to enhance their quality of life.

(b) There is established the Multiple Sclerosis Task Force in the Department of Public Health. The purpose of the Task Force shall be to:

(1) develop strategies to identify and address the unmet needs of persons with MS in order to enhance the quality of life of persons with MS by maximizing productivity and independence and addressing emotional, social, financial, and vocational challenges of persons with MS;

(2) develop strategies to provide persons with MS greater access to various treatments and other therapeutic options that may be available; and

(3) develop strategies to improve multiple sclerosis education and awareness.

(c) The Task Force shall consist of 16 members as follows:

(1) the Director of Public Health and the Director of Human Services, or their designees, who shall serve ex officio; and

(2) fourteen public members, who shall be appointed by the Director of Public Health as follows: 2 neurologists licensed to practice medicine in this State; 3 registered nurses or other health professionals with MS certification and extensive expertise with progressed MS; one person upon the recommendation of the National Multiple Sclerosis Society; 3 persons who represent agencies that provide services or support to individuals with MS in this State; 3 persons who have MS, at least one of whom having
progressed MS; and 2 members of the public with a demonstrated expertise in issues relating to the work of the Task Force.

Vacancies in the membership of the Task Force shall be filled in the same manner provided for in the original appointments.

(d) The Task Force shall organize within 120 days following the appointment of a majority of its members and shall select a chairperson and vice-chairperson from among the members. The chairperson shall appoint a secretary who need not be a member of the Task Force.

(e) The public members shall serve without compensation and shall not be reimbursed for necessary expenses incurred in the performance of their duties unless funds become available to the Task Force.

(f) The Task Force may meet and hold hearings as it deems appropriate.

(g) The Department of Public Health shall provide staff support to the Task Force.

(h) The Task Force shall report its findings and recommendations to the Governor and to the General Assembly, along with any legislative bills that it desires to recommend for adoption by the General Assembly, no later than December 31, 2015.

(i) The Task Force is abolished and this Section is repealed on January 1, 2016.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.

"Address of Record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.

"Advisory Council" means the Real Estate Education Advisory Council created under Section 30-10 of this Act.

"Agency" means a relationship in which a real estate broker or licensee, whether directly or through an affiliated licensee, represents a consumer by the consumer's consent, whether express or implied, in a real property transaction.

"Applicant" means any person, as defined in this Section, who applies to the Department for a valid license as a real estate broker, real estate salesperson, or leasing agent.

"Blind advertisement" means any real estate advertisement that does not include the sponsoring broker's business name and that is used by any licensee regarding the sale or lease of real estate, including his or her own, licensed activities, or the hiring of any licensee under this Act. The broker's business name in the case of a franchise shall include the franchise affiliation as well as the name of the individual firm.

"Board" means the Real Estate Administration and Disciplinary Board of the Department as created by Section 25-10 of this Act.

"Branch office" means a sponsoring broker's office other than the sponsoring broker's principal office.

"Broker" means an individual, partnership, limited liability company, corporation, or registered limited liability partnership other than a real estate salesperson or leasing agent who, whether in person or through any media or technology, for another and for compensation, or with the intention or expectation of receiving compensation, either directly or indirectly:

1. Sells, exchanges, purchases, rents, or leases real estate.
2. Offers to sell, exchange, purchase, rent, or lease real estate.
3. Negotiates, offers, attempts, or agrees to negotiate the sale, exchange, purchase, rental, or leasing of real estate.
4. Lists, offers, attempts, or agrees to list real estate for sale, lease, or exchange.

New matter indicated by italics - deletions by strikeout
(5) Buys, sells, offers to buy or sell, or otherwise deals in options on real estate or improvements thereon.

(6) Supervises the collection, offer, attempt, or agreement to collect rent for the use of real estate.

(7) Advertises or represents himself or herself as being engaged in the business of buying, selling, exchanging, renting, or leasing real estate.

(8) Assists or directs in procuring or referring of leads or prospects, intended to result in the sale, exchange, lease, or rental of real estate.

(9) Assists or directs in the negotiation of any transaction intended to result in the sale, exchange, lease, or rental of real estate.

(10) Opens real estate to the public for marketing purposes.

(11) Sells, leases, or offers for sale or lease real estate at auction.

"Brokerage agreement" means a written or oral agreement between a sponsoring broker and a consumer for licensed activities to be provided to a consumer in return for compensation or the right to receive compensation from another. Brokerage agreements may constitute either a bilateral or a unilateral agreement between the broker and the broker's client depending upon the content of the brokerage agreement. All exclusive brokerage agreements shall be in writing.

"Client" means a person who is being represented by a licensee.

"Compensation" means the valuable consideration given by one person or entity to another person or entity in exchange for the performance of some activity or service. Compensation shall include the transfer of valuable consideration, including without limitation the following:

1. commissions;
2. referral fees;
3. bonuses;
4. prizes;
5. merchandise;
6. finder fees;
7. performance of services;
8. coupons or gift certificates;
9. discounts;
10. rebates;

New matter indicated by italics - deletions by strikeout
(11) a chance to win a raffle, drawing, lottery, or similar
game of chance not prohibited by any other law or statute;
(12) retainer fee; or
(13) salary.
"Confidential information" means information obtained by a
licensee from a client during the term of a brokerage agreement that (i)
was made confidential by the written request or written instruction of the
client, (ii) deals with the negotiating position of the client, or (iii) is
information the disclosure of which could materially harm the negotiating
position of the client, unless at any time:
(1) the client permits the disclosure of information given by
that client by word or conduct;
(2) the disclosure is required by law; or
(3) the information becomes public from a source other
than the licensee.
"Confidential information" shall not be considered to include
material information about the physical condition of the property.
"Consumer" means a person or entity seeking or receiving licensed
activities.
"Continuing education school" means any person licensed by the
Department as a school for continuing education in accordance with
Section 30-15 of this Act.
"Coordinator" means the Coordinator of Real Estate created in
Section 25-15 of this Act.
"Credit hour" means 50 minutes of classroom instruction in course
work that meets the requirements set forth in rules adopted by the
Department.
"Customer" means a consumer who is not being represented by the
licensee but for whom the licensee is performing ministerial acts.
"Department" means the Department of Financial and Professional
Regulation.
"Designated agency" means a contractual relationship between a
sponsoring broker and a client under Section 15-50 of this Act in which
one or more licensees associated with or employed by the broker are
designated as agent of the client.
"Designated agent" means a sponsored licensee named by a
sponsoring broker as the legal agent of a client, as provided for in Section
15-50 of this Act.

New matter indicated by italics - deletions by strikeout
"Dual agency" means an agency relationship in which a licensee is representing both buyer and seller or both landlord and tenant in the same transaction. When the agency relationship is a designated agency, the question of whether there is a dual agency shall be determined by the agency relationships of the designated agent of the parties and not of the sponsoring broker.

"Employee" or other derivative of the word "employee", when used to refer to, describe, or delineate the relationship between a real estate broker and a real estate salesperson, another real estate broker, or a leasing agent, shall be construed to include an independent contractor relationship, provided that a written agreement exists that clearly establishes and states the relationship. All responsibilities of a broker shall remain.

"Escrow moneys" means all moneys, promissory notes or any other type or manner of legal tender or financial consideration deposited with any person for the benefit of the parties to the transaction. A transaction exists once an agreement has been reached and an accepted real estate contract signed or lease agreed to by the parties. Escrow moneys includes without limitation earnest moneys and security deposits, except those security deposits in which the person holding the security deposit is also the sole owner of the property being leased and for which the security deposit is being held.

"Electronic means of proctoring" means a methodology providing assurance that the person taking a test and completing the answers to questions is the person seeking licensure or credit for continuing education and is doing so without the aid of a third party or other device.

"Exclusive brokerage agreement" means a written brokerage agreement that provides that the sponsoring broker has the sole right, through one or more sponsored licensees, to act as the exclusive designated agent or representative of the client and that meets the requirements of Section 15-75 of this Act.

"Inoperative" means a status of licensure where the licensee holds a current license under this Act, but the licensee is prohibited from engaging in licensed activities because the licensee is unsponsored or the license of the sponsoring broker with whom the licensee is associated or by whom he or she is employed is currently expired, revoked, suspended, or otherwise rendered invalid under this Act.

"Interactive delivery method" means delivery of a course by an instructor through a medium allowing for 2-way communication between
the instructor and a student in which either can initiate or respond to questions.

"Leads" means the name or names of a potential buyer, seller, lessor, lessee, or client of a licensee.

"Leasing Agent" means a person who is employed by a real estate broker to engage in licensed activities limited to leasing residential real estate who has obtained a license as provided for in Section 5-5 of this Act.

"License" means the document issued by the Department certifying that the person named thereon has fulfilled all requirements prerequisite to licensure under this Act.

"Licensed activities" means those activities listed in the definition of "broker" under this Section.

"Licensee" means any person, as defined in this Section, who holds a valid unexpired license as a real estate broker, real estate salesperson, or leasing agent.

"Listing presentation" means a communication between a real estate broker or salesperson and a consumer in which the licensee is attempting to secure a brokerage agreement with the consumer to market the consumer's real estate for sale or lease.

"Managing broker" means a broker who has supervisory responsibilities for licensees in one or, in the case of a multi-office company, more than one office and who has been appointed as such by the sponsoring broker.

"Medium of advertising" means any method of communication intended to influence the general public to use or purchase a particular good or service or real estate.

"Ministerial acts" means those acts that a licensee may perform for a consumer that are informative or clerical in nature and do not rise to the level of active representation on behalf of a consumer. Examples of these acts include without limitation (i) responding to phone inquiries by consumers as to the availability and pricing of brokerage services, (ii) responding to phone inquiries from a consumer concerning the price or location of property, (iii) attending an open house and responding to questions about the property from a consumer, (iv) setting an appointment to view property, (v) responding to questions of consumers walking into a licensee's office concerning brokerage services offered or particular properties, (vi) accompanying an appraiser, inspector, contractor, or similar third party on a visit to a property, (vii) describing a property or the

New matter indicated by italics - deletions by strikeout
property's condition in response to a consumer's inquiry, (viii) completing business or factual information for a consumer on an offer or contract to purchase on behalf of a client, (ix) showing a client through a property being sold by an owner on his or her own behalf, or (x) referral to another broker or service provider.

"Office" means a real estate broker's place of business where the general public is invited to transact business and where records may be maintained and licenses displayed, whether or not it is the broker's principal place of business.

"Person" means and includes individuals, entities, corporations, limited liability companies, registered limited liability partnerships, and partnerships, foreign or domestic, except that when the context otherwise requires, the term may refer to a single individual or other described entity.

"Personal assistant" means a licensed or unlicensed person who has been hired for the purpose of aiding or assisting a sponsored licensee in the performance of the sponsored licensee's job.

"Pocket card" means the card issued by the Department to signify that the person named on the card is currently licensed under this Act.

"Pre-license school" means a school licensed by the Department offering courses in subjects related to real estate transactions, including the subjects upon which an applicant is examined in determining fitness to receive a license.

"Pre-renewal period" means the period between the date of issue of a currently valid license and the license's expiration date.

"Proctor" means any person, including, but not limited to, an instructor, who has a written agreement to administer examinations fairly and impartially with a licensed pre-license school or a licensed continuing education school.

"Real estate" means and includes leaseholds as well as any other interest or estate in land, whether corporeal, incorporeal, freehold, or non-freehold, including timeshare interests, and whether the real estate is situated in this State or elsewhere.

"Regular employee" means a person working an average of 20 hours per week for a person or entity who would be considered as an employee under the Internal Revenue Service eleven main tests in three categories being behavioral control, financial control and the type of relationship of the parties, formerly the twenty factor test.

"Salesperson" means any individual, other than a real estate broker or leasing agent, who is employed by a real estate broker or is associated

New matter indicated by italics - deletions by strikeout
by written agreement with a real estate broker as an independent contractor and participates in any activity described in the definition of "broker" under this Section.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation, or a person authorized by the Secretary to act in the Secretary's stead.

"Sponsoring broker" means the broker who has issued a sponsor card to a licensed salesperson, another licensed broker, or a leasing agent.

"Sponsor card" means the temporary permit issued by the sponsoring real estate broker certifying that the real estate broker, real estate salesperson, or leasing agent named thereon is employed by or associated by written agreement with the sponsoring real estate broker, as provided for in Section 5-40 of this Act.

(Source: P.A. 96-856, eff. 12-31-09.)

(225 ILCS 454/5-27)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-27. Requirements for licensure as a broker.

(a) Every applicant for licensure as a broker must meet the following qualifications:

(1) Be at least 21 years of age. After April 30, 2011, the minimum age of 21 years shall be waived for any person seeking a license as a broker who has attained the age of 18 and can provide evidence of the successful completion of at least 4 semesters of post-secondary school study as a full-time student or the equivalent, with major emphasis on real estate courses, in a school approved by the Department;

(2) Be of good moral character;

(3) Successfully complete a 4-year course of study in a high school or secondary school approved by the Illinois State Board of Education or an equivalent course of study as determined by an examination conducted by the Illinois State Board of Education which shall be verified under oath by the applicant;

(4) Prior to May 1, 2011, provide (i) satisfactory evidence of having completed at least 120 classroom hours, 45 of which shall be those hours required to obtain a salesperson's license plus 15 hours in brokerage administration courses, in real estate courses approved by the Advisory Council or (ii) for applicants who currently hold a valid real estate salesperson's license, give satisfactory evidence of having completed at least 75 hours in real

New matter indicated by italics - deletions by strikeout
estate courses, not including the courses that are required to obtain a salesperson's license, approved by the Advisory Council;

(5) After April 30, 2011, provide satisfactory evidence of having completed 90 hours of instruction in real estate courses approved by the Advisory Council, 15 hours of which must consist of situational and case studies presented in the classroom or by other interactive delivery method presenting instruction and real time discussion between the instructor and the students;

(6) Personally take and pass a written examination authorized by the Department;

(7) Present a valid application for issuance of a license accompanied by a sponsor card and the fees specified by rule.

(b) The requirements specified in items (4) and (5) of subsection (a) of this Section do not apply to applicants who are currently admitted to practice law by the Supreme Court of Illinois and are currently in active standing.

(c) No applicant shall engage in any of the activities covered by this Act until a valid sponsor card has been issued to such applicant. The sponsor card shall be valid for a maximum period of 45 days after the date of issuance unless extended for good cause as provided by rule.

(d) All licenses should be readily available to the public at their place of business.

(e) An individual holding an active license as a managing broker may return the license to the Department along with a form provided by the Department and shall be issued a broker's license in exchange. Any individual obtaining a broker's license under this subsection (e) shall be considered as having obtained a broker's license by education and passing the required test and shall be treated as such in determining compliance with this Act.

(Source: P.A. 96-856, eff. 12-31-09.)

(225 ILCS 454/5-28)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-28. Requirements for licensure as a managing broker.

(a) Effective May 1, 2012, every applicant for licensure as a managing broker must meet the following qualifications:

(1) be at least 21 years of age;
(2) be of good moral character;
(3) have been licensed at least 2 out of the preceding 3 years as a real estate broker or salesperson;

New matter indicated by italics - deletions by strikeout
(4) successfully complete a 4-year course of study in high school or secondary school approved by the Illinois State Board of Education or an equivalent course of study as determined by an examination conducted by the Illinois State Board of Education, which shall be verified under oath by the applicant;

(5) provide satisfactory evidence of having completed at least 165 hours, 120 of which shall be those hours required pre and post-licensure to obtain a broker's license, and 45 additional hours completed within the year immediately preceding the filing of an application for a managing broker's license, which hours shall focus on brokerage administration and management and include at least 15 hours in the classroom or by other interactive delivery method presenting instructional and real time discussion between the instructor and the students;

(6) personally take and pass a written examination authorized by the Department; and

(7) present a valid application for issuance of a license accompanied by a sponsor card, an appointment as a managing broker, and the fees specified by rule.

(b) The requirements specified in item (5) of subsection (a) of this Section do not apply to applicants who are currently admitted to practice law by the Supreme Court of Illinois and are currently in active standing.

(c) No applicant shall act as a managing broker for more than 90 days after an appointment as a managing broker has been filed with the Department without obtaining a managing broker's license.

(Source: P.A. 96-856, eff. 12-31-09.)

(225 ILCS 454/5-50)

Sec. 5-50. Expiration and renewal of managing broker, broker, salesperson, or leasing agent license; sponsoring broker; register of licensees; pocket card.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule, except that the first renewal period ending after the effective date of this Act for those licensed as a salesperson shall be extended through April 30, 2012. Except as otherwise provided in this Section, the holder of a license may renew the license within 90 days preceding the expiration date thereof by completing the continuing education required by this Act and paying the fees specified by rule.

New matter indicated by italics - deletions by strikeout
(b) An individual whose first license is that of a broker received after April 30, 2011, must provide evidence of having completed 30 hours of post-license education in courses approved by the Advisory Council, 15 hours of which must consist of situational and case studies presented in the classroom or by other interactive delivery method presenting instruction and real-time discussion between the instructor and the students, and personally take and pass an examination approved by the Department prior to the first renewal of their broker's license.

(c) Any salesperson until April 30, 2011 or any managing broker, broker, or leasing agent whose license under this Act has expired shall be eligible to renew the license during the 2-year period following the expiration date, provided the managing broker, broker, salesperson, or leasing agent pays the fees as prescribed by rule and completes continuing education and other requirements provided for by the Act or by rule. Beginning on May 1, 2012, a managing broker licensee, broker, or leasing agent whose license has been expired for more than 2 years but less than 5 years may have it restored by (i) applying to the Department, (ii) paying the required fee, (iii) completing the continuing education requirements for the most recent pre-renewal period that ended prior to the date of the application for reinstatement, and (iv) filing acceptable proof of fitness to have his or her license restored, as set by rule. A managing broker, broker, or leasing agent whose license has been expired for more than 5 years shall be required to meet the requirements for a new license.

(d) Notwithstanding any other provisions of this Act to the contrary, any managing broker, broker, salesperson, or leasing agent whose license expired while he or she was (i) on active duty with the Armed Forces of the United States or called into service or training by the state militia, (ii) engaged in training or education under the supervision of the United States preliminary to induction into military service, or (iii) serving as the Coordinator of Real Estate in the State of Illinois or as an employee of the Department may have his or her license renewed, reinstated or restored without paying any lapsed renewal fees if within 2 years after the termination of the service, training or education by furnishing the Department with satisfactory evidence of service, training, or education and it has been terminated under honorable conditions.

(e) The Department shall establish and maintain a register of all persons currently licensed by the State and shall issue and prescribe a form of pocket card. Upon payment by a licensee of the appropriate fee as prescribed by rule for engagement in the activity for which the licensee is
qualified and holds a license for the current period, the Department shall issue a pocket card to the licensee. The pocket card shall be verification that the required fee for the current period has been paid and shall indicate that the person named thereon is licensed for the current renewal period as a managing broker, broker, salesperson, or leasing agent as the case may be. The pocket card shall further indicate that the person named thereon is authorized by the Department to engage in the licensed activity appropriate for his or her status (managing broker, broker, salesperson, or leasing agent). Each licensee shall carry on his or her person his or her pocket card or, if such pocket card has not yet been issued, a properly issued sponsor card when engaging in any licensed activity and shall display the same on demand.

(f) The Department shall provide to the sponsoring broker a notice of renewal for all sponsored licensees by mailing the notice to the sponsoring broker's address of record, or, at the Department's discretion, by an electronic means as provided for by rule.

(g) Upon request from the sponsoring broker, the Department shall make available to the sponsoring broker, either by mail or by an electronic means at the discretion of the Department, a listing of licensees under this Act who, according to the records of the Department, are sponsored by that broker. Every licensee associated with or employed by a broker whose license is revoked, suspended, terminated, or expired shall be considered as inoperative until such time as the sponsoring broker's license is reinstated or renewed, or the licensee changes employment as set forth in subsection (c) of Section 5-40 of this Act.

(Source: P.A. 96-856, eff. 12-31-09; 96-989, eff. 1-1-11.)

(225 ILCS 454/5-70)

Sec. 5-70. Continuing education requirement; managing broker, broker, or salesperson.

(a) The requirements of this Section apply to all managing brokers, brokers, and salespersons.

(b) Except as otherwise provided in this Section, each person who applies for renewal of his or her license as a managing broker, real estate broker, or real estate salesperson must successfully complete 6 hours of real estate continuing education courses approved by the Advisory Council for each year of the pre-renewal period. Broker licensees must successfully complete a 6-hour broker management continuing education course approved by the Department for the pre-renewal period ending April 30,

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2010. In addition, beginning with the pre-renewal period for managing broker licensees that begins after the effective date of this Act, those licensees renewing or obtaining a managing broker's license must successfully complete a 12-hour broker management continuing education course approved by the Department each pre-renewal period. The broker management continuing education course must be completed in the classroom or by other interactive delivery method presenting instruction and real-time discussion between the instructor and the students. Successful completion of the course shall include achieving a passing score as provided by rule on a test developed and administered in accordance with rules adopted by the Department. No license may be renewed except upon the successful completion of the required courses or their equivalent or upon a waiver of those requirements for good cause shown as determined by the Secretary with the recommendation of the Advisory Council. The requirements of this Article are applicable to all managing brokers, brokers, and salespersons except those brokers and salespersons who, during the pre-renewal period:

(1) serve in the armed services of the United States;
(2) serve as an elected State or federal official;
(3) serve as a full-time employee of the Department; or
(4) are admitted to practice law pursuant to Illinois Supreme Court rule.

(c) A person licensed as a salesperson as of April 30, 2011 shall not be required to complete the 18 hours of continuing education for the pre-renewal period ending April 30, 2012 if that person takes the 30-hour post-licensing course to obtain a broker's license. A person licensed as a broker as of April 30, 2011 shall not be required to complete the 12 hours of broker management continuing education for the pre-renewal period ending April 30, 2012, unless that person passes the proficiency exam provided for in Section 5-47 of this Act to qualify for a managing broker's license.

(d) A person receiving an initial license during the 90 days before the renewal date shall not be required to complete the continuing education courses provided for in subsection (b) of this Section as a condition of initial license renewal.

(e) The continuing education requirement for salespersons, brokers and managing brokers shall consist of a core curriculum and an elective curriculum, to be established by the Advisory Council. In meeting the continuing education requirements of this Act, at least 3 hours per year or

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their equivalent, 6 hours for each two-year pre-renewal period, shall be
required to be completed in the core curriculum. In establishing the core
curriculum, the Advisory Council shall consider subjects that will educate
licensees on recent changes in applicable laws and new laws and refresh
the licensee on areas of the license law and the Department policy that the
Advisory Council deems appropriate, and any other areas that the
Advisory Council deems timely and applicable in order to prevent
violations of this Act and to protect the public. In establishing the elective
curriculum, the Advisory Council shall consider subjects that cover the
various aspects of the practice of real estate that are covered under the
scope of this Act. However, the elective curriculum shall not include any
offerings referred to in Section 5-85 of this Act.

(f) The subject areas of continuing education courses approved by
the Advisory Council may include without limitation the following:

(1) license law and escrow;
(2) antitrust;
(3) fair housing;
(4) agency;
(5) appraisal;
(6) property management;
(7) residential brokerage;
(8) farm property management;
(9) rights and duties of sellers, buyers, and brokers;
(10) commercial brokerage and leasing; and
(11) real estate financing.

(g) In lieu of credit for those courses listed in subsection (f) of this
Section, credit may be earned for serving as a licensed instructor in an
approved course of continuing education. The amount of credit earned for
teaching a course shall be the amount of continuing education credit for
which the course is approved for licensees taking the course.

(h) Credit hours may be earned for self-study programs approved
by the Advisory Council.

(i) A broker or salesperson may earn credit for a specific
continuing education course only once during the prerenewal period.

(j) No more than 6 hours of continuing education credit may be
taken or earned in one calendar day.

(k) To promote the offering of a uniform and consistent course
content, the Department may provide for the development of a single
broker management course to be offered by all continuing education
providers who choose to offer the broker management continuing education course. The Department may contract for the development of the 12-hour broker management continuing education course with an outside vendor or consultant and, if the course is developed in this manner, the Department or the outside consultant shall license the use of that course to all approved continuing education providers who wish to provide the course.

(l) Except as specifically provided in this Act, continuing education credit hours may not be earned for completion of pre or post-license courses. The approved 30-hour post-license course for broker licensees shall satisfy the continuing education requirement for the pre-renewal period in which the course is taken. The approved 45-hour brokerage administration and management course shall satisfy the 12-hour broker management continuing education requirement for the pre-renewal period in which the course is taken.

(Source: P.A. 96-856, eff. 12-31-09; 97-1002, eff. 8-17-12.)

(225 ILCS 454/10-25)

(Section scheduled to be repealed on January 1, 2020)

Sec. 10-25. Expiration of brokerage agreement. No licensee shall obtain any written brokerage agreement that does not provide for automatic expiration within a definite period of time or provide the client with a right to terminate the agreement annually by giving no more than 30 days' prior written notice. No notice of termination at the final expiration thereof shall be required. Any written brokerage agreement not containing such a provision for automatic expiration shall be void. When the license of any sponsoring broker is suspended or revoked, any brokerage agreement with the sponsoring broker shall be deemed to expire upon the effective date of the suspension or revocation.

(Source: P.A. 91-245, eff. 12-31-99.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.
AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Adoption Act is amended by changing Section 1 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

(a) Abandonment of the child.
(a-1) Abandonment of a newborn infant in a hospital.
(a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.
(b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.
(c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.

(d) Substantial neglect of the child if continuous or repeated.

(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.

(e) Extreme or repeated cruelty to the child.

(f) There is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if:

(1) Two or more findings of physical abuse have been entered regarding any children under Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; or

(2) The parent has been convicted or found not guilty by reason of insanity and the conviction or finding resulted from the death of any child by physical abuse; or

(3) There is a finding of physical child abuse resulting from the death of any child under Section 2-21 of the Juvenile Court Act of 1987.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (f).

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first
degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961; (5) predatory criminal sexual assault of a child in violation of Section 11-1.40 or 12-14.1 of the Criminal Code of 1961; (6) heinous battery of any child in violation of the Criminal Code of 1961; or (7) aggravated battery of any child in violation of the Criminal Code of 1961.

There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of 1961 within 10 years of the filing date of the petition or motion to terminate parental rights.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (i).

(j) Open and notorious adultery or fornication.

(j-1) (Blank).

(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a

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controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(i) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a new born child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent during any 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (ii) to make reasonable progress toward the return of the child to the parent within 9 months after an adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes (f) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care within 9 months after the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987 and (f) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period after the end of the initial 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987.

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Notwithstanding any other provision, when a petition or motion seeks to terminate parental rights on the basis of item (ii) (iii) of this subsection (m), the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on. The pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to
commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or an intellectual disability as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or
developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment.

(q) (Blank).

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.
E. "Parent" means the father or mother of a lawful child of the parties or child born out of wedlock. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:
   (a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;
   (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
   (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
   (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
   (d) an adult who meets the conditions set forth in Section 3 of this Act; or
   (e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Foreign placing agency" is an agency or individual operating in a country or territory outside the United States that is authorized by its country to place children for adoption either directly with families in the United States or through United States based international agencies.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted.

L. "Intercountry Adoption Coordinator" is a staff person of the Department of Children and Family Services appointed by the Director to

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coordinate the provision of services by the public and private sector to prospective parents of foreign-born children.

M. "Interstate Compact on the Placement of Children" is a law enacted by most states for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. "Non-Compact state" means a state that has not enacted the Interstate Compact on the Placement of Children.

O. "Preadoption requirements" are any conditions established by the laws or regulations of the Federal Government or of each state that must be met prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 1961 and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture upon the child; or

(e) inflicts excessive corporal punishment.

Q. "Neglected child" means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and

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shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child due to a waiver on religious or medical grounds as permitted by law.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 12 of the Criminal Code of 1961.

S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

(Source: P.A. 96-1551, eff. 7-1-11; 97-227, eff. 1-1-12; revised 9-15-11.)

Passed in the General Assembly May 29, 2013.
Approved August 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0533
(Senate Bill No. 1791)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The State Finance Act is amended by changing Section 5.562 as follows:

(30 ILCS 105/5.562)

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Sec. 5.562. The **Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund.**
(Source: P.A. 92-445, eff. 8-17-01; 92-651, eff. 7-11-02.)

Section 5. The Higher Education Student Assistance Act is amended by changing Section 52 as follows:

(110 ILCS 947/52)

Sec. 52. **Golden Apple Scholars of Illinois Program; Golden Apple Foundation for Excellence in Teaching.**

(a) In this Section, "Foundation" means the **Golden Apple Foundation for Excellence in Teaching,** a registered 501(c)(3) not-for-profit corporation.

(a-2) In order to encourage academically talented Illinois students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines (which shall be defined to include early childhood education) or at hard-to-staff schools (as defined by the Commission in consultation with the State Board of Education), to provide those students with the crucial mentoring, guidance, and in-service support that will significantly increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, and to ensure that students in this State will continue to have access to a pool of highly-qualified teachers, **each qualified student shall be awarded a Golden Apple Scholars of Illinois Program scholarship to any Illinois institution of higher learning. The Commission shall administer the Golden Apple Scholars of Illinois Program, which shall be managed by the Foundation pursuant to the terms of a grant agreement meeting the requirements of Section 4 of the Illinois Grant Funds Recovery Act.**

(a-3) For purposes of this Section, a qualified student shall be a student who meets the following qualifications:

(1) is a resident of this State and a citizen or eligible noncitizen of the United States;

(2) is a high school graduate or a person who has received a General Educational Development certificate;

(3) is enrolled or accepted, on at least a half-time basis, at an institution of higher learning;

(4) is pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher licensure; and

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(5) is a participant in programs managed by and is approved to receive a scholarship from the Foundation. The Commission shall combine the best practices and methods and programmatic functions of the Illinois Future Teacher Corps Program and the Golden Apple Foundation for Excellence in Teaching's Golden Apple Scholars of Illinois Program into one program. The consolidated program shall be known as the Golden Apple Scholars of Illinois Program and shall be managed by the Golden Apple Foundation for Excellence in Teaching:

(1) This consolidated program shall be fully operational before July 1, 2012. The existing programs, the Illinois Future Teacher Corps Program and the Golden Apple Scholars Program, shall continue to exist and be governed as they have under this Section before the effective date of this amendatory Act of the 96th General Assembly and any associated administrative rules, but shall also begin a transition period commencing on the first day of the 2010 fiscal year and ending on the last day of the 2013 fiscal year:

(2) During the transition period, the Commission shall, in consultation with the Golden Apple Foundation, establish rules governing the transition period and related fund transfers and to facilitate coordination and implementation of the consolidated program. Eligible students in this State may continue to apply for Illinois Future Teacher Corps scholarships under the current rules governing such applications during the transition period. Fiscal Year 2012 shall be the last year that such scholarships are available:

(3) The Commission shall, by March 30, 2010, develop an estimate of General Revenue Funds that it expects will remain unexpended at the end of FY 2010 from the FY 2010 appropriation for the Illinois Future Teacher Corps. No later than April 15, 2010, the Commission shall cause to be transferred funds comprising 85% of this estimated amount to the Golden Apple Foundation for Excellence in Teaching. The Commission shall subsequently transfer funding from the Illinois Future Teacher Corps Program to the Golden Apple Foundation for Excellence in Teaching on the following schedule and in the following amounts:

(A) FY 2011: an amount equal to 58% of the total combined appropriation for the Golden Apple Foundation
for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(B) FY 2012: an amount equal to 80% of the combined total appropriation for the Golden Apple Foundation for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(C) FY 2013: the entire appropriation shall be designated for the Golden Apple Foundation for Excellence in Teaching;

(4) Following the consolidation of the 2 programs, at least 30% of Golden Apple Scholars of Illinois Program scholarships available each year shall be awarded to students residing in counties having a population of less than 500,000;

(5) Following the consolidation of the 2 programs, the Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor and the General Assembly.

(a-5) (Blank). The Commission shall, each year until Fiscal Year 2011, receive and consider applications for scholarship assistance under this Section. An applicant is eligible for an Illinois Future Teacher Corps scholarship under this Section when the Commission finds that the applicant is:

(1) a United States citizen or eligible noncitizen;
(2) a resident of Illinois;
(3) a high school graduate or a person who has received a General Educational Development Certificate;
(4) enrolled or accepted for enrollment at or above the junior level, on at least a half-time basis, at an Illinois institution of higher learning; and
(5) pursuing a postsecondary course of study leading to initial certification or pursuing additional coursework needed to gain State Board of Education approval to teach, including alternative teacher certification.

(b) (Blank). Recipients shall be selected from among applicants qualified pursuant to subsection (a) based on a combination of the following criteria as set forth by the Commission until Fiscal Year 2011:

(1) academic excellence; (2) status as a minority student as defined in Section 50; and (3) financial need. Preference may be given to previous recipients of assistance under this Section, provided they continue to

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maintain eligibility and maintain satisfactory academic progress as determined by the institution of higher learning at which they enroll.

In each year until the consolidation of the 2 programs under subsection (a) of this Section has been completed, to support mentoring, guidance, and in-service support for teaching candidates in order to increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, a minimum of 200 awards shall be allocated to participants in the Golden Apple Scholars of Illinois program:

(b-5) Funds designated for the Golden Apple Scholars of Illinois Program shall be used by the Commission for the payment of scholarship assistance under this Section or for the award of grant funds, subject to the Illinois Grant Funds Recovery Act, to the Foundation. Subject to appropriation, awards of grant funds to the Foundation shall be made on an annual basis and following an application for grant funds by the Foundation.

(b-10) Each year, the Foundation shall include in its application to the Commission for grant funds an estimate of the amount of scholarship assistance to be provided to qualified students during the grant period. Any amount of appropriated funds exceeding the estimated amount of scholarship assistance may be awarded by the Commission to the Foundation for management expenses expected to be incurred by the Foundation in providing the mentoring, guidance, and in-service supports that will increase the likelihood that qualified students will complete their teaching commitments and elect to continue teaching in hard-to-staff schools. If the estimate of the amount of scholarship assistance described in the Foundation's application is less than the actual amount required for the award of scholarship assistance to qualified students, the Foundation shall be responsible for using awarded grant funds to ensure all qualified students receive scholarship assistance under this Section.

(b-15) All grant funds not expended or legally obligated within the time specified in a grant agreement between the Foundation and the Commission shall be returned to the Commission within 45 days. Any funds legally obligated by the end of a grant agreement shall be liquidated within 45 days or otherwise returned to the Commission within 90 days after the end of the grant agreement that resulted in the award of grant funds.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of

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the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of $5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of $5,000. All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of recipients. For recipients who agree to teach in a teacher shortage
discipline or at a hard-to-staff school under subsection (i) of this Section, the Commission may, by rule and subject to appropriation, increase the annual maximum amount to $10,000. If a recipient agrees to teach in both a teacher shortage discipline and at a hard-to-staff school under subsection (i) of this Section, the Commission may increase the amount of the scholarship awarded by up to an additional $5,000.

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled. In any academic year for which a qualified student under this Section accepts financial assistance through any other teacher scholarship program administered by the Commission, a qualified student shall not be eligible for scholarship assistance awarded under this Section.

(e) A recipient may receive up to 8 semesters or 12 quarters of scholarship assistance under this Section. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment each academic year.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Foundation in a form determined by the Foundation. Each year, the Foundation shall notify the Commission of the individuals awarded scholarship assistance under this Section. Each year, at least 30% of the Golden Apple Scholars of Illinois Program scholarships shall be awarded to students residing in counties having a population of less than 500,000. Commission in a form as set forth by the Commission. The form of application and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents as the Commission deems necessary. Notwithstanding any other provision of this Act, following the

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completion of the transition of funding of the Illinois Future Teacher Corps to the Golden Apple Foundation for Excellence in Teaching, all applications for scholarship assistance under this Section shall be in a form determined by the Golden Apple Foundation for Excellence in Teaching.

(g) (Blank). Subject to a separate appropriation made for such purposes, payment of any scholarship awarded under this Section shall be determined by the Commission. There shall be a separate appropriation made for scholarships awarded to recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section. The Commission may use for scholarship assistance under this Section (i) all funds appropriated for scholarships under this Section that were formerly known as ITEACH Teacher Shortage Scholarships and (ii) all funds appropriated for scholarships under Section 65.65 of this Act (repealed by this amendatory Act of the 93rd General Assembly), formerly known as Illinois Future Teacher Corps Scholarships.

All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of the recipients. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment within an academic year.

(h) The Commission shall administer the payment of scholarship assistance provided through the Golden Apple Scholars of Illinois Program program established by this Section and shall make all necessary and proper rules not inconsistent with this Section for its effective implementation of this Section.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Foundation Commission to sign an agreement under which the recipient pledges that, within the 2-year one-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school that qualifies for teacher loan cancellation under Section 465(a)(2)(A) of the federal Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed eligible for fulfilling the teaching commitment as designated by the Foundation, and (iii) shall, upon request of the Foundation Commission, provide the Foundation Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this...
subsection. Upon request, the Foundation shall provide evidence of teacher fulfillment to the Commission.

(j) If a recipient of a scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section. Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the Foundation shall not be considered to have failed to fulfill the teaching obligations in violation of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is temporarily totally disabled, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide evidence of that fact; (v) is taking additional courses, on at least a half-time basis, needed to obtain certification as a teacher in Illinois; or (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation; or (vii) is participating in a program established under Executive Order 10924 of the President of the United States or the federal National Community Service Act of 1990 (42 U.S.C. 12501 et seq.). Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(l) A recipient who fails to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) of this Section shall

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repay the amount of scholarship assistance awarded to them under this Section within 10 years.

(m) Annually, at a time determined by the Commission in consultation with the Foundation, the Foundation shall submit a report to assist the Commission in monitoring the Foundation's performance of grant activities. The report shall describe the following:

(1) the Foundation's anticipated expenditures for the next fiscal year;
(2) the number of qualified students receiving scholarship assistance at each institution of higher learning where a qualified student was enrolled under this Section during the previous fiscal year;
(3) the total monetary value of scholarship funds paid to each institution of higher learning at which a qualified student was enrolled during the previous fiscal year;
(4) the number of scholarship recipients who completed a baccalaureate degree during the previous fiscal year;
(5) the number of scholarship recipients who fulfilled their teaching obligation during the previous fiscal year;
(6) the number of scholarship recipients who failed to fulfill their teaching obligation during the previous fiscal year;
(7) the number of scholarship recipients granted an extension described in subsection (k) of this Section during the previous fiscal year;
(8) the number of scholarship recipients required to repay scholarship assistance in accordance with subsection (j) of this Section during the previous fiscal year;
(9) the number of scholarship recipients who successfully repaid scholarship assistance in full during the previous fiscal year;
(10) the number of scholarship recipients who defaulted on their obligation to repay scholarship assistance during the previous fiscal year;
(11) the amount of scholarship assistance subject to collection in accordance with subsection (j) of this Section at the end of the previous fiscal year;
(12) the amount of collected funds to be remitted to the Comptroller in accordance with subsection (j) of this Section at the end of the previous fiscal year; and

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(13) other information that the Commission may reasonably request.

(n) Nothing in this Section shall affect the rights of the Commission to collect moneys owed to it by recipients of scholarship assistance through the Illinois Future Teacher Corps Program, repealed by this amendatory Act of the 98th General Assembly.

(o) The Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor, General Assembly, and the Commission.

(p) The suspension of grant making authority found in Section 4.2 of the Illinois Grant Funds Recovery Act shall not apply to grants made pursuant to this Section.

(Source: P.A. 95-939, eff. 1-1-09; 96-411, eff. 8-13-09.)

Section 10. The Illinois Vehicle Code is amended by changing Section 3-648 as follows:

(625 ILCS 5/3-648)

Sec. 3-648. Education license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Education license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be determined by a contest that every elementary school pupil in the State of Illinois is eligible to enter. The designs submitted for the contest shall be judged on September 30, 2002, and the winning design shall be selected by a committee composed of the Secretary, the Director of State Police, 2 members of the Senate, one member chosen by the President of the Senate and one member chosen by the Senate Minority Leader, and 2 members of the House of Representatives, one member chosen by the Speaker of the House and one member chosen by the House Minority Leader. The Secretary may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance, in addition to the appropriate registration fee. Of this

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$40 additional original issuance fee, $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs, and $25 shall be deposited into the *Golden Apple Scholars of Illinois Future Teacher Corps Scholarship* Fund. For each registration renewal period, a $40 fee, in addition to the appropriate registration fee, shall be charged. Of this $40 additional renewal fee, $2 shall be deposited into the Secretary of State Special License Plate Fund and $38 shall be deposited into the *Golden Apple Scholars of Illinois Future Teacher Corps Scholarship* Fund. Each fiscal year, once deposits from the additional original issuance and renewal fees into the Secretary of State Special License Plate Fund have reached $500,000, all the amounts received for the additional fees for the balance of the fiscal year shall be deposited into the *Golden Apple Scholars of Illinois Future Teacher Corps Scholarship* Fund.

(d) The *Golden Apple Scholars of Illinois Future Teacher Corps Scholarship* Fund is created as a special fund in the State treasury. All Ninety-five percent of the moneys in the *Golden Apple Scholars of Illinois Future Teacher Corps Scholarship* Fund shall be appropriated to the Illinois Student Assistance Commission for scholarships under Section 52 of the Higher Education Student Assistance Act, and 5% of the moneys in the *Illinois Future Teacher Corps Scholarship* Fund shall be appropriated to the State Board of Education for grants to the *Golden Apple Foundation for Excellence in Teaching*, a recognized charitable organization that meets the requirements of Title 26, Section 501(c)(3) of the United States Code. Notwithstanding the other provisions of this subsection (d), beginning in the 2010 fiscal year, funds for the Illinois Future Teacher Corps Program and the *Golden Apple Foundation for Excellence in Teaching* shall be apportioned according to Section 52 of the Higher Education Student Assistance Act.

(Source: P.A. 95-331, eff. 8-21-07; 96-411, eff. 8-13-09.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 26, 2013.
Approved August 23, 2013.
Effective August 23, 2013.
AN ACT concerning revenue.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

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age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and

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including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing
and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United
States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have
a legal right to claim a refund of that amount from the lessor. If, however,
that amount is not refunded to the lessee for any reason, the lessor is liable
to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31,
1995 and ending with taxable years ending on or before December 31,
2004, personal property that is donated for disaster relief to be used in a
State or federally declared disaster area in Illinois or bordering Illinois by a
manufacturer or retailer that is registered in this State to a corporation,
society, association, foundation, or institution that has been issued a sales
tax exemption identification number by the Department that assists victims
of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31,
1995 and ending with taxable years ending on or before December 31,
2004, personal property that is used in the performance of infrastructure
repairs in this State, including but not limited to municipal roads and
streets, access roads, bridges, sidewalks, waste disposal systems, water and
sewer line extensions, water distribution and purification facilities, storm
water drainage and retention facilities, and sewage treatment facilities,
resulting from a State or federally declared disaster in Illinois or bordering
Illinois when such repairs are initiated on facilities located in the declared
disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a
"game breeding and hunting preserve area" as that term is used in the
Wildlife Code. This paragraph is exempt from the provisions of Section 3-
90.

(27) A motor vehicle, as that term is defined in Section 1-146 of
the Illinois Vehicle Code, that is donated to a corporation, limited liability
company, society, association, foundation, or institution that is determined
by the Department to be organized and operated exclusively for
educational purposes. For purposes of this exemption, "a corporation,
limited liability company, society, association, foundation, or institution
organized and operated exclusively for educational purposes" means all
tax-supported public schools, private schools that offer systematic
instruction in useful branches of learning by methods common to public
schools and that compare favorably in their scope and intensity with the
course of study presented in tax-supported schools, and vocational or
technical schools or institutes organized and operated exclusively to
provide a course of study of not less than 6 weeks duration and designed to
prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at
the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle

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Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the use of qualifying tangible personal property by persons who modify, refurbish, complete, repair, replace, or maintain aircraft and who those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this

New matter indicated by italics - deletions by strikeout
paragraph (35) by this amendatory Act of the 98th General Assembly are declarative of existing law.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 1-1-12; 97-767, eff. 7-9-12.)

Section 10. The Service Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 110/3-5)
Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective
date of this amendatory Act of the 92nd General Assembly, however, an
entity otherwise eligible for this exemption shall not make tax-free
purchases unless it has an active identification number issued by the
Department.

(4) Legal tender, currency, medallions, or gold or silver coinage
issued by the State of Illinois, the government of the United States of
America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004
through August 30, 2014, graphic arts machinery and equipment,
including repair and replacement parts, both new and used, and including
that manufactured on special order or purchased for lease, certified by the
purchaser to be used primarily for graphic arts production. Equipment
includes chemicals or chemicals acting as catalysts but only if the
chemicals or chemicals acting as catalysts effect a direct and immediate
change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student
organization affiliated with an elementary or secondary school located in
Illinois.

(7) Farm machinery and equipment, both new and used, including
that manufactured on special order, certified by the purchaser to be used
primarily for production agriculture or State or federal agricultural
programs, including individual replacement parts for the machinery and
equipment, including machinery and equipment purchased for lease, and
including implements of husbandry defined in Section 1-130 of the Illinois
Vehicle Code, farm machinery and agricultural chemical and fertilizer
spreaders, and nurse wagons required to be registered under Section 3-809
of the Illinois Vehicle Code, but excluding other motor vehicles required
to be registered under the Illinois Vehicle Code. Horticultural polyhouses
or hoop houses used for propagating, growing, or overwintering plants
shall be considered farm machinery and equipment under this item (7).
Agricultural chemical tender tanks and dry boxes shall include units sold
separately from a motor vehicle required to be licensed and units sold
mounted on a motor vehicle required to be licensed if the selling price of
the tender is separately stated.

Farm machinery and equipment shall include precision farming
equipment that is installed or purchased to be installed on farm machinery
and equipment including, but not limited to, tractors, harvesters, sprayers,
planters, seeders, or spreaders. Precision farming equipment includes, but

New matter indicated by italics - deletions by strikeout
is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers’ bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and
equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (14) is exempt from the provisions of Section 3-75, and the exemption provided for under this item (14) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 95th General Assembly for such taxes paid during the period beginning May 30, 2000 and ending on the effective date of this amendatory Act of the 95th General Assembly.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.
Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation,
limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-
term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have

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a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

(27) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the use of qualifying tangible personal property transferred incident to the modification, refurbishment, completion, replacement, repair, or maintenance of aircraft by persons who those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (27) by this amendatory Act of the 98th General Assembly are declarative of existing law.

(28) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on
behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

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(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities.
such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Beginning January 1, 1992 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine

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testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (15) is exempt from the provisions of Section 3-55, and the exemption provided for under this item (15) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

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(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to
the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption

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under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(27) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-55.

(28) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-55.

(29) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the transfer of qualifying tangible personal property incident to the modification, refurbishment, completion, replacement, repair, or
maintenance of an aircraft by persons who those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (29) by this amendatory Act of the 98th General Assembly are declarative of existing law.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery.
and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

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(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by

New matter indicated by italics - deletions by strikeout
(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as
tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

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(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale.

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The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

(1) the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

(2) the aircraft is not based or registered in this State after the sale of the aircraft; and

(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of the primary physical location of the aircraft, and other information that the Department may reasonably require.

For purposes of this item (25-7):
"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United
States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.
(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

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(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the

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rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the sale of qualifying tangible personal property to persons who modify, refurbish, complete, replace, or maintain an aircraft and who those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (40) by this amendatory Act of the 98th General Assembly are declarative of existing law.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on
behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0535
(Senate Bill No. 1830)

AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Labor Relations Act is amended by changing Sections 12 and 14 as follows:

(5 ILCS 315/12) (from Ch. 48, par. 1612)
Sec. 12. Mediation.
(a) The State and Local Panels in joint session shall establish a Public Employees Mediation Roster, the services of which shall be available to public employers and to labor organizations upon request of the parties for the purposes of mediation of grievances or contract disputes. Upon the request of either party, services of the Public Employees Mediation Roster shall be available for purposes of arbitrating disputes over interpretation or application of the terms of an agreement pursuant to Section 8. The members of the Roster shall be appointed by majority vote of the members of both panels. Members shall be impartial, competent, and reputable citizens of the United States, residents of the State of Illinois, and shall qualify by taking and subscribing to the constitutional oath or affirmation of office. The function of the mediator
shall be to communicate with the employer and exclusive representative or
their representatives and to endeavor to bring about an amicable and
voluntary settlement. Compensation of Roster members for services
performed as mediators shall be paid equally by the parties to a mediated
labor dispute. The Board shall have authority but not the obligation to
promulgate regulations setting compensation levels for members of the
Roster, and establishing procedures for suspension or dismissal of
mediators for good cause shown following hearing.

(b) A mediator in a mediated labor dispute shall be selected by the
Board from among the members of the Roster.

(c) Nothing in this Act or any other law prohibits the use of other
mediators selected by the parties for the resolution of disputes over
interpretation or application of the terms or conditions of the collective
bargaining agreements between a public employer and a labor
organization.

(d) If requested by the parties to a labor dispute, a mediator may
perform fact-finding as set forth in Section 13.
(Source: P.A. 91-798, eff. 7-9-00.)

(5 ILCS 315/14) (from Ch. 48, par. 1614)
Sec. 14. Security Employee, Peace Officer and Fire Fighter
Disputes.

(a) In the case of collective bargaining agreements involving units
of security employees of a public employer, Peace Officer Units, or units
of fire fighters or paramedics, and in the case of disputes under Section 18,
unless the parties mutually agree to some other time limit, mediation shall
commence 30 days prior to the expiration date of such agreement or at
such later time as the mediation services chosen under subsection (b) of
Section 12 can be provided to the parties. In the case of negotiations for an
initial collective bargaining agreement, mediation shall commence upon
15 days notice from either party or at such later time as the mediation
services chosen pursuant to subsection (b) of Section 12 can be provided
to the parties. In mediation under this Section, if either party requests the
use of mediation services from the Federal Mediation and Conciliation
Service, the other party shall either join in such request or bear the
additional cost of mediation services from another source. The mediator
shall have a duty to keep the Board informed on the progress of the
mediation. If any dispute has not been resolved within 15 days after the
first meeting of the parties and the mediator, or within such other time
limit as may be mutually agreed upon by the parties, either the exclusive

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representative or employer may request of the other, in writing, arbitration, and shall submit a copy of the request to the Board.

(b) Within 10 days after such a request for arbitration has been made, the employer shall choose a delegate and the employees' exclusive representative shall choose a delegate to a panel of arbitration as provided in this Section. The employer and employees shall forthwith advise the other and the Board of their selections.

(c) Within 7 days after the request of either party, the parties shall request a panel of impartial arbitrators from which they shall select the neutral chairman according to the procedures provided in this Section. If the parties have agreed to a contract that contains a grievance resolution procedure as provided in Section 8, the chairman shall be selected using their agreed contract procedure unless they mutually agree to another procedure. If the parties fail to notify the Board of their selection of neutral chairman within 7 days after receipt of the list of impartial arbitrators, the Board shall appoint, at random, a neutral chairman from the list. In the absence of an agreed contract procedure for selecting an impartial arbitrator, either party may request a panel from the Board. Within 7 days of the request of either party, the Board shall select from the Public Employees Labor Mediation Roster 7 persons who are on the labor arbitration panels of either the American Arbitration Association or the Federal Mediation and Conciliation Service, or who are members of the National Academy of Arbitrators, as nominees for impartial arbitrator of the arbitration panel. The parties may select an individual on the list provided by the Board or any other individual mutually agreed upon by the parties. Within 7 days following the receipt of the list, the parties shall notify the Board of the person they have selected. Unless the parties agree on an alternate selection procedure, they shall alternatively strike one name from the list provided by the Board until only one name remains. A coin toss shall determine which party shall strike the first name. If the parties fail to notify the Board in a timely manner of their selection for neutral chairman, the Board shall appoint a neutral chairman from the Illinois Public Employees Mediation/Arbitration Roster.

(d) The chairman shall call a hearing to begin within 15 days and give reasonable notice of the time and place of the hearing. The hearing shall be held at the offices of the Board or at such other location as the Board deems appropriate. The chairman shall preside over the hearing and shall take testimony. Any oral or documentary evidence and other data deemed relevant by the arbitration panel may be received in evidence. The

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proceedings shall be informal. Technical rules of evidence shall not apply and the competency of the evidence shall not thereby be deemed impaired. A verbatim record of the proceedings shall be made and the arbitrator shall arrange for the necessary recording service. Transcripts may be ordered at the expense of the party ordering them, but the transcripts shall not be necessary for a decision by the arbitration panel. The expense of the proceedings, including a fee for the chairman, established in advance by the Board, shall be borne equally by each of the parties to the dispute. The delegates, if public officers or employees, shall continue on the payroll of the public employer without loss of pay. The hearing conducted by the arbitration panel may be adjourned from time to time, but unless otherwise agreed by the parties, shall be concluded within 30 days of the time of its commencement. Majority actions and rulings shall constitute the actions and rulings of the arbitration panel. Arbitration proceedings under this Section shall not be interrupted or terminated by reason of any unfair labor practice charge filed by either party at any time.

(e) The arbitration panel may administer oaths, require the attendance of witnesses, and the production of such books, papers, contracts, agreements and documents as may be deemed by it material to a just determination of the issues in dispute, and for such purpose may issue subpoenas. If any person refuses to obey a subpoena, or refuses to be sworn or to testify, or if any witness, party or attorney is guilty of any contempt while in attendance at any hearing, the arbitration panel may, or the attorney general if requested shall, invoke the aid of any circuit court within the jurisdiction in which the hearing is being held, which court shall issue an appropriate order. Any failure to obey the order may be punished by the court as contempt.

(f) At any time before the rendering of an award, the chairman of the arbitration panel, if he is of the opinion that it would be useful or beneficial to do so, may remand the dispute to the parties for further collective bargaining for a period not to exceed 2 weeks. If the dispute is remanded for further collective bargaining the time provisions of this Act shall be extended for a time period equal to that of the remand. The chairman of the panel of arbitration shall notify the Board of the remand.

(g) At or before the conclusion of the hearing held pursuant to subsection (d), the arbitration panel shall identify the economic issues in dispute, and direct each of the parties to submit, within such time limit as the panel shall prescribe, to the arbitration panel and to each other its last offer of settlement on each economic issue. The determination of the
arbitration panel as to the issues in dispute and as to which of these issues are economic shall be conclusive. The arbitration panel, within 30 days after the conclusion of the hearing, or such further additional periods to which the parties may agree, shall make written findings of fact and promulgate a written opinion and shall mail or otherwise deliver a true copy thereof to the parties and their representatives and to the Board. As to each economic issue, the arbitration panel shall adopt the last offer of settlement which, in the opinion of the arbitration panel, more nearly complies with the applicable factors prescribed in subsection (h). The findings, opinions and order as to all other issues shall be based upon the applicable factors prescribed in subsection (h).

(h) Where there is no agreement between the parties, or where there is an agreement but the parties have begun negotiations or discussions looking to a new agreement or amendment of the existing agreement, and wage rates or other conditions of employment under the proposed new or amended agreement are in dispute, the arbitration panel shall base its findings, opinions and order upon the following factors, as applicable:

1. The lawful authority of the employer.
2. Stipulations of the parties.
3. The interests and welfare of the public and the financial ability of the unit of government to meet those costs.
4. Comparison of the wages, hours and conditions of employment of the employees involved in the arbitration proceeding with the wages, hours and conditions of employment of other employees performing similar services and with other employees generally:
   A. In public employment in comparable communities.
   B. In private employment in comparable communities.
5. The average consumer prices for goods and services, commonly known as the cost of living.
6. The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment and all other benefits received.

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(7) Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings.

(8) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment through voluntary collective bargaining, mediation, fact-finding, arbitration or otherwise between the parties, in the public service or in private employment.

(i) In the case of peace officers, the arbitration decision shall be limited to wages, hours, and conditions of employment (which may include residency requirements in municipalities with a population under 1,000,000, but those residency requirements shall not allow residency outside of Illinois) and shall not include the following: i) residency requirements in municipalities with a population of at least 1,000,000; ii) the type of equipment, other than uniforms, issued or used; iii) manning; iv) the total number of employees employed by the department; v) mutual aid and assistance agreements to other units of government; and vi) the criterion pursuant to which force, including deadly force, can be used; provided, nothing herein shall preclude an arbitration decision regarding equipment or manning levels if such decision is based on a finding that the equipment or manning considerations in a specific work assignment involve a serious risk to the safety of a peace officer beyond that which is inherent in the normal performance of police duties. Limitation of the terms of the arbitration decision pursuant to this subsection shall not be construed to limit the factors upon which the decision may be based, as set forth in subsection (h).

In the case of fire fighter, and fire department or fire district paramedic matters, the arbitration decision shall be limited to wages, hours, and conditions of employment (which may include residency requirements in municipalities with a population under 1,000,000, but those residency requirements shall not allow residency outside of Illinois) and shall not include the following matters: i) residency requirements in municipalities with a population of at least 1,000,000; ii) the type of equipment (other than uniforms and fire fighter turnout gear) issued or used; iii) the total number of employees employed by the department; iv) mutual aid and assistance agreements to other units of government; and v) the criterion pursuant to which force, including deadly force, can be used; provided, however, nothing herein shall preclude an arbitration decision regarding equipment levels if such decision is based on a finding that the

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equipment considerations in a specific work assignment involve a serious risk to the safety of a fire fighter beyond that which is inherent in the normal performance of fire fighter duties. Limitation of the terms of the arbitration decision pursuant to this subsection shall not be construed to limit the facts upon which the decision may be based, as set forth in subsection (h).

The changes to this subsection (i) made by Public Act 90-385 (relating to residency requirements) do not apply to persons who are employed by a combined department that performs both police and firefighting services; these persons shall be governed by the provisions of this subsection (i) relating to peace officers, as they existed before the amendment by Public Act 90-385.

To preserve historical bargaining rights, this subsection shall not apply to any provision of a fire fighter collective bargaining agreement in effect and applicable on the effective date of this Act; provided, however, nothing herein shall preclude arbitration with respect to any such provision.

(j) Arbitration procedures shall be deemed to be initiated by the filing of a letter requesting mediation as required under subsection (a) of this Section. The commencement of a new municipal fiscal year after the initiation of arbitration procedures under this Act, but before the arbitration decision, or its enforcement, shall not be deemed to render a dispute moot, or to otherwise impair the jurisdiction or authority of the arbitration panel or its decision. Increases in rates of compensation awarded by the arbitration panel may be effective only at the start of the fiscal year next commencing after the date of the arbitration award. If a new fiscal year has commenced either since the initiation of arbitration procedures under this Act or since any mutually agreed extension of the statutorily required period of mediation under this Act by the parties to the labor dispute causing a delay in the initiation of arbitration, the foregoing limitations shall be inapplicable, and such awarded increases may be retroactive to the commencement of the fiscal year, any other statute or charter provisions to the contrary, notwithstanding. At any time the parties, by stipulation, may amend or modify an award of arbitration.

(k) Orders of the arbitration panel shall be reviewable, upon appropriate petition by either the public employer or the exclusive bargaining representative, by the circuit court for the county in which the dispute arose or in which a majority of the affected employees reside, but only for reasons that the arbitration panel was without or exceeded its
statutory authority; the order is arbitrary, or capricious; or the order was procured by fraud, collusion or other similar and unlawful means. Such petitions for review must be filed with the appropriate circuit court within 90 days following the issuance of the arbitration order. The pendency of such proceeding for review shall not automatically stay the order of the arbitration panel. The party against whom the final decision of any such court shall be adverse, if such court finds such appeal or petition to be frivolous, shall pay reasonable attorneys' fees and costs to the successful party as determined by said court in its discretion. If said court's decision affirms the award of money, such award, if retroactive, shall bear interest at the rate of 12 percent per annum from the effective retroactive date.

(l) During the pendency of proceedings before the arbitration panel, existing wages, hours, and other conditions of employment shall not be changed by action of either party without the consent of the other but a party may so consent without prejudice to his rights or position under this Act. The proceedings are deemed to be pending before the arbitration panel upon the initiation of arbitration procedures under this Act.

(m) Security officers of public employers, and Peace Officers, Fire Fighters and fire department and fire protection district paramedics, covered by this Section may not withhold services, nor may public employers lock out or prevent such employees from performing services at any time.

(n) All of the terms decided upon by the arbitration panel shall be included in an agreement to be submitted to the public employer's governing body for ratification and adoption by law, ordinance or the equivalent appropriate means.

The governing body shall review each term decided by the arbitration panel. If the governing body fails to reject one or more terms of the arbitration panel's decision by a 3/5 vote of those duly elected and qualified members of the governing body, within 20 days of issuance, or in the case of firefighters employed by a state university, at the next regularly scheduled meeting of the governing body after issuance, such term or terms shall become a part of the collective bargaining agreement of the parties. If the governing body affirmatively rejects one or more terms of the arbitration panel's decision, it must provide reasons for such rejection with respect to each term so rejected, within 20 days of such rejection and the parties shall return to the arbitration panel for further proceedings and issuance of a supplemental decision with respect to the rejected terms. Any supplemental decision by an arbitration panel or other decision maker

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agreed to by the parties shall be submitted to the governing body for ratification and adoption in accordance with the procedures and voting requirements set forth in this Section. The voting requirements of this subsection shall apply to all disputes submitted to arbitration pursuant to this Section notwithstanding any contrary voting requirements contained in any existing collective bargaining agreement between the parties.

(o) If the governing body of the employer votes to reject the panel's decision, the parties shall return to the panel within 30 days from the issuance of the reasons for rejection for further proceedings and issuance of a supplemental decision. All reasonable costs of such supplemental proceeding including the exclusive representative's reasonable attorney's fees, as established by the Board, shall be paid by the employer.

(p) Notwithstanding the provisions of this Section the employer and exclusive representative may agree to submit unresolved disputes concerning wages, hours, terms and conditions of employment to an alternative form of impasse resolution.

(Source: P.A. 96-813, eff. 10-30-09.)

Passed in the General Assembly May 29, 2013.
Approved August 23, 2013.
Effective January 1, 2014.
subsection and who is found to be a delinquent for an
offense which is first degree murder, a Class X felony, or a
forcible felony shall be placed on probation;
   (ii) placed in accordance with Section 5-740, with
or without also being put on probation or conditional
discharge;
   (iii) required to undergo a substance abuse
assessment conducted by a licensed provider and participate
in the indicated clinical level of care;
   (iv) placed in the guardianship of the Department of
Children and Family Services, but only if the delinquent
minor is under 15 years of age or, pursuant to Article II of
this Act, a minor for whom an independent basis of abuse,
neglect, or dependency exists. An independent basis exists
when the allegations or adjudication of abuse, neglect, or
dependency do not arise from the same facts, incident, or
circumstances which give rise to a charge or adjudication of
delinquency;
   (v) placed in detention for a period not to exceed 30
days, either as the exclusive order of disposition or, where
appropriate, in conjunction with any other order of
disposition issued under this paragraph, provided that any
such detention shall be in a juvenile detention home and the
minor so detained shall be 10 years of age or older.
However, the 30-day limitation may be extended by further
order of the court for a minor under age 15 committed to
the Department of Children and Family Services if the
court finds that the minor is a danger to himself or others.
The minor shall be given credit on the sentencing order of
detention for time spent in detention under Sections 5-501,
5-601, 5-710, or 5-720 of this Article as a result of the
offense for which the sentencing order was imposed. The
court may grant credit on a sentencing order of detention
entered under a violation of probation or violation of
conditional discharge under Section 5-720 of this Article
for time spent in detention before the filing of the petition
alleging the violation. A minor shall not be deprived of
credit for time spent in detention before the filing of a
violation of probation or conditional discharge alleging the

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same or related act or acts. The limitation that the minor shall only be placed in a juvenile detention home does not apply as follows:

Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) the age of the person;
(B) any previous delinquent or criminal history of the person;
(C) any previous abuse or neglect history of the person;
(D) any mental health history of the person;
(E) any educational history of the person;

(vi) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act;
(vii) subject to having his or her driver's license or driving privileges suspended for such time as determined by the court but only until he or she attains 18 years of age;
(viii) put on probation or conditional discharge and placed in detention under Section 3-6039 of the Counties Code for a period not to exceed the period of incarceration permitted by law for adults found guilty of the same offense or offenses for which the minor was adjudicated delinquent, and in any event no longer than upon attainment of age 21; this subdivision (viii) notwithstanding any contrary provision of the law;
(ix) ordered to undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body; or
(x) placed in electronic home detention under Part 7A of this Article.

(b) A minor found to be guilty may be committed to the Department of Juvenile Justice under Section 5-750 if the minor is 13 years of age or older, provided that the commitment to the

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Department of Juvenile Justice shall be made only if a term of incarceration is permitted by law for adults found guilty of the offense for which the minor was adjudicated delinquent. The time during which a minor is in custody before being released upon the request of a parent, guardian or legal custodian shall be considered as time spent in detention.

(c) When a minor is found to be guilty for an offense which is a violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act and made a ward of the court, the court may enter a disposition order requiring the minor to undergo assessment, counseling or treatment in a substance abuse program approved by the Department of Human Services.

(2) Any sentencing order other than commitment to the Department of Juvenile Justice may provide for protective supervision under Section 5-725 and may include an order of protection under Section 5-730.

(3) Unless the sentencing order expressly so provides, it does not operate to close proceedings on the pending petition, but is subject to modification until final closing and discharge of the proceedings under Section 5-750.

(4) In addition to any other sentence, the court may order any minor found to be delinquent to make restitution, in monetary or non-monetary form, under the terms and conditions of Section 5-5-6 of the Unified Code of Corrections, except that the "sentencing hearing" referred to in that Section shall be the sentencing hearing for purposes of this Section. The parent, guardian or legal custodian of the minor may be ordered by the court to pay some or all of the restitution on the minor's behalf, pursuant to the Parental Responsibility Law. The State's Attorney is authorized to act on behalf of any victim in seeking restitution in proceedings under this Section, up to the maximum amount allowed in Section 5 of the Parental Responsibility Law.

(5) Any sentencing order where the minor is committed or placed in accordance with Section 5-740 shall provide for the parents or guardian of the estate of the minor to pay to the legal custodian or guardian of the person of the minor such sums as are determined by the custodian or guardian of the person of the minor as necessary for the minor's needs. The payments may not exceed the maximum amounts provided for by Section 9.1 of the Children and Family Services Act.
(6) Whenever the sentencing order requires the minor to attend school or participate in a program of training, the truant officer or designated school official shall regularly report to the court if the minor is a chronic or habitual truant under Section 26-2a of the School Code. Notwithstanding any other provision of this Act, in instances in which educational services are to be provided to a minor in a residential facility where the minor has been placed by the court, costs incurred in the provision of those educational services must be allocated based on the requirements of the School Code.

(7) In no event shall a guilty minor be committed to the Department of Juvenile Justice for a period of time in excess of that period for which an adult could be committed for the same act.

(8) A minor found to be guilty for reasons that include a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall be ordered to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage that was caused by the violation or similar damage to property located in the municipality or county in which the violation occurred. The order may be in addition to any other order authorized by this Section.

(8.5) A minor found to be guilty for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (d) of subsection (1) of Section 21-1 of the Criminal Code of 1961 or paragraph (4) of subsection (a) of Section 21-1 of the Criminal Code of 2012 shall be ordered to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The order may be in addition to any other order authorized by this Section.

(9) In addition to any other sentencing order, the court shall order any minor found to be guilty for an act which would constitute, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse if committed by an adult to undergo medical testing to determine whether the defendant has any sexually transmissible disease including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agency of acquired immunodeficiency syndrome (AIDS). Any medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of

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any bodily fluids as well as an examination of the minor's person. Except as otherwise provided by law, the results of the test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the sentencing order was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom the results of the testing may be revealed. The court shall notify the minor of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or the legal guardian, of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at the Department of Public Health facilities to all parties to whom the results of the testing are revealed. The court shall order that the cost of any test shall be paid by the county and may be taxed as costs against the minor.

(10) When a court finds a minor to be guilty the court shall, before entering a sentencing order under this Section, make a finding whether the offense committed either: (a) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (b) involved a violation of subsection (a) of Section 12-7.1 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the wrongful use of a firearm. If the court determines the question in the affirmative, and the court does not commit the minor to the Department of Juvenile Justice, the court shall order the minor to perform community service for not less than 30 hours nor more than 120 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The community service shall include, but need not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. This order shall be in addition to any other order authorized by this Section.
except for an order to place the minor in the custody of the Department of Juvenile Justice. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(11) If the court determines that the offense was committed in furtherance of the criminal activities of an organized gang, as provided in subsection (10), and that the offense involved the operation or use of a motor vehicle or the use of a driver's license or permit, the court shall notify the Secretary of State of that determination and of the period for which the minor shall be denied driving privileges. If, at the time of the determination, the minor does not hold a driver's license or permit, the court shall provide that the minor shall not be issued a driver's license or permit until his or her 18th birthday. If the minor holds a driver's license or permit at the time of the determination, the court shall provide that the minor's driver's license or permit shall be revoked until his or her 21st birthday, or until a later date or occurrence determined by the court. If the minor holds a driver's license at the time of the determination, the court may direct the Secretary of State to issue the minor a judicial driving permit, also known as a JDP. The JDP shall be subject to the same terms as a JDP issued under Section 6-206.1 of the Illinois Vehicle Code, except that the court may direct that the JDP be effective immediately.

(12) If a minor is found to be guilty of a violation of subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program as defined in that Act if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1 of that Act. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1 of that Act, the court, upon request by the State's Attorney, may in its discretion require the offender to remit a fee for his or her attendance at a smoker's education or youth diversion program.

For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of smoking tobacco products and the health consequences of smoking.
tobacco products that can be conducted with a locality's youth diversion program.

In addition to any other penalty that the court may impose under this subsection (12):

(a) If a minor violates subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may impose a sentence of 15 hours of community service or a fine of $25 for a first violation.

(b) A second violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a fine of $50 and 25 hours of community service.

(c) A third or subsequent violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a $100 fine and 30 hours of community service.

(d) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.

(Source: P.A. 96-179, eff. 8-10-09; 96-293, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 26, 2013.
Approved August 23, 2013.
Effective August 23, 2013.
(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act, as amended, or the Illinois Controlled Substances Act, as amended, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of $100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of $5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of $50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of $50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.

(e) In addition to any penalty imposed under subsection (a) of this Section, a $25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer.

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Treasurer for deposit into the Criminal Justice Information Projects Fund Drug Traffic Prevention Fund. The moneys deposited into the Criminal Justice Information Projects Fund under Drug Traffic Prevention Fund pursuant to this Section shall be appropriated to and administered by the Illinois Criminal Justice Information Authority Department of State Police for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act.

(f) In addition to any penalty imposed under subsection (a) of this Section, a $20 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5% for deposit into the Circuit Court Clerk Operation and Administrative Fund for the costs associated with administering this subsection.

(Source: P.A. 96-132, eff. 8-7-09; 96-402, eff. 1-1-10; 96-1234, eff. 7-23-10; 97-545, eff. 1-1-12; revised 9-14-11.)

(Text of Section from P.A. 94-556, 96-132, 96-402, 96-1234, and 97-545)

Sec. 5-9-1.1. Drug related offenses.
(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of $100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma

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Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of $5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of $50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of $50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.

(e) In addition to any penalty imposed under subsection (a) of this Section, a $25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Criminal Justice Information Projects Fund. The moneys deposited into the Criminal Justice Information Projects Fund pursuant to this Section shall be appropriated to and administered by the Illinois Criminal Justice Information Authority for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act.

(f) In addition to any penalty imposed under subsection (a) of this Section, a $20 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund;

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and (iii) the Circuit Clerk shall retain 5\% for deposit into the Circuit Court Clerk Operation and Administrative Fund for the costs associated with administering this subsection.  
(Source: P.A. 96-132, eff. 8-7-09; 96-402, eff. 1-1-10; 96-1234, eff. 7-23-10; 97-545, eff. 1-1-12; revised 9-14-11.)  
(730 ILCS 5/5-9-1.1-5)  
Sec. 5-9-1.1-5. Methamphetamine related offenses.  
(a) When a person has been adjudged guilty of a methamphetamine related offense involving possession or delivery of methamphetamine or any salt of an optical isomer of methamphetamine or possession of a methamphetamine manufacturing material as set forth in Section 10 of the Methamphetamine Control and Community Protection Act with the intent to manufacture a substance containing methamphetamine or salt of an optical isomer of methamphetamine, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.  
"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.  
(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of $100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Methamphetamine Law Enforcement Fund and allocated as provided in subsection (d) of Section 5-9-1.2.  
(c) In addition to any penalty imposed under subsection (a) of this Section, a $25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Criminal Justice Information Projects Fund for Drug Traffic Prevention. The moneys deposited into the Criminal Justice Information Projects Fund under Drug Traffic Prevention Fund pursuant to this Section shall be appropriated to and administered by the Department of State Police for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act.

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(d) In addition to any penalty imposed under subsection (a) of this Section, a $20 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5% for deposit into the Circuit Court Clerk Operation and Administrative Fund for the costs associated with administering this subsection.

(Source: P.A. 96-200, eff. 8-10-09; 96-402, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1234, eff. 7-23-10; 97-545, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect July 1, 2013.
Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0538
(Senate Bill No. 1872)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 11-14 as follows:

(720 ILCS 5/11-14) (from Ch. 38, par. 11-14) Sec. 11-14. Prostitution.
(a) Any person who knowingly performs, offers or agrees to perform any act of sexual penetration as defined in Section 11-0.1 of this Code for anything of value, or any touching or fondling of the sex organs of one person by another person, for anything of value, for the purpose of sexual arousal or gratification commits an act of prostitution.
(b) Sentence.
A violation of this Section is a Class A misdemeanor; unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 4 felony. A second or subsequent violation of this Section, or any combination of convictions under this Section and Section 11-14.1 (solicitation of a sexual act), 11-14.3 (promoting prostitution), 11-
14.4 (promoting juvenile prostitution), 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a juvenile prostitute), 11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of juvenile prostitution), 11-18 (patronizing a prostitute), 11-18.1 (patronizing a juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child), is a Class 4 felony.

(c) *(Blank)*. First offender; felony prostitution.

(1) Whenever any person who has not previously been convicted of or placed on probation for felony prostitution or any law of the United States or of any other state relating to felony prostitution pleads guilty to or is found guilty of felony prostitution, the court, without entering a judgment and with the consent of such person, may sentence the person to probation.

(2) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(3) The conditions of probation shall be that the person: (i) not violate any criminal statute of any jurisdiction; (ii) refrain from possessing a firearm or other dangerous weapon; (iii) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and (iv) perform no less than 30 hours of community service, provided community service is available in the jurisdiction and is funded and approved by the county board.

(4) The court may, in addition to other conditions, require that the person:

(A) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;

(B) pay a fine and costs;

(C) work or pursue a course of study or vocational training;

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(D) undergo medical or psychiatric treatment; or

(E) attend or reside in a facility established for the instruction or residence of defendants on probation;

(F) support his or her dependents;

(G) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(5) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided:

(6) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person and dismiss the proceedings against him or her.

(7) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this subsection is not a conviction for purposes of this Code or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(8) There may be only one discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, or Section 5-6-3.3 of the Unified Code of Corrections.

(9) If a person is convicted of prostitution within 5 years subsequent to a discharge and dismissal under this subsection, the discharge and dismissal under this subsection shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(d) Notwithstanding the foregoing, if it is determined, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of this Section is a person under the age of 18, that person shall be immune from prosecution for a prostitution offense under this Section, and shall be subject to the temporary protective custody
provisions of Sections 2-5 and 2-6 of the Juvenile Court Act of 1987. Pursuant to the provisions of Section 2-6 of the Juvenile Court Act of 1987, a law enforcement officer who takes a person under 18 years of age into custody under this Section shall immediately report an allegation of a violation of Section 10-9 of this Code to the Illinois Department of Children and Family Services State Central Register, which shall commence an initial investigation into child abuse or child neglect within 24 hours pursuant to Section 7.4 of the Abused and Neglected Child Reporting Act.

(Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11; 97-1118, eff. 1-1-13.)

Section 10. The Mental Health Court Treatment Act is amended by changing Section 20 as follows:

(730 ILCS 168/20)
Sec. 20. Eligibility.
(a) A defendant may be admitted into a mental health court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.
(b) A defendant shall be excluded from a mental health court program if any one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) (Blank).

(c) A defendant charged with prostitution under Section 11-14 of the Criminal Code of 2012 may be admitted into a mental health court program, which may include specialized service programs specifically designed to address the trauma associated with prostitution and human trafficking, if available in the jurisdiction and provided that the requirements in subsections (a) and (b) are satisfied. Judicial circuits establishing these specialized programs shall partner with prostitution

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and human trafficking advocates, survivors, and service providers in the
development of the programs.
(Source: P.A. 97-946, eff. 8-13-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 23, 2013.
Effective August 23, 2013.

PUBLIC ACT 98-0539
(Senate Bill No. 1940)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 3-405 and 3-415 and by adding Section 3-918 as follows:
Sec. 3-405. Application for registration.
(a) Every owner of a vehicle subject to registration under this Code shall make application to the Secretary of State for the registration of such vehicle upon the appropriate form or forms furnished by the Secretary. Every such application shall bear the signature of the owner written with pen and ink and contain:
1. The name, domicile address, as defined in Section 1-115.5 of this Code, (except as otherwise provided in this paragraph 1) and mail address of the owner or business address of the owner if a firm, association or corporation. If the mailing address is a post office box number, the address listed on the driver license record may be used to verify residence. A police officer, a deputy sheriff, an elected sheriff, a law enforcement officer for the Department of State Police, a fire investigator, a state's attorney, an assistant state's attorney, a state's attorney special investigator, or a judicial officer may elect to furnish the address of the headquarters of the governmental entity, police district, or business address where he or she works instead of his or her domicile address, in which case that address shall be deemed to be his or her domicile address for all purposes under this Chapter 3. The spouse and children of a person who may elect under this paragraph 1 to furnish the address

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of the headquarters of the government entity, police district, or business address where the person works instead of the person's domicile address may, if they reside with that person, also elect to furnish the address of the headquarters of the government entity, police district, or business address where the person works as their domicile address, in which case that address shall be deemed to be their domicile address for all purposes under this Chapter 3. In this paragraph 1: (A) "police officer" has the meaning ascribed to "policeman" in Section 10-3-1 of the Illinois Municipal Code; (B) "deputy sheriff" means a deputy sheriff appointed under Section 3-6008 of the Counties Code; (C) "elected sheriff" means a sheriff commissioned pursuant to Section 3-6001 of the Counties Code; (D) "fire investigator" means a person classified as a peace officer under the Peace Officer Fire Investigation Act; (E) "state's attorney", "assistant state's attorney", and "state's attorney special investigator" mean a state's attorney, assistant state's attorney, and state's attorney special investigator commissioned or appointed under Division 3-9 of the Counties Code; and (F) "judicial officer" has the meaning ascribed to it in Section 1-10 of the Judicial Privacy Act.

2. A description of the vehicle, including such information as is required in an application for a certificate of title, determined under such standard rating as may be prescribed by the Secretary.

3. Information relating to the insurance policy for the motor vehicle, including the name of the insurer which issued the policy, the policy number, and the expiration date of the policy. Beginning with the 2016 registration year, registration shall not be issued to persons that submit an application that does not contain this information.

4. Such further information as may reasonably be required by the Secretary to enable him to determine whether the vehicle is lawfully entitled to registration and the owner entitled to a certificate of title.

5. An affirmation by the applicant that all information set forth is true and correct. If the application is for the registration of a motor vehicle, the applicant also shall affirm that the motor vehicle is insured as required by this Code, that such insurance will be maintained throughout the period for which the motor vehicle shall be registered, and that neither the owner, nor any person

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operating the motor vehicle with the owner's permission, shall operate the motor vehicle unless the required insurance is in effect. If the person signing the affirmation is not the sole owner of the vehicle, such person shall be deemed to have affirmed on behalf of all the owners of the vehicle. If the person signing the affirmation is not an owner of the vehicle, such person shall be deemed to have affirmed on behalf of the owner or owners of the vehicle. The lack of signature on the application shall not in any manner exempt the owner or owners from any provisions, requirements or penalties of this Code. *Beginning with the 2016 registration year, any person that knowingly submits false insurance information shall be guilty of a Class C misdemeanor.*

(b) When such application refers to a new vehicle purchased from a dealer the application shall be accompanied by a Manufacturer's Statement of Origin from the dealer, and a statement showing any lien retained by the dealer.

(Source: P.A. 96-580, eff. 1-1-10; 97-847, eff. 1-1-13.)

(625 ILCS 5/3-415) (from Ch. 95 1/2, par. 3-415)

Sec. 3-415. Application for and renewal of registration.

(a) Calendar year. Application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered on a calendar registration year, not later than December 1 of each year, upon proper application and by payment of the registration fee and tax for such vehicle, as provided by law except that application for renewal of a vehicle registration, as to those vehicles required to be registered on a staggered calendar year basis, shall be made by the owner in the form and manner prescribed by the Secretary of State.

(b) Fiscal year. Application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered on a fiscal registration year, not later than June 1 of each year, upon proper application and by payment of the registration fee and tax for such vehicle as provided by law, except that application for renewal of a vehicle registration, as to those vehicles required to be registered on a staggered fiscal year basis, shall be made by the owner in the form and manner prescribed by the Secretary of State.

(c) Two calendar years. Application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered for 2 calendar years, not later than December 1 of the year preceding commencement of the 2-year registration period, except that

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application for renewal of a vehicle registration, as to those vehicles required to be registered for 2 years on a staggered registration basis, shall be made by the owner in the form and manner prescribed by the Secretary of State.

(d) Two fiscal years. Application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered for 2 fiscal years, not later than June 1 immediately preceding commencement of the 2-year registration period, except that application for renewal of a vehicle registration, as to those vehicles required to be registered for 2 fiscal years on a staggered registration basis, shall be made by the owner in the form and manner prescribed by the Secretary of State.

(d-5) Three calendar years. Application for renewal of a vehicle registration shall be made by the owner, as to those vehicles required to be registered for 3 calendar years, not later than December 1 of the year preceding commencement of the 3-year registration period.

(e) Time of application. The Secretary of State may receive applications for renewal of registration and grant the same and issue new registration cards and plates or registration stickers at any time prior to expiration of registration. No person shall display upon a vehicle, the new registration plates or registration stickers prior to the dates the Secretary of State in his discretion may select.

(f) Verification. The Secretary of State may further require, as to vehicles for-hire, that applications be accompanied by verification that fees due under the Illinois Motor Carrier of Property Law, as amended, have been paid.

(g) Applications for registration renewal shall include information relating to the insurance policy for the motor vehicle, including the name of the insurer that issued the policy, the policy number, and the expiration date of the policy. Registration shall not be renewed for persons that submit an application that does not contain this information. Any person that knowingly submits false insurance information shall be guilty of a Class C misdemeanor.

The changes to this subsection made by this amendatory Act of the 98th General Assembly shall not take effect until the beginning of the 2016 registration year.

(Source: P.A. 96-747, eff. 1-1-10.)

(625 ILCS 5/3-918 new)

Sec. 3-918. Vehicle registration and insurance. Beginning with the 2016 registration year, any remittance agent engaged in the business of
remitting applications for the issuance or renewal of vehicle registration shall ask applicants for information relating to the insurance policy for the motor vehicle, including the name of the insurer that issued the policy, the policy number, and the expiration date of the policy. This information shall be remitted to the Secretary of State as part of the application. Failure to obtain this information and supply it to the Secretary of State shall subject the remittance agent to suspension or revocation of their license as described in Section 3-907 of this Code.

Approved August 13, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0540
(Senate Bill No. 2101)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mobile Home Park Act is amended by changing Sections 9 and 19 and by adding Section 9.16 as follows:

(210 ILCS 115/9) (from Ch. 111 1/2, par. 719)

Sec. 9. Each mobile home park licensed or to be constructed under the provisions of this Act shall be operated and maintained in accordance with the requirements of Sections 9.1 to 9.15, inclusive, of this Act.

(Source: P.A. 91-357, eff. 7-29-99.)

(210 ILCS 115/9.16 new)

Sec. 9.16. Disclosure of the manufacture of methamphetamine in a mobile home. When a licensee or owner of a mobile home park has been notified in writing by law enforcement authorities that one of the mobile homes in the mobile home park has been used for the manufacture of methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act, then the licensee or owner of the mobile home park shall inform a potential buyer of the mobile home that law enforcement authorities have notified the licensee or owner in writing that the mobile home has been used for the manufacture of methamphetamine.

The obligation of disclosure shall be imposed on the licensee or owner of the mobile home park only if the licensee or owner receives a written application for residency in the mobile home park from the

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prospective buyer prior to the prospective buyer acquiring the home and such application specifically identifies the applicable home and that the prospective buyer may acquire the home. If the licensee or owner provides the required disclosure to the prospective buyer, then the seller of the mobile home shall not have any right to seek legal or equitable remedies against the licensee or owner on account of or in any way related to the disclosure, even if it is determined that the disclosure was not required to be made under this Section (for example, if the disclosure results in the prospective buyer not acquiring the mobile home, then the seller of the mobile home may not seek any redress or equitable remedies against the licensee or owner providing the disclosure in any way related to or resulting from the disclosure). If a licensee or owner violates this Section as determined by an impartial hearing examiner appointed by the Director of Public Health, then: (i) a prospective buyer shall not have any redress or cause of action against a licensee or owner for such failure; (ii) a violation shall not be subject to the terms of Section 19 of this Act; and (iii) the only liability a licensee or owner shall have for a violation of this Section shall be the payment of a fine in an amount determined by the examiner after the conclusion of a hearing and the examiner determining that the licensee or owner, as applicable, violated this Section, such fine not to exceed $2,000 for each violation.

Approved August 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0541
(Senate Bill No. 2184)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Finance Act is amended by adding Section 5.826 as follows:

(30 ILCS 105/5.826 new)
Sec. 5.826. The Amusement Ride and Patron Safety Fund.

Section 10. The Carnival and Amusement Rides Safety Act is amended by changing Sections 2-2, 2-6, 2-8, 2-12, 2-14, and 2-15 and by adding Sections 2-8.1, 2-15.2 and 2-15.3 as follows:

(430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

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Sec. 2-2. Definitions. As used in this Act, unless the context otherwise requires:

1. "Director" means the Director of Labor or his or her designee.
2. "Department" means Department of Labor.
3. "Amusement Attraction" means an enclosed building or structure, including electrical equipment which is an integral part of the building or structure, through which people walk without the aid of any moving device, that provides amusement, thrills or excitement at a fair or carnival, except any such enclosed building or structure which is subject to the jurisdiction of a local building code.
4. "Amusement ride" means:
   (a) any mechanized device or combination of devices, including electrical equipment which is an integral part of the device or devices, which carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement;
   (b) any ski lift, rope tow, or other device used to transport snow skiers;
   (c) (blank);
   (d) any dry slide over 20 feet in height, alpine slide, or toboggan slide;
   (e) any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides; or
   (f) any bungee cord or similar elastic device; or:
   (g) any inflatable attraction.
5. "Carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides.
6. "Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated.
7. "Operator" means a person, or the agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or
an amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions.

8. "Carnival worker" means a person who is employed (and is therefore not a volunteer) by a carnival or fair to manage, physically operate, or assist in the operation of an amusement ride or amusement attraction when it is open to the public.

9. "Volunteer" means a person who operates or assists in the operation of an amusement ride or amusement attraction for an owner or operator without pay or lodging. An individual shall not be considered a volunteer if the individual is otherwise employed by the same owner or operator to perform the same type of service as those for which the individual proposes to volunteer.

10. "Inflatable attraction" means an amusement ride or device designed for use that may include, but not be limited to, bounce, climb, slide, or interactive play, which is made of flexible fabric, is kept inflated by continuous air flow by one or more blowers, and relies upon air pressure to maintain its shape.

(Source: P.A. 95-397, eff. 8-24-07; 95-687, eff. 10-23-07; 96-151, eff. 8-7-09.)

(430 ILCS 85/2-6) (from Ch. 111 1/2, par. 4056)

Sec. 2-6. (a) The Director, after consultation with the consent of the Board at a meeting of the Board, shall promulgate and formulate definitions, rules and regulations for the safe installation, repair, maintenance, use, operation, training standards for operators, and inspection of all amusement rides and amusement attractions as the Director finds necessary for the protection of the general public using amusement rides and amusement attractions. These rules and standards shall be adopted pursuant to the procedures set forth in the Illinois Administrative Procedure Act. The rules shall be based upon generally accepted engineering standards and shall be concerned with, but not necessarily limited to, engineering force stresses, safety devices, and preventive maintenance. Whenever such standards are available in suitable form they may be incorporated by reference. The rules shall provide for the reporting of accidents and injuries incurred from the operation of amusement rides or amusement attractions. In addition to the permit fee herein provided, the Director may promulgate rules to establish a schedule of fees for inspections.

(b) After consultation with the Board, the Director is authorized to adopt by reference, in whole or in part, any code, standard, or bulletin

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issued by a nationally or internationally recognized organization, such as the Consumer Product Safety Commission or ASTM International, after a finding that the adoption of the code, standard, or bulletin would promote the purposes of this Act.

Before adopting, modifying or amending any rule consistent with and necessary for the enforcement of this Act, the Director shall hold a public hearing on the proposed rule, modification or amendment to a rule. Any interested person may appear and be heard at the hearing, in person or by agent or counsel. The Director shall give the news media notice of each hearing at least 30 days in advance of the hearing date and shall make available a copy of the proposed rule, or modification or amendment to a rule to any person requesting same. The provisions of this Section are in addition to all other existing requirements pertaining to the promulgation of administrative rules and regulations.

(Source: P.A. 94-801, eff. 5-25-06; 95-397, eff. 8-24-07.)

(430 ILCS 85/2-8) (from Ch. 111 1/2, par. 4058)

Sec. 2-8. The Director, after consultation with and the consent of the Board, shall determine a schedule of permit fees for each amusement ride or amusement attraction.

(Source: P.A. 94-801, eff. 5-25-06.)

(430 ILCS 85/2-8.1 new)

Sec. 2-8.1. Suspension and revocation of permit to operate.

(a) The Department shall have the power to suspend or revoke an owner's permit for any good cause under the meaning and purpose of this Act. If a person whose permit has been suspended or revoked, or whose application for a permit has been denied, believes that the violation or condition justifying suspension, revocation, or denial of the permit does not exist, the person may apply to the Department for reconsideration through a hearing within 10 working days after the Department's action. A hearing shall be scheduled, unless otherwise mutually agreed by the parties, within 48 hours after the request for hearing.

(b) Service of notice of a hearing shall be made by personal service or certified mail to the address shown on the application for permit, or to any other address on file with the Department and reasonably believed to be the current address of the permit holder.

(c) The written notice of a hearing shall specify the time, date, and location of the hearing and the reasons for the action proposed by the Department.
(d) At the hearing, the Department shall have the burden of establishing good cause for its action. Good cause exists if the Department establishes that the permit holder has failed to comply with the requirements of a permit under this Act and its rules.

(e) All hearings held under this Section shall comply with Article 10 of the Administrative Procedure Act and the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions shall not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued.

(f) The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing.

(g) Final determinations made under this Section are subject to the Administrative Review Law.

(430 ILCS 85/2-12) (from Ch. 111 1/2, par. 4062)

Sec. 2-12. Order for cessation of operation of amusement ride or attraction.

(a) The Director or an inspector hired by the Department of Labor may order, in writing, a temporary and immediate cessation of operation of any amusement ride or amusement attraction if it:

(1) has been determined after inspection to be hazardous or unsafe;
(2) is in operation before the Director has issued a permit to operate such equipment; or
(3) the owner or operator is not in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder.

(b) Operation of the amusement ride or amusement attraction shall not resume until:

(1) the unsafe or hazardous condition is corrected to the satisfaction of the Director or such inspector;
(2) the Director has issued a permit to operate such equipment; or
(3) the owner or operator is in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder, respectively.

(c) The Department shall notify the owner or operator in writing of the grounds for the cessation of operation of the amusement ride or

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attraction and of the conditions in need of correction at the time the order for cessation is issued.

(d) The owner or operator may appeal an order of cessation by filing a request for a hearing. The Department shall afford the owner or operator 10 working days after the date of the notice to request a hearing. Upon written request for hearing, the Department shall schedule a formal administrative hearing in compliance with Article 10 of the Administrative Procedure Act and pursuant to the provisions of the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions will not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued.

(e) The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing.

(f) The provisions of the Administrative Review Law shall apply to and govern all proceedings for the judicial review of a final determination under this Section.

(Source: P.A. 94-801, eff. 5-25-06.)

(430 ILCS 85/2-14) (from Ch. 111 1/2, par. 4064)

Sec. 2-14. No (1) Except as provided in subsection (2) of this Section no person shall operate an amusement ride or attraction unless there is in force: (a) a liability insurance policy or policies in an aggregate amount of not less than $1,000,000 $100,000 for bodily injury to or death of one or more persons, damage to or destruction of property of others, or a combination thereof person in any one accident, and, subject to the per occurrence limit for one person, in an aggregate amount of not less than $2,000,000 $1,000,000 for bodily injury to or death of two or more persons, or damage to or destruction of property of others, in any one policy period, accident, and in an amount of not less than $50,000 for injury to or destruction of property of others in any one accident, insuring the operator against liability for injury, or death, or property damage suffered by a person attending a fair or carnival; or (b) a bond in like amount, the aggregate liability of the surety of which shall not exceed the face amount thereof; or (c) a deposit with the Illinois Department of Labor of cash or other security acceptable to the Director.

(2) With respect to the operation of an amusement ride or attraction under this Act for a carnival located at a permanent site which has 5 or fewer amusement rides, none of which operates at a height exceeding 8 feet, the insurance policy, bond, or cash or security deposit amount

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required for bodily injury to or death of 2 or more persons in any one accident shall be not less than $500,000.
(Source: P.A. 94-801, eff. 5-25-06.)
(430 ILCS 85/2-15) (from Ch. 111 1/2, par. 4065)
Sec. 2-15. Penalties.
(a) Criminal penalties.

1. Any person who operates an amusement ride or amusement attraction at a carnival or fair without having obtained a permit from the Department Director or who violates any order or rule issued by the Department Director under this Act is guilty of a Class A misdemeanor. Each day shall constitute a separate and distinct offense.

2. Any person who interferes with, impedes, or obstructs in any manner the Director or any authorized representative of the Department in the performance of their duties under this Act is guilty of a Class A misdemeanor.

(b) Civil penalties. Unless otherwise provided in this Act, any person who operates an amusement ride or amusement attraction without having obtained a permit from the Department in violation of this Act is subject to a civil penalty not to exceed $2,500 per violation for a first violation and not to exceed $5,000 for a second or subsequent violation.

Prior to any determination, or the imposition of any civil penalty, under this subsection (b), the Department shall notify the operator in writing of the alleged violation. The Department shall afford the operator 10 working days from the date of the notice to request a hearing present any written information that the operator wishes the Department to consider in connection with its determination in the matter. Upon written request of the operator, the Department shall schedule a formal administrative hearing in compliance with Article 10 of the Administrative Procedure Act and the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions shall not be allowed.
The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued. The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing. Final determinations made under this Section are subject to the provisions of the Administrative Review Law. Upon request is received by the Department within 15 days of the date of the

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notice of the alleged violation. In determining the amount of a penalty, the Director may consider the appropriateness of the penalty to the person or entity charged, upon determination of the gravity of the violation. The penalties, when finally determined, may be recovered in a civil action brought by the Director of Labor in any circuit court. In this litigation, the Director of Labor shall be represented by the Attorney General.

(Source: P.A. 96-151, eff. 8-7-09.)

(430 ILCS 85/2-15.2 new)
Sec. 2-15.2. Injunction to compel compliance.
(a) The Department shall have the power to bring injunctive proceedings in any court of competent jurisdiction to compel compliance with any order made by the Department under this Act.

(b) The Department shall also have the power to bring temporary and immediate injunctive relief in any court of competent jurisdiction when necessary for the protection of the health and safety of the general public using amusement rides and amusement attractions.

(430 ILCS 85/2-15.3 new)
Sec. 2-15.3. Amusement Ride and Patron Safety Fund. All moneys received by the Department as fees and penalties under this Act shall be deposited into the Amusement Ride and Patron Safety Fund and shall be used by the Department, subject to appropriation by the General Assembly, in addition to any General Revenue funds, for administration, investigation, and other expenses incurred in carrying out its powers and duties under this Act. The Department shall hire as many inspectors and other personnel as may be necessary to carry out the purposes of this Act. Any moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be available to the Department for the next fiscal year for any of the Department's duties and may be transferred from the Amusement Ride and Patron Safety Fund to the various accounts available to the Department, as needed.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 23, 2013.
Effective August 23, 2013.
AN ACT concerning safety.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by adding Section 22.54a as follows:

(415 ILCS 5/22.54a new)

Sec. 22.54a. Disposal of asphalt roofing shingles. No owner or operator of a sanitary landfill that is located within a 25-mile radius of a site where asphalt roofing shingles are recycled under a Beneficial Use Determination (BUD) issued by the Agency pursuant to Section 22.54 of this Act shall accept for disposal loads of whole or processed asphalt roofing shingles. Nothing in this Section shall prohibit or restrict a sanitary landfill from accepting for disposal asphalt roofing shingles that are commingled with municipal waste, including, but not limited to, general construction or demolition debris.

The Agency shall post on its website the name and address of each site at which the recycling of asphalt roofing shingles under a BUD is approved.

No later than January 31 of each year, each recipient of a BUD for asphalt roofing shingles shall submit a report to the Agency that contains the following information: (i) the total quantity of asphalt roofing shingles received under the BUD during the previous calendar year; (ii) the beneficial uses during the previous calendar year of shingles received under the BUD; (iii) the total quantity of shingles used in each beneficial use during the previous calendar year; and (iv) the total quantity and disposition of any shingles received but not beneficially used under the BUD during the previous calendar year. The report must be submitted on a form and in a format prescribed by the Agency.

This Section is repealed on February 1, 2018.

Passed in the General Assembly May 26, 2013.

Approved August 23, 2013.

Effective January 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Coal Mining Act is amended by changing Section 2.05 and by adding Article 40 as follows:

(225 ILCS 705/2.05) (from Ch. 96 1/2, par. 305)

Sec. 2.05. For the examination of persons seeking certificates of competency as mine managers, hoisting engineers, and mine examiners, the Board shall hold meetings at such times and places within the State as shall, in the judgment of the members, afford the best facilities to the greatest number of candidates. They shall also call an examination at least once a year for electrical hoisting engineers and at least twice a year for mine electricians.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/Art. 40 heading new)

ARTICLE 40.

MINE ELECTRICIANS.

(225 ILCS 705/40.1 new)

Sec. 40.1. Mine electrician. Each applicant for a certificate of competency as mine electrician shall produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable related industry. The applicant shall pass an examination as to his or her practical and technical knowledge of the nature and properties of electricity, direct and alternating currents, electrical equipment and circuits, permissibility of electrical equipment, the National Electrical Code, and the laws of this State relating to coal mine electricity. To be eligible for taking a mine electrician examination administered by the State Mining Board, the applicant must meet at least one of the following criteria:

1. be classified as an apprentice mine electrician and have met the requirements for an apprentice;
2. possess a Bachelor of Science degree in electrical engineering and provide evidence of experience;
3. possess a current coal mine electrician certification from another state coal mine electrical program; or

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(4) be qualified as a mine electrician, but have not taken a State-approved coal mine electrician examination or a federal coal mine electrician examination.

"Qualified mine electrician" means an individual who has completed the required classroom instruction from an approved college or university and can produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable related industry.

(225 ILCS 705/40.2 new)

Sec. 40.2. Electrical equipment and systems; examination, testing, and maintenance. All electrical equipment and systems shall be frequently examined and tested and properly maintained by a mine electrician to ensure safe operating conditions. When a potentially dangerous condition is found in electrical equipment or an electrical system, the equipment or system shall be removed from service until the condition is corrected. A record of the examinations shall be kept and made available to the company, the State Mine Inspector, and all other persons interested.

Approved August 23, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0544
(Senate Bill No. 1307)

AN ACT regarding education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 26-1 and 26-2 as follows:

(105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

Sec. 26-1. Compulsory school age-Exemptions. Whoever has custody or control of any child (i) between the ages of 7 and 17 years (unless the child has already graduated from high school) for school years before the 2014-2015 school year or (ii) between the ages of 6 (on or before September 1) and 17 years (unless the child has already graduated from high school) beginning with the 2014-2015 school year shall cause such child to attend some public school in the district wherein the child resides the entire time it is in session during the regular school term, except as provided in Section 10-19.1, and during a required summer

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school program established under Section 10-22.33B; provided, that the following children shall not be required to attend the public schools:

1. Any child attending a private or a parochial school where children are taught the branches of education taught to children of corresponding age and grade in the public schools, and where the instruction of the child in the branches of education is in the English language;

2. Any child who is physically or mentally unable to attend school, such disability being certified to the county or district truant officer by a competent physician licensed in Illinois to practice medicine and surgery in all its branches, a chiropractic physician licensed under the Medical Practice Act of 1987, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or a Christian Science practitioner residing in this State and listed in the Christian Science Journal; or who is excused for temporary absence for cause by the principal or teacher of the school which the child attends; the exemptions in this paragraph (2) do not apply to any female who is pregnant or the mother of one or more children, except where a female is unable to attend school due to a complication arising from her pregnancy and the existence of such complication is certified to the county or district truant officer by a competent physician;

3. Any child necessarily and lawfully employed according to the provisions of the law regulating child labor may be excused from attendance at school by the county superintendent of schools or the superintendent of the public school which the child should be attending, on certification of the facts by and the recommendation of the school board of the public school district in which the child resides. In districts having part time continuation schools, children so excused shall attend such schools at least 8 hours each week;

4. Any child over 12 and under 14 years of age while in attendance at confirmation classes;

5. Any child absent from a public school on a particular day or days or at a particular time of day for the reason that he is unable
to attend classes or to participate in any examination, study or work requirements on a particular day or days or at a particular time of day, because the tenets of his religion forbid secular activity on a particular day or days or at a particular time of day. Each school board shall prescribe rules and regulations relative to absences for religious holidays including, but not limited to, a list of religious holidays on which it shall be mandatory to excuse a child; but nothing in this paragraph 5 shall be construed to limit the right of any school board, at its discretion, to excuse an absence on any other day by reason of the observance of a religious holiday. A school board may require the parent or guardian of a child who is to be excused from attending school due to the observance of a religious holiday to give notice, not exceeding 5 days, of the child's absence to the school principal or other school personnel. Any child excused from attending school under this paragraph 5 shall not be required to submit a written excuse for such absence after returning to school; and

6. Any child 16 years of age or older who (i) submits to a school district evidence of necessary and lawful employment pursuant to paragraph 3 of this Section and (ii) is enrolled in a graduation incentives program pursuant to Section 26-16 of this Code or an alternative learning opportunities program established pursuant to Article 13B of this Code.

(Source: P.A. 96-367, eff. 8-13-09.)

(105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

Sec. 26-2. Enrolled pupils not of compulsory school age below 7 or over 17.

(a) For school years before the 2014-2015 school year, any person having custody or control of a child who is below the age of 7 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause him to attend the public school in the district wherein he resides when it is in session during the regular school term, unless he is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015 school year, any person having custody or control of a child who is below the age of 6 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause the child to attend the public school in the district wherein he or she resides when it is
in session during the regular school term, unless the child is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

(b) A school district shall deny reenrollment in its secondary schools to any child 19 years of age or above who has dropped out of school and who could not, because of age and lack of credits, attend classes during the normal school year and graduate before his or her twenty-first birthday. A district may, however, enroll the child in a graduation incentives program under Section 26-16 of this Code or an alternative learning opportunities program established under Article 13B. No child shall be denied reenrollment for the above reasons unless the school district first offers the child due process as required in cases of expulsion under Section 10-22.6. If a child is denied reenrollment after being provided with due process, the school district must provide counseling to that child and must direct that child to alternative educational programs, including adult education programs, that lead to graduation or receipt of a GED diploma.

(c) A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum academic standards if all of the following conditions are met:

(1) The student achieved a grade point average of less than "D" (or its equivalent) in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is failing academically and is subject to denial from enrollment for one semester unless a "D" average (or its equivalent) or better is attained in the current semester.

(3) The parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with an academic improvement plan and academic remediation services.

(5) The student fails to achieve a "D" average (or its equivalent) or better in the current semester.

A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

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(1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.

(3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.

(5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet academic or attendance standards.

(d) No child may be denied enrollment or reenrollment under this Section in violation of the Individuals with Disabilities Education Act or the Americans with Disabilities Act.

(e) In this subsection (e), "reenrolled student" means a dropout who has reenrolled full-time in a public school. Each school district shall identify, track, and report on the educational progress and outcomes of reenrolled students as a subset of the district's required reporting on all enrollments. A reenrolled student who again drops out must not be counted again against a district's dropout rate performance measure. The State Board of Education shall set performance standards for programs serving reenrolled students.

(f) The State Board of Education shall adopt any rules necessary to implement the changes to this Section made by Public Act 93-803.

(Source: P.A. 95-417, eff. 8-24-07.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved August 26, 2013.
Effective July 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Electronic Fund Transfer Act is amended by changing Section 10 and by adding Section 46 as follows:

(205 ILCS 616/10)

Sec. 10. Definitions. For purposes of this Act, the words and phrases defined in this Section shall have the meanings ascribed to them unless the context requires otherwise. Whenever the terms "network" and "switch" are used, they shall be deemed interchangeable unless, from the context and facts, the intention is plain to apply only to one type of entity.

"Access device" means a card, code, or other means of access to an account, or any combination thereof, that may be used by a customer to initiate an electronic fund transfer at a terminal.

"Account" means a demand deposit, savings deposit, share, member, or other customer asset account held by a financial institution.

An "affiliate" of, or a person "affiliated" with, a specified person, means a person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, the person specified.

"Commissioner" means the Secretary of Financial and Professional Regulation or a person authorized by the Secretary, the Division of Banking Act, or this Act to act in the Secretary's stead.

"Division" means the Division of Banking within the Department of Financial and Professional Regulation.

"Electronic fund transfer" means a transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, that is initiated through a terminal for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account.

"Financial institution" means a bank established under the laws of this or any other state or established under the laws of the United States, a savings and loan association or savings bank established under the laws of this or any other state or established under the laws of the United States, a credit union established under the laws of this or any other state or established under the laws of the United States, or a licensee under the Consumer Installment Loan Act or the Sales Finance Agency Act.

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"General use reloadable card" means a card, code, or other access device that is:

1. Issued on a prepaid basis primarily for personal, family, or household purposes to a consumer in a specified amount in exchange for payment;
2. Issued under an agreement containing terms and conditions that permit funds to be added to the card, code, or other device after the initial purchase or issuance, including a temporary non-reloadable card issued solely in connection with a general use reloadable card, code, or other device;
3. Not marketed or labeled as a gift card or gift certificate; and
4. Redeemable upon presentation at multiple, unaffiliated merchants for goods or services or usable at automated teller machines.

"Interchange transaction" means an electronic fund transfer that results in exchange of data and settlement of funds between 2 or more unaffiliated financial institutions.

"Issuer" means a person that issues a general use reloadable card or that person's agent with respect to the card.

"Marketed or labeled as a gift card or gift certificate" means directly or indirectly offering, advertising, or otherwise suggesting the potential use of a card, code, or other device as a gift for another person.

"Network" means an electronic information communication and processing system that processes interchange transactions.

"Person" means a natural person, corporation, unit of government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

"Seller of goods and services" means a business entity other than a financial institution.

"Switch" means an electronic information and communication processing facility that processes interchange transactions on behalf of a network. This term does not include an electronic information and communication processing company (1) that is owned by a bank holding company or an affiliate of a bank holding company and used solely for transmissions among affiliates of the bank holding company or (2) to the extent that the facility, by virtue of a contractual relationship, is used solely for transmissions among affiliates of a bank holding company, regardless of whether the facility is an affiliate of the bank holding company.

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company or operates as a switch with respect to one or more networks under an independent contractual relationship.

"Terminal" means an electronic device through which a consumer may initiate an interchange transaction. This term does not include (1) a telephone, (2) an electronic device located in a personal residence, (3) a personal computer or other electronic device used primarily for personal, family, or household purposes, (4) an electronic device owned or operated by a seller of goods and services unless the device is connected either directly or indirectly to a financial institution and is operated in a manner that provides access to an account by means of a personal and confidential code or other security mechanism (other than signature), (5) an electronic device that is not accessible to persons other than employees of a financial institution or affiliate of a financial institution, or (6) an electronic device that is established by a financial institution on a proprietary basis that is identified as such and that cannot be accessed by customers of other financial institutions. The Commissioner may issue a written rule that excludes additional electronic devices from the definition of the term "terminal".

(Source: P.A. 96-1365, eff. 7-28-10.)

(205 ILCS 616/46 new)

Sec. 46. Disclosure requirements for general use reloadable cards.

(a) The issuer of a general use reloadable card shall make the disclosures required under this Section in accordance with the following standards:

(1) The disclosures shall be clear and conspicuous. The disclosures may contain commonly accepted or readily understandable abbreviations or symbols.

(2) The disclosures required under items (1), (2), and (3) of subsection (b) of this Section shall be provided to the consumer in written or electronic form. When cards are sold online, the disclosures required by item (1) of subsection (b) of this Section must be clearly and conspicuously accessible on the issuer's Internet website prior to purchase.

(3) For joint accounts, only one set of the required disclosures shall be provided and may be given to any of the account holders.

(4) Issuers may design their own disclosure format, provided that all fees required to be disclosed under subsection (b) of this Section are included, the amount of each fee is disclosed

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along with the frequency at which each fee may be assessed, and the substance and clarity of the disclosures are not affected.

(b) The issuer must make the following disclosures:

(1) Before a general use reloadable card is purchased, the issuer shall disclose to the consumer the amount of any:

(A) card purchase fee;
(B) monthly maintenance fee;
(C) cash withdrawal fee at an ATM and cash advance fee at retail locations;
(D) reload fee; and
(E) balance inquiry fee, unless disclosure of the balance is available to the consumer without cost via telephone or Internet access.

The disclosures required in this item (1) must be made on the portion of the card packaging accessible to the consumer prior to purchase for all cards sold at retail locations.

(2) The issuer shall include the following disclosures on the card:

(A) the expiration date of the card, if any; and
(B) a toll-free telephone number and, if one is maintained, an Internet website that a consumer may use to obtain information about fees and to obtain a replacement card after the card expires if the underlying funds may be available thereafter.

(3) The issuer shall disclose with the card the amount of each type of fee not disclosed in item (1) of this subsection (b) that may be imposed in connection with the card after purchase (or, if variable, an explanation of how the fee shall be determined) and the conditions under which the fee may be imposed.

(c) A card, code, or other access device is not a general use reloadable card merely because the issuer or processor is technically able to add functionality that would otherwise enable the card, code, or other access device to be reloaded.

(d) Compliance with the federal Electronic Fund Transfer Act and any regulations issued under that Act regarding general use reloadable card disclosures shall constitute compliance with this Section.

(e) The requirements of this Section shall apply to any general use reloadable card sold to a consumer on or after January 1, 2015.

(f) In this Section, "card" means a general use reloadable card.

New matter indicated by italics - deletions by strikeout
AN ACT concerning business.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Automatic Telephone Dialers Act is amended by changing Section 30 and by adding Section 22 as follows:

(815 ILCS 305/22 new)

Sec. 22. Recordkeeping.

(a) A person who operates an autodialer to communicate a commercial message shall maintain a list of all telephone numbers called.

(b) A person who operates an autodialer to communicate a commercial message shall maintain records to sufficiently document any exemption claimed under Section 20 of this Act.

(815 ILCS 305/30) (from Ch. 134, par. 130)

Sec. 30. Violations.

(a) It is a violation of this Act to make or cause to be made telephone calls utilizing an autodialer to any emergency telephone number as defined in Section 5. It is a violation of this Act to make or cause to be made telephone calls utilizing an autodialer in a manner that does not comply with Section 15.

(b) It is a violation of this Act to play a prerecorded message placed by an autodialer without the consent of the called party.

(c) Enforcement by customer. Any customer injured by a violation of this Act may bring an action for the recovery of damages. Judgment may be entered for 3 times the amount at which the actual damages are assessed, plus costs and reasonable attorney fees.

(c-5) In addition to the damages authorized under subsection (c), a consumer may obtain statutory damages in the amount of $500 per violation.

(d) Enforcement by Attorney General. Violation of any of the provisions of this Act is an unlawful practice under Section 2Z of the Consumer Fraud and Deceptive Business Practices Act. All remedies,
penalties and authority granted to the Attorney General by that Act shall be available to him for the enforcement of this Act. In any action brought by the Attorney General to enforce this Act, the court may order that persons who incurred actual damages be awarded the amount at which actual damages are assessed. In addition to actual damages, a court may order that each person who received a call in violation of this Act be awarded statutory damages in the amount of $500 per violation.
(Source: P.A. 91-182, eff. 1-1-00.)

Section 10. The Restricted Call Registry Act is amended by adding Sections 45 and 50 as follows:

(815 ILCS 402/45 new)
Sec. 45. Recordkeeping.
(a) A person who makes or causes to be made calls to communicate a commercial message subject to this Act shall maintain a list of all telephone numbers called.
(b) A person who makes or causes to be made calls to communicate a commercial message subject to this Act shall maintain records to sufficiently document any exemption claimed under Section 40 of this Act for a period of 24 months from the date the call is made.

(815 ILCS 402/50 new)
Sec. 50. Enforcement by residential subscriber. Any residential subscriber who receives a call in violation of this Act may bring an action for the recovery of damages. In addition to actual damages, if any, the subscriber may obtain statutory damages in the amount of $500 per violation. No action or proceeding may be brought more than one year after (1) the person bringing the action knew or should have known of the alleged violation or (2) the termination of any proceeding or action brought pursuant to Section 35 that arises out of the same violation.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 26, 2013.
Effective August 26, 2013.
AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Juvenile Court Act of 1987 is amended by changing Section 5-401.5 as follows:

(705 ILCS 405/5-401.5)
Sec. 5-401.5. When statements by minor may be used.

(a) In this Section, "custodial interrogation" means any interrogation (i) during which a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "electronic recording" includes motion picture, audiotape, videotape, or digital recording.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors.

(b) An oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 17 years, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of this amendatory Act of the 93rd General Assembly shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3, of the Criminal Code of 1961 or the Criminal Code of 2012, or under clause (d)(1)(F) of Section 11-501 of the Illinois Vehicle Code unless:

(1) an electronic recording is made of the custodial interrogation; and

(2) the recording is substantially accurate and not intentionally altered.

(b-5) Under the following circumstances, an oral, written, or sign language statement of a minor who, at the time of the commission of the
offense was under the age of 17 years, made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the minor, unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered:

(1) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.40 or 20-1.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2014;

(2) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 10-2, 18-4, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2015; and

(3) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.30 or 18-2 or subsection (e) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2016.

(b-10) If, during the course of an electronically recorded custodial interrogation conducted under this Section of a minor who, at the time of the commission of the offense was under the age of 17 years, the minor makes a statement that creates a reasonable suspicion to believe the minor has committed an act that if committed by an adult would be an offense other than an offense required to be recorded under subsection (b) or (b-5), the interrogators may, without the minor's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary. Any oral, written, or sign language statement of a minor made as a result of an interrogation under this subsection shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, unless the recording is substantially accurate and not intentionally altered.

(c) Every electronic recording made under this Section must be preserved until such time as the minor's adjudication for any offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

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(d) If the court finds, by a preponderance of the evidence, that the minor was subjected to a custodial interrogation in violation of this Section, then any statements made by the minor during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding or juvenile court proceeding against the minor except for the purposes of impeachment.

(e) Nothing in this Section precludes the admission (i) of a statement made by the minor in open court in any criminal proceeding or juvenile court proceeding, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is conducted out-of-state, (viii) of a statement given in violation of subsection (b) at a time when the interrogators are unaware that a death has in fact occurred, (ix) of a statement given in violation of subsection (b-5) at a time when the interrogators are unaware of facts and circumstances that would create probable cause to believe that the minor committed an act that if committed by an adult would be an offense required to be recorded under subsection (b-5), or (x) or (ix) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a suspect at a custodial interrogation at a police station or other place of detention may be overcome by a preponderance of the evidence that the
statement was voluntarily given and is reliable, based on the totality of the circumstances.

(g) Any electronic recording of any statement made by a minor during a custodial interrogation that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section.

(h) A statement, admission, confession, or incriminating information made by or obtained from a minor related to the instant offense, as part of any behavioral health screening, assessment, evaluation, or treatment, whether or not court-ordered, shall not be admissible as evidence against the minor on the issue of guilt only in the instant juvenile court proceeding. The provisions of this subsection (h) are in addition to and do not override any existing statutory and constitutional prohibition on the admission into evidence in delinquency proceedings of information obtained during screening, assessment, or treatment.

(Source: P.A. 96-1251, eff. 1-1-11; 97-1150, eff. 1-25-13.)

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Section 103-2.1 as follows:

(725 ILCS 5/103-2.1)

Sec. 103-2.1. When statements by accused may be used.

(a) In this Section, "custodial interrogation" means any interrogation during which (i) a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency, not a courthouse, that is owned or operated by a law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons.

In this Section, "electronic recording" includes motion picture, audiotape, or videotape, or digital recording.

(b) An oral, written, or sign language statement of an accused made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence.
against the accused in any criminal proceeding brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3 of the Criminal Code of 1961 or the Criminal Code of 2012 or under clause (d)(1)(F) of Section 11-501 of the Illinois Vehicle Code unless:

(1) an electronic recording is made of the custodial interrogation; and

(2) the recording is substantially accurate and not intentionally altered.

(b-5) Under the following circumstances, an oral, written, or sign language statement of an accused made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the accused, unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered:

(1) in any criminal proceeding brought under Section 11-1.40 or 20-1.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2014;

(2) in any criminal proceeding brought under Section 10-2, 18-4, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2015; and

(3) in any criminal proceeding brought under Section 11-1.30 or 18-2 or subsection (e) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2016.

(b-10) If, during the course of an electronically recorded custodial interrogation conducted under this Section, the accused makes a statement that creates a reasonable suspicion to believe the accused has committed an offense other than an offense required to be recorded under subsection (b) or (b-5), the interrogators may, without the accused's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary. Any oral, written, or sign language statement of an accused made as a result of an interrogation under this subsection shall be presumed to be inadmissible as evidence against the accused in any criminal proceeding, unless the recording is substantially accurate and not intentionally altered.

(c) Every electronic recording made required under this Section must be preserved until such time as the defendant's conviction for any
offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

(d) If the court finds, by a preponderance of the evidence, that the defendant was subjected to a custodial interrogation in violation of this Section, then any statements made by the defendant during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding against the defendant except for the purposes of impeachment.

(e) Nothing in this Section precludes the admission (i) of a statement made by the accused in open court at his or her trial, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section, because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is not made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is conducted out-of-state, (viii) of a statement given in violation of subsection (b) at a time when the interrogators are unaware that a death has in fact occurred, (ix) of a statement given in violation of subsection (b-5) at a time when the interrogators are unaware of facts and circumstances that would create probable cause to believe that the accused committed an offense required to be recorded under subsection (b-5), or (x) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a suspect at a custodial interrogation at a police station or other place of detention may be overcome by a preponderance of the evidence that the

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(g) Any electronic recording of any statement made by an accused during a custodial interrogation that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section.

(Source: P.A. 97-1150, eff. 1-25-13.)
Approved August 26, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0548
(Senate Bill No. 1912)

AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Civil Procedure is amended by adding Part 23 to Article II as follows:

(735 ILCS 5/Art. II Pt. 23 heading new)
Part 23. Settlement

(735 ILCS 5/2-2301 new)
Sec. 2-2301. Settlement of claims; payment.
(a) In a personal injury, property damage, wrongful death, or tort action involving a claim for money damages, a release must be tendered to the plaintiff by the settling defendant within 14 days of written confirmation of the settlement. Written confirmation includes all communication by written means.

(b) In a personal injury, property damage, wrongful death, or tort action involving a claim for money damages in which the law requires court approval of a settlement, the plaintiff shall tender to the defendant a copy of the court order approving the settlement.

(c) In a personal injury, property damage, wrongful death, or tort action involving a claim for money damages in which there is a known third-party right of recovery or subrogation interest (including attorney's liens, healthcare provider liens, or rights of recovery claimed by

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Medicare, the Centers for Medicare and Medicaid Services, the Illinois Department of Healthcare and Family Services, or private health insurance companies), the plaintiff may protect the third-party's right of recovery or subrogation interest, where applicable, by tendering to the defendant:

(1) A signed release of the attorney's lien.
(2) Either:
   (i) a signed release of a healthcare provider lien; or
   (ii) a letter from the plaintiff's attorney agreeing to hold the full amount of the claimed lien in the plaintiff's attorney's client fund account pending final resolution of the lien amount; or
   (iii) an offer that the defendant hold the full amount of the claimed right to recovery pending final resolution of the amount of the right of recovery; or
   (iv) documentation of any other method of resolution of the liens as agreed by the parties.
(3) Either:
   (i) documentation of the agreement between the plaintiff and Medicare, the Centers for Medicare and Medicaid Services, the Illinois Department of Healthcare and Family Services, or the private health insurance company as to the amount of the settlement that will be accepted in satisfaction of right of recovery; or
   (ii) a letter from the plaintiff's attorney agreeing to hold the full amount of the claimed right to recovery in the plaintiff's attorney's client fund account pending final resolution of the amount of the right to recovery; or
   (iii) an offer that the defendant hold the full amount of the claimed right to recovery pending final resolution of the amount of the right of recovery; or
   (iv) documentation of any other method of resolution of the liens as agreed by the parties.
(d) A settling defendant shall pay all sums due to the plaintiff within 30 days of tender by the plaintiff of the executed release and all applicable documents in compliance with subsections (a), (b), and (c) of this Section.
(e) If, after a hearing, the court having jurisdiction over the parties finds that timely payment has not been made by a defendant pursuant to
subsection (d) of this Section, judgment shall be entered against that defendant for the amount set forth in the executed release, plus costs incurred in obtaining the judgment and interest at the rate specified under Section 2-1303 of this Code, calculated from the date of the tender by the plaintiff under subsection (d) of this Section.

(f) As used in this Section, "tender" means personal delivery or delivery by a means providing a return receipt.

(g) This Section applies to all personal injury, property damage, wrongful death, and tort actions involving a claim for money damages, except as otherwise agreed by the parties. This Section does not apply to:

(1) the State of Illinois;
(2) any State agency, board, or Commission, as defined in Section 1-7 of the Illinois State Auditing Act;
(3) any State officer or employee sued in his or her official capacity;
(4) any person or entity that is being represented by the Attorney General and provided indemnification by the State pursuant to the State Employee Indemnification Act;
(5) any municipality or unit of local government as defined under Article VII of the Illinois Constitution; and
(6) class action lawsuits.

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 26, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0549
(Senate Bill No. 2268)

AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Township Code is amended by changing Section 30-50 as follows:

(60 ILCS 1/30-50)
Sec. 30-50. Purchase and use of property.
(a) The electors may make all orders for the purchase, sale, conveyance, regulation, or use of the township's corporate property (including the direct sale or lease of single township road district property)

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that may be deemed conducive to the interests of its inhabitants, including
the lease, for up to 10 years, or for up to 25 years if the lease is for a
wireless telecommunications tower, at fair market value, of corporate
property for which no use or need during the lease period is anticipated at
the time of leasing. The property may be leased to another governmental
body, however, or to a not-for-profit corporation that has contracted to
construct or fund the construction of a structure or improvement upon the
real estate owned by the township and that has contracted with the
township to allow the township to use at least a portion of the structure or
improvement to be constructed upon the real estate leased and not
otherwise used by the township, for any term not exceeding 50 years and
for any consideration. In the case of a not-for-profit corporation, the
township shall hold a public hearing on the proposed lease. The township
clerk shall give notice of the hearing by publication in a newspaper
published in the township, or in a newspaper published in the county and
having general circulation in the township if no newspaper is published in
the township, and by posting notices in at least 5 public places at least 10
days before the public hearing.

(b) If a new tax is to be levied or an existing tax rate is to be
increased above the statutory limits for the purchase of the property,
however, no action otherwise authorized in subsection (a) shall be taken
unless a petition signed by at least 10% of the registered voters residing in
the township is presented to the township clerk. If a petition is presented to
the township clerk, the clerk shall order a referendum on the proposition.
The referendum shall be held at the next annual or special township
meeting or at an election in accordance with the general election law. If the
referendum is ordered to be held at the township meeting, the township
clerk shall give notice that at the next annual or special township meeting
the proposition shall be voted upon. The notice shall set forth the
proposition and shall be given by publication in a newspaper published in
the township. If there is no newspaper published in the township, the
notice shall be published in a newspaper published in the county and
having general circulation in the township. Notice also shall be given by
posting notices in at least 5 public places at least 10 days before the
township meeting. If the referendum is ordered to be held at an election,
the township clerk shall certify that proposition to the proper election
officials, who shall submit the proposition at an election. The proposition
shall be submitted in accordance with the general election law.
(c) If the leased property is utilized in part for private use and in part for public use, those portions of the improvements devoted to private use are fully taxable. The land is exempt from taxation to the extent that the uses on the land are public and taxable to the extent that the uses are private.

(d) Before the township makes a lease or sale of township or road district real property, the electors shall adopt a resolution stating the intent to lease or sell the real property, describing the property in full, and stating the terms and conditions the electors deem necessary and desirable for the lease or sale. A resolution stating the intent to sell real property shall also contain pertinent information concerning the size, use, and zoning of the property. The value of real property shall be determined by a State licensed real estate appraiser. The appraisal shall be available for public inspection. The resolution may direct the sale to be conducted by the staff of the township or by listing with local licensed real estate agencies (in which case the terms of the agent's compensation shall be included in the resolution).

Anytime during the year, the township or township road district may lease or sell dispose of personal property by a vote of the township board or request of the township highway commissioner.

The clerk shall thereafter publish the resolution or personal property sale notice once in a newspaper published in the township or, if no newspaper is published in the township, in a newspaper generally circulated in the township. If no newspaper is generally circulated in the township, the clerk shall post the resolution or personal property sale notice in 5 of the most public places in the township. In addition to the foregoing publication requirements, the clerk shall post the resolution or personal property sale notice at the office of the township (if township property is involved) or at the office of the road district (if road district property is involved). The following information shall be published or posted with the resolution or personal property sale notice: (i) the date by which all bids must be received by the township or road district, which shall not be less than 30 days after the date of publication or posting, and (ii) the place, time, and date at which bids shall be opened, which shall be at a regular meeting of the township board.

All bids shall be opened by the clerk (or someone duly appointed to act for the clerk) at the regular meeting of the township board described in the notice. With respect to township personal property, except personal property valued for sale at $2,500 or less, the township board may accept

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the high bid or any other bid determined to be in the best interests of the township by a majority vote of the board. With respect to township real property, the township board may accept the high bid or any other bid determined to be in the best interests of the township by a vote of three-fourths of the township board then holding office, but in no event at a price less than 80% of the appraised value. With respect to road district property, except personal property valued for sale at $2,500 or less, the highway commissioner may accept the high bid or any other bid determined to be in the best interests of the road district. In each case, the township board or commissioner may reject any and all bids. With respect to township or road district personal property valued for sale at $2,500 or less, the clerk shall accept at least 2 bids and the township board or highway commissioner shall accept the highest bid. This notice and competitive bidding procedure shall not be followed when property is leased to another governmental body. The notice and competitive bidding procedure shall not be followed when real or personal property is declared surplus by the electors township board or the highway commissioner and sold to another governmental body.

The township board or the highway commissioner may authorize the sale of personal property by public auction conducted by an auctioneer licensed under the Auction License Act or through an approved Internet auction service.

(e) A trade-in of machinery or equipment on new or different machinery or equipment does not constitute the sale of township or road district property.

(Source: P.A. 97-337, eff. 8-12-11.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 29, 2013.
Approved August 26, 2013.
Effective August 26, 2013.
AN ACT concerning public aid.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by changing Section 12-4.25 as follows:

(305 ILCS 5/12-4.25) (from Ch. 23, par. 12-4.25)

Sec. 12-4.25. Medical assistance program; vendor participation.

(A) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, and may deny, suspend, or recover payments, if after reasonable notice and opportunity for a hearing the Illinois Department finds:

(a) Such vendor is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its vendor agreement, which document shall be developed by the Department as a result of negotiations with each vendor category, including physicians, hospitals, long term care facilities, pharmacists, optometrists, podiatrists and dentists setting forth the terms and conditions applicable to the participation of each vendor group in the program; or

(b) Such vendor has failed to keep or make available for inspection, audit or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed for providing services. This section does not require vendors to make available patient records of patients for whom services are not reimbursed under this Code; or

(c) Such vendor has failed to furnish any information requested by the Department regarding payments for providing goods or services; or

(d) Such vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or

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(e) Such vendor has furnished goods or services to a recipient which are (1) in excess of need, (2) harmful, or (3) of grossly inferior quality, all of such determinations to be based upon competent medical judgment and evaluations; or

(f) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

(1) was previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or was terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program; or

(2) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(4) was an owner of a sole proprietorship or partner of a partnership previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was
the basis for that vendor's termination, suspension, or exclusion; or

(f-1) Such vendor has a delinquent debt owed to the Illinois Department; or

(g) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

(1) has engaged in practices prohibited by applicable federal or State law or regulation; or

(2) was a person with management responsibility for a vendor at the time that such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

(3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

(4) was an owner of a sole proprietorship or partner of a partnership which was a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

(h) The direct or indirect ownership of the vendor (including the ownership of a vendor that is a sole proprietorship, a partner's interest in a vendor that is a partnership, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(A-5) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if,
after reasonable notice and opportunity for a hearing, the Illinois Department finds that the vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship that is a vendor; or a partner in a partnership that is a vendor has been convicted of an offense based on fraud or willful misrepresentation related to any of the following:

1. The medical assistance program under Article V of this Code.
2. A medical assistance or health care program in another state.
3. The Medicare program under Title XVIII of the Social Security Act.
4. The provision of health care services.
5. A violation of this Code, as provided in Article V IIIA, or another state or federal medical assistance program or health care program.

(A-10) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of an offense related to any of the following:

1. Murder.
3. Sexual misconduct that may subject recipients to an undue risk of harm.
4. A criminal offense that may subject recipients to an undue risk of harm.
5. A crime of fraud or dishonesty.
6. A crime involving a controlled substance.

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(7) A misdemeanor relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct related to a health care program.

(A-15) The Illinois Department may deny the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V if, after reasonable notice and opportunity for a hearing, the Illinois Department finds:

(1) The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership applicant; or a technical or other advisor to an applicant has a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by the applicant.

(2) The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership vendor applicant; or a technical or other advisor to an applicant was (i) a person with management responsibility, (ii) an officer or member of the board of directors of an applicant, (iii) an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship, (v) a partner in a partnership vendor, (vi) a technical or other advisor to a vendor, during a period of time where the conduct of that vendor resulted in a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor.

(3) There is a credible allegation of the use, transfer, or lease of assets of any kind to an applicant from a current or prior vendor who has a debt owed to the Illinois Department, no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

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(4) There is a credible allegation of a transfer of management responsibilities, or direct or indirect ownership, to an applicant from a current or prior vendor who has a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

(5) There is a credible allegation of the use, transfer, or lease of assets of any kind to an applicant who is a spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, relative by marriage, nephew, cousin, or relative of a current or prior vendor who has a debt owed to the Illinois Department and no payment arrangements acceptable to the Illinois Department have been made.

(6) There is a credible allegation that the applicant's previous affiliations with a provider of medical services that has an uncollected debt, a provider that has been or is subject to a payment suspension under a federal health care program, or a provider that has been previously excluded from participation in the medical assistance program, poses a risk of fraud, waste, or abuse to the Illinois Department.

As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability.

(B) The Illinois Department shall deny, suspend or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor:

(1) immediately, if such vendor is not properly licensed, certified, or authorized;

(2) within 30 days of the date when such vendor's professional license, certification or other authorization has been refused renewal, restricted, revoked, suspended, or otherwise terminated; or

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(3) if such vendor has been convicted of a violation of this Code, as provided in Article VIIIA.

(C) Upon termination, suspension, or exclusion of a vendor of goods or services from participation in the medical assistance program authorized by this Article, a person with management responsibility for such vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion is barred from participation in the medical assistance program.

Upon termination, suspension, or exclusion of a corporate vendor, the officers and persons owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in the vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a terminated, suspended, or excluded vendor may not transfer his or her ownership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Upon termination, suspension, or exclusion of a sole proprietorship or partnership, the owner or partners during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. The owner of a terminated, suspended, or excluded vendor that is a sole proprietorship, and a partner in a terminated, suspended, or excluded vendor that is a partnership, may not transfer his or her ownership or partnership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor who owes a debt to the Department, if that vendor has not made payment arrangements acceptable to the Department, shall not transfer his or her ownership interest in that vendor, or vendor assets of any kind, to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Rules adopted by the Illinois Department to implement these provisions shall specifically include a definition of the term "management
responsibility" as used in this Section. Such definition shall include, but
not be limited to, typical job titles, and duties and descriptions which will
be considered as within the definition of individuals with management
responsibility for a provider.

A vendor or a prior vendor who has been terminated, excluded, or
suspended from the medical assistance program, or from another state or
federal medical assistance or health care program, and any individual
currently or previously barred from the medical assistance program, or
from another state or federal medical assistance or health care program, as
a result of being an officer or a person owning, directly or indirectly, 5%
or more of the shares of stock or other evidences of ownership in a
corporate or limited liability company vendor during the time of any
conduct which served as the basis for that vendor's termination,
suspension, or exclusion, may be required to post a surety bond as part of a
condition of enrollment or participation in the medical assistance program.
The Illinois Department shall establish, by rule, the criteria and
requirements for determining when a surety bond must be posted and the
value of the bond.

A vendor or a prior vendor who has a debt owed to the Illinois
Department and any individual currently or previously barred from the
medical assistance program, or from another state or federal medical
assistance or health care program, as a result of being an officer or a
person owning, directly or indirectly, 5% or more of the shares of stock or
other evidences of ownership in that corporate or limited liability company
vendor during the time of any conduct which served as the basis for the
debt, may be required to post a surety bond as part of a condition of
enrollment or participation in the medical assistance program. The Illinois
Department shall establish, by rule, the criteria and requirements for
determining when a surety bond must be posted and the value of the bond.

(D) If a vendor has been suspended from the medical assistance
program under Article V of the Code, the Director may require that such
vendor correct any deficiencies which served as the basis for the
suspension. The Director shall specify in the suspension order a specific
period of time, which shall not exceed one year from the date of the order,
during which a suspended vendor shall not be eligible to participate. At the
conclusion of the period of suspension the Director shall reinstate such
vendor, unless he finds that such vendor has not corrected deficiencies
upon which the suspension was based.
If a vendor has been terminated, suspended, or excluded from the medical assistance program under Article V, such vendor shall be barred from participation for at least one year, except that if a vendor has been terminated, suspended, or excluded based on a conviction of a violation of Article VIII A or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services, then the vendor shall be barred from participation for 5 years or for the length of the vendor's sentence for that conviction, whichever is longer. At the end of one year a vendor who has been terminated, suspended, or excluded may apply for reinstatement to the program. Upon proper application to be reinstated such vendor may be deemed eligible by the Director providing that such vendor meets the requirements for eligibility under this Code. If such vendor is deemed not eligible for reinstatement, he shall be barred from again applying for reinstatement for one year from the date his application for reinstatement is denied.

A vendor whose termination, suspension, or exclusion from participation in the Illinois medical assistance program under Article V was based solely on an action by a governmental entity other than the Illinois Department may, upon reinstatement by that governmental entity or upon reversal of the termination, suspension, or exclusion, apply for rescission of the termination, suspension, or exclusion from participation in the Illinois medical assistance program. Upon proper application for rescission, the vendor may be deemed eligible by the Director if the vendor meets the requirements for eligibility under this Code.

If a vendor has been terminated, suspended, or excluded and reinstated to the medical assistance program under Article V and the vendor is terminated, suspended, or excluded a second or subsequent time from the medical assistance program, the vendor shall be barred from participation for at least 2 years, except that if a vendor has been terminated, suspended, or excluded a second time based on a conviction of a violation of Article VIII A or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services, then the vendor shall be barred from participation for life. At the end of 2 years, a vendor who has been terminated, suspended, or excluded may apply for reinstatement to the program. Upon application to be reinstated, the vendor

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may be deemed eligible if the vendor meets the requirements for eligibility under this Code. If the vendor is deemed not eligible for reinstatement, the vendor shall be barred from again applying for reinstatement for 2 years from the date the vendor's application for reinstatement is denied.

(E) The Illinois Department may recover money improperly or erroneously paid, or overpayments, either by setoff, crediting against future billings or by requiring direct repayment to the Illinois Department. The Illinois Department may suspend or deny payment, in whole or in part, if such payment would be improper or erroneous or would otherwise result in overpayment.

(1) Payments may be suspended, denied, or recovered from a vendor or alternate payee: (i) for services rendered in violation of the Illinois Department's provider notices, statutes, rules, and regulations; (ii) for services rendered in violation of the terms and conditions prescribed by the Illinois Department in its vendor agreement; (iii) for any vendor who fails to grant the Office of Inspector General timely access to full and complete records, including, but not limited to, records relating to recipients under the medical assistance program for the most recent 6 years, in accordance with Section 140.28 of Title 89 of the Illinois Administrative Code, and other information for the purpose of audits, investigations, or other program integrity functions, after reasonable written request by the Inspector General; this subsection (E) does not require vendors to make available the medical records of patients for whom services are not reimbursed under this Code or to provide access to medical records more than 6 years old; (iv) when the vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or (v) when the vendor previously rendered services while terminated, suspended, or excluded from participation in the medical assistance program or while terminated or excluded from participation in another state or federal medical assistance or health care program.

(2) Notwithstanding any other provision of law, if a vendor has the same taxpayer identification number (assigned under Section 6109 of the Internal Revenue Code of 1986) as is assigned to a vendor with past-due financial obligations to the Illinois Department, the Illinois Department may make any necessary adjustments to payments to that vendor in order to satisfy any past-
due obligations, regardless of whether the vendor is assigned a different billing number under the medical assistance program.

If the Illinois Department establishes through an administrative hearing that the overpayments resulted from the vendor or alternate payee knowingly making, using, or causing to be made or used, a false record or statement to obtain payment or other benefit from the medical assistance program under Article V, the Department may recover interest on the amount of the payment or other benefit at the rate of 5% per annum. In addition to any other penalties that may be prescribed by law, such a vendor or alternate payee shall be subject to civil penalties consisting of an amount not to exceed 3 times the amount of payment or other benefit resulting from each such false record or statement, and the sum of $2,000 for each such false record or statement for payment or other benefit. For purposes of this paragraph, "knowingly" means that a vendor or alternate payee with respect to information: (i) has actual knowledge of the information; (ii) acts in deliberate ignorance of the truth or falsity of the information; or (iii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

(E-5) Civil monetary penalties.

(1) As used in this subsection (E-5):

(a) "Knowingly" means that a person, with respect to information: (i) has actual knowledge of the information; (ii) acts in deliberate ignorance of the truth or falsity of the information; or (iii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

(b) "Overpayment" means any funds that a person receives or retains from the medical assistance program to which the person, after applicable reconciliation, is not entitled under this Code.

(c) "Remuneration" means the offer or transfer of items or services for free or for other than fair market value by a person; however, remuneration does not include items or services of a nominal value of no more than $10 per item or service, or $50 in the aggregate on an annual basis, or any other offer or transfer of items or services as determined by the Department.

(d) "Should know" means that a person, with respect to information: (i) acts in deliberate ignorance of
the truth or falsity of the information; or (ii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

(2) Any person (including a vendor, provider, organization, agency, or other entity, or an alternate payee thereof, but excluding a recipient) who:

(a) knowingly presents or causes to be presented to an officer, employee, or agent of the State, a claim that the Department determines:

(i) is for a medical or other item or service that the person knows or should know was not provided as claimed, including any person who engages in a pattern or practice of presenting or causing to be presented a claim for an item or service that is based on a code that the person knows or should know will result in a greater payment to the person than the code the person knows or should know is applicable to the item or service actually provided;

(ii) is for a medical or other item or service and the person knows or should know that the claim is false or fraudulent;

(iii) is presented for a vendor physician's service, or an item or service incident to a vendor physician's service, by a person who knows or should know that the individual who furnished, or supervised the furnishing of, the service:

(AA) was not licensed as a physician;

(BB) was licensed as a physician but such license had been obtained through a misrepresentation of material fact (including cheating on an examination required for licensing); or

(CC) represented to the patient at the time the service was furnished that the physician was certified in a medical specialty by a medical specialty board, when the individual was not so certified;

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(iv) is for a medical or other item or service furnished during a period in which the person was excluded from the medical assistance program or a federal or state health care program under which the claim was made pursuant to applicable law; or
(v) is for a pattern of medical or other items or services that a person knows or should know are not medically necessary;

(b) knowingly presents or causes to be presented to any person a request for payment which is in violation of the conditions for receipt of vendor payments under the medical assistance program under Section 11-13 of this Code;

(c) knowingly gives or causes to be given to any person, with respect to medical assistance program coverage of inpatient hospital services, information that he or she knows or should know is false or misleading, and that could reasonably be expected to influence the decision when to discharge such person or other individual from the hospital;

(d) in the case of a person who is not an organization, agency, or other entity, is excluded from participating in the medical assistance program or a federal or state health care program and who, at the time of a violation of this subsection (E-5):

(i) retains a direct or indirect ownership or control interest in an entity that is participating in the medical assistance program or a federal or state health care program, and who knows or should know of the action constituting the basis for the exclusion; or

(ii) is an officer or managing employee of such an entity;

(e) offers or transfers remuneration to any individual eligible for benefits under the medical assistance program that such person knows or should know is likely to influence such individual to order or receive from a particular vendor, provider, practitioner, or supplier any

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item or service for which payment may be made, in whole or in part, under the medical assistance program;

(f) arranges or contracts (by employment or otherwise) with an individual or entity that the person knows or should know is excluded from participation in the medical assistance program or a federal or state health care program, for the provision of items or services for which payment may be made under such a program;

(g) commits an act described in subsection (b) or (c) of Section 8A-3;

(h) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim for payment for items and services furnished under the medical assistance program;

(i) fails to grant timely access, upon reasonable request (as defined by the Department by rule), to the Inspector General, for the purpose of audits, investigations, evaluations, or other statutory functions of the Inspector General of the Department;

(j) orders or prescribes a medical or other item or service during a period in which the person was excluded from the medical assistance program or a federal or state health care program, in the case where the person knows or should know that a claim for such medical or other item or service will be made under such a program;

(k) knowingly makes or causes to be made any false statement, omission, or misrepresentation of a material fact in any application, bid, or contract to participate or enroll as a vendor or provider of services or a supplier under the medical assistance program;

(l) knows of an overpayment and does not report and return the overpayment to the Department in accordance with paragraph (6);

shall be subject, in addition to any other penalties that may be prescribed by law, to a civil money penalty of not more than $10,000 for each item or service (or, in cases under subparagraph (c), $15,000 for each individual with respect to whom false or misleading information was given; in cases under subparagraph (d), $10,000 for each day the prohibited relationship occurs; in
cases under subparagraph (g), $50,000 for each such act; in cases under subparagraph (h), $50,000 for each false record or statement; in cases under subparagraph (i), $15,000 for each day of the failure described in such subparagraph; or in cases under subparagraph (k), $50,000 for each false statement, omission, or misrepresentation of a material fact). In addition, such a person shall be subject to an assessment of not more than 3 times the amount claimed for each such item or service in lieu of damages sustained by the State because of such claim (or, in cases under subparagraph (g), damages of not more than 3 times the total amount of remuneration offered, paid, solicited, or received, without regard to whether a portion of such remuneration was offered, paid, solicited, or received for a lawful purpose; or in cases under subparagraph (k), an assessment of not more than 3 times the total amount claimed for each item or service for which payment was made based upon the application, bid, or contract containing the false statement, omission, or misrepresentation of a material fact).

(3) In addition, the Director or his or her designee may make a determination in the same proceeding to exclude, terminate, suspend, or bar the person from participation in the medical assistance program.

(4) The Illinois Department may seek the civil monetary penalties and exclusion, termination, suspension, or barment identified in this subsection (E-5). Prior to the imposition of any penalties or sanctions, the affected person shall be afforded an opportunity for a hearing after reasonable notice. The Department shall establish hearing procedures by rule.

(5) Any final order, decision, or other determination made, issued, or executed by the Director under the provisions of this subsection (E-5), whereby a person is aggrieved, shall be subject to review in accordance with the provisions of the Administrative Review Law, and the rules adopted pursuant thereto, which shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Director.

(6) (a) If a person has received an overpayment, the person shall:

   (i) report and return the overpayment to the Department at the correct address; and

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(ii) notify the Department in writing of the reason for the overpayment.

(b) An overpayment must be reported and returned under subparagraph (a) by the later of:

(i) the date which is 60 days after the date on which the overpayment was identified; or

(ii) the date any corresponding cost report is due, if applicable.

(E-10) A vendor who disputes an overpayment identified as part of a Department audit shall utilize the Department's self-referral disclosure protocol as set forth under this Code to identify, investigate, and return to the Department any undisputed audit overpayment amount. Unless the disputed overpayment amount is subject to a fraud payment suspension, or involves a termination sanction, the Department shall defer the recovery of the disputed overpayment amount up to one year after the date of the Department's final audit determination, or earlier, or as required by State or federal law. If the administrative hearing extends beyond one year, and such delay was not caused by the request of the vendor, then the Department shall not recover the disputed overpayment amount until the date of the final administrative decision. If a final administrative decision establishes that the disputed overpayment amount is owed to the Department, then the amount shall be immediately due to the Department. The Department shall be entitled to recover interest from the vendor on the overpayment amount from the date of the overpayment through the date the vendor returns the overpayment to the Department at a rate not to exceed the Wall Street Journal Prime Rate, as published from time to time, but not to exceed 5%. Any interest billed by the Department shall be due immediately upon receipt of the Department's billing statement.

(F) The Illinois Department may withhold payments to any vendor or alternate payee prior to or during the pendency of any audit or proceeding under this Section, and through the pendency of any administrative appeal or administrative review by any court proceeding. The Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be withheld under this Section. Payments may be denied for bills submitted with service dates occurring during the pendency of a proceeding, after a final decision has been rendered, or after the conclusion of any administrative appeal, where the final administrative decision is to terminate, exclude, or suspend eligibility to participate in the medical assistance program. The

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Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be denied for such bills. The Illinois Department shall state by rule a process and criteria by which a vendor or alternate payee may request full or partial release of payments withheld under this subsection. The Department must complete a proceeding under this Section in a timely manner.

Notwithstanding recovery allowed under subsection (E) or this subsection (F), the Illinois Department may withhold payments to any vendor or alternate payee who is not properly licensed, certified, or in compliance with State or federal agency regulations. Payments may be denied for bills submitted with service dates occurring during the period of time that a vendor is not properly licensed, certified, or in compliance with State or federal regulations. Facilities licensed under the Nursing Home Care Act shall have payments denied or withheld pursuant to subsection (I) of this Section.

(F-5) The Illinois Department may temporarily withhold payments to a vendor or alternate payee if any of the following individuals have been indicted or otherwise charged under a law of the United States or this or any other state with an offense that is based on alleged fraud or willful misrepresentation on the part of the individual related to (i) the medical assistance program under Article V of this Code, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services:

(1) If the vendor or alternate payee is a corporation: an officer of the corporation or an individual who owns, either directly or indirectly, 5% or more of the shares of stock or other evidence of ownership of the corporation.

(2) If the vendor is a sole proprietorship: the owner of the sole proprietorship.

(3) If the vendor or alternate payee is a partnership: a partner in the partnership.

(4) If the vendor or alternate payee is any other business entity authorized by law to transact business in this State: an officer of the entity or an individual who owns, either directly or indirectly, 5% or more of the evidences of ownership of the entity.

If the Illinois Department withholds payments to a vendor or alternate payee under this subsection, the Department shall not release those payments to the vendor or alternate payee while any criminal proceeding related to the indictment or charge is pending unless the

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Department determines that there is good cause to release the payments before completion of the proceeding. If the indictment or charge results in the individual's conviction, the Illinois Department shall retain all withheld payments, which shall be considered forfeited to the Department. If the indictment or charge does not result in the individual's conviction, the Illinois Department shall release to the vendor or alternate payee all withheld payments.

(F-10) If the Illinois Department establishes that the vendor or alternate payee owes a debt to the Illinois Department, and the vendor or alternate payee subsequently fails to pay or make satisfactory payment arrangements with the Illinois Department for the debt owed, the Illinois Department may seek all remedies available under the law of this State to recover the debt, including, but not limited to, wage garnishment or the filing of claims or liens against the vendor or alternate payee.

(F-15) Enforcement of judgment.

(1) Any fine, recovery amount, other sanction, or costs imposed, or part of any fine, recovery amount, other sanction, or cost imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law is a debt due and owing the State and may be collected using all remedies available under the law.

(2) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final administrative decision, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Director may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(3) In any case in which any person or entity has failed to comply with a judgment ordering or imposing any fine or other sanction, any expenses incurred by the Illinois Department to enforce the judgment, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or the Director, shall be a debt due and owing the State and may be collected in accordance with applicable law. Prior to any expenses being fixed by a final administrative decision pursuant to this subsection (F-15), the Illinois Department shall provide notice to the individual or entity that states that the individual or entity shall appear at a hearing before the administrative hearing officer to

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determine whether the individual or entity has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than 7 days from the date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

(4) Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the individual or entity in the amount of any debt due and owing the State under this Section. The lien may be enforced in the same manner as a judgment of a court of competent jurisdiction. A lien shall attach to all property and assets of such person, firm, corporation, association, agency, institution, or other legal entity until the judgment is satisfied.

(5) The Director may set aside any judgment entered by default and set a new hearing date upon a petition filed at any time (i) if the petitioner's failure to appear at the hearing was for good cause, or (ii) if the petitioner established that the Department did not provide proper service of process. If any judgment is set aside pursuant to this paragraph (5), the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the Illinois Department as a result of the vacated default judgment.

(G) The provisions of the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Illinois Department under this Section. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(G-5) Vendors who pose a risk of fraud, waste, abuse, or harm.

(1) Notwithstanding any other provision in this Section, the Department may terminate, suspend, or exclude vendors who pose a risk of fraud, waste, abuse, or harm from participation in the medical assistance program prior to an evidentiary hearing but after reasonable notice and opportunity to respond as established by the Department by rule.

(2) Vendors who pose a risk of fraud, waste, abuse, or harm shall submit to a fingerprint-based criminal background check on current and future information available in the State system and

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current information available through the Federal Bureau of Investigation's system by submitting all necessary fees and information in the form and manner prescribed by the Department of State Police. The following individuals shall be subject to the check:

(A) In the case of a vendor that is a corporation, every shareholder who owns, directly or indirectly, 5% or more of the outstanding shares of the corporation.
(B) In the case of a vendor that is a partnership, every partner.
(C) In the case of a vendor that is a sole proprietorship, the sole proprietor.
(D) Each officer or manager of the vendor.
Each such vendor shall be responsible for payment of the cost of the criminal background check.

(3) Vendors who pose a risk of fraud, waste, abuse, or harm may be required to post a surety bond. The Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

(4) The Department, or its agents, may refuse to accept requests for authorization from specific vendors who pose a risk of fraud, waste, abuse, or harm, including prior-approval and post-approval requests, if:

(A) the Department has initiated a notice of termination, suspension, or exclusion of the vendor from participation in the medical assistance program; or

(B) the Department has issued notification of its withholding of payments pursuant to subsection (F-5) of this Section; or

(C) the Department has issued a notification of its withholding of payments due to reliable evidence of fraud or willful misrepresentation pending investigation.

(5) As used in this subsection, the following terms are defined as follows:

(A) "Fraud" means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or herself or some other person. It includes any
act that constitutes fraud under applicable federal or State law.

(B) "Abuse" means provider practices that are inconsistent with sound fiscal, business, or medical practices and that result in an unnecessary cost to the medical assistance program or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the medical assistance program. Abuse does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

(C) "Waste" means the unintentional misuse of medical assistance resources, resulting in unnecessary cost to the medical assistance program. Waste does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

(D) "Harm" means physical, mental, or monetary damage to recipients or to the medical assistance program.

(G-6) The Illinois Department, upon making a determination based upon information in the possession of the Illinois Department that continuation of participation in the medical assistance program by a vendor would constitute an immediate danger to the public, may immediately suspend such vendor's participation in the medical assistance program without a hearing. In instances in which the Illinois Department immediately suspends the medical assistance program participation of a vendor under this Section, a hearing upon the vendor's participation must be convened by the Illinois Department within 15 days after such suspension and completed without appreciable delay. Such hearing shall be held to determine whether to recommend to the Director that the vendor's medical assistance program participation be denied, terminated, suspended, placed on provisional status, or reinstated. In the hearing, any evidence relevant to the vendor constituting an immediate danger to the public may be introduced against such vendor; provided, however, that the vendor, or his or her counsel, shall have the opportunity to discredit, impeach, and submit evidence rebutting such evidence.

(H) Nothing contained in this Code shall in any way limit or otherwise impair the authority or power of any State agency responsible for licensing of vendors.
(I) Based on a finding of noncompliance on the part of a nursing home with any requirement for certification under Title XVIII or XIX of the Social Security Act (42 U.S.C. Sec. 1395 et seq. or 42 U.S.C. Sec. 1396 et seq.), the Illinois Department may impose one or more of the following remedies after notice to the facility:

1. Termination of the provider agreement.
2. Temporary management.
3. Denial of payment for new admissions.
4. Civil money penalties.
5. Closure of the facility in emergency situations or transfer of residents, or both.
7. Denial of all payments when the U.S. Department of Health and Human Services has imposed this sanction.

The Illinois Department shall by rule establish criteria governing continued payments to a nursing facility subsequent to termination of the facility's provider agreement if, in the sole discretion of the Illinois Department, circumstances affecting the health, safety, and welfare of the facility's residents require those continued payments. The Illinois Department may condition those continued payments on the appointment of temporary management, sale of the facility to new owners or operators, or other arrangements that the Illinois Department determines best serve the needs of the facility's residents.

Except in the case of a facility that has a right to a hearing on the finding of noncompliance before an agency of the federal government, a facility may request a hearing before a State agency on any finding of noncompliance within 60 days after the notice of the intent to impose a remedy. Except in the case of civil money penalties, a request for a hearing shall not delay imposition of the penalty. The choice of remedies is not appealable at a hearing. The level of noncompliance may be challenged only in the case of a civil money penalty. The Illinois Department shall provide by rule for the State agency that will conduct the evidentiary hearings.

The Illinois Department may collect interest on unpaid civil money penalties.

The Illinois Department may adopt all rules necessary to implement this subsection (I).
(J) The Illinois Department, by rule, may permit individual practitioners to designate that Department payments that may be due the practitioner be made to an alternate payee or alternate payees.

(a) Such alternate payee or alternate payees shall be required to register as an alternate payee in the Medical Assistance Program with the Illinois Department.

(b) If a practitioner designates an alternate payee, the alternate payee and practitioner shall be jointly and severally liable to the Department for payments made to the alternate payee. Pursuant to subsection (E) of this Section, any Department action to suspend or deny payment or recover money or overpayments from an alternate payee shall be subject to an administrative hearing.

(c) Registration as an alternate payee or alternate payees in the Illinois Medical Assistance Program shall be conditional. At any time, the Illinois Department may deny or cancel any alternate payee's registration in the Illinois Medical Assistance Program without cause. Any such denial or cancellation is not subject to an administrative hearing.

(d) The Illinois Department may seek a revocation of any alternate payee, and all owners, officers, and individuals with management responsibility for such alternate payee shall be permanently prohibited from participating as an owner, an officer, or an individual with management responsibility with an alternate payee in the Illinois Medical Assistance Program, if after reasonable notice and opportunity for a hearing the Illinois Department finds that:

(1) the alternate payee is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its alternate payee registration agreement; or

(2) the alternate payee has failed to keep or make available for inspection, audit, or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed as an alternate payee; or

(3) the alternate payee has failed to furnish any information requested by the Illinois Department regarding payments claimed as an alternate payee; or

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(4) the alternate payee has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the Illinois Medical Assistance Program; or

(5) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) was previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code; or

(b) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor previously terminated, suspended, or excluded from participation as a vendor in the
Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(d) was an owner of a sole proprietorship or partner in a partnership previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(6) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) has engaged in conduct prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(b) was a person with management responsibility for a vendor or alternate payee at the time that the vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

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(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(d) was an owner of a sole proprietorship or partner in a partnership which was a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(7) the direct or indirect ownership of the vendor or alternate payee (including the ownership of a vendor or alternate payee that is a partner's interest in a vendor or alternate payee, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor or alternate payee) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor or is prohibited or revoked as an alternate payee to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(K) The Illinois Department of Healthcare and Family Services may withhold payments, in whole or in part, to a provider or alternate payee where there is credible evidence, received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit, that the circumstances giving rise to the need for a withholding of payments may involve fraud or willful misrepresentation under the Illinois Medical Assistance program. The Department shall by rule define what constitutes "credible" evidence for purposes of this subsection. The Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a reconsideration of payment withholding, and the Department must grant such a request. The Department shall state by rule a process and criteria by which a provider or alternate payee may request full or partial release of

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payments withheld under this subsection. This request may be made at any
time after the Department first withholds such payments.

(a) The Illinois Department must send notice of its
withholding of program payments within 5 days of taking such
action. The notice must set forth the general allegations as to the
nature of the withholding action, but need not disclose any specific
information concerning its ongoing investigation. The notice must
do all of the following:

(1) State that payments are being withheld in
accordance with this subsection.

(2) State that the withholding is for a temporary
period, as stated in paragraph (b) of this subsection, and cite
the circumstances under which withholding will be
terminated.

(3) Specify, when appropriate, which type or types
of Medicaid claims withholding is effective.

(4) Inform the provider or alternate payee of the
right to submit written evidence for reconsideration of the
withholding by the Illinois Department.

(5) Inform the provider or alternate payee that a
written request may be made to the Illinois Department for
full or partial release of withheld payments and that such
requests may be made at any time after the Department first
withholds such payments.

(b) All withholding-of-payment actions under this
subsection shall be temporary and shall not continue after any of
the following:

(1) The Illinois Department or the prosecuting
authorities determine that there is insufficient evidence of
fraud or willful misrepresentation by the provider or
alternate payee.

(2) Legal proceedings related to the provider's or
alternate payee's alleged fraud, willful misrepresentation,
violations of this Act, or violations of the Illinois
Department's administrative rules are completed.

(3) The withholding of payments for a period of 3
years.

(c) The Illinois Department may adopt all rules necessary to
implement this subsection (K).

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(K-5) The Illinois Department may withhold payments, in whole or in part, to a provider or alternate payee upon initiation of an audit, quality of care review, investigation when there is a credible allegation of fraud, or the provider or alternate payee demonstrating a clear failure to cooperate with the Illinois Department such that the circumstances give rise to the need for a withholding of payments. As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability. The Illinois Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a hearing or a reconsideration of payment withholding, and the Illinois Department must grant such a request. The Illinois Department shall state by rule a process and criteria by which a provider or alternate payee may request a hearing or a reconsideration for the full or partial release of payments withheld under this subsection. This request may be made at any time after the Illinois Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action. The notice must set forth the general allegations as to the nature of the withholding action but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

1. State that payments are being withheld in accordance with this subsection.
2. State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.
3. Specify, when appropriate, which type or types of claims are withheld.
4. Inform the provider or alternate payee of the right to request a hearing or a reconsideration of the withholding by the Illinois Department, including the ability to submit written evidence.

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(5) Inform the provider or alternate payee that a written request may be made to the Illinois Department for a hearing or a reconsideration for the full or partial release of withheld payments and that such requests may be made at any time after the Illinois Department first withholds such payments.

(b) All withholding of payment actions under this subsection shall be temporary and shall not continue after any of the following:

(1) The Illinois Department determines that there is insufficient evidence of fraud, or the provider or alternate payee demonstrates clear cooperation with the Illinois Department, as determined by the Illinois Department, such that the circumstances do not give rise to the need for withholding of payments; or

(2) The withholding of payments has lasted for a period in excess of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K-5).

(L) The Illinois Department shall establish a protocol to enable health care providers to disclose an actual or potential violation of this Section pursuant to a self-referral disclosure protocol, referred to in this subsection as "the protocol". The protocol shall include direction for health care providers on a specific person, official, or office to whom such disclosures shall be made. The Illinois Department shall post information on the protocol on the Illinois Department's public website. The Illinois Department may adopt rules necessary to implement this subsection (L). In addition to other factors that the Illinois Department finds appropriate, the Illinois Department may consider a health care provider's timely use or failure to use the protocol in considering the provider's failure to comply with this Code.

(M) Notwithstanding any other provision of this Code, the Illinois Department, at its discretion, may exempt an entity licensed under the Nursing Home Care Act and the ID/DD Community Care Act from the provisions of subsections (A-15), (B), and (C) of this Section if the licensed entity is in receivership.

(Source: P.A. 97-689, eff. 6-14-12; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public employee benefits.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Sections 9-112 and 9-190 and adding Sections 9-119.1 and 9-202.1 as follows:

(40 ILCS 5/9-112) (from Ch. 108 1/2, par. 9-112)

Sec. 9-112. Salary. "Salary": Annual salary of an employee under this Article as follows:

(a) Beginning on the effective date and prior to July 1, 1947 $3000 shall be the maximum amount of annual salary of any employee to be considered for the purposes of this Article; and beginning on July 1, 1947 and prior to July 1, 1953, said maximum amount shall be $4800; and beginning on July 1, 1953 and prior to July 1, 1957 said maximum amount shall be $6,000; and beginning on July 1, 1957, if salary shall be based upon the actual sum paid and reported to the Fund or wages is appropriated, fixed or arranged on an annual basis, the actual sum payable during the year if the employee worked the full normal working time in his position, at the rate of compensation, exclusive of overtime and extra service, ; and if appropriated or fixed as salary or wages for service in the position;

(b) (Blank). Beginning July 1, 1957, if appropriated, fixed or arranged on other than an annual basis, the applicable schedules specified in Section 9-221 shall be used for conversion of the salary to an annual basis;

(c) Where the county provides lodging, board and laundry service for an employee without charge and so reports to the Fund while the employee is receiving such lodging, board and laundry service, his salary shall be considered to be $480 a year more for the period from the effective date to August 1, 1959 and thereafter $960 more than the amount payable as salary for the year, and the salary of an employee for whom one or more daily meals are provided by the county without charge therefor

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(d) For the purposes of ordinary disability, salary shall be based upon the rate reported to the Fund at the date of disability and adjusted to reflect the actual hours paid during the prior year.

(Source: P.A. 81-1536.)

(40 ILCS 5/9-119.1 new)

Sec. 9-119.1. Earned annuity. "Earned annuity": (1) The annuity a participant has accrued as provided in Section 9-134, disregarding minimum age and service eligibility requirements and without any reduction due to age, or (2) the age and service annuity as provided in Sections 9-125 through 9-128, inclusive.

(40 ILCS 5/9-190) (from Ch. 108 1/2, par. 9-190)

Sec. 9-190. Board powers and duties. The board shall have the powers and duties stated in Sections 9-191 to 9-202.1 inclusive, in addition to such other powers and duties provided in this Article.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/9-202.1 new)

Sec. 9-202.1. To reproduce records. To have any records kept by the board photographed, microfilmed, or digitally or electronically reproduced in accordance with the Local Records Act. The photographs, microfilm, and digital and electronic reproductions shall be deemed original records and documents for all purposes, including introduction in evidence before all courts and administrative agencies.

(40 ILCS 5/9-221 rep.)

Section 10. The Illinois Pension Code is amended by repealing Section 9-221.

Section 99. Effective date. This Act takes effect upon becoming law.


Approved August 27, 2013.

Effective August 27, 2013.
PUBLIC ACT 98-0552
(Senate Bill No. 1923)

AN ACT concerning courts.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Juvenile Court Act of 1987 is amended by changing Section 1-8 as follows:

Sec. 1-8. Confidentiality and accessibility of juvenile court records. (A) Inspection and copying of juvenile court records relating to a minor who is the subject of a proceeding under this Act shall be restricted to the following:

(1) The minor who is the subject of record, his parents, guardian and counsel.

(2) Law enforcement officers and law enforcement agencies when such information is essential to executing an arrest or search warrant or other compulsory process, or to conducting an ongoing investigation or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang.

Before July 1, 1994, for the purposes of this Section, "criminal street gang" means any ongoing organization, association, or group of 3 or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts and that has a common name or common identifying sign, symbol or specific color apparel displayed, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity.

Beginning July 1, 1994, for purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(3) Judges, hearing officers, prosecutors, probation officers, social workers or other individuals assigned by the court to conduct a pre-adjudication or predisposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court when essential to performing their responsibilities.

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(4) Judges, prosecutors and probation officers:
   (a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or
   (b) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a proceeding to determine the amount of bail; or
   (c) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a pre-trial investigation, pre-sentence investigation or fitness hearing, or proceedings on an application for probation; or
   (d) when a minor becomes 17 years of age or older, and is the subject of criminal proceedings, including a hearing to determine the amount of bail, a pre-trial investigation, a pre-sentence investigation, a fitness hearing, or proceedings on an application for probation.

(5) Adult and Juvenile Prisoner Review Boards.

(6) Authorized military personnel.

(7) Victims, their subrogees and legal representatives; however, such persons shall have access only to the name and address of the minor and information pertaining to the disposition or alternative adjustment plan of the juvenile court.

(8) Persons engaged in bona fide research, with the permission of the pre-iding judge of the juvenile court and the chief executive of the agency that prepared the particular records; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record.

(9) The Secretary of State to whom the Clerk of the Court shall report the disposition of all cases, as required in Section 6-204 of the Illinois Vehicle Code. However, information reported relative to these offenses shall be privileged and available only to the Secretary of State, courts, and police officers.

(10) The administrator of a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court.

(11) Mental health professionals on behalf of the Illinois Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a
potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile court records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act, who is the subject of juvenile court records sought. Any records and any information obtained from those records under this paragraph (11) may be used only in sexually violent persons commitment proceedings.

(A-1) Findings and exclusions of paternity entered in proceedings occurring under Article II of this Act shall be disclosed, in a manner and form approved by the Presiding Judge of the Juvenile Court, to the Department of Healthcare and Family Services when necessary to discharge the duties of the Department of Healthcare and Family Services under Article X of the Illinois Public Aid Code.

(B) A minor who is the victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record.

(C) Except as otherwise provided in this subsection (C), juvenile court records shall not be made available to the general public. Subject to the limitations in paragraphs (0.1) through (0.4) of this subsection (C), the judge presiding over a juvenile court proceeding brought under this Act, in his or her discretion, may order that juvenile court records of an individual case be made available for inspection upon request by a representative of an agency, association, or news media entity or by a properly interested person. For purposes of inspecting documents under this subsection (C), a civil subpoena is not an order of the court, but may be inspected by representatives of agencies, associations and news media or other properly interested persons by general or special order of the court presiding over matters pursuant to this Act.

(0.1) In cases where the records concern a pending juvenile court case, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(0.2) In cases where the records concern a juvenile court case that is no longer pending, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

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(0.3) In determining whether the records should be made available for inspection and whether inspection should be limited to certain parts of the file, the court shall consider the minor's interest in confidentiality and rehabilitation over the requesting moving party's interest in obtaining the information. The State's Attorney, the minor, and the minor's parents, guardian, and counsel shall at all times have the right to examine court files and records.

For purposes of obtaining documents pursuant to this Section, a civil subpoena is not an order of the court:

(0.4) Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(1) The court shall allow the general public to have access to the name, address, and offense of a minor who is adjudicated a delinquent minor under this Act under either of the following circumstances:

(A) The adjudication of delinquency was based upon the minor's commission of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault; or

(B) The court has made a finding that the minor was at least 13 years of age at the time the act was committed and the adjudication of delinquency was based upon the minor's commission of: (i) an act in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an act involving the use of a firearm in the commission of a felony, (iii) an act that would be a Class X felony offense under or the minor's second or subsequent Class 2 or greater felony offense under the Cannabis Control Act if committed by an adult, (iv) an act that would be a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act if committed by an adult, (v) an act that would be an offense under Section 401 of the Illinois Controlled Substances Act if committed by an adult, (vi) an act that would be a second or subsequent offense under Section 60

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of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(2) The court shall allow the general public to have access to the name, address, and offense of a minor who is at least 13 years of age at the time the offense is committed and who is convicted, in criminal proceedings permitted or required under Section 5-4, under either of the following circumstances:

(A) The minor has been convicted of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault,

(B) The court has made a finding that the minor was at least 13 years of age at the time the offense was committed and the conviction was based upon the minor's commission of: (i) an offense in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an offense involving the use of a firearm in the commission of a felony, (iii) a Class X felony offense under or a second or subsequent Class 2 or greater felony offense under the Cannabis Control Act, (iv) a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act, (v) an offense under Section 401 of the Illinois Controlled Substances Act, (vi) an act that would be a second or subsequent offense under Section 60 of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(D) Pending or following any adjudication of delinquency for any offense defined in Sections 11-1.20 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the victim of any such offense shall receive the rights set out in Sections 4 and 6 of the Bill of Rights for Victims and Witnesses of Violent Crime Act; and the juvenile who is the subject of the adjudication, notwithstanding any other provision of this Act, shall be treated as an adult for the purpose of affording such rights to the victim.

(E) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority of any state, county or municipality

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examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records of disposition or evidence which were made in proceedings under this Act.

(F) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the dispositional order to the principal or chief administrative officer of the school. Access to such juvenile records shall be limited to the principal or chief administrative officer of the school and any guidance counselor designated by him.

(G) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(H) When a Court hearing a proceeding under Article II of this Act becomes aware that an earlier proceeding under Article II had been heard in a different county, that Court shall request, and the Court in which the earlier proceedings were initiated shall transmit, an authenticated copy of the Court record, including all documents, petitions, and orders filed therein and the minute orders, transcript of proceedings, and docket entries of the Court.

(I) The Clerk of the Circuit Court shall report to the Department of State Police, in the form and manner required by the Department of State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 17th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.

(Source: P.A. 96-212, eff. 8-10-09; 96-1551, eff. 7-1-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.


New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Auction License Act is amended by changing Sections 5-10 and 20-15 as follows:

(225 ILCS 407/5-10)
(Section scheduled to be repealed on January 1, 2020)
Sec. 5-10. Definitions. As used in this Act:

"Advertisement" means any written, oral, or electronic communication that contains a promotion, inducement, or offer to conduct an auction or offer to provide an auction service, including but not limited to brochures, pamphlets, radio and television scripts, telephone and direct mail solicitations, electronic media, and other means of promotion.

"Advisory Board" or "Board" means the Auctioneer Advisory Board.

"Associate auctioneer" means a person who conducts an auction, but who is under the direct supervision of, and is sponsored by, a licensed auctioneer or auction firm.

"Auction" means the sale or lease of property, real or personal, by means of exchanges between an auctioneer and prospective purchasers or lessees, which consists of a series of invitations for offers made by the auctioneer and offers by prospective purchasers or lessees for the purpose of obtaining an acceptable offer for the sale or lease of the property, including the sale or lease of property via mail, telecommunications, or the Internet.

"Auction contract" means a written agreement between an auctioneer or auction firm and a seller or sellers.

"Auction firm" means any corporation, partnership, or limited liability company that acts as an auctioneer and provides an auction service.

"Auction school" means any educational institution, public or private, which offers a curriculum of auctioneer education and training approved by the Department.
"Auction service" means the service of arranging, managing, advertising, or conducting auctions.

"Auctioneer" means a person or entity who, for another, for a fee, compensation, commission, or any other valuable consideration at auction or with the intention or expectation of receiving valuable consideration by the means of or process of an auction or sale at auction or providing an auction service, offers, negotiates, or attempts to negotiate an auction contract, sale, purchase, or exchange of goods, chattels, merchandise, personal property, real property, or any commodity that may be lawfully kept or offered for sale by or at auction.

"Address of Record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by directly contacting the Department.

"Buyer premium" means any fee or compensation paid by the successful purchaser of property sold or leased at or by auction, to the auctioneer, auction firms, seller, lessor, or other party to the transaction, other than the purchase price.

"Department" means the Department of Financial and Professional Regulation.

"Goods" means chattels, movable goods, merchandise, or personal property or commodities of any form or type that may be lawfully kept or offered for sale.

"Licensee" means any person licensed under this Act.

"Managing auctioneer" means any person licensed as an auctioneer who manages and supervises licensees sponsored by an auction firm or auctioneer.

"Person" means an individual, association, partnership, corporation, or limited liability company or the officers, directors, or employees of the same.

"Pre-renewal period" means the 24 months prior to the expiration date of a license issued under this Act.

"Real estate" means real estate as defined in Section 1-10 of the Real Estate License Act of 2000 or its successor Acts.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation or his or her designee.
"Sponsoring auctioneer" means the auctioneer or auction firm who has issued a sponsor card to a licensed auctioneer.

"Sponsor card" means the temporary permit issued by the sponsoring auctioneer certifying that the licensee named thereon is employed by or associated with the sponsoring auctioneer and the sponsoring auctioneer shall be responsible for the actions of the sponsored licensee.

(Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

(225 ILCS 407/20-15)

(Section scheduled to be repealed on January 1, 2020)

Sec. 20-15. Disciplinary actions; grounds. The Department may refuse to issue or renew a license, may place on probation or administrative supervision, suspend, or revoke any license or may reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including the imposition of fines not to exceed $10,000 for each violation upon anyone licensed under this Act for any of the following reasons:

(1) False or fraudulent representation or material misstatement in furnishing information to the Department in obtaining or seeking to obtain a license.

(2) Violation of any provision of this Act or the rules promulgated pursuant to this Act.

(3) Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof, or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession.

(4) Being adjudged to be a person under legal disability or subject to involuntary admission or to meet the standard for judicial admission as provided in the Mental Health and Developmental Disabilities Code.

(5) Discipline of a licensee by another state, the District of Columbia, a territory of the United States, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent to one of the grounds for discipline set forth in this Act or for failing to report to the Department, within 30 days, any adverse final action taken against the licensee by any other licensing jurisdiction, government agency, law enforcement...
agency, or court, or liability for conduct that would constitute grounds for action as set forth in this Act.

(6) Engaging in the practice of auctioneering, conducting an auction, or providing an auction service without a license or after the license was expired, revoked, suspended, or terminated or while the license was inoperative.

(7) Attempting to subvert or cheat on the auctioneer exam or any continuing education exam, or aiding or abetting another to do the same.

(8) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional service not actually or personally rendered, except that an auctioneer licensed under this Act may receive a fee from another licensed auctioneer from this State or jurisdiction for the referring of a client or prospect for auction services to the licensed auctioneer.

(9) Making any substantial misrepresentation or untruthful advertising.

(10) Making any false promises of a character likely to influence, persuade, or induce.

(11) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through a licensee, agent, employee, advertising, or otherwise.

(12) Any misleading or untruthful advertising, or using any trade name or insignia of membership in any auctioneer association or organization of which the licensee is not a member.

(13) Commingling funds of others with his or her own funds or failing to keep the funds of others in an escrow or trustee account.

(14) Failure to account for, remit, or return any moneys, property, or documents coming into his or her possession that belong to others, acquired through the practice of auctioneering, conducting an auction, or providing an auction service within 30 days of the written request from the owner of said moneys, property, or documents.

(15) Failure to maintain and deposit into a special account, separate and apart from any personal or other business accounts, all moneys belonging to others entrusted to a licensee while acting as

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an auctioneer, associate auctioneer, auction firm, or as a temporary custodian of the funds of others.

(16) Failure to make available to Department personnel during normal business hours all escrow and trustee records and related documents maintained in connection with the practice of auctioneering, conducting an auction, or providing an auction service within 24 hours after a request from Department personnel.

(17) Making or filing false records or reports in his or her practice, including but not limited to false records or reports filed with State agencies.

(18) Failing to voluntarily furnish copies of all written instruments prepared by the auctioneer and signed by all parties to all parties at the time of execution.

(19) Failing to provide information within 30 days in response to a written request made by the Department.

(20) Engaging in any act that constitutes a violation of Section 2-102, 3-103, or 3-105 of the Illinois Human Rights Act.

(21) (Blank).

(22) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(23) Offering or advertising real estate for sale or lease at auction without a valid broker or managing broker’s salesperson’s license under the Real Estate License Act of 1983, or any successor Act, unless exempt from licensure under the terms of the Real Estate License Act of 2000, or any successor Act, except as provided for in Section 5-32 of the Real Estate License Act of 2000.

(24) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(25) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(26) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an

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abused child or a neglected child as defined in the Abused and Neglected Child Reporting Act.

(27) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(28) Wilfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

The entry of an order by a circuit court establishing that any person holding a license under this Act is subject to involuntary admission or judicial admission, as provided for in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension of that license. That person may have his or her license restored only upon the determination by a circuit court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient and upon the Board's recommendation to the Department that the license be restored. Where circumstances so indicate, the Board may recommend to the Department that it require an examination prior to restoring a suspended license.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department. In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 21 days after the suspension and completed without appreciable delay.

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regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination when directed shall be grounds for suspension of his or her license until the individual submits to the examination, if the Department finds that, after notice and hearing, the refusal to submit to the examination was without reasonable cause.

(Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

Section 10. The Real Estate License Act of 2000 is amended by changing Sections 5-20, 10-5, and 20-20 and by adding Sections 5-32 and 20-23 as follows:

(225 ILCS 454/5-20)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-20. Exemptions from broker, salesperson, or leasing agent license requirement. The requirement for holding a license under this Article 5 shall not apply to:

(1) Any person, partnership, or corporation that as owner or lessor performs any of the acts described in the definition of "broker" under Section 1-10 of this Act with reference to property owned or leased by it, or to the regular employees thereof with respect to the property so owned or leased, where such acts are performed in the regular course of or as an incident to the

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management, sale, or other disposition of such property and the
investment therein, provided that such regular employees do not
perform any of the acts described in the definition of "broker"
under Section 1-10 of this Act in connection with a vocation of
selling or leasing any real estate or the improvements thereon not
so owned or leased.

(2) An attorney in fact acting under a duly executed and
recorded power of attorney to convey real estate from the owner or
lessor or the services rendered by an attorney at law in the
performance of the attorney's duty as an attorney at law.

(3) Any person acting as receiver, trustee in bankruptcy,
administrator, executor, or guardian or while acting under a court
order or under the authority of a will or testamentary trust.

(4) Any person acting as a resident manager for the owner
or any employee acting as the resident manager for a broker
managing an apartment building, duplex, or apartment complex,
when the resident manager resides on the premises, the premises is
his or her primary residence, and the resident manager is engaged
in the leasing of the property of which he or she is the resident
manager.

(5) Any officer or employee of a federal agency in the
conduct of official duties.

(6) Any officer or employee of the State government or any
political subdivision thereof performing official duties.

(7) Any multiple listing service or other similar information
exchange that is engaged in the collection and dissemination of
information concerning real estate available for sale, purchase,
lease, or exchange for the purpose of providing licensees with a
system by which licensees may cooperatively share information
along with which no other licensed activities, as defined in Section
1-10 of this Act, are provided.

(8) Railroads and other public utilities regulated by the
State of Illinois, or the officers or full time employees thereof;
unless the performance of any licensed activities is in connection
with the sale, purchase, lease, or other disposition of real estate or
investment therein not needing the approval of the appropriate
State regulatory authority.

(9) Any medium of advertising in the routine course of
selling or publishing advertising along with which no other

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licensed activities, as defined in Section 1-10 of this Act, are provided.

(10) Any resident lessee of a residential dwelling unit who refers for compensation to the owner of the dwelling unit, or to the owner's agent, prospective lessees of dwelling units in the same building or complex as the resident lessee's unit, but only if the resident lessee (i) refers no more than 3 prospective lessees in any 12-month period, (ii) receives compensation of no more than $1,500 or the equivalent of one month's rent, whichever is less, in any 12-month period, and (iii) limits his or her activities to referring prospective lessees to the owner, or the owner's agent, and does not show a residential dwelling unit to a prospective lessee, discuss terms or conditions of leasing a dwelling unit with a prospective lessee, or otherwise participate in the negotiation of the leasing of a dwelling unit.

(11) An exchange company registered under the Real Estate Timeshare Act of 1999 and the regular employees of that registered exchange company but only when conducting an exchange program as defined in that Act.

(12) An existing timeshare owner who, for compensation, refers prospective purchasers, but only if the existing timeshare owner (i) refers no more than 20 prospective purchasers in any calendar year, (ii) receives no more than $1,000, or its equivalent, for referrals in any calendar year and (iii) limits his or her activities to referring prospective purchasers of timeshare interests to the developer or the developer's employees or agents, and does not show, discuss terms or conditions of purchase or otherwise participate in negotiations with regard to timeshare interests.

(13) Any person who is licensed without examination under Section 10-25 (now repealed) of the Auction License Act is exempt from holding a broker's or salesperson's license under this Act for the limited purpose of selling or leasing real estate at auction, so long as:

   (A) that person has made application for said exemption by July 1, 2000;
   (B) that person verifies to the Department that he or she has sold real estate at auction for a period of 5 years prior to licensure as an auctioneer;

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(C) the person has had no lapse in his or her license as an auctioneer; and

(D) the license issued under the Auction License Act has not been disciplined for violation of those provisions of Article 20 of the Auction License Act dealing with or related to the sale or lease of real estate at auction.

(14) A person who holds a valid license under the Auction License Act and a valid real estate auction certification and conducts auctions for the sale of real estate under Section 5-32 of this Act.

(15) A hotel operator who is registered with the Illinois Department of Revenue and pays taxes under the Hotel Operators’ Occupation Tax Act and rents a room or rooms in a hotel as defined in the Hotel Operators' Occupation Tax Act for a period of not more than 30 consecutive days and not more than 60 days in a calendar year.

(225 ILCS 454/5-32 new)
Sec. 5-32. Real estate auction certification.
(a) An auctioneer licensed under the Auction License Act who does not possess a valid and active broker's or managing broker's license under this Act, or who is not otherwise exempt from licensure, may not engage in the practice of auctioning real estate, except as provided in this Section.

(b) The Department shall issue a real estate auction certification to applicants who:

(1) possess a valid auctioneer's license under the Auction License Act;

(2) successfully complete a real estate auction course of at least 30 hours approved by the Department, which shall cover the scope of activities that may be engaged in by a person holding a real estate auction certification and the activities for which a person must hold a real estate license, as well as other material as provided by the Department;

(3) provide documentation of the completion of the real estate auction course; and

(4) successfully complete any other reasonable requirements as provided by rule.

(c) The auctioneer's role shall be limited to establishing the time, place, and method of the real estate auction, placing advertisements.

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regarding the auction, and crying or calling the auction; any other real
estate brokerage activities must be performed by a person holding a valid
and active real estate broker's or managing broker's license under the
provisions of this Act or by a person who is exempt from holding a license
under paragraph (13) of Section 5-20 who has a certificate under this
Section.

(d) An auctioneer who conducts any real estate auction activities
in violation of this Section is guilty of unlicensed practice under Section
20-10 of this Act.

(e) The Department may revoke, suspend, or otherwise discipline
the real estate auction certification of an auctioneer who is adjudicated to
be in violation of the provisions of this Section or Section 20-15 of the
Auction License Act.

(f) Advertising for the real estate auction must contain the name
and address of the licensed real estate broker, managing broker, or a
licensed auctioneer under paragraph (13) of Section 5-20 of this Act who
is providing brokerage services for the transaction.

(g) The requirement to hold a real estate auction certification shall
not apply to a person exempt from this Act under the provisions of
paragraph (13) of subsection 5-20 of this Act, unless that person is
performing licensed activities in a transaction in which a licensed
auctioneer with a real estate certification is providing the limited services
provided for in subsection (c) of this Section.

(h) Nothing in this Section shall require a person licensed under
this Act as a real estate broker or managing broker to obtain a real estate
auction certification in order to auction real estate.

(i) The Department may adopt rules to implement this Section.

225 ILCS 454/10-5

(Sec. 10-5. Payment of compensation.

(a) No licensee shall pay compensation directly to a licensee
sponsored by another broker for the performance of licensed activities. No
licensee sponsored by a broker may pay compensation to any licensee
other than his or her sponsoring broker for the performance of licensed
activities unless the licensee paying the compensation is a principal to the
transaction. However, a non-sponsoring broker may pay compensation
directly to a licensee sponsored by another or a person who is not
sponsored by a broker if the payments are made pursuant to terms of an
employment agreement that was previously in place between a licensee

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and the non-sponsoring broker, and the payments are for licensed activity performed by that person while previously sponsored by the now non-sponsoring broker.

(b) No licensee sponsored by a broker shall accept compensation for the performance of activities under this Act except from the broker by whom the licensee is sponsored, except as provided in this Section.

(c) Any person that is a licensed personal assistant for another licensee may only be compensated in his or her capacity as a personal assistant by the sponsoring broker for that licensed personal assistant.

(d) One sponsoring broker may pay compensation directly to another sponsoring broker for the performance of licensed activities.

(e) Notwithstanding any other provision of this Act, a sponsoring broker may pay compensation to a person currently licensed under the Auction License Act who is in compliance with and providing services under Section 5-32 of this Act.

(Source: P.A. 91-245, eff. 12-31-99.)

(225 ILCS 454/20-20)

(Section scheduled to be repealed on January 1, 2020)

Sec. 20-20. Grounds for discipline.

(a) The Department may refuse to issue or renew a license, may place on probation, suspend, or revoke any license, reprimand, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine not to exceed $25,000 upon any licensee or applicant under this Act or any person who holds himself or herself out as an applicant or licensee or against a licensee in handling his or her own property, whether held by deed, option, or otherwise, for any one or any combination of the following causes:

(1) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(2) The conviction of or plea of guilty or plea of nolo contendere to a felony or misdemeanor in this State or any other jurisdiction; or the entry of an administrative sanction by a government agency in this State or any other jurisdiction. Action taken under this paragraph (2) for a misdemeanor or an administrative sanction is limited to a misdemeanor or administrative sanction that has as an essential element dishonesty or fraud or involves larceny, embezzlement, or obtaining money,

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property, or credit by false pretenses or by means of a confidence game.

(3) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(4) Practice under this Act as a licensee in a retail sales establishment from an office, desk, or space that is not separated from the main retail business by a separate and distinct area within the establishment.

(5) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof.

(6) Engaging in the practice of real estate brokerage without a license or after the licensee's license was expired or while the license was inoperative.

(7) Cheating on or attempting to subvert the Real Estate License Exam or continuing education exam.

(8) Aiding or abetting an applicant to subvert or cheat on the Real Estate License Exam or continuing education exam administered pursuant to this Act.

(9) Advertising that is inaccurate, misleading, or contrary to the provisions of the Act.

(10) Making any substantial misrepresentation or untruthful advertising.

(11) Making any false promises of a character likely to influence, persuade, or induce.

(12) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through licensees, employees, agents, advertising, or otherwise.

(13) Any misleading or untruthful advertising, or using any trade name or insignia of membership in any real estate organization of which the licensee is not a member.

(14) Acting for more than one party in a transaction without providing written notice to all parties for whom the licensee acts.

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(15) Representing or attempting to represent a broker other than the sponsoring broker.

(16) Failure to account for or to remit any moneys or documents coming into his or her possession that belong to others.

(17) Failure to maintain and deposit in a special account, separate and apart from personal and other business accounts, all escrow moneys belonging to others entrusted to a licensee while acting as a real estate broker, escrow agent, or temporary custodian of the funds of others or failure to maintain all escrow moneys on deposit in the account until the transactions are consummated or terminated, except to the extent that the moneys, or any part thereof, shall be:

(A) disbursed prior to the consummation or termination (i) in accordance with the written direction of the principals to the transaction or their duly authorized agents, (ii) in accordance with directions providing for the release, payment, or distribution of escrow moneys contained in any written contract signed by the principals to the transaction or their duly authorized agents, or (iii) pursuant to an order of a court of competent jurisdiction; or

(B) deemed abandoned and transferred to the Office of the State Treasurer to be handled as unclaimed property pursuant to the Uniform Disposition of Unclaimed Property Act. Escrow moneys may be deemed abandoned under this subparagraph (B) only: (i) in the absence of disbursement under subparagraph (A); (ii) in the absence of notice of the filing of any claim in a court of competent jurisdiction; and (iii) if 6 months have elapsed after the receipt of a written demand for the escrow moneys from one of the principals to the transaction or the principal's duly authorized agent.

The account shall be noninterest bearing, unless the character of the deposit is such that payment of interest thereon is otherwise required by law or unless the principals to the transaction specifically require, in writing, that the deposit be placed in an interest bearing account.

(18) Failure to make available to the Department all escrow records and related documents maintained in connection with the practice of real estate within 24 hours of a request for those documents by Department personnel.

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(19) Failing to furnish copies upon request of documents relating to a real estate transaction to a party who has executed that document.

(20) Failure of a sponsoring broker to timely provide information, sponsor cards, or termination of licenses to the Department.

(21) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(22) Commingling the money or property of others with his or her own money or property.

(23) Employing any person on a purely temporary or single deal basis as a means of evading the law regarding payment of commission to nonlicensees on some contemplated transactions.

(24) Permitting the use of his or her license as a broker to enable a salesperson or unlicensed person to operate a real estate business without actual participation therein and control thereof by the broker.

(25) Any other conduct, whether of the same or a different character from that specified in this Section, that constitutes dishonest dealing.

(26) Displaying a "for rent" or "for sale" sign on any property without the written consent of an owner or his or her duly authorized agent or advertising by any means that any property is for sale or for rent without the written consent of the owner or his or her authorized agent.

(27) Failing to provide information requested by the Department, or otherwise respond to that request, within 30 days of the request.

(28) Advertising by means of a blind advertisement, except as otherwise permitted in Section 10-30 of this Act.

(29) Offering guaranteed sales plans, as defined in clause (A) of this subdivision (29), except to the extent hereinafter set forth:

(A) A "guaranteed sales plan" is any real estate purchase or sales plan whereby a licensee enters into a conditional or unconditional written contract with a seller, prior to entering into a brokerage agreement with the seller, by the terms of which a licensee agrees to purchase a

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property of the seller within a specified period of time at a specific price in the event the property is not sold in accordance with the terms of a brokerage agreement to be entered into between the sponsoring broker and the seller.

(B) A licensee offering a guaranteed sales plan shall provide the details and conditions of the plan in writing to the party to whom the plan is offered.

(C) A licensee offering a guaranteed sales plan shall provide to the party to whom the plan is offered evidence of sufficient financial resources to satisfy the commitment to purchase undertaken by the broker in the plan.

(D) Any licensee offering a guaranteed sales plan shall undertake to market the property of the seller subject to the plan in the same manner in which the broker would market any other property, unless the agreement with the seller provides otherwise.

(E) The licensee cannot purchase seller's property until the brokerage agreement has ended according to its terms or is otherwise terminated.

(F) Any licensee who fails to perform on a guaranteed sales plan in strict accordance with its terms shall be subject to all the penalties provided in this Act for violations thereof and, in addition, shall be subject to a civil fine payable to the party injured by the default in an amount of up to $25,000.

(30) Influencing or attempting to influence, by any words or acts, a prospective seller, purchaser, occupant, landlord, or tenant of real estate, in connection with viewing, buying, or leasing real estate, so as to promote or tend to promote the continuance or maintenance of racially and religiously segregated housing or so as to retard, obstruct, or discourage racially integrated housing on or in any street, block, neighborhood, or community.

(31) Engaging in any act that constitutes a violation of any provision of Article 3 of the Illinois Human Rights Act, whether or not a complaint has been filed with or adjudicated by the Human Rights Commission.

(32) Inducing any party to a contract of sale or lease or brokerage agreement to break the contract of sale or lease or brokerage agreement for the purpose of substituting, in lieu thereof,

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a new contract for sale or lease or brokerage agreement with a third party.

(33) Negotiating a sale, exchange, or lease of real estate directly with any person if the licensee knows that the person has an exclusive brokerage agreement with another broker, unless specifically authorized by that broker.

(34) When a licensee is also an attorney, acting as the attorney for either the buyer or the seller in the same transaction in which the licensee is acting or has acted as a broker or salesperson.

(35) Advertising or offering merchandise or services as free if any conditions or obligations necessary for receiving the merchandise or services are not disclosed in the same advertisement or offer. These conditions or obligations include without limitation the requirement that the recipient attend a promotional activity or visit a real estate site. As used in this subdivision (35), "free" includes terms such as "award", "prize", "no charge", "free of charge", "without charge", and similar words or phrases that reasonably lead a person to believe that he or she may receive or has been selected to receive something of value, without any conditions or obligations on the part of the recipient.

(36) Disregarding or violating any provision of the Land Sales Registration Act of 1989, the Illinois Real Estate Time-Share Act, or the published rules promulgated by the Department to enforce those Acts.

(37) Violating the terms of a disciplinary order issued by the Department.

(38) Paying or failing to disclose compensation in violation of Article 10 of this Act.

(39) Requiring a party to a transaction who is not a client of the licensee to allow the licensee to retain a portion of the escrow moneys for payment of the licensee's commission or expenses as a condition for release of the escrow moneys to that party.

(40) Disregarding or violating any provision of this Act or the published rules promulgated by the Department to enforce this Act or aiding or abetting any individual, partnership, registered limited liability partnership, limited liability company, or corporation in disregarding any provision of this Act or the published rules promulgated by the Department to enforce this Act.
(41) Failing to provide the minimum services required by Section 15-75 of this Act when acting under an exclusive brokerage agreement.

(42) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a managing broker, broker, salesperson, or leasing agent's inability to practice with reasonable skill or safety.

(43) Enabling, aiding, or abetting an auctioneer, as defined in the Auction License Act, to conduct a real estate auction in a manner that is in violation of this Act.

(b) The Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, pay the tax, penalty or interest shown in a filed return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or

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physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of his or her license until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license. (Source: P.A. 96-856, eff. 12-31-09; 97-813, eff. 7-13-12; 97-1002, eff. 8-17-12.)

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(225 ILCS 454/20-23 new)

Sec. 20-23. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee, applicant, or any person who holds himself or herself out as a licensee or applicant that is filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0554
(Senate Bill No. 0105)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Utilities Act is amended by adding Section 16-103.2 as follows:
(220 ILCS 5/16-103.2 new)
Sec. 16-103.2. Market Settlement Service.
(a) Notwithstanding anything to the contrary, an electric utility shall be permitted, at its election, to provide Market Settlement Service, which, for purposes of this Section, shall mean a tariffed, unbundled electric power and energy supply service applicable to all of the electric utility's retail customers having maximum demands exceeding 400 kilowatts, as measured in accordance with the electric utility's retail tariffs, that do not otherwise purchase all of their electric power and

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energy supply service from the electric utility. Market Settlement Service shall apply to the difference between (i) the actual quantities of electric power and energy supply provided to any such retail customer during a given period and (ii) the quantities of such supply that were deemed to have been provided to such retail customer for the purposes of the applicable regional transmission organization’s final wholesale market settlements during that same period. An electric utility providing Market Settlement Service may also, at its election, include in Market Settlement Service electric capacity, transmission services, or other services that are also provided by or through a regional transmission organization to retail customers who receive tariffed electric power and energy supply service with hourly pricing provisions at quantities assigned to such retail customer pursuant to the electric utility's Market Settlement Service tariff. Charges (if the actual quantities provided were greater) or credits (if the actual quantities provided were less) shall be calculated based on the same unit rate or rates set forth in the electric utility's tariff or tariffs for electric power and energy supply service with hourly pricing provisions applicable to its retail customers having maximum demands exceeding 400 kilowatts, provided, however, that any reconciliation provision set forth in such tariff or tariffs, including any charges or credits resulting therefrom, shall not apply to Market Settlement Service.

An electric utility providing Market Settlement Service shall be permitted to recover all of its reasonable and prudently incurred administrative and operational costs of providing this service from all of its retail customers through its delivery services charges. An electric utility providing Market Settlement Service shall be permitted to recover its reasonable and prudent initial implementation and start-up costs from retail consumers having maximum demands exceeding 400 kilowatts through its delivery service charges.

(b) Market Settlement Service shall be provided pursuant to a tariff of the electric utility on file with the Commission. The electric utility's Market Settlement Service tariff shall include provisions for the determination of the quantities subject to Market Settlement Service for any retail customer that receives only a portion of its electric power and energy requirements from an alternative retail electric supplier or electric utility operating outside of its service territory. Notwithstanding subsection (a) of this Section, the electric utility may elect to (i) exclude from Market Settlement Service any portion of the difference described in subsection (a) of this Section attributable to a delayed initial retail electric

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service bill for a given period and (ii) provide Market Settlement Service limited to an entire retail billing period or periods, without proration, notwithstanding that the applicable regional transmission organization's final wholesale market settlements may have occurred on a date within a retail billing period.

(c) An electric utility that has a tariff in effect pursuant to this Section shall not be subject to, or allowed to pursue, any other claims, adjustments, settlements, or offsets related to the cost of any difference in the actual quantities of electric energy, capacity, transmission services, or other services included in Market Settlement Service, provided, however, that the provisions of this subsection (c) shall not, consistent with the provisions of this Act, (i) preclude any subsequent and separate adjustments made to the same retail customer's electric service account pursuant to a tariff authorized by this Section because of other differences, whether for the same or a different meter or for the same or different period or (ii) reduce or impair in any way an electric utility's authority to charge a retail customer for unmetered electric service related to the retail customer's unlawful tampering with or interference with electric service, including, but not limited to, any other charges allowed by law or the electric utility's tariffs.

(d) A tariff authorized by this Section may be established outside of either (i) a filing seeking a general change in rates under Article IX of this Act or (ii) a filing authorized under Section 16-108.5 of this Act. The Commission shall review and, by order, approve, or approve as modified, the proposed tariff within 180 days after the date on which it is filed. In the event the Commission approves such a tariff with modifications, the electric utility shall not be obligated to place the modified tariff into effect. In such event, the electric utility must, within 14 days after any Commission order, withdraw its proposed tariff and its election to provide Market Settlement Service. If a Market Settlement Service tariff does become effective, such tariff shall remain in effect thereafter at the discretion of the electric utility.

(e) Notwithstanding anything in this Act to the contrary, an electric utility providing Market Settlement Service shall not be liable to any retail customer, alternative retail electric supplier, or electric utility operating outside of its service territory for any adjustment in the quantity of any transmission or retail electric supply service for which the applicable regional transmission organization under its tariffs, agreements, and

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market and business rules will no longer make a corresponding adjustment to the wholesale market settlements.

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0555
(Senate Bill No. 0115)

AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Records Act is amended by changing Section 4a as follows:

(5 ILCS 160/4a)
Sec. 4a. Arrest reports.
(a) When an individual is arrested, the following information must be made available to the news media for inspection and copying:
(1) Information that identifies the individual, including the name, age, address, and photograph, when and if available.
(2) Information detailing any charges relating to the arrest.
(3) The time and location of the arrest.
(4) The name of the investigating or arresting law enforcement agency.
(5) If the individual is incarcerated, the amount of any bail or bond.
(6) If the individual is incarcerated, the time and date that the individual was received, discharged, or transferred from the arresting agency's custody.
(b) The information required by this Section must be made available to the news media for inspection and copying as soon as practicable, but in no event shall the time period exceed 72 hours from the arrest. The information described in paragraphs (3), (4), (5), and (6) of subsection (a), however, may be withheld if it is determined that disclosure would:
(1) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

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(2) endanger the life or physical safety of law enforcement or correctional personnel or any other person; or
(3) compromise the security of any correctional facility.

c) For the purposes of this Section, the term "news media" means personnel of a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.

d) Each law enforcement or correctional agency may charge fees for arrest records, but in no instance may the fee exceed the actual cost of copying and reproduction. The fees may not include the cost of the labor used to reproduce the arrest record.

e) The provisions of this Section do not supersede the confidentiality provisions for arrest records of the Juvenile Court Act of 1987.

(f) All information, including photographs, made available under this Section is subject to the provisions of Section 2QQQ of the Consumer Fraud and Deceptive Business Practices Act.
(Source: P.A. 91-309, eff. 7-29-99; 92-16, eff. 6-28-01; 92-335, eff. 8-10-01.)

Section 10. The Local Records Act is amended by changing Section 3b as follows:

(50 ILCS 205/3b)

Sec. 3b. Arrest reports.

(a) When an individual is arrested, the following information must be made available to the news media for inspection and copying:
   (1) Information that identifies the individual, including the name, age, address, and photograph, when and if available.
   (2) Information detailing any charges relating to the arrest.
   (3) The time and location of the arrest.
   (4) The name of the investigating or arresting law enforcement agency.
   (5) If the individual is incarcerated, the amount of any bail or bond.
   (6) If the individual is incarcerated, the time and date that the individual was received, discharged, or transferred from the arresting agency's custody.

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(b) The information required by this Section must be made available to the news media for inspection and copying as soon as practicable, but in no event shall the time period exceed 72 hours from the arrest. The information described in paragraphs (3), (4), (5), and (6) of subsection (a), however, may be withheld if it is determined that disclosure would:

(1) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;
(2) endanger the life or physical safety of law enforcement or correctional personnel or any other person; or
(3) compromise the security of any correctional facility.

c) For the purposes of this Section the term "news media" means personnel of a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.

d) Each law enforcement or correctional agency may charge fees for arrest records, but in no instance may the fee exceed the actual cost of copying and reproduction. The fees may not include the cost of the labor used to reproduce the arrest record.

e) The provisions of this Section do not supersede the confidentiality provisions for arrest records of the Juvenile Court Act of 1987.

(f) All information, including photographs, made available under this Section is subject to the provisions of Section 2QQQ of the Consumer Fraud and Deceptive Business Practices Act.
(Source: P.A. 91-309, eff. 7-29-99; 92-16, eff. 6-28-01; 92-335, eff. 8-10-01.)

Section 15. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2QQQ as follows:

(815 ILCS 505/2QQQ new)
Sec. 2QQQ. Criminal record information.
(a) It is an unlawful practice for any person engaged in publishing or otherwise disseminating criminal record information through a print or electronic medium to solicit or accept the payment of a fee or other

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consideration to remove, correct, or modify said criminal record information.

(b) For the purposes of this Section, "criminal record information" includes any and all of the following:

(1) descriptions or notations of any arrests, any formal criminal charges, and the disposition of those criminal charges, including, but not limited to, any information made available under Section 4a of the State Records Act or Section 3b of the Local Records Act;

(2) photographs of the person taken pursuant to an arrest or other involvement in the criminal justice system; or

(3) personal identifying information, including a person's name, address, date of birth, photograph, and social security number or other government-issued identification number.

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0556
(Senate Bill No. 0923)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105.2, 6-306.5, 11-208, 11-208.3, and 11-612 and by adding Section 11-208.9 as follows:

(625 ILCS 5/1-105.2)

Sec. 1-105.2. Automated traffic law violation. A violation described in Section 11-208.6, 11-208.9, or 11-1201.1 of this Code.

(Source: P.A. 96-478, eff. 1-1-10.)

(625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

Sec. 6-306.5. Failure to pay fine or penalty for standing, parking, compliance, automated speed enforcement system, or automated traffic law violations; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from any municipality or county stating that the owner of a registered vehicle: (1) has failed to pay any fine or penalty due and owing as a result of 10 or more violations of a municipality's or county's

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vehicular standing, parking, or compliance regulations established by ordinance pursuant to Section 11-208.3 of this Code, (2) has failed to pay any fine or penalty due and owing as a result of 5 offenses for automated speed enforcement system violations or automated traffic violations as defined in Sections 11-208.6, 11-208.8, 11-208.9, or 11-1201.1, or combination thereof, or (3) is more than 14 days in default of a payment plan pursuant to which a suspension had been terminated under subsection (c) of this Section, the Secretary of State shall suspend the driving privileges of such person in accordance with the procedures set forth in this Section. The Secretary shall also suspend the driving privileges of an owner of a registered vehicle upon receipt of a certified report, as prescribed by subsection (f) of this Section, from any municipality or county stating that such person has failed to satisfy any fines or penalties imposed by final judgments for 5 or more automated speed enforcement system or automated traffic law violations, or combination thereof, or 10 or more violations of local standing, parking, or compliance regulations after exhaustion of judicial review procedures.

(b) Following receipt of the certified report of the municipality or county as specified in this Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's drivers license will be suspended at the end of a specified period of time unless the Secretary of State is presented with a notice from the municipality or county certifying that the fine or penalty due and owing the municipality or county has been paid or that inclusion of that person's name on the certified report was in error. The Secretary's notice shall state in substance the information contained in the municipality's or county's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code.

(c) The report of the appropriate municipal or county official notifying the Secretary of State of unpaid fines or penalties pursuant to this Section shall be certified and shall contain the following:

(1) The name, last known address as recorded with the Secretary of State, as provided by the lessor of the cited vehicle at the time of lease, or as recorded in a United States Post Office approved database if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, and drivers license number of the person who failed to pay the fine or penalty or who has defaulted in a payment plan and the registration number of any vehicle known to be registered to such person in this State.
(2) The name of the municipality or county making the report pursuant to this Section.

(3) A statement that the municipality or county sent a notice of impending drivers license suspension as prescribed by ordinance enacted pursuant to Section 11-208.3 of this Code or a notice of default in a payment plan, to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, at the last known address recorded in a United States Post Office approved database; the date on which such notice was sent; and the address to which such notice was sent. In a municipality or county with a population of 1,000,000 or more, the report shall also include a statement that the alleged violator's State vehicle registration number and vehicle make, if specified on the automated speed enforcement system violation or automated traffic law violation notice, are correct as they appear on the citations.

(4) A unique identifying reference number for each request of suspension sent whenever a person has failed to pay the fine or penalty or has defaulted on a payment plan.

(d) Any municipality or county making a certified report to the Secretary of State pursuant to this Section shall notify the Secretary of State, in a form prescribed by the Secretary, whenever a person named in the certified report has paid the previously reported fine or penalty, whenever a person named in the certified report has entered into a payment plan pursuant to which the municipality or county has agreed to terminate the suspension, or whenever the municipality or county determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the municipality's or county's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.

(e) Any municipality or county making a certified report to the Secretary of State pursuant to this Section shall also by ordinance establish procedures for persons to challenge the accuracy of the certified report. The ordinance shall also state the grounds for such a challenge, which may be limited to (1) the person not having been the owner or lessee of the vehicle or vehicles receiving 10 or more standing, parking, or compliance violation notices or a combination of 5 or more automated speed

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enforcement system or automated traffic law violations on the date or
dates such notices were issued; and (2) the person having already paid the
fine or penalty for the 10 or more standing, parking, or compliance
violations or combination of 5 or more automated speed enforcement
system or automated traffic law violations indicated on the certified report.

(f) Any municipality or county, other than a municipality or county
establishing vehicular standing, parking, and compliance regulations
pursuant to Section 11-208.3, automated speed enforcement system
regulations under Section 11-208.8, or automated traffic law regulations
under Section 11-208.6, 11-208.9, or 11-1201.1, may also cause a
suspension of a person's drivers license pursuant to this Section. Such
municipality or county may invoke this sanction by making a certified
report to the Secretary of State upon a person's failure to satisfy any fine or
penalty imposed by final judgment for 10 or more violations of local
standing, parking, or compliance regulations or a combination of 5 or
more automated speed enforcement system or automated traffic law
violations after exhaustion of judicial review procedures, but only if:

(1) the municipality or county complies with the provisions
of this Section in all respects except in regard to enacting an
ordinance pursuant to Section 11-208.3;

(2) the municipality or county has sent a notice of
impending drivers license suspension as prescribed by an
ordinance enacted pursuant to subsection (g) of this Section; and

(3) in municipalities or counties with a population of
1,000,000 or more, the municipality or county has verified that the
alleged violator's State vehicle registration number and vehicle
make are correct as they appear on the citations.

(g) Any municipality or county, other than a municipality or county
establishing standing, parking, and compliance regulations pursuant to
Section 11-208.3, automated speed enforcement system regulations under
Section 11-208.8, or automated traffic law regulations under Section 11-
208.6, 11-208.9, or 11-1201.1, may provide by ordinance for the sending
of a notice of impending drivers license suspension to the person who has
failed to satisfy any fine or penalty imposed by final judgment for 10 or
more violations of local standing, parking, or compliance regulations or a
combination of 5 or more automated speed enforcement system or
automated traffic law violations after exhaustion of judicial review
procedures. An ordinance so providing shall specify that the notice sent to
the person liable for any fine or penalty shall state that failure to pay the

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fine or penalty owing within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person's drivers license is eligible for suspension pursuant to this Section. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(h) An administrative hearing to contest an impending suspension or a suspension made pursuant to this Section may be had upon filing a written request with the Secretary of State. The filing fee for this hearing shall be $20, to be paid at the time the request is made. A municipality or county which files a certified report with the Secretary of State pursuant to this Section shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of the report, including but not limited to the costs of providing the notice required pursuant to subsection (b) and the costs incurred by the Secretary in any hearing conducted with respect to the report pursuant to this subsection and any appeal from such a hearing.

(i) The provisions of this Section shall apply on and after January 1, 1988.

(j) For purposes of this Section, the term "compliance violation" is defined as in Section 11-208.3.

(Source: P.A. 96-478, eff. 1-1-10; 96-1184, eff. 7-22-10; 96-1386, eff. 7-29-10; 97-333, eff. 8-12-11; 97-672, eff. 7-1-12.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;

2. Regulating traffic by means of police officers or traffic control signals;

3. Regulating or prohibiting processions or assemblages on the highways;

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4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;

6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;

7. Restricting the use of highways as authorized in Chapter 15;

8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;

9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

10. Altering the speed limits as authorized in Section 11-604;

11. Prohibiting U-turns;

12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;

13. Prohibiting parking during snow removal operation;

14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;

15. Adopting such other traffic regulations as are specifically authorized by this Code; or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.
(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.
system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(Source: P.A. 96-478, eff. 1-1-10; 96-1256, eff. 1-1-11; 97-29, eff. 1-1-12; 97-672, eff. 7-1-12.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles, automated traffic law violations, and automated speed enforcement system violations.

(a) Any municipality or county may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as described in this subsection, automated traffic law violations as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and automated speed enforcement system violations as defined in Section 11-208.8. The administrative system shall have as its purpose the fair and efficient enforcement of municipal or county regulations through the administrative adjudication of automated speed enforcement system or automated traffic law violations and violations of municipal or county ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal or county wheel tax licenses within the municipality's or county's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of $500 or requiring the completion of a traffic education program, or both, that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal or county regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal or county wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, compliance, and automated speed enforcement system or automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated speed enforcement system or automated traffic law violations, and operate an administrative adjudication system. The

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traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice that shall specify the date, time, and place of violation of a parking, standing, compliance, automated speed enforcement system, or automated traffic law regulation; the particular regulation violated; any requirement to complete a traffic education program; the fine and any penalty that may be assessed for late payment or failure to complete a required traffic education program, or both, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to automated speed enforcement system or automated traffic law violations, vehicle make shall be specified on the automated speed enforcement system or automated traffic law violation notice if the make is available and readily discernible. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make specified is incorrect. The violation notice shall state that the completion of any required traffic education program, the payment of any indicated fine, and the payment of any applicable penalty for late payment or failure to complete a required traffic education program, or both, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated speed enforcement system or automated traffic law violation notice by mail to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the violation, except that in the case of a

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lessee of a motor vehicle, service of an automated traffic law violation notice may occur no later than 210 days after the violation. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. In municipalities with a population of less than 1,000,000 inhabitants and counties with a population of less than 3,000,000 inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation. In municipalities with a population of 1,000,000 or more inhabitants and counties with a population of 3,000,000 or more inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation or by an additional fully-trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. In the case of an automated speed enforcement system violation, the ordinance shall require a determination by a technician employed by the municipality, based upon an inspection of recorded images, video or other documentation, including
documentation of the speed limit and automated speed enforcement signage, and documentation of the inspection, calibration, and certification of the speed equipment, that the vehicle was being operated in violation of Article VI of Chapter 11 of this Code or a similar local ordinance. If the technician determines that the vehicle speed was not determined by a calibrated, certified speed equipment device based upon the speed equipment documentation, or if the vehicle was an emergency vehicle, a citation may not be issued. The automated speed enforcement ordinance shall require that all determinations by a technician that a violation occurred be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality issuing the violation or by an additional fully trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. Routine and independent calibration of the speeds produced by automated speed enforcement systems and equipment shall be conducted by a qualified technician. Speeds produced by an automated speed enforcement system shall be compared with speeds produced by lidar or other independent equipment. Qualified technicians shall test radar or lidar equipment no less frequently than once each week, and shall test loop based equipment no less frequently than once a year. Radar equipment shall be checked for accuracy by a qualified technician when the unit is serviced, when unusual or suspect readings persist, or when deemed necessary by a reviewing technician. Radar equipment shall be checked with certified tuning forks, the internal circuit test, and diode display test whenever the radar is turned on. Technicians must be alert for any unusual or suspect readings, and if unusual or suspect readings of a radar unit persist, that unit shall immediately be removed from service and not returned to service until it has been checked by a qualified technician and determined to be functioning properly. Documentation of the calibration results, including the equipment tested, test date, technician performing the test, and test results, shall be maintained and available for use in the determination of an automated speed enforcement system violation and issuance of a citation. The technician performing the calibration and testing of the automated speed enforcement equipment shall be trained and certified in the use of equipment for

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speed enforcement purposes. Training on the speed enforcement equipment may be conducted by law enforcement, civilian, or manufacturer's personnel and shall be equivalent to the equipment use and operations training included in the Speed Measuring Device Operator Program developed by the National Highway Traffic Safety Administration (NHTSA). The technician who performs the work shall keep accurate records on each piece of equipment the technician calibrates and tests. As used in this paragraph, "fully-trained reviewing technician" means a person who has received at least 40 hours of supervised training in subjects which shall include image inspection and interpretation, the elements necessary to prove a violation, license plate identification, and traffic safety and management. In all municipalities and counties, the automated speed enforcement system or automated traffic law ordinance shall require that no additional fee shall be charged to the alleged violator for exercising his or her right to an administrative hearing, and persons shall be given at least 25 days following an administrative hearing to pay any civil penalty imposed by a finding that Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a similar local ordinance has been violated. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice

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likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 or subsection (p) of Section 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of parking, standing, or compliance violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make and state registration number, any requirement to complete a traffic education program, the fine and any penalty that may be assessed for late payment or failure to complete a traffic education program, or both, when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure to complete a required traffic education program, to pay the indicated fine and any applicable penalty, or to appear at a
hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any incomplete traffic education program or any unpaid fine or penalty, or both, will constitute a debt due and owing the municipality or county.

(ii) A notice of final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the incomplete traffic education program or the unpaid fine or penalty, or both, is a debt due and owing the municipality or county. The notice shall contain warnings that failure to complete any required traffic education program or to pay any fine or penalty due and owing the municipality or county, or both, within the time specified may result in the municipality's or county's filing of a petition in the Circuit Court to have the incomplete traffic education program or unpaid fine or penalty, or both, rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to complete a traffic education program or to pay fines or penalties, or both, for 10 or more parking violations under Section 6-306.5, or a combination of 5 or more automated traffic law violations under Section 11-208.6 or 11-208.9 or automated speed enforcement system violations under Section 11-208.8.

(6) A notice of impending drivers license suspension. This notice shall be sent to the person liable for failure to complete a required traffic education program or to pay any fine or penalty that remains due and owing, or both, on 10 or more parking violations or combination of 5 or more unpaid automated speed enforcement
system or automated traffic law violations. The notice shall state that failure to complete a required traffic education program or to pay the fine or penalty owing, or both, within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality or county along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to complete the required traffic education program or to pay the fine or penalty, or both, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. A petition to set aside a determination of liability may also be filed by a person required to complete a traffic education program. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already completed the required traffic education program or paid the fine or penalty, or

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both, for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number, or vehicle make if specified, is incorrect. After the determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality or county may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines or failure to complete required traffic education programs, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality or county establishing vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed

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enforcement system, or automated traffic law violation liability, or both, as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability, or both, listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without the completion of the required traffic education program or payment of the outstanding fines and penalties on parking, standing, compliance, automated speed enforcement system, or automated traffic law violations, or both, for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, incomplete traffic education program, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality or county and, as such, may be collected in accordance with applicable law. Completion of any required traffic education program and payment in full of any fine or penalty resulting from a standing, parking, compliance, automated speed enforcement system, or automated traffic law violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, the municipality or county may commence a proceeding in the Circuit

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Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality or county from consolidating multiple final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality or county shall file a certified copy or record of the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal or county ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations does not exceed $2500. If the court is satisfied that the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation was entered in accordance with the requirements of this Section and the applicable municipal or county ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality or county and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(g) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(Source: P.A. 96-288, eff. 8-11-09; 96-478, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1016, eff. 1-1-11; 96-1386, eff. 7-29-10; 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672, eff. 7-1-12.)

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Sec. 11-208.9. Automated traffic law enforcement system; approaching, overtaking, and passing a school bus.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with the visual signals on a school bus, as specified in Sections 12-803 and 12-805 of this Code, to produce recorded images of motor vehicles that fail to stop before meeting or overtaking, from either direction, any school bus stopped at any location for the purpose of receiving or discharging pupils in violation of Section 11-1414 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

1. 2 or more photographs;
2. 2 or more microphotographs;
3. 2 or more electronic images; or
4. a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle.

(c) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automated traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(e) The notice required under subsection (d) shall include:

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(1) the name and address of the registered owner of the vehicle;
(2) the registration number of the motor vehicle involved in the violation;
(3) the violation charged;
(4) the location where the violation occurred;
(5) the date and time of the violation;
(6) a copy of the recorded images;
(7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;
(8) a statement that recorded images are evidence of a violation of overtaking or passing a school bus stopped for the purpose of receiving or discharging pupils;
(9) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle;
(10) a statement that the person may elect to proceed by:
   (A) paying the fine; or
   (B) challenging the charge in court, by mail, or by administrative hearing; and
(11) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(f) If a person charged with a traffic violation, as a result of an automated traffic law enforcement system under this Section, does not pay the fine or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to pay any fine or penalty due and owing as a result of a combination of 5 violations of the automated traffic law enforcement system or the automated speed enforcement system under Section 11-208.8 of this Code.

(g) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(h) Recorded images made by an automated traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for
purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(i) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a violation of Section 11-1414 of this Code within one-eighth of a mile and 15 minutes of the violation that was recorded by the system;

(3) that the visual signals required by Sections 12-803 and 12-805 of this Code were damaged, not activated, not present in violation of Sections 12-803 and 12-805, or inoperable; and

(4) any other evidence or issues provided by municipal or county ordinance.

(j) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(k) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $150 for a first time violation or $500 for a second or subsequent violation, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle, but may be recorded by the municipality or county for the purpose of determining if a person is subject to the higher fine for a second or subsequent offense.
(l) A school bus equipped with an automated traffic law enforcement system must be posted with a sign indicating that the school bus is being monitored by an automated traffic law enforcement system.

(m) A municipality or county that has one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting a list of school districts using school buses equipped with an automated traffic law enforcement system on the municipality or county website. School districts that have one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting that information on their websites.

(n) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact in each school district using school buses equipped with an automated traffic law enforcement system following installation of the system. The statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. The statistical analysis shall be consistent with professional judgment and acceptable industry practice. The statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. The statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality or county. If the statistical analysis for the 36-month period following installation of the system indicates that there has been an increase in the rate of accidents at the approach to school buses monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents involving school buses equipped with an automated traffic law enforcement system.

(o) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic
law enforcement system violation involving such motor vehicle during the
period of the lease; provided that upon the request of the appropriate
authority received within 120 days after the violation occurred, the lessor
provides within 60 days after such receipt the name and address of the
lessee. The drivers license number of a lessee may be subsequently
individually requested by the appropriate authority if needed for
enforcement of this Section.

Upon the provision of information by the lessor pursuant to this
subsection, the county or municipality may issue the violation to the lessee
of the vehicle in the same manner as it would issue a violation to a
registered owner of a vehicle pursuant to this Section, and the lessee may
be held liable for the violation.

(q) A municipality or county shall make a certified report to the
Secretary of State pursuant to Section 6-306.5 of this Code whenever a
registered owner of a vehicle has failed to pay any fine or penalty due and
owing as a result of a combination of 5 offenses for automated traffic law
or speed enforcement system violations.

(r) After a municipality or county enacts an ordinance providing
for automated traffic law enforcement systems under this Section, each
school district within that municipality or county's jurisdiction may
implement an automated traffic law enforcement system under this
Section. The elected school board for that district must approve the
implementation of an automated traffic law enforcement system. The
school district shall be responsible for entering into a contract, approved
by the elected school board of that district, with vendors for the
installation, maintenance, and operation of the automated traffic law
enforcement system. The school district must enter into an
intergovernmental agreement, approved by the elected school board of
that district, with the municipality or county with jurisdiction over that
school district for the administration of the automated traffic law
enforcement system. The proceeds from a school district's automated
traffic law enforcement system's fines shall be divided equally between the
school district and the municipality or county administering the automated
traffic law enforcement system.

Approved August 27, 2013.
Effective January 1, 2014.
AN ACT concerning civil law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Code of Civil Procedure is amended by changing Sections 2-1402, 2-1602, 12-101, and 12-705 as follows:

(735 ILCS 5/2-1402) (from Ch. 110, par. 2-1402)
Sec. 2-1402. Supplementary proceedings.
(a) A judgment creditor, or his or her successor in interest when that interest is made to appear of record, is entitled to prosecute supplementary proceedings for the purposes of examining the judgment debtor or any other person to discover assets or income of the debtor not exempt from the enforcement of the judgment, a deduction order or garnishment, and of compelling the application of non-exempt assets or income discovered toward the payment of the amount due under the judgment. A supplementary proceeding shall be commenced by the service of a citation issued by the clerk. The procedure for conducting supplementary proceedings shall be prescribed by rules. It is not a prerequisite to the commencement of a supplementary proceeding that a certified copy of the judgment has been returned wholly or partly unsatisfied. All citations issued by the clerk shall have the following language, or language substantially similar thereto, stated prominently on the front, in capital letters: "IF YOU FAIL TO APPEAR IN COURT AS DIRECTED IN THIS NOTICE, YOU MAY BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL." The court shall not grant a continuance of the supplementary proceeding except upon good cause shown.

(b) Any citation served upon a judgment debtor or any other person shall include a certification by the attorney for the judgment creditor or the judgment creditor setting forth the amount of the judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court, and the number of the case, and a copy of the citation notice required by this subsection. Whenever a citation is served upon a person or party other than the judgment debtor, the officer or person serving the citation shall send to the judgment debtor, within three business days of

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the service upon the cited party, a copy of the citation and the citation notice, which may be sent by regular first-class mail to the judgment debtor's last known address. In no event shall a citation hearing be held sooner than five business days after the mailing of the citation and citation notice to the judgment debtor, except by agreement of the parties. The citation notice need not be mailed to a corporation, partnership, or association. The citation notice shall be in substantially the following form:

"CITATION NOTICE

(Name and address of Court)

Name of Case: (Name of Judgment Creditor),

    Judgment Creditor v.

    (Name of Judgment Debtor),

    Judgment Debtor.

Address of Judgment Debtor: (Insert last known address)

Name and address of Attorney for Judgment Creditor or of Judgment Creditor (If no attorney is listed): (Insert name and address)

Amount of Judgment: $ (Insert amount)

Name of Person Receiving Citation: (Insert name)

Court Date and Time: (Insert return date and time specified in citation)

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. The JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

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(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed $4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed $2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed $1,500 in value, in any implements, professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of $15,000, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a wage deduction summons served on or after January 1, 2006, the Illinois minimum hourly wage, whichever is greater.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at (insert address of clerk). When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor.
creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail."

(b-1) Any citation served upon a judgment debtor who is a natural person shall be served by personal service or abode service as provided in Supreme Court Rule 105 and shall include a copy of the Income and Asset Form set forth in subsection (b-5).

(b-5) The Income and Asset Form required to be served by the judgment creditor in subsection (b-1) shall be in substantially the following form:

INCOME AND ASSET FORM

To Judgment Debtor: Please complete this form and bring it with you to the hearing referenced in the enclosed citation notice. You should also bring to the hearing any documents you have to support the information you provide in this form, such as pay stubs and account statements. The information you provide will help the court determine whether you have any property or income that can be used to satisfy the judgment entered against you in this matter. The information you provide must be accurate to the best of your knowledge.

If you fail to appear at this hearing, you could be held in contempt of court and possibly arrested.

In answer to the citation and supplemental proceedings served upon the judgment debtor, he or she answers as follows:

Name:...............
Home Phone Number:............
Home Address:....................
Date of Birth:....................
Marital Status:....................
I have.........dependents.
Do you have a job? YES NO
Company's name I work for:....................
Company's address:..............................
Job:

I earn $....... per......
If self employed, list here your business name and address:

.............................................
Income from self employment is $....... per year.

I have the following benefits with my employer:

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I do not have a job, but I support myself through:
  Government Assistance $........ per month
  Unemployment $........ per month
  Social Security $........ per month
  SSI $........ per month
  Pension $........ per month
  Other $........ per month

Real Estate:
Do you own any real estate? YES NO
I own real estate at ........, with names of other owners

Additional real estate I own:..................
  I have a beneficial interest in a land trust. The name and address of the trustee is:........... The beneficial interest is listed in my name and..................
  There is a mortgage on my real estate. State the mortgage company's name and address for each parcel of real estate owned:

An assignment of beneficial interest in the land trust was signed to secure a loan from..................

I have the following accounts:
  Checking account at ........;
    account balance $......
  Savings account at ........;
    account balance $......
  Money market or certificate of deposit at....
  Safe deposit box at..........................
  Other accounts (please identify):..........

I own:
  A vehicle (state year, make, model, and VIN):.
  Jewelry (please specify):..................
Other property described as:..................
  Stocks/Bonds..................
  Personal computer............
  DVD player..................
  Television..................

New matter indicated by italics - deletions by strikeout
Stove
Microwave
Work tools
Business equipment
Farm equipment
Other property (please specify):

Signature:

(b-10) Any action properly initiated under this Section may proceed notwithstanding an absent or incomplete Income and Asset Form, and a judgment debtor may be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest.

(c) When assets or income of the judgment debtor not exempt from the satisfaction of a judgment, a deduction order or garnishment are discovered, the court may, by appropriate order or judgment:

(1) Compel the judgment debtor to deliver up, to be applied in satisfaction of the judgment, in whole or in part, money, choses in action, property or effects in his or her possession or control, so discovered, capable of delivery and to which his or her title or right of possession is not substantially disputed.

(2) Compel the judgment debtor to pay to the judgment creditor or apply on the judgment, in installments, a portion of his or her income, however or whenever earned or acquired, as the court may deem proper, having due regard for the reasonable requirements of the judgment debtor and his or her family, if dependent upon him or her, as well as any payments required to be made by prior order of court or under wage assignments outstanding; provided that the judgment debtor shall not be compelled to pay income which would be considered exempt as wages under the Wage Deduction Statute. The court may modify an order for installment payments, from time to time, upon application of either party upon notice to the other.

(3) Compel any person cited, other than the judgment debtor, to deliver up any assets so discovered, to be applied in satisfaction of the judgment, in whole or in part, when those assets are held under such circumstances that in an action by the judgment debtor he or she could recover them in specie or obtain a judgment for the proceeds or value thereof as for conversion or
embezzlement. A judgment creditor may recover a corporate judgment debtor's property on behalf of the judgment debtor for use of the judgment creditor by filing an appropriate petition within the citation proceedings.

(4) Enter any order upon or judgment against the person cited that could be entered in any garnishment proceeding.

(5) Compel any person cited to execute an assignment of any chose in action or a conveyance of title to real or personal property or resign memberships in exchanges, clubs, or other entities in the same manner and to the same extent as a court could do in any proceeding by a judgment creditor to enforce payment of a judgment or in aid of the enforcement of a judgment.

(6) Authorize the judgment creditor to maintain an action against any person or corporation that, it appears upon proof satisfactory to the court, is indebted to the judgment debtor, for the recovery of the debt, forbid the transfer or other disposition of the debt until an action can be commenced and prosecuted to judgment, direct that the papers or proof in the possession or control of the debtor and necessary in the prosecution of the action be delivered to the creditor or impounded in court, and provide for the disposition of any moneys in excess of the sum required to pay the judgment creditor's judgment and costs allowed by the court.

(c-5) If a citation is directed to a judgment debtor who is a natural person, no payment order shall be entered under subsection (c) unless the Income and Asset Form was served upon the judgment debtor as required by subsection (b-1), the judgment debtor has had an opportunity to assert exemptions, and the payments are from non-exempt sources.

(d) No order or judgment shall be entered under subsection (c) in favor of the judgment creditor unless there appears of record a certification of mailing showing that a copy of the citation and a copy of the citation notice was mailed to the judgment debtor as required by subsection (b).

(d-5) If upon examination the court determines that the judgment debtor does not possess any non-exempt income or assets, then the citation shall be dismissed.

(e) All property ordered to be delivered up shall, except as otherwise provided in this Section, be delivered to the sheriff to be collected by the sheriff or sold at public sale and the proceeds thereof applied towards the payment of costs and the satisfaction of the judgment. If the judgment debtor's property is of such a nature that it is not readily

New matter indicated by italics - deletions by strikeout
delivered up to the sheriff for public sale or if another method of sale is more appropriate to liquidate the property or enhance its value at sale, the court may order the sale of such property by the debtor, third party respondent, or by a selling agent other than the sheriff upon such terms as are just and equitable. The proceeds of sale, after deducting reasonable and necessary expenses, are to be turned over to the creditor and applied to the balance due on the judgment.

(f) (1) The citation may prohibit the party to whom it is directed from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from the enforcement of a judgment therefrom, a deduction order or garnishment, belonging to the judgment debtor or to which he or she may be entitled or which may thereafter be acquired by or become due to him or her, and from paying over or otherwise disposing of any moneys not so exempt which are due or to become due to the judgment debtor, until the further order of the court or the termination of the proceeding, whichever occurs first. The third party may not be obliged to withhold the payment of any moneys beyond double the amount of the balance due sought to be enforced by the judgment creditor. The court may punish any party who violates the restraining provision of a citation as and for a contempt, or if the party is a third party may enter judgment against him or her in the amount of the unpaid portion of the judgment and costs allowable under this Section, or in the amount of the value of the property transferred, whichever is lesser.

(2) The court may enjoin any person, whether or not a party to the supplementary proceeding, from making or allowing any transfer or other disposition of, or interference with, the property of the judgment debtor not exempt from the enforcement of a judgment, a deduction order or garnishment, or the property or debt not so exempt concerning which any person is required to attend and be examined until further direction in the premises. The injunction order shall remain in effect until vacated by the court or until the proceeding is terminated, whichever first occurs.

(g) If it appears that any property, chose in action, credit or effect discovered, or any interest therein, is claimed by any person, the court shall, as in garnishment proceedings, permit or require the claimant to appear and maintain his or her right. The rights of the person cited and the
rights of any adverse claimant shall be asserted and determined pursuant to the law relating to garnishment proceedings.

(h) Costs in proceedings authorized by this Section shall be allowed, assessed and paid in accordance with rules, provided that if the court determines, in its discretion, that costs incurred by the judgment creditor were improperly incurred, those costs shall be paid by the judgment creditor.

(i) This Section is in addition to and does not affect enforcement of judgments or proceedings supplementary thereto, by any other methods now or hereafter provided by law.

(j) This Section does not grant the power to any court to order installment or other payments from, or compel the sale, delivery, surrender, assignment or conveyance of any property exempt by statute from the enforcement of a judgment thereon, a deduction order, garnishment, attachment, sequestration, process or other levy or seizure.

(k) (Blank).

(k-3) The court may enter any order upon or judgment against the respondent cited that could be entered in any garnishment proceeding under Part 7 of Article XII of this Code. This subsection (k-3) shall be construed as being declarative of existing law and not as a new enactment.

(k-5) If the court determines that any property held by a third party respondent is wages pursuant to Section 12-801, the court shall proceed as if a wage deduction proceeding had been filed and proceed to enter such necessary and proper orders as would have been entered in a wage deduction proceeding including but not limited to the granting of the statutory exemptions allowed by Section 12-803 and all other remedies allowed plaintiff and defendant pursuant to Part 8 of Article 12 of this Act.

(k-10) If a creditor discovers personal property of the judgment debtor that is subject to the lien of a citation to discover assets, the creditor may have the court impress a lien against a specific item of personal property, including a beneficial interest in a land trust. The lien survives the termination of the citation proceedings and remains as a lien against the personal property in the same manner that a judgment lien recorded against real property pursuant to Section 12-101 remains a lien on real property. If the judgment is revived before dormancy, the lien shall remain. A lien against personal property may, but need not, be recorded in the office of the recorder or filed as an informational filing pursuant to the Uniform Commercial Code.
(l) At any citation hearing at which the judgment debtor appears and seeks a declaration that certain of his or her income or assets are exempt, the court shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. At any time before the return date specified on the citation, the judgment debtor may request, in writing, a hearing to declare exempt certain income and assets by notifying the clerk of the court before that time, using forms as may be provided by the clerk of the court. The clerk of the court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor, or the judgment creditor's attorney, regarding the time and location of the hearing. This notice may be sent by regular first class mail. At the hearing, the court shall immediately, unless for good cause shown that the hearing is to be continued, shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. The restraining provisions of subsection (f) shall not apply to any property determined by the court to be exempt.

(m) The judgment or balance due on the judgment becomes a lien when a citation is served in accordance with subsection (a) of this Section. The lien binds nonexempt personal property, including money, choses in action, and effects of the judgment debtor as follows:

(1) When the citation is directed against the judgment debtor, upon all personal property belonging to the judgment debtor in the possession or control of the judgment debtor or which may thereafter be acquired or come due to the judgment debtor to the time of the disposition of the citation.

(2) When the citation is directed against a third party, upon all personal property belonging to the judgment debtor in the possession or control of the third party or which thereafter may be acquired or come due the judgment debtor and comes into the possession or control of the third party to the time of the disposition of the citation.

The lien established under this Section does not affect the rights of citation respondents in property prior to the service of the citation upon them and does not affect the rights of bona fide purchasers or lenders without notice of the citation. The lien is effective for the period specified by Supreme Court Rule.

New matter indicated by italics - deletions by strikeout
This subsection (m), as added by Public Act 88-48, is a declaration of existing law.

(n) If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect the provisions or applications of the Act that can be given effect without the invalid provision or application.

(o) The changes to this Section made by this amendatory Act of the 97th General Assembly apply only to supplementary proceedings commenced under this Section on or after the effective date of this amendatory Act of the 97th General Assembly. The requirements or limitations set forth in subsections (b-1), (b-5), (b-10), (c-5), and (d-5) do not apply to the enforcement of any order or judgment resulting from an adjudication of a municipal ordinance violation that is subject to Supreme Court Rules 570 through 579, or from an administrative adjudication of such an ordinance violation.

(Source: P.A. 97-350, eff. 1-1-12; 97-848, eff. 7-25-12.)

(735 ILCS 5/2-1602)

Sec. 2-1602. Revival of judgment.

(a) A judgment may be revived by filing a petition to revive the judgment in the seventh year after its entry, or in the seventh year after its last revival, or in the twentieth year after its entry, or at any other time within 20 years after its entry if the judgment becomes dormant. The provisions of this amendatory Act of the 96th General Assembly are declarative of existing law.

(b) A petition to revive a judgment shall be filed in the original case in which the judgment was entered. The petition shall include a statement as to the original date and amount of the judgment, court costs expended, accrued interest, and credits to the judgment, if any.

(c) Service of notice of the petition to revive a judgment shall be made in accordance with Supreme Court Rule 106.

(d) An order reviving a judgment shall be for the original amount of the judgment. The plaintiff may recover interest and court costs from the date of the original judgment. Credits to the judgment shall be reflected by the plaintiff in supplemental proceedings or execution.

(e) If a judgment debtor has filed for protection under the United States Bankruptcy Code and failed to successfully adjudicate and remove a lien filed by a judgment creditor, then the judgment may be revived only as to the property to which a lien attached before the filing of the bankruptcy action.

New matter indicated by italics - deletions by strikeout
(f) A judgment may be revived as to fewer than all judgment debtors, and such order for revival of judgment shall be final, appealable, and enforceable.

(g) This Section does not apply to a child support judgment or to a judgment recovered in an action for damages for an injury described in Section 13-214.1, which need not be revived as provided in this Section and which may be enforced at any time as provided in Section 12-108.

(h) If a judgment becomes dormant during the pendency of an enforcement proceeding against wages under Part 14 of this Article or under Article XII, the enforcement may continue to conclusion without revival of the underlying judgment so long as the enforcement is done under court supervision and includes a wage deduction order or turn over order and is against an employer, garnishee, or other third party respondent.

(Source: P.A. 96-305, eff. 8-11-09; 97-350, eff. 1-1-12.)

(735 ILCS 5/12-101) (from Ch. 110, par. 12-101)

Sec. 12-101. Lien of judgment. With respect to the creation of liens on real estate by judgments, all real estate in the State of Illinois is divided into 2 classes.

The first class consists of all real property, the title to which is registered under "An Act concerning land titles", approved May 1, 1897, as amended.

The second class consists of all real property not registered under "An Act concerning land titles".

As to real estate in class one, a judgment is a lien on the real estate of the person against whom it is entered for the same period as in class two, when Section 85 of "An Act concerning land titles", has been complied with.

As to real estate included within class two, a judgment is a lien on the real estate of the person against whom it is entered in any county in this State, including the county in which it is entered, only from the time a transcript, certified copy or memorandum of the judgment is filed in the office of the recorder in the county in which the real estate is located. The lien may be foreclosed by an action brought in the name of the judgment creditor or its assignee of record under Article XV in the same manner as a mortgage of real property, except that the redemption period shall be 6 months from the date of sale and the real estate homestead exemption under Section 12-901 shall apply. A judgment resulting from the entry of an order requiring child support payments shall be a lien upon the real estate.
estate of the person obligated to make the child support payments, but shall not be enforceable in any county of this State until a transcript, certified copy, or memorandum of the lien is filed in the office of the recorder in the county in which the real estate is located. Any lien hereunder arising out of an order for support shall be a lien only as to and from the time that an installment or payment is due under the terms of the order. Further, the order for support shall not be a lien on real estate to the extent of payments made as evidenced by the records of the Clerk of the Circuit Court or State agency receiving payments pursuant to the order. In the event payments made pursuant to that order are not paid to the Clerk of the Circuit Court or a State agency, then each lien imposed by this Section may be released in the following manner:

(a) A Notice of Filing and an affidavit stating that all installments of child support required to be paid pursuant to the order under which the lien or liens were imposed have been paid shall be filed with the office of recorder in each county in which each such lien appears of record, together with proof of service of such notice and affidavit upon the recipient of such payments.

(b) Service of such affidavit shall be by any means authorized under Sections 2-203 and 2-208 of the Code of Civil Procedure or under Supreme Court Rules 11 or 105(b).

(c) The Notice of Filing shall set forth the name and address of the judgment debtor and the judgment creditor, the court file number of the order giving rise to the judgment and, in capital letters, the following statement:

YOU ARE HEREBY NOTIFIED THAT ON (insert date) THE ATTACHED AFFIDAVIT WAS FILED IN THE OFFICE OF THE RECORDER OF .... COUNTY, ILLINOIS, WHOSE ADDRESS IS .........., ILLINOIS. IF, WITHIN 28 DAYS OF THE DATE OF THIS NOTICE, YOU FAIL TO FILE AN AFFIDAVIT OBJECTING TO THE RELEASE OF THE STATED JUDGMENT LIEN OR LIENS, IN THE ABOVE OFFICE, SUCH JUDGMENT LIEN WILL BE DEEMED TO BE RELEASED AND NO LONGER SUBJECT TO FORECLOSURE. THIS RELEASE OF LIEN WILL NOT ACT AS A SATISFACTION OF SUCH JUDGMENT.

(d) If no affidavit objecting to the release of the lien or liens is filed within 28 days of the Notice described in paragraph (c) of
this Section such lien or liens shall be deemed to be released and no longer subject to foreclosure.

A judgment is not a lien on real estate for longer than 7 years from the time it is entered or revived, unless the judgment is revived within 7 years after its entry or last revival and a new memorandum of judgment is recorded prior to the judgment and its recorded memorandum of judgment becoming dormant.

When a judgment is revived it is a lien on the real estate of the person against whom it was entered in any county in this State from the time a transcript, certified copy or memorandum of the order of revival is filed in the office of the recorder in the county in which the real estate is located.

A foreign judgment registered or filed pursuant to Sections 12-630 through 12-672 of this Act is a lien upon the real estate of the person against whom it was entered only from the time (1) a copy of the affidavit required by Section 12-653 with a copy certified copy of the verified petition for registration of the foreign judgment attached showing the filing in a court of this State or (2) a transcript, certified copy or memorandum of a final judgment of the court of this State entered on an action to enforce a that foreign judgment is filed in the office of the recorder in the county in which the real estate is located. However, no such judgment shall be a lien on any real estate registered under "An Act concerning land titles", as amended, until Section 85 of that Act has been complied with.

The release of any transcript, certified copy or memorandum of judgment or order of revival which has been recorded shall be filed by the person receiving the release in the office of the recorder in which such judgment or order has been recorded.

Such release shall contain in legible letters a statement as follows:

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE LIEN WAS FILED.

The term "memorandum" as used in this Section means a memorandum or copy of the judgment signed by a judge or a copy attested by the clerk of the court entering it and showing the court in which entered, date, amount, number of the case in which it was entered, name of the party in whose favor and name and last known address of the party against whom entered. If the address of the party against whom the
judgment was entered is not known, the memorandum or copy of judgment shall so state.

The term "memorandum" as used in this Section also means a memorandum or copy of a child support order signed by a judge or a copy attested by the clerk of the court entering it or a copy attested by the administrative body entering it.

This Section shall not be construed as showing an intention of the legislature to create a new classification of real estate, but shall be construed as showing an intention of the legislature to continue a classification already existing.

(Source: P.A. 97-350, eff. 1-1-12.)

(735 ILCS 5/12-705) (from Ch. 110, par. 12-705)
Sec. 12-705. Summons.

(a) Summons shall be returnable not less than 21 nor more than 30 days after the date of issuance. Summons with 4 copies of the interrogatories shall be served and returned as in other civil cases. If the garnishee is served with summons less than 10 days prior to the return date, the court shall continue the case to a new return date 14 days after the return date stated on the summons. The summons shall be in a form consistent with local court rules. The summons shall be accompanied by a copy of the underlying judgment or a certification by the clerk of the court that entered the judgment, or by the attorney for the judgment creditor, setting forth the amount of the judgment, the name of the court and the number of the case and one copy of a garnishment notice in substantially the following form:

"GARNISHMENT NOTICE
(Name and address of Court)
Name of Case: (Name of Judgment Creditor),
    Judgment Creditor v.
    (Name of Judgment Debtor),
    Judgment Debtor.
Address of Judgment Debtor: (Insert last known address)
Name and address of Attorney for Judgment Creditor or of Judgment Creditor (If no attorney is listed): (Insert name and address)
Amount of Judgment: $ (Insert amount)
Name of Garnishee: (Insert name)
Return Date: (Insert return date specified in summons)
NOTICE: The court has issued a garnishment summons against the garnishee named above for money or property (other than wages) belonging to the judgment debtor or in which the judgment debtor has an interest. The garnishment summons was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above.

The amount of money or property (other than wages) that may be garnished is limited by federal and Illinois law. The judgment debtor has the right to assert statutory exemptions against certain money or property of the judgment debtor which may not be used to satisfy the judgment in the amount stated above.

Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed $4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; workers' compensation benefits; veterans' benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed $2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed $1,500 in value, in any implements, professional books or tools of the trade of the debtor.

The judgment debtor may have other possible exemptions from garnishment under the law.

The judgment debtor has the right to request a hearing before the court to dispute the garnishment or to declare exempt from garnishment certain money or property or both. To obtain a hearing in counties with a population of 1,000,000 or more, the judgment debtor must notify the Clerk of the Court in person and in writing at (insert address of Clerk) before the return date specified above or appear in court on the date and time on that return date. To obtain a hearing in counties with a population of less than 1,000,000, the judgment debtor must notify the Clerk of the Court in writing at (insert address of Clerk) on or before the return date specified above. The Clerk of the Court will provide a hearing date and the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the garnishee regarding the time and location of the hearing. This notice may be sent by regular first class mail."

(b) An officer or other person authorized by law to serve process shall serve the summons, interrogatories and the garnishment notice required by subsection (a) of this Section upon the garnishee and shall, (1)
within 2 business days of the service upon the garnishee, mail a copy of the garnishment notice and the summons to the judgment debtor by first class mail at the judgment debtor's address indicated in the garnishment notice and (2) within 4 business days of the service upon the garnishee file with the clerk of the court a certificate of mailing in substantially the following form:

"CERTIFICATE OF MAILING

I hereby certify that, within 2 business days of service upon the garnishee of the garnishment summons, interrogatories and garnishment notice, I served upon the judgment debtor in this cause a copy of the garnishment summons and garnishment notice by first class mail to the judgment debtor's address as indicated in the garnishment notice.

Date:.................................

Signature"

In the case of service of the summons for garnishment upon the garnishee by certified or registered mail, as provided in subsection (c) of this Section, no sooner than 2 business days nor later than 4 business days after the date of mailing, the clerk shall mail a copy of the garnishment notice and the summons to the judgment debtor by first class mail at the judgment debtor's address indicated in the garnishment notice, shall prepare the Certificate of Mailing described by this subsection, and shall include the Certificate of Mailing in a permanent record.

(c) In a county with a population of less than 1,000,000, unless otherwise provided by circuit court rule, at the request of the judgment creditor or his or her attorney and instead of personal service, service of a summons for garnishment may be made as follows:

(1) For each garnishee to be served, the judgment creditor or his or her attorney shall pay to the clerk of the court a fee of $2, plus the cost of mailing, and furnish to the clerk an original and 2 copies of a summons, an original and one copy of the interrogatories, an affidavit setting forth the garnishee's mailing address, an original and 2 copies of the garnishment notice required by subsection (a) of this Section, and a copy of the judgment or certification described in subsection (a) of this Section. The original judgment shall be retained by the clerk.

(2) The clerk shall mail to the garnishee, at the address appearing in the affidavit, the copy of the judgment or certification described in subsection (a) of this Section, the summons, the interrogatories, and the garnishment notice required by subsection
(a) of this Section, by certified or registered mail, return receipt requested, showing to whom delivered and the date and address of delivery. This Mailing shall be mailed on a "restricted delivery" basis when service is directed to a natural person. The envelope and return receipt shall bear the return address of the clerk, and the return receipt shall be stamped with the docket number of the case. The receipt for certified or registered mail shall state the name and address of the addressee, the date of the mailing, shall identify the documents mailed, and shall be attached to the original summons.

(3) The return receipt must be attached to the original summons and, if it shows delivery at least 10 days before the day for the return date, shall constitute proof of service of any documents identified on the return receipt as having been mailed.

(4) The clerk shall note the fact of service in a permanent record.

(d) The garnishment summons may be served and returned in the manner provided by Supreme Court Rule for service, otherwise than by publication, of a notice for additional relief upon a party in default.

(Source: P.A. 94-293, eff. 1-1-06.)


Approved August 27, 2013.

Effective January 1, 2014.

PUBLIC ACT 98-0558
(Senate Bill No. 1192)

AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Identification Card Act is amended by changing Section 4 as follows:

(15 ILCS 335/4) (from Ch. 124, par. 24)

Sec. 4. Identification Card.

(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof, or who applies for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile

New matter indicated by italics - deletions by strikeout
Justice by submitting an identification card issued by the Department of Corrections or Department of Juvenile Justice under Section 3-14-1 or Section 3-2.5-70 of the Unified Code of Corrections, together with the prescribed fees. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act, the applicant may elect to have his or her office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card. The card shall be prepared and supplied
by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Disabled Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, a determination of disability from an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination, or any other documentation of disability whenever any State law requires that a disabled person provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a disabled person or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.
An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21; shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Disabled Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.

New matter indicated by italics - deletions by strikeout
(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification Card or Illinois Person with a Disability Identification Card.

(Source: P.A. 96-146, eff. 1-1-10; 96-328, eff. 8-11-09; 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13; revised 9-5-12.)

Section 10. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Section 40-15 as follows:

(20 ILCS 301/40-15)

Sec. 40-15. Acceptance for treatment as a parole or aftercare release condition. Acceptance for treatment for drug addiction or alcoholism under the supervision of a designated program may be made a condition of parole or aftercare release, and failure to comply with such treatment may be treated as a violation of parole or aftercare release. A designated program shall establish the conditions under which a parolee or releasee is accepted for treatment. No parolee or releasee may be placed under the supervision of a designated program for treatment unless the designated program accepts him or her for treatment. The designated program shall make periodic progress reports regarding each such parolee or releasee to the appropriate parole authority and shall report failures to comply with the prescribed treatment program.

(Source: P.A. 88-80.)

Section 15. The Children and Family Services Act is amended by changing Section 34.2 as follows:

(20 ILCS 505/34.2) (from Ch. 23, par. 5034.2)
Sec. 34.2. To conduct meetings in each service region between local youth service, police, probation and aftercare parole workers to develop inter-agency plans to combat gang crime. The Department shall develop a model policy for local interagency cooperation in dealing with gangs.
(Source: P.A. 84-660.)

Section 20. The Child Death Review Team Act is amended by changing Section 25 as follows:
(20 ILCS 515/25)
Sec. 25. Team access to information.
(a) The Department shall provide to a child death review team, on the request of the team chairperson, all records and information in the Department's possession that are relevant to the team's review of a child death, including records and information concerning previous reports or investigations of suspected child abuse or neglect.
(b) A child death review team shall have access to all records and information that are relevant to its review of a child death and in the possession of a State or local governmental agency, including, but not limited to, information gained through the Child Advocacy Center protocol for cases of serious or fatal injury to a child. These records and information include, without limitation, birth certificates, all relevant medical and mental health records, records of law enforcement agency investigations, records of coroner or medical examiner investigations, records of the Department of Corrections and Department of Juvenile Justice concerning a person's parole or aftercare release, records of a probation and court services department, and records of a social services agency that provided services to the child or the child's family.
(Source: P.A. 95-527, eff. 6-1-08.)

Section 25. The Illinois Criminal Justice Information Act is amended by changing Section 3 as follows:
(20 ILCS 3930/3) (from Ch. 38, par. 210-3)
Sec. 3. Definitions. Whenever used in this Act, and for the purposes of this Act unless the context clearly denotes otherwise:
(a) The term "criminal justice system" includes all activities by public agencies pertaining to the prevention or reduction of crime or enforcement of the criminal law, and particularly, but without limitation, the prevention, detection, and investigation of crime; the apprehension of offenders; the protection of victims and witnesses; the administration of juvenile justice; the prosecution and defense of criminal cases; the trial,
conviction, and sentencing of offenders; as well as the correction and rehabilitation of offenders, which includes imprisonment, probation, parole, aftercare release, and treatment.

(b) The term "Authority" means the Illinois Criminal Justice Information Authority created by this Act.

(c) The term "criminal justice information" means any and every type of information that is collected, transmitted, or maintained by the criminal justice system.

(d) The term "criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation, and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(e) The term "unit of general local government" means any county, municipality or other general purpose political subdivision of this State.

(Source: P.A. 85-653.)

Section 30. The Sex Offender Management Board Act is amended by changing Section 17 as follows:

(20 ILCS 4026/17)

Sec. 17. Sentencing of sex offenders; treatment based upon evaluation required.

(a) Each felony sex offender sentenced by the court for a sex offense shall be required as a part of any sentence to probation, conditional release, or periodic imprisonment to undergo treatment based upon the recommendations of the evaluation made pursuant to Section 16 or based upon any subsequent recommendations by the Administrative Office of the Illinois Courts or the county probation department, whichever is appropriate. Beginning on January 1, 2014, the treatment shall be with a sex offender treatment provider or associate sex offender provider as defined in Section 10 of this Act and at the offender's own expense based upon the offender's ability to pay for such treatment.

(b) Beginning on January 1, 2004, each sex offender placed on parole, aftercare release, or mandatory supervised release by the Prisoner
Review Board shall be required as a condition of parole or aftercare release to undergo treatment based upon any evaluation or subsequent reevaluation regarding such offender during the offender's incarceration or any period of parole or aftercare release. Beginning on January 1, 2014, the treatment shall be by a sex offender treatment provider or associate sex offender provider as defined in Section 10 of this Act and at the offender's expense based upon the offender's ability to pay for such treatment.

(Source: P.A. 97-1098, eff. 1-1-13.)

Section 35. The Abuse Prevention Review Team Act is amended by changing Section 25 as follows:

(210 ILCS 28/25)

Sec. 25. Review team access to information.

(a) The Department shall provide to a review team, on the request of the review team chairperson, all records and information in the Department's possession that are relevant to the review team's review of a sexual assault or death described in subsection (b) of Section 20, including records and information concerning previous reports or investigations of suspected abuse or neglect.

(b) A review team shall have access to all records and information that are relevant to its review of a sexual assault or death and in the possession of a State or local governmental agency. These records and information include, without limitation, death certificates, all relevant medical and mental health records, records of law enforcement agency investigations, records of coroner or medical examiner investigations, records of the Department of Corrections and Department of Juvenile Justice concerning a person's parole or aftercare release, records of a probation and court services department, and records of a social services agency that provided services to the resident.

(Source: P.A. 93-577, eff. 8-21-03; 94-931, eff. 6-26-06.)

Section 40. The Nursing Home Care Act is amended by changing Section 2-110 as follows:

(210 ILCS 45/2-110) (from Ch. 111 1/2, par. 4152-110)

Sec. 2-110. (a) Any employee or agent of a public agency, any representative of a community legal services program or any other member of the general public shall be permitted access at reasonable hours to any individual resident of any facility, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

New matter indicated by italics - deletions by strikeout
(1) Visit, talk with and make personal, social and legal services available to all residents;

(2) Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;

(3) Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or

(4) Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(a-5) If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act, to verify compliance with the requirements of Public Act 94-163 and this amendatory Act of the 94th General Assembly, or to verify compliance with applicable terms of probation, parole, aftercare release, or mandatory supervised release.

(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident may terminate at any time a visit by a person having access to the resident's living area under this Section.

(c) This Section shall not limit the power of the Department or other public agency otherwise permitted or required by law to enter and inspect a facility.

(d) Notwithstanding paragraph (a) of this Section, the administrator of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a resident or would threaten the security of the property of a resident or the facility, or if the person seeks access to the facility for commercial purposes. Any person refused access to a facility may within 10 days request a hearing under Section 3-703. In that proceeding, the burden of
proof as to the right of the facility to refuse access under this Section shall be on the facility.

(Source: P.A. 94-163, eff. 7-11-05; 94-752, eff. 5-10-06.)

Section 45. The ID/DD Community Care Act is amended by changing Section 2-110 as follows:

(210 ILCS 47/2-110)

Sec. 2-110. Access to residents.

(a) Any employee or agent of a public agency, any representative of a community legal services program or any other member of the general public shall be permitted access at reasonable hours to any individual resident of any facility, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

(1) Visit, talk with and make personal, social and legal services available to all residents;

(2) Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;

(3) Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or

(4) Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(a-5) If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act or to verify compliance with applicable terms of probation, parole, aftercare release, or mandatory supervised release.

(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself or herself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident may terminate at any time a visit by a person having access to the resident's living area under this Section.

New matter indicated by italics - deletions by strikeout
(c) This Section shall not limit the power of the Department or other public agency otherwise permitted or required by law to enter and inspect a facility.

(d) Notwithstanding paragraph (a) of this Section, the administrator of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a resident or would threaten the security of the property of a resident or the facility, or if the person seeks access to the facility for commercial purposes. Any person refused access to a facility may within 10 days request a hearing under Section 3-703. In that proceeding, the burden of proof as to the right of the facility to refuse access under this Section shall be on the facility.

(Source: P.A. 96-339, eff. 7-1-10.)

Section 50. The Specialized Mental Health Rehabilitation Act is amended by changing Section 2-110 as follows:

(210 ILCS 48/2-110)
Sec. 2-110. Access to residents.

(a) Any employee or agent of a public agency, any representative of a community legal services program or any other member of the general public shall be permitted access at reasonable hours to any individual resident of any facility, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

(1) Visit, talk with and make personal, social and legal services available to all residents;

(2) Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;

(3) Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or

(4) Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(a-5) If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act or

New matter indicated by italics - deletions by strikeout
(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself or herself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident may terminate at any time a visit by a person having access to the resident's living area under this Section.

(c) This Section shall not limit the power of the Department or other public agency otherwise permitted or required by law to enter and inspect a facility.

(d) Notwithstanding paragraph (a) of this Section, the administrator of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a resident or would threaten the security of the property of a resident or the facility, or if the person seeks access to the facility for commercial purposes. Any person refused access to a facility may within 10 days request a hearing under Section 3-703. In that proceeding, the burden of proof as to the right of the facility to refuse access under this Section shall be on the facility.

(Source: P.A. 97-38, eff. 6-28-11.)

Section 55. The Illinois Public Aid Code is amended by changing Section 12-10.4 as follows:

Sec. 12-10.4. Juvenile Rehabilitation Services Medicaid Matching Fund. There is created in the State Treasury the Juvenile Rehabilitation Services Medicaid Matching Fund. Deposits to this Fund shall consist of all moneys received from the federal government for behavioral health services secured by counties pursuant to an agreement with the Department of Healthcare and Family Services with respect to Title XIX of the Social Security Act or under the Children's Health Insurance Program pursuant to the Children's Health Insurance Program Act and Title XXI of the Social Security Act for minors who are committed to mental health facilities by the Illinois court system and for residential placements secured by the Department of Juvenile Justice for minors as a condition of their aftercare release parole.
Disbursements from the Fund shall be made, subject to appropriation, by the Department of Healthcare and Family Services for grants to the Department of Juvenile Justice and those counties which secure behavioral health services ordered by the courts and which have an interagency agreement with the Department and submit detailed bills according to standards determined by the Department. (Source: P.A. 95-331, eff. 8-21-07; 96-1100, eff. 1-1-11.)

Section 60. The Developmental Disability and Mental Health Safety Act is amended by changing Section 20 as follows:

(405 ILCS 82/20)
Sec. 20. Independent team of experts' access to information.
(a) The Secretary of Human Services shall provide to the independent team of experts, on the request of the team Chairperson, all records and information in the Department's possession that are relevant to the team's examination of a death of the sort described in subsection (c) of Section 10, including records and information concerning previous reports or investigations of any matter, as determined by the team.
(b) The independent team shall have access to all records and information that are relevant to its review of a death and in the possession of a State or local governmental agency or other entity. These records and information shall include, without limitation, death certificates, all relevant medical and mental health records, records of law enforcement agency investigations, records of coroner or medical examiner investigations, records of the Department of Corrections and Department of Juvenile Justice concerning a person's parole, aftercare release, records of a probation and court services department, and records of a social services agency that provided services to the person who died. (Source: P.A. 96-1235, eff. 1-1-11.)

Section 65. The Juvenile Court Act of 1987 is amended by changing Sections 5-105, 5-750, 5-815, and 5-820 as follows:

(705 ILCS 405/5-105)
Sec. 5-105. Definitions. As used in this Article:
(1) "Aftercare release" means the conditional and revocable release of an adjudicated delinquent juvenile committed to the Department of Juvenile Justice under the supervision of the Department of Juvenile Justice.
(1.5) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act, and includes the term Juvenile Court.

New matter indicated by italics - deletions by strikeout
(2) "Community service" means uncompensated labor for a community service agency as hereinafter defined.

(2.5) "Community service agency" means a not-for-profit organization, community organization, church, charitable organization, individual, public office, or other public body whose purpose is to enhance the physical or mental health of a delinquent minor or to rehabilitate the minor, or to improve the environmental quality or social welfare of the community which agrees to accept community service from juvenile delinquents and to report on the progress of the community service to the State's Attorney pursuant to an agreement or to the court or to any agency designated by the court or to the authorized diversion program that has referred the delinquent minor for community service.

(3) "Delinquent minor" means any minor who prior to his or her 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or State law, county or municipal ordinance, and any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance classified as a misdemeanor offense.

(4) "Department" means the Department of Human Services unless specifically referenced as another department.

(5) "Detention" means the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object. In addition, "detention" includes the court ordered care of an alleged or adjudicated delinquent minor who requires secure custody pursuant to Section 5-125 of this Act.

(6) "Diversion" means the referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

(7) "Juvenile detention home" means a public facility with specially trained staff that conforms to the county juvenile detention standards promulgated by the Department of Corrections.

(8) "Juvenile justice continuum" means a set of delinquency prevention programs and services designed for the purpose of preventing

New matter indicated by italics - deletions by strikeout
or reducing delinquent acts, including criminal activity by youth gangs, as
well as intervention, rehabilitation, and prevention services targeted at
minors who have committed delinquent acts, and minors who have
previously been committed to residential treatment programs for
delinquents. The term includes children-in-need-of-services and families-
in-need-of-services programs; aftercare and reentry services; substance
abuse and mental health programs; community service programs;
community service work programs; and alternative-dispute resolution
programs serving youth-at-risk of delinquency and their families, whether
offered or delivered by State or local governmental entities, public or
private for-profit or not-for-profit organizations, or religious or charitable
organizations. This term would also encompass any program or service
consistent with the purpose of those programs and services enumerated in
this subsection.

(9) "Juvenile police officer" means a sworn police officer who has
completed a Basic Recruit Training Course, has been assigned to the
position of juvenile police officer by his or her chief law enforcement
officer and has completed the necessary juvenile officers training as
prescribed by the Illinois Law Enforcement Training Standards Board, or
in the case of a State police officer, juvenile officer training approved by
the Director of State Police.

(10) "Minor" means a person under the age of 21 years subject to
this Act.

(11) "Non-secure custody" means confinement where the minor is
not physically restricted by being placed in a locked cell or room, by being
handcuffed to a rail or other stationary object, or by other means. Non-
secure custody may include, but is not limited to, electronic monitoring,
foster home placement, home confinement, group home placement, or
physical restriction of movement or activity solely through facility staff.

(12) "Public or community service" means uncompensated labor
for a not-for-profit organization or public body whose purpose is to
enhance physical or mental stability of the offender, environmental quality
or the social welfare and which agrees to accept public or community
service from offenders and to report on the progress of the offender and
the public or community service to the court or to the authorized diversion
program that has referred the offender for public or community service.

(13) "Sentencing hearing" means a hearing to determine whether a
minor should be adjudged a ward of the court, and to determine what
sentence should be imposed on the minor. It is the intent of the General
Assembly that the term "sentencing hearing" replace the term "dispositional hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

(14) "Shelter" means the temporary care of a minor in physically unrestricting facilities pending court disposition or execution of court order for placement.

(15) "Site" means a not-for-profit organization, public body, church, charitable organization, or individual agreeing to accept community service from offenders and to report on the progress of ordered or required public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(16) "Station adjustment" means the informal or formal handling of an alleged offender by a juvenile police officer.

(17) "Trial" means a hearing to determine whether the allegations of a petition under Section 5-520 that a minor is delinquent are proved beyond a reasonable doubt. It is the intent of the General Assembly that the term "trial" replace the term "adjudicatory hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

(Source: P.A. 95-1031, eff. 1-1-10.)

(705 ILCS 405/5-750)

Sec. 5-750. Commitment to the Department of Juvenile Justice.

(1) Except as provided in subsection (2) of this Section, when any delinquent has been adjudged a ward of the court under this Act, the court may commit him or her to the Department of Juvenile Justice, if it finds that (a) his or her parents, guardian or legal custodian are unfit or are unable, for some reason other than financial circumstances alone, to care for, protect, train or discipline the minor, or are unwilling to do so, and the best interests of the minor and the public will not be served by placement under Section 5-740, or it is necessary to ensure the protection of the public from the consequences of criminal activity of the delinquent; and (b) commitment to the Department of Juvenile Justice is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and the reasons why efforts were unsuccessful in locating a less restrictive alternative to secure confinement. Before the court commits a minor to the Department of Juvenile Justice, it shall make a finding that secure confinement is necessary, following a review of the following individualized factors:

(A) Age of the minor.

New matter indicated by italics - deletions by strikeout
(B) Criminal background of the minor.
(C) Review of results of any assessments of the minor, including child centered assessments such as the CANS.
(D) Educational background of the minor, indicating whether the minor has ever been assessed for a learning disability, and if so what services were provided as well as any disciplinary incidents at school.

(E) Physical, mental and emotional health of the minor, indicating whether the minor has ever been diagnosed with a health issue and if so what services were provided and whether the minor was compliant with services.

(F) Community based services that have been provided to the minor, and whether the minor was compliant with the services, and the reason the services were unsuccessful.

(G) Services within the Department of Juvenile Justice that will meet the individualized needs of the minor.

(1.5) Before the court commits a minor to the Department of Juvenile Justice, the court must find reasonable efforts have been made to prevent or eliminate the need for the minor to be removed from the home, or reasonable efforts cannot, at this time, for good cause, prevent or eliminate the need for removal, and removal from home is in the best interests of the minor, the minor's family, and the public.

(2) When a minor of the age of at least 13 years is adjudged delinquent for the offense of first degree murder, the court shall declare the minor a ward of the court and order the minor committed to the Department of Juvenile Justice until the minor's 21st birthday, without the possibility of aftercare release parole, furlough, or non-emergency authorized absence for a period of 5 years from the date the minor was committed to the Department of Juvenile Justice, except that the time that a minor spent in custody for the instant offense before being committed to the Department of Juvenile Justice shall be considered as time credited towards that 5 year period. Nothing in this subsection (2) shall preclude the State's Attorney from seeking to prosecute a minor as an adult as an alternative to proceeding under this Act.

(3) Except as provided in subsection (2), the commitment of a delinquent to the Department of Juvenile Justice shall be for an indeterminate term which shall automatically terminate upon the delinquent attaining the age of 21 years unless the delinquent is sooner discharged from aftercare release parole or custodianship is otherwise

New matter indicated by italics - deletions by strikeout
terminated in accordance with this Act or as otherwise provided for by law.

(3.5) Every delinquent minor committed to the Department of Juvenile Justice under this Act shall be eligible for aftercare release without regard to the length of time the minor has been confined or whether the minor has served any minimum term imposed. Aftercare release shall be administered by the Department of Juvenile Justice, under the direction of the Director.

(4) When the court commits a minor to the Department of Juvenile Justice, it shall order him or her conveyed forthwith to the appropriate reception station or other place designated by the Department of Juvenile Justice, and shall appoint the Director of Juvenile Justice legal custodian of the minor. The clerk of the court shall issue to the Director of Juvenile Justice a certified copy of the order, which constitutes proof of the Director's authority. No other process need issue to warrant the keeping of the minor.

(5) If a minor is committed to the Department of Juvenile Justice, the clerk of the court shall forward to the Department:
(a) the disposition ordered;
(b) all reports;
(c) the court's statement of the basis for ordering the disposition; and
(d) all additional matters which the court directs the clerk to transmit.

(6) Whenever the Department of Juvenile Justice lawfully discharges from its custody and control a minor committed to it, the Director of Juvenile Justice shall petition the court for an order terminating his or her custodianship. The custodianship shall terminate automatically 30 days after receipt of the petition unless the court orders otherwise.
(Source: P.A. 97-362, eff. 1-1-12.)

(705 ILCS 405/5-815)
Sec. 5-815. Habitual Juvenile Offender.
(a) Definition. Any minor having been twice adjudicated a delinquent minor for offenses which, had he been prosecuted as an adult, would have been felonies under the laws of this State, and who is thereafter adjudicated a delinquent minor for a third time shall be adjudged an Habitual Juvenile Offender where:
1. the third adjudication is for an offense occurring after adjudication on the second; and

New matter indicated by italics - deletions by strikeout
2. the second adjudication was for an offense occurring after adjudication on the first; and
3. the third offense occurred after January 1, 1980; and
4. the third offense was based upon the commission of or attempted commission of the following offenses: first degree murder, second degree murder or involuntary manslaughter; criminal sexual assault or aggravated criminal sexual assault; aggravated or heinous battery involving permanent disability or disfigurement or great bodily harm to the victim; burglary of a home or other residence intended for use as a temporary or permanent dwelling place for human beings; home invasion; robbery or armed robbery; or aggravated arson.

Nothing in this Section shall preclude the State's Attorney from seeking to prosecute a minor as an adult as an alternative to prosecution as an habitual juvenile offender.

A continuance under supervision authorized by Section 5-615 of this Act shall not be permitted under this Section.

(b) Notice to minor. The State shall serve upon the minor written notice of intention to prosecute under the provisions of this Section within 5 judicial days of the filing of any delinquency petition, adjudication upon which would mandate the minor's disposition as an Habitual Juvenile Offender.

(c) Petition; service. A notice to seek adjudication as an Habitual Juvenile Offender shall be filed only by the State's Attorney.

The petition upon which such Habitual Juvenile Offender notice is based shall contain the information and averments required for all other delinquency petitions filed under this Act and its service shall be according to the provisions of this Act.

No prior adjudication shall be alleged in the petition.

(d) Trial. Trial on such petition shall be by jury unless the minor demands, in open court and with advice of counsel, a trial by the court without jury.

Except as otherwise provided herein, the provisions of this Act concerning delinquency proceedings generally shall be applicable to Habitual Juvenile Offender proceedings.

(e) Proof of prior adjudications. No evidence or other disclosure of prior adjudications shall be presented to the court or jury during any adjudicatory hearing provided for under this Section unless otherwise permitted by the issues properly raised in such hearing. In the event the...
minor who is the subject of these proceedings elects to testify on his own behalf, it shall be competent to introduce evidence, for purposes of impeachment, that he has previously been adjudicated a delinquent minor upon facts which, had he been tried as an adult, would have resulted in his conviction of a felony or of any offense that involved dishonesty or false statement. Introduction of such evidence shall be according to the rules and procedures applicable to the impeachment of an adult defendant by prior conviction.

After an admission of the facts in the petition or adjudication of delinquency, the State's Attorney may file with the court a verified written statement signed by the State's Attorney concerning any prior adjudication of an offense set forth in subsection (a) of this Section which offense would have been a felony or of any offense that involved dishonesty or false statement had the minor been tried as an adult.

The court shall then cause the minor to be brought before it; shall inform him of the allegations of the statement so filed, and of his right to a hearing before the court on the issue of such prior adjudication and of his right to counsel at such hearing; and unless the minor admits such adjudication, the court shall hear and determine such issue, and shall make a written finding thereon.

A duly authenticated copy of the record of any such alleged prior adjudication shall be prima facie evidence of such prior adjudication or of any offense that involved dishonesty or false statement.

Any claim that a previous adjudication offered by the State's Attorney is not a former adjudication of an offense which, had the minor been prosecuted as an adult, would have resulted in his conviction of a felony or of any offense that involved dishonesty or false statement, is waived unless duly raised at the hearing on such adjudication, or unless the State's Attorney's proof shows that such prior adjudication was not based upon proof of what would have been a felony.

(f) Disposition. If the court finds that the prerequisites established in subsection (a) of this Section have been proven, it shall adjudicate the minor an Habitual Juvenile Offender and commit him to the Department of Juvenile Justice until his 21st birthday, without possibility of aftercare release parole, furlough, or non-emergency authorized absence. However, the minor shall be entitled to earn one day of good conduct credit for each day served as reductions against the period of his confinement. Such good conduct credits shall be earned or revoked according to the procedures
For purposes of determining good conduct credit, commitment as an Habitual Juvenile Offender shall be considered a determinate commitment, and the difference between the date of the commitment and the minor's 21st birthday shall be considered the determinate period of his confinement.

(Source: P.A. 94-696, eff. 6-1-06.)

(705 ILCS 405/5-820)

Sec. 5-820. Violent Juvenile Offender.

(a) Definition. A minor having been previously adjudicated a delinquent minor for an offense which, had he or she been prosecuted as an adult, would have been a Class 2 or greater felony involving the use or threat of physical force or violence against an individual or a Class 2 or greater felony for which an element of the offense is possession or use of a firearm, and who is thereafter adjudicated a delinquent minor for a second time for any of those offenses shall be adjudicated a Violent Juvenile Offender if:

1. The second adjudication is for an offense occurring after adjudication on the first; and
2. The second offense occurred on or after January 1, 1995.

(b) Notice to minor. The State shall serve upon the minor written notice of intention to prosecute under the provisions of this Section within 5 judicial days of the filing of a delinquency petition, adjudication upon which would mandate the minor's disposition as a Violent Juvenile Offender.

(c) Petition; service. A notice to seek adjudication as a Violent Juvenile Offender shall be filed only by the State's Attorney. The petition upon which the Violent Juvenile Offender notice is based shall contain the information and averments required for all other delinquency petitions filed under this Act and its service shall be according to the provisions of this Act.

No prior adjudication shall be alleged in the petition.

(d) Trial. Trial on the petition shall be by jury unless the minor demands, in open court and with advice of counsel, a trial by the court without a jury.
Except as otherwise provided in this Section, the provisions of this Act concerning delinquency proceedings generally shall be applicable to Violent Juvenile Offender proceedings.

(e) Proof of prior adjudications. No evidence or other disclosure of prior adjudications shall be presented to the court or jury during an adjudicatory hearing provided for under this Section unless otherwise permitted by the issues properly raised in that hearing. In the event the minor who is the subject of these proceedings elects to testify on his or her own behalf, it shall be competent to introduce evidence, for purposes of impeachment, that he or she has previously been adjudicated a delinquent minor upon facts which, had the minor been tried as an adult, would have resulted in the minor's conviction of a felony or of any offense that involved dishonesty or false statement. Introduction of such evidence shall be according to the rules and procedures applicable to the impeachment of an adult defendant by prior conviction.

After an admission of the facts in the petition or adjudication of delinquency, the State's Attorney may file with the court a verified written statement signed by the State's Attorney concerning any prior adjudication of an offense set forth in subsection (a) of this Section that would have been a felony or of any offense that involved dishonesty or false statement had the minor been tried as an adult.

The court shall then cause the minor to be brought before it; shall inform the minor of the allegations of the statement so filed, of his or her right to a hearing before the court on the issue of the prior adjudication and of his or her right to counsel at the hearing; and unless the minor admits the adjudication, the court shall hear and determine the issue, and shall make a written finding of the issue.

A duly authenticated copy of the record of any alleged prior adjudication shall be prima facie evidence of the prior adjudication or of any offense that involved dishonesty or false statement.

Any claim that a previous adjudication offered by the State's Attorney is not a former adjudication of an offense which, had the minor been prosecuted as an adult, would have resulted in his or her conviction of a Class 2 or greater felony involving the use or threat of force or violence, or a firearm, a felony or of any offense that involved dishonesty or false statement is waived unless duly raised at the hearing on the adjudication, or unless the State's Attorney's proof shows that the prior adjudication was not based upon proof of what would have been a felony.
(f) Disposition. If the court finds that the prerequisites established in subsection (a) of this Section have been proven, it shall adjudicate the minor a Violent Juvenile Offender and commit the minor to the Department of Juvenile Justice until his or her 21st birthday, without possibility of aftercare release parole, furlough, or non-emergency authorized absence. However, the minor shall be entitled to earn one day of good conduct credit for each day served as reductions against the period of his or her confinement. The good conduct credits shall be earned or revoked according to the procedures applicable to the allowance and revocation of good conduct credit for adult prisoners serving determinate sentences for felonies.

For purposes of determining good conduct credit, commitment as a Violent Juvenile Offender shall be considered a determinate commitment, and the difference between the date of the commitment and the minor's 21st birthday shall be considered the determinate period of his or her confinement.

(g) Nothing in this Section shall preclude the State's Attorney from seeking to prosecute a minor as a habitual juvenile offender or as an adult as an alternative to prosecution as a Violent Juvenile Offender.

(h) A continuance under supervision authorized by Section 5-615 of this Act shall not be permitted under this Section.

(Source: P.A. 94-696, eff. 6-1-06.)

Section 70. The Criminal Code of 2012 is amended by changing Sections 11-9.2, 31-1, 31-6, 31-7, and 31A-0.1 as follows:

(720 ILCS 5/11-9.2)
Sec. 11-9.2. Custodial sexual misconduct.
(a) A person commits custodial sexual misconduct when: (1) he or she is an employee of a penal system and engages in sexual conduct or sexual penetration with a person who is in the custody of that penal system or (2) he or she is an employee of a treatment and detention facility and engages in sexual conduct or sexual penetration with a person who is in the custody of that treatment and detention facility.

(b) A probation or supervising officer, or surveillance agent, or aftercare specialist commits custodial sexual misconduct when the probation or supervising officer, or surveillance agent, or aftercare specialist engages in sexual conduct or sexual penetration with a probationer, parolee, or releasee or person serving a term of conditional release who is under the supervisory, disciplinary, or custodial authority of

New matter indicated by italics - deletions by strikeout
the officer or agent or employee so engaging in the sexual conduct or sexual penetration.

(c) Custodial sexual misconduct is a Class 3 felony.

(d) Any person convicted of violating this Section immediately shall forfeit his or her employment with a penal system, treatment and detention facility, or conditional release program.

(e) For purposes of this Section, the consent of the probationer, parolee, releasee, or inmate in custody of the penal system or person detained or civilly committed under the Sexually Violent Persons Commitment Act shall not be a defense to a prosecution under this Section. A person is deemed incapable of consent, for purposes of this Section, when he or she is a probationer, parolee, releasee, or inmate in custody of a penal system or person detained or civilly committed under the Sexually Violent Persons Commitment Act.

(f) This Section does not apply to:

1. Any employee, probation or supervising officer, or surveillance agent, or aftercare specialist who is lawfully married to a person in custody if the marriage occurred before the date of custody.

2. Any employee, probation or supervising officer, or surveillance agent, or aftercare specialist who has no knowledge, and would have no reason to believe, that the person with whom he or she engaged in custodial sexual misconduct was a person in custody.

(g) In this Section:

(0.5) "Aftercare specialist" means any person employed by the Department of Juvenile Justice to supervise and facilitate services for persons placed on aftercare release.

(1) "Custody" means:

(i) pretrial incarceration or detention;

(ii) incarceration or detention under a sentence or commitment to a State or local penal institution;

(iii) parole, aftercare release, or mandatory supervised release;

(iv) electronic home detention;

(v) probation;

(vi) detention or civil commitment either in secure care or in the community under the Sexually Violent Persons Commitment Act.
(2) "Penal system" means any system which includes institutions as defined in Section 2-14 of this Code or a county shelter care or detention home established under Section 1 of the County Shelter Care and Detention Home Act.

(2.1) "Treatment and detention facility" means any Department of Human Services facility established for the detention or civil commitment of persons under the Sexually Violent Persons Commitment Act.

(2.2) "Conditional release" means a program of treatment and services, vocational services, and alcohol or other drug abuse treatment provided to any person civilly committed and conditionally released to the community under the Sexually Violent Persons Commitment Act;

(3) "Employee" means:

   (i) an employee of any governmental agency of this State or any county or municipal corporation that has by statute, ordinance, or court order the responsibility for the care, control, or supervision of pretrial or sentenced persons in a penal system or persons detained or civilly committed under the Sexually Violent Persons Commitment Act;

   (ii) a contractual employee of a penal system as defined in paragraph (g)(2) of this Section who works in a penal institution as defined in Section 2-14 of this Code;

   (iii) a contractual employee of a "treatment and detention facility" as defined in paragraph (g)(2.1) of this Code or a contractual employee of the Department of Human Services who provides supervision of persons serving a term of conditional release as defined in paragraph (g)(2.2) of this Code.

(4) "Sexual conduct" or "sexual penetration" means any act of sexual conduct or sexual penetration as defined in Section 11-0.1 of this Code.

(5) "Probation officer" means any person employed in a probation or court services department as defined in Section 9b of the Probation and Probation Officers Act.

(6) "Supervising officer" means any person employed to supervise persons placed on parole or mandatory supervised release with the duties described in Section 3-14-2 of the Unified Code of Corrections.

New matter indicated by italics - deletions by strikeout
(7) "Surveillance agent" means any person employed or contracted to supervise persons placed on conditional release in the community under the Sexually Violent Persons Commitment Act.
(Source: P.A. 96-1551, eff. 7-1-11.)

(720 ILCS 5/31-1) (from Ch. 38, par. 31-1)
Sec. 31-1. Resisting or obstructing a peace officer, firefighter, or correctional institution employee.

(a) A person who knowingly resists or obstructs the performance by one known to the person to be a peace officer, firefighter, or correctional institution employee of any authorized act within his or her official capacity commits a Class A misdemeanor.

(a-5) In addition to any other sentence that may be imposed, a court shall order any person convicted of resisting or obstructing a peace officer, firefighter, or correctional institution employee to be sentenced to a minimum of 48 consecutive hours of imprisonment or ordered to perform community service for not less than 100 hours as may be determined by the court. The person shall not be eligible for probation in order to reduce the sentence of imprisonment or community service.

(a-7) A person convicted for a violation of this Section whose violation was the proximate cause of an injury to a peace officer, firefighter, or correctional institution employee is guilty of a Class 4 felony.

(b) For purposes of this Section, "correctional institution employee" means any person employed to supervise and control inmates incarcerated in a penitentiary, State farm, reformatory, prison, jail, house of correction, police detention area, half-way house, or other institution or place for the incarceration or custody of persons under sentence for offenses or awaiting trial or sentence for offenses, under arrest for an offense, a violation of probation, a violation of parole, a violation of aftercare release, or a violation of mandatory supervised release, or awaiting a bail setting hearing or preliminary hearing, or who are sexually dangerous persons or who are sexually violent persons; and "firefighter" means any individual, either as an employee or volunteer, of a regularly constituted fire department of a municipality or fire protection district who performs fire fighting duties, including, but not limited to, the fire chief, assistant fire chief, captain, engineer, driver, ladder person, hose person, pipe person, and any other member of a regularly constituted fire department. "Firefighter" also means a person employed by the Office of the State Fire Marshal to conduct arson investigations.

New matter indicated by italics - deletions by strikeout
(c) It is an affirmative defense to a violation of this Section if a person resists or obstructs the performance of one known by the person to be a firefighter by returning to or remaining in a dwelling, residence, building, or other structure to rescue or to attempt to rescue any person. (Source: P.A. 95-801, eff. 1-1-09.)

(720 ILCS 5/31-6) (from Ch. 38, par. 31-6)

Sec. 31-6. Escape; failure to report to a penal institution or to report for periodic imprisonment.

(a) A person convicted of a felony or charged with the commission of a felony, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, who intentionally escapes from any penal institution or from the custody of an employee of that institution commits a Class 2 felony; however, a person convicted of a felony, or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, who knowingly fails to report to a penal institution or to report for periodic imprisonment at any time or knowingly fails to return from furlough or from work and day release or who knowingly fails to abide by the terms of home confinement is guilty of a Class 3 felony.

(b) A person convicted of a misdemeanor or charged with the commission of a misdemeanor, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, who intentionally escapes from any penal institution or from the custody of an employee of that institution commits a Class A misdemeanor; however, a person convicted of a misdemeanor, or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, who knowingly fails to report to a penal institution or to report for periodic imprisonment at any time or knowingly fails to return from furlough or from work and day release or who knowingly fails to abide by the terms of home confinement is guilty of a Class B misdemeanor.

(b-1) A person committed to the Department of Human Services under the provisions of the Sexually Violent Persons Commitment Act or in detention with the Department of Human Services awaiting such a commitment who intentionally escapes from any secure residential facility or from the custody of an employee of that facility commits a Class 2 felony.

(c) A person in the lawful custody of a peace officer for the alleged commission of a felony offense or an act which, if committed by an adult,
would constitute a felony, and who intentionally escapes from custody commits a Class 2 felony; however, a person in the lawful custody of a peace officer for the alleged commission of a misdemeanor offense or an act which, if committed by an adult, would constitute a misdemeanor, who intentionally escapes from custody commits a Class A misdemeanor.

(c-5) A person in the lawful custody of a peace officer for an alleged violation of a term or condition of probation, conditional discharge, parole, aftercare release, or mandatory supervised release for a felony or an act which, if committed by an adult, would constitute a felony, who intentionally escapes from custody is guilty of a Class 2 felony.

(c-6) A person in the lawful custody of a peace officer for an alleged violation of a term or condition of supervision, probation, or conditional discharge for a misdemeanor or an act which, if committed by an adult, would constitute a misdemeanor, who intentionally escapes from custody is guilty of a Class A misdemeanor.

(d) A person who violates this Section while armed with a dangerous weapon commits a Class 1 felony.

(Source: P.A. 95-839, eff. 8-15-08; 95-921, eff. 1-1-09; 96-328, eff. 8-11-09.)

(720 ILCS 5/31-7) (from Ch. 38, par. 31-7)
Sec. 31-7. Aiding escape.
(a) Whoever, with intent to aid any prisoner in escaping from any penal institution, conveys into the institution or transfers to the prisoner anything for use in escaping commits a Class A misdemeanor.

(b) Whoever knowingly aids a person convicted of a felony or charged with the commission of a felony, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, in escaping from any penal institution or from the custody of any employee of that institution commits a Class 2 felony; however, whoever knowingly aids a person convicted of a felony or charged with the commission of a felony, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, in failing to return from furlough or from work and day release is guilty of a Class 3 felony.

(c) Whoever knowingly aids a person convicted of a misdemeanor or charged with the commission of a misdemeanor, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, in escaping from any penal institution or from...
the custody of an employee of that institution commits a Class A misdemeanor; however, whoever knowingly aids a person convicted of a misdemeanor or charged with the commission of a misdemeanor, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, in failing to return from furlough or from work and day release is guilty of a Class B misdemeanor.

(d) Whoever knowingly aids a person in escaping from any public institution, other than a penal institution, in which he is lawfully detained, or from the custody of an employee of that institution, commits a Class A misdemeanor.

(e) Whoever knowingly aids a person in the lawful custody of a peace officer for the alleged commission of a felony offense or an act which, if committed by an adult, would constitute a felony, in escaping from custody commits a Class 2 felony; however, whoever knowingly aids a person in the lawful custody of a peace officer for the alleged commission of a misdemeanor offense or an act which, if committed by an adult, would constitute a misdemeanor, in escaping from custody commits a Class A misdemeanor.

(f) An officer or employee of any penal institution who recklessly permits any prisoner in his custody to escape commits a Class A misdemeanor.

(f-5) With respect to a person in the lawful custody of a peace officer for an alleged violation of a term or condition of probation, conditional discharge, parole, aftercare release, or mandatory supervised release for a felony, whoever intentionally aids that person to escape from that custody is guilty of a Class 2 felony.

(f-6) With respect to a person who is in the lawful custody of a peace officer for an alleged violation of a term or condition of supervision, probation, or conditional discharge for a misdemeanor, whoever intentionally aids that person to escape from that custody is guilty of a Class A misdemeanor.

(g) A person who violates this Section while armed with a dangerous weapon commits a Class 2 felony.

(Source: P.A. 95-839, eff. 8-15-08; 95-921, eff. 1-1-09; 96-328, eff. 8-11-09.)

(720 ILCS 5/31A-0.1)
Sec. 31A-0.1. Definitions. For the purposes of this Article:

New matter indicated by italics - deletions by strikeout
"Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of an item of contraband, with or without consideration, whether or not there is an agency relationship.

"Employee" means any elected or appointed officer, trustee or employee of a penal institution or of the governing authority of the penal institution, or any person who performs services for the penal institution pursuant to contract with the penal institution or its governing authority.

"Item of contraband" means any of the following:

(i) "Alcoholic liquor" as that term is defined in Section 1-3.05 of the Liquor Control Act of 1934.

(ii) "Cannabis" as that term is defined in subsection (a) of Section 3 of the Cannabis Control Act.

(iii) "Controlled substance" as that term is defined in the Illinois Controlled Substances Act.

(iii-a) "Methamphetamine" as that term is defined in the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act.

(iv) "Hypodermic syringe" or hypodermic needle, or any instrument adapted for use of controlled substances or cannabis by subcutaneous injection.

(v) "Weapon" means any knife, dagger, dirk, billy, razor, stiletto, broken bottle, or other piece of glass which could be used as a dangerous weapon. This term includes any of the devices or implements designated in subsections (a)(1), (a)(3) and (a)(6) of Section 24-1 of this Code, or any other dangerous weapon or instrument of like character.

(vi) "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, including but not limited to:

(A) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter; or

(B) any device used exclusively for signaling or safety and required as recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(C) any device used exclusively for the firing of stud cartridges, explosive rivets or industrial ammunition; or

New matter indicated by italics - deletions by strikeout
(D) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him or her incapable of normal functioning, commonly referred to as a stun gun or taser.

(vii) "Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm, including but not limited to:

(A) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(B) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(viii) "Explosive" means, but is not limited to, bomb, bombshell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes such as black powder bombs and Molotov cocktails or artillery projectiles.

(ix) "Tool to defeat security mechanisms" means, but is not limited to, handcuff or security restraint key, tool designed to pick locks, popper, or any device or instrument used to or capable of unlocking or preventing from locking any handcuff or security restraints, doors to cells, rooms, gates or other areas of the penal institution.

(x) "Cutting tool" means, but is not limited to, hacksaw blade, wirecutter, or device, instrument or file capable of cutting through metal.

(xi) "Electronic contraband" for the purposes of Section 31A-1.1 of this Article means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment brought into or possessed in a penal institution without the written authorization of

New matter indicated by italics - deletions by strikeout
the Chief Administrative Officer. "Electronic contraband" for the purposes of Section 31A-1.2 of this Article, means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment. "Penal institution" means any penitentiary, State farm, reformatory, prison, jail, house of correction, police detention area, half-way house or other institution or place for the incarceration or custody of persons under sentence for offenses awaiting trial or sentence for offenses, under arrest for an offense, a violation of probation, a violation of parole, a violation of mandatory supervised release, or awaiting a bail setting hearing or preliminary hearing; provided that where the place for incarceration or custody is housed within another public building this Article shall not apply to that part of the building unrelated to the incarceration or custody of persons.

(Source: P.A. 97-1108, eff. 1-1-13.)

Section 75. The Illinois Controlled Substances Act is amended by changing Section 509 as follows:

(720 ILCS 570/509) (from Ch. 56 1/2, par. 1509)
Sec. 509.

Whenever any court in this State grants probation to any person that the court has reason to believe is or has been an addict or unlawful possessor of controlled substances, the court shall require, as a condition of probation, that the probationer submit to periodic tests by the Department of Corrections to determine by means of appropriate chemical detection tests whether the probationer is using controlled substances. The court may require as a condition of probation that the probationer enter an approved treatment program, if the court determines that the probationer is addicted to a controlled substance. Whenever the Parole and Pardon Board grants parole or aftercare release to a person whom the Board has reason to believe has been an unlawful possessor or addict of controlled substances, the Board shall require as a condition of parole that the parolee or aftercare releasee submit to appropriate periodic chemical tests by the Department of Corrections or the Department of Juvenile Justice to determine whether the parolee or aftercare releasee is using controlled substances.

(Source: P.A. 77-757.)

New matter indicated by italics - deletions by strikeout
Section 80. The Code of Criminal Procedure of 1963 is amended by changing Sections 102-16, 103-5, 110-5, 110-6.1, 110-6.3, 112A-2, 112A-20, 112A-22, and 112A-22.10 and by adding Section 102-3.5 as follows:

(725 ILCS 5/102-3.5 new)

Sec. 102-3.5. "Aftercare release".

"Aftercare release" means the conditional and revocable release of a person committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987, under the supervision of the Department of Juvenile Justice.

(725 ILCS 5/102-16) (from Ch. 38, par. 102-16)

Sec. 102-16. "Parole".

"Parole" means the conditional and revocable release of a person committed to the Department of Corrections under the supervision of a paroling authority.

(Source: P.A. 77-2476.)

(725 ILCS 5/103-5) (from Ch. 38, par. 103-5)

Sec. 103-5. Speedy trial.

(a) Every person in custody in this State for an alleged offense shall be tried by the court having jurisdiction within 120 days from the date he or she was taken into custody unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. Delay shall be considered to be agreed to by the defendant unless he or she objects to the delay by making a written demand for trial or an oral demand for trial on the record. The provisions of this subsection (a) do not apply to a person on bail or recognizance for an offense but who is in custody for a violation of his or her parole, aftercare release, or mandatory supervised release for another offense.

The 120-day term must be one continuous period of incarceration. In computing the 120-day term, separate periods of incarceration may not be combined. If a defendant is taken into custody a second (or subsequent) time for the same offense, the term will begin again at day zero.

(b) Every person on bail or recognizance shall be tried by the court having jurisdiction within 160 days from the date defendant demands trial unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an

New matter indicated by italics - deletions by strikeout
adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. The defendant's failure to appear for any court date set by the court operates to waive the defendant's demand for trial made under this subsection.

For purposes of computing the 160 day period under this subsection (b), every person who was in custody for an alleged offense and demanded trial and is subsequently released on bail or recognizance and demands trial, shall be given credit for time spent in custody following the making of the demand while in custody. Any demand for trial made under this subsection (b) shall be in writing; and in the case of a defendant not in custody, the demand for trial shall include the date of any prior demand made under this provision while the defendant was in custody.

(c) If the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days. If the court determines that the State has exercised without success due diligence to obtain results of DNA testing that is material to the case and that there are reasonable grounds to believe that such results may be obtained at a later day, the court may continue the cause on application of the State for not more than an additional 120 days.

(d) Every person not tried in accordance with subsections (a), (b) and (c) of this Section shall be discharged from custody or released from the obligations of his bail or recognizance.

(e) If a person is simultaneously in custody upon more than one charge pending against him in the same county, or simultaneously demands trial upon more than one charge pending against him in the same county, he shall be tried, or adjudged guilty after waiver of trial, upon at least one such charge before waiver of trial, upon at least one such charge before expiration relative to any of such pending charges of the period prescribed by subsections (a) and (b) of this Section. Such person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which judgment relative to the first charge thus prosecuted is rendered pursuant to the Unified Code of Corrections or, if such trial upon such first charge is terminated without judgment and there is no subsequent trial of, or adjudication of guilt after waiver of trial of, such first charge within a reasonable time, the person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which judgment relative to the first charge thus prosecuted is rendered pursuant to the Unified Code of Corrections.
days from the date on which such trial is terminated; if either such period of 160 days expires without the commencement of trial of, or adjudication of guilt after waiver of trial of, any of such remaining charges thus pending, such charge or charges shall be dismissed and barred for want of prosecution unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness for trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal; provided, however, that if the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days.

(f) Delay occasioned by the defendant shall temporarily suspend for the time of the delay the period within which a person shall be tried as prescribed by subsections (a), (b), or (e) of this Section and on the day of expiration of the delay the said period shall continue at the point at which it was suspended. Where such delay occurs within 21 days of the end of the period within which a person shall be tried as prescribed by subsections (a), (b), or (e) of this Section, the court may continue the cause on application of the State for not more than an additional 21 days beyond the period prescribed by subsections (a), (b), or (e). This subsection (f) shall become effective on, and apply to persons charged with alleged offenses committed on or after, March 1, 1977.

(Source: P.A. 94-1094, eff. 1-26-07.)

(725 ILCS 5/110-5) (from Ch. 38, par. 110-5)

Sec. 110-5. Determining the amount of bail and conditions of release.

(a) In determining the amount of monetary bail or conditions of release, if any, which will reasonably assure the appearance of a defendant as required or the safety of any other person or the community and the likelihood of compliance by the defendant with all the conditions of bail, the court shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, whether the evidence shows that as part of the offense there was a use of violence or threatened use of violence, whether the offense involved corruption of public officials or employees, whether there was physical harm or threats of physical harm to any public official, public employee,
judge, prosecutor, juror or witness, senior citizen, child or handicapped person, whether evidence shows that during the offense or during the arrest the defendant possessed or used a firearm, machine gun, explosive or metal piercing ammunition or explosive bomb device or any military or paramilitary armament, whether the evidence shows that the offense committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang, the condition of the victim, any written statement submitted by the victim or proffer or representation by the State regarding the impact which the alleged criminal conduct has had on the victim and the victim's concern, if any, with further contact with the defendant if released on bail, whether the offense was based on racial, religious, sexual orientation or ethnic hatred, the likelihood of the filing of a greater charge, the likelihood of conviction, the sentence applicable upon conviction, the weight of the evidence against such defendant, whether there exists motivation or ability to flee, whether there is any verification as to prior residence, education, or family ties in the local jurisdiction, in another county, state or foreign country, the defendant's employment, financial resources, character and mental condition, past conduct, prior use of alias names or dates of birth, and length of residence in the community, the consent of the defendant to periodic drug testing in accordance with Section 110-6.5, whether a foreign national defendant is lawfully admitted in the United States of America, whether the government of the foreign national maintains an extradition treaty with the United States by which the foreign government will extradite to the United States its national for a trial for a crime allegedly committed in the United States, whether the defendant is currently subject to deportation or exclusion under the immigration laws of the United States, whether the defendant, although a United States citizen, is considered under the law of any foreign state a national of that state for the purposes of extradition or non-extradition to the United States, the amount of unrecovered proceeds lost as a result of the alleged offense, the source of bail funds tendered or sought to be tendered for bail, whether from the totality of the court's consideration, the loss of funds posted or sought to be posted for bail will not deter the defendant from flight, whether the evidence shows that the defendant is engaged in significant possession, manufacture, or delivery of a controlled substance or cannabis, either individually or in consort with others, whether at the time of the offense charged he or she was on bond or pre-trial release pending trial, probation, periodic imprisonment or conditional

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discharge pursuant to this Code or the comparable Code of any other state or federal jurisdiction, whether the defendant is on bond or pre-trial release pending the imposition or execution of sentence or appeal of sentence for any offense under the laws of Illinois or any other state or federal jurisdiction, whether the defendant is under parole, *aftercare release, or* mandatory supervised release, or work release from the Illinois Department of Corrections or *Illinois Department of Juvenile Justice* or any penal institution or corrections department of any state or federal jurisdiction, the defendant's record of convictions, whether the defendant has been convicted of a misdemeanor or ordinance offense in Illinois or similar offense in other state or federal jurisdiction within the 10 years preceding the current charge or convicted of a felony in Illinois, whether the defendant was convicted of an offense in another state or federal jurisdiction that would be a felony if committed in Illinois within the 20 years preceding the current charge or has been convicted of such felony and released from the penitentiary within 20 years preceding the current charge if a penitentiary sentence was imposed in Illinois or other state or federal jurisdiction, the defendant's records of juvenile adjudication of delinquency in any jurisdiction, any record of appearance or failure to appear by the defendant at court proceedings, whether there was flight to avoid arrest or prosecution, whether the defendant escaped or attempted to escape to avoid arrest, whether the defendant refused to identify himself or herself, or whether there was a refusal by the defendant to be fingerprinted as required by law. Information used by the court in its findings or stated in or offered in connection with this Section may be by way of proffer based upon reliable information offered by the State or defendant. All evidence shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at criminal trials. If the State presents evidence that the offense committed by the defendant was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang, and if the court determines that the evidence may be substantiated, the court shall prohibit the defendant from associating with other members of the organized gang as a condition of bail or release. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(b) The amount of bail shall be:

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(1) Sufficient to assure compliance with the conditions set forth in the bail bond, which shall include the defendant's current address with a written admonishment to the defendant that he or she must comply with the provisions of Section 110-12 regarding any change in his or her address. The defendant's address shall at all times remain a matter of public record with the clerk of the court.

(2) Not oppressive.

(3) Considerate of the financial ability of the accused.

(4) When a person is charged with a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, the full street value of the drugs seized shall be considered. "Street value" shall be determined by the court on the basis of a proffer by the State based upon reliable information of a law enforcement official contained in a written report as to the amount seized and such proffer may be used by the court as to the current street value of the smallest unit of the drug seized.

(b-5) Upon the filing of a written request demonstrating reasonable cause, the State's Attorney may request a source of bail hearing either before or after the posting of any funds. If the hearing is granted, before the posting of any bail, the accused must file a written notice requesting that the court conduct a source of bail hearing. The notice must be accompanied by justifying affidavits stating the legitimate and lawful source of funds for bail. At the hearing, the court shall inquire into any matters stated in any justifying affidavits, and may also inquire into matters appropriate to the determination which shall include, but are not limited to, the following:

(1) the background, character, reputation, and relationship to the accused of any surety; and

(2) the source of any money or property deposited by any surety, and whether any such money or property constitutes the fruits of criminal or unlawful conduct; and

(3) the source of any money posted as cash bail, and whether any such money constitutes the fruits of criminal or unlawful conduct; and

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(4) the background, character, reputation, and relationship to the accused of the person posting cash bail.

Upon setting the hearing, the court shall examine, under oath, any persons who may possess material information.

The State's Attorney has a right to attend the hearing, to call witnesses and to examine any witness in the proceeding. The court shall, upon request of the State's Attorney, continue the proceedings for a reasonable period to allow the State's Attorney to investigate the matter raised in any testimony or affidavit. If the hearing is granted after the accused has posted bail, the court shall conduct a hearing consistent with this subsection (b-5). At the conclusion of the hearing, the court must issue an order either approving or disapproving the bail.

(c) When a person is charged with an offense punishable by fine only the amount of the bail shall not exceed double the amount of the maximum penalty.

(d) When a person has been convicted of an offense and only a fine has been imposed the amount of the bail shall not exceed double the amount of the fine.

(e) The State may appeal any order granting bail or setting a given amount for bail.

(f) When a person is charged with a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012,

(1) whether the alleged incident involved harassment or abuse, as defined in the Illinois Domestic Violence Act of 1986;
(2) whether the person has a history of domestic violence, as defined in the Illinois Domestic Violence Act, or a history of other criminal acts;
(3) based on the mental health of the person;
(4) whether the person has a history of violating the orders of any court or governmental entity;
(5) whether the person has been, or is, potentially a threat to any other person;
(6) whether the person has access to deadly weapons or a history of using deadly weapons;
(7) whether the person has a history of abusing alcohol or any controlled substance;
(8) based on the severity of the alleged incident that is the basis of the alleged offense, including, but not limited to, the

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duration of the current incident, and whether the alleged incident involved physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;

(9) whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;

(10) whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including, but not limited to, stalking, surveillance, or isolation of the alleged victim or victim's family member or members;

(11) whether the person has expressed suicidal or homicidal ideations;

(12) based on any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint, the court may, in its discretion, order the respondent to undergo a risk assessment evaluation conducted by an Illinois Department of Human Services approved partner abuse intervention program provider, pretrial service, probation, or parole agency. These agencies shall have access to summaries of the defendant's criminal history, which shall not include victim interviews or information, for the risk evaluation. Based on the information collected from the 12 points to be considered at a bail hearing for a violation of an order of protection, the results of any risk evaluation conducted and the other circumstances of the violation, the court may order that the person, as a condition of bail, be placed under electronic surveillance as provided in Section 5-8A-7 of the Unified Code of Corrections.

(Source: P.A. 96-688, eff. 8-25-09; 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(725 ILCS 5/110-6.1) (from Ch. 38, par. 110-6.1)
Sec. 110-6.1. Denial of bail in non-probationable felony offenses.

(a) Upon verified petition by the State, the court shall hold a hearing to determine whether bail should be denied to a defendant who is charged with a felony offense for which a sentence of imprisonment, without probation, periodic imprisonment or conditional discharge, is required by law upon conviction, when it is alleged that the defendant's admission to bail poses a real and present threat to the physical safety of any person or persons.
(1) A petition may be filed without prior notice to the defendant at the first appearance before a judge, or within the 21 calendar days, except as provided in Section 110-6, after arrest and release of the defendant upon reasonable notice to defendant; provided that while such petition is pending before the court, the defendant if previously released shall not be detained.

(2) The hearing shall be held immediately upon the defendant's appearance before the court, unless for good cause shown the defendant or the State seeks a continuance. A continuance on motion of the defendant may not exceed 5 calendar days, and a continuance on the motion of the State may not exceed 3 calendar days. The defendant may be held in custody during such continuance.

(b) The court may deny bail to the defendant where, after the hearing, it is determined that:

(1) the proof is evident or the presumption great that the defendant has committed an offense for which a sentence of imprisonment, without probation, periodic imprisonment or conditional discharge, must be imposed by law as a consequence of conviction, and

(2) the defendant poses a real and present threat to the physical safety of any person or persons, by conduct which may include, but is not limited to, a forcible felony, the obstruction of justice, intimidation, injury, physical harm, an offense under the Illinois Controlled Substances Act which is a Class X felony, or an offense under the Methamphetamine Control and Community Protection Act which is a Class X felony, and

(3) the court finds that no condition or combination of conditions set forth in subsection (b) of Section 110-10 of this Article, can reasonably assure the physical safety of any other person or persons.

(c) Conduct of the hearings.

(1) The hearing on the defendant's culpability and dangerousness shall be conducted in accordance with the following provisions:

(A) Information used by the court in its findings or stated in or offered at such hearing may be by way of proffer based upon reliable information offered by the State or by defendant. Defendant has the right to be represented

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by counsel, and if he is indigent, to have counsel appointed for him. Defendant shall have the opportunity to testify, to present witnesses in his own behalf, and to cross-examine witnesses if any are called by the State. The defendant has the right to present witnesses in his favor. When the ends of justice so require, the court may exercises its discretion and compel the appearance of a complaining witness. The court shall state on the record reasons for granting a defense request to compel the presence of a complaining witness. Cross-examination of a complaining witness at the pretrial detention hearing for the purpose of impeaching the witness' credibility is insufficient reason to compel the presence of the witness. In deciding whether to compel the appearance of a complaining witness, the court shall be considerate of the emotional and physical well-being of the witness. The pre-trial detention hearing is not to be used for purposes of discovery, and the post arraignment rules of discovery do not apply. The State shall tender to the defendant, prior to the hearing, copies of defendant's criminal history, if any, if available, and any written or recorded statements and the substance of any oral statements made by any person, if relied upon by the State in its petition. The rules concerning the admissibility of evidence in criminal trials do not apply to the presentation and consideration of information at the hearing. At the trial concerning the offense for which the hearing was conducted neither the finding of the court nor any transcript or other record of the hearing shall be admissible in the State's case in chief, but shall be admissible for impeachment, or as provided in Section 115-10.1 of this Code, or in a perjury proceeding.

(B) A motion by the defendant to suppress evidence or to suppress a confession shall not be entertained. Evidence that proof may have been obtained as the result of an unlawful search and seizure or through improper interrogation is not relevant to this state of the prosecution. (2) The facts relied upon by the court to support a finding that the defendant poses a real and present threat to the physical

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safety of any person or persons shall be supported by clear and convincing evidence presented by the State.

(d) Factors to be considered in making a determination of dangerousness. The court may, in determining whether the defendant poses a real and present threat to the physical safety of any person or persons, consider but shall not be limited to evidence or testimony concerning:

1. The nature and circumstances of any offense charged, including whether the offense is a crime of violence, involving a weapon.

2. The history and characteristics of the defendant including:
   
   A. Any evidence of the defendant's prior criminal history indicative of violent, abusive or assaultive behavior, or lack of such behavior. Such evidence may include testimony or documents received in juvenile proceedings, criminal, quasi-criminal, civil commitment, domestic relations or other proceedings.
   
   B. Any evidence of the defendant's psychological, psychiatric or other similar social history which tends to indicate a violent, abusive, or assaultive nature, or lack of any such history.

3. The identity of any person or persons to whose safety the defendant is believed to pose a threat, and the nature of the threat;

4. Any statements made by, or attributed to the defendant, together with the circumstances surrounding them;

5. The age and physical condition of any person assaulted by the defendant;

6. Whether the defendant is known to possess or have access to any weapon or weapons;

7. Whether, at the time of the current offense or any other offense or arrest, the defendant was on probation, parole, aftercare release, mandatory supervised release or other release from custody pending trial, sentencing, appeal or completion of sentence for an offense under federal or state law;

8. Any other factors, including those listed in Section 110-5 of this Article deemed by the court to have a reasonable bearing
upon the defendant's propensity or reputation for violent, abusive or assaultive behavior, or lack of such behavior.

(e) Detention order. The court shall, in any order for detention:

(1) briefly summarize the evidence of the defendant's culpability and its reasons for concluding that the defendant should be held without bail;

(2) direct that the defendant be committed to the custody of the sheriff for confinement in the county jail pending trial;

(3) direct that the defendant be given a reasonable opportunity for private consultation with counsel, and for communication with others of his choice by visitation, mail and telephone; and

(4) direct that the sheriff deliver the defendant as required for appearances in connection with court proceedings.

(f) If the court enters an order for the detention of the defendant pursuant to subsection (e) of this Section, the defendant shall be brought to trial on the offense for which he is detained within 90 days after the date on which the order for detention was entered. If the defendant is not brought to trial within the 90 day period required by the preceding sentence, he shall not be held longer without bail. In computing the 90 day period, the court shall omit any period of delay resulting from a continuance granted at the request of the defendant.

(g) Rights of the defendant. Any person shall be entitled to appeal any order entered under this Section denying bail to the defendant.

(h) The State may appeal any order entered under this Section denying any motion for denial of bail.

(i) Nothing in this Section shall be construed as modifying or limiting in any way the defendant's presumption of innocence in further criminal proceedings.

(Source: P.A. 94-556, eff. 9-11-05.)

(725 ILCS 5/110-6.3) (from Ch. 38, par. 110-6.3)
Sec. 110-6.3. Denial of bail in stalking and aggravated stalking offenses.

(a) Upon verified petition by the State, the court shall hold a hearing to determine whether bail should be denied to a defendant who is charged with stalking or aggravated stalking, when it is alleged that the defendant's admission to bail poses a real and present threat to the physical safety of the alleged victim of the offense, and denial of release on bail or

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personal recognizance is necessary to prevent fulfillment of the threat upon which the charge is based.

(1) A petition may be filed without prior notice to the defendant at the first appearance before a judge, or within 21 calendar days, except as provided in Section 110-6, after arrest and release of the defendant upon reasonable notice to defendant; provided that while the petition is pending before the court, the defendant if previously released shall not be detained.

(2) The hearing shall be held immediately upon the defendant's appearance before the court, unless for good cause shown the defendant or the State seeks a continuance. A continuance on motion of the defendant may not exceed 5 calendar days, and the defendant may be held in custody during the continuance. A continuance on the motion of the State may not exceed 3 calendar days; however, the defendant may be held in custody during the continuance under this provision if the defendant has been previously found to have violated an order of protection or has been previously convicted of, or granted court supervision for, any of the offenses set forth in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-2, 12-3.05, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-7.3, 12-7.4, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, against the same person as the alleged victim of the stalking or aggravated stalking offense.

(b) The court may deny bail to the defendant when, after the hearing, it is determined that:

(1) the proof is evident or the presumption great that the defendant has committed the offense of stalking or aggravated stalking; and

(2) the defendant poses a real and present threat to the physical safety of the alleged victim of the offense; and

(3) the denial of release on bail or personal recognizance is necessary to prevent fulfillment of the threat upon which the charge is based; and

(4) the court finds that no condition or combination of conditions set forth in subsection (b) of Section 110-10 of this Code, including mental health treatment at a community mental health center, hospital, or facility of the Department of Human
Services, can reasonably assure the physical safety of the alleged victim of the offense.

(c) Conduct of the hearings.

(1) The hearing on the defendant's culpability and threat to the alleged victim of the offense shall be conducted in accordance with the following provisions:

(A) Information used by the court in its findings or stated in or offered at the hearing may be by way of proffer based upon reliable information offered by the State or by defendant. Defendant has the right to be represented by counsel, and if he is indigent, to have counsel appointed for him. Defendant shall have the opportunity to testify, to present witnesses in his own behalf, and to cross-examine witnesses if any are called by the State. The defendant has the right to present witnesses in his favor. When the ends of justice so require, the court may exercise its discretion and compel the appearance of a complaining witness. The court shall state on the record reasons for granting a defense request to compel the presence of a complaining witness. Cross-examination of a complaining witness at the pretrial detention hearing for the purpose of impeaching the witness' credibility is insufficient reason to compel the presence of the witness. In deciding whether to compel the appearance of a complaining witness, the court shall be considerate of the emotional and physical well-being of the witness. The pretrial detention hearing is not to be used for the purposes of discovery, and the post arraignment rules of discovery do not apply. The State shall tender to the defendant, prior to the hearing, copies of defendant's criminal history, if any, if available, and any written or recorded statements and the substance of any oral statements made by any person, if relied upon by the State. The rules concerning the admissibility of evidence in criminal trials do not apply to the presentation and consideration of information at the hearing. At the trial concerning the offense for which the hearing was conducted neither the finding of the court nor any transcript or other record of the hearing shall be admissible in the State's case in chief, but shall be admissible for
impeachment, or as provided in Section 115-10.1 of this Code, or in a perjury proceeding.

(B) A motion by the defendant to suppress evidence or to suppress a confession shall not be entertained. Evidence that proof may have been obtained as the result of an unlawful search and seizure or through improper interrogation is not relevant to this state of the prosecution.

(2) The facts relied upon by the court to support a finding that:

(A) the defendant poses a real and present threat to the physical safety of the alleged victim of the offense; and

(B) the denial of release on bail or personal recognizance is necessary to prevent fulfillment of the threat upon which the charge is based;

shall be supported by clear and convincing evidence presented by the State.

(d) Factors to be considered in making a determination of the threat to the alleged victim of the offense. The court may, in determining whether the defendant poses, at the time of the hearing, a real and present threat to the physical safety of the alleged victim of the offense, consider but shall not be limited to evidence or testimony concerning:

(1) The nature and circumstances of the offense charged;

(2) The history and characteristics of the defendant including:

(A) Any evidence of the defendant's prior criminal history indicative of violent, abusive or assaultive behavior, or lack of that behavior. The evidence may include testimony or documents received in juvenile proceedings, criminal, quasi-criminal, civil commitment, domestic relations or other proceedings;

(B) Any evidence of the defendant's psychological, psychiatric or other similar social history that tends to indicate a violent, abusive, or assaultive nature, or lack of any such history.

(3) The nature of the threat which is the basis of the charge against the defendant;

(4) Any statements made by, or attributed to the defendant, together with the circumstances surrounding them;

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(5) The age and physical condition of any person assaulted by the defendant;
(6) Whether the defendant is known to possess or have access to any weapon or weapons;
(7) Whether, at the time of the current offense or any other offense or arrest, the defendant was on probation, parole, aftercare release, mandatory supervised release or other release from custody pending trial, sentencing, appeal or completion of sentence for an offense under federal or state law;
(8) Any other factors, including those listed in Section 110-5 of this Code, deemed by the court to have a reasonable bearing upon the defendant's propensity or reputation for violent, abusive or assaultive behavior, or lack of that behavior.

(e) The court shall, in any order denying bail to a person charged with stalking or aggravated stalking:

(1) briefly summarize the evidence of the defendant's culpability and its reasons for concluding that the defendant should be held without bail;
(2) direct that the defendant be committed to the custody of the sheriff for confinement in the county jail pending trial;
(3) direct that the defendant be given a reasonable opportunity for private consultation with counsel, and for communication with others of his choice by visitation, mail and telephone; and
(4) direct that the sheriff deliver the defendant as required for appearances in connection with court proceedings.

(f) If the court enters an order for the detention of the defendant under subsection (e) of this Section, the defendant shall be brought to trial on the offense for which he is detained within 90 days after the date on which the order for detention was entered. If the defendant is not brought to trial within the 90 day period required by this subsection (f), he shall not be held longer without bail. In computing the 90 day period, the court shall omit any period of delay resulting from a continuance granted at the request of the defendant. The court shall immediately notify the alleged victim of the offense that the defendant has been admitted to bail under this subsection.

(g) Any person shall be entitled to appeal any order entered under this Section denying bail to the defendant.
(h) The State may appeal any order entered under this Section denying any motion for denial of bail.

(i) Nothing in this Section shall be construed as modifying or limiting in any way the defendant's presumption of innocence in further criminal proceedings.

(Source: P.A. 96-1551, Article 1, Section 965, eff. 7-1-11; 96-1551, Article 2, Section 1040, eff. 7-1-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(725 ILCS 5/112A-2) (from Ch. 38, par. 112A-2)
Sec. 112A-2. Commencement of Actions.

(a) Actions for orders of protection are commenced in conjunction with a delinquency petition or a criminal prosecution by filing a petition for an order of protection, under the same case number as the delinquency petition or the criminal prosecution, to be granted during pre-trial release of a defendant, with any dispositional order issued under Section 5-710 of the Juvenile Court Act of 1987, or as a condition of release, supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release, or in conjunction with imprisonment or a bond forfeiture warrant, provided that:

(i) the violation is alleged in an information, complaint, indictment or delinquency petition on file, and the alleged offender and victim are family or household members; and

(ii) the petition, which is filed by the State's Attorney, names a victim of the alleged crime as a petitioner.

(b) Withdrawal or dismissal of any petition for an order of protection prior to adjudication where the petitioner is represented by the state shall operate as a dismissal without prejudice.

(c) Voluntary dismissals or withdrawal of any delinquency petition or criminal prosecution or a finding of not guilty shall not require dismissal of the action for the order of protection; instead, in the discretion of the State's Attorney, it may be treated as an independent action and, if necessary and appropriate, transferred to a different court or division. Dismissal of any delinquency petition or criminal prosecution shall not affect the validity of any previously issued order of protection, and thereafter subsection (b) of Section 112A-20 shall be inapplicable to that order.

(Source: P.A. 90-590, eff. 1-1-99.)

(725 ILCS 5/112A-20) (from Ch. 38, par. 112A-20)
Sec. 112A-20. Duration and extension of orders.

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(a) Duration of emergency and interim orders. Unless re-opened or extended or voided by entry of an order of greater duration:

(1) Emergency orders issued under Section 112A-17 shall be effective for not less than 14 nor more than 21 days;
(2) Interim orders shall be effective for up to 30 days.

(b) Duration of plenary orders. Except as otherwise provided in this Section, a plenary order of protection shall be valid for a fixed period of time not to exceed 2 years. A plenary order of protection entered in conjunction with a criminal prosecution shall remain in effect as follows:

(1) if entered during pre-trial release, until disposition, withdrawal, or dismissal of the underlying charge; if, however, the case is continued as an independent cause of action, the order’s duration may be for a fixed period of time not to exceed 2 years;
(2) if in effect in conjunction with a bond forfeiture warrant, until final disposition or an additional period of time not exceeding 2 years; no order of protection, however, shall be terminated by a dismissal that is accompanied by the issuance of a bond forfeiture warrant;
(3) until expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release and for an additional period of time thereafter not exceeding 2 years; or
(4) until the date set by the court for expiration of any sentence of imprisonment and subsequent parole, aftercare release, or mandatory supervised release and for an additional period of time thereafter not exceeding 2 years.

(c) Computation of time. The duration of an order of protection shall not be reduced by the duration of any prior order of protection.

(d) Law enforcement records. When a plenary order of protection expires upon the occurrence of a specified event, rather than upon a specified date as provided in subsection (b), no expiration date shall be entered in Department of State Police records. To remove the plenary order from those records, either party shall request the clerk of the court to file a certified copy of an order stating that the specified event has occurred or that the plenary order has been vacated or modified with the sheriff, and the sheriff shall direct that law enforcement records shall be promptly corrected in accordance with the filed order.

(e) Extension of Orders. Any emergency, interim or plenary order of protection may be extended one or more times, as required, provided
that the requirements of Section 112A-17, 112A-18 or 112A-19, as appropriate, are satisfied. If the motion for extension is uncontested and petitioner seeks no modification of the order, the order may be extended on the basis of petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested extension. An extension of a plenary order of protection may be granted, upon good cause shown, to remain in effect until the order of protection is vacated or modified. Extensions may be granted only in open court and not under the provisions of Section 112A-17(c), which applies only when the court is unavailable at the close of business or on a court holiday.

(f) Termination date. Any order of protection which would expire on a court holiday shall instead expire at the close of the next court business day.

(g) Statement of purpose. The practice of dismissing or suspending a criminal prosecution in exchange for issuing an order of protection undermines the purposes of this Article. This Section shall not be construed as encouraging that practice.

(Source: P.A. 95-886, eff. 1-1-09.)

(725 ILCS 5/112A-22) (from Ch. 38, par. 112A-22)
Sec. 112A-22. Notice of orders.

(a) Entry and issuance. Upon issuance of any order of protection, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 112A-17, (i) enter the order on the record and file it in accordance with the circuit court procedures and (ii) provide a file stamped copy of the order to respondent, if present, and to petitioner.

(b) Filing with sheriff. The clerk of the issuing judge shall, or the petitioner may, on the same day that an order of protection is issued, file a copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon respondent. If the order was issued in accordance with subsection (c) of Section 112A-17, the clerk shall on the next court day, file a certified copy of the order with the Sheriff or other law enforcement officials charged with maintaining Department of State Police records. If the respondent, at the time of the issuance of the order, is committed to the custody of the Illinois Department of Corrections or Illinois Department of Juvenile Justice or is on parole, aftercare release, or mandatory supervised release, the sheriff or other law enforcement
officials charged with maintaining Department of State Police records shall notify the Department of Corrections or Department of Juvenile Justice within 48 hours of receipt of a copy of the order of protection from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number or IDJJ youth identification number, the respondent's date of birth, and the LEADS Record Index Number.

(c) Service by sheriff. Unless respondent was present in court when the order was issued, the sheriff, other law enforcement official or special process server shall promptly serve that order upon respondent and file proof of such service, in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 112A-22.10 may serve the respondent with a short form notification as provided in Section 112A-22.10. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.

(c-5) If the person against whom the order of protection is issued is arrested and the written order is issued in accordance with subsection (c) of Section 112A-17 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for order of protection or receipt of the order issued under Section 112A-17 of this Code.

(d) Extensions, modifications and revocations. Any order extending, modifying or revoking any order of protection shall be promptly recorded, issued and served as provided in this Section.

(e) Notice to health care facilities and health care practitioners. Upon the request of the petitioner, the clerk of the circuit court shall send a certified copy of the order of protection to any specified health care facility or health care practitioner requested by the petitioner at the mailing address provided by the petitioner.

(f) Disclosure by health care facilities and health care practitioners. After receiving a certified copy of an order of protection that prohibits a respondent's access to records, no health care facility or health care practitioner shall allow a respondent access to the records of any child who

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is a protected person under the order of protection, or release information in those records to the respondent, unless the order has expired or the respondent shows a certified copy of the court order vacating the corresponding order of protection that was sent to the health care facility or practitioner. Nothing in this Section shall be construed to require health care facilities or health care practitioners to alter procedures related to billing and payment. The health care facility or health care practitioner may file the copy of the order of protection in the records of a child who is a protected person under the order of protection, or may employ any other method to identify the records to which a respondent is prohibited access. No health care facility or health care practitioner shall be civilly or professionally liable for reliance on a copy of an order of protection, except for willful and wanton misconduct.

(g) Notice to schools. Upon the request of the petitioner, within 24 hours of the issuance of an order of protection, the clerk of the issuing judge shall send a certified copy of the order of protection to the day-care facility, pre-school or pre-kindergarten, or private school or the principal office of the public school district or any college or university in which any child who is a protected person under the order of protection or any child of the petitioner is enrolled as requested by the petitioner at the mailing address provided by the petitioner. If the child transfers enrollment to another day-care facility, pre-school, pre-kindergarten, private school, public school, college, or university, the petitioner may, within 24 hours of the transfer, send to the clerk written notice of the transfer, including the name and address of the institution to which the child is transferring. Within 24 hours of receipt of notice from the petitioner that a child is transferring to another day-care facility, pre-school, pre-kindergarten, private school, public school, college, or university, the clerk shall send a certified copy of the order to the institution to which the child is transferring.

(h) Disclosure by schools. After receiving a certified copy of an order of protection that prohibits a respondent's access to records, neither a day-care facility, pre-school, pre-kindergarten, public or private school, college, or university nor its employees shall allow a respondent access to a protected child's records or release information in those records to the respondent. The school shall file the copy of the order of protection in the records of a child who is a protected person under the order of protection. When a child who is a protected person under the order of protection transfers to another day-care facility, pre-school, pre-kindergarten, public
or private school, college, or university, the institution from which the
child is transferring may, at the request of the petitioner, provide, within
24 hours of the transfer, written notice of the order of protection, along
with a certified copy of the order, to the institution to which the child is
transferring.
(Source: P.A. 96-651, eff. 1-1-10; 97-50, eff. 6-28-11; 97-904, eff. 1-1-
13.)

(725 ILCS 5/112A-22.10)
Sec. 112A-22.10. Short form notification.
(a) Instead of personal service of an order of protection under
Section 112A-22, a sheriff, other law enforcement official, special process
server, or personnel assigned by the Department of Corrections or
Department of Juvenile Justice to investigate the alleged misconduct of
committed persons or alleged violations of a parolee's or releasee's
conditions of parole, aftercare release, or mandatory supervised release
may serve a respondent with a short form notification. The short form
notification must include the following items:
(1) The respondent's name.
(2) The respondent's date of birth, if known.
(3) The petitioner's name.
(4) The names of other protected parties.
(5) The date and county in which the order of protection
was filed.
(6) The court file number.
(7) The hearing date and time, if known.
(8) The conditions that apply to the respondent, either in
checklist form or handwritten.
(9) The name of the judge who signed the order.
(b) The short form notification must contain the following notice in
bold print:
"The order of protection is now enforceable. You must report to
the office of the sheriff or the office of the circuit court in (name of
county) County to obtain a copy of the order of protection. You are
subject to arrest and may be charged with a misdemeanor or felony
if you violate any of the terms of the order of protection."
(c) Upon verification of the identity of the respondent and the
existence of an unserved order of protection against the respondent, a
sheriff or other law enforcement official may detain the respondent for a

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reasonable time necessary to complete and serve the short form notification.

(d) When service is made by short form notification under this Section, it may be proved by the affidavit of the person making the service.

(e) The Attorney General shall provide adequate copies of the short form notification form to law enforcement agencies in this State.

(Source: P.A. 97-50, eff. 6-28-11.)

Section 85. The Rights of Crime Victims and Witnesses Act is amended by changing Sections 3, 4.5, and 5 as follows:

(725 ILCS 120/3) (from Ch. 38, par. 1403)

Sec. 3. The terms used in this Act, unless the context clearly requires otherwise, shall have the following meanings:

(a) "Crime victim" and "victim" mean (1) a person physically injured in this State as a result of a violent crime perpetrated or attempted against that person or (2) a person who suffers injury to or loss of property as a result of a violent crime perpetrated or attempted against that person or (3) a single representative who may be the spouse, parent, child or sibling of a person killed as a result of a violent crime perpetrated against the person killed or the spouse, parent, child or sibling of any person granted rights under this Act who is physically or mentally incapable of exercising such rights, except where the spouse, parent, child or sibling is also the defendant or prisoner or (4) any person against whom a violent crime has been committed or (5) any person who has suffered personal injury as a result of a violation of Section 11-501 of the Illinois Vehicle Code, or of a similar provision of a local ordinance, or of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or (6) in proceedings under the Juvenile Court Act of 1987, both parents, legal guardians, foster parents, or a single adult representative of a minor or disabled person who is a crime victim.

(b) "Witness" means any person who personally observed the commission of a violent crime and who will testify on behalf of the State of Illinois in the criminal prosecution of the violent crime.

(c) "Violent Crime" means any felony in which force or threat of force was used against the victim, or any offense involving sexual exploitation, sexual conduct or sexual penetration, or a violation of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012, domestic battery, violation of an order of protection, stalking, or any misdemeanor which results in death or great
bodily harm to the victim or any violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, if the violation resulted in personal injury or death, and includes any action committed by a juvenile that would be a violent crime if committed by an adult. For the purposes of this paragraph, "personal injury" shall include any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(d) "Sentencing Hearing" means any hearing where a sentence is imposed by the court on a convicted defendant and includes hearings conducted pursuant to Sections 5-6-4, 5-6-4.1, 5-7-2 and 5-7-7 of the Unified Code of Corrections.

(e) "Court proceedings" includes the preliminary hearing, any hearing the effect of which may be the release of the defendant from custody or to alter the conditions of bond, the trial, sentencing hearing, notice of appeal, any modification of sentence, probation revocation hearings, aftercare release or parole hearings.

(f) "Concerned citizen" includes relatives of the victim, friends of the victim, witnesses to the crime, or any other person associated with the victim or prisoner.

(Source: P.A. 96-292, eff. 1-1-10; 96-875, eff. 1-22-10; 96-1551, eff. 7-1-11; 97-572, eff. 1-1-12; 97-1150, eff. 1-25-13.)

(725 ILCS 120/4.5)
Sec. 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(a-5) When law enforcement authorities re-open a closed case to resume investigating, they shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.

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(b) The office of the State's Attorney:
    (1) shall provide notice of the filing of information, the
    return of an indictment by which a prosecution for any violent
    crime is commenced, or the filing of a petition to adjudicate a
    minor as a delinquent for a violent crime;
    (2) shall provide notice of the date, time, and place of trial;
    (3) or victim advocate personnel shall provide information
    of social services and financial assistance available for victims of
    crime, including information of how to apply for these services and
    assistance;
    (3.5) or victim advocate personnel shall provide
    information about available victim services, including referrals to
    programs, counselors, and agencies that assist a victim to deal with
    trauma, loss, and grief;
    (4) shall assist in having any stolen or other personal
    property held by law enforcement authorities for evidentiary or
    other purposes returned as expeditiously as possible, pursuant to
    the procedures set out in Section 115-9 of the Code of Criminal
    Procedure of 1963;
    (5) or victim advocate personnel shall provide appropriate
    employer intercession services to ensure that employers of victims
    will cooperate with the criminal justice system in order to
    minimize an employee's loss of pay and other benefits resulting
    from court appearances;
    (6) shall provide information whenever possible, of a
    secure waiting area during court proceedings that does not require
    victims to be in close proximity to defendant or juveniles accused
    of a violent crime, and their families and friends;
    (7) shall provide notice to the crime victim of the right to
    have a translator present at all court proceedings and, in
    compliance with the federal Americans with Disabilities Act of
    1990, the right to communications access through a sign language
    interpreter or by other means;
    (8) in the case of the death of a person, which death
    occurred in the same transaction or occurrence in which acts
    occurred for which a defendant is charged with an offense, shall
    notify the spouse, parent, child or sibling of the decedent of the
    date of the trial of the person or persons allegedly responsible for
    the death;

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(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case;

(10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section;

(11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law; and

(12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section.

(c) At the written request of the crime victim, the office of the State's Attorney shall:

(1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an unnecessary appearance in court;

(2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;

(3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;

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(4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;

(5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;

(7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

(8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.

(d) (1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, aftercare release, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority.

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(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections, the victim may request to be notified by the releasing authority of the approval by the court of an on-grounds pass, a supervised off-grounds pass, an unsupervised off-grounds pass, or conditional release; the release on an off-grounds pass; the return from an off-grounds pass; transfer to another facility; conditional release; escape; death; or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.

(3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim.

(4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 30 days prior to the parole or aftercare release hearing interview and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole or aftercare release hearing interview or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole or aftercare release and shall be informed of the right to inspect the registry of parole or aftercare release decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.

(5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified Code of Corrections.
(6) At the written request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted, the Prisoner Review Board shall notify the victim and the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted of the death of the prisoner if the prisoner died while on parole or aftercare release or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge, conditional release, death, or escape from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, aftercare release, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.

(f) To permit a victim of a violent crime to provide information to the Prisoner Review Board for consideration by the Board at a parole or aftercare release hearing of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate

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sentence, the Board shall establish a toll-free number that may be accessed by the victim of a violent crime to present that information to the Board.
(Source: P.A. 96-328, eff. 8-11-09; 96-875, eff. 1-22-10; 97-457, eff. 1-1-12; 97-572, eff. 1-1-12; 97-813, eff. 7-13-12; 97-815, eff. 1-1-13.)

(725 ILCS 120/5) (from Ch. 38, par. 1405)

Sec. 5. Rights of Witnesses.

(a) Witnesses as defined in subsection (b) of Section 3 of this Act shall have the following rights:

(1) to be notified by the Office of the State's Attorney of all court proceedings at which the witness' presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance in court, where possible;

(2) to be provided with appropriate employer intercession services by the Office of the State's Attorney or the victim advocate personnel to ensure that employers of witnesses will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(3) to be provided, whenever possible, a secure waiting area during court proceedings that does not require witnesses to be in close proximity to defendants and their families and friends;

(4) to be provided with notice by the Office of the State's Attorney, where necessary, of the right to have a translator present whenever the witness' presence is required and, in compliance with the federal Americans with Disabilities Act of 1990, to be provided with notice of the right to communications access through a sign language interpreter or by other means.

(b) At the written request of the witness, the witness shall:

(1) receive notice from the office of the State's Attorney of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time, and place of any hearing concerning the petition for post-conviction review; whenever possible, notice of the hearing on the petition shall be given in advance;

(2) receive notice by the releasing authority of the defendant's discharge from State custody if the defendant was committed to the Department of Human Services under Section 5-2-4 or any other provision of the Unified Code of Corrections;

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(3) receive notice from the Prisoner Review Board of the prisoner's escape from State custody, after the Board has been notified of the escape by the Department of Corrections or the Department of Juvenile Justice; when the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice shall immediately notify the Prisoner Review Board and the Board shall notify the witness;
(4) receive notice from the Prisoner Review Board of the prisoner's release on parole, aftercare release, electronic detention, work release or mandatory supervised release and of the prisoner's final discharge from parole, aftercare release, electronic detention, work release, or mandatory supervised release.
(Source: P.A. 94-696, eff. 6-1-06; 95-897, eff. 1-1-09.)

Section 90. The Privacy of Child Victims of Criminal Sexual Offenses Act is amended by changing Section 3 as follows:
(725 ILCS 190/3) (from Ch. 38, par. 1453)
Sec. 3. Confidentiality of Law Enforcement and Court Records. Notwithstanding any other law to the contrary, inspection and copying of law enforcement records maintained by any law enforcement agency or circuit court records maintained by any circuit clerk relating to any investigation or proceeding pertaining to a criminal sexual offense, by any person, except a judge, state's attorney, assistant state's attorney, psychologist, psychiatrist, social worker, doctor, parent, parole agent, aftercare specialist, probation officer, defendant or defendant's attorney in any criminal proceeding or investigation related thereto, shall be restricted to exclude the identity of any child who is a victim of such criminal sexual offense or alleged criminal sexual offense. A court may for the child's protection and for good cause shown, prohibit any person or agency present in court from further disclosing the child's identity.

When a criminal sexual offense is committed or alleged to have been committed by a school district employee or any individual contractually employed by a school district, a copy of the criminal history record information relating to the investigation of the offense or alleged offense shall be transmitted to the superintendent of schools of the district immediately upon request or if the law enforcement agency knows that a school district employee or any individual contractually employed by a school district has committed or is alleged to have committed a criminal sexual offense, the superintendent of schools of the district shall be immediately provided a copy of the criminal history record information.

New matter indicated by italics - deletions by strikeout
The superintendent shall be restricted from specifically revealing the name of the victim without written consent of the victim or victim's parent or guardian.

A court may prohibit such disclosure only after giving notice and a hearing to all affected parties. In determining whether to prohibit disclosure of the minor's identity the court shall consider:

(a) the best interest of the child; and
(b) whether such nondisclosure would further a compelling State interest.

For the purposes of this Act, "criminal history record information" means:

(i) chronologically maintained arrest information, such as traditional arrest logs or blotters;
(ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;
(iii) court records that are public;
(iv) records that are otherwise available under State or local law; or
(v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of Section 7 of the Freedom of Information Act.

(Source: P.A. 95-69, eff. 1-1-08; 95-599, eff. 6-1-08; 95-876, eff. 8-21-08.)

Section 95. The Sexually Violent Persons Commitment Act is amended by changing Sections 15, 30, and 40 as follows:

(725 ILCS 207/15)
Sec. 15. Sexually violent person petition; contents; filing.
(a) A petition alleging that a person is a sexually violent person must be filed before the release or discharge of the person or within 30 days of placement onto parole, *aftercare release*, or mandatory supervised release for an offense enumerated in paragraph (e) of Section 5 of this Act.

A petition may be filed by the following:

(1) The Attorney General on his or her own motion, after consulting with and advising the State's Attorney of the county in which the person was convicted of a sexually violent offense, adjudicated delinquent for a sexually violent offense or found not guilty of or not responsible for a sexually violent offense by reason of insanity, mental disease, or mental defect; or

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(2) The State's Attorney of the county referenced in paragraph (1)(a)(1) of this Section, on his or her own motion; or

(3) The Attorney General and the State's Attorney of the county referenced in paragraph (1)(a)(1) of this Section may jointly file a petition on their own motion; or

(4) A petition may be filed at the request of the agency with jurisdiction over the person, as defined in subsection (a) of Section 10 of this Act, by:

(a) the Attorney General;

(b) the State's Attorney of the county referenced in paragraph (1)(a)(1) of this Section; or

(c) the Attorney General and the State's Attorney jointly.

(b) A petition filed under this Section shall allege that all of the following apply to the person alleged to be a sexually violent person:

(1) The person satisfies any of the following criteria:

(A) The person has been convicted of a sexually violent offense;

(B) The person has been found delinquent for a sexually violent offense; or

(C) The person has been found not guilty of a sexually violent offense by reason of insanity, mental disease, or mental defect.

(2) The person has a mental disorder.

(3) The person is dangerous to others because the person's mental disorder creates a substantial probability that he or she will engage in acts of sexual violence.

(b-5) The petition must be filed no more than 90 days before discharge or entry into mandatory supervised release from a Department of Corrections or the Department of Juvenile Justice correctional facility for a sentence that was imposed upon a conviction for a sexually violent offense. For inmates sentenced under the law in effect prior to February 1, 1978, the petition shall be filed no more than 90 days after the Prisoner Review Board's order granting parole pursuant to Section 3-3-5 of the Unified Code of Corrections.

(b-6) The petition must be filed no more than 90 days before discharge or release:
(1) from a Department of Juvenile Justice juvenile correctional facility if the person was placed in the facility for being adjudicated delinquent under Section 5-20 of the Juvenile Court Act of 1987 or found guilty under Section 5-620 of that Act on the basis of a sexually violent offense; or

(2) from a commitment order that was entered as a result of a sexually violent offense.

(b-7) A person convicted of a sexually violent offense remains eligible for commitment as a sexually violent person pursuant to this Act under the following circumstances: (1) the person is in custody for a sentence that is being served concurrently or consecutively with a sexually violent offense; (2) the person returns to the custody of the Illinois Department of Corrections or the Department of Juvenile Justice for any reason during the term of parole, aftercare release, or mandatory supervised release being served for a sexually violent offense; or (3) the person is convicted or adjudicated delinquent for any offense committed during the term of parole, aftercare release, or mandatory supervised release being served for a sexually violent offense, regardless of whether that conviction or adjudication was for a sexually violent offense.

(c) A petition filed under this Section shall state with particularity essential facts to establish probable cause to believe the person is a sexually violent person. If the petition alleges that a sexually violent offense or act that is a basis for the allegation under paragraph (b)(1) of this Section was an act that was sexually motivated as provided under paragraph (e)(2) of Section 5 of this Act, the petition shall state the grounds on which the offense or act is alleged to be sexually motivated.

(d) A petition under this Section shall be filed in either of the following:

(1) The circuit court for the county in which the person was convicted of a sexually violent offense, adjudicated delinquent for a sexually violent offense or found not guilty of a sexually violent offense by reason of insanity, mental disease or mental defect.

(2) The circuit court for the county in which the person is in custody under a sentence, a placement to a Department of Corrections correctional facility or a Department of Juvenile Justice juvenile correctional facility, or a commitment order.

(e) The filing of a petition under this Act shall toll the running of the term of parole or mandatory supervised release until:

(1) dismissal of the petition filed under this Act;

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(2) a finding by a judge or jury that the respondent is not a sexually violent person; or
(3) the sexually violent person is discharged under Section 65 of this Act.

(f) The State has the right to have the person evaluated by experts chosen by the State. The agency with jurisdiction as defined in Section 10 of this Act shall allow the expert reasonable access to the person for purposes of examination, to the person's records, and to past and present treatment providers and any other staff members relevant to the examination.

(Source: P.A. 96-1128, eff. 1-1-11.)

(725 ILCS 207/30)
Sec. 30. Detention; probable cause hearing; transfer for examination.

(a) Upon the filing of a petition under Section 15 of this Act, the court shall review the petition to determine whether to issue an order for detention of the person who is the subject of the petition. The person shall be detained only if there is cause to believe that the person is eligible for commitment under subsection (f) of Section 35 of this Act. A person detained under this Section shall be held in a facility approved by the Department. If the person is serving a sentence of imprisonment, is in a Department of Corrections correctional facility or juvenile correctional facility or is committed to institutional care, and the court orders detention under this Section, the court shall order that the person be transferred to a detention facility approved by the Department. A detention order under this Section remains in effect until the person is discharged after a trial under Section 35 of this Act or until the effective date of a commitment order under Section 40 of this Act, whichever is applicable.

(b) Whenever a petition is filed under Section 15 of this Act, the court shall hold a hearing to determine whether there is probable cause to believe that the person named in the petition is a sexually violent person. If the person named in the petition is in custody, the court shall hold the probable cause hearing within 72 hours after the petition is filed, excluding Saturdays, Sundays and legal holidays. The court may grant a continuance of the probable cause hearing for no more than 7 additional days upon the motion of the respondent, for good cause. If the person named in the petition has been released, is on parole, is on aftercare release, is on mandatory supervised release, or otherwise is not in custody, the court shall hold the probable cause hearing within a reasonable time after the
filing of the petition. At the probable cause hearing, the court shall admit and consider all relevant hearsay evidence.

(c) If the court determines after a hearing that there is probable cause to believe that the person named in the petition is a sexually violent person, the court shall order that the person be taken into custody if he or she is not in custody and shall order the person to be transferred within a reasonable time to an appropriate facility for an evaluation as to whether the person is a sexually violent person. If the person who is named in the petition refuses to speak to, communicate with, or otherwise fails to cooperate with the examining evaluator from the Department of Human Services or the Department of Corrections, that person may only introduce evidence and testimony from any expert or professional person who is retained or court-appointed to conduct an examination of the person that results from a review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, all evaluations conducted pursuant to this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held pursuant to this Act, including the probable cause hearing and the trial.

If the court determines that probable cause does not exist to believe that the person is a sexually violent person, the court shall dismiss the petition.

(d) The Department shall promulgate rules that provide the qualifications for persons conducting evaluations under subsection (c) of this Section.

(e) If the person named in the petition claims or appears to be indigent, the court shall, prior to the probable cause hearing under subsection (b) of this Section, appoint counsel.

(Source: P.A. 92-415, eff. 8-17-01; 93-616, eff. 1-1-04; 93-970, eff. 8-20-04.)

(725 ILCS 207/40)
(Text of Section before amendment by P.A. 97-1098)
Sec. 40. Commitment.

(a) If a court or jury determines that the person who is the subject of a petition under Section 15 of this Act is a sexually violent person, the court shall order the person to be committed to the custody of the Department for control, care and treatment until such time as the person is no longer a sexually violent person.
(b)(1) The court shall enter an initial commitment order under this Section pursuant to a hearing held as soon as practicable after the judgment is entered that the person who is the subject of a petition under Section 15 is a sexually violent person. If the court lacks sufficient information to make the determination required by paragraph (b)(2) of this Section immediately after trial, it may adjourn the hearing and order the Department to conduct a predisposition investigation or a supplementary mental examination, or both, to assist the court in framing the commitment order. If the Department's examining evaluator previously rendered an opinion that the person who is the subject of a petition under Section 15 does not meet the criteria to be found a sexually violent person, then another evaluator shall conduct the predisposition investigation and/or supplementary mental examination. A supplementary mental examination under this Section shall be conducted in accordance with Section 3-804 of the Mental Health and Developmental Disabilities Code. The State has the right to have the person evaluated by experts chosen by the State.

(2) An order for commitment under this Section shall specify either institutional care in a secure facility, as provided under Section 50 of this Act, or conditional release. In determining whether commitment shall be for institutional care in a secure facility or for conditional release, the court shall consider the nature and circumstances of the behavior that was the basis of the allegation in the petition under paragraph (b)(1) of Section 15, the person's mental history and present mental condition, and what arrangements are available to ensure that the person has access to and will participate in necessary treatment. All treatment, whether in institutional care, in a secure facility, or while on conditional release, shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and conducted by a treatment provider approved by the Board. The Department shall arrange for control, care and treatment of the person in the least restrictive manner consistent with the requirements of the person and in accordance with the court's commitment order.

(3) If the court finds that the person is appropriate for conditional release, the court shall notify the Department. The Department shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. The plan shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. The Department may contract with a county health
department, with another public agency or with a private agency to provide the treatment and services identified in the plan. The plan shall specify who will be responsible for providing the treatment and services identified in the plan. The plan shall be presented to the court for its approval within 60 days after the court finding that the person is appropriate for conditional release, unless the Department and the person to be released request additional time to develop the plan. The conditional release program operated under this Section is not subject to the provisions of the Mental Health and Developmental Disabilities Confidentiality Act.

(4) An order for conditional release places the person in the custody and control of the Department. A person on conditional release is subject to the conditions set by the court and to the rules of the Department. Before a person is placed on conditional release by the court under this Section, the court shall so notify the municipal police department and county sheriff for the municipality and county in which the person will be residing. The notification requirement under this Section does not apply if a municipal police department or county sheriff submits to the court a written statement waiving the right to be notified. Notwithstanding any other provision in the Act, the person being supervised on conditional release shall not reside at the same street address as another sex offender being supervised on conditional release under this Act, mandatory supervised release, parole, aftercare release, probation, or any other manner of supervision. If the Department alleges that a released person has violated any condition or rule, or that the safety of others requires that conditional release be revoked, he or she may be taken into custody under the rules of the Department.

At any time during which the person is on conditional release, if the Department determines that the person has violated any condition or rule, or that the safety of others requires that conditional release be revoked, the Department may request the Attorney General or State's Attorney to request the court to issue an emergency ex parte order directing any law enforcement officer to take the person into custody and transport the person to the county jail. The Department may request, or the Attorney General or State's Attorney may request independently of the Department, that a petition to revoke conditional release be filed. When a petition is filed, the court may order the Department to issue a notice to the person to be present at the Department or other agency designated by the court, order a summons to the person to be present, or order a body attachment for all law enforcement officers to take the person into custody.

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and transport him or her to the county jail, hospital, or treatment facility. The Department shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the Department may detain the person in a jail, in a hospital or treatment facility. The State has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of others requires that the conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution until the person is discharged from the commitment under Section 65 of this Act or until again placed on conditional release under Section 60 of this Act.

(5) An order for conditional release places the person in the custody, care, and control of the Department. The court shall order the person be subject to the following rules of conditional release, in addition to any other conditions ordered, and the person shall be given a certificate setting forth the conditions of conditional release. These conditions shall be that the person:

(A) not violate any criminal statute of any jurisdiction;

(B) report to or appear in person before such person or agency as directed by the court and the Department;

(C) refrain from possession of a firearm or other dangerous weapon;

(D) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature, that prior consent by the court is not possible without the prior notification and approval of the Department;

(E) at the direction of the Department, notify third parties of the risks that may be occasioned by his or her criminal record or sexual offending history or characteristics, and permit the supervising officer or agent to make the notification requirement;

(F) attend and fully participate in assessment, treatment, and behavior monitoring including, but not limited to, medical, psychological or psychiatric treatment specific to sexual offending, drug addiction, or alcoholism, to the extent appropriate to the

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person based upon the recommendation and findings made in the Department evaluation or based upon any subsequent recommendations by the Department;

(G) waive confidentiality allowing the court and Department access to assessment or treatment results or both;

(H) work regularly at a Department approved occupation or pursue a course of study or vocational training and notify the Department within 72 hours of any change in employment, study, or training;

(I) not be employed or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by the Department officer;

(J) submit to the search of his or her person, residence, vehicle, or any personal or real property under his or her control at any time by the Department;

(K) financially support his or her dependents and provide the Department access to any requested financial information;

(L) serve a term of home confinement, the conditions of which shall be that the person:

(i) remain within the interior premises of the place designated for his or her confinement during the hours designated by the Department;

(ii) admit any person or agent designated by the Department into the offender's place of confinement at any time for purposes of verifying the person's compliance with the condition of his or her confinement;

(iii) if deemed necessary by the Department, be placed on an electronic monitoring device;

(M) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986. A copy of the order of protection shall be transmitted to the Department by the clerk of the court;

(N) refrain from entering into a designated geographic area except upon terms the Department finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, others accompanying the person, and advance approval by the Department;

(O) refrain from having any contact, including written or oral communications, directly or indirectly, with certain specified

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persons including, but not limited to, the victim or the victim's family, and report any incidental contact with the victim or the victim's family to the Department within 72 hours; refrain from entering onto the premises of, traveling past, or loitering near the victim's residence, place of employment, or other places frequented by the victim;

(P) refrain from having any contact, including written or oral communications, directly or indirectly, with particular types of persons, including but not limited to members of street gangs, drug users, drug dealers, or prostitutes;

(Q) refrain from all contact, direct or indirect, personally, by telephone, letter, or through another person, with minor children without prior identification and approval of the Department;

(R) refrain from having in his or her body the presence of alcohol or any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her breath, saliva, blood, or urine for tests to determine the presence of alcohol or any illicit drug;

(S) not establish a dating, intimate, or sexual relationship with a person without prior written notification to the Department;

(T) neither possess or have under his or her control any material that is pornographic, sexually oriented, or sexually stimulating, or that depicts or alludes to sexual activity or depicts minors under the age of 18, including but not limited to visual, auditory, telephonic, electronic media, or any matter obtained through access to any computer or material linked to computer access use;

(U) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers or any other sex-related telephone numbers;

(V) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of the Department and report any incidental contact with minor children to the Department within 72 hours;
(W) not establish any living arrangement or residence without prior approval of the Department;
(X) not publish any materials or print any advertisements without providing a copy of the proposed publications to the Department officer and obtaining permission prior to publication;
(Y) not leave the county except with prior permission of the Department and provide the Department officer or agent with written travel routes to and from work and any other designated destinations;
(Z) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending items including video or still camera items or children's toys;
(AA) provide a written daily log of activities as directed by the Department;
(BB) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access or potential victims.

6 A person placed on conditional release and who during the term undergoes mandatory drug or alcohol testing or is assigned to be placed on an approved electronic monitoring device may be ordered to pay all costs incidental to the mandatory drug or alcohol testing and all costs incidental to the approved electronic monitoring in accordance with the person's ability to pay those costs. The Department may establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing and all costs incidental to approved electronic monitoring.

(Source: P.A. 96-1128, eff. 1-1-11.)

(Text of Section after amendment by P.A. 97-1098)

Sec. 40. Commitment.

(a) If a court or jury determines that the person who is the subject of a petition under Section 15 of this Act is a sexually violent person, the court shall order the person to be committed to the custody of the Department for control, care and treatment until such time as the person is no longer a sexually violent person.

(b)(1) The court shall enter an initial commitment order under this Section pursuant to a hearing held as soon as practicable after the judgment is entered that the person who is the subject of a petition under Section 15 is a sexually violent person. If the court lacks sufficient
information to make the determination required by paragraph (b)(2) of this Section immediately after trial, it may adjourn the hearing and order the Department to conduct a predisposition investigation or a supplementary mental examination, or both, to assist the court in framing the commitment order. If the Department's examining evaluator previously rendered an opinion that the person who is the subject of a petition under Section 15 does not meet the criteria to be found a sexually violent person, then another evaluator shall conduct the predisposition investigation and/or supplementary mental examination. A supplementary mental examination under this Section shall be conducted in accordance with Section 3-804 of the Mental Health and Developmental Disabilities Code. The State has the right to have the person evaluated by experts chosen by the State.

(2) An order for commitment under this Section shall specify either institutional care in a secure facility, as provided under Section 50 of this Act, or conditional release. In determining whether commitment shall be for institutional care in a secure facility or for conditional release, the court shall consider the nature and circumstances of the behavior that was the basis of the allegation in the petition under paragraph (b)(1) of Section 15, the person's mental history and present mental condition, and what arrangements are available to ensure that the person has access to and will participate in necessary treatment. All treatment, whether in institutional care, in a secure facility, or while on conditional release, shall be conducted in conformance with the standards developed under the Sex Offender Management Board Act and conducted by a treatment provider licensed under the Sex Offender Evaluation and Treatment Provider Act. The Department shall arrange for control, care and treatment of the person in the least restrictive manner consistent with the requirements of the person and in accordance with the court's commitment order.

(3) If the court finds that the person is appropriate for conditional release, the court shall notify the Department. The Department shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. The plan shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. The Department may contract with a county health department, with another public agency or with a private agency to provide the treatment and services identified in the plan. The plan shall specify who will be responsible for providing the treatment and services identified in the plan. The plan shall be presented to the court for its approval within
60 days after the court finding that the person is appropriate for conditional release, unless the Department and the person to be released request additional time to develop the plan. The conditional release program operated under this Section is not subject to the provisions of the Mental Health and Developmental Disabilities Confidentiality Act.

(4) An order for conditional release places the person in the custody and control of the Department. A person on conditional release is subject to the conditions set by the court and to the rules of the Department. Before a person is placed on conditional release by the court under this Section, the court shall so notify the municipal police department and county sheriff for the municipality and county in which the person will be residing. The notification requirement under this Section does not apply if a municipal police department or county sheriff submits to the court a written statement waiving the right to be notified. Notwithstanding any other provision in the Act, the person being supervised on conditional release shall not reside at the same street address as another sex offender being supervised on conditional release under this Act, mandatory supervised release, parole, aftercare release, probation, or any other manner of supervision. If the Department alleges that a released person has violated any condition or rule, or that the safety of others requires that conditional release be revoked, he or she may be taken into custody under the rules of the Department.

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the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the Department may detain the person in a jail, in a hospital or treatment facility. The State has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of others requires that the conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution until the person is discharged from the commitment under Section 65 of this Act or until again placed on conditional release under Section 60 of this Act.

(5) An order for conditional release places the person in the custody, care, and control of the Department. The court shall order the person be subject to the following rules of conditional release, in addition to any other conditions ordered, and the person shall be given a certificate setting forth the conditions of conditional release. These conditions shall be that the person:

(A) not violate any criminal statute of any jurisdiction;
(B) report to or appear in person before such person or agency as directed by the court and the Department;
(C) refrain from possession of a firearm or other dangerous weapon;
(D) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature, that prior consent by the court is not possible without the prior notification and approval of the Department;
(E) at the direction of the Department, notify third parties of the risks that may be occasioned by his or her criminal record or sexual offending history or characteristics, and permit the supervising officer or agent to make the notification requirement;
(F) attend and fully participate in assessment, treatment, and behavior monitoring including, but not limited to, medical, psychological or psychiatric treatment specific to sexual offending, drug addiction, or alcoholism, to the extent appropriate to the person based upon the recommendation and findings made in the Department evaluation or based upon any subsequent recommendations by the Department;
(G) waive confidentiality allowing the court and Department access to assessment or treatment results or both;

(H) work regularly at a Department approved occupation or pursue a course of study or vocational training and notify the Department within 72 hours of any change in employment, study, or training;

(I) not be employed or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by the Department officer;

(J) submit to the search of his or her person, residence, vehicle, or any personal or real property under his or her control at any time by the Department;

(K) financially support his or her dependents and provide the Department access to any requested financial information;

(L) serve a term of home confinement, the conditions of which shall be that the person:

(i) remain within the interior premises of the place designated for his or her confinement during the hours designated by the Department;

(ii) admit any person or agent designated by the Department into the offender's place of confinement at any time for purposes of verifying the person's compliance with the condition of his or her confinement;

(iii) if deemed necessary by the Department, be placed on an electronic monitoring device;

(M) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986. A copy of the order of protection shall be transmitted to the Department by the clerk of the court;

(N) refrain from entering into a designated geographic area except upon terms the Department finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, others accompanying the person, and advance approval by the Department;

(O) refrain from having any contact, including written or oral communications, directly or indirectly, with certain specified persons including, but not limited to, the victim or the victim's family, and report any incidental contact with the victim or the victim's family to the Department within 72 hours; refrain from

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entering onto the premises of, traveling past, or loitering near the victim's residence, place of employment, or other places frequented by the victim;

(P) refrain from having any contact, including written or oral communications, directly or indirectly, with particular types of persons, including but not limited to members of street gangs, drug users, drug dealers, or prostitutes;

(Q) refrain from all contact, direct or indirect, personally, by telephone, letter, or through another person, with minor children without prior identification and approval of the Department;

(R) refrain from having in his or her body the presence of alcohol or any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her breath, saliva, blood, or urine for tests to determine the presence of alcohol or any illicit drug;

(S) not establish a dating, intimate, or sexual relationship with a person without prior written notification to the Department;

(T) neither possess or have under his or her control any material that is pornographic, sexually oriented, or sexually stimulating, or that depicts or alludes to sexual activity or depicts minors under the age of 18, including but not limited to visual, auditory, telephonic, electronic media, or any matter obtained through access to any computer or material linked to computer access use;

(U) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers or any other sex-related telephone numbers;

(V) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of the Department and report any incidental contact with minor children to the Department within 72 hours;

(W) not establish any living arrangement or residence without prior approval of the Department;

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(X) not publish any materials or print any advertisements without providing a copy of the proposed publications to the Department officer and obtaining permission prior to publication;

(Y) not leave the county except with prior permission of the Department and provide the Department officer or agent with written travel routes to and from work and any other designated destinations;

(Z) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending items including video or still camera items or children's toys;

(AA) provide a written daily log of activities as directed by the Department;

(BB) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access or potential victims.

(6) A person placed on conditional release and who during the term undergoes mandatory drug or alcohol testing or is assigned to be placed on an approved electronic monitoring device may be ordered to pay all costs incidental to the mandatory drug or alcohol testing and all costs incidental to the approved electronic monitoring in accordance with the person's ability to pay those costs. The Department may establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing and all costs incidental to approved electronic monitoring.

(Source: P.A. 96-1128, eff. 1-1-11; 97-1098, eff. 1-1-14.)

Section 100. The Uniform Criminal Extradition Act is amended by changing Section 22 as follows:

(725 ILCS 225/22) (from Ch. 60, par. 39)
Sec. 22. Fugitives from this state; duty of Governors.

Whenever the Governor of this State shall demand a person charged with crime or with escaping from confinement or breaking the terms of his or her bail, probation, aftercare release, or parole in this State, from the Executive Authority of any other state, or from the chief justice or an associate justice of the Supreme Court of the District of Columbia authorized to receive such demand under the laws of the United States, he or she shall issue a warrant under the seal of this State, to some agent, commanding him or her to receive the person so charged if

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delivered to him or her and convey him or her to the proper officer of the county in this State in which the offense was committed.
(Source: Laws 1955, p. 1982.)

Section 105. The Unified Code of Corrections is amended by changing Sections 3-1-2, 3-2-2, 3-2.5-20, 3-2.5-65, 3-3-1, 3-3-2, 3-3-3, 3-3-4, 3-3-5, 3-3-7, 3-3-8, 3-3-9, 3-3-10, 3-4-3, 3-5-1, 3-10-6, 5-1-16, 5-4-3, 5-8A-3, 5-8A-5, and 5-8A-7 and by adding Sections 3-2.5-70, 3-2.5-75, 3-2.5-80, and 5-1-1.1 as follows:

(730 ILCS 5/3-1-2) (from Ch. 38, par. 1003-1-2)
Sec. 3-1-2. Definitions.
(a) "Chief Administrative Officer" means the person designated by the Director to exercise the powers and duties of the Department of Corrections in regard to committed persons within a correctional institution or facility, and includes the superintendent of any juvenile institution or facility.

(a-3) "Aftercare release" means the conditional and revocable release of a person committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987, under the supervision of the Department of Juvenile Justice.

(a-5) "Sex offense" for the purposes of paragraph (16) of subsection (a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and paragraph (18) of subsection (c) of Section 5-6-3.1 only means:

(i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012: 10-7 (aiding or abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-14.4 (promoting juvenile prostitution), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-20.1B or 11-20.3 (aggravated child pornography), 11-1.40 or 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012: 11-1.20 or 12-13 (criminal sexual assault), 11-1.30 or 12-14 (aggravated criminal sexual assault), 11-1.60 or 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 11-1.50 or subsection
(a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012 when the defendant is not a parent of the victim:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (a-5).

An offense violating federal law or the law of another state that is substantially equivalent to any offense listed in this subsection (a-5) shall constitute a sex offense for the purpose of this subsection (a-5). A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for a sex offense for the purposes of this subsection (a-5).

(b) "Commitment" means a judicially determined placement in the custody of the Department of Corrections on the basis of delinquency or conviction.

(c) "Committed Person" is a person committed to the Department, however a committed person shall not be considered to be an employee of the Department of Corrections for any purpose, including eligibility for a pension, benefits, or any other compensation or rights or privileges which may be provided to employees of the Department.

(c-5) "Computer scrub software" means any third-party added software, designed to delete information from the computer unit, the hard drive, or other software, which would eliminate and prevent discovery of browser activity, including but not limited to Internet history, address bar or bars, cache or caches, and/or cookies, and which would over-write files in a way so as to make previous computer activity, including but not limited to website access, more difficult to discover.

(d) "Correctional Institution or Facility" means any building or part of a building where committed persons are kept in a secured manner.

(e) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Department" means the Department of Corrections of this State. In the case of functions
performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Department" has the meaning ascribed to it in subsection (f-5).

(f) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Director" means the Director of the Department of Corrections. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Director" has the meaning ascribed to it in subsection (f-5).

(f-5) In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, references to "Department" or "Director" refer to either the Department of Corrections or the Director of Corrections or to the Department of Juvenile Justice or the Director of Juvenile Justice unless the context is specific to the Department of Juvenile Justice or the Director of Juvenile Justice.

(g) "Discharge" means the final termination of a commitment to the Department of Corrections.

(h) "Discipline" means the rules and regulations for the maintenance of order and the protection of persons and property within the institutions and facilities of the Department and their enforcement.

(i) "Escape" means the intentional and unauthorized absence of a committed person from the custody of the Department.

(j) "Furlough" means an authorized leave of absence from the Department of Corrections for a designated purpose and period of time.

(k) "Parole" means the conditional and revocable release of a person committed to the Department of Corrections under the supervision of a parole officer.

(l) "Prisoner Review Board" means the Board established in Section 3-3-1(a), independent of the Department, to review rules and regulations with respect to good time credits, to hear charges brought by the Department against certain prisoners alleged to have violated Department rules with respect to good time credits, to set release dates for certain prisoners sentenced under the law in effect prior to the effective date of this Amendatory Act of 1977, to hear and decide the time of aftercare release for persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 to hear requests and make recommendations to the Governor with respect to pardon, reprieve or commutation, to set conditions for parole, aftercare release, and mandatory supervised release and determine whether violations of those

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conditions justify revocation of parole or release, and to assume all other functions previously exercised by the Illinois Parole and Pardon Board.

(m) Whenever medical treatment, service, counseling, or care is referred to in this Unified Code of Corrections, such term may be construed by the Department or Court, within its discretion, to include treatment, service or counseling by a Christian Science practitioner or nursing care appropriate therewith whenever request therefor is made by a person subject to the provisions of this Act.

(n) "Victim" shall have the meaning ascribed to it in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(o) "Wrongfully imprisoned person" means a person who has been discharged from a prison of this State and has received:

(1) a pardon from the Governor stating that such pardon is issued on the ground of innocence of the crime for which he or she was imprisoned; or

(2) a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure.

(Source: P.A. 96-362, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1550, eff. 7-1-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who

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have alcohol or drug abuse problems, and for making appropriate
treatment available to such persons; the Department shall report to
the General Assembly on such plan not later than April 1, 1987.
The maintenance and implementation of such plan shall be
contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot
program to establish the effectiveness of pupillometer technology
(the measurement of the pupil's reaction to light) as an alternative
to a urine test for purposes of screening and evaluating persons
committed to its custody who have alcohol or drug problems. The
pilot program shall require the pupillometer technology to be used
in at least one Department of Corrections facility. The Director
may expand the pilot program to include an additional facility or
facilities as he or she deems appropriate. A minimum of 4,000 tests
shall be included in the pilot program. The Department must report
to the General Assembly on the effectiveness of the program by

(b-5) To develop, in consultation with the Department of
State Police, a program for tracking and evaluating each inmate
from commitment through release for recording his or her gang
affiliations, activities, or ranks.

(c) To maintain and administer all State correctional
institutions and facilities under its control and to establish new
ones as needed. Pursuant to its power to establish new institutions
and facilities, the Department may, with the written approval of the
Governor, authorize the Department of Central Management
Services to enter into an agreement of the type described in
subsection (d) of Section 405-300 of the Department of Central
Management Services Law (20 ILCS 405/405-300). The
Department shall designate those institutions which shall constitute
the State Penitentiary System.

Pursuant to its power to establish new institutions and
facilities, the Department may authorize the Department of Central
Management Services to accept bids from counties and
municipalities for the construction, remodeling or conversion of a
structure to be leased to the Department of Corrections for the
purposes of its serving as a correctional institution or facility. Such
construction, remodeling or conversion may be financed with
revenue bonds issued pursuant to the Industrial Building Revenue
Bond Act by the municipality or county. The lease specified in a
bid shall be for a term of not less than the time needed to retire any
revenue bonds used to finance the project, but not to exceed 40
years. The lease may grant to the State the option to purchase the
structure outright.

Upon receipt of the bids, the Department may certify one or
more of the bids and shall submit any such bids to the General
Assembly for approval. Upon approval of a bid by a constitutional
majority of both houses of the General Assembly, pursuant to joint
resolution, the Department of Central Management Services may
enter into an agreement with the county or municipality pursuant to
such bid.

(c-5) To build and maintain regional juvenile detention
centers and to charge a per diem to the counties as established by
the Department to defray the costs of housing each minor in a
center. In this subsection (c-5), "juvenile detention center" means a
facility to house minors during pendency of trial who have been
transferred from proceedings under the Juvenile Court Act of 1987
to prosecutions under the criminal laws of this State in accordance
with Section 5-805 of the Juvenile Court Act of 1987, whether the
transfer was by operation of law or permissive under that Section.
The Department shall designate the counties to be served by each
regional juvenile detention center.

(d) To develop and maintain programs of control,
rehabilitation and employment of committed persons within its
institutions.

(d-5) To provide a pre-release job preparation program for
inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of
committed persons in the community.

(f) To establish in cooperation with the Department of
Transportation to supply a sufficient number of prisoners for use
by the Department of Transportation to clean up the trash and
garbage along State, county, township, or municipal highways as
designated by the Department of Transportation. The Department
of Corrections, at the request of the Department of Transportation,
shall furnish such prisoners at least annually for a period to be
agreed upon between the Director of Corrections and the Director
of Transportation. The prisoners used on this program shall be

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selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel.

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of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations. This subsection shall not apply to persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 on aftercare release.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to

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those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:
   (A) provide restitution to victims in accordance with any court order;
   (B) provide financial support to his dependents; and
   (C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs
and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing
housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(Source: P.A. 96-1265, eff. 7-26-10; 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; revised 7-23-12.)

(730 ILCS 5/3-2.5-20)
Sec. 3-2.5-20. General powers and duties.

(a) In addition to the powers, duties, and responsibilities which are otherwise provided by law or transferred to the Department as a result of

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this Article, the Department, as determined by the Director, shall have, but are not limited to, the following rights, powers, functions and duties:

(1) To accept juveniles committed to it by the courts of this State for care, custody, treatment, and rehabilitation.

(2) To maintain and administer all State juvenile correctional institutions previously under the control of the Juvenile and Women's & Children Divisions of the Department of Corrections, and to establish and maintain institutions as needed to meet the needs of the youth committed to its care.

(3) To identify the need for and recommend the funding and implementation of an appropriate mix of programs and services within the juvenile justice continuum, including but not limited to prevention, nonresidential and residential commitment programs, day treatment, and conditional release programs and services, with the support of educational, vocational, alcohol, drug abuse, and mental health services where appropriate.

(3.5) To assist youth committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 with successful reintegration into society, the Department shall retain custody and control of all adjudicated delinquent juveniles released under Section 3-3-10 of this Code, shall provide a continuum of post-release treatment and services to those youth, and shall supervise those youth during their release period in accordance with the conditions set by the Prisoner Review Board.

(4) To establish and provide transitional and post-release treatment programs for juveniles committed to the Department. Services shall include but are not limited to:

   (i) family and individual counseling and treatment placement;
   (ii) referral services to any other State or local agencies;
   (iii) mental health services;
   (iv) educational services;
   (v) family counseling services; and
   (vi) substance abuse services.

(5) To access vital records of juveniles for the purposes of providing necessary documentation for transitional services such as obtaining identification, educational enrollment, employment, and housing.

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(6) To develop staffing and workload standards and coordinate staff development and training appropriate for juvenile populations.

(7) To develop, with the approval of the Office of the Governor and the Governor's Office of Management and Budget, annual budget requests.

(8) To administer the Interstate Compact for Juveniles, with respect to all juveniles under its jurisdiction, and to cooperate with the Department of Human Services with regard to all non-offender juveniles subject to the Interstate Compact for Juveniles.

(b) The Department may employ personnel in accordance with the Personnel Code and Section 3-2.5-15 of this Code, provide facilities, contract for goods and services, and adopt rules as necessary to carry out its functions and purposes, all in accordance with applicable State and federal law.

(Source: P.A. 94-696, eff. 6-1-06; 95-937, eff. 8-26-08.)

(730 ILCS 5/3-2.5-65)

Sec. 3-2.5-65. Juvenile Advisory Board.

(a) There is created a Juvenile Advisory Board composed of 11 persons, appointed by the Governor to advise the Director on matters pertaining to juvenile offenders. The members of the Board shall be qualified for their positions by demonstrated interest in and knowledge of juvenile correctional work consistent with the definition of purpose and mission of the Department in Section 3-2.5-5 and shall not be officials of the State in any other capacity. The members under this amendatory Act of the 94th General Assembly shall be appointed as soon as possible after the effective date of this amendatory Act of the 94th General Assembly and be appointed to staggered terms 3 each expiring in 2007, 2008, and 2009 and 2 of the members' terms expiring in 2010. Thereafter all members will serve for a term of 6 years, except that members shall continue to serve until their replacements are appointed. Any vacancy occurring shall be filled in the same manner for the remainder of the term. The Director of Juvenile Justice shall be an ex officio member of the Board. The Board shall elect a chair from among its appointed members. The Director shall serve as secretary of the Board. Members of the Board shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties. The Board shall meet quarterly and at other times at the call of the chair.

(b) The Board shall:

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(1) Advise the Director concerning policy matters and programs of the Department with regard to the custody, care, study, discipline, training, and treatment of juveniles in the State juvenile correctional institutions and for the care and supervision of juveniles on aftercare release released on parole.

(2) Establish, with the Director and in conjunction with the Office of the Governor, outcome measures for the Department in order to ascertain that it is successfully fulfilling the mission mandated in Section 3-2.5-5 of this Code. The annual results of the Department's work as defined by those measures shall be approved by the Board and shall be included in an annual report transmitted to the Governor and General Assembly jointly by the Director and the Board.

(Source: P.A. 94-696, eff. 6-1-06.)

Sec. 3-2.5-70. Aftercare.

(a) The Department shall implement an aftercare program that includes, at a minimum, the following program elements:

(1) A process for developing and implementing a case management plan for timely and successful reentry into the community beginning upon commitment.

(2) A process for reviewing committed youth for recommendation for aftercare release.

(3) Supervision in accordance with the conditions set by the Prisoner Review Board and referral to and facilitation of community-based services including education, social and mental health services, substance abuse treatment, employment and vocational training, individual and family counseling, financial counseling, and other services as appropriate; and assistance in locating appropriate residential placement and obtaining suitable employment. The Department may purchase necessary services for a releasee if they are otherwise unavailable and the releasee is unable to pay for the services. It may assess all or part of the costs of these services to a releasee in accordance with his or her ability to pay for the services.

(4) Standards for sanctioning violations of conditions of aftercare release that ensure that juvenile offenders face uniform and consistent consequences that hold them accountable taking

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into account aggravating and mitigating factors and prioritizing public safety.

(5) A process for reviewing youth on aftercare release for discharge.

(b) The Department of Juvenile Justice shall have the following rights, powers, functions, and duties:

(1) To investigate alleged violations of an aftercare releasee's conditions of release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that the procedures would provide evidence that the violations have occurred. If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(2) To issue a violation warrant for the apprehension of an aftercare releasee for violations of the conditions of aftercare release. Aftercare specialists and supervisors have the full power of peace officers in the retaking of any youth alleged to have violated the conditions of aftercare release.

(c) The Department of Juvenile Justice shall designate aftercare specialists qualified in juvenile matters to perform case management and post-release programming functions under this Section.

(730 ILCS 5/3-2.5-75 new)

Sec. 3-2.5-75. Release from Department of Juvenile Justice.

(a) Upon release of a youth on aftercare, the Department shall return all property held for the youth, provide the youth with suitable clothing, and procure necessary transportation for the youth to his or her designated place of residence and employment. It may provide the youth with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(b) Before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, the Department shall provide him or her with any documents necessary after discharge, including an identification card under subsection (e) of this Section.

(c) The Department of Juvenile Justice may establish and maintain, in any institution it administers, revolving funds to be known as "Travel

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and Allowances Revolving Funds”. These revolving funds shall be used for advancing travel and expense allowances to committed, released, and discharged youth. The moneys paid into these revolving funds shall be from appropriations to the Department for committed, released, and discharged prisoners.

(d) Upon the release of a youth on aftercare, the Department shall provide that youth with information concerning programs and services of the Department of Public Health to ascertain whether that youth has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a youth on aftercare or who has been wrongfully imprisoned, the Department shall provide the youth with an identification card identifying the youth as being on aftercare or wrongfully imprisoned, as the case may be. The Department, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. The Department shall inform the youth that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. The Department shall require the youth to pay a $1 fee for the identification card. The Department shall adopt rules governing the issuance of identification cards to youth being released on aftercare or pardon.

(730 ILCS 5/3-2.5-80 new)

Sec. 3-2.5-80. Supervision on Aftercare Release.

(a) The Department shall retain custody of all youth placed on aftercare release or released under Section 3-3-10 of this Code. The Department shall supervise those youth during their aftercare release period in accordance with the conditions set by the Prisoner Review Board.

(b) A copy of youth's conditions of aftercare release shall be signed by the youth and given to the youth and to his or her aftercare specialist who shall report on the youth's progress under the rules of the Prisoner Review Board. Aftercare specialists and supervisors shall have the full power of peace officers in the retaking of any releasee who has allegedly violated his or her aftercare release conditions. The aftercare specialist shall request the Department of Juvenile Justice to issue a warrant for the arrest of any releasee who has allegedly violated his or her aftercare release conditions.

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(c) The aftercare supervisor shall request the Department of Juvenile Justice to issue an aftercare release violation warrant, and the Department of Juvenile Justice shall issue an aftercare release violation warrant, under the following circumstances:

(1) if the releasee commits an act that constitutes a felony using a firearm or knife;
(2) if the releasee is required to and fails to comply with the requirements of the Sex Offender Registration Act;
(3) if the releasee is charged with:
   (A) a felony offense of domestic battery under Section 12-3.2 of the Criminal Code of 2012;
   (B) aggravated domestic battery under Section 12-3.3 of the Criminal Code of 2012;
   (C) stalking under Section 12-7.3 of the Criminal Code of 2012;
   (D) aggravated stalking under Section 12-7.4 of the Criminal Code of 2012;
   (E) violation of an order of protection under Section 12-3.4 of the Criminal Code of 2012; or
   (F) any offense that would require registration as a sex offender under the Sex Offender Registration Act; or
(4) if the releasee is on aftercare release for a murder, a Class X felony or a Class 1 felony violation of the Criminal Code of 2012, or any felony that requires registration as a sex offender under the Sex Offender Registration Act and commits an act that constitutes first degree murder, a Class X felony, a Class 1 felony, a Class 2 felony, or a Class 3 felony.

Personnel designated by the Department of Juvenile Justice or another peace officer may detain an alleged aftercare release violator until a warrant for his or her return to the Department of Juvenile Justice can be issued. The releasee may be delivered to any secure place until he or she can be transported to the Department of Juvenile Justice. The aftercare specialist or the Department of Juvenile Justice shall file a violation report with notice of charges with the Prisoner Review Board.

(d) The aftercare specialist shall regularly advise and consult with the releasee and assist the youth in adjusting to community life in accord with this Section.

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(e) If the aftercare releasee has been convicted of a sex offense as defined in the Sex Offender Management Board Act, the aftercare specialist shall periodically, but not less than once a month, verify that the releasee is in compliance with paragraph (7.6) of subsection (a) of Section 3-3-7.

(f) The aftercare specialist shall keep those records as the Prisoner Review Board or Department may require. All records shall be entered in the master file of the youth.

(730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

Sec. 3-3-1. Establishment and Appointment of Prisoner Review Board.

(a) There shall be a Prisoner Review Board independent of the Department of Corrections which shall be:

(1) the paroling authority for persons sentenced under the law in effect prior to the effective date of this amendatory Act of 1977;

(1.5) the authority for hearing and deciding the time of aftercare release for persons adjudicated delinquent under the Juvenile Court Act of 1987;

(2) the board of review for cases involving the revocation of sentence credits or a suspension or reduction in the rate of accumulating the credit;

(3) the board of review and recommendation for the exercise of executive clemency by the Governor;

(4) the authority for establishing release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(5) the authority for setting conditions for parole, mandatory supervised release under Section 5-8-1(a) of this Code, and aftercare release, and determining whether a violation of those conditions warrant revocation of parole, aftercare release, or mandatory supervised release or the imposition of other sanctions.

(b) The Board shall consist of 15 persons appointed by the Governor by and with the advice and consent of the Senate. One member of the Board shall be designated by the Governor to be Chairman and shall serve as Chairman at the pleasure of the Governor. The members of the Board shall have had at least 5 years of actual experience in the fields of penology, corrections work, law enforcement, sociology, law, education,

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social work, medicine, psychology, other behavioral sciences, or a combination thereof. At least 6 members so appointed must have had at least 3 years experience in the field of juvenile matters. No more than 8 Board members may be members of the same political party.

Each member of the Board shall serve on a full-time basis and shall not hold any other salaried public office, whether elective or appointive, nor any other office or position of profit, nor engage in any other business, employment, or vocation. The Chairman of the Board shall receive $35,000 a year, or an amount set by the Compensation Review Board, whichever is greater, and each other member $30,000, or an amount set by the Compensation Review Board, whichever is greater.

(c) Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the successor members to be appointed pursuant to this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. As soon as possible, the Governor shall appoint persons to fill the vacancies created by this amendatory Act.

Of the initial members appointed under this amendatory Act of the 93rd General Assembly, the Governor shall appoint 5 members whose terms shall expire on the third Monday in January 2005, 5 members whose terms shall expire on the third Monday in January 2007, and 5 members whose terms shall expire on the third Monday in January 2009. Their respective successors shall be appointed for terms of 6 years from the third Monday in January of the year of appointment. Each member shall serve until his or her successor is appointed and qualified.

Any member may be removed by the Governor for incompetence, neglect of duty, malfeasance or inability to serve.

(d) The Chairman of the Board shall be its chief executive and administrative officer. The Board may have an Executive Director; if so, the Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Board.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)
Sec. 3-3-2. Powers and Duties.
(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977,
the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to this amendatory Act of 1977; provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide, the time of aftercare release, the conditions of aftercare release and the time of discharge from aftercare release, impose sanctions for violations of aftercare

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release, and revoke aftercare release for those adjudicated delinquent under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

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(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V; and

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

   (i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

   (ii) aggravated assault;

   (iii) aggravated battery;

   (iv) domestic battery;

   (v) aggravated domestic battery;

   (vi) violation of an order of protection;

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(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;

(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;

(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; or

(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

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(c) The Board shall cooperate with the Department in promoting an effective system of parole, *aftercare release*, and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, *aftercare release*, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing

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of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 96-875, eff. 1-22-10; 97-697, eff. 6-22-12; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(730 ILCS 5/3-3-3) (from Ch. 38, par. 1003-3-3)
Sec. 3-3-3. Eligibility for Parole or Release.

(a) Except for those offenders who accept the fixed release date established by the Prisoner Review Board under Section 3-3-2.1, every person serving a term of imprisonment under the law in effect prior to the effective date of this amendatory Act of 1977 shall be eligible for parole when he or she has served:

1. the minimum term of an indeterminate sentence less time credit for good behavior, or 20 years less time credit for good behavior, whichever is less; or

2. 20 years of a life sentence less time credit for good behavior; or

3. 20 years or one-third of a determinate sentence, whichever is less, less time credit for good behavior.

(b) No person sentenced under this amendatory Act of 1977 or who accepts a release date under Section 3-3-2.1 shall be eligible for parole.

(c) Except for those sentenced to a term of natural life imprisonment, every person sentenced to imprisonment under this amendatory Act of 1977 or given a release date under Section 3-3-2.1 of this Act shall serve the full term of a determinate sentence less time credit for good behavior and shall then be released under the mandatory
supervised release provisions of paragraph (d) of Section 5-8-1 of this Code.

(d) No person serving a term of natural life imprisonment may be paroled or released except through executive clemency.

(e) Every person committed to the Department of Juvenile Justice under Section 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile Court Act of 1987 or Section 5-8-6 of this Code and confined in the State correctional institutions or facilities if such juvenile has not been tried as an adult shall be eligible for aftercare release parole without regard to the length of time the person has been confined or whether the person has served any minimum term imposed. However, if a juvenile has been tried as an adult he or she shall only be eligible for parole or mandatory supervised release as an adult under this Section.

(Source: P.A. 94-696, eff. 6-1-06.)

(730 ILCS 5/3-3-4) (from Ch. 38, par. 1003-3-4)

Sec. 3-3-4. Preparation for Parole Hearing.

(a) The Prisoner Review Board shall consider the parole of each eligible person committed to the Department of Corrections at least 30 days prior to the date he or she shall first become eligible for parole, and shall consider the aftercare release parole of each person committed to the Department of Juvenile Justice as a delinquent at least 30 days prior to the expiration of the first year of confinement.

(b) A person eligible for parole or aftercare release shall, no less than 15 days in advance of his or her parole interview, prepare a parole or aftercare release plan in accordance with the rules of the Prisoner Review Board. The person shall be assisted in preparing his or her parole or aftercare release plan by personnel of the Department of Corrections, or the Department of Juvenile Justice in the case of a person committed to that Department, and may, for this purpose, be released on furlough under Article 11 or on authorized absence under Section 3-9-4. The appropriate Department shall also provide assistance in obtaining information and records helpful to the individual for his or her parole hearing. If the person eligible for parole or aftercare release has a petition or any written submissions prepared on his or her behalf by an attorney or other representative, the attorney or representative for the person eligible for parole or aftercare release must serve by certified mail the State's Attorney of the county where he or she was prosecuted with the petition or any written submissions 15 days after his or her parole interview. The State's Attorney shall provide the attorney for the person eligible for parole
or aftercare release with a copy of his or her letter in opposition to parole or aftercare release via certified mail within 5 business days of the en banc hearing.

(c) Any member of the Board shall have access at all reasonable times to any committed person and to his or her master record file within the Department, and the Department shall furnish such a report to the Board concerning the conduct and character of any such person prior to his or her parole interview.

(d) In making its determination of parole or aftercare release, the Board shall consider:

   (1) material transmitted to the Department of Juvenile Justice by the clerk of the committing court under Section 5-4-1 or Section 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile Court Act of 1987;
   (2) the report under Section 3-8-2 or 3-10-2;
   (3) a report by the Department and any report by the chief administrative officer of the institution or facility;
   (4) a parole or aftercare release progress report;
   (5) a medical and psychological report, if requested by the Board;
   (6) material in writing, or on film, video tape or other electronic means in the form of a recording submitted by the person whose parole or aftercare release is being considered;
   (7) material in writing, or on film, video tape or other electronic means in the form of a recording or testimony submitted by the State's Attorney and the victim or a concerned citizen pursuant to the Rights of Crime Victims and Witnesses Act; and
   (8) the person's eligibility for commitment under the Sexually Violent Persons Commitment Act.

(e) The prosecuting State's Attorney's office shall receive from the Board reasonable written notice not less than 30 days prior to the parole or aftercare release interview and may submit relevant information by oral argument or testimony of victims and concerned citizens, or both, in writing, or on film, video tape or other electronic means or in the form of a recording to the Board for its consideration. Upon written request of the State's Attorney's office, the Prisoner Review Board shall hear protests to parole, or aftercare release, except in counties of 1,500,000 or more inhabitants where there shall be standing objections to all such petitions. If a State's Attorney who represents a county of less than 1,500,000

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inhabitants requests a protest hearing, the inmate's counsel or other representative shall also receive notice of such request. This hearing shall take place the month following the inmate's parole or aftercare release interview. If the inmate's parole or aftercare release interview is rescheduled then the Prisoner Review Board shall promptly notify the State's Attorney of the new date. The person eligible for parole or aftercare release shall be heard at the next scheduled en banc hearing date. If the case is to be continued, the State's Attorney's office and the attorney or representative for the person eligible for parole or aftercare release will be notified of any continuance within 5 business days. The State's Attorney may waive the written notice.

(f) The victim of the violent crime for which the prisoner has been sentenced shall receive notice of a parole or aftercare release hearing as provided in paragraph (4) of subsection (d) of Section 4.5 of the Rights of Crime Victims and Witnesses Act.

(g) Any recording considered under the provisions of subsection (d)(6), (d)(7) or (e) of this Section shall be in the form designated by the Board. Such recording shall be both visual and aural. Every voice on the recording and person present shall be identified and the recording shall contain either a visual or aural statement of the person submitting such recording, the date of the recording and the name of the person whose parole or aftercare release eligibility is being considered. Such recordings shall be retained by the Board and shall be deemed to be submitted at any subsequent parole or aftercare release hearing if the victim or State's Attorney submits in writing a declaration clearly identifying such recording as representing the present position of the victim or State's Attorney regarding the issues to be considered at the parole or aftercare release hearing.

(h) The Board shall not release any material to the inmate, the inmate's attorney, any third party, or any other person containing any information from the victim or from a person related to the victim by blood, adoption, or marriage who has written objections, testified at any hearing, or submitted audio or visual objections to the inmate's parole, or aftercare release, unless provided with a waiver from that objecting party. (Source: P.A. 96-875, eff. 1-22-10; 97-523, eff. 1-1-12; 97-1075, eff. 8-24-12; 97-1083, eff. 8-24-12; revised 9-20-12.)

(730 ILCS 5/3-3-5) (from Ch. 38, par. 1003-3-5)

Sec. 3-3-5. Hearing and Determination.

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(a) The Prisoner Review Board shall meet as often as need requires to consider the cases of persons eligible for parole and aftercare release. Except as otherwise provided in paragraph (2) of subsection (a) of Section 3-3-2 of this Act, the Prisoner Review Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. In consideration of persons committed to the Department of Juvenile Justice, the panel shall have at least a majority of members experienced in juvenile matters.

(b) If the person under consideration for parole or aftercare release is in the custody of the Department, at least one member of the Board shall interview him or her, and a report of that interview shall be available for the Board's consideration. However, in the discretion of the Board, the interview need not be conducted if a psychiatric examination determines that the person could not meaningfully contribute to the Board's consideration. The Board may in its discretion parole or release on aftercare a person who is then outside the jurisdiction on his or her record without an interview. The Board need not hold a hearing or interview a person who is paroled or released on aftercare under paragraphs (d) or (e) of this Section or released on Mandatory release under Section 3-3-10.

(c) The Board shall not parole or release a person eligible for parole or aftercare release if it determines that:

(1) there is a substantial risk that he or she will not conform to reasonable conditions of parole or aftercare release; or

(2) his or her release at that time would deprecate the seriousness of his or her offense or promote disrespect for the law; or

(3) his or her release would have a substantially adverse effect on institutional discipline.

(d) A person committed under the Juvenile Court Act or the Juvenile Court Act of 1987 who has not been sooner released shall be released on aftercare paroled on or before his or her 20th birthday to begin serving a period of aftercare release parole under Section 3-3-8.

(e) A person who has served the maximum term of imprisonment imposed at the time of sentencing less time credit for good behavior shall be released on parole to serve a period of parole under Section 5-8-1.

(f) The Board shall render its decision within a reasonable time after hearing and shall state the basis therefor both in the records of the Board and in written notice to the person on whose application it has acted. In its decision, the Board shall set the person's time for parole or
aftercare release, or if it denies parole or aftercare release it shall provide for a rehearing not less frequently than once every year, except that the Board may, after denying parole, schedule a rehearing no later than 5 years from the date of the parole denial, if the Board finds that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled rehearing date. If the Board shall parole or release a person, and, if he or she is not released within 90 days from the effective date of the order granting parole or aftercare release, the matter shall be returned to the Board for review.

(f-1) If the Board paroles or releases a person who is eligible for commitment as a sexually violent person, the effective date of the Board's order shall be stayed for 90 days for the purpose of evaluation and proceedings under the Sexually Violent Persons Commitment Act.

(g) The Board shall maintain a registry of decisions in which parole has been granted, which shall include the name and case number of the prisoner, the highest charge for which the prisoner was sentenced, the length of sentence imposed, the date of the sentence, the date of the parole, and the basis for the decision of the Board to grant parole and the vote of the Board on any such decisions. The registry shall be made available for public inspection and copying during business hours and shall be a public record pursuant to the provisions of the Freedom of Information Act.

(h) The Board shall promulgate rules regarding the exercise of its discretion under this Section.

(Source: P.A. 96-875, eff. 1-22-10; 97-522, eff. 1-1-12; 97-1075, eff. 8-24-12.)

(730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)
Sec. 3-3-7. Conditions of Parole, or Mandatory Supervised Release, or Aftercare Release.

(a) The conditions of parole, aftercare release, or mandatory supervised release shall be such as the Prisoner Review Board deems necessary to assist the subject in leading a law-abiding life. The conditions of every parole, aftercare release, and mandatory supervised release are that the subject:

(1) not violate any criminal statute of any jurisdiction during the parole, aftercare release, or release term;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) report to an agent of the Department of Corrections or to the Department of Juvenile Justice;

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(4) permit the agent or aftercare specialist to visit him or her at his or her home, employment, or elsewhere to the extent necessary for the agent or aftercare specialist to discharge his or her duties;

(5) attend or reside in a facility established for the instruction or residence of persons on parole, aftercare release, or mandatory supervised release;

(6) secure permission before visiting or writing a committed person in an Illinois Department of Corrections facility;

(7) report all arrests to an agent of the Department of Corrections or to the Department of Juvenile Justice as soon as permitted by the arresting authority but in no event later than 24 hours after release from custody and immediately report service or notification of an order of protection, a civil no contact order, or a stalking no contact order to an agent of the Department of Corrections;

(7.5) if convicted of a sex offense as defined in the Sex Offender Management Board Act, the individual shall undergo and successfully complete sex offender treatment conducted in conformance with the standards developed by the Sex Offender Management Board Act by a treatment provider approved by the Board;

(7.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders, or is in any facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or is in any licensed medical facility;

(7.7) if convicted for an offense that would qualify the accused as a sexual predator under the Sex Offender Registration Act on or after January 1, 2007 (the effective date of Public Act 94-988), wear an approved electronic monitoring device as defined in Section 5-8A-2 for the duration of the person's parole, aftercare

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release, mandatory supervised release term, or extended mandatory supervised release term and if convicted for an offense of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, aggravated criminal sexual abuse, or ritualized abuse of a child committed on or after August 11, 2009 (the effective date of Public Act 96-236) when the victim was under 18 years of age at the time of the commission of the offense and the defendant used force or the threat of force in the commission of the offense wear an approved electronic monitoring device as defined in Section 5-8A-2 that has Global Positioning System (GPS) capability for the duration of the person's parole, aftercare release, mandatory supervised release term, or extended mandatory supervised release term;

(7.8) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (7.8), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(7.9) if convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, consent to search of computers, PDAs, cellular phones, and other devices under his or her control that are capable of accessing the Internet or storing electronic files, in order to confirm Internet protocol addresses reported in accordance with the Sex Offender Registration Act and compliance with conditions in this Act;

(7.10) if convicted for an offense that would qualify the accused as a sex offender or sexual predator under the Sex Offender Registration Act on or after June 1, 2008 (the effective
date of Public Act 95-640), not possess prescription drugs for erectile dysfunction;

(7.11) if convicted for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983):

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the Department;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's supervising agent, aftercare specialist, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the Board, the Department or the offender's supervising agent or aftercare specialist;

(7.12) if convicted of a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262), refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012;

(7.13) if convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not
knowingly use any computer scrub software on any computer that the sex offender uses;

(8) obtain permission of an agent of the Department of Corrections or the Department of Juvenile Justice before leaving the State of Illinois;

(9) obtain permission of an agent of the Department of Corrections or the Department of Juvenile Justice before changing his or her residence or employment;

(10) consent to a search of his or her person, property, or residence under his or her control;

(11) refrain from the use or possession of narcotics or other controlled substances in any form, or both, or any paraphernalia related to those substances and submit to a urinalysis test as instructed by a parole agent of the Department of Corrections or an aftercare specialist of the Department of Juvenile Justice;

(12) not frequent places where controlled substances are illegally sold, used, distributed, or administered;

(13) not knowingly associate with other persons on parole, aftercare release, or mandatory supervised release without prior written permission of his or her parole agent or aftercare specialist and not associate with persons who are members of an organized gang as that term is defined in the Illinois Streetgang Terrorism Omnibus Prevention Act;

(14) provide true and accurate information, as it relates to his or her adjustment in the community while on parole, aftercare release, or mandatory supervised release or to his or her conduct while incarcerated, in response to inquiries by his or her parole agent or of the Department of Corrections or by his or her aftercare specialist or of the Department of Juvenile Justice;

(15) follow any specific instructions provided by the parole agent or aftercare specialist that are consistent with furthering conditions set and approved by the Prisoner Review Board or by law, exclusive of placement on electronic detention, to achieve the goals and objectives of his or her parole, aftercare release, or mandatory supervised release or to protect the public. These instructions by the parole agent or aftercare specialist may be modified at any time, as the agent or aftercare specialist deems appropriate;
(16) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter;

(17) if convicted of a violation of an order of protection under Section 12-3.4 or Section 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, be placed under electronic surveillance as provided in Section 5-8A-7 of this Code;

(18) comply with the terms and conditions of an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986; an order of protection issued by the court of another state, tribe, or United States territory; a no contact order issued pursuant to the Civil No Contact Order Act; or a no contact order issued pursuant to the Stalking No Contact Order Act; and

(19) if convicted of a violation of the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or a methamphetamine related offense, be:

(A) prohibited from purchasing, possessing, or having under his or her control any product containing pseudoephedrine unless prescribed by a physician; and

(B) prohibited from purchasing, possessing, or having under his or her control any product containing ammonium nitrate.

(b) The Board may in addition to other conditions require that the subject:

(1) work or pursue a course of study or vocational training;
(2) undergo medical or psychiatric treatment, or treatment for drug addiction or alcoholism;
(3) attend or reside in a facility established for the instruction or residence of persons on probation or parole;
(4) support his or her dependents;
(5) (blank);
(6) (blank);
(7) (blank);

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(7.5) if convicted for an offense committed on or after the effective date of this amendatory Act of the 95th General Assembly that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (7.5), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(7.6) if convicted for an offense committed on or after June 1, 2009 (the effective date of Public Act 95-983) that would qualify as a sex offense as defined in the Sex Offender Registration Act:

   (i) not access or use a computer or any other device with Internet capability without the prior written approval of the Department;

   (ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's supervising agent or aftercare specialist, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

   (iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

   (iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the Board, the Department or the offender's supervising agent or aftercare specialist; and

(8) in addition, if a minor:

   (i) reside with his or her parents or in a foster home;

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(ii) attend school;
(iii) attend a non-residential program for youth; or
(iv) contribute to his or her own support at home or in a foster home.

(b-1) In addition to the conditions set forth in subsections (a) and (b), persons required to register as sex offenders pursuant to the Sex Offender Registration Act, upon release from the custody of the Illinois Department of Corrections or Department of Juvenile Justice, may be required by the Board to comply with the following specific conditions of release:

(1) reside only at a Department approved location;
(2) comply with all requirements of the Sex Offender Registration Act;
(3) notify third parties of the risks that may be occasioned by his or her criminal record;
(4) obtain the approval of an agent of the Department of Corrections or the Department of Juvenile Justice prior to accepting employment or pursuing a course of study or vocational training and notify the Department prior to any change in employment, study, or training;
(5) not be employed or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by an agent of the Department of Corrections or the Department of Juvenile Justice;
(6) be electronically monitored for a minimum of 12 months from the date of release as determined by the Board;
(7) refrain from entering into a designated geographic area except upon terms approved in advance by an agent of the Department of Corrections or the Department of Juvenile Justice. The terms may include consideration of the purpose of the entry, the time of day, and others accompanying the person;
(8) refrain from having any contact, including written or oral communications, directly or indirectly, personally or by telephone, letter, or through a third party with certain specified persons including, but not limited to, the victim or the victim’s family without the prior written approval of an agent of the Department of Corrections or the Department of Juvenile Justice;
(9) refrain from all contact, directly or indirectly, personally, by telephone, letter, or through a third party, with minor

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children without prior identification and approval of an agent of the Department of Corrections or the Department of Juvenile Justice;

(10) neither possess or have under his or her control any material that is sexually oriented, sexually stimulating, or that shows male or female sex organs or any pictures depicting children under 18 years of age nude or any written or audio material describing sexual intercourse or that depicts or alludes to sexual activity, including but not limited to visual, auditory, telephonic, or electronic media, or any matter obtained through access to any computer or material linked to computer access use;

(11) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers;

(12) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of an agent of the Department of Corrections or the Department of Juvenile Justice and immediately report any incidental contact with minor children to the Department;

(13) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending as determined by an agent of the Department of Corrections or the Department of Juvenile Justice;

(14) may be required to provide a written daily log of activities if directed by an agent of the Department of Corrections or the Department of Juvenile Justice;

(15) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access to potential victims;

(16) take an annual polygraph exam;

(17) maintain a log of his or her travel; or

(18) obtain prior approval of his or her parole officer or aftercare specialist before driving alone in a motor vehicle.

(c) The conditions under which the parole, aftercare release, or mandatory supervised release is to be served shall be communicated to the person in writing prior to his or her release, and he or she shall sign the same before release. A signed copy of these conditions, including a copy of an order of protection where one had been issued by the criminal court,
shall be retained by the person and another copy forwarded to the officer
or aftercare specialist in charge of his or her supervision.

(d) After a hearing under Section 3-3-9, the Prisoner Review Board
may modify or enlarge the conditions of parole, aftercare release, or
mandatory supervised release.

(e) The Department shall inform all offenders committed to the
Department of the optional services available to them upon release and
shall assist inmates in availing themselves of such optional services upon
their release on a voluntary basis.

(f) (Blank).

(Sources: P.A. 96-236, eff. 8-11-09; 96-262, eff. 1-1-10; 96-328, eff. 8-11-
09; 96-362, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1539, eff. 3-4-11; 96-
1551, Article 2, Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-
150, eff. 7-1-11; 97-50, eff. 6-28-11; 97-531, eff. 1-1-12; 97-560, eff. 1-1-
12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Sec. 3-3-8. Length of parole, aftercare release, and mandatory
supervised release; discharge.)

(a) The length of parole for a person sentenced under the law in
effect prior to the effective date of this amendatory Act of 1977 and the
length of mandatory supervised release for those sentenced under the law
in effect on and after such effective date shall be as set out in Section 5-8-
1 unless sooner terminated under paragraph (b) of this Section. The
aftercare release parole period of a juvenile committed to the Department
under the Juvenile Court Act or the Juvenile Court Act of 1987 shall
extend until he or she is 21 years of age unless sooner terminated under
paragraph (b) of this Section.

(b) The Prisoner Review Board may enter an order releasing and
discharging one from parole, aftercare release, or mandatory supervised
release, and his or her commitment to the Department, when it determines
that he or she is likely to remain at liberty without committing another
offense.

(b-1) Provided that the subject is in compliance with the terms and
conditions of his or her parole, aftercare release, or mandatory supervised
release, the Prisoner Review Board may reduce the period of a parolee or
releasee's parole, aftercare release, or mandatory supervised release by 90
days upon the parolee or releasee receiving a high school diploma or upon
passage of the high school level Test of General Educational Development
during the period of his or her parole, aftercare release, or mandatory

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supervised release. This reduction in the period of a subject's term of parole, aftercare release, or mandatory supervised release shall be available only to subjects who have not previously earned a high school diploma or who have not previously passed the high school level Test of General Educational Development.

(c) The order of discharge shall become effective upon entry of the order of the Board. The Board shall notify the clerk of the committing court of the order. Upon receipt of such copy, the clerk shall make an entry on the record judgment that the sentence or commitment has been satisfied pursuant to the order.

(d) Rights of the person discharged under this Section shall be restored under Section 5-5-5. This Section is subject to Section 5-750 of the Juvenile Court Act of 1987.

(Source: P.A. 97-531, eff. 1-1-12.)

(730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole, aftercare release, or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole, aftercare release, or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole, aftercare release, or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

(1) continue the existing term, with or without modifying or enlarging the conditions; or

(2) parole or release the person to a half-way house; or

(3) revoke the parole, aftercare release, or mandatory supervised release and reconfine the person for a term computed in the following manner:

   (i) (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommittal shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;

   (B) Except as set forth in paragraph (C), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommittal shall
be for the total mandatory supervised release term, less the
time elapsed between the release of the person and the
commission of the violation for which mandatory
supervised release is revoked. The Board may also order
that a prisoner serve up to one year of the sentence imposed
by the court which was not served due to the accumulation
of sentence credit;

(C) For those subject to sex offender supervision
under clause (d)(4) of Section 5-8-1 of this Code, the
reconfinement period for violations of clauses (a)(3)
through (b-1)(15) of Section 3-3-7 shall not exceed 2 years
from the date of reconfinement;

(ii) the person shall be given credit against the term
of reimprisonment or reconfinement for time spent in
custody since he or she was paroled or released which has
not been credited against another sentence or period of
confine;

(iii) persons committed under the Juvenile Court
Act or the Juvenile Court Act of 1987 may be continued
under the existing term of aftercare release parole with or
without modifying the conditions of aftercare release
parole, paroled or released on aftercare release to a group
home or other residential facility, or recommitted until the
age of 21 unless sooner terminated;

(iv) this Section is subject to the release under
supervision and the reparole and rerelease provisions of
Section 3-3-10.

(b) The Board may revoke parole, aftercare release, or mandatory
supervised release for violation of a condition for the duration of the term
and for any further period which is reasonably necessary for the
adjudication of matters arising before its expiration. The issuance of a
warrant of arrest for an alleged violation of the conditions of parole,
aftercare release, or mandatory supervised release shall toll the running of
the term until the final determination of the charge. When parole, aftercare
release, or mandatory supervised release is not revoked that period shall
be credited to the term, unless a community-based sanction is imposed as
an alternative to revocation and reincarceration, including a diversion
established by the Illinois Department of Corrections Parole Services Unit
prior to the holding of a preliminary parole revocation hearing. Parolees

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who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole, aftercare release, or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

(c) A person charged with violating a condition of parole, aftercare release, or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole, aftercare release, or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole, aftercare release, or mandatory supervised release charged against him or her.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. In consideration of persons committed to the Department of Juvenile Justice, the member hearing the matter and at least a majority of the panel shall be experienced in juvenile matters. A record of the hearing shall be made. At the hearing the offender shall be permitted to:

1. appear and answer the charge; and
2. bring witnesses on his or her behalf.

(f) The Board shall either revoke parole, aftercare release, or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole, aftercare release, or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 96-1271, eff. 1-1-11; 97-697, eff. 6-22-12; revised 8-3-12.)

(730 ILCS 5/3-3-10) (from Ch. 38, par. 1003-3-10)

Sec. 3-3-10. Eligibility after Revocation; Release under Supervision.
(a) A person whose parole, aftercare release, or mandatory supervised release has been revoked may be reparoled or rereleased by the Board at any time to the full parole, aftercare release, or mandatory supervised release term under Section 3-3-8, except that the time which the person shall remain subject to the Board shall not exceed (1) the imposed maximum term of imprisonment or confinement and the parole term for those sentenced under the law in effect prior to the effective date of this amendatory Act of 1977 or (2) the term of imprisonment imposed by the court and the mandatory supervised release term for those sentenced under the law in effect on and after such effective date.

(b) If the Board sets no earlier release date:

(1) A person sentenced for any violation of law which occurred before January 1, 1973, shall be released under supervision 6 months prior to the expiration of his or her maximum sentence of imprisonment less good time credit under Section 3-6-3.

(2) Any person who has violated the conditions of his or her parole or aftercare release and been reconfined under Section 3-3-9 shall be released under supervision 6 months prior to the expiration of the term of his or her reconfinement under paragraph (a) of Section 3-3-9 less good time credit under Section 3-6-3. This paragraph shall not apply to persons serving terms of mandatory supervised release.

(3) Nothing herein shall require the release of a person who has violated his or her parole within 6 months of the date when his or her release under this Section would otherwise be mandatory.

(c) Persons released under this Section shall be subject to Sections 3-3-6, 3-3-7, 3-3-9, 3-14-1, 3-14-2, 3-14-2.5, 3-14-3, and 3-14-4.

(Source: P.A. 94-165, eff. 7-11-05; 95-331, eff. 8-21-07.)

(730 ILCS 5/3-4-3) (from Ch. 38, par. 1003-4-3)

Sec. 3-4-3. Funds and Property of Persons Committed.

(a) The Department of Corrections and the Department of Juvenile Justice shall establish accounting records with accounts for each person who has or receives money while in an institution or facility of that Department and it shall allow the withdrawal and disbursement of money by the person under rules and regulations of that Department. Any interest or other income from moneys deposited with the Department by a resident of the Department of Juvenile Justice in excess of $200 shall accrue to the individual's account, or in balances up to $200 shall accrue to the

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Residents' Benefit Fund. For an individual in an institution or facility of the Department of Corrections the interest shall accrue to the Residents' Benefit Fund. The Department shall disburse all moneys so held no later than the person's final discharge from the Department. Moneys in the account of a committed person who files a lawsuit determined frivolous under Article XXII of the Code of Civil Procedure shall be deducted to pay for the filing fees and cost of the suit as provided in that Article. The Department shall under rules and regulations record and receipt all personal property not allowed to committed persons. The Department shall return such property to the individual no later than the person's release on parole or aftercare.

(b) Any money held in accounts of committed persons separated from the Department by death, discharge, or unauthorized absence and unclaimed for a period of 1 year thereafter by the person or his legal representative shall be transmitted to the State Treasurer who shall deposit it into the General Revenue Fund. Articles of personal property of persons so separated may be sold or used by the Department if unclaimed for a period of 1 year for the same purpose. Clothing, if unclaimed within 30 days, may be used or disposed of as determined by the Department.

(c) Forty percent of the profits on sales from commissary stores shall be expended by the Department for the special benefit of committed persons which shall include but not be limited to the advancement of inmate payrolls, for the special benefit of employees, and for the advancement or reimbursement of employee travel, provided that amounts expended for employees shall not exceed the amount of profits derived from sales made to employees by such commissaries, as determined by the Department. The remainder of the profits from sales from commissary stores must be used first to pay for wages and benefits of employees covered under a collective bargaining agreement who are employed at commissary facilities of the Department and then to pay the costs of dietary staff.

(d) The Department shall confiscate any unauthorized currency found in the possession of a committed person. The Department shall transmit the confiscated currency to the State Treasurer who shall deposit it into the General Revenue Fund.

(Source: P.A. 97-1083, eff. 8-24-12.)

(730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)
Sec. 3-5-1. Master Record File.
(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:
   (1) all information from the committing court;
   (2) reception summary;
   (3) evaluation and assignment reports and recommendations;
   (4) reports as to program assignment and progress;
   (5) reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;
   (6) any parole or aftercare release plan;
   (7) any parole or aftercare release reports;
   (8) the date and circumstances of final discharge;
   (9) criminal history;
   (10) current and past gang affiliations and ranks;
   (11) information regarding associations and family relationships;
   (12) any grievances filed and responses to those grievances; and
   (13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person.

(b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

(c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person.
When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(Source: P.A. 97-696, eff. 6-22-12.)

(730 ILCS 5/3-10-6) (from Ch. 38, par. 1003-10-6)
Sec. 3-10-6. Return and Release from Department of Human Services.

(a) The Department of Human Services shall return to the Department of Juvenile Justice any person committed to a facility of the Department under paragraph (a) of Section 3-10-5 when the person no longer meets the standard for admission of a minor to a mental health facility, or is suitable for administrative admission to a developmental disability facility.

(b) If a person returned to the Department of Juvenile Justice under paragraph (a) of this Section has not had an aftercare release hearing within the preceding 6 months, he or she shall have an aftercare hearing within 45 days after his or her return.

(c) The Department of Juvenile Justice shall notify the Secretary of Human Services of the expiration of the commitment or sentence of any person transferred to the Department of Human Services under Section 3-10-5. If the Department of Human Services determines that such person transferred to it under paragraph (a) of Section 3-10-5 requires further hospitalization, it shall file a petition for commitment of such person under the Mental Health and Developmental Disabilities Code.

(d) The Department of Human Services shall release under the Mental Health and Developmental Disabilities Code, any person transferred to it pursuant to paragraph (c) of Section 3-10-5, whose sentence has expired and whom it deems no longer meets the standard for admission of a minor to a mental health facility, or is suitable for administrative admission to a developmental disability facility. A person committed to the Department of Juvenile Justice under the Juvenile Court

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Act or the Juvenile Court Act of 1987 and transferred to the Department of Human Services under paragraph (c) of Section 3-10-5 shall be released to the committing juvenile court when the Department of Human Services determines that he or she no longer requires hospitalization for treatment.

(Source: P.A. 94-696, eff. 6-1-06.)

(730 ILCS 5/5-1-1.1 new)

Sec. 5-1-1.1. Aftercare release. "Aftercare release" means the conditional and revocable release of a person committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987, under the Department of Juvenile Justice.

(730 ILCS 5/5-1-16) (from Ch. 38, par. 1005-1-16)

Sec. 5-1-16. Parole.

"Parole" means the conditional and revocable release of a person committed to the Department of Corrections under the supervision of a parole officer.

(Source: P.A. 78-939.)

(730 ILCS 5/5-4-3) (from Ch. 38, par. 1005-4-3)

Sec. 5-4-3. Specimens; genetic marker groups.

(a) Any person convicted of, found guilty under the Juvenile Court Act of 1987 for, or who received a disposition of court supervision for, a qualifying offense or attempt of a qualifying offense, convicted or found guilty of any offense classified as a felony under Illinois law, convicted or found guilty of any offense requiring registration under the Sex Offender Registration Act, found guilty or given supervision for any offense classified as a felony under the Juvenile Court Act of 1987, convicted or found guilty of, under the Juvenile Court Act of 1987, any offense requiring registration under the Sex Offender Registration Act, or institutionalized as a sexually dangerous person under the Sexually Dangerous Persons Act, or committed as a sexually violent person under the Sexually Violent Persons Commitment Act shall, regardless of the sentence or disposition imposed, be required to submit specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with the provisions of this Section, provided such person is:

(1) convicted of a qualifying offense or attempt of a qualifying offense on or after July 1, 1990 and sentenced to a term of imprisonment, periodic imprisonment, fine, probation, conditional discharge or any other form of sentence, or given a disposition of court supervision for the offense;

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(1.5) found guilty or given supervision under the Juvenile Court Act of 1987 for a qualifying offense or attempt of a qualifying offense on or after January 1, 1997;

(2) ordered institutionalized as a sexually dangerous person on or after July 1, 1990;

(3) convicted of a qualifying offense or attempt of a qualifying offense before July 1, 1990 and is presently confined as a result of such conviction in any State correctional facility or county jail or is presently serving a sentence of probation, conditional discharge or periodic imprisonment as a result of such conviction;

(3.5) convicted or found guilty of any offense classified as a felony under Illinois law or found guilty or given supervision for such an offense under the Juvenile Court Act of 1987 on or after August 22, 2002;

(4) presently institutionalized as a sexually dangerous person or presently institutionalized as a person found guilty but mentally ill of a sexual offense or attempt to commit a sexual offense; or

(4.5) ordered committed as a sexually violent person on or after the effective date of the Sexually Violent Persons Commitment Act.

(a-1) Any person incarcerated in a facility of the Illinois Department of Corrections or the Illinois Department of Juvenile Justice on or after August 22, 2002, whether for a term of years, natural life, or a sentence of death, who has not yet submitted a specimen of blood, saliva, or tissue shall be required to submit a specimen of blood, saliva, or tissue prior to his or her final discharge, or release on parole, aftercare release, or mandatory supervised release, as a condition of his or her parole, aftercare release, or mandatory supervised release, or within 6 months from August 13, 2009 (the effective date of Public Act 96-426), whichever is sooner. A person incarcerated on or after August 13, 2009 (the effective date of Public Act 96-426) shall be required to submit a specimen within 45 days of incarceration, or prior to his or her final discharge, or release on parole, aftercare release, or mandatory supervised release, as a condition of his or her parole, aftercare release, or mandatory supervised release, whichever is sooner. These specimens shall be placed into the State or national DNA database, to be used in accordance with other provisions of this Section, by the Illinois State Police.

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(a-2) Any person sentenced to life imprisonment in a facility of the Illinois Department of Corrections after the effective date of this amendatory Act of the 94th General Assembly or sentenced to death after the effective date of this amendatory Act of the 94th General Assembly shall be required to provide a specimen of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police. Any person serving a sentence of life imprisonment in a facility of the Illinois Department of Corrections on the effective date of this amendatory Act of the 94th General Assembly or any person who is under a sentence of death on the effective date of this amendatory Act of the 94th General Assembly shall be required to provide a specimen of blood, saliva, or tissue upon request at a collection site designated by the Illinois Department of State Police.

(a-3) Any person seeking transfer to or residency in Illinois under Sections 3-3-11.05 through 3-3-11.5 of this Code, the Interstate Compact for Adult Offender Supervision, or the Interstate Agreements on Sexually Dangerous Persons Act shall be required to provide a specimen of blood, saliva, or tissue within 45 days after transfer to or residency in Illinois at a collection site designated by the Illinois Department of State Police.

(a-3.1) Any person required by an order of the court to submit a DNA specimen shall be required to provide a specimen of blood, saliva, or tissue within 45 days after the court order at a collection site designated by the Illinois Department of State Police.

(a-3.2) On or after January 1, 2012 (the effective date of Public Act 97-383), any person arrested for any of the following offenses, after an indictment has been returned by a grand jury, or following a hearing pursuant to Section 109-3 of the Code of Criminal Procedure of 1963 and a judge finds there is probable cause to believe the arrestee has committed one of the designated offenses, or an arrestee has waived a preliminary hearing shall be required to provide a specimen of blood, saliva, or tissue within 14 days after such indictment or hearing at a collection site designated by the Illinois Department of State Police:

(A) first degree murder;
(B) home invasion;
(C) predatory criminal sexual assault of a child;
(D) aggravated criminal sexual assault; or
(E) criminal sexual assault.

(a-3.3) Any person required to register as a sex offender under the Sex Offender Registration Act, regardless of the date of conviction as set
forth in subsection (c-5.2) shall be required to provide a specimen of blood, saliva, or tissue within the time period prescribed in subsection (c-5.2) at a collection site designated by the Illinois Department of State Police.

(a-5) Any person who was otherwise convicted of or received a disposition of court supervision for any other offense under the Criminal Code of 1961 or the Criminal Code of 2012 or who was found guilty or given supervision for such a violation under the Juvenile Court Act of 1987, may, regardless of the sentence imposed, be required by an order of the court to submit specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with the provisions of this Section.

(b) Any person required by paragraphs (a)(1), (a)(1.5), (a)(2), (a)(3.5), and (a-5) to provide specimens of blood, saliva, or tissue shall provide specimens of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police.

(c) Any person required by paragraphs (a)(3), (a)(4), and (a)(4.5) to provide specimens of blood, saliva, or tissue shall be required to provide such specimens prior to final discharge or within 6 months from August 13, 2009 (the effective date of Public Act 96-426), whichever is sooner. These specimens shall be placed into the State or national DNA database, to be used in accordance with other provisions of this Act, by the Illinois State Police.

(c-5) Any person required by paragraph (a-3) to provide specimens of blood, saliva, or tissue shall, where feasible, be required to provide the specimens before being accepted for conditioned residency in Illinois under the interstate compact or agreement, but no later than 45 days after arrival in this State.

(c-5.2) Unless it is determined that a registered sex offender has previously submitted a specimen of blood, saliva, or tissue that has been placed into the State DNA database, a person registering as a sex offender shall be required to submit a specimen at the time of his or her initial registration pursuant to the Sex Offender Registration Act or, for a person registered as a sex offender on or prior to January 1, 2012 (the effective date of Public Act 97-383), within one year of January 1, 2012 (the effective date of Public Act 97-383) or at the time of his or her next required registration.
(c-6) The Illinois Department of State Police may determine which type of specimen or specimens, blood, saliva, or tissue, is acceptable for submission to the Division of Forensic Services for analysis. The Illinois Department of State Police may require the submission of fingerprints from anyone required to give a specimen under this Act.

(d) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of blood specimens. The collection of specimens shall be performed in a medically approved manner. Only a physician authorized to practice medicine, a registered nurse or other qualified person trained in venipuncture may withdraw blood for the purposes of this Act. The specimens shall thereafter be forwarded to the Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-1) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of saliva specimens. The collection of saliva specimens shall be performed in a medically approved manner. Only a person trained in the instructions promulgated by the Illinois State Police on collecting saliva may collect saliva for the purposes of this Section. The specimens shall thereafter be forwarded to the Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-2) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of tissue specimens. The collection of tissue specimens shall be performed in a medically approved manner. Only a person trained in the instructions promulgated by the Illinois State Police on collecting tissue may collect tissue for the purposes of this Section. The specimens shall thereafter be forwarded to the Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-5) To the extent that funds are available, the Illinois Department of State Police shall contract with qualified personnel and certified laboratories for the collection, analysis, and categorization of known specimens, except as provided in subsection (n) of this Section.

(d-6) Agencies designated by the Illinois Department of State Police and the Illinois Department of State Police may contract with third parties to provide for the collection or analysis of DNA, or both, of an offender's blood, saliva, and tissue specimens, except as provided in subsection (n) of this Section.

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(e) The genetic marker groupings shall be maintained by the Illinois Department of State Police, Division of Forensic Services.

(f) The genetic marker grouping analysis information obtained pursuant to this Act shall be confidential and shall be released only to peace officers of the United States, of other states or territories, of the insular possessions of the United States, of foreign countries duly authorized to receive the same, to all peace officers of the State of Illinois and to all prosecutorial agencies, and to defense counsel as provided by Section 116-5 of the Code of Criminal Procedure of 1963. The genetic marker grouping analysis information obtained pursuant to this Act shall be used only for (i) valid law enforcement identification purposes and as required by the Federal Bureau of Investigation for participation in the National DNA database, (ii) technology validation purposes, (iii) a population statistics database, (iv) quality assurance purposes if personally identifying information is removed, (v) assisting in the defense of the criminally accused pursuant to Section 116-5 of the Code of Criminal Procedure of 1963, or (vi) identifying and assisting in the prosecution of a person who is suspected of committing a sexual assault as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act. Notwithstanding any other statutory provision to the contrary, all information obtained under this Section shall be maintained in a single State data base, which may be uploaded into a national database, and which information may be subject to expungement only as set forth in subsection (f-1).

(f-1) Upon receipt of notification of a reversal of a conviction based on actual innocence, or of the granting of a pardon pursuant to Section 12 of Article V of the Illinois Constitution, if that pardon document specifically states that the reason for the pardon is the actual innocence of an individual whose DNA record has been stored in the State or national DNA identification index in accordance with this Section by the Illinois Department of State Police, the DNA record shall be expunged from the DNA identification index, and the Department shall by rule prescribe procedures to ensure that the record and any specimens, analyses, or other documents relating to such record, whether in the possession of the Department or any law enforcement or police agency, or any forensic DNA laboratory, including any duplicates or copies thereof, are destroyed and a letter is sent to the court verifying the expungement is completed. For specimens required to be collected prior to conviction, unless the individual has other charges or convictions that require

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submission of a specimen, the DNA record for an individual shall be expunged from the DNA identification databases and the specimen destroyed upon receipt of a certified copy of a final court order for each charge against an individual in which the charge has been dismissed, resulted in acquittal, or that the charge was not filed within the applicable time period. The Department shall by rule prescribe procedures to ensure that the record and any specimens in the possession or control of the Department are destroyed and a letter is sent to the court verifying the expungement is completed.

(f-5) Any person who intentionally uses genetic marker grouping analysis information, or any other information derived from a DNA specimen, beyond the authorized uses as provided under this Section, or any other Illinois law, is guilty of a Class 4 felony, and shall be subject to a fine of not less than $5,000.

(f-6) The Illinois Department of State Police may contract with third parties for the purposes of implementing this amendatory Act of the 93rd General Assembly, except as provided in subsection (n) of this Section. Any other party contracting to carry out the functions of this Section shall be subject to the same restrictions and requirements of this Section insofar as applicable, as the Illinois Department of State Police, and to any additional restrictions imposed by the Illinois Department of State Police.

(g) For the purposes of this Section, "qualifying offense" means any of the following:

(1) any violation or inchoate violation of Section 11-1.50, 11-1.60, 11-6, 11-9.1, 11-11, 11-18.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

(1.1) any violation or inchoate violation of Section 9-1, 9-2, 10-1, 10-2, 12-11, 12-11.1, 18-1, 18-2, 18-3, 18-4, 18-6, 19-1, 19-2, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012 for which persons are convicted on or after July 1, 2001;

(2) any former statute of this State which defined a felony sexual offense;

(3) (blank);

(4) any inchoate violation of Section 9-3.1, 9-3.4, 11-9.3, 12-7.3, or 12-7.4 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(5) any violation or inchoate violation of Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012.
(g-5) (Blank).

(h) The Illinois Department of State Police shall be the State central repository for all genetic marker grouping analysis information obtained pursuant to this Act. The Illinois Department of State Police may promulgate rules for the form and manner of the collection of blood, saliva, or tissue specimens and other procedures for the operation of this Act. The provisions of the Administrative Review Law shall apply to all actions taken under the rules so promulgated.

(i) (1) A person required to provide a blood, saliva, or tissue specimen shall cooperate with the collection of the specimen and any deliberate act by that person intended to impede, delay or stop the collection of the blood, saliva, or tissue specimen is a Class 4 felony.

(2) In the event that a person's DNA specimen is not adequate for any reason, the person shall provide another DNA specimen for analysis. Duly authorized law enforcement and corrections personnel may employ reasonable force in cases in which an individual refuses to provide a DNA specimen required under this Act.

(j) Any person required by subsection (a), or any person who was previously required by subsection (a-3.2), to submit specimens of blood, saliva, or tissue to the Illinois Department of State Police for analysis and categorization into genetic marker grouping, in addition to any other disposition, penalty, or fine imposed, shall pay an analysis fee of $250. If the analysis fee is not paid at the time of sentencing, the court shall establish a fee schedule by which the entire amount of the analysis fee shall be paid in full, such schedule not to exceed 24 months from the time of conviction. The inability to pay this analysis fee shall not be the sole ground to incarcerate the person.

(k) All analysis and categorization fees provided for by subsection (j) shall be regulated as follows:

(1) The State Offender DNA Identification System Fund is hereby created as a special fund in the State Treasury.

(2) All fees shall be collected by the clerk of the court and forwarded to the State Offender DNA Identification System Fund for deposit. The clerk of the circuit court may retain the amount of $10 from each collected analysis fee to offset administrative costs incurred in carrying out the clerk's responsibilities under this Section.
(3) Fees deposited into the State Offender DNA Identification System Fund shall be used by Illinois State Police crime laboratories as designated by the Director of State Police. These funds shall be in addition to any allocations made pursuant to existing laws and shall be designated for the exclusive use of State crime laboratories. These uses may include, but are not limited to, the following:

(A) Costs incurred in providing analysis and genetic marker categorization as required by subsection (d).

(B) Costs incurred in maintaining genetic marker groupings as required by subsection (e).

(C) Costs incurred in the purchase and maintenance of equipment for use in performing analyses.

(D) Costs incurred in continuing research and development of new techniques for analysis and genetic marker categorization.

(E) Costs incurred in continuing education, training, and professional development of forensic scientists regularly employed by these laboratories.

(l) The failure of a person to provide a specimen, or of any person or agency to collect a specimen, shall in no way alter the obligation of the person to submit such specimen, or the authority of the Illinois Department of State Police or persons designated by the Department to collect the specimen, or the authority of the Illinois Department of State Police to accept, analyze and maintain the specimen or to maintain or upload results of genetic marker grouping analysis information into a State or national database.

(m) If any provision of this amendatory Act of the 93rd General Assembly is held unconstitutional or otherwise invalid, the remainder of this amendatory Act of the 93rd General Assembly is not affected.

(n) Neither the Department of State Police, the Division of Forensic Services, nor any laboratory of the Division of Forensic Services may contract out forensic testing for the purpose of an active investigation or a matter pending before a court of competent jurisdiction without the written consent of the prosecuting agency. For the purposes of this subsection (n), "forensic testing" includes the analysis of physical evidence in an investigation or other proceeding for the prosecution of a violation of the Criminal Code of 1961 or the Criminal Code of 2012 or for matters adjudicated under the Juvenile Court Act of 1987, and includes the use of

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forensic databases and databanks, including DNA, firearm, and fingerprint databases, and expert testimony.

(o) Mistake does not invalidate a database match. The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the specimen was obtained or placed in the database by mistake.

(p) This Section may be referred to as the Illinois DNA Database Law of 2011.

(Source: P.A. 96-426, eff. 8-13-09; 96-642, eff. 8-24-09; 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11; 97-383, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(730 ILCS 5/5-8A-3) (from Ch. 38, par. 1005-8A-3)

Sec. 5-8A-3. Application.

(a) Except as provided in subsection (d), a person charged with or convicted of an excluded offense may not be placed in an electronic home detention program, except for bond pending trial or appeal or while on parole, aftercare release, or mandatory supervised release.

(b) A person serving a sentence for a conviction of a Class 1 felony, other than an excluded offense, may be placed in an electronic home detention program for a period not to exceed the last 90 days of incarceration.

(c) A person serving a sentence for a conviction of a Class X felony, other than an excluded offense, may be placed in an electronic home detention program for a period not to exceed the last 90 days of incarceration, provided that the person was sentenced on or after the effective date of this amendatory Act of 1993 and provided that the court has not prohibited the program for the person in the sentencing order.

(d) A person serving a sentence for conviction of an offense other than for predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or felony criminal sexual abuse, may be placed in an electronic home detention program for a period not to exceed the last 12 months of incarceration, provided that (i) the person is 55 years of age or older; (ii) the person is serving a determinate sentence; (iii) the person has served at least 25% of the sentenced prison term; and (iv) placement in an electronic home detention program is approved by the Prisoner Review Board.

(e) A person serving a sentence for conviction of a Class 2, 3 or 4 felony offense which is not an excluded offense may be placed in an
electronic home detention program pursuant to Department administrative directives.

(f) Applications for electronic home detention may include the following:

1. pretrial or pre-adjudicatory detention;
2. probation;
3. conditional discharge;
4. periodic imprisonment;
5. parole, aftercare release, or mandatory supervised release;
6. work release;
7. furlough or
8. post-trial incarceration.

(g) A person convicted of an offense described in clause (4) or (5) of subsection (d) of Section 5-8-1 of this Code shall be placed in an electronic home detention program for at least the first 2 years of the person's mandatory supervised release term.

(Source: P.A. 91-279, eff. 1-1-00.)

(730 ILCS 5/5-8A-5) (from Ch. 38, par. 1005-8A-5)

Sec. 5-8A-5. Consent of the participant. Before entering an order for commitment for electronic home detention, the supervising authority shall inform the participant and other persons residing in the home of the nature and extent of the approved electronic monitoring devices by doing the following:

(A) Securing the written consent of the participant in the program to comply with the rules and regulations of the program as stipulated in subsections (A) through (I) of Section 5-8A-4.

(B) Where possible, securing the written consent of other persons residing in the home of the participant, including the person in whose name the telephone is registered, at the time of the order or commitment for electronic home detention is entered and acknowledge the nature and extent of approved electronic monitoring devices.

(C) Insure that the approved electronic devices be minimally intrusive upon the privacy of the participant and other persons residing in the home while remaining in compliance with subsections (B) through (D) of Section 5-8A-4.

(D) This Section does not apply to persons subject to Electronic Home Monitoring as a term or condition of parole, aftercare release, or
mandatory supervised release under subsection (d) of Section 5-8-1 of this Code.
(Source: P.A. 90-399, eff. 1-1-98; 91-279, eff. 1-1-00.)
(730 ILCS 5/5-8A-7)
Sec. 5-8A-7. Domestic violence surveillance program. If the Prisoner Review Board, Department of Corrections, or court (the supervising authority) orders electronic surveillance as a condition of parole, aftercare release, mandatory supervised release, early release, probation, or conditional discharge for a violation of an order of protection or as a condition of bail for a person charged with a violation of an order of protection, the supervising authority shall use the best available global positioning technology to track domestic violence offenders. Best available technology must have real-time and interactive capabilities that facilitate the following objectives: (1) immediate notification to the supervising authority of a breach of a court ordered exclusion zone; (2) notification of the breach to the offender; and (3) communication between the supervising authority, law enforcement, and the victim, regarding the breach.
(Source: P.A. 95-773, eff. 1-1-09; 96-688, eff. 8-25-09.)
Section 110. The Open Parole Hearings Act is amended by changing Sections 5, 10, 15, 20, and 35 as follows:
(730 ILCS 105/5) (from Ch. 38, par. 1655)
Sec. 5. Definitions. As used in this Act:
(a) "Applicant" means an inmate who is being considered for parole or aftercare release by the Prisoner Review Board.
(a-1) "Aftercare releasee" means a person released from the Department of Juvenile Justice on aftercare release subject to aftercare revocation proceedings.
(b) "Board" means the Prisoner Review Board as established in Section 3-3-1 of the Unified Code of Corrections.
(c) "Parolee" means a person subject to parole revocation proceedings.
(d) "Parole or aftercare release hearing" means the formal hearing and determination of an inmate being considered for release from incarceration on community supervision.
(e) "Parole, aftercare release, or mandatory supervised release revocation hearing" means the formal hearing and determination of allegations that a parolee, aftercare releasee, or mandatory supervised releasee has violated the conditions of his or her release agreement.

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(f) "Victim" means a victim or witness of a violent crime as defined in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act, or any person legally related to the victim by blood, marriage, adoption, or guardianship, or any friend of the victim, or any concerned citizen.

(g) "Violent crime" means a crime defined in subsection (c) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(Source: P.A. 97-299, eff. 8-11-11.)

(730 ILCS 105/10) (from Ch. 38, par. 1660)
Sec. 10. Victim's statements.

(a) Upon request of the victim, the State's Attorney shall forward a copy of any statement presented at the time of trial to the Prisoner Review Board to be considered at the time of a parole or aftercare release hearing.

(b) The victim may enter a statement either oral, written, on video tape, or other electronic means in the form and manner described by the Prisoner Review Board to be considered at the time of a parole or aftercare release consideration hearing.

(Source: P.A. 87-224.)

(730 ILCS 105/15) (from Ch. 38, par. 1665)
Sec. 15. Open hearings.

(a) The Board may restrict the number of individuals allowed to attend parole or aftercare release, or parole or aftercare release revocation hearings in accordance with physical limitations, security requirements of the hearing facilities or those giving repetitive or cumulative testimony. The Board may also restrict attendance at an aftercare release or aftercare release revocation hearing in order to protect the confidentiality of the youth.

(b) The Board may deny admission or continued attendance at parole or aftercare release hearings, or parole or aftercare release revocation hearings to individuals who:

(1) threaten or present danger to the security of the institution in which the hearing is being held;

(2) threaten or present a danger to other attendees or participants; or

(3) disrupt the hearing.

(c) Upon formal action of a majority of the Board members present, the Board may close parole or aftercare release hearings and parole or aftercare release revocation hearings in order to:

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(1) deliberate upon the oral testimony and any other relevant information received from applicants, parolees, releasees, victims, or others; or
(2) provide applicants, releasees, and parolees the opportunity to challenge information other than that which if the person's identity were to be exposed would possibly subject them to bodily harm or death, which they believe detrimental to their parole or aftercare release determination hearing or revocation proceedings.

(Source: P.A. 87-224.)
(730 ILCS 105/20) (from Ch. 38, par. 1670)
Sec. 20. Finality of Board decisions. A Board decision concerning parole or aftercare release, or parole or aftercare release revocation shall be final at the time the decision is delivered to the inmate, subject to any rehearing granted under Board rules.
(Source: P.A. 87-224.)
(730 ILCS 105/35) (from Ch. 38, par. 1685)
Sec. 35. Victim impact statements.
(a) The Board shall receive and consider victim impact statements.
(b) Victim impact statements either oral, written, video-taped, tape recorded or made by other electronic means shall not be considered public documents under provisions of the Freedom of Information Act.
(c) The inmate or his or her attorney shall be informed of the existence of a victim impact statement and its contents under provisions of Board rules. This shall not be construed to permit disclosure to an inmate of any information which might result in the risk of threats or physical harm to a victim or complaining witness.
(d) The inmate shall be given the opportunity to answer a victim impact statement, either orally or in writing.
(e) All written victim impact statements shall be part of the applicant's, releasee's, or parolee's parole file.
(Source: P.A. 97-299, eff. 8-11-11.)
Section 115. The Sex Offender Registration Act is amended by changing Sections 3, 4, and 8-5 as follows:
(730 ILCS 150/3)
Sec. 3. Duty to register.
(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the

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Department of State Police. Such information shall include a current photograph, current address, current place of employment, the sex offender's or sexual predator's telephone number, including cellular telephone number, the employer's telephone number, school attended, all e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities that the sex offender uses or plans to use, all Uniform Resource Locators (URLs) registered or used by the sex offender, all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include a copy of the terms and conditions of parole or release signed by the sex offender and given to the sex offender by his or her supervising officer or aftercare specialist, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. If the sex offender is a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, the sex offender shall report to the registering agency whether he or she is living in a household with a child under 18 years of age who is not his or her own child, provided that his or her own child is not the victim of the sex offense. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 3 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 3 or more days in an unincorporated area or, if incorporated, no police chief exists.

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If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall also register:

(i) with:

(A) the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists; and

(ii) with the public safety or security director of the institution of higher education which he or she is employed at or attends.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 3 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 3 days after ceasing to have a fixed residence.

A sex offender or sexual predator who is temporarily absent from his or her current address of registration for 3 or more days shall notify the law enforcement agency having jurisdiction of his or her current registration, including the itinerary for travel, in the manner provided in Section 6 of this Act for notification to the law enforcement agency having jurisdiction of change of address.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That
information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 3 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. The out-of-state student or out-of-state employee shall register:

(1) with:

(A) the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists; and

(2) with the public safety or security director of the institution of higher education he or she is employed at or attends for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during a calendar year.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(a-10) Any law enforcement agency registering sex offenders or sexual predators in accordance with subsections (a) or (a-5) of this Section shall forward to the Attorney General a copy of sex offender registration

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forms from persons convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, including periodic and annual registrations under Section 6 of this Act.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 3 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(2.1) or (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.1) A sex offender or sexual predator, who has never previously been required to register under this Act, has a duty to register if the person has been convicted of any felony offense after July 1, 2011. A person who previously was required to register under this Act for a period of 10 years and successfully completed that registration period has a duty to register if: (i) the person has been convicted of any felony offense after July 1, 2011, and (ii) the offense for which the 10 year registration was served currently requires a registration period of more than 10 years. Notification of an offender's duty to register under this subsection shall be pursuant to Section 5-7 of this Act.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 3 days of notification of his or her requirement to register. Except as provided in subsection (c)(2.1), if notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists

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or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 3 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within 3 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a $100 initial registration fee and a $100 annual renewal fee. The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Thirty-five dollars for the initial registration fee and $35 of the annual renewal fee shall be used by the registering agency for official purposes. Five dollars of the initial registration fee and $5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used by the Board to comply with the provisions of the Sex Offender Management Board Act. Thirty dollars of the initial registration fee and $30 of the annual renewal fee shall be deposited into the Sex Offender Registration Fund and shall be used by the Department of State Police to maintain and update the Illinois State Police Sex Offender Registry. Thirty dollars of the initial registration fee and $30 of the annual renewal fee shall be deposited into the Attorney General Sex Offender Awareness, Training, and Education Fund. Moneys deposited into the Fund shall be used by the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various

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victim notification laws and for training law enforcement agencies, State's Attorneys, and medical providers of their legal duties concerning the prosecution and investigation of sex offenses.

(d) Within 3 days after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097, eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11; 96-1551, eff. 7-1-11; 97-155, eff 1-1-12; 97-333, eff. 8-12-11; 97-578, eff. 1-1-12; 97-1098, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(730 ILCS 150/4) (from Ch. 38, par. 224)

Sec. 4. Discharge of sex offender, as defined in Section 2 of this Act, or sexual predator from Department of Corrections facility or other penal institution; duties of official in charge. Any sex offender, as defined in Section 2 of this Act, or sexual predator, as defined by this Article, who is discharged, paroled or released from a Department of Corrections or Department of Juvenile Justice facility, a facility where such person was placed by the Department of Corrections or Department of Juvenile Justice or another penal institution, and whose liability for registration has not terminated under Section 7 shall, prior to discharge, parole or release from the facility or institution, be informed of his or her duty to register in person within 3 days of release by the facility or institution in which he or she was confined. The facility or institution shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 3 days after establishing the residence, beginning employment, or beginning school.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The facility shall further advise the person in writing that the failure to register or other violation of this Article shall result in revocation of parole, aftercare release, mandatory supervised release or conditional

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release. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her discharge, parole or release and shall report the information to the Department of State Police. The facility shall give one copy of the form to the person and shall send one copy to each of the law enforcement agencies having jurisdiction where the person expects to reside, work, and attend school upon his or her discharge, parole or release and retain one copy for the files. Electronic data files which includes all notification form information and photographs of sex offenders being released from an Illinois Department of Corrections or Illinois Department of Juvenile Justice facility will be shared on a regular basis as determined between the Department of State Police, and the Department of Corrections, and Department of Juvenile Justice.

(Source: P.A. 94-168, eff. 1-1-06; 95-640, eff. 6-1-08.)

(730 ILCS 150/8-5)

Sec. 8-5. Verification requirements.

(a) Address verification. The agency having jurisdiction shall verify the address of sex offenders, as defined in Section 2 of this Act, or sexual predators required to register with their agency at least once per year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(a-5) Internet Protocol address verification. The agency having jurisdiction may verify the Internet protocol (IP) address of sex offenders, as defined in Section 2 of this Act, who are required to register with their agency under Section 3 of this Act. A copy of any such verification must be sent to the Attorney General for entrance in the Illinois Cyber-crimes Location Database pursuant to Section 5-4-3.2 of the Unified Code of Corrections.

(b) Registration verification. The supervising officer or aftercare specialist, shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections or Illinois Department of Juvenile Justice facility or other penal institution, contact the law enforcement agency in the jurisdiction in which the sex offender or sexual predator designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a sex offender or sexual predator on probation, parole, aftercare release, or mandatory supervised release who fails to comply with the requirements of this Act.

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(c) In an effort to ensure that sexual predators and sex offenders who fail to respond to address-verification attempts or who otherwise abscond from registration are located in a timely manner, the Department of State Police shall share information with local law enforcement agencies. The Department shall use analytical resources to assist local law enforcement agencies to determine the potential whereabouts of any sexual predator or sex offender who fails to respond to address-verification attempts or who otherwise absconds from registration. The Department shall review and analyze all available information concerning any such predator or offender who fails to respond to address-verification attempts or who otherwise absconds from registration and provide the information to local law enforcement agencies in order to assist the agencies in locating and apprehending the sexual predator or sex offender.

(Source: P.A. 94-988, eff. 1-1-07; 95-579, eff. 6-1-08.)

Section 120. The Murderer and Violent Offender Against Youth Registration Act is amended by changing Sections 15 and 50 as follows:

(730 ILCS 154/15)

Sec. 15. Discharge of violent offender against youth. Discharge of violent offender against youth from Department of Corrections facility or other penal institution; duties of official in charge. Any violent offender against youth who is discharged, paroled, or released from a Department of Corrections facility, a facility where such person was placed by the Department of Corrections or another penal institution, and whose liability for registration has not terminated under Section 40 shall, prior to discharge, parole or release from the facility or institution, be informed of his or her duty to register in person within 5 days of release by the facility or institution in which he or she was confined. The facility or institution shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 5 days after establishing the residence, beginning employment, or beginning school.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The facility shall further advise the person in writing that the failure to register or other violation of this Act shall result in revocation of parole, aftercare release, mandatory supervised release or conditional

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release. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her discharge, parole or release and shall report the information to the Department of State Police. The facility shall give one copy of the form to the person and shall send one copy to each of the law enforcement agencies having jurisdiction where the person expects to reside, work, and attend school upon his or her discharge, parole or release and retain one copy for the files. Electronic data files which includes all notification form information and photographs of violent offenders against youth being released from an Illinois Department of Corrections or Illinois Department of Juvenile Justice facility will be shared on a regular basis as determined between the Department of State Police, and the Department of Corrections and Department of Juvenile Justice.

(Source: P.A. 94-945, eff. 6-27-06.)

(730 ILCS 154/50)
Sec. 50. Verification requirements.
(a) The agency having jurisdiction shall verify the address of violent offenders against youth required to register with their agency at least once per year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(b) The supervising officer or aftercare specialist, shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections facility or other penal institution, contact the law enforcement agency in the jurisdiction which the violent offender against youth designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a violent offender against youth on probation, parole, aftercare release, or mandatory supervised release who fails to comply with the requirements of this Act.

(Source: P.A. 94-945, eff. 6-27-06.)

Section 125. The Stalking No Contact Order Act is amended by changing Sections 20, 115, and 117 as follows:

(740 ILCS 21/20)
Sec. 20. Commencement of action; filing fees.
(a) An action for a stalking no contact order is commenced:

(1) independently, by filing a petition for a stalking no contact order in any civil court, unless specific courts are designated by local rule or order; or

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(2) in conjunction with a delinquency petition or a criminal prosecution, by filing a petition for a stalking no contact order under the same case number as the delinquency petition or criminal prosecution, to be granted during pre-trial release of a defendant, with any dispositional order issued under Section 5-710 of the Juvenile Court Act of 1987 or as a condition of release, supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release, or in conjunction with imprisonment or a bond forfeiture warrant, provided that (i) the violation is alleged in an information, complaint, indictment, or delinquency petition on file and the alleged victim is a person protected by this Act, and (ii) the petition, which is filed by the State's Attorney, names a victim of the alleged crime as a petitioner.

(b) Withdrawal or dismissal of any petition for a stalking no contact order prior to adjudication where the petitioner is represented by the State shall operate as a dismissal without prejudice. No action for a stalking no contact order shall be dismissed because the respondent is being prosecuted for a crime against the petitioner. For any action commenced under item (2) of subsection (a) of this Section, dismissal of the conjoined case (or a finding of not guilty) shall not require dismissal of the action for a stalking no contact order; instead, it may be treated as an independent action and, if necessary and appropriate, transferred to a different court or division.

(c) No fee shall be charged by the clerk of the court for filing petitions or modifying or certifying orders. No fee shall be charged by the sheriff for service by the sheriff of a petition, rule, motion, or order in an action commenced under this Section.

(d) The court shall provide, through the office of the clerk of the court, simplified forms for filing of a petition under this Section by any person not represented by counsel.

(Source: P.A. 96-246, eff. 1-1-10.)

(740 ILCS 21/115)

Sec. 115. Notice of orders.

(a) Upon issuance of any stalking no contact order, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 95:

(1) enter the order on the record and file it in accordance with the circuit court procedures; and

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(2) provide a file stamped copy of the order to the respondent, if present, and to the petitioner.

(b) The clerk of the issuing judge shall, or the petitioner may, on the same day that a stalking no contact order is issued, file a certified copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon the respondent. If the order was issued in accordance with subsection (c) of Section 95, the clerk shall, on the next court day, file a certified copy of the order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records. If the respondent, at the time of the issuance of the order, is committed to the custody of the Illinois Department of Corrections or Illinois Department of Juvenile Justice or is on parole, aftercare release, or mandatory supervised release, the sheriff or other law enforcement officials charged with maintaining Department of State Police records shall notify the Department of Corrections or Department of Juvenile Justice within 48 hours of receipt of a copy of the stalking no contact order from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number or IDJJ youth identification number, the respondent's date of birth, and the LEADS Record Index Number.

(c) Unless the respondent was present in court when the order was issued, the sheriff, other law enforcement official, or special process server shall promptly serve that order upon the respondent and file proof of such service in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 117 may serve the respondent with a short form notification as provided in Section 117. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.

(d) If the person against whom the stalking no contact order is issued is arrested and the written order is issued in accordance with subsection (c) of Section 95 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be

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extended for hearing on the petition for stalking no contact order or receipt of the order issued under Section 95 of this Act.

(e) Any order extending, modifying, or revoking any stalking no contact order shall be promptly recorded, issued, and served as provided in this Section.

(f) Upon the request of the petitioner, within 24 hours of the issuance of a stalking no contact order, the clerk of the issuing judge shall send written notice of the order along with a certified copy of the order to any school, daycare, college, or university at which the petitioner is enrolled.

(Source: P.A. 96-246, eff. 1-1-10; 97-904, eff. 1-1-13; 97-1017, eff. 1-1-13; revised 8-23-12.)

(740 ILCS 21/117)

Sec. 117. Short form notification.

(a) Instead of personal service of a stalking no contact order under Section 115, a sheriff, other law enforcement official, special process server, or personnel assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of a parolee's or releasee's conditions of parole, aftercare release, or mandatory supervised release may serve a respondent with a short form notification. The short form notification must include the following items:

(1) The respondent's name.
(2) The respondent's date of birth, if known.
(3) The petitioner's name.
(4) The names of other protected parties.
(5) The date and county in which the stalking no contact order was filed.
(6) The court file number.
(7) The hearing date and time, if known.
(8) The conditions that apply to the respondent, either in checklist form or handwritten.

(b) The short form notification must contain the following notice in bold print:

"The order is now enforceable. You must report to the office of the sheriff or the office of the circuit court in (name of county) County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order."

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(c) Upon verification of the identity of the respondent and the existence of an unserved order against the respondent, a sheriff or other law enforcement official may detain the respondent for a reasonable time necessary to complete and serve the short form notification.

(d) When service is made by short form notification under this Section, it may be proved by the affidavit of the person making the service.

(e) The Attorney General shall make the short form notification form available to law enforcement agencies in this State.

(f) A single short form notification form may be used for orders of protection under the Illinois Domestic Violence Act of 1986, stalking no contact orders under this Act, and civil no contact orders under the Civil No Contact Order Act.

(Source: P.A. 97-1017, eff. 1-1-13.)

Section 130. The Civil No Contact Order Act is amended by changing Sections 202, 216, 218, and 218.1 as follows:

(740 ILCS 22/202)
(a) An action for a civil no contact order is commenced:
   (1) independently, by filing a petition for a civil no contact order in any civil court, unless specific courts are designated by local rule or order; or
   (2) in conjunction with a delinquency petition or a criminal prosecution, by filing a petition for a civil no contact order under the same case number as the delinquency petition or criminal prosecution, to be granted during pre-trial release of a defendant, with any dispositional order issued under Section 5-710 of the Juvenile Court Act of 1987 or as a condition of release, supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release, or in conjunction with imprisonment or a bond forfeiture warrant, provided that (i) the violation is alleged in an information, complaint, indictment, or delinquency petition on file and the alleged victim is a person protected by this Act, and (ii) the petition, which is filed by the State's Attorney, names a victim of the alleged crime as a petitioner.

(b) Withdrawal or dismissal of any petition for a civil no contact order prior to adjudication where the petitioner is represented by the State shall operate as a dismissal without prejudice. No action for a civil no

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contact order shall be dismissed because the respondent is being prosecuted for a crime against the petitioner. For any action commenced under item (2) of subsection (a) of this Section, dismissal of the conjoined case (or a finding of not guilty) shall not require dismissal of the action for a civil no contact order; instead, it may be treated as an independent action and, if necessary and appropriate, transferred to a different court or division.

(c) No fee shall be charged by the clerk of the court for filing petitions or modifying or certifying orders. No fee shall be charged by the sheriff for service by the sheriff of a petition, rule, motion, or order in an action commenced under this Section.

(d) The court shall provide, through the office of the clerk of the court, simplified forms for filing of a petition under this Section by any person not represented by counsel.

(Source: P.A. 93-236, eff. 1-1-04; 93-811, eff. 1-1-05.)

(740 ILCS 22/216)

Sec. 216. Duration and extension of orders.

(a) Unless re-opened or extended or voided by entry of an order of greater duration, an emergency order shall be effective for not less than 14 nor more than 21 days.

(b) Except as otherwise provided in this Section, a plenary civil no contact order shall be effective for a fixed period of time, not to exceed 2 years. A plenary civil no contact order entered in conjunction with a criminal prosecution shall remain in effect as follows:

(1) if entered during pre-trial release, until disposition, withdrawal, or dismissal of the underlying charge; if however, the case is continued as an independent cause of action, the order's duration may be for a fixed period of time not to exceed 2 years;

(2) if in effect in conjunction with a bond forfeiture warrant, until final disposition or an additional period of time not exceeding 2 years; no civil no contact order, however, shall be terminated by a dismissal that is accompanied by the issuance of a bond forfeiture warrant;

(3) until expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release and for an additional period of time thereafter not exceeding 2 years; or

(4) until the date set by the court for expiration of any sentence of imprisonment and subsequent parole, aftercare release,
or mandatory supervised release and for an additional period of
time thereafter not exceeding 2 years.

(c) Any emergency or plenary order may be extended one or more
times, as required, provided that the requirements of Section 214 or 215,
as appropriate, are satisfied. If the motion for extension is uncontested and
the petitioner seeks no modification of the order, the order may be
extended on the basis of the petitioner's motion or affidavit stating that
there has been no material change in relevant circumstances since entry of
the order and stating the reason for the requested extension. Extensions
may be granted only in open court and not under the provisions of
subsection (c) of Section 214, which applies only when the court is
unavailable at the close of business or on a court holiday.

(d) Any civil no contact order which would expire on a court
holiday shall instead expire at the close of the next court business day.

(d-5) An extension of a plenary civil no contact order may be
granted, upon good cause shown, to remain in effect until the civil no
contact order is vacated or modified.

(e) The practice of dismissing or suspending a criminal prosecution
in exchange for the issuance of a civil no contact order undermines the
purposes of this Act. This Section shall not be construed as encouraging
that practice.

(Source: P.A. 96-311, eff. 1-1-10.)

(740 ILCS 22/218)
Sec. 218. Notice of orders.

(a) Upon issuance of any civil no contact order, the clerk shall
immediately, or on the next court day if an emergency order is issued in
accordance with subsection (c) of Section 214:

(1) enter the order on the record and file it in accordance
with the circuit court procedures; and

(2) provide a file stamped copy of the order to the
respondent, if present, and to the petitioner.

(b) The clerk of the issuing judge shall, or the petitioner may, on
the same day that a civil no contact order is issued, file a certified copy of
that order with the sheriff or other law enforcement officials charged with
maintaining Department of State Police records or charged with serving
the order upon the respondent. If the order was issued in accordance with
subsection (c) of Section 214, the clerk shall, on the next court day, file a
certified copy of the order with the Sheriff or other law enforcement
officials charged with maintaining Department of State Police records. If

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the respondent, at the time of the issuance of the order, is committed to the custody of the Illinois Department of Corrections or *Illinois Department of Juvenile Justice*, or is on parole, *aftercare release*, or mandatory supervised release, the sheriff or other law enforcement officials charged with maintaining Department of State Police records shall notify the Department of Corrections or *Department of Juvenile Justice* within 48 hours of receipt of a copy of the civil no contact order from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number or *IDJJ youth identification number*, the respondent's date of birth, and the LEADS Record Index Number.

(c) Unless the respondent was present in court when the order was issued, the sheriff, other law enforcement official, or special process server shall promptly serve that order upon the respondent and file proof of such service in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 218.1 may serve the respondent with a short form notification as provided in Section 218.1. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.

(d) If the person against whom the civil no contact order is issued is arrested and the written order is issued in accordance with subsection (c) of Section 214 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for civil no contact order or receipt of the order issued under Section 214 of this Act.

(e) Any order extending, modifying, or revoking any civil no contact order shall be promptly recorded, issued, and served as provided in this Section.

(f) Upon the request of the petitioner, within 24 hours of the issuance of a civil no contact order, the clerk of the issuing judge shall send written notice of the order along with a certified copy of the order to any school, college, or university at which the petitioner is enrolled.

(Source: P.A. 97-904, eff. 1-1-13; 97-1017, eff. 1-1-13; revised 8-23-12.)

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Sec. 218.1. Short form notification.

(a) Instead of personal service of a civil no contact order under Section 218, a sheriff, other law enforcement official, special process server, or personnel assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of a parolee's or releasee's conditions of parole, aftercare release, or mandatory supervised release may serve a respondent with a short form notification. The short form notification must include the following items:

1. The respondent's name.
2. The respondent's date of birth, if known.
3. The petitioner's name.
4. The names of other protected parties.
5. The date and county in which the civil no contact order was filed.
6. The court file number.
7. The hearing date and time, if known.
8. The conditions that apply to the respondent, either in checklist form or handwritten.

(b) The short form notification must contain the following notice in bold print:

"The order is now enforceable. You must report to the office of the sheriff or the office of the circuit court in (name of county) County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order."

(c) Upon verification of the identity of the respondent and the existence of an unserved order against the respondent, a sheriff or other law enforcement official may detain the respondent for a reasonable time necessary to complete and serve the short form notification.

(d) When service is made by short form notification under this Section, it may be proved by the affidavit of the person making the service.

(e) The Attorney General shall make the short form notification form available to law enforcement agencies in this State.

(f) A single short form notification form may be used for orders of protection under the Illinois Domestic Violence Act of 1986, stalking no contact orders under the Stalking No Contact Order Act, and civil no contact orders under this Act.
Section 135. The Illinois Streetgang Terrorism Omnibus Prevention Act is amended by changing Section 30 as follows:

Sec. 30. Service of process.

(a) All streetgangs and streetgang members engaged in a course or pattern of gang-related criminal activity within this State impliedly consent to service of process upon them as set forth in this Section, or as may be otherwise authorized by the Code of Civil Procedure.

(b) Service of process upon a streetgang may be had by leaving a copy of the complaint and summons directed to any officer of such gang, commanding the gang to appear and answer the complaint or otherwise plead at a time and place certain:

(1) with any gang officer; or
(2) with any individual member of the gang simultaneously named therein; or
(3) in the manner provided for service upon a voluntary unincorporated association in a civil action; or
(4) in the manner provided for service by publication in a civil action; or
(5) with any parent, legal guardian, or legal custodian of any persons charged with a gang-related offense when any person sued civilly under this Act is under 18 years of age and is also charged criminally or as a delinquent minor; or
(6) with the director of any agency or department of this State who is the legal guardian, guardianship administrator, or custodian of any person sued under this Act; or
(7) with the probation or parole officer or aftercare specialist of any person sued under this Act; or
(8) with such other person or agent as the court may, upon petition of the State's Attorney or his or her designee, authorize as appropriate and reasonable under all of the circumstances.

(c) If after being summoned a streetgang does not appear, the court shall enter an answer for the streetgang neither affirming nor denying the allegations of the complaint but demanding strict proof thereof, and proceed to trial and judgment without further process.

(d) When any person is named as a defendant streetgang member in any complaint, or subsequently becomes known and is added or joined as a named defendant, service of process may be had as authorized or

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(e) Unknown gang members may be sued as a class and designated as such in the caption of any complaint filed under this Act. Service of process upon unknown members may be made in the manner prescribed for provision of notice to members of a class in a class action, or as the court may direct for providing the best service and notice practicable under the circumstances which shall include individual, personal, or other service upon all members who can be identified and located through reasonable effort.

(Source: P.A. 87-932.)

Section 140. The Local Governmental and Governmental Employees Tort Immunity Act is amended by changing Section 4-106 as follows:

(745 ILCS 10/4-106) (from Ch. 85, par. 4-106)
Sec. 4-106. Neither a local public entity nor a public employee is liable for:
(a) Any injury resulting from determining to parole or release a prisoner, to revoke his or her parole or release, or the terms and conditions of his or her parole or release.
(b) Any injury inflicted by an escaped or escaping prisoner.

(Source: Laws 1965, p. 2983.)

Section 145. The Illinois Domestic Violence Act of 1986 is amended by changing Sections 202, 220, 222, and 222.10 as follows:

(750 ILCS 60/202) (from Ch. 40, par. 2312-2)
Sec. 202. Commencement of action; filing fees; dismissal.
(a) How to commence action. Actions for orders of protection are commenced:

(1) Independently: By filing a petition for an order of protection in any civil court, unless specific courts are designated by local rule or order.

(2) In conjunction with another civil proceeding: By filing a petition for an order of protection under the same case number as another civil proceeding involving the parties, including but not limited to: (i) any proceeding under the Illinois Marriage and Dissolution of Marriage Act, Illinois Parentage Act of 1984, Nonsupport of Spouse and Children Act, Revised Uniform Reciprocal Enforcement of Support Act or an action for nonsupport brought under Article 10 of the Illinois Public Aid

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Code, provided that a petitioner and the respondent are a party to or the subject of that proceeding or (ii) a guardianship proceeding under the Probate Act of 1975, or a proceeding for involuntary commitment under the Mental Health and Developmental Disabilities Code, or any proceeding, other than a delinquency petition, under the Juvenile Court Act of 1987, provided that a petitioner or the respondent is a party to or the subject of such proceeding.

(3) In conjunction with a delinquency petition or a criminal prosecution: By filing a petition for an order of protection, under the same case number as the delinquency petition or criminal prosecution, to be granted during pre-trial release of a defendant, with any dispositional order issued under Section 5-710 of the Juvenile Court Act of 1987 or as a condition of release, supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release, or in conjunction with imprisonment or a bond forfeiture warrant; provided that:

(i) the violation is alleged in an information, complaint, indictment or delinquency petition on file, and the alleged offender and victim are family or household members or persons protected by this Act; and

(ii) the petition, which is filed by the State's Attorney, names a victim of the alleged crime as a petitioner.

(b) Filing, certification, and service fees. No fee shall be charged by the clerk for filing, amending, vacating, certifying, or photocopying petitions or orders; or for issuing alias summons; or for any related filing service. No fee shall be charged by the sheriff for service by the sheriff of a petition, rule, motion, or order in an action commenced under this Section.

(c) Dismissal and consolidation. Withdrawal or dismissal of any petition for an order of protection prior to adjudication where the petitioner is represented by the State shall operate as a dismissal without prejudice. No action for an order of protection shall be dismissed because the respondent is being prosecuted for a crime against the petitioner. An independent action may be consolidated with another civil proceeding, as provided by paragraph (2) of subsection (a) of this Section. For any action commenced under paragraph (2) or (3) of subsection (a) of this Section,
dismissal of the conjoined case (or a finding of not guilty) shall not require
dismissal of the action for the order of protection; instead, it may be
treated as an independent action and, if necessary and appropriate,
transferred to a different court or division. Dismissal of any conjoined case
shall not affect the validity of any previously issued order of protection,
and thereafter subsections (b)(1) and (b)(2) of Section 220 shall be
inapplicable to such order.

(d) Pro se petitions. The court shall provide, through the office of
the clerk of the court, simplified forms and clerical assistance to help with
the writing and filing of a petition under this Section by any person not
represented by counsel. In addition, that assistance may be provided by the
state's attorney.

(Source: P.A. 93-458, eff. 1-1-04.)

(750 ILCS 60/220) (from Ch. 40, par. 2312-20)

Sec. 220. Duration and extension of orders.

(a) Duration of emergency and interim orders. Unless re-opened or
extended or voided by entry of an order of greater duration:

(1) Emergency orders issued under Section 217 shall be
effective for not less than 14 nor more than 21 days;

(2) Interim orders shall be effective for up to 30 days.

(b) Duration of plenary orders. Except as otherwise provided in
this Section, a plenary order of protection shall be valid for a fixed period
of time, not to exceed two years.

(1) A plenary order of protection entered in conjunction
with another civil proceeding shall remain in effect as follows:

(i) if entered as preliminary relief in that other
proceeding, until entry of final judgment in that other
proceeding;

(ii) if incorporated into the final judgment in that
other proceeding, until the order of protection is vacated or
modified; or

(iii) if incorporated in an order for involuntary
commitment, until termination of both the involuntary
commitment and any voluntary commitment, or for a fixed
period of time not exceeding 2 years.

(2) A plenary order of protection entered in conjunction
with a criminal prosecution shall remain in effect as follows:

(i) if entered during pre-trial release, until
disposition, withdrawal, or dismissal of the underlying

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charge; if, however, the case is continued as an independent cause of action, the order's duration may be for a fixed period of time not to exceed 2 years;

(ii) if in effect in conjunction with a bond forfeiture warrant, until final disposition or an additional period of time not exceeding 2 years; no order of protection, however, shall be terminated by a dismissal that is accompanied by the issuance of a bond forfeiture warrant;

(iii) until expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release and for an additional period of time thereafter not exceeding 2 years; or

(iv) until the date set by the court for expiration of any sentence of imprisonment and subsequent parole, aftercare release, or mandatory supervised release and for an additional period of time thereafter not exceeding 2 years.

(c) Computation of time. The duration of an order of protection shall not be reduced by the duration of any prior order of protection.

(d) Law enforcement records. When a plenary order of protection expires upon the occurrence of a specified event, rather than upon a specified date as provided in subsection (b), no expiration date shall be entered in Department of State Police records. To remove the plenary order from those records, either party shall request the clerk of the court to file a certified copy of an order stating that the specified event has occurred or that the plenary order has been vacated or modified with the Sheriff, and the Sheriff shall direct that law enforcement records shall be promptly corrected in accordance with the filed order.

(e) Extension of orders. Any emergency, interim or plenary order may be extended one or more times, as required, provided that the requirements of Section 217, 218 or 219, as appropriate, are satisfied. If the motion for extension is uncontested and petitioner seeks no modification of the order, the order may be extended on the basis of petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested extension. An extension of a plenary order of protection may be granted, upon good cause shown, to remain in effect until the order of protection is vacated or modified. Extensions may be

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granted only in open court and not under the provisions of subsection (c) of Section 217, which applies only when the court is unavailable at the close of business or on a court holiday.

(f) Termination date. Any order of protection which would expire on a court holiday shall instead expire at the close of the next court business day.

(g) Statement of purpose. The practice of dismissing or suspending a criminal prosecution in exchange for the issuance of an order of protection undermines the purposes of this Act. This Section shall not be construed as encouraging that practice.

(Source: P.A. 95-886, eff. 1-1-09.)

(750 ILCS 60/222) (from Ch. 40, par. 2312-22)
Sec. 222. Notice of orders.

(a) Entry and issuance. Upon issuance of any order of protection, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 217, (i) enter the order on the record and file it in accordance with the circuit court procedures and (ii) provide a file stamped copy of the order to respondent, if present, and to petitioner.

(b) Filing with sheriff. The clerk of the issuing judge shall, or the petitioner may, on the same day that an order of protection is issued, file a certified copy of that order with the sheriff or other law enforcement officials charged with maintaining Department of State Police records or charged with serving the order upon respondent. If the order was issued in accordance with subsection (c) of Section 217, the clerk shall on the next court day, file a certified copy of the order with the Sheriff or other law enforcement officials charged with maintaining Department of State Police records. If the respondent, at the time of the issuance of the order, is committed to the custody of the Illinois Department of Corrections or Illinois Department of Juvenile Justice or is on parole, aftercare release, or mandatory supervised release, the sheriff or other law enforcement officials charged with maintaining Department of State Police records shall notify the Department of Corrections or Department of Juvenile Justice within 48 hours of receipt of a copy of the order of protection from the clerk of the issuing judge or the petitioner. Such notice shall include the name of the respondent, the respondent's IDOC inmate number or IDJJ youth identification number, the respondent's date of birth, and the LEADS Record Index Number.
(c) Service by sheriff. Unless respondent was present in court when the order was issued, the sheriff, other law enforcement official or special process server shall promptly serve that order upon respondent and file proof of such service, in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 222.10 may serve the respondent with a short form notification as provided in Section 222.10. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server. A single fee may be charged for service of an order obtained in civil court, or for service of such an order together with process, unless waived or deferred under Section 210.

(c-5) If the person against whom the order of protection is issued is arrested and the written order is issued in accordance with subsection (c) of Section 217 and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for order of protection or receipt of the order issued under Section 217 of this Act.

(d) Extensions, modifications and revocations. Any order extending, modifying or revoking any order of protection shall be promptly recorded, issued and served as provided in this Section.

(e) Notice to schools. Upon the request of the petitioner, within 24 hours of the issuance of an order of protection, the clerk of the issuing judge shall send a certified copy of the order of protection to the day-care facility, pre-school or pre-kindergarten, or private school or the principal office of the public school district or any college or university in which any child who is a protected person under the order of protection or any child of the petitioner is enrolled as requested by the petitioner at the mailing address provided by the petitioner. If the child transfers enrollment to another day-care facility, pre-school, pre-kindergarten, private school, public school, college, or university, the petitioner may, within 24 hours of the transfer, send to the clerk written notice of the transfer, including the name and address of the institution to which the child is transferring. Within 24 hours of receipt of notice from the petitioner that a child is

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transferring to another day-care facility, pre-school, pre-kindergarten, private school, public school, college, or university, the clerk shall send a certified copy of the order to the institution to which the child is transferring.

(f) Disclosure by schools. After receiving a certified copy of an order of protection that prohibits a respondent's access to records, neither a day-care facility, pre-school, pre-kindergarten, public or private school, college, or university nor its employees shall allow a respondent access to a protected child's records or release information in those records to the respondent. The school shall file the copy of the order of protection in the records of a child who is a protected person under the order of protection. When a child who is a protected person under the order of protection transfers to another day-care facility, pre-school, pre-kindergarten, public or private school, college, or university, the institution from which the child is transferring may, at the request of the petitioner, provide, within 24 hours of the transfer, written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring.

(g) Notice to health care facilities and health care practitioners. Upon the request of the petitioner, the clerk of the circuit court shall send a certified copy of the order of protection to any specified health care facility or health care practitioner requested by the petitioner at the mailing address provided by the petitioner.

(h) Disclosure by health care facilities and health care practitioners. After receiving a certified copy of an order of protection that prohibits a respondent's access to records, no health care facility or health care practitioner shall allow a respondent access to the records of any child who is a protected person under the order of protection, or release information in those records to the respondent, unless the order has expired or the respondent shows a certified copy of the court order vacating the corresponding order of protection that was sent to the health care facility or practitioner. Nothing in this Section shall be construed to require health care facilities or health care practitioners to alter procedures related to billing and payment. The health care facility or health care practitioner may file the copy of the order of protection in the records of a child who is a protected person under the order of protection, or may employ any other method to identify the records to which a respondent is prohibited access. No health care facility or health care practitioner shall be civilly or
professionally liable for reliance on a copy of an order of protection, except for willful and wanton misconduct.
(Source: P.A. 96-651, eff. 1-1-10; 97-50, eff. 6-28-11; 97-904, eff. 1-1-13.)

(750 ILCS 60/222.10)
Sec. 222.10. Short form notification.
(a) Instead of personal service of an order of protection under Section 222, a sheriff, other law enforcement official, special process server, or personnel assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of a parolee's or releasee's conditions of parole, aftercare release, or mandatory supervised release may serve a respondent with a short form notification. The short form notification must include the following items:

(1) The respondent's name.
(2) The respondent's date of birth, if known.
(3) The petitioner's name.
(4) The names of other protected parties.
(5) The date and county in which the order of protection was filed.
(6) The court file number.
(7) The hearing date and time, if known.
(8) The conditions that apply to the respondent, either in checklist form or handwritten.

(b) The short form notification must contain the following notice in bold print:
"The order is now enforceable. You must report to the office of the sheriff or the office of the circuit court in (name of county) County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order."

(c) Upon verification of the identity of the respondent and the existence of an unserved order against the respondent, a sheriff or other law enforcement official may detain the respondent for a reasonable time necessary to complete and serve the short form notification.

(d) When service is made by short form notification under this Section, it may be proved by the affidavit of the person making the service.

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(e) The Attorney General shall make the short form notification form available to law enforcement agencies in this State.

(f) A single short form notification form may be used for orders of protection under this Act, stalking no contact orders under the Stalking No Contact Order Act, and civil no contact orders under the Civil No Contact Order Act.

(Source: P.A. 97-50, eff. 6-28-11; 97-1017, eff. 1-1-13.)

Section 150. The Line of Duty Compensation Act is amended by changing Section 2 as follows:

(820 ILCS 315/2) (from Ch. 48, par. 282)

Sec. 2. As used in this Act, unless the context otherwise requires:

(a) "Law enforcement officer" or "officer" means any person employed by the State or a local governmental entity as a policeman, peace officer, auxiliary policeman or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life. This includes supervisors, wardens, superintendents and their assistants, guards and keepers, correctional officers, youth supervisors, parole agents, aftercare specialists, school teachers and correctional counsellors in all facilities of both the Department of Corrections and the Department of Juvenile Justice, while within the facilities under the control of the Department of Corrections or the Department of Juvenile Justice or in the act of transporting inmates or wards from one location to another or while performing their official duties, and all other Department of Correction or Department of Juvenile Justice employees who have daily contact with inmates.

The death of the foregoing employees of the Department of Corrections or the Department of Juvenile Justice in order to be included herein must be by the direct or indirect willful act of an inmate, ward, work-releasee, parolee, aftercare releasee, parole violator, aftercare release violator, person under conditional release, or any person sentenced or committed, or otherwise subject to confinement in or to the Department of Corrections or the Department of Juvenile Justice.

(b) "Fireman" means any person employed by the State or a local governmental entity as, or otherwise serving as, a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, including volunteer firemen.

(c) "Local governmental entity" includes counties, municipalities and municipal corporations.

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(d) "State" means the State of Illinois and its departments, divisions, boards, bureaus, commissions, authorities and colleges and universities.

(e) "Killed in the line of duty" means losing one's life as a result of injury received in the active performance of duties as a law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, or chaplain if the death occurs within one year from the date the injury was received and if that injury arose from violence or other accidental cause. In the case of a State employee, "killed in the line of duty" means losing one's life as a result of injury received in the active performance of one's duties as a State employee, if the death occurs within one year from the date the injury was received and if that injury arose from a willful act of violence by another State employee committed during such other employee's course of employment and after January 1, 1988. The term excludes death resulting from the willful misconduct or intoxication of the officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee. However, the burden of proof of such willful misconduct or intoxication of the officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee is on the Attorney General. Subject to the conditions set forth in subsection (a) with respect to inclusion under this Act of Department of Corrections and Department of Juvenile Justice employees described in that subsection, for the purposes of this Act, instances in which a law enforcement officer receives an injury in the active performance of duties as a law enforcement officer include but are not limited to instances when:

(1) the injury is received as a result of a willful act of violence committed other than by the officer and a relationship exists between the commission of such act and the officer's performance of his duties as a law enforcement officer, whether or not the injury is received while the officer is on duty as a law enforcement officer;

(2) the injury is received by the officer while the officer is attempting to prevent the commission of a criminal act by another or attempting to apprehend an individual the officer suspects has committed a crime, whether or not the injury is received while the officer is on duty as a law enforcement officer;

(3) the injury is received by the officer while the officer is travelling to or from his employment as a law enforcement officer or during any meal break, or other break, which takes place during

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the period in which the officer is on duty as a law enforcement officer.

In the case of an Armed Forces member, "killed in the line of duty" means losing one's life while on active duty in connection with the September 11, 2001 terrorist attacks on the United States, Operation Enduring Freedom, or Operation Iraqi Freedom.

(f) "Volunteer fireman" means a person having principal employment other than as a fireman, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district, and includes a volunteer member of a fire department organized under the "General Not for Profit Corporation Act", approved July 17, 1943, as now or hereafter amended, which is under contract with any city, village, incorporated town, fire protection district, or persons residing therein, for fire fighting services. "Volunteer fireman" does not mean an individual who volunteers assistance without being regularly enrolled as a fireman.

(g) "Civil defense worker" means any person employed by the State or a local governmental entity as, or otherwise serving as, a member of a civil defense work force, including volunteer civil defense work forces engaged in serving the public interest during periods of disaster, whether natural or man-made.

(h) "Civil air patrol member" means any person employed by the State or a local governmental entity as, or otherwise serving as, a member of the organization commonly known as the "Civil Air Patrol", including volunteer members of the organization commonly known as the "Civil Air Patrol".

(i) "Paramedic" means an Emergency Medical Technician-Paramedic certified by the Illinois Department of Public Health under the Emergency Medical Services (EMS) Systems Act, and all other emergency medical personnel certified by the Illinois Department of Public Health who are members of an organized body or not-for-profit corporation under the jurisdiction of a city, village, incorporated town, fire protection district or county, that provides emergency medical treatment to persons of a defined geographical area.

(j) "State employee" means any employee as defined in Section 14-103.05 of the Illinois Pension Code, as now or hereafter amended.

(k) "Chaplain" means an individual who:

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(1) is a chaplain of (i) a fire department or (ii) a police department or other agency consisting of law enforcement officers; and

(2) has been designated a chaplain by (i) the fire department, police department, or other agency or an officer or body having jurisdiction over the department or agency or (ii) a labor organization representing the firemen or law enforcement officers.

(l) "Armed Forces member" means an Illinois resident who is: a member of the Armed Forces of the United States; a member of the Illinois National Guard while on active military service pursuant to an order of the President of the United States; or a member of any reserve component of the Armed Forces of the United States while on active military service pursuant to an order of the President of the United States.

(Source: P.A. 93-1047, eff. 10-18-04; 93-1073, eff. 1-18-05; 94-696, eff. 6-1-06.)

Section 995. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0559
(Senate Bill No. 1214)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Toll Highway Act is amended by changing Section 10 as follows:

(605 ILCS 10/10) (from Ch. 121, par. 100-10)

Sec. 10. The Authority shall have power:

(a) To pass resolutions, make by-laws, rules and regulations for the management, regulation and control of its affairs, and to fix tolls, and to make, enact and enforce all needful rules and regulations in connection

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with the construction, operation, management, care, regulation or protection of its property or any toll highways, constructed or reconstructed hereunder.

(a-5) To fix, assess, and collect civil fines for a vehicle's operation on a toll highway without the required toll having been paid. The Authority may establish by rule a system of civil administrative adjudication to adjudicate only alleged instances of a vehicle's operation on a toll highway without the required toll having been paid, as detected by the Authority's video or photo surveillance system. In cases in which the operator of the vehicle is not the registered vehicle owner, the establishment of ownership of the vehicle creates a rebuttable presumption that the vehicle was being operated by an agent of the registered vehicle owner. If the registered vehicle owner liable for a violation under this Section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator in the circuit court. Rules establishing a system of civil administrative adjudication must provide for written notice, by first class mail or other means provided by law, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of the lease, of the alleged violation and an opportunity to be heard on the question of the violation and must provide for the establishment of a toll-free telephone number to receive inquiries concerning alleged violations. The notice shall also inform the registered vehicle owner that failure to contest in the manner and time provided shall be deemed an admission of liability and that a final order of liability may be entered on that admission. A duly authorized agent of the Authority may perform or execute the preparation, certification, affirmation, or mailing of the notice. A notice of violation, sworn or affirmed to or certified by a duly authorized agent of the Authority, or a facsimile of the notice, based upon an inspection of photographs, microphotographs, videotape, or other recorded images produced by a video or photo surveillance system, shall be admitted as prima facie evidence of the correctness of the facts contained in the notice or facsimile. Only civil fines, along with the corresponding outstanding toll, and costs may be imposed by administrative adjudication. A fine may be imposed under this paragraph only if a violation is established by a preponderance of the evidence. Judicial review of all final orders of the Authority under this paragraph shall be conducted in the circuit court of the county in which the
administrative decision was rendered in accordance with the Administrative Review Law.

The Authority may maintain a listing or searchable database on its website of persons or entities that have been issued one or more final orders of liability with a total amount due of more than $1,000 for tolls, fines, unpaid late fees, or administrative costs that remain unpaid after the exhaustion of, or the failure to exhaust, the judicial review procedures under the Administrative Review Law. Each entry may include the person's or entity's name as listed on the final order of liability.

Any outstanding toll, fine, additional late payment fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the Administrative Review Law are a debt due and owing the Authority and may be collected in accordance with applicable law. After expiration of the period in which judicial review under the Administrative Review Law may be sought, unless stayed by a court of competent jurisdiction, a final order of the Authority under this subsection (a-5) may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Notwithstanding any other provision of this Act, the Authority may, with the approval of the Attorney General, retain a law firm or law firms with expertise in the collection of government fines and debts for the purpose of collecting fines, costs, and other moneys due under this subsection (a-5).

A system of civil administrative adjudication may also provide for a program of vehicle immobilization, tow, or impoundment for the purpose of facilitating enforcement of any final order or orders of the Authority under this subsection (a-5) that result in a finding or liability for 5 or more violations after expiration of the period in which judicial review under the Administrative Review Law may be sought. The registered vehicle owner of a vehicle immobilized, towed, or impounded for nonpayment of a final order of the Authority under this subsection (a-5) shall have the right to request a hearing before the Authority's civil administrative adjudicatory system to challenge the validity of the immobilization, tow, or impoundment. This hearing, however, shall not constitute a readjudication of the merits of previously adjudicated notices. Judicial review of all final orders of the Authority under this subsection (a-5) shall be conducted in the circuit court of the county in which the administrative decision was rendered in accordance with the Administrative Review Law.

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No commercial entity that is the lessor of a vehicle under a written lease agreement shall be liable for an administrative notice of violation for toll evasion issued under this subsection (a-5) involving that vehicle during the period of the lease if the lessor provides a copy of the leasing agreement to the Authority within 21 days of the issue date on the notice of violation. The leasing agreement also must contain a provision or addendum informing the lessee that the lessee is liable for payment of all tolls and any fines for toll evasion. Each entity must also post a sign at the leasing counter notifying the lessee of that liability. The copy of the leasing agreement provided to the Authority must contain the name, address, and driver's license number of the lessee, as well as the check-out and return dates and times of the vehicle and the vehicle license plate number and vehicle make and model.

As used in this subsection (a-5), "lessor" includes commercial leasing and rental entities but does not include public passenger vehicle entities.

The Authority shall establish an amnesty program for violations adjudicated under this subsection (a-5). Under the program, any person who has an outstanding notice of violation for toll evasion or a final order of a hearing officer for toll evasion dated prior to the effective date of this amendatory Act of the 94th General Assembly and who pays to the Authority the full percentage amounts listed in this paragraph remaining due on the notice of violation or final order of the hearing officer and the full fees and costs paid by the Authority to the Secretary of State relating to suspension proceedings, if applicable, on or before 5:00 p.m., Central Standard Time, of the 60th day after the effective date of this amendatory Act of the 94th General Assembly shall not be required to pay more than the listed percentage of the original fine amount and outstanding toll as listed on the notice of violation or final order of the hearing officer and the full fees and costs paid by the Authority to the Secretary of State relating to suspension proceedings, if applicable. The payment percentage scale shall be as follows: a person with 25 or fewer violations shall be eligible for amnesty upon payment of 50% of the original fine amount and the outstanding tolls; a person with more than 25 but fewer than 51 violations shall be eligible for amnesty upon payment of 60% of the original fine amount and the outstanding tolls; and a person with 51 or more violations shall be eligible for amnesty upon payment of 75% of the original fine amount and the outstanding tolls. In such a situation, the Executive Director of the Authority or his or her designee is authorized and directed...
to waive any late fine amount above the applicable percentage of the original fine amount. Partial payment of the amount due shall not be a basis to extend the amnesty payment deadline nor shall it act to relieve the person of liability for payment of the late fine amount. In order to receive amnesty, the full amount of the applicable percentage of the original fine amount and outstanding toll remaining due on the notice of violation or final order of the hearing officer and the full fees and costs paid by the Authority to the Secretary of State relating to suspension proceedings, if applicable, must be paid in full by 5:00 p.m., Central Standard Time, of the 60th day after the effective date of this amendatory Act of the 94th General Assembly. This amendatory Act of the 94th General Assembly has no retroactive effect with regard to payments already tendered to the Authority that were full payments or payments in an amount greater than the applicable percentage, and this Act shall not be the basis for either a refund or a credit. This amendatory Act of the 94th General Assembly does not apply to toll evasion citations issued by the Illinois State Police or other authorized law enforcement agencies and for which payment may be due to or through the clerk of the circuit court. The Authority shall adopt rules as necessary to implement the provisions of this amendatory Act of the 94th General Assembly. The Authority, by a resolution of the Board of Directors, shall have the discretion to implement similar amnesty programs in the future. The Authority, at its discretion and in consultation with the Attorney General, is further authorized to settle an administrative fine or penalty if it determines that settling for less than the full amount is in the best interests of the Authority after taking into account the following factors: (1) the merits of the Authority's claim against the respondent; (2) the amount that can be collected relative to the administrative fine or penalty owed by the respondent; (3) the cost of pursuing further enforcement or collection action against the respondent; (4) the likelihood of collecting the full amount owed; and (5) the burden on the judiciary. The provisions in this Section may be extended to other toll facilities in the State of Illinois through a duly executed agreement between the Authority and the operator of the toll facility.

(b) To prescribe rules and regulations applicable to traffic on highways under the jurisdiction of the Authority, concerning:

(1) Types of vehicles permitted to use such highways or parts thereof, and classification of such vehicles;

(2) Designation of the lanes of traffic to be used by the different types of vehicles permitted upon said highways;

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(3) Stopping, standing, and parking of vehicles;
(4) Control of traffic by means of police officers or traffic control signals;
(5) Control or prohibition of processions, convoys, and assemblages of vehicles and persons;
(6) Movement of traffic in one direction only on designated portions of said highways;
(7) Control of the access, entrance, and exit of vehicles and persons to and from said highways; and
(8) Preparation, location and installation of all traffic signs; and to prescribe further rules and regulations applicable to such traffic, concerning matters not provided for either in the foregoing enumeration or in the Illinois Vehicle Code. Notice of such rules and regulations shall be posted conspicuously and displayed at appropriate points and at reasonable intervals along said highways, by clearly legible markers or signs, to provide notice of the existence of such rules and regulations to persons traveling on said highways. At each toll station, the Authority shall make available, free of charge, pamphlets containing all of such rules and regulations.

(c) The Authority, in fixing the rate for tolls for the privilege of using the said toll highways, is authorized and directed, in fixing such rates, to base the same upon annual estimates to be made, recorded and filed with the Authority. Said estimates shall include the following: The estimated total amount of the use of the toll highways; the estimated amount of the revenue to be derived therefrom, which said revenue, when added to all other receipts and income, will be sufficient to pay the expense of maintaining and operating said toll highways, including the administrative expenses of the Authority, and to discharge all obligations of the Authority as they become due and payable.

(d) To accept from any municipality or political subdivision any lands, easements or rights in land needed for the operation, construction, relocation or maintenance of any toll highways, with or without payment therefor, and in its discretion to reimburse any such municipality or political subdivision out of its funds for any cost or expense incurred in the acquisition of land, easements or rights in land, in connection with the construction and relocation of the said toll highways, widening, extending roads, streets or avenues in connection therewith, or for the construction of any roads or streets forming extension to and connections with or between
any toll highways, or for the cost or expense of widening, grading, surfacing or improving any existing streets or roads or the construction of any streets and roads forming extensions of or connections with any toll highways constructed, relocated, operated, maintained or regulated hereunder by the Authority. Where property owned by a municipality or political subdivision is necessary to the construction of an approved toll highway, if the Authority cannot reach an agreement with such municipality or political subdivision and if the use to which the property is being put in the hands of the municipality or political subdivision is not essential to the existence or the administration of such municipality or political subdivision, the Authority may acquire the property by condemnation.
(Source: P.A. 94-636, eff. 8-22-05.)

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0560
(Senate Bill No. 1221)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Legislative intent.

(a) It is the intent of the legislature to encourage excellence for all pupils, and the legislature wishes to publicly recognize pupils for exemplary achievements in academic studies.

(b) The study of languages other than English in elementary and secondary schools should be encouraged because it contributes to a pupil's cognitive development and to our national economy and security.

(c) Proficiency in multiple languages is critical in enabling this State to participate effectively in a global political, social, and economic context and in expanding trade with other countries.

(d) The demand for employees to be fluent in more than one language is increasing both in this State and throughout the world.

(e) The benefits to employers in having staff fluent in more than one language are clear: access to an expanded market, allowing business owners to better serve their customers' needs, and the sparking of new

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marketing ideas that better target a particular audience and open a channel of communication with customers and businesses in other countries.

(f) It is the intent of the legislature to promote linguistic proficiency and cultural literacy in one or more languages in addition to English and to provide recognition of the attainment of those needed and important skills through the establishment of the State Seal of Biliteracy. A State Seal of Biliteracy would be designated on the high school diplomas and transcripts of graduating public school pupils attaining proficiency in one or more languages in addition to English.

Section 5. The School Code is amended by adding Section 2-3.157 as follows:

(105 ILCS 5/2-3.157 new)
(a) In this Section, "foreign language" means any language other than English, including all modern languages, Latin, American Sign Language, Native American languages, and native languages.
(b) The State Seal of Biliteracy program is established to recognize public high school graduates who have attained a high level of proficiency in one or more languages in addition to English. The State Seal of Biliteracy shall be awarded beginning with the 2014-2015 school year. School district participation in this program is voluntary.
(c) The purposes of the State Seal of Biliteracy are as follows:
(1) To encourage pupils to study languages.
(2) To certify attainment of biliteracy.
(3) To provide employers with a method of identifying people with language and biliteracy skills.
(4) To provide universities with an additional method to recognize applicants seeking admission.
(5) To prepare pupils with 21st century skills.
(6) To recognize the value of foreign language and native language instruction in public schools.
(7) To strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.
(d) The State Seal of Biliteracy certifies attainment of a high level of proficiency, sufficient for meaningful use in college and a career, by a graduating public high school pupil in one or more languages in addition to English.
(e) The State Board of Education shall adopt such rules as may be necessary to establish the criteria that pupils must achieve to earn a State Seal of Biliteracy, which may include without limitation attainment of units of credit in English language arts and languages other than English and passage of such assessments of foreign language proficiency as may be approved by the State Board of Education for this purpose.

(f) The State Board of Education shall do both of the following:

(1) Prepare and deliver to participating school districts an appropriate mechanism for designating the State Seal of Biliteracy on the diploma and transcript of the pupil indicating that the pupil has been awarded a State Seal of Biliteracy by the State Board of Education.

(2) Provide other information the State Board of Education deems necessary for school districts to successfully participate in the program.

(g) A school district that participates in the program under this Section shall do both of the following:

(1) Maintain appropriate records in order to identify pupils who have earned a State Seal of Biliteracy.

(2) Make the appropriate designation on the diploma and transcript of each pupil who earns a State Seal of Biliteracy.

(h) No fee shall be charged to a pupil to receive the designation pursuant to this Section. Notwithstanding this prohibition, costs may be incurred by the pupil in demonstrating proficiency, including without limitation any assessments required under subsection (e) of this Section.

Section 99. Effective date. This Act takes effect July 1, 2013.
Approved August 27, 2013.
Effective August 27, 2013.
Sec. 17. Reporting forms.
(a) A person who qualified for benefits under subsections (a) and (b) of Section 10 of this Act (hereinafter referred to as "PSEBA recipient") shall be required to file a form with his or her employer as prescribed in this Section. The Commission on Government Forecasting and Accountability (COGFA) shall use the form created in this Act and prescribe the content of the report in cooperation with one statewide labor organization representing police, one statewide law enforcement organization, one statewide labor organization representing firefighters employed by at least 100 municipalities in this State that is affiliated with the Illinois State Federation of Labor, one statewide labor organization representing correctional officers and parole agents that is affiliated with the Illinois State Federation of Labor, one statewide organization representing municipalities, and one regional organization representing municipalities. COGFA may accept comment from any source, but shall not be required to solicit public comment. Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, COGFA shall remit a copy of the form contained in this subsection to all employers subject to this Act and shall make a copy available on its website.

"PSEBA RECIPIENT REPORTING FORM:

Under Section 17 of the Public Safety Employee Benefits Act (820 ILCS 320/17), the Commission on Government Forecasting and Accountability (COGFA) is charged with creating and submitting a report to the Governor and the General Assembly setting forth information regarding recipients and benefits payable under the Public Safety Employee Benefits Act (Act). The Act requires employers providing PSEBA benefits to distribute this form to any former peace officer, firefighter, or correctional officer currently in receipt of PSEBA benefits.

The responses to the questions below will be used by COGFA to compile information regarding the PSEBA benefit for its report. The Act prohibits the release of any personal information concerning the PSEBA recipient and exempts the reported information from the requirements of the Freedom of Information Act (FOIA).

The Act requires the PSEBA recipient to complete this form and submit it to the employer providing PSEBA benefits within 60 days of receipt. If the PSEBA recipient fails to submit this form...
within 60 days of receipt, the employer is required to notify the PSEBA recipient of non-compliance and provide an additional 30 days to submit the required form. Failure to submit the form in a timely manner will result in the PSEBA recipient incurring responsibility for reimbursing the employer for premiums paid during the period the form is due and not filed.  

(1) PSEBA recipient's name:  
(2) PSEBA recipient's date of birth:  
(3) Name of the employer providing PSEBA benefits:  
(4) Date the PSEBA benefit first became payable:  
(5) What was the medical diagnosis of the injury that qualified you for the PSEBA benefit?  
(6) Are you currently employed with compensation?  
(7) If so, what is the name(s) of your current employer(s)?  
(8) Are you or your spouse enrolled in a health insurance plan provided by your current employer or another source?  
(9) Have you or your spouse been offered or provided access to health insurance from your current employer(s)?  
If you answered yes to question 8 or 9, please provide the name of the employer, the name of the insurance provider(s), and a general description of the type(s) of insurance offered (HMO, PPO, HSA, etc.):  
(10) Are you or your spouse enrolled in a health insurance plan provided by a current employer of your spouse?  
(11) Have you or your spouse been offered or provided access to health insurance provided by a current employer of your spouse?  
If you answered yes to question 10 or 11, please provide the name of the employer, the name of the insurance provider, and a general description of the type of insurance offered (HMO, PPO, HSA, etc.) by an employer of your spouse:"

COFGA shall notify an employer of its obligation to notify any PSEBA recipient receiving benefits under this Act of that recipient's obligation to file a report under this Section. A PSEBA recipient receiving

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benefits under this Act must complete and return this form to the employer within 60 days of receipt of such form. Any PSEBA recipient who has been given notice as provided under this Section and who fails to timely file a report under this Section within 60 days after receipt of this form shall be notified by the employer that he or she has 30 days to submit the report or risk incurring the cost of his or her benefits provided under this Act. An employer may seek reimbursement for premium payments for a PSEBA recipient who fails to file this report with the employer 30 days after receiving this notice. The PSEBA recipient is responsible for reimbursing the employer for premiums paid during the period the report is due and not filed. Employers shall return this form to COGFA within 30 days after receiving the form from the PSEBA recipient.

Any information collected by the employer under this Section shall be exempt from the requirements of the Freedom of Information Act except for data collected in the aggregate that does not reveal any personal information concerning the PSEBA recipient.

By July 1 of every odd-numbered year, beginning in 2015, employers subject to this Act must send the form contained in this subsection to all PSEBA recipients eligible for benefits under this Act. The PSEBA recipient must complete and return this form by September 1 of that year. Any PSEBA recipient who has been given notice as provided under this Section and who fails to timely file a completed form under this Section within 60 days after receipt of this form shall be notified by the employer that he or she has 30 days to submit the form or risk incurring the costs of his or her benefits provided under this Act. The PSEBA recipient is responsible for reimbursing the employer for premiums paid during the period the report is due and not filed. The employer shall resume premium payments upon receipt of the completed form. Employers shall return this form to COGFA within 30 days after receiving the form from the PSEBA recipient.

(b) An employer subject to this Act shall complete and file the form contained in this subsection.

"EMPLOYER SUBJECT TO PSEBA REPORTING FORM:

Under Section 17 of the Public Safety Employee Benefits Act (820 ILCS 320/17), the Commission on Government Forecasting and Accountability (COGFA) is charged with creating and submitting a report to the Governor and General Assembly setting forth information regarding recipients and benefits payable under the Public Safety Employee Benefits Act (Act).

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The responses to the questions below will be used by COGFA to compile information regarding the PSEBA benefit for its report.

The Act requires all employers subject to the PSEBA Act to submit the following information within 120 days after receipt of this form.

(1) Name of the employer:

(2) The number of PSEBA benefit applications filed under the Act during the reporting period provided in the aggregate and listed individually by name of applicant and date of application:

(3) The number of PSEBA benefits and names of PSEBA recipients receiving benefits awarded under the Act during the reporting period provided in the aggregate and listed individually by name of applicant and date of application:

(4) The cost of the health insurance premiums paid due to PSEBA benefits awarded under the Act during the reporting period provided in the aggregate and listed individually by name of PSEBA recipient:

(5) The number of PSEBA benefit applications filed under the Act since the inception of the Act provided in the aggregate and listed individually by name of applicant and date of application:

(6) The number of PSEBA benefits awarded under the Act since the inception of the Act provided in the aggregate and listed individually by name of applicant and date of application:

(7) The cost of health insurance premiums paid due to PSEBA benefits awarded under the Act since the inception of the Act provided in the aggregate and listed individually by name of PSEBA recipient:

(8) The current annual cost of health insurance premiums paid for PSEBA benefits awarded under the Act provided in the aggregate and listed individually by name of PSEBA recipient:

(9) The annual cost of health insurance premiums paid for PSEBA benefits awarded under the Act listed by year since the inception of the Act provided in annual

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aggregate amounts and listed individually by name of PSEBA recipient:

(10) A description of health insurance benefit levels currently provided by the employer to the PSEBA recipient:

(11) The total cost of the monthly health insurance premium currently provided to the PSEBA recipient:

(12) The other costs of the health insurance benefit currently provided to the PSEBA recipient including, but not limited to:

   (i) the co-pay requirements of the health insurance policy provided to the PSEBA recipient;

   (ii) the out-of-pocket deductibles of the health insurance policy provided to the PSEBA recipient;

   (iii) any pharmaceutical benefits and co-pays provided in the insurance policy; and

   (iv) any policy limits of the health insurance policy provided to the PSEBA recipient."

An employer covered under this Act shall file copies of the PSEBA Recipient Reporting Form and the Employer Subject to the PSEBA Act Reporting Form with COGFA within 120 days after receipt of the Employer Subject to the PSEBA Act Reporting Form.

The first form filed with COGFA under this Section shall contain all information required by this Section. All forms filed by the employer thereafter shall set forth the required information for the 24-month period ending on June 30 preceding the deadline date for filing the report.

Whenever possible, communication between COGFA and employers as required by this Act shall be through electronic means.

(c) For the purpose of creating the report required under subsection (d), upon receipt of each PSEBA Benefit Recipient Form, or as soon as reasonably practicable, COGFA shall make a determination of whether the PSEBA benefit recipient or the PSEBA benefit recipient's spouse meets one of the following criteria:

(1) the PSEBA benefit recipient or the PSEBA benefit recipient's spouse is receiving health insurance from a current employer, a current employer of his or her spouse, or another source;
(2) the PSEBA benefit recipient or the PSEBA benefit recipient's spouse has been offered or provided access to health insurance from a current employer or employers. If one or both of the criteria are met, COGFA shall make the following determinations of the associated costs and benefit levels of health insurance provided or offered to the PSEBA benefit recipient or the PSEBA benefit recipient's spouse:

(A) a description of health insurance benefit levels offered to or received by the PSEBA benefit recipient or the PSEBA benefit recipient's spouse from a current employer or a current employer of the PSEBA benefit recipient's spouse;

(B) the monthly premium cost of health insurance benefits offered to or received by the PSEBA benefit recipient or the PSEBA benefit recipient's spouse from a current employer or a current employer of the PSEBA benefit recipient's spouse including, but not limited to:

(i) the total monthly cost of the health insurance premium;
(ii) the monthly amount of the health insurance premium to be paid by the employer;
(iii) the monthly amount of the health insurance premium to be paid by the PSEBA benefit recipient or the PSEBA benefit recipient's spouse;
(iv) the co-pay requirements of the health insurance policy;
(v) the out-of-pocket deductibles of the health insurance policy;
(vi) any pharmaceutical benefits and co-pays provided in the insurance policy;
(vii) any policy limits of the health insurance policy.

COGFA shall summarize the related costs and benefit levels of health insurance provided or available to the PSEBA benefit recipient or the PSEBA benefit recipient's spouse and contrast the results to the cost and benefit levels of health insurance currently provided by the employer subject to this Act. This information shall be included in the report required in subsection (d).

(d) By June 1, 2014, and by January 1 of every even-numbered year thereafter beginning in 2016, COGFA shall submit a report to the Governor and the General Assembly setting forth the information received

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under subsections (a) and (b). The report shall aggregate data in such a way as to not reveal the identity of any single beneficiary. The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, Minority Leader, and Clerk of the House of Representatives, the President, Minority Leader, and Secretary of the Senate, the Legislative Research Unit as required under Section 3.1 of the General Assembly Organization Act, and the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act. COGFA shall make this report available electronically on a publicly accessible website.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0562
(Senate Bill No. 1280)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Power of Attorney Act is amended by changing Sections 2-7 and 2-10 as follows:
(755 ILCS 45/2-7) (from Ch. 110 1/2, par. 802-7)
(a) The agent shall be under no duty to exercise the powers granted by the agency or to assume control of or responsibility for any of the principal's property, care or affairs, regardless of the principal's physical or mental condition. Whenever a power is exercised, the agent shall act in good faith for the benefit of the principal using due care, competence, and diligence in accordance with the terms of the agency and shall be liable for negligent exercise. An agent who acts with due care for the benefit of the principal shall not be liable or limited merely because the agent also benefits from the act, has individual or conflicting interests in relation to the property, care or affairs of the principal or acts in a different manner with respect to the agency and the agent's individual interests. The agent shall not be affected by any amendment or termination of the agency until the agent has actual knowledge thereof. The agent shall not be liable for

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any loss due to error of judgment nor for the act or default of any other person.

(b) An agent that has accepted appointment must act in accordance with the principal's expectations to the extent actually known to the agent and otherwise in the principal's best interests.

(c) An agent shall keep a record of all receipts, disbursements, and significant actions taken under the authority of the agency and shall provide a copy of this record when requested to do so by:

(1) the principal, a guardian, another fiduciary acting on behalf of the principal, and, after the death of the principal, the personal representative or successors in interest of the principal's estate;

(2) a representative of a provider agency, as defined in Section 2 of the Elder Abuse and Neglect Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act;

(3) a representative of the Office of the State Long Term Care Ombudsman, acting in the course of an investigation of a complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging;

(4) a representative of the Office of Inspector General for the Department of Human Services, acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act; or

(5) a court under Section 2-10 of this Act; or

(6) a representative of the Office of State Guardian or public guardian for the county in which the principal resides acting in the course of investigating whether to file a petition for guardianship of the principal under Section 11a-4 or 11a-8 of the Probate Act of 1975.

(d) If the agent fails to provide his or her record of all receipts, disbursements, and significant actions within 21 days after a request under subsection (c), the elder abuse provider agency, the State Guardian, the public guardian, or the State Long Term Care Ombudsman may petition the court for an order requiring the agent to produce his or her record of receipts, disbursements, and significant actions. If the court finds that the agent's failure to provide his or her record in a timely manner to the elder abuse provider agency, the State Guardian, the public guardian, or the

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State Long Term Care Ombudsman was without good cause, the court may assess reasonable costs and attorney's fees against the agent, and order such other relief as is appropriate.

(e) An agent is not required to disclose receipts, disbursements, or other significant actions conducted on behalf of the principal except as otherwise provided in the power of attorney or as required under subsection (c).

(f) An agent that violates this Act is liable to the principal or the principal's successors in interest for the amount required (i) to restore the value of the principal's property to what it would have been had the violation not occurred, and (ii) to reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf. This subsection does not limit any other applicable legal or equitable remedies.

(Source: P.A. 96-1195, eff. 7-1-11.)

(755 ILCS 45/2-10) (from Ch. 110 1/2, par. 802-10)

Sec. 2-10. Agency-court relationship.

(a) Upon petition by any interested person (including the agent), with such notice to interested persons as the court directs and a finding by the court that the principal lacks either the capacity to control or the capacity to revoke the agency, the court may construe a power of attorney, review the agent's conduct, and grant appropriate relief including compensatory damages.

(b) If the court finds that the agent is not acting for the benefit of the principal in accordance with the terms of the agency or that the agent's action or inaction has caused or threatens substantial harm to the principal's person or property in a manner not authorized or intended by the principal, the court may order a guardian of the principal's person or estate to exercise any powers of the principal under the agency, including the power to revoke the agency, or may enter such other orders without appointment of a guardian as the court deems necessary to provide for the best interests of the principal.

(c) If the court finds that the agency requires interpretation, the court may construe the agency and instruct the agent, but the court may not amend the agency.

(d) If the court finds that the agent has not acted for the benefit of the principal in accordance with the terms of the agency and the Illinois Power of Attorney Act, or that the agent's action caused or threatened substantial harm to the principal's person or property in a manner not
authorized or intended by the principal, then the agent shall not be
authorized to pay or be reimbursed from the estate of the principal the
attorneys' fees and costs of the agent in defending a proceeding brought
pursuant to this Section.

(e) Upon a finding that the agent's action has caused substantial
harm to the principal's person or property, the court may assess against the
agent reasonable costs and attorney's fees to a prevailing party who is a
provider agency as defined in Section 2 of the Elder Abuse and Neglect
Act, a representative of the Office of the State Long Term Care
Ombudsman, the State Guardian, a public guardian, or a governmental
agency having regulatory authority to protect the welfare of the principal.

(f) As used in this Section, the term "interested person" includes
(1) the principal or the agent; (2) a guardian of the person, guardian of the
estate, or other fiduciary charged with management of the principal's
property; (3) the principal's spouse, parent, or descendant; (4) a person
who would be a presumptive heir-at-law of the principal; (5) a person
named as a beneficiary to receive any property, benefit, or contractual right
upon the principal's death, or as a beneficiary of a trust created by or for
the principal; (6) a provider agency as defined in Section 2 of the Elder
Abuse and Neglect Act, a representative of the Office of the State Long
Term Care Ombudsman, the State Guardian, a public guardian,
or a
governmental agency having regulatory authority to protect the welfare of
the principal; and (7) the principal's caregiver or another person who
demonstrates sufficient interest in the principal's welfare.

(g) Absent court order directing a guardian to exercise powers of
the principal under the agency, a guardian will have no power, duty or
liability with respect to any property subject to the agency or any personal
or health care matters covered by the agency.

(h) Proceedings under this Section shall be commenced in the
county where the guardian was appointed or, if no Illinois guardian is
acting, then in the county where the agent or principal resides or where the
principal owns real property.

(i) This Section shall not be construed to limit any other remedies
available.

(Source: P.A. 96-1195, eff. 7-1-11.)

Section 99. Effective date. This Act takes effect upon becoming
law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0563
(Senate Bill No. 1358)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by changing Sections 10-15.1 and 10-16.5 as follows:

(305 ILCS 5/10-15.1)

Sec. 10-15.1. Judicial registration of administrative support orders. 
(a) A final administrative support order established by the Illinois Department under this Article X may be registered in the appropriate circuit court of this State by the Department or by a party to the order by filing:

(1) Two copies, including one certified copy of the order to be registered, any modification of the administrative support order, any voluntary acknowledgment of paternity pertaining to the child covered by the order, and the documents showing service of the notice of support obligation that commenced the procedure for establishment of the administrative support order pursuant to Section 10-4 of this Code.

(2) A sworn statement by the person requesting registration or a certified copy of the Department payment record showing the amount of any past due support accrued under the administrative support order.

(3) The name of the obligor and, if known, the obligor's address and social security number.

(4) The name of the obligee and the obligee's address, unless the obligee alleges in an affidavit or pleading under oath that the health, safety, or liberty of the obligee or child would be jeopardized by disclosure of specific identifying information, in which case that information must be sealed and may not be disclosed to the other party or public. After a hearing in which the court takes into consideration the health, safety, or liberty of the party or child, the court may order disclosure of information that the court determines to be in the interest of justice.
(b) The filing of an administrative support order under subsection 
(a) constitutes registration with the circuit court.

(c) (Blank). A petition or comparable pleading seeking a remedy 
that must be affirmatively sought under other law of this State may be filed 
at the same time as the request for registration or later. The pleading must 
specify the grounds for the remedy sought:

(c-5) Every notice of registration must be accompanied by a copy 
of the registered administrative support order and the documents and 
relevant information accompanying the order pursuant to subsection (a).

(d) (Blank). When an administrative support order is registered, the 
clerk of the circuit court shall notify the nonregistering party and the 
Illinois Department, unless the Department is requesting registration of its 
order. The notice, which shall be served on the nonregistering party by any 
method provided by law for service of a summons, must be accompanied 
by a copy of the registered administrative support order and the documents 
and relevant information accompanying the order:

(d-5) The registering party shall serve notice of the registration on 
the other party by first class mail, unless the administrative support order 
was entered by default or the registering party is also seeking an 
affirmative remedy. The registering party shall serve notice on the 
Department in all cases by first class mail.

(1) If the administrative support order was entered by 
default against the obligor, the obligor must be served with the 
registration by any method provided by law for service of 
summons.

(2) If a petition or comparable pleading seeking an 
affirmative remedy is filed with the registration, the non-moving 
party must be served with the registration and the affirmative 
pleading by any method provided by law for service of summons.

(e) A notice of registration of an administrative support order must 
provide the following information:

(1) That a registered administrative order is enforceable in 
the same manner as an order for support issued by the circuit court.

(2) That a hearing to contest enforcement of the registered 
administrative support order must be requested within 30 days after 
the date of service of the notice.

(3) That failure to contest, in a timely manner, the 
enforcement of the registered administrative support order shall 
result in confirmation of the order and enforcement of the order

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and the alleged arrearages and precludes further contest of that order with respect to any matter that could have been asserted.

(4) The amount of any alleged arrearages.

(f) A nonregistering party seeking to contest enforcement of a registered administrative support order shall request a hearing within 30 days after the date of service of notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered administrative support order, or to contest the remedies being sought or the amount of any alleged arrearages.

(g) If the nonregistering party fails to contest the enforcement of the registered administrative support order in a timely manner, the order shall be confirmed by operation of law.

(h) If a nonregistering party requests a hearing to contest the enforcement of the registered administrative support order, the circuit court shall schedule the matter for hearing and give notice to the parties and the Illinois Department of the date, time, and place of the hearing.

(i) A party contesting the enforcement of a registered administrative support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The Illinois Department lacked personal jurisdiction over the contesting party.

(2) The administrative support order was obtained by fraud.

(3) The administrative support order has been vacated, suspended, or modified by a later order.

(4) The Illinois Department has stayed the administrative support order pending appeal.

(5) There is a defense under the law to the remedy sought.

(6) Full or partial payment has been made.

(j) If a party presents evidence establishing a full or partial payment defense under subsection (i), the court may stay enforcement of the registered order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered administrative support order may be enforced by all remedies available under State law.

(k) If a contesting party does not establish a defense under subsection (i) to the enforcement of the administrative support order, the court shall issue an order confirming the administrative support order. Confirmation of the registered administrative support order, whether by

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operation of law or after notice and hearing, precludes further contest of
the order with respect to any matter that could have been asserted at the
time of registration. Upon confirmation, the registered administrative
support order shall be treated in the same manner as a support order
entered by the circuit court, including the ability of the court to entertain a
petition to modify the administrative support order due to a substantial
change in circumstances, or petitions for visitation or custody of the child
or children covered by the administrative support order. Nothing in this
Section shall be construed to alter the effect of a final administrative
support order, or the restriction of judicial review of such a final order to
the provisions of the Administrative Review Law, as provided in Section
10-11 of this Code.
(Source: P.A. 97-926, eff. 8-10-12.)

(305 ILCS 5/10-16.5)
Sec. 10-16.5. Interest on support obligations. A support obligation,
or any portion of a support obligation, which becomes due and remains
unpaid as of the end of each month, excluding the child support that was
due for that month to the extent that it was not paid in that month, shall
accrue simple interest as set forth in Section 12-109 of the Code of Civil
Procedure. An order for support entered or modified on or after January 1,
2006 shall contain a statement that a support obligation required under the
order, or any portion of a support obligation required under the order, that
becomes due and remains unpaid as of the end of each month, excluding
the child support that was due for that month to the extent that it was not
paid in that month, shall accrue simple interest as set forth in Section 12-
109 of the Code of Civil Procedure. Failure to include the statement in the
order for support does not affect the validity of the order or the accrual of
interest as provided in this Section.

In cases in which IV-D services are being provided, the
Department shall provide, by rule, for a one-time notice to obligees
advising the obligee that he or she must notify the Department within 60
days of the notice that he or she wishes to have the Department compute
any interest that accrued on a specific docket in his or her case between
May 1, 1987 and December 31, 2005. If the obligee fails to notify the
Department within the 60-day period: (i) the Department shall have no
further duty to enforce and collect interest accrued on support obligations
established under this Code or under any other law that are owed to the
obligee prior to January 1, 2006; and (ii) any interest due on that docket

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prior to 2006 may be pursued by the obligee through a court action, but not through the Department's IV-D agency.
(Source: P.A. 94-90, eff. 1-1-06.)

Section 10. The Code of Civil Procedure is amended by changing Section 12-109 as follows:

(735 ILCS 5/12-109) (from Ch. 110, par. 12-109)
Sec. 12-109. Interest on judgments.
(a) Every judgment except those arising by operation of law from child support orders shall bear interest thereon as provided in Section 2-1303.

(b) Every judgment arising by operation of law from a child support order shall bear interest as provided in this subsection. The interest on judgments arising by operation of law from child support orders shall be calculated by applying one-twelfth of the current statutory interest rate as provided in Section 2-1303 to the unpaid child support balance as of the end of each calendar month. The unpaid child support balance at the end of the month is the total amount of child support ordered, excluding the child support that was due for that month to the extent that it was not paid in that month and including judgments for retroactive child support, less all payments received and applied as set forth in this subsection. The accrued interest shall not be included in the unpaid child support balance when calculating interest at the end of the month. The unpaid child support balance as of the end of each month shall be determined by calculating the current monthly child support obligation and applying all payments received for that month, except federal income tax refund intercepts, first to the current monthly child support obligation and then applying any payments in excess of the current monthly child support obligation to the unpaid child support balance owed from previous months. The current monthly child support obligation shall be determined from the document that established the support obligation. Federal income tax refund intercepts and any payments in excess of the current monthly child support obligation shall be applied to the unpaid child support balance. Any payments in excess of the current monthly child support obligation and the unpaid child support balance shall be applied to the accrued interest on the unpaid child support balance. Interest on child support obligations may be collected by any means available under State law for the collection of child support judgments, federal and State laws, rules, and regulations providing for the collection of child support.
(Source: P.A. 94-90, eff. 1-1-06.)
Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0564
(Senate Bill No. 1409)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Elmwood Park Grade Separation Authority Act.

Section 5. Definitions. As used in this Act:
"Authority" means the Elmwood Park Grade Separation Authority.
"Person" includes an individual, partnership, firm, public or private corporation, and government or unit of government.
"Railroad" or "Railroads" means the Canadian Pacific Railway and other railroads operating or owning trackage or right-of-way within the area of the Authority.
"Village" means the Village of Elmwood Park.

Section 10. Legislative declaration. The General Assembly declares that the welfare, health, prosperity, and moral and general well being of the people of the State are, in large measure, dependent upon the sound and orderly development of municipal areas. The Village of Elmwood Park by reason of the location there of Grand Avenue and its use for vehicular travel in access to the entire west metropolitan Chicago area, including municipalities in 2 counties, as well as commercial and industrial growth patterns and accessibility to O'Hare International Airport, manufacturing and freight related services, has become and will increasingly be the hub of transportation from all parts of the region and throughout the west metropolitan area. Motor vehicle traffic, pedestrian travel, and the safety of both motorists and pedestrians are substantially aggravated by the location of a major railroad right-of-way that divides the Village into north and south halves. The presence of the railroad right-of-way has effectively impeded the development of highway usage and rights-of-way and is detrimental to the orderly expansion of industry and commerce and to progress throughout the region. Additionally, the railroad

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grade crossing located on Grand Avenue within the Village of Elmwood Park has posed a significant safety hazard to the public. The Illinois Commerce Commission Collision History illustrates that there have been 8 fatalities and 29 injuries since 1956 at the railroad grade crossing located on Grand Avenue within the Village. The presence of the railroad right-of-way at grade crossing within the Village is detrimental to the safety of the public, as well as to the orderly expansion of industry and commerce and to progress of the region. To alleviate this situation, it is necessary to separate the grade crossing on Grand Avenue within the Village, to relocate the railroad tracks and right-of-way, and to acquire property for separation of the railroad or highway and to create an agency to facilitate and accomplish that grade separation.

Section 15. Creation; duration; termination of the Authority. There is created a body politic and corporate, a unit of local government, named the Elmwood Park Grade Separation Authority that embraces that portion of Leyden Township within the Village of Elmwood Park, Cook County, Illinois. The Authority shall continue in existence until the accomplishment of its objectives or until the Authority officials resolve that it is impossible or economically unfeasible to fulfill its objectives. Objectives of the Authority include the grade separation of railroad tracks from the right-of-way of Grand Avenue in the Village of Elmwood Park, the relocation of railroad tracks and roadway to facilitate the grade separation, and other necessary, related improvements to the right-of-way and at-grade crossing closure within the Village of Elmwood Park. The Authority shall be dissolved upon its voluntary termination or 6 months after the first use of the railway on the grade separation structure by a Railroad. Upon termination or dissolution of the Authority after the construction of the grade separation project, the Department of Transportation shall own and maintain the grade separation structure and the Canadian Pacific Railway Company shall own and maintain the railway along the grade separation structure.

Section 20. Procedural capacity; seal; office. The Authority may sue and be sued in its corporate name, but execution shall not in any case issue against any property of the Authority. The Authority shall be subject to the jurisdiction of the Illinois Commerce Commission. It may adopt a common seal and change the seal at pleasure. The principal office of the Authority shall be in the Village of Elmwood Park, Illinois.

The Authority may enter into contracts for the performance of its objectives, including agreements with other State entities and departments,
as well as provide for the letting of construction contracts, consultant service agreements, professional and trade services, and other agreements consistent with the purposes and objectives of the Authority established by this Act. The Authority may accept jurisdictional transfer of public right-of-way for purposes of eliminating at-grade street and railroad crossings.

Section 25. Acquisition of property. The Authority shall have the power to acquire by gift, purchase, legacy, or by the exercise of eminent domain the fee simple title to real property located within the boundaries of the Authority, including temporary and permanent easements, as well as reversionary interests in the streets, alleys, and other public places and personal property, required for its purposes, and title thereto shall be taken in the corporate name of the Authority. Any such property that is already devoted to a public use may nevertheless be acquired, provided that no property belonging to the United States of America or the State of Illinois may be acquired without the consent of such governmental unit. No property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without a prior finding by the Illinois Commerce Commission that the taking would not result in the imposition of an undue burden on intrastate commerce. Eminent domain proceedings shall be conducted in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act. No condemnation proceedings for the acquisition of new property shall be instituted without the prior concurrence of the affected Railroads in the route, width and title to be acquired thereby. Consistent with the Land Acquisition and Procedures Manual prepared by the Department of Transportation and updated through October 23, 2012, when a railroad company owns the fee title to its operating right-of-way and such property is acquired by the Authority to construct a grade separation facility, no compensation of any kind shall be made to the railroad to construct a grade separation facility where an existing highway crossing is eliminated; however, consideration shall be given if the size of the acquisition is different than the original right-of-way. All land and appurtenances thereto, acquired or owned by the Authority, are to be deemed acquired or owned for a public use or public purpose.

Section 30. Sale or exchange of property. The Authority has the power to sell, transfer, exchange, vacate, or assign property acquired for the purposes of this Act, as it deems appropriate.
Section 35. Acceptance of grants, loans, and appropriations. The Authority has the power to apply for and accept grants, loans, advances, and appropriations from the federal government and from the State of Illinois, or any agency or instrumentality thereof, to be used for the purposes of the Authority, and to enter into any agreement in relation to such grants, loans, advances, and appropriations. The Authority may also accept from the State, or any State agency, department, or commission, any county or other political subdivision, any municipal corporation, any Railroads, school authorities, or jointly therefrom, grants of funds or services for any of the purposes of this Act. The Authority shall be treated as a rail carrier subject to the Illinois Commerce Commission's jurisdiction and eligible to receive money from the Grade Crossing Protection Fund, any fund of the State, or other source available for purposes of promoting safety and separation of at-grade railroad crossings or highway improvements.

The Illinois Commerce Commission Crossing Safety Improvement Program FY 2014-2018 Plan shall be revised to include this Authority's grade separation project as one of the bridge projects contemplated for FY 2015 through FY 2018, and funds from the Grade Crossing Protection Fund shall be allocated in the FY 2015 through FY 2018 Plan for said grade separation project. No Order of the Illinois Commerce Commission shall be effective or binding on the Authority to construct the grade separation project unless the federal government, the State of Illinois, or any agency or instrumentality thereof has granted or appropriated sufficient funds for the construction of the grade separation project and the Authority is in receipt of those funds. Notwithstanding, the Illinois Commerce Commission shall not withhold approval of the construction of the Authority's grade separation project or the issuance of any Orders that authorize the construction of the Authority's grade separation project.

Section 40. Borrowing money and issuance of bonds. The Authority may incur debt and borrow money from time to time and, in evidence thereof, may issue and sell bonds in such amount or amounts as the Authority may determine in order to provide funds for carrying out the purposes of this Act and to pay all costs and expenses incident thereto. The Authority may refund and refinance, from time to time, bonds so issued and sold, as often as may be deemed to be advantageous by the Authority.

Section 45. Taxing powers. The Authority may not levy real property taxes for any purpose whatsoever.
Section 50. Board; composition; qualification; compensation and expenses. The Authority shall be governed by a 9-member board consisting of members appointed by the Governor with the advice and consent of the Senate. Five members shall be voting members and 4 members shall be non-voting members. The voting members shall consist of the following:

1) two former public officials who served within the Township of Leyden or the Village of Elmwood Park and recommended to the Governor by the Village President of the Village of Elmwood Park;
2) two prior employees of Canadian Pacific Railway with management experience; and
3) one resident of the Township of Leyden or the Village of Elmwood Park.

The non-voting members shall consist of the following:

1) the Village President of the Village of Elmwood Park;
2) one current employee of Canadian Pacific Railway with management experience;
3) one current employee of Northeast Illinois Regional Commuter Railroad Corporation with management experience; and
4) one current employee of the Department of Transportation with management experience.

The members of the board shall serve without compensation, but may be reimbursed for actual expenses incurred by them in the performance of their duties prescribed by the Authority. However, any member of the board who serves as secretary or treasurer may receive compensation for services as that officer.

Section 55. Removal of members. The Governor may remove from office any board member immediately in case of incompetency, neglect of duty or malfeasance of office, or otherwise upon 15 days' written notice to the other members. Absence from any 3 consecutive regular meetings of the board shall be deemed neglect of duty.

Section 60. Organization; chair and temporary secretary. As soon as possible after the effective date of this amendatory Act of the 98th General Assembly, the board shall organize for the transaction of business, select a chair from its voting members and a temporary secretary from its own number, and adopt bylaws to govern its proceedings. The initial chair and successors shall be elected by the board from time to time from among members. The Authority may act through its board members by entering

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into an agreement that a member act on the Authority's behalf, in which instance the act or performance directed shall be deemed to be exclusively of, for, and by the Authority and not the individual act of the member or its represented person.

Section 65. Meetings; quorum; resolutions. Regular meetings of the board shall be held at least quarterly, the time and place of those meetings to be fixed by the board. Special meetings may be called by the chair or by a majority of the members of the board by giving notice in writing that states the time, place, and purpose of the meeting. Notice of special meetings shall be served by special delivery letter deposited in the mail at least 48 hours before the meeting. A majority of the members of the board shall constitute a quorum for the transaction of business. All action of the Authority shall be by resolution of the board and, except as otherwise provided in this Act, the affirmative vote of at least a majority shall be necessary for the adoption of any resolution. The chair shall be entitled to vote on any and all matters coming before the board.

Section 70. Secretary and treasurer; oaths; bond of treasurer. The board may appoint a secretary and a treasurer, who need not be members of the board, to hold office during the pleasure of the Authority and fix their duties and compensation. Before entering into the duties of their respective offices, they shall take and subscribe to the constitutional oath of office, and the treasurer shall execute a bond with corporate sureties to be approved by the Authority. The bond shall be payable to the Authority in whatever penal sum may be directed by the board, conditioned upon the faithful performance of the duties of the office and the payment of all money received by the treasurer according to law and the orders of the Authority. The Authority may, at any time, require a new bond for the treasurer in such penal sum as may then be determined by the board.

Section 75. Deposit and withdrawal of funds; signatures. All funds deposited by the treasurer in any bank or savings and loan association shall be placed in the name of the Authority and shall be withdrawn or paid out only by check or draft upon the bank or savings and loan association, signed by the treasurer and countersigned by the chair of the board. Subject to prior approval of the designations by a majority of the board, the chair may designate any other member or any officer of the Authority to affix the signature of the treasurer to any Authority check or draft for payment of salaries or wages and for payment of any other obligation of not more than $2,500.
No bank or savings and loan association shall receive public funds as permitted by this Section unless it has complied with the requirements established under Section 6 of the Public Funds Investment Act.

Section 80. Delivery of check after executing officer ceases to hold office. If any officer whose signature appears upon any check or draft issued pursuant to this Act ceases to hold office before the delivery of the check or draft to the payee, the officer's signature nevertheless shall be valid and sufficient for all purposes with the same effect as if the officer had remained in office until delivery of the check or draft.

Section 85. Rules. The Authority may make and the board may adopt all rules and regulations proper or necessary and to carry into effect the powers granted to it. The rules and regulations shall be consistent with the guidelines, objectives, and project scope as set out by the Illinois Commerce Commission.

Section 90. Fiscal year. The Authority shall designate its fiscal year.

Section 95. Reports and financial statements. Within 60 days after the end of its fiscal year, the Authority shall cause to be prepared by a certified public accountant a complete and detailed report and financial statement of the operations and assets and liabilities as relate to the Elmwood Park Grade Separation Authority railroad grade separation project. A reasonably sufficient number of copies of the report shall be prepared for distribution to persons interested, upon request, and a copy of the report shall be filed with the Illinois Commerce Commission and with the county clerk of Cook County.

Section 100. Construction. Nothing in this Act shall be construed to confer upon the Authority the right, power, or duty to order or enforce the abandonment of any present property of the railroads or the use in substitution therefor of any property acquired for the railroads in the absence of a contract duly executed by the railroads and the Authority setting forth the terms and conditions upon which relocation of the right-of-way and physical facilities of the railroads is to be accomplished. No such contract shall be or become enforceable until the provisions of the contract have been approved or authorized by the Illinois Commerce Commission.

Any construction improvements to signaling or any other aspect of the grade separation project dictated by the Railroad or the Northeast Illinois Regional Commuter Railroad Corporation shall be paid for respectively by the Railroad or the Northeast Illinois Regional Commuter

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Railroad Corporation. The Railroad or the Northeast Illinois Regional Commuter Railroad Corporation, or both, shall specifically pay any and all costs associated with any upgrades to the railway.

Section 105. Existing contracts, obligations, and liabilities. No contract, obligation, or liability whatever of the railroads to pay any money into the State treasury, nor any lien of the State upon or right to tax property of the railroads, shall be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by the contract with the Authority, and any such charter provisions applicable to the property on which the railroads are now located shall be deemed in full force and effect with respect to any property on which the railroads are relocated in substitution therefor pursuant to the provisions of this Act or any such contract with the Authority pursuant thereto. Notwithstanding, upon order of the Illinois Commerce Commission, the Authority shall succeed to and assume the performance and actions of the represented persons under the terms of the order and amending orders previously entered relative to the Elmwood Park Grade Separation Authority project undertaken by the Authority and consistent with the objectives of the Authority.

Section 110. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 120. The Eminent Domain Act is amended by adding Section 15-5-47 as follows:

(735 ILCS 30/15-5-47 new)

Sec. 15-5-47. Eminent domain powers in new Acts. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
The Elmwood Park Grade Separation Authority Act; Elmwood Park Grade Separation Authority; for general purposes.

Section 999. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.
AN ACT concerning local government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Fire Protection District Act is amended by changing Section 16.03 as follows:

(70 ILCS 705/16.03) (from Ch. 127 1/2, par. 37.03)

Sec. 16.03. Of the three members of a board of fire commissioners, one shall be a representative citizen of the employee class, one shall be a representative citizen chosen from the employing class, and the other shall be a representative citizen not identified with either the employing or employee class and each Appointed members of a board of fire commissioners shall possess the qualifications required of other officers of the fire protection district and by Section 16.02 of this Act, shall take oath, or affirmation, of office, give bond, and shall be subject to removal from office, in the same manner as other appointive officers of the fire protection district and consistent with the provisions of Section 16.02 hereof.

No more than 2 members of the board shall belong to the same political party existing in the municipality at the time of the appointments and as defined in Section 10-2 of the Election Code. If only 1 or no political party exists in the municipality at the time of the appointments, then state or national political party affiliation shall be considered in making the appointments. Party affiliation shall be determined by affidavit of the person appointed as a member of the board.

(Source: P.A. 86-562.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Food Handling Regulation Enforcement Act is amended by changing Section 3 and by adding Sections 3.05 and 3.06 as follows:

(410 ILCS 625/3) (from Ch. 56 1/2, par. 333)

Sec. 3. Each food service establishment shall be under the operational supervision of a certified food service sanitation manager in accordance with rules promulgated under this Act.

By July 1, 1990, the Director of the Department of Public Health in accordance with this Act, shall promulgate rules for the education, examination, and certification of food service establishment managers and instructors of the food service sanitation manager certification education programs. Beginning July 1, 2014, any individual seeking a food service sanitation manager certificate or a food service sanitation manager instructor certificate must complete a minimum of 8 hours of Department-approved training, inclusive of the examination, and receive a score of at least 75% on the examination. A food service sanitation manager certificate and a food service sanitation manager instructor certificate shall be valid for 5 years, unless revoked by the Department of Public Health, and shall not be transferable from the individual to whom it was issued. Beginning July 1, 2014, recertification for food service sanitation manager certification shall be accomplished by presenting evidence of completion of 8 hours of Department-approved training, inclusive of the examination, and having received a score of at least 75% on the examination. Existing certificates shall expire on the printed expiration date or 5 years from the effective date of this amendatory Act of 1989.

For purposes of certification and recertification for food service sanitation manager certification, the Department shall accept only training approved by the Department and certification exams accredited under standards developed and adopted by the Conference for Food Protection or its successor. Any individual may elect to take the Department of Public Health food service sanitation manager certification.

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examination or take an examination administered by a testing authority previously approved by the Department. The Department shall charge a fee of $35 for each new and renewed food service sanitation manager certificate and $10 for each replacement certificate. All fees collected under this Section shall be deposited into the Food and Drug Safety Fund.

Any fee received by the Department under this Section that is submitted for the renewal of an expired food service sanitation manager certificate may be returned by the Director after recording the receipt of the fee and the reason for its return.

The Department shall award an Illinois certificate to anyone presenting a valid certificate issued by another state, so long as the holder of the certificate provides proof of having passed an examination accredited under standards developed and adopted by the Conference for Food Protection or its successor. The $35 issuance fee applies. The reciprocal Illinois certificate shall expire on the same date as the presented certificate. On or before the expiration date, the holder must have met the Illinois recertification requirements in order to be reissued an Illinois certificate. Reciprocity is only for individuals who have moved to or begun working in Illinois in the 6 months prior to applying for reciprocity. Any individual presenting an out-of-state certificate may do so only once.

(Source: P.A. 89-641, eff. 8-9-96.)

(410 ILCS 625/3.05 new)
Sec. 3.05. Non-restaurant food handler training.
(a) All food handlers not employed by a restaurant as defined in Section 3.06 of this Act, other than someone holding a food service sanitation manager certificate, must receive or obtain training in basic safe food handling principles as outlined in subsection (b) of this Section within 30 days after employment. There is no limit to how many times an employee may take the training. Training is not transferable between individuals or employers. Proof that a food handler has been trained must be available upon reasonable request by a State or local health department inspector and may be in an electronic format.

(b) Food handler training must cover and assess knowledge of the following topics:

(1) The relationship between time and temperature with respect to foodborne illness, including the relationship between time and temperature and micro-organisms during the various food handling preparation and serving states, and the type,
(2) The relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and the food handler's health to foodborne illness, and the recognition of how policies, procedures, and management contribute to improved food safety practices.

(3) Methods of preventing food contamination in all stages of food handling, including terms associated with contamination and potential hazards prior to, during, and after delivery.

(4) Procedures for cleaning and sanitizing equipment and utensils.

(5) Problems and potential solutions associated with temperature control, preventing cross-contamination, housekeeping, and maintenance.

(c) Training modules must be approved by the Department. Any and all documents, materials, or information related to a restaurant or business food handler training module submitted to the Department is confidential and shall not be open to public inspection or dissemination and is exempt from disclosure under Section 7 of the Freedom of Information Act. Any modules complying with subsection (b) of this Section and not approved within 180 days after the Department's receipt of the business application shall automatically be considered approved. If a training module has been approved in another state, then it shall automatically be considered approved in Illinois so long as the business provides proof that the training has been approved in another state. Training may be conducted by any means available, including, but not limited to, on-line, computer, classroom, live trainers, remote trainers, and certified food service sanitation managers. Nothing in this subsection (c) shall be construed to require a proctor. There must be at least one commercially available, approved food handler training module at a cost of no more than $15 per employee; if an approved food handler training module is not available at that cost, then the provisions of this Section 3.05 shall not apply.

(d) The regulation of food handler training is considered to be an exclusive function of the State, and local regulation is prohibited. This subsection (d) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

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(e) The provisions of this Section apply beginning July 1, 2016. From July 1, 2016 through December 31, 2016, enforcement of the provisions of this Section shall be limited to education and notification of requirements to encourage compliance.

(410 ILCS 625/3.06 new)
Sec. 3.06. Food handler training; restaurants.
(a) For the purpose of this Section, "restaurant" means any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption. "Primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.

(b) Unless otherwise provided, all food handlers employed by a restaurant, other than someone holding a food service sanitation manager certificate, must receive or obtain American National Standards Institute-accredited training in basic safe food handling principles within 30 days after employment and every 3 years thereafter. Notwithstanding the provisions of Section 3.05 of this Act, food handlers employed in nursing homes, licensed day care homes and facilities, hospitals, schools, and long-term care facilities must renew their training every 3 years. There is no limit to how many times an employee may take the training. The training indicated in subsections (e) and (f) of this Section is transferable between employers, but not individuals. The training indicated in subsections (c) and (d) of this Section is not transferable between individuals or employers. Proof that a food handler has been trained must be available upon reasonable request by a State or local health department inspector and may be provided electronically.

(c) If a business with an internal training program is approved in another state prior to the effective date of this amendatory Act of the 98th General Assembly, then the business's training program and assessment shall be automatically approved by the Department upon the business providing proof that the program is approved in said state.

(d) The Department shall approve the training program of any multi-state business with a plan that follows the guidelines in subsection (b) of Section 3.05 of this Act and is on file with the Department by May 15, 2013.

(e) If an entity uses an American National Standards Institute food handler training accredited program, that training program shall be automatically approved by the Department.
(f) Certified local health departments in counties serving jurisdictions with a population of 100,000 or less, as reported by the U.S. Census Bureau in the 2010 Census of Population, may have a training program. The training program must meet the requirements of Section 3.05(b) and be approved by the Department. This Section notwithstanding, certified local health departments in the following counties may have a training program:

(1) a county with a population of 677,560 as reported by the U.S. Census Bureau in the 2010 Census of Population;
(2) a county with a population of 308,760 as reported by the U.S. Census Bureau in the 2010 Census of Population;
(3) a county with a population of 515,269 as reported by the U.S. Census Bureau in the 2010 Census of Population;
(4) a county with a population of 114,736 as reported by the U.S. Census Bureau in the 2010 Census of Population;
(5) a county with a population of 110,768 as reported by the U.S. Census Bureau in the 2010 Census of Population;
(6) a county with a population of 135,394 as reported by the U.S. Census Bureau in the 2010 Census of Population.

The certified local health departments in paragraphs (1) through (6) of this subsection (f) must have their training program on file with the Department no later than 90 days after the effective date of this Act. Any modules that meet the requirements of subsection (b) of Section 3.05 of this Act and are not approved within 180 days after the Department’s receipt of the application of the entity seeking to conduct the training shall automatically be considered approved by the Department.

(g) Any and all documents, materials, or information related to a restaurant or business food handler training module submitted to the Department is confidential and shall not be open to public inspection or dissemination and is exempt from disclosure under Section 7 of the Freedom of Information Act. Training may be conducted by any means available, including, but not limited to, on-line, computer, classroom, live trainers, remote trainers, and certified food service sanitation managers. There must be at least one commercially available, approved food handler training module at a cost of no more than $15 per employee; if an approved food handler training module is not available at that cost, then the provisions of this Section 3.06 shall not apply.

(h) The regulation of food handler training is considered to be an exclusive function of the State, and local regulation is prohibited. This

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subsection (h) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(i) The provisions of this Section apply beginning July 1, 2014. From July 1, 2014 through December 31, 2014, enforcement of the provisions of this Section shall be limited to education and notification of requirements to encourage compliance.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0567
(Senate Bill No. 1530)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 11-1426.1 as follows:

(625 ILCS 5/11-1426.1)

Sec. 11-1426.1. Operation of non-highway vehicles on streets, roads, and highways.

(a) As used in this Section, "non-highway vehicle" means a motor vehicle not specifically designed to be used on a public highway, including:

(1) an all-terrain vehicle, as defined by Section 1-101.8 of this Code;
(2) a golf cart, as defined by Section 1-123.9;
(3) an off-highway motorcycle, as defined by Section 1-153.1; and
(4) a recreational off-highway vehicle, as defined by Section 1-168.8.

(b) Except as otherwise provided in this Section, it is unlawful for any person to drive or operate a non-highway vehicle upon any street, highway, or roadway in this State. If the operation of a non-highway vehicle is authorized under subsection (d), the non-highway vehicle may be operated only on streets where the posted speed limit is 35 miles per hour or less.

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hour or less. This subsection (b) does not prohibit a non-highway vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b-5) A person may not operate a non-highway vehicle upon any street, highway, or roadway in this State unless he or she has a valid driver's license issued in his or her name by the Secretary of State or by a foreign jurisdiction.

(c) No person operating a non-highway vehicle shall make a direct crossing upon or across any highway under the jurisdiction of the State, tollroad, interstate highway, or controlled access highway in this State. No person operating a non-highway vehicle shall make a direct crossing upon or across any other highway under the jurisdiction of the State except at an intersection of the highway with another public street, road, or highway.

(c-5) (Blank). A person may make a direct crossing at an intersection controlled by a traffic light or 4-way stop sign upon or across a highway under the jurisdiction of the State if the speed limit on the highway is 35 miles per hour or less at the place of crossing.

(d) A municipality, township, county, or other unit of local government may authorize, by ordinance or resolution, the operation of non-highway vehicles on roadways under its jurisdiction if the unit of local government determines that the public safety will not be jeopardized. The Department may authorize the operation of non-highway vehicles on the roadways under its jurisdiction if the Department determines that the public safety will not be jeopardized. The unit of local government or the Department may restrict the types of non-highway vehicles that are authorized to be used on its streets.

Before permitting the operation of non-highway vehicles on its roadways, a municipality, township, county, other unit of local government, or the Department must consider the volume, speed, and character of traffic on the roadway and determine whether non-highway vehicles may safely travel on or cross the roadway. Upon determining that non-highway vehicles may safely operate on a roadway and the adoption of an ordinance or resolution by a municipality, township, county, or other unit of local government, or authorization by the Department, appropriate signs shall be posted.

If a roadway is under the jurisdiction of more than one unit of government, non-highway vehicles may not be operated on the roadway

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(e) No non-highway vehicle may be operated on a roadway unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in Section 12-709 of this Code) on the rear of the non-highway vehicle, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on a roadway, a non-highway vehicle shall have its headlight and tail lamps lighted as required by Section 12-201 of this Code.

(f) A person who drives or is in actual physical control of a non-highway vehicle on a roadway while under the influence is subject to Sections 11-500 through 11-502 of this Code.

(g) Any person who operates a non-highway vehicle on a street, highway, or roadway shall be subject to the mandatory insurance requirements under Article VI of Chapter 7 of this Code.

(h) It shall not be unlawful for any person to drive or operate a non-highway vehicle, as defined in paragraphs (1) and (4) of subsection (a) of this Section, on a county roadway or township roadway for the purpose of conducting farming operations to and from the home, farm, farm buildings, and any adjacent or nearby farm land.

Non-highway vehicles, as used in this subsection (h), shall not be subject to subsections (e) and (g) of this Section. However, if the non-highway vehicle, as used in this Section, is not covered under a motor vehicle insurance policy pursuant to subsection (g) of this Section, the vehicle must be covered under a farm, home, or non-highway vehicle insurance policy issued with coverage amounts no less than the minimum amounts set for bodily injury or death and for destruction of property under Section 7-203 of this Code. Non-highway vehicles operated on a county or township roadway at any time between one-half hour before sunset and one-half hour after sunrise must be equipped with head lamps and tail lamps, and the head lamps and tail lamps must be lighted.

Non-highway vehicles, as used in this subsection (h), shall not make a direct crossing upon or across any tollroad, interstate highway, or controlled access highway in this State.

Non-highway vehicles, as used in this subsection (h), shall be allowed to cross a State highway, municipal street, county highway, or

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road district highway if the operator of the non-highway vehicle makes a
direct crossing provided:

(1) the crossing is made at an angle of approximately 90
degrees to the direction of the street, road or highway and at a place
where no obstruction prevents a quick and safe crossing;
(2) the non-highway vehicle is brought to a complete stop
before attempting a crossing;
(3) the operator of the non-highway vehicle yields the right
of way to all pedestrian and vehicular traffic which constitutes a
hazard; and
(4) that when crossing a divided highway, the crossing is
made only at an intersection of the highway with another public
street, road, or highway.

(i) No action taken by a unit of local government under this Section
designates the operation of a non-highway vehicle as an intended or
permitted use of property with respect to Section 3-102 of the Local
Governmental and Governmental Employees Tort Immunity Act.
(Source: P.A. 96-279, eff. 1-1-10; 96-1434, eff. 8-11-10; 97-144, eff. 7-14-
11.)

Section 10. The Boat Registration and Safety Act is amended by
changing Section 4-1 as follows:

(625 ILCS 45/4-1) (from Ch. 95 1/2, par. 314-1)
Sec. 4-1. Personal flotation devices.
A. No person may operate a watercraft unless at least one U.S.
Coast Guard approved PFD of the following types or their equivalent is on
board for each person: Type I, Type II or Type III.
B. No person may operate a personal watercraft or specialty prop-
craft unless each person aboard is wearing a Type I, Type II, Type III or
Type V PFD approved by the United States Coast Guard.
C. No person may operate a watercraft 16 feet or more in length,
except a canoe or kayak, unless at least one Type IV U.S. Coast Guard
approved PFD or its equivalent is on board in addition to the PFD's
required in paragraph A of this Section.
D. A U.S. Coast Guard approved Type V personal flotation device
may be carried in lieu of the Type I, II, III or IV personal flotation device
required in this Section, if the Type V personal flotation device is
approved for the activity in which it is being used.
E. When assisting a person on waterskis, aquaplane or similar
device, there must be one U.S. Coast Guard approved PFD on board the

New matter indicated by italics - deletions by strikeout
watercraft for each person being assisted or towed or worn by the person being assisted or towed.

F. No person may operate a watercraft unless each device required by this Section is:

1. Readily accessible;
2. In serviceable condition;
3. Of the appropriate size for the person for whom it is intended; and
4. Legibly marked with the U.S. Coast Guard approval number.

G. Approved personal flotation devices are defined as follows:

Type I - A Type I personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have more than 20 pounds of buoyancy.

Type II - A Type II personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have at least 15 1/2 pounds of buoyancy.

Type III - A Type III personal flotation device is an approved device designed to keep a conscious person in a vertical or slightly backward position and to have at least 15 1/2 pounds of buoyancy.

Type IV - A Type IV personal flotation device is an approved device designed to be thrown to a person in the water and not worn. It is designed to have at least 16 1/2 pounds of buoyancy.

Type V - A Type V personal flotation device is an approved device for restricted use and is acceptable only when used in the activity for which it is approved.

H. The provisions of subsections A through G of this Section shall not apply to sailboards.

I. No person may operate a watercraft under 26 feet in length unless a Type I, Type II, Type III, or Type V personal flotation device is being properly worn by each person under the age of 13 on board the watercraft at all times in which the watercraft is underway; however, this requirement shall not apply to persons who are below decks or in totally enclosed cabin spaces. The provisions of this subsection I shall not apply to a person operating a watercraft on private property.

New matter indicated by italics - deletions by strikeout
J. Racing shells, rowing sculls, racing canoes, and racing kayaks are exempt from the PFD, of any type, carriage requirements under this Section provided that the racing shell, racing scull, racing canoe, or racing kayak is participating in an event sanctioned by the Department as a PFD optional event. The Department may adopt rules to implement this subsection.

(Source: P.A. 97-801, eff. 1-1-13.)

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0568
(Senate Bill No. 1565)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Probate Act of 1975 is amended by changing Section 11-5.4 as follows:

(755 ILCS 5/11-5.4)
Sec. 11-5.4. Short-term guardian.
(a) A parent, adoptive parent, or adjudicated parent whose parental rights have not been terminated, or the guardian of the person of a minor may appoint in writing, without court approval, a short-term guardian of an unmarried minor or a child likely to be born. The written instrument appointing a short-term guardian shall be dated and shall identify the appointing parent or guardian, the minor, and the person appointed to be the short-term guardian. The written instrument shall be signed by, or at the direction of, the appointing parent in the presence of at least 2 credible witnesses at least 18 years of age, neither of whom is the person appointed as the short-term guardian. The person appointed as the short-term guardian shall also sign the written instrument, but need not sign at the same time as the appointing parent.

(b) A parent or guardian shall not appoint a short-term guardian of a minor if the minor has another living parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, whose whereabouts are known, and who is willing and able to make and carry out day-to-day child care decisions concerning the minor, unless the
nonappointing parent consents to the appointment by signing the written instrument of appointment.

(c) The appointment of the short-term guardian is effective immediately upon the date the written instrument is executed, unless the written instrument provides for the appointment to become effective upon a later specified date or event. Except as provided in subsection (e-5) of this Section, the short-term guardian shall have authority to act as guardian of the minor as provided in Section 11-13.2 for a period of 365 days from the date the appointment is effective, unless the written instrument provides for the appointment to terminate upon an earlier specified date or event. Only one written instrument appointing a short-term guardian may be in force at any given time.

(d) Every appointment of a short-term guardian may be amended or revoked by the appointing parent or by the appointing guardian of the person of the minor at any time and in any manner communicated to the short-term guardian or to any other person. Any person other than the short-term guardian to whom a revocation or amendment is communicated or delivered shall make all reasonable efforts to inform the short-term guardian of that fact as promptly as possible.

(e) The appointment of a short-term guardian or successor short-term guardian does not affect the rights of the other parent in the minor.

(e-5) Any time after the appointment of a temporary custodian under Section 2-10, 3-12, 4-9, 5-410, or 5-501 of the Juvenile Court Act of 1987, and after notice to all parties, including the short-term guardian, as required by the Juvenile Court Act of 1987, a court may vacate any short-term guardianship for the minor appointed under this Section, provided the vacation is consistent with the minor's best interests as determined using the factors listed in paragraph (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

(f) The written instrument appointing a short-term guardian may, but need not, be in the following form:

APPOINTMENT OF SHORT-TERM GUARDIAN

[IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

By properly completing this form, a parent or the guardian of the person of the child is appointing a guardian of a child of the parent (or a minor ward of the guardian, as the case may be) for a period of up to 365 days. A separate form should be completed for each child. The person appointed as the guardian must sign the form, but need not do so at the same time as the parent or parents or guardian.

New matter indicated by italics - deletions by strikeout
This form may not be used to appoint a guardian if there is a guardian already appointed for the child, except that if a guardian of the person of the child has been appointed, that guardian may use this form to appoint a short-term guardian. Both living parents of a child may together appoint a guardian of the child, or the guardian of the person of the child may appoint a guardian of the child, for a period of up to 365 days through the use of this form. If the short-term guardian is appointed by both living parents of the child, the parents need not sign the form at the same time.

1. Parent (or guardian) and Child. I, (insert name of appointing parent or guardian), currently residing at (insert address of appointing parent or guardian), am a parent (or the guardian of the person) of the following child (or of a child likely to be born): (insert name and date of birth of child, or insert the words "not yet born" to appoint a short-term guardian for a child likely to be born and the child's expected date of birth).

2. Guardian. I hereby appoint the following person as the short-term guardian for the child: (insert name and address of appointed person).

3. Effective date. This appointment becomes effective: (check one if you wish it to be applicable)
   ( ) On the date that I state in writing that I am no longer either willing or able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that a physician familiar with my condition certifies in writing that I am no longer willing or able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that I am admitted as an in-patient to a hospital or other health care institution.
   ( ) On the following date: (insert date).
   ( ) Other: (insert other).

[NOTE: If this item is not completed, the appointment is effective immediately upon the date the form is signed and dated below.]

4. Termination. This appointment shall terminate 365 days after the effective date, unless it terminates sooner as determined by the event or date I have indicated below: (check one if you wish it to be applicable)
( ) On the date that I state in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.

( ) On the date that a physician familiar with my condition certifies in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.

( ) On the date that I am discharged from the hospital or other health care institution where I was admitted as an in-patient, which established the effective date.

( ) On the date which is (state a number of days, but no more than 365 days) days after the effective date.

( ) Other: (insert other).

[NOTE: If this item is not completed, the appointment will be effective for a period of 365 days, beginning on the effective date.]

5. Date and signature of appointing parent or guardian. This appointment is made this (insert day) day of (insert month and year).

Signed: (appointing parent)

6. Witnesses. I saw the parent (or the guardian of the person of the child) sign this instrument or I saw the parent (or the guardian of the person of the child) direct someone to sign this instrument for the parent (or the guardian). Then I signed this instrument as a witness in the presence of the parent (or the guardian). I am not appointed in this instrument to act as the short-term guardian for the child. (Insert space for names, addresses, and signatures of 2 witnesses)

7. Acceptance of short-term guardian. I accept this appointment as short-term guardian on this (insert day) day of (insert month and year).

Signed: (short-term guardian)

8. Consent of child's other parent. I, (insert name of the child's other living parent), currently residing at (insert address of child's other living parent), hereby consent to this appointment on this (insert day) day of (insert month and year).

Signed: (consenting parent)

[NOTE: The signature of a consenting parent is not necessary if one of the following applies: (i) the child's other parent has died; or (ii) the
whereabouts of the child's other parent are not known; or (iii) the child's
other parent is not willing or able to make and carry out day-to-day child
care decisions concerning the child; or (iv) the child's parents were never
married and no court has issued an order establishing parentage.]
(Source: P.A. 95-568, eff. 6-1-08.)
Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0569
(Senate Bill No. 1587)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 1. Short title. This Act may be cited as the Freedom from
Drone Surveillance Act.
Section 5. Definitions. As used in this Act:
"Authority" means the Illinois Criminal Justice Information
Authority.
"Drone" means any aerial vehicle that does not carry a human
operator.
"Information" means any evidence, images, sounds, data, or other
information gathered by a drone.
"Law enforcement agency" means any agency of this State or a
political subdivision of this State which is vested by law with the duty to
maintain public order and to enforce criminal laws.
Section 10. Prohibited use of drones. Except as provided in Section
15, a law enforcement agency may not use a drone to gather information.
Section 15. Exceptions. This Act does not prohibit the use of a
drone by a law enforcement agency:
(1) To counter a high risk of a terrorist attack by a specific
individual or organization if the United States Secretary of Homeland
Security determines that credible intelligence indicates that there is that
risk.
(2) If a law enforcement agency first obtains a search warrant based
on probable cause issued under Section 108-3 of the Code of Criminal
Procedure of 1963. The warrant must be limited to a period of 45 days,
renewable by the judge upon a showing of good cause for subsequent periods of 45 days.

(3) If a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a drone under this paragraph (3) is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this paragraph (3), the chief executive officer of the law enforcement agency must report in writing the use of a drone to the local State's Attorney.

(4) If a law enforcement agency is attempting to locate a missing person, and is not also undertaking a criminal investigation.

(5) If a law enforcement agency is using a drone solely for crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph (5) on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph (5) on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.

Section 20. Information retention. If a law enforcement agency uses a drone under Section 15 of this Act, the agency within 30 days shall destroy all information gathered by the drone, except that a supervisor at that agency may retain particular information if:

(1) there is reasonable suspicion that the information contains evidence of criminal activity, or

(2) the information is relevant to an ongoing investigation or pending criminal trial.

Section 25. Information disclosure. If a law enforcement agency uses a drone under Section 15 of this Act, the agency shall not disclose any information gathered by the drone, except that a supervisor of that agency may disclose particular information to another government agency, if (1) there is reasonable suspicion that the information contains evidence of
criminal activity, or (2) the information is relevant to an ongoing investigation or pending criminal trial.

Section 30. Admissibility. If the court finds by a preponderance of the evidence that a law enforcement agency used a drone to gather information in violation of the information gathering limits in Sections 10 and 15 of this Act, then the information shall be presumed to be inadmissible in any judicial or administrative proceeding. The State may overcome this presumption by proving the applicability of a judicially recognized exception to the exclusionary rule of the Fourth Amendment to the U.S. Constitution or Article I, Section 6 of the Illinois Constitution to the information. Nothing in this Act shall be deemed to prevent a court from independently reviewing the admissibility of the information for compliance with the aforementioned provisions of the U.S. and Illinois Constitutions.

Section 35. Reporting.
(a) If a law enforcement agency owns one or more drones, then subsequent to the effective date of this Act, it shall report in writing annually by April 1 to the Authority the number of drones that it owns.
(b) On July 1 of each year, the Authority shall publish on its publicly available website a concise report that lists every law enforcement agency that owns a drone, and for each of those agencies, the number of drones that it owns.

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0570
(Senate Bill No. 1599)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.
(a) For purposes of this Section:

New matter indicated by italics - deletions by strikeout
(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

New matter indicated by italics - deletions by strikeout
(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or

(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or

(iii) who are female children who are pregnant, pregnant and parenting or parenting, or

(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the expenditure of public funds for the purpose of performing abortions.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.
(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including but not limited to:

(1) adoption;
(2) foster care;
(3) family counseling;
(4) protective services;
(5) (blank);
(6) homemaker service;
(7) return of runaway children;
(8) (blank);
(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
(10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and

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Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

1. case management;
2. homemakers;
3. counseling;
4. parent education;
5. day care; and
6. emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

1. comprehensive family-based services;
2. assessments;
3. respite care; and
4. in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period.

New matter indicated by italics - deletions by strikeout
beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action

New matter indicated by italics - deletions by strikeout
under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. A minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii)
a minor for whom the court has granted a supplemental petition to
reinstate wardship pursuant to subsection (2) of Section 2-33 of the
Juvenile Court Act of 1987. An independent basis exists when the
allegations or adjudication of abuse, neglect, or dependency do not arise
from the same facts, incident, or circumstances which give rise to a charge
or adjudication of delinquency.

As soon as is possible after August 7, 2009 (the effective date of
Public Act 96-134), the Department shall develop and implement a special
program of family preservation services to support intact, foster, and
adoptive families who are experiencing extreme hardships due to the
difficulty and stress of caring for a child who has been diagnosed with a
pervasive developmental disorder if the Department determines that those
services are necessary to ensure the health and safety of the child. The
Department may offer services to any family whether or not a report has
been filed under the Abused and Neglected Child Reporting Act. The
Department may refer the child or family to services available from other
agencies in the community if the conditions in the child's or family's home
are reasonably likely to subject the child or family to future reports of
suspected child abuse or neglect. Acceptance of these services shall be
voluntary. The Department shall develop and implement a public
information campaign to alert health and social service providers and the
general public about these special family preservation services. The nature
and scope of the services offered and the number of families served under
the special program implemented under this paragraph shall be determined
by the level of funding that the Department annually allocates for this
purpose. The term "pervasive developmental disorder" under this
paragraph means a neurological condition, including but not limited to,
Asperger's Syndrome and autism, as defined in the most recent edition of
the Diagnostic and Statistical Manual of Mental Disorders of the American
Psychiatric Association.

(l-1) The legislature recognizes that the best interests of the child
require that the child be placed in the most permanent living arrangement
as soon as is practically possible. To achieve this goal, the legislature
directs the Department of Children and Family Services to conduct
concurrent planning so that permanency may occur at the earliest
opportunity. Permanent living arrangements may include prevention of
placement of a child outside the home of the family when the child can be
cared for at home without endangering the child's health or safety;
reunification with the family, when safe and appropriate, if temporary

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placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

1. the likelihood of prompt reunification;
2. the past history of the family;
3. the barriers to reunification being addressed by the family;
4. the level of cooperation of the family;
5. the foster parents' willingness to work with the family to reunite;
6. the willingness and ability of the foster family to provide an adoptive home or long-term placement;
7. the age of the child;
8. placement of siblings.

(m) The Department may assume temporary custody of any child if:

1. it has received a written consent to such temporary custody signed by the parents of the child or by the parent having

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custody of the child if the parents are not living together or by the
guardian or custodian of the child if the child is not in the custody
of either parent, or

(2) the child is found in the State and neither a parent, 
guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, 
custodian or responsible caretaker, the Department may, instead of
removing the child and assuming temporary custody, place an authorized
representative of the Department in that residence until such time as a
parent, guardian or custodian enters the home and expresses a willingness
and apparent ability to ensure the child's health and safety and resume
permanent charge of the child, or until a relative enters the home and is
willing and able to ensure the child's health and safety and assume charge
of the child until a parent, guardian or custodian enters the home and
expresses such willingness and ability to ensure the child's safety and
resume permanent charge. After a caretaker has remained in the home for
a period not to exceed 12 hours, the Department must follow those
procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile

The Department shall have the authority, responsibilities and duties
that a legal custodian of the child would have pursuant to subsection (9) of
Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken
into temporary custody pursuant to an investigation under the Abused and
Neglected Child Reporting Act, or pursuant to a referral and acceptance
under the Juvenile Court Act of 1987 of a minor in limited custody, the
Department, during the period of temporary custody and before the child is
brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-
415 of the Juvenile Court Act of 1987, shall have the authority,
responsibilities and duties that a legal custodian of the child would have
under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is
scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody
of the Department who would have custody of the child if he were not in
the temporary custody of the Department may deliver to the Department a
signed request that the Department surrender the temporary custody of the
child. The Department may retain temporary custody of the child for 10
days after the receipt of the request, during which period the Department
may cause to be filed a petition pursuant to the Juvenile Court Act of
1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

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(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a
prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed $500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

1. Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's "Guardianship Administrator" or his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

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(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court.
pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents or in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in

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the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Department of State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Department of State Police.
In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Department of State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic...
distribution of these facilities in Illinois; and a proposed timetable for
development of such facilities.

(x) The Department shall conduct annual credit history checks to
determine the financial history of children placed under its guardianship
pursuant to the Juvenile Court Act of 1987. The Department shall conduct
such credit checks starting when a ward turns 12 years old and each year
thereafter for the duration of the guardianship as terminated pursuant to
the Juvenile Court Act of 1987. The Department shall determine if
financial exploitation of the child's personal information has occurred. If
financial exploitation appears to have taken place or is presently ongoing,
the Department shall notify the proper law enforcement agency, the proper
State's Attorney, or the Attorney General.

(y) Beginning on the effective date of this amendatory Act of the
96th General Assembly, a child with a disability who receives residential
and educational services from the Department shall be eligible to receive
transition services in accordance with Article 14 of the School Code from
the age of 14.5 through age 21, inclusive, notwithstanding the child's
residential services arrangement. For purposes of this subsection, "child
with a disability" means a child with a disability as defined by the federal
Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record
information as defined as "background information" in this subsection
and criminal history record information as defined in the Illinois Uniform
Conviction Information Act for each Department employee or Department
applicant. Each Department employee or Department applicant shall
submit his or her fingerprints to the Department of State Police in the
form and manner prescribed by the Department of State Police. These
fingerprints shall be checked against the fingerprint records now and
hereafter filed in the Department of State Police and the Federal Bureau
of Investigation criminal history records databases. The Department of
State Police shall charge a fee for conducting the criminal history record
check, which shall be deposited into the State Police Services Fund and
shall not exceed the actual cost of the record check. The Department of
State Police shall furnish, pursuant to positive identification, all Illinois
conviction information to the Department of Children and Family
Services.

For purposes of this subsection:
"Background information" means all of the following:

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(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Department of State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Department of State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 96-134, eff. 8-7-09; 96-581, eff. 1-1-10; 96-600, eff. 8-21-09; 96-619, eff. 1-1-10; 96-760, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1189, eff. 7-22-10; 97-1150, eff. 1-25-13.)

Section 10. The Child Care Act of 1969 is amended by changing Section 4.1 and by adding Sections 2.28 and 2.29 as follows:

(225 ILCS 10/2.28 new)

Sec. 2.28. Non-licensed service provider. "Non-licensed service provider" means an individual or entity that contracts with the Department to provide child welfare services that enable the Department to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act.

(225 ILCS 10/2.29 new)

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Sec. 2.29. Volunteer. "Volunteer" means a person who performs a service willingly and without pay.

(225 ILCS 10/4.1) (from Ch. 23, par. 2214.1)

Sec. 4.1. Criminal Background Investigations. The Department shall require that each child care facility license applicant as part of the application process, and each employee and volunteer of a child care facility or non-licensed service provider, as a condition of employment, authorize an investigation to determine if such applicant, or employee, or volunteer has ever been charged with a crime and if so, the disposition of those charges; this authorization shall indicate the scope of the inquiry and the agencies which may be contacted. Upon this authorization, the Director shall request and receive information and assistance from any federal, State or local governmental agency as part of the authorized investigation. Each applicant, employee, or volunteer of a child care facility or non-licensed service provider shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall provide information concerning any criminal charges, and their disposition, now or hereafter filed, against an applicant, employee, or volunteer of a child care facility or non-licensed service provider upon request of the Department of Children and Family Services when the request is made in the form and manner required by the Department of State Police.

Information concerning convictions of a license applicant, employee, or volunteer of a child care facility or non-licensed service provider investigated under this Section, including the source of the information and any conclusions or recommendations derived from the information, shall be provided, upon request, to such applicant, employee, or volunteer of a child care facility or non-licensed service provider prior to final action by the Department on the application. State conviction information provided by the Department of State Police regarding employees, or prospective employees, or volunteers of non-licensed service providers and child care facilities licensed under this Act shall be

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provided to the operator of such facility, and, upon request, to the employee, or prospective employee, or volunteer of a child care facility or non-licensed service provider. Any information concerning criminal charges and the disposition of such charges obtained by the Department shall be confidential and may not be transmitted outside the Department, except as required herein, and may not be transmitted to anyone within the Department except as needed for the purpose of evaluating an application or an employee or volunteer of a child care facility or non-licensed service provider. Only information and standards which bear a reasonable and rational relation to the performance of a child care facility shall be used by the Department or any licensee. Any employee of the Department of Children and Family Services, Department of State Police, or a child care facility receiving confidential information under this Section who gives or causes to be given any confidential information concerning any criminal convictions of an employee or volunteer of a child care facility or non-licensed service provider, shall be guilty of a Class A misdemeanor unless release of such information is authorized by this Section.

A child care facility may hire, on a probationary basis, any employee or volunteer of a child care facility or non-licensed service provider authorizing a criminal background investigation under this Section, pending the result of such investigation. Employees and volunteers of a child care facility or non-licensed service provider shall be notified prior to hiring that such employment may be terminated on the basis of criminal background information obtained by the facility.

(Source: P.A. 93-418, eff. 1-1-04.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.
Section 5. The Liquor Control Act of 1934 is amended by changing Sections 6-11 and 6-28 as follows:

(235 ILCS 5/6-11)
Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in
this Section shall prohibit issuance of a retail license authorizing the sale
of alcoholic beverages to a restaurant, banquet facility, grocery store, or
hotel having not fewer than 150 guest room accommodations located in a
municipality of more than 500,000 persons, notwithstanding the proximity
of such hotel, restaurant, banquet facility, or grocery store to any church or
school, if the licensed premises described on the license are located within
an enclosed mall or building of a height of at least 6 stories, or 60 feet in
the case of a building that has been registered as a national landmark, or in
a grocery store having a minimum of 56,010 square feet of floor space in a
single story building in an open mall of at least 3.96 acres that is adjacent
to a public school that opened as a boys technical high school in 1934, or
in a grocery store having a minimum of 31,000 square feet of floor space
in a single story building located a distance of more than 90 feet but less
than 100 feet from a high school that opened in 1928 as a junior high
school and became a senior high school in 1933, and in each of these cases
if the sale of alcoholic liquors is not the principal business carried on by
the licensee.

For purposes of this Section, a "banquet facility" is any part of a
building that caters to private parties and where the sale of alcoholic
liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license
to a church or private school to sell at retail alcoholic liquor if any such
sales are limited to periods when groups are assembled on the premises
solely for the promotion of some common object other than the sale or
consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church
affiliated school located in a home rule municipality or in a municipality
with 75,000 or more inhabitants from locating within 100 feet of a
property for which there is a preexisting license to sell alcoholic liquor at
retail. In these instances, the local zoning authority may, by ordinance
adopted simultaneously with the granting of an initial special use zoning
permit for the church or church affiliated school, provide that the 100-foot
restriction in this Section shall not apply to that church or church affiliated
school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail
license authorizing the sale of alcoholic liquor at premises within 100 feet,
but not less than 90 feet, of a public school if (1) the premises have been
continuously licensed to sell alcoholic liquor for a period of at least 50
years, (2) the premises are located in a municipality having a population of

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over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and
(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

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(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;
(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;

New matter indicated by italics - deletions by strikeout
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;
(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;
(3) the church was established at the current location in 1916 and the present structure was erected in 1925;
(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within

New matter indicated by italics - deletions by strikeout
a municipality with a population in excess of 1,000,000 inhabitants and is
within 100 feet of a school if:

   (1) the school is a City of Chicago School District 299 school;
   (2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
   (3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
   (4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
   (5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

   (1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
   (2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
   (3) the premises is located on a street that runs perpendicular to the street on which the church is located;
   (4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
   (5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
   (6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
   (7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

   New matter indicated by italics - deletions by strikeout
(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
(2) the church was established at the current location in 1889; and
(3) liquor has been sold on the premises since at least 1985.
(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:
   (1) the premises is located within a larger building operated as a grocery store;
   (2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;
   (3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;
   (4) the sale of liquor is not the principal business carried on within the larger building;
   (5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;
   (6) the larger building is separated from the church-owned property and church-affiliated school by an alley;
   (7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and
   (8) (Blank).
(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
   (1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;
(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

(1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;

(2) the area of the premises does not exceed 31,050 square feet;

(3) the area of the restaurant does not exceed 5,800 square feet;

(4) the building has no less than 78 condominium units;

(5) the construction of the building in which the restaurant is located was completed in 2006;
(6) the building has 10 storefront properties, 3 of which are used for the restaurant;
(7) the restaurant will open for business in 2010;
(8) the building is north of the school and separated by an alley; and
(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).
(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the premises operates as a restaurant and has been in operation since February 2008;
(2) the applicant is the owner of the premises;
(3) the sale of alcoholic liquor is incidental to the sale of food;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;
(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;
(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;
(9) the school is a City of Chicago School District 299 school;
(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and
(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.
(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;
(2) the premises for which the license or renewal is sought has more than 600 parking stalls;
(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;
(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;
(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;
(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;
(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;
(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;
(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;
(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and

(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the church has been operating in its current location since 1973;
(3) the premises has been operating in its current location since 1988;
(4) the church and the premises are owned by the same parish;
(5) the premises is used for cultural and educational purposes;
(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(7) the principal religious leader of the church has indicated his support of the issuance of the license;
(8) the premises is a 2-story building of approximately 23,000 square feet; and
(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;

New matter indicated by italics - deletions by strikeout
(4) the school is a City of Chicago School District 299 school;
(5) the school has been operating since 1959;
(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;
(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;
(8) the premises is a single-story building of approximately 2,900 square feet; and
(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is a free-standing building that has "drive-through" pharmacy service;
(8) the premises has approximately 14,490 square feet of retail space;
(9) the premises has approximately 799 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within

New matter indicated by italics - deletions by strikeout
a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(4) the premises is across the street from the church;
(5) the street on which the premises and the church are located is a major arterial street that runs east-west;
(6) the church is an elder-led and Bible-based Assyrian church;

New matter indicated by italics - deletions by strikeout
(7) the premises and the church are both single-story buildings;

(8) the storefront directly west of the church is being used as a restaurant; and

(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors at the premises;

(3) the licensee is a national retail chain;

(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;

(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;

(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and

(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;

(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;

(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

New matter indicated by italics - deletions by strikeout
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;
(7) the principal of the school has given written approval for the license;
(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;
(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and
(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:
(1) the premises is constructed on land that once contained an industrial steel facility;
(2) the premises is located on land that has undergone environmental remediation;
(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;
(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;
(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;
(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and
(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within

New matter indicated by italics - deletions by strikeout
a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises is a one and one-half-story building of approximately 10,000 square feet;
(4) the school is a City of Chicago School District 299 school;
(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;
(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and
(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;
(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;
(4) the building in which the church is located is at least 120 years old;
(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

New matter indicated by italics - deletions by strikeout
(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and

(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;

(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and

(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;

New matter indicated by italics - deletions by strikeout
(2) the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;
(3) the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;
(4) the primary entrance to the restaurant and the primary entrance to the church are located on the same street;
(5) the street on which the restaurant and the church are located is a major east-west street;
(6) the restaurant and the church are separated by a one-way northbound street;
(7) the church is located to the west of and no more than 65 feet from the restaurant; and
(8) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors on the premises;
(3) the licensee is a national retail chain;
(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;
(5) the licensee shall occupy approximately 169,048 square feet of space within a building that is located across the street from a tuition-based preschool; and
(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(kk) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors on the premises;
(3) the licensee is a national retail chain;
(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;
(5) the licensee shall occupy approximately 191,535 square feet of space within a building that is located across the street from an elementary school; and
(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(Source: P.A. 96-283, eff. 8-11-09; 96-744, eff. 8-25-09; 96-851, eff. 12-23-09; 96-871, eff. 1-21-10; 96-1051, eff. 7-14-10; 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13.)

(235 ILCS 5/6-28) (from Ch. 43, par. 144d)
Sec. 6-28. Happy hours prohibited.
(a) All retail licensees shall maintain a schedule of the prices charged for all drinks of alcoholic liquor to be served and consumed on the licensed premises or in any room or part thereof. Whenever a hotel or multi-use establishment which holds a valid retailer's license operates on its premises more than one establishment at which drinks of alcoholic liquor are sold at retail, the hotel or multi-use establishment shall maintain at each such establishment a separate schedule of the prices charged for such drinks at that establishment.
(b) No retail licensee or employee or agent of such licensee shall:
   (1) serve 2 or more drinks of alcoholic liquor at one time to one person for consumption by that one person, except conducting product sampling pursuant to Section 6-31 or selling or delivering wine by the bottle or carafe;
   (2) sell, offer to sell or serve to any person an unlimited number of drinks of alcoholic liquor during any set period of time for a fixed price, except at private functions not open to the general public;
   (3) sell, offer to sell or serve any drink of alcoholic liquor to any person on any one date at a reduced price other than that
charged other purchasers of drinks on that day where such reduced
price is a promotion to encourage consumption of alcoholic liquor,
except as authorized in paragraph (7) of subsection (c);

(4) increase the volume of alcoholic liquor contained in a
drink, or the size of a drink of alcoholic liquor, without increasing
proportionately the price regularly charged for the drink on that
day;

(5) encourage or permit, on the licensed premises, any
game or contest which involves drinking alcoholic liquor or the
awarding of drinks of alcoholic liquor as prizes for such game or
contest on the licensed premises; or

(6) advertise or promote in any way, whether on or off the
licensed premises, any of the practices prohibited under paragraphs
(1) through (5).

(c) Nothing in subsection (b) shall be construed to prohibit a
licensee from:

(1) offering free food or entertainment at any time;
(2) including drinks of alcoholic liquor as part of a meal
package;
(3) including drinks of alcoholic liquor as part of a hotel
package;
(4) negotiating drinks of alcoholic liquor as part of a
contract between a hotel or multi-use establishment and another
group for the holding of any function, meeting, convention or trade
show;
(5) providing room service to persons renting rooms at a
hotel;
(6) selling pitchers (or the equivalent, including but not
limited to buckets), carafes, or bottles of alcoholic liquor which are
customarily sold in such manner, or selling bottles of spirits, and
delivered to 2 or more persons at one time; or
(7) increasing prices of drinks of alcoholic liquor in lieu of,
in whole or in part, a cover charge to offset the cost of special
entertainment not regularly scheduled; or:

(8) including drinks of alcoholic liquor as part of an
entertainment package where the licensee is separately licensed by
a municipal ordinance that (A) restricts dates of operation to dates
during which there is an event at an adjacent stadium, (B) restricts
hours of serving alcoholic liquor to 2 hours before the event and

New matter indicated by italics - deletions by strikeout
Section 5. The Capital Development Board Act is amended by changing Section 14 as follows:

(20 ILCS 3105/14) (from Ch. 127, par. 783.01)

Sec. 14. (a) It is the purpose of this Act to provide for the promotion and preservation of the arts by securing suitable works of art for the adornment of public buildings constructed or subjected to major renovation by the State or which utilize State funds, and thereby reflecting the diverse cultural heritage of Illinois with emphasis on the works of Illinois artists.

(b) As used in this Act: "Works of art" shall apply to and include paintings, prints, sculptures, graphics, mural decorations, stained glass, statues, bas reliefs, ornaments, fountains, ornamental gateways, or other creative works which reflect form, beauty and aesthetic perceptions.

(c) Beginning with the fiscal year ending June 30, 1979, and for each succeeding fiscal year thereafter, for construction projects managed by the Capital Development Board, the Capital Development Board shall set aside 1/2 of 1 percent of the amount authorized and appropriated for construction or reconstruction of each public building financed in whole or in part by State funds and generally accessible to and used by the public for purchase and placement of suitable works of art in such public...
buildings. The location and character of the work or works of art to be installed in such public buildings shall be determined by the Chairperson of the Illinois Arts Council, in consultation with the designing architect. The work or works of art shall be in a permanent and prominent location, by the designing architect, provided, however, that the work or works of art shall be in a permanent and prominent location.

(d) There is created a Fine Arts Review Committee consisting of the designing architect, the Chairperson of the Illinois Arts Council or his or her designee, who shall serve as the chair of the Committee, the Director of the Illinois State Museum or his or her designee, and a representative of the using agency: three persons from the area in which the project is to be located who are familiar with the local area and are knowledgeable in matters of art. Of the three local members, two shall be selected by the County Board to the County in which the project is located and one shall be selected by the Mayor or other chief executive officer of the municipality in which the project is located. The Committee, after such study as it deems necessary, shall recommend three artists or works of art in order of preference, to the Capital Development Board. The Chairperson of the Illinois Arts Council will make the final selection from among the recommendations submitted to it. The Illinois Arts Council shall provide administrative support for the Fine Arts Review Committee and may promulgate rules to implement this subsection.

(e) Subsection (c) does not apply to construction projects for which the amount appropriated is less than $1,000,000. There is created a Public Arts Advisory Committee whose function is to advise the Capital Development Board and the Fine Arts Review Committee on various technical and aesthetic perceptions that may be utilized in the creation or major renovation of public buildings. The Public Arts Advisory Committee shall consist of 12 members who shall serve for terms of 2 years ending on June 30 of odd numbered years, except the first appointees to the Committee shall serve for a term ending June 30, 1979. The Public Arts Advisory Committee shall meet four times each fiscal year. Four members shall be appointed by the Governor; four shall be chosen by the Senate, two of whom shall be chosen by the President, two by the minority leader; and four shall be appointed by the House of Representatives, two of whom shall be chosen by the Speaker and two by the minority leader. There shall also be a Chairman who shall be chosen from the committee members by the majority vote of that Committee.
(f) The Capital Development Board shall enter into a contract with
the artist, or with the owner of the work or works of art, selected by the
Chairperson of the Illinois Arts Council as provided in subsection (d) of
this Section. The total amount of the contract or contracts shall not exceed
the amount set aside pursuant to subsection (c) of this Section. If the
Capital Development Board cannot reach an agreement with the artist or
owner of the work or works of art, then the Board shall notify the
Chairperson of the Illinois Arts Council, and the Chairperson may select a
different artist or work or works of art from the three recommendations
made by the Fine Arts Review Committee. All necessary expenses of the
Public Arts Advisory Committee and the Fine Arts Review Committee
shall be paid by the Capital Development Board.
(Source: P.A. 90-655, eff. 7-30-98.)

Section 10. The Illinois Procurement Code is amended by changing
Section 1-10 as follows:

(30 ILCS 500/1-10)
Sec. 1-10. Application.
(a) This Code applies only to procurements for which contractors
were first solicited on or after July 1, 1998. This Code shall not be
construed to affect or impair any contract, or any provision of a contract,
entered into based on a solicitation prior to the implementation date of this
Code as described in Article 99, including but not limited to any covenant
entered into with respect to any revenue bonds or similar instruments. All
procurements for which contracts are solicited between the effective date
of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance
with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with
which the contracts are paid, including federal assistance moneys. This
Code shall not apply to:

1. Contracts between the State and its political
subdivisions or other governments, or between State governmental
bodies except as specifically provided in this Code.
2. Grants, except for the filing requirements of Section 20-80.
3. Purchase of care.
4. Hiring of an individual as employee and not as an
independent contractor, whether pursuant to an employment code
or policy or by contract directly with that individual.
5. Collective bargaining contracts.
(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 7 days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts, donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.
(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

Section 15. The Design-Build Procurement Act is amended by changing Sections 25 and 90 as follows:

(30 ILCS 537/25)

New matter indicated by italics - deletions by strikeout
Sec. 25. Selection committee.

(a) When the State construction agency elects to use the design-build delivery method, it shall establish a committee to evaluate and select the design-build entity. The committee, under the discretion of the State construction agency, shall consist of at least 5 but no more than or 7 members and shall include at least one licensed design professional and 2 members of the public. Public members may not be employed or associated with any firm holding a contract with the State construction agency. Within 30 days of receiving notice, one public member shall be nominated by associations representing the general design or construction industry and one member shall be nominated by associations that represent minority or female-owned design or construction industry businesses. If either group fails to nominate a suitable candidate within the 30-day period, the State construction agency shall nominate an appropriate public member. The selection committee may be designated for a set term or for the particular project subject to the request for proposal.

(b) The members of the selection committee must certify for each request for proposal that no conflict of interest exists between the members and the design-build entities submitting proposals. If a conflict is discovered before proposals are reviewed, the member must be replaced before any review of proposals.

If a conflict is discovered after proposals are reviewed, the member with the conflict shall be removed and the committee may continue with only one public member.

If at least 5 members remain, the remaining committee members may complete the selection process.

(Section scheduled to be repealed on July 1, 2014)

Approved August 27, 2013.
Effective January 1, 2014.
AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-303 and 11-501 as follows:

(625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

Sec. 6-303. Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked.

(a) Except as otherwise provided in subsection (a-5), any person who drives or is in actual physical control of a motor vehicle on any highway of this State at a time when such person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended as provided by this Code or the law of another state, except as may be specifically allowed by a judicial driving permit issued prior to January 1, 2009, monitoring device driving permit, family financial responsibility driving permit, probationary license to drive, or a restricted driving permit issued pursuant to this Code or under the law of another state, shall be guilty of a Class A misdemeanor.

(a-5) Any person who violates this Section as provided in subsection (a) while his or her driver's license, permit or privilege is revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide or a similar provision of a law of another state, is guilty of a Class 4 felony. The person shall be required to undergo a professional evaluation, as provided in Section 11-501 of this Code, to determine if an alcohol, drug, or intoxicating compound problem exists and the extent of the problem, and to undergo the imposition of treatment as appropriate.

(a-10) A person's driver's license, permit, or privilege to obtain a driver's license or permit may be subject to multiple revocations, multiple suspensions, or any combination of both simultaneously. No revocation or suspension shall serve to negate, invalidate, cancel, postpone, or in any way lessen the effect of any other revocation or suspension entered prior or subsequent to any other revocation or suspension.

(b) (Blank).

(b-1) Upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle during the time when

New matter indicated by italics - deletions by strikeout
the person's driver's license, permit or privilege was suspended by the
Secretary of State or the driver's licensing administrator of another state,
except as specifically allowed by a probationary license, judicial driving
permit, restricted driving permit or monitoring device driving permit the
Secretary shall extend the suspension for the same period of time as the
originally imposed suspension unless the suspension has already expired,
in which case the Secretary shall be authorized to suspend the person's
driving privileges for the same period of time as the originally imposed

suspension.

(b-2) Except as provided in subsection (b-6), upon receiving a
report of the conviction of any violation indicating a person was operating
a motor vehicle when the person's driver's license, permit or privilege was
revoked by the Secretary of State or the driver's license administrator of
any other state, except as specifically allowed by a restricted driving
permit issued pursuant to this Code or the law of another state, the
Secretary shall not issue a driver's license for an additional period of one
year from the date of such conviction indicating such person was operating
a vehicle during such period of revocation.

(b-3) (Blank).

(b-4) When the Secretary of State receives a report of a conviction
of any violation indicating a person was operating a motor vehicle that was
not equipped with an ignition interlock device during a time when the
person was prohibited from operating a motor vehicle not equipped with
such a device, the Secretary shall not issue a driver's license to that person
for an additional period of one year from the date of the conviction.

(b-5) Any person convicted of violating this Section shall serve a
minimum term of imprisonment of 30 consecutive days or 300 hours of
community service when the person's driving privilege was revoked or
suspended as a result of a violation of Section 9-3 of the Criminal Code of
1961 or the Criminal Code of 2012, relating to the offense of reckless
homicide, or a similar provision of a law of another state.

(b-6) Upon receiving a report of a first conviction of operating a
motor vehicle while the person's driver's license, permit or privilege was
revoked where the revocation was for a violation of Section 9-3 of the
Criminal Code of 1961 or the Criminal Code of 2012 relating to the
offense of reckless homicide or a similar out-of-state offense, the Secretary
shall not issue a driver's license for an additional period of three years
from the date of such conviction.

New matter indicated by italics - deletions by strikeout
(c) Except as provided in subsections (c-3) and (c-4), any person convicted of violating this Section shall serve a minimum term of imprisonment of 10 consecutive days or 30 days of community service when the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof; or

(2) a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance relating to the offense of leaving the scene of a motor vehicle accident involving personal injury or death; or

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code.

Such sentence of imprisonment or community service shall not be subject to suspension in order to reduce such sentence.

(c-1) Except as provided in subsections (c-5) and (d), any person convicted of a second violation of this Section shall be ordered by the court to serve a minimum of 100 hours of community service.

(c-2) In addition to other penalties imposed under this Section, the court may impose on any person convicted a fourth time of violating this Section any of the following:

(1) Seizure of the license plates of the person's vehicle.

(2) Immobilization of the person's vehicle for a period of time to be determined by the court.

(c-3) Any person convicted of a violation of this Section during a period of summary suspension imposed pursuant to Section 11-501.1 when the person was eligible for a MDDP shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-4) Any person who has been issued a MDDP and who is convicted of a violation of this Section as a result of operating or being in actual physical control of a motor vehicle not equipped with an ignition interlock device at the time of the offense shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-5) Any person convicted of a second violation of this Section is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and shall serve a mandatory term of imprisonment, if:

New matter indicated by italics - deletions by strikeout
(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d) Any person convicted of a second violation of this Section shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-1) Except as provided in subsections (d-2), (d-2.5), and (d-3), any person convicted of a third or subsequent violation of this Section shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court.

(d-2) Any person convicted of a third violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 30 days, if:

New matter indicated by italics - deletions by strikeout
(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-2.5) Any person convicted of a third violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, if:

(1) the current violation occurred while the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense. The person's driving privileges shall be revoked for the remainder of the person's life; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-3) Any person convicted of a fourth, fifth, sixth, seventh, eighth, or ninth violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 180 days, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this

New matter indicated by italics - deletions by strikeout
Code, or a similar out-of-state offense, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-3.5) Any person convicted of a fourth or subsequent violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, and is eligible for an extended term, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-4) Any person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth violation of this Section is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked the revocation or suspension was for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

New matter indicated by italics - deletions by strikeout
(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-5) Any person convicted of a fifteenth or subsequent violation of this Section is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(e) Any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements, in addition to other penalties imposed under this Section, shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(f) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(g) The motor vehicle used in a violation of this Section is subject to seizure and forfeiture as provided in Sections 36-1 and 36-2 of the

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Criminal Code of 2012 if the person's driving privilege was revoked or suspended as a result of:

1. a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;
2. a violation of paragraph (b) of Section 11-401 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;
3. a statutory summary suspension or revocation under Section 11-501.1 of this Code or a similar provision of a law of another state; or
4. a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar provision of a law of another state.

(625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

1. the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;
2. under the influence of alcohol;
3. under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;
4. under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;
5. under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or
6. there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or...
Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Penalties.

(1) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(2) A person who violates subsection (a) or a similar provision a second time shall be sentenced to a mandatory minimum term of either 5 days of imprisonment or 240 hours of community service in addition to any other criminal or administrative sanction.

(3) A person who violates subsection (a) is subject to 6 months of imprisonment, an additional mandatory minimum fine of $1,000, and 25 days of community service in a program benefiting children if the person was transporting a person under the age of 16 at the time of the violation.

(4) A person who violates subsection (a) a first time, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(5) A person who violates subsection (a) a second time, if at the time of the second violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(d) Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.

(1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the
influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with one or more passengers 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm;

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;

(G) the person committed a violation of subsection (a) during a period in which the defendant's driving privileges are revoked or suspended, where the revocation

New matter indicated by italics - deletions by strikeout
or suspension was for a violation of subsection (a) or a similar provision, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;

(H) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit;

(I) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(J) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in bodily harm, but not great bodily harm, to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury; or

(K) the person in committing a second violation of subsection (a) or a similar provision was transporting a person under the age of 16; or-

(L) the person committed a violation of subsection (a) of this Section while transporting one or more passengers in a vehicle for-hire.

(2)(A) Except as provided otherwise, a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony.

(B) A third violation of this Section or a similar provision is a Class 2 felony. If at the time of the third violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the third violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.
(C) A fourth violation of this Section or a similar provision is a Class 2 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fourth violation, the defendant was transporting a person under the age of 16 a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(D) A fifth violation of this Section or a similar provision is a Class 1 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fifth violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(E) A sixth or subsequent violation of this Section or similar provision is a Class X felony. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(F) For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

New matter indicated by italics - deletions by strikeout
(G) A violation of subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (i) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (ii) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons.

(H) For a violation of subparagraph (J) of paragraph (1) of this subsection (d), a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(I) A violation of subparagraph (K) of paragraph (1) of this subsection (d), is a Class 2 felony and a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction. If the child being transported suffered bodily harm, but not great bodily harm, in a motor vehicle accident, and the violation was the proximate cause of that injury, a mandatory fine of $5,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(J) A violation of subparagraph (D) of paragraph (1) of this subsection (d) is a Class 3 felony, for which a sentence of probation or conditional discharge may not be imposed.

(3) Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge in addition to any other criminal or administrative sanction.

(e) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state or an offense committed on a military installation that is similar to a violation of subsection (a) of this Section.

(f) The imposition of a mandatory term of imprisonment or assignment of community service for a violation of this Section shall not be suspended or reduced by the court.

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(g) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(h) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0574
(Senate Bill No. 1772)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or

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services. These organizations include, but are not limited to, music and
dramatic arts organizations such as symphony orchestras and theatrical
groups, arts and cultural service organizations, local arts councils, visual
arts organizations, and media arts organizations. On and after the effective
date of this amendatory Act of the 92nd General Assembly, however, an
entity otherwise eligible for this exemption shall not make tax-free
purchases unless it has an active identification number issued by the
Department.

(4) Personal property purchased by a governmental body, by a
corporation, society, association, foundation, or institution organized and
operated exclusively for charitable, religious, or educational purposes, or
by a not-for-profit corporation, society, association, foundation, institution,
or organization that has no compensated officers or employees and that is
organized and operated primarily for the recreation of persons 55 years of
age or older. A limited liability company may qualify for the exemption
under this paragraph only if the limited liability company is organized and
operated exclusively for educational purposes. On and after July 1, 1987,
however, no entity otherwise eligible for this exemption shall make tax-
free purchases unless it has an active exemption identification number
issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle
to the extent that the purchase price of the car is subject to the
Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004
through August 30, 2014, graphic arts machinery and equipment,
including repair and replacement parts, both new and used, and including
that manufactured on special order, certified by the purchaser to be used
primarily for graphic arts production, and including machinery and
equipment purchased for lease. Equipment includes chemicals or
chemicals acting as catalysts but only if the chemicals or chemicals acting
as catalysts effect a direct and immediate change upon a graphic arts
product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage
issued by the State of Illinois, the government of the United States of
America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student
organization affiliated with an elementary or secondary school located in
Illinois.

New matter indicated by italics - deletions by strikeout
(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code; that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

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(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is

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made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is

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not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the
Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.
(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner

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that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair,
and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural...
programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

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(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code; that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and
operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.
(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for

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photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a

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resident, except that the tax shall not exceed the tax that would otherwise
be imposed under this Act. At the time of the sale, the purchaser shall
execute a statement, signed under penalty of perjury, of his or her intent to
title the vehicle in the state in which the purchaser is a resident within 30
days after the sale and of the fact of the payment to the State of Illinois of
tax in an amount equivalent to the state's rate of tax on taxable property in
his or her state of residence and shall submit the statement to the
appropriate tax collection agency in his or her state of residence. In
addition, the retailer must retain a signed copy of the statement in his or
her records. Nothing in this item shall be construed to require the removal
of the vehicle from this state following the filing of an intent to title the
vehicle in the purchaser's state of residence if the purchaser titles the
vehicle in his or her state of residence within 30 days after the date of sale.
The tax collected under this Act in accordance with this item (25-5) shall
be proportionately distributed as if the tax were collected at the 6.25%
general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act
on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics
Act, if all of the following conditions are met:

1. the aircraft leaves this State within 15 days after the
later of either the issuance of the final billing for the sale of the
aircraft, or the authorized approval for return to service,
completion of the maintenance record entry, and completion of the
test flight and ground test for inspection, as required by 14 C.F.R.
91.407;

2. the aircraft is not based or registered in this State after
the sale of the aircraft; and

3. the seller retains in his or her books and records and
provides to the Department a signed and dated certification from
the purchaser, on a form prescribed by the Department, certifying
that the requirements of this item (25-7) are met. The certificate
must also include the name and address of the purchaser, the
address of the location where the aircraft is to be titled or
registered, the address of the primary physical location of the
aircraft, and other information that the Department may reasonably
require.

For purposes of this item (25-7):
"Based in this State" means hangared, stored, or otherwise used,
excluding post-sale customizations as defined in this Section, for 10 or

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more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales
(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the
purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer

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engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not
include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

Section 15. The Automobile Renting Occupation and Use Tax Act is amended by changing Section 2 as follows:

(35 ILCS 155/2) (from Ch. 120, par. 1702)

Sec. 2. Definitions. "Renting" means any transfer of the possession or right to possession of an automobile to a user for a valuable consideration for a period of one year or less.

"Renting" does not include making a charge for the use of an automobile where the rentor, either himself or through an agent, furnishes a service of operating an automobile so that the rentor remains in possession of the automobile, because this does not constitute a transfer of possession or right to possession of the automobile.

"Renting" does not include the making of a charge by an automobile dealer for the use of an automobile as a demonstrator in connection with the dealer's business of selling, where the charge is merely made to recover the costs of operating the automobile as a demonstrator and is not intended as a rental or leasing charge in the ordinary sense.

"Automobile" means (1) any motor vehicle of the first division, or (2) a motor vehicle of the second division which: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through

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access to the living quarters from the driver's seat; (B) is a motor vehicle of the second division which is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code; or (C) has a Gross Vehicle Weight Rating, as defined in Section 1-124.5 of the Illinois Vehicle Code, of 8,000 pounds or less.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, conservator or other representative appointed by order of any court.

"Rentor" means any person, firm, corporation or association engaged in the business of renting or leasing automobiles to users. For this purpose, the objective of making a profit is not necessary to make the renting activity a business.

"Rentee" means any user to whom the possession, or the right to possession, of an automobile is transferred for a valuable consideration for a period of one year or less, whether paid for by the "rentee" or by someone else.

"Gross receipts" from the renting of tangible personal property or "rent" means the total rental price or leasing price. In the case of rental transactions in which the consideration is paid to the rentor on an installment basis, the amounts of such payments shall be included by the rentor in gross receipts or rent only as and when payments are received by the rentor.

"Gross receipts" does not include receipts received by an automobile dealer from a manufacturer or service contract provider for the use of an automobile by a person while that person's automobile is being repaired by that automobile dealer and the repair is made pursuant to a manufacturer's warranty or a service contract where a manufacturer or service contract provider reimburses that automobile dealer pursuant to a manufacturer's warranty or a service contract and the reimbursement is merely made to recover the costs of operating the automobile as a loaner vehicle.

"Rental price" means the consideration for renting or leasing an automobile valued in money, whether received in money or otherwise, including cash credits, property and services, and shall be determined without any deduction on account of the cost of the property rented, the cost of materials used, labor or service cost, or any other expense

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whatsoever, but does not include charges that are added by a rentor on account of the rentor's tax liability under this Act or on account of the rentor's duty to collect, from the rentee, the tax that is imposed by Section 4 of this Act. The phrase "rental price" does not include compensation paid to a rentor by a rentee in consideration of the waiver by the rentor of any right of action or claim against the rentee for loss or damage to the automobile rented and also does not include a separately stated charge for insurance or recovery of refueling costs or other separately stated charges that are not for the use of tangible personal property.

(Source: P.A. 90-14, eff. 7-1-97; 91-193, eff. 7-20-99.)

Section 99. Effective date. This Act takes effect January 1, 2014.
Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0575
(Senate Bill No. 1843)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 2. The Juvenile Court Act of 1987 is amended by changing Section 5-715 as follows:
(705 ILCS 405/5-715)
Sec. 5-715. Probation.
(1) The period of probation or conditional discharge shall not exceed 5 years or until the minor has attained the age of 21 years, whichever is less, except as provided in this Section for a minor who is found to be guilty for an offense which is first degree murder, a Class X felony or a forcible felony. The juvenile court may terminate probation or conditional discharge and discharge the minor at any time if warranted by the conduct of the minor and the ends of justice; provided, however, that the period of probation for a minor who is found to be guilty for an offense which is first degree murder, a Class X felony, or a forcible felony shall be at least 5 years.
(2) The court may as a condition of probation or of conditional discharge require that the minor:
(a) not violate any criminal statute of any jurisdiction;

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(b) make a report to and appear in person before any person or agency as directed by the court;
(c) work or pursue a course of study or vocational training;
(d) undergo medical or psychiatric treatment, rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist or social work services rendered by a clinical social worker, or treatment for drug addiction or alcoholism;
(e) attend or reside in a facility established for the instruction or residence of persons on probation;
(f) support his or her dependents, if any;
(g) refrain from possessing a firearm or other dangerous weapon, or an automobile;
(h) permit the probation officer to visit him or her at his or her home or elsewhere;
(i) reside with his or her parents or in a foster home;
(j) attend school;
(j-5) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she committed a crime of violence as defined in Section 2 of the Crime Victims Compensation Act in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;
(k) attend a non-residential program for youth;
(l) make restitution under the terms of subsection (4) of Section 5-710;
(m) contribute to his or her own support at home or in a foster home;
(n) perform some reasonable public or community service;
(o) participate with community corrections programs including unified delinquency intervention services administered by the Department of Human Services subject to Section 5 of the Children and Family Services Act;
(p) pay costs;
(q) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the minor:

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(i) remain within the interior premises of the place designated for his or her confinement during the hours designated by the court;

(ii) admit any person or agent designated by the court into the minor's place of confinement at any time for purposes of verifying the minor's compliance with the conditions of his or her confinement; and

(iii) use an approved electronic monitoring device if ordered by the court subject to Article 8A of Chapter V of the Unified Code of Corrections;

(r) refrain from entering into a designated geographic area except upon terms as the court finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the minor, and advance approval by a probation officer, if the minor has been placed on probation, or advance approval by the court, if the minor has been placed on conditional discharge;

(s) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(s-5) undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body;

(t) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and shall submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug; or

(u) comply with other conditions as may be ordered by the court.

(3) The court may as a condition of probation or of conditional discharge require that a minor found guilty on any alcohol, cannabis, methamphetamine, or controlled substance violation, refrain from acquiring a driver's license during the period of probation or conditional discharge. If the minor is in possession of a permit or license, the court may require that the minor refrain from driving or operating any motor

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vehicle during the period of probation or conditional discharge, except as may be necessary in the course of the minor's lawful employment.

(3.5) The court shall, as a condition of probation or of conditional discharge, require that a minor found to be guilty and placed on probation for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (4) of subsection (a) of Section 21-1 of the Criminal Code of 2012 undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The condition may be in addition to any other condition.

(3.10) The court shall order that a minor placed on probation or conditional discharge for a sex offense as defined in the Sex Offender Management Board Act undergo and successfully complete sex offender treatment. The treatment shall be in conformance with the standards developed under the Sex Offender Management Board Act and conducted by a treatment provider approved by the Board. The treatment shall be at the expense of the person evaluated based upon that person's ability to pay for the treatment.

(4) A minor on probation or conditional discharge shall be given a certificate setting forth the conditions upon which he or she is being released.

(5) The court shall impose upon a minor placed on probation or conditional discharge, as a condition of the probation or conditional discharge, a fee of $50 for each month of probation or conditional discharge supervision ordered by the court, unless after determining the inability of the minor placed on probation or conditional discharge to pay the fee, the court assesses a lesser amount. The court may not impose the fee on a minor who is made a ward of the State under this Act while the minor is in placement. The fee shall be imposed only upon a minor who is actively supervised by the probation and court services department. The court may order the parent, guardian, or legal custodian of the minor to pay some or all of the fee on the minor's behalf.

(5.5) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred, or which has agreed to provide supervision, may impose

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probation fees upon receiving the transferred offender, as provided in subsection (i) of Section 5-6-3 of the Unified Code of Corrections. For all transfer cases, as defined in Section 9b of the Probation and Probation Officers Act, the probation department from the original sentencing court shall retain all probation fees collected prior to the transfer. After the transfer, all probation fees shall be paid to the probation department within the circuit to which jurisdiction has been transferred.

If the transfer case originated in another state and has been transferred under the Interstate Compact for Juveniles to the jurisdiction of an Illinois circuit court for supervision by an Illinois probation department, probation fees may be imposed only if permitted by the Interstate Commission for Juveniles.

(6) The General Assembly finds that in order to protect the public, the juvenile justice system must compel compliance with the conditions of probation by responding to violations with swift, certain, and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of supervision, probation or conditional discharge, under this Act.

The court shall provide as a condition of a disposition of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-720 of this Act.

(Source: P.A. 96-1414, eff. 1-1-11; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 3. The Unified Code of Corrections is amended by changing Section 5-6-3 as follows:

(730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

Sec. 5-6-3. Conditions of Probation and of Conditional Discharge.

(a) The conditions of probation and of conditional discharge shall be that the person:

(1) not violate any criminal statute of any jurisdiction;
(2) report to or appear in person before such person or agency as directed by the court;
(3) refrain from possessing a firearm or other dangerous weapon where the offense is a felony or, if a misdemeanor,
offense involved the intentional or knowing infliction of bodily harm or threat of bodily harm;

(4) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer. Transfer of a person's probation or conditional discharge supervision to another state is subject to acceptance by the other state pursuant to the Interstate Compact for Adult Offender Supervision;

(5) permit the probation officer to visit him at his home or elsewhere to the extent necessary to discharge his duties;

(6) perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, where the offense was related to or in furtherance of the criminal activities of an organized gang and was motivated by the offender's membership in or allegiance to an organized gang. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located within the municipality or county in which the violation occurred. When possible and reasonable, the community service should be performed in the offender's neighborhood. For purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act;

(7) if he or she is at least 17 years of age and has been sentenced to probation or conditional discharge for a misdemeanor or felony in a county of 3,000,000 or more inhabitants and has not been previously convicted of a misdemeanor or felony, may be required by the sentencing court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program approved by the court. The person on probation or conditional discharge must attend a public institution of education to obtain the
educational or vocational training required by this clause (7). The court shall revoke the probation or conditional discharge of a person who wilfully fails to comply with this clause (7). The person on probation or conditional discharge shall be required to pay for the cost of the educational courses or GED test, if a fee is charged for those courses or test. The court shall resentence the offender whose probation or conditional discharge has been revoked as provided in Section 5-6-4. This clause (7) does not apply to a person who has a high school diploma or has successfully passed the GED test. This clause (7) does not apply to a person who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program;

(8) if convicted of possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act or Illinois Controlled Substances Act or after a sentence of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act and upon a finding by the court that the person is addicted, undergo treatment at a substance abuse program approved by the court;

(8.5) if convicted of a felony sex offense as defined in the Sex Offender Management Board Act, the person shall undergo and successfully complete sex offender treatment by a treatment provider approved by the Board and conducted in conformance with the standards developed under the Sex Offender Management Board Act;

(8.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders;

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(8.7) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (8.7), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(8.8) if convicted for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983):

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or

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any other device with Internet capability imposed by the offender's probation officer;

(8.9) if convicted of a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262), refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012;

(9) if convicted of a felony or of any misdemeanor violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or 12-3.5 of the Criminal Code of 1961 or the Criminal Code of 2012 that was determined, pursuant to Section 112A-11.1 of the Code of Criminal Procedure of 1963, to trigger the prohibitions of 18 U.S.C. 922(g)(9), physically surrender at a time and place designated by the court, his or her Firearm Owner's Identification Card and any and all firearms in his or her possession. The Court shall return to the Department of State Police Firearm Owner's Identification Card Office the person's Firearm Owner's Identification Card;

(10) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter;

(11) if convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses; and

(12) if convicted of a violation of the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or a methamphetamine related offense:

(A) prohibited from purchasing, possessing, or having under his or her control any product containing pseudoephedrine unless prescribed by a physician; and
(B) prohibited from purchasing, possessing, or having under his or her control any product containing ammonium nitrate.

(b) The Court may in addition to other reasonable conditions relating to the nature of the offense or the rehabilitation of the defendant as determined for each defendant in the proper discretion of the Court require that the person:

(1) serve a term of periodic imprisonment under Article 7 for a period not to exceed that specified in paragraph (d) of Section 5-7-1;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;
(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;
(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his dependents;
(7) and in addition, if a minor:
   (i) reside with his parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth;
   (iv) contribute to his own support at home or in a foster home;
   (v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is convicted of a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;
(8) make restitution as provided in Section 5-5-6 of this Code;
(9) perform some reasonable public or community service;
(10) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the offender:
   (i) remain within the interior premises of the place designated for his confinement during the hours designated by the court;

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(ii) admit any person or agent designated by the court into the offender's place of confinement at any time for purposes of verifying the offender's compliance with the conditions of his confinement; and

(iii) if further deemed necessary by the court or the Probation or Court Services Department, be placed on an approved electronic monitoring device, subject to Article 8A of Chapter V;

(iv) for persons convicted of any alcohol, cannabis or controlled substance violation who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the offender to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the substance abuse services fund under Section 5-1086.1 of the Counties Code; and

(v) for persons convicted of offenses other than those referenced in clause (iv) above and who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the defendant to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer who shall use the monies collected to defray the costs of corrections. The county treasurer shall deposit the fee collected in the probation and court services fund.

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(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended, or an order of protection issued by the court of another state, tribe, or United States territory. A copy of the order of protection shall be transmitted to the probation officer or agency having responsibility for the case;

(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

(14) refrain from entering into a designated geographic area except upon such terms as the court finds appropriate. Such terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the defendant, and advance approval by a probation officer, if the defendant has been placed on probation or advance approval by the court, if the defendant was placed on conditional discharge;

(15) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(16) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

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(17) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (17), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(18) if convicted for an offense committed on or after June 1, 2009 (the effective date of Public Act 95-983) that would qualify as a sex offense as defined in the Sex Offender Registration Act:

   (i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

   (ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

   (iii) submit to the installation on the offender's computer or device with Internet capability, at the subject's expense, of one or more hardware or software systems to monitor the Internet use; and

   (iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the offender's probation officer; and

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(19) refrain from possessing a firearm or other dangerous
weapon where the offense is a misdemeanor that did not involve
the intentional or knowing infliction of bodily harm or threat of
bodily harm.

(c) The court may as a condition of probation or of conditional
discharge require that a person under 18 years of age found guilty of any
alcohol, cannabis or controlled substance violation, refrain from acquiring
a driver's license during the period of probation or conditional discharge. If
such person is in possession of a permit or license, the court may require
that the minor refrain from driving or operating any motor vehicle during
the period of probation or conditional discharge, except as may be
necessary in the course of the minor's lawful employment.

(d) An offender sentenced to probation or to conditional discharge
shall be given a certificate setting forth the conditions thereof.

(e) Except where the offender has committed a fourth or
subsequent violation of subsection (c) of Section 6-303 of the Illinois
Vehicle Code, the court shall not require as a condition of the sentence of
probation or conditional discharge that the offender be committed to a
period of imprisonment in excess of 6 months. This 6 month limit shall
not include periods of confinement given pursuant to a sentence of county
impact incarceration under Section 5-8-1.2.

Persons committed to imprisonment as a condition of probation or
conditional discharge shall not be committed to the Department of
Corrections.

(f) The court may combine a sentence of periodic imprisonment
under Article 7 or a sentence to a county impact incarceration program
under Article 8 with a sentence of probation or conditional discharge.

(g) An offender sentenced to probation or to conditional discharge
and who during the term of either undergoes mandatory drug or alcohol
testing, or both, or is assigned to be placed on an approved electronic
monitoring device, shall be ordered to pay all costs incidental to such
mandatory drug or alcohol testing, or both, and all costs incidental to such
approved electronic monitoring in accordance with the defendant's ability
to pay those costs. The county board with the concurrence of the Chief
Judge of the judicial circuit in which the county is located shall establish
reasonable fees for the cost of maintenance, testing, and incidental
expenses related to the mandatory drug or alcohol testing, or both, and all
costs incidental to approved electronic monitoring, involved in a
successful probation program for the county. The concurrence of the Chief

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Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

(h) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred, or which has agreed to provide supervision, may impose probation fees upon receiving the transferred offender, as provided in subsection (i). For all transfer cases, as defined in Section 9b of the Probation and Probation Officers Act, the probation department from the original sentencing court shall retain all probation fees collected prior to the transfer. After the transfer all probation fees shall be paid to the probation department within the circuit to which jurisdiction has been transferred.

(i) The court shall impose upon an offender sentenced to probation after January 1, 1989 or to conditional discharge after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of such probation or conditional discharge or supervised community service, a fee of $50 for each month of probation or conditional discharge supervision or supervised community service ordered by the court, unless after determining the inability of the person sentenced to probation or conditional discharge or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is made a ward of the State under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon an offender who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.

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A circuit court may not impose a probation fee under this subsection (i) in excess of $25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, up to $5 of that fee collected per month may be used to provide services to crime victims and their families.

The Court may only waive probation fees based on an offender's ability to pay. The probation department may re-evaluate an offender's ability to pay every 6 months, and, with the approval of the Director of Court Services or the Chief Probation Officer, adjust the monthly fee amount. An offender may elect to pay probation fees due in a lump sum. Any offender that has been assigned to the supervision of a probation department, or has been transferred either under subsection (h) of this Section or under any interstate compact, shall be required to pay probation fees to the department supervising the offender, based on the offender's ability to pay.

This amendatory Act of the 93rd General Assembly deletes the $10 increase in the fee under this subsection that was imposed by Public Act 93-616. This deletion is intended to control over any other Act of the 93rd General Assembly that retains or incorporates that fee increase.

(i-5) In addition to the fees imposed under subsection (i) of this Section, in the case of an offender convicted of a felony sex offense (as defined in the Sex Offender Management Board Act) or an offense that the court or probation department has determined to be sexually motivated (as defined in the Sex Offender Management Board Act), the court or the probation department shall assess additional fees to pay for all costs of treatment, assessment, evaluation for risk and treatment, and monitoring the offender, based on that offender's ability to pay those costs either as they occur or under a payment plan.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(k) Any offender who is sentenced to probation or conditional discharge for a felony sex offense as defined in the Sex Offender Management Board Act or any offense that the court or probation department has determined to be sexually motivated as defined in the Sex

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Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(1) The court may order an offender who is sentenced to probation or conditional discharge for a violation of an order of protection be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(Source: P.A. 96-262, eff. 1-1-10; 96-328, eff. 8-11-09; 96-362, eff. 1-1-10; 96-695, eff. 8-25-09; 96-1000, eff. 7-2-10; 96-1414, eff. 1-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-454, eff. 1-1-12; 97-560, eff. 1-1-12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 5. The Probation and Probation Officers Act is amended by changing Section 9b as follows:

(730 ILCS 110/9b) (from Ch. 38, par. 204-1b)
Sec. 9b. For the purposes of this Act, the words and phrases described in this Section have the meanings designated in this Section, except when a particular context clearly requires a different meaning.

(1) "Division" means the Division of Probation Services of the Supreme Court.

(2) "Department" means a probation or court services department that provides probation or court services and such other related services assigned to it by the circuit court or by law.

(3) "Probation Officer" means a person employed full time in a probation or court services department providing services to a court under this Act or the Juvenile Court Act of 1987. A probation officer includes detention staff, non-secure group home staff and management personnel who meet minimum standards established by the Supreme Court and who are hired under the direction of the circuit court. These probation officers are judicial employees designated on a circuit wide or county basis and compensated by the appropriate county board or boards.

(4) "Basic Services" means the number of personnel determined by the Division as necessary to comply with adult, juvenile, and detention services workload standards and to operate authorized programs of intermediate sanctions, intensive probation supervision, public or community service, intake services, secure detention services, non-secure group home services and home confinement.

(5) "New or Expanded Services" means personnel necessary to operate pretrial programs, victim and restitution programs, psychological

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services, drunk driving programs, specialized caseloads, community resource coordination programs, and other programs designed to generally improve the quality of probation and court services.

(6) "Individualized Services and Programs" means individualized services provided through purchase of service agreements with individuals, specialists, and local public or private agencies providing non-residential services for the rehabilitation of adult and juvenile offenders as an alternative to local or state incarceration.

(7) "Jurisdiction" means the geographical area of authority of a probation department as designated by the chief judge of each circuit court under Section 15 of this Act.

(8) "Transfer case" means any case where an adult or juvenile offender seeks to have supervision transferred from one county to another or from another state to a county in Illinois, and the transfer is approved by a judicial officer, a department, or through an interstate compact.

(Source: P.A. 89-198, eff. 7-21-95.)

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0576
(Senate Bill No. 1852)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 107-4 as follows:
(725 ILCS 5/107-4) (from Ch. 38, par. 107-4)
Sec. 107-4. Arrest by peace officer from other jurisdiction.
(a) As used in this Section:
    (1) "State" means any State of the United States and the District of Columbia.
    (2) "Peace Officer" means any peace officer or member of any duly organized State, County, or Municipal peace unit, any police force of another State, the United States Department of Defense, or any police force whose members, by statute, are granted and authorized to exercise powers similar to those

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conferred upon any peace officer employed by a law enforcement agency of this State.

(3) "Fresh pursuit" means the immediate pursuit of a person who is endeavoring to avoid arrest.

(4) "Law enforcement agency" means a municipal police department or county sheriff's office of this State.

(a-3) Any peace officer employed by a law enforcement agency of this State may conduct temporary questioning pursuant to Section 107-14 of this Code and may make arrests in any jurisdiction within this State: (1) if the officer is engaged in the investigation of an offense that occurred in the officer's primary jurisdiction and the temporary questioning or arrest relates to, arises from, or is conducted or the arrest is made pursuant to that investigation; or (2) if the officer, while on duty as a peace officer, becomes personally aware of the immediate commission of a felony or misdemeanor violation of the laws of this State; or (3) if the officer, while on duty as a peace officer, is requested by an appropriate State or local law enforcement official to render aid or assistance to the requesting law enforcement agency that is outside the officer's primary jurisdiction; or (4) in accordance with Section 2605-580 of the Department of State Police Law of the Civil Administrative Code of Illinois. While acting pursuant to this subsection, an officer has the same authority as within his or her own jurisdiction.

(a-7) The law enforcement agency of the county or municipality in which any arrest is made under this Section shall be immediately notified of the arrest.

(b) Any peace officer of another State who enters this State in fresh pursuit and continues within this State in fresh pursuit of a person in order to arrest him on the ground that he has committed an offense in the other State has the same authority to arrest and hold the person in custody as peace officers of this State have to arrest and hold a person in custody on the ground that he has committed an offense in this State.

(c) If an arrest is made in this State by a peace officer of another State in accordance with the provisions of this Section he shall without unnecessary delay take the person arrested before the circuit court of the county in which the arrest was made. Such court shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the court determines that the arrest was lawful it shall commit the person arrested, to await for a reasonable time the issuance of an extradition warrant by the Governor of this State, or admit him to bail for such purpose. If the court
determines that the arrest was unlawful it shall discharge the person arrested.
(Source: P.A. 94-846, eff. 1-1-07; 95-423, eff. 8-24-07; 95-750, eff. 7-23-08; 95-1007, eff. 12-15-08.)

Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0577
(Senate Bill No. 1929)

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 11-1301.1 and 11-1301.2 as follows:

(625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

Sec. 11-1301.1. Persons with disabilities - Parking privileges - Exemptions.

(a) A motor vehicle bearing registration plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 or to a disabled veteran pursuant to subsection (a) of Section 3-609 or a special decal or device issued pursuant to Section 3-616 or pursuant to Section 11-1301.2 of this Code or a motor vehicle registered in another jurisdiction, state, district, territory or foreign country upon which is displayed a registration plate, special decal or device issued by the other jurisdiction designating the vehicle is operated by or for a person with disabilities shall be exempt from the payment of parking meter fees until January 1, 2014, and exempt from any statute or ordinance imposing time limitations on parking, except limitations of one-half hour or less, on any street or highway zone, a parking area subject to regulation under subsection (a) of Section 11-209 of this Code, or any parking lot or parking place which are owned, leased or owned and leased by a municipality or a municipal parking utility; and shall be recognized by state and local authorities as a valid license plate or parking device and shall receive the same parking privileges as residents of this State; but, such vehicle shall be subject to the laws which prohibit parking in "no stopping" and "no standing" zones in front of or near fire hydrants, driveways, public building entrances and exits, bus stops and loading

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areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, whereby such motor vehicle shall be moved at the instruction and request of a law enforcement officer to a location designated by the officer.

(b) Any motor vehicle bearing registration plates or a special decal or device specified in this Section or in Section 3-616 of this Code or such parking device as specifically authorized in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or bearing registration plates issued to a disabled veteran under subsection (a) of Section 3-609 may park, in addition to any other lawful place, in any parking place specifically reserved for such vehicles by the posting of an official sign as provided under Section 11-301. Parking privileges granted by this Section are strictly limited to the person to whom the special registration plates, special decal or device were issued and to qualified operators acting under his or her express direction while the person with disabilities is present. A person to whom privileges were granted shall, at the request of a police officer or any other person invested by law with authority to direct, control, or regulate traffic, present an identification card with a picture as verification that the person is the person to whom the special registration plates, special decal or device was issued.

(c) Such parking privileges granted by this Section are also extended to motor vehicles of not-for-profit organizations used for the transportation of persons with disabilities when such motor vehicles display the decal or device issued pursuant to Section 11-1301.2 of this Code.

(d) No person shall use any area for the parking of any motor vehicle pursuant to Section 11-1303 of this Code or where an official sign controlling such area expressly prohibits parking at any time or during certain hours.

(e) Beginning January 1, 2014, a vehicle displaying a decal or device issued under subsection (c-5) of Section 11-1301.2 of this Code shall be exempt from the payment of fees generated by parking in a metered space or in a publicly owned parking structure or area.

(Source: P.A. 96-79, eff. 1-1-10; 97-845, eff. 1-1-13; 97-918, eff. 1-1-13; revised 8-23-12.)

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

Sec. 11-1301.2. Special decals for parking; persons with disabilities.

New matter indicated by italics - deletions by strikeout
(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number. This decal or device may be used by the authorized holder to designate and identify a vehicle not owned or displaying a registration plate as provided in Sections 3-609 and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a temporary disability as defined in Section 1-159.1 of this Code and the disability is temporary.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities as defined by Section 1-159.1. Any person with disabilities parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person's address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(c-5) Beginning January 1, 2014, the Secretary shall provide by administrative rule for the issuance of a separate and distinct parking decal
or device for persons with disabilities as defined by Section 1-159.1 of this Code and who meet the qualifications under this subsection. The authorized holder of a decal or device issued under this subsection (c-5) shall be exempt from the payment of fees generated by parking in a metered space, a parking area subject to paragraph (10) of subsection (a) of Section 11-209 of this Code, or a publicly owned parking structure or area.

The Secretary shall issue a meter-exempt decal or device to a person with disabilities who: (i) has been issued registration plates under subsection (a) of Section 3-609 or Section 3-616 of this Code or a special decal or device under this Section, (ii) holds a valid Illinois driver's license, and (iii) is unable to do one or more of the following:

1. manage, manipulate, or insert coins, or obtain tickets or tokens in parking meters or ticket machines in parking lots or parking structures, due to the lack of fine motor control of both hands;
2. reach above his or her head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility;
3. approach a parking meter due to his or her use of a wheelchair or other device for mobility; or
4. walk more than 20 feet due to an orthopedic, neurological, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the ability to walk.

The application for a meter-exempt parking decal or device shall contain a statement certified by a licensed physician, physician assistant, or advanced practice nurse attesting to the permanent nature and estimated duration of the applicant's condition and verifying that the applicant meets the physical qualifications specified in this subsection (c-5).

Notwithstanding the requirements of this subsection (c-5), the Secretary shall issue a meter-exempt decal or device to a person who has been issued registration plates under Section 3-616 of this Code or a special decal or device under this Section, if the applicant is the parent or guardian of a person with disabilities who is under 18 years of age and incapable of driving.

(d) Replacement decals or devices may be issued for lost, stolen, or destroyed decals upon application and payment of a $10 fee. The replacement fee may be waived for individuals that have claimed and

New matter indicated by italics - deletions by strikeout
received a grant under the Senior Citizens and Disabled Persons Property Tax Relief Act.
(Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12; 97-845, eff. 1-1-13; revised 8-3-12.)
Approved August 27, 2013.
Effective January 1, 2014.

PUBLIC ACT 98-0578
(Senate Bill No. 1931)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Freedom of Information Act is amended by changing Section 7 as follows:
(5 ILCS 140/7) (from Ch. 116, par. 207)
Sec. 7. Exemptions.
(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:
(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.
(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.
(b-5) Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects.
(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to

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in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;

(ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;

(iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, confidential information with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

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(vi) endanger the life or physical safety of law enforcement personnel or any other person; or

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

(d-5) A law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(e-5) Records requested by persons committed to the Department of Corrections if those materials are available in the library of the correctional facility where the inmate is confined.

(e-6) Records requested by persons committed to the Department of Corrections if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information.

(e-7) Records requested by persons committed to the Department of Corrections if those materials are available through an administrative request to the Department of Corrections.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.

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The information included under this exemption includes all trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) The following information pertaining to educational matters:

(i) test questions, scoring keys and other examination data used to administer an academic examination;

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(ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;

(iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and

(iv) course materials or research materials used by faculty members.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

(l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

(o) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of

New matter indicated by italics - deletions by strikeout
computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.

(r) The records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or
respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(w) (Blank).

(x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.

(y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

(z) Information about students exempted from disclosure under Sections 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009.

(aa) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009.

(bb) Records and information provided to a mortality review team and records maintained by a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(cc) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable.

(dd) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

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(ee) The names, addresses, or other personal information of persons who are minors and are also participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations.

(ff) The names, addresses, or other personal information of participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations where such programs are targeted primarily to minors.

(gg) Confidential information described in Section 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

(hh) The report submitted to the State Board of Education by the School Security and Standards Task Force under item (8) of subsection (d) of Section 2-3.157 of the School Code and any information contained in that report.

(1.5) Any information exempt from disclosure under the Judicial Privacy Act shall be redacted from public records prior to disclosure under this Act.

(2) A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

(3) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 96-261, eff. 1-1-10; 96-328, eff. 8-11-09; 96-542, eff. 1-1-10; 96-558, eff. 1-1-10; 96-736, eff. 7-1-10; 96-863, eff. 3-1-10; 96-1378, eff. 7-29-10; 97-333, eff. 8-12-11; 97-385, eff. 8-15-11; 97-452, eff. 8-19-11; 97-783, eff. 7-13-12; 97-813, eff. 7-13-12; 97-847, eff. 9-22-12; 97-1065, eff. 8-24-12; 97-1129, eff. 8-28-12; revised 9-20-12.)

Section 10. The School Code is amended by adding Section 2-3.157 as follows:

(105 ILCS 5/2-3.157 new)

(Section scheduled to be repealed on January 2, 2014)


(a) The School Security and Standards Task Force is created within the State Board of Education to study the security of schools in this

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State, make recommendations, and draft minimum standards for use by schools to make them more secure and to provide a safer learning environment for the children of this State. The Task Force shall consist of all of the following members:

(1) One member of the Senate, appointed by the President of the Senate.
(2) One member of the Senate, appointed by the Minority Leader of the Senate.
(3) One member of the House of Representatives, appointed by the Speaker of the House of Representatives.
(4) One member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.
(5) A representative from the State Board of Education, appointed by the Chairperson of the State Board of Education.
(6) A representative from the Department of State Police, appointed by the Director of State Police.
(7) A representative from an association representing Illinois sheriffs, appointed by the Governor.
(8) A representative from an association representing Illinois chiefs of police, appointed by the Governor.
(9) A representative from an association representing Illinois firefighters, appointed by the Governor.
(10) A representative from an association representing Illinois regional superintendents of schools, appointed by the Governor.
(11) A representative from an association representing Illinois principals, appointed by the Governor.
(12) A representative from an association representing Illinois school boards, appointed by the Governor.
(13) A representative from the security consulting profession, appointed by the Governor.
(14) An architect or engineer who specializes in security issues, appointed by the Governor.

Members of the Task Force appointed by the Governor must be individuals who have knowledge, experience, and expertise in the field of security or who have worked within the school system. The appointment of members by the Governor must reflect the geographic diversity of this State.
Members of the Task Force shall serve without compensation and shall not be reimbursed for their expenses.

(b) The Task Force shall meet initially at the call of the State Superintendent of Education. At this initial meeting, the Task Force shall elect a member as presiding officer of the Task Force by a majority vote of the membership of the Task Force. Thereafter, the Task Force shall meet at the call of the presiding officer.

(c) The State Board of Education shall provide administrative and other support to the Task Force.

(d) The Task Force shall make recommendations for minimum standards for security for the schools in this State. In making those recommendations, the Task Force shall do all of the following:

1. Gather information concerning security in schools as it presently exists.
2. Receive reports and testimony from individuals, school district superintendents, principals, teachers, security experts, architects, engineers, and the law enforcement community.
3. Create minimum standards for securing schools.
4. Give consideration to securing the physical structures, security staffing recommendations, communications, security equipment, alarms, video and audio monitoring, school policies, egress and ingress, security plans, emergency exits and escape, and any other areas of security that the Task Force deems appropriate for securing schools.
5. Create a model security plan policy.
6. Suggest possible funding recommendations for schools to access for use in implementing enhanced security measures.
7. On or before January 1, 2014, submit a report to the General Assembly and the Governor on specific recommendations for changes to the current law or other legislative measures.
8. On or before January 1, 2014, submit a report to the State Board of Education on specific recommendations for model security plan policies for schools to access and use as a guideline. This report is exempt from inspection and copying under Section 7 of the Freedom of Information Act.
The Task Force's recommendations may include proposals for specific statutory changes and methods to foster cooperation among State agencies and between this State and local government.
(e) The Task Force is abolished and this Section is repealed on January 2, 2014.

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0579
(Senate Bill No. 1968)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 115-5 as follows:
(725 ILCS 5/115-5) (from Ch. 38, par. 115-5)
Sec. 115-5. Business records as evidence.
(a) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible as evidence of such act, transaction, occurrence, or event, if made in regular course of any business, and if it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter.
All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but such circumstances shall not affect its admissibility.
The term "business," as used in this Section, includes business, profession, occupation, and calling of every kind.
(b) If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence, or event, and in the regular course of business has caused any or all of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, optical imaging, or other process which accurately reproduces or forms a

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medium for so reproducing the original, the original may be destroyed in
the regular course of business unless its preservation is required by law.
Such reproduction, when satisfactorily identified, is as admissible in
evidence as the original itself in any proceeding whether the original is in
existence or not and an enlargement or facsimile of such reproduction is
likewise admissible in evidence if the original reproduction is in existence
and available for inspection under direction of court. The introduction of a
reproduced record, enlargement, or facsimile does not preclude admission
of the original. This Section shall not be construed to exclude from
evidence any document or copy thereof which is otherwise admissible
under the rules of evidence.

(c) No writing or record made in the regular course of any business
shall become admissible as evidence by the application of this Section if:

(1) Such writing or record has been made by anyone in the
regular course of any form of hospital or medical business; or

(2) Such writing or record has been made by anyone during
an investigation of an alleged offense or during any investigation
relating to pending or anticipated litigation of any kind, except
during a hearing to revoke a sentence of probation or conditional
discharge or an order of court supervision that is based on a
technical violation of a sentencing order when the hearing involves
a probationer or defendant who has transferred or moved from the
county having jurisdiction over the original charge or sentence. For
the purposes of this subsection (c), "technical violation" means a
breach of a sentencing order but does not include an allegation of a
subsequent criminal act asserted in a formal criminal charge.

(d) Upon request of the moving party and with reasonable notice
given to the opposing party, in a criminal prosecution in which the
defendant is accused of an offense under Article 16 or 17 of the Criminal
Code of 1961 or the Criminal Code of 2012, the court may, after a
hearing, for good cause and upon appropriate safeguards, permit live
foundational testimony business records as evidence, subject to cross-
examination, in open court by means of a contemporaneous audio and
video transmission from outside of this State.

(Source: P.A. 91-548, eff. 1-1-00.)

Approved August 27, 2013.
Effective January 1, 2014.
AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by adding Section 50-27 as follows:

(15 ILCS 20/50-27 new)
Sec. 50-27. Budgeting process; working group. On July 1, 2013, or as soon thereafter as possible, the commission described in Section 50-25 shall create a working group consisting of members of the commission for the purpose of developing a plan to make the State budgeting process the most transparent, publicly-accessible budgeting process in the nation. The working group shall study proposals related to transparency and accessibility in the budgeting process and shall report its findings to the Governor, the General Assembly, and the commission no later than January 1, 2015. The working group may consult with the Director of Revenue, the State Comptroller, and the State Treasurer, and the Director of Revenue, the State Comptroller, and the State Treasurer shall cooperate with the working group. This Section is repealed on January 1, 2016.

Approved August 27, 2013.
Effective January 1, 2014.

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 21B-30 and 21B-35 as follows:

(105 ILCS 5/21B-30)
Sec. 21B-30. Educator testing.
(a) This Section applies beginning on July 1, 2012.
(b) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall design and implement a system of examinations, which shall be required prior to the issuance of

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educator licenses. These examinations and indicators must be based on national and State professional teaching standards, as determined by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The State Board of Education may adopt such rules as may be necessary to implement and administer this Section. No score on a test required under this Section, other than a test of basic skills, shall be more than 5 years old at the time that an individual makes application for an educator license or endorsement.

(c) Applicants seeking a Professional Educator License or an Educator License with Stipulations shall be required to pass a test of basic skills, unless the endorsement the individual is seeking does not require passage of the test.

No candidate may be fully admitted into an educator preparation program at a recognized Illinois institution until he or she has passed a test of basic skills. An individual who passes a test of basic skills does not need to do so again for subsequent endorsements or other educator licenses.

(d) All applicants seeking a State license shall be required to pass a test of content area knowledge for each area of endorsement for which there is an applicable test. There shall be no exception to this requirement. No candidate shall be allowed to student teach or serve as the teacher of record, or begin an internship or residency required for licensure until he or she has passed the applicable content area test.

(e) All applicants seeking a State license endorsed in a teaching field shall pass the assessment of professional teaching (APT). Passage of the APT is required for completion of an approved Illinois educator preparation program.

(f) Beginning on September 1, 2015, all candidates completing teacher preparation programs in this State are required to pass an evidence-based assessment of teacher effectiveness approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. All recognized institutions offering approved teacher preparation programs must begin phasing in the approved teacher performance assessment no later than July 1, 2013.

(g) Tests of basic skills and content area knowledge and the assessment of professional teaching shall be the tests that from time to time are designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and may be tests prepared by an educational testing organization or tests designed by the
State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The areas to be covered by a test of basic skills shall include reading, language arts, and mathematics. The test of content area knowledge shall assess content knowledge in a specific subject field. The tests must be designed to be racially neutral to ensure that no person taking the tests is discriminated against on the basis of race, color, national origin, or other factors unrelated to the person's ability to perform as a licensed employee. The score required to pass the tests shall be fixed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The tests shall be administered not fewer than 3 times a year at such time and place as may be designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The State Board shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for an endorsement or a license issued under subdivision (G) of paragraph (2) of Section 21B-20 of this Code in the English language and in the language of the transitional bilingual education program requested by the applicant.

(h) Except as provided in Section 34-6 of this Code, the provisions of this Section shall apply equally in any school district subject to Article 34 of this Code.

(i) The rules developed to implement and enforce the testing requirements under this Section shall include provisions governing test selection, test validation and determination of a passing score, administration of the tests, frequency of administration, applicant fees, frequency of applicants taking the tests, the years for which a score is valid, and appropriate special accommodations. The State Board of Education shall develop such rules as may be needed to ensure uniformity from year to year in the level of difficulty for each form of an assessment.

(Source: P.A. 97-607, eff. 8-26-11.)

(105 ILCS 5/21B-35)

Sec. 21B-35. Minimum requirements for educators trained in other states or countries.

(a) All out-of-state applicants applying for a Professional Educator License must meet all of the following requirements:

(1) Have completed a comparable state-approved education program, as defined by the State Superintendent of Education.

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(2) Have a degree from a regionally accredited institution of higher education and the degreed major or a constructed major must directly correspond to the license or endorsement sought.

(3) Except for school service personnel prepared by out-of-state programs, have completed a minimum of one course in the methods of instruction of the exceptional child. School service personnel prepared by out-of-state programs shall meet the same requirements concerning courses in the methods of instruction of the exceptional child as in-State candidates in school service personnel areas, as defined by rules.

(4) Except for school service personnel prepared by out-of-state programs, have completed a minimum of 6 semester hours of coursework in methods of reading and reading in the content area. School service personnel prepared by out-of-state programs shall meet the same requirements concerning coursework in methods of reading and reading in the content area as in-State candidates in school service personnel areas, as defined by rules.

(5) Except for school service personnel prepared by out-of-state programs, have completed a minimum of one course in instructional strategies for English language learners. School service personnel prepared by out-of-state programs shall meet the same requirements concerning courses in instructional strategies for English language learners as in-State candidates in school service personnel areas, as defined by rules.

(6) Have successfully met all Illinois examination requirements.

(7) Have completed student teaching or an equivalent experience.

If one or more of the criteria in subsection (a) of this Section are not met, then out-of-state applicants who hold a valid, comparable certificate from another state and have passed a test of basic skills and content area test, as required by Section 21B-20 of this Code, may qualify for a provisional educator endorsement on an Educator License with Stipulations, in accordance with Section 21B-20 of this Code, with the exception that an individual shall not serve as a principal or assistant principal while holding the provisional educator endorsement.

(b) In order to receive a Professional Educator License, applicants trained in another country must meet all of the following requirements:

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(1) Have completed a comparable education program in another country.
(2) Have had transcripts evaluated by an evaluation service approved by the State Superintendent of Education.
(3) Hold a degree major that must directly correspond to the license or endorsement sought.
(4) Have completed a minimum of one course in the methods of instruction of the exceptional child.
(5) Have completed a minimum of 6 semester hours of coursework in methods of reading and reading in the content area.
(6) Have completed a minimum of one course in instructional strategies for English language learners.
(7) Have successfully met all State licensure examination requirements.
(8) Have completed student teaching or an equivalent experience.

If one or more of these criteria are not met, then an applicant trained in another country who has passed a test of basic skills and content area test, as required by Section 21B-20 of this Code, may qualify for a provisional educator endorsement on an Educator License with Stipulations, with the exception that an individual shall not serve as a principal or assistant principal while holding the provisional educator endorsement.

(c) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to implement this Section. (Source: P.A. 97-607, eff. 8-26-11.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.
AN ACT concerning gaming.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The Riverboat Gambling Act is amended by changing Section 5 as follows:

(230 ILCS 10/5) (from Ch. 120, par. 2405)
Sec. 5. Gaming Board.
(a) (1) There is hereby established the Illinois Gaming Board, which shall have the powers and duties specified in this Act, and all other powers necessary and proper to fully and effectively execute this Act for the purpose of administering, regulating, and enforcing the system of riverboat gambling established by this Act. Its jurisdiction shall extend under this Act to every person, association, corporation, partnership and trust involved in riverboat gambling operations in the State of Illinois.

(2) The Board shall consist of 5 members to be appointed by the Governor with the advice and consent of the Senate, one of whom shall be designated by the Governor to be chairman. Each member shall have a reasonable knowledge of the practice, procedure and principles of gambling operations. Each member shall either be a resident of Illinois or shall certify that he will become a resident of Illinois before taking office. At least one member shall be experienced in law enforcement and criminal investigation, at least one member shall be a certified public accountant experienced in accounting and auditing, and at least one member shall be a lawyer licensed to practice law in Illinois.

(3) The terms of office of the Board members shall be 3 years, except that the terms of office of the initial Board members appointed pursuant to this Act will commence from the effective date of this Act and run as follows: one for a term ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for a term ending July 1, 1993. Upon the expiration of the foregoing terms, the successors of such members shall serve a term for 3 years and until their successors are appointed and qualified for like terms. Vacancies in the Board shall be filled for the unexpired term in like manner as original appointments. Each member of the Board shall be eligible for reappointment at the discretion of the Governor with the advice and consent of the Senate.

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(4) Each member of the Board shall receive $300 for each day the Board meets and for each day the member conducts any hearing pursuant to this Act. Each member of the Board shall also be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of official duties.

(5) No person shall be appointed a member of the Board or continue to be a member of the Board who is, or whose spouse, child or parent is, a member of the board of directors of, or a person financially interested in, any gambling operation subject to the jurisdiction of this Board, or any race track, race meeting, racing association or the operations thereof subject to the jurisdiction of the Illinois Racing Board. No Board member shall hold any other public office. No person shall be a member of the Board who is not of good moral character or who has been convicted of, or is under indictment for, a felony under the laws of Illinois or any other state, or the United States.

(5.5) No member of the Board shall engage in any political activity. For the purposes of this Section, "political" means any activity in support of or in connection with any campaign for federal, State, or local elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties or governmental and public service functions.

(6) Any member of the Board may be removed by the Governor for neglect of duty, misfeasance, malfeasance, or nonfeasance in office or for engaging in any political activity.

(7) Before entering upon the discharge of the duties of his office, each member of the Board shall take an oath that he will faithfully execute the duties of his office according to the laws of the State and the rules and regulations adopted therewith and shall give bond to the State of Illinois, approved by the Governor, in the sum of $25,000. Every such bond, when duly executed and approved, shall be recorded in the office of the Secretary of State. Whenever the Governor determines that the bond of any member of the Board has become or is likely to become invalid or insufficient, he shall require such member forthwith to renew his bond, which is to be approved by the Governor. Any member of the Board who fails to take oath and give bond within 30 days from the date of his appointment, or who fails to renew his bond within 30 days after it is

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demanded by the Governor, shall be guilty of neglect of duty and may be removed by the Governor. The cost of any bond given by any member of the Board under this Section shall be taken to be a part of the necessary expenses of the Board.

(7.5) For the examination of all mechanical, electromechanical, or electronic table games, slot machines, slot accounting systems, and other electronic gaming equipment for compliance with this Act, the Board may utilize the services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the Board, are qualified to perform such examinations.

(8) The Board shall employ such personnel as may be necessary to carry out its functions and shall determine the salaries of all personnel, except those personnel whose salaries are determined under the terms of a collective bargaining agreement. No person shall be employed to serve the Board who is, or whose spouse, parent or child is, an official of, or has a financial interest in or financial relation with, any operator engaged in gambling operations within this State or any organization engaged in conducting horse racing within this State. Any employee violating these prohibitions shall be subject to termination of employment.

(9) An Administrator shall perform any and all duties that the Board shall assign him. The salary of the Administrator shall be determined by the Board and, in addition, he shall be reimbursed for all actual and necessary expenses incurred by him in discharge of his official duties. The Administrator shall keep records of all proceedings of the Board and shall preserve all records, books, documents and other papers belonging to the Board or entrusted to its care. The Administrator shall devote his full time to the duties of the office and shall not hold any other office or employment.

(b) The Board shall have general responsibility for the implementation of this Act. Its duties include, without limitation, the following:

(1) To decide promptly and in reasonable order all license applications. Any party aggrieved by an action of the Board denying, suspending, revoking, restricting or refusing to renew a license may request a hearing before the Board. A request for a hearing must be made to the Board in writing within 5 days after service of notice of the action of the Board. Notice of the action of the Board shall be served either by personal delivery or by certified mail, postage prepaid, to the aggrieved party. Notice served by
certified mail shall be deemed complete on the business day following the date of such mailing. The Board shall conduct all requested hearings promptly and in reasonable order;

(2) To conduct all hearings pertaining to civil violations of this Act or rules and regulations promulgated hereunder;

(3) To promulgate such rules and regulations as in its judgment may be necessary to protect or enhance the credibility and integrity of gambling operations authorized by this Act and the regulatory process hereunder;

(4) To provide for the establishment and collection of all license and registration fees and taxes imposed by this Act and the rules and regulations issued pursuant hereto. All such fees and taxes shall be deposited into the State Gaming Fund;

(5) To provide for the levy and collection of penalties and fines for the violation of provisions of this Act and the rules and regulations promulgated hereunder. All such fines and penalties shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois;

(6) To be present through its inspectors and agents any time gambling operations are conducted on any riverboat for the purpose of certifying the revenue thereof, receiving complaints from the public, and conducting such other investigations into the conduct of the gambling games and the maintenance of the equipment as from time to time the Board may deem necessary and proper;

(7) To review and rule upon any complaint by a licensee regarding any investigative procedures of the State which are unnecessarily disruptive of gambling operations. The need to inspect and investigate shall be presumed at all times. The disruption of a licensee's operations shall be proved by clear and convincing evidence, and establish that: (A) the procedures had no reasonable law enforcement purposes, and (B) the procedures were so disruptive as to unreasonably inhibit gambling operations;

(8) To hold at least one meeting each quarter of the fiscal year. In addition, special meetings may be called by the Chairman or any 2 Board members upon 72 hours written notice to each member. All Board meetings shall be subject to the Open Meetings Act. Three members of the Board shall constitute a quorum, and 3 votes shall be required for any final determination by the Board.
The Board shall keep a complete and accurate record of all its meetings. A majority of the members of the Board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power which this Act requires the Board members to transact, perform or exercise en banc, except that, upon order of the Board, one of the Board members or an administrative law judge designated by the Board may conduct any hearing provided for under this Act or by Board rule and may recommend findings and decisions to the Board. The Board member or administrative law judge conducting such hearing shall have all powers and rights granted to the Board in this Act. The record made at the time of the hearing shall be reviewed by the Board, or a majority thereof, and the findings and decision of the majority of the Board shall constitute the order of the Board in such case;

(9) To maintain records which are separate and distinct from the records of any other State board or commission. Such records shall be available for public inspection and shall accurately reflect all Board proceedings;

(10) To file a written annual report with the Governor on or before March 1 each year and such additional reports as the Governor may request. The annual report shall include a statement of receipts and disbursements by the Board, actions taken by the Board, and any additional information and recommendations which the Board may deem valuable or which the Governor may request;

(11) (Blank);

(12) (Blank);

(13) To assume responsibility for administration and enforcement of the Video Gaming Act; and

(14) To adopt, by rule, a code of conduct governing Board members and employees that ensure, to the maximum extent possible, that persons subject to this Code avoid situations, relationships, or associations that may represent or lead to a conflict of interest.

(c) The Board shall have jurisdiction over and shall supervise all gambling operations governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

New matter indicated by italics - deletions by strikeout
(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all riverboat gambling operations in this State and all persons on riverboats where gambling operations are conducted.

(3) To promulgate rules and regulations for the purpose of administering the provisions of this Act and to prescribe rules, regulations and conditions under which all riverboat gambling in the State shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of riverboat gambling, including rules and regulations regarding the inspection of such riverboats and the review of any permits or licenses necessary to operate a riverboat under any laws or regulations applicable to riverboats, and to impose penalties for violations thereof.

(4) To enter the office, riverboats, facilities, or other places of business of a licensee, where evidence of the compliance or noncompliance with the provisions of this Act is likely to be found.

(5) To investigate alleged violations of this Act or the rules of the Board and to take appropriate disciplinary action against a licensee or a holder of an occupational license for a violation, or institute appropriate legal action for enforcement, or both.

(6) To adopt standards for the licensing of all persons under this Act, as well as for electronic or mechanical gambling games, and to establish fees for such licenses.

(7) To adopt appropriate standards for all riverboats and facilities.

(8) To require that the records, including financial or other statements of any licensee under this Act, shall be kept in such manner as prescribed by the Board and that any such licensee involved in the ownership or management of gambling operations submit to the Board an annual balance sheet and profit and loss statement, list of the stockholders or other persons having a 1% or greater beneficial interest in the gambling activities of each licensee, and any other information the Board deems necessary in order to effectively administer this Act and all rules, regulations, orders and final decisions promulgated under this Act.

New matter indicated by italics - deletions by strikeout
(9) To conduct hearings, issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with the Illinois Administrative Procedure Act, and to administer oaths and affirmations to the witnesses, when, in the judgment of the Board, it is necessary to administer or enforce this Act or the Board rules.

(10) To prescribe a form to be used by any licensee involved in the ownership or management of gambling operations as an application for employment for their employees.

(11) To revoke or suspend licenses, as the Board may see fit and in compliance with applicable laws of the State regarding administrative procedures, and to review applications for the renewal of licenses. The Board may suspend an owners license, without notice or hearing upon a determination that the safety or health of patrons or employees is jeopardized by continuing a riverboat's operation. The suspension may remain in effect until the Board determines that the cause for suspension has been abated. The Board may revoke the owners license upon a determination that the owner has not made satisfactory progress toward abating the hazard.

(12) To eject or exclude or authorize the ejection or exclusion of, any person from riverboat gambling facilities where such person is in violation of this Act, rules and regulations thereunder, or final orders of the Board, or where such person's conduct or reputation is such that his presence within the riverboat gambling facilities may, in the opinion of the Board, call into question the honesty and integrity of the gambling operations or interfere with orderly conduct thereof; provided that the propriety of such ejection or exclusion is subject to subsequent hearing by the Board.

(13) To require all licensees of gambling operations to utilize a cashless wagering system whereby all players' money is converted to tokens, electronic cards, or chips which shall be used only for wagering in the gambling establishment.

(14) (Blank).

(15) To suspend, revoke or restrict licenses, to require the removal of a licensee or an employee of a licensee for a violation of this Act or a Board rule or for engaging in a fraudulent practice,
and to impose civil penalties of up to $5,000 against individuals and up to $10,000 or an amount equal to the daily gross receipts, whichever is larger, against licensees for each violation of any provision of the Act, any rules adopted by the Board, any order of the Board or any other action which, in the Board's discretion, is a detriment or impediment to riverboat gambling operations.

(16) To hire employees to gather information, conduct investigations and carry out any other tasks contemplated under this Act.

(17) To establish minimum levels of insurance to be maintained by licensees.

(18) To authorize a licensee to sell or serve alcoholic liquors, wine or beer as defined in the Liquor Control Act of 1934 on board a riverboat and to have exclusive authority to establish the hours for sale and consumption of alcoholic liquor on board a riverboat, notwithstanding any provision of the Liquor Control Act of 1934 or any local ordinance, and regardless of whether the riverboat makes excursions. The establishment of the hours for sale and consumption of alcoholic liquor on board a riverboat is an exclusive power and function of the State. A home rule unit may not establish the hours for sale and consumption of alcoholic liquor on board a riverboat. This amendatory Act of 1991 is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(19) After consultation with the U.S. Army Corps of Engineers, to establish binding emergency orders upon the concurrence of a majority of the members of the Board regarding the navigability of water, relative to excursions, in the event of extreme weather conditions, acts of God or other extreme circumstances.

(20) To delegate the execution of any of its powers under this Act for the purpose of administering and enforcing this Act and its rules and regulations hereunder.

(20.5) To approve any contract entered into on its behalf.

(20.6) To appoint investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act, as deemed necessary by the Board. These investigators have and may exercise all of the rights and powers of peace officers, provided that these powers shall be limited to offenses or

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violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law.

(20.7) To contract with the Department of State Police for the use of trained and qualified State police officers and with the Department of Revenue for the use of trained and qualified Department of Revenue investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act and to exercise all of the rights and powers of peace officers, provided that the powers of Department of Revenue investigators under this subdivision (20.7) shall be limited to offenses or violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law. In the event the Department of State Police or the Department of Revenue is unable to fill contracted police or investigative positions, the Board may appoint investigators to fill those positions pursuant to subdivision (20.6).

(21) To take any other action as may be reasonable or appropriate to enforce this Act and rules and regulations hereunder.

(d) The Board may seek and shall receive the cooperation of the Department of State Police in conducting background investigations of applicants and in fulfilling its responsibilities under this Section. Costs incurred by the Department of State Police as a result of such cooperation shall be paid by the Board in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400).

(e) The Board must authorize to each investigator and to any other employee of the Board exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Board and (ii) contains a unique identifying number. No other badge shall be authorized by the Board.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1392, eff. 1-1-11.)

Section 5. The Video Gaming Act is amended by changing Section 5 as follows:

(230 ILCS 40/5)
Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Gaming Board.

New matter indicated by italics - deletions by strikeout
"Credit" means one, 5, 10, or 25 cents either won or purchased by a player.

"Distributor" means an individual, partnership, corporation, or limited liability company licensed under this Act to buy, sell, lease, or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.

"Electronic voucher" means a voucher printed by an electronic video game machine that is redeemable in the licensed establishment for which it was issued.

"Terminal operator" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, corporation, or limited liability company that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, electronic voucher, or any combination thereof, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed.
for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises and includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)
Section 10. The Video Gaming Act is amended by changing Section 15 as follows:

(230 ILCS 40/15)

Sec. 15. Minimum requirements for licensing and registration. Every video gaming terminal offered for play shall first be tested and approved pursuant to the rules of the Board, and each video gaming terminal offered in this State for play shall conform to an approved model. For the examination of video gaming machines and associated equipment as required by this Section, the Board may utilize the services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the Board, are qualified to perform such examinations. Every video gaming terminal offered in this State for play must meet minimum standards set by an independent outside testing laboratory approved by the Board. Each approved model shall, at a minimum, meet the following criteria:

(1) It must conform to all requirements of federal law and regulations, including FCC Class A Emissions Standards.

(2) It must theoretically pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which must not be less than 80%. The Board shall establish a maximum payout percentage for approved models by rule. Video gaming terminals that may be affected by skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.

(3) It must use a random selection process to determine the outcome of each play of a game. The random selection process must meet 99% confidence limits using a standard chi-squared test for (randomness) goodness of fit.

(4) It must display an accurate representation of the game outcome.

(5) It must not automatically alter pay tables or any function of the video gaming terminal based on internal computation of hold percentage or have any means of manipulation that affects the random selection process or probabilities of winning a game.

(6) It must not be adversely affected by static discharge or other electromagnetic interference.

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(7) It must be capable of detecting and displaying the following conditions during idle states or on demand: power reset; door open; and door just closed.

(8) It must have the capacity to display complete play history (outcome, intermediate play steps, credits available, bets placed, credits paid, and credits cashed out) for the most recent game played and 10 games prior thereto.

(9) The theoretical payback percentage of a video gaming terminal must not be capable of being changed without making a hardware or software change in the video gaming terminal, either on site or via the central communications system.

(10) Video gaming terminals must be designed so that replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

(11) It must have nonresettable meters housed in a locked area of the terminal that keep a permanent record of all cash inserted into the machine, all winnings made by the terminal printer, credits played in for video gaming terminals, and credits won by video gaming players. The video gaming terminal must provide the means for on-demand display of stored information as determined by the Board.

(12) Electronically stored meter information required by this Section must be preserved for a minimum of 180 days after a power loss to the service.

(13) It must have one or more mechanisms that accept cash in the form of bills. The mechanisms shall be designed to prevent obtaining credits without paying by stringing, slamming, drilling, or other means. If such attempts at physical tampering are made, the video gaming terminal shall suspend itself from operating until reset.

(14) It shall have accounting software that keeps an electronic record which includes, but is not limited to, the following: total cash inserted into the video gaming terminal; the value of winning tickets claimed by players; the total credits played; the total credits awarded by a video gaming terminal; and pay back percentage credited to players of each video game.

(15) It shall be linked by a central communications system to provide auditing program information as approved by the Board. The central communications system shall use a standard industry protocol.
protocol, as defined by the Gaming Standards Association, and shall have the functionality to enable the Board or its designee to activate or deactivate individual gaming devices from the central communications system. In no event may the communications system approved by the Board limit participation to only one manufacturer of video gaming terminals by either the cost in implementing the necessary program modifications to communicate or the inability to communicate with the central communications system.

(16) The Board, in its discretion, may require video gaming terminals to display Amber Alert messages if the Board makes a finding that it would be economically and technically feasible and pose no risk to the integrity and security of the central communications system and video gaming terminals.

The Board may adopt rules to establish additional criteria to preserve the integrity and security of video gaming in this State. The central communications system vendor may not hold any license issued by the Board under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0583
(Senate Bill No. 2243)

AN ACT concerning revenue.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Use Tax Act is amended by changing Sections 3, 3-5, 3-25, and 3-50 as follows:

(35 ILCS 105/3) (from Ch. 120, par. 439.3)
Sec. 3. Tax imposed. A tax is imposed upon the privilege of using in this State tangible personal property purchased at retail from a retailer, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including

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products of photoprocessing produced for use in motion pictures for commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. *Purchases of (1) electricity delivered to customers by wire; (2) natural or artificial gas that is delivered to customers through pipes, pipelines, or mains; and (3) water that is delivered to customers through pipes, pipelines, or mains are not subject to tax under this Act. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this Act.*

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 105/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.
(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle

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Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the
service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, and beginning again on the effective date of this amendatory Act of the 97th General Assembly and thereafter, coal and aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser. The exemption provided by this paragraph (18) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the
generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is
not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the
Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.
(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner...
that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair,
and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

(35 ILCS 105/3-25) (from Ch. 120, par. 439.3-25)

Sec. 3-25. Computer software. For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on
magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease. Software used to operate machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains is considered "computer software". The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

(35 ILCS 105/3-50) (from Ch. 120, par. 439.3-50)

Sec. 3-50. Manufacturing and assembly exemption. The manufacturing and assembling machinery and equipment exemption includes machinery and equipment that replaces machinery and equipment in an existing manufacturing facility as well as machinery and equipment that are for use in an expanded or new manufacturing facility. The machinery and equipment exemption also includes machinery and equipment used in the general maintenance or repair of exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. The machinery and equipment exemption does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption. For the purposes of this exemption, terms have the following meanings:

(1) "Manufacturing process" means the production of an article of tangible personal property, whether the article is a
finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by a procedure commonly regarded as manufacturing, processing, fabricating, or refining that changes some existing material into a material with a different form, use, or name. In relation to a recognized integrated business composed of a series of operations that collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process commences with the first operation or stage of production in the series and does not end until the completion of the final product in the last operation or stage of production in the series. For purposes of this exemption, photoprocessing is a manufacturing process of tangible personal property for wholesale or retail sale.

(2) "Assembling process" means the production of an article of tangible personal property, whether the article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling that results in an article or material of a different form, use, or name.

(3) "Machinery" means major mechanical machines or major components of those machines contributing to a manufacturing or assembly process.

(4) "Equipment" includes an independent device or tool separate from machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; any subunit or assembly comprising a component of any machinery or auxiliary, adjunct, or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns, and molds; and any parts that require periodic replacement in the course of normal operation; but does not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease.

New matter indicated by italics - deletions by strikeout
(5) "Production related tangible personal property" means all tangible personal property that is used or consumed by the purchaser in a manufacturing facility in which a manufacturing process takes place and includes, without limitation, tangible personal property that is purchased for incorporation into real estate within a manufacturing facility and tangible personal property that is used or consumed in activities such as research and development, preproduction material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes. "Production related tangible personal property" does not include (i) tangible personal property that is used, within or without a manufacturing facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property that is required to be titled or registered with a department, agency, or unit of federal, State, or local government.

The manufacturing and assembling machinery and equipment exemption includes production related tangible personal property that is purchased on or after July 1, 2007 and on or before June 30, 2008. The exemption for production related tangible personal property is subject to both of the following limitations:

1. The maximum amount of the exemption for any one taxpayer may not exceed 5% of the purchase price of production related tangible personal property that is purchased on or after July 1, 2007 and on or before June 30, 2008. A credit under Section 3-85 of this Act may not be earned by the purchase of production related tangible personal property for which an exemption is received under this Section.

2. The maximum aggregate amount of the exemptions for production related tangible personal property awarded under this Act and the Retailers' Occupation Tax Act to all taxpayers may not exceed $10,000,000. If the claims for the exemption exceed $10,000,000, then the Department shall reduce the amount of the exemption to each taxpayer on a pro rata basis.

The Department may adopt rules to implement and administer the exemption for production related tangible personal property.

The manufacturing and assembling machinery and equipment exemption includes the sale of materials to a purchaser who produces exempted types of machinery, equipment, or tools and who rents or leases...
that machinery, equipment, or tools to a manufacturer of tangible personal property. This exemption also includes the sale of materials to a purchaser who manufactures those materials into an exempted type of machinery, equipment, or tools that the purchaser uses himself or herself in the manufacturing of tangible personal property. This exemption includes the sale of exempted types of machinery or equipment to a purchaser who is not the manufacturer, but who rents or leases the use of the property to a manufacturer. The purchaser of the machinery and equipment who has an active resale registration number shall furnish that number to the seller at the time of purchase. A user of the machinery, equipment, or tools without an active resale registration number shall prepare a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, and that certificate shall be available to the Department for inspection or audit. The Department shall prescribe the form of the certificate. Informal rulings, opinions, or letters issued by the Department in response to an inquiry or request for an opinion from any person regarding the coverage and applicability of this exemption to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion, or letter contains trade secrets or other confidential information, where possible, the Department shall delete that information before publication. Whenever informal rulings, opinions, or letters contain a policy of general applicability, the Department shall formulate and adopt that policy as a rule in accordance with the Illinois Administrative Procedure Act.  
(Source: P.A. 95-707, eff. 1-11-08.)

Section 10. The Service Use Tax Act is amended by changing Sections 2, 3, and 3-25 as follows:

(35 ILCS 110/2) (from Ch. 120, par. 439.32)

Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, but does not include the sale or use for demonstration by him of that property in any form as tangible personal property in the regular course of business. "Use" does not mean the interim use of tangible personal property nor the physical incorporation of tangible personal property, as an ingredient or constituent, into other tangible personal property, (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois.

New matter indicated by italics - deletions by strikeout
"Purchased from a serviceman" means the acquisition of the ownership of, or title to, tangible personal property through a sale of service.

"Purchaser" means any person who, through a sale of service, acquires the ownership of, or title to, any tangible personal property.

"Cost price" means the consideration paid by the serviceman for a purchase valued in money, whether paid in money or otherwise, including cash, credits and services, and shall be determined without any deduction on account of the supplier's cost of the property sold or on account of any other expense incurred by the supplier. When a serviceman contracts out part or all of the services required in his sale of service, it shall be presumed that the cost price to the serviceman of the property transferred to him or her by his or her subcontractor is equal to 50% of the subcontractor's charges to the serviceman in the absence of proof of the consideration paid by the subcontractor for the purchase of such property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits and service, and shall be determined without any deduction on account of the serviceman's cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, and any receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Sale of service" means any transaction except:

1. a retail sale of tangible personal property taxable under the Retailers' Occupation Tax Act or under the Use Tax Act.

2. a sale of tangible personal property for the purpose of resale made in compliance with Section 2c of the Retailers' Occupation Tax Act.

3. except as hereinafter provided, a sale or transfer of tangible personal property as an incident to the rendering of service for or by any governmental body, or for or by any corporation, society, association, foundation or institution organized and

New matter indicated by italics - deletions by strikeout
operated exclusively for charitable, religious or educational purposes or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes.

(4) a sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or by lessors under a lease of one year or longer, executed or in effect at the time of purchase of personal property, to interstate carriers for hire for use as rolling stock moving in interstate commerce so long as so used by such interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a) a sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors, or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce so long as so used by interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a-5) on and after July 1, 2003 and through June 30, 2004, a sale or transfer of a motor vehicle of the second division with a gross vehicle weight in excess of 8,000 pounds as an incident to the rendering of service if that motor vehicle is subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts

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added after the initial purchase of such a motor vehicle if that
motor vehicle is used in a manner that would qualify for the rolling
stock exemption otherwise provided for in this Act. For purposes
of this paragraph, "used for commercial purposes" means the
transportation of persons or property in furtherance of any
commercial or industrial enterprise whether for-hire or not.

(5) a sale or transfer of machinery and equipment used
primarily in the process of the manufacturing or assembling, either
in an existing, an expanded or a new manufacturing facility, of
tangible personal property for wholesale or retail sale or lease,
whether such sale or lease is made directly by the manufacturer or
by some other person, whether the materials used in the process are
owned by the manufacturer or some other person, or whether such
sale or lease is made apart from or as an incident to the seller's
engaging in a service occupation and the applicable tax is a Service
Use Tax or Service Occupation Tax, rather than Use Tax or
Retailers' Occupation Tax. The exemption provided by this
paragraph (5) does not include machinery and equipment used in
(i) the generation of electricity for wholesale or retail sale; (ii) the
generation or treatment of natural or artificial gas for wholesale
or retail sale that is delivered to customers through pipes,
pipelines, or mains; or (iii) the treatment of water for wholesale or
retail sale that is delivered to customers through pipes, pipelines,
or mains. The provisions of this amendatory Act of the 98th
General Assembly are declaratory of existing law as to the
meaning and scope of this exemption.

(5a) the repairing, reconditioning or remodeling, for a
common carrier by rail, of tangible personal property which
belongs to such carrier for hire, and as to which such carrier
receives the physical possession of the repaired, reconditioned or
remodeled item of tangible personal property in Illinois, and which
such carrier transports, or shares with another common carrier in
the transportation of such property, out of Illinois on a standard
uniform bill of lading showing the person who repaired,
reconditioned or remodeled the property to a destination outside
Illinois, for use outside Illinois.

(5b) a sale or transfer of tangible personal property which is
produced by the seller thereof on special order in such a way as to
have made the applicable tax the Service Occupation Tax or the

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Service Use Tax, rather than the Retailers' Occupation Tax or the Use Tax, for an interstate carrier by rail which receives the physical possession of such property in Illinois, and which transports such property, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(6) until July 1, 2003, a sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale.

(7) at the election of any serviceman not required to be otherwise registered as a retailer under Section 2a of the Retailers' Occupation Tax Act, made for each fiscal year sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service. The purchase of such tangible personal property by the serviceman shall be subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act. However, if a primary serviceman who has made the election described in this paragraph subcontracts service work to a secondary serviceman who has also made the election described in this paragraph, the primary serviceman does not incur a Use Tax liability if the secondary serviceman (i) has paid or will pay Use Tax on his or her cost price of any tangible personal property transferred to the primary serviceman and (ii) certifies that fact in writing to the primary serviceman.

Tangible personal property transferred incident to the completion of a maintenance agreement is exempt from the tax imposed pursuant to this Act.

Exemption (5) also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. The
machinery and equipment exemption does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption. For the purposes of exemption (5), each of these terms shall have the following meanings: (1) "manufacturing process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. In relation to a recognized integrated business composed of a series of operations which collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process shall be deemed to commence with the first operation or stage of production in the series, and shall not be deemed to end until the completion of the final product in the last operation or stage of production in the series; and further, for purposes of exemption (5), photoprocessing is deemed to be a manufacturing process of tangible personal property for wholesale or retail sale; (2) "assembling process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name; (3) "machinery" shall mean major mechanical machines or major components of such machines contributing to a manufacturing or assembling process; and (4) "equipment" shall include any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds; or any parts which require periodic replacement in the course
of normal operation; but shall not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease. The purchaser of such machinery and equipment who has an active resale registration number shall furnish such number to the seller at the time of purchase. The user of such machinery and equipment and tools without an active resale registration number shall prepare a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, which certificate shall be available to the Department for inspection or audit. The Department shall prescribe the form of the certificate.

Any informal rulings, opinions or letters issued by the Department in response to an inquiry or request for any opinion from any person regarding the coverage and applicability of exemption (5) to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion or letter contains trade secrets or other confidential information, where possible the Department shall delete such information prior to publication. Whenever such informal rulings, opinions, or letters contain any policy of general applicability, the Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act.

On and after July 1, 1987, no entity otherwise eligible under exemption (3) of this Section shall make tax free purchases unless it has an active exemption identification number issued by the Department.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of service or of tangible personal property within the meaning of this Act.

"Serviceman" means any person who is engaged in the occupation of making sales of service.

"Sale at retail" means "sale at retail" as defined in the Retailers' Occupation Tax Act.

"Supplier" means any person who makes sales of tangible personal property to servicemen for the purpose of resale as an incident to a sale of service.

"Serviceman maintaining a place of business in this State", or any like term, means and includes any serviceman:

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1. having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the serviceman or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such serviceman or subsidiary is licensed to do business in this State;

1.1. beginning July 1, 2011, having a contract with a person located in this State under which the person, for a commission or other consideration based on the sale of service by the serviceman, directly or indirectly refers potential customers to the serviceman by a link on the person's Internet website. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of service by the serviceman to customers who are referred to the serviceman by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December;

1.2. beginning July 1, 2011, having a contract with a person located in this State under which:

A. the serviceman sells the same or substantially similar line of services as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

B. the serviceman provides a commission or other consideration to the person located in this State based upon the sale of services by the serviceman.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of service by the serviceman to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December;

2. soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State;

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3. pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions;

4. soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities;

5. being owned or controlled by the same interests which own or control any retailer engaging in business in the same or similar line of business in this State;

6. having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section;

7. pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State; or

8. engaging in activities in Illinois, which activities in the state in which the supply business engaging in such activities is located would constitute maintaining a place of business in that state.

(Source: P.A. 96-1544, eff. 3-10-11.)

(35 ILCS 110/3) (from Ch. 120, par. 439.33)

Sec. 3. Tax imposed. A tax is imposed upon the privilege of using in this State real or tangible personal property acquired as an incident to the purchase of a service from a serviceman, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for public commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. 

Purchases of (1) electricity delivered to customers by wire; (2) natural or artificial gas that is delivered to customers through pipes, pipelines, or

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mains; and (3) water that is delivered to customers through pipes, pipelines, or mains are not subject to tax under this Act. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this Act.

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 110/3-25) (from Ch. 120, par. 439.33-25)

Sec. 3-25. Computer software. For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease. Software used to operate machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains is considered "computer software". The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 15. The Service Occupation Tax Act is amended by changing Sections 2, 3, and 3-25 as follows:

(35 ILCS 115/2) (from Ch. 120, par. 439.102)

Sec. 2. "Transfer" means any transfer of the title to property or of the ownership of property whether or not the transferor retains title as security for the payment of amounts due him from the transferee.

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"Cost Price" means the consideration paid by the serviceman for a purchase valued in money, whether paid in money or otherwise, including cash, credits and services, and shall be determined without any deduction on account of the supplier's cost of the property sold or on account of any other expense incurred by the supplier. When a serviceman contracts out part or all of the services required in his sale of service, it shall be presumed that the cost price to the serviceman of the property transferred to him by his or her subcontractor is equal to 50% of the subcontractor's charges to the serviceman in the absence of proof of the consideration paid by the subcontractor for the purchase of such property.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, and any receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Sale of Service" means any transaction except:

(a) A retail sale of tangible personal property taxable under the Retailers' Occupation Tax Act or under the Use Tax Act.

(b) A sale of tangible personal property for the purpose of resale made in compliance with Section 2c of the Retailers' Occupation Tax Act.

(c) Except as hereinafter provided, a sale or transfer of tangible personal property as an incident to the rendering of service for or by any governmental body or for or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes.

(d) A sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or lessors under leases of one year or longer, executed or in effect at the time of purchase, to interstate carriers for hire for use as rolling stock moving in interstate commerce, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is
permanently installed in or affixed to aircraft moving in interstate commerce.

(d-1) A sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(d-1.1) On and after July 1, 2003 and through June 30, 2004, a sale or transfer of a motor vehicle of the second division with a gross vehicle weight in excess of 8,000 pounds as an incident to the rendering of service if that motor vehicle is subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(d-2) The repairing, reconditioning or remodeling, for a common carrier by rail, of tangible personal property which belongs to such carrier for hire, and as to which such carrier receives the physical possession of the repaired, reconditioned or remodeled item of tangible personal property in Illinois, and which such carrier transports, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the person who repaired, reconditioned or remodeled the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(d-3) A sale or transfer of tangible personal property which is produced by the seller thereof on special order in such a way as to have made the applicable tax the Service Occupation Tax or the Service Use Tax, rather than the Retailers' Occupation Tax or the Use Tax, for an
interstate carrier by rail which receives the physical possession of such property in Illinois, and which transports such property, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(d-4) Until January 1, 1997, a sale, by a registered serviceman paying tax under this Act to the Department, of special order printed materials delivered outside Illinois and which are not returned to this State, if delivery is made by the seller or agent of the seller, including an agent who causes the product to be delivered outside Illinois by a common carrier or the U.S. postal service.

(e) A sale or transfer of machinery and equipment used primarily in the process of the manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in a service occupation and the applicable tax is a Service Occupation Tax or Service Use Tax, rather than Retailers' Occupation Tax or Use Tax. The exemption provided by this paragraph (e) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(f) Until July 1, 2003, the sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale.

(g) At the election of any serviceman not required to be otherwise registered as a retailer under Section 2a of the Retailers' Occupation Tax Act, made for each fiscal year sales of service in which the aggregate

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annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35% (75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production) of the aggregate annual total gross receipts from all sales of service. The purchase of such tangible personal property by the serviceman shall be subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act. However, if a primary serviceman who has made the election described in this paragraph subcontracts service work to a secondary serviceman who has also made the election described in this paragraph, the primary serviceman does not incur a Use Tax liability if the secondary serviceman (i) has paid or will pay Use Tax on his or her cost price of any tangible personal property transferred to the primary serviceman and (ii) certifies that fact in writing to the primary serviceman.

Tangible personal property transferred incident to the completion of a maintenance agreement is exempt from the tax imposed pursuant to this Act.

Exemption (e) also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. The machinery and equipment exemption does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption. For the purposes of exemption (e), each of these terms shall have the following meanings: (1) "manufacturing process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. In relation to a recognized integrated business composed of a series of operations which collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process shall be deemed to commence with the first operation or stage of production in the series, and
shall not be deemed to end until the completion of the final product in the last operation or stage of production in the series; and further for purposes of exemption (e), photoprocessing is deemed to be a manufacturing process of tangible personal property for wholesale or retail sale; (2) "assembling process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name; (3) "machinery" shall mean major mechanical machines or major components of such machines contributing to a manufacturing or assembling process; and (4) "equipment" shall include any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds; or any parts which require periodic replacement in the course of normal operation; but shall not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease. The purchaser of such machinery and equipment who has an active resale registration number shall furnish such number to the seller at the time of purchase. The purchaser of such machinery and equipment and tools without an active resale registration number shall furnish to the seller a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, which certificate shall be available to the Department for inspection or audit.

Except as provided in Section 2d of this Act, the rolling stock exemption applies to rolling stock used by an interstate carrier for hire, even just between points in Illinois, if such rolling stock transports, for hire, persons whose journeys or property whose shipments originate or terminate outside Illinois.

Any informal rulings, opinions or letters issued by the Department in response to an inquiry or request for any opinion from any person regarding the coverage and applicability of exemption (e) to specific devices shall be published, maintained as a public record, and made
available for public inspection and copying. If the informal ruling, opinion or letter contains trade secrets or other confidential information, where possible the Department shall delete such information prior to publication. Whenever such informal rulings, opinions, or letters contain any policy of general applicability, the Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act.

On and after July 1, 1987, no entity otherwise eligible under exemption (c) of this Section shall make tax free purchases unless it has an active exemption identification number issued by the Department.

"Serviceman" means any person who is engaged in the occupation of making sales of service.

"Sale at Retail" means "sale at retail" as defined in the Retailers' Occupation Tax Act.

"Supplier" means any person who makes sales of tangible personal property to servicemen for the purpose of resale as an incident to a sale of service.

(Source: P.A. 92-484, eff. 8-23-01; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-1033, eff. 9-3-04.)

(35 ILCS 115/3) (from Ch. 120, par. 439.103)

Sec. 3. Tax imposed. A tax is imposed upon all persons engaged in the business of making sales of service (referred to as "servicemen") on all tangible personal property transferred as an incident of a sale of service, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for public commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. Sales of (1) electricity delivered to customers by wire; (2) natural or artificial gas that is delivered to customers through pipes, pipelines, or mains; and (3) water that is delivered to customers through pipes, pipelines, or mains are not subject to tax under this Act. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this Act.

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 115/3-25) (from Ch. 120, par. 439.103-25)
Sec. 3-25. Computer software. For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease. Software used to operate machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains is considered "computer software". The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Sections 1d, 2, 2-5, 2-25, 2-45, and 2a as follows:

(35 ILCS 120/1d) (from Ch. 120, par. 440d)

Sec. 1d. Subject to the provisions of Section 1f, all tangible personal property to be used or consumed within an enterprise zone established pursuant to the "Illinois Enterprise Zone Act", as amended, or subject to the provisions of Section 5.5 of the Illinois Enterprise Zone Act, all tangible personal property to be used or consumed by any High Impact Business, in the process of the manufacturing or assembly of tangible personal property for wholesale or retail sale or lease or in the process of graphic arts production if used or consumed at a facility which is a Department of Commerce and Economic Opportunity certified business

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and located in a county of more than 4,000 persons and less than 45,000 persons is exempt from the tax imposed by this Act. This exemption includes repair and replacement parts for machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property or in the process of graphic arts production if used or consumed at a facility which is a Department of Commerce and Economic Opportunity certified business and located in a county of more than 4,000 persons and less than 45,000 persons for wholesale or retail sale, or lease, and equipment, manufacturing or graphic arts fuels, material and supplies for the maintenance, repair or operation of such manufacturing or assembling or graphic arts machinery or equipment. The exemption provided in this Section for tangible personal property to be used or consumed in the process of manufacturing or assembly of tangible personal property for wholesale or retail sale or lease, and the repair and replacement parts for that machinery and equipment, does not apply to such property used or consumed in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(Source: P.A. 94-793, eff. 5-19-06.)

(35 ILCS 120/2) (from Ch. 120, par. 441)

Sec. 2. Tax imposed. A tax is imposed upon persons engaged in the business of selling at retail tangible personal property, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for public commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. Sales of (1) electricity delivered to customers by wire; (2) natural or artificial gas that is delivered to customers through pipes, pipelines, or mains; and (3) water that is delivered to customers through pipes, pipelines, or mains are not subject to tax under this Act. The
provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this Act.
(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 120/2-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user

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to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an
entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial

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purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser. The exemption provided by this paragraph (14) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and

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that transports the property, or shares with another common carrier in the
transportation of the property, out of Illinois on a standard uniform bill of
lading showing the seller of the property as the shipper or consignor of the
property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage
issued by the State of Illinois, the government of the United States of
America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and
production equipment, including (i) rigs and parts of rigs, rotary rigs, cable
tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing
and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and
flow lines, (v) any individual replacement part for oil field exploration,
drilling, and production equipment, and (vi) machinery and equipment
purchased for lease; but excluding motor vehicles required to be registered
under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair
and replacement parts, both new and used, including that manufactured on
special order, certified by the purchaser to be used primarily for
photoprocessing, and including photoprocessing machinery and equipment
purchased for lease.

(21) Until July 1, 2003, and beginning again on the effective date
of this amendatory Act of the 97th General Assembly and thereafter, coal
and aggregate exploration, mining, offhighway hauling, processing,
maintenance, and reclamation equipment, including replacement parts and
equipment, and including equipment purchased for lease, but excluding
motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier,
certified by the carrier to be used for consumption, shipment, or storage in
the conduct of its business as an air common carrier, for a flight destined
for or returning from a location or locations outside the United States
without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a
florist who is located outside Illinois, but who has a florist located in
Illinois deliver the property to the purchaser or the purchaser's donee in
Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or
vessels that are used primarily in or for the transportation of property or
the conveyance of persons for hire on rivers bordering on this State if the

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fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river. (25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

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(1) the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

(2) the aircraft is not based or registered in this State after the sale of the aircraft; and

(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of the primary physical location of the aircraft, and other information that the Department may reasonably require.

For purposes of this item (25-7):
"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State.

This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May

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30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation,
limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-
term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated

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by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to those organizations that (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 96-116, eff. 7-31-09; 96-339, eff. 7-1-10; 96-532, eff. 8-14-09; 96-759, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12.)

(35 ILCS 120/2-25) (from Ch. 120, par. 441-25)
Sec. 2-25. Computer software. For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease. Software used to operate machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains is considered "computer software". The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

(35 ILCS 120/2-45) (from Ch. 120, par. 441-45)

Sec. 2-45. Manufacturing and assembly exemption. The manufacturing and assembly machinery and equipment exemption includes machinery and equipment that replaces machinery and equipment in an existing manufacturing facility as well as machinery and equipment that are for use in an expanded or new manufacturing facility.

The machinery and equipment exemption also includes machinery and equipment used in the general maintenance or repair of exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. The machinery and equipment exemption does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of
natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption. For the purposes of this exemption, terms have the following meanings:

(1) "Manufacturing process" means the production of an article of tangible personal property, whether the article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by a procedure commonly regarded as manufacturing, processing, fabricating, or refining that changes some existing material or materials into a material with a different form, use, or name. In relation to a recognized integrated business composed of a series of operations that collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process commences with the first operation or stage of production in the series and does not end until the completion of the final product in the last operation or stage of production in the series. For purposes of this exemption, photoprocessing is a manufacturing process of tangible personal property for wholesale or retail sale.

(2) "Assembling process" means the production of an article of tangible personal property, whether the article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling that results in a material of a different form, use, or name.

(3) "Machinery" means major mechanical machines or major components of those machines contributing to a manufacturing or assembling process.

(4) "Equipment" includes an independent device or tool separate from machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; any subunit or assembly comprising a component of any machinery or auxiliary,
adjunct, or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns, and molds; and any parts that require periodic replacement in the course of normal operation; but does not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease.

(5) "Production related tangible personal property" means all tangible personal property that is used or consumed by the purchaser in a manufacturing facility in which a manufacturing process takes place and includes, without limitation, tangible personal property that is purchased for incorporation into real estate within a manufacturing facility and tangible personal property that is used or consumed in activities such as research and development, preproduction material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes. "Production related tangible personal property" does not include (i) tangible personal property that is used, within or without a manufacturing facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property that is required to be titled or registered with a department, agency, or unit of federal, State, or local government.

The manufacturing and assembling machinery and equipment exemption includes production related tangible personal property that is purchased on or after July 1, 2007 and on or before June 30, 2008. The exemption for production related tangible personal property is subject to both of the following limitations:

(1) The maximum amount of the exemption for any one taxpayer may not exceed 5% of the purchase price of production related tangible personal property that is purchased on or after July 1, 2007 and on or before June 30, 2008. A credit under Section 3-85 of this Act may not be earned by the purchase of production related tangible personal property for which an exemption is received under this Section.

(2) The maximum aggregate amount of the exemptions for production related tangible personal property awarded under this Act and the Use Tax Act to all taxpayers may not exceed
$10,000,000. If the claims for the exemption exceed $10,000,000, then the Department shall reduce the amount of the exemption to each taxpayer on a pro rata basis.

The Department may adopt rules to implement and administer the exemption for production related tangible personal property.

The manufacturing and assembling machinery and equipment exemption includes the sale of materials to a purchaser who produces exempted types of machinery, equipment, or tools and who rents or leases that machinery, equipment, or tools to a manufacturer of tangible personal property. This exemption also includes the sale of materials to a purchaser who manufactures those materials into an exempted type of machinery, equipment, or tools that the purchaser uses himself or herself in the manufacturing of tangible personal property. The purchaser of the machinery and equipment who has an active resale registration number shall furnish that number to the seller at the time of purchase. A purchaser of the machinery, equipment, and tools without an active resale registration number shall furnish to the seller a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, and that certificate shall be available to the Department for inspection or audit. Informal rulings, opinions, or letters issued by the Department in response to an inquiry or request for an opinion from any person regarding the coverage and applicability of this exemption to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion, or letter contains trade secrets or other confidential information, where possible, the Department shall delete that information before publication. Whenever informal rulings, opinions, or letters contain a policy of general applicability, the Department shall formulate and adopt that policy as a rule in accordance with the Illinois Administrative Procedure Act.

(Source: P.A. 95-707, eff. 1-11-08; 96-328, eff. 8-11-09.)

(35 ILCS 120/2a) (from Ch. 120, par. 441a)

Sec. 2a. It is unlawful for any person to engage in the business of selling tangible personal property at retail in this State without a certificate of registration from the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by it. Each such application shall be signed and verified and shall state: (1) the name and social security number of the applicant; (2) the address of his principal place of business; (3) the address of the principal place of

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business from which he engages in the business of selling tangible personal property at retail in this State and the addresses of all other places of business, if any (enumerating such addresses, if any, in a separate list attached to and made a part of the application), from which he engages in the business of selling tangible personal property at retail in this State; (4) the name and address of the person or persons who will be responsible for filing returns and payment of taxes due under this Act; (5) in the case of a publicly traded corporation, the name and title of the Chief Financial Officer, Chief Operating Officer, and any other officer or employee with responsibility for preparing tax returns under this Act, along with the last 4 digits of each of their social security numbers, and in the case of all other corporations a corporation, the name, title, and social security number of each corporate officer; (6) in the case of a limited liability company, the name, social security number, and FEIN number of each manager and member; and (7) such other information as the Department may reasonably require. The application shall contain an acceptance of responsibility signed by the person or persons who will be responsible for filing returns and payment of the taxes due under this Act. If the applicant will sell tangible personal property at retail through vending machines, his application to register shall indicate the number of vending machines to be so operated. If requested by the Department at any time, that person shall verify the total number of vending machines he or she uses in his or her business of selling tangible personal property at retail.

The Department may deny a certificate of registration to any applicant if the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant, is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer, of another retailer that is in default for moneys due under this Act.

The Department may require an applicant for a certificate of registration hereunder to, at the time of filing such application, furnish a bond from a surety company authorized to do business in the State of Illinois, or an irrevocable bank letter of credit or a bond signed by 2 personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least 3 times the amount of the bond to be required of such applicant, or a bond secured by an assignment of a bank account or certificate of deposit, stocks or bonds, conditioned upon the applicant paying to the State of Illinois all moneys becoming due under this Act and under any other State tax law or municipal or county tax

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ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution. In making a determination as to whether to require a bond or other security, the Department shall take into consideration whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department; and whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer whose certificate of registration has been revoked within the previous 5 years under this Act or any other tax or fee Act administered by the Department. If a bond or other security is required, the Department shall fix the amount of the bond or other security, taking into consideration the amount of money expected to become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance, or resolution. The amount of security required by the Department shall be such as, in its opinion, will protect the State of Illinois against failure to pay the amount which may become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution, but the amount of the security required by the Department shall not exceed three times the amount of the applicant's average monthly tax liability, or $50,000.00, whichever amount is lower.

No certificate of registration under this Act shall be issued by the Department until the applicant provides the Department with satisfactory security, if required, as herein provided for.

Upon receipt of the application for certificate of registration in proper form, and upon approval by the Department of the security furnished by the applicant, if required, the Department shall issue to such
applicant a certificate of registration which shall permit the person to whom it is issued to engage in the business of selling tangible personal property at retail in this State. The certificate of registration shall be conspicuously displayed at the place of business which the person so registered states in his application to be the principal place of business from which he engages in the business of selling tangible personal property at retail in this State.

No certificate of registration issued to a taxpayer who files returns required by this Act on a monthly basis shall be valid after the expiration of 5 years from the date of its issuance or last renewal. The expiration date of a sub-certificate of registration shall be that of the certificate of registration to which the sub-certificate relates. A certificate of registration shall automatically be renewed, subject to revocation as provided by this Act, for an additional 5 years from the date of its expiration unless otherwise notified by the Department as provided by this paragraph. Where a taxpayer to whom a certificate of registration is issued under this Act is in default to the State of Illinois for delinquent returns or for moneys due under this Act or any other State tax law or municipal or county ordinance administered or enforced by the Department, the Department shall, not less than 120 days before the expiration date of such certificate of registration, give notice to the taxpayer to whom the certificate was issued of the account period of the delinquent returns, the amount of tax, penalty and interest due and owing from the taxpayer, and that the certificate of registration shall not be automatically renewed upon its expiration date unless the taxpayer, on or before the date of expiration, has filed and paid the delinquent returns or paid the defaulted amount in full. A taxpayer to whom such a notice is issued shall be deemed an applicant for renewal. The Department shall promulgate regulations establishing procedures for taxpayers who file returns on a monthly basis but desire and qualify to change to a quarterly or yearly filing basis and will no longer be subject to renewal under this Section, and for taxpayers who file returns on a yearly or quarterly basis but who desire or are required to change to a monthly filing basis and will be subject to renewal under this Section.

The Department may in its discretion approve renewal by an applicant who is in default if, at the time of application for renewal, the applicant files all of the delinquent returns or pays to the Department such percentage of the defaulted amount as may be determined by the Department and agrees in writing to waive all limitations upon the

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Department for collection of the remaining defaulted amount to the Department over a period not to exceed 5 years from the date of renewal of the certificate; however, no renewal application submitted by an applicant who is in default shall be approved if the immediately preceding renewal by the applicant was conditioned upon the installment payment agreement described in this Section. The payment agreement herein provided for shall be in addition to and not in lieu of the security that may be required by this Section of a taxpayer who is no longer considered a prior continuous compliance taxpayer. The execution of the payment agreement as provided in this Act shall not toll the accrual of interest at the statutory rate.

The Department may suspend a certificate of registration if the Department finds that the person to whom the certificate of registration has been issued knowingly sold contraband cigarettes.

A certificate of registration issued under this Act more than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the next anniversary of the date of issuance of such certificate which occurs more than 6 months after the effective date of this amendatory Act of 1989. A certificate of registration issued less than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the 5th anniversary of the issuance of the certificate.

If the person so registered states that he operates other places of business from which he engages in the business of selling tangible personal property at retail in this State, the Department shall furnish him with a sub-certificate of registration for each such place of business, and the applicant shall display the appropriate sub-certificate of registration at each such place of business. All sub-certificates of registration shall bear the same registration number as that appearing upon the certificate of registration to which such sub-certificates relate.

If the applicant will sell tangible personal property at retail through vending machines, the Department shall furnish him with a sub-certificate of registration for each such vending machine, and the applicant shall display the appropriate sub-certificate of registration on each such vending machine by attaching the sub-certificate of registration to a conspicuous part of such vending machine. If a person who is registered to sell tangible personal property at retail through vending machines adds an additional vending machine or additional vending machines to the number of vending machines he or she uses in his or her business of selling tangible personal

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property at retail, he or she shall notify the Department, on a form prescribed by the Department, to request an additional sub-certificate or additional sub-certificates of registration, as applicable. With each such request, the applicant shall report the number of sub-certificates of registration he or she is requesting as well as the total number of vending machines from which he or she makes retail sales.

Where the same person engages in 2 or more businesses of selling tangible personal property at retail in this State, which businesses are substantially different in character or engaged in under different trade names or engaged in under otherwise substantially different circumstances (so that it is more practicable, from an accounting, auditing or bookkeeping standpoint, for such businesses to be separately registered), the Department may require or permit such person (subject to the same requirements concerning the furnishing of security as those that are provided for hereinbefore in this Section as to each application for a certificate of registration) to apply for and obtain a separate certificate of registration for each such business or for any of such businesses, under a single certificate of registration supplemented by related sub-certificates of registration.

Any person who is registered under the "Retailers' Occupation Tax Act" as of March 8, 1963, and who, during the 3-year period immediately prior to March 8, 1963, or during a continuous 3-year period part of which passed immediately before and the remainder of which passes immediately after March 8, 1963, has been so registered continuously and who is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, shall be considered to be a Prior Continuous Compliance taxpayer. Also any taxpayer who has, as verified by the Department, faithfully and continuously complied with the condition of his bond or other security under the provisions of this Act for a period of 3 consecutive years shall be considered to be a Prior Continuous Compliance taxpayer.

Every Prior Continuous Compliance taxpayer shall be exempt from all requirements under this Act concerning the furnishing of a bond or other security as a condition precedent to his being authorized to engage in the business of selling tangible personal property at retail in this State.

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This exemption shall continue for each such taxpayer until such time as he may be determined by the Department to be delinquent in the filing of any returns, or is determined by the Department (either through the Department's issuance of a final assessment which has become final under the Act, or by the taxpayer's filing of a return which admits tax that is not paid to be due) to be delinquent or deficient in the paying of any tax under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, at which time that taxpayer shall become subject to all the financial responsibility requirements of this Act and, as a condition of being allowed to continue to engage in the business of selling tangible personal property at retail, may be required to post bond or other acceptable security with the Department covering liability which such taxpayer may thereafter incur. Any taxpayer who fails to pay an admitted or established liability under this Act may also be required to post bond or other acceptable security with this Department guaranteeing the payment of such admitted or established liability.

No certificate of registration shall be issued to any person who is in default to the State of Illinois for moneys due under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution.

Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of such decision, protest and request a hearing, whereupon the Department shall give notice to such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. In the absence of such a protest within 20 days, the Department's decision shall become final without any further determination being made or notice given.

With respect to security other than bonds (upon which the Department may sue in the event of a forfeiture), if the taxpayer fails to pay, when due, any amount whose payment such security guarantees, the Department shall, after such liability is admitted by the taxpayer or established by the Department through the issuance of a final assessment that has become final under the law, convert the security which that
taxpayer has furnished into money for the State, after first giving the taxpayer at least 10 days' written notice, by registered or certified mail, to pay the liability or forfeit such security to the Department. If the security consists of stocks or bonds or other securities which are listed on a public exchange, the Department shall sell such securities through such public exchange. If the security consists of an irrevocable bank letter of credit, the Department shall convert the security in the manner provided for in the Uniform Commercial Code. If the security consists of a bank certificate of deposit, the Department shall convert the security into money by demanding and collecting the amount of such bank certificate of deposit from the bank which issued such certificate. If the security consists of a type of stocks or other securities which are not listed on a public exchange, the Department shall sell such security to the highest and best bidder after giving at least 10 days' notice of the date, time and place of the intended sale by publication in the "State Official Newspaper". If the Department realizes more than the amount of such liability from the security, plus the expenses incurred by the Department in converting the security into money, the Department shall pay such excess to the taxpayer who furnished such security, and the balance shall be paid into the State Treasury.

The Department shall discharge any surety and shall release and return any security deposited, assigned, pledged or otherwise provided to it by a taxpayer under this Section within 30 days after:

(1) such taxpayer becomes a Prior Continuous Compliance taxpayer; or
(2) such taxpayer has ceased to collect receipts on which he is required to remit tax to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability, as determined by the Department, under this Act and under every other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration issued under this Act permits the registrant to engage in business without registering separately under such other law, ordinance or resolution. The Department shall make a final determination of the taxpayer's outstanding tax liability as expeditiously as possible after his final tax return has been filed; if the Department cannot make such final determination within 45 days after receiving the final tax return, within such period it shall so notify the taxpayer, stating its reasons therefor.

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Public Act 98-0583

Approved August 27, 2013.
Effective January 1, 2014.

Public Act 98-0584
(Senate Bill No. 2326)

An act concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-250 as follows:

Sec. 2505-250. Compromising debts due to the State. Under no circumstances shall any officer or employee of the Department compromise any debt due to this State, except in case of actions of the Director after review by the board of appeals provided for by Section 2505-505. However, claims or accounts receivable of less than $1,000 may be written off the Department's records and cancelled by the Department without complying with the provisions of Section 2 of the Uncollected State Claims Act when the Department determines that the cost of collecting the claim or account would exceed the amount to be collected. The Department shall submit to the Comptroller a list of all such claims or accounts written off the Department's records.

Section 10. The Use Tax Act is amended by changing Section 3-61 as follows:

Sec. 3-61. Motor vehicles; trailers; use as rolling stock definition.
(a) Through June 30, 2003, "use as rolling stock moving in interstate commerce" in subsections (b) and (c) of Section 3-55 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or

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terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips shall be included in total trips taken.

(c) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for the following vehicles: (i) motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds; and (ii) limousines, as defined in Section 1-139.1 of the Illinois Vehicle Code. This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.
(d) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

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(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection (c) of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(e) For aircraft and watercraft purchased on or after January 1, 2014, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs when, during a 12-month period, the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. For aircraft, flight hours may be used in lieu of recording miles in determining whether the aircraft meets the mileage test in this subsection. For watercraft, nautical miles or trip hours may be used in lieu of recording miles in determining whether the watercraft meets the mileage test in this subsection.

Notwithstanding any other provision of law to the contrary, property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce only if the aircraft or watercraft to which it will be attached qualifies as rolling stock moving in interstate commerce under the test set forth in this subsection (e), regardless of when the aircraft or watercraft was purchased. Persons who purchased aircraft or watercraft prior to January 1, 2014 shall make an election to use either the trips or mileage method and document that election in their books and

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records for the purpose of determining whether property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce under this subsection (e).

(f) The election to use either the trips or mileage method made under the provisions of subsections (c), (d), or (e) of this Section will remain in effect for the duration of the purchaser's ownership of that item.

(Source: P.A. 95-528, eff. 8-28-07.)

Section 15. The Service Use Tax Act is amended by changing Section 3-51 as follows:

(35 ILCS 110/3-51)

Sec. 3-51. Motor vehicles; trailers; use as rolling stock definition.

(a) Through June 30, 2003, "use as rolling stock moving in interstate commerce" in subsection (b) of Section 3-45 means for motor vehicles, as defined in Section 1-46 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (4) and (4a) of the definition of "sale of service" in Section 2 and subsection (b) of Section 3-45 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips shall be included in total trips taken.

(c) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (4) and (4a) of the definition of "sale of service" in Section 2 and subsection (b) of Section 3-45 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or
property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for the following vehicles: (i) motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds; and (ii) limousines, as defined in Section 1-139.1 of the Illinois Vehicle Code. This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (4) and (4a) of the definition of "sale of service" in Section 2 and subsection (b) of Section 3-45 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the

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mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

1. If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

2. If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

3. If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection (c) of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.
(e) For aircraft and watercraft purchased on or after January 1, 2014, "use as rolling stock moving in interstate commerce" in (i) paragraphs (4) and (4a) of the definition of "sale of service" in Section 2 and (ii) subsection (b) of Section 3-45 occurs when, during a 12-month period, the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. For aircraft, flight hours may be used in lieu of recording miles in determining whether the aircraft meets the mileage test in this subsection. For watercraft, nautical miles or trip hours may be used in lieu of recording miles in determining whether the watercraft meets the mileage test in this subsection.

Notwithstanding any other provision of law to the contrary, property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce only if the aircraft or watercraft to which it will be attached qualifies as rolling stock moving in interstate commerce under the test set forth in this subsection (e), regardless of when the aircraft or watercraft was purchased. Persons who purchased aircraft or watercraft prior to January 1, 2014 shall make an election to use either the trips or mileage method and document that election in their books and records for the purpose of determining whether property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce under this subsection (e).

(f) The election to use either the trips or mileage method made under the provisions of subsections (c), (d), or (e) of this Section will remain in effect for the duration of the purchaser's ownership of that item.

(Source: P.A. 95-528, eff. 8-28-07.)

Section 20. The Service Occupation Tax Act is amended by changing Section 2d as follows:

(35 ILCS 115/2d)
Sec. 2d. Motor vehicles; trailers; use as rolling stock definition.

(a) Through June 30, 2003, "use as rolling stock moving in interstate commerce" in subsections (d) and (d-1) of the definition of "sale

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of service" in Section 2 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (d) and (d-1) of the definition of "sale of service" in Section 2 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois will not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips will be included in total trips taken.

(c) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (d) and (d-1) of the definition of "sale of service" in Section 2 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the

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motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for the following vehicles: (i) motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds; and (ii) limousines, as defined in Section 1-139.1 of the Illinois Vehicle Code. This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (d) and (d-1) of the definition of "sale of service" in Section 2 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

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(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection (c) of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(e) For aircraft and watercraft purchased on or after January 1, 2014, "use as rolling stock moving in interstate commerce" in paragraphs (d) and (d-1) of the definition of "sale of service" in Section 2 occurs when, during a 12-month period, the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. For aircraft, flight hours may be used in lieu of recording miles in determining whether the aircraft meets the mileage test in this subsection. For watercraft, nautical miles or trip hours

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may be used in lieu of recording miles in determining whether the watercraft meets the mileage test in this subsection.

Notwithstanding any other provision of law to the contrary, property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce only if the aircraft or watercraft to which it will be attached qualifies as rolling stock moving in interstate commerce under the test set forth in this subsection (e), regardless of when the aircraft or watercraft was purchased. Persons who purchased aircraft or watercraft prior to January 1, 2014 shall make an election to use either the trips or mileage method and document that election in their books and records for the purpose of determining whether property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce under this subsection (e).

(f) The election to use either the trips or mileage method made under the provisions of subsections (c), (d), or (e) of this Section will remain in effect for the duration of the purchaser's ownership of that item.

(35 ILCS 120/2-51)

Sec. 2-51. Motor vehicles; trailers; use as rolling stock definition.

(a) Through June 30, 2003, "use as rolling stock moving in interstate commerce" in paragraphs (12) and (13) of Section 2-5 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (12) and (13) of Section 2-5 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of
its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips shall be included in total trips taken.

(c) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (12) and (13) of Section 2-5 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for the following vehicles: (i) motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds; and (ii) limousines, as defined in Section 1-139.1 of the Illinois Vehicle Code. This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (12) and (13) of Section 2-5 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The

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person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection (c) of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under

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subsection (c) of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(e) For aircraft and watercraft purchased on or after January 1, 2014, "use as rolling stock moving in interstate commerce" in paragraphs (12) and (13) of Section 2-5 occurs when, during a 12-month period, the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. For aircraft, flight hours may be used in lieu of recording miles in determining whether the aircraft meets the mileage test in this subsection. For watercraft, nautical miles or trip hours may be used in lieu of recording miles in determining whether the watercraft meets the mileage test in this subsection.

Notwithstanding any other provision of law to the contrary, property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce only if the aircraft or watercraft to which it will be attached qualifies as rolling stock moving in interstate commerce under the test set forth in this subsection (e), regardless of when the aircraft or watercraft was purchased. Persons who purchased aircraft or watercraft prior to January 1, 2014 shall make an election to use either the trips or mileage method and document that election in their books and records for the purpose of determining whether property purchased on or after January 1, 2014 for the purpose of being attached to aircraft or watercraft as a part thereof qualifies as rolling stock moving in interstate commerce under this subsection (e).

(f) The election to use either the trips or mileage method made under the provisions of subsections (c), (d), or (e) of this Section will remain in effect for the duration of the purchaser's ownership of that item. (Source: P.A. 95-528, eff. 8-28-07.)

New matter indicated by italics - deletions by strikeout
Sec. 5. In case any person engaged in the business of selling tangible personal property at retail fails to file a return when and as herein required, but thereafter, prior to the Department's issuance of a notice of tax liability under this Section, files a return and pays the tax, he shall also pay a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act.

In case any person engaged in the business of selling tangible personal property at retail files the return at the time required by this Act but fails to pay the tax, or any part thereof, when due, a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act shall be added thereto.

In case any person engaged in the business of selling tangible personal property at retail fails to file a return when and as herein required, but thereafter, prior to the Department's issuance of a notice of tax liability under this Section, files a return but fails to pay the entire tax, a penalty in an amount determined in accordance with Section 3-3 of the Uniform Penalty and Interest Act shall be added thereto.

In case any person engaged in the business of selling tangible personal property at retail fails to file a return, the Department shall determine the amount of tax due from him according to its best judgment and information, which amount so fixed by the Department shall be prima facie correct and shall be prima facie evidence of the correctness of the amount of tax due, as shown in such determination. In making any such determination of tax due, it shall be permissible for the Department to show a figure that represents the tax due for any given period of 6 months instead of showing the amount of tax due for each month separately. Proof of such determination by the Department may be made at any hearing before the Department or in any legal proceeding by a reproduced copy or computer print-out of the Department's record relating thereto in the name of the Department under the certificate of the Director of Revenue. If reproduced copies of the Department's records are offered as proof of such determination, the Director must certify that those copies are true and exact copies of records on file with the Department. If computer print-outs of the Department's records are offered as proof of such determination, the Director must certify that those computer print-outs are true and exact representations of records properly entered into standard electronic computing equipment, in the regular course of the Department's business, at or reasonably near the time of the occurrence of the facts recorded, from
trustworthy and reliable information. Such certified reproduced copy or
certified computer print-out shall, without further proof, be admitted into
evidence before the Department or in any legal proceeding and shall be
prima facie proof of the correctness of the amount of tax due, as shown
therein. The Department shall issue the taxpayer a notice of tax liability for
the amount of tax claimed by the Department to be due, together with a
penalty of 30% thereof.

However, where the failure to file any tax return required under
this Act on the date prescribed therefor (including any extensions thereof),
is shown to be unintentional and nonfraudulent and has not occurred in the
2 years immediately preceding the failure to file on the prescribed date or
is due to other reasonable cause the penalties imposed by this Act shall not
apply.

The taxpayer or the taxpayer's legal representative may, within 60
days after such notice, file a protest to such notice of tax liability with the
Department and request a hearing thereon. The Department shall give
notice to such person or the legal representative of such person of the time
and place fixed for such hearing, and shall hold a hearing in conformity
with the provisions of this Act, and pursuant thereto shall issue a final
assessment to such person or to the legal representative of such person for
the amount found to be due as a result of such hearing. On and after July 1,
2013, protests concerning matters that are under the jurisdiction of the
Illinois Independent Tax Tribunal shall be filed with the Illinois
Independent Tax Tribunal in accordance with the Illinois Independent Tax
Tribunal Act of 2012, and hearings concerning those matters shall be held
before the Tribunal in accordance with that Act. With respect to protests
filed with the Illinois Independent Tax Tribunal, the Tribunal shall give
notice to that person or the legal representative of that person of the time
and place fixed for a hearing, and shall hold a hearing in conformity with
the provisions of this Act and the Illinois Independent Tax Tribunal Act of
2012; and pursuant thereto the Department shall issue a final assessment to
such person or to the legal representative of such person for the amount
found to be due as a result of the hearing. With respect to protests filed
with the Department prior to July 1, 2013 that would otherwise be subject
to the jurisdiction of the Illinois Independent Tax Tribunal, the taxpayer
may elect to be subject to the provisions of the Illinois Independent Tax
Tribunal Act of 2012 at any time on or after July 1, 2013, but not later than
30 days after the date on which the protest was filed. If made, the election
shall be irrevocable.

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If a protest to the notice of tax liability and a request for a hearing thereon is not filed within 60 days after such notice, such notice of tax liability shall become final without the necessity of a final assessment being issued and shall be deemed to be a final assessment.

After the issuance of a final assessment, or a notice of tax liability which becomes final without the necessity of actually issuing a final assessment as hereinbefore provided, the Department, at any time before such assessment is reduced to judgment, may (subject to rules of the Department) grant a rehearing (or grant departmental review and hold an original hearing if no previous hearing in the matter has been held) upon the application of the person aggrieved. Pursuant to such hearing or rehearing, the Department shall issue a revised final assessment to such person or his legal representative for the amount found to be due as a result of such hearing or rehearing.

Except in case of failure to file a return, or with the consent of the person to whom the notice of tax liability is to be issued, no notice of tax liability shall be issued on and after each July 1 and January 1 covering gross receipts received during any month or period of time more than 3 years prior to such July 1 and January 1, respectively, except that if a return is not filed at the required time, no notice of tax liability may be issued on and after each July 1 and January 1 for such return filed more than 3 years prior to such July 1 and January 1, respectively, not later than 3 years after the time the return is filed. The foregoing limitations upon the issuance of a notice of tax liability shall not apply to the issuance of any such notice with respect to any period of time prior thereto in cases where the Department has, within the period of limitation then provided, notified a person of the amount of tax computed even though the Department had not determined the amount of tax due from such person in the manner required herein prior to the issuance of such notice, but in no case shall the amount of any such notice of tax liability for any period otherwise barred by this Act exceed for such period the amount shown in the notice theretofore issued.

If, when a tax or penalty under this Act becomes due and payable, the person alleged to be liable therefor is out of the State, the notice of tax liability may be issued within the times herein limited after his or her coming into or return to the State; and if, after the tax or penalty under this Act becomes due and payable, the person alleged to be liable therefor departs from and remains out of the State, the time of his or her absence is no part of the time limited for the issuance of the notice of tax liability; but
the foregoing provisions concerning absence from the State shall not apply to any case in which, at the time when a tax or penalty becomes due under this Act, the person allegedly liable therefor is not a resident of this State.

The time limitation period on the Department's right to issue a notice of tax liability shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from issuing the notice of tax liability.

In case of failure to pay the tax, or any portion thereof, or any penalty provided for in this Act, or interest, when due, the Department may bring suit to recover the amount of such tax, or portion thereof, or penalty or interest; or, if the taxpayer has died or become a person under legal disability, may file a claim therefor against his estate; provided that no such suit with respect to any tax, or portion thereof, or penalty, or interest shall be instituted more than 6 years after the date any proceedings in court for review thereof have terminated or the time for the taking thereof has expired without such proceedings being instituted, except with the consent of the person from whom such tax or penalty or interest is due; nor, except with such consent, shall such suit be instituted more than 6 years after the date any return is filed with the Department in cases where the return constitutes the basis for the suit for unpaid tax, or portion thereof, or penalty provided for in this Act, or interest: Provided that the time limitation period on the Department's right to bring any such suit shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from bringing such suit.

After the expiration of the period within which the person assessed may file an action for judicial review under the Administrative Review Law or the Illinois Independent Tax Tribunal Act of 2012, as applicable, without such an action being filed, a certified copy of the final assessment or revised final assessment of the Department may be filed with the Circuit Court of the county in which the taxpayer has his principal place of business, or of Sangamon County in those cases in which the taxpayer does not have his principal place of business in this State. The certified copy of the final assessment or revised final assessment shall be accompanied by a certification which recites facts that are sufficient to show that the Department complied with the jurisdictional requirements of the Act in arriving at its final assessment or its revised final assessment and that the taxpayer had his opportunity for an administrative hearing and for judicial review, whether he availed himself or herself of either or both

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of these opportunities or not. If the court is satisfied that the Department complied with the jurisdictional requirements of the Act in arriving at its final assessment or its revised final assessment and that the taxpayer had his opportunity for an administrative hearing and for judicial review, whether he availed himself of either or both of these opportunities or not, the court shall render judgment in favor of the Department and against the taxpayer for the amount shown to be due by the final assessment or the revised final assessment, plus any interest which may be due, and such judgment shall be entered in the judgment docket of the court. Such judgment shall bear the rate of interest as set by the Uniform Penalty and Interest Act, but otherwise shall have the same effect as other judgments. The judgment may be enforced, and all laws applicable to sales for the enforcement of a judgment shall be applicable to sales made under such judgments. The Department shall file the certified copy of its assessment, as herein provided, with the Circuit Court within 6 years after such assessment becomes final except when the taxpayer consents in writing to an extension of such filing period, and except that the time limitation period on the Department's right to file the certified copy of its assessment with the Circuit Court shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from filing such certified copy of its assessment with the Circuit Court.

If, when the cause of action for a proceeding in court accrues against a person, he or she is out of the State, the action may be commenced within the times herein limited, after his or her coming into or return to the State; and if, after the cause of action accrues, he or she departs from and remains out of the State, the time of his or her absence is no part of the time limited for the commencement of the action; but the foregoing provisions concerning absence from the State shall not apply to any case in which, at the time the cause of action accrues, the party against whom the cause of action accrues is not a resident of this State. The time within which a court action is to be commenced by the Department hereunder shall not run from the date the taxpayer files a petition in bankruptcy under the Federal Bankruptcy Act until 30 days after notice of termination or expiration of the automatic stay imposed by the Federal Bankruptcy Act.

No claim shall be filed against the estate of any deceased person or any person under legal disability for any tax or penalty or part of either, or interest, except in the manner prescribed and within the time limited by the Probate Act of 1975, as amended.

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The collection of tax or penalty or interest by any means provided for herein shall not be a bar to any prosecution under this Act.

In addition to any penalty provided for in this Act, any amount of tax which is not paid when due shall bear interest at the rate and in the manner specified in Sections 3-2 and 3-9 of the Uniform Penalty and Interest Act from the date when such tax becomes past due until such tax is paid or a judgment therefor is obtained by the Department. If the time for making or completing an audit of a taxpayer's books and records is extended with the taxpayer's consent, at the request of and for the convenience of the Department, beyond the date on which the statute of limitations upon the issuance of a notice of tax liability by the Department otherwise would run, no interest shall accrue during the period of such extension or until a Notice of Tax Liability is issued, whichever occurs first.

In addition to any other remedy provided by this Act, and regardless of whether the Department is making or intends to make use of such other remedy, where a corporation or limited liability company registered under this Act violates the provisions of this Act or of any rule or regulation promulgated thereunder, the Department may give notice to the Attorney General of the identity of such a corporation or limited liability company and of the violations committed by such a corporation or limited liability company, for such action as is not already provided for by this Act and as the Attorney General may deem appropriate.

If the Department determines that an amount of tax or penalty or interest was incorrectly assessed, whether as the result of a mistake of fact or an error of law, the Department shall waive the amount of tax or penalty or interest that accrued due to the incorrect assessment.

(Source: P.A. 96-1383, eff. 1-1-11; 97-1129, eff. 8-28-12; revised 10-10-12.)

Section 30. The Counties Code is amended by changing Sections 5-1006.5 and 5-1006.7 as follows:

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax For Public Safety, Public Facilities, or Transportation.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively

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for public safety, public facility, or transportation purposes in that county, if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question. If imposed, this tax shall be imposed only in one-quarter percent increments. By resolution, the county board may order the proposition to be submitted at any election. If the tax is imposed for transportation purposes for expenditures for public highways or as authorized under the Illinois Highway Code, the county board must publish notice of the existence of its long-range highway transportation plan as required or described in Section 5-301 of the Illinois Highway Code and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. If the tax is imposed for transportation purposes for expenditures for passenger rail transportation, the county board must publish notice of the existence of its long-range passenger rail transportation plan and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax.

If a tax is imposed for public facilities purposes, then the name of the project may be included in the proposition at the discretion of the county board as determined in the enabling resolution. For example, the "XXX Nursing Home" or the "YYY Museum".

The county clerk shall certify the question to the proper election authority, who shall submit the proposition at an election in accordance with the general election law.

(1) The proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public safety purposes shall be in substantially the following form:

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"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of the paragraph, "public safety purposes" means crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services.

Votes shall be recorded as "Yes" or "No".

(2) The proposition for transportation purposes shall be in substantially the following form:

"To pay for improvements to roads and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for transportation purposes shall be in substantially the following form:

"To pay for road improvements and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

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property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of this paragraph, transportation purposes means construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

The votes shall be recorded as "Yes" or "No".

(3) The proposition for public facilities purposes shall be in substantially the following form:

"To pay for public facilities purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facilities purposes shall be in substantially the following form:

"To pay for public facilities purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For purposes of this Section, "public facilities purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and
installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including but not limited to museums and nursing homes.

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax. A county may not submit more than one proposition authorized by this Section to the electors at any one time.

This additional tax may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by a county under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers'
Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Tax Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of

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business in this State shall mean the county), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the county), Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Fund.

Nothing in this subsection shall be construed to authorize the county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Public Safety or Transportation Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

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After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county, (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county, and (iii) any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

A county may direct, by ordinance, that all or a portion of the taxes and penalties collected under the Special County Retailers' Occupation Tax For Public Safety or Transportation be deposited into the Transportation Development Partnership Trust Fund.

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(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(e-5) If a county imposes a tax under this Section, the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board lowers the tax rate or discontinues the tax, a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(f) Beginning April 1, 1998 and through December 31, 2013, the results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax, or any ordinance lowering the rate or discontinuing the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

Beginning January 1, 2014, the results of any election authorizing a proposition to impose a tax under this Section or effecting an increase in the rate of tax, along with the ordinance adopted to impose the tax or increase the rate of the tax, or any ordinance adopted to lower the rate or discontinue the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of May, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the adoption and filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the adoption and filing.
(g) When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(h) This Section may be cited as the "Special County Occupation Tax For Public Safety, Public Facilities, or Transportation Law".

(i) For purposes of this Section, "public safety" includes, but is not limited to, crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services. The county may share tax proceeds received under this Section for public safety purposes, including proceeds received before August 4, 2009 (the effective date of Public Act 96-124), with any fire protection district located in the county. For the purposes of this Section, "transportation" includes, but is not limited to, the construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation. For the purposes of this Section, "public facilities purposes" includes, but is not limited to, the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including but not limited to museums and nursing homes.

(j) The Department may promulgate rules to implement Public Act 95-1002 only to the extent necessary to apply the existing rules for the Special County Retailers' Occupation Tax for Public Safety to this new purpose for public facilities.

(Source: P.A. 96-124, eff. 8-4-09; 96-622, eff. 8-24-09; 96-845, eff. 7-1-12; 96-939, eff. 6-24-10; 96-1000, eff. 7-2-10.)

(55 ILCS 5/5-1006.7)
Sec. 5-1006.7. School facility occupation taxes.

(a) In any county, a tax shall be imposed upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course
of business to provide revenue to be used exclusively for school facility purposes if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question as provided in subsection (c). The tax under this Section shall be imposed only in one-quarter percent increments and may not exceed 1%.

This additional tax may not be imposed on the sale of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics. The Department of Revenue has full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this subsection. The Department shall deposit all taxes and penalties collected under this subsection into a special fund created for that purpose.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act as if those provisions were set forth in this subsection.

The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act permits the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their seller's tax liability by separately stating that tax as an additional charge, which may be stated in combination, in a single amount, with State tax that sellers are required to

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collect under the Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(b) If a tax has been imposed under subsection (a), then a service occupation tax must also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service.

This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department and deposited into a special fund created for that purpose. The Department has full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this subsection.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall (i) have the same rights, remedies, privileges, immunities, powers and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties and definition of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that that reference to State in the definition of supplier maintaining a place of business in this State means the county), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the county), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.
Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(c) The tax under this Section may not be imposed until the question of imposing the tax has been submitted to the electors of the county at a regular election and approved by a majority of the electors voting on the question. For all regular elections held prior to the effective date of this amendatory Act of the 97th General Assembly, upon a resolution by the county board or a resolution by school district boards that represent at least 51% of the student enrollment within the county, the county board must certify the question to the proper election authority in accordance with the Election Code.

For all regular elections held prior to the effective date of this amendatory Act of the 97th General Assembly, the election authority must submit the question in substantially the following form:

Shall (name of county) be authorized to impose a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") at a rate of (insert rate) to be used exclusively for school facility purposes?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the county may, thereafter, impose the tax.

For all regular elections held on or after the effective date of this amendatory Act of the 97th General Assembly, the regional superintendent of schools for the county must, upon receipt of a resolution or resolutions of school district boards that represent more than 50% of the student enrollment within the county, certify the question to the proper election authority for submission to the electors of the county at the next regular election at which the question lawfully may be submitted to the electors, all in accordance with the Election Code.

For all regular elections held on or after the effective date of this amendatory Act of the 97th General Assembly, the election authority must submit the question in substantially the following form:

Shall a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") be imposed in (name of
county) at a rate of (insert rate) to be used exclusively for school facility purposes?
The election authority must record the votes as "Yes" or "No".
If a majority of the electors voting on the question vote in the affirmative, then the tax shall be imposed at the rate set forth in the question.
For the purposes of this subsection (c), "enrollment" means the head count of the students residing in the county on the last school day of September of each year, which must be reported on the Illinois State Board of Education Public School Fall Enrollment/Housing Report.
(d) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the School Facility Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.
On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the regional superintendents of schools in counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each regional superintendent of schools and disbursed to him or her in accordance with Section 3-14.31 of the School Code, is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this Section, on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; and (iv) less any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. When certifying the amount of a monthly disbursement to a regional superintendent of schools under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

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Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the regional superintendents of the schools provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the Treasurer out of the School Facility Occupation Tax Fund.

(e) For the purposes of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This subsection does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(f) Nothing in this Section may be construed to authorize a tax to be imposed upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(g) If a county board imposes a tax under this Section pursuant to a referendum held before the effective date of this amendatory Act of the 97th General Assembly at a rate below the rate set forth in the question approved by a majority of electors of that county voting on the question as provided in subsection (c), then the county board may, by ordinance, increase the rate of the tax up to the rate set forth in the question approved by a majority of electors of that county voting on the question as provided in subsection (c). If a county board imposes a tax under this Section pursuant to a referendum held before the effective date of this amendatory Act of the 97th General Assembly, then the board may, by ordinance, discontinue or reduce the rate of the tax. If a tax is imposed under this Section pursuant to a referendum held on or after the effective date of this amendatory Act of the 97th General Assembly, then the county board may reduce or discontinue the tax, but only in accordance with subsection (h-5) of this Section. If, however, a school board issues bonds that are secured by the proceeds of the tax under this Section, then the county board may
not reduce the tax rate or discontinue the tax if that rate reduction or discontinuance would adversely affect the school board's ability to pay the principal and interest on those bonds as they become due or necessitate the extension of additional property taxes to pay the principal and interest on those bonds. If the county board reduces the tax rate or discontinues the tax, then a referendum must be held in accordance with subsection (c) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

Until January 1, 2014, the results of any election that imposes, reduces, or discontinues a tax under this Section must be certified by the election authority, and any ordinance that increases or lowers the rate or discontinues the tax must be certified by the county clerk and, in each case, filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

Beginning January 1, 2014, the results of any election that imposes, reduces, or discontinues a tax under this Section must be certified by the election authority, and any ordinance that increases or lowers the rate or discontinues the tax must be certified by the county clerk and, in each case, filed with the Illinois Department of Revenue either (i) on or before the first day of May, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(h) For purposes of this Section, "school facility purposes" means (i) the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities and (ii) the payment of bonds or other obligations heretofore or hereafter issued, including bonds or other obligations heretofore or hereafter issued to refund or to continue to refund bonds or other obligations issued, for school facility purposes, provided

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that the taxes levied to pay those bonds are abated by the amount of the taxes imposed under this Section that are used to pay those bonds. "School-facility purposes" also includes fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code.

(h-5) A county board in a county where a tax has been imposed under this Section pursuant to a referendum held on or after the effective date of this amendatory Act of the 97th General Assembly may, by ordinance or resolution, submit to the voters of the county the question of reducing or discontinuing the tax. In the ordinance or resolution, the county board shall certify the question to the proper election authority in accordance with the Election Code. The election authority must submit the question in substantially the following form:

Shall the school facility retailers' occupation tax and service occupation tax (commonly referred to as the "school facility sales tax") currently imposed in (name of county) at a rate of (insert rate) be (reduced to (insert rate)) (discontinued)?

If a majority of the electors voting on the question vote in the affirmative, then, subject to the provisions of subsection (g) of this Section, the tax shall be reduced or discontinued as set forth in the question.

(i) This Section does not apply to Cook County.

(j) This Section may be cited as the County School Facility Occupation Tax Law.

(Source: P.A. 97-542, eff. 8-23-11; 97-813, eff. 7-13-12.)

(55 ILCS 5/5-1035 rep.)

Section 40. The Counties Code is amended by repealing Section 5-1035.

Section 45. The Illinois Municipal Code is amended by changing Section 8-11-1.1 as follows:

(65 ILCS 5/8-11-1.1) (from Ch. 24, par. 8-11-1.1)

Sec. 8-11-1.1. Non-home rule municipalities; imposition of taxes.

(a) The corporate authorities of a non-home rule municipality may, upon approval of the electors of the municipality pursuant to subsection (b) of this Section, impose by ordinance or resolution the tax authorized in Sections 8-11-1.3, 8-11-1.4 and 8-11-1.5 of this Act.

(b) The corporate authorities of the municipality may by ordinance or resolution call for the submission to the electors of the municipality the question of whether the municipality shall impose such tax. Such question shall be certified by the municipal clerk to the election authority in

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accordance with Section 28-5 of the Election Code and shall be in a form in accordance with Section 16-7 of the Election Code.

Notwithstanding any provision of law to the contrary, if the proceeds of the tax may be used for municipal operations pursuant to Section 8-11-1.3, 8-11-1.4, or 8-11-1.5, then the election authority must submit the question in substantially the following form:

Shall the corporate authorities of the municipality be authorized to levy a tax at a rate of (rate)% for expenditures on municipal operations, expenditures on public infrastructure, or property tax relief?

If a majority of the electors in the municipality voting upon the question vote in the affirmative, such tax shall be imposed.

Until January 1, 1992, an ordinance or resolution imposing the tax of not more than 1% hereunder or discontinuing the same shall be adopted and a certified copy thereof, together with a certification that the ordinance or resolution received referendum approval in the case of the imposition of such tax, filed with the Department of Revenue, on or before the first day of June, whereupon the Department shall proceed to administer and enforce the additional tax or to discontinue the tax, as the case may be, as of the first day of September next following such adoption and filing.

Beginning January 1, 1992 and through December 31, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing.

Beginning January 1, 1993, and through September 30, 2002, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

Beginning October 1, 2002, and through December 31, 2013, an ordinance or resolution imposing or discontinuing the tax under this Section or effecting a change in the rate of tax must either (i) be adopted and a certified copy of the ordinance or resolution filed with the Department on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of

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July next following the adoption and filing; or (ii) be adopted and a certified copy of the ordinance or resolution filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

Beginning January 1, 2014, if an ordinance or resolution imposing the tax under this Section, discontinuing the tax under this Section, or effecting a change in the rate of tax under this Section is adopted, a certified copy thereof, together with a certification that the ordinance or resolution received referendum approval in the case of the imposition of or increase in the rate of such tax, shall be filed with the Department of Revenue, either (i) on or before the first day of May, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

Notwithstanding any provision in this Section to the contrary, if, in a non-home rule municipality with more than 150,000 but fewer than 200,000 inhabitants, as determined by the last preceding federal decennial census, an ordinance or resolution under this Section imposes or discontinues a tax or changes the tax rate as of July 1, 2007, then that ordinance or resolution, together with a certification that the ordinance or resolution received referendum approval in the case of the imposition of the tax, must be adopted and a certified copy of that ordinance or resolution must be filed with the Department on or before May 15, 2007, whereupon the Department shall proceed to administer and enforce this Section as of July 1, 2007.

Notwithstanding any provision in this Section to the contrary, if, in a non-home rule municipality with more than 6,500 but fewer than 7,000 inhabitants, as determined by the last preceding federal decennial census, an ordinance or resolution under this Section imposes or discontinues a tax or changes the tax rate on or before May 20, 2009, then that ordinance or resolution, together with a certification that the ordinance or resolution received referendum approval in the case of the imposition of the tax, must be adopted and a certified copy of that ordinance or resolution must be filed with the Department on or before May 20, 2009, whereupon the Department shall proceed to administer and enforce this Section as of July 1, 2009.

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A non-home rule municipality may file a certified copy of an ordinance or resolution, with a certification that the ordinance or resolution received referendum approval in the case of the imposition of the tax, with the Department of Revenue, as required under this Section, only after October 2, 2000.

The tax authorized by this Section may not be more than 1% and may be imposed only in 1/4% increments.

(Source: P.A. 95-8, eff. 6-29-07; 96-10, eff. 5-20-09; 96-1057, eff. 7-14-10.)

(65 ILCS 5/8-11-9 rep.)

Section 50. The Illinois Municipal Code is amended by repealing Section 8-11-9.

Section 55. The Environmental Protection Act is amended by changing Section 55.8 as follows:

(415 ILCS 5/55.8) (from Ch. 111 1/2, par. 1055.8)

Sec. 55.8. Tire retailers.

(a) Any person selling new or used tires at retail or offering new or used tires for retail sale in this State shall:

(1) beginning on June 20, 2003 (the effective date of Public Act 93-32), collect from retail customers a fee of $2 per new or used tire sold and delivered in this State, to be paid to the Department of Revenue and deposited into the Used Tire Management Fund, less a collection allowance of 10 cents per tire to be retained by the retail seller and a collection allowance of 10 cents per tire to be retained by the Department of Revenue and paid into the General Revenue Fund; the collection allowance for retail sellers, however, shall be allowed only if the return is filed timely and only for the amount that is paid timely in accordance with this Title XIV;

(1.5) beginning on July 1, 2003, collect from retail customers an additional 50 cents per new or used tire sold and delivered in this State; the money collected from this fee shall be deposited into the Emergency Public Health Fund;

(2) accept for recycling used tires from customers, at the point of transfer, in a quantity equal to the number of new tires purchased; and

(3) post in a conspicuous place a written notice at least 8.5 by 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put used tires in the..."
trash.; "Recycle your used tires."; and "State law requires us to accept used tires for recycling, in exchange for new tires purchased."

(b) A person who accepts used tires for recycling under subsection (a) shall not allow the tires to accumulate for periods of more than 90 days.

(c) The requirements of subsection (a) of this Section do not apply to mail order sales nor shall the retail sale of a motor vehicle be considered to be the sale of tires at retail or offering of tires for retail sale. Instead of filing returns, retailers of tires may remit the tire user fee of $1.00 per tire to their suppliers of tires if the supplier of tires is a registered retailer of tires and agrees or otherwise arranges to collect and remit the tire fee to the Department of Revenue, notwithstanding the fact that the sale of the tire is a sale for resale and not a sale at retail. A tire supplier who enters into such an arrangement with a tire retailer shall be liable for the tax on all tires sold to the tire retailer and must (i) provide the tire retailer with a receipt that separately reflects the tire tax collected from the retailer on each transaction and (ii) accept used tires for recycling from the retailer's customers. The tire supplier shall be entitled to the collection allowance of 10 cents per tire, but only if the return is filed timely and only for the amount that is paid timely in accordance with this Title XIV.

The retailer of the tires must maintain in its books and records evidence that the appropriate fee was paid to the tire supplier and that the tire supplier has agreed to remit the fee to the Department of Revenue for each tire sold by the retailer. Otherwise, the tire retailer shall be directly liable for the fee on all tires sold at retail. Tire retailers paying the fee to their suppliers are not entitled to the collection allowance of 10 cents per tire.

(d) The requirements of subsection (a) of this Section shall apply exclusively to tires to be used for vehicles defined in Section 1-217 of the Illinois Vehicle Code, aircraft tires, special mobile equipment, and implements of husbandry.

(e) The requirements of paragraph (1) of subsection (a) do not apply to the sale of reprocessed tires. For purposes of this Section, "reprocessed tire" means a used tire that has been recapped, retreaded, or regrooved and that has not been placed on a vehicle wheel rim.

(Source: P.A. 95-49, eff. 8-10-07; 95-331, eff. 8-21-07; 95-876, eff. 8-21-08; 96-520, eff. 8-14-09.)

Section 99. Effective date. This Act takes effect July 1, 2013.

New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-587 as follows:

(20 ILCS 2705/2705-587)

Sec. 2705-587. Diversity in Engineering scholarship program.

(a) The Diversity in Engineering scholarship program is created to assist in increasing the representation of targeted group members among civil engineers employed within the Department. The diversity in engineering scholarship program in which targeted group members are underutilized by the Department.

(b) For purposes of this Section:

"Targeted group member" means a person belonging to a class of race, color, or sex, national origin, ancestry, age, or disability whose percentage percent of the civil engineer workforce employed within the Department's professional classification which includes civil engineers is less than the percentage that class's percent of the statewide labor market for civil engineers such job activities are recorded in determined by the Department's review of statewide labor statistics annual affirmative action plan.

"Eligible student" means a person targeted group member who: (i) is an Illinois resident at the time of application for a scholarship under the Program established by this Section; (ii) is enrolled full-time at any Illinois college or university in any program leading toward a degree in civil engineering; (iii) agrees to conditions required by the Department, including the obligation to work for the Department after graduation if a position is offered for at least one year for each academic year the student receives a scholarship.

(c) The Department, subject to appropriation, shall award scholarships to up to 20 selected eligible students each year, unless no targeted group members are identified by the Department.
affirmative action plan. The Department shall establish a process for selecting eligible students, which considers obtaining a critical mass of students in the program to remedy the underutilization of targeted group members. Each scholarship issued pursuant to this Section shall not exceed $7,500 per academic year.

(d) The Department shall adopt rules to implement and administer the scholarship program created by this Section.

(Source: P.A. 97-288, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0586
(Senate Bill No. 2350)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Utilities Act is amended by changing Sections 16-111.7 and 19-140 as follows:

(220 ILCS 5/16-111.7)

Sec. 16-111.7. On-bill financing program; electric utilities.

(a) The Illinois General Assembly finds that Illinois homes and businesses have the potential to save energy through conservation and cost-effective energy efficiency measures. Programs created pursuant to this Section will allow utility customers to purchase cost-effective energy efficiency measures, including measures set forth in a Commission-approved energy efficiency and demand-response plan under Section 8-103 of this Act and that are cost-effective as that term is defined by that Section, with no required initial upfront payment, and to pay the cost of those products and services over time on their utility bill.

(b) Notwithstanding any other provision of this Act, an electric utility serving more than 100,000 customers on January 1, 2009 shall offer a Commission-approved on-bill financing program ("program") that allows its eligible retail customers, as that term is defined in Section 16-111.5 of this Act, who own a residential single family home, duplex, or other residential building with 4 or less units, or condominium at which

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the electric service is being provided (i) to borrow funds from a third party lender in order to purchase electric energy efficiency measures approved under the program for installation in such home or condominium without any required upfront payment and (ii) to pay back such funds over time through the electric utility's bill. Based upon the process described in subsection (b-5) of this Section, small commercial retail customers, as that term is defined in Section 16-102 of this Act, who own the premises at which electric service is being provided may be included in such program. After receiving a request from an electric utility for approval of a proposed program and tariffs pursuant to this Section, the Commission shall render its decision within 120 days. If no decision is rendered within 120 days, then the request shall be deemed to be approved.

Beginning no later than December 31, 2013, an electric utility subject to this subsection (b) shall also offer its program to eligible retail customers that own multifamily residential or mixed-use buildings with no more than 50 residential units, provided, however, that such customers must either be a residential customer or small commercial customer and may not use the program in such a way that repayment of the cost of energy efficiency measures is made through tenants' utility bills. An electric utility may impose a per site loan limit not to exceed $150,000. The program, and loans issued thereunder, shall only be offered to customers of the utility that meet the requirements of this Section and that also have an electric service account at the premises where the energy efficiency measures being financed shall be installed.

For purposes of this Section, "small commercial customer" means, for an electric utility serving more than 3,000,000 retail customers, those customers having peak demand of less than 100 kilowatts, and, for an electric utility serving less than 3,000,000 retail customers, those customers having peak demand of less than 150 kilowatts; provided, however, that in the event the Commission, after the effective date of this amendatory Act of the 98th General Assembly, approves changes to a utility's tariffs that reflects new or revised demand criteria for the utility's customer rate classifications, then the utility may file a petition with the Commission to revise the applicable definition of a small commercial customer to reflect the new or revised demand criteria for the purposes of this Section. After notice and hearing, the Commission shall enter an order approving, or approving with modification, the revised definition within 60 days after the utility files the petition.
(b-5) Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, the Commission shall convene a workshop process during which interested participants may discuss issues related to the program, including program design, eligible electric energy efficiency measures, vendor qualifications, and a methodology for ensuring ongoing compliance with such qualifications, financing, sample documents such as request for proposals, contracts and agreements, dispute resolution, pre-installment and post-installment verification, and evaluation. The workshop process shall be completed within 150 days after the effective date of this amendatory Act of the 96th General Assembly.

(c) Not later than 60 days following completion of the workshop process described in subsection (b-5) of this Section, each electric utility subject to subsection (b) of this Section shall submit a proposed program to the Commission that contains the following components:

(1) A list of recommended electric energy efficiency measures that will be eligible for on-bill financing. An eligible electric energy efficiency measure ("measure") shall be a product or service for which one or more of the following is true defined by the following:

(A) the measure would be applied to or replace electric energy-using equipment; and either

(B) the projected application of the measure to equipment and systems will have estimated electricity savings (determined by rates in effect at the time of purchase) that are sufficient to cover the costs of implementing the measures, including finance charges and any program fees not recovered pursuant to subsection (f) of this Section; to assist the electric utility in identifying or approving measures, the utility may consult with the Department of Commerce and Economic Opportunity, as well as with retailers, technicians, and installers of electric energy efficiency measures and energy auditors (collectively "vendors"); or

(C) the product or service measure is included in a Commission-approved energy efficiency and demand-response plan under Section 8-103 of this Act and is cost-effective as that term is defined by that Section.

(2) The electric utility shall issue a request for proposals ("RFP") to lenders for purposes of providing financing to

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participants to pay for approved measures. The RFP criteria shall include, but not be limited to, the interest rate, origination fees, and credit terms. The utility shall select the winning bidders based on its evaluation of these criteria, with a preference for those bids containing the rates, fees, and terms most favorable to participants;

(3) The utility shall work with the lenders selected pursuant to the RFP process, and with vendors, to establish the terms and processes pursuant to which a participant can purchase eligible electric energy efficiency measures using the financing obtained from the lender. The vendor shall explain and offer the approved financing packaging to those customers identified in subsection (b) of this Section and shall assist customers in applying for financing. As part of the process, vendors shall also provide to participants information about any other incentives that may be available for the measures.

(4) The lender shall conduct credit checks or undertake other appropriate measures to limit credit risk, and shall review and approve or deny financing applications submitted by customers identified in subsection (b) of this Section. Following the lender's approval of financing and the participant's purchase of the measure or measures, the lender shall forward payment information to the electric utility, and the utility shall add as a separate line item on the participant's utility bill a charge showing the amount due under the program each month.

(5) A loan issued to a participant pursuant to the program shall be the sole responsibility of the participant, and any dispute that may arise concerning the loan's terms, conditions, or charges shall be resolved between the participant and lender. Upon transfer of the property title for the premises at which the participant receives electric service from the utility or the participant's request to terminate service at such premises, the participant shall pay in full its electric utility bill, including all amounts due under the program, provided that this obligation may be modified as provided in subsection (g) of this Section. Amounts due under the program shall be deemed amounts owed for residential and, as appropriate, small commercial electric service.

(6) The electric utility shall remit payment in full to the lender each month on behalf of the participant. In the event a participant defaults on payment of its electric utility bill, the
electric utility shall continue to remit all payments due under the program to the lender, and the utility shall be entitled to recover all costs related to a participant's nonpayment through the automatic adjustment clause tariff established pursuant to Section 16-111.8 of this Act. In addition, the electric utility shall retain a security interest in the measure or measures purchased under the program, and the utility retains its right to disconnect a participant that defaults on the payment of its utility bill.

(7) The total outstanding amount financed under the program in this subsection and subsection (c-5) of this Section shall not exceed $2.5 million for an electric utility or electric utilities under a single holding company, provided that the electric utility or electric utilities may petition the Commission for an increase in such amount.

(c-5) Within 120 days after the effective date of this amendatory Act of the 98th General Assembly, each electric utility subject to the requirements of this Section shall submit an informational filing to the Commission that describes its plan for implementing the provisions of this amendatory Act of the 98th General Assembly on or before December 31, 2013. Such filing shall also describe how the electric utility shall coordinate its program with any gas utility or utilities that provide gas service to buildings within the electric utility's service territory so that it is practical and feasible for the owner of a multifamily building to make a single application to access loans for both gas and electric energy efficiency measures in any individual building.

(d) A program approved by the Commission shall also include the following criteria and guidelines for such program:

(1) guidelines for financing of measures installed under a program, including, but not limited to, RFP criteria and limits on both individual loan amounts and the duration of the loans;

(2) criteria and standards for identifying and approving measures;

(3) qualifications of vendors that will market or install measures, as well as a methodology for ensuring ongoing compliance with such qualifications;

(4) sample contracts and agreements necessary to implement the measures and program; and

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(5) the types of data and information that utilities and vendors participating in the program shall collect for purposes of preparing the reports required under subsection (g) of this Section.

(e) The proposed program submitted by each electric utility shall be consistent with the provisions of this Section that define operational, financial and billing arrangements between and among program participants, vendors, lenders, and the electric utility.

(f) An electric utility shall recover all of the prudently incurred costs of offering a program approved by the Commission pursuant to this Section, including, but not limited to, all start-up and administrative costs and the costs for program evaluation. All prudently incurred costs under this Section shall be recovered from the residential and small commercial retail customer classes eligible to participate in the program through the automatic adjustment clause tariff established pursuant to Section 8-103 of this Act.

(g) An independent evaluation of a program shall be conducted after 3 years of the program's operation. The electric utility shall retain an independent evaluator who shall evaluate the effects of the measures installed under the program and the overall operation of the program, including, but not limited to, customer eligibility criteria and whether the payment obligation for permanent electric energy efficiency measures that will continue to provide benefits of energy savings should attach to the meter location. As part of the evaluation process, the evaluator shall also solicit feedback from participants and interested stakeholders. The evaluator shall issue a report to the Commission on its findings no later than 4 years after the date on which the program commenced, and the Commission shall issue a report to the Governor and General Assembly including a summary of the information described in this Section as well as its recommendations as to whether the program should be discontinued, continued with modification or modifications or continued without modification, provided that any recommended modifications shall only apply prospectively and to measures not yet installed or financed.

(h) An electric utility offering a Commission-approved program pursuant to this Section shall not be required to comply with any other statute, order, rule, or regulation of this State that may relate to the offering of such program, provided that nothing in this Section is intended to limit the electric utility's obligation to comply with this Act and the Commission's orders, rules, and regulations, including Part 280 of Title 83 of the Illinois Administrative Code.

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(i) The source of a utility customer's electric supply shall not disqualify a customer from participation in the utility's on-bill financing program. Customers of alternative retail electric suppliers may participate in the program under the same terms and conditions applicable to the utility's supply customers.

(Source: P.A. 96-33, eff. 7-10-09; 97-616, eff. 10-26-11.)

Sec. 19-140. On-bill financing program; gas utilities.

(a) The Illinois General Assembly finds that Illinois homes and businesses have the potential to save energy through conservation and cost-effective energy efficiency measures. Programs created pursuant to this Section will allow utility customers to purchase cost-effective energy efficiency measures, including measures set forth in a Commission-approved energy efficiency plan under Section 8-104 of this Act, with no required initial upfront payment, and to pay the cost of those products and services over time on their utility bill.

(b) Notwithstanding any other provision of this Act, a gas utility serving more than 100,000 customers on January 1, 2009 shall offer a Commission-approved on-bill financing program ("program") that allows its retail customers who own a residential single family home, duplex, or other residential building with 4 or less units, or condominium at which the gas service is being provided (i) to borrow funds from a third party lender in order to purchase gas energy efficiency measures approved under the program for installation in such home or condominium without any required upfront payment and (ii) to pay back such funds over time through the gas utility's bill. Based upon the process described in subsection (b-5) of this Section, small commercial retail customers, as that term is defined in Section 19-105 of this Act, who own the premises at which gas service is being provided may be included in such program. After receiving a request from a gas utility for approval of a proposed program and tariffs pursuant to this Section, the Commission shall render its decision within 120 days. If no decision is rendered within 120 days, then the request shall be deemed to be approved. Beginning no later than December 31, 2013, a gas utility subject to this subsection (b) shall also offer its program to eligible retail customers that own a multifamily residential or mixed-use building with no more than 50 residential units, provided, however, that such customer must either be a residential customer or small commercial customer and may not use the program in such a way that repayment of the cost of energy efficiency measures is
made through tenants' utility bills. A gas utility may impose a per site loan limit not to exceed $150,000. The program, and loans issued thereunder, shall only be offered to customers of the utility that meet the requirements of this Section and that also have a gas service account at the premises where the energy efficiency measures being financed shall be installed.

For purposes of this Section, a small commercial customer for a gas utility shall be defined in that gas utility's informational filing that is made under subsection (c-5) of this Section.

(b-5) Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, the Commission shall convene a workshop process during which interested participants may discuss issues related to the program, including program design, eligible gas energy efficiency measures, vendor qualifications, and a methodology for ensuring ongoing compliance with such qualifications, financing, sample documents such as request for proposals, contracts and agreements, dispute resolution, pre-installment and post-installment verification, and evaluation. The workshop process shall be completed within 150 days after the effective date of this amendatory Act of the 96th General Assembly.

(c) Not later than 60 days following completion of the workshop process described in subsection (b-5) of this Section, each gas utility subject to subsection (b) of this Section shall submit a proposed program to the Commission that contains the following components:

1. A list of recommended gas energy efficiency measures that will be eligible for on-bill financing. An eligible gas energy efficiency measure ("measure") shall be a product or service for which one or more of the following is true:

   (A) Application of the measure to equipment and systems will have estimated gas savings (determined by rates in effect at the time of purchase), that are sufficient to cover the costs of implementing the measures, including finance charges and any program fees not recovered pursuant to subsection (f) of this Section; or:

   (B) The measure would be applied to or replace gas energy-using equipment; and

   (C) To assist the gas utility in identifying or approving measures, the utility may consult with the Department of Commerce and Economic Opportunity, as well as with
retailers, technicians and installers of gas energy efficiency measures and energy auditors (collectively "vendors").

(C) the product or service is included in a Commission-approved energy efficiency plan under Section 8-104 of this Act.

(2) The gas utility shall issue a request for proposals ("RFP") to lenders for purposes of providing financing to participants to pay for approved measures. The RFP criteria shall include, but not be limited to, the interest rate, origination fees, and credit terms. The utility shall select the winning bidders based on its evaluation of these criteria, with a preference for those bids containing the rates, fees, and terms most favorable to participants.

(3) The utility shall work with the lenders selected pursuant to the RFP process, and with vendors, to establish the terms and processes pursuant to which a participant can purchase eligible gas energy efficiency measures using the financing obtained from the lender. The vendor shall explain and offer the approved financing packaging to those customers identified in subsection (b) of this Section and shall assist customers in applying for financing. As part of such process, vendors shall also provide to participants information about any other incentives that may be available for the measures.

(4) The lender shall conduct credit checks or undertake other appropriate measures to limit credit risk, and shall review and approve or deny financing applications submitted by customers identified in subsection (b) of this Section. Following the lender's approval of financing and the participant's purchase of the measure or measures, the lender shall forward payment information to the gas utility, and the utility shall add as a separate line item on the participant's utility bill a charge showing the amount due under the program each month.

(5) A loan issued to a participant pursuant to the program shall be the sole responsibility of the participant, and any dispute that may arise concerning the loan's terms, conditions, or charges shall be resolved between the participant and lender. Upon transfer of the property title for the premises at which the participant receives gas service from the utility or the participant's request to terminate service at such premises, the participant shall pay in full its gas utility bill, including all amounts due under the program,

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provided that this obligation may be modified as provided in subsection (g) of this Section. Amounts due under the program shall be deemed amounts owed for residential and, as appropriate, small commercial gas service.

(6) The gas utility shall remit payment in full to the lender each month on behalf of the participant. In the event a participant defaults on payment of its gas utility bill, the gas utility shall continue to remit all payments due under the program to the lender, and the utility shall be entitled to recover all costs related to a participant's nonpayment through the automatic adjustment clause tariff established pursuant to Section 19-145 of this Act. In addition, the gas utility shall retain a security interest in the measure or measures purchased under the program, and the utility retains its right to disconnect a participant that defaults on the payment of its utility bill.

(7) The total outstanding amount financed under the program in this subsection and subsection (c-5) of this Section shall not exceed $2.5 million for a gas utility or gas utilities under a single holding company, provided that the gas utility or gas utilities may petition the Commission for an increase in such amount.

(c-5) Within 120 days after the effective date of this amendatory Act of the 98th General Assembly, each covered gas utility shall submit an informational filing to the Commission that describes its plan for implementing the provisions of this amendatory Act of the 98th General Assembly on or before December 31, 2013. A gas utility subject to this Section shall cooperate with any electric utility that provides electric service to buildings within the gas utility's service territory so that it is practical and feasible for the owner of a multifamily building to make a single application to access loans for both gas and electric energy efficiency measures in any individual building.

(d) A program approved by the Commission shall also include the following criteria and guidelines for such program:

(1) guidelines for financing of measures installed under a program, including, but not limited to, RFP criteria and limits on both individual loan amounts and the duration of the loans;

(2) criteria and standards for identifying and approving measures;
(3) qualifications of vendors that will market or install measures, as well as a methodology for ensuring ongoing compliance with such qualifications;

(4) sample contracts and agreements necessary to implement the measures and program; and

(5) the types of data and information that utilities and vendors participating in the program shall collect for purposes of preparing the reports required under subsection (g) of this Section.

(e) The proposed program submitted by each gas utility shall be consistent with the provisions of this Section that define operational, financial, and billing arrangements between and among program participants, vendors, lenders, and the gas utility.

(f) A gas utility shall recover all of the prudently incurred costs of offering a program approved by the Commission pursuant to this Section, including, but not limited to, all start-up and administrative costs and the costs for program evaluation. All prudently incurred costs under this Section shall be recovered from the residential and small commercial retail customer classes eligible to participate in the program through the automatic adjustment clause tariff established pursuant to Section 8-104 of this Act.

(g) An independent evaluation of a program shall be conducted after 3 years of the program's operation. The gas utility shall retain an independent evaluator who shall evaluate the effects of the measures installed under the program and the overall operation of the program, including, but not limited to, customer eligibility criteria and whether the payment obligation for permanent gas energy efficiency measures that will continue to provide benefits of energy savings should attach to the meter location. As part of the evaluation process, the evaluator shall also solicit feedback from participants and interested stakeholders. The evaluator shall issue a report to the Commission on its findings no later than 4 years after the date on which the program commenced, and the Commission shall issue a report to the Governor and General Assembly including a summary of the information described in this Section as well as its recommendations as to whether the program should be discontinued, continued with modification or modifications or continued without modification, provided that any recommended modifications shall only apply prospectively and to measures not yet installed or financed.

(h) A gas utility offering a Commission-approved program pursuant to this Section shall not be required to comply with any other

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statute, order, rule, or regulation of this State that may relate to the offering of such program, provided that nothing in this Section is intended to limit the gas utility's obligation to comply with this Act and the Commission's orders, rules, and regulations, including Part 280 of Title 83 of the Illinois Administrative Code.

(i) The source of a utility customer's gas supply shall not disqualify a customer from participation in the utility's on-bill financing program. Customers of alternative gas suppliers may participate in the program under the same terms and conditions applicable to the utility's supply customers.
(Source: P.A. 96-33, eff. 7-10-09.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0587
(Senate Bill No. 2371)

AN ACT concerning gaming.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Video Gaming Act is amended by changing Sections 5 and 45 as follows:
(230 ILCS 40/5)

Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Gaming Board.
"Credit" means one, 5, 10, or 25 cents either won or purchased by a player.
"Distributor" means an individual, partnership, corporation, or limited liability company licensed under this Act to buy, sell, lease, or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.
"Terminal operator" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

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"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, corporation, or limited liability company that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, whether the establishment operates on a nonprofit or for-profit basis. "Licensed establishment" and includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the

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corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph. The changes made to this definition by this amendatory Act of the 98th General Assembly are declarative of existing law.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff. 8-12-11.)

(230 ILCS 40/45)

Sec. 45. Issuance of license.

(a) The burden is upon each applicant to demonstrate his suitability for licensure. Each video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, and licensed veterans establishment shall be licensed by the Board. The Board may issue or deny a license under this Act to any person pursuant to the same criteria set forth in Section 9 of the Riverboat Gambling Act.

(a-5) The Board shall not grant a license to a person who has facilitated, enabled, or participated in the use of coin-operated devices for gambling purposes or who is under the significant influence or control of

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such a person. For the purposes of this Act, "facilitated, enabled, or participated in the use of coin-operated amusement devices for gambling purposes" means that the person has been convicted of any violation of Article 28 of the Criminal Code of 1961 or the Criminal Code of 2012. If there is pending legal action against a person for any such violation, then the Board shall delay the licensure of that person until the legal action is resolved.

(b) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall submit to a background investigation conducted by the Board with the assistance of the State Police or other law enforcement. To the extent that the corporate structure of the applicant allows, the background investigation shall include any or all of the following as the Board deems appropriate or as provided by rule for each category of licensure: (i) each beneficiary of a trust, (ii) each partner of a partnership, (iii) each member of a limited liability company, (iv) each director and officer of a publicly or non-publicly held corporation, (v) each stockholder of a non-publicly held corporation, (vi) each stockholder of 5% or more of a publicly held corporation, or (vii) each stockholder and all stockholders of 5% or more in a parent or subsidiary corporation of a video gaming terminal manufacturer, distributor, supplier, operator, or licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment.

(c) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall disclose the identity of every person, association, trust, corporation, or limited liability company having a greater than 1% direct or indirect pecuniary interest in the video gaming terminal operation for which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a limited liability company, the names and addresses of all members; or if a partnership, the names and addresses of all partners, both general and limited.

(d) No person may be licensed as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed

New matter indicated by italics - deletions by strikeout
establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment if that person has been found by the Board to:

(1) have a background, including a criminal record, reputation, habits, social or business associations, or prior activities that pose a threat to the public interests of the State or to the security and integrity of video gaming;

(2) create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of video gaming; or

(3) present questionable business practices and financial arrangements incidental to the conduct of video gaming activities.

(e) Any applicant for any license under this Act has the burden of proving his or her qualifications to the satisfaction of the Board. The Board may adopt rules to establish additional qualifications and requirements to preserve the integrity and security of video gaming in this State.

(f) A non-refundable application fee shall be paid at the time an application for a license is filed with the Board in the following amounts:

(1) Manufacturer.......................... $5,000
(2) Distributor........................... $5,000
(3) Terminal operator..................... $5,000
(4) Supplier.............................. $2,500
(5) Technician.............................. $100
(6) Terminal Handler........................ $50

(g) The Board shall establish an annual fee for each license not to exceed the following:

(1) Manufacturer.......................... $10,000
(2) Distributor........................... $10,000
(3) Terminal operator..................... $5,000
(4) Supplier.............................. $2,000
(5) Technician.............................. $100
(6) Licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment............. $100
(7) Video gaming terminal............... $100
(8) Terminal Handler........................ $50

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10; 96-1410, eff. 7-30-10; 97-1150, eff. 1-25-13.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 27, 2013.
Effective August 27, 2013.

PUBLIC ACT 98-0588
(Senate Bill No. 2380)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Grant Funds Recovery Act is amended by adding Section 4.3 as follows:

(30 ILCS 705/4.3 new)

Sec. 4.3. Prohibition on use of grant funds for prohibited political activities.
  (a) For the purposes of this Section, "prohibited political activity" has the meaning established in Section 1-5 of the State Officials and Employees Ethics Act.
  (b) Grantees and employees of grantees shall not knowingly use grant funds, or goods or services purchased with grant funds, to engage, either directly or indirectly, in a prohibited political activity.
  (c) Grantees and employees of grantees shall not be knowingly compensated from grant funds for time spent engaging in a prohibited political activity.
  (d) Nothing in this Section shall prohibit any 501(c)(3) or 501(c)(4) organization receiving a grant from the State from engaging in any federally permissible activity regarding advocacy, indirect and direct lobbying, and political activity, provided that the specific funds acquired by a grant from the State shall not be knowingly used for those activities that are permitted by federal law but prohibited by this Section.
  (e) A grantee who knowingly violates this Section is guilty of a business offense and is subject to a fine of up to $5,000.

Approved August 27, 2013.
Effective January 1, 2014.
PUBLIC ACT 98-0589
(Senate Bill No. 2381)

AN ACT concerning finance.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Grant Information Collection Act.

Section 5. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Grant funds" means any public funds dispensed by a grantor agency to any person or entity for obligation, expenditure, or use by that person or entity for a specific purpose or purposes and any funds disbursed by the State Comptroller pursuant to an appropriation made by the General Assembly to a named entity or person. Funds disbursed in accordance with a fee for service purchase of care contract are not grant funds for purposes of this Act.

Neither the method by which funds are dispensed, whether by contract, agreement, grant subsidy, letter of credit, or any other method, nor the purpose for which the funds are used can change the character of funds which otherwise would be considered grant funds as defined in this Section.

"Grantee" means the person or entity which may use grant funds.

"Grantor agency" means a State agency that dispenses grant funds.

"State agency" means State-supported universities and colleges and any department, office, commission, board, or authority within the Executive Department, other than the Office of the Lieutenant Governor, the Office of the Attorney General, the Office of the Secretary of State, the Office of the Comptroller, or the Office of the Treasurer.

Section 10. Grant information collection. The Chief Information Officer of the State, as designated by the Governor, shall coordinate with each State agency to develop, with any existing or newly available resources and technology, appropriate systems to accurately report data containing financial information. These systems shall include a module that is specific to the management and administration of grant funds.

Each grantor agency that is authorized to award grant funds to an entity other than the State of Illinois shall coordinate with the Chief Information Officer of the State to provide for the publication, at data.illinois.gov or any other publicly accessible website designated by the

New matter indicated by italics - deletions by strikeout
Chief Information Officer, of data sets containing information regarding awards of grant funds that the grantor agency has made during the previous fiscal year. Data sets shall be published on at least a quarterly basis and shall include, at a minimum, the following:

(1) the name of the grantor agency;
(2) the name and postal zip code of the grantee;
(3) a short description of the purpose of the award of grant funds;
(4) the amount of each award of grant funds;
(5) the date of each award of grant funds; and
(6) the duration of each award of grant funds.

In addition, each grantor agency shall make best efforts, with available resources and technology, to make available in the data sets any other data that is relevant to its award of grant funds.

Data not subject to the requirements of this Section include data to which a State agency may deny access pursuant to any provision of a federal, State, or local law, rule, or regulation.

Approved August 27, 2013.
Effective January 1, 2014.
closed hospital under subsection (b) of this Section, and to transfer any remaining hospital funds under subsection (c) of this Section.

(b) Wrapping up the affairs of the Wood River Township Hospital.

(1) Within the first 10 business days of the 180-day period provided in paragraph (2) of subsection (a) of this Section, the chairman of the hospital board shall cause an audit of all claims against the Wood River Township Hospital, all receipts of the Wood River Township Hospital, the inventory of all real and personal property owned by the Wood River Township Hospital or under its control or management, and any debts owed by the Wood River Township Hospital. The chairman may, at his or her discretion, undertake any other audit of the Wood River Township Hospital. The person or entity conducting such audit shall report the findings of the audit to the hospital board within 30 days.

(2) Following the return of the audit provided in paragraph (1) of this subsection, the hospital board shall:

(i) Pay the debts, obligations, and liabilities of the Wood River Township Hospital that are outstanding upon completion of the audit in paragraph (1) of this subsection and all necessary expenses of closing up the affairs of the Wood River Township Hospital.

(ii) Enter into an agreement with a hospital within Madison County to ensure all patient records are properly transferred. If no hospital in Madison County is able or willing to accept the records, the records may be transferred to a hospital within a neighboring county contiguous to Madison County. The Wood River Township Hospital will be responsible for paying a reasonable service fee to the hospital that accepts and retains records pursuant to this subsection. Following successful transfer of the patient records, the receiving hospital shall retain and destroy the transferred patient records in accordance with the receiving hospital's record retention schedule and policies.

(iii) Sell the property of the Wood River Township Hospital if any excess remains after all the liabilities of the Wood River Township Hospital are paid.

(c) Transfer of surplus funds. If any funds are available, the hospital board shall transfer, no later than 10 business days prior to the
conclusion of the 180-day period provided in subsection (a) of this Section, all surplus funds, if any, to the Madison County Treasurer to be maintained in the Wood River Township Hospital Fund and be disposed of pursuant to subsection (d) of this Section.

If any liabilities remain, the funds available shall be set apart by the Madison County Treasurer and held for the purpose of retiring such liabilities.

(d) Payment of remaining liabilities and disposal of surplus funds. The Madison County Clerk shall pay any remaining liabilities of the Wood River Township Hospital from the Wood River Township Hospital Fund. After all the liabilities of the Wood River Township Hospital are paid, the Madison County Clerk shall distribute any funds remaining in the Wood River Township Hospital Fund to the property owners in Wood River Township as of the date of dissolution of Wood River Township Hospital. The distribution shall be proportional to the assessed value of the property in the 2005 levy year.

(e) Outstanding indebtedness.

(1) In the event that the Wood River Township Hospital has notes outstanding which are a lien on funds available in the Wood River Township Hospital Fund at the time of dissolution, such lien shall be unimpaired by such dissolution and the lien shall continue in favor of the note holders.

(2) In the event that the Wood River Township Hospital has unsecured debts outstanding at the time of dissolution, any funds in the Wood River Township Hospital Fund or otherwise available and not committed shall, to the extent necessary, be applied to the payment of such debts.

(3) Madison County may levy a tax, on behalf of the Wood River Township Hospital, upon all taxable real property located in Wood River Township for the purpose of paying the outstanding debts and obligations of the Wood River Township Hospital.

(f) Tax collection and enforcement. The dissolution of the Wood River Township Hospital shall not adversely affect proceedings for the collection or enforcement of any tax. Those proceedings shall continue to finality as though no dissolution had taken place. The proceeds thereof shall be paid over to the Madison County Treasurer to be transferred pursuant to subsection (c) of this Section. Proceedings to collect and enforce such taxes may be instituted and carried on in the name of the Wood River Township Hospital.

New matter indicated by italics - deletions by strikeout
(g) Litigation. All suits pending in any court on behalf of or against the Wood River Township Hospital may be prosecuted or defended in the name of Madison County by the State’s attorney. All judgments obtained for the Wood River Township Hospital shall be collected and enforced by Madison County and transferred and disposed of pursuant to subsections (c) and (d) of this Section respectively.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 6, 2013.
Approved November 13, 2013.
Effective November 13, 2013.

PUBLIC ACT 98-0591
(House Bill No. 0209)

AN ACT making appropriations.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1

Section 5. “AN ACT making appropriations”, Public Act 98-0027, approved June 21, 2013, is amended by changing Sections 70 and 175 of Article 9 as follows:

(P.A. 98-0027, Art. 9, Sec. 70)

Sec. 70. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE

For Community Service Grant Programs for Persons with Mental Illness including administrative costs:
Payable from DHS Federal Projects Fund........ 16,023,000
Payable from the Department of Human Services Community Services Fund.......... 20,000,000
Payable from General Revenue Fund:
For costs associated with the Purchase and Disbursement of Psychotropic Medications

New matter indicated by italics - deletions by strikeout
for Mentally Ill Clients in the Community..... 1,881,800
For grants for Mental Health Individual
Care Grants.................................. 22,415,000
For Supportive MI Housing ................. 24,392,700
Payable from Community Mental Health
Medicaid Trust Fund:
For all costs and administrative
expenses associated with Medicaid
Services for Persons with Mental
Illness, including prior year costs....... 122,852,100
For costs associated with
Specialized Mental Health Rehabilitative
Facility Community Programs............. 8,200,000
For Community Service Grant Programs for
Children and Adolescents with Mental Illness:
Payable from Community Mental Health Services
Block Grant Fund............................ 4,341,800
Payable from Community Mental Health
Services Block Grant Fund:
For Teen Suicide Prevention Including
Provisions Established in Public Act
85-0928........................................ 206,400
Payable from the Mental Health Reporting Fund:
For costs associated with implementing
the Firearm Concealed Carry Act and
the Firearm Owners Identification
Card Act........................................ 2,500,000
(P.A. 98-0027, Art. 9, Sec. 175)
Sec. 175. The Department, with the consent in writing from the
Governor, may reapportion General Revenue Funds in Section 45 40
above “For Home Services Program Grants-in-Aid” among Section 65 60
“For Mental Health Grants-in-Aid and Purchased Care” and Section 75 85
“For Developmental Disabilities Grants and Program Support Grants-in-
Aid and Purchased Care” as a result of transferring clients to the
appropriate community based service system.
Section 10. “AN ACT making appropriations”, Public Act 98-
0027, approved June 21, 2013, is amended by changing Sections 10, 35,
95 and 105 of Article 10 as follows:
(P.A. 98-0027, Art. 10, Sec. 10)

New matter indicated by italics - deletions by strikeout
Sec. 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses associated with the implementation of House Bill 1 of the 98th General Assembly:

- Payable from the General Revenue Fund: $1,000,000
- Payable from the Food and Drug Safety Fund: $1,000,000
- Payable from the Compassionate Use of Medical Cannabis Fund: $4,000,000

Total: $6,000,000

(P.A. 98-0027, Art. 10, Sec. 35)

Sec. 35. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF POLICY, PLANNING AND STATISTICS

Payable from the General Revenue Fund:
- For expenses of the Adverse Pregnancy Outcomes Reporting Systems (APORS) Program and the Adverse Health Care Event Reporting and Patient Safety Initiative: $1,038,500
- For expenses of State Cancer Registry, including matching funds for National Cancer Institute grants: $155,100
- For operating expenses of the Center for Rural Health: $291,000

Total: $1,484,600

Payable from the Public Health Services Fund:
- For expenses related to Epidemiological Health Outcomes Investigations and Database Development: $12,110,000
- For expenses for Rural Health Center to expand the availability of Primary Health Care: $2,000,000
- For operational expenses to develop a Health Care Provider Recruitment and Retention Program: $300,000

Total: $14,410,000

Payable from Community Health Center Care Fund:
- For expenses for access to Primary Health

New matter indicated by italics - deletions by strikeout
Care Services Program per Family Practice Residency Act................................. 1,000,000

Payable from Illinois Health Facilities Planning Fund:
For expenses of the Health Facilities and Services Review Board.................... 1,200,000
For department expenses in support of the Health Facilities and Services Review Board.......................... 2,500,000
Total..................................................................... $4,700,000

Payable from Nursing Dedicated and Professional Fund:
For expenses of the Nursing Education Scholarship Law......................................... 1,200,000

Payable from the Long Term Care Provider Fund:
For Expenses of Identified Offenders Assessment and other public health and safety activities............................. 2,000,000

Payable from the Regulatory Evaluation and Basic Enforcement Fund:
For Expenses of the Alternative Health Care Delivery Systems Program.................. 75,000

Payable from the Public Health Federal Projects Fund:
For expenses of Health Outcomes, Research, Policy and Surveillance................. 612,000

Payable from the Preventive Health and Health Services Block Grant Fund:
For expenses of Preventive Health and Health Services Needs Assessment............... 1,600,000

Payable from Public Health Special State Projects Fund:
For expenses associated with Health Outcomes Investigations and other public health programs.................. 2,500,000

Payable from Illinois State Podiatric Disciplinary Fund:
For expenses of the Podiatric Scholarship and Residency Act................................. 100,000

Payable from the Public Health Services Fund:
For grants to develop a Health

New matter indicated by italics - deletions by strikeout
Care Provider Recruitment and Retention Program.......................... 450,000
For grants to develop a Health Professional Educational Loan Repayment Program............. 900,000
Total $1,350,000
Payable from the Tobacco Settlement Recovery Fund:
For grants for the Community Health Center Expansion Program and healthcare workforce Providers in health professional shortage areas (HPSA) in Illinois........................ 1,364,600
(P.A. 98-0027, Art. 10, Sec. 95)
Sec. 95. The following named sums, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF WOMEN'S HEALTH
Payable from the General Revenue Fund:
For Expenses for Breast and Cervical Cancer Screenings, minority outreach, and other Related Activities........ 13,823,400
For Expenses of the Women's Health Promotion Programs.............................. 485,000
Total $14,308,400
Payable from the Public Health Services Fund:
For Personal Services.................. 691,100
For State Contributions to State Employees' Retirement System.................... 278,600
For State Contributions to Social Security........................................ 52,900
For Group Insurance.............................. 238,800
For Contractual Services.................. 500,000
For Travel........................................ 50,000
For Commodities.............................. 53,200
For Printing...................................... 34,500
For Equipment................................. 50,000
For Telecommunications Services................. 10,000
For Expenses of Federally Funded Women's Health Program.................. $3,000,000 $2,600,000
Total $4,959,100 $4,559,100
Payable from the Public Health Special

New matter indicated by italics - deletions by strikeout
State Projects Fund:
For Expenses of Women's Health Programs........ 200,000
(P.A. 98-0027, Art. 10, Sec. 105)

Sec. 105. The following named sums, or as much thereof as may be
necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

Payable from General Revenue Fund:
For Expenses associated with School Health
Centers........................................... 1,279,000
For Grants to Family Planning Programs
for Contraceptive Services............... 470,400
Total $1,749,400

Payable from the State Projects Fund:
For Expenses associated with Maternal and
Child Health Programs........... 13,000,000

Payable from Tobacco Settlement Recovery Fund:
For costs associated with
Children’s Health Programs ............. 979,700

Payable from the Maternal and Child Health
Services Block Grant Fund:
For Expenses associated with Maternal and
Child Health Programs ............. 6,000,000
For Grants to the Chicago Department of
Health for Maternal and Child Health
Services........................................ 5,000,000
For Grants to the Board of Trustees of the
University of Illinois, Division of
Specialized Care for Children .......... 7,800,000
Total $18,800,000

ARTICLE 2

Section 5. “AN ACT concerning appropriations”, Public Act 98-
0035, approved June 27, 2013, is amended by changing Section 5 of
Article 8 as follows:
(P.A. 98-0035, Art. 8, Sec. 5)
Sec. 5. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Board of the Trustees of the University of Illinois
to meet ordinary and contingent expenses for the fiscal year ending June
30, 2014:

New matter indicated by italics - deletions by strikeout
Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2013-2014. 520,160,600 521,412,600

For State Contributions to Social Security, for Medicare 9,737,100
For Group Insurance 24,893,200
For Contractual Services 37,000,000

For costs associated with the School of Labor and Employment Relations:
For degree programs 702,000
For certificate programs 550,000

For Distributive Purposes as follows:
For Awards and Grants 6,057,500
Total $599,100,400

ARTICLE 3
Section 5. “An Act making appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Section 5 of Article 2 as follows:

(P.A. 98-0050, Article 2, Section 5)
Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State's Attorneys Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2014:

For Personal Services:
Payable from General Revenue Fund for Collective Bargaining Unit........ 3,438,400 3,448,400
Payable from General Revenue Fund for Administrative Unit............... 1,469,350 966,600
Payable from State's Attorneys Appellate Prosecutor's County Fund............ 1,129,800 779,800

For State Contribution to the State Employees' Retirement System Pick Up:
Payable from General Revenue Fund for

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Collective Bargaining Unit</th>
<th>Payable from General Revenue Fund for Administrative Unit</th>
<th>Payable from State's Attorneys Appellate Prosecutor's County Fund</th>
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<td>For State Contribution to the State Employees' Retirement System:</td>
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<td>Payable from General Revenue Fund for Collective Bargaining Unit</td>
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<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
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<td>For State Contribution to Social Security:</td>
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<td>Payable from General Revenue Fund for Collective Bargaining Unit</td>
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<td>Payable from General Revenue Fund for Administrative Unit</td>
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<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
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<td>For County Reimbursement to State for Group Insurance:</td>
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<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
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<td>For Contractual Services:</td>
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<td>Payable from General Revenue Fund</td>
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<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
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<tr>
<td>For Contractual Services for Tax Objection Casework:</td>
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<td>Payable from General Revenue Fund</td>
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<tr>
<td>Payable from State’s Attorneys Appellate Prosecutor’s County Fund</td>
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<tr>
<td>For Contractual Services for Rental of Real Property:</td>
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<td>Payable from General Revenue Fund</td>
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<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
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<td>For Travel:</td>
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<td>New matter indicated by italics - deletions by strikeout</td>
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</tbody>
</table>
Payable from General Revenue Fund........... 9,000 24,000
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 15,500

For Commodities:
Payable from General Revenue Fund......... 10,200 8,200
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 5,000 10,300

For Printing:
Payable from General Revenue Fund......... 4,272 7,700
Payable from State's Attorneys Appellate Prosecutor's County Fund...................... 800 4,800

For Equipment:
Payable from General Revenue Fund......... 4,100 34,100
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 2,200 42,200

For Electronic Data Processing:
Payable from General Revenue Fund......... 1,000 24,000
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 2,400 32,400

For Telecommunications:
Payable from General Revenue Fund......... 20,000 43,400
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 20,000 41,300

For Operation of Automotive Equipment:
Payable from General Revenue Fund......... 10,000 20,700
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 6,500 16,500

For Law Intern Program:
Payable from General Revenue Fund......... 0 5,000
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 28,200

For Continuing Legal Education:
Payable from General Revenue Fund......... 100,000
Payable from Continuing Legal Education Trust Fund.......................................... 150,000

For Legal Publications:
Payable from General Revenue Fund......... 0 4,500
Payable from State's Attorneys Appellate Prosecutor's County Fund....................... 0 14,300
For expenses for assisting County State's Attorneys for services provided under the Illinois Public Labor Relations Act:

<table>
<thead>
<tr>
<th>For Personal Services:</th>
<th></th>
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<tbody>
<tr>
<td>Payable from General Revenue Fund</td>
<td>$125,100</td>
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<tr>
<td>Payable from State's Attorneys Appellate Prosecutor's County Fund</td>
<td>$70,400</td>
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</tbody>
</table>

For State Contribution to the State Employees' Retirement System Pick Up:

| Payable from General Revenue Fund | $4,800 |
| Payable from State's Attorneys Appellate Prosecutor's County Fund | $2,800 |

For State Contribution to the State Employees' Retirement System:

| Payable from General Revenue Fund | $0 |
| Payable from State's Attorneys Appellate Prosecutor's County Fund | $28,400 |

For Contribution to Social Security:

| Payable from General Revenue Fund | $9,600 |
| Payable from State's Attorneys Appellate Prosecutor's County Fund | $5,400 |

For County Reimbursement to State for Group Insurance:

| Payable from State's Attorneys Appellate Prosecutor's County Fund | $23,000 |

For Contractual Services:

| Payable from General Revenue Fund | $0 |
| Payable from State's Attorneys Appellate Prosecutor's County Fund | $157,000 |

For Travel:

| Payable from General Revenue Fund | $0 |
| Payable from State's Attorneys Appellate Prosecutor's County Fund | $1,400 |

For Commodities:

| Payable from General Revenue Fund | $0 |
| Payable from State's Attorneys Prosecutor's County Fund | $0 |

For Equipment:

| Payable from General Revenue Fund | $0 |

New matter indicated by italics - deletions by strikeout
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 0 1,600

For Operation of Automotive Equipment:
Payable from General Revenue Fund.............. 0 1,400
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 0 1,300

For expenses pursuant to Narcotics Profit
Forfeiture Act:
Payable from Narcotics Profit Forfeiture
Fund.................................................. 0

For Expenses Pursuant to Drug Asset Forfeiture
Procedure Act:
Payable from Narcotics Profit Forfeiture
Fund.................................................. 2,500,000

For Expenses Pursuant to P.A. 84-1340, which
requires the Office of the State's Attorneys
Appellate Prosecutor to conduct training
programs for Illinois State's Attorneys,
Assistant State's Attorneys and Law
Enforcement Officers on techniques and
methods of eliminating or reducing the
trauma of testifying in criminal proceedings
for children who serve as witnesses in such
proceedings; and other authorized criminal
justice training programs
Payable from General Revenue Fund.............. 40,000

For Expenses Related to federally assisted
programs to assist local State's Attorneys
including special appeals, drug related cases
and cases arising under the Narcotics Profit
Forfeiture Act on the request of the State's
Attorney:
Payable from Special Federal Grant Project
Fund.................................................... 2,200,000

For Local Matching Purposes:
Payable from State's Attorneys Appellate
Prosecutor's County Fund......................... 0

For State Matching Purposes:
Payable from General Revenue Fund.............. 85,800

New matter indicated by italics - deletions by strikeout
For Expenses Pursuant to Grant Agreements for Training Grant Programs:
Payable from Continuing Legal Education Trust Fund.......................... 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for a grant to the Cook County State's Attorney for expenses incurred in filing appeals in Cook County...... 2,000,000

For Appropriation to the State’s Attorneys Appellate Prosecutor for Federal Grants................. 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for Training Grants Payable from General Revenue Fund...................... 0

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes Grants:
Payable from Continuing Legal Education Trust Fund........................... 41,635 150,000

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes:
Payable from Continuing Legal Education Trust Fund......................... 408,364 300,000

For Appropriation to the State’s Attorneys Appellate Prosecution of and Training for Violent Crimes Grants to Cook County:
Payable from Continuing Legal Education Trust Fund........................... 300,000

For Appropriation to the State’s Attorneys Appellate Implementation of Diversion Court Programs in Cook County:
Payable from Continuing Legal Education Trust Fund........................... 150,000

(Source: P.A. 98-50, eff. 7-2-13.)

Section 10. “AN ACT making appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Sections 30 and 75 of Article 20; and by adding new Sections 90, 95, and 110 to Article 20 as follows:
(P.A. 98-0050, Art. 20, Sec. 30)
Sec. 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

**DIVISION OF OPERATIONS**

**Payable from the Traffic and Criminal Conviction Surcharge Fund:**
- For Personal Services: $502,500
- For State Contributions to State Employees' Retirement System: $202,600
- For Social Security: $7,200
- For Group Insurance: $155,000
- For Contractual Services: $465,400
- For Travel: $38,300
- For Commodities: $174,600
- For Group Insurance: $155,000
- For Contractual Services: $465,400
- For Travel: $38,300
- For Commodities: $174,600
- For Printing: $26,500
- For Telecommunications Services: $1,665,700
- For Operation of Auto Equipment: $1,762,200

**Total**: $5,000,000

**Payable from the State Police Services Fund:**
- For Payment of Expenses:
  - Fingerprint Program: $25,000,000
  - Federal & IDOT Programs: $8,400,000
  - Riverboat Gambling: $1,500,000
  - Miscellaneous Programs: $4,300,000

**Total**: $39,200,000

**Payable from the Illinois State Police Federal Projects Fund:**
- For Payment of Expenses: $20,000,000

**Payable from the Sex Offender Registration Fund:**
- For expenses of the Sex Offender Registration Program: $100,000

**Payable from the Motor Carrier Safety Inspection Fund:**
- For expenses associated with the enforcement of Federal Motor Carrier Safety Regulations and related

New matter indicated by italics - deletions by strikeout
Illinois Motor Carrier
Safety Laws........................................... 2,600,000

Payable from the State Police DUI Fund:
For Equipment Purchases to Assist in the Prevention of Driving Under the Influence of Alcohol, Drugs, or Intoxication Compounds............................................... 1,300,000

Payable from the Sex Offender Investigation Fund:
For expenses related to sex offender investigations...................... 100,000

(P.A. 98-0050, Art. 20, Sec. 75)

Sec. 75. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION

Payable from the General Revenue Fund:
For Administration of a Statewide Sexual Assault Evidence Collection Program............... 58,200
For Operational Expenses Related to the Combined DNA Index System....................... 2,254,800
For expenses related to the implementation of conceal and carry permits...................... 2,600,000
Total                                      $4,913,000

For Administration and Operation of State Crime Laboratories:
Payable from State Crime Laboratory Fund.................... 3,000,000 1,000,000
Payable from the State Police DUI Fund............... 150,000
Payable from State Offender DNA Identification System Fund.................... 3,423,500

(P.A. 98-0050, Art. 20, Sec. 90 new)

Sec. 90. The sum of $17,000,000, or so much thereof as may be necessary, is appropriated from the State Police Firearm Services Fund to the Department of State Police for payment of expenses as outlined in the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act.

(P.A. 98-0050, Art. 20, Sec. 95 new)

Sec. 95. The sum of $6,250,000, or so much thereof as may be necessary, is appropriated from the Mental Health Reporting Fund to the

New matter indicated by italics - deletions by strikeout
Department of State Police for payment of expenses as outlined in the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act.

(P.A. 98-0050, Art. 20, Sec. 110 new)

Sec. 110. The sum of $153,400, or so much thereof as may be necessary, is appropriated from the State Police Firearm Services Fund to the Department of State Police for all costs, including operational and administrative expenses, of the Concealed Carry Licensing Review Board as outlined in the Firearm Concealed Carry Act.

Section 15. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Section 250 of Article 22; and by adding new Section 307 to Article 22 as follows:

(P.A. 98-0050, Art. 22, Sec. 250)

Sec. 250. The following named sums, or so much thereof as may be necessary, are appropriated from the Downstate Public Transportation Fund to the Department of Transportation for operating assistance grants to provide a portion of the eligible operating expenses for the following carriers for the purposes stated in Article II of Public Act 78-1109, as amended:

Champaign-Urbana Mass Transit District........... 27,466,600
Greater Peoria Mass Transit District (with Service to Pekin)............................. 21,269,800
Rock Island County Metropolitan Mass Transit District................................. 17,318,700
Rockford Mass Transit District..................... 14,374,800
Springfield Mass Transit District............... 13,979,200
Bloomington-Normal Public Transit System ...... 7,840,800
City of Decatur..................................... 6,865,500
City of Quincy..................................... 3,433,000
City of Galesburg................................. 1,560,800
Stateline Mass Transit District (with service to South Beloit)......................... 366,100
City of Danville................................. 2,497,200
RIDES Mass Transit District (including assistance payments for Edgar and Clark Counties formerly served by East Central IL Mass Transit District)............... 6,695,100 6,362,300
South Central Illinois Mass Transit District..... 5,217,900

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>River Valley Metro Mass Transit District......</td>
<td>4,606,500</td>
</tr>
<tr>
<td>Jackson County Mass Transit District..........</td>
<td>425,700</td>
</tr>
<tr>
<td>City of DeKalb..................................</td>
<td>3,224,100</td>
</tr>
<tr>
<td>City of Macomb..................................</td>
<td>2,154,800</td>
</tr>
<tr>
<td>Shawnee Mass Transit District...................</td>
<td>1,985,600</td>
</tr>
<tr>
<td>St. Clair County Transit District..............</td>
<td>51,129,400</td>
</tr>
<tr>
<td>West Central Mass Transit District.............</td>
<td>984,700</td>
</tr>
<tr>
<td>Monroe-Randolph Transit District...............</td>
<td>886,800</td>
</tr>
<tr>
<td>Madison County Mass Transit District..........</td>
<td>20,373,000</td>
</tr>
<tr>
<td>Bond County.....................................</td>
<td>314,200</td>
</tr>
<tr>
<td>Bureau County (with service to Putnam County)..</td>
<td>714,800</td>
</tr>
<tr>
<td>Coles County....................................</td>
<td>480,500</td>
</tr>
<tr>
<td>East Central IL Mass Transit District..........</td>
<td>332,800</td>
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<tr>
<td>City of Freeport/Stephenson County.............</td>
<td>837,400</td>
</tr>
<tr>
<td>Henry County....................................</td>
<td>368,600</td>
</tr>
<tr>
<td>Jo Daviess County................................</td>
<td>504,600</td>
</tr>
<tr>
<td>Kankakee County..................................</td>
<td>656,300</td>
</tr>
<tr>
<td>Peoria County....................................</td>
<td>457,600</td>
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<tr>
<td>Piatt County.....................................</td>
<td>439,600</td>
</tr>
<tr>
<td>Shelby County....................................</td>
<td>728,500</td>
</tr>
<tr>
<td>Tazewell County..................................</td>
<td>676,200</td>
</tr>
<tr>
<td>CRIS Rural Mass Transit District..............</td>
<td>676,300</td>
</tr>
<tr>
<td>Kendall County...................................</td>
<td>1,570,400</td>
</tr>
<tr>
<td>McLean County (with service to Macon, Dewitt, Ford, Iroquois and Livingston Counties).......</td>
<td>1,501,900</td>
</tr>
<tr>
<td>Woodford County..................................</td>
<td>296,800</td>
</tr>
<tr>
<td>Lee and Ogle Counties...........................</td>
<td>725,800</td>
</tr>
<tr>
<td>Whiteside County.................................</td>
<td>599,000</td>
</tr>
<tr>
<td>Champaign County.................................</td>
<td>577,600</td>
</tr>
<tr>
<td>Boone County.....................................</td>
<td>121,000</td>
</tr>
<tr>
<td>DeKalb County...................................</td>
<td>453,800</td>
</tr>
<tr>
<td>Grundy County...................................</td>
<td>278,300</td>
</tr>
<tr>
<td>Stark County....................................</td>
<td>121,000</td>
</tr>
<tr>
<td>Warren County...................................</td>
<td>169,400</td>
</tr>
<tr>
<td>Rock Island/Mercer Counties....................</td>
<td>278,300</td>
</tr>
<tr>
<td>Hancock County..................................</td>
<td>175,500</td>
</tr>
<tr>
<td>Macoupin County..................................</td>
<td>363,000</td>
</tr>
<tr>
<td>Fulton County...................................</td>
<td>242,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Sec. 307. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Working Capital Revolving Loan Fund to the Department of Transportation for the purpose of making loans to disadvantaged business enterprises certified by IDOT for participation on IDOT-procured construction and construction-related projects under the provisions of the Disadvantaged Business Revolving Loan Program pursuant to Section 610 of the Department of Transportation Law.

Section 20. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Section 130 of Article 37 as follows:

Sec. 130. The sum of $4,262,749, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from the appropriation and reappropriation concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 20, Section 80 and Article 21, Section 325 of Public Act 97-0725, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

Section 25. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Sections 40 and 195 of Article 38 as follows:

Sec. 40. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article

New matter indicated by italics - deletions by strikeout
22, Section 40 of Public Act 97-0725, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

**STATEWIDE**

(From Article 22, Section 40 of Public Act 97-0725)

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the renovation of state-owned property</td>
<td>592,127</td>
</tr>
<tr>
<td>For renovating state owned property</td>
<td>969,274</td>
</tr>
<tr>
<td>For upgrading the building security system at the James R. Thompson Center</td>
<td></td>
</tr>
<tr>
<td>and the State of Illinois building in addition to funds previously appropriated</td>
<td>655,000</td>
</tr>
<tr>
<td>For renovation of State-owned property at the following locations:</td>
<td></td>
</tr>
<tr>
<td>Kenneth Hall Regional Office Building, AIG (Franklin Complex)</td>
<td></td>
</tr>
<tr>
<td>James R. Thompson Center, Sangamo Complex (IEPA), Champaign Regional Office Building (IEPA), Springfield Regional Office Building, Natural Resource Center (DNR) and Read - Building (Elgin Mental Health Center)</td>
<td>157,715</td>
</tr>
<tr>
<td>CHICAGO MEDICAL CENTER - OFFICE AND LAB BUILDING</td>
<td></td>
</tr>
<tr>
<td>For installing an emergency generator and upgrading the electrical system</td>
<td>1,888,829</td>
</tr>
<tr>
<td>For planning and beginning the renovation of the facility</td>
<td>462,651</td>
</tr>
<tr>
<td>COLLINSVILLE REGIONAL OFFICE COMPLEX</td>
<td></td>
</tr>
<tr>
<td>For replacing the roof</td>
<td>1,012,947</td>
</tr>
<tr>
<td>To replace an emergency generator</td>
<td>180,811</td>
</tr>
<tr>
<td>ELGIN REGIONAL OFFICE BUILDING</td>
<td></td>
</tr>
<tr>
<td>For upgrading the HVAC system</td>
<td>2,373,194</td>
</tr>
<tr>
<td>ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (WOOD) - CHICAGO</td>
<td></td>
</tr>
<tr>
<td>For upgrading fire and safety systems</td>
<td>27,113</td>
</tr>
<tr>
<td>JAMES R. THOMPSON CENTER - CHICAGO</td>
<td></td>
</tr>
<tr>
<td>For the purpose of emergency stone repair at the James R. Thompson Center</td>
<td>1,980,286</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For planning and beginning electrical system and life safety system upgrades........... 749,823
For upgrading the HVAC system.................. 1,281,319
For emergencies installing an emergency
generator........................................ 3,545,000
For rehabilitating exterior columns, in addition to funds previously appropriated........ 11,692
For upgrading mechanical systems, in addition to funds previously appropriated....... 27,341
KENNETH HALL REGIONAL OFFICE BUILDING – EAST ST. LOUIS
For design services for emergency parapet wall repairs........................................ 22,656
MEDICAL CENTER (DCFS DISTRICT OFFICE) - CHICAGO
For replacing roof and upgrading mechanical and electrical systems................. 321,956
MEDICAL CENTER (EDWARDS CENTER) - CHICAGO
For medical center (Edwards Center).............. 184,899
MICHAEL A. BILANDIC BUILDING, CHICAGO
For upgrading HVAC and domestic water system............................................. 697,486
ROCKFORD REGIONAL OFFICE BUILDING
For replacing Halon and upgrading the air conditioning............................... 162,614
SPRINGFIELD - RESEARCH AND COLLECTION CENTER
For expanding surplus warehouse...................... 73,584
SPRINGFIELD - COMPUTER FACILITY
For upgrading the computer room and the electrical system................................ 23,421
SPRINGFIELD REGIONAL OFFICE BUILDING
For emergency cooling tower replacement at 4500 S. Sixth Street Road............... 56,864
SUBURBAN NORTH REGIONAL OFFICE FACILITY, DES PLAINES
For renovating office space......................... 92,465
Total $17,551,067

(P.A. 98-0050, Art. 38, Sec. 195)
Sec. 195. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2013, from reappropriations heretofore made for such purposes in Article 22, Section 195 of Public Act 97-0725, are reappropriated from the Capital

New matter indicated by italics - deletions by strikeout
Development Fund to the Capital Development Board for the Illinois Community College Board for the projects hereinafter enumerated:

**CITY COLLEGES OF CHICAGO**

(From Article 22, Section 195 of Public Act 97-0725)

For various bondable capital improvements .......... 570,171

For remodeling for Workforce Preparation

CITY COLLEGES OF CHICAGO/KENNEDY KING

For remodeling for Workforce Preparation Centers .......................................... 3,575,930

For remodeling for a culinary arts educational facility.................................... 10,875,000

CITY COLLEGES OF CHICAGO - MALCOLM X COLLEGE

For remodeling the Allied Health program facilities........................................... 4,298,223

**COLLEGE OF DUPAGE**

For Installation of the Instructional Center Noise Abatement.................. 1,544,600

**COLLEGE OF LAKE COUNTY**

For Construction of a Student Service Building.............................................. 35,927,000

**ELGIN COMMUNITY COLLEGE**

For Spartan Drive Extension.............................. 2,244,800

**IECC – LINCOLN TRAIL COLLEGE**

For Construction of a Center for Technology.............................................. 7,569,800

**ILLINOIS VALLEY COMMUNITY COLLEGE**

For Construction of a Community Technology Center................................. 5,040,905

**JOLIET JUNIOR COLLEGE**

For renovation of Utilities........................................... 4,212,486

**KANKAKEE COMMUNITY COLLEGE**

For constructing a laboratory/classroom Facility............................................ 226,567

**KASKASKIA COLLEGE**

For all costs associated with construction of new facilities as part of Phase Two of the Vandalia.......... 5,600,000

**LAKE LAND COLLEGE**

For renovating and expanding Student Services Building Addition.............. 2,361,100

New matter indicated by italics - deletions by strikeout
For Construction of a Rural Development Technology Center........ 7,524,100
For Student Services Building addition........... 6,498,007

LEWIS AND CLARK COLLEGE
For construction and infrastructure improvements to the National Great Rivers Research and Education Center........ 1,658,841

MCHENRY COUNTY COLLEGE
For constructing classrooms and a student services building and remodeling space, in addition to funds previously appropriated.............................. 473,076

MORaine VALLEY COMMUNITY COLLEGE - PALOS HILLS
For constructing a classroom/administration building, providing site improvements and purchasing equipment, in addition to funds previously appropriated.................... 41,635

MORTON COLLEGE
For costs associated with capital improvements.............................................. 4,500,000

PARKLAND COLLEGE
For renovating and expanding the Student Services Center Addition........ 7,673,589

PRAIRIE STATE COLLEGE - CHICAGO HEIGHTS
For costs associated with capital improvements at Prairie State College........ 4,285,099
For constructing an addition to the Adult Training/Outreach Center, in addition to funds previously appropriated............... 811,858

REND LAKE COLLEGE
For Art Program Addition and minor remodeling.......................... 429,267

RICHLAND COMMUNITY COLLEGE
For Renovation of the Student Success Center and Construction of an Addition to the Student Success Center................................. 3,524,000

ROCK VALLEY COLLEGE
For Construction of an

New matter indicated by italics - deletions by strikeout
Arts Instructional Center and Public Act 098-0050 remodeling of existing classroom buildings.... 26,711,900

SOUTH SUBURBAN COLLEGE
For improving flood retention, and general infrastructure improvements........................................ 437,000

TRITON COMMUNITY COLLEGE - RIVER GROVE
For renovating and expanding the Technology Building....................... 10,402,114
For rehabilitating the Liberal Arts Building.............................................. 1,536,546
For rehabilitating the potable water distribution system............................... 70,146

TRUMAN COLLEGE
For costs associated with capital improvements........................................ 5,000,000

WILBUR WRIGHT COLLEGE
For costs associated with capital improvements to the Humboldt Park Vocational Education Center at Wilbur Wright College....................... 5,000,000

WILLIAM RAINEY HARPER COLLEGE
For Engineering and Technology Center Renovations............................... 19,049,819
For Construction of a One Stop/Admissions and Campus/ Student Life Center........................... 40,520,082

STATEWIDE
For the Illinois Community College Board miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for this purpose........ 1,406,085
For miscellaneous capital improvements including construction, capital facilities,

New matter indicated by italics - deletions by strikeout
cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes................. 4,837,570

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes................. 3,563,951

Total $240,001,267

Section 30. “AN ACT making appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Section 5 of Article 41 as follows:

(P.A. 98-0050, Art. 41, Sec. 5)

Sec. 5. The sum of $1,551,914, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 25, Section 5 of Public Act 97-0725, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University for all costs associated with renovation and expansion of the Doudna Fine Arts Center. This appropriation is in addition to funds previously appropriated.

Section 35. “AN ACT making appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by changing Sections 5 and 10 of Article 45 as follows:

(P.A. 98-0050, Art. 45, Sec. 5)

Sec. 5. The sum of $591,895,728, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 28, Section 5 of Public Act 97-0725 and Article 30, Section 5 of Public Act 97-0725, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local

New matter indicated by italics - deletions by strikeout
government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

(P.A. 98-0050, Art. 45, Sec. 10)

Sec. 10. The sum of $420,452,887, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from appropriations heretofore made in Article 28, Section 10 of Public Act 97-0725 and Article 30, Section 10 of Public Act 97-0725, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

(P.A. 98-0050, Art. 52, Sec. 2920 rep.)
(P.A. 98-0050, Art. 52, Sec. 3030 rep.)

Section 40. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by repealing Sections 2920 and 3030; and by changing Sections 115, 915, 945, 1260, 2220, 2545, 2925, 3010, 3031, 3060, 3095, 3325, and 3860 of Article 52 as follows:

(P.A. 98-0050, Art. 52, Sec. 115)

Sec. 115. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 115 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for costs associated with *infrastructure improvements* construction of a new facility, to be located in Des Plaines.

(P.A. 98-0050, Art. 52, Sec. 915)

Sec. 915. The sum of $140,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to *Puerto Rican Cultural Center* of Puerto Rican Chamber of Commerce of Illinois for

New matter indicated by italics - deletions by strikeout
costs associated with *renovations to the Vida SIDA housing unit infrastructure improvements*.

(P.A. 98-0050, Art. 52, Sec. 945)

Sec. 945. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for costs associated with infrastructure improvements to the *Calumet-Saganashkee Channel*.

(P.A. 98-0050, Art. 52, Sec. 1260)

Sec. 1260. The sum of $205,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 1260 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Colp for costs associated with infrastructure improvements repairs and maintenance to roadways within the Village.

(P.A. 98-0050, Art. 52, Sec. 2220)

Sec. 2220. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 2220 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for costs associated with *a bridge repair construction of a roadway bridge on Matteson Avenue*.

(P.A. 98-0050, Art. 52, Sec. 2545)

Sec. 2545. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 2545 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peggy Notebart Nature Museum for costs associated with *infrastructure improvements construction of a Green City Market Structure*.

(P.A. 98-0050, Art. 52, Sec. 2925)

Sec. 2925. The sum of $60,000 $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the

New matter indicated by italics - deletions by strikeout
Access Community Health Network for costs associated with renovations and repairs to the Access Melrose Park Family Health Center located at 8321 West North Avenue in Melrose Park and Access West Division located at 4401 West Division Street in Chicago.

(P.A. 98-0050, Art. 52, Sec. 3010)

Sec. 3010. The sum of $350,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Melrose Park Family Health Center for costs associated with renovations to the Access Melrose Park Family Health Center.

(P.A. 98-0050, Art. 52, Sec. 3031)

Sec. 3031. The sum of $150,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for costs associated with construction of a field house at Harris Memorial Park.

(P.A. 98-0050, Art. 52, Sec. 3060)

Sec. 3060. The sum of $165,000 or so much thereof as may be necessary, remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 3060 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Direction Outreach for costs associated with construction of a family enrichment center.

(P.A. 98-0050, Art. 52, Sec. 3095)

Sec. 3095. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article 4, Section 3095 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Inner-City Muslim Action Network for costs associated with a feasibility study and for capital improvements at Marquette Park.

(P.A. 98-0050, Art. 52, Sec. 3325)

Sec. 3325. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made for such purpose in Article

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4, Section 3325 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town Village of Astoria for costs associated with improvements to the water treatment plant, to include all prior incurred costs.

(P.A. 98-0050, Art. 52, Sec. 3860)

Sec. 3860. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Richard Parish St. Pancratius Parish for costs associated with capital improvements.

(P.A. 98-0050, Art. 53, Sec. 85 rep.)
(P.A. 98-0050, Art. 53, Sec. 115 rep.)
(P.A. 98-0050, Art. 53, Sec. 865 rep.)
(P.A. 98-0050, Art. 53, Sec. 875 rep.)
(P.A. 98-0050, Art. 53, Sec. 905 rep.)
(P.A. 98-0050, Art. 53, Sec. 950 rep.)
(P.A. 98-0050, Art. 53, Sec. 970 rep.)
(P.A. 98-0050, Art. 53, Sec. 985 rep.)
(P.A. 98-0050, Art. 53, Sec. 1410 rep.)
(P.A. 98-0050, Art. 53, Sec. 1860 rep.)
(P.A. 98-0050, Art. 53, Sec. 4665 rep.)
(P.A. 98-0050, Art. 53, Sec. 4710 rep.)
(P.A. 98-0050, Art. 53, Sec. 4725 rep.)
(P.A. 98-0050, Art. 53, Sec. 4755 rep.)
(P.A. 98-0050, Art. 53, Sec. 5295 rep.)
(P.A. 98-0050, Art. 53, Sec. 6735 rep.)
(P.A. 98-0050, Art. 53, Sec. 7075 rep.)
(P.A. 98-0050, Art. 53, Sec. 7085 rep.)

Section 45. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by repealing Sections 85, 115, 865, 875, 905, 950, 970, 985, 1410, 1860, 4665, 4710, 4725, 4755, 5295, 6735, 7075, and 7085 of Article 53; by changing Sections 850, 870, 945, 965, 975, 980, 990, 995, 1005, 1015, 1120, 1740, 1995, 2010, 3300, 3645, 4535, 4695, 4740, 5460, 5775, 5945, 5945, 5995, 6085, 6165, 6225, 6765, 6830, 6835, 7145, 7290, 7355, and 7570, of Article 53; and by adding new Sections 2220, 5095, 7260, 7775, 7780, 7785, 7790, 7795, and 7800 to Article 53 as follows:

(P.A. 98-0050, Art. 53, Sec. 850)

New matter indicated by italics - deletions by strikeout
Sec. 850. The sum of $150,000 $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 850 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Don Nash Park.

(P.A. 98-0050, Art. 53, Sec. 870)

Sec. 870. The sum of $125,000 $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 870 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for water feature rehabilitation to Harold Washington Park.

(P.A. 98-0050, Art. 53, Sec. 945)

Sec. 945. The sum of $150,000 $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 945 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for median repair traffic intersection upgrades at 59th and Cornell Drive.

(P.A. 98-0050, Art. 53, Sec. 965)

Sec. 965. The sum of $100,000 $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 965 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Youth Centers for Crowne Center Building renovations.

(P.A. 98-0050, Art. 53, Sec. 975)

Sec. 975. The sum of $150,000 $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 975 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of
Commerce and Economic Opportunity for a grant to Hyde Park Neighborhood Club for renovations.

(P.A. 98-0050, Art. 53, Sec. 980)

Sec. 980. The sum of $100,000 $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 980 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hyde Park Neighborhood Club for renovations.

(P.A. 98-0050, Art. 53, Sec. 990)

Sec. 990. The sum of $100,000 $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 990 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Central Community Services Incorporated for renovations to the South Shore campus.

(P.A. 98-0050, Art. 53, Sec. 995)

Sec. 995. The sum of $100,000 $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for renovations to the South Chicago YMCA.

(P.A. 98-0050, Art. 53, Sec. 1005)

Sec. 1005. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1005 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Technical and Education Center for facility renovations.

(P.A. 98-0050, Art. 53, Sec. 1015)

Sec. 1015. The sum of $125,000 $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in

New matter indicated by italics - deletions by strikeout
Article 5, Section 1015 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois Incorporated for physical plant improvements.

(P.A. 98-0050, Art. 53, Sec. 1120)

Sec. 1120. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1120 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for lights and general infrastructure improvements to Gompers Park and to the Albany Park Community Center for renovations to the building.

(P.A. 98-0050, Art. 53, Sec. 1740)

Sec. 1740. The sum of $175,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Decatur for infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 1995)

Sec. 1995. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Family Health Center for physical plant improvements. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 1995 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peace and Education Coalition for renovations to the youth facility.

(P.A. 98-0050, Art. 53, Sec. 2010)

Sec. 2010. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 2010 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Inner-City Muslim Action Center for renovations to the youth and arts wellness

New matter indicated by italics - deletions by strikeout
center at 2747 West 63rd Street for security and infrastructure upgrades in the 16th Ward.

(P.A. 98-0050, Art. 53, Sec. 2220 new)

Sec. 2220. The sum of $38,461, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Thomas Drummond Elementary.

(P.A. 98-0050, Art. 53, Sec. 3300)

Sec. 3300. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairmount Fire Department for infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 3645)

Sec. 3645. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alsip for infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 4535)

Sec. 4535. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockdale for an extension to the Route 6 water main. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 4535 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at Broadway Armory Park.

(P.A. 98-0050, Art. 53, Sec. 4695)

Sec. 4695. The sum of $45,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Harrisburg for general infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 4740)

Sec. 4740. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity for a grant to the City of Eldorado for general infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 5095 new)

Sec. 5095. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bremen Township for general infrastructure.

(P.A. 98-0050, Art. 53, Sec. 5460)

Sec. 5460. The sum of $342,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5460 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to Project Brotherhood for the acquisition and rehabilitation of real property for housing of community related services.

(P.A. 98-0050, Art. 53, Sec. 5775)

Sec. 5775. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Silvis for general infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 5940)

Sec. 5940. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 5940 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for general infrastructure improvements to Kiwanis Park.

(P.A. 98-0050, Art. 53, Sec. 5945)

Sec. 5945. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of La Grange for signal change at 47th and East Avenue.

(P.A. 98-0050, Art. 53, Sec. 5995)

Sec. 5995. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for general infrastructure.

(P.A. 98-0050, Art. 53, Sec. 6085)

New matter indicated by italics - deletions by strikeout
Sec. 6085. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6085 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Thornton for general infrastructure.

(P.A. 98-0050, Art. 53, Sec. 6165)

Sec. 6165. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Department of Transportation for all costs associated with sidewalk repair and lighting in the 18th Ward.

(P.A. 98-0050, Art. 53, Sec. 6225)

Sec. 6225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6225 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Shore Church of Christ for general infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 6765)

Sec. 6765. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 5, Section 6765 of Public Act 97-0725, as amended, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Columbia Explorers Elementary Academy.

(P.A. 98-0050, Art. 53, Sec. 6830)

Sec. 6830. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Gallatin for general infrastructure improvements.

(P.A. 98-0050, Art. 53, Sec. 6835)

Sec. 6835. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity for a grant to the County of Saline for general infrastructure improvements.
(P.A. 98-0050, Art. 53, Sec. 7145)
Sec. 7145. The sum of $200,000 or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Park YMCA for general infrastructure.
(P.A. 98-0050, Art. 53, Sec. 7260 new)
Sec. 7260. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pan American Chamber of Commerce for acquisition and construction of chamber headquarters.
(P.A. 98-0050, Art. 53, Sec. 7290)
Sec. 7290. The sum of $115,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sherman United Methodist Church for the construction of a new building.
(P.A. 98-0050, Art. 53, Sec. 7355)
Sec. 7355. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Round Lake Area School District 116 for parking lot improvements.
(P.A. 98-0050, Art. 53, Sec. 7570)
Sec. 7570. The sum of $50,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lynwood for infrastructure improvements.
(P.A. 98-0050, Art. 53, Sec. 7775 new)
Sec. 7775. The sum of $100,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Claretian Associates for physical plant renovations and improvements.
(P.A. 98-0050, Art. 53, Sec. 7780 new)
Sec. 7780. The sum of $100,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity for a grant to the
South Chicago Arts Center for physical plant improvements.
(P.A. 98-0050, Art. 53, Sec. 7785 new)

Sec. 7785. The sum of $100,000 or so much thereof as may be
necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the
Metropolitan Family Services for physical plant improvements.
(P.A. 98-0050, Art. 53, Sec. 7790 new)

Sec. 7790. The sum of $175,000 or so much thereof as may be
necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the
Saint Gabriel Catholic School for all costs associated with replacing
existing steam boilers.
(P.A. 98-0050, Art. 53, Sec. 7795 new)

Sec. 7795. The sum of $100,000 or so much thereof as may be
necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the
Saint Gabriel Catholic Church for all costs associated with replacing
existing steam boilers.
(P.A. 98-0050, Art. 53, Sec. 7800 new)

Sec. 7800. The sum of $25,000 or so much thereof as may be
necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the
Chicago Board of Education for general infrastructure improvements to
the John Hope College Preparatory High School.

Section 50. “AN ACT concerning appropriations”, Public Act 98-
0050, approved July 2, 2013, with item reductions, is amended by
changing Sections 645, 796, and 926 of Article 54 as follows:
(P.A. 98-0050, Art. 54, Sec. 645)

Sec. 645. The sum of $95,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a reappropriation heretofore made in Article 6, Section 645 of
Public Act 97-0725, as amended, is reappropriated from the Build Illinois
Bond Fund to the Department of Commerce and Economic Opportunity
for a grant to the Village of Summerfield for all costs associated with the
construction of a new city hall.
(P.A. 98-0050, Art. 54, Sec. 796)

Sec. 796. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2013, from a re-appropriation heretofore made in Article 6, Section 796 of Public Act 97-0725, as amended, is appropriated re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Newport Fire Protection District for all costs associated with infrastructure improvements Northwest Lake County Fire Training Company for all costs associated with the construction of a training facility for fire and rescue personnel.

(P.A. 98-0050, Art. 54, Sec. 926)

Sec. 926. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made in Article 6, Section 926 of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakdale for all costs associated with infrastructure street and sidewalk improvements.

(P.A. 98-0050, Art. 55, Sec. 27 rep.)

Section 55. “AN ACT concerning appropriations”, Public Act 98-0050, approved July 2, 2013, with item reductions, is amended by repealing Section 27 of Article 55; and by changing Sections 119c, 125, 350, 479, 507, and 517 of Article 55; and by adding new Section 300 to Article 55 as follows:

(P.A. 98-0050, Art. 55, Sec. 119c)

Sec. 119c. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a re-appropriation heretofore made in Article 7, Section 119c of Public Act 97-0725, as amended, is re-appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Paris for all costs associated with infrastructure improvements capital costs associated with the Ed-Plex Building.

(P.A. 98-0050, Art. 55, Sec. 125)

Sec. 125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 125 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Richland Crawford County Senior Citizens Senior Nutrition Program for all costs associated with renovation and/or purchase of kitchen and meal delivery facilities.

New matter indicated by italics - deletions by strikeout
(P.A. 98-0050, Art. 55, Sec. 300 new)

Sec. 300. The sum of $310,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belvidere for all costs associated with transportation enhancement for the construction of extending the Kishwaukee Riverfront Multi-Use Path and landscaping in the downtown warehouse district.

(P.A. 98-0050, Art. 55, Sec. 350)

Sec. 350. The sum of $255,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 350 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with roadway infrastructure construction engineering.

(P.A. 98-0050, Art. 55, Sec. 479)

Sec. 479. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 479 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with West Branch infrastructure improvements and for infrastructure improvements at the Ben Fuller historic home.

(P.A. 98-0050, Art. 55, Sec. 507)

Sec. 507. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 507 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to TriCity Family Services, Inc. for all costs associated with infrastructure improvements for capital investment for replacement of management information systems.

(P.A. 98-0050, Art. 55, Sec. 517)

Sec. 517. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made in Article 7, Section 517 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
for a grant to the Prairie Valley Family Gilberts Family Branch of Greater Elgin YMCA for all costs associated with capital investment in equipment and building, restricted to the Taylor Gilberts Branch.

ARTICLE 4

Section 5. “AN ACT making appropriations”, Public Act 98-0064, approved July 10, 2013, is amended by changing Section 145 of Article 1 as follows:

(P.A. 98-0064, Art. 1, Sec. 145)
Sec. 145. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for implementation of grants pursuant to the Forever Green Illinois Program.

Section 10. “AN ACT making appropriations”, Public Act 98-0064, approved July 10, 2013, is amended by adding new Sections 40 and 45 to Article 12 as follows:

(P.A. 98-0064, Art. 12, Sec. 40 new)
Sec. 40. The following named amount is appropriated from the General Revenue Fund to the Illinois Court of Claims to pay a claim for damages in a prior year regardless of whether sufficient funds lapsed in the appropriation accounts out of which payment for the damages would have been made. The specific claim to be paid, in conformity with the recommendations made by the Court of Claims is as follows:
No. 07-CC-2098, MJC Constructors, Inc., against the Illinois Department of Transportation..... $87,442.55

(P.A. 98-0064, Art. 12, Sec. 45 new)
Sec. 45. The following named amounts are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0595, James Kluppelberg, unjust imprisonment.......................... $213,624.00
No. 14-CC-1016, Bennie Starks, unjust imprisonment.......................... $213,624.00

Section 15. “AN ACT making appropriations”, Public Act 98-0064, approved July 10, 2013, is amended by changing Section 10 of Article 15 as follows:

(P.A. 98-0064, Art. 15, Sec. 10)
Sec. 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

New matter indicated by italics - deletions by strikeout
WORKFORCE DEVELOPMENT

Payable from Title III Social Security and Employment Fund:
For the expenses related to the Development of Training Programs............... 100,000
For the expenses related to Employment Security Automation.......................... 7,000,000
For expenses related to a Benefit Information System Redefinition............... 4,500,000

Payable from the Unemployment Compensation Special Administration Fund:
For expenses related to Legal Assistance as required by law......................... 2,000,000
For deposit into the Title III Social Security and Employment Fund................... 25,750,000
For Interest on Refunds of Erroneously Paid Contributions, Penalties and Interest........................................ 100,000

Total $39,450,000 $29,900,000

Section 20. “AN ACT making appropriations”, Public Act 98-0064, approved July 10, 2013, is amended by adding new Section 20 to Article 34 as follows:
(P.A. 98-0064, Art. 34, Sec. 20 new)
Sec. 20. The sum of $135,000, or so much thereof as may be necessary, is appropriated from the Racing Board Fingerprint License Fund to the Illinois Racing Board for deposit into the Horse Racing Fund.

Section 25. “AN ACT concerning appropriations”, Public Act 98-0064, approved July 10, 2013, is amended by changing Section 25 of Article 38; and by adding new Section 40 to Article 38 as follows:
(P.A. 98-0064, Art. 38, Sec. 25)
Sec. 25. The sum of $500,000 is appropriated from the General Revenue Fund to the Supreme Court for deposit into the Foreign Language Interpreter Fund.
(P.A. 98-0064, Art. 38, Sec. 40 new)
Sec. 40. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Supreme Court Special Purposes Fund to the Supreme Court for the oversight and management of

New matter indicated by italics - deletions by strikeout
electronic filing, case management systems, and committees and commissions of the Supreme Court.

ARTICLE 999
Section 999. Effective date. This Act takes effect immediately upon becoming law.
Passed in the General Assembly November 7, 2013.
Approved November 15, 2013.
Effective November 15, 2013.

PUBLIC ACT 98-0592
(Senate Bill No. 0045)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 and by adding Section 9-2c as follows:
(235 ILCS 5/6-11)
Sec. 6-11. Sale near churches, schools, and hospitals.
(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.
(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii)
the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises
solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and

New matter indicated by italics - deletions by strikeout
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and

(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;

(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;

(3) the school was built in 1978;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the
business to be conducted on the premises at a different location for more than 7 years; and

(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;
(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;

New matter indicated by italics - deletions by strikeout
(3) the church was established at the current location in 1916 and the present structure was erected in 1925;
(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the school is a City of Chicago School District 299 school;
(2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
(5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises is located on a street that runs perpendicular to the street on which the church is located;

New matter indicated by italics - deletions by strikeout
(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
(5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
(6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
(7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
(2) the church was established at the current location in 1889; and
(3) liquor has been sold on the premises since at least 1985.

(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

(1) the premises is located within a larger building operated as a grocery store;
(2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;
(3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;
(4) the sale of liquor is not the principal business carried on within the larger building;
(5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;

New matter indicated by italics - deletions by strikeout
(6) the larger building is separated from the church-owned property and church-affiliated school by an alley;

(7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and

(8) (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;

(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

New matter indicated by italics - deletions by strikeout
(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

1. the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;
2. the area of the premises does not exceed 31,050 square feet;
3. the area of the restaurant does not exceed 5,800 square feet;
4. the building has no less than 78 condominium units;
5. the construction of the building in which the restaurant is located was completed in 2006;
6. the building has 10 storefront properties, 3 of which are used for the restaurant;
7. the restaurant will open for business in 2010;
8. the building is north of the school and separated by an alley; and
9. the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

1. the premises operates as a restaurant and has been in operation since February 2008;
2. the applicant is the owner of the premises;
3. the sale of alcoholic liquor is incidental to the sale of food;
4. the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
5. the premises occupy the first floor of a 3-story building that is at least 90 years old;

New matter indicated by italics - deletions by strikeout
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;

(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;

(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;

(9) the school is a City of Chicago School District 299 school;

(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and

(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;

(2) the premises for which the license or renewal is sought has more than 600 parking stalls;

(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;

(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;

(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;

(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality.
with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;
(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;
(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;
(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;
(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet;
and
(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the church has been operating in its current location since 1973;
(3) the premises has been operating in its current location since 1988;
(4) the church and the premises are owned by the same parish;
(5) the premises is used for cultural and educational purposes;
(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(7) the principal religious leader of the church has indicated his support of the issuance of the license;
(8) the premises is a 2-story building of approximately 23,000 square feet; and
(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;

(4) the school is a City of Chicago School District 299 school;

(5) the school has been operating since 1959;

(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;

(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;

(8) the premises is a single-story building of approximately 2,900 square feet; and

(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors at the premises;

(3) the licensee is a national retail chain having over 100 locations within the municipality;

(4) the licensee has over 8,000 locations nationwide;

(5) the licensee has locations in all 50 states;

(6) the premises is located in the North-East quadrant of the municipality;

New matter indicated by italics - deletions by strikeout
(7) the premises is a free-standing building that has "drive-through" pharmacy service;
(8) the premises has approximately 14,490 square feet of retail space;
(9) the premises has approximately 799 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license
authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(4) the premises is across the street from the church;
(5) the street on which the premises and the church are located is a major arterial street that runs east-west;
(6) the church is an elder-led and Bible-based Assyrian church;
(7) the premises and the church are both single-story buildings;
(8) the storefront directly west of the church is being used as a restaurant; and
(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain;
(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;
(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;
(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and

New matter indicated by italics - deletions by strikeout
(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;
(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;
(7) the principal of the school has given written approval for the license;
(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;
(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and
(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;
(2) the premises is located on land that has undergone environmental remediation;
(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;

New matter indicated by italics - deletions by strikeout
(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;
(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;
(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and
(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:
(1) the sale of alcoholic liquor is not the principal business carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises is a one and one-half-story building of approximately 10,000 square feet;
(4) the school is a City of Chicago School District 299 school;
(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;
(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and
(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;

(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;

(4) the building in which the church is located is at least 120 years old;

(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and

(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;

New matter indicated by italics - deletions by strikeout
(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and
(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;
(2) the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;
(3) the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;
(4) the primary entrance to the restaurant and the primary entrance to the church are located on the same street;
(5) the street on which the restaurant and the church are located is a major east-west street;
(6) the restaurant and the church are separated by a one-way northbound street;
(7) the church is located to the west of and no more than 65 feet from the restaurant; and
(8) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor is incidental to the sale of food;
(3) the premises are located east of the church, on perpendicular streets, and separated by an alley;

New matter indicated by italics - deletions by strikeout
(4) the distance between the primary entrance of the premises and the primary entrance of the church is at least 175 feet;

(5) the distance between the property line of the premises and the property line of the church is at least 40 feet;

(6) the licensee has been operating at the premises since 2012;

(7) the church was constructed in 1904;

(8) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license; and

(9) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (jj).

Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors on the premises;

(3) the licensee is a national retail chain;

(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 169,048 square feet of space within a building that is located across the street from a tuition-based preschool; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors on the premises;

(3) the licensee is a national retail chain;

(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 191,535 square feet of space within a building that is located across the street from an elementary school; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(mm) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio or sidewalk cafe, or both, attached to premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(2) as a restaurant, the premises may or may not offer catering as an incidental part of food service;

(3) the primary business of the restaurant is conducted in space owned by a hospital or an entity owned or controlled by, under common control with, or that controls a hospital, and the chief hospital administrator has expressed his or her support for the issuance of the license in writing; and

(4) the hospital is an adult acute care facility primarily located within the City of Chicago Institutional Planned Development Number 3.

(nn) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises are a building that was constructed in 1913 and opened on May 24, 1915 as a vaudeville theater, and the premises were converted to a motion picture theater in 1935;
(4) the church was constructed in 1889 with a stone exterior;
(5) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart; and
(6) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing; and
(7) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

(oo) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque, church, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the mosque, church, or other place of worship are perpendicular and are on different streets;
(2) the primary entrance to the premises faces West and the primary entrance to the mosque, church, or other place of worship faces South;
(3) the distance between the 2 primary entrances is at least 100 feet;
(4) the mosque, church, or other place of worship was established in a location within 100 feet of the premises after a license for the sale of alcohol at the premises was first issued;
(5) the mosque, church, or other place of worship was established on or around January 1, 2011;
(6) a license for the sale of alcohol at the premises was first issued on or before January 1, 1985;
(7) a license for the sale of alcohol at the premises has been continuously in effect since January 1, 1985, except for interruptions between licenses of no more than 90 days; and
(8) the premises are a single-story, single-use building of at least 3,000 square feet and no more than 3,380 square feet.

(pp) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established on premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of at least one church if:

(1) the sale of liquor shall not be the principal business carried on by the licensee at the premises;

(2) the premises are at least 6,500 square feet and no more than 7,500 square feet and is located in a single-story building;

(3) the property on which the premises are located is within an area that, as of 2009, was designated as a Renewal Community by the United States Department of Housing and Urban Development;

(4) the property on which the premises are located and the properties on which the churches are located are on the same street;

(5) the property on which the premises are located is immediately adjacent to and east of the property on which at least one of the churches is located;

(6) the property on which the premises are located is across the street and southwest of the property on which another church is located;

(7) the principal religious leaders of the churches have indicated their support for the issuance of the license in writing; and

(8) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

For purposes of this subsection (pp), "banquet facility" means the part of the building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(qq) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor on premises that are located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church or school if:

New matter indicated by italics - deletions by strikeout
(1) the primary entrance of the premises and the closest entrance of the church or school are at least 200 feet apart and no greater than 300 feet apart;

(2) the shortest distance between the premises and the church or school is at least 35 feet apart and no greater than 45 feet apart;

(3) the premises are a single-story, steel-framed commercial building with at least 18,042 square feet, and was constructed in 1925 and 1997;

(4) the owner of the business operated within the premises has been the general manager of a similar supermarket within one mile from the premises, which has had a valid license authorizing the sale of alcoholic liquor since 2002, and is in good standing with the City of Chicago;

(5) the principal religious leader at the place of worship has indicated his or her support to the issuance or renewal of the license in writing;

(6) the alderman of the ward has indicated his or her support to the issuance or renewal of the license in writing; and

(7) the principal of the school has indicated his or her support to the issuance or renewal of the license in writing.

(Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff. 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; revised 9-24-13.)

(235 ILCS 5/9-2c new)

Sec. 9-2c. Museum of Science and Industry. Any vote under this Article, whenever held, to prohibit sales at retail of alcoholic liquor (or alcoholic liquor other than liquor containing not more than 4% of alcohol by weight) in a precinct in a city, village, or incorporated town of more than 200,000 inhabitants shall not apply to such sales at the Museum of Science and Industry in Chicago.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved November 15, 2013.
Effective November 15, 2013.
PUBLIC ACT 98-0593
(Senate Bill No. 0633)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Animal Welfare Act is amended by changing Section 3.15 as follows:

(225 ILCS 605/3.15)
Sec. 3.15. Disclosures for dogs and cats being sold by pet shops.
(a) Prior to the time of sale, every pet shop operator must, to the best of his or her knowledge, provide to the consumer the following information on any dog or cat being offered for sale:

(1) The retail price of the dog or cat, including any additional fees or charges.
(2) The breed, age, date of birth, sex, and color of the dog or cat.
(3) The date and description of any inoculation or medical treatment that the dog or cat received while under the possession of the pet shop operator.
(4) The name and business address of both the dog or cat breeder and the facility where the dog or cat was born. If the dog or cat breeder is located in the State, then the breeder's license number. If the dog or cat breeder also holds a license issued by the United States Department of Agriculture, the breeder's federal license number.
(5) (Blank).
(6) If eligible for registration with a pedigree registry, then the name and registration numbers of the sire and dam and the address of the pedigree registry where the sire and dam are registered.
(7) If the dog or cat was returned by a customer, then the date and reason for the return.
(8) A copy of the pet shop's policy regarding warranties, refunds, or returns and an explanation of the remedy under subsections (f) through (m) of this Section in addition to any other remedies available at law.
(9) The pet shop operator's license number issued by the Illinois Department of Agriculture.

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(b) The information required in subsection (a) shall be provided to the customer in written form by the pet shop operator and shall have an acknowledgement of disclosures form, which must be signed by the customer and the pet shop operator at the time of sale. The acknowledgement of disclosures form shall include the following:

  (1) A blank space for the dated signature and printed name of the pet shop operator, which shall be immediately beneath the following statement: "I hereby attest that all of the above information is true and correct to the best of my knowledge."

  (2) A blank space for the customer to sign and print his or her name and the date, which shall be immediately beneath the following statement: "I hereby attest that this disclosure was posted on or near the cage of the dog or cat for sale and that I have read all of the disclosures. I further understand that I am entitled to keep a signed copy of this disclosure."

(c) A copy of the disclosures and the signed acknowledgement of disclosures form shall be provided to the customer at the time of sale and the original copy shall be maintained by the pet shop operator for a period of 2 years from the date of sale. A copy of the pet store operator's policy regarding warranties, refunds, or returns shall be provided to the customer.

(d) A pet shop operator shall post in a conspicuous place in writing on or near the cage of any dog or cat available for sale the information required by subsection (a) of this Section 3.15.

(e) If there is an outbreak of distemper, parvovirus, or any other contagious and potentially life-threatening disease, the pet shop operator shall notify the Department immediately upon becoming aware of the disease. If the Department issues a quarantine, the pet shop operator shall notify, in writing and within 2 business days of the quarantine, each customer who purchased a dog or cat during the 2-week period prior to the outbreak and quarantine.

(f) A customer who purchased a dog or cat from a pet shop is entitled to a remedy under this Section if:

  (1) within 21 days after the date of sale, a licensed veterinarian states in writing that at the time of sale (A) the dog or cat was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or obvious signs of severe parasitism that are extreme enough to influence the general health of the animal, excluding fleas or ticks, or (B) the dog or cat

New matter indicated by italics - deletions by strikeout
has died from a disease that existed in the dog or cat on or before the date of delivery to the customer; or

(2) within one year after the date of sale, a licensed veterinarian states in writing that the dog or cat possesses a congenital or hereditary condition that adversely affects the health of the dog or cat or requires either hospitalization or a non-elective surgical procedure or has died of a congenital or hereditary condition. Internal or external parasites may not be considered to adversely affect the health of the dog unless the presence of the parasites makes the dog or cat clinically ill. The veterinarian's statement shall include:

(A) the customer's name and address;
(B) a statement that the veterinarian examined the dog or cat;
(C) the date or dates that the dog or cat was examined;
(D) the breed and age of the dog or cat, if known;
(E) a statement that the dog or cat has or had a disease, illness, or congenital or hereditary condition that is subject to remedy; and
(F) the findings of the examination or necropsy, including any lab results or copies of the results.

(g) A customer entitled to a remedy under subsection (f) of this Section may:

(1) return the dog or cat to the pet shop for a full refund of the purchase price;
(2) exchange the dog or cat for another dog or cat of comparable value chosen by the customer;
(3) retain the dog or cat and be reimbursed for reasonable veterinary fees for diagnosis and treatment of the dog or cat, not to exceed the purchase price of the dog or cat; or
(4) if the dog or cat is deceased, be reimbursed for the full purchase price of the dog or cat plus reasonable veterinary fees associated with the diagnosis and treatment of the dog or cat, not to exceed one and one-half times the purchase price of the dog or cat.

For the purposes of this subsection (g), veterinary fees shall be considered reasonable if (i) the services provided are appropriate for the diagnosis and treatment of the disease, illness, or congenital or hereditary condition and (ii) the cost of the services is comparable to that charged for
similar services by other licensed veterinarians located in close proximity to the treating veterinarian.

(h) Unless the pet shop contests a reimbursement required under subsection (g) of this Section, the reimbursement shall be made to the customer no later than 10 business days after the pet shop operator receives the veterinarian's statement under subsection (f) of this Section.

(i) To obtain a remedy under this Section, a customer shall:

(1) notify the pet shop as soon as reasonably possible and not to exceed 3 business days after a diagnosis by a licensed veterinarian of a disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy;

(2) provide to the pet shop a written statement provided for under subsection (f) of this Section by a licensed veterinarian within 5 business days after a diagnosis by the veterinarian;

(3) upon request of the pet shop, take the dog or cat for an examination by a second licensed veterinarian; the customer may either choose the second licensed veterinarian or allow the pet shop to choose the second veterinarian, if the pet shop agrees to do so. The party choosing the second veterinarian shall assume the cost of the resulting examination; and

(4) if the customer requests a reimbursement of veterinary fees, provide to the pet shop an itemized bill for the disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy.

(j) A customer is not entitled to a remedy under this Section if:

(1) the illness or death resulted from: (A) maltreatment or neglect by the customer; (B) an injury sustained after the delivery of the dog or cat to the customer; or (C) an illness or disease contracted after the delivery of the dog or cat to the customer;

(2) the customer does not carry out the recommended treatment prescribed by the veterinarian who made the diagnosis; or

(3) the customer does not return to the pet shop all documents provided to register the dog or cat, unless the documents have already been sent to the registry organization.

(k) A pet shop may contest a remedy under this Section by having the dog or cat examined by a second licensed veterinarian pursuant to paragraph (3) of subsection (i) of this Section if the dog or cat is still
living. If the dog or cat is deceased, the pet shop may choose to have the second veterinarian review any records provided by the veterinarian who examined or treated the dog or cat for the customer before its death.

If the customer and the pet shop have not reached an agreement within 10 business days after the examination of the medical records and the dog or cat, if alive, or the dog's or cat's medical records, if deceased, by the second veterinarian, then:

1) the customer may bring suit in a court of competent jurisdiction to resolve the dispute; or
2) if the customer and the pet shop agree in writing, the parties may submit the dispute to binding arbitration.

If the court or arbiter finds that either party acted in bad faith in seeking or denying the requested remedy, then the offending party may be required to pay reasonable attorney's fees and court costs of the adverse party.

(I) This Section shall not apply to any adoption of dogs or cats, including those in which a pet shop or other organization rents or donates space to facilitate the adoption.

(m) If a pet shop offers its own warranty on a pet, a customer may choose to waive the remedies provided under subsection (f) of this Section in favor of choosing the warranty provided by the pet shop. If a customer waives the rights provided by subsection (f), the only remedies available to the customer are those provided by the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), the pet shop must provide, in writing, a statement of the remedy under subsection (f) that the customer is waiving as well as a written copy of the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), it shall be substantially similar to the following language:

"I have agreed to accept the warranty provided by the pet shop in lieu of the remedies under subsection (f) of Section 3.15 of the Animal Welfare Act. I have received a copy of the pet shop's warranty and a statement of the remedies provided under subsection (f) of Section 3.15 of the Animal Welfare Act. This is a waiver pursuant to subsection (m) of Section 3.15 of the Animal Welfare Act whereby I, the customer, relinquish any and all right to return the animal for congenital and hereditary disorders provided by subsection (f) of Section 3.15 of the Animal Welfare Act. I
agree that my exclusive remedy is the warranty provided by the pet shop at the time of sale.

(Source: P.A. 98-509, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved November 15, 2013.
Effective November 15, 2013.

PUBLIC ACT 98-0594
(Senate Bill No. 1689)

AN ACT concerning elections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Election Code is amended by adding Section 7-67 as follows:

(10 ILCS 5/7-67 new)

Sec. 7-67. Nominations; regional superintendents of schools.
(a) Notwithstanding any provision of law to the contrary, this Section shall apply only to the making of nominations for established party candidates for regional superintendent of schools in the 2014 general primary election.

(b) A candidate's petition for nomination must contain at least 200 signatures or the number of signatures equal to 0.5% of the primary electors of his or her party in the territory comprising the county or counties, whichever is less. For purposes of this subsection, the number of primary electors shall be determined by taking the total votes cast in the applicable district for the candidate for that political party who received the highest number of votes, statewide, at the last general election in the State at which electors for President of the United States were elected.

(c) Petitions for nomination for regional superintendent of schools shall be filed no earlier than December 16, 2013, and no later than December 23, 2013.

(d) Petitions for single-county districts shall be filed with the county election authority. Petitions for multi-county districts shall be filed with the State Board of Elections. Signatures and circulator statements on petitions for nomination filed with the State Board of Elections or county election authority during the filing period for nominations shall not be

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deemed invalid for the sole reason that the petitions were circulated between 90 and 111 days before the last day for filing petitions.

(e) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

Section 10. The School Code is amended by changing Section 3A-4 as follows:

(105 ILCS 5/3A-4) (from Ch. 122, par. 3A-4)

Sec. 3A-4. Mandatory consolidation of educational service regions.

(a) After July 1, 2015, each region must contain at least 61,000 inhabitants. Before June 30, 2013, regions may be consolidated voluntarily under Section 3A-3 or by joint resolution of the county boards of regions seeking to join a voluntary consolidation, effective July 1, 2015, to meet these population requirements. The boundaries of regions already meeting these population requirements on the effective date of this amendatory Act of the 97th General Assembly may not be changed except to consolidate with another region or a whole county portion of another region which does not meet these population requirements. If, before November 1, 2013 January 1, 2014, locally determined consolidation decisions result in more than 35 regions of population greater than 61,000 each, the State Board of Education shall, before November 23, 2013 June 1, 2014, direct further consolidation, beginning with the region of lowest population, until the number of 35 regions is achieved.

(b) (Blank).

(c) If, within 90 days after the most recent certified federal census, a region does not meet the population requirements of this Section, then regions may be consolidated voluntarily under Section 3A-3 of this Code or by joint resolution of the county boards of regions seeking to join a voluntary consolidation to meet these population requirements. If locally determined consolidation decisions result in a region not meeting the population requirements of this Section or result in more than 35 regions, then the State Board of Education shall have the authority to impose further consolidation by order of the State Superintendent of Education. Such an order shall be a final order and is subject to the Administrative Review Law.

(d) All population determinations shall be based on the most recent federal census.

(Source: P.A. 97-703, eff. 6-25-12.)

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0594

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly October 23, 2013.
Approved November 15, 2013.
Effective November 15, 2013.

PUBLIC ACT 98-0595
(Senate Bill No. 2365)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Private Agreements for the Illiana Expressway Act is amended by changing Section 25 as follows:

(605 ILCS 130/25)
Sec. 25. Provisions of the public private agreement.
(a) The public private agreement shall include all of the following:
    (1) The term of the public private agreement that is consistent with Section 15 of this Act;
    (2) The powers, duties, responsibilities, obligations, and functions of the Department and the contractor;
    (3) Compensation or payments to the Department, if applicable;
    (4) Compensation or payments to the contractor;
    (5) A provision specifying that the Department:
        (A) has ready access to information regarding the contractor's powers, duties, responsibilities, obligations, and functions under the public private agreement;
        (B) has the right to demand and receive information from the contractor concerning any aspect of the contractor's powers, duties, responsibilities, obligations, and functions under the public private agreement; and
        (C) has the authority to direct or countermand decisions by the contractor at any time;
    (6) A provision imposing an affirmative duty on the contractor to provide the Department with any information the contractor reasonably believes the Department would want to know or would need to know to enable the Department to exercise its powers, carry out its duties, responsibilities, and obligations, and

New matter indicated by italics - deletions by strikeout
perform its functions under this Act or the public private agreement or as otherwise required by law;

(7) A provision requiring the contractor to provide the Department with advance notice of any decision that bears significantly on the public interest so the Department has a reasonable opportunity to evaluate and countermand that decision pursuant to this Section;

(8) A requirement that the Department monitor and oversee the contractor's practices and take action that the Department considers appropriate to ensure that the contractor is in compliance with the terms of the public private agreement;

(9) The authority of the Department to enter into contracts with third parties pursuant to Section 50 of this Act;

(10) A provision governing the contractor's authority to negotiate and execute subcontracts with third parties;

(10.5) A provision stating that, in the event that the contractor does not have a subcontract with a design-build entity in effect at the time of execution of the public-private agreement by the Department, the contractor must the contractor finds it necessary, proper, or desirable to enter into subcontracts with one or more design-build entities, then it must follow a selection process that is, to the greatest extent possible, identical to the selection process contained in the Design-Build Procurement Act;

(11) The authority of the contractor to impose user fees and the amounts of those fees, including the authority of the contractor to use congestion pricing, pursuant to which higher tolls rates are imposed during times or in locations of increased congestion;

(12) A provision governing the deposit and allocation of revenues including user fees;

(13) A provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;

(14) A provision stating that the contractor must, pursuant to Section 75 of this Act, finance an independent audit if the construction costs under the contract exceed $50,000,000;

(15) A provision regarding the implementation and delivery of a comprehensive system of internal audits;

(16) A provision regarding the implementation and delivery of reports, which must include a requirement that the contractor
file with the Department, at least on an annual basis, financial statements containing information required by generally accepted accounting principles (GAAP);

(17) Procedural requirements for obtaining the prior approval of the Department when rights that are the subject of the agreement, including but not limited to development rights, construction rights, property rights, and rights to certain revenues, are sold, assigned, transferred, or pledged as collateral to secure financing or for any other reason;

(18) Grounds for termination of the agreement by the Department or the contractor and a restatement of the Department's rights under Section 35 of this Act;

(19) A requirement that the contractor enter into a project labor agreement pursuant to Section 100 of this Act;

(19.5) A provision stating that construction contractors shall comply with the requirements of Section 30-22 of the Illinois Procurement Code pursuant to Section 100 of this Act;

(20) Timelines, deadlines, and scheduling;

(21) Review of plans, including development, financing, construction, management, or operations plans, by the Department;

(22) Inspections by the Department, including inspections of construction work and improvements;

(23) Rights and remedies of the Department in the event that the contractor defaults or otherwise fails to comply with the terms of the agreement;

(24) A code of ethics for the contractor's officers and employees; and

(25) Procedures for amendment to the agreement.

(b) The public private agreement may include any or all of the following:

(1) A provision regarding the extension of the agreement that is consistent with Section 15 of this Act;

(2) Cash reserves requirements;

(3) Delivery of performance and payment bonds or other performance security in a form and amount that is satisfactory to the Department;

(4) Maintenance of public liability insurance;

(5) Maintenance of self-insurance;
(6) Provisions governing grants and loans, pursuant to which the Department may agree to make grants or loans for the development, financing, construction, management, or operation of the Illiana Expressway project from time to time from amounts received from the federal government or any agency or instrumentality of the federal government or from any State or local agency;

(7) Reimbursements to the Department for work performed and goods, services, and equipment provided by the Department; and

(8) All other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest.

(Source: P.A. 96-913, eff. 6-9-10; 97-808, eff. 7-13-12.)

Passed in the General Assembly November 7, 2013.

Approved November 15, 2013.

Effective June 1, 2014.

**PUBLIC ACT 98-0596**

(Senate Bill No. 2196)

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the University of Illinois School of Labor and Employment Relations Act.

Section 5. School of Labor and Employment Relations; autonomy. The Board of Trustees of the University of Illinois shall operate the School of Labor and Employment Relations as a distinct and autonomous entity within the University of Illinois for the purpose of offering curricula and other educational programs, at the Urbana-Champaign and Chicago campuses and through extension services, in all phases of industrial and labor relations to promote research in those fields by maintaining a school dedicated solely to the faithful, honest, and impartial inquiry into labor-management problems of all types, and for the securement of such advances as will lay the foundations for future progress in the field of labor relations.

Section 900. The Illinois Pension Code is amended by changing Sections 15-126.1, 15-139, 15-139.5, and 15-168.2 as follows:

New matter indicated by italics - deletions by strikeout
(40 ILCS 5/1-160)
Sec. 1-160. Provisions applicable to new hires.
(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15 or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code, to any person with respect to service as a sheriff's law enforcement employee under Article 7, or to any participant of the retirement plan established under Section 22-101. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by this amendatory Act of the 98th General Assembly are a clarification of existing law and are intended to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of Section 1-103.1 of this Code.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) In Article 7 (except for service as sheriff's law enforcement employees), "final rate of earnings".
(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".
(3) In Article 13, "average final salary".
(4) In Article 14, "final average compensation".
(5) In Article 17, "average salary".

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(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67.

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted

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retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after

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January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 97-609, eff. 1-1-12; 98-92, eff. 7-16-13.)

(40 ILCS 5/15-108.2)

Sec. 15-108.2. Tier 2 member. "Tier 2 member": A person who first becomes a participant under this Article on or after January 1, 2011, other than a person in the self-managed plan established under Section 15-158.2, unless the person is otherwise a Tier 1 member. The changes made to this Section by this amendatory Act of the 98th General Assembly are a correction of existing law and are intended to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of

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Section 1-103.1 of this Code. A participant under this Article, other than a participant in the self-managed plan under Section 15-158.2, who on or after January 1, 2011, first becomes a participant or member under any reciprocal retirement system or pension fund established under this Code.

(Source: P.A. 98-92, eff. 7-16-13.)

(40 ILCS 5/15-126.1) (from Ch. 108 1/2, par. 15-126.1)

Sec. 15-126.1. Academic year. "Academic year": The 12-month period beginning on the first day of the fall term as determined by each employer, or if the employer does not have an academic program divided into terms, then beginning September 1. For the purposes of Section 15-139.5 and subsection (b) of Section 15-139, however, "academic year" means the 12-month period beginning September 1.

(Source: P.A. 84-1472.)

(40 ILCS 5/15-139) (from Ch. 108 1/2, par. 15-139)

Sec. 15-139. Retirement annuities; cancellation; suspended during employment.

(a) If an annuitant returns to employment for an employer within 60 days after the beginning of the retirement annuity payment period, the retirement annuity shall be cancelled, and the annuitant shall refund to the System the total amount of the retirement annuity payments which he or she received. If the retirement annuity is cancelled, the participant shall continue to participate in the System.

(b) If an annuitant retires prior to age 60 and receives or becomes entitled to receive during any month compensation in excess of the monthly retirement annuity (including any automatic annual increases) for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall not be payable.

If an annuitant retires at age 60 or over and receives or becomes entitled to receive during any academic year compensation in excess of the difference between his or her highest annual earnings prior to retirement and his or her annual retirement annuity computed under Rule 1, Rule 2, Rule 3, or Rule 4 of Section 15-136, or under Section 15-136.4, for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall be reduced by an amount equal to the compensation that exceeds such difference.

However, any remuneration received for serving as a member of the Illinois Educational Labor Relations Board shall be excluded from

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"compensation" for the purposes of this subsection (b), and serving as a
member of the Illinois Educational Labor Relations Board shall not be
deemed to be a return to employment for the purposes of this Section. This
provision applies without regard to whether service was terminated prior
to the effective date of this amendatory Act of 1991.

"Academic year", as used in this subsection (b), means the 12-
month period beginning September 1.

(c) If an employer certifies that an annuitant has been reemployed
on a permanent and continuous basis or in a position in which the
annuitant is expected to serve for at least 9 months, the annuitant shall
resume his or her status as a participating employee and shall be entitled to
all rights applicable to participating employees upon filing with the board
an election to forgo all annuity payments during the period of
reemployment. Upon subsequent retirement, the retirement annuity shall
consist of the annuity which was terminated by the reemployment, plus the
additional retirement annuity based upon service granted during the period
of reemployment, but the combined retirement annuity shall not exceed the
maximum annuity applicable on the date of the last retirement.

The total service and earnings credited before and after the initial
date of retirement shall be considered in determining eligibility of the
employee or the employee's beneficiary to benefits under this Article, and
in calculating final rate of earnings.

In determining the death benefit payable to a beneficiary of an
annuitant who again becomes a participating employee under this Section,
accumulated normal and additional contributions shall be considered as
the sum of the accumulated normal and additional contributions at the date
of initial retirement and the accumulated normal and additional
contributions credited after that date, less the sum of the annuity payments
received by the annuitant.

The survivors insurance benefits provided under Section 15-145
shall not be applicable to an annuitant who resumes his or her status as a
participating employee, unless the annuitant, at the time of initial
retirement, has a survivors insurance beneficiary who could qualify for
such benefits.

If the participant's employment is terminated because of
circumstances other than death before 9 months from the date of
reemployment, the provisions of this Section regarding resumption of
status as a participating employee shall not apply. The normal and
survivors insurance contributions which are deducted during this period

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shall be refunded to the annuitant without interest, and subsequent benefits under this Article shall be the same as those which were applicable prior to the date the annuitant resumed employment.

The amendments made to this Section by this amendatory Act of the 91st General Assembly apply without regard to whether the annuitant was in service on or after the effective date of this amendatory Act.

(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12; 98-92, eff. 7-16-13.)

(40 ILCS 5/15-139.5)
Sec. 15-139.5. Return to work by affected annuitant; notice and contribution by employer.

(a) An employer who employs or re-employs a person receiving a retirement annuity from the System in an academic year beginning on or after August 1, 2013 must notify the System of that employment within 60 days after employing the annuitant. The notice must include a summary copy of the contract of employment or, if no written contract of employment exists, then the notice must specify the rate of compensation and the anticipated length of employment of that annuitant. The notice must specify whether the annuitant will be compensated from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name. The notice must include the employer's determination of whether or not the annuitant is an "affected annuitant" as defined in subsection (b).

The employer must also record, document, and certify to the System (i) the number of paid days and paid weeks worked by the annuitant in the academic year, (ii) the amount of compensation paid to the annuitant for employment during the academic year, and (ii) the amount of that compensation, if any, that comes from either federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name.

As used in this Section, "academic year" means the 12-month period beginning September 1. has the meaning ascribed to that term in Section 15-126.1; "paid day" means a day on which a person performs personal services for an employer and for which the person is compensated by the employer; and "paid week" means a calendar week in which a person has at least one paid day.

For the purposes of this Section, an annuitant whose employment by an employer extends over more than one academic year shall be
deemed to be re-employed by that employer in each of those academic years.

The System may specify the time, form, and manner of providing the determinations, notifications, certifications, and documentation required under this Section.

(b) A person receiving a retirement annuity from the System becomes an "affected annuitant" on the first day of the academic year following the academic year in which the annuitant first meets both of the following condition conditions:

1. While receiving a retirement annuity under this Article, the annuitant has been employed on or after August 1, 2013 by one or more employers under this Article for a total of more than 18 paid weeks (which need not have been with the same employer or in the same academic year); except that any periods of employment for which the annuitant was compensated solely from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name are excluded.

2. While receiving a retirement annuity under this Article, the annuitant was employed on or after August 1, 2013 by one or more employers under this Article and received or became entitled to receive during an academic year compensation for that employment in excess of 40% of his or her highest annual earnings prior to retirement; except that compensation paid from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name is excluded.

A person who becomes an affected annuitant remains an affected annuitant, except for any period during which the person returns to active service and does not receive a retirement annuity from the System.

(c) It is the obligation of the employer to determine whether an annuitant is an affected annuitant before employing the annuitant. For that purpose the employer may require the annuitant to disclose and document his or her relevant prior employment and earnings history. Failure of the employer to make this determination correctly and in a timely manner or to include this determination with the notification required under subsection (a) does not excuse the employer from making the contribution required under subsection (e).

The System may assist the employer in determining whether a person is an affected annuitant. The System shall inform the employer if it
discovers that the employer's determination is inconsistent with the
employment and earnings information in the System's records.

(d) Upon the request of an annuitant, the System shall certify to the
annuitant or the employer the following information as reported by the
employers, as that information is indicated in the records of the System: (i)
the annuitant's highest annual earnings prior to retirement, (ii) the number
of paid weeks worked by the annuitant for an employer on or after August
1, 2013, (iii) the compensation paid for that employment in each academic
year, and (iii) (iv) whether any of that employment or compensation has
been certified to the System as being paid from federal, corporate,
foundation, or trust funds or grants of State funds that identify the
principal investigator by name. The System shall only be required to
certify information that is received from the employers.

(e) In addition to the requirements of subsection (a), an employer
who employs an affected annuitant must pay to the System an employer
contribution in the amount and manner provided in this Section, unless the
annuitant is compensated by that employer solely from federal, corporate,
foundation, or trust funds or grants of State funds that identify the
principal investigator by name.

The employer contribution required under this Section for
employment of an affected annuitant in an academic year shall be equal to
12 times the amount of the gross monthly retirement annuity payable to the
annuitant for the month in which the first paid day of that employment in
that academic year occurs, after any reduction in that annuity that may be
imposed under subsection (b) of Section 15-139.

If an affected annuitant is employed by more than one employer in
an academic year, the employer contribution required under this Section
shall be divided among those employers in proportion to their respective
portions of the total compensation paid to the affected annuitant for that
employment during that academic year.

If the System determines that an employer, without reasonable
justification, has failed to make the determination of affected annuitant
status correctly and in a timely manner, or has failed to notify the System
or to correctly document or certify to the System any of the information
required by this Section, and that failure results in a delayed determination
by the System that a contribution is payable under this Section, then the
amount of that employer's contribution otherwise determined under this
Section shall be doubled.
The System shall deem a failure to correctly determine the annuitant's status to be justified if the employer establishes to the System's satisfaction that the employer, after due diligence, made an erroneous determination that the annuitant was not an affected annuitant due to reasonable reliance on false or misleading information provided by the annuitant or another employer, or an error in the annuitant's official employment or earnings records.

(f) Whenever the System determines that an employer is liable for a contribution under this Section, it shall so notify the employer and certify the amount of the contribution. The employer may pay the required contribution without interest at any time within one year after receipt of the certification. If the employer fails to pay within that year, then interest shall be charged at a rate equal to the System's prescribed rate of interest, compounded annually from the 366th day after receipt of the certification from the System. Payment must be concluded within 2 years after receipt of the certification by the employer. If the employer fails to make complete payment, including applicable interest, within 2 years, then the System may, after giving notice to the employer, certify the delinquent amount to the State Comptroller, and the Comptroller shall thereupon deduct the certified delinquent amount from State funds payable to the employer and pay them instead to the System.

(g) If an employer is required to make a contribution to the System as a result of employing an affected annuitant and the annuitant later elects to forgo his or her annuity in that same academic year pursuant to subsection (c) of Section 15-139, then the required contribution by the employer shall be waived, and if the contribution has already been paid, it shall be refunded to the employer without interest.

(h) Notwithstanding any other provision of this Article, the employer contribution required under this Section shall not be included in the determination of any benefit under this Article or any other Article of this Code, regardless of whether the annuitant returns to active service, and is in addition to any other State or employer contribution required under this Article.

(i) Notwithstanding any other provision of this Section to the contrary, if an employer employs an affected annuitant in order to continue critical operations in the event of either an employee's unforeseen illness, accident, or death or a catastrophic incident or disaster, then, for one and only one academic year, the employer is not required to pay the contribution set forth in this Section for that annuitant. The employer shall,
however, immediately notify the System upon employing a person subject to this subsection (i). For the purposes of this subsection (i), "critical operations" means teaching services, medical services, student welfare services, and any other services that are critical to the mission of the employer.

(j) This Section shall be applied and coordinated with the regulatory obligations contained in the State Universities Civil Service Act. This Section shall not apply to an annuitant if the employer of that annuitant provides documentation to the System that (1) the annuitant is employed in a status appointment position, as that term is defined in 80 Ill. Adm. Code 250.80, and (2) due to obligations contained under the State Universities Civil Service Act, the employer does not have the ability to limit the earnings or duration of employment for the annuitant while employed in the status appointment position.

(Source: P.A. 97-968, eff. 8-16-12.)

(40 ILCS 5/15-145.1)

Sec. 15-145.1. Survivor's insurance annuities and lump sum payments benefits for Tier 2 Members; amount. Survivor eligibility, vesting, and conditions for a survivor's insurance annuity and lump sum payment amount payable to a survivor's insurance beneficiary of a deceased Tier 2 member shall be determined under the provisions of this Article applicable to survivor's insurance beneficiaries of a deceased Tier 1 member; however, the amount of a survivor's insurance annuity, including the annual increases thereon, shall be calculated pursuant to this Section. The initial survivor's insurance annuity benefit of a survivors insurance beneficiary of a Tier 2 annuitant member shall be in the amount of 66 2/3% of the Tier 2 member's retirement annuity at the date of death. In the case of the death of a Tier 2 member who has not retired, eligibility for a survivor's insurance benefit shall be determined by the applicable Section of this Article. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A survivor's insurance annuity and shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased Tier 2 member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the benefit. Each annual increase shall be calculated at 3% or one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's
insurance annuity benefit. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the survivor's insurance annuity benefit shall not be increased. A beneficiary of a Tier 2 member who elects the Portable Benefit Package provided under this Article shall not be eligible for the survivor's insurance annuity benefit that is provided under this Section. If 2 or more persons are eligible to receive survivor's insurance annuities benefits as provided under this Section based on the same deceased Tier 2 member, the calculation of the survivor's insurance annuities benefits shall be based on the total calculation of the survivor's insurance annuity benefit and divided pro rata.

The changes made to this Section by this amendatory Act of the 98th General Assembly are a clarification of existing law and are intended to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of Section 1-103.1 of this Code.

(Source: P.A. 98-92, eff. 7-16-13.)

Section 999. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved November 19, 2013.
Effective November 19, 2013.

PUBLIC ACT 98-0597
(Senate Bill No. 0010)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Religious Freedom and Marriage Fairness Act.

Section 5. Purposes; rules of construction. This Act shall be liberally construed and applied to promote its underlying purpose, which is to provide same-sex and different-sex couples and their children equal access to the status, benefits, protections, rights, and responsibilities of civil marriage. Nothing in this Act is intended to abrogate, limit, or expand the ability of a religious denomination to exercise First Amendment rights protected by the United States Constitution or the Illinois Constitution nor is it intended to abrogate, limit, or expand the Illinois Human Rights Act or the Religious Freedom Restoration Act.

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Section 7. Private clubs. Nothing in this Act is intended to abrogate, limit, or expand the exemption for private clubs under Section 5-103 of the Illinois Human Rights Act.

Section 10. Equal access to marriage.

(a) All laws of this State applicable to marriage, whether they derive from statute, administrative or court rule, policy, common law, or any other source of civil or criminal law, shall apply equally to marriages of same-sex and different-sex couples and their children.

(b) Parties to a marriage and their children, regardless of whether the marriage consists of a same-sex or different-sex couple, shall have all the same benefits, protections, and responsibilities under law, whether they derive from statute, administrative or court rule, policy, common law, or any other source of civil or criminal law.

(c) Parties to a marriage shall be included in any definition or use of terms such as "spouse", "family", "immediate family", "dependent", "next of kin", "wife", "husband", "bride", "groom", "wedlock", and other terms that refer to or denote the spousal relationship, as those terms are used throughout the law, regardless of whether the parties to a marriage are of the same sex or different sexes.

(d) To the extent the law of this State adopts, refers to, or relies upon provisions of federal law as applicable to this State, parties to a marriage of the same sex and their children shall be treated under the law of this State as if federal law recognizes the marriages of same-sex couples in the same manner as the law of this State.

Section 15. Religious freedom. Nothing in this Act shall interfere with or regulate the religious practice of any religious denomination or Indian Nation or Tribe or Native Group. Any religious denomination or Indian Nation or Tribe or Native Group is free to choose which marriages it will solemnize or celebrate.

Section 20. Severability. If any part of this Act or its application to any person or circumstance is adjudged invalid, such adjudication or application shall not affect the validity of this Act as a whole or of any other part.

Section 905. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Sections 201, 209, and 212 and by adding Section 220 as follows:

(750 ILCS 5/201) (from Ch. 40, par. 201)
Sec. 201. Formalities.) A marriage between 2 persons a man and a woman licensed, solemnized and registered as provided in this Act is valid in this State.
(Source: P.A. 80-923.)

Sec. 209. Solemnization and Registration.)
(a) A marriage may be solemnized by a judge of a court of record, by a retired judge of a court of record, unless the retired judge was removed from office by the Judicial Inquiry Board, except that a retired judge shall not receive any compensation from the State, a county or any unit of local government in return for the solemnization of a marriage and there shall be no effect upon any pension benefits conferred by the Judges Retirement System of Illinois, by a judge of the Court of Claims, by a county clerk in counties having 2,000,000 or more inhabitants, by a public official whose powers include solemnization of marriages, or in accordance with the prescriptions of any religious denomination, Indian Nation or Tribe or Native Group, provided that when such prescriptions require an officiant, the officiant be in good standing with his or her religious denomination, Indian Nation or Tribe or Native Group. Either the person solemnizing the marriage, or, if no individual acting alone solemnized the marriage, both parties to the marriage, shall complete the marriage certificate form and forward it to the county clerk within 10 days after such marriage is solemnized.

(a-5) Nothing in this Act shall be construed to require any religious denomination or Indian Nation or Tribe or Native Group, or any minister, clergy, or officiant acting as a representative of a religious denomination or Indian Nation or Tribe or Native Group, to solemnize any marriage. Instead, any religious denomination or Indian Nation or Tribe or Native Group, or any minister, clergy, or officiant acting as a representative of a religious denomination or Indian Nation or Tribe or Native Group is free to choose which marriages it will solemnize. Notwithstanding any other law to the contrary, a refusal by a religious denomination or Indian Nation or Tribe or Native Group, or any minister, clergy, or officiant acting as a representative of a religious denomination or Indian Nation or Tribe or Native Group to solemnize any marriage under this Act shall not create or be the basis for any civil, administrative, or criminal penalty, claim, or cause of action.

(a-10) No church, mosque, synagogue, temple, nondenominational ministry, interdenominational or ecumenical organization, mission

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organization, or other organization whose principal purpose is the study, practice, or advancement of religion is required to provide religious facilities for the solemnization ceremony or celebration associated with the solemnization ceremony of a marriage if the solemnization ceremony or celebration associated with the solemnization ceremony is in violation of its religious beliefs. An entity identified in this subsection (a-10) shall be immune from any civil, administrative, criminal penalty, claim, or cause of action based on its refusal to provide religious facilities for the solemnization ceremony or celebration associated with the solemnization ceremony of a marriage if the solemnization ceremony or celebration associated with the solemnization ceremony is in violation of its religious beliefs. As used in this subsection (a-10), "religious facilities" means sanctuaries, parish halls, fellowship halls, and similar facilities. "Religious facilities" does not include facilities such as businesses, health care facilities, educational facilities, or social service agencies.

(b) The solemnization of the marriage is not invalidated by the fact that the person solemnizing the marriage was not legally qualified to solemnize it, if either party to the marriage believed him or her to be so qualified or by the fact that the marriage was inadvertently solemnized in a county in Illinois other than the county where the license was issued.

(Source: P.A. 95-775, eff. 1-1-09.)

(750 ILCS 5/212) (from Ch. 40, par. 212)
Sec. 212. Prohibited Marriages.
(a) The following marriages are prohibited:
(1) a marriage entered into prior to the dissolution of an earlier marriage, civil union, or substantially similar legal relationship of one of the parties, unless the parties to the marriage are the same as the parties to a civil union and are seeking to convert their civil union to a marriage pursuant to Section 65 of the Illinois Religious Freedom Protection and Civil Union Act;
(2) a marriage between an ancestor and a descendant or between siblings, whether the relationship is by the half or the whole blood or by adoption;
(3) a marriage between an uncle and a niece, between an uncle and a nephew, or between an aunt and a nephew, or between an aunt and a niece, whether the relationship is by the half or the whole blood;

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(4) a marriage between cousins of the first degree; however, a marriage between first cousins is not prohibited if:
   (i) both parties are 50 years of age or older; or
   (ii) either party, at the time of application for a marriage license, presents for filing with the county clerk of the county in which the marriage is to be solemnized, a certificate signed by a licensed physician stating that the party to the proposed marriage is permanently and irreversibly sterile;

(5) (blank), a marriage between 2 individuals of the same sex.

(b) Parties to a marriage prohibited under subsection (a) of this Section who cohabit after removal of the impediment are lawfully married as of the date of the removal of the impediment.

(c) Children born or adopted of a prohibited or common law marriage are the lawful children of the parties.

(Source: P.A. 94-229, eff. 1-1-06.)

(750 ILCS 5/220 new)
Sec. 220. Consent to jurisdiction. Members of a same-sex couple who enter into a marriage in this State consent to the jurisdiction of the courts of this State for the purpose of any action relating to the marriage, even if one or both parties cease to reside in this State. A court shall enter a judgment of dissolution of marriage if at the time the action is commenced, it meets the grounds for dissolution of marriage set forth in this Act.

(750 ILCS 5/213.1 rep.)
Section 910. The Illinois Marriage and Dissolution of Marriage Act is amended by repealing Section 213.1.

Section 915. The Illinois Religious Freedom Protection and Civil Union Act is amended by changing Section 60 and by adding Section 65 as follows:

(750 ILCS 75/60)
Sec. 60. Respect for marriages and civil unions entered into in other jurisdictions. Reciprocity. A marriage between persons of the same sex, a civil union, or a substantially similar legal relationship other than common law marriage, legally entered into in another jurisdiction, shall be recognized in Illinois as a civil union. A marriage, whether of the same sex or different sexes and providing that it is not a common law marriage, legally entered into in another jurisdiction, shall be recognized in this State if:

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State as a marriage in accordance with the provisions of the Illinois Marriage and Dissolution of Marriage Act, except that Section 216 of the Illinois Marriage and Dissolution of Marriage Act shall not apply to marriages of same-sex couples validly entered into in another jurisdiction.

(Source: P.A. 96-1513, eff. 6-1-11.)

(750 ILCS 75/65 new)

Sec. 65. Voluntary conversion of civil union to marriage.

(a) Parties to a civil union may apply for and receive a marriage license and have the marriage solemnized and registered under Section 209 of the Illinois Marriage and Dissolution of Marriage Act, provided the parties are otherwise eligible to marry and the parties to the marriage are the same as the parties to the civil union. The fee for application for a marriage license shall be waived in such circumstances.

(b) For a period of one year following the effective date of this amendatory Act of the 98th General Assembly, parties to a civil union may have their civil union legally designated and recorded as a marriage, deemed effective on the date of solemnization of the civil union, without payment of any fee, provided the parties' civil union has not been dissolved and there is no pending proceeding to dissolve the civil union. Upon application to a county clerk, the parties shall be issued a marriage certificate. The parties' signatures on the marriage certificate and return of the signed certificate for recording shall be sufficient to convert the civil union into a marriage. The county clerk shall notify the Department of Public Health within 45 days by furnishing a copy of the certificate to the Department of Public Health.

(c) When parties to a civil union have married, or when their civil union has been converted to a marriage under this Section, the parties, as of the date stated on the marriage certificate, shall no longer be considered in a civil union, but rather shall be in a legal marriage.

Section 997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Passed in the General Assembly November 5, 2013.

Approved November 20, 2013.

Effective June 1, 2014.
AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Sections 15-169 and 16-171 as follows:

(40 ILCS 5/15-169) (from Ch. 108 1/2, par. 15-169)
Sec. 15-169. To elect officers and appoint employees. To elect officers; to appoint a secretary and treasurer; to have a seal; to employ and fix the rate of pay of such actuarial, legal, clerical, audit, medical, or other services, or corporate trustee organized under the laws of this State with a capital of not less than $1,000,000, or investment counsel and other persons as shall be required for the efficient administration of the system. All actions brought by or against the board shall be prosecuted or defended by the Attorney General or by other counsel, as the board may decide. If the board pursues a mandamus action under Section 15-156 of this Code as amended by Senate Bill No. 1 of the 98th General Assembly in the form passed by the General Assembly, then the board may select the counsel of their choice.
(Source: P.A. 98-92, eff. 7-16-13.)

(40 ILCS 5/16-171) (from Ch. 108 1/2, par. 16-171)
Sec. 16-171. To sue and be sued. To sue and be sued in the name of the board. The board shall not be a corporation. The board may sue to protect any rights of the retirement system. All actions brought by or against the board shall be prosecuted or defended, as the case may be, by the Attorney General or other counsel. If the board pursues a mandamus action under Section 16-158.2 of this Code as amended by Senate Bill No. 1 of the 98th General Assembly in the form passed by the General Assembly, then the board may select the counsel of their choice.
(Source: P.A. 83-1440.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved December 5, 2013.
Effective December 5, 2013.

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AN ACT concerning public employee benefits.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Legislative statement.

At the time of passage of this amendatory Act of the 98th General Assembly, Illinois has both atypically large debts and structural budgetary imbalances that will, unless addressed by the General Assembly, lead to even greater and rapidly growing debts and deficits. Already, Illinois has the lowest credit rating of any state, and it faces the prospect of future credit downgrades that will further increase the high cost of borrowing.

The State has taken significant action to address these fiscal troubles, including, but not limited to, increasing the income tax and reducing pension benefits for future employees. Further, the State has enacted a series of budgets over the last several fiscal years that resulted in deep cuts to important discretionary programs that are essential to the people of Illinois.

At the time of passage of this amendatory Act of the 98th General Assembly, the State's retirement systems have unfunded actuarially accrued liabilities of approximately $100 billion. Meanwhile, the State's annual pension contribution has substantially increased in recent years, and will continue to increase in coming years. The General Assembly recognizes that without significant pension reform, the unfunded liability and the State's pension contribution will continue to grow, and further burden the fiscal stability of both the State and its retirement systems.

This amendatory Act of the 98th General Assembly is intended to address the fiscal issues facing the State and its retirement systems in a manner that is feasible, consistent with the Illinois Constitution, and advantageous to both the taxpayers and employees impacted by these changes. Having considered other alternatives that would not involve changes to the retirement systems, the General Assembly has determined that the fiscal problems facing the State and its retirement systems cannot be solved without making some changes to the structure of the retirement systems. As a result, this amendatory Act requires more fiscal responsibility of the State, while minimizing the impact on current and retired State employees.

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Going forward, the automatic annual increase in retirement annuity will be based on a participant's years of service to the State and inflation, which more accurately reflects changes in the cost of living. For participants who have yet to receive an annuity, a pensionable salary cap will be imposed; however, it will only impact future salary increases that exceed a cap. Those workers 45 years of age and younger will be required to work an additional 4 months for each year under 46, which results in a minimal increase in retirement age given that the life expectancy for a 45 year old is 87 years of age. Current employees will receive a 1% reduction in required employee contributions. With these changes, the State can adopt an actuarially sound funding formula that will result in the pension systems achieving 100% funding no later than 2044. The State will also make additional contributions that will considerably aid in reducing the unfunded actuarially accrued liability.

The General Assembly finds that this amendatory Act of the 98th General Assembly will lead to fiscal stability for the State and its pension systems.

Section 3. The Illinois Public Labor Relations Act is amended by changing Sections 4 and 15 and adding Section 7.5 as follows:

(5 ILCS 315/4) (from Ch. 48, par. 1604)

Sec. 4. Management Rights. Employers shall not be required to bargain over matters of inherent managerial policy, which shall include such areas of discretion or policy as the functions of the employer, standards of services, its overall budget, the organizational structure and selection of new employees, examination techniques and direction of employees. Employers, however, shall be required to bargain collectively with regard to policy matters directly affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee representatives, except as provided in Section 7.5.

To preserve the rights of employers and exclusive representatives which have established collective bargaining relationships or negotiated collective bargaining agreements prior to the effective date of this Act, employers shall be required to bargain collectively with regard to any matter concerning wages, hours or conditions of employment about which they have bargained for and agreed to in a collective bargaining agreement prior to the effective date of this Act, except as provided in Section 7.5.

The chief judge of the judicial circuit that employs a public employee who is a court reporter, as defined in the Court Reporters Act,
has the authority to hire, appoint, promote, evaluate, discipline, and discharge court reporters within that judicial circuit.

Nothing in this amendatory Act of the 94th General Assembly shall be construed to intrude upon the judicial functions of any court. This amendatory Act of the 94th General Assembly applies only to nonjudicial administrative matters relating to the collective bargaining rights of court reporters.

(Source: P.A. 94-98, eff. 7-1-05.)

(5 ILCS 315/7.5 new)

Sec. 7.5. Duty to bargain regarding pension amendments.

(a) Notwithstanding any provision of this Act, employers shall not be required to bargain over matters affected by the changes, the impact of changes, and the implementation of changes made to Article 14, 15, or 16 of the Illinois Pension Code, or Article 1 of that Code as it applies to those Articles, made by this amendatory Act of the 98th General Assembly, or over any other provision of Article 14, 15, or 16 of the Illinois Pension Code, or of Article 1 of that Code as it applies to those Articles, which are prohibited subjects of bargaining; nor shall the changes, the impact of changes, or the implementation of changes made to Article 14, 15, or 16 of the Illinois Pension Code, or Article 1 of that Code as it applies to those Articles, be subject to interest arbitration or any award issued pursuant to interest arbitration. The provisions of this Section shall not apply to an employment contract or collective bargaining agreement that is in effect on the effective date of this amendatory Act of the 98th General Assembly. However, any such contract or agreement that is subsequently modified, amended, or renewed shall be subject to the provisions of this Section. The provisions of this Section shall also not apply to the ability of an employer and employee representative to bargain collectively with regard to the pick up of employee contributions pursuant to Section 14-133.1, 15-157.1, or 16-152.1 of the Illinois Pension Code.

(b) Nothing in this Section, however, shall be construed as otherwise limiting any of the obligations and requirements applicable to each employer under any of the provisions of this Act, including, but not limited to, the requirement to bargain collectively with regard to policy matters directly affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee

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representatives, except for the matters deemed prohibited subjects of bargaining under subsection (a) of this Section. Nothing in this Section shall further be construed as otherwise limiting any of the rights of employees or employee representatives under the provisions of this Act, except for matters deemed prohibited subjects of bargaining under subsection (a) of this Section.

(c) In case of any conflict between this Section and any other provisions of this Act or any other law, the provisions of this Section shall control.

(5 ILCS 315/15) (from Ch. 48, par. 1615)
Sec. 15. Act Takes Precedence.

(a) In case of any conflict between the provisions of this Act and any other law (other than Section 5 of the State Employees Group Insurance Act of 1971 and other than the changes made to the Illinois Pension Code by Public Act 96-889 and other than as provided in Section 7.5 this amendatory Act of the 96th General Assembly), executive order or administrative regulation relating to wages, hours and conditions of employment and employment relations, the provisions of this Act or any collective bargaining agreement negotiated thereunder shall prevail and control. Nothing in this Act shall be construed to replace or diminish the rights of employees established by Sections 28 and 28a of the Metropolitan Transit Authority Act, Sections 2.15 through 2.19 of the Regional Transportation Authority Act. The provisions of this Act are subject to Section 7.5 of this Act and Section 5 of the State Employees Group Insurance Act of 1971. Nothing in this Act shall be construed to replace the necessity of complaints against a sworn peace officer, as defined in Section 2(a) of the Uniform Peace Officer Disciplinary Act, from having a complaint supported by a sworn affidavit.

(b) Except as provided in subsection (a) above, any collective bargaining contract between a public employer and a labor organization executed pursuant to this Act shall supersede any contrary statutes, charters, ordinances, rules or regulations relating to wages, hours and conditions of employment and employment relations adopted by the public employer or its agents. Any collective bargaining agreement entered into prior to the effective date of this Act shall remain in full force during its duration.

(c) It is the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the provisions of this Act are the exclusive exercise by the State of powers and
functions which might otherwise be exercised by home rule units. Such powers and functions may not be exercised concurrently, either directly or indirectly, by any unit of local government, including any home rule unit, except as otherwise authorized by this Act.

(Source: P.A. 95-331, eff. 8-21-07; 96-889, eff. 1-1-11.)

Section 5. The Governor's Office of Management and Budget Act is amended by changing Sections 7 and 8 as follows:

(20 ILCS 3005/7) (from Ch. 127, par. 417)

Sec. 7. All statements and estimates of expenditures submitted to the Office in connection with the preparation of a State budget, and any other estimates of expenditures, supporting requests for appropriations, shall be formulated according to the various functions and activities for which the respective department, office or institution of the State government (including the elective officers in the executive department and including the University of Illinois and the judicial department) is responsible. All such statements and estimates of expenditures relating to a particular function or activity shall be further formulated or subject to analysis in accordance with the following classification of objects:

1. Personal services
2. State contribution for employee group insurance
3. Contractual services
4. Travel
5. Commodities
6. Equipment
7. Permanent improvements
8. Land
9. Electronic Data Processing
10. Telecommunication services
11. Operation of Automotive Equipment
12. Contingencies
13. Reserve
14. Interest
15. Awards and Grants
16. Debt Retirement
17. Non-cost Charges:
   18. *State retirement contribution for annual normal cost*
   19. *State retirement contribution for unfunded accrued liability.*

(Source: P.A. 93-25, eff. 6-20-03.)

(20 ILCS 3005/8) (from Ch. 127, par. 418)
Sec. 8. When used in connection with a State budget or expenditure or estimate, items (1) through (16) in the classification of objects stated in Section 7 shall have the meanings ascribed to those items in Sections 14 through 24.7, respectively, of the State Finance Act. "An Act in relation to State finance", approved June 10, 1919, as amended.

When used in connection with a State budget or expenditure or estimate, items (18) and (19) in the classification of objects stated in Section 7 shall have the meanings ascribed to those items in Sections 24.12 and 24.13, respectively, of the State Finance Act.

(An Act in relation to State finance", approved June 10, 1919, as amended.)

Section 7. The State Finance Act is amended by changing Section 13 and by adding Sections 24.12 and 24.13 as follows:

(30 ILCS 105/13) (from Ch. 127, par. 149)

Sec. 13. The objects and purposes for which appropriations are made are classified and standardized by items as follows:

(1) Personal services;
(2) State contribution for employee group insurance;
(3) Contractual services;
(4) Travel;
(5) Commodities;
(6) Equipment;
(7) Permanent improvements;
(8) Land;
(9) Electronic Data Processing;
(10) Operation of automotive equipment;
(11) Telecommunications services;
(12) Contingencies;
(13) Reserve;
(14) Interest;
(15) Awards and Grants;
(16) Debt Retirement;
(17) Non-Cost Charges;
(18) State retirement contribution for annual normal cost;
(19) State retirement contribution for unfunded accrued liability;
(20) Purchase Contract for Real Estate.

When an appropriation is made to an officer, department, institution, board, commission or other agency, or to a private association or corporation, in one or more of the items above specified, such appropriation shall be construed in accordance with the definitions and

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limitations specified in this Act, unless the appropriation act otherwise
provides.

An appropriation for a purpose other than one specified and
defined in this Act may be made only as an additional, separate and
distinct item, specifically stating the object and purpose thereof.
(Source: P.A. 84-263; 84-264.)

(30 ILCS 105/24.12 new)

Sec. 24.12. "State retirement contribution for annual normal cost"
defined. The term "State retirement contribution for annual normal cost"
means the portion of the total required State contribution to a retirement
system for a fiscal year that represents the State's portion of the System's
projected normal cost for that fiscal year, as determined and certified by
the board of trustees of the retirement system in conformance with the

(30 ILCS 105/24.13 new)

Sec. 24.13. "State retirement contribution for unfunded accrued
liability" defined. The term "State retirement contribution for unfunded
accrued liability" means the portion of the total required State
contribution to a retirement system for a fiscal year that is not included in
the State retirement contribution for annual normal cost.

Section 10. The Budget Stabilization Act is amended by changing
Sections 20 and 25 as follows:

(30 ILCS 122/20)

Sec. 20. Pension Stabilization Fund.

(a) The Pension Stabilization Fund is hereby created as a special
fund in the State treasury. Moneys in the fund shall be used for the sole
purpose of making payments to the designated retirement systems as
provided in Section 25.

(b) For each fiscal year through State fiscal year 2014, when the
General Assembly's appropriations and transfers or diversions as required
by law from general funds do not exceed 99% of the estimated general
funds revenues pursuant to subsection (a) of Section 10, the Comptroller
shall transfer from the General Revenue Fund as provided by this Section
a total amount equal to 0.5% of the estimated general funds revenues to
the Pension Stabilization Fund.

(c) For each fiscal year through State fiscal year 2014, when the
General Assembly's appropriations and transfers or diversions as required
by law from general funds do not exceed 98% of the estimated general
funds revenues pursuant to subsection (b) of Section 10, the Comptroller
shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 1.0% of the estimated general funds revenues to the Pension Stabilization Fund.

(c-5) In addition to any other amounts required to be transferred under this Section, in State fiscal year 2016 and each fiscal year thereafter through State fiscal year 2045, or when each of the designated retirement systems, as defined in Section 25, has achieved 100% funding, whichever occurs first, the State Comptroller shall order transferred and the State Treasurer shall transfer from the General Revenue Fund to the Pension Stabilization Fund an amount equal to 10% of (1) the sum of the amounts certified by the designated retirement systems under subsection (a-5) of Section 2-134, subsection (a-10) of Section 14-135.08, subsection (a-10) of Section 15-165, and subsection (a-10) of Section 16-158 of this Code for that fiscal year minus (2) the sum of (i) the transfer required under subsection (c-10) of this Section for that fiscal year and (ii) the sum of the required State contributions certified by the retirement systems under subsection (a) of Section 2-134, subsection (a-5) of Section 14-135.08, subsection (a-5) of Section 15-165, and subsection (a-5) of Section 16-158 of this Code for that fiscal year. The transferred amount is intended to represent one-tenth of the annual savings to the State resulting from the enactment of this amendatory Act of the 98th General Assembly.

(c-10) In State fiscal year 2019, the State Comptroller shall order transferred and the State Treasurer shall transfer $364,000,000 from the General Revenue Fund to the Pension Stabilization Fund. In State fiscal year 2020 and each fiscal year thereafter until terminated under subsection (c-15), the State Comptroller shall order transferred and the State Treasurer shall transfer $1,000,000,000 from the General Revenue Fund to the Pension Stabilization Fund.

(c-15) The transfers made beginning in State fiscal year 2020 pursuant to subsection (c-10) of this Section shall terminate at the end of State fiscal year 2045 or when each of the designated retirement systems, as defined in Section 25, has achieved 100% funding, whichever occurs first.

(d) The Comptroller shall transfer 1/12 of the total amount to be transferred each fiscal year under this Section into the Pension Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible; except that the final transfer of the fiscal year shall be made as soon as practical after the August 31 following the end of the fiscal year.

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Until State fiscal year 2015, before the final transfer for a fiscal year is made, the Comptroller shall reconcile the estimated general funds revenues used in calculating the other transfers under this Section for that fiscal year with the actual general funds revenues for that fiscal year. The final transfer for the fiscal year shall be adjusted so that the total amount transferred under this Section for that fiscal year is equal to the percentage specified in subsection (b) or (c) of this Section, whichever is applicable, of the actual general funds revenues for that fiscal year. The actual general funds revenues for the fiscal year shall be calculated in a manner consistent with subsection (c) of Section 10 of this Act. (Source: P.A. 94-839, eff. 6-6-06.)

(30 ILCS 122/25)

Sec. 25. Transfers from the Pension Stabilization Fund.
(a) As used in this Section, "designated retirement systems" means:
(1) the State Employees' Retirement System of Illinois;
(2) the Teachers' Retirement System of the State of Illinois;
(3) the State Universities Retirement System;
(4) the Judges Retirement System of Illinois; and
(5) the General Assembly Retirement System.

(b) As soon as may be practical after any money is deposited into the Pension Stabilization Fund, the State Comptroller shall apportion the deposited amount among the designated retirement systems and the State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems. The amount deposited shall be apportioned among the designated retirement systems in the same proportion as their respective portions of the total actuarial reserve deficiency of the designated retirement systems, as most recently determined by the Governor's Office of Management and Budget. Amounts received by a designated retirement system under this Section shall be used for funding the unfunded liabilities of the retirement system. Payments under this Section are authorized by the continuing appropriation under Section 1.7 of the State Pension Funds Continuing Appropriation Act.

(c) At the request of the State Comptroller, the Governor's Office of Management and Budget shall determine the individual and total actuarial reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall consider the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Pension

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Division of the Department of Insurance Financial and Professional Regulation.

(d) Payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under Section 2-124, 14-131, 15-155, 16-158, or 18-131 of the Illinois Pension Code.

Payments to the designated retirement systems under this Section received after the effective date of this amendatory Act of the 98th General Assembly, and any investment earnings attributable to such payments, do not reduce and do not constitute payment of any portion of the required State contribution under Article 2, 14, 15, 16, or 18 of the Illinois Pension Code in the current fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contribution under Article 2, 14, 15, 16, or 18 of the Illinois Pension Code in any future fiscal year, until the designated retirement system has reached the targeted funding ratio as prescribed by law for that retirement system. Such payments may be invested in the same manner as other assets of the designated retirement system and shall be used in the calculation of the system's funding ratio for the purposes of this Section and Section 20 of this Act. Payments under this Section may be used for any associated administrative costs.

(Source: P.A. 94-839, eff. 6-6-06.)


(40 ILCS 5/1-103.3)

Sec. 1-103.3. Application of 1994 amendment; funding standard.

(a) The provisions of Public Act 88-593 this amendatory Act of 1994 that change the method of calculating, certifying, and paying the required State contributions to the retirement systems established under
Articles 2, 14, 15, 16, and 18 shall first apply to the State contributions required for State fiscal year 1996.

(b) The General Assembly declares that a funding ratio (the ratio of a retirement system’s total assets to its total actuarial liabilities) of 90% is an appropriate goal for State-funded retirement systems in Illinois, and it finds that a funding ratio of 90% is now the generally-recognized norm throughout the nation for public employee retirement systems that are considered to be financially secure and funded in an appropriate and responsible manner.

(c) Every 5 years, beginning in 1999, the Commission on Government Forecasting and Accountability, in consultation with the affected retirement systems and the Governor’s Office of Management and Budget (formerly Bureau of the Budget), shall consider and determine whether the funding goals adopted in Articles 2, 14, 15, 16, and 18 of this Code continue to represent an appropriate funding goals goal for those State-funded retirement systems in Illinois, and it shall report its findings and recommendations on this subject to the Governor and the General Assembly.

(Source: P.A. 93-1067, eff. 1-15-05.)

(40 ILCS 5/2-105.1 new)
Sec. 2-105.1. Tier 1 participant; Tier 2 participant.
"Tier 1 participant": A participant who first became a participant before January 1, 2011.

"Tier 2 participant": A participant who first became a participant on or after January 1, 2011.

(40 ILCS 5/2-105.2 new)
Sec. 2-105.2. Tier 1 retiree. "Tier 1 retiree" means a former Tier 1 participant who has made the election to retire and has terminated service.

(40 ILCS 5/2-108) (from Ch. 108 1/2, par. 2-108)
Sec. 2-108. Salary. "Salary": (1) For members of the General Assembly, the total compensation paid to the member by the State for one year of service, including the additional amounts, if any, paid to the member as an officer pursuant to Section 1 of "An Act in relation to the compensation and emoluments of the members of the General Assembly", approved December 6, 1907, as now or hereafter amended.

(2) For the State executive officers specified in Section 2-105, the total compensation paid to the member for one year of service.
(3) For members of the System who are participants under Section 2-117.1, or who are serving as Clerk or Assistant Clerk of the House of Representatives or Secretary or Assistant Secretary of the Senate, the total compensation paid to the member for one year of service, but not to exceed the salary of the highest salaried officer of the General Assembly.

However, in the event that federal law results in any participant receiving imputed income based on the value of group term life insurance provided by the State, such imputed income shall not be included in salary for the purposes of this Article.

Notwithstanding any other provision of this Code, the annual salary of a Tier 1 participant for the purposes of this Code shall not exceed, for periods of service in a term of office beginning on or after the effective date of this amendatory Act of the 98th General Assembly, the greater of (i) the annual limitation determined from time to time under subsection (b-5) of Section 1-160 of this Code or (ii) the annualized salary of the participant on the last day of that participant's last term of office beginning before that effective date.

(Source: P.A. 86-27; 86-273; 86-1028; 86-1488.)

(40 ILCS 5/2-108.1) (from Ch. 108 1/2, par. 2-108.1)
Sec. 2-108.1. Highest salary for annuity purposes.

(a) "Highest salary for annuity purposes" means whichever of the following is applicable to the participant:

For a participant who first becomes a participant of this System before August 10, 2009 (the effective date of Public Act 96-207):

(1) For a participant who is a member of the General Assembly on his or her last day of service: the highest salary that is prescribed by law, on the participant's last day of service, for a member of the General Assembly who is not an officer; plus, if the participant was elected or appointed to serve as an officer of the General Assembly for 2 or more years and has made contributions as required under subsection (d) of Section 2-126, the highest additional amount of compensation prescribed by law, at the time of the participant's service as an officer, for members of the General Assembly who serve in that office.

(2) For a participant who holds one of the State executive offices specified in Section 2-105 on his or her last day of service: the highest salary prescribed by law for service in that office on the participant's last day of service.

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(3) For a participant who is Clerk or Assistant Clerk of the House of Representatives or Secretary or Assistant Secretary of the Senate on his or her last day of service: the salary received for service in that capacity on the last day of service, but not to exceed the highest salary (including additional compensation for service as an officer) that is prescribed by law on the participant's last day of service for the highest paid officer of the General Assembly.

(4) For a participant who is a continuing participant under Section 2-117.1 on his or her last day of service: the salary received for service in that capacity on the last day of service, but not to exceed the highest salary (including additional compensation for service as an officer) that is prescribed by law on the participant's last day of service for the highest paid officer of the General Assembly.

For a participant who first becomes a participant of this System on or after August 10, 2009 (the effective date of Public Act 96-207) and before January 1, 2011 (the effective date of Public Act 96-889), the average monthly salary obtained by dividing the total salary of the participant during the period of: (1) the 48 consecutive months of service within the last 120 months of service in which the total compensation was the highest, or (2) the total period of service, if less than 48 months, by the number of months of service in that period.

Except as otherwise provided below, for a Tier 2 participant who first becomes a participant of this System on or after January 1, 2011 (the effective date of Public Act 96-889), the average monthly salary obtained by dividing the total salary of the participant during the 96 consecutive months of service within the last 120 months of service in which the total compensation was the highest by the number of months of service in that period; however, for periods of service in a term of office beginning on or after January 1, 2011 and before the effective date of this amendatory Act of the 98th General Assembly, the highest salary for annuity purposes may not exceed $106,800, except that that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban households.

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consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the Board by November 1 of each year until there is no longer any such participant who is in service in a term of office that began before the effective date of this amendatory Act of the 98th General Assembly.

Notwithstanding any other provision of this Section, in determining the highest salary for annuity purposes of a Tier 2 participant who is in service in a term of office beginning on or after the effective date of this amendatory Act of the 98th General Assembly, the Tier 2 participant's salary for periods of service in a term of office beginning on or after that effective date shall not exceed the limitation on salary determined from time to time under subsection (b-5) of Section 1-160 of this Code.

(b) The earnings limitations of subsection (a) apply to earnings under any other participating system under the Retirement Systems Reciprocal Act that are considered in calculating a proportional annuity under this Article, except in the case of a person who first became a member of this System before August 22, 1994 and has not, on or after the effective date of this amendatory Act of the 97th General Assembly, irrevocably elected to have those limitations apply. The limitations of subsection (a) shall apply, however, to earnings under any other participating system under the Retirement Systems Reciprocal Act that are considered in calculating the proportional annuity of a person who first became a member of this System before August 22, 1994 if, on or after the effective date of this amendatory Act of the 97th General Assembly, that member irrevocably elects to have those limitations apply.

(c) In calculating the subsection (a) earnings limitation to be applied to earnings under any other participating system under the Retirement Systems Reciprocal Act for the purpose of calculating a proportional annuity under this Article, the participant's last day of service shall be deemed to mean the last day of service in any participating system from which the person has applied for a proportional annuity under the Retirement Systems Reciprocal Act.

(Source: P.A. 96-207, eff. 8-10-09; 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11; 97-967, eff. 8-16-12.)

(40 ILCS 5/2-119) (from Ch. 108 1/2, par. 2-119)
Sec. 2-119. Retirement annuity - conditions for eligibility.
(a) A participant whose service as a member is terminated, regardless of age or cause, is entitled to a retirement annuity beginning on
the date specified by the participant in a written application subject to the following conditions:

1. The date the annuity begins does not precede the date of final termination of service, or is not more than 30 days before the receipt of the application by the board in the case of annuities based on disability or one year before the receipt of the application in the case of annuities based on attained age;

2. The participant meets one of the following eligibility requirements:

   For a participant who first becomes a participant of this System before January 1, 2011 (the effective date of Public Act 96-889):

   (A) He or she has attained age 55 and has at least 8 years of service credit;
   (B) He or she has attained age 62 and terminated service after July 1, 1971 with at least 4 years of service credit; or
   (C) He or she has completed 8 years of service and has become permanently disabled and as a consequence, is unable to perform the duties of his or her office.

   For a participant who first becomes a participant of this System on or after January 1, 2011 (the effective date of Public Act 96-889), he or she has attained age 67 and has at least 8 years of service credit.

   (a-1) Notwithstanding subsection (a) of this Section, for a Tier 1 participant who begins receiving a retirement annuity under this Section on or after July 1, 2014, the required retirement age under subsection (a) is increased as follows, based on the Tier 1 participant's age on June 1, 2014:

   (1) If he or she is at least age 46 on June 1, 2014, then the required retirement ages under subsection (a) remain unchanged.
   (2) If he or she is at least age 45 but less than age 46 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 4 months.
   (3) If he or she is at least age 44 but less than age 45 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 8 months.
(4) If he or she is at least age 43 but less than age 44 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 12 months.

(5) If he or she is at least age 42 but less than age 43 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 16 months.

(6) If he or she is at least age 41 but less than age 42 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 20 months.

(7) If he or she is at least age 40 but less than age 41 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 24 months.

(8) If he or she is at least age 39 but less than age 40 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 28 months.

(9) If he or she is at least age 38 but less than age 39 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 32 months.

(10) If he or she is at least age 37 but less than age 38 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 36 months.

(11) If he or she is at least age 36 but less than age 37 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 40 months.

(12) If he or she is at least age 35 but less than age 36 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 44 months.

(13) If he or she is at least age 34 but less than age 35 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 48 months.

(14) If he or she is at least age 33 but less than age 34 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 52 months.

(15) If he or she is at least age 32 but less than age 33 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 56 months.

(16) If he or she is less than age 32 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 60 months.
Notwithstanding Section 1-103.1, this subsection (a-1) applies without regard to whether or not the Tier 1 participant is in active service under this Article on or after the effective date of this amendatory Act of the 98th General Assembly.

(a-5) A participant who first becomes a participant of this System on or after January 1, 2011 (the effective date of Public Act 96-889) who has attained age 62 and has at least 8 years of service credit may elect to receive the lower retirement annuity provided in paragraph (c) of Section 2-119.01 of this Code.

(b) A participant shall be considered permanently disabled only if:
(1) disability occurs while in service and is of such a nature as to prevent him or her from reasonably performing the duties of his or her office at the time; and (2) the board has received a written certificate by at least 2 licensed physicians appointed by the board stating that the member is disabled and that the disability is likely to be permanent.
(Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11.)

(40 ILCS 5/2-119.1) (from Ch. 108 1/2, par. 2-119.1)
Sec. 2-119.1. Automatic increase in retirement annuity.

(a) Except as otherwise provided in this Section, a participant who retires after June 30, 1967, and who has not received an initial increase under this Section before the effective date of this amendatory Act of 1991, shall, in January or July next following the first anniversary of retirement, whichever occurs first, and in the same month of each year thereafter, but in no event prior to age 60, have the amount of the originally granted retirement annuity increased as follows: for each year through 1971, 1 1/2%; for each year from 1972 through 1979, 2%; and for 1980 and each year thereafter, 3%. Annuitants who have received an initial increase under this subsection prior to the effective date of this amendatory Act of 1991 shall continue to receive their annual increases in the same month as the initial increase.

(a-1) Notwithstanding subsection (a), but subject to the provisions of subsection (a-2), for a Tier 1 retiree, all automatic increases payable under subsection (a) on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $1,000 multiplied by the number of years of creditable service upon which the annuity is based.

Beginning January 1, 2016, the $1,000 referred to in item (2) of this subsection (a-1) shall be increased on each January 1 by the annual

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unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (a-1), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (a-1) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(a-2) Notwithstanding subsections (a) and (a-1), for an active or inactive Tier 1 participant who has not begun to receive a retirement annuity under this Article before July 1, 2014:

(1) the second automatic annual increase payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 50 on the effective date of this amendatory Act;

(2) the second, fourth, and sixth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 47 but less than age 50 on the effective date of this amendatory Act;

(3) the second, fourth, sixth, and eighth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 44 but less than age 47 on the effective date of this amendatory Act; and

(4) the second, fourth, sixth, eighth, and tenth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is less than age 44 on the effective date of this amendatory Act.

For the purposes of Section 1-103.1, this subsection (a-2) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

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(b) Beginning January 1, 1990, for eligible participants who remain in service after attaining 20 years of creditable service, the 3% increases provided under subsection (a) shall begin to accrue on the January 1 next following the date upon which the participant (1) attains age 55, or (2) attains 20 years of creditable service, whichever occurs later, and shall continue to accrue while the participant remains in service; such increases shall become payable on January 1 or July 1, whichever occurs first, next following the first anniversary of retirement. For any person who has service credit in the System for the entire period from January 15, 1969 through December 31, 1992, regardless of the date of termination of service, the reference to age 55 in clause (1) of this subsection (b) shall be deemed to mean age 50. The increases accruing under this subsection (b) after the effective date of this amendatory Act of the 98th General Assembly shall accrue at the rate provided in subsection (a-1).

This subsection (b) does not apply to any person who first becomes a member of the System after the effective date of this amendatory Act of the 93rd General Assembly.

(b-5) Notwithstanding any other provision of this Section Article, a participant who first becomes a participant on or after January 1, 2011 (the effective date of Public Act 96-889) shall, in January or July next following the first anniversary of retirement, whichever occurs first, and in the same month of each year thereafter, but in no event prior to age 67, have the amount of the retirement annuity then being paid increased by an amount calculated as a percentage of the originally granted retirement annuity, equal to 3% or one-half of the annual unadjusted percentage increase (but not less than zero) in the Consumer Price Index for All Urban Consumers for the 12 months ending with the preceding September, as determined by the Public Pension Division of the Department of Insurance and reported to the System by November 1 of each year under subsection (a) of Section 2-108.1, whichever is less.

The changes made to this subsection (b-5) by this amendatory Act of the 98th General Assembly shall apply to increases provided under this subsection on or after the effective date of this amendatory Act without regard to whether service terminated before that effective date.

(c) The foregoing provisions relating to automatic increases are not applicable to a participant who retires before having made contributions (at the rate prescribed in Section 2-126) for automatic increases for less than the equivalent of one full year. However, in order to be eligible for the automatic increases, such a participant may make arrangements to pay

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to the system the amount required to bring the total contributions for the automatic increase to the equivalent of one year’s contributions based upon his or her last salary.

(d) A participant who terminated service prior to July 1, 1967, with at least 14 years of service is entitled to an increase in retirement annuity beginning January, 1976, and to additional increases in January of each year thereafter.

The initial increase shall be 1 1/2% of the originally granted retirement annuity multiplied by the number of full years that the annuitant was in receipt of such annuity prior to January 1, 1972, plus 2% of the originally granted retirement annuity for each year after that date. The subsequent annual increases shall be at the rate of 2% of the originally granted retirement annuity for each year through 1979 and at the rate of 3% for 1980 and thereafter. The increases provided under this subsection (d) on or after the effective date of this amendatory Act of the 98th General Assembly shall be at the rate provided in subsection (a-1), notwithstanding that service terminated before that effective date.

(e) Except as may be provided in subsection (b-5), beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total annuity payable at the time of the increase, including previous increases granted under this Article.

(Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11.)

(40 ILCS 5/2-124) (from Ch. 108 1/2, par. 2-124)

Sec. 2-124. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with the contributions of participants, interest earned on investments, and other income will meet the cost of maintaining and administering the System on a 100% funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

(b) The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the prescribed rate of interest, using the formula in subsection (c).

(c) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State’s portion of the projected normal cost for that fiscal year, plus

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(2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2014, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $4,157,000.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $5,220,300.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $10,454,000 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

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Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 2-134 and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2045, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total actuarial liabilities of the System.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100% 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under Section 2-134, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act.
Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(d) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(e) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-813, eff. 7-13-12.)

(40 ILCS 5/2-125) (from Ch. 108 1/2, par. 2-125)
Sec. 2-125. Obligations of State; funding guarantee.

(a) The payment of (1) the required State contributions, (2) all benefits granted under this system and (3) all expenses of administration and operation are obligations of the State to the extent specified in this Article.

(b) All income, interest and dividends derived from deposits and investments shall be credited to the account of the system in the State Treasury and used to pay benefits under this Article.

(c) Beginning July 1, 2014, the State shall be obligated to contribute to the System in each State fiscal year an amount not less than the sum of (i) the State's normal cost for the year and (ii) the portion of the unfunded accrued liability assigned to that year by law. Notwithstanding any other provision of law, if the State fails to pay an amount required under this subsection, it shall be the obligation of the Board to seek
payment of the required amount in compliance with the provisions of this Section and, if the amount remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required payment.

If the System submits a voucher for contributions required under Section 2-124 and the State fails to pay that voucher within 90 days of its receipt, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the amount remains unpaid the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to pay a voucher for the contributions required under Section 2-124.

This subsection (c) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to pay a voucher for the contributions required under Section 2-124.

(d) Beginning in State fiscal year 2016, the State shall be obligated to make the transfers set forth in subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amounts in accordance with Section 25 of the Budget Stabilization Act. Notwithstanding any other provision of law, if the State fails to transfer an amount required under this subsection or to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act, it shall be the obligation of the Board to seek transfer or payment of the required amount in compliance with the provisions of this Section and, if the required amount remains untransferred or the required payment remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required transfer or payment or both, as the case may be.

If the State fails to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act or a payment to the System required under Section 25 of that Act, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and
Secretary of State, if the required amount remains untransferred or the required payment remains unpaid, the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make the required transfer or payment or both, as the case may be.

This subsection (d) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act.

The obligations created by this subsection (d) expire when all of the requirements of subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and Section 25 of the Budget Stabilization Act have been met.

(e) Any payments and transfers required to be made by the State pursuant to subsection (c) or (d) are expressly subordinate to the payment of the principal, interest, and premium, if any, on any bonded debt obligation of the State or any other State-created entity, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from tax revenues collected by the State or any other State-created entity. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law or bond indentures, into debt service funds or accounts of the State related to such bond obligations, consistent with the payment schedules associated with such obligations.

(Source: P.A. 83-1440.)

(40 ILCS 5/2-126) (from Ch. 108 1/2, par. 2-126)

Sec. 2-126. Contributions by participants.

(a) Each participant shall contribute toward the cost of his or her retirement annuity a percentage of each payment of salary received by him or her for service as a member as follows: for service between October 31, 1947 and January 1, 1959, 5%; for service between January 1, 1959 and June 30, 1969, 6%; for service between July 1, 1969 and January 10, 1973, 6 1/2%; for service after January 10, 1973, 7%; for service after December 31, 1981, 8 1/2%.

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(b) Beginning August 2, 1949, each male participant, and from July 1, 1971, each female participant shall contribute towards the cost of the survivor's annuity 2% of salary. A participant who has no eligible survivor's annuity beneficiary may elect to cease making contributions for survivor's annuity under this subsection. A survivor's annuity shall not be payable upon the death of a person who has made this election, unless prior to that death the election has been revoked and the amount of the contributions that would have been paid under this subsection in the absence of the election is paid to the System, together with interest at the rate of 4% per year from the date the contributions would have been made to the date of payment.

(c) Beginning July 1, 1967 and, in the case of Tier 1 participants, ending on June 30, 2014, each participant shall contribute 1% of salary towards the cost of automatic increase in annuity provided in Section 2-119.1. These contributions shall be made concurrently with contributions for retirement annuity purposes.

(d) In addition, each participant serving as an officer of the General Assembly shall contribute, for the same purposes and at the same rates as are required of a regular participant, on each additional payment received as an officer. If the participant serves as an officer for at least 2 but less than 4 years, he or she shall contribute an amount equal to the amount that would have been contributed had the participant served as an officer for 4 years. Persons who serve as officers in the 87th General Assembly but cannot receive the additional payment to officers because of the ban on increases in salary during their terms may nonetheless make contributions based on those additional payments for the purpose of having the additional payments included in their highest salary for annuity purposes; however, persons electing to make these additional contributions must also pay an amount representing the corresponding employer contributions, as calculated by the System.

(e) Notwithstanding any other provision of this Article, the required contribution of a participant who first becomes a participant on or after January 1, 2011 shall not exceed the contribution that would be due under this Article if that participant's highest salary for annuity purposes were $106,800, plus any increases in that amount under Section 2-108.1.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/2-126.5 new)

Sec. 2-126.5. Use of contributions for health care subsidies. The System shall not use any contribution received by the System under this

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Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/2-134) (from Ch. 108 1/2, par. 2-134)

Sec. 2-134. To certify required State contributions and submit vouchers.

(a) The Board shall certify to the Governor on or before December 15 of each year until December 15, 2011 the amount of the required State contribution to the System for the next fiscal year and shall specifically identify the System's projected State normal cost for that fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and every January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in
required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) For purposes of Section (c-5) of Section 20 of the Budget Stabilization Act, on or before November 1 of each year beginning November 1, 2014, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification, along with the relevant law, actuarial assumptions, calculations, and data upon which that certification is based. On or before January 1, 2015 and every January 1 thereafter, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification. On or before January 15, 2015 and every January 1 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the impact of not following the State Actuary's recommended changes.

(b) Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (d) of

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Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year. If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this Section, the difference shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(c) The full amount of any annual appropriation for the System for State fiscal year 1995 shall be transferred and made available to the System at the beginning of that fiscal year at the request of the Board. Any excess funds remaining at the end of any fiscal year from appropriations shall be retained by the System as a general reserve to meet the System's accrued liabilities.

(Source: P.A. 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 97-694, eff. 6-18-12.)

(40 ILCS 5/2-162)
Sec. 2-162. Application and expiration of new benefit increases.
(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after the effective date of this amendatory Act of the 94th General Assembly. "New benefit increase", however, does not include any benefit increase resulting from the changes made to this Article by this amendatory Act of the 98th General Assembly.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection.

The Commission on Government Forecasting and Accountability shall
analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance Financial and Professional Regulation. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 94-4, eff. 6-1-05.)

(40 ILCS 5/2-165 new)

Sec. 2-165. Defined contribution plan.

(a) By July 1, 2015, the System shall prepare and implement a voluntary defined contribution plan for up to 5% of eligible active Tier 1 participants. The System shall determine the 5% cap by the number of active Tier 1 participants on the effective date of this Section. The defined contribution plan developed under this Section shall be a plan that aggregates employer and employee contributions in individual participant accounts which, after meeting any other requirements, are used for payouts after retirement in accordance with this Section and any other applicable laws.

As used in this Section, "defined benefit plan" means the retirement plan available under this Article to Tier 1 participants who have not made the election authorized under this Section.

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(1) Under the defined contribution plan, an active Tier 1 participant of this System could elect to cease accruing benefits in the defined benefit plan under this Article and begin accruing benefits for future service in the defined contribution plan. Service credit under the defined contribution plan may be used for determining retirement eligibility under the defined benefit plan.

(2) Participants in the defined contribution plan shall pay employee contributions at the same rate as Tier 1 participants in this System who do not participate in the defined contribution plan.

(3) State contributions shall be paid into the accounts of all participants in the defined contribution plan at a uniform rate, expressed as a percentage of compensation and determined for each year. This rate shall be no higher than the employer's normal cost for Tier 1 participants in the defined benefit plan for that year, as determined by the System and expressed as a percentage of compensation, and shall be no lower than 3% of compensation. The State shall adjust this rate annually.

(4) The defined contribution plan shall require 5 years of participation in the defined contribution plan before vesting in State contributions. If the participant fails to vest in them, the State contributions, and the earnings thereon, shall be forfeited.

(5) The defined contribution plan may provide for participants in the plan to be eligible for defined disability benefits. If it does, the System shall reduce the employee contributions credited to the participant's defined contribution plan account by an amount determined by the System to cover the cost of offering such benefits.

(6) The defined contribution plan shall provide a variety of options for investments. These options shall include investments handled by the Illinois State Board of Investment as well as private sector investment options.

(7) The defined contribution plan shall provide a variety of options for payouts to retirees and their survivors.

(8) To the extent authorized under federal law and as authorized by the System, the plan shall allow former participants in the plan to transfer or roll over employee and vested State contributions, and the earnings thereon, into other qualified retirement plans.

New matter indicated by italics - deletions by strikeout
(9) The System shall reduce the employee contributions credited to the participant's defined contribution plan account by an amount determined by the System to cover the cost of offering these benefits and any applicable administrative fees.

(b) Only persons who are active Tier 1 participants of the System on the effective date of this Section are eligible to participate in the defined contribution plan. Participation in the defined contribution plan shall be limited to the first 5% of eligible persons who elect to participate. The election to participate in the defined contribution plan is voluntary and irrevocable.

(c) An eligible active Tier 1 participant may irrevocably elect to participate in the defined contribution plan by filing with the System a written application to participate that is received by the System prior to its determination that 5% of eligible persons have elected to participate in the defined contribution plan.

When the System first determines that 5% of eligible persons have elected to participate in the defined contribution plan, the System shall provide notice to previously eligible employees that the plan is no longer available and shall cease accepting applications to participate.

(d) The System shall make a good faith effort to contact each active Tier 1 participant who is eligible to participate in the defined contribution plan. The System shall mail information describing the option to join the defined contribution plan to each of these employees to his or her last known address on file with the System. If the employee is not responsive to other means of contact, it is sufficient for the System to publish the details of the option on its website.

Upon request for further information describing the option, the System shall provide employees with information from the System before exercising the option to join the plan, including information on the impact to their vested benefits or non-vested service. The individual consultation shall include projections of the participant's defined benefits at retirement or earlier termination of service and the value of the participant's account at retirement or earlier termination of service. The System shall not provide advice or counseling with respect to whether the employee should exercise the option. The System shall inform Tier 1 participants who are eligible to participate in the defined contribution plan that they may also wish to obtain information and counsel relating to their option from any other available source, including but not limited to labor organizations, private counsel, and financial advisors.

New matter indicated by italics - deletions by strikeout
(e) In no event shall the System, its staff, its authorized representatives, or the Board be liable for any information given to an employee under this Section. The System may coordinate with the Illinois Department of Central Management Services and other retirement systems administering a defined contribution plan in accordance with this amendatory Act of the 98th General Assembly to provide information concerning the impact of the option set forth in this Section.

(f) Notwithstanding any other provision of this Section, no person shall begin participating in the defined contribution plan until it has attained qualified plan status and received all necessary approvals from the U.S. Internal Revenue Service.

(g) The System shall report on its progress under this Section, including the available details of the defined contribution plan and the System's plans for informing eligible Tier 1 participants about the plan, to the Governor and the General Assembly on or before January 15, 2015.

(h) The Illinois State Board of Investments shall be the plan sponsor for the defined contribution plan established under this Section.

(i) The intent of this amendatory Act of the 98th General Assembly is to ensure that the State's normal cost of participation in the defined contribution plan is similar, and if possible equal, to the State's normal cost of participation in the defined benefit plan, unless a lower State's normal cost is necessary to ensure cost neutrality.

(40 ILCS 5/2-166 new)

Sec. 2-166. Defined contribution plan; termination. If the defined contribution plan is terminated or becomes inoperative pursuant to law, then each participant in the plan shall automatically be deemed to have been a contributing Tier 1 participant in the System's defined benefit plan during the time in which he or she participated in the defined contribution plan, and for that purpose the System shall be entitled to recover the amounts in the participant's defined contribution accounts.

(40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

Sec. 7-109. Employee.

(1) "Employee" means any person who:

(a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and

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2. Under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including aldermen, county supervisors and other persons (excepting those employed as independent contractors) who are paid compensation, fees, allowances or other emolument for official duties, and, in counties, the several county fee offices.

(b) Serves as a township treasurer appointed under the School Code, as heretofore or hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:


2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.
However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(c) After August 26, 2011 (the effective date of Public Act 97-609), are contributors to or eligible to contribute to a Taft-Hartley pension plan established on or before June 1, 2011 and are employees of a theatre, arena, or convention center that is located in a municipality located in a county with a population greater than 5,000,000, and to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to August 26, 2011, and this paragraph shall not apply to individuals who are participating in the Fund prior to August 26, 2011.

(d) Become an employee of any of the following participating instrumentalities on or after the effective date of this amendatory Act of the 98th General Assembly: the Illinois
Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; an association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code; the United Counties Council; or the Will County Governmental League.

(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.

(Source: P.A. 97-429, eff. 8-16-11; 97-609, eff. 8-26-11; 97-813, eff. 7-13-12.)

(40 ILCS 5/7-114) (from Ch. 108 1/2, par. 7-114)
Sec. 7-114. Earnings. "Earnings":
(a) An amount to be determined by the board, equal to the sum of:

1. The total amount of money paid to an employee for personal services or official duties as an employee (except those employed as independent contractors) paid out of the general fund, or out of any special funds controlled by the municipality, or by any instrumentality thereof, or participating instrumentality, including compensation, fees, allowances, or other emolument paid for official duties (but not including automobile maintenance, travel expense, or reimbursements for expenditures incurred in the performance of duties or, in the case of a person who first becomes a participant on or after the effective date of this amendatory Act of the 98th General Assembly, payments for unused sick or vacation time) and, for fee offices, the fees or earnings of the
offices to the extent such fees are paid out of funds controlled by the municipality, or instrumentality or participating instrumentality; and

2. The money value, as determined by rules prescribed by the governing body of the municipality, or instrumentality thereof, of any board, lodging, fuel, laundry, and other allowances provided an employee in lieu of money.

(b) For purposes of determining benefits payable under this fund payments to a person who is engaged in an independently established trade, occupation, profession or business and who is paid for his service on a basis other than a monthly or other regular salary, are not earnings.

(c) If a disabled participating employee is eligible to receive Workers' Compensation for an accidental injury and the participating municipality or instrumentality which employed the participating employee when injured continues to pay the participating employee regular salary or other compensation or pays the employee an amount in excess of the Workers' Compensation amount, then earnings shall be deemed to be the total payments, including an amount equal to the Workers' Compensation payments. These payments shall be subject to employee contributions and allocated as if paid to the participating employee when the regular payroll amounts would have been paid if the participating employee had continued working, and creditable service shall be awarded for this period.

(d) If an elected official who is a participating employee becomes disabled but does not resign and is not removed from office, then earnings shall include all salary payments made for the remainder of that term of office and the official shall be awarded creditable service for the term of office.

(e) If a participating employee is paid pursuant to "An Act to provide for the continuation of compensation for law enforcement officers, correctional officers and firemen who suffer disabling injury in the line of duty", approved September 6, 1973, as amended, the payments shall be deemed earnings, and the participating employee shall be awarded creditable service for this period.

(f) Additional compensation received by a person while serving as a supervisor of assessments, assessor, deputy assessor or member of a board of review from the State of Illinois pursuant to Section 4-10 or 4-15 of the Property Tax Code shall not be earnings for purposes of this Article

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Sec. 7-116. "Final rate of earnings":

(a) For retirement and survivor annuities, the monthly earnings obtained by dividing the total earnings received by the employee during the period of either (1) the 48 consecutive months of service within the last 120 months of service in which his total earnings were the highest or (2) the employee's total period of service, by the number of months of service in such period.

(b) For death benefits, the higher of the rate determined under paragraph (a) of this Section or total earnings received in the last 12 months of service divided by twelve. If the deceased employee has less than 12 months of service, the monthly final rate shall be the monthly rate of pay the employee was receiving when he began service.

(c) For disability benefits, the total earnings of a participating employee in the last 12 calendar months of service prior to the date he becomes disabled divided by 12.

(d) In computing the final rate of earnings: (1) the earnings rate for all periods of prior service shall be considered equal to the average earnings rate for the last 3 calendar years of prior service for which creditable service is received under Section 7-139 or, if there is less than 3 years of creditable prior service, the average for the total prior service period for which creditable service is received under Section 7-139; (2) for out of state service and authorized leave, the earnings rate shall be the rate upon which service credits are granted; (3) periods of military leave shall not be considered; (4) the earnings rate for all periods of disability shall be considered equal to the rate of earnings upon which the employee's disability benefits are computed for such periods; (5) the earnings to be considered for each of the final three months of the final earnings period for persons who first became participants before January 1, 2012 and the earnings to be considered for each of the final 24 months for participants who first become participants on or after January 1, 2012 shall not exceed 125% of the highest earnings of any other month in the final earnings period; and (6) the annual amount of final rate of earnings shall be the monthly amount multiplied by the number of months of service normally required by the position in a year; and (7) in the case of a person who first becomes a participant on or after the effective date of this amendatory Act...
of the 98th General Assembly, payments for unused sick or vacation time shall not be considered.

(Source: P.A. 97-609, eff. 1-1-12.)

(40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

Sec. 7-139. Credits and creditable service to employees.

(a) Each participating employee shall be granted credits and creditable service, for purposes of determining the amount of any annuity or benefit to which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an employee of a participating municipality or participating instrumentality on the effective date shall be granted creditable service, but no credits under paragraph 2 of this subsection (a), for periods of prior service for which credit has not been received under any other pension fund or retirement system established under this Code, as follows:

If the effective date of participation for the participating municipality or participating instrumentality is on or before January 1, 1998, creditable service shall be granted for the entire period of prior service with that employer without any employee contribution.

If the effective date of participation for the participating municipality or participating instrumentality is after January 1, 1998, creditable service shall be granted for the last 20% of the period of prior service with that employer, but no more than 5 years, without any employee contribution. A participating employee may establish creditable service for the remainder of the period of prior service with that employer by making an application in writing, accompanied by payment of an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service may be made at any time while the employee is still in service.

A municipality that (i) has at least 35 employees; (ii) is located in a county with at least 2,000,000 inhabitants; and (iii) maintains an independent defined benefit pension plan for the benefit of its eligible employees may restrict creditable service in...
whole or in part for periods of prior service with the employer if the governing body of the municipality adopts an irrevocable resolution to restrict that creditable service and files the resolution with the board before the municipality's effective date of participation.

Any person who has withdrawn from the service of a participating municipality or participating instrumentality prior to the effective date, who reenters the service of the same municipality or participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service must be made while in a participating status. The salary rate to be used in the calculation of the required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:

   a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.

   b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).

   c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.

   d. Survivor credits equal to each payment of survivor contributions received from the participating employee as of the date the corresponding payment of

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earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service for periods of authorized leave of absence without pay under the following conditions:
   a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment.
   b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.
   c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.
   d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.
e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.

5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary to the computation of any benefit, the board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be

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granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts).

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of
payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.

Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who first becomes a participating employee before the effective date of this amendatory Act of the 98th General Assembly and who is applying for a retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:

a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a
participating municipality or participating instrumentality which is available to all employees or a class of employees.

b. Except as provided in item b-1, only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.

b-1. If the employee was in the service of more than one employer as defined in item (2) of paragraph (a) of subsection (A) of Section 7-132, then the sick leave days from all such employers shall be credited, as long as the creditable service attributed to those sick leave days does not exceed the limitation in item f of this paragraph 8. In calculating the creditable service under this item b-1, the sick leave days from the last employer shall be considered first, then the remaining sick leave days shall be considered until there are no more days or the maximum creditable sick leave threshold under item f of this paragraph 8 has been reached.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick
leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

10. For service transferred from an Article 3 system under Section 3-110.8: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.8, to any active member of this Fund upon transfer of such credits pursuant to Section 3-110.8. If the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund, then the amount of creditable service established under this paragraph 10 shall be reduced by a corresponding amount in accordance with the rules and procedures established under this paragraph 10.

The board shall establish by rule the manner of making the calculation required under this paragraph 10, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history; the level of funding of the employer; and any other factors that the board determines to be relevant.

Until January 1, 2010, members who transferred service from an Article 3 system under the provisions of Public Act 94-356...
may establish additional credit in this Fund, but only up to the amount of the service credit reduction in that transfer, as calculated under the actuarial assumptions. This credit may be established upon payment by the member of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all the service been as an employee under this Article, plus interest thereon compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 3 system, plus (3) interest on the difference at the effective rate for each year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly notwithstanding the provisions of Article 3 terminating all transferred credits on the date of transfer.

11. For service transferred from an Article 3 system under Section 3-110.3: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.3, to any active member of this Fund, upon transfer of such credits pursuant to Section 3-110.3. If the board determines that the amount transferred is less than the true cost to the Fund of allowing that creditable service to be established, then in order to establish that creditable service, the member must pay to the Fund an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under this paragraph. If the member does not make the full additional payment as required by this paragraph prior to termination of his participation with that employer, then his or her creditable service shall be reduced by an amount equal to the difference between the amount transferred under Section 3-110.3, including any payments made by the member under this paragraph prior to termination, and the true cost to the Fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under this paragraph.

The board shall establish by rule the manner of making the calculation required under this paragraph 11, taking into account the appropriate actuarial assumptions; the member's service, age,

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and salary history, and any other factors that the board determines to be relevant.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar year. A calendar month means a nominal month beginning on the first day thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.

3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

(c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule.

(d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article.

(Source: P.A. 97-415, eff. 8-16-11; 98-439, eff. 8-16-13.)
(40 ILCS 5/9-219) (from Ch. 108 1/2, par. 9-219)

Sec. 9-219. Computation of service.

(1) In computing the term of service of an employee prior to the effective date, the entire period beginning on the date he was first appointed and ending on the day before the effective date, except any intervening period during which he was separated by withdrawal from service, shall be counted for all purposes of this Article.

(2) In computing the term of service of any employee on or after the effective date, the following periods of time shall be counted as periods of service for age and service, widow's and child's annuity purposes:

(a) The time during which he performed the duties of his position.

(b) Vacations, leaves of absence with whole or part pay, and leaves of absence without pay not longer than 90 days.

(c) For an employee who is a member of a county police department or a correctional officer with the county department of corrections, approved leaves of absence without pay during which the employee serves as a full-time officer or employee of an employee association, the membership of which consists of other participants in the Fund, provided that the employee contributes to the Fund (1) the amount that he would have contributed had he remained an active employee in the position he occupied at the time the leave of absence was granted, (2) an amount calculated by the Board representing employer contributions, and (3) regular interest thereon from the date of service to the date of payment. However, if the employee's application to establish credit under this subsection is received by the Fund on or after July 1, 2002 and before July 1, 2003, the amount representing employer contributions specified in item (2) shall be waived.

For a former member of a county police department who has received a refund under Section 9-164, periods during which the employee serves as head of an employee association, the membership of which consists of other police officers, provided that the employee contributes to the Fund (1) the amount that he would have contributed had he remained an active member of the county police department in the position he occupied at the time he left service, (2) an amount calculated by the Board representing employer contributions, and (3) regular interest thereon from the
date of service to the date of payment. However, if the former member of the county police department retires on or after January 1, 1993 but no later than March 1, 1993, the amount representing employer contributions specified in item (2) shall be waived.

For leaves of absence to which this item (c) applies and for other periods to which this item (c) applies, including those leaves of absence and other periods of service beginning before January 5, 2012 (the effective date of Public Act 97-651) this amendatory Act of the 97th General Assembly, the employee or former member must continue to remain in sworn status, subject to the professional standards of the public employer or those terms established in statute.

(d) Any period of disability for which he received disability benefit or whole or part pay.

(e) For a person who first becomes an employee before the effective date of this amendatory Act of the 98th General Assembly, accumulated vacation or other time for which an employee who retires on or after November 1, 1990 receives a lump sum payment at the time of retirement, provided that contributions were made to the fund at the time such lump sum payment was received. The service granted for the lump sum payment shall not change the employee's date of withdrawal for computing the effective date of the annuity.

(f) An employee who first becomes an employee before the effective date of this amendatory Act of the 98th General Assembly may receive service credit for annuity purposes for accumulated sick leave as of the date of the employee's withdrawal from service, not to exceed a total of 180 days, provided that the amount of such accumulated sick leave is certified by the County Comptroller to the Board and the employee pays an amount equal to 8.5% (9% for members of the County Police Department who are eligible to receive an annuity under Section 9-128.1) of the amount that would have been paid had such accumulated sick leave been paid at the employee's final rate of salary. Such payment shall be made within 30 days after the date of withdrawal and prior to receipt of the first annuity check. The service credit granted for such accumulated sick leave shall not change the employee's date of withdrawal for the purpose of computing the effective date of the annuity.

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(3) In computing the term of service of an employee on or after the effective date for ordinary disability benefit purposes, the following periods of time shall be counted as periods of service:
   (a) Unless otherwise specified in Section 9-157, the time during which he performed the duties of his position.
   (b) Paid vacations and leaves of absence with whole or part pay.
   (c) Any period for which he received duty disability benefit.
   (d) Any period of disability for which he received whole or part pay.

(4) For an employee who on January 1, 1958, was transferred by Act of the 70th General Assembly from his position in a department of welfare of any city located in the county in which this Article is in force and effect to a similar position in a department of such county, service shall also be credited for ordinary disability benefit and child's annuity for such period of department of welfare service during which period he was a contributor to a statutory annuity and benefit fund in such city and for which purposes service credit would otherwise not be credited by virtue of such involuntary transfer.

(5) An employee described in subsection (e) of Section 9-108 shall receive credit for child's annuity and ordinary disability benefit for the period of time for which he was credited with service in the fund from which he was involuntarily separated through class or group transfer; provided, that no such credit shall be allowed to the extent that it results in a duplication of credits or benefits, and neither shall such credit be allowed to the extent that it was or may be forfeited by the application for and acceptance of a refund from the fund from which the employee was transferred.

(6) Overtime or extra service shall not be included in computing service. Not more than 1 year of service shall be allowed for service rendered during any calendar year.

(7) Unused sick or vacation time shall not be used to compute the service of an employee who first becomes an employee on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 97-651, eff. 1-5-12.)

(40 ILCS 5/9-220) (from Ch. 108 1/2, par. 9-220)
Sec. 9-220. Basis of service credit.
   (a) In computing the period of service of any employee for annuity purposes under Section 9-134, the following provisions shall govern:

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(1) All periods prior to the effective date shall be computed in accordance with the provisions governing the computation of such service.

(2) Service on or after the effective date shall include:

(i) The actual period of time the employee contributes or has contributed to the fund for service rendered to age 65 plus the actual period of time after age 65 for which the employee performs the duties of his position or performs such duties and is given a county contribution for age and service annuity or minimum annuity purposes.

(ii) Leaves of absence from duty, or vacation, for which an employee receives all or part of his salary.

(iii) For a person who first becomes an employee before the effective date of this amendatory Act of the 98th General Assembly, accumulated vacation or other time for which an employee who retires on or after November 1, 1990 receives a lump sum payment at the time of retirement, provided that contributions were made to the fund at the time such lump sum payment was received. The service granted for the lump sum payment shall not change the employee's date of withdrawal for computing the effective date of the annuity.

(iv) For a person who first becomes an employee before the effective date of this amendatory Act of the 98th General Assembly, accumulated sick leave as of the date of the employee's withdrawal from service, not to exceed a total of 180 days, provided that the amount of such accumulated sick leave is certified by the County Comptroller to the Board and the employee pays an amount equal to 8.5% (9% for members of the County Police Department who are eligible to receive an annuity under Section 9-128.1) of the amount that would have been paid had such accumulated sick leave been paid at the employee's final rate of salary. Such payment shall be made within 30 days after the date of withdrawal and prior to receipt of the first annuity check. The service credit granted for such accumulated sick leave shall not change the

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employee's date of withdrawal for the purpose of computing the effective date of the annuity.

(v) Periods during which the employee has had contributions for annuity purposes made for him in accordance with law while on military leave of absence during World War II.

(vi) Periods during which the employee receives a disability benefit under this Article.

(vii) For any person who first becomes a member on or after January 1, 2011, the actual period of time the employee contributes or has contributed to the fund for service rendered up to the limitation on salary in subsection (b-5) of Section 1-160 plus the actual period of time thereafter for which the employee performs the duties of his position and ceased contributing due to the salary limitation in subsection (b-5) of Section 1-160.

(3) The right to have certain periods of time considered as service as stated in paragraph (2) of Section 9-164 shall not apply for annuity purposes unless the refunds shall have been repaid in accordance with this Article.

(4) All service shall be computed in whole calendar months, and at least 15 days of service in any one calendar month shall constitute one calendar month of service, and 1 year of service shall be equal to the number of months, days or hours for which an appropriation was made in the annual appropriation ordinance for the position held by the employee.

(5) Unused sick or vacation time shall not be used to compute the service of an employee who first becomes an employee on or after the effective date of this amendatory Act of the 98th General Assembly.

(b) For all other annuity purposes of this Article the following schedule shall govern the computation of a year of service of an employee whose salary or wages is on the basis stated, and any fractional part of a year of service shall be determined according to said schedule:

Annual or Monthly Basis: Service during 4 months in any 1 calendar year;

Weekly Basis: Service during any 17 weeks of any 1 calendar year, and service during any week shall constitute a week of service;

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Daily Basis: Service during 100 days in any 1 calendar year, and service during any day shall constitute a day of service;

Hourly Basis: Service during 800 hours in any 1 calendar year, and service during any hour shall constitute an hour of service.

(Source: P.A. 96-1490, eff. 1-1-11.)

(40 ILCS 5/14-103.10) (from Ch. 108 1/2, par. 14-103.10)
Sec. 14-103.10. Compensation.

(a) For periods of service prior to January 1, 1978, the full rate of salary or wages payable to an employee for personal services performed if he worked the full normal working period for his position, subject to the following maximum amounts: (1) prior to July 1, 1951, $400 per month or $4,800 per year; (2) between July 1, 1951 and June 30, 1957 inclusive, $625 per month or $7,500 per year; (3) beginning July 1, 1957, no limitation.

In the case of service of an employee in a position involving part-time employment, compensation shall be determined according to the employees' earnings record.

(b) For periods of service on and after January 1, 1978, all remuneration for personal services performed defined as "wages" under the Social Security Enabling Act, including that part of such remuneration which is in excess of any maximum limitation provided in such Act, and including any benefits received by an employee under a sick pay plan in effect before January 1, 1981, but excluding lump sum salary payments:
   (1) for vacation,
   (2) for accumulated unused sick leave,
   (3) upon discharge or dismissal,
   (4) for approved holidays.

(c) For periods of service on or after December 16, 1978, compensation also includes any benefits, other than lump sum salary payments made at termination of employment, which an employee receives or is eligible to receive under a sick pay plan authorized by law.

(d) For periods of service after September 30, 1985, compensation also includes any remuneration for personal services not included as "wages" under the Social Security Enabling Act, which is deducted for purposes of participation in a program established pursuant to Section 125 of the Internal Revenue Code or its successor laws.

(e) For members for which Section 1-160 applies for periods of service on and after January 1, 2011, all remuneration for personal services performed defined as "wages" under the Social Security Enabling Act,
excluding remuneration that is in excess of the annual earnings, salary, or wages of a member or participant, as provided in subsection (b-5) of Section 1-160, but including any benefits received by an employee under a sick pay plan in effect before January 1, 1981. Compensation shall exclude lump sum salary payments:

1. for vacation;
2. for accumulated unused sick leave;
3. upon discharge or dismissal; and
4. for approved holidays.

(f) Notwithstanding the other provisions of this Section, for service on or after July 1, 2013, "compensation" does not include any stipend payable to an employee for service on a board or commission.

(g) Notwithstanding any other provision of this Section, for an employee who first becomes a participant on or after the effective date of this amendatory Act of the 98th General Assembly, "compensation" does not include any payments or reimbursements for travel vouchers submitted more than 30 days after the last day of travel for which the voucher is submitted.

(h) Notwithstanding any other provision of this Code, the annual compensation of a Tier 1 member for the purposes of this Code shall not exceed, for periods of service on or after the effective date of this amendatory Act of the 98th General Assembly, the greater of (i) the annual limitation determined from time to time under subsection (b-5) of Section 1-160 of this Code, (ii) the annualized compensation of the Tier 1 member as of that effective date, or (iii) the annualized compensation of the Tier 1 member immediately preceding the expiration, renewal, or amendment of an employment contract or collective bargaining agreement in effect on that effective date.

(Source: P.A. 98-449, eff. 8-16-13.)

(40 ILCS 5/14-103.40 new)
Sec. 14-103.40. Tier 1 member. "Tier 1 member": A member of this System who first became a member or participant before January 1, 2011 under any reciprocal retirement system or pension fund established under this Code other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, or 18 of this Code.

(40 ILCS 5/14-104.3) (from Ch. 108 1/2, par. 14-104.3)
Sec. 14-104.3. Notwithstanding provisions contained in Section 14-103.10, any person who first becomes a member before the effective date of this amendatory Act of the 98th General Assembly and who at the
time of retirement and after December 6, 1983 receives compensation in a lump sum for accumulated vacation, sickness, or personal business may receive service credit for such periods by making contributions within 90 days of withdrawal, based on the rate of compensation in effect immediately prior to retirement and the contribution rate then in effect. Any person who first becomes a member on or after the effective date of this amendatory Act of the 98th General Assembly and who receives compensation in a lump sum for accumulated vacation, sickness, or personal business may not receive service credit for such periods. Exercising the option provided in this Section shall not change a member's date of withdrawal or final average compensation for purposes of computing the amount or effective date of a retirement annuity. Any annuitant who establishes service credit as herein provided shall have his retirement annuity adjusted retroactively to the date of retirement.

(Source: P.A. 83-1362.)

(40 ILCS 5/14-106) (from Ch. 108 1/2, par. 14-106)

Sec. 14-106. Membership service credit.

(a) After January 1, 1944, all service of a member since he last became a member with respect to which contributions are made shall count as membership service; provided, that for service on and after July 1, 1950, 12 months of service shall constitute a year of membership service, the completion of 15 days or more of service during any month shall constitute 1 month of membership service, 8 to 15 days shall constitute 1/2 month of membership service and less than 8 days shall constitute 1/4 month of membership service. The payroll record of each department shall constitute conclusive evidence of the record of service rendered by a member.

(b) For a member who is employed and paid on an academic-year basis rather than on a 12-month annual basis, employment for a full academic year shall constitute a full year of membership service, except that the member shall not receive more than one year of membership service credit (plus any additional service credit granted for unused sick leave) for service during any 12-month period. This subsection (b) applies to all such service for which the member has not begun to receive a retirement annuity before January 1, 2001.

(c) A person who first becomes a member before the effective date of this amendatory Act of the 98th General Assembly shall be entitled to additional service credit, under rules prescribed by the Board, for accumulated unused sick leave credited to his account in the last
Department on the date of withdrawal from service or for any period for which he would have been eligible to receive benefits under a sick pay plan authorized by law, if he had suffered a sickness or accident on the date of withdrawal from service. It shall be the responsibility of the last Department to certify to the Board the length of time salary or benefits would have been paid to the member based upon the accumulated unused sick leave or the applicable sick pay plan if he had become entitled thereto because of sickness on the date that his status as an employee terminated. This period of service credit granted under this paragraph shall not be considered in determining the date the retirement annuity is to begin, or final average compensation.

(d) A person who first becomes a member on or after the effective date of this amendatory Act of the 98th General Assembly shall not be entitled to additional service credit for accumulated unused sick leave.

(Source: P.A. 92-14, eff. 6-28-01.)

(40 ILCS 5/14-107) (from Ch. 108 1/2, par. 14-107)
Sec. 14-107. Retirement annuity - service and age - conditions.

(a) A member is entitled to a retirement annuity after having at least 8 years of creditable service.

(b) A member who has at least 35 years of creditable service may claim his or her retirement annuity at any age. A member having at least 8 years of creditable service but less than 35 may claim his or her retirement annuity upon or after attainment of age 60 or, beginning January 1, 2001, any lesser age which, when added to the number of years of his or her creditable service, equals at least 85. A member upon or after attainment of age 55 having at least 25 years of creditable service (30 years if retirement is before January 1, 2001) may elect to receive the lower retirement annuity provided in paragraph (c) of Section 14-108 of this Code. For purposes of the rule of 85, portions of years shall be counted in whole months.

(c) Notwithstanding subsection (b) of this Section, for a Tier 1 member who begins receiving a retirement annuity under this Section on or after July 1, 2014, the required retirement age under subsection (b) is increased as follows, based on the Tier 1 member's age on June 1, 2014:

(1) If he or she is at least age 46 on June 1, 2014, then the required retirement ages under subsection (b) remain unchanged.

(2) If he or she is at least age 45 but less than age 46 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 4 months.

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(3) If he or she is at least age 44 but less than age 45 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 8 months.

(4) If he or she is at least age 43 but less than age 44 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 12 months.

(5) If he or she is at least age 42 but less than age 43 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 16 months.

(6) If he or she is at least age 41 but less than age 42 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 20 months.

(7) If he or she is at least age 40 but less than age 41 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 24 months.

(8) If he or she is at least age 39 but less than age 40 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 28 months.

(9) If he or she is at least age 38 but less than age 39 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 32 months.

(10) If he or she is at least age 37 but less than age 38 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 36 months.

(11) If he or she is at least age 36 but less than age 37 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 40 months.

(12) If he or she is at least age 35 but less than age 36 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 44 months.

(13) If he or she is at least age 34 but less than age 35 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 48 months.

(14) If he or she is at least age 33 but less than age 34 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 52 months.

(15) If he or she is at least age 32 but less than age 33 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 56 months.

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(16) If he or she is less than age 32 on June 1, 2014, then the required retirement ages under subsection (b) are increased by 60 months.

Notwithstanding Section 1-103.1, this subsection (c) applies without regard to whether or not the Tier 1 member is in active service under this Article on or after the effective date of this amendatory Act of the 98th General Assembly.

(d) The allowance shall begin with the first full calendar month specified in the member's application therefor, the first day of which shall not be before the date of withdrawal as approved by the board. Regardless of the date of withdrawal, the allowance need not begin within one year of application therefor.

(Source: P.A. 91-927, eff. 12-14-00.)

(40 ILCS 5/14-108) (from Ch. 108 1/2, par. 14-108)

Sec. 14-108. Amount of retirement annuity. A member who has contributed to the System for at least 12 months shall be entitled to a prior service annuity for each year of certified prior service credited to him, except that a member shall receive 1/3 of the prior service annuity for each year of service for which contributions have been made and all of such annuity shall be payable after the member has made contributions for a period of 3 years. Proportionate amounts shall be payable for service of less than a full year after completion of at least 12 months.

The total period of service to be considered in establishing the measure of prior service annuity shall include service credited in the Teachers' Retirement System of the State of Illinois and the State Universities Retirement System for which contributions have been made by the member to such systems; provided that at least 1 year of the total period of 3 years prescribed for the allowance of a full measure of prior service annuity shall consist of membership service in this system for which credit has been granted.

(a) In the case of a member who retires on or after January 1, 1998 and is a noncovered employee, the retirement annuity for membership service and prior service shall be 2.2% of final average compensation for each year of service. Any service credit established as a covered employee shall be computed as stated in paragraph (b).

(b) In the case of a member who retires on or after January 1, 1998 and is a covered employee, the retirement annuity for membership service and prior service shall be computed as stated in paragraph (a) for all service credit established as a noncovered employee; for service credit
established as a covered employee it shall be 1.67% of final average compensation for each year of service.

(c) For a member retiring after attaining age 55 but before age 60 with at least 30 but less than 35 years of creditable service if retirement is before January 1, 2001, or with at least 25 but less than 30 years of creditable service if retirement is on or after January 1, 2001, the retirement annuity shall be reduced by 1/2 of 1% for each month that the member's age is under age 60 at the time of retirement. For members to whom subsection (c) of Section 14-107 applies, the references to age 55 and 60 in this subsection (c) are increased as provided in subsection (c) of Section 14-107.

(d) A retirement annuity shall not exceed 75% of final average compensation, subject to such extension as may result from the application of Section 14-114 or Section 14-115.

(e) The retirement annuity payable to any covered employee who is a member of the System and in service on January 1, 1969, or in service thereafter in 1969 as a result of legislation enacted by the Illinois General Assembly transferring the member to State employment from county employment in a county Department of Public Aid in counties of 3,000,000 or more population, under a plan of coordination with the Old Age, Survivors and Disability provisions thereof, if not fully insured for Old Age Insurance payments under the Federal Old Age, Survivors and Disability Insurance provisions at the date of acceptance of a retirement annuity, shall not be less than the amount for which the member would have been eligible if coordination were not applicable.

(f) The retirement annuity payable to any covered employee who is a member of the System and in service on January 1, 1969, or in service thereafter in 1969 as a result of the legislation designated in the immediately preceding paragraph, if fully insured for Old Age Insurance payments under the Federal Social Security Act at the date of acceptance of a retirement annuity, shall not be less than an amount which when added to the Primary Insurance Benefit payable to the member upon attainment of age 65 under such Federal Act, will equal the annuity which would otherwise be payable if the coordinated plan of coverage were not applicable.

(g) In the case of a member who is a noncovered employee, the retirement annuity for membership service as a security employee of the Department of Corrections or security employee of the Department of Human Services shall be: if retirement occurs on or after January 1, 2001,
3% of final average compensation for each year of creditable service; or if retirement occurs before January 1, 2001, 1.9% of final average compensation for each of the first 10 years of service, 2.1% for each of the next 10 years of service, 2.25% for each year of service in excess of 20 but not exceeding 30, and 2.5% for each year in excess of 30; except that the annuity may be calculated under subsection (a) rather than this subsection (g) if the resulting annuity is greater.

(h) In the case of a member who is a covered employee, the retirement annuity for membership service as a security employee of the Department of Corrections or security employee of the Department of Human Services shall be: if retirement occurs on or after January 1, 2001, 2.5% of final average compensation for each year of creditable service; if retirement occurs before January 1, 2001, 1.67% of final average compensation for each of the first 10 years of service, 1.90% for each of the next 10 years of service, 2.10% for each year of service in excess of 20 but not exceeding 30, and 2.30% for each year in excess of 30.

(i) For the purposes of this Section and Section 14-133 of this Act, the term "security employee of the Department of Corrections" and the term "security employee of the Department of Human Services" shall have the meanings ascribed to them in subsection (c) of Section 14-110.

(j) The retirement annuity computed pursuant to paragraphs (g) or (h) shall be applicable only to those security employees of the Department of Corrections and security employees of the Department of Human Services who have at least 20 years of membership service and who are not eligible for the alternative retirement annuity provided under Section 14-110. However, persons transferring to this System under Section 14-108.2 or 14-108.2c who have service credit under Article 16 of this Code may count such service toward establishing their eligibility under the 20-year service requirement of this subsection; but such service may be used only for establishing such eligibility, and not for the purpose of increasing or calculating any benefit.

(k) (Blank).

(l) The changes to this Section made by this amendatory Act of 1997 (changing certain retirement annuity formulas from a stepped rate to a flat rate) apply to members who retire on or after January 1, 1998, without regard to whether employment terminated before the effective date of this amendatory Act of 1997. An annuity shall not be calculated in steps by using the new flat rate for some steps and the superseded stepped rate for other steps of the same type of service.

New matter indicated by italics - deletions by strikeout
Sec. 14-110. Alternative retirement annuity.

(a) Any member who has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, and any member who has withdrawn from service with not less than 25 years of eligible creditable service and has attained age 50, regardless of whether the attainment of either of the specified ages occurs while the member is still in service, shall be entitled to receive at the option of the member, in lieu of the regular or minimum retirement annuity, a retirement annuity computed as follows:

(i) for periods of service as a noncovered employee: if retirement occurs on or after January 1, 2001, 3% of final average compensation for each year of creditable service; if retirement occurs before January 1, 2001, 2 1/4% of final average compensation for each of the first 10 years of creditable service, 2 1/2% for each year above 10 years to and including 20 years of creditable service, and 2 3/4% for each year of creditable service above 20 years; and

(ii) for periods of eligible creditable service as a covered employee: if retirement occurs on or after January 1, 2001, 2.5% of final average compensation for each year of creditable service; if retirement occurs before January 1, 2001, 1.67% of final average compensation for each of the first 10 years of such service, 1.90% for each of the next 10 years of such service, 2.10% for each year of such service in excess of 20 but not exceeding 30, and 2.30% for each year in excess of 30.

Such annuity shall be subject to a maximum of 75% of final average compensation if retirement occurs before January 1, 2001 or to a maximum of 80% of final average compensation if retirement occurs on or after January 1, 2001.

These rates shall not be applicable to any service performed by a member as a covered employee which is not eligible creditable service. Service as a covered employee which is not eligible creditable service shall be subject to the rates and provisions of Section 14-108.

(a-5) Notwithstanding subsection (a) of this Section, for a Tier 1 member who begins receiving a retirement annuity under this Section on or after July 1, 2014, the required retirement age under subsection (a) is increased as follows, based on the Tier 1 member's age on June 1, 2014:

New matter indicated by italics - deletions by strikeout
(1) If he or she is at least age 46 on June 1, 2014, then the required retirement ages under subsection (a) remain unchanged.

(2) If he or she is at least age 45 but less than age 46 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 4 months.

(3) If he or she is at least age 44 but less than age 45 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 8 months.

(4) If he or she is at least age 43 but less than age 44 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 12 months.

(5) If he or she is at least age 42 but less than age 43 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 16 months.

(6) If he or she is at least age 41 but less than age 42 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 20 months.

(7) If he or she is at least age 40 but less than age 41 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 24 months.

(8) If he or she is at least age 39 but less than age 40 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 28 months.

(9) If he or she is at least age 38 but less than age 39 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 32 months.

(10) If he or she is at least age 37 but less than age 38 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 36 months.

(11) If he or she is at least age 36 but less than age 37 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 40 months.

(12) If he or she is at least age 35 but less than age 36 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 44 months.

(13) If he or she is at least age 34 but less than age 35 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 48 months.

New matter indicated by italics - deletions by strikeout
(14) If he or she is at least age 33 but less than age 34 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 52 months.
(15) If he or she is at least age 32 but less than age 33 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 56 months.
(16) If he or she is less than age 32 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 60 months.

Notwithstanding Section 1-103.1, this subsection (a-5) applies without regard to whether or not the Tier 1 member is in active service under this Article on or after the effective date of this amendatory Act of the 98th General Assembly.

(b) For the purpose of this Section, "eligible creditable service" means creditable service resulting from service in one or more of the following positions:

(1) State policeman;
(2) fire fighter in the fire protection service of a department;
(3) air pilot;
(4) special agent;
(5) investigator for the Secretary of State;
(6) conservation police officer;
(7) investigator for the Department of Revenue or the Illinois Gaming Board;
(8) security employee of the Department of Human Services;
(9) Central Management Services security police officer;
(10) security employee of the Department of Corrections or the Department of Juvenile Justice;
(11) dangerous drugs investigator;
(12) investigator for the Department of State Police;
(13) investigator for the Office of the Attorney General;
(14) controlled substance inspector;
(15) investigator for the Office of the State's Attorneys Appellate Prosecutor;
(16) Commerce Commission police officer;
(17) arson investigator;
(18) State highway maintenance worker.
A person employed in one of the positions specified in this subsection is entitled to eligible creditable service for service credit earned under this Article while undergoing the basic police training course approved by the Illinois Law Enforcement Training Standards Board, if completion of that training is required of persons serving in that position. For the purposes of this Code, service during the required basic police training course shall be deemed performance of the duties of the specified position, even though the person is not a sworn peace officer at the time of the training.

(c) For the purposes of this Section:

(1) The term "state policeman" includes any title or position in the Department of State Police that is held by an individual employed under the State Police Act.

(2) The term "fire fighter in the fire protection service of a department" includes all officers in such fire protection service including fire chiefs and assistant fire chiefs.

(3) The term "air pilot" includes any employee whose official job description on file in the Department of Central Management Services, or in the department by which he is employed if that department is not covered by the Personnel Code, states that his principal duty is the operation of aircraft, and who possesses a pilot's license; however, the change in this definition made by this amendatory Act of 1983 shall not operate to exclude any noncovered employee who was an "air pilot" for the purposes of this Section on January 1, 1984.

(4) The term "special agent" means any person who by reason of employment by the Division of Narcotic Control, the Bureau of Investigation or, after July 1, 1977, the Division of Criminal Investigation, the Division of Internal Investigation, the Division of Operations, or any other Division or organizational entity in the Department of State Police is vested by law with duties to maintain public order, investigate violations of the criminal law of this State, enforce the laws of this State, make arrests and recover property. The term "special agent" includes any title or position in the Department of State Police that is held by an individual employed under the State Police Act.

(5) The term "investigator for the Secretary of State" means any person employed by the Office of the Secretary of State and vested with such investigative duties as render him ineligible for
coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

A person who became employed as an investigator for the Secretary of State between January 1, 1967 and December 31, 1975, and who has served as such until attainment of age 60, either continuously or with a single break in service of not more than 3 years duration, which break terminated before January 1, 1976, shall be entitled to have his retirement annuity calculated in accordance with subsection (a), notwithstanding that he has less than 20 years of credit for such service.

(6) The term "Conservation Police Officer" means any person employed by the Division of Law Enforcement of the Department of Natural Resources and vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act. The term "Conservation Police Officer" includes the positions of Chief Conservation Police Administrator and Assistant Conservation Police Administrator.

(7) The term "investigator for the Department of Revenue" means any person employed by the Department of Revenue and vested with such investigative duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

The term "investigator for the Illinois Gaming Board" means any person employed as such by the Illinois Gaming Board and vested with such peace officer duties as render the person ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act.

(8) The term "security employee of the Department of Human Services" means any person employed by the Department of Human Services who (i) is employed at the Chester Mental Health Center and has daily contact with the residents thereof, (ii) is employed within a security unit at a facility operated by the Department and has daily contact with the residents of the security unit, (iii) is employed at a facility operated by the Department that includes a security unit and is regularly scheduled to work at least 50% of his or her working hours within that security unit, or (iv) is a mental health police officer. "Mental health police officer" means any person employed by the Department of Human Services in a

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position pertaining to the Department's mental health and developmental disabilities functions who is vested with such law enforcement duties as render the person ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act. "Security unit" means that portion of a facility that is devoted to the care, containment, and treatment of persons committed to the Department of Human Services as sexually violent persons, persons unfit to stand trial, or persons not guilty by reason of insanity. With respect to past employment, references to the Department of Human Services include its predecessor, the Department of Mental Health and Developmental Disabilities.

The changes made to this subdivision (c)(8) by Public Act 92-14 apply to persons who retire on or after January 1, 2001, notwithstanding Section 1-103.1.

(9) "Central Management Services security police officer" means any person employed by the Department of Central Management Services who is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(10) For a member who first became an employee under this Article before July 1, 2005, the term "security employee of the Department of Corrections or the Department of Juvenile Justice" means any employee of the Department of Corrections or the Department of Juvenile Justice or the former Department of Personnel, and any member or employee of the Prisoner Review Board, who has daily contact with inmates or youth by working within a correctional facility or Juvenile facility operated by the Department of Juvenile Justice or who is a parole officer or an employee who has direct contact with committed persons in the performance of his or her job duties. For a member who first becomes an employee under this Article on or after July 1, 2005, the term means an employee of the Department of Corrections or the Department of Juvenile Justice who is any of the following: (i) officially headquartered at a correctional facility or Juvenile facility operated by the Department of Juvenile Justice, (ii) a parole officer, (iii) a member of the apprehension unit, (iv) a member of
the intelligence unit, (v) a member of the sort team, or (vi) an investigator.

(11) The term "dangerous drugs investigator" means any person who is employed as such by the Department of Human Services.

(12) The term "investigator for the Department of State Police" means a person employed by the Department of State Police who is vested under Section 4 of the Narcotic Control Division Abolition Act with such law enforcement powers as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(13) "Investigator for the Office of the Attorney General" means any person who is employed as such by the Office of the Attorney General and is vested with such investigative duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act. For the period before January 1, 1989, the term includes all persons who were employed as investigators by the Office of the Attorney General, without regard to social security status.

(14) "Controlled substance inspector" means any person who is employed as such by the Department of Professional Regulation and is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act. The term "controlled substance inspector" includes the Program Executive of Enforcement and the Assistant Program Executive of Enforcement.

(15) The term "investigator for the Office of the State's Attorneys Appellate Prosecutor" means a person employed in that capacity on a full time basis under the authority of Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(16) "Commerce Commission police officer" means any person employed by the Illinois Commerce Commission who is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act.

(17) "Arson investigator" means any person who is employed as such by the Office of the State Fire Marshal and is
vested with such law enforcement duties as render the person ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act. A person who was employed as an arson investigator on January 1, 1995 and is no longer in service but not yet receiving a retirement annuity may convert his or her creditable service for employment as an arson investigator into eligible creditable service by paying to the System the difference between the employee contributions actually paid for that service and the amounts that would have been contributed if the applicant were contributing at the rate applicable to persons with the same social security status earning eligible creditable service on the date of application.

(18) The term "State highway maintenance worker" means a person who is either of the following:

   (i) A person employed on a full-time basis by the Illinois Department of Transportation in the position of highway maintainer, highway maintenance lead worker, highway maintenance lead/lead worker, heavy construction equipment operator, power shovel operator, or bridge mechanic; and whose principal responsibility is to perform, on the roadway, the actual maintenance necessary to keep the highways that form a part of the State highway system in serviceable condition for vehicular traffic.

   (ii) A person employed on a full-time basis by the Illinois State Toll Highway Authority in the position of equipment operator/laborer H-4, equipment operator/laborer H-6, welder H-4, welder H-6, mechanical/electrical H-4, mechanical/electrical H-6, water/sewer H-4, water/sewer H-6, sign maker/hanger H-4, sign maker/hanger H-6, roadway lighting H-4, roadway lighting H-6, structural H-4, structural H-6, painter H-4, or painter H-6; and whose principal responsibility is to perform, on the roadway, the actual maintenance necessary to keep the Authority's tollways in serviceable condition for vehicular traffic.

    (d) A security employee of the Department of Corrections or the Department of Juvenile Justice, and a security employee of the Department of Human Services who is not a mental health police officer, shall not be eligible for the alternative retirement annuity provided by this Section.

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unless he or she meets the following minimum age and service requirements at the time of retirement:

(i) 25 years of eligible creditable service and age 55; or

(ii) beginning January 1, 1987, 25 years of eligible creditable service and age 54, or 24 years of eligible creditable service and age 55; or

(iii) beginning January 1, 1988, 25 years of eligible creditable service and age 53, or 23 years of eligible creditable service and age 55; or

(iv) beginning January 1, 1989, 25 years of eligible creditable service and age 52, or 22 years of eligible creditable service and age 55; or

(v) beginning January 1, 1990, 25 years of eligible creditable service and age 51, or 21 years of eligible creditable service and age 55; or

(vi) beginning January 1, 1991, 25 years of eligible creditable service and age 50, or 20 years of eligible creditable service and age 55.

For members to whom subsection (a-5) of this Section applies, the references to age 50 and 55 in item (vi) of this subsection are increased as provided in subsection (a-5).

Persons who have service credit under Article 16 of this Code for service as a security employee of the Department of Corrections or the Department of Juvenile Justice, or the Department of Human Services in a position requiring certification as a teacher may count such service toward establishing their eligibility under the service requirements of this Section; but such service may be used only for establishing such eligibility, and not for the purpose of increasing or calculating any benefit.

(e) If a member enters military service while working in a position in which eligible creditable service may be earned, and returns to State service in the same or another such position, and fulfills in all other respects the conditions prescribed in this Article for credit for military service, such military service shall be credited as eligible creditable service for the purposes of the retirement annuity prescribed in this Section.

(f) For purposes of calculating retirement annuities under this Section, periods of service rendered after December 31, 1968 and before October 1, 1975 as a covered employee in the position of special agent, conservation police officer, mental health police officer, or investigator for the Secretary of State, shall be deemed to have been service as a
noncovered employee, provided that the employee pays to the System prior to retirement an amount equal to (1) the difference between the employee contributions that would have been required for such service as a noncovered employee, and the amount of employee contributions actually paid, plus (2) if payment is made after July 31, 1987, regular interest on the amount specified in item (1) from the date of service to the date of payment.

For purposes of calculating retirement annuities under this Section, periods of service rendered after December 31, 1968 and before January 1, 1982 as a covered employee in the position of investigator for the Department of Revenue shall be deemed to have been service as a noncovered employee, provided that the employee pays to the System prior to retirement an amount equal to (1) the difference between the employee contributions that would have been required for such service as a noncovered employee, and the amount of employee contributions actually paid, plus (2) if payment is made after January 1, 1990, regular interest on the amount specified in item (1) from the date of service to the date of payment.

(g) A State policeman may elect, not later than January 1, 1990, to establish eligible creditable service for up to 10 years of his service as a policeman under Article 3, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.5, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman may elect, not later than July 1, 1993, to establish eligible creditable service for up to 10 years of his service as a member of the County Police Department under Article 9, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 9-121.10 and the amounts that would have been contributed had those contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

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(h) Subject to the limitation in subsection (i), a State policeman or investigator for the Secretary of State may elect to establish eligible creditable service for up to 12 years of his service as a policeman under Article 5, by filing a written election with the Board on or before January 31, 1992, and paying to the System by January 31, 1994 an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 5-236, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman, conservation police officer, or investigator for the Secretary of State may elect to establish eligible creditable service for up to 10 years of service as a sheriff's law enforcement employee under Article 7, by filing a written election with the Board on or before January 31, 1993, and paying to the System by January 31, 1994 an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 7-139.7, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman, conservation police officer, or investigator for the Secretary of State may elect to establish eligible creditable service for up to 5 years of service as a police officer under Article 3, a policeman under Article 5, a sheriff's law enforcement employee under Article 7, a member of the county police department under Article 9, or a police officer under Article 15 by filing a written election with the Board and paying to the System an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4 and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), an investigator for the Office of the Attorney General, or an investigator for the Department of
Revenue, may elect to establish eligible creditable service for up to 5 years of service as a police officer under Article 3, a policeman under Article 5, a sheriff's law enforcement employee under Article 7, or a member of the county police department under Article 9 by filing a written election with the Board within 6 months after August 25, 2009 (the effective date of Public Act 96-745) and paying to the System an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the actuarially assumed rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman, conservation police officer, investigator for the Office of the Attorney General, an investigator for the Department of Revenue, or investigator for the Secretary of State may elect to establish eligible creditable service for up to 5 years of service as a person employed by a participating municipality to perform police duties, or law enforcement officer employed on a full-time basis by a forest preserve district under Article 7, a county corrections officer, or a court services officer under Article 9, by filing a written election with the Board within 6 months after August 25, 2009 (the effective date of Public Act 96-745) and paying to the System an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Sections 7-139.8 and 9-121.10 and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the actuarially assumed rate for each year, compounded annually, from the date of service to the date of payment.

(i) The total amount of eligible creditable service established by any person under subsections (g), (h), (j), (k), and (l) of this Section shall not exceed 12 years.

(j) Subject to the limitation in subsection (i), an investigator for the Office of the State's Attorneys Appellate Prosecutor or a controlled substance inspector may elect to establish eligible creditable service for up to 10 years of his service as a policeman under Article 3 or a sheriff's law enforcement employee under Article 7, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board.
Board, equal to (1) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.6 or 7-139.8, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (2) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

(k) Subject to the limitation in subsection (i) of this Section, an alternative formula employee may elect to establish eligible creditable service for periods spent as a full-time law enforcement officer or full-time corrections officer employed by the federal government or by a state or local government located outside of Illinois, for which credit is not held in any other public employee pension fund or retirement system. To obtain this credit, the applicant must file a written application with the Board by March 31, 1998, accompanied by evidence of eligibility acceptable to the Board and payment of an amount to be determined by the Board, equal to (1) employee contributions for the credit being established, based upon the applicant's salary on the first day as an alternative formula employee after the employment for which credit is being established and the rates then applicable to alternative formula employees, plus (2) an amount determined by the Board to be the employer's normal cost of the benefits accrued for the credit being established, plus (3) regular interest on the amounts in items (1) and (2) from the first day as an alternative formula employee after the employment for which credit is being established to the date of payment.

(l) Subject to the limitation in subsection (i), a security employee of the Department of Corrections may elect, not later than July 1, 1998, to establish eligible creditable service for up to 10 years of his or her service as a policeman under Article 3, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.5, and the amounts that would have been contributed had such contributions been made at the rates applicable to security employees of the Department of Corrections, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

(m) The amendatory changes to this Section made by this amendatory Act of the 94th General Assembly apply only to: (1) security employees of the Department of Juvenile Justice employed by the Department of Corrections before the effective date of this amendatory Act
of the 94th General Assembly and transferred to the Department of Juvenile Justice by this amendatory Act of the 94th General Assembly; and (2) persons employed by the Department of Juvenile Justice on or after the effective date of this amendatory Act of the 94th General Assembly who are required by subsection (b) of Section 3-2.5-15 of the Unified Code of Corrections to have a bachelor's or advanced degree from an accredited college or university with a specialization in criminal justice, education, psychology, social work, or a closely related social science or, in the case of persons who provide vocational training, who are required to have adequate knowledge in the skill for which they are providing the vocational training.

(n) A person employed in a position under subsection (b) of this Section who has purchased service credit under subsection (j) of Section 14-104 or subsection (b) of Section 14-105 in any other capacity under this Article may convert up to 5 years of that service credit into service credit covered under this Section by paying to the Fund an amount equal to (1) the additional employee contribution required under Section 14-133, plus (2) the additional employer contribution required under Section 14-131, plus (3) interest on items (1) and (2) at the actuarially assumed rate from the date of the service to the date of payment.

(Source: P.A. 95-530, eff. 8-28-07; 95-1036, eff. 2-17-09; 96-37, eff. 7-13-09; 96-745, eff. 8-25-09; 96-1000, eff. 7-2-10.)

(40 ILCS 5/14-114) (from Ch. 108 1/2, par. 14-114)
Sec. 14-114. Automatic increase in retirement annuity.

(a) This subsection (a) is subject to subsections (a-1) and (a-2) of this Section. Any person receiving a retirement annuity under this Article who retires having attained age 60, or who retires before age 60 having at least 35 years of creditable service, or who retires on or after January 1, 2001 at an age which, when added to the number of years of his or her creditable service, equals at least 85, shall, on January 1 next following the first full year of retirement, have the amount of the then fixed and payable monthly retirement annuity increased 3%. Any person receiving a retirement annuity under this Article who retires before attainment of age 60 and with less than (i) 35 years of creditable service if retirement is before January 1, 2001, or (ii) the number of years of creditable service which, when added to the member's age, would equal 85, if retirement is on or after January 1, 2001, shall have the amount of the fixed and payable retirement annuity increased by 3% on the January 1 occurring on or next following (1) attainment of age 60, or (2) the first anniversary of
retirement, whichever occurs later. However, for persons who receive the alternative retirement annuity under Section 14-110, references in this subsection (a) to attainment of age 60 shall be deemed to refer to attainment of age 55. For a person receiving early retirement incentives under Section 14-108.3 whose retirement annuity began after January 1, 1992 pursuant to an extension granted under subsection (e) of that Section, the first anniversary of retirement shall be deemed to be January 1, 1993. For a person who retires on or after June 28, 2001 and on or before October 1, 2001, and whose retirement annuity is calculated, in whole or in part, under Section 14-110 or subsection (g) or (h) of Section 14-108, the first anniversary of retirement shall be deemed to be January 1, 2002.

On each January 1 following the date of the initial increase under this subsection, the employee's monthly retirement annuity shall be increased by an additional 3%.

Beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total annuity payable at the time of the increase, including previous increases granted under this Article.

(a-1) Notwithstanding subsection (a), but subject to the provisions of subsection (a-2), all automatic increases payable under subsection (a) on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $800 ($1,000 for portions of the annuity based on service as a noncovered employee) multiplied by the number of years of creditable service upon which the annuity is based.

Beginning January 1, 2016, the $800 ($1,000 for portions of the annuity based on service as a noncovered employee) referred in item (2) of this subsection (a-1) shall be increased on each January 1 by the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (a-1), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension

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Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (a-1) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(a-2) Notwithstanding subsections (a) and (a-1), for an active or inactive Tier 1 member who has not begun to receive a retirement annuity under this Article before July 1, 2014:

(1) the second automatic annual increase payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 50 on the effective date of this amendatory Act;

(2) the second, fourth, and sixth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 47 but less than age 50 on the effective date of this amendatory Act;

(3) the second, fourth, sixth, and eighth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 44 but less than age 47 on the effective date of this amendatory Act;

(4) the second, fourth, sixth, eighth, and tenth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is less than age 44 on the effective date of this amendatory Act.

For the purposes of Section 1-103.1, this subsection (a-2) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(b) The provisions of subsection (a) of this Section shall be applicable to an employee only if the employee makes the additional contributions required after December 31, 1969 for the purpose of the automatic increases for not less than the equivalent of one full year. If an employee becomes an annuitant before his additional contributions equal one full year's contributions based on his salary at the date of retirement, the employee may pay the necessary balance of the contributions to the system, without interest, and be eligible for the increasing annuity authorized by this Section.

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(c) The provisions of subsection (a) of this Section shall not be applicable to any annuitant who is on retirement on December 31, 1969, and thereafter returns to State service, unless the member has established at least one year of additional creditable service following reentry into service.

(d) In addition to other increases which may be provided by this Section, on January 1, 1981 any annuitant who was receiving a retirement annuity on or before January 1, 1971 shall have his retirement annuity then being paid increased $1 per month for each year of creditable service. On January 1, 1982, any annuitant who began receiving a retirement annuity on or before January 1, 1977, shall have his retirement annuity then being paid increased $1 per month for each year of creditable service.

On January 1, 1987, any annuitant who began receiving a retirement annuity on or before January 1, 1977, shall have the monthly retirement annuity increased by an amount equal to 8¢ per year of creditable service times the number of years that have elapsed since the annuity began.

(e) Every person who receives the alternative retirement annuity under Section 14-110 and who is eligible to receive the 3% increase under subsection (a) on January 1, 1986, shall also receive on that date a one-time increase in retirement annuity equal to the difference between (1) his actual retirement annuity on that date, including any increases received under subsection (a), and (2) the amount of retirement annuity he would have received on that date if the amendments to subsection (a) made by Public Act 84-162 had been in effect since the date of his retirement.

(Source: P.A. 91-927, eff. 12-14-00; 92-14, eff. 6-28-01; 92-651, eff. 7-11-02.)

(40 ILCS 5/14-115) (from Ch. 108 1/2, par. 14-115)

Sec. 14-115. Supplemental Annuity.

(a) Each annuitant, who retired at age 55 or over and after the completion of at least 15 years of creditable service, whose status as an employee terminated before January 1, 1970, is entitled to a monthly supplemental annuity effective January 1, 1970, or on January 1 nearest the annuitant's 65th birthday, whichever is later. Such supplemental annuity shall be 1-1/2% of the monthly retirement annuity, multiplied by the number of full years which elapsed from the date of the member's latest retirement to the effective date of the supplemental annuity. This monthly supplemental annuity shall be increased on each January 1 thereafter during the lifetime of the annuitant by 1-1/2% of the monthly

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retirement annuity disregarding any supplemental annuity previously granted. Beginning January 1, 1972, the rate of increase in the supplemental annuity shall be 2%. Beginning January 1, 1979, the rate of increase in the supplemental annuity shall be 3%.

The supplemental annuity under this subsection is payable only if the annuitant pays to the System, in a single sum, an amount equal to 1% of his monthly final average compensation multiplied by the number of full years of creditable service.

(b) Any member who retired with less than 15 years of creditable service whose status as an employee terminated before January 1, 1970, shall be entitled to an increase of 3% of the original monthly retirement allowance, effective January 1, 1982, or on January 1 nearest the annuitant's 65th birthday, whichever is later. On each January 1 thereafter during the lifetime of the member, he shall be entitled to an additional increase of 3% of the original monthly retirement allowance. No qualifying contribution is required for the supplemental annuity under this subsection.

(c) Beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total monthly amount of annuity payable at the time of the increase, including any supplemental annuity or other increase previously granted under this Article.

(d) Notwithstanding any other provision of this Section, all increases payable under this Section on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $800 ($1,000 for portions of the annuity based on service as a noncovered employee) multiplied by the number of years of creditable service upon which the annuity is based.

Beginning January 1, 2016, the $800 ($1,000 for portions of the annuity based on service as a noncovered employee) referred in item (2) of this subsection (d) shall be increased on each January 1 by the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (d), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items,
1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (d) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 86-273.)

(40 ILCS 5/14-131)

Sec. 14-131. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 100% funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying...
period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(c-1) Notwithstanding subsection (c) of this Section, for fiscal years 2010, 2012, 2013, and 2014 only, contributions by the several departments are not required to be made for General Revenue Funds payrolls processed by the Comptroller. Payrolls paid by the several departments from all other State funds must continue to be processed pursuant to subsection (c) of this Section.

(c-2) For State fiscal years 2010, 2012, 2013, and 2014 only, on or as soon as possible after the 15th day of each month, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the fiscal year General Revenue Fund contribution as certified by the System pursuant to Section 14-135.08 of the Illinois Pension Code.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.
(e) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State's portion of the projected normal cost for that fiscal year, plus (2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.
Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is $203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is $344,164,400.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2010 is $723,703,100 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 14-135.08 and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2045, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total actuarial liabilities of the System.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

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Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100%.

A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under

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Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 6z-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(g) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(h) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the System's actuarially assumed rate of return.

(i) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2010 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2010 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2010 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2010 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2010 Shortfall" for purposes of this Section, and the Fiscal Year 2010
Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2010 Overpayment" for purposes of this Section, and the Fiscal Year 2010 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(j) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2011 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2011 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2011 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2011 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2011 Shortfall" for purposes of this Section, and the Fiscal Year 2011 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2011 Overpayment" for purposes of this Section, and the Fiscal Year 2011 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(k) For fiscal years 2012 through 2014 only, after the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in the fiscal year have been made, the Comptroller shall provide to the System a certification of the sum of all expenditures in the fiscal year for personal services. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for the fiscal year in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System for the fiscal year. If the amount due is more than the amount received, the difference shall be termed the "Prior Fiscal Year Shortfall" for purposes of this Section, and the Prior Fiscal Year Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.
Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

(40 ILCS 5/14-132) (from Ch. 108 1/2, par. 14-132)
Sec. 14-132. Obligations of State; funding guarantee.

(a) The payment of the required department contributions, all allowances, annuities, benefits granted under this Article, and all expenses of administration of the system are obligations of the State of Illinois to the extent specified in this Article.

(b) All income of the system shall be credited to a separate account for this system in the State treasury and shall be used to pay allowances, annuities, benefits and administration expense.

(c) Beginning July 1, 2014, the State shall be obligated to contribute to the System in each State fiscal year an amount not less than the sum of (i) the State's normal cost for the year and (ii) the portion of the unfunded accrued liability assigned to that year by law. Notwithstanding any other provision of law, if the State fails to pay an amount required under this subsection, it shall be the obligation of the Board to seek payment of the required amount in compliance with the provisions of this Section and, if the amount remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required payment.

If the System submits a voucher for contributions required under Section 14-131 and the State fails to pay that voucher within 90 days of its receipt, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the amount remains unpaid the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to satisfy the voucher.

This subsection (c) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel
the Comptroller to pay a voucher for the contributions required under Section 14-131.

(d) Beginning in State fiscal year 2016, the State shall be obligated to make the transfers set forth in subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amounts in accordance with Section 25 of the Budget Stabilization Act. Notwithstanding any other provision of law, if the State fails to transfer an amount required under this subsection or to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act, it shall be the obligation of the Board to seek transfer or payment of the required amount in compliance with the provisions of this Section and, if the required amount remains untransferred or the required payment remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required transfer or payment or both, as the case may be.

If the State fails to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act or a payment to the System required under Section 25 of that Act, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the required amount remains untransferred or the required payment remains unpaid, the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make the required transfer or payment or both, as the case may be.

This subsection (d) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act.

The obligations created by this subsection (d) expire when all of the requirements of subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and Section 25 of the Budget Stabilization Act have been met.
(e) Any payments and transfers required to be made by the State pursuant to subsection (c) or (d) are expressly subordinate to the payment of the principal, interest, and premium, if any, on any bonded debt obligation of the State or any other State-created entity, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from tax revenues collected by the State or any other State-created entity. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law or bond indentures, into debt service funds or accounts of the State related to such bond obligations, consistent with the payment schedules associated with such obligations.

(Source: P.A. 80-841.)

(40 ILCS 5/14-133) (from Ch. 108 1/2, par. 14-133)
Sec. 14-133. Contributions on behalf of members.
(a) Except as provided in subsection (a-5), each participating employee shall make contributions to the System, based on the employee's compensation, as follows:

1. Covered employees, except as indicated below, 3.5% for retirement annuity, and 0.5% for a widow or survivors annuity;
2. Noncovered employees, except as indicated below, 7% for retirement annuity and 1% for a widow or survivors annuity;
3. Noncovered employees serving in a position in which "eligible creditable service" as defined in Section 14-110 may be earned, 1% for a widow or survivors annuity plus the following amount for retirement annuity: 8.5% through December 31, 2001; 9.5% in 2002; 10.5% in 2003; and 11.5% in 2004 and thereafter;
4. Covered employees serving in a position in which "eligible creditable service" as defined in Section 14-110 may be earned, 0.5% for a widow or survivors annuity plus the following amount for retirement annuity: 5% through December 31, 2001; 6% in 2002; 7% in 2003; and 8% in 2004 and thereafter;
5. Each security employee of the Department of Corrections or of the Department of Human Services who is a covered employee, 0.5% for a widow or survivors annuity plus the following amount for retirement annuity: 5% through December 31, 2001; 6% in 2002; 7% in 2003; and 8% in 2004 and thereafter;
6. Each security employee of the Department of Corrections or of the Department of Human Services who is not a...
covered employee, 1% for a widow or survivors annuity plus the following amount for retirement annuity: 8.5% through December 31, 2001; 9.5% in 2002; 10.5% in 2003; and 11.5% in 2004 and thereafter.

(a-5) Beginning July 1, 2014, in lieu of the contributions otherwise required under subsection (a), each Tier 1 member who is a participating employee shall make contributions to the System, based on his or her compensation, as follows:

(1) Covered employees, except as indicated below, 2.5% for retirement annuity, and 0.5% for a widow or survivors annuity;
(2) Noncovered employees, except as indicated below, 6% for retirement annuity and 1% for a widow or survivors annuity;
(3) Noncovered employees serving in a position in which "eligible creditable service" as defined in Section 14-110 may be earned, 10.5% for retirement annuity and 1% for a widow or survivors annuity;
(4) Covered employees serving in a position in which "eligible creditable service" as defined in Section 14-110 may be earned, 7% for retirement annuity and 0.5% for a widow or survivors annuity;
(5) Each security employee of the Department of Corrections or of the Department of Human Services who is a covered employee, 7% for retirement annuity and 0.5% for a widow or survivors annuity;
(6) Each security employee of the Department of Corrections or of the Department of Human Services who is not a covered employee, 10.5% for retirement annuity and 1% for a widow or survivors annuity.

(b) Contributions shall be in the form of a deduction from compensation and shall be made notwithstanding that the compensation paid in cash to the employee shall be reduced thereby below the minimum prescribed by law or regulation. Each member is deemed to consent and agree to the deductions from compensation provided for in this Article, and shall receipt in full for salary or compensation.

(Source: P.A. 92-14, eff. 6-28-01.)

(40 ILCS 5/14-133.5 new)

Sec. 14-133.5. Use of contributions for health care subsidies. The System shall not use any contribution received by the System under this
Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/14-135.08) (from Ch. 108 1/2, par. 14-135.08)

Sec. 14-135.08. To certify required State contributions.

(a) To certify to the Governor and to each department, on or before November 15 of each year until November 15, 2011, the required rate for State contributions to the System for the next State fiscal year, as determined under subsection (b) of Section 14-131. The certification to the Governor under this subsection (a) shall include a copy of the actuarial recommendations upon which the rate is based and shall specifically identify the System's projected State normal cost for that fiscal year.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) For purposes of Section (c-5) of Section 20 of the Budget Stabilization Act, on or before November 1 of each year beginning November 1, 2014, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification, along with the relevant law, actuarial assumptions, calculations, and data upon which that certification is based. On or before
January 1, 2015 and every January 1 thereafter, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification. On or before January 15, 2015 and every January 1 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the impact of not following the State Actuary's recommended changes.

(b) The certifications under subsections (a) and (a-5) shall include an additional amount necessary to pay all principal of and interest on those general obligation bonds due the next fiscal year authorized by Section 7.2(a) of the General Obligation Bond Act and issued to provide the proceeds deposited by the State with the System in July 2003, representing deposits other than amounts reserved under Section 7.2(c) of the General Obligation Bond Act. For State fiscal year 2005, the Board shall make a supplemental certification of the additional amount necessary to pay all principal of and interest on those general obligation bonds due in State fiscal years 2004 and 2005 authorized by Section 7.2(a) of the General Obligation Bond Act and issued to provide the proceeds deposited by the State with the System in July 2003, representing deposits other than amounts reserved under Section 7.2(c) of the General Obligation Bond Act, as soon as practical after the effective date of this amendatory Act of the 93rd General Assembly.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor and to each department the amount of the required State contribution to the System and the required rates for State contributions to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor and to each department the amount of the required State contribution to the System and the required rates for State contributions to the System for State fiscal year 2006, taking into account the changes in

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required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor and to each department the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(Source: P.A. 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 97-694, eff. 6-18-12.)

(40 ILCS 5/14-152.1)

Sec. 14-152.1. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to this Article by Public Act 96-37 or by this amendatory Act of the 98th General Assembly.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller.

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and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 96-37, eff. 7-13-09.)

(40 ILCS 5/14-155 new)

Sec. 14-155. Defined contribution plan.

(a) By July 1, 2015, the System shall prepare and implement a voluntary defined contribution plan for up to 5% of eligible active Tier 1 members. The System shall determine the 5% cap by the number of active Tier 1 members on the effective date of this Section. The defined contribution plan developed under this Section shall be a plan that aggregates employer and employee contributions in individual participant accounts which, after meeting any other requirements, are used for payouts after retirement in accordance with this Section and any other applicable laws.

As used in this Section, "defined benefit plan" means the retirement plan available under this Article to Tier 1 members who have not made the election authorized under this Section.

(1) Under the defined contribution plan, an active Tier 1 member of this System could elect to cease accruing benefits in the defined benefit plan under this Article and begin accruing benefits for future service in the defined contribution plan. Service credit under the defined contribution plan may be used for determining retirement eligibility under the defined benefit plan.
(2) Participants in the defined contribution plan shall pay employee contributions at the same rate as Tier 1 members in this System who do not participate in the defined contribution plan.

(3) State contributions shall be paid into the accounts of all participants in the defined contribution plan at a uniform rate, expressed as a percentage of compensation and determined for each year. This rate shall be no higher than the employer's normal cost for Tier 1 members in the defined benefit plan for that year, as determined by the System and expressed as a percentage of compensation, and shall be no lower than 3% of compensation. The State shall adjust this rate annually.

(4) The defined contribution plan shall require 5 years of participation in the defined contribution plan before vesting in State contributions. If the participant fails to vest in them, the State contributions, and the earnings thereon, shall be forfeited.

(5) The defined contribution plan may provide for participants in the plan to be eligible for the defined disability benefits available to other participants under this Article. If it does, the System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering such benefits.

(6) The defined contribution plan shall provide a variety of options for investments. These options shall include investments handled by the Illinois State Board of Investment as well as private sector investment options.

(7) The defined contribution plan shall provide a variety of options for payouts to retirees and their survivors.

(8) To the extent authorized under federal law and as authorized by the System, the plan shall allow former participants in the plan to transfer or roll over employee and vested State contributions, and the earnings thereon, into other qualified retirement plans.

(9) The System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering these benefits and any applicable administrative fees.

(b) Only persons who are active Tier 1 members of the System on the effective date of this Section are eligible to participate in the defined

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contribution plan. Participation in the defined contribution plan shall be limited to the first 5% of eligible persons who elect to participate. The election to participate in the defined contribution plan is voluntary and irrevocable.

(c) An eligible Tier 1 employee may irrevocably elect to participate in the defined contribution plan by filing with the System a written application to participate that is received by the System prior to its determination that 5% of eligible persons have elected to participate in the defined contribution plan.

When the System first determines that 5% of eligible persons have elected to participate in the defined contribution plan, the System shall provide notice to previously eligible employees that the plan is no longer available and shall cease accepting applications to participate.

(d) The System shall make a good faith effort to contact each active Tier 1 member who is eligible to participate in the defined contribution plan. The System shall mail information describing the option to join the defined contribution plan to each of these employees to his or her last known address on file with the System. If the employee is not responsive to other means of contact, it is sufficient for the System to publish the details of the option on its website.

Upon request for further information describing the option, the System shall provide employees with information from the System before exercising the option to join the plan, including information on the impact to their vested benefits or non-vested service. The individual consultation shall include projections of the member's defined benefits at retirement or earlier termination of service and the value of the member's account at retirement or earlier termination of service. The System shall not provide advice or counseling with respect to whether the employee should exercise the option. The System shall inform Tier 1 employees who are eligible to participate in the defined contribution plan that they may also wish to obtain information and counsel relating to their option from any other available source, including but not limited to labor organizations, private counsel, and financial advisors.

(e) In no event shall the System, its staff, its authorized representatives, or the Board be liable for any information given to an employee under this Section. The System may coordinate with the Illinois Department of Central Management Services and other retirement systems administering a defined contribution plan in accordance with this
amendatory Act of the 98th General Assembly to provide information
concerning the impact of the option set forth in this Section.

(f) Notwithstanding any other provision of this Section, no person
shall begin participating in the defined contribution plan until it has
attained qualified plan status and received all necessary approvals from
the U.S. Internal Revenue Service.

(g) The System shall report on its progress under this Section,
including the available details of the defined contribution plan and the
System's plans for informing eligible Tier 1 members about the plan, to the
Governor and the General Assembly on or before January 15, 2015.

(h) The Illinois State Board of Investments shall be the plan
sponsor for the defined contribution plan established under this Section.

(i) The intent of this amendatory Act of the 98th General Assembly
is to ensure that the State's normal cost of participation in the defined
contribution plan is similar, and if possible equal, to the State's normal
cost of participation in the defined benefit plan, unless a lower State's
normal cost is necessary to ensure cost neutrality.

(40 ILCS 5/14-156 new)
Sec. 14-156. Defined contribution plan; termination. If the defined
contribution plan is terminated or becomes inoperative pursuant to law,
then each participant in the plan shall automatically be deemed to have
been a contributing Tier 1 member in the System's defined benefit plan
during the time in which he or she participated in the defined contribution
plan, and for that purpose the System shall be entitled to recover the
amounts in the participant's defined contribution accounts.

(40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)
Sec. 15-106. Employer. "Employer": The University of Illinois,
Southern Illinois University, Chicago State University, Eastern Illinois
University, Governors State University, Illinois State University,
Northeastern Illinois University, Northern Illinois University, Western
Illinois University, the State Board of Higher Education, the Illinois
Mathematics and Science Academy, the University Civil Service Merit
Board, the Board of Trustees of the State Universities Retirement System,
the Illinois Community College Board, community college boards, any
association of community college boards organized under Section 3-55 of
the Public Community College Act, the Board of Examiners established
under the Illinois Public Accounting Act, and, only during the period for
which employer contributions required under Section 15-155 are paid, the
following organizations: the alumni associations, the foundations and the

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athletic associations which are affiliated with the universities and colleges included in this Section as employers. An individual that begins employment after the effective date of this amendatory Act of the 98th General Assembly with an entity not defined as an employer in this Section shall not be deemed an employee for the purposes of this Article with respect to that employment and shall not be eligible to participate in the System with respect to that employment; provided, however, that those individuals who are both employed and already participants in the System on the effective date of this amendatory Act of the 98th General Assembly shall be allowed to continue as participants in the System for the duration of that employment and continue to earn service credit.

Notwithstanding any provision of law to the contrary, an individual who begins employment with any of the following employers on or after the effective date of this amendatory Act of the 98th General Assembly shall not be deemed an employee and shall not be eligible to participate in the System with respect to that employment: any association of community college boards organized under Section 3-55 of the Public Community College Act, the Association of Illinois Middle-Grade Schools, the Illinois Association of School Administrators, the Illinois Association for Supervision and Curriculum Development, the Illinois Principals Association, the Illinois Association of School Business Officials, or the Illinois Special Olympics; provided, however, that those individuals who are both employed and already participants in the System on the effective date of this amendatory Act of the 98th General Assembly shall be allowed to continue as participants in the System for the duration of that employment and continue to earn service credit.

A department as defined in Section 14-103.04 is an employer for any person appointed by the Governor under the Civil Administrative Code of Illinois who is a participating employee as defined in Section 15-109. The Department of Central Management Services is an employer with respect to persons employed by the State Board of Higher Education in positions with the Illinois Century Network as of June 30, 2004 who remain continuously employed after that date by the Department of Central Management Services in positions with the Illinois Century Network, the Bureau of Communication and Computer Services, or, if applicable, any successor bureau.

The cities of Champaign and Urbana shall be considered employers, but only during the period for which contributions are required
to be made under subsection (b-1) of Section 15-155 and only with respect to individuals described in subsection (h) of Section 15-107.
(Source: P.A. 95-369, eff. 8-23-07; 95-728, eff. 7-1-08 - See Sec. 999.)
(40 ILCS 5/15-107) (from Ch. 108 1/2, par. 15-107)
Sec. 15-107. Employee.
(a) "Employee" means any member of the educational, administrative, secretarial, clerical, mechanical, labor or other staff of an employer whose employment is permanent and continuous or who is employed in a position in which services are expected to be rendered on a continuous basis for at least 4 months or one academic term, whichever is less, who (A) receives payment for personal services on a warrant issued pursuant to a payroll voucher certified by an employer and drawn by the State Comptroller upon the State Treasurer or by an employer upon trust, federal or other funds, or (B) is on a leave of absence without pay. Employment which is irregular, intermittent or temporary shall not be considered continuous for purposes of this paragraph.
However, a person is not an "employee" if he or she:
(1) is a student enrolled in and regularly attending classes in a college or university which is an employer, and is employed on a temporary basis at less than full time;
(2) is currently receiving a retirement annuity or a disability retirement annuity under Section 15-153.2 from this System;
(3) is on a military leave of absence;
(4) is eligible to participate in the Federal Civil Service Retirement System and is currently making contributions to that system based upon earnings paid by an employer;
(5) is on leave of absence without pay for more than 60 days immediately following termination of disability benefits under this Article;
(6) is hired after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and receives earnings in whole or in part from funds provided under that Act; or
(7) is employed on or after July 1, 1991 to perform services that are excluded by subdivision (a)(7)(f) or (a)(19) of Section 210 of the federal Social Security Act from the definition of employment given in that Section (42 U.S.C. 410).
(b) Any employer may, by filing a written notice with the board, exclude from the definition of "employee" all persons employed pursuant

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to a federally funded contract entered into after July 1, 1982 with a federal military department in a program providing training in military courses to federal military personnel on a military site owned by the United States Government, if this exclusion is not prohibited by the federally funded contract or federal laws or rules governing the administration of the contract.

(c) Any person appointed by the Governor under the Civil Administrative Code of the State is an employee, if he or she is a participant in this system on the effective date of the appointment.

(d) A participant on lay-off status under civil service rules is considered an employee for not more than 120 days from the date of the lay-off.

(e) A participant is considered an employee during (1) the first 60 days of disability leave, (2) the period, not to exceed one year, in which his or her eligibility for disability benefits is being considered by the board or reviewed by the courts, and (3) the period he or she receives disability benefits under the provisions of Section 15-152, workers' compensation or occupational disease benefits, or disability income under an insurance contract financed wholly or partially by the employer.

(f) Absences without pay, other than formal leaves of absence, of less than 30 calendar days, are not considered as an interruption of a person's status as an employee. If such absences during any period of 12 months exceed 30 work days, the employee status of the person is considered as interrupted as of the 31st work day.

(g) A staff member whose employment contract requires services during an academic term is to be considered an employee during the summer and other vacation periods, unless he or she declines an employment contract for the succeeding academic term or his or her employment status is otherwise terminated, and he or she receives no earnings during these periods.

(h) An individual who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department and who immediately after the elimination of that fire department became employed by the fire department of the City of Urbana or the City of Champaign shall continue to be considered as an employee for purposes of this Article for so long as the individual remains employed as a firefighter by the City of Urbana or the City of Champaign. The individual shall cease to be considered an employee under this subsection (h) upon the first
termination of the individual's employment as a firefighter by the City of Urbana or the City of Champaign.

(i) An individual who is employed on a full-time basis as an officer or employee of a statewide teacher organization that serves System participants or an officer of a national teacher organization that serves System participants may participate in the System and shall be deemed an employee, provided that (1) the individual has previously earned creditable service under this Article, (2) the individual files with the System an irrevocable election to become a participant before the effective date of this amendatory Act of the 97th General Assembly, (3) the individual does not receive credit for that employment under any other Article of this Code, and (4) the individual first became a full-time employee of the teacher organization and becomes a participant before the effective date of this amendatory Act of the 97th General Assembly. An employee under this subsection (i) is responsible for paying to the System both (A) employee contributions based on the actual compensation received for service with the teacher organization and (B) employer contributions equal to the normal costs (as defined in Section 15-155) resulting from that service; all or any part of these contributions may be paid on the employee's behalf or picked up for tax purposes (if authorized under federal law) by the teacher organization.

A person who is an employee as defined in this subsection (i) may establish service credit for similar employment prior to becoming an employee under this subsection by paying to the System for that employment the contributions specified in this subsection, plus interest at the effective rate from the date of service to the date of payment. However, credit shall not be granted under this subsection for any such prior employment for which the applicant received credit under any other provision of this Code, or during which the applicant was on a leave of absence under Section 15-113.2.

(j) A person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004 shall be considered to be an employee for so long as he or she remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network, the Bureau of Communication and Computer Services, or, if applicable, any successor bureau and meets the requirements of subsection (a).

(k) In the case of doubt as to whether any person is an employee within the meaning of this Section, the decision of the Board shall be final.
Sec. 15-111. Earnings.

(a) "Earnings": An amount paid for personal services equal to the sum of the basic compensation plus extra compensation for summer teaching, overtime or other extra service. For periods for which an employee receives service credit under subsection (c) of Section 15-113.1 or Section 15-113.2, earnings are equal to the basic compensation on which contributions are paid by the employee during such periods. Compensation for employment which is irregular, intermittent and temporary shall not be considered earnings, unless the participant is also receiving earnings from the employer as an employee under Section 15-107.

With respect to transition pay paid by the University of Illinois to a person who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department:

(1) "Earnings" includes transition pay paid to the employee on or after the effective date of this amendatory Act of the 91st General Assembly.

(2) "Earnings" includes transition pay paid to the employee before the effective date of this amendatory Act of the 91st General Assembly only if (i) employee contributions under Section 15-157 have been withheld from that transition pay or (ii) the employee pays to the System before January 1, 2001 an amount representing employee contributions under Section 15-157 on that transition pay. Employee contributions under item (ii) may be paid in a lump sum, by withholding from additional transition pay accruing before January 1, 2001, or in any other manner approved by the System. Upon payment of the employee contributions on transition pay, the corresponding employer contributions become an obligation of the State.

(b) For a Tier 2 member, the annual earnings shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.
For the purposes of this Section, "consumer price index u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) Notwithstanding any other provision of this Code, the annual earnings of a Tier 1 member for the purposes of this Code shall not exceed, for periods of service on or after the effective date of this amendatory Act of the 98th General Assembly, the greater of (i) the annual limitation determined from time to time under subsection (b-5) of Section 1-160 of this Code, (ii) the annualized rate of earnings of the Tier 1 member as of that effective date, or (iii) the annualized rate of earnings of the Tier 1 member immediately preceding the expiration, renewal, or amendment of an employment contract or collective bargaining agreement in effect on that effective date.

(Source: P.A. 98-92, eff. 7-16-13.)

(40 ILCS 5/15-112) (from Ch. 108 1/2, par. 15-112)

Sec. 15-112. Final rate of earnings. "Final rate of earnings":

(a) This subsection (a) applies only to a Tier 1 member.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings during the 48 consecutive calendar month period ending with the last day of final termination of employment or the 4 consecutive academic years of service in which the employee's earnings were the highest, whichever is greater. For any other employee, the average annual earnings during the 4 consecutive academic years of service in which his or her earnings were the highest. For an employee with less than 48 months or 4 consecutive academic years of service, the average earnings during his or her entire period of service. The earnings of an employee with more than 36 months of service prior to the date of becoming a participant are, for such period, considered equal to the average earnings during the last 36 months of such service.

(b) This subsection (b) applies to a Tier 2 member.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings obtained by dividing by 8 the total earnings of the
employee during the 96 consecutive months in which the total earnings were the highest within the last 120 months prior to termination.

For any other employee, the average annual earnings during the 8 consecutive academic years within the 10 years prior to termination in which the employee's earnings were the highest. For an employee with less than 96 consecutive months or 8 consecutive academic years of service, whichever is necessary, the average earnings during his or her entire period of service.

(c) For an employee on leave of absence with pay, or on leave of absence without pay who makes contributions during such leave, earnings are assumed to be equal to the basic compensation on the date the leave began.

(d) For an employee on disability leave, earnings are assumed to be equal to the basic compensation on the date disability occurs or the average earnings during the 24 months immediately preceding the month in which disability occurs, whichever is greater.

(e) For a Tier 1 member who retires on or after the effective date of this amendment Act of 1997 with at least 20 years of service as a firefighter or police officer under this Article, the final rate of earnings shall be the annual rate of earnings received by the participant on his or her last day as a firefighter or police officer under this Article, if that is greater than the final rate of earnings as calculated under the other provisions of this Section.

(f) If a Tier 1 member is an employee for at least 6 months during the academic year in which his or her employment is terminated, the annual final rate of earnings shall be 25% of the sum of (1) the annual basic compensation for that year, and (2) the amount earned during the 36 months immediately preceding that year, if this is greater than the final rate of earnings as calculated under the other provisions of this Section.

(g) In the determination of the final rate of earnings for an employee, that part of an employee's earnings for any academic year beginning after June 30, 1997, which exceeds the employee's earnings with that employer for the preceding year by more than 20 percent shall be excluded; in the event that an employee has more than one employer this limitation shall be calculated separately for the earnings with each employer. In making such calculation, only the basic compensation of employees shall be considered, without regard to vacation or overtime or to contracts for summer employment.

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(h) The following are not considered as earnings in determining final rate of earnings: (1) severance or separation pay, (2) retirement pay, (3) payment for unused sick leave, and (4) payments from an employer for the period used in determining final rate of earnings for any purpose other than (i) services rendered, (ii) leave of absence or vacation granted during that period, and (iii) vacation of up to 56 work days allowed upon termination of employment; except that, if the benefit has been collectively bargained between the employer and the recognized collective bargaining agent pursuant to the Illinois Educational Labor Relations Act, payment received during a period of up to 2 academic years for unused sick leave may be considered as earnings in accordance with the applicable collective bargaining agreement, subject to the 20% increase limitation of this Section, and if the person first becomes a participant on or after the effective date of this amendatory Act of the 98th General Assembly, payments for unused sick or vacation time shall not be considered as earnings. Any unused sick leave considered as earnings under this Section shall not be taken into account in calculating service credit under Section 15-113.4.

(i) Intermittent periods of service shall be considered as consecutive in determining final rate of earnings.

(Source: P.A. 98-92, eff. 7-16-13.)

(40 ILCS 5/15-113.4) (from Ch. 108 1/2, par. 15-113.4)

Sec. 15-113.4. Service for unused sick leave. "Service for unused sick leave": A person who first becomes a participant before the effective date of this amendatory Act of the 98th General Assembly and who is an employee under this System or one of the other systems subject to Article 20 of this Code within 60 days immediately preceding the date on which his or her retirement annuity begins, is entitled to credit for service for that portion of unused sick leave earned in the course of employment with an employer and credited on the date of termination of employment by an employer for which payment is not received, in accordance with the following schedule: 30 through 90 full calendar days and 20 through 59 full work days of unused sick leave, 1/4 of a year of service; 91 through 180 full calendar days and 60 through 119 full work days, 1/2 of a year of service; 181 through 270 full calendar days and 120 through 179 full work days, 3/4 of a year of service; 271 through 360 full calendar days and 180 through 240 full work days, one year of service. Only uncompensated, unused sick leave earned in accordance with an employer's sick leave accrual policy generally applicable to employees or a class of employees
shall be taken into account in calculating service credit under this Section. Any uncompensated, unused sick leave granted by an employer to facilitate the hiring, retirement, termination, or other special circumstances of an employee shall not be taken into account in calculating service credit under this Section. If a participant transfers from one employer to another, the unused sick leave credited by the previous employer shall be considered in determining service to be credited under this Section, even if the participant terminated service prior to the effective date of P.A. 86-272 (August 23, 1989); if necessary, the retirement annuity shall be recalculated to reflect such sick leave credit. Each employer shall certify to the board the number of days of unused sick leave accrued to the participant's credit on the date that the participant's status as an employee terminated. This period of unused sick leave shall not be considered in determining the date the retirement annuity begins. A person who first becomes a participant on or after the effective date of this amendatory Act of the 98th General Assembly shall not receive service credit for unused sick leave.

(Source: P.A. 90-65, eff. 7-7-97; 90-511, eff. 8-22-97.)

(40 ILCS 5/15-125) (from Ch. 108 1/2, par. 15-125)

Sec. 15-125. "Prescribed Rate of Interest; Effective Rate of Interest".

(1) "Prescribed rate of interest": The rate of interest to be used in actuarial valuations and in development of actuarial tables as determined by the board on the basis of the probable average effective rate of interest on a long term basis, based on factors including the expected investment experience; historical and expected fluctuations in the market value of investments; the desirability of minimizing volatility in the rate of investment earnings from year to year; and the provision of reserves for anticipated losses upon sales, redemptions, or other disposition of investments and for variations in interest experience.

(2) "Effective rate of interest": For a fiscal year concluding no later than June 30, 2014, the interest rate for all or any part of a fiscal year that is determined by the board based on factors including the system's past and expected investment experience; historical and expected fluctuations in the market value of investments; the desirability of minimizing volatility in the effective rate of interest from year to year; and the provision of reserves for anticipated losses upon sales, redemptions, or other disposition of investments and for variations in interest experience; except that for the purpose of determining the accumulated normal

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contributions used in calculating retirement annuities under Rule 2 of Section 15-136, the effective rate of interest shall be determined by the State Comptroller rather than the board. For a fiscal year concluding no later than June 30, 2014, the State Comptroller shall determine the effective rate of interest to be used for this purpose using the factors listed above, and shall certify to the board and the Commission on Government Forecasting and Accountability the rate to be used for this purpose for fiscal year 2006 as soon as possible after the effective date of this amendatory Act of the 94th General Assembly, and for each fiscal year thereafter no later than the January 31 immediately preceding the start of that fiscal year.

For a fiscal year that begins on or after July 1, 2014, the effective rate of interest for a given fiscal year shall be equal to the interest rate of 30-year United States Treasury bonds as of the beginning of that given fiscal year, plus 75 basis points. This effective rate of interest shall not be used in determining the prescribed rate of interest as defined in paragraph (1) of this Section.

(3) The change made to this Section by Public Acts 90-65 and 90-511 is a clarification of existing law.
(Source: P.A. 94-4, eff. 6-1-05; 94-982, eff. 6-30-06.)

(40 ILCS 5/15-135) (from Ch. 108 1/2, par. 15-135)
Sec. 15-135. Retirement annuities - Conditions.
(a) This subsection (a) applies only to a Tier 1 member. A participant who retires in one of the following specified years with the specified amount of service is entitled to a retirement annuity at any age under the retirement program applicable to the participant:

- 35 years if retirement is in 1997 or before;
- 34 years if retirement is in 1998;
- 33 years if retirement is in 1999;
- 32 years if retirement is in 2000;
- 31 years if retirement is in 2001;
- 30 years if retirement is in 2002 or later.

A participant with 8 or more years of service after September 1, 1941, is entitled to a retirement annuity on or after attainment of age 55.

A participant with at least 5 but less than 8 years of service after September 1, 1941, is entitled to a retirement annuity on or after attainment of age 62.

A participant who has at least 25 years of service in this system as a police officer or firefighter is entitled to a retirement annuity on or after
the attainment of age 50, if Rule 4 of Section 15-136 is applicable to the participant.

(a-3) Notwithstanding subsection (a) of this Section, for a Tier 1 member who begins receiving a retirement annuity under this Section on or after July 1, 2014, the required retirement age under subsection (a) is increased as follows, based on the Tier 1 member's age on June 1, 2014:

(1) If he or she is at least age 46 on June 1, 2014, then the required retirement ages under subsection (a) remain unchanged.

(2) If he or she is at least age 45 but less than age 46 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 4 months.

(3) If he or she is at least age 44 but less than age 45 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 8 months.

(4) If he or she is at least age 43 but less than age 44 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 12 months.

(5) If he or she is at least age 42 but less than age 43 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 16 months.

(6) If he or she is at least age 41 but less than age 42 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 20 months.

(7) If he or she is at least age 40 but less than age 41 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 24 months.

(8) If he or she is at least age 39 but less than age 40 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 28 months.

(9) If he or she is at least age 38 but less than age 39 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 32 months.

(10) If he or she is at least age 37 but less than age 38 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 36 months.

(11) If he or she is at least age 36 but less than age 37 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 40 months.
(12) If he or she is at least age 35 but less than age 36 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 44 months.

(13) If he or she is at least age 34 but less than age 35 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 48 months.

(14) If he or she is at least age 33 but less than age 34 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 52 months.

(15) If he or she is at least age 32 but less than age 33 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 56 months.

(16) If he or she is less than age 32 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 60 months.

Notwithstanding Section 1-103.1, this subsection (a-3) applies without regard to whether or not the Tier 1 member is in active service under this Article on or after the effective date of this amendatory Act of the 98th General Assembly.

(a-5) A Tier 2 member is entitled to a retirement annuity upon written application if he or she has attained age 67 and has at least 10 years of service credit and is otherwise eligible under the requirements of this Article. A Tier 2 member who has attained age 62 and has at least 10 years of service credit and is otherwise eligible under the requirements of this Article may elect to receive the lower retirement annuity provided in subsection (b-5) of Section 15-136 of this Article.

(b) The annuity payment period shall begin on the date specified by the participant or the recipient of a disability retirement annuity submitting a written application, which date shall not be prior to termination of employment or more than one year before the application is received by the board; however, if the participant is not an employee of an employer participating in this System or in a participating system as defined in Article 20 of this Code on April 1 of the calendar year next following the calendar year in which the participant attains age 70 1/2, the annuity payment period shall begin on that date regardless of whether an application has been filed.

(c) An annuity is not payable if the amount provided under Section 15-136 is less than $10 per month.
(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12; 98-92, eff. 7-16-13.)

(40 ILCS 5/15-136) (from Ch. 108 1/2, par. 15-136)

Sec. 15-136. Retirement annuities - Amount. The provisions of this Section 15-136 apply only to those participants who are participating in the traditional benefit package or the portable benefit package and do not apply to participants who are participating in the self-managed plan.

(a) The amount of a participant's retirement annuity, expressed in the form of a single-life annuity, shall be determined by whichever of the following rules is applicable and provides the largest annuity:

Rule 1: The retirement annuity shall be 1.67% of final rate of earnings for each of the first 10 years of service, 1.90% for each of the next 10 years of service, 2.10% for each year of service in excess of 20 but not exceeding 30, and 2.30% for each year in excess of 30; or for persons who retire on or after January 1, 1998, 2.2% of the final rate of earnings for each year of service.

Rule 2: The retirement annuity shall be the sum of the following, determined from amounts credited to the participant in accordance with the actuarial tables and the effective rate of interest in effect at the time the retirement annuity begins:

(i) the normal annuity which can be provided on an actuarially equivalent basis (using the effective rate of interest in effect at the time of retirement for retirements occurring on or after July 1, 2014), by the accumulated normal contributions as of the date the annuity begins;

(ii) an annuity from employer contributions of an amount equal to that which can be provided on an actuarially equivalent basis (using the effective rate of interest in effect at the time of retirement for retirements occurring on or after July 1, 2014) from the accumulated normal contributions made by the participant under Section 15-113.6 and Section 15-113.7 plus 1.4 times all other accumulated normal contributions made by the participant; and

(iii) the annuity that can be provided on an actuarially equivalent basis (using the effective rate of interest in effect at the time of retirement for retirements occurring on or after July 1, 2014) from the entire contribution made by the participant under Section 15-113.3.
Notwithstanding any other provision of this Rule 2, a participant's retirement annuity calculated under this Rule 2 shall not be less than the retirement annuity that participant would have received under this Rule 2 had he or she retired during the fiscal year preceding the effective date of this amendatory Act of the 98th General Assembly.

With respect to a police officer or firefighter who retires on or after August 14, 1998, the accumulated normal contributions taken into account under clauses (i) and (ii) of this Rule 2 shall include the additional normal contributions made by the police officer or firefighter under Section 15-157(a).

The amount of a retirement annuity calculated under this Rule 2 shall be computed solely on the basis of the participant's accumulated normal contributions, as specified in this Rule and defined in Section 15-116. Neither an employee or employer contribution for early retirement under Section 15-136.2 nor any other employer contribution shall be used in the calculation of the amount of a retirement annuity under this Rule 2.

This amendatory Act of the 91st General Assembly is a clarification of existing law and applies to every participant and annuitant without regard to whether status as an employee terminates before the effective date of this amendatory Act.

This Rule 2 does not apply to a person who first becomes an employee under this Article on or after July 1, 2005.

Rule 3: The retirement annuity of a participant who is employed at least one-half time during the period on which his or her final rate of earnings is based, shall be equal to the participant's years of service not to exceed 30, multiplied by (1) $96 if the participant's final rate of earnings is less than $3,500, (2) $108 if the final rate of earnings is at least $3,500 but less than $4,500, (3) $120 if the final rate of earnings is at least $4,500 but less than $5,500, (4) $132 if the final rate of earnings is at least $5,500 but less than $6,500, (5) $144 if the final rate of earnings is at least $6,500 but less than $7,500, (6) $156 if the final rate of earnings is at least $7,500 but less than $8,500, (7) $168 if the final rate of earnings is at least $8,500 but less than $9,500, and (8) $180 if the final rate of earnings is $9,500 or more, except that the annuity for those persons having made an election under Section 15-154(a-1) shall be calculated and payable under the portable retirement benefit program pursuant to the provisions of Section 15-136.4.

Rule 4: A participant who is at least age 50 and has 25 or more years of service as a police officer or firefighter, and a participant who is

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age 55 or over and has at least 20 but less than 25 years of service as a police officer or firefighter, shall be entitled to a retirement annuity of 2 1/4% of the final rate of earnings for each of the first 10 years of service as a police officer or firefighter, 2 1/2% for each of the next 10 years of service as a police officer or firefighter, and 2 3/4% for each year of service as a police officer or firefighter in excess of 20. The retirement annuity for all other service shall be computed under Rule 1. A Tier 2 member is eligible for a retirement annuity calculated under Rule 4 only if that Tier 2 member meets the service requirements for that benefit calculation as prescribed under this Rule 4 in addition to the applicable age requirement under subsection (a-5) of Section 15-135.

For purposes of this Rule 4, a participant's service as a firefighter shall also include the following:

(i) service that is performed while the person is an employee under subsection (h) of Section 15-107; and

(ii) in the case of an individual who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department and who immediately after the elimination of that fire department transferred to another job with the University of Illinois, service performed as an employee of the University of Illinois in a position other than police officer or firefighter, from the date of that transfer until the employee's next termination of service with the University of Illinois.

(b) For a Tier 1 member, the retirement annuity provided under Rules 1 and 3 above shall be reduced by 1/2 of 1% for each month the participant is under age 60 at the time of retirement. However, this reduction shall not apply in the following cases:

(1) For a disabled participant whose disability benefits have been discontinued because he or she has exhausted eligibility for disability benefits under clause (6) of Section 15-152;

(2) For a participant who has at least the number of years of service required to retire at any age under subsection (a) of Section 15-135; or

(3) For that portion of a retirement annuity which has been provided on account of service of the participant during periods when he or she performed the duties of a police officer or firefighter, if these duties were performed for at least 5 years immediately preceding the date the retirement annuity is to begin.
(b-5) The retirement annuity of a Tier 2 member who is retiring after attaining age 62 with at least 10 years of service credit shall be reduced by 1/2 of 1% for each full month that the member's age is under age 67.

(c) The maximum retirement annuity provided under Rules 1, 2, 4, and 5 shall be the lesser of (1) the annual limit of benefits as specified in Section 415 of the Internal Revenue Code of 1986, as such Section may be amended from time to time and as such benefit limits shall be adjusted by the Commissioner of Internal Revenue, and (2) 80% of final rate of earnings.

(d) This subsection (d) is subject to subsections (d-1) and (d-2). A Tier 1 member whose status as an employee terminates after August 14, 1969 shall receive automatic increases in his or her retirement annuity as follows:

Effective January 1 immediately following the date the retirement annuity begins, the annuitant shall receive an increase in his or her monthly retirement annuity of 0.125% of the monthly retirement annuity provided under Rule 1, Rule 2, Rule 3, or Rule 4 contained in this Section, multiplied by the number of full months which elapsed from the date the retirement annuity payments began to January 1, 1972, plus 0.1667% of such annuity, multiplied by the number of full months which elapsed from January 1, 1972, or the date the retirement annuity payments began, whichever is later, to January 1, 1978, plus 0.25% of such annuity multiplied by the number of full months which elapsed from January 1, 1978, or the date the retirement annuity payments began, whichever is later, to the effective date of the increase.

The annuitant shall receive an increase in his or her monthly retirement annuity on each January 1 thereafter during the annuitant's life of 3% of the monthly annuity provided under Rule 1, Rule 2, Rule 3, or Rule 4 contained in this Section. The change made under this subsection by P.A. 81-970 is effective January 1, 1980 and applies to each annuitant whose status as an employee terminates before or after that date.

Beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total annuity payable at the time of the increase, including all increases previously granted under this Article.

The change made in this subsection by P.A. 85-1008 is effective January 26, 1988, and is applicable without regard to whether status as an employee terminated before that date.

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(d-1) Notwithstanding subsection (d), but subject to the provisions of subsection (d-2), all automatic increases payable under subsection (d) on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $1,000 multiplied by the number of years of creditable service upon which the annuity is based; however, in the case of an initial increase subject to this subsection, the amount of that increase shall be prorated if less than one year has elapsed since retirement.

Beginning January 1, 2016, the $1,000 referred to in item (2) of this subsection (d-1) shall be increased on each January 1 by the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (d-1), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (d-1) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(d-2) Notwithstanding subsections (d) and (d-1), for an active or inactive Tier 1 member who has not begun to receive a retirement annuity under this Article before July 1, 2014:

(1) the automatic annual increase payable under subsection (d) the second January following the date the retirement annuity begins shall be equal to 0% of the total annuity payable at the time of the increase, if he or she is at least age 50 on the effective date of this amendatory Act;

(2) the automatic annual increase payable under subsection (d) the second, fourth, and sixth January following the date the retirement annuity begins shall be equal to 0% of the total annuity payable at the time of the increase, if he or she is at least age 47 but less than age 50 on the effective date of this amendatory Act;

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(3) the automatic annual increase payable under subsection (d) the second, fourth, sixth, and eighth January following the date the retirement annuity begins shall be equal to 0% of the total annuity payable at the time of the increase, if he or she is at least age 44 but less than age 47 on the effective date of this amendatory Act;

(4) the automatic annual increase payable under subsection (d) the second, fourth, sixth, eighth, and tenth January following the date the retirement annuity begins shall be equal to 0% of the total annuity payable at the time of the increase, if he or she is less than age 44 on the effective date of this amendatory Act.

(d-5) A retirement annuity of a Tier 2 member shall receive annual increases on the January 1 occurring either on or after the attainment of age 67 or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(e) If, on January 1, 1987, or the date the retirement annuity payment period begins, whichever is later, the sum of the retirement annuity provided under Rule 1 or Rule 2 of this Section and the automatic annual increases provided under the preceding subsection or Section 15-136.1, amounts to less than the retirement annuity which would be provided by Rule 3, the retirement annuity shall be increased as of January 1, 1987, or the date the retirement annuity payment period begins, whichever is later, to the amount which would be provided by Rule 3 of this Section. Such increased amount shall be considered as the retirement annuity in determining benefits provided under other Sections of this Article. This paragraph applies without regard to whether status as an employee terminated before the effective date of this amendatory Act of 1987, provided that the annuitant was employed at least one-half time during the period on which the final rate of earnings was based.

(f) A participant is entitled to such additional annuity as may be provided on an actuarially equivalent basis, by any accumulated additional contributions to his or her credit. However, the additional contributions

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made by the participant toward the automatic increases in annuity provided under this Section shall not be taken into account in determining the amount of such additional annuity.

(g) If, (1) by law, a function of a governmental unit, as defined by Section 20-107 of this Code, is transferred in whole or in part to an employer, and (2) a participant transfers employment from such governmental unit to such employer within 6 months after the transfer of the function, and (3) the sum of (A) the annuity payable to the participant under Rule 1, 2, or 3 of this Section (B) all proportional annuities payable to the participant by all other retirement systems covered by Article 20, and (C) the initial primary insurance amount to which the participant is entitled under the Social Security Act, is less than the retirement annuity which would have been payable if all of the participant's pension credits validated under Section 20-109 had been validated under this system, a supplemental annuity equal to the difference in such amounts shall be payable to the participant.

(h) On January 1, 1981, an annuitant who was receiving a retirement annuity on or before January 1, 1971 shall have his or her retirement annuity then being paid increased $1 per month for each year of creditable service. On January 1, 1982, an annuitant whose retirement annuity began on or before January 1, 1977, shall have his or her retirement annuity then being paid increased $1 per month for each year of creditable service.

(i) On January 1, 1987, any annuitant whose retirement annuity began on or before January 1, 1977, shall have the monthly retirement annuity increased by an amount equal to 8¢ per year of creditable service times the number of years that have elapsed since the annuity began.

(j) For participants to whom subsection (a-3) of Section 15-135 applies, the references to age 50, 55, and 62 in this Section are increased as provided in subsection (a-3) of Section 15-135.

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)
Sec. 15-155. Employer contributions.
(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 100% 90%
funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).

(a-1) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State's portion of the projected normal cost for that fiscal year, plus (2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of the State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2014, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $252,064,100.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year
2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $702,514,000 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 15-165 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2045, the minimum contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total liabilities of the System.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100% or 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and

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each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected

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municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings, determined on a full-time equivalent basis, exceeds the amount of his or her earnings with the same employer for the previous academic year, determined on a full-time equivalent basis, by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the
time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection (g), the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (h) or (i) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of subsection (h) or (i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (g) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(h) This subsection (h) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that: (i) in the case of overloads (A) the overload work is for the sole
purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid and (B) the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant's current salary rate and work schedule; and (ii) in the case of overtime, the overtime was necessary for the educational mission.

When assessing payment for any amount due under subsection (g), the System shall exclude any earnings increase resulting from (i) a promotion for which the employee moves from one classification to a higher classification under the State Universities Civil Service System, (ii) a promotion in academic rank for a tenured or tenure-track faculty position, or (iii) a promotion that the Illinois Community College Board has recommended in accordance with subsection (k) of this Section. These earnings increases shall be excluded only if the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions.

(i) When assessing payment for any amount due under subsection (g), the System shall exclude any salary increase described in subsection (h) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (g) of this Section.

(j) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

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(k) The Illinois Community College Board shall adopt rules for recommending lists of promotional positions submitted to the Board by community colleges and for reviewing the promotional lists on an annual basis. When recommending promotional lists, the Board shall consider the similarity of the positions submitted to those positions recognized for State universities by the State Universities Civil Service System. The Illinois Community College Board shall file a copy of its findings with the System. The System shall consider the findings of the Illinois Community College Board when making determinations under this Section. The System shall not exclude any earnings increases resulting from a promotion when the promotion was not submitted by a community college. Nothing in this subsection (k) shall require any community college to submit any information to the Community College Board.

(l) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(m) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 97-813, eff. 7-13-12; 98-92, eff. 7-16-13; 98-463, eff. 8-16-13.)

(40 ILCS 5/15-156) (from Ch. 108 1/2, par. 15-156)

Sec. 15-156. Obligations of State; funding guarantees.

(a) The payment of (1) the required State contributions, (2) all benefits granted under this system and (3) all expenses in connection with the administration and operation thereof are obligations of the State of Illinois to the extent specified in this Article. The accumulated employee normal, additional and survivors insurance contributions credited to the accounts of active and inactive participants shall not be used to pay the State's share of the obligations.

(b) Beginning July 1, 2014, the State shall be obligated to contribute to the System in each State fiscal year an amount not less than

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the sum of (i) the State's normal cost for the year and (ii) the portion of the unfunded accrued liability assigned to that year by law. Notwithstanding any other provision of law, if the State fails to pay an amount required under this subsection, it shall be the obligation of the Board to seek payment of the required amount in compliance with the provisions of this Section and, if the amount remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required payment.

If the System submits a voucher for contributions required under Section 15-155 and the State fails to pay that voucher within 90 days of its receipt, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the amount remains unpaid the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to satisfy the voucher.

This subsection (b) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to pay a voucher for the contributions required under Section 15-155.

(c) Beginning in State fiscal year 2016, the State shall be obligated to make the transfers set forth in subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amounts in accordance with Section 25 of the Budget Stabilization Act. Notwithstanding any other provision of law, if the State fails to transfer an amount required under this subsection or to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act, it shall be the obligation of the Board to seek transfer or payment of the required amount in compliance with the provisions of this Section and, if the required amount remains untransferred or the required payment remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required transfer or payment or both, as the case may be.

If the State fails to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act or a payment to the System required under Section 25 of that Act, the Board shall submit a

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written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the required amount remains untransferred or the required payment remains unpaid, the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make the required transfer or payment or both, as the case may be.

This subsection (c) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act.

The obligations created by this subsection (c) expire when all of the requirements of subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and Section 25 of the Budget Stabilization Act have been met.

(d) Any payments and transfers required to be made by the State pursuant to subsection (b) or (c) are expressly subordinate to the payment of the principal, interest, and premium, if any, on any bonded debt obligation of the State or any other State-created entity, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from tax revenues collected by the State or any other State-created entity. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law or bond indentures, into debt service funds or accounts of the State related to such bond obligations, consistent with the payment schedules associated with such obligations.

(Source: P.A. 83-1440.)

(40 ILCS 5/15-157) (from Ch. 108 1/2, par. 15-157)
Sec. 15-157. Employee Contributions.

(a) Except as provided in subsection (a-5), each participating employee shall make contributions towards the retirement benefits payable under the retirement program applicable to the employee from each payment of earnings applicable to employment under this system on and
after the date of becoming a participant as follows: Prior to September 1, 1949, 3 1/2% of earnings; from September 1, 1949 to August 31, 1955, 5%; from September 1, 1955 to August 31, 1969, 6%; from September 1, 1969, 6 1/2%. These contributions are to be considered as normal contributions for purposes of this Article.

Except as provided in subsection (a-5), each participant who is a police officer or firefighter shall make normal contributions of 8% of each payment of earnings applicable to employment as a police officer or firefighter under this system on or after September 1, 1981, unless he or she files with the board within 60 days after the effective date of this amendatory Act of 1991 or 60 days after the board receives notice that he or she is employed as a police officer or firefighter, whichever is later, a written notice waiving the retirement formula provided by Rule 4 of Section 15-136. This waiver shall be irrevocable. If a participant had met the conditions set forth in Section 15-132.1 prior to the effective date of this amendatory Act of 1991 but failed to make the additional normal contributions required by this paragraph, he or she may elect to pay the additional contributions plus compound interest at the effective rate. If such payment is received by the board, the service shall be considered as police officer service in calculating the retirement annuity under Rule 4 of Section 15-136. While performing service described in clause (i) or (ii) of Rule 4 of Section 15-136, a participating employee shall be deemed to be employed as a firefighter for the purpose of determining the rate of employee contributions under this Section.

(a-5) Beginning July 1, 2014, in lieu of the contribution otherwise required under subsection (a), each Tier 1 member, other than a Tier 1 member who is a police officer or firefighter, shall contribute 6% of earnings toward the retirement benefits payable under the retirement programs applicable to the employee from each payment of earnings applicable to employment under this system.

Beginning July 1, 2014, in lieu of the contribution otherwise required under subsection (a), each Tier 1 member who is a police officer or firefighter shall contribute 7.5% of each payment of earnings applicable to employment as a police officer or firefighter under this system, unless he or she has filed a waiver with the board pursuant to subsection (a).

The contributions required under this subsection (a-5) are to be considered normal contributions for the purposes of this Article.
(b) Starting September 1, 1969 and, in the case of Tier 1 members, ending on June 30, 2014, each participating employee shall make additional contributions of 1/2 of 1% of earnings to finance a portion of the cost of the annual increases in retirement annuity provided under Section 15-136, except that with respect to participants in the self-managed plan this additional contribution shall be used to finance the benefits obtained under that retirement program.

(c) In addition to the amounts described in subsections (a) and (b) of this Section, each participating employee shall make contributions of 1% of earnings applicable under this system on and after August 1, 1959. The contributions made under this subsection (c) shall be considered as survivor's insurance contributions for purposes of this Article if the employee is covered under the traditional benefit package, and such contributions shall be considered as additional contributions for purposes of this Article if the employee is participating in the self-managed plan or has elected to participate in the portable benefit package and has completed the applicable one-year waiting period. Contributions in excess of $80 during any fiscal year beginning before August 31, 1969 and in excess of $120 during any fiscal year thereafter until September 1, 1971 shall be considered as additional contributions for purposes of this Article.

(d) If the board by board rule so permits and subject to such conditions and limitations as may be specified in its rules, a participant may make other additional contributions of such percentage of earnings or amounts as the participant shall elect in a written notice thereof received by the board.

(e) That fraction of a participant's total accumulated normal contributions, the numerator of which is equal to the number of years of service in excess of that which is required to qualify for the maximum retirement annuity, and the denominator of which is equal to the total service of the participant, shall be considered as accumulated additional contributions. The determination of the applicable maximum annuity and the adjustment in contributions required by this provision shall be made as of the date of the participant's retirement.

(f) Notwithstanding the foregoing, a participating employee shall not be required to make contributions under this Section after the date upon which continuance of such contributions would otherwise cause his or her retirement annuity to exceed the maximum retirement annuity as specified in clause (1) of subsection (c) of Section 15-136.
(g) A participating employee may make contributions for the purchase of service credit under this Article.

(h) A Tier 2 member shall not make contributions on earnings that exceed the limitation as prescribed under subsection (b) of Section 15-111 of this Article.

(Source: P.A. 98-92, eff. 7-16-13.)

(40 ILCS 5/15-157.5 new)

Sec. 15-157.5. Use of contributions for health care subsidies. The System shall not use any contribution received by the System under this Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/15-165) (from Ch. 108 1/2, par. 15-165)

Sec. 15-165. To certify amounts and submit vouchers.

(a) The Board shall certify to the Governor on or before November 15 of each year until November 15, 2011 the appropriation required from State funds for the purposes of this System for the following fiscal year. The certification under this subsection (a) shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year and the projected State cost for the self-managed plan for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of

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the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note, in a written response to the State Actuary, any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) For purposes of Section (c-5) of Section 20 of the Budget Stabilization Act, on or before November 1 of each year beginning November 1, 2014, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification, along with the relevant law, actuarial assumptions, calculations, and data upon which that certification is based. On or before January 1, 2015 and every January 1 thereafter, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification. On or before January 15, 2015 and every January 1 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the impact of not following the State Actuary's recommended changes.

(b) The Board shall certify to the State Comptroller or employer, as the case may be, from time to time, by its chairperson and secretary, with

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its seal attached, the amounts payable to the System from the various funds.

(c) Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (b) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchedered under this Section, the difference shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(d) So long as the payments received are the full amount lawfully vouchered under this Section, payments received by the System under this Section shall be applied first toward the employer contribution to the self-managed plan established under Section 15-158.2. Payments shall be applied second toward the employer's portion of the normal costs of the System, as defined in subsection (f) of Section 15-155. The balance shall be applied toward the unfunded actuarial liabilities of the System.

(e) In the event that the System does not receive, as a result of legislative enactment or otherwise, payments sufficient to fully fund the employer contribution to the self-managed plan established under Section 15-158.2 and to fully fund that portion of the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1), then any payments received shall be applied proportionately to the optional retirement program established under Section 15-158.2 and to the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1).

(Source: P.A. 97-694, eff. 6-18-12; 98-92, eff. 7-16-13.)
(40 ILCS 5/15-198)

Sec. 15-198. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after the effective date of this amendatory Act of the 94th General Assembly. "New benefit increase", however, does not include any benefit increase resulting from the changes made by this amendatory Act of the 98th General Assembly.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section

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continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 94-4, eff. 6-1-05.)

(40 ILCS 5/15-200 new)

Sec. 15-200. Defined contribution plan.

(a) By July 1, 2015, the System shall prepare and implement a voluntary defined contribution plan for up to 5% of eligible active Tier 1 members. The System shall determine the 5% cap by the number of active Tier 1 members on the effective date of this Section. The defined contribution plan developed under this Section shall be a plan that aggregates employer and employee contributions in individual participant accounts which, after meeting any other requirements, are used for payouts after retirement in accordance with this Section and any other applicable laws.

As used in this Section, "defined benefit plan" means the retirement plan available under this Article to Tier 1 members who have not made the election authorized under this Section.

(1) Under the defined contribution plan, an active Tier 1 member of this System could elect to cease accruing benefits in the defined benefit plan under this Article and begin accruing benefits for future service in the defined contribution plan. Service credit under the defined contribution plan may be used for determining retirement eligibility under the defined benefit plan. An active Tier 1 member who elects to cease accruing benefits in his or her defined benefit plan shall be prohibited from purchasing service credit on or after the date of his or her election. A Tier 1 member making the irrevocable election provided under this Section shall not receive interest accruals to his or her Rule 2 benefit on or after the date of his or her election.

(2) Participants in the defined contribution plan shall pay employee contributions at the same rate as other participants under this Article as determined by the System.

(3) State contributions shall be paid into the accounts of all participants in the defined contribution plan at a uniform rate, expressed as a percentage of earnings and determined for each
year. This rate shall be no higher than the employer's normal cost for Tier 1 members in the defined benefit plan for that year, as determined by the System and expressed as a percentage of earnings, and shall be no lower than 3% of earnings. The State shall adjust this rate annually.

(4) The defined contribution plan shall require 5 years of participation in the defined contribution plan before vesting in State contributions. If the participant fails to vest in them, the State contributions, and the earnings thereon, shall be forfeited.

(5) The defined contribution plan may provide for participants in the plan to be eligible for the defined disability benefits available to other participants under this Article. If it does, the System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering such benefits.

(6) The defined contribution plan shall provide a variety of options for investments. These options shall include investments handled by the System as well as private sector investment options.

(7) The defined contribution plan shall provide a variety of options for payouts to retirees and their survivors.

(8) To the extent authorized under federal law and as authorized by the System, the plan shall allow former participants in the plan to transfer or roll over employee and vested State contributions, and the earnings thereon, into other qualified retirement plans.

(9) The System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering these benefits and any applicable administrative fees.

(b) Only persons who are active Tier 1 members of the System on the effective date of this Section are eligible to participate in the defined contribution plan. Participation in the defined contribution plan shall be limited to the first 5% of eligible persons who elect to participate. The election to participate in the defined contribution plan is voluntary and irrevocable.

(c) An eligible Tier 1 employee may irrevocably elect to participate in the defined contribution plan by filing with the System a written application to participate that is received by the System prior to its
determination that 5% of eligible persons have elected to participate in the defined contribution plan.

When the System first determines that 5% of eligible persons have elected to participate in the defined contribution plan, the System shall provide notice to previously eligible employees that the plan is no longer available and shall cease accepting applications to participate.

(d) The System shall make a good faith effort to contact each active Tier 1 member who is eligible to participate in the defined contribution plan. The System shall mail information describing the option to join the defined contribution plan to each of these employees to his or her last known address on file with the System. If the employee is not responsive to other means of contact, it is sufficient for the System to publish the details of the option on its website.

Upon request for further information describing the option, the System shall provide employees with information from the System before exercising the option to join the plan, including information on the impact to their vested benefits or non-vested service. The individual consultation shall include projections of the member's defined benefits at retirement or earlier termination of service and the value of the member's account at retirement or earlier termination of service. The System shall not provide advice or counseling with respect to whether the employee should exercise the option. The System shall inform Tier 1 employees who are eligible to participate in the defined contribution plan that they may also wish to obtain information and counsel relating to their option from any other available source, including but not limited to labor organizations, private counsel, and financial advisors.

(e) In no event shall the System, its staff, its authorized representatives, or the Board be liable for any information given to an employee under this Section. The System may coordinate with the Illinois Department of Central Management Services and other retirement systems administering a defined contribution plan in accordance with this amendatory Act of the 98th General Assembly to provide information concerning the impact of the option set forth in this Section.

(f) Notwithstanding any other provision of this Section, no person shall begin participating in the defined contribution plan until it has attained qualified plan status and received all necessary approvals from the U.S. Internal Revenue Service.

(g) The System shall report on its progress under this Section, including the available details of the defined contribution plan and the
System's plans for informing eligible Tier 1 members about the plan, to the Governor and the General Assembly on or before January 15, 2015.

(h) If an active Tier 1 member has not made an election under Section 15-134.5 of this Code, then the plan prescribed under this Section shall not apply to that Tier 1 member and that Tier 1 member shall remain eligible to make the election prescribed under Section 15-134.5.

(i) The intent of this amendatory Act of the 98th General Assembly is to ensure that the State's normal cost of participation in the defined contribution plan is similar, and if possible equal, to the State's normal cost of participation in the defined benefit plan, unless a lower State's normal cost is necessary to ensure cost neutrality.

(40 ILCS 5/15-201 new)

Sec. 15-201. Defined contribution plan; termination. If the defined contribution plan is terminated or becomes inoperative pursuant to law, then each participant in the plan shall automatically be deemed to have been a contributing Tier 1 member participating in the System's defined benefit plan during the time in which he or she participated in the defined contribution plan, and for that purpose the System shall be entitled to recover the amounts in the participant's defined contribution accounts.

(40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

Sec. 16-106. Teacher. "Teacher": The following individuals, provided that, for employment prior to July 1, 1990, they are employed on a full-time basis, or if not full-time, on a permanent and continuous basis in a position in which services are expected to be rendered for at least one school term:

(1) Any educational, administrative, professional or other staff employed in the public common schools included within this system in a position requiring certification under the law governing the certification of teachers;

(2) Any educational, administrative, professional or other staff employed in any facility of the Department of Children and Family Services or the Department of Human Services, in a position requiring certification under the law governing the certification of teachers, and any person who (i) works in such a position for the Department of Corrections, (ii) was a member of this System on May 31, 1987, and (iii) did not elect to become a member of the State Employees' Retirement System pursuant to Section 14-108.2 of this Code; except that "teacher" does not include any person who (A) becomes a security employee of the

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Department of Human Services, as defined in Section 14-110, after June 28, 2001 (the effective date of Public Act 92-14), or (B) becomes a member of the State Employees' Retirement System pursuant to Section 14-108.2c of this Code;

(3) Any regional superintendent of schools, assistant regional superintendent of schools, State Superintendent of Education; any person employed by the State Board of Education as an executive; any executive of the boards engaged in the service of public common school education in school districts covered under this system of which the State Superintendent of Education is an ex-officio member;

(4) Any employee of a school board association operating in compliance with Article 23 of the School Code who is certificated under the law governing the certification of teachers, provided that he or she becomes such an employee before the effective date of this amendatory Act of the 98th General Assembly;

(5) Any person employed by the retirement system who:
   (i) was an employee of and a participant in the system on August 17, 2001 (the effective date of Public Act 92-416), or
   (ii) becomes an employee of the system on or after August 17, 2001;

(6) Any educational, administrative, professional or other staff employed by and under the supervision and control of a regional superintendent of schools, provided such employment position requires the person to be certificated under the law governing the certification of teachers and is in an educational program serving 2 or more districts in accordance with a joint agreement authorized by the School Code or by federal legislation;

(7) Any educational, administrative, professional or other staff employed in an educational program serving 2 or more school districts in accordance with a joint agreement authorized by the School Code or by federal legislation and in a position requiring certification under the laws governing the certification of teachers;

(8) Any officer or employee of a statewide teacher organization or officer of a national teacher organization who is certified under the law governing certification of teachers, provided: (i) the individual had previously established creditable service under this Article, (ii) the individual files with the system
an irrevocable election to become a member before the effective
date of this amendatory Act of the 97th General Assembly, (iii) the
individual does not receive credit for such service under any other
Article of this Code, and (iv) the individual first became an officer
or employee of the teacher organization and becomes a member
before the effective date of this amendatory Act of the 97th
General Assembly;

(9) Any educational, administrative, professional, or other
staff employed in a charter school operating in compliance with the
Charter Schools Law who is certificated under the law governing
the certification of teachers;

(10) Any person employed, on the effective date of this
amendatory Act of the 94th General Assembly, by the Macon-Piatt
Regional Office of Education in a birth-through-age-three pilot
program receiving funds under Section 2-389 of the School Code
who is required by the Macon-Piatt Regional Office of Education
to hold a teaching certificate, provided that the Macon-Piatt
Regional Office of Education makes an election, within 6 months
after the effective date of this amendatory Act of the 94th General
Assembly, to have the person participate in the system. Any service
established prior to the effective date of this amendatory Act of the
94th General Assembly for service as an employee of the Macon-
Piatt Regional Office of Education in a birth-through-age-three
pilot program receiving funds under Section 2-389 of the School
Code shall be considered service as a teacher if employee and
employer contributions have been received by the system and the
system has not refunded those contributions.

An annuitant receiving a retirement annuity under this Article or
under Article 17 of this Code who is employed by a board of education or
other employer as permitted under Section 16-118 or 16-150.1 is not a
"teacher" for purposes of this Article. A person who has received a single-
sum retirement benefit under Section 16-136.4 of this Article is not a
"teacher" for purposes of this Article.

(Source: P.A. 97-651, eff. 1-5-12; 98-463, eff. 8-16-13.)

(40 ILCS 5/16-106.4 new)

Sec. 16-106.4. Tier 1 member. "Tier 1 member": A member under
this Article who first became a member or participant before January 1,
2011 under any reciprocal retirement system or pension fund established

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under this Code other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, or 18 of this Code.

(40 ILCS 5/16-112) (from Ch. 108 1/2, par. 16-112)

Sec. 16-112. Regular interest.

"Regular interest":

(a) For computations based upon prior service credits, interest at the following rates compounded annually: For periods prior to July 1, 1947, 4% per year; for periods from July 1, 1947 through June 30, 1971, 3% per year; for periods from July 1, 1971 through June 30, 1977 at the rate of 4% per year; for periods from July 1, 1977 through June 30, 1981, 5% per year; for periods after June 30, 1981 through June 30, 2014, 6% per year.

(b) For computations based upon membership service credits, interest at the following rates, compounded annually: For periods prior to July 1, 1971, 3% per year; for periods from July 1, 1971 through June 30, 1977, 4% per year; for periods from July 1, 1977 through June 30, 1981, 5% per year; for periods after June 30, 1981 through June 30, 2014, 6% per year.

(c) For a fiscal year that begins on or after July 1, 2014, for all computations, the interest rate of 30-year United States Treasury bonds on July 1 of that given fiscal year, plus 75 basis points.

(Source: P.A. 83-1440.)

(40 ILCS 5/16-121) (from Ch. 108 1/2, par. 16-121)

Sec. 16-121. Salary. "Salary": The actual compensation received by a teacher during any school year and recognized by the system in accordance with rules of the board. For purposes of this Section, "school year" includes the regular school term plus any additional period for which a teacher is compensated and such compensation is recognized by the rules of the board.

In the case of a person who first becomes a member on or after the effective date of this amendatory Act of the 98th General Assembly, "salary" shall not include any payment for unused sick or vacation time.

Notwithstanding any other provision of this Code, the annual salary of a Tier 1 member for the purposes of this Code shall not exceed, for periods of service on or after the effective date of this amendatory Act of the 98th General Assembly, the greater of (i) the annual limitation determined from time to time under subsection (b-5) of Section 1-160 of this Code, (ii) the annualized salary of the Tier 1 member on that effective date, or (iii) the annualized salary of the Tier 1 member immediately

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preceding the expiration, renewal, or amendment of an employment contract or collective bargaining agreement in effect on that effective date.

(Source: P.A. 84-1028.)

(40 ILCS 5/16-127) (from Ch. 108 1/2, par. 16-127)
Sec. 16-127. Computation of creditable service.

(a) Each member shall receive regular credit for all service as a teacher from the date membership begins, for which satisfactory evidence is supplied and all contributions have been paid.

(b) The following periods of service shall earn optional credit and each member shall receive credit for all such service for which satisfactory evidence is supplied and all contributions have been paid as of the date specified:

(1) Prior service as a teacher.
(2) Service in a capacity essentially similar or equivalent to that of a teacher, in the public common schools in school districts in this State not included within the provisions of this System, or of any other State, territory, dependency or possession of the United States, or in schools operated by or under the auspices of the United States, or under the auspices of any agency or department of any other State, and service during any period of professional speech correction or special education experience for a public agency within this State or any other State, territory, dependency or possession of the United States, and service prior to February 1, 1951 as a recreation worker for the Illinois Department of Public Safety, for a period not exceeding the lesser of 2/5 of the total creditable service of the member or 10 years. The maximum service of 10 years which is allowable under this paragraph shall be reduced by the service credit which is validated by other retirement systems under paragraph (i) of Section 15-113 and paragraph 1 of Section 17-133. Credit granted under this paragraph may not be used in determination of a retirement annuity or disability benefits unless the member has at least 5 years of creditable service earned subsequent to this employment with one or more of the following systems: Teachers' Retirement System of the State of Illinois, State Universities Retirement System, and the Public School Teachers' Pension and Retirement Fund of Chicago. Whenever such service credit exceeds the maximum allowed for all purposes of this Article, the first service rendered in point of time shall be...
considered. The changes to this subdivision (b)(2) made by Public Act 86-272 shall apply not only to persons who on or after its effective date (August 23, 1989) are in service as a teacher under the System, but also to persons whose status as such a teacher terminated prior to such effective date, whether or not such person is an annuitant on that date.

(3) Any periods immediately following teaching service, under this System or under Article 17, (or immediately following service prior to February 1, 1951 as a recreation worker for the Illinois Department of Public Safety) spent in active service with the military forces of the United States; periods spent in educational programs that prepare for return to teaching sponsored by the federal government following such active military service; if a teacher returns to teaching service within one calendar year after discharge or after the completion of the educational program, a further period, not exceeding one calendar year, between time spent in military service or in such educational programs and the return to employment as a teacher under this System; and a period of up to 2 years of active military service not immediately following employment as a teacher.

The changes to this Section and Section 16-128 relating to military service made by P.A. 87-794 shall apply not only to persons who on or after its effective date are in service as a teacher under the System, but also to persons whose status as a teacher terminated prior to that date, whether or not the person is an annuitant on that date. In the case of an annuitant who applies for credit allowable under this Section for a period of military service that did not immediately follow employment, and who has made the required contributions for such credit, the annuity shall be recalculated to include the additional service credit, with the increase taking effect on the date the System received written notification of the annuitant's intent to purchase the credit, if payment of all the required contributions is made within 60 days of such notice, or else on the first annuity payment date following the date of payment of the required contributions. In calculating the automatic annual increase for an annuity that has been recalculated under this Section, the increase attributable to the additional service allowable under P.A. 87-794 shall be included in the

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calculation of automatic annual increases accruing after the effective date of the recalculation.

Credit for military service shall be determined as follows: if entry occurs during the months of July, August, or September and the member was a teacher at the end of the immediately preceding school term, credit shall be granted from July 1 of the year in which he or she entered service; if entry occurs during the school term and the teacher was in teaching service at the beginning of the school term, credit shall be granted from July 1 of such year. In all other cases where credit for military service is allowed, credit shall be granted from the date of entry into the service.

The total period of military service for which credit is granted shall not exceed 5 years for any member unless the service: (A) is validated before July 1, 1964, and (B) does not extend beyond July 1, 1963. Credit for military service shall be granted under this Section only if not more than 5 years of the military service for which credit is granted under this Section is used by the member to qualify for a military retirement allotment from any branch of the armed forces of the United States. The changes to this subdivision (b)(3) made by Public Act 86-272 shall apply not only to persons who on or after its effective date (August 23, 1989) are in service as a teacher under the System, but also to persons whose status as such a teacher terminated prior to such effective date, whether or not such person is an annuitant on that date.

(4) Any periods served as a member of the General Assembly.

(5)(i) Any periods for which a teacher, as defined in Section 16-106, is granted a leave of absence, provided he or she returns to teaching service creditable under this System or the State Universities Retirement System following the leave; (ii) periods during which a teacher is involuntarily laid off from teaching, provided he or she returns to teaching following the lay-off; (iii) periods prior to July 1, 1983 during which a teacher ceased covered employment due to pregnancy, provided that the teacher returned to teaching service creditable under this System or the State Universities Retirement System following the pregnancy and submits evidence satisfactory to the Board documenting that the employment ceased due to pregnancy; and (iv) periods prior to July 1, 1983 during which a teacher ceased covered employment for the

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purpose of adopting an infant under 3 years of age or caring for a newly adopted infant under 3 years of age, provided that the teacher returned to teaching service creditable under this System or the State Universities Retirement System following the adoption and submits evidence satisfactory to the Board documenting that the employment ceased for the purpose of adopting an infant under 3 years of age or caring for a newly adopted infant under 3 years of age. However, total credit under this paragraph (5) may not exceed 3 years.

Any qualified member or annuitant may apply for credit under item (iii) or (iv) of this paragraph (5) without regard to whether service was terminated before the effective date of this amendatory Act of 1997. In the case of an annuitant who establishes credit under item (iii) or (iv), the annuity shall be recalculated to include the additional service credit. The increase in annuity shall take effect on the date the System receives written notification of the annuitant's intent to purchase the credit, if the required evidence is submitted and the required contribution paid within 60 days of that notification, otherwise on the first annuity payment date following the System's receipt of the required evidence and contribution. The increase in an annuity recalculated under this provision shall be included in the calculation of automatic annual increases in the annuity accruing after the effective date of the calculation.

Optional credit may be purchased under this subsection (b)(5) for periods during which a teacher has been granted a leave of absence pursuant to Section 24-13 of the School Code. A teacher whose service under this Article terminated prior to the effective date of P.A. 86-1488 shall be eligible to purchase such optional credit. If a teacher who purchases this optional credit is already receiving a retirement annuity under this Article, the annuity shall be recalculated as if the annuitant had applied for the leave of absence credit at the time of retirement. The difference between the entitled annuity and the actual annuity shall be credited to the purchase of the optional credit. The remainder of the purchase cost of the optional credit shall be paid on or before April 1, 1992.
The change in this paragraph made by Public Act 86-273 shall be applicable to teachers who retire after June 1, 1989, as well as to teachers who are in service on that date.

(6) For a person who first becomes a member before the effective date of this amendatory Act of the 98th General Assembly, any days of unused and uncompensated accumulated sick leave earned by a teacher. The service credit granted under this paragraph shall be the ratio of the number of unused and uncompensated accumulated sick leave days to 170 days, subject to a maximum of 2 years of service credit. Prior to the member's retirement, each former employer shall certify to the System the number of unused and uncompensated accumulated sick leave days credited to the member at the time of termination of service. The period of unused sick leave shall not be considered in determining the effective date of retirement. A member is not required to make contributions in order to obtain service credit for unused sick leave.

Credit for sick leave shall, at retirement, be granted by the System for any retiring regional or assistant regional superintendent of schools who first becomes a member before the effective date of this amendatory Act of the 98th General Assembly at the rate of 6 days per year of creditable service or portion thereof established while serving as such superintendent or assistant superintendent.

(7) Periods prior to February 1, 1987 served as an employee of the Illinois Mathematics and Science Academy for which credit has not been terminated under Section 15-113.9 of this Code.

(8) Service as a substitute teacher for work performed prior to July 1, 1990.

(9) Service as a part-time teacher for work performed prior to July 1, 1990.

(10) Up to 2 years of employment with Southern Illinois University - Carbondale from September 1, 1959 to August 31, 1961, or with Governors State University from September 1, 1972 to August 31, 1974, for which the teacher has no credit under Article 15. To receive credit under this item (10), a teacher must apply in writing to the Board and pay the required contributions before May 1, 1993 and have at least 12 years of service credit under this Article.
(b-1) A member may establish optional credit for up to 2 years of service as a teacher or administrator employed by a private school recognized by the Illinois State Board of Education, provided that the teacher (i) was certified under the law governing the certification of teachers at the time the service was rendered, (ii) applies in writing on or after August 1, 2009 and on or before August 1, 2012, (iii) supplies satisfactory evidence of the employment, (iv) completes at least 10 years of contributing service as a teacher as defined in Section 16-106, and (v) pays the contribution required in subsection (d-5) of Section 16-128. The member may apply for credit under this subsection and pay the required contribution before completing the 10 years of contributing service required under item (iv), but the credit may not be used until the item (iv) contributing service requirement has been met.

(c) The service credits specified in this Section shall be granted only if: (1) such service credits are not used for credit in any other statutory tax-supported public employee retirement system other than the federal Social Security program; and (2) the member makes the required contributions as specified in Section 16-128. Except as provided in subsection (b-1) of this Section, the service credit shall be effective as of the date the required contributions are completed.

Any service credits granted under this Section shall terminate upon cessation of membership for any cause.

Credit may not be granted under this Section covering any period for which an age retirement or disability retirement allowance has been paid.

(Source: P.A. 96-546, eff. 8-17-09.)

(40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)

Sec. 16-132. Retirement annuity eligibility.

(a) A member who has at least 20 years of creditable service is entitled to a retirement annuity upon or after attainment of age 55. A member who has at least 10 but less than 20 years of creditable service is entitled to a retirement annuity upon or after attainment of age 60. A member who has at least 5 but less than 10 years of creditable service is entitled to a retirement annuity upon or after attainment of age 62. A member who (i) has earned during the period immediately preceding the last day of service at least one year of contributing creditable service as an employee of a department as defined in Section 14-103.04, (ii) has earned at least 5 years of contributing creditable service as an employee of a department as defined in Section 14-103.04, and (iii) retires on or after
January 1, 2001 is entitled to a retirement annuity upon or after attainment of an age which, when added to the number of years of his or her total creditable service, equals at least 85. Portions of years shall be counted as decimal equivalents.

A member who is eligible to receive a retirement annuity of at least 74.6% of final average salary and will attain age 55 on or before December 31 during the year which commences on July 1 shall be deemed to attain age 55 on the preceding June 1.

(b) Notwithstanding subsection (a) of this Section, for a Tier 1 member who begins receiving a retirement annuity under this Section on or after July 1, 2014, the required retirement age under subsection (a) is increased as follows, based on the Tier 1 member's age on June 1, 2014:

(1) If he or she is at least age 46 on June 1, 2014, then the required retirement ages under subsection (a) remain unchanged.

(2) If he or she is at least age 45 but less than age 46 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 4 months.

(3) If he or she is at least age 44 but less than age 45 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 8 months.

(4) If he or she is at least age 43 but less than age 44 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 12 months.

(5) If he or she is at least age 42 but less than age 43 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 16 months.

(6) If he or she is at least age 41 but less than age 42 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 20 months.

(7) If he or she is at least age 40 but less than age 41 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 24 months.

(8) If he or she is at least age 39 but less than age 40 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 28 months.

(9) If he or she is at least age 38 but less than age 39 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 32 months.

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(10) If he or she is at least age 37 but less than age 38 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 36 months.

(11) If he or she is at least age 36 but less than age 37 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 40 months.

(12) If he or she is at least age 35 but less than age 36 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 44 months.

(13) If he or she is at least age 34 but less than age 35 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 48 months.

(14) If he or she is at least age 33 but less than age 34 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 52 months.

(15) If he or she is at least age 32 but less than age 33 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 56 months.

(16) If he or she is less than age 32 on June 1, 2014, then the required retirement ages under subsection (a) are increased by 60 months.

Notwithstanding Section 1-103.1, this subsection (b) applies without regard to whether or not the Tier 1 member is in active service under this Article on or after the effective date of this amendatory Act of the 98th General Assembly.

(c) A member meeting the above eligibility conditions is entitled to a retirement annuity upon written application to the board setting forth the date the member wishes the retirement annuity to commence. However, the effective date of the retirement annuity shall be no earlier than the day following the last day of creditable service, regardless of the date of official termination of employment.

(d) To be eligible for a retirement annuity, a member shall not be employed as a teacher in the schools included under this System or under Article 17, except (i) as provided in Section 16-118 or 16-150.1, (ii) if the member is disabled (in which event, eligibility for salary must cease), or (iii) if the System is required by federal law to commence payment due to the member's age; the changes to this sentence made by Public Act 93-320 this amendatory Act of the 93rd General Assembly apply without regard to
whether the member terminated employment before or after its effective date.
(Source: P.A. 93-320, eff. 7-23-03.)

(40 ILCS 5/16-133) (from Ch. 108 1/2, par. 16-133)

Sec. 16-133. Retirement annuity; amount.

(a) The amount of the retirement annuity shall be (i) in the case of a person who first became a teacher under this Article before July 1, 2005, the larger of the amounts determined under paragraphs (A) and (B) below, or (ii) in the case of a person who first becomes a teacher under this Article on or after July 1, 2005, the amount determined under the applicable provisions of paragraph (B):

(A) An amount consisting of the sum of the following:

1. An amount that can be provided on an actuarially equivalent basis (using the rate of regular interest in effect at the time of retirement for retirements occurring on or after July 1, 2014) by the member's accumulated contributions at the time of retirement; and

2. The sum of (i) the amount that can be provided on an actuarially equivalent basis (using the rate of regular interest in effect at the time of retirement for retirements occurring on or after July 1, 2014) by the member's accumulated contributions representing service prior to July 1, 1947, and (ii) the amount that can be provided on an actuarially equivalent basis (using the rate of regular interest in effect at the time of retirement for retirements occurring on or after July 1, 2014) by the amount obtained by multiplying 1.4 times the member's accumulated contributions covering service subsequent to June 30, 1947; and

3. If there is prior service, 2 times the amount that would have been determined under subparagraph (2) of paragraph (A) above on account of contributions which would have been made during the period of prior service creditable to the member had the System been in operation and had the member made contributions at the contribution rate in effect prior to July 1, 1947.

Notwithstanding any other provision of this paragraph (A), a teacher's retirement annuity calculated under this paragraph (A) shall not be less than the retirement annuity that teacher would

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have received under this paragraph (A) had he or she retired during the fiscal year preceding the effective date of this amendatory Act of the 98th General Assembly.

This paragraph (A) does not apply to a person who first becomes a teacher under this Article on or after July 1, 2005.

(B) An amount consisting of the greater of the following:

(1) For creditable service earned before July 1, 1998 that has not been augmented under Section 16-129.1: 1.67% of final average salary for each of the first 10 years of creditable service, 1.90% of final average salary for each year in excess of 10 but not exceeding 20, 2.10% of final average salary for each year in excess of 20 but not exceeding 30, and 2.30% of final average salary for each year in excess of 30; and

For creditable service earned on or after July 1, 1998 by a member who has at least 24 years of creditable service on July 1, 1998 and who does not elect to augment service under Section 16-129.1: 2.2% of final average salary for each year of creditable service earned on or after July 1, 1998 but before the member reaches a total of 30 years of creditable service and 2.3% of final average salary for each year of creditable service earned on or after July 1, 1998 and after the member reaches a total of 30 years of creditable service; and

For all other creditable service: 2.2% of final average salary for each year of creditable service; or

(2) 1.5% of final average salary for each year of creditable service plus the sum $7.50 for each of the first 20 years of creditable service.

The amount of the retirement annuity determined under this paragraph (B) shall be reduced by 1/2 of 1% for each month that the member is less than age 60 at the time the retirement annuity begins. However, this reduction shall not apply (i) if the member has at least 35 years of creditable service, or (ii) if the member retires on account of disability under Section 16-149.2 of this Article with at least 20 years of creditable service, or (iii) if the member (1) has earned during the period immediately preceding the last day of service at least one year of contributing creditable service as an employee of a department as defined in Section 14-
103.04, (2) has earned at least 5 years of contributing creditable service as an employee of a department as defined in Section 14-103.04, (3) retires on or after January 1, 2001, and (4) retires having attained an age which, when added to the number of years of his or her total creditable service, equals at least 85. Portions of years shall be counted as decimal equivalents.

(b) For purposes of this Section, final average salary shall be the average salary for the highest 4 consecutive years within the last 10 years of creditable service as determined under rules of the board. The minimum final average salary shall be considered to be $2,400 per year.

In the determination of final average salary for members other than elected officials and their appointees when such appointees are allowed by statute, that part of a member's salary for any year beginning after June 30, 1979 which exceeds the member's annual full-time salary rate with the same employer for the preceding year by more than 20% shall be excluded. The exclusion shall not apply in any year in which the member's creditable earnings are less than 50% of the preceding year's mean salary for downstate teachers as determined by the survey of school district salaries provided in Section 2-3.103 of the School Code.

(c) In determining the amount of the retirement annuity under paragraph (B) of this Section, a fractional year shall be granted proportional credit.

(d) The retirement annuity determined under paragraph (B) of this Section shall be available only to members who render teaching service after July 1, 1947 for which member contributions are required, and to annuitants who re-enter under the provisions of Section 16-150.

(e) The maximum retirement annuity provided under paragraph (B) of this Section shall be 75% of final average salary.

(f) A member retiring after the effective date of this amendatory Act of 1998 shall receive a pension equal to 75% of final average salary if the member is qualified to receive a retirement annuity equal to at least 74.6% of final average salary under this Article or as proportional annuities under Article 20 of this Code.

(Source: P.A. 94-4, eff. 6-1-05.)

(40 ILCS 5/16-133.1) (from Ch. 108 1/2, par. 16-133.1)
Sec. 16-133.1. Automatic annual increase in annuity.

(a) This subsection (a) is subject to subsections (a-1) and (a-2). Each member with creditable service and retiring on or after August 26, 1969 is entitled to the automatic annual increases in annuity provided
under this Section while receiving a retirement annuity or disability retirement annuity from the system.

An annuitant shall first be entitled to an initial increase under this Section on the January 1 next following the first anniversary of retirement, or January 1 of the year next following attainment of age 61, whichever is later. At such time, the system shall pay an initial increase determined as follows:

1. 1.5% of the originally granted retirement annuity or disability retirement annuity multiplied by the number of years elapsed, if any, from the date of retirement until January 1, 1972, plus

2. 2% of the originally granted annuity multiplied by the number of years elapsed, if any, from the date of retirement or January 1, 1972, whichever is later, until January 1, 1978, plus

3. 3% of the originally granted annuity multiplied by the number of years elapsed from the date of retirement or January 1, 1978, whichever is later, until the effective date of the initial increase.

However, the initial annual increase calculated under this Section for the recipient of a disability retirement annuity granted under Section 16-149.2 shall be reduced by an amount equal to the total of all increases in that annuity received under Section 16-149.5 (but not exceeding 100% of the amount of the initial increase otherwise provided under this Section).

Following the initial increase, automatic annual increases in annuity shall be payable on each January 1 thereafter during the lifetime of the annuitant, determined as a percentage of the originally granted retirement annuity or disability retirement annuity for increases granted prior to January 1, 1990, and calculated as a percentage of the total amount of annuity, including previous increases under this Section, for increases granted on or after January 1, 1990, as follows: 1.5% for periods prior to January 1, 1972, 2% for periods after December 31, 1971 and prior to January 1, 1978, and 3% for periods after December 31, 1977.

(a-1) Notwithstanding subsection (a), but subject to the provisions of subsection (a-2), all automatic increases payable under subsection (a) on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $1,000 multiplied by the number of years of creditable service upon

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which the annuity is based; however, in the case of an initial increase under subsection (a) that is subject to this subsection:

(i) if more than one year has elapsed from the date of retirement to the effective date of the initial increase under this Section, the applicable percentage shall be the sum of the percentages for each such elapsed year; and

(ii) in the case of a disability retirement annuity granted under Section 16-149.2, the initial increase shall be subject to the reduction provided in subsection (a) for increases previously received under Section 16-149.5.

Beginning January 1, 2016, the $1,000 referred to in item (2) of this subsection (a-1) shall be increased on each January 1 by the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (a-1), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (a-1) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(a-2) Notwithstanding subsections (a) and (a-1), for an active or inactive Tier 1 member who has not begun to receive a retirement annuity under this Article before July 1, 2014:

(1) the second automatic annual increase payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 50 on the effective date of this amendatory Act;

(2) the second, fourth, and sixth automatic annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 47 but less than age 50 on the effective date of this amendatory Act;

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(3) the second, fourth, sixth, and eighth automatic annual
increases payable under subsection (a) shall be at the rate of 0% of
the total annuity payable at the time of the increase if he or she is at least age 44 but less than age 47 on the effective date of this amendatory Act; and

(4) the second, fourth, sixth, eighth, and tenth automatic
annual increases payable under subsection (a) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is less than age 44 on the effective date of this amendatory Act.

For the purposes of Section 1-103.1, this subsection (a-2) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(b) The automatic annual increases in annuity provided under this Section shall not be applicable unless a member has made contributions toward such increases for a period equivalent to one full year of creditable service. If a member contributes for service performed after August 26, 1969 but the member becomes an annuitant before such contributions amount to one full year's contributions based on the salary at the date of retirement, he or she may pay the necessary balance of the contributions to the system and be eligible for the automatic annual increases in annuity provided under this Section.

(c) Each member shall make contributions toward the cost of the automatic annual increases in annuity as provided under Section 16-152.

(d) An annuitant receiving a retirement annuity or disability retirement annuity on July 1, 1969, who subsequently re-enters service as a teacher is eligible for the automatic annual increases in annuity provided under this Section if he or she renders at least one year of creditable service following the latest re-entry.

(e) In addition to the automatic annual increases in annuity provided under this Section, an annuitant who meets the service requirements of this Section and whose retirement annuity or disability retirement annuity began on or before January 1, 1971 shall receive, on January 1, 1981, an increase in the annuity then being paid of one dollar per month for each year of creditable service. On January 1, 1982, an annuitant whose retirement annuity or disability retirement annuity began on or before January 1, 1977 shall receive an increase in the annuity then being paid of one dollar per month for each year of creditable service.
On January 1, 1987, any annuitant whose retirement annuity began on or before January 1, 1977, shall receive an increase in the monthly retirement annuity equal to 8¢ per year of creditable service times the number of years that have elapsed since the annuity began.

(Source: P.A. 91-927, eff. 12-14-00.)

(40 ILCS 5/16-133.2) (from Ch. 108 1/2, par. 16-133.2)
Sec. 16-133.2. Early retirement without discount.
(a) A member retiring after June 1, 1980 and on or before June 30, 2005 (or as provided in subsection (b) of this Section), and applying for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, may elect at the time of application for a retirement annuity, to make a one time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of the election shall also obligate the last employer to make a one time non-refundable contribution to the System. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

The one time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 7% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. If a member is at least age 55 and has at least 34 years of creditable service, no member or employer contribution for the early retirement option shall be required. The employer contribution shall be at the rate of 20% for each year the member is under age 60.

Upon receipt of the application and election, the System shall determine the one time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Fund.
Trust Reserve. The provisions of this subsection (a) providing for the avoidance of the reduction in retirement annuity shall not be applicable until the member's contribution, if any, has been received by the System; however, the date such contributions are received shall not be considered in determining the effective date of retirement.

The number of members working for a single employer who may retire under this subsection or subsection (b) in any year may be limited at the option of the employer to a specified percentage of those eligible, not less than 30%, with the right to participate to be allocated among those applying on the basis of seniority in the service of the employer.

(b) The provisions of subsection (a) of this Section shall remain in effect for a member retiring after June 30, 2005 and on or before July 1, 2007, provided that the member satisfies both of the following requirements:

(1) the member notified his or her employer of intent to retire under this Article on or before the effective date of this amendatory Act of the 94th General Assembly under the terms of a contract or collective bargaining agreement entered into, amended, or renewed with the employer on or before the effective date of this amendatory Act of the 94th General Assembly; and

(2) the effective date of the member's retirement is on or before July 1, 2007.

The member's employer must give evidence of the member's notification by providing to the System:

(i) a copy of the member's notification to the employer or the record of that notification;

(ii) an affidavit signed by the member and the employer, verifying the notification; and

(iii) any additional documentation that the System may require.

(c) Except as otherwise provided in subsection (b), and subject to the provisions of Section 16-176, a member retiring on or after July 1, 2005 and on or before June 30, 2013 (or January 1, 2014 in the case of a member who has filed a notice of intent to retire with his or her employer on or before June 30, 2013 and attains age 55 during the period July 1, 2013 through December 31, 2013), and applying for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, and whose last day of teaching is on or before June 30, 2013, may elect at the time of application for a retirement

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annuity, to make a one-time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of the election shall also obligate the last employer to make a one-time nonrefundable contribution to the System. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

The one-time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 11.5% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. The employer contribution shall be at the rate of 23.5% for each year the member is under age 60.

Upon receipt of the application and election, the System shall determine the one-time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Trust Reserve. The avoidance of the reduction in retirement annuity provided under this subsection (c) is not applicable until the member's contribution, if any, has been received by the System; however, the date that contribution is received shall not be considered in determining the effective date of retirement.

The number of members working for a single employer who may retire under this subsection (c) in any year may be limited at the option of the employer to a specified percentage of those eligible, not less than 10%, with the right to participate to be allocated among those applying on the basis of seniority in the service of the employer.

For persons not qualifying for the early retirement without discount option under this subsection (c), the option is extended for 3 years under
subsection (d), but subject to the changes in eligibility, conditions, and required contributions provided in that subsection.

(d) A member who is not eligible for the early retirement without discount option under subsection (c) may qualify for the early retirement without discount option under this subsection (d) if the member (1) retires on or after July 1, 2013 and before July 1, 2016, (2) applies for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, and (3) receives a certification of eligibility under this subsection from the member's last employer. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

A qualifying member may elect at the time of application for a retirement annuity to make a one-time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of this election shall also obligate the last employer to make a one-time nonrefundable contribution to the System.

The one-time member and employer contributions shall be a percentage of the retiring member's highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 14.4% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. The employer contribution shall be at the rate of 29.3% for each year the member is under age 60.

Upon receipt of the application, election, and certification of eligibility, the System shall determine the one-time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the Benefit Trust Reserve. The avoidance of the reduction in retirement annuity provided under this subsection (d) is not applicable until the member's contribution has been received by the System.
System; however, the date that contribution is received shall not be considered in determining the effective date of retirement.

Eligibility to retire under this subsection (d) shall require the approval of the member's last employer under this Article, granted in accordance with criteria adopted by that employer with the mutual consent of the bargaining agent of a majority of the members employed by that employer. If the employer grants its approval for a member to retire under this subsection (d), the employer shall submit a certification of eligibility for the member in a manner prescribed by the System.

The early retirement without discount option under this subsection (d) terminates on July 1, 2016.

For participants to whom subsection (b) of Section 16-132 applies, the references to age 60 in this subsection are increased as provided in subsection (b) of Section 16-132.

(Source: P.A. 98-42, eff. 6-28-13.)

(40 ILCS 5/16-136.1) (from Ch. 108 1/2, par. 16-136.1)

Sec. 16-136.1. Annual increase for certain annuitants. (a) Any annuitant receiving a retirement annuity on June 30, 1969 and any member retiring after June 30, 1969 shall be eligible for the annual increases provided under this Section provided the annuitant is ineligible for the automatic annual increase in annuity provided under Section 16-133.1, and provided further that (1) retirement occurred at age 55 or over and was based on 5 or more years of creditable service or (2) if retirement occurred prior to age 55, the retirement annuity was based on 20 or more years of creditable service.

(b) This subsection (b) is subject to subsections (b-1) and (b-2). An annuitant entitled to increases under this Section shall be entitled to the initial increase as of the later of: (1) January 1 following attainment of age 65, (2) January 1 following the first anniversary of retirement, or (3) the first day of the month following receipt of the required qualifying contribution from the annuitant. The initial monthly increase shall be computed on the basis of the period elapsed between the later of the date of last retirement or attainment of age 50 and the date of qualification for the initial increase, at the rate of 1 1/2% of the original monthly retirement annuity per year for periods prior to September 1, 1971, and at the rate of 2% per year for periods between September 1, 1971 and September 1, 1978, and at the rate of 3% per year for periods thereafter.

An annuitant who has received an initial increase under this Section, shall be entitled, on each January 1 following the granting of the

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initial increase, to an increase of 3% of the original monthly retirement annuity for increases granted prior to January 1, 1990, and equal to 3% of the total annuity, including previous increases under this Section, for increases granted on or after January 1, 1990. The original monthly retirement annuity for computations under this subsection (b) shall be considered to be $83.34 for any annuitant entitled to benefits under Section 16-134. The minimum original disability retirement annuity for computations under this subsection (b) shall be considered to be $33.34 per month for any annuitant retired on account of disability.

(b-1) Notwithstanding subsection (b), but subject to the provisions of subsection (b-2), all automatic increases payable under subsection (b) on or after the effective date of this amendatory Act of the 98th General Assembly shall be calculated as 3% of the lesser of (1) the total annuity payable at the time of the increase, including previous increases granted, or (2) $1,000 multiplied by the number of years of creditable service upon which the annuity is based; however, in the case of an initial increase under subsection (b) that is subject to this subsection, if more than one year has elapsed from the date of retirement to the effective date of the initial increase under this Section, the applicable percentage shall be the sum of the percentages for each such elapsed year.

Beginning January 1, 2016, the $1,000 referred to in item (2) of this subsection (b-1) shall be increased on each January 1 by the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the preceding September; these adjustments shall be cumulative and compounded. For the purposes of this subsection (b-1), "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new dollar amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the System by November 1 of each year.

This subsection (b-1) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(b-2) Notwithstanding subsections (b) and (b-1), for an active or inactive Tier 1 member who is subject to this Section and has not begun to receive a retirement annuity under this Article before July 1, 2014:

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(1) the second automatic annual increase payable under subsection (b) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 50 on the effective date of this amendatory Act;

(2) the second, fourth, and sixth automatic annual increases payable under subsection (b) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 47 but less than age 50 on the effective date of this amendatory Act;

(3) the second, fourth, sixth, and eighth automatic annual increases payable under subsection (b) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is at least age 44 but less than age 47 on the effective date of this amendatory Act; and

(4) the second, fourth, sixth, eighth, and tenth automatic annual increases payable under subsection (b) shall be at the rate of 0% of the total annuity payable at the time of the increase if he or she is less than age 44 on the effective date of this amendatory Act.

For the purposes of Section 1-103.1, this subsection (b-2) is applicable without regard to whether the person is in service on or after the effective date of this amendatory Act of the 98th General Assembly.

(c) An annuitant who otherwise qualifies for annual increases under this Section must make a one-time payment of 1% of the monthly final average salary for each full year of the creditable service forming the basis of the retirement annuity or, if the retirement annuity was not computed using final average salary, 1% of the original monthly retirement annuity for each full year of service forming the basis of the retirement annuity.

(d) In addition to other increases which may be provided by this Section, regardless of creditable service, annuitants not meeting the service requirements of Section 16-133.1 and whose retirement annuity began on or before January 1, 1971 shall receive, on January 1, 1981, an increase in the retirement annuity then being paid of one dollar per month for each year of creditable service forming the basis of the retirement allowance. On January 1, 1982, annuitants whose retirement annuity began on or before January 1, 1977, shall receive an increase in the retirement annuity then being paid of one dollar per month for each year of creditable service.

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On January 1, 1987, any annuitant whose retirement annuity began on or before January 1, 1977, shall receive an increase in the monthly retirement annuity equal to 8¢ per year of creditable service times the number of years that have elapsed since the annuity began.

(Source: P.A. 86-273.)

(40 ILCS 5/16-152) (from Ch. 108 1/2, par. 16-152)
Sec. 16-152. Contributions by members.
(a) Except as provided in subsection (a-5), each member shall make contributions for membership service to this System as follows:

(1) Effective July 1, 1998, contributions of 7.50% of salary towards the cost of the retirement annuity. Such contributions shall be deemed "normal contributions".

(2) Effective July 1, 1969 and, in the case of Tier 1 members, ending on June 30, 2014, contributions of 1/2 of 1% of salary toward the cost of the automatic annual increase in retirement annuity provided under Section 16-133.1.

(3) Effective July 24, 1959, contributions of 1% of salary towards the cost of survivor benefits. Such contributions shall not be credited to the individual account of the member and shall not be subject to refund except as provided under Section 16-143.2.

(4) Effective July 1, 2005, contributions of 0.40% of salary toward the cost of the early retirement without discount option provided under Section 16-133.2. This contribution shall cease upon termination of the early retirement without discount option as provided in Section 16-133.2.

(a-5) Beginning July 1, 2014, in lieu of the contribution otherwise required under paragraph (1) of subsection (a), each Tier 1 member shall contribute 7% of salary towards the cost of the retirement annuity. Contributions made pursuant to this subsection (a-5) shall be deemed "normal contributions".

(b) The minimum required contribution for any year of full-time teaching service shall be $192.

(c) Contributions shall not be required of any annuitant receiving a retirement annuity who is given employment as permitted under Section 16-118 or 16-150.1.

(d) A person who (i) was a member before July 1, 1998, (ii) retires with more than 34 years of creditable service, and (iii) does not elect to qualify for the augmented rate under Section 16-129.1 shall be entitled, at the time of retirement, to receive a partial refund of contributions made.
under this Section for service occurring after the later of June 30, 1998 or attainment of 34 years of creditable service, in an amount equal to 1.00% of the salary upon which those contributions were based.

(e) A member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall not be refunded if the member has elected early retirement without discount under Section 16-133.2 and has begun to receive a retirement annuity under this Article calculated in accordance with that election. Otherwise, a member's contributions toward the cost of early retirement without discount made under item (a)(4) of this Section shall be refunded according to whichever one of the following circumstances occurs first:

(1) The contributions shall be refunded to the member, without interest, within 120 days after the member's retirement annuity commences, if the member does not elect early retirement without discount under Section 16-133.2.

(2) The contributions shall be included, without interest, in any refund claimed by the member under Section 16-151.

(3) The contributions shall be refunded to the member's designated beneficiary (or if there is no beneficiary, to the member's estate), without interest, if the member dies without having begun to receive a retirement annuity under this Article.

(4) The contributions shall be refunded to the member, without interest, if the early retirement without discount option provided under subsection (d) of Section 16-133.2 is terminated. In that event, the System shall provide to the member, within 120 days after the option is terminated, an application for a refund of those contributions.

(Source: P.A. 98-42, eff. 6-28-13; 98-92, eff. 7-16-13; revised 7-23-13.)

(40 ILCS 5/16-152.5 new)

Sec. 16-152.5. Use of contributions for health care subsidies. The System shall not use any contribution received by the System under this Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to

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meet the cost of maintaining and administering the System on a 100% funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15 through until November 15, 2011, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification under this subsection (a-1) shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions.
On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) For purposes of Section (c-5) of Section 20 of the Budget Stabilization Act, on or before November 1 of each year beginning November 1, 2014, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification, along with the relevant law, actuarial assumptions, calculations, and data upon which that certification is based. On or before January 1, 2015 and every January 1 thereafter, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification. On or before January 15, 2015 and every January 1 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the impact of not following the State Actuary's recommended changes.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution.
certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State's portion of the projected normal cost for that fiscal year, plus (2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2014, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and
including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $2,089,268,000 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to subsection (a-1) of this Section and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the

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System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable. This amount shall include, in addition to the amount certified by the System, an amount necessary to meet employer contributions required by the State as an employer under paragraph (e) of this Section, which may also be used by the System for contributions required by paragraph (a) of Section 16-127.

Beginning in State fiscal year 2045, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total actuarial liabilities of the System.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100% 90%.

A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years

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2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

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(1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.

(2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in

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benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school year is used to determine final average salary under this subsection (f), then the changes made to this subsection (f) by Public Act 94-1057 shall apply in calculating whether the increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by this amendatory Act of the 94th General Assembly apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).
When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.

When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011.

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Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

1. The number of recalculation required by the changes made to this Section by Public Act 94-1057 for each employer.
2. The dollar amount by which each employer's contribution to the System was changed due to recalculation required by Public Act 94-1057.
3. The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.
4. The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(j) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(k) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-694, eff. 6-18-12; 97-813, eff. 7-13-12.)

Sec. 16-158.2. Obligations of State; funding guarantee.

(a) Beginning July 1, 2014, the State shall be obligated to contribute to the System in each State fiscal year an amount not less than the sum of (i) the State's normal cost for the year and (ii) the portion of the unfunded accrued liability assigned to that year by law. Notwithstanding any other provision of law, if the State fails to pay an amount required under this subsection, it shall be the obligation of the Board to seek

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payment of the required amount in compliance with the provisions of this Section and, if the amount remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required payment.

If the System submits a voucher for contributions required under Section 16-158 and the State fails to pay that voucher within 90 days of its receipt, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and Secretary of State, if the amount remains unpaid the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to satisfy the voucher.

This subsection (a) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to pay a voucher for the contributions required under Section 16-158.

(b) Beginning in State fiscal year 2016, the State shall be obligated to make the transfers set forth in subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amounts in accordance with Section 25 of the Budget Stabilization Act. Notwithstanding any other provision of law, if the State fails to transfer an amount required under this subsection or to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act, it shall be the obligation of the Board to seek transfer or payment of the required amount in compliance with the provisions of this Section and, if the required amount remains untransferred or the required payment remains unpaid, to bring a mandamus action in the Supreme Court of Illinois to compel the State to make the required transfer or payment or both, as the case may be.

If the State fails to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act or a payment to the System required under Section 25 of that Act, the Board shall submit a written request to the Comptroller seeking payment. A copy of the request shall be filed with the Secretary of State, and the Secretary of State shall provide a copy to the Governor and General Assembly. No earlier than the 16th day after the System files the request with the Comptroller and
Secretary of State, if the required amount remains untransferred or the required payment remains unpaid, the Board shall commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make the required transfer or payment or both, as the case may be.

This subsection (b) constitutes an express waiver of the State's sovereign immunity solely to the extent that it permits the Board to commence a mandamus action in the Supreme Court of Illinois to compel the Comptroller to make a transfer required under subsection (c-5) or (c-10) of Section 20 of the Budget Stabilization Act and to pay to the System its proportionate share of the transferred amount in accordance with Section 25 of the Budget Stabilization Act.

The obligations created by this subsection (b) expire when all of the requirements of subsections (c-5) and (c-10) of Section 20 of the Budget Stabilization Act and Section 25 of the Budget Stabilization Act have been met.

(c) Any payments and transfers required to be made by the State pursuant to subsection (a) or (b) are expressly subordinate to the payment of the principal, interest, and premium, if any, on any bonded debt obligation of the State or any other State-created entity, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from tax revenues collected by the State or any other State-created entity. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law or bond indentures, into debt service funds or accounts of the State related to such bond obligations, consistent with the payment schedules associated with such obligations.

(40 ILCS 5/16-203)

Sec. 16-203. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to this Article by Public Act 95-910 or by this amendatory Act of the 98th 95th General Assembly.

New matter indicated by italics - deletions by strikeout
(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance Financial and Professional Regulation. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 94-4, eff. 6-1-05; 95-910, eff. 8-26-08.)

(40 ILCS 5/16-205 new)

Sec. 16-205. Defined contribution plan.

New matter indicated by italics - deletions by strikeout
(a) By July 1, 2015, the System shall prepare and implement a voluntary defined contribution plan for up to 5% of eligible active Tier 1 members. The System shall determine the 5% cap by the number of active Tier 1 members on the effective date of this Section. The defined contribution plan developed under this Section shall be a plan that aggregates employer and employee contributions in individual participant accounts which, after meeting any other requirements, are used for payouts after retirement in accordance with this Section and any other applicable laws.

As used in this Section, "defined benefit plan" means the retirement plan available under this Article to Tier 1 members who have not made the election authorized under this Section.

(1) Under the defined contribution plan, an active Tier 1 member of this System could elect to cease accruing benefits in the defined benefit plan under this Article and begin accruing benefits for future service in the defined contribution plan. Service credit under the defined contribution plan may be used for determining retirement eligibility under the defined benefit plan. An active Tier 1 member who elects to cease accruing benefits in his or her defined benefit plan shall be prohibited from purchasing service credit on or after the date of his or her election. A Tier 1 member making the irrevocable election provided under this Section shall not receive interest accruals to his or her benefit under paragraph (A) of subsection (a) of Section 16-133 on or after the date of his or her election.

(2) Participants in the defined contribution plan shall pay employee contributions at the same rate as Tier 1 members in this System who do not participate in the defined contribution plan.

(3) State contributions shall be paid into the accounts of all participants in the defined contribution plan at a uniform rate, expressed as a percentage of salary and determined for each year. This rate shall be no higher than the employer's normal cost for Tier 1 members in the defined benefit plan for that year, as determined by the System and expressed as a percentage of salary, and shall be no lower than 0% of salary. The State shall adjust this rate annually.

(4) The defined contribution plan shall require 5 years of participation in the defined contribution plan before vesting in

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State contributions. If the participant fails to vest in them, the State contributions, and the earnings thereon, shall be forfeited.

(5) The defined contribution plan may provide for participants in the plan to be eligible for the defined disability benefits available to other participants under this Article. If it does, the System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering such benefits.

(6) The defined contribution plan shall provide a variety of options for investments. These options shall include investments in a fund created by the System and managed in accordance with legal and fiduciary standards, as well as investment options otherwise available.

(7) The defined contribution plan shall provide a variety of options for payouts to retirees and their survivors.

(8) To the extent authorized under federal law and as authorized by the System, the plan shall allow former participants in the plan to transfer or roll over employee and vested State contributions, and the earnings thereon, into other qualified retirement plans.

(9) The System shall reduce the employee contributions credited to the member's defined contribution plan account by an amount determined by the System to cover the cost of offering these benefits and any applicable administrative fees.

(b) Only persons who are active Tier 1 members of the System on the effective date of this Section are eligible to participate in the defined contribution plan. Participation in the defined contribution plan shall be limited to the first 5% of eligible persons who elect to participate. The election to participate in the defined contribution plan is voluntary and irrevocable.

(c) An eligible Tier 1 employee may irrevocably elect to participate in the defined contribution plan by filing with the System a written application to participate that is received by the System prior to its determination that 5% of eligible persons have elected to participate in the defined contribution plan.

When the System first determines that 5% of eligible persons have elected to participate in the defined contribution plan, the System shall
provide notice to previously eligible employees that the plan is no longer available and shall cease accepting applications to participate.

(d) The System shall make a good faith effort to contact each active Tier 1 member who is eligible to participate in the defined contribution plan. The System shall mail information describing the option to join the defined contribution plan to each of these employees to his or her last known address on file with the System. If the employee is not responsive to other means of contact, it is sufficient for the System to publish the details of the option on its website.

Upon request for further information describing the option, the System shall provide employees with information from the System before exercising the option to join the plan, including information on the impact to their vested benefits or non-vested service. The individual consultation shall include projections of the member's defined benefits at retirement or earlier termination of service and the value of the member's account at retirement or earlier termination of service. The System shall not provide advice or counseling with respect to whether the employee should exercise the option. The System shall inform Tier 1 employees who are eligible to participate in the defined contribution plan that they may also wish to obtain information and counsel relating to their option from any other available source, including but not limited to labor organizations, private counsel, and financial advisors.

(e) In no event shall the System, its staff, its authorized representatives, or the Board be liable for any information given to an employee under this Section. The System may coordinate with the Illinois Department of Central Management Services and other retirement systems administering a defined contribution plan in accordance with this amendatory Act of the 98th General Assembly to provide information concerning the impact of the option set forth in this Section.

(f) Notwithstanding any other provision of this Section, no person shall begin participating in the defined contribution plan until it has attained qualified plan status and received all necessary approvals from the U.S. Internal Revenue Service.

(g) The System shall report on its progress under this Section, including the available details of the defined contribution plan and the System's plans for informing eligible Tier 1 members about the plan, to the Governor and the General Assembly on or before January 15, 2015.

(h) The intent of this amendatory Act of the 98th General Assembly is to ensure that the State's normal cost of participation in the defined
contribution plan is similar, and if possible equal, to the State's normal
cost of participation in the defined benefit plan, unless a lower State's
normal cost is necessary to ensure cost neutrality.

(40 ILCS 5/16-206 new)

Sec. 16-206. Defined contribution plan; termination. If the defined
contribution plan is terminated or becomes inoperative pursuant to law,
then each participant in the plan shall automatically be deemed to have
been a contributing Tier 1 member in the System's defined benefit plan
during the time in which he or she participated in the defined contribution
plan, and for that purpose the System shall be entitled to recover the
amounts in the participant's defined contribution accounts.

(40 ILCS 5/16-206) (from Ch. 108 1/2, par. 17-116)

Sec. 17-116. Service retirement pension.

(a) Each teacher having 20 years of service upon attainment of age
55, or who thereafter attains age 55 shall be entitled to a service retirement
pension upon or after attainment of age 55; and each teacher in service on
or after July 1, 1971, with 5 or more but less than 20 years of service shall
be entitled to receive a service retirement pension upon or after attainment
of age 62.

(b) The service retirement pension for a teacher who retires on or
after June 25, 1971, at age 60 or over, shall be calculated as follows:

(1) For creditable service earned before July 1, 1998 that
has not been augmented under Section 17-119.1: 1.67% for each of
the first 10 years of service; 1.90% for each of the next 10 years of
service; 2.10% for each year of service in excess of 20 but not
exceeding 30; and 2.30% for each year of service in excess of 30,
based upon average salary as herein defined.

(2) For creditable service earned on or after July 1, 1998 by
a member who has at least 30 years of creditable service on July 1,
1998 and who does not elect to augment service under Section 17-
119.1: 2.3% of average salary for each year of creditable service
earned on or after July 1, 1998.

(3) For all other creditable service: 2.2% of average salary
for each year of creditable service.

(c) When computing such service retirement pensions, the
following conditions shall apply:

1. Average salary shall consist of the average annual rate of
salary for the 4 consecutive years of validated service within the
last 10 years of service when such average annual rate was highest.

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In the determination of average salary for retirement allowance purposes, for members who commenced employment after August 31, 1979, that part of the salary for any year shall be excluded which exceeds the annual full-time salary rate for the preceding year by more than 20%. In the case of a member who commenced employment before August 31, 1979 and who receives salary during any year after September 1, 1983 which exceeds the annual full time salary rate for the preceding year by more than 20%, an Employer and other employers of eligible contributors as defined in Section 17-106 shall pay to the Fund an amount equal to the present value of the additional service retirement pension resulting from such excess salary. The present value of the additional service retirement pension shall be computed by the Board on the basis of actuarial tables adopted by the Board. If a member elects to receive a pension from this Fund provided by Section 20-121, his salary under the State Universities Retirement System and the Teachers' Retirement System of the State of Illinois shall be considered in determining such average salary. Amounts paid after the effective date of this amendatory Act of 1991 for unused vacation time earned after that effective date shall not under any circumstances be included in the calculation of average salary or the annual rate of salary for the purposes of this Article.

2. Proportionate credit shall be given for validated service of less than one year.

3. For retirement at age 60 or over the pension shall be payable at the full rate.

4. For separation from service below age 60 to a minimum age of 55, the pension shall be discounted at the rate of 1/2 of one per cent for each month that the age of the contributor is less than 60, but a teacher may elect to defer the effective date of pension in order to eliminate or reduce this discount. This discount shall not be applicable to any participant who has at least 34 years of service or a retirement pension of at least 74.6% of average salary on the date the retirement annuity begins.

5. No additional pension shall be granted for service exceeding 45 years. Beginning June 26, 1971 no pension shall exceed the greater of $1,500 per month or 75% of average salary as herein defined.

New matter indicated by italics - deletions by strikeout
6. Service retirement pensions shall begin on the effective date of resignation, retirement, the day following the close of the payroll period for which service credit was validated, or the time the person resigning or retiring attains age 55, or on a date elected by the teacher, whichever shall be latest.

7. A member who is eligible to receive a retirement pension of at least 74.6% of average salary and will attain age 55 on or before December 31 during the year which commences on July 1 shall be deemed to attain age 55 on the preceding June 1.

8. A member retiring after the effective date of this amendatory Act of 1998 shall receive a pension equal to 75% of average salary if the member is qualified to receive a retirement pension equal to at least 74.6% of average salary under this Article or as proportional annuities under Article 20 of this Code.

9. In the case of a person who first becomes a participant on or after the effective date of this amendatory Act of the 98th General Assembly, payments for unused sick or vacation time shall not be used in the calculation of average salary.

(Source: P.A. 90-566, eff. 1-2-98; 90-582, eff. 5-27-98.)

(40 ILCS 5/17-134) (from Ch. 108 1/2, par. 17-134)

Sec. 17-134. Contributions for leaves of absence; military service; computing service. In computing service for pension purposes the following periods of service shall stand in lieu of a like number of years of teaching service upon payment therefor in the manner hereinafter provided: (a) time spent on a leave of absence granted by the employer; (b) service with teacher or labor organizations based upon special leaves of absence therefor granted by an Employer; (c) a maximum of 5 years spent in the military service of the United States, of which up to 2 years may have been served outside the pension period; (d) unused sick days at termination of service to a maximum of 244 days; (e) time lost due to layoff and curtailment of the school term from June 6 through June 21, 1976; and (f) time spent after June 30, 1982 as a member of the Board of Education, if required to resign from an administrative or teaching position in order to qualify as a member of the Board of Education.

(1) For time spent on or after September 6, 1948 on sabbatical leaves of absence or sick leaves, for which salaries are paid, an Employer shall make payroll deductions at the applicable rates in effect during such periods.

New matter indicated by italics - deletions by strikeout
(2) For time spent on a leave of absence granted by the employer for which no salaries are paid, teachers desiring credit therefor shall pay the required contributions at the rates in effect during such periods as though they were in teaching service. If an Employer pays salary for vacations which occur during a teacher's sick leave or maternity or paternity leave without salary, vacation pay for which the teacher would have qualified while in active service shall be considered part of the teacher's total salary for pension purposes. No more than 36 months of leave credit may be allowed any person during the entire term of service. Sabbatical leave credit shall be limited to the time the person on leave without salary under an Employer's rules is allowed to engage in an activity for which he receives salary or compensation.

(3) For time spent prior to September 6, 1948, on sabbatical leaves of absence or sick leaves for which salaries were paid, teachers desiring service credit therefor shall pay the required contributions at the maximum applicable rates in effect during such periods.

(4) For service with teacher or labor organizations authorized by special leaves of absence, for which no payroll deductions are made by an Employer, teachers desiring service credit therefor shall contribute to the Fund upon the basis of the actual salary received from such organizations at the percentage rates in effect during such periods for certified positions with such Employer. To the extent the actual salary exceeds the regular salary, which shall be defined as the salary rate, as calculated by the Board, in effect for the teacher's regular position in teaching service on September 1, 1983 or on the effective date of the leave with the organization, whichever is later, the organization shall pay to the Fund the employer's normal cost as set by the Board on the increment. Notwithstanding any other provision of this subdivision (4), teachers are only eligible for credit for service under this subdivision (4) if the special leave of absence begins before January 5, 2012 (the effective date of Public Act 97-651) this amendatory Act of the 97th General Assembly.

(5) For time spent in the military service, teachers entitled to and desiring credit therefor shall contribute the amount required for each year of service or fraction thereof at the rates in force (a) at the date of appointment, or (b) on return to teaching service as a
regularly certified teacher, as the case may be; provided such rates shall not be less than $450 per year of service. These conditions shall apply unless an Employer elects to and does pay into the Fund the amount which would have been due from such person had he been employed as a teacher during such time. In the case of credit for military service not during the pension period, the teacher must also pay to the Fund an amount determined by the Board to be equal to the employer's normal cost of the benefits accrued from such service, plus interest thereon at 5% per year, compounded annually, from the date of appointment to the date of payment.

The changes to this Section made by Public Act 87-795 shall apply not only to persons who on or after its effective date are in service under the Fund, but also to persons whose status as a teacher terminated prior to that date, whether or not the person is an annuitant on that date. In the case of an annuitant who applies for credit allowable under this Section for a period of military service that did not immediately follow employment, and who has made the required contributions for such credit, the annuity shall be recalculated to include the additional service credit, with the increase taking effect on the date the Fund received written notification of the annuitant's intent to purchase the credit, if payment of all the required contributions is made within 60 days of such notice, or else on the first annuity payment date following the date of payment of the required contributions. In calculating the automatic annual increase for an annuity that has been recalculated under this Section, the increase attributable to the additional service allowable under this amendatory Act of 1991 shall be included in the calculation of automatic annual increases accruing after the effective date of the recalculation.

The total credit for military service shall not exceed 5 years, except that any teacher who on July 1, 1963, had validated credit for more than 5 years of military service shall be entitled to the total amount of such credit.

(6) For persons who first become teachers before the effective date of this amendatory Act of the 98th General Assembly, a maximum of 244 unused sick days credited to his account by an Employer on the date of termination of employment. Members, upon verification of unused sick days, may add this service time to total creditable service.

New matter indicated by italics - deletions by strikeout
(7) In all cases where time spent on leave is creditable and no payroll deductions therefor are made by an Employer, persons desiring service credit shall make the required contributions directly to the Fund.

(8) For time lost without pay due to layoff and curtailment of the school term from June 6 through June 21, 1976, as provided in item (e) of the first paragraph of this Section, persons who were contributors on the days immediately preceding such layoff shall receive credit upon paying to the Fund a contribution based on the rates of compensation and employee contributions in effect at the time of such layoff, together with an additional amount equal to 12.2% of the compensation computed for such period of layoff, plus interest on the entire amount at 5% per annum from January 1, 1978 to the date of payment. If such contribution is paid, salary for pension purposes for any year in which such a layoff occurred shall include the compensation recognized for purposes of computing that contribution.

(9) For time spent after June 30, 1982, as a nonsalaried member of the Board of Education, if required to resign from an administrative or teaching position in order to qualify as a member of the Board of Education, an administrator or teacher desiring credit therefor shall pay the required contributions at the rates and salaries in effect during such periods as though the member were in service.

Effective September 1, 1974, the interest charged for validation of service described in paragraphs (2) through (5) of this Section shall be compounded annually at a rate of 5% commencing one year after the termination of the leave or return to service.

(Source: P.A. 97-651, eff. 1-5-12.)

(40 ILCS 5/20-106) (from Ch. 108 1/2, par. 20-106)

Sec. 20-106. Final average salary.

(a) "Final average salary": The average (or other) salary which is considered by a participating system in determining the amount of the retirement annuity or survivor's annuity.

(b) Earnings credits under all participating systems shall be considered by each system in determining final average salary, but subject to the limitations imposed by this amendatory Act of the 98th General Assembly for a participant in a defined contribution plan established under Article 2, 14, 15, or 16 of this Code. In calculating a proportional

New matter indicated by italics - deletions by strikeout
retirement or survivor's annuity based on these earnings credits, the participating system shall apply any limitations on earnings for annuity purposes that are imposed by the Article governing the system.
(Source: P.A. 88-593, eff. 8-22-94.)

(40 ILCS 5/20-121) (from Ch. 108 1/2, par. 20-121)
Sec. 20-121. Calculation of proportional retirement annuities.

(a) Upon retirement of the employee, a proportional retirement annuity shall be computed by each participating system in which pension credit has been established on the basis of pension credits under each system. The computation shall be in accordance with the formula or method prescribed by each participating system which is in effect at the date of the employee's latest withdrawal from service covered by any of the systems in which he has pension credits which he elects to have considered under this Article. However, the amount of any retirement annuity payable under the self-managed plan established under Section 15-158.2 of this Code or under the defined contribution plan established under Article 2, 14, 15, or 16 of this Code depends solely on the value of the participant's vested account balances and is not subject to any proportional adjustment under this Section.

(a-5) For persons who participate in a defined contribution plan established under Article 2, 14, 15, or 16 of this Code to whom the provisions of this Article apply, the pension credits established under the defined contribution plan may be considered in determining eligibility for or the amount of the defined benefit retirement annuity that is payable by any other participating system.

(b) Combined pension credit under all retirement systems subject to this Article shall be considered in determining whether the minimum qualification has been met and the formula or method of computation which shall be applied, except as may be otherwise provided with respect to vesting in State or employer contributions in a defined contribution plan. If a system has a step-rate formula for calculation of the retirement annuity, pension credits covering previous service which have been established under another system shall be considered in determining which range or ranges of the step-rate formula are to be applicable to the employee.

(c) Interest on pension credit shall continue to accumulate in accordance with the provisions of the law governing the retirement system in which the same has been established during the time an employee is in the service of another employer, on the assumption such employee, for
interest purposes for pension credit, is continuing in the service covered by such retirement system.
(Source: P.A. 91-887, eff. 7-6-00.)

(40 ILCS 5/20-123) (from Ch. 108 1/2, par. 20-123)

Sec. 20-123. Survivor's annuity. The provisions governing a retirement annuity shall be applicable to a survivor's annuity. Appropriate credits shall be established for survivor's annuity purposes in those participating systems which provide survivor's annuities, according to the same conditions and subject to the same limitations and restrictions herein prescribed for a retirement annuity. If a participating system has no survivor's annuity benefit, or if the survivor's annuity benefit under that system is waived, pension credit established in that system shall not be considered in determining eligibility for or the amount of the survivor's annuity which may be payable by any other participating system.

For persons who participate in the self-managed plan established under Section 15-158.2 or the portable benefit package established under Section 15-136.4, pension credit established under Article 15 may be considered in determining eligibility for or the amount of the survivor's annuity that is payable by any other participating system, but pension credit established in any other system shall not result in any right to a survivor's annuity under the Article 15 system.

For persons who participate in a defined contribution plan established under Article 2, 14, 15, or 16 of this Code to whom the provisions of this Article apply, the pension credits established under the defined contribution plan may be considered in determining eligibility for or the amount of the defined benefit survivor's annuity that is payable by any other participating system, but pension credits established in any other system shall not result in any right to or increase in the value of a survivor's annuity under the defined contribution plan, which depends solely on the options chosen and the value of the participant's vested account balances and is not subject to any proportional adjustment under this Section.
(Source: P.A. 91-887, eff. 7-6-00.)

(40 ILCS 5/20-124) (from Ch. 108 1/2, par. 20-124)

Sec. 20-124. Maximum benefits.

(a) In no event shall the combined retirement or survivors annuities exceed the highest annuity which would have been payable by any participating system in which the employee has pension credits, if all of his pension credits had been validated in that system.

New matter indicated by italics - deletions by strikeout
If the combined annuities should exceed the highest maximum as determined in accordance with this Section, the respective annuities shall be reduced proportionately according to the ratio which the amount of each proportional annuity bears to the aggregate of all such annuities.

(b) In the case of a participant in the self-managed plan established under Section 15-158.2 of this Code to whom the provisions of this Article apply:

(i) For purposes of calculating the combined retirement annuity and the proportionate reduction, if any, in a retirement annuity other than one payable under the self-managed plan, the amount of the Article 15 retirement annuity shall be deemed to be the highest annuity to which the annuitant would have been entitled if he or she had participated in the traditional benefit package as defined in Section 15-103.1 rather than the self-managed plan.

(ii) For purposes of calculating the combined survivor's annuity and the proportionate reduction, if any, in a survivor's annuity other than one payable under the self-managed plan, the amount of the Article 15 survivor's annuity shall be deemed to be the highest survivor's annuity to which the survivor would have been entitled if the deceased employee had participated in the traditional benefit package as defined in Section 15-103.1 rather than the self-managed plan.

(iii) Benefits payable under the self-managed plan are not subject to proportionate reduction under this Section.

(c) In the case of a participant in a defined contribution plan established under Article 2, 14, 15, or 16 of this Code to whom the provisions of this Article apply:

(i) For purposes of calculating the combined retirement annuity and the proportionate reduction, if any, in a defined benefit retirement annuity, any benefit payable under the defined contribution plan shall not be considered.

(ii) For purposes of calculating the combined survivor's annuity and the proportionate reduction, if any, in a defined benefit survivor's annuity, any benefit payable under the defined contribution plan shall not be considered.

(iii) Benefits payable under a defined contribution plan established under Article 2, 14, 15, or 16 of this Code are not subject to proportionate reduction under this Section.

(Source: P.A. 91-887, eff. 7-6-00.)
Sec. 20-125. Return to employment - suspension of benefits. If a retired employee returns to employment which is covered by a system from which he is receiving a proportional annuity under this Article, his proportional annuity from all participating systems shall be suspended during the period of re-employment, except that this suspension does not apply to any distributions payable under the self-managed plan established under Section 15-158.2 or under a defined contribution plan established under Article 2, 14, 15, or 16 of this Code.

The provisions of the Article under which such employment would be covered shall govern the determination of whether the employee has returned to employment, and if applicable the exemption of temporary employment or employment not exceeding a specified duration or frequency, for all participating systems from which the retired employee is receiving a proportional annuity under this Article, notwithstanding any contrary provisions in the other Articles governing such systems.

(Source: P.A. 91-887, eff. 7-6-00.)

Section 20. The Illinois Educational Labor Relations Act is amended by changing Sections 4 and 17 and by adding Section 10.5 as follows:

Sec. 4. Employer rights. Employers shall not be required to bargain over matters of inherent managerial policy, which shall include such areas of discretion or policy as the functions of the employer, standards of services, its overall budget, the organizational structure and selection of new employees and direction of employees. Employers, however, shall be required to bargain collectively with regard to policy matters directly affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee representatives, except as provided in Section 10.5. To preserve the rights of employers and exclusive representatives which have established collective bargaining relationships or negotiated collective bargaining agreements prior to the effective date of this Act, employers shall be required to bargain collectively with regard to any matter concerning wages, hours or conditions of employment about which they have bargained for and agreed to in a collective bargaining agreement prior to the effective date of this Act, except as provided in Section 10.5.

(Source: P.A. 83-1014.)

New matter indicated by italics - deletions by strikeout
Sec. 10.5. Duty to bargain regarding pension amendments.

(a) Notwithstanding any provision of this Act, employers shall not be required to bargain over matters affected by the changes, the impact of changes, and the implementation of changes made to Article 14, 15, or 16 of the Illinois Pension Code, or Article 1 of that Code as it applies to those Articles, made by this amendatory Act of the 98th General Assembly, or over any other provision of Article 14, 15, or 16 of the Illinois Pension Code, or of Article 1 of that Code as it applies to those Articles, which are prohibited subjects of bargaining; nor shall the changes, the impact of changes, or the implementation of changes made to Article 14, 15, or 16 of the Illinois Pension Code, or to Article 1 of that Code as it applies to those Articles, by this amendatory Act of the 98th General Assembly or any other provision of Article 14, 15, or 16 of the Illinois Pension Code, or of Article 1 of that Code as it applies to those Articles, be subject to interest arbitration or any award issued pursuant to interest arbitration. The provisions of this Section shall not apply to an employment contract or collective bargaining agreement that is in effect on the effective date of this amendatory Act of the 98th General Assembly. However, any such contract or agreement that is subsequently modified, amended, or renewed shall be subject to the provisions of this Section. The provisions of this Section shall also not apply to the ability of an employer and employee representative to bargain collectively with regard to the pick up of employee contributions pursuant to Section 14-133.1, 15-157.1, or 16-152.1 of the Illinois Pension Code.

(b) Nothing in this Section, however, shall be construed as otherwise limiting any of the obligations and requirements applicable to each employer under any of the provisions of this Act, including, but not limited to, the requirement to bargain collectively with regard to policy matters directly affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee representatives, except for the matters deemed prohibited subjects of bargaining under subsection (a) of this Section. Nothing in this Section shall further be construed as otherwise limiting any of the rights of employees or employee representatives under the provisions of this Act, except for matters deemed prohibited subjects of bargaining under subsection (a) of this Section.

(c) In case of any conflict between this Section and any other provisions of this Act or any other law, the provisions of this Section shall control.

New matter indicated by italics - deletions by strikeout
Sec. 17. Effect on other laws. Except as provided in Section 10.5, in case of any conflict between the provisions of this Act and any other law, executive order or administrative regulation, the provisions of this Act shall prevail and control. Except as provided in Section 10.5, nothing in this Act shall be construed to replace or diminish the rights of employees established by Section 36d of "An Act to create the State Universities Civil Service System", approved May 11, 1905, as amended or modified.

(Source: P.A. 83-1014.)

Section 95. The State Mandates Act is amended by adding Section 8.37 as follows:

(30 ILCS 805/8.37 new)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Section 97. Severability and inseverability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes, except that the changes made to Sections 20 and 25 of the Budget Stabilization Act and to subsections (a), (a-1), (a-2), (b), and (d) of Section 2-119.1, subsections (d), (d-1), and (d-2) of Section 15-136, subsection (a-10) of Section 16-158, and Sections 2-124, 2-125, 2-126, 2-134, 2-165, 14-114, 14-115, 14-131, 14-132, 14-133, 14-135.08, 14-155, 15-155, 15-156, 15-157, 15-165, 15-200, 16-133.1, 16-136.1, 16-152, 16-158, 16-158.2, 16-205, 20-106, 20-121, 20-123, 20-124, and 20-125 of the Illinois Pension Code are mutually dependent and inseverable from one another but are severable from any other provision of this Act.

Approved December 5, 2013.
Effective June 1, 2014.
AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing Section 31-5 as follows:

(225 ILCS 447/31-5)

(Section scheduled to be repealed on January 1, 2024)

Sec. 31-5. Exemptions.

(a) The provisions of this Act regarding fingerprint vendors do not apply to any of the following, if the person performing the service does not hold himself or herself out as a fingerprint vendor or fingerprint vendor agency:

1. An employee of the United States, Illinois, or a political subdivision, including public school districts, of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a fingerprint vendor or uses a similar title when these services are performed for compensation or other consideration, whether received directly or indirectly, is subject to this Act.

2. A person employed exclusively by only one employer in connection with the exclusive activities of that employer, provided that person does not hold himself or herself out to the public as a fingerprint vendor.

3. Any member of local law enforcement in the performance of his or her duties for criminal justice purposes, notwithstanding whether the agency charges a reasonable fee related to the cost of offering fingerprinting services.

(b) The provisions of this Act regarding fingerprint vendors do not apply to any member of a local law enforcement agency, acting on behalf of the local law enforcement agency that is registered with the Department of State Police to provide fingerprinting services for non-criminal justice purposes, notwithstanding whether the local law enforcement agency...
charges a reasonable fee related to the cost of offering fingerprinting services.
(Source: P.A. 98-294, eff. 8-9-13.)

Section 10. The Firearm Owners Identification Card Act is amended by changing Section 8.1 as follows:

(430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

Sec. 8.1. Notifications to the Department of State Police.

(a) The Circuit Clerk shall, in the form and manner required by the Supreme Court, notify the Department of State Police of all final dispositions of cases for which the Department has received information reported to it under Sections 2.1 and 2.2 of the Criminal Identification Act.

(b) Upon adjudication of any individual as a mentally disabled person as defined in Section 1.1 of this Act or a finding that a person has been involuntarily admitted, the court shall direct the circuit court clerk to immediately notify the Department of State Police, Firearm Owner's Identification (FOID) department, and shall forward a copy of the court order to the Department.

(c) The Department of Human Services shall, in the form and manner prescribed by the Department of State Police, report all information collected under subsection (b) of Section 12 of the Mental Health and Developmental Disabilities Confidentiality Act for the purpose of determining whether a person who may be or may have been a patient in a mental health facility is disqualified under State or federal law from receiving or retaining a Firearm Owner's Identification Card, or purchasing a weapon.

(d) If a person is determined to pose a clear and present danger to himself, herself, or to others:

(1) by a physician, clinical psychologist, or qualified examiner, law enforcement official, or school administrator, or is determined to be developmentally disabled by a physician, clinical psychologist, or qualified examiner, whether employed by the State or privately by a private mental health facility, then the physician, clinical psychologist, or qualified examiner shall, within 24 hours of making the determination, notify the Department of Human Services that the person poses a clear and present danger or is developmentally disabled; or

(2) by a law enforcement official or school administrator, then the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the
Department of State Police that the person poses a clear and present danger. The Department of Human Services shall immediately update its records and information relating to mental health and developmental disabilities, and if appropriate, shall notify the Department of State Police in a form and manner prescribed by the Department of State Police. The Department of State Police shall determine whether to revoke the person's Firearm Owner's Identification Card under Section 8 of this Act. Any information disclosed under this subsection shall remain privileged and confidential, and shall not be redisclosed, except as required under subsection (e) of Section 3.1 of this Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond what is necessary for the purpose of this Section and shall be provided by rule by the Department of Human Services. The identity of the person reporting under this Section shall not be disclosed to the subject of the report. The physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator making the determination and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this subsection, except for willful or wanton misconduct.

(e) The Department of State Police shall adopt rules to implement this Section.

(Source: P.A. 97-1131, eff. 1-1-13; 98-63, eff. 7-9-13.)

Section 15. The Firearm Concealed Carry Act is amended by changing Sections 10, 15, 20, 40, 75, and 80 as follows:

(430 ILCS 66/10)

Sec. 10. Issuance of licenses to carry a concealed firearm.
(a) The Department shall issue a license to carry a concealed firearm under this Act to an applicant who:

(1) meets the qualifications of Section 25 of this Act;
(2) has provided the application and documentation required in Section 30 of this Act;
(3) has submitted the requisite fees; and
(4) does not pose a danger to himself, herself, or others, or a threat to public safety as determined by the Concealed Carry Licensing Review Board in accordance with Section 20.

New matter indicated by italics - deletions by strikeout
(b) The Department shall issue a renewal, corrected, or duplicate license as provided in this Act.
(c) A license shall be valid throughout the State for a period of 5 years from the date of issuance. A license shall permit the licensee to:
   (1) carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and
   (2) keep or carry a loaded or unloaded concealed firearm on or about his or her person within a vehicle.
(d) The Department shall make applications for a license available no later than 180 days after the effective date of this Act. The Department shall establish rules for the availability and submission of applications in accordance with this Act.
(e) An application for a license submitted to the Department that contains all the information and materials required by this Act, including the requisite fee, shall be deemed completed. Except as otherwise provided in this Act, no later than 90 days after receipt of a completed application, the Department shall issue or deny the applicant a license.
(f) The Department shall deny the applicant a license if the applicant fails to meet the requirements under this Act or the Department receives a determination from the Board that the applicant is ineligible for a license. The Department must notify the applicant stating the grounds for the denial. The notice of denial must inform the applicant of his or her right to an appeal through administrative and judicial review.
(g) A licensee shall possess a license at all times the licensee carries a concealed firearm except:
   (1) when the licensee is carrying or possessing a concealed firearm on his or her land or in his or her abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission;
   (2) when the person is authorized to carry a firearm under Section 24-2 of the Criminal Code of 2012, except subsection (a-5) of that Section; or
   (3) when the handgun is broken down in a non-functioning state, is not immediately accessible, or is unloaded and enclosed in a case.
(h) If an officer of a law enforcement agency initiates an investigative stop, including but not limited to a traffic stop, of a licensee or a non-resident carrying a concealed firearm under subsection (e) of Section 40 of this Act who is carrying a concealed firearm, upon the
request of the officer the licensee or non-resident shall disclose to the
officer that he or she is in possession of a concealed firearm under this
Act, present the license upon the request of the officer if he or she is a
licensee or present upon the request of the officer evidence under
paragraph (2) of subsection (e) of Section 40 of this Act that he or she is a
non-resident qualified to carry under that subsection, and identify the
location of the concealed firearm. During a traffic stop, any passenger
within the vehicle who is a licensee or a non-resident carrying under
subsection (e) of Section 40 of this Act must comply with the requirements
of this subsection (h).

(i) The Department shall maintain a database of license applicants
and licensees. The database shall be available to all federal, State, and
local law enforcement agencies, State's Attorneys, the Attorney General,
and authorized court personnel. Within 180 days after the effective date of
this Act, the database shall be searchable and provide all information
included in the application, including the applicant's previous addresses
within the 10 years prior to the license application and any information
related to violations of this Act. No law enforcement agency, State's
Attorney, Attorney General, or member or staff of the judiciary shall
provide any information to a requester who is not entitled to it by law.

(j) No later than 10 days after receipt of a completed application,
the Department shall enter the relevant information about the applicant
into the database under subsection (i) of this Section which is accessible
by law enforcement agencies.

(Source: P.A. 98-63, eff. 7-9-13.)

(430 ILCS 66/15)
Sec. 15. Objections by law enforcement agencies.
(a) Any law enforcement agency may submit an objection to a
license applicant based upon a reasonable suspicion that the applicant is a
danger to himself or herself or others, or a threat to public safety. The
objection shall be made by the chief law enforcement officer of the law
enforcement agency, or his or her designee, and must include any
information relevant to the objection. If a law enforcement agency submits
an objection within 30 days after the entry of an applicant into the
database, the Department shall submit the objection and all information
available to the Board under State and federal law related to the
application to the Board within 10 days of completing all necessary
background checks.

New matter indicated by italics - deletions by strikeout
(b) If an applicant has 5 or more arrests for any reason, that have been entered into the Criminal History Records Information (CHRI) System, within the 7 years preceding the date of application for a license, or has 3 or more arrests within the 7 years preceding the date of application for a license for any combination of gang-related offenses, the Department shall object and submit the applicant's arrest record to the extent the Board is allowed to receive that information under State and federal law, the application materials, and any additional information submitted by a law enforcement agency to the Board. For purposes of this subsection, "gang-related offense" is an offense described in Section 12-6.4, Section 24-1.8, Section 25-5, Section 33-4, or Section 33G-4, or in paragraph (1) of subsection (a) of Section 12-6.2, paragraph (2) of subsection (b) of Section 16-30, paragraph (2) of subsection (b) of Section 31-4, or item (iii) of paragraph (1.5) of subsection (i) of Section 48-1 of the Criminal Code of 2012.

(c) The referral of an objection under this Section to the Board shall toll the 90-day period for the Department to issue or deny the applicant a license under subsection (e) of Section 10 of this Act, during the period of review and until the Board issues its decision.

(d) If no objection is made by a law enforcement agency or the Department under this Section, the Department shall process the application in accordance with this Act.

(Source: P.A. 98-63, eff. 7-9-13.)

(430 ILCS 66/20)

Sec. 20. Concealed Carry Licensing Review Board.

(a) There is hereby created within the Department of State Police a Concealed Carry Licensing Review Board to consider any objection to an applicant's eligibility to obtain a license under this Act submitted by a law enforcement agency or the Department under Section 15 of this Act. The Board shall consist of 7 commissioners to be appointed by the Governor, with the advice and consent of the Senate, with 3 commissioners residing within the First Judicial District and one commissioner residing within each of the 4 remaining Judicial Districts. No more than 4 commissioners shall be members of the same political party. The Governor shall designate one commissioner as the Chairperson. The Board shall consist of:

(1) one commissioner with at least 5 years of service as a federal judge;

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(2) 2 commissioners with at least 5 years of experience serving as an attorney with the United States Department of Justice;

(3) 3 commissioners with at least 5 years of experience as a federal agent or employee with investigative experience or duties related to criminal justice under the United States Department of Justice, Drug Enforcement Administration, Department of Homeland Security, or Federal Bureau of Investigation; and

(4) one member with at least 5 years of experience as a licensed physician or clinical psychologist with expertise in the diagnosis and treatment of mental illness.

(b) The initial terms of the commissioners shall end on January 12, 2015. Thereafter, the commissioners shall hold office for 4 years, with terms expiring on the second Monday in January of the fourth year. Commissioners may be reappointed. Vacancies in the office of commissioner shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. The Governor may remove a commissioner for incompetence, neglect of duty, malfeasance, or inability to serve. Commissioners shall receive compensation in an amount equal to the compensation of members of the Executive Ethics Commission and may be reimbursed for reasonable expenses actually incurred in the performance of their Board duties, from funds appropriated for that purpose.

(c) The Board shall meet at the call of the chairperson as often as necessary to consider objections to applications for a license under this Act. If necessary to ensure the participation of a commissioner, the Board shall allow a commissioner to participate in a Board meeting by electronic communication. Any commissioner participating electronically shall be deemed present for purposes of establishing a quorum and voting.

(d) The Board shall adopt rules for the review of objections and the conduct of hearings. The Board shall maintain a record of its decisions and all materials considered in making its decisions. All Board decisions and voting records shall be kept confidential and all materials considered by the Board shall be exempt from inspection except upon order of a court.

(e) In considering an objection of a law enforcement agency or the Department, the Board shall review the materials received with the objection from the law enforcement agency or the Department. By a vote of at least 4 commissioners, the Board may request additional information from the law enforcement agency, Department, or the applicant, or the
testimony of the law enforcement agency, Department, or the applicant. The Board may require that the applicant submit electronic fingerprints to the Department for an updated background check where the Board determines it lacks sufficient information to determine eligibility. The Board may only consider information submitted by the Department, a law enforcement agency, or the applicant. The Board shall review each objection and determine by a majority of commissioners whether an applicant is eligible for a license.

(f) The Board shall issue a decision within 30 days of receipt of the objection from the Department. However, the Board need not issue a decision within 30 days if:

(1) the Board requests information from the applicant, including but not limited to electronic fingerprints to be submitted to the Department, in accordance with subsection (e) of this Section, in which case the Board shall make a decision within 30 days of receipt of the required information from the applicant;

(2) the applicant agrees, in writing, to allow the Board additional time to consider an objection; or

(3) the Board notifies the applicant and the Department that the Board needs an additional 30 days to issue a decision.

(g) If the Board determines by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall affirm the objection of the law enforcement agency or the Department and shall notify the Department that the applicant is ineligible for a license. If the Board does not determine by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall notify the Department that the applicant is eligible for a license.

(h) Meetings of the Board shall not be subject to the Open Meetings Act and records of the Board shall not be subject to the Freedom of Information Act.

(i) The Board shall report monthly to the Governor and the General Assembly on the number of objections received and provide details of the circumstances in which the Board has determined to deny licensure based on law enforcement or Department objections under Section 15 of this Act. The report shall not contain any identifying information about the applicants.

(Source: P.A. 98-63, eff. 7-9-13.)
Sec. 40. Non-resident license applications.

(a) For the purposes of this Section, "non-resident" means a person who has not resided within this State for more than 30 days and resides in another state or territory.

(b) The Department shall by rule allow for non-resident license applications from any state or territory of the United States with laws related to firearm ownership, possession, and carrying, that are substantially similar to the requirements to obtain a license under this Act.

(c) A resident of a state or territory approved by the Department under subsection (b) of this Section may apply for a non-resident license. The applicant shall apply to the Department and must meet all of the qualifications established in Section 25 of this Act, except for the Illinois residency requirement in item (xiv) of paragraph (2) of subsection (a) of Section 4 of the Firearm Owners Identification Card Act. The applicant shall submit:

(1) the application and documentation required under Section 30 of this Act and the applicable fee;
(2) a notarized document stating that the applicant:
   (A) is eligible under federal law and the laws of his or her state or territory of residence to own or possess a firearm;
   (B) if applicable, has a license or permit to carry a firearm or concealed firearm issued by his or her state or territory of residence and attach a copy of the license or permit to the application;
   (C) understands Illinois laws pertaining to the possession and transport of firearms, and
   (D) acknowledges that the applicant is subject to the jurisdiction of the Department and Illinois courts for any violation of this Act; and
(3) a photocopy of any certificates or other evidence of compliance with the training requirements under Section 75 of this Act; and
(4) a head and shoulder color photograph in a size specified by the Department taken within the 30 days preceding the date of the application.

(d) In lieu of an Illinois driver's license or Illinois identification card, a non-resident applicant shall provide similar documentation from

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his or her state or territory of residence. In lieu of a valid Firearm Owner's Identification Card, the applicant shall submit documentation and information required by the Department to obtain a Firearm Owner's Identification Card, including an affidavit that the non-resident meets the mental health standards to obtain a firearm under Illinois law, and the Department shall ensure that the applicant would meet the eligibility criteria to obtain a Firearm Owner's Identification card if he or she was a resident of this State.

(e) Nothing in this Act shall prohibit a non-resident from transporting a concealed firearm within his or her vehicle in Illinois, if the concealed firearm remains within his or her vehicle and the non-resident:

(1) is not prohibited from owning or possessing a firearm under federal law;
(2) is eligible to carry a firearm in public under the laws of his or her state or territory of residence, as evidenced by the possession of a concealed carry license or permit issued by his or her state of residence, if applicable; and
(3) is not in possession of a license under this Act.

If the non-resident leaves his or her vehicle unattended, he or she shall store the firearm within a locked vehicle or locked container within the vehicle in accordance with subsection (b) of Section 65 of this Act.

(Source: P.A. 98-63, eff. 7-9-13.)

(430 ILCS 66/75)
Sec. 75. Applicant firearm training.

(a) Within 60 days of the effective date of this Act, the Department shall begin approval of firearm training courses and shall make a list of approved courses available on the Department's website.

(b) An applicant for a new license shall provide proof of completion of a firearms training course or combination of courses approved by the Department of at least 16 hours, which includes range qualification time under subsection (c) of this Section, that covers the following:

(1) firearm safety;
(2) the basic principles of marksmanship;
(3) care, cleaning, loading, and unloading of a concealable firearm;
(4) all applicable State and federal laws relating to the ownership, storage, carry, and transportation of a firearm; and

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(5) instruction on the appropriate and lawful interaction with law enforcement while transporting or carrying a concealed firearm.

(c) An applicant for a new license shall provide proof of certification by a certified instructor that the applicant passed a live fire exercise with a concealable firearm consisting of:

(1) a minimum of 30 rounds; and

(2) 10 rounds from a distance of 5 yards; 10 rounds from a distance of 7 yards; and 10 rounds from a distance of 10 yards at a B-27 silhouette target approved by the Department.

(d) An applicant for renewal of a license shall provide proof of completion of a firearms training course or combination of courses approved by the Department of at least 3 hours.

(e) A certificate of completion for an applicant's firearm training course shall not be issued to a student who:

(1) does not follow the orders of the certified firearms instructor;

(2) in the judgment of the certified instructor, handles a firearm in a manner that poses a danger to the student or to others; or

(3) during the range firing portion of testing fails to hit the target with 70% of the rounds fired.

(f) An instructor shall maintain a record of each student's performance for at least 5 years, and shall make all records available upon demand of authorized personnel of the Department.

(g) The Department and certified firearms instructors shall recognize up to 8 hours of training already completed toward the 16 hour training requirement under this Section if the training course is submitted to and approved by the Department and recognized under the laws of another state. Any remaining hours that the applicant completes must at least cover the classroom subject matter of paragraph (4) of subsection (b) of this Section, and the range qualification in subsection (c) of this Section.

(h) A person who has qualified to carry a firearm as an active law enforcement or corrections officer, who has successfully completed firearms training as required by his or her law enforcement agency and is authorized by his or her agency to carry a firearm; a person currently certified as a firearms instructor by this Act or by the Illinois Law Enforcement Training Standards Board; or a person who has completed
the required training and has been issued a firearm control card by the Department of Financial and Professional Regulation shall be exempt from the requirements of this Section.

(i) The Department and certified firearms instructors shall recognize 8 hours of training as completed toward the 16 hour training requirement under this Section, if the applicant is an active, retired, or honorably discharged member of the United States Armed Forces. Any remaining hours that the applicant completes must at least cover the classroom subject matter of paragraph (4) of subsection (b) of this Section, and the range qualification in subsection (c) of this Section.

(j) The Department and certified firearms instructors shall recognize up to 8 hours of training already completed toward the 16 hour training requirement under this Section if the training course is approved by the Department and was completed in connection with the applicant's previous employment as a law enforcement or corrections officer. Any remaining hours that the applicant completes must at least cover the classroom subject matter of paragraph (4) of subsection (b) of this Section, and the range qualification in subsection (c) of this Section. A former law enforcement or corrections officer seeking credit under this subsection (j) shall provide evidence that he or she separated from employment in good standing from each law enforcement agency where he or she was employed. An applicant who was discharged from a law enforcement agency for misconduct or disciplinary reasons is not eligible for credit under this subsection (j).

(Source: P.A. 98-63, eff. 7-9-13.)

(430 ILCS 66/80)

Sec. 80. Certified firearms instructors.

(a) Within 60 days of the effective date of this Act, the Department shall begin approval of certified firearms instructors and enter certified firearms instructors into an online registry on the Department's website.

(b) A person who is not a certified firearms instructor shall not teach applicant training courses or advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a license under this Act. Each violation of this subsection is a business offense with a fine of at least $1,000 per violation.

(c) A person seeking to become a certified firearms instructor shall:

(1) be at least 21 years of age;

(2) be a legal resident of the United States; and

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(3) meet the requirements of Section 25 of this Act, *except for the Illinois residency requirement in item (xiv) of paragraph (2) of subsection (a) of Section 4 of the Firearm Owners Identification Card Act*; and any additional uniformly applied requirements established by the Department.

(d) A person seeking to become a certified firearms instructor trainer, in addition to the requirements of subsection (c) of this Section, shall:

(1) possess a high school diploma or GED certificate; and

(2) have at least one of the following valid firearms instructor certifications:
   (A) certification from a law enforcement agency;
   (B) certification from a firearm instructor course offered by a State or federal governmental agency;
   (C) certification from a firearm instructor qualification course offered by the Illinois Law Enforcement Training Standards Board; or
   (D) certification from an entity approved by the Department that offers firearm instructor education and training in the use and safety of firearms.

(e) A person may have his or her firearms instructor certification denied or revoked if he or she does not meet the requirements to obtain a license under this Act, provides false or misleading information to the Department, or has had a prior instructor certification revoked or denied by the Department.

(Source: P.A. 98-63, eff. 7-9-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved December 6, 2013.
Effective December 6, 2013.
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. Act repealed on December 31 January 1, 2014. The following Act is repealed on December 31 January 1, 2014:


(Source: P.A. 97-1139, eff. 12-28-12; 98-140, eff. 12-31-13; 98-253, eff. 8-9-13; 98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff. 12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445, eff. 12-31-13; revised 8-27-13.)

(5 ILCS 80/4.23 rep.)

Section 7. The Regulatory Sunset Act is amended by repealing Section 4.23.

Section 10. The Medical Practice Act of 1987 is amended by adding Section 9.3 and changing Sections 22 and 23 as follows:

(225 ILCS 60/9.3 new)

Sec. 9.3. Withdrawal of application. Any applicant applying for a license or permit under this Act may withdraw his or her application at any time. If an applicant withdraws his or her application after receipt of a written Notice of Intent to Deny License or Permit, then the withdrawal shall be reported to the Federation of State Medical Boards.

(225 ILCS 60/22) (from Ch. 111, par. 4400-22)

(Section scheduled to be repealed on December 31, 2013)

Sec. 22. Disciplinary action.

(A) The Department may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or nondisciplinary action as the Department may deem proper with regard to the license or permit of any person issued under this Act to practice medicine, or a chiropractic physician, including imposing fines not to exceed $10,000 for each violation, upon any of the following grounds:

(1) Performance of an elective abortion in any place, locale, facility, or institution other than:

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(a) a facility licensed pursuant to the Ambulatory Surgical Treatment Center Act;  
(b) an institution licensed under the Hospital Licensing Act;  
(c) an ambulatory surgical treatment center or hospitalization or care facility maintained by the State or any agency thereof, where such department or agency has authority under law to establish and enforce standards for the ambulatory surgical treatment centers, hospitalization, or care facilities under its management and control;  
(d) ambulatory surgical treatment centers, hospitalization or care facilities maintained by the Federal Government; or  
(e) ambulatory surgical treatment centers, hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation.  
(2) Performance of an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time the abortion procedure was performed.  
(3) A plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States of any crime that is a felony.  
(4) Gross negligence in practice under this Act.  
(5) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.  
(6) Obtaining any fee by fraud, deceit, or misrepresentation.  
(7) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances which results in the inability to practice with reasonable judgment, skill or safety.  
(8) Practicing under a false or, except as provided by law, an assumed name.
(9) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(10) Making a false or misleading statement regarding their skill or the efficacy or value of the medicine, treatment, or remedy prescribed by them at their direction in the treatment of any disease or other condition of the body or mind.

(11) Allowing another person or organization to use their license, procured under this Act, to practice.

(12) Disciplinary action of another state or jurisdiction against a license or other authorization to practice as a medical doctor, doctor of osteopathy, doctor of osteopathic medicine or doctor of chiropractic, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence thereof.

(13) Violation of any provision of this Act or of the Medical Practice Act prior to the repeal of that Act, or violation of the rules, or a final administrative action of the Secretary, after consideration of the recommendation of the Disciplinary Board.

(14) Violation of the prohibition against fee splitting in Section 22.2 of this Act.

(15) A finding by the Disciplinary Board that the registrant after having his or her license placed on probationary status or subjected to conditions or restrictions violated the terms of the probation or failed to comply with such terms or conditions.

(16) Abandonment of a patient.

(17) Prescribing, selling, administering, distributing, giving or self-administering any drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(18) Promotion of the sale of drugs, devices, appliances or goods provided for a patient in such manner as to exploit the patient for financial gain of the physician.

(19) Offering, undertaking or agreeing to cure or treat disease by a secret method, procedure, treatment or medicine, or the treating, operating or prescribing for any human condition by a method, means or procedure which the licensee refuses to divulge upon demand of the Department.

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(20) Immoral conduct in the commission of any act including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

(21) Wilfully making or filing false records or reports in his or her practice as a physician, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(22) Wilful omission to file or record, or wilfully impeding the filing or recording, or inducing another person to omit to file or record, medical reports as required by law, or wilfully failing to report an instance of suspected abuse or neglect as required by law.

(23) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(24) Solicitation of professional patronage by any corporation, agents or persons, or profiting from those representing themselves to be agents of the licensee.

(25) Gross and wilful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing such false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(26) A pattern of practice or other behavior which demonstrates incapacity or incompetence to practice under this Act.

(27) Mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill or safety.

(28) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in a physician's inability to practice under this Act with reasonable judgment, skill or safety.

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(29) Cheating on or attempt to subvert the licensing examinations administered under this Act.

(30) Wilfully or negligently violating the confidentiality between physician and patient except as required by law.

(31) The use of any false, fraudulent, or deceptive statement in any document connected with practice under this Act.

(32) Aiding and abetting an individual not licensed under this Act in the practice of a profession licensed under this Act.

(33) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(34) Failure to report to the Department any adverse final action taken against them by another licensing jurisdiction (any other state or any territory of the United States or any foreign state or country), by any peer review body, by any health care institution, by any professional society or association related to practice under this Act, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(35) Failure to report to the Department surrender of a license or authorization to practice as a medical doctor, a doctor of osteopathy, a doctor of osteopathic medicine, or doctor of chiropractic in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society, while under disciplinary investigation by any of those authorities or bodies, for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(36) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(37) Failure to provide copies of medical records as required by law.

(38) Failure to furnish the Department, its investigators or representatives, relevant information, legally requested by the Department after consultation with the Chief Medical Coordinator or the Deputy Medical Coordinator.

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(39) Violating the Health Care Worker Self-Referral Act.

(40) Willful failure to provide notice when notice is required under the Parental Notice of Abortion Act of 1995.

(41) Failure to establish and maintain records of patient care and treatment as required by this law.

(42) Entering into an excessive number of written collaborative agreements with licensed advanced practice nurses resulting in an inability to adequately collaborate.

(43) Repeated failure to adequately collaborate with a licensed advanced practice nurse.

(44) Violating the Compassionate Use of Medical Cannabis Pilot Program Act.

Except for actions involving the ground numbered (26), all proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for the grounds numbered (8), (9), (26), and (29), no action shall be commenced more than 10 years after the date of the incident or act alleged to have violated this Section. For actions involving the ground numbered (26), a pattern of practice or other behavior includes all incidents alleged to be part of the pattern of practice or other behavior that occurred, or a report pursuant to Section 23 of this Act received, within the 10-year period preceding the filing of the complaint. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, such claim, cause of action or civil action being grounded on the allegation that a person licensed under this Act was negligent in providing care, the Department shall have an additional period of 2 years from the date of notification to the Department under Section 23 of this Act of such settlement or final judgment in which to investigate and commence formal disciplinary proceedings under Section 36 of this Act, except as otherwise provided by law. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of

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mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Departmental order based upon a finding by the Disciplinary Board that they have been determined to be recovered from mental illness by the court and upon the Disciplinary Board's recommendation that they be permitted to resume their practice.

The Department may refuse to issue or take disciplinary action concerning the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Illinois Department of Revenue.

The Department, upon the recommendation of the Disciplinary Board, shall adopt rules which set forth standards to be used in determining:

(a) when a person will be deemed sufficiently rehabilitated to warrant the public trust;

(b) what constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(c) what constitutes immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice; and

(d) what constitutes gross negligence in the practice of medicine.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Disciplinary Board or the Licensing Board, upon a showing of a possible violation, may compel, in the case of the Disciplinary Board, any individual who is licensed to practice under this Act or holds a permit to practice under this Act, or, in the case of the Licensing Board, any individual who has applied for licensure or a permit pursuant to this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by the Licensing Board or Disciplinary Board and at the expense of the Department. The Disciplinary Board or Licensing Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the
multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to provide to the Department, the Disciplinary Board, or the Licensing Board any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee, permit holder, or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Disciplinary Board finds a physician unable to practice because of the reasons set forth in this Section, the

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Disciplinary Board shall require such physician to submit to care, counseling, or treatment by physicians approved or designated by the Disciplinary Board, as a condition for continued, reinstated, or renewed licensure to practice. Any physician, whose license was granted pursuant to Sections 9, 17, or 19 of this Act, or, continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions, or to complete a required program of care, counseling, or treatment, as determined by the Chief Medical Coordinator or Deputy Medical Coordinators, shall be referred to the Secretary for a determination as to whether the licensee shall have their license suspended immediately, pending a hearing by the Disciplinary Board. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Disciplinary Board within 15 days after such suspension and completed without appreciable delay. The Disciplinary Board shall have the authority to review the subject physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Disciplinary Board that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

The Department may promulgate rules for the imposition of fines in disciplinary cases, not to exceed $10,000 for each violation of this Act. Fines may be imposed in conjunction with other forms of disciplinary action, but shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Any funds collected from such fines shall be deposited in the Medical Disciplinary Fund.

_all fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine._

(B) The Department shall revoke the license or permit issued under this Act to practice medicine or a chiropractic physician who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois

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Public Aid Code. A person whose license or permit is revoked under this subsection B shall be prohibited from practicing medicine or treating human ailments without the use of drugs and without operative surgery.

(C) The Disciplinary Board shall recommend to the Department civil penalties and any other appropriate discipline in disciplinary cases when the Board finds that a physician willfully performed an abortion with actual knowledge that the person upon whom the abortion has been performed is a minor or an incompetent person without notice as required under the Parental Notice of Abortion Act of 1995. Upon the Board's recommendation, the Department shall impose, for the first violation, a civil penalty of $1,000 and for a second or subsequent violation, a civil penalty of $5,000.

(Source: P.A. 96-608, eff. 8-24-09; 96-1000, eff. 7-2-10; 97-622, eff. 11-23-11.)

(225 ILCS 60/23) (from Ch. 111, par. 4400-23)
(Section scheduled to be repealed on December 31, 2013)
Sec. 23. Reports relating to professional conduct and capacity.
(A) Entities required to report.

(1) Health care institutions. The chief administrator or executive officer of any health care institution licensed by the Illinois Department of Public Health shall report to the Disciplinary Board when any person's clinical privileges are terminated or are restricted based on a final determination made in accordance with that institution's by-laws or rules and regulations that a person has either committed an act or acts which may directly threaten patient care or that a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care. Such officer also shall report if a person accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon conduct related directly to patient care or in lieu of formal action seeking to determine whether a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care. The Disciplinary Board shall, by rule, provide for the reporting to it by health care institutions of all instances in which a person, licensed under this Act, who is impaired by reason of age, drug or alcohol abuse or physical or mental impairment, is under supervision and, where appropriate, is in a program of rehabilitation. Such reports shall be strictly confidential and may be reviewed and considered only by the

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members of the Disciplinary Board, or by authorized staff as provided by rules of the Disciplinary Board. Provisions shall be made for the periodic report of the status of any such person not less than twice annually in order that the Disciplinary Board shall have current information upon which to determine the status of any such person. Such initial and periodic reports of impaired physicians shall not be considered records within the meaning of The State Records Act and shall be disposed of, following a determination by the Disciplinary Board that such reports are no longer required, in a manner and at such time as the Disciplinary Board shall determine by rule. The filing of such reports shall be construed as the filing of a report for purposes of subsection (C) of this Section.

(1.5) Clinical training programs. The program director of any post-graduate clinical training program shall report to the Disciplinary Board if a person engaged in a post-graduate clinical training program at the institution, including, but not limited to, a residency or fellowship, separates from the program for any reason prior to its conclusion. The program director shall provide all documentation relating to the separation if, after review of the report, the Disciplinary Board determines that a review of those documents is necessary to determine whether a violation of this Act occurred.

(2) Professional associations. The President or chief executive officer of any association or society, of persons licensed under this Act, operating within this State shall report to the Disciplinary Board when the association or society renders a final determination that a person has committed unprofessional conduct related directly to patient care or that a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care.

(3) Professional liability insurers. Every insurance company which offers policies of professional liability insurance to persons licensed under this Act, or any other entity which seeks to indemnify the professional liability of a person licensed under this Act, shall report to the Disciplinary Board the settlement of any claim or cause of action, or final judgment rendered in any cause of action, which alleged negligence in the furnishing of medical care

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by such licensed person when such settlement or final judgment is in favor of the plaintiff.

(4) State's Attorneys. The State's Attorney of each county shall report to the Disciplinary Board, within 5 days, any instances in which a person licensed under this Act is convicted of any felony or Class A misdemeanor. The State's Attorney of each county may report to the Disciplinary Board through a verified complaint any instance in which the State's Attorney believes that a physician has willfully violated the notice requirements of the Parental Notice of Abortion Act of 1995.

(5) State agencies. All agencies, boards, commissions, departments, or other instrumentalities of the government of the State of Illinois shall report to the Disciplinary Board any instance arising in connection with the operations of such agency, including the administration of any law by such agency, in which a person licensed under this Act has either committed an act or acts which may be a violation of this Act or which may constitute unprofessional conduct related directly to patient care or which indicates that a person licensed under this Act may be mentally or physically disabled in such a manner as to endanger patients under that person's care.

(B) Mandatory reporting. All reports required by items (34), (35), and (36) of subsection (A) of Section 22 and by Section 23 shall be submitted to the Disciplinary Board in a timely fashion. Unless otherwise provided in this Section, the reports shall be filed in writing within 60 days after a determination that a report is required under this Act. All reports shall contain the following information:

(1) The name, address and telephone number of the person making the report.

(2) The name, address and telephone number of the person who is the subject of the report.

(3) The name and date of birth of any patient or patients whose treatment is a subject of the report, if available, or other means of identification if such information is not available, identification of the hospital or other healthcare facility where the care at issue in the report was rendered, provided, however, no medical records may be revealed.

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(4) A brief description of the facts which gave rise to the issuance of the report, including the dates of any occurrences deemed to necessitate the filing of the report.

(5) If court action is involved, the identity of the court in which the action is filed, along with the docket number and date of filing of the action.

(6) Any further pertinent information which the reporting party deems to be an aid in the evaluation of the report.

The Disciplinary Board or Department may also exercise the power under Section 38 of this Act to subpoena copies of hospital or medical records in mandatory report cases alleging death or permanent bodily injury. Appropriate rules shall be adopted by the Department with the approval of the Disciplinary Board.

When the Department has received written reports concerning incidents required to be reported in items (34), (35), and (36) of subsection (A) of Section 22, the licensee's failure to report the incident to the Department under those items shall not be the sole grounds for disciplinary action.

Nothing contained in this Section shall act to in any way, waive or modify the confidentiality of medical reports and committee reports to the extent provided by law. Any information reported or disclosed shall be kept for the confidential use of the Disciplinary Board, the Medical Coordinators, the Disciplinary Board's attorneys, the medical investigative staff, and authorized clerical staff, as provided in this Act, and shall be afforded the same status as is provided information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure, except that the Department may disclose information and documents to a federal, State, or local law enforcement agency pursuant to a subpoena in an ongoing criminal investigation or to a health care licensing body or medical licensing authority of this State or another state or jurisdiction pursuant to an official request made by that licensing body or medical licensing authority. Furthermore, information and documents disclosed to a federal, State, or local law enforcement agency may be used by that agency only for the investigation and prosecution of a criminal offense, or, in the case of disclosure to a health care licensing body or medical licensing authority, only for investigations and disciplinary action proceedings with regard to a license. Information and documents disclosed to the Department of Public Health may be used by that Department only
for investigation and disciplinary action regarding the license of a health care institution licensed by the Department of Public Health.

(C) Immunity from prosecution. Any individual or organization acting in good faith, and not in a wilful and wanton manner, in complying with this Act by providing any report or other information to the Disciplinary Board or a peer review committee, or assisting in the investigation or preparation of such information, or by voluntarily reporting to the Disciplinary Board or a peer review committee information regarding alleged errors or negligence by a person licensed under this Act, or by participating in proceedings of the Disciplinary Board or a peer review committee, or by serving as a member of the Disciplinary Board or a peer review committee, shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(D) Indemnification. Members of the Disciplinary Board, the Licensing Board, the Medical Coordinators, the Disciplinary Board's attorneys, the medical investigative staff, physicians retained under contract to assist and advise the medical coordinators in the investigation, and authorized clerical staff shall be indemnified by the State for any actions occurring within the scope of services on the Disciplinary Board or Licensing Board, done in good faith and not wilful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were wilful and wanton.

Should the Attorney General decline representation, the member shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were wilful and wanton.

The member must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Disciplinary Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(E) Deliberations of Disciplinary Board. Upon the receipt of any report called for by this Act, other than those reports of impaired persons licensed under this Act required pursuant to the rules of the Disciplinary Board, the Disciplinary Board shall notify in writing, by certified mail, the

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person who is the subject of the report. Such notification shall be made within 30 days of receipt by the Disciplinary Board of the report.

The notification shall include a written notice setting forth the person's right to examine the report. Included in such notification shall be the address at which the file is maintained, the name of the custodian of the reports, and the telephone number at which the custodian may be reached. The person who is the subject of the report shall submit a written statement responding, clarifying, adding to, or proposing the amending of the report previously filed. The person who is the subject of the report shall also submit with the written statement any medical records related to the report. The statement and accompanying medical records shall become a permanent part of the file and must be received by the Disciplinary Board no more than 30 days after the date on which the person was notified by the Disciplinary Board of the existence of the original report.

The Disciplinary Board shall review all reports received by it, together with any supporting information and responding statements submitted by persons who are the subject of reports. The review by the Disciplinary Board shall be in a timely manner but in no event, shall the Disciplinary Board's initial review of the material contained in each disciplinary file be less than 61 days nor more than 180 days after the receipt of the initial report by the Disciplinary Board.

When the Disciplinary Board makes its initial review of the materials contained within its disciplinary files, the Disciplinary Board shall, in writing, make a determination as to whether there are sufficient facts to warrant further investigation or action. Failure to make such determination within the time provided shall be deemed to be a determination that there are not sufficient facts to warrant further investigation or action.

Should the Disciplinary Board find that there are not sufficient facts to warrant further investigation, or action, the report shall be accepted for filing and the matter shall be deemed closed and so reported to the Secretary. The Secretary shall then have 30 days to accept the Disciplinary Board's decision or request further investigation. The Secretary shall inform the Board of the decision to request further investigation, including the specific reasons for the decision. The individual or entity filing the original report or complaint and the person who is the subject of the report or complaint shall be notified in writing by the Secretary of any final action on their report or complaint. The Department shall disclose to the individual or entity who filed the original report or complaint, on request,
the status of the Disciplinary Board's review of a specific report or complaint. Such request may be made at any time, including prior to the Disciplinary Board's determination as to whether there are sufficient facts to warrant further investigation or action.

(F) Summary reports. The Disciplinary Board shall prepare, on a timely basis, but in no event less than once every other month, a summary report of final disciplinary actions taken upon disciplinary files maintained by the Disciplinary Board. The summary reports shall be made available to the public upon request and payment of the fees set by the Department. This publication may be made available to the public on the Department's website. Information or documentation relating to any disciplinary file that is closed without disciplinary action taken shall not be disclosed and shall be afforded the same status as is provided by Part 21 of Article VIII of the Code of Civil Procedure.

(G) Any violation of this Section shall be a Class A misdemeanor.

(H) If any such person violates the provisions of this Section an action may be brought in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, for an order enjoining such violation or for an order enforcing compliance with this Section. Upon filing of a verified petition in such court, the court may issue a temporary restraining order without notice or bond and may preliminarily or permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this paragraph shall be in addition to, and not in lieu of, all other remedies and penalties provided for by this Section.

(Source: P.A. 96-1372, eff. 7-29-10; P.A. 97-449, eff. 1-1-12; 97-622, eff. 11-23-11.)

Section 99. Effective date. This Act takes effect December 30, 2013.

Passed in the General Assembly November 6, 2013.
Approved December 6, 2013.
Effective December 30, 2013.
AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 2. The Wireless Emergency Telephone Safety Act is amended by changing Section 85 as follows:

(50 ILCS 751/85)

(Section scheduled to be repealed on July 1, 2014)

Sec. 85. 9-1-1 Services Advisory Board. There is hereby created the 9-1-1 Services Advisory Board. The Board shall work with the Commission to determine the 9-1-1 costs necessary for every 9-1-1 system to adequately function and shall submit, by May 1, 2014, recommendations on whether there is a need to consolidate 9-1-1 functions to the General Assembly. The Board shall consist of 11 members appointed by the Governor as follows:

(1) the Executive Director of the Illinois Commerce Commission, or his or her designee;

(2) one member representing the Illinois chapter of the National Emergency Number Association;

(3) one member representing the Illinois chapter of the Association of Public-Safety Communications Officials;

(4) one member representing a county 9-1-1 system from a county with a population of 50,000 or less;

(5) one member representing a county 9-1-1 system from a county with a population between 50,000 and 250,000;

(6) one member representing a county 9-1-1 system from a county with a population of 250,000 or more;

(7) one member representing an incumbent local exchange 9-1-1 system provider;

(8) one member representing a non-incumbent local exchange 9-1-1 system provider;

(9) one member representing a large wireless carrier;

(10) one member representing a small wireless carrier; and

(11) one member representing the Illinois Telecommunications Association.

The Board is abolished on July 1, 2014.

(Source: P.A. 98-45, eff. 6-28-13.)

New matter indicated by italics - deletions by strikeout
Section 5. The Public Utilities Act is amended by changing Section 2-203 as follows:

(220 ILCS 5/2-203)

(Section scheduled to be repealed on January 1, 2014)

Sec. 2-203. Public Utility Fund base maintenance contribution. Each electric utility as defined in Section 16-102 of this Act providing service to more than 12,500 customers in this State on January 1, 1995 shall contribute annually a pro rata share of a total amount of $5,500,000 based upon the number of kilowatt-hours delivered to retail customers within this State by each such electric utility in the 12 months preceding the year of contribution. On or before May 1 of each year, the Illinois Commerce Commission shall determine and notify the Illinois Department of Revenue of the pro rata share owed by each electric utility based upon information supplied annually to the Commission. On or before June 1 of each year, the Department of Revenue shall send written notification to each electric utility of the amount of pro rata share they owe. These contributions shall be remitted to the Department of Revenue no earlier than July 1 and no later than July 31 of each year the contribution is due on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. The Department of Revenue shall place the funds remitted under this Section in the Public Utility Fund in the State treasury. The funds received pursuant to this Section shall be subject to appropriation by the General Assembly. If an electric utility does not remit its pro rata share to the Department of Revenue, the Department of Revenue must inform the Illinois Commerce Commission of such failure. The Illinois Commerce Commission may then revoke the certification of that electric utility. This Section is repealed on January 1, 2015.

(Source: P.A. 96-250, eff. 8-11-09; 97-813, eff. 7-13-12.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 6, 2013.
Effective December 6, 2013.
AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 21-5b and 21-5c as follows:

(105 ILCS 5/21-5b)
(Section scheduled to be repealed on January 1, 2016)

Sec. 21-5b. Alternative certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement an alternative certification program under which persons who meet the requirements of and successfully complete the program established by this Section shall be issued an alternative teaching certificate for teaching in the schools. The program shall be limited to not more than 260 new participants during each year that the program is in effect. The State Board of Education, in cooperation with one or more not-for-profit organizations in the State that support excellence in teaching, which may be in partnership with a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, may within 30 days after submission by the program sponsor approve a course of study developed by the program sponsor that persons in the program must successfully complete in order to satisfy one criterion for issuance of an alternative certificate under this Section. The Alternative Teacher Certification program course of study must include content and skills which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

The alternative certification program established under this Section shall be known as the Alternative Teacher Certification program. The Alternative Teacher Certification Program shall be offered by the submitting partnership, and such partnership may be offered by one or more not-for-profit organizations in the State which support excellence in teaching. The program shall be comprised of the following 3 phases: (a) the first phase is the course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the second phase is the person's assignment to a full-time teaching position for
one school year; and (c) the third phase is a comprehensive assessment of
the person's teaching performance by school officials and the partnership
participants and a recommendation by the program sponsor to the State
Board of Education that the person be issued a standard alternative
teaching certificate. Successful completion of the Alternative Teacher
Certification program shall be deemed to satisfy any other practice or
student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of
teaching in the common schools and not renewable, shall be issued under
this Section 21-5b to persons who at the time of applying for the
provisional alternative teaching certificate under this Section:

(1) have graduated from an accredited college or university
with a bachelor's degree;

(2) have successfully completed the first phase of the
Alternative Teacher Certification program as provided in this
Section;

(3) have passed the tests of basic skills and subject matter
knowledge required by Section 21-1a; and

(4) (i) have been employed for a period of at least 5 years in
an area requiring application of the individual's education or (ii)
have attained at least a cumulative grade average of a "B" if the
individual is assigned either to a school district that has not met the
annual measurable objective for highly qualified teachers required
by the Illinois Revised Highly Qualified Teachers (HQT) Plan or to
a school district whose data filed with the State Board of Education
indicates that the district's poor and minority students are taught by
teachers who are not highly qualified at a higher rate than other
students; however, this item (4) does not apply with respect to a
provisional alternative teaching certificate for teaching in schools
situated in a school district that is located in a city having a
population in excess of 500,000 inhabitants. Assignment may be
made under clause (ii) of this item (4) only if the district
superintendent and the exclusive bargaining representative of the
district's teachers, if any, jointly agree to permit the assignment.

A person possessing a provisional alternative certificate under this
Section shall be treated as a regularly certified teacher for purposes of
compensation, benefits, and other terms and conditions of employment
afforded teachers in the school who are members of a bargaining unit
represented by an exclusive bargaining representative, if any.

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Until February 15, 2000, a standard alternative teaching certificate, valid for 4 years for teaching in the schools and renewable as provided in Section 21-14, shall be issued under this Section 21-5b to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for a standard alternative teaching certificate under this Section have successfully completed the second and third phases of the Alternative Teacher Certification program as provided in this Section. Alternatively, beginning February 15, 2000, at the end of the 4-year validity period, persons who were issued a standard alternative teaching certificate shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2 of this Code and further provided that a person who does not apply for and receive a Standard Teaching Certificate shall be able to teach only in schools situated in a school district that is located in a city having a population in excess of 500,000 inhabitants.

Beginning February 15, 2000, persons who have completed the requirements for a standard alternative teaching certificate under this Section shall be issued an Initial Alternative Teaching Certificate valid for 4 years of teaching and not renewable. At the end of the 4-year validity period, these persons shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2.

Such alternative certification program shall be implemented so that the first provisional alternative teaching certificates issued under this Section are effective upon the commencement of the 1997-1998 academic year and the first standard alternative teaching certificates issued under this Section are effective upon the commencement of the 1998-1999 academic year.

The State Board of Education, in cooperation with the partnership or partnerships establishing such Alternative Teacher Certification programs, shall adopt rules and regulations that are consistent with this Section and that the State Board of Education deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2014, and those alternative certification candidates who are admitted on or before September 1, 2014...
must complete their coursework before January 1, 2016, except that candidates admitted to an alternative certification program at Governors State University and participants in the Teacher Quality Partnership Grant program must be admitted on or before March 31, 2014, complete their coursework on or before August 31, 2015; and be entitled to certification on or before September 30, 2016. An alternative certification program at Governors State University shall provide the State Board of Education with the names of the candidates who will be eligible for certification under this exception.

This Section is repealed on January 1, 2017.

(Source: P.A. 97-607, eff. 8-26-11; 97-702, eff. 6-25-12; 98-38, eff. 6-28-13.)

(105 ILCS 5/21-5c)

(Section scheduled to be repealed on January 1, 2016)

Sec. 21-5c. Alternative route to teacher certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement one or more alternative route to teacher certification programs under which persons who meet the requirements of and successfully complete the programs established by this Section shall be issued an initial teaching certificate for teaching in schools in this State. The State Board of Education may approve a course of study that persons in such programs must successfully complete in order to satisfy one criterion for issuance of a certificate under this Section. The Alternative Route to Teacher Certification programs course of study must include content and skills which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

Programs established under this Section shall be known as Alternative Route to Teacher Certification programs. The programs may be offered by a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, by one or more not-for-profit organizations in the State, or a combination thereof. The programs shall be comprised of the following 3 phases: (a) a course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the person's assignment to a full-time teaching position for one school year, including the designation of a mentor teacher to advise and assist the person with that teaching assignment; and (c) a comprehensive assessment of the person's teaching performance by school officials and program officials.
participants and a recommendation by the program sponsor to the State Board of Education that the person be issued an initial teaching certificate. Successful completion of Alternative Route to Teacher Certification programs shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5c to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

1. have graduated from an accredited college or university with a bachelor's degree;
2. have been employed for a period of at least 5 years in an area requiring application of the individual's education;
3. have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section; and
4. have passed the tests of basic skills and subject matter knowledge required by Section 21-1a.

An initial teaching certificate, valid for teaching in the common schools, shall be issued under Section 21-3 or 21-5 to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for an initial teaching certificate have successfully completed the second and third phases of the Alternative Route to Teacher Certification program as provided in this Section.

A person possessing a provisional alternative certificate or an initial teaching certificate earned under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

The State Board of Education may adopt rules and regulations that are consistent with this Section and that the State Board deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2013, and those alternative certification candidates who are admitted on or before June 30, 2014 must complete their coursework before January 1, 2016, except that candidates admitted to an alternative certification program at Governors State University and participants in the...
Teacher Quality Partnership Grant program must be admitted on or before March 31, 2014, complete their coursework on or before August 31, 2015, and be entitled to certification on or before September 30, 2016. An alternative certification program at Governors State University shall provide the State Board of Education with the names of the candidates who will be eligible for certification under this exception.

This Section is repealed on January 1, 2017.

(Source: P.A. 97-607, eff. 8-26-11; 97-702, eff. 6-25-12; 98-38, eff. 6-28-13.)

Passed in the General Assembly November 7, 2013.
Approved December 12, 2013.
Effective June 1, 2014.

PUBLIC ACT 98-0604
(Senate Bill No. 0635)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Utilities Act is amended by changing Section 8-104 as follows:

(220 ILCS 5/8-104)

Sec. 8-104. Natural gas energy efficiency programs.

(a) It is the policy of the State that natural gas utilities and the Department of Commerce and Economic Opportunity are required to use cost-effective energy efficiency to reduce direct and indirect costs to consumers. It serves the public interest to allow natural gas utilities to recover costs for reasonably and prudently incurred expenses for cost-effective energy efficiency measures.

(b) For purposes of this Section, "energy efficiency" means measures that reduce the amount of energy required to achieve a given end use. "Energy efficiency" also includes measures that reduce the total Btus of electricity and natural gas needed to meet the end use or uses. "Cost-effective" means that the measures satisfy the total resource cost test which, for purposes of this Section, means a standard that is met if, for an investment in energy efficiency, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the total benefits of the measures to the net present value of the total costs as calculated over the lifetime of the measures. The total resource cost test

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compares the sum of avoided natural gas utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided electric utility costs, to the sum of all incremental costs of end use measures (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side measure, to quantify the net savings obtained by substituting demand-side measures for supply resources. In calculating avoided costs, reasonable estimates shall be included for financial costs likely to be imposed by future regulation of emissions of greenhouse gases. The low-income programs described in item (4) of subsection (f) of this Section shall not be required to meet the total resource cost test.

(c) Natural gas utilities shall implement cost-effective energy efficiency measures to meet at least the following natural gas savings requirements, which shall be based upon the total amount of gas delivered to retail customers, other than the customers described in subsection (m) of this Section, during calendar year 2009 multiplied by the applicable percentage. Natural gas utilities may comply with this Section by meeting the annual incremental savings goal in the applicable year or by showing that total cumulative annual savings within a 3-year planning period associated with measures implemented after May 31, 2011 were equal to the sum of each annual incremental savings requirement from May 31, 2011 through the end of the applicable year:

(1) 0.2% by May 31, 2012;
(2) an additional 0.4% by May 31, 2013, increasing total savings to .6%;
(3) an additional 0.6% by May 31, 2014, increasing total savings to 1.2%;
(4) an additional 0.8% by May 31, 2015, increasing total savings to 2.0%;
(5) an additional 1% by May 31, 2016, increasing total savings to 3.0%;
(6) an additional 1.2% by May 31, 2017, increasing total savings to 4.2%;
(7) an additional 1.4% by May 31, 2018, increasing total savings to 5.6%;
(8) an additional 1.5% by May 31, 2019, increasing total savings to 7.1%; and
(9) an additional 1.5% in each 12-month period thereafter.

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(d) Notwithstanding the requirements of subsection (c) of this Section, a natural gas utility shall limit the amount of energy efficiency implemented in any 3-year reporting period established by subsection (f) of Section 8-104 of this Act, by an amount necessary to limit the estimated average increase in the amounts paid by retail customers in connection with natural gas service to no more than 2% in the applicable 3-year reporting period. The energy savings requirements in subsection (c) of this Section may be reduced by the Commission for the subject plan, if the utility demonstrates by substantial evidence that it is highly unlikely that the requirements could be achieved without exceeding the applicable spending limits in any 3-year reporting period. No later than September 1, 2013, the Commission shall review the limitation on the amount of energy efficiency measures implemented pursuant to this Section and report to the General Assembly, in the report required by subsection (k) of this Section, its findings as to whether that limitation unduly constrains the procurement of energy efficiency measures.

(e) Natural gas utilities shall be responsible for overseeing the design, development, and filing of their efficiency plans with the Commission. The utility shall utilize 75% of the available funding associated with energy efficiency programs approved by the Commission, and may outsource various aspects of program development and implementation. The remaining 25% of available funding shall be used by the Department of Commerce and Economic Opportunity to implement energy efficiency measures that achieve no less than 20% of the requirements of subsection (c) of this Section. Such measures shall be designed in conjunction with the utility and approved by the Commission. The Department may outsource development and implementation of energy efficiency measures. A minimum of 10% of the entire portfolio of cost-effective energy efficiency measures shall be procured from local government, municipal corporations, school districts, and community college districts. Five percent of the entire portfolio of cost-effective energy efficiency measures may be granted to local government and municipal corporations for market transformation initiatives. The Department shall coordinate the implementation of these measures and shall integrate delivery of natural gas efficiency programs with electric efficiency programs delivered pursuant to Section 8-103 of this Act, unless the Department can show that integration is not feasible.

The apportionment of the dollars to cover the costs to implement the Department's share of the portfolio of energy efficiency measures shall
be made to the Department once the Department has executed rebate agreements, grants, or contracts for energy efficiency measures and provided supporting documentation for those rebate agreements, grants, and contracts to the utility. The Department is authorized to adopt any rules necessary and prescribe procedures in order to ensure compliance by applicants in carrying out the purposes of rebate agreements for energy efficiency measures implemented by the Department made under this Section.

The details of the measures implemented by the Department shall be submitted by the Department to the Commission in connection with the utility's filing regarding the energy efficiency measures that the utility implements.

A utility providing approved energy efficiency measures in this State shall be permitted to recover costs of those measures through an automatic adjustment clause tariff filed with and approved by the Commission. The tariff shall be established outside the context of a general rate case and shall be applicable to the utility's customers other than the customers described in subsection (m) of this Section. Each year the Commission shall initiate a review to reconcile any amounts collected with the actual costs and to determine the required adjustment to the annual tariff factor to match annual expenditures.

Each utility shall include, in its recovery of costs, the costs estimated for both the utility's and the Department's implementation of energy efficiency measures. Costs collected by the utility for measures implemented by the Department shall be submitted to the Department pursuant to Section 605-323 of the Civil Administrative Code of Illinois, shall be deposited into the Energy Efficiency Portfolio Standards Fund, and shall be used by the Department solely for the purpose of implementing these measures. A utility shall not be required to advance any moneys to the Department but only to forward such funds as it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual

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The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the Department.

No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet performance requirements for the portion of the portfolio implemented by the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (8) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

(f) No later than October 1, 2010, each gas utility shall file an energy efficiency plan with the Commission to meet the energy efficiency standards through May 31, 2014. Every 3 years thereafter, each utility shall file, no later than October 1, an energy efficiency plan with the Commission. If a utility does not file such a plan by October 1 of the applicable year, then it shall face a penalty of $100,000 per day until the plan is filed. Each utility's plan shall set forth the utility's proposals to meet the utility's portion of the energy efficiency standards identified in subsection (c) of this Section, as modified by subsection (d) of this Section, taking into account the unique circumstances of the utility's service territory. The Commission shall seek public comment on the utility's plan and shall issue an order approving or disapproving each plan. If the Commission disapproves a plan, the Commission shall, within 30 days, describe in detail the reasons for the disapproval and describe a path by which the utility may file a revised draft of the plan to address the Commission's concerns satisfactorily. If the utility does not refile with the
Commission within 60 days after the disapproval, the utility shall be subject to penalties at a rate of $100,000 per day until the plan is filed. This process shall continue, and penalties shall accrue, until the utility has successfully filed a portfolio of energy efficiency measures. Penalties shall be deposited into the Energy Efficiency Trust Fund and the cost of any such penalties may not be recovered from ratepayers. In submitting proposed energy efficiency plans and funding levels to meet the savings goals adopted by this Act the utility shall:

(1) Demonstrate that its proposed energy efficiency measures will achieve the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(2) Present specific proposals to implement new building and appliance standards that have been placed into effect.

(3) Present estimates of the total amount paid for gas service expressed on a per therm basis associated with the proposed portfolio of measures designed to meet the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(4) Coordinate with the Department to present a portfolio of energy efficiency measures proportionate to the share of total annual utility revenues in Illinois from households at or below 150% of the poverty level. Such programs shall be targeted to households with incomes at or below 80% of area median income.

(5) Demonstrate that its overall portfolio of energy efficiency measures, not including programs covered by item (4) of this subsection (f), are cost-effective using the total resource cost test and represent a diverse cross section of opportunities for customers of all rate classes to participate in the programs.

(6) Demonstrate that a gas utility affiliated with an electric utility that is required to comply with Section 8-103 of this Act has integrated gas and electric efficiency measures into a single program that reduces program or participant costs and appropriately allocates costs to gas and electric ratepayers. The Department shall integrate all gas and electric programs it delivers in any such utilities' service territories, unless the Department can show that integration is not feasible or appropriate.

(7) Include a proposed cost recovery tariff mechanism to fund the proposed energy efficiency measures and to ensure the

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recovery of the prudently and reasonably incurred costs of Commission-approved programs.

(8) Provide for quarterly status reports tracking implementation of and expenditures for the utility's portfolio of measures and the Department's portfolio of measures, an annual independent review, and a full independent evaluation of the 3-year results of the performance and the cost-effectiveness of the utility's and Department's portfolios of measures and broader net program impacts and, to the extent practical, for adjustment of the measures on a going forward basis as a result of the evaluations. The resources dedicated to evaluation shall not exceed 3% of portfolio resources in any given 3-year period.

(g) No more than 3% of expenditures on energy efficiency measures may be allocated for demonstration of breakthrough equipment and devices.

(h) Illinois natural gas utilities that are affiliated by virtue of a common parent company may, at the utilities' request, be considered a single natural gas utility for purposes of complying with this Section.

(i) If, after 3 years, a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section as modified by subsection (d), then it shall make a contribution to the Low-Income Home Energy Assistance Program. The total liability for failure to meet the goal shall be assessed as follows:

1. a large gas utility shall pay $600,000;
2. a medium gas utility shall pay $400,000; and
3. a small gas utility shall pay $200,000.

For purposes of this Section, (i) a "large gas utility" is a gas utility that on December 31, 2008, served more than 1,500,000 gas customers in Illinois; (ii) a "medium gas utility" is a gas utility that on December 31, 2008, served fewer than 1,500,000, but more than 500,000 gas customers in Illinois; and (iii) a "small gas utility" is a gas utility that on December 31, 2008, served fewer than 500,000 and more than 100,000 gas customers in Illinois. The costs of this contribution may not be recovered from ratepayers.

If a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, in any 2 consecutive 3-year planning periods, then the responsibility for implementing the utility's energy efficiency measures shall be transferred to an independent program administrator selected by
the Commission. Reasonable and prudent costs incurred by the independent program administrator to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, may be recovered from the customers of the affected gas utilities, other than customers described in subsection (m) of this Section. The utility shall provide the independent program administrator with all information and assistance necessary to perform the program administrator's duties including but not limited to customer, account, and energy usage data, and shall allow the program administrator to include inserts in customer bills. The utility may recover reasonable costs associated with any such assistance.

(j) No utility shall be deemed to have failed to meet the energy efficiency standards to the extent any such failure is due to a failure of the Department.

(k) Not later than January 1, 2012, the Commission shall develop and solicit public comment on a plan to foster statewide coordination and consistency between statutorily mandated natural gas and electric energy efficiency programs to reduce program or participant costs or to improve program performance. Not later than September 1, 2013, the Commission shall issue a report to the General Assembly containing its findings and recommendations.

(l) This Section does not apply to a gas utility that on January 1, 2009, provided gas service to fewer than 100,000 customers in Illinois.

(m) Subsections (a) through (k) of this Section do not apply to customers of a natural gas utility that have a North American Industry Classification System code number that is 22111 or any such code number beginning with the digits 31, 32, or 33 and (i) annual usage in the aggregate of 4 million therms or more within the service territory of the affected gas utility or with aggregate usage of 8 million therms or more in this State and complying with the provisions of item (i) of this subsection (m); or (ii) using natural gas as feedstock and meeting the usage requirements described in item (i) of this subsection (m), to the extent such annual feedstock usage is greater than 60% of the customer's total annual usage of natural gas.

(1) Customers described in this subsection (m) of this Section shall apply, on a form approved on or before October 1, 2009 by the Department, to the Department to be designated as a self-directing customer ("SDC") or as an exempt customer using natural gas as a feedstock from which other products are made,
including, but not limited to, feedstock for a hydrogen plant, on or before the 1st day of February, 2010. Thereafter, application may be made not less than 6 months before the filing date of the gas utility energy efficiency plan described in subsection (f) of this Section; however, a new customer that commences taking service from a natural gas utility after February 1, 2010 may apply to become a SDC or exempt customer up to 30 days after beginning service. Customers described in this subsection (m) that have not already been approved by the Department may apply to be designated a self-directing customer or exempt customer, on a form approved by the Department, between September 1, 2013 and September 30, 2013. Customer applications that are approved by the Department under this amendatory Act of the 98th General Assembly shall be considered to be a self-directing customer or exempt customer, as applicable, for the current 3-year planning period effective December 1, 2013. Such application shall contain the following:

(A) the customer's certification that, at the time of its application, it qualifies to be a SDC or exempt customer described in this subsection (m) of this Section;

(B) in the case of a SDC, the customer's certification that it has established or will establish by the beginning of the utility's 3-year planning period commencing subsequent to the application, and will maintain for accounting purposes, an energy efficiency reserve account and that the customer will accrue funds in said account to be held for the purpose of funding, in whole or in part, energy efficiency measures of the customer's choosing, which may include, but are not limited to, projects involving combined heat and power systems that use the same energy source both for the generation of electrical or mechanical power and the production of steam or another form of useful thermal energy or the use of combustible gas produced from biomass, or both;

(C) in the case of a SDC, the customer's certification that annual funding levels for the energy efficiency reserve account will be equal to 2% of the customer's cost of natural gas, composed of the customer's
commodity cost and the delivery service charges paid to the
gas utility, or $150,000, whichever is less;

(D) in the case of a SDC, the customer's
certification that the required reserve account balance will
be capped at 3 years' worth of accruals and that the
customer may, at its option, make further deposits to the
account to the extent such deposit would increase the
reserve account balance above the designated cap level;

(E) in the case of a SDC, the customer's certification
that by October 1 of each year, beginning no sooner than
October 1, 2012, the customer will report to the Department
information, for the 12-month period ending May 31 of the
same year, on all deposits and reductions, if any, to the
reserve account during the reporting year, and to the extent
deposits to the reserve account in any year are in an amount
less than $150,000, the basis for such reduced deposits;
reserve account balances by month; a description of energy
efficiency measures undertaken by the customer and paid
for in whole or in part with funds from the reserve account;
an estimate of the energy saved, or to be saved, by the
measure; and that the report shall include a verification by
an officer or plant manager of the customer or by a
registered professional engineer or certified energy
efficiency trade professional that the funds withdrawn from
the reserve account were used for the energy efficiency
measures;

(F) in the case of an exempt customer, the
customer's certification of the level of gas usage as
feedstock in the customer's operation in a typical year and
that it will provide information establishing this level, upon
request of the Department;

(G) in the case of either an exempt customer or a
SDC, the customer's certification that it has provided the
gas utility or utilities serving the customer with a copy of
the application as filed with the Department;

(H) in the case of either an exempt customer or a
SDC, certification of the natural gas utility or utilities
serving the customer in Illinois including the natural gas
utility accounts that are the subject of the application; and

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(I) in the case of either an exempt customer or a SDC, a verification signed by a plant manager or an authorized corporate officer attesting to the truthfulness and accuracy of the information contained in the application.

(2) The Department shall review the application to determine that it contains the information described in provisions (A) through (I) of item (1) of this subsection (m), as applicable. The review shall be completed within 30 days after the date the application is filed with the Department. Absent a determination by the Department within the 30-day period, the applicant shall be considered to be a SDC or exempt customer, as applicable, for all subsequent 3-year planning periods, as of the date of filing the application described in this subsection (m). If the Department determines that the application does not contain the applicable information described in provisions (A) through (I) of item (1) of this subsection (m), it shall notify the customer, in writing, of its determination that the application does not contain the required information and identify the information that is missing, and the customer shall provide the missing information within 15 working days after the date of receipt of the Department's notification.

(3) The Department shall have the right to audit the information provided in the customer's application and annual reports to ensure continued compliance with the requirements of this subsection. Based on the audit, if the Department determines the customer is no longer in compliance with the requirements of items (A) through (I) of item (1) of this subsection (m), as applicable, the Department shall notify the customer in writing of the noncompliance. The customer shall have 30 days to establish its compliance, and failing to do so, may have its status as a SDC or exempt customer revoked by the Department. The Department shall treat all information provided by any customer seeking SDC status or exemption from the provisions of this Section as strictly confidential.

(4) Upon request, or on its own motion, the Commission may open an investigation, no more than once every 3 years and not before October 1, 2014, to evaluate the effectiveness of the self-directing program described in this subsection (m).

Customers described in this subsection (m) that applied to the Department on January 3, 2013, were approved by the Department on
February 13, 2013 to be a self-directing customer or exempt customer, and receive natural gas from a utility that provides gas service to at least 500,000 retail customers in Illinois and electric service to at least 1,000,000 retail customers in Illinois shall be considered to be a self-directing customer or exempt customer, as applicable, for the current 3-year planning period effective December 1, 2013.

(n) The applicability of this Section to customers described in subsection (m) of this Section is conditioned on the existence of the SDC program. In no event will any provision of this Section apply to such customers after January 1, 2020.

(Source: P.A. 97-813, eff. 7-13-12; 97-841, eff. 7-20-12; 98-90, eff. 7-15-13; 98-225, eff. 8-9-13; revised 9-9-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 17, 2013.
Effective December 17, 2013.

PUBLIC ACT 98-0605
(Senate Bill No. 1045)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Code of Civil Procedure is amended by changing Section 15-1508 as follows:

(735 ILCS 5/15-1508) (from Ch. 110, par. 15-1508)
(a) Report. The person conducting the sale shall promptly make a report to the court, which report shall include a copy of all receipts and, if any, certificate of sale.
(b) Hearing. Upon motion and notice in accordance with court rules applicable to motions generally, which motion shall not be made prior to sale, the court shall conduct a hearing to confirm the sale. Unless the court finds that (i) a notice required in accordance with subsection (c) of Section 15-1507 was not given, (ii) the terms of sale were unconscionable, (iii) the sale was conducted fraudulently, or (iv) justice was otherwise not done, the court shall then enter an order confirming the sale. The confirmation order shall include a name, address, and telephone number of the purchaser.

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The confirmation order may also:

1. Approve the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the confirmation hearing, those costs and fees to be allowable to the same extent as provided in the note and mortgage and in Section 15-1504;

2. Provide for a personal judgment against any party for a deficiency; and

3. Determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(b-3) Hearing to confirm sale of abandoned residential property.

Upon motion and notice by first-class mail to the last known address of the mortgagor, which motion shall be made prior to the sale and heard by the court at the earliest practicable time after conclusion of the sale, and upon the posting at the property address of the notice required by paragraph (2) of subsection (l) of Section 15-1505.8, the court shall enter an order confirming the sale of the abandoned residential property, unless the court finds that a reason set forth in items (i) through (iv) of subsection (b) of this Section exists for not approving the sale, or an order is entered pursuant to subsection (h) of Section 15-1505.8. The confirmation order also may address the matters identified in items (1) through (3) of subsection (b) of this Section. The notice required under subsection (b-5) of this Section shall not be required.

(b-5) Notice with respect to residential real estate. With respect to residential real estate, the notice required under subsection (b) of this Section shall be sent to the mortgagor even if the mortgagor has previously been held in default. In the event the mortgagor has filed an appearance, the notice shall be sent to the address indicated on the appearance. In all other cases, the notice shall be sent to the mortgagor at the common address of the foreclosed property. The notice shall be sent by first class mail. Unless the right to possession has been previously terminated by the court, the notice shall include the following language in 12-point boldface capitalized type:

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY
OF AN ORDER OF POSSESSION, IN ACCORDANCE WITH
SECTION 15-1701(c) OF THE ILLINOIS MORTGAGE
FORECLOSURE LAW.

(b-10) Notice of confirmation order sent to municipality or county. A copy of the confirmation order required under subsection (b) shall be sent to the municipality in which the foreclosed property is located, or to the county within the boundary of which the foreclosed property is located if the foreclosed property is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which a copy of the order shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which a copy of the order shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b-10), then a copy of the order shall be sent by first class mail, postage prepaid, to the chairperson of the county board or county clerk in the case of a county, to the mayor or city clerk in the case of a city, to the president of the board of trustees or village clerk in the case of a village, or to the president or town clerk in the case of a town.

(b-15) Notice of confirmation order sent to known insurers. With respect to residential real estate, the party filing the complaint shall send a copy of the confirmation order required under subsection (b) by first class mail, postage prepaid, to the last known property insurer of the foreclosed property. Failure to send or receive a copy of the order shall not impair or abrogate in any way the rights of the mortgagee or purchaser or affect the status of the foreclosure proceedings.

(c) Failure to Give Notice. If any sale is held without compliance with subsection (c) of Section 15-1507 of this Article, any party entitled to the notice provided for in paragraph (3) of that subsection (c) who was not so notified may, by motion supported by affidavit made prior to confirmation of such sale, ask the court which entered the judgment to set aside the sale. Any such party shall guarantee or secure by bond a bid equal to the successful bid at the prior sale, unless the party seeking to set aside the sale is the mortgagor, the real estate sold at the sale is residential real estate, and the mortgagor occupies the residential real estate at the time the motion is filed. In that event, no guarantee or bond shall be required of the mortgagor. Any subsequent sale is subject to the same notice requirement as the original sale.
(d) Validity of Sale. Except as provided in subsection (c) of Section 15-1508, no sale under this Article shall be held invalid or be set aside because of any defect in the notice thereof or in the publication of the same, or in the proceedings of the officer conducting the sale, except upon good cause shown in a hearing pursuant to subsection (b) of Section 15-1508. At any time after a sale has occurred, any party entitled to notice under paragraph (3) of subsection (c) of Section 15-1507 may recover from the mortgagee any damages caused by the mortgagee's failure to comply with such paragraph (3). Any party who recovers damages in a judicial proceeding brought under this subsection may also recover from the mortgagee the reasonable expenses of litigation, including reasonable attorney's fees.

(d-5) Making Home Affordable Program. The court that entered the judgment shall set aside a sale held pursuant to Section 15-1507, upon motion of the mortgagor at any time prior to the confirmation of the sale, if the mortgagor proves by a preponderance of the evidence that (i) the mortgagor has applied for assistance under the Making Home Affordable Program established by the United States Department of the Treasury pursuant to the Emergency Economic Stabilization Act of 2008, as amended by the American Recovery and Reinvestment Act of 2009, and (ii) the mortgaged real estate was sold in material violation of the program's requirements for proceeding to a judicial sale. The provisions of this subsection (d-5), except for this sentence, shall become inoperative on January 1, 2016 for all actions filed under this Article after December 31, 2015, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, 2015.

(e) Deficiency Judgment. In any order confirming a sale pursuant to the judgment of foreclosure, the court shall also enter a personal judgment for deficiency against any party (i) if otherwise authorized and (ii) to the extent requested in the complaint and proven upon presentation of the report of sale in accordance with Section 15-1508. Except as otherwise provided in this Article, a judgment may be entered for any balance of money that may be found due to the plaintiff, over and above the proceeds of the sale or sales, and enforcement may be had for the collection of such balance, the same as when the judgment is solely for the payment of money. Such judgment may be entered, or enforcement had, only in cases where personal service has been had upon the persons

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personally liable for the mortgage indebtedness, unless they have entered their appearance in the foreclosure action.

(f) Satisfaction. Upon confirmation of the sale, the judgment stands satisfied to the extent of the sale price less expenses and costs. If the order confirming the sale includes a deficiency judgment, the judgment shall become a lien in the manner of any other judgment for the payment of money.

(g) The order confirming the sale shall include, notwithstanding any previous orders awarding possession during the pendency of the foreclosure, an award to the purchaser of possession of the mortgaged real estate, as of the date 30 days after the entry of the order, against the parties to the foreclosure whose interests have been terminated.

An order of possession authorizing the removal of a person from possession of the mortgaged real estate shall be entered and enforced only against those persons personally named as individuals in the complaint or the petition under subsection (h) of Section 15-1701. No order of possession issued under this Section shall be entered against a lessee with a bona fide lease of a dwelling unit in residential real estate in foreclosure, whether or not the lessee has been made a party in the foreclosure. An order shall not be entered and enforced against any person who is only generically described as an unknown owner or nonrecord claimant or by another generic designation in the complaint.

Notwithstanding the preceding paragraph, the failure to personally name, include, or seek an award of possession of the mortgaged real estate against a person in the confirmation order shall not abrogate any right that the purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against that person for possession under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701; and possession against a person who (1) has not been personally named as a party to the foreclosure and (2) has not been provided an opportunity to be heard in the foreclosure proceeding may be sought only by maintaining a proceeding under Article IX of this Code or, if applicable, under subsection (h) of Section 15-1701.

(h) With respect to mortgaged real estate containing 5 or more dwelling units, the order confirming the sale shall also provide that (i) the mortgagor shall transfer to the purchaser the security deposits, if any, that the mortgagor received to secure payment of rent or to compensate for damage to the mortgaged real estate from any current occupant of a dwelling unit of the mortgaged real estate, as well as any statutory interest
that has not been paid to the occupant, and (ii) the mortgagor shall provide an accounting of the security deposits that are transferred, including the name and address of each occupant for whom the mortgagor holds the deposit and the amount of the deposit and any statutory interest.

(Source: P.A. 97-333, eff. 8-12-11; 97-575, eff. 8-26-11; 97-1159, eff. 1-29-13; 97-1164, eff. 6-1-13; 98-514, eff. 11-19-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 6, 2013.
Approved December 26, 2013.
Effective December 26, 2013.

PUBLIC ACT 98-0606
(House Bill No. 2327)

AN ACT concerning courts.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Clerks of Courts Act is amended by changing Sections 27.3a and 27.3c as follows:

(705 ILCS 105/27.3a)

Sec. 27.3a. Fees for automated record keeping, probation and court services operations, and State and Conservation Police operations.

1. The expense of establishing and maintaining automated record keeping systems in the offices of the clerks of the circuit court shall be borne by the county. To defray such expense in any county having established such an automated system or which elects to establish such a system, the county board may require the clerk of the circuit court in their county to charge and collect a court automation fee of not less than $1 nor more than $15 to be charged and collected by the clerk of the court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the county board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance.

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Such fee shall be collected in the manner in which all other fees or costs are collected.

1.1. Starting on July 6, 2012 (the effective date of Public Act 97-761) and pursuant to an administrative order from the chief judge of the circuit or the presiding judge of the county authorizing such collection, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall also charge and collect an additional $10 operations fee for probation and court services department operations.

This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, local ordinance, or conservation case upon a judgment of guilty or grant of supervision, except such $10 operations fee shall not be charged and collected in cases governed by Supreme Court Rule 529 in which the bail amount is $120 or less.

1.2. With respect to the fee imposed and collected under subsection 1.1 of this Section, each clerk shall transfer all fees monthly to the county treasurer for deposit into the probation and court services fund created under Section 15.1 of the Probation and Probation Officers Act, and such monies shall be disbursed from the fund only at the direction of the chief judge of the circuit or another judge designated by the Chief Circuit Judge in accordance with the policies and guidelines approved by the Supreme Court.

1.5. Starting on the effective date of this amendatory Act of the 96th General Assembly, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section, shall charge and collect an additional fee of not less than $1 nor more than $15 in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, or local ordinance case upon a judgment of guilty or grant of supervision. This fee shall not be paid by the defendant for any conservation violation listed in subsection 1.6 of this Section.

1.6. Starting on July 1, 2012 (the effective date of Public Act 97-46), a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall charge and collect an additional fee of not less than $1 nor more than $15 in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant upon a judgment of guilty or grant of supervision for a conservation violation under the State Parks Act, the Recreational Trails of Illinois Act, the Illinois Explosives Act, the Timber Buyers Licensing Act, the Forest Products Transportation Act, the Firearm
Owners Identification Card Act, the Environmental Protection Act, the Fish and Aquatic Life Code, the Wildlife Code, the Cave Protection Act, the Illinois Exotic Weed Act, the Illinois Forestry Development Act, the Ginseng Harvesting Act, the Illinois Lake Management Program Act, the Illinois Natural Areas Preservation Act, the Illinois Open Land Trust Act, the Open Space Lands Acquisition and Development Act, the Illinois Prescribed Burning Act, the State Forest Act, the Water Use Act of 1983, the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Illinois Dangerous Animals Act, the Hunter and Fishermen Interference Prohibition Act, the Wrongful Tree Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427, 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of the Illinois Vehicle Code, or Section 48-3 or 48-10 of the Criminal Code of 2012.

2. With respect to the fee imposed under subsection 1 of this Section, each clerk shall commence such charges and collections upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his office.

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

4. With respect to the fee imposed under subsection 1 of this Section, such fees shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.

5. With respect to the additional fee imposed under subsection 1.5 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund.

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6. With respect to the additional fees imposed under subsection 1.5 of this Section, the Director of State Police may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State Police Operations Assistance Fund into the Illinois Law Enforcement Alarm Systems (ILEAS) Fund for homeland security initiatives programs. The transferred fees shall be allocated, subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security initiatives and (ii) 33.3% shall be used for airborne operations. The ILEAS Executive Board shall annually supply the Director of State Police with a report of the use of these fees.

7. With respect to the additional fee imposed under subsection 1.6 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the Conservation Police Operations Assistance Fund.

(Source: P.A. 96-1029, eff. 7-13-10; 97-46, eff. 7-1-12; 97-453, eff. 8-19-11; 97-738, eff. 7-5-12; 97-761, eff. 7-6-12; 97-813, eff. 7-13-12; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(705 ILCS 105/27.3c) (from Ch. 25, par. 27.3c)

Sec. 27.3c. Document storage system.

(a) The expense of establishing and maintaining a document storage system in the offices of the circuit court clerks in the several counties of this State shall be borne by the county. To defray the expense in any county that elects to establish a document storage system and convert the records of the circuit court clerk to electronic or micrographic storage, the county board may require the clerk of the circuit court in its county to collect a court document fee of not less than $1 nor more than $25, to be charged and collected by the clerk of the court. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases or by the defendant in any felony, misdemeanor, traffic, ordinance, or conservation matter on a judgment of guilty or grant of supervision, provided that the document storage system is in place or has been authorized by the county board and further that no additional fee shall be required if more than one party is presented in a single pleading, paper, or other appearance. The fee shall be collected in the manner in which all other fees or costs are collected.

(b) Each clerk shall commence charges and collections of a court document fee upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his or her office.

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(c) Court document fees shall be in addition to other fees and charges of the clerk, shall be assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court document storage fee. The fees shall be remitted monthly by the clerk to the county treasurer, to be retained by the treasurer in a special fund designated as the Court Document Storage Fund. The fund shall be audited by the county auditor, and the board shall make expenditures from the fund in payment of any costs relative to the storage of court records, including hardware, software, research and development costs, and related personnel, provided that the expenditure is approved by the clerk of the circuit court.

(d) A court document fee shall not be charged in any matter coming to the clerk on change of venue or in any proceeding to review the decision of any administrative officer, agency, or body.

(Source: P.A. 94-596, eff. 1-1-06.)

Passed in the General Assembly November 7, 2013.
Approved December 27, 2013.
Effective June 1, 2014.

PUBLIC ACT 98-0607
(House Bill No. 2535)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Developmental Disability and Mental Disability Services Act is amended by adding Article 11 as follows:

(405 ILCS 80/Art. XI heading new)

ARTICLE XI. DEVELOPMENTAL DISABILITIES REGULATORY ADVISORY BOARD

(405 ILCS 80/11-1 new)

Sec. 11-1. Developmental Disabilities Regulatory Advisory Board.

(a) The Director of the Division of Developmental Disabilities within the Department shall appoint a Developmental Disabilities Regulatory Advisory Board, no later than October 1, 2013, whose members are capable of actively participating on the Advisory Board, to consult with the Department regarding Parts 115, 116, 117, 119, and 120 of Title 59 of the Illinois Administrative Code, as provided in this Section.

(b) The Advisory Board shall be composed of the following persons:

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(1) The Director of the Division of Developmental Disabilities, or his or her designee, shall serve as an ex-officio member and shall serve as chairperson of the Advisory Board.

(2) One representative of the Department of Healthcare and Family Services and one representative of the Office of the State Fire Marshal, each of whom shall serve as ex-officio members.

(3) Five persons selected from recommendations of organizations whose membership consists of providers within the developmental disabilities service delivery system.

(4) Two persons who are guardians or family members of persons with developmental disabilities and who do not have responsibility for management or formation of policy regarding the programs subject to review of the Advisory Board.

(5) Two persons who receive developmental disabilities services funded by the Division.

(6) Two persons selected from the recommendations of consumer organizations that engage solely in advocacy or legal representation on behalf of persons with developmental disabilities and their immediate families.

(7) One person who is a representative of a labor organization which represents direct support persons, working within one of the programs subject to review of the Advisory Board.

(c) The Advisory Board shall meet as frequently as the chairperson deems necessary, but not less than once each calendar year. Upon request of 6 or more members, the chairperson shall call a meeting of the Advisory Board. A member of the Advisory Board may designate a replacement to serve at the Advisory Board meeting in place of the member by submitting a letter of designation to the chairperson prior to or at the Advisory Board meeting, but a replacement for an Advisory Board member may not serve as a replacement for more than 2 consecutive meetings.

(d) The Advisory Board shall advise the Department of Human Services Division of Developmental Disabilities on the format and content of any amendments to rules referenced in subsection (a) proposed by the Division of Developmental Disabilities. Any of these rules, except emergency rules adopted under Section 5-45 of the Illinois Administrative Procedure Act, adopted without obtaining the advice of the Advisory Board.
Board are null and void. If the Department fails to follow the advice of the Advisory Board on proposed rules, the Department shall, prior to the adoption of the rules, transmit a written explanation of the reason therefor to the Advisory Board.

(e) During its review of proposed rules as requested by the Department, the Advisory Board shall discuss the economic impact of those rules.

(f) If the Advisory Board, having been asked for its advice, fails to advise the Department within 45 days, the rules shall be considered acted upon.

(g) The Department shall provide staff and technical support to the Advisory Board to perform its functions under this Section.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly October 23, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

PUBLIC ACT 98-0608
(House Bill No. 2778)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Emergency Medical Services (EMS) Systems Act is amended by adding Section 3.87 as follows:

(210 ILCS 50/3.87 new)

Sec. 3.87. Ambulance service upgrades; rural population.
(a) In this Section, "rural ambulance service provider" means an ambulance service provider licensed under this Act that serves a rural population of 7,500 or fewer inhabitants.

(b) A rural ambulance service provider may submit a proposal to the EMS System Medical Director requesting approval of either or both of the following:

(1) Rural ambulance service provider in-field service level upgrade.

(A) An ambulance operated by a rural ambulance service provider may be upgraded, as defined by the EMS System Medical Director in a policy or procedure, as long

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as the EMS System Medical Director and the Department have approved the proposal, to the highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) held by any person staffing that ambulance. The ambulance service provider's proposal for an upgrade must include all of the following:

(i) The manner in which the provider will secure advanced life support equipment, supplies, and medications.

(ii) The type of quality assurance the provider will perform.

(iii) An assurance that the provider will advertise only the level of care that can be provided 24 hours a day.

(B) If a rural ambulance service provider is approved to provide an in-field service level upgrade based on the licensed personnel on the vehicle, all the advanced life support medical supplies, durable medical equipment, and medications must be secured and locked with access by only the personnel who have been authorized by the EMS System Medical Director to utilize those supplies.

(C) The EMS System shall routinely perform quality assurance, in compliance with the EMS System's quality assurance plan approved by the Department, on in-field service level upgrades authorized under this Section to ensure compliance with the EMS System plan.

(2) Rural ambulance service provider in-field service level upgrade. The EMS System Medical Director may define what constitutes an in-field service level upgrade through an EMS System policy or procedure. An in-field service level upgrade may include, but need not be limited to, an upgrade to a licensed ambulance, alternate response vehicle as defined by the Department in rules, or specialized emergency medical services vehicle.

(c) If the EMS System Medical Director approves a proposal for a rural in-field service level upgrade under this Section, he or she shall submit the proposal to the Department along with a statement of approval signed by him or her. Once the Department has approved the proposal, the rural ambulance service provider will be authorized to function at the
highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) held by any person staffing the vehicle.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly October 23, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

PUBLIC ACT 98-0609
(House Bill No. 2962)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by changing Sections 131.1, 131.2, 131.3, 131.4, 131.5, 131.6, 131.8, 131.8a, 131.11, 131.12, 131.12a, 131.13, 131.14, 131.16, 131.17, 131.18, 131.19, 131.20, 131.20a, 131.20b, 131.21, 131.22, 131.23, 131.24, 131.26, 131.27, and 408.3 and by adding Sections 131.9a, 131.14a, 131.14b, 131.14c, 131.14d, 131.20c, 131.29, and 131.30 as follows:

(215 ILCS 5/131.1) (from Ch. 73, par. 743.1)

Sec. 131.1. Definitions. As used in this Article, the following terms have the respective meanings set forth in this Section unless the context requires otherwise:

(a) An "affiliate" of, or person "affiliated" with, a specific person, is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(a-5) "Acquiring party" means such person by whom or on whose behalf the merger or other acquisition of control referred to in Section 131.4 is to be affected and any person that controls such person or persons.

(a-10) "Associated person" means, with respect to an acquiring party, (1) any beneficial owner of shares of the company to be acquired, owned, directly or indirectly, of record or beneficially by the acquiring party, (2) any affiliate of the acquiring party or beneficial owner, and (3) any other person acting in concert, directly or indirectly, pursuant to any agreement, arrangement, or understanding, whether written or oral, with

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the acquiring party or beneficial owner, or any of their respective affiliates, in connection with the merger, consolidation, or other acquisition of control referred to in Section 131.4 of this Code.

(a-15) "Company" has the same meaning as "company" as defined in Section 2 of this Code, except that it does not include agencies, authorities, or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state.

(b) "Control" (including the terms "controlling", "controlled by" and "under common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, the holding of shareholders' or policyholders' proxies by contract other than a commercial contract for goods or non-management services, or otherwise, unless the power is solely the result of an official position with or corporate office held by the person. Control is presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds shareholders' proxies representing 10% or more of the voting securities of any other person, or holds or controls sufficient policyholders' proxies to elect the majority of the board of directors of the domestic company. This presumption may be rebutted by a showing made in the manner as the Director may provide by rule. The Director may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support such determination, that control exists in fact, notwithstanding the absence of a presumption to that effect.

(b-5) "Enterprise risk" means any activity, circumstance, event, or series of events involving one or more affiliates of a company that, if not remedied promptly, is likely to have a material adverse effect upon the financial condition or liquidity of the company or its insurance holding company system as a whole, including, but not limited to, anything that would cause the company's risk-based capital to fall into company action level as set forth in Article IIA of this Code or would cause the company to be in hazardous financial condition as set forth in Article XII 1/2 of this Code.

(b-10) "Exchange Act" means the Securities Exchange Act of 1934, as amended, together with the rules and regulations promulgated thereunder.

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(c) "Insurance holding company system" means two or more affiliated persons, one or more of which is an insurance company as defined in paragraph (e) of Section 2 of this Code.

(d) (Blank). "Company" has the same meaning as "Company" as defined in Section 2 of this Code, except that it does not include agencies, authorities or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia or a State or political subdivision of a State.

(d-5) "Non-operating holding company" is a general business corporation functioning solely for the purpose of forming, owning, acquiring, and managing subsidiary business entities and having no other business operations not related thereto.

(d-10) "Own", "owned," or "owning" means shares (1) with respect to which a person has title or to which a person's nominee, custodian, or other agent has title and which such nominee, custodian, or other agent is holding on behalf of the person or (2) with respect to which a person (A) has purchased or has entered into an unconditional contract, binding on both parties, to purchase the shares, but has not yet received the shares, (B) owns a security convertible into or exchangeable for the shares and has tendered the security for conversion or exchange, (C) has an option to purchase or acquire, or rights or warrants to subscribe to, the shares and has exercised such option, rights, or warrants, or (D) holds a securities futures contract to purchase the shares and has received notice that the position will be physically settled and is irrevocably bound to receive the underlying shares. To the extent that any affiliates of the stockholder or beneficial owner are acting in concert with the stockholder or beneficial owner, the determination of shares owned may include the effect of aggregating the shares owned by the affiliate or affiliates. Whether shares constitute shares owned shall be decided by the Director in his or her reasonable determination.

(e) "Person" means an individual, a corporation, a limited liability company, a partnership, an association, a joint stock company, a trust, an unincorporated organization, any similar entity or any combination of the foregoing acting in concert, but does not include any securities broker performing no more than the usual and customary broker's function or joint venture partnership exclusively engaged in owning, managing, leasing or developing real or tangible personal property other than capital stock.

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(e-5) "Policyholders' proxies" are proxies that give the holder the right to vote for the election of the directors and other corporate actions not in the day to day operations of the company.

(f) (Blank).

(g) "Subsidiary" of a specified person is an affiliate controlled by such person directly, or indirectly through one or more intermediaries.

(h) "Voting Security" is a security which gives to the holder thereof the right to vote for the election of directors and includes any security convertible into or evidencing a right to acquire a voting security.

(i) (Blank).

(j) (Blank).

(k) (Blank).

(Source: P.A. 84-805.)

(215 ILCS 5/131.2) (from Ch. 73, par. 743.2)

Sec. 131.2. Subsidiaries. A domestic company, either by itself or in cooperation with one or more persons, may organize or acquire one or more subsidiaries. The subsidiaries may conduct any kind of business or businesses and their authority to do so shall not be limited by reason of the fact that they are subsidiaries of a domestic company. In addition to investments in common stock, preferred stock, debt obligations and other securities of subsidiaries permitted under all other sections of this Code, a domestic company, other than a company subject to Articles XVIII or XIX, may also:

(a) invest, in common stock, preferred stock, debt obligations, and other securities of one or more subsidiaries, amounts which do not exceed the lesser of 10% of the company's assets or 50% of the company's surplus as regards policyholders, but after such investments the company's surplus as regards

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policyholders must be reasonable in relation to the company's outstanding liabilities and adequate to its financial needs. In calculating the amount of such investments, there must be included (i) total net monies or other consideration expended and obligations assumed in the acquisition or formation of a subsidiary, including all organizational expenses and contributions to capital and surplus of the subsidiary whether or not represented by the purchase of capital stock or issuance of other securities, and (ii) all amounts expended in acquiring additional common stock, preferred stock, debt obligations, and other securities, and all contributions to the capital or surplus of a subsidiary subsequent to its acquisition or formation;

(b) invest any amount in common stock, preferred stock, debt obligations and other securities of one or more direct subsidiaries acting only as a non-operating holding company or engaged or organized exclusively for the ownership and management of assets authorized as investments for the company, provided that each subsidiary agrees to limit its investments in any asset so that such investments will not cause the amount of the total investment of the company to exceed the amount the company could have invested in such asset. For the purpose of this clause, "the total investment of the company" will include (i) any direct investment by the company in an asset and (ii) the company's proportionate share of any investment in such asset by any direct subsidiary of the company, which must be calculated by multiplying the amount of the subsidiary's investment by the percentage of the company's ownership of such subsidiary;

(c) invest in common stock of one or more insurance corporation subsidiaries any amount by which the investing company's capital and surplus exceeds the minimum capital and surplus required of a new company under Section 13 to qualify for a certificate of authority to write the kind or kinds of insurance which the company is authorized to write, if the company is a stock company, and if the company is other than a stock company, the company may invest the amount by which the company's surplus exceeds the minimum surplus required of a new company under Section 43 or 66 to qualify for a certificate of authority to write the kind or kinds of insurance which the company is authorized to write;

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(d) with the approval of the Director, invest any greater amount in common stock, preferred stock, debt obligations, or other securities of one or more subsidiaries, but after such investment the company's surplus as regards policyholders must be reasonable in relation to the company's outstanding liabilities and adequate to its financial needs.

(Source: P.A. 85-1186.)

(215 ILCS 5/131.3) (from Ch. 73, par. 743.3)

Sec. 131.3. (1) Investments in common stock, preferred stock, debt obligations or other securities of subsidiaries made under Section 131.2 of this Article are subject to Sections 126.3, 126.4, 126.5, 126.6, 126.7, and 133 of this Code but are not subject to any other of the otherwise applicable restrictions or prohibitions contained in this Code applicable to such investments of a domestic company subject to this Code.

(2) If a company ceases to control a subsidiary, it must dispose of any investment therein made under this section within 3 years from the time of the cessation of control or within such further time as the Director may prescribe, unless at any time after the investment is made, the investment meets the requirements for investment under any other section of this Code, and the company has notified the Director thereof.

(3) Whether any investment made pursuant to this Section meets the applicable requirements of this Section is to be determined before the investment is made by calculating the applicable investment limitations as though the investment had already been made, taking into account the then outstanding principal balance on all previous investments in debt obligations, and the value of all previous investments in equity securities as of the day they were made, net of any return of capital invested, not including dividends.

(Source: P.A. 90-418, eff. 8-15-97.)

(215 ILCS 5/131.4) (from Ch. 73, par. 743.4)

Sec. 131.4. Acquisition of control of or merger with domestic company.

(a) No person other than the issuer may make a tender for or a request or invitation for tenders of, or enter into an agreement to exchange securities for, or seek to acquire or acquire shareholders' proxies to vote or seek to acquire or acquire in the open market, or otherwise, any voting security of a domestic company or acquire policyholders' proxies of a domestic company or any entity that controls a domestic company, for consideration if, after the consummation thereof, that person would,
directly or indirectly, (or by conversion or by exercise of any right to acquire) be in control of the company, and no person may enter into an agreement to merge or consolidate with or otherwise to acquire control of a domestic company, unless the offer, request, invitation, or agreement is conditioned on receiving the approval of the Director based on Section 131.8 of this Article and no such acquisition of control or a merger with a domestic company may be consummated unless the person has filed with the Director and has sent to the company a statement containing the information required by Section 131.5 and the Director has approved the transaction or granted an exemption. For purposes of this Section a domestic company includes any other person which controls a domestic company or holds or controls sufficient policyholders' proxies to elect the majority of the board of directors of the domestic company. Prior to the acquisition, the Director may conclude that a statement need not be filed by the acquiring party if the acquiring party demonstrates to the satisfaction of the Director that:

(1) such transaction will not result in the change of control of the domestic company; or
(2) (blank); the person which is subject to the acquisition has assets in excess of $1,000,000 and shareholders of record of 500 or more and its insurance business either directly or through its affiliates is an insignificant portion of its total business; or
(3) the acquisition of, or attempt to acquire control of, such other person is subject to requirements in the jurisdiction of its domicile which are substantially similar to those contained in this Section and Sections 131.5 through 131.12; or
(4) the control of the policyholders' proxies is being acquired solely by virtue of the holders official office and not as the result of any agreement or for any consideration.

The purpose of this Section is to afford to the Director the opportunity to review acquisitions in order to determine whether or not the acquisition would be adverse to the interests of the existing and future policyholders of the company.

(b) For purposes of this Section, any controlling person of a domestic company seeking to divest its controlling interest in the domestic company in any manner shall file with the Director, with a copy to the company, confidential notice of its proposed divestiture at least 30 days prior to the cessation of control. The Director shall determine those instances in which the party or parties seeking to divest or to acquire a

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controlling interest in a company shall be required to file for and obtain approval of the transaction. The information shall remain confidential until the conclusion of the transaction unless the Director, in his or her discretion, determines that confidential treatment shall interfere with enforcement of this Section. If the statement referred to in subsection (a) of this Section is otherwise filed in connection with the proposed divesture or related acquisition, this subsection (b) shall not apply.

(c) For purposes of this Section, a domestic company shall include any person controlling a domestic company unless the person, as determined by the Director, is either directly or through its affiliates primarily engaged in business other than the business of insurance. For the purposes of this Section, "person" shall not include any securities broker holding, in the usual and customary broker's function, less than 20% of the voting securities of an insurance company or of any person that controls an insurance company.

(Source: P.A. 86-784.)

(215 ILCS 5/131.5) (from Ch. 73, par. 743.5)

Sec. 131.5. Statement; contents. In order to seek the approval of the Director pursuant to Section 131.8, the applicant must file a statement with the Director under oath or affirmation which contains as a minimum the following information:

(1) The name and address of each acquiring party, and

(a) if such person is an individual, his principal occupation and all offices and positions held during the past 5 years, and any conviction of crimes, other than minor traffic violations, during the past 10 years;

(b) if such person is not an individual, a report of the nature of its business operations during the past 5 years or for such lesser period as the person and any predecessors thereof has been in existence; an informative description of the business intended to be conducted by the person and the person's subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of the person, or who perform or will perform functions appropriate to such positions. The list must include for each individual the information required by subsection (1)(a).

(2) The source, nature and amount of the consideration used or to be used in effecting the merger, consolidation or other acquisition of control, a description of any transaction wherein funds were or are to be obtained for any such purpose, including any pledge of the company's own securities or the securities of any of its subsidiaries or affiliates, and the
identity of persons furnishing such consideration. However, where a source of such consideration is a loan made in the lender's ordinary course of business, the identity of the lender must remain confidential, if the person filing the statement so requests.

(3) Financial information as to the earnings and financial condition of each acquiring party for the preceding 5 fiscal years of each acquiring party (or for such lesser period as the acquiring party and any predecessors thereof have been in existence) audited by an independent certified public accountant in accordance with generally accepted auditing standards and similar unaudited information for the second and third preceding fiscal years and as of a date not earlier than 90 days prior to the filing of the statement. If an acquiring party is an insurer which has been actively engaged in the business of insurance for 10 years, the financial information need not be audited, provided it is based on the annual statements of such acquiring person filed with the insurance department of the person's domiciliary state and is in accordance with the requirement of insurance or other accounting principles prescribed or permitted under the laws and regulations of such state:

(a) When an applicant is controlled by an individual, financial information for that individual will not be required if the applicant is currently subject to the registration and reporting requirements of Section 12(g) of the Securities Exchange Act of 1934 or is an insurer which has been actively engaged in the business of insurance for a period in excess of 10 years;

(b) When an individual as an acquiring party must file financial information under this paragraph such information need not be delivered to the company. However, such information shall be available if the Director holds a hearing pursuant to Section 131.8.

(4) Any plans or proposals which each acquiring party may have to liquidate such company, to sell its assets or merge or consolidate it with any person, or to make any other material change in its business or corporate structure or management.

(5) The number of shares of any security referred to in Section 131.4 which each acquiring party proposes to acquire, and the terms of the offer, request, invitation, agreement, or acquisition referred to in Section 131.4, and a statement as to the method by which the fairness of the proposal was arrived.
(6) The amount of each class of any security referred to in Section 131.4 which is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring party.

(7) A full description of any existing contracts, arrangements or understandings with respect to any security referred to in Section 131.4 in which any acquiring party is involved, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. The description must identify the persons with whom such contracts, arrangements or understandings have been entered into.

(8) A description of the acquisition of any security or policyholders' proxy referred to in Section 131.4 during the 12 calendar months preceding the filing of the statement, by any acquiring party, including the dates of acquisition, names of the acquiring parties and consideration paid or agreed to be paid therefor.

(9) A description of any recommendations to acquire any security referred to in Section 131.4 during the 12 calendar months preceding the filing of the statement, by any acquiring party, or by anyone based upon interviews or at the suggestion of such acquiring party.

(10) Copies of all tender offers for, requests or invitations for tenders of, exchange offers for, and agreements to acquire or exchange any securities referred to in Section 131.4, and (if distributed) of additional soliciting material relating thereto.

(11) The terms of any agreement, contract or understanding made with, or proposed to be made with, any broker-dealer as to solicitation of securities referred to in Section 131.4 for tender, and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard thereto.

(12) Beginning July 1, 2014, an agreement by the person required to file the statement referred to in this Section 131.5 that the person will provide the annual report specified in Section 131.14b for so long as control exists.

(13) Beginning July 1, 2014, an acknowledgement by the person required to file the statement referred to in this Section 131.5 that the person and all subsidiaries within its control in the insurance holding company system shall provide information to the Director upon request as necessary to evaluate enterprise risk to the company.

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Any additional information as the Director may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders or in the public interest.

With respect to each acquiring party, the following information:

(A) the name and address of all associated persons and a detailed description of every agreement, arrangement, and understanding between the acquiring party and all associated persons in connection with the merger, consolidation, or other acquisition of control;

(B) the class or series and number of shares of securities of the company that are directly or indirectly owned beneficially and of record by the acquiring party or the associated persons or both; and

(C) a detailed description of each proxy, contract, arrangement, understanding, or relationship pursuant to which the acquiring party or the associated persons, or both, have a right to vote, or cause or direct the vote of, any securities of the company.

(14) Any additional information as the Director may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders or in the public interest.

With respect to each acquiring party, the following information:

(A) the name and address of all associated persons and a detailed description of every agreement, arrangement, and understanding between the acquiring party and all associated persons in connection with the merger, consolidation, or other acquisition of control;

(B) the class or series and number of shares of securities of the company that are directly or indirectly owned beneficially and of record by the acquiring party or the associated persons or both; and

(C) a detailed description of each proxy, contract, arrangement, understanding, or relationship pursuant to which the acquiring party or the associated persons, or both, have a right to vote, or cause or direct the vote of, any securities of the company.

(15) With respect to each acquiring party, the following information:

(A) the name and address of all associated persons and a detailed description of every agreement, arrangement, and understanding between the acquiring party and all associated persons in connection with the merger, consolidation, or other acquisition of control;

(B) the class or series and number of shares of securities of the company that are directly or indirectly owned beneficially and of record by the acquiring party or the associated persons or both; and

(C) a detailed description of each proxy, contract, arrangement, understanding, or relationship pursuant to which the acquiring party or the associated persons, or both, have a right to vote, or cause or direct the vote of, any securities of the company.

(16) With respect to each acquiring party, the following information:

(A) the name and address of all associated persons and a detailed description of every agreement, arrangement, and understanding between the acquiring party and all associated persons in connection with the merger, consolidation, or other acquisition of control;

(B) the class or series and number of shares of securities of the company that are directly or indirectly owned beneficially and of record by the acquiring party or the associated persons or both; and

(C) a detailed description of each proxy, contract, arrangement, understanding, or relationship pursuant to which the acquiring party or the associated persons, or both, have a right to vote, or cause or direct the vote of, any securities of the company.

(17) With respect to each acquiring party, the following information:

(A) the name and address of all associated persons and a detailed description of every agreement, arrangement, and understanding between the acquiring party and all associated persons in connection with the merger, consolidation, or other acquisition of control;

(B) the class or series and number of shares of securities of the company that are directly or indirectly owned beneficially and of record by the acquiring party or the associated persons or both; and

(C) a detailed description of each proxy, contract, arrangement, understanding, or relationship pursuant to which the acquiring party or the associated persons, or both, have a right to vote, or cause or direct the vote of, any securities of the company.

Sec. 131.6. (1) If the person required to file the statement referred to in Section 131.5 is a partnership, limited partnership, syndicate or other group, the Director may require that the information be given with respect to each partner of such partnership or limited partnership, each member of such syndicate or group, and each person who controls such partner or member. If any partner, member or person is a corporation or the person required to file the statement referred to in Section 131.5 is a corporation, the Director may require that the information be given with respect to the corporation, each officer and director of the corporation, and each person who is directly or indirectly the beneficial owner of more than 10% of the outstanding voting securities of the corporation.

(2) If any material change occurs in the facts set forth in the statement filed with the Director and sent to the company under Section 131.5, an amendment setting forth the change, together with copies of all documents and other material relevant to the change, must be filed with the Director and sent to the company within 2 business days after the person learns of the change.

New matter indicated by italics - deletions by strikeout
Sec. 131.8. (1) After the statement required by Section 131.5 has been filed, the Director shall approve any merger, consolidation or other acquisition of control referred to in Section 131.4 unless the acquiring party demonstrates to the Director finds that:

(a) after the change of control, the domestic company referred to in Section 131.4 would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed;

(b) the effect of the merger, consolidation or other acquisition of control would not substantially lessen competition in insurance in this State or not tend to create a monopoly therein. In applying the competitive standard in this paragraph:

(i) the informational requirements of subsection (3)(a) and the standards of subsection (4)(b) of Section 131.12a apply,

(ii) the merger or other acquisition shall not be found substantially to lessen competition in insurance in this State or tend to create a monopoly therein disapproved if the Director finds acquiring party demonstrates that any of the situations meeting the criteria provided by subsection (4)(c) of Section 131.12a exist, and

(iii) the Director may condition the approval of the merger or other acquisition on the removal of the basis of disapproval within a specified period of time;

(c) the financial condition of any acquiring party is such as might not jeopardize the financial stability of the domestic company or not jeopardize the interests of its policyholders;

(d) the plans or proposals which the acquiring party has to liquidate the domestic company, sell its assets or consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to policyholders of such company and not in the public interest; or

(e) the competence, experience and integrity of those persons who would control the operation of the domestic company are such that it would be in the best interests of policyholders of such company and of the insurance buying public to permit the merger, consolidation or other acquisition of control.

New matter indicated by italics - deletions by strikeout
(2) The Director may hold a public hearing on any merger, consolidation or other acquisition of control referred to in Section 131.4 if the Director determines that the statement filed as required by Section 131.5 does not demonstrate compliance with the standards referred to in subsection (1), of this Section, or if he determines that such acquisition of control is likely to be hazardous or prejudicial to the will adversely affect policyholders or the insurance buying public.

(3) The public hearing referred to in subsection (2) must be held within 60 days after the statement required by Section 131.5 is filed, and at least 20 days' notice thereof must be given by the Director to the person filing the statement and to the domestic company. Not less than 7 + 2 days' notice of such hearing must be given by the person filing the statement to such other persons as may be designated by the Director and by the company to its shareholders securityholders. The Director must make a determination within 60 days after the conclusion of the hearing. At the hearing, the person filing the statement, the domestic company, any person to whom notice of the hearing was sent, and any other person whose interests may be affected thereby has the right to present evidence, examine and cross-examine witnesses, and offer oral and written arguments and in connection therewith is entitled to conduct discovery proceedings in the same manner as is presently allowed in the Circuit Courts of this State. All discovery proceedings must be concluded not later than 3 days prior to the commencement of the public hearing.

(4) If the proposed acquisition of control will require the approval of more than one state insurance commissioner, the public hearing referred to in subsection (2) of this Section may be held on a consolidated basis upon request of the person filing the statement referred to in Section 131.5 of this Code. Such person shall file the statement referred to in Section 131.5 of this Code with the National Association of Insurance Commissioners (NAIC) within 5 days after making the request for a public hearing. A commissioner may opt out of a consolidated hearing and shall provide notice to the applicant of the opt out within 10 days after the receipt of the statement referred to in Section 131.5 of this Code. A hearing conducted on a consolidated basis shall be public and shall be held within the United States before the commissioners of the states in which the companies are domiciled. Such commissioners shall hear and receive evidence. A commissioner may attend such hearing in person or by telecommunication.

New matter indicated by italics - deletions by strikeout
(5) In connection with a change of control of a domestic company, any determination by the Director that the person acquiring control of the company shall be required to maintain or restore the capital of the company to the level required by the laws and regulations of this State shall be made not later than 60 days after the filing of the statement required by Section 131.5 of this Code.
(Source: P.A. 84-805.)

(215 ILCS 5/131.8a) (from Ch. 73, par. 743.8a)
Sec. 131.8a. The Director may retain at the applicant's expense any attorneys, actuaries, accountants and other experts not otherwise a part of the Director's staff as may be reasonably necessary to assist in reviewing the conduct of financial or character examinations in conjunction with an acquisition proposed under Section 131.4. The applicant shall deposit with the Director cash, bonds or securities, acceptable to the Director, in a reasonable amount not to exceed $100,000, for purpose of securing the payment of any expert's cost.
(Source: P.A. 86-753.)

(215 ILCS 5/131.9a new)
Sec. 131.9a. Exemptions. Sections 131.4 through 131.12 do not apply to:

(1) any transaction that is subject to Article X of this Code dealing with merger, consolidation, or plans of exchange; or
(2) any offer, request, invitation, agreement, or acquisition that the Director by order exempts therefrom as (A) not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic company or (B) otherwise not comprehended within the purposes of Sections 131.4 through 131.12.

(215 ILCS 5/131.11) (from Ch. 73, par. 743.11)
Sec. 131.11. The following are violations of Sections 131.4 through 131.12:

(1) the failure to file any statement, amendment, or other material required to be filed under Sections 131.4 or 131.5; or
(2) the effectuation or any attempt to effectuate an acquisition of control of, divestiture of, or merger or consolidation with, a domestic company unless the Director has given his approval thereto.
(Source: P.A. 77-673.)

(215 ILCS 5/131.12) (from Ch. 73, par. 743.12)
Sec. 131.12. The courts of this State are hereby vested with jurisdiction over every person not resident, domiciled, or authorized to do business in this State who files a statement with the Director under Section 131.4, and over all actions involving such person arising out of violations of Sections 131.4, 131.5, 131.6, 131.9 or 131.11, and each such person is deemed to have performed acts equivalent to and constituting an appointment by such a person of the Director to be his true and lawful attorney upon whom may be served all lawful process in any action, suit or proceeding arising out of violations of Sections 131.4, 131.5, 131.6, 131.9 or 131.11. Copies of all such lawful process must be served on the Director and transmitted by registered or certified mail by the Director to such person at his last known address.
(Source: P.A. 77-673.)

(215 ILCS 5/131.12a) (from Ch. 73, par. 743.12a)

Sec. 131.12a. Acquisitions involving companies insurers not otherwise covered.

(1) Definitions. The following definitions shall apply for the purposes of this Section only:

(a) "Acquisition" means any agreement, arrangement or activity the consummation of which results in a person acquiring directly or indirectly the control of another person or control of the insurance in force of another person, and includes but is not limited to the acquisition of voting securities, the acquisition of assets, the transaction of bulk reinsurance and the act of merging or consolidating.

(b) An "involved company insurer" includes a company an insurer which either acquires or is acquired, is affiliated with an acquirer or acquired or is the result of a merger.

(2) Scope.

(a) Except as exempted in paragraph (b) of this subsection (2), this Section applies to any acquisition in which there is a change in control of a company insurer authorized to do business in this State.

(b) This Section shall not apply to the following:

(i) an acquisition subject to approval or disapproval by the Director pursuant to Section 131.8;

(ii) a purchase of securities solely for investment purposes so long as such securities are not used by voting or otherwise to cause or attempt to cause the substantial lessening of competition in any insurance market in this State. If a purchase of securities results in a presumption of control under subsection (b) of Section

New matter indicated by italics - deletions by strikeout
131.1, it is not solely for investment purposes unless the commissioner of the company's insurer's state of domicile accepts a disclaimer of control or affirmatively finds that control does not exist and such disclaimer action or affirmative finding is communicated by the domiciliary commissioner to the Director of this State;

(iii) the acquisition of a person by another person when both persons are neither directly nor through affiliates primarily engaged in the business of insurance, if pre-acquisition notification is filed with the Director in accordance with subsection (3)(a) of this Section, 30 days prior to the proposed effective date of the acquisition. However, such pre-acquisition notification is not required for exclusion from this Section if the acquisition would otherwise be excluded from this Section by any other subparagraph of subsection (2)(b);

(iv) the acquisition of already affiliated persons;

(v) an acquisition if, as an immediate result of the acquisition,

(A) in no market would the combined market share of the involved companies insurers exceed 5% of the total market,

(B) there would be no increase in any market share, or

(C) in no market would the combined market share of the involved companies insurers exceed 12% of the total market, and the market share increase by more than 2% of the total market.

For the purpose of this subparagraph (b)(v), "market" means direct written insurance premium in this State for a line of business as contained in the annual statement required to be filed by companies insurers licensed to do business in this State;

(vi) an acquisition for which a pre-acquisition notification would be required pursuant to this Section due solely to the resulting effect on the ocean marine insurance line of business;

(vii) an acquisition of a company an insurer whose domiciliary commissioner affirmatively finds that such company insurer is in failing condition; there is a lack of feasible alternative to improving such condition; the public benefits of improving such company's insurer's condition through the acquisition exceed the
public benefits that would arise from not lessening competition;
and such findings are communicated by the domiciliary
commissioner to the Director of this State.

(3) Pre-acquisition Notification; Waiting Period. An acquisition
covered by subsection (2) may be subject to an order pursuant to
subsection (5) unless the acquiring person files a pre-acquisition
notification and the waiting period has expired. The acquired person may
file a pre-acquisition notification. The Director shall give confidential
treatment to information submitted under this subsection in the same
manner as provided in Section 131.22 of this Article.

(a) The pre-acquisition notification shall be in such form and
contain such information as prescribed by the Director, which shall
conform substantially to the form of notification adopted by the National
Association of Insurance Commissioners relating to those markets which,
under subsection (b)(v) of Section (2), cause the acquisition not to be
exempted from the provisions of this Section. The Director may require
such additional material and information as he deems necessary to
determine whether the proposed acquisition, if consummated, would
violate the competitive standard of subsection (4). The required
information may include an opinion of an economist as to the competitive
impact of the acquisition in this State accompanied by a summary of the
education and experience of such person indicating his or her ability to
render an informed opinion.

(b) The waiting period required shall begin on the date of the
receipt by the Director of a pre-acquisition notification and shall end on
the earlier of the 30th day after the date of such receipt, or termination of
the waiting period by the Director. Prior to the end of the waiting period,
the Director on a one time basis may require the submission of additional
needed information relevant to the proposed acquisition, in which event
the waiting period shall end on the earlier of the 30th day after the receipt
of such additional information by the Director or termination of the
waiting period by the Director.

(4) Competitive Standard.

(a) The Director may enter an order under subsection (5)(a) with
respect to an acquisition if there is substantial evidence that the effect of
the acquisition may be substantially to lessen competition in any line of
insurance in this State or tend to create a monopoly therein or if the
company insurer fails to file adequate information in compliance with
subsection (3).

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(b) In determining whether a proposed acquisition would violate the competitive standard of paragraph (a) of this subsection the Director shall consider the following:

(i) any acquisition covered under subsection (2) involving 2 or more companies insurers competing in the same market is prima facie evidence of violation of the competitive standards:

(A) if the market is highly concentrated and the involved companies insurers possess the following shares of the market:

<table>
<thead>
<tr>
<th>Company Insurer A</th>
<th>Company Insurer B</th>
</tr>
</thead>
<tbody>
<tr>
<td>4%</td>
<td>4% or more</td>
</tr>
<tr>
<td>10%</td>
<td>2% or more</td>
</tr>
<tr>
<td>15%</td>
<td>1% or more</td>
</tr>
</tbody>
</table>

(B) if the market is not highly concentrated and the involved companies insurers possess the following shares of the market:

<table>
<thead>
<tr>
<th>Company Insurer A</th>
<th>Company Insurer B</th>
</tr>
</thead>
<tbody>
<tr>
<td>5%</td>
<td>5% or more</td>
</tr>
<tr>
<td>10%</td>
<td>4% or more</td>
</tr>
<tr>
<td>15%</td>
<td>3% or more</td>
</tr>
<tr>
<td>19%</td>
<td>1% or more</td>
</tr>
</tbody>
</table>

A highly concentrated market is one in which the share of the 4 largest companies insurers is 75% or more of the market. Percentages not shown in the tables are to be interpolated proportionately to the percentages that are shown. If more than 2 companies insurers are involved, exceeding the total of the 2 columns in the table is prima facie evidence of violation of the competitive standard in paragraph (a) of this subsection. For the purpose of this subparagraph, the company insurer with the largest share of the market shall be deemed to be Company Insurer A.

(ii) There is a significant trend toward increased concentration when the aggregate market share of any grouping of the largest companies insurers in the market from the 2 largest to the 8 largest has increased by 7% or more of the market over a period of time extending from any base year 5-10 years prior to the acquisition up to the time of the acquisition. Any acquisition covered under subsection (2) involving 2 or more companies insurers competing in the same market is prima facie evidence of
violation of the competitive standard in paragraph (a) of this subsection if:

(A) there is a significant trend toward increased concentration in the market,

(B) one of the companies insurers involved is one of the companies insurers in a grouping of such large companies insurers showing the requisite increase in the market share, and

(C) another involved company's insurer's market is 2% or more.

(iii) For the purpose of subsection (4)(b):

(A) The term "company" "insurer" includes any company or group of companies under common management, ownership or control.

(B) The term "market" means the relevant product and geographic markets. In determining the relevant product and geographical markets, the Director shall give due consideration to, among other things, the definitions or guidelines, if any, promulgated by the National Association of Insurance Commissioners and to information, if any, submitted by parties to the acquisition. In the absence of sufficient information to the contrary, the relevant product market is assumed to be the direct written insurance premium for a line of business with such line being that used in the annual statement required to be filed by companies insurers doing business in this State and the relevant geographical market is assumed to be this State.

(C) The burden of showing prima facie evidence of violation of the competitive standard rests upon the Director.

(iv) Even though an acquisition is not prima facie violative of the competitive standard under subparagraph (b)(i) and (b)(ii) of this subsection the Director may establish the requisite anticompetitive effect based upon other substantial evidence. Even though an acquisition is prima facie violative of the competitive standard under subparagraphs (b)(i) and (b)(ii) of this subsection (4), a party may establish the absence of the requisite anticompetitive effect based upon other substantial evidence. Relevant factors in making a determination under this paragraph

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include, but are not limited to, the following: market shares, volatility of ranking of market leaders, number of competitors, concentration, trend of concentration in the industry, and ease of entry and exit into the market.

(c) An order may not be entered under subsection (5)(a) if:

(i) the acquisition will yield substantial economies of scale or economies in resource utilization that cannot be feasibly achieved in any other way, and the public benefits which would arise from such economies exceed the public benefits which would arise from not lessening competition; or

(ii) the acquisition will substantially increase the availability of insurance, and the public benefits of such increase exceed the public benefits which would arise from not lessening competition.

(5) Orders and Penalties:

(a)(i) If an acquisition violates the standard of this Section, the Director may enter an order

(A) requiring an involved company insurer to cease and desist from doing business in this State with respect to the line or lines of insurance involved in the violation, or

(B) denying the application of an acquired or acquiring company insurer for a license to do business in this State.

(ii) Such an order shall not be entered unless there is a hearing, notice of such hearing is issued prior to the end of the waiting period and not less than 15 days prior to the end of the waiting period and not less than 15 days prior to the hearing, and the hearing is concluded and the order is issued no later than 60 days after the end of the waiting period. Every order shall be accompanied by a written decision of the Director setting forth his findings of fact and conclusions of law.

(iii) (Blank). An order entered under this paragraph shall not become final earlier than 30 days after it is issued, during which time the involved insurer may submit a plan to remedy the anticompetitive impact of the acquisition within a reasonable time. Based upon such plan or other information, the Director shall specify, if any, the conditions under and the time period during which the aspects of the acquisition causing a violation of the
standards of this Section would be remedied and the order vacated or modified:

(iv) An order pursuant to this paragraph shall not apply if the acquisition is not consummated.

(b) Any person who violates a cease and desist order of the Director under paragraph (a) and while such order is in effect may after notice and hearing and upon order of the Director be subject at the discretion of the Director to any one or more of the following:

(i) a monetary penalty of not more than $10,000 for every day of violation or

(ii) suspension or revocation of such person's license or both.

(c) Any company insurer or other person who fails to make any filing required by this Section and who also fails to demonstrate a good faith effort to comply with any such filing requirement shall be subject to a civil penalty of not more than $50,000.

(6) Inapplicable Provisions. Subsections (2) and (3) of Section 131.23 and Section 131.25 do not apply to acquisitions covered under subsection (2).

(Source: P.A. 92-16, eff. 6-28-01.)

(215 ILCS 5/131.13) (from Ch. 73, par. 743.13)

Sec. 131.13. Registration of companies. Every company which is authorized to do business in this State and which is a member of an insurance holding company system must register with the Director, except a foreign or alien company subject to registration requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to those contained in this section and Sections 131.14 through 131.20a. Any company which is subject to registration under this section must register within 60 days after the effective date of this Article or 15 days after it becomes subject to registration, whichever is later, unless the Director for good cause shown extends the time for registration, and then within such extended time. The Director may require any authorized company which is a member of a holding company system which is not subject to registration under this section to furnish a copy of the registration statement or other information filed by such company with the insurance regulatory authority of its domiciliary jurisdiction.

If upon review of the information filed pursuant to this Section and the information included in the annual statement filed pursuant to Section

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136, the Director determines there is a potential for adverse economic impact due to substantial ownership of companies authorized to do business in this State by persons who are not citizens or residents of the United States or entities which are not organized or created under the laws of any state or territory of the United States, he shall report such determination along with any legislative recommendations to the General Assembly.

(Source: P.A. 84-805.)

(215 ILCS 5/131.14) (from Ch. 73, par. 743.14)

Sec. 131.14. Every company subject to registration must file a registration statement on a form and in a format prescribed designated by the Director, which shall contain the following:

1. current information about:

   (1) the capital structure, general financial condition, ownership and management of the company and any person controlling the company;

   (2) the identity and relationship of every member of the insurance holding company system;

   (3) the following agreements in force, relationships subsisting, and transactions currently outstanding or that have occurred during the last calendar year between such company and its affiliates:

      (a) loans, other investments, or purchases, sales or exchanges of securities of the affiliates by the company or of the company by its affiliates;

      (b) purchases, sales, or exchanges of assets;

      (c) transactions not in the ordinary course of business;

      (d) guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the company's assets to liability, other than insurance contracts entered into in the ordinary course of the company's business;

      (e) all management agreements, and service contracts, and all cost-sharing arrangements, other than cost allocation arrangements based upon generally accepted accounting principles; and

      (f) reinsurance agreements;

      (f-5) dividends and other distributions to shareholders;

      (g) any pledge of the company's own securities, securities of any subsidiary or controlling affiliate, to secure a loan made to any member of the insurance holding company system; and

      (h) consolidated tax allocation agreements; 

New matter indicated by italics - deletions by strikeout
(4) (blank); other matters concerning transactions between registered companies and any affiliates as may be included from time to time in any registration forms adopted or approved by the Director.

(5) financial statements of or within an insurance holding company system, including all affiliates, if requested by the Director; financial statements may include, but are not limited to, annual audited financial statements filed with the U.S. Securities and Exchange Commission (SEC) pursuant to the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended; a company required to file financial statements pursuant to this paragraph (5) may satisfy the request by providing the Director with the most recently filed parent corporation financial statements that have been filed with the SEC;

(6) statements that the company's or its parent company's board of directors or a committee thereof oversees corporate governance and internal controls and that the company's officers or senior management have approved and implemented and continue to maintain and monitor corporate governance and internal controls; and

(7) other matters concerning transactions between registered companies and any affiliates as may be included from time to time in any registration forms adopted or approved by the Director.

(Source: P.A. 84-805.)

(215 ILCS 5/131.14a new)

Sec. 131.14a. Summary filing. Every company subject to registration must file a summary outlining all items in the current registration statement representing changes from the prior registration statement.

(215 ILCS 5/131.14b new)

Sec. 131.14b. Enterprise risk filing. The ultimate controlling person of every company subject to registration shall also file an annual enterprise risk report. The report shall, to the best of the ultimate controlling person's knowledge and belief, identify the material risks within the insurance holding company system that could pose enterprise risk to the company. The report shall be filed with the lead state commissioner of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.

(215 ILCS 5/131.14c new)

Sec. 131.14c. Violations. The failure to file a registration statement or any summary of the registration statement or enterprise risk filing...
required by this Article within the time specified for filing shall be a violation of this Article.

(215 ILCS 5/131.14d new)

Sec. 131.14d. Confidentiality.

(a) Documents, materials, or other information in the possession or control of the Director that are obtained by, created by, or disclosed to the Director or any other person pursuant to Section 131.14b are recognized as being proprietary and to contain trade secrets. Disclosure of such documents, materials, or other information is recognized as damaging to the competitive position of the insurer whose confidential information is in the possession or control of the Director. All such documents, materials, or other information shall be confidential by law and privileged, shall not be subject to the Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the Director is authorized to use such documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the Director's official duties. The Director shall not otherwise disclose or make such documents, materials, or other information public without the prior written consent of the insurer.

(b) An insurer whose documents, materials, or other information is in the possession or control of the Director or any other person pursuant to Section 131.14b of this Code and who is aggrieved by an actual or threatened disclosure of such documents, materials, or other information or by any violation of this Section, may commence proceedings, subject in the case of the Director to Article III of the Code of Civil Procedure, in any court of competent jurisdiction to prevent such disclosure or to enforce the provisions of this Section.

(c) Neither the Director nor any person who received documents, materials, or other information relating to the report required by Section 131.14b of this Code, through examination or otherwise, while acting under the authority of the Director or with whom such documents, materials, or other information are shared pursuant to this Section, Section 131.14b or Section 131.20c of this Code shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a) of this Section.

(d) Solely to assist in the performance of the Director's regulatory duties, the Director may do the following:

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(1) upon request, share documents, materials, or other information relating to the report required by Section 131.14b of this Code, including the confidential and privileged documents, materials, or information subject to subsection (a) of this Section, including proprietary and trade secret documents and materials with other state, federal, and international financial regulatory agencies, including members of any supervisory college as provided for in Section 131.20c of this Code, with the NAIC and with any third-party consultants designated by the Director, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the documents, materials, or other information relating to the report required by Section 131.14b of this Code and has verified in writing the legal authority to maintain confidentiality; and

(2) receive documents, materials, or other information relating to the report required by Section 131.14b of this Code, including otherwise confidential and privileged documents, materials, or information, including proprietary and trade secret information or documents, from regulatory officials of other foreign or domestic jurisdictions, including members of any supervisory college as defined in Section 131.20c of this Code, and from the NAIC, and shall maintain as confidential or privileged any documents, materials, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information.

(e) The Director shall enter into a written agreement with any member of a supervisory college as provided for in Section 131.20c of this Code, the International Association of Insurance Supervisors (IAIS), the NAIC, or any third-party consultant governing sharing and use of information provided pursuant to this Section. The agreement shall do the following:

(1) specify procedures and protocols regarding the confidentiality and security of information shared with the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant pursuant to this Section, including procedures and protocols for sharing by the member of a supervisory college, the IAIS, or the NAIC with international, federal, or state regulators;
(2) specify that ownership of information shared with the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant pursuant to this Section remains with the Director and that the member of a supervisory college's, the IAIS's, the NAIC's, or the third-party consultant's use of the information is subject to the direction of the Director;

(3) restrict the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant from storing the information shared pursuant to this Section in a permanent database;

(4) require notice to be given within 5 business days to an insurer whose confidential information, in the possession of the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant pursuant to this Section, is subject to a request or subpoena to the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant for disclosure or production;

(5) require the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant to consent to intervention by an insurer in any judicial or administrative action in which the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant may be required to disclose confidential information about the insurer shared with the member of a supervisory college, the IAIS, the NAIC, or the third-party consultant pursuant to this Section; and

(6) in the case of an agreement involving a third-party consultant, provide for the insurer's prior written consent to the sharing of information with that third-party consultant.

(f) The sharing of information and documents by the Director pursuant to this Section shall not constitute a delegation of regulatory authority or rulemaking, and the Director is solely responsible for the administration and execution of the provisions of this Section. An insurer whose confidential information is in the possession of the member of a supervisory college, the IAIS, the NAIC, or third-party consultant pursuant to this Section and who is aggrieved by an actual or threatened disclosure of confidential information, or by any violation of this Section, may commence proceedings in any court of competent jurisdiction to prevent such disclosure or to enforce the provisions of this Section.

(g) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade secret materials,
or other information relating to the report required by Section 131.14b of this Section, shall occur as a result of disclosure of such documents, materials, or other information relating to the report required by Section 131.14b of this Section to the Director or as a result of sharing as authorized in this Section.

(h) Documents, materials, or other information in the possession or control of a member of a supervisory college, the IAIS, the NAIC, or a third-party consultant pursuant to this Section shall be confidential by law and privileged, shall not be subject to the Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action.

(215 ILCS 5/131.16) (from Ch. 73, par. 743.16)

Sec. 131.16. Reporting material changes or additions; penalty for late registration statement.

(1) Each registered company must keep current the information required to be included in its registration statement by reporting all material changes or additions on amendment forms designated by the Director within 15 days after the end of the month in which it learns of each change or addition, or within a longer time thereafter as the Director may establish. Any transaction which has been submitted to the Director pursuant to Section 131.20a need not be reported to the Director under this subsection; except each registered company must report all dividends and other distributions to shareholders within 15 business days following the declaration and no less than 10 business days prior to payment thereof.

(2) On or before May 1 each year, each company subject to registration under this Article shall file a statement in a format as designated by the Director. This statement shall include information previously included in an amendment under subsection (1) of this Section, transactions and agreements submitted under Section 131.20a, and any other material transactions which are required to be reported.

(2.5) Any person within an insurance holding company system subject to registration shall be required to provide complete and accurate information to a company where the information is reasonably necessary to enable the company to comply with the provisions of this Article.

(3) Any company failing, without just cause, to file any registration statement, any summary of changes to a registration statement, or any Enterprise Risk Filing or any person within an insurance holding company system who fails to provide complete and accurate information to a company as required in this Code shall be required, after notice and

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hearing, to pay a penalty of up to $1,000 for each day's delay, to be
recovered by the Director of Insurance of the State of Illinois and the
penalty so recovered shall be paid into the General Revenue Fund of the
State of Illinois. The maximum penalty under this section is $50,000. The
Director may reduce the penalty if the company demonstrates to the
Director that the imposition of the penalty would constitute a financial
hardship to the company.
(Source: P.A. 88-364.)

(215 ILCS 5/131.17) (from Ch. 73, par. 743.17)
Sec. 131.17. (1) The Director must terminate the registration of any
compamy which demonstrates that it no longer is a member of an insurance
holding company system.

(2) The Director may require or allow 2 or more affiliated
companies subject to registration to file a consolidated registration
statement. Two or more affiliated companies subject to registration
hereunder may file a consolidated registration statement or consolidated
reports amending their consolidated registration statement or their
individual registration statements unless the Director requires a separate
registration statement or report from each registered company.

(3) A company which is authorized to do business in this State and
which is part of an insurance holding company system may register on
behalf of any affiliated company which is required to register under
Section 131.13 and to file all information and material required to be filed
under this Article unless the Director requires a separate registration by the
affiliated company.
(Source: P.A. 77-673.)

(215 ILCS 5/131.18) (from Ch. 73, par. 743.18)
Sec. 131.18. Sections 131.13 through 131.19 do not apply to any
company, information, or transaction if and to the extent that the Director
by rule, regulation, or order may exempt the same from Sections 131.13
through 131.19.

Any requirement for the furnishing of financial statements of the
insurance holding company system, or any member thereof, as part of or in
connection with the registration statement filed under Section 131.14 shall
not apply to any company which submits and maintains in effect in lieu
thereof a guarantee or a bond acceptable to the Director in an amount
equal to the capital and surplus of the company as shown on its most
recent audited financial statements, payable to the Director for the benefit
of the creditors, policyholders and stockholders of the company as their

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interests may appear. Such guarantee, if issued by a national bank, and such a bond, if issued by a licensed insurance company which is not a member of the insurance holding company system, in each case having capital and surplus in excess of $25,000,000, shall be deemed acceptable.

(Source: P.A. 77-673.)

(215 ILCS 5/131.19) (from Ch. 73, par. 743.19)

Sec. 131.19. Disclaimer of affiliation. Any person may file with the Director a disclaimer of affiliation with any authorized company or a disclaimer may be filed by the company or any member of an insurance holding company system. The disclaimer shall fully disclose all material relationships and bases for affiliation between the person and the company as well as the basis for disclaiming the affiliation. A disclaimer of affiliation shall be deemed to have been granted unless the Director, within 30 days following receipt of a complete disclaimer, notifies the filing party that the disclaimer is disallowed. In the event of disallowance, the disclaiming party may request an administrative hearing, which shall be granted. The disclaiming party shall be relieved of its duty to register under Section 131.13 of this Code if approval of the disclaimer has been granted by the Director or if the disclaimer is deemed to have been approved. After a disclaimer is filed, the company is relieved of any duty to register or report under Section 131.13 which may arise out of the company's relationship with the person unless and until the Director disallows the disclaimer. The Director may disallow such a disclaimer only after furnishing all parties in interest with notice and opportunity to be heard and after making specific findings of fact to support the disallowance.

(Source: P.A. 84-805.)

(215 ILCS 5/131.20) (from Ch. 73, par. 743.20)

Sec. 131.20. Standards for transactions with affiliates; adequacy of surplus.

(1) Transactions with their affiliates by companies subject to registration are subject to the following standards:

(a) the terms are fair and reasonable;

(a-5) agreements for cost sharing services and management shall include such provisions as may be required by rules and regulations issued by the Director;

(b) charges or fees for services performed are reasonable;

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(c) expenses incurred and payment received must be allocated to the company insurer in conformity with customary insurance accounting practices consistently applied;

(d) the books, accounts, and records of each party must be so maintained as to clearly and accurately disclose the precise nature and details of the transactions, including accounting information necessary to support the reasonableness of the charges or fees to the respective parties; and

(e) the company's surplus as regards policyholders following any transactions with affiliates or dividends or distributions to securityholders or affiliates must be reasonable in relation to the company's outstanding liabilities and adequate to meet its financial needs.

(2) For purposes of this Article, in determining whether a company's surplus as regards policyholders is reasonable in relation to the company's outstanding liabilities and adequate to meet its needs, the following factors, among others, may be considered:

(a) the size of the company as measured by its assets, capital and surplus, reserves, premium writings, insurance in force and other appropriate criteria;

(b) the extent to which the company's business is diversified among the several lines of insurance;

(c) the number and size of risks insured in each line of business;

(d) the extent of the geographical dispersion of the company's insured risks;

(e) the nature and extent of the company's reinsurance program;

(f) the quality, diversification, and liquidity of the company's investment portfolio;

(g) the recent past and projected future trend in the size of the company's investment portfolio surplus as regards policyholders;

(h) the surplus as regards policyholders maintained by companies comparable to the registrant in respect of the factors enumerated in this paragraph;

(i) the adequacy of the company's reserves;

(j) the quality of the company's earnings and the extent to which the reported earnings include extraordinary items; and

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(k) the quality and liquidity of investments in affiliates subsidiaries made under Section 131.2 or 131.3. The Director may discount any such investment or treat any such investment as a non-admitted asset for purposes of determining the adequacy of surplus as regards policyholders whenever the investment so warrants.

(Source: P.A. 88-364.)

(215 ILCS 5/131.20a) (from Ch. 73, par. 743.20a)

Sec. 131.20a. Prior notification of transactions; dividends and distributions.

(1) (a) The following transactions listed in items (i) through (vii) involving between a domestic company and any person in its insurance holding company system, including amendments or modifications (other than termination) of affiliate agreements previously filed pursuant to this Section, which are subject to any materiality standards contained in this Section, may not be entered into unless the company has notified the Director in writing of its intention to enter into such transaction at least 30 days prior thereto, or such shorter period as the Director may permit, and the Director has not disapproved it within such period. The notice for amendments or modifications (other than termination) shall include the reasons for the change and the financial impact on the domestic company. Informal notice shall be reported, within 30 days after a termination of a previously filed agreement, to the Director for determination of the type of filing required, if any.

(i) Sales, purchases, exchanges of assets, loans or extensions of credit, guarantees, investments, or any other transaction, except dividends, (A) that involves the transfer of assets from or liabilities to a company (A) equal to or exceeding the lesser of 3% of the company's admitted assets or 25% of its surplus as regards policyholders as of the 31st day of December next preceding or (B) that is proposed when the domestic company is not eligible to declare and pay a dividend or other distribution pursuant to the provisions of Section 27.

(ii) Loans or extensions of credit to any person that is not an affiliate (A) that involve the lesser of 3% of the company's admitted assets or 25% of the company's surplus, each as of the 31st day of December next preceding, made with the agreement or understanding that the proceeds of such transactions, in whole or in substantial part, are to be used to make loans or extensions of

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credit to, to purchase assets of, or to make investments in, any affiliate of the company making such loans or extensions of credit or (B) that are proposed when the domestic company is not eligible to declare and pay a dividend or other distribution pursuant to the provisions of Section 27.

(iii) Reinsurance agreements or modifications thereto, including all reinsurance pooling agreements, reinsurance agreements in which the reinsurance premium or a change in the company's liabilities, or the projected reinsurance premium or a change in the company's liabilities in any of the next 3 years, equals or exceeds 5% of the company's surplus as regards policyholders, as of the 31st day of December next preceding, including those agreements that may require as consideration the transfer of assets from a company insurer to a nonaffiliate, if an agreement or understanding exists between the company insurer and nonaffiliate that any portion of those assets will be transferred to one or more affiliates of the company insurer.

(iv) All management agreements; service contracts, other than agency contracts; tax allocation agreements; all reinsurance allocation agreements related to reinsurance agreements required to be filed under this Section; and all cost-sharing arrangements, and any other contracts providing for the rendering of services on a regular systematic basis.

(v) Direct or indirect acquisitions or investments in a person that controls the company, or in an affiliate of the company, in an amount which, together with its present holdings in such investments, exceeds 2.5% of the company's surplus as regards policyholders. Direct or indirect acquisitions or investments in subsidiaries acquired pursuant to Section 131.2 of this Article (or authorized under any other Section of this Code), or in non-subsidiary insurance affiliates that are subject to the provisions of this Article, are exempt from this requirement.

(vi) Any series of the previously described transactions that are substantially similar to each other, that take place within any 180 day period, and that in total are equal to or exceed the lesser of 3% of the domestic company's insurer's admitted assets or 25% of its policyholders surplus, as of the 31st day of the December next preceding.

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Any other material transaction that the Director by rule determines might render the company's surplus as regards policyholders unreasonable in relation to the company's outstanding liabilities and inadequate to its financial needs or may otherwise adversely affect the interests of the company's policyholders or shareholders.

Nothing herein contained shall be deemed to authorize or permit any transactions that, in the case of a company an insurer not a member of the same holding company system, would be otherwise contrary to law.

(b) Any transaction or contract otherwise described in paragraph (a) of this subsection that is between a domestic company insurer and any person that is not its affiliate and that precedes or follows within 180 days or is concurrent with a similar transaction between that nonaffiliate and an affiliate of the domestic company and that involves amounts that are equal to or exceed the lesser of 3% of the domestic company's insurer's admitted assets or 25% of its surplus as regards policyholders at the end of the prior year may not be entered into unless the company has notified the Director in writing of its intention to enter into the transaction at least 30 days prior thereto or such shorter period as the Director may permit, and the Director has not disapproved it within such period.

(c) A company may not enter into transactions which are part of a plan or series of like transactions with any person within the holding company system if the purpose of those separate transactions is to avoid the statutory threshold amount and thus avoid the review that would occur otherwise. If the Director determines that such separate transactions were entered into for such purpose, he may exercise his authority under subsection (2) of Section 131.24.

(d) The Director, in reviewing transactions pursuant to paragraph (a), shall consider whether the transactions comply with the standards set forth in Section 131.20 and whether they may adversely affect the interests of policyholders.

(e) The Director shall be notified within 30 days of any investment of the domestic company insurer in any one corporation if the total investment in that corporation by the insurance holding company system exceeds 10% of that corporation's voting securities.

(f) Except for those transactions subject to approval under other Sections of this Code, any such transaction or agreements which are not disapproved by the Director may be effective as of the date set forth in the notice required under this Section.

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(g) If a domestic company enters into a transaction described in this subsection without having given the required notification, the Director may cause the company to pay a civil forfeiture of not more than $250,000. Each transaction so entered shall be considered a separate offense.

(2) No domestic company subject to registration under Section 131.13 may pay any extraordinary dividend or make any other extraordinary distribution to its shareholders until: (a) 30 days after the Director has received notice of the declaration thereof and has not within such period disapproved the payment, or (b) the Director approves such payment within the 30-day period. For purposes of this subsection, an extraordinary dividend or distribution is any dividend or distribution of cash or other property whose fair market value, together with that of other dividends or distributions, made within the period of 12 consecutive months ending on the date on which the proposed dividend is scheduled for payment or distribution exceeds the greater of: (a) 10% of the company's surplus as regards policyholders as of the 31st day of December next preceding, or (b) the net income of the company for the 12-month period ending the 31st day of December next preceding, but does not include pro rata distributions of any class of the company's own securities.

Notwithstanding any other provision of law, the company may declare an extraordinary dividend or distribution which is conditional upon the Director's approval, and such a declaration confers no rights upon security holders until: (a) the Director has approved the payment of the dividend or distribution, or (b) the Director has not disapproved the payment within the 30-day period referred to above.

(Source: P.A. 92-140, eff. 7-24-01.)

(215 ILCS 5/131.20b)

Sec. 131.20b. Controlled companies insurers; management; directors.

(1) Notwithstanding the control of a domestic company by any person, the officers and directors of the company shall not thereby be relieved of any obligation or liability to which they would otherwise be subject by law, and the company shall be managed so as to assure its separate operating identity consistent with this Article VIII of this Code.

(2) Nothing in this Section shall preclude a domestic company from having or sharing a common management or a cooperative or
joint use of personnel, property, or services with one or more affiliated persons under arrangements meeting the standards and requirements of Sections 131.20 and 131.20a.

(3) Not after June 30, 2002, not less than one-third of the directors of a domestic company, and not less than one-third of the members of each committee of the board of directors of any domestic company, insurer that is a member of an insurance holding company system shall be persons who are not officers or employees of the company insurer or of any entity controlling, controlled by, or under common control with the company insurer and who are not beneficial owners of a controlling interest in the voting stock of the company insurer or any such entity. At least one such person shall be included in any quorum for the transaction of business at any meeting of the board of directors or any committee thereof.

(3.5) The board of directors of a domestic company or ultimate controlling company shall establish one or more committees comprised solely of directors who are not officers or employees of the company or of any entity controlling, controlled by, or under common control with the company and who are not beneficial owners of a controlling interest in the voting stock of the company or any such entity. The committee or committees shall have responsibility for nominating candidates for director for election by shareholders or policyholders, evaluating the performance of officers deemed to be principal officers of the company, and recommending to the board of directors the selection and compensation of the principal officers.

(4) Subsections Subsection (3) and (3.5) of this Section do not apply to a domestic company insurer if the ultimate controlling company or the person entity controlling the company, such as a company, a mutual insurance holding company, or a publicly held corporation, has a board of directors and committees thereof that meet the requirements of subsections (3) and (3.5) with respect to such controlling entity or are subject to and meet the requirements of the corporate governance rules of a national securities exchange, such as the New York Stock Exchange, or an inter-dealer quotation system, such as the National Association of Securities Dealers Automatic Quotation the insurer, whether directly or through an intermediate subsidiary, has a board of directors composed in accordance with that subsection.

(5) (Blank). Subsection (3) of this Section does not apply to a domestic insurer if the ultimate controlling party of the domestic insurer is

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a corporation whose equity securities or equivalent instruments are listed on the New York Stock Exchange:

(6) A company may make application to the Director for a waiver from the requirements of this Section, if the company's annual direct written and assumed premium, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, is less than $300,000,000. A company may also make application to the Director for a waiver from the requirements of this Section based upon unique circumstances. The Director may consider various factors, including, but not limited to, the type of business entity, volume of business written, availability of qualified board members, or the ownership or organizational structure of the entity.

(Source: P.A. 92-140, eff. 7-24-01.)

(215 ILCS 5/131.20c new)

Sec. 131.20c. Supervisory colleges.

(a) With respect to any company registered under Section 131.13 of this Code, and in accordance with subsection (c) of this Section, the Director shall also have the power to participate in a supervisory college for any domestic company that is part of an insurance holding company system with international operations in order to determine compliance by the company with this Article. The powers of the Director with respect to supervisory colleges include, but are not limited to:

(1) initiating the establishment of a supervisory college;
(2) clarifying the membership and participation of other supervisors in the supervisory college;
(3) clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;
(4) coordinating the ongoing activities of the supervisory college, including planning meetings, supervisory activities, and processes for information sharing; and
(5) establishing a crisis management plan.

(b) Each registered company subject to this Section shall be liable for and shall pay the reasonable expenses of the Director's participation in a supervisory college in accordance with subsection (c) of this Section, including reasonable travel expenses. For purposes of this Section, a supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with the supervision of the company or its affiliates, and the Director may
establish a regular assessment to the company for the payment of these expenses.

(c) In order to assess the business strategy, financial position, legal and regulatory position, risk exposure, risk management, and governance processes, and as part of the examination of individual companies in accordance with Section 131.21 of this Code, the Director may participate in a supervisory college with other regulators charged with supervision of the company or its affiliates, including other state, federal, and international regulatory agencies. The Director may enter into agreements in accordance with Section 131.22 of this Code providing the basis for cooperation between the Director and the other regulatory agencies and the activities of the supervisory college. Nothing in this Section shall delegate to the supervisory college the authority of the Director to regulate or supervise the company or its affiliates within its jurisdiction.

(215 ILCS 5/131.21) (from Ch. 73, par. 743.21)
Sec. 131.21. Examination.

(1) Subject to the limitation contained in this section and in addition to the powers which the Director has under Sections 132 through 132.7 and 401 through 403 of this Code relating to the examination of companies, the Director shall have the power to examine any company registered under Section 131.13 of this Code and its affiliates to ascertain the financial condition of the company, including the enterprise risk to the company by the ultimate controlling party, or by any entity or combination of entities within the insurance holding company system, or by the insurance holding company system on a consolidated basis. The Director also has the power to order any company registered under Section 131.13 to produce such records, books, or other information papers in the possession of the company or its affiliates as are reasonably necessary to ascertain the financial condition of such company or to determine compliance with this Article. In the event the company fails to comply with the order, the Director has the power to examine the affiliates to obtain such information.

(1.5) The Director may order any company registered under Section 131.13 of this Code to produce such records, books, or other information papers in the possession of the company or its affiliates as are reasonably necessary to determine compliance with this Article. To determine compliance with this Article, the Director may order any company registered under Section 131.13 of this Code to produce

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information not in the possession of the company if the company can obtain access to such information pursuant to contractual relationships, statutory obligations, or other methods. In the event the company cannot obtain the information requested by the Director, the company shall provide the Director a detailed explanation of the reason that the company cannot obtain the information and the identity of the holder of the information. Whenever the Director determines that the detailed explanation is without merit, the Director may require, after notice and hearing, the company to pay a penalty of up to $1,000 for each day's delay, or may suspend or revoke the company's license.

(2) The Director may retain at the registered company's expense any attorneys, actuaries, accountants and other experts not otherwise a part of the Director's staff as may be reasonably necessary to assist in the conduct of the examination under subsection (1). Any persons so retained are under the direction and control of the Director and may act in a purely advisory capacity.

(3) Each registered company producing for examination records, books and papers under subsection (1) is liable for and must pay the expense of the examination in accordance with Section 408 of this Code.

(4) The Director may retain at the registered company's expense any attorneys, actuaries, accountants, and other experts not otherwise a part of the Director's staff as may be reasonably necessary to assist in the conduct of the examination under subsection (1) of this Section. Any persons so retained are under the direction and control of the Director and may act in a purely advisory capacity.

(5) In the event the company fails to comply with an order, the Director shall have the power to examine the affiliates to obtain the information. The Director shall also have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this Section. Upon the failure or refusal of any person to obey a subpoena, the Director may petition a court of competent jurisdiction and, upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the State. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in the Circuit Court, which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of
witnesses, and their testimony, shall be itemized and charged against, and be paid by, the company being examined.
(Source: P.A. 89-97, eff. 7-7-95.)

(215 ILCS 5/131.22) (from Ch. 73, par. 743.22)

Sec. 131.22. Confidential treatment.

(a) Documents, materials, or other information in the possession or control of the Department that are obtained by or disclosed to the Director or any other person in the course of an examination or investigation made pursuant to this Article and all information reported pursuant to this Article shall be confidential by law and privileged, shall not be subject to the Illinois Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the Director is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the Director's official duties. The Director shall not otherwise make the documents, materials, or other information public without the prior written consent of the company to which it pertains unless the Director, after giving the company and its affiliates who would be affected thereby prior written notice and an opportunity to be heard, determines that the interest of policyholders, shareholders, or the public shall be served by the publication thereof, in which event the Director may publish all or any part in such manner as may be deemed appropriate.

(b) Neither the Director nor any person who received documents, materials, or other information while acting under the authority of the Director or with whom such documents, materials, or other information are shared pursuant to this Article shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a) of this Section.

(c) In order to assist in the performance of the Director's duties, the Director:

(1) may share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (a) of this Section, with other state, federal, and international regulatory agencies, with the NAIC and its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities, including members of any supervisory college allowed by this Article, provided that the recipient agrees in writing to maintain the confidentiality and

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privileged status of the document, material, or other information, and has verified in writing the legal authority to maintain confidentiality;

(1.5) notwithstanding paragraph (1) of this subsection (c), may only share confidential and privileged documents, material, or information reported pursuant to Section 131.14b with commissioners of states having statutes or regulations substantially similar to subsection (a) of this Section and who have agreed in writing not to disclose such information;

(2) may receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information from the NAIC and its affiliates and subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information; any such documents, materials, or information, while in the Director's possession, shall not be subject to the Illinois Freedom of Information Act and shall not be subject to subpoena; and

(3) shall enter into written agreements with the NAIC governing sharing and use of information provided pursuant to this Article consistent with this subsection (c) that shall (i) specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC and its affiliates and subsidiaries pursuant to this Article, including procedures and protocols for sharing by the NAIC with other state, federal, or international regulators; (ii) specify that ownership of information shared with the NAIC and its affiliates and subsidiaries pursuant to this Article remains with the Director and the NAIC’s use of the information is subject to the direction of the Director; (iii) require prompt notice to be given to a company whose confidential information in the possession of the NAIC pursuant to this Article is subject to a request or subpoena to the NAIC for disclosure or production; and (iv) require the NAIC and its affiliates and subsidiaries to consent to intervention by a company in any judicial or administrative action in which the NAIC and its affiliates and subsidiaries may be required to disclose confidential information.

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information about the company shared with the NAIC and its affiliates and subsidiaries pursuant to this Article.

(d) The sharing of documents, materials, or information by the Director pursuant to this Article shall not constitute a delegation of regulatory authority or rulemaking, and the Director is solely responsible for the administration, execution, and enforcement of the provisions of this Article.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of disclosure to the Director under this Section or as a result of sharing as authorized in subsection (c) of this Section.

(f) Documents, materials, or other information in the possession or control of the NAIC pursuant to this Article shall be confidential by law and privileged, shall not be subject to the Illinois Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. All information, documents, and copies thereof obtained by or disclosed to the Director or any other person in the course of an examination or investigation made under Section 131.21 and all information submitted under Sections 131.13 or 131.20a and all personal financial statement information submitted under Section 131.5 must be given confidential treatment and is not subject to subpoena and may not be made public by the Director or any other person, unless the Director, after giving the company and its affiliates who would be affected thereby notice and opportunity to be heard, determines that the interests of policyholders, shareholders or the public will be served by the publication thereof in which event he may publish all or any part thereof in such manner as he may deem appropriate.

Nothing contained in this Section shall prevent or be construed as prohibiting the Director from disclosing such information to the insurance department of any other state or county or to law enforcement officials of this or any other state or agency of the federal government at any time upon the written agreement of the entity receiving the information to hold that information confidential and in a manner consistent with this Code.

(Source: P.A. 88-364.)

(215 ILCS 5/131.23) (from Ch. 73, par. 743.23)

Sec. 131.23. Injunctions; prohibitions against voting securities; sequestration of voting securities. (1) Whenever it appears to the Director that any company or any director, officer, employee or agent thereof has
committed or is about to commit a violation of this Article or of any rule, regulation, or order issued by the Director hereunder, the Director may apply to the Circuit Court for the county in which the principal office of the company is located or to the Circuit Court for Sangamon County for an order enjoining the company or the director, officer, employee or agent thereof from violating or continuing to violate this Article or any rule, regulation or order, and for any other equitable relief as the nature of the case and the interests of the company's policyholders, creditors or the public may require. In any proceeding, the validity of the rule, regulation or order alleged to have been violated may be determined by the Court.

(2) No security or shareholder's or policyholder's proxy which is the subject of any agreement or arrangement regarding acquisition, or which is acquired or to be acquired, in contravention of this Article or of any rule, regulation or order issued by the Director hereunder may be voted at any shareholders' meeting, or may be counted for quorum purposes, and any action of shareholders requiring the affirmative vote of a percentage of securities shall may be taken as though such securities (including securities that may be voted pursuant to such proxies) were not issued and outstanding; but no action taken at any such meeting may be invalidated by the voting of such securities or proxies, unless the action would materially affect control of the company or unless any court of this State has so ordered. If the Director has reason to believe that any security or shareholder's or policyholder's proxy of the company has been or is about to be acquired in contravention of this Article or any rule, regulation or order issued by the Director hereunder the company or the Director may apply to the Circuit Court for Sangamon County or to the Circuit Court for the county in which the company has its principal place of business (a) to enjoin the further pursuit or use of any offer, request, invitation, agreement or acquisition made in contravention of Sections 131.4 through 131.12 or any rule, regulation, or order issued by the Director thereunder; (b) to enjoin the voting of any security or proxy so acquired; (c) to void any vote of such security or proxy already cast at any meeting of shareholders; and (d) for any other equitable relief as the nature of the case and the interests of the company's policyholders, creditors, or the public may require.

(3) In any case where a person has acquired or is proposing to acquire any voting securities or shareholder's or policyholder's proxy in violation of this Article or any rule, regulation or order issued by the
Director hereunder, the Circuit Court for Sangamon County or the Circuit Court for the county in which the company has its principal place of business may, on such notice as the court deems appropriate, upon the application of the company or the Director seize or sequester any voting securities or shareholder's or policyholder's proxy of the company owned directly or indirectly by such person, and issue any orders with respect thereto as may be appropriate to effectuate this Article. Notwithstanding any other provisions of law, for the purposes of this Article, the situs of the ownership of the securities of domestic companies is deemed to be in this State.

(4) If the Director has reason to believe that any shareholders' or policyholders' proxies have been or are about to be acquired in contravention of this Article or of any rule, regulations or order issued by the Director hereunder, the Director may apply to the Circuit Court for Sangamon County or to the Circuit Court for the county in which the company has its principal place of business (a) to enjoin further pursuit or use of any offer, request, invitation, agreement or acquisition made in contravention of Section 131.4 through 131.12 and (b) for any other equitable relief as the nature of the case and the interests of the company's policyholders, creditors or the public may require.

(Source: P.A. 84-805.)

(215 ILCS 5/131.24) (from Ch. 73, par. 743.24)

Sec. 131.24. Sanctions.

(1) Every director or officer of an insurance holding company system who knowingly violates, participates in, or assents to, or who knowingly permits any of the officers or agents of the company to engage in transactions or make investments which have not been properly filed or approved or which violate this Article, shall pay, in their individual capacity, a civil forfeiture of not more than $100,000 per violation, after notice and hearing before the Director. In determining the amount of the civil forfeiture, the Director shall take into account the appropriateness of the forfeiture with respect to the gravity of the violation, the history of previous violations, and such other matters as justice may require.

(2) Whenever it appears to the Director determines that any company subject to this Article or any director, officer, employee or agent thereof has engaged in any transaction or entered into a contract which is subject to Section 131.20, and any one of Sections 131.16, 131.20a, 141, 141.1, or 174 of this Code and which would not have been approved had such approval been requested or would have been disapproved had

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required notice been given, the Director may order the company to cease and desist immediately any further activity under that transaction or contract. After notice and hearing the Director may also order (a) the company to void any such contracts and restore the status quo if such action is in the best interest of the policyholders or the public, and (b) any affiliate of the company, which has received from the company dividends, distributions, assets, loans, extensions of credit, guarantees, or investments in violation of any such Section, to immediately repay, refund or restore to the company such dividends, distributions, assets, extensions of credit, guarantees or investments.

(3) Whenever it appears to the Director that any company or any director, officer, employee or agent thereof has committed a willful violation of this Article, the Director may cause criminal proceedings to be instituted in the Circuit Court for the county in which the principal office of the company is located or in the Circuit Court of Sangamon or Cook County against such company or the responsible director, officer, employee or agent thereof. Any company which willfully violates this Article commits a business offense and may be fined up to $500,000. Any individual who willfully violates this Article commits a Class 4 felony and may be fined in his individual capacity not more than $500,000 or be imprisoned for not less than one year nor more than 3 years, or both.

(4) Any officer, director, or employee of an insurance holding company system who willfully and knowingly subscribes to or makes or causes to be made any false statements or false reports or false filings with the intent to deceive the Director in the performance of his duties under this Article, commits a Class 3 felony and upon conviction thereof, shall be imprisoned for not less than 2 years nor more than 5 years or fined $500,000 or both. Any fines imposed shall be paid by the officer, Director, or employee in his individual capacity.

(5) Whenever the Director determines that any person has committed a violation of Section 131.14b of this Code which prevents the full understanding of the enterprise risk to the company by affiliates or by the insurance holding company system, the violation may serve as an independent basis, after an opportunity for a hearing, for disapproving dividends or distributions and for placing the company under an order of supervision in accordance with Article XII 1/2 of this Code.

(Source: P.A. 93-32, eff. 7-1-03.)

(215 ILCS 5/131.26) (from Ch. 73, par. 743.26)

New matter indicated by italics - deletions by strikeout
Sec. 131.26. Revocation, suspension, or non-renewal of company's license. Whenever it appears to the Director that any person has committed a violation of this Article which makes the continued operation of a company contrary to the interests of policyholders or the public, the Director may, after notice and hearing suspend, revoke or refuse to renew the company's license or authority to do business in this State for such a period as the Director finds is required for the protection of policyholders or the public. Any such determination must be accompanied by specific findings of fact and conclusions of law.
(Source: P.A. 77-673.)

(215 ILCS 5/131.27) (from Ch. 73, par. 743.27)

Sec. 131.27. Judicial review.

(1) Any order or decision made, issued or executed by the Director under this Article whereby any person or company is aggrieved is subject to review by the Circuit Court of Sangamon County or the Circuit Court of Cook County.

The Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto, applies to and governs all proceedings for review of final administrative decisions of the Director provided for in this Section. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(2) The filing of an appeal pursuant to this Section shall stay the application of any rule, regulation, order, or other action of the Director to the appealing party unless the court, after giving the party notice and an opportunity to be heard, determines that a stay would be detrimental to the interest of policyholders, shareholders, creditors, or the public.

(3) Any person aggrieved by any failure of the Director to act or make a determination required by this Article may petition the circuit courts of Sangamon County or Cook County for a writ in the nature of a mandamus or a peremptory mandamus directing the Director to act or make a determination.
(Source: P.A. 82-783.)

(215 ILCS 5/131.29 new)

Sec. 131.29. Rulemaking power. The Director may adopt such administrative rules as are necessary to implement the provisions of this Article.

(215 ILCS 5/131.30 new)

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Sec. 131.30. Conflict with other laws. This Article supersedes all laws and parts of laws of this State inconsistent with this Code with respect to matters covered by this Code.

(215 ILCS 5/408.3) (from Ch. 73, par. 1020.3)

Sec. 408.3. Insurance Financial Regulation Fund; uses. The monies deposited into the Insurance Financial Regulation Fund shall be used only for (i) payment of the expenses of the Department, including related administrative expenses, incurred in analyzing, investigating and examining the financial condition or control of insurance companies and other entities licensed or seeking to be licensed by the Department, including the collection, analysis and distribution of information on insurance premiums, other income, costs and expenses, and (ii) to pay internal costs and expenses of the Interstate Insurance Receivership Commission allocated to this State and authorized and admitted companies doing an insurance business in this State under Article X of the Interstate Receivership Compact. All distributions and payments from the Insurance Financial Regulation Fund shall be subject to appropriation as otherwise provided by law for payment of such expenses.

Sums appropriated under clause (ii) of the preceding paragraph shall be deemed to satisfy, pro tanto, the obligations of insurers doing business in this State under Article X of the Interstate Insurance Receivership Compact.

Nothing in this Code shall prohibit the General Assembly from appropriating funds from the General Revenue Fund to the Department for the purpose of administering this Code.

No fees collected pursuant to Section 408 of this Code shall be used for the regulation of pension funds or activities by the Department in the performance of its duties under Article 22 of the Illinois Pension Code.

If at the end of a fiscal year the balance in the Insurance Financial Regulation Fund which remains unexpended or unobligated exceeds the amount of funds that the Director may certify is needed for the purposes enumerated in this Section, then the General Assembly may appropriate that excess amount for purposes other than those enumerated in this Section.

Moneys in the Insurance Financial Regulation Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 94-91, eff. 7-1-05.)

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Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.


Passed in the General Assembly October 23, 2013.
Approved December 27, 2013.
Effective January 1, 2014 and July 1, 2014.

PUBLIC ACT 98-0610
(Senate Bill No. 0578)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 21B-25, 21B-40, and 21B-45 as follows:

(105 ILCS 5/21B-25)
Sec. 21B-25. Endorsement on licenses. All licenses issued under paragraph (1) of Section 21B-20 of this Code shall be specifically endorsed by the State Board of Education for each content area, school support area, and administrative area for which the holder of the license is qualified. Recognized institutions approved to offer educator preparation programs shall be trained to add endorsements to licenses issued to applicants who meet all of the requirements for the endorsement or endorsements, including passing any required tests. The State Superintendent of Education shall randomly audit institutions to ensure that all rules and standards are being followed for entitlement or when endorsements are being recommended.

(1) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall establish, by rule, the grade level and subject area endorsements to be added to the Professional Educator License. These rules shall outline the requirements for obtaining each endorsement.

(2) In addition to any and all grade level and content area endorsements developed by rule, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall develop the requirements for the following endorsements:

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(A) General administrative endorsement. A general administrative endorsement shall be added to a Professional Educator License, provided that an approved program has been completed. An individual holding a general administrative endorsement may work only as a principal or assistant principal or in a related or similar position, as determined by the State Superintendent of Education, in consultation with the State Educator Preparation and Licensure Board.

Beginning on September 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement issued under Section 21-7.1 of this Code or a Professional Educator License with a general administrative endorsement issued prior to September 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement on the Professional Educator License. Candidates shall not be admitted to an approved general administrative preparation program after September 1, 2012.

All other individuals holding a valid and registered administrative certificate with a general administrative endorsement issued pursuant to Section 21-7.1 of this Code or a general administrative endorsement on a Professional Educator License issued prior to September 1, 2014 shall have the general administrative endorsement converted to a principal endorsement on a Professional Educator License upon request to the State Board of Education and by completing one of the following pathways:

(i) Passage of the State principal assessment developed by the State Board of Education.

(ii) Through July 1, 2019, completion of an Illinois Educators' Academy course designated by the State Superintendent of Education.

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(iii) Completion of a principal preparation program established and approved pursuant to Section 21B-60 of this Code and applicable rules. Individuals who do not choose to convert the general administrative endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or on the Professional Educator License shall continue to be able to serve in any position previously allowed under paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

The general administrative endorsement on the Professional Educator License is available only to individuals who, prior to September 1, 2014, had such an endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or who already have a Professional Educator License and have completed a general administrative program and who do not choose to convert the general administrative endorsement to a principal endorsement pursuant to the options in this Section.

(B) Principal endorsement. A principal endorsement shall be affixed to a Professional Educator License of any holder who qualifies by having all of the following:

(i) Successful completion of a principal preparation program approved in accordance with Section 21B-60 of this Code and any applicable rules.

(ii) Four years of teaching in a public school or nonpublic school recognized by the State Board of Education; however, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of performance evaluations or other evidence of demonstrated qualifications.

(iii) A master's degree or higher from a regionally accredited college or university.

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(C) Chief school business official endorsement. A chief school business official endorsement shall be affixed to the Professional Educator License of any holder who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests. The chief school business official endorsement may also be affixed to the Professional Educator License of any holder who qualifies by having a master's degree in business administration, finance, or accounting and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests. This endorsement shall be required for any individual employed as a chief school business official.

(D) Superintendent endorsement. A superintendent endorsement shall be affixed to the Professional Educator License of any holder who has completed a program approved by the State Board of Education for the preparation of superintendents of schools, has had at least 2 years of experience employed as a full-time principal, director of special education, or chief school business official in the public schools or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and where a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, and has passed the required State tests; or of any holder who has completed a program from out-of-state that has a program with recognition standards comparable to those approved by the State Superintendent of Education and holds the general administrative, principal, or chief school business official endorsement and who has had 2 years of experience as a principal, director of special education, or chief school

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business official while holding a valid educator license or certificate comparable in validity and educational and experience requirements and has passed the appropriate State tests, as provided in Section 21B-30 of this Code. The superintendent endorsement shall allow individuals to serve only as a superintendent or assistant superintendent.

(E) Teacher leader endorsement. It shall be the policy of this State to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles, but not as principals. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may issue a teacher leader endorsement under this subdivision (E). Persons who meet and successfully complete the requirements of the endorsement shall be issued a teacher leader endorsement on the Professional Educator License for serving in schools in this State. Teacher leaders may qualify to serve in such positions as department chairs, coaches, mentors, curriculum and instruction leaders, or other leadership positions as defined by the district. The endorsement shall be available to those teachers who (i) hold a Professional Educator License, (ii) hold a master's degree or higher from a regionally accredited institution, (iii) have completed a program of study that has been approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and (iv) have taken coursework in all of the following areas:

(I) Leadership.
(II) Designing professional development to meet teaching and learning needs.
(III) Building school culture that focuses on student learning.
(IV) Using assessments to improve student learning and foster school improvement.
(V) Building collaboration with teachers and stakeholders.

A teacher who meets the requirements set forth in this Section and holds a teacher leader endorsement may

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evaluate teachers pursuant to Section 24A-5 of this Code, provided that the individual has completed the evaluation component required by Section 24A-3 of this Code and a teacher leader is allowed to evaluate personnel under the respective school district's collective bargaining agreement. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the teacher leader endorsement program and to specify the positions for which this endorsement shall be required.

(F) Special education endorsement. A special education endorsement in one or more areas shall be affixed to a Professional Educator License for any individual that meets those requirements established by the State Board of Education in rules. Special education endorsement areas shall include without limitation the following:

(i) Learning Behavior Specialist I;
(ii) Learning Behavior Specialist II;
(iii) Speech Language Pathologist;
(iv) Blind or Visually Impaired;
(v) Deaf-Hard of Hearing; and
(vi) Early Childhood Special Education.

Notwithstanding anything in this Code to the contrary, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may add additional areas of special education by rule.

(G) School support personnel endorsement. School support personnel endorsement areas shall include, but are not limited to, school counselor, marriage and family therapist, school psychologist, school speech and language pathologist, school nurse, and school social worker. This endorsement is for individuals who are not teachers or administrators, but still require licensure to work in an instructional support position in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the
Charter Schools Law. The school support personnel endorsement shall be affixed to the Professional Educator License and shall meet all of the requirements established in any rules adopted to implement this subdivision (G). The holder of such an endorsement is entitled to all of the rights and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions.

Beginning on January 1, 2014 and ending on April 30, 2014, a person holding a Professional Educator License with a school speech and language pathologist (teaching) endorsement may exchange his or her school speech and language pathologist (teaching) endorsement for a school speech and language pathologist (non-teaching) endorsement through application to the State Board of Education. There shall be no cost for this exchange.

(Source: P.A. 97-607, eff. 8-26-11; 98-413, eff. 8-16-13.)
(105 ILCS 5/21B-40)
Sec. 21B-40. Fees.

(a) Beginning with the start of the new licensure system established pursuant to this Article, the following fees shall be charged to applicants:

(1) A $75 application fee for a Professional Educator License or an Educator License with Stipulations and for individuals seeking a Substitute Teaching License. However, beginning on January 1, 2015, the application fee for a Professional Educator License, Educator License with Stipulations, or Substitute Teaching License shall be $100.

(2) A $150 application fee for individuals who have completed an approved educator preparation program outside of this State or who hold a valid, comparable credential from another state or country and are seeking any of the licenses set forth in subdivision (1) of this subsection (a).

(3) A $50 application fee for each endorsement or approval an individual holding a license wishes to add to that license.

(4) A $10 per year registration fee for the course of the validity cycle to register the license, which shall be paid to the regional office of education having supervision and control over the school in which the individual holding the license is to be
employed. If the individual holding the license is not yet employed, then the license may be registered in any county in this State. The registration fee must be paid in its entirety the first time the individual registers the license for a particular validity period in a single region. No additional fee may be charged for that validity period should the individual subsequently register the license in additional regions. An individual must register the license (i) immediately after initial issuance of the license and (ii) at the beginning of each renewal cycle if the individual has satisfied the renewal requirements required under this Code.

(b) All application fees paid pursuant to subdivisions (1) through (3) of subsection (a) of this Section shall be deposited into the Teacher Certificate Fee Revolving Fund and shall be used, subject to appropriation, by the State Board of Education to provide the technology and human resources necessary for the timely and efficient processing of applications and for the renewal of licenses. The Teacher Certificate Fee Revolving Fund is not subject to administrative charge transfers, authorized under Section 8h of the State Finance Act, from the Teacher Certificate Fee Revolving Fund into any other fund of this State, and moneys in the Teacher Certificate Fee Revolving Fund shall not revert back to the General Revenue Fund at any time.

The regional superintendent of schools shall deposit the registration fees paid pursuant to subdivision (4) of subsection (a) of this Section into the institute fund established pursuant to Section 3-11 of this Code.

(c) The State Board of Education and each regional office of education are authorized to charge a service or convenience fee for the use of credit cards for the payment of license fees. This service or convenience fee shall not exceed the amount required by the credit card processing company or vendor that has entered into a contract with the State Board or regional office of education for this purpose, and the fee must be paid to that company or vendor.

(d) If, at the time a certificate issued under Article 21 of this Code is exchanged for a license issued under this Article, a person has paid registration fees for any years of the validity period of the certificate and these years have not expired when the certificate is exchanged, then those fees must be applied to the registration of the new license.

(Source: P.A. 97-607, eff. 8-26-11.)

(105 ILCS 5/21B-45)

New matter indicated by italics - deletions by strikeout
Sec. 21B-45. Professional Educator License Licensure renewal.

(a) Individuals holding a Professional Educator License All licenses with endorsements are required to complete the licensure renewal requirements as specified in this Section, unless otherwise provided in this Code.

Individuals holding a Professional Educator License endorsed in a teaching field shall meet the renewal requirements set forth in this subsection (c) of Section, unless otherwise provided in this Code 21-14 of this Code. An individual holding a Professional Educator License with a general administrative, principal, chief school business official, or superintendent endorsement issued under this Article who is also working in a position using or requiring that endorsement is subject to the renewal requirements in subsection (c-10) of Section 21-7.1 of this Code. An individual holding a Professional Educator License with a school personnel support endorsement and working in a position for which that endorsement is required must complete the licensure renewal requirements under Section 21-25 of this Code. If an individual holds a license endorsed licensure in more than one area that has different renewal requirements, that individual shall follow the renewal requirements for the position for which he or she spends the majority of his or her time working.

(b) All Professional Educator Licenses licenses not renewed as provided in this Section shall lapse on September 1 of that year or registered in accordance with Section 21B-40 of this Code shall lapse after a period of 6 months from the expiration of the last year of registration. Lapsed licenses may be immediately reinstated upon (i) payment by the applicant of a $500 penalty to the State Board of Education or, for individuals holding an Educator License with Stipulations with a paraprofessional educator endorsement only, payment by the applicant of a $150 penalty to the State Board of Education or (ii) the demonstration of proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with one or more of the educator's endorsement areas. Any and all back fees, including without limitation registration fees owed from the time of expiration of the certificate until the date of reinstatement, shall be paid and kept in accordance with the provisions in Article 3 of this Code concerning an institute fund and the provisions in Article 21B of this Code concerning fees and requirements for registration. Licenses not registered in accordance with Section 21B-40 of this Code shall lapse after a period of 6 months from the expiration of the
last year of registration. An unregistered license is invalid after September 1 for employment and performance of services in an Illinois public or State-operated school or cooperative and in a charter school. The license may be reinstated once the applicant has demonstrated proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with the educator’s endorsement area or areas. Before the license may be reinstated, the applicant shall pay all back fees owed from the time of expiration of the license until the date of reinstatement. Any license or endorsement may be voluntarily surrendered by the license holder. A voluntarily surrendered license, except a substitute teaching license issued under Section 21B-20 of this Code, shall be treated as a revoked license.

(c) From July 1, 2013 through June 30, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee with an administrative endorsement who is working in a position requiring such endorsement shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, per fiscal year.

(d) Beginning July 1, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee may create a professional development plan each year. The plan shall address one or more of the endorsements that are required of his or her educator position if the licensee is employed and performing services in an Illinois public or State-operated school or cooperative. If the licensee is employed in a charter school, the plan shall address that endorsement or those endorsements most closely related to his or her educator position. Licensees employed and performing services in any other Illinois schools may participate in the renewal requirements by adhering to the same process.

Except as otherwise provided in this Section, the licensee's professional development activities shall align with one or more of the following criteria:

(1) activities are of a type that engage participants over a sustained period of time allowing for analysis, discovery, and application as they relate to student learning, social or emotional achievement, or well-being;

(2) professional development aligns to the licensee's performance;

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(3) outcomes for the activities must relate to student growth or district improvement;
(4) activities align to State-approved standards; and
(5) higher education coursework.

(e) For each renewal cycle, each professional educator licensee shall engage in professional development activities. Within 60 days after the conclusion of a professional development activity, the licensee shall enter electronically into the Educator Licensure Information System (ELIS) the name, date, and location of the activity, the number of professional development hours, and the provider's name. The following provisions shall apply concerning professional development activities:

(1) Each licensee shall complete a total of 120 hours of professional development per 5-year renewal cycle in order to renew the license, except as otherwise provided in this Section.

(2) Beginning with his or her first full 5-year cycle, any licensee with an administrative endorsement who is not working in a position requiring such endorsement shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, in each 5-year renewal cycle in which the administrative endorsement was held for at least one year. The Illinois Administrators' Academy course may count toward the total of 120 hours per 5-year cycle.

(3) Any licensee with an administrative endorsement who is working in a position requiring such endorsement or an individual with a Teacher Leader endorsement serving in an administrative capacity at least 50% of the day shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, each fiscal year in addition to 100 hours of professional development per 5-year renewal cycle in accordance with this Code.

(4) Any licensee holding a current National Board for Professional Teaching Standards (NBPTS) master teacher designation shall complete a total of 60 hours of professional development per 5-year renewal cycle in order to renew the license.

(5) Licensees working in a position that does not require educator licensure or working in a position for less than 50% for any particular year are considered to be exempt and shall be

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required to pay only the registration fee in order to renew and maintain the validity of the license.

(6) Licensees who are retired and qualify for benefits from a State retirement system shall notify the State Board of Education using ELIS, and the license shall be maintained in retired status. An individual with a license in retired status shall not be required to complete professional development activities or pay registration fees until returning to a position that requires educator licensure. Upon returning to work in a position that requires the Professional Educator License, the licensee shall immediately pay a registration fee and complete renewal requirements for that year. A license in retired status cannot lapse.

(7) For any renewal cycle in which professional development hours were required, but not fulfilled, the licensee shall complete any missed hours to total the minimum professional development hours required in this Section prior to September 1 of that year. For any fiscal year or renewal cycle in which an Illinois Administrators' Academy course was required but not completed, the licensee shall complete any missed Illinois Administrators' Academy courses prior to September 1 of that year. The licensee may complete all deficient hours and Illinois Administrators' Academy courses while continuing to work in a position that requires that license until September 1 of that year.

(8) Any licensee who has not fulfilled the professional development renewal requirements set forth in this Section at the end of any 5-year renewal cycle is ineligible to register his or her license and may submit an appeal to the State Superintendent of Education for reinstatement of the license.

(9) If professional development opportunities were unavailable to a licensee, proof that opportunities were unavailable and request for an extension of time beyond August 31 to complete the renewal requirements may be submitted from April 1 through June 30 of that year to the State Educator Preparation and Licensure Board. If an extension is approved, the license shall remain valid during the extension period.

(10) Individuals who hold exempt licenses prior to the effective date of this amendatory Act of the 98th General Assembly shall commence the annual renewal process with the first
scheduled registration due after the effective date of this amendatory Act of the 98th General Assembly.

(f) At the time of renewal, each licensee shall respond to the required questions under penalty of perjury.

(g) The following entities shall be designated as approved to provide professional development activities for the renewal of Professional Educator Licenses:

1. The State Board of Education.
2. Regional offices of education and intermediate service centers.
3. Illinois professional associations representing the following groups that are approved by the State Superintendent of Education:
   - (A) school administrators;
   - (B) principals;
   - (C) school business officials;
   - (D) teachers, including special education teachers;
   - (E) school boards;
   - (F) school districts;
   - (G) parents; and
   - (H) school service personnel.
4. Regionally accredited institutions of higher education that offer Illinois-approved educator preparation programs.
5. Illinois public school districts, charter schools authorized under Article 27A of this Code, and joint educational programs authorized under Article 10 of this Code for the purposes of providing career and technical education or special education services.

(h) Approved providers under subsection (g) of this Section shall make available professional development opportunities that satisfy at least one of the following:

1. increase the knowledge and skills of school and district leaders who guide continuous professional development;
2. improve the learning of students;
3. organize adults into learning communities whose goals are aligned with those of the school and district;
4. deepen educator’s content knowledge;

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(5) provide educators with research-based instructional strategies to assist students in meeting rigorous academic standards;
(6) prepare educators to appropriately use various types of classroom assessments;
(7) use learning strategies appropriate to the intended goals;
(8) provide educators with the knowledge and skills to collaborate; or
(9) prepare educators to apply research to decision-making.

(i) Approved providers under subsection (g) of this Section shall do the following:
(1) align professional development activities to the State-approved national standards for professional learning;
(2) meet the professional development criteria for Illinois licensure renewal;
(3) produce a rationale for the activity that explains how it aligns to State standards and identify the assessment for determining the expected impact on student learning or school improvement;
(4) maintain original documentation for completion of activities; and
(5) provide license holders with evidence of completion of activities.

(j) The State Board of Education shall conduct annual audits of approved providers, except for school districts, which shall be audited by regional offices of education and intermediate service centers. The State Board of Education shall complete random audits of licensees.
(1) Approved providers shall annually submit to the State Board of Education a list of subcontractors used for delivery of professional development activities for which renewal credit was issued and other information as defined by rule.
(2) Approved providers shall annually submit data to the State Board of Education demonstrating how the professional development activities impacted one or more of the following:
   (A) educator and student growth in regards to content knowledge or skills, or both;

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(B) educator and student social and emotional growth; or
(C) alignment to district or school improvement plans.

(3) The State Superintendent of Education shall review the annual data collected by the State Board of Education, regional offices of education, and intermediate service centers in audits to determine if the approved provider has met the criteria and should continue to be an approved provider or if further action should be taken as provided in rules.

(k) Registration fees shall be paid for the next renewal cycle between April 1 and June 30 in the last year of each 5-year renewal cycle using ELIS. If all required professional development hours for the renewal cycle have been completed and entered by the licensee, the licensee shall pay the registration fees for the next cycle using a form of credit or debit card.

(l) Beginning July 1, 2014, any professional educator licensee endorsed for school support personnel who is employed and performing services in Illinois public schools and who holds an active and current professional license issued by the Department of Financial and Professional Regulation related to the endorsement areas on the Professional Educator License shall be deemed to have satisfied the continuing professional development requirements provided for in this Section. Such individuals shall be required to pay only registration fees to renew the Professional Educator License. An individual who does not hold a license issued by the Department of Financial and Professional Regulation shall complete professional development requirements for the renewal of a Professional Educator License provided for in this Section.

(m) Appeals to the State Educator Preparation and Licensure Board must be made within 30 days after receipt of notice from the State Superintendent of Education that a license will not be renewed based upon failure to complete the requirements of this Section. A licensee may appeal that decision to the State Educator Preparation and Licensure Board in a manner prescribed by rule.

(1) Each appeal shall state the reasons why the State Superintendent's decision should be reversed and shall be sent by certified mail, return receipt requested, to the State Board of Education.
(2) The State Educator Preparation and Licensure Board shall review each appeal regarding renewal of a license within 90 days after receiving the appeal in order to determine whether the licensee has met the requirements of this Section. The State Educator Preparation and Licensure Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of the following:

(A) the regional superintendent of education's rationale for recommending nonrenewal of the license, if applicable;
(B) any evidence submitted to the State Superintendent along with the individual's electronic statement of assurance for renewal; and
(C) the State Superintendent's rationale for nonrenewal of the license.

(3) The State Educator Preparation and Licensure Board shall notify the licensee of its decision regarding license renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the licensee, using ELIS, shall pay the applicable registration fee for the next cycle using a form of credit or debit card.

(n) The State Board of Education may adopt rules as may be necessary to implement this Section.

(Source: P.A. 97-607, eff. 8-26-11.)

(105 ILCS 5/21-14 rep.)

Section 10. The School Code is amended by repealing Section 21-14.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

PUBLIC ACT 98-0611
(Senate Bill No. 1470)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Meat and Poultry Inspection Act is amended by changing Section 5.1 as follows:

(225 ILCS 650/5.1)

Sec. 5.1. Type I licenses.

(a) A Type I establishment licensed under this Act who sells or offers for sale meat, meat product, poultry, and poultry product shall, except as otherwise provided:

(1) Be permitted to receive meat, meat product, poultry, and poultry product for cutting, processing, preparing, packing, wrapping, chilling, freezing, sharp freezing, or storing, provided it bears an official mark of State of Illinois or of Federal Inspection.

(2) Be permitted to receive live animals and poultry for slaughter, provided all animals and poultry are properly presented for prescribed inspection to a Department employee.

(3) May accept meat, meat product, poultry, and poultry product for sharp freezing or storage provided that the product is inspected product.

(b) Before being granted or renewing official inspection, an establishment must develop written sanitation Standard Operating Procedures as required by 8 Ill. Adm. Code 125.141.

(c) Before being granted official inspection, an establishment must conduct a hazard analysis and develop and validate an HACCP plan as required by 8 Ill. Adm. Code 125.142. A conditional grant of inspection shall be issued for a period not to exceed 90 days, during which period the establishment must validate its HACCP plan.

Any establishment subject to inspection under this Act that believes, or has reason to believe, that an adulterated or misbranded meat or meat food product received by or originating from the establishment has entered into commerce shall promptly notify the Director with regard to the type, amount, origin, and destination of the meat or meat food product.

The Director shall require that each Type I establishment subject to inspection under this Act shall, at a minimum:

(1) prepare and maintain current procedures for the recall of all meat, poultry, meat food products, and poultry food products with a mark of inspection produced and shipped by the establishment;

(2) document each reassessment of the process control plans of the establishment; and

New matter indicated by italics - deletions by strikeout
(3) upon request, make the procedures and reassessed process control plans available to inspectors appointed by the Director for review and copying.

(d) Any establishment licensed under the authority of this Act that receives wild game carcasses shall comply with the following requirements regarding wild game carcasses:

(1) Wild game carcasses shall be dressed prior to entering the processing or refrigerated areas of the licensed establishment.

(2) Wild game carcasses stored in the refrigerated area of the licensed establishment shall be kept separate and apart from inspected products.

(3) A written request shall be made to the Department on an annual basis if a licensed establishment is suspending operations regarding an amenable product due to handling of wild game carcasses.

(4) A written procedure for handling wild game shall be approved by the Department.

(5) All equipment used that comes in contact with wild game shall be thoroughly cleaned and sanitized prior to use on animal or poultry carcasses.

(Source: P.A. 91-170, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 6, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

PUBLIC ACT 98-0612
(Senate Bill No. 1600)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Sex Offender Evaluation and Treatment Provider Act is amended by changing Sections 35 and 999 as follows:

(225 ILCS 109/35)
Sec. 35. Qualifications for licensure.
(a)(1) A person is qualified for licensure as a sex offender evaluator if that person:

New matter indicated by italics - deletions by strikeout
(A) has applied in writing on forms prepared and furnished by the Department;
(B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and
(C) satisfies the licensure and experience requirements of paragraph (2) of this subsection (a).

(2) A person who applies to the Department shall be issued a sex offender evaluator license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (a) and provides evidence to the Department that the person:

(A) is a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 or licensed under the laws of another state; an advanced practice nurse with psychiatric specialty licensed under the Nurse Practice Act or licensed under the laws of another state; a clinical psychologist licensed under the Clinical Psychologist Licensing Act or licensed under the laws of another state; a licensed clinical social worker licensed under the Clinical Social Work and Social Work Practice Act or licensed under the laws of another state; a licensed clinical professional counselor licensed under the Professional Counselor and Clinical Professional Counselor Licensing Act or licensed under the laws of another state; or a licensed marriage and family therapist licensed under the Marriage and Family Therapist Licensing Act or licensed under the laws of another state;
(B) has 400 hours of supervised experience in the treatment or evaluation of sex offenders in the last 4 years, at least 200 of which are face-to-face therapy or evaluation with sex offenders;
(C) has completed at least 10 sex offender evaluations under supervision in the past 4 years; and
(D) has at least 40 hours of documented training in the specialty of sex offender evaluation, treatment, or management.

Until January 1, 2015, the requirements of subparagraphs (B) and (D) of paragraph (2) of this subsection (a) are satisfied if the applicant has been listed on the Sex Offender Management Board's Approved Provider List for a minimum of 2 years before application for licensure.

Until January 1, 2015, the requirements of subparagraph (C) of paragraph (2) of this subsection (a) are satisfied if the applicant has
completed at least 10 sex offender evaluations within the 4 years before application for licensure.

(b)(1) A person is qualified for licensure as a sex offender treatment provider if that person:

(A) has applied in writing on forms prepared and furnished by the Department;

(B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and

(C) satisfies the licensure and experience requirements of paragraph (2) of this subsection (b).

(2) A person who applies to the Department shall be issued a sex offender treatment provider license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (b) and provides evidence to the Department that the person:

(A) is a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 or licensed under the laws of another state; an advanced practice nurse with psychiatric specialty licensed under the Nurse Practice Act or licensed under the laws of another state; a clinical psychologist licensed under the Clinical Psychologist Licensing Act or licensed under the laws of another state; a licensed clinical social worker licensed under the Clinical Social Work and Social Work Practice Act or licensed under the laws of another state; a licensed clinical professional counselor licensed under the Professional Counselor and Clinical Professional Counselor Licensing Act or licensed under the laws of another state; or a licensed marriage and family therapist licensed under the Marriage and Family Therapist Licensing Act or licensed under the laws of another state;

(B) has 400 hours of supervised experience in the treatment of sex offenders in the last 4 years, at least 200 of which are face-to-face therapy with sex offenders; and

(C) has at least 40 hours documented training in the specialty of sex offender evaluation, treatment, or management.

Until January 1, 2015, the requirements of subparagraphs (B) and (C) of paragraph (2) of this subsection (b) are satisfied if the applicant has been listed on the Sex Offender Management Board's Approved Provider List for a minimum of 2 years before application.

New matter indicated by italics - deletions by strikeout
(c)(1) A person is qualified for licensure as an associate sex offender provider if that person:

   (A) has applied in writing on forms prepared and furnished by the Department;

   (B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and

   (C) satisfies the education and experience requirements of paragraph (2) of this subsection (c).

(2) A person who applies to the Department shall be issued an associate sex offender provider license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (c) and provides evidence to the Department that the person holds a master's degree or higher in social work, psychology, marriage and family therapy, counseling or closely related behavioral science degree, or psychiatry.

(Source: P.A. 97-1098, eff. 7-1-13.)

(225 ILCS 109/999)

Sec. 999. Effective date. This Act takes effect July 1, 2013, except that this Section, Section 175, Section 180, and the amendatory changes to Sections 2 and 3 of the Sex Offender Registration Act take effect on January 1, 2013, the other amendatory changes to Section 3-5 of the Sex Offender Registration Act, the amendatory changes to the Sexually Dangerous Persons Act, and the amendatory changes to the Sexually Violent Persons Commitment Act take effect January 1, 2014.

(Source: P.A. 97-1098, eff. 1-1-13.)

Section 10. The Sex Offender Registration Act is amended by changing Section 3 as follows:

(730 ILCS 150/3)

Sec. 3. Duty to register.

(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the sex offender's or sexual predator's telephone number, including cellular telephone number, the employer's telephone number, school attended, all e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities that the sex offender uses or plans to use, all Uniform Resource Locators (URLs) registered or used by the
sex offender, all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include a copy of the terms and conditions of parole or release signed by the sex offender and given to the sex offender by his or her supervising officer or aftercare specialist, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. If the sex offender is a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, the sex offender shall report to the registering agency whether he or she is living in a household with a child under 18 years of age who is not his or her own child, provided that his or her own child is not the victim of the sex offense. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 3 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 3 or more days in an unincorporated area or, if incorporated, no police chief exists. If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall also register:

(i) with:

(A) the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

New matter indicated by italics - deletions by strikeout
(B) the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists; and

(ii) with the public safety or security director of the institution of higher education which he or she is employed at or attends.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 3 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 3 days after ceasing to have a fixed residence.

A sex offender or sexual predator who is temporarily absent from his or her current address of registration for 3 or more days shall notify the law enforcement agency having jurisdiction of his or her current registration, including the itinerary for travel, in the manner provided in Section 6 of this Act for notification to the law enforcement agency having jurisdiction of change of address.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 3 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all

New matter indicated by italics - deletions by strikeout
Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. The out-of-state student or out-of-state employee shall register:

(1) with:

(A) the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists; and

(2) with the public safety or security director of the institution of higher education he or she is employed at or attends for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during a calendar year.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(a-10) Any law enforcement agency registering sex offenders or sexual predators in accordance with subsections (a) or (a-5) of this Section shall forward to the Attorney General a copy of sex offender registration forms from persons convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, including periodic and annual registrations under Section 6 of this Act.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 3 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).
(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(2.1) or (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.1) A sex offender or sexual predator, who has never previously been required to register under this Act, has a duty to register if the person has been convicted of any felony offense after July 1, 2011. A person who previously was required to register under this Act for a period of 10 years and successfully completed that registration period has a duty to register if: (i) the person has been convicted of any felony offense after July 1, 2011, and (ii) the offense for which the 10 year registration was served currently requires a registration period of more than 10 years. Notification of an offender's duty to register under this subsection shall be pursuant to Section 5-7 of this Act.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 3 days of notification of his or her requirement to register. Except as provided in subsection (c)(2.1), if notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 3 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1,
1996, shall register in person within 3 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a $100 initial registration fee and a $100 annual renewal fee to the registering law enforcement agency having jurisdiction. The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The registering law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Thirty-five dollars for the initial registration fee and $35 of the annual renewal fee shall be retained and used by the registering agency for official purposes. Having retained $35 of the initial registration fee and $35 of the annual renewal fee, the registering agency shall remit the remainder of the fee to State agencies within 30 days of receipt for deposit into the State funds as follows:

(A) Five dollars of the initial registration fee and $5 of the annual fee shall be remitted to the State Treasurer who shall deposit the moneys deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used by the Board to comply with the provisions of the Sex Offender Management Board Act.

(B) Thirty dollars of the initial registration fee and $30 of the annual renewal fee shall be remitted to the Department of State Police which shall deposit the moneys deposited into the Sex Offender Registration Fund and shall be used by the Department of State Police to maintain and update the Illinois State Police Sex Offender Registry.

(C) Thirty dollars of the initial registration fee and $30 of the annual renewal fee shall be remitted to the Attorney General who shall deposit the moneys deposited into the Attorney General Sex Offender Awareness, Training, and Education Fund. Moneys deposited into the
Fund shall be used by the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various victim notification laws and for training law enforcement agencies, State's Attorneys, and medical providers of their legal duties concerning the prosecution and investigation of sex offenses.

The registering agency shall establish procedures to document the receipt and remittance of the $100 initial registration fee and $100 annual renewal fee.

(d) Within 3 days after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

PUBLIC ACT 98-0613
(Senate Bill No. 1787)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Funeral or Burial Funds Act is amended by changing Section 3a as follows:

(225 ILCS 45/3a) (from Ch. 111 1/2, par. 73.103a)
Sec. 3a. Denial, suspension, or revocation of license.
(a) The Comptroller may refuse to issue or may suspend or revoke a license on any of the following grounds:
(1) The applicant or licensee has made any misrepresentations or false statements or concealed any material fact.
(2) The applicant or licensee is insolvent.
(3) The applicant or licensee has been engaged in business practices that work a fraud.
(4) The applicant or licensee has refused to give pertinent data to the Comptroller.
(5) The applicant or licensee has failed to satisfy any enforceable judgment or decree rendered by any court of competent jurisdiction against the applicant.
(6) The applicant or licensee has conducted or is about to conduct business in a fraudulent manner.
(7) The trust agreement is not in compliance with State or federal law.
(8) The fidelity bond is not satisfactory to the Comptroller.
(9) As to any individual required to be listed in the license application, the individual has conducted or is about to conduct any business on behalf of the applicant in a fraudulent manner; has been convicted of any felony or misdemeanor, an essential element of which is fraud; has had a judgment rendered against him or her based on fraud in any civil litigation; has failed to satisfy any enforceable judgment or decree rendered against him or her by any court of competent jurisdiction; or has been convicted of any felony or any theft-related offense.
(10) The applicant or licensee, including any member, officer, or director thereof if the applicant or licensee is a firm, partnership, association or corporation and any shareholder holding more than 10% of the corporate stock, has violated any provision of this Act or any regulation, decision, order, or finding made by the Comptroller under this Act.
(11) The Comptroller finds any fact or condition existing which, if it had existed at the time of the original application for
such license, would have warranted the Comptroller in refusing the issuance of the license.

(12) If an applicant or licensee engages in a lockout, as defined in the Employment of Strikebreakers Act, and the Comptroller has reason to believe the lockout is negatively impacting the consumer.

(b) Before refusal to issue or renew and before suspension or revocation of a license, the Comptroller shall hold a hearing to determine whether the applicant or licensee, hereinafter referred to as the respondent, is entitled to hold such a license. At least 10 days prior to the date set for such hearing, the Comptroller shall notify the respondent in writing that on the date designated a hearing will be held to determine his eligibility for a license and that he may appear in person or by counsel. Such written notice may be served on the respondent personally, or by registered or certified mail sent to the respondent's business address as shown in his latest notification to the Comptroller. At the hearing, both the respondent and the complainant shall be accorded ample opportunity to present in person or by counsel such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Comptroller may reasonably continue such hearing from time to time.

The Comptroller may subpoena any person or persons in this State and take testimony orally, by deposition or by exhibit, in the same manner and with the same fees and mileage allowances as prescribed in judicial proceedings in civil cases.

Any authorized agent of the Comptroller may administer oaths to witnesses at any hearing which the Comptroller is authorized to conduct.

(Source: P.A. 92-419, eff. 1-1-02.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 27, 2013.
Effective December 27, 2013.
Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project
area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

1. if the ordinance was adopted before January 15, 1981;
2. if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
3. if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
4. if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
5. if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
6. if the ordinance was adopted in December 1984 by the Village of Rosemont;
7. if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
8. if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
9. if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
10. if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

New matter indicated by italics - deletions by strikeout
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;

New matter indicated by italics - deletions by strikeout
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;

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(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;

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(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;

New matter indicated by italics - deletions by strikeout
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle; or
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District; or

New matter indicated by italics - deletions by strikeout
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District; 

(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio; 

(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville; 

(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown; 

(110) if the ordinance was adopted on April 28, 2003 by Gibson City; 

(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance; or 

(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.
(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; revised 8-22-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved December 27, 2013.
Effective December 27, 2013.

**PUBLIC ACT 98-0615**
*(House Bill No. 1604)*

AN ACT concerning revenue.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Section 9-265 as follows:

(35 ILCS 200/9-265)

Sec. 9-265. Omitted property; interest; change in exempt use or ownership.

New matter indicated by italics - deletions by strikeout
(a) If any property is omitted in the assessment of any year or years, not to exceed the current assessment year and 3 prior years, so that the taxes, for which the property was liable, have not been paid, or if by reason of defective description or assessment, taxes on any property for any year or years have not been paid, or if any taxes are refunded under subsection (b) of Section 14-5 because the taxes were assessed in the wrong person's name, the property, when discovered, shall be listed and assessed by the board of review or, in counties with 3,000,000 or more inhabitants, by the county assessor either on his or her own initiative or when so directed by the board of appeals or board of review.

(b) The board of review in counties with less than 3,000,000 inhabitants or the county assessor in counties with 3,000,000 or more inhabitants may develop reasonable procedures for contesting the listing of omitted property under this Division.

(c) For purposes of this Section, "defective description or assessment" includes a description or assessment which omits all the improvements thereon as a result of which part of the taxes on the total value of the property as improved remain unpaid. In the case of property subject to assessment by the Department, the property shall be listed and assessed by the Department. All such property shall be placed on the assessment and tax books.

(d) The arrearages of taxes which might have been assessed, with 10% interest thereon for each year or portion thereof from 2 years after the time the first correct tax bill ought to have been received, shall be charged against the property by the county clerk.

(e) When property or acreage omitted by either incorrect survey or other ministerial assessor error is discovered and the owner has paid its tax bills as received for the year or years of omission of the parcel, then the interest authorized by this Section shall not be chargeable to the owner. However, nothing in this Section shall prevent the collection of the principal amount of back taxes due and owing.

(f) If any property listed as exempt by the chief county assessment officer has a change in use, a change in leasehold estate, or a change in titleholder of record by purchase, grant, taking or transfer, it shall be the obligation of the transferee to notify the chief county assessment officer in writing within 90 days of the change. If mailed, the notice shall be sent by certified mail, return receipt requested, and shall include the name and address of the taxpayer, the legal description of the property, and the property index number of the property when an index number exists. If
notice is provided in person, it shall be provided on a form prescribed by the chief county assessment officer, and the chief county assessment officer shall provide a date stamped copy of the notice. Except as provided in item (6) of subsection (a) of Section 9-260, item (6) of Section 16-135, and item (6) of Section 16-140 of this Code, if the failure to give the notification results in the assessing official continuing to list the property as exempt in subsequent years, the property shall be considered omitted property for purposes of this Code.

(g) In counties with fewer than 3,000,000 inhabitants, if a chief county assessment officer discovers at any time before judgment that a property has been granted a homestead exemption under Article 15 of this Code to which it was not entitled, the chief county assessment officer may consider the erroneously exempt portion of the property as omitted property under this Section for that taxable year only.

(Source: P.A. 96-1553, eff. 3-10-11.)
Passed in the General Assembly November 7, 2013.
Approved December 30, 2013.
Effective June 1, 2014.

PUBLIC ACT 98-0616
(Senate Bill No. 1955)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Disaster Relief Act is amended by changing Section 3 as follows:
(15 ILCS 30/3) (from Ch. 127, par. 293.3)
Sec. 3. Disaster Response and Recovery Fund.
(a) Whenever funds regularly appropriated to the State and local governmental bodies for disaster response and recovery are insufficient to provide services, and when the Governor has declared a disaster by proclamation in accordance with Section 7 of the Illinois Emergency Management Agency Act or any successor Act, the Governor may draw upon the Disaster Response and Recovery Fund in order to provide services or to reimburse local governmental bodies furnishing services. The fund may be used for the payment of emergency employees, for the payment of the Illinois National Guard when called to active duty, for disaster-related expenses of State Agencies and Departments, and for the

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emergency purchase or renting of equipment and commodities. The fund shall be used for furnishing emergency services and relief to the disaster area as a whole and shall not be used to provide private relief to persons sustaining property damages or personal injury as a result of a disaster.

(b) As soon as practical after the effective date of this amendatory Act of the 98th General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer $5,900,000 from the General Revenue Fund to the Disaster Response and Recovery Fund to meet the State's cost sharing obligations with the Federal Emergency Management Agency under the federal Assistance to Individuals and Households Program pursuant to 42 U.S.C. 5174.

(Source: P.A. 98-465, eff. 8-16-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved December 31, 2013.
Effective December 31, 2013.

PUBLIC ACT 98-0617
(House Bill No. 1002)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 19-1 as follows:

(105 ILCS 5/19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978

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equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).
(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the
school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a
for the purpose of replacing a school building which, because of
mine subsidence damage, has been closed as provided in paragraph
(2) of this subsection (d) or through the issuance of bonds under
and in accordance with Section 19-3 for the purpose of increasing
the size of, or providing for additional functions in, such
replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in
paragraph (1) above are issued for the purposes of construction by
the school district of a new school building pursuant to Section 17-
2.11, to replace an existing school building that, because of mine
subsidence damage, is closed as of the end of the 1992-93 school
year pursuant to action of the regional superintendent of schools of
the educational service region in which the district is located under
Section 3-14.22 or are issued for the purpose of increasing the size
of, or providing for additional functions in, the new school
building being constructed to replace a school building closed as
the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section
or of any other law, bonds in not to exceed the aggregate amount of
$5,500,000 and issued by a school district meeting the following criteria
shall not be considered indebtedness for purposes of any statutory
limitation and may be issued in an amount or amounts, including existing
indebtedness, in excess of any heretofore or hereafter imposed statutory
limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of
education of the district shall have determined by resolution that
the enrollment of students in the district is projected to increase by
not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by
resolution that the improvements to be financed with the proceeds
of the bonds are needed because of the projected enrollment
increases.

(3) The board of education shall also determine by
resolution that the projected increases in enrollment are the result
of improvements made or expected to be made to passenger rail
facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or
of any other law, a school district that has availed itself of the provisions
of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school

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buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

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(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

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(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;
(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;
(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and
(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;
(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and
(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the

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additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

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(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in

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an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

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(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed $450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with

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an aggregate principal amount not to exceed $225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-25) In addition to all other authority to issue bonds, Rochester Community Unit School District 3A may issue bonds with an aggregate principal amount not to exceed $18,500,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at the general primary election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of a new high school building; the addition of classrooms and support facilities at the high school, middle school, and elementary school; the altering, repairing, and equipping of existing school buildings; and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes

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is authorized by a law that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before December 31, 2012, but the aggregate principal amount issued in all such bond issues combined must not exceed $18,500,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed $30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed $30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an

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aggregate principal amount not to exceed $13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed $55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new high school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing high school building, (ii) the existing high school building will be demolished, and (iii) the sale of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount
issued in all such bond issuances combined must not exceed $55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at a regular election held on or after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-45) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.5 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.10 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 43% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-55) In addition to all other authority to issue bonds, Belle Valley School District 119 may issue bonds with an aggregate principal amount not to exceed $47,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 7, 2009.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of mine subsidence in an existing school building and because of the age and condition of another existing school building and (ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount
issued in all such bond issuances combined must not exceed $47,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection (p-55) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-55) must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

(p-60) In addition to all other authority to issue bonds, Wilmington Community Unit School District Number 209-U may issue bonds with an aggregate principal amount not to exceed $2,285,000, but only if all of the following conditions are met:

(1) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 21, 2006.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects approved by the voters were and are required because of the age and condition of the school district's prior and existing school buildings and (ii) the issuance of the bonds is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued in one or more bond issuances on or before March 1, 2011, but the aggregate principal amount issued in all those bond issuances combined must not exceed $2,285,000.

(4) The bonds are issued in accordance with this Article.

The debt incurred on any bonds issued under this subsection (p-60) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-65) In addition to all other authority to issue bonds, West Washington County Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed $32,200,000 and maturing over a period not exceeding 25 years, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after February 2, 2010.
(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (A) all or a portion of the existing Okawville Junior/Senior High School Building will be demolished; (B) the building and equipping of a new school building to be attached to and the alteration, repair, and equipping of the remaining portion of the Okawville Junior/Senior High School Building is required because of the age and current condition of that school building; and (C) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,200,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-65) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-70) In addition to all other authority to issue bonds, Cahokia Community Unit School District 187 may issue bonds with an aggregate principal amount not to exceed $50,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2016, but the aggregate principal amount issued in all such bond issuances combined must not exceed $50,000,000.

(4) The bonds are issued in accordance with this Article.
(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 2, 2010.

The debt incurred on any bonds issued under this subsection (p-70) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-70) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-75) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 and before July 1, 2011 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

This subsection (p-75) applies only if the State Board of Education or the Capital Development Board makes one or more grants to Peoria School District 150 pursuant to the School Construction Law. The amount exempted from the debt limitation as prescribed in this subsection (p-75) shall be no greater than the amount of one or more grants awarded to Peoria School District 150 by the State Board of Education or the Capital Development Board.

(p-80) In addition to all other authority to issue bonds, Ridgeland School District 122 may issue bonds with an aggregate principal amount not to exceed $50,000,000 for the purpose of refunding or continuing to refund bonds originally issued pursuant to voter approval at the general election held on November 7, 2000, and the debt incurred on any bonds issued under this subsection (p-80) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-80) may be issued in one or more issuances and must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-85) In addition to all other authority to issue bonds, Hall High School District 502 may issue bonds with an aggregate principal amount not to exceed $32,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 9, 2013.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a

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new school building is required as a result of the age and condition of an existing school building, (ii) the existing school building should be demolished in its entirety or the existing school building should be demolished except for the 1914 west wing of the building, and (iii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 9, 2013.

The debt incurred on any bonds issued under this subsection (p-85) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-85) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-90) In addition to all other authority to issue bonds, Lebanon Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed $7,500,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at the general primary election on February 2, 2010.

(2) At or prior to the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new elementary school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing Lebanon Elementary School building, (ii) a portion of the existing Lebanon Elementary School building will be demolished and the remaining portion will be altered, repaired, and equipped, and (iii) the sale of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before April 1, 2014, but the aggregate principal amount

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(4) The bonds are issued in accordance with this Article.
(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on February 2, 2010.
The debt incurred on any bonds issued under this subsection (p-90) shall not be considered indebtedness for purposes of any statutory debt limitation.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Sources: P.A. 96-63, eff. 7-23-09; 96-273, eff. 8-11-09; 96-517, eff. 8-14-09; 96-947, eff. 6-25-10; 96-950, eff. 6-25-10; 96-1000, eff. 7-2-10; 96-1438, eff. 8-20-10; 96-1467, eff. 8-20-10; 97-333, eff. 8-12-11; 97-834, eff. 7-20-12; 97-1146, eff. 1-18-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved January 7, 2014.
Effective January 7, 2014.
should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed for $1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for $1 to the City of Chicago the following described real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, if should the property is no longer fail to be used by the Grantee for charitable, educational, or public purposes, title shall revert without further action to the State of Illinois;

(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

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(e) (the General Assembly finds and declares that the authorization under this subsection (e) as originally enacted by Public Act 91-824 was never acted upon; and, therefore, the provisions of that originally enacted subsection (e) are rescinded by this amendatory Act of the 95th General Assembly); and

(f) accept replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.

(Source: P.A. 95-604, eff. 9-11-07.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 6, 2013.
Approved January 7, 2014.
Effective January 7, 2014.

PUBLIC ACT 98-0619
(Senate Bill No. 0492)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Building Commission Act is amended by adding Section 23.5 as follows:

(50 ILCS 20/23.5 new)


(a) The General Assembly finds and declares that:


(2) Senate Bill 2233 of the 98th General Assembly contained provisions that would have changed the repeal dates of Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act from 5 years after the effective date of Public Act 95-595 to June 1, 2018. Senate Bill 2233 passed both houses on May 31, 2013. Senate Bill 2233 provided that it took effect upon becoming law. Senate Bill 2233 was sent to the Governor on June 10, 2013.

New matter indicated by italics - deletions by strikeout
Senate Bill 2233 was approved by the Governor on August 9, 2013. Senate Bill 2233 became Public Act 98-299.

(3) The Statute on Statutes sets forth general rules on the repeal of statutes and the construction of multiple amendments, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(4) The actions of the General Assembly clearly manifest the intention of the General Assembly to extend the repeal of Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act and have those Sections continue in effect until June 1, 2018.

(5) Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act were originally enacted to protect, promote, and preserve the general welfare. Any construction of this Act that results in the repeal of those Sections on June 1, 2013 would be inconsistent with the manifest intent of the General Assembly and repugnant to the context of this Act.


(c) Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act shall be deemed to have been in continuous effect since June 1, 2008 (the effective date of Public Act 95-595), and shall continue to be in effect henceforward until June 1, 2018, unless they are otherwise lawfully repealed. All previously enacted amendments to this Act taking effect on or after June 1, 2013 are hereby validated.

(d) All actions taken in reliance on or pursuant to Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act by the Public Building Commission or any other person or entity are hereby validated.

(e) In order to ensure the continuing effectiveness of Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act, those Sections are set forth in full and reenacted by this amendatory Act of the 98th General Assembly. This reenactment is intended as a continuation of those
Sections. It is not intended to supersede any amendment to the Act that is enacted by the 98th General Assembly.

(f) In this amendatory Act of the 98th General Assembly, the base text of the reenacted Sections is set forth as amended by Public Act 98-299. Striking and underscoring is used only to show changes being made to the base text. In this instance, no underscoring or striking is shown in the base text because no additional changes are being made.

(g) Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 of this Act apply to all claims, civil actions, and proceedings pending on or filed on or before the effective date of this amendatory Act of the 98th General Assembly.

Section 10. The Public Building Commission Act is amended by reenacting Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 as follows:

(50 ILCS 20/2.5)
(Section scheduled to be repealed on June 1, 2018)

Sec. 2.5. Legislative policy; conditions for use of design-build. It is the intent of the General Assembly that a commission be allowed to use the design-build delivery method for public projects if it is shown to be in the commission's best interest for that particular project.

It shall be the policy of the commission in the procurement of design-build services to publicly announce all requirements for design-build services and to procure these services on the basis of demonstrated competence and qualifications and with due regard for the principles of competitive selection.

The commission shall, prior to issuing requests for proposals, promulgate and publish procedures for the solicitation and award of contracts pursuant to this Act.

The commission shall, for each public project or projects permitted under this Act, make a written determination, including a description as to the particular advantages of the design-build procurement method, that it is in the best interests of the commission to enter into a design-build contract for the project or projects.

In making that determination, the following factors shall be considered:

(1) The probability that the design-build procurement method will be in the best interests of the commission by providing a material savings of time or cost over the design-bid-build or other delivery system.

New matter indicated by italics - deletions by strikeout
(2) The type and size of the project and its suitability to the design-build procurement method.

(3) The ability of the design-build entity to define and provide comprehensive scope and performance criteria for the project.

The commission shall require the design-build entity to comply with the utilization goals established by the corporate authorities of the commission for minority and women business enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.3)

Section scheduled to be repealed on June 1, 2018

Sec. 20.3. Solicitation of design-build proposals.

(a) When the Commission elects to use the design-build delivery method, it must issue a notice of intent to receive proposals for the project at least 14 days before issuing the request for the proposal. The Commission must publish the advance notice in a daily newspaper of general circulation in the county where the Commission is located. The Commission is encouraged to use publication of the notice in related construction industry service publications. A brief description of the proposed procurement must be included in the notice. The Commission must provide a copy of the request for proposal to any party requesting a copy.

(b) The request for proposal shall be prepared for each project and must contain, without limitation, the following information:

(1) The name of the Commission.

(2) A preliminary schedule for the completion of the contract.

(3) The proposed budget for the project, the source of funds, and the currently available funds at the time the request for proposal is submitted.

(4) Prequalification criteria for design-build entities wishing to submit proposals. The Commission shall include, at a minimum, its normal prequalification, licensing, registration, and

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other requirements, but nothing contained herein precludes the use of additional prequalification criteria by the Commission.

(5) Material requirements of the contract, including but not limited to, the proposed terms and conditions, required performance and payment bonds, insurance, and the entity's plan to comply with the utilization goals established by the corporate authorities of the Commission for minority and women business enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

(6) The performance criteria.

(7) The evaluation criteria for each phase of the solicitation.

(8) The number of entities that will be considered for the technical and cost evaluation phase.

(c) The Commission may include any other relevant information that it chooses to supply. The design-build entity shall be entitled to rely upon the accuracy of this documentation in the development of its proposal.

(d) The date that proposals are due must be at least 21 calendar days after the date of the issuance of the request for proposal. In the event the cost of the project is estimated to exceed $12,000,000, then the proposal due date must be at least 28 calendar days after the date of the issuance of the request for proposal. The Commission shall include in the request for proposal a minimum of 30 days to develop the Phase II submissions after the selection of entities from the Phase I evaluation is completed.

(e) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.4)

(Section scheduled to be repealed on June 1, 2018)

Sec. 20.4. Development of design-build scope and performance criteria.

(a) The Commission shall develop, with the assistance of a licensed design professional, a request for proposal, which shall include scope and performance criteria. The scope and performance criteria must be in sufficient detail and contain adequate information to reasonably apprise the qualified design-build entities of the Commission's overall

New matter indicated by italics - deletions by strikeout
programmatic needs and goals, including criteria and preliminary design plans, general budget parameters, schedule, and delivery requirements.

(b) Each request for proposal shall also include a description of the level of design to be provided in the proposals. This description must include the scope and type of renderings, drawings, and specifications that, at a minimum, will be required by the Commission to be produced by the design-build entities.

(c) The scope and performance criteria shall be prepared by a design professional who is an employee of the Commission, or the Commission may contract with an independent design professional selected under the Local Government Professional Services Selection Act (50 ILCS 510/) to provide these services.

(d) The design professional that prepares the scope and performance criteria is prohibited from participating in any design-build entity proposal for the project.

(e) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.5)

(Section scheduled to be repealed on June 1, 2018)

Sec. 20.5. Procedures for design-build selection.

(a) The Commission must use a two-phase procedure for the selection of the successful design-build entity. Phase I of the procedure will evaluate and shortlist the design-build entities based on qualifications, and Phase II will evaluate the technical and cost proposals.

(b) The Commission shall include in the request for proposal the evaluating factors to be used in Phase I. These factors are in addition to any prequalification requirements of design-build entities that the Commission has set forth. Each request for proposal shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the Commission. The Commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The Commission shall include the following criteria in every Phase I evaluation of design-build entities: (1) experience of personnel; (2) successful experience with similar project types; (3) financial capability; (4) timeliness of past performance; (5) experience with similarly sized
projects; (6) successful reference checks of the firm; (7) commitment to assign personnel for the duration of the project and qualifications of the entity's consultants; and (8) ability or past performance in meeting or exhausting good faith efforts to meet the utilization goals for minority and women business enterprises established by the corporate authorities of the Commission and in complying with Section 2-105 of the Illinois Human Rights Act. The Commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review. The Commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review.

The Commission may not consider any design-build entity for evaluation or award if the entity has any pecuniary interest in the project or has other relationships or circumstances, including but not limited to, long-term leasehold, mutual performance, or development contracts with the Commission, that may give the design-build entity a financial or tangible advantage over other design-build entities in the preparation, evaluation, or performance of the design-build contract or that create the appearance of impropriety. No design-build proposal shall be considered that does not include an entity's plan to comply with the requirements established in the minority and women business enterprises and economically disadvantaged firms established by the corporate authorities of the Commission and with Section 2-105 of the Illinois Human Rights Act.

Upon completion of the qualifications evaluation, the Commission shall create a shortlist of the most highly qualified design-build entities. The Commission, in its discretion, is not required to shortlist the maximum number of entities as identified for Phase II evaluation, provided however, no less than 2 design-build entities nor more than 6 are selected to submit Phase II proposals.

The Commission shall notify the entities selected for the shortlist in writing. This notification shall commence the period for the preparation of the Phase II technical and cost evaluations. The Commission must allow sufficient time for the shortlist entities to prepare their Phase II submittals considering the scope and detail requested by the Commission.

(c) The Commission shall include in the request for proposal the evaluating factors to be used in the technical and cost submission components of Phase II. Each request for proposal shall establish, for both the technical and cost submission components of Phase II, the relative importance assigned to each evaluation factor and subfactor, including any

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The Commission shall include the following criteria in every Phase II technical evaluation of design-build entities: (1) compliance with objectives of the project; (2) compliance of proposed services to the request for proposal requirements; (3) quality of products or materials proposed; (4) quality of design parameters; (5) design concepts; (6) innovation in meeting the scope and performance criteria; and (7) constructability of the proposed project. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection.

The Commission shall include the following criteria in every Phase II cost evaluation: the guaranteed maximum project cost and the time of completion. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection. The guaranteed maximum project cost criteria weighing factor shall not exceed 30%.

The Commission shall directly employ or retain a licensed design professional to evaluate the technical and cost submissions to determine if the technical submissions are in accordance with generally accepted industry standards.

Upon completion of the technical submissions and cost submissions evaluation, the Commission may award the design-build contract to the highest overall ranked entity.

(d) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

New matter indicated by italics - deletions by strikeout
This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.15)

(Section scheduled to be repealed on June 1, 2018)

Sec. 20.15. Submission of design-build proposals. Design-build proposals must be properly identified and sealed. Proposals may not be reviewed until after the deadline for submission has passed as set forth in the request for proposals. All design-build entities submitting proposals shall be disclosed after the deadline for submission, and all design-build entities who are selected for Phase II evaluation shall also be disclosed at the time of that determination.

Phase II design-build proposals shall include a bid bond in the form and security as designated in the request for proposals. Proposals shall also contain a separate sealed envelope with the cost information within the overall proposal submission. Proposals shall include a list of all design professionals and other entities to which any work identified in Section 30-30 of the Illinois Procurement Code as a subdivision of construction work may be subcontracted during the performance of the contract.

Proposals must meet all material requirements of the request for proposal or they may be rejected as non-responsive. The Commission shall have the right to reject any and all proposals.

The drawings and specifications of any unsuccessful design-build proposal shall remain the property of the design-build entity.

The Commission shall review the proposals for compliance with the performance criteria and evaluation factors.

Proposals may be withdrawn prior to the due date and time for submissions for any cause. After evaluation begins by the Commission, clear and convincing evidence of error is required for withdrawal.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.20)

(Section scheduled to be repealed on June 1, 2018)
Sec. 20.20. Design-build award. The Commission may award a design-build contract to the highest overall ranked entity. Notice of award shall be made in writing. Unsuccessful entities shall also be notified in writing. The Commission may not request a best and final offer after the receipt of proposals. The Commission may negotiate with the selected design-build entity after award but prior to contract execution for the purpose of securing better terms than originally proposed, provided that the salient features of the request for proposal are not diminished.

This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20.25)

(Section scheduled to be repealed on June 1, 2018)

Sec. 20.25. Minority and female owned enterprises; total construction budget.

(a) Each year, within 60 days following the end of a commission's fiscal year, the commission shall provide a report to the General Assembly addressing the utilization of minority and female owned business enterprises on design-build projects.

(b) The payments for design-build projects by any commission in one fiscal year shall not exceed 50% of the moneys spent on construction projects during the same fiscal year.

(c) This Section is repealed on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 98-299, eff. 8-9-13.)

Section 15. The Public Building Commission Act is amended by changing Sections 3 and 20 as follows:

(50 ILCS 20/3) (from Ch. 85, par. 1033)

Sec. 3. The following terms, wherever used, or referred to in this Act, mean unless the context clearly requires a different meaning:

(a) "Commission" means a Public Building Commission created pursuant to this Act.

(b) "Commissioner" or "Commissioners" means a Commissioner or Commissioners of a Public Building Commission.

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(c) "County seat" means a city, village or town which is the county seat of a county.

(d) "Municipality" means any city, village or incorporated town of the State of Illinois.

(e) "Municipal corporation" includes a county, city, village, town, (including a county seat), park district, school district in a county of 3,000,000 or more population, board of education of a school district in a county of 3,000,000 or more population, sanitary district, airport authority contiguous with the County Seat as of July 1, 1969 and any other municipal body or governmental agency of the State, and until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, but does not include a school district in a county of less than 3,000,000 population, a board of education of a school district in a county of less than 3,000,000 population, or a community college district in a county of less than 3,000,000 population, except that until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, are included.

(f) "Governing body" includes a city council, county board, or any other body or board, by whatever name it may be known, charged with the governing of a municipal corporation.

(g) "Presiding officer" includes the mayor or president of a city, village or town, the presiding officer of a county board, or the presiding officer of any other board or commission, as the case may be.

(h) "Oath" means oath or affirmation.

(i) "Building" means an improvement to real estate to be made available for use by a municipal corporation for the furnishing of governmental services to its citizens, together with any land or interest in land necessary or useful in connection with the improvement.

(j) "Delivery system" means the design and construction approach used to develop and construct a project.

(k) "Design-bid-build" means the traditional delivery system used on public projects that incorporates the Local

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Government Professional Services Selection Act (50 ILCS 510/) and the principles of competitive selection.

(l) "Design-build" means a delivery system that provides responsibility within a single contract for the furnishing of architecture, engineering, land surveying and related services as required, and the labor, materials, equipment, and other construction services for the project.

(m) "Design-build contract" means a contract for a public project under this Act between the Commission and a design-build entity to furnish architecture, engineering, land surveying, and related services as required, and to furnish the labor, materials, equipment, and other construction services for the project. The design-build contract may be conditioned upon subsequent refinements in scope and price and may allow the Commission to make modifications in the project scope without invalidating the design-build contract.

(n) "Design-build entity" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that proposes to design and construct any public project under this Act. A design-build entity and associated design-build professionals shall conduct themselves in accordance with the laws of this State and the related provisions of the Illinois Administrative Code, as referenced by the licensed design professionals Acts of this State.


(p) "Evaluation criteria" means the requirements for the separate phases of the selection process for design-build proposals as defined in this Act and may include the specialized experience, technical qualifications and competence, capacity to perform, past performance, experience with similar projects, assignment of personnel to the project, and other appropriate factors. Price may not be used as a factor in the evaluation of Phase I proposals.
(q) "Proposal" means the offer to enter into a design-build contract as submitted by a design-build entity in accordance with this Act.

(r) "Request for proposal" means the document used by the Commission to solicit proposals for a design-build contract.

(s) "Scope and performance criteria" means the requirements for the public project, including but not limited to, the intended usage, capacity, size, scope, quality and performance standards, life-cycle costs, and other programmatic criteria that are expressed in performance-oriented and quantifiable specifications and drawings that can be reasonably inferred and are suited to allow a design-build entity to develop a proposal.

(t) "Guaranteed maximum price" means a form of contract in which compensation may vary according to the scope of work involved but in any case may not exceed an agreed total amount.

Definitions in this Section with respect to design-build shall have no effect beginning on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective. The actions of any person or entity taken on or after June 1, 2013 and before the effective date of this amendatory Act of the 98th General Assembly in reliance on the provisions of this Section with respect to design-build continuing to be effective are hereby validated.

(Source: P.A. 98-299, eff. 8-9-13.)

(50 ILCS 20/20) (from Ch. 85, par. 1050)

Sec. 20. Contracts let to lowest responsible bidder; competitive bidding; advertisement for bids; design-build contracts.

(a) All contracts to be let for the construction, alteration, improvement, repair, enlargement, demolition or removal of any buildings or other facilities, or for materials or supplies to be furnished, where the amount thereof is in excess of $20,000, shall be awarded as a design-build contract in accordance with Sections 20.3 through 20.20 or shall be let to the lowest responsible bidder, or bidders, on open competitive bidding.

(b) A contract awarded on the basis of competitive bidding shall be awarded after public advertisement published at least once in each week for three consecutive weeks prior to the opening of bids, in a daily newspaper of general circulation in the county where the commission is located, except in the case of an emergency situation, as determined by the
chief executive officer. If a contract is awarded in an emergency situation, 
(i) the contract accepted must be based on the lowest responsible proposal 
after the commission has made a diligent effort to solicit multiple 
proposals by telephone, facsimile, or other efficient means and (ii) the 
chief executive officer must submit a report at the next regular meeting of 
the Board, to be ratified by the Board and entered into the official record, 
that states the chief executive officer's reason for declaring an emergency 
situation, the names of all parties solicited for proposals, and their 
proposals and that includes a copy of the contract awarded. Nothing 
contained in this Section shall be construed to prohibit the Board of 
Commissioners from placing additional advertisements in recognized trade 
journals. Advertisements for bids shall describe the character of the 
proposed contract in sufficient detail to enable the bidders thereon to know 
what their obligation will be, either in the advertisement itself, or by 
reference to detailed plans and specifications on file in the office of the 
Public Building Commission at the time of the publication of the first 
announcement. Such advertisement shall also state the date, time, and 
place assigned for the opening of bids. No bids shall be received at any 
time subsequent to the time indicated in said advertisement. 
(c) In addition to the requirements of Section 20.3, the 
Commission shall advertise a design-build solicitation at least once in a 
daily newspaper of general circulation in the county where the 
Commission is located. The date that Phase I submissions by design-build 
entities are due must be at least 14 calendar days after the date the 
newspaper advertisement for design-build proposals is first published. The 
advertisement shall identify the design-build project, the due date, the 
place and time for Phase I submissions, and the place where proposers can 
obtain a complete copy of the request for design-build proposals, including 
the criteria for evaluation and the scope and performance criteria. The 
Commission is not precluded from using other media or from placing 
advertisements in addition to the one required under this subsection. 
(d) The Board of Commissioners may reject any and all bids and 
proposals received and may readvertise for bids or issue a new request for 
design-build proposals. 
(e) All bids shall be open to public inspection in the office of the 
Public Building Commission after an award or final selection has been 
made. The successful bidder for such work shall enter into contracts 
furnished and prescribed by the Board of Commissioners and in addition 
to any other bonds required under this Act the successful bidder shall

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execute and give bond, payable to and to be approved by the Commission, with a corporate surety authorized to do business under the laws of the State of Illinois, in an amount to be determined by the Board of Commissioners, conditioned upon the payment of all labor furnished and materials supplied in the prosecution of the contracted work. If the bidder whose bid has been accepted shall neglect or refuse to accept the contract within five (5) days after written notice that the same has been awarded to him, or if he accepts but does not execute the contract and give the proper security, the Commission may accept the next lowest bidder, or readvertise and relet in manner above provided.

(f) In case any work shall be abandoned by any contractor or design-build entity, the Commission may, if the best interests of the Commission be thereby served, adopt on behalf of the Commission all subcontracts made by such contractor or design-build entity for such work and all such sub-contractors shall be bound by such adoption if made; and the Commission shall, in the manner provided in this Act, readvertise and relet, or request proposals and award design-build contracts for, the work specified in the original contract exclusive of so much thereof as shall be accepted. Every contract when made and entered into, as provided in this Section or Section 20.20, shall be executed, held by the Commission, and filed in its records, and one copy of which shall be given to the contractor or design-build entity.

(g) The provisions of this Section with respect to design-build shall have no effect beginning on June 1, 2018; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective. The actions of any person or entity taken on or after June 1, 2013 and before the effective date of this amendatory Act of the 98th General Assembly in reliance on the provisions of this Section with respect to design-build continuing to be effective are hereby validated.

(Source: P.A. 98-299, eff. 8-9-13.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved January 7, 2014.
Effective January 7, 2014.
AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Wildlife Code is amended by adding Section 3.1-9 as follows:

(520 ILCS 5/3.1-9 new)

Sec. 3.1-9. Youth Hunting License.

Any resident youth age 16 and under may apply to the Department for a Youth Hunting License, which extends limited hunting privileges. The Youth Hunting License shall be a renewable license that shall expire on the March 31 following the date of issuance.

For youth age 16 and under, the Youth Hunting License shall entitle the licensee to hunt while supervised by a parent, grandparent, or guardian who is 21 years of age or older and has a valid Illinois hunting license. Possession of a Youth Hunting License shall serve in lieu of a valid hunting license, but does not exempt the licensee from compliance with the requirements of this Code and any rules adopted under this Code.

A youth licensed under this Section shall not hunt or carry a hunting device, including, but not limited to, a firearm, bow and arrow, or crossbow unless the youth is accompanied by and under the close personal supervision of a parent, grandparent, or guardian who is 21 years of age or older and has a valid Illinois hunting license.

At age 17 years or when the youth chooses to hunt by themselves, they are required to successfully complete a hunter safety course approved by the Department prior to being able to obtain a full hunting license and subsequently hunt by themselves.

In order to be approved for the Youth Hunting License, the applicant must request a Youth Hunting License from the Department and submit a $7 fee, which shall be separate from and additional to any other stamp, permit, tag, or license fee that may be required for hunting under this Code. The Department shall adopt rules for the administration of the program, but shall not require any certificate of competency or other hunting education as a condition of the Youth Hunting License.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mental Health Court Treatment Act is amended by changing Section 20 as follows:

(730 ILCS 168/20)

Sec. 20. Eligibility.

(a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a mental health court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.

(b) A defendant shall be excluded from a mental health court program if any one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) (Blank).

(5) The crime for which the defendant has been convicted is non-probationable.

(6) The sentence imposed on the defendant, whether the result of a plea or a finding of guilt, renders the defendant ineligible for probation.

(c) A defendant charged with prostitution under Section 11-14 of the Criminal Code of 2012 may be admitted into a mental health court program.
program, which may include specialized service programs specifically designed to address the trauma associated with prostitution and human trafficking, if available in the jurisdiction and provided that the requirements in subsections (a) and (b) are satisfied. Mental health court programs may include specialized service programs specifically designed to address the trauma associated with prostitution and human trafficking, and may offer those specialized services to defendants admitted to the mental health court program. Judicial circuits establishing these specialized programs shall partner with prostitution and human trafficking advocates, survivors, and service providers in the development of the programs.

(Source: P.A. 97-946, eff. 8-13-12; 98-152, eff. 1-1-14; 98-538, eff. 8-23-13; revised 8-28-13.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 6, 2013.
Approved January 7, 2014.
Effective January 7, 2014.

PUBLIC ACT 98-0622
(Senate Bill No. 1523)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Sections 1-160, 12-130, 12-133.1, 12-133.2, 12-140, 12-149, and 12-150 and adding Sections 12-150.5, 12-155.5, and 12-195 as follows:
(40 ILCS 5/1-160)
Sec. 1-160. Provisions applicable to new hires.
(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code,

New matter indicated by italics - deletions by strikeout
other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15 or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code, to any person with respect to service as a sheriff's law enforcement employee under Article 7, or to any participant of the retirement plan established under Section 22-101.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) In Article 7 (except for service as sheriff's law enforcement employees), "final rate of earnings".

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

(4) In Article 14, "final average compensation".

(5) In Article 17, "average salary".

(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods
and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (beginning January 1, 2015, age 60 with respect to service under Article 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (beginning January 1, 2015, age 60 with respect to service under Article 12 of this Code that is subject to this Section) with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section) or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at

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the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension...
payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 97-609, eff. 1-1-12; 98-92, eff. 7-16-13.)

(40 ILCS 5/12-130) (from Ch. 108 1/2, par. 12-130)

Sec. 12-130. Retirement prior to age 60. An employee withdrawing prior to January 1, 1990 with at least 10 years of service and before attainment of age 55 shall be entitled at his option to a retirement annuity beginning at age 55.

An employee withdrawing prior to January 1, 1990 with at least 10 years of service upon or after attainment of age 55, and before age 60, shall be entitled to a retirement annuity beginning at any time thereafter.

An employee who withdraws on or after January 1, 1990 and has attained age 45 before January 1, 2015 with at least 10 years of service and prior to age 60 shall be entitled, at his option, to a retirement annuity beginning at any time after withdrawal or attainment of age 50, whichever occurs later. An employee who has not attained age 45 before January 1, 2015 and withdraws on or after that date with at least 10 years of service and prior to age 60 shall be entitled, at his option, to a retirement annuity
beginning at any time after withdrawal or attainment of age 58, whichever occurs later.

Notwithstanding Section 1-103.1, the changes to this Section made by this amendatory Act of the 98th General Assembly apply regardless of whether the employee was in active service on or after the effective date of this amendatory Act, but do not apply to a person whose service under this Article is subject to Section 1-160.

Any employee upon withdrawal after at least 15 years of service, upon or after attainment of age 50, and before attainment of age 55, who received ordinary disability benefit for the maximum period of time provided herein, and who continues to be disabled, shall be entitled to a retirement annuity.

The amount of retirement annuity for any employee who entered service prior to July 1, 1971 shall be provided from the total of the accumulations as stated in this Section, at the employee's attained age on the date of retirement:

(a) the accumulation from employee contributions for service annuity on the date of withdrawal, improved by regular interest from the date the employee withdraws to the date he enters upon annuity;

(b) 1/10 of the accumulation, on the date of withdrawal, from employer contributions for service annuity, for each complete year of service above 10 years up to 100% of such accumulation, improved by regular interest from the date the employee withdraws to the date he enters upon annuity.

(Source: P.A. 86-272; 86-1028.)

(40 ILCS 5/12-133.1) (from Ch. 108 1/2, par. 12-133.1)

Sec. 12-133.1. Annual increase in basic retirement annuity.

(a) Any employee upon withdrawal from service on or after July 1, 1965, and retiring on a retirement annuity, shall be entitled to an annual increase in his basic retirement annuity as defined herein while he is in receipt of such annuity.

The term "basic retirement annuity" shall mean the retirement annuity of the amount fixed and payable at date of retirement of the employee.

(b) The annual increase in annuity shall be 1 1/2% of the basic retirement annuity. The increase shall first occur in the month of January or the month of July, whichever first occurs next following or coincidental with the first anniversary of retirement. Effective January 1, 1972, the
annual rate of increase in annuity thereafter shall be 2% of the basic retirement annuity, provided that beginning as of January 1, 1976, the annual rate of increase shall be 3% of the basic retirement annuity.

(b-1) Notwithstanding subsection (b), all automatic annual increases payable under this Section on or after January 1, 2015 shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than 0) in the Consumer Price Index-U for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity.

For the purposes of this Article, "Consumer Price Index-U" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance.

Notwithstanding Section 1-103.1, this subsection (b-1) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly. This subsection (b-1) is also applicable to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity pursuant to the provisions of this Section.

(b-2) Notwithstanding any other provision of this Article, no automatic annual increase in retirement annuity payable under this Section shall be granted to any person by the Fund in 2015, 2017, and 2019 under this Article or under Section 1-160 of this Code as it applies to this Article. In the years 2016, 2018, 2020, and thereafter, the Fund shall continue to pay amounts accruing from automatic annual increases in the manner provided by this Code.

Notwithstanding Section 1-103.1, this subsection (b-2) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly. This subsection (b-2) is also applicable to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity pursuant to the provisions of this Article.

(c) For an employee who retires with less than 30 years of service, the increase in the basic retirement annuity shall begin not earlier than in
the month of January or the month of July, whichever occurs first, following or coincidental with the employee's attainment of age 60.

Subject to the provisions of subsection (b-2), for an employee who retires with at least 30 years of service, the annual increase under this Section shall begin in the month of January or the month of July, whichever first occurs next following or coincidental with the later of (1) the first anniversary of retirement or (2) July 1, 1998, without regard to the attainment of age 60 and without regard to whether or not the employee was in service on or after the effective date of this amendatory Act of 1998.

(d) The increase in the basic retirement annuity shall not be applicable unless the employee otherwise qualified has made contributions to the fund as provided herein for an equivalent period of one full year. If such contributions were not made, the employee may make the required payment to the fund at the time of retirement, in a single sum, without interest.

(e) The additional contributions by an employee towards the annual increase in basic retirement annuity shall not be refundable, except to an employee who withdraws and applies for a refund under this Article, or dies while in service, and also in cases where a temporary annuity becomes payable. In such cases his contributions shall be refunded without interest.

(Source: P.A. 90-766, eff. 8-14-98.)

(40 ILCS 5/12-133.2) (from Ch. 108 1/2, par. 12-133.2)

Sec. 12-133.2. Increases to employee annuitants. The provisions of subsections (b-1) and (b-2) of Section 12-133.1 also apply to the benefits provided under this Section.

Employees who retired on service retirement annuity prior to July 1, 1965 who were at least 55 years of age at date of retirement and had at least 20 years of credited service, who shall have attained age 65, and any employee retired on or after such date who meets such qualifying conditions and who is not eligible for an annual increase in basic retirement annuity otherwise provided in this Article, shall be entitled to receive benefits under this Section.

These benefits shall be in an amount equal to 1 1/2% of the service retirement annuity multiplied by the number of full years that the annuitant was in receipt of such annuity. This payment shall begin in January of 1970, and an additional 1 1/2% based upon the original grant of annuity shall be added in January of each year thereafter. Beginning January 1,
1972, the annual rate of increase in annuity shall be 2% of the original grant of annuity and shall also apply thereafter to any person who shall have had at least 15 years of credited service and less than 20 years on the same basis as was applicable to persons retired with 20 or more years of service; provided that beginning January 1, 1976, the annual rate of increase in retirement annuity shall be 3% of the basic retirement annuity.

An employee annuitant who otherwise qualifies for the aforesaid benefit shall make a one-time contribution of 1% of the final monthly average salary multiplied by the number of completed years of service forming the basis of his service retirement annuity, provided that if the annuity was computed on any other basis, the contribution shall be 1% of the rate of monthly salary in effect on the date of retirement multiplied by the number of completed years of service forming the basis of his service retirement annuity.

(Source: P.A. 87-1265.)

(40 ILCS 5/12-140) (from Ch. 108 1/2, par. 12-140)

Sec. 12-140. Duty disability benefit. An employee who becomes disabled as the direct result of injury incurred in the performance of an act of duty and cannot perform the duties of the regularly assigned position, is entitled to receive, while so disabled, a benefit of 75% of the salary at the date when such duty disability benefits commence, subject to the conditions hereinafter stated, except that beginning January 1, 2015, such duty disability benefits shall be reduced to 74% of that salary; beginning January 1, 2017, such duty disability benefits shall be reduced to 73% of that salary; and beginning January 1, 2019, such duty disability benefits shall be reduced to 72% of that salary.

In the event an employee returns to service from any duty disability and renders actual employment in pay status performing the duties of the regularly assigned position for at least 60 days, and again becomes disabled, whether due to the previous disability or a new disability, the salary to be used in the computation of the benefit shall be the salary in effect at the date of the last day of service prior to the latest disability.

The employee shall also receive a further benefit of $20 per month on account of each eligible minor child as prescribed in Section 12-137, but the combined benefit to employee and children shall not exceed the annual salary at the date of such disability less the sums that would be deducted from his salary for service annuity and spouse's service annuity.

The benefit prescribed herein shall be payable during disability until the employee attains age 65, if disability is incurred before age 60, or

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for a period of 5 years if disability is incurred at age 60 or older. If the
disability is incurred after age 65, this 5 year period may be reduced if
such reduction can be justified on the basis of actuarial cost data approved
by the board upon the recommendation of the actuary. At such time if the
employee remains disabled the employee may retire on a retirement
annuity.

If an employee dies as the direct result of injury incurred in the
performance of an act of duty, or if death results from any cause which is
compensable under the Workers' Occupational Diseases Act, a surviving
spouse shall be entitled to a benefit (subject to the modifications stated in
Section 12-141) of 50% of the employee's salary as it was at the date of
injury resulting in death, until the date when the employee would have
attained age 65, if injury was incurred under age 60, or for a period of 5
years if disability is incurred at age 60 or older. After such date, the spouse
shall be entitled to receive the reversionary annuity that would have been
fixed had the employee continued in service at the rate of salary received
at the date of his injury resulting in death, until the employee attained age
65 or as stated herein and had then retired.

If a spouse remarries while under age 55 while in receipt of a
benefit under this section, the benefit shall terminate. Such termination
shall be final and shall not be affected by any change thereafter in his or
her marital status.

Notwithstanding Section 1-103.1, the changes to this Section made
by this amendatory Act of the 98th General Assembly apply to duty
disability benefits payable on or after January 1, 2015, regardless of
whether the recipient is deemed to be in service on or after the effective
date of this amendatory Act.
(Source: P.A. 86-272.)

(40 ILCS 5/12-149) (from Ch. 108 1/2, par. 12-149)
Sec. 12-149. Financing.
(a) The board of park commissioners of any such park district shall
annually levy a tax (in addition to the taxes now authorized by law) upon
all taxable property embraced in the district, at the rate which, when added
to the employee contributions under this Article and applied to the fund
created hereunder, shall be sufficient to provide for the purposes of this
Article in accordance with the provisions thereof. Such tax shall be levied
and collected with and in like manner as the general taxes of such district,
and shall not in any event be included within any limitations of rate for

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general park purposes as now or hereafter provided by law, but shall be excluded therefrom and be in addition thereto.

The amount of such annual tax to and including the year 1977 shall not exceed .0275% of the value, as equalized or assessed by the Department of Revenue, of all taxable property embraced within the park district, provided that for the year 1978, and for each year thereafter, the amount of such annual tax shall be at a rate on the dollar of assessed valuation of all taxable property that will produce, when extended, for the year 1978 the following sum: 0.825 times the amount of employee contributions during the fiscal year 1976; for the year 1979, 0.85 times the amount of employee contributions during the fiscal year 1977; for the year 1980, 0.90 times the amount of employee contributions during the fiscal year 1978; for the year 1981, 0.95 times the amount of employee contributions during the fiscal year 1979; for the year 1982, 1.00 times the amount of employee contributions during the fiscal year 1980; for the year 1983, 1.05 times the amount of contributions made on behalf of employees during the fiscal year 1981; and for the year 1984 and each year thereafter through the year 2013, an amount equal to 1.10 times the employee contributions during the fiscal year 2-years prior to the year for which the applicable tax is levied. For the year 2014, this calculation shall be 1.10 times the amount of employee contributions during the 12-month fiscal year ending June 30, 2012; and for the year 2015, this calculation shall be 1.70 times the amount of employee contributions during the 12-month fiscal year ending December 31, 2013. For the year 2016, this calculation shall be an amount equal to 1.70 times; for the years 2017 and 2018, this calculation shall be an amount equal to 2.30 times; and for the year 2019 and each year thereafter, until the Fund attains a funded ratio of at least 90% with the funded ratio being the ratio of the actuarial value of assets to the total actuarial liability, this calculation shall be an amount equal to 2.90 times the employee contributions during the fiscal year 2 years prior to the year for which the applicable tax is levied. Beginning in the fiscal year in which the Fund attains a funding ratio of at least 90%, the contribution shall be the lesser of (1) 2.90 times the employee contributions during the fiscal year 2 years prior to the year for which the applicable tax is levied, or (2) the amount needed to maintain a funded ratio of 90%.

In addition to the contributions required under the other provisions of this Article, by November 1 of the following specified years, the employer shall contribute to the Fund the following specified amounts:

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$12,500,000 in 2015; $12,500,000 in 2016; and $50,000,000 in 2019. The additional employer contributions required under this subsection (a) are intended to decrease the unfunded liability of the Fund and shall not decrease the amount of the employer contributions required under the other provisions of this Article. The additional employer contributions made under this subsection (a) may be used by the Fund for any of its lawful purposes.

(b) As used in this Section, the term "employee contributions" means contributions by employees for retirement annuity, spouse's annuity, automatic increase in retirement annuity, and death benefit.

In making required contributions under this Section, the employer may, in lieu of levying all or a portion of the tax required under this Section, deposit an amount not less than the required amount of employer contributions derived from any source legally available for that purpose.

(c) In respect to park district employees, other than policemen, who are transferred to the employment of a city by virtue of the "Exchange of Functions Act of 1957", the corporate authorities of the city shall annually levy a tax upon all taxable property embraced in the city, as equalized or assessed by the Department of Revenue, at such rate per cent of the value of such property as shall be sufficient, when added to the amounts deducted from the salary or wages of such employees, to provide the benefits to which such employees, their dependents and beneficiaries are entitled under the provisions of this Article. The park district shall not levy a tax hereunder in respect to such employees. The tax levied by the city under authority of this Article shall be in addition to and exclusive of all other taxes authorized by law to be levied by the city for corporate, annuity fund or other purposes.

(d) All moneys accruing from the levy and collection of taxes, pursuant to this section, shall be remitted to the board by the employers as soon as they are received. Where a city has levied a tax pursuant to this Section in respect to park district employees transferred to the employment of a city, the treasurer of such city or other authorized officer shall remit the moneys accruing from the levy and collection of such tax as soon as they are received. Such remittances shall be made upon a pro rata share basis, whereby each employer shall pay to the board such employer's proportionate percentage of each payment of taxes received by it, according to the ratio which its tax levy for this fund bears to the total tax levy of such employer.
(e) Should any board of park commissioners included under the provisions of this Article be without authority to levy the tax provided in this Section the corporation authorities (meaning the supervisor, clerk and assessor) of the town or towns for which such board shall be the board of park commissioners shall levy such tax.

(f) Employer contributions to the Fund may be reduced by $5,000,000 for calendar years 2004 and 2005.

(Source: P.A. 97-973, eff. 8-16-12.)

(40 ILCS 5/12-150) (from Ch. 108 1/2, par. 12-150)

Sec. 12-150. Contributions by employees for service annuity.

(a) From each payment of salary to a present employee beginning August 4, 1961, and prior to September 1, 1971, there shall be deducted as contributions for service annuity 6% of such payment. Beginning September 1, 1971, the deduction shall be 6 1/2% of salary. Beginning January 1, 2015, the deduction shall be 8% of salary. Beginning January 1, 2017, the deduction shall be 9% of salary. Beginning January 1, 2019, the deduction shall be 10% of salary. These contributions shall continue until the amounts thus deducted will provide an accumulation, at regular interest, at least equal to the amount that would be provided on such date from employee contributions, assuming regular interest to such date, if such employee had been contributing in accordance with the provisions of "The 1919 Act" and this Article from the beginning of his service and the salary of the employee during his prior service was the same as it was on July 1, 1919, or on July 1, 1937 in the case of an employee of the board.

(b) From each payment of salary to a future entrant beginning August 4, 1961, and prior to September 1, 1971, there shall be deducted as contributions for service annuity 6% of such payment. Beginning September 1, 1971, the deduction shall be 6 1/2% of salary. Beginning January 1, 1990, the deduction shall be 7% of salary. Beginning January 1, 2015, the deduction shall be 8% of salary. Beginning January 1, 2017, the deduction shall be 9% of salary. Beginning January 1, 2019, the deduction shall be 10% of salary. Beginning with the first pay period on or after the date when the funded ratio of the Fund is first determined to have reached the 90% funding goal, and each pay period thereafter for as long as the Fund maintains a funding ratio of 90% or more, employee contributions shall be 8.5% of salary for the service annuity. If the funding ratio falls below 90%, then employee contributions for the service annuity shall revert to 10% of salary until such time as the Fund once again is

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determined to have reached the 90% funding goal, at which time the 8.5% of salary employee contribution for the service annuity shall resume.

(c) For service rendered prior to August 4, 1961, the rates of contribution by employees for service annuity shall be as follows: July 1, 1919 to July 20, 1947, inclusive, 4% of salary; July 21, 1947 to August 3, 1961, inclusive, 5% of salary.

For the period from July 1, 1919, to August 4, 1961 such deductions for a present employee shall continue until such date as the amounts deducted will provide an accumulation at least equal to that which would be provided on such date, assuming regular interest to such date, from deductions from salary of such employee if such employee had been under the provisions of "The 1919 Act" and this Article from the beginning of his service and the salary of such employee during his period of prior service was the same as it was on July 1, 1919 or on July 1, 1937 in the case of an employee of the board.

(d) Any employee shall have the option to contribute for service annuity an amount, together with regular interest, equal to the difference between the amount he had accumulated in the fund on June 30, 1947, from contributions at the rate of 4% of salary, together with regular interest, and the amount he would have accumulated, together with regular interest, if he had made contributions at the rate of 5% of salary. All such contributions shall be subject to salary limitations and other conditions in effect prior to July 1, 1947. Upon making such contribution the employer of such employee shall contribute in the ratio of 2 to 1 with such employee.

(Source: P.A. 86-272.)

(40 ILCS 5/12-150.5 new)
Sec. 12-150.5. Use of contributions for health care subsidies. The Fund shall not use any contribution received by the Fund under this Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/12-155.5 new)
Sec. 12-155.5. Funding obligation.
(a) Beginning January 1, 2015, the board of park commissioners shall be obligated to contribute to the Fund in each fiscal year an amount not less than the amount determined annually under subsection (a) of Section 12-149 of this Code. Notwithstanding any other provision of law, if the board of park commissioners fails to pay the amount guaranteed under this Section within 60 days after the date set forth by the retirement

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board, the retirement board may bring a mandamus action in the Circuit Court of Cook County to compel the board of park commissioners to make the required payment, irrespective of other remedies that may be available to the Fund. The obligations and causes of action created under this Section shall be in addition to any other right or remedy otherwise accorded by common law or State or federal law, and nothing in this Section shall be construed to deny, abrogate, impair, or waive any such common law or statutory right or remedy.

(b) In ordering the board of park commissioners to make the required payment, the court may order a reasonable payment schedule to enable the board of park commissioners to make the required payment without significantly imperiling the public health, safety, or welfare. Any payments required to be made by the board of park commissioners pursuant to this Section are expressly subordinated to the payment of the principal, interest, and premium, if any, on any bonded debt obligation of the board of park commissioners, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from tax revenues collected by the board of park commissioners. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law or bond indentures, into debt service funds or accounts of the board of park commissioners related to such bonded obligations, consistent with the payment schedules associated with such obligations.

(40 ILCS 5/12-195 new)

Sec. 12-195. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after the effective date of this amendatory Act of the 98th General Assembly.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the Fund of additional funding at least sufficient to fund the resulting annual increase in cost to the Fund as it accrues.

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Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection (c). The State Actuary shall analyze whether adequate additional funding has been provided for the new benefit increase. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection (c) is null and void. If the State Actuary determines that the additional funding provided for a new benefit increase under this subsection (c) is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

Section 90. The State Mandates Act is amended by adding Section 8.37 as follows:

(30 ILCS 805/8.37 new)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Section 97. Inseverability and severability. The changes made by this amendatory Act are inseverable, except that Section 12-195 of the Illinois Pension Code is severable under Section 1.31 of the Statute on Statutes.

Passed in the General Assembly November 7, 2013.
Approved January 7, 2014.
Effective June 1, 2014.

AN ACT concerning finance.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Construction Law is amended by changing Section 5-40 as follows:

(105 ILCS 230/5-40)

Sec. 5-40. Supervision of school construction projects; green projects. The Capital Development Board shall exercise general supervision over school construction projects financed pursuant to this Article. School districts, however, must be allowed to choose the architect

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and engineer for their school construction projects, and no project may be
disapproved by the State Board of Education or the Capital Development
Board solely due to a school district's selection of an architect or engineer.

With respect to those school construction projects for which a
school district first applies for a grant on or after July 1, 2007, the school
construction project must receive certification from the United States
Green Building Council's Leadership in Energy and Environmental Design
Green Building Rating System or the Green Building Initiative's Green
Globes Green Building Rating System or must meet green building
standards of the Capital Development Board and its Green Building
Advisory Committee. With respect to those school construction projects
for which a school district applies for a grant on or after July 1, 2009, the
school construction project must receive silver certification from the
United States Green Building Council's Leadership in Energy and
Environmental Design Green Building Rating System unless all of the
following are met:

(1) the application submitted can be categorized as a
capital need prioritized under item (1) of Section 5-30 of this Law;
(2) the renovation or replacement school construction
project is less than 40% replacement cost, or the project has been
granted a waiver by the Capital Development Board in
consultation with the State Board of Education in accordance with
rules promulgated pursuant to this Law;
(3) the school construction project is located in a county
that borders the Mississippi River with a population of more than
33,000 and less than 34,000, according to the 2010 decennial
census;
(4) the school district for which the school construction
grant will be issued has no more than 1,100 students, with the
relevant school facility housing no more than 700 students;
(5) the facilities for which the school construction grant
will be used have been condemned as of July 23, 2012; and
(6) the application for the school construction grant has
been approved prior to the effective date of this amendatory Act of
the 98th General Assembly.

(Source: P.A. 95-416, eff. 8-24-07; 96-37, eff. 7-13-09.)

Section 99. Effective date. This Act takes effect upon becoming
law.

Passed in the General Assembly November 7, 2013.

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AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Sections 26, 27, and 28.1 and by adding Sections 26.8 and 26.9 as follows:

(a) Any licensee may conduct and supervise the pari-mutuel system of wagering, as defined in Section 3.12 of this Act, on horse races conducted by an Illinois organization licensee or conducted at a racetrack located in another state or country and televised in Illinois in accordance with subsection (g) of Section 26 of this Act. Subject to the prior consent of the Board, licensees may supplement any pari-mutuel pool in order to guarantee a minimum distribution. Such pari-mutuel method of wagering shall not, under any circumstances if conducted under the provisions of this Act, be held or construed to be unlawful, other statutes of this State to the contrary notwithstanding. Subject to rules for advance wagering promulgated by the Board, any licensee may accept wagers in advance of the day of the race wagered upon occurs.

(b) No other method of betting, pool making, wagering or gambling shall be used or permitted by the licensee. Each licensee may retain, subject to the payment of all applicable taxes and purses, an amount not to exceed 17% of all money wagered under subsection (a) of this Section, except as may otherwise be permitted under this Act.

(b-5) An individual may place a wager under the pari-mutuel system from any licensed location authorized under this Act provided that wager is electronically recorded in the manner described in Section 3.12 of this Act. Any wager made electronically by an individual while physically on the premises of a licensee shall be deemed to have been made at the premises of that licensee.

(c) Until January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to...
December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be paid to the Illinois Veterans' Rehabilitation Fund of the State treasury, except as provided in subsection (g) of Section 27 of this Act.

(c-5) Beginning January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be evenly distributed to the purse account of the organization licensee and the organization licensee.

(d) A pari-mutuel ticket shall be honored until December 31 of the next calendar year, and the licensee shall pay the same and may charge the amount thereof against unpaid money similarly accumulated on account of pari-mutuel tickets not presented for payment.

(e) No licensee shall knowingly permit any minor, other than an employee of such licensee or an owner, trainer, jockey, driver, or employee thereof, to be admitted during a racing program unless accompanied by a parent or guardian, or any minor to be a patron of the pari-mutuel system of wagering conducted or supervised by it. The admission of any unaccompanied minor, other than an employee of the licensee or an owner, trainer, jockey, driver, or employee thereof at a race track is a Class C misdemeanor.

(f) Notwithstanding the other provisions of this Act, an organization licensee may contract with an entity in another state or country to permit any legal wagering entity in another state or country to accept wagers solely within such other state or country on races conducted by the organization licensee in this State. Beginning January 1, 2000, these wagers shall not be subject to State taxation. Until January 1, 2000, when the out-of-State entity conducts a pari-mutuel pool separate from the organization licensee, a privilege tax equal to 7 1/2% of all monies received by the organization licensee from entities in other states or countries pursuant to such contracts is imposed on the organization licensee, and such privilege tax shall be remitted to the Department of Revenue within 48 hours of receipt of the moneys from the simulcast.
When the out-of-State entity conducts a combined pari-mutuel pool with the organization licensee, the tax shall be 10% of all monies received by the organization licensee with 25% of the receipts from this 10% tax to be distributed to the county in which the race was conducted.

An organization licensee may permit one or more of its races to be utilized for pari-mutuel wagering at one or more locations in other states and may transmit audio and visual signals of races the organization licensee conducts to one or more locations outside the State or country and may also permit pari-mutuel pools in other states or countries to be combined with its gross or net wagering pools or with wagering pools established by other states.

(g) A host track may accept interstate simulcast wagers on horse races conducted in other states or countries and shall control the number of signals and types of breeds of racing in its simulcast program, subject to the disapproval of the Board. The Board may prohibit a simulcast program only if it finds that the simulcast program is clearly adverse to the integrity of racing. The host track simulcast program shall include the signal of live racing of all organization licensees. All non-host licensees and advance deposit wagering licensees shall carry the signal of and accept wagers on live racing of all organization licensees. Advance deposit wagering licensees shall not be permitted to accept out-of-state wagers on any Illinois signal provided pursuant to this Section without the approval and consent of the organization licensee providing the signal. Non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program upon which wagering is permitted. All organization licensees shall provide their live signal to all advance deposit wagering licensees for a simulcast commission fee not to exceed 6% of the advance deposit wagering licensee's Illinois handle on the organization licensee's signal without prior approval by the Board. The Board may adopt rules under which it may permit simulcast commission fees in excess of 6%. The Board shall adopt rules limiting the interstate commission fees charged to an advance deposit wagering licensee. The Board shall adopt rules regarding advance deposit wagering on interstate simulcast races that shall reflect, among other things, the General Assembly's desire to maximize revenues to the State, horsemen purses, and organizational licensees. However, organization licensees providing live signals pursuant to the requirements of this subsection (g) may petition the Board to withhold their live signals from an advance deposit wagering licensee if the organization licensee

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discovers and the Board finds reputable or credible information that the advance deposit wagering licensee is under investigation by another state or federal governmental agency, the advance deposit wagering licensee's license has been suspended in another state, or the advance deposit wagering licensee's license is in revocation proceedings in another state. The organization licensee's provision of their live signal to an advance deposit wagering licensee under this subsection (g) pertains to wagers placed from within Illinois. Advance deposit wagering licensees may place advance deposit wagering terminals at wagering facilities as a convenience to customers. The advance deposit wagering licensee shall not charge or collect any fee from purses for the placement of the advance deposit wagering terminals. The costs and expenses of the host track and non-host licensees associated with interstate simulcast wagering, other than the interstate commission fee, shall be borne by the host track and all non-host licensees incurring these costs. The interstate commission fee shall not exceed 5% of Illinois handle on the interstate simulcast race or races without prior approval of the Board. The Board shall promulgate rules under which it may permit interstate commission fees in excess of 5%. The interstate commission fee and other fees charged by the sending racetrack, including, but not limited to, satellite decoder fees, shall be uniformly applied to the host track and all non-host licensees.

Notwithstanding any other provision of this Act, until February 1, 2017, an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may maintain a system whereby advance deposit wagering may take place or an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may contract with another person to carry out a system of advance deposit wagering. Such consent may not be unreasonably withheld. Only with respect to an appeal to the Board that consent for an organization licensee that maintains its own advance deposit wagering system is being unreasonably withheld, the Board shall issue a final order within 30 days after initiation of the appeal, and the organization licensee's advance deposit wagering system may remain operational during that 30-day period. The actions of any organization licensee who conducts advance deposit wagering or any person who has a contract with an organization licensee to conduct advance deposit wagering...
wagering who conducts advance deposit wagering on or after January 1, 2013 and prior to the effective date of this amendatory Act of the 98th General Assembly taken in reliance on the changes made to this subsection (g) by this amendatory Act of the 98th General Assembly are hereby validated, provided payment of all applicable pari-mutuel taxes are remitted to the Board. All advance deposit wagers placed from within Illinois must be placed through a Board-approved advance deposit wagering licensee; no other entity may accept an advance deposit wager from a person within Illinois. All advance deposit wagering is subject to any rules adopted by the Board. The Board may adopt rules necessary to regulate advance deposit wagering through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate advance deposit wagering is deemed an emergency and necessary for the public interest, safety, and welfare. An advance deposit wagering licensee may retain all moneys as agreed to by contract with an organization licensee. Any moneys retained by the organization licensee from advance deposit wagering, not including moneys retained by the advance deposit wagering licensee, shall be paid 50% to the organization licensee's purse account and 50% to the organization licensee. With the exception of any organization licensee that is owned by a publicly traded company that is incorporated in a state other than Illinois and advance deposit wagering licensees under contract with such organization licensees, organization licensees that maintain advance deposit wagering systems and advance deposit wagering licensees that contract with organization licensees shall provide sufficiently detailed monthly accountings to the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting so that the horsemen association, as an interested party, can confirm the accuracy of the amounts paid to the purse account at the horsemen association's affiliated organization licensee from advance deposit wagering. If more than one breed races at the same race track facility, then the 50% of the moneys to be paid to an organization licensee's purse account shall be allocated among all organization licensees' purse accounts operating at that race track facility proportionately based on the actual number of host days that the Board grants to that breed at that race track facility in the current calendar year. To the extent any fees from advance deposit wagering conducted in Illinois for wagers in Illinois or other states have been placed

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in escrow or otherwise withheld from wagers pending a determination of the legality of advance deposit wagering, no action shall be brought to declare such wagers or the disbursement of any fees previously escrowed illegal.

(1) Between the hours of 6:30 a.m. and 6:30 p.m. an intertrack wagering licensee other than the host track may supplement the host track simulcast program with additional simulcast races or race programs, provided that between January 1 and the third Friday in February of any year, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, only thoroughbred races may be used for supplemental interstate simulcast purposes. The Board shall withhold approval for a supplemental interstate simulcast only if it finds that the simulcast is clearly adverse to the integrity of racing. A supplemental interstate simulcast may be transmitted from an intertrack wagering licensee to its affiliated non-host licensees. The interstate commission fee for a supplemental interstate simulcast shall be paid by the non-host licensee and its affiliated non-host licensees receiving the simulcast.

(2) Between the hours of 6:30 p.m. and 6:30 a.m. an intertrack wagering licensee other than the host track may receive supplemental interstate simulcasts only with the consent of the host track, except when the Board finds that the simulcast is clearly adverse to the integrity of racing. Consent granted under this paragraph (2) to any intertrack wagering licensee shall be deemed consent to all non-host licensees. The interstate commission fee for the supplemental interstate simulcast shall be paid by all participating non-host licensees.

(3) Each licensee conducting interstate simulcast wagering may retain, subject to the payment of all applicable taxes and the purses, an amount not to exceed 17% of all money wagered. If any licensee conducts the pari-mutuel system wagering on races conducted at racetracks in another state or country, each such race or race program shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax of that daily handle as provided in subsection (a) of Section 27. Until January 1, 2000, from the sums permitted to be retained pursuant to this subsection, each intertrack wagering location licensee shall pay 1% of the pari-mutuel handle wagered

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on simulcast wagering to the Horse Racing Tax Allocation Fund, subject to the provisions of subparagraph (B) of paragraph (11) of subsection (h) of Section 26 of this Act.

(4) A licensee who receives an interstate simulcast may combine its gross or net pools with pools at the sending racetracks pursuant to rules established by the Board. All licensees combining their gross pools at a sending racetrack shall adopt the take-out percentages of the sending racetrack. A licensee may also establish a separate pool and takeout structure for wagering purposes on races conducted at race tracks outside of the State of Illinois. The licensee may permit pari-mutuel wagers placed in other states or countries to be combined with its gross or net wagering pools or other wagering pools.

(5) After the payment of the interstate commission fee (except for the interstate commission fee on a supplemental interstate simulcast, which shall be paid by the host track and by each non-host licensee through the host-track) and all applicable State and local taxes, except as provided in subsection (g) of Section 27 of this Act, the remainder of moneys retained from simulcast wagering pursuant to this subsection (g), and Section 26.2 shall be divided as follows:

(A) For interstate simulcast wagers made at a host track, 50% to the host track and 50% to purses at the host track.

(B) For wagers placed on interstate simulcast races, supplemental simulcasts as defined in subparagraphs (1) and (2), and separately pooled races conducted outside of the State of Illinois made at a non-host licensee, 25% to the host track, 25% to the non-host licensee, and 50% to the purses at the host track.

(6) Notwithstanding any provision in this Act to the contrary, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River may receive supplemental interstate simulcast races at all times subject to Board approval, which shall be withheld only upon a finding that a supplemental interstate simulcast is clearly adverse to the integrity of racing.

(7) Notwithstanding any provision of this Act to the contrary, after payment of all applicable State and local taxes and

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interstate commission fees, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain 50% of the retention from interstate simulcast wagers and shall pay 50% to purses at the track from which the non-host licensee derives its license as follows:

(A) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, when the interstate simulcast is a standardbred race, the purse share to its standardbred purse account;

(B) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, and the interstate simulcast is a thoroughbred race, the purse share to its interstate simulcast purse pool to be distributed under paragraph (10) of this subsection (g);

(C) Between January 1 and the third Friday in February, inclusive, if live thoroughbred racing is occurring in Illinois, between 6:30 a.m. and 6:30 p.m. the purse share from wagers made during this time period to its thoroughbred purse account and between 6:30 p.m. and 6:30 a.m. the purse share from wagers made during this time period to its standardbred purse accounts;

(D) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 a.m. and 6:30 p.m., the purse share to its thoroughbred purse account;

(E) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 p.m. and 6:30 a.m., the purse share to its standardbred purse account.

(7.1) Notwithstanding any other provision of this Act to the contrary, if no standardbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during that calendar year shall be paid as follows:

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(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be paid to its thoroughbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund and shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. The moneys deposited into the Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with other moneys paid into that Fund. The moneys deposited pursuant to this subparagraph (B) shall be allocated as provided by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board.

(7.2) Notwithstanding any other provision of this Act to the contrary, if no thoroughbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 a.m. and 6:30 p.m. during that calendar year shall be deposited as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be deposited into its standardbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund. Moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be paid to Illinois conceived and foaled thoroughbred breeders' programs and to thoroughbred purses for races conducted at any county fairgrounds for Illinois conceived and foaled horses at the discretion of the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. The moneys deposited into

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the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to thoroughbred purses under this Act, and shall not be commingled with other moneys deposited into that Fund.

(7.3) If no live standardbred racing is conducted at a racetrack located in Madison County in calendar year 2000 or 2001, an organization licensee who is licensed to conduct horse racing at that racetrack shall, before January 1, 2002, pay all moneys derived from simulcast wagering and inter-track wagering in calendar years 2000 and 2001 and paid into the licensee's standardbred purse account as follows:

(A) Eighty percent to that licensee's thoroughbred purse account to be used for thoroughbred purses; and

(B) Twenty percent to the Illinois Colt Stakes Purse Distribution Fund.

Failure to make the payment to the Illinois Colt Stakes Purse Distribution Fund before January 1, 2002 shall result in the immediate revocation of the licensee's organization license, inter-track wagering license, and inter-track wagering location license.

Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be used as determined by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with any other moneys paid into that Fund.

(7.4) If live standardbred racing is conducted at a racetrack located in Madison County at any time in calendar year 2001 before the payment required under paragraph (7.3) has been made, the organization licensee who is licensed to conduct racing at that racetrack shall pay all moneys derived by that racetrack from simulcast wagering and inter-track wagering during calendar years 2000 and 2001 that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during
2000 or 2001 to the standardbred purse account at that racetrack to be used for standardbred purses.

(8) Notwithstanding any provision in this Act to the contrary, an organization licensee from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River and its affiliated non-host licensees shall not be entitled to share in any retention generated on racing, inter-track wagering, or simulcast wagering at any other Illinois wagering facility.

(8.1) Notwithstanding any provisions in this Act to the contrary, if 2 organization licensees are conducting standardbred race meetings concurrently between the hours of 6:30 p.m. and 6:30 a.m., after payment of all applicable State and local taxes and interstate commission fees, the remainder of the amount retained from simulcast wagering otherwise attributable to the host track and to host track purses shall be split daily between the 2 organization licensees and the purses at the tracks of the 2 organization licensees, respectively, based on each organization licensee's share of the total live handle for that day, provided that this provision shall not apply to any non-host licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Board shall have authority to compel all host tracks to receive the simulcast of any or all races conducted at the Springfield or DuQuoin State fairgrounds and include all such races as part of their simulcast programs.

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which New matter indicated by italics - deletions by strikeout
the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board certifies in writing to the wagering facility the amount to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the race track affiliated with the wagering facility for purses during the succeeding year; and (iii) the need to ensure reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section.

(h) The Board may approve and license the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees subject to the following terms and conditions:

(1) Any person licensed to conduct a race meeting (i) at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually may be issued an inter-track wagering license; (ii) at a track located in a county that is
bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license; or (iii) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding calendar year may be issued an inter-track wagering license, unless a lesser schedule of live racing is the result of (A) weather, unsafe track conditions, or other acts of God; (B) an agreement between the organization licensee and the associations representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting; or (C) a finding by the Board of extraordinary circumstances and that it was in the best interest of the public and the sport to conduct fewer than 100 days of live racing. Any such person having operating control of the racing facility may also receive up to 6 inter-track wagering location licenses. In no event shall more than 6 inter-track wagering locations be established for each eligible race track, except that an eligible race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River may establish up to 7 inter-track wagering locations and an eligible race track located in Cook County may establish up to 8 inter-track wagering locations. An application for said license shall be filed with the Board prior to such dates as may be fixed by the Board. With an application for an inter-track wagering location license there shall be delivered to the Board a certified check or bank draft payable to the order of the Board for an amount equal to $500. The application shall be on forms prescribed and furnished by the Board. The application shall comply with all other rules, regulations and conditions imposed by the Board in connection therewith.

(2) The Board shall examine the applications with respect to their conformity with this Act and the rules and regulations imposed by the Board. If found to be in compliance with the Act and rules and regulations of the Board, the Board may then issue a license to conduct inter-track wagering and simulcast wagering to such applicant. All such applications shall be acted upon by the Board at a meeting to be held on such date as may be fixed by the Board.

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(3) In granting licenses to conduct inter-track wagering and simulcast wagering, the Board shall give due consideration to the best interests of the public, of horse racing, and of maximizing revenue to the State.

(4) Prior to the issuance of a license to conduct inter-track wagering and simulcast wagering, the applicant shall file with the Board a bond payable to the State of Illinois in the sum of $50,000, executed by the applicant and a surety company or companies authorized to do business in this State, and conditioned upon (i) the payment by the licensee of all taxes due under Section 27 or 27.1 and any other monies due and payable under this Act, and (ii) distribution by the licensee, upon presentation of the winning ticket or tickets, of all sums payable to the patrons of pari-mutuel pools.

(5) Each license to conduct inter-track wagering and simulcast wagering shall specify the person to whom it is issued, the dates on which such wagering is permitted, and the track or location where the wagering is to be conducted.

(6) All wagering under such license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such license issued by the Board shall contain a recital to that effect.

(7) An inter-track wagering licensee or inter-track wagering location licensee may accept wagers at the track or location where it is licensed, or as otherwise provided under this Act.

(8) Inter-track wagering or simulcast wagering shall not be conducted at any track less than 5 miles from a track at which a racing meeting is in progress.

(8.1) Inter-track wagering location licensees who derive their licenses from a particular organization licensee shall conduct inter-track wagering and simulcast wagering only at locations which are either within 90 miles of that race track where the particular organization licensee is licensed to conduct racing, or within 135 miles of that race track where the particular organization licensee is licensed to conduct racing in the case of race tracks in counties of less than 400,000 that were operating on or before June 1, 1986. However, inter-track wagering and simulcast wagering shall not be conducted by those licensees at any location within 5 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person

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having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made. In the case of any inter-track wagering location licensee initially licensed after December 31, 2013, inter-track wagering and simulcast wagering shall not be conducted by those inter-track wagering location licensees that are located outside the City of Chicago at any location within 8 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made.

(8.2) Inter-track wagering or simulcast wagering shall not be conducted by an inter-track wagering location licensee at any location within 500 feet of an existing church or existing school, nor within 500 feet of the residences of more than 50 registered voters without receiving written permission from a majority of the registered voters at such residences. Such written permission statements shall be filed with the Board. The distance of 500 feet shall be measured to the nearest part of any building used for worship services, education programs, residential purposes, or conducting inter-track wagering by an inter-track wagering location licensee, and not to property boundaries. However, inter-track wagering or simulcast wagering may be conducted at a site within 500 feet of a church, school or residences of 50 or more registered voters if such church, school or residences have been erected or established, or such voters have been registered, after the Board issues the original inter-track wagering location license at the site in question. Inter-track wagering location licensees may conduct inter-track wagering and simulcast wagering only in areas that are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved by the local zoning authority. However, no license to conduct inter-track wagering and simulcast wagering shall be granted by the Board with respect to any inter-track wagering location within the jurisdiction of any local zoning authority which has, by ordinance or by resolution, prohibited the establishment of an inter-track wagering location within its jurisdiction. However, inter-track wagering and

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simulcast wagering may be conducted at a site if such ordinance or resolution is enacted after the Board licenses the original inter-track wagering location licensee for the site in question.

(9) (Blank).

(10) An inter-track wagering licensee or an inter-track wagering location licensee may retain, subject to the payment of the privilege taxes and the purses, an amount not to exceed 17% of all money wagered. Each program of racing conducted by each inter-track wagering licensee or inter-track wagering location licensee shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax or pari-mutuel tax on such daily handle as provided in Section 27.

(10.1) Except as provided in subsection (g) of Section 27 of this Act, inter-track wagering location licensees shall pay 1% of the pari-mutuel handle at each location to the municipality in which such location is situated and 1% of the pari-mutuel handle at each location to the county in which such location is situated. In the event that an inter-track wagering location licensee is situated in an unincorporated area of a county, such licensee shall pay 2% of the pari-mutuel handle from such location to such county.

(10.2) Notwithstanding any other provision of this Act, with respect to intertrack wagering at a race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River ("the first race track"), or at a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, on races conducted at the first race track or on races conducted at another Illinois race track and simultaneously televised to the first race track or to a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, those moneys shall be allocated as follows:

(A) That portion of all moneys wagered on standardbred racing that is required under this Act to be paid to purses shall be paid to purses for standardbred races.

(B) That portion of all moneys wagered on thoroughbred racing that is required under this Act to be
paid to purses shall be paid to purses for thoroughbred races.

(11) (A) After payment of the privilege or pari-mutuel tax, any other applicable taxes, and the costs and expenses in connection with the gathering, transmission, and dissemination of all data necessary to the conduct of inter-track wagering, the remainder of the monies retained under either Section 26 or Section 26.2 of this Act by the inter-track wagering licensee on inter-track wagering shall be allocated with 50% to be split between the 2 participating licensees and 50% to purses, except that an intertrack wagering licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the Illinois organization licensee that provides the race or races, and an intertrack wagering licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with that organization licensee.

(B) From the sums permitted to be retained pursuant to this Act each inter-track wagering location licensee shall pay (i) the privilege or pari-mutuel tax to the State; (ii) 4.75% of the pari-mutuel handle on intertrack wagering at such location on races as purses, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain all purse moneys for its own purse account consistent with distribution set forth in this subsection (h), and intertrack wagering location licensees that accept wagers on races conducted by an organization licensee located in a county with a population in excess of 230,000 and that borders the Mississippi River shall distribute all purse moneys to purses at the operating host track; (iii) until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, 1% of the pari-mutuel handle wagered on inter-track wagering and simulcast wagering at each inter-track wagering location licensee facility to the Horse Racing Tax Allocation Fund, provided that, to the extent the total amount collected and distributed to the Horse Racing Tax Allocation Fund under this subsection (h) during any calendar year

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exceeds the amount collected and distributed to the Horse Racing Tax Allocation Fund during calendar year 1994, that excess amount shall be redistributed (I) to all inter-track wagering location licensees, based on each licensee's pro-rata share of the total handle from inter-track wagering and simulcast wagering for all inter-track wagering location licensees during the calendar year in which this provision is applicable; then (II) the amounts redistributed to each inter-track wagering location licensee as described in subpart (I) shall be further redistributed as provided in subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 provided first, that the shares of those amounts, which are to be redistributed to the host track or to purses at the host track under subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 shall be distributed based on each host track's pro rata share of the total inter-track wagering and simulcast wagering handle at all host tracks during the calendar year in question, and second, that any amounts redistributed as described in part (I) to an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall be further redistributed as provided in subparagraphs (D) and (E) of paragraph (7) of subsection (g) of this Section 26, with the portion of that further redistribution allocated to purses at that organization licensee to be divided between standardbred purses and thoroughbred purses based on the amounts otherwise allocated to purses at that organization licensee during the calendar year in question; and (iv) 8% of the pari-mutuel handle on inter-track wagering wagered at such location to satisfy all costs and expenses of conducting its wagering. The remainder of the monies retained by the inter-track wagering location licensee shall be allocated 40% to the location licensee and 60% to the organization licensee which provides the Illinois races to the location, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee that provides the race or races and an intertrack wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in

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a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee. Notwithstanding the provisions of clauses (ii) and (iv) of this paragraph, in the case of the additional inter-track wagering location licenses authorized under paragraph (1) of this subsection (h) by this amendatory Act of 1991, those licensees shall pay the following amounts as purses: during the first 12 months the licensee is in operation, 5.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 5.25%; during the third 12 months, 5.75%; during the fourth 12 months, 6.25%; and during the fifth 12 months and thereafter, 6.75%. The following amounts shall be retained by the licensee to satisfy all costs and expenses of conducting its wagering: during the first 12 months the licensee is in operation, 8.25% of the pari-mutuel handle wagered at the location; during the second 12 months, 8.25%; during the third 12 months, 7.75%; during the fourth 12 months, 7.25%; and during the fifth 12 months and thereafter, 6.75%. For additional intertrack wagering location licensees authorized under this amendatory Act of 1995, purses for the first 12 months the licensee is in operation shall be 5.75% of the pari-mutuel wagered at the location, purses for the second 12 months the licensee is in operation shall be 6.25%, and purses thereafter shall be 6.75%. For additional intertrack location licensees authorized under this amendatory Act of 1995, the licensee shall be allowed to retain to satisfy all costs and expenses: 7.75% of the pari-mutuel handle wagered at the location during its first 12 months of operation, 7.25% during its second 12 months of operation, and 6.75% thereafter.

(C) There is hereby created the Horse Racing Tax Allocation Fund which shall remain in existence until December 31, 1999. Moneys remaining in the Fund after December 31, 1999 shall be paid into the General Revenue Fund. Until January 1, 2000, all monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) by inter-track wagering location licensees located in park districts of 500,000 population or less, or in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau

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of the Census, and operating on May 1, 1994 shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to park districts or municipalities that do not have a park district of 500,000 population or less for museum purposes (if an inter-track wagering location
licensee is located in such a park district) or to conservation districts for museum purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, except that if the conservation district does not maintain a museum, the monies shall be allocated equally between the county and the municipality in which the inter-track wagering location licensee is located for general purposes) or to a municipal recreation board for park purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district and park maintenance is the function of the municipal recreation board and the municipality has a 1990 population of 9,302 according to the United States Bureau of the Census); provided that the monies are distributed to each park district or conservation district or municipality that does not have a park district in an amount equal to four-sevenths of the amount collected by each inter-track wagering location licensee within the park district or conservation district or municipality for the Fund. Monies that were paid into the Horse Racing Tax Allocation Fund before the effective date of this amendatory Act of 1991 by an inter-track wagering location licensee located in a municipality that is not included within any park district but is included within a conservation district as provided in this paragraph shall, as soon as practicable after the effective date of this amendatory Act of 1991, be allocated and paid to that conservation district as provided in this paragraph. Any park district or municipality not maintaining a museum may deposit the monies in the corporate fund of the park district or municipality where the inter-track wagering location is located, to be used for general purposes; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and

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Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967.

Until January 1, 2000, all other monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be
distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to museums and aquariums located in park districts of over 500,000 population; provided that the monies are distributed in accordance with the previous year's distribution of the maintenance tax for such museums and aquariums as provided in Section 2 of the Park District Aquarium and Museum Act; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967. This subparagraph (C) shall be inoperative and of no force and effect on and after January 1, 2000.

(D) Except as provided in paragraph (11) of this subsection (h), with respect to purse allocation from intertrack wagering, the monies so retained shall be divided as follows:

(i) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is not conducting its own race meeting during the same dates, then the entire purse allocation shall be to purses at the track where the races wagered on are being conducted.

(ii) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is also conducting its own race meeting during the same dates, then the purse allocation shall be as follows: 50% to purses at the track where the races wagered on are being conducted; 50% to purses at the track

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where the inter-track wagering licensee is accepting such wagers.

(iii) If the inter-track wagering is being conducted by an inter-track wagering location licensee, except an intertrack wagering location licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, the entire purse allocation for Illinois races shall be to purses at the track where the race meeting being wagered on is being held.

(12) The Board shall have all powers necessary and proper to fully supervise and control the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees, including, but not limited to the following:

(A) The Board is vested with power to promulgate reasonable rules and regulations for the purpose of administering the conduct of this wagering and to prescribe reasonable rules, regulations and conditions under which such wagering shall be held and conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of said wagering and to impose penalties for violations thereof.

(B) The Board, and any person or persons to whom it delegates this power, is vested with the power to enter the facilities of any licensee to determine whether there has been compliance with the provisions of this Act and the rules and regulations relating to the conduct of such wagering.

(C) The Board, and any person or persons to whom it delegates this power, may eject or exclude from any licensee's facilities, any person whose conduct or reputation is such that his presence on such premises may, in the opinion of the Board, call into the question the honesty and integrity of, or interfere with the orderly conduct of such wagering; provided, however, that no person shall be excluded or ejected from such premises solely on the
grounds of race, color, creed, national origin, ancestry, or sex.

(D) (Blank).

(E) The Board is vested with the power to appoint delegates to execute any of the powers granted to it under this Section for the purpose of administering this wagering and any rules and regulations promulgated in accordance with this Act.

(F) The Board shall name and appoint a State director of this wagering who shall be a representative of the Board and whose duty it shall be to supervise the conduct of inter-track wagering as may be provided for by the rules and regulations of the Board; such rules and regulation shall specify the method of appointment and the Director's powers, authority and duties.

(G) The Board is vested with the power to impose civil penalties of up to $5,000 against individuals and up to $10,000 against licensees for each violation of any provision of this Act relating to the conduct of this wagering, any rules adopted by the Board, any order of the Board or any other action which in the Board's discretion, is a detriment or impediment to such wagering.

(13) The Department of Agriculture may enter into agreements with licensees authorizing such licensees to conduct inter-track wagering on races to be held at the licensed race meetings conducted by the Department of Agriculture. Such agreement shall specify the races of the Department of Agriculture's licensed race meeting upon which the licensees will conduct wagering. In the event that a licensee conducts inter-track pari-mutuel wagering on races from the Illinois State Fair or DuQuoin State Fair which are in addition to the licensee's previously approved racing program, those races shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege or pari-mutuel tax on that daily handle as provided in Sections 27 and 27.1. Such agreements shall be approved by the Board before such wagering may be conducted. In determining whether to grant approval, the Board shall give due consideration to the best interests of the public and of horse racing. The provisions of paragraphs (1), (8), (8.1), and

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(8.2) of subsection (h) of this Section which are not specified in this paragraph (13) shall not apply to licensed race meetings conducted by the Department of Agriculture at the Illinois State Fair in Sangamon County or the DuQuoin State Fair in Perry County, or to any wagering conducted on those race meetings.

(i) Notwithstanding the other provisions of this Act, the conduct of wagering at wagering facilities is authorized on all days, except as limited by subsection (b) of Section 19 of this Act.

(Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

(230 ILCS 5/26.8 new)

Sec. 26.8. Beginning on February 1, 2014 and until January 31, 2017, each wagering licensee may impose a surcharge of up to 0.5% on winning wagers and winnings from wagers. The surcharge shall be deducted from winnings prior to payout. All amounts collected from the imposition of this surcharge shall be evenly distributed to the organization licensee and the purse account of the organization licensee with which the licensee is affiliated. The amounts distributed under this Section shall be in addition to the amounts paid pursuant to paragraph (10) of subsection (h) of Section 26, Section 26.3, Section 26.4, Section 26.5, and Section 26.7.

(230 ILCS 5/26.9 new)

Sec. 26.9. Beginning on February 1, 2014 until January 31, 2017, in addition to the surcharge imposed in Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this Act, each licensee shall impose a surcharge of 0.2% on winning wagers and winnings from wagers. The surcharge shall be deducted from winnings prior to payout. All amounts collected from the surcharges imposed under this Section shall be remitted to the Board. From amounts collected under this Section, the Board shall deposit an amount not to exceed $100,000 annually into the Quarter Horse Purse Fund and all remaining amounts into the Horse Racing Fund.

(230 ILCS 5/27) (from Ch. 8, par. 37-27)

Sec. 27. (a) In addition to the organization license fee provided by this Act, until January 1, 2000, a graduated privilege tax is hereby imposed for conducting the pari-mutuel system of wagering permitted under this Act. Until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, all of the breakage of each racing day held by any licensee in the State shall be paid to the State. Until January 1, 2000, such daily graduated privilege tax shall be paid by the licensee from the amount permitted to be retained under this Act. Until January 1, 2000, each day's

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graduated privilege tax, breakage, and Horse Racing Tax Allocation funds shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes. The privilege tax hereby imposed, until January 1, 2000, shall be a flat tax at the rate of 2% of the daily pari-mutuel handle except as provided in Section 27.1.

In addition, every organization licensee, except as provided in Section 27.1 of this Act, which conducts multiple wagering shall pay, until January 1, 2000, as a privilege tax on multiple wagers an amount equal to 1.25% of all moneys wagered each day on such multiple wagers, plus an additional amount equal to 3.5% of the amount wagered each day on any other multiple wager which involves a single betting interest on 3 or more horses. The licensee shall remit the amount of such taxes to the Department of Revenue within 48 hours after the close of the racing day on which it is assessed or within such other time as the Board prescribes.

This subsection (a) shall be inoperative and of no force and effect on and after January 1, 2000.

(a-5) Beginning on January 1, 2000, a flat pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at all pari-mutuel wagering facilities and on advance deposit wagering from a location other than a wagering facility, except as otherwise provided for in this subsection (a-5). In addition to the pari-mutuel tax imposed on advance deposit wagering pursuant to this subsection (a-5), beginning on August 24, 2012 (the effective date of Public Act 97-1060) this amendatory Act of the 97th General Assembly until February 1, 2017 January 31, 2014, an additional pari-mutuel tax at the rate of 0.25% shall be imposed on advance deposit wagering. Until August 25, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering by Public Act 96-972 shall be deposited into the Quarter Horse Purse Fund, which shall be created as a non-appropriated trust fund administered by the Board for grants to thoroughbred organization licensees for payment of purses for quarter horse races conducted by the organization licensee. Beginning on August 26, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering shall be deposited into the Standardbred Purse Fund, which shall be created as a non-appropriated trust fund administered by the Board, for grants to the standardbred organization licensees for payment of purses for standardbred horse races conducted by the organization licensee. Thoroughbred organization licensees may petition the Board to conduct quarter horse racing and receive purse grants from

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the Quarter Horse Purse Fund. The Board shall have complete discretion in distributing the Quarter Horse Purse Fund to the petitioning organization licensees. Beginning on July 26, 2010 (the effective date of Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. The pari-mutuel tax imposed by this subsection (a-5) shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes.

(b) On or before December 31, 1999, in the event that any organization licensee conducts 2 separate programs of races on any day, each such program shall be considered a separate racing day for purposes of determining the daily handle and computing the privilege tax on such daily handle as provided in subsection (a) of this Section.

(c) Licensees shall at all times keep accurate books and records of all monies wagered on each day of a race meeting and of the taxes paid to the Department of Revenue under the provisions of this Section. The Board or its duly authorized representative or representatives shall at all reasonable times have access to such records for the purpose of examining and checking the same and ascertaining whether the proper amount of taxes is being paid as provided. The Board shall require verified reports and a statement of the total of all monies wagered daily at each wagering facility upon which the taxes are assessed and may prescribe forms upon which such reports and statement shall be made.

(d) Any licensee failing or refusing to pay the amount of any tax due under this Section shall be guilty of a business offense and upon conviction shall be fined not more than $5,000 in addition to the amount found due as tax under this Section. Each day's violation shall constitute a separate offense. All fines paid into Court by a licensee hereunder shall be transmitted and paid over by the Clerk of the Court to the Board.

(e) No other license fee, privilege tax, excise tax, or racing fee, except as provided in this Act, shall be assessed or collected from any such licensee by the State.

(f) No other license fee, privilege tax, excise tax or racing fee shall be assessed or collected from any such licensee by units of local government except as provided in paragraph 10.1 of subsection (h) and subsection (f) of Section 26 of this Act. However, any municipality that has a Board licensed horse race meeting at a race track wholly within its
corporate boundaries or a township that has a Board licensed horse race meeting at a race track wholly within the unincorporated area of the township may charge a local amusement tax not to exceed 10¢ per admission to such horse race meeting by the enactment of an ordinance. However, any municipality or county that has a Board licensed inter-track wagering location facility wholly within its corporate boundaries may each impose an admission fee not to exceed $1.00 per admission to such inter-track wagering location facility, so that a total of not more than $2.00 per admission may be imposed. Except as provided in subparagraph (g) of Section 27 of this Act, the inter-track wagering location licensee shall collect any and all such fees and within 48 hours remit the fees to the Board, which shall, pursuant to rule, cause the fees to be distributed to the county or municipality.

(g) Notwithstanding any provision in this Act to the contrary, if in any calendar year the total taxes and fees required to be collected from licensees and distributed under this Act to all State and local governmental authorities exceeds the amount of such taxes and fees distributed to each State and local governmental authority to which each State and local governmental authority was entitled under this Act for calendar year 1994, then the first $11 million of that excess amount shall be allocated at the earliest possible date for distribution as purse money for the succeeding calendar year. Upon reaching the 1994 level, and until the excess amount of taxes and fees exceeds $11 million, the Board shall direct all licensees to cease paying the subject taxes and fees and the Board shall direct all licensees to allocate any such excess amount for purses as follows:

(i) the excess amount shall be initially divided between thoroughbred and standardbred purses based on the thoroughbred's and standardbred's respective percentages of total Illinois live wagering in calendar year 1994;

(ii) each thoroughbred and standardbred organization licensee issued an organization licensee in that succeeding allocation year shall be allocated an amount equal to the product of its percentage of total Illinois live thoroughbred or standardbred wagering in calendar year 1994 (the total to be determined based on the sum of 1994 on-track wagering for all organization licensees issued organization licenses in both the allocation year and the preceding year) multiplied by the total amount allocated for standardbred or thoroughbred purses, provided that the first $1,500,000 of the amount allocated to standardbred purses under
item (i) shall be allocated to the Department of Agriculture to be expended with the assistance and advice of the Illinois Standardbred Breeders Funds Advisory Board for the purposes listed in subsection (g) of Section 31 of this Act, before the amount allocated to standardbred purses under item (i) is allocated to standardbred organization licensees in the succeeding allocation year.

To the extent the excess amount of taxes and fees to be collected and distributed to State and local governmental authorities exceeds $11 million, that excess amount shall be collected and distributed to State and local authorities as provided for under this Act.

(Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

(230 ILCS 5/28.1)

Sec. 28.1. Payments.

(a) Beginning on January 1, 2000, moneys collected by the Department of Revenue and the Racing Board pursuant to Section 26 or Section 27 of this Act shall be deposited into the Horse Racing Fund, which is hereby created as a special fund in the State Treasury.

(b) Appropriations, as approved by the General Assembly, may be made from the Horse Racing Fund to the Board to pay the salaries of the Board members, secretary, stewards, directors of mutuels, veterinarians, representatives, accountants, clerks, stenographers, inspectors and other employees of the Board, and all expenses of the Board incident to the administration of this Act, including, but not limited to, all expenses and salaries incident to the taking of saliva and urine samples in accordance with the rules and regulations of the Board.

(c) Beginning on January 1, 2000, the Board shall transfer the remainder of the funds generated pursuant to Sections 26 and 27 from the Horse Racing Fund into the General Revenue Fund.

(d) Beginning January 1, 2000, payments to all programs in existence on the effective date of this amendatory Act of 1999 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 30, and subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 31 shall be made from the General Revenue Fund at the funding levels determined by amounts paid under this Act in calendar year 1998. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, payments to the Peoria Park District shall be made from the General Revenue Fund at the funding

New matter indicated by italics - deletions by strikeout
level determined by amounts paid to that park district for museum purposes under this Act in calendar year 1994.

If an inter-track wagering location licensee's facility changes its location, then the payments associated with that facility under this subsection (d) for museum purposes shall be paid to the park district in the area where the facility relocates, and the payments shall be used for museum purposes. If the facility does not relocate to a park district, then the payments shall be paid to the taxing district that is responsible for park or museum expenditures.

(e) Beginning July 1, 2006, the payment authorized under subsection (d) to museums and aquariums located in park districts of over 500,000 population shall be paid to museums, aquariums, and zoos in amounts determined by Museums in the Park, an association of museums, aquariums, and zoos located on Chicago Park District property.

(f) Beginning July 1, 2007, the Children's Discovery Museum in Normal, Illinois shall receive payments from the General Revenue Fund at the funding level determined by the amounts paid to the Miller Park Zoo in Bloomington, Illinois under this Section in calendar year 2006.

(Source: P.A. 95-222, eff. 8-16-07; 96-562, eff. 8-18-09.)

Section 99. Effective date. This Act takes effect upon becoming law.

Approved January 29, 2014.
Effective January 29, 2014.

PUBLIC ACT 98-0625
(Senate Bill No. 1219)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. "An Act concerning real property", Public Act 95-19, approved August 1, 2007, is amended by changing Section 20 as follows:

Sec. 20. Interstate 55 Interchange project. Subject to appropriation, an amount of money in the Road Fund equal to the amount of money deposited into the Road Fund pursuant to Section 10 shall be used by the Department of Transportation to pay for the cost of the highway interchange project on Interstate Highway 55 at Weber Road in Will County.

New matter indicated by italics - deletions by strikeout
County. However, notwithstanding any other provision of this Act, neither the ability of the Department of Transportation to use moneys as provided in this Section nor the property sale (or deposit of sale proceeds) described in Section 10 of this Act is a condition precedent to the development of that highway interchange project.

(Source: P.A. 95-19, eff. 8-1-07.)

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 7, 2013.
Approved February 3, 2014.
Effective February 3, 2014.
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WHEREAS, The State of Illinois serves over 2,000,000 students in 862 school districts statewide; and
WHEREAS, State funding for pre-kindergarten through grade 12 education in Illinois has been reduced by $861,000,000 since fiscal year 2009; of that amount, general State aid has been reduced by more than $320,000,000; and
WHEREAS, Illinois ranks 50th in terms of the state proportion of kindergarten through grade 12 funding, providing for just 32.5% of all funds spent on kindergarten through grade 12 public education, despite the plain language of Article 10 of the Illinois Constitution which states "The State has the primary responsibility for financing the system of public education."; and
WHEREAS, In 2007, 23% of Illinois school districts reported deficit spending, and today more than 67% of Illinois school districts report deficit spending; and
WHEREAS, Reductions in State spending have increased school districts' reliance on local resources, impacting classroom services and financial stability, at a time when school districts are required to do more necessary improvements and initiatives such as teacher and principal evaluations, new and higher learning standards, and assessments; and
WHEREAS, The General Assembly must stay engaged in public education issues and be prepared to make legislative and administrative recommendations; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREAFTER, that there is created the General Assembly's Advisory Committee on Education Funding, consisting of 12 members, appointed as follows: 3 members of the Senate majority caucus, appointed by the President of the Senate, one of whom shall be designated as a co-chair; 3 members of the Senate minority caucus, appointed by the Senate Minority Leader, one of whom shall be designated as a co-chair; 3 members of the House majority caucus, appointed by the Speaker of the House of Representatives, one of whom shall be designated as a co-chair; and 3 members of the House minority caucus, appointed by the House Minority Leader, one of whom shall be designated as a co-chair; and be it further
RESOLVED, That the Advisory Committee on Education Funding shall:
(1) conduct a thorough review of the existing distribution methods and expenditures of all pre-kindergarten through grade 12 education funding with a focus on general State aid as defined in Section 18-8.05 of the School Code; and

(2) make recommendations to implement an education funding system that:
   (a) is adequate;
   (b) is equitable;
   (c) prepares students for achievement and success after high school; and
   (d) supports teachers and school leaders; and

(3) consider the following when making its recommendations:
   (a) the number of students in a school and school district and the level of need of those students, including special needs populations;
   (b) a school district's ability to provide local resources to pay for basic education needs;
   (c) transparency and accountability;
   (d) revenue predictability to support sound planning and budgeting by local school boards and administration; and
   (e) the long-term implications and outcomes of the funding system, along with provisions that require the system to be monitored, publicly reported, assessed, and improved over time; and be it further RESOLVED, That the Advisory Committee on Education Funding shall seek input from stakeholders and members of the public on issues and possible improvements to the existing funding system; and be it further RESOLVED, That members of the Advisory Committee on Education Funding shall serve without compensation, and the State Board of Education shall provide administrative and other support to the Advisory Committee on Education Funding; and be it further RESOLVED, That the Advisory Committee on Education Funding shall meet at the call of the co-chairs, but shall meet a minimum of 4 times per year; and be it further RESOLVED, That the Advisory Committee on Education Funding shall share its legislative and administrative recommendations with the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives no later than February 1, 2014; and be it further RESOLVED, That a suitable copy of this resolution be presented to the Chairman of the State Board of Education and the State Superintendent of Education; and be it further
RESOLVED, That the State Board of Education shall provide a copy of this resolution to school districts in the State.
Adopted by the Senate, May 14, 2013.
Concurred in by the House of Representatives, May 31, 2013.

ALLEN J. LYNCH CONGRESSIONAL MEDAL OF HONOR OVERPASS
(House Joint Resolution No 6)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our country and, in doing so, have gone above and beyond the call of duty to take part in truly heroic tasks; and
WHEREAS, Of the millions of men and women who have served this country with the Army, Navy, Air Force, Marines, or Coast Guard, only 3,468 have ever been awarded the highest military decoration awarded by the United States government, the Medal of Honor; and
WHEREAS, The Medal of Honor is awarded for conspicuous gallantry and intrepidity at the risk of one's life above and beyond the call of duty while engaged in an action against any enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; and
WHEREAS, Allen J. Lynch was born on October 28, 1945, in Chicago; he grew up in the Lake Eliza area of Indiana, where he attended Union Center Elementary School and Wheeler Junior High School; and
WHEREAS, After graduating from high school, Allen Lynch joined the United States Army in 1964; he was later sent to Vietnam in the fall of 1966 and was assigned to the 12th Cavalry; he served as a rifleman for several months before becoming his platoon's radiotelephone operator; and
WHEREAS, On December 15, 1967, Allen Lynch was serving as a specialist four in Company D, 1st Battalion (Airmobile), 12th Cavalry Regiment of the 1st Cavalry Division (Airmobile); during a firefight near the Binh Dinh Province of Vietnam, he saw 3 wounded soldiers out in the open who were under intense enemy fire; he quickly dropped his radio and went to help the soldiers; under intense fire, he carried the wounded soldiers to
safety and single-handedly defended them against the advancing enemy force for several hours; and

WHEREAS, Following this courageous action, Allen Lynch was subsequently promoted to the rank of sergeant and awarded the Medal of Honor for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty; and

WHEREAS, Allen Lynch's quick thinking and disregard for his own safety were vital in saving those lives, but his fight on behalf of his fellow soldiers did not end on the battlefield; after the war, he settled in Gurnee and worked for the Department of Veterans Affairs, where he advocated for increased benefits for disabled veterans; he later served as chief of the Illinois Attorney General's Veterans Rights Bureau until his retirement in 2005; and

WHEREAS, Allen Lynch continues his dedication to our nation as a volunteer with the Vietnam Veterans of America organization; he serves as the liaison for the Congressional Medal of Honor Society and frequently gives speeches at military-related events; he also performs ministry work with the Lake County Jail; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the Grand Avenue Overpass over Interstate 94 in Gurnee as the "Allen J. Lynch Congressional Medal of Honor Overpass"; and be it further

RESOLVED, That upon completion of any unfinished sections of highway, the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to Allen J. Lynch, his family, the Village of Gurnee, the Lake County Board, the Lake County Veterans Assistance Commission, the Secretary of the Illinois Department of Transportation, and the Illinois State Toll Highway Authority.

Adopted by the House of Representatives on February 27, 2013.
Concurred in by the Senate on May 23, 2013.

COLLEGE SCORECARD
(House Joint Resolution No. 33)

WHEREAS, Completing a higher education credential is a prerequisite for in-demand jobs of the 21st century economy; and

WHEREAS, Average earnings of college graduates vastly outpace those of workers with only a high school diploma; and
WHEREAS, Building and maintaining a highly educated and skilled workforce is critical to the future of the Illinois economy; and

WHEREAS, Affordability is a major barrier for students seeking college credentials as an entrance to the middle class; and

WHEREAS, Students of all backgrounds need accurate and timely information on the ability of higher education institutions to meet their educational aspirations and economic realities; and

WHEREAS, Lt. Governor Sheila Simon, as the State's point person on education reform, reports that higher education institutions provide standard cost and completion data to education authorities but do not present it to students in a standard, easy-to-find and digest format; and

WHEREAS, A standardized, public report of this data to students and parents could help them make better decisions on where to seek high-quality, affordable, and marketable credentials and put taxpayer-funded, need-based college grants to better use; and

WHEREAS, The federal government has launched a web-based College Scorecard that presents the costs and outcomes of public, private, and for-profit higher education institutions across Illinois and the nation that students and states can access at no cost; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that all certificate and degree granting institutions operating in the State of Illinois are encouraged to prominently post links to the federal College Scorecard on their school websites, and also are encouraged to work together to design and post online an Illinois College Scorecard with complementary data regarding educational programs' costs and outcomes to better inform students and families regarding higher education and career choices; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Lt. Governor Sheila Simon and the Illinois Board of Higher Education.

Adopted by the House of Representatives on May 22, 2013.
Concurred in by the Senate on May 30, 2013.

DYSLEXIA AWARENESS WEEK
(Senate Joint Resolution No. 43)

WHEREAS, Dyslexia is a language-based learning disability and the most common cause of reading, writing, and spelling difficulties; and

WHEREAS, Dyslexia affects 70%-80% of people with reading difficulties and is more common than autism, attention deficit disorder, and attention deficit hyperactive disorder; and
WHEREAS, At least 2 million people in Illinois show symptoms of dyslexia; and
WHEREAS, Dyslexia is a neurological and genetic disorder, affecting all ethnicities and socio-economic statuses equally; and
WHEREAS, Students with dyslexia face difficulty learning to read and, if left undiagnosed, often become frustrated with academic study; and
WHEREAS, With the help of intervention before 1st grade, students with dyslexia can learn to read and write at grade level; and
WHEREAS, If children with dyslexia are poor readers in 3rd grade, they will likely remain poor readers into their adult lives; and
WHEREAS, Globally, great strides have been made to raise awareness about dyslexia to promote early diagnosis, including the designation of October as National Dyslexia Awareness Month in the United States of America; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the last week of October in 2013 as Dyslexia Awareness Week in the State of Illinois; and be it further

RESOLVED, That we recognize the importance of improving awareness and encouraging early diagnosis of dyslexia; and be it further

RESOLVED, That we wholeheartedly support a State, national, and global commitment to improving the reading abilities of children and adults who struggle with dyslexia.

Adopted by the Senate, October 23, 2013.
Concurred in by the House of Representatives, November 6, 2013.

ELGIN-O’HARE WESTERN ACCESS (EOWA)
(House Joint Resolution No. 9)

WHEREAS, Section 14.1 of the Toll Highway Act provides that prior to the issuance of bonds for or the commencement of construction of any new toll highway, that particular toll highway shall be authorized by joint resolution of the General Assembly; and
WHEREAS, In 1995 by Senate Joint Resolution 45 (the 1995 Resolution) the General Assembly approved the expansion of the Illinois toll highway system to include an O'Hare Airport Bypass with Extension, with the Bypass to be constructed generally along the western edge of the O'Hare Airport between I-90 (Northwest Tollway) near Elmhurst Road and I-294 (Tri-State Tollway) near Grand Avenue, and with the extension to be
constructed in a generally East-West direction between I-290 (near Thorndale Avenue) at the West and the Bypass at the East; and

WHEREAS, It is necessary and appropriate, following extensive multi-agency public outreach culminating in recommendations agreed upon by all communities along the proposed Elgin-O'Hare corridor to proceed with construction of new toll highway facilities, to update the 1995 Resolution to reflect the current project recommendation as outlined in the October 2012 Tier 2 Final Environmental Impact Statement that was jointly executed by the Federal Aviation Administration, Federal Highway Administration, Illinois Department of Transportation, and Illinois State Toll Highway Authority; and

WHEREAS, It may be necessary and appropriate to expand the project limits over time to adhere to future additions or expansions of the EOWA project; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Illinois State Toll Highway Authority be authorized to expand the Illinois toll highway system, under a project to be known as the Elgin-O'Hare Western Access (EOWA), to include an O'Hare Airport Bypass with Extension, general access to O'Hare Airport primarily from the West and South, with the Bypass to be constructed generally along the western edge of the O'Hare Airport between I-90 (Northwest Tollway) near Elmhurst Road and I-294 (Tri-State Tollway) near Grand Avenue, and with the Extension to be constructed in a generally East-West direction between the Bypass at the East and the western terminus of the Elgin-O'Hare Expressway at U.S. 20 to the West; including, but not limited to, any necessary access ramps and bridges; and be it further

RESOLVED, That the Illinois State Toll Highway Authority, in performing work to complete the EOWA project, consider and utilize, to the extent practicable, available technology and construction processes intended to reduce the environmental impact of the project on surrounding areas, and to perform work that will facilitate establishment of future freight inter-modal transport, and alternative transport modes including rail transit, bicycle, and pedestrian within the project area; and be it further

RESOLVED, That that the Illinois State Toll Highway Authority shall complete the EOWA project in a manner that supports diversity involvement in the project work and economic development in the region; and be it further

RESOLVED, That a copy of this preamble and resolution be immediately forwarded to each of the Directors of the Illinois State Toll Highway Authority.

Adopted by the House of Representatives on May 1, 2013.
Concurred in by the Senate on May 23, 2013.
WHEREAS, It is important to recognize those who contributed to the betterment of the State of Illinois through public service; and

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State; and

WHEREAS, The members of the Illinois Senate are saddened to learn of the death of Christopher "Chris" R. Brown of Hudson, who passed away on March 5, 2013; and

WHEREAS, Christopher Brown was born on November 9, 1973 in Hershey, Pennsylvania to Michael R. and Pamela S. Walters Brown; he graduated from Charleston High School in 1992 and married Amie Melton on June 7, 1997 in Peoria; and

WHEREAS, Christopher Brown was a 12-year member of the Bloomington Fire Department; he was also a 3-year member of the Hudson Community Fire Department and a 2-year member of the Peoria Heights Fire Department and the Morton Fire Department; he was a member of the Associated Firefighters of Illinois Honor Guard; and

WHEREAS, Christopher Brown enjoyed spending time with his family, fishing, camping, playing hockey, and watching the Chicago Blackhawks; and

WHEREAS, Christopher Brown was preceded in death by his maternal grandfather, Willis W. Walters; his paternal grandfather, Jack Brown; and his paternal uncle, Dana A. Clark; and

WHEREAS, Christopher Brown is survived by his wife, Amie; his sons, Max and Mason; his parents; his brother, Anthony M. (Kimberly) Brown; his sister, Jennifer Renee (Frank) Radek; his maternal grandmother, Beverly J. Behnke; his paternal grandmother, Barbara L. Kline; his in-laws, Robert and Joan Melton; and his many aunts, uncles, nieces, and nephews; and

WHEREAS, Christopher Brown was killed in the line of duty while responding to a traffic accident on Interstate 39; and

WHEREAS, On March 8, 2013 Governor Quinn ordered flags flown at half-staff to honor firefighter Christopher Brown from March 9, 2013 through sunset on March 11, 2013; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the
section of Interstate 39 between Exit 8 and Exit 5 the Firefighter Christopher R. Brown Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Christopher R. Brown, the Bloomington Fire Department, the Hudson Community Fire Department, the Peoria Heights Fire Department, the Morton Fire Department, and the Secretary of the Illinois Department of Transportation.

Adopted by the House of Representatives on November 6, 2013.
Concurred in by the Senate on November 7, 2013.

ILLINOIS GREAT MIGRATION CENTENNIAL COMMISSION
(Senate Joint Resolution No. 1)

WHEREAS, During the 97th General Assembly, Senate Joint Resolution 3 created the Illinois Great Migration Centennial Commission to plan for the Great Migration Centennial, which will be commemorated and celebrated from January to December 2016, and to promote a deeper knowledge, understanding, and engagement in the life and times of the African American migration experience; and

WHEREAS, Senate Joint Resolution 3 required that no later than December 31, 2012, the Commission shall report to the General Assembly and the Governor on its planning progress to commemorate and celebrate the Great Migration Centennial; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that instead of December 31, 2012, the Commission shall report to the General Assembly and the Governor on its planning progress to commemorate and celebrate the Great Migration Centennial no later than December 31, 2014; and be it further

RESOLVED, That with this change, the Illinois Great Migration Centennial Commission shall continue to operate pursuant to Senate Joint Resolution 3 of the 97th General Assembly.
Adopted by the Senate, March 1, 2013.
Concurred in by the House of Representatives, May 29, 2013.
WHEREAS, The Korean War has played an important part in American history; the veterans of the Korean War have earned the respect and admiration of all people; and

WHEREAS, An armed conflict that began in June of 1950 and ended in July of 1953, the Korean War exacted a heavy toll; 33,629 Americans were killed in action and 20,617 died of injuries or disease; and

WHEREAS, The Korean War began when the United Nations urged its members to repel the Communist aggressors in Korea; in July of 1950, the UN Security Council recommended that all member nations contributing to the defense of South Korea make their troops available to a unified command headed by the United States; and

WHEREAS, It is appropriate for us to remember the many sacrifices and contributions to the cause of freedom made by the outstanding men and women who served in the Korean War; and

WHEREAS, The date of June 25, 2010 commemorates the 60th anniversary of the start of the Korean War; July 17, 2013 will mark the 60th anniversary of the armistice that ended the conflict; and

WHEREAS, William G. Windrich, James I. Poynter, Lester Hammond, John E. Kilmer, Louis J. Sebille, William F. Dean, Edward C. Krzyzowski, and Richard G. Wilson, all of whom hailed from Illinois, were awarded the Medal of Honor for their heroic actions during the Korean War; and

WHEREAS, Staff Sergeant William Gordon Windrich was awarded the Medal of Honor posthumously for his outstanding heroism as a platoon sergeant during the Battle of Chosin Reservoir; and

WHEREAS, William Windrich was born on May 14, 1921 in Chicago; he enlisted in the United States Marine Corps Reserve on June 6, 1938, and was ordered to active duty in November of 1940; and

WHEREAS, During World War II, William Windrich spent 20 months overseas in the south and central Pacific as a machine gunner with the 2nd and 5th Defense Battalions; after his discharge in November of 1945, he reenlisted in the United States Marine Corps in February of 1946; and

WHEREAS, At the outbreak of the Korean War, SSgt. Windrich was on military police chief duty at Camp Pendleton in California; he subsequently went overseas with the 1st Provisional Marine Brigade and was among the first Marines to see action in Korea; he also participated in the Inchon landing and in the capture of Seoul; and
WHEREAS, SSgt. Windrich was killed in action the early morning of December 2, 1950, near Yudam-ni, North Korea, during a savage night battle with Chinese communist forces on Hill 1520; he refused to be evacuated, even after being wounded twice, once when a grenade fragment ripped through his helmet and later when he was felled by gunshot wounds in the legs; instead, he directed his men in setting up defensive positions and shouted words of encouragement until he succumbed to his wounds and the bitter cold; and

WHEREAS, The Medal of Honor, the United States' highest award for valor in combat, was presented to SSgt. Windrich's widow by Secretary of the Navy Daniel A. Kimball during ceremonies on February 8, 1952; he is now buried at Arlington National Cemetery; and

WHEREAS, Sergeant James Irsley Poynter was born on December 1, 1916 in Bloomington; he enlisted in the United States Marine Corps in February of 1942; and

WHEREAS, James Poynter fought in the Pacific theatre during World War II and participated in the Guadalcanal, Southern Solomons, Saipan, Tinian, and Okinawa campaigns; he was discharged in February of 1946; and

WHEREAS, At the beginning of the Korean War, Sgt. Poynter re-enlisted in the Marine Corps and joined the Marine Corps Reserve 13th Infantry Battalion in Los Angeles on July 19, 1950; he arrived in Korea in time to aid in the recapture of Seoul after the Inchon landing; and

WHEREAS, Sgt. Poynter was awarded the Bronze Star with Combat "V" for "outstanding leadership, ability and courageous aggressiveness against the enemy" as a squad leader during actions on September 24 to October 4, 1950; and

WHEREAS, On November 4, 1950, Sgt. Poynter served as squad leader of Company A of the 7th Marine Regiment; while defending Hill 532, south of Sudong, Korea, he was wounded in hand-to-hand combat; in spite of his wounds, upon seeing 3 machine guns setting up only 25 yards away, he charged the enemy position with hand grenades from fallen comrades; he was able to take out all 3 machine gun crews by sacrificing his own life; and

WHEREAS, Sgt. Poynter's heroic actions enabled his outnumbered platoon to beat off the enemy assault and move to more defensible positions; he was awarded the Medal of Honor for his actions on November 4, 1950, and was buried with full military honors in Fort Rosecrans National Cemetery in San Diego, California; and

WHEREAS, Corporal Lester Hammond, Jr. was born on March 25, 1931, in Wayland, Missouri, and entered service in Quincy; he served as a radio operator with Company A of the United States Army's 187th Airborne Regimental Combat Team; and
WHEREAS, Cpl. Hammond was serving with the 187th near Kumhwa, Korea, on August 14, 1952; the combat team had penetrated about 3,500 yards into enemy-held territory when the small American patrol was ambushed and surrounded by a larger enemy force; the team fought its way up a narrow ravine in search of cover; Hammond was wounded during the initial exchange of gunfire, but remained in the open so he could call in artillery fire that helped repulse several enemy attacks; and

WHEREAS, Despite being wounded a second time, Cpl. Hammond continued to direct the artillery fire until a friendly platoon was able to reach his patrol and help them withdraw; Cpl. Hammond died from his injuries, but the members of his patrol owed him their lives for the heroic decisions he made that day; and

WHEREAS, Cpl. Lester Hammond Jr. was awarded the Medal of Honor for valor in combat for his actions on August 14, 1952; after his initial burial in Quincy's Greenmount Cemetery, his casket was moved to Sunset Cemetery at the Illinois Veterans Home in Quincy in 1983; and

WHEREAS, John Edward Kilmer was born on August 15, 1930, in Highland Park; he enlisted in the United States Navy on August 16, 1947 as an apprentice seaman, and attended the Hospital Corps School in San Diego, California; after graduating in April of 1948, he was promoted to the rank of hospitalman apprentice; he was subsequently promoted to the rank of hospitalman on September 1, 1950; and

WHEREAS, Hospitalman Kilmer was assigned to the hospital ship USS Repose (AH-16) when war broke out in Korea; after his enlistment term expired in August of 1951, he soon rejoined the Navy and joined the 3rd Battalion, 7th Marines, Fleet Marine Forces after completing instruction at the Field Medical School at Camp Pendleton, California; and

WHEREAS, On August 12, 1952, Hospitalman Kilmer took part in the attack on "Bunker Hill" in Korea; he attended to the wounded during the battle and was himself mortally wounded after using his body to shield another man from enemy fire; for this action, he was posthumously awarded the Medal of Honor; and

WHEREAS, On June 18, 1953, Hospitalman Kilmer's mother, Lois Kilmer, was presented with her son's Medal of Honor by Secretary of the Navy Robert Bernard Anderson; he was buried in San Jose Burial Park, San Antonio, Texas, with full military honors; and

WHEREAS, Louis Joseph "Lou" Sebille was born on November 21, 1915, in Harbor Beach, Michigan; he attended Wayne State University in Detroit, Michigan; after his graduation, he moved to Chicago in the 1930s;
WHEREAS, Louis Sebille enlisted in the United States Army Air Corps several days after the December 7, 1941 attack on Pearl Harbor; and
WHEREAS, Louis Sebille flew 68 combat missions during World War II as a B-26 bomber pilot; in the fall of 1948, he became the commanding officer of the 67th Squadron of the 18th Fighter-Bomber Group; after the Korean War began, his squadron was one of the first to be sent to Japan; and
WHEREAS, On August 5, 1950, during a close air support mission, anti-aircraft fire damaged Louis Sebille's F-51; rather than abandon his aircraft, he continued his attack under heavy fire; after his aircraft was again damaged, he dove to his death onto the enemy gun battery; and
WHEREAS, Louis Sebille was formally awarded the Medal of Honor in a ceremony at March Air Force Base in Riverside County, California, in late August of 1951; General Hoyt Vandenberg, the United States Air Force Chief of Staff, presented the medal to Sebille's widowed wife and 19 month old son; Sebille was buried at Forest Home Cemetery in Forest Park with full military honors; and
WHEREAS, Louis Sebille was the first person in the Air Force to be awarded the medal since the branch's creation in 1947; only 4 Air Force personnel would win the medal for action during the Korean War, all of them posthumously; and
WHEREAS, William Frishe Dean, Sr. was born on August 1, 1899, in Carlyle; and
WHEREAS, William Dean graduated from the University of California at Berkeley in 1922; after being commissioned as a second lieutenant in the California National Guard in 1921, he was tendered a regular Army commission on October 18, 1923; he was subsequently promoted to brigadier general in 1942 and then to major general in 1943; he later served first as assistant division commander and later as division commander of the 44th Infantry Division; and
WHEREAS, In 1944, while serving in southern Germany and Austria, Major General Dean's troops captured 30,000 prisoners and helped force the surrender of the German 19th Army; he won the Distinguished Service Cross for bravery during that action; and
WHEREAS, In October of 1947, Major General Dean became the military governor of South Korea; in 1948, he took command of the 7th Infantry Division and moved it from Korea to Japan; and
WHEREAS, After serving as chief of staff of the U.S. 8th Army, Major General Dean took command of the 24th Infantry Division, then headquartered at Kokura on the southern Japanese island of Kyushu, in October of 1949; when the Korean War began in June of 1950, the 24th
Infantry Division was the first American ground combat unit to be committed; and

WHEREAS, Major General Dean arrived in Korea on July 3, 1950, and established his headquarters at Taejon; his orders were to fight a delaying action against the advancing North Korean People's Army; and

WHEREAS, Although he planned to withdraw from Taejon, Major General Dean was asked by General Walton H. Walker, the commander of the U.S. 8th Army, to hold that city until July 20, 1950, in order to buy time necessary for deploying other American units from Japan; his regiments had been decimated in earlier fighting, and Dean personally led tank killer teams armed with the newly arrived 3.5-inch rocket launchers to destroy the attacking North Korean T-34 tanks; he gained acclaim through exploits such as attacking and destroying an enemy tank armed with only a hand grenade and a handgun; and

WHEREAS, On July 20, 1950, as his division fell back from Taejon, Major General Dean became separated from his men, forcing him to travel alone in the woods around the countryside during the day and traveling at night for over a month; on August 25, 1950, after a hand to hand struggle with 15 North Koreans, he was captured; he remained a POW with the North Koreans until his release on September 4, 1953; and

WHEREAS, In 1951, Congress voted to bestow the Medal of Honor to Major General Dean for his actions during the defense of Taejon; on January 9, 1951, the medal was given to his wife, Mildred Dean, his son, William Dean Jr., and his daughter, Marjorie June Dean, by President Harry Truman; Major General Dean was still reported missing in action in Korea; and

WHEREAS, After the July 27, 1953 Armistice Agreement, Major General Dean remained in North Korea as a prisoner of war for several more months while the armistice was finalized; he was returned to UN forces at Panmunjom during Operation Big Switch on September 4, 1953; and

WHEREAS, Three months after his return from Korea, Major General Dean was assigned as the Deputy Commanding General of the United States 6th Army at the Presidio of San Francisco in California; he held this post for 2 years until his retirement from active duty on October 31, 1955; upon retirement, he was awarded the Combat Infantryman Badge for his front line service in World War II and Korea; and

WHEREAS, Major General Dean lived a quiet life in San Francisco after his retirement, and died on August 24, 1981, at the age of 82; he was buried in San Francisco National Cemetery in the Presidio of San Francisco, next to his wife; and
WHEREAS, Edward C. Krzyzowski was born on January 16, 1914, in Chicago; he served as a captain in the United States Army's Company B, 9th Infantry Regiment of the 2nd Infantry Division; and

WHEREAS, Captain Krzyzowski was awarded the Medal of Honor posthumously for his service near Tondul, Korea from August 31 to September 3, 1951; and

WHEREAS, Captain Krzyzowski distinguished himself by conspicuous gallantry and indomitable courage above and beyond the call of duty in action against the enemy as commanding officer of Company B; spearheading an assault against strongly defended Hill 700, his company came under vicious crossfire and grenade attack from enemy bunkers; creeping up the fire-swept hill, he personally eliminated one bunker with his grenades and wiped out a second with carbine fire; forced to retire to more tenable positions for the night, his company resumed the attack the following day, gaining several hundred yards and inflicting numerous casualties; once overwhelmed by the numerically superior hostile force, he ordered his men to evacuate the wounded and move back; providing protective fire for their safe withdrawal, he was wounded again by grenade fragments, but refused evacuation and continued to direct the defense; and

WHEREAS, Captain Krzyzowski was buried with full military honors at Resurrection Catholic Cemetery and Mausoleums in Justice; and

WHEREAS, Richard Gene Wilson was born on August 19, 1931, in Marion; after his junior year, he left high school to join the Army; he enlisted on August 19, 1948, his 17th birthday, and just before leaving for Korea, he married Yvonna Lea Fowler on August 29, 1950; and

WHEREAS, Richard Wilson served in Korea as a private first class with the 187th Airborne Infantry Regiment; on October 21, 1950, he was attached to Company I when the unit was ambushed while conducting a reconnaissance in force mission near Opa-ri; and

WHEREAS, PFC Wilson exposed himself to hostile fire in order to treat the many casualties; when the company began to withdraw, he helped evacuate the wounded; after the withdrawal was complete, he learned that a soldier left behind and believed dead had been spotted trying to crawl to safety; unarmed and against the advice of his comrades, he returned to the ambush site in an attempt to rescue the wounded man; and

WHEREAS, PFC Wilson's body was found 2 days later, lying next to that of the man he had tried to save; for these actions, he was posthumously awarded the Medal of Honor on August 2, 1951; and

WHEREAS, Several U.S. military buildings have been named in PFC Wilson's honor, including the Richard G. Wilson Memorial Gymnasium in the Kanoka Barracks near Osaka, Japan; the Richard G. Wilson U.S. Army
Reserve Center in Marion; the PFC Richard G. Wilson Training Barracks at Fort Sam Houston, Texas; the Richard G. Wilson Consolidated Troop Medical Clinic in Fort Leonard Wood, Missouri; and the Wilson Theater in Fort Campbell, Kentucky; among the memorials in his honor are "America's Medical Soldiers, Sailors, and Airmen in Peace and War" by Eloise Engle (1967) and a memorial to Wilson in Cape County Park (1988); other structures named for him include the Richard G. Wilson Elementary School in Fort Benning, Georgia, and a postal distribution center in Cape Girardeau, Missouri; and

WHEREAS, Illinois Route 136 is an east-west road in northwestern Illinois; therefore, be it


RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Illinois Korean War Medal of Honor Highway; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation, the families of William G. Windrich, James I. Poynter, Lester Hammond, John E. Kilmer, Louis J. Sebille, William F. Dean, Edward C. Krzyzowski, and Richard G. Wilson, and Hershall E. Lee, KW60 Ambassador of the United States Department of Defense.

Adopted by the House of Representatives on March 6, 2013.
Concurred in by the Senate on May 30, 2013.

PFC WYATT EISENHHAUER MEMORIAL HIGHWAY
(House Joint Resolution No. 44)

WHEREAS, United States Army PFC Wyatt Dale Eisenhauer gave his life in Said of Abdullah (Southern Baghdad), Iraq, in the service of his country on May 19, 2005, while serving with Headquarters and Headquarters Company 2nd Battalion, 70th Armor, 3rd Brigade Combat Team of the 1st Armored Division; and

WHEREAS, PFC Wyatt Eisenhauer joined the U.S. Army in 2004, following in the footsteps of his father, Fred Eisenhauer, and his grandfather,
Fred "Fritz" Eisenhauer; he completed his basic training at Fort Knox, Kentucky and was stationed at Fort Riley, Kansas, when his unit deployed to Iraq; and

WHEREAS, PFC Wyatt Eisenhauer was born in Pinckneyville on June 14, 1978; he was the son of Fred and Gay Eisenhauer and the brother of Rebecca, Hannah, and Leah; and

WHEREAS, PFC Wyatt Eisenhauer was survived by his parents, Fred and Gay Eisenhauer; his sister, Rebecca Anderson and her husband, Willie Anderson; his nieces, Alexis and Caitlyn Anderson; his nephew and namesake, Jacob William Dale Anderson; his sisters, Hannah and Leah Eisenhauer; his grandmother, Catherine Eisenhauer; his great-grandmothers, Ruth Huffstutler and Mildred Farthing; his aunts and uncles, Larry and Sherry Goldman, Todd and Susan Farthing, Tim and Carla Hankla, Darrell and Sharon Eisenhauer, Ross and Linda Eisenhauer, and Bill and Mary Lou Ozburn; and his many cousins and friends; and

WHEREAS, This fallen soldier deserves to be remembered by the State of Illinois for his service to this country; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Illinois Route 127 from the intersection of Illinois Route 127 and Illinois Route 152 to the north Pinckneyville city limits on Illinois Route 127 as the PFC Wyatt Eisenhauer Memorial Highway; and be it further

RESOLVED, The Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the "PFC Wyatt Eisenhauer Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation and the family of PFC Wyatt Dale Eisenhauer.

Adopted by the House of Representatives on November 6, 2013.
Concurred in by the Senate on November 7, 2013.

PHYSICAL FITNESS IN SCHOOLS
(House Joint Resolution No. 5)

WHEREAS, Childhood obesity has more than tripled in the past 30 years; and

WHEREAS, The percentage of children aged 6-11 in the United States who were obese increased from 7% in 1980, to 20% in 2008, and the
percentage of adolescents aged 12-19 years who were obese increased from 5% to 18% over the same period; and

WHEREAS, In 2008, over 1/3 of children and adolescents were overweight or obese; and

WHEREAS, After the family, school is the primary institution responsible for the development of young people in the United States; and

WHEREAS, Schools have direct contact with more than 95% of our nation's young people aged 5-17 years, for about 6 hours a day, and for up to 13 critical years of their social, psychological, physical, and intellectual development; and

WHEREAS, The health of young people is strongly linked to their academic success, helping students stay healthy is a fundamental mission of schools; and

WHEREAS, The fifth grade students at Columbus Elementary School in Edwardsville are building awareness and importance of physical fitness; and

WHEREAS, The State of Illinois currently has a blue ribbon panel that is reviewing ways to enhance physical fitness programs in our Illinois schools; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we further encourage educators and school administrators to suggest some topics, but not limited to the following for discussion during fitness awareness week: nutrition and dietary behavior, physical activity protocols, tobacco-use prevention, alcohol or drug use prevention, review of cardio protocols, review of eating disorders, and a review of physical activity facts, and be it further

RESOLVED, That we urge educators and school administrators to promote that one week of each school year be used to emphasize the importance of physical fitness in schools in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Columbus Elementary School in Edwardsville.

Adopted by the House of Representatives on May 7, 2013.
Concurred in by the Senate on May 30, 2013.

RAY LAHOOD HIGHWAY
(House Joint Resolution No. 35)

WHEREAS, Ray LaHood was appointed United States Secretary of Transportation in January of 2009; and
WHEREAS, Prior to becoming the United States Secretary of Transportation, Ray LaHood served Illinois' 18th Congressional District for 7 terms spanning the years 1995 to 2009, where he served on the House Transportation and Infrastructure Committee and the House Appropriations Committee; and

WHEREAS, Secretary LaHood is a lifelong Peoria resident; he earned a degree in education and sociology at Bradley University and taught in public and Catholic Schools; and

WHEREAS, Secretary LaHood has dedicated his career to improving Peoria and central Illinois; he served as the chief planner for the Rock Island-based Bi-Metropolitan Commission, as an aid to Congressman Tom Railsback and Congressman Robert Michel, and as a member in the Illinois House of Representative from 1982 to 1983; and

WHEREAS, During his time serving in congress, Secretary LaHood was a leader in efforts to enhance central Illinois' infrastructure and promote economic development and helped make possible the funding for the construction of Interstate 74 between the Murray Baker Bridge and the Sterling Avenue Exit; and

WHEREAS, The City of Peoria made the decision to name this section of highway after Secretary LaHood; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That we designate the section of Interstate 74 between the Murray Baker Bridge and the Sterling Avenue Exit in Peoria as the Ray LaHood Highway in honor of the Secretary's service to the State of Illinois and his essential role in securing funding for the highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to Illinois Secretary of Transportation Ann L. Schneider and U.S. Secretary of Transportation Ray LaHood.

Adopted by the House of Representatives on November 6, 2013.
Concurred in by the Senate on November 7, 2013.

ROCK RIVER TRAIL SCENIC AND HISTORIC ROUTE
(House Joint Resolution No. 8)

WHEREAS, The Rock River, known for its beauty and ecological importance, flows south through Rockford, then southwest across
northwestern Illinois, passing Oregon, Dixon, Sterling, and Rock Falls before joining the Mississippi River at Rock Island; and

WHEREAS, The Rock River provides opportunities for conservation and recreation for many residents of this State; and

WHEREAS, The Rock River has had an important role in Illinois history, and it attracts many tourists each year to such spots as the area in Dixon where former President Ronald Reagan once served as a lifeguard and his favorite fishing spot, now called "Dutch Landing", located just southwest of Lowell Park; and

WHEREAS, Designating the roads along the Illinois portion of the Rock River Trail as a Scenic and Historic Route will encourage residents and visitors alike to explore, appreciate, and enjoy the many wonders of the Rock River; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Rock River Trail Scenic and Historic Route is designated as follows:

(1) from the Illinois-Wisconsin State Line at Shirland Avenue, along South Bluff Road in Rockton Township to Rockton Road on County Highway 9;
(2) along Rockton Road from South Bluff Road to Race Street in Rockton;
(3) along Race Street from Rockton Road to West Main Street in Rockton;
(4) along West Main Street from Race Street to South Blackhawk Boulevard;
(5) along South Blackhawk Boulevard from West Main Street to Russell Street;
(6) along Russell Street from South Blackhawk Boulevard to Old River Road;
(7) along Old River Road from Russell Street to Latham Road;
(8) along Latham Road from Old River Road to Illinois Route 2;
(9) along Illinois Route 2 from Latham Road to Riverside Boulevard in Rockford;
(10) along Riverside Boulevard from Illinois Route 2 to East Drive in Loves Park;
(11) along East Drive from Riverside Boulevard to Evelyn Avenue;
(12) along Evelyn Avenue from East Drive to Pearl Avenue;
(13) along Pearl Avenue from Evelyn Avenue to Illinois Route 251;
(14) along Illinois Route 251 from Pearl Avenue to Whitman Street;
(15) along Whitman Street from Illinois Route 251 to North Main Street;
(16) along North Main Street from Illinois Route 251 to Green Street;
(17) along Green Street from North Main Street to Illinois Route 2 through the remainder of Winnebago County and through Ogle County and Lee County and Whiteside County to Illinois Route 40 in Sterling;
(18) along Illinois Route 40 from Illinois Route 2 to US Route 30 in Rock Falls;
(19) along US Route 30 from Illinois Route 40 to Moline Road;
(20) along Moline Road from US Route 30 to Illinois Route 78 in Lyndon;
(21) along Illinois Route 78 from Moline Road to West 3rd Street in Prophetstown;
(22) along West 3rd Street from Illinois Route 78 to Grove Street;
(23) along Grove Street from West 3rd Street to Springhill Road (County Road 3);
(24) along Springhill Road from Grove Street to Banks Road (County Road 13);
(25) along Banks Road from Springhill Road to Erie Road;
(26) along Erie Road from Banks Road to Moline Road in Erie;
(27) along Moline Road from Erie Road to Main Street in Hillsdale;
(28) along Main Street from Moline Road to County Road V;
(29) along County Road V from Main Street to County Road W;
(30) along County Road W from County Road V to Illinois Route 92;
(31) along Illinois Route 92 from County Road W to Illinois Route 82;
(32) along Illinois Route 82 from Illinois Route 92 to Wolf Road (County Road 2);
(33) along Wolf Road from Illinois Route 82 to Cleveland Road;
(34) along Cleveland Road from Wolf Road to Illinois Route 84 in Colona and the Rock Island County Loop;
(35) along Illinois Route 84 from Cleveland Road to US Route 6;
(36) along US Route 6 from Illinois Route 84 to 27th Street in Moline;
(37) along 27th Street from US Route 6 to Airport Road;
(38) along Airport Road from 27th Street to US Route 67 in Milan;
(39) along US Route 67 from Airport Road to 9th Street in Rock Island;
(40) along 9th Street from US Route 67 to 31st Avenue;
(41) along 31st Avenue from 9th Street to trailhead at Sunset Park and Marina and return on the Rock Island County Loop;
(42) along 31st Avenue from Sunset Park and Marina to 9th Street;
(43) along 9th Street from 31st Avenue to Blackhawk Road (Illinois Route 5);
(44) along Blackhawk Road from 9th Street to John Deere Road in Moline (Illinois Route 5);
(45) along John Deere Road from Blackhawk Road to Colona Road in Carbon Cliff;
(46) along Colona Road from John Deere Road to Illinois Route 84; and
(47) along Illinois Route 84 from Colona Road to Cleveland Road in Colona and the point of beginning of the Rock Island County Loop; and be it further

RESOLVED, That the Illinois Department of Transportation and units of local government that maintain any portions of the Rock River Trail Scenic and Historic Route are requested to erect at suitable locations on their respective portions of the route, consistent with State and federal regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That units of local government that maintain any portion of the Rock River Trail Scenic and Historic Route are urged to enhance suitable areas along the route; and be it further

RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Office of Tourism are requested to post the Rock River Trail Scenic and Historic Route's location on their Agency websites, and the Illinois Office of Tourism is requested to produce and distribute brochures and other related matter that will make the route known to the public; and be it further

RESOLVED, That copies of this resolution be delivered to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, the Illinois Office of Tourism, and to each of the local governments having jurisdiction over any portion of the route.

Adopted by the House of Representatives on April 30, 2013.
Concurred in by the Senate on May 23, 2013.

**TASK FORCE ON CHARTER SCHOOL FUNDING**
*House Joint Resolution No 36*

WHEREAS, The Budgeting for Results Commission has stated goals of increasing postsecondary graduation among Illinoisans to 60% by 2025 and minimizing achievement gaps between different types of students; and
WHEREAS, In its legislative declaration, the Charter Schools Law states that the purpose for charter schools in this State is to improve pupil learning; increase learning opportunities for all children, with special emphasis on expanding options for at-risk pupils; encourage innovation, parental engagement, community involvement, and expanded public school options; create new professional opportunities for teachers; and hold charter schools accountable; and

WHEREAS, Charter schools serve 13% of Chicago's student population and a growing number of students in downstate and suburban communities; 91% of the students enrolled in charter schools across this State come from low-income families and 95% are minorities, making charter schools a key component to help close the achievement gaps that persist; and

WHEREAS, The 2 fundamental pillars of charter schools are autonomy and accountability, each of which must be enforced through high-quality authorizing; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that a Task Force on Charter School Funding be created to examine charter school funding issues, including the following:

(1) to compile a comparative analysis of charter school funding practices across the United States;
(2) to examine the current funding provisions in the Charter Schools Law for the purpose of ensuring funding equity, specifically the provision allowing school districts to provide charter schools funding in the range of 75% to 125% of the district's per capita tuition charge; and
(3) to review the effects of State-authorized charter schools on the students served by the charter, the students in the home school district, and the home school district's budget; and be it further RESOLVED, That the Task Force shall consist of the following members, who shall serve without compensation:

(1) one member appointed by the President of the Senate;
(2) one member appointed by the Minority Leader of the Senate;
(3) one member appointed by the Speaker of the House of Representatives;
(4) one member appointed by the Minority Leader of the House of Representatives;
(5) the State Superintendent of Education or his or her designee;
(6) the chairperson of the State Charter School Commission or his or her designee;
(7) the chief executive officer of a school district in a city having a population exceeding 500,000 or his or her designee;
(8) one member appointed by the Governor, upon recommendation of an organization representing teachers in a school district in a city having a population exceeding 500,000;
(9) one member appointed by the Governor, upon recommendation of the largest statewide organization representing teachers;
(10) one member appointed by the Governor, upon recommendation of the second-largest statewide organization representing teachers;
(11) one member appointed by the Governor, upon recommendation of a statewide organization representing charter schools in this State;
(12) one member appointed by the Governor who is familiar with virtual charter schools, upon recommendation of an organization representing downstate and suburban school boards;
(13) a principal of a currently operating, high-performing, charter school in this State, appointed by the State Superintendent of Education;
(14) one member appointed by the Governor, upon recommendation of a statewide education-policy organization that supports education-policy priorities designed to provide a world-class education to all Illinois youth;
(15) one member appointed by the Governor, upon recommendation of the largest charter school in this State;
(16) one member appointed by the Governor who is a representative of a community organization that operates charter schools, upon recommendation of that community organization;
(17) one member appointed by the Governor, upon recommendation of an organization representing the business community in this State;
(18) one member appointed by the Governor, upon recommendation of an education advocacy group that organizes parents and supports high-quality, public school options, including high-quality, public charter schools;
(19) one member appointed by the Governor representing a currently operating, Commission-approved charter school in this State, upon recommendation of the leadership of a Commission-approved charter school;
(20) one member appointed by the Governor, upon recommendation of a statewide 501(c)3 organization that supports school choice, with a focus on innovation in education and next-generation learning models;
(21) one member appointed by the Governor, upon recommendation of a school district outside the City of Chicago that has a State-approved charter school;
(22) one member appointed by the Governor, upon recommendation of a school district outside the City of Chicago that has a locally approved charter school;
(23) one member appointed by the Governor, upon recommendation of a union representing teachers in charter schools; and
(24) one member appointed by the Governor who is a nationally recognized expert on charter schools and charter school funding issues; and be it further
RESOLVED, That the members of the Task Force shall elect a chairperson from among their membership and that the State Charter School Commission shall provide administrative support; and be it further
RESOLVED, That the members of the Task Force shall be appointed within 30 days after the adoption of this resolution and shall begin meeting no later than 30 days after the appointments are finalized; in the event that the appointments by the Governor are not made within 30 days after the adoption of this resolution, the State Superintendent of Education shall make such appointments within 15 days after the appointment deadline; and be it further
RESOLVED, That the Task Force shall issue a report making recommendations on any changes to State laws with regard to charter school funding on or before January 15, 2014 and that the task force shall be dissolved upon issuance of this report; and be it further
RESOLVED, That suitable copies of this resolution be delivered to the Governor, the State Superintendent of Education, the State Charter School Commission, and the Chief Executive Officer of City of Chicago School District 299.

Adopted by the House of Representatives on May 24, 2013.
Concurred in by the Senate on May 31, 2013.

TREVOR PINNICK MEMORIAL HIGHWAY
(House Joint Resolution No. 37)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our country and, in doing so, have gone above and beyond the call of duty to make the ultimate sacrifice for our nation; and
WHEREAS, SPC Trevor Pinnick dedicated his life to defending America's freedom and made the ultimate sacrifice in service to his nation on June 12, 2012, in a medical treatment facility at Kandahar Province,
WHEREAS, SPC Trevor Pinnick was born on January 6, 1992, in Chesapeake, Virginia, graduating from Lawrenceville High School in May of 2010, and joining the Army right out of high school, serving with the 18th Engineer Company, 1st Battalion, 37th Field Artillery Regiment, 3rd Stryker Brigade Combat Team of the 2nd Infantry Division, out of Joint Base Lewis-McChord, Washington; and

WHEREAS, SPC Trevor Pinnick received the Army Achievement Medal on September 6, 2011, for his work in August 2011 with the 18th Engineer Company, 2nd Battalion, 3rd Infantry Regiment and was promoted to Specialist in the first week of June 2011, and was scheduled to be home on leave a month before giving his life; he was posthumously awarded the Purple Heart; and

WHEREAS, SPC Trevor Pinnick leaves behind his wife, Martha Pinnick; his daughter, Melody Renee Pinnick; his mother, Nancy Pinnick; his father, Thomas Pinnick; his older brother, Thomas Pinnick Jr.; and his twin sisters, Kayla Lynn Pinnick and Bethany Rose Pinnick; and

WHEREAS, United States and Illinois flags throughout the State flew at half-staff as a symbol of mourning and to honor the sacrifice of SPC Trevor Pinnick; and

WHEREAS, SPC Trevor Pinnick's funeral was held at the Lawrenceville High School Auditorium and he was laid to rest in Memorial Park Cemetery in Vincennes, Indiana, with full military honors; and

WHEREAS, This fallen soldier deserves to be remembered by the State of Illinois for his service to this country; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of U.S. Route 50 Business through Lawrenceville, Illinois, as the "Trevor Pinnick Memorial Highway" in honor of the memory and sacrifice of SPC Trevor Pinnick; and be it further

RESOLVED, The Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the "Trevor Pinnick Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation, and the family of SPC Trevor Pinnick.

Adopted by the House of Representatives on May 29, 2013.
Concurred in by the Senate on May 30, 2013.
JOINT RESOLUTIONS

TASK FORCE ON HUNGER AND THE EFFICIENT DISTRIBUTION OF SNAP BENEFITS
(House Joint Resolution No. 43)

WHEREAS, Over 2 million Illinois residents receive Supplemental Nutrition Assistance Program (SNAP) benefits; this number includes older adults, young children, people with disabilities, and working families; and

WHEREAS, Over 60,000 food-insecure Illinois residents enroll or re-enroll in the SNAP program every month; and

WHEREAS, The SNAP program is an important component of Illinois' economy that generates over $3 billion in annual spending; and

WHEREAS, Prior to October of 2010, the overwhelming majority of Supplemental Nutrition Assistance Program (SNAP) benefits were distributed on the 1st of the month in Illinois; and

WHEREAS, Due to the SNAP distribution schedule, customers were relegated to shopping in crowded stores with elevated security, stores were unable to offer a high level of customer service due to the size of the crowds, customers who shopped later in the month found empty store shelves and diminished access to fresh fruits and vegetables, and employees saw their hours cut; and

WHEREAS, The narrow SNAP distribution schedule caused enormous operational issues for Illinois grocers and retailers, especially for those businesses that operated in areas with a high density of customers that purchased food with SNAP funds; and

WHEREAS, The SNAP distribution schedule also created operational issues for food banks, which experienced an increase in families in need at the end of the month when SNAP benefits ran out; and

WHEREAS, In October of 2010, after many meetings with representatives of the grocery industry and non-profit groups that have an interest in food access for low-income residents, the Illinois Department of Human Services instituted a change in how SNAP benefits were distributed to Illinois residents; and

WHEREAS, In order to relieve the pressure off of businesses and customers at the 1st of the month, a large number of SNAP customers were shifted from the 1st of the month to the 4th, 7th, and 10th of the month over the period of one year with great success; and

WHEREAS, The Department of Human Services currently issues SNAP benefits on the 1st, 3rd, 4th, 7th, 8th, 10th, 11th, 14th, 17th, 19th, 21st, and 23rd days of the month; and

WHEREAS, The Department of Human Services has decided to shrink the SNAP distribution dates to the first 10 days of the month; and
WHEREAS, The United States Department of Agriculture (USDA), which controls the funding for the SNAP program, sent a letter to each state encouraging states to stagger SNAP distribution throughout the month; and

WHEREAS, This change goes in the opposite direction of the advocacy position taken by the USDA and the movement of other states in recent years, changing their systems to stagger SNAP benefits throughout the month; and

WHEREAS, Neither grocers nor poverty and food advocates believe that technology should dictate policy and that more efficient solutions should be achieved to avoid hunger; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Task Force on Hunger and the Efficient Distribution of SNAP Benefits is created; and be it further

RESOLVED, That the Task Force shall consist of the following 10 members, appointed as follows:

(1) four legislators, appointed one each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives;
(2) the Secretary of the Illinois Department of Human Services or his or her designee;
(3) one person appointed by the Governor to represent a state-wide association exclusively representing retailers;
(4) one person appointed by the Governor to represent a state-wide association exclusively representing grocers;
(5) one person appointed by the Governor to represent a non-profit organization focusing on advancing justice and opportunity for low-income Illinois residents;
(6) one person appointed by the Governor to represent a non-profit organization focusing on ending poverty; and
(7) one person appointed by the Governor to represent a food bank that serves a county with over 2 million residents; and be it further

RESOLVED, That the co-chairs of the Task Force shall invite representatives of the USDA and software contractors to participate in the Task Force; and be it further

RESOLVED, That the designee of the Speaker of the House of Representatives and the designee of the Senate President shall serve as co-chairs of the Task Force; and be it further
RESOLVED, That the members of the Task Force shall be appointed no later than 30 days after the effective date of this resolution; the members of the Task Force shall not receive compensation; and be it further
RESOLVED, That the Department of Human Services shall provide administrative support to the Task Force; and be it further
RESOLVED, That the Task Force shall prepare a report that details how SNAP benefits can be distributed more evenly throughout the month without increasing hunger in the State of Illinois and shall submit this report to the Governor and the General Assembly by October 1, 2013; and be it further
RESOLVED, That the Task Force, upon issuing the report, is dissolved effective October 1, 2013.

Adopted by the House of Representatives on May 31, 2013.
Concurred in by the Senate on May 31, 2013.

TASK FORCE ON LANGUAGE ACCESS TO GOVERNMENT SERVICES
(House Joint Resolution No. 40)

WHEREAS, Language barriers continue to exist for many Illinois residents who are limited English proficient, known as "LEP"; these barriers limit their ability to fully participate in civic life and maximize their economic productivity; and
WHEREAS, Such language barriers for LEP residents create very real challenges when trying to access information about available government services or an individual's legal rights or obligations under State and local laws; and
WHEREAS, Title VI of the Civil Rights Act requires program recipients of federal funds, such as certain State agencies, to take reasonable steps to ensure that LEP persons have meaningful access to their programs and activities; and
WHEREAS, Nearly 10% of Illinois' population is LEP, giving Illinois the 5th largest LEP population in the United States at over 1.1 million residents; and
WHEREAS, Illinois' immigrant communities have rapidly grown and now one in every five Illinois residents is an immigrant; and
WHEREAS, Illinois is proud of being one of the most immigrant-friendly states in the nation; and
WHEREAS, The public safety, health, economic prosperity, and general welfare of all Illinois residents is furthered by increasing language access to State programs and services; and
WHEREAS, The Governor's Office of New Americans Interagency Task Force, which met from 2006 to 2008, recommended that Illinois commit to providing meaningful access to State services for the LEP population to encourage and accelerate immigrant and refugee integration; and
WHEREAS, Despite admirable efforts by certain State agencies, much work remains to provide meaningful access; and
WHEREAS, Other immigrant-friendly states and cities have attempted to address this issue by implementing language access laws or ordinances that require a base-line level of language access to government services and information for LEP individuals; and
WHEREAS, The Illinois General Assembly is committed to exploring legislative solutions to improve language access for LEP residents by researching lessons learned and best practices from these other parts of the country; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Task Force on Language Access to Government Services is created to:
(1) review existing language access laws or ordinances in other parts of the country, including existing reports or academic publications on such laws or ordinances;
(2) evaluate their effectiveness in eliminating language barriers for LEP communities;
(3) consider any other available and relevant information on language access issues in Illinois, including Census data, community feedback, or surveys;
(4) identify and recommend specific best-practices and provisions for a State language access law; and
(5) produce a final report summarizing the task force's findings and detailing its specific recommendations for a State language access law and highlight any areas of major disagreement within the task force; and be it further
RESOLVED, That the Task Force shall consist of the following members, who shall serve without compensation:
(1) one member of the Senate appointed by the President of the Senate;
(2) one member of the Senate appointed by the Minority Leader of the Senate;
(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;
(4) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives;
(5) one member appointed by the Governor as a representative of his office;
(6) one member appointed by the Attorney General as a representative of her office;
(7) one member appointed by the Secretary of State as a representative of his office;
(8) one member appointed by the Secretary of the Illinois Department of Human Services as a representative of her office;
(9) five members appointed by the Governor, upon recommendation of a non-profit organization that promotes civic engagement and advocates on behalf of immigrant communities through a coalition of member organizations that serve Latino, Asian, African, Arab, and European immigrants; and
(10) five members appointed by the Governor, upon recommendation of a non-profit organization that promotes civic engagement among Asian American communities and advocates on behalf of Asian American communities through its Pan-Asian coalition; and be it further
RESOLVED, That the members of the Task Force shall be appointed within 30 days after the adoption of this resolution and shall begin meeting no later than 30 days after the appointments are finalized; in the event that any appointment by the Governor upon the recommendation of a non-profit organization that promotes civic engagement and advocates on behalf of immigrant communities through a coalition of member organizations that serve Latino, Asian, African, Arab and European immigrants or any appointment by the Governor upon the recommendation of a non-profit organization that promotes civic engagement among Asian American communities and advocates on behalf of Asian American communities through its Pan-Asian coalition is not made within 30 days after the adoption of this resolution, the Secretary of Human Services shall make such appointments within 15 days after the appointment deadline; and be it further
RESOLVED, That the members of the Task Force shall elect a chairperson from among their membership and that the Department of Human Services shall provide administrative support; and be it further
RESOLVED, That the Task Force shall hold its first meeting by September 1, 2013; and be it further
RESOLVED, That the Task Force shall submit its final report to the Illinois General Assembly, the Governor, and the Attorney General no later than July 1, 2014.
Adopted by the House of Representatives on May 31, 2013.
Concurred in by the Senate on May 31, 2013.

TEACHER RECRUITING AND RETENTION TASK FORCE
(House Joint Resolution No. 27)

WHEREAS, In 2010 the State of Illinois enacted a new set of pension benefits for public employees in State-funded pension systems; and
WHEREAS, Public employees hired on or after January 1, 2011 are commonly referred to as "Tier 2" members; and
WHEREAS, These Tier 2 members include public school teachers in K-12 classrooms throughout the State of Illinois; and
WHEREAS, Public school teachers do not receive Social Security, and many pension experts believe that Tier 2 benefits do not provide a pension that is at least equal to that federal program; and
WHEREAS, It is essential that Illinois provide a benefit and pay package that will attract the most talented and ambitious teachers in the country to our schools; and
WHEREAS, These benefits have been in effect for newly hired public school teachers for over two years with no study of how this has impacted recruitment and retention of teachers in Illinois; and
WHEREAS, It is appropriate for the General Assembly to study the impact of these benefits on the State's ability to provide the best teachers to our children; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREBIN, that the Teacher Recruiting and Retention Task Force be created to study the impact of these Tier 2 pension benefits on the ability of school districts to recruit and retain teachers in public school classrooms; and be it further

RESOLVED, That the Task Force shall consist of 2 members of the House of Representatives appointed by the Speaker of the House, one of whom shall serve as co-chair, 2 members of the House of Representatives appointed by the Minority Leader of the House, 2 members of the Senate appointed by the President of the Senate, one of whom shall serve as co-chair, 2 members of the Senate appointed by the Minority Leader of the Senate, and 2 members appointed by the Governor; and be it further

RESOLVED, That 2 members from a statewide school alliance and 2 members from separate unions representing public school teachers statewide shall be appointed by the co-chairs to the Task Force; and be it further
RESOLVED, That the State Board of Education shall provide all necessary support to the Task Force; and be it further
RESOLVED, That the Task Force shall report its findings to the Governor and the General Assembly on or before January 1, 2014.

Adopted by the House of Representatives on May 1, 2013.
Concurred in by the Senate on May 30, 2013.

TROOPER KYLE DEATHERAGE MEMORIAL REST STOP
(House Joint Resolution No. 12)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State of Illinois; and
WHEREAS, Trooper Kyle W. Deatherage of Highland, gave his life in the line of duty on November 26, 2012; and
WHEREAS, Trooper Kyle Deatherage was born on April 11, 1980, in Maryville; the son of Barry W. Sr. and April Kay (nee Karpowicz) Deatherage; he married his loving wife, Sarah, on September 16, 2006; and
WHEREAS, Trooper Kyle Deatherage as a youth lived in Collinsville before moving with his family to St. Jacob in 1990 and graduated from Triad High School in 1998; he subsequently earned his associate's degree in criminal justice at Lewis and Clark College; and
WHEREAS, Trooper Kyle Deatherage began his career in law enforcement with the Staunton Police Department; he later worked for the Madison County Sheriff's Office from July 7, 2004 until May 28, 2009; on May 31, 2009, he became an Illinois State Trooper with District 18 and began serving as a motor officer; and
WHEREAS, Trooper Kyle Deatherage enjoyed fishing, hunting turkey, deer, and birds and spending time with his close friends and his fellow officers; he was known for always being willing to help; above all, he loved his children and his wife, Sarah; and
WHEREAS, Trooper Kyle Deatherage was preceded in death by his paternal grandfather, Ralph M. Deatherage; and his maternal grandparents, Casmir and Rose Anna Karpowicz; and
WHEREAS, Trooper Kyle Deatherage is survived by his wife, Sarah A. (nee Gregory) Deatherage; his daughter, Kaylee Ann Deatherage; his son, Camden Kyle Deatherage; his father, Barry W. Deatherage Sr.; his mother, April Kay (nee Karpowicz) Deatherage; his brothers, Barry W. Deatherage Jr. and Kenneth M. (Ashleigh) Deatherage; his sister, Anna B. Deatherage; his paternal grandmother, Brooksie M. (nee South) Deatherage; and his
father-in-law and mother-in-law, Gean B. and Eleanor L. (nee Christin) Gregory; and

WHEREAS, Governor Pat Quinn honored Trooper Kyle Deatherage by ordering the United States and Illinois flags flown at half-staff from sunrise, Thursday, November 29, 2012, until sunset, Saturday, December 1, 2012; and

WHEREAS, Police officers from Illinois, Missouri, the Texas Highway Patrol, the Louisiana State Police, the Ohio State Patrol, and Patriot Guard riders joined a procession of motorcycles and squad cars to Marine City Cemetery where Trooper Kyle Deatherage was laid to rest with honors; and

WHEREAS, Trooper Kyle Deatherage's courage will be remembered fondly by his loving family, his fellow officers, and all who knew him, and it is therefore fitting that we not forget Trooper Kyle Deatherage's sacrifice; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the northbound and southbound Coalfield rest stops located at mile post 64 on Interstate 55 in the State of Illinois as the "Trooper Kyle Deatherage Memorial Rest Stop"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Trooper Kyle Deatherage, Governor Pat Quinn, the director of the Illinois State Police, and the secretary of the Illinois Department of Transportation.

Adopted by the House of Representatives on March 14, 2013.
Concurred in by the Senate on May 2, 2013.

TRUANCY IN CHICAGO PUBLIC SCHOOLS TASK FORCE
(House Joint Resolution No. 1)

WHEREAS, Nearly 32,000 kindergarten through 8th grade students in City of Chicago School District 299 missed 4 weeks or more of class in the 2010-2011 school year; and

WHEREAS, Absenteeism in the elementary grades is particularly severe in African-American communities on the south and west sides of
Chicago, which are marked by gang violence, unemployment, and poverty; and

WHEREAS, More than 20% of black elementary school students missed at least 4 weeks of school in the 2010-2011 school year, compared to 7% of whites and 8% of Hispanics; and

WHEREAS, Forty-two percent of kindergarten through 8th grade students with a disability or impairment missed 4 weeks of classes in the same school year, compared to 12% of students without a disability; and

WHEREAS, Nineteen percent of kindergarteners were officially listed as chronic truants because they accumulated 9 or more days of unexcused absences; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Truancy in Chicago Public Schools Task Force, consisting of all of the following members:

1. The Governor or his or her designee;
2. 1 member of the General Assembly, appointed by the President of the Senate;
3. 1 member of the General Assembly, appointed by the Minority Leader of the Senate;
4. 1 member of the General Assembly, appointed by the Speaker of the House of Representatives;
5. 1 member of the General Assembly, appointed by the Minority Leader of the House of Representatives;
6. 1 representative from the Department of Children and Family Services, appointed by the Director of Children and Family Services;
7. 1 representative from the State Board of Education, appointed by the Chairperson of the State Board of Education;
8. 1 representative from the Board of Higher Education, appointed by the Chairperson of the Board of Higher Education;
9. 1 representative from the Department of Human Services, appointed by the Secretary of Human Services;
10. 1 representative from the Department of Corrections, appointed by the Director of Corrections;
11. 1 representative from the Department of Juvenile Justice, appointed by the Director of Juvenile Justice;
12. 1 representative from the Chicago Police Department, appointed by the Superintendent of Police;
13. the Mayor of the City of Chicago or his or her designee;
(14) the Chief Executive Officer of City of Chicago School District 299 or his or her designee;
(15) 1 representative from an authority on housing in the City of Chicago, appointed by the head of that authority;
(16) 1 representative from a professional teachers' organization representing teachers in City of Chicago School District 299, appointed by the head of that organization;
(17) 1 representative from an organization that provides the tools for each individual to overcome the root causes of homelessness through a holistic, scalable model, appointed by the head of that organization;
(18) 1 representative from a private, not-for-profit organization whose mission is to stimulate and encourage the growth of the area's economy and its ability to provide for its people, appointed by the head of that organization;
(19) 1 representative from the Office of the Secretary of State, appointed by the Secretary of State;
(20) 1 representative from an organization in the City of Chicago dealing with children's disabilities, impairments, and social emotional issues, appointed by the head of that organization;
(21) 1 representative from a coalition for the homeless in the City of Chicago, appointed by the head of that organization;
(22) 1 representative from the Office of the Cook County Sheriff, appointed by the Cook County Sheriff;
(23) 4 chiefs of City of Chicago School District 299 from different areas of the city, appointed by the Chief Executive Office of City of Chicago School District 299;
(24) 4 public members, including a representative of a community-based organization serving school-age children, appointed by the Governor, and 3 public members representing the interests of child welfare advocates, education personnel, community-based organizations, faith-based institutions, criminal justice advocates, parents and guardians, and students (regardless of their ability, disability, advanced ability, or twice exceptionality), appointed by the Governor;
(25) 1 member from an organization representing charter schools, appointed by the head of that organization; and
(26) 1 representative of each public university in this State, appointed by the president of each of those universities; and be it further
RESOLVED, That the task force shall meet initially at the call of the Speaker of the House of Representatives and the President of the Senate and
that members of the task force shall select a chairperson at the initial meeting and shall thereafter meet at the call of the chairperson; and be it further

RESOLVED, That the State Board of Education shall provide staff and administrative support to the Task Force; and be it further

RESOLVED, That the members of the Task Force shall be reimbursed for their travel expenses from appropriations to the State Board of Education available for that purpose and subject to the rules of the appropriate travel control board; and be it further

RESOLVED, That the Task Force shall examine issues and make recommendations related to current State Board of Education and City of Chicago School District 299 policies regarding truancy and excessive absences; and be it further

RESOLVED, That the Task Force shall identify different strategies and approaches to help educators and the City of Chicago School District 299 administration address the truancy and excessive absences epidemic in the City of Chicago, promote ongoing professional development to equip school personnel with the skills and knowledge necessary to reduce contributing factors to truancy and excessive absences, and support community-based organizations and parents in their ongoing efforts to encourage youths to adopt and practice positive social behaviors that will allow them to be successful in school and in their communities; and be it further

RESOLVED, That the Task Force shall hold public hearings in the City of Chicago and shall report its findings to the General Assembly on or before December 31, 2013; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the Director of Children and Family Services, the Chairperson of the State Board of Education, the Chairperson of the Board of Higher Education, the Secretary of Human Services, the Director of Corrections, the Director of Juvenile Justice, the Superintendent of the Chicago Police Department, the Mayor of the City of Chicago, the Chief Executive Officer of City of Chicago School District 299, the Secretary of State, the Cook County Sheriff, and the president of each public university in this State.

Adopted by the House of Representatives on February 27, 2013.
Concurred in by the Senate on May 28, 2013.

US CONGRESSMAN JERRY F. COSTELLO EXPRESSWAY
(House Joint Resolution No. 4)

WHEREAS, It is necessary to recognize those who are dedicated to the betterment of the State of Illinois and to the betterment of their communities; and
WHEREAS, The best means of fostering this commitment is by recognizing the contributions of citizens who have come to serve this State; and

WHEREAS, Jerry F. Costello was born on September 25, 1949, in East St. Louis; he served in the United States House of Representatives from August 9, 1988 to January 2, 2013; and

WHEREAS, During his tenure as a congressman and Chairman of the St. Clair County Board, Jerry Costello made it a priority to boost the local economy by building a new transportation and infrastructure network for the region; and

WHEREAS, Jerry Costello served as the senior Democrat on the Transportation and Infrastructure Committee and played an instrumental role in securing substantial federal funding for many infrastructure projects; chief among these projects was a new Mississippi River bridge and the connecting roadways adjacent to it; and

WHEREAS, This new bridge carrying Interstate 70 over the Mississippi River connecting East St. Louis and downtown St. Louis, Missouri is currently under construction; and

WHEREAS, It is fitting to dedicate the section of the newly-rerouted Interstate 70 expressway from its connection at Interstate 64 up to the new Mississippi River bridge in honor of Congressman Jerry Costello; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the new Interstate 70 expressway from its connection to the existing Interstate 64 up to the new Mississippi River Bridge connecting East St. Louis and downtown St. Louis, Missouri as the US Congressman Jerry F. Costello Expressway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the US Congressman Jerry F. Costello Expressway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation and Congressman Jerry F. Costello.

 Adopted by the House of Representatives on February 27, 2013.
 Concurred in by the Senate on November 7, 2013.
VETERANS MEMORIAL BRIDGE
(House Joint Resolution No. 24)

WHEREAS, The members of the Illinois General Assembly wish to honor those who have served our country with distinction and valor in the armed forces; and
WHEREAS, The State of Illinois and the State of Missouri are constructing an additional bridge on I-70 crossing the Mississippi River; this bridge will relieve traffic congestion between the State of Illinois and the State of Missouri; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HERElN, that the I-70 Mississippi River Bridge connecting Illinois to Missouri currently under construction be designated, upon approval of the Illinois and Missouri State legislatures, the Veterans Memorial Bridge; and be it further
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further
RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the U.S. Department of Transportation; the Secretary of the Illinois Department of Transportation; and the Director of the Missouri Department of Transportation.

Adopted by the House of Representatives on April 30, 2013.
Concurred in by the Senate on May 31, 2013.

URGE CONGRESS TO PROPOSE AND SEND TO STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO OVERTURN CITIZENS UNITED V. FEC AND OTHER RELATED CASES
(Senate Joint Resolution No. 27)

WHEREAS, The freedom of speech and other rights set forth in the United States Constitution are fundamental to our democracy; and
WHEREAS, Fair and free elections are essential to democracy and effective self-government; and
WHEREAS, The United States Constitution, as well as the Bill of Rights and further amendments, are intended to protect the rights of individual human beings ("natural persons"); corporations and other artificial entities are not mentioned in the Constitution and the citizens of this nation
have never granted constitutional rights to corporations and other artificial
entities; and

WHEREAS, In the words of Supreme Court Justice John Paul
Stevens, native son of the great State of Illinois, "Money is property; it is not
speech" protected by the First Amendment, as stated in Nixon v. Shrink
Missouri Gov't PAC, 528 U.S. 377, 398 (2000) (Stevens, J., concurring); and

WHEREAS, The Members of the Illinois General Assembly find a
compelling interest in creating a level playing field and ensuring that all
citizens, regardless of wealth, have an opportunity to have their political
views heard; and

WHEREAS, Campaign finance laws, including limits on campaign
expenditures and contributions from any source, are key tools to combating
political corruption; and

WHEREAS, The Supreme Court, in Buckley v. Valeo, held that the
use of money to influence elections is the equivalent of speech and that
government cannot constitutionally limit the amount of money that
individuals can spend to influence the electoral process; these deeply and
dangerously undemocratic precedents were expanded upon in Citizens United
Election Commission (2010 U.S. Court of Appeals, D.C. Circuit), unleashing
a torrent of corporate and private money into our political process that has
been unmatched by any campaign expenditures in United States history and
drowning out the voices of the ordinary citizens we represent; and

WHEREAS, In recent decades, a divided United States Supreme
Court has transformed the First Amendment into a powerful tool for
corporations and other artificial entities to evade and invalidate
democratically enacted reforms; and

WHEREAS, In 2012, 73% of Illinois residents, voting on ballot
questions similar to the PRAIRIE Resolution, called for a constitutional
amendment, transcending party lines and geographic location; and

WHEREAS, Article V of the United States Constitution empowers
the people and states of the United States of America to use the constitutional
amendment process to correct those egregiously wrong decisions of the
United States Supreme Court that go to the heart of our democracy and
republican form of government; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
REPRESENTATIVES CONCURRING HEREIN, that we, as elected
representatives of the people, respectfully but emphatically disagree with the
aforementioned decisions of the United States Supreme Court and call upon
the United States Congress to propose and send to the states for ratification
a constitutional amendment to overturn Citizens United v. FEC, SpeechNow.org v. FEC, Buckley v. Valeo, and other related cases that allow for unlimited election spending; and be it further

RESOLVED, That such an amendment should make clear that the rights of persons protected by the Constitution are the rights of natural persons and not those of corporations or other artificial entities; and be it further

RESOLVED, That such an amendment should make clear that money can facilitate speech but its use is not, in and of itself, speech within the meaning of the First Amendment, and can be regulated; and be it further

RESOLVED, That such an amendment should make clear that corporations and other artificial entities are subject to regulation by the people through the legislative process, so long as the regulations are consistent with the powers of Congress and the states and do not limit freedom of the press; and be it further

RESOLVED, That such an amendment should make clear that federal, state, and local governments shall have the power to require disclosure of, limit, and regulate all election contributions and expenditures, whether to candidates or ballot measures, including political contributions and expenditures from individuals, corporations, unions, political committees, other artificial entities, and candidates; and be it further

RESOLVED, That we state our belief that such a constitutional amendment supports the goals of the people of Illinois in achieving a level playing field in election expenditures, regardless of their source; and be it further

RESOLVED, That the Illinois congressional delegation is urged to propose a joint resolution offering such an amendment to the United States Constitution and to work diligently to bring such a joint resolution to a vote and passage, including use of discharge petitions, cloture, and every other procedural method to secure a vote and passage; and be it further

RESOLVED, That the individual Members of the Illinois General Assembly are encouraged to ratify such an amendment to the United States Constitution that is consistent with the policy of the State of Illinois as herein declared; and be it further

RESOLVED, That we call upon other states and jurisdictions to join with us in this action by enacting similar resolutions to secure the restoration of constitutional rights and fair elections to the people of Illinois and all citizens of the United States; and be it further

RESOLVED, That suitable copies of this resolution be delivered to each member of the Illinois congressional delegation, the Speaker and the
Minority Leader of the United States House of Representatives, and the Majority Leader and Minority Leader of the United States Senate.

Adopted by the Senate, May 14, 2013.
Concurred in by the House of Representatives, May 31, 2013.

WAIVER OF SCHOOL CODE MANDATES
(Senate Joint Resolution No. 25)

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated March 1, 2013, with the Senate, the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that each of the school district waiver requests identified below by school district name and by the identifying number and subject area of the waiver request as summarized in the report filed by the State Board of Education is disapproved:

1. Meridian CUSD 101 - Pulaski, WM100-5763-1, length of school term;
2. Dimmick CCSD 175 - LaSalle, WM100-5740-2, evaluation training and pre-qualification;
3. Dimmick CCSD 175 - LaSalle, WM100-5740-3, evaluation plan for principals;
4. Meridian CUSD 101 - Pulaski, WM100-5763-2, compilation of average daily attendance;
5. Bluford CCSD 114 - Jefferson, WM100-5755, petitions;
6. Webber Township HSD 204 - Jefferson, WM100-5756, petitions; and
7. Dimmick CCSD 175 - LaSalle, WM100-5740-1, school board members - leadership training.

Adopted by the Senate, April 11, 2013.
Concurred in by the House of Representatives, April 17, 2013.
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EXECUTIVE ORDER TO REORGANIZE AGENCIES BY THE TRANSFER OF THE SENIOR HEALTH INSURANCE PROGRAM OF THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT ON AGING

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2 (the “Act”), provides that "Reorganization" includes, in pertinent part (a) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency, and (b) the consolidation or coordination of the whole or any part of any other agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; and

WHEREAS, the Department of Insurance and the Department on Aging are executive agencies directly responsible to the Governor which exercise the rights, powers, duties and responsibilities derived from 20 ILCS 1405 et seq. and 20 ILCS 105 et seq., respectively; and

WHEREAS, the Senior Health Insurance Program at the Department of Insurance offers important counseling services for older adults and their caregivers regarding how to best take advantage of public benefits to meet long-term care needs; and

WHEREAS, the Department of Insurance administers such counseling services pursuant to its authority under Section 1405-15 of the Civil Administrative Code (the “Department of Insurance Law”), 20 ILCS 1405; and

WHEREAS, the Department of Insurance and the Department on Aging have successfully partnered in the past to maximize outreach opportunities for older adults by using the Aging Network in Illinois; and

WHEREAS, streamlining and consolidating the functions related to the Senior Health Insurance Program offers the opportunity to eliminate redundancy, simplify the organizational structure of the Executive Branch, improve accessibility and accountability, provide more efficient use of specialized expertise, realize savings in administrative costs, promote more effective sharing of best practices and realize other cost savings, among other things; and

WHEREAS, the aforementioned benefits of consolidation can be achieved by transferring the Senior Health Insurance Program, its functions,
and staff from the Department of Insurance to the Department on Aging; and

THEREFORE, pursuant to the powers vested in me by Article V, Section 11 of the Illinois Constitution, I hereby order:

I. Transfer

a) Effective April 1, 2013, or as soon thereafter as practicable, the powers, duties, rights and responsibilities related to the functions of the Senior Health Insurance Program, as established in Section 1405-15 of the Department of Insurance Law, as well as the staff performing those functions, shall be transferred from the Department of Insurance to the Department on Aging.

b) Whenever any provision of any previous Executive Order, any Act, or any section of any Act transferred by this Executive Order provides for membership of the Director of the Department of Insurance, or his or her respective designee, on any board, commission, council, or other entity relating to the functions of the Senior Health Insurance Program, the Director of the Department on Aging, or his or her respective designee, shall serve in that place. If more than one such person is required by law to serve on any board, commission, council, or other entity, then an equivalent number of representatives of the Department on Aging shall so serve, if necessary.

II. Effect of Transfer

a) The powers, duties, rights and responsibilities vested in or associated with the functions of the Senior Health Insurance Program shall not be affected by this Executive Order, except that all management and staff support or other resources necessary to the operations of this Program shall be provided by the Department on Aging.

b) Personnel under the Department of Insurance affected by this Executive Order shall continue their service within the Department on Aging. The status and rights of the employees, the State of Illinois and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

c) All books, contracts, correspondence, documents, papers, personnel files, property (real and personal), records, other associated items, and pending business in any way pertaining to the powers, duties, rights and responsibilities related to the
functions of the Senior Health Insurance Program shall be transferred from the Department of Insurance and delivered to the Department on Aging for continuation, modification, or termination, as appropriate, including, but not limited to material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Department on Aging; provided, however, that the delivery of such information shall not violate any applicable confidentiality constraints.

d) All unexpended appropriations and the balances of any funds, grants, donations, or other moneys available for use by the Department of Insurance in connection with the functions of the Senior Health Insurance Program shall be transferred to the Department on Aging for continued use in supporting this Program as directed by the Governor. Unexpended balances so transferred shall be expended only for the purpose for which the appropriation was originally made.

III. Savings Clause

a) The powers, duties, rights and responsibilities related to the functions of the Senior Health Insurance Program and transferred from the Department of Insurance by this Executive Order shall be vested in and shall be exercised by the Department on Aging. Each act done in exercise of such powers, duties, rights and responsibilities shall have the same legal effect as if done by the Department of Insurance or one of its divisions, officers or employees.

b) Every person or entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such powers, duties, rights and responsibilities as had been exercised by the Department of Insurance or one of its divisions, officers or employees.

c) Every officer of the Department on Aging shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer of the Department of Insurance whose powers or duties were transferred under this Executive Order.

d) Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the Department of Insurance in connection with any of the functions of the Senior Health Insurance
Program transferred by this Executive Order, the same shall be made, given, furnished or served in the same manner to or upon the Department on Aging.

e) This Executive Order shall not affect any act done, ratified or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil or criminal cause regarding the functions of the Senior Health Insurance Program before this Executive Order takes effect; such actions or proceedings may be prosecuted and continued by the Department on Aging.

f) This Executive Order shall not affect the legality of any rules relating to the functions of the Senior Health Insurance Program which were duly adopted by the Department of Insurance and in full force on the effective date of this Executive Order. Any proposed rules filed with the Secretary of State by the Department of Insurance pertaining to the transferred functions that are pending in the rulemaking process on the effective date of this Executive Order shall be deemed to have been filed by the Department on Aging. As soon as practicable hereafter, the affected agencies shall revise and clarify the transferred rules under this Executive Order to reflect the reorganization of rights, powers and duties affected by this Order. If necessary, the affected agencies may also propose, adopt, or repeal rules, rule amendments, and rule recodifications using the procedures available under the Illinois Administrative Act as appropriate to effectuate this Executive Order, except that existing title, part, and section numbering for the affected rules may be retained.

g) To the extent necessary or prudent to fully implement the intent of this Executive Order, the Department of Insurance and the Department on Aging may enter into one or more interagency agreements to ensure the full and appropriate transfer of all functions of the Senior Health Insurance Program.

IV. Severability
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.
V. Effective Date
This Executive Order shall be in full force and effect upon its filing with the Secretary of State.
Issued by the Governor January 16, 2013.
Filed by the Secretary of State January 16, 2013.

2013-2
EXECUTIVE ORDER APPLYING RELEVANT MILITARY EDUCATION AND TRAINING OBTAINED BY ILLINOIS SERVICE MEMBERS TO PROFESSIONAL LICENSING STANDARDS

WHEREAS, the veterans’ unemployment rate in Illinois runs consistently higher than the national average, and the unemployment rate for female veterans in Illinois in the 18 to 24 year-old age range is twice that of non-veteran women in the same age range; and
WHEREAS, approximately 35,000 Illinois service members will leave the military between now and 2016, returning to civilian life to face a difficult transition in a recovering economy; and
WHEREAS, Public Act 097-0710, the Expedited Licensure for Service Members and Spouses Act (the “Act”) requires that “[a]ll relevant training provided by the military and completed by a service member shall be credited to that service member as meeting any training or education requirement under any applicable occupational or professional licensing Act, provided that the training or education is determined . . . to be substantially equivalent to that required under any applicable Act and is not otherwise contrary to any other licensure requirement”; and
WHEREAS, as the Act recognizes, training and education acquired during military service may be relevant to requirements for professional and occupational licensure, but, to date, there has not been a process or mechanism that would allow such training and education to be considered for purposes of state licensure requirements; and
WHEREAS, further review and clarification of gaps between, on the one hand, military training and education, and, on the other hand, requirements for state professional and occupational licensure to which such training and education may be relevant, will allow educational institutions throughout Illinois to design programs that will enable service members to bridge such gaps;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V of the Illinois Constitution, do hereby order as follows:
I. Definitions
   a) “State licensing agency” means any department of the state that issues occupational or professional licenses.
   b) “Service member” means any person who, at the time of application for licensure to any state licensing agency, is an active duty member of the United States Armed Forces or any reserve component of the United States Armed Forces or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia, and shall also include any veteran whose active duty service concluded within the preceding two years before submitting his or her application for licensure.

II. Creation
   a) There is hereby established an assessment process for applying military training and education to state licensure requirements in the State of Illinois.

III. Purpose
   a) It is the intent of this Order to establish a statewide mechanism and process for determining how training and education acquired by service members during service in the military may be applied towards requirements for state licensure in certain civilian fields when they transition back into our communities as veterans. As set forth herein, all state licensing agencies are directed to assist in identifying gaps between, on the one hand, military education and training that is potentially relevant to a civilian field for which licensure is required, and, on the other hand, state licensure requirements in that field. Identifying such gaps will enable educational institutions to design programs (for subsequent approval by the relevant state licensing agency), through which service members may obtain any additional training and education necessary to obtain state licensure in the relevant field.

IV. Duties
   a) In addition to the state licensing agencies, the Illinois Department of Veterans’ Affairs, (“DVA”), the Illinois Department of Military Affairs (“DMA”), and the Illinois Department of Employment Security (“IDES”) are directed to participate in implementing this Order. The Director of DVA shall be responsible for coordinating efforts to implement this Order.
   b) Within 90 days of the effective date of this Order, DVA,
DMA, IDES and all state licensing agencies shall collaborate to compile a list of professional and occupational fields requiring state licensure whose requirements for licensure may overlap with training and education acquired by service members during military service. To the extent possible, the list shall include information relevant to bridging the gap between military training and education relevant to each listed field and state licensure requirements relevant to that field, including but not limited to: the extent to which service members are likely to have obtained education and training in the military that is relevant to the listed field; statewide demand for professional or occupational services in the listed field; and the availability of resources to bridge gaps between relevant military training and education and state licensure in the listed field.

c) Additionally, within 90 days of obtaining or receiving information detailing military training or education potentially relevant to a given career field from the Director of DVA or either directly or indirectly from the U.S. Department of Defense, any branch of the U.S. Armed Forces, and/or DMA, the relevant state licensing agency shall either: (i) independently identify any gaps between the military training and education identified as potentially relevant to the field and the Illinois state licensing requirements for that career field; (ii) submit documentation to the relevant governing board to identify any such gaps; or (iii) identify the specific need for additional information required in order to make a final determination as to any such gaps.

d) Finally, within 30 days of its determination with regard to the gap between military training and education relevant to a given career field and the requirements for licensure in that field, the relevant state licensing agency shall submit to the Director of DVA information detailing any additional training that must be completed by a service member in order to bridge the gap to obtain a state license. Such information shall be posted on DVA’s website in order to aid educational institutions in building and obtaining approval for gap-bridging programs, as well as to aid service members in identifying outstanding requirements for licensure in that field.

V. Savings Clause
Nothing in this Executive Order shall be construed to contravene any state or federal law.

VI. Severability
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VII. Effective Date
This Executive Order shall take effect immediately upon filing with the Secretary of State.
Issued by the Governor February 6, 2013.
Filed by the Secretary of State February 6, 2013.

2013-3
EXECUTIVE ORDER CREATING THE STEERING COMMITTEE FOR THE MILLENNIUM RESERVE

WHEREAS, the area referred to as Calumet region extends from Chicago's southeast side and adjacent south suburbs and extends eastward across Lake and Porter Counties in Indiana;

WHEREAS, the Millennium Reserve: Calumet Core includes the Illinois portion of the Calumet region from 89th Street through the adjacent south suburbs and which connects with Millennium Park through the Burnham Lakefront Core;

WHEREAS, the Millennium Reserve: Calumet Core is a unique ecosystem in the Lake Michigan basin that includes Lake Calumet, Wolf Lake, the Calumet River, the Little Calumet River and the Grand Calumet River, as well as large wetlands and natural areas used by Illinois endangered and threatened species;

WHEREAS, the Great Lakes Water Quality Agreement between the United States and Canada was amended in September 2012, with new provisions to address the nearshore environment, aquatic invasive species, habitat degradation, and the effects of climate change and continued focus on existing threats to people's health and the environment of the Great Lakes;

WHEREAS, much of the natural area is owned by public agencies but is threatened by fragmentation and contamination and requires remediation, ecological restoration and coordinated ecological management;
WHEREAS, the Millennium Reserve: Calumet Core has a rich industrial heritage and associated labor culture that led to a richly diverse and vibrant immigrant community;

WHEREAS, residents of the Millennium Reserve: Calumet Core have justifiable pride in their role in building the United States of America;

WHEREAS, the Millennium Reserve: Calumet Core, although still retaining the largest concentration of industrial jobs in the City of Chicago, now includes significant areas of existing or former industrial and manufacturing land that suffers from contamination, abandonment and fragmented ownership that stands in the way of economic revitalization in the area;

WHEREAS, the area within the Millennium Reserve: Calumet Core boundary has been economically challenged by the decline of heavy industry and the loss of jobs and that there is an opportunity to create new jobs in the land conservation, brownfield remediation, and public recreation industries;

WHEREAS, the Millennium Reserve: Calumet Core -served by major rail, highway and waterway transportation systems - is a center for intermodal freight shipping and the increased economic development that takes advantage of these transportation systems would greatly benefit the City of Chicago, the State of Illinois, and the region as a whole;

WHEREAS, the area within Millennium Reserve has an extensive but incomplete network of trails that creates significant transportation alternatives as well as attractive recreational opportunities for the residents of Chicago's Southeast Side and beyond;

WHEREAS, the past 15 years has witnessed the creation of various plans for the Millennium Reserve region including GO TO 2040, Calumet Area Land Use Plan, Calumet Open Space Reserve Plan, Calumet Area Ecological Management Strategy, Chicago Southland's Green Time Zone, South Suburban Calumet Area Open Space Initiative and complementary Indiana-based plans including the Marquette Plan and the 2040 Comprehensive Regional Plan;

WHEREAS, although local initiatives have emerged that have both generated and implemented these and other plans over the past 20 years, the region lacks a common action agenda that would unify the plans and partner organizations behind objectives common to all of these plans and to synergies between them;

WHEREAS, conservation and ecologically sustainable land use is inextricably linked to a robust economy and healthy communities, all of which contribute toward quality of life;

WHEREAS, the rich and intertwined cultural, industrial and natural history of the Millennium Reserve affords ample opportunities for school-
based and interpretive education that can engage residents, visitors and future stewards;

WHEREAS, President Obama launched America’s Great Outdoors Initiative which seeks to re-focus federal conservation efforts by listening to conservation voices at the state and local level and then aligning federal programs behind those local efforts;

WHEREAS, the Obama Administration selected Millennium Reserve as an initiative behind which federal agencies would align and toward which the United States Fish and Wildlife Service has committed approximately two million dollars in federal funds toward ecological restoration;

WHEREAS, the Millennium Reserve Initiative was launched in 2012 by Governor Pat Quinn and the Illinois Department of Natural Resources with the support of Mayor Rahm Emanuel and the City of Chicago, with the vision of a new economy built on re-investment in the ecology, culture and economy of the Calumet region;

WHEREAS, the goal of Millennium Reserve is to transform a region in transition into a vibrant urban space, one that equally values and promotes healthy nature, industry and community;

WHEREAS, Millennium Reserve is intended to catalyze new action in the Calumet region by committing, focusing and leveraging existing resources and attracting new resources that will provide tangible benefits for this important region;

WHEREAS, Millennium Reserve recognizes the important, vital work underway or already completed by many individuals and organizations that creates the foundation for this initiative;

WHEREAS, Millennium Reserve spans a broad and complex physical and political geography and requires collaboration and shared leadership in order to leverage ideas and resources sufficient to accomplish shared goals and objectives;

WHEREAS, various state agencies have authority and resources to advance the objectives of Millennium Reserve, and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V of the Illinois Constitution, do hereby order as follows:

I. CREATION

There is hereby created a Millennium Reserve State Agency Task Force (hereinafter "Task Force") and a Millennium Reserve Steering Committee (hereinafter "Steering Committee").

a. Task Force

The Task Force shall consist of the Directors or Secretaries of the following State agencies:
i. Department of Natural Resources
ii. Department of Commerce and Economic Opportunity
iii. Department of Transportation
iv. Illinois Historic Preservation Agency
v. Illinois Environmental Protection Agency

The purpose of the Task Force shall be to both inform and consider the priorities and specific actions and initiatives of the Steering Committee. In full consideration of existing state priorities and available state resources, State agency task force members shall align and focus their resources and authorities to advance the work of the Millennium Reserve Initiative as identified through the Steering Committee work plan process. The Task Force Chair shall call Department leaders together regularly to advise and direct activities of the State towards this effort and demonstrate full force and commitment of the State of Illinois towards the effort. The Task Force shall be chaired by the Director of the Department of Natural Resources.

b. Steering Committee
The Steering Committee shall have the structure, duties and powers set forth herein. Members of the Steering Committee shall serve four (4) year terms and shall be unpaid. Members shall represent organizations that are active in the Calumet region, and shall represent one or more of the following three primary areas of expertise and involvement: 1) environmental protection and restoration, and outdoor recreation; 2) economic development; and 3) community development. Members of the Steering Committee shall be appointed by, and serve at the pleasure of, the Governor and shall include the following individuals:

i. Director, Department of Natural Resources, acting on behalf of the State of Illinois and representing Departments of Transportation, Commerce and Economic Opportunity, Illinois Historic Preservation Agency and the Illinois Environmental Protection Agency;
ii. One representative each from the following landowning organizations: Chicago Park District, Forest Preserve District of Cook County, Illinois International Port Authority, and Metropolitan Water Reclamation District;
iii. One representative from the Chicago Metropolitan Agency for Planning;
iv. One representative from the South Suburban Mayors and Managers Association;
v. Three representatives from the private business sector whose companies are active in the Millennium Reserve region;
vi. Three representatives from community groups active in the Millennium Reserve region or from organizations engaged in community development initiatives in the region;
vii. Three representatives from non-profit organizations whose primary focus is environmental protection and restoration, and/or outdoor recreation;
viii. One representative from a federal agency representing the President's America's Great Outdoors initiative;
ix. Two representatives from the City of Chicago;
x. Three representatives from foundations which have an established track record in funding successful community, environmental, and/or economic development initiatives and
xi. Additional members may be appointed as necessary.

The Governor shall appoint a Chair and Vice-Chair, who shall oversee the Steering Committee's engagement, determining the priorities, goals and work plans of Millennium Reserve.

II. PURPOSE
The purpose of the Steering Committee is to serve as a central governing body that shall have leadership responsibilities for the overall execution of the Millennium Reserve Initiative.

III. DUTIES
a. The Steering Committee shall develop overall goals, objectives, and priorities for action in the Millennium Reserve region relative to environmental restoration and remediation, outdoor recreation, economic development, and community development.
b. The Steering Committee shall provide direction into the development and implementation of short- and long-term plans of work for the initiative.
c. The Steering Committee shall identify specific projects of regional significance and recommend major policy initiatives that should be pursued by the State of Illinois and other partner organizations.
d. The Steering Committee shall assist in identifying resources for undertaking these actions.
e. The Steering Committee will make every effort to engage with Indiana-based representatives of like organizations to coordinate opportunities and priorities for the entire Calumet Core region.

IV. SEVERABILITY
The Steering Committee shall submit a preliminary report to the Governor within six months of its first meeting and regular reports every six months thereafter.

V. EFFECTIVE
This Executive Order shall take effect upon filing with the Secretary of State immediately upon its execution.
Issued by the Governor March 1, 2013.
Filed by the Secretary of State March 1, 2013.

2013-4
EXECUTIVE ORDER ELIMINATING AND CONSOLIDATING BOARDS AND COMMISSIONS

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor, by an Executive Order, to reassign functions or reorganize executive agencies that are directly responsible to him to simplify the structure of the Executive Branch, to ensure efficiency, and to further achieve effectiveness; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, such an Executive Order may become effective immediately, either in part or in whole, to the extent it does not contravene a statute; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, the applicable portions of such an Executive Order that contravene a statute must be delivered to the General Assembly to be considered for up to 60 calendar days; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that “Reorganization” includes (i) “the abolition of the whole or any part of any agency which does not have, or upon the taking effect of reorganization will not have, any functions” or (ii) “the consolidation or coordination of the whole or any part
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of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;” and

WHEREAS, this Executive Order abolishes or consolidates those entities directly responsible to the Governor whose functions are now obsolete or duplicative, whose abolition increases agency efficiency, streamlines the executive branch and dissolves inactive entities;

THEREFORE, BE IT ORDERED, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, that the following agency reorganization shall be executed:

I. ABOLITION OF BOARDS AND COMMISSIONS THAT DOES NOT CONTRAVENE STATUTE

The entities listed in this part and all accompanying administrative units, boards, councils, advisory bodies, or related entities of these agencies are abolished, effective immediately. The corresponding terms of appointed members on these entities are also terminated, and their appointed offices are subsequently abolished. Likewise, all prior Executive and Administrative Orders listed in this part are repealed, effective immediately.

a. Abraham Lincoln Bicentennial Commission, Executive Order 06-04
b. Governor’s Agriculture Advisory Council of Farmers and Farm Families, Governor’s Press Release July 22, 2003
c. Asian Advisory Council, Governor’s Press Release May 15, 2006
d. Economic Recovery Commission, Executive Order 09-13; Executive Order 09-18
e. Education Accountability Task Force, Governor’s Press Release February 9, 2004
f. Governor’s Audit Committee, Administrative Order 06-2
g. HIPAA Task Force, Executive Order 03-19
h. Illinois Reform Commission, Executive Order 09-1
i. Illinois Parent Leadership Council, Executive Order 06-10
j. Racial Profiling Task Force, Governor’s Press Release July 1, 2005
k. Safe Games Task Force, Executive Order 04-14
l. State Government Accountability Council, Executive Order 99-7
m. Visual Media Task Force, Governor’s Press Release May 7, 2003

II. ABOLITION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTE

The entities listed in this Part II are abolished, effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of
a majority of the members elected. The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity by the following statutes, or sections of the statutes, and all rights, powers, and duties incidental to these provisions including funding mechanisms, will also be abolished. The corresponding terms of appointed members on these entities will also be terminated, and their appointed offices will be abolished. The affected enabling statutes are listed next to each board or commission:

a. Agrichemical Facility Response Action Program Board, 415 ILCS 60/19.3
b. Air Service Commission, 20 ILCS 3958/20
c. Capital Punishment Reform Study Committee, 20 ILCS 3929/2
d. Children's Savings Account Task Force, 20 ILCS 4065/15
e. Chronic Disease Nutrition and Outcomes Advisory Commission, 20 ILCS 2310/2310-77
f. Chronic Disease Prevention and Health Promotion Task Force, 20 ILCS 2310/2310-76
g. Condominium Advisory Council, 765 ILCS 610/10
h. Food Animal Institute Board, 20 ILCS 3931/15
i. Governor's Regiment of Colonels, 20 ILCS 1805/13.5
j. Grand Avenue Railroad Relocation Authority, 70 ILCS 1915/15
k. Health Care Workplace Violence Prevention Task Force, 405 ILCS 90/35
l. Health Data Task Force, 20 ILCS 2310/2310-367
m. Illinois Disabilities Services Advisory Committee, 20 ILCS 2407/20
n. Illinois Global Partnership, Inc. Board, 20 ILCS 3948
o. Illinois Science and Technology Commission, 20 ILCS 605/605-1000
p. Innovation, Intervention, and Restructuring Task Force, 105 ILCS 5/2-3.64b
q. Illinois Local and Organic Food and Farm Task Force, 505 ILCS 84/10
r. Illinois Thoroughbred Breeders Fund Advisory Board, 230 ILCS 5/30
s. Physician Assistant Advisory Committee to Medical Licensing Board, 225 ILCS 95/11
t. Risks, Assets and Needs Assessment Task Force, 730 ILCS 190/15
III. CONSOLIDATION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTES:
The River Councils listed in subpart (a), below, are consolidated into a single “State of Illinois Rivers Council.” The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity, and all rights, powers, and duties incidental to these provisions including funding mechanisms, are also consolidated. The consolidation detailed in this Part shall be effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected:

a. Illinois River Coordinating Council, 20 ILCS 3967/15
Mississippi River Coordinating Council, 20 ILCS 4003/10
Wabash and Ohio River Coordinating Council, 20 ILCS 4060/10

b. The State of Illinois Rivers Council shall consist of the 21 voting members appointed by the Governor to the former councils, including 3 representing soil and water conservation districts and 18 representing local communities, not-for-profit organizations working to protect the rivers, business, agriculture, recreation, conservation, and the environment. One member shall be the Lieutenant Governor who shall serve as a voting member and as chairperson of the Council. The ex-officio agency members of the Council shall include the Director, or his or her designee, of each of the following agencies: the Department of Agriculture, the Department of Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Department of Natural Resources, the Department of Transportation, and the Historic Preservation Agency. In addition, the Council shall include: 1) the Director, or his or her designee, of the Army Corp of Engineers, the National Great River Research and Education Center (NGRREC), and the Association of Illinois Soil and Water Conservation Districts (AISWCD). Members of the Council shall meet at least quarterly, and meetings may be held in-person, by videoconference, and telephone conference at the discretion of the Chair. The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council’s activities. The Office may reimburse members of the Council for travel expenses.
c. Duties of the Council. The Council shall:
   i. Periodically review activities and programs administered by State and federal agencies that directly impact the Illinois River Watershed, the Mississippi River, the Wabash and Ohio Rivers, and other Illinois rivers.
   ii. Work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices;
   iii. Work with State and federal agencies to optimize the expenditure of funds affecting the rivers and the Illinois River Watershed;
   iv. Advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Illinois River Watershed and rivers;
   v. Advise and make recommendations to the Governor on funds and the priority of projects;
   vi. Encourage local communities to develop watershed management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and shall encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management, and conservation of the rivers, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and
   vii. Help identify possible sources of additional funding for rivers and watershed management projects.


e. State agencies represented on the Council shall provide to the Council, on request, information concerning agency programs and activities that impact the Illinois River Watershed and the rivers.

IV. CLARIFICATION AND CONFIRMATION OF ABOLISHED BOARDS
As a matter of both clarification and confirmation, the following boards and commissions have been abolished, either through statutory action or through the expiration of the General Assembly that created the board or commission by resolution for the term of that particular General Assembly.

a. Illinois and Midwest High-Speed Rail Commission, Senate Resolution 806 of the 96th General Assembly
b. Illinois Part C Early Intervention Taskforce, House Joint Resolution 50 of the 97th General Assembly
c. Illinois Ronald Reagan Centennial Commission, House Resolution 418 of the 96th General Assembly
d. Interstate Gun Trafficking Task Force, House Joint Resolution 51 of the 96th General Assembly
e. LEED Certification Task Force, House Joint Resolution 45 of the 96th General Assembly
f. Medical Supplies Tax Relief Task Force, House Resolution 5 of the 94th General Assembly
g. Parents and Community Accountability Study Committee, Senate Joint Resolution 5 of the 96th General Assembly
h. Pension System Modernization Task Force, House Joint Resolution 65 of the 96th General Assembly
i. School Transportation Task Force, House Joint Resolution 6 of the 96th General Assembly
j. Task Force on Eliminating Racial Bias in Suspensions and Expulsions, Senate Joint Resolution 53 of the 96th General Assembly
k. Task Force on Uniform Building Code, House Joint Resolution 26 of the 94th General Assembly
l. Transatlantic Slave Trade, Commission to Study, Senate Joint Resolution 31 of the 94th General Assembly
m. Unemployment Insurance for Contingent Academic Workers Task Force, Senate Joint Resolution 29 of the 96th General Assembly
n. Wooded Land Assessment Task Force, House Joint Resolution 95 of the 94th General Assembly
o. Alternate Fuels Commission, 415 ILCS 120/23
p. Assisted Living and Shared Housing Advisory Board, 210 ILCS 9/110, abolished by Public Act 96-975
q. Bank Examiners' Education Foundation Board of Trustees, 20 ILCS 3210, abolished by Public Act 96-1365
r. Board of Currency Exchange Advisors, 205 ILCS 405/22.03, abolished by Public Act 97-315
s. Board of Debt Management Service Advisors, 205 ILCS 665/15, abolished by Public Act 96-1420
t. Carbon Capture and Sequestration Legislation Commission, 20 ILCS 5005, abolished by Public Act 96-754
u. Community Senior Services and Resource Center Advisory Committee, 320 ILCS 60/35, abolished by Public Act 97-127
v. Cross-Agency Medicaid Commission, 305 ILCS 5/12-4.7e
w. Electronic Records Advisory Board, 20 ILCS 35/30, abolished by Public Act 97-249
x. Health Care Justice Implementation Task Force, 20 ILCS 4045/15, abolished by Public Act 97-142
y. Human Services 211 Advisory Panel, 20 ILCS 3956/10.5
z. Human Services 211 Collaboration Board, 20 ILCS 3956/10
aa. Illinois Jobs for Veterans Task Force, 20 ILCS 2805/35
bb. Instructional Mandates Task Force, 105 ILCS 5/27-1.5
cc. Mental Health and Developmental Disabilities Medical Review Board, 405 ILCS 5/5-100A, abolished by Public Act 96-1235
dd. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15, abolished by Public Act 96-898
ee. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15
ff. Military and Veterans Court Task Force, 330 ILCS 135/10
gg. Persian Gulf War Diseases Commission, 20 ILCS 2805/2 (11), abolished by Public Act 97-127
hh. School District Realignment and Consolidation Commission, 105 ILCS 5/11E-190
kk. Task Force on Higher Education Private Student Loans, 110 ILCS 982/20, abolished by Public Act 96-880
ll. Task Force on Servicemember and Veterans Education, 20 ILCS 2805/30, abolished by Public Act 97-297

V. SAVINGS CLAUSE:
a. The rights, powers, duties, and functions of the entities abolished by this Executive Order shall be vested in and shall continue to be exercised by the Department of Central Management Services or any other appropriate agency to the extent necessary to effectuate the termination or winding down of affected administrative affairs. Each act done in the exercise of these rights, powers and duties shall have
the same legal effect as if done by the former entities, and by the officers, members and employees of those entities.
b. Every person or corporation shall be subject to the same obligations and duties and to the associated penalties, if any, and shall have the same rights arising from the exercise of these obligations and duties as if exercised subject to the former entities or the officers, members and employees of those entities.
c. Every person shall be subject to the same penalty for offenses as prescribed by existing law for the same offense by any person whose powers or duties were abolished or consolidated under this Executive Order.
d. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person or entity, then those requirements shall be waived or, if completed, then those reports and notices shall be delivered, immediately after the effective date of this Executive Order.
e. This Executive Order shall not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause, before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Department of Central Management Services in cooperation with any other agency, if necessary.
f. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order. These rule modifications shall coincide with, if applicable, the termination and winding down of the abolished entities’ affairs.
g. Whenever any provision of any previous Executive Order, any Act, or any Act’s Section transferred by this Executive Order provides for membership of an individual from an abolished entity or their respective designee, on any board, commission, authority, or other entity, the Director of the Department of Central Management Services or his or her designee shall serve in that place, if necessary. If more than one such individual is required by law to serve on any board, commission, authority, or other entity, then an equivalent number of representatives of the Department of Central Management
Services or the Director of the Department of Central Management Services’ designees shall so serve, if necessary.
h. All employees, if any, of the abolished entities are transferred to the Department of Central Management Services. The rights of the employees, the State, and the transferring agencies under the Personnel Code or any collective bargaining agreement, or under any pension, retirement, or annuity plan, shall not be affected by this Executive Order.
i. All personnel records, documents, books, correspondence, papers, real and personal property, and other associated items in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be delivered and transferred to the Department of Central Management Services or the State Archives, as appropriate.
j. All pending business and affairs in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be transferred to the Department of Central Management Services for continuation, modification, winding down, or termination, as appropriate.
k. The unexpended balances of any appropriations or funds, grants, donations, or other moneys available for use by the abolished entities shall be transferred to the Department of Central Management Services and shall be expended for similar purposes for which the appropriations, funds, grants, or other moneys were originally made or given to those entities. If those purposes are no longer feasible, then the remaining balances shall be deposited into the General Revenue Fund.
VI. SEVERABILITY:
If any provision of this Executive Order or its application to any person or circumstance is held invalid or disapproved by either house of the General Assembly by the record vote of a majority vote of the members elected, then the invalidity or disapproval of that provision or application does not affect other provisions or applications of this Executive Order that can be given effect without the invalid or disapproved provision or application.
VII. FILING:
This Executive Order shall be filed with Clerk of the House of Representatives and the Secretary of the Senate. In addition, this Executive Order shall be filed with (i) the Secretary of State for publishing in the Illinois Register and (ii) the Legislative Reference Bureau for preparation of a revisory bill effectuating these provisions.
VIII. EFFECTIVE DATE:
This Executive Order shall become effective immediately for those boards and commissions listed in Parts I and IV, above. For those boards and commissions listed in Parts II and III, above, this Executive Order shall become effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of these Parts of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected.

Issued by the Governor March 8, 2013.

Filed by the Secretary of State March 8, 2013.

2013-5
EXECUTIVE ORDER ELIMINATING AND CONSOLIDATING BOARDS AND COMMISSIONS

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor, by an Executive Order, to reassign functions or reorganize executive agencies that are directly responsible to him to simplify the structure of the Executive Branch, to ensure efficiency, and to further achieve effectiveness; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, such an Executive Order may become effective immediately, either in part or in whole, to the extent it does not contravene a statute; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, the applicable portions of such an Executive Order that contravene a statute must be delivered to the General Assembly to be considered for up to 60 calendar days; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that “Reorganization” includes (i) “the abolition of the whole or any part of any agency which does not have, or upon the taking effect of reorganization will not have, any functions” or (ii) “the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;” and

WHEREAS, this Executive Order abolishes or consolidates those entities directly responsible to the Governor whose functions are now obsolete or duplicative, whose abolition increases agency efficiency, streamlines the executive branch and dissolves inactive entities;

THEREFORE, BE IT ORDERED, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, that the following agency
reorganization shall be executed and this Executive Order shall supersede Executive Order 13-04:

I. ABOLITION OF BOARDS AND COMMISSIONS THAT DOES NOT CONTRAVENE STATUTE

The entities listed in this part and all accompanying administrative units, boards, councils, advisory bodies, or related entities of these agencies are abolished, effective immediately. The corresponding terms of appointed members on these entities are also terminated, and their appointed offices are subsequently abolished. Likewise, all prior Executive and Administrative Orders listed in this part are repealed, effective immediately.

a. Abraham Lincoln Bicentennial Commission, Executive Order 06-04
b. Governor’s Agriculture Advisory Council of Farmers and Farm Families, Governor’s Press Release July 22, 2003
c. Asian Advisory Council, Governor’s Press Release May 15, 2006
d. Economic Recovery Commission, Executive Order 09-13; Executive Order 09-18
e. Education Accountability Task Force, Governor’s Press Release February 9, 2004
f. Governor’s Audit Committee, Administrative Order 06-2
g. HIPAA Task Force, Executive Order 03-19
h. Illinois Reform Commission, Executive Order 09-1
i. Illinois Parent Leadership Council, Executive Order 06-10
j. Racial Profiling Task Force, Governor’s Press Release July 1, 2005
k. Safe Games Task Force, Executive Order 04-14
l. State Government Accountability Council, Executive Order 99-7
m. Visual Media Task Force, Governor’s Press Release May 7, 2003

II. ABOLITION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTE

The entities listed in this Part II are abolished, effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected. The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity by the following statutes, or sections of the statutes, and all rights, powers, and duties incidental to these provisions including funding mechanisms, will also be abolished. The corresponding terms of appointed members on these
entities will also be terminated, and their appointed offices will be abolished. The affected enabling statutes are listed next to each board or commission:

a. Agrichemical Facility Response Action Program Board, 415 ILCS 60/19.3
b. Air Service Commission, 20 ILCS 3958/20
c. Capital Punishment Reform Study Committee, 20 ILCS 3929/2
d. Children's Savings Account Task Force, 20 ILCS 4065/15
e. Chronic Disease Nutrition and Outcomes Advisory Commission, 20 ILCS 2310/2310-77
f. Chronic Disease Prevention and Health Promotion Task Force, 20 ILCS 2310/2310-76
g. Condominium Advisory Council, 765 ILCS 610/10
h. Food Animal Institute Board, 20 ILCS 3931/15
i. Governor’s Regiment of Colonels, 20 ILCS 1805/13.5
j. Grand Avenue Railroad Relocation Authority, 70 ILCS 1915/15
k. Health Care Workplace Violence Prevention Task Force, 405 ILCS 90/35
l. Health Data Task Force, 20 ILCS 2310/2310-367
m. Illinois Disabilities Services Advisory Committee, 20 ILCS 2407/20
n. Illinois Global Partnership, Inc. Board, 20 ILCS 3948
o. Illinois Science and Technology Commission, 20 ILCS 605/605-1000
p. Innovation, Intervention, and Restructuring Task Force, 105 ILCS 5/2-3.64b
q. Illinois Local and Organic Food and Farm Task Force, 505 ILCS 84/10
r. Illinois Thoroughbred Breeder’s Program Task Force, 230 ILCS 5/30(o)
s. Physician Assistant Advisory Committee to Medical Licensing Board, 225 ILCS 95/11
t. Risks, Assets and Needs Assessment Task Force, 730 ILCS 190/15
u. West Cook Railroad Relocation and Development Authority, 70 ILCS 1920/10

III. CONSOLIDATION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTES:

The River Councils listed in subpart (a) below, are consolidated into a single “Rivers of Illinois Coordinating Council.” The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission,
officer, employee, or associated individual, person, or entity, and all rights, powers, and duties incidental to these provisions including funding mechanisms, are also consolidated. The consolidation detailed in this Part shall be effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected:

a. Illinois River Coordinating Council, 20 ILCS 3967/15
Mississippi River Coordinating Council, 20 ILCS 4003/10
Wabash and Ohio River Coordinating Council, 20 ILCS 4060/10

b. There is established the Rivers of Illinois Coordinating Council consisting of 19 voting members to be appointed by the Governor. One member shall be the Lieutenant Governor, who shall serve as a voting member and as Chairperson of the Council. The agency members of the Council shall include the Director, or his or her designee, of each of the following agencies: the Illinois Department of Agriculture, the Illinois Department of Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources, the Illinois Department of Transportation and the Illinois Historic Preservation Agency. In addition, the Council shall include: 1) the Director, or his or her designee, of the Army Corps of Engineers, the National Great River Research and Education Center (NGRREC), and the Association of Illinois Soil and Water Conservation Districts (AISWCD), and 2) nine members representing local communities and not-for-profit organizations working to protect the rivers, business, agriculture, recreation, conservation and the environment. The Governor, may, at his or her discretion, appoint individuals to serve as ex-officio, non-voting members.

c. Members of the Council shall serve two-year terms, except that of the initial appointments; five members shall be appointed to serve two year terms; and four members to serve one-year terms.

d. Members of the Council shall meet at least quarterly, and meetings may be held in-person, by videoconference or telephone conference at the discretion of the Chair.

e. The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council’s activities. The Office of the Lieutenant Governor may reimburse members of the Council for travel expenses.

f. The Council shall:
i. Periodically review activities and programs administered by State and federal agencies that directly impact the Illinois River Watershed, Mississippi River and the Wabash and Ohio Rivers;

ii. Work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices;

iii. Work with State and federal agencies to optimize the expenditure of funds affecting the rivers and the Illinois River Watershed;

iv. Advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Illinois River Watershed and rivers;

v. Advise and make recommendations to the Governor on funds and the priority of projects;

vi. Encourage local communities to develop watershed management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and shall encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management, and conservation of the rivers, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and

vii. Help identify possible sources of additional funding for rivers and watershed management projects.


h. State agencies represented on the Council shall provide to the Council, upon request, information concerning agency programs and activities that impact the Illinois River Watershed and the rivers.

IV. CLARIFICATION AND CONFIRMATION OF ABOLISHED BOARDS
As a matter of both clarification and confirmation, the following boards and commissions have been abolished, either through statutory action or through the expiration of the General Assembly that created the board or commission by resolution for the term of that particular General Assembly.

a. Illinois and Midwest High-Speed Rail Commission, Senate Resolution 806 of the 96th General Assembly
b. Illinois Part C Early Intervention Taskforce, House Joint Resolution 50 of the 97th General Assembly
c. Illinois Ronald Reagan Centennial Commission, House Resolution 418 of the 96th General Assembly
d. Interstate Gun Trafficking Task Force, House Joint Resolution 51 of the 96th General Assembly
e. LEED Certification Task Force, House Joint Resolution 45 of the 96th General Assembly
f. Medical Supplies Tax Relief Task Force, House Resolution 5 of the 94th General Assembly
g. Parents and Community Accountability Study Committee, Senate Joint Resolution 5 of the 96th General Assembly
h. Pension System Modernization Task Force, House Joint Resolution 65 of the 96th General Assembly
i. School Transportation Task Force, House Joint Resolution 6 of the 96th General Assembly
j. Task Force on Eliminating Racial Bias in Suspensions and Expulsions, Senate Joint Resolution 53 of the 96th General Assembly
k. Task Force on Uniform Building Code, House Joint Resolution 26 of the 94th General Assembly
l. Transatlantic Slave Trade, Commission to Study, Senate Joint Resolution 31 of the 94th General Assembly
m. Unemployment Insurance for Contingent Academic Workers Task Force, Senate Joint Resolution 29 of the 96th General Assembly
n. Wooded Land Assessment Task Force, House Joint Resolution 95 of the 94th General Assembly
o. Alternate Fuels Commission, 415 ILCS 120/23
p. Assisted Living and Shared Housing Advisory Board, 210 ILCS 9/110, abolished by Public Act 96-975
q. Bank Examiners' Education Foundation Board of Trustees, 20 ILCS 3210, abolished by Public Act 96-1365
r. Board of Currency Exchange Advisors, 205 ILCS 405/22.03, abolished by Public Act 97-315
s. Board of Debt Management Service Advisors, 205 ILCS 665/15, abolished by Public Act 96-1420

t. Carbon Capture and Sequestration Legislation Commission, 20 ILCS 5005, abolished by Public Act 96-754

u. Community Senior Services and Resource Center Advisory Committee, 320 ILCS 60/35, abolished by Public Act 97-127

v. Cross-Agency Medicaid Commission, 305 ILCS 5/12-4.7e

w. Electronic Records Advisory Board, 20 ILCS 35/30, abolished by Public Act 97-249

x. Health Care Justice Implementation Task Force, 20 ILCS 4045/15, abolished by Public Act 97-142

y. Human Services 211 Advisory Panel, 20 ILCS 3956/10.5

z. Human Services 211 Collaboration Board, 20 ILCS 3956/10

aa. Illinois Jobs for Veterans Task Force, 20 ILCS 2805/35

bb. Instructional Mandates Task Force, 105 ILCS 5/27-1.5

c. Mental Health and Developmental Disabilities Medical Review Board, 405 ILCS 5/5-100A, abolished by Public Act 96-1235

dd. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15, abolished by 96-898

e. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15

ff. Military and Veterans Court Task Force, 330 ILCS 135/10

gg. Persian Gulf War Diseases Commission, 20 ILCS 2805/2 (11), abolished by Public Act 97-127

hh. School District Realignment and Consolidation Commission, 105 ILCS 5/11E-190


kk. Task Force on Higher Education Private Student Loans, 110 ILCS 982/20, abolished by Public Act 96-880

ll. Task Force on Servicemember and Veterans Education, 20 ILCS 2805/30, abolished by Public Act 97-297

V. SAVINGS CLAUSE:

a. The rights, powers, duties, and functions of the entities abolished by this Executive Order shall be vested in and shall continue to be exercised by the Department of Central Management Services or any other appropriate agency to the extent necessary to effectuate the termination or winding down of affected administrative affairs. Each act done in the exercise of these rights, powers and duties shall have
the same legal effect as if done by the former entities, and by the officers, members and employees of those entities.
b. Every person or corporation shall be subject to the same obligations and duties and to the associated penalties, if any, and shall have the same rights arising from the exercise of these obligations and duties as if exercised subject to the former entities or the officers, members and employees of those entities.
c. Every person shall be subject to the same penalty for offenses as prescribed by existing law for the same offense by any person whose powers or duties were abolished or consolidated under this Executive Order.
d. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person or entity, then those requirements shall be waived or, if completed, then those reports and notices shall be delivered, immediately after the effective date of this Executive Order.
e. This Executive Order shall not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause, before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Department of Central Management Services in cooperation with any other agency, if necessary.
f. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order. These rule modifications shall coincide with, if applicable, the termination and winding down of the abolished entities’ affairs.
g. Whenever any provision of any previous Executive Order, any Act, or any Act’s Section transferred by this Executive Order provides for membership of an individual from an abolished entity or their respective designee, on any board, commission, authority, or other entity, the Director of the Department of Central Management Services or his or her designee shall serve in that place, if necessary. If more than one such individual is required by law to serve on any board, commission, authority, or other entity, then an equivalent number of representatives of the Department of Central Management
h. All employees, if any, of the abolished entities are transferred to the Department of Central Management Services. The rights of the employees, the State, and the transferring agencies under the Personnel Code or any collective bargaining agreement, or under any pension, retirement, or annuity plan, shall not be affected by this Executive Order.

i. All personnel records, documents, books, correspondence, papers, real and personal property, and other associated items in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be delivered and transferred to the Department of Central Management Services or the State Archives, as appropriate.

j. All pending business and affairs in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be transferred to the Department of Central Management Services for continuation, modification, winding down, or termination, as appropriate.

k. The unexpended balances of any appropriations or funds, grants, donations, or other moneys available for use by the abolished entities shall be transferred to the Department of Central Management Services and shall be expended for similar purposes for which the appropriations, funds, grants, or other moneys were originally made or given to those entities. If those purposes are no longer feasible, then the remaining balances shall be deposited into the General Revenue Fund.

VI. SEVERABILITY:
If any provision of this Executive Order or its application to any person or circumstance is held invalid or disapproved by either house of the General Assembly by the record vote of a majority vote of the members elected, then the invalidity or disapproval of that provision or application does not affect other provisions or applications of this Executive Order that can be given effect without the invalid or disapproved provision or application.

VII. FILING:
This Executive Order shall be filed with Clerk of the House of Representatives and the Secretary of the Senate. In addition, this Executive Order shall be filed with (i) the Secretary of State for publishing in the Illinois Register and (ii) the Legislative Reference Bureau for preparation of a revisory bill effectuating these provisions.

VIII. EFFECTIVE DATE:
This Executive Order shall become effective immediately for those boards and commissions listed in Parts I and IV, above. For those boards and commissions listed in Parts II and III, above, this Executive Order shall become effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of these Parts of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected.

Issued by Governor March 29, 2013.

Filed by the Secretary of State March 29, 2013.

2013-6

ESTABLISHMENT OF THE NORTHEASTERN ILLINOIS PUBLIC TRANSIT TASK FORCE

WHEREAS, riders of mass transit in Northern Illinois expect fairness, transparency and efficiency in the operation and administration of the transit agencies, including, without limitation, the Regional Transportation Authority (“RTA”), Chicago Transit Authority (“CTA”), Metra, and Pace (the “Northeastern Illinois Transit Agencies” or the “Transit Agencies”); and

WHEREAS, the Northeastern Illinois Transit Agencies represent the third largest transit system in the United States, with over two million daily riders; and

WHEREAS, in the wake of another scandal, the State of Illinois must step in and fix the failure of the Northeastern Illinois Transit Agencies to work collaboratively and efficiently; and

WHEREAS, as Governor of the State of Illinois, I am committed to ensuring the fair, equitable, efficient, transparent and well-coordinated operation of the Northeastern Illinois Transit Agencies and to eliminating waste, fraud and abuse wherever it occurs; and

WHEREAS, coordination, transparency, efficiency and fairness in the operation of the Northeastern Illinois Transit Agencies must be improved, including the elimination of duplicative efforts and excess board membership; and

WHEREAS, allegations of improper political influence and other recent events at Metra have highlighted the failed leadership of the existing Board of Directors, an absence of adequate oversight and coordination from the RTA, and an overall lack of coordination and cohesion amongst the Transit Agencies that must provide customers with access to transportation throughout the Chicagoland region; and
WHEREAS, current law does not permit the Governor or any agency of the State of Illinois to timely remove Board Members or employees of the Transit Agencies for incompetence or negligence, temporarily replace Board Members to ensure continued operation of existing Transit Agencies, prohibit golden parachutes from being awarded, or eliminate duplicative efforts and costs amongst the existing Transit Agencies; and

WHEREAS, an independent task force is necessary to study, examine and make recommendations to the Governor and the Illinois General Assembly for both the veto and spring sessions as to how the Northeastern Illinois Transit Agencies can improve their operations, repair the damage done to the public trust, and modernize the transit system for the people who depend upon these systems to get them to work, school, home and other destinations;

THEREFORE, I, Pat Quinn, Governor of Illinois, pursuant to the authority vested in me by Article V of the Illinois State Constitution of 1970, hereby order as follows:

I. CREATION
There is hereby created the Northeastern Illinois Public Transit Task Force (the “Task Force”) as an independent advisory body having the duties set forth in this document.

II. PURPOSE
The purpose of the Task Force is to study, examine and evaluate the Northeastern Illinois Transit Agencies to determine how the operations of these agencies can be reorganized, streamlined or restructured to, among other things, ensure greater efficiency, accountability, coordination and transparency. The Task Force shall:

a. Examine and evaluate the structures, practices and policies of each of the Transit Agencies to determine their impact and effect on the working relationships of the Transit Agencies and to achieve improved inter-agency coordination, transparency, accountability, and overall operating efficiency;

b. Examine and evaluate the appropriate oversight and authority that the Illinois Department of Transportation shall have over the Transit Agencies to ensure taxpayers are getting the best return on their investments of limited tax resources;

c. Submit, no later than October 18, 2013, a written interim report, detailing immediate measures necessary to address short-term and long-term solutions to ongoing problems at the Transit Agencies; and

d. Submit a final report no later than January 31, 2014, to the Governor and General Assembly, providing specific recommendations to improve the efficiency, accountability, coordination and transparency of the Transit Agencies.
III. MEMBERSHIP
a. The Task Force shall be composed of two (2) Co-Chairpersons and at least thirteen (13) additional members, for a total membership of at least fifteen (15) Task Force members. The Co-Chairpersons and Task Force members shall be appointed by the Governor. The Co-Chairpersons and Task Force members shall serve without compensation. The Governor may appoint additional Task Force members as desired.
b. The Task Force shall terminate on January 31, 2014, upon completion of a final report providing comprehensive recommendations to the Governor and the General Assembly.

IV. INDEPENDENCE
a. The Task Force shall function as an independent advisory body, with the discretion to arrange its affairs and proceedings in the manner it deems appropriate.
b. The Illinois Department of Transportation shall provide administrative support to the Task Force, including, but not limited to, providing an Ethics Officer for the Task Force, responding to FOIA requests on behalf of the Task Force, and assisting the Task Force in complying with the Open Meetings Act. At the direction of the Governor, any executive agency shall provide assistance to the Task Force to accomplish their goal of making recommendations to the Governor and General Assembly.

V. TRANSPARENCY
In addition to whatever policies or procedures it may adopt, all operations of the Task Force will be subject to the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.) and the Illinois Open Meetings Act (5 ILCS 120/1 et seq.). This section shall not be construed so as to preclude other statutes from applying to the Task Force and its activities.

VI. EFFECTIVE DATE
This Order shall take effect immediately upon its execution.
Issued by Governor August 15, 2013.
Filed by the Secretary of State August 15, 2013.

2013-7
EXTENSION OF THE NORTHEASTERN ILLINOIS PUBLIC TRANSIT TASK FORCE

WHEREAS, on August 15, 2013, Executive Order Number 13-06 established the Northeastern Illinois Public Transit Task Force; and
WHEREAS, the purpose of the Task Force is to study, examine and evaluate the Northeastern Illinois Transit Agencies to determine how the operations of these agencies can be reorganized, streamlined or restructured to, among other things, ensure greater efficiency, accountability, coordination and transparency; and

WHEREAS, the Task Force has conducted numerous public meetings, public hearings and received comments and testimony from the Northeastern Illinois Transit Agencies and their leadership, governmental bodies, nationally-recognized transit experts and everyday commuters; and

WHEREAS, the Task Force on December 11, 2013 requested an extension to allow additional time to present recommendations to improve the transit agencies of Northeastern Illinois; and

WHEREAS, as Governor of the State of Illinois I am committed to improving the operations of the Northeastern Illinois Transit Agencies, repairing the damage done to the public trust and modernizing the transit system for the people who depend upon these systems to get them to work, school, home and other destinations; and

WHEREAS, we must take advantage of this opportunity to transform the Northeastern Illinois transit system and provide the Task Force with additional time to make recommendations to the Governor and General Assembly;

THEREFORE, I, Pat Quinn, Governor of Illinois, pursuant to the authority vested in me by Article V of the Illinois State Constitution of 1970, hereby order as follows:

I. TASK FORCE FINAL REPORT
The Task Force shall submit a final report no later than March 31, 2014 to the Governor and General Assembly, providing specific recommendations to improve the efficiency, accountability, coordination and transparency of the Transit Agencies.

II. TASK FORCE TERMINATION DATE
The Task Force shall terminate on March 31, 2014, upon completion of a final report providing comprehensive recommendations to the Governor and the General Assembly.

III. EFFECT ON EXECUTIVE ORDER 13-06
Executive Order 13-06 Sections II.d. and III.b. are hereby nullified. All other provisions of Executive Order 13-06 shall remain in full force and effect as amended.

IV. EFFECTIVE DATE
This Order shall take effect immediately upon its execution.

Issued by the Governor December 31, 2013.
Filed by the Secretary of State December 31, 2013.
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2013-1
AFRICAN AMERICAN HISTORY MONTH

WHEREAS, Dr. Carter G. Woodson founded the Association for the Study of Afro-American Life and History in Chicago on September 9, 1915; and,

WHEREAS, Dr. Woodson initiated the annual celebration of Negro History Week in 1926, and 50 years later, in February 1976, the Association expanded Negro History Week to Black History Month, making their primary objectives the collection, study, promotion and dissemination of historical materials relating to African Americans; and,

WHEREAS, the Chicago Public Library, in keeping with the Association’s primary goal, recognizes the outstanding contributions that African Americans have made in the areas of literature, humanities, arts and the sciences; and,

WHEREAS, the Chicago Public Library encourages and supports all programs, services and activities associated with the observance of African American History Month; and,

WHEREAS, in celebration of African American History Month, the Chicago Public Library will present a series of informative, entertaining and educational programs, lectures, films, exhibits, live performances, and special events examining the culture, history, and achievements of African Americans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2013 as AFRICAN AMERICAN HISTORY MONTH in the State of Illinois and encourage all citizens to learn about the wonderful contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor January 3, 2013.
Filed by the Secretary of State January 24, 2013.

2013-2
MARTIN LUTHER KING, JR. DAY OF SERVICE

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to the advancement of civil rights and public service. He believed in a nation of freedom and justice for all, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of America; and,

WHEREAS, Dr. King recognized that everybody can be great because everybody can serve, and during his lifetime encouraged all Americans to serve their neighbors and their communities; and,
WHEREAS, in 1973, the State of Illinois became the first state to make Dr. King’s birthday a state holiday. The citizens of Illinois honor Dr. King’s legacy each year on the third Monday in January; and,

WHEREAS, legislation creating a federal holiday marking the birthday of Rev. Dr. Martin Luther King, Jr. was signed into law in 1983, and the holiday was first observed in 1986, making 2013 the 27th anniversary of the nationwide observance of the Martin Luther King, Jr. federal holiday; and,

WHEREAS, in 1994, Congress initiated the King Day of Service, a nationwide effort to transform the federal holiday honoring Dr. Martin Luther King, Jr. into a day of community service, grounded in Dr. King’s teachings, that helps solve social problems; and,

WHEREAS, this day focuses on bringing people together and breaking down the barriers that have divided us as a nation; and,

WHEREAS, thousands of Illinois residents use Martin Luther King Day as “a day on, not a day off,” by spending it performing community service; and,

WHEREAS, each year hundreds of thousands of volunteers in cities and towns across the nation participate in thousands of King Day service projects in all fifty states, the District of Columbia, Guam, and Puerto Rico; and,

WHEREAS, the King Day of Service, which falls on January 21 this year, is an opportune time for the people of Illinois to recognize Dr. King’s teachings on advancing equality and opportunity for all by contributing their own time and talents in a day of service; and,

WHEREAS, each citizen is encouraged to take part in service that will benefit communities and neighborhoods and provide a fitting memorial to the life of Martin Luther King, Jr.; and,

THEREFORE, I, Pat Quinn, Governor of THE State of Illinois, do hereby proclaim January 21, 2013 as MARTIN LUTHER KING, JR. DAY OF SERVICE in Illinois, and urge citizens throughout Illinois to honor the memory of Dr. King and put his teachings into action by finding ways to give back to their communities on this day and throughout the year. To find a volunteer opportunity or to learn more about how to recognize your volunteers, visit the Serve Illinois Commission website at www.Serve.Illinois.gov or call 800-592-9896.

Issued by the Governor January 4, 2013.

Filed by the Secretary of State January 24, 2013.
2013-3
SEED MONTH

WHEREAS, the abundance of Illinois’ crops relies on fertile soil, diligent farmers, and high quality seeds; and,

WHEREAS, to ensure that seeds are of the highest quality, there must be agricultural-minded seed producers, conscientious inspectors, skilled technicians, and concerned dealers; and,

WHEREAS, agriculture and the seed industry significantly contribute to our state’s economy with value-added products marketed throughout the world; and,

WHEREAS, the Bureau of Agricultural Products Inspection within the Illinois Department of Agriculture tests the purity and germination of seeds, validates the accuracy of product labels, and cooperates with the Illinois Crop Improvement Association, which is the state’s official seed-certifying agency, and an independent, nonprofit organization; and,

WHEREAS, in cooperation with educational and regulatory agencies, the Illinois Seed (Trade) Association has sustained an informed membership, the latest research developments, the production of high-quality seed, and has developed an effective seed program advocating for their members’ interests; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as SEED MONTH in Illinois, in appreciation of the seed industry’s contribution to supplying food and fiber to the world through the production of Illinois crops.

Issued by the Governor January 7, 2013.
Filed by the Secretary of State January 24, 2013.

2013-4
CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY

WHEREAS, a congenital diaphragmatic hernia is an opening in the diaphragm that allows the abdominal organs to push into the chest cavity. This birth defect is often life-threatening because it limits the growth of the lungs; and,

WHEREAS, congenital diaphragmatic hernias occur in 1 of every 2,500 live births in the United States, affecting a total of 1600 babies nationwide with an average of 70 born in Illinois each year; and,

WHEREAS, with a 50% survival rate, 800 of the 1600 babies born every year with Congenital Diaphragmatic Hernia will die; and,

WHEREAS, since 2000, it is estimated that over 250,000 babies born with CDH have died; and,
WHEREAS, those with CDH often endure multiple surgeries and possible medical complications beyond their diagnosis that include heart defects, pulmonary complications, gastric and intestinal problems, developmental delays, and may require respiratory and medicinal support for years; and,

WHEREAS, early diagnosis and appropriate management of fetuses with congenital diaphragmatic hemias can minimize the incidence of emergency situations and dramatically improve survival rates. However, there is a need for increased public awareness of the condition; and,

WHEREAS, many organizations are working to promote public awareness and encourage research efforts to one day prevent or successfully treat all those diagnosed with congenital diaphragmatic hernias; and,

WHEREAS, on April 19, families and friends whose lives have been affected by CDH will have an opportunity to celebrate life and remember the loved ones they have lost to congenital diaphragmatic hernias, and to honor dedicated health professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 19, 2013 as CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY in Illinois, in order to raise public awareness of this condition, and to encourage all citizens to learn more about congenital diaphragmatic hernias and support those who are affected.

Issued by the Governor January 8, 2013.
Filed by the Secretary of State January 24, 2013.

2013-5
WOMEN IN CONSTRUCTION WEEK

WHEREAS, the National Association of Women in Construction (NAWIC) has distinguished itself as the voice of women in the construction industry since 1953; and,

WHEREAS, since its inception, the NAWIC has formed four different chapters throughout the state of Illinois, whose work with community development and educational programs has touched countless lives in the Land of Lincoln; and,

WHEREAS, based on their core values of “Believe in ourselves as women, persevere with the strength of our convictions, dare to move into new horizons,” the NAWIC has remained dedicated to promoting the employment and advancement of women in the construction industry; and,
WHEREAS, the construction community, represented by the NAWIC, has been a driving force in fostering community development through renovation and beautification projects, promotion of skilled trades careers, and a positive vision for the future of Illinois and the entire United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 3-9, 2013, as WOMEN IN CONSTRUCTION WEEK in Illinois and encourage all citizens to raise awareness of the opportunities available for women in construction and to emphasize the growing role of women in the industry.

Issued by the Governor January 8, 2013.
Filed by the Secretary of State January 24, 2013.

2013-6
CAMPUSS FIRE SAFETY MONTH

WHEREAS, fire education and prevention is vital to ensuring the safety of Americans and Illinoisans; and,

WHEREAS, college students living on their own for the first time are particularly susceptible to the danger posed by fires; and,

WHEREAS, most fires can be avoided by practicing some simple commonsense behaviors and routines, such as: checking and turning off the oven and stove before going to sleep or leaving home, not overloading electrical circuits, safely stowing all dangerous and hazardous materials, keeping any electrical devices clear of water, checking and maintaining alarm and sprinkler systems, and noting the location of fire extinguishers to use in the event of an emergency; and,

WHEREAS, education significantly helps minimize the risk of fire by raising awareness of those behaviors and routines, but many students do not receive effective fire safety education during their college career when they are generally most at risk; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as CAMPUS FIRE SAFETY MONTH in Illinois, and encourage schools and municipalities to provide educational programs on the dangers and prevention of fire as students begin and return to college.

Issued by the Governor January 9, 2013.
Filed by the Secretary of State January 24, 2013.
2013-7
BARBERSHOP HARMONY WEEK

WHEREAS, the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc. (SPEBSQSA) – known now as the Barbershop Harmony Society – was officially organized April 11, 1938 in Tulsa, Oklahoma; and,

WHEREAS, what began as a small group has steadily blossomed into the world’s largest all-male singing organization, an international organization of men from all stations of life; and,

WHEREAS, the Barbershop Harmony Society is dedicated to the spread of harmony for the enjoyment of all people of the world through organizing and encouraging close-harmony singing groups; and,

WHEREAS, the Barbershop Harmony Society encourages harmony amongst all people of the world through the universal language of music; and,

WHEREAS, the Barbershop Harmony Society has actively preserved and presented a distinct style of vocal music that originated in North America; and,

WHEREAS, the Barbershop Harmony Society is dedicated to sustaining and preserving an American tradition, the barbershop quartet; and,

WHEREAS, the Barbershop Harmony Society promotes musical education through music scholarships and other means, and supports charitable foundations; and,

WHEREAS, barbershoppers are engaged in laudable civic service and enrichment of our cultural life through the fostering of traditional values in entertainment and community endeavors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 7 – 13, 2013 as BARBERSHOP HARMONY WEEK in Illinois.

Issued by the Governor January 14, 2013.
Filed by the Secretary of State January 24, 2013.

2013-8
ILLINOIS NURSE ANESTHETISTS WEEK

WHEREAS, Certified Registered Nurse Anesthetists (CRNAs) are essential to America’s healthcare system, providing high-quality, cost-effective anesthesia care for more than 125 years; and,
WHEREAS, CRNAs are anesthesia specialists who are the hands-on providers of approximately 30 million anesthetics given to patients each year in the United States; and,

WHEREAS, CRNAs are the sole anesthesia providers in more than two-thirds of all rural hospitals, affording these medical facilities obstetrical, surgical, and trauma stabilization capabilities; and,

WHEREAS, CRNAs practice in every setting in which anesthesia is delivered: traditional hospital surgical suites and obstetrical delivery rooms; ambulatory surgical centers; the offices of dentists, podiatrists, ophthalmologists, and plastic surgeons; U.S. Military, Public Health Services, and Veterans Affairs medical facilities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of January 20-26, 2013 as ILLINOIS NURSE ANESTHETISTS WEEK, and urge all citizens to join me in recognizing these outstanding healthcare professionals for their contributions to the quality of life in our state.

Issued by the Governor January 14, 2013.

Filed by the Secretary of State January 24, 2013.

2013-9
LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY

WHEREAS, Lynch Syndrome is a hereditary disorder caused by a mutation in a mismatched repair gene in which affected individuals have a significantly higher than normal chance of developing colorectal, endometrial, ovarian, stomach, urinary tract, brain, skin and various other types of cancers, often at a young age; and,

WHEREAS, approximately 600,000 people in the United States, including 25,000 in the State of Illinois, are currently estimated to have Lynch Syndrome even though only 5% have been diagnosed; and,

WHEREAS, a family history of these cancers can suggest the possibility of Lynch Syndrome and genetic testing can positively confirm whether this condition exists and whether it has been passed down to individual family members; and,

WHEREAS, a positive genetic test result can be acted upon with more frequent screening so that the cancers can be detected early, and often removed or treated before becoming life threatening; and,

WHEREAS, the number of cancer deaths can be reduced as a result of the identification of Lynch Syndrome patients through increased public awareness and subsequent genetic testing and regular screening; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 22, 2013 as LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY in Illinois.

Issued by the Governor January 14, 2013.
Filed by the Secretary of State January 24, 2013.

2013-10
ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY

WHEREAS, for many years, the Electric and Telephone Cooperatives of Illinois has sponsored a paid tour of Washington, D.C., for approximately 70 outstanding Illinois high school students; and,

WHEREAS, the selection criteria for students to participate includes essay and youth leadership contests that are sponsored by member cooperatives; and,

WHEREAS, students from Illinois, along with nearly 1,500 contest winners from other states, will have an opportunity to witness their federal government in action during the “Youth to Washington” tour taking place on June 14-21, 2013; and,

WHEREAS, in an effort to provide a broader educational experience for students throughout the state, the Electric and Telephone Cooperatives of Illinois will also sponsor a trip to our state capitol April 17, 2013 for 275 contest finalists; and,

WHEREAS, these hard-working young men and women are the future of our state and country, and deserve to be commended for their achievements and their desire to learn more about their nation’s governing bodies; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 17, 2013 as ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY in Illinois, and encourage all citizens to support youth programs that assist those interested in learning about the United States government.

Issued by the Governor January 15, 2013.
Filed by the Secretary of State January 24, 2013.

2013-11
NATIONAL BLOOD DONOR MONTH

WHEREAS, with a strong commitment to helping others, thousands of citizens in Illinois donate blood each year; and,
WHEREAS, approximately four million patients in the United States receive blood transfusions every year, and roughly 38,000 units of blood are required in hospitals and emergency treatment facilities on any given day; and,
WHEREAS, while an estimated 10.8 million volunteers donate blood in the United States each year, twenty-nine percent of which are first time donors, our nation’s blood supply is in constant need of replenishment; and,
WHEREAS, every two seconds someone in the United States needs blood, and a single blood donation can help save more than one life; and,
WHEREAS, the State of Illinois recognizes the importance of blood donation through the Blood Donation Act, the Employee Blood Donation Leave Act and the Organ Donor Act; and,
WHEREAS, first observed in 1970, “National Blood Donor Month” provides an annual opportunity to recognize those who donate blood and to highlight the need for new donors; and,
WHEREAS, this year, the American Red Cross, the American Association of Blood Banks, and America’s Blood Centers have joined together to advance this worthy initiative; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2013 as NATIONAL BLOOD DONOR MONTH in Illinois, and encourage all eligible donors to open their hearts this month by giving blood.

Issued by the Governor January 16, 2013.
Filed by the Secretary of State January 24, 2013.

2013-12
FAIR HOUSING MONTH

WHEREAS, April 11, 2013 marks the 45th anniversary of the passage of the U.S. Fair Housing Act, which enunciated a national policy of fair housing and today bars discrimination based on race, color, religion, national origin, sex, familial status or disability; and,
WHEREAS, this year also marks the 34th anniversary of the Illinois Human Rights Act, which bars discrimination in housing based on race, color, religion, national origin, sex (including sexual harassment), physical or mental disability, familial status, age (40 and over), ancestry, marital status, disability, military status, unfavorable discharge from military service, sexual orientation (including gender-related identity), or order of protection status; and,
WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; and,

WHEREAS, decent, safe and affordable housing is part of the American dream and a right of all Illinois residents; and,

WHEREAS, economic stability, community health and human relations in all communities of the State of Illinois are improved by diversity and integration; and,

WHEREAS, stable, integrated and balanced residential patterns are threatened by discriminatory acts and unlawful housing practices that result in segregation of residents and opportunities in Illinois communities; and,

WHEREAS, the talents of grassroots and non-profit organizations, housing service providers, housing professionals, financial institutions, elected officials, state agencies and others must be combined to promote and preserve integration, fair housing and equal opportunity; and address the immense challenge of ensuring that every person in Illinois has access to affordable housing; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as FAIR HOUSING MONTH in Illinois in commemoration of the signing of the U.S. Fair Housing Act and the Illinois Human Rights Act, as well as to promote integration and equal housing opportunities for everyone and urge all Illinois residents to embrace diversity, recognize the importance of equal opportunity in housing, and to promote appropriate activities by private and public entities intended to provide or advocate for integration and affordable equal housing opportunities for all residents and prospective residents of the State of Illinois.

Issued by the Governor January 18, 2013.
Filed by the Secretary of State January 24, 2013.

2013-13
NATIONAL BLACK HIV/AIDS AWARENESS DAY

WHEREAS, February 7, 2013, is the 13th annual commemoration and observance of National Black HIV/AIDS Awareness Day; and,

WHEREAS, this observance is a nationwide effort to mobilize black communities to get educated, get tested, get involved and get treated around HIV/AIDS, as it continues to devastate black communities; and,

WHEREAS, Illinois has the seventh highest number of diagnosed HIV infections, and is fifth nationwide in the estimated number of AIDS cases; and,
WHEREAS, there are 60,000 Illinois residents living with HIV, of which 51 percent are black; and,
WHEREAS, African-American men have the highest number of HIV/AIDS cases among all racial/ethnic groups in Illinois, with 46 percent of all reported HIV cases; and,
WHEREAS, African-American women make up 68.5 percent of all reported HIV/AIDS cases among females in Illinois; and,
WHEREAS, the Illinois Department of Public Health, Center for Minority Health Services and its community partners are hosting community events throughout the state to recognize this day and its importance to blacks and all concerned citizens; and,
WHEREAS, it is fitting that we join with local, national and international community stakeholders to express our strong support for National Black HIV/AIDS Awareness Day and the initiatives that work to prevent the transmission of HIV and reduce AIDS diagnoses in black communities and provide access to and utilization of HIV/AIDS prevention, treatment and support services to those affected by HIV/AIDS; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby designate February 7, 2013 as NATIONAL BLACK HIV/AIDS AWARENESS DAY in Illinois, and encourage all residents to strongly support this day and participate in events planned to commemorate the occasion.

Issued by the Governor January 18, 2013.
Filed by the Secretary of State January 24, 2013.

2013-14
RARE DISEASE DAY

WHEREAS, there are nearly 7,000 diseases and conditions considered rare (each affecting fewer than 200,000 Americans) in the United States; and,
WHEREAS, while each of these diseases alone may affect only a small number of people, rare diseases as a group affect millions of Americans; and,
WHEREAS, many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and,
WHEREAS, unfortunately, there is often no treatment specific to these rare diseases; and,
WHEREAS, individuals and families affected by rare diseases often experience problems such as a sense of isolation, difficulty in
obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing or being reimbursed for treatment; and,

WHEREAS, while some rare diseases, such as “Lou Gehrig’s disease” and Huntington’s disease are relatively well known, many others are not known at all by the public, which means that a large share of the burden of raising awareness of these diseases and raising funds for research is borne by patients and their families; and,

WHEREAS, statistically, nearly 1 in 10 Americans are affected by rare diseases, resulting in thousands of Illinois residents affected; and,

WHEREAS, a nationwide observance of Rare Disease Day affords patients, medical professionals, researchers, government officials, and companies developing treatments for rare diseases an opportunity to join together to focus attention on rare diseases as a public health issue; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 28, 2013 as RARE DISEASE DAY in Illinois, in support of this important public awareness campaign.

Issued by the Governor January 18, 2013.
Filed by the Secretary of State January 24, 2013.

2013-15
RIDE OF SILENCE DAY

WHEREAS, on May 15, 2013, at 7:00 PM, the Ride of Silence will begin in North America and roll across the globe. Cyclists will take to the roads in a silent procession to honor fellow cyclists who have been killed or injured while cycling on public roadways; and,

WHEREAS, in 2003, Chris Phelan organized the first Ride of Silence in Dallas after endurance cyclist Larry Schwartz was hit by the mirror of a passing bus and was killed; and,

WHEREAS, news of the ride, which was intended to be a one-time event, quickly spread. Over the years, participation in this event have increased dramatically and this year will mark the eleventh anniversary of the event; and,

WHEREAS, millions of Americans engage in cycling because it is a viable and environmentally sound form of transportation and an excellent form of physical exercise; and,
WHEREAS, although cyclists have a legal right to share the road with motorists, the motoring public often isn't aware of these rights, and sometimes not aware of the cyclists themselves; and,

WHEREAS, held during Bike Safety Month, the Ride of Silence is a free ride held on the same day and time across the world that asks its cyclists to ride no faster than 12 mph and remain silent during the ride, treating the ride as a funeral procession in mourning of fallen cyclists; and,

WHEREAS, the Ride of Silence aims to raise the awareness of motorists, police and city officials that cyclists have a legal right to the public roadways; and,

WHEREAS, the ride is also a chance to honor those who have been killed or injured while bicycling on public roadways; and,

WHEREAS, the State of Illinois is proud to promote bicycling as an alternative means of public mobility, and is committed to providing a safe and responsible bicycling environment for all of its residents; and,

WHEREAS, on May 15, communities across the State of Illinois will host Rides of Silence to show respect for fallen cyclists and to raise awareness of the importance of sharing our public roadways; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 15, 2013 as RIDE OF SILENCE DAY in Illinois, in remembrance of cyclists who have been killed or injured while bicycling on public roadways, to encourage bicycle safety, and to raise awareness of cyclists’ right to share the road.

Issued by the Governor January 18, 2013.
Filed by the Secretary of State January 24, 2013.

2013-16
ST. JOSEPH CHARGERS COACH GENE PINGATORE DAY

WHEREAS, the contributions of sport in local communities foster a sense of inspiration and pride within our schools, our towns, and our state; and,

WHEREAS, these team sports inspire a sense of community, especially when student athletes display their excellence, persistence and teamwork; and,

WHEREAS, today, the State of Illinois has the opportunity to celebrate the All-American pastime of basketball, to recognize the contributions of sport, and to showcase the leadership of a coach who brings diverse groups of young men together to achieve their goals; and,

WHEREAS, on December 28, 2013, the St. Joseph High School Chargers men’s basketball team won their game against Proviso West
High School’s Panthers, marking the 900th career win for head coach Gene Pingatore; and,

WHEREAS, Coach Gene Pingatore has served as head coach of the Chargers for the past forty-two years, creating a lasting impact in the game of basketball; and,

WHEREAS, Coach Gene Pingatore has accumulated a win-loss record of 900-312, making him one of the most winningest high school coaches not only in Illinois, but in the country; and,

WHEREAS, Coach Gene Pingatore has coached many accomplished athletes throughout his tenure at St. Joseph, including NBA legend Isiah Thomas, high school All-Americans Daryl Thomas and Deryl Cunningham, and collegiate star Tony Freeman; and,

WHEREAS, under Coach Gene Pingatore’ leadership, the St. Joseph Chargers have consistently demonstrated extraordinary teamwork by winning several championships and upholding the rich athletic traditions of the State of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby commend the St. Joseph High School men’s basketball team for their spirit, their determination and their outstanding teamwork in winning do hereby proclaim January 18, 2013 as ST. JOSEPH CHARGERS COACH GENE PINGATORE DAY in Illinois, in recognition of his remarkable leadership and dedication to the program.

Issued by the Governor January 18, 2013.

Filed by the Secretary of State January 24, 2013.

2013-17

AMBUCS APPRECIATION MONTH

WHEREAS, AMBUCS is a National Organization comprised of local civic clubs located throughout the United States dedicated to creating mobility and independence for people with disabilities, by performing community service, providing AmTryke therapeutic tricycles for individuals with disabilities and providing scholarships for therapists; and,

WHEREAS, there are thirteen AMBUCS Chapters located in the great State of Illinois and devoted to the Mission of National AMBUCS, namely: Cornbelt Bloomington AMBUCS; Champaign-Urbana AMBUCS; Danville AMBUCS; Decatur AMBUCS; Lincolnland Decatur AMBUCS; Jacksonville AMBUCS; Pekin AMBUCS; Rockford AMBUCS; Springfield AMBUCS; Sullivan AMBUCS; Rock River AMBUCS; Greater Champaign County AMBUCS and Chicago AMBUCS; and,
WHEREAS, the number of AMBUCS actively involved in their local and National AMBUCS Chapters in the great State of Illinois totals 630, with the largest AMBUCS Chapter in the entire National AMBUCS network being the Springfield AMBUCS Chapter, with 200 members and friends; and,

WHEREAS, AMBUCS Chapters and Ambuc individuals throughout the great State of Illinois annually and freely contribute thousands of hours of community service and hundreds of thousands of dollars of monetary gifts to providing AmTrykes to disabled individuals, endowing scholarships for therapy students, building ramps for disabled persons, and countless other deserving local and national projects; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2013 as AMBUCS APPRECIATION MONTH in Illinois, in recognition of the fine accomplishments, unequaled charitable giving, and selfless contributions of the individual Ambucs and AMBUCS Chapters throughout the Land of Lincoln.

Issued by the Governor January 23, 2013.
Filed by the Secretary of State January 24, 2013.

2013-18
ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION
“PARTNERS IN PROGRESS” DAY

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other Italian immigrants who came to the United States during the great Italian migration (1880-1923); and,

WHEREAS, the OSIA’s goal was to create a support system for all Italian immigrants that could assist them in becoming U.S. citizens, and providing their health/death benefits and educational opportunities; and,

WHEREAS, over the years, the OSIA has achieved much success in their goals of serving the public. Not only have they established free schools and centers to teach immigrants English and to help them become citizens, but they have also instituted orphanages and homes for the elderly, and helped to raise money for those in need; and,

WHEREAS, to date, OSIA members have given millions to educational programs, disaster relief, cultural preservation and promotion and medical research; and,

WHEREAS, the National Council of the Order Sons of Italy in America has adopted Alzheimer’s disease as one of its primary charities,
and plans to support this cause by implementing a fund raising campaign throughout the nation; and,

WHEREAS, joining their cause will be the Alzheimer’s Association, a group that provides services and support to Alzheimer’s patients and their families; and,

WHEREAS, on May 18, 2013, the OSIA and the Alzheimer’s Association will hold an event to support the approximately 5.4 million Americans affected by Alzheimer’s disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 18, 2013 as ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION “PARTNERS IN PROGRESS” DAY in Illinois, and encourage all citizens to recognize and aid in the charitable work these organizations carry out for the benefit of others.

Issued by the Governor January 23, 2013.
Filed by the Secretary of State January 24, 2013.

2013-19
RONALD REAGAN DAY

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois and subsequently lived in many locations throughout Illinois during his childhood and adolescence including Galesburg and Dixon, where he graduated from High School; and,

WHEREAS, Ronald Wilson Reagan enrolled in Eureka College in Eureka, Illinois in 1928 and majored in Economics and Sociology. It was here that he discovered an interest in drama while serving as student body president; and,

WHEREAS, Ronald Wilson Reagan enjoyed successful careers in many fields: lifeguard, military officer, spokesman, broadcaster and most notably as a celebrated Hollywood actor; and,

WHEREAS, Ronald Wilson Reagan began a life of public service when he enlisted in the Army Reserves as a Private in 1937. He was eventually promoted to 2nd Lieutenant in the Officers Reserve Corps of the Cavalry before being called into active duty by the United States Air Force in 1942; and,

WHEREAS, Ronald Wilson Reagan began his political career in 1966, defeating incumbent Governor Edmund G. “Pat” Brown to become Governor of the State of California; and,

WHEREAS, Ronald Wilson Reagan began developing his natural leadership skills while serving the student body at Eureka College, further honed them through his military career and through his many acting
credits and perfected them while serving the citizens of the State of California; and,

WHEREAS, Ronald Reagan Wilson, native son of Illinois, was elected President of the United States in 1980, becoming our Nation’s 40th President; and,

WHEREAS, President Ronald Reagan served the people of the United States of America for two terms with honor, always with the interest of the public good in mind; and,

WHEREAS, the quote “There is no limit to what a man can do or where he can go if he doesn’t mind who gets the credit” holds especially true in an era of political partisanship and demonstrates that President Reagan possessed a true servant’s heart; and,

WHEREAS, on February 6, 2011, the State of Illinois, along with the United States of America, will celebrate the 102nd anniversary of President Reagan’s birthday; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 6, 2013 as RONALD REAGAN DAY in Illinois, in honor of the legacy and achievements of our Nation’s 40th President.

Issued by the Governor January 23, 2013.
Filed by the Secretary of State January 24, 2013.

2013-20
WOMEN’S HEALTHY HEART MONTH

WHEREAS, an estimated 43 million women in the U.S. are affected by heart disease; and,

WHEREAS, heart disease is the cause of 1 in 3 deaths among women each year, killing approximately one woman every minute; and,

WHEREAS, in Illinois alone, the year 2009 saw 12,368 deaths in women due to diseases of the heart; and,

WHEREAS, heart disease is the leading cause of death for African American women in the United States; and,

WHEREAS, the majority of women are not aware of risk factors for a heart attack, nor of the signs and symptoms of a heart attack; and,

WHEREAS, risk factors for a heart attack are: tobacco use, high blood cholesterol, high blood pressure, physical inactivity, diabetes and obesity; and,

WHEREAS, symptoms of a heart attack are: uncomfortable pressure, squeezing, fullness or pain in the center of the chest that lasts more than a few minutes, or goes away and comes back; pain or discomfort in one or both arms, the back, neck, jaw, stomach; shortness of
breath along with or before, chest discomfort; and cold sweat, nausea or lightheadedness; and,

WHEREAS, it is critical that we, as a country and state, work to empower women and increase their awareness of the many things they can do to reduce their risk of heart disease; and,

WHEREAS, this includes exercising regularly, eating healthy meals and snacks, and taking care of themselves and their body; and,

WHEREAS, February of each year is nationally recognized as American Heart Month and “GO RED for Women” Awareness Month. During this month, it is important to give special emphasis to women’s heart health; and,

WHEREAS, on February 1, 2013, the State of Illinois and the Illinois Department of Public Health will be joining various heart health organizations across the country in encouraging people to wear red in support of the continued efforts to raise awareness of heart disease among women in Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the month of February 2013 as WOMEN’S HEALTHY HEART MONTH in Illinois, and urge all citizens, especially women, to familiarize themselves with the signs, symptoms and treatments for heart disease, as well as the steps they can take to maintain good heart health.

Issued by the Governor January 23, 2013.
Filed by the Secretary of State February 14, 2013.

2013-21
STUDENT COUNCIL WEEK

WHEREAS, Student Councils provide a terrific opportunity for young leaders of tomorrow; and,

WHEREAS, Student Council is a hands-on experience that teaches students the fundamentals of leading. The first ingredient of leadership is establishing a vision that others share and are willing to invest their personal resources for; and,

WHEREAS, once a vision is established, it is important to determine how to get there, establish communication, build teamwork, and exhibit perseverance in the face of challenges. Finding common ground, building consensus, and inspiring cooperation to achieve a goal is what leadership is all about; and,

WHEREAS, good leaders are those who know this, and the best leaders are those whose results support their vision; and,

WHEREAS, Student Council is a civics lesson in motion, and in the process, members also promote school spirit, raise money for charity,
and volunteer their time to community service. Indeed, Student Council is a wonderful organization that benefits students, schools, and the entire community; and,

WHEREAS, this year, the 79th Annual Illinois Association of Student Councils State Convention will be held from May 9-11, 2013 in Lombard. The conference will attract students from all across the state. There, they will participate in seminars and workshops to exchange event ideas and to help them become better leaders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9-11, 2013 as STUDENT COUNCIL WEEK in Illinois, in support of Student Council, and to encourage our future leaders attending the Illinois Association of Student Councils State Convention to share and apply what they learn there.

Issued by the Governor January 25, 2013.
Filed by the Secretary of State February 14, 2013.

2013-22
COURT REPORTING AND CAPTIONING WEEK

WHEREAS, as a highly technical career field, stenographic court reporting and captioning require a blend of skills, knowledge, and hard work; and,

WHEREAS, due to its flexibility and significant income potential, court reporting is consistently ranked as one of the top career choices; and,

WHEREAS, stenographic skills are transferable to a variety of careers including court reporting, live-event captioning for the deaf and hard-of-hearing community, and captioning for broadcast and specialized videography; and,

WHEREAS, Forbes has named court reporting as one of the best career options that does not require a four-year degree, and the U.S. Bureau of Labor Statistics reports that the court reporting field is supposed to grow by more than 5 percent in the coming years; and,

WHEREAS, for over 100 years, The National Court Reporters Association has been internationally recognized for promoting excellence among those who capture and convert the spoken word to text; and,

WHEREAS, members of the National Court Reporters Association have contributed greatly to their communities by volunteering their time and professional skills to capture the oral histories of America’s disabled veterans; and,

WHEREAS, National Court Reporting and Captioning Week will be marked with educational events nationwide, including a grassroots social media campaign, presentations at high schools across the country
about court reporting and captioning career opportunities, and community
demonstrations such as producing transcripts of veterans’ oral histories;
and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim February 17-23, 2013 as COURT REPORTING AND
CAPTIONING WEEK in Illinois, in recognition of the dedication and
professionalism of those working in stenographic court reporting and
captioning.

Issued by the Governor January 29, 2013.
Filed by the Secretary of State February 14, 2013.

2013-23
JAMES T. MEEKS DAY

WHEREAS, Pastor Meeks has quickly risen to become one of the
most dynamic religious and civic leaders in the nation; and,

WHEREAS, during his life, Pastor Meeks has served others in the
ministry, the Illinois State Senate, and through community events in the
streets of Chicago; and,

WHEREAS, Pastor Meeks is the founder and senior pastor of
Salem Baptist Church of Chicago, which is one of the fastest growing
megachurches in the nation and the largest African American church in
Illinois with over 15,000 members; and,

WHEREAS, in 2005, Pastor Meeks led Salem Baptist Church in
constructing the House of Hope, a $50 million, 10,000 seat community
and worship center on the South Side of Chicago; and,

WHEREAS, during his 38 years of ministry, Pastor Meeks has
taken his message of hope and reform around the world to Israel, Africa,
China, Jamaica, Argentina, Sweden, the Czech Republic, and Australia;
and,

WHEREAS, Pastor Meeks was the first Independent legislator
ever elected to the Illinois State Senate; and,

WHEREAS, Pastor Meeks served three terms in the Illinois State
Senate, where he focused on the issue of educational equality and served
in several leadership positions including Chair of the Education
Committee and Joint Chairman of the Illinois Legislative Black Caucus;
and,

WHEREAS, in 2008, Pastor Meeks formed a coalition of parents,
students, pastors, educators, community advocates, and other concerned
groups to highlight the importance of addressing educational inequities in
Illinois; and,
WHEREAS, Pastor Meeks is the author of two books, “How To Get Out of Debt and Into Praise,” and “Life-Changing Relationships,” which have been received with critical acclaim; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 3, 2013 as JAMES T. MEEKS DAY in Illinois, in recognition of his years of service in the Illinois State Senate and tireless community efforts.

Issued by the Governor January 29, 2013.
Filed by the Secretary of State February 14, 2013.

2013-24
NATIONAL CODE ENFORCEMENT OFFICER APPRECIATION MONTH

WHEREAS, Code Enforcement Officers ensure the safety, health, and welfare of the citizens in communities throughout the State of Illinois by enforcing local codes or ordinances dealing with various issues including building, zoning, housing, animal control, environmental, health, and life safety; and,

WHEREAS, Code Enforcement Officers have a challenging job and are often underappreciated for the critical role that they have in improving living and working conditions for residents and businesses of local communities; and,

WHEREAS, Code Enforcement Officers are dedicated, highly-qualified professionals who share the goals of preventing neighborhood deterioration, enhancing and ensuring safety, and preserving property values through knowledge and application of housing, zoning, and nuisance codes and ordinances; and,

WHEREAS, Code Enforcement Officers have a highly-visible role in the communities they serve and regularly interact with a variety of state, county, first responder, and legislative boards, commissions, and agencies; and,

WHEREAS, Code Enforcement Officers are called upon to provide quality customer service and excellence to the residents and businesses of the communities in which they serve; and,

WHEREAS, the Illinois Association of Code Enforcement was established in 1993 for the purpose of providing ongoing training and support for code enforcement professionals working in the State of Illinois; and,

WHEREAS, the Illinois Association of Code Enforcement wants to recognize and honor Code Enforcement Officers and professionals all
across the State of Illinois and increase awareness of the importance of code enforcement within the communities of Illinois; and,

WHEREAS, the Illinois Association of Code Enforcement is celebrating its 20th Anniversary and “20 years of Success, Safety, and Service” in the State of Illinois throughout 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as NATIONAL CODE ENFORCEMENT OFFICER APPRECIATION MONTH in Illinois, and I congratulate the Illinois Association of Code Enforcement on 20 years of Success, Safety, and Service to various communities in the State of Illinois.

Issued by the Governor January 29, 2013.
Filed by the Secretary of State February 14, 2013.

2013-25
WORLD INTERFAITH HARMONY WEEK

WHEREAS, the General Assembly of the United Nations unanimously adopted a resolution on October 20, 2010, designating the first week in February to be an annual World Interfaith Harmony Week; and,

WHEREAS, the United Nations specifically encouraged all member nations to support interfaith harmony and goodwill in the world’s churches, mosques, synagogues, temples and other places of worship during the World Interfaith Harmony Week; and,

WHEREAS, the United Nations’ theme for 2013 is “We Are All Connected by Compassion,” which is an integral conviction in each major religion; and,

WHEREAS, the Council of Religious Leaders of Metropolitan Chicago consists of the principal faith leaders for over six million followers in eight world religions—Baha’i, Christianity, Hinduism, Islam, Jainism, Judaism, Sikhism, and Zoroastrianism; and,

WHEREAS, for over twenty-five years the Council of Religious Leaders of Metropolitan Chicago has endeavored to build harmonious interfaith relationships, confronted together multiple social injustices, and provided a common advocacy and engagement in service for the suffering and marginalized; and,

WHEREAS, the Council of Religious Leaders of Metropolitan Chicago, a living example that interfaith harmony is achievable, calls all people during this first and following World Interfaith Harmony Weeks to increase mutual understanding of the religious diversity in our communities, to engage together in practicing our constitutionally
guaranteed religious freedom, and to build peace and justice between our local neighbors; and,

WHEREAS, the Council of Religious Leaders of Metropolitan Chicago will host a forum on February 7, 2013 entitled “Interfaith Relationships and Advocacy in a Culture of Violence”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 1 - 7, 2013 as WORLD INTERFAITH HARMONY WEEK in Illinois, and urge citizens throughout Illinois to increase mutual understanding and harmony of the various faith traditions in our communities, ensure our American rights for the freedom and expression of each person’s religious faith and beliefs, and build a fair and just society based on the moral principles of the founders of the United States of America during this week and throughout the year.

Issued by the Governor January 29, 2013.
Filed by the Secretary of State February 14, 2013.

2013-26
MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH

WHEREAS, multiple sclerosis (MS) is a chronic, progressive, disabling neurological disease of unknown origin that affects the central nervous system and has no known cure; and

WHEREAS, multiple sclerosis generally strikes young adults between the ages of 20 and 50, attacking them in the prime of their lives. Every hour in the United States someone is newly diagnosed with MS; and,

WHEREAS, MS has been diagnosed in more than 400,000 people nationwide, with an estimated 20,000 in Illinois alone. This not only affects the individual, but their family, friends and employers; and

WHEREAS, people with MS are often misunderstood because many of their symptoms—including fatigue, weakness, cognition difficulties, vision loss, and depression—are “invisible” and symptoms can range from numbness and tingling to blindness and paralysis. The progress, severity, and specific symptoms of MS in any one person cannot yet be predicted; and,

WHEREAS, advances in research and treatment are moving us closer to a world free of MS; and,

WHEREAS, with early drug therapy and proper healthcare management disease progression can be slowed, allowing people with MS to live active, rewarding and productive lives, and
WHEREAS, increased public education and awareness about MS not only helps people who must cope with the disease, but also stimulates funds for vital research aimed at developing more disease-modifying treatments and ultimately a cure, and

WHEREAS, many organizations throughout Illinois are dedicated to improving the quality of life of people with MS through educational programs and materials, grant programs, support groups, advocacy, and other services, and

WHEREAS, it is in the best interest of the state of Illinois to promote awareness of MS and a better understanding of people who live with the disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH in Illinois to raise awareness about MS and the affect that it has on the lives of many residents of the Land of Lincoln.

Issued by the Governor January 30, 2013.
Filed by the Secretary of State February 14, 2013.

2013-27
STOP DIABETES WEEK

WHEREAS, diabetes has reached epidemic proportions in the United States with millions affected. Additionally, many individuals are at increased risk for developing diabetes due to age, obesity and sedentary lifestyle; and,

WHEREAS, type 2 diabetes can be prevented in those at high risk by changes in lifestyle with improved diet, increased physical activity, and/or modest weight loss; and,

WHEREAS, numerous studies support that people with diabetes can prevent or delay the progression of complications by practicing goal-oriented management of blood glucose, lipids and blood pressure, receiving diabetes self-management education, ensuring proper food intake and physical activity to help achieve target values, maintaining a healthy body weight, and receiving recommended eye and foot examinations; and,

WHEREAS, as many as one in four people with diabetes will develop a foot ulcer in their lifetime. Proper daily foot care, regular examinations by a physician or podiatrist and early detection and treatment of possible ulcers may prevent amputations. People with diabetes under the care of a podiatrist or multidisciplinary health care team have fewer deep ulcers; and,
WHEREAS, retinopathy, a disease of the small blood vessels in the retina, is one of the most common eye problems for people with diabetes; and people with diabetes have a higher risk of blindness than people without diabetes. A person with diabetes should have regular eye examinations with an eye care professional. Early detection and treatment of retinopathy may prevent further damage and blindness; and,

WHEREAS, the American Diabetes Association was founded in 1940; and,

WHEREAS, the American Diabetes Association has a worldwide professional membership of over 12,000; and,

WHEREAS, the American Diabetes Association is leading the fight to stop diabetes and its deadly consequences, and fighting for those affected by diabetes; and,

WHEREAS, the American Diabetes Association funds research to prevent, cure and manage diabetes, delivers services to hundreds of communities, provides objective and credible information; and,

WHEREAS, the American Diabetes Association will hold its 73rd Scientific Sessions in the City of Chicago in the McCormick Place Convention Center; and,

WHEREAS, the 73rd Scientific Sessions will be the world’s largest and most prestigious meeting on diabetes in the world; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 18 - 25, 2013 as STOP DIABETES WEEK in Illinois.

Issued by the Governor January 30, 2013.

Filed by the Secretary of State February 14, 2013.

2013-28

DESSERT STORM REMEMBRANCE DAY

WHEREAS, since the birth of this great nation, millions of brave American men and women have courageously answered the call to defend their country’s ideals of freedom and democracy; and,

WHEREAS, twenty-two years ago, over 600,000 members of the United States Armed Forces risked their lives in the Persian Gulf to liberate Kuwait during Operation Desert Storm; and,

WHEREAS, fourteen citizens of the State of Illinois made the ultimate sacrifice for their country; and,

WHEREAS, the men and women who served in the United States Armed Forces during Operation Desert Storm have earned the gratitude and respect of their nation; and,
PROCLAMATIONS

WHEREAS, the observance of the 22nd anniversary of Operation Desert Storm allows citizens throughout Illinois, and across the country, the opportunity to honor those who served during this conflict for their valor and selflessness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 28, 2013 as DESERT STORM REMEMBRANCE DAY in Illinois, in honor and remembrance of those who made the ultimate sacrifice to protect our country.

Issued by the Governor January 31, 2013.
Filed by the Secretary of State February 14, 2013.

2013-29
ENGINEERS WEEK

WHEREAS, according to the Illinois Department of Financial and Professional Regulation, there are approximately 20,700 registered professional engineers and 2,300 registered structural engineers in Illinois; and,

WHEREAS, engineers use their scientific and technical knowledge and skills to provide the people of this state and across the nation with a wealth of innovations in all fields, including agriculture, transportation, construction and education; and,

WHEREAS, engineers are vital to allowing our society to function efficiently, particularly in the areas of public safety, health, welfare, transportation, water, power, communications, structural and environmental engineering; and,

WHEREAS, engineers face the major technological challenges of our time – from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the twenty-first century; and

WHEREAS, engineers are encouraging our young math and science students to realize the practical power of their knowledge; and,

WHEREAS, we must depend upon the professional men and women in the field of engineering to find technological solutions to the problems we currently face, and those we might face in the future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim February 17 - 23, 2013 as ENGINEERS WEEK in Illinois, and encourage all citizens to recognize and appreciate the countless contributions that engineers make to the state and the country as a whole.

Issued by the Governor January 31, 2013.
Filed by the Secretary of State February 14, 2013.
WHEREAS, Public Act – 97-008, also known as Senate Bill 7, was signed into law June 13, 2011 and required the Illinois State Board of Education to administer a survey of learning conditions survey to students in grades 6-12 and all teachers; and,

WHEREAS, the Illinois State Board of Education selected UChicago Impact of the University of Chicago Urban Education Institute to assist with this endeavor, and UChicago Impact designed the Illinois 5Essentials Survey to capture valuable input from teachers, students about the instructional environment within each school; and,

WHEREAS, the Illinois 5Essentials Survey also offers a mechanism for collecting important information from those on the front lines to support effective, relevant professional development and enhanced instruction; and,

WHEREAS, the Illinois 5Essentials Survey is based on 20 years of research conducted by the University of Chicago Consortium on Chicago School Research in more than 400 schools, including Chicago Public Schools, and has been shown to be strongly predictive of school improvement; and,

WHEREAS, schools strong in 3 to 5 of the Essentials are 10 times more likely to improve student learning than schools weak in 3 to 5 of the Essentials; and,

WHEREAS, strength on components within the Essentials also correlates with increased teacher retention, student attendance, college enrollment and high school graduation; and,

WHEREAS, the Illinois State Board of Education and UChicago Impact will give teachers and students access to this online 15-minute survey, the Illinois 5Essentials Survey, between February 1 and March 31, 2013; and,

WHEREAS, reports will be produced for schools with at least 50 percent of students and teachers participating in the Survey; and,

WHEREAS, I invite students, educators, and parents to share their experience and insight via the online survey on the 5Essentials of leadership, collaboration, family engagement, instruction, and overall school environment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 15, 2013 as 5Essentials Day in Illinois, in support of the Illinois Learning Climate Survey.

Issued by the Governor February 1, 2013.

Filed by the Secretary of State February 14, 2013.
2013-31
FINANCIAL AID AWARENESS MONTH

WHEREAS, broad access to college contributes to a strong and resilient workforce, able to fill the jobs of the future and to adapt as economic conditions change; and,

WHEREAS, Illinoisans increasingly need postsecondary degrees and certificates to achieve their personal and professional goals; and,

WHEREAS, our State has responded to these realities by adopting a goal that, by 2025, at least 60% of Illinois adults will hold a postsecondary degree or credential of value; and,

WHEREAS, meeting that goal will require expanded awareness of the necessary steps to prepare, apply, and pay for college; and,

WHEREAS, student financial aid programs such as the need-based Monetary Award Program (MAP) and the federal Pell grant program provide access to educational opportunity for hundreds of thousands of Illinois students each year; and,

WHEREAS, eligibility for those programs, as well as loan programs and many school-based grants, is based on an aspiring student’s completion of the Free Application for Federal Student Aid (FAFSA); and,

WHEREAS, the mission of the Illinois Student Assistance Commission (ISAC) is to make college accessible and affordable for Illinois students, and the agency’s Illinois Student Assistance Corps provides financial aid and outreach to students in every region of the state; and,

WHEREAS, ISAC, the Illinois Association for College Admission Counseling, and the Illinois Association of Student Financial Aid Administrators, Inc., are dedicated to improving awareness among students, parents, and adult learners regarding college admissions and financial aid resources and procedures; and,

WHEREAS, the state’s college admission community, financial aid community, and ISAC are collaborating to serve Illinois families through workshops on student financial assistance, including help in completing the FAFSA; and,

WHEREAS, more than one hundred twenty-five workshops will be presented free-of-charge in public venues around the State throughout the month of February 2013 to assist Illinoisans in applying for student assistance and reaching their educational and personal goals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2013 as FINANCIAL AID AWARENESS MONTH in Illinois and encourage students and families to take full
advantage of the college preparation and planning resources available in their communities.

Issued by the Governor February 1, 2013.
Filed by the Secretary of State February 14, 2013.

2013-32
NARCOLEPSY AWARENESS DAY

WHEREAS, narcolepsy is a chronic neurological disorder caused by the brain’s inability to regulate sleep-wake cycles; and,
WHEREAS, narcolepsy affects an estimated 1 in every 2,000 Americans; and,
WHEREAS, narcolepsy is an under-recognized and under diagnosed condition; and,
WHEREAS, the symptoms of narcolepsy, especially when undiagnosed, can lead to accidents, injuries, and problems with learning and working; and,
WHEREAS, narcolepsy affects people neurologically, socially, and emotionally; and,
WHEREAS, narcolepsy affects people of all ages, with onset typically between the ages of 15 and 25; and,
WHEREAS, The Narcolepsy Network is a national organization, based in North Kingstown, RI, created to promote awareness of the disease and support for those who suffer from narcolepsy; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 9, 2013 as NARCOLEPSY AWARENESS DAY in Illinois.

Issued by the Governor February 1, 2013.
Filed by the Secretary of State February 14, 2013.

2013-33
EARLY HEARING DETECTION AND INTERVENTION DAY

WHEREAS, approximately 180,000 newborn babies will have their hearing screened in Illinois every year; and,
WHEREAS, in Illinois, nearly 500 children will be identified with hearing loss each year; and,
WHEREAS, the Illinois Hearing Screening for Newborns Act, passed in July of 1999, requires all birthing hospitals in the state to implement universal newborn hearing screening and reporting; and,
WHEREAS, the Universal Newborn Hearing Screening program was established to implement and administer the provisions of the Illinois Hearing Screening for Newborns Act; and,

WHEREAS, the Illinois Department of Human Services, Illinois Department of Public Health, Division of Specialized Care for Children, Bureau of Early Intervention, hospital personnel, healthcare professionals and community-based organizations work together to ensure that the parents of babies who have a hearing loss receive follow-up diagnostic testing and information regarding communication options and other services for their children; and,

WHEREAS, CHOICES for Parents, sponsors of EHDI Day, are celebrating their 13th anniversary of service to parents; and,

WHEREAS, CHOICES for Parents is grateful to its 22 coalition members and its co-sponsor of EHDI Day, the Illinois EHDI Program; and,

WHEREAS, the State of Illinois realizes the importance of universal newborn hearing screening and its impact on the lives of our children as well as their families and communities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 22, 2013 as EARLY HEARING DETECTION AND INTERVENTION DAY in Illinois, in order to create awareness for the importance of early hearing detection and intervention so that babies who have a hearing loss will receive early intervention services in a timely fashion.

Issued by the Governor February 4, 2013.
Filed by the Secretary of State February 14, 2013.

THE MONTH OF INTEGRITY

WHEREAS, the attitudes and values our children develop during their formative years largely determine their later behavior; and,

WHEREAS, parents, grandparents, foster parents and guardians should be encouraged to recognize the important role they play in teaching children the value of life and the meaning of integrity; and,

WHEREAS, Illinois’ high school and college students should likewise be encouraged in civic engagement and democratic learning and act as mentors and tutors to younger students; and,

WHEREAS, children are one of Illinois’ most precious resources and our best investment in the future of our state; and,
WHEREAS, the education of the youth of Illinois is a top priority, and we are dedicated to providing quality educational resources for all our students; and,

WHEREAS, the purpose of the Month of Integrity is to promote the total education of children, which not only provides the necessary academic skills for success today but also the values, class and character needed to ascend to the highest levels of achievement; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as THE MONTH OF INTEGRITY in Illinois, and I encourage our citizens to help our students grow into complete individuals of character.

Issued by the Governor February 4, 2013.
Filed by the Secretary of State February 14, 2013.

2013-35
DAYS OF REMEMBRANCE

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and,

WHEREAS, during this sad time in history, six million people were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and,

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and,

WHEREAS, the people of the State of Illinois should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and,

WHEREAS, the Days of Remembrance have been set aside for the people of the State of Illinois to bear in memory the victims of the Holocaust while reflecting on the need for respect of all peoples; and,

WHEREAS, pursuant to Public Law 96-388, October 7, 1980 the United States Congress dedicated the Days of Remembrance of the victims of the Holocaust. This year’s observance will take place from April 7th through April 14th, including the Day of Remembrance known as Yom Hashoah, on April 8th; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 7-14, 2013 as DAYS OF REMEMBRANCE in Illinois, in memory of the victims of the Holocaust, and the survivors, as well as the rescuers and liberators. I urge all citizens to collectively and
individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor February 5, 2013.
Filed by the Secretary of State February 14, 2013.

2013-36
PERIANESTHESIA NURSE AWARENESS WEEK

WHEREAS, perianesthesia nursing is a specialized nursing practice dealing in all phases of preanesthesia and postanesthesia care, ambulatory surgery and pain management; and,

WHEREAS, the depth and breadth of the perianesthesia nursing profession meets the varied and emerging health care needs of the American population in a diversified range of environments; and,

WHEREAS, the demand for perianesthesia nurses will only increase due to an aging American population and advances in medicine that are prolonging life. Consequently, the role of these nurses is essential and vital in the quality of health care and safety of patients in hospital and ambulatory surgery settings; and,

WHEREAS, there are more than 55,000 perianesthesia registered nurses in the United States. The American Society of PeriAnesthesia Nurses represents this group and is one of our nation’s premier specialty nursing organizations; and,

WHEREAS, The American Society of PeriAnesthesia Nurses’ mission is to advance the field of nursing by providing education, conducting research and developing professional standards of practice for their field; and,

WHEREAS, the Illinois Society of PeriAnesthesia Nurses, founded in 1976 as a branch of the American Society of PeriAnesthesia Nurses, also represents perianesthesia nurses and promotes quality and cost-effective care for their patients; and,

WHEREAS, the Illinois Society of PeriAnesthesia Nurses, in conjunction with the American Society of PeriAnesthesia Nurses, have designated February 4-10, 2013 as PeriAnesthesia Nurse Awareness Week, with the theme, “Perianesthesia Nurses: Compassionate, Caring, Competent” in celebration of the efforts of perianesthesia nurses to advance nursing practices; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 4-10, 2013 as PERIANESTHESIA NURSE AWARENESS WEEK in Illinois, in recognition of perianesthesia nurses for their indispensible service to the medical profession, and for their commitment to providing quality care and treatment of patients.
WHEREAS, the American Veterinary Medical Association was founded in 1863 as the U.S. Veterinary Medical Association in New York City, New York; and,
WHEREAS, 2013 will mark the 150th anniversary of organized veterinary medicine in the United States; and,
WHEREAS, veterinarians have played an integral role in discovering the causes of numerous diseases that affect our state’s citizens such as salmonellosis, West Nile infection, yellow fever and malaria; and,
WHEREAS, veterinarians provide valuable public health service through preventive medicine, control of zoonotic diseases and scientific research; and,
WHEREAS, veterinarians have advanced human and animal health by inventing and refining techniques and instrumentations such as artificial hips, bone plates, splints and arthroscopy; and,
WHEREAS, veterinarians play an integral role in protecting the quality and security of our nation’s national herd and food supply; and,
WHEREAS, military veterinarians provide crucial support to our nation’s armed forces and assistance to the agricultural independence of developing nations around the world; and,
WHEREAS, disaster relief veterinarians provide public health service and veterinary medical support to animals and humans displaced and ravaged by disasters; and,
WHEREAS, veterinarians are dedicated to preserving the human-animal bond and promoting the highest standards of science-based, ethical animal welfare; and,
WHEREAS, colleagues from around the world will join veterinarians in the United States to celebrate this momentous occasion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2013 as THE MONTH OF THE VETERINARIAN, in recognition of the contributions that the veterinary profession and American Veterinary Medical Association have made and continue to make for animal health, public health, animal welfare, and food safety in our state.
2013-38
NATIONAL DAY OF PRAYER

WHEREAS, in times of peril both at home and abroad, many American citizens turn to prayer for help and guidance; and,
WHEREAS, millions of men and women across the nation gratefully continue the tradition of prayer in churches, synagogues, temples, mosques, and other houses of worship across our country; and,
WHEREAS, established in 1952 by an act of Congress, the National Day of Prayer is now observed nationally every year on the first Thursday in May; and,
WHEREAS, the National Day of Prayer is a celebration of American citizens’ freedom of religion, set forth in the First Amendment. Americans treasure their religious freedom, which embraces the many diverse communities of faith that have infused our society and our cultural heritage over more than two centuries; and,
WHEREAS, in past years, U.S. presidents and governors have signed proclamations designating a National Day of Prayer; and,
WHEREAS, the State of Illinois is pleased to join governors across the nation and President Barack Obama by issuing a proclamation honoring the National Day of Prayer, while continuing to work with communities of faith to improve our state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2, 2013 as NATIONAL DAY OF PRAYER in Illinois.

Issued by the Governor February 6, 2013.
Filed by the Secretary of State February 14, 2013.

2013-39
POLLINATOR WEEK

WHEREAS, pollinator species such as birds and insects are essential partners of farmers and ranchers in producing much of our food supply; and,
WHEREAS, pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities as well as enhanced economic development opportunities for communities; and,
WHEREAS, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and,
WHEREAS, the State of Illinois has managed wildlife habitats and public lands such as Illinois forests and grasslands for decades; and,

WHEREAS, the State of Illinois provides producers with conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 17-23, 2013 as POLLINATOR WEEK in Illinois, and I urge all citizens to recognize this observance.

Issued by the Governor February 6, 2013.
Filed by the Secretary of State February 14, 2013.

2013-40
SCHOOL SOCIAL WORK WEEK

WHEREAS, school social workers in the State of Illinois and across the nation serve as vital members of the educational team, playing a central role in creating a positive school climate and vital partnerships between the home, school, and community to ensure student academic success; and,

WHEREAS, school social workers are especially skilled in providing services to students who face serious challenges to school success, including poverty, disability, discrimination, abuse, addiction, bullying, divorce of parents, loss of a loved one, and other barriers to learning; and,

WHEREAS, there is a growing need for local school districts and other educational agencies to address students’ emotional, physical, and environmental needs so that they can achieve academic success; and,

WHEREAS, the celebration of “School Social Work Week” during the week of March 3-9, 2013 highlights the vital role school social workers play in the lives of students and families in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 3-9, 2013 as SCHOOL SOCIAL WORK WEEK in Illinois, in recognition of the contributions that social workers make to the lives of students across the State of Illinois.

Issued by the Governor February 6, 2013.
Filed by the Secretary of State February 14, 2013.
WHEREAS, on February 7, 2013, Victoria Post Ranney was awarded the Leon M. Despres Lifetime Commitment to Parks Award by Friends of the Parks recognizing her distinguished service on behalf of the parks; and,

WHEREAS, Victoria Ranney has performed honorable and distinguished service for the State of Illinois as Chairman of the Nature Preserve Commission, Chairman of the Illinois Humanities Council, and service on the State Archives Board; and

WHEREAS, Victoria Ranney edited CONCON, the background papers for the 1970 Constitutional Convention, which were used extensively by the members of the Convention and published by the University of Illinois Press; and,

WHEREAS, Victoria Ranney has provided important intellectual and influential leadership for the urban parks movement by founding, with her friend, Lois Weisberg, Friends of the Parks and subsequently serving as one of its first Presidents; and,

WHEREAS, as President and long-standing park advocate, Victoria Ranney has fought fiercely and effectively to protect Washington Park, Jackson Park and Grant Park from adverse development and destruction, and assisted in the initial conceptualization of what would become Millennium Park; and,

WHEREAS, Victoria Ranney has written one of the first important books about Frederick Law Olmsted, Olmsted in Chicago; and,

WHEREAS, Victoria Ranney served for 20 years as associate editor of the Frederick Law Olmsted papers, published in eight volumes published by the Johns Hopkins University Press; and,

WHEREAS, Victoria Ranney served on the Boards of the National Association of Olmsted Parks, the University of Chicago Library and the Newberry Library and the Land Institute; and,

WHEREAS, Victoria Ranney served as founder and co-developer of the Prairie Crossing Conservation Community in Grayslake, Illinois where principles of environmental design and open space planning have been put into place successfully as 400 homes, a charter school with an environmental curriculum and an organic farm of 100 acres have been built on a 677-acre site; and,

WHEREAS, Victoria Ranney chairs the Liberty Prairie Foundation, giving generously to environmental advancement and protection; and,
WHEREAS, Victoria Ranney has also found time to raise three
children each with energy and aspirations for civic service no less than her
own; and,

WHEREAS, the State of Illinois congratulates Victoria Post
Ranney on her long-term commitment to parks, the environment and
urban design in her distinguished career; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim Thursday, February 7, 2013 as VICTORIA POST
RANNEY DAY in Illinois, and thank Vicky Ranney for her dedicated
service to the State.

Issued by the Governor February 6, 2013.
Filed by the Secretary of State February 14, 2013.

2013-42
LYME DISEASE AWARENESS MONTH

WHEREAS, the bacteria Borrelia burgdorferi is carried by ticks
and causes Lyme Borreliosis, commonly known as Lyme Disease, which
is one of the most rapidly growing infectious diseases in the United States;
and,

WHEREAS, the number of reported cases of Lyme Disease among
residents of Illinois have steadily increased; and,

WHEREAS, despite its growing impact on Illinois residents, the
Centers for Disease Control estimates that the majority of cases are
misdiagnosed; and,

WHEREAS, Lyme Disease imitates other conditions and no
reliable laboratory test currently exists which can confirm the diagnosis,
leading it to be frequently misdiagnosed as other diseases; and,

WHEREAS, early indicators of infection include flu-like
symptoms which, if left untreated, can develop into serious, permanent
and sometimes life-threatening damage to the brain, joints, heart, eyes,
liver, spleen, blood vessels and kidneys. For this reason it is imperative
that all who develop Lyme Disease receive immediate treatment; and,

WHEREAS, educating people about the severity of the illness and
the need to practice prevention techniques when engaging in outdoor
activities, such as regular tick checks, use of tick repellents and proper
tick removal is the best method of reducing the threat of Lyme Disease;
and,

WHEREAS, during the month of May, the Illinois Lyme Disease
Network, which serves Lyme survivors and their families, will be
sponsoring educational seminars to inform our citizens about Lyme
Borreliosis; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as LYME DISEASE AWARENESS MONTH in Illinois, in order to draw attention to this disease and the importance of early diagnosis and treatment.
Issued by the Governor February 7, 2013.
Filed by the Secretary of State February 14, 2013.

2013-43
INTERNATIONAL MOTHER LANGUAGE DAY

WHEREAS, there are close to 6,000 languages estimated to be spoken in today’s world. About half of those languages are under threat of disappearing forever; and,
WHEREAS, in the 1956 Pakistan Constitution, Bengali and Urdu were declared as state languages of Pakistan. In the constitution of Bangladesh, adopted in 1972, it is stated, “The Language of the Republic would be Bengali.” In Bangladesh, efforts continue to establish Bangla in all walks of life; and,
WHEREAS, International Mother Language Day, which is celebrated on February 21 every year, was launched at the thirtieth session of the General Conference of UNESCO in 1999; and,
WHEREAS, the existence of different languages in a culture allows us to gain a different perspective of its history and illuminates the outstanding ability of any culture to create communication; and,
WHEREAS, International Mother Language Day aims at promoting linguistic diversity and multilingual education, and at raising awareness of linguistic cultural traditions based on understanding, tolerance and dialogue; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 21, 2013 as INTERNATIONAL MOTHER LANGUAGE DAY in Illinois, and encourage all citizens to recognize the value that languages have in understanding our shared cultural history.
Issued by the Governor February 8, 2013.
Filed by the Secretary of State February 14, 2013.

2013-44
JAPANESE EARTHQUAKE COMMEMORATION DAY

WHEREAS, natural disasters such as earthquakes, windstorms, and floods can strike anywhere on earth, often without warning. These events are usually triggered by environmental factors that cause
devastating humanitarian, physiological and economic hardships to affected nations; and,

WHEREAS, on March 11, 2011, the strongest earthquake in Japanese recorded history struck off its northeastern coast. The massive tsunami wave triggered by the impact left a trail of debris among the cities and villages along the 2,100 kilometer stretch of coastline; and,

WHEREAS, families and friends were lost, homes destroyed and whole towns vanished instantly as the huge tsunami caused unimaginable damage to Japan’s East Pacific Ocean front. This disastrous spectacle has caused irreparable damage in the hearts and minds of the people, leaving behind a death toll of over 15,000 with another 5,000 missing; and,

WHEREAS, the Osaka Committee of Chicago Sister Cities International and Japan Society of Chicago will be hosting a Japan Earthquake Photography Exhibition, through the generous cooperation of Nikkei, Inc., the leading Japanese business newspaper, that reflects on the immediate aftermath of the earthquake and tsunami, and ongoing recovery efforts; and,

WHEREAS, the Japan Earthquake Photography Exhibition is a reminder of the lives of those lost during this tragedy as well as a celebration of the bravery of first responders whose efforts saved many lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 11, 2013 as JAPANESE EARTHQUAKE COMMEMORATION DAY in Illinois, in memory of the people of Japan and their courage in facing a natural disaster of such magnitude.

Issued by the Governor February 8, 2013.
Filed by the Secretary of State February 14, 2013.

2013-45
MEN’S HEALTH WEEK

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women, with African-American men having the lowest life expectancy; and,

WHEREAS, recognizing and preventing men’s health problems is not just a man’s issue. Because of its impact on wives, mothers, daughters, and sisters, men’s health is truly a family issue; and,

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will help to reduce rates of mortality from disease, improve overall health, and save health care dollars; and,
WHEREAS, men who are educated about the value of preventative health will be more likely to participate in health screenings; and,
WHEREAS, the Men’s Health Network collaborated with Congress to develop National Men’s Health Week - the week leading up to and including Father’s Day - as a special campaign to help educate men and their families about the importance of positive health attitudes and preventative health practices; and,
WHEREAS, Men’s Health Week will raise awareness of a broad range of men’s health issues, including heart disease, diabetes, prostate, testicular and colon cancer; and,
WHEREAS, all of the citizens of this state are encouraged to recognize the importance of a healthy lifestyle, regular exercise and medical check-ups; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 10-16, 2013 as MEN’S HEALTH WEEK in Illinois, and encourage all citizens to pursue preventative health practices and early detection efforts.

Issued by the Governor February 8, 2013.
Filed by the Secretary of State February 14, 2013.

2013-46
PARKINSON’S DISEASE AWARENESS MONTH

WHEREAS, Parkinson’s disease is a progressive disorder of the central nervous system, affecting approximately 1.5 million Americans; and,
WHEREAS, clinically, the disease is characterized by a decrease in spontaneous movements, gait difficulty, postural instability, rigidity and tremor; and,
WHEREAS, Parkinson’s disease affects both men and women in almost equal numbers. The frequency of the disease is considerably higher in the over-60 age group, although there is an alarming increase of patients of younger age; and,
WHEREAS, in consideration of the increased life expectancy in this country and worldwide, an increasing number of people are expected to be afflicted with Parkinson's disease; and,
WHEREAS, while medication may mask symptoms for a period of time, there is no known cure, therapy or drug that can slow or stop progression of the disease; and,
WHEREAS, there is no known cause of Parkinson’s Disease, but scientists believe it to be both genetic and environmental; and,
WHEREAS, in 1991, The Parkinson Action Network was founded to raise awareness and advocate on behalf of patient’s with this devastating disorder. The network also supports and funds ongoing research in the hope of finding a cure; and,

WHEREAS, the State of Illinois recognizes the efforts of the Illinois Chapter of the Parkinson Action Network to raise funds and promote awareness to fight Parkinson’s disease, thereby improving the quality of life for those living with the disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as PARKINSON’S DISEASE AWARENESS MONTH in Illinois, to raise awareness of this devastating illness and in recognition of the work of the Parkinson Action Network.

Issued by the Governor February 8, 2013.
Filed by the Secretary of State February 14, 2013.

2013-47
AMERICAN RED CROSS MONTH

WHEREAS, in 1881, the efforts of Clara Barton led to the establishment of the American Red Cross and for more than a century the American Red Cross has been helping Americans prevent, prepare and respond to disasters large and small; and,

WHEREAS, the American Red Cross has grown into an organization that is uniquely chartered by the United States Congress to act in times of need by providing assistance to persons afflicted by local, state, national or international disasters as well as to assist American military personnel and their families; and,

WHEREAS, Illinois would like to recognize those who help by giving their time to help their neighbor in need, and further would like to thank our heroes – our volunteers, blood donors, class takers and financial supporters who help the American Red Cross assist those in need; and,

WHEREAS, the American Red Cross works tirelessly through its nearly 1,000 employees and a force of almost 10,000 volunteers in Illinois to help when disaster strikes, whether someone needs life-saving blood, or the comfort of a helping hand. Red Cross provides 24-hour support to members of the military, veterans and their families, and provides training in CPR, aquatics safety, and first aid; and,

WHEREAS, the American Red Cross responds to nearly 70,000 disasters a year across this great nation while also providing some 400,000 services to military members, veterans and civilians, collecting and distributing about 40 percent of the nation’s blood supply and training
more than seven million people in first aid, water safety and other life-saving skills every year; and,

WHEREAS, our whole community depends on the American Red Cross, who rely on voluntary donations of time, money and blood to fulfill its humanitarian mission; and,

WHEREAS, the American Red Cross continues to offer help and comfort to those in need, despite the challenging economic times; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as AMERICAN RED CROSS MONTH, and encourage all residents to recognize and thank our heroes – those who volunteer, donate blood, take life-saving courses or who provide financial donations to support an organization whose mission is to alleviate human suffering in the face of emergency. I encourage all Illinoisans to support this organization and its noble humanitarian mission.

Issued by the Governor February 13, 2013.
Filed by the Secretary of State February 14, 2013.

2013-48
DEPARTMENT OF LABOR DAY

WHEREAS, for the past 100 years, the United States Department of Labor has fostered, promoted, and developed the welfare of wage earners, job seekers, and retirees of this country; and,

WHEREAS, the United States Department of Labor has continually sought to make the American workplace safer, healthier, and fairer for everyone; and,

WHEREAS, working families from Illinois and across the world have benefitted from the United States Department of Labor’s efforts to assure work-related benefits and rights, including the right to be paid fairly for every hour labored; and,

WHEREAS, the United States Department of Labor has evolved to meet the changing needs of the workforce by partnering with employers, community organizations and institutions of higher learning to improve job training, provide lifelong learning opportunities and advance efforts for profitable employment; and,

WHEREAS, the impact of the United States Department of Labor has reached outside the confines of the workplace, touching people’s lives at all stages, by allowing parents to take leave and tend to loved ones; training veterans and young people for the careers of a lifetime; and guaranteeing the pensions of retired workers; and,

WHEREAS, the United States Department of Labor will remain of paramount importance to the well-being of all Americans through meeting
the needs of future workers with the same insight, foresight and passion it has demonstrated for the past century; and,

WHEREAS, the State of Illinois will continue working collaboratively in the future with the United States Department of Labor; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 4, 2013 as DEPARTMENT OF LABOR DAY in Illinois in celebration of their Centennial Anniversary.

Issued by the Governor February 13, 2013.
Filed by the Secretary of State February 14, 2013.

2013-49
MOTORCYCLE AWARENESS MONTH

WHEREAS, Illinois is a national leader in motorcycle education and safety; and,

WHEREAS, in 1976, the Illinois Department of Transportation (IDOT) found that motorcycle ridership was increasing, as were the number of crashes and fatalities involving motorcycles; and,

WHEREAS, the Illinois Department of Transportation has been conducting the Illinois Cycle Rider Safety Training Program since 1976; and,

WHEREAS, for more than three decades now, IDOT's Cycle Rider Safety Training Program has functioned as a national model for motorcycle safety programs; and,

WHEREAS, the program is supported by state motorcycle registration fees and has been responsible for training more than 300,000 cyclists; and,

WHEREAS, sharing a roadway is where motorist awareness starts and better rider education, licensing and public awareness lead to safer motorcycling; and,

WHEREAS, the Illinois Department of Transportation urges all motor vehicle drivers to expect to see more motorcyclists riding in traffic in spring and summer months and to respect that they rightfully enjoy the same access to the roads as other motorists; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as MOTORCYCLE AWARENESS MONTH in Illinois, and encourage all drivers to help keep our roadways safe through proper motorist awareness.

Issued by the Governor February 13, 2013.
Filed by the Secretary of State February 14, 2013.
2013-50
SILVER STAR SERVICE BANNER DAY

WHEREAS, the State of Illinois has always honored the sacrifice of the men and women in the Armed Forces; and,
WHEREAS, the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded, injured or became ill in combat; and,
WHEREAS, the Silver Star Families of America was formed to help the American people remember the sacrifices of the Armed Forces by designing and manufacturing Silver Star Service Banners and flags; and,
WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this state and country with Silver Star Service Banners, flags, and care packages; and,
WHEREAS, the Silver Star Families of America’s mission is to ensure that every time someone sees a Silver Star Service Banner in a window or a Silver Star Flag flying, they will remember the sacrifice made by so many for this state and nation; and,
WHEREAS, the State of Illinois joins The Silver Star Families of America in their commitment to make sure that the sacrifice of so many in our Armed Forces never be forgotten; and,
 THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 1, 2013 as SILVER STAR SERVICE BANNER DAY in Illinois, and encourage all citizens to join in the mission of The Silver Star Families of America and honor all of our wounded Armed Service members.

Issued by the Governor February 13, 2013.
Filed by the Secretary of State February 14, 2013.

2013-51
ARTS IN EDUCATION SPRING CELEBRATION MONTHS

WHEREAS, the arts are the personification of beauty in the world and help to preserve our cultural heritage; and,
WHEREAS, arts education, which includes dance, drama, music and visual arts, is an essential part of basic instruction for all students, providing them with a balanced education that will aid in developing their full potential; and,
WHEREAS, the Peoria County Regional Office of Education is committed to the establishment and continuation of school programs that provide students with the opportunity to achieve academic excellence; and,
WHEREAS, the Peoria County Regional Office of Education is committed to supporting the development and promotion of fine and applied arts programs; and,

WHEREAS, the Arts in Education Spring Celebration, winner of several awards, is held at the Peoria County Courthouse Plaza and provides a venue for students in grades pre-Kindergarten through 12 to showcase their works and talents; and,

WHEREAS, the 28th annual Arts in Education Spring Celebration will be held April 15 through May 24, 2013; and,

WHEREAS, the State of Illinois supports events such as the Arts In Education Spring Celebration, and commends the students and teachers who work to bring the beauty of art to this great state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April and May, 2013 as ARTS IN EDUCATION SPRING CELEBRATION MONTHS in Illinois.

Issued by the Governor February 14, 2013.
Filed by the Secretary of State February 28, 2013.

2013-52

EMERGENCY MEDICINE DAY

WHEREAS, Emergency Medicine is responsible for treating the most critically ill and injured patients and is part of the first response to public health emergencies such as natural disasters and terrorist attacks; and,

WHEREAS, Emergency Physicians must have the skills of many specialists—the ability to resuscitate a patient (Critical Care Medicine), manage a difficult airway (Anesthesia), suture a complex laceration (Plastic Surgery), reduce (set) a fractured bone or dislocated joint (Orthopedic Surgery), treat a heart attack (Cardiology), manage a stroke (Neurology), work-up a pregnant patient with bleeding (Obstetrics and Gynecology), care for the very young (Pediatrics) and very aged (Geriatrics) and care for the mentally ill (Psychiatry); and,

WHEREAS, Emergency Medicine has been described as society's medical safety net since it is the only place where patients know they can be seen regardless of their financial resources or time of day; and,

WHEREAS, in their safety net role, Emergency Physicians and Emergency Departments face a steady demand for uncompensated care, which raises concern about the financial viability of their operations; and,

WHEREAS, the growth in Emergency Department (ED) visits over the last decade coupled with the decline in the number of hospitals
operating an ED have led some experts to declare that emergency care has reached a breaking point; and,

WHEREAS, the closures of Emergency Departments have led to an increasingly common ED overcrowding crisis, where the demand for care exceeds the ability of the ED to provide care in a timely way; and,

WHEREAS, there is a need for increased awareness and support for Emergency Medicine and to preserve this safety net; and,

WHEREAS, the observance of Emergency Medicine Day provides an opportunity for people and families whose lives have been positively impacted by Emergency Medicine to honor the field of Emergency Medicine and the Emergency Physicians who have helped in a time of need; and,

WHEREAS, the establishment of Emergency Medicine Day will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about Emergency Medicine and the issues critical to its continuation as society's medical safety net; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 13, 2013 as EMERGENCY MEDICINE DAY in Illinois, in order to increase awareness of Emergency Medicine and its contribution to the lives of the people of Illinois.

Issued by the Governor February 14, 2013.
Filed by the Secretary of State February 28, 2013.

2013-53
FELLOWSHIP CHICAGO DAY

WHEREAS, on Saturday, January 19, 2013, the 28th Annual Stellar Awards took place at the Grand Ole Opry house in Nashville, Tennessee; and,

WHEREAS, the Annual Stellar Awards has now become a premier Gospel event that recognizes and honors African American Gospel artists and many television and film stars; and,

WHEREAS, it has been 28 years since the first awards show was taped at the Arie Crown Theater in Chicago, and at the 28th Annual Stellar Music Awards, Pastor Jenkins and Fellowship Chicago won five awards, including Choir of the Year and Song of the Year; and,

WHEREAS, Pastor Jenkins’ unwavering commitment to the members of his congregation has undoubtedly touched numerous lives, provided a source of inspiration to many people throughout the Chicagoland area; and,
WHEREAS, his years of service to the community are truly a wonderful blessing; and,
WHEREAS, the Annual Stellar Awards provide an opportunity to celebrate Fellowship Missionary Baptist Church’s success, while also reaffirming the faith and dedication that has supported the church; and,
WHEREAS, Reverend Dr. Clay Evans founded the Fellowship Missionary Baptist Church in 1950, along with five founding members that preserved the gospel heritage through their perpetuated excellence in gospel music ministry and through their faith in God; and,
WHEREAS, the Fellowship Missionary Baptist Church encourages high standards of performance, conduct and professionalism in the music industry, and exhibits the wealth of talent that Illinois has to offer; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 17, 2013 as FELLOWSHIP CHICAGO DAY in Illinois, in recognition of their success and contributions to music, art, and culture in the Land of Lincoln.
Issued by the Governor February 14, 2013.
Filed by the Secretary of State February 28, 2013.

2013-54
YOUTH ART MONTH

WHEREAS, the study of art leads to a fuller, more meaningful life; and,
WHEREAS, art education in the State of Illinois contributes educational benefits to all elementary, middle, and secondary students; and,
WHEREAS, art education teaches students sensitivity to beauty, order, and other expressive qualities; and,
WHEREAS, art education gives students a deeper understanding of multi-cultural values and beliefs, while also bringing to life what is learned in other subjects; and,
WHEREAS, the problem solving skills promoted through art education lead to creative thinking; and,
WHEREAS, our nation’s leaders have acknowledged the necessity of including arts experiences in all students’ education; and,
WHEREAS, the National Art Education Association, in conjunction with the Illinois Art Education Association, is striving to better the human condition by upgrading visual awareness and the cultural strength of Illinois and the United States as a whole; and,
WHEREAS, the citizens of Illinois have joined the National Art Education Association and the Illinois Art Education Association in supporting the youth of our community in their artistic development; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as YOUTH ART MONTH in Illinois, and urge all citizens to give their full support to quality school art programs for children and youth.

Issued by the Governor February 14, 2013.
Filed by the Secretary of State February 28, 2013.

2013-55
KENNY MCREYNOLDS DAY

WHEREAS, Kenny McReynolds has quickly risen to become one of the most accomplished sports broadcasters in the State of Illinois; and,

WHEREAS, Kenny McReynolds is a five-time Chicago Emmy Award winner and the host of CPS Sports Edition on Me-TV; and,

WHEREAS, Kenny McReynolds provides color commentary for all live high school football and basketball games broadcast on Me-TV and WCIU; and,

WHEREAS, throughout his broadcasting career, Kenny McReynolds has held numerous other positions including morning sports anchor on WCIU’s stock market show and weekend sports anchor and reporter at WFLD-Fox 32 in Chicago; and,

WHEREAS, Kenny McReynolds started his communications career at WVON in Chicago and has served as Sports Director for radio stations WGCI-FM, WBMX-FM, and WVAZ-FM; and,

WHEREAS, highly regarded for his coaching ability and basketball knowledge, Kenny McReynolds is currently a scout for the Golden State Warriors and was previously a scout for the Orlando Magic and Charlotte Bobcats; and,

WHEREAS, Kenny McReynolds was an assistant basketball coach at DePaul University under legendary coach Ray Meyer; and,

WHEREAS, in recognition of his character and success as a coach, Kenny McReynolds was inducted into the Chicago Public Schools’ Hall of Fame in May of 2006, and into the Illinois Basketball Coaches Association Hall of Fame in April of 2008; and,

WHEREAS, Kenny McReynolds appeared in the hit movie Hoop Dreams; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 18, 2013 as KENNY MCREYNOLDS DAY in
Illinois, in recognition of his accomplishments as a basketball coach and sports broadcaster.

Issued by the Governor February 15, 2013.
Filed by the Secretary of State February 28, 2013.

2013-56
CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH

WHEREAS, the Association of Government Accountants (AGA) is a professional organization with more than 15,000 members in 90 chapters throughout the United States and around the world, including chapters in Illinois, in Chicago and Springfield; and,

WHEREAS, since 1950, the AGA has been dedicated to addressing the issues and challenges facing government financial managers; and,

WHEREAS, there are more than 250 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and,

WHEREAS, AGA Chicago and Springfield Chapter members have responded to AGA’s mission of Advancing Government Accountability, as it continues to broaden education efforts with emphasis on high standards of conduct, honor and character in its Code of Ethics; and,

WHEREAS, the AGA Chicago and Springfield chapters are making significant advances both in professional ability and in service to the citizens of Illinois by mastering increasingly technical and complex requirements; and,

WHEREAS, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history and to pass a 3-part examination requiring expertise in the Government Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting; and,

WHEREAS each CGFM holder is required to maintain certification by completing comprehensive training sessions totaling 80 hours over a 2-year period; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH in Illinois, in recognition of the unique skills and special knowledge of the professionals who specialize in government financial management.
WHEREAS, electricity is an increasing presence in our modern lives, but as our reliance on electricity grows, so does the potential for electrical safety hazards; and,

WHEREAS, hundreds of people die and thousands are injured each year in the United States as a result of electrically-related incidents; and,

WHEREAS, there are, on average, 450 civilian deaths related to electrical home structure fires each year; and,

WHEREAS, more than seven people are electrocuted each week in the United States; and,

WHEREAS, property damage resulting from home fires caused by electrical failure or malfunction amounts to more than $1.5 billion annually; and,

WHEREAS, following basic safety precautions can help prevent injury or death to thousands of people each year; and,

WHEREAS, citizens are encouraged to check their homes and workplaces for possible electrical hazards to help protect lives and property. This includes loose wall receptacles and wires, improperly used extension cords, and overloaded circuits; and,

WHEREAS, citizens are encouraged to protect their homes and families with the latest safety technology such as ground fault circuit interrupters, arc fault circuit interrupters, and tamper resistant receptacles; and,

WHEREAS, citizens are encouraged to install, test, and properly maintain an adequate number of smoke alarms; and,

WHEREAS, the Electrical Safety Foundation International (ESFI) is dedicated to promoting electrical safety in the home, school, and workplace, through education, awareness and advocacy; and,

WHEREAS, the Electrical Safety Foundation International has designated the month of May as Electrical Safety Month; and,

WHEREAS, the observance of Electrical Safety Month is designed to promote a healthy respect for electricity and to educate the public about the safe use of electrical appliances and safety practices around electrical equipment; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as ELECTRICAL SAFETY MONTH in
Illinois, and encourage all citizens to conduct an electrical safety check of their homes, schools and workplaces, and to establish and practice electrical safety habits to reduce electrical hazards, injuries, and property damage, and to prevent deaths.

Issued by the Governor February 22, 2013.

Filed by the Secretary of State February 28, 2013.

2013-58
FABRY DISEASE AWARENESS MONTH

WHEREAS, Fabry Disease is a rare, progressive, destructive, and life-threatening inherited genetic disorder that causes children and adults to suffer a cascade of life-altering symptoms such as pain, decreased ability to perspire, intolerance to heat and exercise, unexplained fevers, chronic gastrointestinal upset, chronic fatigue, anxiety, depression, and excessive school and work absences. It progresses to include hearing loss, lung disease, heart disease, kidney disease, cerebrovascular disease, and other symptoms. It often causes premature death in adults due to heart attacks, strokes and kidney failure; and,

WHEREAS, Fabry Disease is caused by deficient activity of the lysosomal enzyme, alpha-galactosidase-A, which results in insufficient breakdown of lipids. Lipids are therefore able to build into harmful levels inside the body which causes lysosomal and cellular dysfunction; and,

WHEREAS, Fabry Disease is severely under-recognized and misdiagnosed. When diagnosed, it is often too late after irreversible organ damage occurs; and,

WHEREAS, the current most commonly used estimate of classic Fabry Disease incidence is about 1 in 50,000 males. Because of its x-chromosome inheritance pattern, twice as many females are potentially affected but with a random, more varied distribution of disease symptoms than in males; and,

WHEREAS, recent studies suggest that many more people may have Fabry Disease than are currently identified, in part due to misdiagnosis; and,

WHEREAS, there is an approved treatment for Fabry Disease, but without proper diagnosis, many those suffering from the disease may not receive proper treatment; and,

WHEREAS, an enzyme assay test for males and molecular DNA test for females can confirm Fabry disease. Increased education among physicians and the community is critical to increased disease recognition; and,
THEREFORE, I, Pat Quinn Governor of the State of Illinois, do hereby proclaim April, 2013 as FABRY DISEASE AWARENESS MONTH in the State of Illinois, in order raise awareness about Fabry Disease and the affect that it has on the lives of many residents of the Land of Lincoln.

Issued by the Governor February 22, 2013.
Filed by the Secretary of State February 28, 2013.

2013-59
ILLINOIS ARTS EDUCATION WEEK

WHEREAS, the State of Illinois recognizes that arts education, which includes dance, drama, music, and visual arts, is an essential part of basic education for all students, providing them with a balanced education that will aid in developing their full potential; and,

WHEREAS, the arts enrich the lives of children in Illinois and throughout the country by helping them to develop creative ability, self-expression, self-reflection, cognitive skills, discipline, a heightened appreciation of beauty and cross-cultural understanding; and,

WHEREAS, experience in the arts develops insights and abilities central to the experience of life; and,

WHEREAS, the arts are collectively an important repository of our culture; and,

WHEREAS, many national and state professional education associations hold celebrations in the month of March focused on students’ participation in the arts; and,

WHEREAS, these celebrations give Illinois schools a unique opportunity to focus on the value of the arts for all students, to foster cross-cultural understanding, to recognize the state’s outstanding young artists, to focus on careers in the arts available to Illinois students, and to enhance public support for this important part of their curriculum; and,

WHEREAS, the fine arts are a significant component of students’ educational development, teaching them the language and production of the arts, and helping them understand the role of the arts in civilizations, past and present; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 11-17, 2013, as ILLINOIS ARTS EDUCATION WEEK and encourage all residents to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Issued by the Governor February 22, 2013.
Filed by the Secretary of State February 28, 2013.
WHEREAS, as of January 1, 2009 there were approximately 320,000 men and women living in the United States who had a history of renal cell carcinomas and transitional cell carcinomas (RCC) also known as kidney cancer; and,

WHEREAS, the exact cause of kidney cancer is still unknown, and for reasons that are not totally clear, the rate of people developing kidney cancer has been rising steadily since the 1990s; and,

WHEREAS, kidney cancer is among the 10 most common cancers in both men and women. Overall, the lifetime risk of developing kidney cancer is 1 in 63 (1.6%); and,

WHEREAS, The American Cancer Society estimated in January 2013 that 65,150 new cases of kidney cancer (40,430 men and 24,720 women) will occur and 13,680 will die from the disease; and,

WHEREAS, the risk developing kidney cancer is higher in men than women and most often, but not always, occurs in people 55 and older; and,

WHEREAS, there are currently no early detection tests that can detect the presence of kidney cancer; and,

WHEREAS, in its early stages, kidney cancer usually causes no obvious signs or troublesome symptoms. As a kidney tumor grows, symptoms may occur. These may include: blood in the urine; lower back pain on one side (not from an injury); a mass or lump in the belly, fatigue, loss of appetite, weight loss (if you are not trying to lose weight); fever that does not go away after a few weeks and that is not from a cold, the flu, or other infection; pain in the side that does not go away, swelling of ankles and legs and general feeling of poor health. High blood pressure or a lower than normal number of red cells in the blood (anemia) may also signal a kidney tumor. A doctor should be consulted if any of these problems are occurring; and,

WHEREAS, other than surgery, the most commonly used treatments for kidney cancer are various forms of “targeted therapies” or immunotherapy. Other traditional, but less-often used, treatments include radiation therapy and chemotherapy. Several investigational therapies, including vaccine therapy, are also available; and,

WHEREAS, breakthroughs in research over the last year have given renewed hope to patients who previously had few treatment options

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim March 2013 as KIDNEY CANCER AWARENESS MONTH in support of this important public information campaign.
2013-61
LOOK UP! PAY IT FORWARD DAY

WHEREAS, home fires, which can often be prevented, are the fifth most common cause of unintentional fatalities in the United States; and,

WHEREAS, fire education is vital for ensuring the safety of people across the State of Illinois; and,

WHEREAS, college students, particularly those living in unsupervised, off-campus housing, are at great risk to the dangers posed by fires; and,

WHEREAS, since 2000, eighty-two off-campus fires have claimed the lives of 119 students, one of whom was Tanner Osborn; and,

WHEREAS, in honor of her son’s memory, Tanner’s mother, Kathleen Moritz, founded the fire initiative “Look Up! Pay It Forward” in 2005 to teach fire safety to college students and to ensure that they have working and properly placed smoke detectors; and,

WHEREAS, in conjunction with the Office of the State Fire Marshal, the program takes place on a different college campus annually, where they canvas homes and give away smoke detectors; and,

WHEREAS, on September 22nd of this year, the day that would have been Tanner Osborn’s 31st birthday, the campaign will visit Illinois universities and colleges, with the hopes of preventing any more tragic campus fire deaths; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22, 2013 as LOOK UP! PAY IT FORWARD DAY in Illinois, in order to raise awareness among students of the importance of fire safety in college life and to encourage all Illinoisans to practice fire prevention measures in their own homes.

Issued by the Governor February 22, 2013.
Filed by the Secretary of State February 28, 2013.

2013-62
MEDICAL BILLER’S DAY

WHEREAS, medical billers play an integral part in the healthcare industry and provide much needed services to doctors and other healthcare providers; and,
WHEREAS, healthcare providers increasingly rely on billing companies to assist them in processing claims in accordance with applicable statutes and regulations. Additionally, providers also consult with billing companies for advice on reimbursement matters, as well as overall business decision-making; and,

WHEREAS, medical billers can offer expertise in program reimbursement requirements, help ensure that claims are accurately prepared, and free physicians and other practitioners to devote their full efforts to the care of their patients; and,

WHEREAS, medical billers strive to provide the highest possible level of ethical and lawful conduct throughout the entire healthcare industry; and,

WHEREAS, medical billers continue to influence the billing process in a positive and credible manner; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 28, 2013 as MEDICAL BILLER’S DAY in Illinois in recognition of the important role medical billers play in the healthcare system.

Issued by the Governor February 22, 2013.
Filed by the Secretary of State February 28, 2013.

2013-63
OVERDOSE AWARENESS DAY

WHEREAS, Drug Policy Alliance (D.P.A) statistics indicate that accidental drug overdose is the leading cause of injury-related death in the United States for people between the ages of 35-54 and the second leading cause of injury-related death for young people; and,

WHEREAS, more than 28,000 people die each year of an overdose from heroin, cocaine, prescription drugs and a wide variety of other narcotics; more than are killed by guns, murders or HIV/AIDS; and,

WHEREAS, accidental drug overdose cases have quadrupled since 1990. Between 1999 and 2005, national accidental drug overdose deaths more than doubled with approximately 22,400 people dying from accidental drug overdose in 2005; and,

WHEREAS, International Overdose Awareness Day originally began in Australia as an initiative of the Salvation Army in the year 2001; and,

WHEREAS, International Overdose Awareness Day provides an opportunity for people around the world to publicly mourn loved ones by honoring and remembering those who have lost their lives to an overdose; and,
WHEREAS, numerous participating countries use this occasion to educate policy makers and the public about the growing overdose crisis in the United States and abroad, thereby offering concrete solutions that could possibly save lives; and,

WHEREAS, according to the AIDS Foundation of Chicago, Illinois is one of sixteen states that have a higher fatality rate from drug overdose than car accidents; and,

WHEREAS, in 2009, Illinois enacted the Overdose Protection Law, which allows trained individuals to administer life-saving drugs in the event of an overdose; this law would further save lives by protecting friends and family who seek medical help for those who overdose from arrest or prosecution for possession of small amounts of drugs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2013 as OVERDOSE AWARENESS DAY in Illinois, in memory of the people who have either lost loved ones, or live with permanent injuries resulting from drug overdose.

Issued by the Governor February 22, 2013.
Filed by the Secretary of State February 28, 2013.

2013-64
SARCOIDOSIS AWARENESS MONTH

WHEREAS, Sarcoidosis is an inflammatory disease that affects many of our fellow citizens and people around the world in chronic and debilitating ways; and,

WHEREAS, Sarcoidosis was first recognized more than 100 years ago and can affect people of any age, race, and gender; and,

WHEREAS, Sarcoidosis can affect almost any organ in the body, but commonly targets the lungs and lymph nodes; and,

WHEREAS, Sarcoidosis causes heightened immunity, which can lead to a person’s immune system overreacting, resulting in damage to the body’s own tissues; and,

WHEREAS, while progress has been made in understanding the symptoms and better diagnosing the disease, little is known about the true burden of Sarcoidosis; and,

WHEREAS, though the cause of Sarcoidosis remains unknown, with increased research, discovering the cause, improving treatment and finding a cure may be well within our reach; and,

WHEREAS, the mission of National Sarcoidosis Society is to help patients cope with dealing with this disease over long periods of time and raise awareness of Sarcoidosis and its health issues through educational campaigns, providing services, support, and research; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as SARCOIDOSIS AWARENESS MONTH in Illinois, and encourage all citizens of this state to join together and learn more about Sarcoidosis.

Issued by the Governor February 22, 2013.

Filed by the Secretary of State February 28, 2013.

**2013-65**

**THE YEAR OF HOMEOWNERSHIP**

WHEREAS, the State of Illinois recognizes that home is the cornerstone of stability and opportunity for families and communities and also a foundation of the American Dream; and,

WHEREAS, sustainable homeownership strengthens families and neighborhoods by encouraging residents to take an active role in their communities; and,

WHEREAS, homeownership continues to be one of the most significant strategies for families to build wealth, and strengthens communities by providing economic benefits to neighborhoods and the local economy; and,

WHEREAS, the State of Illinois is committed to fostering a vibrant real estate market because homeownership stimulates construction and related industries, creates jobs, and enhances our prosperity; and,

WHEREAS, in response to the national foreclosure crisis, the State of Illinois has made it a priority to ensure that residents who are faced with home loss are aware of the options available to help them; and,

WHEREAS, the Illinois Housing Development Authority (IHDA), the state’s housing finance agency, is focused on foreclosure prevention to keep people in their homes; has rehabilitated vacant properties to put properties back into productive use; and now is focusing on promoting opportunities for homeownership; and,

WHEREAS, IHDA provides affordable and secure homeownership opportunities for first-time homebuyers and Veterans at a time when market prices and interest rates are exceptionally low; and,

WHEREAS, IHDA has a variety of loan programs to that assists Illinois individuals and families in reaching the dream of homeownership; and,

WHEREAS, the State of Illinois sponsors outreach events to connect homeowners with a statewide network of HUD-approved counselors who can help determine if they qualify for a mortgage modification for reduced monthly payments and implements programs and initiatives to help homeowners because now is the perfect time to take
advantage of these programs that offer affordable mortgages with low interest rates and cash assistance for down payment and closing costs; and

WHEREAS, the State of Illinois must do everything it can to protect and sustain homeownership; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim 2013 as THE YEAR OF HOMEOWNERSHIP in Illinois.

Issued by the Governor February 22, 2013.

Filed by the Secretary of State February 28, 2013.

2013-66

AMERICAN EAGLE DAY

WHEREAS, the Bald Eagle was designated as the United States of America’s National Emblem on June 20, 1782 by our Country’s Founding Fathers at the Second Continental Congress; and,

WHEREAS, the Bald Eagle is unique to North America and represents such American values and attributes as Freedom, Courage, Strength, Spirit, Justice, Quality and Excellence; and,

WHEREAS, the Bald Eagle is the central image used in the Great Seal of the United States and in the logos of many branches of the U.S. Government, including the Presidency, Congress, Defense Department, Treasury Department, Justice Department, State Department, Department of Commerce, and U.S. Postal Service; and,

WHEREAS, the Bald Eagle’s image, meaning and symbolism have played a significant role in the beliefs, traditions, religions, lifestyles and heritage of Americans from all walks of life, including U.S. military servicemen and women, American Indians, Christians, and members of various civic, fraternal, patriotic, veterans, youth, conservation, educational, outdoors, nature, sportsman, wildlife, political and sports organizations; and,

WHEREAS, the Bald Eagle’s image, meaning and symbolism have played a significant role in American art, music, literature, architecture, commerce, education, and culture, as well as on United States stamps, currency, and coinage; and,

WHEREAS, the Bald Eagle was once endangered and threatened with possible extinction, but is gradually making an encouraging comeback to America’s skies; and,

WHEREAS, the Bald Eagle was federally classified as an “endangered species” in the lower 48 states under the Endangered Species Act in 1973, and was upgraded to a less imperiled “threatened” status under that Act in 1995; and,
WHEREAS, the Department of Interior and U.S. Fish and Wildlife Service delisted the Bald Eagle from Endangered Species Act protection in 2007, but the Bald Eagle will continue to be protected under the Bald and Golden Eagle Act of 1940 and the Migratory Bird Treaty Act of 1918; and,

WHEREAS, the recovery of the United States’ Bald Eagle population was largely accomplished due to the vigilant efforts of numerous caring agencies, corporations, organizations, and citizens; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2013 as AMERICAN EAGLE DAY in Illinois, and encourage all citizens to join in support of the majestic Bald Eagle’s continuing recovery and the protection of its precious natural habitat, and in commemorating the living and symbolic presence of our National Bird.

Issued by the Governor February 25, 2013.
Filed by the Secretary of State February 28, 2013.

2013-67

COLORECTAL CANCER AWARENESS MONTH

WHEREAS, colorectal cancer, cancer of the colon or rectum, is the third leading cause of cancer-related deaths in the United States for both men and women combined; and,

WHEREAS, the lifetime risk of being diagnosed with cancer of the colon or rectum is 5.5 percent for men and 5.1 percent for women in the United States; and,

WHEREAS, every 3 minutes, someone is diagnosed with colorectal cancer and every 10 minutes someone dies from colorectal cancer; and,

WHEREAS, the survival rate of individuals who are diagnosed during the early stages of colorectal cancer is 90 percent but falls to 10 percent when diagnosed after it has spread to other organs; and,

WHEREAS, if the majority of people in the United States age 50 or older were screened regularly for colorectal cancer, the death rate from this disease is estimated to decrease by up to 70 percent; and,

WHEREAS, today, approximately 90 percent of colorectal cancers and deaths are thought to be preventable thanks to a procedure called a colonoscopy, which, unlike a sigmoidoscopy, allows doctors to look inside the entire large intestine; and,

WHEREAS, most cases of colorectal cancer begin as non-cancerous polyps, which are grape-like growths on the lining of the colon and rectum. These polyps can become cancerous. Consequently, their removal can prevent colorectal cancer from ever developing; and,
WHEREAS, because there are often no symptoms related to polyps, it is important to get screened regularly. Men and women at an average risk for the disease should start getting screened after the age of 50; and,

WHEREAS, African-Americans, Hispanic Americans, Asian Americans, American Indians, and Alaskan Natives are significantly less likely to be screened for colorectal cancer compared to Caucasians, however, recent research has shown that African Americans are more frequently diagnosed at a younger age. Experts suggest they begin screening after the age of 45; and,

WHEREAS, colorectal cancer screening tests can even save lives when they detect polyps that have become cancerous. When discovered early, the disease can be cured in most cases. Unfortunately, less than 50 percent of Americans over the age of 50 receive regular screenings for colorectal cancer; and,

WHEREAS, a number of organizations throughout the country will sponsor activities and events this March that educate the public about the importance of getting screened regularly, as well as other ways to reduce the risk of colorectal cancer, such as adopting a healthy lifestyle and diet; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as COLONRECTAL CANCER AWARENESS MONTH in Illinois to raise awareness about colorectal cancer, and to promote colonoscopies so that others can avoid the same fate as any of the victims of this terrible disease.

Issued by the Governor February 25, 2013.
Filed by the Secretary of State February 28, 2013.

2013-68
PREECLAMPSIA AWARENESS DAY

WHEREAS, preeclampsia is a dangerous condition of pregnancy that can, in its severest form, lead to maternal and/or infant mortality or premature birth with significant health risks for the mother and baby; and,

WHEREAS, more than 350,000 cases of preeclampsia are diagnosed in America every year with 25% classified as severe; and,

WHEREAS, every 6 minutes of every day in America, a pregnant woman and her baby face life threatening consequences because of preeclampsia; and,

WHEREAS, globally, preeclampsia and other hypertensive disorders of pregnancy are a leading cause of maternal and infant illness
and death, with conservative estimates claiming that these disorders are responsible for 76,000 maternal and 500,000 infant deaths each year; and,

WHEREAS, public awareness of the symptoms of preeclampsia (spikes in maternal blood pressure, sudden swelling of face, feet, and hands, severe upper abdominal pain, and blurred vision) can help women recognize the condition and seek appropriate medical care; and,

WHEREAS, many citizens of Illinois have joined with the Preeclampsia Foundation to raise public awareness in order to minimize maternal and infant illness and death due to preeclampsia; and,

WHEREAS, along with the Preeclampsia Foundation, the State of Illinois envisions a world where preeclampsia no longer threatens the lives of mothers and babies; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19, 2013, as PREECLAMPSIA AWARENESS DAY and applaud the Preeclampsia Foundation’s mission to reduce maternal and infant illness and death due to preeclampsia and other hypertensive disorders of pregnancy.

Issued by the Governor February 25, 2013.
Filed by the Secretary of State February 28, 2013.

2013-69
DANDY-WALKER SYNDROME AND HYDROCEPHALUS AWARENESS MONTH

WHEREAS, Dandy-Walker Syndrome is the most common congenital malformation of the cerebellum and its causes are largely unknown; and,

WHEREAS, between 10,000 and 40,000 people have Dandy-Walker Syndrome in the United States; and,

WHEREAS, though statistics indicate that the incidence of Dandy-Walker Syndrome is at least 1 case for every 2,500 live births, the true number of individuals affected is likely significantly higher due to the difficulties associated with diagnosing this syndrome; and,

WHEREAS, patients with Dandy-Walker Syndrome often show signs of developmental delay, enlarged head circumference, and symptoms of hydrocephalus; and,

WHEREAS, the Dandy-Walker Alliance, Inc. is a nonprofit corporation and the only national organization focusing on supporting education, informational activities and non-partisan research that increases public awareness of the congenital birth defect known as Dandy-Walker Syndrome; and,
WHEREAS, the citizens of the State of Illinois should learn about Dandy-Walker Syndrome and hydrocephalus and recognize the achievements of all Americans with a disability, the important role that disabled Americans have played throughout the history of the United States and the scientific, literary, and social impact of disabled Americans on our world today; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as DANDY-WALKER SYNDROME AND HYDROCEPHALUS AWARENESS MONTH in Illinois, in support of increased awareness of Dandy-Walker Syndrome and hydrocephalus.

Issued by the Governor February 26, 2013.
Filed by the Secretary of State February 28, 2013.

2013-70
DAY OF REMEMBRANCE AND RECOGNITION

WHEREAS, 2012-2013 marks the sesquicentennial of the Vicksburg Campaign of the American Civil War; and,

WHEREAS, the Vicksburg Campaign is considered by many historians to be the most decisive campaign of that war, and one of the more decisive ever waged in American military history; and,

WHEREAS, in testament thereof, the United States Congress established the battlefield at Vicksburg as a national military park in 1899; and,

WHEREAS, the State of Illinois was represented during the Vicksburg Campaign by the gallant officers and men who comprised 74 Infantry Regiments, 20 Artillery units, and 22 Cavalry units; and,

WHEREAS, in recognition of their service, on October 26, 1906, the State of Illinois dedicated the Memorial at Vicksburg National Military Park, which is known as the “art park of the world;” and,

WHEREAS, the State of Illinois recognizes that the Memorial is a tribute and recognition for the courage and service of 36,325 of her noble sons and the sacrifices made by their families and communities throughout the state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 26, 2013 as a DAY OF REMEMBRANCE AND RECOGNITION in Illinois, in order to honor the sacrifices that the people of our state made during the Vicksburg Campaign and Civil War.

Issued by the Governor February 26, 2013.
Filed by the Secretary of State February 28, 2013.
2013-71
GASTROSCHISIS AWARENESS DAY

WHEREAS, gastroschisis is a birth defect that causes the
intestines to protrude from the abdomen; and,
WHEREAS, 1 out of every 2,229 individuals in the United States
are born with gastroschisis, and hundreds of Illinois residents are among
those affected by gastroschisis; and,
WHEREAS, many individuals with gastroschisis are in need of
multiple organ transplants and have serious and debilitating conditions
including slow growth, short bowel syndrome, and long-term feeding
issues; and,
WHEREAS, individuals and families affected by gastroschisis
often experience problems such as a sense of isolation, difficulty in
obtaining an accurate and timely diagnosis, few treatment options, and
problems related to accessing or being reimbursed for treatment; and,
WHEREAS, due to the cause of gastroschisis being relatively
unknown, patients and their families have had to play a critical role in
increasing awareness and raising funds for research; and,
WHEREAS, Avery’s Angels Gastroschisis Foundation (AAGF) is
organizing a nationwide observance of Gastroschisis Awareness Day on
July 30, 2013 and every year thereafter; and,
WHEREAS, Avery John Rauen, the son of the founder of Avery’s
Angels, passed away from the complications of gastroschisis on July 30,
2009 at UNC Hospital, and the date of July 30 will be set in the future to
commemorate him and all others living with gastroschisis; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim July 30 2013 as GASTROSCHISIS AWARENESS
DAY in Illinois, in support of increased awareness of gastroschisis.

Issued by the Governor February 26, 2013.
Filed by the Secretary of State February 28, 2013.

2013-72
ILLINOIS BLACK CHAMBER OF COMMERCE DAY

WHEREAS, many American’s envision starting a business or
doing something entrepreneurial at some point in their lifetime; and,
WHEREAS, businesses and entrepreneurs are vital to Illinois’
growth and prosperity; and,
WHEREAS, the State of Illinois remains committed to nurturing
our entrepreneurs and businesses by providing a network of
entrepreneurship and small business centers throughout Illinois to turn promising ideas into promising companies and new jobs; and,

WHEREAS, a broad coalition of partner organizations in Illinois and throughout the United States is actively engaged in enhancing small business and entrepreneurial opportunities; and,

WHEREAS, one such organization is the Illinois Black Chamber of Commerce; and,

WHEREAS, the Illinois Black Chamber of Commerce is committed to promoting the development and growth of minority owned businesses across Illinois; and,

WHEREAS, the Illinois Black Chamber of Commerce has demonstrated their dedication to improving entrepreneur’s chances for success while stabilizing the business environment throughout the state; and,

WHEREAS, the Black Chamber of Commerce’s efforts have helped countless entrepreneurs and business owners across the Land of Lincoln realize their potential by encouraging economic empowerment and sustained growth of black enterprise across the state; and,

WHEREAS, on February 27, 2013, 23 Black Chamber of Commerce chapters from across the state will gather for workshops and planning during a conference hosted by the Champaign County Black Chamber of Commerce that will focus on workforce development and tech training; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 27, 2013 as ILLINOIS BLACK CHAMBER OF COMMERCE DAY in Illinois, and encourage all residents to support the businesses and merchants that create jobs within our communities and reinvest in our local economies.

Issued by the Governor February 26, 2013.
 Filed by the Secretary of State February 28, 2013.

2013-73

OCCUPATIONAL HEALTH AND SAFETY MONTH

WHEREAS, occupational health and safety is a cross-disciplinary area concerned with protecting the safety, health and welfare of people engaged in work or employment. The goal of all occupational health and safety programs is to foster a safe work environment, which in turn protects co-workers, family members, employers, customers, suppliers, nearby communities, and other members of the public who are impacted by the workplace environment; and,
WHEREAS, workers’ health, and especially low-income workers’ health, was among the central concerns of the social reform movement to improve public health in the early 20th century, but today the work environment is rarely considered in public health research or intervention programs targeting low-income populations; and,

WHEREAS, conversely, few workplace safety and health programs, especially where low-income workers are employed, effectively address the broader range of public health programs impacting workers health, including smoking, nutrition, and preventative health checkups; and,

WHEREAS, believing that all working men and women in our state deserve the opportunity to make a living and raise families by working under the safest conditions possible, the State of Illinois has long been a national leader in promoting health and safety in the workplace; however, occupational health disparities still exist in our state and throughout the nation; and,

WHEREAS, unfortunately, educational and training interventions that aim to reduce these occupational health disparities face a number of challenges, including structural barriers, cultural differences, and lack of resources and knowledge; and,

WHEREAS, safety and health hazards in the workplace include: contact with harmful chemicals, unsafe electrical outlets, fires, bacteria-related diseases, cuts, prolonged exposure to excessive heat or cold, and many more. They are extremely dangerous and often result in serious injuries, and in some cases, death; and,

WHEREAS, it is imperative that employers, employees, and the general public are aware of the importance of preventing illness and injury in the workplace, and understand the many procedures that make prevention possible; and,

WHEREAS, strictly following safety guidelines, minimizing possible workplace risk factors, and providing accessible, and thorough first aid kits for employees, are all ways citizens can cut down workplace injuries and hazards; and,

WHEREAS, this year marks the 102nd anniversary of the publication of the Report on Occupational Disease in Illinois commissioned by Governor Charles Deneen and written by Dr. Alice Hamilton. This investigation made Illinois a model for other states and the federal government and resulted in great advancements in the field of occupational health and safety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as OCCUPATIONAL HEALTH AND SAFETY MONTH in Illinois, in recognition of the importance of
workplace health and safety for all working men and women in the Land of Lincoln.

Issued by the Governor February 26, 2013.
Filed by the Secretary of State February 28, 2013.

2013-74
PEDIATRIC STROKE AWARENESS MONTH

WHEREAS, stroke occurs at a rate of 1 in 2700 live births each year and 12 in 100,000 children per year, with stroke being the sixth leading cause of death in children; and,
WHEREAS between 50 and 85 percent of infants and children who have a Pediatric Stroke will have serious, permanent neurological disabilities, including paralysis, seizures, speech and vision problems, attention, learning and behavioral difficulties, and may require ongoing physical therapy and surgeries; and,
WHEREAS the life-long health concerns and treatments resulting from Pediatric Stroke result in a heavy financial and emotional toll on the child, the family, and society; and,
WHEREAS very little is known about the cause, treatment and prevention of Pediatric Stroke; Pediatric Stroke risk factors, symptoms, prevention efforts, and treatment are often different in children than in adults; only through medical research can effective treatment and prevention strategies for Pediatric Stroke be identified and developed; and,
WHEREAS an early diagnosis and commencement of treatment of Pediatric Stroke greatly improves chances of recovery and prevention of recurrence; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as PEDIATRIC STROKE AWARENESS MONTH in the State of Illinois and urge all citizens to join me in supporting the efforts, programs, services, and advocacy the Children’s Hemiplegia and Stroke Association provides as they strive to enhance public awareness of Pediatric Stroke.

Issued by the Governor February 26, 2013.
Filed by the Secretary of State February 28, 2013.

2013-75
CONSUMER DRIVEN HEALTH IMPROVEMENT WEEK

WHEREAS, both the private and public sector need to remain aware of the importance of wellness education; and,
WHEREAS, Illinois has always been in the forefront of taking a leadership role in the positive outcomes for an insured citizenry; and,
WHEREAS, Promoting transparency in decision-making leads to a better informed and healthier citizen; and,
WHEREAS, by offering employees choices and empowering them to make more informed, responsible, and cost-conscious decisions about their lifestyle and healthcare, we can create a healthier, stronger, more productive workforce; and,
WHEREAS, It is appropriate that all Illinois citizens become empowered and are encouraged in their health and wellness endeavors to become informed and take responsibility; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim MARCH 25-29, 2013 as CONSUMER DRIVEN HEALTH IMPROVEMENT WEEK in Illinois.

Issued by the Governor February 27, 2013.
Filed by the Secretary of State February 28, 2013.

2013-76
HEALTH CARE WORKERS WEEK

WHEREAS, health care organizations in the State of Illinois are both dedicated and committed to providing quality care for their communities; and,
WHEREAS, the metropolitan Chicago region is recognized as a preeminent medical resource and its commitment to the community is evident in its health care organizations; and,
WHEREAS, all members of the health care team – nurses, allied health professionals, support staff, financial services personnel, administration, physicians and volunteers – are recognized as a vital component to providing the very best health care available; and,
WHEREAS, health care employees make valuable contributions in every health care facility and help increase the metropolitan Chicago region’s reputation for health care excellence; and,
WHEREAS, the more than 150 hospitals and health care organizations that are Metropolitan Chicago Healthcare Council members wish to express their thanks and appreciation to health care workers for their unwavering commitment and contributions at work and in their communities; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of May 6, 2013 as HEALTH CARE WORKERS WEEK in Illinois, and urge all citizens to recognize the achievements of these dedicated workers.
WHEREAS, in the United States, there are approximately 2,000,000 people living with limb loss; and,
   WHEREAS, over 500 Americans lose a limb every day; and,
   WHEREAS, there are 1,000 babies born each year with congenital limb loss; and,
   WHEREAS, there are more than 185,000 new amputations performed each year in the United States; and,
   WHEREAS, this number will increase unless drastic preventative measures are undertaken to reduce the incidents of diabetic and vascular related diseases; and,
   WHEREAS, it is vital to have access to preventative care for diabetes and peripheral vascular disease (PVD), to have weight management as a part of all care plans, and to have safety information to prevent traumatic limb loss readily available; and,
   WHEREAS, the Amputee Coalition of America provides education, outreach, advocacy, and a National Limb Loss Information Center for the benefit of persons with limb loss, their families, and health care providers; and,
   WHEREAS, the Amputee Coalition of America has designated the month of April as National Limb Loss Awareness Month so that members of the limb loss community can raise awareness and provide added support and preventative information to both the limb loss community and the broader community about the issues the limb loss community faces; and,
   WHEREAS, this observance also provides an opportunity to give people with limb loss a time for recognition and a voice to help reintegrate new amputees, raise awareness of the limb loss community, and get the message out that in many cases limb loss can be prevented; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as NATIONAL LIMB LOSS AWARENESS MONTH in Illinois, in support of the efforts of the Amputee Coalition of America.
WHEREAS, 347 cases of active tuberculosis (TB) disease were reported in Illinois in 2012 and an estimated 650,000 Illinoisans are infected with the bacterium that causes tuberculosis; and,

WHEREAS, Illinois remains among the states reporting the highest number of TB cases in the nation; and,

WHEREAS, there is a disproportionate burden of TB in minorities and persons born outside the United States; and,

WHEREAS, each year thousands of household members, health care employees and others who share the air of infectious tuberculosis patients are at risk of becoming infected with the tuberculosis bacterium and progressing to active TB disease; and,

WHEREAS, the Illinois Department of Public Health is working to promote prompt diagnosis and treatment of tuberculosis cases, implementation of strategies to prevent tuberculosis in children, improved working relationships between public health providers and private providers, hospitals, long-term care facilities, correctional facilities, managed care organizations and others, and decreased tuberculosis transmission in health care facilities and community settings; and,

WHEREAS, an ongoing outbreak of TB in Illinois demonstrates that maintaining control of TB in Illinois requires strengthening current TB control and prevention systems, and progress toward the elimination of TB cannot occur without maintaining infrastructure, mobilizing support and engaging in global TB prevention and control; and,

WHEREAS, for 2013, the Centers for Disease Control and Prevention (CDC) has again adopted the Global Stop TB Partnership’s World TB slogan, “Stop TB in My Lifetime,” which goes with the theme of calling for a world free of TB and the Illinois theme is “Stop TB In My Lifetime: Addressing TB in High-Risk Groups”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 24, 2013, as WORLD TB DAY in Illinois and urge all citizens to increase their awareness and understanding of tuberculosis infection and disease and to join the global effort to stop the spread of this disease.

Issued by the Governor February 28, 2013.

Filed by the Secretary of State February 28, 2013.
WHEREAS, the American Cancer Society (originally named the American Society for the Control of Cancer) was established in 1913 and has 100 years of milestones in the fight against cancer; and,
WHEREAS, the Women’s Field Army started raising money and educating the public about cancer in 1937; and,
WHEREAS, to date, the American Cancer Society has funded 46 Nobel Laureates and is the largest nongovernmental, not-for-profit funder of cancer research; and,
WHEREAS, the organization made a connection between lung cancer and smoking in 1950, leading to education and laws that have greatly reduced smoking rates; and,
WHEREAS, the American Cancer Society helped seek passage of the Cancer Act of 1971, which established the National Cancer Institute and now funds billions of dollars annually for research; and,
WHEREAS, the now largest grassroots fundraising event in the world, Relay For Life, was launched by an American Cancer Society volunteer in 1985 and has raised over $3 billion to date and raises $400 million annually to fund research, education, advocacy and service for cancer patients; and,
WHEREAS, in 1997, the American Cancer Society opened the doors to the National Cancer Information Center, which receives nearly 1 million callers each year seeking information on cancer; and,
WHEREAS, in 2003, American Cancer Society researchers linked obesity to most types of cancer and concluded the impact in 14% of cancers in men and 20% of cancers in women; and,
WHEREAS, for the first time in history, in 2006, the actual number of cancer deaths in the United States declined thanks in large part to the American Cancer Society’s groundbreaking work in cancer prevention, early detection, and treatment; and,
WHEREAS, the American Cancer Society and its advocacy affiliate, the American Cancer Society Cancer Action Network, were successful in gaining support and passage of FDA regulation over tobacco products; and,
WHEREAS, the American Cancer Society will celebrate its 100th birthday on May 22, 2013; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim May 22, 2013 as THE AMERICAN CANCER SOCIETY DAY in Illinois, and urge all citizens of our state to join together in the fight against cancer.
WHEREAS, ependymoma is a tumor that occurs in the central nervous system of the body. It typically presents in children intracranially and in the spine of adults; and,

WHEREAS, adult and pediatric cancers are often thought of and treated separately, however, a collaborative group of scientists and health care providers have joined together to improve the diagnosis, treatment and lives of people living with ependymoma; and,

WHEREAS, these varied practitioners are dedicated to the highest standards of professionalism and maintain these standards through education, and ongoing clinical research and a personal commitment to improve the lives of people living with ependymoma; and,

WHEREAS, people of all ages seek information to improve the diagnosis, treatment, and survival of this tumor which impacts their lives; and,

WHEREAS, it is vital that those with ependymoma, their families, and health care providers understand the full realm of available treatments and seek competent and professional care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 18, 2013, as EPENDYMOMA AWARENESS DAY, and I encourage all citizens to learn more about the symptoms of ependymoma and support improvements in treatment and quality of life.

Issued by the Governor February 28, 2013.
Filed by the Secretary of State March 14, 2013.

2013-81
ITT CHICAGO- KENT COLLEGE OF LAW DAY

WHEREAS, since 1888, IIT Chicago-Kent College of Law has been dedicated to providing distinctive legal education to students from across the state and the nation; and,

WHEREAS, for the past one hundred and twenty-five years, IIT Chicago-Kent College of Law has educated thousands of students and shaped the practice of law; and,

WHEREAS, as the second law school in the State of Illinois, IIT Chicago-Kent College of Law has been a great asset to the Land of Lincoln; and,
WHEREAS, IIT Chicago-Kent College of Law serves as a model for best practices among law schools across the country; and,

WHEREAS, in 1976, IIT Chicago-Kent College of Law opened the nation's first in-house, fee-generating law school clinic, allowing students to work with faculty on real cases under the discipline of actual practice conditions. In a typical year, clinical professors and students handle hundreds of cases in employment, criminal, health, and tax law; and,

WHEREAS, in 1978, IIT Chicago-Kent College of Law once again served as trailblazer by pioneering a three-year legal research and writing program, which is now emulated at law schools across the nation; and,

WHEREAS, recognizing the emergence of technology based education, IIT Chicago-Kent College of Law established the Center for Law and Computers in 1983 and consequently became the first law school in the country to make computers an integral part of the study of law; and,

WHEREAS, IIT Chicago-Kent College of Law has positioned itself as a leader among law schools across the country, becoming the first to adopt curriculum on emerging areas of study such as Financial Services Law and International Intellectual Property Law; and,

WHEREAS, IIT Chicago-Kent College of Law’s longevity is a testament to the quality of the education they provide and the relationships they have developed over the years; and,

WHEREAS, an anniversary such as this is a significant milestone and provides an excellent opportunity to reflect back on all that IIT Chicago-Kent College of Law has accomplished over the past one hundred and twenty-five years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 23, 2013 as IIT CHICAGO-KENT COLLEGE OF LAW DAY in Illinois, in recognition of their quasquicentennial anniversary, and on behalf of all residents do hereby offer best wishes for continued success.

Issued by the Governor February 28, 2013.

Filed by the Secretary of State March 14, 2013.

2013-82
NATIONAL OI AWARENESS MONTH

WHEREAS, Osteogenesis Imperfecta (OI) is a genetic disorder characterized by fragile bones that break easily; and,
WHEREAS, OI is also known as “brittle bone disease” and a person born with this disorder is affected throughout his or her lifetime; and,

WHEREAS, there are different types of OI, with a range in severity from mild to life threatening; and,

WHEREAS, due to there being no cure for OI, treatment focuses on minimizing fractures, the surgical correction of deformity, reducing bone fragility, and maximizing mobility and independent function; and,

WHEREAS, increased funding for education and research are needed to help find more effective treatments; and,

WHEREAS, during May 4-11, board members, staff, medical professionals, and volunteers of the Osteogenesis Imperfecta Foundation will join together with the goal of focusing attention on and increasing awareness of OI; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4-11, 2013, as NATIONAL OI AWARENESS WEEK in Illinois, in support of the Osteogenesis Imperfecta Foundation’s efforts to raise awareness of this rare disorder.

Issued by the Governor February 28, 2013.

Filed by the Secretary of State March 14, 2013.

2013-83

NORTHWESTERN UNIVERSITY DANCE MARATHON WEEKEND

WHEREAS, Northwestern University’s Dance Marathon is one of the largest student-run philanthropic groups in the world, beginning in the fall, with fundraising efforts culminating in March during a 30-hour dance marathon; and,

WHEREAS, this year, the Northwestern University Dance Marathon will benefit The Danny Did Foundation, an organization dedicated to raising awareness about Sudden Unexpected Death in Epilepsy (SUDEP). The Danny Did Foundation pledges to shine a light on SUDEP for as long as it is necessary to achieve major progress in awareness and in the advancement of preventative measures; and,

WHEREAS, over its 39-year history, the Northwestern University Dance Marathon has raised over $13 million for charitable organizations; and,

WHEREAS, this year’s Northwestern University Dance Marathon will be held March 8-10, featuring thousands of participants, live music, and appearances by celebrities and activists; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 8-10, 2013, as NORTHWESTERN UNIVERSITY DANCE MARATHON WEEKEND in Illinois, in recognition of the positive work performed by these students.

Issued by the Governor February 28, 2013.
Filed by the Secretary of State March 14, 2013.

2013-84

MEDICAL ASSISTANTS WEEK

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and,
WHEREAS, the medical assistant is a multi-skilled health care professional performing clinical and administrative functions; and,
WHEREAS, the medical assistant has the unique privilege of acting as a liaison between the physician and/or other health care workers and their patients; and,
WHEREAS, the medical assistant occupation is projected to be one of the fastest growing professions in the medical field over the next decade; and,
WHEREAS, medical assistants provide the necessary support needed to keep doctor’s offices functioning and running smoothly; and,
WHEREAS, patients are also receiving better care and treatment thanks to medical assistants, who improve their knowledge and skills through educational programs offered by professional organizations such as the Illinois Society of Medical Assistants; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim October 21-25, 2013 as MEDICAL ASSISTANTS WEEK in Illinois, in recognition of medical assistants for their commitment and dedication to the medical profession and to the well-being of patients.

Issued by the Governor March 1, 2013.
Filed by the Secretary of State March 14, 2013.

2013-85

MS AWARENESS MONTH

WHEREAS, Multiple Sclerosis (MS) is an unpredictable, often disabling, disease of the central nervous system that disrupts the flow of information between an individual’s body and brain; and,
WHEREAS, MS affects an estimated 2.1 million people worldwide and 20,000 citizens in Illinois; and,
WHEREAS, MS, the most common neurological disease leading to disability in young adults, is often first diagnosed in individuals between the ages of 20 and 50; and,

WHEREAS, the National MS Society is an organization dedicated to funding cutting-edge research, advocating on behalf of people with the disorder, and facilitating programs and services that help those with MS and their families; and,

WHEREAS, in March 2013, the National MS Society will sponsor MS Awareness Month for the State of Illinois; and,

WHEREAS, Illinois building owners will support the observance of MS Awareness Month by lighting their ceilings or entryways with orange illumination; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2013 as MS AWARENESS MONTH in Illinois, and encourage all Illinoisans to recognize the important efforts of the National Multiple Sclerosis Society to diagnose, treat, and manage this disorder.

Issued by the Governor March 1, 2013.
Filed by the Secretary of State March 14, 2013.

2013-86
NEUROPATHY AWARENESS WEEK

WHEREAS, Peripheral Neuropathy is one of the most common chronic neurological diseases in the United States, affecting over 20 million Americans; and,

WHEREAS, Peripheral Neuropathy affects the motor, sensory and autonomic nerves connecting the spinal column to muscles, skin, and internal organs, causing weakness, numbness, tingling, and pain; and,

WHEREAS, the National Institute of Neurological Disorders and Stroke (NINDS) and other institutes of the National Institute of Health (NIH) conduct research related to peripheral neuropathies and also support additional research through grants to major medical institutions across the country; and,

WHEREAS, it is fitting to recognize the many health care providers and researchers who help patients live better lives with neuropathy and who search for more treatment options and cures for this under-recognized disease; and,

WHEREAS, increased public education and awareness about neuropathy not only helps people who are living with this debilitating disease, but also encourages much-needed research for more treatment options and cures; and,
WHEREAS, 2013 marks the ninth year that The Neuropathy Association has dedicated the third week of May to raise awareness about the neuropathy epidemic; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 13-17, 2013 as NEUROPATHY AWARENESS WEEK in Illinois and urge everyone to work together to raise awareness of this disease that affects so many of our friends and family members.

Issued by the Governor March 1, 2013.
Filed by the Secretary of State March 14, 2013.

2013-87
HOME EDUCATION WEEK

WHEREAS, the growth and development of school-age children is of paramount importance in Illinois, and across the country; and,

WHEREAS, Illinois values its children and recognizes the importance of providing them with the best education possible so that they may realize their fullest potential and experience success in their future endeavors; and,

WHEREAS, Illinois presents children and families with the opportunity to explore alternatives to public and private schools by authorizing home education as a legitimate and viable educational option; and,

WHEREAS, home education allows parents the opportunity to develop and implement a learning program based on their children’s individual needs; and,

WHEREAS, studies show that students who are educated at home typically score at or above the national average on standardized tests. Studies also confirm that children who are educated at home exhibit self-confidence and good citizenship, and are fully prepared academically to meet the challenges of today’s society; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 18-22, 2013 as HOME EDUCATION WEEK in Illinois, and encourage all citizens to recognize the important role that home education plays in educating our children.

Issued by the Governor March 4, 2013.
Filed by the Secretary of State March 14, 2013.
2013-88
MEDICAL LABORATORY PROFESSIONALS WEEK

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and,

WHEREAS, medical laboratory professionals, which include clinical laboratory scientists/medical technologists, clinical laboratory technicians/medical laboratory technicians, histologic technicians, cytotechnologists, phlebotomists, clinical chemists, clinical microbiologists, pathologists’ assistants, pathologists, forensic scientists, and other related professionals play a critical role in providing patients with the best possible health care; and,

WHEREAS, the role of a medical laboratory professional is to perform and evaluate medical laboratory tests to detect, diagnose, monitor treatment, and help prevent diseases. In addition, they perform tests to identify and detect biohazardous substances; and,

WHEREAS, the practice of modern medicine at the exacting standards we now enjoy would be impossible without the numerous types of scientific tests performed daily in the medical laboratory; and,

WHEREAS, there are currently almost 8,000 medical technologists working in the State of Illinois, and that number is expected to grow by 15 percent by 2016; and,

WHEREAS, through their dedication, the medical laboratories of Illinois have made vital contributions to the quality of health care in our state, yet the dedicated efforts of these laboratory professionals often go unnoticed; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 22-28, 2013 as MEDICAL LABORATORY PROFESSIONALS WEEK in Illinois, and urge all citizens to recognize and support the vital services provided by the laboratory practitioner for the benefit of all citizens.

Issued by the Governor March 4, 2013.
Filed by the Secretary of State March 14, 2013.

2013-89
NATIONAL PUBLIC SAFETY TELECOMMUNICATOR WEEK

WHEREAS, The Statewide Communications Interoperability Plan (SCIP), serves as the operational blueprint for the conceptualization, procurement, implementation and usage of interoperable communication by Illinois’ public safety agencies and non-governmental as well as private organizations; and,
WHEREAS, interoperable communications has been a priority in Illinois for over 40 years. The nation’s first statewide emergency radio network, known as The Illinois State Police Emergency Radio Network (ISPERN), was established in 1965; and,

WHEREAS, the development of the (SCIP) remains a cooperative effort of federal, state and local public safety practitioners working through the Illinois Terrorism Task Force’s Communications Committee and the Statewide Interoperability Executive Committee to make interagency communications for public safety practitioners a top priority; and,

WHEREAS, every hour of every day, telecommunicators access, monitor, and disseminate information of critical importance to public safety officials in order to contribute to the safety of the public and success of public safety goals; and,

WHEREAS, these professional men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and,

WHEREAS, it is appropriate that we set aside a time to demonstrate our appreciation of their knowledge, training, service and dedication; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 14-20, 2013 as NATIONAL PUBLIC SAFETY TELECOMMUNICATOR WEEK in Illinois, in recognition of the vital contributions telecommunicators make to the safety and well-being of our citizens.

Issued by the Governor March 4, 2013.
Filed by the Secretary of State March 14, 2013.

2013-90
AMERICORPS WEEK

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, the current economic conditions mean more Americans are facing hardships, and volunteering and national service are needed more than ever; and,

WHEREAS, the AmeriCorps national service program has proven to be a highly effective way to engage Americans of all ages and backgrounds to meet a wide range of community needs by promoting the ethic of service and volunteerism since its creation in 1994; and,
WHEREAS, each year AmeriCorps programs, including AmeriCorps*State and National, AmeriCorps*VISTA and AmeriCorps*NCCC, provide opportunities for 75,000 citizens across the nation, including approximately 3,600 in Illinois, to give back in an intensive way to our communities, our state, and our country; and,

WHEREAS, more than 800,000 men and women across the nation, including more than 30,000 from Illinois, have taken the AmeriCorps pledge to “get things done” since 1994; and,

WHEREAS, those AmeriCorps Members have served a total of more than 1 billion hours nationwide, including more than 37 million served by residents from Illinois; which equates to more than $842.5 million in impact for Illinois, by helping improve the lives of our state’s most vulnerable citizens, strengthening our educational system, protecting our environment, and contributing to our public safety; and,

WHEREAS, AmeriCorps members serve with more than 14,000 nonprofit, community, educational, and faith-based community groups nationwide; including more than 800 in Illinois; and,

WHEREAS, AmeriCorps Members in Illinois last year recruited over 19,000 volunteers, tutored or mentored more than 112,000 disadvantaged children, provided more than 1.3 million hours of service valued at nearly $30 million, and helped to leverage more than $14 million in cash and in-kind resources; and,

WHEREAS, residents of Illinois have earned more than $93.8 million in Segal AmeriCorps Education Awards to help pay for college or pay back student loans since 1994; and,

WHEREAS, AmeriCorps members, after their terms of service end, remain engaged in our communities as volunteers, teachers, public servants, and nonprofit leaders in disproportionately high levels; and,

WHEREAS, the Serve Illinois Commission on Volunteerism and Community Service and the Corporation for National and Community Service play a key role in determining where AmeriCorps resources should be directed to meet state and local needs; and,

WHEREAS, AmeriCorps Week, March 9-17, 2013, is an opportune time for the people of Illinois to salute AmeriCorps members and alums for their service; thank AmeriCorps' community partners; and bring more Americans into service; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 9-17, 2013 as AMERICORPS WEEK in Illinois, and urge citizens to thank AmeriCorps members and alumni for their service and to find ways to give back to their communities at www.Serve.Illinois.gov.

Issued by the Governor March 5, 2013.
2013-91
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF DAWN CLARK NETSCH

WHEREAS, Dawn Clark Netsch devoted her life to the advancement of Illinois, equal rights, and public service; and,
WHEREAS, Dawn Clark Netsch was a great public servant who believed that honesty and integrity were pivotal in a credible democratic government; and
WHEREAS, Dawn Clark Netsch was a strong advocate for education and a pioneer for equal rights for all people. As the first woman elected to a statewide constitutional office in Illinois, Comptroller Netsch blazed a trail for women in public office; and,
WHEREAS, Dawn Clark Netsch was an elected delegate to the Illinois constitutional convention in 1970, where she spearheaded the movement to modernize our constitution; and,
WHEREAS, following her service as a delegate, Dawn Clark Netsch was later elected to the Illinois State Senate in 1972, where she served for eighteen years; and,
WHEREAS, Dawn Clark Netsch was then elected Comptroller in 1990, becoming the first women elected to statewide office in Illinois; and,
WHEREAS, Dawn Clark Netsch became the first woman with major party backing to run for Illinois Governor four years later in 1994; and,
WHEREAS, in addition to her elected duties, Dawn Clark Netsch constantly demonstrated her commitment to the betterment of Illinois through various efforts and causes, including her service on several Illinois boards and commissions, her advocacy of equal rights for all, and participation in various organizations throughout the course of her life; and,
WHEREAS, Dawn Clark Netsch passed away on March 5, 2013 at age 86; and,
WHEREAS, Dawn Clark Netsch, throughout her life, taught us all about the right way to move forward in our democracy. We are all better off because of her purposeful life; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on March 6,
2013 in honor and remembrance of Dawn Clark Netsch, whose selfless service is an inspiration.

Issued by the Governor March 5, 2013.
Filed by the Secretary of State March 14, 2013.

2013-92
BLUE WATERS SUPERCOMPUTER DAY

WHEREAS, American innovations in science and technology, fueled by public and private research investments, have created economic prosperity, improved our quality-of-life, and aided those who serve our state and nation; and,

WHEREAS, Illinois’ economic vitality is enhanced by the ability to successfully execute research, development, and innovation initiatives that support and enhance our industries, helping them reach new levels of achievement; and,

WHEREAS, Illinois’ higher education and research institution community maintains preeminent faculties of capable and world renowned scientists, engineers and technological experts; and,

WHEREAS, as the flagship school of our state’s public university system, the University of Illinois continues to be a national leader in innovation, research and engineering progress throughout the nation and world; and,

WHEREAS, The University of Illinois’ computing resources and software technologies are one of the most advanced in the World, it is home to one of the original sites of the National Science Foundation’s Supercomputer Center; and,

WHEREAS, The University of Illinois will once again host one of the most advanced computers in the world when they launch Blue Waters, a “petascale” computer capable of processing some of the largest and most challenging problems in science and engineering; and,

WHEREAS, Blue Waters completes quadrillions of calculations every second and is designed to help researchers find insights buried in massive quantities of data, which is essential to realizing trends from environmental observations; and,

WHEREAS, Blue Waters will also process simulations in astronomy, physics, chemistry, engineering and other fields; and,

WHEREAS, Blue Waters represents a major advance in our country’s research infrastructure by tackling problems such as genetic mapping and diseases, predicting natural disasters, and designing new tools and equipment through modeling and simulation; and,
WHEREAS, Blue Waters will also provide opportunities for private industry, serving as an engine of economic development by allowing for less costly prototypes; and,

WHEREAS, The University of Illinois has 7 percent of Blue Waters’ supercomputing capability reserved for the school’s use, which is significantly more power than most universities throughout the world, and provides the University of Illinois a unique opportunity to perform groundbreaking work; and,

WHEREAS, Blue Waters was a collaborative effort of the United States Congress, the National Science Foundation, the State of Illinois, the University of Illinois and the Great Lakes Consortium for Petascale Computation, and serves as the most powerful system supported by the National Science Foundation for engineering and research; and,

WHEREAS, sustained discovery, invention and innovation requires direct investment of state resources to support industries, universities and national labs, allowing them to address issues in high-priority areas such as energy storage; health and health innovation; and advanced manufacturing; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 28, 2013 as BLUE WATERS SUPERCOMPUTER DAY in Illinois, and encourage everyone in the Land of Lincoln to recognize the important role that innovation and technological progress plays in the future of our state.

Issued by the Governor March 6, 2013.
Filed by the Secretary of State March 14, 2013.

2013-93
NATIONAL ASSOCIATION OF LETTER CARRIERS
FOOD DRIVE DAY

WHEREAS, founded in 1889, the National Association of Letter Carriers, AFL-CIO (NALC) is the union of city letter carriers employed by the United States Postal Service; and,

WHEREAS, there are 280,000 active and retired members of the NALC, of which about two thirds are active city letter carriers; and,

WHEREAS, last year these letter carriers delivered over 170 billion pieces of mail, six days a week, to over 152 million homes and businesses in every city, suburb, village and town in America; and,

WHEREAS, each year, the National Association of Letter Carriers and the United States Postal Service conduct a nationwide food drive to help stock food banks and food pantries within the communities they serve; and,
WHEREAS, the NALC Food Drive is the largest one-day food drive in the nation, collecting over 70.7 million pounds of food in 2012, and raising the total amount of donations over the past 20 years to 1.2 billion pounds; and,

WHEREAS, letter carriers in Illinois collected over 2.3 million pounds of food across the Land of Lincoln in 2012; and,

WHEREAS, the need for food assistance has never been greater. According to the U.S. Department of Agriculture's most recent study of food security in the United States in 2011, 50.1 million Americans live in food insecure households. Of those, 16.7 million are children; and,

WHEREAS, letter carriers all over the State of Illinois are preparing to once again help “Stamp Out Hunger” in their communities; and,

WHEREAS, the national drive, in which food is collected by letter carriers as they deliver mail along their postal routes, is held each year on the second Saturday in May—which falls on May 11 this year:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 11, 2013 as NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE DAY in Illinois, in recognition of the NALC’s efforts to combat hunger for over twenty years.

Issued by the Governor March 6, 2013.

Filed by the Secretary of State March 14, 2013.

2013-94
DAIRY MONTH

WHEREAS, the dairy industry directly employs over 26,159 Illinois citizens and contributes over 36 million dollars annually in producing dairy products; and,

WHEREAS, the total state wide economic impact of the Illinois dairy industry is more than 7.3 billion dollars; and,

WHEREAS, the State of Illinois is home to over 90 dairy processing plants that employ over 8,000 workers; and,

WHEREAS, dairy products are a prime source of calcium, protein, and other nutrients that are essential to a healthy diet; and,

WHEREAS, Dietary Guidelines for Americans recommends 3 servings of low-fat and fat-free dairy foods every day; and,

WHEREAS, checkoff organizations such as St. Louis District Dairy Council and Midwest Dairy Association work to educate students and consumers, and to promote the goodness of dairy products; and,

WHEREAS, real milk and dairy foods are superior to their imitations in quality, value, and taste; and,
WHEREAS, June is set aside annually to honor the dairy producers and dairy industry for its contributions to the nutritional well-being of all people; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as DAIRY MONTH in Illinois, and encourage all citizens to join in this worthy observance.

Issued by the Governor March 7, 2013.
Filed by the Secretary of State March 14, 2013.

2013-95

MONTESSORI EDUCATION WEEK

WHEREAS, based on her observations of children and the manner by which they learn, Dr. Maria Montessori developed an innovative philosophy of education in the early 1900’s that continues to influence learning across the State of Illinois and throughout the nation; and

WHEREAS, as a system of education for children from birth through the age of eighteen, the Montessori program uses materials, techniques, and observations that support the students’ natural development, encourage their learning, independence, and self-confidence, and advance the principles of peace through responsible citizenship; and

WHEREAS, the Montessori Method includes developmental teaching, one-to-one lessons, and the promotion of respect among the children and peace to humankind; and

WHEREAS, the State of Illinois is proud to recognize Montessori Education and the more than 200 Montessori schools in Illinois during the last week in February as it celebrates its anniversary; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 25 – March 1, 2013 as MONTESSORI EDUCATION WEEK in Illinois, and encourage all citizens to recognize the valuable education that Montessori schools provide to students in our great State.

Issued by the Governor March 7, 2013.
Filed by the Secretary of State March 14, 2013.

2013-96

PUBLIC WORKS WEEK

WHEREAS, public works infrastructure, facilities and services are of vital importance to the health, safety and well-being of the people of Illinois; and,
WHEREAS, public works projects create jobs, with programs like the “Illinois Jobs Now!” capital program, “Move Illinois” tollway project, and the “Clean Water Initiative” in Illinois creating thousands of jobs through billions of dollars in local investment all while modernizing our infrastructure; and,

WHEREAS, it is in the public interest for the citizens and civic leaders of this country to gain knowledge of, and to maintain a progressive interest in the public works needs and programs of their respective communities; and,

WHEREAS, such facilities and services would not be possible without the dedicated efforts of public works professionals, engineers and administrators—representing state and local units of government, who are responsible for and must design, build, operate and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings and other structures and facilities essential to serving our citizens; and,

WHEREAS, this year marks the 53rd Anniversary of National Public Works Week, sponsored by the American Public Works Association; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19-25, 2013 as PUBLIC WORKS WEEK in Illinois, and encourage all citizens to join with representatives of governmental agencies and the American Public Works Association in activities and ceremonies designed to pay tribute to public works professionals, engineers and administrators, and to recognize the substantial contributions they have made to our national health and welfare.

Issued by the Governor March 7, 2013.
Filed by the Secretary of State March 14, 2013.

2013-97
TAI CHI AND QIGONG DAY

WHEREAS, Tai Chi, a traditional Chinese exercise, is a series of mindful relaxed movements, increasingly found to have many health benefits for people of all different fitness levels; and,

WHEREAS, a study by the Emory University School of Medicine in Atlanta has pointed to the benefits of Tai Chi as relieving stress and improving balance and coordination among the elderly, while another study conducted by the University of Miami School of Medicine showed improved behavior in adolescents with Attention Deficit and Hyperactivity Disorder who practiced Tai Chi; and,
WHEREAS, Tai Chi and Qigong are also being used as helpful stress managers and behavior modifiers for drug abusers and prison inmates in some penal institutions in the United States; and,

WHEREAS, World Tai Chi and Qigong Day is now celebrated in 70 nations annually; and,

WHEREAS, World Tai Chi and Qigong Day is meant to bring practitioners together and to allow people to learn more about Tai Chi and Qigong through this day of celebration and practice that will be observed around the world on April 27; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 27, 2013 as TAI CHI AND QIGONG DAY in Illinois.

Issued by the Governor March 7, 2013.
Filed by the Secretary of State March 14, 2013.

2013-98
MILITARY CHILD MONTH

WHEREAS, thousands of brave Americans have made countless sacrifices to defend our country and preserve freedom in Afghanistan, Iraq and around the world; and,

WHEREAS, more than 30,000 Illinois children and youth have been directly affected by the military service of at least one parent; and,

WHEREAS, it is our duty as citizens to pay tribute to service members and their children for their commitment to this nation and their struggles – because when parents serve in the military, their children are heroes too; and,

WHEREAS, it is only fitting that we take time to recognize these children’s contributions, celebrate their spirit, and let our men and women in uniform know that while they are taking care of us, we are taking care of their children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as MILITARY CHILD MONTH in Illinois and encourage all citizens and local communities to provide support and give thanks to military children and families.

Issued by the Governor March 11, 2013.
Filed by the Secretary of State March 14, 2013.
MIDDLE LEVEL STUDENT LEADERSHIP WEEK

WHEREAS, Student Council is a terrific opportunity for our leaders of tomorrow; and,
WHEREAS, Student Council is a hands-on experience that teaches students the fundamentals of leading. The first ingredient of leadership is establishing a vision that others share and are willing to invest their personal resources for; and,
WHEREAS, once a vision is established, it is important to determine how to get there, and essential to that success is communication, teamwork, and perseverance. Finding common ground, building consensus, and inspiring cooperation to achieve a goal is what leadership is all about; and,
WHEREAS, good leaders are those who understand this, and the best leaders are those whose results support their vision; and,
WHEREAS, Student Council is a civics lesson in motion, and in the process, members also promote school spirit, raise money for charity, and volunteer their time to community service. Student Council is a wonderful organization that benefits students, schools, and the entire community; and,
WHEREAS, the Illinois Association of Junior High Student Councils (IAJHSC) is comprised of 119 member schools across the state; and,
WHEREAS, this year, the 54th Annual State Convention of the IAJHSC will be held April 19-20 at the Crowne Plaza Hotel & Convention Center in Springfield, Illinois. The conference will attract more than 1,000 students and advisors from all across the state, where they will participate in seminars and workshops to exchange event ideas and to help them become better leaders; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 21-27, 2013 as MIDDLE LEVEL STUDENT LEADERSHIP WEEK in Illinois, in support of Student Council, and to encourage our future leaders attending the Annual State Convention of the Illinois Association of Junior High Student Councils to share and apply what they learn there.

Issued by the Governor March 12, 2013.
Filed by the Secretary of State March 14, 2013.
2013-100
CROSSING GUARD APPRECIATION DAY

WHEREAS, approximately 20,000 children under the age of fourteen suffer from motor vehicle-related pedestrian injuries every year, and more than half of those injuries require hospitalization; and,

WHEREAS, many of these injuries could be avoided if children had proper road-safety education and did not choose to cross streets or use intersections unsupervised; and,

WHEREAS, crossing guards are a dependable means of helping children to avoid unnecessary accidents and injuries; and,

WHEREAS, motorists should be aware of children walking to and from school and be especially cautious in and around school zones. They should also follow the directions of all crossing guards and recognize that by doing so, road safety can be improved; and,

WHEREAS, crossing guards play an integral role in our communities, working hard to ensure the security of children as they walk to and from school and cross streets. In addition, they teach children to look both ways before crossing streets, as well as other essential safety rules; and,

WHEREAS, crossing guards are an important component of the Illinois Safe Routes to School program, which makes communities safer for kids to walk and bicycle to school, promotes physical activity and reduces harmful impacts to the environment and community health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 7, 2013 as CROSSING GUARD APPRECIATION DAY in Illinois, in recognition of the services that these dedicated professionals provide to keep our citizens and their children safe.

Issued by the Governor March 13, 2013.
Filed by the Secretary of State March 21, 2013.

2013-101
PLAYGROUND SAFETY WEEK

WHEREAS, the safety and well being of children is a priority of the State of Illinois; and,

WHEREAS, more than 200,000 children are injured on playgrounds in the United States each year, equaling an average of one playground-related emergency room visit every two-and-one-half minutes; and,
WHEREAS, the National Program for Playground Safety was created at the University of Northern Iowa to help inform the nation about playground injuries and possible ways to reduce them; and,
WHEREAS, the National Program for Playground Safety has identified key areas that could help to substantially reduce the number of playground injuries and keep our children SAFE – providing: proper Supervision, Age appropriate equipment, materials to soften Falls to the surface, and Equipment maintenance; and,
WHEREAS, it is appropriate to set aside a week each year for the direction and thought on how to keep our children safer on playgrounds; and,
WHEREAS, spring is often a time that children head to the playground and, as a result, a large percentage of playground injuries occur in the months of April through June; and,
WHEREAS, child care centers, schools, parks and other public facilities are preparing for summer season and associated playground use. It is essential that we take the time to inspect, repair, and sustain the many playgrounds that provide our children with much needed exercise and enjoyment; and,
WHEREAS, the State of Illinois is committed to ensuring that no children play on unsafe playgrounds:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 22 – 26, 2013 as PLAYGROUND SAFETY WEEK in Illinois, and encourage all citizens to help to keep our children safe on community playgrounds.

Issued by the Governor March 13, 2013.
Filed by the Secretary of State March 21, 2013.

2013-102
ARMENIAN GENOCIDE REMEMBRANCE DAY

WHEREAS, the Armenian community, as well as the global community, remembers the Armenian Genocide, which occurred 98 years ago; and,
WHEREAS, during this tragic historical period between the years of 1915 and 1923, Armenians were forced to witness the genocide of their loved ones and the loss of their ancestral homelands; and,
WHEREAS, this extermination and forced relocation of over 1.5 million Armenians by the Ottoman Turks is recognized every year; and,
WHEREAS, Armenians continue to be a people filled with hope, courage, faith, and pride in their heritage, working together to rebuild a firm foundation for Armenia; and,
WHEREAS, many of the thousands of Armenian-Americans in Illinois are descendents or survivors of the Armenian genocide, and have been forthright in their efforts to preserve their culture, heritage, and language, while contributing much to our state and our nation’s diverse society and economy; and,

WHEREAS, both recognition and education concerning past atrocities such as the Armenian Genocide are crucial in the prevention of future crimes against humanity; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 21, 2013 as ARMENIAN GENOCIDE REMEMBRANCE DAY in Illinois, in observance of the 98th Anniversary of the Armenian Genocide.

Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-103
CORRECTIONAL OFFICERS WEEK

WHEREAS, every day, the men and women who work in our state and county correctional facilities face great risks and in many cases, put their safety on the line as they perform their duties; and,

WHEREAS, correctional officers are skilled professionals who must act as counselors, communicators and crisis intervention experts. In addition, they must maintain their professional demeanor while often facing hostile, aggressive and intimidating behavior from prison inmates; and,

WHEREAS, correctional officers must possess the intuitive sense to resolve conflicts and save lives, while also possessing the physical ability to restrain persons representing a danger to themselves and others; and,

WHEREAS, we could not operate Illinois’ prisons, correctional camps, transitional houses and county facilities without the hard work and sacrifices made each day by our correctional officers and their families; and,

WHEREAS, the State of Illinois is pleased to join with the International Association of Correctional Officers and the American Correctional Association in celebrating Correctional Officers Week and in recognizing correctional officers for playing an integral role in this state by working hard to ensure the safety of inmates and of citizens in our communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – 11, 2013 as CORRECTIONAL OFFICERS
WEEK in Illinois, and encourage all citizens to pay special tribute to these men and women who serve faithfully, often with little thanks or recognition in serving to protect others.

Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-104
EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, emergency medical services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, emergency medical technicians (EMTs) – basic, intermediate and paramedic – field nurses, emergency communication nurses, trauma nurse specialists, emergency medical dispatchers and first responders who are dedicated to saving lives; and,

WHEREAS, in Illinois there are 66 EMS resource hospitals and 67 trauma centers, and 18,953 first responders, 22,398 basic EMTs, 844 intermediate EMTs, 13,956 paramedic EMTs, 4,649 emergency communications registered nurses, 2,794 trauma nurse specialists, 367 pre-hospital registered nurses and 2,533 emergency medical dispatchers selflessly providing 24-hour service to the people of Illinois; and,

WHEREAS, this year’s national theme, “EMS: One Mission. One Team.” underscores the immediate nature of the situations to which EMS personnel must respond; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim May 19-25, 2013, as EMERGENCY MEDICAL SERVICES WEEK in Illinois.

Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-105
EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY

WHEREAS, Emergency Medical Services for Children (EMSC) recognizes that children have unique physiological responses to illness and injury; and,

WHEREAS, EMSC promotes a specialized approach to pediatric care; and,

WHEREAS, Illinois’ emergency medical services system strives to integrate pediatric emergency care needs across a wide spectrum; and,
WHEREAS, in Illinois there are 15 standby emergency departments approved for pediatrics, 81 emergency departments approved for pediatrics, 10 pediatric critical care centers, 18,953 first responders, 22,398 basic EMTs, 844 intermediate EMTs, 13,956 paramedic EMTs, 4,649 emergency communications registered nurses, 2,794 trauma nurse specialists, 367 pre-hospital registered nurses and 2,533 emergency medical dispatchers dedicated to promoting preventive measures, pre-hospital care, emergency department services, outpatient and specialized services, and inpatient and rehabilitative care; and,

WHEREAS, Illinois champions the nation’s EMSC commitment to reduce childhood morbidity and mortality associated with severe illness and trauma; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim May 22, 2013, as EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY in Illinois.

Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-106
NATIONAL WORK ZONE SAFETY MONTH

WHEREAS, The Illinois Department of Transportation and the Illinois State Police, are committed to safety in our state’s work zones and educating the public about new and existing laws that make work zones safer; and,

WHEREAS, The Illinois Department of Transportation and the Illinois State Police are committed to reducing the number of work zone crashes; and,

WHEREAS, in 2011, Illinois highways experienced 4,800 work zone crashes with over 1,000 of these crashes resulting in injury. To reduce these crashes, “No Cell Phones in Work Zones” legislation was passed to prohibit cell phone use in construction or maintenance speed zones regardless of the speed limit in these zones; and,

WHEREAS, Illinois Department of Transportation and Illinois State Police employees maintain the operations and safety of Illinois roadways and are exposed to the dangers of being hit by motorists traveling on these roadways. IDOT and ISP continue to have employees and their vehicles hit by motorists; and,

WHEREAS, Illinois State Law requires motorists to move over and slow down when approaching workers. Violation of this law can result in a fine of $100 and up to $10,000; and,
WHEREAS, unfortunately, many motorists do not know about or understand the law. To address this growing issue, IDOT and ISP have collaborated on a statewide initiative to increase education and enforcement. This initiative, “National Work Zone Safety Week”, which runs April 15 – 19, 2013, will raise awareness of “No Cell Phones in Work Zones” and the “Move Over Law” by designating the month of April as “Work Zone Safety Month” in an effort to change behavior and save lives; and,

THEREFORE, I, Pat Quinn, the Governor of Illinois, do hereby proclaim April 2013 as NATIONAL WORK ZONE SAFETY MONTH in the State of Illinois.
Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-107
POSTPARTUM MOOD DISORDERS AWARENESS MONTH

WHEREAS, up to 80 percent of new mothers experience changes in their emotional health following childbirth, regardless of race, age, culture or socioeconomic status. Of this number, 15-20 percent experience more severe symptoms, collectively known as Postpartum Mood Disorders; and,

WHEREAS, based on the number of births each year in Illinois, it is estimated that 27,000-36,000 mothers are affected by moderate to severe postpartum emotional symptoms annually in Illinois alone. Postpartum Mood Disorders (PPMDs) have been called “The most significant complication associated with childbirth”. PPMDs interfere with mother-infant bonding and disrupt the entire family unit; and,

WHEREAS, there are many forms of Postpartum Mood Disorders, including the milder “Baby Blues” and more severe Postpartum Depression, Postpartum Panic Disorder, and Postpartum Obsessive-Compulsive Disorder. The most severe disorder, Postpartum Psychosis, is a life-threatening mental illness associated with a 10 percent suicide/infanticide rate; and,

WHEREAS, with proper awareness, education, intervention, and resources, Postpartum Mood Disorders are nearly 100 percent treatable; and,

WHEREAS, increasing public awareness among all Illinois families on the prevalence, identification, and treatment of Postpartum Mood Disorders has significant potential to save lives and prevent the unnecessary suffering experienced by so many families following childbirth:
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as POSTPARTUM MOOD DISORDERS AWARENESS MONTH in Illinois, in order to raise awareness of this serious and debilitating disorder that affects childbearing women and their families.

Issued by the Governor March 14, 2013.
Filed by the Secretary of State March 21, 2013.

2013-108

CHILD ABUSE PREVENTION MONTH

WHEREAS, children are the embodiment of innocence and hope for the future, and every child deserves to grow up in a nurturing environment, free from harm and fear; and
WHEREAS, every child is entitled to be loved, cared for, secure, and protected from verbal, sexual, emotional and physical abuse, exploitation, and neglect; and
WHEREAS, child abuse and neglect causes serious harm to child development and has lifelong effects that reduce well-being and productivity and create greater demands on society; and
WHEREAS, child abuse and neglect can be reduced by making sure every family is safe, secure, and has the support needed to raise their children in a healthy environment; and
WHEREAS, by providing our children a safe and nurturing environment, free of domestic violence, abuse, and neglect, we can ensure that children grow to their full potential as leaders, helping to secure the future of this great state and nation; and
WHEREAS, effective child abuse prevention programs succeed because of strong partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, government entities and the business community; and
WHEREAS, 1.3 million Illinois families GIVE to charity each year, with an estimated $780 million directed to human services organizations that promote safe, loving homes and brighter futures for kids supported by strong families and communities; and
WHEREAS, more than one million Illinoisans VOLUNTEER their time each year as tutors, mentors and coaches for youth, supporting families in raising their children in a nurturing, safe environment; and
WHEREAS, Illinoisans ACT by making over 250,000 calls to the Illinois Child Abuse Hotline each year, by offering a temporary safe haven for more than 14,000 children as foster families, and by providing
permanent, loving homes for more than 17,000 children through adoption over the last decade; and

WHEREAS, thanks to those who fulfill their social responsibility to report suspected abuse or neglect to the Illinois Child Abuse Hotline at (800) 25-ABUSE, the Illinois Department of Children and Family Services receives, investigates and acts on a report of child abuse or neglect every five minutes, child sexual abuse every two hours, and a child death by abuse or neglect every 36 hours; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as CHILD ABUSE PREVENTION MONTH in Illinois, and I encourage all Illinoisans to join their neighbors who GIVE, VOLUNTEER and ACT every day to prevent child abuse and ensure safe, loving homes and brighter futures for all children, ultimately strengthening families and the communities across the state in which we live.

Issued by the Governor March 15, 2013.
Filed by the Secretary of State March 21, 2013.

2013-109
ILLINOIS BEEF MONTH

WHEREAS, agriculture is one of the State of Illinois’ largest and most important economic drivers; and,

WHEREAS, agriculture is a diverse industry, both in terms of the commodities it produces and the businesses it supports; and,

WHEREAS, agriculture-related businesses employ nearly a quarter of the state’s workforce; and,

WHEREAS, ranked among the top five states in the nation, Illinois is home to 2,531 food companies, with many located in urban communities; and,

WHEREAS, one major facet of the agricultural landscape of Illinois is the beef industry, which currently produces 615 million pounds of beef per year; and,

WHEREAS, Illinois Beef contributes over $800 million to the Illinois economy and supports more than 18,000 jobs throughout the state; and,

WHEREAS, the Illinois Beef Association represents many of the 14,800 beef producers in Illinois through producer education, consumer awareness, product promotion, and the advancement of economic and legislative interests; and,
WHEREAS, the State of Illinois recognizes that the foundation of the Illinois beef industry is the farmer, and the impact of this industry stretches beyond rural farm fields to urban communities; and,

WHEREAS, Illinois Beef is not only found on Illinois plates, but is a supplier of choice to customers around the World; and,

WHEREAS, leading up to the summer grilling season, the Illinois Beef Association will begin many regional, state, and national efforts to promote beef in order to develop and maintain a profitable and sustainable beef industry; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as ILLINOIS BEEF MONTH in the State of Illinois and do hereby encourage all residents of the Land of Lincoln to support local farmers and our beef industry by recognizing its contributions to the social, cultural, and economic landscape of our state.

Issued by the Governor March 18, 2013.
Filed by the Secretary of State March 21, 2013.

2013-110
INTERIOR DESIGN WEEK

WHEREAS, interior design is a multi-faceted profession which applies creative and technical solutions within a structure to achieve a functional, safe, and aesthetically pleasing interior environment; and,

WHEREAS, interior design is concerned with anything found inside a space - walls, windows, doors, finishes, textures, light, furnishings and furniture; and,

WHEREAS, interior designers are responsible for planning the spaces of almost every type of building and must be attuned to architectural detailing, including floor plans, home renovations, as well as regulations set forth by construction and building codes; and,

WHEREAS, the interior design profession is also becoming increasingly concerned with encouraging the principles of environmental sustainability; and,

WHEREAS, interior designers must also comply with strict licensing requirements, such as those embodied by the Interior Design Title Act in Illinois, which is critical in keeping the interior design profession at its highest level and serves to protect the public’s health, safety and welfare by qualifying registered design professionals based on education, experience, and testing; and,

WHEREAS, in the interest of promoting the highest levels of excellence in the interior design profession, on June 10-14, the NeoCon World’s Trade Fair will be held at the Merchandise Mart in Chicago; and,
WHEREAS, returning for its 45th year, NeoCon is the country’s largest conference and exhibition of contract furnishings for the design and management of the built environment; and,

WHEREAS, NeoCon features the latest trends, products, and concepts in office, healthcare, hospitality, residential, institutional, and government environments, and offers the most comprehensive conference schedule in the industry, with more than 140 seminars, forums, and presentations; and,

WHEREAS, NeoCon will host more than 1,200 showrooms and exhibitors showcasing thousands of cutting edge commercial products, and is expected to draw more than 40,000 trade professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 10-14, 2013 as INTERIOR DESIGN WEEK in Illinois, in support of the interior design profession and in recognition of the contributions interior designers make to our state.

Issued by the Governor March 18, 2013.
Filed by the Secretary of State March 21, 2013.

2013-111
MOBILITY AWARENESS MONTH

WHEREAS, the people of Illinois will celebrate Mobility Awareness Month in May 2013; and,

WHEREAS, in the United States, 19 percent of the non-institutionalized civilian population aged five and older have some level of disability, representing 54 million people in the nation, with nearly 1.3 million of those citizens residing in Illinois, comprising 10.3 percent of the state’s population; and,

WHEREAS, Illinois has a long history of protecting the rights and liberties of persons with disabilities, going back 32 years to the passage of the Illinois Human Rights Act (December 6, 1979); and,

WHEREAS, the State of Illinois and its agencies remain committed to continuing efforts to ensure that people with disabilities are able to fully participate in employment, transportation, education, communication, and community opportunities; and,

WHEREAS, the National Mobility Equipment Dealers Association, comprised of more than 600 mobility equipment dealers, manufacturers and driver rehabilitation specialists, sponsors Mobility Awareness Month and remains dedicated to expanding opportunities for people with Disabilities; and,
WHEREAS, the observance of National Mobility Awareness Month is designed to promote awareness for increasing independence and the quality of life for people with disabilities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as MOBILITY AWARENESS MONTH in Illinois, and encourage all citizens to reaffirm the principles of equality and inclusion, and do their part to ensure that people with disabilities enjoy access to active, mobile lifestyles.

Issued by the Governor March 18, 2013.
Filed by the Secretary of State March 21, 2013.

2013-112
OSTEOPATHIC MEDICINE WEEK

WHEREAS, there are currently nearly than 100,000 osteopathic physicians (DOs) and osteopathic medical students in the United States; and,

WHEREAS, there are over 4,000 osteopathic physicians (DOs) and osteopathic medical students in the State of Illinois; and,

WHEREAS, osteopathic physicians have made tremendous accomplishments to the American health care system since it was founded by Andrew Taylor Still, MD, DO, in 1874; and,

WHEREAS, osteopathic physicians have treated U.S. presidents; Olympic athletes; contributed to the fight against AIDS and the fight for civil rights; served on nationwide health care panels; and,

WHEREAS, osteopathic physicians are fully-licensed to prescribe medicine and practice in all specialty areas of medicine, including surgery; and,

WHEREAS, osteopathic physicians are trained to consider the health for the whole person and use their hands to help diagnose and treat their patients; and,

WHEREAS, Illinois’ osteopathic physicians are dedicated to improving the health of their communities through education and awareness-based efforts, as well as by delivering quality health services; and,

WHEREAS, the citizens of Illinois recognize the need for osteopathic physicians who are committed to bringing attention to improving the health of Americans, regardless of age, income level, or ethnicity; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 14-20, 2013 as OSTEOPATHIC MEDICINE WEEK, and encourage all citizens and community organizations to
support this observance by helping to educate residents about osteopathic physicians and osteopathic Medicine.

Issued by the Governor March 18, 2013.
Filed by the Secretary of State March 21, 2013.

2013-113
CAMBODIAN KILLING FIELDS REMEMBRANCE DAY

WHEREAS, it is important to learn about and remember past atrocities such as genocide so that we may prevent future crimes against humanity; and,
WHEREAS, the Cambodian community, as well as the global community, remembers the Cambodian Genocide, which occurred 38 years ago; and,
WHEREAS, during this tragic historical period between the years of 1975 and 1979, Cambodians were forced to witness the genocide of an estimated 2.2 million fellow countrymen following the end of the Cambodian Civil War; and,
WHEREAS, During the four year period of Khmer Rouge rule in Cambodia, the country saw the deaths of millions of Cambodian men, women and children as a result of political executions, starvation and forced labor; and,
WHEREAS, the mass graves and labor camp sites are known today as the “Killing Fields”, a term coined by Dith Pran, a survivor of the genocide; and,
WHEREAS, many of the thousands of Cambodian-Americans in Illinois are descendents or survivors of the Cambodian genocide, and have been forthright in their efforts to preserve their culture, heritage, and language, while contributing much to our state and our nation’s diverse society and economy; and,
WHEREAS, the Cambodian Association of Illinois ought to be commended for their efforts to raise awareness of the Cambodian genocide in a setting that celebrates the renewal of Cambodian community and culture both in Cambodia and the United States; and,
WHEREAS, the Cambodian Association of Illinois has been committed to promoting self-sufficiency, and enhancing the cultural heritage of Cambodian refugees in the Chicagoland area; and,
WHEREAS, through the efforts of Cambodian Association of Illinois, Cambodian communities of Illinois are truly well served; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 6, 2013 as CAMBODIAN KILLING FIELDS
REMEmBRANCE DAY in Illinois, in observance of the 38th Anniversary of the Cambodian Genocide.

Issued by the Governor March 19, 2013.
Filed by the Secretary of State March 21, 2013.

2013-114
HUNTINGTON'S DISEASE AWARENESS WEEK

WHEREAS, Huntington's disease is a progressive degenerative neurological disease that causes total physical and mental deterioration over a 12-15 year period; and,
WHEREAS, currently, Huntington's disease affects approximately 30,000 patients and there are more than 250,000 genetically "at risk" individuals in the United States; and,
WHEREAS, in the State of Illinois, there are over 1,500 families that suffer every day from Huntington’s Disease; and,
WHEREAS, since the discovery of the gene that causes Huntington's disease in 1939, the pace of research has accelerated; and,
WHEREAS, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming; and,
WHEREAS, researchers are conducting important research projects involving Huntington's disease; and,
WHEREAS, the Huntington’s Disease Society of America (HDSA) dedicates its tireless efforts to advocating for families, educating the public, and providing support and services to affected families living with this disease; and,
WHEREAS, on May 19, 2013 the Illinois Chapter of HDSA will hold its 9th Annual TEAM HOPE - Walk For A Cure to raise funds for research into a cure or treatment for Huntington’s disease; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19-26, 2013 as HUNTINGTON’S DISEASE AWARENESS WEEK in Illinois, to raise awareness of this devastating disease and in support of the efforts of the Illinois Chapter of the Huntington’s Disease Society of America.

Issued by the Governor March 19, 2013.
Filed by the Secretary of State March 21, 2013.
2013-115
LINCOLN PILGRIMAGE WEEKEND

WHEREAS, in 1926 R. Allan Stephens, a former Boy Scouts of America Commissioner of Springfield, Illinois, originated the idea of a Lincoln Trail Hike, believing that Boy Scouts would acquire a greater appreciation of the obstacles Abraham Lincoln overcame in his rise to the presidency if they also walked the same 20-mile route followed by Lincoln from New Salem to Springfield; and

WHEREAS, Lincoln's outstanding example of perseverance caused Mr. Stephens to propose that Boy Scouts be encouraged to walk in Lincoln's steps from New Salem to Springfield and that an award be made to those who successfully completed the trail; and,

WHEREAS, the trail is scenic and historically correct, and the Scouts foster environmental stewardship by picking up litter along the scenic roadway; and

WHEREAS, the Illinois Environmental Protection Agency teams with the Abraham Lincoln Council of the Boy Scouts of America in order to further earth stewardship and promote environmental consciousness; and

WHEREAS, Illinois Environmental Protection Agency employees, American Radio Relay League amateur radio operators, Illinois Air National Guard, Illinois Army National Guard, as well as Waste Management and Coca-Cola, support the Lincoln Trail Hike by volunteering their services to assist the Scouts during the Hike

WHEREAS, the Lincoln Trail Hike is one of a series of events, collectively known as the Lincoln Pilgrimage, honoring the life, achievements and ideals of the 16th President; and

WHEREAS, thousands of Scouts will participate in the Annual Lincoln Pilgrimage;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 27-28, 2013, as LINCOLN PILGRIMAGE WEEKEND in the State of Illinois.

Issued by the Governor March 19, 2013.
Filed by the Secretary of State March 21, 2013.

2013-116
EXERCISE IS MEDICINE MONTH

WHEREAS, the health and well-being of our citizens is a primary concern for the State of Illinois; and,
WHEREAS, all citizens are encouraged to speak with their physicians about how physical activity and exercise may help treat or prevent numerous chronic conditions, such as hypertension, cardiac disease and diabetes; and,

WHEREAS, all physicians and other health care providers are encouraged to talk to their patients about the health benefits of exercise and to strongly recommend that their patients engage in appropriate exercise; and,

WHEREAS, regular, moderate-intensity exercise has curative and protective health benefits; and,

WHEREAS, the health benefits of physical activity and exercise can do so much to improve the quality of life for everyone; and,

WHEREAS, a healthier populace means cost savings, greater participation in the workforce and other benefits to society at large; and,

WHEREAS, regular physical activity and exercise is indeed a powerful prescription, with great potential to improve the health of all Americans; and,

WHEREAS, the American College of Sports Medicine and Illinois call on health care organizations, physicians and other professionals, regardless of specialty, to assess, to advocate for, and to review every patient's physical activity program during every comprehensive visit; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim the month of May 2013 as EXERCISE IS MEDICINE MONTH in the State of Illinois and encourage all citizens to participate in activities and observances relating to Exercise is Medicine Month in the interests of better health and quality of life for all.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 21, 2013.

2013-117
NATIONAL CANCER REGISTRARS WEEK

WHEREAS, chartered in May 1974, the National Cancer Registrars Association (NCRA) is a non-profit organization that represents more than 4,000 cancer registry professionals and Certified Tumor Registrars. The mission of NCRA is to promote education, credentialing, and advocacy for cancer registry professionals; and,

WHEREAS, cancer registrars are healthcare professionals and data management experts that capture a complete summary of patient history, diagnosis, treatment, and status for every cancer patient in the United States, and other countries as well. This data is fundamental to the nation’s cancer prevention and treatment efforts; and,
WHEREAS, cancer registrars advocate at state and local levels on issues related to cancer surveillance and privacy of patient medical records. This year’s theme is “Cornerstones of Care,” and was chosen to emphasize how the data creates a solid foundation for developing effective cancer treatments and prevention initiatives; and,

WHEREAS, researchers working on epidemiological studies and public health officials developing cancer prevention programs use data collected by cancer registrars. Local and state data is also submitted to the National Cancer Database, a nationwide oncology outcomes database maintained by the American College of Surgeons that provides the basis for many patterns of care studies; and,

WHEREAS, during the week of April 8-12, 2013, Cancer Registrars will be honored by observing National Cancer Registrars Week. This annual observance, organized by the National Cancer Registrars Association, honors their members and Cancer Registry professionals whose vision and core values are set in making a difference in the “war on cancer”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 8-12, 2013 as NATIONAL CANCER REGISTRARS WEEK in Illinois, and encourage all citizens to recognize these healthcare professionals for their tireless work in the fight against cancer.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 21, 2013.

2013-118
BATAAN DAY

WHEREAS, since the birth of this great nation, America has been blessed with a population of brave men and women who have courageously answered the call to defend their country’s ideals of freedom and democracy. Many of the brave Americans who have answered their country’s call to service were captured by hostile forces or listed as missing while performing their duties; and,

WHEREAS, the harsh conditions of enemy captivity are an unfortunate reality that many of our brave soldiers and their allies have experienced first hand. During World War II, American and Filipino prisoners of war who fought in the Philippines experienced some of the cruelest treatment. They were forced by Japanese captors to participate in what has come to be known as the Bataan Death March and the survivors were put into forced labor camps; and,
WHEREAS, American and Filipino former prisoners of war are national heroes whose service to our country will never be forgotten. These brave men and women fought for America and endured cruelties and deprivation as prisoners of war that no man or women should ever have to experience; and,

WHEREAS, during World War II, the Korean War, Vietnam, the 1991 Gulf War, Operation Iraqi Freedom, and other conflicts, our service men and women have sacrificed much to secure freedom, defend the ideals of our nation, and free the oppressed. Each of these individuals should be honored for their strength of character and for the difficulties they and their families endured. By answering the call of duty and risking their lives to protect others, these proud patriots continue to inspire us today as we work with our allies to extend peace, liberty, and opportunity to people around the world:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 9, 2013 as BATAAN DAY in the State of Illinois, and encourage all citizens to take a moment to honor and remember the men and women who suffered the hardships of enemy captivity while courageously serving their country.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-119
GENOCIDE AWARENESS AND PREVENTION MONTH

WHEREAS, a means of memorializing the victims and the survivors of the Holocaust and other genocides that have occurred throughout history, the State of Illinois joins institutions around the world in recognizing April as Genocide Awareness and Prevention Month; and,

WHEREAS, the goal of Genocide Awareness and Prevention Month is to educate the public about the history of previous and contemporary genocides, the dangers of unchallenged hate and indifference, and the need to encourage citizen engagement through advocacy and action against future genocides; and,

WHEREAS, many of these genocides have stemmed from events that occurred in the month of April, or have defining moments at that time of year, including Armenia, the Holocaust, Cambodia, Bosnia, Rwanda, and Darfur; and,

WHEREAS, in 2005, the Illinois Holocaust and Genocide Study Mandate was adopted so that every public elementary school and high school shall include in its curriculum a unit of instruction studying the
events of the Nazi atrocities of 1933 to 1945, and an additional unit of instruction studying other acts of genocide across the globe; and,

WHEREAS, in 2010, the Illinois legislature passed the Illinois Holocaust and Genocide Commission Act, which created the Illinois Holocaust and Genocide Commission; the commission is dedicated to promoting and providing guidance on Holocaust and genocide education and commemoration across the State; and,

WHEREAS, many Illinois residents have endured acts of genocide and atrocities in their countries of origin; and,

WHEREAS, the State of Illinois condemns and desires to combat all acts of genocide and atrocities; and,

WHEREAS, educating the public about the evils of genocide and commemorating victims of genocide, including the adoption of a Genocide Awareness and Prevention Month, are effective tools that will further these goals; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim the month of April 2013 as GENOCIDE AWARENESS AND PREVENTION MONTH in Illinois, and commend the Illinois Holocaust & Genocide Commission for its continued service and leadership in promoting and providing guidance on Holocaust and genocide education and commemoration across the State.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-120
ILLINOIS MUSEUM DAY

WHEREAS, museums provide public access to inspiring collections of art, culture, history, natural history, and science; and,

WHEREAS, museums have long motivated people of all ages to learn about the past, examine the present, and plan for the future; and,

WHEREAS, museums are repositories of trustworthy knowledge and information made accessible to all; and,

WHEREAS, Illinois museums serve all people, especially our children, teachers, schools, families, and communities by providing authentic and unique educational experiences through exceptional programs, exhibits and activities; and,

WHEREAS, museums foster the development of informed, critical, and innovative thinkers; and,

WHEREAS, Illinois museums serve as economic engines for our state by providing employment for thousands of our citizens and attracting tourists from across the country and throughout the world; and,
WHEREAS, every form and variety of museum is available to the
citizens of Illinois including art, history, science, natural history, military,
maritime, and youth museums, aquariums, zoos, botanical gardens,
arboretums, historic sites, nature, science, and technology centers; and,
WHEREAS, on April 11th, the Illinois Association of Museums
and Museums In the Park will hold their 15th Annual Museum Day event,
a day when museum staff and volunteers from across the state will gather
in Springfield to remind state legislators and all Illinoisans of the
remarkable value museums hold for our communities and our state
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim April 11, 2013, as ILLINOIS MUSEUM DAY in Illinois,
encouraging all citizens to visit museums in their community and
recognize the importance of supporting, preserving, and enjoying these
valuable institutions.
Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-121
NATIONAL WATER SAFETY MONTH

WHEREAS, citizens of Illinois recognize the vital role that
swimming and aquatic-related activities relate to good physical and
mental health and enhance the quality of life for all people; and,
WHEREAS, the citizens of Illinois understand the essential role
that education regarding the topic of Water Safety plays in preventing
drownings and recreational water-related injuries; and,
WHEREAS, the Illinois is aware of the contributions made by the
recreational water industry, as represented by the organizations involved
in the National Water Safety Month Coalition in developing safe
swimming facilities, aquatic programs, home pools and spas, and related
activities providing healthy places to recreate, learn and grow, build self-
esteeem, confidence and sense of self-worth which contributes to the
quality of life in our community; and,
WHEREAS, the citizens of Illinois recognize the ongoing efforts
and commitments to educate the public on pool and spa safety issues and
initiatives by the pool, spa, waterpark, recreation and parks industries;
and,
WHEREAS, the citizens of Illinois understand the vital importance
of communicating Water Safety rules and programs to families and
individuals of all ages, whether owners of private pools, users of public
swimming facilities, or visitors to waterparks; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as NATIONAL WATER SAFETY MONTH in Illinois, and encourage all those in Illinois to support and promote this observance.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-122
SIBLINGS DAY

WHEREAS, the citizens of the State of Illinois appreciate and join in observances that acknowledge those special relationships that enhance our lives, including ones founded upon the unique bond that exists among siblings; and,

WHEREAS, the experiences that brothers and sisters share are a cherished source of memories that last throughout one’s lifetime; and,

WHEREAS, the love among siblings is enduring and passed on to future generations who nurture and preserve the precious legacy bestowed upon them; and,

WHEREAS, the observance of Siblings Day provides a wonderful opportunity to reflect upon the bonds of friendship and love that thrive among brothers and sisters and take the time to express heartfelt gratitude for the unique relationship that siblings celebrate each and every day:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10, 2013 as SIBLINGS DAY in Illinois, in celebration of the special bond shared by brothers and sisters.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-123
SIKH AMERICAN HERITAGE DAY

WHEREAS, the Sikhs constitute a well-established religious, social, and ethnic group among the people who have immigrated to Illinois and the United States of America; and,

WHEREAS, Sikh immigrants have added greatly, both culturally and economically, to the State of Illinois and the United States, while simultaneously continuing to maintain their own culture and traditions; and,

WHEREAS, Sikh Americans have been involved in the social, cultural, and economic arenas of Illinois and are making outstanding contributions in many fields; and,
WHEREAS, approximately 25 million Sikhs worldwide, including over 500,000 Sikh Americans in the United States and nearly 25,000 in the State of Illinois, are celebrating “Khalsa Sirjana Divas,” on Vaisahki Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 13, 2013 as SIKH AMERICAN HERITAGE DAY in Illinois.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-124

VOICES FOR ILLINOIS CHILDREN DAY

WHEREAS, in 1987, a dedicated group of civic, business, community, academic, and philanthropic leaders established Voices for Illinois Children to develop and promote strategies that improve conditions for all children throughout the state; and,

WHEREAS, Voices for Illinois Children works as a catalyst for change to improve the lives of children of all ages throughout the state; and,

WHEREAS, Voices for Illinois Children champions the full development of every child in Illinois to assure the future well-being of everyone in the state; and,

WHEREAS, Voices for Illinois Children works with families, communities and policymakers on all issues to help children grow up healthy, happy, safe, loved and well educated; and,

WHEREAS, Voices for Illinois Children raises awareness of the needs facing children and families, builds strong partnerships focused on solutions, and convenes stakeholders to explore data and generate public support and political will for needed improvements; and,

WHEREAS, Voices for Illinois Children is a member organization of Voices for America’s Children, which is the nation’s largest network of multi-issue child advocacy groups and a recognized leader in Washington, D.C.; and,

WHEREAS, for the past 25 years, Voices for Illinois Children has helped parents, community leaders, and policymakers understand and respond to the issues facing children and families; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 6, 2013 as VOICES FOR ILLINOIS CHILDREN DAY in Illinois, in honor of this organization’s accomplishments and dedication to the children of Illinois and their families.

Issued by the Governor March 20, 2013.
Filed by the Secretary of State March 29, 2013.

2013-125

CHICAGO BUSINESS OPPORTUNITY DAYS

WHEREAS, the 46th Annual Chicago Business Opportunity Fair (CBOF), which is of special interest to Illinois-based businesses, will be held April 17-18, 2013; and,

WHEREAS, the fair will provide minority suppliers and purchasing personnel from major buying organizations the opportunity to meet and exchange information about mutual buying and selling needs; and,

WHEREAS, the 46th Anniversary of the Chicago Business Opportunity Fair assists in advancing the year-round efforts of the Chicago Minority Business Development Council, Inc. an organization devoted to stimulating minority business development and purchasing in Chicago and throughout the State of Illinois; and,

WHEREAS, Troya Clarke, President and CEO of Navistar International, will serve as Chairperson of the CBOF Minority Business Enterprise Input Committee (MBEIC) Awards Reception. This event will recognize the MBE’s corporate and government buyers and organizations that have shown exceptional commitment to business development; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 17-18, 2013 as CHICAGO BUSINESS OPPORTUNITY DAYS in Illinois in recognition of the 46th anniversary of the Chicago Business Opportunity Fair.

Issued by the Governor March 21, 2013.
Filed by the Secretary of State March 29, 2013.

2013-126

CHICAGO LATINO FILM FESTIVAL DAYS

WHEREAS, 2013 marks the 29th Edition of the Chicago Latino Film Festival presented by the International Latino Cultural Center of Chicago (ILCC); and,

WHEREAS, the ILCC is a nonprofit, multi-arts organization dedicated to developing, promoting, and increasing awareness of Pan-Latino cultures among Latinos and all communities through a wide variety of art forms and education; and,

WHEREAS, the ILCC has screened more than 1000 films and videos, including many award-winners that otherwise would have never been shown in Chicago; sponsored workshops and discussions with over
600 visiting filmmakers; and hosted more than 100 foreign journalists; and,

WHEREAS, each year, the ILCC produces the two-week Festival in the spring, screening more than 100 of the best films of all genres from Latin America, Portugal, Spain, and the United States; and,

WHEREAS, aiming to promote Latino arts and culture in the United States, the Chicago Latino Film Festival places a special emphasis on films that portray examples of the diversity in Latin America and films that challenge Latino stereotypes; and,

WHEREAS, in an effort to highlight the importance of the artistic and educational value of films, the Chicago Latino Film Festival is non-competitive with the exception of the coveted Audience Choice Award, as determined by the filmgoers and the Gloria Achievement Award, presented to individuals and institutions that have contributed to the development of Latino arts and culture; and,

WHEREAS, the growth of the Chicago Latino Film Festival from 500 attendees in 1985 to more than 35,000 in 25 years is clear evidence of the great demand for quality Latino arts programming in Chicago and contributes to its status as a world-class city; and,

WHEREAS, the Chicago Latino Film Festival is now the largest and oldest Latino film festival in the country; and,

WHEREAS, every year for two weeks over 35,000 audience members from all walks of life enjoy cultural and educational programming including film screenings, workshops, and special events held in various venues, colleges, universities and community-based organizations, providing Latinos and other communities an unforgettable cross-cultural experience; and,

WHEREAS, this year, the ILCC will celebrate the Chicago Latino Film Festival from April 11 to April 25; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 11-25, 2013 as CHICAGO LATINO FILM FESTIVAL DAYS in Illinois, in celebration of the International Latino Cultural Center of Chicago’s 29th Edition of the Chicago Latino Film Festival.

Issued by the Governor March 21, 2013.

Filed by the Secretary of State March 29, 2013.

2013-127
MONEY SMART WEEK

WHEREAS, the economic progress of our country is dependent upon the financial well-being of its citizens; and,
WHEREAS, citizens have many choices on how to manage their financial affairs, making it important that they educate themselves on the best options available; and,

WHEREAS, becoming financially literate can be a long-term process that demands much discipline and intuition. Therefore, many people find it helpful to seek assistance outside of their own home; and,

WHEREAS, educational and financial institutions, government entities and community-based organizations can work together to help consumers make informed choices about their personal finances; and,

WHEREAS, improved financial literacy results in a higher standard of living for individuals, and greater community stability; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 20-27, 2013 as MONEY SMART WEEK in Illinois, and encourage all citizens to make an effort to increase their financial literacy.

Issued by the Governor March 21, 2013.
Filed by the Secretary of State March 29, 2013.

2013-128
BLAKE SHELTON DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, there are few forms of music more purely American than the country music genre; and,

WHEREAS, country music, with its themes of rural life, family, hard work, and love for country speak to Midwestern ideals and Illinois residents can relate to its message; and,

WHEREAS, a country musician who has experienced great success in this genre is Blake Shelton; and,

WHEREAS, Blake Tollison Shelton was born in Ada, Oklahoma to parents Richard and Dorothy, the third of three children; and,

WHEREAS, Blake Shelton began his country music career at an early age, singing and playing guitar by the time he was fifteen; and,

WHEREAS, Blake Shelton released his first studio album, “Blake Shelton” in 2001 which produced his first number one hit, “Austin”; and,

WHEREAS, Blake Shelton has released seven albums since, for a total of eight, with his most recent released on March 26th; and,

WHEREAS, Blake Shelton, aside from enormous commercial success, has received critical acclaim and industry awards including Entertainer of the Year by the Country Music Association in 2012; and,
WHEREAS, Blake Shelton was also named CMA Male Vocalist of the Year for three years in a row: 2010, 2011 and 2012; and,
WHEREAS, Blake Shelton has also appeared on numerous television shows and specials, including NBC’s “The Voice,” as a host now in his fourth season; and,
WHEREAS, Blake Shelton will appear in Chicago on March 29, 2012 three days after the release of his eighth studio album; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 29, 2013 as BLAKE SHELTON DAY in Illinois in recognition of his tremendous musical success and contribution to the country music and entertainment industry.
Issued by the Governor March 22, 2013.
Filed by the Secretary of State March 29, 2013.

2013-129
FOOD ALLERGY AWARENESS WEEK

WHEREAS, a food allergy occurs when the immune system mistakenly believes that a food is harmful, thereby causing a person to have a severe allergic reaction, or an anaphylaxis – a sudden, severe allergic reaction involving major organs in the body simultaneously. In severely allergic individuals it can cause death in a matter of minutes if untreated; and,
WHEREAS, research shows that the prevalence of food allergy is increasing among children. Approximately 12 million Americans suffer from food allergies, 3 million of them children under the age of 18; and,
WHEREAS, eight foods cause 90 percent of all food allergy reactions in the U.S.: shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat; and,
WHEREAS, symptoms of a food-allergic reaction may include one or more of the following: a tingling sensation in the mouth, swelling of the tongue and the throat, difficulty breathing, hives, vomiting, abdominal cramps, diarrhea, drop in blood pressure, and loss of consciousness; and,
WHEREAS, symptoms typically appear within minutes to two hours after the person has eaten the food to which he or she is allergic; and,
WHEREAS, according to the Centers for Disease Control and Prevention, food allergy results in more than 300,000 ambulatory care visits a year involving children under 18. Reactions typically occur when an individual unknowingly eats food containing an ingredient to which they are allergic; and,
WHEREAS, the Food Allergy & Anaphylaxis Network (FAAN) is a national, nonprofit organization dedicated to raising awareness about food allergy and anaphylaxis; and,

WHEREAS, there is no cure for food allergies. Strict avoidance of the allergy-causing food is the only way to avoid a reaction; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-18, 2013 as FOOD ALLERGY AWARENESS WEEK in Illinois, to raise awareness of food allergies and to educate the public about the associated health risks.

Issued by the Governor March 22, 2013.
File by the Secretary of State March 29, 2013.

2013-130
INTERNATIONAL RED HAT DAY

WHEREAS, the Red Hat Society is a global society of women who support and encourage one another in their pursuit of fun, friendship, freedom, fulfillment, and fitness; and,

WHEREAS, the Red Hat Society has become an international society dedicated to reshaping the way women are viewed in today’s culture; and,

WHEREAS, the Red Hat Society has spent over a decade developing a strong online communication tool for members that assists them in identifying new and exciting ways to enjoy life, allows them to share their unique and motivating stories and help members find local hatters and activities they can participate in; and,

WHEREAS, the Red Hat Society serves as the center point for all communication and opportunities for members offering tools, tips, discounts, services and events specifically with Red Hatters in mind; and,

WHEREAS, the Red Hat Society began in 1998 and Illinois was privileged to host the first Red Hat International Convention in 2002; and,

WHEREAS, the State of Illinois supports such organizations that promote a positive mission and message for women; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 25, 2013 as INTERNATIONAL RED HAT DAY in Illinois.

Issued by the Governor March 22, 2013.
File by the Secretary of State March 29, 2013.
2013-131
STARLIGHT WEEK

WHEREAS, composed largely of gas and plasma, stars are cosmic energy engines that produce heat and light; and,
WHEREAS, though the number of stars in existence is unknown, our universe likely contains more than 100 billion galaxies, with each galaxy possibly having more than 100 billion stars; and,
WHEREAS, approximately 3,000 stars are revealed to the human eye on a clear night; and,
WHEREAS, these stars have provided the foundation for some of the oldest hobbies in the World, including stargazing and the natural science of astronomy, and ancient stories have been developed from their constellations; and,
WHEREAS, stargazing and astronomy have faced obstacles over the last century with the emergence of new technologies in developed societies; and,
WHEREAS, light pollution is excessive, misdirected, or obtrusive artificial light that interferes with astronomical observations; and,
WHEREAS, light pollution, which limits starlight, is an increasing concern as developed communities rely more heavily on artificial light to illuminate their streets, parking lots and parks; and,
WHEREAS, in order to reduce light pollution and reveal the night sky, citizens and businesses in Illinois are encouraged to voluntarily turn off unnecessary lighting during August 11-17, the week when the Perseid Meteor Shower will take place, in order to enjoy the natural entertainment and beauty of our stars; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 11-17, 2013 as STARLIGHT WEEK in Illinois, in celebration of the beauty of the stars and bringing back starlight.
Issued by the Governor March 22, 2013.
Filed by the Secretary of State March 29, 2013.

2013-132
SLEEP APNEA AWARENESS DAY

WHEREAS, sleep apnea is a serious sleep disorder that occurs when a person’s breathing is interrupted during sleep; and,
WHEREAS, there are two types of sleep apnea: Obstructive sleep apnea and Central sleep apnea; and,
WHEREAS, the New England Journal of Medicine estimates that sleep apnea affects at least nine percent of women and twenty-four percent of men; and,

WHEREAS, sleep apnea can result in a growing number of health problems including high blood pressure, stroke, heart failure, diabetes, depression, and worsening of ADHD; and,

WHEREAS, as a result of many people afflicted by sleep apnea not knowing that they have it, anesthesiologists and pain clinicians are well advised to screen their patients for sleep apnea prior to treatment; and,

WHEREAS, a continuous positive airway pressure device, or CPAP, can be utilized to continually supply pressurized air to an individual’s lungs and airway to help treat this condition; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 25, 2013 as SLEEP APNEA AWARENESS DAY in Illinois.

Issued by the Governor March 25, 2013.
Filed by the Secretary of State March 29, 2013.

2013-133
AUTISM AWARENESS MONTH AND WORLD AUTISM AWARENESS DAY

WHEREAS, autism, a developmental disorder, is the third most common developmental disability in the United States, affecting nearly half a million people; and,

WHEREAS, autism is a spectrum disorder where symptoms and characteristics may present themselves in a variety of combinations, from mild to severe. This complex and lifelong developmental disability can result in significant impairment of an individual’s ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and,

WHEREAS, the U.S. Centers for Disease Control and Prevention report that one in every 150 children born in the U.S. will be affected by an Autism Spectrum Disorder (ASD); and,

WHEREAS, in Illinois, more than 26,000 school-age children and their families will be affected by some form of autism; and,

WHEREAS, autism is the result of a neurological disorder that affects the normal functioning of the brain, and generally manifests during the first 3 years of life. The disorder is four times more likely in males than in females, but can affect anyone, regardless of race or ethnicity; and,
WHEREAS, although autism was first identified in 1943, it remains a relatively unknown disability. A majority of the public, including many professionals in the medical, educational, and vocational fields are still unaware of the best methods to diagnose and treat the disorder; and,

WHEREAS, although there is no cure for autism at this time, doctors, therapists, and educators can help children and adults with autism overcome or adjust to many difficulties. Accurate, early diagnosis and the resulting appropriate education and intervention are vital to the future growth and development of individuals afflicted with this disorder; and,

WHEREAS, Illinois is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understanding of the disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as AUTISM AWARENESS MONTH and April 2, 2013 as WORLD AUTISM AWARENESS DAY in Illinois, to raise public awareness of Autism Spectrum Disorders and the myriad of issues surrounding autism, as well to increase knowledge of the programs that have been and are being developed to support individuals with ASDs and their families.

Issued by the Governor March 26, 2013.
Filed by the Secretary of State March 29, 2013.

2013-134
CESAR ESTRADA CHAVEZ DAY

WHEREAS, Cesar Estrada Chavez, born in 1927, was a farm worker, war veteran, civil rights leader, spiritual figure, environmentalist, consumer advocate and crusader for nonviolent change; and,

WHEREAS, his philosophy, “Sí se puede” or “It can be done,” influenced millions of people to seek economic and social equality; and,

WHEREAS, Cesar Estrada Chavez spent his youth migrating and laboring in the fields of the southwest, where he was exposed to the hardships and inequities of farm worker life; and,

WHEREAS, in school, Cesar Estrada Chavez achieved only an eighth-grade education, but through his tireless advocacy for the Latino community, he developed a sophisticated appreciation for the relationship between economic issues and political participation; and,

WHEREAS, a social entrepreneur, Cesar Estrada Chavez founded the first successful farm workers union in American history. His vision inspired an organization whose mission was to reclaim dignity, fair wages,
medical coverage, benefits and humane living conditions, as well as many other fundamental rights for hundreds of thousands of people; and,

WHEREAS, those who were drawn to the cause were inspired by Cesar Estrada Chavez’s extraordinary example to make sacrifices for a greater good. Here in Illinois, we seek to celebrate and share the legacy of Cesar Estrada Chavez with our children through the Cesar Chavez Serve and Learn Program; and,

WHEREAS, the Cesar Chavez Serve and Learn Program instills an ethic of service and civic responsibility in our young people. This innovative concept of service learning couples academic instruction with related community service projects; and,

WHEREAS, while Cesar Estrada Chavez died in 1993, his spirit still lives on. One way to celebrate his life and legacy is through the Cesar Chavez Serve and Learn Program; and,

WHEREAS, during the week of March 31 (Cesar Estrada Chavez's birthday), schools, agencies and community organizations participate in this innovative program to encourage community service by our young people while simultaneously functioning as an educational tool for school history, social studies, environmental and art classes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2, 2013 as CESAR ESTRADA CHAVEZ DAY in Illinois, in memory of this great man and in celebration of his legacy, which has the ability to ignite our passion for service and motivate people from all walks of life to work hard for tolerance and true democracy.

Issued by the Governor March 26, 2013.
Filed by the Secretary of State March 29, 2013.

2013-135
EARTH MONTH

WHEREAS, the Illinois Constitution states that each person has the right to a healthful environment, and that the public policy of the state of Illinois and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations; and,

WHEREAS, the state is committed to conserving, improving and protecting natural resources and the environment; preventing water, air and land pollution; minimizing greenhouse gas emissions; and enhancing the health and safety of its residents; and,

WHEREAS, the state of Illinois is working to encourage green practices in order to create a healthier, safer state that encourages and implements sustainable growth and maintenance; and,
WHEREAS, the Illinois Green Governments Coordinating Council was established to encourage cost-effective sustainability measures that enhance health and safety, reduce the consumption of energy and fuels, conserve water, minimize emissions and reduce solid and hazardous wastes; and,

WHEREAS, by making sustainable choices, the state of Illinois can lead by example in minimizing potential environmental and health impacts, while saving taxpayer money; and,

WHEREAS, to build a better future for forthcoming generations, we all must work together to develop a greater respect for our environment, to protect our water, land and air, and to maintain environmental stability; and,

WHEREAS, although every day should be Earth Day, and every month should be Earth Month, the month of April, which includes both Earth Day on April 22 and Arbor Day on April 26, provides the perfect time to raise awareness of environmental conservation efforts; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as EARTH MONTH in Illinois, and encourage all citizens to act as responsible stewards of our planet during this month and throughout the entire year.

Issued by the Governor March 26, 2013.
Filed by the Secretary of State March 29, 2013.

2013-136
MARYLEE FREEMAN’S

WHEREAS, Marylee Freeman served in a variety of important roles during her nearly 20 years of public service to the City of Chicago and State of Illinois; and,

WHEREAS, Marylee was the Director of Intergovernmental Outreach for the City of Chicago’s Building Department for six years; and,

WHEREAS, while working for the City of Chicago, Marylee received numerous awards recognizing her commitment, passion, conscientiousness, and innovation; and,

WHEREAS, Marylee served as a Board Member with the Illinois Human Rights Commission, where she adjudicated claims made under the Illinois Human Rights Act and was responsible for providing information to the public about the Illinois Human Rights Act and the Illinois Human Rights Commission; and,
WHEREAS, Marylee was an award winning public servant who dedicated her life to helping others and making the State of Illinois a better place for all people; and,
WHEREAS, although Marylee is no longer with us, we remember her for the countless lives that were impacted by her public service; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby issue this proclamation in honor of MARYLEE FREEMAN’S accomplishments and dedication to public service.

Issued by the Governor March 26, 2013.
Filed by the Secretary of State March 29, 2013.

2013-137
NON-VIOLENCE, NO HIGHER CALLING DAY

WHEREAS, community crime and violence prevention efforts can significantly reduce victimization and help rebuild a sense of mutual responsibility and shared pride in our neighborhoods, communities, state and nation; and,
WHEREAS, every person can move the world in the direction of peace through his or her daily nonviolent choices and actions; and,
WHEREAS, an awareness of nonviolent principles and practices is a powerful way to heal, transform and empower our lives and communities; and,
WHEREAS, the event, “Non-Violence, No Higher Calling” serves as an opportunity to recognize the individuals, programs and organizations who are making a difference in our communities and to join in their efforts to move our society in a more peaceful direction; and,
WHEREAS, “Non-Violence, No Higher Calling” is not only an event, but a movement to answer every act of violence in the United States with one hundred acts of nonviolence; and,
WHEREAS, the State of Illinois is proud to join this effort to educate the public regarding the impact of kindness on society, the power of nonviolence to heal a country, and the reinstallation of pride in peace; and,
WHEREAS, on March 28, 2013, internationally renowned global humanitarian, spiritual leader and ambassador for peace Sri Sri Ravi Shankar will be in Chicago to share his practical solutions for peace during the launch of “Non-Violence, No Higher Calling”; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 28, 2013 as NON-VIOLENCE, NO HIGHER CALLING DAY in Illinois, in support of this important effort to reduce violence within our communities.
WHEREAS, The Missing Children Act of 1982 was the first federal law to address this issue, and in 1983, President Ronald Reagan proclaimed the first National Missing Children’s Day; and,

WHEREAS, May 25 has annually been declared National Missing Children’s Day; and,

WHEREAS, there are 1,173 pending missing children under the age of 18 in the State of Illinois, which represents only a small percentage of children that are estimated to be missing nationwide as reported through a national study conducted by the United States Department of Justice; and,

WHEREAS, locating and safely returning missing children to their homes is a statewide, national, and international objective; and,

WHEREAS, on August 29, 1985 in Chicago, Illinois, Governors from the states of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin signed the “Interstate Agreement on Missing and Exploited Children,” and since then, the states of Ohio, Kansas, Michigan, Minnesota, North Dakota, South Dakota, and Nebraska have also joined in the initiative. This agreement was the beginning of the development of an interstate network established to improve the process of identifying and recovering missing children in our communities; and,

WHEREAS, in 2002, the Illinois State Police implemented the America’s Missing: Broadcast Emergency Response (AMBER) Alert Notification Plan. AMBER Alert was developed as a quick and efficient way to notify the public and city, town, village, county, state, and federal law enforcement agencies in Illinois, of specific information regarding the abduction of a child whose life may be in danger. To date, AMBER Alerts have been instrumental in recovering 41 abducted Illinois children; and,

WHEREAS, teaching your children to run away from danger, never letting your children go places alone, knowing where and with whom your children are at all times, talking openly with your children about safety and having a list of family members who can be contacted in case of an emergency, are among the list of preventative tips that will help keep your children safe from kidnapping and abductions:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 25, 2013 as MISSING CHILDREN’S DAY in Illinois, and encourage all citizens to observe this day by turning on porch
lights and vehicle headlights to ‘LIGHT THE WAY HOME’ for all missing children throughout the country.

Issued by the Governor March 27, 2013.
Filed by the Secretary of State March 29, 2013.

2013-139
MUNICIPAL CLERKS WEEK

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and,
WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and,
WHEREAS, the Office of the Municipal Clerk provides the professional link between citizens, local governing bodies and agencies of government at other levels; and,
WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,
WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and,
WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their regional, state and international professional organizations; and,
WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – May 11, 2013 as MUNICIPAL CLERKS WEEK in Illinois, and further extend appreciation to our Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Issued by the Governor March 28, 2013.
Filed by the Secretary of State March 29, 2013.

2013-140
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF ILLINOIS STATE TROOPER JAMES SAUTER

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on the evening of Thursday, March 28, 2013 Illinois State Trooper James Sauter was abruptly taken from us at the age of 28 after assisting a motorist along Interstate 294 near Downers Grove, Illinois; and,
WHEREAS, Trooper Sauter grew up wanting to be a trooper and joined the Illinois State Police in 2008. As a cadet, he was awarded the Lifesaving Medal for helping a woman on the side of the road who had been injured in a motorcycle accident; and,
WHEREAS, Trooper Sauter was assigned to Illinois State Police District 15 and, as a licensed pilot, had recently completed an assignment with the Illinois State Police Air Operations; and,
WHEREAS, Trooper Sauter is a native of Chicago Ridge, Illinois where he was a well-known member of the community and loving husband and son who will always be remembered for the countless lives that he impacted; and,
WHEREAS, throughout his career as a proud member of the Illinois State Police, Trooper Sauter represented the State of Illinois admirably; and,
WHEREAS, a funeral will be held on Tuesday, April 2, 2013 for Trooper Sauter, who is survived by his parents, wife Elizabeth, as well as loving family members and friends; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Sunday, March 31, 2013 until sunset on Tuesday, April 2, 2013 in honor and remembrance of Trooper James Sauter, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 30, 2013.
Filed by the Secretary of State April 12, 2013.

2013-141
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF UNITED STATES MARINE CORPORAL AARON RIPPERDA

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on the afternoon of Monday, March 18, 2013 United States Marine Corporal Aaron Ripperda was abruptly taken from us at the age of 26 during a training exercise at Hawthorne Army Depot in Nevada; and,

WHEREAS, Corporal Ripperda joined the U.S Marines in 2008 and toured in both Afghanistan and Haiti; he was stationed at Camp Lejune North Carolina; and,

WHEREAS, Corporal Ripperda is a native of Highland, Illinois;

WHEREAS, Corporal Ripperda was a 2005 graduate of Highland High School where is remembered as a popular and kind hearted young man who could always be depended on; and,

WHEREAS, Corporal Ripperda was a loving son, active member of the community who will always be remembered for the countless lives he impacted; and,

WHEREAS, throughout his career as a proud member of the United States Marine Corps, Corporal Ripperda represented the State of Illinois admirably; and,

WHEREAS, a funeral will be held on Wednesday, April 3, 2013 for Corporal Ripperda, who is survived by his parents, sister and many loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Monday, April 1, 2013 until sunset on Wednesday, April 3, 2013 in honor and remembrance of Corporal Aaron Ripperda, whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 1, 2013.
Filed by the Secretary of State April 12, 2013.

2013-142
CALL BEFORE YOU DIG MONTH

WHEREAS, each year, the nation’s underground utility infrastructure is jeopardized by unintentional damage from those who fail to call 811 to have underground lines located prior to digging; and,

WHEREAS, every eight minutes an underground utility line is damaged because someone decided to dig without calling 811; and,

WHEREAS, undesired consequences of this unintentional damage such as service interruption, damage to the environment, and personal injury and even death are the potential results; and,

WHEREAS, Illinois state law requires all homeowners and contractors to call 811 prior to digging to have underground utility lines
WHEREAS, the State of Illinois and the Illinois Commerce Commission promote the national call-before-you-dig number, 811, in an effort to reduce damages; and,

WHEREAS, designated by the FCC in 2005, 811 provides potential excavators and homeowners a simple number to reach their local One Call Center to request utility line locations at the intended dig site. The call and service are free; and,

WHEREAS, through education of safe digging practices, excavators and homeowners can save time and money keeping our nation safe and connected by making a simple call to 811 in advance of any digging project; waiting the required amount of time; respecting the marked lines by maintaining visual definition throughout the course of the excavation; and finally, digging with care around the marks; and,

WHEREAS, safe digging is a shared responsibility to know what’s below; always call 811 before you dig; and,

WHEREAS, it is imperative that Illinois citizens follow the state law that requires all underground utility lines to be marked prior to breaking ground; and,

WHEREAS, Illinois is proud to join in the campaign to spread awareness about 811 and the importance of calling before digging:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as CALL BEFORE YOU DIG MONTH in Illinois, and encourage excavators and homeowners to always call 811 before digging, because Safe Digging is No Accident.

Issued by the Governor April 2, 2013.
Filed by the Secretary of State April 12, 2013.

2013-143
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF FIRST LIEUTENANT JOHN TERPNING

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on May 7, 1944 First Lieutenant John Terpning was piloting a B-24 that departed from Nadzab, New Guinea on a bombing mission; and,
WHEREAS, due to mechanical problems, Lt. Terpning’s plane was delayed in departing from its airbase and was unable to join the formation after takeoff. The aircraft, Terpning, nor the nine other crewmen aboard the plane were seen after takeoff; and,
WHEREAS, in 1946, the War Department declared all ten men on board to be presumed dead; and,
WHEREAS, in 1973, the Royal Australian Air Force found wreckage that corresponded to that of the B-24 along with possible human remains. However, due to limited technology at the time, no human remains were individually identified; and,
WHEREAS, in 1974, the remains were buried as a group at Arlington National Cemetery; and,
WHEREAS, in 2013, the Department of Defense POW/Missing Personnel Office announced that the remains of Lt. Terpning were positively identified using DNA and dental records and would be returned to his family for burial with full military honors; and,
WHEREAS, Lt. Terpning was a resident of Mt. Prospect, Illinois and was president of his senior class in high school; and,
WHEREAS, throughout his career as a proud member of the United States Army, Lt. Terpning represented the State of Illinois admirably; and,
WHEREAS, a funeral will be held on Wednesday, April 3, 2013 at Arlington National Cemetery for Lt. Terpning, who is survived by his brother, Howard; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Wednesday, April 3, 2013 in honor and remembrance of Lieutenant John Terpning, whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 2, 2013.
Filed by the Secretary of State April 12, 2013.

2013-144
SAFE BOATING WEEK

WHEREAS, on average, 700 people die each year in boating-related accidents in the United States and nearly 70 percent of these fatalities are caused by drowning; and,
WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and,
WHEREAS, between 1993 and 2005, the State of Illinois registered 4,521,660 recreational boats. During these years, 1,783 boating accidents were reported that resulted in 230 fatalities and 1,117 injuries; and,

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and,

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today’s boating public; and,

WHEREAS, the US Coast Guard has made recreational boating safety one of its primary missions; and,

WHEREAS, the Illinois Department of Natural Resources plays a critical role in promoting boating safety through offering the Illinois Boating Education Course, which consists of a minimum of eight hours of instruction on the topics of boating safety, equipment and requirements, navigation, motorboat, registration and titling, emergency measures, and Illinois boating laws; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 18 - 24, 2013 as SAFE BOATING WEEK in Illinois, and encourage all citizens to practice safe boating habits, including always wearing a life jacket.

Issued by the Governor April 2, 2013.
File by the Secretary of State April 12, 2013.

2013-145
WELDING MONTH

WHEREAS, dating as far back as a thousand BC, welding has played a vital role in the development of cultures and societies around the world; and,

WHEREAS, from fences to frames and from massive aircraft and boats to tiny rings, the societal and economic foundation of this nation has literally been molded together by welding; and,

WHEREAS, the craft of welding has drastically improved production methods generation after generation; and,

WHEREAS, welding technology and expertise have advanced over the years, increasing the utility, strength, and efficiency of welding. Professional welders use their skills and training in a variety of settings, from repairing cars to welding underwater vessels, to welding the space station in outer space; and,
WHEREAS, the American Welding Society (AWS) was founded in 1919 as a multifaceted organization and continues to lead the way in supporting welding education and developing technology; and,

WHEREAS, AWS has more than 66,000 members worldwide, including many who are affiliated with the Chicago section and make outstanding contributions to the City of Chicago and the State of Illinois; and,

WHEREAS, the month of April has been designated as an awareness campaign to advance the science, technology and application of welding and related joining disciplines; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as WELDING MONTH in Illinois, in recognition of the importance of the welding profession and the many dedicated welders who make contributions to the productivity and economic vitality of the Land of Lincoln.

Issued by the Governor April 2, 2013.
Filed by the Secretary of State April 12, 2013.

2013-146
BUILDING SAFETY MONTH

WHEREAS, our state’s continuing efforts to address the critical issues of safety, energy efficiency, water conservation and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and,

WHEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and,

WHEREAS, these guardians develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship and play; and,

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires and earthquakes; and,

WHEREAS, Building Safety Month reminds the public about the critical role of our communities’ largely unknown guardians of public
safety—our local code officials—who assure us of safe, efficient and livable buildings; and,

WHEREAS, “Building Safety Month: Code Officials Keep You Safe” is the theme for Building Safety Month and encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa and hot tub safety and new technologies in the construction industry; and,

WHEREAS, Building Safety Month 2013 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and,

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as BUILDING SAFETY MONTH in Illinois, and encourage all citizens to join with their communities in participation in Building Safety Month activities.

Issued by the Governor April 3, 2013.
Filed by the Secretary of State April 12, 2013.

2013-147
ENVIRONMENTAL HEALTH PRACTITIONERS MONTH

WHEREAS, the Illinois Environmental Health Association will be holding its Association Education Conference on October 17 and 18, 2013, in Bloomington, Illinois; and,

WHEREAS, the purpose of Illinois Association of Local Environmental Health Administrators is to promote effective Environmental Health Administration in Illinois; and,

WHEREAS, the mission of the Illinois Association of Local Environmental Health Administrators is to act as a liaison between elected officials, public and private agencies, and local departments of environmental health, to promote standards and qualifications for environmental health personnel and to promote economically sound and practical environmental control legislation; and,

WHEREAS, the Illinois Association of Local Environmental Health Administrators cooperate with local departments on program
administration and improvement of administrative methods and engage in other legislative, educational, and policy-forming activities; and,

WHEREAS, Environmental Health Practitioners are trained in biological and sanitary sciences, examine all aspects of the physical and social environment, define and report environmental conditions, and recommend improvements; and,

WHEREAS, practitioners serving in the field of public health and in the industry are concerned with the education and inspection necessary to maintain the safe processing, distribution, preparation and serving of food, hygienic housing, protection of water supplies, environmental sanitation/pollution, vector control, and radiological health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as ENVIRONMENTAL HEALTH PRACTITIONERS MONTH in the State of Illinois.

Issued by the Governor April 3, 2013.
Filed by the Secretary of State April 12, 2013.

2013-148

ESOPHAGEAL CANCER AWARENESS MONTH

WHEREAS, esophageal cancer (EC) is cancer that forms in the esophagus, the muscular tube leading from the mouth into the stomach; and,

WHEREAS, esophageal cancer is predominately of two types: squamous cell carcinoma of the esophagus and esophageal adenocarcinoma; and,

WHEREAS, men are at least three times more likely to develop esophageal cancer than women; and,

WHEREAS, esophageal cancer patients are generally older adults, with a median age in the 50’s - 60’s, but EC is being diagnosed more frequently in younger adults in recent years; and,

WHEREAS, squamous cell carcinoma, which is usually found in the upper half of the esophagus, is the most common type of esophageal cancer worldwide. Major risk factors linked with squamous cell carcinoma of the esophagus are smoking, alcohol abuse, and dietary factors; and,

WHEREAS, in the United States and Western Europe, esophageal adenocarcinoma, which develops in the lower half of the esophagus, is the most common type of esophageal cancer; and,

WHEREAS, esophageal adenocarcinoma now is the fastest increasing of all cancers in the United States, increasing more than 400% over the last 20 years. Unfortunately, esophageal adenocarcinoma also has the second highest death rate, with more than 13,000 deaths annually; and,
WHEREAS, one major factor thought to lead to esophageal adenocarcinoma is frequent exposure of the esophagus to stomach acid, or acid reflux. Acid reflux may give rise to gastric-esophageal reflux disease or GERD, which in time may develop into a condition called Barrett’s esophagus in which the cells lining the esophagus are structurally altered by long term exposure to stomach acid; and,

WHEREAS, although Barrett’s esophagus itself does not affect the health of a person, in a small number of people there is a chance that these altered cells will develop into an early cancerous state and eventually into a tumor; and,

WHEREAS, individuals who have more than two consecutive weeks of acid reflux are urged to see their physicians immediately. Unfortunately, there may be few warnings these changes have occurred until swallowing becomes difficult. Many patients also may develop esophageal adenocarcinoma with no history of serious acid reflux or difficulty swallowing until the cancer is very advanced; and,

WHEREAS, progress has been made in the last few years in treating both types of esophageal cancer, and the survival rate is improving every year, however there is need for more awareness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as ESOPHAGEAL CANCER AWARENESS MONTH in Illinois.

Issued by the Governor April 3, 2013.
Filed by the Secretary of State April 12, 2013.

2013-149
SCOLIOSIS AWARENESS MONTH

WHEREAS, scoliosis is an abnormal curvature of the spine that affects 2-3 percent of the population, or an estimated 7 million people in the United States. Scoliosis impacts people of all ages, regardless of race or socio-economic status, and there is no cure; and,

WHEREAS, scoliosis is common in children with a variety of congenital and neuromuscular diseases, but it is most prevalent in seemingly healthy children, with no known cause. The primary age of onset for scoliosis is 10-15 years of age, occurring equally among both genders, but with females five to eight times more likely to progress to a curve magnitude that requires treatment; and,

WHEREAS, approximately one out of every six children diagnosed with scoliosis will have a curve that progresses to a degree that requires active treatment. Annually an estimated one million patients diagnosed with scoliosis utilize health care resources; and,
WHEREAS, scoliosis can impact a person’s quality of life by limiting activity, reducing respiratory function, causing pain and diminishing self esteem; and,

WHEREAS, screening programs allow for early detection and treatment which may alleviate the worst effects of scoliosis; and,

WHEREAS, increased public awareness of scoliosis can help children, parents, adults and healthcare providers understand and recognize the complexities of spinal deformities such as scoliosis; and,

WHEREAS, the observance of National Scoliosis Awareness Month provides an opportunity to renew our commitment to raise awareness of the societal and economic costs of musculoskeletal diseases such as scoliosis, and the need for continued research to alleviate the pain and suffering those diseases cause:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as SCOLIOSIS AWARENESS MONTH in Illinois, in support of the efforts by the Scoliosis Research Society and the National Scoliosis Foundation to raise awareness of scoliosis and to improve the quality of life for those affected.

Issued by the Governor April 3, 2013.

Filed by the Secretary of State April 12, 2013.

2013-150

WVON DAY

WHEREAS, on this day fifty years ago a 250-watt radio station then called WHFC adopted the call letters WVON (the “Voice of the Negro”) and began airing R&B, soul, gospel, and Chicago blues; and,

WHEREAS, WVON quickly became one of the nation’s most popular radio stations thanks to a talented team of DJs known as the “Good Guys”, whose legacy endures to this day; and,

WHEREAS, WVON became an unapologetic drum major for social justice and political empowerment, from the civil rights movement of the 1960s to the voter registration drive that helped elect Harold Washington as Chicago Mayor in 1983; and,

WHEREAS, during its five decades of existence, WVON has grown from 250 watts to 10,000 watts, earned numerous broadcasting awards, and continues to rank among Chicago’s most listened to stations; and,

WHEREAS, few institutions exist for a half-century and even fewer are as vibrant at age 50 as WVON, which has gracefully matured into the “Talk of Chicago” and the “Voice of the Nation”; and,
WHEREAS, Illinois is a much richer place because of WVON’S commitment to its listeners, its stellar on-air personalities, and its President Emeritus, Purvis “The Blues Man” Spann; and,
  WHEREAS, on April 6, 2013, WVON’s fans and supporters will celebrate this milestone with a gala event—“Impact 50”—featuring such giants as Dick Gregory, Herb “The Cool Gent” Kent, Reverend Jesse Jackson, and Grammy-winning artist Toni Braxton; and,
  THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 6, 2013 as WVON DAY in Illinois, in honor of the radio station’s Golden Anniversary and tradition of bringing good music and lively talk to the people of Illinois.

Issued by the Governor April 3, 2013.
Filed by the Secretary of State April 12, 2013.

2013-151
ASIAN PACIFIC AMERICAN HERITAGE MONTH

WHEREAS, in June 1977, Congressmen Frank Horton of New York and Norman Y. Mineta of California introduced a House resolution calling upon the President to proclaim the first 10 days of May as Asian/Pacific Heritage Week. The following month, Senators Daniel Inouye and Spark Matsunaga introduced a similar bill in the Senate. Both were passed; and,
  WHEREAS, on Oct. 5, 1978, President Jimmy Carter signed a joint resolution designating the annual celebration; and,
  WHEREAS, in May 1990, the holiday was further expanded when President George H.W. Bush designated May to be Asian Pacific American Heritage Month; and,
  WHEREAS, May was chosen to commemorate the immigration of the first Japanese immigrants to the United States in 1843; and,
  WHEREAS, many immigrants of Asian heritage came to the United States during the nineteenth century to work in the transportation industry; and,
  WHEREAS, in 1869, laboring under very difficult conditions, Asian immigrants helped construct the transcontinental railroad, which vastly expanded economic growth and development across the country; and,
  WHEREAS, Asian Pacific American Heritage Month is celebrated annually with community festivals, government-sponsored events and educational activities for students; and,
  WHEREAS, Asian Pacific Americans have made valuable contributions to the history and growth of the United States and have
achieved at a high level in a variety of disciplines, including government, business, science, technology and the arts; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as ASIAN PACIFIC AMERICAN HERITAGE MONTH in Illinois, in recognition of the contributions made to our economy and culture by Asian Pacific Americans, and in tribute to all Asian Pacific Americans who call Illinois home.

Issued by the Governor April 4, 2013.
Filed by the Secretary of State April 12, 2013.

2013-152
ILLINOIS EQUAL PAY DAY

WHEREAS, according to the U.S. Census Bureau, year-round, full-time working women in 2011 earned only 82 percent of the earnings of year-round, full-time working men, indicating little change or progress in pay equity in the nation; and,

WHEREAS, according to the most recent data from the Bureau of Labor Statistics, Illinois women in 2011 earned 78 percent of every dollar earned by Illinois men based on median weekly earnings of full-time workers; and,

WHEREAS, equal pay for equal work strengthens the security of families today and eases future retirement costs while enhancing Illinois’ economy; and,

WHEREAS, in 2003, the Illinois Equal Pay Act became law, prohibiting employers from paying unequal wages to men and women for doing the same or substantially similar work; and,

WHEREAS, since Illinois’ equal pay law went into effect in 2004, the department has received more than 670 complaints and of the investigations completed to date, has successfully recovered more than half a million dollars in back pay for women who were illegally paid less than their male co-workers for doing the same work; and,

WHEREAS, the Illinois Department of Labor promotes and protects the rights, wages, welfare, working conditions and safety and health of Illinois workers through enforcement of state labor laws; and,

WHEREAS, the Illinois Department of Labor is a state agency dedicated to advancing pay equity in the workplace and protecting workers from gender-based wage discrimination through its enforcement of the Illinois Equal Pay Act; and,

WHEREAS, this year’s Equal Pay Day will be even more significant, as 2013 marks the 50th anniversary of the federal Equal Pay Act of 1963; and,
WHEREAS, Tuesday, April 9 symbolizes the time in the new year in which wages paid to American women catch up to wages paid to men from the previous year and raises awareness of the wage gap between men and women:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 9, 2013 as ILLINOIS EQUAL PAY DAY, in recognition of the value of women’s skills and contributions to the labor force, and I call on all employers to provide equal pay for equal work, both as a matter of fairness and as a matter of good business.

Issued by the Governor April 8, 2013.
Filed by the Secretary of State April 12, 2013.

2013-153
EHLERS-DANLOWS SYNDROME AWARENESS MONTH

WHEREAS, Ehlers-Danlos Syndrome is a group of genetic disorders involving mutations in connective tissue characterized by looseness, instability, and dislocations of the joints, fragile and often hyperelastic skin that bruises, scars, and tears easily, unpredictable arterial and organ rupture causing acute pain, excessive internal bleeding, shock, stroke, and premature death; and,

WHEREAS, there are six major types of Ehlers-Danlos Syndrome that are characterized by distinctive features with life being shortened for individuals with the vascular type due to arterial or organ rupture. It is estimated the prevalence of all types of Ehlers-Danlos Syndrome is 1 in 5,000-10,000 births worldwide; and,

WHEREAS, a network of worldwide support groups have proved of great benefit to individuals with Ehlers-Danlos Syndrome. Not only do these organizations put people in touch with other individuals managing life with Ehlers-Danlos Syndrome, they are also vital in providing up to date information to the medical profession and public at large; and,

WHEREAS, there is a need for greater research into Ehlers-Danlos Syndrome. By encouraging further studies of Ehlers-Danlos Syndrome, new understanding, interventions, and improved treatments can be acquired, generating a growth in the knowledge base and hope for a cure; and,

WHEREAS, there is neither routine screening nor a cure for Ehlers-Danlos Syndrome, so individuals must seek a diagnosis from a knowledgeable health care provider and individual symptoms must be evaluated and cared for appropriately; physical and occupational therapy evaluation and intervention may be required to address basic life tasks. Early and accurate diagnosis can provide the opportunity to create life-
saving emergency medical plans, ensure proper monitoring, and improve quality of life and support for Ehlers-Danlos Syndrome families; and,

WHEREAS, Ehlers-Danlos Syndrome is frequently misdiagnosed or undiagnosed, resulting in greater discomfort and disability for individuals and offspring; improved knowledge of the vascular form can prevent premature and tragic deaths; and,

WHEREAS, increased knowledge of all types of Ehlers-Danlos Syndrome allow earlier and more effective management, thereby increasing hope of a better quality of life, increased participation in society, reduced disability, pain, and medical expense for Ehlers-Danlos Syndrome families; and,

WHEREAS, the Ehlers Danlos Syndrome Network C.A.R.E.S. is an organization that is dedicated to educating the public and members of the medical profession, as well as supporting research. C.A.R.E.S. has designated the month of May as Ehlers-Danlos Syndrome Awareness Month in memory of those who have died from the syndrome and to raise public awareness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as EHLERS-DANLOS SYNDROME AWARENESS MONTH in Illinois.

Issued by the Governor April 9, 2013.
Filed by the Secretary of State April 12, 2013.

2013-154
ILLINOIS INNOVATION DAY

WHEREAS, American innovations in science and technology, fueled by public and private research investments, have created economic prosperity, improved our quality-of-life, and aided those who bravely provide our nation with safety and security; and

WHEREAS, the Illinois Innovation Council was created in 2011 to identify and foster strategies for innovation and economic growth, including the formation of an open data initiative to provide open access to state data and improve transparency in Illinois; and

WHEREAS, legislation and programs such as the Angel Investment Tax Credit, Research and Development Tax Credit, and Advantage Illinois’ Invest Illinois Venture Fund support small, start-up businesses and their research and development activities by providing access to capital, connecting entrepreneurs to mentors and customers and increasing innovation-driven activities in the State; and

WHEREAS, executive and legislative leadership has helped to create new public-private partnerships such as the STEM Pathways
Initiative, the Joint Center For Energy Storage Research, and Energy Foundry which provide opportunities to expand innovation in Illinois by providing additional capital, marketing and consumer education, scientific research capacity and a better means to develop the State’s human capital resources; and

WHEREAS, the Illinois Science & Technology Coalition, a member-driven, non-profit organization, supports technology-based economic development in the state by aligning its public and private members around sector-driven opportunities for growth and leveraging our world class assets for maximum economic impact; and

WHEREAS, Illinois’ higher education and research institution community maintains preeminent faculties of capable and world renowned scientists, engineers and technological experts; and

WHEREAS, sustained discovery, invention and innovation requires direct investment of state resources to support industries, universities and national labs, allowing them to address issues in high-priority areas such as energy storage, smart grid, biotechnology, and advanced manufacturing; and

WHEREAS, on Thursday, April 11, 2013, the Illinois Science & Technology Coalition and its member and partner organizations have organized Illinois Innovation Day to showcase the exceptional work being done by Illinois’ world class companies and research institutions to contribute to our state’s economic growth through innovation.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 11, 2013 as ILLINOIS INNOVATION DAY in Illinois, and encourage everyone in the Land of Lincoln to recognize the important role that innovation plays in the future of our state.

Issued by the Governor April 9, 2013.

Filed by the Secretary of State April 12, 2013.

2013-155

NATIONAL ROSIE THE RIVETER DAY

WHEREAS, National Rosie the Riveter Day is a collective national effort to raise awareness of the 16 million working women during World War II; and,

WHEREAS, it is important for Americans to honor female workers who contributed on the home front during World War II; and,

WHEREAS, these women left their homes to work or volunteer fulltime in factories, farms, shipyards, airplane factories, banks, and other institutions in support of the military effort overseas; and,
WHEREAS, these women worked with the United Service Organizations (USO) or Red Cross, drove trucks, riveted airplane parts, collected critical materials, rolled bandages, and served on rationing boards, among other contributions; and,

WHEREAS, it is right and proper to recognize and preserve the history and legacy of working women, including volunteer women, during World War II to promote cooperation and fellowship among such women and their descendents; and,

WHEREAS, these women and their descendents wish to further the advancement of patriotic ideals, excellence in the workplace, and loyalty to the United States of America; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 25, 2013 as NATIONAL ROSIE THE RIVETER DAY in Illinois, and encourage all citizens to honor these women who contributed to our country through their patriotism.

Issued by the Governor April 9, 2013.
Filed by the Secretary of State April 12, 2013.

2013-156
RALPH FRESE HAPPY CANOE DAY

WHEREAS, Ralph Frese, of Niles, Illinois - one of the most influential paddlers in the world - was known as “Mr. Canoe”; and

WHEREAS, Ralph Frese was among Illinois’ leading conservationists and a fierce advocate for water trails, waterway protection and paddler safety; and

WHEREAS, Ralph Frese was a pioneer in many ways and even looked the part during the 1973 re-enactment of the Joliet-Marquette voyage; and

WHEREAS, Ralph Frese - a tireless steward of and equally tireless storyteller about Illinois’ waterways - earned a “Legends of Paddling” award from the American Canoe Association and a spot in the Illinois Outdoor Hall of Fame; and

WHEREAS, Ralph Frese was the last active blacksmith in Chicago, operated the Chicagoland Canoe Base, designed and built countless canoes, and inspired generations of Boy Scouts and other Illinoisans to get outdoors and start paddling; and

WHEREAS, Ralph Frese helped launch the Illinois Paddling Council, Des Plaines River Canoe Marathon (one of the world’s longest-running paddling events), and New Year’s Day Paddle on the Chicago River (on a stretch of the North Branch now called the Ralph Frese River Trail); and
WHEREAS, Ralph Frese mentored countless paddling enthusiasts and river conservationists to be engaged and involved, and to tackle any obstacles in the way of clean water, adequate access and free-flowing waterways; and

WHEREAS, hundreds of paddlers will honor Ralph Frese’s memory today by journeying down the Chicago River with an “empty canoe” in tow; and

WHEREAS, Ralph Frese said he loved being “admiral of his own navy”, especially when his co-admiral – Rita Frese – paddled with him; so

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 14, 2013 as RALPH FRESE HAPPY CANOE DAY in Illinois in recognition of one great man who truly made a difference.

Issued by the Governor April 9, 2013.
Filed by the Secretary of State April 12, 2013.

2013-157

TURKISH NATIONAL SOVEREIGNTY AND CHILDREN’S DAY

WHEREAS, every year on April 23, over half a million Turkish-Americans celebrate Turkish National Sovereignty and Children’s Day; and,

WHEREAS, on this day, 93 years ago, the Turkish Grand National Assembly was established to lead the Turkish people toward freedom, justice and peace; and,

WHEREAS, marked in 1921 as Turkish National Day, April 23 has also been celebrated since 1927 as Children’s Day to signify the role of future generations in the realization of Turkish progress and prosperity; and

WHEREAS, since its establishment, the Turkish Republic has demonstrated its commitment to the universal values of liberty, justice, and democracy along with its long-term strategic alliance with the United States; and,

WHEREAS, modern Turkey stands as the world’s most predominantly Muslim secular parliamentary democracy. It boasts the fastest growing emerging market and remains an important U.S and NATO ally in a vast region stretching from Eastern Europe and North Africa to the Middle East and Central Asia; and,

WHEREAS, in less than a century of immigration, Turkish-Americans have had a unique impact on the diverse cultural spectrum of our nation, significantly contributing to America’s advancement in the fields of business, sciences, medicine, technology and arts; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 23, 2013 as TURKISH NATIONAL SOVEREIGNTY AND CHILDREN’S DAY in Illinois.

Issued by the Governor April 9, 2013.
Filed by the Secretary of State April 12, 2013.

2013-158
WEEK OF THE YOUNG CHILD

WHEREAS, the Stepping Stones Early Childhood Learning Center and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 14-20, 2013; and,

WHEREAS, all early childhood programs and agencies are working to improve early learning opportunities, including early literacy program that can provide a foundation of learning for young children in Illinois; and

WHEREAS, teachers, agency leaders, staff and others who make a difference in the lives of young children in Illinois deserve thanks and recognition for the work they do on behalf of young children and families; and

WHEREAS, public policies and state decisions that support early learning for all young children are crucial to young children’s futures; and

WHEREAS, Illinois recognizes the rights and needs of young children and their families and the early childhood programs and service that are necessary to meet those needs; and

WHEREAS, everyone, as citizens of a community, state, and nation, has a role to play in making young children successful and healthy as they mature; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 14 – 20, 2013 as the WEEK OF THE YOUNG CHILD in Illinois, and encourage all citizens to work together to make investments in early childhood education throughout the Land of Lincoln.

Issued by the Governor April 9, 2013.
Filed by the Secretary of State April 12, 2013.

2013-159
CAMEROON NATIONAL DAY

WHEREAS, the former colony of French Cameroon gained independence on January 1, 1960, and British Cameroon gained independence on October 1, 1961; and,
WHEREAS, the State of Illinois is proud of its rich Cameroonian heritage. Over the years, Cameroonian-Americans have made, and continue to make, immense cultural and economic contributions to the State of Illinois; and,

WHEREAS, it is essential that we, as Illinoisans, learn about the great history and culture of Cameroon and Cameroonian Americans that is woven into the rich tapestry that makes up our state’s diverse population; and,

WHEREAS, the first Cameroonians in Chicago came as students in the early 1960s, and the Cameroonian population in the State of Illinois continues to increase; and,

WHEREAS, Cameroon now celebrates National Day on May 20th. This date was chosen to commemorate the people’s vote to establish a United Republic of Cameroon in 1972; and,

WHEREAS, each year, May 20th recalls the indomitable spirit of the Cameroonian people who continue to make significant contributions here in Illinois and in Cameroon; and,

WHEREAS, for all Cameroonians the celebration of National Day bears a profound meaning and symbolizes unity, liberty, honor, and pride; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 20, 2013 as CAMEROON NATIONAL DAY in Illinois, in recognition of their significant contributions to the State of Illinois, and in tribute to all Cameroonian Americans who call Illinois home.

Issued by the Governor April 10, 2013.
Filed by the Secretary of State April 12, 2013.

2013-160
PUBLIC SAFETY TELECOMMUNICATIONS WEEK

WHEREAS, The Statewide Communications Interoperability Plan (SCIP), serves as the operational blueprint for the conceptualization, procurement, implementation and usage of interoperable communication by Illinois’ public safety agencies and non-governmental as well as private organizations; and,

WHEREAS, the development of the (SCIP) remains a cooperative effort of federal, state and local public safety practitioners working through the Illinois Terrorism Task Force’s Communications Committee and the Statewide Interoperability Executive Committee to make interagency communications for public safety practitioners a top priority; and,
WHEREAS, interoperable communications has been a priority in Illinois for over 40 years. The nation’s first statewide emergency radio network, known as The Illinois State Police Emergency Radio Network (ISPERN), was established in 1965; and,
WHEREAS, public safety telecommunicators, specialists in operating state-of-the-art interoperable radio and computer aided communications systems, are a cornerstone of the public safety community; and,
WHEREAS, every hour of every day, telecommunicators access, monitor, and disseminate information of critical importance to public safety officials in order to contribute to the safety of the public and success of public safety goals; and,
WHEREAS, these professional men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and,
WHEREAS, it is appropriate that we set aside a time to demonstrate our appreciation of their knowledge, training, service and dedication; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 14-20, 2013 as PUBLIC SAFETY TELECOMMUNICATIONS WEEK in Illinois, in recognition of the vital contributions telecommunicators make to the safety and well-being of our citizens.

Issued by the Governor April 10, 2013.
Filed by the Secretary of State April 12, 2013.

2013-161
DISASTER AREA - STATE OF ILLINOIS

Severe storms generating heavy rainfall moved through Illinois on April 15-18, 2013. The water levels on the Illinois, Fox, Des Plaines, and Mississippi Rivers are continuing to rise and have caused substantial flooding throughout many counties in the State. The flooding has resulted in significant property damage to homes and businesses, power outages, and the closure of hundreds of interstate, state and local roadways. The flooding of transportation routes has caused a disruption of essential services and is a threat to public health and safety. Also, on April 18, 2013 the same storm system produced high straight-line winds, causing property damage and power outages in Champaign County.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor April 18, 2013.
Filed by the Secretary of State April 19, 2013.

2013-162
DISASTER AREA - STATE OF ILLINOIS

Severe storms generating heavy rainfall have moved through Illinois on April 15-18, 2013, causing significant flooding throughout the State. The flooding has resulted in property damage to homes and businesses, power outages, and the closure of roadways. The flooding of transportation routes has caused a disruption of essential services and is a threat to public health and safety. Some residents of Douglas County were evacuated by boat due to the severe flooding. In McDonough County, the Macomb water treatment plant flooded, causing a boil order. Also, Knox and Livingston Counties have experienced flooding problems.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Douglas, Knox, Livingston and McDonough Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations,
including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor April 20, 2013.
Filed by the Secretary of State April 22, 2013.

2013-163
DISASTER AREA - STATE OF ILLINOIS

Severe storms generating heavy rainfall have moved through Illinois on April 15-18, 2013, causing significant flooding throughout the State. The flooding has resulted in property damage to homes and businesses and the closure of roadways. The flooding of transportation routes has caused a disruption of essential services and is a threat to public health and safety. In Ogle County, flooding along the Rock River necessitated the evacuation of several residential subdivisions. Stark County has also experienced flooding problems.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Ogle and Stark Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor April 21, 2013.
Filed by the Secretary of State April 22, 2013.
Severe storms generating heavy rainfall moved through Illinois on April 15-18, 2013, causing significant river and flash flooding throughout the State. Additional rainfall on April 23-24, 2013, caused severe flooding along the Wabash River, resulting in evacuations, property damage to homes and businesses, the closure of roadways, and threats to the existing levees. The additional rainfall also caused infrastructure damage in Warren County, resulting in roadway closures due to sewer line and culvert collapses. The flooding of and damage to transportation routes have caused a disruption of essential services and are a threat to public health and safety.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Clark, Crawford, Lawrence and Warren Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor April 25, 2013.
Filed by the Secretary of State April 25, 2013.

Severe storms generating heavy rainfall moved through Illinois on April 15-18, 2013, causing significant river and flash flooding throughout the State. In Monroe County, the flooding resulted in the closure of and damage to roadways and bridges. The flooding of transportation routes has caused a disruption of essential services and is a threat to public health and safety.
In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Monroe County as a disaster area.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor April 30, 2013.
Filed by the Secretary of State April 30, 2013.

2013-166
89 WLS CHICAGO DAY

WHEREAS, 89 years ago, a Chicago radio station began airing under the call letters “WLS”, for “World’s Largest Store” after its owner, Sears, Roebuck and Company; and

WHEREAS, the WLS National Barn Dance became one of America’s most popular musical showcases, broadcasting from Chicago’s Sherman House, now the site of the James R. Thompson State of Illinois Center; and

WHEREAS, the “WLS Silver Dollar Survey” in the 1960s defined the changing musical tastes of a generation of Chicago-area listeners; and

WHEREAS, 89 WLS has matured into an award-winning talk radio station that offers discussion on issue-based topics in a fast-paced, no holds-barred format; and,

WHEREAS, 89 WLS provides a forum for insightful, informative and entertaining conversations among its hosts, guests and callers on issues that are vital to us all; and,

WHEREAS, 89 WLS’s commitment to delivering quality talk radio has created a lasting impact and touched countless lives; and,
WHEREAS, 89 WLS is celebrating its 89th year on the air, a significant milestone for any organization and a testament to the relationships they have built; and,

WHEREAS, on April 12, 2013, 89 WLS will celebrate its 89th anniversary with a live broadcast at Chicago’s historic Navy Pier; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 12, 2013 as 89 WLS CHICAGO DAY in the State of Illinois in gratitude for 89 years of friendship and quality broadcasting. 

Issued by the Governor April 12, 2013.

Filed by the Secretary of State May 2, 2013.

2013-167

YOM HASHOAH DAY OF REMEMBRANCE

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and,

WHEREAS, during this sad time in history, six million people were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and,

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and,

WHEREAS, the people of the State of Illinois should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and,

WHEREAS, the Days of Remembrance have been set aside for the people of the State of Illinois to bear in memory the victims of the Holocaust while reflecting on the need for respect of all peoples; and,

WHEREAS, pursuant to Public Law 96-388, October 7, 1980 the United States Congress dedicated the Days of Remembrance of the victims of the Holocaust. This year’s observance takes place from April 7th through April 14th, including the Day of Remembrance known as Yom HaShoah, on April 8th; and,

WHEREAS, the Jewish Federation of Metropolitan Chicago will observe the Statewide Yom HaShoah Commemoration on April 18, 2013 in the “people’s house” of the Illinois Governor’s Mansion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 18, 2013 as YOM HASHOAH DAY OF REMEMBRANCE in Illinois, in memory of the victims of the Holocaust, and the survivors, as well as the rescuers and liberators. I urge all citizens
to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor April 12, 2013.
Filed by the Secretary of State May 2, 2013.

2013-168
FINANCIAL LITERACY MONTH

WHEREAS, it is essential that the people of Illinois have access to financial education and information in order to make informed and responsible decisions regarding finance, credit, and debt; and,
WHEREAS, public, consumer, community-based, and private sector organizations throughout Illinois are working to educate the public on personal finance issues and increase financial literacy for people of all ages in Illinois; and,
WHEREAS, financial literacy education helps prepare students to be informed consumers and competent financial decision-makers throughout their lives; and,
WHEREAS, only 56% of teens plan to save part of their income, down from 89% in 2011; and,
WHEREAS, the percentage of adults who do not pay all of their bills on time has increased from 28% in 2011 to 33% in 2012; and,
WHEREAS, 64% of college graduates in 2011 had student loan debt and their average debt was more than $26,500; and,
WHEREAS, acquisition of financial literacy skills by citizens will improve the quality of their lives, provide them with the skills necessary for success, contribute to positive changes in the communities in which they live and work, and benefit the economy of this state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as FINANCIAL LITERACY MONTH in Illinois, in support of increasing financial education across the Land of Lincoln.

Issued by the Governor April 15, 2013.
Filed by the Secretary of State May 2, 2013.

2013-169
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF ANNE SMEDINGHOFF

WHEREAS, all citizens owe a tremendous debt of gratitude to the public servants who selflessly serve to promote democracy, reduce global
poverty, and build international relationships for the United States abroad; and,

WHEREAS, every day these diplomats face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on Saturday, April 6, 2013 United States diplomat Anne Smedinghoff was abruptly taken from us at the age of 25 while she was on her way to deliver books to children at a school in Afghanistan; and,

WHEREAS, after earning a degree in international relations at Johns Hopkins University, Anne Smedinghoff joined the foreign service, where she completed an assignment in Venezuela, then volunteered for her most recent assignment in Kabul, Afghanistan; and,

WHEREAS, a native of River Forest, Illinois, and graduate of Fenwick High School in Oak Park, Anne Smedinghoff was a well-known member of her community and loving daughter and sister who will always be remembered for the countless lives that she impacted; and,

WHEREAS, Anne Smedinghoff was a brave young woman who knew that social justice was her calling and was devoted to protecting America and improving the lives of others; and,

WHEREAS, throughout her career as a proud member of the State Department, Anne Smedinghoff represented the State of Illinois admirably; and,

WHEREAS, a funeral will be held on Wednesday, April 17, 2013 for Anne Smedinghoff, who is survived by her parents, a brother and two sisters, as well as many other loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Wednesday, April 17, 2013 in honor and remembrance of Anne Smedinghoff, whose selfless service and dedication to making the world a better place is an inspiration.

Issued by the Governor April 15, 2013.
Filed by the Secretary of State May 2, 2013.

2013-170
FOSTER PARENT APPRECIATION MONTH

WHEREAS, each year more than 4,000 children who have been abused or neglected cannot remain with their families safely, and these children need and deserve the temporary safe haven of a family home where they can be protected, nurtured and loved; and,
WHEREAS, without volunteer foster families, the Illinois Department of Children and Family Services would not be able to fulfill its mission to provide for the well-being of the nearly 15,000 children currently in its care; and,

WHEREAS, the department and its nonprofit partners provide a wide range of supports to assist foster families in meeting not only a child’s basic physical needs, but also ensure her educational, emotional and social well-being, none of which can be achieved without the dedication of foster families; and,

WHEREAS, foster families answer a noble calling to devote their time and energies to children to reunite families when possible, support other permanency options and create opportunities for a successful launch to adulthood; and

WHEREAS, foster families provide children with the one thing they need the most, which cannot come from a government or nonprofit agency, but only from the heart of another human being: love; and,

WHEREAS, it is impossible to quantify the minute and magnificent ways foster parents change lives, and they deserve the utmost respect and gratitude for the lasting impact they have in the life of a child, in their communities and on the future prosperity of this state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do proclaim May 2013 as FOSTER PARENT APPRECIATION MONTH in Illinois, extending thanks on behalf of our the people of Illinois to the thousands of Illinois foster families, and encouraging all to consider joining them in their noble service to children, communities and our state.

Issued by the Governor April 16, 2013.
Filed by the Secretary of State May 2, 2013.

2013-171
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF LANCE STONE

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, families and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,
WHEREAS, on the evening of April 13, 2013 one of these brave souls, Lance Stone of the West Union Volunteer Fire Department, was suddenly taken from us at the age of 37; and,

WHEREAS, we will always remember that throughout his accomplished career as a firefighter, Lance Stone courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although Lance Stone is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, Lance Stone was not simply a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, we remember Lance Stone’s dedication to his family, friends, community and the State of Illinois; and,

WHEREAS, Lance Stone leaves behind his parents, wife and six children. Not only did he serve the citizens of his community and of this great state, but he was a hero in his role as a husband and a father; and,

WHEREAS, on Saturday, April 20, 2013, a graveside funeral will be held for Lance Stone; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on April 18, 2013 until sunset on April 20, 2013 in honor and remembrance of Lance Stone whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 16, 2013.

Filed by the Secretary of State May 2, 2013.

2013-172
NURSING HOME WEEK

WHEREAS, Illinois has more than 800 skilled nursing facilities serving more than 80,000 residents; and,

WHEREAS, nursing homes in Illinois strive to provide quality health care and rehabilitation for our elderly citizens and persons with disabilities. This dedication has been demonstrated through a passionate commitment to upgrade standards of care and improve resident services; and,

WHEREAS, older adults and persons with disabilities in nursing homes have led exceptional and extraordinary lives which have helped enhance the quality of life in this great State; and,

WHEREAS, skilled nursing facilities provide medical care, coordination with hospitals, nursing services, rehabilitation, specialized
services, activity programs, religious observances, social services, supervision, food, shelter, grooming assistance and a community setting; and,

WHEREAS, skilled nursing facilities are staffed by dedicated, highly trained medical professionals who provide round-the-clock care to some of the most frail, vulnerable citizens in a long-term care setting; and in short-term care settings, skilled nursing facilities help citizens rehabilitate after surgery or a hospital stay, so they can return home; and,

WHEREAS, National Nursing Home Week spotlights nursing home residents and staff and encourages all to celebrate those who make a positive difference in residents’ lives every day; and,

WHEREAS, nursing homes throughout Illinois will be hosting activities with residents, families, staff, and visitors in observance of National Nursing Home Week beginning May 5, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – 11, 2013 as NURSING HOME WEEK in Illinois, and urge all residents in Illinois to visit loved ones living in a skilled nursing facility, volunteer time at a local facility and thank dedicated nursing home staff for their commitment to providing compassionate, quality care.

Issued by the Governor April 16, 2013.
Filed by the Secretary of State May 2, 2013.

2013-173
ORGAN DONATION AWARENESS DAY

WHEREAS, currently more than 115,000 men, women and children in our country, including more than 5,000 in Illinois, are waiting for lifesaving organ transplants; and,

WHEREAS, the number of people waiting for a lifesaving organ transplant will grow by nearly 50,000 each year; and,

WHEREAS, an average of 18 Americans die each day due to the growing and critical shortage of donated organs for transplant; and,

WHEREAS, organ and tissue transplants have saved and enhanced the lives of more than 600,000 people throughout the United States over the past twenty-five years; and,

WHEREAS, organ and tissue donation from one donor can save and enhance the lives of as many as 50 people; and,

WHEREAS, caring Illinois families have consented to give the gift of life through organ/tissue donation at the death of a loved one; and,
WHEREAS, thousands of Illinois men, women and children and their families have celebrated new life through organ and tissue donations; and,

WHEREAS, it is important to promote and encourage the importance of organ donation to citizens throughout the State of Illinois, and throughout the country; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 19, 2013 as ORGAN DONATION AWARENESS DAY in Illinois, and encourage all citizens to become organ donors and to make their families aware of their wishes.

Issued by the Governor April 16, 2013.  
Filed by the Secretary of State May 2, 2013.

2013-174  
YOUR ACTIONS MATTER DAY

WHEREAS, underage alcohol use remains a challenging public health and public safety problem with severe consequences for youth and their families, communities, and society; and,

WHEREAS, protecting adolescents from alcohol use requires a comprehensive, developmentally-based approach that is initiated prior to puberty and continues throughout adolescence with support from families, schools, colleges, communities, the healthcare system, and government; and,

WHEREAS, underage alcohol use is not inevitable, and parents and society are not helpless to prevent it; 75 percent of 12th graders believe their parents would think it wrong or very wrong to drink alcohol until they are of legal age; and,

WHEREAS, youth who refrain from drinking alcohol are 81 percent more likely to stay in school, and less likely to develop alcohol-dependency problems later in life; and,

WHEREAS, concerted efforts to combat the availability of alcohol to minors like “YOUR ACTIONS MATTER” should help to reduce the availability of alcohol purchased; and,

WHEREAS, we can affect the amount of alcohol consumed by underage users by changing the environmental factors in each community and throughout the State which permit alcohol to be purchased; and,

WHEREAS, through leadership and support, the State of Illinois can influence public opinion and increase public knowledge about underage drinking; enact and enforce relevant laws that increase understanding of the causes and consequences of underage alcohol use;
and monitor trends in underage drinking and the effectiveness of efforts
designed to reduce demand, availability, and consumption; and,
WHEREAS, the Illinois SADD Student Advisory Board and all
the other 2013 “Don’t Be Sorry” Youth Art Contest participants serve as
role models to educate both adults and teens about the importance of
underage drinking prevention; and,
WHEREAS, preventing underage drinking is “everyone’s”
responsibility; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim April 18, 2013 as YOUR ACTIONS MATTER DAY in
Illinois.
Issued by the Governor April 16, 2013.
Filed by the Secretary of State May 2, 2013.

2013-175
AMERICAN LEGION AND AMERICAN LEGION
AUXILIARY POPPY DAYS

WHEREAS, America’s freedom has been preserved and protected
by the brave men and women of the United States Armed Forces, who in
times of distress have fought for our country; and,
WHEREAS, in their efforts to keep our country free, millions who
have answered the call to arms have died on the battlefield; and,
WHEREAS, intrigued by the small red flowers that grew in a field
in France after a battle in the first World War, Canadian Colonel John
McCrae wrote the famous poem, “In Flanders Fields”; and,
WHEREAS, the poem paralleled the battlefield tombs of the
honorable soldiers that died there with the red poppy flowers that grew on
top of them, thus immortalizing an image in our history that we must
never forget; and,
WHEREAS, throughout the years, the red poppy flower has
become an international symbol of the lives that have been lost in war;
and,
WHEREAS, displaying a small poppy flower is considered a
proper tribute to those who have made the ultimate sacrifice in the name
of freedom; and,
WHEREAS, both the American Legion and American Legion
Auxiliary have pledged to remind America annually of this sacrifice
through the distribution of the memorial flower during their Memorial
Day fundraising campaign to help disabled veterans; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim May 24 - 26, 2013 as AMERICAN LEGION AND
AMERICAN LEGION AUXILIARY POPPY DAYS in Illinois, and encourage all citizens to join the American Legion and American Legion Auxiliary in honoring our fallen heroes by wearing the Memorial Poppy on these days.

Issued by the Governor April 17, 2013.
Filed by the Secretary of State May 2, 2013.

2013-176
CHILDREN’S MENTAL HEALTH AWARENESS DAY

WHEREAS, addressing the continuing mental healthcare needs of children, youth, and their families today bears on the future wellbeing of all Illinoisans; and,
WHEREAS, the need for comprehensive and coordinated mental healthcare services for children and adolescents must be of vital concern and responsibility to our local communities; and,
WHEREAS, the Illinois Department of Human Services Division of Family and Community Services, along with the Illinois Children’s Mental Health Partnership and our All Our Kids (AOK) Networks will observe the 8th Annual National Children’s Mental Health Awareness Day by affirming the benefits and value of the work being done by the recent beneficiaries of federal SAMHSA grants in Illinois through Project LAUNCH; and,
WHEREAS, it is important that we recognize the efforts of all systems that serve young children with the goal of helping all children reach physical, social, emotional, behavioral, and cognitive milestones; and,
WHEREAS, this year a special focus will also be given to celebrating family wellness, mind, body, and spirit; and,
WHEREAS, it is important to raise awareness regarding the various ways that adults – including child-care staff, parents and other caregivers and community members – can strengthen early childhood resilience and recovery; and,
WHEREAS, it is fitting that we set aside a day each year for the observance of the mental healthcare requirements of our young in order to see where progress has been made and to assess where there is more work to be done; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9, 2013 as CHILDREN’S MENTAL HEALTH AWARENESS DAY in Illinois, and urge every citizen, state and local agency and private organization committed to advancing the mental wellbeing of children and adolescents to come together to raise awareness
of this cause and of the importance of sustaining year-round mental health programs for children and youth and their families.

Issued by the Governor April 17, 2013.
Filed by the Secretary of State May 2, 2013.

**2013-177**
**GREAT OUTDOORS MONTH**

WHEREAS, June of each year is designated as Great Outdoors Month to highlight the numerous benefits of the outdoors and the magnificent shared resources of our parks, forests, refuges, and other public lands and waters; and,

WHEREAS, Great Outdoors Month is an opportunity to celebrate the rich blessings of our nation's natural beauty, and to renew our commitment to protecting our environment so that we can leave our children and grandchildren a healthy and flourishing land; and,

WHEREAS, this month is also an opportunity to pay tribute to those whose hard work and dedication keep our country's open spaces beautiful and accessible to our citizens; and,

WHEREAS, June also opens the active summer vacation and recreation season. Through recreational activities such as fishing, skiing, biking, and nature watching, we can teach our young people about the wonders of our state's landscapes; and,

WHEREAS, experiencing Illinois' natural splendor contributes to happier and healthier lives for our citizens and a deeper appreciation for the great outdoors; and,

WHEREAS, countless citizens volunteer their time and talents to protect America's natural resources. By working together, we can help preserve our local parks, lakes, rivers, and working lands; and,

WHEREAS, it is fitting that during this month we should also acknowledge the dedicated efforts of all those who work to promote stewardship and conservation of our state's natural wonders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as GREAT OUTDOORS MONTH in Illinois, and encourage all citizens to observe this month with appropriate programs and activities and to take time to experience and enjoy the great outdoors.

Issued by the Governor April 17, 2013.
Filed by the Secretary of State May 2, 2013.
2013-178
BETTER HEARING AND SPEECH MONTH

WHEREAS, founded in 1960, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing over 4000 licensed speech-language pathologists and audiologists; and,

WHEREAS, speech-language pathologists are specialists trained to identify, evaluate, and remediate communication or swallowing problems, and determine the best treatment solutions; and,

WHEREAS, audiologists specialize in the prevention, identification, and evaluation of hearing and balance disorders and the habilitation/rehabilitation of individuals with hearing impairment; and,

WHEREAS, ISHA has three main goals: to make the public aware of services available to persons with speech, language and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and,

WHEREAS, approximately 46 million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with speech, voice or language disorders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as BETTER HEARING AND SPEECH MONTH in Illinois, to raise awareness of the contributions of speech-language pathologists and audiologists and the help that is available to those individuals with a speech, language or hearing problem.

Issued by the Governor April 18, 2013.
Filed by the Secretary of State May 2, 2013.

2013-179
NATIONAL HEPATITIS AWARENESS DAY

WHEREAS, hepatitis simply means inflammation of the liver and can be caused by a wide range of things. One of the most common causes of chronic hepatitis is viral infection; and,

WHEREAS, hepatitis B and C are two such viruses that together kill approximately one million people per year. Five hundred million people around the world are currently infected with chronic hepatitis B or C and one in three people have been exposed to one or both viruses; and,

WHEREAS, the hepatitis B virus is spread through direct contact with infected blood as well as most major body fluids; and,
WHEREAS, it is important to raise awareness about the cause of this disease because hepatitis B can be prevented through effective vaccination; and,

WHEREAS, many people do not have any symptoms if they contract hepatitis B, although they can still transmit the viruses to others; and,

WHEREAS, if left untreated and unmanaged, hepatitis B can lead to advanced liver scarring (cirrhosis) and other serious complications including liver cancer or liver failure; and,

WHEREAS, hepatitis B is a serious global health risk that affects Asians disproportionately. More than half of the estimated 1.4 to 2 million people infected in the United States are Asian American; and,

WHEREAS, May is Asian American Heritage Month. During this month, the Midwest Asian Health Association – Hepatitis Coalition of the Midwest, in partnership with the regional Asian Pacific American Medical Student Association, Chinese American Association of Greater Chicago, Chinese American Service League, Illinois Department of Public Health, Chicago Department of Public Health, the University of Illinois – Hospital & Health Sciences System, Northwestern University – Hepatitis B Alliance of Chicago, Chicago Mayor’s Office of Special Events, along with more than thirty other organizations will work to raise awareness of this disease among the Asian American population in Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17, 2013 as NATIONAL HEPATITIS AWARENESS DAY in the State of Illinois in order to raise awareness of hepatitis B.

Issued by the Governor April 23, 2013.
Filed by the Secretary of State May 2, 2013.

WILLIAM   P. QUINN, GOVERNOR

2013-180

PIZZA DAY

WHEREAS, pizza is an oven-baked, flat, round bread typically topped with tomato sauce, cheese, and various other toppings including pepperoni, sausage, vegetables, mushrooms, olives, and fruit such as pineapple; and,

WHEREAS, originally invented in Naples, Italy in 1889, pizza has since become a popular dish in many parts of the world; and,

WHEREAS, pizza appeared in the United States with the arrival of Italian immigrants in the late 19th century and became very popular among large Italian populations in Chicago, New York City, and Philadelphia.
Shortly thereafter, small cafes and grocery stores began selling pizzas to their Italian-American communities; and,

WHEREAS, currently, 93 percent of Americans eat at least one pizza per month, and there are approximately 65,000 pizza franchises across the United States; and,

WHEREAS, Chicago-style pizza first appeared in 1943 with the opening of Pizzeria Uno. Over the years, from the Neapolitan wood fired to the famous deep dish, pizza business owners in Chicago and across the State of Illinois have received recognition for making some of the world’s best pizza; and,

WHEREAS, Chicago was just ranked as America’s best city for pizza by Travel and Leisure Magazine; and,

WHEREAS, the $40 billion dollar pizza industry in the United States plays a critical role in promoting economic development across our cities, states, and nation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 1, 2013 as PIZZA DAY in Illinois, in recognition of the delicious pizza made in Illinois and the contributions of pizza business owners to the economic vitality of the Land of Lincoln.

Issued by the Governor April 23, 2013.
Filed by the Secretary of State May 2, 2013.

2013-181
SMALL BUSINESS AND ENTREPRENEUR WEEK

WHEREAS, small businesses and entrepreneurs are vital to Illinois’ growth and prosperity; and,
WHEREAS, 65 percent of new jobs created throughout the United States in the past two decades have come from entrepreneurs and small businesses; and,
WHEREAS, many young Americans envision starting a business or doing something entrepreneurial as adults; and,
WHEREAS, the State of Illinois remains committed to nurturing our entrepreneurs and small businesses by providing a network of entrepreneurship and small business centers throughout Illinois to turn promising ideas into promising companies and new jobs; and,
WHEREAS, a broad coalition of partner organizations in Illinois and throughout the United States is actively engaged in enhancing small business and entrepreneurial opportunities; and,
WHEREAS, encouraging youth to be excited about business and working to expand the knowledge and skills of Illinoisans to be successful are crucial to the long-term growth of Illinois and the United States; and,
WHEREAS, Small Business and Entrepreneur Week provides an opportunity to focus on the innovative ways in which small business and entrepreneurship education can bring together the core academic, technical and problem solving skills essential for future entrepreneurs and successful workers in future workplaces; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 6-10, 2013 as SMALL BUSINESS AND ENTREPRENEUR WEEK in Illinois, and encourage consumers in the Land of Lincoln to support small businesses and entrepreneurs that create jobs within our communities and reinvest in our local economies.

Issued by the Governor April 24, 2013.

Filed by the Secretary of State May 2, 2013.

2013-182
BICYCLE MONTH

WHEREAS, millions of Americans engage in cycling because it is a viable and environmentally sound form of transportation and an excellent form of physical fitness; and,

WHEREAS, there is a need to promote alternative forms of transportation such as walking and bicycling in order to reduce pollution, reduce America’s dependence on fossil fuels and improve the health and well-being of the global community; and,

WHEREAS, increasing the number of bicycling lanes, paths, storage facilities and traffic calming measures will help ease automobile traffic congestion and encourage a healthy lifestyle for residents; and,

WHEREAS, Bike to Work Week in Springfield, Illinois helps to increase public awareness for bicycling, educates the community about the benefits of bicycling for transportation purposes and encourages people to try bicycle commuting; and,

WHEREAS, Illinois statute includes a Complete Streets law as well as a vulnerable users protections that ensure cyclists are safely accommodated within the transportation system; and,

WHEREAS, the State of Illinois is developing an Illinois Bike Transportation Plan that will enhance sustainable, non-motorized transportation alternatives in our state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as BICYCLE MONTH in Illinois, and encourage all citizens to recognize the importance of safety sharing our streets with cyclists and celebrate non-motorized transportation in Illinois.

Issued by the Governor April 25, 2013.

Filed by the Secretary of State May 2, 2013.
WHEREAS, the nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession; and,
WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and,
WHEREAS, the American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care; and,
WHEREAS, a renewed emphasis on primary and preventive health care will require better utilization of all of our nation's registered nursing resources; and,
WHEREAS, professional nursing is an indispensable component in the safety and quality of care of hospitalized patients; and,
WHEREAS, the demand for registered nursing services will be greater than ever because of the aging American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and,
WHEREAS, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and,
WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future; and,
WHEREAS, National Nurses Week is celebrated annually from May 6, also known as National Nurses Day, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

THEREFORE, I, Pat, Quinn, Governor of the State of Illinois, do hereby proclaim May 6, 2013 as NATIONAL NURSES DAY and May 6 – 12, 2013 as NATIONAL NURSES WEEK in Illinois, and encourage all citizens to recognize and honor nurses in their communities for the hard work and invaluable services they provide.

Issued by the Governor April 25, 2013.
Filed by the Secretary of State May 2, 2013.
WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,

WHEREAS, on the evening of April 17, 2013 one of these brave souls, Kevin Sanders of theBruceville-Eddy Volunteer fire department, was suddenly taken from us; and,

WHEREAS, we will always remember that throughout his accomplished career as a firefighter, Kevin Sanders courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although Kevin Sanders is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, Kevin Sanders was not simply a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, we remember Kevin Sanders’ dedication to his community, family, his faith and the State of Illinois; and,

WHEREAS, Kevin Sanders was tragically taken from us at the age of 33 leaving behind a wife, and 3 month old son. Not only did he serve the citizens of his community and of this great state, but was a hero in his role as a husband and a father; and,

WHEREAS, on Wednesday May 1, 2013, a funeral will be held for Kevin Sanders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on April 29, 2013 until sunset on May 1, 2013 in honor and remembrance of Kevin Sanders whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 26, 2013.

Filed by the Secretary of State May 2, 2013.
2013-185
SOUTH AFRICAN FREEDOM DAY

WHEREAS, the State of Illinois joins the citizens of South Africa in recognizing South African Freedom Day on Friday, April 26, 2013; and,

WHEREAS, Freedom Day is celebrated in South Africa to commemorate the first post-apartheid election held in the country on April 27, 1994; and,

WHEREAS, Freedom Day is an occasion for South Africans, and citizens globally, to honor and celebrate the legacy of those who fought to create a democratic and free society for all; and,

WHEREAS, Freedom Day 2013 marks the 19th anniversary since South Africa’s first democratic election and reminds us that freedom and human rights are for all human beings, regardless of race, gender, nationality, religion, or sexual orientation; and,

WHEREAS, the citizens of the State of Illinois stand with the citizens of South Africa in celebrating South Africa’s Freedom Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 26, 2013 as SOUTH AFRICAN FREEDOM DAY in Illinois, in recognition of Freedom Day in South Africa on April 27th.

Issued by the Governor April 26, 2013.
Filed by the Secretary of State May 2, 2013.

2013-186
CHILDHOOD DROWNING PREVENTION MONTH

WHEREAS, drowning is the leading cause of accidental death for children ages one through four, accounting for nearly one-third of all accidental deaths of toddlers and pre-school children; and,

WHEREAS, drowning is the second leading cause of death for children ages one through 14 and claims the life of an average of two children per day in the United States; and,

WHEREAS, child drowning can occur in seconds in pools, bathtubs, hot tubs, decorative garden ponds, and even buckets that contain as little as two inches of water; and,

WHEREAS, 21 Illinois children lost their lives to accidental drowning in 2012 including 10 in swimming pools, six in lakes, two in ponds, two in rivers and one in a bathtub; and,

WHEREAS, for every child that drowns, five more are victims of near-drowning that requires emergency medical care, often leading to hospitalization and causing long-term brain damage that can include:
memory loss, learning disabilities, and permanent loss of basic functioning that results in a permanent vegetative state; and,

WHEREAS, inadequate supervision of children, which includes neglect that results in drowning, is the third-leading cause of all child deaths indicated by the Illinois Department of Children and Family Services; and,

WHEREAS, it is important to recognize that constant adult supervision is needed when children are near or in water; and,

WHEREAS, the state’s “Get Water Wise...Supervise!” campaign urges the public to prevent childhood drowning and life-altering near-drowning by providing adult supervision whenever children are near or in water; and,

WHEREAS, the “Get Water Wise...Supervise!” campaign is a collaborative effort of the Illinois Department of Children and Family Services, Prevent Child Abuse Illinois, the American Red Cross Illinois Capital Area Chapter, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Department of Public Health, the Illinois Child Death Review Team, and other community partners that recognize that childhood drowning is preventable if proper adult supervision is provided; and,

WHEREAS, the use of floatation devices and inflatable toys cannot replace parental supervision because such devices can suddenly shift position, lose air, or slip out from underneath, leaving the child in a dangerous situation; and,

WHEREAS, adults need to practice “Reach Supervision” by staying within an arm’s length reach of young children and not rely on substitutes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as CHILDHOOD DROWNING PREVENTION MONTH in Illinois, and do hereby encourage all parents and caregivers to learn and practice proven child water safety precautions, ensuring the safety of all Illinois children.

Issued by the Governor April 29, 2013.
Filed by the Secretary of State May 2, 2013.

2013-187
PUBLIC SERVICE RECOGNITION WEEK

WHEREAS, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, public employees take not only jobs, but oaths; and,
WHEREAS, many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States; and,

WHEREAS, public servants include teachers, mail carriers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, as well as countless other occupations; and,

WHEREAS, day in and day out, these dedicated public servants provide the diverse services demanded by the American people of their government with efficiency and integrity; and,

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – 11, 2013 as PUBLIC SERVICE RECOGNITION WEEK in Illinois, and encourage all citizens to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and city.

Issued by the Governor April 29, 2013.
Filed by the Secretary of State May 2, 2013.

2013-188
APRAXIA AWARENESS DAY

WHEREAS, as one of the most severe speech and communication problems, Childhood Apraxia of Speech (CAS) is a complex neurological motor-planning disorder often accompanied by other special needs; and,

WHEREAS, children affected with CAS have extreme difficulty planning and producing the precise, highly refined and specific series of movements of the tongue, lips, jaw, and palate that are necessary for producing clear, intelligible speech; and,

WHEREAS, while the act of learning to speak comes effortlessly to most children, those with Apraxia require years of intensive speech therapy and a lengthy struggle to communicate; and,

WHEREAS, although not life-threatening, the disorder alters families’ lives because they are left to cope with the emotional, physical, and financial challenges of having a child diagnosed with CAS; and,

WHEREAS, every child should be afforded their best opportunity to develop speech and every child deserves a choice; and,

WHEREAS, with early intervention and appropriate therapy, most children with CAS will learn to communicate with their very own voices.
These children, as well as their families, deserve our highest respect for their effort, determination and resilience in the face of such obstacles; and,

WHEREAS, on May 14, numerous organizations with take part in a local, state and national effort to increase awareness about CAS; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 14, 2013 as APRAXIA AWARENESS DAY in Illinois, in order to increase awareness of Childhood Apraxia of Speech.

Issued by the Governor April 30, 2013.
Filed by the Secretary of State May 2, 2013.

2013-189
LOCOMOTIVE ENGINEERS AND TRAINMEN DAY

WHEREAS, historically, the rail industry has served as the lifeblood of rural America as well as one of the largest private employers in the United States, and Illinois is proud of its distinguished history as a center of American railway travel; and,

WHEREAS, we recognize that the industrial and economic development of our State was largely due to our railway infrastructure, and it has allowed both our citizens and freight to move cross-country more quickly and efficiently than ever before; and,

WHEREAS, it was an Illinoisan, President Abraham Lincoln, who signed the Pacific Railroad Act on July 1, 1862, creating the original Railroad; and,

WHEREAS, The Pacific Railroad Act of 1862 tasked Union Pacific with building Westward, and Central Pacific Railroad of California with building Eastward, thereby joining East and West; and,

WHEREAS, seven years, 20,000 men and 1,700 miles later the Railroad was completed on May 10, 1869 with the hammering of a golden spike; and,

WHEREAS, it was during this construction period, on May 8, 1863, that The Brotherhood of Locomotive Engineers and Trainmen was founded in order to represent thousands of individuals employed by the rail industry, who, by working together, built one of largest infrastructure systems in the history of our nation; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen remain organized to this day, building upon their storied tradition of leadership in the rail industry while maintaining a distinguished record of service; and,
WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen will celebrate their 150th anniversary on May 8, 2013; and,
WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen’s 55,000 active and retired members throughout the United States and Canada have devoted their lives to the rail industry and provided a great public service to our communities and economy; and,
WHEREAS, Illinois was among the first to adopt and benefit from railway travel, and looks forward to continuing this legacy with our adoption of the innovative and economical high-speed rail with the assistance and support of all rail workers who construct, operate and maintain this valuable component to our infrastructure; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 8, 2013 as LOCOMOTIVE ENGINEERS AND TRAINMEN DAY in Illinois, in honor of their sesquicentennial and encourage all residents to celebrate the contributions of rail throughout Illinois’ and our nation’s history.
Issued by the Governor April 30, 2013.
Filed by the Secretary of State May 2, 2013.

2013-190
NATIONAL SALVATION ARMY WEEK

WHEREAS, The Salvation Army Metropolitan Division meets human needs without discrimination; and,
WHEREAS, The Salvation Army has provided help and hope for people in need throughout the State of Illinois for more than 125 years; and,
WHEREAS, The Salvation Army is one of the most recognized and trusted organizations serving those in crisis; and,
WHEREAS, The Salvation Army is committed to “Doing the Most Good” in Illinois through compassionate services for individuals and families in need; and,
WHEREAS, The Salvation Army assisted more than 529,000 adults with emergency social services throughout the State in 2012; and,
WHEREAS, The Salvation Army provided programs for more than 71,000 youth in 2012 in Illinois; and,
WHEREAS, The Salvation Army provides 24/7 emergency disaster response services; and,
WHEREAS, The Salvation Army works to combat human trafficking; and,
WHEREAS, The Salvation Army is the world’s largest provider of music education; and,
WHEREAS, The Salvation Army and its volunteers are celebrating National Salvation Army Week May 13 – 19, 2013; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 13 – 19, 2013 as NATIONAL SALVATION ARMY WEEK in Illinois and encourage all citizens to celebrate the positive impact this organization has on the State of Illinois.

Issued by the Governor April 30, 2013.
Filed by the Secretary of State May 2, 2013.

2013-191
WOMEN’S HEALTH DAY IN ILLINOIS

WHEREAS, women have guided our country and state toward prosperity and progress, and our continued success depends on their well-being; and,  
WHEREAS, women often play a leading role in making medical decisions that improve the health of their families while their own health care needs are often unmet; and,  
WHEREAS, women from all walks of life and at every stage of life have unique health needs that require further research and should be addressed; and,  
WHEREAS, promoting awareness of women’s health issues and developing effective partnerships between women and their healthcare providers are necessary factors in keeping women healthy and safe; and,  
WHEREAS, researchers and clinicians are now learning that there are significant differences between women and men in the incidence, prevalence, symptoms, and severity of diseases; and  
WHEREAS, the Women’s Health Research Institute at Northwestern University has created the Illinois Women’s Health Registry to gather data on women across the state so that researchers better understand the health needs of Illinois women; and to provide women a vehicle to participate in ongoing women’s health research studies occurring in Illinois academic institutions and hospitals; and  
WHEREAS, the State of Illinois seeks to be a leader in progressive health legislation that addresses important policy issues that impact women’s health; and,  
WHEREAS, The Illinois Department of Public Health, through its Office on Women’s Health, has taken a leadership role in promoting clinical programs for women’s health; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 15, 2013 to be WOMEN’S HEALTH DAY IN ILLINOIS, and call upon all the citizens of Illinois to promote and
improve the health of our women and to increase awareness and understanding of women’s health issues and encourage all women across the state to enroll in the Illinois Women’s Health Registry.

Issued by the Governor April 30, 2013.
Filed by the Secretary of State May 2, 2013.

2013-192
SENIOR CORPS WEEK

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, the Senior Corps National Service program allows Illinoisans 55 and older the opportunity to share their expertise and passion; and,

WHEREAS, each year Senior Corps, including Foster Grandparents Program, Senior Companions Program, and Retired & Senior Volunteer Program, places more than 17,000 volunteers in communities throughout Illinois; and,

WHEREAS, these Senior Corps members have helped over 7,000 Illinois children to read, assisted over 18,000 seniors stay in their homes, and supported over 2,000 organizations to better serve their communities here in Illinois; and,

WHEREAS, Senior Corps volunteers contribute in ways such as veterans’ assistance, disaster preparedness, and poverty reduction, and the over 3,500,000 Senior Corps hours contributed each year is valued at over $80 billion; and,

WHEREAS, Senior Corps Week, May 6 through 10, 2013, is an opportune time for the people of Illinois to salute Senior Corps volunteers for their service; thank Senior Corps’ community partners; and bring more Americans into service; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim May 6 -10, 2013 as SENIOR CORPS WEEK in Illinois, and urge citizens to thank Senior Corps volunteers for their service and to find ways to give back to their communities.

Issued by the Governor May 1, 2013.
Filed by the Secretary of State May 2, 2013.
2013-193
SPECIAL ELECTION - REPRESENTATIVE IN CONGRESS ROBIN KELLY

WHEREAS, On the 9th day of April, 2013, a special election was held in the State of Illinois for the election of the following officer, to-wit: One (1) Representative in Congress for an unexpired term.
WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 7th day of May, 2013, canvass the same, and as a result of such canvass, did declare elected the following named person to the following named office:
REPRESENTATIVE TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS IN THE 113th CONGRESS OF THE UNITED STATES SECOND CONGRESSIONAL DISTRICT (For an unexpired term)
Robin Kelly
NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing person duly elected to the office as set out above.
Issued by the Governor: May 7, 2013.
Filed by the Secretary of State: May 7, 2013.

2013-194
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF UNITED STATES AIR FORCE CAPTAIN BRANDON L. CYR

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on the afternoon of Saturday, April 27, 2013 United States Air Force Captain Brandon L. Cyr was abruptly taken from us at the age of 28 during a military exercise in Afghanistan; and,
WHEREAS, Captain Cyr was stationed at Scott Air Force Base in Illinois; and,
WHEREAS, Captain Cyr is a native of Oswego, Illinois; and,
WHEREAS, Captain Cyr was a loving son, and important member of his community who will always be remembered for the countless lives he impacted; and,
WHEREAS, Captain Cyr spent much of his free time volunteering and had a true passion for mentoring young people; and,

WHEREAS, Captain Cyr was a decorated pilot who received the Meritorious Service Medal, five Air Medals and an Achievement Medal; and,

WHEREAS, throughout his career as a proud member of the United States Air Force, Captain Cyr represented the State of Illinois admirably; and,

WHEREAS, a funeral will be held on Thursday, May 9, 2013 for Captain Cyr, who is survived by his parents, sister and many loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Tuesday, May 7, 2013 until sunset on Thursday, May 9, 2013 in honor and remembrance of Captain Brandon Cyr, whose selfless service and sacrifice is an inspiration.

Issued by the Governor May 1, 2013.
Filed by the Secretary of State May 20, 2013.

2013-195
NAWBO CHICAGO DAY

WHEREAS, the National Association of Women Business Owners - Chicago Area Chapter, known as NAWBO Chicago, will present its 30th Annual Celebration of Achievement Luncheon on May 7, 2013; and,

WHEREAS, the luncheon will honor nine outstanding business women from the banking, financial services, airline, legal, media, and marketing industries; and,

WHEREAS, hedge fund co-founder, author, and CNBC “Fast Money“ contributor Karen Finerman will bring business and financial insights to all in attendance as the Achievement Luncheon keynote speaker; and

WHEREAS, each year the event also highlights Illinois small businesses during the post-luncheon Chocolate Hour, dessert buffet, and networking reception; and,

WHEREAS, national and local major corporations continue to sponsor this event each year in support of NAWBO Chicago and women business owners; and,

WHEREAS, NAWBO Chicago, formed in 1978, continues to provide women business owners with leadership, education, procurement, and networking opportunities to this day; and,
WHEREAS, NAWBO Chicago propels women entrepreneurs into economic, social, and political spheres of power; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim May 7, 2013 as NAWBO CHICAGO DAY in Illinois, and urge citizens to continue to support women business owners for their contributions to business development, employment and other components of the Illinois economy.

Issued by the Governor May 1, 2013.
Filed by the Secretary of State May 20, 2013.

2013-196
OLDER AMERICANS MONTH

WHEREAS, the State of Illinois is home to more than two million citizens aged 60 years or older; and,

WHEREAS, the older Americans of the State of Illinois are a vital part of our nation’s demographic makeup; and,

WHEREAS, older citizens are members of our community entitled to dignified, independent lives free from fears, myths, and misconceptions about aging; and,

WHEREAS, each community in the United States must strive to recognize the contributions of our older citizens, understand and address their evolving needs, and support their caregivers; and,

WHEREAS, our society is dependent upon intergenerational cooperation and support, and benefits from our collective efforts to serve older Americans and the people who love and care for them; and,

WHEREAS, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and,

WHEREAS, the State of Illinois has worked to develop strategies to get older adults engaged in civic activity in their communities and to encourage interaction between the generations; and,

WHEREAS, older adults in our state deserve to be recognized for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and,

WHEREAS, this year’s Older Americans Month theme is “Unleash the Power of Age!” which emphasizes helping our older Americans stay positive, active, and looking forward:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as OLDER AMERICANS MONTH in Illinois, and encourage all older adults to stay engaged, active and involved in their own lives and in their communities across the State of Illinois.

Issued by the Governor May 1, 2013.
WHEREAS, fibromyalgia is a debilitating disorder in which people experience long-term, body-wide pain and tender points in joints, muscles, tendons, and other soft tissues. Fibromyalgia has also been linked to fatigue, sleep problems, headaches, depression, anxiety, and other symptoms; and,

WHEREAS, an estimated 10 million people in the United States have been diagnosed with fibromyalgia, a disorder for which there is no known cause or cure; and,

WHEREAS, fibromyalgia is a chronic pain disorder that interferes with even the simplest of daily activities – taking a toll emotionally, financially and socially on patients, their families, friends, and co-workers; and,

WHEREAS, fibromyalgia prevents patients from contributing to society at the level they once were able to because of a myriad of symptoms that can come and go unpredictably and vary in severity; and,

WHEREAS, people with fibromyalgia are never completely symptom-free, they are always in pain, and this pain impacts every area of their lives; and,

WHEREAS, increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support those who struggle with the challenges of this chronic pain disorder; and,

WHEREAS, numerous organizations around the country will join together on May 12 to observe Fibromyalgia Awareness Day – a day to promote fibromyalgia awareness and support – including improved education, diagnosis, research, and treatment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12, 2013 as FIBROMYALGIA AWARENESS DAY in Illinois, and encourage all citizens to support the search for a cure and assist those individuals and families who deal with this devastating disorder every day.

Issued by the Governor May 7, 2013.
Filed by the Secretary of State May 20, 2013.
ILLINOIS NATIONAL GUARD DAY

WHEREAS, On May 9, 1723, near Fort De Chartes in what is now Randolph County, Illinois, the first militia muster of Illinois residents under the French regime occurred, giving birth to what we now call the Illinois National Guard; and

WHEREAS, the Militia Act of 1903 reorganized the various state militias into the modern National Guard system; and

WHEREAS, the Illinois National Guard has always lived up to its motto - “Always Ready, Always There” - and its heritage reflects 290 years of contributions in times of war and peace, stateside and abroad, requiring heroic sacrifices from service members, their families and their employers; and

WHEREAS, thousands of Illinois militia and National Guard members have made the ultimate sacrifice on fields of combat from the 1847 Battle of Buena Vista and 1863 Siege of Vicksburg to the 34 service members killed during the global war on terror; and

WHEREAS, the Illinois National Guard has responded to domestic challenges in Illinois and other states, such as Mississippi River flooding in 2008, the Gulf of Mexico oil spill and North Dakota floods in 2010, a major blizzard in Illinois and Hurricane Irene in 2011, Superstorm Sandy and the NATO Summit in 2012, and the recent Illinois flooding; and

WHEREAS, the Illinois National Guard - which personifies the democratic ideal of the “citizen soldier” - has grown to more than 13,000 men and women in uniform; and

WHEREAS, in 1832, Abraham Lincoln led an Illinois militia unit in the Black Hawk War, and today we stand at Camp Lincoln in Springfield, Illinois, the heart of the Illinois National Guard for more than 125 years, so

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9 as ILLINOIS NATIONAL GUARD DAY to honor 290 years of unselfish service to the People of Illinois.

Issued by the Governor May 7, 2013.
Filed by the Secretary of State May 20, 2013.

NATIONAL BIOMEDICAL/CLINICAL ENGINEERING APPRECIATION WEEK

WHEREAS, as medical technology advances, healthcare facilities must keep pace by employing quality, well-trained professionals capable
of understanding the complexity of medical equipment operations and applications; and,

WHEREAS, the complexity of medical technology today and in the future makes it essential that those individuals responsible for the care, safety, and accuracy of this equipment are recognized as an invaluable resource to the healthcare industry; and,

WHEREAS, biomedical equipment technicians, clinical engineers, and other medical technology professionals uniquely serve patients and the medical community while utilizing new technology developments to improve the quality of today’s healthcare; and,

WHEREAS, these professionals research, recommend, install, inspect, and repair medical devices and other complicated medical systems, as well as advise and train others concerning the safe and effective use of medical devices, thereby controlling healthcare costs and improving patient safety; and,

WHEREAS, the Association for the Advancement of Medical Instrumentation (AAMI) is a unique alliance of more than 6,000 members united by a common goal to increase the understanding and beneficial use of medical instrumentation; and,

WHEREAS, AAMI’s Technology Management Council (TMC) seeks to advance the interests of biomedical equipment technicians, clinical engineers, and other medical technology professionals; and,

WHEREAS, the AAMI has designated the week of May 19-25, 2013 as National Biomedical/Clinical Engineering Appreciation Week. This annual celebration is specifically designed to promote the awareness of, and appreciation for, biomedical and clinical engineering professionals:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19-25, 2013 as NATIONAL BIOMEDICAL/CLINICAL ENGINEERING APPRECIATION WEEK in Illinois, and encourage all citizens to recognize these dedicated professionals for their contributions to improving the healthcare system and patient outcomes in our state.

Issued by the Governor May 8, 2013.
Filed by the Secretary of State May 20, 2013.

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2013-200
AIDS LEGAL COUNCIL OF CHICAGO DAY

WHEREAS, the AIDS Legal Council of Chicago (ALCC) was founded in 1988 by a group of volunteers led by James Monroe Smith to
meet the specialized legal needs of individuals living with HIV and AIDS, as well as their families and loved ones;

WHEREAS, the ALCC exists to preserve, promote and protect the legal rights of men, women and children in the metropolitan Chicago area impacted by HIV and AIDS by providing direct legal services to people in need, educating the public about HIV-related issues, and advocating for social policies and legislation that ensure fair treatment for all people affected by HIV and AIDS; and,

WHEREAS, the ALCC started seeing clients in Mr. Smith’s living room, and quickly expanded through the goodwill and contributions of generous donors who helped transition the ALCC from Mr. Smith’s apartment to their current downtown Chicago location; and,

WHEREAS, the ALCC successfully meets the needs of Chicago’s multicultural communities through diverse engagements such as the James Monroe Smith Outreach Project, the Latino Outreach Project, the HIV-Positive Immigrants’ Rights Project and the Youth Legal Rights Project; and,

WHEREAS, as the only organization of its kind in the region, the ALCC helped 900 clients on 1600 cases in just 2012 alone, providing assistance on a wide range of issues including confidentiality, discrimination, estate planning, immigration, insurance, and public benefits; and,

WHEREAS, the ALCC provides free legal services and engages the needs of underserved and underrepresented individuals in our society and has made significantly positive impacts on the lives of many individuals and their families through its mission to protect the legal rights of people living with HIV and AIDS; and,

WHEREAS, on May 9, 2013, the ALCC is celebrating its 25th Anniversary in recognition of all of its accomplishments and important work done thus far; and,

WHEREAS, this anniversary is an opportunity for all residents to join the ALCC in celebration of its success, while also recognizing the hard work and dedication that the ALCC has provided to thousands of people from every neighborhood in Chicago, communities of Cook County and the rest of the State of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9, 2013 as “AIDS LEGAL COUNCIL OF CHICAGO DAY” in Illinois, in recognition of this organization’s dedication to serving individuals living with HIV and AIDS, as well as their family members and loved ones.

Issued by the Governor May 9, 2013.

Filed by the Secretary of State May 20, 2013.
2013-201  
FEDERAL EMPLOYEE OF THE YEAR DAY

WHEREAS, the hard work and dedication of public servants across the United States has been instrumental in making our nation strong and prosperous; and,

WHEREAS, a special day is set aside each year to recognize the outstanding service of dedicated federal employees; and,

WHEREAS, this year the 56th Annual Federal Employee of the Year Awards Luncheon will be held on June 12, 2013 at the Harris Theater in Millennium Park. The theme for this year’s ceremony is “One Government-One Team”; and,

WHEREAS, at this prestigious ceremony, the men and women who have dedicated themselves to providing superior service to the American public will be honored; and,

WHEREAS, awards will be given to an outstanding employee in each of the thirteen categories that cover various types of jobs within the federal workforce; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 12, 2013 as FEDERAL EMPLOYEE OF THE YEAR DAY in Illinois, and encourage all citizens to join in honoring these hard working public servants, and to recognize the exceptional services they provide for our society.

Issued by the Governor May 9, 2013.
Filed by the Secretary of State May 20, 2013.

2013-202  
PEOPLE FOR THE PUBLIC INTEREST DAY

WHEREAS, Business and Professional People for the Public Interest (BPI) is a not-for-profit advocacy organization dedicated to improving the quality of life for residents throughout the Chicago region; and,

WHEREAS, since 1969, BPI has been fearless in tackling the big issues, from its early victories in the landmark Gautreaux decision and blocking an airport in Lake Michigan, to its role in CHA’s bold Plan for Transformation; and,

WHEREAS, BPI’s unique brand of social activism was recently recognized on a global scale by the MacArthur Foundation with its 2012 Award for Creative and Effective Organizations, one of only 15 recipients in six nations; and,
WHEREAS, service to others is a hallmark of the American character, and the true heroes are those who place public service ahead of self-service; and,

WHEREAS, no one personified this spirit more than Dawn Clark Netsch, former Illinois Comptroller, State Senator and long-time BPI Board member; and,

WHEREAS, as the first woman elected to a statewide constitutional office in Illinois, Dawn Clark Netsch was a trailblazer for women, pioneer for equal rights and tenacious voice for open government; and

WHEREAS, on Monday, May 13, 2013, BPI will honor Dawn Clark Netsch during their 2013 Annual Dinner with the “Champion of the Public Interest” Award; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 13, 2013 as PEOPLE FOR THE PUBLIC INTEREST DAY in Illinois, in honor of BPI and Dawn Clark Netsch, whose life and legacy are an inspiration.

Issued by the Governor May 9, 2013.
Filed by the Secretary of State May 20, 2013.

2013-203
THE CHICAGO REPORTER DAY

WHEREAS, The Chicago Reporter was founded in 1972 by civil rights leader John A. McDermott as a monthly publication, dedicated to investigating and reporting social, economic, and political issues within Chicago; and,

WHEREAS, amid forty years of civic and social change, The Chicago Reporter has monitored and analyzed race and poverty with integrity and excellence, breaking dozens of stories and documenting widespread discrimination against African-Americans in corporate hiring, city services, and governmental affairs; and,

WHEREAS, more recently, The Chicago Reporter has made national headlines, tackling the disparities of the treatment of black and white senior citizens within nursing homes, the overly harsh sentencing for African-American offenders, and racially discriminatory mortgage lending; and,

WHEREAS, The Chicago Reporter continues to serve as a prestigious training ground for investigative journalists; and,

WHEREAS, nearly seven hundred reporters, editors, and interns have been trained at The Chicago Reporter, winning dozens of national and local journalism awards; and,
WHEREAS, The Chicago Reporter, published by the Community Renewal Society, is a must-read for legislators, policy makers, academics, journalists, philanthropists, and the public seeking to eliminate racial and economic inequities; and,

WHEREAS, The Chicago Reporter reaches thousands of readers, viewers, and listeners through its award-winning website, Muckrakers Blog, and numerous partnerships with other leading media organizations; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 13, 2013 as THE CHICAGO REPORTER DAY in Illinois, and congratulate The Chicago Reporter on forty successful years of investigative, civic journalism, and encourage all citizens to join in their effort to ending social and economic inequalities.

Issued by the Governor May 9, 2013.
Filed by the Secretary of State May 20, 2013.

2013-204
TRAIN DAY

WHEREAS, throughout history, the train industry has remained at the heart of rural American transportation as well as one of the most prevalent private employers in the United States, and Illinois takes pride in its renowned history as a center of railway travel; and,

WHEREAS, Illinois was among the first to embrace and promote railway travel, and continues to encourage this industry with our adoption of the ground-breaking and cost-effective high-speed rail; and,

WHEREAS, it was Illinois’s very own President Abraham Lincoln who signed the Pacific Railroad Act on July 1, 1862, creating the original Union Pacific Railroad; and,

WHEREAS, both Federal and State transportation departments have made the development and expansion of intercity passenger rail a top priority in building 21st-Century transportation infrastructure; and,

WHEREAS, Illinois has benefitted handsomely as the freight and passenger railroad crossroads of the United States; and,

WHEREAS, Amtrak continues to work with states and others on the advancement of the next generation of high-speed and intercity passenger rail trains which will create first-rate jobs in the United States by reviving the domestic manufacturing base; and,

WHEREAS, Amtrak carried 31.4 million passengers in 2012, setting a ridership record for the ninth time in ten years and over 5 million in Illinois; and,
WHEREAS, Amtrak employs 1,500 Illinois residents in well-paid, highly-skilled positions; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 11, 2013 as TRAIN DAY in Illinois, encouraging all residents to celebrate the contribution of railway throughout Illinois and the nation.

Issued by the Governor May 12, 2013.
Filed by the Secretary of State May 20, 2013.

2013-205
CHILDREN’S DAY

WHEREAS, children hold a special place in our lives. Raising happy, healthy children is the greatest success any parent can hope to achieve and should be an important goal of every member of society because children are profoundly influenced by the people and the environment around them; and,

WHEREAS, the strongest influence is often a child’s family, but good schools and nurturing communities also play a vital role in helping children reach their full potential; and,

WHEREAS, children are the future of Illinois and it is important that we take action to ensure that they are provided a positive start to life; and,

WHEREAS, in Illinois, we place the utmost value on the safety and welfare of our children and we strongly support programs designed to advocate for their best interests; and,

WHEREAS, it is important that all citizens work to promote an environment of hope and love for children; and,

WHEREAS, the State of Illinois is dedicated to ensuring the health, education and well-being of our children, and we pledge to continue our commitment to ensuring a bright future for all of our young people; and,

WHEREAS, Children’s Day focuses on inspiring parents to take positive action and serve as role models for society, and encourages individuals to consider how their actions affect future generations; and,

WHEREAS, the second Sunday in June has been set aside as a day to celebrate children and reaffirm our commitment to their needs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 9, 2013 as CHILDREN’S DAY in Illinois, and urge all members of the community to unite in participating in the education, recognition, and inspiration of our state’s children.

Issued by the Governor May 13, 2013.
WHEREAS, as medical technology advances, healthcare facilities must keep pace by employing quality, well-trained professionals capable of understanding the complexity of medical equipment operations and applications; and,

WHEREAS, the complexity of medical technology today and in the future makes it essential that those individuals responsible for the care, safety, and accuracy of this equipment are recognized as an invaluable resource to the healthcare industry; and,

WHEREAS, biomedical equipment technicians, clinical engineers, and other medical technology professionals uniquely serve patients and the medical community while utilizing new technology developments to improve the quality of today’s healthcare; and,

WHEREAS, these professionals research, recommend, install, inspect, and repair medical devices and other complicated medical systems, as well as advise and train others concerning the safe and effective use of medical devices, thereby controlling healthcare costs and improving patient safety; and,

WHEREAS, the Association for the Advancement of Medical Instrumentation (AAMI) is a unique alliance of more than 6,000 members united by a common goal to increase the understanding and beneficial use of medical instrumentation; and,

WHEREAS, AAMI’s Technology Management Council (TMC) seeks to advance the interests of biomedical equipment technicians, clinical engineers, and other medical technology professionals; and,

WHEREAS, the AAMI has designated the week of May 19-25, 2013 as Healthcare Technology Management Week. This annual celebration is specifically designed to promote the awareness of, and appreciation for, biomedical equipment technicians, clinical engineers, and all other medical technology professionals:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19-25, 2013 as HEALTHCARE TECHNOLOGY MANAGEMENT WEEK in Illinois, and encourage all citizens to recognize these dedicated professionals for their contributions to improving the healthcare system and patient outcomes in our state.

Issued by the Governor May 13, 2013.

Filed by the Secretary of State May 20, 2013.
2013-207

HEPATITIS AWARENESS MONTH

WHEREAS, hepatitis simply means inflammation of the liver and can be caused by a wide range of things. One of the most common causes of chronic hepatitis is viral infection; and,

WHEREAS, hepatitis B and C are two such viruses that together kill approximately one million people a year. Five hundred million people around the world are currently infected with chronic hepatitis B or C and one in three people have been exposed to one or both viruses; and,

WHEREAS, the hepatitis B virus is spread through direct contact with infected blood as well as most major body fluids; and,

WHEREAS, the hepatitis C virus is spread through direct contact with infected blood, but in rare cases it may be passed on through other body fluids; and,

WHEREAS, there is no vaccination for hepatitis C, however hepatitis B can be prevented through effective vaccination; and,

WHEREAS, many people do not have any symptoms if they contract hepatitis B or C, although they can still transmit the viruses to others; and,

WHEREAS, if left untreated and unmanaged, hepatitis B or C can lead to advanced liver scarring (cirrhosis) and other serious complications including liver cancer or liver failure; and,

WHEREAS, the Georgia Doty Health Education Fund (GDHEF) is committed to working with health organizations and public agencies, as well as individuals, to develop partnerships resulting in quality programming and good public policy making, based on accurate information regarding health disparities; and,

WHEREAS, the missions of GDHEF is served through activities that include the distribution of vital health care information to underserved communities, which is provided through symposiums, seminars and literature; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as HEPATITIS AWARENESS MONTH in order to raise awareness of hepatitis B and hepatitis C.

Issued by the Governor May 13, 2013.

Filed by the Secretary of State May 20, 2013.
WHEREAS, the State of Illinois is dedicated to being a leader in our nation for social enterprise; and,
WHEREAS, social enterprises are nonprofit or for-profit organizations that employ earned-revenue strategies in order to increase their capacity to deliver services; and,
WHEREAS, the primary purpose of social enterprise is to use the methods and disciplines of business and the power of the marketplace to advance social, environmental, and human justice agendas; and,
WHEREAS, the State of Illinois has displayed its commitment to ensuring it remains on the cutting edge of finding sustainable solutions to vexing problems through the creation of a Task Force on Social Innovation, Entrepreneurship, and Enterprise in 2011; and,
WHEREAS, the Social Enterprise Alliance is an organization with twelve regional chapters, and represents a combined amount of over 30,000 social enterprises, investors, educators, and entrepreneurs in the United States which create jobs and economic development essential to local communities; and,
WHEREAS, the Social Enterprise Alliance’s oldest, largest, and most robust chapter is located in Illinois; and,
WHEREAS, the State of Illinois applauds the State of Minnesota for hosting this year’s Social Enterprise Alliance National Summit – Building and Economy on Purpose – from May 19 to 22, 2013; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 20-26, 2013 as SOCIAL ENTERPRISE WEEK, and encourage all residents to recognize social enterprises for their valuable impact on the lives of citizens and their contribution to economic growth through job creation.

Issued by the Governor May 13, 2013.
Filed by the Secretary of State May 20, 2013.

ASSOCIATION WEEK

WHEREAS, the Association Forum of Chicagoland represents CEOs and executives from associations located throughout Chicago and its surrounding communities; and,
WHEREAS, the Association Forum represents more than 500 associations in the Chicagoland area; and,
WHEREAS, the associations that the Association Forum serves generate more than 7.2 billion dollars annually for Chicago’s economy; and,

WHEREAS, the Chicagoland associations employ more than 50,000 people in various capacities; and,

WHEREAS, the Association Forum represents institutions such as the American Bar Association, the American Dental Association, the American Medical Association, the Medical Hospital Association, the Healthcare Information and Management Systems Society and the National Association of Realtors among many others; and,

WHEREAS, the Chicago area is home to the second largest concentration of association headquarters in the United States, and ranks first in the number of health care-related organizations; and,

WHEREAS, Chicagoland-based associations’ meetings, seminars, conventions, and trade shows in the Chicagoland area attract more than 5.5 million attendees; and,

WHEREAS, the Association Forum provides educational and experiential resources to its members; and,

WHEREAS, the Association Forum will celebrate Association Week 2013 from June 17-21; and,

WHEREAS, the contributions of associations and their employees to their communities will be recognized during Association Week by such events as GenNext Meets GenNow, Annual Meeting, All-Star Day, Honors Gala and a Community Service Event:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 17-21, 2013 as ASSOCIATION WEEK in Illinois in support of our associations, and encourage all citizens to recognize and celebrate the many contributions that Illinois headquartered associations make to the health, education and overall well-being of the people of the Land of Lincoln.

Issued by the Governor May 16, 2013.
File by the Secretary of State May 20, 2013.

2013-210
SPECIAL SESSION ON JUNE 19, 2013

WHEREAS, on January 10, 2011, I took the Constitutional oath of office to become Governor of the State of Illinois, solemnly swearing to uphold both the Illinois Constitution and the Constitution of the United States, and promising to “faithfully discharge the duties of the office of Governor to the best of my abilities”; and
WHEREAS, I am committed to fulfilling my oath of office to serve the people of the State of Illinois by restoring fiscal stability to the State; and

WHEREAS, the State continues to face an unprecedented pension crisis that, unchecked, hurts our economic recovery, downgrades the State’s credit rating, and threatens the continued delivery of vital services including education, public safety and healthcare; and

WHEREAS, the current unfunded pension liability of more than $100 billion is unsustainable and costs taxpayers $17 million dollars every day it goes unresolved; and

WHEREAS, the State’s fiscal year 2014 budget is $35.3 billion, approximately 17 percent of which will go toward pensions alone; and

WHEREAS, I will continue to work with the leaders of all four legislative caucuses and legislators until they put a comprehensive pension reform bill on my desk; and

WHEREAS, the taxpayers of Illinois are waiting and there is no excuse for further delay; and

WHEREAS, Article IV, Section 5(b) of the Illinois Constitution empowers the Governor, as Chief Executive, to convene a special session of the General Assembly;

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, I, Governor Pat Quinn, hereby call and convene the 98th General Assembly in a special session to commence on June 19, 2013, at 1:00 p.m., for the purpose of considering any legislation, new or pending, which addresses pension reform.

Issued by the Governor June 6, 2013.

Filed by the Secretary of State June 6, 2013.

2013-211
AMATEUR RADIO WEEK

WHEREAS, Amateur Radio has historically played a significant role in developing worldwide radio communications; and,

WHEREAS, Amateur Radio has continued to provide a bridge between peoples, societies and countries by creating friendships and facilitating the sharing of ideas; and,

WHEREAS, the State of Illinois has more than 20,000 Radio Amateurs who have repeatedly donated their time, equipment and services to help their communities; and,

WHEREAS, the State of Illinois recognizes the services Amateur Radio operators provide to our many Emergency Response organizations; and,
WHEREAS, Illinois Radio Amateurs are on alert for severe weather including tornadoes, floods, and other manmade disasters; and,
WHEREAS, Illinois Radio Amateurs have also generously donated their time and equipment to provide communications support to local service clubs and organizations at no charge; and,
WHEREAS, Radio Amateurs offer free technical training to all interested citizens; and,
WHEREAS, Illinois Radio Amateurs will continue to hone their communications skills by operating during the twenty-four simulated emergency preparedness exercise known as ‘Field Day’ on June 22-23, 2013; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 16-23, 2013 as AMATEUR RADIO WEEK in Illinois, in recognition of the contributions that Amateur Radio operators make in the Land of Lincoln.
Issued by the Governor May 21, 2013.
Filed by the Secretary of State June 7, 2013.

2013-212

GENERAL AVIATION APPRECIATION MONTH

WHEREAS, general aviation and community airports play a critical role in the lives of our citizens, as well as in the operation of our businesses and farms; and,
WHEREAS, the State of Illinois has a significant interest in the continued vitality of general aviation, aerospace, aircraft manufacturing, educational institutions and aviation organizations and community airports and airport operators; and,
WHEREAS, there are 116 publicly used airports in Illinois, supporting 12,683 pilots and 4,611 registered general aviation aircraft in Illinois; and,
WHEREAS, according to a 2012 Illinois Statewide Aviation Economic Impact Study, general aviation contributes over $4.4 billion to Illinois’ economy and supports 54,887 jobs at general aviation airports statewide; and,
WHEREAS, general aviation plays a vital role in the state’s response to emergencies and natural disasters; and,
WHEREAS, Illinois is home to 65 charter flight companies, 98 repair stations, and 13 flight schools. In addition, there are 89 fixed-based operators in the state; and,
WHEREAS, organizations like the Illinois Pilots Association, the Alliance for Aviation Across America, National Business Aviation
Association, National Association of State Aviation Officials, Aircraft Owners and Pilots Association, and the National Air Transportation Association recognize and promote the interests and importance of aviation in Illinois and throughout the world; and,

WHEREAS, many communities in Illinois depend heavily on general aviation and community airports for the continued flow of commerce, tourists and visitors to our State:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as GENERAL AVIATION APPRECIATION MONTH in Illinois, in recognition of general aviation as a vital strategic resource to our state.

Issued by the Governor May 21, 2013.
Filed by the Secretary of State June 7, 2013.

2013-213
QUEBEC NATIONAL DAY

WHEREAS, the links between Illinois and Quebec are numerous, and can be traced back centuries to the French-speaking missionaries and voyagers who left Quebec City and Montreal to explore the land of Illinois and eventually settle here; and,

WHEREAS, in 1969, Quebec established its delegation in the City of Chicago because of the business and cultural preeminence of the city; and,

WHEREAS, Quebec is active, along with Illinois, in both the Council of Great Lakes Governors and the Great Lakes Commission as an associate member; and,

WHEREAS, today, trade between Illinois and Quebec exceeds $3 billion U.S. dollars; and,

WHEREAS, the staff of the Quebec Delegation in Chicago have established commercial links between Illinois and Quebec companies and have brought Quebec performing artists, intellectuals, and writers to the theatres and universities of this state; and,

WHEREAS, the Quebec Delegation in Chicago seeks to broaden the economic, cultural, educational and tourism links between Quebec and the Midwest; and,

WHEREAS, every year on the 24th of June, Saint John the Baptist’s Day, the people of Quebec celebrate their history and values with Québec’s national holiday Saint-Jean-Baptiste Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 24, 2013 as QUEBEC NATIONAL DAY in Illinois, in recognition of the numerous connections that unite Illinois and Quebec,
and encourage all citizens to join in this vibrant and spirited commemoration.

Issued by the Governor May 21, 2013.
Filed by the Secretary of State June 7, 2013.

2013-214
PEACE DAYS

WHEREAS, Peace Day has been celebrated annually in Chicago, Illinois since September 7, 1978 through the observance of One Minute of Silence for World Peace; and,

WHEREAS, in 1981, the United Nations proposed a resolution declaring one day every year as an International Day of Peace. This Day is observed to promote global cease-fire and non-violence from every country across the globe; and,

WHEREAS, Peace Day is used as a means of spreading the message of world peace and its vital importance to the future of the human race; and,

WHEREAS, the goal of Peace Day is to contribute to the peace-making process through positive peace-building activities, and to allow all individuals to harness their abilities and actively participate in creating a more peaceful world; and,

WHEREAS, the Peace School, an Illinois not-for-profit organization, has sponsored Peace Day since its inception and has been awarded the United Nations Peace Messenger designation for its significant contributions to peace; and,

WHEREAS, September 18 has been designated by the United Nations for student Peace Day activities; and,

WHEREAS, in 2001, a resolution was passed by the United Nations declaring September 21 of every year as International Day of Peace as a way of rededicating the United Nations to its goals of strengthening the ideals of peace and alleviating the tensions and causes of conflict; and,

WHEREAS, these events encourage all individuals to take a minute for peace every day as a positive step toward making every day Peace Day:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 7 - 21, 2013 as PEACE DAYS in Illinois, in recognition of this effort to build a more peaceful state, a more peaceful county, and a more peaceful world.

Issued by the Governor May 23, 2013.
Filed by the Secretary of State June 7, 2013.
2013-215

AMERICANS WITH DISABILITIES ACT DAY

WHEREAS, the Americans with Disabilities Act (ADA), passed by Congress in 1990, established a clear and comprehensive prohibition of discrimination on the basis of disability, with disability defined as a physical or mental impairment that substantially limits one or more of the major life activities of an individual; and,

WHEREAS, the passage of the ADA represents a major step toward protecting civil rights and improving the quality of life for persons with disabilities, persons who were often subject to discrimination and lacked federal protection; and,

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions, thereby increasing participation in community life; and,

WHEREAS, the Americans with Disabilities Act Amendments Act of 2008 emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis; and,

WHEREAS, the year 2013 marks the 23rd anniversary of the ADA’s civil rights guarantee for individuals with disabilities; and,

WHEREAS, Illinois has a long history of protecting the rights of disabled persons, going back 34 years to the passage of the Illinois Human Rights Act (December 6, 1979), which made discrimination against any person with a physical or mental disability illegal; and,

WHEREAS, in the United States, 19 percent of the non-institutionalized civilian population aged five and older have some level of disability, representing 54 million people in the nation, with nearly 1.3 million of those citizens residing in Illinois, comprising 10.3 percent of the state’s population; and,

WHEREAS, the State of Illinois and its agencies are committed to continuing efforts to implement the ADA and ensure that people with disabilities are able to fully participate in employment, transportation, education, communication, and community opportunities; and,

WHEREAS, the State of Illinois passed House Bill 2591, the Employment First Act, which was proposed in the Governor’s 2013 State of the State Address, making Illinois a state where every person has the opportunity to reach his or her full potential; and,

WHEREAS, during the month of July, the Illinois Department of Human Services, in cooperation with a coalition of other state agencies,
councils, and consumers, will celebrate the anniversary of the ADA with special events in Springfield and Chicago:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 16, 2013 as AMERICANS WITH DISABILITIES ACT DAY in Illinois, and encourage all citizens to reaffirm the principles of equality and inclusion, recognize the historical significance of the ADA, and in turn, do their part to ensure that people with disabilities are included in the mainstream community life.

Issued by the Governor May 24, 2013.
Filed by the Secretary of State June 7, 2013.

2013-216
MEMORIAL DAY

WHEREAS, Memorial Day is a national holiday observed for the purpose of cherishing and solemnly celebrating the memories of those who sacrificed their lives on the battlefield in service to our country; and,

WHEREAS, Memorial Day was first observed in 1868 upon the order of Illinois’ own John A. Logan, national commander of the Grand Army of the Republic, who called on every American to raise the flag in honor of those lost and to “renew our pledges to aid and assist those whom they have left among us as sacred charges upon the Nation’s gratitude,—the soldier’s and sailor’s widow and orphan”; and,

WHEREAS, Memorial Day today continues to serve as a reminder to every American that our freedom was bought and is preserved at a great cost, and that each of us owes a boundless debt of gratitude to those valorous men and women who have given their lives to defend our country on the battlefields, on the seas and in the skies around the world; and,

WHEREAS, Memorial Day 2013 offers everyone in the Land of Lincoln an opportunity to honor those brave men and women who have served, and continued to serve, as members of the United States Armed Forces; and,

WHEREAS, Memorial Day 2013 reminds us that we can acknowledge our debt to those who serve by paying our respects at the final resting places of those who fell in battle, and by supporting our men and women in uniform through the Illinois Military Family Relief Fund or other organizations dedicated to helping veterans and service members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 27, 2013, as MEMORIAL DAY in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to
fly their flags at half-staff from sunrise to noon on this day, and ask everyone in Illinois to honor the enduring legacy of our national heroes who gave their lives in defense of our nation and the undying American principles of justice, freedom, and democracy.

Issued by the Governor May 24, 2013.
Filed by the Secretary of State June 7, 2013.

2013-217
ILLINOIS WOMEN’S SUFFRAGE CENTENNIAL DAY

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force and by providing the majority of the volunteer labor force of the Nation; and,

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and,

WHEREAS, one such woman was Grace Wilbur Trout, former head of both the Illinois and the Chicago Political Equality League; and,

WHEREAS, under Trout’s leadership, on June 11, 1913, a bill providing suffrage for women was passed and was signed into law fifteen days later by Governor Edward Dunne on June 26, 1913; and,

WHEREAS, this year marks the centennial of women winning the right to vote in Illinois; and

WHEREAS, Illinois women won the right to vote six years in advance of adoption of the Nineteenth Amendment to the United States Constitution; and

WHEREAS, Illinois was the first state east of the Mississippi River to give women this right; and

WHEREAS, Illinois women were also influential in the national suffrage movement; and,

WHEREAS, today, the League of Women Voters of Illinois is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy; and,

WHEREAS, the League of Women Voters of Evanston, in partnership with the City of Evanston; the Evanston Women's History Project at the Evanston History Center; the Frances Willard Historical
Association; the Woman’s Club of Evanston, and the YWCA North Shore will host a celebration of the 100th anniversary of the Suffrage Rally on June 14, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 11, 2013 as ILLINOIS WOMEN’S SUFFRAGE CENTENNIAL DAY and encourage all residents of the Land of Lincoln to join in celebrating the proud history of woman’s suffrage, activism and leadership in our state.

Issued by the Governor May 30, 2013.
Filed by the Secretary of State June 7, 2013.

2013-218
MAJOR GENERAL DENNIS CELLETTI DAY

WHEREAS, throughout our nation’s history, America's men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, as Americans, we must pledge to never forget the outstanding strength, service and sacrifices of those who have fought to defend democracy, human dignity and the right to self determination; and,

WHEREAS, the National Guard has a long and proud tradition of support to our nation dating back 290 years to its beginnings as a colonial militia during the founding of America; and,

WHEREAS, for the past 41 years, Illinois National Guard Major General Dennis L. Celletti has served the residents of Illinois with his honorable and dedicated military service and has truly exemplified steadfast devotion to the most cherished of American ideals, service with honor; and,

WHEREAS, Major General Dennis L. Celletti has lead Soldiers at every leadership level within the Illinois Army National Guard, leaving a legacy of highly trained, confident and adaptable leaders to carry the Illinois National Guard forward; and,

WHEREAS, Major General Dennis L. Celletti directed the Army Illinois National Guard’s transition from a strategic reserve to a fully operational force, deploying more than 22,000 Soldiers to support Operations Noble Eagle, Enduring Freedom, Iraqi Freedom, New Horizon, and Operation New Dawn; and,

WHEREAS, Major General Dennis L. Celletti also lead the Illinois Army National Guard’s assistance to the State of Illinois and other states during hurricanes, floods, winter storms and other state activations; and,
WHEREAS, Major General Dennis L. Celletti made the care of Soldiers and their families, especially Wounded Warriors and Gold Star Families, his top priority; and,

WHEREAS, Major General Dennis L. Celletti will retire in 2013 after a lifetime commitment to public service; and,

WHEREAS, the work that Major General Dennis L. Celletti has done will undoubtedly create a lasting impact and the mark that he leaves behind will serve as a foundation for the future; and,

WHEREAS, most importantly, in all that Major General Dennis L. Celletti has done his work ethic has exemplified the dedication to service the citizens of this state deserve and expect and he has have represented the State of Illinois admirably; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 1, 2013 as MAJOR GENERAL DENNIS CELLETTI DAY in Illinois in grateful recognition upon his retirement from the Illinois Army National Guard.

Issued by the Governor May 31, 2013.

Filed by the Secretary of State June 7, 2013.

2013-219

NATIONAL MILITARY APPRECIATION MONTH

WHEREAS, throughout our nation’s history, America's men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, the freedom and security that citizens of the United States enjoy today are a direct result of the service and sacrifice given by members of the United States Armed Forces throughout the history of our great nation; and,

WHEREAS, the sacrifices made by the members of the United States Armed Forces and of the families who support them have preserved the liberties that enrich our nation, but are all too often taken for granted; and

WHEREAS, countless Illinois residents have been directly affected by the military service of at least one member of their family; and,

WHEREAS, it is our duty as citizens to pay tribute to service members and their family for their commitment to this nation and their struggles – because when one serves in the military, their families are heroes too; and,

WHEREAS, in 2004, the United States Congress passed a resolution proclaiming the month of May as National Military
Appreciation Month, calling on all Americans to remember those who gave their lives in defense of freedom, and to honor the men and women of all of our Armed Services, who have served and are currently serving our country, together with their families; and

WHEREAS, the month of May was chosen for this patriotic observation because during this month we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day and Week, and Memorial Day:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as NATIONAL MILITARY APPRECIATION MONTH in Illinois, and urge all citizens to show their appreciation for the brave men and women of our nation’s Armed Forces.

Issued by the Governor May 31, 2013.
Filed by the Secretary of State June 7, 2013.

2013-220
NATIONAL PHYSICAL THERAPY MONTH

WHEREAS, millions of Americans throughout the country, including from the State of Illinois, are able to live active lives and participate in regular exercise with more mobility and less pain thanks to the care of physical therapists; and,

WHEREAS, physical therapists treat a multitude of conditions, including ankle, back, knee, neck, and shoulder pain and injuries. They also provide rehabilitation services for those recovering from a variety of surgeries; and,

WHEREAS, there are many different techniques utilized by physical therapists, such as gait training, joint and soft tissue mobilization, and therapeutic exercise; and,

WHEREAS, while the immediate objective of treatment is to maximize function and reduce pain, the ultimate goal of physical therapy is to teach patients how to take care of themselves; and,

WHEREAS, every October, physical therapists across Illinois take the time to celebrate their accomplishments and to educate the public about their profession; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as NATIONAL PHYSICAL THERAPY MONTH in Illinois to raise awareness about physical therapy, and to promote physical therapists as a vital part of the health and well-being of our citizens.

Issued by the Governor May 31, 2013.
Filed by the Secretary of State June 7, 2013.
2013-221

CRYOGLOBULINEMIA AWARENESS MONTH AND CRYOGLOBULINEMIA AWARENESS DAY

WHEREAS, Cryoglobulinemia is the presence of abnormal proteins in the blood; and,

WHEREAS, Cryoglobulinemia is an uncommon, chronic, autoimmune illness that patients and parents bear a large burden of raising awareness for; and,

WHEREAS, the early, accurate diagnosis of Cryoglobulinemia is very important for successful disease treatment and saving one’s life and limbs; and,

WHEREAS, Cryoglobulinemia drastically affects the lives of its victims each year causing visible and invisible damage, amputations and inflammation of the organs and blood vessels throughout the body; and,

WHEREAS, there is no known cure for this debilitating disease yet some cases are associated with Hepatitis C, thus awareness about and prevention of Hepatitis C may reduce the risk of Cryoglobulinemia; and,

WHEREAS, the fact that there is not an effective cure existing for Cryoglobulinemia makes increasing awareness of this disease critically important; and,

WHEREAS, raising awareness in the general public and medical community will highlight the further need for better treatments and research into the cause and cure of Cryoglobulinemia and its related diseases; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as CRYOGLOBULINEMIA AWARENESS MONTH and September 23, 2013 as CRYOGLOBULINEMIA AWARENESS DAY in Illinois, in support of increasing awareness of this disease.

Issued by the Governor June 3, 2013.
Filed by the Secretary of State June 7, 2013.

2013-222

LAKES APPRECIATION MONTH

WHEREAS, the State of Illinois is fortunate to have more than 3,041 lakes and more than 87,000 ponds within its boundaries; and,

WHEREAS, lakes and ponds are important resources to the State of Illinois’ way of life and its environment, providing sources of recreation, scenic beauty and habitat for wildlife; and,
WHEREAS, Illinois lakes are valuable economic resources for Illinois businesses, tourism and municipal governments; and,
WHEREAS, thousands of citizen volunteers have demonstrated their interest in Illinois lakes by actively monitoring lake quality for more than 30 years through the Volunteer Lake Monitoring Program; and,
WHEREAS, the State of Illinois recognizes the need to protect these lakes and ponds for future generations; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2013 as LAKES APPRECIATION MONTH in Illinois, in recognition of the importance of these vital resources.

Issued by the Governor June 3, 2013.
Filed by the Secretary of State June 7, 2013.

2013-223
BREASTFEEDING MONTH

WHEREAS, breastfeeding remains the most natural way of feeding infants and serves as part of a foundation for life-long health and wellness; and,
WHEREAS, exclusive breastfeeding, recommended and supported by the American Academy of Pediatrics, provides benefits that are not received by partially breastfed infants; and,
WHEREAS, infants receiving human milk are protected against serious long term health conditions including obesity, respiratory and ear infections, asthmas, allergies, diarrhea, childhood cancer, Sudden Infant Death Syndrome, and less than optimal brain development; and,
WHEREAS, breastfeeding promotes strong family bonds while providing economical and societal benefits through lowered health care costs; and,
WHEREAS, establishing donor human milk banks ensures all infants have access to breast milk; and,
WHEREAS, a united effort is needed from business, communities, governmental leaders and health care providers to support breastfeeding; and,
WHEREAS, businesses can ensure that working mothers have an appropriate place and reasonable break time to express their milk, and communities can support existing laws that protect a mother’s right to breastfeed her child in any public location; and,
WHEREAS, in an effort to support breastfeeding, government leaders provide guidance on implementing the Illinois Blueprint to Breastfeeding, hospitals pursue baby friendly designation, and health care providers support the ten steps to successful breastfeeding, all of whom
are responsible for supporting the International Code of Marketing of Breast-Milk Substitutes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2013 as BREASTFEEDING MONTH in Illinois, and encourage promotion of a breastfeeding friendly culture throughout the State.

Issued by the Governor June 4, 2013.
Filed by the Secretary of State June 7, 2013.

2013-224
MERRI DEE DAY

WHEREAS, in a time when the essence of fear consumes the thoughts and actions of many, it is imperative and uplifting to hear voices that support hope and optimism; and,

WHEREAS, one such voice is Merri Dee, a respected Chicago icon who served as the voice of WGN-TV for over 30 years, acting as liaison between the station and Chicago’s diverse communities through her roles both as anchor and director of community relations; and,

WHEREAS, known throughout the region for her extensive charitable work and commitment to social service, Merri Dee has been a strong advocate for victim’s rights, education, children’s welfare and adoption, violence prevention, and women’s advocacy; and,

WHEREAS, Merri Dee has overcome many challenges throughout her lifetime including an abusive childhood and a kidnapping incident in which she was seriously injured; and,

WHEREAS, rather than allow herself to be consumed with fear or hatred, Merri Dee used her experiences as a platform to help others, and created a life dedicated to advocacy for the care, education and treatment of crime victims, troubled children, youth and their families, and the aging; and,

WHEREAS, Merri Dee led WGN-TV Children’s Charities, a fund of the McCormick Tribune Foundation, whose mission is to improve and enrich the lives of Chicagoland children and their families; and,

WHEREAS, Merri Dee has hosted over 20 consecutive National “Evening of Stars,” to benefit student scholarships at UNCF Colleges and Universities, raising over $220 million; and,

WHEREAS, Merri Dee has also served various charities and organizations throughout Illinois, including leadership roles in Ronald McDonald House Charities, Junior Achievement Worldwide, Associated Colleges of Illinois, National College Summit, and President of the Leadership Council of Illinois Chapter of the AARP. She was also
appointed to serve on Illinois’ Commission on Volunteerism and Community Service and Human Rights Commission; and,

WHEREAS, Merri Dee’s pioneering work to raise awareness of issues that affect our state’s vulnerable communities has made a direct positive impact in the lives of countless residents of the Land of Lincoln; and,

WHEREAS, on June 5, 2013, Merri Dee will be honored in Chicago during a reception for the launch of her Memoir, “Merri Dee, Life Lessons on Faith, Forgiveness and Grace”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 5, 2013 as MERRI DEE DAY in Illinois and do hereby recognize and commend Merri Dee for her life-long commitment to improving the lives of our state’s residents.

Issued by the Governor June 4, 2013.
Filed by the Secretary of State June 7, 2013.

2013-225
CDKL5 AWARENESS DAY

WHEREAS, CDKL5 stands for cyclin-dependent kinase-like 5, and is located on the X chromosome; and,

WHEREAS, CDKL5 is a rare X-linked genetic disorder that results in early onset, difficult to control seizures, and severe neuro-developmental impairment; and,

WHEREAS, most children affected by CDKL5 suffer from seizures that begin in the first few months of life and are often unable to walk, talk, or feed themselves; and,

WHEREAS, CDKL5 mutations have been found in children diagnosed with Infantile Spasms, West Syndrome, Lennox-Gastaut, Rett Syndrome, cerebral palsy, and autism; and,

WHEREAS, though the incidence of CDKL5 mutations are unknown, there have been more than 600 documented cases worldwide, and that number is growing rapidly; and,

WHEREAS, due to scientists and doctors not knowing what causes CDKL5, it is critically important to increase awareness of this disorder; and,

WHEREAS, raising awareness in the general public and medical community will highlight the further need for better treatments and research into the cause and cure of CDKL5; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 17, 2013 as CDKL5 AWARENESS DAY in Illinois, in support of increasing awareness of this disorder.
2013-226
CPR AND AED AWARENESS WEEK

WHEREAS, heart disease affects men, women, and children of every age and race in the United States and it continues to be the leading cause of death in the United States; and,

WHEREAS, approximately 295,000 emergency medical services treated out-of-hospital that are cardiac arrests occur annually nationwide. Roughly 88 percent of sudden cardiac arrest victims die before arriving at the hospital. Sudden cardiac arrest results from an abnormal heart rhythm in most adults, often ventricular fibrillation. Unfortunately, only 32 percent of out-of-hospital cardiac arrest victims receive bystander cardiopulmonary resuscitation (CPR); and,

WHEREAS, prompt delivery of CPR more than doubles the victim’s chance of survival by helping to maintain vital blood flow to the heart and brain, increasing the amount of time in which an electric shock from a defibrillator can be effective; and,

WHEREAS, an automated external defibrillator (AED), even when used by a bystander, is safe, easy to operate, and, if used immediately after the onset of sudden cardiac arrest, highly effective in terminating ventricular fibrillation so the heart can resume a normal, effective rhythm; and,

WHEREAS, for every minute without bystander CPR, survival from witnessed cardiac arrest decreases 7-10 percent. The interval between the 911 telephone call and the arrival of Emergency Medical Services personnel is usually longer than five minutes, therefore a cardiac arrest victim’s survival is likely to depend on a public trained in CPR and AED use and access to these lifesaving devices; and,

WHEREAS, the American Red Cross is preparing a public awareness and training campaign on CPR and AED use to be held during the first week of June; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 1-7, 2013 as CPR AND AED AWARENESS WEEK in Illinois, in recognition of the good work of the Chicago Medical Society, American Red Cross, American Heart Association and the National Safety Council, and encourage all Americans to become properly trained in CPR and AED usage.

Issued by the Governor June 5, 2013.
Filed by the Secretary of State June 7, 2013.
WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, public officials take not only jobs, but oaths; and,

WHEREAS, throughout his time as a public servant, Eugene Siegel has been instrumental in the development and governance of both the Village of Chicago Ridge and of Cook County; and,

WHEREAS, Eugene Siegel will retire in June 2013 after serving more than three decades as Mayor of the Village of Chicago Ridge; and,

WHEREAS, Mayor Gene Siegel’s retirement offers an opportunity for all residents of Illinois to commend his honorable and dedicated service and to look back and reflect on his many accomplishments; and,

WHEREAS, Mayor Gene Siegel has dedicated himself to a life of public service, holding an elected position in the Cook County Criminal Justice Commission as well as the appointed positions of Cook County Deputy Coroner and Cook County Sheriff’s Office Assistant Chief, all in addition to his role as Mayor of the Village of Chicago Ridge; and,

WHEREAS, through his role as Mayor, Gene Siegel serves as Vice-Chairman of the Southwest Council of Mayors and is Legislative Chairman for the Southwest Conference of Local Government; and,

WHEREAS, Mayor Gene Siegel was instrumental in creating a solvent tax base through the development of Chicago Ridge Mall in 1981 and the Commons of Chicago Ridge in 1988; and,

WHEREAS, in addition to his work in government, Gene Siegel has demonstrated his dedication to improving the quality of life for all residents through his children’s Christmas parties and senior lunches; and,

WHEREAS, the work that Mayor Gene Siegel has done has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues and constituents and the mark that he leaves behind will serve as a foundation for the future; and,

WHEREAS, Mayor Gene Siegel’s life commitment to public service has helped to make our state stronger and has served as an inspiration to his successors; and,

WHEREAS, in all that he has done, Mayor Gene Siegel’s work ethic has exemplified the dedication to service the citizens of Chicago Ridge, Cook County, and the State of Illinois have come to expect and deserve; and,

WHEREAS, perhaps most importantly, Gene Siegel has been a dedicated husband to first wife Virginia and second wife Linda, loving
father to Gary, Andrew, Matt, and John and doting grandfather to Stephen, Bradley, Victoria, Alexandra, Abigail, and John; and.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2013 as MAYOR EUGENE SIEGEL DAY in Illinois, and do hereby commend him on all the good work he has done for the Village of Chicago Ridge, for the entire Chicagoland region and for the State of Illinois.

Issued by the Governor May 29, 2013.
Filed by the Secretary of State July 3, 2013.

2013-228
KOREAN AMERICAN DREAM DAY

WHEREAS, Illinois takes great pride in the vibrant Korean American communities throughout the state; and,

WHEREAS, today more than 150,000 Korean Americans call Illinois home, and they make countless valuable social, economic, and cultural contributions to our state every day; and,

WHEREAS, Illinois will be given an opportunity to celebrate Korean culture and heritage as part of Asian American Heritage Month during the entire month of May; and,

WHEREAS, on May 20, 2013, the Korean American Community will lead lectures and forums designed to meet the needs of Korean Americans throughout the Chicagoland area and to assist the growing number of 1.5 and 2nd-generation Korean Americans achieve the American Dream; and,

WHEREAS, in a state as diverse as ours, is it extremely important to raise cultural awareness and understanding among citizens; and,

WHEREAS, these lectures and forums also provide opportunity to recognize the dedication of Korean Americans to their community, to celebrate their contributions to our state and to provide a valuable connection to their heritage; and,

THEREFORE, I, Patrick Quinn, Governor of the State of Illinois, do hereby proclaim May 20, 2013 as KOREAN AMERICAN DREAM DAY in Illinois.

Issued by the Governor June 6, 2013.
Filed by the Secretary of State July 3, 2013.

2013-229
GREAT SEAL DAY

WHEREAS, a “great” seal is the principal seal of a nation; and,
WHEREAS, on June 13, 1782, Congress asked Charles Thompson to develop a suitable design for the United States of America’s Great Seal. His design was submitted to Congress on June 20, 1782, and the Great Seal as a written description was approved that day; and,
WHEREAS, the Great Seal of the United States established a symbolic testament to our nation’s pride and unity; and,
WHEREAS, the Great Seal reflects the beliefs and values that the Founding Fathers wished to pass on to their descendants; and,
WHEREAS, the Great Seal of the United States, composed of the chief and pale, our nation’s red, white, and blue, is representative of our nation’s beauty, boldness, and justice; and,
WHEREAS, as an integral part of the United States, the State of Illinois is an encompassment of E pluribus unum; and,
WHEREAS, the Great Seal of the United States is used to authenticate certain documents issued by the federal government of the United States; and,
WHEREAS, the Great Seal is used to seal documents 2,000 to 3,000 times a year; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2013 as GREAT SEAL DAY in Illinois, in recognition of the day Congress approved the Great Seal and the symbolism of our nation’s emblem.
Issued by the Governor June 7, 2013.
Filed by the Secretary of State July 3, 2013.

2013-230
VIVA LA FIESTA MONTH

WHEREAS, the State of Illinois boasts the 5th Largest Latino population in the United States of America; and,
WHEREAS, the State of Illinois recognizes the continuously-increasing Latino population, with the Hispanic population being the largest minority group in the U.S.,
WHEREAS, the Hispanic communities of Illinois have made tremendous contributions to the growth of this state over the years and their influence on our culture, economy and civic life is growing at an exponential rate; and,
WHEREAS, according to the U. S Census Bureau, more than 1.1 million Hispanic Americans are veterans of the United States Armed Forces; and,
WHEREAS, Hispanic Americans own 2.3 million businesses, with receipts totaling $345.2 billion, a significant contribution to the American economy; and,

WHEREAS, with more than 16 percent of Illinois’ population of Hispanic origin, Hispanics play a vital role in the diversity of our state’s citizenry, extending their influence from Chicago to Carbondale and from Rockford to East St. Louis; and,

WHEREAS, it is essential that we, as Illinoisans and Americans, learn about the history and culture of the many ethnic groups that make up our nation’s diverse population; and,

WHEREAS, during the first three weekends of June, the Chicago Zoological Society will present “Viva La Fiesta,” a celebration of the diverse Hispanic cultures of Chicago, hosted by Brookfield Zoo and sponsored by American Airlines and the Mexico Tourism Board; and,

WHEREAS, during Viva La Fiesta, guests will have a chance to encounter exotic animals, taste authentic cuisine and refreshments, enjoy live music from local and international artists, and browse artwork from various artists and artisans; and,

WHEREAS, we embrace celebrations such as Viva La Fiesta because they broaden our perspectives and increase cultural understanding; and,

WHEREAS, Viva La Fiesta presents an opportunity for Hispanic American communities across our state to rejoice in their rich heritage, as well as an opportunity for all residents to learn about Hispanic culture and history; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as VIVA LA FIESTA MONTH in Illinois and encourage all citizens to educate themselves about the many contributions Hispanics have made to the culture and economic wealth of our State.

Issued by the Governor June 7, 2013.
Filed by the Secretary of State July 3, 2013.

2013-231
CATHERINE WAUGH MCCULLOCH DAY

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force and by providing the majority of the volunteer labor force of the Nation; and,
WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and,

WHEREAS, this year marks the centennial of women winning the right to vote in Illinois; and,

WHEREAS, Illinois was the first state east of the Mississippi River to give women this right; and,

WHEREAS, Illinois women won the right to vote six years in advance of adoption of the Nineteenth Amendment to the United States Constitution; and,

WHEREAS, one such woman who was active in the suffrage movement and instrumental in helping women from Illinois gain the right to vote was Catherine Waugh McCulloch; and,

WHEREAS, Catherine Waugh McCulloch graduated from Rockford College and earned a law degree in 1886 from what is known today as Northwestern University; and,

WHEREAS, Catherine Waugh McCulloch served as legal adviser and the first Vice-President of the National American Woman Suffrage Association; and,

WHEREAS, in her capacity as Legislative Superintendent of the Illinois Equal Suffrage Association (1890-1912), Catherine Waugh McCulloch worked tirelessly for the passage of Illinois legislation permitting women’s suffrage in presidential and local elections; and,

WHEREAS, Catherine Waugh McCulloch played a critical role in the passage of legislation that granted women equal rights in the guardianship of their children (1901); and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 26, 2013 as CATHERINE WAUGH MCCULLOCH DAY in recognition of her activism on behalf of women’s rights and leadership in getting the Illinois General Assembly to grant women the right to vote.

Issued by the Governor June 10, 2013.
Filed by the Secretary of State July 3, 2013.

2013-232
65TH INFANTRY REGIMENT DAY

WHEREAS, throughout our nation’s history, Hispanic-Americans serving in the United States Armed Forces have demonstrated courage, heroism, and valor; and,
WHEREAS, the 65th Infantry Regiment, also known as “The Borinqueneers,” is a Puerto Rican regiment of the United States Army; and,

WHEREAS, the regiment’s motto is Honor ET Fidelitas, which is Latin for Honor and Fidelity; and,

WHEREAS, the 65th Infantry Regiment began as a volunteer regiment in 1899 and participated in WW1, WW11, and the Korean War; and,

WHEREAS, over the span of WW1, WW11, and the Korean War, the 65th Infantry Regiment earned ten Distinguished Service Crosses, 258 Silver Stars, 628 Bronze Stars, over 2,700 Purple Hearts, and many other individual awards; and,

WHEREAS, the freedom and security that citizens of the United States enjoy today can be attributed in part to the service and sacrifice given by members of the 65th Infantry Regiment throughout the history of our great nation; and,

WHEREAS, the sacrifices made by the 65th Infantry Regiment and of the families who support them have preserved the liberties that enrich our nation, but are all too often taken for granted; and,

WHEREAS, the 65th Infantry Regiment promoted equal citizenship, civil rights, and helped pave the way for full integration of the United States Armed Forces; and,

WHEREAS, members of the 65th Infantry Regiment who returned to civilian life have gone on to achieve great success as businessman, lawyers, doctors, educators, bankers, and political leaders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 15, 2013 as 65th INFANTRY REGIMENT DAY in Illinois, and urge all citizens to show their appreciation for the faithful service the Borinqueneers have rendered to our nation.

Issued by the Governor June 13, 2013.
Filed by the Secretary of State July 3, 2013.

2013-233
APOSTLE HENTON DAY

WHEREAS, Apostle Henton has risen to become one of the most dynamic religious leaders in the nation; and,

WHEREAS, since entering the ministry in 1948, Apostle Henton’s unwavering commitment to the members of his congregation has undoubtedly touched numerous lives, providing a source of inspiration to many people throughout the Chicagoland area; and,
WHEREAS, Apostle Henton is a talented orator who has served as a pastor for forty-seven of his sixty-five years in the ministry; and,
WHEREAS, Apostle Henton has ministered at various conferences, convocations, conventions, and mass meetings at cities throughout America; and,
WHEREAS, Apostle Henton has three Doctorate of Divinity degrees and has been the recipient of numerous awards including the N'Digo Foundation 2007 N'Faith Award and the 2007 Luminary Citizen Hall of Faith Award; and,
WHEREAS, known by many as their “TV Evangelist,” Apostle Henton is the Executive Producer of the Breakthrough hour broadcast, which began airing in March 1976 and exposes his ministry to thousands of listeners; and,
WHEREAS, the R.D. Henton Breakthrough ministry has an extensive media library of well over 6,000 audio, video, and DVD’s, which are an extension of Apostle Henton’s outreach ministry; and,
WHEREAS, tonight’s event serves as an opportunity to celebrate the life and legacy of Apostle Henton, whose years of service to his congregation and community are truly a wonderful blessing; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 17, 2013 as APOSTLE HENTON DAY in Illinois, in recognition of his dedication to his faith and commitment to serving others in his church and across the Land of Lincoln.

Issued by the Governor June 17, 2013.
Filed by the Secretary of State July 3, 2013.

2013-234
JUNETEENTH DAY

WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States; and,
WHEREAS, it was on June 19, 1865, two-and-a-half years after President Lincoln’s Emancipation Proclamation that Union soldiers landed at Galveston, Texas with news that the war had ended and that the enslaved were now free; and,
WHEREAS, as freed slaves left plantations and moved to reunite with family members in other states, they encountered a new set of challenges as free men and women; and,
WHEREAS, recounting the memories of that great day and its festivities in June of 1865 would serve as relief from the growing pressures encountered in their new homes; and,
WHEREAS, the celebration of June 19th was coined "Juneteenth" and as participation grew, it became a time to reassure one another, for praying and for gathering with family; and,

WHEREAS, a range of activities were provided for entertainment at early Juneteenth celebrations, many of which continue today. Rodeos, fishing, barbecuing and baseball are just a few of the typical activities that may be held as part of Juneteenth celebrations; and,

WHEREAS, Juneteenth also focuses on education and self-improvement. Guest speakers are often brought in and the elders are called upon to recount the events of the past. Prayer services are often also a major part of the festivities; and,

WHEREAS, over the last few decades, Juneteenth has continued to enjoy a growing and healthy interest from communities and organizations throughout the country - all with the mission to promote and cultivate knowledge and appreciation of African American history and culture; and,

WHEREAS, Juneteenth today celebrates African American freedom while encouraging self-development and respect for all cultures; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 19, 2013 as JUNETEENTH DAY in Illinois, in remembrance of the important events of June 19, 1865, and encourage all citizens to learn about the important contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor June 17, 2013.
Filed by the Secretary of State July 3, 2013.

2013-235
AFRICAN IMMIGRANT HEALTH AND HERITAGE MONTH

WHEREAS, America can trace much of its heritage to immigration. Africans immigrants are proud to join the rest of the country in celebrating their heritage in September by highlighting African immigrant health; and,

WHEREAS, the month of September was chosen for this observation because of African Union day on September 9th; and,

WHEREAS, African immigrants have achieved high rates of educational attainment and income compared to other immigrant groups, and they have made significant contributions to our state and our nation in every area of life, including the arts, health, education, community service and public policy; and,

WHEREAS, despite these achievements, African immigrants continue to suffer tremendous health disparities in the United States; and,
WHEREAS, raising awareness about African immigrant health is crucial to effectively fighting these health disparities and essential to building a network of African immigrant and refugee health advocates who disseminate culturally sensitive information to the community; and,

WHEREAS, a healthy and vibrant African immigrant community will continue to enrich the State of Illinois and the United States with its rich heritage and culture:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as AFRICAN IMMIGRANT HEALTH AND HERITAGE MONTH in Illinois, in celebration of the contributions that African immigrants have made to our state and our nation, and to raise awareness of health disparities in this community.

Issued by the Governor June 18, 2013.
Filed by the Secretary of State July 3, 2013.

2013-236
CONSTITUTION WEEK

WHEREAS, September 17, 2013, marks the 226th anniversary of the signing of the Constitution of the United States of America at the Constitutional Convention, providing a historic opportunity for all Americans to remember the achievements of our Founding Fathers and to reflect on the actions of Americans who for the past 226 years have defined the words of the Constitution by exercising their rights and responsibilities as citizens; and,

WHEREAS, the Constitution is fundamentally predicated on governance by “We the People,” making citizens’ understanding of the Constitution and its framework an essential element of the future of our country and the civic health of its populace; and,

WHEREAS, it is fitting and proper to officially recognize this remarkable document and the milestone anniversary of its creation, and the additions to it in the form of 27 amendments; and,

WHEREAS, the National Constitution Center, America’s first and only nonpartisan, nonprofit institution, devoted to the Constitution, located in Philadelphia across from Independence Hall where the Constitution was drafted and signed, is the home of the 226th anniversary celebration of the Constitution; and,

WHEREAS, August 26, 1818 marks the anniversary of Illinois’s statehood and ratification of the Constitution; and,

WHEREAS, in recognition of the signing of the Constitution and of Americans who strive to fulfill the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952.
U.S.C. 106 as amended), designated September 17 as Constitution Day and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as “Constitution Week”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17-23, 2013 as CONSTITUTION WEEK in Illinois and encourage all citizens to recognize and appreciate the importance of this enduring document to our nation and reaffirm our commitment to the rights and responsibilities of citizenship organizations that bring citizens together to celebrate and reflect upon the Constitution and conduct ceremonies and programs in honor of our founding document’s 226th anniversary.

Issued by the Governor June 18, 2013.
Filed by the Secretary of State July 3, 2013.

2013-237
TEE IT UP FOR THE TROOPS DAY

WHEREAS, the courageous men and women of our Armed Forces serving overseas selflessly put the defense of the United States ahead of their own personal safety and comfort; and,

WHEREAS, it is vital to the success of our troops that we show our support for their service and display our pride in their accomplishment; and,

WHEREAS, Tee it Up for the Troops was created to help support the fallen and disabled members of our Armed Forces and their families, as well as to honor veterans of all wars and acknowledge their sacrifice; and,

WHEREAS, on August 29th, 2013, the Fifth Annual Tee it Up for the Troops Central Illinois Golf Classic will be held to support the Wounded Warrior Project and families of Central Illinois service members currently facing financial challenges as a result of their loved ones’ service, and to support scholarships for children of financially challenged veterans; and,

WHEREAS, the Friday closest to September 11th has been designated by Tee it Up for the Troops as a National Day of Golf to salute all those who have answered the call of duty:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 6, 2013 as TEE IT UP FOR THE TROOPS DAY in Illinois, and encourage all citizens to show their support for our service members and veterans.

Issued by the Governor June 20, 2013.
WHEREAS, though PTSD affects about 7.7 million American adults, including many veterans, it can occur at any age, including childhood; and,

WHEREAS, there are thousands of veterans who suffer from (PTSD), an anxiety disorder resulting from traumatic events such as war; and,

WHEREAS, symptoms of PTSD usually begin within 3 months of a traumatic incident but occasionally emerge years afterward; and,

WHEREAS, the symptoms of PTSD can be grouped into three categories; re-experiencing symptoms, avoidance symptoms, and hyper arousal symptoms; and,

WHEREAS, since the Iraq and Afghanistan wars began, the U.S. Veterans Administration has treated more than 212,000 combat veterans for (PTSD). In Illinois alone, more than 13,490 Iraq-era veterans have suffered a disability, out of which approximately 2,200 are (PTSD) cases; and,

WHEREAS, although some veterans may be treated for their physical and mental injuries, the majority of those with (PTSD) will continue to suffer silently; and,

WHEREAS, several efforts are already underway in Illinois to address this serious problem. The Illinois Warrior Assistance Program is an example of such efforts. Separate from the U.S. Armed Forces and the U.S Department of Veterans Affairs, this program serves as a free and confidential resource for returning Illinois veterans as they transition back to daily life; helping service members and their families deal with the emotional challenges of (PTSD); and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 27, 2013 POST-TRAUMATIC STRESS DISORDER AWARENESS DAY in Illinois, in support of promoting public awareness and understanding of this disorder.

Issued by the Governor June 21, 2013.
Filed by the Secretary of State July 3, 2013.
2013-239
YEAR OF ITALIAN CULTURE

WHEREAS, five centuries have long since passed since Christopher Columbus—a son of Italy—set sail across the Atlantic Ocean. Resulting from this desire to explore new possibilities and find new hope, others have followed his example with an equal ambition in discovering new life in America; and,

WHEREAS, Italian Americans have succeeded in all facets of public and economic life while maintaining national pride for both their homeland and our nation; and,

WHEREAS, our nation’s history with the Republic of Italy is both prodigious and mutually fruitful, having partaken in one another’s omnifarious resources and influential cultures; and,

WHEREAS, having overcome social, racial, and religious discrimination, Italian Americans have persevered with hard work and dedication, defining the American dream and aiding in the construction of this great nation. This perseverance is evident in those men, women, and children of Italian descent as they carry on the admirable values of their ancestors; and,

WHEREAS, numerous generations of Italian Americans have contributed to the shaping of Illinois as a state that is accepting of cultural diversity; and

WHEREAS, Italian culture is an integral component of the State of Illinois and the United States of America; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim 2013 as the YEAR OF ITALIAN CULTURE in Illinois and on behalf of the people of Illinois, am pleased to join those of Italy and Italian descent in celebrating their heritage. We offer best wishes for Italy’s prosperity.

Issued by the Governor June 21, 2013.
Filed by the Secretary of State July 3, 2013.

2013-240
ILLINOIS RIVER MANAGEMENT MONTH

WHEREAS, the Illinois River is a critical component of our state’s geography, history, economy, and ecology; and,

WHEREAS, many attributes are threatened as a result of the cumulative effects of human activities that have significantly altered the Illinois River System; and,
WHEREAS, the State of Illinois is embracing an integrated approach to large river management and is working in a coordinated and continuous manner for the Illinois River; and,

WHEREAS, implementation of the Illinois River Coordinating Council, Conservation Reserve Enhancement Program, Partners for Conservation, Open Lands Trust Fund, Mud to Parks Capital Program, Illinois Wildlife Action Plan, Farm Bill Conservation Title, Designation of two Illinois River sites as Ramsar Wetlands of International Importance, National Streamflow Information Program, Partners for Fish and Wildlife Program, Illinois River Road National Scenic Byway, and Illinois Recreational Access Program are important milestones in efforts to protect the resources of the Illinois River; and,

WHEREAS, the theme of the 2013 Conference on the Management of the Illinois River System is focused on “The Illinois River: Working Locally – Reaching Globally”; and,

WHEREAS, the conference will be taking place October 1-3, 2013, at Four Points by Sheraton Hotel in Peoria, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as ILLINOIS RIVER MANAGEMENT MONTH, and encourage all citizens to recognize the economic, recreation, social, and environmental benefits of conserving and managing to properly utilize and sustain the resources of the Illinois River System.

Issued by the Governor June 24, 2013.
Filed by the Secretary of State July 3, 2013.

2013-241
VIVE TU VIDA! GET UP! GET MOVING! WELLNESS DAY

WHEREAS, Hispanic communities in Illinois and throughout the United States are faced with many challenges every day. One such challenge faced by the Hispanic community, among others, is health and wellness; and,

WHEREAS, with a Hispanic population of nearly 15.8 percent, Illinois recognizes the need to confront the challenges Hispanics face with a proactive strategy that strengthens community alliances and networks; and,

WHEREAS, it is also important to ensure that the state’s Hispanic community receives culturally proficient and linguistically appropriate health and human services; and,

WHEREAS, there are a number of organizations, such as the Chicago Hispanic Health Coalition and the National Alliance for Hispanic Health, working to achieve that goal and to ensure that the perspective and
experience of the Hispanic community is brought to the forefront of health
services and policy; and,

WHEREAS, the Chicago Hispanic Health Coalition empowers
individuals, builds coalitions, and supports organizations, with the goal of
promoting healthy behaviors and reducing the risk of illness and injury;
and,

WHEREAS, to maximize and coordinate efforts among city and
state organizations to promote healthy lifestyle awareness in Chicago’s
Hispanic communities, the Chicago Hispanic Health Coalition and the
Illinois Department of Public Health are joining together with the National
Alliance for Hispanic Health to sponsor ¡Vive Tu Vida! Get Up! Get
Moving!, the nation’s premier annual Hispanic family physical activity
and healthy lifestyle event; and,

WHEREAS, thousands of people are expected to attend ¡Vive Tu
Vida! Get Up! Get Moving! events in cities across the country; and,

WHEREAS, these events will feature fun and excitement for the
whole family, free health screenings, healthy snacks, and prize drawings,
as well as activity stations for soccer, tennis, baseball, basketball, dance,
aerobics, yoga and much more; and,

WHEREAS, this year, Chicago will host a ¡Vive Tu Vida! Get Up!
Get Moving! event on June 29; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim June 29, 2013 as ¡VIVE TU VIDA! GET UP! GET
MOVING! WELLNESS DAY in Illinois, and encourage all residents to
recognize the need for increased health awareness in the Hispanic
community and to support the efforts of those participating in this
important event.

Issued by the Governor June 25, 2013.
Filed by the Secretary of State July 3, 2013.

2013-242
AFRICAN/CARIBBEAN INTERNATIONAL FESTIVAL
OF LIFE DAYS

WHEREAS, the 21st Annual African/Caribbean International
Festival of Life will be held on July 4-7, 2013; and,

WHEREAS, this year’s African/Caribbean International Festival
of Life is again dedicated to “Health Awareness”; and,

WHEREAS, during the festival, a “Health Pavilion” will feature
uplifting presentations by health and medical professionals as well as
personal testimonies of hope from those struggling with cancer and other
diseases; and,
WHEREAS, the primary objective of the Festival is to bring together, under one umbrella, people of various nationalities, cultures and ethnic backgrounds; and,

WHEREAS, the African/Caribbean International Festival of Life will feature a variety of world beat music, such as: Reggae, R & B, Rock, Jazz, Gospel, and Blues; and,

WHEREAS, exhibitors from various parts of the country and overseas will journey to Chicago to offer a variety of international crafts, cultural clothing and ethnic items along with food from Africa, the Caribbean and other parts of the globe; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 4-7, 2013 as AFRICAN / CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS in Illinois, and encourage all residents to participate in this family event.

Issued by the Governor June 26, 2013.
Filed by the Secretary of State July 3, 2013.

2013-243
COLLEGE CHANGES EVERYTHING DAY

WHEREAS, Americans who have achieved a postsecondary degree have, on average, benefitted from lower unemployment rates, greater lifetime earnings, higher annual incomes, and better health than peers who have not completed a college education, and individuals who attend college emerge more likely to participate in civic life and volunteer in their communities; and,

WHEREAS, earning a postsecondary degree boosts the chances for a child of low-income parents to move into the economic middle class and to weather periods of economic downturn; and,

WHEREAS, the Illinois Public Agenda for College and Career Success identified large disparities in educational attainment between Illinoisans of different races or ethnicities, income levels, and regions; and,

WHEREAS, closing that education attainment gap is both a moral imperative and an economic one, and will require that all Illinois residents have affordable access to high-quality educational opportunities that prepare them for the jobs of the present and future; and,

WHEREAS, postsecondary education and training not only support the intellectual and professional development of individual students, but also help our state to maintain a strong and flexible workforce and resilient economy; and,
WHEREAS, Illinois policymakers and education institutions have adopted a goal of increasing the proportion of Illinois adults with a high-quality postsecondary credential to 60% by 2025; and,

WHEREAS, an essential part of helping the State to reach its goal is the College Changes Everything movement, designed to foster collaboration and action among policymakers, practitioners, and citizens concerned about college access and success, and a one-day College Changes Everything Conference on July 11, 2013, will foster that collaboration; and,

WHEREAS, the conference will showcase effective policies, methods, and resources to help increase college access and completion, with peers sharing best practices in areas such as Student Support Services, Retention, Remediation, Dual Degree/Dual Credit, College Readiness, Career Development, Civic and Municipal Engagement, and Students with Special Needs; and,

WHEREAS, the conference will be further enriched by the presence of national education leaders, including Greg Darnieder, a Senior Advisor to the U.S. Secretary of Education, who will engage conference attendees in thoughtful discussions on overcoming obstacles to college access and completion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, congratulate the state and non-profit partners who organized the third College Changes Everything Conference, and do hereby proclaim July 11th to be COLLEGE CHANGES EVERYTHING DAY in Illinois and call on all Illinoisans to support the students, parents, and adult learners in their communities as they work to achieve their educational goals.

Issued by the Governor June 26, 2013.
Filed by the Secretary of State July 3, 2013.

2013-244
ELDER ABUSE AWARENESS AND PREVENTION MONTH

WHEREAS, according to the Illinois Department on Aging, between four and five percent of persons in the United States aged sixty and older are subject to some form of mistreatment or abuse, including physical, emotional, and sexual abuse, as well as financial exploitation and neglect of basic care needs; and,

WHEREAS, Illinois has approximately two million citizens over the age of sixty, meaning that as many as 100,000 older adults in Illinois could currently be victims of some form of abuse; and,

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of this
plight against our most vulnerable elderly; and to promote increased elder abuse reporting; and,

WHEREAS, the State of Illinois will strengthen protections of people with disabilities and older adults through the newly created Office of Adult Protective Services; and,

WHEREAS, it is essential that the citizens of Illinois recognize the signs of abuse, neglect and exploitation, break the silence and report suspicions of abuse; and,

WHEREAS, it is imperative that each community in Illinois refuses to tolerate this offense against our older citizens by creating greater awareness of the prevalence and severity of elder abuse in hopes of eradicating it from society; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2013 as ELDER ABUSE AWARENESS AND PREVENTION MONTH in Illinois, and encourage all citizens to recognize this crisis and join in working toward its prevention.

Issued by the Governor June 26, 2013.
Filed by the Secretary of State July 3, 2013.

2013-245
KIDNEY DISEASE AWARENESS AND EDUCATION WEEK

WHEREAS, there are over four hundred thousand Americans who have irreversible kidney failure; and,

WHEREAS, the only treatment for end stage renal disease (ESRD) is dialysis or kidney transplantation. However, transplantation is limited due to the shortage of donors, causing the majority of patients to undergo regular dialysis treatments; and,

WHEREAS, the more than 8 million Americans who suffer from diabetes and approximately 50 million Americans who suffer from hypertension are all at risk of developing chronic kidney disease; and,

WHEREAS, there are approximately 16,241 people in Illinois who suffer from ESRD; and,

WHEREAS, nephrology nurses play a key role in providing kidney disease patients with dialysis and related treatments across the entire country; and,

WHEREAS, raising awareness in the general public and medical community will highlight the further need for better treatments and research into the cause and cure of ESRD; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of August 5-11, 2013 as KIDNEY DISEASE
AWARENESS AND EDUCATION WEEK in Illinois, in support of increasing awareness of this disease.

Issued by the Governor June 27, 2013.
Filed by the Secretary of State July 3, 2013.

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**2013-246**

**PUSH AMERICA DAY**

WHEREAS, Push America was founded in 1977 with the mission of building leaders of tomorrow by serving people with disabilities today; and,

WHEREAS, Push America is the national philanthropy of the Pi Kappa Phi Fraternity, and its purpose is to instill lifelong service in its members while enhancing the quality of life for people with disabilities; and,

WHEREAS, the core values of Push America are: Abilities, Teamwork, Empathy and Integrity; and,

WHEREAS, Push America looks to spread a message of acceptance and ability of all people; and,

WHEREAS, Push America holds an annual fundraiser called the Journey of Hope Day; and,

WHEREAS, Journey of Hope Day is the largest fraternal fundraising and awareness event of its kind, with team members biking over 4,000 miles from California to Washington, D.C.; stopping for friendship visits along the journey to raise awareness of individuals with disabilities; and,

WHEREAS, the event raises over $700,000 annually to be granted to organizations across the U.S.; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 24, 2013 as PUSH AMERICA DAY in Illinois, and encourage all citizens to welcome Push America cyclists in our state and celebrate their dedicated efforts to increase awareness and acceptance for people with disabilities.

Issued by the Governor June 27, 2013.
Filed by the Secretary of State July 3, 2013.

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**2013-247**

**STANLEY CUP CHAMPIONS CHICAGO BLACKHAWKS DAY**

WHEREAS, the Chicago Blackhawks were founded on September 25, 1926 by Major Frederic McLaughlin and named after the 333rd
Machine Gun Battalion of the 86th Division of the United States Army, the unit Major McLaughlin commanded in World War I; and,

WHEREAS, the Chicago Blackhawks, in their nearly 87 years have showcased outstanding offensemen including Bobby Hull, Stan Mikita, Denis Savard, and Jeremy Roenick; elite defensemen including Pierre Pilote, Keith Magnuson, and Chris Chelios; and superior goaltenders Glenn Hall and Tony Esposito; and,

WHEREAS, the Chicago Blackhawks began the 2013 season by earning at least 1 point in 24 consecutive games, thereby setting a new National Hockey League record, won over 80 percent of their regular season games and completed the regular season with the most points of any team; and,

WHEREAS, the Chicago Blackhawks’ unmatched 2013 regular season success resulted in receipt of the Presidents’ Trophy, given by the National Hockey League to the team that completes the regular season with the best overall record, for the second time in franchise history; and,

WHEREAS, the Chicago Blackhawks’ exceptional goaltending tandem of Corey Crawford and Ray Emery, in recognition of their unparalleled 2013 regular season, earned the William M. Jennings Trophy by allowing the fewest goals of any team’s goaltenders in the National Hockey League; and,

WHEREAS, the Chicago Blackhawks’ esteemed captain Jonathan Toews, in recognition of his superior 2013 regular season, was awarded the Frank J. Selke Trophy, given to the forward who best excels in the defensive aspects of the game; and,

WHEREAS, the Chicago Blackhawks’ Patrick Kane led the Blackhawks with 19 points in the 2013 Stanley Cup Playoffs, including 3 goals and 4 points in the last 3 games of the Stanley Cup Final, thereby netting the Conn Smythe Trophy, given to the most valuable player to his team in the Stanley Cup Playoffs; and,

WHEREAS, the Chicago Blackhawks’ Bryan Bickell scored the tying goal in the final game with 1 minute and 16 seconds remaining in the third period, and the Chicago Blackhawks’ Dave Bolland scored the winning goal only 17 seconds later with just 59 seconds remaining in the third and final period, the latest Stanley Cup-clinching goal scored in regulation time in the history of the National Hockey League; and,

WHEREAS, the Chicago Blackhawks’ unequaled regular season produced the top overall seed for the 2013 Stanley Cup Playoffs, an advantage that culminated on Monday, June 24, 2013, when the Chicago Blackhawks defeated the Boston Bruins by a score of 3-2 to become 2013 Stanley Cup Champions; and,
WHEREAS, the Chicago Blackhawks of 2013 became the fifth team in history to win the National Hockey League championship and raise Lord Stanley’s Cup – the oldest, most storied trophy in professional sports – wearing the iconic Chicago Blackhawks sweater, thereby joining the other victorious teams from 1934, 1938, 1961 and 2010; and,

WHEREAS, the Chicago Blackhawks’ 2013 Stanley Cup victory was produced from the foundation of enthusiasm and desire created by Team Chairman Rocky Wirtz, Team President John McDonough, General Manager Stan Bowman, Head Coach Joel, the Chicago Blackhawks’ players, and each and every member of the Chicago Blackhawks organization; and,

WHEREAS, the Chicago Blackhawks made their second Championship contribution to the lives of the people of Illinois in the last 4 years, thereby again uniting sports fans in civic pride, as well as improving the lives of those in need and providing opportunities for the youth of Illinois through the Chicago Blackhawks Community Fund;

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Friday, June 28, 2013, to be STANLEY CUP CHAMPIONS CHICAGO BLACKHAWKS DAY in Illinois and encourage Illinois citizens to celebrate the 2013 Stanley Cup victory by our team and proudly show support of the Blackhawks at our homes, workplaces, and schools throughout the Land of Lincoln.

Issued by the Governor June 28, 2013.

Filed by the Secretary of State July 3, 2013.

2013-248
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF 19 BRAVE FIREFIGHTERS IN CENTRAL ARIZONA

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,

WHEREAS, on the evening of June 30, 2013, the following 19 firefighters were suddenly taken from us while battling a wildfire in Central Arizona: Eric Marsh, Andrew Ashcraft, Robert Caldwell, Travis Carter, Dustin Deford, Christopher MacKenzie, Grant McKee, Sean Misner, Scott Norris, Wade Parker, John Percin, Anthony Rose, Jesse
Steed, Joe Thurston, Travis Turbyfill, William Warneke, Clayton Whitted, Kevin Woyjeck, and Garret Zuppiger; and,

WHEREAS, one of these firefighters, Anthony Rose, had roots in Lake County, Illinois, where he attended Zion-Benton Township High School and was a valuable member of the community; and,

WHEREAS, we will always remember that throughout their accomplished careers as firefighters, these individuals courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although they are no longer with us, we will not forget the countless lives that were impacted by their public service; and,

WHEREAS, these individuals were not simply public servants, but dedicated first responders who were known by many for their deep commitment to helping people and saving lives; and,

WHEREAS, we remember these individuals’ dedication to their communities and to protecting their fellow human beings; and,

WHEREAS, each of the brave firefighters who were tragically taken from us leave behind many loving friends and family members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 3, 2013 until sunset on July 5, 2013 in honor and remembrance of these brave firefighters whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 2, 2013.
Filed by the Secretary of State July 23, 2013.

2013-249
NATIONAL HEALTH CENTER WEEK

WHEREAS, America’s community health centers are at the core of our health care system and the nation’s safety net because they deliver high quality, cost effective, and accessible primary and preventative care to all individuals regardless of their ability to pay; and,

WHEREAS, health centers are located in medically underserved areas and are locally-controlled by patient-majority boards; making each health center responsive to the needs of their community. Currently, there are more than 1,200 health centers serving as health homes for more than 22 million individuals at more than 9,000 locations across the country; and,

WHEREAS, health centers have proven to be an effective model for improving health care outcomes, reducing health care costs, and overcoming barriers to access faced by the medically underserved; and,
WHEREAS, health centers are committed to meeting the needs of the communities they serve and growing their reach to serve every individual who currently lacks access to a health care home; and,

WHEREAS, community owned and operated health centers serve as critical economic engines helping to power local economies. In 2009 alone, health centers generated $20 billion in combined economic impact and were responsible for nearly 200,000 jobs in areas hit hardest by the recession; and,

WHEREAS, health centers offer patient-focused, coordinated health care – preventative and primary care that families and individuals need, where and when they need it. Community health centers employ more than 9,500 physicians and more than 6,300 nurse practitioners, physician assistants, and certified nurse midwives, along with social workers, case managers, and community health workers, as part of a multi-disciplinary clinical workforce designed to treat the whole patient, coordinate care and manage chronic disease, while simultaneously reducing unnecessary, avoidable, and wasteful use of health resources. This unique model allows health centers to save the entire health care system approximately $24 billion annually by keeping patients out of costlier settings, such as emergency rooms; and,

WHEREAS, National Health Center Week offers the opportunity to recognize America’s health centers, their staff, board members, and all of those responsible for the continued success and growth of the program since its creation almost 50 years ago. During National Health Center Week, we recognize the multitude of ways in which America’s Health Centers are transforming care in local communities by delivering comprehensive, high quality, cost effective, and accessible health care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 11-17, 2013, as NATIONAL HEALTH CENTER WEEK in Illinois and encourage every Illinois resident to visit their local health center and recognize, appreciate and celebrate the important partnership between Illinois’ health centers and the communities they serve.

Issued by the Governor July 3, 2013.
File by the Secretary of State July 23, 2013.
2013-250
CHIROPRACTIC HEALTH CARE MONTH

WHEREAS, every year, more than 30 million Americans throughout the country, including 2 million in Illinois, visit chiropractors who locate and help correct joint and spinal problems; and,
WHEREAS, chiropractic physicians have long stressed that exercise, good posture, and balanced nutrition are essential to proper growth, development, and health maintenance; and,
WHEREAS, Illinois chiropractic physicians are dedicated to protecting and promoting patient rights, the practice of chiropractic medicine and fostering the growth of chiropractic through ongoing training and a commitment to safe and ethical practice; and,
WHEREAS, chiropractic is a safe, conservative approach to pain relief and wellness, and is the most popular form of natural healthcare in the world; and,
WHEREAS, the science of chiropractic and the physicians who practice it have contributed greatly to the health and well-being of the people of Illinois:
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as CHIROPRACTIC HEALTH CARE MONTH in Illinois, to raise awareness about chiropractic care.
Issued by the Governor July 5, 2013.
Filed by the Secretary of State July 23, 2013.

2013-251
QUINN CHAPEL DAY

WHEREAS, Quinn Chapel African Methodist Episcopal Church houses Chicago's oldest African-American congregation, which traces its origins back to 1844, when seven individuals formed a nondenominational prayer group that met in the house of one of its members; and,
WHEREAS, in 1847, the group organized as a congregation of the African Methodist Episcopal Church; and,
WHEREAS, named for Bishop William P. Quinn, the church played an important role in Chicago's abolitionist movement in the years leading up to the Civil War; and,
WHEREAS, the Great Chicago Fire of 1871 destroyed the original church, and the congregation met for many years in temporary locations before purchasing its present site in 1890 at 2401 South Wabash; and,
WHEREAS, the current structure, designed by architect Henry F. Starbuck and built in 1892 is a reminder of the late-19th century character of the area; and,

WHEREAS, the church was designated a Chicago Landmark on August 3, 1977, and was listed on the National Register of Historic Places on September 4, 1979; and,

WHEREAS, several historical figures have spoken from Quinn Chapel’s pulpit including individuals such as Presidents William B. McKinley and William Howard Taft, educators George Washington Carver and Booker T. Washington, literary genius Paul Lawrence Dunbar, abolitionist and orator Frederick Douglas, journalist and activist Ida B. Wells, women’s suffrage leader Susan B. Anthony, and Martin Luther King Jr., among many more; and,

WHEREAS, Quinn Chapel AME Church has served as a site of worship, charity, education, and community involvement for the past 166 years; and,

WHEREAS, Quinn Chapel’s years of service to the community are truly a wonderful blessing; and,

WHEREAS, the members of Quinn Chapel have undoubtedly touched numerous lives over the years and provided a source of inspiration to many people throughout the Chicagoland area; and,

WHEREAS, under the current leadership of Senior Pastor James Moody, Quinn Chapel is thriving and upholding the traditions of its founders; and,

WHEREAS, Reverend Moody’s leadership goes beyond the boundaries of the church through his service in the positions of past President of the AME Church Ministerial Alliance of Chicago, Chair of the Board of Trustees of the African American Methodist Episcopal Church Chicago Conference, and Vice President of the Board of “The Renaissance Collaborative” of Chicago; and,

WHEREAS, on July 21, 2013, Quinn Chapel AME Church will be celebrating its 166th anniversary; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 21, 2013 as QUINN CHAPEL DAY in Illinois, on the occasion of their 166th anniversary of serving their local community and the State of Illinois.

Issued by the Governor July 8, 2013.

Filed by the Secretary of State July 23, 2013.
2013-252
BULLY FREE DAY

WHEREAS, bullying is physical, verbal, sexual or emotional harm or intimidation directed at a person or group of people; and,
WHEREAS, bullying occurs in neighborhoods, playgrounds, schools, and increasingly through modes of technology such as the Internet; and,
WHEREAS, bullying is a significant problem in the United States; and,
WHEREAS, each month, over 280,000 students report being bullied in high schools throughout the United States; and,
WHEREAS, bullying is an undesired, aggressive behavior occurring among various age groups within schools that leaves many students with serious, lasting problems; and,
WHEREAS, over 160,000 absences by students at school can be attributed to their fears of being attacked, harassed, or intimidated by bullies; and,
WHEREAS, bullying is demonstrated through various mediums, including teasing, name-calling, threats, spreading rumors, embarrassing others, hitting, kicking, spitting, destruction of someone’s items, cyber-related harassment, and all other unwanted acts of aggression; and,
WHEREAS, bullying is a grim matter that threatens the physical and emotional wellbeing of the individuals of our great State of Illinois; and,
WHEREAS, the cities, villages, and municipalities of Illinois must unite in a shared desire to encourage positive behaviors in our schools, and further extinguish bullying; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 19th, 2013 as BULLY FREE DAY in Illinois, in order to raise awareness and promote prevention of bullying within our communities. Together, we can reduce bullying and grant the children of our State the peace of mind they deserve to grow into happy, productive citizens.

Issued by the Governor July 9, 2013.
Filed by the Secretary of State July 23, 2013.

2013-253
CHILDHOOD CANCER AWARENESS MONTH

WHEREAS, the types of cancer that children are most often afflicted with are different than those seen in adults; and,
WHEREAS, the types of cancers that occur most often in children include Leukemia, Lymphoma, Bone Cancer, and Retinoblastoma; and,
WHEREAS, 36 American children are diagnosed with cancer daily, and their average age at the time of diagnosis is 6 years; and,
WHEREAS, 10,400 American children were diagnosed with cancer in 2007, and 40,000 children in our country undergo treatment for cancer annually; and,
WHEREAS, childhood cancer rates have been rising slightly for the past few decades, and approximately 11,630 children in the United States under the age of 15 will be diagnosed with cancer in 2013; and,
WHEREAS, three fifths of childhood cancer survivors suffer effects (such as infertility, heart failure and secondary cancers) later in life; and,
WHEREAS, cancer is the second leading cause of death for children under 15 in Illinois, and there were 3,937 Illinoisan pediatric cancer patients aged 0 to 14 in 2009; and,
WHEREAS, due to major treatment advances in recent decades, more than 80% of children with cancer now survive 5 years or more; and,
WHEREAS, despite major treatment advances, it is still critically important to conduct research and increase awareness regarding childhood cancer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as CHILDHOOD CANCER AWARENESS MONTH in Illinois, in order to raise awareness of childhood cancer.

Issued by the Governor July 10, 2013.
Filed by the Secretary of State July 23, 2013.

2013-254
SING TAO NEWSPAPER DAY

WHEREAS, since opening its first overseas office in the United States in 1965, Sing Tao Newspaper has served readers of all ages, education, and income levels, including old-time Chinese settlers as well as new immigrants, students, and visitors from mainland China, Taiwan, Hong Kong, and Southeast Asia; and,
WHEREAS, through publishing a Chicago edition since 1980 and maintaining an office in the city, Sing Tao Newspaper has had a strong presence in the Land of Lincoln for many years; and,
WHEREAS, Sing Tao Newspaper's leadership in the community and its dedication to supporting charitable activities such as the arts,
cultural activities, and disaster relief are well recognized and have positively impacted the Asian community; and,

WHEREAS, to celebrate an anniversary such as this is a significant milestone for any newspaper, and provides an excellent opportunity to reflect back on all that has been accomplished over the past seventy-five years, while making plans for the future that will build on past successes; and,

WHEREAS, Sing Tao Newspaper’s longevity is a testament to the quality of services they provide their readers and the community at large, as well as the relationships they have developed over the years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 1, 2013 as SING TAO NEWSPAPER DAY in Illinois, in commemoration of their 75th Anniversary, and do hereby offer my best wishes for an enjoyable and memorable celebration, and for continued success.

Issued by the Governor July 10, 2013.
Filed by the Secretary of State July 23, 2013.

2013-255
TRANSVERSE MYELITIS DAY

WHEREAS, Transverse Myelitis (TM) is a neurological disorder caused by the inflammation of the spinal cord, resulting in pain, muscle weakness, loss of bowel control and (in severe cases) paralysis; and,

WHEREAS, 60% of TM cases have unknown causes and the remaining 40% are attributed to autoimmune disorders such as multiple sclerosis, Neuromyelitis optica, systemic lupus erythematosus, Mycoplasma pneumonia, Sjoren’s syndrome and other Autoimmune disorders; and,

WHEREAS, TM is a rapidly progressing disease, with symptoms developing and worsening within a matter of days; and,

WHEREAS, no effective cure currently exists for TM, and two thirds of those diagnosed with TM show fair to minimal recovery, and of those who do show recovery, this process can take up to two years; and,

WHEREAS, complications from TM can be long lasting and can include pain, muscle stiffness, tightness or spasms, partial or total limb paralysis, sexual dysfunction, osteoporosis, and depression; and,

WHEREAS, TM is a disease that affects all ages, races and genders regardless of family history, although it primarily affects persons between the ages of 10-19 and 30-39; and,

WHEREAS, there are approximately 1400 new cases of TM annually, with 25% of these cases being children; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 6th, 2013 as TRANSVERSE MYELITIS DAY in Illinois, in order to raise awareness of Transverse Myelitis within our State.

Issued by the Governor July 10, 2013.
Filed by the Secretary of State July 23, 2013.

2013-256
NATIONAL BATON TWIRLING WEEK

WHEREAS, the art of baton twirling positively affects the lives of nearly one-half million young Americans; and,
WHEREAS, baton twirling can build the confidence of these young girls and boys, and the dedication learned in training for and practicing the sport is beneficial to many situations in life; and,
WHEREAS, baton twirling is one of the nation’s largest movements that is positive for today’s young girls; and,
WHEREAS, baton twirling is used in children’s hospitals as a unique and effective method of physical therapy; and,
WHEREAS, baton twirlers provide inspiration and wholesome entertainment in our communities; and,
WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame from July 23 – 27, 2013, to conduct a colorful pageant entitled “America’s Youth on Parade”:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 21 – 27, 2013 as NATIONAL BATON TWIRLING WEEK in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.

Issued by the Governor July 10, 2013.
Filed by the Secretary of State July 23, 2013.

2013-257
NATIONAL PUBLIC LANDS DAY

WHEREAS, America’s system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, gardens and other landmark areas throughout the nation that individually and collectively represent irreplaceable national resources; and,
WHEREAS, public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and,
WHEREAS, public lands promote civic ideals that include shared stewardship and recognition of public ownership; and,
WHEREAS, shared stewardship requires the goodwill, cooperation and active support of citizens, community, city and state officials, business leaders, children and adults; and,
WHEREAS, land managers improve public lands for outdoor recreation and provide Americans with an opportunity to engage in regular physical activity; and,
WHEREAS, land conservation builds awareness among urban dwellers with concerns about planned development, shared land use, preservation of wild areas and natural habitats, and the benefits realized by diligent restoration and enhancement efforts; and,
WHEREAS, alliances between private citizens, land managers and community leaders can improve the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and,
WHEREAS, National Public Lands Day, co-sponsored by the National Environmental Education Foundation, the Bureau of Land Management, the Bureau of Reclamation, the Department of Defense, the Environmental Protection Agency, the National Park Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and USDA Forest Service has become an annually anticipated event for local participation on publicly held lands throughout the Land of Lincoln; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 28, 2013 as NATIONAL PUBLIC LANDS DAY in Illinois, and encourage all citizens to join in this special observance.

Issued by the Governor July 10, 2013.
Filed by the Secretary of State July 23, 2013.

2013-258
ILLINOIS STEEL DAY

WHEREAS, the structural steel industry in Illinois annually provides structural steel framing systems for more than 35 million square feet of new building construction in Illinois; and,
WHEREAS, the structural steel industry provides employment for more than 2,000 workers in Illinois; and,
WHEREAS, the structural steel industry has demonstrated a significant commitment to sustainable construction through the use of structural steel products made from 93 percent recycled materials from old cars, appliances, stoves, manufacturing waste, curb-side recycling and deconstructed buildings; and,
WHEREAS, 98 percent of the structural steel in a building is recycled at the end of the building’s life; and,
WHEREAS, structural steel’s high strength-to-weight ratio and low carbon footprint help to minimize environmental impacts; and,
WHEREAS, the American Institute of Steel Construction maintains its national headquarters in Chicago, Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 4, 2013 as ILLINOIS STEEL DAY, in recognition of the contributions of Illinois’ structural steel industry to the economy and infrastructure of our state.
Issued by the Governor July 11, 2013.
Filed by the Secretary of State July 23, 2013.

2013-259
BLOOD DRIVE COORDINATOR MONTH

WHEREAS, patients in Illinois hospitals require a year-round supply of donated blood; and,
WHEREAS, blood centers rely 100% on donations from volunteer donors in order to maintain a safe and viable blood supply; and,
WHEREAS, a single trauma patient can use over 100 units of blood; and,
WHEREAS, a single donation can save the lives of up to three people; and,
WHEREAS, blood only has a shelf life of 42 days; and,
WHEREAS, blood centers rely heavily not only on blood donated on their premises but on blood drives organized throughout their communities by volunteers; and,
WHEREAS, though there are many honors for donors, volunteer blood drive coordinators are often the “unsung heroes.” They are responsible for hundreds of donations and are invaluable to the blood centers; and,
WHEREAS, blood drive coordinators play a vital role in educating the public on the importance of blood donation; and,
WHEREAS, many blood drive coordinators are responsible for the recruitment of many first time blood donors, many of whom become regular donors over the course of their lifetimes; and,
WHEREAS, the State of Illinois recognizes the importance of blood donation through the Blood Donation Act, the Employee Blood Donation Leave Act and the Organ Donor Act; and,
WHEREAS, the Illinois Coalition of Community Blood Centers presents annual awards throughout the state to individuals who have made
a major impact in their communities through their blood drive collection
efforts; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim July 2013 as BLOOD DRIVE COORDINATOR
MONTH in Illinois, and encourage Illinoisans to consider volunteering to
coordinate a blood drive in their community, and encourage blood centers,
units of local government, civic organizations and businesses, and others
to honor volunteers in their community who coordinate local blood drives.

Issued by the Governor July 12, 2013.
Filed by the Secretary of State July 23, 2013.

2013-260
UNIVISION AND TELETONUSA “TOUR OF GIVING” DAY

WHEREAS, Univision Communications is the leading media
company serving Hispanic America; and,

WHEREAS, for the last 50 years, Univision has been dedicated to
its mission of informing, entertaining, and empowering Hispanic America;
and,

WHEREAS, since 2012, Univision and the TeletonUSA
Foundation have partnered to raise money for deserving individuals and
their families; and,

WHEREAS, during its first broadcast in 2012, TeletonUSA raised
more than $15.2 million to benefit children with disabilities, cancer, and
autism; and,

WHEREAS, this year’s “Tour of Giving” campaign, which was
kicked off on June 26th, 2013 on Univision’s hit morning show “Despierta
America,” is being made possible by the overwhelming contributions of
Univision’s generous viewers; and,

WHEREAS, the six stops on the TeletonUSA and Univision “Tour
of Giving” include Miami Children’s Hospital, SNACK & Friends
(Special Needs Activity Center for Kids), Ann & Robert H. Lurie
Children’s Hospital, Children’s Hospital Los Angeles, and Boston
Children’s Hospital; and,

WHEREAS, it is fitting that the “Tour of Giving” is stopping in
Illinois, a state with a thriving Hispanic population that has made vast
contributions to the Land of Lincoln’s economic and cultural vitality; and,

WHEREAS, Univision's leadership in the community and its
dedication to supporting charitable activities are well recognized and have
positively impacted many Hispanic Americans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim July 17, 2013 as UNIVISION AND TELETONUSA
“TOUR OF GIVING” DAY in Illinois, in support of the “Tour of Giving” and in recognition of today’s event at Ann and Robert H. Lurie Children’s Hospital.

Issued by the Governor July 15, 2013.
Filed by the Secretary of State July 23, 2013.

2013-261
DYSLEXIA AWARENESS MONTH

WHEREAS, millions of Americans throughout the country and the State of Illinois have dyslexia, which is a language-based neurological disorder that affects their ability to read, write, and spell proficiently; and,
WHEREAS, dyslexia occurs among all groups regardless of age, ethnicity, race, socio-economic background, and sex. The disorder is not related to one’s level of intelligence or desire to learn; and,
WHEREAS, although the degree of dyslexia varies from person to person, both children and adults can overcome the disorder with proper diagnosis and treatment. Today, many dedicated professionals work in homes and schools to help those with dyslexia; and,
WHEREAS, Everyone Reading Illinois is also dedicated to helping those with dyslexia by promoting literacy through research, education, and advocacy; and,
WHEREAS, last year, other state dyslexia associations offered more than 50 free and successful events about dyslexia to educators, parents, and the public during the month of October, which is recognized as Dyslexia Awareness Month, and they plan to repeat their public awareness campaign again this October; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as DYSLEXIA AWARENESS MONTH in Illinois, in support of the campaign by Everyone Reading Illinois to raise awareness about this disorder and to help those afflicted with it.

Issued by the Governor July 16, 2013.
Filed by the Secretary of State July 23, 2013.

2013-262
BEAR NECESSITIES PEDIATRIC CANCER FOUNDATION’S AWARENESS DAY

WHEREAS, childhood cancer is the number one disease killer and second leading cause of death (exceeded only by accidents) of children; and,
WHEREAS, approximately 36 American children are diagnosed with cancer daily, and their average age at the time of diagnosis is 6 years; and,

WHEREAS, 10,400 American children were diagnosed with cancer in 2007, and 40,000 children in our country undergo treatment for cancer annually; and,

WHEREAS, childhood cancer rates have been rising slightly for the past few decades, and approximately 11,630 children in the United States under the age of 15 will be diagnosed with cancer in 2013; and,

WHEREAS, our children are our most precious resource; and,

WHEREAS, there are a number of organizations dedicated to raising funds for research into pediatric cancer and supporting children and families who are diagnosed with pediatric cancer; and,

WHEREAS, one such organization is Bear Necessities Pediatric Cancer Foundation, named in memory of founder Kathleen Casey’s eight year old son, Barrett "Bear" Krupa, who died after a courageous five and a half year battle with Wilms Tumor, a pediatric cancer; and,

WHEREAS, Bear Necessities Pediatric Cancer Foundation is a national organization dedicated to eliminating pediatric cancer and providing hope and support to those who are touched by it; and,

WHEREAS, the mission of Bear Necessities Pediatric Cancer Foundation is carried out through three unique programs which include the Bear Hugs Program, Bear Discoveries and Bear Empowerment; and,

WHEREAS, Bear Necessities Pediatric Cancer Foundation is now in its 20th year of generating funds to reach out to all children in the State of Illinois who will be diagnosed this year with pediatric cancer; and,

WHEREAS, the month of September is recognized as Childhood Cancer Awareness Month. Throughout this month, organizations like Bear Necessities Pediatric Cancer Foundation will be conducting outreach efforts to raise awareness of pediatric cancer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13, 2013 as BEAR NECESSITIES PEDIATRIC CANCER FOUNDATION’S AWARENESS DAY in Illinois, to raise awareness of pediatric cancer, and in support of the organization’s dedication to eradicating this devastating disease.

Issued by the Governor July 16, 2013.

Filed by the Secretary of State July 23, 2013.
2013-263

CHICAGO DEFENDER CHARITIES INC. BUD BILLIKEN® DAY

WHEREAS, Chicago Defender Charities Inc. has a long tradition of helping Illinoisans in need through charitable aid such as financial assistance and scholarships to students, and gift baskets to public housing residents during the holiday seasons; and,

WHEREAS, Chicago Defender Charities Inc. also sponsors the historic 84\textsuperscript{th} annual Bud Billiken® Parade and Picnic to be held this year on August 10, 2013; and,

WHEREAS, for the past 84 years, the Bud Billiken® Parade and Picnic has provided wholesome fun and safe entertainment without charge to thousands of children; and,

WHEREAS, the Chicago Defender Charities Inc. Bud Billiken® Parade and Picnic has become one of Chicago’s most celebrated rites of summer for thousands of children returning to school, and a greatly anticipated event for families throughout the state; and,

WHEREAS, the Chicago Defender Charities Inc. has always been committed to the support, encouragement and education of our youth; and,

WHEREAS, this year’s parade theme is “Education You Are Lost Without It” which highlights the importance of educating our children; and,

WHEREAS, Chicago Defender Charities is also recognizing Historically Black Colleges and Universities with its Presidential Reception; and,

WHEREAS, the Chicago Defender Charities will continue the green initiative Green Team Conservation & Recycling Program to train, employ and prepare our youth for the emerging green economy; and,

WHEREAS, organizations and events such as Chicago Defender Charities Inc. and the Bud Billiken® Parade promote community service and unity, which are vital to the strength and success of communities throughout the Land of Lincoln; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10, 2013 as CHICAGO DEFENDER CHARITIES INC. BUD BILLIKEN® DAY in Illinois, and urge all citizens to join in the festivities.

Issued by the Governor July 16, 2013.

Filed by the Secretary of State July 23, 2013.
WHEREAS, Nelson Mandela has devoted his life to the advancement of civil rights, ending apartheid in South Africa, and public service. He believes in the ideal of a democratic and free society, and challenges all citizens to help build a more perfect union and live up to the purpose and potential of South Africa; and,

WHEREAS, born into the Madiba clan in Mvezo, Transkei, Nelson Mandela became actively involved in the anti-apartheid movement in his 20s and joined the African National Congress in 1942; and,

WHEREAS, for 20 years, Nelson Mandela coordinated a campaign of non-violent resistance against the South African government and its discriminatory policies; and,

WHEREAS, those who were drawn to the anti-apartheid cause were inspired by Nelson Mandela’s extraordinary example of making sacrifices for the greater good; and,

WHEREAS, after being released from prison, Nelson Mandela continued his activism and was elected as South Africa’s first black president on May 10, 1994, at the age of 77; and,

WHEREAS, International Nelson Mandela Day of Service, which is taking place on July 18th, President Mandela’s birthday, is an opportune time for the people of Illinois to recognize the life and work of Nelson Mandela and a day for all to serve others; and,

WHEREAS, thousands of volunteers in cities and towns across the world will be participating in community service projects during this year’s International Nelson Mandela Day of Service; and,

WHEREAS, this day focuses on bringing people together and breaking down the barriers that have divided the people of South Africa; and,

WHEREAS, here in Illinois, we seek to share and celebrate the legacy of Nelson Mandela, a heroic figure whose tenacity and commitment to making the world a better place must never be forgotten; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 18, 2013 as NELSON MANDELA DAY OF SERVICE in Illinois, and urge citizens throughout Illinois to recognize former President Nelson Mandela and put his teachings into action by finding ways to give back to their communities on this day and throughout the year.

Issued by the Governor July 17, 2013.
Filed by the Secretary of State July 23, 2013.
2013-265
CAREER AND TECHNICAL ORGANIZATIONS WEEK

WHEREAS, the proper education of today’s youth is a concern of all Americans; and,
WHEREAS, career and technical student organizations are dedicated to the advancement of proper education, training and development of America’s youth; and,
WHEREAS, for more than 34 years, organizations such as the Illinois Coordinating Council for Career and Technical Student Organizations (ICCCTSO) have advanced awareness of the importance of career and technical student organizations as an integral part of the educational curriculum; and,
WHEREAS, career and technical student organizations in Illinois include the Business Professionals of America (BPA), Future Business Leaders of America (FBLA), Illinois Association of Family, Career and Community Leaders of America (FCCLA), Health Occupations Students of America (HOSA), Illinois Association of FFA, Illinois Association of DECA, Illinois Postsecondary Agricultural Student Organization (PAS), Phi Beta Lambda (PBL), Illinois Association of SkillsUSA, and Technology Student Association (TSA); and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 6 – 12, 2013 as CAREER AND TECHNICAL ORGANIZATIONS WEEK in Illinois, in recognition of the contributions made by these organizations to the education of our youth.

Issued by the Governor July 18, 2013.
Filed by the Secretary of State July 23, 2013.

2013-266
DIGESTIVE MOTILITY AWARENESS MONTH

WHEREAS, 5 million people, or roughly 2% of the American population, suffer from either Gastroparesis (GP) or Chronic Intestinal Pseudo-Obstruction (CIP) disorders; and,
WHEREAS, patients with Gastroparesis or Chronic Intestinal Pseudo-Obstruction suffer from debilitating effects of chronic nausea, vomiting, abdominal pain, malnutrition, dehydration, and weight loss because these conditions prevent food from moving through the digestive tract. Without proper treatment and care, these disorders can progress through the digestive tract leading to, in extreme cases, the need for organ transplant; and,
WHEREAS, treatment options for CIP and GP continue to be limited due to the lack of both research and awareness. To date, there is still no cure available for these disorders and available medical options such as drugs aimed at reducing symptoms have either been banned or not approved for use in the USA; and,

WHEREAS, the Gastroparesis Patient Association for Cures and Treatments (G-PACT) is a nonprofit organization that was founded in August 2001 in order to spread awareness about CIP and GP disorders, educate the public about the dangers associated with these disorders and improve research and resources so that treatment will continue to improve; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2013 as DIGESTIVE MOTILITY AWARENESS MONTH in Illinois, in hopes of spreading awareness of this deadly disease and improving the medical resources available to the public.

Issued by the Governor July 18, 2013.

Filed by the Secretary of State July 23, 2013.

2013-267

GHANAFEST DAY

WHEREAS, on July 27, 2013, the Ghana National Council of Metropolitan Chicago is sponsoring the 25th Annual Ghanafest; and,

WHEREAS, Ghanafest attracts thousands of visitors from all over the world. Last year, the festival attracted over twenty thousand participants; and,

WHEREAS, Ghanafest is one of the single largest gatherings of African immigrants in the United States; and,

WHEREAS, from traditional African arts and crafts and tribal dress, to extraordinary Ghanaian foods and musical performances, Ghanafest is a great opportunity to experience the rich and diverse culture of Ghana; and,

WHEREAS, past honored guests at the festival have included His Excellency John Dramani Mahama, Vice President of Ghana, and the Honorable Alexander Asum Ahensa, Ghanian Minister of Chieftaincy and Culture, and His Excellency Daniel Ohene Agyekum, Ghanian Ambassador to the United States; and,

WHEREAS, Ghanaians and the Ghana National Council are celebrating 25 years of sharing this extraordinary presentation of African culture with all of the people of the Land of Lincoln:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 27, 2013 as GHANAFEST DAY in Illinois, and
welcome all those attending Ghanafest to celebrate Ghanaian culture and heritage.

Issued by the Governor July 18, 2013.
Filed by the Secretary of State July 23, 2013.

2013-268
WATER’S WORTH IT MONTH

WHEREAS, water is an essential and limited natural resource; and,

WHEREAS, the well-being of all people is dependent upon clean and sustainable water supplies, as it serves as a pivotal resource for the healthy operation of the economy, society, environment, and life itself; and,

WHEREAS, thanks to hardworking water professionals and volunteers, Illinois is fortunate to have reliable access to clean water, ensuring that our citizens are healthy; and,

WHEREAS, the abounding successes of Illinois’s agricultural, municipal, industrial, and recreational economies are all incontrovertibly joined to the significance of safe, clean water; and,

WHEREAS, the preservation and protection of Illinois’s water is a critical endeavor that must be recognized and undertaken by all of the citizens of Illinois; and,

WHEREAS, the Water’s Worth It campaign, promoted by the Water Environment Federation, is being demonstrated throughout the country to increase community awareness of water—a most essential natural resource; and,

WHEREAS, the Water’s Worth It outreach effort will be incorporated into the Water Environment Federation’s Annual Technical Exhibition and Conference at the McCormick Place in Chicago from October 5th through 9th. This conference will host more than 18,000 water professionals, 1,000 exhibiting companies, and use more than 280,000 square feet of exhibit space; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as WATER’S WORTH IT MONTH in Illinois, and encourage all citizens and organizations to understand and acquaint themselves with the challenges involved in maintaining clean and safe water.

Issued by the Governor July 22, 2013.
Filed by the Secretary of State July 23, 2013.
2013-269
PUNJABI SPORTS FESTIVAL DAY

WHEREAS, throughout our nation’s history, sports have served as a forum for promoting friendship, solidarity, fair play, teamwork, and competition; and,

WHEREAS, the State of Illinois encourages physical fitness, public participation in athletic activities, and the effort to lead a healthy lifestyle; and,

WHEREAS, the Punjabi Cultural Society of Chicago has created an Annual Sports Festival and is dedicated to promoting exercise and healthy lifestyles while showcasing and developing athletic activity in the Land of Lincoln; and,

WHEREAS, this year’s festival will include volleyball, basketball, yoga, bhangra aerobics, senior races, kokla shapaki, kids events, and many more activities; and,

WHEREAS, the many games and competitions planned for this year’s festival are certain to provide hours of fun and entertainment, not only for individuals who are participating, but also for spectators who are gathered to cheer on these talented young athletes; and,

WHEREAS, on Saturday, July 27, 2013, the Punjabi Cultural Society of Chicago’s 19th Annual Sports Festival will take place; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 27, 2013, as PUNJABI SPORTS FESTIVAL DAY in Illinois, in recognition of this annual event and in support of advancing health and athletics in the Land of Lincoln.

Issued by the Governor July 22, 2013.
Filed by the Secretary of State August 21, 2013.

2013-270
DR. WILLIE WILSON’S SINGSATION! DAY

WHEREAS, in times of peril both at home and abroad, many Americans turn to prayer for help and guidance; and,

WHEREAS, millions of men and women across the nation gratefully continue the tradition of prayer in churches, synagogues, temples, mosques, and other houses of worship across our country; and,

WHEREAS, gospel music is the expression of prayer and worship through the beautiful art of music, and gospel musicians possess a special commitment to spreading their spirituality; and,

WHEREAS, gospel musicians not only enrich people’s lives, but also do much to promote the value of strong faith and religious belief; and,
WHEREAS, one such musician is Dr. Willie Wilson, whose “Singsation!” gospel music television show airs in 60,000,000 households every Sunday at 5:30AM; and,

WHEREAS, the State of Illinois congratulates Dr. Wilson the 26th Anniversary of Singsation!; and,

WHEREAS, for the past twenty-six years, Singsation! has been an excellent opportunity to listen to joyous music and provide viewers with necessary spiritual guidance; and,

WHEREAS, over the years Singsation! has touched the lives of many community members, families, and audiences; and,

WHEREAS, the long history of Singsation! is truly a testament to the strength of Dr. Willie Wilson and that of its staff and supporters; and,

WHEREAS, this anniversary is an opportunity for all to celebrate the success of Singsation!, while also reaffirming the faith and dedication that has supported this program for twenty-six years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 28, 2013 as DR. WILLIE WILSON’S SINGSATION! DAY in Illinois, and encourage everyone to use this occasion to reflect on all the good that Singsation! has done throughout its accomplished history.

Issued by the Governor July 23, 2013.
Filed by the Secretary of State August 21, 2013.

2013-271
THOMAS LINCOLN DAY

WHEREAS, Thomas Lincoln, born January 6th, 1778 in Rockingham County, Virginia, fathered Abraham Lincoln, the sixteenth President of the United States of America; and,

WHEREAS, a well-respected member of his community and church, Thomas lived as a skilled carpenter and farmer, firstly abiding by Kentucky law and enrolling in a militia; and,

WHEREAS, like much of his lineage, Thomas was a soldier; enrolling himself in the Washington County Militia at 17 years old, he joined the 4th Regiment to soldier as Private Lincoln in Captain John Ewing’s Company from June 8th, 1795 to July 7, 1795, where he fought against Indian raids on the borders of Kentucky; and,

WHEREAS, from July 7th, 1795 to August 5th, 1795, Thomas served on similar expeditions under Lieutenant Philip Washburn; and,

WHEREAS, after moving to Hardin County, Kentucky, and saving his money as he worked as a skilled carpenter for Samuel Haycraft, Senior, he purchased 238 acres of farmland. Further proving to be a
responsible citizen in his community, Militia officers had recognized his strong leadership and offered him a position as an officer; and,

WHEREAS, as a veteran, Thomas joined the 3rd Regiment of the Hardin County Militia, and was commissioned an Ensign of that regiment on September 17, 1805 for his leadership ability and experience. The rank of Ensign would later be known as 2nd Lieutenant; and,

WHEREAS, after Thomas’s passing at his Goosenest Prairie home, he was buried in Shiloh—referred to as the Gordon Cemetery, in Coles County, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31st, 2013 as THOMAS LINCOLN DAY in Illinois, in order to better learn of the legacy of one of our State’s and Nation’s heroes and of a hardworking American individual. Let Thomas Lincoln’s determination and fortitude ring as true as his son’s has.

Issued by the Governor July 23, 2013.

Filed by the Secretary of State August 21, 2013.

2013-272
NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK

WHEREAS, an elevator is defined as a permanent hoisting and lowering mechanism with a car, and an escalator is defined as a continuous moving stairway; and,

WHEREAS, every year in the United States, approximately 30 casualties and 17,000 serious injuries are caused by escalator and elevator accidents; and,

WHEREAS, of these incidents, 90% are fatalities that result from individuals being caught between elevators, within elevator equipment, elevator collapses or tripping while entering or exiting an elevator; and,

WHEREAS, an estimated 800,000 elevators and 30,000 escalators are currently in operation in the United States; and,

WHEREAS, the purpose of National Elevator Escalator Safety Awareness Week is to increase public awareness of the safe and proper use of elevators, escalators and moving walkways in hopes of reducing through education avoidable accidents and fatal injuries; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 10-16, 2013 as NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK in Illinois, and encourage all citizens to fully participate in this observance and improve the quality of life throughout the State.

Issued by the Governor July 24, 2013.
PANDA/PANS AWARENESS DAY

WHEREAS, PANDAS, Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections, is the sudden onset of OCD often displayed as severe anxiety and emotional disturbances plus two or more of the following symptoms: tics or other abnormal movements; severe separation anxiety, generalized anxiety; irritability, emotional liability, aggression, personality changes; ADHD, inability to concentrate; sensory sensitivities; deterioration in learning abilities and school performance; developmental and age regression (including deterioration in handwriting); sleep and nighttime difficulties; and/or urinary frequency or daytime/nighttime secondary enuresis; symptoms that are often debilitating and devastating for families; and,

WHEREAS, the onset of symptoms is corresponding to an infection, usually strep; children with PANDAS may have moderate to dramatic improvement with early diagnosis and swift treatment with antibiotics, however, further interventions may be needed; and,

WHEREAS, with concerted research efforts, a standard treatment protocol may be developed, however at this time many parents and doctors report use of prophylactic antibiotics and/or IVIG (intravenous immunoglobulin) treatment or plasmapheresis to be effective; and,

WHEREAS, the insurance industry does not recognize or cover the current gold standard treatments of IVIG (intravenous immunoglobulin) and plasmapheresis; and,

WHEREAS, PITAND, Pediatric Infection-Triggered Autoimmune Neuropsychiatric Disorders, is similar to PANDAS in terms of presentation; however, it consists of a broader list of possible triggers, not only strep; triggers may include Mycoplasma Pneumonia, Mono, Lyme, viruses, and more; and,

WHEREAS, PANS, Pediatric Acute-onset Neuropsychiatric Syndrome, is broader than PANDAS and PITAND as it includes not only disorders associated with a preceding infection, but also acute onset non-infectious triggers, such as environmental factors and metabolic dysfunction; no treatment plan for this syndrome has been defined at this time, but treatment plans similar to PANDAS should be attempted; and,

WHEREAS, the families of children diagnosed with PANDAS/PITAND/PANS endure many hardships medically, educationally, social-emotionally, and financially; and,
WHEREAS, a conservative estimate of the prevalence of PANDAS/PITAND/PANS cases in the United States alone is 162,000 (as compiled by the PANDAS Network); however, the true prevalence of PANDAS/PITAND/PANS is not known; and,

WHEREAS, PANDAS/PITAND/PANS is likely as common as illnesses like pediatric cancer or pediatric diabetes, but is also often misdiagnosed as ADHD, sensory processing deficits, bi-polar disorder, learning disabilities, Tourette Syndrome, strict OCD, and/or pervasive developmental disorders/autism spectrum disorders and can seriously affect the healthy outcome of a child's life; and,

WHEREAS, The PANDAS Parent Support of Illinois group strives to build public awareness of PANDAS/PITAND/PANS, provide ongoing family support, as well as gather and disseminate resources to families affected by the disorder; and,

WHEREAS, it is imperative that there be greater public awareness of this serious health issue, and more must be done to increase activity at the local, state and national levels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 9, 2013 as PANDAS/PANS AWARENESS DAY in Illinois, in order to raise awareness about PANDAS/PANS.

Issued by the Governor July 24, 2013.
Filed by the Secretary of State August 21, 2013.

2013-274
MAYOR ALAN GAFFNER DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual is Alan Gaffner, the current Mayor of Greenville, Illinois, who has also selflessly served Greenville Regional Hospital over the past 33 years in the positions of Public Affairs Director and Director of Legislative Affairs and Volunteer Service; and,

WHEREAS, throughout his time as a public servant, Mayor Alan Gaffner has positively impacted many people, enabling them to achieve their full potential; and,

WHEREAS, Mayor Alan Gaffner will be leaving his position at Greenville Regional Hospital after more than three decades of service; and,

WHEREAS, Mayor Alan Gaffner’s tenure at Greenville Regional Hospital offers an opportunity for all residents of Illinois to commend his
honorable and dedicated service and reflect on his many accomplishments; and,

WHEREAS, while serving as Public Affairs Director, Mayor Alan Gaffner’s duties included coordinating media relations, public relations, marketing, fund raising, employee relations activities, and special events; and,

WHEREAS, in his role as Director of Legislative Affairs and Volunteer Service, Mayor Alan Gaffner was responsible for coordinating numerous projects sponsored by the Greenville Regional Hospital Auxiliary, serving as the Co-Coordinator of the annual Health Fair, assisting with various charitable giving activities, and developing public policy initiatives with local, state, and federal government representatives; and,

WHEREAS, Alan Gaffner has been elected Mayor for four terms, most recently in 2013, and is now serving in his 11th year as Mayor of the City of Greenville; and,

WHEREAS, in addition to his work in government, Mayor Alan Gaffner has demonstrated his dedication to improving the quality of life for others through his service to the Greenville College Alumni Board, Greenville First United Methodist Church, and Illinois Health Care Association; and,

WHEREAS, Mayor Alan Gaffner has been elected as a member of the Illinois Health Care Association, where he currently serves as Secretary of the Board; and,

WHEREAS, Mayor Alan Gaffner’s efforts have undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues and the mark that he leaves behind will serve as a foundation for the future; and,

WHEREAS, Mayor Alan Gaffner’s commitment to public service has helped to make our state stronger and has served as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, Mayor Alan Gaffner’s work ethic has exemplified the dedication to service the citizens of Greenville and the State of Illinois have come to expect and deserve; and,

WHEREAS, perhaps most importantly, Mayor Alan Gaffner has been a dedicated husband to wife Lori, and loving father to Ben and twin 15 year-old daughters, Emily and Hannah; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 4, 2013 as MAYOR ALAN GAFFNER DAY in Illinois, and do hereby commend him on all of his accomplishments at Greenville Regional Hospital, and recognize his service to the citizens of Greenville and the State of Illinois.
2013-275
PLASMA PROTEIN THERAPIES WEEK

WHEREAS, October 13-20, 2013 marks International Plasma Awareness Week with observances throughout the United States and Europe designed to raise global awareness of the need for source plasma collection, recognize the contributions of plasma donors to saving and improving lives and to increase understanding about lifesaving plasma protein therapies and rare diseases; and,

WHEREAS, lifesaving plasma-delivered and recombinant blood clotting factors, collectively known as plasma protein therapies are unique, biologic products for which no substitute therapies exist; and,

WHEREAS, plasma protein therapies exist, save and improve lives of individuals throughout the world; and,

WHEREAS, plasma protein therapies are used to treat many conditions including bleeding disorders, primary immunodeficiency diseases, Alpha-1 antitrypsin deficiency and certain rare neurological disorders; and,

WHEREAS, these therapies are also used in emergency and surgical medicine to save and improve lives; and,

WHEREAS, these therapies have significantly improved the quality of life, markedly improved patient outcomes, extended life expectancy for individuals with rare diseases, specifically those with plasma protein disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-20, 2013 as PLASMA PROTEIN THERAPIES WEEK in Illinois, in celebration of the biological contributions of Plasma Protein Therapies.

Issued by the Governor July 26, 2013.
Filed by the Secretary of State August 21, 2013.

2013-276
CANAVAN DISEASE AWARENESS MONTH

WHEREAS, Canavan Research Illinois is an Illinois nonprofit corporation established in April 2000 to meet a critical need to support medical research to treat, cure, and improve the quality of lives of all children battling Canavan disease, a rare and fatal genetic neurological disorder; and,
WHEREAS, the majority of those afflicted with Canavan disease do not reach their 18th birthday. These innocent children face the loss of all motor functions, blindness, paralysis, feeding tubes, and eventual disintegration of the brain, at which point they fall into a vegetative state from which they cannot recover; and,

WHEREAS, Canavan Research Illinois is an all volunteer charity dedicated to raise funds to support cutting-edge research, increase public awareness, and provide a network for Canavan families; and,

WHEREAS, on October 12, 2013, Canavan Research Illinois will hold the 15th Annual Canavan Charity Ball. This year’s Ball is being held in honor of Max Randell’s 16th birthday, a momentous milestone for this young man living with Canavan disease:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as CANAVAN DISEASE AWARENESS MONTH in Illinois, to raise awareness of Canavan disease and in support of Canavan Research Illinois’ important efforts to improve the quality of life of those who are battling this disease.

Issued by the Governor July 29, 2013.
Filed by the Secretary of State August 21, 2013.

2013-277
DENNIS FARINA DAY

WHEREAS, Illinois is a leader in supporting the arts, and acting has always been an important component of the artistic fabric of our state; and,

WHEREAS, one of the most successful actors to come from the Land of Lincoln was Dennis Farina, who was born in Chicago to a Sicilian-American family on February 29, 1944; and,

WHEREAS, Dennis Farina is unique in that he did not start acting until he was 37 years old, after serving in the military for 3 years and working for the Chicago Police Department for 18 years, where he spent most of his time in the burglary division; and,

WHEREAS, while still working in the burglary division, Dennis Farina’s big break came when he was hired by director Michael Mann for the movie “Thief” (1981). This movie received critical acclaim, and they would go on to work together many times in the future; and,

WHEREAS, after “Thief,” Dennis Farina started acting in Chicago theater before being cast by Mann in a lead role for the 1986 TV series “Crime Story”; and,
WHEREAS, Dennis Farina has acted in numerous other films including “Reindeer Games,” “Paparazzi,” “Midnight Run,” and “Manhunter”; and,

WHEREAS, more recently, Dennis Farina appeared in the feature films “The Grand,” “Bottle Shock,” and “What Happens in Vegas.” In addition, he also appeared on the NBC Series “Law and Order” and in the HBO mini-series, “Empire Falls,” for which he won a Golden Globe Award for Best Mini-Series; and,

WHEREAS, on July 22, 2013, in Scottsdale, Arizona, Dennis Farina passed away at the age of 69; and,

WHEREAS, Dennis Farina’s warmhearted nature, passion for acting, and great sense of humor were evident to everyone who had the pleasure of meeting him; and,

WHEREAS, his personality was formed in Chicago and, despite his remarkable accomplishments, he always remained loyal to his hometown; and,

WHEREAS, Dennis Farina is survived by many loving friends and family members including three sons, several grandchildren, and his longtime partner, Marianne Cahill; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 29, 2013 as DENNIS FARINA DAY in Illinois, in recognition of his tremendous contributions to the entertainment industry as an actor, and in remembrance of his years of public service to the Chicago Police Department and commitment to the Land of Lincoln.

   Issued by the Governor July 29, 2013.
   Filed by the Secretary of State August 21, 2013.

2013-278
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF OFFICER SHAMEKIA GOODWIN-BADGER

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on Saturday, July 27, 2013 Wheeling Police Officer Shamekia Goodwin-Badger was abruptly taken from us at the age of 33; and,

WHEREAS, Officer Shamekia Goodwin-Badger joined the Wheeling Police Department in 2008 after working for four years as an officer in Hawthorn Woods; and,
WHEREAS, during her time with the Wheeling Police Department, Officer Shamekia Goodwin-Badger worked the midnight shift and specialized as a youth officer and evidence technician; and,

WHEREAS, Officer Shamekia Goodwin-Badger was also a decorated Army veteran, with service in Kuwait and Iraq; and,

WHEREAS, Officer Shamekia Goodwin-Badger was a well-known member of the community and loving sister, mother, and friend who will always be remembered for the countless lives that she impacted; and,

WHEREAS, throughout her career in law enforcement, Officer Shamekia Goodwin-Badger represented the State of Illinois admirably; and,

WHEREAS, a memorial service will be held on Wednesday, July 31, 2013 for Officer Shamekia Goodwin-Badger, who is survived by her sisters Lakisha Owens and Lisa Washington, daughter Kendra Badger, as well as many other loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Wednesday, July 31, 2013 in honor and remembrance of Officer Shamekia Goodwin-Badger, whose selfless service and sacrifice is an inspiration to the residents of the Land of Lincoln.

Issued by the Governor July 30, 2013.

Filed by the Secretary of State August 21, 2013.

2013-279

LAKE PETERSBURG FOUNDER’S DAY

WHEREAS, the Sangamon Valley was home to many Native American tribes, followed by pioneers who tilled the rich, fertile soil; and,

WHEREAS, the Sangamon Valley was also home to Abraham Lincoln who settled in New Salem, studied law, and was elected to the Illinois General Assembly and eventually the United States Presidency; and,

WHEREAS, the town of Petersburg, originally surveyed by Abraham Lincoln, became the county seat of Menard County; and,

WHEREAS, Abraham Lincoln often walked through the Sangamon Valley between New Salem and Petersburg; and,

WHEREAS, more than a century later, a group of local citizens stated as their vision for these rolling hills “…to create a local community for families that would transcend the years, and provide sanctuary for wildlife and native species.”
WHEREAS, in 1960, the Lake Petersburg Association was formed and a site was chosen for development; and,
WHEREAS, in 1963, work was completed and Lake Petersburg was built without the use of any federal, state or local funding; and,
WHEREAS, Lake Petersburg is today a thriving lake community consisting of 371 homes nestled on a tranquil 200-acre reservoir enjoying abundant flora and fauna; and,
WHEREAS, the residents of Lake Petersburg have displayed a strong sense of stewardship by planting prairie grasses to control run-off and native aquatic plants to curb erosion, and by discouraging use of phosphorus fertilizers to foster a healthy lake; and,
WHEREAS, now in its 50th year, Lake Petersburg still embodies the aims of its Founders and its residents enjoy a high quality of life in a tranquil, beautiful environment; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 1, 2013 as LAKE PETERSBURG FOUNDER’S DAY, in recognition of the innovative spirit of those visionaries who founded Lake Petersburg and to mark the historic occasion of its 50th anniversary.

Issued by the Governor July 30, 2013.
Filed by the Secretary of State August 21, 2013.

2013-280
PRINCIPALS WEEK AND PRINCIPALS DAY

WHEREAS, school principals play an important role in the education and growth of children in elementary, middle, and secondary schools across the State of Illinois; and,
WHEREAS, school principals are responsible for promoting education and working with parents and teachers to ensure that each child receives services that meet their needs to excel in the classroom; and,
WHEREAS, it is the responsibility of the State of Illinois to preserve and improve resources for schools so that all students have the opportunity to receive a quality education and foundation for a successful future; and,
WHEREAS, the Illinois Principals Association, which represents 4,400 educational leaders statewide, believes that learning is a lifelong process and that the education of our children is the highest priority; and,
WHEREAS, for that reason, the Illinois Principals Association is dedicated to advancing student learning through effective and innovative educational leadership development; and,
WHEREAS, educational leaders face many challenges in educating our young people and it is through their perseverance and passion that Illinois is able to continue to produce quality, career ready students; and,

WHEREAS, we must continue to encourage, support, and recognize those who have a positive impact on Illinois students’ and the educational system in the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of October 20-26, 2013 as PRINCIPALS WEEK and October 25, 2013 as PRINCIPALS DAY in Illinois, to recognize principals and the Illinois Principals Association for all that they do to help our children learn and succeed.

Issued by the Governor July 30, 2013.
Filed by the Secretary of State August 21, 2013.

2013-281
GEOTHERMAL DAY

WHEREAS, geothermal systems are the most energy efficient heating and cooling systems available today, and geothermal takes advantage of the earth’s free energy, offering energy savings of 50 percent or greater; and,

WHEREAS, the Geothermal Alliance of Illinois is the state’s primary organization advocating this renewable energy technology in the Land of Lincoln; and,

WHEREAS, the GAOI and its leaders are organizing the Illinois Geothermal Tour on Saturday, September 21, 2013, offering geothermal open house events across the state; and,

WHEREAS, Illinois residents who want to learn more about this energy efficient technology can witness geothermal systems in operation at homes and businesses across the state that are a part of the Illinois Geothermal Tour; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Saturday, September 21, 2013 to be GEOTHERMAL DAY in Illinois, and urge residents of our state to learn more about this renewable energy technology.

Issued by the Governor August 1, 2013.
Filed by the Secretary of State August 21, 2013.
2013-282
MANUFACTURING MONTH

WHEREAS, the manufacturing industry in the United States makes significant contributions to our local, state, and national economies; and,

WHEREAS, manufacturing in Illinois has been the historical bedrock of the state’s economy for nearly two centuries; and,

WHEREAS, the State of Illinois is fortunate to have over 14,000 manufacturing establishments in a wide range of areas including machinery, food and beverages, fabricated metal products, chemical manufacturing, petroleum and coal products, and computer and electronic products; and,

WHEREAS, the manufacturing sector is driving economic growth in Illinois and creating solid, middle-class jobs; and,

WHEREAS, according to the most recent data, Illinois has added over 197,000 jobs, including 25,000 manufacturing jobs since the beginning of 2010 - the best growth rate in the Midwest; and,

WHEREAS, manufacturers in Illinois account for over 13.2 percent of the total output in the state, employing 10.2 percent of the workforce; and,

WHEREAS, manufacturing is the primary source of Illinois exports, accounting for 93 percent of all exports; and,

WHEREAS, manufacturing in Illinois provides not only jobs, but skilled, well-paying jobs; according to the National Association of Manufacturers, manufacturing compensation is on average 18% higher than other non-farm employers; and,

WHEREAS, one of the most important tools for any business to remain competitive in a 21st century economy is a well-trained workforce, and Illinois continues to make strategic investments in training and support services to improve the competitiveness of Illinois workers, who are among the most productive in the nation; and,

WHEREAS, through programs such as the Employer Training Investment Program (ETIP), the Job Training and Economic Development Program (JTED), the State Energy Sector Partnership (SES), the Illinois Entrepreneurship Network (IEN), and resources led by the Manufacturing STEM Learning Exchange, the Illinois Manufacturing Excellence Center (IMEC), the Illinois Manufacturers’ Association and many others, Illinois is providing its manufacturers with key business tools to improve their bottom line and further enhance the state’s business climate; and,

WHEREAS, just this year, the Illinois Manufacturing Lab was announced, providing an innovative, public-private approach to advanced
manufacturing; the lab will serve as a hub for companies to learn the world’s most sophisticated tools and software, keeping Illinois at the cutting-edge of advanced manufacturing; and,

WHEREAS, Illinois’ manufacturing sector is, and always will be, an integral part of our economy and preserves Illinois’ position as a top competitor in today’s global marketplace; and,

WHEREAS, an unfortunate public perception exists about manufacturing that industrial jobs are not desirable, on the contrary, modern advanced manufacturing relies on clean, well-lit and climate controlled environments and provides complete benefits to all employees including healthcare and retirement plans; and,

WHEREAS, October 4, 2013 is National Manufacturing Day; and,

WHEREAS, during the entire month of October, manufacturers, educational institutions, and other organizations throughout Illinois will host events to highlight the importance of manufacturing to our state’s economy, draw attention to the many rewarding jobs in the manufacturing field, and improve general public perception of manufacturing careers by holding open houses, public tours, career workshops, and business-school partnerships, while also introducing manufacturers to business improvement resources and services; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as MANUFACTURING MONTH in Illinois, and encourage all residents, students, parents, educators, media, customers, suppliers and the community at large to recognize the importance of ensuring a thriving manufacturing sector throughout the Land of Lincoln by investing time and resources to assure success of manufacturing month activities.

Issued by the Governor August 1, 2013.
Filed by the Secretary of State August 21, 2013.

2013-283
MARTHA JACKSON DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,
WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
WHEREAS, one such person is Martha Jackson of Litchfield; and,
WHEREAS, Martha Jackson serves as Montgomery County’s representative to the Illinois Route 66 Association; and,
WHEREAS, Martha Jackson recently celebrated the opening of Litchfield Museum and Route 66 Welcome Center along that historic road. A retired music teacher, Jackson took the role of president of the group that created this new facility in less than two years, in part as an honor to her late husband, David, who had an interest in local history; and,
WHEREAS, Martha Jackson is active in other community organizations, and has co-chaired a project to publish an extensive Litchfield history at the time of the town’s sesquicentennial; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 12, 2013 as MARTHA JACKSON DAY in Illinois, in recognition of her positive impact on our state.
Issued by the Governor August 1, 2013.
Filed by the Secretary of State August 21, 2013.

2013-284
PRO SE COURT DAY

WHEREAS, pro se is Latin for “himself” or “on one’s own behalf”; Pro se legal representation refers to representing oneself instead of using a lawyer; and,
WHEREAS, Section 35 of the Judiciary Act of 1789, 1 Stat. 73, 92, which was proposed by the First Congress and signed by President Washington, stated that “in all courts of the United States, the parties may plead and manage their own causes personally or by the assistance of counsel”; and,
WHEREAS, since 1992, the number of pro se litigants have steadily risen across the nation and those who represent themselves are more likely to be satisfied with the judicial process; and,
WHEREAS, pro se litigants are often seen in civil court; usually, litigants represent themselves because they could not afford a lawyer, did not wish to hire one, believed their case was simple enough that one was not needed, or felt that no one understood the details of their case; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the September 18, 2013 as PRO SE COURT DAY in Illinois, in order to raise awareness about the Pro Se Court System.

Issued by the Governor August 1, 2013.
Filed by the Secretary of State August 21, 2013.

2013-285
WOMEN’S BUSINESS DEVELOPMENT DAY

WHEREAS, there are over 8.1 million women-owned businesses in the U.S., employing over 7.6 million workers and generating more than $1.2 billion in revenues; and,

WHEREAS, more than 350,000 of those women-owned businesses are located in Illinois; and,

WHEREAS, the Women's Business Development Center (WBDC) is a nationally-recognized nonprofit women's business assistance organization, devoted to providing services and programs that support and accelerate women's business ownership and strengthen the impact of women on the economy; and,

WHEREAS, the WBDC was founded in 1986 by S. Carol Dougal and Hedy M. Ratner, and is now celebrating its third decade of commitment to meeting the demands of women entrepreneurs for greater opportunities in business ownership and development; and,

WHEREAS, the WBDC has put forth creative and innovative approaches to empowering women and their families, influencing the larger political and economic environment in a way that encourages and supports women's economic empowerment; and,

WHEREAS, since its inception, more than 70,000 women business owners have used the programs and services provided by the WBDC; and,

WHEREAS, these services include one-on-one counseling, workshops, and entrepreneurial training, as well as programs focused on finance, certification and capacity building, procurement and technical assistance, and child care; and,

WHEREAS, the Women's Business Development Center will hold its 27th Annual Entrepreneurial Woman's Conference on September 26, 2013 at Chicago’s McCormick Place, Lakeside Center; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 26, 2013 as WOMEN'S BUSINESS
DEVELOPMENT DAY in Illinois, in recognition of the Women's Business Development Center's 27th Anniversary Entrepreneurial Woman's Conference, and in celebration of the past twenty-seven years of the WBDC's outstanding advocacy and service to women business owners in the Land of Lincoln.

Issued by the Governor August 2, 2013.
Filed by the Secretary of State August 21, 2013.

2013-286
CHIARI MALFORMATION AWARENESS MONTH

WHEREAS, Chiari Malformation is a serious neurological disorder affecting well over 300,000 people in the United States; and,

WHEREAS, Chiari malformations (CMs) are defects in the cerebellum, the part of the brain that controls balance. They create pressure on the cerebellum and brainstem, which may block the flow of cerebrospinal fluid to and from the brain; and,

WHEREAS, this condition was first identified by Austrian pathologist Professor Hans Chiari in the 1890’s. Professor Chiari categorized the malformations in order of severity: types I, II, III, and IV; and,

WHEREAS, the cause of Chiari I malformations are unknown, but scientists believe it is either a congenital condition caused by exposure to harmful substances during fetal development, or a genetic condition, since it sometimes appears in more than one member of a family; and,

WHEREAS, symptoms usually appear during adolescence or early adulthood and can include severe head and neck pain, vertigo, muscle weakness, balance problems, blurred or double vision, difficulty swallowing and sleep apnea; and,

WHEREAS, the National Institute of Neurological Disorders and Stroke of the National Institutes of Health are conducting research to find alternative surgical options and identify the cause of CMs in order to create improved treatment and prevention plans; and,

WHEREAS, on September 21, Hoffman Estates will hold a walk during the annual Conquer Chiari Walk Across America; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as CHIARI MALFORMATION AWARENESS MONTH in Illinois, to raise awareness of this devastating neurological disorder, and in support of the organizations working to improve the quality of life for those afflicted.

Issued by the Governor August 5, 2013.
Filed by the Secretary of State August 21, 2013.
2013-287
ILLINOIS MAIN STREET DAY

WHEREAS, the Illinois Main Street statewide coordinated program was started by former Lt. Governor Bob Kustra in 1993; and,
WHEREAS, the mission of the Illinois Main Street Program is to improve the social and economic well-being of Illinois' communities by assisting selected communities to capitalize on the unique identity, assets and character of their historic commercial district; and,
WHEREAS, Illinois Main Street Provides communities with valuable technical assistance, training, and architectural consultation services free of charge; and,
WHEREAS, Illinois Main Street advocates that a self-help, volunteer-driven approach to downtown revitalization results in sustained and meaningful job creation and growth over time; and,
WHEREAS, local volunteers are trained to expand existing businesses and recruit new ones; encourage rehabilitation of existing buildings and appropriate new construction; promote the downtown with retail events, special events, and festivals; and raise money to support the local program and recruit new volunteers; and,
WHEREAS, Illinois Main Street's training and support is essential in the creation, development, and maturation of the 42 local designated programs; and,
WHEREAS, this year marks the 20th Anniversary of the Illinois Main Street Program, and two decades of hard work and dedication by all those who have committed themselves to the betterment of the program; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Tuesday, October 1st, 2013 to be ILLINOIS MAIN STREET DAY in Illinois, in recognition of the 20th Anniversary of the Illinois Main Street Program and in support of enhancing the economic and cultural fabric of Illinois communities.
Issued by the Governor August 5, 2013.
Filed by the Secretary of State August 21, 2013.

2013-288
PAYROLL WEEK

WHEREAS, the American Payroll Association and its 23,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying
wages, reporting worker earnings and withholding federal employment
taxes; and,

WHEREAS, payroll professionals in the State of Illinois play a key
role in maintaining the economic health of our state, carrying out such
diverse tasks as paying into the unemployment insurance system, providing
information for child support enforcement, and carrying out tax
withholding, reporting and depositing; and,

WHEREAS, payroll departments nationwide collect more than
$1.78 trillion annually complying with the myriad of federal and state wage
and tax laws; and,

WHEREAS, payroll professionals play an increasingly important
role ensuring the economic security of American families by helping to
identify noncustodial parents and ensuring that they comply with child
support mandates; and,

WHEREAS, payroll professionals have become increasingly
proactive in educating both the business community and the public at large
about the payroll tax withholding systems; and,

WHEREAS, payroll professionals meet regularly with federal and
state tax officials to discuss ways to improve compliance with government
procedures and how compliance can be achieved at less cost to both
government and businesses; and,

WHEREAS, the week in which Labor Day falls has been
proclaimed National Payroll Week by the American Payroll Association:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim September 2 – 6, 2013 as PAYROLL WEEK in Illinois, in
recognition of the important work done by payroll professionals throughout
the Land of Lincoln.

Issued by the Governor August 5, 2013.

Filed by the Secretary of State August 21, 2013.

2013-289
RUSSELL AND RICHARD KRAUSE DAY

WHEREAS, the hard work and determination of America’s
citizens are among our greatest resources; and,

WHEREAS, one person can effect a positive change with just a
single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women
who dedicate their time and energy to performing acts of good will and
improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,

WHEREAS, two such people are Russell and Richard Krause of East St. Louis; and,

WHEREAS, Russell and Richard Krause have been predominant leaders of sports teams for almost 50 years, recently passing an incredible milestone of 6,000 games coached, and serving as officials for the Illinois High School Association for three decades; and,

WHEREAS, Russell and Richard Krause have coached teams participating in basketball, softball, track and field, football, tennis and cheerleading; and,

WHEREAS, Russell and Richard Krause have dedicated their lives to supporting over 5,000 young athletes passing through their programs, some rising to professional sports status, with a focus on helping form “solid, productive citizens” along the way; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 15, 2013 as RUSSEL AND RICHARD KRAUSE DAY in Illinois, in recognition of their positive impact on our state.

Issued by the Governor August 5, 2013.
Filed by the Secretary of State August 21, 2013.

2013-290
STATE PARTNERSHIP PROGRAM WITH POLAND DAY

WHEREAS, in 1993 the Illinois National Guard established a State Partnership Program with the Republic of Poland and this program has flourished over 20 years becoming the U.S. National Guard’s premier State Partnership; and,

WHEREAS, the State Partnership Program with Poland has teamed thousands of Polish military members with thousands of Illinois National Guard Soldiers and Airmen over two decades and together they are helping the Republic of Poland emerge from the throes of oppression to a shining example of democracy and defender of freedom; and,
WHEREAS, Polish and Illinois National Guard Soldiers fought together in Iraq and continue to fight together in Afghanistan and have shared the rigors and challenges of combat side by side since 2003; and,

WHEREAS, through numerous training missions, exchanges, and well-established relationships this State Partnership Program alliance continues to achieve long term objectives and fosters a generation-long dynamic between two great nations; and,

WHEREAS, the Illinois National Guard and the Polish Armed Forces have built a genuine partnership, creating long term personal relationships based on openness, confidence, and trust; and,

WHEREAS, from its inception, this dynamic partnership keeps building enduring military-to-military, military-to-civilian, and civilian-to-civilian relationships, all of which enhance long term international security; and,

WHEREAS, the State Partnership Program serves as a key security cooperation tool, facilitating interaction in all aspects of civil and military collaboration between the United States, the State of Illinois and the Republic of Poland and contributing to the stability and economic prosperity in the region; and,

WHEREAS, thousands of Illinois residents celebrate Polish Armed Forces Day on August 15, commemorating an anniversary of the Battle of Warsaw, also known as the Miracle at the Vistula, a decisive Polish victory in 1920 in the Polish-Soviet War that saved Poland's independence; and,

WHEREAS, Polish-born Soldiers such as Casimir Pulaski and Tadeusz Kościuszko fought side by side with Patriots during the American Revolution helping the United States gain its independence from Britain; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim August 15th 2013 as STATE PARTNERSHIP PROGRAM WITH POLAND DAY in Illinois, in grateful recognition of 20 years of bilateral cooperation between the Illinois National Guard and the Polish Armed Forces.

Issued by the Governor August 5, 2013.

Filed by the Secretary of State August 21, 2013.
2013-291
TWENTY-SECOND ANNIVERSARY OF UKRAINIAN INDEPENDENCE DAY

WHEREAS, twenty-two years ago, the Parliament of Ukraine acceded to the aspirations of the Ukrainian people by formally declaring an independent Ukrainian state; and,

WHEREAS, this historic action taken on August 24, 1991 brought an end to a brutal totalitarian regime whose crimes against humanity cast a dark shadow over human history and cost many nations, including Ukraine, millions of lives, many of whose names will tragically never be known or memorialized; and,

WHEREAS, the Ukrainian American community cherishes the values of democracy, and remains hopeful that Ukraine will follow a path of constructive action in accordance with European values and principles; and,

WHEREAS, the efforts of Ukrainians around the world to preserve the language, culture and history of their nation must be acknowledged and, encouraged so that this effort continues for the sake of future generations. Such preservation has allowed Ukrainians to make significant contributions to the culture and society of the United States; and,

WHEREAS, Ukrainian Americans are one such ethnic group that makes great contributions to Illinois, both culturally and economically; and,

WHEREAS, it is critically important to reflect on the great sacrifices that were made in the struggle for independence in order to ensure a better quality of life for future generations; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2013, as TWENTY-SECOND ANNIVERSARY OF UKRAINIAN INDEPENDENCE DAY and urge all citizens to join the celebration commemorating this momentous event in the history of the Ukrainian nation. On this day, let us recommit ourselves to remembering the heroes who sacrificed their lives to ensure the freedom and happiness of future generations.

Issued by the Governor August 5, 2013.

Filed by the Secretary of State August 21, 2013.
WHEREAS, throughout our nation’s history, America’s men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, our veterans answered the call to duty with honor, decency, and selflessness; and,

WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and,

WHEREAS, it is our duty to ensure the sacrifice of these heroes is never forgotten. Our veterans represent the best of America, and they deserve everything we can give them; and,

WHEREAS, Sunday, August 11, 2013 is Veterans’ Day at the Illinois State Fair — a day to give thanks to those who have served our country, to salute our service members and to honor the men and women who have lost their lives protecting our freedom; and,

WHEREAS, it is important that we recognize these true patriots of freedom, liberty and democracy, not only on this day, but throughout the year; and,

WHEREAS, on this day, veterans and their families are admitted to the fairgrounds for free, and a number of special Veterans’ Day activities will be held:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 11, 2013 as VETERANS’ DAY AT THE STATE FAIR in Illinois, and encourage all Americans to recognize and honor the sacrifice of our veterans.

Issued by the Governor August 5, 2013.

Filed by the Secretary of State August 21, 2013.

2013-293
GLEN BRANDT AND EVELYN BRANDT THOMAS DAY

WHEREAS, agriculture is one of the State of Illinois’ largest and most important economic activities; and,

WHEREAS, Illinois’ businesses play a critical role in driving our state’s agricultural industry; and,

WHEREAS, one such business is Brandt Consolidated, which was founded in 1953 by Glen Brandt and his sister, Evelyn Brandt Thomas, to help Illinois farmers adopt new and profitable technologies for their operations; and,
WHEREAS, Glen and Evelyn are natives of Sangamon County and grew up five miles East of Pleasant Plains, Illinois; and,
WHEREAS, Brandt Consolidated is comprised of three operating divisions: Specialty Formulations, Retail Agronomy, and Dealer Support; and,
WHEREAS, with a strong belief in innovation and customer service, Brandt Consolidated has more than 200 employees who are now working in more than 10 states and in several counties around the world; and,
WHEREAS, during the past 60 years, Brandt Consolidated has made necessary changes in production agriculture, regulations and facilities, and structure in order to best serve its customers; and,
WHEREAS, over the course of many years, the Brandt’s have been outstanding supporters of the Illinois State Fair and Illinois agriculture. They have been participants in the Governor’s Sale of Champions, supporters of 4-H and FFA programs, and founders of scholarships for women in business at the University of Illinois; and,
WHEREAS, Evelyn-Brandt Thomas will celebrate her 90th birthday on August 25th, 2013; and,
WHEREAS, Brandt Consolidated is celebrating its 60th Anniversary this year; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 13, 2013 as GLEN BRANDT AND EVELYN BRANDT THOMAS DAY in Illinois, in appreciation of their efforts to promote agriculture, and in recognition of the 60th Anniversary of Brandt Consolidated, a company that will have a bright future in the Land of Lincoln for many years to come.

Issued by the Governor August 6, 2013.
Filed by the Secretary of State August 21, 2013.

2013-294
UNIVERSITY OF ILLINOIS EXTENSION DAY

WHEREAS, the State of Illinois is uniquely suited to produce an abundance of agricultural products and is a national and world leader in producing and exporting many agricultural goods; and,
WHEREAS, agriculture is one of the State of Illinois’ largest and most important economic activities; and,
WHEREAS, Illinois’ businesses, producer associations, and universities partner to drive our state’s agricultural industry; and,
WHEREAS, in 1887, Congress created Agricultural Experiment Stations at Land Grant Colleges to conduct research to improve farming methods; and,

WHEREAS, following the signing of the Smith-Lever Act, extension services such as the University of Illinois Extension were established nationwide; and,

WHEREAS, the University of Illinois Extension is a critically important academic institution that works diligently to provide ag educational opportunities and promote the agricultural industry; and,

WHEREAS, the University of Illinois Extension is based in the College of Agricultural, Consumer, and Environmental Sciences (ACES) at the University of Illinois in Urbana; and,

WHEREAS, the University of Illinois Extension offers educational opportunities in five broad areas: healthy society, food security and safety, environmental stewardship, sustainable and profitable food production and marketing systems, and enhancing youth, family, and community well-being; and,

WHEREAS, more than 2.5 million Illinois residents take part in Extension programs each year, including nearly 300,000 who participate in 4-H youth programs; and,

WHEREAS, this year marks the University of Illinois Extension’s 100th Anniversary; and,

WHEREAS, it is a remarkable achievement for any organization, especially one that offers educational programs to residents in each of Illinois’ counties, to prosper for 100 years; and,

WHEREAS, the longevity of the University of Illinois Extension is a tribute to its employees and dedicated volunteers who are committed to enhancing the agricultural industry in the State of Illinois; and,

WHEREAS, the University of Illinois Extension has gained momentum over the years, adapting and taking on new challenges as they have arisen; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 13, 2013 as UNIVERSITY OF ILLINOIS EXTENSION DAY in Illinois, in recognition of 100 years of success and the tremendous contributions this institution has made to Illinois’ agricultural industry.

Issued by the Governor August 6, 2013.
Filed by the Secretary of State August 21, 2013.
WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,
WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
WHEREAS, one such person is Ed Brozak of Streator; and,
WHEREAS, Ed Brozak, currently a Streator city councilman, has been vital in his community’s work on tourism promotion; and,
WHEREAS, Ed Brozak has worked hard on numerous nature projects, including transforming a local dumpsite into a canoe launch along the Vermillion River and developing Streator’s Hopalong Cassidy Trail; and,
WHEREAS, Ed Brozak has spearheaded a number of local volunteer projects and has held many leadership roles in civic and school groups; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 17, 2013 as ED BROZAK DAY in Illinois, in recognition of his positive impact on our state.
Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-296
JEAN FERRIS DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,
WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
WHEREAS, one such person is Jean Ferris of Savanna; and,
WHEREAS, Jean Ferris, a now-retired school teacher, has turned her retirement into service for her community; and,
WHEREAS, Jean Ferris, through writing a grant, helped secure geothermal heating for a local museum she helped establish as well as new equipment for the area’s Rescue Squad; and,
WHEREAS, Jean Ferris with her “Oodles of Can Do” attitude, has been known to zipline through tall trees in her spare time; and,
WHEREAS, Jean Ferris is a true role model for all Illinoisans; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 9, 2013 as JEAN FERRIS DAY in Illinois, in recognition of her positive impact on our state.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-297
JOHN DURBIN DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,

WHEREAS, one such person is John Durbin of Lovington; and,

WHEREAS, John Durbin, longtime Illinois farmer, has been an inspiration through his government and humanitarian efforts for many years by serving as president of the Moultrie County Soil and Conservation Board and working on the county’s food pantry; and,

WHEREAS, John Durbin has volunteered countless hours with Habitat for Humanity and as a liaison with Taylorville Correctional Center; and,

WHEREAS, John Durbin, a small-craft pilot, has given more than a thousand youngsters plane rides as part of the Experimental Aircraft Association’s Young Eagles program; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 16, 2013 as JOHN DURBIN DAY in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-298
LORI ODENETTEL DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,

WHEREAS, one such person is Lori Oldenettel of Jacksonville; and,

WHEREAS, Lori Oldenettel, former Jacksonville city council member, has contributed countless hours towards the betterment of her community; and,

WHEREAS, Lori Oldenettel was named her local Kiwanis Club’s first female president and has served selflessly in this position while inspiring numerous civic efforts such as cleaning up a stretch of her community’s waterway; and,

WHEREAS, Lori Oldenettel is also known as a devoted sponsor of youth sports, supporting her son’s soccer team as the coach; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 14, 2013 as LORI ODENETTEL DAY in Illinois, in recognition of her positive impact on our state.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-299
MARK AND CHERYL PENCE DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,

WHEREAS, one person or team of persons can effect a positive change with just a single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,

WHEREAS, to recognize several of these individuals on each day of the Illinois State Fair one person or team of persons will be named Illinoisan(s) of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
work and dedication to helping others, and for making the State of Illinois a great place to live; and,

WHEREAS, one such couple is Mark and Cheryl Pence of Springfield; and,

WHEREAS, Mark and Cheryl, both reliable, cheerful, punctual and careful were nominated as “perfect volunteers”; and,

WHEREAS, Mark and Cheryl’s services range widely, from leadership in the Springfield Area Arts Council and Sister Cities Association, to working with music societies; and,

WHEREAS, Mark and Cheryl were recommended for widening the area’s local cultural landscape; and,

WHEREAS, Mark and Cheryl have enjoyed time with their local Sertoma Club working with hearing impaired and underprivileged youth; and,

WHEREAS, Mark and Cheryl Pence are true role models and display true Illinois spirit; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10, 2013 as MARK AND CHERYL PENCE DAY in Illinois, in recognition of their positive impact on our state.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-300
ORION SAMUELSON DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
WHEREAS, one such person is Orion Samuelson of Huntley; and,
WHEREAS, Orion Samuelson is a prominent agriculture broadcaster on the airwaves for WGN and the Tribune Radio Network; and,
WHEREAS, Orion Samuelson is being honored for his years supporting youth groups such as the Future Farmers of America, 4-H and the Heifer Project International; and,
WHEREAS, Orion Samuelson is an ambassador for progress in rural America; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 13, 2013 as ORION SAMUELSON DAY in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-301
PRAIRIE FARMS DAY

WHEREAS, the dairy industry directly employs over 26,159 Illinois citizens and contributes over 36 million dollars annually in producing dairy products; and,
WHEREAS, the total state wide economic impact of the Illinois dairy industry is more than 7.3 billion dollars; and,
WHEREAS, the State of Illinois is home to over 90 dairy processing plants that employ over 8,000 workers; and,
WHEREAS, headquartered in Carlinville, Prairie Farms is one successful Illinois company that provides fresh, high quality dairy products; and,
WHEREAS, Prairie Farms and its subsidiaries manufacture and market a full selection of dairy food products out of its 24 plants and 13 joint venture plants throughout the Midwest and Mid-South; and,
WHEREAS, dairy products are a prime source of calcium, protein, and other nutrients that are essential to a healthy diet; and,
WHEREAS, Prairie Farms’ products include milk, ice cream, juices and drinks, and cultured dairy products such as dips, sour cream, cottage cheese, and yogurt; and,
WHEREAS, Prairie Farms has always been guided by the bedrock principles of quality, reliability, and faithfulness to its customers and consumers; and,
WHEREAS, it is a remarkable achievement for any organization to prosper for 75 years, and this year marks Prairie Farms’ 75th Anniversary; and,
WHEREAS, the longevity of Prairie Farms is a tribute to its employees and its family dairy farm owners who are committed to providing dairy products that are superior in their quality, value, and taste; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 13, 2013 as PRAIRIE FARMS DAY in Illinois, in recognition of 75 years of success and the tremendous contributions this company has made to the economic vitality of the Land of Lincoln.

Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-302
ROBERT LARGE DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,

WHEREAS, one such person is Robert Large of Jacksonville; and,

WHEREAS, Robert Large has served many service organizations around his community, including the Salvation Army and Jacksonville’s local theatre; and,

WHEREAS, Robert Large has devoted countless hours tutoring youths at North Jacksonville Elementary School while encouraging his fellow Kiwanis Club members to do the same; and,

WHEREAS, Robert Large has been recognized for his outstanding service by North Jacksonville Elementary School, which has created a volunteer award in his name in recognition of his selfless efforts; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 18, 2013 as ROBERT LARGE DAY in Illinois, in recognition of his positive impact on our state.
Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.

2013-303
RON KIRTS DAY

WHEREAS, the hard work and determination of America’s citizens are among our greatest resources; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named Illinoisan of the Day; and,
WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
WHEREAS, one such person is Ron Kirts of Sainte Marie; and,
WHEREAS, Ron Kirts, Soldier, Mayor, Parade Marshall, leader, and accomplished Illinoisan, cannot be overlooked for his years of service and dedication; and,
WHEREAS, Ron Kirts known as “one of the quiet ones,” has made a loud impact, from his hometown throughout Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 11, 2013 as RON KIRTS DAY in Illinois, in recognition of his positive impact on our state.
Issued by the Governor August 7, 2013.
Filed by the Secretary of State August 21, 2013.
WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, there are few forms of music more purely American than the country music genre; and,

WHEREAS, country music, with its themes of rural life, family, hard work, and love for country speaks to Midwestern ideals and Illinois residents can relate to its message; and,

WHEREAS, a country musician who has experienced great success in this genre is Toby Keith; and,

WHEREAS, Toby Keith was born in Clinton, Oklahoma to parents Joan and Hubert; and,

WHEREAS, Toby Keith began playing music at a young age after being inspired by musicians who worked at his grandmother’s supper club; and,

WHEREAS, prior to starting a career in music, Toby Keith worked in the oil industry and played in the USFL football league. His debut album, “Toby Keith,” produced the most played country song of the 1990s, “Should’ve Been A Cowboy”; and,

WHEREAS, his follow up records, Boomtown and Blue Moon, were equally successful due to hits “Who’s That Man” and “Me Too”; and,

WHEREAS, Toby Keith’s 2002 album, Unleashed, sold 3 million copies and included a duet with Willie Nelson, “Beer for My Horses”; and,

WHEREAS, Toby Keith’s albums have sold more than 36 million copies, ranking him among the top-selling genre artists on Billboard’s Top 200 Artists of the Decade; and,

WHEREAS, Toby Keith, aside from enormous commercial success, has received critical acclaim and industry awards including the Songwriter/Artist of the Decade distinction from the Nashville Songwriters Association International as well as the American Country Awards’ Artist of the Decade distinction; and,

WHEREAS, Toby Keith is strongly committed to our nation’s veterans and in 2008 played 18 shows for U.S. troops in the Persian Gulf as a part of a U.S.O. Tour; and,

WHEREAS, Toby Keith will perform at the Grandstand of the Illinois State Fair on Wednesday, August 14th at 8:00 pm; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 14, 2013 as TOBY KEITH DAY in Illinois, in recognition of his tremendous musical success and contributions to the country music genre and entertainment industry.

Issued by the Governor August 12, 2013.
Filed by the Secretary of State August 21, 2013.

2013-305
BLACK WOMEN IN BUSINESS APPRECIATION DAY

WHEREAS, small businesses that are owned by African American women are vital to Illinois’ growth and prosperity; and,

WHEREAS, in 2007, 7.8 million business firms in the U.S. were owned by women, 911,728 of which were owned by African American women; and,

WHEREAS, compared to counties nationwide, Cook County had the largest number of African American owned businesses in 2007 with 83,733 firms; and,

WHEREAS, in the State of Illinois, approximately 2.6 million jobs have been created as a result of successful African American owned businesses; and,

WHEREAS, African American women constitute 13.3% of the female population and own 11.7% of all women owned firms; and,

WHEREAS, raising awareness regarding the successes of African American women business owners will inspire people to consider opening their own business; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 28, 2013 as BLACK WOMEN IN BUSINESS APPRECIATION DAY in Illinois, and encourage consumers to support local African American businesses and in support of entrepreneurs following their dreams of opening a business in order to better their communities.

Issued by the Governor August 13, 2013.
Filed by the Secretary of State August 21, 2013.

2013-306
DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

WHEREAS, direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals are the primary providers of publicly-funded long term support and services for millions of individuals; and,
WHEREAS, direct support professionals assist individuals with disabilities with their most intimate needs on a daily basis, and must build a close, trusting relationship with those they serve; and,

WHEREAS, direct support professionals provide a broad range of support, including preparation of meals, helping with medications, bathing, dressing, mobility, getting to school, work, religious and recreational activities, and other general daily affairs; and,

WHEREAS, direct support professionals provide essential support to help keep individuals with disabilities connected to family and community, enabling them to lead meaningful, productive lives; and,

WHEREAS, direct support professionals are the key to allowing individuals with disabilities to live successfully in the community; and,

WHEREAS, the majority of direct support professionals are female, and many are the sole income earners in their families; and,

WHEREAS, direct support professionals work and pay taxes, but many remain impoverished and are eligible for the same federal and state public assistance programs for which the individuals with disabilities they serve also depend; and,

WHEREAS, currently, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase in the coming years; and,

WHEREAS, there is a documented critical and growing shortage of direct support professionals in many communities throughout the United States; and,

WHEREAS, in order to grow the workforce, increase retention, and reduce turnover so that Illinois has sufficient direct support professionals to meet the growing need for community-based services and supports, efforts must be made to increase the average hourly wage paid to direct support professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8 – 14, 2013 as DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK in Illinois, in recognition of the dedication of direct support professionals in enhancing the lives of individuals with disabilities of all ages.

Issued by the Governor August 13, 2013.

Filed by the Secretary of State August 21, 2013.
2013-307
FIRST LADIES HEALTH DAY

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,
WHEREAS, due to the hardships that many Americans are facing, volunteering and national service are needed more than ever; and,
WHEREAS, churches are often the centerpieces of African-American communities and it is widely known that the First Ladies, or pastors’ wives, are the backbone of churches and the primary influencers who are able to positively affect change through motivation and example; and,
WHEREAS, the Walgreens First Ladies Health Initiative allows Illinoisans the opportunity to seek free medical screenings for a variety of chronic illnesses that disproportionately affect African Americans, including HIV/AIDS, high blood pressure, diabetes and breast cancer, Alzheimer’s, migraines, and obesity; and,
WHEREAS, nearly 50 churches in Illinois will host volunteers from a unique coalition of public and private health organizations to provide free screenings on-site at participating churches; and,
WHEREAS, more than 30,000 individuals, some unknowingly gravely ill, have received free medical screenings and counseling during the lifetime of the Illinois-based First Ladies Health Initiative, which also extends to Los Angeles; and,
THEREFORE, I, Pat Quinn, do hereby proclaim September 22, 2013 as FIRST LADIES HEALTH DAY in Illinois, and urge citizens to thank participating First Ladies, and volunteers from Walgreens, the Illinois Department of Public Health, the AIDS Foundation of Chicago, the American Diabetes Association, the American Heart Association, Alzheimer’s Association, and other partners for their service, and to find ways to give back to their communities.

Issued by the Governor August 13, 2013.
Filed by the Secretary of State August 21, 2013.

2013-308
GUM DISEASE AWARENESS MONTH

WHEREAS, according to the Illinois Department of Public Health, Periodontal Disease, also known as gum disease, is an infection that attacks the bone and gums that support your teeth; and,
WHEREAS, bacteria in your mouth, called plaque, is the major cause of periodontal disease, although there are other contributing factors, including the general condition of your teeth, your nutrition and general health, habits and emotional stress; and,

WHEREAS, if bacteria are not removed regularly by brushing and flossing, plaque can harden into tartar, whose rough surface allows even more bacteria to stay close to your teeth and under the gumline. This bacteria releases substances that are harmful to the bones and gums around your teeth; and,

WHEREAS, mounting university research indicates gum disease is a possible precursor to heart disease, diabetes, stroke, some cancers and even stillbirths; and,

WHEREAS, Periodontal Disease is painless and, in the early stages, difficult to detect. Common early warning signs may include bad breath and tender or swollen gums that bleed when you brush and floss your teeth; and,

WHEREAS, between 74-85% of Americans suffer some degree of gum disease but less than half are aware of it—building awareness can improve community health and prevent serious health consequences; and,

WHEREAS, Illinois is committed to providing reliable oral health information that includes ways to prevent and treat gum disease - because protecting and promoting the oral health, and in turn, the overall health, of the people in this community is in the best interest of the individual people and the community as a whole; and,

WHEREAS, in the interest of public health, Illinois considers it a priority to educate its citizenry about the advanced treatment options that can help them address the symptoms of moderate to severe gum disease and the dangerous consequences of leaving it untreated; and,

WHEREAS, National Gum Disease Awareness Month is an annual health-promotion event directed at helping people make lifelong improvements in their health and quality of life by sharing information and spreading awareness and encouraging everyone to take an active role in preventing gum disease with simple tools and habit changes; and,

WHEREAS, Gum Disease Awareness Month supports community health by disseminating important information and the tips and tools to empower citizens to make powerful improvements to their health and the health of their families; and,

THEREFORE, I, Pat Quinn, do hereby proclaim February 2014 as GUM DISEASE AWARENESS MONTH and do hereby encourage our citizens, public agencies and organizations to advance the oral health of our citizens throughout the month with the dissemination of important
health information and education designed to help them take an active role in preventing and treating gum disease.

Issued by the Governor August 13, 2013.
Filed by the Secretary of State August 21, 2013.

2013-309
INTERNATIONAL CENTRAL SERVICE WEEK

WHEREAS, Central Service Technicians are responsible for processing surgical instruments, supplies and equipment; and,
WHEREAS, serving in settings ranging from hospitals to ambulatory surgical centers, Central Service Technicians provide support to patient care services; and,
WHEREAS, Central Service Department tasks include decontaminating, cleaning, processing, assembling, sterilizing, storing, and distributing the medical devices and supplies needed for patient care; and,
WHEREAS, the Central Service Department of a healthcare facility is the heart of all activity surrounding instruments, supplies and equipment required for operating rooms, Endoscopy suites, ICU, birth centers and other patient care areas; and,
WHEREAS, Central Service Technicians play a most important role in patient care arenas, and are responsible for first-line processes to prevent patient infections; and,
WHEREAS, International Central Service Week recognizes the contribution Central Service Technicians make to patient safety and the opportunities and challenges facing the profession; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-19, 2013 as INTERNATIONAL CENTRAL SERVICE WEEK in Illinois, in recognition of the contributions Central Service Technicians make in our state.

Issued by the Governor August 13, 2013.
Filed by the Secretary of State August 21, 2013.

2013-310
NATIONAL ESTUARIES WEEK

WHEREAS, the Illinois coast of Lake Michigan including Illinois Beach State Park, Waukegan Harbor, Great Lakes Harbor, Wilmette Harbor, Groose Point and Chicago Harbor are integral to the State of Illinois; and,
WHEREAS, the State of Illinois is dedicated to promoting the conservation and wide use of our coast, including the quality of its water, soil; and air, plant, and animal resources, so that these natural resources may be used and enjoyed by citizens of Illinois forever; and,
WHEREAS, estuaries are unique coastal environments that support more life per square inch than any other ecosystem on earth, providing a habitat for countless species of fish, shellfish, birds, and marine mammals; and,
WHEREAS, preserving our local fish habitats and populations will also preserve our recreational and sport fishing industry, which annually generates about 3.7 billion for the state’s economy, while commercial fishing and boating contributes hundreds of millions of dollars; and,
WHEREAS, clean shorelines attract millions of local residents and out of state visitors who visit the Illinois coast for tourist and recreational activities; and,
WHEREAS, coastal industries contribute approximately three billion to state GDP every year; and,
WHEREAS, restoration projects create more than twice as many jobs as the oil, gas, and road construction industries combined; and,
WHEREAS, protecting and restoring our estuaries is vital to our local and national economy because they sustain the fisheries that feed America, ensure outdoor recreational opportunities for current and future generations, reduce the costly impacts of natural hazards, and support local jobs which cannot be exported; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 23-29, 2013 as NATIONAL ESTUARIES WEEK in Illinois, and urge all residents to recognize their impact on our state.

Issued by the Governor August 13, 2013.
Filed by the Secretary of State August 21, 2013.

2013-311
JACKIE ROBINSON WEST LITTLE LEAGUE CHAMPIONS DAY

WHEREAS, throughout our nation’s history, the sport of baseball has served as a forum for allowing teams to work toward a common goal and display their excellence, persistence, and teamwork; and,
WHEREAS, baseball is America’s national pastime, and the State of Illinois is fortunate to be home to numerous baseball players and teams who have demonstrated an outstanding level of skill as well as sportsmanship; and,
WHEREAS, hailing from the South Side of Chicago, one of Illinois’ most successful teams is the Jackie Robinson West Little League team; and,

WHEREAS, the mission of the Jackie Robinson West Little League Baseball team is to bring children into a structured program environment intensely supported by adult volunteers where the values of leadership, teamwork, and self-discipline are strongly emphasized; and,

WHEREAS, the Jackie Robinson West Little League team was founded in 1971 by Joseph H. Haley, an educator by trade, whose goal was to provide young people with wholesome, healthy recreation through participating in baseball; and,

WHEREAS, the Jackie Robinson West Little League team had a remarkable 2013 season; and,

WHEREAS, after defeating teams from Ohio, Kentucky, and Wisconsin, the Jackie Robinson West Little League team advanced to its first regional final since 1984 and was one win away from the second Little League World Series appearance in team history; and,

WHEREAS, the longevity of the Jackie Robinson West Little League Baseball team is a tribute to all of the parents, coaches, sponsors, and fans who are committed to ensuring that young people develop the skills and work ethic necessary for becoming productive, successful adults; and,

WHEREAS, number 42 – Jackie Robinson – would have been proud of this unheralded team, true underdogs who showed the same grit and grace Jackie showed as a player; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 16, 2013 as JACKIE ROBINSON WEST LITTLE LEAGUE CHAMPIONS DAY in Illinois, in recognition of this team’s successful 2013 season and their impressive display of sportsmanship and athletic ability, which advanced them all the way to the regional finals.

Issued by the Governor August 15, 2013.
Filed by the Secretary of State August 21, 2013.

2013-312
MAGNOLIA JENNINGS DAY

WHEREAS, the daughter of farmers, and one of seven children, Magnolia Jennings was born to Maggie and Joseph Spencer in Tchula, Mississippi; and,
WHEREAS, in 1945, Magnolia moved to Chicago’s South Side, where she married Curtis Jennings. The couple had three children, Curtis Jennings, Jr., Myrtle Hatcher and Ella Mae; and,
WHEREAS, Magnolia Jennings is a woman of strong faith who has positively impacted many lives; and,
WHEREAS, a strong believer in grassroots democracy and civic engagement, Magnolia Jennings has a consistent voting record that included her casting ballots in the last presidential and special elections; and,
WHEREAS, Magnolia Jennings will turn 106 on August 15, 2013; and,
WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,
WHEREAS, as a long-time loving family member, friend, and neighbor, Magnolia Jennings has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, on Thursday, August 15, 2013 Magnolia Jennings will celebrate her 106th birthday at a party being hosted for her at the Waterfront Terrace, where she has been a resident since 2005; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Magnolia Jennings for a very happy 106th birthday celebration; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 15, 2013 as MAGNOLIA JENNINGS DAY in Illinois, in recognition of her commitment to civic engagement, dedication to making the world a better place, and in celebration of her 106th birthday.

Issued by the Governor August 15, 2013.
Filed by the Secretary of State August 21, 2013.

2013-313
PASTOR DARRELL L. JACKSON’S ANNIVERSARY CELEBRATION DAY

WHEREAS, Liberty Baptist Church, which was organized in May, 1918, and elected Darrell L. Jackson in August 1994 as the third generation Pastor of its congregation, will celebrate his 19th year as Pastor; and,
WHEREAS, this year’s celebration theme, “You are the True Vine,” exemplifies Pastor Darrell L. Jackson’s unwavering commitment to continue the legacy of hard work, sacrificial dedication and spiritual well
being to the entire congregation as established nearly 90 years ago under the leadership of his grandfather D.Z. Jackson (1925-1950) and, his father, A.P. Jackson (1951-1994); and,

WHEREAS, Pastor Darrell L. Jackson has undoubtedly provided sources of inspiration to a countless number of people in their time of sickness, suffering, and bereavement; and,

WHEREAS, for the past 19 years, Pastor Darrell L. Jackson has promoted and developed impressive initiatives including Feed The People, Health Ministry Board, and Prison Ministry; and,

WHEREAS, Pastor Darrell L. Jackson has developed and implemented many community outreach initiatives including the “Youth Project” and the Neighborhood Prayer Band; and,

WHEREAS, Pastor Darrell L. Jackson has established weekly education classes for Christian Education, Prayer Service, and Sunday School Education; and,

WHEREAS, Pastor Darrell L. Jackson helps manage the Liberty Commons Building, which provides secure housing and safe passage for seniors from the congregation and in the community; and,

WHEREAS, Pastor Darrell L. Jackson has continually sought to make Liberty Baptist Church remain of paramount importance to its members by promoting and maintaining its legacy, meeting the needs of the congregation, providing insight, and fostering the respect and passion he has demonstrated prior to and during his Pastor-ship; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Sunday August 18, 2013 as PASTOR DARRELL L. JACKSON’S ANNIVERSARY CELEBRATION DAY in the State of Illinois, in recognition of his many years of service to the community and Liberty Baptist Church.

Issued by the Governor August 15, 2013.
Filed by the Secretary of State August 21, 2013.

2013-314
THE FIRST BAPTIST CHURCH OF CHICAGO DAY

WHEREAS, on October 19, 1983, fifteen believers organized the First Baptist Church of Chicago; and,

WHEREAS, the First Baptist Church of Chicago is the mother church of ministries throughout the Chicagoland area. Many churches were created out of its membership and efforts, including the Calvary Baptist Church in the South Shore community; and,
WHEREAS, the First Baptist Church of Chicago played an instrumental role in the resettlement of Japanese Americans in the Hyde Park-Kenwood neighborhood after World War II had ended; and,  
WHEREAS, the First Baptist Church of Chicago has been repeatedly recognized for its commitment to children and youth ministries through being involved with numerous programs including the Guild Girls, Scouting, Summer Music Camp, Vacation Bible School, the Children’s Choir, and Youth Bible Studies; and,  
WHEREAS, the First Baptist Church of Chicago holds an annual mission trip that has gone to locations such as Charleston, West Virginia, Fairbanks, Alaska, Estes Park, Colorado, Santiago Cuba, and Junction, Jamaica; and,  
WHEREAS, over the years the First Baptist Church of Chicago has provided the community with innumerable services and keen guidance; and,  
WHEREAS, the First Baptist Church of Chicago’s unwavering commitment to the members of its ministry, and the surrounding neighborhood has undoubtedly touched numerous lives and provided a source of inspiration to many people throughout the Chicagoland area; and,  
WHEREAS, a celebration will be held on October 13th commemorating the 180th anniversary of the First Baptist Church of Chicago; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13, 2013 as THE FIRST BAPTIST CHURCH OF CHICAGO DAY in Illinois, and encourage all citizens to join in celebrating the accomplishments of this remarkable church.

Issued by the Governor August 15, 2013.  
Filed by the Secretary of State August 21, 2013.

2013-315  
ALPHA-1 AWARENESS MONTH

WHEREAS, one of the most common and serious hereditary disorders in the world, Alpha-1 Antitrypsin Deficiency, also referred to as Alpha-1, affects an estimated 100,000 children and adults in the United States; and,  
WHEREAS, Alpha-1 is characterized by low levels of Alpha 1-antitrypsin, a protein found in the blood; and,  
WHEREAS, this deficiency is usually manifested in three forms: lung disease (which is the most common), liver disease, or a skin condition called panniculitis; and,
WHEREAS, Alpha-1 is widely under-diagnosed and misdiagnosed. In fact, it is estimated that less than 10 percent of those predicted to have Alpha-1 have been diagnosed. It often takes an average of five doctors and seven years, from the time symptoms first appear, before proper diagnosis is made; and,

WHEREAS, lung disease is the most frequent cause of disability and early death among affected persons, and also a major reason for lung transplants; and,

WHEREAS, it is extremely important for someone who has been diagnosed with Alpha-1 to immediately stop smoking and drinking. Smoking and excessive alcohol consumption can speed up the progression of lung and liver damage; and,

WHEREAS, throughout the month of November, organizations in the Alpha-1 Community, including the Alpha-1 Association, the Alpha-1 Foundation, and AlphaNet, will be conducting various awareness activities throughout the state designed to educate the medical community and citizens on this serious and often fatal disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2013 as ALPHA-1 AWARENESS MONTH in Illinois, in order to raise awareness of this disease, and to encourage citizens and the medical community to educate themselves about Alpha-1 Antitrypsin Deficiency.

Issued by the Governor August 16, 2013.
Filed by the Secretary of State August 21, 2013.

2013-316
CULTURAL WEEK OF JALISCO

WHEREAS, the Jaliciences represent one of the largest groups of Mexicans living in the United States; and,

WHEREAS, of the 400,000 Jaliciences living in the Midwest, 200,000 have chosen the State of Illinois as their newly adopted home; and,

WHEREAS, the Federación de Jaliciences del Medio Oeste de los Estados Unidos NFP is a not-for-profit organization that promotes the wellbeing and advancement of the Jaliciences in the Midwest, as well as Mexico, through educational, cultural, civic and social projects; and,

WHEREAS, the Federación de Jaliciences del Medio Oeste has especially distinguished itself for welcoming, cultivating and encouraging leadership by youth and women; and,

WHEREAS, during the month of September, Federación de Jaliciences del Medio Oeste will participate in Semana Jalisco, a month-
long celebration recognizing contributions of the Jaliciences to the cultural and economic landscape of our communities that will provide an opportunity for participants to learn about the culture of the State of Jalisco; and,

WHEREAS, this year, the Federación will preview Semana Jalisco during the last week of August with their program “7N7”, which will share the culture and traditions from the State of Jalisco, Mexico in seven cities during seven days; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 25- September 1, 2013 as CULTURAL WEEK OF JALISCO in Illinois, in recognition of the contributions of Jalisco culture and in support of the Federación de Jaliciences del Medio Oeste en Illinois.

Issued by the Governor August 16, 2013.
Filed by the Secretary of State August 21, 2013.

2013-317
NATIONAL RECOVERY MONTH

WHEREAS, mental and substance use disorders are major public health problems affecting Americans of every age, race and ethnic background in all communities. With commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery; and,

WHEREAS, in 2011, 3.8 million people aged 12 or older received specialty treatment for an illicit drug or alcohol use problem in the past year, and more than 31.6 million adults aged 18 or older received mental health services in the past year; and,

WHEREAS, according to the 2011 National Survey on Drug Use and Health, an estimated 21.6 million people aged 12 or older in the United States needed treatment for an illicit drug or alcohol use problem. Of these, 2.3 million received treatment at a specialty facility; and,

WHEREAS, also in 2011, out of the 45.6 million Americans aged 18 or older who had any mental illness in the past year, only 31.6 million received mental health services; and,

WHEREAS, studies show that individualized treatment greatly increases the chances for people to be successful in their path to recovery; unfortunately, many afflicted by substance use and mental health disorders do not believe treatment is necessary, and those who do seek treatment face barriers to recovery, including the cost of treatment, stigma associated with substance abuse problems, inadequate facilities, and a lack of information about treatment options; and,
WHEREAS, real stories of long-term recovery can inspire others to ask for help and improve their own lives and the lives of their families; therefore, it is critical that we educate community members that substance use and mental health disorders are serious, yet treatable health care problems, and by treating them like other chronic diseases, we can improve the quality of life for the entire community; and,

WHEREAS, for 24 years, Recovery Month has worked to improve the lives of those affected by mental illness and substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available; and,

WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, and the Illinois Department of Human Services’ Division of Alcoholism and Substance Abuse invite all residents of Illinois to participate in National Recovery Month:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as NATIONAL RECOVERY MONTH in Illinois, and call on all citizens to celebrate the lives of those who are in recovery, while encouraging those struggling with substance abuse and mental illness to seek treatment.

Issued by the Governor August 16, 2013.
Filed by the Secretary of State August 21, 2013.

2013-318
PAIN AWARENESS MONTH

WHEREAS, physical pain caused by a variety of diseases and disorders affects nearly 100 million Americans every year; and,

WHEREAS, medical technology can help relieve and reduce most pain, yet many who suffer from pain are inadequately treated or not treated at all because of barriers in accessing appropriate and effective pain care; and,

WHEREAS, pain takes an economic toll on our country, costing an estimated 100 billion dollars each year in medical expenses, lost wages, reduced productivity, and other related costs; and,

WHEREAS, improved pain management education and an effective multi-disciplinary treatment approach can help reduce suffering and remove barriers to pain-free living; and,

WHEREAS, the U.S. Pain Foundation Action Network in Illinois exists to advocate for people experiencing pain by increasing awareness and promoting access to appropriate pain treatment; and,
WHEREAS, as part of ongoing awareness efforts, the U.S. Pain Foundation Action Network and its members strive to educate medical professionals and the public about the under-treatment of pain, inadequate access to pain care, and barriers to pain management; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as PAIN AWARENESS MONTH in Illinois, in support of efforts to improve and promote the management and treatment of pain.

Issued by the Governor August 18, 2013.
Filed by the Secretary of State August 21, 2013.

2013-319
EMMETT SEFTON DAY AND FARM PROGRESS DAYS

WHEREAS, the State of Illinois is uniquely suited to produce an abundance of agricultural products and is a national and world leader in the production and export of many of these agricultural goods; and,

WHEREAS, our businesses, producer associations, and universities partner to drive agricultural technology into the future, while our regulatory agencies ensure product and transaction quality; and,

WHEREAS, Illinois is home to a thriving agricultural industry, including staple crops like corn and soybeans; specialty crops like pumpkins and horseradish; livestock such as hogs, cattle, sheep and goats; as well as ancillary agribusiness companies that support local farmers and manufacture their products -so it is no wonder that the Land of Lincoln is home to one of the largest agricultural events in the world, the Bi-Annual Farm Progress Show in Decatur, which is our nation’s largest outdoor farm show; and,

WHEREAS, the foundation of the enormous agriculture industry is the farmer, and no one understood this better than Emmett Sefton of Mount Zion, Illinois, who was pivotal in securing Decatur as the host city of the Farm Progress Show through his role on the Richland Agriculture Advisory Committee; and,

WHEREAS, Emmett Sefton, a farmer himself, was one of agriculture’s fiercest advocates, serving as President of the Macon County Farm Bureau from 1979-1985, as well as a member of the Corn Growers Board, Heritage Grain Elevator Board, the American Soybean Board, and the County Farm Service Agency Committee; and,

WHEREAS, Emmett was not only an advocate for the agricultural industry, but also a leader in the community, serving on the Richland Community College Board of Trustees, Macon County Board, the Mount Zion Township Board, as well as participating in the Dalton City
American Legion Post #475, 4-H Youth Council, and was a Mason, serving in both the Ansar Shrine and Jesters. He was awarded the Mt. Zion Lions Club Citizen of the Year Award in 2000; and,

WHEREAS, Emmett worked tirelessly on several initiatives and programs that positively impacted many, like Ag in the Classroom, which connected schoolchildren with farmers to teach them about agriculture and promoted agriculture education across the state and country. Through his work as an advocate he touched many lives and represented the State of Illinois admirably in all that he did; and,

WHEREAS, Emmett Sefton passed away in June, and although he is no longer with us, his generous spirit, passion for agriculture, and dedication to his community will serve as a foundation for the future of agriculture in Macon County, the State of Illinois, and the country; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 28, 2013 as EMMETT SEFTON DAY and August 27-29, 2013 as FARM PROGRESS DAYS in Illinois, in memory of Emmett’s love for agriculture, and its importance as part of our local, state and national heritage.

Issued by the Governor August 19, 2013.
Filed by the Secretary of State September 3, 2013.

2013-320
CHAMBER OF COMMERCE WEEK

WHEREAS, chambers of commerce work with businesses, merchants, and industry to advance the civic, economic, industrial, professional and cultural life of the State of Illinois; and,

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 175 years since the founding of the Galena Chamber of Commerce in 1838; and,

WHEREAS, this year marks the 94th anniversary of the founding of the Illinois Chamber of Commerce, the state’s leading broad-based business organization; and,

WHEREAS, the chamber of commerce and its members provide citizens with a strong business environment that increases employment, retail trade and commerce, and industrial growth in order to make the State of Illinois a better place to live; and,

WHEREAS, the chamber of commerce encourages the growth of existing industries, services, and commercial firms and also encourages new firms and individuals to locate in the State of Illinois; and,

WHEREAS, the State of Illinois is home to international chambers of commerce, the Great Lakes Region Office of the U.S. Chamber of
Commerce, the Illinois Chamber of Commerce and more than 400 local chambers of commerce; and,

WHEREAS, this year marks the 98th anniversary of the Illinois Association of Chamber of Commerce Executives, a career development organization for the chamber of commerce professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim September 9-13, 2013, as CHAMBER OF COMMERCE WEEK in Illinois, and encourage all citizens to recognize the important role that chambers of commerce play in the economic well being of their communities.

Issued by the Governor August 20, 2013.
Filed by the Secretary of State September 3, 2013.

2013-321
FOOD PANTRY AWARENESS DAY

WHEREAS, over 1.9 million residents of Illinois are considered food insecure, which means that they do not have regular access to nutritious food; and,

WHEREAS, in the United States more than one out of five children lives in a household with food insecurity; and,

WHEREAS, according to the United States Department of Agriculture, 16.7 million children under the age of 18 in the United States are afflicted with food insecurity; and,

WHEREAS, food insecurity is associated with a variety of negative health outcomes including lower scores on physical and mental health exams, cardiovascular risk factors, and increased risk of developing diabetes and other chronic diseases such as hypertension; and,

WHEREAS, food insecurity in adults has been demonstrated to cause mental health issues and human behavior problems; and,

WHEREAS, children growing up in food-insecure families are vulnerable to stunted development, poor health, behavioral issues, social difficulties, and low academic achievement; and,

WHEREAS, as a result of the rising cost of food and housing, many of our neighbors have found themselves turning to food pantries to supply them with the nutritious food that they need to keep themselves and their families healthy; and,

WHEREAS, the goal of Food Pantry Awareness Day is to promote awareness of hunger across Illinois and recognize the critical role of food pantries in providing food to those who are in need; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2013 as FOOD PANTRY AWARENESS
DAY in Illinois, are urge all businesses and residents to support their local food pantries with donations.

Issued by the Governor August 20, 2013.
Filed by the Secretary of State September 3, 2013.

2013-322
NATIONAL GYMNASTICS DAY

WHEREAS, gymnastics provides a great foundation for building strength, flexibility, and fitness and also for life skills like enhancing self-esteem and developing goal-setting abilities; and,
WHEREAS, USA Gymnastics, whose mission it is to encourage participation and the pursuit of excellence in sports, and its member clubs across the country annually celebrate National Gymnastics Day to showcase the sport of gymnastics and to encourage and promote physical fitness and healthy lifestyles among our nation’s youth; and,
WHEREAS, National Gymnastics Day seeks to promote the value of physical fitness and good nutrition for everyone, regardless of age, gender, and ability level; and,
WHEREAS, in support of National Gymnastics Day, gymnastics clubs across the United States partner with USA Gymnastics to heighten the visibility of the sport and encourage participation at the grassroots level; and,
WHEREAS, National Gymnastics Day also aims to serve the greater community good by raising funds for the Children’s Miracle Network to provide comfort and assistance to children who are unable to provide for themselves; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2013 as NATIONAL GYMNASTICS DAY in Illinois, and encourage citizens of the state to support the worthy efforts of USA Gymnastics.

Issued by the Governor August 20, 2013.
Filed by the Secretary of State September 3, 2013.

2013-323
ADULT DAY SERVICES WEEK

WHEREAS, adult day centers are structured, comprehensive programs that offer a variety of support services for the purpose of providing personal attention and promoting social, physical and emotional well-being in a supportive setting; and,
WHEREAS, adult day services centers in Illinois provide care with professionalism and compassion; and,

WHEREAS, as a result of adult day centers, functionally and cognitively impaired adults are able to receive needed care and services in a community environment; and,

WHEREAS, adult day centers offer participants an opportunity for enriching educational, therapeutic and social experiences outside the home; and,

WHEREAS, these centers provide much-needed assistance and counseling to caregivers; and,

WHEREAS, the State of Illinois proudly joins the Illinois Adult Day Service Association in designating September 15-21, 2013, as Adult Day Services Week; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 15-21, 2013 as ADULT DAY SERVICES WEEK in Illinois, and encourage all citizens to honor and celebrate these noble caregivers and the communities they enrich.

Issued by the Governor August 21, 2013.
Filed by the Secretary of State September 3, 2013.

2013-324
MENTAL HEALTH AWARENESS DAY

WHEREAS, mental health disorders and depression effect people from all walks of life without regard for age, gender, race, or socioeconomic status; and,

WHEREAS, The American Foundation for Suicide Prevention, established in 1987, is an organization dedicated to the prevention of suicide through research, education, and advocacy for those with mental disorders. They also reach out to those impacted by suicide; and,

WHEREAS, the American Foundation for Suicide Prevention has reached out to over one million citizens, and provided resources and training in hundreds of high schools on the topics of depression, mental illness, and suicide; and,

WHEREAS, this is made possible by money raised from the “Out of the Darkness Community Walks,” five-mile community walks which takes place annually and are designed to bring to light issues surrounding depression and mental illness; and,

WHEREAS, the Illinois “Out of the Darkness Chicagoland Community Walk” will take place on Saturday, October 26, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 26, 2013 as MENTAL HEALTH AWARENESS
DAY in Illinois in support of the American Foundation for Suicide Prevention “Out of the Darkness Chicagoland Community Walk”, and encourage all citizens to remember the importance of mental health and learn to recognize the signs of depression and suicide.

Issued by the Governor August 21, 2013.
Filed by the Secretary of State September 3, 2013.

2013-325
JOHNNY B DAY

WHEREAS, the State of Illinois is a major staging area for top local radio talent and the best of national radio personalities; and,
WHEREAS, Jonathon Brandmeier, also known as “Johnny B,” is a radio superstar whose humor, indomitable spirit, and sharp wit have captivated listeners across Chicago and the nation; and,
WHEREAS, Johnny B’s radio career began at age 15 with WFON-FM in his hometown of Fond du Lac, Wisconsin. By 18, his demo tapes helped him obtain a job at WOSH-AM in Oshkosh; and,
WHEREAS, over the past 40 years, Johnny B has taken to the airwaves in Oshkosh, Appleton, Rockford, Milwaukee, Los Angeles, San Jose, Phoenix, and Chicago; and,
WHEREAS, Johnny B’s career has stretched from the era of transistor radios to podcasts; and,
WHEREAS, though Johnny B is about to embark on a new adventure at WGN’s groundbreaking “virtual FM” station, he has previously manned booths at WLUP-AM/FM, WCKG-FM, and WGN-AM; and,
WHEREAS, Johnny B has consistently led the ratings for both morning and afternoon slots; and,
WHEREAS, Johnny B’s band, Johnny and the Leisure Suits, has performed in local bars and concert venues for decades in the Midwest, becoming a top draw and setting attendance records throughout the region; and,
WHEREAS, Johnny and the Leisure Suits have worked with Governor Pat Quinn to send pizzas to soldiers in Iraq and Afghanistan through the “Pizzas for Patriots” project; and,
WHEREAS, Johnny B is a multi-year winner of the Billboard Magazine Radio Personality Award, winner of Gavin Report’s Air Personality of the Year, and the Chicago Tribune Reader’s Poll voted him the “Best Radio Personality” for six consecutive years. In addition, The National Association of Broadcasters gave him the prestigious Marconi Award for “Major Market Air Personality of the Year”; and,
WHEREAS, Johnny B will always be the North Star that leads us when it comes to Chicago radio; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23, 2013 as JOHNNY B DAY in Illinois, in recognition of his tremendous success and contributions to the entertainment industry as a magnetic radio personality.
Issued by the Governor August 22, 2013.
Filed by the Secretary of State September 3, 2013.

2013-326
DAVID DIAZ DAY

WHEREAS, the State of Illinois has a long, rich athletic history, and a number of prominent athletes hail from the Land of Lincoln; and,
WHEREAS, one such athlete is David “Dangerous” Diaz, an American boxer in the lightweight division, who was born on June 7, 1976, in Chicago, Illinois; and,
WHEREAS, David Diaz has been married to his wife, Tanya, since 2003, and the couple have three beautiful sons: David, Elias, and Silas; and,
WHEREAS, the youngest of nine children, David Diaz started boxing at the age of 8 when his father took him to the gym where he sparred. He immediately fell in love with the sport, and has been boxing ever since; and,
WHEREAS, with his dazzling jabs, powerful left hand, and aggressive style, David Diaz accumulated an impressive career record of 36-4-1, with 17 KOs; and,
WHEREAS, some of the highlights of David Diaz’s career include being a WBC lightweight world champion, a 1993-1996 National Golden Gloves amateur champion, and the 1992 National Jr. Olympic amateur champion; and,
WHEREAS, though he announced his retirement from the sport of boxing at the age of 35, after 15 years as a professional, David Diaz continues to serve as a role-model for everyone in Chicago, proving that with hard work, determination, and fortitude, anything is possible; and,
WHEREAS, David Diaz’s personality was formed in Chicago, and, despite his remarkable accomplishments, he has always remained loyal to his hometown; and,
WHEREAS, on September 8, 2013, David Diaz will be a special guest at the Little Village Chamber of Commerce’s VIP Breakfast; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8, 2013, as DAVID DIAZ DAY in Illinois, in
recognition of his successes as a boxer and commitment to the Land of Lincoln.

Issued by the Governor August 26, 2013.
Filed by the Secretary of State September 3, 2013.

2013-327
MAESTRO CARES FOUNDATION DAY

WHEREAS, the Maestro Cares Foundation was launched in January 2012 by international pop icon Marc Anthony and entrepreneur Henry Cardenas; and,

WHEREAS, for almost two years, the Maestro Cares Foundation has been dedicated to its mission of improving the quality of life for needy and orphaned children throughout Latin America by providing housing, classrooms, health clinics, dining, and recreational facilities; and,

WHEREAS, in November 2012, the Maestro Cares Foundation celebrated the groundbreaking of Orfanato Niños de Cristo, an orphanage in La Romana, Dominican Republic, which will consist of a residence and learning center and is set to open in the spring of 2014; and,

WHEREAS, the Maestro Cares Foundation’s leadership in the community and its dedication to supporting charitable activities are well recognized and have positively impacted many Latinos; and,

WHEREAS, the successes of the Maestro Cares Foundation are a tribute to its hard working employees, volunteers, and donors who are committed to bettering children’s lives and making the world a better place; and,

WHEREAS, the Maestro Cares Foundation is gaining momentum, adapting and developing creative strategies for helping Latin America’s children; and,

WHEREAS, it is fitting that Maestro Cares Foundation’s office is in Illinois, a state with a thriving Latino population that has made vast contributions to the Land of Lincoln’s economic and cultural vitality; and,

WHEREAS, seven-time Emmy Award-winning John Quinones will serve as Master of Ceremonies for the Maestro Cares Foundation’s fundraiser on Monday, September 9th, from 7:00 to 11:00 pm at Y-Bar in Chicago’s River North area; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 9, 2013 as MAESTRO CARES FOUNDATION DAY in Illinois, in support of the Maestro Cares Foundation and in recognition of tonight’s event, which I hope will provide an abundance of resources for this worthy organization.

Issued by the Governor August 26, 2013.
WHEREAS, an intellectual disability is defined as a disorder caused by cerebral palsy, epilepsy, autism, or any other condition which results in impairment of, or lack of, normal development of intellectual capacities. An intellectual disability originates before the age of 18 and is expected to continue indefinitely; and,

WHEREAS, approximately 1.5 percent of the U.S. population is afflicted with an intellectual disability. Due to the early onset and debilitating nature of these disorders, many more children are affected than adults; and,

WHEREAS, one of the main purposes of the Knights of Columbus, a fraternal order with 1.8 million members around the world, is to support various charitable causes that seek to make our families and communities stronger. It has donated more than $1.3 billion and volunteered over 640 million hours of service in the past decade; and,

WHEREAS, the Illinois State Council of the Knights of Columbus will hold their 44th Annual Fund Drive on September 20-22, 2013 to benefit programs that serve individuals with intellectual disabilities, distributing the funds they raise to more than 1,200 organizations throughout Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20-22, 2013 as HELPING CITIZENS WITH INTELLECTUAL DISABILITIES DAYS in Illinois, in support of the Illinois State Council of the Knights of Columbus’ worthy efforts, and encourage all citizens to do what they can to assist those who are affected by intellectual disabilities.

Issued by the Governor August 27, 2013.
Filed by the Secretary of State September 3, 2013.

2013-329
ILLINOIS ARTS & HUMANITIES MONTH

WHEREAS, the arts and humanities are the embodiment of all things beautiful and entertaining in the world -- the enduring record of human achievement; and,

WHEREAS, the arts and humanities enhance every aspect of life in Illinois -- improving our economy, enriching our civic life, driving
tourism, and exerting a profound positive influence on the education of our children; and,

WHEREAS, the nonprofit arts and cultural sector also strengthens our economy by generating $2.75 billion in total economic activity annually and by supporting 78,000 full-time-equivalent jobs; and,

WHEREAS, arts education research shows that the arts help to foster discipline, creativity, imagination, self-expression, and problem solving skills while also helping to develop a heightened appreciation of beauty and cross-cultural understanding; and,

WHEREAS, we use the humanities -- history, literature, philosophy -- to explore what it means to be human; and,

WHEREAS, the arts and humanities play a unique and intrinsically valuable role in the lives of our families, our communities, and our state; and,

WHEREAS, the month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for more than two decades; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as ILLINOIS ARTS & HUMANITIES MONTH and call upon all citizens to explore, celebrate and participate in the arts and culture in the Land of Lincoln.

Issued by the Governor August 27, 2013.
Filed by the Secretary of State September 3, 2013.

2013-330
NATIONAL PREPAREDNESS MONTH

WHEREAS, National Preparedness Month creates an opportunity for every resident of Illinois to prepare their homes, businesses and communities for any type of emergency, including natural disasters and potential terrorist attacks; and,

WHEREAS, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and state; and,

WHEREAS, the Illinois Emergency Management Agency is joining with the Federal Emergency Management Agency’s Ready Campaign and other federal, state, local, private and volunteer agencies to encourage action towards better preparedness and educate individuals about the importance of preparing for emergencies; and,

WHEREAS, emergency preparedness is the responsibility of every resident of Illinois and all residents are urged to make preparedness a
priority and work together to ensure that individuals, families and communities are prepared for disasters and emergencies of any type; and,

WHEREAS, all residents of Illinois are encouraged to visit the Ready Illinois website at www.Ready.Illinois.gov for information that will help them take steps to be more prepared; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as NATIONAL PREPAREDNESS MONTH in Illinois, and encourage all residents and businesses to develop emergency preparedness plans and work together towards creating a more prepared community and state.

Issued by the Governor August 27, 2013.
Filed by the Secretary of State September 3, 2013.

2013-331
SKILLUSA ILLINOIS WEEK

WHEREAS, the proper education of today’s youth is a concern of all Americans; and,

WHEREAS, the Illinois Association of SkillsUSA is dedicated to the advancement of proper education, training and development of America’s youth; and,

WHEREAS, over the past 50 years, the Illinois Association of SkillsUSA has helped advance awareness of the importance of career and technical education as an integral part of the education curriculum; and,

WHEREAS, the Illinois Association of SkillsUSA’s mission is to empower its members to become world class workers, leaders and responsible American citizens, through its program of work for high school and college students in leadership, teamwork, citizenship and character development.

WHEREAS, working closely with business, industry and labor sponsors, SkillsUSA provides local, regional and state activities and competitions to help enhance the technical and employability skills of its members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 30 - April 5, 2013 as SKILLSUSA ILLINOIS WEEK in Illinois in recognition of the contributions made by this organization to the education of our youth.

Issued by the Governor August 27, 2013.
Filed by the Secretary of State September 3, 2013.
2013-332
BISHOP CHARLES E. DAVIS DAY

WHEREAS, Bishop Charles E. Davis serves as Pastor of the Indiana Avenue Pentecostal Church of God; and,

WHEREAS, Bishop Davis is a loving husband who married Ms. Jessie Belle Davis on November 28, 2004; and,

WHEREAS, as the diocesan of the Six Episcopal District of the Pentecostal Assemblies of the World, Bishop Davis has held many important decision making positions for this organization; and,

WHEREAS, Bishop Davis is the recipient of a Bachelor of Liberal Arts, Bachelor of Bible, Master of Theology, and Doctorate of Divinity. In addition, he has received several awards of recognition throughout his lifetime; and,

WHEREAS, Bishop Davis is a man of strong faith, fortitude, and vision who has positively impacted many lives through his service in ministry and dedication to the community; and,

WHEREAS, the Indiana Avenue Pentecostal Church family will honor and celebrate the 90th birthday of its beloved pastor, Bishop Davis, on October 11, 2013; and,

WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,

WHEREAS, as a long-time loving family member, friend, neighbor, and pastor, Bishop Davis has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Bishop Davis for a very happy 90th birthday celebration; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 11, 2013 as BISHOP CHARLES E. DAVIS DAY in Illinois, in recognition of his commitment and dedication to making the world a better place, and in celebration of his 90th birthday.

Issued by the Governor August 29, 2013.
Filed by the Secretary of State September 3, 2013.
2013-333
LIFELINE AWARENESS WEEK

WHEREAS, in today’s highly interconnected world, telephones provide a lifeline to emergency help and a vital link to government services, community resources, friends and family; and,

WHEREAS, not everyone can afford the cost of a home telephone; and,

WHEREAS, a number of our nation’s households still do not have telephone service in their homes; and,

WHEREAS, the Federal Communications Commission (FCC) and the Illinois Commerce Commission have joined with UTAC in a collaborative effort to make telephone service more affordable for the nation’s low-income consumers by providing a discount on the connection fee and monthly charges for local telephone service; and,

WHEREAS, the Lifeline Assistance programs offer tremendous benefits for eligible consumers in America and make basic telephone service more affordable; and,

WHEREAS, the Lifeline program provides a discount to eligible low-income customers on their monthly phone bill; and,

WHEREAS, the FCC has established Enhanced Lifeline programs for Tribal Lands and recently updated its rules governing Lifeline program eligibility and non-duplication of support; and,

WHEREAS, consumers should not be without local phone service because they cannot afford it, and therefore the promotion of Lifeline is imperative to ensure that all U.S. citizens have access to affordable basic local telephone service; and,

WHEREAS, the FCC, the National Association of Regulatory Utility Commissioners (NARUC), the National Association of State Utility Consumer Advocates (NASUCA), other state and federal agencies, cities, counties, organizations and telecommunications companies are committed to increasing awareness about the availability of the Lifeline programs and are encouraging eligible citizens to sign up for the programs; and,

WHEREAS, the FCC, NARUC, and NASUCA have joined together to design and implement a comprehensive outreach plan to promote Lifeline subscribership; and,

THEREFORE, I Pat Quinn, Governor of the state of Illinois, do hereby proclaim the week of September 9-15, 2013, LIFELINE AWARENESS WEEK in Illinois and urge citizens who may be eligible for this important service to contact local telephone companies about establishing vital telecommunication service with a new telephone.
WHEREAS, Rett syndrome is a debilitating neurological disorder, caused by mutations in the gene MECP2, located on the X chromosome, that is diagnosed almost exclusively in females; and,

WHEREAS, Rett syndrome, which affects approximately 1 in every 10,000 to 23,000 female births, was originally described by Dr. Andreas Rett of Austria in 1966; and,

WHEREAS, infants with Rett syndrome often avoid detection until 6–18 months due to a relatively normal appearance and some developmental progress, but then this brief period of developmental progress is followed by stagnation and regression of previously acquired skills; and,

WHEREAS, Rett syndrome causes problems in brain function that are responsible for cognitive, sensory, emotional, motor and autonomic function. These can include learning, speech, sensory sensations, mood, movement, breathing, cardiac function, and even chewing, swallowing, and digestion; and,

WHEREAS, currently no cure for exists for Rett syndrome, but many symptoms of the disorder can be managed with medications and occupational, speech, and physical therapy; and,

WHEREAS, Rett syndrome remains little known in the general public, even within the medical community; and,

WHEREAS, Rett syndrome presents many challenges, but with support, therapy and assistance, those with the syndrome can benefit from school and community activities well into middle age and beyond; and,

WHEREAS, the International Rett Syndrome Foundation (IRSF) is a non-profit corporation dedicated to funding research for treatments and a cure for Rett syndrome while enhancing the overall quality of life for those living with Rett syndrome by providing information, programs, and services; and,

WHEREAS, October has been designated by the IRSF as Rett Syndrome Awareness Month. Throughout the month, the organization and its state and local affiliates will hold events designed to raise public awareness of Rett syndrome and provide support for individuals and families coping with the daily challenges of living with the disorder:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as RETT SYNDROME AWARENESS MONTH.
MONTH in Illinois, to raise awareness of this disorder, to recognize the families affected by Rett syndrome, and in support of the important work of the International Rett Syndrome Foundation.

Issued by the Governor August 29, 2013.
Filed by the Secretary of State September 3, 2013.

2013-335
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF CORPORAL DONALD MACLEAN

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, in November 1950, Corporal Donald MacLean and elements of the 31st Regimental Combat Team, historically known as Task Force Faith, were deployed along the east side of the Chosin Reservoir near the P’ungnyuri, Inlet, in North Korea, when they were attacked by enemy forces; and,

WHEREAS, on December 1st, 1950, the 31st Regimental Combat Team began a fighting withdrawal to a more defensible position near Hagaru-ri, south of the reservoir; and,

WHEREAS, on December 2, 1950, during the withdrawal, Corporal Donald MacLean was reported missing; and,

WHEREAS, on August 27, 2013, the Department of Defense POW/Missing Personnel Office announced that the remains of Corporal Donald MacLean were positively identified and would be returned to his family for burial with full military honors; and,

WHEREAS, Corporal Donald MacLean was a resident of McHenry County, Illinois, where he was a valuable member of the community; and,

WHEREAS, throughout his career as a proud member of the United States Army, Corporal Donald MacLean represented the State of Illinois admirably; and,

WHEREAS, a burial with full military honors will be held on Saturday, August 31, 2013, at Windridge Memorial Park Cemetery for Corporal Donald MacLean, who is survived by his loving sister, Donna, and other loving family members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Saturday,
August 31, 2013, in honor and remembrance of Corporal Donald MacLean, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 30, 2013.
Filed by the Secretary of State September 3, 2013.

2013-336
FETAL ALCOHOL SYNDROME DISORDERS AWARENESS DAY

WHEREAS, Fetal Alcohol Syndrome (FAS) is one of the most preventable causes of developmental disabilities and birth defects in newborns and as many as 40,000 infants are born every year in the United States with fetal alcohol symptoms; and,

WHEREAS, Fetal Alcohol Syndrome Disorders are the leading cause of developmental disabilities in western civilization, including the United States, and are 100 percent preventable; and,

WHEREAS, FAS is a lifelong, mentally and physically disabling condition caused by mothers who drink during pregnancy; and,

WHEREAS, research has found that even minimal drinking during pregnancy can kill developing brain cells and result in brain damage, facial deformities, and growth abnormalities. Heart, kidney, and liver defects are also common; and,

WHEREAS, those with FAS typically have difficulty communicating, learning, and memorizing. Consequently, they have trouble in school and are often deficient in interpersonal skills; and,

WHEREAS, unfortunately, there is no cure for FAS. However, with early detection and diagnosis, children with FAS can receive services that increase their chance for a better life; and,

WHEREAS, since 1999, September 9th has been observed as International FAS Day to encourage expectant mothers to abstain from alcohol during their nine months of pregnancy; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 9, 2013 as FETAL ALCOHOL SYNDROME DISORDERS AWARENESS DAY in Illinois, to raise awareness about Fetal Alcohol Syndrome, and to urge all expectant mothers to take extra precautions while pregnant for the health and well-being of their children.

Issued by the Governor September 3, 2013.
Filed by the Secretary of State September 18, 2013.
WHEREAS, Thomas Vincent Ramos was a Garifuna community organizer in Belize whose efforts led to proclaiming the first Garifuna Holiday in Latin America and the Caribbean, which is known as Garifuna Settlement Day; and,

WHEREAS, Thomas Vincent Ramos was born in Puerto Cortés, Honduras, on September 17, 1887, and was educated at Wesleyan Methodist primary schools in Stann Creek Town (now Dangriga) and Belize City; and,

WHEREAS, while in school, Thomas Vincent Ramos took correspondence courses in business administration, public speaking, journalism, and accounting; and,

WHEREAS, Thomas Vincent Ramos married Elisa Marian Fuentes in 1914 and moved permanently to Dangriga in 1923; and,

WHEREAS, after moving to Belize, Thomas Vincent Ramos became a school teacher and a visionary leader. Concerned with the systematic neglect of health facilities in Dangriga, he founded the Carib Development and Sick Aid Society and later the Carib International Society, which had affiliations in Guatemala and Honduras; and,

WHEREAS, the mission of the Carib Development Society was to help the sick and assist those who needed financial assistance to bury their deceased family members; and,

WHEREAS, a deeply religious man, Thomas Vincent Ramos was a preacher who wrote several Garifuna hymns, some of which are sung each year at his memorial; and,

WHEREAS, Thomas Vincent Ramos fought discrimination against the Garifuna people and all Afro-Belizeans. He founded the Independent Manhood and Exodus Uplift Society and the Colonial Industrial Instruction Association; and,

WHEREAS, the City of Chicago and State of Illinois are home to one of the largest Garifuna populations in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17, 2013, as THOMAS VINCENT RAMOS DAY in Illinois, in celebration of his birthday and in recognition of his fortitude and tremendous contributions to the Garifuna people.

Issued by the Governor September 3, 2013.

Filed by the Secretary of State September 18, 2013.
2013-338
EARTH SCIENCE WEEK

WHEREAS, the earth sciences, especially geology, are integral to finding, developing, and conserving the water, mineral, and energy resources needed for modern society; and,

WHEREAS, the earth sciences provide a basis for preparing for and mitigating the effects of natural hazards such as floods, landslides, earthquakes, volcanic eruptions, sinkholes, and coastal erosion; and,

WHEREAS, the earth sciences are crucial to our understanding of environmental and ecological issues ranging from air and water quality to waste disposal; and,

WHEREAS, knowledge about geological factors regarding earth resources, hazards, and the environment are vital to land management and land use decisions at local, state, regional, national, international, and global levels; and,

WHEREAS, study of the earth sciences contributes critically important information to our understanding of the natural world; and,

WHEREAS, Earth Science Week, observed annually during the second full week of October, is an opportunity to seek a greater understanding and appreciation of the value of earth science research and its application and relevance to our daily lives, as well as for science teachers at all levels throughout the Land of Lincoln to undertake lessons and activities with their students directed toward the study of earth science; and,

WHEREAS, this year's theme, “Mapping Our World”, Promotes awareness of the many exciting uses of maps and mapping technologies in the geosciences; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-19, 2013 as EARTH SCIENCE WEEK in Illinois.

Issued by the Governor September 4, 2013.
Filed by the Secretary of State September 18, 2013.

2013-339
FILIPINO AMERICAN HISTORY MONTH

WHEREAS, the earliest documented Filipino presence in the continental United States was on October 18, 1587, via the galleon ship Nuestra Senora de Esperanza; and,

WHEREAS, the first Filipino settlement in Louisiana in 1763 set in motion the many contributions Filipino-Americans have made towards
the advancement of the United States in the fields of culture, society, politics, economics, education, technology, and religion; and,

WHEREAS, the Filipino American community is the second largest Asian American group in the United States, with a population estimated to be close to four million strong; and,

WHEREAS, Filipino American servicemen and servicewomen have a long-standing history in the United States Armed Forces, including approximately 250,000 Filipinos who fought under the United States flag during World War II; and,

WHEREAS, further efforts are needed to continue to promote the study and research of Filipino American history in order to have an all-inclusive United States history that reflects an appreciation of the richness of the Filipino ethnicity and legacy in our nation; and,

WHEREAS, the celebration of Filipino American History Month in October provides an opportunity to celebrate the heritage and culture of Filipino Americans and their immense contributions to our country, and presents a time to renew efforts toward the examination of history and culture in order to provide an opportunity for all people in the United States to learn more about Filipino Americans and their historic contributions to the growth and development of the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as FILIPINO AMERICAN HISTORY MONTH in Illinois, in recognition of the contributions Filipino Americans have made to our state and to our nation as a whole, and in celebration of all Filipino Americans who call Illinois home.

Issued by the Governor September 5, 2013.
Filed by the Secretary of State September 18, 2013.

2013-340

SERGEANT SHAWNA MORRISON DAY

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the United States military who selflessly serve to protect the security and wellbeing of our nation; and,

WHEREAS, every day these soldiers face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on September 5, 2004, Sergeant Shawna Morrison, a member of the Illinois National Guard, was abruptly taken from us at the age of 26 from wounds she suffered in a mortar attack near Baghdad, Iraq; and,

WHEREAS, Sergeant Morrison enlisted in the Illinois National Guard in 1996 at the age of 17 after graduating from high school in Paris,
Illinois. She then re-enlisted in 2002, while a student at the University of Illinois, where she aspired to earn a degree in psychology; and,

WHEREAS, Sergeant Morrison was the first female student and soldier at the University of Illinois to die in combat operations in any war or conflict; and,

WHEREAS, a native of Paris, Illinois, Sergeant Morrison was a well-known member of her community and loving family member and friend who will always be remembered for the countless lives that she impacted; and,

WHEREAS, Sergeant Morrison, a brave young woman whose calling was serving in the Illinois National Guard, was devoted to protecting America and improving the lives of others; and,

WHEREAS, throughout her career as a proud member of the Illinois National Guard, Sergeant Morrison represented the State of Illinois admirably; and,

WHEREAS, an event will be held on September 8, 2013, at Lincoln Hall Theater on the campus of the University of Illinois at Urbana-Champaign in recognition of Sergeant Shawna Morrison; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8, 2013, as SERGEANT SHAWNA MORRISON DAY in Illinois, in honor and in remembrance of this heroic soldier, whose selfless service and sacrifice is an inspiration to the citizens of the Land of Lincoln.

Issued by the Governor September 5, 2013.
Filed by the Secretary of State September 18, 2013.

2013-341
PARTNERSHIP WALK DAY

WHEREAS, citizens in Illinois and across the country expect certain basic rights, such as a quality education, adequate living conditions, and a safe, healthy environment. Many people in other parts of the world can only dream of having such rights; and,

WHEREAS, the Aga Khan Development Network is a group of private, international, non-denominational agencies dedicated to fostering long-term socio-economic development in impoverished regions of Asia and Africa; and,

WHEREAS, Aga Khan Foundation U.S.A. (AKF USA), an agency of the Aga Khan Development Network, sponsors the Partnership Walk in major cities across the United States to promote awareness about alleviating global poverty and to raise financial support for development projects that promote self-reliance; and,
WHEREAS, on November 4, 2011, Governor Pat Quinn and His Highness the Aga Khan, who is the founder and Chairman of the Aga Khan Development Network, signed a historic agreement to expand collaboration in the areas of education, environmental stewardship and management, health sciences, library and information sciences, infrastructure development, agricultural sustainability, and culture; and,

WHEREAS, this year’s walk presents an extraordinary opportunity to raise funds for the Aga Khan Foundation’s important programs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8, 2013 as PARTNERSHIP WALK DAY in Illinois, in order to recognize the goodwill of the Aga Khan Development Network and to encourage others to join Aga Khan Foundation U.S.A. in their mission of ensuring that everyone has the same basic rights that the citizens of this state enjoy and expect.

Issued by the Governor September 6, 2013.
Filed by the Secretary of State September 18, 2013.

2013-342

PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE

WHEREAS, on September 11, 2001, the peace and security of our nation was shattered by terrorist attacks that killed thousands of innocent and brave people at the World Trade Center Towers in New York City, at the United States Pentagon, and in the fields of Shanksville, Pennsylvania; and,

WHEREAS, the objective of the terrorists on 9/11 was to strike a powerful blow to the hearts of all Americans and to tear the fabric of our nation. But instead, there emerged from the ashes of that tragedy a remarkable spirit of unity, compassion, and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who rose to service during the rescue-and-recovery effort and in defense of our nation; and,

WHEREAS, by a joint resolution in December of 2001, the U.S. Congress designated September 11 of each year as Patriot Day and on April 21, 2009, President Barack Obama signed into law the Edward M. Kennedy Serve America Act, which includes language to officially establish September 11 as an annually recognized National Day of Service and Remembrance; and,

WHEREAS, this enduring and compassionate legacy truly honors the 9/11 victims and their families, the first responders and rescue-and-recovery workers, the servicemen and women who defend our freedom
and safety, and the many volunteers who spontaneously contributed their efforts in the immediate aftermath of 9/11; and,

WHEREAS, on Patriot Day and National Day of Service and Remembrance, we pledge to carry on their legacy of courage and compassion, and to move forward together as one people; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 11, 2013, as PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE across the State of Illinois, and I urge my fellow citizens to contribute their time and energy in assisting others through community service on this day and throughout the year to honor those who died on September 11, 2001.

Issued by the Governor September 6, 2013.

Filed by the Secretary of State September 18, 2013.

2013-343
GLOBAL SUSTAINABILITY EDUCATION WEEK

WHEREAS, Illinois is a national leader for greener initiatives through the development of environmental policies that promote and implement environmental sustainability practices, such as, clean energy and clean transportation projects; and,

WHEREAS, Illinois recognizes the imperative need for sustainability education in order to enhance the knowledge, awareness, and understanding of the significance of creating healthy environments, prosperous societies, and expanding economies for our present and future generations; and,

WHEREAS, it is our educators from early childhood through the college level who are tasked with providing our youth with the necessary knowledge and understanding required to be able to recognize significant environmental issues and associate environmental sustainability with the health of our ecosystems and communities; and,

WHEREAS, it is crucial for educators and students to apply the necessary knowledge and critical thinking skills across multiple disciplines which will create a correlation between the natural and social sciences in order to produce a more sustainable and peaceful world; and,

WHEREAS, solutions to today’s key environmental issues and the future sustainability of our ecosystems and communities will rely on the citizens of the State of Illinois and their understanding, acknowledgement, and response to the connections that environmental issues have with economic and societal issues; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22-28, 2013 as GLOBAL SUSTAINABILITY
EDUCATION WEEK in Illinois, and encourage all citizens to recognize the importance of global sustainability education.

Issued by the Governor September 9, 2013.
Filed by the Secretary of State September 18, 2013.

2013-344
NO TEXTING AND DRIVING AWARENESS MONTH AND DRIVE 4 PLEDGES DAY

WHEREAS, the State of Illinois, the Office of the Governor, the Illinois Department of Transportation and the Illinois Toll Highway Authority are committed to safety and raising awareness about the dangers of texting and driving through the “Drive Now. Text Later.” Campaign; and,

WHEREAS, statistics show that more than 100,000 crashes a year involve drivers who are texting. 75 percent of teens say texting and driving is common among their friends and while 97 percent of teen drivers say texting while driving is dangerous -- 43 percent still admit to doing it; and,

WHEREAS, drivers who text while they are driving are breaking the law and jeopardizing their own safety and the safety of passengers, pedestrians, and other drivers; and,

WHEREAS, to further address this traffic safety issue through education, the “It Can Wait” campaign, led by AT&T and including more than 200 organizations, is establishing Sept. 19, 2013 as “Drive 4 Pledges Day” to encourage drivers to take the pledge to never text and drive again. The goal is to change behavior and save lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as NO TEXTING AND DRIVING AWARENESS MONTH in Illinois, and also proclaim September 19, 2013 as DRIVE 4 PLEDGES DAY in Illinois to support the “It Can Wait” movement to encourage all drivers to take the pledge to never text and drive.

Issued by the Governor September 9, 2013.
Filed by the Secretary of State September 18, 2013.

2013-345
BREAST CANCER AWARENESS MONTH AND MAMMOGRAPHY DAY

WHEREAS, October 2013 marks the 29th year of the National Breast Cancer Awareness Month campaign to educate women about
breast cancer and the importance of early detection through mammography; and,

WHEREAS, a projected 9,350 women in Illinois will be diagnosed with breast cancer in 2013; and,

WHEREAS, an estimated 1,610 women in Illinois will lose their life to breast cancer in 2013; and,

WHEREAS, breast cancer is the most common cancer diagnosed in women and is the second leading cause of cancer deaths for women; and,

WHEREAS, the best chance for detecting breast cancer early is through mammography screening, which, when paired with new treatment options, can dramatically improve a woman’s chance of survival; and,

WHEREAS, the Illinois Breast and Cervical Cancer Program (IBCCP) provides free breast exams, mammograms, pelvic exams, and Pap tests to uninsured women. The IBCCP has provided 27,934 women with free breast screenings in the past fiscal year alone; and,

WHEREAS, since 1993, the United States has recognized the third Friday in October as National Mammography Day;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as BREAST CANCER AWARENESS MONTH and October 18, 2013, as MAMMOGRAPHY DAY in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor September 10, 2013.
Filed by the Secretary of State September 18, 2013.

2013-346

GEORGE HARRISON DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, there are few forms of music more purely American than the rock music genre; and,

WHEREAS, the 50th anniversary of the Beatles’ first visit to America will be commemorated in February 2014; and,

WHEREAS, one of the most talented rock musicians to ever set foot in the Land of Lincoln was George Harrison of the Beatles, who stayed in Benton, Illinois for two weeks in 1963; and,

WHEREAS, George Harrison got his musical start in Britain during the 1950’s with the band the Rebels, where he gained popularity for his soaring guitar riffs and well-crafted melodies; and,
WHEREAS, known as “The Quiet Beatle,” George Harrison was a gifted guitarist and outstanding songwriter whose compositions included “Something,” “While My Guitar Gently Weeps,” “Here Comes the Sun,” “I Want To Tell You,” and “All Things Must Pass”; and,

WHEREAS, throughout his illustrious musical career, George Harrison recorded more than 11 solo albums and was posthumously inducted into the Rock ‘n’ Roll Hall of Fame in 2003; and,

WHEREAS, George Harrison, who died of cancer on November 29, 2001, is one of the most accomplished and respected musicians of his generation, and the first Beatle in America; and,

WHEREAS, for nearly seven months, the Illinois State Historical Society has been raising funds from private groups and individuals for the George Harrison marker; and,

WHEREAS, the George Harrison historical marker dedication will take place on September 21, 2013, at 2 p.m. at the Capitol Park in Benton, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2013, as GEORGE HARRISON DAY in Illinois, in recognition of George Harrison’s tremendous musical success, contributions to the entertainment industry, and today’s historical marker dedication ceremony in Benton, Illinois.

Issued by the Governor September 11, 2013.
Filed by the Secretary of State September 18, 2013.

2013-347

USS THE SULLIVANS DAY

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the United States military who selflessly serve to protect the security and wellbeing of our nation; and,

WHEREAS, every day these soldiers face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on November 13, 1942, the antiaircraft light cruiser USS JUNEAU, commanded by Captain Lyman “Knute” Swenson, was torpedoed by a Japanese Sub I-26 during the Battle of Guadalcanal; and,

WHEREAS, as a result of this attack, the five Sullivan brothers, Frank, Joe, Matt, Al and George as well as 700 of their shipmates tragically lost their lives; and,

WHEREAS, natives of Waterloo, Iowa, the Sullivan brothers were well-known members of their community and loving family members and friends who will always be remembered for the countless lives that they impacted; and,
WHEREAS, the Sullivan brothers were raised in a strong Irish Catholic family by parents Thomas R. Sullivan and Alleta Sullivan; and,
WHEREAS, the Sullivan brothers, whose calling was serving our nation, were devoted to protecting America and improving the lives of others; and,
WHEREAS, throughout their careers as proud members of the United States Navy, the Sullivan brothers represented our country admirably; and,
WHEREAS, the five Sullivan brothers have been inducted into the “Irish American Hall of Fame”; and,
WHEREAS, named after the Sullivan brothers, USS The Sullivans DD-537 was commissioned by the United States Navy on September 30, 1943; and,
WHEREAS, USS The Sullivans DD-537 was retired in 1965, and is a National Historic Landmark docked at the Buffalo NY Naval Park; and,
WHEREAS, USS The Sullivans DDG-68 was commissioned on April 19, 1997, and is home ported at the Mayport Naval Station in Florida. USS The Sullivans is currently deployed to the Persian Gulf; and,
WHEREAS, on September, 18-22 2013, the USS The Sullivans DD-537/DDG-68 Association will be celebrating its 25th Anniversary Reunion in Deerfield, Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2013, as USS THE SULLIVANS DAY in Illinois, in honor and in remembrance of the heroic Sullivan brothers, whose selfless service and sacrifice is an inspiration to the citizens of the Land of Lincoln, and in recognition of all of the sailors who have served aboard the USS The Sullivans DD-537/DDG-68.
Issued by the Governor September 12, 2013.
Filed by the Secretary of State September 18, 2013.

2013-348
DIVERSITY AND INCLUSION DAY

WHEREAS, a diverse workplace, where all employees are ensured equal opportunities for success, is an economic necessity; and,
WHEREAS, the success of a company in the 21st century is dependent in part on its ability to maintain a workforce that mirrors the diverse community it serves; and,
WHEREAS, the Tenth Annual Changing Color of Leadership Conference and Bridge Awards Dinner, hosted by Chicago United, which
is of special interest to Chicago-based businesses, will be held on Tuesday, November 19, 2013; and,

WHEREAS, the conference and dinner will provide chief executive officers, corporate executives and minority business owners the opportunity to network and engage in meaningful dialogue regarding diversity and inclusion in the workforce and business partnerships; and,

WHEREAS, the Tenth Annual Changing Color of Leadership Conference and Bridge Awards Dinner assists in advancing the ongoing efforts to promote diversity and inclusion at all levels to enhance the region’s economy; and,

WHEREAS, through its many programs and products, Chicago United will bring together business, civic, and not-for-profit leaders to bridge the gap between race and business; and,

WHEREAS, our success as a state depends on our ability to create conditions that strengthen Illinois employers; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 19, 2013 as DIVERSITY AND INCLUSION DAY in Illinois.

Issued by the Governor September 13, 2013.
Filed by the Secretary of State September 18, 2013.

2013-349

DR. QUENTIN YOUNG DAY

WHEREAS, a longtime leader on health policy and social justice issues, Dr. Quentin Young was Dr. Martin Luther King Jr.’s personal physician during his stays in Chicago, is Past President of the American Public Health Association, and has served as the Public Health Advocate for the State of Illinois; and,

WHEREAS, Dr. Quentin Young graduated from Northwestern Medical School in 1948 and completed his residency at Cook County hospital in Chicago; and,

WHEREAS, Dr. Quentin Young had a decades-long medical practice in the Hyde Park community on Chicago’s South Side. He is a dedicated physician who has positively impacted many lives; and,

WHEREAS, throughout his illustrious medical career, Dr. Quentin Young has been affiliated with numerous organizations including the American College of Physicians’ Health and Public Policy committee and the National Health Program. In addition, he founded the Committee to End Discrimination in Medical Institutions in 1951, the Health and Medicine Policy Research Group, and Physicians for a National Health Program; and,
WHEREAS, in 2001, Dr. Quentin Young and current Illinois Governor Pat Quinn walked from the Mississippi River to Lake Michigan to promote decent health care for everyone; and,
WHEREAS, Dr. Quentin Young was featured regularly as a medical commentator on WBEZ, Chicago Public Radio; and,
WHEREAS, a strong believer in grassroots democracy, civic engagement, and the importance of improving America’s health care system, Dr. Quentin Young serves as a role-model for current and future medical professionals; and,
WHEREAS, Dr. Quentin Young turned 90 on September 5, 2013; and,
WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,
WHEREAS, as a long-time loving family member, friend, and neighbor, Dr. Quentin Young has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, on September 29, 2013, Dr. Quentin Young’s 90th birthday will be celebrated at the Health and Medicine Policy Research Group’s gala brunch; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Dr. Quentin Young for a very happy 90th birthday celebration; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 29, 2013, as DR. QUENTIN YOUNG DAY in Illinois, in recognition of his commitment to civic engagement, dedication to the field of medicine, and in celebration of his 90th birthday.

Issued by the Governor September 13, 2013.
Filed by the Secretary of State September 18, 2013.

2013-350
KEEP CHICAGO BEAUTIFUL DAY

WHEREAS, protecting the environment is becoming more important than ever; and,
WHEREAS, Keep Chicago Beautiful was established on June 11, 1987, in order to sustain and improve the quality of life for individuals on this Earth by protecting the environment for those who inhabit it, by pledging to reduce, reuse and recycle and to spread their work to those throughout the city, state and nation; and,
WHEREAS, Keep Chicago Beautiful has successfully founded the nationwide program known as “Waste in Place” which has educated
younger generations on the importance of reducing, reusing and recycling, as well the advantages of eradicating litter to clean up Chicago; and,

WHEREAS, this organization understands the importance of maintaining a beautiful environment, leading by example through their efforts with the city of Chicago, and appreciates the significance of educating those who will nurture the environment for years to come; and,

WHEREAS, it is fitting and proper to officially recognize this organization on their efforts to preserve our environment and to keep it beautiful; and,

WHEREAS, on October 2, 2013, Keep Chicago Beautiful will celebrate their 26th Annual Vision Awards Event; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2, 2013, as KEEP CHICAGO BEAUTIFUL DAY and call upon all citizens to observe the day by becoming familiar with the actions that harm the environment and measures that can be taken to ensure that we maintain and preserve the beautiful environment in which we live.

Issued by the Governor September 13, 2013.
Filed by the Secretary of State September 18, 2013.

2013-351
SMILESAFE KIDS DAY

WHEREAS, the State of Illinois is committed to the safe return of missing children; and,

WHEREAS, a current photograph is the most important resource in the recovery of a missing child, according to the National Center for Missing & Exploited Children. More than 1,200 children are reported missing each day in the United States; and,

WHEREAS, SmileSafe® Photo ID Cards have directly contributed to the recovery of missing children in 23 states; and,

WHEREAS, The National Center of Missing & Exploited Children, in partnership with Lifetouch School Photography, has provided some 18 million free SmileSafe Photo ID Cards during the last decade to parents in the State of Illinois; and,

WHEREAS, Illinois families utilize their SmileSafe Kids Cards and encourage programs that promote child safety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 22, 2013 as SMILESAFE KIDS DAY in Illinois to raise awareness and prevent children from becoming victims.

Issued by the Governor September 13, 2013.
Filed by the Secretary of State September 18, 2013.
2013-352
WORLDWIDE DAY OF PLAY

WHEREAS, childhood obesity continues to rise at alarming rates; and,
WHEREAS, today’s children and adults don’t get as much physical activity as they should; and,
WHEREAS, nutritious diets and physical activity are important components in living healthy lifestyles and reducing disease; and,
WHEREAS, part of Nickelodeon’s international grassroots effort is to get kids more physically active and to encourage positive, healthy, and playful lifestyles across the globe; and,
WHEREAS, to accomplish that goal, Nickelodeon, along with the Boys & Girls Clubs of America and the National Football League are teaming up to celebrate the tenth annual Worldwide Day of Play by taking programming off of the air and shutting down its websites to reinforce one simple message: Get up, get out, and go play; and,
WHEREAS, the State of Illinois is committed to working to support kids in becoming the healthiest generation:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2013 as WORLDWIDE DAY OF PLAY in Illinois, and encourage citizens of all ages to observe this day with appropriate activities.

Issued by the Governor September 13, 2013.
Filed by the Secretary of State September 18, 2013.

2013-353
ACUPUNCTURE AND ORIENTAL MEDICINE DAY

WHEREAS, acupuncture and Oriental medicine have a long and rich history as components of a comprehensive traditional medical system that has been used for thousands of years to diagnose and treat illness, prevent disease and improve well-being; and,
WHEREAS, practitioners of acupuncture and Oriental medicine are dedicated to the highest standards of professionalism and maintain these standards through education, credentialing and a personal commitment; and,
WHEREAS, millions of Americans seek the services of acupuncturists and Oriental medicine practitioners each year; and,
WHEREAS, it is vital that those in need of medical services understand the full realm of available modalities and seek competent and professional care; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 24, 2013 as ACUPUNCTURE AND ORIENTAL MEDICINE DAY in Illinois, and encourage all citizens to learn more about the potential benefits of acupuncture and Oriental medicine.

Issued by the Governor September 16, 2013.
Filed by the Secretary of State September 18, 2013.

2013-354
LIGHTS ON AFTERSCHOOL DAY

WHEREAS, the citizens of the State of Illinois stand firmly committed to quality afterschool programs and opportunities; and,
WHEREAS, afterschool programs provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills; and,
WHEREAS, afterschool programs also support working families by ensuring their children are safe and productive after the regular school day ends; and,
WHEREAS, afterschool programs benefit everyone because they build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults; and,
WHEREAS, the State of Illinois has provided significant leadership in the area of community involvement and the education and well-being of our youth, which is grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and,
WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and unfortunately, 15.1 million children have no place to go after school; and,
WHEREAS, of the school-age children in Illinois, approximately 26 percent are unsupervised after school; and,
WHEREAS, afterschool programs strengthen our communities by providing students a safe and healthy environment for them to learn while helping working parents; and,
WHEREAS, the State of Illinois is committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in the global economy; and,
WHEREAS, Lights On Afterschool is a national celebration of afterschool programs that will be held this year on October 17; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 17, 2013, as LIGHTS ON AFTERSCHOOL DAY in Illinois, in recognition of the importance of quality afterschool programs in the lives of children, families and communities.
Issued by the Governor September 16, 2013.
Filed by the Secretary of State September 18, 2013.

2013-355
FRITZ POLLARD DAY

WHEREAS, Frederick Douglass “Fritz” Pollard, the first African-American quarterback and head coach in the history of professional football, was born January 27th, 1894, in Chicago, Illinois; and,
WHEREAS, Fritz Pollard was a student of Brown University, where he achieved great status and made many ‘firsts’ and helped lead Brown as the first university to best Yale and Harvard within a season; and,
WHEREAS, Fritz Pollard was among the first group of African-Americans drafted in the NFL or APFL, and alongside the Akron Pros won the first professional football championship; and,
WHEREAS, Fritz Pollard organized many professional teams and helped integrate their rosters, and recruited many of the first prominent black players; and,
WHEREAS, Fritz Pollard has been inducted into five different halls of fame and has been awarded both an honorary doctorate from Brown University and the prestigious Whitney M. Young, Jr. Memorial Award; and,
WHEREAS, while Fritz Pollard is best known for his football achievements he also founded the first black investment firm, began the first weekly black tabloid, started his own movie studio, served as a tax consultant, and created a coal delivery system for Chicago and New York City; and,
WHEREAS, Fritz Pollard’s innovative work in breaking ground for African-Americans is continued today by the Fritz Pollard Alliance; which promotes minority hiring throughout the sport of football; and;
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 27, 2014, as FRITZ POLLARD DAY in Illinois, in support of his many achievements, and in recognition of his desire to make the world a better place.
Issued by the Governor September 17, 2013.
Filed by the Secretary of State October 1, 2013.
2013-356
GREAT RIVER ROAD NATIONAL SCENIC BYWAY DAY

WHEREAS, the Mississippi River Parkway Commission (MRPC) was founded by order of Congress in 1938 to develop and oversee the Great River Road; and,

WHEREAS, the Great River Road has grown to become 3,000 miles of interconnected roads that follow the Mississippi River through ten states, from Lake Itasca in northern Minnesota to the Gulf of Mexico; and,

WHEREAS, the Great River Road segments in all ten states have achieved National Scenic Byway Designation, making the Great River Road the longest and most important National Scenic Byway in the nation; and,

WHEREAS, the Great River Road runs through 119 counties and parishes, serving as a conduit for bringing tourism dollars into hundreds of cities and river towns along the byway; and,

WHEREAS, for 75 years the Great River Road has served as a way for Americans and visitors from around the world to discover and experience the rich culture of the Mississippi River region and the heart of America; and,

WHEREAS, 520 miles of the Great River Road National Scenic Byway run through the State of Illinois, a segment that links important historical, cultural, recreational, natural and scenic attractions; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 18, 2013, as GREAT RIVER ROAD NATIONAL SCENIC BYWAY DAY, in recognition of the role it plays in the life and economic health of the communities and states through which it runs.

Issued by the Governor September 17, 2013.
Filed by the Secretary of State October 1, 2013.

2013-357
HECTOR SANTIAGO DAY

WHEREAS, Hector Santiago, a Major League Baseball pitcher for the Chicago White Sox, was born on December 16, 1987, in Newark, New Jersey; and,

WHEREAS, Hector Santiago is a graduate of Bloomfield Vocational Technical High School and attended Okaloosa-Walton Community College, where he demonstrated his abilities as a pitcher and love for the sport of baseball; and,
WHEREAS, Hector Santiago was drafted by the Chicago White Sox in the 30th round of the 2006 Major League Baseball Draft and was called up to the majors for the first time on June 26, 2011; and,

WHEREAS, in 2012, Hector Santiago went 2-0 with a 1.86 era in four starts and 2-1 with a 3.88 mark in 38 relief appearances for the Chicago White Sox; and,

WHEREAS, so far this season with the Chicago White Sox, Hector Santiago has a 3.47 ERA in 22 starts, with 121 strikeouts over 124 1/3 innings; and,

WHEREAS, although Hector Santiago utilizes a variety of pitches, his most common is the speedy four-seam fastball, which falls in the range of 91-96 mph. His off-speed pitches include a curveball, slider, changeup, and occasionally a cutter or sinker; and,

WHEREAS, despite his accomplishments as a baseball player, Hector Santiago has remained humble and committed to serving others. He is a true role-model for the citizens of the Land of Lincoln; and,

WHEREAS, Tuesday, September 17th, is Roberto Clemente Day throughout baseball, a day instituted on the 30th anniversary of his passing, in order to keep his spirit of giving alive; and,

WHEREAS, Hector Santiago is the Chicago White Sox nominee for the 2013 Roberto Clemente Award. Voting for this recognition will run from September 17th through October 6th; and,

WHEREAS, Hector Santiago is deserving of this nomination and has been involved with numerous White Sox charities and assisted in community service days. In addition, he has partnered with USO of Illinois and developed “Santiago’s Soldiers,” a program that supports children and families dealing with illness by inviting them to games; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17, 2013, as HECTOR SANTIAGO DAY in Illinois, in support of his nomination for the 2013 Roberto Clemente Award, and in recognition of his desire to make the world a better place.

Issued by the Governor September 17, 2013.

Filed by the Secretary of State October 1, 2013.

2013-358
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF SERGEANT 1ST CLASS JEROME BAKER

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, on Friday, September 13, Illinois National Guard Sergeant 1st Class Jerome Baker of Riverdale, Illinois died at age 29 while completing a physical fitness exam at Fort Custer in Augusta, Michigan; and,

WHEREAS, Sergeant 1st Class Jerome Baker was assigned to Golf Company, 634th Brigade Support Battalion, 33rd Infantry Combat Brigade, based at the Joliet Armory in Joliet, Illinois; and,

WHEREAS, Sergeant 1st Class Jerome Baker was a resident of Riverdale, Illinois, where he was a valuable member of the community; and,

WHEREAS, throughout his career as a proud member of the Illinois National Guard, Sergeant 1st Class Baker represented the State of Illinois admirably; and,

WHEREAS, Sergeant 1st Class Jerome Baker was well respected and admired by his fellow soldiers, subordinates, and leaders; and,

WHEREAS, a funeral will be held on Friday, September 20, 2013 for Sergeant 1st Class Baker, who is survived by many loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise Wednesday, September 18 until sunset on Friday, September 20, 2013, in honor and remembrance of Sergeant 1st Class Jerome Baker, whose selfless service and sacrifice is an inspiration.

Issued by the Governor September 17, 2013.
Filed by the Secretary of State October 1, 2013.

2013-359
MALE BREAST CANCER AWARENESS WEEK

WHEREAS, a projected 2,200 men nationally will be diagnosed with breast cancer in 2013; and,

WHEREAS, an estimated 450 men nationally will lose their lives to breast cancer in 2013; and,

WHEREAS, incidences of male breast cancer have been steadily increasing over the past twenty years; and,

WHEREAS, thirty percent of men who are diagnosed will lose their lives when compared to nineteen percent of women diagnosed who will lose their lives; and,
WHEREAS, breast cancer is generally branded as a women’s disease and affected men are often undiagnosed because of their lack of knowledge about this disease’s ability to harm them; and,

WHEREAS, educational programs designed to enhance the public’s knowledge of the risk this disease poses would encourage more men to receive regular check-ups and medical exams; and,

WHEREAS, since male breast cancer spreads rapidly, it is important that this disease be detected early; and,

WHEREAS, the best chance for fighting breast cancer is early detection through mammography screening, which when paired with new treatment options, can dramatically improve a man’s chance of survival; and,

WHEREAS, Illinois aims to raise awareness of the occurrence of breast cancer in men and to encourage regular testing for breast cancer amongst all citizens in the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the third week in October, 2013 as MALE BREAST CANCER AWARENESS WEEK in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor September 18, 2013.
Filed by the Secretary of State October 1, 2013.

2013-360
DISABILITY EMPLOYMENT AWARENESS MONTH

WHEREAS, there are approximately 58 million Americans with disabilities including approximately 1.4 million living in Illinois who have physical, sensory, and mental impairments that limit one or more major life activities; and,

WHEREAS, people with disabilities are more than twice as likely to be living in poverty as their nondisabled peers; and,

WHEREAS, due to poverty and isolation, these individuals are less likely to attend social, recreational, and sporting events than their friends and neighbors; and,

WHEREAS, the labor participation rate for people with disabilities is only 20.5% compared to 69% for people without disabilities; and,

WHEREAS, Title I of the Americans with Disabilities Act as well as the Illinois Human Rights Act precludes discrimination in employment against qualified individuals with disabilities; and,

WHEREAS, the State of Illinois offers programs such as the Successful Disability Opportunity Program and the Health Benefits for
Workers with Disabilities Program to make employment more attainable for job seekers with a disability; and,

WHEREAS, the State of Illinois recently enacted legislation that establishes Illinois as an Employment First State; and,

WHEREAS, workers with disabilities have consistently proven themselves to be highly responsible, conscientious employees; and,

WHEREAS, the Month of October has been designated National Disability Employment Awareness Month, with a variety of activities being held throughout the nation to commemorate the contributions that employees with disabilities make in the workforce; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as DISABILITY EMPLOYMENT AWARENESS MONTH in Illinois, and reaffirm the commitment of my administration to the recruitment, hiring, and promotion of Illinoisans with disabilities.

Issued by the Governor September 19, 2013.

Filed by the Secretary of State October 1, 2013.

2013-361
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF
MAJOR JAMES E. SIZEMORE

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, the veterans of the Vietnam War are owed a special debt of gratitude for reminding the state and the nation of the value of service following an unpopular war, and;

WHEREAS, more than 50 years after the end of the Vietnam War, service members and veterans will not rest until all of their comrades in arms are found, and:

WHEREAS, every day U.S. military men and women face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on July 8, 1969 Major James E. Sizemore was piloting an A-26 Invader on an armed reconnaissance mission when his aircraft crashed in Xiangkhoang Province, Laos; and,

WHEREAS, in 1993, a joint US and Lao People’s Democratic Republic team investigated an aircraft crash site; and,

WHEREAS, in 2010, a joint US and Lao People’s Democratic Republic team evacuated human remains, aircraft wreckage, personal effects and military equipment associated with Major Sizemore; and,
WHEREAS, in 2013, the remains from the aircraft were identified as Major Sizemore’s and that of his co-pilot, Maj. Howard V. Andre Jr.; and,

WHEREAS, Major Sizemore was a resident of Lawrenceville, Illinois, and 38 years old at his time of death; and,

WHEREAS, throughout his career as a proud member of the United States Air Force, Major Sizemore represented the State of Illinois admirably; and,

WHEREAS, a funeral service with military honors will be held on Monday, September 23, 2013, at Arlington National Cemetery for Major Sizemore; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff on sunrise Saturday, September 21 until sunset on Monday September 23, 2013 in honor and remembrance of Major James E. Sizemore, whose selfless service and sacrifice is an inspiration.

Issued by the Governor September 19, 2013.
Filed by the Secretary of State October 1, 2013.

2013-362
CENTRAL AMERICAN INDEPENDENCE DAY

WHEREAS, the State of Illinois is honored to join the Central American community in celebrating the 192nd Anniversary of Central American Independence; and,

WHEREAS, this event commemorates the date of September 15, 1821, when the Central American nations of Guatemala, Honduras, El Salvador, Costa Rica, and Panama jointly declared their independence from Spain; and,

WHEREAS, now, nearly two centuries later, Guatemalans, Hondurans, El Salvadorians, Costa Ricans, and Panamanians all across the globe gather to commemorate the birth of their freedom; and,

WHEREAS, here in Illinois, the Central American community is flourishing and has made many significant economic and cultural contributions to the Land of Lincoln; and,

WHEREAS, on September 26, 2013, Hon. Maria Gabriela Sanchez Arrieta, Consul General Costa Rica; Hon. Hugo Haroldo Hun Archila, Consul General Guatemala; Hon Jose Erazmo Montalvan Hernandez, Consul General Honduras; and Hon. Patricia Maza-Pittsford, Consul General El Salvador, will be hosting a reception to commemorate the anniversary of Central American Independence; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 26, 2013, as CENTRAL AMERICAN INDEPENDENCE DAY in Illinois, in recognition of Central America’s 192nd Anniversary of Independence, and in tribute to all Central Americans who call Illinois home.

Issued by the Governor September 20, 2013.
Filed by the Secretary of State October 1, 2013.

2013-363
CURTIS MAYFIELD DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, Curtis Mayfield was born in Chicago on June 3, 1942, and grew up in the Cabrini Green area; and,

WHEREAS, Curtis Mayfield experienced great success as a solo artist, producer, song writer, and member of the Impressions; and,

WHEREAS, Curtis Mayfield began his music career at an early age and was a member of the Roosters by the time he was 14. He formed the Impressions in 1958, which became popular for introducing social and political consciousness into African American music as well as R & B; and,

WHEREAS, the Impressions had several Top Ten record chart hits including “Keep on Pushing,” “People Get Ready,” “It’s All Right,” “Talking about my Baby,” and “Woman’s Got Soul”; and,

WHEREAS, in the 1960s, Curtis Mayfield and the Impressions achieved widespread National recognition for their song “Keep on Pushing,” which served as an anthem for Martin Luther King Jr. and the Civil Rights Movement; and,

WHEREAS, aside from enormous commercial success with the Impressions, Curtis Mayfield also had a critically acclaimed solo career as a recording artist. His solo album “Super Fly” is regarded as a top 100 album of all time by Rolling Stone and has influenced numerous other performers and invented a new style of modern black music; and,

WHEREAS, Curtis Mayfield was inducted into the Vocal Group Hall of Fame, the Rock and Roll Hall of Fame, the Songwriters Hall of Fame, the Grammy Hall of Fame, and won the Grammy Legends Award, and the Grammy Lifetime Achievement Award; and,

WHEREAS, Curtis Mayfield founded the Mayfield and Windy C record label, and produced and wrote records for the Impressions, Leroy Hutson, The Staple Singers, Baby Huey, and the Babysitters; and,
WHEREAS, Curtis Mayfield was dedicated to using music as a platform to advance the social and political interests of African Americans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 29, 2013, as CURTIS MAYFIELD DAY in Illinois, in recognition of Curtis Mayfield’s tremendous musical success, contributions to the entertainment industry, and his significant role in the Civil Rights Movement.

Issued by the Governor September 20, 2013.
Filed by the Secretary of State October 1, 2013.

2013-364
NET CANCER AWARENESS DAY

WHEREAS, neuroendocrine tumors/tumours (NETs) often develop into cancer and, if left untreated, can result in serious illness and death; and,

WHEREAS, NET cancer patients are often misdiagnosed or receive a delayed diagnosis, which can have a negative impact on their chance of survival and quality of life; and,

WHEREAS, survival for NET cancer patients is further compromised by fragmented care and lack of access to treatment by networks of specialists; and,

WHEREAS, although there have been advances in the detection and treatment of NET cancers, not all patients are benefiting quickly enough from scientific and medical progress in the field; and,

WHEREAS, with timely diagnosis and proper treatment, NET cancer patients can have significantly improved outcomes and quality of life; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 10, 2013 as NET CANCER AWARENESS DAY in Illinois to encourage patients, caregivers, healthcare professionals as well as the wider Illinois community, to join with us as we work together to raise awareness about NET cancers and the need for timely diagnosis and optimal treatment and care.

Issued by the Governor September 20, 2013.
Filed by the Secretary of State October 1, 2013.
2013-365
THYROID CANCER AWARENESS MONTH

WHEREAS, The American Cancer Society estimates that approximately 56,460 new cases of thyroid cancer will be diagnosed in the United States this year; and,
WHEREAS, the likelihood of being diagnosed with thyroid cancer has been on the rise, and is now more than double what it was in 1990; and,
WHEREAS, thyroid cancer is more common in younger people, and nearly two-thirds of those diagnosed with thyroid cancer are between the ages of 20 and 55; and,
WHEREAS, thyroid cancer has been growing at a rate of about 6% a year since 1997; and,
WHEREAS, survival rates for people diagnosed with thyroid cancer are higher for younger patients. More than 95% of those under age 40 are likely to survive the disease for at least five years; and,
WHEREAS, thyroid cancer affects women more than men, and in the United States, women are two to three times more likely than men to develop thyroid cancer; and
WHEREAS, to underscore the importance of early detection, the American Association of Clinical Endocrinologists (AACE) encourages Americans to perform a simple self-exam they call the "Thyroid Neck Check." Examining your neck can in some cases help you find lumps or enlargements that may point to thyroid conditions, including nodules, goiter and thyroid cancer; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2013 as THYROID CANCER AWARENESS MONTH in Illinois to raise awareness of early detection and the need for timely diagnosis and optimal treatment of thyroid cancer.

Issued by the Governor September 20, 2013.
Filed by the Secretary of State October 1, 2013.

2013-366
CHILDHOOD LEAD POISONING PREVENTION WEEK

WHEREAS, approximately 500,000 children tested in the United States were confirmed with blood lead levels greater than the new intervention level recommended by the U.S. Centers for Disease Control and Prevention in 2012; and,
WHEREAS, Illinois identified approximately 19,800 children with confirmed blood lead levels greater than the new intervention level
recommended by the U.S. Centers for Disease Control and Prevention; and,

WHEREAS, lead poisoning is one of the most preventable environmental health problems; and,

WHEREAS, even at low levels, lead poisoning can affect nearly every system in the body, causing learning disabilities, shortened attention span, behavioral problems and, in extreme instances, seizure, coma and even death; and,

WHEREAS, lead poisoning can affect any family regardless of race, socioeconomic status and education; and,

WHEREAS, the major source of lead exposure among Illinois children continues to be lead-contaminated dust and lead-based paint banned in 1978; and,

WHEREAS, Illinois data indicates a significant decline in the number of lead poisoned children from 1996 to 2012, however, there still remains more than 3.5 million housing units built prior to 1978 where an estimated 2 million contain lead; and,

WHEREAS, Illinois passed the Lead Poisoning Prevention Act in 1973 to set mandatory screening and reporting requirements; and,

WHEREAS, Illinois established the Lead Poisoning Prevention Program in the Illinois Department of Public Health to monitor the identification and treatment of lead poisoned children; and,

WHEREAS, Illinois amended the Lead Poisoning Prevention Act in 2006, establishing new guidelines to further expand on lead poisoning prevention efforts in the state; and,

WHEREAS, Illinois is pleased to join with health care professionals, agencies and their delegates in observance of National Lead Poisoning Prevention Week, in an effort to increase awareness and promote prevention of lead poisoning in children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim October 20-26, 2013, as CHILDHOOD LEAD POISONING PREVENTION WEEK in Illinois and encourage all citizens to recognize the prevalence of lead poisoning in our society and to join in working toward eradicating this unfortunate and unnecessary condition.

Issued by the Governor September 23, 2013.
Filed by the Secretary of State October 1, 2013.

2013-367
DIVERSITY EMPLOYMENT DAY

WHEREAS, a Diverse workplace and “Getting America Back to Work” is an economic necessity; and,
WHEREAS, the success of a company in the 21st century is dependent in part on its ability to maintain a workforce that mirrors the diverse community it serves; and,

WHEREAS, the Diversity Employment Day Career Fair for Chicago and Illinois will bring together Illinois’ major employers with thousands of qualified diversity professionals; and,

WHEREAS, the Diversity Employment Day Career Fair will offer employment opportunities and career guidance for professionals in accounting, administration, healthcare, hardware and software engineering, finance, information technology, law enforcement, management, marketing, sales, network, data and telecommunications; and,

WHEREAS, the Diversity Employment Day Career Fair will be held at the Congress Plaza Hotel in Chicago, Illinois on October 23, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23, 2013 as DIVERSITY EMPLOYMENT DAY in Illinois, and congratulate all participants for recognizing the economic and social value in employing a diverse workforce.

Issued by the Governor September 23, 2013.
Filed by the Secretary of State October 1, 2013.

2013-368
CAREERS IN ENERGY WEEK

WHEREAS, safe, reliable and affordable energy is essential to our families, communities and businesses; and,

WHEREAS, energy supplies the simple things in life – heating, cooling, cooking, and lighting; and,

WHEREAS, energy supports modern society’s complex systems – providing health care, air traffic control, running a manufacturing plant. Energy also makes possible the fun things in life – lights at a baseball field, air conditioning at the theater, rides at the state fair; and,

WHEREAS, the large demand from the industrial sector makes Illinois among the nation’s leading consumers of energy. The state’s ability to maintain and expand these systems depends on the availability of a highly skilled, educated workforce; and,

WHEREAS, to promote workforce continuity and meet the challenges of our ever-changing economy, new workers are needed; and,

WHEREAS, women and minorities should be encouraged to pursue a career in energy. According to the Bureau of Labor Statistics
women and minorities are significantly underrepresented in the engineering workforce; and, 

WHEREAS, through strategic partnerships, members of the Illinois Energy Workforce Consortium (Ameren, Association of Illinois Electric Cooperatives, ComEd and Exelon Generation, Illinois State University, Mt. Carmel Public Utility Company, Nicor Gas, People’s Gas, Primera and others) strive to promote a unified and results-oriented strategy to ensure Illinoisans find new and rewarding careers in energy so that Illinois can continue to grow and prosper; and, 

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim October 14-20, 2013, as CAREERS IN ENERGY WEEK in Illinois. The Illinois Energy Workforce Consortium and its partners will hold events throughout the state to highlight the need for a strong and growing energy workforce and encourage Illinoisans of all ages to consider a career in the energy industry. 

Issued by the Governor September 24, 2013. 

Filed by the Secretary of State October 1, 2013. 

2013-369 
CARMEN VELASQUEZ DAY 

WHEREAS, the founder and Executive Director of Alivio Medical Center since 1988, Carmen Velásquez has dedicated her life to improving access to quality health care services for the Latino community in Chicago, Illinois, and, 

WHEREAS, Carmen Velásquez will retire from Alivio Medical Center in January 2014; and, 

WHEREAS, for the past 25 years, Carmen Velásquez has provided Alivio Medical Center with her honorable and dedicated service; and, 

WHEREAS, Carmen Velásquez’s efforts over the years have undoubtedly created a lasting impact. She has brought great fairness, thoughtfulness, and wisdom to her work, advancing the goals and mission of Alivio Medical Center in order to expand access to quality, affordable health care; and, 

WHEREAS, Carmen Velásquez is to be commended for 25 years of service to Alivio Medical Center and the people of the State of Illinois; and, 

WHEREAS, under her leadership, Alivio Medical Center grew from one community health center to a network of six clinics, with plans to open two new sites in late 2013; and, 

WHEREAS, a strong believer in civic engagement and the importance of improving America’s health care system, Carmen
Velásquez serves as a role-model for current and future medical professionals; and,

WHEREAS, Carmen Velásquez has been recognized for excellence in her work throughout the years. She has received numerous awards including the National Football League’s Hispanic Heritage Leadership Award, the 100 Influential Leaders Award, the Ohtli Award, the Robert Wood Johnson Foundation Community Health Leadership Award, the Latino Leaders Magazine Maestro Award, and the MALDEF Lifetime Achievement Award; and,

WHEREAS, as a long-time loving family member, friend, and co-worker, Carmen Velásquez has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, Carmen Velásquez’s work ethic and commitment exemplify the dedication to service the citizens of this state deserve and expect; and,

WHEREAS, the people of the Land of Lincoln are pleased to extend their best wishes to Carmen Velásquez for a very happy retirement; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2, 2013, as CARMEN VE LASQUEZ DAY in Illinois, in recognition of her commitment to civic engagement, dedication to the Latino community and improving the American health care system, and in celebration of her retirement.

Issued by the Governor September 24, 2013.
Filed by the Secretary of State October 1, 2013.

2013-370
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF UNITED STATES ARMY STAFF SERGEANT RANDALL R. LANE

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on Friday, September 13, United States Army Staff Sergeant Randall R. Lane of Neoga, Illinois died at age 43 while serving in Kabul, Afghanistan, serving in support of Operation Enduring Freedom; and,
WHEREAS, Staff Sergeant Lane graduated from Neoga Junior-Senior High in 1988 and served in the United States Marine Corp and Indiana National Guard for over 20 years; and,
WHEREAS, Staff Sergeant Lane served as a motor transport operator and provided security for convoy operations in support of Operation Enduring Freedom; and,
WHEREAS, a funeral will be held at 10 a.m. on Wednesday, September 25th at First Christian Church in Neoga for Staff Sergeant Lane, who is survived by many loving family members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on September 25, 2013 in honor and remembrance of Staff Sergeant Lane, whose selfless service and sacrifice is an inspiration.

Issued by the Governor September 24, 2013.
Filed by the Secretary of State October 1, 2013.

2013-371
SWAMI VIVEKANANDA DAY

WHEREAS, born in Calcutta on January 12, 1863, Swami Vivekananda was an influential Hindu philosopher and humanitarian who gained extensive knowledge in Western philosophy, art, literature, science, and medicine; and,
WHEREAS, as a prominent scholar, Swami Vivekananda delivered many lectures and left his four classics for posterity: Jnana-Yoga, Bhakti-Yoga, Karma-Yoga, and Raja-Yoga; and,
WHEREAS, Swami Vivekananda’s lectures and writings have been gathered into nine volumes; and,
WHEREAS, Swami Vivekananda spoke at the Chicago Parliament of Religions in 1893, a speech that would garner him international acclaim for his abilities as an orator; and,
WHEREAS, after his speech in Chicago, Swami Vivekananda spent three and half years living and teaching in the United States as well as England before returning to India and founding the Ramakrishna Mission, which provided monks with an opportunity to work on social service projects throughout India and in other countries; and,
WHEREAS, appalled by the poverty he witnessed during his travels in India, Swami Vivekananda understood the importance of improving methods of agriculture in order to ensure food was available for needy individuals; and,
WHEREAS, Swami Vivekananda was a compassionate, dedicated individual who spent his life guiding and inspiring his fellow human beings; and,

WHEREAS, Swami Vivekananda believed in a philosophy of a world without borders; and,

WHEREAS, Swami Vivekananda died on July 4, 1902, at the age of 39; and,

WHEREAS, on September 27-28, 2013, numerous temples and cultural associations in the Greater Chicago area will be celebrating Swami Vivekananda’s 150th birthday; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 28, 2013, as SWAMI VIVEKANANDA DAY in Illinois, in recognition of his contributions as a scholar, speech at Chicago’s Parliament of Religions in 1893, and commitment to making the world a better place.

Issued by the Governor September 25, 2013.
Filed by the Secretary of State October 1, 2013.

2013-372

GERMAN-AMERICAN DAY

WHEREAS, the United States of America is a land of opportunity where people are recognized for their diverse heritage; and,

WHEREAS, Germans first immigrated to our shores during early American colonial history. Among the first group to immigrate were 13 Mennonite families from Krefeld who founded Germantown, Pennsylvania; and,

WHEREAS, in 1987, President Ronald Reagan issued a proclamation recognizing the many achievements and successes of German-Americans. Since then, German-American Day has been celebrated every year; and,

WHEREAS, in Illinois, German-Americans have been influential in every field from the sciences and manufacturing to the arts and government. Germans began arriving in Illinois in the 1830s, and by 1900, German-Americans comprised one-quarter of Chicago's population. Elected in 1892, John Altgeld served as the first German-born Governor of Illinois; and,

WHEREAS, German-Americans contribute significantly to this country working in a variety of different professions. It is important that we recognize their valuable contributions to making the United States a world leader in business and politics, and the bravery they have displayed
in serving our country during times of war, dating as far back as the American revolution; and,

WHEREAS, this year, German-Americans in our state and throughout the country will celebrate their heritage on October 6th; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 6, 2013 as GERMAN-AMERICAN DAY in Illinois to recognize the heritage of German Americans, who have made significant and valuable contributions to American culture and life since first arriving more than 300 years ago.

Issued by the Governor September 26, 2013.
Filed by the Secretary of State October 1, 2013.

2013-373
PAUL KONERKO DAY

WHEREAS, Paul Konerko, a Major League Baseball player for the Chicago White Sox, was born on March 5, 1976, in Providence, Rhode Island; and,

WHEREAS, Paul Konerko is a graduate of Chaparral High School, where he demonstrated superior talent as a baseball player and was named the Republic/Phoenix Gazette Player of the Year after leading his team to the Class 5-A baseball championship in 1994; and,

WHEREAS, drafted 13th overall in the 1994 MLB draft by the Los Angeles Dodgers, Paul Konerko made his big league debut on September 8, 1997; and,

WHEREAS, in 1998, Paul Konerko was traded to the Chicago White Sox, a team that he helped propel to the upper echelons of Major League Baseball; and,

WHEREAS, Paul Konerko, a right handed first baseman, played a critical role in the Chicago White Sox sweeping the Houston Astros in the 2005 World Series. In Game 2 of that series, he hit the first grand slam in White Sox World Series history; and,

WHEREAS, on April 25, 2012, Paul Konerko hit his 400th career home run, becoming the 48th player in Major League history to hit 400 home runs; and,

WHEREAS, since 2006, Paul Konerko has served as the Chicago White Sox’s team captain; and,

WHEREAS, Paul Konerko’s impressive career statistics include 433 home runs, 2296 hits, 1389 RBI, as well as a .281 batting average and .357 on base percentage; and,
WHEREAS, throughout his illustrious MLB career, Paul Konerko has been a 6 time all-star, 6 time player of the month, and 2005 ALCS MVP; and,

WHEREAS, despite his accomplishments as a baseball player, Paul Konerko has remained loyal to the City of Chicago; and,

WHEREAS, Paul Konerko was featured in 2006 on the The Golf Channel’s “The Big Break All-Star Challenge,” which was filmed during the Chicago White Sox’s spring training; and,

WHEREAS, perhaps most importantly, Paul Konerko is a loving husband to wife Jennifer and their three beautiful children, Nicholas, Owen, and Amelia; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September, 28, 2013, as PAUL KONERKO DAY in Illinois, in recognition of his accomplishments as a Major League Baseball player.

Issued by the Governor September 26, 2013.
Filed by the Secretary of State October 1, 2013.

2013-374
FIRST RESPONDER APPRECIATION DAY

WHEREAS, individuals, both career and volunteer, from police, fire, emergency medical services, search and rescue, dive, and other organizations in the public safety sector, come together as first responders to protect and aid the public in the event of an emergency; and,

WHEREAS, everyday first responders risk their own safety and personal property in the performance of their duties to protect our citizens; and,

WHEREAS, first responders are our first, best defense against all emergencies that may threaten our communities, whatever their nature; and,

WHEREAS, first responders are ready to aid the people of Illinois 24 hours a day, seven days a week; and,

WHEREAS, first responders are a vital part of every Illinois community who maintain safety and order in times of crisis, and volunteer in our towns and schools; and,

WHEREAS, first responders are highly trained, specialized workers who contribute their excellent skills for the public good and often for no pay; and,

WHEREAS, Illinois is host to over 120,000 first responders, both volunteer and professional; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September, 27, 2013, as FIRST RESPONDER APPRECIATION DAY in Illinois, and salute all first responders who have given their service to our state.

Issued by the Governor September 27, 2013.
Filed by the Secretary of State October 1, 2013.

2013-375
INFLUENZA AWARENESS MONTH

WHEREAS, influenza is a respiratory infection that can cause serious complications, particularly in young children, older adults, pregnant women and people with underlying health conditions (e.g., asthma, diabetes, heart disease and persons who live in facilities like nursing homes); and,

WHEREAS, the Metropolitan Chicago Healthcare Council’s (MCHC) report, Stop the Spread: A Health Care Guide to Influenza Preparedness and Response, in coordination with the Chicago Department of Public Health (CDPH), provides an overview of influenza, its impact on the public and how hospitals in the greater Chicago area prepare for, mitigate the impact of and respond to the flu; and,

WHEREAS, according to the U.S. Centers for Disease Control and Prevention (CDC), as many as 20 percent of U.S. residents acquire influenza and more than 200,000 people (on average) are hospitalized for influenza-related complications annually; and,

WHEREAS, the CDC reported that there were more than 48,000 influenza and pneumonia-related deaths in 2011; and,

WHEREAS, the economic impact of influenza is significant. A 2007 study determined that the annual direct costs for influenza-related hospitalizations and outpatient visits for adults is an estimated $10.4 billion nationally; and,

WHEREAS, the U.S. experienced a moderately severe flu season during 2012 and 2013, with a higher percentage of outpatient visits for influenza-like illness, higher rates of hospitalization and more reported deaths attributed to pneumonia and influenza compared with recent years; and,

WHEREAS, the CDC recommends that all adults and children older than six months receive an annual influenza vaccine; and,

WHEREAS, annual influenza vaccination is the most important measure Illinoisans can take to prevent seasonal influenza infection and the transmission of influenza throughout the state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013, as INFLUENZA AWARENESS MONTH in Illinois to encourage all citizens to receive an annual influenza vaccine to protect themselves and their families during the upcoming flu season.

Issued by the Governor September 27, 2013.
Filed by the Secretary of State October 16, 2013.

2013-376
RED RIBBON WEEK

WHEREAS, cities across America have been plagued by the numerous problems associated with alcohol, tobacco, and other drug use; and,

WHEREAS, substance abuse is particularly damaging to one of our nation’s most valuable resources, our children, and a contributing factor in the three leading causes of death for teenagers – accidents, homicides, and suicides; and,

WHEREAS, local leaders, in government and in the community, know that the support of the people in their neighborhoods is the most effective tool they have in their efforts to reduce use of alcohol, tobacco, and other drugs by Illinoisans; and,

WHEREAS, success will not occur overnight, but our patience and continued commitment to drug education and prevention are imperative; and,

WHEREAS, it is the goal of Red Ribbon Week to involve families, schools, businesses, churches, law enforcement agencies and service organizations in all aspects of this campaign and to establish an atmosphere that supports awareness, education and ongoing initiatives to prevent illegal drug use; and,

WHEREAS, the red ribbon was chosen as a symbol commemorating the work of former US Marine Enrique “Kiki” Camarena, a Drug Enforcement Administration agent, who was murdered in the line of duty and has come to represent the belief that one person can make a difference; and,

WHEREAS, the Red Ribbon Campaign was established by Congress in 1988 to promote this belief and encourage a drug-free lifestyle and involvement in drug prevention efforts; and,

WHEREAS, this year, October 23 - 31, 2013, has been designated National Red Ribbon Week, which encourages all Americans to show their support for a drug-free environment by wearing a red ribbon and participating in drug-free activities; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23-31, 2013, as RED RIBBON WEEK in Illinois, and encourage all citizens to wear and display red ribbons and participate in drug-free activities throughout the week, joining the rest of the nation in promoting the Red Ribbon Celebration and a drug-free America.

Issued by the Governor September 27, 2013.
Filed by the Secretary of State October 16, 2013.

2013-377
TURKISH REPUBLIC DAY

WHEREAS, the Republic of Turkey was founded on October 29, 1923, by Mustafa Kemal Ataturk and the Turkish people; and,
WHEREAS, Turkey and the United States have enjoyed strong diplomatic relations over the years; and,
WHEREAS, Turkey is one of the most active and important members of NATO and European security architecture; and,
WHEREAS, Turkish-Americans have contributed greatly to the ethnic diversity of U.S., have started hundreds of small and medium sized businesses, and been at the helm of some of the largest Fortune 500 corporations; and,
WHEREAS, it is important to recognize the many individuals of Turkish descent who have chosen the Land of Lincoln as their home and share their rich heritage with us; and,
WHEREAS, all Turkish-Americans will be celebrating Turkish Republic Day on October 29, 2013; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim, October 29, 2013, as TURKISH REPUBLIC DAY and encourage all of citizens to join me in recognizing this day.
Issued by the Governor September 30, 2013.
Filed by the Secretary of State October 16, 2013.

2013-378
AZERBAIJAN INDEPENDENCE DAY

WHEREAS, the Republic of Azerbaijan was re-established on October 18, 1991. Azerbaijan stretches from the Caucasus mountains in the north to the Araxes river in the south, Caspian Sea in the east to Karki, Naxcivan in the west; and,
WHEREAS, the modern Republic of Azerbaijan, situated in the South Caucasus region of southeastern Europe, has an area of 33,440
square miles, including the exclave of Naxcivan and the Karabakh region; and,

WHEREAS, the territorial integrity, state sovereignty and independence of the Republic of Azerbaijan is unconditionally supported by the United States; and,

WHEREAS, every year for the last 22 years, an estimated 40 million Azerbaijanis around the globe have observed October 18 as the Independence Day of Azerbaijan in remembrance of the contribution of their forefathers to the spread of freedom and democracy in the Caucasus and the greater region; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 18, 2013, as AZERBAIJAN INDEPENDENCE DAY in Illinois, in recognition of the 22nd anniversary of the re-establishment of the Republic of Azerbaijan, and in tribute to all Azerbaijani Americans who call Illinois home.

Issued by the Governor October 2, 2013.
Filed by the Secretary of State October 16, 2013.

2013-379
LATIN AMERICAN HEALTH WEEKS

WHEREAS, Latin American Health Weeks is a series of annual health fairs, informational workshops, conferences, medical exams, and other activities organized by the 13 Latin American Consulates in the Midwest and their network of agencies, health departments, hospitals, community organizations, schools, and churches; and,

WHEREAS, an official ceremony for Latin American Health Weeks will take place at the Consulate General of Mexico on October 7th, while the main event will be a health fair at Little Village on October 19th; and,

WHEREAS, as a part of Binational Health Week, the objective of Latin American Health Weeks is to improve the health and well-being of underserved Latinos; and,

WHEREAS, the State of Illinois is supportive of Latin American Health Weeks and its efforts to improve health outcomes for Latinos living in the Land of Lincoln and across the Midwest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 1-21 as LATIN AMERICAN HEALTH WEEKS in Illinois, and encourage all citizens to unite to improve the quality of life for the people of Illinois.

Issued by the Governor October 2, 2013.
Filed by the Secretary of State October 16, 2013.
WHEREAS, the Illinois Retail Merchants Association, which represents more than 23,000 stores of all sizes and merchandise lines across Illinois, is the statewide professional organization for retailing and the business community’s voice in state government; and,

WHEREAS, David Vite, who joined the association in 1978 as a Field Representative and later assumed the positions of Manager of Member Relations, Vice President of Government Affairs in 1981, Executive Vice President in 1983, and President in 1985, led the Illinois Retail Merchants Association to greater heights through his committed, inclusive, and discerning leadership; and,

WHEREAS, throughout his time with the Illinois Retail Merchants Association, David Vite has positively impacted many people and businesses, enabling them to achieve their full potential and make great contributions to Illinois’ economy; and,

WHEREAS, David Vite’s tenure with the Illinois Retail Merchants Association offers an opportunity for all residents of Illinois to commend his honorable and dedicated service and reflect on his many accomplishments; and,

WHEREAS, these accomplishments include helping draft new advertising standards for Illinois’ retail industry, overseeing the publication of an environmental manual for the retail industry, working with public aid to restore pharmacy cuts, negotiating Illinois’ landmark workers’ compensation reform bill, and advocating for the Illinois Main Street Fairness Act; and,

WHEREAS, Crain’s Chicago Business has cited David Vite as “the best Illinois business lobbyist.”; and,

WHEREAS, in addition to his work with the Illinois Retail Merchants Association, David Vite has demonstrated his dedication to improving the quality of life for others through his service on the School Board of St. Mary’s Elementary School, Memorial Hospital of McHenry County Board of Directors, and Centegra Health System Board of Directors. Furthermore, he served two years on the Board of Directors and Executive Committee of the National Retail Federation and chaired the National Association of State Retail Association Executives for one term; and,

WHEREAS, David Vite has served as a representative to the Illinois Department of Employment Security Advisory Board for more than 20 years as well as on the Workers Compensation Advisory Board; and,
WHEREAS, David Vite’s efforts have undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues and the business community; and,

WHEREAS, David Vite’s commitment to public service has helped to make our state stronger and has served as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, David Vite’s work ethic has exemplified the dedication to service the business community and the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, most importantly, David Vite has been a dedicated husband to his wife Jane, and loving father to their daughters, Amanda and Gretchen, and their grandchild, Viviann; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 25, 2013 as DAVID VITE DAY in Illinois, and do hereby commend him on all of his accomplishments at the Illinois Retail Merchants Association, and recognize his service to the business community and citizens of the State of Illinois.

Issued by the Governor October 3, 2013.
Filed by the Secretary of State October 16, 2013.

2013-381
“JUMPSTART'S READ FOR THE RECORD DAY”

WHEREAS, Jumpstart, a national early education organization, is working to ensure that all children in America enter kindergarten prepared to succeed; and,

WHEREAS, year-round, Jumpstart recruits and trains college students and community volunteers to deliver a high quality early education curriculum to preschool children in low-income neighborhoods, helping them to develop the key language and literacy skills they need to succeed in school and in life; and,

WHEREAS, since 1993, Jumpstart has trained nearly 28,000 college students and community volunteers to transform the lives of more than 50,000 preschool children nationwide; and,

WHEREAS, since 2003, Jumpstart has engaged over 1,500 college students from six universities to serve 3,000 young children in Illinois; and,

WHEREAS, Jumpstart is a proud part of the AmeriCorps family here in Illinois, with a devoted Corps of members supporting the mission of my Serve Illinois Commission on Volunteerism and Community Service; and,
WHEREAS, Jumpstart’s Read for the Record, presented in partnership with the Pearson Foundation, is a national campaign that culminates in the one day of the year when millions of Americans come together to celebrate literacy and support Jumpstart in its efforts to promote early childhood education; and,

WHEREAS, the goals of the campaign are to raise national awareness of the importance of early childhood education, support Jumpstart’s early education programs in preschools in low-income neighborhoods nationwide through donations and sponsorship, and celebrate the commencement of Jumpstart’s program year; and,

WHEREAS, October 3, 2013 would be an appropriate date to designate as “Jumpstart’s Read for the Record Day” because it is the date Jumpstart aims to set the world record for the largest shared reading experience, with over 2,385,305 children participating around the world; and,

WHEREAS, Jumpstart hopes to engage over 40,000 adults and children in Illinois in reading Otis by Loren Long during this record-breaking celebration of reading and service, all in support of Illinois preschool children: and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 3, 2013 as “JUMPSTART’S READ FOR THE RECORD DAY” in Illinois, and applaud the efforts of Jumpstart in raising awareness of the critical importance of early childhood education and of Jumpstart Corps members in committing hundreds of hours of service each year to young children in Illinois.

Issued by the Governor October 3, 2013.

Filed by the Secretary of State October 16, 2013.

2013-382
WILLIAM R. QUINLAN DAY

WHEREAS, a native of Chicago’s South Side, William R. Quinlan attended Mount Carmel High School and went to college at Loyola University Chicago; and,

WHEREAS, William R. Quinlan graduated first in his class from Loyola Law School in 1963 and would go on to serve in the Army for two years; and,

WHEREAS, William R. Quinlan became an Illinois lawyer in October 1964 and eventually served as a law clerk for Illinois Supreme Court Justice Daniel P. Ward; and,
WHEREAS, William R. Quinlan served as corporation counsel for the City of Chicago under Mayors Richard J. Daley, Michael A. Bilandic, and Jane M. Byrne; and,

WHEREAS, in 1980, William R. Quinlan was elected as a Cook County Circuit Court judge, where he would preside over many important trials; and,

WHEREAS, William R. Quinlan was appointed to the 1st District Appellate Court in 1985; and,

WHEREAS, in 1989, William R. Quinlan entered into private practice with Phelan, Pope, & John Ltd., and would later launch Quinlan & Crisham as well as become counsel to his son’s firm before retiring; and,

WHEREAS, a brilliant and accomplished attorney, William R. Quinlan was also a compassionate man and a wonderful father and husband; and,

WHEREAS, William R. Quinlan passed away on Tuesday, October 1st, 2013, at the age of 73; and,

WHEREAS, a funeral will be held at 10 a.m. on Saturday, October 5th, at Saints Faith, Hope & Charity Catholic Church for William R. Quinlan, who is survived by many loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 5, 2013, as WILLIAM R. QUINLAN DAY, in recognition of his career in public service and commitment to his family and the legal profession.

Issued by the Governor October 4, 2013.
Filed by the Secretary of State October 16, 2013.

2013-383
HERMON BAPTIST CHURCH DAY

WHEREAS, in 1888, thirteen singers had the desire to sing God’s praises and established Hermon Baptist Church; and,

WHEREAS, the church’s first service was held in the basement of Turner Hall Church on Clark Street in Chicago; and,

WHEREAS, in 1902, Hermon Baptist Church moved to its current home on Clark Street in Chicago; and,

WHEREAS, the Hermon Baptist Church is the oldest African American church on the north side of Chicago; and,

WHEREAS, the church has spent the past one hundred and twenty-five years “Serving, Assembling, and Encouraging”; and,
WHEREAS, the church’s first pastor, Reverend J.W. Taylor, faithfully served until 1897; and,
WHEREAS, the church has provided fellowship and spiritual growth to its membership and community at large on the north side of Chicago; and,
WHEREAS, Reverend Keith L. Edwards currently serves as pastor of the church; and,
WHEREAS, on October 27, 2013, Hermon Baptist Church will be celebrating its 125th anniversary; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 27, 2013, as HERMON BAPTIST CHURCH DAY in Illinois, and encourage all citizens to join in celebrating the accomplishments and service of this remarkable church.

Issued by the Governor October 7, 2013.
Filed by the Secretary of State October 16, 2013.

2013-384
MCHENRY COUNTY CONSERVATION DISTRICT DAY

WHEREAS, The McHenry County Conservation District was organized in 1971; and,
WHEREAS, The McHenry County Conservation District restores and manages natural areas for their value as public spaces and environmental reserves; and,
WHEREAS, The McHenry County Conservation District works to ensure every member of the community knows their personal stake in environmental responsibility and takes a personal role in maintaining the natural world; and,
WHEREAS, The McHenry County Conservation District has been very active in purchasing land, developing sustainable sites, educating the public, hosting public events, and restoring wildlife habitats; and,
WHEREAS, The United States Department of the Interior has recognized The McHenry County Conservation District for its role in creating the Hackmatack National Wildlife Refuge, which spans parts of both Illinois and Wisconsin, representing a bi-state conservation effort; and,
WHEREAS, The McHenry County Conservation District has been awarded the 2013 Barb King Environmental Stewardship Award by the National Park and Recreation Association; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October, 29, 2013, as MCHENRY COUNTY
CONSERVATION DISTRICT DAY in Illinois, in support of its efforts to preserve McHenry County’s environment and keep Illinois beautiful.

Issued by the Governor October 7, 2013.
Filed by the Secretary of State October 16, 2013.

2013-385
ACCESSIBLE PARKING AWARENESS MONTH

WHEREAS, people with disabilities represent an ever-growing percentage of Illinois citizens who rely on accessible parking; and, WHEREAS, accessible parking helps our disabled community to fully participate in the various aspects of everyday life; and, WHEREAS, great strides have been made in Illinois to construct accessible buildings and facilities with accommodating parking spaces; and, WHEREAS, accessible parking spaces should be kept free from obstacles and snow accumulation; and, WHEREAS, all drivers, municipalities, and private parking lot owners share the responsibility of knowing and adhering to all laws regarding parking for persons with disabilities as specified in Illinois law, and, WHEREAS, all officials and parking enforcement officers must be vigilant in reducing illegal usage; and, WHEREAS, The State of Illinois is committed to knocking down the major barriers of independence for people with disabilities by urging our communities to conduct accessible parking awareness days; and, THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2013 as ACCESSIBLE PARKING AWARENESS MONTH in Illinois, and urge all citizens to join in recognizing the importance of accessible parking spaces.

Issued by the Governor October 8, 2013.
Filed by the Secretary of State October 16, 2013.

2013-386
COLLEGE APPLICATION MONTH

WHEREAS, all Illinois children deserve to be prepared for success in college, career, and beyond; and, WHEREAS, students can feel overwhelmed by the process of choosing and applying for college or other postsecondary training, particularly first-generation students who do not have an immediate family member who attended college; and,
WHEREAS, providing students with guidance in college exploration can boost the number of students who enroll in a school that fits their needs and goals, minimizing student debt and maximizing the chance for completing a degree or certificate program; and,

WHEREAS, greater levels of education correlate with higher earnings, lower unemployment rates, and better health, and education or training beyond high school improves an individual’s likelihood of becoming gainfully employed and financially independent; and,

WHEREAS, labor economists have predicted that, by 2018, more than 60% of all jobs in Illinois will require some education or training beyond high school; and,

WHEREAS, Illinois policymakers and education institutions have therefore adopted a goal of increasing the proportion of Illinois adults with a high-quality postsecondary credential to 60% by 2025; and,

WHEREAS, the Illinois Student Assistance Commission (ISAC), high schools, and community-based organizations around the state have joined the nationwide College Application Month campaign to encourage earlier college applications from students who might otherwise apply late in the school year or not apply at all; and,

WHEREAS, members of ISAC’s Illinois Student Assistance Corps of near-peer mentors will provide school support, participate in workshops, and appear in web seminars during the month to help students explore careers and apply to colleges; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October, 2013 to be COLLEGE APPLICATION MONTH in Illinois, and congratulate participating schools and students on the contributions they are making to the well-being of Illinois, and call on all Illinoisans to support the students in their communities as they work to achieve their educational goals.

Issued by the Governor October 8, 2013.
Filed by the Secretary of State October 16, 2013.

2013-387
DOWN SYNDROME AWARENESS MONTH

WHEREAS, approximately one in every 733 children are born with Down Syndrome, representing approximately 5,000 births per year in the United States; and,

WHEREAS, Down Syndrome is the most frequently occurring chromosomal condition in the United States; and,
WHEREAS, Down Syndrome is caused by a person having three copies of the 21st chromosome rather than two copies which causes cognitive and physical delay; and,
WHEREAS, people with Down Syndrome deserve fundamental human and civil rights; and,
WHEREAS, while research and early intervention have resulted in dramatic improvements in the lifespan and potential of those who are affected, more investigation is needed into the causes and treatments of Down Syndrome; and,
WHEREAS, people with Down Syndrome possess a wide range of abilities, and are active participants in educational, occupational, social, and recreational groups of the community; and,
WHEREAS, developed by the National Down Syndrome Society in 1995, the Buddy Walk is an annual event in cities across Illinois; and,
WHEREAS, the goal of the Buddy Walk is to promote increased understanding and acceptance of people with Down Syndrome, while also raising funds for scientific research into causes and treatments; and,
WHEREAS, through public awareness, the State of Illinois seeks to ensure that families receive needed support and information, and individuals with Down syndrome are recognized in society for their abilities and not disvalued for their disabilities; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October as DOWN SYNDROME AWARENESS MONTH in Illinois, and encourage all citizens to work together to promote awareness of Down Syndrome and to celebrate the accomplishments of these individuals and their families.

Issued by the Governor October 8, 2013.
Filed by the Secretary of State October 16, 2013.

2013-388

NATIONAL SERVICE RECOGNITION DAY

WHEREAS, more than 84,000 people of all ages and backgrounds are serving in more than 2,600 national and local nonprofits, schools, faith-based organizations, and other groups across Illinois; and
WHEREAS, National Service Members serve their communities by improving education, protecting public safety, improving health care, safeguarding the environment, providing disaster relief and promoting civic engagement; and
WHEREAS, more than 2,600 AmeriCorps Members serving in Illinois will take their pledge today and promise to carry this commitment to service throughout their lives; and
WHEREAS, over 17,000 Senior Corps Members are currently contributing their time and talents through the Foster Grandparent, Senior Companion, and Retired and Senior Volunteer Program (RSVP) programs; and

WHEREAS, the Learn and Serve America program provides grants to schools, colleges, and nonprofits to engage more than 64,000 Illinois students in community service, civic learning and community service each year; and

WHEREAS, the Serve Illinois Commission is charged with enhancing and supporting community volunteerism in all its forms and in the administration of the AmeriCorps*State program in Illinois,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim October 8, 2013 as NATIONAL SERVICE RECOGNITION DAY in the State of Illinois, and congratulate Illinois’ AmeriCorps and the National Service family of programs, both past and present, on their service in strengthening communities through volunteerism in the State of Illinois.

Issued by the Governor October 8, 2013.
Filed by the Secretary of State October 16, 2013.

2013-389
GEORGE TILLMAN, JR. DAY

WHEREAS, Illinois is a leader in supporting the arts, and the film industry has always been an important component of the artistic fabric of our state; and,

WHEREAS, one of the most successful actors, producers, and directors with ties to the Land of Lincoln is George Tillman, Jr., who graduated from Columbia College in Chicago; and,

WHEREAS, inspired to make films on his own after seeing “Cooley High” and “Taxi Driver,” George Tillman, Jr. wrote and directed his first feature film, “Scenes for the Soul,” which was shot entirely in Chicago and used local talent and resources; and,

WHEREAS, George Tillman, Jr. would go on to direct the acclaimed “Men of Honor,” which chronicles the life of Carl Brashear, who would become the United States Navy’s first African-American Master deep sea diver; and,

WHEREAS, despite his remarkable accomplishments in the entertainment industry, George Tillman, Jr. has remained loyal to the State of Illinois. He has helped bring six films to our state: “Nothing Like the Holidays,” “Roll Bounce,” “Soul Food,” “Scenes of the Soul,” and “Barbershop 2” in 2002 and 2004; and,
WHEREAS, in part because of his contributions, the Illinois film industry is thriving and had a record breaking year in 2012, with $184 million in local spending; and,

WHEREAS, George Tillman, Jr. is a role-model for African-American filmmakers and artists; and,

WHEREAS, George Tillman, Jr. is partners in State Street Pictures with fellow Columbia College graduate and Illinois native Bob Teitel; and,

WHEREAS, George Tillman, Jr. will be recognized with a Career Achievement Award at the 17th Annual Black Perspectives Tribute on Friday, October 11, 2013, which will also include a special presentation of his latest film, “The Inevitable Defeat of Mister & Pete”; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim October 11, 2013, as GEORGE TILLMAN, JR. DAY in Illinois, in recognition of his tremendous contributions to the entertainment industry and loyalty to the State of Illinois.

Issued by the Governor October 9, 2013.
Filed by the Secretary of State October 16, 2013.

2013-390
SMOKEY THE DOG DAY

WHEREAS, Smokey the dog, who is used to train children to stop, drop, and roll if they catch on fire, makes her home at West Lafayette Avenue fire substation in Jacksonville, Illinois; and,

WHEREAS, Smokey, a 4-year-old black Labrador retriever mix, was rescued as an 8-week-old puppy from a 2009 residential fire and nursed back to health by firefighters in Jacksonville; and,

WHEREAS, Smokey is used as a training tool for the children of Jacksonville, primarily working with Kindergarten through 3rd graders; and,

WHEREAS, as a result of being selected as the winner of the Top Dog competition, Smokey will appear in a season two episode of “Chicago Fire,” which is scheduled to be filmed between October 7 and May 31 in Chicago; and,

WHEREAS, October 6-12 is National Fire Prevention Week; and,

WHEREAS, it is important during National Fire Prevention Week to recognize public safety professionals and dogs like Smokey who play a critical role in preventing and fighting fires across the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 11, 2013, as SMOKEY THE DOG DAY in
Illinois, in recognition of her selection to appear on “Chicago Fire,” and in support of efforts to promote fire safety and prevention in Illinois.

Issued by the Governor October 9, 2013.
Filed by the Secretary of State October 16, 2013.

2013-391
MARY GALVIN DAY

WHEREAS, Mary B. Galvin has made passionate contributions to the arts throughout the world over the past five decades; and,
WHEREAS, Mrs. Galvin has truly been a global citizen in the arts and has served on the boards of the Kennedy Center in Washington, D.C., the Chicago Symphony Orchestra, Lyric Opera and Joffrey Ballet in Chicago; and,
WHEREAS, Mrs. Galvin has played a key role as co-founder of the Stradivari Society, which has provided valuable and prestigious string instruments to world-class musicians such as Midori, Joshua Bell and Gil Shaham; and,
WHEREAS, Mrs. Galvin encouraged Motorola Inc. to provide sponsorship for one of the Japanese tours of the Chicago Symphony Orchestra 20 years ago; and,
WHEREAS, she personally presented one of her Stradivari-sponsored violinists in a private concert she hosted in Beijing for the Presidents of China Jiang Zemin and Hu Jintao in 2002; and,
WHEREAS, Mrs. Galvin studied violin as a child, and her love of music and understanding of the importance of early musical training is exemplified through her patronage of the Magical Strings of Youth at the Betty Haag Academy; and,
WHEREAS, a gift from the Robert W. Galvin Foundation in the amount of $6 million dollars was made in her honor to Northwestern University in support of Henry and Leigh Bienen School of Music; and,
WHEREAS, the foundation gift will be in support of a new 400-seat recital hall which will be named the Mary B. Galvin Recital Hall in her honor; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois do hereby proclaim April 26, 2014 to be MARY GALVIN DAY in Illinois in honor of one our states extraordinary patrons of the arts.

Issued by the Governor October 11, 2013.
Filed by the Secretary of State October 16, 2013.
WHEREAS, Goebel Patton is one of the greatest educators and public servants to ever come from the Land of Lincoln; and,

WHEREAS, Goebel Patton began teaching in West Frankfort when he was 18 and would eventually go on to serve two stints as superintendent for the West Frankfort Unit 168 School District; and,

WHEREAS, over the years, Goebel Patton has been involved with the Franklin County Salvation Army, American Cancer Society, West Frankfort Lions Club, Masonic Lodge, West Frankfort Men’s Prayer Breakfast, as well as Franklin-Williamson Human Services and the John A. Logan Foundation Board. In addition, he served on a building committee to construct two sanctuaries for his church and was the fundraising chair for West Frankfort’s Aquatic Center while he was still in his 90s; and,

WHEREAS, through his work as a teacher and superintendent, Goebel Patton has positively impacted many of his peers and students, who view him as a role-model; and,

WHEREAS, on October 24, 2013, Goebel Patton will celebrate his 100th birthday; and,

WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,

WHEREAS, as a long-time loving family member, friend, and neighbor, Goebel Patton has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, on October 13, 2013, the State of Illinois is recognizing Goebel Patton for his upcoming birthday and the commitment he has displayed to serving others; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13, 2013, as GOEBEL PATTON DAY in Illinois, in recognition of his service as an educator, community volunteer, and dedication to the people of the Land of Lincoln.

Issued by the Governor October 11, 2013.

Filed by the Secretary of State October 16, 2013.
8013 PROCLAMATIONS

2013-393
DOWNERS GROVE NORTH HIGH SCHOOL DAY

WHEREAS, Downers Grove North High School has worked diligently over the years to provide a high quality and well-rounded education to its students; and,

WHEREAS, Downers Grove North High School has demonstrated a commitment to promoting character development through the “Positively North” program, which fosters a positive and supportive school climate by promoting respectful, responsible behaviors; and,

WHEREAS, Downers Grove North High School has many talented, intelligent, and dedicated students. One such student is Anne Wagner; and,

WHEREAS, as a student at Downers Grove North High School, Anne Wagner has served as an inspiration to her classmates and teachers, positively impacting everyone who has had an opportunity to meet her; and,

WHEREAS, Anne Wagner, despite being diagnosed with leukemia last year, remained brave in the face of adversity, spending most of her time at Lurie Children’s Hospital heroically fighting cancer; and,

WHEREAS, though she was forced to miss half of her sophomore year and nearly all of her junior year while recovering from leukemia, Anne Wagner received clearance from her doctors to return to Downers Grove North High School for her senior year; and,

WHEREAS, one of Anne Wagner’s classmates, wanting to make her senior year memorable, created a Facebook page called Vote Annie Wagner 4 Homecoming Court; and,

WHEREAS, Anne Wagner was recently selected as the 2013 Homecoming Queen of Downers Grove North High School; and,

WHEREAS, the State of Illinois will recognize Anne Wagner and Downers Grove North High School on October 15, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 15, 2013, as DOWNERS GROVE NORTH HIGH SCHOOL DAY in Illinois, in recognition of the students, teachers, and administrators at this school who have rallied to support Anne Wagner.

Issued by the Governor October 11, 2013.
Filed by the Secretary of State October 16, 2013.
WHEREAS, 82 rural counties in Illinois are the heart and soul of Illinois and the United States; and,

WHEREAS, these communities are fueled by the creative energy of their leaders, ordinary people willing to step forward, share and implement a vision and drive change that benefits everyone; and,

WHEREAS, rural communities are places where residents know each other, listen to and respect each other, and work together for the greater good; and,

WHEREAS, health care, like so many other things in rural America, focuses on relationships. Rural health care providers get to know the people they care for and have the opportunity to practice more patient-centered medicine; and,

WHEREAS, the main emphasis of rural health care has always been providing affordable, holistic, primary care, a model for the rest of the country to follow as America transitions to a population-wellness/prevention-based system of health care; and,

WHEREAS, rural hospitals and health systems are often the economic foundation and largest employers of their communities; and,

WHEREAS, the health care needs of rural citizens are as unique as the communities in which they live and cannot be addressed by utilizing a “one size fits all” approach; and,

WHEREAS, addressing transportation, infrastructure and broadband/telecommunication needs and overcoming geographic barriers are necessary to ensure that all rural safety net providers can adequately meet the basic health care needs of the residents they serve; and,

WHEREAS, the Illinois Department of Public Health, Center for Rural Health, the National Organization of State Offices of Rural Health and other rural stakeholders provide services and resources and foster relationships that help rural communities address their unique healthcare needs; and,

WHEREAS, National Rural Health Day will be celebrated throughout America on November 21, 2013, to recognize the unique contributions and the selfless, “can do” attitudes of our rural communities; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois do hereby proclaim November 21, 2013, to be RURAL HEALTH DAY in Illinois in order to support the health care needs and opportunities that exist in rural communities, and to recognize the Illinois Department of Public Health, the Center for Rural Health, and the National Organization
of State Offices of Rural Health for the valuable services they provide to address those needs and opportunities.

Issued by the Governor October 15, 2013.

Filed by the Secretary of State October 16, 2013.

2013-395
SCHOOL PSYCHOLOGY AWARENESS WEEK

WHEREAS, all children and youth learn best when they are healthy, supported and receive an education that meets their individualized needs; and,

WHEREAS, schools can more effectively ensure that all students are ready and able to learn when they meet the needs of the whole child; and,

WHEREAS, children’s mental health is directly linked to their learning and development, and the learning environment provides an optimal context to promote good mental health; and,

WHEREAS, sound psychological principles are integral to instruction and learning, social and emotional development, prevention and early intervention, as well as supporting culturally diverse student populations; and,

WHEREAS, school psychology has over 60 years of well established, widely recognized, and highly effective practices and standards that are included in NASP’s Model for Comprehensive and Integrated School Psychology Services; and,

WHEREAS, school psychologists are specially trained to deliver a continuum of mental health services and academic supports that lower barriers to teaching and learning; and,

WHEREAS, school psychologists help children become members of teams that nurture their individual strengths across both personal and academic endeavors; and,

WHEREAS, school psychologists are trained to assess student and school-based barriers to learning, utilize data-based decision-making, implement research-driven prevention and intervention strategies, and evaluate outcomes and improve accountability; and,

WHEREAS, it is important that the citizens of the State of Illinois recognize the vital role that school psychologists play in the personal and academic development of our children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 11-15, 2013, as SCHOOL PSYCHOLOGY AWARENESS WEEK in Illinois.

Issued by the Governor October 15, 2013.
2013-396
2012 GENERAL ELECTION JUDGE OF THE CIRCUIT COURT
ERIC J. DIRNBECK

WHEREAS, On the 6th day of November, 2012, an election was held in the State of Illinois for the election of the following officer, to-wit: Circuit Court Judge to fill the vacancy of the Honorable E. Kyle Vantrease, 2nd Judicial Circuit.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 22nd day of October, 2013, canvass the same, and as a result of such canvass, did declare elected the following named person to the following named office:

JUDGE OF THE CIRCUIT COURT
SECOND JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable E. Kyle Vantrease)
Eric J. Dirnbeck

NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing person duly elected to the office as set out above.

Issued by the Governor October 22, 2013.
Filed by the Secretary of State October 22, 2013.

2013-314
THE FIRST BAPTIST CHURCH OF CHICAGO DAY (REVISED)

WHEREAS, on October 19, 1883, fifteen believers organized the First Baptist Church of Chicago; and,

WHEREAS, the First Baptist Church of Chicago is the mother church of ministries throughout the Chicagoland area. Many churches were created out of its membership and efforts, including the Calvary Baptist Church in the South Shore community; and,

WHEREAS, the First Baptist Church of Chicago played an instrumental role in the resettlement of Japanese Americans in the Hyde Park-Kenwood neighborhood after World War II had ended; and,

WHEREAS, the First Baptist Church of Chicago has been repeatedly recognized for its commitment to children and youth ministries through being involved with numerous programs including the Guild
Girls, Scouting, Summer Music Camp, Vacation Bible School, the Children’s Choir, and Youth Bible Studies; and,

WHEREAS, the First Baptist Church of Chicago holds an annual mission trip that has gone to locations such as Charleston, West Virginia, Fairbanks, Alaska, Estes Park, Colorado, Santiago Cuba, and Junction, Jamaica; and,

WHEREAS, over the years the First Baptist Church of Chicago has provided the community with innumerable services and keen guidance; and,

WHEREAS, the First Baptist Church of Chicago’s unwavering commitment to the members of its ministry, and the surrounding neighborhood has undoubtedly touched numerous lives and provided a source of inspiration to many people throughout the Chicagoland area; and,

WHEREAS, a celebration will be held on October 13th commemorating the 180th anniversary of the First Baptist Church of Chicago; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13, 2013 as THE FIRST BAPTIST CHURCH OF CHICAGO DAY in Illinois, and encourage all citizens to join in celebrating the accomplishments of this remarkable church.

Issued by the Governor August 15, 2013.
Filed by the Secretary of State November 1, 2013.

2013-397
MITCH DANIELS DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual is Mitch Daniels, who most recently worked for the Illinois Department of Employment Security (IDES) in the position of Manager of Workforce Analysis & Dissemination; and,

WHEREAS, prior to working at IDES, Mitch Daniels worked for the Illinois General Assembly’s Legislative Research Unit and the Illinois Occupational Information Coordinating Committee; and,

WHEREAS, while working at IDES, Mitch Daniels’ duties included being the primary analyst on the supply/demand study for nursing, operating the labor market information portion of the Workforce Innovation Fund Grant, and being responsible for the ETA grant; and,
WHEREAS, throughout his time as a public servant, Mitch Daniels positively impacted many people, enabling them to achieve their fullest potential; and,

WHEREAS, Mitch Daniels was very passionate about promoting labor market information for making career choices; and,

WHEREAS, Mitch Daniels graduated from Sangamon State University with a B.A. in Economics; and,

WHEREAS, Mitch Daniels was a smart, hard-working, funny, personable, and caring man who loved to cook, watch his children participate in sports, and cheer on his favorite sports teams – the Saint Louis Cardinals, Chicago Bears, Chicago Bulls, and Chicago Blackhawks; and,

WHEREAS, Mitch Daniels tragically passed away on Monday, October 14th, at the age of 53; and,

WHEREAS, Mitch Daniels’ efforts have undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues. The mark that he leaves behind will serve as a foundation for the future ofIDES; and,

WHEREAS, Mitch Daniels’ commitment to public service has helped to make our state stronger and has served as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, Mitch Daniels’ work ethic has exemplified the dedication to service the people of the State of Illinois have come to expect and deserve; and,

WHEREAS, perhaps most importantly, Mitch Daniels was a dedicated husband to wife Carla, and loving father to their three children, Nathan, Zachary, and Bethany; and,

WHEREAS, a funeral service will be held for Mitch Daniels on Friday, October 18th, at 11 am at Buffalo Hart Presbyterian Church in Williamsville, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 18, 2013, as MITCH DANIELS DAY in Illinois, in recognition of his commitment to public service and the people of the State of Illinois.

Issued by the Governor October 16, 2013.

Filed by the Secretary of State November 1, 2013.

2013-398

AMERICAN PHARMACISTS MONTH

WHEREAS, pharmacy is one of the oldest health care professions dedicated to the health and well-being of all people; and,
WHEREAS, today, there are over 300,000 pharmacists licensed in the United States and nearly 18,000 pharmacists in Illinois providing service and health care counseling to assure the rational and safe use of all medications. These pharmacists are helped by approximately 38,000 pharmacy technicians (including student pharmacists); and,

WHEREAS, the effective and safe use of medication when monitored by a licensed pharmacist is a cost-effective alternative to more expensive medical procedures, and is becoming a major force in moderating overall health care costs; and,

WHEREAS, today’s powerful medications require greater attention to the manner in which they are used by different patient population groups—both clinically and demographically; and,

WHEREAS, it is important that all users of prescription and nonprescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and,

WHEREAS, pharmacists, as health care providers, are specifically educated with a focus and level of expertise on medication therapy and are ideally suited to work collaboratively with other health care providers and patients to improve medication use and outcomes by providing services through medication therapy management; and,

WHEREAS, pharmacists provide both expertise and accessibility, which are crucial to patients fully optimizing access to medications that are not self-administered such as, but not limited to, immunizations; and,

WHEREAS, pharmacists provide patient care that ensures optimal medication therapy outcomes; and,

WHEREAS, pharmacists ensure the integrative safety of drug use; diligently working to reduce medication abuse, discontinuing medications with no indication, and advocating for the safe use of all medications; and,

WHEREAS, the American Pharmacists Association and the Illinois Pharmacists Association have declared October as American Pharmacists Month with the theme “Know Your Medicines – Know Your Pharmacist”; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as AMERICAN PHARMACISTS MONTH in Illinois, in recognition of the vital contributions made by pharmacists to health care in our state.

Issued by the Governor October 17, 2013.

Filed by the Secretary of State November 1, 2013.
WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual is Douglas Holland, who served as a commissioner with the Illinois Workers’ Compensation Commission from 1986 to 1989 and an arbitrator from 1989 until his passing in 2013; and,

WHEREAS, while serving as a commissioner and arbitrator with the Illinois Workers’ Compensation Commission, Douglas Holland was committed to ensuring that workers’ compensation cases were handled fairly and efficiently; and,

WHEREAS, prior to becoming a commissioner with the Illinois Workers’ Compensation Commission, Douglas Holland was self-employed as a grain farmer in Oglesby, Illinois; and,

WHEREAS, a native of Oglesby, Illinois, Douglas Holland positively impacted many people in his community, enabling them to achieve their fullest potential; and,

WHEREAS, Douglas Holland graduated from Sangamon State University with a B.A. in Political Science in 1978; and,

WHEREAS, Douglas Holland tragically passed away on Thursday, October 17th, at the age of 57; and,

WHEREAS, Douglas Holland’s efforts have undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues. The mark that he leaves behind will serve as a foundation for the future of the Illinois Workers’ Compensation Commission; and,

WHEREAS, Douglas Holland’s commitment to public service has helped to make our state stronger and has served as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, Douglas Holland’s work ethic has exemplified the dedication to service the people of the State of Illinois have come to expect and deserve; and,

WHEREAS, perhaps most importantly, Douglas Holland was a dedicated husband to wife Mary, and loving father to their three children, Nathan, Amanda, and Michael; and,

WHEREAS, a funeral service will be held for Douglas Holland on October 20, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 20, 2013, as DOUGLAS HOLLAND DAY in
Illinois, in recognition of his commitment to public service and the people of the State of Illinois.

Issued by the Governor October 17, 2013.
Filed by the Secretary of State November 1, 2013.

2013-400
PHILADELPHIA ROMANIAN CHURCH OF GOD DAY

WHEREAS, the Philadelphia Romanian Church of God and its Senior Pastor – Bishop Florin T. Cimpean – is located at 1713 West Sunnyside Avenue in Chicago, Illinois; and,

WHEREAS, freedom-seeking Romanians first arrived in Illinois a century ago and have contributed to our rich social fabric ever since. About 5,000 people fleeing ethnic persecution settled in Aurora and Chicago’s North Side between 1906 and 1913; and,

WHEREAS, on October 21, 1973, a small group of Romanian immigrants started Philadelphia Church on Chicago’s northside; and,

WHEREAS, the members of the Philadelphia Romanian Church of God have undoubtedly touched numerous lives over the years and provided a source of inspiration to many people throughout the Chicago area; and,

WHEREAS, there are almost 100,000 Romanians living in Chicago and the nearby suburbs, and Philadelphia Church serves as a spiritual haven for them and a cultural, educational and social center; and,

WHEREAS, Philadelphia Church has become one of the largest and most reputable Romanian churches outside of Romania, and has served its community by helping the needy in Chicago, opening an orphanage in India, starting schools in Africa, and drilling wells in the Amazon jungle; and,

WHEREAS, the Philadelphia Romanian Church of God’s years of service to the community are truly a wonderful blessing; and,

WHEREAS, the Philadelphia Romanian Church of God is celebrating its 40th anniversary with a huge celebration on Sunday, October 27, featuring 1,000 church members and friends as well as thousands more watching on the Internet and TV; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare October 27, 2013, as PHILADELPHIA ROMANIAN CHURCH OF GOD DAY in Illinois, in recognition of this church’s 40th anniversary.

Issued by the Governor October 17, 2013.
Filed by the Secretary of State November 1, 2013.
WHEREAS, Chronic Obstructive Pulmonary Disease (COPD) is a term used to refer to a group of diseases that cause airflow obstruction and breathing related problems, includes emphysema, chronic bronchitis, and in some cases, asthma and severe bronchiectasis; and,

WHEREAS, in 2008 COPD became the third leading cause of death in the US, 12 years earlier than predicted, and the only top 5 cause of death that is not declining; and,

WHEREAS, COPD is a chronic and progressive disease that affects over 24 million persons nationwide, half of whom have not been properly diagnosed, and 70% of whom are under age 65; and,

WHEREAS, in Illinois, 6.1 percent of adults overall and 7.1 percent of women have been diagnosed with COPD; and,

WHEREAS, COPD is considered to be the 2nd leading causes of disability in the US; and,

WHEREAS, smoking is the primary risk factor for COPD and other risk factors include environmental and exposure to air pollution, second hand smoke, and genetics; and,

WHEREAS, a genetic condition called Alpha-1 Antitrypsin Deficiency tends to cause individuals to develop COPD; and,

WHEREAS, COPD kills more women than breast cancer and diabetes combined, and women who smoke are 13 times more likely to die from COPD than non-smokers; and,

WHEREAS, nationwide the cost of COPD in 2010 was $49.9 billion including healthcare services, indirect costs through loss of productivity, and the deterioration of personal health; and,

WHEREAS, concerted public outreach efforts such as DRIVE4COPD, the nation’s largest public awareness and screening campaign for COPD, and the NHLBI’s COPD: Learn More Breathe Better Campaign, can dramatically improve public awareness of COPD, and,

WHEREAS, there is no cure for COPD, but increased awareness, early detection and proper health management can slow the progression of the disease and lead to reduced costs, improved quality of life and self-sufficiency for our residents; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim November 2013 as COPD AWARENESS MONTH in Illinois and encourage all residents to learn more about the prevention and treatment of COPD.

Issued by the Governor October 21, 2013.

Filed by the Secretary of State November 1, 2013.
2013-402
DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH

WHEREAS, motor vehicle crashes killed 956 people in Illinois during 2012; and,
WHEREAS, hundreds of those deaths involved a driver impaired by alcohol and/or drugs; and,
WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for impaired driving; and,
WHEREAS, for thousands of families across the state and the nation, holidays are a time to remember loved ones lost; and,
WHEREAS, organizations across the state and the nation are joined with the Drive Sober or Get Pulled Over and other campaigns that foster public awareness of the dangers of impaired driving and anti-impaired driving law enforcement efforts; and,
WHEREAS, the state of Illinois is proud to partner with the Illinois Department of Transportation’s Division of Traffic Safety and other traffic safety groups in that effort to make our roads and streets safer; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 2013 as DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH in Illinois and do hereby call upon all citizens, government agencies, business leaders, hospitals and health care providers, schools, and public and private institutions to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.
Issued by the Governor October 21, 2013.
Filed by the Secretary of State November 1, 2013.

2013-403
NATIONAL IMMIGRANT’S DAY

WHEREAS, on October 28, 1886, the Statue of Liberty, a representation of freedom and hope for all, began welcoming our ancestors into the United States of America; and,
WHEREAS, Lady Liberty’s ever-burning torch exemplifies America’s dedication to welcoming diverse cultures and embracing them to form what we know as the United States, a nation of nations; and,
WHEREAS, the immigrants that have helped shape America share a deep-rooted love of freedom and individual rights. Bound by history,
mutual respect, and common ideals, immigrants have been instrumental in
the great struggles for human liberty; and,

WHEREAS, embodying the independence and creativity that have
made our country strong, America’s diverse and proud history is a source
of inspiration for our nation and our world; and,

WHEREAS, Nick Ioannidis, widely known as Nick the Greek, has
served as a beacon of liberty, hope and opportunity to all Americans who
gather to participate in the activities and traditions in observance of
National Immigrant’s Day; and,

WHEREAS, this year, the diverse people throughout our state and
nation are coming together to celebrate the twenty-seventh anniversary of
the inauguration of National Immigrant’s Day by August F. Hawkins,
former California Congressman of the twenty-ninth District; and,

WHEREAS, the State of Illinois is proud to join with the entire
immigrant community of Illinois in celebration of this significant
occasion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim October 28, 2013, as NATIONAL IMMIGRANT’S DAY
in Illinois, in recognition of the many contributions of this important and
diverse component of our state, and in tribute to all nationalized citizens
who call Illinois their home.

Issued by the Governor October 21, 2013.
Filed by the Secretary of State November 1, 2013.

2013-404
PHILIP NELSON DAY

WHEREAS, Philip Nelson’s dedication to faith, family and hard
work were fostered by growing up on a dairy farm in LaSalle County; and,

WHEREAS, Philip Nelson will complete 10 years of outstanding
leadership for the agricultural community in December after serving five
two-year terms as President of the Illinois Farm Bureau, where he was a
strong, unifying voice for Illinois farmers and agriculture; and,

WHEREAS, Philip Nelson has achieved an unprecedented level of
constructive exchanges of information as well as fostered positive
relationships with state agencies in Springfield and federal agencies in
Washington, D.C. regarding the impact of policies and administrative
procedures on Illinois farmers and agriculture; and,

WHEREAS, Philip Nelson has increased understanding of
agriculture by consumers and the Illinois food industry through the
successful Illinois Farm Families Campaign; and,
WHEREAS, Philip Nelson has been a leader in encouraging and evaluating long-range goals and strategies that will help the future prosperity of Illinois farmers and agriculture through the Vision for Illinois Agriculture Program; and,

WHEREAS, on behalf of the agricultural community in Illinois, I wish him all the best in his future endeavors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23rd, 2013, as PHILIP NELSON DAY in Illinois, in recognition of his commitment to public service and the people of the State of Illinois.

Issued by the Governor October 21, 2013.
Filed by the Secretary of State November 1, 2013.

2013-405
LEARNING DISABILITY AWARENESS MONTH

WHEREAS, there are approximately 58 million Americans with disabilities, including 1.4 million living in Illinois who have physical, sensory, and mental impairments that limit one or more major life activities; and,

WHEREAS, research has shown that 13.1 percent of students enrolled in K-12 nationally are affected by a learning disability; and,

WHEREAS, increasing public awareness of learning disabilities is critically important to improving the lives of people who have a learning disability; and,

WHEREAS, early diagnosis along with special education and correct psychological, medical, and social services, can provide people with learning disabilities an equal opportunity to learn; and,

WHEREAS, the month of October was designated National Learning Disability Awareness Month by President Ronald Reagan in 1985, and a variety of activities are being held throughout the nation this year to commemorate the contributions of individuals with learning disabilities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as LEARNING DISABILITY AWARENESS MONTH in Illinois, and reaffirm the commitment of my administration to the improvement of the lives of Illinoisans with learning disabilities.

Issued by the Governor October 22, 2013.
Filed by the Secretary of State November 1, 2013.
2013-406
VERONICA ROTH DAY

WHEREAS, the State of Illinois has a rich literary history and has produced many talented writers, including Veronica Roth; and,
WHEREAS, Veronica Roth, one of the most successful authors to have ties to the Land of Lincoln, was raised in Barrington and graduated from Northwestern University; and,
WHEREAS, Veronica Roth’s debut novel, Divergent, which was the first book in her trilogy, landed on the New York Times best sellers list when she was just 22 and was selected by Goodreads as the Favorite Book of 2011; and,
WHEREAS, Divergent is told from the perspective of 16-year-old Beatrice Prior and chronicles life in the City of Chicago, where groups of citizens are broken down into five factions depending on their beliefs, passions, and loyalties; and,
WHEREAS, Insurgent, the second book in the trilogy, received positive reviews and would also become a New York Times bestseller as well as the 2012 Goodreads winner for Best Young Adult Fantasy & Science Fiction; and,
WHEREAS, as a result of its riveting plot and popularity, Divergent is being made into a movie that is expected to hit theaters in March of 2014; and,
WHEREAS, Veronica Roth serves as an inspiration and role-model for aspiring authors; and,
WHEREAS, despite all she has accomplished at the young age of 25, Veronica Roth has remained loyal to the City of Chicago; and,
WHEREAS, Allegiant, the trilogy’s third book, will hit book stores on October 22nd, 2013; and,
WHEREAS, as a part of her book tour for Allegiant, Veronica Roth will stop at Tivoli Theater in Downers Grove on October 26th; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 26, 2013, as VERONICA ROTH DAY in Illinois, in recognition of her tremendous success as an author and dedication to the Land of Lincoln.
Issued by the Governor October 23, 2013.
Filed by the Secretary of State November 1, 2013.
WHEREAS, thanks to thousands of adoptive parents across the state, 16,265 children have found permanent loving homes over the last decade, including 1,468 children in the last year alone; and,

WHEREAS, all children need and deserve the love, nurturing, and sense of security that can only come from being a part of a loving, permanent family; and,

WHEREAS, adoption provides a unique joy and a special opportunity for individuals, whether or not they are already parents, married, in a civil union, single or divorced, to open their hearts and their homes for the rest of their lives to children; and,

WHEREAS, the Illinois Department of Children and Family Services and its nonprofit partners strive to reunify children with their birth families; but when that simply is not possible, they are equally committed to ensuring every child has the safe, loving family they deserve and need to reach their fullest potential; and,

WHEREAS, Illinois has made great strides in recent years in strengthening and improving the child welfare system: reducing the number of children in temporary substitute care from 52,000 to 15,000; establishing a Bill of Rights for both birth parents and adoptive parents; and strengthening licensing requirements for adoption agencies to prevent the exploitation of birth parents, adoptive parents and children; and,

WHEREAS, all of the progress in recent years would not have been possible without champions like State Representative Sara Feigenholtz, an adoptee herself, and State Representative Naomi Jakobsson, a former foster parent, as well as child advocates including: Child Care Association of Illinois; Illinois Foster and Adoptive Parent Association; Illinois Adoption Advisory Council; Illinois Statewide Youth Advisory Board; Chicago Bar Association; Loyola ChildLaw Clinic of Loyola University; and many child welfare agencies, adoptive parent groups and individuals across the state; and,

WHEREAS, together we are committed to improving the child welfare system even further, especially to reducing the length of time children remain in temporary foster care, where Illinois ranks 46th in the nation according to the U.S. Department of Health and Human Services; and,

WHEREAS, currently there are 1,973 children awaiting adoption across the state, of all ages, backgrounds and needs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2013 as ADOPTION AWARENESS MONTH
in Illinois, and do hereby encourage all Illinoisans to express their
gratitude to the thousands of families across the state that have opened
their homes and their hearts to children, and encourage others to consider
joining them in making a life-changing difference to children.

Issued by the Governor October 24, 2013.
Filed by the Secretary of State November 1, 2013.

2013-408

LOU BOUDREAU DAY

WHEREAS, Lou Boudreau is one of the greatest athletes to ever
come from the Land of Lincoln; and,

WHEREAS, a native of Harvey, Illinois, Lou Boudreau exhibited
supreme talent for baseball and basketball while attending Thornton
Township High School, where he led the “Flying Clouds” to three state
basketball finals games in a row, winning the state title in 1933, and
coming in second in 1934 and 1935; and,

WHEREAS, at the University of Illinois, Lou Boudreau led the
Illini basketball and baseball teams to Big Ten titles in 1937. In
recognition of his accomplishments, his jersey # 5 was retired by the
university in 1992, an honor given to only two other Illini greats, Red
Grange and Dick Butkus; and,

WHEREAS, Lou Boudreau was signed by the Cleveland Indians
in 1938, and in 1941 he was named a player-manager for the club at the
age of 24, making him the youngest person to ever manage a Major
League baseball team; and,

WHEREAS, in 1948, Lou Boudreau led the Indians to the World
Series Championship, and he was also named that year as the American
League’s Most Valuable Player; and,

WHEREAS, Lou Boudreau was inducted into the baseball Hall of
Fame in 1970; and,

WHEREAS, after his playing and managing career ended, Lou
Boudreau began a 30 year career with the WGN Sports broadcasting team,
where he brought his experience and comprehensive knowledge of the
game into every one of his broadcasts; and,

WHEREAS, despite his success as a baseball player, manager, and
broadcaster, Lou Boudreau remained loyal to his hometown and
committed to serving others. For nearly a decade, he served on the
Thornton School District Board in Harvey; and,

WHEREAS, perhaps most importantly, Lou Boudreau was a
loving husband to his high school sweetheart and wife, Della, and their
four children, sixteen grandchildren, and six great-grandchildren; and,
WHEREAS, Thornton Township High School and the Thornton Alumni Legacy Fund will host the re-dedication of the Lou Boudreau Room on Saturday, October 26, 2013, at Thornton Gymnasium; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 26, 2013, as LOU BOUDREAU DAY in Illinois, in recognition of his accomplishments as an athlete and dedication to the City of Harvey and the people of the Land of Lincoln.
Issued by the Governor October 25, 2013.
Filed by the Secretary of State November 1, 2013.

2013-409
JEAN GAINES DAY

WHEREAS, Jean M. Gaines was born in Ludington, Michigan, the daughter of Arlene and Leonard Neilsen; and,
WHEREAS, while working at the Geneva Chamber of Commerce for 36 years, Jean has made the City of Geneva a better place to work and live; and,
WHEREAS, Jean has attended state, county and city board meetings to support the businesses and the citizens of the City of Geneva; and,
WHEREAS, Jean is instrumental in keeping alive the 64 year history of the Swedish Days Parade “The Grand Daddy” of all parades; and,
WHEREAS, Jean has been the driving force behind the Festival of the Vine and the Geneva Arts Fair. She has also established the annual Geneva Christmas Walk and the Geneva House Tour; and,
WHEREAS, Jean has been married to John Gaines for over 52 years and she is the proud mother of Kristine and Marc; and the proud grandmother of John “Jack” and Luke Holtz; and,
WHEREAS, she continues to lead the Geneva Chamber of Commerce and the business community as the Chamber President and has provided leadership to a tremendous team of women who staff the Geneva Chamber office; and,
WHEREAS, the Chamber of Commerce is honoring her with the annual citizen of the year award, which is known as the Wood Award, on Tuesday evening November 12, 2013, at Eaglebrook Country Club; and,
WHEREAS, the city and community are joining together to honor her outstanding work as a leader, an advocate, a friend, and supporter of all those who live within the City of Geneva; and,
WHEREAS, her work has provided opportunities for all citizens of Illinois to participate in the many festivals and activities within the City of Geneva; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 12, 2013, as JEAN GAINES DAY in Illinois, in recognition of her winning the Wood Award and her commitment to the people of the State of Illinois.

Issued by the Governor October 28, 2013.
Filed by the Secretary of State November 1, 2013.

2013-410
PROJECT MANAGEMENT INSTITUTE DAY

WHEREAS, the Chicagoland Project Management Institute (PMI) Chapter was chartered in 1977 and today it has 4,000+ members in the Chicago metropolitan area; and,

WHEREAS, some of the objectives of PMI Chicagoland Chapter include providing value to its members, increasing awareness among senior management about the importance of project management, and increasing awareness of the PMI certification process; and,

WHEREAS, the mission of PMI Chicagoland Chapter is to promote project management knowledge as well standards and ethical practices for its members, the profession, and the community; and,

WHEREAS, PMI professionals come from virtually every major industry including aerospace, automotive, business management, construction, engineering, financial services, information technology, pharmaceuticals, healthcare, and telecommunications; and,

WHEREAS, PMI Chicagoland Chapter will host its 3rd Annual Professional Development Day on November 1, 2013; and,

WHEREAS, November 1, 2013, is being celebrated as International Project Management Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 1, 2013, as PROJECT MANAGEMENT INSTITUTE DAY in Illinois, in recognition of the contributions that project managers make to the economic vitality of the Land of Lincoln.

Issued by the Governor October 28, 2013.
Filed by the Secretary of State November 1, 2013.
2013-411
INFANT SAFE SLEEP AWARENESS MONTH

WHEREAS, hundreds of infants die each year because they are placed in unsafe sleeping environments; and,
WHEREAS, Sudden Infant Death Syndrome (SIDS) occurs in children one year of age or under, and is the unexpected, sudden death of an infant with no explainable cause of death; and,
WHEREAS, the tragedy of SIDS can happen to any family, regardless of race, ethnic or economic group; and,
WHEREAS, adult beds, waterbeds, couches, chairs, pillows, quilts and other soft surfaces are not appropriate or safe for sleeping infants; and,
WHEREAS, babies sleep safest when sleeping alone, on their backs, in a bassinet or crib with a firm mattress and tightly fitted sheets that is free of pillows, bumpers, blankets and other items; and,
WHEREAS, Illinois law requires hospitals to provide education and materials regarding SIDS prevention and safe sleep practices to parents of newborns; and,
WHEREAS, during the month of October, in partnership with the Illinois Department of Children and Family Services, Sudden Infant Death Services of Illinois, Inc., the Illinois Department of Public Health, the American Academy of Pediatrics, the Illinois Hospital Association, Prevent Child Abuse Illinois and other community partners, we raise awareness of the important steps parents can take to ensure the safety of their infant children while sleeping; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2013 as INFANT SAFE SLEEP AWARENESS MONTH in Illinois in order to raise awareness about sudden unexplained infant death and to encourage infant safe sleep practices so that no parent will have to endure the tragedy of infant death.

Issued by the Governor October 30, 2013.
Filed by the Secretary of State November 1, 2013.

2013-412
DISASTER AREA - STATE OF ILLINOIS

Severe storms, generating tornadoes and straight-line winds, moved through Illinois on November 17, 2013. As a result of the storms, there have been confirmed fatalities, personal injuries, widespread property damage, and power outages throughout the State. The early
damage reports indicate that the hardest hit areas include Champaign, Grundy, LaSalle, Massac, Tazewell, Washington and Woodford Counties.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Champaign, Grundy, LaSalle, Massac, Tazewell, Washington and Woodford Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor November 17, 2013.
Filed by the Secretary of State November 18, 2013.

2013-413
DISASTER AREA - STATE OF ILLINOIS

Severe storms, generating tornadoes and straight-line winds, moved through Illinois on November 17, 2013. As a result of the storms, there have been confirmed fatalities, personal injuries, widespread property damage, and power outages throughout the State. In Douglas, Jasper, Pope, Wabash, Wayne and Will Counties, numerous residences were destroyed, and others sustained heavy structural damage.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Douglas, Jasper, Pope, Wabash, Wayne and Will Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations,
including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor November 19, 2013.
Filed by the Secretary of State November 19, 2013.

2013-414
DISASTER AREA - STATE OF ILLINOIS

Severe storms, generating tornadoes and straight-line winds, moved through Illinois on November 17, 2013. As a result of the storms, there have been confirmed fatalities, personal injuries, widespread property damage, and power outages throughout the State. In Fayette and Vermilion Counties, numerous residences were destroyed, and others sustained heavy structural damage.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Fayette and Vermilion Counties as disaster areas.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Issued by the Governor November 20, 2013.
Filed by the Secretary of State November 20, 2013.
VACCINATE ILLINOIS WEEK

WHEREAS, vaccines are considered one of the most safe, successful and cost effective public health tools available for preventing disease and death; and,

WHEREAS, yearly vaccination of everyone 6 months of age and older is the first and most important step in protecting against influenza; and,

WHEREAS, in 2012, there were 553 intensive-care unit (ICU) hospital admissions related to influenza and 87 deaths related to influenza in Illinois; and,

WHEREAS, the influenza vaccination can reduce influenza related illnesses, doctors’ visits, missed work, hospitalizations and deaths; and,

WHEREAS, National Influenza Vaccination Week (NIVW) focuses local and national attention on the importance of getting vaccinated against influenza through the holiday season and beyond; and,

WHEREAS, the Illinois Department of Public Health has partnered with local health departments, including the host health agency of Chicago Department of Public Health, the Illinois Chapter of American Academy of Pediatrics, EverThrive Illinois, Walgreens, CVS and Safeway pharmacies, Blue Cross and Blue Shield of Illinois, local health coalitions, and health advocate organizations to promote and support immunization activities throughout the state; and,

WHEREAS, the week of December 8-14, 2013, has been declared Vaccinate Illinois Week to help ensure citizens ages 6 months and older get vaccinated against influenza; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 8 -14, 2013 as VACCINATE ILLINOIS WEEK, and encourage all citizens to spread the immunization message throughout their communities, and urge all citizens 6 months of age and older to get vaccinated against influenza.

Issued by the Governor October 30, 2013.

Filed by the Secretary of State December 4, 2013.

CAREER AND TECHNICAL EDUCATION MONTH

WHEREAS, a commitment to career and technical education helps to ensure that Illinois has a strong, well-trained workforce that enhances
productivity in business and industry, and solidifies the state’s leadership in the national and international marketplaces; and,

WHEREAS, providing citizens with career and technical education can stimulate the growth and vitality of businesses and industries by preparing workers for the occupations forecasted to experience the largest and fastest growth in the next decade; and,

WHEREAS, individual citizens benefit from career and technical education because it enables them to find satisfying careers suited to their own skills and interests, provides technical skills that allow them to excel in their chosen careers and teaches leadership skills that serve them on the job, at home and in the community; and,

WHEREAS, for over 60 years, the Illinois Association for Career and Technical Education (IACTE), the only association in Illinois dedicated to the support and service of career and technical educators, has been committed to the betterment of the profession, and to providing visibility and assistance for career and technical education; and,

WHEREAS, each year, the IACTE celebrates Career and Technical Education Month to promote the advancement of the career and technical education profession in this state. The theme for this year’s month-long celebration is “Celebrate CTE Superheroes;” and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2014 as CAREER AND TECHNICAL EDUCATION MONTH in Illinois, and encourage all citizens to become familiar with the services and benefits offered by career and technical education programs in our state, and to support and participate in these programs to enhance individual work skills and productivity.

Issued by the Governor November 1, 2013.

Filed by the Secretary of State December 4, 2013.

2013-417
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF OFFICER CASEY KOHLMEIER

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on Wednesday, October 30, 2013, Pontiac Police Officer Casey Kohlmeier along with his police dog, Draco, were tragically taken from us; and,
WHEREAS, Officer Casey Kohlmeier was a 2002 graduate of Pontiac Township High School; and,

WHEREAS, Officer Casey Kohlmeier joined the Pontiac Police Department in 2007 and had previously served for 4 years in the United States Air Force, where he won numerous awards including the Air Force Commendation Medal, National Defense Service Medal, Small Arms Marksmanship Ribbon, and was named Airman of the year in 2005; and,

WHEREAS, Officer Casey Kohlmeier completed basic training for the Air Force at Lackland Air Force Base in San Antonio, placing 1st in his class of 127 trainees; and,

WHEREAS, Officer Casey Kohlmeier loved training with K-9 units in the Pontiac area and was part of the Livingston County Pro-Active Unit, which is made up of several police departments; and,

WHEREAS, Officer Casey Kohlmeier was a Board member of the Boys & Girls Club of Livingston County and involved with the Illinois Police Benevolent and Protective Association; and,

WHEREAS, Officer Casey Kohlmeier was a well-known member of the Pontiac community and loving son, brother, boyfriend, and friend who will always be remembered for the countless lives that he impacted; and,

WHEREAS, throughout his career in law enforcement, Officer Casey Kohlmeier represented the State of Illinois admirably; and,

WHEREAS, a funeral service will be held on Saturday, November 2, 2013, at the Pontiac Township Auditorium for Officer Casey Kohlmeier, who is survived by his parents, and 2 brothers and 2 sisters, as well as his girlfriend and many other loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Saturday, November 2, 2013, in honor and remembrance of Officer Casey Kohlmeier, whose selfless service and sacrifice is an inspiration to the residents of the Land of Lincoln.

Issued by the Governor November 1, 2013.

Filed by the Secretary of State December 4, 2013.
WHEREAS, Laotian veterans fought the so-called “Secret War” for 15 years, helping the United States’ forces in Laos during Vietnam; and,

WHEREAS, the United States was involved in combat operations during the Vietnam War from November 1, 1955, to November 30, 1975; and,

WHEREAS, in 1961, North Vietnam advanced into South Vietnam using the Ho Chi Minh Trail, which crossed into Laos; and,

WHEREAS, Laotian soldiers and airmen were recruited and trained to engage in guerilla warfare against the North Vietnamese. They heroically fought alongside American soldiers, rescued pilots whose planes went down, and defended American outposts; and,

WHEREAS, during their time of military service, Laotian soldiers were injured, tortured, and killed; and,

WHEREAS, after the evacuation of allied forces at the end of Vietnam, many Laotian soldiers as well as their family members were forced to seek refuge in Thailand and eventually immigrated to the United States and Illinois; and,

WHEREAS, Laotian veterans and their families have made vast economic and cultural contributions to the State of Illinois; and,

WHEREAS, it is important to always recognize the service and sacrifices of Laotian veterans who served with honor and distinction during the Vietnam War; and,

WHEREAS, on November 1, 2013, an event was held in Elgin, Illinois, at the American Legion Post 57 in honor of Laotian veterans; and,

WHEREAS, July 19, 1949, is the day that the Lao government received its independence from France as well as the day that the Lao Army was formed; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 19, 2014, as LAO AMERICAN VETERANS DAY in Illinois, in remembrance of the brave Laotian soldiers who served during Vietnam.

Issued by the Governor November 1, 2013.

Filed by the Secretary of State December 4, 2013.
2013-419
PARALEGAL DAY

WHEREAS, paralegals provide essential and vital legal support for many organizations, including law firms, corporate legal departments, and government offices; and,

WHEREAS, to meet the increasing demands for legal services in the United States, the skilled work of paralegals will grow in importance and significance for the operation of American organizations and the application of American law; and,

WHEREAS, according to the United States Bureau of Labor Statistics, the paralegal profession will experience greater than average growth through the year 2013; and,

WHEREAS, created in 1972, the Illinois Paralegal Association represents more than 1,400 paralegals in our state. The association is one of the oldest and largest statewide organizations that supports paralegals, and is celebrating its 41st anniversary this year; and,

WHEREAS, the purpose of the Illinois Paralegal Association is to promote the paralegal profession and communication among paralegals, the legal community, and civic and professional organizations, as well as encourage the continuing education of paralegals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 14, 2013, as PARALEGAL DAY in Illinois, as the Illinois Paralegal Association meets for an annual conference, and to commend paralegals in our state for their contributions to our communities.

Issued by the Governor November 1, 2013.
Filed by the Secretary of State December 4, 2013.

2013-420
WILD CHICAGO DAY

WHEREAS, “Wild Chicago,” the ground-breaking weekly television program that took viewers into the “natural habitat” of Illinois’ largest city, into the diverse neighborhoods, away from the traditional tourist attractions about town, premiered on January 6th, 1989, on WTTW/Channel 11, hosted by Ben Hollis and co-created by John Davies and Ben Hollis; and,

WHEREAS, a spin-off of the original series, “Wild Chicago’s Illinois Road Trip” took viewers all over The Land of Lincoln to promote greater exploration of this Great State; and,
WHEREAS, “Wild Chicago” celebrated the indomitable spirit of independence and creativity as embodied in the city’s unheralded, often overlooked men, women and institutions engaged in surprising and inspiring pursuits related to the arts, business, culture, and sports; and,

WHEREAS, “Wild Chicago” was a significant critical and popular success among Chicagoland residents for 14 years, garnering over 20 EMMYs, multiple film festival awards and inspiring the publication of “The Wild Chicago Guidebook”; and,

WHEREAS, “Wild Chicago” is recognized as a pioneering television program by the Museum of Broadcast Communications, influencing future programs in the “Reality TV” genre, especially those devoted to shedding light on unsung people doing what they love doing; and,

WHEREAS, “Wild Chicago’s” innovative production style, quirky music and high-energy pacing left an indelible mark of joy on the hearts and minds of Chicagoans; and,

WHEREAS, the inclusive, life-affirming spirit of “Wild Chicago” serves today as a reminder that Chicago is still a city that inspires and encourages curiosity, discovery and variety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 6, 2014, as WILD CHICAGO DAY in Illinois, in honor of the show’s 25th Anniversary of its television debut, and urge all citizens to celebrate the contributions and commitment of its producers, technicians and hosts who devoted their collective energies to making an outstanding television series for the ages.

Issued by the Governor November 6, 2013.
File by the Secretary of State December 4, 2013.

2013-421
AMERICA’S VETERANS & FAMILIES STRONG DAY

WHEREAS, the Ladies Auxiliary to the Veterans of Foreign Wars of the United States is conducting its 100th year of volunteer service to America; and,

WHEREAS, year after year the organization continues to honor those who have made the ultimate sacrifice in the name of freedom by maintaining memorials to their service and sharing their history with our nation’s youth so that what our nation’s veterans have done for America will not be forgotten; and,

WHEREAS, Ladies Auxiliary VFW supports the troops currently deployed overseas; and,
WHEREAS, the 500,000 members represent the families of those who have served or are currently on foreign soil protecting our freedom; and,

WHEREAS, members volunteer nearly 2 million hours in Veterans Affairs Medical Centers and other hospitals throughout this country; and,

WHEREAS, the organization provides awards and scholarships to students based on their expressions of patriotism through art, speech, and volunteerism; and,

WHEREAS, the 2013-2014 National President, Armithea Borel, is rallying Ladies Auxiliary members behind her theme, “Keeping America’s Veterans & Families Strong”; and,

WHEREAS, Armithea Borel will be visiting Illinois from November 15-18, 2013, and on November 16 an Aisle of Honor and Meet and Greet will be hosted for her at the VFW Post in Effingham, Illinois; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 16, 2013, as AMERICA’S VETERANS & FAMILIES STRONG DAY in Illinois, in honor of National President Armithea Borel and all members of the Ladies Auxiliary VFW for their outstanding volunteer service to veterans and their families.

Issued by the Governor November 7, 2013.
Filed by the Secretary of State December 4, 2013.

2013-422
PREMATURITY AWARENESS MONTH AND WORLD PREMATURITY DAY

WHEREAS, from birth to one year, prematurity is the leading cause of death among infants in the United States; those who do survive are susceptible to lifelong disabilities such as chronic lung disease, blindness, and cerebral palsy; and,

WHEREAS, prematurity costs families and communities billions of dollars every year in care and treatment; and,

WHEREAS, about 522,000 babies are born prematurely in the United States every year, with 15 million born worldwide annually; and,

WHEREAS, a greater percentage of babies are born early in the U.S. than in 130 other countries worldwide; and,

WHEREAS, in response, the March of Dimes is leading a national campaign to save babies from premature birth by funding research, working with state officials to find policy solutions, and aiding local
programs that provide assistance to families with babies who are born prematurely; and,

WHEREAS, this November, the March of Dimes is working with partner organizations and parent groups around the globe to call attention to the problem of premature birth and to offer hope to families affected by it; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2013 as PREMATURITY AWARENESS MONTH and November 17, 2013, as WORLD PREMATURITY DAY in Illinois, in support of the worthy efforts by the March of Dimes to prevent and raise awareness about this problem that plagues so many babies, families and communities and to urge all Illinoisans to learn more about the fight against premature birth at www.marchofdimes.com/prematurity.

Issued by the Governor November 7, 2013.
Filed by the Secretary of State December 4, 2013.

2013-423
PERIOPERATIVE NURSE WEEK

WHEREAS, perioperative nurses specialize in the care of patients immediately before, during, and after surgical intervention; and,

WHEREAS, serving in settings ranging from traditional hospital-based operating rooms to ambulatory surgical centers and physicians’ offices, perioperative nurses work to provide the safest care possible for surgical patients; and,

WHEREAS, perioperative nurses assess individual patient needs prior to surgery, prepare a plan for the care a surgical patient will receive and prepare the operating room and patient for surgery; and,

WHEREAS, surgical patients rely on the skills, knowledge, and expertise of perioperative registered nurses, who uphold a long tradition of improving surgical safety and the quality of patient care; and,

WHEREAS, Perioperative Nurse Week recognizes the contribution perioperative registered nurses make to patient safety and the opportunities and challenges facing the profession; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 11-15, 2013, as PERIOPERATIVE NURSE WEEK in Illinois.

Issued by the Governor November 8, 2013.
Filed by the Secretary of State December 4, 2013.
2013-424

COLORECTAL CANCER AWARENESS MONTH

WHEREAS, colorectal cancer is the third most commonly diagnosed cancer and the second most common cause of cancer-related deaths for men and women in the United States; and,
WHEREAS, colorectal cancer affects men and women equally; and,
WHEREAS, every three minutes, someone is diagnosed with colorectal cancer and every 10 minutes, someone dies from colorectal cancer; and,
WHEREAS, the vast majority of colon cancer deaths can be prevented through proper screening and early detection; and,
WHEREAS, only 39 percent of colorectal cancer patients have their cancers detected at an early stage; and,
WHEREAS, the survival rate of individuals who have early stage colorectal cancer is 90 percent but is only 10 percent when diagnosed after it has spread to other organs; and,
WHEREAS, if the majority of people in the United States age 50 or older were screened regularly for colorectal cancer, the death rate from this disease could plummet by up to 70 percent; and,
WHEREAS, African-Americans, Hispanic Americans, Asian Americans, American Indians, and Alaskan Natives are significantly less likely to be screened for colorectal cancer compared to Whites; and,
WHEREAS, colorectal cancer is preventable, treatable and beatable in most cases; and,
WHEREAS, observing Colorectal Cancer Awareness Month during the month of March provides a special opportunity to promote the importance of early detection and screening; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as COLORECTAL CANCER AWARENESS MONTH in Illinois to raise awareness about colorectal cancer and to promote proper screening and early detection.
Issued by the Governor November 12, 2013.
Filed by the Secretary of State December 4, 2013.

2013-425

PRAIRIE RESEARCH INSTITUTE DAY

WHEREAS, natural and cultural resource stewardship is vital to Illinois’ economy and the well-being of its citizens; and,
WHEREAS, for over 160 years the Illinois State Scientific Surveys have faithfully benefitted the economy, the environment and the people of Illinois; and,

WHEREAS; five years ago the Illinois State Scientific Surveys, Illinois Natural History Survey, Illinois State Geological Survey, Illinois State Water Survey, and Illinois Sustainable Technology Center, were administratively transferred into a new Institute under the Board of Trustees of the University of Illinois; and,

WHEREAS, Public Law 098-0346, effective August 14, 2013, established the Prairie Research Institute as the administrative home of the Illinois State Scientific Surveys and created the Illinois State Archaeological Survey; and,

WHEREAS, Public Law 098-0346 established the following scientific designations which are being formally recognized today; Illinois State Archaeologist, Illinois State Biologist, Illinois State Climatologist, Illinois State Entomologist, Illinois State Geologist, Illinois State Hydrologist, and Illinois Pollution Prevention Scientist; and,

WHEREAS, the Prairie Research Institute provides objective scientific data, research, innovation, expertise, and advice essential to the operation of government at all levels as well as to the prosperity of the private sector and citizens of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 22, 2013 as PRAIRIE RESEARCH INSTITUTE DAY in Illinois.

Issued by the Governor November 12, 2013.
Filed by the Secretary of State December 4, 2013.

2013-426

REV. DR. DAN WILLIS AND LINDA WILLIS DAY

WHEREAS, Rev. Dr. Dan Willis serves as the Senior Pastor of The Lighthouse Church of All Nations in Alsip, Illinois; and,

WHEREAS, during his time in ministry, Rev. Dr. Dan Willis has grown his church’s membership to 4,000 and is leading efforts to build a new, state-of-the-art sanctuary and community center; and,

WHEREAS, Rev. Dr. Dan Willis is committed to promoting inclusion, and The Lighthouse Church of all Nations has members from 67 different nationalities; and,

WHEREAS, Rev. Dr. Dan Willis is a man of strong faith, fortitude, and vision who has positively impacted many lives through his service in ministry; and,
WHEREAS, Rev. Dr. Dan Willis is a talented singer, musician, and producer and in 1990 he founded a community choir called The Pentecostals of Chicago, which brought together singers from a variety of racial backgrounds to perform at over 20 churches in the Chicago area; and,

WHEREAS, The Pentecostals of Chicago, now known as The All Nations Choir, has 6 albums to its credit and has performed with artists such as Celine Dion and Kirk Franklin; and,

WHEREAS, as a long-time loving family member, friend, neighbor, and pastor, Rev. Dr. Dan Willis has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, Rev. Dr. Dan Willis has traveled across the United States ministering and teaching to men and women through the Starting Line/Prison Fellowship organization. Furthermore, he has been a national and international speaker on the topics of music, ministry, racial reconciliation, leadership, and community development; and,

WHEREAS, all of Rev. Dr. Dan Willis’ successes could not have happened without the strong support of his loving wife, Linda Willis; and,

WHEREAS, on November 17, 2013, Rev. Dr. Dan Willis and Linda Willis will be recognized by The Lighthouse Church of All Nations for 36 years of service in ministry; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 17, 2013, as REV. DR. DAN WILLIS AND LINDA WILLIS DAY in Illinois, in recognition of their commitment and dedication to serving others and The Lighthouse Church of All Nations.

Issued by the Governor November 12, 2013.
Filed by the Secretary of State December 4, 2013.

2013-427
DELOYCE MCMURRAY DAY

WHEREAS, DeLoyce McMurray, a World War II veteran, has been a lifelong resident of Illinois; He was born in Edwardsville, met Alleen, his now deceased wife of 64 years, and raised their family in Alton. In 2010, the father of two, grandfather of six, and great-grandfather of five decided to move to Springfield; and,

WHEREAS, DeLoyce McMurray enlisted in 1944 as part of the Second Division of the United States Marine Corps, and received military training at Montford Point, a camp in North Carolina for black Marines
during segregation; and,  
WHEREAS, DeLoyce McMurray served in the Pacific primarily on Guam, Wake Island, and Saipan; he helped evacuate wounded troops during the battle of Iwo Jima; and,  
WHEREAS, DeLoyce McMurray was discharged from the service in 1946, returned home to Illinois, married and had a family, went to college on the GI Bill, and worked for 36 years with the United States Department of Defense; and,  
WHEREAS, DeLoyce McMurray demonstrated courage serving his country during World War II, he is owed a debt of gratitude; and,  
WHEREAS, DeLoyce McMurray was recognized in 2013 for his valor and awarded the Congressional Gold Medal, the nation’s highest civilian honor and expression of appreciation:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 27, 2013 as DELOYCE MCMURRAY DAY in Illinois.

Issued by the Governor November 13, 2013.
Filed by the Secretary of State December 4, 2013.

2013-428
KAWASAKI DISEASE AWARENESS DAY

WHEREAS, Kawasaki Disease is an acute febrile illness with inflammation of small and medium sized blood vessels throughout the body, in particular, the coronary arteries; and,  
WHEREAS, though Kawasaki Disease primarily affects young children, and can lead to permanent heart disease, it can affect children and adults of all ages; and,  
WHEREAS, Kawasaki Disease is the #1 cause of permanent heart disease in children, and in the US it is diagnosed in 4000-5000 children annually who are under the age of eight; and,  
WHEREAS, Kawasaki Disease can cause devastating consequences, including life-long aneurysms, stent placement, heart transplants, skin disorders, and childhood anxiety; and,  
WHEREAS, accurately diagnosing and providing timely treatment can positively impact those affected by Kawasaki Disease; and,  
WHEREAS, due to the rarity of Kawasaki Disease and the lack of awareness of the illness and its dangerous effects, children are often diagnosed late or misdiagnosed; and,  
WHEREAS, it is important to educate health care professionals, parents, and the general public about Kawasaki Disease; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 26, 2014, as KAWASAKI DISEASE AWARENESS DAY in Illinois, in support of increasing awareness of this disease.

Issued by the Governor November 19, 2013.
Filed by the Secretary of State December 4, 2013.

2013-429
SMALL BUSINESS SATURDAY

WHEREAS, the State of Illinois is pleased to celebrate our local small businesses and the contributions they make to our local economies and communities; according to the United States Small Business Administration, there are currently 28 million small businesses in the United States, which represent more than 99 percent of American companies, create two-thirds of the net new jobs, and generate half of private gross domestic product; and,

WHEREAS, small businesses employ one half of the employees in the private sector in the United States; and,

WHEREAS, 89 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and,

WHEREAS, 86 percent of consumers in the United States would miss small businesses in their community if they closed; and,

WHEREAS, 93 percent of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and,

WHEREAS, 90 percent of consumers in the United States are willing to pledge support for a “buy local” movement; and,

WHEREAS, the State of Illinois supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and,

WHEREAS, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 30, 2013, as SMALL BUSINESS SATURDAY in Illinois, and encourage consumers in the Land of Lincoln to support the small businesses and merchants that create jobs within our communities and reinvest in our local economies.

Issued by the Governor November 19, 2013.
WHEREAS, the Calahan Foundation, a nonprofit organization, was created in 2009 by Edward & Shirley Calahan to inspire youth through educational scholarships, contemporary role models, entrepreneurial mentorship, and economic empowerment programs; and,

WHEREAS, the mission of the Calahan Foundation is to create ways of “Giving a Hand Out to Give a Hand Up”; and,

WHEREAS, the Calahan Foundation serves tweens, teenagers, and young adults who are highly participatory, creatively connected, and achievement oriented; and,

WHEREAS, each year the Calahan Foundation provides scholarships to low-income high school students and essentials for women and children living in shelters; and,

WHEREAS, the Calahan Foundation hosts an annual “Celebration of Giving Benefit Concert and Gala,” which brings together over 2,000 guests to raise funds for annual scholarship awards to low-income high school students in inner city communities. This year’s event will be hosted by ABC News Anchor Cheryl Burton, V103 radio personality Herb Kent, and Edric L. Calahan of Calahan Funeral Home; and,

WHEREAS, the 2013 honorees of the “Celebration of Giving Benefit Concert and Gala” are Mr. Michael House, Retired CEO of the Chicago Defender, and Corey B. Brooks, Pastor of New Beginnings MBC; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim December 7, 2013, as CELEBRATION OF GIVING-COMMUNITY AWARENESS DAY in Illinois, in recognition of tonight’s event and in support of the important programs and services offered by the Calahan Foundation.

Issued by the Governor November 20, 2013.
Filed by the Secretary of State December 4, 2013.

WHEREAS, Student Councils provide a terrific opportunity for
WHEREAS, Student Council is a hands-on experience that teaches students the fundamentals of leading. The first ingredient of leadership is establishing a vision that others share and are willing to invest their personal resources for; and, 

WHEREAS, once a vision is established, it is important to determine how to get there, establish communication, build teamwork, and exhibit perseverance in the face of challenges. Finding common ground, building consensus, and inspiring cooperation to achieve a goal is what leadership is all about; and, 

WHEREAS, good leaders are those who know this, and the best leaders are those whose results support their vision; and, 

WHEREAS, Student Council is a civics lesson in motion, and in the process, members also promote school spirit, raise money for charity, and volunteer their time to community service. Indeed, Student Council is a wonderful organization that benefits students, schools, and the entire community; and, 

WHEREAS, this year, the 80th Annual Illinois Association of Student Councils State Convention will be held from May 1-3, 2014, in Springfield. The conference will attract students from all across the state. There, they will participate in seminars and workshops to exchange event ideas and to help them become better leaders; and, 

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 1-3, 2014, as STUDENT COUNCIL WEEK in Illinois, in support of Student Council, and to encourage our future leaders attending the Illinois Association of Student Councils State Convention to share and apply what they learn there.

Issued by the Governor November 20, 2013. 
Filed by the Secretary of State December 4, 2013.

2013-432

EMPLOYEE LEARNING WEEK

WHEREAS, the organizations of the State of Illinois are committed to creating a highly skilled workforce that is critical to growing and sustaining a competitive advantage; and, 

WHEREAS, they recognize that having a knowledgeable, skilled workforce improves the performance of those organizations; and, 

WHEREAS, learning develops individual and organizational knowledge and expertise; and, 

WHEREAS, the American Society for Training & Development
(ASTD)—the world’s largest association dedicated to the training and development field—has declared December 2-6 2013, as “Employee Learning Week” and designated this time for organizations to recognize the value of employee learning; and,

WHEREAS, Workforce Development is Everyone’s Business™; and,

WHEREAS, the Heart of Illinois Chapter of ASTD, whose members are workplace learning and performance professionals and the organizations in the State of Illinois have demonstrated their commitment to developing the skills of employees and the workforce; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 2-6 2013, as EMPLOYEE LEARNING WEEK in Illinois, and call upon our citizens to celebrate and promote workplace learning and development in our state.

Issued by the Governor November 21, 2013.

Filed by the Secretary of State December 4, 2013.

2013-433
JACK LAVIN DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, public officials take not only jobs, but oaths; and,

WHEREAS, one remarkable public servant is Jack Lavin, who, after serving with distinction in state government for 14 years, recently departed for the private sector; and,

WHEREAS, Jack Lavin’s departure from state government offers an opportunity for all residents of Illinois to commend his honorable and dedicated service and to look back and reflect on his many accomplishments; and,

WHEREAS, Jack Lavin has served as Governor Quinn’s chief of staff since 2010 and chief operating officer since February 2009. In these positions, he helped the Quinn Administration achieve unprecedented fiscal and budget reforms and played an important role in passing and managing the largest Illinois Jobs Now! capital program, which has put hundreds of thousands of people back to work; and,

WHEREAS, prior to being named Illinois’ Chief Operating Officer, Jack Lavin served as the director of the Department of Commerce and Economic Opportunity, where he completed hundreds of business transactions which generated billions of dollars in private investment and
created thousands of jobs; and,  
WHEREAS, throughout his career, Jack Lavin has focused on economic development and was instrumental in keeping Ford, Navistar, and Chrysler in Illinois; and,  
WHEREAS, in addition to his work in state government, Jack Lavin has always been active in his community, advocating for people with disabilities and working to solve education issues, particularly for children with special needs; and,  
WHEREAS, the work that Jack Lavin has done has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues and the mark that he leaves behind will serve as a foundation for the future; and,  
WHEREAS, Jack Lavin’s life commitment to public service has helped to make our state stronger and serves as an inspiration to the people of the Land of Lincoln; and,  
WHEREAS, in all that he has done, Jack Lavin’s work ethic has exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,  
WHEREAS, perhaps most importantly, Jack Lavin has been a loving husband to wife Kathy, and together they have loved their three beautiful children, Emily, Michael, and Katie; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 22, 2013, as JACK LAVIN DAY in Illinois, and do hereby commend him on the important contributions that he has made to the people of the State of Illinois.

Issued by the Governor November 21, 2013.
Filed by the Secretary of State December 4, 2013.

2013-434
CHAD PREGRACKE DAY

WHEREAS, stewardship of the land, service to others, and volunteering in one’s community are hallmarks of character and excellence; and,  
WHEREAS, heroism can be defined as everyday people who step up to do extraordinary things; and,  
WHEREAS, one such hero is Chad Pregracke of East Moline, Illinois; and,  
WHEREAS, Living Lands & Waters, the organization Chad Pregracke founded in 1998, has recruited 70,000 volunteers, and removed 7,000,000 pounds of debris from 23 waterways, including the Mississippi,
Illinois and Ohio Rivers; and,

WHEREAS, Chad Pregracke and his crew spent nine months a year living and working on boats while organizing volunteers to perform river clean-ups, invasive species removal and one-half million tree plantings; and

WHEREAS, Chad Pregracke personifies stewardship of our rivers, a “roll-up-your-sleeves” tenacity and the volunteer spirit that makes Illinois special; and,

WHEREAS, Chad Pregracke is a model for the 3,000 AmeriCorps members serving in Illinois, and embodies the mission of the Serve Illinois Commission which is to improve Illinois communities by enhancing volunteerism and instilling an ethic of service; and,

WHEREAS, Chad Pregracke is teaching the value of stewardship to a younger generation by turning his barges into “floating classrooms” and sponsoring an “Alternative Spring Break” program; and,

WHEREAS, Chad Pregracke has authored “From the Bottom Up: One Man’s Crusade to Clean America’s Rivers,” to tell his inspirational story, encourage individuals to positive action, and help connect us all to the need for clean water; and,

WHEREAS, following a global election process, Chad Pregracke will be honored as “CNN’s Hero of the Year” during an All-Star Tribute hosted by Anderson Cooper which will air on Sunday, December 1, at 7:00 p.m.; and,

WHEREAS, in an extraordinary act of generosity, Chad Pregracke will share part of his CNN prize with each of the nine other “CNN Heroes” finalists; and,

THEREFORE, I Pat Quinn, Governor of the state of Illinois, do hereby proclaim December 1, 2013 as CHAD PREGRACKE DAY in Illinois in recognition of his community volunteerism and leadership throughout our state.

Issued by the Governor November 27, 2013.
Filed by the Secretary of State December 4, 2013.

2013-435
LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY

WHEREAS, Lynch Syndrome is a hereditary disorder caused by a mutation in a mismatched repair gene in which affected individuals have a significantly higher than normal chance of developing colorectal,
endometrial, ovarian, stomach, urinary tract, brain, skin and various other types of cancers, often at a young age; and,

WHEREAS, approximately 600,000 people in the United States, including 25,000 in the State of Illinois, are currently estimated to have Lynch Syndrome even though only 5% have been diagnosed; and,

WHEREAS, a family history of these cancers can suggest the possibility of Lynch Syndrome and genetic testing can positively confirm whether this condition exists and whether it has been passed down to individual family members; and,

WHEREAS, a positive genetic test result can be acted upon with more frequent screening so that the cancers can be detected early, and often removed or treated before becoming life threatening; and,

WHEREAS, the number of cancer deaths can be reduced as a result of the identification of Lynch Syndrome patients through increased public awareness and subsequent genetic testing and regular screening; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 20, 2014 as Lynch Syndrome Hereditary Cancer Awareness Day in Illinois.

Issued by the Governor December 3, 2013.
Filed by the Secretary of State December 26, 2013.

2013-436

MAYOR JOHN REDNOUR DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual is Mayor John Rednour, who served as the Mayor of Du Quoin from 1989 until 2013; and,

WHEREAS, during his tenure in office, Mayor John Rednour had many successes including convincing Amtrak to set up a stop in Du Quoin and orchestrating the construction of a railroad overpass at the Du Quoin Industrial Park; and,

WHEREAS, in addition to his achievements in government, Mayor John Rednour was also a successful businessman who would go on to own his own businesses, including Rednour Steel in Cutler, CaterVend of Du Quoin, Air Illinois airlines, R & H Steel Erectors and ultimately the Du Quoin State Bank; and,
WHEREAS, throughout his time as a public servant, Mayor John Rednour positively impacted many people, enabling them to achieve their fullest potential; and,
   WHEREAS, Mayor John Rednour passed away on Sunday, December 1st, at the age of 78; and,
   WHEREAS, Mayor John Rednour’s efforts have undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues. The mark that he leaves behind will serve as a foundation for the future of Du Quoin; and,
   WHEREAS, Mayor John Rednour’s commitment to public service has helped to make our state stronger and has served as an inspiration to the people of the Land of Lincoln; and,
   WHEREAS, Mayor John Rednour’s work ethic has exemplified the dedication to service the people of the State of Illinois have come to expect and deserve; and,
   WHEREAS, perhaps most importantly, Mayor John Rednour was a dedicated husband to wife Wanda, and loving father to their children and grandchildren; and,
   WHEREAS, a funeral service will be held for Mayor John Rednour on Wednesday, December 4th, at 11 a.m. at the First Baptist Church of Du Quoin Family Life Center; and,
   THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 4, 2013, as MAYOR JOHN REDNOUR DAY in Illinois, in recognition of his commitment to public service and the people of the State of Illinois.

Issued by the Governor December 3, 2013.
Filed by the Secretary of State December 26, 2013.

2013-437
CHILDREN’S VACCINATION AWARENESS WEEK

WHEREAS, the flu is a contagious respiratory illness caused by influenza viruses. The best way to prevent the flu is by getting a flu vaccination each year; and,
   WHEREAS, every year in the United States, on average, more than 200,000 people are hospitalized from flu related complications; and about 36,000 people die from flu related causes; and,
   WHEREAS, the Center for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices recommends routine influenza vaccinations for all persons 6 months of age and older; and,
WHEREAS, children and young adults 5 years to 19 years of age are 3 to 4 times more likely to be infected with influenza than adults; and,
WHEREAS, school-aged children are the population group most responsible for transmission of contagious respiratory viruses, including influenza; and,
WHEREAS, school-based vaccination programs are effective ways to vaccinate children while reducing transmission and infection rates to the larger community and at the same time reducing rates of school absenteeism due to influenza; and,
WHEREAS, increased focus on providing influenza vaccines to children targeted for immunization will also help efforts to build a sound foundation for future vaccination efforts; and,
WHEREAS, schools can be an effective mechanism to improve pandemic planning by identifying known and effective pandemic vaccination centers; and,
WHEREAS, in preparing for an influenza pandemic, a critical component in protecting people against a pandemic is to increase its participation in seasonal influenza programs; and,
WHEREAS, school-based programs will demonstrate the feasibility of conducting mass immunization clinics and build partnerships with local public health teams in the event of a public health emergency; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 8-14, 2013, as CHILDREN’S VACCINATION AWARENESS WEEK, in conjunction with National Influenza Vaccination Week, and applaud the efforts of state and local public health departments.

Issued by the Governor December 4, 2013.
Filed by the Secretary of State December 26, 2013.

2013-438
DCFS LATINO ADVISORY COMMITTEE FAMILY INSTITUTE DAY

WHEREAS, the Department of Children and Family Services is holding its 25th Annual DCFS Latino Advisory Committee Family Institute Day on Thursday, December 5, 2013; and,
WHEREAS, this year’s theme is “Twenty-Five Years: The Resiliency of the Latino Community in Child Welfare,” and over 275 people will be in attendance representing both DCFS and private agency staff who provide services to Latino families and children in Illinois; and,
WHEREAS, everyone attending the 25th Annual DCFS Latino Advisory Committee Family Institute Day will have an opportunity to listen to guest speakers and participate in workshop sessions that will provide them with training on working with Latino and Spanish speaking families who are in the child welfare system; and,

WHEREAS, the 25th Annual DCFS Latino Advisory Committee Family Institute Day is sponsored by the Illinois Department of Children and Family Services, DCFS Latino Advisory Committee, LAC Family Institute Planning Committee, DCFS Office of Affirmative Action’s Latino Services Office, Northeastern Illinois University, and the Northeastern Social Work Program; and,

WHEREAS, the Department of Children and Family Services and all of the organizations that have made DCFS Latino Advisory Committee Family Institute Day possible for the past 25 years deserve to be commended; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 5, 2013, as DCFS LATINO ADVISORY COMMITTEE FAMILY INSTITUTE DAY in Illinois, in recognition of today’s 25th annual event and in support of DCFS Latino Advisory Committee Family Institute Day as a means of improving our state’s child welfare system.

Issued by the Governor December 4, 2013.
Filed by the Secretary of State December 26, 2013.

2013-439
DON MCLEAN DAY

WHEREAS, Don McLean was born on October 2nd 1945, in New Rochelle, New York, to parents Elizabeth and Donald McLean; and,

WHEREAS, at an early age, Don McLean developed an interest in music and would spend hours listening to the radio and his father’s records; and,

WHEREAS, during the 1960’s Don McLean began performing at several venues across the country and appeared alongside stars such as Herbie Mann, Brownie McGee, Janis Ian, Sonny Terry, and many others; and,

WHEREAS, Don McLean graduated in 1968 with a Bachelors Degree in Business Administration from Iona College; and,

WHEREAS, in 1969, Don McLean recorded his first album, “Tapestry,” which received good reviews. However, his rise to fame began in 1971, with the release of the hit song, “American Pie,”; and,
WHEREAS, thirty years later “American Pie” was voted number 5 in a poll of 365 “Songs of the Century,” a list that was compiled by the Recording Industry Association of America and the National Endowment for the Arts; and,

WHEREAS, some of Don McLean’s other popular songs include “Vincent,” “Crying,” and “Castles in the Air”; and,

WHEREAS, Don McLean has been inaugurated into the National Academy of Popular Music Songwriters’ Hall of Fame and was awarded the BBC Folk Music Lifetime Achievement Award in 2012; and,

WHEREAS, in 2009, Don McLean’s latest studio album, “Addicted to Black,” was released and in 2010 he was in Europe for a seven nation tour; and,

WHEREAS, Don McLean and Judy Collins will perform together at Arcada Theater in St. Charles, Illinois, on December 6, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 6, 2013, as DON MCLEAN DAY in Illinois, in recognition of his tremendous musical success and contributions to the musical and entertainment industries.

Issued by the Governor December 4, 2013.
Filed by the Secretary of State December 26, 2013.

2013-440
JUDY COLLINS DAY

WHEREAS, Judy Collins grew up in Denver, Colorado, where she began studying classical piano at an early age; and,

WHEREAS, in 1961, Judy Collins released her first album, A Maid of Constant Sorrow, and at the age of 22 she began a 35 year association with Jac Holzman and Elektra Records; and,

WHEREAS, though Judy Collins was a popular performer for years, “Both Sides Now,” which broke into the top ten of the pop charts, was her first big commercial hit; and,

WHEREAS, Judy Collins rendition of the gospel song “Amazing Grace” was another hit in the 1970’s; and,

WHEREAS, throughout her musical career of more than 50 years, Judy Collins has thrilled audiences with her unique blend of interpretative folksongs and contemporary themes; and,

WHEREAS, Judy Collins won the Song of the Year at the 1975 Grammy Awards for her version of “Send in the Clowns”; and,

WHEREAS, Judy Collins has authored several books and co-directed an Academy Award-nominated film about Antonia Brico; and,
WHEREAS, in 1999, Judy Collins founded her own record label, Wildflower Records, which is a grass roots artist driven label committed to nurturing fresh talent; and,  
WHEREAS, as someone committed to making the world a better place, Judy Collins has been involved with UNICEF and campaigns to abolish landmines as well as other social causes; and,  
WHEREAS, Judy Collins and Don McLean will perform together at Arcada Theater in St. Charles, Illinois, on December 6, 2013; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 6, 2013, as JUDY COLLINS DAY in Illinois, in recognition of her tremendous musical success and contributions to the musical and entertainment industries.  
Issued by the Governor December 4, 2013.  
Filed by the Secretary of State December 26, 2013.

2013-441  
REVEREND WILLIE T. BARROW DAY  
WHEREAS, Reverend Willie T. Barrow serves as co-chair of the Rainbow/PUSH Coalition and associate minister of the Vernon Park Church of God in Chicago; and,  
WHEREAS, as a field organizer for Dr. Martin Luther King, Reverend Barrow played a key role during the Civil Rights Movement; and,  
WHEREAS, Reverend Barrow is the recipient of a Doctorate of Divinity degree from Monrovia, Liberia. In addition, she has received a Leadership certificate from Harvard University; and,  
WHEREAS, Reverend Barrow is a woman of strong faith, fortitude, and vision who has positively impacted many lives through her service in ministry and dedication to the community; and,  
WHEREAS, friends and family will gather to honor and celebrate the 89th birthday of their beloved Reverend, Reverend Barrow, on December 7, 2013; and,  
WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,  
WHEREAS, as a long-time loving family member, friend, neighbor and minister, Reverend Barrow has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Reverend Barrow for a very happy 89th birthday celebration; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 7, 2013 REVEREND WILLIE T. BARROW DAY in Illinois, in recognition of her commitment and dedication to making the world a better place, and in celebration of her 89th birthday.

Issued by the Governor December 4, 2013.
Filed by the Secretary of State December 26, 2013.

2013-442
PEARL HARBOR REMEMBRANCE DAY

WHEREAS, on December 7, 1941 Japanese bombers attacked unsuspecting American sailors and soldiers stationed at Pearl Harbor; and,

WHEREAS, during that fateful day in history, more than 2,000 Americans were killed, including 50 servicemen from Illinois, and another 1,000 were wounded during the bombardment, which outraged Americans as few other events in our nation’s history had; and,

WHEREAS, in response, President Franklin Roosevelt and Congress promptly declared war against Japan and its allies, thereby entering World War II; and,

WHEREAS, United States’ sailors, soldiers and airmen performed superbly on all fronts. Together, a Grand Coalition of French, English, Russian, and American servicemen conducted mass campaigns and operations within the Pacific, African, and European theaters; and,

WHEREAS, on May 7, 1945 Germany surrendered, which was soon followed by Japan’s surrender on August 14 of that same year; and,

WHEREAS, during the war, more American sailors and soldiers were mobilized than at any other time in our history. By war’s end, more than eight million Americans were serving in the Army alone; and,

WHEREAS, thanks to the Grand Coalition, our servicemen, and all those at home who contributed to the war effort, liberty, freedom and the rights of all peoples everywhere were protected from the aggressions of Germany and Japan; and,

WHEREAS, this year marks the 72nd anniversary of the attack on Pearl Harbor and the 68th anniversary of the end of the Second World War. Although we can never repay all those who faithfully and honorably served during the war, we will always remember what they did and fought for; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 7, 2013 as PEARL HARBOR REMEMBRANCE DAY in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff on such day from sunrise until sunset in memory of all the heroes who died in the attack on Pearl Harbor, and in tribute to all the men and women whose sacrifices made the world safer for liberty and freedom.

Issued by the Governor December 5, 2013.
Filed by the Secretary of State December 26, 2013.

2013-443
PEDRO MEDINA DAY

WHEREAS, military service is an honorable deed that should always be recognized and rewarded; and,
WHEREAS, Pedro Medina is an accomplished soldier who has received 1 Bronze Star, 4 Army Commendations Medals, and 5 Army Achievement Medals; and,
WHEREAS, after suffering injuries in Afghanistan, Pedro Medina was told that he would never be able to walk again. Yet, through determination and hard work, after about 9 months of surgeries and rehabilitation, he was able to take his first steps; and,
WHEREAS, Pedro Medina, a dedicated service member, is also a member of the Chicago Police Department, where he now serves as a firearms instructor; and,
WHEREAS, Pedro Medina graduated from UIC with a bachelor degree in Exercise Physiology and is currently enrolled at Calumet College of St. Joseph in the Masters of Science program in Public Safety Administration; and,
WHEREAS, as a result of his commitment to duty and heroism in the face of overwhelming adversity, Pedro Medina is being presented with the 2013 Puerto Rican Police Association Award of Valor; and,
WHEREAS, Pedro Medina serves as an inspiration to the citizens of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 8, 2013, as PEDRO MEDINA DAY in Illinois, in recognition of his fortitude and service to the Land of Lincoln and our nation.

Issued by the Governor December 5, 2013.
Filed by the Secretary of State December 26, 2013.
WHEREAS, the Chicago Force Women’s Tackle Football Team is honored today for their 2013 perfect season, their first National Championship and World Championship titles; and,

WHEREAS, Linda Bache, former player, inspirational leader and owner of the Chicago Force Women’s Tackle Football Team, was named as Owner of the Year by the Women’s Football Alliance. It is Bache’s game skills, management and leadership that have guided the Chicago Force to achieve ten playoff berths in the last eleven seasons; and,

WHEREAS, during the 2013 perfect season, the Women’s Football Alliance named Chicago Force quarterback, Sami Grisafe, Offensive Player of the Year, and Chicago Force line backer, Darcy Leslie, as Defensive Player of the Year; and,

WHEREAS, in 2013 ten Chicago Force players were selected to the All-American Team, to represent the National Conference of the Women's Football Alliance in the All-American game: Sami Grisafe, Brandy Hatcher, Dawn Pederson, Tami Engelman, Liz Okey, Ashley Berggren, Jeanette Gray, Kim Marks, Darcy Leslie and Angel Smith; and,

WHEREAS, the USA Women's Tackle Football Team won the gold in Finland on July 6, 2013. Three Chicago Force coaches were selected to coach Team USA: John Konecki, Adam Lewandowski, and Nick Djurdjevic. Team USA won the Women’s World Championship with decisive victories over Sweden (84-0), Germany (107-7), and Canada (64-0) in the gold medal games. The forty-five women on Team USA represent the top players in the sport of women's tackle football, and are recognized and respected as international sports ambassadors; and,

WHEREAS, of the Chicago Force players who were on the championship team, nine were members of the record setting 2013 U.S. Women’s National Team that won the Women’s World Championship: Sami Grisafe, Jamie Menzyk, Dawn Pederson, Tami Engelman, Liz Okey, Kim Marks, Brandy Hatcher, Jeanette Gray and Ashley Berggren; and,

WHEREAS, the Chicago Force Women’s Tackle Football franchise and players have exemplified the discipline, talent, sportsmanship and spirit of the City of Chicago and the Land of Lincoln in their conduct on both the national and international stages; and,

WHEREAS, the Chicago Force Women’s Tackle Football Team is celebrated for its pioneering indomitable spirit, and serves as an example for establishing a sports legacy for women and girls who are too often unheralded and overlooked in the sports arena; and,
WHEREAS, the Chicago Force’s championship athletic talent goes “beyond the game” by upholding the principles of self-discipline and good sportsmanship. The Chicago Force Women’s Tackle Football players are first-class champions who excel both on and off the field, and provide a shining example to girls and women about what they can achieve in sports and in life; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 5, 2014, as the CHICAGO FORCE WOMEN’S TACKLE FOOTBALL TEAM DAY in Illinois, in honor of the Force’s 2013 perfect season, National and International Championship titles, and urge all citizens to celebrate the Chicago Force Team’s contributions and commitment to sportsmanship that breaks all barriers.

Issued by the Governor December 9, 2013.
Filed by the Secretary of State December 26, 2013.

2013-445
ILLINOIS ROAD & TRANSPORTATION BUILDERS ASSOCIATION DAY

WHEREAS, the mission of the Illinois Road and Transportation Builders Association (IRTBA) is to advance and promote the transportation design and construction industry in Illinois; and,

WHEREAS, IRTBA’s over 300 member firms, large and small, design, build, and maintain our state’s highways, transit systems, railways, and aviation systems; and,

WHEREAS, IRTBA’s member firms employ tens of thousands of workers who create and maintain safe and efficient transportation systems in Illinois; and,

WHEREAS, in order to further the common good, transportation agencies in Illinois and IRTBA have collaborated on numerous projects over the years; and,

WHEREAS, IRTBA is a leader in promoting sustainable, sensible, and innovative environmental objectives and practices; and,

WHEREAS, IRTBA is celebrating 75 years as the leading transportation industry trade association in Illinois; and,

WHEREAS, this is an excellent opportunity to reflect on everything that IRTBA has accomplished over the past 75 years, and to make plans for the future of this association that will build on its past successes; and,

WHEREAS, the longevity of IRTBA is a testament to the quality of its services, and there is no doubt that this association will continue to
be an important component of Illinois’ transportation design and construction industry in the years ahead; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim December 12, 2013, as ILLINOIS ROAD & TRANSPORTATION BUILDERS ASSOCIATION DAY in Illinois, in recognition of this association’s 75th anniversary and commitment to the transportation industry in the Land of Lincoln.

Issued by the Governor December 9, 2013.
Filed by the Secretary of State December 26, 2013.

2013-446
MIKE DITKA DAY

WHEREAS, Mike Ditka, born on October 18, 1939, in Carnegie, Pennsylvania, is one of the most revered athletes and coaches in Chicago sports history; and,

WHEREAS, Mike Ditka was a football standout at the University of Pittsburgh before being drafted by the Chicago Bears in 1961, where he won Rookie of the Year; and,

WHEREAS, Mike Ditka played tight end for the Chicago Bears through 1966, was selected for the Pro Bowl each year, and was part of the championship 1963 team in the years before the advent of the Super Bowl; and,

WHEREAS, during his playing career with the Chicago Bears, Mike Ditka amassed 4,503 yards receiving, first among Bears’ tight ends; and 316 receptions and 34 touchdowns; and,

WHEREAS, in 1988, Mike Ditka became the first tight end to be enshrined in the Pro Football Hall of Fame; and,

WHEREAS, after his playing career ended, Mike Ditka joined the Dallas Cowboys’ coaching staff from 1973-1981. In 1982, he became the Head Coach of the Chicago Bears, a team he would lead to 6 NFC Central titles, 3 NFC Championship game appearances, and the Super Bowl XX title in 1985; and,

WHEREAS, Mike Ditka is only the second person to win the Super Bowl as a player (Dallas, 1972), assistant coach (Dallas, 1977), and head coach (Chicago, 1985); and,

WHEREAS, in addition to currently working as a broadcaster, Mike Ditka owns and operates Ditka’s restaurants in Chicago, Pittsburgh, and Phoenix; and,

WHEREAS, in 1989, Mike Ditka founded the Ditka Foundation in order to raise funds for Misericordia, a residential facility for
WHEREAS, Mike Ditka, despite his enormous success on and off the field, has always remained loyal to the City of Chicago and committed to improving the lives of others through his charitable work; and,

WHEREAS, on December 9, 2013, the Chicago Bears will retire Mike Ditka’s jersey number 89 during halftime of the Bears-Cowboys game in Chicago; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim December 9, 2013, as MIKE DITKA DAY in Illinois, in recognition of his accomplishments as a football player and coach as well as his commitment to the people of the Land of Lincoln.

Issued by the Governor December 9, 2013.
Filed by the Secretary of State December 26, 2013.

2013-447
CRIME STOPPERS OF LAKE COUNTY MONTH

WHEREAS, Crime Stoppers of Lake County was formed in 1983 and is a community program comprised of concerned citizens who work closely with police authorities, the news media, and the public in the fight against crime in Lake County and surrounding communities; and,

WHEREAS, Crime Stoppers combats local crime by offering cash rewards to anyone who provides information that leads to the arrest of felony crime offenders or the capture of felony fugitives. Informants always remain anonymous, and cash rewards are funded primarily by private contributions; and,

WHEREAS, thanks to Crime Stoppers, there have been more than 6,373 criminal arrests throughout Lake County, Northern Illinois, and Wisconsin since the program’s inception in 1983. Altogether, more than $28 million worth of contraband and stolen property has been seized; and,

WHEREAS, the success of Crime Stoppers would not be possible without the support of everyone in the community. Consequently, Crime Stoppers also promotes the importance of reporting suspicious behavior and criminal activity; and,

WHEREAS, to support their mission, Crime Stoppers of Lake County will raise money and sponsor events designed to raise awareness during the month of January:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2014 as CRIME STOPPERS OF LAKE COUNTY MONTH in Illinois, in recognition of their successful program,
and encourage all citizens to help keep their communities safe and free of crime.

Issued by the Governor December 10, 2013.
Filed by the Secretary of State December 26, 2013.

2013-448
SADD SHINES DAY

WHEREAS, SADD, known as Students Against Destructive Decisions and founded as Students Against Driving Drunk in 1981, celebrates national SADD Shines Day in 2014; a day to highlight all the ways SADD teens make a difference in our lives; and,

WHEREAS, SADD is an important youth-based peer-to-peer education, prevention and activism organization with thousands of chapters across the United States, more than 350,000 students actively participating, and 7 million+ students in schools with SADD chapters; and,

WHEREAS, for 32 years SADD has been a symbol of youth lighting the way to promote positive decision-making around critical everyday issues such as underage drinking, tobacco and other drug use, impaired and reckless driving, and teen violence and suicide; and,

WHEREAS, SADD’s goal is to keep youth safe and alive, and has made a difference in the lives of thousands of young people; and,

WHEREAS, SADD is celebrating its successes with a special event on February 5th called “SADD Shines Day,” which will involve students, teachers, parents, and other community members; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim February 5, 2014, as SADD SHINES DAY in Illinois, in recognition of this organization’s efforts to positively impact youth across the Land of Lincoln.

Issued by the Governor December 11, 2013.
Filed by the Secretary of State December 26, 2013.

2013-449
FINANCIAL FITNESS FRIDAYS

WHEREAS, it is essential that the people of Illinois have access to financial education and information in order to make informed and responsible decisions regarding finance, credit, and debt; and,

WHEREAS, acquisition of financial literacy skills by citizens will improve the quality of their lives, provide them with the skills necessary
for success, contribute to positive changes in the communities in which they live and work, and benefit the economy of this state; and,

WHEREAS, during the month of January, through Financial Fitness Fridays, Regions Financial Corporation will encourage everyone in the communities it conducts business to focus on financial health and fitness as well as their general well-being; and,

WHEREAS, in 2013, Financial Fitness Fridays included over 350 activities and financial workshops; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 3, 10, 17, 24, and 31, 2014, as FINANCIAL FITNESS FRIDAYS in Illinois, in support of increasing financial education across the Land of Lincoln.

Issued by the Governor December 12, 2013.
Filed by the Secretary of State December 26, 2013.

2013-450

BRETT ELDREDGE DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, there are few forms of music more purely American than the country music genre; and,

WHEREAS, country music, with its themes of rural life, family, hard work, and love for country speaks to Midwestern ideals and Illinois residents can relate to its message; and,

WHEREAS, a country musician with ties to the Land of Lincoln who has experienced great success is Brett Eldredge; and,

WHEREAS, Brett Eldredge grew up in Paris, Illinois, with parents Chris and Robin and brother, Brice; and,

WHEREAS, Brett Eldredge began singing at a young age at community churches, school activities, senior living centers, nursing homes, charity events, the county fair, and numerous other community events; and,

WHEREAS, after transferring to Middle Tennessee State University near Nashville to begin his pursuit of becoming a country music artist, Brett Eldredge started recording demos for other songwriters in Nashville and signed a music publishing deal with BMI; and,

WHEREAS, in 2009, Brett Eldredge signed a record deal with Atlantic Records. His first single, “Raymond,” was released to radio in August of 2010 and climbed to No. 22 on the country charts; and,
WHEREAS, Brett Eldredge co-wrote 11 of the 12 songs on his debut cd, Bring You Back, which was released on August 6, 2013; and,
WHEREAS, Brett Eldredge has opened for major country artists including Blake Shelton, Tim McGraw, Brad Paisley, Trace Adkins, Miranda Lambert, Taylor Swift, Dierks Bentley, and Ronnie Dunn; and,
WHEREAS, Brett Eldredge has had the opportunity to play at the historic Ryman Auditorium and Grand Ole Opry; and,
WHEREAS, in August 2013, Brett Eldredge’s gold record, “Don’t Ya,” climbed to the top of the charts, giving him his first ever No. 1 single; and,
WHEREAS, Brett Eldredge was nominated for the Country Music Association’s New Artist of the Year Award and was given the opportunity to present the award for Duo of the Year during the live national broadcast of the CMA Awards. To date, Brett Eldredge has also received three nominations for American Country Awards; and,
WHEREAS, despite his accomplishments, Brett Eldredge has always remained loyal to the people of Paris, Illinois; and,
WHEREAS, On December 22, 2013, the residents of Paris, Illinois, will welcome home and recognize their own recording artist, Brett Eldredge, at Paris High School; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 22, 2013, as BRETT ELDREDGE DAY in Illinois, in recognition of his tremendous musical success and contributions to the country music genre and entertainment industry.
Issued by the Governor December 13, 2013.
Filed by the Secretary of State December 26, 2013.

2013-451
TOBACCO FREE KIDS DAY

WHEREAS, nationwide, twenty percent of all high school students (grades 9-12) and nearly ten percent of all eighth graders are current smokers; and,
WHEREAS, more than a third of all kids who ever try smoking a cigarette become new regular, daily smokers before leaving high school; and,
WHEREAS, one out of three youth smokers will ultimately die prematurely from smoking-related diseases, unless current trends are reversed; and,
WHEREAS, smoking kills more than 400,000 Americans each year, representing more deaths than from AIDS, alcohol, car accidents, homicides, suicides, drugs and fires combined; and,

WHEREAS, most deaths attributed to smoking can be prevented; and,

WHEREAS, the Campaign for Tobacco-Free Kids sponsors an annual national initiative urging elementary, middle and high school students to lead the fight against youth tobacco use and exposure to secondhand smoke; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim, March 19, 2014, as TOBACCO FREE KIDS DAY in Illinois all citizens of the Land of Lincoln to live healthy lifestyles.

Issued by the Governor December 16, 2013.

Filed by the Secretary of State December 26, 2013.

2013-452

ILLINOIS SOCIETY OF ASSOCIATION EXECUTIVES DAY

WHEREAS, associations provide a vital communication and education link for individuals, organizations, government and the general population on topics unique to associations; and,

WHEREAS, the mission of the Illinois Society of Association Executives (ISAE) is to advocate for the association community and be the primary statewide professional development resource for association staff members; and,

WHEREAS, the Illinois Society of Association Executives represents CEOs and executives from associations located in Illinois; and,

WHEREAS, ISAE represents more than 200 associations throughout Illinois; and,

WHEREAS, the associations the ISAE serves generate more than $100 million dollars annually for the state’s economy; and,

WHEREAS, the ISAE’s member associations employ more than 2,300 people in various capacities; and,

WHEREAS, the ISAE provides educational, experiential and advocacy resources to its members; and,

WHEREAS, the Illinois Society of Association Executives Annual Convention brings together association executives and industry partners suppliers with the goal to network and educate in one location; and,
WHEREAS, ISAE will hold its 52nd Annual Convention in Springfield, IL on January 21, 2014, and will celebrate and recognize contributions of associations and their employees; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 21, 2014, as ILLINOIS SOCIETY OF ASSOCIATION EXECUTIVES DAY in Illinois, in support of our associations and the contributions their employees give to Illinois’ communities.

Issued by the Governor December 17, 2013.
Filed by the Secretary of State December 26, 2013.

2013-453
THE UNIVERSAL HOUR OF PEACE

WHEREAS, Illinois has historically been a melting pot where people of all nationalities, religious faiths and cultures come together as one; and,

WHEREAS, the strength of our great state of Illinois rests in the cooperative community of its citizens; and,

WHEREAS, our hope of establishing peace among diverse peoples is through recognizing our connectedness, our capacity for peacemaking and peacekeeping at home and abroad; and,

WHEREAS, the first day of a new year typically denotes hopeful expectation and positive resolve in the hearts and minds of our citizens; and,

WHEREAS, the School of Metaphysics, a worldwide organization founded to promote peace, understanding, and goodwill through teaching that living peacefully begins by thinking peacefully, has called for a Universal Hour of Peace over the midnight hour December 31st, 2013 – January 1st, 2014; and,

WHEREAS, the Universal Hour of Peace is used as a means to spread the message of world peace and its vital importance to the future of the human race; and,

WHEREAS, the goal of the observance of the Universal Hour of Peace is to contribute to the peace-making process by encouraging all individuals to harness their abilities and actively participate in creating a more peaceful world; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 31, 2013, at 11:30 p.m. to January 1, 2014 at 12:30 a.m. as THE UNIVERSAL HOUR OF PEACE in Illinois, and
encourage all citizens to do their part to build a more peaceful state, a more peaceful country, and a more peaceful world.

Issued by the Governor December 17, 2013.
Filed by the Secretary of State December 26, 2013.

2013-454
CERVICAL CANCER AWARENESS MONTH

WHEREAS, January is recognized nationally as Cervical Cancer Awareness Month, an observance that promotes education about cervical cancer causes, screenings and treatments; and,
WHEREAS, in 2014, a projected 550 women in Illinois will be diagnosed with cervical cancer; and,
WHEREAS, in 2013, 190 women in Illinois were projected to have lost their life to cervical cancer; and,
WHEREAS, with routine screening and follow-up, cervical cancer is highly preventable; and,
WHEREAS, early detection through routine screening can significantly increase chances of survival; and,
WHEREAS, the Illinois Breast and Cervical Cancer Program (IBCCP) provides free mammograms, breast exams, pelvic exams, and Pap tests to uninsured women. The IBCCP has provided 15,883 cervical cancer screenings in the past fiscal year alone; and,
WHEREAS, throughout January, public and private organizations as well as state and local governments around the country will promote education about cervical cancer causes, screenings and treatments; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2014 as CERVICAL CANCER AWARENESS MONTH in Illinois, and encourage all women to receive regular screenings, and invite each citizen to join the continued fight against cervical cancer.

Issued by the Governor December 18, 2013.
Filed by the Secretary of State December 26, 2013.

2013-455
WILLIAM HUDSON JR. DAY

WHEREAS, William Hudson Jr., affectionately known as “Bill,” was born on November 24, 1947, to parents William Hudson Sr. and Lillie Mae Hudson; and,
WHEREAS, William Hudson Jr. graduated from Frances Parker High School in Chicago, and married his sweetheart, Ms. Patricia Carter, on September 14, 1968; and,
WHEREAS, William Hudson Jr. was a tremendously hard worker and dedicated public servant who worked at the United States Postal Service, and served for 30 years as a Deputy Sheriff with the Cook County Sheriff’s Department; and,
WHEREAS, in addition to his commitment to public service, William Hudson Jr. was an accomplished businessman who invested in real-estate and owned the Fish Hut Restaurant and Hudson Roofing Company as well as many other lounges and convenience stores; and,
WHEREAS, William Hudson Jr. attended Greater Salem and Zion Temple M.B.C. before joining Prayer & Faith Outreach Ministries; and,
WHEREAS, William Hudson Jr. passed away on Monday, December 16th, 2013; and,
WHEREAS, throughout his life, William Hudson Jr. positively impacted everyone who had an opportunity to meet him; and,
WHEREAS, William Hudson Jr. was a kind hearted man and a wonderful father and husband; and,
WHEREAS, a funeral service will be held at 11 a.m. on Saturday, December 21, 2013, at Monument of Faith for William Hudson Jr., who is survived by his loving wife, Patricia, children Vanessa, Tina, Bishop William Hudson III, and Chanel as well as many other family members and friends; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 21, 2013, as WILLIAM HUDSON JR. DAY, in honor of a good man who lived a purposeful life.
Issued by the Governor December 20, 2013.
Filed by the Secretary of State January 15, 2014.

2013-456
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF INVESTIGATOR CUAUHTEMOC ESTRADA

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on Friday, December 20, 2013, Cook County Sheriff’s Investigator Cuauhtemoc Estrada was tragically taken from us; and,

WHEREAS, Investigator Cuauhtemoc Estrada was a former United States Marine, who served in Desert Storm; and,

WHEREAS, Investigator Cuauhtemoc Estrada was a 20 year veteran of the Cook County Sheriff’s office, where his most recent assignment was in the Electronic Monitoring Unit; and,

WHEREAS, Investigator Cuauhtemoc Estrada tirelessly protected his family, our state, and our nation; and,

WHEREAS, Investigator Cuauhtemoc Estrada was a well-known member of the Cook County Sheriff’s office and loving family member and friend who will always be remembered for the countless lives that he impacted; and,

WHEREAS, throughout his career in law enforcement, Investigator Cuauhtemoc Estrada represented the State of Illinois admirably; and,

WHEREAS, a funeral service will be held on Saturday, December 28, 2013, at Holy Name Cathedral at 10:00 a.m. for Investigator Cuauhtemoc Estrada, who is survived by his son, Daniel, and 3 daughters, Araciele, Christina, and Desiree as well as many other loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on December 26 to sunset on Saturday, December 28, 2013, in honor and remembrance of Investigator Cuauhtemoc Estrada, whose selfless service and sacrifice is an inspiration to the residents of the Land of Lincoln.

Issued by the Governor December 24, 2013.
Filed by the Secretary of State January 15, 2014.

2013-457
CHICAGO BUSINESS OPPORTUNITY DAYS

WHEREAS, the 47th Annual Chicago Business Opportunity Fair (CBOF), which is of special interest to Illinois-based businesses, will be held on April 10-11, 2014, at Chicago’s Navy Pier; and,

WHEREAS, the fair will provide minority suppliers and purchasing personnel from major buying organizations with the opportunity to meet and exchange information about mutual buying and selling needs; and,
WHEREAS, the 47th Anniversary of the Chicago Business Opportunity Fair assists in advancing the year-round efforts of the Chicago Minority Business Development Council, Inc., an organization devoted to stimulating minority business development and purchasing in Chicago and throughout the State of Illinois; and,

WHEREAS, the CBOF Minority Business Enterprise Input Committee (MBEIC) Awards Reception will take place on April 10th. This event will recognize honorees and advocates who have supported supplier diversity on both local and national levels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10-11, 2014, as CHICAGO BUSINESS OPPORTUNITY DAYS in Illinois, in recognition of the 47th anniversary of the Chicago Business Opportunity Fair.

Issued by the Governor December 26, 2013.
Filed by the Secretary of State January 15, 2014.

2013-458
TARGET HOPE DAY

WHEREAS, with an objective of providing academic, social, and financial support to talented minority students, Target HOPE was founded on December 7, 1993; and,

WHEREAS, since 1993, Target HOPE has successfully transitioned over 4,550 high school students into higher education by offering assistance from high school through the post-graduate/doctoral levels of academia; and,

WHEREAS, for the 20th consecutive year, 100% of Target HOPE’s graduates have been admitted to and enrolled in 4-year colleges and universities; and,

WHEREAS, since Target Hope’s first graduating class in 1998, over $110 million dollars in merit based scholarships have been awarded to its students; and,

WHEREAS, Saturday Academy, a signature program of Target HOPE, provides high school students with an opportunity to take core curriculum courses taught by college faculty; and,

WHEREAS, Target HOPE is celebrating its 20th anniversary in December 2013; and,

WHEREAS, this is an excellent opportunity to reflect on Target HOPE’s accomplishments over the past 20 years, and to make plans for its future that will build on its past successes; and,
WHEREAS, the longevity of Target HOPE is a testament to the quality of services it provides, and there is no doubt that this organization will continue offering excellent opportunities to students for many years to come; and,

WHEREAS, on December 28, 2013, the Target HOPE Alumni Association will host a gala honoring the hard work of its Founder & Executive Director, Mr. Euclid Williamson, and all of its students and professors; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim December 28, 2013, as TARGET HOPE DAY in Illinois, in honor of this organization’s 20th anniversary and in recognition of the staff, professors, parents, and students who have made 20 years of success possible.

Issued by the Governor December 26, 2013.
Filed by the Secretary of State January 15, 2014.

2013-459
ELECTRICAL SAFETY MONTH

WHEREAS, the potential for electrical hazards grows with electricity’s increasing presence in our modern lives; and,

WHEREAS, hundreds of people die and thousands are injured each year in the United States as a result of electrically-related incidents; and,

WHEREAS, on average, there are 418 civilian deaths related to electrical home structure fires each year; and,

WHEREAS, property damage resulting from home fires caused by electrical failure or malfunction amounts to more than $1.4 billion annually; and,

WHEREAS, more than six people are electrocuted each week in the United States; and,

WHEREAS, following basic electrical safety precautions can help prevent thousands of people from being injured or killed each year; and,

WHEREAS, citizens are encouraged to inspect their homes and workplaces for possible electrical hazards; and,

WHEREAS, citizens are advised to protect their homes and families with the latest safety technology, such as ground fault circuit interrupters, arc fault circuit interrupters and tamper resistant receptacles; and,

WHEREAS, citizens are urged to install, test and properly maintain an adequate number of smoke alarms; and,
WHEREAS, the Electrical Safety Foundation International (ESFI) is dedicated exclusively to promoting electrical safety in the home, school and workplace through education, awareness and advocacy; and,

WHEREAS, the Electrical Safety Foundation International has designated the month of May as Electrical Safety Month to encourage citizens to renew their commitment to safety; and,

WHEREAS, the observance of Electrical Safety Month is designed to promote a healthy respect for electricity and to educate the public about the safe use of electrical appliances and safety practices associated with electrical equipment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as ELECTRICAL SAFETY MONTH in Illinois, and encourage all citizens to observe the importance of establishing and practicing electrical safety habits in the home, school and workplace to reduce the number of electrically-related fires, injuries and deaths.

Issued by the Governor December 30, 2013.
Filed by the Secretary of State January 15, 2014.
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## Compiled Statutes Amended

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United States of America,

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Office of the Secretary of State.

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that the foregoing Public Acts and Joint Resolutions of the Ninety-Eighth General Assembly of the State of Illinois and the Executive Orders and Proclamations of the Governor, are true and correct copies of the originals now on file in the office of the Secretary of State.

IN WITNESS WHEREOF, I hereto set my hand and affix the Great Seal of the State of Illinois, at the city of Springfield, this 13th day of March 2014.

(SEAL)

Jesse White
Secretary of State